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Congressional Record

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SENATE

TUESDAY, JUNE 22, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou Master of all good workmen: This day, as his colleagues in this forum of freedom think gratefully and tenderly of the life and service of Thy servant, OLIN D. JOHNSTON, who, with little time for farewell, has fared forth beyond this bourne of time and sense, to know the mystery which one day will come to us all as this mortal puts on immortality, in this Chamber which for so long knew his presence and his dedication to the Nation's welfare, we thank Thee that such have been, though they are here no more.

As in his career we remember the faith whose persistence moved mountains, and his passion in the stewardship of human need and betterment, as he labored while it was called day, we are saying of him now, as he has gone from our ranks here:

"A friend has passed across the bay
So wide and vast, and put away
The mortal form which held his breath.
But through the storm that men call
death,
Erect and straight, unstained by years,
At heaven's gate—a man appears."

And we would record that that man moved among us with fidelity to the highest, and, with the dear companion of the years and his devoted family, never allowed the sham and show of mere things to live with, obscure the shining gold of the things worth living for.

O Lord, at last bring us all to the homeland of Thine eternal love. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 21, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, transmitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1796) to amend the Small Business Act to provide additional assistance for disaster victims.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 432. An act to amend the Federal Employees' Group Life Insurance Act of 1954 and the Civil Service Retirement Act with regard to filing designation of beneficiary, and for other purposes;

H.R. 2263. An act to provide for an objective, thorough, and nationwide analysis and reevaluation of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation;

H.R. 6097. An act to amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes;

H.R. 7707. An act to authorize the appointment of crier-law clerks by district judges;

H.R. 7743. An act to establish a system of loan insurance and a supplementary system of direct loans, to assist students to attend postsecondary business, trade, technical, and other vocational schools;

H.R. 8620. An act to amend the Agricultural Act of 1949 and the Agricultural Adjustment Act of 1938, to take into consideration floods and other natural disasters in reference to the feed grains, cotton, and wheat programs for 1965; and

H.R. 8862. An act to amend the act of August 7, 1935, to increase the authorized annual share of the United States as an adhering member of the International Council of Scientific Unions and Associated Unions.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 432. An act to amend the Federal Employees' Group Life Insurance Act of 1954 and the Civil Service Retirement Act with regard to filing designation of beneficiary, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2263. An act to provide for an objective, thorough, and nationwide analysis and reevaluation of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation; and

H.R. 7743. An act to establish a system of loan insurance and a supplementary system of direct loans, to assist students to attend postsecondary business, trade, technical, and other vocational schools; to the Committee on Labor and Public Welfare.

H.R. 6097. An act to amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes; and

H.R. 7707. An act to authorize the appointment of crier-law clerks by district judges; to the Committee on the Judiciary.

H.R. 8620. An act to amend the Agricultural Act of 1949 and the Agricultural Adjustment Act of 1938, to take into consideration floods and other natural disasters in reference to the feed grains, cotton, and wheat programs for 1965; to the Committee on Agriculture and Forestry.

H.R. 8862. An act to amend the act of August 7, 1935, to increase the authorized annual share of the United States as an adhering member of the International Council of Scientific Unions and Associated Unions; to the Committee on Foreign Relations.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Labor of the Committee on Labor and Public Welfare, the Subcommittee on Constitutional Rights and the Subcommittee on Constitutional Amendments of the Committee on the Judiciary were authorized to meet during the session of the Senate today.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the Subcommittee on Flood Control-Rivers and Harbors of the Committee on Public Works be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communications, which were referred as indicated:

Proposed Amendment to the Budget, 1966, for Department of Agriculture (S. Doc. No. 38)

A communication from the President of the United States, transmitting amendments to the request for appropriations transmitted in the budget for the fiscal year 1966, involving a net decrease of $32,500,000 for the Department of Agriculture (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

Proposed Amendment to the Budget, 1966, for Interoceanic Canal Commission (S. Doc. No. 37)

A communication from the President of the United States, transmitting an amendment to the request for appropriations transmitted in the budget for the fiscal year 1966, in the amount of $7,500,000, for the Interoceanic Canal Commission (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Hawaii; to the Committee on Finance:

"House Resolution 241

"Whereas President Lyndon B. Johnson has proposed the repeal of virtually all Federal excise taxes for the benefit of our national economy; and

"Whereas President Johnson's proposals will mean a savings of about $12 million annually to the people of Hawaii and a substantial increase to the purchasing power of the island residents to the benefit of our economy; and

"Whereas the repeal of the Federal excise tax imposed on the users of communication services, including local and toll telephone services, alone will mean a savings of about $3 million annually to telephone subscribers in Hawaii to the benefit of the economy of Hawaii; and

"Whereas the proposals do not include the repeal of the Federal excise taxes on air travel both within the islands and between the mainland and Hawaii; and

"Whereas taxes on air fares should be repealed to encourage travel within the islands and between the mainland and Hawaii: Now, therefore, be it

"Resolved by the House of Representatives of the Third Legislature of the State of Hawaii, General Session of 1965, That U.S. Senators Daniel K. Inouye, and Hiram L. Fong, Congressman Spark M. Matsunaga, and Congresswoman Patsy T. Mink be and they are hereby respectfully requested to urge Congress to support President Johnson's proposals to eliminate virtually all excise taxes for the benefit of our national economy; and be it further

"Resolved, That our congressional delegation be and they are hereby requested to urge Congress to eliminate the excise taxes on air travel within the islands and between the mainland and Hawaii; and be it further

"Resolved, That duly certified copies of this resolution be sent to President Lyndon B. Johnson, to the President of the U.S. Senate, to the Speaker of the U.S. House of Representatives, and to U.S. Senators Daniel K. Inouye and Hiram L. Fong, Congressman Spark M. Matsunaga, and Congresswoman Patsy T. Mink."

A resolution of the Legislature of the State of Florida; to the Committee on the Judiciary:

"House Memorial 2433

"Memorial to the Congress of the United States urging the Congress to submit a constitutional amendment to authorize any State with a bicameral legislature to utilize factors other than population in apportioning one house of its legislature if approved by the electorate of the State, and to permit any State to determine how governing bodies of its subordinate units should be apportioned

"Whereas the Supreme Court of the United States has ruled that membership in both houses of a bicameral State legislature must be apportioned according to population and has thus asserted Federal judicial authority over the basic structure of government in the various States; and

"Whereas this rule denies to the people of the respective States the right to establish their legislatures upon the same pattern of representation deemed advantageous for the Congress of the United States and provided by the Federal Constitution; and

"Whereas this action of the Supreme Court goes so far as to restrict the ability of the citizens of the respective States to designate the manner in which they shall be represented in their respective legislatures thereby depriving the people of their right to determine how they shall be governed; and

"Whereas the implications of this action by the Supreme Court raise serious doubts as to the legality of the present form of the governing bodies of many subordinate units of government within the States: Now, therefore, be it

"Resolved by the Legislature of the State of Florida, That the Florida Legislature respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'Article —

" 'Section 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population: *Provided,* That the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

" 'Sec. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

" 'Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.'

"Be it further resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"Resolved, That copies of this memorial be transmitted forthwith by the chief clerk of the house and the secretary of the Senate of the State of Florida to the President of the United States, and the Vice President of the United States as Presiding Officer of the Senate, and the Speaker of the House of Representatives of the Congress of the United States, to each of the congressional delegation from Florida in the U.S. Congress, and to each of the Governors, secretaries of state, and attorneys general of the several States; and be it further

"Resolved, That a copy of this memorial be spread upon the Journal of both the Senate and House of Representatives of the State of Florida, and sufficient copies thereof be furnished to the press.

"Filed in office, secretary of state, June 15, 1965."

A resolution adopted by the Officers' Wives Club of Fort Campbell, Ky., favoring the enactment of House bill 5725, relating to increased pay for members of the Armed Forces; to the Committee on Armed Services.

A resolution adopted by the Executive Committee of the Baltimore Chapter of the Association of the U.S. Army, favoring the enactment of legislation to provide increased pay for members of the Armed Forces; to the Committee on Armed Services.

A resolution adopted by the officers and directors of the North Vernon, Ind., Chamber of Commerce, favoring the enactment of legislation to provide for the development of the proposed Muscatatuck National Wildlife Refuge of Jackson and Jennings Counties, Ind.; to the Committee on Commerce.

A resolution adopted by the General Board of the National Council of Churches, relating to the problems of South Vietnam; to the Committee on Foreign Relations.

A resolution adopted jointly by the Executive Board of the Dress Makers Union of Los Angeles, Local 96; the Executive Board of the Cotton Garment Workers Union, Local 266; the Executive Board of the Ladies Garment Accessories Trades Workers Union, Local 482, and the Executive Board of the Lingerie and Undergarment Workers Union, Local 496, of Los Angeles, Calif., favoring the enactment of legislation to repeal section 14(b) of the Taft-Hartley Act; to the Committee on Labor and Public Welfare.

Resolutions adopted by the Cleveland, Ohio, Typographical Union No. 53; the San Antonio, Tex., Typographical Union No. 172; the Paducah, Ky., Typographical Union No. 134; the Washtenaw County, Mich., AFL–CIO Council; the San Diego, Calif., Typographical Union No. 221; the Watsonville-Salinas, Calif., Typographical Union No. 543; the Topeka, Kans., Allied Printing Trades Council; the Allied Printing Trades Council, of Des Moines, Iowa; the Charleston, S.C., Typographical Union No. 431, and the Duluth, Minn., AFL–CIO Central Body, all favoring the enactment of legislation to prevent interstate trafficking in strikebreakers; to the Committee on Labor and Public Welfare.

A resolution adopted by the City Council of the City of Los Altos, Calif., relating to the prohibition of above-ground, high-tension powerlines; to the Joint Committee on Atomic Energy.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S.J. Res. 56. Joint resolution authorizing the President to proclaim the occasion of the bicentennial celebration of the birth of James Smithson (Rept. No. 339).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 827. A bill for the relief of Kam Yuet Moy (Rept. No. 340);

S. 858. A bill for the relief of Chang Ah Lung (Rept. No. 341);

S. 859. A bill for the relief of Mr. and Mrs. Toros Torosian (Rept. No. 342);

S. 864. A bill for the relief of Roxa Feuer (Rept. No. 343);

S. 867. A bill for the relief of Young Wai (Rept. No. 344);

S. 868. A bill for the relief of Mother Azucena de San Jose (nee Carmen Hernandez Aguilar) (Rept. No. 345);

S. 925. A bill for the relief of William S. Hwang (Rept. No. 346);

S. 1001. A bill for the relief of Louis Sirota (Rept. No. 347);

S. 1076. A bill for the relief of Kurush Shahbaz (Rept. No. 348);

H.R. 3994. An act to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling and paying certain claims arising out of the crash of a U.S. aircraft at Wichita, Kans. (Rept. No. 349);

H.R. 3996. An act to amend provisions of law relating to the settlement of admiralty claims (Rept. No. 350);

H.R. 6507. An act to make section 1952 of title 18, United States Code, applicable to travel in aid of arson (Rept. No. 351); and

H.R. 6848. An act to amend section 35 of title 18 of the United States Code relating to the imparting or conveying of false information (Rept. No. 352).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 828. A bill for the relief of Cha Mi Hi (Rept. No. 353);

S. 834. A bill for the relief of Juliana Rado (Rept. No. 354);

S. 862. A bill for the relief of Woo Zee-Ching (Rept. No. 355);

S. 943. A bill for the relief of Frantisek Vohryzka (Rept. No. 356); and

S. 1012. A bill for the relief of Dr. Otto F. Kernberg (Rept. No. 357).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 518. A bill for the relief of Joana K. Georgoulia (Rept. No. 358); and

S. 954. A bill for the relief of Ailsa MacIntyre (Rept. No. 359).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Marcus J. Wallace, Jr., and sundry other persons, for appointment in the U.S. Coast Guard.

By Mr. EASTLAND, from the Committee on the Judiciary:

Charles B. Bendlage, Jr., of Iowa, to be U.S. marshal for the southern district of Iowa;

Robert O. Doyle, of Georgia, to be U.S. marshal for the middle district of Georgia;

John H. Reddy, of Tennessee, to be U.S. attorney for the eastern district of Tennessee;

Ellis Maylett, of Utah, to be U.S. marshal for the district of Utah;

Cato Ellis, of Tennessee, to be U.S. marshal for the western district of Tennessee;

Fred F. Hoh, of Ohio, to be U.S. marshal for the southern district of Ohio;

R. Ben Hosler, of Ohio, to be U.S. marshal for the northern district of Ohio;

Anton T. Skoro, of Idaho, to be U.S. marshal for the district of Idaho;

Elmer W. Disspayne, of Tennessee, to be U.S. marshal for the middle district of Tennessee;

William J. Andrews, of Georgia, to be U.S. marshal for the northern district of Georgia;

Floyd M. Buford, of Georgia, to be U.S. attorney for the middle district of Georgia; and

Milton J. Ferguson, of West Virginia, to be U.S. attorney for the southern district of West Virginia.

By Mr. DIRKSEN, from the Committee on the Judiciary:

Carl W. Feickert, of Illinois, to be U.S. attorney for the eastern district of Illinois.

By Mr. FONG, from the Committee on the Judiciary:

Wesley H. Petrie, of Hawaii, to be U.S. marshal for the district of Hawaii.

By Mr. KENNEDY of Massachusetts, from the Committee on the Judiciary:

Donald Frank Turner, of Massachusetts, to be an Assistant Attorney General.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS:

S. 2171. A bill to authorize the Secretary of the Army to cooperate in planning for the development, utilization, and conservation of drainage basins in New York State; to the Committee on Public Works.

By Mr. SMATHERS:

S. 2172. A bill for the relief of Beatriz Castaner y Garcia (also known as Betty Geisler); to the Committee on the Judiciary.

By Mr. McGOVERN:

S. 2173. A bill to provide for the free entry of one shadomaster measuring projector for the use of the University of South Dakota; to the Committee on Finance.

S. 2174. A bill to authorize the Secretary of the Interior to obtain the services of competent private engineers to assist him in carrying out his duties under the reclamation laws; to the Committee on Interior and Insular Affairs.

By Mr. CARLSON:

S. 2175. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. YARBOROUGH:

S. 2176. A bill to amend the Tariff Act of 1930, as amended, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S. 2177. A bill for the relief of Donald I. Abbott; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

CREATION OF ROANOKE ISLAND MEMORIAL COMMISSION

Mr. ERVIN (for himself and Mr. Jordan of North Carolina) submitted the following concurrent resolution (S. Con. Res. 39); which was referred to the Committee on Interior and Insular Affairs:

S. Con. Res. 39

Concurrent resolution requesting the President to create the Roanoke Island Memorial Commission

Whereas the origin of this Nation was inspired by the timeless quest of man for a destiny commensurate with his potentialities; and

Whereas it was the grandeur of the Renaissance at high noon in England, immortalized by Shakespeare, Bacon, and Raleigh, which gave birth to the American dream; and

Whereas freedom sustained the vision and nourished the faith of those who dedicated themselves to England's greatness beyond the seas; and

Whereas in 1585 and in 1587, the first colonizing efforts of our English forebears on Roanoke Island crystallized into prophetic commitments, creating in the annals of England a fadeless precedent and a stirring challenge to establish a permanent settlement on American soil, making Roanoke Island the spiritual birthplace of this nation; and

Whereas the education of our people in the basic values of American culture, deepening their patriotism and sense of pride in their country's origin, could well be enhanced by the erection on Roanoke Island of an Architectural Square, portraying dramatically and vividly the spirit and genius of Elizabethan England: a church to symbolize religion; a governmental building to interpret politics; a replica of the Globe Theater to represent literature and reproduce Shakespearean plays; a Tudor Hall to provide facilities for conferences, lectures and music, relating to the epoch; a library to encourage research and study of sixteenth century England; a museum to exhibit the art and artifacts of that period; guild houses to demonstrate its master crafts; and statues to venerate the memory of its immortal leaders; and

Whereas it is fitting that a nation should teach its citizens with immutable fidelity, clarity and conviction, amid the hallowed shrines of its youth, the eternal principles that gave it birth: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is requested to appoint a commission of five persons, to be known as the Roanoke Island Memorial Commission, whose duty it shall be to formulate a proposal which will enable this country to commemorate in a more complete manner the episode of its spiritual birth; and be it further

Resolved, That the Roanoke Island Memorial Commission be invited especially to study in what manner the religious, political, cultural, social, and economic life of Elizabethan England, which initiated the drama of English colonization on American soil, can be portrayed in its true historical significance and natal splendor for the instruction and inspiration of generations to come; and be it further

Resolved, That the Roanoke Island Memorial Commission, moreover, be asked to investigate the proper relationship of its proposed program to the existing activities of the Fort Raleigh National Historic Site already on Roanoke Island; and be it further

Resolved, That the Roanoke Island Memorial Commission be requested to report its findings and recommendations to the Congress of the United States in order that this body may take appropriate action to establish at Roanoke Island a memorial worthy of the enduring importance of this event, which led to the founding of the United States of America.

NEW APPROACH TO THE OIL IMPORT PROBLEM: DOMESTIC INDUSTRY SECURITY ACT OF 1965

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, the Domestic Industries Security Act of 1965. This bill is identical to bills introduced in the House by Congressmen Henry B. Gonzalez, O. C. Fisher, Clark W. Thompson, and Jim Wright.

A new—and, I believe, imaginative—approach to the critical problems facing the domestic oil industry is presented in this legislation. The innovation is embodied in a "quota bidding program," under which companies would submit bids for the privilege of importing oil. This program would be designed to encourage practices which will enhance the health of the domestic oil industry, by making it financially attractive for companies to follow such practices.

This bill, if enacted, would empower the President to limit the quantity of importation of any oil into the United States if it were being imported in such quantities that the security of the country was threatened. Once such a finding was made, and it further were found that domestic sources have a reserve productive capacity capable of fulfilling the total national requirements of oil, then imports could not exceed, for the 5 years following passage of the act, the level of the year immediately preceding passage of the act. Import quotas would be assigned to the various parts of the world which are the source of imports. Importers would submit bids for licenses to import within the quotas. Licenses would be awarded to the highest bidder.

Mr. President, we all know how important oil is to our national defense effort. Oil products fuel and lubricate our ships, our planes, our tanks, our trucks. Petrochemicals are equally vital. Clearly a dependable source of petroleum is an absolute necessity if America is to remain strong and free to work toward her oft-stated goal of bringing to reality a lasting peace among nations.

In evaluating our strength we must look ahead in time. With the world situation as it is now, we must be prepared to maintain overwhelming defense power far into the future, for it may be many, many years before the nations of the world are able to achieve a workable accommodation of divergent views.

An adequate supply of oil in a time of crisis must come from domestic sources. The effect upon Europe of the cutoff of Middle Eastern oil during the Suez Canal crisis illustrates this point very well. It would not be difficult for an unfriendly nation to cut off the flow of foreign oil to the United States.

It was with these thoughts in mind that the present mandatory import program was instituted. I am not anxious to criticize a program which was designed and which has been administered by fair and high-minded individuals. Nor do I suggest that there is any one best answer to this highly complex problem. Yet taking all this into consideration, one can still come to no conclusion other than that the current program has not adequately met the problem and that change is absolutely necessary if disaster is not to overtake us.

In 1955 the President's Committee on Energy Supplies and Resources Policy stated that the national security would be seriously threatened if the ratio of total imports to domestic production of oil should exceed the then existing 16.6-percent ratio. Yet under the current program the percentage of imports has increased to a current level which exceeds 29.9 percent. Importing companies have experienced an 8-percent gain in their share of the market while independents have averaged less than 1 percent.

As far as the future is concerned, an adequate supply of oil depends upon sufficient reserves. The "Appraisal of the Petroleum Industry of the United States" issued in January by the Department of the Interior states that:

> What has been done since 1956 to find new supplies of oil, whether through new discoveries or through increasing recovery rates of old deposits, has not been enough to provide a sound basis for future growth. Additional exploratory effort is needed, particularly in new field wildcat drilling (p. 17).

The appraisal goes on to warn:

> The modest 2-percent annual net increase in new-field wildcat wells directed to exploring new geologic environments (5,300 wells in 1950 to 6,750 wells in 1963), must be accelerated in the future if the requirements for additions to reserve from new discoveries are to be met (p. 19).

The appraisal also points out that the independent producer segment of the industry does most of the wildcatting and finds most of the oil, perhaps 80 to 85 percent, and that this vital segment of the domestic oil industry is in a far from healthy condition.

Therefore if we are to assure ourselves adequate oil reserves in the future, we must look to the health of that segment of the industry which discovers new reserves. We can do this by assuring the domestic independents of our oil industry an adequate share in the growth of the U.S. market.

Clearly, domestic independent producers, that segment of the industry which does most of the wildcatting, will be willing to invest the huge sums necessary to carry out this vital function only if they believe they can sell what they produce in the future at a fair price.

A recent survey by the Texas Independent Producers & Royalty Owners Association indicates that 61.8 percent of the independents polled reported a decrease in oil income during the current imports program. Most respondents cited market squeeze by imports, higher costs, lower crude prices, depressed allowables for primary crude, inadequate investment return to justify wildcatting, dried-up finance sources, and sharp reduction in payout per $1 invested, as major sources of distress. These experienced oilmen gave explicit warning that wildcatting activities by independents cannot be revitalized unless there is significant incentive offered through a significant market expansion and a firm crude oil price.

To bring about the necessary market expansion my bill would restrict the importation of oil for each of the 5 years following passage of the act, to the amount of oil imported in the year preceding passage of the act. This would allow domestic producers to get back on their feet. At the same time it would not cut back on imports but would merely hold them steady during this period.

Our goal in this vital industry should be an import program which takes sufficient notice of security, rather than one which serves primarily to protect certain favored oil importing interests. One approach to such a program, although not necessarily the only one, was outlined by the Texas Independent Producers & Royalty Owners Association recently in their testimony before the Interior Department. I ask unanimous consent that excerpts from their testimony be printed at this point in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The excerpts are as follows:

EXCERPTS FROM TESTIMONY OF TEXAS INDEPENDENT PRODUCERS & ROYALTY OWNERS ASSOCIATION BEFORE THE INTERIOR DEPARTMENT

A PROGRAM BASED ON SECURITY

Import regulation designed to achieve security objectives effectively must first classify imports by need and by source.

Oil imports are "needed" in varying degrees, according to type and area in which they are brought in. If priorities were granted for the license to import based on need, the order or priority would undoubtedly be as follows:

Priority rank:	*Type of imports*
1	Residual fuel.
2	Crude into district V.
3	Crude into districts I–IV.
4	Products other than residual.

Import source countries are situated throughout the free world. Most supply, however, originates in three general areas: adjacent overland countries, the Caribbean and the Mideast. If sources were classified according to relative security of supply to the United States in times of emergency, the various sources would probably be classified as follows:

Security zone rank:	*Areas*
A	United States (including Alaska).
B	Contiguous countries.
C	South America.
D	Rest of free world.
E	Communist world.

Next, a security-minded import program must effectively limit total oil imports in terms of their need, priority, and source. The following recommendations accompanied by explanatory tables offer one means for doing this. It is recommended that:

A. Total imports be held to a maximum of 2,265,000 barrels per day during the 5-year period commencing July 1, 1965, unless there is an executive department finding that the level must be adjusted to avoid actual shortage.

B. All companies desiring to import residual fuel, to be used as fuel, shall certify to the Department of Interior every 6 months the average daily amount they will import during the next 6 months and that the total of such requests shall be subtracted from 2,265,000 barrels per day to determine the amount remaining for priority Nos. 2, 3, and 4 oil imports.

C. The Department of Interior determine each 6 months the need for crude and unfinished oil imports into district V, subtracting the total along with residual fuel from 2,265,000 barrels per day to determine the amount remaining for priority Nos. 3 and 4 oil imports.

D. The Department of Interior determine each 6 months quotas for crude imports into districts I to IV for eligible importers, which, when totaled, shall not exceed the total amount of crude imported into these districts in the first half of 1964. Unfinished oils imported as part of crude quotas in 1964 would not be included in this priority, but would be classified separately as part of priority No. 4 products.

E. Any import allowance remaining after priority Nos. 1, 2, and 3 imports be subtracted from 2,265,000 barrels per day and be divided proportionately among importers eligible to import products (including unfinished oil into districts I to IV) other than residual fuel under the current program. Table I in appendix A attached illustrates as to what distribution of total imports among the four priorities might be made. Past experience is relied on to estimate the growth of imports in priority Nos. 1 and 2 categories.

F. Quota distribution be based on security guidelines, including source of oil as well as U.S. need for various import categories. Interior should specify for security purposes the maximum amount of oil the United States can safely rely on from each of the five security zones. Suggestions along this line appear in table II of appendix A.

These recommended changes would tend to shift the emphasis of import regulation from a framework of convenience for vested interests to a design based on security guidelines or standards. By no means, however, does this mean vested interests would be unduly disturbed. Western Hemisphere source countries, for example, would receive more favorable treatment. Also, importing companies, as a whole, would experience no sudden or severe reduction in import allocations.

ADVANTAGES OF APPROACH

This vital first step in reorganizing import regulation along badly needed security guidelines would provide the following immediate advantages:

1. Stabilizes total imports.

2. Allows for ample residual fuel imports where needed, and eliminates allocation abuses.

3. Recognizes and accommodates special deficit problem in district V (west coast), but begins to move toward one-nation concept by:

(a) Cutting small product import supply, thereby encouraging maximum use of existing interdistrict pipelines and discouraging district V exports to east coast.

(b) Forcing importers of priority No. 4 imports and gradually importers of priority No. 3 imports to seek and back means to reduce need for increase in district V imports.

4. Phases out unnecessary product imports, thereby giving domestic refiners additional run demand to occupy excessive capacity now used to dump gasoline.

5. Gradually reduces ratio of nonessential district I–IV crude imports with domestic production, without necessarily entailing sudden disruptive change in company or country quota participation.

6. Discourages glut of residual fuel oils feared by coal interests, yet essentially yields to demands for sufficient and equitably distributed quotas.

7. Accords domestic producing industry opportunity to grow, thus tending to relieve traditional onshore producer now caught in the double-growth squeeze by imports and offshore production.

8. Reduces reliance on relatively insecure import sources.

9. Encourages adequate exploration activity for domestic reserves.

10. Penalizes importers who contribute unduly to oversupply of nonresidual products in the overloaded districts I–IV U.S. market and thus endanger health of the domestic producing industry.

Mr. YARBOROUGH. Mr. President, another approach to this matter is contained in the bill H.R. 2177 introduced in the House by Congressmen OMAR BURLESON, KENNETH J. GRAY, THOMAS G. MORRIS, and E. S. WALKER of New Mexico. This bill has been introduced in the Senate as S. 2078 by my colleague [Mr. TOWER].

QUOTA BIDDING

On the subject of a firm crude oil price, a bit of background information is in order. The average flow from wells in the Middle East is about 5,000 barrels per well a day. The U.S. average is 13 barrels of oil per well per day. The result of this and similar differentials in other parts of the world is a cost advantage in the United States of about $1 per barrel for foreign oil over domestic oil. This 40-percent difference is a competitive windfall to those giant-sized international companies which are in a position to take advantage of the situation. Due to the manner in which import allocations are made, the chief effect is to encourage the growth of monopoly. Allocations for imports are based on refinery output for a previous period. This is undesirable economic policy, because it affords a financial advantage to companies on the basis of what they have done in the past. This is the exact opposite of the way things should be. Public policy should be related to the future, not the past. The result of the present policy has been to encourage the growth of monopoly, because the gigantic companies are being protected on the basis of their past performance. If there is to be competition, the firms in an industry must vie with one another on the basis of what they are capable of doing today, not what they did yesterday. Furthermore, competition is encouraged by the free entry of new firms into an industry. Entry is impossible if you cannot operate today unless you operated in the past.

The disastrous result of this policy is clearly indicated by the appraisal:

> Between 1959 and 1963, 32 of the leading companies in the industry, according to data developed by the Chase Manhattan Bank, increased their share of domestic crude production from 62 to 65 percent of the Nation's total.
>
> It appears that the bulk of this gain was achieved by the leading five firms of the industry. Data are available for the State of Texas comparing 1956 to 1963. Over this period, not only did the largest five companies add to their share of the production total, but the next five did also. Thus, the largest 10 companies, which had accounted for 41 percent of Texas' crude production in 1956, produced over 51 percent in 1963. The second 10 largest lost slightly in their proportionate share throughout the period. The essence of the Texas case is that all of the 450,000 barrel-a-day decline in Texas crude production between 1956 and 1963—and a bit more—was borne by the smaller producers who, as a group, produced a half-million barrels a day less in 1963 than they had 7 years earlier (p. 28).

Mr. President, the quota-bidding feature of my bill would change the nature of allocations under the imports program from one with a built-in bias in favor of the past favored interests to one in which competition is given maximum encouragement. As the program presently works, refiners who increase runs to the point where they are in excess of demand are paradoxically rewarded by being given larger import quotas. Under the system set up by my bill the reverse would take place. Those importers who do not contribute to the domestic oversupply of oil would receive favorable treatment under the basic bidding classification structure. All eligible importing companies could be classified into one of several classes. The lower the classification an importing company receives, the more favorable would be its treatment under the bidding system. In general the bidding classification structure should be designed to reward those companies whose policies contribute to a healthy competitive domestic industry.

Through the use of the quota-bidding procedure, companies with a logical economic reason to import would compete for the privilege. Thus market factors would play a larger role and competition would be encouraged. A firm crude price would be achieved without any risk of the price ever becoming excessive. As long as the market is the controlling mechanism, the price of foreign oil would never be bid up higher than the natural price of domestic oil.

Mr. President, I ask unanimous consent to have printed at this point the following excerpt from the TIPRO statement.

The VICE PRESIDENT. Without objection, it is so ordered.

The excerpt is as follows:

NEW APPROACH ON IMPORTS

> Despite failure of the Interior Department in its industry appraisal report to relate import regulation to the dual problem of independent producer distress and inadequate domestic oil reserve doldrums in the United States, the report did make one thing very clear. The governmental security objective of adequate reserves through exploration activity by a healthy domestic independent producer segment of the industry which led to the mandatory imports program has not been fulfilled.
>
> Many reasons were cited for failure to achieve this vital objective, some of which undoubtedly have a bearing on current industry conditions. But excluded was an obvious and basic cause—the design of current import regulation.
>
> Even the most cursory review of mandatory controls reveals an overriding concern for interests other than a mechanism through which security may be served by encouraging adequate domestic exploration. Yet, this is its only reason for existence, as requested by Congress in the national security section of the Trade Act.
>
> Necessarily implied in this request for adequate exploration is a healthy independent producer segment of the industry which performs some 80 percent of the activity. Independents cannot perform this job while in a state of relative depression brought on by inadequate prices and markets for their production.
>
> Interior recognized these facts and still excluded more effective import regulation as a basic solution.
>
> In 1964, total imports approached 2,300,000 barrels per day and exceeded 29.9 percent of domestic crude production. During the life of the mandatory program imports have increased 512,000 barrels per day, thus absorbing 32.8 percent of total hydrocarbon liquid demand increase in the Nation. This compared with a similar increase in the importer-dominated fields of southern and offshore Louisiana which left the rest of the industry to share inequitably with the same importers less than a third of the Nation's demand increase.
>
> Thus, importing companies have experienced at least an 8-percent annual increase in their share of the U.S. liquids market while independents have averaged less than 1 percent. In many key areas, such as Texas, the latter have experienced decrease. It is little wonder that Interior can report the major importing company segment of the industry is in excellent financial condition.
>
> It would appear, in the interest of strengthening the independent exploration arm of the industry that import regulation should seek new bases. Less or secondary attention should be granted vested importer and source country interests while primary attention should be given to security objectives. Imports should be limited and economically treated in such a manner as to encourage domestic industry activity. The program should tend to follow basic security guidelines with more logic than is currently evident.

* * * * *

ECONOMIC TREATMENT OF IMPORTS

> Stabilizing total volume of imports in relation to domestic production is only part

of the solution to the problem of oil imports. Domestic producers must of course enjoy their proportionate share of U.S. market growth. But they must also be able to sell their oil at realistic and stable crude prices.

This requires, over any long period, some form of tariff or duty to neutralize the economic advantage of whatever level of foreign oil imports permitted. Even if imports were cut by an unlikely 25 percent, there would still be more than a million and a half barrels of foreign oil daily coming into this market at a tremendous economic advantage—enough to demoralize the crude and product price structure. Neutralizing the economic advantage of foreign oil, moreover, is also essential to prevent a monopoly trend favoring companies with higher import privileges.

Contrary to many assertions, there are numerous means to achieve import equalization tariffs or duties—available either through new congressional directives or under existing statutes. Nor is the fact of differing costs in differing source areas a real impediment to a solution which is fair to all affected countries and companies. No new legislation is needed, for that matter, to add a neutralizing duty to the present quota-only system—and no trade agreement or other limitation prohibits the President's doing so.

Of the numerous forms of equalization tariff or duty which either the Congress or the President could direct, perhaps the most realistic and feasible for the oil imports problem is the quota-bidding procedure.

Through this means, quantitative import limitation would first be established in keeping with the national security purposes. Then, all companies having logical economic motivations to participate in marketing foreign oil on the U.S. market would enjoy the competitive opportunity to do so. Inasmuch as the duty on any oil or product import from any source would be determined by its economic attractiveness, the effect would be simply to neutralize the windfall advantages, while assuring that in no case would tariff or duty be excessive. Foreign oil would continue to enjoy its proportionate share of this market, but only on a basis of economic equality with domestic oil.

It would then be unnecessary to hand out quotas to anyone just to protect him against advantages of competitors with imports and foreign production.

Quota assignments would cease to be handed out arbitrarily by Federal officials, substituting normal economic forces for arbitrary bureau decisions. This could be extremely important in preventing encroachment of Federal control over the entire industry.

It is recognized, in this connection, that hard-pressed independent refiners have no desire to see the value of their import quotas diluted. Consequently, this suggestion for a quota-bidding procedure specifically provides a set-aside of import quotas for which no bidding would be required in most such cases, generally applying to domestic independent refiners, as necessary to preserve their competitive status.

IMPLEMENTATION OF BIDDING SYSTEM PROPOSAL

Essentially, a quota-bidding system along the lines suggested would replace the current hodgepodge of bases for granting import allowances. In its stead would be a system requiring open competition for the privilege to import among companies previously determined as eligible to participate. In other words, eligible companies would be authorized to compete for a license to import in lieu of receiving an automatic privilege.

Under such a system, logical importing companies would have to be protected from those who might submit unrealistic bids with no intention of importing.

It is understood that a leading advantage of the quota-bidding method would be the changing of the Federal Government's primary oil import role from that of arbitrary distributor of quota privileges to that of referee in quota distribution. This does not mean, however, that the Federal Government's participation would become less important. A carefully designed and regulated quota-bidding system demands sound and thorough administration.

Many of the technical aspects involved in any Government-operated bidding procedure need not be explored here. Much of the program would be designed under already well-established ground rules of the Administrative Procedure Act and GSA regulation.

There are nevertheless, aspects of the proposed system which are peculiar to the oil imports situation and should be considered. Organization of the system should reflect to some extent, for example, vested industry and foreign source country interests developed under former and present U.S. import programs. Classification of both eligible importers and imports for bidding purposes should aim at arriving at a system both feasible and basically acceptable for all concerned, subject, of course, to the overriding concern of national security and welfare upon which oil import regulation is based.

At least three other factors should also be reflected in the system's design—domestic market supply-demand balance, use of domestic supply, and the complex nature of the various types of oil imports brought into the United States. In the interest of national security through domestic producing industry welfare, those importers which do not contribute to damaging domestic oversupply of oil products through excessive refinery runs should be eligible for favorable classification in the bidding system. Under the current program refiners who increase runs unneeded to meet demand are accorded favorable treatment through larger import quotas. Under this system the reverse would take place. Similar favorable treatment should be accorded importers which utilize relatively high amounts of domestic oil supply to meet refining needs, for they are making a direct contribution to the successful achievement of program objectives.

As for the third factor which should be considered in developing a workable allocation system, that is, the varied nature of oil imports, the different types of crude and oil products involved result in a wide array of values and importing company desires. Unless this factor is reflected or eliminated in the basic structure of the bidding system, administration would become more complex than is necessary.

A basic bidding classification structure that directly or indirectly reflects all of the factors discussed above with a minimum of administrative involvement is presented in table I of appendix B attached to this statement. While the table applies to quotas for crude and unfinished oils only, with minor adjustments the classification breakdown could readily apply to product imports as well.

All eligible importing companies under this proposal would be classified according to prescribed characteristics into one of four groups or classes designated I, II, III, and IV. The lower the classification an importing company achieves, the more favorable would be its treatment under the bidding system.

Classification I, the most favorable classification, would automatically include all eligible importers which do not refine foreign crude in the United States and which do not contribute to domestic oversupply of products by refining in excess of logically devised standards. Eligible importers meeting these requirements would be authorized quotas without having to bid for them and would be authorized to conduct exchange agreements with other eligible importing companies. This is not a necessary feature of the proposal here, but we believe it merits consideration as a reasonable inclusion.

This classification would virtually consist of small domestic independent refiners, thus granting logical advantage to small business operations that contribute to national security through inland processing of domestic crude supply. Further, such operations should be encouraged to maintain competitive diversity in the oil refining industry as well as the domestic crude producing industry in which independent operators frequently rely on independent refiners for crude markets.

Classification II would be comprised of eligible importers which also process no foreign crude in the United States but do contribute to oversupply by refining in excess of need standards. Such importers would be eligible to move into classification I once they had corrected their supply contribution. Importers remaining in classification II would be required to bid competitively for license to import.

As suggested in table I, individual bid volumes would be feasible in the range of 1,000 barrels daily. Companies in this classification should be restricted to a specified number of bids (10 suggested in table I) so that most, if not all, of the companies can remain active import participants. This is advisable in that companies in this classification are basically similar to companies in classification I.

A minimum bid requirement equal to 100 percent of the tariff existing in 1964 would also apply to classification II. Bids would be submitted in terms of tariff percentage with the highest receiving the successful bid. In this way, volume bids offered by the Government could ignore the various types of foreign crude desired by importers. Bidding companies would simply consider the appropriate existing tariff and submit their percentage bids for whatever type crude they prefer. The highest percentage submitted would remain the logical winner.

As in classification I, importers would be authorized to conduct exchange agreements with other eligible importing companies.

Importing companies in classifications III and IV would comprise the relatively small number of large integrated international companies which process foreign crude in the United States. In the more favorable classification III would be those companies which contribute to national security and domestic industry welfare objectives through high refinery utilization of domestic crude and noncontribution to product supply excesses. Table I recommends that companies running foreign crude in an amount equal to 15 percent or less of their total U.S. refinery liquid runs be eligible for this category, assuming other requirements are met. Companies failing to meet all of classification III requirements would be classified in group IV.

Companies in both classifications would have minimum bid requirements and would compete for quotas in the range of 30,000 barrels daily. It is suggested in table I that there be no limit in the number of bids competed for by individual companies. The one difference in requirements would be the minimum bid level—300 percent of tariff in classification III and 600 percent of tariff in classification IV.

The 30,000 barrel daily quotas would be designated by the Government in one of four source-continent categories: North America, South America, Mid-East, and other. Successful bidders would—through own production, purchase, or exchange—be required to import their quota from the designated source area. This requirement would protect the vested interest of source countries in current and prior import programs and would also place the Government in position to emphasize or adjust participation of countries in the Western Hemisphere, according to national security needs.

CONCLUSION

Current U.S. policy is utterly failing to cope with the problem of oil imports. All the criteria by which success of the program was to be measured, as set forth by Congress in the security clause, indicates its failure in terms of purpose.

There is mounting economic distress on the part of the domestic nonintegrated independent oil producer and refiner, even while American international companies are registering record earnings. There is in consequence a rapidly accelerating trend of concentration into the corporate hands of a relatively few American international companies. Crude oil prices are steadily deteriorating with corresponding reductions in income to independent producers, refiners, and oil communities, and States. This has led to a worsening depression of domestic exploration and drilling activity, which in turn is now being reflected in lower proved oil reserves and reserve productive capacity—which may be needed for emergency.

APPENDIX B

TABLE I.—*Proposed classification of importers of crude/unfinished oil into the United States under quota-bidding import program*

Importer classes	Classification characteristics	Bid requirements of each classification	Casual estimate of—	
			Number of importers	Amount, barrels per day [1]
I	Eligible for license; no foreign crude runs; operates refinery at or below demand level.[2]	None. Class I importers receive quotas in proportion to quotas under 1964 mandatory.	90	150,000
II	Eligible for license; no foreign crude runs; operates refinery above demand level.[2]	Minimum bid, 100 percent of existing tariff of 1964; competitive bids on bid volumes of 1,000 barrels per day; importers restricted to 10 bid participants.	30	50,000
III	Eligible for license; foreign crude runs—excluding foreign oil exchanges with I and II importers—equivalent to 15 percent or less of total runs; operates at or below demand level.[2]	Minimum bid, 300 percent of existing tariff in 1964; competitive bids on maximum bid volumes of 30,000 barrels per day; [3] no restriction on extent of participation.	10	300,000
IV	Eligible for license; foreign crude runs—excluding foreign oil exchanges with I and II importers—exceeding 15 percent of total runs, or operates above demand level.[3]	Minimum bid, 600 percent of existing tariff in 1964; competitive bids on maximum bid volumes of 30,000 barrels per day; [3] no restriction on extent of participation.	20	600,000

[1] Import volume would be distributed among the 4 classes in proportion to the total quotas held by the importer group in each class under the mandatory program in 1964.

[2] Demand level to be defined by Bureau of Mines according to Administration standards determined as necessary to meet program objectives.

[3] Each bid volume would be assigned to 1 of 4 source-continent categories: North America, South America, Mideast, and other.

Mr. YARBOROUGH. Mr. President, I was gratified to read of support for some of the goals which I have been outlining here from Secretary of the Interior Stewart L. Udall. He said on June 9:

> The Department of the Interior supports a vigorously competitive petroleum industry. The economic strength of the major factors in the industry should not be utilized as an unfair competitive weapon in dealing with small nonintegrated producers.

The Secretary notes the relationship of stable crude prices to the development of petroleum reserves, pointing out that over the past 6 or 7 years there had been relatively moderate crude oil price adjustments, which had probably been a contributing factor to the decline over that period of the U.S. crude oil reserve-to-production ratio. In the past 3 months price decreases have taken on a new significance that Secretary Udall characterized as containing potential "repercussions that would be adverse to development of new reserves, and thus to the national interest."

And so, Mr. President, in the Secretary of the Interior's own analysis of the situation, a problem is clearly spelled out which we can ignore further only at our peril. I believe the program which I have outlined here to be a fair and reasonable approach to the problem. If we are concerned about our national security and if we are concerned about preventing the growth of monopoly, then we must take action now.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2176) to amend the Tariff Act of 1930, as amended, and for other purposes, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2176

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be cited as the "Domestic Industries Security Act of 1965".

Section 1352a of title 19, United States Code, is hereby amended by substituting a new subsection (b) as follows:

"(b) Upon the request of the head of any department or agency, upon application of an interested party, or upon his own motion, the Director of the Office of Emergency Planning (hereinafter in this section referred to as the 'Director') shall immediately make an appropriate investigation, in the course of which he shall seek information and advice from other appropriate departments and agencies, to determine the effect on the national security of imports of the article which is the subject of such request, application, or motion. If, as a result of such investigation, the Director is of the opinion that the said article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, he shall promptly so advise the President, and, if the President determines that the article is being imported into the United States in quantities or under such circumstances as to threaten to impair the national security, the President shall limit the quantities of such imports so that such imports will not threaten the national security.

"(1) In the event such article so imported is produced or imported wholly or in part by American-owned companies or affiliates or subsidiaries thereof, and domestic industries producing a similar article have a reserve productive capacity capable of fulfilling the total national requirements of such article, then the importation of such article, and its derivatives and residue, shall not exceed during the five full calendar years immediately following passage of this Act the level experienced in the full calendar year immediately preceding passage of this Act.

"(2) The President shall allocate among countries or areas which are the source of imports of said article or any product, derivative or residue thereof, a proportion or part of the total amount of such imports within the quotas established pursuant to this subsection.

"(3) Upon determination of the quotas to be established on the imports of such article, its products, derivatives or residue, the President shall publish such quotas and request bids for licenses to import within such quotas and, in accordance with such regulations as the President may prescribe, licenses to import shall be awarded, subject to approval by the President, on the basis of highest bids. In prescribing the regulations herein and in awarding licenses, the President shall give due regard to the prevention of monopolistic practices and competitive inequities and to the preservation of small businesses.

"(4) Any action taken in administering this subsection shall be in conformity with the provisions of the Administrative Procedures Act, shall be equitably consistent with the needs of parties affected, and shall be in furtherance of principles of equal competitive opportunity, with recognition for the development and well-being of small businesses."

HIGHER EDUCATION ACT OF 1965—AMENDMENT

AMENDMENT NO. 285

Mr. JAVITS. Mr. President, I submit, as an amendment to the Higher Education Act, S. 600, a substitute to the administration's proposal for college scholarships for students from low-income families. My amendment would—

First, make available to college students from low-income families $200 in addition to the maximum of $800 provided under the administration bill, if these students placed in the upper half of their classes academically;

Second, provide that 15 percent of the scholarship funds allocated to each State could go to that State's college scholarship program with the Federal Government matching on a 50-50 basis State scholarship funds spent in excess of the present effort; and

Third, eliminate the 21-year age limit in cases concerning cold war veterans and Peace Corps returnees. Most of those concerned have passed their 22d birthday.

This amendment is designed to generate scholarship activity in the 44 States having their own scholarship programs, thus creating more student aid at less cost to the Federal Government; to give added incentive to low-income students by recognizing scholarship in a practical way, and to remove the administration's age bar which penalizes cold war GI's and Peace Corps returnees.

My amendment provides a 5-year program with an authorization of $60 million for the first year, $90 million for the second year and $110 million for each of the succeeding 3 years. The administration bill also calls for a 5-year program but with an authorization of $70 million the first year and an open authorization for each of the succeeding 4 years.

The amendment contains several features not found in the administration bill:

One would make available an additional $200 for students placing in the upper half of their classes, thus making it possible for students from low-income families to receive a total of $1,000 in scholastic opportunity grants as compared to the maximum of $800 allowed under the administration bill.

Another would allow a maximum of 15 percent of the allocation of scholarship aid to colleges and universities within a State to go directly to that State's own scholarship fund. The funds thus provided would match, on a 50–50 basis, funds spent by the State over and above its present scholarship effort. This feature is designed to encourage the States to expand their own programs, benefiting a greater number of students at a lower cost to the Federal Government.

While the administration bill requires colleges receiving grants for low-income students to have Government-finance loan and workstudy programs under the overall war on poverty, the Javits amendment would permit otherwise eligible schools with private or nonprofit programs to participate as well.

Excepting a few additional minor differences, the Javits and the administration proposals are similar. Both, for example, provide $100,000 for contracts with State and local education agencies and other public and nonprofit institutions to encourage full use of educational talents. Both assume that the individual student will work or borrow funds to fill out his education budget, and both use the number of youths under 18 from families with less than $3,000 annual income in allocating funds among the States.

The Subcommittee on Education will shortly go into executive session to consider the higher education bill. The fact that amendments will be considered—in contrast to the situation which obtained for the elementary and secondary school bill—bodes well for the Congress' enacting legislation which will best meet the Nation's education crisis, a crisis manifested by increasing costs, overcrowded colleges and more limited opportunities for those from low- and moderate-income families.

In my judgment, that is a proper alternative from the minority for the main aspect of the administration's higher education bill. I hope that it will have the earnest consideration of the committee which is considering the subject.

The VICE PRESIDENT. The amendment will be received, printed, and appropriately referred.

The amendment (No. 285) was referred to the Committee on Labor and Public Welfare.

COINAGE OF THE UNITED STATES—AMENDMENT

AMENDMENT NO. 286

Mr. MOSS. Mr. President, on behalf of myself and Senators ALLOTT, BARTLETT, BIBLE, BURDICK, CANNON, CHURCH, DOMINICK, FANNIN, GRUENING, INOUYE, JACKSON, JORDAN of Idaho, MAGNUSON, MANSFIELD, METCALF, MONTOYA, SIMPSON, and MCGEE, I submit an amendment, intended to be proposed by us, jointly, to the bill (S. 2080) to provide for the coinage of the United States. I ask unanimous consent to have a brief explanation of the amendment printed in the RECORD.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table; and, without objection, the explanation will be printed in the RECORD.

The explanation presented by Mr. Moss is as follows:

EXPLANATION

This amendment would provide for the minting of 40 percent silver clad quarters and dimes as well as half dollars. These coins would work in existing vending machines, retain the characteristics of the present coins, and would be acceptable from a technical and metallurgical point of view.

The Treasury, after discussion, failed to recommend these 400 fine silver clad coins because of two problems:

1. The Treasury could not be sure they would have enough silver to mint these silver coins and still maintain the $1.29 price during the transition period. This price must be maintained until the new coins replace the old, otherwise our present coins will be melted down when the price reaches $1.38, and a severe coin shortage would result.

2. The Treasury was not sure sufficient silver would be available to meet the coinage requirements after the transition period.

The first is the most serious objection. The estimated silver needed for coinage if the amendment is adopted is given below:

[Millions of fine troy ounces]

	Present 90-percent silver coinage	40-percent silver-clad coinage
1965	272.2	
1966	330.0	204
1967	119.9	53
1968	111.9	49
1969	116.9	51
1970	120.2	53
1971	125.3	55
1972	130.0	57
1973	135.4	59

The present bill would require about 15 million ounces of silver a year for the half dollar. The amendment would require between 40 and 45 million more ounces of silver a year for quarters and dimes. To assist in obtaining this amount of silver, Senator BIBLE's amendments to prevent exportation of coins and using coins as collateral for loans would be helpful. However, silver certificates must continue to be redeemed in order to peg the price of silver at $1.29 during the transition period.

The old coinage would be called in as the new coinage is issued and the silver recovered. Of the 1.8 billion ounces currently outstanding in coins the Treasury predicts 1 billion ounces could be recovered and the American Mining Congress estimates 1.2 billion ounces could be recovered. Under the Treasury predictions this alone would probably provide enough silver to cover our coinage requirements until 1980. There is also the 1 billion ounces of silver bullion in Treasury stock but much of this will be used to maintain the $1.29 price during the transition period.

I feel confident that within 15 years the supply of silver from our Western States and the free world will have responded to the greater incentives and will meet the demands from private industry and the mint. This amendment will allow us to retain silver in our coins during the transition period and for the foreseeable future.

NOTICE OF PUBLIC HEARING ON GOVERNMENT PATENT POLICY

Mr. McCLELLAN. Mr. President, as chairman of the Standing Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, I wish to announce that the subcommittee will resume the public hearing on Government patent policy bills on Tuesday, July 6, and Wednesday, July 7, commencing at 10 a.m. in room 3302, New Senate Office Building. The hearing will include S. 789, S. 1809, and S. 1899, bills to establish a uniform Government patent policy, and S. 1047, a bill to amend section 1498 of title 28, United States Code, relating to the use by or for the United States of any invention covered by a patent of the United States.

The subcommittee consists of the Senator from Michigan [Mr. HART], the Senator from North Dakota [Mr. BURDICK], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Hawaii [Mr. FONG], and myself.

NOTICE OF HEARINGS ON NOMINATIONS OF JAMES P. COLEMAN, OF MISSISSIPPI, AND HOMER THORNBERRY, OF TEXAS, TO BE U.S. CIRCUIT JUDGES, FIFTH CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Tuesday, June 29, 1965, beginning at 10:30 a.m., in room 2228, New Senate Office Building, on the nominations of James P. Coleman, of Mississippi, to be U.S. circuit judge, fifth circuit, vice Ben F. Cameron, deceased, and Homer Thornberry, of Texas, to be U.S. circuit judge, fifth circuit, vice Joseph C. Hutcheson, Jr., retired.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from North Carolina [Mr. ERVIN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Joseph F. Radigan, of Vermont, to be U.S. attorney, district of Vermont, term of 4 years—reappointment.

Arthur H. Behrens, of Washington, to be an examiner in chief, U.S. Patent Office, vice Charles S. Duncombe.

William Marion Parker, Jr., of Alabama, to be U.S. marshal, middle district of Alabama, term of 4 years—reappointment.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, June 29, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

THREATENED COLLAPSE OF THE ARGENTINE PHARMACEUTICAL INDUSTRY

Mr. DIRKSEN. Mr. President, there has been some discussion of a threatened collapse of the Argentine pharmaceutical industry. It has not received too much attention in the press, but a decree is being prepared that has been referred to as "the monstrous decree" in the Economic Survey published in Buenos Aires on the 4th of May. In my opinion, this is extraordinarily important.

It is unfortunate that the Government of our most southerly pan-American neighbor has resorted to such antibusiness tactics. They can only lead to further economic instability and unrest, and growing uncertainty in the United States and other countries about the safety of their current and prospective business investments there.

If the bureaucratic sword can strike down the indispensable Argentine drug industry, other businessmen must ask themselves, Can it not just as readily strike elsewhere?

I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Monstrous Decree No. 3042–65

In addition to the information that has been published systematically regarding governmental meddling in the activities of drug-producing laboratories and since we have reported what was happening and have perceived the seriousness of the problem from the very beginning, we offer the following comments on the provisions of decree 3042 published in the Official Bulletin of last April 28, 1965, under law 16.462.

However, we must first clarify the purpose of our comments.

Decree 3042 condemns this country's pharmaceutical industry to bankruptcy and failure. Any comments on its provisions must make the facts known to the public and, at the same time, attempt to describe the mind that was able to conceive such an economic and legal monstrosity. It is fruitless to examine the decree as a legal instrument designed to be put into execution or to regulate people's lives and activities. The decree openly and plainly means that hundreds of corporations have been condemned to death.

The decree will have legal force about July 30. In the meantime, a sense of imminent disaster has infected the corporations, their directing staffs, their personnel, and their suppliers. It also extends to their distributors, to the pharmacies and drug stores which will also suffer the catastrophic effects that all this will bring about.

Briefly, the situation is as follows. The decree in question, after a year and a half of inflexibly frozen prices, exercises the power of regulation conferred upon the executive branch by law 16.462. According to the ministry, its preparation was based on information gathered from an investigation carried out in all the laboratories early this year, which we commented upon on page 73, issue No. 973 of February 9. This investigation, and all the distortions arising from its completely backward orientation, provided the ministry with data regarding the development of the corporations, their manufacturing costs, and their expenses. On this unreal basis, decree 3042 has established, for each of the various types of expenses, underrated amounts based on certain accounting records for the period November 1, 1964, to March 31, 1965. It is useless to enter into the details of the mechanism established by the decree. It is enough that:

1. The estimated cost of production will not be the actual one, but the one established by the Ministry. The cost of raw materials and supplies and estimated manufacturing costs are restricted.

2. This unrealistic figure conceived in the mind of a government official, not established in factory or office, serves as arbitrary basis on which all other expenses and net profits are determined.

3. Thus, general expenses of advertising, sales, promotional activities, and management, are restricted by these hypothetical figures. In the end, attempts are made to establish some profit, which, once determined, will actually represent a small fraction of the operational losses.

When the coefficients supplied by the decree in question are applied to the actual situation of an average sampling of laboratories, the sale prices on which they could operate as of the end of July would fluctuate from 30 to 40 percent below current prices, which, we repeat, have been frozen since November 1963.

Thus it is absolutely impossible for any corporation to survive in its present form and, perhaps in any other form, in our market. The decree, therefore, will inevitably cause extreme unemployment. Many thousands of people, including most of the advertising men and salesmen in this line of business, will lose their jobs. In view of this undeniable fact, which is now (3 days after issue of the decree) known to all laboratory employees, the decree does not attempt to restrict employment, as the minister emphasized during the relevant press conference.

Demagogic and untruthful, oversimplifications are inconsistent with the responsibility entrusted to high-level public officials.

Above all, the decree's limitation of promotional expenses will perforce lead to disregard of all existing agreements with the owners of the brand names, production techniques and patents in foreign countries. Generally speaking, the prices permitted are less than one-sixth the regular prices, and their further reduction by the new tax on profits to be remitted abroad, brings them down to a ridiculous figure. The inevitable result will be the withdrawal from the market of the many important products that are affected, affording new cause for discredit of our image abroad.

Special consideration should be given to the situation created by the decree among distributors and pharmacies. The former will be totally deprived of their capital as they are forced to reduce stock prices to the new levels by July 30. There are two ways by which they can avoid this capital loss: to remain without merchandise as long as possible, or to return the balance of the stock to the producers to be credited to other purchases. In view of the relative impracticality of both alternatives, capital loss here is inevitable. Moreover, the new profits, which are set on business levels reduced by the decrease of wholesale prices at the laboratory would be most inadequate.

Pharmacies that operate outside urban districts will be faced by another problem besides that of stock value. Once the new marketing coefficients have been applied to the considerably reduced wholesale laboratory prices, profits will drop in absolute value. Therefore, it can reasonably be estimated that the current gross profits of any pharmacy in the country will be reduced by half. On the other hand, those in urban districts can derive some benefit by recovering a part of the market now controlled by the medical assistance association, if the latter are actually suppressed, which is doubtful.

"Mutuales" or "mutualistas" are medical institutions that provide their members with medical care, hospitalization, and prescription drugs for a nominal membership fee. They are the result of socialized medicine. In any case, the real operational profit of these pharmacies will be no greater than the current one, which is very narrow.

If it was the intention of the ministerial authorities to put an end to the entire pharmaceutical industry and to completely undermine its marketing mechanisms, this decree fulfills this purpose.

We only need to hear that the executive branch has made the necessary arrangements to initiate the import of pharmaceuticals that the country will need to replace those currently produced domestically, and that some part of the development plan has provided for the unemployment of the laboratory workers, who number over 20,000.

ART EXHIBIT IN OFFICE OF SENATOR DIRKSEN

Mr. DIRKSEN. Mr. President, a few weeks ago I was host to an art exhibit in my office. There was displayed really interesting and impressive pieces of art, mainly paintings done by Illinois housewives who have taken up the paint brush in line with the trend of the times. I was deeply impressed.

I ask unanimous consent to have printed in the Record a short statement setting forth what was depicted in the exhibit and also stating the names of the artists.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Art Exhibit Opens in Office of Senator Dirksen

Washington, D.C.—An exhibit of paintings by Illinois housewives has opened at the Nation's Capitol in the office of Senator Everett M. Dirksen.

Entitled "Painting for Pleasure," the exhibit features work of 15 wives, mothers, and grandmothers from all walks of life who see beauty all around them and use their creative abilities to share it with others. The exhibit, presented in cooperation with the Famous Artists Schools of Westport, Conn., demonstrates the type of work being done by its home-study students who live in bustling metropolitan centers as well as remote rural areas throughout the Prairie State.

Internationally famed artist, Doris Lee, a fine arts faculty member of the Famous Artists Schools and former Illinois resident, served as cohost with Senator DIRKSEN at the opening of the exhibit. Born in Aledo, Miss Lee's ancestors were early pioneers in Illinois. Her great-grandfather, an engineer, came from England to build a bridge across the Mississippi River at Keithsburg, near Aledo. Miss Lee is represented in permanent art collections in leading museums and galleries throughout the United States.

"It is a privilege to present this fine exhibit of paintings by housewives from every part of my State," Senator DIRKSEN said. "These paintings are extremely impressive and are indicative of the obvious joy that went into the creation of these works by the artists. I hope this exhibit will call attention to the increasingly important role art plays in enriching our lives and making our society more meaningful. I extend a warm welcome to all Illinois visitors to the Capitol to see these paintings which will be on display for the next several weeks."

The painters and titles of their work now being exhibited in Senator DIRKSEN's office are:

Mrs. Gladys Barnard, 1929 Park Drive, Granwood Park, Gurnee, "Snow is for Bobsleds."

Mrs. Lena B. Bayley, 801 West Main Street, Carmi, "Woodland."

Mrs. W. E. Brubeck, 231 Cherry Street, Mount Carmel, "Reclining Figure."

Mrs. Bessie Ek, 917 Kishwaukee Street, Rockford, "Trees."

Mrs. Gracia B. Farris, 810 East Winter, Greenville, "Among the Trees."

Mrs. Alice H. Flint, 2114 West William, Decatur, "Abandoned Lighthouse."

Mrs. Annabelle Gould, 292 Juniper, Park Forest, "Waiting for the Parade."

Mrs. Marcia Gruenwald, 2300 Prospect Avenue, Evanston, "Silence: A View."

Mrs. Nancy H. Haviland, 946 Glencoe Road, Glencoe, "Portrait of Serenity."

Mrs. Elvie Ten Hoor, 5555 Hyde Park Boulevard, Chicago, "Greek Temple."

Mrs. Michael R. Kraynik, 220 Fifth Street, Downers Grove, "Portrait."

Mrs. Mildred P. Lindauer, Route No. 2, Box 244, Lockport, "From My Back Window."

Mrs. Betty I. Madden, 1145 South First Street, Springfield, "Still Life."

Mrs. Roger Porter, National Avenue, Rockford, "Street Scene."

Mrs. Roland P. Rice, 912 Belleville Street, Lebanon, "Still Life With Fruit."

VERMONT HOLDS THREE NATIONAL RECORDS IN ANIMAL DISEASE ERADICATION

Mr. AIKEN. Mr. President, I hold in my hand a release from the U.S. Department of Agriculture dated June 18, 1965. The title of the release is "Vermont Holds Three National Records in Animal Disease Eradication." I could make rather extended remarks concerning the superiority of Vermont agriculture, but inasmuch as the release speaks so loudly, I merely ask unanimous consent to have it printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

VERMONT HOLDS THREE NATIONAL RECORDS IN ANIMAL DISEASE ERADICATION, USDA REPORTS

Vermont's eradication of brucellosis in cattle, announced today by the U.S. Department of Agriculture, adds a third achievement to her pace-setting record in the State-Federal effort to eradicate animal diseases.

Last September, Vermont became the first State to eradicate hog cholera, and, 2 months later, the first to eradicate brucellosis in hogs. Now, free of brucellosis in cattle, Vermont chalks up a third national record—the first State to achieve eradication of all three of these costly livestock diseases.

By qualifying as a certified brucellosis-free area, Vermont joins four other New England States—New Hampshire, Rhode Island, Connecticut, and Maine. Wisconsin and Utah have also achieved this status.

The bovine brucellosis campaign in Vermont was directed by Dr. A. E. Janawicz, livestock director, Vermont Department of Agriculture, and Dr. C. O. Finch, Federal veterinarian in charge. "Within the past decade," Dr. Janawicz points out, "brucellosis cost our cattle producers more than a million dollars a year."

Vermont accelerated its brucellosis eradication effort in 1955, when 37 percent of the dairy herds were "suspicious" to the brucellosis milk-ring test. Followup blood tests the next year revealed 4,497 reactor animals. In contrast, only 13 reactors were found during the past year. In the 10-year intensive campaign, Vermont blood tested 1,120,954 cattle and removed 16,415 reactors.

For the past 3 years, a brucellosis epidemiologist has worked with infected herds in Vermont. In recent months, he has investigated all infected or questionable herds.

Dr. Janawicz says four precautionary measures are being taken to make certain Vermont remains brucellosis free: Brucellosis milk-ring testing of the more than 10,000 dairy herds will be increased from three to four times yearly. A market cattle testing program will be initiated to screen cattle for the presence of brucellosis during the marketing-slaughtering process. Surveillance procedures for the interstate movement of cattle will be intensified. If a reactor animal is found under these or other circumstances, a complete epidemiological investigation will be conducted.

"The freer movement of livestock and the eradication of livestock diseases go hand in hand," says Dr. C. K. Mingle, who heads cattle disease eradication work for USDA's Agricultural Research Service. "For instance, Vermont no longer requires that female cattle being imported into the State be vaccinated against brucellosis, provided they originate or move directly from a certified brucellosis-free area or herd. The State will accept officially vaccinated heifers 18 months of age and older that are negative to a blood test within 30 days prior to entry."

Vermont has eradicated brucellosis from all susceptible animals. All cattle, hog, and goat herds have been tested and found free of this disease. And, since infected livestock are the only source of human infection, the number of cases of human brucellosis reported in Vermont declined from 45 in 1951 to none during the last 2 years.

PROBLEMS RAISED IN HEARINGS ON THE PROPOSED REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY ACT

Mr. JAVITS. Mr. President, this morning hearings on the proposed repeal of section 14(b) of the Taft-Hartley law opened. The administration's chief spokesman, Secretary Wirtz, made it clear that the repeal was a very high priority subject with the administration and that it would use all of its resources to endeavor to get the repeal passed at the present session of the Congress.

It was clear to me from the testimony that there are some real questions concerning what would happen if we repealed section 14(b), to which action I am favorable—questions which relate to the greater authority of trade unions.

Let us not forget that—at least in the 19 States which are concerned and have so-called right-to-work laws—repeal would add materially to the authority and power of trade unions. I have raised a number of problems in that regard.

First, I raised the question of "no strike, no lockout" clauses in labor agreements not being enforcible in the Federal courts, resulting in enforcement being left to the conflicting interpretations of the State courts of the 50 States, notwithstanding the fact that such clauses are voluntarily bargained out between workers and their employers under what is supposed to be a uniform national labor law.

The Secretary of Labor put the whole case for the repeal of section 14(b) on the grounds that we should leave to the workers and the employers the right to bargain to decide what should be in their labor agreement—including the right to decide whether or not there should be a union shop—and that there should not be variation from State to State. If we are going to give the parties the right to bargain for a uniformly enforcible union shop, then we ought also to consider changing the law to give them the right, which they now also lack, to bargain for uniformly enforcible "no strike, no lockout" clauses.

The VICE PRESIDENT. The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. Second, there was real recognition that the equal employment opportunity law, which we have incorporated as title VII of the Civil Rights Act of 1964, is very inadequate. It will cover only 40 percent of the working force, even when it takes full effect some 4 years hence. That leaves out 60 percent, with the main problem in apprenticeship, where the figures show that only 2 percent of apprentices are Negroes. Again, if we are to give unions more authority and more power, that authority and power should be exercised fairly, and there is no excuse for discrimination against Negroes in respect of employment opportunities or apprenticeship.

Finally it was made very clear that repeal of section 14(b) would give a recognized union complete authority over those who wish to join and those who do not wish to join, but that recognition of a union as a collective bargaining representative is often not the result of a majority vote cast by a secret ballot. Recognition may also be required after a so-called card check. If more than a majority of the employees have signed cards, the union must be recognized even though no ballot election was ever held. When a union shop deauthorization is sought, on the other hand, an election must be held, and deauthorization is not ordered unless an absolute majority of all eligible voters—not just a majority of those who vote—cast ballots for deauthorization.

So here, again, something may need to be reformed in connection with expanded union power.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "JAVITS and the Taft-Hartley Act," published in the Washington Post of Sunday, June 20, 1965.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 20, 1965]

JAVITS AND THE TAFT-HARTLEY ACT

Senator JAVITS has provided a new perspective to the debate on repeal of section 14(b) of the Taft-Hartley Act. Though he stands with the President in opposition to the right-to-work laws now on the books of 19 States, Senator JAVITS takes the view that section 14 (b), authorizing the States to outlaw the union shop in their own areas, is not the only weakness of the Taft-Hartley law. He wants to restore to labor unions the right to bargain with employers for the union shop, but he also wants assurance that this increased power would be exercised "democratically and in the public interest."

In support of this view, Mr. JAVITS has offered five supplementary labor bills. One would give the Federal courts jurisdiction to enforce no-strike and no-lockout clauses in collective bargaining contracts under certain conditions. Another would tighten the requirement for elections by secret ballot so as to make certain that a union claiming bargaining rights would indeed represent a majority of the employees. A third is aimed at strengthening equal employment rights, and a fourth would provide improved machinery for dealing with work stoppages which threaten to create a national emergency. Senator JAVITS also included a bill to increase the minimum wage from $1.25 to $1.50 per hour, but this is not directly related to the Taft-Hartley Act.

These proposals acquire special significance because of the snag which the section 14(b) repealer ran into in the House last week. The House Education and Labor Committee approved the repealer, but the chairman, ADAM CLAYTON POWELL, threatened to hold up the bill until Congress has moved effectively against racial discrimination on the part of unions. Since then Mr. POWELL's committee has agreed on amendments to strengthen title VII of the Civil Rights Act of 1964, and the chairman has given up his efforts to block the Taft-Hartley changes. Senator JAVITS wants to move in the same direction.

If the States are to be deprived of their right to outlaw the union shop, Congress certainly ought to require that hiring and union membership be free from discrimination. The present law will cover only 8 percent of the country's employers and 40 percent of the employees by 1968, and the enforcement powers of the Equal Employment Opportunity Commission are singularly weak. Correction of these defects has a very direct relationship to the restoration of a national union-shop policy.

Still more important from the public viewpoint are Senator JAVITS' recommendations for dealing with national emergency labor disputes. At present the Government is limited to imposing a cooling-off period on disputants whose quarrel may imperil the national health and safety. At the end of this 80-day interval they are free to resume a paralyzing strike regardless of how grave the consequences, unless Congress intervenes with special legislation. We think Mr. JAVITS is right in saying that Congress should "give the President greater flexibility and new tools to safeguard more effectively the public interest while at the same time providing maximum freedom for collective bargaining."

The Javits bill would authorize a board of inquiry to make public recommendations for settlement of each dispute threatening a national emergency. The parties would then be required to bargain for 30 days on the basis of the factfinders' report. If they should fail to agree, the President could ask a Federal court to name a special receiver to operate the struck plant, mine or mill "to the extent necessary to protect the national health or safety."

Presumably the court could instruct the receiver to put the factfinders' proposals into operation temporarily or leave that decision to the discretion of the receiver. In any event, the public interest would be protected by continuing the flow of goods or services and leaving the ultimate settlement of the dispute to the parties themselves.

At least the Senator from New York has tossed a formidable challenge into the legislative arena. If Congress is to review our national policy on collective bargaining, it should be prepared with something more than mere repeal of section 14(b). Senator JAVITS has offered a thoughtful takeoff point for a much broader discussion.

Mr. JAVITS. Mr. President, the editorial approves the view that Congress must do something about several other grave issues if additions to union authority are to be made. My mind is still open as to whether to join or seek to join to the repealer of section 14(b) these other essential protections for the worker and the public interest with respect to union authority. My decision might very well go either way; but I feel that if we do not join these other requirements, safeguards, and assurances to workers and to the people, as additions to the expanded union authority, which will be the result if we repeal section 14(b), we ought at least to have real assurances that they will have the consideration of and action by Congress, so that union power may be exercised with union responsibility.

I say this as one of the most faithful adherents in Congress to the idea of free collective bargaining. Since I began my public career, I have supported unions and collective bargaining, and have had an awareness of the great things which unions have done for working people and for the public interest. But the public interest requires that we be evenhanded; and when we add, as we shall be adding by repeal of 14(b), to the authority and power of the labor movement, we should also protect the interest of the workers and the public so that that added power and authority will be exercised equitably and democratically.

MOVE OF MILWAUKEE BRAVES SHOWS WHY POOLING TV RECEIPTS SHOULD BE REQUIRED IN MAJOR LEAGUE BASEBALL

Mr. PROXMIRE. Mr. President, the planned move of the Milwaukee Braves to Atlanta, Ga., following the 1965 major league baseball season has caused much consternation and even bitterness in Milwaukee, Wis., and among baseball fans throughout the country.

The move is bewildering to the average fan because he knows that Milwaukee has supported the Braves as no other city has supported a major league team. Milwaukee has become known to many fans as the "baseball capital of the world."

Since 1953 the Braves have compiled the best average attendance record of any major league team that has been in the same city during that period. For 4 of those years attendance exceeded 2 million, and for another 5 years attendance was well over 1 million, ranging from 1,101,441 in 1961 to 1,971,101 in 1958. For only 3 years did attendance dip below the magic 1-million mark. It is little wonder that the fans who so generously supported the team are now puzzled and angry over the abrupt decision to move the team out. Why was the decision made? It was obviously not motivated by lack of fan support.

If the fans and Milwaukee County officials—who provided the team with a new, well-designed stadium and other numerous concessions—were puzzled by the move, sportswriters and insiders in the baseball world were not. They were not puzzled because they have followed the so-called national pastime closely over the years and have recognized the increasing importance of television revenue and the subsequent lessening importance of gate receipts to baseball's profit picture.

In view of this fact, the planned move of the Braves to Atlanta was not surprising at all. Atlanta represents a television bonanza to the first major league team which moves in to exploit the vast, virgin television viewing area that Atlanta commands.

The owners of the Braves knew this and jumped at the chance. The owners were not concerned over the fact that they are leaving Milwaukee County with an expensive, vacant baseball stadium or that they are abandoning hundreds of thousands of loyal fans in Milwaukee and Wisconsin.

Although the owners of the Braves are willing to ignore their responsibilities to Milwaukee and Wisconsin, officials of Milwaukee County and the State of Wisconsin are determined to fulfill their responsibility to protect the public interest.

I have submitted an amendment to the Hart bill. That amendment, at present under study by the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, would condition the territorial monopoly guaranteed baseball in that bill by requiring leagues to divide equally among their members all television and radio revenue. This is what the National Football League does, and does with great success. The proposed legislation would remove the incentive for teams to switch franchises merely to gain additional radio and television revenue.

Milwaukee County officials have indicated that they will institute antitrust proceedings against the owners of the Braves; and Wisconsin's Attorney General, Bronson La Follette, has offered to aid in the preparation and prosecution of such a case.

In addition, the Milwaukee County Board of Supervisors has passed a resolution asking the Department of Justice to institute an antitrust investigation into a recent offer by the owners of the Braves to pay $500,000 for permission to move the team immediately to Atlanta, notwithstanding the fact that the Braves' contract calls for the team to play its 1965 home games in Milwaukee. It is not surprising that the Milwaukee County Board made its request for a thorough investigation of the proposal. I join in the request of the Milwaukee County Board for a thorough investigation of the entire matter by the Department of Justice. The county board rejected the Braves' offer by a unanimous vote of 24 to 0.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the resolution of the Milwaukee County Board of Supervisors.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION REFERRING OFFER OF MILWAUKEE BRAVES, INC., TO U.S. DEPARTMENT OF JUSTICE, ANTITRUST DIVISION, FOR INVESTIGATION AND DETERMINATION WHETHER IT CONSTITUTES AN ELEMENT OF CONSPIRACY AGAINST MILWAUKEE COUNTY

(By Supervisor Eugene H. Grobschmidt)

Whereas the following telegram from William C. Bartholomay, chairman of the board, Milwaukee Braves, Inc., was received last week by county officials:

"The 3-year lease of certain portions of Milwaukee County Stadium by Milwaukee Braves, Inc. (Hereinafter referred to as 'The Braves') expires on December 31, 1965; and the Braves have entered into a lease of Atlanta Stadium in Atlanta, Ga., for a 25-year period commencing January 1, 1966. Beginning with the opening of the 1966 National League Baseball season, the Braves will schedule and play their home games at Atlanta Stadium.

"The Braves have previously consented to the entry of an order by the circuit court in Milwaukee County whereby the Braves were precluded from scheduling or playing any of their home games during the 1965 baseball season at any place other than Milwaukee County Stadium.

"The Braves have always recognized their obligation to make rental payments under the existing lease of portions of Milwaukee County Stadium to Milwaukee County during the last year of the lease. In view of the events of the last several months, however, this telegram is sent to make a proposal which would be beneficial both to Milwaukee and the Braves.

"A review of these events will place our offer in the proper perspective. In February of 1965 certain Milwaukee civic leaders advised the Braves management against publicizing the offer of a substantial sum of money to Milwaukee County; in consideration for which the Braves would have been permitted to schedule and play their 1965 home games in Atlanta, Ga. The Braves accepted this advice and participated with Milwaukee's civic leaders in working out a plan whereby the community, through Teams, Inc., would share in the gate receipts of the Braves during the 1965 season.

"If this year's attendance equaled 1,583,027—the average attendance of the last 12 years in Milwaukee—Teams, Inc., would have received $675,641 from its participation in this plan. We have now completed approximately one-third of the baseball season, and the Braves have played all of the other National League teams in Milwaukee County Stadium. The 1965 Braves are an aggressive and exciting ball club; they are currently in a strong position in the National League; they are a definite pennant contender; and they have received continuous support from the members of Teams, Inc., nevertheless, it now appears that the Braves home attendance for the entire 1965 season will be at best less than 400,000 people—some 1,200,000 below average. This will result in a substantial operating loss for the Braves, and the total income to the county of Milwaukee from the Braves during 1965 will be less than $90,000.

"In view of the foregoing we propose to pay one-half million dollars—$400,000 to the county of Milwaukee and $100,000 to Teams, Inc.—in full satisfaction of all the Braves obligations to the county of Milwaukee for the last year of its lease of portions of Milwaukee County Stadium and to Teams, Inc., for its share in the receipts participation plan. In return for this payment the Braves lease of portions of county stadium would be canceled as of July 10, 1965, and Milwaukee County and the Braves would consent to the vacation of the order of the circuit court and dismissal of the suit brought by the county against the Braves.

"In light of the dismal attendance records at Braves home games during the first one-third of the baseball season, acceptance of this offer by the county of Milwaukee will insure the taxpayers of Milwaukee over $300,000 more than they can reasonably expect under the terms of the lease. It will also insure Teams, Inc., $100,000 to be used for the promotion of future major league baseball in Milwaukee.

"We realize that a reasonable amount of time may be necessary for you to weigh our offer and to make your judgment. Therefore, we are going to keep this offer open until midnight, Monday, June 21, 1965.

"If you would care to discuss this subject with me, I am prepared to meet with you at your convenience.

"WILLIAM C. BARTHOLOMAY,
"Chairman of the Board,
"Milwaukee Braves, Inc."

And

Whereas the highhanded and oppressive offer contained in this telegram may constitute some sort of machination in a possible conspiracy perpetrated by powerful and monopolistic forces against the citizens and government of Milwaukee County to remove professional major league baseball from this community; and

Whereas the county government is waging an uphill struggle to retain a big league baseball team for the people of Milwaukee; and

Whereas the more than 1 million people of this county deserve to have the aid and advice and active participation of their U.S. Government in this uphill struggle to thwart any possible conspiracy, of which they would be the innocent victims: Now, therefore, be it

Resolved, That the Milwaukee County Board of Supervisors, duly assembled this 16th day of June 1965 in continued annual meetings, hereby appeals to the Antitrust Division of the U.S. Department of Justice to conduct a searching and thorough investigation into all of the facts and circumstances of the offer contained in the telegram set forth herein, and into all other aspects of the impending transfer of the franchise of Milwaukee Braves, Inc., from this community to Atlanta, Ga., in order to determine the possible existence of any conspiracy under the Federal antitrust laws, and the possible violation of such laws, in connection with such offer and impending transfer; and be it further

Resolved, That certified copies of this resolution be sent to the U.S. Attorney General, to Congressman EMANUEL CELLER, of New York, and to the 2 U.S. Senators and 10 U.S. Congressmen from Wisconsin.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. BYRD of West Virginia. I object.

The VICE PRESIDENT. Objection is heard.

The legislative clerk resumed the call of the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

FINANCING OF DEVELOPMENT IN LATIN AMERICAN COUNTRIES

Mr. JAVITS. Mr. President, I call the attention of the Senate to a very important development in financing the development of Latin American countries. This subject is dealt with in an article in the New York Times of this morning under the headline, "Latin Financing Steps Forward."

The article deals essentially with a new activity of the Adela Investment Co., which Senators will recall was developed right in the Senate by the then Senator from Minnesota [Mr. HUMPHREY] now Vice President HUMPHREY and myself, acting in the interest of the NATO Parliamentarians' Conference in cooperation with the Ford Foundation, and leading U.S. and European business interests, led basically by the vice president of the Standard Oil Co. of New Jersey, Emilio G. Collado, the president of the First National City Bank of New York, George S. Moore, and the vice chairman of the Stockholms Enskilda Bank of Sweden, Marcus Wallenberg, Sr.

Mr. President, the Adela Investment Co. is now to back the investments of the so-called financieras—the equivalent of investment banks—in Central America which is expected to make a major impact on the development of these private investment companies, really small business investment companies, owned by private companies and leading financiers of the Central American common market.

The Adela Investment Co. already has working arrangements with these financieras for making joint investments with them in projects of mutual interest.

Representatives of these organizations and Adela are meeting this week in San Jose, Costa Rica, to improve the coordination of their activities and to discuss the establishment of an open-end mutual fund for Central America.

Adela is now roughly a $40 million company with stockholders whose assets represent in excess of $200 billion. The stockholders are leading companies in the United States, Europe, Japan, and Canada, and leading banks and companies with great possibility for technical assistance, undreamed of in the United States for undeveloped countries, including the AID, or any agency which the United States has ever set up.

The importance of this event is that it demonstrates that a private enterprise entity like Adela has such great flexibility, prestige, and opportunity for stimulating government as well as mixed government and private activity as to be worthy of the highest order of attention on the part of our own activities in the Congress and in the administration, especially when, as in the foreign aid bill, we are looking forward toward the revision of our method of granting foreign aid.

It is my judgment that the example set by Adela will be followed in Africa, the Middle East, in south Asia, and southeast Asia as it is proved out, and it is being proved out now in Latin America. I hope that it will influence our administrators in Government planning to get "off the dime" in terms of their own thinking.

The big, unused, almost unexplored element in foreign aid is the use of private enterprise in investment and the channeling of the great technical resources of private business to developing nations, which are the fundamental purposes of the Peace by Investment Corporation, contained in a bill now pending in the Foreign Relations Committee, which I have proposed, and of Adela which was based on my initiative at the NATO Parliamentarians' Conference together with the now Vice President HUMPHREY.

The idea of Western European and U.S. participation in a development bank in Africa, approved by the Senate on June 10, and the work of the Advisory Committee on Private Enterprise in Foreign Aid, headed by Arthur K. Watson, of IBM, which is due to report by the end of this month are further demonstrations of the new initiatives which we must take if we are to do our job of securing freedom through the use of the foreign aid field.

I hope very much that our President, the Congress, our administrators, and and the officials of the Treasury and Commerce Departments will carefully study ADELA's record as they plan to chart a new course for foreign aid.

Mr. President, I ask unanimous consent that the article published in the New York Times of this morning, entitled "Latin Financing Steps Forward," by Paul P. Kennedy, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LATIN FINANCING STEPS FORWARD—PRIVATE INVESTMENT SYSTEM PREPARES FIRST MEETING

(By Paul P. Kennedy)

SAN JOSE, COSTA RICA, June 16.—The newest investment finance system in this area of Latin America will take another step toward coordination late this month when the financieras of six middle American countries meet here in Costa Rica to discuss operational integration.

The financiera is somewhat the equivalent of an investment bank and is not new to Latin America. But the present loosely related system that will hold its first meeting here June 25–26 is the first privately owned and operated system of this type in Latin America.

The other financieras, such as those of Mexico and Nicaragua, are government-operated borrowing and lending agencies for industrial development solely within their own countries.

Representatives of the financieras of Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, and Panama are expected at the meeting.

All of these have been in business only a year or less, but all, with the exception of Guatemala, which is just opening its doors, have actually been active in loans and investments.

RULE ON CAPITAL

Each of the organizations, with two exceptions, have a required minimum capitalization of $1 million. Nicaragua has a capitalization of $2 million, and Guatemala $1.2 million.

All six nations have loans of $3 million and upward from the Agency for International Development.

Nicaragua has a $3 million loan, and El Salvador $5.2 million. The remainder have $5 million loans each.

All of the stock in each of the financieras was disposed of almost immediately upon incorporation.

In addition to the private subscriptions and the AID loans, the financieras have a working arrangement with the private international investment agency, Adela (Atlantic Community Development Group for Latin America) for equity investments in various ventures in which the financieras singly or as a group have become interested.

FINANCIERA FUNCTIONS

Basically the financeira procedure is to make long- and short-term loans for the creation, development, or the expansion of industries in the Central American area.

The individual financieras purchase equity in the varous industries in which they are interested or provide loans for working capital. One of their most important functions is to act as go-between in the usually redtape-snarled negotiations between the potential investor and the various governments.

While each organization guards its private operational status, the group acts as an adjunct to the Alliance for Progress.

In Costa Rica, for instance, it is required that industries in which the local financiera, COFISA, is interested display a sign in their office with the COFISA insignia on one side and the Alliance and AID insignias on the other.

The letterhead of the Costa Rica organization bears the Alliance insignia with the legend "Alliance for Progress in Private Initiative."

The various financieras are presently coordinated to the extent that a project too large for one to handle alone is apportioned to various or all of the others in the financiera system.

One of the objects of the meeting here is to facilitate this type of investment interchange. It is envisioned that in the foreseeable future private investors of every Central American country will have interests in the other countries.

One of the principal items to be discussed at the meeting is the establishment of an open end mutual fund of Central American enterprises.

Tentative plans already more or less agreed to, guarantee with the underwriting of ADELA, a minimum annual dividend return, plus the usual participation in net profits.

Other items on the meeting's agenda include the formation of a communications network, via shortwave radio, between the various financieras.

Also to be discussed will be the possibility of maintaining a team of technicians to make studies of and to set up enterprises in which all of the financieras have agreed to participate.

Thus far the financieras have participated in projects in the fields of textiles, food processing, forest products, construction material manufacture, plastics, pharmaceuticals, and the import financing of trucks, tractors, and other working vehicles.

The average size of the loans thus far has been less than $50,000, but some have gone as high as $250,000.

In virtually all the financieras, the leading financiers of their respective countries are on the boards of directors.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The clerk will call the roll.

Mr. McGEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEETING COMMUNIST THREATS

Mr. McGEE. Mr. President, yesterday there was published in the Washington Evening Star an article by columnist Max Freedman, who wrote lucidly of the problem of meeting Communist threats and of establishing effective policing systems for keeping the peace.

I think the Members of this body and also the American public would do well to read Mr. Freedman's article, which is framed within the goals of both our own national policy and philosophy and the current efforts of the British Commonwealth to bring about some meaningful negotiations over Vietnam. I ask unanimous consent that the article entitled "Meeting Communist Threats," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, June 21, 1965]

MEETING COMMUNIST THREATS

(By Max Freedman)

Vice President HUBERT HUMPHREY and Ambassador Adlai Stevenson have both defined the policy of the Johnson administration in meeting the problems of Communist subversion in Vietnam and the Dominican Republic. In so doing they have also defined the role of the United Nations and of regional agencies like the Organization of American States in preserving the peace.

This emphasis on peace is important. It is no mere diplomatic weapon with which to counter the effort of the British Commonwealth to end the war in Vietnam by peaceful negotiation with all concerned. The record shows that the United States worked for a peaceful settlement long before the British effort was contemplated.

To all offers of peace, whether made by the United States or by neutral governments or by British officials, the answer has always been a disappointing Communist refusal to consider anything but a settlement on their own terms. Yet President Johnson remains as committed to the search for peace as he did before the present phase of the struggle in Vietnam began.

His public welcome to the Commonwealth mission, assuming that it materializes, is in fact a token of his private conviction that nothing but good can come from testing Communist intentions once again. His gratitude to Prime Minister Wilson of Britain and Prime Minister Pearson of Canada is only slightly tempered by his prudent skepticism about the probable results.

HUMPHREY exactly reflected Johnson's philosophy when he said at Michigan State University that "overwhelming military power alone is not an adequate response to wars of national liberation." In addition to military power there must be a varied and flexible program that will recognize that these wars "feed on seething discontent."

Three principles, he correctly said, remain the guiding lines of American policy. They are "honoring our military commitment, a continued willingness to seek a political solution, and a massive economic development program."

The Commonwealth mission headed by Wilson will make a memorable contribution to peace if it can be heard by Hanoi and Peiping and can persuade them that these principles provide a framework for a negotiated settlement.

The mission, of course, will fail if it proceeds on the assumption that the United States is ready to quit in Vietnam or that any kind of settlement is better than the prolonged agony of more fighting by South Vietnam.

HUMPHREY again spoke for the administration when he said that wherever Communist subversion flourishes, it must be seen as part of a much larger social and political struggle. If a government in Asia or Latin America can provide the people with a cause for which to fight, with a program inspiring sacrifice and effort, that government can be capable of defending itself against Communist infiltration and subversion from within. Where subversion from within is supported from outside, as in the case of Vietnam, outside assistance is needed "if such a government is to achieve this capability."

This definition of American purpose is based on hard realities rather than on any Messianic delusions of grandeur. If the United States does not provide this assistance to a threatened country, who will? And what will the end be if the United States runs away from the Communist challenge?

The United States has no wish to act as a "global gendarme" nor is it seeking to impose a "pax America" on a reluctant world. Its one aim is to give freedom-loving governments the chance to make their freedom a working reality instead of a pious dream.

If the United Nations and regional security agencies are willing to assume these burdens, no one would be more pleased than the United States. Until that happens the United States will not hesitate to step into the breach to prevent Communist subversion from succeeding and to urge the various international agencies to more vigorous and sustained efforts in defense of peace.

Stevenson, speaking at Williams College, said we all know since Cuba how irrevocable a Communist takeover can be, and how little it is thereafter subject to popular control. Yet we know to "how easy it is to mistake genuine local revolt for Communist subversion."

For this new and uncertain type of crisis, he said, "we need new international machinery to insure that if local disorder leads to civil war the frontiers can be sealed against external intervention, order can be restored and free election held. We have been trying to move in that direction in the Dominican crisis. It could be the basis of a negotiated settlement in Vietnam. Such a policy was effective to a large extent in the Congo; and it is keeping order in Cyprus."

Stevenson admitted the difficulties of setting up a policing system. But he saw no greater task before the United Nations in the next decade.

Without underestimating the significance of the Wilson mission or wishing it anything but success, it will find that it will not be easy to improve on the definitions of policy already given by the President and more recently by HUMPHREY and Stevenson. Perhaps the Commonwealth initiative will be more successful in persuading the Communist leaders in Hanoi and Peiping to respect the arguments for peace. One hopes so.

CLOSING OF SUNMOUNT HOSPITAL, TUPPER LAKE, N.Y.—RESOLUTIONS

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Plattsburgh, N.Y., Area Chamber of Commerce, and a resolution adopted by the Plattsburgh Junior Chamber of Commerce, protesting against the closing of Sunmount Hospital at Tupper Lake, N.Y.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

PLATTSBURGH, N.Y.,
June 12, 1965.

Whereas the Plattsburgh Area Chamber of Commerce, Plattsburgh, N.Y., representing the business and professional interests of the area since the year 1912; and

Whereas in recognition of the Plattsburgh Area Chamber of Commerce as an instrument of public service;

We hereby resolve that the closing of Sunmount Hospital, Tupper Lake, N.Y., will be a detriment to the availabilities of adequate medical and surgical care to the present and potential patients requiring hospitalization. Also, that the closing, elimination or moving of the said hospital, will cause undue hardship and unemployment in our already depressed area.

We therefore petition that other means and ways be explored to avoid this critical situation being enforced on our area by the closing of Sunmount Hospital.

Therefore, I hereby affix our official seal of the Plattsburgh Area Chamber of Commerce.

M. ASPINALL,
Executive Vice President,
Plattsburgh Area Chamber of Commerce.

PLATTSBURGH JUNIOR
CHAMBER OF COMMERCE, INC.,
Plattsburgh, N.Y., June 2, 1965.

Whereas the Plattsburgh Junior Chamber of Commerce, Inc., the No. 1 Jaycee local in New York State this year, is an organization of young men dedicated to community development; and

Whereas one of the precepts of our Jaycee creed is that "service to humanity is the best work of life"; and

Whereas there are 70,000 veterans in the northeast region of New York State in 10 upstate counties; and

Whereas a veterans' hospital employing 400 people has been established and has served our area for over 40 years; and

Whereas this hospital has maintained such a high ratio of patients being returned to their own homes and businesses rather than being turned into nursing homes; and

Whereas this hospital discharged 998 patients in the last 12 months; and

Whereas this hospital treated 1,325 patients in the last 12 months; and

Whereas this hospital treated 4,849 additional outpatients in the last 12 months; and

Whereas an average of 66 percent of all beds in the hospital are filled at all times; and

Whereas an undue hardship would be placed on relatives visiting these injured or sick veterans if they were transferred to Albany or Syracuse; and

Whereas outpatients would have to be treated by local doctors, who may already be overworked, at Government expense, or else sent to Albany or Syracuse for treatment at Government expense; and

Whereas the only patients and outpatients to be treated at Government expense would be service-injured veterans, non-service-injured veterans would not be treated unless they traveled to Albany or Syracuse at their own expense: Therefore be it

Resolved this 2d day of June 1965, That the Plattsburgh Jaycees are in favor of the continuance of the Sunmount Veterans Hospital with its present staff, budget, and facilities, in Tupper Lake, N.Y.

(Unanimously approved at a regular business meeting June 2, 1965 and signed by the officers of the Plattsburgh Junior Chamber of Commerce, Inc.)

REGINALD W. PERRAS,
President.
JAMES F. SEWARD,
Internal Vice President.
JACK COSTE,
External Vice President.
REV. THOMAS VOTRAN,
Secretary.
WILLIAM P. BRENNAN.

OPPOSITION TO REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY ACT—RESOLUTION OF THE ARKANSAS SENATE

Mr. McCLELLAN. Mr. President, the State Senate of Arkansas recently adopted a resolution stating its opposition to repeal of section 14(b) of the Taft-Hartley Act. The resolution points out that the people of Arkansas, in a statewide referendum, adopted amendment No. 34 to the State constitution, and that repeal of section 14(b) would nullify this amendment to our State constitution. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE RESOLUTION 3

Senate resolution requesting the Arkansas congressional delegation to oppose the repeal of section 14(b) of the Taft-Hartley Act

(By Senator Lightle)

Whereas the people of this State adopted amendment No. 34 to the constitution of the State of Arkansas which establishes the rights of labor and prohibits discrimination for or against labor unions; and

Whereas section 14(b) of the Taft-Hartley Act recognizes the right of each State to enact provisions comparable to amendment No. 34, thereby leaving to each State the right to determine whether the closed shop shall be permitted; and

Whereas the President of the United States has announced his support of legislation which would repeal section 14(b) of the Taft-Hartley Act, thereby nullifying amendment No. 34 to the constitution of the State of Arkansas and denying rights of labor guaranteed under the constitution of the State of Arkansas; and

Whereas it is the consensus of the General Assembly that the Arkansas delegation in the Congress of the United States should exert their full efforts to oppose the repeal of section 14(b) of the Taft-Hartley Act: Now, therefore, be it

Resolved by the Senate of the first extraordinary session of the 65th General Assembly of the State of Arkansas, That the Arkansas General Assembly respectfully requests the Arkansas delegation in the Congress of the United States to oppose legislation now

> under consideration which would repeal section 14(b) of the Taft-Hartley Act; be it further
>
> *Resolved*, That upon adoption hereof a copy of this resolution shall be furnished by the secretary of the senate to each member of the Arkansas congressional delegation.

RESOLUTION OF CONSERVATION FEDERATION OF TEXAS IN SUPPORT OF GUADALUPE MOUNTAINS NATIONAL PARK

Mr. YARBOROUGH. Mr. President, now pending before the National Parks Subcommittee of the Interior Committee is a bill, which I have introduced, to establish a national park in the Guadalupe Mountains.

The Guadalupe Mountains, which reach from south-central New Mexico to trans-Pecos, Tex., have long been recognized, not only for their potential as a recreational area but also for their geological and ecological significance.

Their primitive, rugged beauty has delighted and inspired the fortunate visitor since the Spanish Conquistadores explored this area in the early 1500's. Their pine forests and their canyons provide excellent facilities for picnicking, hiking, and camping. The proximity of the area to growing centers of population, such as El Paso, adds further recreational importance.

Perhaps even more important is the geological significance of this area, for the Guadalupe Mountains present a spectacular exposure of the famous Capitan barrier reef and its contemporaneous forereef and backreef marine deposits. The fine display of the several faces of Permian sediments makes this area of outstanding interest to the world's stratigraphers and paleontologists. The world's best known fossil reefs are found within this region. Capitan, the greatest of the reefs, has been described by Dr. Norman Newell, of the American Museum of Natural History, as the most extensive fossil organic reef on record.

Besides it geological importance, this area, with its complex botanical growth and abundant wildlife, is ecologically significant. North and South McKittrick Canyons furnish, especially, a unique ecological association, featuring a delicate setting of coniferous and hardwood trees and brush species, a permanent stream with travertine terraces, and a location for observation of the many birds which inhabit the area.

I feel that the responsibility of Congress is to secure the wonders of this area—both scenic, geological, and botanical—for the generations to come. I am in complete agreement with the Conservation Federation of Texas in its belief that part of this area should be set aside for the enjoyment of all Texans and all other Americans, both present and future.

I ask unanimous consent that the resolution of the Conservation Federation of Texas, in support of the efforts to establish a national park in the Guadalupe Mountains, be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> RESOLUTION —
>
> BAY CITY, TEX.,
> *May 16, 1965.*
>
> Whereas the Guadalupe Mountains form an area of unusual scenic beauty of historical interest, of recreation potential, of wildlife habitat, and geological importance, and
>
> Whereas the Conservation Federation of Texas believes part of this area should be set aside for enjoyment of all Texans, present and future: Therefore be it
>
> *Resolved*, That the Conservation Federation of Texas go on record in support of efforts to establish a national park in the Guadalupe Mountains.
>
> (Resolution recommended by the resolutions committee, H. H. Carroll, chairman, and Mrs. Dorothy Hartshorne and Pete Trevilion, members. Approved unanimously.)
>
> KEITH OZMORE,
> *Secretary.*

CHARGING FOR SERVICES OF THE SOIL CONSERVATION SERVICE—A BAD MOVE

Mr. HILL. Mr. President, I direct the attention of Senators to an editorial published in the May issue of the Progressive Farmer magazine. The editorial is summarized with this heading "Charging for Soil Conservation Service—A Bad Move."

The editorial points out:

> It was through the vision and wisdom of a few men some 30 years ago that the Soil Conservation Service in this country was formed. Since then, gulleys that once gashed our hillsides have been healed. Streams that once were raging torrents after each big rain spreading across our fertile bottom lands to destroy valuable crops, property, and even lives, have been tamed and the once-destructive waters diverted into useful purposes.

I point out that one of those few men of vision and wisdom was a southerner. I have reference to none other than Hugh Hammond Bennett, often referred to as the father of soil conservation in this country.

It was the voice of Hugh Hammond Bennett that told us that floods could be prevented.

It was the voice of Hugh Hammond Bennett that alerted this Nation to the menace of soil erosion.

It was Hugh Hammond Bennett who convinced us that soil and water could be conserved on the privately owned lands of America, through voluntary cooperation with locally controlled soil-conservation districts.

Mr. President, Hugh Bennett's body rests today across the Potomac River, in Arlington Cemetery. This proposal to charge landowners for technical services to protect and improve our land is enough to cause this great leader of 30 years ago to turn over in his grave.

I ask unanimous consent that the Progressive Farmer editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

> [From the Progressive Farmer, May, 1965]
>
> CHARGING FOR SCS SERVICE—A BAD MOVE
>
> Only as we conserve our soil, water, and other natural resources can our Nation prosper—yes, even survive. Back of the decline, decay, and fall of empires throughout history have been soil erosion, loss of soil fertility, and depletion of natural resources.
>
> It was through the vision and wisdom of a few men some 30 years ago that the Soil Conservation Service in this country was formed. Since then, gulleys that once gashed our hillsides have been healed. Streams that once were raging torrents after each big rain, spreading across our fertile bottom lands to destroy valuable crops, property, and even lives, have been tamed and the once-destructive waters diverted to useful purposes. With the skill of a plastic surgeon using skin grafts to restore the beauty that once was his patient's, our soil conservationists have used sod crops to cover and heal the ugly scars of eroded fields. These and many other services performed by SCS have contributed tremendously to making and keeping America green.
>
> But much of the good soil and water conservation work that has been accomplished during the past 30 years is now in danger of being lost. The danger lurks in a $20 million revolving fund proposed by the U.S. Budget Bureau and U.S. Department of Agriculture. This fund would be collected from farmers as part payment (about 50 percent) for technical services received from SCS in establishing conservation practices on farms. It makes as much sense as Internal Revenue Service charging for technical assistance in preparation of income tax reports.
>
> Many farmers could not pay for SCS technical help. Others wouldn't. It, no doubt, would result in drastic curtailment of soil and water conservation activities so vital to our Nation's future. It appears now that only Congress can stop the administration's plan to start the revolving fund. We urge you to let your Congressman know how you feel about it.

COSPONSORSHIP OF ADMINISTRATION NARCOTICS BILL

Mr. KENNEDY of New York. Mr. President, I am glad to be able to cosponsor the proposals of President Johnson's administration relating to problems of narcotic and drug abuse.

This bill is the result of long and careful planning and consultation in the executive branch. It embodies the proposals which President Johnson referred to in his message on crime on March 8, in which he said:

> The Justice Department will shortly submit proposals for a Federal civil commitment statute to the Congress and for limiting the coverage of the mandatory minimum penalty sentences.

When Senator JAVITS and I recently introduced a comprehensive package of legislation concerning narcotic and drug abuse problems, I said that I looked forward to supporting the President's bill when it was ready, and to working for its passage in conjunction with our program.

I am delighted that the President's bill has now been introduced. By providing for pretrial civil commitment of persons accused of violation of the Federal narcotics law, and for postconviction alternative sentencing to a treatment program, this bill would bring a new flexibility to the administration of the Federal narcotics law and a new incentive to rehabilitation for the narcotic addict who is accused or convicted of Federal crime.

In addition, the bill provides an added flexibility in dealing with youthful offenders and marihuana violators—additional reforms which are extremely useful.

I want to emphasize that I endorse the bill wholeheartedly, although I support some further reforms as well. These were contained in S. 2114, which I introduced on June 9. I trust that the Judiciary Committee will consider all of these provisions together, and will report out the bill which combines them in a manner that is the most satisfactory resolution of the various public policy considerations involved.

AMERICAN DEFENSE AND FOREIGN POLICY—STATEMENT BY DR. WALTER H. BRATTAIN

Mr. JACKSON. Mr. President, I direct the attention of Senators to a statement by Dr. Walter Brattain, distinguished Nobel Prize physicist and coinventor of the transistor. His statement of June 17, 1965, was made before our Subcommittee on National Security and International Operations, in connection with its study of the conduct of national security policy.

Joint recipient in 1956 of the Nobel Prize in physics for research on semiconductors and discovery of the transistor effect, Dr. Brattain is a member of the Defense Science Board and the Naval Research Advisory Committee.

He has said some wise and sensible things about how best to advance our scientific understanding and knowledge as the foundation for a productive economy, strong defenses, and effective foreign policy. I believe his statement should receive wide reading; and I ask that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BEFORE SUBCOMMITTEE ON NATIONAL SECURITY AND INTERNATIONAL OPERATIONS BY DR. WALTER H. BRATTAIN, JUNE 17, 1965

I greatly appreciate the opportunity to appear before you. I hope what I have to say will be of some help to this committee which is dealing with one of the central issues of this century—the conduct of American defense and foreign policy.

Your committee has invited me to give my views with particular reference to the relation of sound scientific policies and programs to effective national security policy and operations. I commend you in your desire to have a hard look at some of the issues in this critically important area.

BASIC DISTINCTION: SCIENCE AND TECHNOLOGY

Since in government, science and technology are inextricably mixed together, under the forbidding heading "Research, Development, Test and Evaluation," R.D.T. & E., I would first like to clarify the terms "science" and "technology," or at least say what I shall mean by my use of the terms. For example, "research" has become a magic word and one must be careful how he uses it.

Science—or scientific research—is work or investigation that contributes to understanding of how things happen in our world—or better, in our environment. Usually such work is dedicated to this purpose. But regardless of dedication, if it contributes to this understanding, it has a claim to be called scientific research. I have a quotation that for me expresses the philosophy of a scientist better than any other statement I have ever come across: "The history of the human race is a continual struggle from darkness toward light. It is therefore to no purpose to discuss the use of knowledge; man wants to know and when he ceases to do so he is no longer man."—FRIDTJOF NANSEN.

Now the body of science is not just a catalog of the sum total of this understanding or knowledge at any given time but, rather, a rational logical theoretical construct from which most of the how of events in this world can be deduced. Science, however, is never static. The value of the scientist's theory is to predict into unknown areas of experience. This is the final test of any body of scientific theory, and the scientist is continually testing, revising, and refining his theoretical knowledge and thus improving his understanding.

This understanding, this knowledge, gives us power to do things. Within the limits of our knowledge at any given time, we can predict what is possible and what is not possible to do. Technology is the art of accomplishing what it is possible to do—within our economic means.

RESPONSIBILITY FOR USE OF SCIENTIFIC UNDERSTANDING

Clearly it takes power or muscle to do anything. On the other hand, raw power is of little use unless you can intelligently control the power to your purpose. Man's knowledge and understanding has continually made available for his use more and more raw power and, we hope, the intelligence, to control that power to accomplish useful beneficial purposes. Our present day economic well-being is completely traceable through these two factors to our scientific understanding.

There is, of course, a moral question here. Concentrated power is dangerous. Even with the best intentions it can by accident go off. A pint of gasoline is dangerous especially when mixed with alcohol—in an automobile. Concentrated power in the hands of selfish but intelligent individuals or groups can be used to enslave or destroy. This is probably the greatest concern of our age. Man as a whole sees this danger. He does not like it. He wants somebody to blame and has a tendency to pick on the scientist, the man whose understanding created the situation. In doing this he does not see or realize all the vast economic benefits that he has gained from this understanding nor would he for one moment be willing to go back to the primeval state from which he evolved, by virtue of man's desire to know. Surely, the scientist is not wholly responsible for the way man chooses to use his understanding for good or evil. Man has eaten of the apple of knowledge and if he desires and accepts the benefits he must take the responsibility for the use he makes of it.

These matters are, of course, very important to our whole national policy. The money the Government spends on scientific research and how best to assure a continual advance in our understanding and knowledge are of great concern to us. The future existence and survival of man on this planet may ultimately depend on the use we make of this knowledge; that is, on our technology. This will depend both on our general economic technological development and our military technology. Our capabilities in the latter are really quite dependent on the former, by the way.

HOW BEST ASSURE CONTINUAL ADVANCE IN OUR UNDERSTANDING AND KNOWLEDGE

The rate of increase of Government spending in the area of research and development or what goes by the name of R.D.T. & E. has been so large that if this rate continues indefinitely it is easy to predict that the time will soon come when this spending will be equal to the whole Federal budget. This, of course, is impossible so it follows that the time will come when this spending can only increase at the same rate as our gross national product.

In considering this problem it is important to remember that the amount of money spent on scientific research is a small fraction of that spent on R.D.T. & E. which includes technology, and that it is important, if possible, to separate out the amount spent on research and consider it separately. Improved understanding is like money in the bank; namely, means to do what needs to be done in the future when we need to. In any period that it is expedient to cut our technological spending, it is especially important that we do not cut back on scientific research. In fact it is good policy at such a time to increase the scientific effort. This is the proper converse of what we do in times of stress, such as World War II, when we let the scientific research effort go and used what knowledge and understanding we had to best get us out of the hole we were in. Contrary to the belief of many, this is exactly what we did in 1941 to 1945. Little new fundamental knowledge or understanding was achieved. Scientists became engineers and devoted themselves to the technology of winning the war—using almost entirely what was already in the bank.

An important point here is how best to allocate the money we do spend on scientific research. Some of the most significant advances come from the most peculiar and unpredictable places. Where they are going to come from and what they are going to be is impossible to predict. Who would have guessed that a patent clerk in Switzerland, one who today would classify as a dropout, would while working at night in his spare time, lay the basis for most of our present day scientific understanding—quantum mechanics—solid state—atomic energy. This man was Einstein. The story is in Physics Today, January 1965. One of his results—energy and mass are equivalent, $E=MC^2$, is almost a colloquialism today. We need to spend this money as best we can to encourage not just excellence but the combination of competence and motivation wherever it appears.

Still another point is this: Scientists are human. They sometimes do foolish things, including spending Government money in ways not intended by Congress. This irritates Congress no end. Congress tries to stop this by passing regulations to make such action almost impossible. These regulations increase the cost of administering the Government funds for scientific research without contributing to the actual research done, I believe, to the point where the increase in cost is way out of proportion to the original amount misspent. Also such action usually increases greatly the amount of time the actual scientist has to spend on nonproductive work in order to satisfy the administrator. I can only urge Congress, in this period of need for some limits on Government money for scientific research, to at least balance the added cost of regulation against the waste of foolish expenditure—of which there will always be some in any human endeavor no matter how tight and costly the control.

NATURE AND COMPETENCE OF SCIENTIFIC ADVICE TO OUR NATIONAL GOVERNMENT

Our U.S. Government, the President, the executive departments, the legislature, all need the most unbiased, competent, scientific advice they can obtain. Since I am serving in such an advisory capacity in two instances, the Naval Research Advisory Committee, NRAC, and the Defense Science Board, DSB, I may be biased. However, I would like to comment as follows:

As near as I can tell scientists who accept advisory positions to Government do so as patriotic citizens without regard to their other affiliations or loyalties. I believe that the President's Science Advisory Committee, PSAC, has had a very good effect on all advisory committees. It is very easy for an executive department, military for example, to say "thank you" and proceed to disregard any advice given. The military have sometimes been past masters of this art, by the way.

This leads to a tendency for advisory committees to criticize everything since they know nobody will pay any attention anyway. With the advent of PSAC the situation changed. We, as advisers, had an independent channel to the top. Therefore, we were listened to and taken seriously, at least part of the time. Therefore, we had to be sure we knew what we were talking about before we made a fuss. We had to be more responsible. This is a lesson a person learns in life. As long as one's boss has the final responsibility one is likely to urge and work at him for many things, seeing only one side of the question, but when one has final responsibility or is in a place of real influence he takes a different attitude. A little more use of this principle might be beneficial in all Government operations.

I sincerely believe that any scientist that commits himself to an extreme, possibly emotional, view in a public manner is, perforce, no longer useful in an advisory capacity to the Government. Any advice that he might give, even in the area of his competence, is necessarily suspect. To my knowledge this is not a problem at present but it behooves a scientist that wishes to be of service to his government to be circumspect in his attitudes, and as unbiased as humanly possible. He must also remember that his scientific competence does not mean that he has more right than any other citizen to say how his country or the world should be run. He must, however, be willing to stand up and face it out when he is sure of his ground on the basis of a rational scientific judgment. It is often a mistake for a scientific adviser to concentrate on proving that he is right. If he really wishes to be of service he should have enough patience to try to get others to see for themselves the essential correctness of what he advises.

I also feel that it is particularly important that the State Department have proper scientific advice and it worries me that almost a year has gone by with a vacancy in the Office of Director of International Scientific Affairs—now designated as International Scientific and Technological Affairs.

ROLE OF IN-HOUSE GOVERNMENT LABORATORIES

I believe because of the importance of science and technology in Government operations that it is essential that Government have good in-house Government laboratories. In these days of large expenditures for science and technology the diversification and proliferation of such laboratories sometimes makes Congress question whether there is not unnecessary duplication, whether one could not save money by concentration of this effort in fewer places or maybe in one place. They then put pressure on the departments to justify what they are doing and to limit what each department can do. This defeats the purpose of these laboratories by hemming them in with rigid restrictions.

As an adviser to the Government, I have had a small part in urging changes in the military laboratories to raise the morale therein. The most important function of these laboratories is innovation and my colleagues and I feel strongly that each laboratory director should have a given percentage of his budget for him to spend at his discretion. The evidence seems to be that important innovations tend to occur where this is the case

Congress should do what it can to attract and keep competent men in these laboratories.

PLATEAU IN MILITARY TECHNOLOGY?

Military technology is limited by many factors. First, we have the question of what we can accomplish within our available economic means and not just what one would predict would be possible with our present scientific understanding. Second, military technology is only justifiable insofar as it contributes to our national security, which immediately takes one into areas of national and international politics wherein the scientist or engineer has no special competence.

It has been suggested that we have reached a plateau here beyond which it is not possible to go consistent with the above limitations. This viewpoint has been misinterpreted in certain quarters to mean that scientific understanding has reached a plateau. This conclusion is most certainly wrong. In the first place, past experience shows that whenever one thinks he understands everything, then is just the time when unexpected new understanding is most likely to occur. This was the case at the beginning of the 20th century when the experimental results of Michelson-Morley and the work of Planck laid the basis for the work of Einstein, Bohr, and others that completely revolutionized our thinking and understanding. One can also quote Ernest Mach, a famous theoretical physicist of the 19th century: "The French encyclopaedists of the 18th century imagined they were not far from a final explanation of the world by physical and mechanical principles. Laplace even conceived a mind competent to foretell the progress of nature for all eternity if but the masses and their velocities were given." Little did they know of the importance of the electrical nature of matter that was to come out of the work of Faraday, Ohm, Joule, Oersted, Maxwell, and others which had its start early in the 19th century.

Before the war, proven methods in military technology acted as a break on innovation. It was hard to convince the military that there were new and better ways of doing things. The success of the newer military technology (radar, missiles, computers, and nuclear weapons) swung the balance the other way. The demand of the military for new devices, sometimes even beyond the technological art, has led to a high degree of sophistication and complication in our military equipment. This in turn has led to a great increase in expense. Much of this equipment has yet to be tested in actual war use. Sophistication is very expensive and could turn out to be doubly so, if it failed to work as planned when really needed. I believe we badly need in military technology to concentrate on how to simplify our sophisticated armament, adding redundancy to make it more reliable and doing everything we can to make it easier for the men who use it to control it and operate it. The interface between the man and the machine has reached the place where the training necessary to operate the expensive machine is such that it is nearly impossible to recruit the competent operator. We are almost in the position of asking the enlisted man to do what the general officer does not know how to do.

The cost of training the recruit in turn adds greatly to the overall cost. This does not mean that we should not take full advantage of such innovations as nuclear power for propulsion, just as we took advantage of steam. It just stands to reason that there is ever so much that we can do in the real use of technology to improve, simplify, and make more reliable our present military machine. Cost effectiveness has its role to play here but it should be used with caution in applying it, too early, to real innovations such as nuclear power and propulsion. It is also necessary to keep in mind the whole overall cost and not just a piece of the cost. Certainly we have great need for more effective means for combating insurgency.

During the last war we should have learned that sophisticated equipment is useless, expensive junk if the man in the Armed Forces is for one reason or another not going to use it effectively.

Certainly there is no reason even to speak of a plateau in military technology. Ordinary economic technology is always finding better ways to do things and there is no reason that the military should ever cease in this effort, within the limitations set by our national and international policy.

In closing, let me say that one could go into much more detail in regard to all the points mentioned. For example, the recent report to the Committee on Science and Astronautics of the U.S. House of Representatives by the National Academy of Sciences entitled "Basic Research and National Goals" gives the separate, thoughtful views of several very competent scientists. I started to read it after preparing this statement and the further I read the more I found that one way or another the things I have said are in this report. I recommend this report to you, and I thank you for listening.

THE TRAGIC ACCIDENT OF DOUG KENNEDY, CHIEF PHOTOGRAPHER OF THE MIAMI HERALD, IN THE DOMINICAN REPUBLIC, AND ITS HAPPY FOOTNOTE

Mr. SMATHERS. Mr. President, a happy footnote has been written to a tragic accident which occurred in the early days of the upheaval in the Dominican Republic. That footnote was written on June 19, in Walter Reed Hospital, when Doug Kennedy, chief photographer of the Miami Herald, and Eileen Fulford were married.

The marriage missed by 5 days the date the couple had selected a year ago. But the fact that the marriage could be held at all is a tribute to the brave spirit of these two people, for Doug Kennedy is hospitalized with machinegun wounds which may leave him permanently crippled in his left leg.

On May 6, while he and the Miami Herald's Latin American editor, Al Burt, were covering the shooting in Santo Domingo, U.S. Marine sentries mistakenly opened fire on the taxicab in which the newsmen were riding. A panicky cab driver apparently precipitated the unfortunate accidental shooting. But in a few seconds, Kennedy was bleeding profusely from serious wounds; and Burt—though wounded himself—was struggling to help his colleague to safety. Skilled medical services saved Doug Kennedy's life; and it is, indeed, gratifying to know that one day he will return to Florida with his bride.

The Miami Herald, one of the first major newspapers in the country to editorially support the U.S. mission in the Dominican Republic, never stopped its first-rate coverage from that island, despite the tragic accident involving Kennedy and Burt.

In addition to printing Kennedy's photographs and Burt's stories prior to the mishap, the Herald also had on the scene Lee Winfrey, of its Washington bureau, and, later, Robert S. Boyd, also of the Washington bureau. Each of these men reported conscientiously on the conditions as they saw them. It can truly be said that the Miami Herald was in the frontline of the Dominican crisis, and responded in a great tradition of American journalism.

I ask unanimous consent to have printed in the body of the RECORD two editorials and news dispatches from the Miami Herald which attest to this fine work.

There being no objection, the editorials and the articles were ordered to be printed in the RECORD, as follows:

[From the Miami (Fla.) Herald, Apr. 28, 1965]

NO, NOT ANOTHER CUBA

Let's have no second Cuba in the Dominican Republic.

The fighting there has the earmarks of an attempted Communist takeover.

Fidel Castro's radio mouthpieces in Red Havana have been calling on Dominicans to support the insurgents.

The Dominican Ambassador in Washington, Jose Antonio Bonilla Atiles, referred to the rebels flatly as "the Communist forces."

Gen. Elias Wessin y Wessin, commanding loyal troops, told American newsmen by phone: "This battle is to decide whether our country is to become a second Cuba or not."

Angel Severo Cabral, former diplomat and political leader, was arrested by rebels on charges of broadcasting from a transmitter in his home that the insurgents were under the direction of Communist Cuba, the Soviet Union, and Red China.

The Herald's Latin American editor, Al Burt, warned a month ago that leftist exiles were sneaking back into the country to infiltrate labor unions and student groups.

How much more evidence is required?

The United States cannot stand idly by and let another Caribbean island on our doorstep fall to communism. We do not presume to suggest what kind of action should be taken, but we are sure the American people will demand whatever is needful to rescue the 3 million Dominicans from the fate of Cuba.

The revolt is being staged at a moment when the eyes of the Nation are on Vietnam, 8,000 miles away. The timing must not blind us to the plight of a small neighbor whose freedom is intertwined with our national safety and the integrity of the Western Hemisphere.

[From the Miami (Fla.) Herald, May 4, 1965]

WHY WE'RE THERE, AMIGOS

Anyone with a working knowledge of Latin America knows how highly the nations to the south regard their sovereign dignity and how deeply they resent the presence anywhere of foreign troops.

Anyone with a working knowledge of world communism knows, too, how easily a country may be subverted once there is any tolerance of any attempted takeover.

Too often the two things are not understood at the same time. Hence there is some criticism in Latin America of United States intervention in the Dominican Republic.

Uruguay yesterday demanded outright withdrawal of American marines and paratroopers. Chile, Venezuela, and one or two other countries of the Organization of American States questioned a U.S. appeal for military participation. To their credit, Argentina and Brazil favored such a move, which is the only way that the beleaguered island Republic can be helped back to its feet.

If the proud Latino does indeed regard the U.S. military action as "intervention" then he needs, in the words of Abraham Lincoln, to disenthrall himself.

The idea that a Communist coup is less of a peril than troop landings has its roots in old fears which have no substance today. None of the objecting countries wants a Castro. Yet such a catastrophe was in the making when President Johnson acted quickly and firmly.

Subsequently special envoys made the reason for the action clear to each OAS member. On Sunday Mr. Johnson went on television in a masterful exposition of American foreign policy in Santo Domingo.

He assured the world that "the form and the nature of the free Dominican Government is solely a matter for the Dominican people."

He reminded the OAS nations of their joint resolve in 1962: "The principles of communism are incompatible with the principle of the inter-American system."

He vowed that "we do not intend to be buried."

He was, we believe, a magnificent exponent of enlightened anticommunism. One day all of Latin America will know this and thank President Johnson for his foresight and decisiveness.

We trust that the OAS will not shirk its obligation to lend a hand and uphold the inter-American system.

The United States as we see it, has been circumspect in both its military and political actions. We are not warring on anybody, but simply defending ourselves and our freedoms. The area of action has been plainly defined and there is no mystery about what is going on.

Now the pressure should be on the Dominicans themselves to lay down their arms and compose their differences. No one can be more convincing that this is needed than these neighbors themselves.

[From the Miami (Fla.) Herald, May 7, 1965]

GAWKING KIDS, GRIM SOLDIERS ACCENT ISLAND

(By Al Burt)

SANTO DOMINGO.—Dominican kids in ragged britches stand on the highways gawking and pointing at U.S. soldiers grimly camouflaging tented gun emplacements.

Some of them smile and giggle at the idea of soldiers hiding those big guns behind palm fronds and tree branches.

Many shoulder cases of orange soda pop and hawk it along the road to the soldiers, who are grim mostly because the combat helmets are so hot.

This is a strange sort of civil war here, and the marines and soldiers so far come out as olive drab supermen to the noncombatant populace.

Younger Dominicans gather around them like they were 10,000 Mickey Mantles, to ogle their beautiful guns and hear them speak. Older Dominicans talk less, but stare hard and eavesdrop.

"Gimme my pot," one soldier said, as his jeep approached the Duarte Bridge, where there were fierce battles a few days ago. In the back, a soldier with his feet propped on a box of hand grenades handed him the helmet.

The bridge begins the corridor through the city which links the U.S. marines, who landed at Haina, and the airborne troops, who landed at the San Isidro Airbase.

Along the corridor, spaced a few yards apart on both sides of the street, marines sit on stone steps or leaned against walls, weapons ready. Some looked lonely among Spanish signs they couldn't read and dark-eyed Latins they could not understand.

But many spoke Spanish, and some who didn't stirred the air with sign language.

At intersections, rolls of barbed wire close side streets to traffic. Along the way, there were 106 millimeter recoilless rifles that looked like long stovepipes and armored personnel carriers that looked like garages on caterpillar tracks.

At the intersection of February 27 and Leopoldo Navarro streets six giant tanks—with a half-dozen heavy guns on each—guarded all approaches.

Some signs said "Yankees go home," but there were many friendly waves. Children laughed and shouted "Goodby, goodby," so sweetly you couldn't be sure whether it was a mistake in English or a suggestion.

U.S. food and water supplies drew long lines of Dominicans with tin cans or straw bags. Dominican soldiers made the distribution.

This was an Army convoy carrying loudspeakers. It moved through the corridor and around the perimeter of the security zone, and its messages were considered psychological support for the U.S. presence.

Some planes previously had been flying low, dropping leaflets and broadcasting messages. The leaflets bore a picture of President Johnson and quoted excerpts from his recent speeches on the Dominican situation.

"Dominican citizens," the leaflets began. "This is the truth, the truth about the North American landing. The landing was made only for peaceful and humanitarian ends."

The loudspeaker messages added that the United States supported no political faction and sought only liberty for Dominicans.

"Don't be deceived by the Communists," it said. "Lay down your arms."

The marines and soldiers were ready for either war or friendship and seemed to prefer one or the other to the uncertainty.

The bizarre was commonplace.

One marine walked out of the U.S. Embassy frowning and counting the grenades strung across his chest.

"Hey," he called to a buddy. "Somebody dropped a grenade in there. It must be one of yours. I got all mine."

WOUNDED FILE STORY, PHOTOS

Herald Chief Photographer Doug Kennedy and Latin American Editor Al Burt sent these pictures and the accompanying story from Santo Domingo shortly before both men were wounded by U.S. Marine gunfire.

[From the Miami (Fla.) Herald, May 7, 1965]

REBEL SOLDIERS ADMIT SOME REDS PRESENT

(By Al Burt)

SANTO DOMINGO.—Two sugar workers, a barber, a chauffeur and a shoeshine boy sat down in Plaza Independence—the rebel-held sector—to hash over the latest revolution.

"This is the first day we come back to sit in the park," said the barber. "There has been much shooting."

They could not reach complete agreement on whether it was safe. "Hmmmmmmmm," one said, to indicate indecision. "I would not say it was calm, but disorganized."

An occasional chatter of gunfire a couple of blocks away emphasized his point, but it was not serious enough for anyone to abandon the park bench.

The U.S. soldiers and marines were the topic.

"It was necessary for them to come," said one sugar worker. "If they had not, we would have been machinegunned.

"That is true," agreed the chauffeur. "We all could have been shot. In my barrio, they have made a very favorable impression. They act like gentlemen."

They were impressed by the U.S. forces organization, and the nice way they handed out food and water.

Politically, they liked Col. Francisco Caamano Deno, the new provisional President. To them there appeared no other choice.

Their main beef was against the oldtime military machine here, built up during Dictator Rafael Trujillo's time and the deciding governmental factor ever since.

They cited corruption and the continued military hand in the government. Oddly, they excused Caamano from this.

"He was one of the younger officers," they explained.

If there is a thread of consistency that runs through comment here, it is a dreadful weariness with the military firing a new government whenever it likes.

Behind that general agreement, there is a great deal of confusion in people's minds.

At rebel headquarters, on the second floor of a building one block down Pina Street from the park, people streamed in and out.

For Maj. Juan Lora, a 15-year army veteran, it was a simple revolution. "We were fighting for the people. We are not Communist."

Luis Bordas, brother of Diego Bordas, former Juan Bosch Cabinet Minister, said President Johnson was misled when he called the revolution Communist.

"He gave 53 names. That is nothing. There must be 300 Communists fighting. But they do not control. We have our own commands. They may have small units here and there not under our command.

"You cannot control a trigger-happy guy who has a gun the first time in his life. He sees a leaf moving and he starts shooting," he explained.

Dr. Pedro Casals, former Finance Minister, under one of the ruling triumvirates, said the rebels were just waiting for the Organization of American States decision.

"The seven generals must go," he said. "The others we can talk to, but not the generals.

"I agree with Stevenson's speech. There are some Communists here. We know that. But we can control them."

A young man, Teofilo Cordero Mateo, who called himself a civilian commandant, railed at the marines in the rebel office. He claimed they were killing women and children.

Cordero Mateo said he was educated in Europe, and knew what he was talking about. He claimed a group of 150 young followers, and said he organized them when the rebellion broke out.

He would not describe them either as a political or a social group. "We had to fight the marines," he kept insisting. "We had to fight them."

So goes the range of comment at rebel headquarters, where serious young Colonel Caamano reigns among confusion.

The rebels admit the presence of Communists in their movement and their help in the fight. Their claim is that they have control.

President Johnson said they do not.

As far as counting Communists or discounting Communists, in the clamor at rebel headquarters, Barry Goldwater and a clean-shaven Fidel Castro could enter arm in arm and be accepted equally as rebels.

The probability is that the rebels themselves do not know who all the Communists are, and what they have been doing. They have no formal intelligence to call on.

When they say they can control them, it is a blend of hope, defiance, and no little ignorance.

[From the Miami (Fla.) Herald, May 8, 1965]

UNITED STATES, LATINS AGREE: HEMISPHERE POLICE FORCE URGED

(By Robert S. Boyd)

WASHINGTON.—The United States and some Latin American governments are urging the formation of an inter-American peacekeeping force to handle future crises like the Dominican civil war.

A small international army ready to move on short notice could reduce or eliminate the need for direct, one-sided U.S. intervention in trouble spots.

In the opinion of United States and Latin officials, such a force would be far less offensive to hemispheric sensibilities than the dispatch of U.S. marines.

It would also offer a less tempting target to Communist propaganda, it was pointed out.

Creation of a peacekeeping force is likely to be a key topic at the meeting of Western foreign ministers in Rio de Janeiro May 20, informed sources predicted Saturday.

A token force, consisting of perhaps a handful of officers from several Latin countries, may be acting in Santo Domingo even before then.

The Government of Colombia formally urged the Organization of American States Saturday to "establish an inter-American armed force to maintain order in the Dominican Republic."

"There is a need to supplant the action of one state [the United States] by collective action," said Colombian Ambassador Alfredo Vasquez Carrizosa.

He said an "armed force operating under the authority of the OAS" could take over peacekeeping functions now being carried out by U.S. troops.

U.S. Ambassador Ellsworth Bunker, responding to the Colombian appeal, said the United States would "welcome the constitution of such a force as soon as possible."

Bunker said the United States "regrets that no inter-American force was available" to act in the Dominican crisis.

A State Department source said he expected the OAS investigating committee dispatched to Santo Domingo this weekend might return with a recommendation for an international police force.

Other Latin diplomats privately endorsed the idea.

"We've talked about it for years, but never have done anything about it," one South American ambassador said.

"Now maybe at last we'll get an international police force that could be used in situations like the Dominican Republic to avoid unilateral intervention," he said.

This ambassador—a longtime student and author of works on inter-American relations—said President Johnson made a "terrible mistake" in sending Marines to Santo Domingo without OAS approval.

"Now we're trying to correct this mistake by putting a facade of legality on your President's action," he said.

"Unfortunately, the damage has already been done, and it was so unnecessary," he added. "There was time enough to call an emergency meeting of the OAS. We can move fast when we have to—as we did in the Cuban missile crisis.

"We ambassadors don't really think you are returning to the bad old days of gunboat diplomacy," he said. "But many of our people do."

Approval of an inter-American peacekeeping force may not be unanimous, however.

Mexico, for example, is so fanatical about the principle of nonintervention, that she will probably oppose even collective meddling in another country's affairs, diplomatic sources said.

There is no provision in the OAS charter for an international police force, and Mexican Ambassador Rafael de la Colina Saturday said Mexico "will not approve any action beyond the charter."

But other countries, like Peru, Bolivia, and Colombia, indicated they would support the principle of "collective action" to preserve peace and security in the hemisphere.

[From the Miami (Fla.) Herald, May 8, 1965]

NEWSMEN COMMENDED FOR COURAGE, WORK

WASHINGTON.—The Defense Department Friday saluted the courage of U.S. newsmen who are covering the fighting in the Dominican Republic and expressed regret that two of them had been accidentally wounded by U.S. marines.

Arthur Sylvester, Assistant Secretary for Public Affairs, said in a statement "We are all deeply concerned" over the shooting in Santo Domingo of Reporter Al Burt and Chief Photographer Doug Kennedy, of the Miami Herald.

"These men were wounded," Sylvester said, "while returning to the U.S. lines from the rebel-held section of the city.

"They and all members of the American press in the Dominican Republic have repeatedly risked their lives in the effort to report fully to the people of the world all the facets of the political and military situation in Santo Domingo in the highest tradition of American journalism.

"I can do no better than repeat the words of Col. George Creel, senior U.S. information officer in Santo Domingo that:

" 'The tragic and unjustified wounding of these two men should point out to everyone in the world who reads a newspaper, listens to a radio, or watches television, the outstanding job that the courageous members of the news community are doing.' "

[From the Miami (Fla.) Herald, May 8, 1965]

PANEL TRUCK PARTLY BLOCKS SANTO DOMINGO INTERSECTION; REBELS APPARENTLY STRIPPED OFF WHEELS BEFORE U.S. MARINES ARRIVED—WOUNDED, HE WALKED A BLOCK TO GET HELP

(NOTE—Herald newsmen Al Burt and Doug Kennedy, wounded when U.S. marines fired on their Dominican cab in Santo Domingo, talked to Herald reporter Lee Winfrey, Friday, aboard the U.S.S. *Raleigh*. Here is Winfrey's report.)

(By Lee Winfrey)

ABOARD THE U.S.S. "RALEIGH."—Painfully wounded, Al Burt walked a block through rebel-held territory to a marine checkpoint because he thought photographer Doug Kennedy was bleeding to death.

Aboard the *Raleigh* Friday, Burt was able to talk easily and even smiled a few times. He was lying down with his right side propped up on a pillow. He had little punctures on his right arm and a small bandage only a little bigger than a band-aid on his chin.

"When the shooting stopped, Doug said he thought he would die if he didn't stop bleeding.

"I stumbled out of the car and hollered to the marines. They motioned me to walk down there. I walked about a block then lost consciousness. I think a Dominican soldier took me by the hand and led me down."

Burt had small wounds all over his right side, chest, arm, and leg. These apparently came from chips of metal from the car. The worst wound was in his right buttock, struck twice by marine machinegun fire. He is in good condition.

Kennedy was in a separate room on the ship. He was pale and there was sweat on his face. When the doctor touched his left leg for some reason, he said "Ow" intensely several times.

His voice was only a little louder than a whisper.

"We came up (to the roadblock) and the guard motioned us to come, then motioned us to stop, then motioned us to come on again. The driver panicked and started going backward. The marines started shooting. I lay down on the floor.

"They kept on shooting. On and on. Why did they keep on shooting? Why? Why?"

Kennedy's leg was hit several times. There are flesh wounds on his arm and one on his head. He is in fair condition.

Both Kennedy and Burt said the marines shot up their Dominican cab with 30-caliber machinegun fire. Neither mentioned any rebel gunfire, and neither knows what happened to their driver who apparently fled on foot.

Here, in his own words, is Burt's account.

"I got hit about nine times. One of the bullets grazed my chin. Most of them just grazed me. The one that seems to hurt worst is in the top part of my hip in the side. There is a wound in my fanny 2 inches wide and 5 inches deep.

"We had driven downtown and cut over to George Washington Avenue to come out. (Burt and Kennedy had been in the rebel-held sector of Ciudad Nueva.) We had gone as close as possible to the disabled rebel ship in the river and Doug had made pictures of it.

"We talked to some rebels. The Dominican Red Cross said we ought to get out, that there might be some shooting. We headed back toward the roadblock. Our car had 'prensa' [press], lettered on the windshield in tape.

"Two blocks from the roadblock, the marines leveled rifles at us. A marine motioned us forward, then stopped us, then motioned us forward again.

The driver panicked and screeched back.

"Doug was in the front seat by the driver and I was in the back. Bullets kept coming. I got down on the floor. I could feel myself being hit in the leg, hip, side and chin."

At first, when the shooting stopped, the two men stayed in the cab, fearful the marines would open fire again.

"We were lying in the car. We were afraid to move. We were afraid they'd start shooting again," Burt said.

Then Burt crawled out to get help. "I had to get out because he was bleeding to death."

Burt believes the marines thought the cab was a rebel decoy. A day or two before, two boys had come up to the same checkpoint on bicycles. Frogmen, over behind the seawall behind them, began shooting when the marines started to check the bikes.

Burt covered this decoy incident, and his story on it reached Miami Thursday—the day he and Kennedy were wounded.

The newsmen will stay on the *Raleigh* for another 2 or 3 days before they are moved, probably to Puerto Rico.

[From the Miami (Fla.) Herald, June 5, 1965]

TOMMYGUN ON DESK—JUNTA'S IMBERT TALKS TOUGH: "THEY MUST SURRENDER FIRST"

(By Robert S. Boyd)

SANTO DOMINGO.—Outside in the marble corridor of the congressional palace, a dozen junta soldiers lolled in folding chairs, submachine guns cradled in their laps.

Inside his small Spartan office, Gen. Antonio Imbert, president of the antirebel Dominican Government of National Reconstruction, triumphantly waved a sheaf of papers.

"You see this?" he crowed. "Radio Havana broadcast a report that I was thrown out of power at 10 o'clock this morning. Ha * * *."

The sun was setting on the 41st day of the Dominican civil war, and moonfaced Tony Imbert, decked out in khaki uniform with silver buttons, looked the very model of a high-riding Latin American junta leader.

A tommygun lay next to the ashtray on the telephone stand at his left hand. His high-peaked officer's cap was tossed carelessly in the outbox on his cluttered mahogany desk.

A stocky, balding man, about 5 feet 8, with shrewd brown eyes and an impish grin, the general puffed cigarettes and toyed with a silver lighter as he defended his refusal to step aside for a U.S.-backed compromise government.

Instead, he insisted the rebel president, Col. Francisco Caamano, must surrender his redoubt in downtown Santo Domingo as the first move toward ending the crisis.

"If they take out that corridor (the international security zone separating the junta forces from the rebels), we can fix it," Imbert said in his quaint but fluent English.

"To solve this problem—that's our business," he said. "We don't need any help from the OAS or anybody."

Does that mean a junta assault on the rebel stronghold?

"No, I don't think so. There are a lotta ways to fix it—maybe without more bloodshed," Imbert said without further explanation.

After the rebels are cleaned out, he said, new elections could be held under OAS supervision at a date chosen by the OAS.

Imbert and his junta of one colonel and three civilians would govern the country until elections with the help of a "consultative council," representing each of the six non-Communist political parties.

Would Imbert like to run for president?

"Whatta hell do I want to do that for? I had enough of this already. I could be sitting nice and quiet at home, but they call me to take his job—and I am.

"I don't want to be president. All I want is to help my country be free and democratic," he said.

The general, who began his career as manager of a United Fruit Co. banana farm on the north coast, is no newcomer to coups, and countercoups.

He still bears on his face bullet scars from the day 4 years ago when he gunned down dictator Rafael Trujillo.

Twelve years earlier, under Trujillo's reign, he was mysteriously involved in a plot to invade the Dominican Republic from Cuba, according to residents of his old hometown Puerto Plata.

After the plot failed, Imbert, as Governor of Puerto Plata Province, reportedly passed on Trujillo's order for the execution of some 200 invaders.

When the current revolt began, April 24, Imbert said he first tried to make peace between the last President, Donald Reid Cabral, and the young colonels who touched off the rebellion.

"I told these boys to stop it," he said.

"I said, 'We gotta find a solution, or we're going to get a lot of bloodshed.'

"But everybody was angry. They weren't satisfied with Donald Reid. So I told them, 'Let's make a military junta to make free elections.' "

The next day, however, "all the shooting and killing started," according to Imbert. In a few days all the top military officers, except Caamano and two other colonels, fled into asylum or switched to the junta side.

Imbert tapped a spool of recording tape on his desk.

"I have their statements right here. When the colonels saw the Communists were in on the plot, they quit. It started as a military affair, but it got out of their hands."

The general, who is not a career military officer, indignantly denied reports that he is a stooge of the Dominican armed forces.

"Pressure from my military?" he snorted. "They know me too damn well for that. I am a man that doesn't accept pressure from nobody."

He slapped his chest. "The only way to put pressure on me is to kill me right here."

Imbert admitted that a number of rebel sympathizers in junta territory had been arrested.

"Suuuuro," he drawled. "But we put 400 people loose already. We only put people in jail to avoid trouble. Any time two or three boys start agitating against the government, we gotta put a stop to that to avoid bigger problems.

"In any country—in the United States—it's the duty of the government to guarantee peace for the majority. We can't accept a blowoff in some province just because a few young boys have different ideas.

"Any citizen who is quiet, we don't do anything to them. But you let 5 boys make agitation: the next day it's 15, the next a blowoff, maybe another revolution. Which is better—that or a few arrests?"

TWENTY-FIFTH ANNIVERSARY OF SOVIET AGGRESSION AGAINST THE BALTIC STATES

Mr. KENNEDY of New York. Mr. President, I would like to draw to the attention of my colleagues and the people of the United States the 25th anniversary of Soviet aggression against the Baltic States. On June 15, 1940, some 300,000 Soviet troops moved into Lithuania and 2 days later, into Estonia and Soviet Latvia. Violating existing treaties with these three countries, the Soviet Army seized the governments, land, and other property of the free citizens of these countries. Following the seizure of these countries, Russia converted these countries into colonies of the U.S.S.R.

The people of the United States and the people of the world must remember this aggression. For only by remembering that fateful day in 1940 will we keep alive the hope that Estonia, Latvia, and Lithuania will once again take their place in the world of free nations.

I hope my colleagues will join me in honoring those who died in the invasion of the Baltic States and renewing our dedication to a world of freemen living under the principle of self-determination.

BIG BROTHER—INVASIONS OF PRIVACY

Mr. LONG of Missouri. Mr. President, my Big Brother item for today relates to the activities of the Inspection Service of the Internal Revenue Service, particularly activities in the northern New Jersey region.

Mr. Frank A. Orechio, publisher of the Nutley, N.J., Sun, printed a series of editorials last fall which were critical of the Inspection Service. I might add parenthetically that Mr. Orechio has received what might best be described as "special attention" from the IRS in the months following these editorials. It is very possible we will cover this matter in a public hearing at a later date.

Meanwhile, I would like to publish certain correspondence to and from Mr. Orechio dealing with the situation in northern New Jersey.

The first item is a letter from Acting Commissioner Bertrand E. Harding to Mr. Orechio dated November 3, 1964. The second item is Mr. Orechio's reply of November 13, 1964. The third item is a special message from Regional Commissioner Dean J. Barron to the Newark district employees dated November 24, 1964, and the fourth item is a letter from Mr. Orechio to the counsel of the Senate Subcommittee on Administrative Practice and Procedure dated June 4, 1965.

I ask unanimous consent that these items be printed at this point in the RECORD.

There being no objection, the items were ordered to be printed in the Record, as follows:

U.S. Treasury Department,
Commission of Internal Revenue,
Washington, D.C., November 3, 1964.

Mr. Frank A. Orechio,
Editor and Publisher,
The Nutley Sun,
Nutley, N.J.

Dear Mr. Orechio: Your editorials of October 15, 22, and 29 in the Nutley Sun and Belleville Times-News regarding activities of the Internal Revenue Service have come to my attention.

First, may I convey my appreciation for your indication of confidence in me, and express my concern at your account of conditions in Internal Revenue. You may be sure that I share your abhorrence of police state methods and I agree that such approaches have no place in our dealings with employees.

I should like to point out, however, that experience over a period of many years forces us to take certain precautions. Obviously, in an organization that handles over $100 billion of tax money each year, there are many opportunities to tempt the weak or unscrupulous person. For this reason the Government certainly owes an assurance of integrity to the American taxpayer who faithfully contributes part of his earnings to its upkeep.

We must be sure that no one uses employment in Internal Revenue as a license to commit improper acts. I am certain that the vast bulk of our employees recognize such vigilance as a necessary condition of employment, just as it would apply to employees of banks and other institutions that handle other people's money.

In 1952, as part of the broad reorganization of Internal Revenue based upon Hoover Commission recommendations and approved by Congress, an Inspection Service was established. Among the objectives of the reorganization was the creation of machinery which would prevent recurrence of the tax scandals disclosed in 1950–51. The Inspection Service is charged with helping to insure the integrity of Internal Revenue.

Your concern apparently stems from allegations about our integrity program. I believe that many of your comments are based upon incomplete or erroneous information. As a responsible editor, I am confident you will want to give your readers all the facts.

In conducting the integrity program we adhere scrupulously to the legal means that are available to investigators in the prevention and detection of wrongdoing. Specifically, your implication that we resort to wiretapping is completely mistaken. Similarly, your fear that GI spies are promised rewards "with * * * a salary raise and promotion" is without any basis in fact. Awards or promotions are given as merited by ability on the job, and under no circumstances are they held out as incentives to spying.

It is true that our Inspection Service uses modern detection devices, but only those that are legal. For example, you mention electronic devices, which I assume refers to the so-called miniphone hidden on the person of an investigator. I can state that our use of it has been in a manner which involves no invasion of privacy. This manner of use was upheld in the U.S. Supreme Court decision rendered May 27, 1963, in the case of *Lopez* v. *United States*.

Let me touch for a moment on some recent evidence of our efforts to insure maximum integrity, which have received some prominence in the public prints.

During the period January 1 through September 30, 1962, a total of 25 Internal Revenue employees were arrested and/or indicted on charges of embezzlement, graft taking, bribe solicitation, or other fraud. This was in addition to the 69 persons outside of Internal Revenue similarly apprehended in the same period, many of whom were working in collusion with the employees. As a result of these actions, millions of tax dollars have been collected or assessed that otherwise would have gone undetected.

The arrests and indictments came about directly through the efforts of our Inspection Service in performing the job they were set up to do over 12 years ago. We can ask ourselves two basic questions: Would these violations have been detected without specific investigative efforts? Can Internal Revenue management afford to trust to luck that every employee will be honest as the day is long?

Let me make it clear that Inernal Revenue bows to no other organization regarding honesty and integrity of employees. At the same time, we must be alert to the inevitability of an occasional bad apple.

I am certain that the honest and conscientious employees who make up the overwhelming majority of our staff welcome the efforts to weed out wrongdoers and thereby protect the reputations of those who are faithfully and diligently serving their country.

You express concern that employee morale has deteriorated so badly that people are leaving in droves and prospective employees are no longer eager to join Internal Revenue. The facts indicate otherwise. You will be interested in some statistics on the subject dating back to 1955. In the categories comprising the bulk of our professional and semiprofessional staff (revenue agents, special agents, revenue officers, office auditors, tax technicians, tax examiners) the rate of separation during fiscal years 1964 and 1963 was 7 percent per year, as compared to a rate of almost 8 percent in 1962 and over 8 percent 10 years ago. This hardly represents any trend toward exodus from Internal Revenue.

I believe, too, that employment with Internal Revenue is still highly sought after. For example, in our mid-Atlantic region, a five-State area which includes New Jersey, the number of college graduates with accounting majors who are candidates for revenue agent positions far exceeds what we can hire this year. Several hundred eligible persons remain on the register after our hiring needs have been met.

I do not wish to convey any sense of smugness on our part regarding the conditions under which our employees work. We realize that problems exist as they must in any large organization. However, we have continuing programs that seek to rectify any legitimate complaints. I believe we have been fair and progressive in our dealings with employee organizations in line with the President's labor-management program. We have been and are continuing to use such devices as employee attitude surveys to good advantage in improving working conditions.

Furthermore, we are fully aware of the value of the faithful and conscientious employee who has devoted many years to his job in Internal Revenue. At the same time it must be recognized that years of service do not lower the standards of performance or honesty that we expect our employees to meet.

I cannot close this letter without comment on your statements regarding former Commissioner Caplin. To indicate that he was the cause of any improper treatment of employees is completely unfair. Aside from his personal dedication to the "due process of law" principle, Mr. Caplin had a deep respect for the employees of Internal Revenue.

Earlier this year Mr. Caplin publicly stated: "I want to make it emphatically clear that the IRS employees involved in the New York arrests are anything but representative of the men and women of the Service. The vast majority of IRS employees are honest, competent, hardworking individuals." As his deputy for over 3 years, I can assure you that these words sincerely reflected his feelings. I should also point out that during this period it was my privilege to work closely with him and to participate in the decisions regarding our integrity program.

To summarize, may I state without qualification that no Internal Revenue employee is considered guilty until proven innocent. As a law enforcement agency, the Internal Revenue Service adheres completely to the "due process" concept as it relates both to taxpayers and to employees.

If you have any specific information as to illegal investigative approaches or any instance where the rights of an employee were abridged, I would be most grateful if you would convey it to us. In so doing you may rest assured that any fact-supported instance of improper practices will be promptly corrected.

Sincerely,

Bertrand M. Harding,
Acting Commissioner.

November 13, 1964.

Hon. Bertrand Harding,
Acting Commissioner, U.S. Treasury Department, Washington, D.C.

Dear Commissioner: I am enclosing a copy of yesterday's Nutley Sun in which we published in full your letter of November 3.

Since last Wednesday after lunch, November 4, the day your letter was received at our office I have been ill with a virus infection. I visited my office on Tuesday of this week for 1 hour because my presence was urgently required. While there I contacted your Newark office for a photograph of you as I wanted to publish it with your letter. The only photograph available we could use was taken from a magazine.

I chose not to make an issue of your letter in the sense that I refrained from publishing a categorical rebuttal. My decision stems from the belief that you are sincere when you state "I share your abhorrence of 'police state' methods and I agree that such approaches have no place in our dealings with employees."

However, I do want to place in your possession my views and reaction to every thought expressed in your letter.

I am very much impressed with the favorable reputation you enjoy among employees in the IRS—past and present. There is no doubt in my mind that you enjoy the confidence of the vast majority of IRS employees. Unfortunately, I cannot make this claim for former Commissioner Mortimer Caplin.

In the fourth paragraph of your letter you state, "I am certain that the vast bulk of our employees recognize such vigilance as a necessary condition of employment, just as it would apply to employees of banks and other institutions that handle other people's money." I have talked with hundreds of your employees and no one has ever indicated to me that electronic snooping was "a necessary condition of employment." In fact, just the opposite is true. Hundreds of your employees believe electronic snooping devices employed by your department invade their personal privacy, and contributes greatly to "police state" conditions.

Your fifth paragraph on page 1 cites the origin of the Inspection Service. You indicate the creation of the Inspection Service was to "prevent recurrence of the tax scandals disclosed in 1950–51." My memory is extremely poor on this point, and I would appreciate your help. Did the scandals of 1950–51 involve the Commissioner of Internal Revenue, the General Counsel, and others at that level? And did the same scandals involve White House personnel? If the foregoing recollections are fact—is the Inspection Service in a position to protect taxpayers from possible income tax scandals involving present White House personnel, or the Commissioner of Internal Revenue, or the General Counsel? Please let me hasten to add that the foregoing hypothetical question in no way is to be interpreted as a lack of faith in the present White House staff, or the present Commissioner of Internal Revenue, or the present General Counsel.

In paragraph 4, page 1, you suggest that employees of banks and other institutions who handle other people's money are also subject to the kind of vigilance which applies to your employees. To my knowledge this is untrue. Since the receipt of your letter I have discussed your observation with presidents of area banks, and I am told the only kind of check they have on their employees' integrity is an internal audit procedure. I talk with six bank presidents and they deny using electronic devices as a means to snoop on their employees.

In paragraph 2, page 2, referring to salary raises and promotions you state, "under no circumstances are they held out as incentives to spying." This may be true today, and since the denial comes from you—who is there in this land that would, for one moment, doubt your integrity? I simply want to state—top employees of the IRS have told me that this was a fact of life in the IRS organization, and I have no reason to believe they were lying to me.

I would assume your files pertaining to promotions and raises would never disclose these emoluments were granted for spying even if it were the practice. It is a matter of public record that the IRS does offer substantial awards to citizens who turn in tax cheaters—and with this policy I have no quarrel.

In paragraph 3, page 2, you refer to the U.S. Supreme Court's decision concerning *Lopez* v. *United States*. This 44-page opinion apparently is limited to the use of a miniphone hidden on the person of the investigator who was not seeking to entrap the person being investigated. In the Lopez case the investigator was sent back after the taxpayer had attempted to bribe him and the taxpayer continued his illicit efforts. Interestingly enough, there was a strong dissent, even in what I would assume to be an open and shut case by Justices Brennan, Douglas, and Goldberg. I am not an attorney, but my layman's view is that the Lopez case doesn't permit the Government to tap its own wires, or install listening devices on its own premises.

It may well that the Government enjoys all these snooping legal rights, but isn't it about time we ask ourselves whether or not a public official can equate a legal right with moral right? I will devote one entire editorial to a discussion of the Lopez case and your reference to it in a future issue of the Sun.

In paragraph 5, page 2, you state "millions of tax dollars have been collected or assessed that otherwise would have gone undetected." For this result the IRS deserves a heavy pat on the back, but I trust this observation of yours, does not imply that the first purpose of government is to collect money—for that is your belief I must enter a strong dissent. I was brought up to believe that the first purpose of government anywhere in the free world is the maintenance of the individual's freedom.

Concerning your reference to the number of IRS employees arrested and/or indicted on charges of embezzlement, graft-taking, bribe solicitation, etc., cited in paragraphs 5 and 6 of page 2, I would refer you to my editorial comments which appear in yesterday's Nutley Sun. I am terribly disappointed with you over your introduction of these statistics. It was an obvious effort to imply guilt to the 45 employees when you very well know arrests and indictments are not findings of guilt. This is a McCarthy tactic if I ever saw one.

Paragraph 6, page 2, you query if we can ask ourselves two basic questions: "Would these violations have been detected without specific investigative efforts? Can IRS management trust to luck that every employee will be 'honest as the day is long'?" Unless a person was vested with supernatural powers it would appear to me difficult for anyone to answer your questions intelligently without knowing all of the facts in the case.

Your questions beget other questions. Would more severe and thorough internal audit programs have served the same purpose? Isn't it true that a great number of the 45 IRS employees arrested or indicted were accused of filing fake tax returns to obtain tax rebates, and the disclosures of this fraud were accomplished without the use of electronic snooping devices?

You ask if IRS management "can afford to trust to luck that every employee will be 'honest as the day is long'." Is there anyone in his right mind that advocates such a policy? I am a strong advocate of internal and external audit programs such as banks, building and loans, and publicly owned corporations are obliged to undergo. I oppose violently, as a way of life, the adoption of gestapo methods to police employees—be they private or public. I violently oppose the use of electronic devices by a gestapo as a means to entrap employees whose integrity and honesty have not been questioned. The opinions of Chief Justice Warren and Judge Brennan in the Lopez case leave no doubt such "bugging" is illegal.

Paragraph 1, page 3, you state, "Let me make it clear that IRS bows to no other organization regarding honesty and integrity of employees." This observation of yours collides head on with the following sentences taken from different pages of the same letter:

"The Inspection Service is charged with helping to insure the integrity of Internal Revenue."

"I am certain that the vast bulk of our employees recognize such vigilance as a necessary condition of employment."

"It is true that our Inspection Service uses modern devices, but only those that are legal."

Page 3, paragraph 3, you say the rate of separation during the fiscal year 1964–63 was 7 percent per year, as compared to a rate of almost 8 percent in 1962, and over 8 percent 10 years ago. I cannot help observe again that these figures without specifics remind me of the Joe McCarthy technique. Nowhere in this paragraph do you tell me that the pay scale of IRS employees skyrocketed during the last 2 years, and obviously such a development would tend to lead employees to remain on the payroll until retirement day comes despite obnoxious working conditions. Nowhere do you cite statistics based upon districts, nor do you disclose how many separations were made 10 years ago because of some arm twisting by top management. How many separations took place in 1962 because of additional arm twisting? The year 1954 was the year following the installation of a new IRS administration. So, too, with 1962. Is the old adage about a new broom sweeping clean the reason for the high separation rate during these years? You end the paragraph with, "this hardly represents any trend toward exodus from I.R."

Mr. Harding, I would like to invite a congressional committee to make its own survey of IRS employees working in the Newark district to determine how many employees would retire the next day if they qualified. Only recently I spoke with a fine young, completely honest IRS agent who has been with the department about 2 years. He is disgusted with working conditions, and is determined to quit the Service in the near future. High pay was the bait that lured this young man to IRS. Scores of IRS agents have made the same comment to me. You must believe me, Mr. Commissioner, this low morale condition exists, and you should want to do something about it rather than assume the stance that no such problem exists. To be convinced of this point does one need more eloquent testimony than the engagement of the Royall, Koegel & Rogers law firm by the Newark district IRS employees to negotiate a labor-management contract covering their working conditions?

Page 3, paragraph 4, you tell me that employment with IRS is highly sought after. This observation does not surprise me. Employment at high wages is a goal that most people seek, and some people are obliged to work under adverse conditions because they need the premium pay.

I know of one industry in our community which is only capable of absorbing 10 percent of its job applicants. I would suspect this industry's waiting list is substantially longer than your Newark waiting list. Want to make a bet? There are many other factors that influence job applicants—depressed areas, aggressive recruitment campaigns, ignorance of working conditions, misrepresentations by the potential employer, etc.

At the top of page 4, you express your awareness of the value of long-term employees, but then you do violence to justice when you add "At the same time it must be recognized that years of service do not lower the standards of performance or honesty that we expect our employees to meet." What have you got—ice water in your veins? Isn't it natural to expect a person who has grown old in the job to have less energy at 60 than she would have had at age 20? Do we expect the stenographer to be as efficient at age 60 as she was at age 25? Do we expect a man of 60 to have the agility and strength of a young man of 35? Nowhere in your letter do you allow for the normal deterioration of the body—or isn't that supposed to happen to IRS employees?

Page 4, paragraph 1, you speak in glowing terms of Commissioner Caplin. Everything I have written about former Commissioner Caplin is a reflection of the low esteem in which many IRS employees themselves hold him. He might have been everything you say he was, but unfortunately your description of Mr. Caplin doesn't fit the former Commissioner as his image comes through down to many of the grassroots employees.

It is a fact of life that when a jury hears a case the final judgment is made not upon what the truth is—but upon what the jury believes to be the truth. So long as a man creates an appearance of evil this is the conviction of the observer, and no amount of explanation can change that conviction. Mr. Caplin may have had the deep respect of IR as you claim, but with hundreds of IRS employees with whom I have spoken no man could be more detested.

In the next to the last paragraph on page 4, you state without qualification that no IRS employee is considered guilty until proven innocent. We have received a number of letters to the editor on this subject from your employees—some of which were published in last week's Nutley Sun, and more in future issues. The consistent gripes of these writers is the very condition you deny—they believe IRS management assumes them guilty of wrongdoing and they are obliged to prove their innocence.

In the last paragraph on page 1, you indicate that the Inspection Service was created in 1952 to prevent the recurrence of the tax scandals disclosed in 1950–51. When the Inspection Service was created in 1952 the sophisticated electronic snooping devices of today were unknown to mankind. Twelve years have gone by since the creation of your

Inspection Service. I think the time has arrived when Congress should examine the history of the Inspection Service during the last 12 years. Congress should want to know whether or not the Inspection Service is invading the privacy of your employees and our citizens. Congress should want to know whether or not the Inspection Service is hewing to its original purpose without violating the established moral and legal rights of man. Did Congress, in 1952, unwittingly create a gestapo police force to harass IRS employees, public officials, and private citizens?

I would imagine you should want the answers just as much as Congress would.

It is not my purpose to engage you in weekly exchanges of correspondence to be published in my newspapers. However, if this is your choice I would most certainly accommodate your wish.

It is my belief that you are sincerely interested in eliminating the national scandal reviewed in my editorials.

I trust you accept my interest in the subject at face value. It is my understanding that some of top management is speculating over the motives which inspired my series of editorials. Sometimes it is just possible that people like me take action simply because a wrong is being done.

With regard to my editorials it is as simple as all that.

Perhaps you may be curious as to what started me on this editorial campaign. On the evening of September 14 I was talking with a business friend who had just finished reading his newspaper and was shocked over a comment made by Congressman CORNELIUS GALLAGHER, of Hudson County. Congressman GALLAGHER made a statement reported by the press in which he complimented Secretary of Labor Wirtz for banning electronic and other snooping devices in his Department. The article went on to state that Congressman GALLAGHER was hopeful that other Federal agencies would follow the lead of Labor Secretary Wirtz. My friend expressed astonishment that the use of electronic snooping devices were prevalent in many of the Federal agencies. We discussed the matter thoroughly and came to the joint conclusion that such odious activity had no place in the America we love. The talk refreshed my recollection of complaints I heard from hundreds of IRS and postal employees over the last several years who reported suspicions of electronic Peeping Tom devices, wiretapping, etc.

Rather than let you wonder the source of my editorial motivation, I thought putting it on the table would lay to rest any concern that you might have over speculation that my editorial series stems from less pure motives.

You conclude your letter on page 4 with the observation that you would appreciate my bringing to your attention any specific information as to illegal investigative approaches, etc. There are several complaints that IRS employees have made to me personally that I would be glad to bring to your attention. There are still other complaints that IRS employees would communicate only to a congressional investigating committee out of fear of reprisals from top management at the District level should it learn of their complaints.

I stand ready to serve the cause of good government and the maintenance of a free society. I stand ready to cooperate with you to the end that we can obtain these objectives and still send tax cheaters and treacherous Federal employees to jail. I offer you my complete cooperation. I shall be more than happy to visit Washington to confer with you, at my expense, should you so desire.

Your letter fails to disclose whether or not any copies of it have been distributed to anyone but myself. If, in the event your letter of November 3 was distributed to other persons, I think you will agree with me it is only fair that a copy of this letter and the Sun editorial series be placed in the hands of persons unknown to me who received your letter of November 3.

In closing may I suggest you consider issuing an order banning the indiscriminate use of electronic snooping devices employed to eavesdrop upon your employees as Labor Secretary Wirtz did for his employees?

Sincerely,

FRANK A. ORECHIO.

SPECIAL MESSAGE FROM REGIONAL COMMISSIONER, NOVEMBER 24, 1964

To Newark District Employees:

By this time I know that many of you have either read or heard about a series of articles which have appeared in the Nutley Sun and Belleville Times-News during the past several weeks, leveling criticism at the Internal Revenue Service for the methods used to insure the integrity of the Service.

These articles are a matter of deep concern to all levels of management within the Service; they do not, unfortunately, provide a balanced, objective report of what is involved in the current investigations. No single message such as this can bring into focus all of the factors involved; but it is important, I feel, to identify as many significant points as we can.

As many of you know, a letter of November 3, 1964, from Acting Commissioner Harding, which responded to certain editorials in the Nutley Sun and Belleville Times-News, was published in the November 12 issue of these papers. On the possibility that you may not have seen Mr. Harding's letter, I am attaching a copy and urge that you read it carefully. The letter contains an excellent description of the Service's integrity program and the reasons for it, and of equal importance, it provides forthright answers to the charges made in the several editorials.

The number of individuals within the Service who have compromised their integrity in the course of official business is extremely small compared to the total number of scrupulously honest employees; yet, it has happened and it can happen. Even without investigative effort, the voluntary confessions and admissions of certain of these employees have made this clear to all of us.

As a practical matter, however, we know that generally all elements of the criminal act are concealed or intended to be concealed to the maximum extent. Therefore, in most cases, only by thorough, painstaking investigation is there any likelihood that sufficient evidence can be pieced together to reveal the total scheme and the role of the individuals involved. For this purpose, the inspection service is indispensable. The very due process requirement of Federal law and regulations which act to protect the blameless against arbitrary and unjustifiable actions, also act to require the production of specific and detailed factual information in order to determine whether administrative or criminal action is warranted.

I am confident that none of us would advocate any other procedure; this one affords maximum protection to all employees. The Service does ask, expect, and requires employees to cooperate in investigative efforts. This very requirement is in recognition of the presumption of innocence; it is grounded in the belief that an employee who has nothing to hide will welcome, if not demand, the right to make clear his role in any matter of interest to the Service. Further it recognizes that we all have a vested interest in identifying and disciplining the wrongdoer. Actually, upon completion of the vast majority of investigations, we find that the facts gathered by the inspection service result in a conclusion that the allegations which initiated the matter are without basis in fact.

As a result of the intensive efforts on the part of the inspection service found necessary to insure the integrity of the Service, many employees have registered complaints about certain investigative methods of the inspection service to Newark district management through representatives of NAIRE—and this means of communication, I might add, is entirely proper and completely within the purview of the employee-management corporation program. In order that responsible NAIRE representatives may have the opportunity for free and open discussion regarding these complaints, your district director and I have worked with Mr. Vernon Acree, Assistant Commissioner (Inspection) and members of his staff to arrange a meeting at the Newark district office with these representatives. Regional and district management officials also plan to be present.

I also want to refer to an allegation in the Nutley Sun edition of November 19, 1964, to the effect that Internal Revenue agents "* * * are driven to make decisions against the taxpayer for fear a number of Uncle Sam's gestapo will come along a year later to question his integrity." Further, that members of the district review staff are also fearful of being second-guessed by the "gestapo" at some later date and many times send a case to the field for additional work and additional taxes from the taxpayer.

Our total experience in the mid-Atlantic region leads only to the conclusion that there is no basis in fact for these statements. Revenue agents and reviewers are selected and trained with the view of developing mature, professional officers who must and are expected to make innumerable judgmental decisions each day in the course of examinations. They understand thoroughly that objectivity and the quality of professional independence are essential attributes of these decisions. If there are any examiners to whom this is a matter of concern, I ask that you read Revenue Procedure 64–22, published in the Internal Revenue Bulletin No. 1964–22, dated June 1, 1964.

Let me close this message by assuring you that the Internal Revenue Service will always support and protect the innocent and conscientious employee. Your district director, the inspection service, and I are all vitally concerned with respecting the rights of all employees and you may be certain only those actions will be taken which are wholly consistent with the letter and spirit of the law and regulations.

DEAN J. BARRON,
Regional Commissioner.

JUNE 4, 1965.

Hon. BERNARD FENSTERWALD, Jr.,
Chief Counsel, U.S. Senate, Committee on the Judiciary, Subcommittee on Administrative Practice and Procedure, Senate Office Building, Washington, D.C.

DEAR MR. FENSTERWALD: In a letter dated May 19, I received an invitation from U.S. Senator EDWARD V. LONG, chairman of your subcommittee, to consider the possibility of appearing as a witness before the committee at a mutually convenient time.

On May 28, I replied in the affirmative.

With respect to your interest in the Internal Revenue Service and its invasion of its employees' privacy, the thought occurred to me that you might be interested in some of the sentiments expressed by the then Acting Commissioner Bertrand Harding contained in a letter to me of November 3, 1964. Your particular attention is directed to the language of paragraph 4 of page 1:

"I am certain that the vast bulk of our employees recognize such vigilance as a necessary condition of employment, just as it would apply to employees of banks and other institutions that handle other people's money."

On page 2, paragraph 3, Mr. Harding's letter begins with:

"It is true that our inspection service uses modern detection devices, but only those that are legal."

When this sentence is considered in the frame of reference relating to the language contained in paragraph 4, page 1, of Mr. Harding's letter, it appears to me that the conclusion properly may be drawn that the Internal Revenue Service admits the use of electronic snooping devices in its effort to police the integrity of its employees.

I answered Acting Commissioner Harding's letter on November 13, 1964, and for your perusal, I enclose a copy of that answer.

I am also enclosing, for your perusal, a message sent to all 1,700 Newark district employees by Regional Commissioner Dean J. Barron. Commissioner Barron went to great extremes to deny all the statements made in my editorials. Despite his denials, in paragraph 2, page 2, Commissioner Barron makes some devastating admissions.

Incidentally, the top brass meeting was held as indicated by Commissioner Barron and some reforms were initiated.

March of this year saw the sudden transfer of Newark District Director Turbett to a berth in Cleveland.

Assistant Director Ralph Rauen was transferred to Chicago.

Assistant Regional Commissioner for Inspection Earl Fous was transferred from the Philadelphia region, which encompasses Newark, to Atlanta, Ga.

This hatchet job never before happened in the Internal Revenue Service.

The transfer was so sudden that it caught former Newark District Director Turbett in the middle of substantial kitchen renovating work.

I've been told these heads rolled because of the allegations I made in my various editorials, which allegations were checked out by the Washington office of the Internal Revenue Service and the investigation substantiated my charges. We will probably never receive an admission of this fact.

Before you get too far into your Internal Revenue Service hearings, may we have the opportunity of a short chat to discuss some suggestions that I think you might want to consider?

Obligingly yours,
Frank A. Orechio.

NEW ARGENTINE DECREE ALARMS U.S. DRUGMAKERS

Mr. SCOTT. Mr. President, a news item which was published in the June 15 issue of the New York Journal of Commerce reports that the American pharmaceutical industry has become alarmed over a new Argentine decree which seriously imperils the future of the industry there.

I feel that it would be well for the administration and for all of us in Congress to watch very closely the further developments, for the stage is being set for another violent wrench to an economy that is notably shaky.

The health and well-being of the Argentine people will clearly be endangered if that nation's drug industry is forced into bankruptcy and collapse. It is to be hoped that the Argentine regime will reconsider its arbitrary and unrealistic decree while there is still time.

I ask unanimous consent that the Journal of Commerce article of June 15 be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

New Argentine Decree Alarms U.S. Drugmakers

The American pharmaceutical industry has become alarmed over a new Argentine decree which, the companies feel, seriously imperils the future of the business there.

The new measure, decree 3042, fixing prices of medicines in Argentina, is due to come into effect on June 28. It reportedly would reduce prices by 40 percent below their current levels. Given the inflationary situation through which Argentina has been passing, this would, the drug firms claim, wipe out profits altogether and drive them out of business.

If the measure does prove to bring this result, it would have far-reaching implications for foreign investments in Argentina generally.

According to Walter Wien, director of the Office of International Relations at the Pharmaceutical Manufacturers Association in Washington, the Argentine industry produces "virtually 100 percent" of all medicines consumed in the country, as well as a small volume for export.

About 27 percent of the industry is controlled by North American firms, he said. About 23 percent is European, and 35 percent is locally owned, he added. The remaining 15 percent is not identified.

Mr. Wein warned that the decree "condemns the entire Argentine pharmaceutical industry to bankruptcy." This, he noted, would cost more than 20,000 people their jobs.

EDUCATORS CITE NEED FOR GI EDUCATION BILL

Mr. YARBOROUGH. Mr. President, men and women who take an active, day-to-day part in the training of our student population are more than ever aware of the pressing requirement for a new GI education bill. I ask unanimous consent that three letters from prominent educators who voice support of the cold war GI education bill, S. 9, be printed at this point in the Record. The first letter is from Gibb R. Madsen, dean of students at Foothill College, Los Altos Hills, Calif., and is dated June 7, 1965. The second letter is from Melvin E. Fuller, director of the evening program and continuing education at Roanoke College, Salem, Va., and is dated June 9, 1965. The third letter is from Philip J. Doherty, assistant development director, Worcester Polytechnic Institute, Worcester, Mass., and is dated June 11, 1965. From Massachusetts to Virginia to California, colleges urge the enactment of a GI education bill. It is time for the Senate to act.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Foothill College,
Los Altos Hills, Calif., June 7, 1965.
Ralph W. Yarborough,
Chairman, Subcommittee on Veterans' Affairs, U.S. Senate, Committee on Labor and Public Welfare, Washington, D.C.

Dear Senator Yarborough: I would like to add my encouragement for the passage of S. 9, the cold war GI bill.

My experience with veterans at this institution has been very positive in terms of their conscientious application to their college work. I feel that the treatment of these veterans, similar to that of the veterans of World War II, is completely justified.

Sincerely yours,
Gibb R. Madsen,
Dean of Students.

Roanoke College,
Salem, Va., June 9, 1965.
Senator Ralph Yarborough,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator: I have read with interest that you have introduced Senate bill 9 which deals with education for cold war veterans. This is of vital interest to me being as I received both of my degrees through the Korean GI bill. Also, I am very much interested since I am presently involved in higher education.

The thing that concerns me most about this bill is that the monetary allotment for the recipients has remained the same as it was under the Korean GI bill. As you know, $110 will not pay what it did in 1953–54. Also, the tuition and cost of going to college has almost doubled since 1950. Therefore, I would like to propose that you and your 41 cosponsors consider an allotment of $135 a month for a person with no dependents; $160 a month for those with 1 dependent, and $200 a month for those who have more than 1 dependent.

I know that the educational bills are not supposed to totally pay a person's way to go to college. However, there are several factors to consider on this. If enough money is not forthcoming, then a person cannot afford to go to school. It just is not enticing enough to draw these people into the colleges. Those who do come, and particularly those with dependents will find it necessary to have part-time jobs. This will take time away from their studies and the vital extracurricular activities that are so necessary for a well-rounded college education.

I hope that the above recommendation may receive favorable consideration.

Sincerely yours,
Melvin E. Fuller,
Director, Evening Program and Continuing Education.

Worcester Polytechnic Institute,
Worcester, Mass., June 11, 1965.
Hon. Ralph Yarborough,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Yarborough: I am writing to inform you of my personal support of your bill Senate No. 9 extending the GI bill to veterans of the cold war.

In view of the circumstances taking place in Vietnam, and the Dominican Republic, it would seem that veterans, like myself, who served after January 31, 1955, should be eligible for the benefits included in your proposed legislation.

Many thanks for your interest in us.

Sincerely,
Philip J. Doherty,
Assistant Development Director.

COMMUNIST HARASSMENT OF VIETNAM SERVICEMEN'S KIN

Mr. DODD. Mr. President, there is no more cruel or more fiendish form of harassment than that practiced by anonymous telephone callers who use the telephone as an instrument of terror or of torment.

We are accustomed to thinking of these "telephone terrorists," as either criminals or crackpots.

Certainly this is true in most cases. But it is not commonly realized that this merciless weapon is also used in a calculated political manner by the Communist movement against its opponents in this country and in other free countries.

The evidence is now accumulating that we are confronting an organized campaign of telephone harassment of Vietnam servicemen's families, the only conceivable purpose of which can be to undermine the morale, or seek to undermine the morale, of our forces in Vietnam.

The first such instance was reported in the New York Times on June 10. The widow of Capt. Christopher O'Sullivan, a 28-year-old Army captain killed in Vietnam, received a number of anonymous calls and letters. The first caller said to her about her husband:

> He didn't belong in Vietnam in the first place. Your husband got what he deserved. I am glad * * * it serves him right.

The Times reported that this call shocked Mrs. O'Sullivan so much that she fainted. Later she had her telephone number changed to an unlisted one. But when the funeral for Captain O'Sullivan was held on June 10, Police Commissioner Vincent Broderick personally commanded a 30-man security force to cope with the possibility of any demonstration.

An AP dispatch from Da Nang, Vietnam, yesterday, reports that American servicemen are reacting with bitterness and anger to reports from home that their wives and families are being subjected to harassing calls from people opposed to U.S. involvement in Vietnam. I ask unanimous consent, Mr. President, to insert into the RECORD an article from the New York Times of June 10, and the AP dispatch from the Baltimore Sun of this morning's date, dealing with this matter.

The AP dispatch to which I have referred spoke of the telephone callers as cranks. At another point it suggested that the calls may have originated with so-called antiwar groups.

These are interpretations I cannot accept.

I am certain that no member of a pacifist movement, no matter how opposed he might be to our presence in Vietnam, would resort to this kind of inhuman tactic.

For that matter, I find it difficult to believe that even psychopathic or criminal elements could stoop to such base inhumanity.

The nature of the call, and past experiences with similar campaigns of harassment, suggest that what is involved here is the organized apparatus of the American Communist Party.

I recall that when Judge Irving Kaufman, one of this country's most eminent jurists, presided over the trial of Julius and Ethel Rosenberg, and passed sentence of death on them after their conviction by the jury, both Judge Kaufman and his wife were harassed by telephone calls for months on end, at all hours of the day and night. They changed their phone number several times, but each time the Communists, in some way, discovered their new number, and the campaign of harassment began all over again. This entire sordid story was the subject of an article in the Saturday Evening Post entitled "The Ordeal of Judge Kaufman."

Mr. President, words cannot express the contempt that I feel for those who, for political motivation, stoop to tactics so base and inhuman. I am certain that this feeling of contempt is shared by the overwhelming majority of the American people.

It is my hope that at least some of those involved in this national campaign of telephone harassment will be brought to book so that the American people may get a clearer look at them and so that we will have an opportunity to learn something about their political motivation and associations.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 10, 1965]

POLICE GUARD RITES FOR VIETNAM HERO

Police Commissioner Vincent Broderick commanded a 30-man security force today at the funeral of an Army captain killed in Vietnam. The victim's family had been subjected to gloating anonymous calls and unsigned letters.

A high police official said it had been feared that the funeral of 28-year-old Capt. Christopher O'Sullivan would be turned into a demonstration against U.S. intervention in Vietnam.

The security force was stationed both inside the Immaculate Conception Roman Catholic Church in Astoria, Queens, and for two blocks around it. Two police riot vans were parked nearby.

But no demonstration was staged.

After the Ranger company commander's death May 30, his widow began receiving the calls and letters. Members of the family said they contained such statements as:

"He didn't belong in Vietnam in the first place * * * Your husband got what he deserved * * * I'm glad * * * It serves you right."

The first call shocked Mrs. O'Sullivan so much that she fainted. Later she had her telephone number changed and unlisted. She lives in Astoria with their two sons, 3 and 4.

[From the Baltimore Sun]

ANTIWAR HECKLING OF KIN RANKLE GI'S IN VIETNAM

DA NANG, VIETNAM, June 20.—American servicemen here are reacting with bitterness and anger at reports from home that their wives and families are being subjected to crank calls from people opposed to U.S. involvement in Vietnam.

Ranking American officers feel the attacks upon the servicemen's families could, in time, adversely affect morale among the fighting men in South Vietnam.

A number of the U.S. servicemen have reported to their superiors that their parents or wives have been approached by so-called antiwar groups.

IT SERVES YOU RIGHT

Some of the servicemen expressed extreme bitterness over the case involving the widow of Army Capt. Christopher O'Sullivan, of Queens, N.Y. O'Sullivan was killed and the Vietnamese unit he advised was virtually wiped out on Memorial Day.

Soon afterward Mrs. O'Sullivan received annonymous telephone calls and letters saying "Your husband got what he deserved." "It serves you right." "He didn't belong in Vietnam in the first place."

Newspaper clippings reporting the incident in New York quickly circulated through Da Nang, where O'Sullivan had been stationed.

An Air Force pilot who did not know O'Sullivan said, "How could anyone do something like that even though they thought the war is wrong."

Col. Howard St. Clair, of Columbus, Ga., senior American adviser to the Vietnamese 1st Army Corps, said of the O'Sullivan incident:

"This is my third war and I can't recall anything like this before. It's disgusting, but I don't believe it has had any appreciable effect on morale. If it continues, then we would have a problem."

Mrs. O'Sullivan, who lives with her two sons, was forced to obtain an unlisted telephone number. A number of servicemen here reported their wives had done the same thing because of calls or the threat of them.

An Army major reported that several persons called on his wife and tried to convince her that he was trapped in sin because of the "evil war in Vietnam."

"They will be stoning the wounded at home soon, just like they did in France during the Indochina war," the veteran of 11 months in Vietnam said.

Most servicemen asked about the situation requested not to be quoted by name because of the fear of pressure on their families.

A marine helicopter door gunner said, "A lot of us are going to get zapped (killed or wounded) over here. They tell us we're here to stop communism. But some of the newspaper clippings I've been getting from home make it sound like some people think we're the aggressors and not the Communists. That's just nuts."

PILOT'S OPINION

A pilot said, "They do us a lot of damage. I get about as upset about those college kids who want to send medicine to the Vietcong as I do by the Communists."

A Special Forces sergeant said, "I wonder if those kids aren't secretly worried about the war lasting long enough that they will have to fight it themselves."

Many servicemen write off segments of antiwar feeling in the United States as the product of what one called the oddball left. Some GI's who have attended college believe the teach-ins and protests in colleges are youths attempting to establish identity through protest for its own sake.

WHOLE THING HURTS

"Hell, some of them will wind up rich bankers and doctors worried about the crank ideas of their own kids," an officer in an armored outfit said. "But the whole thing hurts, nonetheless."

A staff sergeant said, "Most of those people who are so hot to tell the world what vicious animals we are would change their minds pretty quickly if they could come here and see the war as it is.

"I saw a lot of dead civilians during Korea; but I never saw atrocities like the VC (Vietcong) have pulled."

PRESIDENT EISENHOWER SUPPORTS PENDING BIRTH-CONTROL LEGISLATION—REPORT ON HEARINGS ON SENATE BILL 1676

Mr. GRUENING. Mr. President, hearings opened today on Senate bill 1676 and related bills, which seek to coordinate birth-control information and to make it available, upon request, in the United States and overseas.

A part of the motivation of the hearings is found in President Lyndon Johnson's state of the Union pledge, when he said:

> I will seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources.

Giving information to the people "is the most certain and the most legitimate engine of government"; so wrote Thomas Jefferson, 178 years ago, to his friend, James Madison.

Today, another President—a past President—has also spoken; today, the Senate Government Operations Committee's Subcommittee on Foreign Aid Expenditures, of which I am chairman, and which is holding hearings on Senate bill 1676 and related bills, received a thoughtful and illuminating statement from former President Dwight D. Eisenhower. He told the subcommittee that he is delighted that it "is concerning itself with this subject," one that he considers "constitutes one of the most, if not the most, critical problem facing mankind today."

Former President Eisenhower said quite frankly that at one time he did not "believe it to be the function of the Federal Government to interfere in the social structure of other nations by using, except through private institutions, American resources to assist them in a partial stabilization of their numbers. I expressed this view publicly, but soon abandoned it."

The facts available caused former President Eisenhower to change his opinion. He said, in his statement:

> If we now ignore the plight of those unborn generations which, because of our unreadiness to take corrective action in controlling population growth, will be denied any expectations beyond abject poverty and suffering, then history will rightly condemn us.

He calls for the cooperation of the Federal Government and appropriate private and semipublic organizations, so that "the necessary human and material resources can be promptly mobilized and employed to cope effectively with the great need of slowing down and finally stabilizing the growth in the world's population."

His statement this morning on this worldwide problem of increasing population is a valuable and historical contribution to the public dialog.

I ask unanimous consent that the full text of former President Eisenhower's reasoned statement be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, testifying in person today before the subcommittee were the Senator from Texas [Mr. YARBOROUGH], the Senator from Utah [Mr. MOSS], the Senator from Pennsylvania [Mr. CLARK], Representative PAUL H. TODD, JR., of Michigan, Representative MORRIS K. UDALL, of Arizona, and Representative D. R. "BILLY" MATTHEWS, of Florida.

The hearings continue tomorrow, Wednesday, June 23, at 10 a.m., in room 3302, New Senate Office Building, on Senate bill 1676 and related bills, to coordinate birth-control information, available upon request. Appearing as witnesses will be the Senator from Maryland [Mr. TYDINGS], Dr. Frederick Seitz, president of the National Academy of Sciences, Representative JOHN CONYERS, JR., of Michigan, Representative JAMES H. SCHEUER, of New York, Robert C. Cook, President of the Population Reference Bureau, and others.

EXHIBIT 1

TEXT OF WRITTEN STATEMENT BY FORMER PRESIDENT DWIGHT D. EISENHOWER, CONCERNING THE NEED TO SOLVE THE POPULATION EXPLOSION, SUBMITTED TO SENATOR ERNEST GRUENING, CHAIRMAN, SENATE SUBCOMMITTEE ON FOREIGN AID EXPENDITURES

GETTYSBURG, PA.,
June 18, 1965.

DEAR SENATOR GRUENING: I am complimented by your invitation for me to comment on the many problems arising out of the extraordinary and rapid increase in the world's population. I am taking advantage of your suggestion that should it be more convenient to me to submit a written statement than to appear before you in person, this would be satisfactory to the committee.

As a first comment I must say that I am delighted that your committee is concerning itself with this subject, one that I consider constitutes one of the most, if not the most, of the critical problems facing mankind today. While it is true that there remain great areas of the world in which there are still unexploited resources for food production and of irreplaceable subsurface minerals, it is still quite clear that in spite of great technical progress in production of the necessaries of life, we are scarcely keeping up, in overall production and distribution, with the requirements of burgeoning and underfed populations. Moreover, since the earth is finite in area and physical resources, it is clear that unless something is done to bring an essential equilibrium between human requirements and available supply, there is going to be in some regions, not only a series of riotous explosions but a lowering of standards of all peoples, including our own.

Ten years ago, although aware of some of these growing dangers abroad, I did not then believe it to be the function of the Federal Government to interfere in the social structures of other nations by using, except through private institutions, American resources to assist them in a partial stabilization of their numbers. I expressed this view publicly but soon abandoned it. After watching and studying results of some of the aid programs of the early fifties, I became convinced that without parallel programs looking to population stabilization all that we could do, at the very best, would be to maintain rather than improve standards in those who need our help.

We now know that the problem is not only one for foreign nations to study and to act accordingly, but it has also serious portents for us.

I realize that in important segments of our people and of other nations this question is regarded as a moral one and therefore scarcely a fit subject for Federal legislation. With their feelings I can and do sympathize. But I cannot help believe that the prevention of human degradation and starvation is likewise a moral—as well as a material—obligation resting upon every enlightened government. If we now ignore the plight of those unborn generations which, because of our unreadiness to take corrective action in controlling population growth, will be denied any expectations beyond abject poverty and suffering, then history will rightly condemn us.

I have two specific suggestions respecting S. 1676. First, I doubt the wisdom of authorizing two new Assistant Secretaries and the establishment of new bureaucratic groupings, but if this is the only way to handle the administrative activities so created I could not seriously object.

Second, I must refer to reported instances, by no means exceptional, of the repetitive production of children by unwed mothers, apparently lured by the resulting increase in income from welfare funds. To err is human and certainly none of us would want to deny needed support for anyone who because of some emotional pressure gave birth to an illegitimate child. But, when this is repeated to the point of habit, society will find itself in the curious position of spending money with one hand to slow up population growth among responsible families and with the other providing financial incentive for increased production by the ignorant, feebleminded, or lazy. Corrective action will require careful study, for even if research should uncover no effective measures other than legal sterilization, a final resort to this method unquestionably would shock great segments of our citizenry.

I would not endanger the passage of your bill by any mention of this subject, but I submit that we have a situation here that unless corrected could become far more serious than it is today.

Along with former President Truman I am cochairman of the Honorary Sponsors Committee, Planned Parenthood—World Population. I accepted this position in order to demonstrate my recognition of the urgency of the entire problem and the alarming consequences that are certain to follow its neglect.

Being sure that other witnesses, far more competent than I in specialized and professional fields, will discuss this matter in detail before your committee, I content myself merely by saying that I devoutly hope that necessary measures will be enacted into law to authorize the Federal Government, as well as appropriate private and semipublic organizations, so to cooperate among themselves that the necessary human and material resources can be promptly mobilized and employed to cope effectively with the great need of slowing down and finally stabilizing the growth in the world's population.

Sincerely,

DWIGHT D. EISENHOWER.

THE FIGHT TO SAVE LAKE ERIE

Mr. KENNEDY of New York. Mr. President, I ask unanimous consent to have printed in the RECORD an article appearing in the New York Times on June 20, 1965. In an article entitled "Fight To Save an Ailing Lake Erie Nears the Crisis," Mr. Gladwin Hill has called our attention to the dangers of water pollution to Lake Erie. He describes the rapid decline of Lake Erie. He points out that if the pollution of the lake is not reversed, Lake Erie will become a dead lake.

Fortunately, some of the States along the lake have recognized this danger and have initiated necessary State and Federal action that can correct this situation. Former Gov. John B. Swainson of Michigan requested that the U.S. Public Health Service convene a Federal Water Pollution Conference for the Detroit River and the Michigan waters of Lake Erie. This conference has already met and recommendations for the elimination of pollution in this area have been made. Governor Rhodes of Ohio has recently requested Secretary Celebrezze to convene a similar conference for the Ohio portions of Lake Erie.

Senator Muskie has also held hearings of the U.S. Senate Subcommittee on Air and Water Pollution on the continuing pollution of Lake Erie in Buffalo on June 17, 1965. At that time Congressman McCarthy and I again asked that a Federal Water Pollution Conference be held for the New York portions of Lake Erie. The contamination of the lake in the Buffalo area demands the attention of the responsible officials, both State and Federal.

Mr. Hill has performed a great service in bringing water pollution in Lake Erie as well as many other areas to the attention of the public. I commend this article to my colleagues.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, June 20, 1965]

Fight To Save an Ailing Lake Erie Nears the Crisis

(By Gladwin Hill)

Detroit, June 19.—Beneath the seemingly inert surface of Lake Erie, stretching for 250 miles from Detroit to Buffalo, a massive battle is taking place.

It is a battle of nature, involving microbes, plants, insects, fish—and people: the millions of people living in the Erie Basin portions of Michigan, Ohio, Pennsylvania, and New York, as well as Canada.

The lake's battle is a counterpart, on the heroic scale, of the battle that every person is constantly fighting—a struggle against the inexorable advance of old age, and the buffets of man-caused trauma that hasten that advance.

In Lake Erie's case, the conflict has reached the critical juncture of conspicuous illness—the point of realization that something has to be done to arrest galloping deterioration.

The indicated physical stocktaking will start August 3 when, at the instance of the Federal Government, representatives of the four States meet to begin taking inventory of symptoms and causes and to start adopting remedies. This meeting is scheduled to open in Cleveland.

SWIMMING, BOATING HURT

Most residents of the Erie Basin have encountered some of the symptoms.

Beaches along the lakeshore, where the residents used to enjoy themselves, have had to be closed, one after another, because of bad water. Sport fishing that once diverted thousands has dwindled because the fish are not there.

Boating in many sections has lost its fun because of the filth that accumulates on hulls. Even people who don't leave home have been annoyed by unpleasant tastes and odors in their tapwater that originates at the lake.

The struggle that Lake Erie is engaged in has two fronts. One is the natural process of aging, called eutrophication. In the geologic time scale of thousands or hundreds of thousands of years, all lakes tend to clog up and become first swamps, and ultimately dry land.

Lakes typically have inlets and outlets. The inlets bring in silt. Outlet channels tend to erode, get bigger, drain off more and more water, and make a lake shallower.

PLANT GROWTH SPURRED

The increasing shallowness exposes more and more of the lake's volume to sunlight, encouraging plant growth.

The microscopic plant growth called algae, that will occur even in a standing glass of water from spores in the air, proliferates, and dead particles form sludge. Along the shoreline, rooted aquatic plans proliferate, forming the beginnings of a swamp.

Plant life in the water encourages fish, up to a point, by providing food and oxygen. But as the plant life dies it soaks up oxygen from the water. Aquatic life then tends to become more and more the anerobic (nonoxygen) sort such as worms—the inferior species that were the primeval forms of life. Geologic evolution then has gone full circle, back to an environment harsh to man.

This whole process is taking place at a more conspicuously rapid rate in Lake Erie than in any other well-known body of water in the world..

In some degree this is foreseeable, because Lake Erie is exceptionally shallow. In cross-section it is a puddle, as little as 54 feet deep, compared with the fulfs up to five times as deep that form Lakes Superior, Michigan, Huron, and Ontario.

RADICAL CHANGES

In the last two decades, however, radical changes have occurred in Lake Erie that constitute a distinctive second front in its struggle against old age. It is as if a person suddenly started to deteriorate from overeating, overdrinking, or some other severe imposition on his physique.

A cancerlike runaway growth, four to six times what it was only a generation ago, because of weeds that drift ashore and rot on beaches, clog water-supply intakes and taint drinking water even after customary treatment.

Apparently because of plant morbidity, a 2,600-mile area in the center of the lake has become devoid of oxygen. This is one-quarter of the lake's total area, from 3 to 10 feet up from the bottom.

In 1953, there was a sudden disappearance of mayflies, lake-bred insects whose larvae provided food for good fish, such as pickerel and cisco.

The disappearance ruined half of the commercial freshwater fishing business in the country as well as good game fishing. In place of the desirable fish appeared inferior perch and carp. And in the areas without oxygen there appeared sinister creatures such as fingernail clams, sludgeworms, bloodworms, roundworms, aquatic sowbugs, and leeches.

MAN'S ACTIVITIES BLAMED

"What should be taking place over eons of time," an exhaustive investigation of the U.S. Public Health Service concluded, "is now vastly speeded up."

The evident cause of the acceleration, the report added, was "the activities of man"—namely the systematic infusion into the lake, from a score of major tributaries, of vast amounts of alien chemicals—7 million pounds a day from the Detroit River alone.

The pollutants range from acids and oils to wood pulp and pesticides. But the most baneful of them, as far as scientists can tell, are two of the commonest constituents of manmade waste, the normally constructive elements of nitrogen and phosphorous.

They are basic fertilizers and because of their fertilizing effect on lake plantlife they apparently have triggered the cancerous acceleration of the lake's aging.

CIRCUMSTANTIAL EVIDENCE

The central problem is that not enough is known, quantitatively or qualitatively, about the effects of these pollutants—what amounts have accumulated in the lake (whose waters flow into Lake Ontario at the rate of about one complete change every 3½ years), which chemicals do the most harm in terms of both plant and animal life, to what extent the lake's changes are caused by them rather than normal eutrophication, and what may be done to arrest the deterioration.

The main thing that is certain is the circumstantial evidence that the lake is suddenly deteriorating, and that this has coincided with the increasing infusion of contaminants imposed by a greatly increased population and industry.

Accordingly the approach adopted by the Federal Department of Health, Education, and Welfare, whose concern interstate water pollution is, necessarily is pragmatic.

The approach is to eliminate or reduce the influx of pollution, river by river, all around the lake—from the Detroit River in Michigan to the Maumee and Cuyahoga in Ohio and the Buffalo and the Niagara in New York.

"All major tributaries to Lake Erie are grossly polluted at their mouths," says C. W. Northington, a top official of the Great Lakes Basin Study that the Public Health Service has been conducting since 1960.

The consensus of Public Health Service experts and many other scientists is that while Lake Erie may not be dying it is at best sick.

Whether it can be cured is still problematical. The virtue of the pragmatic approach is that in any event reduction of pollution on the lake's tributaries cannot do anything but good.

Even if a solution is found, one expert hazarded: "Lake Erie's convalescence will take many years."

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The Senate resumed consideration of the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

AMENDMENT NO. 281

Mr. RIBICOFF. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 3, line 17, strike out "$20,112,000" and insert "$20,123,000".

On page 6, line 21, strike out "$79,806,247" and insert "$80,137,000".

Mr. RIBICOFF. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator want the time charged on the quorum call?

Mr. RIBICOFF. I do not. Mr. President, I ask unanimous consent that the time for the quorum call not be charged.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

[No. 145 Leg.]

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd

Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Murphy
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, Ga.
Russell, S.C.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. GORE] is absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD] and the Senator from Minnesota [Mr. McCARTHY] are necessarily absent.

I further announce that the Senator from Maryland [Mr. BREWSTER] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MILLER] and the Senator from South Dakota [Mr. MUNDT] are absent on official business.

The Senator from South Carolina [Mr. THURMOND] is absent to attend the funeral of a friend.

The Senator from Kansas [Mr. PEARSON] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

Mr. RIBICOFF. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. RIBICOFF. Mr. President, I yield 3 minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 3 minutes.

Mr. PROXMIRE. Mr. President, I strongly support the pending amendment. It is high time that the Senate stopped discriminating against the needy children of unemployed parents in the District of Columbia. The amount of money involved, $341,000, is small, yet it is of vital importance to thousands of persons in our Nation's Capital.

The issue is simple. At present, in the District of Columbia, public aid cannot be given for children of unemployed parents provided the parents are employable and the father is living at home. Those who favor continuing the policy maintain that laziness and unwillingness to work are the basic factors explaining the unemployment. They are blind to the fact that in today's America, skill and education are essential in the ability to find a job.

Those who favor punishing children because of the inability of their parents to obtain work are blind to the fact that poverty and broken homes lead to crime and delinquency.

We should be haunted by the sad fact that in many cases unemployed fathers leave their homes in order to render their families eligible for public assistance.

This is a program which is in effect in 19 States. In not a single State has there been any evidence of scandal or abuse. In spite of the fact that this program has been studied and restudied over and over again, we have found that it has worked well in the States where it has been tried.

I ask: What is so different about the District of Columbia and its citizens that they should not be trusted? Are they lacking in the virtues possessed by the great majority of American citizens?

It is insulting that we do not provide the people of the District of Columbia with what they wish and what they wish for so deeply, on the basis of the evidence which the Senator from Maryland [Mr. TYDINGS] has brought forth before the Senate.

First and foremost, the amendment should be adopted because of the stark and simple fact that children are now going hungry because of our failure to act.

Nineteen States have financed what is proposed to be denied to our Capital City.

The District Commissioners, the House of Representatives, the House Appropriations Committee, the Senate District Committee, the District Appropriations Subcommittee—the only Senate body which has heard testimony on this subject in this session—President Kennedy, and President Johnson, all have approved this program and strongly recommend it.

Therefore, Mr. President, I hope that the Ribicoff amendment will be adopted.

Mr. President, I yield back the remainder of my time.

Mr. RIBICOFF. Mr. President, I yield 3 minutes to the Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized for 3 minutes.

DEATH OF BERNARD BARUCH

Mr. JAVITS. Mr. President, I invite the attention of the Senate to the passing of Bernard Baruch, one of New York's most distinguished sons and one of the most distinguished Americans of our generation.

The most that needs to be said about the great Bernie Baruch is that what he felt and what he thought was America's consensus for many decades. He expressed that consensus as adviser to many Presidents, beginning with Woodrow Wilson.

The people of this country have always believed that Bernie Baruch was a great patriot. During every day of a very long life, at no time did anyone have any doubt that his great and vaunted reputation was richly deserved through all the years that he lived into the middle nineties.

Mr. President, I ask unanimous consent to have printed in the RECORD obituaries, editorials, and other references to this great man, as well as the comments of distinguished Americans on his passing.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BERNARD BARUCH

Bernard Mannes Baruch was a speculator, as he described himself and an immensely successful one. But he preferred to be known as an adviser to Presidents. He became a power and an authority, but he never quite attained all of the authority or the power that were within his grasp.

Mr. Baruch first demonstrated his remarkable talents during World War I, when President Wilson brought him from Wall Street to Washington. A patriot of vision, he performed valiantly as Chairman of the War Industries Board, mobilizing the economy in a fashion that provided a pattern for World War II. He also displayed an instinctive grasp for the financial facts of political life at the peace conference in Versailles, where he protested in vain against the unrealistic scale of reparations sought from Germany.

His brilliant wartime record could have been the springboard for a political career. Tall and courtly and handsome, he had the essential physical attributes as well as a flair for attracting public attention. But though he had emerged from the rough and tumble world of Wall Street, he refused to take part in the hurly-burly of political campaigning. He chose to become a power behind the throne if not quite behind the scenes, for he made himself readily available to the press, proffering his views from a highly publicized bench in Washington's Lafayette Park.

There were times when his advice was heeded. There were other times when it was ignored. His real contribution is hard to measure, however, because despite his devotion to his country, he rarely accepted responsibility for carrying things out. Apart from his World War I experience, his only other important official post was as the first American delegate to the United Nations Atomic Energy Commission, when he fought hard and long for controlled disarmament. Before and after, he avoided the risks and rewards of public service, appearing instead as a financial sage above the battle.

His imposing record—as a speculator, sportsman, philanthropist—and the almost universal respect in which he was held suggest that he might have achieved even more than he did had he been willing to undertake the public responsibilities of a more active and exposed role.

JOHNSON LEADS BARUCH TRIBUTES; FINANCIER'S FUNERAL TOMORROW—LEADERS IN NATIONAL AND LOCAL AFFAIRS MOURN HIS DEATH HERE AT 94

President Johnson mourned Bernard Mannes Baruch yesterday as a "philosopher-politician" who "loved his Nation and lived for his Nation and that was enough to enroll him in the aristocracy of humanity."

Other tributes came from former Presidents Harry S. Truman and Dwight D. Eisenhower, Governor Rockefeller, Senator ROBERT F. KENNEDY and many other local and national figures.

The 94-year-old financier, public servant, and unofficial adviser to Presidents died at his apartment home here, 4 East 66th Street, on Sunday night of a heart attack.

At his bedside when he died at 9:25 p.m., were his son, Capt. Bernard M. Baruch, Jr., U.S. Navy, retired, and a daughter, Mrs. H. Robert Samstag. His other daughter, Miss Belle Wilcox Baruch, died April 25, 1964, at the age of 64.

BYRNES NEAR AT DEATH

The announcement was made by an old friend, James F. Byrnes, former Governor of Mr. Baruch's native State, South Carolina, who had been in the room but left a few minutes before the end. "I couldn't take it," he explained. "He was my closest friend for 40 years."

A funeral service will be held at 11 a.m. tomorrow at Congregation Shaaray Tefila, 250 East 79th Street. The Reverend Dr. Bernard J. Bamberger, rabbi of the Reform Jewish congregation, formerly the West End Synagogue, to which Mr. Baruch had belonged since childhood, said it would be "as simple and as private as possible, at Mr. Baruch's own wish."

Mayor Wagner ordered flags at city institutions to be lowered to half staff until after the service.

Among those with lowered flags was one with which he had particularly close connections—City College, from which he was graduated in 1889. In 1953, he made a large gift to the college, which renamed its business school the Bernard M. Baruch School of Business and Public Administration. A college spokesman said that a memorial convocation would be held at the start of the fall term.

Regrets at his death were expressed by groups from the college and other associates. Among those mourning him were the General Archibald Gracie, Jr., Camp 985 of the Sons of Confederate Veterans. Mr. Baruch's father, a physician, had served as a surgeon with the Confederate Army, and his early years were spent in Camden, S.C., before the family moved to New York in 1880.

Others included the Lambs, of which he was a member, and the Institute of Physical Medicine and Rehabilitation of the New York University Medical Center, of which he was a benefactor and founder.

MOURNING EXPRESSED

Some of the tributes to Mr. Baruch follow:

President Johnson: "Bernard Baruch was in the robust tradition of the philosopher-politician—one who thought and cared mightily about the course of his country, but who did not shrink from actively doing what needed to be done to keep his country on course. He loved his Nation and lived for his Nation and that was enough to enroll him in an aristrocracy of humanity."

Harry S. Truman: "I was sorry to hear of the Honorable Bernard Baruch's death. He was one of the country's greatest citizens."

Dwight D. Eisenhower: "I am very sorry. It was a great loss. I first went to Baruch when I was trying to find out how to take profits out of war. From then on, on any critical economic problem, I went to him."

Vice President Humphrey: "We have lost a very great man, a counselor of Presidents and one of the most respected elder statesmen of this century."

Adlai E. Stevenson, U.S. delegate to the United Nations: "We have lost a remarkable citizen whose acumen and energies have benefited the Nation as well as countless good causes. I bid goodby to an old friend with sorrow and gratitude for his useful life and for the privilege of knowing him."

Senator Jacob K. Javits: "The summation of Bernie Baruch's experience was for years the American consensus. Our Nation has lost a great patriot and the people a great friend. May we profit by his passing by practicing what he preached."

Senator Robert F. Kennedy: "Many Americans, including myself, have lost a true friend. His guidance and advice were an invaluable strength and assistance to Presidents and others in public life."

Senator Harry F. Byrd: "He was a man to whom the country turned in peace and in war. Few men have made greater contributions to their country."

Governor Rockefeller: "Other men have matched his achievements in business but few, indeed, have approached his wisdom and judgment, the soundness of his advice to American leadership in its times of greatest adversity."

Mayor Wagner: "Bernard Baruch was a truly great New Yorker. He was an adviser to kings, Presidents, Prime Ministers, and his host of friends throughout the world. He devoted his life to helping mankind. He was my good friend and counselor. I shall miss him, as indeed will all of his fellow New Yorkers."

Representative John V. Lindsay: "He was, of course, selfless and dedicated; he was also imaginative, decisive, and—most importantly, in the service he rendered—almost always right."

Dr. Buell G. Gallagher, president of City College: "Deeply convinced of the necessity of free educational opportunity for all, he demonstrated in his own life the spirit of public service and generosity which he believed should flow from that opportunity. In politics and economics, he was doggedly orthodox, and part of that orthodoxy was a profound concern for a fair chance for the poor boy."

Emanuel Saxe, dean of the college's Bernard M. Baruch School of Business and Public Administration: "He was one of City College's most loyal and benevolent alumni. His identification with the Baruch school and his genuine interest and participation in its activities will be one of our most cherished memories. His devotion to the welfare of our students knew no bounds, and he gave most generously of his time, his influence, and his funds in their behalf."

Dr. Samuel Belkin, president of Yeshiva University: "Yeshiva University expresses profound sorrow at the death of its distinguished honorary alumnus, Bernard Baruch. America's elder statesman epitomized the highest ideals of devotion to country and the principles of our democratic heritage."

David Sarnoff, chairman of Radio Corp. of America: "A fervently patriotic American, a statesman of worldwide dimensions, a constructive doer in war and peace, a sportsman, a successful financier, a humanitarian, and philanthropist. For 40 years I enjoyed the privilege of his close friendship and wise counsel."

Robert Moses, president of the World's Fair: "Bernie Baruch was an altogether extraordinary amalgam of patriotism, world knowledge, grasp of basic economic principles, high intelligence, shrewdness, unshakable friendship, and imperturbable humor. He was my idea of Uncle Sam."

Archbishop Iakovos, primate of the Greek Orthodox Church in North and South America: "He was a remarkably public-spirited citizen whose sagacity and energies helped us grow into a great nation."

[From the New York Times, June 22, 1965]

Baruch, a Wall Street Broker at 21, Became an Adviser and a Friend of Presidents

SERVICE TO NATION SPANNED 30 YEARS—HE MADE A FORTUNE BEFORE ENTERING THE GOVERNMENT SCENE IN WORLD WAR I

Bernard M. Baruch had keen stock market judgment that enabled him to make a fortune in Wall Street. Presidents often availed themselves of his business acumen, sometimes at moments when the murk of national and world economics seemed to call for just such a penetrating eye as he possessed.

His public service spanned more than 30 crisis-packed years of American history. He held a position of responsibility in World War I and he was one of the last surviving members of President Woodrow Wilson's delegation to the first Paris Peace Conference. During World War II he made his wide knowledge of industry available to the Government, and after the war he played an important part in the early United Nations attempt to grapple with the menace of nuclear warfare.

Mr. Baruch was one of the most vigorous, handsome, and colorful characters in the American life of his day. He stood a broad shouldered 6 feet 3 inches and even in his middle years he possessed something of the grace of a light-heavyweight boxer. His unruly shock of white hair and his penetrating but friendly glance gave him an air of humorous, benign dignity.

Mr. Baruch was the admired and trusted friend of many of the most important figures of his day. He was one of the few people who made others like the fact that he talked about himself a good deal, which he did in a very interesting way. His friendship with Sir Winston Churchill was one of the longest and most glowing of all his many relationships with men in public life.

Flouted own advice

Although Mr. Baruch went broke several times in the stock market, mainly because he did not follow his own advice, at 31 he had $100,000 for every year of his life. His early and middle years were passed in the verve and motion of an era of splendor long dead. In his memoirs he told of a baccarat game in which he saw John W. (Bet a Million) Gates actually bet a million dollars and break even with the bank. Mr. Baruch recounted how he had lost only $10,000 in this game.

Bernard Mannes Baruch was born August 19, 1870, in a rambling old whitewashed house on Broad Street, Camden, S.C. His father was Dr. Simon Baruch, who had been born in the village of Schwersenz, near Posen, then part of Germany. Mr. Baruch's mother, the former Miss Belle Wolfe, was the sixth generation in America of the descendants of Isaac Rodriguez Marques, a shipowner who became a freeman of New York City in 1697.

Dr. Baruch had been a surgeon with the Confederate Army and had seen some of the hardest fighting of the Civil War. Although the Baruch family was in reduced circumstances after the war, it held a position of distinction in the community.

In his autobiography, entitled "Baruch: My Own Story," published in 1957, Bernard Baruch told of finding his father's Confederate uniform in a trunk in an attic—and underneath the uniform the regalia of a member of the Ku Klux Klan, to which his father had belonged. Mr. Baruch explained that the Klan of the Reconstruction period had little relationship to the Klan of a later generation. Ironically, a fiery cross was burned near Mr. Baruch's South Carolina estate in 1951.

Moved North in 1880

Mr. Baruch recalled that the atmosphere of Camden was so rural that he wore shoes only on Saturday—the Jewish Sabbath—and, out of respect to the neighbors, on Sunday.

Dr. Baruch moved to New York in 1880 and Mrs. Baruch and Bernard and his brothers, Hartwig N., Herman B., and Sailing W., soon followed. Their first home was at 144 West 57th Street.

For many years Bernard Baruch cherished a copy of "Oliver Twist" given to him by Katherine Blake, his teacher in Public School 69 and inscribed: "Awarded to Bernard Baruch for Gentlemanly Conduct and General Excellence, June 1881."

Bernard wanted to go to Yale, but City College was near—Lexington Avenue and 23d Street—and free, and he could live at home. He was graduated in 1889. For years Mr. Baruch could not forget that while he was an undergraduate he was never asked to join a Greek letter fraternity.

His first job was with Whitall, Tatum, & Co., wholesale dealers in glass, at 85 Barclay Street. His salary was only $3 a week, but he was in the financial district and the stock market was in his blood. In later years he recalled how his father had caught him playing roulette with dollar chips at John Daly's gambling hall at Long Branch, N.J.

Mr. Baruch's real Wall Street career began in 1891 when his mother's influence landed him a job with the stock brokerage firm of A. A. Housman & Co. at 52 Exchange Place. His memory for facts and general stock market data caught the attention of Middleton S. Burrill, a speculator. Mr. Burrill gleaned information from the man while buying him expensive roast-beef lunches, an arrangement the young Baruch found entirely satisfactory.

Mr. Baruch settled upon railroad stocks as good securities to sell and learned to sell them the hard way. He sold his first railroad share after he had been ushered out of his prospective customer's office for overpersistence. His first real coup came when he took a flyer in American Sugar Refining stock and made $60,000.

Few stock market operators have been quicker on the uptake than Mr. Baruch. He was at Long Branch on July 3, 1898, when news came of the U.S. victory over the Spanish fleet at Santiago, Cuba. He knew that since the next day would be Independence Day, the New York Stock Market would be closed. But the exchange would be open in London.

He and several associates chartered a train to take them to New York. Mr. Baruch had forgotten the key to the Housman office and he had to be helped through the transom. By making large stock purchases in London, he and members of the firm were able to profit during the market boom that followed.

Bought exchange seat

Mr. Baruch bought a stock exchange seat for $19,000 and gave it to his brother Hartwig on condition that he end his none-too-successful stage career. In 1903, out of his profits in a tobacco company merger, he bought an exchange seat for himself for $39,000 and opened his own office at 111 Broadway. He liked to apply to himself the character of the man who was first called a gambler, then a speculator, and finally a banker, although he had been doing the same thing all along.

In his memoirs Mr. Baruch wrote that the compact intimacy of the old stock market had long disappeared. Rules now imposed by the Securities and Exchange Commission as well as those enforced by the stock market itself would have made impossible many of the deals in which he took part. He belonged to the "Waldorf crowd," a group of alert market operators that gathered informally at a bar in the old Waldorf-Astoria Hotel.

Although he lost most of his capital on several occasions, Mr. Baruch, on the whole, made money with awesome ease and soon looked around for something more interesting to do.

He recorded that in 1912 he first became interested in Woodrow Wilson, who, as president of Princeton University, had won a fight against college fraternities. In time Mr. Baruch came to idolize Wilson. When the United States began to look to its defenses after the beginning of World War I in 1914, Mr. Baruch entered his first public service. He took part in drafting a defense, munitions, and mobilization plan in October of the next year.

When the group that was to become the War Industries Board was formed under the chairmanship of Frank A. Scott, Mr. Baruch was made head of the Raw-Materials Section.

On March 4, 1918, Mr. Baruch was named chairman of the War Industries Board by President Wilson. While this board did much useful work, it had nothing like the authority of the War Production Board headed by Donald Nelson in World War II.

Mr. Baruch's presence as a top adviser in war industrial procurement aroused ire in Congress because he was a widely known stock speculator. Summoned before a congressional committee, he convinced his questioners that he had not profited personally from knowledge gained in Government service.

He had, in fact, received no salary for his services and had paid his own expenses. When the board was dissolved after the armistice, Mr. Baruch spent about $45,000 to enable members of its staff to return to their homes.

Selected by President Wilson to be a member of the U.S. delegation to the peace conference, Mr. Baruch made important contributions to the economic sections of the Treaty of Versailles.

In the years that followed, he was often in Washington as an official or semiofficial consultant to the Government. About the time of World War II, Mr. Baruch was often seen in Washington on a park bench near the equestrian statue of Andrew Jackson in Lafayette Square opposite the White House. Mail addressed to him there would be delivered. One of his biographers wrote:

"He was a part of the park, this shrewd old man whose eyes had seen the follies of two world wars, looking, according to press accounts, like an old wind-blown eagle."

Mr. Baruch undertook one of his last important public services in 1946 when President Harry S. Truman named him representative on the United Nations Atomic Energy Commission. Spadework for Mr. Baruch's task had been done by a previous committee, which issued a report signed by Dean Acheson, then Secretary of State, and David E. Lilienthal, head of the U.S. Atomic Energy Commission.

Many of the formulas in the plan presented to the United Nations by Mr. Baruch were contained in the Acheson-Lilienthal report. Mr. Baruch fought shrewdly and tenaciously, but his plan was not approved by the Security Council.

For many years Mr. Baruch numbered among his associates a group of talented writers and public relations experts who aided in making his personality and views known to the public. They included Herbert Bayard Swope, former executive editor of the New York World; Samuel Lubell, writer on political and economic subjects; Garet Garrett, a freelance journalist, and Mrs. Anna M. Rosenberg Hoffman, consultant on public relations and a former Assistant Secretary of Defense.

Mr. Baruch's benefactions were large and in most instances anonymous. He made gifts of $250,000 to New York University, $400,000 to Columbia University, and $800,000 to various medical schools. Former President Herbert Hoover once said he had seen Mr. Baruch give a check for $1 million to the American National Red Cross. In 1953 Mr. Baruch made a large contribution to City College, which renamed its business school the Bernard M. Baruch School of Business and Public Administration.

In 1905 Mr. Baruch acquired the 17,000-acre plantation known as the Hobcaw Barony, near Georgetown, S.C., and made it a center of gracious Southern living. Here such harassed public figures as Franklin D. Roosevelt and Sir Winston Churchill could relax out of the reach of the telephone and other interruptions. Hobcaw had some of the best quail shooting in the country.

In 1897 Mr. Baruch married Miss Annie Griffen, a daughter of Mr. and Mrs. Benjamin Griffen, of New York. She died in New York in 1938. Three children were born to this marriage. They were Belle Wilcox Baruch, Bernard M. Baruch, Jr., and Renée Baruch, who became Mrs. H. Robert Samstag. Belle Baruch died on April 25, 1964.

Two of Mr. Baruch's brothers died within 2 weeks of each other in March, 1953. They were Hartwig and Dr. Herman Baruch, a physician, who became Ambassador to Portugal and to the Netherlands. Mr. Baruch's third brother, Sailing, a New York financier, died June 14, 1962.

LONG FRIENDSHIP WITH CHURCHILL BEGAN AT 1919 PEACE CONFERENCE

Few of Bernard M. Baruch's associations with the world's great were as richly satisfactory as his friendship with Sir Winston Churchill. Brendan Bracken, long a Churchill aid, once wrote Mr. Baruch: "Nature has made you and Winston Churchill for each other and it does you great good to meet."

Mr. Baruch and Sir Winston had dealings with each other some time before they met. Early in World War I, when the Briton was First Lord of the Admiralty and Mr. Baruch was aiding in U.S. defense procurement, they almost brought off a coup to gain a monopoly of Chilean nitrates for their countries.

Mr. Baruch and Mr. Churchill, then Secretary for War and Air, met when Prime Minister David Lloyd George took Mr. Baruch to Mr. Churchill's hotel in Paris during the first peace conference. They became close friends and visited each other often.

At Christmastime in 1941, when Mr. Baruch was packing in his Washington hotel to leave the city after a tiff with Franklin D. Roosevelt, the President telephoned him and said that Prime Minister Churchill, then a White House guest, had asked that Mr. Baruch be invited to come and see him. President Roosevelt extended an invitation to an intimate private Christmas-tree lighting in the White House and the minor misunderstanding between the two was forgotten.

When Mr. Roosevelt sent Mr. Baruch on a delicate negotiation assignment in Britain in March 1945, the President told him, "The only man who can talk to him [Churchill] is you."

The last time the two men met was in April 1961, when Sir Winston made a private visit here. They dined together aboard the yacht of Aristotle Onassis, the wealthy ship owner, and the next day Mr. Baruch saw his old friend off at the airport. Sir Winston died last January 24 at the age of 90.

Their friendship was documented by the more than 750 communications they exchanged. The documents were part of a collection Mr. Baruch gave to Princeton last year.

HE MET TWICE WITH SOVIET CHIEFS ON TAPPING NATURAL RESOURCES

Bernard M. Baruch negotiated with Soviet leaders twice about plans to obtain private capital to tap the Soviet Union's great natural resources. Mr. Baruch was approached once during the administration of Lenin and again shortly after Stalin had taken over the power after Lenin's death. The negotiations came to nought. They are described in a long document in Mr. Baruch's private papers.

The late Lincoln Steffens, a widely known journalist from the United States, knew Russia's need for capital and suggested to Lenin that he get in touch with Mr. Baruch. The Soviet leaders sent a message to Mr. Baruch through Mr. Steffens asking the American financier to visit Russia and map out a program.

The worldwide Communist domination planned by the Soviet Union was not widely recognized at the time. Many interests in capitalistic countries were negotating with the Soviet leaders in connection with capital or technical aid in industrializing the Soviet Union. In Mr. Baruch's case, the stipulations he made were unacceptable to the Russians and the matter was dropped.

By 1926, after many of the world powers had accorded diplomatic recognition to the Soviet Union, Leonid Krassin, Soviet Ambassador in Paris, communicated with Mr. Baruch to reopen negotiation for United States capital.

Mr. Baruch, who was in Paris at the time, refused to go to the Soviet Embassy, and Mr. Krassin dared not call at Mr. Baruch's hotel. They met in what the financier called "utmost secrecy" in Versailles. Again Mr. Baruch's stipulations were not accepted and again the negotiations failed.

BARUCH EPIGRAMS WIDELY REPEATED—HE COMMENTED PUNGENTLY ON POLITICS AND ECONOMICS

Pungent comments by Bernard Baruch peppered the press for half a century. Here are some of them:

"A political leader must keep looking over his shoulder all the time to see if the boys are still there. If they aren't still there, he's no longer a political leader."

"I have never believed in abandoning cur economy to the ruthless workings of the marketplace regardless of the human suffering that might be caused."

"Inflation is the most important economic fact of our time—the single greatest peril to our economic health."

"It is a curious fact that capital is generally most fearful when prices of commodities and securities are low and safe, and boldest at the heights when there is danger."

"Repeatedly in my market operations I have sold a stock while it was rising—and that has been one reason why I have held on to my fortune."

"I for one will never concede that we cannot do as much in defense of our freedoms as any enemy may be doing to destroy them."

"We are here [at a meeting of the United Nations Atomic Energy Commission on June 14, 1946] to make a choice between the quick and the dead. We must provide the mechanism to assure that atomic energy is used for peaceful purposes and preclude its use in war."

"Before a country is ready to relinquish any winning weapons it must have more than words to reassure it."

"I have known men who could see through the motivations of others with the skill of a clairvoyant, only to prove blind to their own mistakes. I have been one of those men."

BARUCH'S HEARING AID SHIELDED AGAINST BORES

A baseball injury in his youth caused Bernard M. Baruch to wear a hearing aid in his latter years. He used this instrument as a defensive weapon against social bores.

When he was tired of listening to a person he quietly switched it off. When someone really got on his nerves he switched it off ostentatiously. When he did not like someone he might say of him, "I have not had my hearing aid open to that man for years."

On his park bench across from the White House, Mr. Baruch discouraged would-be conversationalists by tapping his hearing aid box and saying, "Out of order."

WORDS OF CAUTION NOT OFTEN HEEDED—BUT WHITE HOUSE DOOR WAS KEPT OPEN FOR BARUCH

It was said of Bernard M. Baruch that while he advised Presidents wisely and well, he never had the responsibility of carrying out his advice.

President Kennedy conferred with Mr. Baruch on public matters several times. In July 1961, at the President's invitation, Mr. Baruch visited him at the White House. They discussed the Berlin crisis in the cold war.

The next year, Mr. Baruch said that President Kennedy's problems exceeded those of all preceding Presidents "because none of the problems were solved before he came into office."

Mr. Baruch was strongly drawn to the character of President Woodrow Wilson, in whose administration he was chairman of the War Industries Board. After the war Mr. Baruch urged President Wilson to retain a skeleton of the board against the possibility of another conflict. But Mr. Wilson was preoccupied with his fight to bring the United States into the League of Nations, and nothing was done about the suggestion.

Early aware of the limitations of President Warren G. Harding, Mr. Baruch made several suggestions on matters of national finance, but Mr. Harding ignored most of them.

President Calvin Coolidge valued Mr. Baruch's advice and used him to help round up Democratic support for his legislative program. A friend recalled that Mr. Baruch was once saddened when President Coolidge summoned him to the telephone while he was behind in a poker game.

Bade Hoover cut budget

Mr. Baruch was essentially a conservative in financial matters, and it is possible that Herbert Hoover was the President with whom he had the greatest rapport in finance. He urged Mr. Hoover to make drastic cuts in the budget. But when the depression closed in, such cuts were impossible.

Whether Mr. Baruch foresaw the 1929 depression is still a matter of discussion among those who knew him. It is certain, however, that both President Hoover and Mr. Baruch believed that relief was essentially a local rather than a Federal matter.

Mr. Baruch was not numbered among those who supported Franklin D. Roosevelt before his nomination was assured at the Democratic Convention in Chicago in 1932. Also, since President Roosevelt was elected to a large extent because of the popular belief that Wall Street was responsible for the depression, he was in a somewhat difficult position regarding his friend Bernard Baruch.

Mr. Baruch had reason to believe that Harry Hopkins, one of Roosevelt's closest advisers, saw that the President was not too frequently available to those whose advice might not, from Mr. Hopkins' viewpoint, be opportune. He did, however, receive several important assignments.

Broke with Truman

At the beginning of his first administration, President Harry S. Truman sought Mr. Baruch's advice and gave him an important post in the United Nations. He backed Mr. Baruch completley during his negotiations as the U.S. delegate to the United Nations Atomic Energy Commission, but there was soon a clash of personalities between these two vigorous men.

Mr. Baruch urged President Truman to seek legislation establishing stand-by controls of prices and wages in wartime. Such controls were widely opposed in Congress and by the business community. It was felt that in an era when war was always a possibility, business could not expand under the constant fear of Government intervention.

Mr. Baruch contributed heavily to Mr. Truman's 1940 senatorial campaign, and some news commentators hastened to remind President Truman of this, to the President's great annoyance. In addition, Mr. Baruch offered his usual conservative counsel of a balanced budget and a diminished national debt. President Truman was in no position to follow this advice at the time.

Harsh words a sore point

The break between Mr. Truman and Mr. Baruch became sharp when Mr. Baruch declined to serve on the Democratic fund-raising committee for the 1948 campaign. The breach was enlarged when Westbrook Pegler, the newspaper columnist, quoted harsh words that Mr. Baruch had applied to the President.

In 1952 in the key city of New York, Mr. Baruch permitted himself to be photographed with General of the Army Dwight D. Eisenhower when he and Adlai E. Stevenson were campaigning for the Presidency. Mr. Baruch, a lifelong Democrat, was not photographed with Mr. Stevenson. He voted for General Eisenhower.

Mr. Baruch's advanced years were one of several reasons why President Eisenhower seldom sought his advice. Nevertheless, Mr. Baruch had a standing invitation to "drop in any time."

OUR AUTHENTIC ELDER STATESMAN

In the Japanese Empire the "genro," the elder statesmen, were a regular, if unofficial, part of the governing apparatus. In the United States, it is usually only ex-Presidents who are listened to ex officio, so to speak. But by wisdom and character Bernard M. Baruch carved out a position of influence upon the course of public events that is perhaps unique in our history.

Some men have achieved moral authority by long service in the legislature; others (Col. Edward M. House is an example) by being the confidants of a President. Mr. Baruch never stood for elective office and was close to no particular President. He was, however, adviser to many, and when he spoke, the American people listened.

His name was especially associated with two major themes: economic mobilization in wartime, and international control of nuclear energy. In neither were his ideas wholly successful, but he made immense contributions to American efficiency in two world wars, and his untiring efforts to harness nuclear power for humanity's good were evidence of his far-sightedness and his broad patriotism. If there is ever a global nuclear authority, it will owe much to Mr. Baruch's eloquence in the United Nations nearly two decades ago, as well as to his unflagging personal zeal in the years that followed.

In addition, there are very many, in and out of public service, who have profited by Mr. Baruch's selfless counsel. He provided a wellspring of wisdom which did not know partisan lines and which was offered to all who could effect events in the national interest. His symbol was the park bench; his true instrument was the telephone. His mind was keen, but his manner mellow, and he will be remembered with gratitude, pride, and affection as America's authentic elder statesman.

[From the New York Herald Tribune, June 22, 1965]

NATION PAYS TRIBUTE TO BARUCH

The Nation paid verbal tribute yesterday to financier Bernard Baruch, who won a unique reputation as an elder statesman in his 94 years, while plans were completed for the simple funeral he desired. He would have preferred a private service, but his stature makes that impossible.

Mr. Baruch died Sunday night in his home at 4 East 66th Street of a heart attack after an illness of a month, during which he spoke of a premonition of death and his wish for unpretentious final rites.

The brief service will be held at 11 a.m., tomorrow at the Temple of the Congregation Shaaray Tefila, at 520 East 79th Street, of which Mr. Baruch had been a member since his childhood. His son and daughter, Bernard M. Baruch, Jr., and Mrs. Robert Samstag, issued the following statement:

"It was our father's express desire that his funeral be as simple and private as possible, and in accordance with his wish there will be no visitation."

To avoid uninvited visitation, the son and daughter (Mr. Baruch's wife died in 1938) and Dr. Bernard J. Bamberger, the rabbi of the congregation who will conduct the service, refused to say yesterday where the body was reposing. The burial will be in a family plot in Flushing Cemetery in Queens, but will be private.

MEMORIAL

There will be another service, a public one, but it will not be held until fall. A memorial convocation will be held at City College, after classes convene for the new term, for the adviser to Presidents who was graduated from the institution in 1889 and had served and supported it for more than seven decades, according to Dr. Buell G. Gallagher, president. Mr. Baruch was a trustee of the college for a decade, and its school of business and public administration is named for him.

Dr. Gallagher was among those who spoke feelingly of the long and varied career of Mr. Baruch, recalling: "He walked with Presidents and Prime Ministers, but did not lose the common touch. He was equally at home with a public official on a park bench and with a student in a classroom."

The reference to the park bench pertained to the most famous one in Central Park, across the street from his home, which he preferred to his office for discussions of world problems with public officials who sought his advice. It stood empty yesterday, but was the focus of attention of many admirers of Mr. Baruch.

A lifelong Democrat, Mr. Baruch received praise from the head of his party, President Johnson, who said in Washington that "he loved his Nation and he lived for Nation, and that was enough to enroll him in an aristocracy of humanity." The President described the financier as "one who thought and cared mightily about the course of his country, but who did not shrink from actively doing what needed to be done to keep his country on course." In the White House, it remained indefinite whether the President would come to New York for the funeral.

ROCKEFELLER

From the opposite political camp, came this comment from Governor Rockefeller: "His death is a loss to all mankind. Other men have matched his achievements in business but few, indeed, have approached his wisdom and judgment, the soundness of his advice to American leadership in its times of greatest adversity."

Other tributes came from Gen. Dwight D. Eisenhower, for whom Mr. Baruch, temporarily deserting his own party, voted as the Republican candidate for President; Dr. Samuel Belkin, president of Yeshiva University, of which Mr. Baruch was an honorary alumnus; Representative JOHN LINDSAY, Republican candidate for mayor of New York City; U.S. Senator ROBERT KENNEDY, Democrat, of New York; U.S. Senator JACOB JAVITS, Republican, of New York; David Sarnoff, board chairman of the Radio Corp. of America; former President Harry Truman; Vice President HUBERT HUMPHREY, and U.S. Senator HARRY BYRD, Democrat, of Virginia.

Other public officials, local and national, paid their tributes after Mr. Baruch's death was announced Sunday night by a fellow South Carolinian and friend of 40 years, who was visiting in the Baruch home: James F. Byrnes, former Secretary of State, Governor of South Carolina, and U.S. Supreme Court Justice.

Mayor Wagner yesterday ordered that all flags on city buildings be lowered to half staff in mourning for the city's distinguished citizen until after the burial.

Mr. JAVITS. Mr. President, let me add the thought that I pray America will practice and continue to practice what Bernie Baruch preached.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1966

The Senate resumed consideration of the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

Mr. JAVITS. Mr. President, I have always looked with great favor on legislation aimed at making more tolerable the many hardships of the poor, the unemployed, the dispossessed, and downtrodden of our society. The amendment introduced by the Senator from Connecticut [Mr. RIBICOFF] to provide assistance to dependent children of unemployed parents in the District of Columbia, is just such legislation. I supported and voted for the Ribicoff amendment when it came before the Senate in July 1964. I am pleased to be a cosponsor of the amendment this year and to support it wholeheartedly once again.

Last night, when I returned to Washington, I spent a great deal of time going over the amendment again, and weighed very carefully the reasons for the opposition of the Senator from West Virginia [Mr. BYRD], for whom I have a high regard.

I came to the conclusion that there was really nothing else to do, that only the kind of program embodied in the Ribicoff amendment would be truly effective in meeting this serious problem.

The main argument that was so persuasive with me was the family argument, that we should not make it necessary for a man to leave home in order to enable him financially to keep his home together. If there is anything that I learned in my experience as attorney general of New York, as a Member of the House of Representatives, as a Senator, and in working on commissions on juvenile delinquency and youth crime, it is that if we keep the home together—if we keep the patient walking, to use a medical analogy—the chances of avoiding so many social problems are infinitely improved.

I would have felt very good indeed if we could have convinced the chairman of of the subcommittee. As the Senator from Wisconsin [Mr. PROXMIRE] has pointed out, we have this same rule in New York and in other States as well. I have become deeply convinced that the Ribicoff amendment should be supported.

The proposal has the support of the President and of many committees and of the House itself. It has the support of the people of the District. I hope that the Senate will accept no substitutes, but will adopt the amendment intact, and finally lay this vexing problem to rest in an affirmative way.

Mr. RIBICOFF. Mr. President, I yield 4 minutes to the Senator from New Hampshire [Mr. McINTYRE].

Mr. McINTYRE. Mr. President, as a member of the Committee on the District of Columbia, and as an ex officio member of the Subcommittee on the District of Columbia of the Appropriations Committee, I rise to support one of the most far-reaching budgets for the District of Columbia ever brought to the floor of the Senate.

Mr. President, this is an excellent bill. It is a blend of the necessary, the desirable, and the possible. It will have far-reaching effects for those who live in the District of Columbia, including Members of this House, and especially for the children of generations to come. I think that it is obvious that not everything considered desirable and not everything considered necessary is covered. On one matter in particular, I feel we need to take action. But no one should lose sight of the tremendous achievements which are now only recognizable as lines on a piece of paper, but will soon be schools, teachers, playgrounds, police, as they become embodied in the life of this city.

Mr. President, I am proud to be a member of the subcommittee that is responsible for this bill, and I am sure my colleagues who have worked on the bill agree with me.

I for one would like to pay special tribute to the chairman of the Subcommittee on the District of Columbia, the distinguished junior Senator from West Virginia. I know of no Senator who has been more dedicated and conscientious in the performance of a tremendously difficult and taxing job. The document before us now is visible proof that he is a true friend of the District of Columbia, as are the recommendations made by this subcommittee in past years.

Mr. President, it is against the background of these convictions that I wish to speak in favor of one measure which will make an excellent bill a better one. The subcommittee reported to the Appropriations Committee a bill which included $341,753 which would have enabled the District to initiate the first 6 months of a program for aid to families of dependent children of unemployed parents—AFDC–UP. This provision was rejected in full committee. I ask that the Senate restore it.

Mr. President, as I take this position, I am reminded of Abraham Lincoln's comment:

> Lord, protect me from my friends, I can take care of my enemies myself.

I am reminded of this statement because some who take the same position I do, attribute the rejection of this provision to lack of concern for the well-being of the voteless poor of the District. I wish to make it crystal clear that I regard this matter as an honest difference of opinion on the part of honest and able men, all of whom are concerned about the plight of the poor, as to the best ways of meeting the problems. Acceptance of this program will not cure the problems of the District, rejection will not cause the District to fall to pieces.

Now, I would like to give a few of the reasons why I am for keeping the provisions for AFDC–UP in the appropriations bill for the District of Columbia.

My reasons are related to proverty morality, and crime.

POVERTY

Is there enough poverty in the District of Columbia and are the job opportunities so limited that the program is necessary? What is the situation of the poor?

The Bureau of the Census did a study for the White House last May which ranked the 333 cities of the United States with 50,000 or more inhabitants on 5 poverty-linked factors. These were:

First. Percentage of families with income under $3,000.

Second. Percentage of children under 18 years of age in broken homes; that is, not living with both parents.

Third. Percentage of males 25 years old and over with fewer than 7 years of school.

Fourth. Percentage of unskilled males in the labor force; that is, laborers and service workers.

Fifth. Percentage of housing units with more than one person per room.

Cities were ranked on each factor and on the sum of the factors.

Now how about Washington, the Capital of our country, the city which should lead the rest of the Nation, how does Washington stand?

First. There are 216 cities with a lower percentage of families with income under $3,000, 116 cities with a higher percentage.

Second. There are 326 cities with a lower percentage of children under 18 in broken homes, 6 cities with a higher percentage.

Third. There are 231 cities with a lower percentage of males 25 and over with less than 7 years of school, 101 cities with a higher percentage.

Fourth. There are 318 cities with a lower percentage of unskilled males in the labor force, 14 cities with a higher percentage.

Fifth. There are 252 cities with a lower percentage of housing units with more than one person per room, 80 cities with a higher percentage.

On the sum of the rankings, Washington ranks 288 out of the 333; only 45 cities of 50,000 inhabitants or more have higher percentages on the poverty index. Compared with cities of 500,000 and over, the District ranks 18 in a total of 21, only three cities of comparable size having higher percentages on the poverty index.

Mr. President, the District comes close to leading the Nation in the percentage of children under 18 in broken homes, and in the percentage of unskilled males in the labor force.

Mr. President, there is sufficient poverty in the District of Columbia to make this program necessary. The high per capita income and the low unemployment rate for the metropolitan area are not proof the program is not needed; rather, they are proof that the District of Columbia can afford to have such a program, and proof that it cannot afford not to have it.

MORALITY

Mr. President, some feel very strongly that this bill will subsidize immorality, and will not benefit the children who are in need. Undoubtedly there might be some instances of this in a population the size we are dealing with. However, I feel we have a sufficiently large and effective investigative work force to keep the number of cheaters on the rolls well below the percentage which most other cities will have.

Mr. President, I feel that present practices, rather than discouraging cheating and immorality, actually encourage them. If this sounds surprising, let me expand. The Department of Public Welfare has a list of 34 acts, the performance of or combination of which may cause a man to be found to be acting as husband and father, and result in aid to the family being cut off. This is the man-in-the-house rule. Let me list a few things which qualify. Birthday presents to the children. Christmas presents to the woman. Helping the woman find a new place to live. Helping the family move. Taking the children to the zoo. Mowing the lawn. Fixing a broken gutter. A man friendly with a woman with children would do most of these things in my hometown and yours. However, under our welfare regulations if a man does any of these seven acts, he can cause the family to lose its assistance.

Mr. President, what honorable and decent man will be friendly with an honorable and decent woman, if, as a result, he puts her welfare and the welfare of her children in jeopardy? What chance of remarriage does a woman have in such circumstances? We effectively keep her from the possibility of developing relationships which will take her and her family off the rolls.

Now, who will date a woman if it puts her welfare in jeopardy? Only the irresponsible elements of the community, those who do not care about her or her children, those who have no intention of exploring the possibility of a responsible relationship, those who will go elsewhere if responsibilities arise, or if problems develop.

So we condemn the woman to a life of loneliness in the struggle to raise a family in very difficult circumstances, or if she does need human companionship, we condemn her to the company of the irresponsible members of the community, those who do not care. Then we attack her for being promiscuous.

I am not even going to mention the families that are broken as a direct result of the inability of the father to find employment, and who must either leave his family so they can qualify for aid, or must go begging for them.

Mr. President, I believe we sow the seeds of immorality, not only in those adults now in families living under these circumstances, but also in their children who watch as their parents try to live under such circumstances.

CRIME

Mr. President, the Committee on the District of Columbia is holding hearings on the nature and causes of crime. We have heard witnesses from every walk of life which deals with the city; we have heard lawyers, police, city officials, social workers, criminologists, and interested citizens. Especially significant was the Washington Action for Youth study mentioned by the Commissioners which indicated three conditions which over the years have been repeatedly identified by researchers as associated with high rates of juvenile delinquency. They are:

First. Poverty and poor living conditions;

Second. Broken homes and inadequate family life; and

Third. Neighborhoods of social disorganization.

In the poorest area of our city, recorded incidents of delinquency are about 15 times as frequent as in the most affluent. Areas of Washington where 45 percent or more of the children under 18 live in broken homes have twice as high a delinquency rate as the city as a whole.

Mr. President, this budget includes $1,665,000 for the Metropolitan Police Department so that the city can take steps to protect our citizens and our property. I support this expenditure strongly. However, we need to make sure that we wipe out as many of the causes of crime as we can.

This very small program, which will only deal with about 500 cases this coming fiscal year, is a real step toward breaking the cycle of poverty and disintegration for the children whose parents are unemployed but who will accept work. There are adequate safeguards where parents are irresponsible, to make sure that aid designated for the children does in fact go to them. We are not asking for funds to subsidize the professional loafer. We are asking for one further step to break the vicious cycle of poverty for these children. They should not have to start life with nearly insurmountable handicaps because their parents cannot find work.

SUMMARY

Mr. President, we are asking that the Senate support an appropriation for this year of $341,753, which includes $330,753 for the welfare appropriation, and $11,000 for general operating expenses. This is in anticipation of a Federal payment under the Social Security Act of $289,717 for a total of $620,470. On a yearly basis, the costs are expected to total $1,386,417 of local funds, $1,206,286 of Federal funds, for a total of $2,592,703, handling an average of 1,105 cases.

The people of the District are aware this proposal is a first step and that costs will continue as long as there are unemployed parents. They have indicated overwhelmingly that they want the program, and that they are willing to bear the costs.

Mr. President, the dollars cost are only a small part of the expenses involved. People in the District are now bearing a heavy burden in human suffering which action in this program will help alleviate. Others in the District are bearing the expenses caused by crime and juvenile delinquency, which action in this program will help alleviate.

I urge the Senate to support this amendment to the appropriations bill.

Mr. RIBICOFF. Mr. President, I yield 4 minutes to the Senator from New Jersey.

Mr. CASE. Mr. President, I have not spoken before on the bill. I believe that if the amendment of the Senator from Connecticut, which I have supported from time immemorial in committee and on the floor, is adopted, we shall quite a good piece of legislation.

I disagree with the statement of the Senator from New Hampshire that without the amendment we would still have a good bill. I believe the bill will be rendered a very bad bill if we do not correct this particular point.

I agree that the chairman of the subcommittee has done his usually painstaking work, and I join my colleagues in the Senate who have applauded his devotion to duty, and his careful scrutiny of all the items that have come before our subcommittee this year and in previous years. I do not share the admiration for the Senator's persistent—I think too persistent—concern about investigative positions in the welfare operation.

I believe we would have done very much better to have transferred most, if not all, of this work and the resources to the social worker category, where social workers are still overworked, and where the work is grossly undermanned, and where I believe the real problem, the nub of the attack on the problem, must be recognized.

Mr. President, we must give recognition to the needs of education, not in the full measure in which it is requested, but enough to cover an assurance to the department and to the people that these needs will be met. This is fine. Many other things in the bill are also good. However, the persistent blind spot of the chairman in this matter cannot be glossed over as only a flyspeck. Very deep indeed is the responsibility of the administration and it should be brought out into the open.

The President had said he favors the Ribicoff proposal. When the votes are counted we shall know whether the full weight of the administration is behind its stated belief that this change should be made. When we see who votes for it and who votes against it, we shall know. The administration's concern was not apparent in the committee when the votes were taken.

I hope very much that it will be apparent on the floor, because if it is, the amendment will be overwhelmingly approved. If it is not adopted, there will have been a real failure on the part of the leadership, to which I very much hope I shall not have to call attention after the vote is taken.

Mr. RIBICOFF. Mr. President, I yield 3 minutes to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, the distinguished Senator from Connecticut, as the former Secretary of Health, Education, and Welfare, has a unique background and experience in the area of social welfare. In this Cabinet position, he had the main responsibility for formulating the welfare reforms enacted by Congress in the Public Welfare Amendments of 1962. When the Senator from Connecticut addresses the Senate on matters of public assistance, his case deserves our attention. Moreover, when he takes the lead on the issue of the totally inadequate assistance program for the District of Columbia—our Nation's Capital—he deserves our full support.

Mr. President, if this amendment fails, the District will be denied again the opportunity to participate in the Federal program of aid to children of unemployed parents. The eligibility of families for assistance will continue to rest on the discredited "man-in-the-house" rule.

This means that we use the unfortunate child—and the child's deprivation—as our weapon against the assumed misbehavior of the parent. We use a child for leverage to police a welfare system. If a parent is unemployed and living with the family, we adopt a policy that says that the parent is unemployed by his own choice and, as a result, his family is not entitled to assistance.

This policy is not in effect for the rest of the Nation, for Congress in 1962 legislated for Federal funds to be available for the dependents of the unemployed. We should not allow the archaic view of the causes of unemployment to be entertained in this city. The progressive social reforms that we ourselves bring about for the benefit of our constituents should be reflected here.

Mr. President, I can think of no other public policy that is based on the punishment of the innocent. I can think of no other public system of material assistance that makes the well-being of a children a game of chance; or that rewards the separation of the family unit rather than its unification. But this is the effect of the current welfare program in the District.

I am happy to note that in my State, in Senator Ribicoff's State, and in 17 other States, including West Virginia, there are programs of aid to dependent children of unemployed parents using Federal funds. I do not believe that a double standard can continue to exist, and I urge the Senate to support the amendment before us.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the name of my colleague from Connecticut [Mr. Dodd] be added as a cosponsor of the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I yield 2 minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the Record an editorial published in this morning's issue of the Washington Post entitled "Children at Issue."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Children at Issue

When the Senate votes this afternoon on the welfare budget for Washington, it will in fact be voting on a much larger issue. It will be voting on President Johnson's announced purpose of making this city a model in the war against poverty. Clearly, the whole campaign to lift children out of poverty will be disastrously undermined if the Senate should refuse relief to the families of unemployed parents. This rollcall will be widely read throughout the city, and perhaps even beyond, as a test of the administration's stamina and skill in prosecuting the most ambitious reform since the New Deal.

The question involves the lives of children. These particular children's parents are destitute, the victims of many mistakes and misfortunes, who live sad and ragged lives. But the Senate is not being asked to pass judgment on the parents; it is being asked to help rescue their children.

The children of a weak and silly mother eat no less than the children of strong and sensible parents; when we cut off help to children as penance for their parents' trespasses, we only make more certain the evil process that draws them into their parents' errors.

The chief opponent of this relief to unemployed parents' children is Senator Robert C. Byrd of West Virginia, who argues that unemployment rates here are comparatively low. The point was answered well by the Raleigh Register, of Beckley, W. Va., in a recent editorial on welfare in Washington, when it said that "the suffering of individuals is no less great by virtue of that fact."

Senator Byrd asserts that the Federal Office of Economic Opportunity will shortly begin a work training program here, obviating any need for relief to the unemployed. He is wrong, both in fact and in policy. Many unemployed parents will not be eligible for the Federal program (these programs define the word "employable" very differently than the District Welfare Department). Equally important, the administration does not intend to let cities shift their routine local welfare responsibilities onto the experimental Federal efforts to reduce poverty.

The Senate customarily follows the committee's recommendations in appropriations. In this case, the Senators are no doubt aware that Senator Byrd's own subcommittee, which heard a great deal of testimony on the point, heavily supported President Johnson's request for relief to unemployed families. The full Senate District Committee, which also heard testimony, also supported the program. It was only the full Appropriations Committee, which heard no testimony whatever, that turned the President down.

In the 17th century, in the early days of the English poor law, parishes accepted the responsibility for caring for indigent families. The parish provided them with work. If the parents misbehaved, they were set in the stocks. But the parish continued to feed their children and teach them trades. Now, in a century supposed to be more enlightened in every way, we refuse any help to the family of a man out of work, until the father deserts it. Then we immediately revoke all help to the children if the mother trespasses. We punish these offenses with a puritannical zeal at which the Puritans themselves would have recoiled.

We have come only a short way, in these three centuries, in the humanity and justice of public welfare administration. This city's appeal to its city council, the Congress, can be poignantly put in a bit of doggerel from a mid-17th century pamphlet on the same issue.

"Grave Senators that sit on high
Let not poor English children die
And droop on dunghils with lamenting notes;
An act for poor's relief they say
Is coming forth; why's this delay?
O let not Dutch, Danes, devils stop those votes."

Mr. MORSE. Mr. President, I ask unanimous consent that a statement in support of the Ribicoff amendment be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

As chairman of the Public Health, Education, Welfare, and Safety Subcommittee of the Senate Committee on the District of Columbia and as a Member of the Senate, I wish to again strongly urge the adoption of the Ribicoff amendment. The position I have taken in regard to the Ribicoff amendment has been adopted by the full Senate District of Columbia Committee. Five out of the seven members of the committee were present for the vote, and the five were unanimous.

Study after study tells us of the alarming consequences to children when they are forced to leave their parents and to live in institutions or foster homes. Junior Village has dramatized the tragedy of this condition in the District of Columbia.

It is also evident that most children who are compelled to stay at Junior Village are there because of the destitution of their parents. Dean Inabel Lindsay, of the Howard University School of Social Work, testified to this effect before my subcommittee on May 10, 1965, when she reported the findings of a study of 1962 Junior Village admissions. More than one-half of the 376 children in the Village population studied were there because their parents did not have the wherewithal to keep them at home. Furthermore, children who were admitted because of parental destitution had to stay much longer at the Village than children who were admitted for other reasons, such as the illness of the parent. Dean Lindsay believes that the study's findings show: "There is substantial evidence that aid to unemployed parents of dependent children would strengthen family life and lessen family breakdown."

President Johnson and the Congress have made it abundantly clear that the tragedy of poverty in this affluent country needs to be challenged and challenged now. We cannot challenge it successfully by closing the door on children who need help and assistance. The fact is abundantly clear that, in the District of Columbia the employable, jobless person is not very easily going to find a job and hold it. The problem for this city, and for many cities is that this so-called employable is often functionally illiterate and without any useful job skills. The aid to dependent children of unemployed parents program tackles this complex problem in a humane way. It says in effect: "The children come first and we will be sure that they will not go hungry or lack clothing and a roof over their heads. The children also need to be with their parents so that whatever strength there is in this group as a family will be maintained and expanded."

Beyond this, the aid to families of dependent children of unemployed parents says: Now let us work with the parents. What skill can we teach this marginally employable father so that he will ultimately be able to stand on his own feet financially? Perhaps it will even give him the rudiments of an education which he never had before.

But most of all, we must never forget that we are dealing with precious little children who never asked to come into this sometimes very cruel world. They are, as are all other children, the children of God. I think that we as individuals, as parents, and especially as Members of the Senate have a special responsibility to perform by our vote today to assist these unfortunate children who come from broken and poverty stricken homes. I have the strong conviction that the aid to dependent children of unemployed parents program contained in the Ribicoff amendment will be of assistance to many of the dependent children living in the Nation's Capital. I cannot urge too strongly an affirmative vote on this most worthwhile and much-needed amendment.

Mr. MORSE. Mr. President, I urge the Senate to consider what is involved in the amendment. The amendment merely involves those home situations in which there is a man in the house who is ready, willing and able to work, but who cannot obtain a job, or one ready to take a retraining program and is waiting for the retraining program, or has taken the retraining program and then cannot get a job. All we are saying is that he should not be forced out of the house. He should not be forced out of the house. He should be allowed to remain in the house rather than to have the clergyman, as was testified before my subcommittee, arrange for secret meetings between the woman and the man.

I do not believe in visiting the sins of adults upon innocent children.

I call attention to the fact that the amendment has almost unanimous support in the District of Columbia on the part of public officials, welfare groups, church groups, and groups who have to deal with this humanitarian problem.

I close by saying that my support of the Ribicoff amendment can be summed up as follows: "You cannot compromise the Golden Rule and have a Golden Rule left. And the Ribicoff amendment rests on the Golden Rule."

I rest my case.

Mr. RIBICOFF. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Connecticut has 12 minutes remaining.

Mr. RIBICOFF. I wonder if the distinguished Senator from West Virginia would use some of his time at this point.

The PRESIDING OFFICER. Does the Senator from West Virginia desire to yield time?

Mr. BYRD of West Virginia. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 10 minutes.

Mr. BYRD of West Virginia. Mr. President, this item has been rejected by the Congress for 3 consecutive years. The item was deleted by the Senate Appropriations Committee only a few days ago, it having previously been included in the bill approved by the House.

My reasons for opposing participation by the District of Columbia in the Federal AFDC–UP program are as follows:

First, the District of Columbia has applied for a demonstration grant under title V of the Economic Opportunity Act. The target date is July 1. There is every indication that the application for the Federal grant will be approved by the Department of Health, Education, and Welfare. The total amount of funds requested is $3,033,259. That is an increase over the estimate that was presented during the hearings before my subcommittee, at which time the director of the department indicated that the grant under title V would amount to $2.2 million. The department has now informed me that the amount requested under title V will be $3,033,259.

At the time the Director was before the subcommittee, he indicated that the title V grant would be directed to a group of 900 families. I am now informed by the Director that the number of families to be serviced under the title V grant will be 1,200.

Under the Ribicoff amendment only 1,105 families would be serviced. That estimate is based on an old survey which was conducted largely by telephone 3 years ago. The title V training program would provide assistance to families of trainees undergoing training and such payments would approximate the amounts to which families of similar size would be entitled under the proposed AFDC–UP program.

Under the title V program, the Department can institute and operate its own training programs geared to the needs of the applicants. This cannot be done under the proposed AFDC–UP program, inasmuch as funds in the amount of $207,320, the estimated cost, were not requested.

Under the title V program, the Department can engage the public schools to conduct classes for functional illiterates if the public schools certify that they have not the capacity to absorb the cost, which would approximate $150,000. The schools have already certified that they cannot absorb those costs, and I make the point that no funds for this purpose were requested under the proposed AFDC–UP program.

Under the title V program, the Department can establish and operate its own employment placement program for persons who have completed their training; and $98,519 is included in the demonstration grant request for that purpose. The Department cannot do this under the proposed AFDC–UP program because funds were not requested for such a placement program.

Additionally, the proposed title V program would be directed to the same group of families to be serviced by the AFDC–UP program, which was estimated, as I indicated a little earlier, to reach 1,105 families during the first full year.

Additionally, the title V program goes into effect immediately, whereas the estimates presented for the AFDC–UP program are on the basis of a 6-months' period beginning January 1, 1966.

Senators who support the amendment offered by the distinguished Senator from Connecticut [Mr. RIBICOFF] ask the question, What will happen to the children under the title 5 grant while the prospective trainees are awaiting the training program?

I ask the question, What will happen to the same children under the AFDC–UP program in the meantime? That program would not go into effect until January 1, 1966 under his amendment. So what is going to happen to the children in the meantime under the proposal which is being supported by the able Senator from Connecticut?

In addition to the title V grant, it is estimated that $1.5 million would be available to the District in fiscal year 1966 under title I(b) of the Neighborhood Youth Corps, Economic Opportunity Act, and $5 million will be available under title II(a), Community Action, Economic Opportunity Act.

Moreover, smaller grants would be received by the District under title I(c), College Work Study, and under title II (b), Adult Basic Education.

Consequently, a plethora of new Federal programs pouring money into the District makes it impossible at this point to keep track of all the activities which will be geared toward eliminating poverty and unemployment, and obviously there are ample activities underway already to meet the needs without initiating another new Federal program, especially one which will be directed toward servicing the very same people who will be benefited under the title V program, to which allusion has already been made.

Mr. President, I make the point that no firm estimates of cost for an AFDC–UP program have yet been presented to the committee. The estimate submitted in this fourth consecutive year is the same estimate that has been presented—allowing, of course, for the increased salary costs and related benefits—as was presented in each of the 3 consecutive preceding years. This was an estimate based almost entirely on a telephonic survey, a onetime survey, made in July 1962.

Additionally, the Department has not presented a feasible work program, which is a necessary adjunct of the AFDC–UP relief program. Without a feasible work program, in which the recipients could do productive work, the program would be merely another relief program.

Furthermore, the proposed work program, which I have already indicated has not been shown to be feasible under the AFDC–UP proposal, would, in reality, constitute a back-door appropriations approach in that additional personnel would be placed in the departments for possible future annualization.

In addition, unemployment in the metropolitan area was 1.9 percent in April. Although the District of Columbia unemployment rate would be slightly above this figure, there is nothing to prohibit District of Columbia residents from seeking employment elsewhere in the metropolitan area. I see District residents going to work in Virginia every morning when I drive to work. There is nothing to confine them to the District of Columbia in their search for employment. The April rate of 1.9 percent is the lowest rate for any month during the past 5 years with the exception of April and May of 1964, each of which months showed a rate of 1.9. An area showing such a low employment rate, possessing a high Federal payroll, high private payrolls, and enjoying a uniquely high level of economic prosperity, is not one in which the AFDC–UP program should be activated.

Moreover, the AFDC–UP program would nullify the "substitute parent rule" in the District of Columbia, thus increasing the caseload of welfare recipients to include paramours.

Then, too, the AFDC–UP program, considering the fact that there would be no ceiling on payments, could stifle incentive to find gainful employment and be debilitating rather than rehabilitating.

Yesterday, I placed in the RECORD cases which had been mentioned in the Comptroller General's Reports of 1962. These indicated that there are recipients who prefer welfare to work in the District of Columbia. The highest payment made under the ADC program in May was $493. I have known of payments that were as high as $550, and more. There is no welfare ceiling in the District. If we institute an entirely new relief program, we shall make it all the easier for the people who are lazy and allergic to work.

The fact should not be overlooked that the District of Columbia already has money problems, with not enough finances to meet the growing needs of the major departments. The estimated cost for the first full year of operation of the proposed AFDC–UP program would be $2,592,703, of which $1,206,286 would be local moneys. This cost estimate is probably low, and the addition of this program would constitute further strain upon both the District and Federal budgets.

Payments to families under the proposed AFDC–UP program would often be considerably higher than unemployment compensation benefits paid to similar-sized families. The maximum unemployment compensation payment is $53, regardless of the size of the family. There would be no maximum under the proposed AFDC–UP program. I stress the fact that $53 is the maximum payment under the unemployment compensation program.

I have already stated that the highest welfare payment in May under the ADC program was $493, and that payments have ranged between $500 and $600 to a single family in other months, in addition to the surplus commodities available. The value of surplus commodities available to a single family has been as high as $71 a month.

Also, more than two-thirds of the welfare cases in the District of Columbia involve persons born outside the District. The proposed AFDC–UP program would encourage additional migration to the District of Columbia of unskilled illiterates from other parts of the country, thus contributing to the already shocking crime and juvenile delinquency rate; burgeoning welfare, school, health, and police department budgets; and the continuing exodus of taxpaying citizens from the District.

Only 18 States, including West Virginia, participate in the Federal AFDC–UP program, which was first authorized in fiscal year 1961. This record of participation after 4 years does not recommend the program. Moreover, another permanent relief program is not needed in the District of Columbia. If participation in the AFDC–UP program is initiated here, the program will never end so long as there is Federal authorization.

Finally, there is already an aid to dependent children program in the District of Columbia and 4,376 families were on the caseload in May. The Welfare Department is now equipped and is going to be further and better equipped to handle crisis situations. For example, the food stamp program will go into effect on July 1. This program will assure families of food budgets that will meet the standards set by the U.S. Department of Agriculture. Moreover, 6,424 persons in the ADC category live in National Capital Housing Authority projects, and additional NCHA housing is programed. This does not complete the list of resources, facilities, and programs available to meet the needs of families in the community. But in view of the time limitation, I shall rest here.

Mr. President, how much time have I remaining?

The **PRESIDING OFFICER.** The Senator from West Virginia has 2 minutes of his allotted time remaining.

Mr. BYRD of West Virginia. Making a total of 17 minutes?

The **PRESIDING OFFICER.** The Senator is correct.

Mr. BYRD of West Virginia. Perhaps the proponent of the amendment would like to use some time.

Mr. RIBICOFF. Mr. President, I yield 3 minutes to the Senator from New York.

Mr. KENNEDY of New York. Mr. President, I think the major question that must be resolved in considering the problem is whether or not children in the District of Columbia need help. As I have listened to the debate, it has seemed to me that the contention of the Senator from West Virginia is that children should not receive aid because their parents are immoral or are leading the kind of lives they should not live.

If the Senate believes that action needs to be taken in this area, it should face up to the fact and should consider passing legislation which would outlaw the practice of adultery or of parents living with persons with whom they should not live. We should face up to that issue.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. BYRD of West Virginia. There is a law already on the books applicable to that situation.

Mr. KENNEDY of New York. I appreciate that. If what the Senator is really concerned with is immorality, the law should be strengthened. Or maybe what seems to be the Senator's concern would be met by enforcing the law more effectively.

What I do not understand is why, if we are concerned about the morality of our fellow citizens in the District of Columbia—which is what I gather is the case from the debate—we feel that the way to deal with the problem is by punishing the children. That I do not understand. The fact that a father or a mother is lazy or is allergic to work or is immoral is no reason to punish the child by not permitting him to have enough to eat.

Members of the Senate and many others of our fellow citizens were fortunate enough to be born into families which did not have to face that kind of problem. But no one chooses his mother or his father, so children should not be punished because their fathers or mothers are not leading the kind of life that some Members of the Senate think they should lead. If the conduct of the parents is the problem that should be dealt with, let us debate that, instead of punishing the children.

I do not believe that a child should be punished because his mother or father is not living the kind of life we think should be lived. We should not say that we will not provide $36 a month for food for a child; and we should not say that we are going to attack the kind of life his parents are living by refusing to give the child food. We should not say that we have decided that the child shall not receive his breakfast, lunch, or dinner because we want to correct the faults of his parents before we will provide means for the child's sustenance.

The **PRESIDING OFFICER.** The time of the Senator from New York has expired.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield 2 additional minutes to the Senator from New York.

Mr. KENNEDY of New York. I yield to the Senator from Rhode Island.

Mr. PASTORE. In such a decision we are making exceptional cases and unusual cases the rule. There are some abuses, but through good administration the abuses can be cured. What we are saying is that because perhaps 1 out of 100 cases involve a common law marriage, every other case ought to be penalized.

I quite agree with the Senator from New York. We are missing the point here. I shall show statistics of what happened in this program in my own State of Rhode Island.

I hope that the Senator from West Virginia will talk a little bit about how this program is working in his own State. Then we shall get at the truth. Then we shall get at the facts.

In due time, I hope that my friend will grant me 5 minutes, so that I can explain my position on this legislation.

Mr. RIBICOFF. Mr. President, I recall that the distinguished Senator from New York and I both served in the Cabinet of President Kennedy. The distinguished former Attorney General of the United States was in charge of all of the programs concerned with juvenile delinquency.

From the experience of the Senator from New York, is there any cause which would lead a child to juvenile delinquency and stealing that is more overriding than hunger?

Mr. KENNEDY of New York. There is absolutely none.

Mr. RIBICOFF. There is nothing that would be a greater cause for a child breaking a window and stealing food than hunger.

Mr. KENNEDY of New York. The Senator is correct.

The PRESIDING OFFICER (Mr. BASS in the chair). The time of the Senator has expired.

Mr. KENNEDY of New York. Mr. President, will the Senator yield me 30 seconds?

Mr. RIBICOFF. Mr. President, I yield 1 minute to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. KENNEDY of New York. The other point I would like to make concerns the statements that the employment rate is high in the District of Columbia and that the unemployment rate is low. This is not a question which can be dealt with by reference to general statistics. We are dealing with individuals, with individual families, and with individual children.

As long as we have 10 children, or 100 children, or even 1 child in the District of Columbia without enough to eat, I believe that it is our responsibility to help that child or those children.

That is the purpose of the amendment. That is why I shall support the amendment offered by the Senator from Connecticut.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, may I inquire how much time I have remaining?

The PRESIDING OFFICER. The Senator from Connecticut has 6 minutes remaining.

Mr. RIBICOFF. Mr. President, I wonder if the distinguished Senator from West Virginia wishes to use up some of his time at this point.

Mr. BYRD of West Virginia. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 3 minutes.

Mr. BYRD of West Virginia. Mr. President, we hear the argument that we are punishing children if the AFDC-UP program is not implemented. The mere fact that a welfare check goes to a home in which there are needy children is absolutely no guarantee that those children will receive the benefits therefrom.

Nobody wants to punish children. What will happen to children during the next 6 months under the AFDC-UP program? The program will not become effective until January 1, 1966. If it is so imperative that there be an AFDC-UP program, why wait 6 months? Why was it not recommended for July 1, the beginning of the new fiscal year?

It has been said that the "exceptional case" of ineligibility should not be accepted as the rule. Mr. President, the reports of the Comptroller General have shown that the rule of ineligibles was not being drawn from the exceptional case. To the contrary, the reports showed that 59.8 percent of the aid-to-dependent-children caseload was ineligible; that 58.8 percent of the general public assistance caseload was ineligible; and the Welfare Department's report showed that 39 percent of the aid-to-the-permanently-and-totally-disabled caseload was ineligible.

I do not believe that these findings make the exceptional case the rule at all.

Talk about making exceptional cases the rule. That is precisely applicable to the stories about fathers deserting their children in order that the children might receive welfare benefits. That is where the exception probably becomes the rule. The statistics show that over the last 8 years the number of case openings based on absence of a parent have decreased, in the District, from 52.5 percent in 1956 and 1957 to 30 percent in the first 9 months of this fiscal year. If parents are absenting themselves from the home in order to have the children qualify for welfare, then why are the case openings based on absentees not increasing? Yesterday's CONGRESSIONAL RECORD contains much interesting information regarding so-called deserting fathers.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 additional minute.

Mr. BYRD of West Virginia. Mr. President, we heard much about West Virginia. Some say that what is good enough for West Virginia, is good enough for the District of Columbia. The Senator stated a moment ago that he wished the Senator from West Virginia would talk about the program in West Virginia.

The program in West Virginia has not one iota of pertinence to the subject which we are discussing today.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. Today we are discussing appropriations for the District of Columbia, not for the State of West Virginia.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. PASTORE. Mr. President, would the Senator tell us why an analogy cannot be made when we are talking about the same program. Can this program not be administered as well in the District of Columbia as it is being administered in the State of West Virginia?

Mr. BYRD of West Virginia. I will answer that question.

Mr. PASTORE. I wish the Senator would answer it.

Mr. BYRD of West Virginia. I will. The answer is no.

Mr. PASTORE. Has the Senator answered it?

Mr. BYRD of West Virginia. I have answered. Moreover, there was a discussion of this point by me yesterday in the RECORD.

Mr. PASTORE. Not only in the RECORD. Answer the question now.

Mr. BYRD of West Virginia. I do not yield any further.

Mr. PASTORE. Answer now.

Mr. BYRD of West Virginia. I do not yield any further. I shall answer it now. In the State of West Virginia, at least 500 different work projects are underway on which AFDC-UP recipients can be employed. The people can be loaned out to the county courts, to the county boards of education, to municipalities for various work programs, and they are also used to clear brush from the highways as well as to fight forest fires.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. Mr. President, I do not yield.

Mr. PASTORE. I know the Senator does not yield.

Mr. BYRD of West Virginia. I do not now yield.

I am still answering the Senator's question.

The PRESIDING OFFICER. The chair advises the gallery that they are guests of the Senate. No reaction will be tolerated.

The Senator from West Virginia is recognized.

Mr. BYRD of West Virginia. In the State of West Virginia the people in the AFDC-UP program also are used to clean up the debris after floods. Moreover, they construct camping and picnic facilities and forest trails in the State forest areas.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 additional minute.

Mr. BYRD of West Virginia. Mr. President, the State of West Virginia, which has a ceiling of $165 on welfare payments, is very different from the District of Columbia which has no ceiling. But to repeat my earlier assertion, it is my responsibility as the chairman of the subcommittee to recommend appropriations for the District of Columbia. It remains the prerogative of the West Virginia Legislature to determine whether State moneys shall be appropriated for participation in Federal programs. The situation in West Virginia has no more significance with regard to appropriations for the District of Columbia than it has for the raising of revenues in the District of Columbia.

This is a clear effort to confuse the minds of Senators. I do not make this statement with any idea of casting any reflection upon the distinguished Senator from Rhode Island.

But the same argument has been used time and time again yesterday, today, and heretofore. Yet, there is only so much revenue to spread among the various Departments of the District Government. The revenue estimate is $372,678,000 for the forthcoming fiscal year. This amount can only go so far. It is my responsibility, as chairman, to do whatever I can to see that this money is so allocated as to meet the greatest needs.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 additional minute.

Mr. BYRD of West Virginia. Mr. President, some Senators say that they are not interested in statistics. Of course they are not interested in statistics, because the statistics do not support their position. If the statistics supported their position, the Senators would utilize them.

They talk about hunger. Hunger may, in some instances, have a relation to crime. However, I can remember a time when there was no public assistance program, no unemployment compensation program, no social security program, no manpower training program. I do not advocate that we go back to that time. However, hunger in those days did not result in crime. We have had a far higher rate of unemployment in West Virginia over the past 5 years than there has been in the District of Columbia. Yet that poverty did not result in crime.

There is something else at the root of the crime problem in the District of Columbia. We can talk about that at another time.

The final argument that has been made up to this point is that, even if one child is hungry in the District of Columbia, we should provide moneys for this program.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 additional minute.

Mr. BYRD of West Virginia. Mr. President, it would be an insuperable task to devise a program which would cover every possible contingency. Jesus said that the poor would always be with us. All that we can do is do the best we can.

I believe that the on-going relief programs in the District of Columbia are sufficient to meet the needs. Certainly with the title V program, and the food stamp program, which will be in effect after July 1, there is no reason why children should go hungry.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. RIBICOFF. Mr. President, will the Chair inform me how much time I have remaining?

The PRESIDING OFFICER. The Senator from Connecticut has 6 minutes remaining.

Mr. RIBICOFF. Mr. President, how much time has the other side remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 10 minutes remaining.

Mr. RIBICOFF. Mr. President, I yield 1 minute to the distinguished Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 1 minute.

Mr. TYDINGS. Mr. President, the decision which we are about to make is a decision which would be made by the mayor and city council if the District of Columbia had home rule. However, the residents of the city of Washington unfortunately do not enjoy this basic right of every American citizen. Therefore, it is the duty of the Senate and the House to act on their behalf.

The legislative committee, the Senate Committee on the District of Columbia, voted to approve a welfare program which would provide aid for the children of unemployed parents. The members of the District of Columbia Appropriations Subcommittee voted in the full Appropriations Committee in favor of a program of aid to the children of the unemployed by a vote of 7 to 3, with one member not voting.

Two Presidents of the United States have requested this program. The great majority of the civic groups which testified before the District Appropriations Subcommittee favored the program.

I believe that we owe an obligation to the citizens of the District of Columbia to act in a way that a responsible legislative body would act, and enforce the wishes of the residents of the District by approving a program of aid to the children of the unemployed.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I reserve the remainder of my time.

I wonder if the Senator from West Virginia would use some of his time, so there would be an equal amount of time remaining.

Mr. BYRD of West Virginia. Mr. President, I reserve the remainder of my time.

Mr. RIBICOFF. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RIBICOFF. Who has the final allotment of time in a debate when the time is limited?

The PRESIDING OFFICER. The Chair advises the Senator that there is no specific rule of the Senate which provides which Senator shall have the last allocation of time. There are precedents which state that when each Senator wishes not to use the time, the time will be charged against each side equally.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. If a modification or amendment were offered to the pending amendment, would more time be allowed, and if so, how would it be divided?

The PRESIDING OFFICER. The Chair advises the Senator that no amendment would be in order to this particular amendment until all time had been consumed or yielded back on the pending amendment.

Mr. PASTORE. What if all the time has been consumed?

The PRESIDING OFFICER. If all time were consumed, it would require a further unanimous-consent agreement before any time could be granted on the amendment.

Mr. PASTORE. Is there a time limitation for voting on the bill itself?

The PRESIDING OFFICER. Yes; at 2:30.

Mr. PASTORE. As I understand, the opponents of this amendment have a time advantage of 2 to 1 as against the proponents.

The PRESIDING OFFICER. The time allotted on this amendment was 30 minutes to each side.

Mr. PASTORE. I realize that, but the proponents of the amendment have already used all of their 30 minutes except 5 minutes.

The PRESIDING OFFICER. The Senator from Connecticut has 5 minutes remaining.

The Chair believes that he has answered adequately the question on the problem involved. Does either Senator propose to yield time, or does he wish to have the Chair settle the question?

Mr. RIBICOFF. Mr. President, I yield 4 minutes to the Senator from Rhode Island [Mr. PASTORE].

Mr. PASTORE. Mr. President, what disturbs the Senator from Rhode Island is the adamant positions—and I say this advisedly—that is being employed to defeat this amendment. This is not a question as to whether or not we should spend $341,000, or even 10 cents. The position that is being taken by the opponents of this amendment is that we should not appropriate one single penny because they are against these programs for the District of Columbia.

This program exists today in 18 States. It exists in my own State. It is not a new program. The program was initiated under the ideals of President Kennedy in 1961—a man who had a heart for people, a man who took to television to talk about poverty in West Virginia.

This idea that a hungry mouth of a child can be tolerated in the District of Columbia, but not in West Virginia, is an argument that does not appeal to the Senator from Rhode Island. This program exists today in my own State of Rhode Island. I regret that no attempt has been made to ascertain how it works in other States.

Some have reached the conclusion that it would not work in the District of Columbia. Why? Because we have a racial problem here? Is that why it cannot work in the District of Columbia, but can work in Rhode Island and West Virginia?

I have very recently talked with the director of public welfare in my State. I have been told that it is a good program in the State of Rhode Island. In July 1961 we had 449 cases. In one year the number increased by 1,248 cases. During the year we took 1,331 families off relief. How? Because of this program which was fashioned by President Kennedy. To do what? To provide help for children while we tried to provide jobs for their unemployed fathers and we found jobs for the 1,331. We instituted that program while jobs were sought for unemployed fathers and while they were training for new jobs. At the same time we provided for their children. These are the facts with regard to the social welfare program in Rhode Island.

Let us not get into a personal vendetta over this issue. This is a challenge with respect to feeding hungry children. It is not a question of logrolling, or a question of a lobby that wants a certain program. This is a program to help people. That is the logic of the program. So I rise to say that the time has come for us to show a little humanity for a problem that seems mostly to involve the District of Columbia.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. **BYRD** of West Virginia. Mr. President, I yield myself 5 minutes.

So we go back again to talking about West Virginia. Of course, the AFDC–UP program is in existence in 17 States other than West Virginia. The fact that it is in existence in only 18 States out of 50 after a period of 4 years does not appear to be an excellent recommendation of the program. One or more States have withdrawn from it in the meantime.

The Senator from Rhode Island said that the program was in effect in his State. That is true. But is the Senator from Rhode Island going to say that there are no hungry children in the State of Rhode Island? I say that there may be hungry children in the District of Columbia. There are hungry children in the State of West Virginia even though there is participation in the AFDC–UP program. There are hungry children in the other 17 States where the program is operating. I emphasize that the distribution of welfare checks does not guarantee that children will always receive the benefits of such assistance. The institution of this program in the District of Columbia would not guarantee that there would henceforth be no hungry children in the District of Columbia.

Let those who talk about hungry children, let those from States where the program is operating—and mine happens to be one—say that the program eliminates the problem of hungry children. They cannot say it.

Second, the Senator from Rhode Island has brought up the subject of race. I suspect this is meant to imply that I, as the chief opponent of the amendment, oppose it because most of the participants in this program would likely be Negroes.

Mr. **PASTORE.** Mr. President, will the Senator yield on that point?

Mr. **BYRD** of West Virginia. I yield.

Mr. **PASTORE.** I did not say it—the Senator from West Virginia said it.

Mr. **BYRD** of West Virginia. I said it was implied. That implication was raised. The Senator raised the point.

If that is the implication, why would I be one of the strongest pleaders for increased appropriations for school programs in the District of Columbia? After all, 87.6 percent of the overall school population in the District is Negro. It is 89.5 percent at the elementary school level. If I were opposing the amendment on the basis of race, why would I be one of the strongest supporters of appropriations for educational programs and facilities in the District of Columbia?

Why do I support requests presented by the Department of Health in connection with higher appropriations for District of Columbia General Hospital, where over 90 percent of the persons admitted for medical attention are Negroes?

As of June 30, last year, 50.3 percent of the personnel in all of the District of Columbia departments was Negro. That was 1 percent over the previous year, which was 49.3 percent. Yet, I have supported requests for additional personnel where justified. Ninety-two percent of the cases involving venereal disease are Negroes. Yet, I have supported appropriation requests to eradicate the disease.

But, Mr. President, if racism is involved as has been suggested, I ask again, Why do I support school programs? Why do I support appropriations for additional library books, additional teachers, additional counselors?

The **PRESIDING OFFICER.** The time of the Senator from West Virginia has expired.

Mr. **BYRD** of West Virginia. Mr. President, I yield myself 1 additional minute.

The **PRESIDING OFFICER.** The Senator from West Virginia is recognized for 1 additional minute.

Mr. **BYRD** of West Virginia. After all, 76 percent of the teaching personnel in the District of Columbia schools are Negroes. Then why do I support additional counselors, additional librarians, additional teachers? Seventy-five percent of the welfare workers in the District of Columbia are Negroes. Then why do I recommend additional social workers?

Mr. President, the argument that racism motivates those who oppose the program is a phony argument, and I resent it.

Mr. President, how much time have I remaining?

The **PRESIDING OFFICER.** The Senator from West Virginia has 3 minutes remaining.

Mr. **BYRD** of West Virginia. Mr. President, I yield myself 30 seconds of the remaining 3 minutes.

The **PRESIDING OFFICER.** The Chair recognizes the Senator from West Virginia for 1 additional minute.

Mr. **BYRD** of West Virginia. Other Senators yield themselves 30 seconds from time to time.

The **PRESIDING OFFICER.** So far, there has been no 30-second time allocation yielded on this issue.

Mr. **BYRD** of West Virginia. This is the first time the question has been raised. I yield myself 1 minute.

The **PRESIDING OFFICER.** The Senator from West Virginia is recognized for 1 minute.

Mr. **BYRD** of West Virginia. Senators talk about the adamancy of the opposition. What about the adamancy of the pressure groups who are determined to cram this program down the throats of those of us who, for sincere and conscientious reasons, oppose it?

Talk about adamancy, talk about pressure, and talk about creative tensions—these are the people who have been utterly ruthless in their drive to force Senators to approve this program.

The **PRESIDING OFFICER.** Does the Senator from West Virginia yield back the remainder of his time?

Mr. **BYRD** of West Virginia. No, Mr. President; I do not. How much time have I remaining?

The **PRESIDING OFFICER.** The Senator from West Virginia has 2 minutes remaining. All time has expired on the other side.

Mr. **RIBICOFF** rose.

The **PRESIDING OFFICER.** The time of the Senator from Connecticut has expired, when he reserved his time and the Senator from Rhode Island [Mr. PASTORE] made a parliamentary inquiry which consumed 2 minutes. The Chair yielded 1 minute to the Senator from Connecticut and 1 minute to the Senator from West Virginia.

The Senator from West Virginia has 2 minutes remaining.

All time will soon expire. Time is running now.

Mr. **BYRD** of West Virginia. Mr. President, I yield back the remainder of my time, and I send to the desk a substitute amendment and ask that it be read.

The **PRESIDING OFFICER.** All time expiring, the substitute amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. In lieu of the language proposed by the Ribicoff amendment, it is proposed to strike out lines 1 and 2, and insert on line 4 "$80,106,247" in lieu of "$80,137,000".

The **PRESIDING OFFICER.** All time has now expired. The question is on agreeing to the substitute amendment offered by the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent, if unanimous consent is required, to suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator suggest the absence of a quorum without the time being charged to either side?

Mr. RIBICOFF. Mr. President, reserving the right to object, I did not hear the request.

The PRESIDING OFFICER. The Senator from West Virginia asked unanimous consent to suggest the absence of a quorum, without the time being charged to either side.

Is there objection?

Mr. PASTORE. Mr. President, I object.

Mr. BYRD of West Virginia. Very well. Mr. President, how much time have I?

The PRESIDING OFFICER. Fifteen minutes.

Mr. BYRD of West Virginia. I would be willing to yield half of the required time for the quorum.

The PRESIDING OFFICER. The Chair advises the Senator from West Virginia that time is now running.

Mr. BYRD of West Virginia. Would my dear friend, the Senator from Connecticut, yield the other half of the time?

Mr. RIBICOFF. Mr. President, I do not yield.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum with the time consumed to be taken from my own time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate will be in order. Aids will please clear the well. Senators will please take their seats. The aisles will be cleared immediately. The Senate will please be in order.

The Senator from West Virginia has consumed 2 minutes in the quorum call.

Mr. BYRD of West Virginia. Mr. President, how many minutes did I consume?

The PRESIDING OFFICER. Two minutes. One minute was consumed prior to the calling of the quorum and preparing for it.

Mr. BYRD of West Virginia. I thank the Chair.

I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 5 minutes.

Mr. BYRD of West Virginia. Mr. President, I have attempted to make the point, in expressing opposition to the proposed AFDC–UP program, that the Department has applied for a training grant under title V of the Economic Opportunity Act. I have made the further point, which can be substantiated by testimony of the Director during the hearings before my committee—and by a letter which I hold in my hand—that the services under the title V training grant would be directed toward the identical group of families who would receive assistance under the proposed AFDC–UP program.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senator will suspend. The Senate will be in order.

The Senator from West Virginia may proceed.

Mr. BYRD of West Virginia. Mr. President, the title V program reaches the same group of people who would be serviced under the AFDC–UP program. Under the title V approach, the recipients would be trained for work and their families would receive subsistence grants while the trainees are undergoing training. That takes care of the children. Under the AFDC–UP program, the Department could not establish and operate its own training program.

Under the title V program, the Department can establish and operate its own training program. Under the proposed AFDC–UP program the Department cannot operate its own job placement program. Under the title V approach, it can establish and operate its own job placement program.

So what all of this amounts to is that the title V approach is by far the better. It permits training by the Department, it permits placement in jobs, and it provides subsistence to a family while the trainee is undergoing training. The number of families under the title V program would be 1,200. The number of families under the AFDC–UP program would be 1,105.

The title V program will take effect almost immediately. The AFDC–UP program, as proposed, would take effect 6 months from now, on January 1, 1966, with no provision for feeding the children, under that program, over the next 6 months.

There is only one little gray area which the title V program would not reach, and that is those families which could not be serviced under the title V program for training purposes immediately. In other words, the Department might reach 150 families the first week, while others would have to wait, because the Department could not reach them immediately. However, I stress the fact that the AFDC–UP program would not reach them either, because it would not even go into effect until January 1, 1966.

The title V program would go into effect immediately upon approval of the grant by HEW, and the target date is July 1.

My amendment would provide $300,000 to supplement the title V approach, so that families which could not be reached immediately under title V would receive assistance under my amendment. This would be temporary assistance, not to exceed 6 months, and it would not be available to families receiving unemployment compensation or other public assistance grants.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. I yield myself 2 additional minutes.

The supplemental program, which I am suggesting now, would be wholly locally financed. The maximum payment under this program would be $200 per month and in no instance would a family draw higher payments than they would receive if they were in the regular AFDC program. Of course, in addition thereto, the families could qualify for food stamps under the food stamp program, which would go into effect on July 1. Payments would be on a week-to-week basis, and resources and earnings would be deducted from the grant, as in the present welfare programs.

Therefore the maximum, at $200, would not be so high as to destroy the incentive of those parents to seek employment or to accept training, but it would be high enough, taking into consideration the food stamp commodities that would be available to provide subsistence to them until they could be reached under the title V program.

Moreover, that $200 maximum is above the average of $169 per month receivable under the unemployment compensation program.

I have already pointed out that a parent who receives unemployment compensation in the District of Columbia can receive only a maximum of up to $53 per week. The average payments amount to approximately $169 per month.

Under the proposal I am making, the maximum would be $200, exclusive of the food stamp bonus, and this would tide them over until the training program under title V could reach them. Failure to participate in training offered, or to accept bona fide employment, would make the family ineligible for this type of assistance, and the temporary grant would cease when the recipient participates in training or secures employment or is determined to be no longer eligible to participate in the title V program. This is the essence of my amendment.

Mr. PASTORE. Mr. President, will the Senator yield me 1 minute?

Mr. RIBICOFF. I yield 1 minute to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, what I cannot understand is that we are being asked to accept a substitute program on the premise that it accomplishes the same objective. If that is so, why should we not take the approach which is suggested by the Senator from Connecticut, which is a program that is already established in 19 States? If we are to accomplish the same objective, why do we not take the objective that is endorsed by the Bureau of the Budget and by the District Commissioners?

Are we getting to the point where we cannot afford to lose a position that we have taken? Has it become such a personal thing, such a precious thing that we cannot afford to do what should be done?

That is what is disturbing the Senator from Rhode Island. I hope the amendment will be defeated, not because it does not have merit, but because it is not a worthy substitute for a studied program which has worked, a program that we should have in Washington.

If it is a matter of too much money, let us cut the money down, but let us not defeat the program or destroy it.

Mr. RIBICOFF. Mr. President, I yield myself such time as I may need.

The substitute offered by the distinguished Senator from West Virginia would not accomplish the aim of the amendment we have been fighting for in the past 3 years. Basically, the program that is being offered in the substitute amendment is under the antipoverty program. It is well understood that the antipoverty program is not a substitute for welfare.

What the distinguished Senator from West Virginia is talking about is a program to be adopted as a demonstration project—a program that would be in effect for a limited period of time, to see whether it will work. In connection with the Ribicoff amendment we are dealing with a different group of people.

We have recognized that when people are unemployed a number of factors come into play. First, there are people who are mentally or physically incompetent to be trained for a job or a craft. We all approve of doing everything possible to give people the training they need. However, there are many who cannot be trained, who do not have the capacity to be trained because they lack education and lack physical competence. Under a full-pledged AFDC–UP program they could participate in work relief programs.

If we adopt the AFDC–UP program, the recipients will be required to accept any training or work offered them as a condition of the grants to their families.

The Washington Post yesterday indicated that there were approximately 700 parcels of land and plots of ground in the city of Washington that need to be cared for. We are in a position to say to those who receive aid, "If you cannot qualify for training because of incompetency, you certainly can qualify to rake some leaves and plant some flowers and mow the grass and keep the city of Washington clean."

There are also many unemployed people who do not have any capacity—who cannot, will not, or should not work. These are the people who are taken care of in all of the 50 States under a general assistance program, but are not taken care of in the city of Washington.

When all is said and done, we are faced with an unusual situation. My small amendment, carrying $341,753, represents the "hair shirt" of the Senate. The Senate—all 100 Senators—will wear that hair shirt as long as we deny the hungry children of Washington the food that they need to keep alive.

Mr. President, I promise, as long as the people of the State of Connecticut send me to the Senate, to lead this fight for the hungry children of Washington.

Every year we shall have to go on record as to whether or not we will feed the hungry children of Washington.

Let us look at this problem from a sense of fairness, from the standpoint of what I am asking the Senate to do. How can we go home to the people of our State and justify voting $14,490,000 last year, and each year, for the people of West Virginia, for exactly the same program for which I ask the Senate to appropriate $341,753 for the people of Washington? How can we vote $14,490,000 for West Virginia, with that money coming out of our pockets, and refuse this small sum to the city of Washington?

Mr. President, I move that the substitute amendment of the Senator from West Virginia be laid on the table.

The PRESIDING OFFICER. The Chair is informed that a motion to table is not in order until the proponent of the amendment has utilized all of his time on the amendment, or the time has been yielded back.

Mr. RIBICOFF. Mr. President, I yield back the remainder of my time.

Mr. BYRD of West Virginia. Mr. President, how many minutes have I remaining?

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from West Virginia has 6 minutes remaining.

Mr. BYRD of West Virginia. Mr. President, I should like to emphasize a few points. I believe I can best do so by reading from the letter addressed to me by the Director of Public Welfare on June 19. He makes reference to my letter to him of June 15 in which I requested certain information. He says:

> I am pleased to submit the following information in response to the questions therein:
>
> 1. In regard to the Department's request to the U.S. Department of Health, Education, and Welfare for funds to plan and initiate a Demonstration Project for Work Training for the Unemployed (title V, Economic Opportunity Act), we requested a planning grant totalling $79,200 for the period March 15 through June 14, 1965. The Department has now received the total amount of this grant, and the planning period has been extended to July 1, 1965, within these funds. As a result of the material developed during the planning stage, estimates have been revised upward so that total funds requested is now $3,033,259; estimates as to families serviced from 900 to 1,200. This means that based on a phasing in process, we are estimating 1,200 families will be enrolled toward the end of the first year, or an estimated monthly average of approximately 600.
>
> 2. The title V training program will provide subsistence payments to the families of trainees undergoing training. Payments to such families will approximate the amount for which families of similar sizes and circumstances would be entitled to under the on-going AFDC program.
>
> 3. Under the title V program, the Department can and will institute and operate its own training programs geared to the needs of the applicants, after careful testing and screening. Under the proposed AFDC–UP program, the Department could not operate its own training programs since it is estimated that this would cost $207,320, and funds were not requested for this purpose.
>
> 4. In regard to the title V program, the Department can engage the public schools to conduct classes for functional illiterates if the public schools certify that they do not have the capacity to absorb the cost which, it is estimated, would be approximately $150,000. The schools have certified that they cannot absorb these costs. No funds for this purpose were requested under the AFDC–UP program. Therefore, if the schools were to perform this service, they would have to do it within their current resources.
>
> 5. Under the title V program, all trainees and their families, will be eligible for participation in the food stamp plan while undergoing training.
>
> 6. Under the title V program, the Department can establish and operate its own employment placement program for persons who have completed their training. It intends to do this, and $98,519 is included in the demonstration grant request for this purpose. The Department cannot do this under the proposed AFDC–UP program since funds were not requested for this purpose.
>
> 7. You are correct in indicating that the proposed title V program will be directed toward the same group of families for which assistance would be given under the proposed AFDC–UP program. However, since training is the crux of the title V program, acceptance of enrollees has to be geared tc the Department's ability to effectively involve them in training. This would necessarily mean that under title V, all families could not be reached immediately as they could if the AFDC–UP program were in operation. Therefore, the Department has no means of assisting unemployed families in need while they are awaiting training or job placement.
>
> I would estimate that to provide temporary assistance, locally financed, geared to the title V demonstration program, with payments on a week-to-week basis not in excess of $200 per month—exclusive of food stamps—would cost $308,710.

The Director's estimate is $308,710. My amendment would provide $300,000, and the remaining $8,710 could be absorbed from available funds. The Director's letter continues:

> As I understand it, you propose that in no instance would a family draw higher payments than they would receive in the regular AFDC program, and resources and earnings would be deducted from the temporary grant. In considering these estimates, it is understood that failure to participate in training offered, or to accept bona fide employment, would make the family ineligible, and that the temporary grant would cease when the recipient participates in training or secures employment.
>
> This estimate is also based upon the fact that this program would be initiated simultaneously with the initiation of the title V program.
>
> 8. This program would not, in my judgment, overlap the Child Welfare Division's children's bureau emergency families services grant project. The children's bureau project will be essentially limited to families active with our Child Welfare Division. Its purpose is to demonstrate, on a 24-hour basis, the effectiveness of keeping families together by meeting crisis situations. Such families would not be cared for under the children's bureau program if they were eligible to participate in the program you have suggested.
>
> 9. The manpower development and training program is a separate program from that envisioned under title V of the Economic Opportunity Act.
>
> Resources currently available to the Department to provide services for families in emergency situations include:
>
> (a) Public assistance: Emergency financial assistance, if the family is eligible.
>
> (b) Junior Village: Emergency shelter for the care of children.
>
> (c) Municipal Lodging House: Emergency shelter for homeless and transient men.
>
> (d) Emergency services, but not financial help, provided by the Child Welfare Division.
>
> (e) It is also understood, of course, that the resources of voluntary agencies would continue to be available to the families in the community.
>
> Resources expected to be available in the Department in fiscal 1966 to provide services

for families situations above and beyond those enumerated above, include:

(a) The above-mentioned Child Welfare Division's emergency family services, including funds to meet specific needs.

(b) The establishment of a 24-hour emergency shelter facility for homeless families. This facility will be available to house approximately five families at any one time. As now envisioned, length of stay will ordinarily not exceed 3 to 4 days.

(c) Special financial aid through general public assistance to meet emergency needs on a one-time basis for families who would not qualify immediately under the other programs. Purpose of this would be to enable families to continue to function independently in the community.

May I take this opportunity to express my appreciation for the elimination from the committee report of the language which heretofore limited our use of the day care funds. I believe this will be of material assistance for those mothers who are attempting to support their families and who otherwise might be forced to give up their employment in order to care for their children.

Mr. President, I have offered the amendment as a substitute to the amendment offered by the distinguished Senator from Connecticut [Mr. Ribicoff]. My amendment would close the gap. It is a positive approach. It would provide subsistence to families which cannot be reached immediately under the title V program, and it would provide assistance as soon as the title V program goes into effect in July. Under the program sponsored by the Senator from Connecticut [Mr. Ribicoff], those same families would not be reached until January 1.

Mr. President, I have offered a good amendment. I have sought to reach the hungry children who could not be reached under the proposed AFDC-UP program until January 1, 1966. I say to my friends who oppose me in this matter, if they are interested in feeding hungry children and feeding them immediately rather than making them wait until January 1, 1966, let them support the substitute amendment which I have offered.

Let us see who is reasonable and who is unreasonable in his approach to this very controversial problem.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. RIBICOFF. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BYRD of West Virginia. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BYRD of West Virginia. Is the motion of the able Senator from Connecticut, on which we are about to vote, a motion to table my amendment in the nature of a substitute?

Mr. RIBICOFF. That is correct.

The PRESIDING OFFICER. The Chair is so informed. The question is on the motion of the Senator from Connecticut [Mr. Ribicoff] to lay on the table the amendment of the Senator from West Virginia [Mr. Byrd] in the nature of a substitute for the amendment offered by the Senator from Connecticut [Mr. Ribicoff]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The clerk proceeded to call the roll.

Mr. CHURCH (when his name was called). On this vote I have a pair with the senior Senator from Virginia [Mr. Byrd]. If he were present, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. PROUTY (when his name was called). I have a live pair with the junior Senator from Iowa [Mr. Miller]. If he were present, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. SALTONSTALL (when his name was called). On this vote I am paired with the senior Senator from South Carolina [Mr. Thurmond]. If he were present, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. SYMINGTON (when his name was called). On this vote I have a pair with the senior Senator from Minnesota [Mr. McCarthy]. If he were present, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. KUCHEL (after having voted in the affirmative). I have a pair with the senior Senator from South Dakota [Mr. Mundt]. If he were present and voting, he would vote "nay"; were I to cast my vote, I would vote "yea." I withdraw my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. Gore] is absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster] is absent because of illness.

I further announce that the Senator from Virginia [Mr. Byrd], and the Senator from Minnesota [Mr. McCarthy] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], and the Senator from Tennessee [Mr. Gore] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. Miller] and the Senator from South Dakota [Mr. Mundt] are absent on official business.

The Senator from South Carolina [Mr. Thurmond] is absent to attend the funeral of a friend.

The Senator from Kansas [Mr. Pearson] is necessarily absent, and if present and voting, would vote "nay."

The respective pairs of the Senator from Iowa [Mr. Miller], the Senator from South Dakota [Mr. Mundt] and that of the Senator from South Carolina [Mr. Thurmond] have been previously announced.

The result was announced—yeas 40, nays 47, as follows:

[No. 146 Leg.]

YEAS—40

Bass
Bayh
Bible
Burdick
Cannon
Case
Clark
Dodd
Douglas
Fong
Fulbright
Harris
Hart
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Ribicoff
Scott
Smith
Tydings
Williams, N.J.

NAYS—47

Aiken
Allott
Anderson
Bartlett
Bennett
Boggs
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Gruening
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
Long, La.
Magnuson
Mansfield
McClellan
Morton
Murphy
Randolph
Robertson
Russell, S.C.
Russell, Ga.
Simpson
Smathers
Sparkman
Stennis
Talmadge
Tower
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—13

Brewster
Byrd, Va.
Church
Gore
Kuchel
McCarthy
Miller
Mundt
Pearson
Prouty
Saltonstall
Symington
Thurmond

So Mr. Ribicoff's motion to lay on the table was rejected.

The VICE PRESIDENT. The question now recurs on the amendment of the Senator from West Virginia [Mr. Byrd] in the nature of a substitute.

Mr. BYRD of West Virginia. Mr. President, on this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Ohio will state it.

Mr. LAUSCHE. Are we now about to vote on the amendment of the Senator from West Virginia?

The VICE PRESIDENT. The amendment of the Senator from West Virginia is the pending business.

Mr. BYRD of West Virginia. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from West Virginia will state it.

Mr. BYRD of West Virginia. Will the Presiding Officer obtain order in the Senate?

The VICE PRESIDENT. There will be order in the Senate. Persons who are standing in the rear of the Chamber will please be in order.

Mr. BYRD of West Virginia. Mr. President, as the junior Senator from West Virginia understands the parliamentary situation, the vote which the Senate is now about to take is on the amendment in the nature of a substitute offered by the junior Senator from West Virginia, Mr. Byrd.

The VICE PRESIDENT. That is correct.

Mr. BYRD of West Virginia. I thank the Chair.

Mr. YARBOROUGH. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Texas will state it.

Mr. YARBOROUGH. Is the amendment offered by the junior Senator from West Virginia an amendment in the nature of a substitute for the amendment offered by the Senator from Connecticut?

The VICE PRESIDENT. It is a substitute therefor.

Mr. YARBOROUGH. A substitute therefor.

The VICE PRESIDENT. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROUTY (when his name was called). On this vote I have a pair with the distinguished junior Senator from Iowa [Mr. MILLER]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. KUCHEL (after having voted in the negative). Mr. President, on this vote I have a pair with the distinguished senior Senator from South Dakota [Mr. MUNDT]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. GORE] is absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER] is absent because of illness.

I further announce that the Senator from Virginia [Mr. BYRD], and the Senator from Minnesota [Mr. MCCARTHY] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from Tennessee [Mr. GORE], and the Senator from Minnesota [Mr. MCCARTHY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MILLER], and the Senator from South Dakota [Mr. MUNDT] are absent on official business.

The Senator from South Carolina [Mr. THURMOND] is absent to attend the funeral of a friend.

The Senator from Kansas [Mr. PEARSON] is necessarily absent.

If present and voting, the Senator from Kansas [Mr. PEARSON], and the Senator from South Carolina [Mr. THURMOND] would each vote "yea."

The respective pairs of the Senator from Iowa [Mr. MILLER], and that of the Senator from South Dakota [Mr. MUNDT] have been previously announced.

The result was announced—yeas 76, nays 14, as follows:

[No. 147 Leg.]

YEAS—76

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Boggs
Burdick
Byrd, W. Va.
Cannon
Carlson
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
Mondale
Montoya
Morton
Moss
Murphy
Muskie
Nelson
Pastore
Pell
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Scott
Simpson
Smathers
Sparkman
Stennis
Symington
Talmadge
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—14

Bass
Bible
Case
Douglas
Javits
McIntyre
McNamara
Metcalf
Monroney
Morse
Neuberger
Proxmire
Saltonstall
Smith

NOT VOTING—10

Brewster
Byrd, Va.
Gore
Kuchel
McCarthy
Miller
Mundt
Pearson
Prouty
Thurmond

So the amendment in the nature of a substitute offered by Mr. BYRD of West Virginia was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment as amended, offered by the Senator from Connecticut [Mr. RIBICOFF]. On this question, the yeas and nays have been ordered.

The Senator from Connecticut is recognized.

Mr. RIBICOFF. Mr. President, in view of the adoption of the substitute, which goes some of the way, but not all of the way toward at least a recognition of the problem and a recognition that the budget needed more money. I ask unanimous consent that the order for the yeas and nays be rescinded.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment, as amended, offered by the Senator from Connecticut.

The amendment, as amended, was agreed to.

The VICE PRESIDENT. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. BYRD of West Virginia. Mr. President, I move that the Senate insist upon its amendments——

The VICE PRESIDENT. The bill has not yet been passed.

Mr. BIBLE. Mr. President, before the Vice President poses the question of passage of the bill, I should like to direct the attention of the Senator from West Virginia to one item in the report and ask for some clarification. I have previously talked with the Senator from West Virginia on this point. I direct his attention to page 12 of the report, under the heading "Highway program." It is stated there:

> Several members of the committee——

The VICE PRESIDENT. Under the unanimous-consent agreement, the Senate must vote at 2:30, and the Chair is giving the benefit of the doubt at this moment to a clock he is not fully sure of. So will the Senator pose his question as quickly as possible?

Mr. BIBLE. Mr. President, I ask unanimous consent that, notwithstanding the previous unanimous-consent agreement, I may proceed for not to exceed 5 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. BIBLE. I think this is very important. I think there should be legislative history on it. That part of the report reads:

> Several members of the committee have expressed deep concern about the absence of effective legislative control over the District of Columbia highway program. The committee shares this concern. Accordingly, the committee directs that all future budget estimates for the District of Columbia highway program be presented on the basis only of prior authorization by the respective District legislative committees.

My problem with that direction in the report can best be illustrated by turning to page 16 of the report, where we see a breakdown of the District highway program. The estimate for the center leg of the inner loop is $2,900,000. The allowance by the Senate Appropriations Committee was $900,000.

If I am correctly advised, to date the District has expended something like $28 million on that segment of the inner loop system.

My query is, Does the Senate committee language require the Highway Department to come back next year for authorization to proceed with the center leg of the inner loop after $29 million has already been expended on this project?

Mr. BYRD of West Virginia. I believe the distinguished Senator from Nevada has raised a pertinent and important point. At the time the subcommittee conducted its markup on the bill, concern was expressed on the part of certain members of that subcommittee with regard to the necessity, in their judgments, for the District Highway Department to come before the legislative committees of the Congress for authorization before the Department proceeded with work on projects in the District of Columbia.

May I say to the Senator from Nevada that I was reluctant to write language into the report in this regard, but it was the view of other Senators that some language was necessary, and perhaps some language is necessary, but whether the language that was incorporated will not straitjacket the Department in pursuing projects for which funds have already been allocated and appropriated, I cannot say.

As chairman of the subcommittee, I was authorized by the subcommittee to appoint three Senators to prepare language on the subject, and I proceeded to name the senior Senator from Wisconsin [Mr. PROXMIRE], the senior Senator from New Jersey [Mr. CASE], and the junior Senator from Maryland [Mr. TYDINGS].

Perhaps at this point the Senator from New Jersey [Mr. CASE], the Senator from Wisconsin [Mr. PROXMIRE], or the Senator from Maryland [Mr. TYDINGS] would care to discuss the matter and perhaps clarify it for the Senator from Nevada [Mr. BIBLE].

Before they proceed to do so, Mr. President, I ask unanimous consent to include in the RECORD a letter from General Duke, one of the three Commissioners for the District of Columbia, under date of June 15, addressed to me, in response to a request from me that he provide his interpretation of the language and the effect it would have.

The VICE PRESIDENT. The 5 minutes have expired.

Mr. BIBLE. Mr. President, I ask unanimous consent that we proceed for not to exceed another 10 minutes. This is a vital matter. I think there should be legislative clarification. I think we can do it in 10 minutes.

I ask unanimous consent that I may proceed for not to exceed 10 minutes.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the letter to which I have just alluded be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

June 15, 1965.

Hon. Robert C. Byrd,
Chairman, Senate Subcommittee on District of Columbia Appropriations, U.S. Senate, Washington, D.C.

Dear Senator Byrd: Based on information contained in a newspaper article today, it appears that the Senate District Appropriations Subcommittee is recommending that all future budget estimates for the District of Columbia highways program be presented only on the basis of prior authorization by the respective District legislative committee.

Since this recommendation relates to similar questions raised concerning various items in the District's annual budget submissions several times during past years, I would like to comment briefly on some of the complexities that are involved.

Last year, Hon. John L. McMillan, chairman of the Committee of the District of Columbia for the House of Representatives, suggested the advisability of submitting individual bills and separate recommendations justifying items covering activities in the District government, which at present are authorized only by appropriation acts. Accordingly, the District Corporation Counsel staff reviewed current legislative authority pertaining to District programs and the results of their findings are incorporated in a letter dated January 5, 1965, to Mr. McMillan from Mr. Walter N. Tobriner, President, Board of Commissioners. This letter summarizes the legislative process that is now being followed in obtaining budget authorization. I am enclosing a copy as background information.

There is no question but that the highway program of the District of Columbia is fully authorized by existing law. This is in contrast with other programs of the District for which authorizing legislation has only recently been drafted and submitted to the Congress. Among these items involved in recent legislative proposals are programs such as the Human Relations Council and the Commissioners Youth Council.

However, if Congress desires initial consideration of highway projects by the respective legislative committees prior to submission of future budget estimates, the District Commissioners will, of course, extend their fullest cooperation. If Congress so desires, then a determination must be made whether the policy is to apply to the entire highway budget, which in addition to the freeway items also includes a large variety of operating budget items as well as capital outlay projects, such as: minor widening, paving and repavement, curb and gutter, cover, heater, sidewalk and alleys, grading and improving of unpaved streets, traffic control facilities, drainage and minor structures, electrical improvements, highway planning and research, landscaping and a variety of activities that are of the housekeeping nature essential to the operation of all large cities.

The basic problem in connection with budgeting for many of the housekeeping activities described above is that it is virtually impossible to obtain more than a year's leadtime that will be necessary to obtain the desired prior consideration by the respective committees. For instance, it recently became necessary, as a result of severe winter damage to street pavements, to revise the highway program to the extent of $1,100,000 to provide funds for emergency repairs.

As additional background information on the general question of legislative authority, attention is invited to a recent letter from the Comptroller General, a copy of which is enclosed. The Comptroller General said: "We agree with the Commissioners that inclusion of the District of Columbia within the term 'State' as used in Federal-aid highway legislation imparts a clear congressional intention to authorize District participation in the program" and "if moneys are appropriated for the District share of a Federal-aid highway project, there would not be any question as to the authority for executing the project."

In this connection, I would like to note that because of the District's obligation to complete the Interstate System by the October 1, 1972, deadline, established by the Congress, all of the elements of the Interstate System for the District of Columbia have been approved by the Congress and at least partially funded by appropriations through fiscal year 1965.

In conclusion, although we are of the opinion that current procedures are appropriate, we wish to reemphasize that the District Commissioners are not averse to a change in procedure that is in the public interest, but because of the complex and far-reaching implications of changes in the budgetary process, we respectfully urge that no change in procedures be effected.

With best personal regards.

Sincerely,

C. M. Duke,
Brigadier General, U.S. Army Engineer Commissioner.

Mr. BYRD of West Virginia. Mr. President, I ask the Senator from New Jersey if he would like to make any comment in response to the question raised by the Senator from Nevada.

Mr. BIBLE. Mr. President, I join in the request that the Senator from New Jersey make his comments, in order that we may have legislative history on the particular point made.

Mr. CASE. Mr. President, in my judgment, the language in the report is a careful reflection not only of the views of the Senator from Maryland [Mr. Tydings] and, as I recall, the Senator from Wisconsin [Mr. Proxmire] and myself, but also a majority of the members of the committee. We are concerned about the free hand which the Highway Department of the District of Columbia has been exercising in regard to streets and highways within the District. It has seemed to us that, when they get money to spend, it constitutes a kind of legislative authorization for their activities; that this is all they require.

It has been my experience on this committee that we have not, in fact, exercised that responsibility. I do not believe we should have to, but some elective body responsible to the people should control the Highway Department. That is my personal judgment.

In answer to the question of the Senator, specifically, it is desirable that the legislative committee in the Senate and the legislative committee in the House have this responsibility as the governing body of the District of Columbia—which, in fact, they are.

I have been deeply concerned by the fact that this monstrous plan for highways through and over the District of Columbia is going ahead like a juggernaut without really any responsible control by any governing authority. I am not blaming those who build the highways. This is what they are interested in. What they see as their duty is the building of highways. But there should be somebody to protect the District of Columbia and protect it from becoming chiefly a channel for rubber-tired vehicles.

There have been many articles written about this matter. They include one which appeared in the Washington Post, on June 18.

The general thrust of the article is that if we are lucky, the Highway Department may permit us to save the beautiful Tidal Basin in front of the Jefferson Memorial, because they will do something about changing the present plan which now involves, for example, the running of a great wide roadway right over it. They may even consider a change in the plan for tunneling under the Lincoln Memorial so that the beauty of this fine edifice and national monument will not be destroyed. But, they may not.

It is time that someone besides the Highway Engineers for the District of Columbia makes these decisions. Anyone who has looked—as I have done many times before—at what has happened to the small segment of the highway plan which has been completed—and it is not all completed yet—in Southwest Washington, and who has seen the destruction wrought by the construction which has just begun in other areas near the Potomac River, cannot help feeling that it is time we called a halt to it.

Perhaps the plans should go through. Perhaps they should not. But this fact is true: Someone responsible to the people should have responsibility for deciding whether the plans should go through or not. It should not be the engineers who should make that decision. Therefore, it is the view of those of us on the Appropriations Subcommittee—and this was approved by the full committee, because the language was before the full committee—that this should be the Legislative Committees for the District.

Mr. BIBLE. Mr. President, I am not quarreling with anyone on this problem. I wish merely to be enlightened about it. The problem was called to my attention. I did not happen to be in the full committee or in the subcommittee, because of other commitments which I felt were of greater importance, but for the guidance of the Highway Department I am sure that they would like to know, as I would, what they can do next.

Might I, in propriety, ask this question—the same one I asked the Senator from West Virginia—concerning the Department which has expended $28 million on the center leg of the inner loop, Is it the position of the Appropriations Committee, by this language, that it should be held in abeyance until they have come back with the proper authorization of the committees on both sides of the Hill, whether it is the Public Works Committee which has to do with interstate highways, or the District of Columbia Committee which has to do with District of Columbia problems, to secure authorization after the $28 million has already been expended? I ask that question seeking guidance, and that is all.

Mr. CASE. That was our language. That language is clear that all future budget estimates would be presented to the Appropriations Committee only on the basis of specific authorizations for those programs from the Senator's committee.

Mr. BIBLE. Very well.

Mr. CASE. That is all I believe that we have said. I am quite sure that I am expressing the views of many of those on the committee when I say that just because they may have made a start on a certain program, but have not had the moneys appropriated for any other part of it, does not necessarily give them carte blanche authority to finish it as they wish, but that they should feel they are obliged to get whatever approval is required on the basis of justification for the continuation of a certain job.

Mr. BIBLE. Do I understand the Senator from New Jersey correctly, using one example which I picked at random from the Interstate Highway System, found on page 16, that before the highway engineers of the District of Columbia would proceed any further with the expenditure of the $900,000 which has been appropriated as the District's share for the Interstate Highway System, fiscal 1966, that the engineer should first come to the appropriate legislative committees and bring this project to them and get authorization for that project. That is all I am asking. I am not quarreling at all. I am just seeking guidance, and seeking guidance for the District Highway Department if I can.

Mr. CASE. We are all interested in trying to give guidance to the Highway Department. We would like that Department to listen to some guidance which we have to offer. We do not feel that this should be a game whereby one can get authority in any way he can, whether by way of appropriations for small parts of something which may be much larger than the thing specifically appropriated for, or by presenting some general design to a committee and not having anyone object to it. The Senator's specific question is: Does the language cover anything in this particular budget? The answer is that I do not believe it does.

Mr. BIBLE. It does not? Will the Senator from New Jersey repeat his answer again?

Mr. CASE. Just what I said. I believe the report language refers to future budget requests.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The time of the Senator from Nevada has expired.

Mr. BIBLE. Mr. President, I ask unanimous consent to proceed for 3 more minutes.

Mr. BASS. Mr. President, reserving the right to object, are we not supposed to be voting at 2:30 this afternoon?

The PRESIDING OFFICER. By the original agreement, the Senator is correct.

Mr. BASS. This bill was debated all day yesterday and today so far.

How much time is the Senator from Nevada requesting?

Mr. BIBLE. I asked for 3 minutes. The only reason I did not bring it up yesterday was that it was not called to my attention until today.

Mr. BASS. I have no objection for the Senator to proceed 3 minutes more on the bill, but after that I will object.

Mr. CASE. In response to the Senator's question——

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

Mr. RANDOLPH. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. RANDOLPH. Mr. President, I hope that my colleague from Tennessee will not insist on closing this debate within 3 minutes. There are those of us on the Public Works Committee on the Senate—I, for one, as chairman of the Subcommittee on Public Roads—who consider this to be a matter of real concern to a committee which has jurisdiction in connection with the construction of highways throughout the Nation, including the District of Columbia.

I desire to be heard.

Mr. BASS. I do not wish to be involved in any flaring of tempers, but I desire to assert that yesterday on the floor of the Senate this subject was debated all day, and very few Senators were in the Chamber to show much interest in it. I have made appointments for this afternoon based upon the agreement that the Senate would vote on the bill at 2:30. I should therefore like to say that it is quite an inconvenience to me—as well, I am sure, to many other Senators—when we plan to come into the Chamber for a vote at a time certain, and the debate is delayed and delayed. Therefore, I must say that I will object after the 3 minutes has expired of the time allotted to the Senator from Nevada.

The PRESIDING OFFICER. Is there objection to the additional 3 minutes to be allotted to the Senator from Nevada?

Mr. BIBLE. I shall try to be as brief as I can.

Mr. DODD. Mr. President, a parliamentary inquiry?

Mr. GRUENING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Connecticut will state it.

Mr. DODD. Has a yea and nay vote been ordered?

The PRESIDING OFFICER. A yea-and-nay vote has not yet been ordered on the bill.

Mr. GRUENING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Alaska will state it.

Mr. GRUENING. Will it be a yea and nay or a voice vote?

The PRESIDING OFFICER. The Chair has no way of knowing at this moment. No yea-and-nay vote has been requested yet.

Is there objection to the additional 3 minutes being allotted to the Senator from Nevada?

The Chair hears none, and it is so ordered.

Mr. BIBLE. Mr. President, I shall try to bring this debate to a close without delay. I would have brought this to the attention of the Senator from West Virginia yesterday, if it had been called to my attention in time. I was not aware of it until approximately 5:30 last night. I took the very first opportunity I could to come into the Chamber and ask questions about it. I believe that we should go into this issue in depth. It may well be that there will not be a yea-and-nay vote. Perhaps there will be other opportunities to go into this subject, but, in any event, I urge the chairman of the Appropriations Subcommittee and his fellow members to take a close look at the language, and if clarification is necessary, it can go to conference and can be reported with language which will have clarified the meaning.

Do I understand the Senator from New Jersey [Mr. CASE] correctly—and please feel free to correct me if I do not quote him accurately—that this problem has no relationship to the $28 million project already started? I do not know whether it does or not.

Mr. CASE. I can only say that I interpret the language of the subcommittee in accordance with its terms. The language states that an appropriation request to the Appropriations Committee should be made only on the basis of prior approval of projects evolved by the legislative committees. That is all the language says.

Mr. TYDINGS. Mr. President, will the Senator from New Jersey yield?

Mr. CASE. I am glad to yield to the Senator from Maryland.

Mr. TYDINGS. The RECORD should be clear that there was no feeling of criticism of the District of Columbia Highway Department. We did feel in the Appropriations Committee that somewhere in the legislative process there should be somebody which would be answerable to the people at some time for the highway program of the District of Columbia; that it should be a legislative body, and it should be the District of Columbia legislative committee. If the Senator from Nevada will recall, I did mention to him in our last meeting of the full District Committee, the action which the Subcommittee on Appropriations had taken with relation to this matter. I pointed out that I felt that the legislative committee should have the responsibility of overseeing the highway program of the District of Columbia.

Until we achieve home rule, the District of Columbia legislative committee has overall jurisdiction for the physical development of the District of Columbia. We have jurisdiction over the National

Capital Planning Commission, the Redevelopment Land Agency, the National Capital Housing Authority, and we will have jurisdiction over any rapid rail transit agency that is authorized. The highway program is a vital part of the overall physical development plan of the District of Columbia and should be coordinated with other programs by a responsible legislative body. Such coordination is essential if we are to provide the best possible balanced transportation system, and make the Nation's Capital a pleasant place to live and work.

This is not an effort to curtail, slow down, or hinder the District of Columbia highway effort. We merely want to designate a responsible legislative body for the overall coordination of the physical development of the Nation's Capital. Such responsibility should rest in the legislative committee of the District of Columbia, chaired by the distinguished senior Senator from Nevada [Mr. Bible].

Mr. BIBLE. It may well be that the Senator from Maryland mentioned that to me. I would not wish to see the highway program grind to a halt.

Mr. TYDINGS. There is no such intention. We have an excellent highway program. We wish the highway program to continue. We simply want to provide that if a person or responsible group has any criticism to make of the Highway Department, past or present, either because it is going too fast or not fast enough, he should be able to go to the appropriate legislative committee. It has the overall responsibility for transportation planning in the District of Columbia.

The PRESIDING OFFICER. The time of the Senator from Nevada has expired.

Mr. BIBLE. I thank the Senator. I hope the conference committee can make it crystal clear.

Mr. CASE. Mr. President, I ask unanimous consent that the article in the Washington Post I referred to earlier be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Freeway Tunnel Model Unveiled

A National Park Service exhibition of Washington's natural and architectural landmarks reveals a surprising first public glimpse of the planned six-lane freeway tunnel under the Lincoln Memorial.

The display is surprising since the model reportedly does not represent the final design.

As a result of recent White House interest in "natural beauty," Interior Secretary Stewart Udall has quietly retained Architect Nathaniel Owings to take a critical look at Park Service plans to enliven the Mall and the project to slash the city's monumental heart with the proposed southern leg of the Inner Loop Freeway.

The freeway connects the west, or Potomac, portion of the loop which is now under construction with the completed Southwest Freeway. It is Interstate Route 695.

As presently conceived the six-lane ribbon skirts the proposed John F. Kennedy Center for the Performing Arts. It worms its way under the Lincoln Memorial, covers a part of the Tidal Basin and then sends its tentacles onto the 14th Street Bridge just to the side of the Jefferson Memorial.

Although the previous Fine Arts Commission approved this $32 million project in principle back in 1960, there has been virtually no public discussion of it since. Washington planners, however, have long felt uneasy about this radical highway surgery. They fear it will leave serious scars on a symbolic park that is the pride of the entire Nation.

No one in an official position intends to repeal this freeway which has become an essential part of the city's proposed system.

But Architect Owings hopes to minimize its visual damage. He has reportedly succeeded in persuading the highway engineers to spare the Tidal Basin.

His plan is to tunnel the freeway under that lovely body of water and preserve its natural contours. He would then also eliminate the present Independence Avenue crossing, which most planners consider an eyesore.

Owings' proposal would create a walkway all around the basin and augment its famous cherry trees.

He also intends to restudy thoroughly the freeway's Lincoln Memorial tunnel which under present plans creates an enormously wide, cave-like gash at its entrances. This might be even more disturbing at night than during the day, since the wide tunnel under the shrine would, of course, have to be well lighted.

Owings also hopes to find some solution to the problem of leading the freeway ramps onto the 14th Street Bridge without giving the Jefferson Memorial the appearance of a lump of sugar in a bowl of spaghetti.

The exhibit, which opened yesterday at the Interior Department Art Gallery, is entitled "River, Port and Capital." In enlarged historic prints and photographs it traces the development of the Capital City from the days before L'Enfant to the present.

Mr. RANDOLPH. Mr. President, I ask unanimous consent to proceed for 60 seconds.

The PRESIDING OFFICER. Is there objection?

Mr. BASS. Reserving the right to object——

Mr. RANDOLPH. I withdraw the request.

The PRESIDING OFFICER. The request has been withdrawn.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 6453) was passed.

Mr. JAVITS. Mr. President, I wish the Record to show that I voted "aye."

Mr. BYRD of West Virginia. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. Byrd of West Virginia, Mr. Hayden, Mr. Bartlett, Mr. McIntyre, Mr. Case, Mr. Cotton, and Mr. Saltonstall conferees on the part of the Senate.

COINAGE OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 305, S. 2080; that it be laid down and made the pending business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 2080) to provide for the coinage of the United States.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Banking and Currency, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Coinage Act of 1965".

TITLE I—AUTHORIZATION OF ADDITIONAL COINAGE

Sec. 101. (a) The Secretary may coin and issue pursuant to this section half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet the needs of the public. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

(1) The half dollar shall have—

(A) a diameter of 1.205 inches;

(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

(C) a core of an alloy of silver and copper such that the whole coin weighs 11.5 grams and contains 4.6 grams of silver and 6.9 grams of copper.

(2) The quarter dollar shall have—

(A) a diameter of 0.955 inches;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 5.67 grams.

(3) The dime shall have—

(A) a diameter of 0.705 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 2.268 grams.

(b) Nothing in this Act shall prohibit the continued minting of half dollars, quarter dollars, and dimes of standard coin silver as authorized by law at the time of enactment of this Act.

Sec. 102. All coins and currencies of the United States (including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations), regardless of when coined or issued, shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues.

Sec. 103. (a) In order to acquire equipment, manufacturing facilities, patents, patent rights, technical knowledge and assistance, metallic strip, and other materials necessary to produce rapidly an adequate supply of the coins authorized by section 101 of this Act, the Secretary may enter into contracts upon such terms and conditions as he may deem appropriate and in the public interest.

(b) During such period as he may deem necessary, but in no event later than five years after the date of enactment of this Act, the Secretary may exercise the authority conferred by subsection (a) of this section without regard to any other provisions of law governing procurement or public contracts.

Sec. 104. During the five-year period commencing on the date of enactment of this Act, the Secretary shall purchase at a price of $1.25 per fine troy ounce any silver mined after such date of enactment from natural deposits in the United States or any place subject to the jurisdiction thereof and tendered to a United States mint or assay office within one year after the month in which the ore from which it is derived was mined.

SEC. 105. (a) Whenever in the judgment of the Secretary such action is necessary to protect the coinage of the United States, he is authorized under such rules and regulations as he may prescribe to prohibit, curtail, or regulate the exportation, melting, or treating of any coin of the United States.

(b) Whoever knowingly violates any order, rule, regulation, or license issued pursuant to subsection (a) of this section shall be fined not more than $10,000, or imprisoned not more than one year, or both.

SEC. 106. (a) There shall be forfeited to the United States any coins exported, melted, or treated in violation of any order, rule, regulation, or license issued under section 105(a), and any metal resulting from such melting or treating.

(b) The powers of the Secretary and his delegates, and the judicial and other remedies available to the United States, for the enforcement of forfeitures of property subject to forfeiture pursuant to subsection (a) of this section shall be the same as those provided in part II of subchapter C of chapter 75 of the Internal Revenue Code of 1954 for the enforcement of forfeitures of property subject to forfeiture under any provision of such Code.

SEC. 107. The Secretary may issue such rules and regulations as he may deem necessary to carry out the provisions of this Act.

SEC. 108. For the purposes of this title—

(1) The term "Secretary" means the Secretary of the Treasury.

(2) The term "clad coin" means a coin composed of three layers of metal, the two outer layers being of identical composition and metallurgically bonded to an inner layer.

(3) The term "cladding" means the outer layers of a clad coin.

(4) The term "core" means the inner layer of a clad coin.

(5) A specification given otherwise than as a limit shall be maintained within such reasonable manufacturing tolerances as the Secretary may specify.

(6) Specifications given for an alloy are by weight.

TITLE II—AMENDMENTS TO EXISTING LAW

SEC. 201. The first sentence of section 3558 of the Revised Statutes (31 U.S.C. 283) is amended to read: "The business of the United States assay office in San Francisco shall be in all respects similar to that of the assay office of New York except that until the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins, its facilities may be used for the production of coins."

SEC. 202. Section 4 of the Act of August 20, 1963 (Public Law 88-102; 31 U.S.C. 294), is amended by changing "$30,000,000" to read "$45,000,000."

SEC. 203. (a) Section 3 of the Act of December 18, 1942 (56 Stat. 1065; 31 U.S.C. 317c), is amended by striking "minor" each place it appears.

(b) Section 9 of the Act of March 14, 1900 (31 Stat. 48; 31 U.S.C. 320), is repealed.

SEC. 204. (a) Section 3517 of the Revised Statutes (31 U.S.C. 324) is amended to read:

"SEC. 3517. Upon one side of all coins of the United States there shall be an impression emblematic of liberty, with an inscription of the word 'Liberty', and upon the reverse side shall be the figure or representation of an eagle, with the inscriptions 'United States of America' and 'E Pluribus Unum' and a designation of the value of the coin; but on the dime, 5-, and 1-cent piece, the figure of the eagle shall be omitted. The motto 'In God we trust' shall be inscribed on all coins. Coins shall be inscribed with the year of the coinage or issuance unless the Secretary of the Treasury, in order to prevent or alleviate a shortage of coins of any denomination, directs that coins of that denomination continue to be inscribed with the last preceding year inscribed on coins of that denomination."

(b) The Act of September 3, 1964 (Public Law 88-580; 31 U.S.C. 324 note), is repealed.

SEC. 205. The first sentence of section 3526 of the Revised Statutes (31 U.S.C. 335) is amended to read: "In order to procure bullion for coinage or to carry out the purposes of section 104 of the Coinage Act of 1965, the Secretary of the Treasury may purchase silver bullion with the bullion fund."

SEC. 206. (a) Section 3528 of the Revised Statutes (31 U.S.C. 340) is amended to read:

"SEC. 3528. The Secretary of the Treasury may use the coinage metal fund for the purchase of metal for coinage. The gain arising from the coinage of metals purchased out of such fund into coin of a nominal value exceeding the cost of such metals shall be credited to the coinage profit fund. The coinage profit fund shall be charged with the wastage incurred in such coinage, with the cost of distributing such coins, and with such sums as shall from time to time be transferred therefrom to the general fund of the Treasury."

(b) The effect of the amendment made by subsection (a) of this section shall be to redesignate the minor coinage metal fund established under section 3528 of the Revised Statutes as the coinage metal fund, and not to authorize the creation of a new fund.

SEC. 207. The second sentence of section 3542 of the Revised Statutes (31 U.S.C. 355) is amended by changing ", in the case of the superintendent of melting and refining department, one-thousandth of the whole amount of gold, and one and one-half thousandths of the whole amount of silver delivered to him since the last annual settlement, and in the case of the superintendent of coining department, one-thousandth of the whole amount of silver, and one-half thousandth of the whole amount of gold that has been delivered to him by the superintendent" to read "such limitations as the Secretary shall establish".

SEC. 208. Section 3550 of the Revised Statutes (31 U.S.C. 366) is repealed.

SEC. 209. The second sentence of section 2 of the Act of June 4, 1963 (Public Law 88-36; 31 U.S.C. 405a-1) is amended to read: "The Secretary of the Treasury is authorized to use for coinage, or to sell on such terms and conditions as he may deem appropriate at a price not less than the monetary value of $1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates."

SEC. 210. The last sentence of section 43 (b)(1) of the Act of May 12, 1933 (Public Law 10, 73d Congress; 31 U.S.C. 462) is repealed.

SEC. 211. (a) Section 485 of title 18 of the United States Code is amended to read:

"§ 485. COINS OR BARS

"Whoever falsely makes, forges, or counterfeits any coin or bar in resemblance or similitude of any coin of a denomination higher than 5 cents or any gold or silver bar coined or stamped at any mint or assay office of the United States, or in resemblance or similitude of any foreign gold or silver coin current in the United States or in actual use and circulation as money within the United States; or

"Whoever passes, utters, publishes, sells, possesses, or brings into the United States any false, forged, or counterfeit coin or bar, knowing the same to be false, forged, or counterfeit, with intent to defraud any body politic or corporate, or any person, or attempts the commission of any offense described in this paragraph—

"Shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both."

(b) The table of sections at the beginning of chapter 25 of such title is amended by striking

"485. Gold or silver coins or bars."

and inserting

"485. Coins or bars."

TITLE III—JOINT COMMISSION ON THE COINAGE

SEC. 301. The President is hereby authorized to establish a Joint Commission on the Coinage to be composed of the Secretary of the Treasury as Chairman; the Secretary of Commerce; the Director of the Bureau of the Budget; the Director of the Mint; the chairman and ranking minority member of the Senate Banking and Currency Committee; the chairman and ranking minority member of the House Banking and Currency Committee; one Member of the House of Representatives to be appointed by the Speaker; one Member of the Senate to be appointed by the President of the Senate; and four public members to be appointed by the President, none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics, or production of the coinage of the United States.

SEC. 302. No public official or Member of Congress serving as a member of the Joint Commission shall continue to serve as such after he has ceased to hold the office by virtue of which he became a member of the Joint Commission. Any vacancy on the Joint Commission shall be filled by the choosing of a successor member in the same manner as his predecessor.

SEC. 303. The Joint Commission shall study the progress made in the implementation of the coinage program established by this Act, and shall review from time to time such matters as the needs of the economy for coins, the standards for the coinage, technological developments in metallurgy and coin-selector devices, the availability of various metals, renewed minting of the silver dollar, the time when and circumstances under which the United States should cease to maintain the price of silver, and other considerations relevant to the maintenance of an adequate and stable coinage system. It shall, from time to time, give its advice and recommendations with respect to these matters to the President, the Secretary of the Treasury, and the Congress.

SEC. 304. There are authorized to be appropriated to remain available until expended, such amounts as may be necessary to carry out the purposes of this title.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I wish to call the attention of the Senate to the fact that at 3 o'clock this afternoon we begin to deliver eulogies concerning our late, beloved colleague, OLIN JOHNSTON.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. SALTONSTALL. I should like to ask the majority leader if he has any plans for calling up the military construction bill.

Mr. MANSFIELD. Not today. I hope to have the Senate get to it tomorrow or the next day, at the latest.

HIGHWAY CONSTRUCTION IN THE DISTRICT OF COLUMBIA

Mr. BIBLE. Mr. President, I shall hold the floor for only a few minutes. I ask unanimous consent to incorporate in the RECORD at this point the additional information which I have on the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Total Federal-District of Columbia funds appropriated through fiscal year 1965

[90 percent Federal participation, 10 percent District participation]

Project	*Amount*
North leg, west inner loop	$5,970,000
South leg, Inner Loop Freeway	15,000,000
Center leg, inner loop	28,494,000
Northeast, North Central Freeway	12,030,000
Old 14th Street Bridge replacement	300,000
Potomac River Freeway	28,021,068
North leg, central section	9,800,000
Interchange C, inner loop	11,959,000

Mr. BIBLE. These are projects which have not been specifically authorized by legislation clearing the District of Columbia legislative committee. These projects are the subject for budget estimates in the current 1966 budget. If they are to continue as construction projects, as I am advised, they would require budget estimates for fiscal year 1967 and for succeeding fiscal years, in most cases.

Mr. President, under a literal reading of the language of the committee report would these interstate projects require authorization from the District of Columbia legislative committee before construction could be continued?

I am asking these questions only for the purpose of helping to lay a foundation, so that the able chairman, the Senator from West Virginia [Mr. BYRD], as he goes to conference, may clarify this rather troublesome point. The language as it reads, without explanation, without clarification, may require the Highway Department to return to the legislative committee for additional authorization. It does not seem that that is the way it should work out.

My purpose in raising the questions today was to permit the conference committee to place language in the conference report which will make crystal clear what is intended insofar as the highway program is concerned.

Mr. RANDOLPH. Mr. President, I associate myself with the concern which has been expressed by the chairman of the legislative Committee on the District of Columbia.

The matter to which he has made reference was called to his attention very late, I am sure, in the debate on the bill providing appropriations for the District of Columbia. It was called to my attention also only at a late hour.

There is no criticism and there should be no criticism made because certain Senators, including my distinguished friend from Nevada and myself, have directed questions to members of the Appropriations Subcommittee with reference to the construction of the highway program within the District of Columbia.

I say to the able chairman of the subcommittee, the Senator from West Virginia [Mr. BYRD], that I believe the language used was unfortunate language. I believe it is subject to an interpretation which might indicate that programs now in being, programs previously authorized and for which the Federal share of funds has been authorized, to develop an adequate highway system for the District of Columbia, might be slowed down, or possibly stopped. This would certainly be—I use the word advisedly—a tragic result for those persons, by the tens of thousands, who come into the District of Columbia to work in the Federal Establishment.

The District of Columbia must meet the same statutory standards for administration of its Federal-aid highway system as are imposed on the 50 States. These standards include public hearings and concurrence by the Bureau of Public Roads of the Department of Commerce. Much of the District highway program also involves concurrence of the National Capital Planning Commission and the Fine Arts Commission.

The language of the committee report seems, therefore, to add another and an unnecessary layer of decisionmaking authority and singles out the District for a kind of treatment applied to none of the States with regard to their Federal-aid highway program.

The opinion of General Duke must be very carefully considered in reference to the matter which has been raised by the Senator from Nevada.

I state emphatically that, although there is disagreement on that point, I believe there has been adequate planning for the highway program within the District of Columbia. This does not mean that it has been without controversy. But this is true of virtually every urban highway system in the Nation.

I believe, rather than disregard other agencies and commissions, the Highway Department and General Duke, as the Engineer Commissioner, have been very fair and most cooperative in attempting to coordinate and to beautify and to strengthen the highway program as it affects the District of Columbia, and as the District of Columbia naturally fits into a national pattern of road construction.

I would again emphasize that when the Congress enacted the legislation establishing the Interstate and Defense Highway System, and in the amendments subsequent to the act of 1956, the program in the District of Columbia was authorized on the same basis as the programs in the 50 States. I believe it would be an unwarranted intrusion at this time to require further authority of the sort implied by the language of the report.

I wish to emphasize what the Senator from Nevada has said, that we do hope that the conferees on the District of Columbia appropriation bill will give heed to what we are saying. We are not jealous from the standpoint of jurisdiction, particularly, but we are concerned, and properly so, that there be no inhibiting efforts made which would move now to retard the program of highway construction, already begun, in a pattern which is unfolding and developing.

I ask my colleague from West Virginia, in the 1 minute that we have remaining before the hour of 3 o'clock, to state to me and to the other Senators who are on the floor, what his feeling is in this matter, now that we have discussed it in this fashion.

Mr. BYRD of West Virginia. I was reluctant, as I said in committee, to see this language go in the report. I was fearful of it, and I therefore asked General Duke for his reaction to it.

I asked Mr. Whitton his interpretation of it, when he appeared before the Appropriations Subcommittee. He was fearful of it, too. It is my feeling that the Senator from Nevada has raised a very important point. The senior Senator from West Virginia is properly concerned. I am confident, however, that the members of the subcommittee who were appointed to devise this language did not mean for it to constitute a straitjacket on the highway department. They have reason for concern, and they sought only to provide adequate safeguards. It will be my purpose in conference to do whatever I can to make sure that the language, if such is to be put into the conference report, will clarify this matter, so that the road program in the District of Columbia will not suffer undue delays. I know that the other Senate conferees will do what they can, likewise.

Mr. RANDOLPH. Mr. President, I am assured and reassured by the statement the Senator has made in answer to my question. It is in accordance with what General Duke, Mr. Whitton, the Senator from Nevada, and I have said in reference to this point.

Mr. TYDINGS. Mr. President, I wish merely to add that the chairman of our subcommittee spoke accurately in his description of what the purpose of the language was. It was not intended to be a straitjacket. The answer he gave is the answer that I would have given.

Mr. RANDOLPH. I shall state further that I have discussed the subject with the chairman of the Committee on Public Works. He feels, as do we, that as the members of the conference go to conference they will be mindful of the case we are making—I believe very properly—this afternoon.

TRIBUTES TO HON. OLIN D. JOHNSTON

The PRESIDING OFFICER. The hour of 3 o'clock p.m. having arrived, in accordance with the agreement previously entered into, the Senate will lay aside the unfinished business in order to hear memorial addresses on the life, character, and public service of Hon. OLIN D. JOHNSTON, late a Senator from the State of South Carolina.

Mr. RUSSELL of South Carolina. Mr. President, I rise today to pay tribute to one who was deservedly respected as a distinguished South Carolinian, a patriotic American, and a great humanitarian.

OLIN DEWITT JOHNSTON died some 2 months ago, a steadfast champion of human welfare, a dedicated public servant, and one who loved and served his State and Nation with complete devotion.

He served in this distinguished body for many years and he used that service in an unending search for a better life for the people of South Carolina and the Nation.

I shall not here today recount the public honors which were bestowed upon him so munificently by the citizens of South Carolina, honors such as few have ever achieved. I shall rather remind you on this occasion of these human qualities which set Olin Johnston apart from his contemporaries, and which enabled him to serve his fellowman with such fidelity and success for many decades in public life.

From his early entry into government, his concern was with those progressive measures of government, at the State and national level, which would directly improve the lives of his constituency, their standard of living and their sense of dignity. His career was not limited to words or mere professions of interest. It was translated into such practical forms as reasonable rates for automobile license plates, electrification of rural farm homes, a broad social security coverage, medical care for the aged, and higher salaries for Government employees.

From his concern and that of others like him, sprang, during Olin Johnston's lifetime, those useful governmental programs which have been indispensable in giving this Nation the highest standard of material prosperity in the world, within the bounds of a sound and strong free enterprise framework.

He drew his physical, spiritual and political strength from a warm relationship with the people, which many wish to emulate, but few can achieve. Olin Johnston walked amongst the people at campaign time, appreciating each for what he was—textile worker, farmer, banker, newsman, merchant, vendor—and imparted dignity to each individual by his careful and honest regard for him.

South Carolina is a State of varied opinions, and it is not easy to ascertain the majority from the many conflicting voices which can be heard. It was the measure of Olin Johnston's courage that he adopted many positions which were quite controversial, never bowing to the chorus of criticism which resulted from some of his actions and his votes in this body, and never wavering in his loyal support of what he deemed fair and right.

The people of my State appreciated Olin Johnston; and even those who disagreed with him, admired his tenacity of purpose and his consistent philosophy, championed even when the tide was running against him. They knew him to be a leader and not a follower, a man of deep conviction and of enduring purpose. With integrity and inflexible perseverance he carried forward his principles of government and has written high his name in the records of statesmen.

I believe that no more fitting nor eloquent tribute to him can be written than one published shortly after his death by his close and dear friend, former Senator Wilton Hall of Anderson, S.C. I would like to share those words with you today, on this occasion when we honor Olin D. Johnston in the Chamber where he spent more than two decades of his life:

> It has been said that the measure of a life is not its duration but its donation to the betterment of mankind. The question is not "How long did a man live?" but "How much will he be missed?" Senator Johnston will be missed.
>
> There is sorrow in humble homes and stately mansions.
>
> There is sorrow in field and factory.
>
> There are heavy hearts on teeming city streets and in isolation of rural homes.
>
> South Carolinians in all walks of life loved him for his broad sympathy and his single-minded, unselfish devotion to duty on their behalf.
>
> In an era in which men of little faith and brittle promises increasingly challenge the fundamentals of truth and pledges courageously kept, Olin D. Johnston stood as a lighthouse upon a storm-lashed promontory. He was an honest man—honest with himself and with the people of South Carolina.
>
> He had an implicit faith in his fellow men.
>
> That this was reciprocated was shown in election return records long cold and, more importantly, in the warmth he imparted to thousands of hearts. His faith and trust were radiant and contagious.
>
> Olin D. Johnston's patience and understanding were legendary, yet when he set out to correct situations making lives uneasy and burdens heavy, he was a determined fighter impatient with wrong and injustice, no matter what form those ancient enemies of mankind might assume.
>
> The long road he traveled from his humble birthplace to his position of leadership in the most powerful legislative body in the world was not easy. It was not easy in his youth, nor in manhood, nor even after it had carried him to the eminence.
>
> Always the man on the eminence is a target. This is especially true in a democracy. This is the American way. It is the right way, as the permanency of our form of government proves. The target must be able to withstand shots from all directions. If it is vulnerable, it will go down.
>
> Time and again Olin D. Johnston proved invulnerable. In the crucible of the ballot box he withstood the sternest of tests because nothing could melt or twist his character, and the people who held his career in their hands knew this to be true.
>
> Senator Johnston was a lifelong Democrat. He did not embrace all of the passing policies and programs of the national party, but he did have a deep and abiding belief in those basic factors which, despite changing outer costumes and trappings, characterize the democratic concept.
>
> This concept is based upon the recognition that the quiet and unassuming work of ordinary, God-fearing law-abiding people is the backbone and sinew and soul of State and Nation.
>
> It is they who produce the leaders, such as Senator Johnston. It is they who may be depended upon to hold firmly to the course of decency and honesty.
>
> It is they, the many, who have the deeper understanding and compassion for the aged, the sick, and the unfortunate, young and old.
>
> Senator Johnston adhered to this concept throughout his life.
>
> His was not the way of expediency. His power and influence were great because he would not compromise on principle, no matter what his personal political fate might be.
>
> Like the sun and the rain have their timeless effect upon nature, so will the example and influence of this great and good man's life continue to inspire today's and future generations.
>
> Senator Johnston made State and national history. He will be remembered in those annals for his vision and statesmanship. His even more lasting shrine will be in the hearts of the people to whom he gave his full measure of duty and devotion.

Mr. President, in conclusion, Mrs. Russell and I would express to the widow who shared so fully in the achievements, in the success and in the life of our beloved late colleague, and to his beloved children, our deepest and most sincere sympathy.

Mr. President, I would also like to honor his memory today by having printed in the Record a tribute to him compiled by his longtime friend, Roy A. Powell of Columbia, S.C. It was first presented on June 1, 1965, at the memorial exercises for deceased members of the Richland County Bar Association.

There being no objection, the eulogy was ordered to be printed in the Record, as follows:

Olin D. Johnston, November 18, 1896–April 18, 1965

(Compiled by Roy A. Powell, Columbia, S.C., June 1, 1965)

Olin DeWitt Talmadge Johnston was born November 18, 1896, in a planked over log cabin on a tenant farm, 3 miles from Honea Path in Anderson County, the eldest son of Edward A. and Lelia Webb Johnston, in the month that Democrat William Jennings Bryan was defeated for the Presidency by Republican William McKinley.

At the age of 10 he earned his first dollar. He received a bull calf in payment for hoeing cotton and in the fall, when a little fatter, he sold it for $2.50. When 11, he went to work in nearby Chiquola Cotton Mill as a floor sweeper at 25 cents a day, but within 2 years was promoted to a job that paid $12 a week. He ran away from home at 13, worked as a curtain dropper in an Atlanta theater, then sought cotton mill work at Gainesville, Ga., where his father found him, and it is said that he and his father made the trip back home under circumstances somewhat strained.

Inspired by the firey stump speaking of Gov. Cole L. Blease, Olin determined at 14 that he wanted to be Governor of South Carolina. Necessity, however, demanded that for the next few years he contribute to the support of the family by working in the mill and on the farm. One day, at the age of 18, he looked up from between his whirring looms and suddenly realized that he was fast becoming a man without even a high school education. Then and there he decided to do something about it. Through Dr. C. E. Camack, head of the Textile Industrial Institute at Spartanburg, he entered this institution and by working a week in Saxon Mill and going to school the next week, he crammed the equivalent of a high school education into 13 months and received a diploma.

Furman University and Clemson College were unable to honor Olin's application for entrance. Wofford College, however, accepted him conditionally and he worked his way through college at several jobs. One summer he held down two 10-hour-a-day textile jobs. Later read proof, morning, afternoon, and night for the Spartanburg Herald and Journal newspapers. His college jobs also included securing student roomers for a boardinghouse and as a collector for Meyerson's Clothing Store.

At the beginning of World War I Olin tried to enlist in the Marines but was turned down because of colorblindness and flat feet. Col. J. Monroe Johnson called upon young Olin to aid him in organizing and recruiting the 117th Engineer National Guard Regiment. Enlisting as a private he did an outstanding job for Colonel Johnson, whose everlasting friendship he won and treasured throughout his life. The 117th Engineer Regiment was assigned to Camp Jackson in Columbia and Olin's company was given the task of laying out the camp's first streets and roads. The 42d (Rainbow) Division, to which his regiment was attached, was the first complete National Guard division to land in France, commanded by Gen. Douglas McArthur, another great American who returned in full measure Olin's great admiration and esteem.

During his 18 months' service in France, on one occasion, Private Johnston was assigned the task of policing up the barracks area by picking up all the bottles and burying them because the general was coming for an inspection. He collected the bottles, but he didn't bury them; he sold them to a French merchant for a fancy price. To further supplement his meager private's pay, he operated a one-man canteen when the military canteens were closed. For recreation he represented his outfit in boxing in the heavyweight class and became division champion. Participating in several battles he was gassed and had narrow escapes from death at the front. He received a regimental citation for bravery in action and was later honorably discharged with the rank of sergeant after declining an offer of officer training.

On his return from the war he resumed his studies at Wofford College and received an A.B. degree in 1921.[1] Entering the University of South Carolina Law School he again worked his way by serving as head law librarian and in 3 years received two degrees—an M.A. degree and a law degree. He was admitted to practice before the Supreme Court of South Carolina in 1924. During his junior year in law school he ran for the house of representatives from Anderson County and was elected on the first ballot. This was his first venture in politics.

Moving to Spartanburg in 1924, he established the law firm of Johnston & Faucette (Andrew McConnell Faucette, a classmate). He then ran for the house in his adopted county of Spartanburg and served two terms, each time being elected on the first ballot.

On the 27th of December, 1924, in a quiet ceremony he married the former Miss Gladys E. Atkinson of Spartanburg, a schoolteacher at the Boiling Springs schools and they had three children, Olin D. Johnston, Jr., Gladys Elizabeth Johnston and Mrs. Vernon (Sallie) Scott and two grandchildren, Rip and Boo Scott.

In 1930, at the age of 33, Olin Johnston first ran for Governor of South Carolina and led the ticket in the first race by 15,000 votes in a field of eight candidates. In the second race he lost a disputed election to his fellow townsman, Solicitor Ibra C. Blackwood, by 969 votes, when the Charleston ballots were burned and the ashes reputedly thrown in the ocean, making a recount impossible. He ran again for Governor in 1934 against his erstwhile hero, Cole L. Blease, and six other candidates. At the campaign meeting in Newberry where the other aspirants paid tribute to Blease, a local citizen, Johnston declared in his speech, "I don't seek the crumbs from anybody's table." He defeated Blease decisively in the runoff election.

At the age of 37, on January 19, 1935, Olin D. Johnston took the oath of office on a vest-pocket Bible he had carried through battles in France and became one of South Carolina's youngest Governors. In his inaugural address from the statehouse steps, his opening words were "This occasion marks the end of what is commonly known as 'ring rule' in South Carolina." Johnston was a fighter and to carry out this solemn pledge to the people he called out the National Guard to seize the highway department. He was rebuffed by the Supreme Court, but as a result of the highway fight, Olin Johnston gave South Carolina automobile license plates at an average cost of $3, the cheapest in the Nation.

Courage, personal courage as well as political courage, was one of his strongest attributes. When six desperate prisoners seized and held Capt. Olin Sanders of the State penitentiary as a hostage, at gunpoint, Olin Johnston did not hesitate to walk alone across the length of the prison yard to the small building in which the captain was being held to appeal personally for the captain's release. When the prisoners were finally smoked out with tear gas they left Sanders dying of stab wounds.

Governor Johnston was a favorite of Franklin D. Roosevelt and the President demonstrated his warm affection in many ways. At Olin's request, President Roosevelt personally authorized funds for a pilot rural electrification program in South Carolina, the first in the Nation, making Olin Johnston the "Daddy" of rural electrification. When the University of South Carolina was unable to secure State funds to build the new library which now stands at the head of the university's famous horseshoe, Governor Johnston went to Washington to see his friend, Franklin Roosevelt. The President said, "Olin, you really want that library." Olin said, "Yes, sir, Mr. President, I want it for my alma mater." The President then said, "Well, boy, it's yours."—and Olin got the library.

When Governor Johnston ran for the U.S. Senate in 1938 against Senator Ellison D. "Cotton Ed" Smith, President Roosevelt came to Greenville to speak in Olin's behalf, using the now famous line—that "a man cannot live on 50 cents a day."

On the 5th of December, 1938, President Roosevelt again demonstrated his esteem for Olin Johnston by visiting Governor and Mrs. Johnston at the Governor's mansion in Columbia and enjoyed an all South Carolina breakfast. Later, when the President returned to Fort Jackson during World War II, he recalled the sausage that was prepared and presented for the occasion by the children of Epworth Orphanage.

Johnston's administration as Governor will be remembered as an era of outstanding change, progress and achievement. Through his efforts, the farmers received electricity for their homes and farms; all the people got cheap license plates; the 5 percent State property tax was singularly eliminated by his veto; a labor department was established; the first planning and development board was set up; the State-supported school term was extended from 6 to 9 months; free text books were introduced in the elementary schools; he recommended and the legislature established the industrial commission to administer workman's compensation; employment security and social security were inaugurated; sewerage was extended to textile areas and air conditioning placed in textile plants; the State port's authority was established and plans for the construction of the vast Santee Cooper development were initiated. Ironically, it fell his lot to sign the bill authorizing in 1935 the sale of alcoholic beverages in South Carolina. Although he never drank a drop of whiskey in his entire life, he had promised the people to sign a reasonable liquor bill provided a majority voted for such a measure. They did and he signed.

In 1942, he was elected to a second term as Governor, the only person in the history of the State to be elected Governor for two full 4-year terms.

His second administration was a quiet one in the wartime years, and he served only half his 4-year term, resigning after winning the race for the U.S. Senate against Senator Smith in 1944. He received 27,000 more votes than his four opponents combined. He was reelected to a second Senate term in 1950, a third term in 1956, and a fourth in 1962.

He was twice National Democratic executive committeeman from South Carolina—1936 to 1940 and again from 1944 to 1948. In addition, he was a distinguished lawyer, practicing in all courts and during his latter years maintained an office in Columbia under the name of Johnston & Scott, attorneys.

One of the State's bitterest political campaigns occurred in 1950 when Johnston was opposed for reelection by then Governor Thurmond, the States rights presidential candidate of 1948—his triumph, however, was decisive by approximately 30,000 votes.

One of the proudest moments of Senator Johnston's life came on April 6, 1956, when the people of South Carolina renominated him as Democratic senatorial candidate without opposition.

When the occasion demanded, Olin Johnston did not hestitate to stand alone for what he thought was right. He was the only Senator to vote against the first foreign aid bill and consistently fought excessive aid to foreign nations. He informed George W. Ball, Undersecretary of State for Economic Affairs during the Kennedy administration, that "free trade and one-world economy in reality meant slavery for the American employees, employers and investors and would cause a great outflow of American gold." He was right—it did. As a Nation we face that critical problem today.

He was the only member of the South Carolina congressional delegation to vote against the Taft-Hartley bill. It was a vote, however, that won him the undying devotion of his State's laboring men and women.

As a protest against President Truman's civil rights program, he left his table vacant at a Washington, Jefferson-Jackson dinner of the Democratic Party in 1949.

Yet, unexpectedly at the Democratic National Convention last August in Atlantic City he went to the platform, seconded the nomination of Senator Hubert Humphrey for Vice President and made the successful motion for Humphrey's election by acclamation.

As chairman of the Post Office and Civil Service Committee of the Senate, for 16 years he sponsored and guided more postal legislation through the Congress than any man who ever lived. The very last deed that he performed as a Member of the Senate was to introduce S. 1667, a bill to transfer back to Congress the exclusive right to set rates on parcel post.

At times his pronouncements were prophetic—two areas of dire trouble today—were the subject of his solemn warnings back during the Eisenhower administration—Cuba and the Dominican Republic—the pity and tragedy of our time is that his words were not heeded.

Even men who differed with Senator Johnston's views on world affairs and his support of farm and labor legislation, conceded that he was a man who got things done.

At the time of his passing he was in position to wield vast influence and unusual power in the world's most deliberative body. He was the 9th ranking Senator out of 100 and the 8th ranking Democrat. He was chairman of the powerful Post Office and Civil Service Committee and vice chairman and next in line on both the potent Judiciary and Agricultural Committees. He was also a member of the Democratic steering committee of the U.S. Senate, a position of highest honor held by only a few.

From a tenant farm in Anderson County and the textile mills of Spartanburg, the 6-foot-3 country boy rose to a 42-year political career that led twice to the governorship of his beloved State and then to Capitol Hill in Washington, where his hulking frame and deep voice became familiar fixtures for more than 20 years on the national scene of America. He became as much at home with kings and monarchs as with the everyday man, and when he died the great of the Nation came in person to pay him homage and mourn his passing—the President of the United States and Lady Bird; the Vice President of the United States and Mrs. Humphrey; the majority leader and other colleagues of the Senate from both sides of the aisle, as well as members of the President's Cabinet.

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[1] Last year at the 1964 commencement, Wofford College honored him with a doctor of laws degree.

OLIN JOHNSTON devoted his life to raising the dignity and improving the lot of the workingman, and though occasionally defeated, he won every office he ever sought.

Throughout his long and colorful career of service to State and Nation, the Senator never failed to remember what it is like to be born with a pewter, rather than a silver spoon. He never forgot the little people of South Carolina.

He knew and understood, from firsthand, the privations of the poor, the constant struggle for survival of the textile worker, the pain of the Federal employee ignored by the sprawling bureaucracy, and the debilitating toil of the farmer patiently coercing a living out of Carolina soil. He knew and these people knew that OLIN JOHNSTON knew—and cared.

A skilled campaigner and stump speaker, with ready smile and handshake, OLIN JOHNSTON was at his best at the mill shifts, crossroads and courthouses. He was indefatigable and appeared early and late with dust on his shoes and a suit showing signs of hard travel, calling most of those who turned out to greet him by their name.

To the question "How are things going OLIN," even now I can hear his characteristic reply, "Everything good, good boy, good."

He died on Easter Sunday, at 4:21 in the morning the 18th of April 1965. He was buried 3 miles from Honea Path in Anderson County in the red soil of the little cemetery of Barker's Creek Church, the rural community of his birth.

With his passing an era in the political annals of the Palmetto State also died. The working men and women, the little people, many obscure and unknown, who earn their living with their hands through hours of sweat and toil—lost their champion.

OLIN JOHNSTON was a man unique among men and among politicians. Loyalty, unwavering loyalty was his principle, his creed, his practice. While others changed with the political tide, forgetting today their solemn promises of yesterday—OLIN JOHNSTON remained ever true to the people who first elected him to public office, to his Christian principles, to the Democratic Party and to the many thousands who knew him personally as a steadfast friend.

I have seen many men, but I have never known a truer, gentler, kindlier, manlier man than OLIN JOHNSTON.

"Death comes to all
But great achievements raise a monument
Which shall endure until the sun grows cold."

Mr. THURMOND. Mr. President, on April 18, 1965, a distinguished colleague passed from the scene.

Senator OLIN D. JOHNSTON leaves behind a long and successful career of political activity.

He was born on a farm near Honea Path, S.C., on November 18, 1896, to E. A. and Leila Webb Johnston. His studies at Wofford College, Spartanburg, S.C., were interrupted by World War I in which he served as a volunteer with the 117th Engineers of the 42d Division. He served for 18 months overseas.

After the war, he resumed his studies at Wofford College and earned a B.A. degree in 1921. Subsequently, he earned a master's degree at the University of South Carolina in 1923 and the bachelor of law degree in 1924 from the University of South Carolina.

He was elected to his first political office in 1922 as a member of the South Carolina House of Representatives from Anderson County. In 1926 he was elected to the House of Representatives from Spartanburg County, having moved his home to Spartanburg in 1924. He served in the House of Representatives until 1930.

He narrowly missed being elected Governor in 1930, and 4 years later, in 1934, he was elected as Governor of South Carolina. He was elected again as Governor of South Carolina in 1942, and in 1944, he was elected to the U.S. Senate, where he served continuously until the time of his death.

Senator JOHNSTON had a large and loyal political following in the State of South Carolina. He was one of the most popular leaders to serve the people of South Carolina in the history of our State as is shown by the numerous times the people entrusted him with positions of great responsibility—twice with the governorship and four times with a seat in the U.S. Senate.

Senator JOHNSTON leaves behind him a long record of dedicated and distinguished service in South Carolina and the U.S. Senate, and many stanch friends and admirers in South Carolina, Washington, and throughout the country. He will long be remembered for his warm human kindness and his strong determination to serve his fellow man.

Mr. President, one of the finest tributes to Senator JOHNSTON was delivered at his funeral by Dr. John E. Huss, pastor of the Charleston Heights Baptist Church. Dr. Huss was a very close personal friend of Senator JOHNSTON'S, and his eulogy is based on personal knowledge. I ask unanimous consent that the eulogy to Senator JOHNSTON delivered by Dr. John E. Huss be printed in the RECORD at the conclusion of my remarks.

I also ask unanimous consent that a number of the articles and editorials which appeared in the newspapers in South Carolina following Senator JOHNSTON'S death be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

These tributes demonstrate the high regard in which Senator JOHNSTON was held by the people of South Carolina.

There being no objection, the eulogy, articles, and editorials were ordered to be printed in the RECORD, as follows:

MESSAGE FOR SENATOR OLIN D. JOHNSTON

Text: "He is not here; for he is risen" (Matthew 28: 6).

"Low in the grave He lay,
Jesus my Savior.
Waiting the coming day,
Jesus my Lord."

The world was in darkness in the long ago on the eve of dawn on that first Easter morning. Jesus had died on a cross, and was buried, and as far as friend and foe were concerned this was the end. The greatest kings of the world had lived, and died, and been buried, and that was always the end except as their influence extended beyond death. Jesus was dead and in his tomb, the disciples were defeated, and Christ's enemies were unconcerned.

That was the way it was before dawn on the first Easter Day.

On this past Easter Sunday one of America's, and certainly one of South Carolina's, finest profiles in courage, went to meet his God at 4:21 a.m. It was just before dawn on Easter Day.

When my phone rang shortly after that, one of OLIN D. JOHNSTON'S finest friends throughout the years (Mr. J. C. Long) said: "John, OLIN is gone." When I hung up the receiver all was dark outside and things seemed so dark inside. I felt a sense of loneliness, a feeling of despair. I realized once again that death was neither a respecter of persons or greatness.

I lay in bed and memories of Senator JOHNSTON flashed in my mind. Being familiar with his life it was easy to reflect on the events that characterized a rise from oblivion to a place of national distinction. I recalled the good times we had together, and had the feeling that never again would things be the same with Senator JOHNSTON gone from our midst.

This was before dawn last Sunday morning. That morning I dressed and got ready to attend a sunrise Easter Service in a nearby cemetery. My assignment was to read from the word of God.

Promptly that morning at 5:47 the sun rose and I stood up and read, Matthew 28:1–9.

I looked into the faces of the many earnest people who came to the cemetery that morning and as I looked I said to myself—all of you will some day die, unless Jesus hastens His coming, all of you will die. I looked back over the trail of my ministry and I could see graves, graves, graves, scores and scores of graves. There were graves of parents, graves of friends, graves of my church members, and as I looked forward, I could see more graves, yes, even the grave of my wife and my family.

But as the darkness turned to dawn on that first Easter, it turned to dawn last Sunday. There was victory to be had over all these graves because——

Up from the grave He arose,
With a mighty triumph o'er his foes;
He arose a victor from the dark domain,
And He lives forever with
His saints to reign.
He arose. He arose.
Hallelujah. Christ arose.

The transfiguration of Christ Jesus is the message of spiritual comfort for all of us today, "He is not here: for He is risen" (Matthew 28: 6).

The ancient Greeks boasted of being able to say much in few words, "to give a sea of matter in a drop of language." To be able to do this was considered the perfection of oratory.

If one simple word could be found in the vast ocean of words in our dictionaries and in our vocabularies which could sum up all the wonderful things which could be spoken in behalf of Senator OLIN D. JOHNSTON, what would that word be?

My suggestion would be the word genuine.

Consider some of the synonyms of this appropriate word: Sincere, real, authentic, frank, honest, pure, unaffected, sterling, unadulterated.

Using the word genuine as the key I want to share with you a simple eulogy of our departed champion.

I. His Christian witness was genuine.

II. His home life was genuine.

III. His distinguished political career was genuine.

I—HIS CHRISTIAN WITNESS WAS GENUINE

It is so appropriate that the final resting place of Senator OLIN D. JOHNSTON will be in the churchyard at Barker's Creek Baptist Church near Honea Path, S.C.

It was at Barker's Creek Baptist Church that, as a lad of 10 years of age, OLIN made the all decisive right decision of his life by accepting Christ as his personal Saviour.

This took place in August at the time of the annual quest for souls. One weekday night after the evangelist had delivered a strong fire-and-brimstone sermon, young Olin was deeply moved. As the congregation sang "Why Not Tonight?" Olin walked down the aisle and became once and forever a child of God.

"Redeemed how I love to proclaim it!
Redeemed by the blood of the Lamb;
Redeemed thro' His infinite mercy,
His child and forever I am."

It is also appropriate that Southside Baptist Church, Spartanburg, S.C., be the locale for this particular service.

It was at Southside that Mrs. Johnston was baptized as a child.

It was at Southside that Mrs. Johnson's mother was president of the WMU.

It was at Southside that newlyweds Olin and Gladys taught a Sunday school class.

It was at Southside that Olin became Baptist Training Union director.

It was at Southside that children fought to sit on his knee or even stand by his side.

It was at Southside that Olin became an ordained deacon.

Through the years Southside has always had a place of endearment in the heart and minds of Senator and Mrs. Olin D. Johnston.

Every minister who ever worked with Senator Johnston has had nothing but praise for him. One of his former pastors, Dr. Guy Saunders, said: "Olin D. Johnston is a Christian gentleman. Not without mole or foible or fault to be sure, but a man who sincerely loves the Lord."

A businessman in Daytona Beach said of Senator Johnston: "I have seen him sit with a few. I have seen him sit with thousands. I never see him eat without saying grace. I never see him drink. I never see him smoke. I never hear him swear. He is a good man. He is not a hypocrite."

Olin D. Johnston had an ever-maturing faith in Christ Jesus. Although he was not a theologian he was a sincere student of the Bible and he believed.

The preexistence of Jesus. John 1: 1—"In the beginning was the Word, and the Word was with God, and the Word was God." John 8: 58—"Jesus said unto them, Verily, verily I say unto you, before Abraham was, I am."

The eternal Christ. Hebrews 13: 8—"Jesus Christ the same yesterday, and today, and forever."

Christ was one with God.

Christ was cocreator of the world. John 1: 3—"All things were made by Him; and without Him was not any thing made that was made."

Christ was born of a virgin.
Christ lived a sinless life.
Christ died a vicarious death.
Christ arose from the grave.
The Heaven of the Bible is real.
Christ is coming back.

When Senator Johnston attended church he was proud and not ashamed to sing:

"Jesus paid it all,
All to Him I owe;
Sin had left a crimson stain,
He washed it white as snow."

II—HIS HOMELIFE WAS GENUINE

Senator Olin D. Johnston was at his best in his own home which to him was always a little colony of heaven.

Olin and Gladys had the mantle of greatness stamped upon them in the beautiful and Christlike way they loved and nurtured their only son. Their love and affection for Sally and Liz was of equal depth. Their grandchildren they adored.

One of the Senator's colleagues, Senator Wayne D. Morse, was led to say, "Mrs. Morse and I have often remarked how Senator Johnston was to his family, and how tenderly he thought of their welfare in those times of family crisis."

The Senator's secretary through many years, Mrs. Virginia E. Perriott, has said, "I have never seen a man so devoted to his church, his wife and family and to every high principle in life."

Charles Kingsley was once asked, "What is the secret of your life?" He replied, "I have a friend." The Senator could have replied, "I have a wonderful family."

Beautiful and sweet and not without sorrow and heartache has been the journey Olin and Gladys have traveled since their happy and providential meeting at a camp in Blue Ridge, N.C.

They were together until the end and there are no regrets.

III—HIS DISTINGUISHED POLITICAL CAREER WAS GENUINE

There is a sense in which every life is a miracle. Before any of us could have been born the entire history of the world had to be as it has been. Had any of our relatives, anywhere through the generations of life, met and loved any other than they did, we would not be here.

The potential of every life is miraculous. Who could have foreseen that the little baby born to the Ed Johnstons would someday attain to the Governorship of South Carolina, not once but twice? Who could have foretold that this same child would become one of our most distinguished U.S. Senators, and who at his death would be ranked 9th among 100 Senators in seniority, and second to none in dedication?

To have foreseen such potential in a child living in a typical southern farmhouse, unpainted, with no furnished ceilings and no bathroom, would have been most incredible.

What no one else would have ever dreamed, Olin himself as a lad prophesied. Olin once told a reporter, "I've been a politician since I was 14 years of age. You know it's right funny how I decided to go into politics. When I was 14, Cole Blease was raising cain. I thought he was the greatest man in the world. I decided, right then, I was going to be Governor of South Carolina."

The ironic thing about this is that when Olin finally became Governor it was Cole Blease who was his opponent.

But when Olin was 14, not even he would have prophesied the things which took place yesterday in Columbia, S.C. That little boy would have never, never dreamed that when he passed away the President of the United States would come in person to pay tribute.

This gesture on our President's part will never go unforgotten. And with our President we will agree when he referred to our beloved statesman as "a man with a deep feeling for people, and a man who tried to help others."

Neither will the presence here of Vice President Hubert Humphrey and his lovely wife ever be forgotten. It was so gracious of them to come and share our sorrow this day.

And if Senator Johnston could look down from the battlements of glory he would be pleased to be honored by the presence of his colleagues in the U.S. Senate, by the presence of our Governor and his wife and other distinguished leaders from South Carolina. He would be pleased with the presence here of everyone because he loved all people, especially the common man.

I was in the little home a little while ago before the service, and the mailman from Kensington, Md., came. To Gladys this was greater even than when the President came. The mailman's name is "Cookie," they do not even know his full name. But to the Johnstons he was somebody.

CONCLUSION

The immortal Shakespeare once wrote: "Some are born great; some achieve greatness, and some have greatness thrust upon them."

There is a sense in which all three of these are true with respect to Senator Olin D. Johnston.

The greatness of Senator Johnston's birth lies in the fact that he sprang from the sturdy roots of common godliness and vigor.

The distinction of his achievements is a matter of common record, both as Governor of his State and as his State's senior U.S. Senator.

The greatness thrust upon him is easily recognized in the many distinguished assignments given him by both his State and by the Federal Government.

Now, this parting word for each of us.

We are in an evangelistic meeting in my church in Charleston, S.C. Sunday night the soloist concluded the meeting by singing these words. Let's take them with us as we leave this good place.

It will be worth it all,
When we see Jesus;
Life's trials will seem so small,
When we see Christ;
One glimpse of His dear face,
All sorrow will erase,
So bravely run the race,
Till we see Christ.

[From the State, Apr. 19, 1965]

JOHNSTON'S CAREER SURVIVED DEFEAT, ENDED IN TRIUMPH

Death on Easter morning at the age of 68 ended the stormy political career of U.S. Senator Olin D. Johnston—a career that knew early defeat but which closed in consistent triumph.

It was a career of contradictions. Even though he steadfastly supported the National Democratic Party on most issues and compiled a generally liberal voting record, he was frequently characterized in the North as a "southern reactionary." This was primarily because of his stands against civil rights legislation.

MOTIVATION

Political labels didn't worry the Senator. He was motivated by what he believed to be the welfare of the working man. He came by this philosophy honestly.

Senator Johnston was a self-styled "cotton mill boy" whose early hardships influenced his fight for programs considered liberal by southern standards.

He worked on his parents' tenant farm and as a child laborer in textile mills before embarking on a controversial political career that spanned 42 years.

Elected to the Senate in 1944, Senator Johnston had served continuously since then and was chairman of the Senate Post Office and Civil Service Committee. He was also a ranking Democrat on the Agriculture and Judiciary Committees.

Although South Carolina has pulled away from the National Democratic Party since the early 1940s, Senator Johnston always supported its presidential candidates and its programs for public power, farm parity, welfare, public housing, and education. He said the best way to fight civil rights legislation was from within the Democratic Party with southern seniority in Congress.

This made Johnston the prime target of States' rights elements within his own State Democratic Party, and of the increasingly powerful South Carolina Republican Party.

REMAINED UNBEATABLE

But the tall, hulking Senator with the deep voice and ready handshake remained unbeatable in his home State. He fought alongside National Democrats on most issues except civil rights and, his pet peeve, foreign aid.

Former Gov. Ernest F. Hollings carried only 1 of South Carolina's 46 counties when he ran against Senator Johnston for the Democratic nomination to the Senate in 1962. Republican Candidate W. D. Workman, Jr., fared somewhat better as JOHNSTON's opponent in the general election, but still lost decisively.

A skilled campaigner, JOHNSTON was at his best at the crossroads and courthouses. He appeared with dust on his shoes and a suit showing signs of hard travel, calling most of those who turned out to greet him by name.

MORE POOR PEOPLE

"There's nothing to worry about," he would tell them. "But we have to get out and vote."

That was the essence of JOHNSTON's political strategy: There are more Democrats than Republicans and more poor people than rich people; if Democrats and poor people get out and vote, victory is assured.

The political and geographical differences that divide South Carolina are illustrated by the two men it sent to the U.S. Senate.

STROM THURMOND, the junior Senator, is a long-time conservative who switched from the Democratic to the Republican Party last September. THURMOND's greatest strength is in the largely agricultural counties of the "low county."

Senator JOHNSTON, a one-time millworker and considered a friend of labor, drew great support from upstate textile counties.

He broke a modern-day precedent by twice being elected Governor, and went to the Senate after a decisive victory in 1944 over the late Senator E. D. (Cotton Ed) Smith.

JOHNSTON became a political power after he won the Governor's race in 1934. His campaign had stressed a $1 auto license fee.

Born in a "planked over" log cabin on a tenant farm near Honea Path in Anderson County, November 18, 1896, he was christened OLIN DEWITT TALMADGE JOHNSTON. He was the son of E. A. and Leila Webb Johnston. At the age of 11 he went to work in a cotton mill to help support his family.

EARNED MONEY

JOHNSTON earned his first money at the age of 10, getting a bull calf in trade for hoeing cotton and selling it in the fall for $2.50.

As a youth he helped support his family and secured his education by working on his parent's farm and in mills in Honea Path, Belton, Anderson, and Spartanburg.

JOHNSTON was graduated from the Textile Industrial Institute in 1915.

He left his studies at Wofford College in Spartanburg to join the Army in World War I.

ARMY SERVICE

He enlisted in the 117th Engineers of the 42d Rainbow Division. Before going overseas for 18 months, he assisted in surveying and first construction of Fort Jackson at Columbia and Camp Sevier at Greenville. While overseas, he was gassed in action. Later he received a Regimental Citation for bravery in action and was later honorably discharged with the rank of sergeant. His commander was Gen. Douglas MacArthur.

On his return from the war he resumed his studies at Wofford College. He earned money by getting students to sign up for a boardinghouse at which he stayed and by working 8 hours a day for a Spartanburg paper.

He received his A.B. degree from Wofford in 1921. In 1923 he received his M.A. degree at University of South Carolina and his law degree in 1924 while working as head librarian for the law school.

HEAVYWEIGHT BOXER

He was a heavyweight boxer at the university and had also boxed in the war.

His first political bid came in 1923.

While at the university he was elected to the house of representatives from Anderson County, leading a ticket of 16 candidates. His platform called for a longer school term.

In 1924 he moved to Spartanburg, where he established his law firm. He married the former Miss Gladys E. Atkinson, of Spartanburg, December 27, 1924, and they had three children, Olin D. Johnston, Jr., Gladys Elizabeth Johnston, and Mrs. Vernon (Sallie) Scott.

In 1926 he was elected to the house of representatives from his adopted county of Spartanburg, and served until 1930.

He lost his first statewide race, for Governor, in 1930 by only 969 votes, after having led a field of 8 candidates in the first primary, only to lose in the runoff.

HIGHWAY BATTLE

Four years later, in 1934, he was swept into office on a promise of State highway department reform, and his most spectacular political venture was his forceful occupation of the State highway department during his first term.

It was during his first term as Governor that JOHNSTON called out the State militia to oust members of the holdover State highway commission. National Guardsmen set up machineguns in front of the highway department building in Columbia and forced the late Ben M. Sawyer, the chief highway commissioner, to leave his office.

JOHNSTON charged the commission was the hub of a powerful political ring. The State supreme court later reinstated the highway commission. The legislature then overrode JOHNSTON's veto of a measure which divested the Governor of the power to appoint highway commission members.

But this defeat was overshadowed by his other work as Governor. Through his efforts South Carolina established the first rural electric cooperation program, which spearheaded the electrification of rural South Carolina.

During his administration South Carolina established its first labor department and also the industrial commission. He also won enactment of a workmen's compensation law.

PROPERTY TAX FIGHT

One of his singular achievements was the abolition of State property taxes, accomplished by veto, upheld by the legislature. He also succeeded in reducing the extremely high priced automobile license plates of that day.

In 1942 he was elected to a second term as Governor, the only person in the history of the State to be elected Governor for two full 4-year terms.

He had said the governorship was his ambition from early childhood and later said he and his wife would see their children born in the executive mansion. Their boy and two girls were all born while he was Governor.

He took the oath of office as Governor in 1935 on a vest-pocket Bible he had carried through battles in France.

UNSUCCESSFUL RACES

He made two unsuccessful tries for the U.S. Senate, first in 1938 against Senator Cotton Ed Smith, and again in a 1941 special election called when then Senator James F. Byrnes was named to the Supreme Court. This election was won by Gov. Burnet R. Maybank.

His second term as Governor was a quiet one in the wartime years, and he served only half his 4-year term, resigning after winning the race against Senator Smith in 1944. He received 27,000 more votes than the incumbent and 3 other opponents combined. He was reelected to his second term in 1950, his third term in 1956, and his fourth in 1962.

NATIONAL COMMITTEEMAN

He was Democratic national executive committeeman from 1936 to 1940 and again from 1944 to 1948.

His race in 1950 against Gov. STROM THURMOND was the toughest fight of his career, he and his wife and long-time campaign manager confided to reporters early in the campaign.

One of the proudest moments in his life came in the summer of 1956, when the people of South Carolina renominated him as Democratic senatorial candidate without opposition.

Senator JOHNSTON's supporters were proud that he was the lone member of the South Carolina congressional delegation to vote against the Taft-Hartley bill. It was a vote that won him the undying devotion of his State's budding labor organizations.

GOT THINGS DONE

Men who differed with JOHNSTON's views on world affairs and his support of farm and labor legislation, conceded that he was a good man for getting things done.

In Washington, JOHNSTON was a man who hated the smell of alcohol and didn't believe the Nation should spend money on it. He thought everybody in Washington drank too much. He didn't believe the State Department needed more money for alcoholic drinks at its functions, and didn't believe private airlines should serve it, either.

Aside from that, he was against "excessive" foreign aid, and informed George W. Ball, Under Secretary of State for Economic Affairs during the Kennedy administration, that "free trade and one-world economy in reality meant slavery for the American employees, employers, and investors, and would cause a great outflow of American gold."

He was frequently critical of "security laxity," and in 1958 said he was considering legislation to have the National Capital moved to a "more protected area."

In 1948 Senator JOHNSTON was given the honorary LL.D. degree by Bob Jones University, in Greenville.

Fraternally he belonged to the Junior Order of United Automobile Mechanics, Red Men, Woodmen of the World, Knights of Pythias, Benevolent and Protective Order of Elks, Kismet, Pi Kappa Phi, Palayer Club, Optimist Club, Veterans of Foreign Wars, American Legion, Forty and Eight, Disabled American Veterans and was a 32d degree Mason and a Shriner.

Senator JOHNSTON was a lifelong member of the Baptist Church and for many years was prominent in Baptist youth work, having taught Sunday school and assisted in various other church programs. He has been a deacon in Southside Baptist Church, Spartanburg, Bethesda First Baptist Church, Bethesda, Md., and Kensington Baptist Church, Kensington, Md.

His brother, William C. Johnston, served as mayor of Anderson for 10 years and was an unsuccessful candidate for Governor in 1958.

[From the Greenville News, Apr. 19, 1965]

JOHNSTON WAS A "COTTON MILL BOY" WHO FOUGHT FOR LIBERAL CAUSES

(By Al Lanier)

COLUMBIA, S.C.—OLIN D. JOHNSTON, South Carolina's senior U.S. Senator and two-time Governor, was a "cotton mill boy" whose early hardships influenced his fight for programs considered liberal by southern standards.

He worked on his parents' tenant farm and as a child laborer in textile mills before embarking on a controversial political career that spanned 45 years.

He was 68 at his death Easter Sunday.

Elected to the Senate in 1944, Senator JOHNSTON served continuously since then and was chairman of the Senate Post Office and Civil Service Committee. He was also a ranking Democrat on the Agriculture and Judiciary Committees.

Although South Carolina has pulled away from strict allegiance to the Democratic Party since the early 1940's Senator JOHNSTON always supported its presidential candidates and its programs for public power farm parity, welfare, public housing, and education.

He maintained that the best way to fight civil rights legislation was from within the Democratic Party with Southern seniority in Washington.

WAS PRIME TARGET

This made Johnston the prime target of States rights elements within his own State Democratic Party, and of the increasingly powerful South Carolina Republican Party.

But the tall, hulking Senator with the deep voice and ready handshake remained unbeatable in his home State. He sided with national Democrats on most issues except civil rights and foreign aid.

Former Gov. Ernest F. Hollings carried only 1 of South Carolina's 46 counties when he ran against Senator Johnston for the Democratic nomination to the Senate in 1962. Republican candidate W. D. Workman, Jr., fared somewhat better in the general election, but still lost decisively to Johnston.

A skilled campaigner, Johnston was at his best at the crossroads, the county courthouses and the textile mills.

He would appear with dust on his shoes and a suit showing signs of hard travel. Most of those who turned out to greet him would be called by name.

"There's nothing to worry about," he would tell them. "But we have to get out and vote."

That was the essence of Johnston's political strategy. He reasoned there are more Democrats than Republicans and more poor people than rich people; if Democrats and poor people show up at the polls, victory is assured.

SUPPORTED BY WORKERS

A onetime millworker and considered a friend of labor, Johnston drew great support from upstate textile counties.

Textile workers loved him. When campaigning through a mill, the tall Senator would stop at a disabled loom, quickly tie an expert weave knot in the right place, and set the machine to humming again.

The political and geographic differences that divide South Carolina are illustrated by the two men it sent to the U.S. Senate.

Strom Thurmond, the junior Senator, is a longtime conservative who switched from the Democratic to the Republican Party last September. Thurmond's greatest strength is in the largely agricultural counties of the "low country."

Senator Johnston broke a modern-day precedent by twice being elected Governor. He went to the Senate after a decisive victory in 1944 over the late Senator E. D. (Cotton Ed) Smith.

Johnston was already a political power when he won the Governor's race in 1934. His campaign had stressed a $1 auto license fee.

Born on a tenant farm near Honea Path in Anderson County, November 18, 1896, he was christened Olin DeWitt Talmadge Johnston.

He hoed cotton for his first dollar and at the age of 11 went to work in a cotton mill to help support his family.

WORKED IN MILLS

Johnston worked in the mills in the Spartanburg area during his early teens, graduating from the Textile Industrial Institute in 1915.

He left his studies at Wofford College in Spartanburg to join the Army during World War I. He was cited for bravery and was gassed while serving in France as a sergeant in Company C, 117th Engineers, 42d (Rainbow) Division.

Johnston returned to Wofford College after the war and received a bachelor of arts degree in 1921. He got a law degree from the University of South Carolina and later was awarded a masters' degree and a doctorate there.

His first political coup came in 1923 while he was attending the university. He was elected to the State house of representatives from Anderson County on a platform calling for a longer school term.

After practicing law at Spartanburg for a year, he returned to the house as a representative from Spartanburg County and remained in the General Assembly until 1930. He ran for Governor that year and missed winning the Democratic nomination—equivalent to election at that time—by less than 1,000 votes.

BECOMES GOVERNOR

Four years later Johnston won the gubernatorial nomination by a majority of 35,000 votes.

It was during his first term as Governor that Johnston called out the State militia to oust members of the holdover State highway commission. National Guardsmen set up machineguns in front of the highway department building in Columbia and forced the late Ben M. Sawyer, the chief highway commissioner, to leave his office.

Johnston accused the commission of being the hub of a powerful political ring. The State supreme court later reinstated the highway commission. The legislature then overrode Johnston's veto of a measure which divested the Governor of the power to appoint highway commission members.

Johnston first sought to unseat the colorful Senator "Cotton Ed" Smith in 1938 when the administration of President Franklin D. Roosevelt was trying to purge some southern Senators. Johnston, an ardent New Dealer, had Roosevelt's backing. But Smith won easily.

In 1941, Johnston tried again for the Senate, this time against the late Burnet R. Maybank. He was again defeated but, in 1942, he won an almost unprecedented second term as Governor.

Senator Maybank died and Johnston ran a third race against "Cotton Ed" Smith. He was elected by a big margin.

[From the Augusta Chronicle, Apr. 19, 1965]

Johnston Earned Senate Stature With Hard Work, Political Savvy

Washington.—Olin DeWitt Johnston topped off a long political career with more than 20 years of colorful and often controversial service in the Senate as one of its most busy Members and an influential committee chairman.

Johnston first was elected to the Senate in 1944 midway his second 4-year term as South Carolina Governor. He was renominated in 1950 over Strom Thurmond, then a Democrat, in a bitter primary fight, went on to win reelection, and was reelected again in 1956 and 1962.

Thurmond later won the other seat as a write-in candidate, defended it as a Democrat, only to switch to the Republicans.

Deliberate, deep-voiced man, Johnston had a slow-moving manner that often masked a quick-moving political shrewdness. His long political career ranged the political spectrum from Franklin D. Roosevelt liberalism to diehard, last-ditch conservatism on some issues such as civil rights.

BOOSTED POSTAL EMPLOYEES

In the Senate his main interests were agriculture and civil service legislation. For more than a decade he was chairman of the Senate Post Office and Civil Service Committee. He was an ardent and persistent sponsor of pay raise legislation for Federal employees and postal workers.

His overall voting record was conservative in some respects, but also reflected streaks of the populism that marks several southern lawmakers. He rolled up one of the most prolabor voting records among southern Senators. But he also was one of the first to break from the traditional southern position of international exports and oppose foreign aid.

In 1948, Johnston made an unsuccessful but determined effort to persuade Gen. Dwight D. Eisenhower to seek the Democratic presidential nomination. Johnston did not campaign for President Harry S. Truman, who was nominated and elected.

He later said he was delayed en route home to Spartanburg, S.C., on election day and arrived too late to vote. But he was among the first to clamber aboard Truman's victory train when it returned to Washington and generally supported the administration for the following 4 years.

Born November 18, 1896, of humble farm parents in the rural uplands near Honea Path in Anderson County, S.C., Johnston worked as a boy on the farm and in the noise and lint of the cotton mills. He never forgot his hard-working youth and it often was reflected in his voting record.

He worked his way through Spartanburg (S.C.) Junior College, served as a sergeant in World War I with duty overseas, and was graduated from Wofford College in Spartanburg in 1921. He later received his law degree from the University of South Carolina and was elected to the State legislature while still in law school.

He practiced law in Anderson and later Spartanburg, and served in the State's lower house in 1923–24 and 1927–30.

Johnston narrowly lost his first try for the governorship in 1930, but was elected for a 4-year term in 1934.

F.D.R. backed him for the Senate in 1938 against the late Senator Ellison D. (Cotton Ed) Smith, Democrat, of South Carolina, in Roosevelt's attempted purge of Senators who opposed him. But the purge backfired and Smith won.

Johnston came back in 1942 and again was elected Governor to become the first man in the State's history to win two 4-year terms. But he resigned in mid-term after election to the Senate in 1944.

Besides his chairmanship of the Post Office and Civil Service group, Johnston was second-ranking Democrat on the Senate Agriculture Committee, a high-ranking member of the Judiciary Committee, and a member of the Senate Democratic steering committee.

LIFELONG CHURCH WORKER

A teetotaler and ardent Baptist, Johnston was a lifelong church worker and served for years as a Sunday school teacher and a deacon in Baptist churches. He also was a member of many fraternal, civic, and veteran's organizations.

He was married December 27, 1924, to Gladys E. Atkinson, of Spartanburg. They had two daughters, Mrs. Vernon R. Scott, and Elizabeth Johnston; one son, Olin D. Jr., and two grandchildren.

A hardy, robust man, Johnston appeared in good health until late 1964, although he had suffered occasional minor illnesses in the past. He collapsed on the floor during the 1952 Democratic Convention in Chicago. But the trouble was traced to a kidney stone and he soon was back at his duties.

[From the News and Courier, Apr. 19, 1965]

State Leaders Eulogize Senator

(By Laurens H. Irby)

A man with the "courage of his convictions." * * * "The people's representative" * * * "a man of dedicated public service."

In these words public figures from South Carolina and other parts of the United States expressed regret and sorrow yesterday at the death of the State's senior U.S. Senator Olin DeWitt Johnston.

The tributes for the 20-year Senate veteran came not only from his political friends but from those of markedly different views.

Lt. Gov. Robert E. McNair, of Allendale, commented: "All South Carolinians are saddened by the passing of OLIN D. JOHNSTON. And we join together in expressing sympathy to the family. Senator JOHNSTON was a devoted and dedicated representative of the people of his State and Nation. The loss of his leadership and services will be a terrific blow to both."

Solomon Blatt, of Barnwell, speaker of the State House of representatives, said: "He was one of the most dedicated men to the cause he believed in I ever knew. He was the people's representative. His death is a terrific loss to South Carolina, not only because we miss him but because we lose the seniority he had in Washington. He was a good man and my sincerest sympathy goes to his family."

James F. Byrnes, former South Carolina Governor, of Columbia, declared: "OLIN JOHNSTON was a consistent liberal in his political views. He always had the courage of his convictions. There was never any doubt as to where OLIN JOHNSTON stood on an issue. He fought hard for what he believed to be right, and yet he did not cherish hatred against those who differed with him.

"I am sure that many persons who seldom supported him in political contests will today sincerely mourn his passing."

U.S. Senator STROM THURMOND, of Aiken, Republican, said: "Senator JOHNSTON was one of the most popular leaders to serve the people of South Carolina in the history of our State. * * * He was a political giant in our State. I have always had much respect for his influence with people.

THURMOND said his late Senate colleague left behind "many stanch friends and admirers in South Carolina, Washington, and throughout the country.

"He will long be remembered for his warm kindness and his strong determination to serve his fellow man."

L. MENDEL RIVERS of Charleston, First District Congressman, declared: "Naturally I think it's a great loss to South Carolina and to the Nation. He [JOHNSTON] was a man who was loyal and dedicated to his principles and to his party. He fought a tireless fight for the southern traditions and for the rights of the workingman as he understood them.

"I may not always have agreed with the Senator but I've always admired him.

"He was certainly dauntless in defense of his friends and he never forsook one. My grief certainly goes out to his wonderful wife and loving family."

ALBERT W. WATSON of Columbia, Republican candidate for the Second District's congressional seat in a special June 15 election, commented: "I join with all South Carolinians in expressing my deepest sympathy to the family. As I had expressed to Mrs. Johnston on a number of occasions, certainly our family is remembering them during this trying period. Senator JOHNSTON has certainly been a dedicated public servant with compassion and interest for all. He will be missed by all, regardless of party affiliation."

Yancey A. McLeod of Columbia, chairman of the State Democratic Party, declared: "In the death of Senator JOHNSTON, South Carolina and the Nation have met a tragic loss. He was a man of great faith—faith in himself, in his country, and in his God. He always stood for the rights of the little fellow.

"He was a man of dedicated public service both as Governor and U.S. Senator. South Carolina and the Nation will greatly miss him and the Democratic Party of South Carolina and the national party will always be grateful. He is a man whose memory will live beyond his time."

E. F. Hollings, former South Carolina Governor, of Charleston: "Senator JOHNSTON was a great leader who did an outstanding job for his State. He was a gentleman always."

J. Palmer Gaillard: Charleston mayor: "I was distressed to learn of Senator JOHNSTON's death. His death brings to a close a colorful career and a life which he gave to South Carolina. He served his State well and was never afraid to fight for the principles for which he believed.

"A review of his many accomplishments in public life reveals a lifetime of helping others. On behalf of all Charlestonians, I extend sincere sympathy to his family."

Dr. James B. Edwards, of Mount Pleasant, Charleston County Republican chairman: "I certainly wasn't expecting it (Senator JOHNSTON's death) and it sort of came as a surprise to me. I'm certainly sorry to hear about his passing."

John A. Gronouski, Postmaster General said: "No one who ever served in the U.S. Senate has had a greater, more constructive impact on the postal policies of the Nation or on the welfare of postal employees. He devoted his life to raising the dignity and improving the life of the workingman."

Senator MIKE MONRONEY, Democrat, of Oklahoma, who was ranked second to JOHNSTON on the Senate Post Office Committee, said JOHNSTON was "a man of great bravery and independence * * *."

[From the Greenville News, Apr. 12, 1965]

SENATOR OLIN D. JOHNSTON

Though he rose to great heights in public office and in the almost fanatical esteem of his supporters, OLIN D. JOHNSTON never allowed himself to forget, perhaps he couldn't forget, his humble beginnings.

Though he understood the methods of acquiring power and knew well how to use it for his purposes, and though he walked in high places, he was most at home with the people at the very grassroots of his native State. It was there and from them that he drew his personal strength and his political power.

OLIN JOHNSTON worked, fought, and scrambled his way from a tenant farm in Anderson County, where he was born in the poverty which was almost universal in his land at the turn of the century, to a college degree, a master's degree and a law degree. He labored in the fields and factories alongside the poor and unlearned of his day, and that struggle shaped his character and his political philosophy.

Even after he had achieved the position of South Carolina's senior U.S. Senator and possessed great influence in Washington and Columbia, he never let up.

The big, seemingly bumbling man whose roots were firmly planted in the rural and industrial areas of Anderson and his adopted Spartanburg County always behaved as the underdog. He worked and fought in each of his political campaigns as if he were starting over on that farm and in that textile mill he left behind decades before.

Like many others, Senator JOHNSTON began his political career and the practice of law almost simultaneously. He was a member of the State House of Representatives from Anderson by the time he finished college. He was then ready to move out.

In the year that he received his law degree he married the former Miss Gladys Atkinson of Spartanburg. His wife became his full partner and principal adviser in the campaigns and public service to follow.

Mrs. Johnston shared her husband's ambitions. She brought to the partnership a keenly perceptive mind and a sense of political tactics that matched his aggressive determination. After further house service from Spartanburg County, Mr. JOHNSTON set his sights on the highest position in the Statehouse.

In 1930 he was narrowly defeated in his first bid for the office of Governor. In 1934 he won by a big margin. For 4 years he practiced law and in 1942 again was elected Governor. In 1944, in the middle of his second term as chief executive, he made his third try for the U.S. Senate and was elected to succeed the late Senator E. D. (Cotton Ed) Smith.

By this time OLIN JOHNSTON had become one of the primary powers in South Carolina's political structure. He was a tough campaigner and he thundered from one end of the State to the other. He built one of the most powerful of the several factions in the Democratic Party which dominated the State government and filled the Federal offices. When he lost a campaign for office or for something he wanted in the Legislature or in Congress it was never an overwhelming loss.

His many battles while he was Governor, the most memorable one being his long fight to dominate the State highway department, created turbulence which made him many enemies but bound his friends ever closer to him. It was said, back when 200,000 was a big statewide vote, that anyone who challenged OLIN JOHNSTON has to spot him 50,000 votes. This was the hard core of the following which he always carried with him.

In Washington, Senator JOHNSTON applied himself with characteristic determination. As he gained in seniority, he also gained in influence. He knew where the power and votes were and went after the chairmanship of the Senate Post Office and Civil Service Committee which he held for many years.

The secret of OLIN JOHNSTON's political success lay in his complete loyalty to the grassroots. It was said by one who knew him well that he could sense what the masses of the people wanted.

Often before they themselves had decided just what it was, he took the lead in the fight for it. This, and his absolute loyalty to the Democratic Party from Columbia to Washington were the hallmarks of his career.

Senator JOHNSTON's death at 68 probably marks the end of an era in State politics. A giant tree has fallen in the ancient forest. He left a deep impression on that era and we probably shall never see his likes again.

To his family and friends we extend our heartfelt sympathy.

[From the Spartanburg Herald, Apr. 19, 1965]

SENATOR JOHNSTON LEAVES INDELIBLE INFLUENCE

OLIN D. JOHNSTON's remarkable career as a man and as an officeholder leaves an indelible influence on South Carolina and Spartanburg.

He made this community his home in 1924, when he completed law school at the University of South Carolina.

In his heart, it already was home—perhaps ever since the day in 1914 when he was accepted as a student at the Textile Industrial Institute (now Spartanburg Junior College).

His mother had given young OLIN $45 to go off to school—and Dr. David English Camak thought that was sufficient for an earnest student. Two years later, Dr. Camak prevailed on Dr. Henry Nelson Snyder, president of Wofford, to admit a student who could not qualify as a freshman and who had saved $60 for college.

So it was natural that Spartanburg should become the home base for a truly astonishing political career.

Through the 45 years of his public leadership, Senator JOHNSTON maintained his church affiliation at Southside Baptist, where he was a deacon. His family thought of Spartanburg as home.

It is undoubtedly due to his faithful following among multitudes of voters that Spartanburg County has never forsaken the Democratic Party banner in national elections. (In 1948, only two counties—Spartanburg and Anderson—remained with the national ticket and Senator JOHNSTON's ties were close in both counties.)

Olin Johnston found his strongest affection among the working people of the upstate. Though he became virtually invincible at the polls anywhere in South Carolina, this was his foundation.

Many people today are likely to think of Senator Johnston as a politician who always won and who wouldn't know the bitterness of defeat.

The truth is that he lost three hard campaigns.

In his first race for Governor in 1930, Johnston lost to Ibra C. Blackwood by fewer than 1,000 votes. This was the famous occasion when all the ballots from Charleston County (which gave Blackwood a margin of 10,638 to 2,656) disappeared. Four years later Johnston ran for "reelection" and won. He was Governor twice, serving longer than any other man.

He was defeated for the U.S. Senate in 1938 by Cotton Ed Smith, marked by another renowned occurrence. President Roosevelt, trying to help Johnston, made a statement from the rear of a train at Greenville. Many still believe F.D.R. assured Smith's victory.

Again in 1941, Johnston was beaten, this time by Burnet R. Maybank, Sr.

Lesser men would have abandoned politics. But Olin Johnston fought back—and he eventually won every political office he sought.

His life in public office was an era unto itself—and it will remain forever in the memory of his people and in the pages of their history.

[From the News and Courier, Apr. 19, 1965]

Olin D. Johnston

The death of U.S. Senator Olin DeWitt Johnston removes from the life of this State one of its most interesting and important figures. We join today with other South Carolinians in expressing sorrow at his passing.

Olin Johnston was a fixture of the political life of this State for so long that it is hard to believe he is gone. He was first elected to the South Carolina House of Representatives from Anderson County in the summer of 1922. He was then 26 years old. In 1934, Olin Johnston won election as Governor, defeating Cole L. Blease. In 1944, he went to the U.S. Senate after scoring a victory over U.S. Senator Ellison D. Smith.

The News and Courier was not among Senator Johnston's supporters. We were on the opposite side in innumerable political conflicts. But we always recognized the great personal following that the Senator could command. He had a background and personal qualities that appealed to a large segment of this State's population. He grew up on a farm and got his education the hard way. In World War I, he joined the Army, fought in France, and was wounded. He was a stanch churchman and family man.

There is more than that to the Olin Johnston story, of course. He was one of the last of the southern populists the type of political leader who was dear to the hearts of small farmers and textile mill workers. He belonged to the same political tradition as Ben Tillman and Blease.

While we didn't agree with the Senator on public issues, we appreciated his forthright stand. He did not rely on public relations techniques or cultivate a slick "image." As a stump speaker and campaigner, Olin Johnston was vigorous and effective. He had the gift of attracting loyalty from the voters.

The State has changed since Olin Johnston established his commanding place in its politics. We do not expect to see his like again. Writers of South Carolina history will carefully ponder the meaning of his career when they prepare their books. Today, we speak for the people of this area in expressing deep sympathy to the Senator's family on the occasion of their great loss.

[From the Augusta Chronicle, Apr. 20, 1965]

Olin D. Johnston

In the exalted position he had gained, and by the esteem in which he was held by literally thousands of his fellow men, Olin D. Johnston was a living testimonial to the truth that in America a man may climb to any heights, no matter the plane from which he starts.

In his case, as it must be for any man who achieves the success and the popularity that Senator Johnston enjoyed over the years, attainment was a product of ambition, preparation, perseverance, and, obviously, ability.

During the course of his long record of public service, he became to his stanch supporters in South Carolina the personification of the "workingman's friend," giving his own unswerving support to those proposals in Government that he felt to be in the best interest of his constituents. That some of the issues to which he subscribed were not always popular ones failed to deter him, either during his two terms as Governor of his State or during the more than 20 years he served it as its U.S. Senator.

This independence of spirit, a facet of his character which even some of his political enemies could not help but admire, established Olin Johnston as a man who possessed the courage of his convictions.

His role in politics was always a forceful one, and his voice, now stilled by his untimely death, will be missed by all in South Carolina who looked to him as a champion of their cause in all areas of government.

[From the Aiken Standard and Review, Apr. 20, 1965]

Senator Olin D. Johnston

The death of Senator Olin D. Johnston has brought to an end a career unmatched in this State and has felled a political giant who will be sadly missed by his party, the Democrats of the State and Nation.

From a small beginning this man worked his way up through toil and hardship to become one of the great men of South Carolina and will go down in history as a man of stature, a man who lived his beliefs and abided by the dictates of his conscience and a man who held the people of his State in high esteem.

Senator Johnston was adamant, determined, and left no stone unturned to achieve a purpose in which he believed and thus must be held in esteem and respect while at the same time perhaps not in accord with his political actions.

The successor to Senator Johnston in Washington will have a large pair of shoes to fill and will have to be a man of near equal stature in order to accomplish what the late Senator did in a long and colorful political career in South Carolina.

[From the Greenville Piedmont, Apr. 19, 1965]

Senator Johnston

The death of Olin D. Johnston yesterday removes from the scene a political power which has been felt in South Carolina for more than 35 years.

Twice Governor of South Carolina and longtime U.S. Senator, Olin Johnston held a firm grip on the loyalty of a large segment of the electorate. His had a personal following, almost fanatic in its allegiance to him.

Although he rose to position of great power, Olin Johnston always remained close to the source of his power, the grassroots of South Carolina. He never forgot his beginnings as an Anderson County farm boy and textile worker—and he never let the people forget either. Emphasis on his humble beginnings was a hallmark of every Johnston campaign.

In his long career, Olin Johnston lost his share of political battles, but his defeats were by close margins. When he won, he won big.

In 1944 he reached his long-sought goal by winning election to the U.S. Senate. Since then his political strength has been virtually unbeatable in South Carolina. His influence grew, too, in Washington, where he was chairman of the Senate Post Office and Civil Service Committee.

Olin Johnston was a Democrat. He supported the Democratic Party from top to bottom in all elections in this State. He stumped the State for the national party as vigorously as he worked in his own campaigns. He campaigned in other States.

He was the Democratic Party's chief vote-getter in South Carolina. His death will have a profound effect upon the party, which now is battling the growing power of the South Carolina Republican Party.

Senator Johnston had his share of political enemies. He always had strong opposition when he faced the voters.

In the last few months, however, as he underwent surgery for an aneurysm and it was discovered he had a cancerous tumor, Senator Johnston earned the admiration of practically every South Carolinian. Even his bitterest enemies admired his fortitude in returning to Washington after his first operation, knowing a second round of surgery was immediately ahead. All South Carolina was on his side when he entered the hospital the second time.

The Senator's battles against physical illness were characteristic of his political struggles—he never quit.

And so a powerful voice is stilled in South Carolina. All South Carolinians join in extending heartfelt sympathy to the members of Senator Johnston's family.

[From the Columbia Record, Apr. 19, 1965]

Senator Olin D. Johnston

Son of a tenant farmer and early in life a laborer in the textile mills of South Carolina, Olin DeWitt Johnston never forgot his heritage. Throughout his long and colorful career of service to State and Nation, the Senator never disremembered what it is like to be born with a pewter, rather than a silver spoon. He never forgot the little people of South Carolina.

They were his joy and his strength. And he was their joy and their strength.

He knew and he understood, from firsthand, the privations of the poor, the constant struggle for survival of the textile worker, the pain of the Federal employee ignored by the sprawling bureaucracy, and the debilitating toil of the farmer patiently coercing a living out of Carolina soil. He knew. And these people knew that Olin Johnston knew—and cared.

Throughout his governmental service, whether as State representative, Governor, or Senator, he championed the causes of the little people. Born to a tenant farm, nourished in a textile mill, politically educated in the great depression, he became an ardent New Dealer under Franklin Roosevelt and remained adamantly dedicated to its principles until his death.

In the Senate, he was a good party man—one who knew the rules of "the greatest club in the world," understood its rules and played by its rules. Neither the greatest orator nor the greatest intellect in the Senate, he was universally respected. On his last visit to the Senate, he was warmly welcomed by both sides of the aisle—with words of genuine affection, concern, and praise from men of widely separated political attitudes.

Today, South Carolinians paid due homage to the Senator, as his body rested in state in the statehouse. Tomorrow, he will be buried in the upstate region that nurtured him.

And a change has come over our State with his passing. No longer will the textile workers greet the tall, hulking figure with the deep voice who knew them by their Christian names. No longer will the people of the State see him rise, shake his jowls, and in characteristic southern speech intone, "My fellow South Carolinians."

His fellow South Carolinians, who showed their esteem for the Senator by electing him to a series of offices matched by few in our history, will miss the big man from the Piedmont.

Mr. AIKEN. Mr. President, will the Senator from South Carolina yield?

Mr. RUSSELL of South Carolina. Mr. President I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, the greatest tribute I can pay to OLIN JOHNSTON is to say that he liked people—not a shallow liking designed merely to get their votes at election time—but a deep down heartfelt liking which prompted him from time to time to offend the high and mighty.

It was characteristic of him that the poorer the people, the better he seemed to like them.

During his entire career in the Senate he worked for those who needed his help most and whom it would have been easy to ignore and neglect.

The people of this Nation and particularly the public career employees lost a sincere and generous friend in the passing of OLIN JOHNSTON.

I extend my heartfelt sympathy to his family and particularly to Mrs. Johnston, who was always at his side.

Mr. MANSFIELD. Mr. President, will the Senator from South Carolina yield?

Mr. RUSSELL of South Carolina. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I join the distinguished junior Senator from South Carolina [Mr. RUSSELL], the distinguished senior Senator from South Carolina [Mr. THURMOND], and all the other Members of this body, of both parties, in expressing our deep regret at the passing of our late beloved colleague, OLIN D. JOHNSTON.

OLIN JOHNSTON was a man of the people. He was in reality a son of the soil. He worked as a hand in a textile factory. He never lost his human touch. He proved during his sojourn as Governor of his State and as a Senator of the United States that he had in mind the welfare of all the people of the Nation.

He was a man of courage, integrity, sympathy, and understanding. He was a man to whom I could turn, as I did on many occasions, for advice and counsel. He was always generous with whatever he had to offer.

His passing leaves a void, as does the passing of any of our colleagues. But Senator OLIN JOHNSTON served many years in this body. He has left his mark in this Chamber. He will be well remembered in his State and in the Nation because of the contributions he has made.

Mrs. Mansfield and I miss him deeply. We take this occasion, once again, to express our deepest regrets, our sympathy, and our condolences to his wife and the other members of his family. They are entitled to much of the credit which we bestow so willingly on OLIN JOHNSTON, because OLIN and his family worked together as a team for the benefit of their particular part of South Carolina, for the benefit of the State of South Carolina, and for the benefit of the Nation as a whole.

We miss him, but we shall remember him fondly and with gratefulness.

Mr. McNAMARA. Mr. President, will the Senator from South Carolina yield?

Mr. RUSSELL of South Carolina. I yield to the Senator from Michigan.

Mr. McNAMARA. Mr. President, we all were deeply saddened by the death of our colleague, Senator OLIN D. JOHNSTON, of South Carolina.

His courageous fight against the illness that finally took his life was an inspiration.

I was proud to consider myself a friend of OLIN JOHNSTON.

While we by no means agreed on all issues, nevertheless there was much on which we could agree. He was a Senator dedicated to the good of his State, and I believe he was a true champion of the common man.

Millions of Federal employees knew him as their protector in the Senate.

As Chairman of the Committee on Post Office and Civil Service, he earned a remarkable reputation as a man who really cared about the welfare of those who serve their Government.

The benefits which Federal employees enjoy today are due in no small part to the vision, understanding and legislative ability of OLIN JOHNSTON.

He will be missed in this Chamber—as a colleague and as a friend.

I, too, express my sympathy and condolences to his widow and the rest of his family upon their great loss, in which we all share.

Mr. INOUYE. Mr. President, will the Senator from South Carolina yield?

Mr. RUSSELL of South Carolina. I yield to the Senator from Hawaii.

Mr. INOUYE. Mr. President, we honor today a departed friend and colleague, a man of dignity and of many accomplishments, the late Senator from South Carolina, OLIN D. JOHNSTON.

It was obvious from the start of his illustrious career that he was destined for eminence. As a youth, in order to help support his family and obtain his education, he worked on his parents' farm in South Carolina and in mills around his hometown of Honea Path. After distinguished military service in World War I, he worked his way through college and law school. These experiences gave early indications of his depth of character and his dogged persistence in the face of great odds—qualities which were to be exhibited later in his life of dedication to furthering the public good.

For 43 years he served South Carolina well as a public servant. In this capacity, his mettle was tested and was not found wanting. During his two terms as Governor of South Carolina and three terms as Senator, he accomplished much. As the only Governor to win two nonconsecutive terms, he spearheaded such progressive programs as the electrification of rural South Carolina. He also fostered better working conditions and standards of living through the establishment of a State department of labor.

As Senator, he showed his concern for his fellow man as he consistently fought for the strengthening of social security, the postal service, the civil service, increased benefits for the sick, the needy and retired, soil conservation, and public power. I remember him personally and particularly for his quiet but determined leadership of the successful fight to upgrade the pay schedules of Federal executives in 1964. He helped to bring new industry to South Carolina, including his home county of Spartanburg, and worked with the civic and business leaders of nearly every community in his State to better public services such as public housing and postal facilities.

I did not always agree with OLIN JOHNSTON. But I realize, as Winston Churchill once noted, that:

> The only guide to a man is his conscience: the only shield to his memory is the rectitude and sincerity of his actions. * * * With this shield, however the fates may play, we march in the ranks of honor.

OLIN D. JOHNSTON walked in the ranks of honor.

Mr. CARLSON. Mr. President, will the Senator from South Carolina yield?

Mr. RUSSELL of South Carolina. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, the death of OLIN D. JOHNSTON took from this body one of our truly great public servants and statesmen. He was a personal friend of mine and our association together as members of the Committee on Post Office and Civil Service gave us an opportunity to cement our friendship even more closely.

On many occasions OLIN discussed with me his early training as a youth, his sincere and devoted Christian faith, and his internal desire and determination to be of service to his fellow man.

In my opinion, this background was always evident as we discussed legislation in behalf of the people of his State and of the Nation. His votes on legislation affecting social and humanitarian programs were always in the affirmative.

His many years of untiring effort, as a member and chairman of the Committee on Post Office and Civil Service, to secure beneficial legislation for our Nation's dedicated public servants, will go down in history as evidence of his faithful and devoted interest in behalf of our Federal employees.

The Federal workers never had a more loyal friend and supporter than the late OLIN D. JOHNSTON. The legislation he sponsored in behalf of this group will bear fruit for generations to come.

Much will be written in regard to his statesmanship and his public service, but far more important was his devotion to his family, his church, and his Nation in a tireless and unselfish fashion.

He loved his family—his devoted wife and his children. The great number of people who were in attendance at the final services in Columbia was evidence of the high esteem in which he was held. Included in this group were the President of the United States, Members of Congress, State officials, and hundreds of other friends who gathered to mourn his passing. They came to share the sorrow of all who knew him.

It can be truly said that this Nation is a better Nation because OLIN D. JOHNSTON lived and passed through.

Mr. STENNIS. Mr. President, will the Senator from South Carolina yield?

Mr. RUSSELL of South Carolina. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I would not let go, under any circumstances, the treasured memories I have of our late friend, Senator OLIN JOHNSTON. When I first came to this body, I experienced the genuine feeling of fellowship that he extended every day, on cloudy days as well as days of sunshine. I cherish his memory. He was an honorable man, who faithfully served the people.

He was a man of deeds. He was a doer. He was never willing to rest upon achievements in the field of academics upon abstractions, but was constantly busy, doing things—doing things for others, doing things for Senators, doing things to expedite the passage of bills.

I found that he always had the human touch. He was interested in the human side of a problem. He was interested in people and willing to help with the problems of people. I found him to be constructive, not willing to denounce, decry, or criticize. He wanted to be affirmative and do something in a forward, constructive way.

I believe that those qualities explain, in part, at least, the fine, long, successful public career of OLIN JOHNSTON.

He had at his side a great helpmate and a worker, one who inspired and encouraged him and carried her part of the load in fair weather and foul—Mrs. Johnston. A great part of the Senator's long success here and in South Carolina was due to her support, interest, encouragement, and real worth.

I was fortunate in knowing the members of his fine family. I know of his fine and splendid appreciation for his staff, and he had an excellent staff in many ways, both his personal and committee staff.

I speak a special word about the funeral services which I thought so well fit the man. It was a great community expression of sincere grief and sorrow, expressed not only through flowers and music, but also by the faces of the people. Although the people were entirely composed, one could see a solemn sense of loss expressed in their faces as they sat there in silent tribute to their friend, this fine man.

I thought enough of a hymn that one of his personal friends, a former classmate of his in college, sang, that I obtained a copy of the hymn.

I shall have the hymn printed in the RECORD, but first I shall read one verse which I understand was one of the Senator's favorite hymns. It well fitted the occasion, as well as the man. The hymn was sung in a most impressive, delightful way by this personal friend, Mr. Maury Pearson, of Spartanburg, S.C.

The name of the hymn is, "When They Ring Those Golden Bells." The hymn is by Dion De Marbelle.

The first stanza is:

There's a land beyond the river,
That we call the sweet forever,
And we only reach that shore by faith's decree;
One by one we'll gain the portals,
There to dwell with the immortals,
When they ring the golden bells for you and me.

Mr. President, I ask unanimous consent to have this hymn printed at this point in the RECORD.

There being no objection, the hymn was ordered to be printed in the RECORD, as follows:

WHEN THEY RING THOSE GOLDEN BELLS

(By Dion De Marbelle)

There's a land beyond the river,
That we call the sweet forever,
And we only reach that shore by faith's decree;
One by one we'll gain the portals,
There to dwell with the immortals,
When they ring the golden bells for you and me.

CHORUS

Don't you hear the bells now ringing?
Don't you hear the angels singing?
'Tis the glory hallelujah jubilee.
In that far off sweet forever,
Just beyond the shining river,
When they ring the golden bells for you and me.

We shall know no sin nor sorrow,
In that haven of tomorrow,
When our barque shall sail beyond the silver sea;
We shall only know the blessing,
Of our Father's sweet caressing,
When they ring the golden bells for you and me.

When our days shall know their number,
And in death we sweetly slumber,
When the King commands the spirit to be free;
Nevermore with anguish laden,
We shall reach that lovely aden,
When they ring the golden bells for you and me.

Mr. STENNIS. Mr. President, unusually good remarks were made by the ministers at the funeral services. One of them was the Reverend Thomas L. Painter, who was then pastor of the Kensington Baptist Church, of Kensington, Md.

The Reverend Painter quoted one of Edgar A. Guest's poems. I thought it well fitted our late friend OLIN. The title of the poem is "Sermons We See."

The poem reads:

SERMONS WE SEE

I'd rather see a sermon than hear one any day,
I'd rather one should walk with me than merely show the way.
The eye's a better pupil and more willing than the ear;
Fine counsel is confusing, but example's always clear;
And the best of all the preachers are the men who live their creeds,
For to see the good in action is what everybody needs.
I can soon learn how to do it if you'll let me see it done.
I can watch your hands in action, but your tongue too fast may run.
And the lectures you deliver may be very wise and true;
But I'd rather get my lessons by observing what you do.
For I may misunderstand you and the high advice you give,
But there's no misunderstanding how you act and how you live.

—EDGAR A. GUEST.

That poem well typifies our late friend. As I have said, he was ever active, always understanding, helpful, interested in the other man's problem. He possessed a great spiritual base and led a spiritual life. He blessed those with whom he served.

I am sure that the generous Father whom he served so well affords his soul a lasting resting place.

Mrs. Stennis joins me in saying that we believe that that same providence will sustain his surviving wife and members of his family and friends.

I thank the Senator.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from New York.

Mr. KENNEDY of New York. Mr. President, on behalf of the Kennedy family, I want to extend condolences to Mrs. Olin D. Johnston and Senator JOHNSTON's family.

Senator JOHNSTON served in the U.S. Senate with great distinction for a long period of time. He made a major difference in 1960 and on many key issues over the years thereafter.

He was a great friend of mine for these past years as well. We shall truly miss OLIN D. JOHNSTON.

Mr. MONRONEY. Mr. President, will the Senator from South Carolina yield?

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, a number of years ago a political reporter asked Franklin D. Roosevelt to describe his political philosophy. The President replied, "I am a Christian and a Democrat." I recall those words now because I find them a most suitable description of my friend and colleague, OLIN D. JOHNSTON. He was, in the best sense of the words, a Christian and a Democrat. A Christian not only because of his lifelong membership and leadership in his church, but in his personal devotion to Christian principles—faith, charity, concern for his fellow man. A Democrat, with both a big "D" and a little "d." His political party recognized and prospered by his interest in the Democratic Party of the State of South Carolina and also of the Nation. He was a loyalist in the best tradition.

He was a Democrat with a little "d" in that he personified the American dream of fulfillment. Born in a little cotton-mill town in the Piedmont section of South Carolina, he worked his way up through the mills and the schools of his State until he attained distinction as a State leader that is matched only by the names of Pinckney and Calhoun. He was twice elected chief executive of his State and four times elected to the U.S. Senate.

It has been said he rose to great heights and yet never lost the common touch. This is quite true. I served with OLIN JOHNSTON on the Committee on Post Office and Civil Service for 14 years, and time and again his leadership of that committee demonstrated his concern for what is called the common man. His great interest was in those who did not and would never "rise to great heights." He wanted to help the "little fellow," as he called them.

He was chiefly instrumental in the enactment of the Federal Employees Health Benefits Act of 1959, a milestone in helping Federal employees pay their medical expenses. He guided through the committee pay legislation to raise the salaries of Federal employees to a level competitive with private enterprise. He played a key role in liberalizing the Federal retirement program so that the average Federal employee could have a decent retirement income.

As Governor of South Carolina, he successfully opposed an increase in the price of automobile license tags because, he said, he wanted the poor man to be able to afford to drive a car. In a critical vote in 1962, he voted for the medicare bill because, he said, it would help the poor people. His interest always leaned toward the people who needed help.

I served with Olin Johnston from the time I came to the Senate until his death on Easter morning last April. It is possible to list his legislative accomplishments, to enumerate the many bills which came out of the committee he chaired for 14 years, to compile an impressive list of public laws with which his name will always be associated.

But I see no reason to do that here, today, in the presence of his colleagues. We knew him well. We knew his gentle manner; we knew his willingness to listen to all views, and proceed carefully but continuously toward the goal of accomplishment. His manner and method will be missed. We on the Post Office and Civil Service Committee will miss his wise and effective leadership. As an expression of our respect and our affection for him, I wish at this time to read a committtee resolution adopted favorably and unanimously on the death of its colleague and former chairman, Olin D. Johnston.

RESOLUTION OF THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE OF THE U.S. SENATE ON THE DEATH OF ITS COLLEAGUE AND FORMER CHAIRMAN, OLIN D. JOHNSTON

Whereas Olin D. Johnston, late a Senator of the United States for the State of South Carolina, served in the Congress of the United States for 20 years, 3 months, and 15 days; and

Whereas he served as a member of the Committee on Post Office and Civil Service for 18 years and as chairman of the committee during the 81st, 82d, 84th, 85th, 86th, 87th, 88th, and 89th Congresses; and

Whereas he attained national distinction as a friend of all Federal employees and as the architect of legislation to improve the conditions of employment, the salaries, the status, and the benefits of all Federal employees; and

Whereas he contributed greatly toward the improvement of the postal establishment of the United States as a service to the people; and

Whereas through his untiring and inspired efforts the efficiency of the Federal Government has been markedly improved; and

Whereas he was known to all as a man of wisdom, loyalty, justice, good judgment, honor, patience, kindness, humor, and deep interest in the welfare of his fellow man and as one humble before his God: Now, therefore, be it

Resolved, That the Committee on Post Office and Civil Service of the U.S. Senate individually and collectively do express, extend, and convey our deep sympathy to his family upon his passing, and our profound and continuing regard for his accomplishments as a man, a Senator, and as the chairman of this committee which he guided so well for so many years.

A. S. Mike Monroney, Ralph Yarborough, Jennings Randolph, Gale W. McGee, Daniel B. Brewster, Vance Hartke, Quentin N. Burdick, Donald S. Russell, Frank Carlson, Hiram L. Fong, J. Caleb Boggs, Milward L. Simpson.

Members of the Post Office and Civil Service Committee.

I also ask unanimous consent to have printed in the Record a statement by Hon. John Gronouski, the Postmaster General.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY JOHN A. GRONOUSKI, POSTMASTER GENERAL

Olin Johnston was a man of many parts—many interests and many abilities. But to me he was, above all, a man of great vision. He was one of the first legislators in history to recognize the inescapable truth that the Federal Government is only as good as the men and women who serve it. And he devoted his career to the needs and aspirations of those men and women. He gave to them dignity and a sense of purpose.

Government workers the Nation over are far better off today than ever before because of Olin Johnston—and the Government, too, is better off. I was privileged to have had an opportunity to work with Olin Johnston, and I was proud to call him a friend.

Mr. RUSSELL of South Carolina. I yield now to the Senator from Florida [Mr. Holland].

Mr. HOLLAND. I thank the Senator. I join the distinguished Senator from South Carolina and our other colleagues in a word of tribute, appreciation, and friendship for our late friend, Senator Olin Johnston, of South Carolina.

Senator Johnston and his wife and Mrs. Holland and I became friends while both Senator Johnston and I were serving as Governors of our States. That friendship continued through all those years.

Then he came to the Senate a little before me. I found him established and willing to be helpful to a friend when I came to the Senate some time later. I recall when I came here in September, due to the fact that Senator Andrews had deceased, there were practically no Members of the Senate here. Olin Johnston happened to be here.

He knew I had just come here, and he came to see me at the office temporarily assigned to me. He invited me to have dinner with him. He said his wife and children were in South Carolina and he had a new home in Rock Creek Park, or Rock Creek Falls, or some such name. I was glad to go there and see his home and the pride he had in it and hear what he liked about the Senate and what he hoped to get done.

He was a great admirer of Franklin Roosevelt, as has been mentioned by the Senator from Oklahoma. He frequently embellished his remarks with reminiscences of F.D.R., as he affectionately called him.

I think those of us who saw him in action only in the Senate—and he was an active and efficient Senator—might easily underestimate the power of the man when it came to politics. I just want to recount for the Record that he probably had the most remarkable political career of any South Carolinian, at least in my time, and for a long time. He had the distinction of having overcome two South Carolinians who were considered practically unbeatable, the late Senator Coleman Blease, and the late Senator Ellison D. Smith. Both of them were remarkable strong political characters and individuals in their own right.

He was not always successful, but he came back without diminution of strength or vigor as a result of the confidence of his people in him. I do not know of anyone in the Southland who had a record that equalled that of Olin Johnston. He had political power and a political attractiveness to his people, particularly the modest people of his State, who believed in him so strongly.

I had the pleasure of being with him on my first assignment to a committee, the District of Columbia Committee. He was a senior Democratic member. My seat happened to be by his. We left our proxies for each other, in the event that either one of us could not be present. A little later, we were both assigned, he before me because he was senior to me, to the Agriculture Committee, and we sat together on that committee for 15 years or thereabouts. Our relations were always cordial and friendly. I do not want the Record to show that we always voted the same way in committee or on the Senate floor, but if we disagreed he never made a personal matter of it. He was always ready to concede that another Senator or another person who had the opposite view had the right to his opinion.

Mr. President, I jotted down some adjectives which I think describe Olin Johnston. I think the first word one could use is the word "compassion." I thought he was the most compassionate Senator I have ever seen serving here, because he was always looking for an opportunity to serve those he could help and who needed help. Of course, he was honorable. He was most persevering. He was steadfast. He was courageous. He was resourceful. I thought he was a remarkable Senator, successful in everything he undertook.

May I say that I admired him for another quality? He was always so willing to give credit to his wife. He told me how she had helped in his campaigns. I believe he told me that she managed his office in one or more campaigns. He said he relied on her political judgment, and he took that advice many times.

He was always willing to give credit to others, and to fight for what he believed in, and always those issues which had humanitarian aspects.

Of all the things he would have wanted said about him, I think what he most would have wanted said was that he was a humanitarian Senator and always willing to aid those who needed help.

I want the Record to show that Mrs. Holland and I extend our deepest sympathy to Mrs. Johnston and family.

Mr. RUSSELL of South Carolina. Mr. President, I yield now to the Senator from Colorado [Mr. Allott].

Mr. ALLOTT. Mr. President, I join my colleagues today in expressing sympathy and condolences on behalf of Mrs. Allott and myself to the bereaved relatives of the late Senator Johnston.

The distinguished Senator from Florida has paid a beautiful tribute to him.

I think we always remember, in such instances as these, one or two things that have happened. Unfortunately, I never had the opportunity to serve on a committee with Senator Johnston, but it so happened that when the now President of the United States was the majority leader of the Senate and we were in the closing hours of one of our sessions, a matter came up in which Senator Johnston was interested and in which I also had a great interest, but from an opposite point of view. He was very much afraid, at that point, that if the opposite point of view were pressed, it might cause a delay in enactment of the bill. However, the matter which I had in mind at that time was important enough, in my opinion, to delay the bill. The matter was discussed on the floor, in front of the very desk where the Senator from South Carolina now stands; and in the presence of the majority leader he agreed that he would take the matter up immediately upon convening of the next Congress.

It is a tribute to the kind of man he was that when the matter came up at the beginning of the next session of Congress, it was sufficient for me to invite his attention to the problem for it to be given immediate attention, and legislation was enacted which corrected what I had in mind.

I always found Olin Johnston to be completely sincere. If I may use a word without demeaning him, because there may be those who think it would demean him, but I believe it to be a compliment, I would say that he was earthy. He was close to the people. He understood the people. It is therefore understandable why all the people of South Carolina, especially the ordinary, modest person, had complete confidence and faith in him.

The civil servants of America and its postal employees all have good reason to have had confidence in Olin Johnston.

As a Senator, let me say in closing that personally it is a great loss to the Senate to lose a man of his deep sense of devotion, who had such a deep sense of his word and what that word meant.

All of us will miss him.

To his wife and children we send our deepest sympathy.

Mr. RUSSELL of South Carolina. I yield to the Senator from Mississippi.

Mr. EASTLAND. Mr. President, I wish to join with my colleagues in extending to Mrs. Olin D. Johnston and family our deepest and most sincere sympathy. Not only has the U.S. Senate lost one of its ablest and most valuable Members, but each of us individually has also suffered the loss of a dear and most beloved friend.

It was my personal privilege to serve in the closest conjunction with him over a long period of years on not one, but two of the major Senate committees. On Agriculture and Forestry he outranked me by two; on Judiciary I outranked him by one. Never was there a man with whom it was easier to work, or who would work harder, and could maintain a kind and equitable disposition under the most severe stress and extreme provocation. In his quiet and effective way, he was a genius at getting things done.

Some years ago, it was fashionable to talk about the age of the common man, the rise of the common man, and doing something for the common man. I do not now, nor did I ever understand exactly who or what this common man was, nor do I believe Olin did, but when it came to loving and being loved by just people, Olin Johnston had no peer. His devotion to his fellow man was deep and abiding. He served equally well the good and the bad, the poor and the rich, the ignorant and the intelligent, and all shades in between. As chairman of the Post Office and Civil Service Committee, he was a power in the life of every Government employee. From the lowest among these to the highest of the upper grades, he was the champion who always fought for what he thought was their due, and usually saw that they got it. For the civilian legions of governmental employees, there can never be another like Olin Johnston.

Olin was a man of many facets and the widest possible range of accomplishments—soldier, lawyer, State legislator, Governor and U.S. Senator. He served his people faithfully and well, both in peace and in war. His quiet and self-effacing manner could never hide the character and quality of his superlative service.

South Carolina, a State that has always supplied a generous number of illustrious and able sons, while grieving at his passing, can proudly claim another bright star in that firmament of leaders of men and those who have given their utmost to God and country.

Again we extend our heartfelt sympathy to his family and loved ones.

And, while this epitaph might be a million times repeated, never could it be more applicable than when applied to Olin D. Johnston: "Well done, thou good and faithful servant."

Mr. RUSSELL of South Carolina. I yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I desire to associate myself with the remarks of the distinguished junior Senator from South Carolina [Mr. Russell] in the tributes which have been paid in the Senate to our distinguished late colleague and friend, Senator Olin Johnston, and also by the majority leader and other friends who have spoken in the Chamber.

When Senator Olin D. Johnston was taken away by pneumonia on Easter morning this year, I lost one of my best friends in the Senate.

The deep feeling which we all held for this man was inspired and reflected in the depth of Senator Johnston himself, as he was a man of relentless energy in his concern for the welfare and happiness of others. No matter how hard one tried to overcome it, friendship with Senator Johnston was always more of a receiving relationship than a giving, because no matter how close one came to him, he always seemed a little bit closer to us, and to do a little bit more for us.

The reality of this man's concern for our Government came in his frequent reference to himself as a "Federal employee." With the loss of Senator Johnston, the Federal Government suffered a great loss. As a friend of the postal employees, as an associate with every piece of legislation favorable to Government employees in the past 15 years, the working man of our Government suffered a great loss with his death. Acquaintance with Senator Johnston meant endearing himself to everyone. His yielding to the passage of time leaves a vacancy in the hearts of men.

Senator Johnston was a loyal man. He was loyal to his family—no closer-knit family existed in the Senate. He was loyal to his friends; he was loyal to his party; he was loyal to all the ideals in which he believed.

Senator Johnston knew hard work as a boy in the textile mills in the Piedmont Belt in South Carolina. On his rise to the governorship and to the Senate he never forgot the aches and pains and problems of those who toil. He was always their friend.

Senator Johnston was an able political campaigner. The establishment and the power structure in his State did not put him in office. He fought and vanquished them and by his own great campaigning ability defeated the most able South Carolina campaigners of the 20th century. He served as Governor of South Carolina from 1935 to 1939 and, following an interregnum, served as Governor from 1943 until he was sworn in as U.S. Senator in January 1945.

For the last 15 to 18 years, Senator Olin Johnston was the prime leader of the Democratic Party in South Carolina, successfully leading the party to carry the State against several Republican onslaughts. Among the many formidable opponents he defeated were Cotton Ed Smith, against whom he waged probably his toughest battle, and Cole Blease, against whom he ran successfully for Governor and who had been, ironically, one of his boyhood heroes.

One outstanding example of Senator Johnston's fine spirit and courage was the stand he took on the medicare issue. Long before this became an issue before the Congress and before it was an administration-supported proposal, Senator Johnston, because of his dedication to seeing justice done and his concern for the welfare of our senior citizens, came out for medicare and supported the idea strongly.

Mr. President, when I was elected to the U.S. Senate in 1957, two U.S. Senators aided me. Senator Olin Johnston was one of those. He telephoned to Texas; he organized entire groups for me; he was a vital force in my election. When I came to the Senate he caused me to be placed on the Committee on Post Office and Civil Service. I treasure his memory.

Mr. President, it was my privilege yesterday to attend the legislative conference of the National Letter Carriers Association in Washington. At that conference a tribute was paid to OLIN JOHNSTON by the Senate Chaplain, Dr. Frederick Brown Harris. I should like to read that tribute:

> Dear friends of the National Association of Letter Carriers, it is a sacred privilege in the presence of the representatives of an arm of the public service, whose welfare was so dear to his heart, to bear witness to the character and sterling integrity, to the devotion to the weal of his State and Nation which made the record of OLIN D. JOHNSTON a notable one in the annals of the Nation's life. In his public life he toiled selflessly for the interests of those whose Representative he was in the legislative process. In his private life he wore ever the white flower of a blameless life.
>
> Well do we know that no one of us can pass final judgment on the record of those who have toiled by our side and have now finished their course having kept the faith. That verdict is in the hands of that One in whom we live, and move, and have our being—who is both just and good, and whose mercy is like the wideness of the sea. But, because we, with whom OLIN JOHNSTON walked, had seen manifold evidences of the dedication, the courage, the faith whose persistence removed mountains, his passion in the stewardship of human needs and betterment as he labored while it was called day, we are saying of him now as he has gone from our side and sight here:
>
> "A friend has passed across the bay
> So wide and vast and put away,
> The mortal form which held his breath
> But through the storm that men call death
> Erect and straight, unstained by years,
> At heaven's gate—a man appears."
>
> And, may I say that in all the score of years of my ministry on the Hill, the one we mourn and honor today—and the members of his dear family—have been among my cherished friends with a special place in the round tower of my heart.
>
> Tomorrow in the Senate Chamber his colleagues will lay aside demanding duties that from both sides of the aisle tributes may be brought to a workman that needed not to be ashamed. There, under the white dome, where he served with distinction, those who shared the responsibility of the Nation's interests with him will recall the fruitful years which he gave without stint to national concerns, after he had served as the Governor of his loved State to which high office he was twice elected. As great as was his contribution to those whose franchise committed their welfare to his hands we bear witness, as we lift his record to this altar of memory, that his patriotism pure and undefiled was as wide as the Republic's bounds and the world's dire needs. His compassion for humanity knew no frontiers.
>
> Now with little time for farewell he has fared forth beyond this bourne of time and sense to know the mystery which one day will be revealed to us all as this mortal puts on immortality when what we call death will prove to be but a portal to ampler life.
>
> When there was held what we call a funeral service—a coronation hour would be a more real and a more Christian appellation, at the loved church in Spartanburg, dear to his heart, where back to the days of his parents he had known within its hallowed walls its sweet communion, its open Bible, its preached word, its solemn vows, its hymns of love and praise and human service, the Johnston pastor, Dr. John E. Huss, made a statement in his tender eulogy to which there is the sound of a great amen in my own heart. Here are his words: "If one simple word could be found in the vast ocean of words in our dictionary which would sum up all the wonderful things which could be spoken in praise of OLIN D. JOHNSTON, my suggestion would be the word, 'genuine,' synonyms of this word are sincere, frank, honest, pure, sterling, unaffected."
>
> In thinking of all the qualities which are wrapped up in that word "genuine," this minister who knew him so well then brought his tribute under three heads. "His Christian witness was genuine. His home life was genuine. His distinguished political life was genuine." Together, he and his Gladys, the loving companion and helpmate of the years, stooped to pluck the flowers of faith and hope as side by side with a love that never faileth, they walked life's winding paths from what the world labels "humble beginnings" to the highest level of recognition and honor in the official life of the Nation. Together they shared the simple faith which was never deceived as to where life's durable satisfactions lie and where life's true treasures are to be found. They built a genuine Christian home where the sham and show of mere things to live with never obscured the shining gold of the things worth living for. Through beautiful years in life's holiest partnership they have lived in their house by the side of the road fulfilling Edward Everett Hale's receipt for a happy life "Look up and not down, look out and not in, and lend a hand."
>
> And now in the sadness of farewell our hearts are saying:
>
> "Tis hard to take the burden up
> When such have laid it down,
> They brightened all the joy of life
> They softened every frown,
> But, O 'tis good to think of them
> When we are troubled sore.
> Thanks be to God that such have been
> Though they are here no more."

Mr. President, yesterday morning these thousands of representatives of the Letter Carriers of America passed a resolution of honor of Senator OLIN JOHNSTON. It reads as follows:

> RESOLUTION ON OLIN D. JOHNSTON
>
> Whereas our late and greatly lamented friend, Senator OLIN D. JOHNSON, chairman of the Senate Committee on Post Office and Civil Service, was one of the greatest friends the letter carriers and other postal and Federal employees ever had; and
>
> Whereas the life and career of Senator OLIN D. JOHNSTON was an inspiration to every American of every age in that he achieved greatness despite the most formidable economic obstacles; and
>
> Whereas every postal and Federal employee now on the rolls, and every postal and Federal employee who will be on the rolls in all generations to come owes, and will continue to owe, a tremendous debt of gratitude to Senator OLIN D. JOHNSTON: Be it therefore
>
> *Resolved*, That this conference of the National Association of Letter Carriers go unanimously on record expressing its deep sorrow at the death of our friend and champion, Senator OLIN D. JOHNSTON; and be it further
>
> *Resolved*, That a copy of this resolution be presented to Mrs. Gladys E. Johnston, the widow of the late Senator OLIN D. JOHNSTON, with the assurance that the letter carriers of the United States consider themselves her personal friends and that they share with her the great sense of loss that she must feel.
>
> LEGISLATIVE CONFERENCE, NATIONAL ASSOCIATION OF LETTER CARRIERS.
> WASHINGTON, D.C., *June 21, 1965*.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, the recent death of our friend and colleague, Senator OLIN D. JOHNSTON, of South Carolina, was a personal loss to me and, in a broader sense, a loss to every citizen of our Nation.

OLIN JOHNSTON was a legislator who served the public interest with all the strength and capacity at his command. His sense of conviction, his purpose, his understanding won the respect and admiration of fellow Senators, and the gratitude of his constituents.

Lawyer, State official, soldier, civic leader—Senator JOHNSTON achieved success in a wide variety of fields. He was a member of a number of fraternal orders, an active participant in the work of his church, and above all a loving husband and father. The esteem in which he was held by South Carolinians is evidenced in the fact that he was chosen as their Governor for two terms, and then elected to the U.S. Senate for four successive terms.

It was my privilege, Mr. President, to work closely with OLIN JOHNSTON since being elected to this body in 1958. I served under his leadership as a member of the Committee on Post Office and Civil Service, of which Senator JOHNSTON was the capable chairman.

Senator JOHNSTON was instrumental in securing congressional approval of measures designed to improve and modernize operations of the U.S. postal system. He was at the forefront of those seeking to improve working conditions for Federal employees and to bring governmental salary scales up to a level comparable to those of private industry. He was a diligent champion of the physically handicapped and pressed for tax exemptions to assist this valuable segment of our society.

The contributions of OLIN D. JOHNSTON have been legion. His constructive influence will be missed in the U.S. Senate and he will be remembered with affection and esteem by millions of his countrymen, especially the workers in the Federal Government.

Mrs. Randolph joins in this tribute to the memory of OLIN JOHNSTON, and both of us express to the widow and family of our former colleague our affection and faith. OLIN labored each day as if he were to live forever but he lived each day as if he were to die tomorrow. We will remember his courtesy, his courage, and his compassion.

Mr. RUSSELL of South Carolina. I now yield to the Senator from Nevada.

Mr. BIBLE. Mr. President, OLIN D. JOHNSTON was a man who would not skirt the trouble spots. He had no fear of controversy. He had the courage to take the unpopular position if he believed it was the right position. He had the tenacity to hold that position. And he had the honesty and moral fiber to prevail.

As I look back over the career of this distinguished Senator and public servant from the viewpoint of a colleague and close personal friend, I think this attribute—this powerful integrity—speaks more for the man than any other. It underscored his leadership. It imbued his dedication.

But OLIN JOHNSTON was also a man of wisdom and restraint. He was dynamic but he was compassionate. He was aggressive but he was fairminded. He was firm but he was considerate.

Speaking personally, the death of OLIN JOHNSTON has stolen from me a warm friend and trusted guide and counsel. His understanding and consideration provided great assistance to me when I came to the Capitol as a freshman Senator.

OLIN JOHNSTON was never too busy to be helpful. I am not the only Senator to profit from the generosity of his character. Certainly I am not the only Senator to call him a close personal friend. I am sure there are 99 others.

OLIN JOHNSTON was from the South. I am from the West. Our ties should have been distant politically as well as geographically. It is the measure of his greatness that our ties were close instead. We were, in fact, quite close in our political philosophy and our approach to National Government.

This has been my view of this distinguished figure. His was a remarkable career—soldier, lawyer, legislator, governor and U.S. Senator—and above all a man of powerful integrity.

The death of OLIN JOHNSTON robbed South Carolina of a great leader and dedicated friend. It also took from the Congress a great leader and dedicated friend.

He is sorely missed.

Mrs. Bible joins me in expressing our deepest sympathy to his beloved wife and to his family.

Mr. RUSSELL of South Carolina. I yield to the Senator from New York.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I learned to have a deep affection for OLIN JOHNSTON. It is well known that I had a fundamental difference with him on the question of civil rights and racial policy. This difference did not prevent me from seeing, however, the great qualities of the man which to me stood out in two ways. One was his capacity for friendship, even with those who, like myself, differed with him. It was a warm, personal, and understanding friendship.

Second was his enormous solicitude for the civil service of this Nation. In my own experience—and I served in the House and in the Senate—I know of no man who had the feeling for the civil service, the understanding of its people, and the affection for its people, 2 million strong, however they were placed in the country, that Senator JOHNSTON had.

He had almost a fraternal relationship with every one of us.

I join with other Senators in honoring his distinguished memory and extending the deepest sympathy and condolence of Mrs. Javits and myself to Mrs. Johnston and his family.

Mr. RUSSELL of South Carolina. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, Senator OLIN JOHNSTON, to whom we pay well-deserved tribute today, became the Governor of South Carolina at the same time I became Governor of Massachusetts. We attended at least six Governors' conferences together. We came to know each other, and Mrs. Saltonstall and I became friends of Governor and Mrs. Johnston. Then we both came to the U.S. Senate in 1945 and served together in this body until his unfortunate death this year. So we have had much in common both within our States and in serving our Nation.

Senator JOHNSTON was dedicated to public service. Throughout his Senate service he was a friend of the men and women who served our Government, whether they served as postmasters, as civil servants or in appointive capacity. As chairman of the Post Office and Civil Service Committee, he knew much about the relative merits of the positions in Government and the responsibilities of those positions and the rate of pay that an employee or administrator should have in his respective office. We grew to have confidence in his judgment, and what his committee reported the Senate generally passed.

He was a loyal Democrat and one who upheld the traditions of his State in all matters politic. But while he was a dedicated member of his party, he was always open to suggestion and reason in order to get a fair result.

We were friends—in some political contests, of course, we were rivals—but always in an impersonal, objective way. And because of that friendship, I miss him and join with our other colleagues in expressing our deep sympathy to his wife and family. In this Mrs. Saltonstall joins me because of her longtime friendship with his good wife. OLIN JOHNSTON has left his mark in the U.S. Senate as an able, intelligent, and hard-working legislator.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, when I first came to the Senate as a newly elected junior Senator from the State of Ohio, I become acquainted almost the first day with OLIN JOHNSTON of South Carolina. It is a happy personal recollection that I was assigned to a desk very close to the one occupied by that late Senator, who was our friend, a truly great Senator, and a truly great man in every respect.

We often talked together. At that time I served with him on the Committee on Agriculture and Forestry. I was a new member of the committee, and he helped me. He would go out of his way to aid me in many ways.

OLIN JOHNSTON was a generous man to all of us. He was a magnificent political campaigner in his State of South Carolina. I remember distinctly on a number of occasions listening to his comments and his statements of arguments he made on the stump in his State in support of the principles and views to which he adhered.

He and I became very close. I am glad to consider myself to be the same sort of Democrat that he was, and I have tried to be as good a public servant as he was.

His death was a great loss to our Nation. It was a great and severe loss to the State of South Carolina, to the Senate, and above all to the millions of underprivileged American men, women, and children whose champion he was for so many years. Few men have fought their battles as diligently and earnestly as did OLIN JOHNSTON throughout his many years in public service as State legislator, as Governor of his State, and as a Senator of the United States. We have all lost a very dear friend, and his warmth and humor, his experience and wisdom will be missed by all of us.

OLIN D. JOHNSTON served overseas in World War I as a sergeant with the famed 42d—Rainbow—Division. Following World War I he attended college and law school, and then moved to Spartanburg, where he became a successful trial lawyer. He was elected to the State house of representatives. Then, in 1934 he was elected Governor of South Carolina. He served with great distinction for two terms and was elected to the U.S. Senate in 1944, being reelected in 1950, 1956, and again in 1962.

OLIN JOHNSTON was a great progressive, humanitarian leader in his State and in the Nation. He was a gentleman in every sense of the word. OLIN JOHNSTON had character and gentleness to an unusual degree. Yet, when aroused for a cause in which he believed, he was a valiant and inspiring leader. Truly it can be said of him, "his life was gentle, and the elements so mixed in him that nature might stand up and say to all the world, 'this was a man'."

Mr. President, the Nation has lost a truly great public servant.

Mr. President, we pay our respects and manifest our affection for a colleague whom we admired and loved and who served his State and Nation throughout many years with fidelity, zeal, and industry, and as a proud American patriot.

Mr. COOPER. Mr. President, will the Senator from South Carolina yield?

Mr. RUSSELL of South Carolina. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, OLIN JOHNSTON was an outstanding representative and leader of the people of South Carolina. We knew him as an able and effective Member of the U.S. Senate. Those accomplishments are well known. We think today of his outstanding human qualities.

OLIN JOHNSTON was one of the kindest men I have ever known. Not only was his kindness extended to his colleagues in the Senate, but his thoughtfulness, courtesy, and kindness were extended to all who came in touch with him. His kindness reached out to those who were in less fortunate circumstances. Unlike some who achieve success against difficult odds, he did not forget his own struggle. He did not forget those who still struggle. His heart, his work, his leadership, his legislative efforts, went out to them.

He was a good man. I do not use that term in a superficial sense, because we who walked with him and talked with him knew that his life and work bespoke his Christian faith.

I shall always remember him for his devotion to his family. It was good to see OLIN JOHNSTON walking in the corridors of the Capitol with his wife and his children, talking together as a happy family. It was always a true family picture.

As one whose family settled in South Carolina and then migrated to Kentucky, I have always had a sentimental feeling about South Carolina. I shall always be happy that I could claim as a friend OLIN JOHNSTON, a distinguished Senator of that great State, but also a kind and human soul.

Mr. PELL. Mr. President, will the Senator from South Carolina yield?

Mr. RUSSELL of South Carolina. I yield to the Senator from Rhode Island.

Mr. PELL. Mr. President, I wish to express my sadness and sense of loss at the death of our colleague, OLIN D. JOHNSTON. Although we came from different parts of the country and I was greatly junior to him in service in this body, I came to admire and like immensely this excellent Senator from South Carolina. To my mind, he was all that a Senator should be—direct and gracious.

Although he worked and met with the leaders of our Nation, he never lost sight of the welfare and interest of the simpler people of our country, for whose welfare and interest he fought and strove mightily through the years. As chairman of the Committee on Post Office and Civil Service, he fulfilled his responsibilities in an altogether excellent way, inspiring Federal workers and helping to give the Government the fine civil service that is ours.

The country and the Senate have suffered a great loss in his passing, and I extend all my condolences to his family.

Mr. TYDINGS. Mr. President, will the Senator from South Carolina yield?

Mr. RUSSELL of South Carolina. I yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I appreciate the opportunity to join other Senators in paying tribute to a great Senator from South Carolina, OLIN D. JOHNSTON.

In January of this year, when I first took the oath of office as a duly elected Senator from Maryland, standing nearby was Senator OLIN D. JOHNSTON. He had been a great and trusted friend of my father, who served with him in this body.

Immediately following my swearing-in ceremony, Senator JOHNSTON took occasion to counsel and advise me. Even at that time, he was extremely ill. He remained at the Capitol for a meeting of the Democratic steering committee, at which time the assignments of newly elected Democratic Members of the Senate to committees were considered. I know that one of the reasons why he remained was so that he might present my requests for committee assignments to his fellow members of the steering committee. The guidance of Senator JOHNSTON was invaluable to me, as I know it must have been to other junior Senators, all of whom, as they come to this body, seek the advice and counsel of their seniors.

Throughout his tenure of service as Governor and as U.S. Senator, OLIN JOHNSTON championed the causes of the little people. Born into a tenant farm family, nourished as a young man in the grueling work of a textile mill, and politically educated in the great depression, OLIN JOHNSTON became a stanch champion of the New Deal under Franklin Roosevelt and remained dedicated to the principles of the New Deal until his death. He never forgot the little people of South Carolina, and they never forgot him.

I did not realize, until I took occasion to review his history, that Senator OLIN JOHNSTON was the heavyweight champion of the Rainbow Division in World War I. All who knew him will always remember that he was a hard fighter and strong battler. The more intense the battle, the harder he fought. Many of his greatest battles, both in the statehouse of South Carolina and in the U.S. Senate, were his struggles on behalf of the average workingman.

His struggle to accomplish labor reform, civil service reform for Government workers, and social welfare to improve the lot of all persons who work with their hands for a living will always be a tribute to his record in the statehouse and in the U.S. Congress.

One of OLIN JOHNSTON's great attributes was his ability to convey to each individual with whom he came in contact a deep feeling of genuine interest in their personal problems. No matter how small or how insignificant the problem, he considered it his problem. I particularly appreciated the interest and concern he took in a problem which affected me; namely, the committees of which I should seek to become a member as a freshman Senator.

Certainly this was not a very important thing, but he was kind enough and courteous enough to listen to me and to advise me, even at a time when he was sick and perhaps should have been home in South Carolina taking care of himself.

I recall his great kindness and lasting friendship to my father after my father was defeated in his bid for reelection for 1950, after 24 years in the Senate. Senator JOHNSTON's friendship was just as firm, or firmer, with my father in defeat as it had been when my father was chairman of the Committee on Armed Services of the Senate.

That is the kind of friend whom we can ill afford to lose.

His passing was a deep personal loss to me. In being selected to succeed him as chairman of the Subcommittee on Improvements in Judicial Machinery, a standing subcommittee of the Committee on the Judiciary, I have been challenged to reflect that fullness of human friendship and affection which was his, and which opens the door to real human understanding. Life is not worth much unless those who remain behind remember the work of those who have gone before.

I believe that we should all pause at this time to pay tribute to the memory of a great soul, a great U.S. Senator, who, above all else, loved his fellow men.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Hawaii.

Mr. FONG. Mr. President, I join my distinguished colleagues in paying well-deserved tribute to a great Senator, OLIN D. JOHNSTON. His untimely and tragic passing removed from the Senate one of the most dedicated and ablest legislators of our time.

I had the privilege of working closely with him, particularly on the Post Office and Civil Service Committee, over which he presided as chairman with great distinction and effectivenes, and on the Judiciary Committee to which he contributed immensely as a diligent, energetic member. As a member of these two committees observing him in action, I gained the deepest respect and admiration for his deep humanitarianism, his warm friendliness, his great legislative skill and for his vast knowledge of wide-ranging subjects which came before the committee.

A measure of the high esteem in which he was held can be seen in the numerous and grateful tributes paid to him by employee and supervisory organizations concerned with postal and civil service matters. He was a legislator without peer in this complex field.

I wish to pay humble tribute to Senator JOHNSTON's valuable assistance to my State of Hawaii in solving many problems of transition from a territory to a new State. He was especially helpful in solving some of our mail and Federal civil service problems.

It was about a year and a half ago that Senator JOHNSTON and his lovely and gracious wife, Gladys, visited Hawaii, where he addressed the National Association of Postmasters of the United States—one of many groups representing the Federal employees whose interests he always had at heart. The people of Hawaii and especially Federal employees, found him a straightforward, considerate, and sympathetic friend. I have found him a most helpful colleague, a fine friend. He was always ready to help. And, on many occasions I sought his advice and counsel. He possessed an astute mind, great personal charm, and a strong sense of public duty.

He will be sorely missed in the Senate.

My wife, Ellyn, and I extend our fond aloha and farewell to our late beloved friend OLIN JOHNSTON, and extend our heartfelt condolences to his wife and the family.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, although it has been a few months ago, it seems like only yesterday that OLIN JOHNSTON returned to the Senate after an extended illness. There was a spontaneous expression of tribute and greetings to him on what we thought and hoped would be a permanent recovery. The greetings were occasioned by the deep affection and admiration which his senatorial colleagues held for him.

We all loved OLIN JOHNSTON. We shall miss him sorely. He was kind, generous, considerate. He was compassionate. He really loved his fellow men. OLIN JOHNSTON's life illustrated one of the great things about America, and that illustration is not only a tribute to him, but also to the people of the State of South Carolina.

He was a man who came from humble origins, if we can thus by implication characterize our society, which we would like to think, or delude ourselves by thinking, is classless, a society which in truth is divided between those of humble origin and circumstances, and those who have achieved a superior social position of wealth and status through good fortune or inheritance.

OLIN JOHNSTON, as a youngster, started as a worker, a member of the laboring class. Yet he illustrated that in this country a man of character, purpose, and ambition—using the term "ambition" in the best sense—could rise to the greatest heights. That is one of the great things about America. It cannot happen in many other countries. And when it happens here, the man who makes it happen sheds glory not only on himself but on his country, because he demonstrates what this country at its best can be. OLIN JOHNSTON did just that. And so his life is and should be an example and a beacon to all our underprivileged youngsters, who start from scratch and pull themselves up by their bootstraps.

The life of OLIN JOHNSTON illustrates that as well and indeed perhaps better than that of any other man in our contemporary society. He started as a millworker. He rose through the ranks. He educated himself. He became a legislator. He served his country in war. He received the highest honors that the citizens of South Carolina could bestow on him—the governorship, and subsequently a senatorship. He would have served as a Senator for as many years as life was permitted him, or as long as he wanted to serve. The people of his State reciprocated the affection that he had for them. They elected and kept him to the highest offices in their gift.

In the Senate he made a great mark as a dedicated and astute legislator, a knowledgeable parliamentarian, a friend of all, but particularly of the smaller people, of the civil service workers, of those in the postal service, and of all those who needed sympathy and help. Indeed, all those who labored under disadvantages were befriended by him.

He will be very greatly missed. My wife, Dorothy, and I extend to Mrs. Johnston, whom we got to know, and who was of such great assistance to him, our deepest sympathy.

We both shall miss him. I considered him my friend.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, one of the glories of our democratic society is its capacity for producing leaders of a caliber to meet the needs of the times. The life of OLIN D. JOHNSTON is testimony to the rewards of a life spent in devotion to high principles and to the improvement of the lives of his fellow men. His life spanned over half a century of his country's history from 1896 to 1965. Those years have witnessed the phenomenal and varied growth of our population, rapid advances in communication and transportation, a mushrooming Federal bureaucracy, the building of great cities, and the drawing together of our society. We have fought two world wars and engaged in smaller ones. We have known the adversities of depression and the blessings of prosperity. With all of these changes, however, we have known economic, social and political problems.

OLIN JOHNSTON kept pace with these changes, and he lent his strength to the solution of these problems. He participated to the fullest in the events of his times. After serving gallantly in World War I, he sensed the importance of the role of law in a growing State; and he returned to his native South Carolina to study and practice law. As State representative and as Governor, he sought to lead his State up the road of progress. During his 8 years as Governor, he guided South Carolina successfully through the tensions and problems of depression and war. He had an intense social consciousness, and then as throughout his career, he fought for a better life for all of his people. He inaugurated many reforms, such as rural electrification to improve the lot of rural families, and improved highway facilities. He worked for improvements in working conditions for people in all walks of life. He placed great emphasis on education and his administration is well remembered as one in which great strides were made in the field of public school education for all the children of South Carolina.

With the growth of State and Federal governmental power and the resulting widespread bureaucracy, OLIN JOHNSTON realized that the little man often was overlooked, his rights were frequently ignored as larger interests were pursued, and he was often lost in the mazes of administrative regulations. It was thus that in the Senate Senator JOHNSTON became one of the leading champions of the rights of the citizen against the great administrative machine of Government. Ever aware of the problems and needs of his own State, he was never a provincial legislator. Rather, he looked to the long-range effects of legislation for all the people. Through his guidance as chairman of the Post Office and Civil Service Committee, he helped thousands of Federal employees, letter carriers, and their families, exercise their rights more effectively. As a ranking member of the Agriculture Committee, he looked to the rights and problems of the farmer and the farm families of America.

As a senior member of the Judiciary Committee, he was a respected, learned, and always a cooperative colleague. Ever alert to threats to the Constitution which he revered, he labored as a member of several judiciary subcommittees to assure prompt and fair administration of justice to all citizens. It was my honor and pleasure to work with him as a member of the Constitutional Rights Subcommittee for 8 years. His passing leaves a great void in the subcommittee ranks. In every study he was an informed, cooperative, and interested participant. Whatever the subject, whether it was the rights of the American Indian, the mentally ill, the serviceman, the indigent defendant, or the Federal employee, he lent his untiring support to investigations and legislation to implement rights under the Constitution. In this effort, he cosponsored in this Congress alone legislation to reform our antiquated bail system to assure equal treatment and justice to the poor in Federal courts; he was a sponsor of 18 measures to provide greater safeguards for the rights of servicemen and their dependents; and he sponsored 9 other proposals to guarantee the constitutional rights of our Nation's Indian citizens. During an earlier subcommittee study of wiretapping and eavesdropping, Senator JOHNSTON was determined that no legislation should be forthcoming which did not assure adequate protections to the privacy of the individual.

It is impossible to catalog the countless contributions which this distinguished public servant made to his country. He has left those of us in the Congress memories of a dedicated and always cooperative colleague, and to his lovely wife and family, he has left reason for proud memories of a man devoted to his family, his God. his State, and his country.

Perhaps his greatest attribute was his ability to withstand what Walter Lippmann has called the acids of modernity. Graced with sophistication in knowledge and with superb mastery of politics and government, he yet retained a simplicity of manner, a firmness in conviction, a steadfastness in principle which will serve as a glowing example for generations to come, not only in his own State of South Carolina, but throughout the land.

Mr. President, I ask unanimous consent that there be included in the RECORD at this point a number of editorials and news reports about Senator JOHNSTON.

There being no objection, the editorials and news stories were ordered to be printed in the RECORD, as follows:

[From the Winston-Salem (N.C.) Journal, Apr. 20, 1965]

OLIN D. JOHNSTON

If one sets out to write a guidebook on how to succeed in Southern politics, he might end up writing the biography of OLIN D. JOHNSTON.

For Senator JOHNSTON proved during a 20-year career in Congress that it was possible for a politician to hold the support of his constituents and still remain loyal to the national Democratic Party.

OLIN JOHNSTON's position in South Carolina politics rested on a political base that, by all logical standards, should have been unsteady. It was a strange coalition of mill workers, farmers, Negroes, and some businessmen. Yet it held together and sent Mr. JOHNSTON to the Senate for four terms despite strong opposition from more conservative Democrats and, in his last campaign, from an increasingly militant Republican Party.

Senator JOHNSTON supported Harry Truman when STROM THURMOND, of South Carolina, was running against him on the Dixiecrat ticket. He supported Adlai Stevenson, John Kennedy, and Lyndon Johnson at times when hostility to the national Democratic ticket was rising in his home State. Regardless of how South Carolinians viewed the national candidates, however, they always made sure that OLIN JOHNSTON went back to the Senate.

On civil rights, Mr. JOHNSTON did what a South Carolina Senator had to do—he opposed legislation that had the support of the White House and the leadership of both parties. He fought against foreign aid, too—an issue that doesn't arouse South Carolinians greatly one way or the other. But he went down the line for the party on medicare, public power, public housing, aid to education. He even voted against the Taft-Hartley Act, to the delight of the labor unions and the consternation of the industrialists.

The real secret of OLIN JOHNSTON's success, however, lay in his ability to serve South Carolina's interests in Washington. When he went to Congress in 1944, he gained seats on the Post Office and Civil Service Committee, the Judiciary Committee and the Agriculture Committee. He became chairman of the Post Office Committee and climbed high on the seniority ladder in the other two. He used his position on these three strategic committees to see that South Carolina was taken care of whenever Federal jobs or money were distributed.

Because of this attentiveness to his State's interests and because he succeeded in identifying himself so closely with the ordinary working people of South Carolina, he very likely could have stayed in the Senate for many years to come. But now OLIN JOHNSTON is dead, and the Nation shares South Carolina's loss of a master of the political art.

[From the Greensboro Daily News, Apr. 20, 1965]

A SOUTH CAROLINA POPULIST

South Carolina's Senator OLIN D. JOHNSTON who died in Columbia Sunday stemmed from two watersheds of political thought in the South.

He was on the one hand part of the stalwartly conservative establishment of Southern Senators who used their seniority and accumulated power with shrewdness. Often in combination with a GOP minority they ruled the U.S. Senate.

But Senator JOHNSTON was also the "cotton mill boy" who rose from back country, rural South Carolina to the heights of senatorial power. He reflected that incipient Populist strain always just beneath the surface in the South. As an early supporter of Franklin Roosevelt's New Deal, he never moved completely away from his sympathy for public power, farm parity, welfare, public housing, and education. One political observer put it this way: Senator JOHNSTON realized there were more Democrats than Republicans in South Carolina and more poor people than rich people. He adjusted his sails accordingly.

Some of the same factors working in Lyndon B. Johnson also worked in OLIN JOHNSTON. Both men rose from a humble background. They never forgot it. Both adored F.D.R., and the years of his New Deal shaped their character forever.

Thus while OLIN JOHNSTON opposed the recent civil rights revolution, he was earlier identified with many reforms in wages and hours and working conditions for the emerging industrial society in the South. He stood apart from South Carolina's conventional conservative establishment which considered him something of a maverick; he was an enterprising political campaigner, and although he suffered several early defeats, once he was established, he was unbeatable. He whipped "Cotton Ed" Smith, STROM THURMOND, and Fritz Hollins; and if he had lived, he would have undoubtedly gone on winning elections in South Carolina forever.

Essentially, however, OLIN D. JOHNSTON, even at the comparatively youthful age of 68 (as age for Senators goes), had outlived his era. He was the 11th ranking U.S. Senator. His roots stretched back to the F.D.R. years, but even the reemergence of F.D.R.'s spiritual son, Lyndon Johnson, could not quite carry him along with the changing times.

[From the Winston-Salem (N.C.) Journal, Apr. 19, 1965]

SENATOR OLIN JOHNSTON, OF SOUTH CAROLINA, DIES OF PNEUMONIA

COLUMBIA, S.C.—Senator OLIN D. JOHNSTON, Democrat, of South Carolina, an outspoken opponent of civil rights legislation and foreign aid, died early Sunday of pneumonia which developed after an abdominal operation.

Death came to South Carolina's senior senator at 4:21 a.m. Easter Suday in Providence Hospital.

Johnston, twice elected Governor of South Carolina and chairman of the Senate Post Office and Civil Service Committee, had developed pneumonia last Wednesday, 6 days after undergoing his second major abdominal operation in less than 3 months.

"The senator went to sleep at 4:21," his brother, William C. Johnston, announced in a choked voice to those waiting in the hospital corridor.

At the Senator's bedside when he died were his wife, his two daughters and his two doctors. Several friends had waited in the hospital corridor since it became known early in the night that death was considered almost inevitable.

MAINTAINED VIGIL

"I didn't think he could hold on as long as he did," said one of the two doctors who maintained a round-the-clock vigil.

"But he was a fighter," the doctor added. "I guess that was the story of his whole life."

From a tenant farm in Anderson County and the textile mills of Spartanburg, the 6-foot-3 country boy rose to a 45-year political career that led to the Governor's mansion and then to Capitol Hill in Washington.

The body will lie in state in the rotunda of the State Capitol in Columbia from 10 a.m. to 5 p.m. Monday with a brief memorial service at 5:30 p.m. Funeral services will be Tuesday at Spartanburg and burial will be in Barkers Creek Baptist Cemetery near Honea Path.

BACKED NEW DEAL

Although he was not always politically popular in his own State, JOHNSTON stuck by much of the New Deal, Fair Deal and New Frontier policies of national Democratic administrations.

He was elected to the U.S. Senate in 1944 and served continuously since then. His latest political victory was in 1962, when then Gov. Ernest F. Hollings sought to unseat him in the Democratic primary.

The Senator is survived by the widow; two daughters, Mrs. Vernon Scott, of Columbia, and Miss Elizabeth Johnston, of Columbia and Washington; a son, Olin D. Johnston, Jr.; two brothers, William C. and Edwin Johnston, both of Anderson; and two sisters, Inez Rogers, of Charleston, and Allie Mae Jennings, of Atlanta, Ga.

PNEUMONIA STRIKES

His doctors said Johnston had been making a very satisfactory recovery from the second operation when pneumonia struck on Wednesday.

His condition improved the next day. But by Saturday night it was apparent that antibiotics were not pulling him out of the pneumonia crisis.

The second operation was performed April 8 to correct an aneurysm on the aorta, the main artery leading from the heart.

Surgeons originally operated last January 22 for the aneurysm but found a carcinoid tumor of low-grade malignancy on the colon. They removed the tumor and postponed correction of the aneurysm until last week.

JOHNSTON REMAINED UNBEATABLE

COLUMBIA, S.C.—OLIN D. JOHNSTON, South Carolina's senior U.S. Senator and two-time Governor, was a cotton mill boy whose early hardships influenced his fight for programs considered liberal by southern standards.

He worked on his parent's tenant farm and as a child labored in textile miles before embarking on a controversial political career that spanned 45 years.

He was 68 at his death Easter Sunday.

Elected to the Senate in 1944, Senator JOHNSTON served continuously since then and was chairman of the Senate Post Office and Civil Service Committee. He was also a ranking Democrat on the Agriculture and Judiciary Committees.

BACKED DEMOCRATS

Although South Carolina has pulled away from strict allegiance to the Democratic Party since the early forties, Senator JOHNSTON always supported its presidential candidates and its programs for public power, farm parity, welfare, public housing, and education.

He maintained that the best way to fight civil rights legislation was from within the Democratic Party with southern seniority in Washington.

This made JOHNSTON the prime target of States rights elements within his own State Democratic Party, and of the increasingly powerful South Carolina Republican Party.

But the tall, hulking Senator with the deep voice and ready handshake remained unbeatable in his home State. He sided with national Democrats on most issues except civil rights and foreign aid.

DECISIVE VICTORY

Former Gov. Ernest F. Hollings carried only 1 of South Carolina's 46 counties when he ran against Senator JOHNSTON for the Democratic nomination to the Senate in 1962. Republican Candidate W. D. Workman, Jr., fared somewhat better in the general election, but still lost decisively to JOHNSTON.

A skilled campaigner, JOHNSTON was at his best at the crossroads, the county courthouses, and the textile mills.

He would appear with dust on his shoes and a suit showing signs of hard travel. Most of those who turned out to greet him would be called by name.

"There's nothing to worry about," he would tell them. "But we have to get out and vote."

That was the essence of JOHNSTON's political strategy. He reasoned there are more Democrats than Republicans and more poor people than rich people; if Democrats and poor people show up at the polls, victory is assured.

[From the Greensboro Daily News, Apr. 21, 1965]

JOHNSTON IS BURIED IN SOUTH CAROLINA

HONEA PATH, S.C.—The Vice President, 18 U.S. Senators, farmers and millhands came to the Barker's Creek Baptist Church Tuesday for the burial of Senator OLIN D. JOHNSTON, a Deep South Democrat who often sided with liberals.

"He loved you, HUBERT," JOHNSTON's widow told Vice President HUBERT H. HUMPHREY, who flew to nearby Spartanburg for the funeral at Southside Baptist Church.

Mrs. Johnston wept quietly as the Vice President and Mrs. Humphrey spoke to her a few feet from the casket.

SECONDED NOMINATION

It was Johnston who seconded Humphrey's nomination for Vice President at the Democratic National Convention, a politically unpopular act in this Deep South State which voted Republican in the presidential race.

Senate Majority Leader Mike Mansfield kissed the widow on the cheek at the conclusion of the Spartanburg service, where 2,000 persons heard Johnston eulogized as "a man constantly in touch with God."

President Johnson and thousands of South Carolinians paid homage to Johnston Monday at the statehouse, where his body lay in state. Johnston died Sunday of pneumonia.

Johnston was buried in Barker's Creek Baptist Church Cemetery, just a few feet from the graves of his mother and father.

At the Spartanburg service, the Reverend John Huss of Charleston said Johnston became a Baptist at the age of 11 when he attended a service at the Barker's Creek Church and the choir sang "Why Not Tonight?"

CHALLENGED OLD WAY

"Olin Johnston gave himself to people who worked with their hands," said Dr. J. E. Rouse, president of nearby Anderson College. "When he was coming up the workingman worked long hours and received little pay. Today the life of the working people is much better. We must count Olin D. Johnston among the people who successfully challenged this old way of life."

[From the Asheville Citizen, Apr. 19, 1965]

Death Claims Senator Johnston

Columbia, S.C.—Senator Olin D. Johnston, Democrat, of South Carolina, an outspoken opponent of civil rights legislation and foreign aid, but a strong supporter for most other New Deal, Fair Deal, and New Frontier policies of national Democratic administrations, died early Sunday of pneumonia which developed after an abdominal operation. He was 68.

Death came to South Carolina's senior Senator at 4:21 a.m., Easter Sunday, in Providence Hospital.

Johnston, twice elected Governor of South Carolina and chairman of the Senate Post Office and Civil Service Committee, had developed pneumonia last Wednesday, 6 days after undergoing his second major abdominal operation in less than 3 months.

"The Senator went to sleep at 4:21," his brother, William C. Johnston, announced in a choked voice to those waiting in the hospital corridor.

At the Senator's bedside when he died were his wife, his two daughters and his two brothers. Several friends had waited in the hospital corridor since it became known early in the night that death was considered almost inevitable.

"I didn't think he could hold on as long as he did," said one of the two doctors who maintained a round-the-clock vigil.

"But he was a fighter," the doctor added. "I guess that was the story of his whole life."

From a tenant farm in Anderson County and the textile mills of Spartanburg, the 6-foot-3 country boy rose to a 45-year political career that led to the Governor's mansion and then to Capitol Hill in Washington.

Tentative plans have been made for the body to lie in state at the capitol in Columbia ,prior to funeral services either in Columbia or at the little Anderson County community of Barker's Creek near his birthplace. Arrangements were incomplete.

Although it was not always politically popular in his own State, Johnston stuck by much of the New Deal, Fair Deal, and New Frontier policies of national Democratic administrations. But he fought just as strongly against civil rights legislation and foreign aid.

He was elected to the U.S. Senate in 1944 and served continuously since then. His latest political victory was in 1962, when then Gov. Ernest R. Hollings sought to unseat him in the Democratic primary.

The Senator is survived by the widow; two daughters, Mrs. Vernon Scott, of Columbia, and Miss Elizabeth Johnston, of Columbia and Washington; a son, Olin D. Johnston Jr.; two brothers, William C. and Edwin Johnston, both of Anderson; and two sisters, Inez Rogers of Charleston and Allie Mae Jennings, of Atlanta, Ga.

His doctors said Johnston had been making a very satisfactory recovery from the second operation when penumonia struck on Wednesday.

His condition improved the next day. But by Saturday night it was apparent that antibiotics were not pulling him out of the pneumonia crisis.

The second operation was performed April 8 to correct an aneurysm on the aorta, the main artery leading from the heart.

[From the Wilmington Morning Star, Apr. 19, 1965]

Olin Johnston Dies Sunday—South Carolina Senator, 68

Columbia, S.C.—Senator Olin D. Johnston, Democrat, of South Carolina, a former millhand who championed the causes of the working people in a colorful 43-year political career, died Sunday of pneumonia. He was 68 years old.

Johnston lapsed into a coma Saturday night at Providence Hospital and died at 4:21 a.m. His wife, Gladys, and two grown daughters were at his bedside.

Johnston's body will lie in state at the statehouse here from 10 a.m. till 5 p.m. Monday to permit members of the general public to pay their respects.

FUNERAL TUESDAY

His funeral will be held Tuesday at the Southside Baptist Church in Spartanburg, S.C., where he was a deacon. Burial will follow immediately at the Barkers Creek Baptist Church graveyard near Honea Path in Anderson County, where his parents rest.

Born in what he called a log cabin planked over in the hills near Honea Path, Johnston spent his youth picking cotton and laboring in textile mills. While still in law school, he became a State legislator in 1922 and launched his political career.

In the U.S. Senate, Johnston was sometime a maverick in the southern block, and fought for higher minimum wages, medical care for the aged and other economic measures often opposed by his Dixie colleagues.

Senator Strom Thurmond, who bolted the Democratic Party last year to become a Republican, takes Johnston's place as South Carolina's senior Senator.

ROBUST MAN

Johnston's long political career ranged the political spectrum from Franklin D. Roosevelt liberalism to diehard last-ditch conservatism on some issues such as civil rights.

A teetotaler and ardent Baptist, Johnston was known as a hearty and robust man. He appeared in good health until late last year. A month after the presidential election he was hospitalized for exhaustion. He had campaigned tirelessly for President Johnson but the State went for Barry Goldwater.

Johnston first was elected to the Senate in 1944 midway of his second 4-year term as South Carolina Governor. He was renominated in 1950 over Thurmond, then a Democrat, in a bitter primary fight, went on to win reelection, and was reelected again in 1956 and 1962. Thurmond later won the other seat as a write-in candidate.

[From the Federal Bar News, May 1965]

The Honorable Olin D. Johnston, Lawyer, Legislator, and Friend of the Federal Employee—A Salute by the Editor-in-Chief, Federal Bar News

Renowned nationally for his distinguished contributions to public service, the former Senator Johnston was perhaps most popularly acclaimed as champion of the cause of the Federal employee. As chairman of the Senate Committee on Post Office and Civil Service he without doubt sponsored and guided more postal and Federal employee legislation through the Congress than any man who ever lived. As second ranking Democratic member of the Senate Judiciary Committee and chairman of the Subcommittee on Improvements in Judicial Machinery he has continued to conduct comprehensive studies, surveys and examinations of the Federal judicial system with the view of assisting the courts in meeting increasing demands brought about by changes in population, economy, government, and social institutions.

Olin D. Johnston, who passed away in his third term as U.S. Senator from South Carolina, had served in various public offices since 1922 when he was elected to the State legislature from his native county of Anderson. He was born near Honea Path (Anderson County), November 18, 1896, and as a youth, he helped support his family and secure his education by working on his parents' farm and by working in mills in Honea Path, Belton, Anderson, and Spartanburg.

In World War I he enlisted in the 117th Engineers of the 42d Rainbow Division. Before going overseas for 18 months, he assisted in the surveying and first construction of Fort Jackson at Columbia and Camp Sevier at Greenville. While overseas he received a regimental citation and was later honorably discharged with the rank of sergeant. Upon his return from the war he resumed his studies at Wofford, working 8 hours a day for the Spartanburg Herald newspaper to pay his way. He later attended law school at the University of South Carolina in Columbia where he earned his law degree while working as head librarian for the law school. While at the University of South Carolina, he was elected to the house of representatives from Anderson County.

In 1924 he moved to Spartanburg where he established himself in the law firm of Faucette (A. McC., now home secretary for Senator Johnston in Columbia) and Johnston. In 1926 he was elected to the house of representatives by the people of his adopted county of Spartanburg.

In 1934 he was elected Governor of South Carolina. Again in 1942 he was elected Governor of South Carolina becoming the only person in the history of the State to be elected Governor for two 4-year terms.

Olin D. Johnston's accomplishments as Governor of South Carolina were many. Through his efforts and those who supported him, South Carolina established the first rural electric cooperative program which spearheaded the electrification of rural South Carolina.

During his administration South Carolina established its first labor department and resulting from Olin Johnston's efforts were many labor reforms aimed at bettering the working conditions and standards of living of employees in all fields of work. It was while he was Governor that the State established the industrial commission, another great stride in the field of labor-management relations. One of his singular achievements was the abolition of State property taxes, accomplished by veto upheld by the legislature.

In 1944 Olin Johnston was elected to the U.S. Senate, receiving 27,000 more votes than the incumbent and 3 other opponents combined. He was reelected to his second term in 1950. In 1956 the people of South Carolina renominated him as Democratic senatorial candidate without opposition.

As U.S. Senator he consistently fought for public power programs, soil conservation, parity programs for farmers, increased benefits for the sick, needy, and retired, and to broaden and strengthen the social security program.

The Senator, an enthusiastic supporter of the Federal Bar Association, was a charter member of the Capitol Hill chapter and an organizer of the association's palmetto chapter. In tribute to his dedication to the legal profession, the Capitol Hill chapter has approved a resolution which will be presented to the U.S. Senate and included in the Congressional Record. The country has indeed lost a distinguished statesman and the association has lost a faithful friend.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from California.

Mr. KUCHEL. Mr. President, soon after being sworn in as a U.S. Senator 13 years ago, I came to know the late Senator from South Carolina, Olin D. Johnston. He was a helpful and extremely thoughtful man. He was a good and kindly man. For the fine men and women who make the civil and postal services of our country their careers, and for those Senators who are concerned with improving opportunities in the public service, he was a compassionate and forward-looking man. Above all, he never forgot, in his rise from a log cabin on a tenant farm to the governorship of his State and the U.S. Senate, the people and their needs. For these qualities and for his friendship, I am happy and I am honored to recall his memory today.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, once again the Senate pauses to note the passing of a colleague. Too often the stalwarts of our Senate, who have written so much of the history of their times, are suddenly gone from this scene. In awe of God's inscrutable ways we meet to register our sincere thoughts of the man, what he meant, and how we miss him.

To know Olin Johnston was to like him. To work with him was to love him. As a freshman Senator it was my privilege to serve with him on the Committee of Post Office and Civil Service.

Olin Johnston loved the good name of our Government. He lived for honest service to our people. In wartime he served in their Army—humbly and honorably. Always he considered himself a servant of the servants of the public. He valued the employees of the Government whose immediate contact with people is our Government's greatest opportunity for good work and good will. His regard for the employee was reciprocated—and many are the awards of their appreciation.

His regard for the loyal Government employee and his concern for their protection and promotion was that of a man who had lifted himself up in life by his own will to work.

Olin Johnston was a man who respected labor because with his very hands as farmer and textile worker he had earned the opportunity for higher education.

Olin Johnston was a man who respected loyalty—and the education that he hard earned was dedicated to his State and Nation. The people who knew him best chose him for their Governor twice, and for their U.S. Senator four times.

His seniority earned him a front place in this Chamber, and his sincerity won him a front place in our hearts.

We did not have to agree—and we did not agree—with all the political philosophy of this son of South Carolina.

It may be a cliche but it was the character of Senator Johnston that he could disagree without being disagreeable. There was no personal animus in the man—only a dedicated desire to do the right thing as he saw the right as a public servant.

His convictions formed his character. A man of deep religious belief, he observed the tenets of his faith and actively served the mission of his church.

It is fitting that Olin Johnston's final repose should be in the country churchyard close by "the log cabin planked over" of his life's beginning.

The example of Olin Johnston should be an inspiration to American youth. Education is a matter of determination—and the dedication of that education should be for service beyond self.

The sympathy of all of us and the appreciation of all America goes to Senator Johnston's family, and especially to his wife of more than 40 years. It has been our high privilege to have known this pair that only death could separate. Out of our hearts is every wish that might soften her sorrow and light her years with memories of this good man, valued friend, able Senator, sincere American.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Idaho.

Mr. JORDAN of Idaho. Mr. President, I would like to join my colleagues in paying tribute to the memory of Olin Johnston. The Senate misses his presence, but it will continue to appreciate his outstanding service to our country.

Olin Johnston served this Nation during World War I with distinction. In peacetime, he continued his leadership as Governor of South Carolina for two terms, and as U.S. Senator from 1944 until 1965. His four terms of office as Senator are distinguished by his chairmanship of the Post Office and Civil Service Committee and by his high rank on the Judiciary Committee. The standard of his work and his dedication will stand as that of a great American.

Mrs. Jordan and the people of Idaho join me in expressing heartfelt sympathy to his family. We hope that the happiness they had together will carry them through this time of sorrow.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Indiana.

Mr. BAYH. Mr. President, our session today to memorialize the late Senator from South Carolina, Olin D. Johnston, is a meeting of great sadness. For in his years here in the Senate, Olin Johnston left his mark not only in the records of law and government but in our hearts.

His name will live long in the history of his State and in the Nation. In South Carolina he will be remembered as a progressive and effective Governor, one who was a devoted servant of the people.

In the record of his country, Olin Johnston's name will be written forever for his contributions to the national welfare. His astute and enlightened leadership of the Post Office and Civil Service Committee brought about a marked strengthening of Federal activity in these areas. His concern for making the Federal Government a good place to work and his diligence in upgrading Federal employee benefits will continue to contribute to national welfare for decades and help to attract superior employees into Federal service.

He also applied his great talent and diligence in improving the organization and operation of the Federal courts, thus contributing greatly to the increased prestige of our judiciary.

But, Mr. President, Olin Johnston's achievements—great as they were—were overshadowed by his tremendous compassion and understanding of human nature. His love of life and of his fellow men so permeated his being that it affected all with whom he came into contact.

He was at once a great and humble man and a public servant of and for the people.

He was a busy man, yet he always had time to care and to counsel. He brought great dignity to public service because of his devotion and sincerity, but always he was a friend, a kindly man to all he met. He reminded us, too, by his example, that those who are in public life owe much to their families. He was a devoted husband and father to his own fine family.

We will remember Olin Johnston often as we assemble in this Chamber. And each time we will be brightened by that continued glow of his charm and warmth.

I think Hilaire Belloc captured my thoughts on the passing of Olin Johnston in these words:

He does not die that can bequeath
Some influence to the land he knows,
Or dares, persistent, interwreath
Love permanent with the wild Hedgerows:
He does not die, but still remains
Substantiate with his darling plains.

—Ducton Hill (stanza 1).

Mr. RUSSELL of South Carolina. I yield to the Senator from Maine.

Mrs. SMITH. Mr. President, Olin D. Johnston was one of the kindest persons it has ever been my privilege to know.

He was dedicated to the happiness of others—to the betterment of people.

He was the best friend the Federal Government workers ever had.

What greater attributes could a person have? What greater role could one serve?

Mr. RUSSELL of South Carolina. I yield to the Senator from Connecticut.

Mr. DODD. Mr. President, it is always with great sadness that the Senate marks the passing of one of its Members, but on this occasion one has a particularly acute sense of loss.

OLIN D. JOHNSTON was a truly unique man.

In his home State of South Carolina, in this Chamber, and in the Nation he has left the indelible imprint of an individual sincerely dedicated to the welfare of others.

He was a man of great kindness and understanding whose own personal philosophy was rooted in a strong belief in God and the value of the individual.

OLIN JOHNSTON was a man of the people as few men can be. The people of South Carolina were his people, and he rose from among them to become their representative and their leader.

And in leading them, he served his country well.

His first thought was always for the average man, the workingman, and he was dedicated and sincere in his efforts to make it possible for such men to achieve a better life for themselves and their families.

And he will be long remembered by Federal employees for his untiring efforts on their behalf as chairman of the Senate Post Office and Civil Service Committee.

OLIN JOHNSTON was a man of strong principles. And with the integrity and courage of the honest man, he remained true in his private and public life to what he believed to be right.

He was a gentle man whose goodness and honesty will be long remembered by all of us who had the good fortune to know him and work with him, as I did, over these many years.

OLIN JOHNSTON fought illness with a quiet courage which disguised the seriousness of the battle, and it was with the greatest shock and sorrow that we learned of his death on Easter morning.

It was a privilege to have known him.

Mr. RUSSELL of South Carolina. I yield to the Senator from Delaware.

Mr. BOGGS. Mr. President, it is never easy for one to have to say goodby to a friend and, since coming to the Senate, I have too many times risen on the floor of the Senate to utter those sorrowful words, and so it is today.

OLIN JOHNSTON was more than a friend to me and to his colleagues in the Senate. He was a friend to the millions of Federal classified and postal workers throughout the country and he was a friend to all of those who lived in that State he loved so well, South Carolina.

A great deal has been said, and more eloquently than I can say it, of the service Senator JOHNSTON gave to this body, to his State, and to the Nation. His passing leaves a void which will not easily be filled. I shall miss his guidance and his counsel which he so freely gave while I was privileged to serve on the Post Office and Civil Service Committee of which he was chairman.

Mrs. Boggs and I express to his wife and his children our deepest sympathy.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Montana.

Mr. METCALF. Mr. President, I was among the thousands of persons who treasured the friendship of the late Senator OLIN JOHNSTON.

I valued his counsel in legislative matters, his insights into the processes of government.

I enjoyed his companionship and his willingness to expend his time and efforts on many problems far removed from the State which he served so well.

Senator JOHNSTON was deservedly renowned for his leadership in attracting outstanding persons to Government service. He was largely responsible for much of the modernization of the career civil service.

The improvement of Federal standards and compensation thus achieved have been to a degree reflected in better selection and training techniques and pay scales in State and municipal government.

Senator JOHNSTON also made significant contributions in other important areas in which his part perhaps has not been fully realized.

Upon coming to the Senate I soon learned of his understanding and support for the national forests and other conservation programs which, I daresay, are even more important to the citizens of Montana than to the citizens of South Carolina.

OLIN JOHNSTON rose from a humble origin to serve the Nation and his State. His public service, which spanned three decades, was marked with honor and excellence.

Mr. RUSSELL of South Carolina. I yield to the Senator from Vermont.

Mr. PROUTY. Mr. President, the untimely passing of our friend and colleague, OLIN D. JOHNSTON, of South Carolina, has shocked and saddened all of us who admired and respected him. The silent hand has removed from our midst a man of great stature and of dedicated purpose. In his passing the people of his State have lost a devoted friend and one of the great Senators of our time.

Regardless of party affiliation, those who met OLIN JOHNSTON always found a cheerful, friendly individual reflecting the qualities of a man of action, a true humanitarian, and a gladiator in behalf of the common man. And, though he loved the average man, he could not be accused of being unfair to any group of men. He was a dedicated champion of progress, liberal and humanitarian legislation. He was a man who inspired friendship and confidence. I respected his views and benefited from his sage advice.

It will take many a Congress to fill the void that he leaves; and it is my frank opinion that there will rarely be as dedicated and conscientious a lawmaker. The world sees many men appear upon its stage, play their parts, and move on. Only history can weigh fairly the real worth of men and only the best can make an impact felt so strong and sharply as did OLIN D. JOHNSTON.

It was once said:

> Lives of great men all remind us
> We can make our lives sublime,
> And, departing, leave behind us
> Footprints in the sands of time.

He walked among the mighty, but he never forgot his proud but humble birth. He learned early in life that there was no easy way to get ahead. Not only did he hail from a district of working folks, but all his sympathies lay with the problems of the underprivileged and what could be done to improve their lot. Few men have had the character to muster such understanding and courtesy.

Our loss, however great, cannot compare with the emptiness left in the hearts of his wonderful family. I join with my wife, Jennette, in extending our deepest sympathy and sorrow to his wife, Gladys, his children and all his loved ones. I join with all my colleagues in sharing their grief. They can take great comfort in knowing that their loved one was not only a great Senator, but also a loyal and devoted American. "He hath dispersed, he hath given to the poor; his righteousness endureth forever; his horn shall be exalted with honour."

Mr. RUSSELL of South Carolina. Mr. President I yield to the Senator from Virginia.

Mr. ROBERTSON. Mr. President, our former Senate colleague OLIN D. JOHNSTON, whose memory we honor here today, was truly a self-made man.

The son of a cotton farmer, he was born in modest surroundings in Anderson County, S.C., in 1896 worked his way through college and enjoyed a long and successful political career.

As a boy he worked beside his father in a textile factory, which undoubtedly gave him a realization of the value of education. His studies were interrupted by World War I, and he served his country well during his 18 months overseas as sergeant of a company of engineers.

In 1921 he was graduated from Wofford College with an A.B. degree, and from the University of South Carolina with an M.A. degree in 1923, and LL.B. degree in 1924. He served two terms as Governor of South Carolina before being elected to the Senate in November of 1944.

During his 20 years in the Senate OLIN JOHNSTON advanced to the chairmanship of the Post Office and Civil Service Committee. He also rendered faithful service on the Agriculture and Judiciary Committees.

Senator JOHNSTON stood with his southern colleagues against Federal intrusion on the jurisdiction of the States in the field of civil rights.

I did not always agree with him on other domestic issues, but I respected his sincerity and his loyalty to the Democratic Party. He was a kind and friendly man, and we all felt a sense of sorrow when his health failed so quickly a few months ago.

I join today in extending to his family my deepest sympathy for the loss they have sustained in his passing, and I feel sure they are consoled by a feeling that he is enjoying the rewards of a useful Christian life. Senator JOHNSTON never permitted anything to keep him away from church services.

Mr. RUSSELL. Mr. President, I yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I share the feeling of sadness that has come to this body in the passing of one of its most beloved and respected Members, the late Olin D. Johnston.

Olin Johnston was a true Christian. He was a humble man and naturally so because as a young man he lived and worked with the poor and humble people of his State. He learned to know, as few people do, the laboring man, the farmer, and if I may use the expression, the people who live on the other side of the track.

Olin Johnston was a kind-hearted person and one who had compassion for others. He was one of my closest friends—always willing to lend a helping hand if you had a meritorious cause. Like other Members of the Senate, I shall deeply miss this wonderful, kindly, and friendly person.

These qualities that I spoke of which were so evident in Olin had much to do with the path that he followed as a Member of the U.S. Senate. He spent much of his time trying to help the underpaid workers and farmers. I knew him perhaps best for his work on agriculture as I served with him on the Senate Agriculture Committee for 20 years. He knew agriculture as few Members of the Senate have. He knew of farmers adversities, the hardships they endure, and the disadvantages they have in our economic system. He was one of the best friends agriculture ever had.

Olin Johnston, the Christian, the statesman, the friend of the laboring man and farmer, will be sorely missed. He served his State and Nation with distinction—first overseas with the famed Rainbow Division in World War I, and later as a member of the South Carolina State Legislature, as Governor of his State, and as an outstanding Member of this body.

I join with all the Members of the Senate in extending our sympathies to his beloved wife, Gladys, and all of his fine family.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I well remember that when I first came to the Senate in 1937, I was selected as a member of a subcommittee of the Senate Committee on Agriculture and Forestry which held grassroots hearings throughout the country on farm legislation. It was my privilege to conduct hearings in Columbia, S.C., when Olin D. Johnston was Governor of the State. He took a deep interest in the hearings which were being held there. He invited me to dinner, and to break bread with his family. It was the first time I had ever met him. I also well remember that his lovely wife, Gladys, was much disturbed when I, a U.S. Senator, was invited to break bread with them, because she claimed the only thing she had for dinner was black-eyed peas and ham hock. I made her understand that I was raised on such food, that I liked black-eyed peas, and that I appreciated their hospitality.

Senator Johnston was a highly valued member of the Committee on Agriculture and Forestry. He was next in line to become chairman of the committee in the event I should resign. He worked hard on that committee. He was head of one of four subcommittees.

Senator Johnston was self-made. He worked hard for his education and his climb to fame. He served his country well in war and peace. Mr. President, what a far cry from Olin D. Johnston, the farmhand and textile worker to Hon. Olin D. Johnston, Governor of his State and U.S. Senator.

I extend to his wife Gladys and his children my heartfelt sympathy.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Maine.

Mr. MUSKIE. Mr. President, with the passing of our colleague, Senator Olin D. Johnston, I lost a friend. South Carolina lost an effective voice in Congress. The United States lost an able, dedicated servant.

As a man, Senator Johnston's character won our admiration and affection. As a lawmaker, his convictions gained our respect.

Senator Johnston was a self-made man whose abilities and determination carried him from his tenant farm birthplace to the highest chambers of his State and his country.

He was a proud son of South Carolina whose concerns spanned the globe.

He was admired across the land for his efforts to improve working conditions for postal and other Federal employees, his support for medical care through social security, his vote for the nuclear test ban treaty, and for his support for many other worthwhile programs.

It was my privilege to have known Senator Johnston. It was my honor to have served with him in the U.S. Senate.

Mr. RUSSELL of South Carolina. I yield to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, the late Senator Olin D. Johnston held many responsible posts in the Senate but none more important than the position of respect and admiration that he held among his colleagues in the Senate as well as in the executive departments.

Each of his responsibilities was executed with conviction and dedication. As a member of the Judiciary Committee he applied his considerable legal talent to its work and showed unique understanding and compassion for justice that served as an example for us all. In working with Senator Johnston in the committee, I was constantly impressed with his dedication to the improvement and modernization of our judicial system so that justice could be rapidly and fairly administered.

As chairman of the Improvements in Judicial Machinery Subcommittee, he demonstrated a sympathetic understanding of the problems of the Federal judicial system. His appreciation of the growing and shifting responsibilities of the judiciary over the years was put into a continuing effort to see that these responsibilities were met. As a member of that subcommittee, it was always clear to me that the objectives of the subcommittee were being forcefully pursued by its chairman. Yet members of the subcommittee could always rely upon Chairman Johnston to view their suggestions and convictions with an open mind and a sensitivity that encouraged cooperation and sound progress. This quality was applied no less to his other Senate activities.

Olin Johnston provided a unique contribution in public service. By championing the cause of the Federal employee and working to upgrade the quality of Federal service, he multiplied his own efforts as a public servant through the improved public service of others.

As chairman of the Post Office and Civil Service Committee, he sponsored and fought for legislation for the improvement of the postal system and Federal service. In addition, he carefully considered other legislation which worked toward that goal.

In his service on the Agriculture Committee, Senator Johnston was a stanch defender of the family farm, not only as an economic unit, but as a part of the good American life. He strove constantly to improve the lot of the small farmer, not alone those in South Carolina, or in the South, but throughout rural America. For this, the farmers of my State owe him a great debt.

In addition, to his service in the Senate, he had a background in State government which would have been sufficient distinction for most men. Having served in the House of Representatives of South Carolina and as the Governor of that State, he built an enviable record of accomplishments.

The people of South Carolina were well represented by Senator Johnston. He knew and understood them and made every effort to put their convictions into effective action. With 20 years in that capacity he provided an inspiring example of political service.

The story of his life will provide a deep insight into the recent history of our country. His political alliances were important contributions to the strength of many candidates including several of our Presidents.

Olin Johnston gave the Senate a flavor of his personality which blended a boy from Honea Path, a working law student risen to Governor from Spartanburg and then on to Senator from South Carolina. That flavor was never lost in the 20 years which he served in this body. We did indeed have a part of the spirit of South Carolina with us.

The people of his home State, I know, are grateful for the service of Olin Johnston. He will be remembered by the Members of this body as a dedicated public servant and will be missed even more by his friends who knew him as a wise and gentle man.

Mr. RUSSELL of South Carolina. I yield to the Senator from Missouri.

Mr. LONG of Missouri. Mr. President, I am moved this afternoon to join with other Members of this body in final tribute to a great American and one of our most distinguished Members.

Since 1960, I have grown to know the great human qualities of Olin Johnston.

He was, above all, a leader of men. As student, soldier, lawyer, State legislator, two-term Governor, and Senator, he was a man to whom men of all walks of life looked with admiration and confidence.

During his 42 years of public service he has inspired hundreds of men and women with his warm, personal leadership.

I count it a high privilege to have served with him on the Senate Judiciary Committee. As second ranking majority member he served long and ably in the cause of justice.

As a Senator, he held a deep, burning concern for the welfare of workingmen. All across the country, postal workers and civil servants looked to OLIN JOHNSTON as a friend who not only understood their problems but who also fought to solve those problems. In an age when national attention has been so drawn to matters of space, defense, and foreign affairs, America can be grateful for Senator JOHNSTON's steadfast defense of the workingman.

On this side of the aisle we can look with pride on Senator JOHNSTON's long service to our party. Just last year, at a time when many of his constituents had second thoughts about their party membership, he stood firm by his conviction that his party and the Johnson-Humphrey team would best serve the needs of his State. Political courage is a unique quality but it came naturally to OLIN JOHNSTON.

Let me close, Mr. President, by expressing my deep affection for this man. I know that his family will find strength in the fact that his contribution to the people of South Carolina and to his country will live on—a legacy that time cannot efface.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Georgia.

Mr. TALMADGE. Mr. President, it is with profound sorrow that I rise today to join my colleagues in the Senate in honoring the memory of the late Senator from South Carolina, OLIN D. JOHNSTON, who was my friend and whom I know will be greatly missed by his many loved ones and associates and the untold numbers who benefited from his good works.

OLIN JOHNSTON, as a member of the Legislature of South Carolina, Governor of his State, and for 21 years a Member of the U.S. Senate, served the people of South Carolina and the Nation throughout most of his lifetime. His record of public service is one of outstanding accomplishment and one of tireless and unwavering devotion to principle and duty.

Through diligence, courage, and hard work, Senator JOHNSTON rose to a high and respected place in public life from a humble beginning. After working on a farm and in a textile mill, he set out to improve his lot and began to pursue education in earnest. He was graduated from Wofford College and received his law degree from the University of South Carolina. From the time that he was elected to the State legislature, OLIN JOHNSTON followed a true course of dedicated service to the people.

South Carolina and the Nation have indeed lost a great statesman and leader.

Mr. RUSSELL of South Carolina. I yield to the Senator from North Carolina.

Mr. JORDAN of North Carolina. Mr. President, it is very difficult for me to comprehend the fact that our late colleague, OLIN D. JOHNSTON, is not in his seat in the Senate Chamber today.

No words can express the loss I felt in the passing of my good friend, Senator JOHNSTON.

When I came to the Senate, I was assigned to two committees on which Senator JOHNSTON served. I served with him on the Committee on Agriculture and Forestry and also on the Committee on Post Office and Civil Service, of which he was chairman. It was my pleasure to work very closely with him during the ensuing years, and I came to have great and deep admiration for him not only as a kind and gentle man, but also as an uncompromising and deeply dedicated public servant.

It will be a long time before we can fully appreciate the indelible marks which OLIN JOHNSTON left on the history of the United States. His work in behalf of those who make a career of the Federal Government will live a long, long time in the history of this Republic, and his unselfish service to agriculture will stand out in a conspicuous way for many years to come.

Senator JOHNSTON was a kind, unpretentious man. He knew where he was going, and he knew how to get there. During his record of public service, he went a long, long way. He accomplished a great deal, and our greatest tribute to him is the appreciation we have for the work he did in improving the lot of his fellow man. In all respects, OLIN JOHNSTON was an unselfish man, and he dedicated his life to making life for others better and fuller of meaning.

As it happened, and it was only a coincidence, I had the honor of casting Senator JOHNSTON's last vote in a committee of the Senate. For some time prior to his death, I had worked very closely with him on an improved farm program for tobacco, and the day he left Washington to enter the hospital he wrote me a long and heartwarming letter giving me instructions as to how he wished his vote cast on the acreage-poundage program for tobacco when it came up for consideration by the Senate Committee on Agriculture and Forestry.

I still have that letter, and I shall always treasure it because in it Senator JOHNSTON outlined in careful detail his concern for farmers and his wish that an improved program could be fashioned which would be of benefit to those who earned their livelihood producing tobacco.

It will be quite some time before we fully realize how much we miss the service of Senator JOHNSTON, and as we do we will build a lasting tribute to him in the hearts and minds of those who knew him and of those who will come to know his work.

Mr. RUSSELL of South Carolina. I yield to the Senator from Georgia.

Mr. RUSSELL of Georgia. Mr. President, a great many qualities distinguished OLIN D. JOHNSTON as a Member of this body and endeared him to his friends and to the people he served so loyally and long.

Standing high among these were his dogged determination, his devout dedication, and his fighting spirit. These qualities, perhaps more than any others, characterized OLIN JOHNSTON throughout a lifetime of service to the people of South Carolina and to the Nation.

Born to a family of honest ways but modest means, OLIN JOHNSTON endured many hardships and overcame many obstacles to reach a pinnacle of success and fulfillment in public life that is sought by many but achieved by few.

His boyhood was spent laboring on his family's small farm and toiling in the textile mills of his native section of the South Carolina Piedmont. It is interesting to recall that he began working in cotton mills at age 11 and at a pay of 25 cents a day. That was typical of the harsh conditions and adverse circumstances against which he struggled. As a consequence, he had received less than a year of formal schooling by the time he was 17.

Such an arduous beginning would have discouraged—even broken—a lesser spirit. But it served only to fire OLIN JOHNSTON with the determination to secure an education and the ambition to direct his life toward a useful and dedicated career. Through great personal sacrifice and almost unbelieveable toil, he obtained a high school education and went on to receive three college degrees by the time he was 28 years old.

His subsequent service in public life was marked by the same iron will and inconquerable spirit that characterized his formative years. Although rebuffed in his first effort to win the governorship of South Carolina, he refused to give up and in 1934 defeated one of his State's most formidable political forces.

It fell his lot, as it did my own in Georgia a few years earlier, to serve as chief magistrate of his State during the depths of the great depression, when all governments—and particularly the States—were confronted on every hand with a profusion of problems but a paucity of resources. His administration at Columbia met the challenges of that era and was noted for the many progressive programs that were instituted for the benefit of the people.

Following a subsequent term as Governor during World War II, OLIN JOHNSTON was elected to the U.S. Senate in 1944 where he served with ability and distinction until the cruel illness that ended his life on April 18 of this year.

As those of us who had the honor to serve with him are well aware, Senator JOHNSTON left an indelible imprint on the proceedings and accomplishments of the Senate during his years here. He was recognized by friend and foe alike as a fighter for the principles in which he believed and for the plain people whom he loved.

His steadfast championship of the cause of the small farmer and the workingman; of the postal employee and the Government worker; and of his State, his section and his Nation will stand forever as a monument to his years of devoted service to his country.

Mr. RUSSELL of South Carolina. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, for some 25 years it was my privilege to have OLIN D. JOHNSTON as a friend; and I was very grateful for the opportunity to serve as his colleague here in the Senate.

The outstanding characteristic of OLIN JOHNSTON was his deep interest in the lives and conditions of life of the less fortunate. He was always a champion of the little people.

He was a man who was proud of his humble origin and never forgot his fellow workers who were the foundation of the extraordinary confidence in which he was held by the people of his State.

The Senate sorely misses him, and I join with all his colleagues in expressing deep sympathy to his wife and family. In his passing America lost one of its great citizens.

Mr. RUSSELL of South Carolina. I yield to the Senator from Alabama.

Mr. HILL. Mr. President, today we pay tribute to the memory of a great and good and kindly man who served here with us for more than 20 years. Another tall tree has fallen among the timber.

My association with OLIN JOHNSTON has been so long and so close that I may speak of him not only as a colleague, but as a man. He came out of the red hills of South Carolina and he never forgot what life there was like. Honors bestowed on him, great power granted him, and broad influence exercised by him—none of these changed him. He remained always the man of the plain people. And as a man his impulses flowed closely in tune with the heartbeats of the human family. No man with whom I have been privileged to serve in this body has been endowed with more commonsense, greater human decency, or higher love for his friends, his family, his country and his God than was OLIN JOHNSTON, of South Carolina.

During all the years that OLIN JOHNSTON served his State and his country in the Senate of the United States, he was my friend. During his very first year in the Senate he served with me on the then Senate Committee on Education and Labor. To me it is symbolic that the first bill he introduced that was referred to the Labor Committee had as its purpose establishing and maintaining safer and healthier working conditions in industrial plants.

A poor farm boy from the red clay country of South Carolina, OLIN JOHNSTON began working in a textile mill at the age of 11. By his own efforts, through his strong will, and his immense courage, he rose from this lowly background to become Governor of his State and U.S. Senator. Never for a moment did he forget the people whose poverty and misery he had shared. Always he was the champion of the oppressed and the poor.

He never lost his ability to identify himself with the arduous lives of the textile workers and the farming people among whom he had grown up. He suffered with them—he felt what they felt. He intuitively sensed what his people wanted and needed, and they sent him back term after term to serve them in the Nation's Capital. He was the champion of their human rights, and they knew it.

He worked in the cotton mills in the days when life there was exceedingly hard, and work grinding. This left a profound impression on him all his life. Out of this experience came his deep feeling for the poor, the ignorant, and the helpless.

He loved to talk about life in a textile mill. He loved to talk to oldtime textile workers. Years later, I am told, he could go back—as a U.S. Senator—into one of those old textile mills, take off his coat, sit down again at a loom, and work the shuttle. No man I have known from so humble a station rose with such good grace to so high estate. A genuinely good man, a sincerely Christian man, OLIN JOHNSTON was as deeply loved by his people as by his fellow Members in this Senate.

The people rallied to his banner because he was singing the songs of the people. He was a Bible man, a true prophet who denounced false prophets seeking to mislead his people.

He called for, and fought for, the building of the New South. The foundation of South Carolina's present industrial and financial progress was laid deep and strong during OLIN JOHNSTON's two terms as Governor. To him goes great credit for helping wipe out freight-rate discriminations, thus enabling southern industries to compete with those of the North.

The leader in the battle for rural electrification in South Carolina, he helped bring not only light but later telephone communications to the rural areas of the Southland. He was a valiant Democrat, always loyal and true.

He was labor's friend. Every employee of the Federal Government owes him eternal gratitude for his leadership in improving their incomes and working conditions during his years as member and chairman of the Committee on Post Office and Civil Service.

He was ever alert to preserving freedom in the free enterprise system and ready to defend small business and small farmers. In our fights against reactionary forces seeking the destruction of the TVA, he was our stanch ally.

The legislative history of this body over the past 20 years is replete with the contributions of OLIN JOHNSTON to the welfare and greatness of this Nation.

OLIN JOHNSTON was not "in the roll of common men." Now that he is gone, we perceive even more clearly than when he was among us how strong, how fine, how brave, how good a man he was. The American people, the people of the South, his fellow Carolinians, all of us, have lost a beloved friend, a brave fighter for justice and freedom.

We mourned with his devoted widow and bereaved family on that day last April in his old home church at the crossroads at Barker's Creek near Honea Path when he "Gave his body to that pleasant country's earth, and his pure soul unto his Captain Christ, under whose colors he had fought so long."

Mr. RUSSELL of South Carolina. I yield to the Senator from North Dakota.

Mr. BURDICK. Mr. President, as a member of the Post Office and Civil Service Committee, I would like to express my sorrow over the loss of our chairman, the late Senator OLIN D. JOHNSTON, of South Carolina. Through my work with Senator JOHNSTON on both this committee and the Judiciary Committee, as well as in the Senate Chamber, I was always impressed by his strong conviction and his dedication to the people of South Carolina and the Nation.

Senator JOHNSTON championed the welfare of a variety of occupational groups and is best remembered for the legislation which he guided to improve the working conditions of Federal employees. After his death, he was hailed by the National Association of Letter Carriers as the "Senator of the Letter Carriers," and thousands of postmen mourned his passing.

Senator JOHNSTON's career was in the strong American tradition, with humble beginnings leading to eventual high respect and prestige. Born the son of a tenant farmer, he began working at an early age in order to be of assistance to his family. Imbued with a firm desire for education, he persevered to receive his B.A. degree from Wofford College in Spartanburg, S.C., even though interrupted in his efforts by service in World War I. He then went on to receive his master's and bachelor of law degrees from the University of South Carolina.

The late Senator entered public service at the age of 26 and represented South Carolina from that time until his death, with the exception of only 4 years. Beginning as a member of the State house of representatives in 1922, he won the confidence of his district and was elected to the House of Representatives in 1926. In 1930 he was called back to his State to run for Governor and in 1934 he won the gubernatorial election. He served as Governor until his election to the Senate in 1944.

South Carolina will miss OLIN JOHNSTON. This Chamber misses Senator JOHNSTON as both a colleague and a friend, a man whose first interest was in serving the people.

Mr. RUSSELL of South Carolina. I yield to the Senator from Alaska.

Mr. BARTLETT. Mr. President, the year OLIN D. JOHNSTON was elected to the Senate from South Carolina I was elected to the House as a delegate from Alaska. From the day we took office until the day he died, the senior Senator from South Carolina took an active, considerate, and always helpful interest in the problems of the 49th State and its citizens. Alaskans all join me in mourning his death.

Senator JOHNSTON served in the Senate for 20 years. Over these years he gained the friendship and trust of his colleagues. His word was his bond. He was a warm and gentle man, respected, and loved. As the chairman of the Senate Post Office and Civil Service Committee for 14 years, Senator JOHNSTON worked with intelligence and dedication in behalf of Federal employees. They have many reasons to be grateful for his leadership.

The people of the United States as well have every reason to be grateful for this man and for his devotion to the preservation of their liberty and the furtherance of their welfare. He was an able Senator and an honest citizen and he will be missed by us all.

Another Senator from South Carolina, John C. Calhoun said in a speech February 13, 1835:

> The very essence of a free government consists in considering offices as public trusts, bestowed for the good of the country, and not for the benefit of an individual or a party.

Senator Olin D. Johnston of South Carolina always considered his office as a public trust and we are grateful.

Mr. RUSSELL of South Carolina. I yield to the Senator from New Mexico.

Mr. MONTOYA. It is indeed a sad occasion when the Nation loses a Senator so outstanding and dedicted as Senator Olin D. Johnston. He will be greatly missed by his many friends and colleagues.

During his long service he was a friend of the working man and his liberal voting record is testimony that he recognized their needs.

Senator Johnston was no stranger to work. His first job was in a cotton mill in South Carolina at the age of 11. Realizing the advantages of an education, he worked his way through college and law school and was almost 30 years old before he earned his degree. His achievements are proof that in this wonderful land of opportunity a man can attain greatness from humble beginnings.

As chairman of the Post Office and Civil Service Committee since 1955, Senator Johnston evidenced great concern for Government employees by leading their fight for higher salaries and job security. Although he is gone, his work and his memory will live on in the hearts and minds of those who were privileged to know him.

Senator Johnston served his native State of South Carolina and his country with honor and integrity and has left his mark engraved on the pages of history.

Mrs. Montoya joins me in extending our sincere and deep sympathy to Mrs. Johnston and the family.

Mr. RUSSELL of South Carolina. I yield to the Senator from Utah.

Mr. MOSS. Mr. President, the life story of Olin D. Johnston should be an inspiration to every young American—no matter how humbly born. It shows once again how, through courage and ability and fortitude, a young man can rise from a lowly place in life to a pinnacle of success and a career of great service.

The son of an impoverished tenant farmer, Olin D. Johnston went to work alongside his father in a cotton mill at the age of 11. He often referred to the home in which he was raised as a "log cabin, planked over."

He worked his way through high school, and then found his way into a unique institution called the Textile Industrial Institute at Spartanburg, which had been established to help poor but able young people acquire an education. He went to school there every other week, working in the "off" weeks to pay his way. His high grades and his remarkable industry got him into Wofford College, but his student days there were interrupted by service as an enlisted man in France in World War I.

He returned to continue working his way through college and finally to earn his law degree at the University of South Carolina. Election to his first political office—the State legislature—came while he was still in law school. His election to the governorship, and to the U.S. Senate, followed, but only after hard political battles in which he refused to give up.

From the beginning of his political career Senator Johnston was a man of the people. He never forgot his humble beginnings and he never lost his common touch. The workingman always felt he could bring his problems to Olin Johnston, and could talk with him. He continued to speak their language. Even after he became chairman of the Senate Post Office and Civil Service Committee he often referred to himself as just "another Government employee" in his conferences with employee leaders. And they, in turn, thought of him affectionately as "Olin D."

Those of us who were his colleagues will long remember his humility in his accomplishments. His name is associated with every piece of legislation favorable to Government employees in the last 15 years. He was in the forefront of every fight to obtain better pay and job security for the Federal worker. But though he won battle after battle this seemed to him to be only what he should have done—he never took any special glory to himself.

We in the Senate will also long remember the warmth of his personality, and his sense of humor which gave rise to one of the most infectious chuckles I have ever heard.

Mr. President, the people of South Carolina lost a great and steadfast son in the death of Olin D. Johnston on Easter morning. And we in the Senate lost one of our most esteemed and able colleagues. We all regret his passing.

Mr. RUSSELL of South Carolina. I yield to the Senator from Nevada.

Mr. CANNON. Mr. President, I can add little today to embellish the monumental record of public service of our late beloved colleague, Olin D. Johnston. He was a man who enriched the lives of the people of his State, the men in the Congress with whom he served, and his fellow countrymen throughout the Nation.

Those of us privileged to serve with him admired his friendship and lifetime devotion to the cause of his neighbors and fellow Americans.

In a long and useful life he participated in World War I, and carried his distinguished military career with him to civilian life, where he was one of the leading attorneys of his State. His public life from that point included the highest honors that could be bestowed upon him by his fellow South Carolinians, that of Governor and of Senator.

Senator Johnston bore his fatal illness with exemplary courage. It was that courage that guided him throughout his days in the Senate and won for him so many friends in this body and in all departments of Government.

He was a dear friend and neighbor who was never too busy to extend the attributes of a sympathetic nature to his fellow legislators. Indeed, the affection and respect which he commanded on both sides of the aisle is a mark that he earned for himself on repeated occasions.

We have lost a good friend and the Nation is the poorer for his absence.

I extend my sympathy to all the members of his family.

Mr. RUSSELL of South Carolina. I yield to the Senator from Idaho.

Mr. CHURCH. Mr. President, when I first came to the Senate in 1957, Olin Johnston was my chairman on the Post Office and Civil Service Committee. I used to watch him, to see what a freshman Senator could learn from such a senior and respected Member of this body.

I found that Olin Johnston was a kindly man, a good man, and a man true to himself. He stood stanchly by what he believed. My measurement of him then was only strengthened by the passage of time.

One day I asked him why he was a Democrat. He said there was one simple reason: the Democratic Party looked out for the little man. If that is so—as I believe it is—Olin Johnston was a chieftain among Democrats. He cared about the little man. He was the friend of the civil servant, the mailmen, and postal clerks. He championed their cause, and particularly the cause of those who earned less than was their due. In the 16 years he was chairman, civil service salaries increased by an average of about 100 percent, or double the 1949 levels.

It was not always easy for Olin Johnston to be a Democrat, and I say this not to engage in politics but to illustrate the strength of his conviction. He stood by John Kennedy in 1960 when the tide of opposition was running high, and I believe South Carolina stayed Democratic by virtue of his loyalty to his party.

Yet when I think of Senator Olin Johnston, all of these things fall away in my mind. I think of him as a friend; as a good man. And I know his loss is keenly felt by the multitude of people who knew and loved him.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Wyoming.

Mr. McGEE. Mr. President, it was my privilege to serve on the Post Office and Civil Service Committee with the late senior Senator from South Carolina. During that time I was deeply impressed with his diligence and devotion to duty. This committee, while performing an essential service, does not have the "name" of some of the so-called major committees and there is a tendency among some to shirk these responsibilities for the limelight of these more prestigious committees. However, Olin D. Johnston was a Senator who was not interested in the limelight, but was interested in public service. He felt very strongly that the employees of the Government of the United States deserved fair and equitable treatment, and that in order to have the best Government possible, we must have the best employees possible. He devoted many, many long hours to this end. This service has been reflected in the increased morale of our public servants and in what I consider to be a substantial body of sound legislation in recent years which has brought equity to these employees.

Mr. President, I shall always treasure those years that I was fortunate enough to spend in service with Olin Johnston on this committee, for not only did I treasure his friendship and honor his service to his State and Nation, but I was able to see in his example the benefits and rewards of his unstinting public service. I am sure the Senate and the Nation have proceeded greatly from his labors and shall carry on the tradition of service above self which he so well exemplified.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, courage is a quality that we all admire and it is one that was well worn by our late, honored colleague, Olin D. Johnston. He was a fighter with a zestful spirit and an imaginative approach to any problem. Born in a "log cabin planked over," as he used to recall, he began to work for his living at age 11 and did not stop until April 18, 1965. He worked his way through a technical institute, college, the Army during World War I, and finally through law school.

When he decided to enter politics during law school, he stepped into the ring and began campaigning for the State legislature. When he determined to go to Washington as Senator, he waged another successful fight.

He was elected to the Senate in 1944 and by 1955 was chairman of the Post Office and Civil Service Committee and a high ranking member of the Judiciary and Agriculture Committees. He fought hard to assure that salaries and annuities of postal and Federal employees were commensurate with the needs and responsibilities of our valued public servants. As a public servant himself, Senator Johnston was sympathetic to the interests of his own constituents and to those of agricultural workers and the underprivileged all over the Nation. I was fortunate to serve with the Senator on several subcommittees of the Judiciary Committee where I benefited from his wise counsel and learned experience.

We, in the Senate, will sorely miss the leadership of Olin D. Johnston. But, the remembrance of his dedication, perseverance and courage will long remain as an inspiring testimony to his fine character and outstanding abilities.

Mr. RUSSELL of South Carolina. Mr. President, I yield to the Senator from New Hampshire.

Mr. McINTYRE. Mr. President, I have met few men in my life who have so exemplified the ideal of honorable public service as did our departed colleague whom we honor today, the late Senator Olin D. Johnston. In his 20 years in the Congress, Olin Johnston created out of his own determination and sensitivity the finest system of government civil service known in history.

History books will record Senator Johnston as the author of important legislation. But I am certain that the record of which he would be proudest is the record which exists in the minds and hearts of the employees of the U.S. Government, the recorded memories of a man who really cared.

Mrs. McIntyre joins me in expressing our sympathy to Mrs. Johnston and the members of her family.

Mr. McGOVERN. Mr. President, it was a rewarding experience to serve for even 2 years, as I was privileged to do, in the U.S. Senate with Senator Olin Johnston.

Senator Johnston was a great legislator, whose career bridged the World War II and readjustment period, the mid-century upsurge of technological developments, and the shift in our national orientation to unprecedented new problems of baffling dimensions. Senator Johnston accepted change, and supported the modifications of national policy and programs which change brought with it. He was a forward-looking public servant who knew that new challenges require new answers.

But Senator Johnston was unchanging in his warm and kindly personal relationships. I shall always recall with great appreciation his thoughtfulness and encouragement to me when I arrived in the Senate. None could encounter him without feeling the warmth and the friendliness he radiated.

Our Nation lost a splendid Senator and a dedicated citizen when Olin Johnston passed away. My wife, Eleanor, and I feel a personal loss of a dear friend. Mrs. Johnston and their family have our very deep sympathy.

Mr. SPARKMAN. Mr. President, I first made the acquaintance of Olin D. Johnston back in college days. I knew him as a young man, a young college student, and a leader in student affairs.

I also knew his wife in college days. I knew his wife before I knew him. He used to say—I am not certain that he was correct in this—that I introduced him to his wife. I may have.

I followed his career during the time when he served so ably as Governor of the State of South Carolina. When he came to the Senate I was serving in the House of Representatives. Later I came to the Senate and served here with him. Our offices were adjoining. I had frequent contact with him. To know the man was to admire him.

I talked with him frequently regarding legislation—particularly legislation relating to civil service employees, postal employees, and those in Federal employment. He was a man of good heart, always conscientious and hard working, a man among men.

We have missed him since he has been gone from among us. We shall continue to miss him.

I join my colleagues in expressing the sorrow that comes to us all in his departing. I extend my best wishes to his wife, who so ably stood by his side through the years, and to the wonderful family that he left behind.

I received a resolution today which relates to Olin D. Johnston. The resolution was adopted by the legislative conference of the National Association of Letter Carriers, meeting in Washington on June 21. I ask unanimous consent that this resolution be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution Adopted by the National Association of Letter Carriers

Whereas our late and greatly lamented friend, Senator Olin D. Johnston, chairman of the Senate Committee on Post Office and Civil Service, was one of the greatest friends the letter carriers and other postal and Federal employees ever had; and

Whereas the life and career of Senator Olin D. Johnston was an inspiration to every American of every age in that he achieved greatness despite the most formidable economic obstacles; and

Whereas every postal and Federal employee now on the rolls, and every postal and Federal employee who will be on the rolls in all generations to come, owes, and will continue to owe, a tremendous debt of gratitude to Senator Olin D. Johnston: Be it therefore

Resolved, That this Conference of the National Association of Letter Carriers go unanimously on record expressing its deep sorrow at the death of our friend and champion, Senator Olin D. Johnston; and be it further

Resolved, That a copy of this resolution be presented to Mrs. Gladys E. Johnston, the widow of the late Senator Olin D. Johnston, with the assurance that the letter carriers of the United States consider themselves her personal friends and that they share with her the great sense of loss that she must feel.

Mr. McCARTHY. Mr. President, all of us in the U.S. Senate were saddened last Easter morning to learn of the death of our colleague, Senator Olin Johnston, of South Carolina.

From the time of his election, in 1922, to the South Carolina House of Representatives, his work had been that of public service—as a legislator, as Governor of his State, and, during the last 20 years, as U.S. Senator. During those years he contributed much to the people of his State and the Nation.

As chairman of the Senate Committee on Post Office and Civil Service, he worked to improve the civil service system and to improve the income, working conditions, and economic security of Federal employees.

During the past 4 years I served with him on the Committee on Agriculture where he was the second ranking member; and I know of his concern for the welfare of farmers, particularly of those operating small farms. He saw farm problems as a national responsibility, and he supported programs to assist farmers in all regions of the Nation. His record on labor legislation and on many other programs reflected concern for the welfare of the common man.

I express my sympathy to Mrs. Johnston and the family on their loss, and assure them that we who served with him in the Senate will remember him and his contributions to many constructive legislative acts.

Mr. RUSSELL of South Carolina. Mr. President, speaking both personally, as a longtime friend, and for the people of South Carolina, I express to the Senate my appreciation for these tributes expressed today to the late Senator OLIN D. JOHNSTON.

ADJOURNMENT

Mr. RUSSELL of South Carolina. Mr. President, I move, as a further mark of respect to the memory of our late beloved colleague, OLIN D. JOHNSTON, that the Senate stand in adjournment until tomorrow at 12 o'clock noon.

The motion was unanimously agreed to; and (at 4 o'clock and 27 minutes p.m.) the Senate adjourned until Wednesday, June 23, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 22, 1965:

COMMERCE DEPARTMENT

LeRoy Collins, of Florida, to be Under Secretary of Commerce, vice Franklin D. Roosevelt, Jr.

THE JUDICIARY

James P. Coleman, of Mississippi, to be U.S. circuit judge for the fifth circuit, vice Ben F. Cameron, deceased.

Homer Thornberry, of Texas, to be U.S. circuit judge for the fifth circuit, vice Joseph C. Hutcheson, Jr., retired.

DEFENSE DEPARTMENT

Robert H. B. Baldwin, of New Jersey, to be Under Secretary of the Navy, vice Kenneth E. BeLieu, resigned.

IN THE NAVY

Comdr. Walter M. Schirra, U.S. Navy, for permanent appointment to the grade of captain in the Navy in accordance with article II, section 2, clause 2 of the Constitution.

Lt. Comdr. John W. Young, U.S. Navy, for permanent appointment to the grade of commander in the Navy in accordance with article II, section 2, clause 2 of the Constitution.

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

George C. Trevorrow, of Maryland, to be a member of the Federal Coal Mine Safety Board of Review for a term expiring July 15, 1968. (Reappointment.)

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR PERMANENT PROMOTION

To be medical directors

Nicolas V. Scorzelli
Albert Roberts
Donald P. Conwell
Patricia K. Roberts
Carleton R. Dean
Harold C. Woodworth
Frank R. Freckleton
Maria Sarrigiannis
Clarence A. Imboden
Roger L. Black
Joseph C. Robinson
Albert W. Hilberg
Walter F. Edmundson

To be dental directors

Charles J. Donnelly
Paul N. Baer
Robert C. Likins
Charles J. Gillooly
Tyler C. Folsom, Jr.
William J. Braye
Samuel S. Herman
Paul H. Keyes
John M. Frankel
William J. Putnam
Harry W. Bruce, Jr.
Frank W. Nelson

To be sanitary engineer directors

Richard P. Lonergan
William B. Schreeder

To be senior assistant sanitary engineers

George A. Carson
Robert E. Landreth

To be pharmacist directors

William H. Hanna
Abraham Wolfthal

To be senior pharmacist

Joseph J. Hackett

To be scientist directors

Elwin E. Bennington
John E. Porter
Colvin L. Gibson

To be sanitarian directors

Leroy S. Houser
John C. Eason, Jr.
Wilbert R. McLean

To be senior sanitarian

Donald K. Summers

To be veterinary officer directors

John F. Winn
Arthur H. Wolff
John H. Scruggs
Herbert G. Stoenner
Samuel Abramson

To be nurse directors

Maud J. Larssen
Jeanette E. Westlake
Margaret E. Benson
Dorothy E. Reese
Marie F. Hanzel
Doris E. Roberts

To be senior nurse officers

Jimmie F. Poplar
Blanche L. Vincent
Helen Gertz
Harriett Hicok
Edna L. Easterday
Mary Y. Salmon
Patricia B. Geiser
M. Elizabeth L. Darden
Victoria F. Malinoski
Elizabeth Walker
Margaret E. Lamson
Germaine S. Krysen
M. Argenta Geist
Beatrice Marino
Helen V. Foerst
Esther C. Gilbertson
Hermione S. Swindoll
Ruth E. Simonson
Jay C. Wertman
Nina A. Ramacciotti
Hilda H. Falls

To be dietitian directors

Edith A. Jones
Frances M. Croker

To be senior dietitians

Jeanne M. Reid
Georgiana Pearson

To be therapist director

Elizabeth M. Finke

To be therapist

Riley B. Bingham

To be senior health services officers

John R. Barry
Sheldon A. Miller
Elsa J. Nelson
Ruth F. Richards

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 22, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Corinthians 5: 9: *Wherefore we labour that we may be accepted of God.*

Almighty God, whose divine sovereignty we cannot deny or disobey, inspire us during this day with a clear and commanding vision of the helpful service we may render together for the welfare of our country and all mankind.

Grant that Thy servants, who have been entrusted with positions of leadership in the affairs of state, may be wise in directing our Nation in the ways of righteousness and peace.

In these times of crisis and confusion, may we understand that it is our sacred privilege and highest wisdom to commend and commit ourselves to the light and leading of Thy spirit.

May we be assured that when we avail ourselves of Thy counsel and companionship, which Thou hast placed at our disposal, then no task will be too difficult and no responsibility too heavy.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of the clerks, announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 360. An act for the establishment of the Indiana Dunes National Lakeshore, and for other purposes.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the joint select committee on the part of the Senate for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 65-12.

CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 1966

Mr. MAHON. Mr. Speaker, I ask unanimous consent that it may be in order any day next week to consider a House joint resolution making continuing appropriations for the fiscal year 1966.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALL OF THE HOUSE

Mr. EVERETT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 148]

Ashley
Blatnik
Bonner
Bow
Brown, Ohio
Buchanan
Colmer
Conyers
Cramer
Cunningham
Dickinson
Duncan, Oreg.
Evans, Colo.
Flood
Griffin
Hall
Harvey, Ind.
Hawkins
Hays
Holland
Horton
Ichord
Kee
Landrum
Leggett
Lindsay
McEwen
McVicker
Machen
Mackie
Martin, Mass.
May
Moss
Nedzi
Philbin
Powell
Redlin
Rivers, Alaska
Rivers, S.C.
Roncalio
Sickles
Teague, Tex.
Thomas
Toll
Willis
Wilson,
  Charles H.
Zablocki

The SPEAKER. On this rollcall 390 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

UNIFORM POLICIES WITH RESPECT TO RECREATION AND FISH AND WILDLIFE BENEFITS AND COSTS

Mr. ASPINALL submitted conference report and statement on the bill (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes.

GENERAL SUBCOMMITTEE ON LABOR, COMMITTEE ON EDUCATION AND LABOR

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the General Subcommittee on Labor of the Committee on Education and Labor may have permission to meet during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand correctly that the gentleman has a number of witnesses from out of town to be heard this afternoon?

Mr. HARRIS. I would say to the gentleman that there are numerous witnesses that live throughout the country from the Northeast, the Northwest, and the South, who are here. They are going to be required to stay overnight if there is not a little time given to hearing them this afternoon. I think with some of them it would be an inconvenience if they have to stay over.

Mr. GROSS. Mr. Speaker, it is the opinion of this Member of the House that with two huge appropriation bills coming before the House of Representatives today and tomorrow that only in the event there are out-of-town witnesses who must be accommodated should a committee of Congress sit today and tomorrow when these bills are under consideration. I am not going to object in this case because the witnesses are from out of town, and to do so would impose a hardship on them, but I hope no request will be made for a committee to meet in other circumstances.

Mr. HARRIS. I can say to the gentleman it is my understanding all of the witnesses are from out of town and the committee will conclude in time to be here for the reading of the bill and the proceedings under the 5-minute rule this afternoon so that they can participate.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PUBLIC WORKS APPROPRIATION BILL, 1966

Mr. KIRWAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9220) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Delaware River Basin Commission, for the fiscal year ending June 30, 1966, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to 2 hours, one-half of the time to be controlled by the gentleman from Arizona [Mr. RHODES] and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9220, with Mr. ASPINALL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. KIRWAN. Mr. Chairman, I yield myself such time as I may consume.

Every dollar in this bill that we are considering today, except for a small amount for AEC is spent in or on America and its possessions.

I have been here for 29 years, and I have been a member of this subcommittee for some time. I want to say that this subcommittee has functioned in better fashion this year than at any time in my 29 years of service. There was not one word passed across the table, no matter from which side of the table it came, that would not stand the acid test. So it is a great pleasure for me today, to commend this committee and to say that I am grateful and thankful for heading a committee such as this.

The total amount recommended in this bill is $4,241,636,500, a reduction of $132,168,500 from the budget estimates and a decrease of $227,380,200 below the appropriations for the fiscal year 1965.

With a gross national product in this Nation expected to reach $650 billion this year, it is important to note that we are recommending in this bill, to be spent on this Nation, $227 million less than was spent last year. From that, Mr. Chairman, you know that it is a conservative bill.

The total allowed includes $2,354,995,000 for the Atomic Energy Commission, a reduction in the budget estimate of $126,005,000; $37,969,000 of this reduction was made in the authorization bill and $30 million represents additional unobligated balances now estimated to be carried over at the end of the current fiscal year. The balance of the reduction in the AEC request, $58,036,000, or about 2 percent, is based primarily on a history of underruns in past expenditures and anticipated delays and savings in the budgeted program.

Mr. Chairman, reference has been made in the past to this bill as a "pork barrel bill." However, I have not seen the press or the magazines carrying any articles saying anything about "pork" in this bill this year. The critics have been amazingly silent during the recent floods. Losses inflicted in the States of California, Oregon, and other Western States last December and January amounted to at least one-half billion dollars. Then came the Mississippi floods which made thousands homeless. Now we have the floods in Colorado and Kansas.

Mr. Chairman, when we stop and look at what is going on in this country today it is hard to understand how some can refer to this bill, which provides the essential funds to construct projects to protect our citizens and property, as the "pork barrel bill." The record on the thousands of projects that have been built down through history is ample proof that they were a good investment. Only five have failed and three of these were due to age.

There was the De Guerve Point, a debris basin built in California in 1906 by the Army Corps of Engineers which gave way recently and must now be rehabilitated. Then there was a small lock and dam No. 4 on the Green River, built in 1836, 129 years ago, that finally gave way recently. There was also the project built at the Allegheny River Bend years ago where the locks never proved to be economically justified.

Mr. Chairman, those three projects represent the only three projects in the United States built by the Army Engineers that have not paid back their cost manifold. Yet, Mr. Chairman, some people call it "pork."

Now, Mr. Chairman, let us look at the excellent record of the Bureau of Reclamation. There was the Two Medicine Dam built in 1912 on the Blackfeet Indian Reservation. In the recent record flood in Montana it gave way after 52 years of operation. Then there is the Riverton project in Wyoming which developed a drainage problem. All the other hundreds of projects built by the Bureau have been successful and have provided benefits far outweighing the costs.

So, Mr. Chairman, there have been only five projects in the United States, two under the jurisdiction of the Bureau of Reclamation and three under the jurisdiction of the Army Corps of Engineers, that have not been good investments. However, Mr. Chairman, every time we come in with a bill to help the country, and to protect the country, we will find some writer who does not know the facts being critical of these expenditures.

The value of existing projects was dramatically demonstrated during the devastating floods on the west coast last December and January. Preliminary estimate of damage runs to approximately $480 million. Over $180 million of these damages occurred in northern California and about $225 million in Oregon. In some localities, where peak flows were the maximum of record, destruction was total. Yet the Corps of Engineers testified before the committee that the damages would have approached $1½ billion had not many flood control works been constructed and operating in certain areas. Though none of the flood control systems are yet complete, the damages prevented by the Corps of Engineers and the Bureau of Reclamation projects already in service amounted to about $1 billion. Some of these projects fully paid for themselves just by the benefits provided in this one disaster. In Oregon's Willamette River Basin, where damages were an estimated $109 million, 7 reservoirs had been completed by the Corps of Engineers of the 14 authorized in that basin. These seven reservoirs alone are credited by the Corps of Engineers with preventing over $572 million in damages, whereas their total first cost was less than $273 million.

We also have included on pages 3 and 4 of the report some figures indicating the present value to the Nation of completed projects for water supply, reclamation, navigation, and power development.

For example, the Corps of Engineers waterway and harbors system carries about one-sixth of the Nation's commercial freight traffic amounting to one and a quarter billion tons and 250 billion ton-miles annually. This traffic includes heavy, slow moving, bulk items basic to our economy including about 3 billion barrels of petroleum products, 54 million tons of grain, 194 million tons of coal and coke, 124 million tons of ore and iron and steel, and 97 million tons of sand, gravel, and rock. The estimated transportation cost is 3 mills to the shipper per ton-mile as compared with the higher rates for faster service by rail and truck. At the same time the more than 200 million acre-feet of storage space provided at more than 275 Corps of Engineers reservoirs completed or under construction constitute a significant national resource for conserving the water and controlling the flows of our rivers to help meet the growing water supply requirements of thousands of industries and hundreds of American communities. In the 10 years, 1952–62, some 5,000 new industries were located on inland river banks to obtain the increasingly important advantages of water transportation, water supply, and other water uses.

Irrigation being provided to 8.8 million acres of arid lands in Western United States has produced $21.7 billion in crop income to date and has been a keystone in the economic development of the West. Installed hydroelectric capacity has reached a level of 15.5 million kilowatts which in fiscal year 1964 brought in revenue at an annual rate of $179.5 million.

It should be noted that public works projects before they are eligible for funding are subject to a most exhaustive review process to assure that they are economically justified. After thorough study by the responsibile agency and clearance with all other agencies involved, they are carefully reviewed by the legislative committees of Congress before they are authorized by law. Each project must meet stringent criteria to assure benefits will fully justify the cost. A large percentage of the projects also require assurance of local cooperation, including repayment of the benefits derived from water supply and irrigation, before construction is initiated.

In the light of the great need for maintaining and accelerating the water resources development program, the committee feels it is fully justified in recommending the approval of the 42 new construction starts proposed in the budget for the Corps of Engineers and the Bureau of Reclamation and the funding of an additional 15 unbudgeted new construction starts. In addition, the committee has recommended funds for the initiation of planning on 25 budgeted and 7 unbudgeted projects, and for 21 unbudgeted surveys.

The committee has allowed the $1 million budgeted to initiate planning of a high voltage transmission line to interconnect the Government's generating projects in southern Idaho with the Bonneville system.

Last year the committee denied the budget request of $1 million to start construction of this line and directed good faith negotiations between the Bonneville Power Administration and the utilities of southern Idaho "to wheel Bonneville power to serve preference customers only." It apears that the negotiations have succeeded, except for one point involving interpretation of the quoted committee language. BPA has interpreted the committee's direction to include a wheeling contract for the preference customers it now serves, plus additional preference customers in southern Idaho that might apply for BPA service in the future. The companies, however, understood the committee language to contemplate wheeling service only for BPA's present preference customers. The committee feels it is imperative that such wheeling contracts make provision for servicing all preference customers, present or future. However, consistent with BPA policy in the rest of its service area, the committee expects that Bonneville will not engage in any promotional activities encouraging or organizing any new preference customers in the southern Idaho area. It should be noted that Bonneville has agreed to accept a limitation upon the Idaho Power Co.'s obligation to wheel for any preference customer, present or future, whereby no such customer could take away any industrial load of 10,000 kilowatts or more now served by the company, and Bonneville could not serve any Federal load of less than 10,000 kilowatts. This restriction fully protects the company against the loss of any phosphate furnace load, and any Federal load except the AEC at Arco, Idaho.

With this clarification, the committee hopes that the companies will execute a wheeling contract with Bonneville. If such a contract is executed, Bonneville has been directed not to spend the $1 million included in the bill for planning the construction of this facility.

To give you an idea of what this bill means of the Congress and America, the subcommittee has taken 4 volumes of testimony covering 4,094 pages. It heard 1,435 public witnesses and Members of Congress. Over 175 Members of Congress made requests either for unbudgeted items or increases in the budget involving 325 projects. I think that is evidence of the importance and need for these programs to develop and build America. It has long been neglected.

If there is any man or woman on the floor of the Congress today who thinks Khrushchev was foolish when he said "We will bury America" let us reflect that we may be contributing to this ourselves by our failure to adequately prepare our country, not for defense or war, but to defend itself against floods and other natural disasters, and to provide adequate water supply and other resource development.

It is essential that we take all reasonable steps to conserve and develop the water resources of the Nation in the immediate years ahead. Fundamental to the continued growth of our Nation is adequate provision for flood control, water supply, navigation, reclamation, and power development. Without the investment that has been made to date in these programs, it would not have been possible to achieve the great progress that this country has enjoyed and expanded programs must be fully supported in the future if the Nation is to continue to develop and prosper.

For example, during the Civil War they used to run steamboats between Harrisburg and Wilkes-Barre, Pa., but now you could not run a canoe up there. And that applies to many rivers in this Nation. We have neglected our country. Excluding the funds in the bill for AEC, there is only about $1.8 billion for flood control, reclamation, and power development which I feel is the minimum essential to carry on these programs in fiscal year 1966.

That is why I am asking you today to receive this bill the way the committee recommended it to you. I believe it is a good bill, and deserves your support.

I again want to congratulate the committee for bringing this kind of a bill to the floor of Congress.

I thank you.

The CHAIRMAN. The gentleman from Ohio [Mr. KIRWAN] has consumed 12 minutes.

The Chair recognizes the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I want to begin by saying that I support this bill. It is a good bill and I think it is worthy of the support of every Member of the House. I think it is particularly appropriate that the present occupant of the Chair is the gentleman from Colorado, the distinguished chairman of the Committee on Interior and Insular Affairs of the House, who has done so much to further the work of conserving and developing the natural resources of this country.

As I stated at the time the gentleman from Colorado appeared before this Public Works Subcommittee to testify, I do not know of two men in this country who have done more to develop our natural resources than have the gentleman from Colorado and the gentleman from Ohio, the chairman of this subcommittee.

Mr. Chairman, I want to second the words that the gentleman from Ohio has spoken concerning the harmony in the committee, the hard work we did together, and the results I think we have obtained. There has been some disagreement as to certain items, but certainly I think we can say that on this committee we have perfected the gentle art of being able to disagree without being disagreeable to an extent that might well be emulated by all of the committees of this House.

It is a real pleasure to serve on the committee. Not only is the chairman able and efficient but also the Members on both sides of the aisle have demonstrated their devotion to the work of the subcommittee and their ability to get things done.

I also want to pay my respects, as the chairman did, to those who have called this a "pork barrel" bill. Nothing could be more shortsighted. The two most important things this bill does is to either keep water off the land or put water on the land, whichever is needed. I think both of those objectives are worthy objectives. I think in both instances we are doing the best we can to develop the vital resources of our country. As long as we have disastrous floods on the one hand, and dire shortages of water on the other, programs like these are needed. To indicate them as "pork barrel" is ridiculous.

I would call your attention to the fact that if you take the amount that is spent for the Atomic Energy Commission off of the $4.3 billion total of this bill, you have $2 billion left. This is the amount of money that we are spending, in other words, to make our rivers navigable—to keep water off of the land or to put water on the land. I submit to you that this is not a great amount of money compared to some of the other expenditures that we make. I am not one to try to justify any expenditure by comparison with other expenditures, but I think certain comparisons are rather interesting. For instance, the appropriation for the National Aeronautics and Space Administration for this year will be $5.1 billion. Out of that appropriation the moon project, the Apollo project will claim $2.997 billion. So we are spending one-half again as much to go to the moon each year as we are spending to develop the part of this planet which we occupy.

The foreign aid appropriation will probably be somewhere around $3.1 billion. So we will spend one and one-half times as much on foreign aid as we spend on developing the resources of our own country.

We have only scratched the surface as far as opportunities are concerned for the development of our resources. When we look at the things that need to be done and which are not being done, this becomes even more apparent.

It has not been many weeks since we read about the disastrous floods in the Upper Mississippi Valley.

Shortly after those floods, Congress received a supplemental budget request for money to go into planning projects on the upper Mississippi which had not been considered ready for development at the time of the floods. We have included every cent requested for the Upper Mississippi Basin in this bill.

It seems that we always require a disaster to goad us into action. For instance, there were disastrous floods in the Missouri River Basin in 1948. At that time it became obvious that this country could no longer afford the losses in life and property caused by the frequent flooding of this great river. As a result the Congress gave the "go ahead" signal, and many projects were started. Most of them are now completed or in advanced stages of completion. One can almost say now that the Missouri River will never again damage property and take lives of the people in its basin.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Illinois.

Mr. FINDLEY. I appreciate the gentleman's yielding.

I wish to express the appreciation of the 20th Congressional District of Illinois to the gentleman from Arizona and to all the members of the Subcommittee on Public Works for the prompt and considerate manner in which they responded to the very grave flood conditions which prevailed only a few weeks ago in my district. The district was one of the hardest hit by the flood conditions which brought terrible hardship to a good many people in that area.

The subcommittee very kindly agreed to hear witnesses from my district. I do appreciate the consideration given to those witnesses.

I also appreciate the way in which the subcommittee has made provision for construction money to go ahead with the necessary improvements of the levees in that area.

I thank the gentleman.

Mr. RHODES of Arizona. I say to the gentleman from Illinois, on behalf of the subcommittee, I thank him.

I compliment the gentleman and his colleagues from the Upper Mississippi Basin for their zealousness in pursuing the matter of flood control in their areas. The gentleman from Illinois has been particularly zealous in this regard. I believe the results are quite apparent. I assure the gentleman, as one member of the committee, they will become more apparent as time goes on.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Iowa.

Mr. GROSS. I have in hand a newspaper clipping from an Iowa newspaper. I quote one paragraph which reads as follows:

> Some of the six Iowa Democrat Congressmen were commenting privately that projects were approved for every congressional district in Iowa except the Third District, occupied by the State's lone Republican, H. R. GROSS.

I ask the gentleman if all projects justified for the State of Iowa were not approved by the committee?

Mr. RHODES of Arizona. The gentleman is correct. The committee did not delete any projects which were in the budget for the State of Iowa. I believe one project was added, above the budget.

On behalf of this committee—and I believe I speak for all members—I resent any article such as this, and the implication that the bill was marked up on a political basis. It was not. Certainly if the members of the majority party had desired to mark the bill up on a political basis, they could have done so. They had the votes to do it, but they did not do it. So far as I know, that has never been done in this subcomittee.

Mr. KIRWAN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. Yes. I yield to the chairman of the subcommittee.

Mr. KIRWAN. I want to say to the gentleman from Iowa that we included funds for the study of the Iowa and Cedar Rivers in which I know he is interested. We would like to have considered the Waterloo project, but it is pending authorization. There is not one project in this bill that is not authorized. Every one of them is authorized. I assure the gentleman that when a project comes before us from the Third District of Iowa, and it is authorized, and if I am still alive and around here, we will report it out.

Mr. GROSS. Mr. Chairman, I thank the gentleman from Arizona and the gentleman from Ohio for their kind remarks. I listened attentively to the gentleman from Ohio [Mr. KIRWAN] who made it plain that political backscratching and pork-barreling was not necessary for inclusion of justified projects in this bill. I simply could not believe, if this is an accurate newspaper report, that the committee would indulge in any such actions.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

Mr. RHODES of Arizona. Mr. Chairman, I yield myself 5 additional minutes.

I yield again to the gentleman from Ohio.

Mr. KIRWAN. Mr. Chairman, I repeat that we acted favorably on every authorized project in Iowa that was before us for consideration. There was no politics. We treated everyone alike. There is not one project in the bill that has not been authorized and did not have a proper hearing and where everything connected with it was not in order. They were all approved by the Corps of Engineers and the Bureau of Reclamation.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I would like to assure the distinguished gentleman from Ohio that if the gentleman from Iowa ever comes before his committee with a proposition respecting a matter under his jurisdiction, it will be justified.

Mr. KIRWAN. If it is authorized and you come before me and I am chairman of the committee, I guarantee you it will be reported out favorably.

Mr. GROSS. I thank the gentleman from Ohio and the gentleman from Arizona.

Mr. SCHMIDHAUSER. Mr. Chairman, will the gentleman yield to me?

Mr. RHODES of Arizona. Yes. I yield to the gentleman.

Mr. SCHMIDHAUSER. I would like to add a few words to clarify this situation for my colleague from the Third District. As he well knows, I submitted before your committee a request for the beginning of a survey for the Iowa and Cedar River Valleys which include seriously affected areas in his district. I appreciate the letters of support which came from every Congressman representing areas in those river basins, including the gentleman from Iowa and his colleague the gentleman from Minnesota [Mr. Quie], and two of my other colleagues from Iowa. I think he understands fully that no one would stand for playing politics with the lives and the property of people. I made the request as a member of the Committee on Public Works for all of the people situated there, and I am very grateful that the committee granted the request. It should be underscored that the initial survey money you have included will satisfactorily affect all of the districts of all the Congressmen situated in those two river valleys.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. Yes. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I just want to take a couple of moments to extend my appreciation first to the gentleman in the well, Mr. Rhodes, and then to the Subcommittee on Public Works of the Committee on Appropriations for the work they have done on this bill.

As the gentleman well knows, my particular district in California was probably the hardest hit by floods of all the districts in the Nation. When some of these critics make reference to the fact that there is pork in legislation like this, I wish they would come to my district. If the chairman, the gentleman from Ohio [Mr. Kirwan], of this subcommittee will refer all comments or criticism relating to pork barrel legislation to me, I will be happy to respond to them in any way he desires.

Again I want to thank the committee for all of the time and consideration given me in behalf of my district. We have many problems yet unresolved that will require our continuing attention.

Mr. RHODES of Arizona. I thank the gentleman.

Mrs. MAY. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentlewoman from Washington.

Mrs. MAY. Mr. Chairman, I wish to compliment the distinguished members of the Committee on Appropriations for their appreciation of the need for orderly development of the Columbia Basin project in the State of Washington.

This important reclamation project is about half completed, and is already, through its production of diversified cash crops, bolstering the economy of the Pacific Northwest by providing food for the Nation. The members of the Committee on Appropriations have recognized the value of this project and are in agreement that bringing water to new lands on an orderly basis is not only desirable, but is necessary.

On behalf of the people of the project, I thank the committee for recommending sufficient funds to keep the project construction schedule moving along in the coming fiscal year.

Mr. BERRY. Mr. Chairman, will the gentleman yield to me?

Mr. RHODES of Arizona. I yield to the gentleman.

Mr. BERRY. Mr. Chairman, this committee has allowed $392,000 for detailed construction planning on the Oahe unit for fiscal year 1966, but the amount does not include funds for an investigation of a multipurpose dam and reservoir on the James River for the principal purpose of furnishing a municipal and industrial water supply for the city of Mitchell.

It is estimated that a feasibility investigation of the Mitchell section would cost approximately $135,000 and would require 2 or 3 years to complete.

It would probably be possible to use part of the $392,000 to start the investigation work on the proposed Mitchell Dam if it had definitely been determined by Congress that the Oahe unit extended as far south as Mitchell. However, since there is some question the Bureau has been reluctant to use these funds for this purpose, and since these funds were not included in the budget, this committee has been reluctant to include them in the bill.

It is entirely probable that a good case will be made for this investigation work before the Senate committee and the bill can be amended in the Senate either to include the additional funds or to provide in the report that the Mitchell Dam shall be considered a part of the Oahe unit. If this is done, I would earnestly ask that the conferees for the House accept the Senate version.

Mr. RHODES of Arizona. Mr. Chairman, I would like to make reference to a program under the jurisdiction of the Bureau of Reclamation known as the rehabilitation and betterment program. This is a program which allows irrigation districts, which were built at a time when techniques now available for the conservation of water were not available, to make improvements of water delivery systems and the like in order to rehabilitate those systems and to conserve much-needed water.

For reasons known only to themselves the Bureau of Reclamation or the Department of the Interior or both did not include funds for rehabilitation and betterment for region 3 of the Bureau of Reclamation. We have added funds for rehabilitation and betterment for that region. The only request for funds from those regions were from two of the finest reclamation projects ever devised or ever built. They consist of the Coachella project in the State of California and the Salt River project in the State of Arizona.

I thank my colleagues on the subcommittee for taking my word that money for rehabilitation and betterment of these two projects would be well spent. I take this occasion also to request that the Bureau of Reclamation in the future be sure that rehabilitation and betterment is available throughout its domain and not just in part of it.

There is only one item upon which there was enough disagreement to provide for minority views to be filed. This is an item of $1 million for the study of a powerline for the Bonneville Power Administration to transport power into southern Idaho. The minority felt that the $1 million was not necessary; the majority side felt that it was necessary. I can say, however, that I am satisfied that no member of this subcommittee desires that line to be built by the Federal Government. The majority felt that the inclusion of the $1 million is necessary so that there is some flexibility available to the Bonneville Power Administration insofar as providing power to the preference customers in southern Idaho is concerned.

Negotiations for wheeling contracts with private companies have gone on apace. There has been some disagreement as to the definition of a preference customer. In the views of the minority, as well as in the report of the majority, we have tried to give guidance to the negotiating parties, so that they might know what we think the guidelines are, and should be. We fully believe that the negotiations will result in a contract which will allow power to be wheeled into southern Idaho by the private utilities, and that it will not be necessary to spend the other $130 million of taxpayers' money which will be necessary in the event this line actually is constructed.

Mr. KIRWAN. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. Evins].

Mr. EVINS of Tennessee. Mr. Chairman, the distinguished chairman of the Subcommittee on Public Works Appropriations, the gentleman from Ohio [Mr. Kirwan] has explained this bill—the public works appropriation bill of 1966—in considerable detail.

At the risk of some repetition I shall endeavor to make some additional points regarding this vital bill.

Mr. Chairman, this is an important bill.

It is a significant bill.

It is a big bill.

It is—in fact—an all-American bill.

Its effects flow out across this Nation like ripples from a stone tossed into a lake. It touches the lives—directly or indirectly—of every American—and by every American, I mean every man, woman, and child.

This bill provides funds to initiate, or continue, great public works programs throughout the Nation. It provides funds for studies and for other projects that are of substantial benefit to the people of this country.

This bill will serve to strengthen our national defense. It will serve to build a stronger and a better America.

It is a spotlight shining into the future. Its provisions, for example—the bill—include funds for the development of a merchant marine powered by nuclear reactors. It includes funds for further development of nuclear reactors as sources of electricity.

The bill is divided into five parts.

Title I—the first part—carries appropriations for civil functions of the Department of Defense, including programs of the Corps of Engineers.

Title II carries appropriations for the Department of the Interior. This includes the Bureau of Reclamation and its great land revival programs in the 17 reclamation States in the West. This title also provides funds for the Bonneville Power Administration and for the Southeastern and Southwestern Power Administrations.

Title III carries appropriations for the Atomic Energy Commission and its significant and important programs which are, in their potential, a mirror of the America of tomorrow. These programs include its special nuclear materials program, its reactor development program, and its raw materials program among others.

Title IV includes appropriations for various independent agencies, including the St. Lawrence Seaway Development Corp., the Tennessee Valley Authority, the Delaware River Basin Commission, among others.

Title V relates to limitations and general provisions of the bill.

Mr. Speaker, the committee held extensive hearings on this bill over a period of many months. The extensive testimony is contained in five volumes of printed hearings. They include 4,100 pages.

Any review of this bill, Mr. Speaker, must include a tribute to the distinguished chairman of our subcommittee, the gentleman from Ohio [Mr. KIRWAN].

As you all know, MIKE KIRWAN is one of the true legislative statesmen in the House. And yet, with all his craftsmanship and competence and knowledge and ability, he is one of the most beloved Members of the House. This speaks well for MIKE KIRWAN as a man and as a legislator.

He is indeed a great American.

He believes in building for the future. His image, his imprint, his dedication to the millions of Americans of today and millions more yet unborn—all of these are woven into the fabric of this bill.

This bill carries a total appropriation of something less than $4,300 million.

The committee made a reduction of more than $132 million in the budget estimates.

It made a reduction of more than $227 million from last year's appropriations.

These reductions are significant. They reflect the determination of our distinguished chairman and of this committee to get a dollar's value for every dollar spent—a guiding principle of President Johnson's administration.

I am including with my statement a table from the report of our—the public works appropriations—committee which sets out the highlights in greater detail, and a breakdown of the appropriations.

Activity	Budget estimate, 1966	Recommended by the committee	Change from budget estimate
Cemeterial expenses	$13,739,000	$13,739,000	------------
Rivers and harbors and flood control	1,273,513,000	1,277,139,000	+$3,626,000
The Panama Canal	40,768,000	40,000,000	−768,000
Bureau of Reclamation	327,883,000	321,566,500	−6,316,500
Power agencies of Department of the Interior	121,765,000	118,265,000	−3,500,000
Atomic Energy Commission	2,481,000,000	2,354,995,000	−126,005,000
Tennessee Valley Authority	58,952,000	59,847,000	+895,000
Other independent agencies	640,000	540,000	−100,000
Appropriation of receipts	55,545,000	55,545,000	------------
Total	4,373,805,000	4,241,636,500	−132,168,500

I suggest that all Members read the full committee report which sets out the details on appropriations for each department and agency that came before this committee. I suggest further that Members pay particular attention to the committee's statement on the importance of water resource development to our country.

The importance of our great engineering and reclamation construction programs was dramatically illustrated during the devastating floods on the west coast during last December and January of this year. The Corps of Engineers estimates that damages would have run to $1½ billion if flood control projects had not been carried out and in operation. As it was, the damage ran to almost a half billion dollars.

These water resource projects, then, saved the American people on this one occasion an estimated billion dollars in damages.

Testimony before the committee unfolded the details of the great reclamation of western lands—the irrigation of almost 9 million acres which has produced almost $22 billion in crop income to date.

This great effort has been a keystone of economic development in the West.

There are, Mr. Chairman, many other similar benefits that flow constantly from the great public works projects funded in this bill.

Our committee has carefully analyzed every project as to its justification and projected impact. Each project must meet stringent criteria to assure benefits which will justify the cost.

These projects are in the national interest.

They are in the public interest.

They are in our economic interest.

Our committee feels that it is fully justified in recommended approval of 42 new construction "starts" proposed by the Corps of Engineers and the Bureau of Reclamation.

We feel that we are fully justified in recommending funds for 16 additional unbudgeted "starts."

Looking to the future, our committee is recommending funds for planning on 25 budgeted projects and 6 unbudgeted projects. We are also appropriating funds to finance some 21 surveys not listed initially in the budget.

These projects are all detailed in the committee report.

CORPS OF ENGINEERS

Mr. Chairman, we should all recognize that the U.S. Corps of Engineers is continuing to perform a great service to this Nation.

Standing on the Grand Coulee Dam, it seems that one can feel the throbbing power of America itself surging through the concrete and reverberating across the continent.

The Corps of Engineers is helping to broaden and strengthen our economy.

It is helping to improve and diversify our transportation system.

It is helping to control floods and save lives and property.

The Corps of Engineers waterway and harbors system carries about one-sixth of the Nation's commercial freight traffic. This amounts to 250 billion ton-miles annually.

BUREAU OF RECLAMATION

The Bureau of Reclamation is continuing its great work of creating oases out of deserts, of converting arid wasteland into fields green with productive growth.

A byproduct of the Bureau's operations is the development of hydroelectric power which has now reached a level of almost 16 million kilowatts.

ATOMIC ENERGY COMMISSION

The Atomic Energy Commission is continuing its vital effort for the defense of our Nation and for the perfection of atomic energy for peaceful uses.

The total reduction of $114 million in the budget estimate for the Atomic Energy Commission includes a net reduction of more than $35 million recommended by the Joint Committee on Atomic Energy.

The AEC is continuing to work on electric power reactors, on advanced systems research and development, on civilian application of nuclear explosives for use in gigantic construction projects requiring great earth moving and excavation efforts.

Our committee has included funds needed for other vital and important water resource development programs including the Tennessee Valley Authority, the Delaware River Development Commission, the St. Lawrence Seaway, among others.

TENNESSEE VALLEY AUTHORITY

Concerning the Tennessee Valley Authority, our committee has approved a total of $59,847,000 for all programs of the TVA for fiscal 1966.

This represents continued support of an agency and a program of economic development that has been a world pioneer and world model in water resources utilization and in generation of low-cost electric power.

The amount which our committee recommends is $11 million more than the

1965 budget and approximately $1 million more than the budget request for fiscal 1966.

The committee approved $5,570,000 to begin construction of Tims Ford Dam and Reservoir in Franklin County, Tenn.—a landmark in TVA development since it is the first TVA dam and reservoir to be built by TVA in middle Tennessee.

As will be noted in the report, the committee has deferred action on the controversial Tellico Dam and Reservoir project.

The committee heard extensive testimony both pro and con concerning the merits of the Tellico project. It was obvious from testimony that a great controversy existed among the people in the area proposed to be served by the project.

The Committee in its deferral of action followed a longstanding policy of postponing without prejudice any matter about which there is great controversy in the area to be served.

The objections to the project outlined in testimony included these contentions:

The county courts—the county legislative bodies—of Knox, Blount, and Loudon Counties refused to support the project.

The Greater Knoxville Chamber of Commerce declined its endorsement.

Knoxville's City Council refused its support.

The Tennessee River and Its Tributaries Association refused to take a stand. The Little Tennessee River Development Association, sponsored by TVA to analyze the project and urge construction of the dam, refused to endorse it.

Forty organizations were listed in testimony as formally in opposition to the project.

Tellico was described as a marginal project—a project about which TVA has displayed an on-again, off-again attitude, having decided once before to build it and then deciding against it. There is testimony in the record that the War Production Board once rejected the project as not essential.

Some witnesses challenged TVA's insistence that Tellico would be a flood control project. They contended that the Little Tennessee River, which would be dammed by the project, had no flood control problems and already had eight dams.

Other witnesses challenged TVA's plan for extensive industrial development around the project, contending it would be in competition with other nearby projects. Testimony disclosed that there were industrial sites available on TVA property and in State, city, and county industrial developments.

The issue of pollution of the fresh waters of the Little Tennessee River was posed by some witnesses and was obviously in the minds of some of the members of the committee. The committee is recommending $100,000 for a water pollution control study and has asked for a report on this matter as it relates to the Tellico controversy.

In sharp contrast to this muddy situation, the support for Tims Ford was clear and deep. It includes the support of a number of elected officials in counties that would be served.

It includes the Tennessee Elk River Development Agency and the Elk River Development Association.

It includes citizens and organizations in nearby Fayetteville and Lincoln County, the Tennessee Rural Electric Cooperative Association, and others.

The matter of flood control is of immediate concern to the area. Fayetteville, for example, has recorded 47 floods in 40 years.

Tims Ford is needed as an inducement for industrial development in middle Tennessee. Such inducement already exists in TVA projects in east Tennessee.

Tims Ford would provide needed hydroelectric power, needed waterfront industrial sites, needed commercial sites, needed recreational facilities.

I want to make it clear that TVA recommended both the Tellico and Tims Ford projects to the Bureau of the Budget. The only reason funds were not approved by the Bureau of the Budget for Tims Ford initially for fiscal 1966 was because the planning report was not ready.

The planning report is now ready.

The Chairman of the Board of Directors of TVA, Aubrey J. Wagner, testified during the hearings that TVA was ready, willing, and able to go to work on the project as soon as funds are made available by the Congress.

Chairman Wagner also wrote a letter to County Judge C. O. Prince of Franklin County, Tenn., as to the readiness of TVA to undertake construction of Tims Ford Dam and Reservoir.

Chairman Wagner stated in the letter:

> We could start whenever the needed funds are appropriated by the Congress.
>
> We would normally expect to begin onsite construction toward the end of the winter season—assuming that funds were appropriated.
>
> A planning report for the project has been completed, showing full analysis of both its engineering and economic aspects.
>
> We believe that the Tims Ford project can make a substantial contribution to economic growth in the area and that it is a desirable development and use of the water resource to serve the growing needs of the Tennessee Valley region (part III, Hearings before Subcommittee on Public Works Appropriations, 1966, page 72).

Our committee has accordingly approved this project because of the recommendations of the TVA and of the great public interest of the people in the area to be served.

The people of Middle Tennessee are ready and anxious to move ahead with this project, bringing a new era of progress.

The Tims Ford project will open another great chapter in resource development by the TVA.

It will open the doors of opportunity to thousands of our citizens.

It will help to build a better tomorrow for the great Tennessee Valley.

And so, Mr. Chairman, I repeat—this is a good bill. It is an important bill. This bill will help to build a greater and stronger America.

It deserves the support of every Member of this House—and I urge its passage.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, I would like to associate myself with the remarks which the gentleman has made, and also those made by the distinguished chairman of the subcommittee, the gentlemen from Ohio [Mr. KIRWAN].

I thank the subcommittee for the consideration given to projects in Florida. We have emergencies in our State, and the subcommittee has always responded promptly to the request to meet those emergencies for which I am very grateful.

I might also say that one of the beneficial aspects of the guidelines laid down by the subcommittee, and because we have followed those guidelines in Florida, we have come up with a united program and presentation.

I can recall one particular emergency down in our area, where we have a tremendous urban population. Not too many years ago in a densely populated area we had a flood with waters several feet deep. For many days in that town we traveled by boat. Because of the orderly process and programing of the flood control project by this subcommittee, we have been able to deal satisfactorily with that problem. We have had very few emergencies since then, and we are all grateful for that.

Today we have a different kind of emergency that has cropped up in the last 2 or 3 years. We have had a severe drought, which has raised a problem in our agricultural areas, a problem for sufficient water for human consumption, as well as a problem for enough water for the great Everglades National Park. Because of the recognition of those problems by this subcommittee we will be prepared to meet them.

On behalf of the constituents of my district I want to say a half million "thanks" to the subcommittee for the very prompt and adequate attention they have given to our problems.

Mr. EVINS of Tennessee. I thank the gentleman for his remarks.

Mr. RHODES of Arizona. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Chairman, I suppose many of us have looked up at this wording above your head on the wall of this Chamber. I have never noticed the appropriateness of it to this particular bill until today, where we have the advice of Daniel Webster: "Let us develop the resources of our land."

I think this is the opportunity that we have as Members of this House to implement those words.

Mr. Chairman, as the chairman and some of the other members of the subcommittee have said, this bill certainly does not fall into the category of what so many of our uninformed people have called it—a pork barrel bill. I suppose that it could be, if there were less scrupulous Members of this House and of this committee, it could be susceptible of that. But that certainly is not the threat which flows through this public works appropriation bill which is now before the House. So far as the susceptibility of this kind of an appropriation to that kind of a charge, it serves to pinpoint the responsibility that this committee does have. I refer to the Appropriations' Subcommittee on Public Works. For here included in this bill are all of the funds for all of the important construction agencies of the Government save the Armed Forces and the Bureau of Public Roads with its great highway development projects.

I suppose that one of the things that confronts any Member in attempting to meet this great responsibility is the difficulty of understanding some of the procedures that are involved. I know frequently that Members of the House have made inquiry both of staff members and members of this subcommittee and the usual answer has been, "Well this is a project that has not been authorized by one of the legislative committees of this House." This in itself is a source of lack of understanding. You can look at page 4 of the report, for instance, and find there a heading of "General Investigations" for the Corps of Engineers. Well, these are projects that have not been authorized. They are the preauthorization surveys and investigations and that kind of a survey must precede the authorization that takes place by the Committee on Public Works.

Then you can look over on page 43 under the Bureau of Reclamation and see there the heading of "General Investigations." And these are, as I understand it, all authorized projects which have been previously cleared by the Committee on Interior and Insular Affairs and brought here to the House.

Then, too, some of us like to look at the benefits to be achieved from a particular project contrasted to the cost thereof. So far as I at least was able to determine, we have not yet achieved uniformity as between these two great public works construction agencies—the Corps of Engineers and the Bureau of Reclamation as to the method of arriving at these benefit-cost ratios.

Then a few weeks ago we had here before us legislation to increase the authorization for the great basin projects of this country. This, too, makes it rather difficult to understand, when we must stop and consider that each of the specific projects within those basins needs to be authorized by the action of this Congress.

So I think the confusion that we do have and the lack of uniformity does serve once again to bring us right back to the great responsibility that this particular subcommittee does have.

In fact, it is true that this meeting room up on the third floor of this Capitol is the only place, and I use that expression symbolically, because I am sure the professional staff of our subcommittee does a great deal of screening before we ever see these projects—but that is the only place where the different construction agencies of the Government come together to have somebody take a look at all of them to see whether or not there is a duplication of effort. In one case at least, and this is mentioned in the report of the committee, there was an obvious duplication of effort—what amounted to what lawyers might call a race to be won by the diligent—to see who could get in there first and get started with the project or a group of projects in this particular geographic area. I suggest that it ought not to be at this late stage of the game that there is this screening of project or of proposed projects in specific geographical areas and that somewhere in our executive branch of the Government there does lie a responsibility to save the Members of Congress from falling into the trap of finding themselves being asked for funds by different agencies of the executive department of this Government which in practical effect either do or would, if the funds were granted, duplicate each other.

This is a program which concerns every Member of the House of Representatives, not merely someone who might have a particular project in his, or in her, particular district.

I believe that one of the great weaknesses I have observed over the years—and I am sure that the great chairman of this great subcommittee has seen this develop over more years than I have had an opportunity to do so—has been the tendency to lock the door after the horse is gone. As we look at the appropriations of the past few years, we see that, after the great floods in New England, there followed a flurry of new studies and investigations and appropriations. The great floods of the Far West were followed by a flurry of additional appropriations for that area. This year there was the flooding in the upper Mississippi area. That has been followed now by a flurry of funds for surveys and investigations in that area.

In fact, my colleague from Wisconsin [Mr. THOMSON] talked to me, when it appeared that a problem was developing in the upper Mississippi border on the State, and I rather facetiously said to him, "It will help your case if you can arrange for a modest flood up there this spring." He overdid it to the point that they had a great deal more than a modest flood.

This serves to pinpoint the fact that these sad and tragic experiences have been followed by requests from the Bureau of the Budget for some small investigation funds in two or three areas in western Wisconsin affected.

I believe that our technological and engineering advances should have reached the point that we should not have to wait until tragedy strikes before we begin to plan and to think about the development of the water resources of many of the areas of this country. I believe we are entitled to a more orderly development, so that we are not in a position of turning on and turning off funds, depending upon a tragedy which strikes any particular part of this country.

Although we have been wrestling with this problem for 18 years, at least, that I know of, I am hopeful that the Water Resources Development Act, which Congress passed earlier this year, may provide some leadership and guidance to help remedy that for the future.

One of the construction agencies we frequently associate with military matters, but which does have an important part to play in the civilian resource development of this country—one I had never before had an opportunity to rub shoulders with in the field of appropriations—is the Atomic Energy Commission. I believe all of us were a little bit awed by the military implications of some of the work of this Government agency, but I believe, also, we gained a much better practical understanding of some of the day-to-day things for the betterment of the life of the civilians of this country.

One thing which may sound prosaic but which is of great concern to all of us is the progress now being made on the water desalting project. I believe one of the statements which concisely states the whole problem is that today we think in terms of the number of cents per pound in the development of desalted water, yet by the 1970's it is expected we will be able to think and to talk of the number of cents per ton. By the 1970's, there will be, through atomic power, the development of desalted water to the point that utilities in your districts, and in mine, can look upon this as a supplementary source of fresh water.

In the discussions before our committee, the only head-on clash we had was the one to which the ranking minority member, the gentleman from Arizona, referred.

The strange part of it is that there is not one member of that subcommittee that wishes to see this high-powered transmission line into southern Idaho built at Government expense at a cost of $140 million. We do have very different feelings as to the strategy we ought to use in order to insure that this development in the transmission of this power will be carried out without its costing our Federal Government and the taxpayers that amount of money. This was a difference of strategy and philosophy, but it did not represent the direct opposition of feelings that you might gather from the fact that minority reports were necessarily filed in connection with it.

Mr. KIRWAN. Mr. Chairman, I yield such time as he wishes to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, I have enjoyed serving with the gentleman from Ohio, the chairman of this subcommittee, MIKE KIRWAN.

There is not a section of the United States which is not indebted to MIKE KIRWAN for the contributions he has made to his country.

MIKE starts out by way of geography, beginning with the letter A for Alabama and going through to Wyoming, so as to be certain that every section and every section's representatives in the Congress has consideration within the limits of the expenditure of reasonable funds.

This is not the first time I have had the privilege of standing shoulder to shoulder with MIKE.

OVERRIDING PRESIDENTIAL VETO

Many of you have forgotten, but in 1959 before the Committee on Appropriations we stood shoulder to shoulder, along with our colleagues, BILL NATCHER, and

Tom Steed, whom I see here, and others, when for the first and the only time in the history of this country the Congress overrode a Presidential veto on the second try, after failing on the first effort. At that time I believed I spent the longest 20 minutes I ever spent in my life standing in the committee, trying to get the then chairman of the committee to announce the vote. We won by 19 to 18, although one of the members withdrew his "no" vote and announced "present" after we won. In fact, we would have lost if we had not objected to the vote of one of my colleagues because he was out of the room when the vote was taken. I mention this because I would like to repeat here the argument I made at that time in reply to the reasons given for the veto by President Eisenhower. In support of the veto it was said we owed so much money; were spending so much on other domestic and foreign aid programs; that with all these commitments it was not appropriate at that time to go along with the increased expenditures of money on new starts of domestic public works projects.

I repeat here the argument I made in reply, Congressional Record, volume 105, part 14, page 18597.

> It is high time we took care of our own country. If the President and a majority of the Congress are going to have a foreign aid program of billions of dollars annually; if we are going to raise travel allowances for Federal employees, Federal pay; if we are going to increase benefits to veterans, and provide more inflated dollars to almost everything, if we are going to have all these other things, if we continue to increase the national debt, I think that we owe it to our future and to our children to protect our own country, its soil, and its natural resources. The President's veto would have us do all these other things at the expense of our own country.
>
> These facts are argument, not against domestic public works but for them. May I say to you that the argument made as to how much we owe, and about the deficit, and all of that, is the strongest argument for giving attention to our own country that I can bring you. May I tell you that the strength of the dollars that we have, the ability to pay debts that we owe, for whatever it is worth, is dependent upon the country that stands behind it. * * *
>
> Mr. Chairman, money spent improving the Nation, preventing floods that cause damage of hundreds of millions of dollars—and preventing drought damage, improving harbors, is sound. Yes, I would look out for my country first, recognizing that it is the basis for everything. Then after we have looked after our home base, I would see what else we were able to do.

Unfortunately in times past we have not always done that. We are taking care of our own country in this bill.

PROTECTION FOR THE FUTURE

As has been said before, I believe in balanced budgets. I believe that we should keep our money sound so that we can take care of our financial transactions and have a sound economy.

Money alone is not wealth. If you leave your children and your children's children a country that is well developed, with the rivers harnessed, harbors improved, lands fertile, they will be able to set up their own financial system. But if we let our country go to pot, go to ruin, we can leave them all the money in the world and with a wornout land, the money would be worthless.

Our subcommittee handles funds for the Atomic Energy Commission with all its basic research. We have a part in the development of harbors from Maine to Florida, from the State of Washington to California, on the Great Lakes and the Mississippi Gulf Coast, and in Alaska, and Hawaii. I am glad to have a part in developing the rivers of all the States in the Nation and in providing for flood control and reclamation throughout the country. I shall not here enumerate all of these projects which are listed in the report and in testimony before our subcommittee.

MISSISSIPPI PROJECTS

In my own State I am pleased that we were able to provide the following language and funds:

Sixty thousand dollars under general investigations including $30,000 for an investigation of the Hatchie River and $20,000 for a study on the West Tennessee River tributaries, for which $10,000 is included in the budget estimate.

An increase of $375,000 provided for the Big Sunflower River in the Yazoo Basin including $250,000 for initiating construction on the Gin and Muddy Bayous project.

The Corps is directed to carry out agreements made in connection with the Arkabutla and Sardis Reservoirs projects. From evidence available to the committee, assurances were given by the Federal Government representatives as to land rentals which should be carried out and all other project lands should be administered on a negotiated basis so as to protect the reservoirs and provide for proper handling of the Government lands.

The committee is of the opinion that the compensation of only $37,500 paid to Lafayette County in connection with the roads and bridges permanently inundated by construction of the Sardis Reservoir, including destruction of Harmontown bridge crossing in Lafayette County on the main stem of the Tallahatchie River, was so inequitable as to make the release void. The corps is directed to reconsider this whole matter under section 9 of the Flood Control Act of 1946 which makes provision for such situations. Twenty thousand dollars is provided in this connection for initial planning of an adequate crossing of the Sardis Reservoir at Teckville.

The committee has not approved the use of any funds for the purchase of land in fee for a sump area or a wildlife refuge on the Yazoo Backwater project in Issaquena and Warren Counties. It is believed any essential requirements can be met satisfactorily in a less costly manner through an appropriate easement agreement between the parties involved.

For construction:

Jackson and East Jackson	$1,500,000
Okatibbee Creek Reservoir	2,400,000
Tombigbee River and tributaries, Alabama and Mississippi	400,000

General investigations:

Big Black River (comprehensive)	$87,000
Pascagoula River Basin (comprehensive)	230,000
Pearl River Basin, Miss. and La. (comprehensive)	230,000
Tombigbee River at Columbus, including Luxapalila Creek (flood control)	50,000
Town Creek at Jackson (flood control)	26,000

The sum of $455,000 recommended for Arkabutla, Sardis, Enid, and Grenada Reservoirs is for recreation facilities.

The total sum of $3,350,000 is included for the Yazoo Basin and tributaries. This is an increase above the budget of $1,400,000 for the purpose of speeding up the work. This will enable the Corps of Engineers to fully coordinate its watershed work with that of the Soil Conservation Service, for the maximum development of flood control, flood prevention, and watershed protection in Mississippi. This program comes under the jurisdiction of the Appropriations Subcommittee for Agriculture, of which I have the honor to be chairman.

This year we provided for increased research over the Nation and in my own section—additional units at Stoneville to go with the cotton research and poultry research stations at Mississippi State and the sedimentation laboratory at "Ole Miss," provided some years ago. Here we hope to soon have a forestry laboratory to go with the forestry research unit there now.

On that subcommittee we initiate funds for rural electrification, for watershed protection and flood prevention, a program which our committee originated, for rural housing and waterworks loans, soil conservation, the agricultural conservation program, for research and extension, for experiment stations, for meat inspection and school lunch—the many programs which not only help to preserve our land for the future but to make available the finest food supply and the highest standard of living ever known by man.

Mr. Chairman, I am indeed fortunate to serve where, perhaps, I have the best opportunity to coordinate the work of two great departments, the better to save and develop our country.

Mr. RHODES of Arizona. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. Robison].

Mr. ROBISON. Mr. Chairman, it has been a pleasure to have participated in the work of this important subcommittee, and I should like to express my thanks to the gentleman from Ohio [Mr. Kirwan], the chairman of our subcommittee, and to the gentleman from Arizona [Mr. Rhodes], its ranking Republican member, for the patience and courtesy extended to me during the hearings as I attempted to become familiar with the subject matter assigned to us, and with the nature of my own responsibilities.

I should also like to express my appreciation for the manner in which "Gene" Wilhelm, our genial and efficient clerk, and the other members of the staff, carried out their duties. It was a pleasure to have worked with them.

Now, Mr. Chairman, this bill H.R. 9220, the public works appropriation bill for 1966, calls for the expenditure of $4,241,636,500 by the Army Corps of

Engineers, the Bureau of Reclamation, the Atomic Energy Commission, and other related agencies.

That total, as you have been told, represents a reduction of $132,168,500 in the budget requests, as well as a decrease of $227,380,200 when compared to the appropriations for these same purposes for the current fiscal year.

Despite these reductions, it is obvious that we are still recommending to you the expenditure of a huge chunk of the taxpayer's money, the largest part of which—after eliminating from your consideration the total amount being recommended for the AEC—provides for the planning or construction of public works or reclamation projects of one kind or another in various parts of the Nation; and it is likewise obvious that the amounts we have also allowed for study or survey purposes on other such projects forecast the follow-on expenditure of additional large amounts on these in years to come.

To some of you—as always, of course—this bill will be regarded as 1965's edition of the annual pork barrel bill, and that is an ancient argument that no one can win, so I do not intend to try to debate it.

Given the circumstances under which such a bill as this is put together—both "downtown" and then here in Congress—it is perhaps inevitable that there are some items which may have been funded for what, at least in part, were geographic if not political factors, though all projects in the bill have been duly authorized—as the chairman has stated—and all meet the present requirements for economic feasibility, a procedure which, in my judgment, might well again be reviewed by Congress in the light of today's circumstances and the national need.

However, I well recall a conversation I had here, during the first days of my service in this body, with the late Dan Reed, who so ably and for so many years served the western part of my State of New York in this House. Mr. Reed, in speaking of the type of public works projects that are covered by this bill, told me to always remember that these did not involve just the expenditure of public moneys but were, instead, if soundly conceived, investments in America.

I am sure that our chairman, the gentleman from Ohio [Mr. KIRWAN], would agree with Congressman Reed's point of view, and I do believe that our subcommittee—to the best of its ability—has attempted to insure that the public works items contained in the bill as now presented to you do, indeed, constitute investments, and sound investments, which will enure to the future well-being of our Nation and its people.

In the eyes of a minority of the subcommittee there is, of course, one glaring exception to this, and that exception is the inclusion in the bill of the sum of $1 million for the Bonneville Power Administration to finance the planning of an extremely costly and, we feel, unnecessary, high voltage transmission line from the Bonneville system into southern Idaho.

There is no secret of the fact that the subcommittee split down the middle on this item, and I am opposed to it—as are both of my colleagues on the subcommittee from this side of the aisle—for the reasons set forth in the minority views in the report, and for the additional reasons mentioned here this afternoon by both the gentleman from Arizona [Mr. RHODES], and the gentleman from Wisconsin [Mr. DAVIS]. I think that this item should have been deleted—as it was last year by full committee action.

However, in the time remaining to me, I would like to address my remarks to what is probably the most precious item in our dwindling catalog of national resources—water—to the control, conservation or use of which so many of the specific public-works projects contained in this bill relate.

It is as difficult to define the real dimensions of our national water-management problem, as it is to overemphasize it.

It has been said that the story of mankind could be written in terms of his epic concern with water—its use and control—down through the ages, and this is still true today. But, except for certain arid parts of our Nation—with which this bill is also related—the newspaper headlines of the past few days dramatically illustrate the fact that our present water problem is not so much the lack of sufficient water on which, like air, all life depends, but the finding of better ways and means to manage what water we have.

While one news story details the loss of human life and property damages soaring over $100 million in parts of Colorado, Kansas, and New Mexico, as the result of floodwaters, another on the same page is depicting the alarming details of Lake Erie's manmade pollution, while still another story tells us that New York City's reservoirs now stand at 53.9 percent of capacity, as compared to 86.8 percent of capacity a year ago.

As one result of that last-mentioned aspect of our overall problem you will find—should you visit New York City this year—that you will be served water in a public restaurant only if you specifically ask for it, that municipal fountains have been shut off, that people are even being urged to put two or three bricks in their toilet tanks to conserve water, as well as to take short showers instead of tub-baths, and you will see full-page advertisements similar to this one from a recent copy of the New York Times urging the city's populace to save water.

And, according to yesterday's Times, the city's streets will now be flushed for the first time since last April 7, through the use of untreated river water and especially treated industrial waste water, but that the mayor's ban against hosing off those famous "sidewalks of New York" is still in effect.

I suppose that one can argue that the flood conditions that caused so much damage late last year and again this spring on the west coast, or that the serious flood in the Midwest this spring, as well as the floods that have just taken place in certain areas of the Southwest, are unique accidents of nature that will not happen again—but one can be no more sure of this than of the possibility that the unusually severe drought conditions that have plagued the eastern seaboard these past several summers will not be repeated.

But the two situations are certainly related. For instance, one witness—and this in on page 816 of part 4 of the hearings—told our subcommittee that the water wasted to the ocean from just the Eel River in California, in one 24-hour period this spring, would have taken care of the entire water needs of the people of the city of Los Angeles for 3 whole years.

And the water needs of our people will be increasing at a fantastic rate—for instance not only will the population of the United States be 261 million by 1980, and probably 383 million by the year 2000, but water engineers also estimate that the average per capita consumption of water in urban communities will likewise increase from the present 147 gallons per day to 185 gallons per day in the next 15 years, in addition to which industrial demand will grow along with the population.

All of which can be regarded as handwriting on the wall insofar as the congressional responsibility for developing a sound and comprehensive water-management policy is concerned, for this is truly a national problem, demanding our urgent and thoughtful attention. The key to the development of such a policy is the sound planning of an orderly construction program, into which all existing Federal or federally aided water programs are coordinated, for these programs on which we are preparing to spend so much must be complementary, and not competing, programs, if we are to control, use, and conserve our water resources wisely.

All of us are primarily interested in our own areas, naturally enough. I happen to live in that part of New York which is in the Susquehanna River Basin. The Susquehanna is a beautiful but sadly misused river, for the most part, and it can still be a dangerous river as those who live and work along its banks so well know.

After the disastrous floods of 1935 and 1936—which resulted not only in tremendous property damage but also in loss of human life along the Susquehanna throughout much of the territory encompassed in the 33d Congressional District of New York that it is now my privilege to represent—Congress authorized a flood-control study of the North Branch of the Susquehanna by the Corps of Engineers, who subsequently recommended a master-plan of flood-control measures consisting of local flood-protection works for the triple cities area of Binghamton, Johnson City, and Endicott, N.Y., and various other smaller communities along the river, to be supplemented by the construction of seven flood-control dams or reservoirs upstream of the triple cities.

All seven of those upstream structures were thereafter duly authorized by Congress, but only two of them have ever been built, those two being one located on the Otselic River, near Whitney Point, N.Y., and the other on Ouleout Creek, near East Sidney, N.Y.

The remaining five authorized but unconstructed structures were to be situated on Charlotte Creek, near Davenport Center, N.Y., on Genegantslet Creek, near Greene, N.Y., and on Canasawacta Creek, near South Plymouth, N.Y., on Otego Creek, near West Oneonta, N.Y., as well as on Butternut Creek, near Corps Corners, N.Y.

The Whitney Point and East Sidney structures were completed at a cost of just over $5 million, each. Together, they have already prevented estimated flood damage running in excess of $32 million.

Incidentally, recreational facilities have since been developed at the Whitney Point Dam, including a 1,200-acre summer pool and other facilities for picnicking, boating, and bathing—built in cooperation with the New York State Conservation Department—and the reservoir attracted 160,000 visitors during the summer of 1964. Similar recreational facilities are presently being completed at the East Sidney Dam.

The Whitney Point Dam was completed in 1942, and the East Sidney Dam in 1950. In addition, in more recent years, local flood-protection works were completed in the triple cities area at a Federal cost of about $9 million, and the same have already prevented flood damages estimated at over $13 million.

Evidently, the substantial Federal investment in this area to date has been well justified.

However, the Corps of Engineers still advises me that the protection works and reservoirs now in place are still insufficient to protect the citizens of the triple cities and their property from flood damage that would accompany a recurrence of the 1935-36 disasters. In their judgment—as in mine—our task is not complete.

The chief reason why that task is not complete has been the persistent opposition in upstream areas to any further work on any of the remaining authorized but unconstructed reservoirs. That opposition, time and again, has been reflected here in Congress; it has often been expressed before our subcommittee, and, though that opposition used to come from my—or the Republican—side of the aisle, it now comes from the other—or Democratic—side of the aisle.

Such opposition originating in the local upstream areas where farmlands and homes and a few business establishments would necessarily be acquired in order to construct any of such remaining reservoirs is wholly understandable—and I respect completely the sincerity with which it is expressed in those upstream areas, and here in this body, this year, by my esteemed colleagues from New York [Mr. STRATTON and Mr. DOW].

However, for far too many years now that opposition has been unyielding and, if I may do so in all kindness, too narrowly focused on what may seem to be the apparent disadvantages to these upstream areas of the flood control structures in question. It has been unwilling to even consider the possible local benefits, to the citizens and communities in these upstream areas, that the construction of one or more of such structures might bring under the present multipurpose concept for the planning of projects of this sort now being followed by the Corps of Engineers.

Mr. Chairman, this longstanding dispute is almost a classic example of how such opposition in local upstream areas—as reflected through their congressional representatives—can, for years, prevent even a consideration of such projects as we are here concerned with on their merits. I think it is time that such projects were considered on their merits, and on the basis of wherein lies the public interest.

In an effort to obtain that kind of consideration here in Congress—which, in my judgment, had to be preceded by an updated look and reappraisal of the overall problems along the portion of the North Branch of the Susquehanna we are discussing—I obtained the approval of the House Committee on Public Works of a resolution authorizing the Corps to conduct a comprehensive review or restudy of the entire north branch of the Susquehanna. This resolution was agreed to on June 9, 1960, and with the sum of $25,000 which I was successful in having this subcommittee add to the 1961 Federal budget the corps began work on that study in the spring of 1961.

Subsequently, the President requested the further sum of $80,000 to continue the corps' study in the 1962 budget. That request was allowed, but apparently at the request of our former, and beloved, colleague, the Honorable John Tabor, the report of this committee accompanying the 1962 Public Works Appropriation Act contained the following limiting language:

> This survey is to be limited to a study of possible levee systems and channel improvements.

Since such limiting language was contained in the report though not in the bill itself, there was nothing I could do about it, and the corps was required to honor this subcommittee's directions as best they could in advancing their study assignment.

In the letter to our former colleague, Charles A. Buckley, chairman of the House Committee on Public Works, commenting on my request for such a review of the north branch of the Susquehanna, Maj. Gen. William F. Cassiday, then Assistant Chief of Engineers for the Corps, wrote:

> Local interests have expressed a desire for a comprehensive survey of local protection works and a coordinated study by the Soil Conservation Service and the Corps of Engineers to determine the best combination of small, medium and large reservoirs for flood control and allied purposes. In view of the local objections and the desires of local interests that other means of flood protection be studied and the possible changed conditions in the basin, it appears that a study of the entire basin is desirable. Such a study would be fully coordinated with the Soil Conservation Service and other interested Federal and State agencies. * * *
>
> The estimated cost of the studies to be made by the Corps of Engineers is $350,000. The time required to complete the studies and submit the report thereon to Congress is about 3½ years, dependent upon availability of funds.

However, thereafter, upon action initiated by our colleague, the gentleman from Pennsylvania [Mr. FLOOD], and Senator CLARK, also of Pennsylvania, the Senate Committee on Public Works, in October of 1961, authorized a comprehensive study of the water and related land resources of the entire Susquehanna River Basin, running through the States of New York, Pennsylvania, and Maryland. This larger study—into which my North Branch study was combined—was estimated to cost about $2 million and require about 6 years to complete.

Accordingly, for the next fiscal year the corps submitted a request for $300,000 to this subcommittee for its use in carrying on such a wider ranging study, and, again, that request was granted but also, again—and apparently at the request of Mr. Tabor—the report of this committee accompanying the 1963 Public Works Appropriation Act contained some rather limiting language stating this amount was allowed:

> With the proviso that all presently authorized and unconstructed storage reservoir projects in that basin shall be reanalyzed in the light of present conditions to determine whether alternate projects or other methods of flood protection or prevention are desirable or justified. The committee action is also predicated on the understanding that the study will be made in cooperation with State agencies and the Department of Agriculture's Soil Conservation Service so as to fully evaluate the potentials of small watershed projects, alternate reservoir projects, local protection projects and other measures as alternates to large reservoir projects that adversely affect important local areas, or which would minimize the need for such reservoirs.

The corps, thereupon, with such funds and in accordance with the above-quoted directions, continued to advance its study of the Susequehanna River Basin, on which—by this time—it had completed a good deal of its preliminary work insofar as the North Branch, itself, was concerned.

In the 1964 budget, the sum of $330,000 was approved to continue the study, and in the current 1965 budget the further sum of $400,000 was similarly approved, and this bill—H.R. 9220—does contain the corps' request for $565,000 for the advancement of the study during fiscal 1966, which request has my full approval and support.

Now, Mr. Chairman, it is quite obvious that I knew, when the separate North Branch study was commenced, that there would be some reasonable period of time during the course of that study when the corps would not be in a position to recommend to us any further work along that portion of our river basin. However, it should be remembered that the study itself—whereon work was first begun on the North Branch—has been underway for 4 years or more, and it should also be remembered, I think, that were it not for the integration of the North Branch study into the full river basin study the North Branch study, by itself, would probably by now have been completed.

In any event, I am now assured by the Corps of Engineers that the overall study has now been sufficiently advanced so that there is general agreement on the part of the participating Federal and State agencies—which group includes the Soil Conservation Service—that two of those authorized but as yet unconstructed upstream reservoirs, the one near Davenport Center and the one on Genegantslet Creek, will fit into the revised plan for the development of our river basin that will be submitted to Congress by the corps in June of 1969, according to present plans.

Accordingly, on my request for such information, the corps did advise me earlier this year that it had the capability of using the sum of $60,000 for advance engineering and design purposes in connection with the Davenport Center Reservoir, and the sum of $40,000 for the same purposes in connection with the Genegantslet Reservoir.

Specifically, according to my understanding, these funds would be used by the corps to remap the areas in question, in the light of today's circumstances, to do some drilling, and to examine subsurface conditions at the proposed damsites, and so on, and, most importantly, to prepare its plans for further consideration of both of these structures in future budget years.

The opponents of these structures from the upstream areas have again suggested that neither of these reservoirs are really needed for flood control purposes, and they again assert that, instead of such large dams and reservoirs, a combination of small-watershed-project programs along the Susquehanna's tributaries would add whatever minimal flood protection the downstream people really need, now, in view of the local flood-protection works that have been constructed for them.

On this point, let me state that the corps would use such planning moneys—if given it—in conjunction with the work of the Soil Conservation Service, which concurs in the corps' request, and in cooperation with the other Federal agencies participating in the overall study—which include besides Agriculture, the Departments of the Interior, Health, Education, and Welfare, and of Commerce, as well as the Federal Power Commission and HHFA, and agencies from the three participating States—in order to develop the best possible comprehensive plan for our river basin, in which the various possible approaches to water control and conservation are correlated.

This, then, is not a competition between the corps and the SCS, but a coordinated approach—which is, of course, what we need—to meet the present and future needs of the entire Susquehanna River Basin.

Despite this fact, the upstream protests continue—with statements being made that such reservoirs are, for instance, "nothing more than a huge boondoggle which will disrupt and disorganize communities, uproot thousands of families, bring havoc to area businesses and eliminate millions of dollars worth of taxable property," to quote from just one such source.

Let us take a look at the accuracy of those statements. The corps advises me that the Davenport Center project has a benefit-to-cost ratio of 1.8 to 1, and Genegantslet a ratio of 1.5 to 1, in the computation of which—it should be noted—only a minimal amount of benefit has been considered for the extensive recreational potential both structures have, comparable or even better to that which has been developed at the Whitney Point Dam.

It is my information that the Davenport Center Reservoir would require about 2,000 acres and result in the relocation of about 80 families, and would involve the acquisition of about 165 separate parcels at an estimated land cost of about $1.6 million—and the assessed value of this, for tax purposes, would, of course, be considerably lower.

Genegantslet, under present plans, would require about 1,000 acres, and the relocation of about 25 families, plus the acquisition of about 100 separate parcels at an estimated land cost of about $1 million—and, again, for tax purposes, the assessed value of this would be considerably smaller.

Both structures would serve, primarily, the purpose of downstream flood protection, and, though one may argue that it is false economy to plan against the occurrence of what might be called 100-year floods, the people of Kansas and Colorado and New Mexico would probably strongly dispute that argument, today.

The Army Engineers tell me that the flood-protection walls in the triple cities can be topped—and I accept that statement for the warning that it is. As a matter of fact, similar walls at Corning, N.Y., that protect the extensive properties of the Corning Glass Works in that city as well as other properties there and the residents of Corning, came within 6 inches of being topped in the flood of 1946.

In any event, both structures would serve, as a secondary purpose, the recreational needs of the people of that entire area of New York—and the potential of this, with the resulting economic benefits to the adjacent areas, is nearly unlimited as experience in connection with other similar projects has shown.

Finally—and to my mind most importantly—both structures would advance the kind of water management we need in our river basin for the benefit and the future needs of the people thereof in the entire three-State region.

For instance, last summer—at almost any point along the Susquehanna—one could walk across the river practically without getting your feet wet. This is a matter of deep concern to such communities as Binghamton, N.Y., in my district, that draw their present water supply directly from the river through the use of wells driven into the river bed, using the sand and gravel of that bed for natural water treatment purposes.

And, so I am told, all such streams as the Susquehanna carry not just the water visible in their channels, but all along their entire length contribute to the underground water table upon which other communities, using wells at points more distant from the river, must depend.

Thus, both the Davenport Center and the Genegantslet projects would serve to hold back flood waters in the spring runoffs, which at a later date in the season could be used to augment the river's flowage for water supply purposes, as well as to restore needed oxygen to water robbed of it by municipal effluents.

My colleagues from New York have argued that there should be no further planning moneys for either of these two structures until that overall basin study has been completed. But, let me point out, again, that these would be planning moneys, only, and that construction, if it were to follow, could not be expected to follow in the natural course of events for about 3 fiscal years.

If we are to wait until that study is fully completed and reviewed and submitted to Congress for appropriate action, such construction on either of these projects could not begin before, probably, fiscal 1974 or 1975, and I do not think we can afford to wait that long.

It is for these reasons, and others, that I am so disappointed in the fact that, once again, that upstream opposition, reflected here in this body, has prevented the advance of these needed projects.

I do not intend to attempt to add planning moneys for one or the other of these projects by way of amendment to this bill. I have considered doing so, but am of the opinion that the attitude expressed in the subcommittee that we must first find ways and means to overcome the local opposition would still prevail.

However, I have noted and am grateful for the interest that has been taken in these projects by the junior Senator from New York [Mr. KENNEDY], and I remain hopeful that his interest will continue and that, working together, we will be able to resolve the differences that still exist among our people, and thus break the impasse that for far too long has prevented the full development of the Susquehanna River Basin.

Mr. McDADE. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, I would like to commend the gentleman for his lucid comments on the bill now under consideration, also his comments on what will be an increasing national problem unless it is met by us in this Congress and future Congresses. That is the problem of water resources. The warm reception to the gentleman's speech is ample testimony of the high regard in which he is held by his colleagues on the Appropriations Committee, and the Members of the House in general. I commend him for his statement.

Mr. KIRWAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, this is a good bill, and it should be passed without a dissenting vote in this body.

No other bill we consider in this session will do more to build America and brighten the future of its people.

This certainly holds true in Oklahoma, where the hopes of millions of people are centered upon the multipurpose development of the Arkansas River and its tributaries.

The bill before us, H.R. 9220, keeps this great river development program on schedule, assuring that President Johnson's pledge of "Navigation by 1970" is honored.

To the great chairman of this distinguished committee, the Honorable MIKE KIRWAN, of Ohio, go the heartfelt thanks of all Oklahomans, for the understanding and help he has extended our State, in connection with this project.

All members of the committee are due the thanks and congratulations of their colleagues, for the fine bill they have brought before us today. I urge its unanimous approval.

Mr. KIRWAN. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. HANNA].

Mr. HANNA. Mr. Chairman, above the heads of the Members of this body stands a classic statement by that great statesman, Daniel Webster, which exhorts the membership of this body to, in their time, do something to be remembered. The opening phrase states:

> Let us develop the resources of our land.

Mr. Chairman, the bill which the chairman of the Subcommittee on Public Works of the Appropriations Committee brings before this House today, more than any other legislation we will consider this year, addresses itself to the development of our natural resources.

Important to the people of my district is the development and utility of the great natural resource of our ocean frontage. I congratulate the subcommittee on their intelligent and constructive consideration given the proposals to develop the harbor and beach potentials of Orange County. The recommendations of this great legislation reflects credit upon the men who serve this great community and its passage will not only reflect credit on this body but will add to the inventory of great projects and natural wealth of the Nation substantial increases and increments. I support the measure and hope to see the proposal become law soon.

Mr. KIRWAN. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, tribute has been paid to the chairman of the subcommittee, Mr. MIKE KIRWAN. It has not been my privilege to serve on that subcommittee with him, but I did get his understanding and thinking as it relates to the preservation of water and soil. He has consistently taken the position that if we preserve those things, then we preserve mankind. That, in turn, was brought home to us in Colorado this last week when we had the most devastating flood in the history of the State. It destroyed more property and washed out more bridges and inconvenienced the people of the State of Colorado.

It is because of that that I want to talk to you for a few minutes and ask a question of the chairman of our subcommittee.

During the 80th Congress, H.R. 6419 contained House Report No. 870 and Senate Report No. 1568, and was enacted as Public Law 859, dated June 30, 1948, and there was filed in connection with this legislation House Document No. 669 which was a report from the Secretary of the Army and the Speaker of the House, and included the Chatfield Dam.

During the 81st Congress, there was introduced H.R. 5472 which thereafter became Public Law 516 which contained the following provision:

> The projects for flood control and related purposes in the South Platte River Basin in Colorado are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 669, 80th Congress, 2d session, and there is authorized to be appropriated the sum of $26,300,000 for partial accomplishment of the work.

Needless to say, since that date until now no request has been made of the Committee on Appropriations for appropriations to proceed with this project.

Now the Army Engineers have certain plans which have not been fully developed, but which we anticipate will be developed soon.

My question to the chairman of the subcommittee is, If the Army Engineers should by the time this bill, H.R. 9220, is considered by the other body, presented a plan which would bring about the construction of this authorized project, would the chairman of the subcommittee be willing to accept the same in conference?

Mr. KIRWAN. I will say to the gentleman from Colorado, I think the gentleman from Wisconsin [Mr. DAVIS] defined it very clearly when he said, or words to that effect, that after every flood the evidence is there. The Army Engineers should not have a tough job now to determine the need for the project. The evidence is there. If it is put in on the Senate side, I can assure the gentleman we will try to retain it in conference.

Mr. ROGERS of Colorado. I thank the gentleman.

Mr. RHODES of Arizona. Mr. Chairman, I ask unanimous consent that the gentleman from North Carolina [Mr. JONAS] may extend his remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. JONAS. Mr. Chairman, Bonneville Power Administration's 1965 fiscal year budget included $1 million for designing, planning, and starting a transmission line from McNary Dam in Oregon to Alexander in southeastern Idaho. This main line, some 490 miles in length, would cost $73,500,000, and with connecting transmission and substation facilities was estimated to have a completion cost of $132 million.

Following extensive hearings in 1964, the Public Works Subcommittee of the House Appropriations Committee refused funds for the line as requested by BPA, stating in its report the following:

> The committee has disallowed the $1 million budgeted for planning of a 490-mile, high-voltage transmission line which, with related facilities, could ultimately cost $132 million, from the Bonneville system into southern Idaho. It directs that no funds be expended for any other purpose than for good faith negotiations to be continued or initiated with interested parties to wheel Bonneville power to serve preference customers only in the southern Idaho Federal marketing area. The committee is confident that further negotiation efforts can be made. If no satisfactory wheeling arrangements can be reported to the committee by the time of its action on the fiscal year 1966 budget estimates, it will invite a further proposal for Federal construction.

Negotiations between the private utilities in the area and the Bonneville Power Administration have been long and arduous during the ensuing year. They have resolved many differences, and are presently hung up on only one significant point, that of future preference customers. Notwithstanding the testimony from both sides, and the strong evidence that agreement could hopefully be reached with just a minimum of renewed effort, the committee this year has seen fit to put in the million dollars in planning money. True, the report language recognizes the closeness of the negotiations between Bonneville and the companies, but I think the inclusion of the million dollars provides an irresistible temptation for BPA to break off these negotiations, and hold out for the construction of their own line, now estimated to cost at least $140 million.

This is an unnecessarily outrageous expense, and I think this House should address itself to the question of whether or not they want to burden the taxpayers with another costly encroachment of Federal control.

Let me review some of the facts.

Bonneville Power Administration, created in 1935, has long marketed Federal power in Oregon, Washington, western Montana, and northern Idaho. In an action of the last Congress, California was added under certain conditions.

On May 13, 1963, Secretary of the Interior Udall, by a departmental order, declared all of southern Idaho included in the BPA marketing area for the first time.

Secretary Udall's edict also transferred the marketing of the power generated at reclamation project plants in southern Idaho from the Bureau of Reclamation to BPA. The preference customers in southern Idaho previously served by the Bureau of Reclamation thus became customers of BPA.

BPA alleges need for this transmission line to first, provide added service to the preference customers acquired through the Secretary's edict, and, second, to provide electric service for development of commercial and industrial loads in southern Idaho, including the phosphate industry.

Southern Idaho has been fully supplied with electric service for 50 years by Idaho Power Co. and Utah Power & Light Co. These two investor-owned taxpaying utilities have always provided and are providing ample supplies of electric energy at low cost to meet all area requirements, domestic, agricultural, and industrial, of the southern Idaho area.

At the present time Idaho Power Co. is wheeling Federal power to preference customers in southern Idaho under a long-term contract with the United States. This contract provides wheeling of power generated by the Bureau of Reclamation's powerplants to preference customers in southern Idaho. This contract continues until 1976. It was signed after long negotiations, followed by a review by the Senate Interior Committee. The committee endorsed the contract, and it was praised by the committee chairman, the late Senator Murray, of Montana, and by Senator FRANK CHURCH, of Idaho.

The companies have now offered to wheel Federal power from BPA's main grid system to southern Idaho delivery points at BPA's standard wheeling rates and to take payment in energy rather than dollars. The companies have offered a 20-year wheeling contract which commits the companies to construct any transmission facilities necessary to fully honor the wheeling commitment. The offer is to wheel the full amount of the anticipated future power requirements of all 20 preference customers in southern Idaho, and U.S. Bureau of Reclamation pumping loads, using BPA's own load growth projections through 1985. The companies also offer BPA the privilege of terminating this contract upon 3 years' notice, even though the companies will be bound for the full 20-year term. This provides BPA with an escape clause.

This wheeling offer provides advantageous wheeling conditions for BPA, and with the exception of nonpreference industrial customers fully meets the need the BPA claimed last year.

However, BPA has refused to accept the wheeling offer. BPA demands that the companies agree to unrestricted wheeling for future as well as existing preference customers. This is a demand inconsistent with 45 other Northwest wheeling agreements BPA has negotiated.

In effect BPA is insisting on a blank check or a hunting license to permit it to use the investments and facilities of the companies to wheel power for cities and other customers who until now have always been customers of the companies. There are no unserved areas in southern Idaho. The only place a future preference customer can possibly come from is from some present customer of the companies. The only reason BPA could have for being so adamant about wheeling to future preference customers is that it anticipates pirating them from the companies.

Based on BPA's testimony, its annual cost of a southern Idaho line would be $6,170,000. The average annual cost of wheeling, based on BPA load estimates, would be $1,732,000. Over the 20-year proposed wheeling contract period, the Federal Government—meaning the taxpayer at large—would save $88,758,000 by wheeling rather than constructing a line, or an average of $4,438,000 per year. This does not take into account the enormous cost of the line itself, which I have already mentioned as being in the neighborhood of $140 million.

Any appropriation for a BPA line to southern Idaho should be denied.

Mr. RHODES of Arizona. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I would like to express my warmest thanks to the gentleman from Ohio [Mr. KIRWAN], to the gentleman from Arizona [Mr. RHODES], and to the other members of the Appropriations Committee for their understanding and consideration in adopting language in this bill which would make it clear that no decision shall be made on the final point of discharge for the interceptor drain for the San Luis Reclamation project in California until first, completion of a pollution study by the Department of Health, Education, and Welfare, and, second, development of a plan to minimize any detrimental effect of San Luis drainage water on San Francisco Bay. I further want to thank the members of the committee for their recognition of the particular importance of protecting the fresh water intake points of 225,000 people in Contra Costa County, Calif., by the proviso you have approved reading as follows:

> *Provided further*, That no funds shall be made available under this appropriation for the construction in Contra Costa County, California, of any portion of the interceptor drain in connection with the San Luis unit which terminates at any point east of Port Chicago.

In this connection I would like to include in the RECORD at this point a letter which I addressed on May 26, to the Secretary of the Interior, Mr. Stewart Udall, asking for answers to six specific questions relating to the proposed interceptor drain for the San Luis unit, together with a reply dated June 9, 1965, which I received from Mr. Kenneth Holum, Assistant Secretary of the Interior.

The reply from Mr. Holum points out that plans for the interceptor drain include the construction of a holding reservoir in the vicinity of Dos Palos, with a capacity of approximately 56,000 acre-feet. This holding reservoir will be located approximately 100 miles south of Antioch, Calif. Mr. Holum's reply confirms that the drainage from the service area of the San Luis project for the first 5 years will not be as large as the total capacity of the Dos Palos holding reservoir. It further confirms that no funds from the present appropriation bill for fiscal year 1966 will be used for right-of-way acquisition north of the Dos Palos Reservoir and that no funds from this appropriation bill will be used during fiscal year 1966 to award any actual construction contract on the drain.

Since the Dos Palos holding reservoir can accommodate the entire drainage from the San Luis service area for the first 5 years of operation it is evident that no right-of-way acquisition or construction north of the Dos Palos Reservoir need be carried out until after the pollution control study of the Delta and San Francisco Bay is completed by the Public Health Service. The Public Health Service estimates that this study will require approximately 18 months. The required $300,000 to make this study has already been approved by the House of Representatives in the appropriation bill for the Departments of Health, Education, and Welfare, and Labor and I am sure will likewise be approved by the Senate. In view of these facts I recommend and assume that the Department of the Interior will make no request for an appropriation for right-of-way acquisition or construction of any portion of the drain north of the Dos Palos holding reservoir until the Public Health Service study is completed.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 26, 1965.

The Honorable STEWART UDALL,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR STEWART: I would like to obtain immediate written verification from you as to your plans for several aspects of the proposed interceptor drain for the San Luis unit of the Central Valley project in California. Would you be kind enough to provide me with a written reply to the following questions within the next week, so that I may have this information before the House of Representatives votes on the public works appropriation bill:

1. I have received oral information which originated in the Bureau of Reclamation that your engineering plans for the proposed interceptor drain include the construction of a holding reservoir in the vicinity of Dos Palos, Calif., with a storage capacity of approximately 56,000 acre-feet of water. Will you confirm that this statement is accurate and that this holding basin will definitely be constructed if any drain is built?

2. I have received oral information from the same source that the estimated drainage flows from the service area of the San Luis project into this holding reservoir during the first 5 years will be as follows:

	Acre-feet
1969	3, 000
1970	5, 000
1971	8, 000
1972	11, 000
1973	15, 000

Will you confirm that the above figures for drainage flows are your most accurate estimates at the present time?

3. I have received oral information that the above-mentioned holding reservoir will be located at mile 100 if you count miles going southerly from the Antioch Bridge. Will you confirm this? If it isn't at mile 100, what number of miles is it from the Antioch Bridge?

4. I have received oral information that if $2 million is appropriated by Congress for fiscal year 1966 applicable to the interceptor drain, that this sum will be used only for engineering studies and designs, right-of-way appraisals, and possibly some right-of-way acquisition for the Dos Palos holding reservoir and that portion of the drain running south from this reservoir. Will you confirm this?

5. Will you specifically confirm that no part of the above-mentioned $2 million, if appropriated for fiscal year 1966, will be used for right-of-way acquisition north of the Dos Palos holding reservoir?

6. Will you also specifically confirm that no part of the above-mentioned $2 million,

if appropriated for fiscal year 1966, will be used to let any actual construction contract for construction of the drain itself?

Sincerely yours,

JOHN F. BALDWIN,
Member of Congress.

U.S. DEPARTMENT
OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C. June 7, 1965.

Hon. JOHN F. BALDWIN,
House of Representatives,
Washington, D.C.

DEAR MR. BALDWIN: We are happy to provide information regarding the proposed drain in the San Joaquin Valley, in direct response to your letter of May 26 which requested confirmation of five statements on various aspects of the proposed drain. For your convenience, our replies are arranged and numbered to conform with the questions in your letter.

1. Your information is correct. Present plans include a holding reservoir in the vicinity of Dos Palos, with a capacity of approximately 56,000 acre-feet. The first stage of the San Joaquin master drain, which is being planned jointly by the Bureau of Reclamation and the California Department of Water Resources to serve the drainage requirements of the San Luis unit service area and adjacent areas, will include construction of such a storage facility, and our contract with the State will so provide.

2. We have been unable to find the source of the specific figures you quoted as the anticipated drainage flows from the Federal San Luis unit service area, but they are comparable to those we estimate will develop during the first 5 years of operation.

3. The proposed holding reservoir near Dos Palos would be approximately 100 miles south of Antioch. Your statement is correct.

4. Your statement is in accordance with the schedule we have agreed upon with the California Department of Water Resources for construction of the facilities of the San Joaquin Valley master drain. We anticipate that the $2 million would finance the following work in fiscal year 1966. The State will prepare final designs and appraise and acquire right-of-way leading to award of construction contracts in fiscal year 1967 for reaches mile 120 to 135, mile 135 to 150, mile 100 to 110, mile 110 to 120, and the regulating reservoir at Dos Palos. During fiscal year 1966 the Bureau will continue collecting design data for the portion of the drain south of mile 100 to the end of our service area, mile 188. The Bureau will also prepare right-of-way plats for land acquisition.

5. As outlined above, no part of the proposed $2 million appropriation for fiscal year 1966 will be used for right-of-way acquisition north of Dos Palos Reservoir.

6. Referring again to our reply to question No. 4, no part of the $2 million appropriation would be used in fiscal year 1966 to award any actual construction contract on the drain.

We hope that you will find the above discussions directly responsive to your questions. If you desire further information, please call upon us.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

Mr. DAVIS of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. I am sure we were all impressed with the informational presentation of the gentleman now addressing the Committee, before our committee. One thing which bothered us was whether any construction which would be currently carried on would represent a commitment which would prejudice the case made relating to the future location of these works in connection with the drainage basin.

Mr. BALDWIN. The gentleman has raised a pertinent question. The letter which I am inserting in the RECORD from the Department of the Interior states that in the appropriation for this year, $2 million, there will be no right-of-way acquisition north of the Dos Palos Holding Reservoir. The letter from the Department of the Interior also gives statistics which show that the Dos Palos Holding Reservoir can actually accommodate the drainage to come from the service area of the San Luis project for the first 5 years of its operation.

Mr. DAVIS of Wisconsin. The gentleman feels there are adequate protective commitments, at least for the fiscal year 1966 construction?

Mr. BALDWIN. Yes, and until the water pollution study is completed by the Department of Health, Education, and Welfare.

Mr. KIRWAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE of Idaho. Mr. Chairman, I am puzzled by the views of the minority of the Public Works Subcommittee concerning the $1 million requested to plan construction of the BPA transmission line into southern Idaho.

In this report, the minority concedes that new cities or municipalities and new REA's or electric co-ops could justifiably be considered BPA preference customers. In this respect there is apparently no dispute.

But the minority goes on to say that a third category—and I quote—"presents the main problem." This category includes—and again I quote—"cities or other public bodies now serviced by the Idaho Power Co. or the Utah Power & Light Co."

Let us take a look at the private power customers in this third category. There are only four. Utah Power has a contract to provide an average of 140 kilowatts of electricity to Dubois, Idaho. Soda Springs, Idaho, receives an average of 870 kilowatts under a contract with Utah Power that expires in 1968.

Idaho Power serves the other two customers in this third category. Weiser, Idaho, receieves an average 1,870 kilowatts under a contract that will not expire until 1978—13 years from now; and Idaho Power provides 1,620 kilowatts to the Wells Rural Electrical Cooperative under an agreement running until 1975—10 years away—and containing an automatic 5-year renewal clause.

Now let us look at the total kilowatts marketed by the two private power companies. As of December 31, 1964, Idaho Power Co. was producing 897,665 kilowatts and Utah Power, 853,450 kilowatts.

Of these huge totals, only 4,500 kilowatts are sold to communities which the minority contends "presents the main problem." And the sales are under long-term contracts in two cases. The total is a minute part—a drop in the bucket—of the marketing totals of the two private power companies. Rather than creating the "main problem," realistic figures show that BPA competition in this third category presents no problem whatever for the Idaho and Utah Power Cos.

There is one other section of the minority report that demands clarification. The report states:

> We believe that the private power companies (Idaho and Utah) are entitled to the protection of their Government against the advertising for or proselyting of customers now served by the private companies.

The committee report sets forth in clear language instructions to BPA in this area.

I quote from the report:

> Consistent with BPA policy in the rest of its service area, the committee expects that Bonneville will not engage in any promotional activities encouraging or organizing any new preference customers in the southern Idaho area.

The minority report is a weakly constructed argument unsupported by fact or figures. Mr. Speaker, I urge the passage of this legislation without amendment.

Mr. KIRWAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Chairman, I commend the able chairman of the committee and the members of the committee for the favorable action taken on my request for an authorization of $10,000 to continue the work of the Corps of Army Engineers in cleaning up debris in the Cuyahoga River and the Cleveland Harbor. This is an important project and one in which I have maintained a strong interest for many years. Three years ago, at my request, the committee authorized a fund in the amount of $20,000 to begin this work of cleaning up debris from the Cleveland Harbor. On January 12 of this year the Corps of Army Engineers held extensive public hearings in Cleveland at which time testimony was taken from port authorities, representatives of shipping industries, the Cleveland Chamber of Commerce and individual business organizations, civic groups, and individual citizens interested in maintaining the Cleveland Harbor for business purposes as well as the natural beauty of the entire waterfront.

Colonel Neff, Chief of the Corps of Army Engineers for the district, did an outstanding job in taking testimony and hearing the views of all interested parties. Those hearings produced evidence on the need to continue the study and clean up operation of the Cleveland Harbor.

The people of Cleveland, like the people of many other areas of the United States, are vitally concerned about the growing problem of water pollution. This has been demonstrated to be a real threat in the entire Great Lakes area, the largest fresh water body in the entire world. Unless preventive and corrective action is taken in the field of pollution control, it now seems evident that our present sources of fresh water will remain under a serious threat. In my judgment, the clearance and control of debris in our fresh water sources such as is underway in the Cuyahoga River and Cleveland Harbor, is a significant step related to control of pollution of our fresh water sources. It is not the answer by any means to the problem of water pollution. It is one step in the right direction.

Mr. KIRWAN. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. Aspinall].

Mr. ASPINALL. Mr. Chairman and members of the Committee, I wish to commend the committee and especially the chairman, the gentleman from Ohio, Congressman Kirwan, and the ranking minority member, the gentleman from Arizona, Congressman Rhodes, along with the other members, and especially the gentleman from Tennessee, Congressman Evins, who has served on the committee so long, for the bill they bring before the Committee at this time.

One of the pleasant rewards of serving in Congress is the associations we make with each other and the confidences we gain in each other. May I say it has been my pleasure throughout the past many years to gain confidence in these gentlemen who are members of this particular subcommittee, as well as the confidence we have in the gentleman from Texas [Mr. Mahon], the chairman of the full committee and the other members of the Committee on Appropriations. May I add that the gentleman from Ohio, Congressman Kirwan, never forgets or neglects to do that which is good for the United States of America. It is certainly one of the fine obligations and privileges we have when we thank him for that service and those services which he renders to all of us.

As chairman of the Committee on Interior and Insular Affairs, which has jurisdiction over the Bureau of Reclamation, may I say that this bill takes care of the appropriations for the general programs, the investigations, the small projects of Reclamation generally; and the investigations, construction, and operations in the Upper Colorado River storage program.

Also, as a member of the Joint Committee on Atomic Energy, I wish to say that the bill is closely woven in with the authorizations over which the authorizing committee worked so hard. I believe it takes into consideration the necessary research projects, the capital equipment necessary, as well as the purchase of raw materials, some expenses of which some of us perhaps would like to get out of, but under existing contracts we find it impossible to do so.

Once again, may I acknowledge the fine and cordial working relationship which exists between the members of the authorizing and appropriating committees having authority in water resource development programs. Also I would add that this fine cooperation and coordination carries over into the staffs of each of these committees.

Mr. RHODES of Arizona. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. Nelsen].

Mr. NELSEN. Mr. Chairman and Members of the Committee, I just wish to take this time to thank the chairman of the subcommittee, Mr. Kirwan, and Mr. Rhodes, the ranking minority member, for giving consideration to the flood problem in my State of Minnesota. I think many of you have read about the terrible devastation caused by the floods in Minnesota which were later followed by tornadoes. The amount of money placed in this bill will make it possible for the Corps of Engineers to proceed with dispatch and perhaps to bring in some additional help in order to speed up the necessary study.

As far as the Minnesota Valley is concerned, I would also be missing an opportunity if I did not thank the Army Engineers for the job they did in Minnesota during this disastrous period.

My purpose here today is to thank the committee and especially Mr. Kirwan and Mr. Rhodes who were so gracious in listening to the problems of the State of Minnesota.

We hope we can do something about the situation which developed there, because we certainly can expect a repetition of what happened unless something is done in a permanent way to relieve this serious situation.

Mr. RHODES of Arizona. Mr. Chairman, I have no further requests for time and reserve the balance of my time.

Mr. KIRWAN. Mr. Chairman, I yield such time as he may desire to the gentleman from New Mexico [Mr. Morris].

Mr. MORRIS. Mr. Chairman, I want to thank the chairman of the committee and the ranking Republican member, the gentleman from Arizona [Mr. Rhodes], and also the other members of the committee for the excellent job they have done on this bill.

Mr. Chairman, I rise in support of the public works appropriation bill (H.R. 9220), but I wish to make some comments regarding title III—the portion of the bill that deals with appropriations for the Atomic Energy Commission.

The House Appropriations Public Works Subcommittee has supported the Joint Committee's recommendations that the medium energy physics operating funds be increased by $1,500,000; and that this sum, together with $500,000 of available funds in that program be utilized for research and development and advanced design studies for the proposed meson physics facility at the Los Alamos Scientific Laboratory. These funds are needed to support a very important field of research which has the strong support of the scientific community. Last year the President's science adviser, Dr. Hornig, convened a special panel to consider the needs for and location of a meson facility. The purpose of this facility is to study the structure of the atom's nucleus. This, it is proposed to do by producing mesons, the subatomic particle which is credited with holding the nucleus together. The committee unanimously supported the need for such a machine. The committee's hearing also showed that outstanding work in this field was being done at the Los Alamos Scientific Laboratory in my own State.

While welcoming this support of research funds for this facility, I am somewhat concerned that the subcommittee did not see fit to go along with the Joint Committee on its recommendation that $1,200,000 be appropriated for partial architect-engineering for this facility under the plant and capital equipment part of the budget.

In proposing the $1.2 million for architect-engineering work, the Joint Committee stated: "These architect-engineer services are necessary for design drawings, specifications, and dependable cost estimates for this facility."

The Joint Committee received testimony on the AEC authorization bill to the effect that it was desirable to obtain dependable cost estimates and specifications in the next fiscal year so that the Congress would have the best available data for further consideration of this important project.

I would hope that the Appropriations Committee of the other body would again take a look at this requirement, to determine if at this later time, it is still true that the effort that the Joint Committee intended to support with the $1.2 million is still necessary to proceed with this program in the most economic and efficient way. We look forward to the results of their exploration of this matter.

I do not believe that the Congress would wish to unnecessarily delay progress in this important field of research at our first and one of our finest nuclear weapons research laboratories. When this facility is complete scientists from all over this country will be able to perform unique research on the nucleus of the atom. Highly significant, also, is that scientists from the Rocky Mountain States will have available to them within their own region a research tool of outstanding merit.

Mr. KIRWAN. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. Johnson].

Mr. JOHNSON of California. Mr. Chairman and members of the Committee, I want to take this time to thank the chairman of the Subcommittee on Public Works of the Committee on Appropriations and the members of his committee and the staff of the committee for the very courteous treatment they gave to the people of the State of California when they were here to present their statements on their projects. I want in particular to point out the great work done by this committee and by the gentleman from Ohio [Mr. Kirwan] especially in recognizing the need for flood control in both Army Engineer and Bureau of Reclamation projects. The Bureau of Reclamation in our State was responsible for saving many millions of dollars in flood damage last year. The progress that was made in central California and elsewhere in California saved enormous sums of money that would have been lost through devastation by floods. It has allowed us to have a very prosperous agricultural economy in our State.

On behalf of our Governor, our State government, and certainly all of us serving here in the House of Representatives, including myself, recognize the great contributions which our colleague, the gentleman from Ohio [Mr. Kirwan], has made to our great State of California and we want to thank him for all the consideration that he has given to us on behalf of the projects we have had before his committee.

Mr. KIRWAN. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, as chairman of the Joint Committee on Atomic Energy, I want to pay my respects to the Committee on Appropriations and to the gentleman from Ohio [Mr. KIRWAN] and the members of his subcommittee for the consideration they gave to the Joint Committee's recommendation on this program. The difference between the appropriations made and the appropriations recommended by the Atomic Energy Commission and finally approved with a reduction by the Joint Committee are very reasonable. It is a very reasonable reduction. I think that the program can go forward in all its aspects without any serious diminution of its efficiency. Particularly I want to express my thanks to the staff of the subcommittee for working as closely as they did with our staff. I want to say that we have attempted, and three volumes of hearings indicate that we attempted, to do a very thorough job in scrutinizing every aspect of the Atomic Energy Commission's program. The fact that we are so close together is an indication that the judgments of the people who had charge of the authorization of the program and the people who have charge of the funding of the program are very close together.

I want to express appreciation on the part of both the minority and the majority members of the Joint Committee of the cooperation which we have had from the Subcommittee on Appropriations.

The Joint Committee on Atomic Energy is particularly pleased that the House Appropriations Committee has appropriated $12.5 million of cost authority and an additional $12.5 million for selected resources for the large seed-blanket reactor—LSBR—project. As the Joint Committee pointed out in its report on the AEC authorizing legislation for fiscal year 1966, the committee believes so strongly in the advance of the seed-blanket reactor technology, with its promise of nuclear fuel breeding in a light water reactor system, that the committee expects the research and development on this concept to proceed without interruption. Accordingly, in section 106 of Public Law 89-32, which was passed by the House on May 20, 1965, there is a provision which will permit the AEC to utilize up to $25 million of the $91.5 million authorized for the project for research and development work on the reactor prior to execution of a contract for the cooperative project. The public works appropriation bill reported out by the House Appropriations Committee is consistent with the intent of the Joint Committee on Atomic Energy to permit the AEC to proceed with the research and development work on this important project without interruption and if the research and development work proceeds satisfactorily will enable the AEC to execute a contract for the cooperative project in fiscal year 1966.

Mr. STRATTON. Mr. Chairman, I rise in support of the public works appropriations bill as reported from the committee. Specifically I would like to comment on the committee's action in including $565,000 to continue and complete a comprehensive survey of the Susquehanna River Basin.

This survey was initiated in 1960, largely as a result of a rather bitter disagreement between upstream residents of the Susquehanna Basin, whom I have the honor to represent, and other residents downstream over the wisdom of constructing large flood control dams on the river's tributaries. These dams had been authorized back in 1936 as the result of a disastrous flood in 1935, but funds for most of them had never been appropriated for their construction. As a result of this disagreement the dams were not built and the years rolled along.

Finally in 1960, 25 years after the dams in question had originally been authorized, it was recognized by the Congress that some new state had to be taken to resolve this impasse. Since the bitter dispute had stalled any construction of the dams, and since the conditions on which they had been authorized were now a quarter of a century old, it was suggested that the whole matter of the dams be put in suspension and that a whole new survey of flood conditions along the Susquehanna be undertaken to determine how many of the dams first authorized in 1936 might still be needed in the 1960's. or whether perhaps some different approach to flood control need might now be found which would not call forth such conflict and bitterness between upstream and downstream residents.

As a result the committee, with the agreement of the Members of New York State in the areas affected, authorized this new survey to bring up to date the information about the conditions in the area and to explore other ways of dealing with the problem of flooding such as by means of small soil conservation dams and projects.

This survey, which will take a few more years to complete, is now exploring the more comprehensive approaches to watershed control, including the use of small dams and conservation practices which may be able to solve the problem for the people downstream without destroying the homes of people upstream.

The fact that money is included here to continue and complete this survey makes it clear that we do not yet have the information available to reach any new and up-to-date conclusion on the controversial 1936 dams which remain unconstructed. I hope we will complete this survey without undue delay. But until this survey is completed it would be most unwise for us to try to dust off any of these 1936 projects and try to get them funded before the results of the new survey, on which so much money is being spent, are in. In that connection I am glad that the subcommittee had wisely rejected the request to include funds to begin the construction of two of these unfinished 1936 dams, the Genegantslet Dam in Chenango County in my district, and the Davenport Center Dam in Delaware County.

To spend construction money now, before we know what the current needs and capabilities are, would be a serious waste of the taxpayers' funds. It would waste the money we have expended and are now expending on this survey, and it would waste the funds for the construction of a dam which, we might later find, was no longer needed in the light of the altered circumstances the survey we are now proposing to complete might well disclose.

I commend the Committee on Appropriations and the Public Works Subcommittee, urge the passage of the bill, and hope the other body will follow the wise lead of the House committee.

Mr. BOLAND. Mr. Chairman, this bill contains committee recommendations of appropriations totaling $4,241,636,500, a reduction of $132,168,500 in the budget estimates and a decrease of $227,380,200 below appropriations for fiscal year 1965. As a member of the Public Works Appropriations Subcommittee, I want to take this opportunity to commend our subcommittee chairman, that great gentleman from Ohio, the Honorable MICHAEL J. KIRWAN, for his fairness and patience in conducting hearings on this important legislation containing so many, many projects of vital interest to the Nation's economy and welfare.

This bill is often referred to as "pork barrel" legislation, but I doubt very much that it is considered as such by the people of the west coast who suffered flood damages last December and January, or the people of the Missouri and Mississippi River Basins who were flooded out of their homes a few months ago, or the people of the Platte River Basin around Denver, Colo., and the Arkansas River Basin in Kansas who are now being ravished by swollen streams. Likewise, 10 years ago this coming August my people in the Connecticut Valley and the Chicopee River and Westfield River Basins were suffering great losses due to a devastating hurricane and floods which swept the area.

Our committee report points out that the value of existing projects was dramatically demonstrated during the devastating floods on the west coast.

Preliminary estimate of damage runs to approximately $480 million. Over $180 million of these damages occurred in northern California and about $225 million in Oregon. Yet the Army Corps of Engineers testified before the committee that the damages would have approached $1½ billion had not many flood control works been constructed and operating in certain areas. Some of the projects fully paid for themselves just by the benefits provided in this one disaster. So I consider the many projects throughout the Nation that we are funding in this bill as being a continuing investment in America and providing assurance against future catastrophes.

I am proud of the opportunity I have had as a member of the Public Works Appropriations Subcommittee to play an important role in providing adequate flood protection in the Connecticut River, Westfield River, and Chicopee River Basins following the catastrophic hurricane and floods of August 1955. Dams and reservoirs completed since that time are at Ball Mountain, Vt., Barre Falls, Mass., North Hartland, Townsend, and North Springfield in Vermont, and Otter Brook, N.H. Finishing work is being completed on the Littleville Dam and Reservoir, while Conant Brook Dam and Reservoir in Monson, Mass., and Colebrook River Dam and Reservoir in Connecticut are under construction. This bill provides $1,125,000 for construction of Conant Brook Dam, and $3,200,000 for construction of Colebrook River Dam. In addition, the Chicopee Falls local protection project is being completed and the bill provides $305,000 to complete work on the Three Rivers local protection project, and $500,000 for the start of work on the Westfield local protection project.

The local protection projects at Ware and Huntington, Ware, West Warren, and Gardner, all in Massachusetts, have been completed. The total cost of all of these projects, including those yet to be completed, is $75.1 million, while the Federal share of this cost will be $72.8 million.

Three other dam and reservoir projects, as part of the Thames River Basin, have also been completed in Massachusetts at Buffumville, costing $3,086,600; East Brimfield, $7,020,000; and Hodges Village, $4,425,000.

Mr. SHRIVER. Mr. Chairman, I rise in support of H.R. 9220 which appropriates funds for fiscal 1966 for various civil works across the Nation including vital flood control, navigation, water supply and reclamation projects.

Today in my State of Kansas there is an ever-present recognition of the importance of planning and development of effective flood control measures as well as programs to conserve and develop our water resources.

Thousands of valiant citizens in Kansas today are battling to cope with raging flood waters of the Arkansas River. Late news reports indicate that approximately 265,000 acres of cropland are affected by floods; 3,000 head of livestock have been lost; and 235 farm homes damaged. The damage to wheat alone, at this time, is estimated at $1.5 million.

This has been a violent spring in my State, and now summer storms continue to plague the lives of Kansas citizens.

It is significant that we are considering this bill in the House at a time when the importance of many of the projects contained therein is brought sharply into focus. Funds are included for general investigations to continue on the Arkansas River and its tributaries from Great Bend, Kans., to Colorado; and from Hutchinson, Kans., to the Cimarron River in Oklahoma. These are the very areas affected by flooding problems at the present time.

Today in Kansas we also are able to appreciate the vision and planning of those who labored for flood control projects which now are completed and in operation.

Last Saturday I participated in the dedication of the John Redmond Dam on the Grand—Neosho—River, approximately 2 miles northwest of Burlington, Kans. Brig. Gen. H. G. Woodbury, Jr., Deputy Director of Civil Works for the U.S. Corps of Army Engineers, reported that without the John Redmond Dam recent heavy rains would have sent the river 8 feet above bankfull in Burlington and from 5 to 6 feet above bankfull as far as the head waters of Grand Lake in Oklahoma. General Woodbury estimated that the dam and reservoir had prevented flood damage totaling about $1⅔ million.

In my home county the Wichita and Valley Center, Kans., local protection project, known as the "Big Ditch," which was completed in 1959 is expected to prevent serious flooding in Wichita as the Arkansas River crests there this weekend. Earlier this year, the Corps of Engineers reported to me that the project already had prevented nearly $8 million in flood damages.

Mr. Chairman, Kansans recognize the importance of working together in planning for tomorrow. We cannot rest upon what has been accomplished in the past, and what we are doing today. We know that we must move ahead and plan for the development of water resources and flood control measures which will meet the needs of tomorrow.

As I said earlier, funds are included in this bill for continuing studies for tomorrow's needs. In addition to the investigations on the Arkansas River, $35,000 is included for a continuing study of Mud Creek, a tributary of the Cottonwood River, in Marion County, Kans.

This bill also includes $5 million for continued construction of the Marion Reservoir and Dam. The final appropriation of $25,000 is included for the Cheney Reservoir in Sedgwick County, Kans., which was dedicated last month.

Mr. HORTON. Mr. Chairman, I take this time to comment briefly on two items in the pending bill, H.R. 9220, public works appropriations for fiscal year 1966. Both are projects in the 36th Congressional District of New York, which I am privileged to serve; and both are vitally important to my constituents.

The first is the committee's recommendation that $50,000 be appropriated for preconstruction planning on Irondequoit Bay Harbor, an authorized navigation project. These funds will permit the resumption of work which was suspended 6 years ago by the U.S. Army Corps of Engineers because no money was available.

That the committee has recommended the resumption of this project in the coming fiscal year, I believe, reflects its faith in the merit of this matter and its recognition of the increased importance recreation has for our country today.

What these dollars will insure is Federal participation in a project that already has widespread support and sponsorship from a host of other agencies, public and private. This project is the development into a true recreation resource of a magnificent body of water, Irondequoit Bay, which flows into—but is nearly landlocked from—Lake Ontario.

The authorized project calls for various navigational improvements to Irondequoit Bay in order to create a small boat harbor for light-draft recreation craft. Included in the plan are the construction of a new entrance channel, jetties, a railroad bridge, and the dredging of an interior channel and mooring basin. Further, this project will bring the benefits of cleaner water by allowing greater circulation between the bay and the lake.

The total development plan for Irondequoit Bay, which will result from Federal, State, and local cooperation, promises a recreational outlet of great value. The Federal harbor construction project inspires the expenditure of public and private funds for the revision of new park facilities, residential areas, and business enterprises.

This navigation project, then, really can be regarded as the seed for the growth of the entire area, and appropriation of Federal funds will be the impetus for the spending of significant sums by others. In fact, the State of New York already is working on the construction of a new high-level highway bridge over Irondequoit at a cost of some $8 million.

Mr. Chairman, the second item in the bill which I am pleased to endorse, is the Corps of Engineers' budget request for $10,000 to initiate a beach erosion study of Durand Eastman Park. Here, again, congressional action can help people by offering assistance to a community facing the ever-further loss of public bathing facilities. This is a beach along Lake Ontario adjacent to Rochester, N.Y., which has been eroded 30 feet in the last 5 years. This wearing away by water also has affected the shallow bottom near the shore, making it tremendously treacherous for bathers because of its uneven and unpredictable condition.

However, the Corps of Engineers and local officials are confident that once accomplished an erosion survey can suggest the steps necessary for the protection and restoration of the beach.

Mr. BANDSTRA. Mr. Chairman, I strongly urge the passage of this public works appropriation bill for the fiscal year 1966.

Included are four items of importance to the Fourth District of Iowa: $15 million for the Red Rock Dam and Reservoir on the Des Moines River; $6 million for the Rathbun Dam and Reservoir on the Chariton River; $50,000, part of which is for flood control surveys in the Skunk River Basin; and $40,000 for flood control surveys in the Iowa and Cedar River Basins.

These funds, totaling $21,090,000, are designated for projects or surveys concerned primarily with flood prevention. This spring, Iowa, as well as other areas of the Nation, suffered severe damage from flooding. These appropriations are necessary to assure that such damage is kept to a minimum in the years ahead. This alone justifies the expenditure of these funds.

In addition, there are other considerations. Of particular importance is the $6 million appropriation for the Rathbun Dam and Reservoir. These funds are needed to finance initial construction work on the dam, located north of Centerville in south-central Iowa. Once completed, it will form a multipurpose reservoir, 11,000 surface-acres in size, covering portions of Appanoose, Monroe, Wayne, and Lucas Counties. Prompt completion of this project is essential, not only for flood control, but because the reservoir will greatly stimulate the economic growth of the area.

This stimulus will come from recreational activities. The Rathbun Reservoir, an ideal site for such purposes, is located in four counties with a combined population of about 45,800. The U.S. Army Corps of Engineers, however, has estimated that nearly 1 million persons will visit the reservoir annually. As has been the case elsewhere in the Nation, these visitors will bring with them a new source of income to communities in the vicinity of the reservoir.

If the promise of the Rathbun Reservoir is fulfilled, it will mean new jobs, new businesses and a general economic revival for the area. Today, an ever-increasing amount of time and money is being spent on recreation. It is estimated, for example, that in the next 45 years the population of the United States will nearly double, but that the overall demand for outdoor recreation will triple. If this estimate proves correct, the economic potential of the Rathbun Reservoir should increase accordingly over the years.

Mr. SCHMIDHAUSER. Mr. Chairman, I would like to compliment and express my gratitude to the chairman of the Subcommittee on Public Works of the Appropriations Committee, the gentleman from Ohio, Congressman KIRWAN, and the members of that distinguished committee for realizing the flood control and conservation needs of the people of the First District of Iowa by reporting favorably appropriations for the following projects: $628,000 for the completion of the Mehaffey Bridge; $40,000 for a study of the Iowa-Cedar River Valley Basin; $200,000 for levee construction for the Iowa River-Flint Creek Levee District 16; and $10,000 for Mad Creek in Muscatine.

I am particularly grateful to the Public Works Subcommittee on Appropriations for the inclusion of my recommendations to include funds to study the Iowa-Cedar River Basin and Mad Creek so that these much needed flood control projects can be undertaken in the near future.

Mrs. HANSEN of Washington. Mr. Chairman, I would like to join my colleagues in the commendation of the very distinguished chairman of the Subcommittee on Public Works Appropriations, the gentleman from Ohio, Congressman MICHAEL KIRWAN. He has served many years in the House of Representatives and his service on the Appropriations Committee has been marked by a devotion to the public interest and a willingness to discuss objectively and thoughtfully the needs of every section of the United States. I would also like to express my deepest appreciation to all members of the subcommittee for their work and consideration.

I represent a district which is heavily dependent upon water transportation and upon a comprehensive and successful system of flood control. The Columbia River Waterway is one of our Nation's great navigable streams. Navigation extends from the Pacific Ocean west and north for 340 miles and plans underway now contemplate extending farther these navigable waters. There are tributary streams also that add to the Columbia River's potential. The Willamette River in Oregon and the Snake River in Washington, both tributaries of the Columbia, make this a waterway transportation system which truly will be the marvel of the West.

The people of my district are extremely happy that the bill before the House today includes $4.3 million for continued construction work deepening the Columbia River to 40 feet from the Pacific Ocean to Vancouver, Wash. Technological advances over the past several years have led to use of heavier, wider ships carrying greater loads and requiring deeper navigation channels. The deepening of the channel of the river from 35 to 40 feet now underway will make it possible for these larger ships to visit inland river ports and thus to take advantage of latest technological changes.

This bill includes also $1½ million for continued construction of the control facilities at the mouth of the river and an additional $75,000 has been added to plan changes in control features, the need for which were made evident by last winter's flood.

In addition, the bill includes $727,000 to complete the Camas-Washougal flood control project. Authorized in the 1950 Flood Control Act, this project was funded 2 years ago and this sum of money will complete a project which will increase the economic potential of a wide area.

Flood control necessities on this great river also are recognized in the bill: $400,000 is set aside for continuing flood control projects in 61 locations along the Lower Columbia; $5,000 for public hearings to discover problem areas between Vancouver and the Pacific Ocean; $50,000 for planning in the Kalama area where a substantial industrial development is taking place and $15,000 for planning improvements in the Wahkiakum County Diking District No. 4.

In the Grays Harbor area, construction of the south jetty is scheduled for $2 million. This jetty, so essential to maintaining deep-draft navigation channels through the entrance bar, has been subject to erosion over a period of years to the point where its deterioration threatened the safety of ships. The reconstruction work will restore its usefulness and the Grays Harbor area will continue to prosper.

The appropriations bill includes $500,000 to continue preliminary engineering and planning of the Wynooche project designed to meet Grays Harbor needs by furnishing an increased and reliable water supply. This area is almost entirely economically dependent on the pulp and paper industry, which is a tremendous water user. At the present time the total reliable streamflow is being utilized.

The bill contains a total of $60,000 to continue studies of the canal which would link the Columbia River—Willapa Harbor-Grays Harbor and Olympia. Such a canal has been under study and consideration for over 60 years and this study will modernize the data, take advantage of the latest engineering techniques, and determine whether it is sound from both an economic and engineering standpoint.

Funds for two small studies also are included which will add substantially to the knowledge about flood control and navigation problems in the area. Fifteen thousand dollars is included for a flood control study of the Chehalis River Basin and $5,000 for navigation studies in the Vancouver Lake area to determine the navigation and recreation possibilities of Vancouver Lake.

Once again may I commend Chairman KIRWAN and his distinguished colleagues on the Subcommittee on Public Works. I should like to quote from page 2 of the committee report:

> Fundamental to the continued growth of our Nation is adequate provision for water supply, flood control, navigation, reclamation, and power development. Without this investment that has been made to date in these programs, it would not have been possible to achieve the great progress that this country has enjoyed and expanded programs must be fully supported in the future if the Nation is to continue to develop and prosper.

Mr. BENNETT. Mr. Chairman, I rise in support of H.R. 9220, the public works appropriation bill for fiscal year 1966, which is an essential measure to conserve and develop the water resources of the Nation in the years ahead.

One item in the bill, which I believe is vitally important to the national defense of our country, is the Cross-Florida Barge Canal, now being constructed across the peninsula of the State from Palatka at the St. Johns River on the east coast, to Yankeetown at the Gulf of Mexico on the west coast.

The Congress has appropriated $5 million during fiscal years 1964 and 1965 for the initial construction of the important waterway link, which will tie the western oil producing States to the eastern oil consuming States by protected inland waterway.

The bill before us today includes $10 million for the continued construction. Testimony before the House Appropriations Subcommittee pointed out that the Cross-Florida Barge Canal was economically justified and that the justification was growing because of the economic expansion of northeast Florida and also the discovery of a new phosphate industry in that area of the State. Evidence was also given as to the national security value of the canal, especially in light of the recent events in the Dominican Republic and the continuing crisis in Cuba and in Latin America.

I applaud the action of the Subcommittee on Public Works of the House Appropriations Committee, so ably headed by the gentleman from Ohio, MICHAEL J. KIRWAN, and of the full committee, chaired by the distinguished gentleman from Texas, GEORGE H. MAHON, and congratulate the committee members on the work they have done in presenting this bill to the House of Representatives.

Mr. GRAY. Mr. Chairman, it is a real privilege for me to rise today in support of this bill and to highly commend my friend, the distinguished subcommittee chairman, Mr. KIRWAN, of Ohio, and the members of the subcommittee for the outstanding job they have done on this piece of legislation. Humanity will be the benefactor for their efforts.

Mr. Chairman, America has carved herself out of the wilderness in a few hundred years to become the greatest country in the world because of people with determination and foresight like MIKE KIRWAN and the members of this committee. Their foresight in seeing the needs of harnessing our flood waters, conserving our valuable top soil and providing water in areas of drought and, yes, improving our rivers for navigation of commerce are all great assets to this great country. Mr. Chairman, when I first came to Congress 11 years ago I can recall certain individuals speaking on the House floor in opposition to this bill with such phrases as "pork barrel," "giveaway," "boondoggle" and other unkind remarks. I would remind my colleagues today that 16 persons have lost their lives in floods during the past week in Colorado and Kansas. Several towns in Arkansas, Kansas, and Colorado are now partly or wholly inundated with millions of dollars in property damage. I wonder how many of these critics would call a good flood control project to avoid this type of disaster a "pork barrel." Just imagine how many areas of this country would have been suffering the same grief and tragedy if it had not been for funds providing the preventive flood control measures in past Congresses. I wonder how many other good works would have gone undone if we had listened to the conservative-minded individuals who do not want to spend funds knowing the Government will get far more in return than they will spend.

Again, I say we are fortunate indeed to have such forward thinking individuals as the members on the Subcommittee on Appropriations for Public Works and those in the executive branch of the Government from the President on down who are dedicated to a better America. I purposely want to thank the committee for their generosity in allowing funds to start construction or continue work already underway on nine projects in my congressional district. We have four major river basins in southern Illinois and are unique in our location, finding the great Ohio River on one side of my district and the mighty Mississippi on the other with dozens of tributaries in between. This makes our needs great but also holds a great potential for southern Illinois when we develop these resources to their maximum potential.

I particularly want to thank the committee for allowing funds to start construction on the Kaskaskia River navigation project, the Rend Lake Reservoir project and all the others contained in the bill.

In closing I thank you and salute you.

Mr. TUNNEY. Mr. Chairman, I would like to commend the Committee on Appropriations for the hard work it has done on this legislation. This public works appropriations bill recognizes the need to conserve and develop the water resources of our Nation. Our continued growth will depend on whether this generation recognizes the need for conserving our water supply. It is therefore gratifying to see that the Public Works Subcommittee has provided for flood control projects and reclamation and power development so badly needed if future generations are to have an adequate water supply.

For fiscal year 1966, the Bureau of Reclamation has requested the sum of $1,600,000 to continue the rehabilitation and betterment program of the Coachella Valley Water District in California. However, by a most surprising fiscal action, the Bureau of the Budget deleted all the funds requested for fiscal year 1966. If this had been allowed to stand, this action simply and clearly would have meant that construction work now in progress should have come to a halt, leaving works agreed to be done incomplete and unusable. This was not a sound economic move for either the United States or the Coachella Valley Water District, or for the people who are served by that district.

The Subcommittee on Public Works recognized the great need for the continuation of the rehabilitation and betterment program of the Coachella Valley Water District and restored the $1,600,000 to the budget. All citizens of Coachella Valley are deeply grateful to the committee for its action.

The rehabilitation and betterment of the Government-owned works in the Coachella Valley will increase efficiency of operations and conserve a substantial amount of water as a result of modern, instantaneous control of key facilities of the canal and distribution system. The Coachella Valley is about 200 miles from the division point at Imperial Dam on the Colorado River. Water must, therefore, be ordered several days in advance of its use, and cannot be returned to storage once diverted.

Hence, the terminal reservoir to be built under the rehabilitation and betterment program will be used to impound excesses that develop due to changes in weather. Unless conserved in this manner surplus diverted water wastes into the Salton Sea.

The Subcommittee on Public Works also recognized that the economic impact of large water districts, such as the Coachella Valley Irrigation District, on their community and State economies, is enormous. These districts provide nuclei around which is gathered and attracted, at least fourfold or fivefold, related and supporting businesses, Federal expenditures in areas such as these, all returnable, help rural localities to help themselves. Millions of dollars of Federal tax revenues are directly traceable to the reclamation investment in this single project. There is no better example in the Nation's economy of the regenerative effect of investing in our land and water resources. From every viewpoint, it is manifest that the requested funds which were deleted should have been restored, so that the Government could proceed to discharge the obligations it has by contract agreed to perform.

At the present time, if more water is brought through the dike than is needed by the farmers, it goes into the Salton Sea and is lost. This work is very much needed because as you know in southern California, Arizona, and the whole Southwest, it is very arid, and we have a greater demand for the Colorado River water than actually exists.

This contract was prepared by the Government, and I believe that it is in the interest of the general public welfare. Federal expenditures which are all returnable help our local communities to help themselves. This is an excellent example of Federal, State, and local government cooperating for mutual benefit. Millions of dollars of Federal tax revenues are directly traceable to the reclamation investment in this single project. The funds that were restored is a good example of investing in the land and water resources of our Nation.

Mr. GOODELL. Mr. Chairman, I rise today to urge that funds for the start of construction for flood control on the Allegheny River at Salamanca, N.Y., not be deleted from the public works appropriation bill.

I am sure my colleagues are aware that it is not my custom to ask that funds be added to an appropriation bill unless I am thoroughly familiar with the project and feel that it is amply justified. The Salamanca project meets these criteria and will, in the long run, save money while accomplishing a worthwhile purpose.

Under present plans $1.12 will be returned for each dollar invested. In addition the city of Salamanca will be able to effectively utilize the Allegheny River, perhaps its greatest asset, for its own future growth and development, instead of being subjected to the fury of the river during its periodic floods. Funds should have been included in the original budget request.

The city of Salamanca is a community of fine, dedicated Americans and I am proud to represent them in this Congress. I commend them for their initiative in seeking to handle their own problems.

In this connection, it would be an ideal time to pay tribute to Salamanca's youthful and energetic mayor, the Honorable Keith Reed, who has done so much to bring this project to its present state of development. He has been of great assistance to me in this connection. He has been unrelenting in his efforts.

I want to commend, also, the members of the Committee on Appropriations, with whom I have been in frequent contact. I want to express my gratitude to the committee members for their help on this very important project.

Mr. JONES of Alabama. Mr. Chairman, as chairman of the Subcommittee on Flood Control of the Committee on Public Works and as a longtime advocate of the program for the development of water resources of the United States, I want to express my deep appreciation and gratitude to the members of the Appropriations Committee on the public works bill which has just been passed. The Honorable MIKE KIRWAN, chairman of the Subcommittee on Public Works of the Appropriations Committee, and the Honorable JOE L. EVINS, and the other members of both the subcommittee and the full committee deserve the highest commendation and appreciation, not only of the Members of this body, but also of the people in the entire country for the many worthwhile projects which will be carried on by the appropriations in this bill.

I think I can speak not only for myself but for the other members of the Public Works Committee in expressing our appreciation since we have always worked closely with the Appropriations Committee. We authorize the projects and they appropriate the necessary funds for their accomplishment. I like to feel that the great system of inland waterways of flood control programs throughout the great river basins and of all related water resource developments, including hydroelectric power and water supply, recreation, fish and wildlife, and the many other aspects, are joint projects of the committee of which I have the honor to be a member and the committee which has just successfully carried this bill through the House.

Our two committees have always worked closely together, and I am sure this cooperation will continue in the future. I want to take this opportunity as chairman of the Flood Control Subcommittee of the Committee on Public Works to assure the members of our sister Appropriations Committee that so long as it is within my power I will make every effort to see that this spirit is carried on in the future.

I want again to express my admiration for the work of the committee in connection with the bill just passed, which I consider to be one of the finest bills in the public works appropriations field that has been before this body.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read.

Mr. KIRWAN. Mr. Chairman, I ask unanimous consent to dispense with the further reading of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. Are there any points of order against any provisions in the bill? If not, the Chair recognizes the gentleman from Ohio to offer a committee amendment.

AMENDMENT OFFERED BY MR. KIRWAN

The Clerk read as follows:

Amendment offered by Mr. KIRWAN: On page 32, line 13, strike out the word "approved" and insert in lieu thereof the word "approve".

The amendment was agreed to.

Mr. KIRWAN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ASPINALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9220) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Delaware River Basin Commission, for the fiscal year ending June 30, 1966, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. KIRWAN. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

INTERNATIONAL COOPERATION YEAR

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of Senate Concurrent Resolution 36 expressing the sense of the Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year, and for other purposes, and that general debate thereon be limited to 1 hour, one-half hour to be controlled by myself and one-half hour to be controlled by the gentlewoman from Ohio [Mrs. BOLTON].

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of Senate Concurrent Resolution 36, with Mr. ASPINALL in the chair.

The Clerk read the title of the Senate concurrent resolution.

By unanimous consent, the first reading of the Senate concurrent resolution was dispensed with.

The CHAIRMAN (Mr. ASPINALL). Under the unanimous-consent agreement the gentleman from Florida [Mr. FASCELL] will be recognized for 30 minutes and the gentlewoman from Ohio [Mrs. BOLTON] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Senate concurrent resolution presently pending is identical in language to the House concurrent resolution introduced by the gentlewoman from Ohio [Mrs. BOLTON], and the gentleman from Minnesota, Representative FRASER, the gentleman from New Jersey, Representative FRELINGHUYSEN, and myself, to commemorate the 20th anniversary of the United Nations and International Cooperation Year. Both of these events are observed this year.

Mr. Chairman, this resolution has three purposes. First, it expresses the sense of the Congress that the United States rededicate itself to the principles of the United Nations and to the furtherance of international cooperation within the framework of law and order and urges that all other members of the United Nations do likewise. Second, it states the sense of the Congress that in connection with the observance of International Cooperation Year the executive branch should review the current state of international peacekeeping machinery and other major elements of international community and cooperation including the status of disarmament negotiations with a view to making specific suggestions to promote the growth of international cooperation and law and order. Third, subject to an invitation by the President, it creates a congressional delegation of 12 members, 6 from the House of Representatives and 6 from the Senate to participate in the White House Conference on International Cooperation.

THE U.N. IS IMPORTANT TO PEACE

With respect to the current situation of the United Nations, Mr. Chairman, its limitations are apparent. It has not been able to prevent aggression in southeast Asia nor has it been able to rid the world of poverty. Neither has the U.N. been able to solve all of its internal problems; its present serious financial problem threatens the capacity of the General Assembly to perform its share of peacekeeping. The basic reason for these limitations is clear. The U.N. is not a world government; it is an organization of governments participating by consent and can move only in the direction and at the pace that its members want it to move.

Yet, Mr. Chairman, the U.N. has served well the cause of world peace and progress and, consequently, the national interest and the personal interest of every American.

It has helped to keep the peace, for example, in Kashmir, in Suez, in the Congo, and in Cyprus. In its day-to-day work it is bringing modern knowledge and technology to bear on the universal struggle to free man from the slavery of poverty by building conditions which make the peace worth keeping.

OBSERVING THE INTERNATIONAL COOPERATION YEAR

In 1963 the General Assembly of the United Nations designated the year 1965 "International Cooperation Year" to mark the 20th anniversary of the United Nations. On October 2, 1964, the President of the United States signed a proclamation designating 1965 as International Cooperation Year in the United States. The text of the proclamation reads:

> Whereas the United Nations General Assembly has designated the year 1965 as International Cooperation Year; and
>
> Whereas the year 1965 also marks the 20th anniversary of the United Nations; and
>
> Whereas international cooperation is essential to the achievement of a peaceful world order; and
>
> Whereas international organizations are vital in the modern world and provide the necessary foundation for a peaceful world community; and
>
> Whereas the world has moved rapidly toward international cooperation and organization in recent years—especially within the family of the United Nations agencies; and
>
> Whereas the movement for international cooperation has had, and will continue to have; the enthusiastic support of the Government of the United States of America; and
>
> Whereas it is highly desirable to assess this development and examine promptly what further steps can be taken in the immediate future toward enhancing international cooperation and strengthening world organization: Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby
>
> Proclaim the year 1965 to be International Cooperation Year in the United States of America;
>
> Rededicate the Government of the United States to the principle of international cooperation; and
>
> Direct the agencies of the executive branch to examine thoroughly what additional steps can be taken in this direction in the immediate future.
>
> I also call upon our national citizen organizations to undertake intensive educational programs to inform their memberships of recent progress in international cooperation and urge them to consider what further steps can be taken.
>
> In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.
>
> Done at the city of Washington this 2d day of October in the year of our Lord 1964, and of the independence of the United States of America the 189th.
>
> LYNDON B. JOHNSON.

At the same time he requested the Department of State to take the lead for the Government, and the United Nations Association of the U.S.A. to do the same for the private sector, in carrying out an appropriate program based on a unique partnership between the American public and the Government.

On November 24, 1964, the President appointed a Cabinet Committee representing 19 agencies and departments of the Government with Assistant Secretary of State Harlan Cleveland serving as Chairman. The Committee has had a number of meetings and has formed 29 working committees covering areas of international cooperation ranging from arms control to youth activities. A National Citizens Commission was formed in the private sector consisting of about 230 distinguished Americans representing all aspects of American society.

The 29 committees will deal with the following subjects: Agriculture and food, arms control and disarmament, atomic energy, aviation, business and industry, communications, culture and intellectual exchange, development of international law, disaster relief, education, finance and monetary affairs, health, human resources and manpower, human rights, labor, meteorology, United Nations peacekeeping operations, peaceful settlement of disputes, public information, resource conservation and development, science and technology—including oceanography—social welfare and the aging, space, technical cooperation and investment, trade, transportation, urban development, women and youth activities.

The purposes of the joint committees are first, to inform the President and the people where we now stand internationally in the major functional areas of international cooperation; second, to suggest where we ought to be going in each of these areas; and third, to recommend how best to get there.

These recommendations will be presented to the President at a White House Conference to be held November 29 to December 1, 1965.

However, Mr. Chairman, the reviews by these joint committees are already showing results and specific recommendations are developing. For example, the first specific recommendation to emerge from the review undertaken in the specialized fields was the proposal of an international system to monitor and report adverse reactions to drugs. On April 21 the President announced that the U.S. Government would make such a proposal at the World Health Assembly which convened in Geneva on May 4. The U.S. delegation has proposed an International Adverse Drug Reaction Center which would be created by the World Health Organization, to develop a worldwide early warning system for drugs. Such a system could help prevent widespread tragedy of the sort which resulted from the use of thalidomide.

The President announced on April 21:

> We have already established an excellent national system for monitoring adverse drug reactions, under the U.S. Food and Drug Administration. The expansion of this into an international system would be of direct benefit to the American people since it would include the monitoring of adverse reactions throughout the world.

The International Adverse Drug Reaction Center would be similar to WHO—designated centers in other fields which are currently in operation in the United States and other countries. These centers include: the International Shigella Center at the Communicable Disease Center of the Public Health Service, in Atlanta; the International Rickettsial Disease Center at the Rocky Mountain Laboratory of the National Institute of Health, in Hamilton, Mont.; the International Center for Biological Standards of the State Serum Institute, in Copenhagen, Denmark; and the World Influenza Center at the National Institute for Medical Research in London, England.

A second American response to the General Assembly's International Cooperation Year resolution concerns cooperative action in the Antarctic. On May 1, 1965, President Johnson made a special announcement upon the receipt of the first progress report from his recently formed Antarctic Policy Group. In his announcement the President noted that the Group's work has taken on "special importance as part of the U.S. Government's observance of the International Cooperation Year." The President went on to say:

> I have been deeply impressed by the sensible way in which the 12 nations active in Antarctica work together. In that frozen continent we have, through international cooperation, shown how nations of many different outlooks can cooperate for peaceful purposes and mutual benefit. National differences are no barrier to a common effort in which everyone gains and no one loses. The scientific findings of all countries are pooled for the benefit of all. Men in danger or in need can call for help knowing that it will be given unstintingly by any country that can provide it.
>
> We are now celebrating International Cooperation Year. It is my earnest hope that the same success that has marked the Antarctic program can be extended to every field of international endeavor, not only during this special year, but in future years as well.

Mr. Chairman, on June 26, which is this Saturday, there will be special ceremonies in San Francisco to commemorate the signing of the U.N. Charter. We expect to have a U.S. delegation at that ceremony and it is our hope, of course, that this resolution will be read expressing congressional sentiment on this occasion.

Mr. Chairman, in 1955, on the 10th anniversary of the United Nations, a similar resolution, offered by the gentlewoman from Ohio [Mrs. BOLTON], was adopted by the Congress and subsequently read at the 10th anniversary ceremonies in San Francisco. We expect the same thing will be done with respect to this resolution.

Mr. Chairman, the committee acted on the Senate concurrent resolution rather than on the pending House resolutions, since it had already received unanimous approval in the other body. It speaks for itself, Mr. Chairman, and I urge its adoption by this body. I reserve the balance of my time.

Mrs. BOLTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there are so many grave and disturbing international problems which remain unresolved. Therefore, every avenue must be explored and utilized toward the elimination of international tension.

To devote a year to international cooperation as this resolution proposes, should help to bring about increased world understanding, and thereby facilitate the settlement of major problems.

The United Nations peacekeeping operations should not be underestimated, and they have, in spite of obvious shortcomings, rendered valuable service to the cause of peace in the world. However, today we see these operations brought to the verge of financial collapse because of the failure of some member to cooperate and pay their assessments.

This resolution is intended to improve the effectiveness of the United Nations, and to that extent should command our full support. Furthermore, the resolution would furnish the President, when he appears at San Francisco to participate in the observance of the 20th anniversary of the signing of the United Nations Charter, the congressional support he should have.

I urge its adoption.

Mrs. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I must oppose this resolution, and for a number of reasons. I cannot subscribe to the language to be found on page 2 of the resolution which says:

> Whereas during the 20 years of its existence the United Nations has played an important, and at times crucial, role in pursuit of one of its stated purposes "to save succeeding generations from the scourge of war."

And again on page 2:

> That it is the sense of the Congress that the United States of America rededicates itself to the principles of the United Nations.

Are we now going to rededicate this Nation to the principles of the United Nations, an organization which today refuses to compel its members to pay their contributions and assessments, and refuses to assume its moral obligations to halt aggression?

I have not opposed these resolutions in the past, but the situation has changed in the last year. We are supposed to be in the process of trying to collect the millions that are owed to this organization and we are not getting very far. This is a different year with respect to a resolution rededicating anything to the United Nations.

Never in the history of the United Nations has it had less power to deal with the behavior of other nations around the world. It did not dare in this past year to put a single vote to the members of the United Nations. That is how weak and important the U.N. has demonstrated itself to be.

Going back into the history of the United Nations, where were the members during the war in Korea? Aside from the South Koreans, we did 90 percent of the fighting, and all of the financing of that war. Where were the member nations of the United Nations at that time? They were there only with token forces or not at all.

For instance, India, which claims to be one of the principal supporters of the United Nations, helped fight the war in Korea with one medical unit.

Did you hear anything above a whisper of protest from the United Nations when India sent its troops rolling into Goa and grabbed that Portuguese territory?

Did you hear anything from the United Nations when Khrushchev's tanks rolled into Hungary and subjected that nation to a blood bath?

Where and when has it contributed to the preventing of war?

Where today is the United Nations in Vietnam? To what are we asked to rededicate ourselves? Outside of the Vietnamese, we are doing the fighting and dying in Vietnam. Where are the troops of the member nations of the United Nations in this effort to stop Communist aggression? How often do you read of the loss in combat in Vietnam of a soldier or an airman from any other nation in the world? Where is the United Nations today? What is the wind palace in New York delivering to the cause of peace in the world—aside from absorbing more than $2 billion of our taxpayers' money? I ask again, what are the principles of the United Nations? Do you remember when the United Nations kicked Moise Tshombe out of Katanga and the Congo and forced him into exile?

That was once hailed as one of the great achievements of the U.N. Having kicked him out and having subjected that country to a blood bath, it was left to more level heads to stop the massacres and atrocities by getting Tshombe back in power and we have had something that looked like a stabilized situation in the Congo since.

The Secretary General of the U.N., U Thant, wrings his hands today and says the United Nations is powerless to do anything in the Dominican Republic.

What are the principles of the United Nations?

In Cuba—why they cannot even get a United Nations team into Cuba to carry out on-site inspections to ascertain whether the Russians ever took their missiles out of the caves on that island.

Did the United Nations bring about any confrontation of any kind in the crisis with Cuba in October of 1962? Of course, it did not. It was and is powerless to act.

So I say to you, when you vote for this resolution—as I suspect you will—you are voting to rededicate yourselves and this Nation to a wind palace that has no principles.

Regardless of the merit or demerit of the British, French, and Israeli invasion of Egypt some years ago, those Governments tore the United Nations Charter to shreds because they are members of the United Nations which is allegedly committed to oppose aggression. It was the U.S. Government which told those three countries to pack up their weapons and go home that stopped the invasion of Egypt. It has been the United States with its 6th Fleet in the Mediterranean and 7th Fleet in the Far East, as well as our ability to deliver nuclear weapons that has kept whatever peace there is in the world. It has not been the inhabitants of the glass house located in New York City and known as the United Nations.

Support this resolution if you will. As for myself, I will have no part of dedication or rededication to an international organization that has clearly demonstrated it has no principles and is bankrupt, morally and financially.

The CHAIRMAN. The gentleman from Iowa has consumed 9 minutes.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, I doubt if there is any expression of sentiment which this House can indicate which in the long run would be more meaningful than what we may say today in affirmation of our support for and our good faith in the keeping of peace in the world through collective authority, today symbolized by the United Nations Organization.

On June 7 I introduced a joint resolution, House Joint Resolution 499, reading as follows:

> H.J. RES. 499
>
> Joint resolution that the United States reaffirms its support of the United Nations
>
> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That as the twentieth anniversary of the signing of the Charter of the United Nations approaches it is the sense of the Congress of the United States and the people of the United States that the United States reaffirms its faith in, and support of, the United Nations and the principles of the United Nations Charter and urges such reaffirmation of faith and support by all the members of the United Nations and peace-loving people everywhere.

I communicated to my colleagues that measure and invited their consideration of it. Many of them, I am happy to say, have shared the sentiments I had, that we should, at this time, reaffirm our support for and faith in the United Nations Organization, and have introduced companion bills to House Joint Resolution 499 or have assured their support for such a declaration of principle and purpose by this House.

Mr. Chairman, Micah and Isaiah dreamed of the time when the world would be able to live in peace through some kind of organization to keep the peace and prevent aggression on the part of the nations of the world. All through the millennia since, every generation—most of whom have known the curse and horror of war—has repeated that prayer of Micah and Isaiah, and many have striven through the long lane of history to try to make those ancient hopes and dreams come true.

It is an interesting study to observe the evolution of the attempts of mankind to set up such an institution as the United Nations, designed to be an institution effectively to curb international crime and to keep and protect the peace of the world.

As a matter of fact, in the ancient days of the Greek city states, in the Amphictyonic League, there was an association of city states for the purpose of keeping the peace among their number. Later on, the Italian city states followed somewhat the same example.

For a long time, the Roman Empire enforced a Pax Romana, which relatively preserved peace under the domination of that great imperial power.

There was a time when the Catholic Church exercised temporal authority which contributed much toward the same happy result.

It may surprise many to recall that in the early days which we call the Dark Ages, there were still those who strived to set up some kind of organization to keep the peace of the nations and the peoples of the world.

It was surprising to me when I first discovered it—that the man who first advocated a league of people to keep the peace, instead of an association of governments, was the great philosopher Immanuel Kant. He said, "We, the people," It is the people who wage war. It is the people who are killed. It is the people who suffer. It is the people who have their homes devastated. Therefore, it is, of course, proper that the people should try to keep the peace of the world.

As time went on, in the latter part of the last century, there were many efforts toward arbitration. There was the arbitration movement which gained quite a lot of impetus and found enlargement at The Hague, where there was a center of the movement to keep the peace of the world by the arbitration process.

Finally, after the holocaust of World War I, the world pleaded, and the world poured out its heart that at long last that might be the war to end war, as our great President Wilson told many who died in that war it would be. He did all he could to make that promise to the men who fought in that war come true. But circumstances beyond his control defeated the ratification of the covenant of the League of Nations in the other body, and later—almost at the time Woodrow Wilson predicted—a generation thereafter, the war which he said would come if America did not adhere to the League of Nations did come, and the sons of men who, as William Jennings Bryan said, sailed across the seas and marched under European battle flags and died on European battlefields, had to follow the same tortuous course, many of them to die in the same fields and cities in which their fathers had predeceased them.

We tried to benefit from the mistake of not adhering to the League of Nations, and on New Year's Day of 1942, at the White House, there were assembled the representatives of the nations fighting the tyrannical powers in opposition—the enemy. Given the inspriation of President Roosevelt they called this the United Nations, the forerunner of the organization subsequently to be born. I had the honor to serve on the Foreign Relations Committee of the other body during those years. I know that all during the time, from the day we entered the war until finally the United Nations Charter was ratified by that body, approved by the Congress, we strove to set up and perfect and implement that organization.

I am sure nothing was closer to the heart of President Franklin D. Roosevelt than carrying on the dream for which he had fought as a candidate for Vice President of the United States in 1920. When he became President of the United States and led us in World War II he had to send men to die, but there was in his heart the hope—yes, the fervent prayer—that at least a generation later and a war later this would be a war to end all wars.

So, throughout the war, after victory, the passionate desire of the President was for a United Nations Organization to preserve the peace of the world.

Accordingly, the plans were all laid by the President for the establishment of a United Nations Organization at San Francisco even before the coming of the peace. The President, with the keenest anticipation, looked forward to going to San Francisco and leading in the launching of the United Nations.

On my office wall hangs a letter I received from President Roosevelt written from Warm Springs, April 9, 1945—3 days before he died—the last paragraph and the conclusion of that letter reads:

> On the consummation of a treaty, I hope that the next trend of public opinion will recognize that under our own theory nations are coequal and therefore any treaty must represent compromise. We cannot jump to what we consider perfection if the other fellow does not go the whole way. He might think that his point of view was just as good or better than ours.
>
> I do hope to see you one of these days soon. I will certainly do so as soon as I get back from the opening day of the San Francisco parley.
>
> Always sincerely,
>
> F.D.R.

The President was stricken down before he realized that aspiration toward which he had so long labored, but his successor, President Truman, magnificently took up President Roosevelt's mantle and carried on his great work by himself leading the establishment of the United Nations at San Francisco in June 1945.

The hopes of the world were high for the United Nations. People did not stop to analyze all of the provisions of the charter. They did not dwell upon its weaknesses. They did not allow their minds to contemplate its possible failure. It was the hope of mankind that through the United Nations the world would become a lawful world; that international aggression might be curbed; that through the Court of International Justice the rule of law and right would take the place of the rule of the jungle and might.

Now, 20 years have come and gone. Numerous as have been the accomplishments of the United Nations with 114 nations now members, many of those high hopes have turned into disillusionment. Disappointment has often taken the place of faith in the hearts of those who believe in the United Nations. Today the United Nations stands precariously before the world. One of the three great powers which, with the others of the powerful triumvirate might have carried out the provisions of the charter, has waged a cold and, in many parts of the earth, a deadly war of conquest in cynical violation of its obligations under the United Nations Charter. Other nations, whatever may have been their designs, have given aid and comfort to such repudiations of the United Nations Charter. And now, as we approach this 20th anniversary, people are asking the question is the United Nations dead; has another generation died in vain to make World War II the last war; will the world have to pay the price of world war III with all of its incalculable horror and death and destruction before mankind shall be willing to forego aggression and live upon this good earth amid the bounty and the blessings of peace.

Today Americans are dying in Vietnam in the performance of the function of protecting the weak against the aggressions of the communistic strong as soldiers of the United States when they should be fighting there or wherever aggression threatens under the flag of the United Nations as well as the flag of the United States and with other members of the United Nations loyally observing their obligations under the United Nations Charter. But until the United Nations or some other organization of similar character shall be able to stop such aggression, what alternative is there to the peaceloving nations who are willing to live up to their obligations under the charter, doing their duty with others if they can, alone if they must?

Let us, therefore, as we approach the 20th anniversary of this last effort of humanity to save the men, women, and children of the world from the mouth of the monster war, reaffirm our faith in the ancient dream of Micah and Isaiah, rededicate ourselves not only to the preservation but to the perfection of the United Nations and declare again and again and again that we shall support it with all our might and we shall never forsake it.

Since it is the only hope for the peace of the world, we who support the United Nations are the peacemakers and Christ said "Blessed are the peacemakers: for they shall be called the children of God."

Mrs. BOLTON. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. FRELINGHUYSEN] such time as he may use.

Mr. FRELINGHUYSEN. Mr. Chairman, I hope very much that this resolution is overwhelmingly supported. It is very simple. Also, it comes at a very opportune moment, because the 20th anniversary of the establishment of the United Nations is to be celebrated in a few days time.

I might point out my predecessor, Charles A. Eaton, and Representative Sol Bloom were the two Members of the House who were representatives of the House at the founding of the United Nations at San Francisco 20 years ago.

This resolution is essentially simple. The question is not whether we believe, or do not believe, in the United Nations, although the resolution does have some kind words to say about what has been accomplished by that body. There is the suggestion that we rededicate ourselves to the principles of the United Nations. Those principles I think all Americans support. The fact that we have not been able to develop the United Nations into a stronger organization to effectuate those principles is certainly no reason why we should let our own efforts or our faith in our principles flag.

The resolution also provides that the executive branch should "review with a high sense of urgency the current state of international peacekeeping machinery." I think this is important. It has been suggested that the United Nations so far has nothing much to offer in the way of peacekeeping machinery when an emergency develops, and that it does not do enough to keep the peace and to minimize the effects of war. This fact, Mr. Speaker, is one of the reasons why I would like to see the United Nations strengthened and not weakened.

Now, one final point. This resolution would authorize the establishment of a 12-man congressional delegation, subject to an invitation from the President of the United States, to attend a conference in Washington at the end of November in connection with the International Cooperation Year. I can see nothing but good coming from such a conference, as well as the other efforts that have been made by our own country and others with respect to the International Cooperation Year. I hope we will pass this resolution by an overwhelming vote.

Mr. FRASER. Mr. Chairman, I am pleased to have this opportunity to speak on behalf of Senate Concurrent Resolution 36, as I have introduced an identical measure, House Concurrent Resolution 431.

In a few short days the 20th anniversary of the signing of the United Nations Charter in San Francisco will be celebrated by special meetings in that city commemorating the historic event. It seems appropriate that the Congress of the United States take note of this historic milestone in man's progress, and to record its appreciation for past accomplishments and hopes for future achievements in an appropriate resolution.

During the course of the first 20 years of the United Nations' existence, Members of this body have had differing views on the United Nations. Many have given it helpful support as well as helpful and constructive criticism. It seems appropriate for Congress to pause at this point for a brief review of the U.N.'s accomplishments and to extend congratulations and best wishes to the World Organization which has grown from 51 nations to 114 nations and in which the United States, from the beginning, has played a leading role.

The United Nations has its imperfections because this is an imperfect world, but the United Nations has also had successes and made progress because it does represent some of mankind's noblest ideals and has had many capable leaders who have striven to achieve these ideals.

Because the United States has been a leading member of the United Nations, we must remember that when we talk about the "failures" of the United Nations we must consider also our role in those failures. And when we talk about the successes of the United Nations, we can rightfully rejoice that we have had a part in them as well.

The United Nations was born in war and dedicated to the noble goal "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind." Mankind's memory is short, and the memory of the grief and tragedy out of which the U.N. was born must constantly be nourished and renewed. War does kindle deep and burning desires to create new institutions and new ways to prevent a horrible repetition of its tragedy. Time heals the wounds of war, but it also can make us forget the urgent necessity for changing old habits and patterns. We must constantly remind ourselves, especially as new generations of our young people come of age who have not known the tragic cost of a great world war, how important are the organizations and the people devoted to seeking to keep the peace.

One of the tests of any institution is its flexibility in changing to meet new requirements and situations. Certainly the United Nations has proved that it has had a considerable amount of flexibility. It survived a basic mistaken assumption of its founders, and proved flexible enough to adapt itself to new conditions and to develop new and different patterns of keeping the peace.

The U.N. Charter entrusted peacekeeping primarily to the Security Council and the Big Five, each with its own veto in the mistaken belief that the victors, united in war by a common enemy, would remain united afterwards. It is our good fortune that the United Nations somehow managed to survive the precipitous breakup of the wartime alliance which had pasted it together. As cold war enmity divided the victors into two camps, the Security Council, which was supposed to serve as the enforcement arm of the United Nations, was quickly manacled by the use of the veto. But most of the member countries were determined that the United Nations should not be so readily rendered impotent and they found a way within the charter to upgrade the role of the General Assembly. The U.N. remained relevant after all as a sentinel of peace.

We are inclined to remember some of the big and controversial United Nations efforts at peacekeeping, as in Korea, the Congo, and the Suez, and we are inclined to forget some of the less well-known but still crucially important actions which have been taken to keep the peace—in Greece in 1946 and 1947, in Palestine in 1948 and 1949, in Kashmir beginning in 1948, in Lebanon in 1958, in West Irian in 1962 and 1963, in Yemen in 1963 and 1964, in Cyprus beginning in 1964, and most recently in helping to arrange a cease-fire in the Dominican Republic.

A variety of methods have been used ranging from mediators and conciliation commissions, through observers, to operations involving the deployment of armed forces. The experience of 20 years has developed a variety of tools for meeting crisis situations and has given hope that these and new variants may be used to prevent future conflicts and to keep small wars from escalating into large wars.

We all know that these peacekeeping operations are the cause of the financial crisis at the United Nations. The financial crisis has its root cause in the failure of the charter drafters to foresee the breakup of the wartime alliance and the need to provide new methods of peacekeeping and acceptable ways to finance them. Because it was flexible, the United Nations was able to develop new methods to keep the peace. The members of the United Nations must now maintain that same flexibility in reaching agreement on financial arrangements and future peacekeeping rules. The Special Committee of Thirty-Three is now meeting in an earnest attempt to chart these new courses. They are wrestling with such fundamental questions as the proper constitutional relationship of the Security Council and the General Assembly on peacekeeping questions, and the conditions under which costs of such operations should be compulsory or voluntary. I am sure that the Special Commission, ably headed by Chief Adebo of Nigeria, has the best wishes and support of all members of this body as it seeks an equitable solution to this most difficult issue.

THE U.N. AS A CATALYST FOR WORLD ECONOMIC AND SOCIAL DEVELOPMENT

The general public impression of the United Nations is of a cold war debating forum where Russian and American representatives trade barbs. Even the more widely known peacekeeping programs are but a fraction of the United Nations' real work. The vast submerged bulk of the iceberg of U.N. programs consists of the social and economic programs. Seventeen out of every twenty United Nations employees are engaged in these programs of social progress and economic growth. The truth is that behind the headlines of conflict there is a steadily growing pattern of international cooperation that is too little known around the world.

Call the roll of the United Nations specialized agencies and other institutions, and one begins to appreciate the vast amount of intercommunication and cooperation among nations which is gradually knitting together and healing a deeply divided world—the Universal Postal Union; the International Civil Aviation Organization; the International Telecommunications Union; the World Meteorological Organization; the World Health Organization; the Food and Agriculture Organization; U.N. Educational, Scientific, and Cultural Organization; the International Labor Organization; International Atomic Energy Agency; and the U.N. High Commissioner for Refugees, not to mention those crucially important economic development programs such as the Special Fund and Expanded Program of Technical Assistance, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation and the International Monetary Fund.

THE U.N. AS PACE SETTER ON HUMAN RIGHTS

One of the most difficult but important tasks of the United Nations has been the work in the field of human rights. The attempt to define human rights and fundamental freedoms and establish broad principles and general standards has proceeded even though governments and individuals have not always lived up to the standards set. The Universal Declaration of Human Rights, adopted by the General Assembly December 10, 1948, sets forth the fundamental rights and freedoms to which all persons are entitled. The declaration has over the years exercised profound influence over the minds of men and has been translated into all the main languages of the world. The constitutions of many countries, including most countries which have recently gained their independence, reflect its influence. Four of these Human Rights Conventions are now pending before the Foreign Relations Committee of the other body—the Conventions on Slavery, Forced Labor, the Political Rights of Women, and Genocide.

These are but a few of the many, many accomplishments of the United Nations in its first two decades. These few, inadequate words can only hint at the broad and impressive range of U.N. activities which have touched the lives of children as well as affected the course of nations and of history.

THE NEXT DECADE

What of the third decade? The United Nations is now being counted down and out by the fainthearted. But many of us have seen the United Nations survive past crises, and I believe it will survive the present one. It will survive because the nations of the world cannot afford to let it die. If they did, they would have to turn around and immediately create another similar forum to carry on the work which the U.N. now performs. The United Nations is in the national self-interest of its member states and therefore I believe it will grow and prosper in spite of, and indeed because of, adversity.

The United Nations will be desperately needed in order to help tackle some of the major problems in its third decade. Let me just list some of the major areas where it seems to me the United Nations will be needed in these coming years:

First. We are in a race for economic and social development in the newly independent nations of the world. The United Nations is actively involved in some of the key problems in this field.

We read of pessimistic reports on the availability of food in the coming decade, and it is heartening to know that a world food program has been undertaken jointly by the United Nations and the Food and Agriculture Organization.

We know that rapidly expanding population in the developing nations sharply curtails the benefits of economic growth, so it is encouraging to know that the U.N.-sponsored Second World Population Conference will be held in Belgrade, Yugoslavia, in September of this year, and that the U.N. in other ways has stepped up its activities in this field.

As we look for new and more imaginative ways to improve our foreign aid program, I believe the U.N., and especially the Special Fund under Paul Hoffman, can play an increasingly important role. The Special Fund, which may soon be merged with the expanded technical assistance program and called the U.N. development program, is uniquely suited to develop an inventory of development programs and establish priorities. Individual nations can thus have a reliable and disinterested benchmark to help them determine how these aid dollars will be spent.

Second. Mankind must find a way to turn down and halt the terribly dangerous world arms race. United Nations statistics show that nations spend $120 billion a year for arms. A landmark U.N. study on the economic and social consequences of disarmament in 1962 indicated an overwhelming consensus that world disarmament can be accomplished without serious economic dislocation and the resources diverted to constructive purposes.

The crucial question now in the field of world disarmament is the nonproliferation of nuclear weapons. While most of the headlines regarding the United Nations Disarmament Commission meetings in recent days in New York have been devoted to comments on the cold war and Vietnam, there has been much useful discussion of proposals for further steps toward disarmament and some especially useful suggestions on the nonproliferation of nuclear weapons, which should have the very highest priority.

My own feeling is that the nuclear "have" nations will soon find it necessary to take more substantial steps toward disarmament. One of the major jobs for the U.N. and the principal nations in the next 10 years is to make a major breakthrough toward substantial reduction of nuclear arms; if that effort fails we are likely to witness a large increase in the number of nuclear powers.

There are perhaps other more appropriate forums for considering disarmament questions than the huge U.N. Disarmament Commission. At times in the past the 18-Nation Disarmament Commission has been found to be useful, and from it grew the limited test ban treaty. Now there are calls for a world disarmament conference which might also provide a way by which mainland China could be represented. But the U.N. has played and will continue to play a very useful role in exerting constant pressure through discussion and annual calls for progress toward world disarmament.

Third. Methods must be developed for peaceful nonviolent change in a world in turmoil. We live in a world in ferment, a world of rising expectations. Conditions of racial, economic and social injustices exist in many countries. These must be changed. How can this be done in a peaceful, orderly, and democratic manner? We know the Communist answer to change in the underdeveloped world—wars of liberation which involve violence, bloodshed, and local conflict, which all too often can involve major nations. At its best, the U.S. response to this challenge has been to meet the deep-seated needs of people and to press for economic and social reforms, as has been attempted in the best Alliance for Progress programs. But we also know that too often our own response has been a military one, and our own shipments of arms to totalitarian governments has in itself contributed to the problem rather than to the solution.

The United Nations has an important role to play in developing imaginative new peacekeeping methods, in attempting to prevent crises from arising, and in developing methods such as plebiscites and supervised free elections which will permit an orderly and peaceful transfer of power in developing countries. The U.N. has the advantage of having no race, creed, or color. It is as varied in its composition as its 114 members. The United Nations bears no onus for ever having engaged in colonialism or imperialism. It lacks the intrinsic power to menace even little countries, and so is neither feared nor distrusted by them. Finally, the U.N. is a genuine international organization which does not separate the "have" countries from the "have nots" or the big from the small, strong from the weak, or the developed from the underdeveloped, or the capitalist from the Socialist or even Communist. The United Nations has refused to become a handmaiden of any particular alinement or ideology. This is its strength. This is the main hope that the U.N. can play a crucial and perhaps decisive role in bringing about peaceful change in the years ahead.

Mr. Chairman, I believe the history of the U.N. gives us much for which we can be thankful. But the future holds new and even greater challenges. The U.N. can help us meet these problems and for this reason I support this resolution to rededicate our support for this great endeavor in international cooperation.

Mrs. GREEN of Oregon. Mr. Chairman, I rise in wholehearted support of this resolution with has as its main purpose an expression of rededication to the principle of international cooperation as represented by the United Nations. I do so, nevertheless, with a certain sense of sadness occasioned by an awareness that the United Nations is even now beset by problems which endanger its effectiveness and, indeed, its very existence. I wish it had been possible in this 20th anniversary year of the U.N.'s founding to celebrate its firm establishment in the affairs of nations. Instead we must satisfy ourselves with renewed commitments to its original purposes and I hope we will do so not as a perfunctory gesture, but with the full realization that these have not been fulfilled and that it will require determined effort to keep the U.N. a vital, meaningful, genuinely effective force for peace in the world. For this reason, I am particularly glad that this resolution also calls for a review of current problems in international cooperation with a view to making specific suggestions to solve these. Only by facing the difficulties, can we begin to overcome them.

Mr. Chairman, one has only to imagine a world without the United Nations to realize that it still remains our last best hope for peace. Like all man-created institutions, it reflects the imperfections of man himself, but it also represents mankind's noblest venture and most ambitious attempt yet to resolve the destructive conflicts which have marred our history on earth and now pose the possibility of total annihilation. It is a bitter irony that the main threat to mankind remains man himself. We have through the centuries achieved a remarkable command over our physical world. We have the capacity to eradicate hunger, to cure and control some of the most disabling diseases, to protect ourselves from the destructive forces of nature, to lengthen and enrich life, but we have yet to learn how to save ourselves from ourselves. This is the goal to which the United Nations is dedicated and we by our participation in it. If at times the tools we have to accomplish this seem almost unequal to the task, we can recall those words from the constitution of UNESCO which point the way to success:

> Since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed.

This is the basis for our hope, our faith, and continuing support of the United Nations.

Mr. REUSS. Mr. Chairman, I vigorously support this resolution by which the Congress rededicates itself, on the eve of the 20th birthday of the United Nations, to the principles of the United Nations. Particularly, I endorse the direction of section 2 of Senate Concurrent Resolution 36 that "the executive branch should review with a high sense of urgency the current state of international peacekeeping machinery with a view to making specific suggestions for strengthening this machinery."

I have a couple of specific suggestions myself.

My first suggestion is that the United States take the lead in breathing life into the United Nations by backing off from our current position that countries like France and the Soviet Union, which are more than 2 years in arrears in assessments, "shall have no vote in the Assembly" under article 19.

The dispute, as is well known, arose because of the unwillingness of France and the Soviet Union to participate in the Congo peace force and of the Soviet Union to participate in the Middle East peace force.

In August 1964 Congress passed a concurrent resolution expressing the sense of Congress that the permanent U.S. delegate to the U.N. should "make every effort to assure invocation of the penalty provisions of article 19 of the Charter of the United Nations." At the 19th General Assembly, which convened on December 1, 1964, we did make "every effort." But the effort was unavailing. The prospect of the Soviet Union and perhaps France leaving the United Nations, and thus sending it the way of the League of Nations, was sufficiently grim so that the General Assembly preferred stultification and inaction to pressing the matter to a vote.

The way out—the way which can preserve the United Nations—is to provide that future peacekeeping operations of the General Assembly shall not attempt to impose involuntary assessments on those who disagree with the peacekeeping operation; and for the United States to refrain from pressing its rights under article 19 to deny the vote to countries which have opposed past involuntary peacekeeping force assessments.

This will require a modification of Congress' concurrent resolution of last summer. House Concurrent Resolution 386, which I introduced on April 8, 1965, would give needed flexibility to the executive branch. Under House Concurrent Resolution 386, while the U.S. delegate to the United Nations would continue his efforts toward securing payment of past arrearages, he would not be obliged to invoke article 19, thus threatening the life of the United Nations.

The United States, acting through both the Congress and the President, could find no finer 20th birthday present for the United Nations than to announce that we have decided not to press our legal rights under article 19 to the point where the U.N.'s future is in danger.

If the United Nations were thus put back on its feet, it would then be ready to play a constructive role in the critical situation in Vietnam.

U.S. Representative to the United Nations Adlai E. Stevenson made a significant statement about a role for the U.N. in his speech at Harvard University on June 17:

> The right we seek to defend is the right of people, be it in Korea or South Vietnam, not to have their future decided by violence.
>
> We should use every persuasion, every instrument available to put the responsibility where it belongs—in the international community, with international guarantees and policing, and in a long-term settlement resting not only on our arms but on the will and authority of the United Nations.

Of course, Ambassador Stevenson is right. Chapter I, article I, of the United Nations Charter defines its purposes as follows:

> To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.

The United States should support, and if need be initiate, action by the United Nations "to take effective collective measures for the removal of threats to the peace" in Vietnam. That is what the United Nations is for, and we do not need to wait until unspecified changes are made in the United Nations Charter in order to use its present powers.

Specifically, the United States should support action in the United Nations, initiated by ourselves or by any other member, to obtain a cease-fire in South Vietnam, and if need be to send in a United Nations observer force to patrol an agreed-upon cease-fire, or a United Nations peace force to compel a cease-fire. Such a peace force, if one is necessary, should be supported by the troops and finances of all members of the United Nations who are willing to live up to their international responsibilities. The United States should announce its willingness to place its own military forces under a U.N. command, as was done in Korea.

I am proud that the members of my party, at the Wisconsin State Democratic convention in Green Bay, Wis., on June 12, 1965, adopted a resolution calling for a United Nations presence in Vietnam:

> It is our fervent hope that peace in southeast Asia can be secured by completely unconditional negotiations about Vietnam with all actual parties to the conflict and we endorse efforts of the Johnson administration directed to this end. We urge that the United Nations be enlisted in this cause, and we ask that the United Nations be called upon to provide a presence in southeast Asia, in order to pacify the area, conduct free elections, and sponsor its economic development.

I agree with the words of the Senator from Alaska, [Mr. GRUENING] on June 15, 1965, when he said:

> When President Johnson appears before the United Nations on June 26 he can strengthen that organization immeasureably, he can become a true seeker after peace, if he there announces that the United States has called for an extraordinary session of the Security Council to meet without delay to consider the conflict in Vietnam and attempt to arrive at a peaceful solution to that conflict, preserving the rights and freedoms of all those involved.
>
> The United States voted in the Security Council in favor of that body exercising jurisdiction over events in the Dominican Republic.
>
> It can do no less with respect to the even greater conflict in Vietnam.
>
> Nothing would serve to raise the flagging spirits of the strong supporters of the United Nations than for President Johnson to announce on the 20th anniversary of the founding of that body that the United States is prepared to use to the utmost its peacekeeping machinery.

These are compelling reasons, it seems to me, why we need a United Nations presence in southeast Asia. On what grounds can anyone oppose them? Well, they are opposed, I regret to say, by my friend, the Senator from Wisconsin, Mr. PROXMIRE, in a Senate speech yesterday, June 21, 1965, entitled "Hanoi, Not United States, Keeping United States Out of U.N." The burden of Senator PROXMIRE's remarks is that the United States should not invoke a United Nations presence in southeast Asia because North Vietnam and Communist China do not agree to it. In the Senator's words:

> To involve the United Nations in either a peace-restoring or peace-observing role in southeast Asia would require the assent of the parties concerned. This assent seems unlikely in view of Hanoi's and Peiping's attitude toward U.N. involvement. In August 1964 Hanoi rejected the U.N. Security Council's competence to consider the Tonkin Gulf incidents when the United States brought that situation before the Council. In addition, Peiping radio, on April 11, 1965, said that the Vietnam question has nothing to do with the United Nations and that no meddling by the United Nations is called for nor will it be tolerated.
>
> That is the Communist position.
>
> Finally, Hanoi's declaration of April 19 noted that it would be inappropriate for the United Nations to intervene in the Vietnam situation.

If the United Nations Charter provided that whenever a state, member or nonmember, wants to go its warlike way and thumb its nose at the United Nations, it can block United Nations action, this position would be well taken. But the Charter provides just the opposite. Article 2, paragraph 6, provides that:

> The organization shall insure that states which are not members of the United Nations act in accordance with these principles so far as may be necessary for the maintenance of international peace and security.

The United Nations does not have to ask permission of North Vietnam or Communist China before taking jurisdiction in Vietnam, any more than it had to ask the North Korean aggressors back in 1950 whether North Korea approved of the United Nations defense against her aggressive action.

The reason Hanoi and Peiping are sneering at the United Nations is because they quite correctly fear that the U.N. would make it more difficult for them to realize their aggressive aims in Vietnam.

I do not contend that the path of the United Nations in Vietnam would be a smooth one. It is possible that the Soviet Union might veto Security Council peacekeeping action. In that case, the effort should be moved to the General Assembly, under the uniting for peace procedure.

It is possible that a two-thirds majority of the General Assembly cannot be attained. But we should not overlook the fact that the many small nations of the General Assembly need and trust the United Nations, and would be grateful to the United States for having helped to rehabilitate the United Nations after the article 19 crisis. I am not prepared for 1 minute to concede that the General Assembly would be unwilling to enforce the United Nations Charter in southeast Asia.

And even if our effort to produce a useful United Nations involvement in southeast Asia failed, we would be better off than we are today—better off, because we would have shown our willingness to submit our cause to the body which, in the words of Senate Concurrent Resolution 36, has "played an important and, at times, crucial role * * * to save succeeding generations from the scourge of war." Let us take the threat to world peace which is Vietnam to the United Nations. Let us not be deterred by myths that we have to ask permission of Hanoi or Peiping before we do.

Mr. DERWINSKI. Mr. Chairman, it is well for us to approve a resolution commending the United Nations, but logic and practicality require that we examine the reason for the deficiencies of that organization.

The deficiencies are basically caused by the Communist practice of using the U.N. for their own diabolical purposes and is complicated by the immaturity of many of the new governments represented there.

The U.N., however, is sorely in need of leadership, more specifically U.S. leadership.

I do not believe in any of the extreme recommendations that we should "get out of the U.N." Neither do I support those who would surrender our autonomy to that body.

What the U.N. needs is a strong, legitimate Secretary General and a strong ambassador representing the United States. One of the great failures of this administration is its unwillingness to provide leadership where it is desperately needed, in the halls of the U.N.

The CHAIRMAN. There being no further requests for time, the Clerk will read the Senate concurrent resolution.

The Clerk read as follows:

S. CON. RES. 36

Whereas the year 1965 marks the twentieth anniversary of the United Nations, which will be celebrated in San Francisco on June 26, 1965; and

Whereas the United Nations General Assembly has designated the year 1965 as "International Cooperation Year"; and

Whereas the President of the United States has proclaimed 1965 as "International Cooperation Year", and has set up a broad program within the executive branch to review our present international policies in cooperation with a bipartisan group of distinguished private citizens; and

Whereas the President has charged those participating in the International Cooperation Year program to "search and explore and canvass and thoroughly discuss every conceivable approach and avenue of cooperation that could lead to peace"; and

Whereas the International Cooperation Year program will culminate in a White House Conference on Inernational Cooperation which the President has announced he will convene in November 1965; and

Whereas during the twenty years of its existence the United Nations has played an important, and at times crucial, role in pursuit of one of its stated purposes "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind"; and

Whereas during that time the United Nations has also performed a valuable service through the specialized agencies and otherwise in helping to establish human rights and to eliminate those ancient enemies of mankind—hunger, poverty, disease, and ignorance: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the United States of America rededicate itself to the principles of the United Nations and to the furtherance of international cooperation within the framework of law and order; and that all other members of the United Nations are urged to do likewise.

SEC. 2. It is further the sense of the Congress that in connection with the examination for International Cooperation Year of United States participation in international cooperative activities, the executive branch should—

(1) review with a high sense of urgency the current state of international peacekeeping machinery with a view to making specific suggestions for strengthening this machinery, (2) review other major elements of international community and cooperation with a view to making specific suggestions to promote the growth of institutions of international cooperation and law and order, and (3) review urgently the status of disarmament negotiations with a view to further progress in reducing the dangers and burden of competitive national armaments.

SEC. 3. In order to provide for participation by the Congress in the White House Conference on International Cooperation, subject to an invitation by the President, there is hereby created a congressional delegation of twelve members to be composed of six members of the Senate appointed by the President pro tempore of the Senate and six members of the House of Representatives appointed by the Speaker of the House of Representatives. An vacancy in the membership of the delegation shall be filled in the same manner as in the case of the original appointments.

Mr. O'KONSKI. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and one Members are present, a quorum.

Mr. GROSS. Mr. Chairman, apparently this resolution will pass, but I call attention to a typographical error in the printed resolution which I think should be corrected before it is acted upon.

Mr. FASCELL. Mr. Chairman, is the gentleman referring to line 17 on page 3?

Mr. GROSS. That is correct.

Mr. FASCELL. Mr. Chairman, I ask unanimous consent that the typographical error be corrected as follows: The word "An" should be "Any".

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FASCELL. Mr. Chairman, I move that the Committee do now rise and report the concurrent resolution back to the House with an amendment, with the recommendation that the amendment be agreed to and that the concurrent resolution as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ASPINALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the concurrent resolution (S. Con. Res. 36) expressing the sense of the Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year, and for other purposes, had directed him to report the concurrent resolution back to the House with an amendment, with the recommendation that the amendment be agreed to and that the concurrent resolution as amended do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the concurrent resolution.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

SUBCOMMITTEE ON DOMESTIC FINANCE OF COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Domestic Finance of the Committee on Banking and Currency may sit during general debate on June 23.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON RULES

Mr. DELANEY. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight tonight to file certain privileged communications.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

TO REGULATE THE LABELING AND ADVERTISING OF CIGARETTES, AND FOR OTHER PURPOSES

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 421 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 421

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3014) to regulate the labeling and advertising of cigarettes, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 421 makes in order the consideration of H.R. 3014 and provides for an open rule with 3 hours of debate, a bill to regulate the labeling and advertising of cigarettes, and for other purposes.

The principal purpose of the bill is to provide adequate warning to the public of the possible danger and hazards of cigarette smoking by requiring the manufacturers of cigarettes to have printed on the packages the statement: "Caution: Cigarette Smoking May Be Hazardous to Your Health."

This bill has been brought about as the results of studies made by the Surgeon General of the United States and the report made by the Advisory Committee he appointed was adopted by the Department of Health, Education, and Welfare.

The bill applies only to cigarettes and not to other forms of tobacco. The bill does not require the manufacturers of cigarettes to include such a warning in their advertising of the product.

Mr. Speaker, I urge the adoption of House Resolution 421.

CALL OF THE HOUSE

Mr. QUIE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 149]

Bonner
Bow
Brown, Ohio
Colmer
Conyers
Cramer
Cunningham
Evans, Colo.
Flood
Goodell
Hall
Harvey, Ind.
Hawkins
Hays
Holland
Horton
Karth
Kee
Keith
Kluczynski
Landrum
Leggett
Lindsay
McVicker
Mackie
Moss
Nedzi
Patman
Philbin
Powell
Reid, N.Y.
Rivers, Alaska
Rivers, S.C.
Roncalio
Steed
Thomas
Toll
Willis
Wilson, Charles H.
Zablocki

The SPEAKER. On this rollcall, 392 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FEDERAL CIGARETTE LABELING AND ADVERTISING ACT

Mr. DELANEY. Mr. Speaker, I have no further requests for time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, House Resolution 421 upon its adoption will permit an open rule for the consideration of H.R. 3014, a bill to regulate the labeling and advertising of cigarettes. There is provided 3 hours of general debate under this open rule. As I understand it, according to testimony before the Rules Committee, there is some controversy on this particular measure. There is no controversy, however, so far as the rule is concerned.

As to the bill itself, it was reported out of committee by a vote of 23 to 8. It applies only to cigarette advertising and on each package of cigarettes, 180 days after the enactment of the legislation, this language will have to be placed thereon:

> Caution: Cigarette Smoking May Be Hazardous to Your Health.

One of the purposes of this bill, which seems quite reasonable, is that it will preempt the various 50 States from requiring all types of labels. This will then be uniform throughout the 50 States.

Another purpose is that it will prohibit the Federal Trade Commission from interjecting itself into the types of labeling that should be placed on cigarettes.

As I stated, Mr. Speaker, I know of no objection to the rule itself.

Mr. Speaker, I have no further requests for time.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3014) to regulate the labeling and advertising of cigarettes, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 3014 with Mr. Brooks in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Arkansas [Mr. Harris] will be recognized for 1½ hours and the gentleman from Illinois [Mr. Springer] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Arkansas [Mr. Harris].

Mr. HARRIS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this bill, H.R. 3014, commonly referred to as "cigarette labeling," is brought before the House today by the direction of the Committee on Interstate and Foreign Commerce.

Mr. Chairman, in all candor I feel I should state at the outset that this is one of the most difficult pieces of legislation which we have attempted to bring to your attention. I am quite sure that there are few Members of this body who do not have some degree of familiarity with some of the problems to which this proposed legislation is addressed.

The problems, however, Mr. Chairman, must be seen in their totality in order to appreciate their complexity. Now let me say to the members of the committee that the issues underlying this bill are riddled with controversy. Outstanding scientists from this country and other nations as well as well-known medical specialists, both in the private practice and in Government, have differences of opinion. They have appeared before our committee and in the many days of hearings they demonstrated that there is substantial disagreement. To say that the representatives of the Government agencies who testified and who are quite concerned with the problem and who have grave responsibilities disagree is putting it quite mildly. Then the representatives of the tobacco industry and the representatives of public health organizations who have come to gripe with this problem are in substantial disagreement.

So, Mr. Chairman, it is small wonder that there was disagreement among the members of the committee on just what this legislation should contain. However, as the committee came to grips with it, and considered the total effects of the legislation and the complexities of the entire problem, the provisions of this bill were worked out after long and tedious hearings and executive sessions of the committee. It was reported out with more than two-thirds of the committee members voting in the affirmative. One member of the committee who voted against the report wrote minority views. They are set out in the committee report on page 19.

As a matter of fact, the committee report contains substantial information on background and history, and I invite your attention to it. It will provide you with a great deal of factual information in a way that is easily understood. But let me state briefly some of the background of the key provisions for your information.

First, on June 7, 1962, the Surgeon General of the Public Health Service appointed an advisory committee to study all public literature bearing on the relationship of smoking to health. Let me say parenthetically, Mr. Chairman, that I yield to no one when it comes to improving programs aimed at improving the health of the people of this Nation. I think my record and background during the years I have had the great honor and privilege of serving in this House substantiates this fact. I, together with the other members of the Committee on Interstate and Foreign Commerce, have given a lot of time to this legislation. We have tried to develop programs covering all aspects of public health, including health facilities, research, and treatment to protect the health and welfare of our people.

I do not think any member of this committee could be charged with neglect insofar as the health of the people of this Nation are concerned. The committee had uppermost in its mind to work out a bill that would meet the complex problems with which you and I are faced today.

After the report of the Surgeon General on January 11, 1964, the committee began to study and has studied these problems now for 18 months. This report was adopted by the Department of Health, Education, and Welfare, and its principal finding is outlined in the report. I invite your attention to this report of the Advisory Committee of the Surgeon General. You no doubt had one made available to your office. If not, you can get it by merely making a request. It is a very voluminous report, and very frankly it contains information that is somewhat difficult to fully comprehend. Nevertheless, it is enlightening on many aspects, though in many respects it is confusing. If you try to indulge in the entire report I must say you would come up with perhaps mixed feelings. This has been the case with many of us who have tried to do their best in bringing this legislation to you.

This report contains the finding as follows, and I quote:

> Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action.

We have tried to keep that admonition in mind and I believe we have in bringing this bill to you.

Let me give you a little of the background of why this bill is here. On January 18, 1964, the Federal Trade Commission issued notice of a proposed rulemaking proposing the establishment of a trade regulation ruling under which the labeling and advertising of cigarettes would be required to contain a warning of health hazards involved in cigarette smoking. The proposed rule in modified form was issued in June 1964.

Both before and after the notice of the proposed rulemaking several bills were introduced in the Congress dealing with this subject. On June 23 our committee began hearings which lasted 4 days from June 23 to July 2, 1964. Due to the imminent adjournment of the Congress, it was apparent that time would not permit adequate consideration of the entire problem.

So the committee directed me as chairman to request that the Federal Trade Commission postpone the effective date of the rule which it had adopted with respect to labeling from January 1, 1965, to July 1, 1965. By letter dated August 19 of last year, and as chairman of the committee, I requested the Federal Trade Commission to postpone the effective date of its ruling so as to permit adequate time for the 89th Congress to consider appropriate labeling legislation and determine what to do about it and thus avoid any unnecessary delay in protecting the public health in this area.

Now, it was pointed out during the hearings that litigation over the Federal Trade Commission action might suspend for a period 4 years or more the effectiveness of the proposed action by the Commission. So, on August 20, 1964, the Commission adopted an amendment to its proposed trade regulation rule postponing the effective date of the labeling requirements specified therein until July 1 of this year, 1965, the same time the rule on advertising would be made effective. There were a number of bills introduced dealing with the problem of cigarette labeling and advertising earlier in this Congress.

They are H.R. 2248 [Mr. UDALL]; H.R. 3014 [Mr. ROGERS of Texas]; H.R. 4007 [Mr. NELSEN]; H.R. 4244 [Mr. FINO]; H.R. 7051 [Mr. ROONEY]; H.R. 7393 [Mr. KING]; H.R. 7560 [Mr. CORMAN]; and H.R. 7713 [Mr. GRABOWSKI].

This shows how many of our colleagues were concerned with the problem.

Then, beginning in April of this year, we held further hearings. The committee conducted 2 days of executive session and following the hearings and after careful and thoughtful consideration reported this bill introduced by our colleague on the committee, the gentleman from Texas [Mr. ROGERS].

The principal purpose of the bill is to provide adequate warning to the public and of the potential hazards of cigarette smoking by requiring the labeling of cigarette packages with the statement—and get this now and compare it with the admonition contained in the report—on every package of cigarettes: "Caution: Cigarette smoking may be hazardous to your health."

As reported, the bill would do four things.

It would make it unlawful for any person to manufacture, import, or package for sale within the United States any cigarettes which do not bear the above-mentioned statement on the package. This would involve a violation, for which the fine could be not more than $10,000.

Second, the bill would prohibit the requirement of any other caution statement on the labeling of cigarettes under laws administered by any Federal, State, or local authority. I would emphasize that statement, because we must recognize what the fact are and what the problem is.

Third, the bill states that the Federal Trade Commission has no authority to require any caution statement in any advertisement of cigarettes labeled in conformity with the act, but otherwise—I emphasize this—it does not limit or expand the present authority of the Federal Trade Commission with respect to the dissemination of false or misleading advertisements of cigarettes.

I believe we should all recognize this fact, because some Members have made inquiries of me about it. I repeat that this would not in any way interfere with the authority of the Federal Trade Commission to deal with any misleading or false advertising of any company or any person in the advertising of cigarettes. Section 5 of the Federal Trade Commission Act will continue as it has been for many years.

The CHAIRMAN. The gentleman has consumed 15 minutes.

Mr. HARRIS. Mr. Chairman, I yield myself 5 additional minutes.

Finally, the bill would permit injunctions to be obtained to restrain violations of the act, and would provide an exemption for cigarettes manufactured for export from the United States.

Mr. Chairman, there are many other aspects of this which I could bring to the attention of Members, but I only wish to say briefly that in the course of our hearings we heard representatives of the Public Health Service and of the Federal Trade Commission, and representatives of the industry itself. These are highly capable people who are knowledgeable in their fields. We heard technical people—well known and renowned scientists in this country, who described to us, with charts and by other means and methods, some of the reactions on the human body itself. In many respects they compared cigarettes to many other things.

We heard all of those people, including the former Governor of New Jersey, Mr. Meyner, the distinguished public servant who now heads an organization which is set up by the industry itself, with powers to regulate advertising and to lay down rules and regulations which the industry must follow. This is an effort of self-regulation, which the industry has undertaken at substantial expense.

In recognition of the far-reaching aspects of the problems, their sensitivity, the emotional aspects involved, we have come up with this proposal, which, in my judgment, at this time, and as far as we can see at the moment, probably constitutes a legislative approach in which we can take some degree of pride. Though we are not unscrambling a situation that is very difficult, at the same time we are attempting to do justice by providing an adequate caution statement to anyone who is going to smoke. People are going to keep smoking. There will be people affected by certain diseases such as cancer. People are going to have lung diseases. Those may be—and many of them no doubt will be—caused by too much smoking. However, there are some who are adversely affected by eating too much.

There are those that are affected by drinking too much and by doing other things that we as human beings should not do if we only recognize what the effect is on our life span. We have seen life expectancy in the United States go from some 57 or 58 years to where it is now—above 70 years. We have seen the average life expectancy today rise in spite of all the temptations to which our young people, our adults, and middle-aged people are exposed. We have seen the medical profession and the scientists and those others concerned with these health programs working together in order to improve the life and the lot of the individual. I think we should feel very proud of it and we should commend those who have given so much of their time and their thought to this problem, instead of looking for the bad things that might happen. Of course, we must recognize there are those things that will tantalize the human body, but at the same time I think it behooves us, you and me, to understand that we are gradually overcoming these difficulties.

Now, what we are doing here today is trying to meet the problems of today and yet say to our young people and in fact to all of our people, if you overindulge, you are going to have some ill results from it.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HARRIS. I yield myself 4 additional minutes.

As for me, I am willing to take into consideration the information given to us by the scientists and the experts and to meet those problems as factually as we possibly can. I believe when you not only have the human body and human life involved but when you have our whole country tied up in a somewhat hard to unscramble situation where the authority runs from the Federal Government to the State government to the county government and sometimes to the city government, with our budgets and economy and our jobs, our employment, our welfare, and our health all combined, then I believe it is my job and your job to try to work this difficulty out as best we can. As for me, I think it is a job for the Congress to do and not an executive agency or a regulatory agency through its own action under a so-called rulemaking procedure whereby they announce what the results will be before they start the rulemaking. I say that because I think you will get better results throughout the Nation and you will get greater compliance and greater understanding with the legislative procedure which we are following. Therefore, this committee brings to you a very difficult problem but one which we have tried to meet forthrightly. We would ask your support on it.

The other body passed a bill, and it is here on the Speaker's desk, I believe. It is different from this bill in some respects, but both bills treat the same basic problem. We think the bill we have is the best one in order to meet the problem. We would like to have the overwhelming support of this House so that we can go to conference with it and so that we will have your backing and support in conference. I think then we will come out with a much better bill then we would if we were to get into a controversy which would make it questionable. I mention this to you to let you know what the factual situation is because I want to do everything I can to see that the majority action of this House prevails insofar as possible when we conclude our consideration on this matter.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I will be glad to yield to the gentlemàn from Kentucky.

Mr. CHELF. Mr. Chairman, I want to thank my friend from Arkansas for yielding to me.

I had the privilege of attending a great number of hearings that the gentleman has just described.

I have sat day after day, along with the gentleman, with his kind permission, and heard with my own ears the statements of various scientists, renowned, as the gentleman has said; famous doctors, renowned, as the gentleman has said. The gentleman has been most fair. His committee has been most fair throughout the entire hearings and through the hearings held again this year. Of course if I had my "druthers"—I would "druther" we had no legislation at all—but we can live with this bill—it is reasonable. As one who represents 1 of the 22 tobacco States I want to salute you, Mr. Chairman; I want to commend you; I want to thank you and all of the members of your fine committee for your consideration and for reporting out a fair bill that will be enacted, I hope, by the representatives of the people, rather than by an edict or an order of a commission appointed by the President of the United States. This tobacco industry pays over $3½ billion a year in taxes. It employs tens of thousands of our people. It spends millions in advertising—transportation, and is a great part of our economy.

Again, I want to thank the gentleman; he has been eminently fair—so has his splendid committee. All of you can be proud of your contribution to truly representative government.

Mr. HARRIS. I thank the gentleman for his comments.

Mr. Chairman, I want to compliment the committee for its careful consideration. The gentleman from Texas [Mr. ROGERS] who is the author of this bill, has given a lot of thought and attention to it. Neither his State nor mine produces any tobacco. This is a national problem. The committee, in my judgment, has done an exceedingly fine job in trying to unravel a most difficult and highly controversial problem.

Let us not get into any emotional feelings about this. Let us recognize that there is a problem here. We have a problem with alcoholism. I intend to schedule some hearings on that subject under a resolution, as soon as the program of the committee will permit. But we have got to tackle these problems that create emotions within us and face them as they come to us, and if we can do as this committee has done, I think it will result in the best interests of the entire population of this great country.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, is smoking dangerous to your health? To tell the truth, I have never met a mature smoker who claimed anything else. My experience may be unusual but I have never met a confirmed, two-pack-a-day smoker who did not envy nonsmokers and yearn to become one. Each one has claimed in loud tones that he would be much better off if he could successfully do away with the habit.

The Surgeon General's advisory committee on smoking and health concluded that in addition to the well understood reasons for avoiding cigarettes they could, and definitely seemed to contribute to the incidence of lung cancer, possible other respiratory diseases and heart disease. The committee went somewhat farther and recommended that something positive be done about it in the name of public health. Since that report came out there has been the noisiest argument since the League of Nations. No one can blame the tobacco interests for protecting the industry up to a point. Advertising people hate to see a large segment of sponsorship nullified and so they have pointed out the undesirable economic consequences of restricting cigarette ads. Comparisons have been made and with some justification. Liquor can be dangerous to health. Drugs of many kinds are dangerous to health; automobiles are dangerous in some circumstances. True enough; and steps of various kinds have been and are being taken to combat these dangers. But through it all only one spokesman came forth and claimed that the good to be derived from smoking outweighed its dangers. He said it is relaxing.

While all this was going on the Federal Trade Commission had assumed jurisdiction over the matter and issued notice of a proposed rulemaking. The Commission would have required labeling of packages and also a health warning in any advertising copy for cigarettes. Meanwhile, the industry had moved, perhaps belatedly, to organize itself for self-regulation in the field of advertising. A new advertising code is being administered by the former Governor of New Jersey, Robert B. Meyner. The purpose is to change the thrust of the copy which has concentrated on attracting new smokers among the young people. They tell us that the girls are now older in the ads. This may be apparent to teenagers but I cannot in honesty say that I can tell that much difference. But then I have no need to. I am sure that Governor Meyner is doing a conscientious job and that cigarette advertising is changing for the better. But more than this is needed.

One possible result of the furor over the cancer scare was a rash of State and local regulations requiring different and perhaps inconsistent actions by manufacturers, distributors, or retailers of this product. Such a result would not be particularly helpful to the overall cause of public health. It resulted in almost chaos.

Against this background H.R. 3014 was introduced. It takes the obvious step to require a uniform warning message on each package of cigarettes. The message is clear but not overstated. It reads like this: "Caution: Cigarettes Smoking May Be Hazardous to Your Health." By preempting the field this bill would eliminate the possibility of varied copy. It assures that the purchaser would get the same factual warning whether he buys a package of cigarettes in Chicago or in Los Angeles.

This bill does take positive steps for the protection of public health. But I personally thought the warning should have been stronger. In this I was overruled. This was the best compromise that could be obtained and the one the committee felt was in the public interest and that is why the bill is here today.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. Since the gentleman has mentioned it, I think the House probably could get a little better understanding of the problem that we had because the question then was not whether we were going or not going to put a caution warning on the cigarette package. There was going to be one. We got into the question of where it should go on the package, whether it should be on the front of the package or the back of the package. On some of these packages you cannot tell whether they are front or back, they are identical. Then there was a question as to the size of the type which it was going to be. These are parts of the problem which we had to consider in an effort to be practical about it, yet provide a caution statement that would be recognized by everyone.

Mr. SPRINGER. May I say, in reply to the gentleman, there is one further factor which was involved on which I think there was essentially nothing we could do about, and that was the danger of the various States getting into the advertising situation. There were at least three States that have already voted one way or the other on this particular thing. Eventually I think there would be legislation at the State level unless we enacted a Federal statute. I think you can imagine all of the chaos that would come about if you had 51 separate State agencies trying to regulate cigarette advertising that goes on in the United States in each individual State. For this reason we felt a Federal statute covering this particular thing would make it much easier to administer by one agency, and if we could get this kind of law enacted with this kind of labeling on it we will not have the States rushing in in crusades to enact statutes on what kind of advertising should be on a package of cigarettes.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Illinois.

Mr. RUMSFELD. Mr. Chairman, it is on this subject of preempting States and local activities in this area I wish to direct a question. I am distressed by some of the comments in the minority views by the gentleman from California. He said, referring to the preemption, that it weakens rather than strengthens the governmental safeguards in protecting health. He states that the endorsement of this legislation puts the Federal Government in the position of saying that cigarette smoking constitutes a serious health hazard, but that traditional guardians of public health, the State and local authorities, cannot act to protect their citizens if they believe a warning statement in cigarette advertising would do so.

Your feeling then and the feeling of the committee is that notwithstanding his comment, the danger of a multiplicity of conflicting State or local regulations with respect to advertising tobacco products would create chaos.

Mr. SPRINGER. I think you can very well see if the State of Indiana had one law, the State of Illinois had another, the State of Wisconsin had another, and Michigan had another, what a chaotic condition you would have if you carried cigarettes across the line and sold them in interstate commerce, and which would conflict with each other.

Mr. RUMSFELD. Can the gentleman tell me of any analogies or other instances where the Federal Government has by law preempted an area to avoid some potential chaos that might develop from a similar problem?

Mr. SPRINGER. I do not recall any, but I believe that has been done on various occasions.

It seemed to the committee members there would be many States where they would not do anything. There would probably be some States where they would do something even stronger than this. But we felt it was a national problem and that we ought to cover all 50 States. We felt that was a better way of doing it than just allowing it to slide to where the FTC would do something about it, and then if the States wanted to they could go ahead and do something about it also. We felt that one administration or one agency could do this better than 50 States trying to meet it and some of them being out of it, especially with cigarettes going throughout interstate commerce and being universally used as they are.

Mr. RUMSFELD. I thank the gentleman for his response and congratulate him for his very fine presentation. I must, however, express my concern about this bill and the possibility that this bill might not only not adequately warn the public of the health hazard involved, but that in addition it may prohibit any State or local action in this area. I am reluctant to see the Federal Government unnecessarily preempt this area.

The CHAIRMAN. The gentleman from Illinois [Mr. SPRINGER] has consumed 13 minutes.

Mr. SPRINGER. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. CARTER].

Mr. CARTER. Mr. Chairman, I shall speak in favor of the bill as adopted by the committee.

During the hearings we heard a great deal of testimony from many eminent members of the medical profession. The most noteworthy aspect of this testimony was the striking divergence of opinion among these doctors.

On the one hand, the Surgeon General of the United States and other doctors have testified that smoking cigarettes is a major factor in the cause of lung cancer and is associated with other diseases.

On the other hand, a number of equally eminent doctors with a wealth of experience testified strongly that the evidence against cigarettes was not conclusive and was not sufficient to establish that cigarette smoking was the cause of any disease.

The conflicting testimony of these experts has led me to the conclusion that in this area grave doubt exists.

This doubt stems from contradictions which appear in many areas, including those of statistics, animal experiments, and pathology.

As a medical man I was impressed by testimony which, as I understand it, brings into focus a number of unexplained paradoxes.

STATISTICS

In the area of statistics the distribution of cancer within the oral and respiratory tract appears to contradict the hypothesis that cigarette smoking causes respiratory cancer. As I understand the testimony, those areas exposed to the highest concentrations of cigarette smoke are not the most frequent sites for epidermoid carcinoma, the variety of cancer said by some to be induced by cigarette smoke—Dr. Moran, pages 598–599, House hearings. Cancer of the larynx is much less common than that of the lung; cancer of the trachea or windpipe is extremely rare; and yet both the larynx and the trachea are exposed to a much greater volume of smoke than the lung—statement of Dr. Burford, filed with committee. Furthermore, although less smoke reaches the periphery of the lungs than the central portion known as the major bronchi, more cancer is found in the periphery than in the major bronchi—statement of Dr. Carr, filed with committee.

GEOGRAPHY

The distribution of lung cancer geographically also militates against the theory that cigarette smoking causes respiratory cancer. As I understand it, in Holland, Switzerland, and Great Britain countries having as accurate vital statistics as our own per capita consumption of cigarettes is significantly lower than in the United States; yet the mortality from lung cancer is significantly higher than in the United States—Dr. Ober, page 653, House hearings.

SEX

Witnesses testified that the sex of persons contracting lung cancer adds another apparent contradiction. Cancer of the lung is predominantly a disease of men. This no one disputes, according to the Surgeon General's report—at page 133—the ratio is better than six cases in males to one in females. It is even greater for the larynx—statement of Dr. Clerf, filed with committee. The transcript shows that until a few years ago those supporting the smoking-causes-cancer theory argued that until very recently, women had not smoked, their theory being that it takes about 20 years of smoking to develop lung cancer. However, numerous women have been smoking for a long enough period to catch up to men if smoking were the cause. And, yet, the statistics still indicate that lung cancer is not a disease of women and that the disparity in its occurrence between men and women is even greater than it was some 20 years ago—statement of Dr. Rosenblatt, filed with committee.

AGE

If cigarette smoking caused lung cancer, one would expect that the earlier one started to smoke or the more one smoked, the sooner the disease should appear. Nonetheless, the peak age for the development of lung cancer is 55 to 60 years of age. And the record will show that this peak persists regardless of how much, or for how long, or whether or not the patient smoked—statement of Dr. Mayer, filed with committee.

ANIMAL EXPERIMENTS

Animal experimentation does not seem to have contributed much to our knowledge of the cause of lung cancer. Although cancer of the skin has been caused on the backs of certain inbred, cancer-prone strains of mice after massive doses of cigarette condensate had been painted on shaved portions of their backs—Dr. Ober, page 656, House hearings—these results are of limited value. First, the cigarette condensate was obtained from a smoking machine which cannot duplicate human smoking—statement of Dr. Hockett, filed with committee. Second, the amounts applied to the mice's backs were far greater than a human smoker could possibly be exposed to—statement of Dr. Helwig, filed with committee. Of more importance, the results of experiments in animals cannot be applied to other species of animals, or to man, and cannot even be applied to different organs and sites in the same animal. There is no similarity between the lung of a man and the shaved back of a cancer-prone mouse—Dr. Ober, page 656, House hearings.

INHALATION

Of great significance, several species of animals, including mice, have been exposed to cigarette smoke by inhalation over substantial periods of time and none have developed lung cancer—statement of Dr. Clerf, filed with committee. Yet, exposure to smog, auto exhausts, and viruses have produced lung cancer in experimental animals—Dr. Moran, page 600, House hearings. Other species have had cigarette condensate applied directly to their respiratory tract without developing lung cancer—statement of Dr. Rigdon, filed with committee. These negative experiments create grave doubts in my mind—as they did in the minds of many experts who appeared before the committee—about the smoking-cancer theory, since they more closely approximate the human experience with smoking than the skin painting experiments.

Using the proper test animal and method of application, cancer can be caused by many substances which are regarded as harmless to humans. The committee was told that substances including sugar, egg whites, and salt have been used to induce cancer in experimental animals—statement of Dr. Greene, filed with committee.

PATHOLOGY

Pathology provides further conflicting evidence. Studies have been made of the bronchial lining of the lungs of smokers. Some doctors have stated that certain changes obtained in the bronchial lining are more common in smokers than nonsmokers and that it is a so-called precancerous change. The term "precancerous change" itself has generated a sharp medical dispute which is apparent in the record of the committee's hearings—see, for example, Dr. Ober, pages 659 to 660, House hearings. Many pathologists believe the term is inaccurate, misleading, and self-contradictory—see, for example, statement of Dr. Barrett, filed with committee. We were told that these changes are reversible and often disappear; that there is no concrete evidence that they inexorably develop into cancer—Dr. Moran, pages 601 to 602, House hearings. In fact, cancer is found in the absence of such changes. Cancer, by definition, is an irreversible change which causes cells to go wild and invade surrounding tissue—statement of Dr. Little, filed with committee. By calling these changes "precancerous," their significance is clouded by semantics rather than illuminated by facts.

These supposedly "precancerous changes" are frequently found in the trachea as well as in the lungs and yet cancer of the trachea is among the rarest cancers of the respiratory tract—Dr. Ober, page 660, House hearings.

Furthermore, they appear in the lungs of nonsmokers, including infants—see Dr. Moran, page 608, House hearings. Some think they are part of the healing process following chronic lung infection or irritation and not evidence of cancer—Dr. Ober, page 663, House hearings.

Some doctors have stated that they can look at a person's lung and tell whether the person is a smoker. Other equally qualified doctors have testified that they cannot tell the difference either grossly or microscopically between the lung of the smoker and the nonsmoker—Dr. Ober, page 659, House hearings.

And pathologically, the cancer of the smoker and that of the nonsmoker is indistinguishable—Dr. Moran, page 611; Dr. Ober, page 664, House hearings.

The most persuasive contradiction of the hypothesis that smoking causes respiratory cancers is the fact that not only do nonsmokers contract and die of these diseases but also well over 95 percent of all smokers do not—Dr. Moran, page 598, House hearings. One test of causation is that a significant percentage of people exposed to the suspected agent develop the disease. Such is not the case with regard to smokers as I see it.

Congress is placed in the difficult position of being asked to decide one of the most complex medical and scientific issues of all times, on which highly competent doctors and scientists cannot agree. The committee could not overlook this sharp disagreement. On the other hand, we could not ignore the position of the Surgeon General and other witnesses who supported his position.

The most that can be said of the present state of medical and scientific evidence is that there exists the possibility that cigarette smoking may be hazardous to health. This is one hypothesis, among others, raised by the evidence we received.

The committee has concluded that because of the seriousness of this problem, the public should be made aware of this possibility. However, the public should not be victimized by a scare campaign and exposed to claims and exaggerations which go far beyond the evidence.

It is impossible to come to any definite or certain conclusion that cigarette smoking causes lung cancer or other diseases. It seems apparent to me that the word "cause" itself is one which has different interpretations in the fields of law and medicine. And, the action of Congress proposed in this bill should not be interpreted to mean that Congress found a cause-and-effect relationship had been proven.

Consequently, the present bill would require a reasonable statement on cigarette packages which is designed to inform the public as follows:

> Caution: Cigarette smoking may be hazardous to your health.

The committee concluded that no warning or health statements were necessary in cigarette advertising. The industry appears to have made effective steps toward self-regulation of its advertising. A strict code has been put into effect which is being enforced by an outstanding administrator, Hon. Robert Meyner, former Governor of New Jersey, who has broad powers. And, under the bill before you, the FTC retains its jurisdiction to prevent false and misleading advertising.

The committee thought that on the present state of medical and scientific evidence, the statement on the package adequately informs the public of the possibility of health hazards which may be connected with cigarette smoking. The evidence was not sufficiently strong that this industry should be singled out and drastically penalized by the requirements of a caution notice or warning in advertising.

Mr. HARRIS. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. Rogers], the author of the bill which we have before the Committee of the Whole.

Mr. ROGERS of Texas. Mr. Chairman, you have heard a very able presentation of the bill before you by our distinguished chairman, the gentleman from Arkansas [Mr. Harris] as to the contents of the bill and the purpose of the bill. You have heard a very able discussion by the distinguished gentleman from Kentucky [Mr. Carter] who is a doctor, on the scientific problem involved. I think that these discussions should clearly convince anyone as to the duty and the responsibility of the Congress in this particular situation.

I want to address myself very briefly to a matter which I think is of vital importance not only with regard to the question of cigarette smoking but on the basic legal problem involved.

We in this Congress have been accused by the people of the United States, more so recently than before, of abdicating the powers granted to us by the Constitution of this country. I think here we have a perfect example of how Congress can abdicate its powers by acquiescence. I think that Congress faced a challenge when the Federal Trade Commission moved into this particular area and undertook to take measures that they did not have the authority to take under the laws passed by the Congress.

Those of you who are interested in this subject should take the report of the hearings, read and digest those hearings, because they point out very clearly in many instances exactly what was being done by an agency that was created by this Congress.

I want to go to the very core of the problem. I think it was expressed when the Chairman of the Federal Trade Commission, while he was testifying, during the question-and-answer period, stated that the Federal Trade Commission took some very drastic action. Here is what that drastic action was.

The Federal Trade Commission, if my memory serves me correctly, was created in 1914. From 1914 until 1962 there was a method, a procedure outlined in the law that had been followed by the Federal Trade Commission. That is, when there was a violation the Federal Trade Commission had the authority to move in and stop that violation. But here is the drastic change that took place.

The Commission completely revised the situation and said, "From now on we are going to write the rules by which you must go and we are going to outline those, and any time you violate what we say shall control in the future, you are going to be in violation of the law."

I submit to any person in the Congress of the United States or any person who has ever had any familiarity with the Constitution of this country, if that is not taking away the powers of Congress by a commission created by the Congress, and writing substantive law, then I do not know what it is.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the very distinguished gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, I thank my good friend for whom I have a very high regard.

Mr. Chairman, I would like to make very clear that I do not happen to agree with my good friend from Texas. I happen to think that what the Federal Trade Commission did is exactly what they should have done under the circumstances. But for what the Federal Trade Commission has done we might not find this legislation before us today. I think there is an abundance of authority in the law, in the statement of Chairman Paul Rand Dixon on this subject before our committee. He outlined his authority to act and his reasons for doing so. I think he performed a useful public service, and I want to take the opportunity of pointing out to this body that Chairman Paul Rand Dixon not only did a good job in this instance, but he is one of the outstanding public servants in this country today.

Mr. ROGERS of Texas. I would like to say that I appreciate his remarks, but I point out that he is in disagreement with the best legal scholars, certainly the best constitutional lawyers in this land on this subject matter.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Arkansas.

Mr. HARRIS. I think it would be appropriate to state at this time that we were faced with this dilemma.

As I explained in my statement, the Public Health Service established an advisory committee and appointed well recognized, outstanding men throughout this Nation as members of the advisory committee. The advisory committee of the Surgeon General filed its report with the U.S. Department of Health, Education, and Welfare.

Mr. Chairman, we were faced with a problem that down there in that Department there appeared to be emerging a program that the Hazardous Substance Act should be amended and that the subject matter here should be brought under the jurisdiction of an agency in that Department, the Food and Drug Administration. While that was going on, the Federal Trade Commission which had also been giving some attention to the problem, took cognizance of the filing of the Surgeon General's advisory commission report and came out with its proposed rule.

So, Mr. Chairman, we had various Federal agencies that were interested in different proposals to meet the problem. I believe, as the gentleman from Texas [Mr. Rogers] has said a moment ago, the better approach to the problem is the one which we have taken here; that is by legislation, instead of by rule or by regulation.

Mr. Chairman, I do not in any sense try to take anything away from the Federal Trade Commission or criticize the Chairman of the Federal Trade Commission for trying to discharge his responsibility. I believe he felt it was his duty to do it. But a majority of the committee, an overwhelming majority, feels as the gentleman from Texas said, that this is the way to do it and I concur wholeheartedly.

Mr. ROGERS of Texas. I thank the gentleman from Arkansas for his contribution.

I would say this, that I am certainly not accusing the Federal Trade Commission of trying to override the rights of anyone. I am not saying that they are not doing what, perhaps, they think is right down there, but I believe the time has come when we are either going to let them run this country or whether the Congress is going to do it. If the time has come for them to run the country we may as well do away with the Congress. You would not need a Congress.

Mr. Chairman, as this matter developed and the Federal Trade Commission undertook to invoke these rules, the thought occurred to me then, and it has become stronger all along, that if Congress had not stepped in and taken the steps that we did take, and the distinguished chairman of our committee had not moved in, we could very well by acquiescence have provided a means by which the Federal Trade Commission could have had the power to write the death penalty for a very strong segment of the economy of this Nation. And, Mr. Chairman, do not let anyone think they could not have done it, because the rules that they were proposing—if you will go back and read them—would have absolutely destroyed the tobacco industry. To support that statement, Mr. Chairman, let me carry this one step further. The Surgeon General of the United States, undertaking to support his report that was gotten out and which caused a furor around this country at the time went so far as to testify before that committee—and the hearings will bear me out on this—that it was not only his responsibility to try to find out what he thought was good for the health of this Nation, but that it was his responsibility to sell that to the American public.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HARRIS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ROGERS of Texas. Now, Mr. Chairman, follow me, because this is a most dangerous situation. I thought I had misunderstood the Surgeon General, and I asked him to repeat it. He stated that it was not only his obligation to try to sell his views to the American people, but that he was supposed to spend tax money to do research to find out how best to make the public accept them.

In other words, if you please, to brainwash the public.

When the time has come in our country that an agency downtown that we have created can take over the reins of this Government and have the power of life and death over a segment of the economy of this country that has contributed much, it is time that the Congress of the United States stop and take stock of what is going on, and do something about it. I think that is exactly what is being done by this legislation.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Kentucky.

Mr. CHELF. I want to congratulate the gentleman for his thorough understanding of this matter and also thank him for what he has done for representative government in the Congress of the United States. I salute you, my friend, as I did your chairman a while ago because, if the day comes—God forbid it—that we delegate our authority to commissions and boards appointed by the President downtown, then God help America. I want to see laws legislated on this floor by duly elected representatives of the people. This is not something that you can look at glibly or take lightly—because this industry pays $3.5 billion a year to city, county, State, and to the Federal Government. If the Congress abdicates its authority in this particular matter—then all Federal boards and commissions will rush in "for the kill" to take over our legislative duties.

Mr. ROGERS of Texas. I thank the gentleman.

Let me conclude by saying that unless this Congress takes affirmative action on this matter promptly, a precedent could be established that would further encroach upon the powers of Congress. Such a precedent would involve not only the Federal Trade Commission but all other administrative agencies. The time has come for Congress to start asserting its powers and stop yielding to bureaus and boards.

Mr. SPRINGER. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, I wish to speak in support of this bill. I offered a companion bill to the Rogers bill, so my interest would be very much the same. I may say, however, that we have no tobacco in my district, but there is more involved here than tobacco. That has been touched upon by the gentleman from Texas [Mr. ROGERS].

I believe a little review of the history of this legislation needs to be brought to the attention of the House at this point. A reference was made to the voluminous report of HEW dealing with cigarette smoking. Following this report many Members of the Congress prepared bills and brought them before the Committee on Interstate and Foreign Commerce for consideration. We proceeded to have hearings on these bills. We felt it was our responsibility to do something relative to labeling of cigarette packs, if that was the desire of the Congress. So we proceeded to meet our responsibility in this field.

But we were amazed when the Federal Trade Commission indicated it was all set to take over by the use of their ruling authority, which they claimed they possessed in this field, and they indicated enthusiastic willingness to exercise it. Immediately we were confronted, of course, with the possibility that if the Federal Trade Commission proceeded we might have 50 different State laws dealing with this problem.

It was very clear that the thing we ought to do was to meet the problem so that there would be some uniformity in the land as far as any labeling process was concerned. We felt this was our responsibility. There has been argument about the preemption of States' rights. I would like to call attention to the Drug Amendments Act of 1962 where we found some of our legislative provisions would have probably resulted in 50 different State labels. In conference it was ironed out because we felt there should be uniformity in labeling.

If the Congress of the United States is going to say to the tobacco industry, "you must label cigarette packs, it would also seem it would only be fair that there should be uniformity in labeling because otherwise we might have 50 different labels in 50 different States.

Now there has been some argument about whether or not we should proceed in the field of advertising, but it would seem to me the first step would be to consider labeling of the pack thereby giving the industry a chance to meet the challenge of proper regulation of their own advertising policies. I am sure the tobacco industry realizing the great challenge they are faced with will examine the conduct of the industry in the field of advertising and, I believe, that we in the Congress by passage of this bill will have performed and will have exercised our responsibility as well as meeting the need for uniformity which will result by the passage of this bill.

I urge that the Congress of the United States pass this bill.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I thank the distinguished chairman of the Committee on Interstate and Foreign Commerce for his courtesy and consideration in recognizing me in connection with this piece of legislation.

I have several questions I would like to ask of the chairman of this committee and/or its author dealing particularly with the language going to advertising in section 6, page 4, wherein appears this language:

> SEC. 6. Nothing herein contained shall be construed to limit or to expand the authority of the Federal Trade Commission with respect to the dissemination in commerce of any false or misleading advertisement of cigarettes—

I know the chairman of this committee covered the matter well, but I want to establish the legislative history as clearly as possible to make very sure that with regard to misleading or exhorbitant or exaggerated claims or even, indeed, as to the subject of claims with regard to the health-giving quality of cigarettes or that perhaps a particular cigarette might be less dangerous than other cigarettes, that the Federal Trade Commission will have full authority to act to protect the public interest to prevent that kind of advertising. Am I correct in my understanding that the Federal Trade Commission still has that authority?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman.

Mr. HARRIS. The gentleman is correct. I invite the attention of the Members of the House to the committee report, pages 4 and 5, wherein we very thoroughly enunciate just what the situation is. Very briefly what we say is:

> Except for the provision that the Federal Trade Commission may not require health warnings in cigarette advertising, the Commission's authority with respect to false and misleading advertising and other unfair or deceptive acts or practices in commerce with respect to cigarettes is not affected by the bill.

That is precisely what I said earlier during the debate. Furthermore:

> The committee firmly believes that the Federal Trade Commission should regard as an unfair or deceptive act or practice within the meaning of section 5 of the Federal Trade Commission Act any advertising which affirmatively represents that smoking promotes good health or which affirmatively represents that smoking is not a hazard to health.

I think that is just about as plain as we could possibly put it.

Mr. DINGELL. Mr. Chairman, I will say the gentleman has greatly eased my mind on this particular point.

I would like to raise just one other question while I have the floor and that is to bring out the fact that I understand there is a difference between the House and Senate versions of this bill. The Senate provides that the preemption of the powers and the limitation on the power of the Federal Trade Commission is for a period of 3 years.

I should like to express my hope to the chairman of the committee and the conferees on the part of the House that they consider very carefully the Senate language and the Senate approach to this question. It is my opinion, I wish to say to my good friends on the Commerce Committee, and also to my colleagues in the House, that we may well find, in a period not far hence, additional intelligence and information will come to us with regard to the question of advertising and with regard to the question of health hazards from smoking and cigarettes and the use of tobacco products generally, which may be more grave and may cause more concern.

These products may well, in the not too distant future, be found to be more intimately tied in and more provably tied in with the different ailments cited in the Surgeon General's report.

I hope the conferees on the part of the House will bear this point in mind, because it may well be that in a period of 3 to 5 years the Congress may choose—indeed Congress may feel compelled, by additional scientific evidence in this area—to renew its scrutiny over the whole problem of tobacco, its use, and hazards to health.

I point out to my colleagues that the very fact that we have legislation of this kind before Congress today is pretty clear proof that a problem does exist and there may be need for further scrutiny by the Congress in the future. For this reason I certainly hope the chairman and the members of the committee will look with sympathy on the Senate approach to this legislation.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Chairman, I am concerned today about the possible precedent which may be established by enactment of this legislation.

I say at the outset, I intend to support the legislation now before the House.

I believe that we in the House today find ourselves in a position of again attempting to save people from themselves. We are saying to them, "We in the Congress of the United States provide public funds for the National Institutes of Health, the Surgeon General, to conduct an investigation to determine what is good. We have his findings, which have been published. Then we have the anomaly that we are also turning around and granting vast sums of public moneys to subsidize the tobacco industry, notwithstanding the fact that the Surgeon General, in his findings, would lead us to believe that perhaps there may be something seriously wrong, causing health hazards by the use of this product we are subsidizing."

If we in the House fail to act today, there is no question that the Federal Trade Commission, a regulatory commission created by this body, will take some action, and that action might be much more severe than we contemplate. Some people have felt that they might, perhaps, put on the cigarette packages the word "Poison," or even a skull and crossbones, or something of that nature.

This is a question of what is the convenient thing to do and the expedient thing to do on occasions such as this.

The Surgeon General's report, published January 11 of last year, about a year and a half ago, as set forth in the committee report, caused approximately one out of every 5 males in the country to stop smoking. They have said in the report that had that report not been issued, 3½ million more men would be smoking today.

I say that if we are pioneering in this field, if we are initiating in this field a process of telling people what they should and should not do, we again, on a Federal level, are dictating to the people.

It seems to me that perhaps moderation is the key question. Tomorrow or the next day someone could come in to say, with respect to those who sell whisky, "We should put 'Poison' on that label, because if a person fails to use it in moderation, it could result in a serious health hazard."

The same thing could be true with respect to the use of a television set. If a person watches it 24 hours a day, it could be a health hazard, especially to the eyes.

Are we legislating to induce moderation on the part of the people? That is the question we should ask ourselves.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Chairman, I rise in support of this legislation.

I had the privilege of sitting through practically all of the hearings, and perhaps no one impressed me more than the testimony of Dr. John H. Mayer, of Kansas City, who is a chest surgeon. After treating and operating on some 3,500 cases of lung cancer, he had this to say:

> You have undoubtedly heard many opinions as to whether or not cigarette smoking causes lung cancer. I speak as a practicing chest surgeon and believe, based on my experience and study, that the cause or causes have not yet been established.

I certainly agree with the words of our chairman when he said that the committee was confronted with testimony from experts on both sides of the question, but of all the testimony I listened to, Dr. Mayer's testimony was far more convincing.

I do believe while there is a possibility and a probability that cigarette smoking either causes or enhances the cause of cancer, we cannot at this time conclude, as did the Federal Trade Commission, that cigarette smoking is hazardous and may cause death through cancer or heart disease.

Mr. CORMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. YOUNGER. Yes. I yield to the gentleman from California.

Mr. CORMAN. I thank the gentleman.

Not being a member of this committee, I must say I am not as well versed in the complex problems which face the committee, but I do not recall in the other years I have been here that we have circumscribed our regulatory authorities or the regulatory bodies in the same manner we appear to be doing in this bill. The gentleman indicates he has some doubt in his mind, and there is evidence on both sides of the question, as to the hazards of cigarette smoking. How does it come about in this situation we are preempting the authority of the regulatory body to make further studies and decisions if more conclusive evidence is found?

Mr. YOUNGER. I can answer that because our committee on several occasions has brought legislation to the House stopping regulatory agencies from proceeding on one of their courses. We just had one this year with the FCC. This is not uncommon at all.

Mr. CORMAN. But do you do this when you are confused by the evidence, or do you do it when it seems to be conclusive? As I understood you, there was very persuasive evidence on both sides of this issue so that it would be very difficult for one to reach a conclusion as to the evils of smoking. Yet we are taking away from the regulatory body the ability to notify the American people if they reach a conclusion. Is it when we are in doubt that we take away the authority, or is it when we are convinced?

Mr. YOUNGER. I will say to the gentleman from California that the hearings conducted by our committee were far more thorough than any of the hearings conducted by the Federal Trade Commission. I personally asked doctor after doctor whether they knew a hearing was being conducted by the Federal Trade Commission. They said they did not know, and they could not testify there. I think our hearings are far more conclusive than are those of the Federal Trade Commission.

Mr. CORMAN. Then, if we supported the committee in this instance, it would be on the basis that the committee is telling us the degree of warning is sufficient and there is not any greater harm than this warning would indicate?

Mr. YOUNGER. That is my feeling. Yes. It is also my feeling that this is a problem the Congress should legislate on and not any regulatory body for us.

Mr. CORMAN. It would be helpful if I could know when it is that we decide Congress should regulate anything as specific as this and when we should leave it to the administrative body. That is my problem in this instance.

Mr. YOUNGER. In answer I say, any time you have a legislative committee of this House which has legislative jurisdiction over the regulatory agency and when that committee comes in almost unanimously to legislate and recommend legislation in the field, then we should follow the conclusions of that committee.

Mr. CORMAN. I thank the gentleman.

Mr. HARRIS. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BURTON].

Mr. BURTON of California. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 150]

Andrews, Glenn
Ashley
Baring
Bonner
Bow
Bray
Brown, Ohio
Colmer
Conyers
Cramer
Cunningham
Dent
Evans, Colo.
Gubser
Hall
Harvey, Ind.
Hawkins
Hays
Holland
Horton
Ichord
Kee
Kluczynski
Landrum
Leggett
Lindsay
McVicker
Morgan
Moss
Nedzi
Nix
Philbin
Pool
Powell
Reid, N.Y.
Rivers, Alaska
Rivers, S.C.
Roncalio
Thomas
Toll
Willis
Wilson, Charles H.
Zablocki

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BROOKS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 3014 and finding itself without a quorum, he had directed the roll to be called when 391 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BURTON] for 3 minutes.

Mr. BURTON of California. Mr. Chairman and members of the Committee, I think it would be useful to all of us if we considered the minority views as expressed by my distinguished colleague from California Mr. JOHN MOSS, as they appear in the committee report while this matter is before us for consideration. This view states as follows:

Should the Congress pass H.R. 3014, the Federal Cigarette Labeling and Advertising Act as recommended in the majority report of the committee, it would in effect make a "sacred cow" out of the cigarette industry in U.S. commerce by shielding this industry from any future requirements concerning health warnings in tobacco advertisements which might be otherwise imposed by Federal, State, or local authorities.

The Congress has before it a bill which has all the characteristics of a "Jekyll and Hyde." On the surface, this legislation would appear to have the Congress going on record as endorsing the conclusion of the Surgeon General that "cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action." A closer examination of the bill will show that it does little to act as a remedy to curb the cigarette health hazard.

The majority has accepted a basic premise admitting a warning is necessary, yet it stops short of supporting a sound, effective means of thoroughly combating this health problem. The bill requires cigarette packages to carry the following statement: "Caution: Cigarette Smoking May Be Hazardous to Your Health." If this is intended to provide adequate warning to the public of the potential hazards of cigarette smoking, then why not say: "Caution: Cigarette Smoking Is Hazardous to Your Health." The committee in this instance has failed to call an ace an ace and a spade a spade. The Surgeon General's report explicitly says "cigarette smoking is a health hazard."

A more realistic and responsible approach to this problem would be to warn the nonsmoking consumer of the health hazard before the product is purchased—rather than remind the individual who already smokes and after he has the product in his possession, that it may be harmful to his health.

I most strongly object to sections 6 and 7 of this bill. Section 6 would prevent the Federal Trade Commission, the Food and Drug Administration, and the U.S. Public Health Service in administering their respective laws from imposing any additional requirement with regard to the labeling of cigarettes involving a health warning. The bill would also prevent these agencies in administering their respective acts from imposing any additional requirement with regard to the labeling of cigarettes involving a health warning. The bill would also preclude State and local health authorities from imposing such requirements.

Section 7, the preemption provision of the bill, provides that no cautionary statement with respect to smoking and health other than specified in this legislation shall be required on any package; and that no such statement with respect to smoking and health shall be required in advertising for cigarettes packaged in conformity with the labeling provisions of this legislation.

The Secretary of Health, Education, and Welfare has said that preventing any regulatory agency from imposing a label warning requirement other than that prescribed in the bill is "a position which we consider too inflexible."

The National Interagency Council on Smoking and Health submitted a petition to the committee asking us "not to approve any legislation which will prevent the Federal Trade Commission from carrying out its reaffirmed intention of requiring health warnings in cigarette advertising—a conclusion the Federal Trade Commission reached after the most intensive study and after holding public hearings." The National Interagency Council on Smoking and Health was organized and is sponsored by the following agencies:

American Association for Health, Physical Education, and Recreation; American Association of School Administrators; American Cancer Society, Inc.; American College Health Association; American Dental Association; American Heart Association; American Pharmaceutical Association; American Public Health Association; American School Health Association; Association of State and Territorial Health Officers; Department of Classroom Teachers of the NEA; National Congress of Parents and Teachers; National Tuberculosis Association; U.S. Children's Bureau; U.S. Office of Education; U.S. Public Health Service.

Such absolute preemption, as is written into this legislation, weakens rather than strengthens governmental safeguards aimed at protecting the public health. The endorsement of this legislation puts the Federal Government in the position of saying that cigarette smoking constitutes a serious health hazard, but that traditional guardians of public health, the State and local authorities, cannot act to protect their citizens if they believe a warning statement in cigarette advertising would do so.

I cannot conceive of any sound reason why the sale and advertising of cigarettes should be granted Federal protection from States and local regulations which are more stringent than Federal regulations. If the pattern of protection provided for by this legislation for cigarettes were extended to other products, neither State nor local authorities would be in a position to impose in the valid exercise of their policing powers, requirements aimed at protecting the health of the people in their respective States and communities.

The committee has not given adequate study to the real issue in the area of smoking and health—which is reducing cigarette consumption and discouraging young men and women from becoming consumers of this product. This is a subject no one seems to want to talk about because it would point up the need for additional advertising restrictions and point to the fact that cigarettes are hazardous to health. We cannot disregard the effect of advertising on consumption. The Surgeon General's report said: "The overwhelming evidence points to the conclusion that smoking—its beginning, habituation, and occasional discontinuation—is to a large extent psychologically and socially determined." Social and psychological gimmicks of advertising play a major role in selling cigarettes. And I am of the belief that the adoption of this bill providing for preemption would have the ironic result of promoting the sale and advertising of cigarettes under the guise of a requirement that cigarette packages must carry a specified caution legend.

It has been pointed out in the majority report that the Department of Health, Education, and Welfare is conducting informal and educational programs in the field of smoking and health, and the Department's Appropriation Act for 1966, recently passed by the House, includes an item of $2 million for carrying out these programs. I want to point out to my distinguished colleagues that advertising expenditures in the cigarette industry for 1964 for television, magazines, farm papers, supplements, and radio totaled $240,765,676. Newspaper cigarette advertising expenditures for the same period are estimated to be $17.5 million. I will leave any ethical comparisons to your individual judgments.

In summary, I am strongly opposed to those features of this legislation which would preclude the imposition of more stringent labeling requirements or the imposition of health warnings in advertisements which Federal, State, or local health authorities may deem necessary in the future in the proper exercise of their respective powers. We must face the facts as presented to us by the Surgeon General, American Cancer Society, American Medical Association, American Heart Association, and the National Tuberculosis Association. We must first concern ourselves with public health and welfare, not legislate to the whims of a special interest.

Mr. HARRIS. Mr. Chairman, I yield such time as he may require to the gentleman from North Carolina [Mr. Kornegay].

Mr. KORNEGAY. Mr. Chairman, tobacco has been a dynamic force in our Nation's economy for more than 350 years. Historically, tobacco was America's first industry and the taproot of commerce which helped early settlers gain a foothold in this country by saving the Jamestown colony when it was on the brink of economic collapse. Later, tobacco helped attract settlers to the New World and created a basis for new enterprises.

Today, tobacco is one of this Nation's major industries. Its impact on the economy can be measured by the following:

Around 70 million Americans, more than half the adult population, spend more than $8 billion for tobacco products annually—more than $7 billion for cigarettes.

Tobacco is grown in 21 States by some 750,000 farm families and is the country's fifth largest cash crop following cotton, wheat, corn, and soybeans.

Tobacco products are manufactured in around 500 factories operating in 30 States, giving direct employment to more than 96,000 people.

Tobacco products are distributed by some 4,500 wholesalers to more than 1.5 million retail businesses selling tobacco products.

Tobacco company stockholders of record total over 310,000.

More than 1.5 million businesses share in the tobacco trade supplying equipment, materials, transportation, and distributing and merchandising services.

An analysis by an independent economic research organization showed that the tobacco industry in 1 year generated $65 million in sales for auto industry products; $59 million for petroleum products; $49 million for electric power; $173 million for chemicals, cellophane, and filter materials; $260 million for paper and paperboard; $131 million for rail and truck transportation; and $68 million for products of iron and steel mills and foundries.

In addition, tobacco taxes provide a major support for Government services, on all levels.

The Federal Government collects more than $2 billion annually in tobacco excise taxes, State governments about $1.2 billion and municipal governments more than $50 million. Ninety-nine percent of the total tax comes from the sale of cigarettes.

About half of what the consumer spends for a package of cigarettes is paid to Government treasuries. The Federal cigarette tax alone totals more than 15 percent of all U.S. excise tax collections.

Mr. Chairman, I now address myself to section 6 of H.R. 3014 as that bill has been favorably recommended by the committee.

We have here the curious situation of a race between the Congress and an administrative agency, the Federal Trade Commission, which Congress itself has created. What is most extraordinary is that the problems and questions on smoking and health, which a committee of this House has carefully considered over a period of more than a year, were precipitately determined last June by the Federal Trade Commission. Indeed, the Commission has by its own unauthorized action attempted to take over the responsibilities of Congress.

Had this occurred on some minor detail of agency regulation, or on some small question of governmental action, there might be some room for congressional indulgence, even though I believe that any invasion of any individual freedom in itself presents a vital question for congressional concern.

But we are here dealing with questions of major national importance. As the chairman of the House Committee on Interstate and Foreign Commerce pointed out at the hearings, tobacco is manufactured in 21 States. There are altogether about 100,000 people employed in 30 States in the manufacture of tobacco products. Over 1½ million businessmen, many operating small enterprises, share in the tobacco trade.

In 1963 there were over 70 million Americans who bought tobacco products at a cost of $8 billion. These sales provided over $2 billion to the Federal Government in taxes, and over $1 billion to State governments and municipalities.

If there ever was a problem that was for Congress to resolve, the issues that have been raised about smoking and health would clearly be included. Indeed, for several years there have been bills pending in both the Senate and the House which had been referred to the responsible committees for study.

Nevertheless, within 1 week after the issuance of the report of the Surgeon General's Advisory Committee on Smoking and Health on January 11, 1964, a single administrative agency, the Federal Trade Commission attempted to take over the entire problem.

It did so by plainly exceeding its statutory authority. It did so without consulting with any committee of the Congress. It did so by a procedure which violated the due process safeguards which the Congress had provided against the abuse of authority by an administrative agency.

Even more, the Federal Trade Commission is presently insisting to Congress that unless section 6 of H.R. 3014 is promptly enacted, it will go forward in its attempt.

The story is fully set forth in the committee hearings. In broad outline, there was appointed in early 1962 an Advisory Committee to the Surgeon General. That committee was asked to make a technical report. This was to be the first phase of the broad inquiry into smoking and health.

The second phase was to be a determination by all interested parties—Public Health Service, Federal Trade Commission, the Department of Agriculture, the Department of Treasury, the tobacco growers and manufacturers, and one might suppose the various States who had a vital stake in these questions—as to what governmental action might be appropriate.

There were few who did not understand that Congress would ultimately decide any questions that were of such wide national importance and concern.

But within a week after the report issued, the Federal Trade Commission announced that it would on its own deal both with the labeling of cigarettes and with mandatory requirements in the advertising of cigarettes. It also announced that it would do so by promulgating what it called trade regulation rules.

In effect, those rules are sweeping statutory provisions applicable across the board to the entire tobacco industry. Legal authorities, except Commission attorneys, are in agreement that the Commission was never given the statutory power to take over the functions of Congress in that fashion.

What was likewise most unusual in the Commission's effort to legislate, was the way in which it went about promulgating the so-called trade regulation rules. Congress has specified that the Commission was to act only on complaints, only on sworn testimony presented to it, and only upon findings of fact made on that testimony. In short, the Commission was established as an enforcement and not as a legislative body.

All of that had been reaffirmed by the Congress in the Administrative Procedure Act of 1946 which carefully insured that whenever an administrative agency, to which Congress had delegated enforcement power, and not legislative power, acted against any citizen, it would follow these fundamental rules of due process.

The record of the committee hearings further reveals that despite the fact that the House Committee on Interstate and Foreign Commerce began its hearings on 10 or more bills on this subject on June 23, 1963, the Commission went right ahead and the very next day released its final trade regulation rules, to be effective on January 1, 1965, as to labeling and on July 1, 1965, as to advertising.

It hardly needs elaboration that in a national election year, it was manifest that the Congress, which had many different bills before it both in the House and in the Senate, could not have concluded its deliberations by the end of the second session of the last Congress. It was only at the request of the chairman of the House committee, that the Commission postponed its labeling requirements until July 1 next.

What is truly amazing is that before both the Senate committee and the Federal Trade Commission this spring threw down the gauntlet and made it clear that unless Congress intervened, the Commission would proceed with its rules even though it recognized that there was serious legal controversy about its authority.

I am satisfied from a study of the history of the statutes and the other legal materials that the Commission does not have the statutory authority virtually to legislate by issuing broad trade regulation rules. That conclusion has been reached by independent legal scholars who have studied this precise question and written about it.

On that legal point whether the Commission was ever given the authority to function as though it were the Congress—instead of enforcing by administrative procedures, the law enacted by Congress—everyone seems to be out of step except the Commission.

Moreover, I doubt that anybody could be found who would agree that the Commission's further attempt to evade the procedural safeguards laid down by Congress was legally proper. The Commission ended up saying that even though it had never held a proper hearing, no one could in the future question its determinations because they had been arrived at by official notice. A moment's thought will suggest that if an administrative agency can make new laws on that idea of official notice, Congress has virtually abdicated.

It is for these reasons that section 6 of H.R. 3014 is essential. That section makes clear that Congress, after full consideration, has determined that in the present unsettled state of medical knowledge it suffices that every package of cigarettes contain the specific caution statement, "Cigarette Smoking May Be Hazardous to Your Health," in the precise place and in the prescribed type size set forth in section 5 of the bill. The asserted authority of the Federal Trade Commission to require a mandatory caution statement in every advertisement is specifically foreclosed.

At the same time, however, the authority of the Commission to proceed in regular fashion against any false or misleading advertisements of cigarettes is continued. Only as to caution statements with respect to smoking and health is there congressional preemption.

Moreover, because we have had the further unique situation of two agencies, the Federal Trade Commission and the Department of Health, Education, and Welfare, each suggesting that it be authorized to deal with these problems, section 6 further provides that the congressional determination of these questions shall control all Federal agencies.

As a corollary, to avoid the obvious chaos that would otherwise result, section 7 preempts the field with respect to smoking and health as to individual or additional action by any State or local authority.

In my view, what the committee has proposed in H.R. 3014, after comprehensive hearings on the medical, economic, and every other facet of this problem, is a sound solution.

It is probably inappropriate for a bill, dealing with this area of smoking and health, to go further and to cover more broadly the area of abuse of statutory authority by administrative agencies, or their plain failure to conform to the due process procedures which the Congress has carefully prescribed for the protection of our citizens.

I am hopeful, however, that in the future, Congress will not be confronted with any further efforts of this sort to seize upon issues of wide national importance as the vehicle for an unlawful grasp for bureaucratic authority, beyond what Congress has conferred, and on national questions which Congress has pending before it and alone should decide.

Mr. HARRIS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the gentleman from California [Mr. Burton] has just recalled to your attention the minority views. In view of the fact that our colleague from California [Mr. Moss] is not here at this moment I think it would be appropriate to advise the Members who did not hear the debate earlier that I referred to the minority views in my own remarks at the outset as did one or two other members of the committee who engaged in the debate. So we have tried to give the House the full and complete story of this problem.

In calling attention of the House to the minority views and reading some part of them, as did our colleague the gentleman from California [Mr. Burton], we have here a further indication of the differences of opinion that prevail over this highly important matter which affects the people of this country in many ways.

Mr. Chairman, I have no further requests for time.

Mr. BROYHILL of North Carolina. Mr. Chairman, the report of the Surgeon General's Advisory Committee on Smoking and Health has stirred up a whirlwind of comment and controversy since its release to the public on January 11, 1964. I would like to point out, however, that at the time this report was released, there were at least four bills dealing with this subject before the 88th Congress.

One mentioned warning labels, two dealt with disclosure of nicotine and tar content of cigarettes and the remaining bill saw the problem as one for the Food and Drug Administration. After January 11, 1964, there were seven bills dealing with the question of cigarette smoking introduced in the 88th Congress. Some of these would have placed jurisdiction in the Federal Trade Commission. At least one provided for a policy not to encourage cigarette smoking but to hasten research in this area. Two weeks after the report hit the street the Federal Trade Commission commenced a rulemaking procedure which proposed labels for cigarette packages and a requirement that all advertising of cigarettes carry a warning message as to possible health consequences of smoking the product. The Federal Trade Commission claimed the jurisdiction under its general authority to prevent deceptive practices and unfair methods of competition. In the latter days of June 1964, the Committee on Interstate and Foreign Commerce held hearings on the 11 bills which had been referred to it. By this time the battle lines were well drawn and skirmishes had already been fought in the hearing rooms of the Federal Trade Commission.

While the hearings did not produce any new or startling facts in the controversy, they did show that there were some very important questions which could not be answered by the report or by proposed solutions. Many of these problems were not health problems but were economic problems of considerable consequence. I would probably be one of the first to claim that the continued prosperity of a particular industry cannot overshadow or control our actions in the protection of the health of the American public, but I would also say that before we conclude that the health problem overpowers these other questions we should look carefully at the evidence and be sure that the actions taken are not the kind of overcompensating panic actions resulting from an emotional rather than a rational approach to the problem.

I think it is clear that Congress was recognizing its responsibility during these months of 1964 and was proceeding with a kind of deliberate speed, most conducive to a right answer. At the same time, however, the Federal Trade Commission was charging forward, waving the report as though it were a banner. It became all too apparent to our committee that any final action we might take at that juncture could prove to be ill advised and for that reason the committee recommended that the Commission be prevailed upon to withhold final action on its proposed rule. I was somewhat surprised but well pleased with the agreement to follow this sensible suggestion.

Now the committee has had time to hear all of the old arguments plus any new material which has been developed. A great deal of the hearing record will sound like a replay from the year before.

H.R. 3014, introduced by the gentleman from Texas, Walter Rogers, appealed to me as a sensible approach to the problem after time to think our way through the events of the year before. It calls for a moderate and factual statement on a package of cigarettes: "Caution: Cigarette smoking may be hazardous to your health." It preempts the field to avoid a tug of war between competing agencies, and State and local governments.

A fair reading of the testimony must lead one to the conclusion that there is not at the present time undeniable evidence to show that smoking will inevitably lead to health problems. However, whatever the outcome of this legislation, it is a fact that cigarettes are going to be labeled. I say that Congress should be the one that determines the extent of this regulation. I am personally convinced upon the record taken as a whole, that H.R. 3014 is a proper approach and I feel that this House should pass this bill.

Mr. COOLEY. Mr. Chairman, tobacco is the oldest industry in our Nation. It is an honorable industry. Tobacco was the economic base for the first successful English colonization of the New World. Jamestown was the world's first tobacco export market.

During the first 100 years of our history as a Nation, it was the export of tobacco and cotton that maintained America's financial integrity before the world. Tobacco now is an $8 billion a year business in the United States.

Since 1933, when the tobacco program and other farm programs first were inaugurated, Federal, State, and local governments have collected $52 billion in excise taxes upon tobacco and tobacco products—the Federal Government $39.5 billion, and State and local governments $12.5 billion.

The $39.5 billion in Federal tobacco collections alone during this 32-year period are substantially more than twice the grand total of $15 billion expended by the Government through the Commodity Credit Corporation on all farm price-support programs for all crops since these programs were inaugurated. Moreover, while $52 billion has been collected in excises by Federal, State, and local governments, the cost of the tobacco program, which has protected the income of tobacco farmers through all these years, has amounted to only $38 million.

Meanwhile, during these 32 years, our tobacco and tobacco products exports—without export subsidy—have amounted to $10 billion, contributing substantially to our Nation's balance of payments with other countries.

Hundreds of thousands of farm families in 21 States are engaged in the production of tobacco. There are some 550 plants, employing approximately 100,000 workers in 30 States, engaged in the manufacture of tobacco products. Approximately 1,500,000 businesses with many hundreds of thousands of workers are in the tobacco trade.

But now in this House today the tobacco industry has been assailed, and I regret that there may be some who are approaching the legislation now before us with a punitive purpose in their minds.

Mr. Chairman, the Surgeon General of the Public Health Service issued early last year the report "Smoking and Health."

Some people immediately proposed that a skull and bones or some tag or label be placed or printed on each pack of cigarettes, to warn against smoking. Some other people have gone so far as to suggest that the Government scuttle the tobacco program under which the farm families who produce tobacco have been able to earn a decent income.

Of course the health of our people is paramount. The "Smoking and Health" report has presented the tobacco industry with a challenge. The response must be calm, responsible, and deliberate. This is no time for ill-conceived, hasty, emotional legislative reaction, or for punitive action.

Many millions of people will continue to smoke, irrespective of any repressive action. People will make individual decisions. They abhor and will resent Government coercion. Therefore, the real challenge is to give to the people maximum assurances of health while they enjoy smoking.

The tobacco industry has accepted the challenge of "Smoking and Health." The industry has in being programs to accommodate smoking with assurances of health.

I have introduced a resolution in the Congress calling for a crash, Government-backed research program to determine what, if anything, in tobacco and in other ingredients and materials that go into the manufacture of cigarettes might be related to health. Nobody has yet identified positively anything in tobacco that might cause severe injury to health.

We need to clear up many things. Research will do it. We shall see to it that those who enjoy smoking may do so with perfect confidence.

Mr. Chairman, our tobacco farmers and the tobacco industry are determined to cooperate in every way in this objective. These farmers, this industry, and Members of this body from tobacco producing States are supporting this legislation now before the House. I do not think the labeling of cigarettes as here proposed is necessary, but we are showing our good faith.

We feel that if legislation of this nature is to be enacted, we shall take the bill now under consideration. Further than this we are unwilling to go. I think it is better for the Federal Government to act with restraint in this area than for several of the States to legislate on labeling of cigarettes, for this would cause confusion, chaos, and great costs in the tobacco industry.

Moreover, those of us who represent the millions of people who grow, process, manufacture and merchandise tobacco want to cooperate in every way possible to assure our customers—the people of these United States and the world at large—that we are interested in their health and their well-being at all times, and we shall not rest until any person can enjoy tobacco with all the assurances with which he partakes of his daily bread.

Mr. VIVIAN. Mr. Chairman, I intend to cast my vote against H.R. 3014, the cigarette labeling bill currently before the House.

The plain fact is that this bill is not strong enough. Despite a multitude of studies showing a clear causal relationship between smoking and lung cancer, this bill requires only that cigarette labels have printed on them the innocuous phrase:

> Caution: cigarette smoking may be hazardous to your health.

There should be no hesitation about unequivocally warning the American public of a grave hazard to its health. In a report last year, the Surgeon General, Dr. Luther Terry, said:

> Cigarette smoking is causally related to lung cancer in men; the magnitude of the effect of cigarette smoking (on lung cancer) far outweighs all other factors. The data for women, though less extensive, points in the same direction.

Last year, the Federal Trade Commission promulgated far more stringent regulations based on their own appraisal of the hazards of smoking to the health of the American people.

The FTC ruled that cigarette companies must in both labeling and advertising carry words to the effect that "cigarette smoking is dangerous to health and may cause death from cancer and other diseases." This regulation originally was ordered to be in effect by January 1 of this year, but the order was then postponed, so that it would not take effect before this date. H.R. 3014, the bill before us today, will completely block this regulation.

This bill, as the gentleman from California points out in his minority report, will, if passed, have the ironic effect not of deterring, but rather of tolerating, increased promotion of the sale of cigarettes, under the distracting guise of a requirement that cigarette packages must carry a specified caution legend.

The well-known and authoritative newsletter reporting on Capitol Hill matters, Congressional Quarterly, has called the bill, and I quote, "a victory for the cigarette industry." No wonder.

Mr. Chairman, I object to the proposition implicit in this bill; that health is less important to the American people than maintaining employment and profits in the tobacco industry, and protecting cigarette tax receipts. I support the FTC regulations. I want them put into effect immediately. Therefore, I shall vote against H.R. 3014.

Mr. OTTINGER. Mr. Chairman, the gentleman from California [Mr. ROOSEVELT] has offered a most worthwhile amendment to the Federal Cigarette Labeling and Advertising Act before us today. This amendment would give us a sound, effective means of combating a serious health hazard.

This bill is based on the premise that cigarette smoking is a health hazard that warrants remedial action. Yet, section 7 of the bill would shield the cigarette industry from any future requirements concerning health warnings in tobacco advertisements which might otherwise be imposed by Federal, State, or local authorities.

Section 7 should be stricken from the bill. It provides an absolute preemption that is sure to weaken governmental safeguards designed to protect the health of the American public. It puts us in the position of saying that cigarette smoking is a serious health hazard, but State and local governments cannot protect their citizens by requiring a warning statement on cigarette packages.

Mr. Chairman, section 7 not only seriously weakens this legislation, but represents an unwarranted infringement on the rights of State and local authorities.

If this sort of provision were extended to other products, State and local governments would be powerless to enact requirements more stringent than those adopted by the Federal Government. Their power to protect the health of their citizens would be unjustifiably curtailed.

I strongly support the amendment of the gentleman from California [Mr. ROOSEVELT] and urge my colleagues to do likewise.

Mr. CLEVELAND. Mr. Chairman, I rise in support of H.R. 3014, which would require cigarette manufacturers to caution smokers of the hazards they risk in using cigarettes. This would be done by means of a label on each package reading "Caution: Cigarette smoking may be hazardous to your health."

This legislation is very ironic, however, in view of the fact that another arm of the Government, the Agriculture Department, as duly authorized by this Congress, is continuing to spend hundreds of millions to subsidize tobacco, in a program against which I voted last March 23. Although it has been said that a foolish consistency is the hobgoblin of little minds, I do feel in this respect and on this subject, it is inconsistency that is foolish.

Mr. DERWINSKI. Mr. Chairman, I am opposed to this bill. It is the greatest case of fence straddling I have seen since commencing my service in the House of Representatives.

If cigarette smoking is a danger to health, more stringent steps are needed. If it is not, this warning is unnecessary, and our legislative action completely inconsequential.

As I see it, we have solved nothing by this legislation except to make an empty gesture toward concern for the health problems caused by cigarette smoking.

Mr. KING of Utah. Mr. Chairman, I supported H.R. 3014, a bill to require the words "Caution, cigarette smoking may be hazardous to your health" to appear in print on all packages of cigarettes. I wish the bill had been stronger.

This is the sixth or seventh time that I have raised my voice on the floor of the House for the purpose of discouraging the use of tobacco. I shall continue to do so as long as tobacco continues to menace our health.

I deplore the bill's inadequacies. They are self-evident. The bill first confesses the health hazard of tobacco, and piously calls for remedial action. It then provides, by way of remedial action, a directive to cigarette producers which will curb that hazard about as effectively as a directive to hold back the waters of the Mississippi with bare hands.

If we really mean what we say, then why are we so afraid to act? If we are really convinced that hundreds of thousands of Americans will be struck down through the effects of tobacco, then why are we not proclaiming this fact from the housetops? We do not hesitate to do so in the case of other articles for human consumption, of far less harmfulness. Surely no one really believes that the pathetically inadequate and seldom-to-be-read warning to be placed on the small panel of a cigarette package can seriously compete with the hundreds of millions of dollars annually to be spent to glamorize cigarettes, and to seduce our youth into the tobacco trap.

I note that the tobacco interests have redoubled their promotional efforts on behalf of their product since the publication of the Surgeon General's report on the relationship between tobacco and cancer. Yet I also note that the tobacco interests generally favor this bill. There is little organized opposition to it except from those who deplore its inadequacies.

What do I conclude? Inescapably I conclude that the tobacco interests are determined to push "full steam ahead" in the peddling of cigarettes, in spite of the Surgeon General's report. I further conclude that they regard this bill as only an innocuous gesture, and not incompatible in any way with their grandiose plans to indefinitely expand the tobacco market. This bill constitutes the minimum necessary to satisfy the antitobacco activists, but the maximum permissible, without cutting into precious cigarette sales.

During the debate an amendment was offered to remove the restriction placed on the States to go beyond the provisions of the bill. In other words, the amendment would have enabled the States to take such stronger regulatory measures as they might desire. Thus, in addition to strengthening the bill, the amendment tended to strengthen the position of the States. It was considered to be a States rights amendment. Yet it was defeated. Many of those voting against it were Members who loudly professed their support, both of the bill itself and of the principle of State's rights. The amendment was apparently defeated for only one reason: to have strengthened the bill would have bitten into cigarette sales, and this, the tobacco interests could not countenance. Go through this gesture if you must, we were in effect told, but make very certain that you cut it off at that point where the "gesture" gives signs of carrying a weapon.

I regard the debate on this bill to have been virtually without meaning. Its enactment was pure futility. It is apparent that America has not yet made the hard choice which sooner or later it will have to make: namely that the smoking of tobacco is not in the best national interest.

It is argued that to cut down on cigarette sales sales would cause serious unemployment and economic disruption.

With this argument I have some sympathy, but it is the only aspect of the posture of the tobacco industry with which I have sympathy. Futhermore, I must call attention to the fact that the strength even of this argument has now run out.

It has been many years since scientific statistics were first available showing the unmistakable relationship between tobacco smoking and various human ailments. Let us assume, for the sake of argument, that when this information first became available, it came as a complete surprise to the tobacco interests. At that point, the economic argument could have been advanced with full force and vigor, and we would have been required to be impressed by it. In equal fairness, however, the tobacco interests should then have considered themselves obligated to announce plans for the phasing out of their operation, in an orderly manner, and with a minimum adverse impact upon the economy. Under those circumstances the Nation would have cooperated, to the ultimate degree of reasonableness. But such a course, alas, was not that which the tobacco interests elected to pursue. On the contrary, they elected to redouble their propaganda efforts to neutralize, or even counteract the voice of reason, as heard through the great men of science. At that point, in my estimation, the tobacco interests forfeited their claim on the sympathy of the Nation, as far as the economic argument is concerned.

How long, may I ask, is the economic argument supposed to pass for valid? Are we to understand that the tobacco industry claims an everlasting investment in the corruption of America's health, and that in their judgment jobs will continue to weigh heavier than lives, from this day forth, and forevermore? At what point in time, if not now, do they estimate that the economic argument will begin to lose its efficacy? If they contemplate a terminal date, then let them now declare it. If not, then their entire premise may as well be challenged today as tomorrow, or next year, or next century. If tobacco production is to be phased out entirely, then the sooner it is accomplished, the less will be the adverse economic impact.

At this point I might add that the version of this bill enacted by the other body, although disappointing, was somewhat stronger than the House version. I am this day urging the House conferees to move in the direction of the other version, because of its superiority. Specifically, I urge them to accept the provision that the Federal Trade Commission shall have the authority, after a 3 year moratorium, to appropriately regulate the advertising of tobacco.

This whole issue is important beyond my power to express. Over the years to come, hundreds of thousands of lives hang in the balance. Millions of young people now stand at the crossroads. A little courage on our part will help them in their agonizing predicament and will reap for them and for the Nation a richer harvest in health and human dignity.

Mr. BINGHAM. Mr. Chairman, I am opposed to H.R. 3014, the so-called Federal Cigarette Labeling and Advertising Act.

The avowed purpose of the bill is to provide adequate warning to the public of the potential hazards of cigarette smoking. It would require the labels on cigarette packages to bear the statement: "Caution: Cigarette Smoking May Be Hazardous to Your Health."

The bill represents the response of the Congress to a report released on January 11, 1964, by the Surgeon General of the United States. Among its principal findings was the following:

> Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action.

Acting upon the call for appropriate remedial action, the Federal Trade Commission, after hearings, issued a trade regulation rule under date of June 22, 1964, requiring that, in connection with the sale, offering for sale, and distribution of cigarettes in commerce—as defined in the Federal Trade Commission Act—all advertising and every pack or other container in which cigarettes are sold to the consuming public, disclose "clearly and prominently that cigarette smoking is dangerous to health and may cause death from cancer and other diseases."

Originally the effective dates of this regulation were January 1, 1965, with respect to labeling and July 1, 1965, with respect to advertising, but the FTC, at the request of the Committee on Interstate and Foreign Commerce, deferred the effective date of the labeling requirement to July 1, 1965, in order to give the committee an opportunity to consider legislation on the subject.

Mr. Chairman, I submit that H.R. 3014 is seriously deficient in two respects. In a medical sense, it minimizes the health hazards in cigarette smoking by requiring that cigarette packages carry only a tentative note of caution. Such a warning is far weaker than the conclusions of the Surgeon General and other medical authorities on this subject. The word "may" might properly have been used, as the FTC proposed, in the phrase "may cause cancer." But to use it in the phrase "may be hazardous" is almost ridiculously cautious.

A second shortcoming of this bill is that it would shield the cigarette industry from any further requirements with regard to health warnings on labels or in advertising. The bill in effect would remove from the Federal Trade Commission the authority to regulate the labeling or advertising of cigarettes in this respect. Under section 6 of the bill, the FTC would be prevented from imposing any additional requirements with respect to labeling and advertising of cigarettes if the limited warning prescribed by Congress is printed on the packages. To the best of my knowledge, Mr. Chairman, such an industrywide prohibition against the FTC has no precedent. As the gentleman from California [Mr. Moss], stated in his minority views, the bill would make a "sacred cow" out of the cigarette industry in U.S. commerce.

H.R. 3014 would grant the cigarette industry a privilege afforded to no other interest in the Nation. On the strength of this precedent, we may well expect other interests to ask for the same nullification of FTC authority.

Another part of the bill, section 7, would prohibit State and local governments from imposing requirements with regard to cigarette labeling and advertising going beyond the mild requirements of H.R. 3014.

The gentleman from California [Mr. Roosevelt], proposed an amendment to delete this section 7 of the bill, and I supported his proposal. However, this amendment did not prevail.

It is bad enough for the Congress to deny the FTC power to safeguard public health. It is perhaps even more indefensible, I believe, for the Federal Government to preempt State and local officials from acting with regard to the cigarette industry, especially when the Federal regulation is so weak.

I note that the Senate version of this bill limits the interdiction on FTC regulation to a term of 3 years. This would certainly be preferable to the preemption of indefinite duration provided in H.R. 3014. I would hope, therefore, that the conference report will follow the Senate approach in this regard.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Cigarette Labeling and Advertising Act".

FINDINGS

SEC. 2. The Congress hereby makes the following findings:

(a) A Federal program dealing with cigarette labeling and advertising is desirable to provide national uniformity in labeling and advertising requirements for the cigarette industry.

(b) The production, processing and distribution of cigarettes, the employment directly and indirectly resulting therefrom, and the revenues derived from taxes imposed thereon, affect commerce and the national economy.

DECLARATION OF POLICY

SEC. 3. It is the policy of the Congress, and the purpose of this Act, to establish a comprehensive Federal program to deal with cigarette labeling and advertising with respect to any relationship between smoking and health, whereby—

(a) the public may be adequately informed that cigarette smoking may be hazardous to health by inclusion of a warning to that effect on each package of cigarettes.

(b) Commerce and the national economy may be (i) protected to the maximum extent consistent with this declared policy and (ii) not impeded by diverse, nonuniform, and confusing cigarette labeling and advertising regulations with respect to any relationship between smoking and health.

DEFINITIONS

SEC. 4. As used in this Act—

(a) "Cigarette" means any roll of tobacco or other substance wrapped in paper or in any substance other than tobacco, and intended for smoking.

(b) "Commerce" means commerce among the several States or with foreign nations, or in any territory of the United States or in the District of Columbia, or between any such territory and another, or between any such territory and any State or foreign nation, or between the District of Columbia and any State or territory or foreign nation.

(c) "Territory" means the insular possessions of the United States, the Commonwealth of Puerto Rico, and any territory of the United States.

(d) "Package" means a pack or box, carton, or container of any kind in which cigarettes are offered for sale, sold, or otherwise supplied to consumers.

(e) "Person" means an individual, partnership, corporation, or any other business or legal entity.

(f) "United States" means the States, the District of Columbia, and the territories and possessions of the United States.

(g) "Sale or distribution" includes sampling or any other distribution not for sale.

LABELING

SEC. 5. It shall be unlawful for any person to manufacture, import, or package for sale or distribution within the United States any cigarettes the package of which fails to bear the following statement: "Caution: Cigarette Smoking May Be Hazardous to Your Health." The foregoing statement shall appear in print contrasting to the background on either of the two side panels of the pack, or in the case of a cylindrical pack on the side thereof, in not less than ten-point type on a twelve-point body. In the case of boxes, cartons, or containers of any kind, other than the individual pack, containing cigarettes, the statement shall be printed in print contrasting to the background on a side in not less than twelve-point type on a fourteen-point base.

ADVERTISING

SEC. 6. Nothing herein contained shall be construed to limit or to expand the authority of the Federal Trade Commission with respect to the dissemination in commerce of any false or misleading advertisement of cigarettes, provided that the Commission shall not have authority in any proceeding under any statute administered by the Commission to require the inclusion in any advertisement of any statement concerning any hazard to health involved in smoking cigarettes where the advertised cigarettes have been packaged in conformity with the labeling provisions of this Act. No Federal agency shall require any additional caution statement on any package labeled in conformity with this Act.

PREEMPTION

SEC. 7. No caution statement with respect to smoking and health other than specified herein shall be required on any package. No caution statement with respect to smoking and health shall be required in advertising for cigarettes packaged in conformity with the labeling provisions of this Act.

CRIMINAL PENALTY

SEC. 8. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and shall on conviction thereof be subject to a fine of not more than $10,000.

INJUNCTION PROCEEDINGS

SEC. 9. The several district courts of the United States are invested with jurisdiction, for cause shown, and subject to the provisions of section 381 (relating to notice to the opposite party) of title 28, to prevent and restrain violations of this Act upon the application of the Attorney General of the United States acting through the several United States attorneys in their several districts.

CIGARETTES FOR EXPORT

SEC. 10. Cigarettes manufactured, imported or packaged (a) for export from the United States or (b) for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue laws of the United States shall be exempt from the requirements of this Act: *Provided,* That such exemptions shall not extend to cigarettes manufactured, imported or packaged for shipment to United States military vessels or shore-based activities wherever such vessels or activities may be located.

SEPARABILITY

SEC. 11. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the other provisions of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

EFFECTIVE DATE

SEC. 12. This Act shall take effect one hundred and twenty days after the date of its enactment.

Mr. HARRIS (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, that it be included in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: Page 4, line 9, immediately after "appear" insert "in print contrasting to the background".

Page 4, line 15, immediately after "printed" insert "in print contrasting to the background".

Page 5, beginning in line 2, strike out "concerning any hazard to health involved in smoking cigarettes" and insert in lieu thereof "with respect to smoking and health".

Page 5, line 6, immediately after "statement" insert "with respect to smoking and health".

Page 5, beginning in line 22, strike out "and subject to the provisions of section 381 (relating to the opposite party) of title 28,".

Page 6, line 22, strike out "twenty" and insert in lieu thereof "eighty".

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. VAN DEERLIN

Mr. VAN DEERLIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VAN DEERLIN: On page 4, line 10, strike out "either of the two side panels" and insert in lieu thereof "one of the two largest panels."

Mr. VAN DEERLIN. Mr. Chairman, this proposed amendment refers to the form of labeling that we shall adopt as a warning, especially to young people who may be tempted to smoke for the first time and whom we seek to warn with this legislation. I am cognizant of the fact that the author of the bill, the gentleman from Texas [Mr. ROGERS] has generously provided for 10-point type on a 12-point slug. The committee amendment has made it clear that the colors shall be contrasting so that the type shall be clearly visible. I am somewhat disturbed, however, by the fact that the only warning will appear on a thin side panel of the normal cigarette pack.

Mr. Chairman, when I proposed to rectify this situation in committee, I was not clear in the language that I offered. I offered an amendment in committee which proposed carrying the label on the front panel or back panel. This quickly led to some confusion over what is the front side of a pack of cigarettes which makes it seem on both front and back.

Mr. Chairman, the language I have offered today says that it shall be one of the largest panels on the pack.

Mr. Chairman, it is our responsibility, I believe, to require the manufacturers of cigarettes to label them so as to make people aware of the dangers to health, which dangers have been determined by a Government agency to be inherent in their use.

Mr. Chairman, if having read and understood the warning, people still wish to buy and smoke cigarettes, or any other tobacco product, it is most certainly their right to do so.

Mr. Chairman, the crux of the matter lies in the phrase, "having read and understood the warning."

It is our responsibility to make sure that they do read and understand it.

This means that the warning must be placed on the pack and be in large enough print so that the casual purchaser will almost certainly read it and have every opportunity of understanding it.

Mr. Chairman, this requirement cannot be met nor our responsibility fulfilled merely by allowing such a warning to be placed in fine print on one thin panel of the cigarette package. The requirement can be met and our responsibility discharged only by requiring that the warning message be printed in letters of clearly legible size on the front or the back. I mean by that the largest panel on every package of cigarettes. Only then, Mr. Chairman, as I said, can we feel that we have done all within our power to insure that the users of cigarettes, man or woman, teenage boy or girl, has read and understood the warning, and has been made aware of the possible danger to his health.

Then, Mr. Chairman, I think we shall be satisfied that we have done more than the irreducible minimum to drive home to the young people of America the warning that was contained in the report of the Commission on Smoking and Health.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I think the purpose of this amendment is very clear to the Members of the House. In the committee a similar amendment was offered by our friend from California. Its purpose was simply to make sure, if we are going to engage in the practice of advising people that these devices constitute a hazard to health, it should be made abundantly clear in the warning.

Mr. Chairman, the purpose of this amendment is to accomplish this purpose, to see to it that when one buys a package of cigarettes that he has a clear warning of the hazard to his health displayed prominently on the face of the package, or on a large side clearly visible to them, so that he may know that these devices constitute a hazard to him and to his health and welfare.

Mr. Chairman, I suggest very strongly that my colleagues on the Committee consider this amendment favorably and that the Committee do adopt this amendment. In my opinion it is clearly in the public interest.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I said in the debate this afternoon, the committee considered this problem and we understood there were a lot of complications that were involved in regard thereto. We did meet it, however, in the language of the bill, section 5, page 4, if the members of the committee will get a copy of the bill. I invite your attention to it.

I hold here, Mr. Chairman, a package of cigarettes that I borrowed from one of our colleagues. You can see here what kind of problem we would run into. We had the same example before the committee, because there is nothing sacrosanct about this particular type of package. It could be made in a different size and character altogether. We considered that proposal, and what we did was to say that the statement that would be required must be in print in contrast to the background. In other words, it would be very plain and visible to anyone who would purchase and utilize a package of cigarettes.

I think the amendment offered by the gentleman from California is completely impractical, and I therefore request that it be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

AMENDMENT OFFERED BY MR. O'BRIEN

Mr. O'BRIEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'BRIEN: On page 3, strike out lines 6 through 14 and insert in lieu thereof the following:

"(b) 'Commerce' means (1) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnson Island and any place outside thereof; (2) commerce between points in any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnson Island, but through any place outside thereof; or (3) commerce wholly within the District of Columbia, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, or Johnson Island.

"(c) 'United States', when used in a geographical sense, includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, and Johnson Island."

On page 3, strike out lines 20 through 22.

Mr. O'BRIEN. Mr. Chairman, my amendment does not go to the merits of this legislation, but provides a more precise geographic definition and avoids placing in this legislation the Commonwealth of Puerto Rico under the definition of "territory."

Mr. HARRIS. Mr. Chairman, we have had occasion to analyze the amendment offered by the gentleman from New York. This was discussed in committee, but it was after we had passed over that section. It was generally agreed at the time that the matter could more appropriately be adjusted when we came to the floor of the House.

Therefore, I am in position to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROOSEVELT

Mr. ROOSEVELT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendments offered by Mr. ROOSEVELT: Strike out section 7.

Mr. ROOSEVELT. Mr. Chairman, first may I apologize to the committee because I was not present during general debate, as the chairman of the distinguished Committee on Interstate and Foreign Commerce gave me permission to hold subcommittee hearings during general debate.

However, section 7, which I ask be stricken, is the preemption section. It would prohibit any State from taking any action which the State legislature or the authorities of that State find necessary in view of certain actions which are now prohibited, particularly under section 6, because under section 6 the authority of the Federal Trade Commission to regulate the advertising of this industry is practically stricken. I draw this to the attention of the Committee very humbly. If you will go through the record and look at the advertising of this industry and the claims that are made for cigarette smoking and all kinds of cigarettes, one kind over another, it seems to me that the basic question is whether the simple words of caution "Cigarette smoking may be hazardous to your health," may have any result, because of the tremendous advertising campaign which may well be put on and which therefore will actually mean those words are overlooked or minimized in a manner in essence will fool the public.

It seems to me, therefore, only right that any State would seize its duty to protect its citizens in at least being able to do such a thing as to regulate the advertising and should have the right to do so. But the way section 7 reads, unless I misread it, Mr. Chairman, it would prohibit any State not only from changing the caution words but it would prohibit any means of regulating the kind of advertising which might be published to overcome the implication of the words on the package as included in this bill.

Therefore, Mr. Chairman, while I might seem somewhat incongruous as a defender of States rights, may I say this is indeed a matter of States rights.

Mr. JOELSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am going to support this legislation because I do not think it can do any harm. But I think we delude ourselves if we think it is going to significantly stop the American public from puffing away contentedly. I think it is going to have as much effect as to put a label on heroin warning that heroin may be habit forming. I predict after this bill is passed many Members of this House are going to retire to the cloakroom and have a good cigarette smoke. I think if we really want to do something, we have to leave some latitude so that the advertising claims can be carefully scrutinized.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the last speaker has caused me to come to the well of the House to speak to you. I can assure my able and beloved friend, the gentleman from New Jersey [Mr. JOELSON], that I am not going to go out to the cloakroom and smoke a cigarette.

I have not smoked a cigarette since the Surgeon General spoke. I am not going to commit suicide. Instead, I wish the satisfaction of leading my younger colleagues in the way of good health and conduct they should travel.

If some of my colleagues have not yet stopped smoking, let me tell them that stopping if properly directed can give the greatest kick in the world. There is no pain to it. You want a cigarette and old habit gnaws on you, and you have the urge to surrender—then you say to yourself, "At last I am free, at last I do not have to reach into my pocket and get a cigarette and search for a match, and wear my strength out, puffing in smoke and puffing it out—a wierd and funny sort of way to live a life, from all of which I now am free." If my colleagues will approach in this manner the big question of whether it is better to keep on smoking or undergo the pains of quitting they will be in for a real adventure.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. Certainly, I yield to my good friend who inspired this talk of mine.

Mr. JOELSON. I would say to the gentleman, in my opinion since you have smoked before, you are the only advertisement for the benefits that come from smoking that I have ever seen.

Mr. O'HARA of Illinois. May I explain to my friend that I thought I might be getting a little old and perhaps before many more election days rolled around I should do something to get younger. So I stopped smoking.

Since I have stopped smoking, I calculate I have cut off about 20 years from my age but I have taken on about 20 pounds—and that I do not like.

Seriously, my colleagues, I would not want this opportunity to go by without preaching a sermon. Sometimes I have thought that the good Lord intended me to be a preacher—and I gummed it up.

But now let me tell you something that I observed many, many years ago. I was 30 years old and I was called upon to preside over the State senate in Illinois. You know when you are 30 years old, you think you know it all—at least you observe things—and I did observe things. I observed that there were three members of the State senate who did not smoke. I noticed that always when they got up to speak, they would be quicker on the trigger. That observation has remained with me through life.

I know that when somebody asks you a perplexing question, you do not quickly answer yes or no—you want to compose yourself, so you pull a cigarette out and take a few puffs—as though you were a philosopher. The puff on the cigarette can become the alibi for a lazy mind.

But I must go back a little bit further and tell you that when I was a boy, any man who smoked a cigarette was regarded as a queer fellow. You could not convince people otherwise.

There was a great prosecutor in New York. He prosecuted the Harry Thaw case. He was regarded all over the country as the top advocate of the law of that period—certainly the best known.

People could not understand how this fellow could smoke a cigarette. They would get together and say "How could he do it? How come he won that case? How could he move any jury? He seems to be an intelligent man, yet he must be a moron. He smokes cigarettes." That was the final verdict.

In the old days at Springfield when I presided over the State Senate of Illinois, we had a fine lady, Lucy Page Gaston. Every session she came in with her anticigarette bill. She never got any place with it. I do not think she ever got as many as 3 votes for it, yet everybody liked her, and in a way pitied her for giving her life to an unpaid service for a thankless cause.

Mr. Chairman, now I realize that Lucy Page Gaston wore the apparel of an angel and today my vote will be in testimony to the influence of this humble woman who many years ago had the faith in her mission and the courage to carry on. Perhaps she had her hand on JIM ROOSEVELT's head when he presented this amendment, for which I shall vote.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Chairman, I rise in opposition to the amendment.

This is one of the difficult problems the committee had to consider.

I am not an habitual smoker and I never have been. I have never criticized anyone for smoking. We do have the problem.

As I said earlier in the debate, this affects not only people and their desires and their habits, but also the Federal Government, the State governments, and, in many instances, the city governments.

It would be impossible for a cigarette manufacturer to manufacture cigarettes and label them differently for each city or each State. So we approached the problem on a practical basis. Consequently, we decided that this is an interstate problem.

Believe me when I say we do have interstate problems. We have responsibilities in respect to these interstate problems. We approached this as we did with the broadcasting industry. The Congress many years ago decided that this was an interstate problem. If we want to be practical about this problem, we must consider it to be an interstate problem.

If such an amendment as that proposed were adopted, it would, of course, subject the industry to a different type of labeling or advertising requirement, in various States and various cities.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I am glad to yield to the gentleman from California.

Mr. ROOSEVELT. I thank the good Chairman.

May I ask whether there is a preemption in the drug protection laws against all State action in respect to drug advertising and labeling?

Mr. HARRIS. Not at all. Most of our Federal labeling laws having to do with food and drugs have an application where "not in conflict herewith." We have built our Federal laws in the Food and Drug Act around existing laws in many of the States.

In the bill we had under consideration in the last Congress, and one earlier in this Congress, I believe, we recognized that problem and built the legislation around the State laws in order to make them work harmoniously.

Mr. ROOSEVELT. So, in essence, there is no preemption in the drug laws and the States do have the right to act, whereas this would be prohibiting them in the matter of cigarettes?

Mr. HARRIS. There are hundreds of drug manufacturers producing thousands of drugs, many sold only intrastate. There are only a few cigarette manufacturers producing a comparatively small number of brands of cigarettes which are sold throughout the 50 States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken; and on a division (demanded by Mr. ROOSEVELT) there were —ayes 102, noes 107.

Mr. BURTON of California. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROOSEVELT and Mr. HARRIS.

The Committee again divided and the tellers reported that there were—ayes 91, noes 146.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FINO

Mr. FINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINO: On page 4, strike out lines 7 and 8, and insert in lieu thereof the following: "bear the following statements: (1) 'Caution: Cigarette Smoking May Be Hazardous to Your Health' and (2) A statement of the nicotine content and tar content of the total number of cigarettes in the package. Each such state-".

On page 4, line 14, after "the statement" insert "set forth in clause (1) of the first sentence of this section".

Mr. FINO. Mr. Chairman, first, I would like to take this opportunity to compliment the committee and its able chairman, the gentleman from Arkansas [Mr. HARRIS], for the wisdom it showed in bringing out this Cigarette Labeling Act.

There is no question in my mind, and I doubt whether there is any question in the minds of the Members of this House, that Federal legislation is needed to protect the smoking public.

Mr. Chairman, the amendment that I have offered is an amendment to put some teeth into this bill. This bill as it now appears before us merely requires a statement that cigarette smoking may be hazardous to health, to be visibly set forth on the package.

Now, ladies and gentlemen of this House, I would like to ask: What real good is this item standing alone? Everyone knows, and I think we should all be convinced by this time, that cigarette smoking is hazardous to health. More than a mere statement of "hazard" should be included in this bill.

Mr. Chairman, for the past 10 years, I have introduced legislation, including legislation this year, H.R. 4244, to require that cigarette packages include not only the warning but statements of nicotine and tar content of the cigarettes. These represent the deadly statistics about which the cigarette-buying public should be informed. These are the statistics that the tobacco lobby is deadly afraid of. This is what the Congress ought to give the people—the right to know—if we are serious about lessening the health menace of cigarette smoking.

Mr. Chairman, the deadly effect of the tars in cigarettes, for example, has been indisputably proven. In the April 1965 issue of the Journal of the National Cancer Institute it was established that the incidence of skin tumor in mice varied very directly with the amount of tar in the cigarette smoke applied to the mice. In other words, the amount of tar in the cigarette was directly related to the mortality rate of the mice.

I believe that the statistics showing the amount of a fatal substance like tar ought to be required on every cigarette package.

Smokers themselves, according to the National Center of Health statistics, revealed that 70 percent of those questioned thought that cigarette smoking was enough of a health hazard for something to be done about it. By a ratio of 2 to 1 those interviewed favored compulsory warning on cigarette packages. Eight out of ten also said they believed that a statement of tar and nicotine content should be required on each package.

Mr. Chairman, there is no need to dwell on the relationship between nicotine and health menace. Time and time again I have heard representatives of interested parties claim that there is no proven relationship between the ingredients of cigarettes and cancer. But the studies proving the contrary are legion, and establish that fact beyond any question of doubt.

I firmly believe that it is essential to the health of this Nation that these statistics be on each package of cigarettes. This is particularly true of the statistics of tar concentration in view of the fact that there is a direct link between the amount of tar and the fatality of the cigarettes.

I urge this House to act to see to it that these statistics are required to be printed on each package, and to that extent I have offered this amendment to require that each cigarette package sold in interstate commerce be required to have a statement of the nicotine content and the tar content of the total number of cigarettes in the package.

I urge the Members of this House to support this amendment as the most effective way to truly indicate to the public the actual menace of the cigarettes that are being purchased. I believe that a vote against this sort of disclosure is a vote against the best health of the people of this country.

Mr. Chairman, I simply urge the Members of this House to give serious consideration to this amendment because in my opinion this bill is not worth the paper it is written on unless you put teeth in it, and the tar and nicotine warning will provide the needed teeth to this bill.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Chairman, I rise in opposition to the pending amendment.

I appreciate the intention behind the amendment which the gentleman has offered. I can certainly understand his viewpoint. We heard testimony from many people who are specialists in this field. The Surgeon General's report deals with the subject. Certainly they did not come to any such conclusion as the gentleman has proposed.

During the course of the hearings Dr. Luther L. Terry, Surgeon General, testified and told our committee that this is not involved here at all. I do not believe the House would approve such an impractical approach to this problem.

I therefore ask that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FINO].

The amendment was rejected.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on the pending bill do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BROOKS, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee having had under consideration the bill (H.R. 3014) to regulate the labeling and advertising of cigarettes, and for other purposes, pursuant to House Resolution No. 421, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. RUMSFELD. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. RUMSFELD. I am, in its present form.

The Clerk read:

Mr. RUMSFELD moves to recommit the bill, H.R. 3014, to the Committee on Interstate and Foreign Commerce.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. BURTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the RECORD at the appropriate place on the bill just passed and to include therewith such extraneous matter as would be appropriate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Cigarette Labeling Act".

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "cigarette" means any roll of tobacco, wrapped in paper or any substance other than tobacco.

(b) The term "package" means a package, box, carton or container of any kind in which cigarettes are offered for sale, sold, or otherwise supplied to consumers.

(c) The term "person" means any individual, partnership, corporation, or any other business or legal entity.

(d) The term "sale or distribution" includes sampling and means of distribution other than sales.

(e) The term "United States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

LABELING

SEC. 3. It shall be unlawful for any person to manufacture, import, or package for sale or distribution within the United States any cigarettes the package of which fails to bear the following statement:

"Caution: Cigarette Smoking May be
Hazardous to Your Health."

The foregoing statement shall be located on the front or back panel of every package, box, carton or other container in which cigarettes are offered for sale, sold, or otherwise supplied to consumers and shall appear in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the package.

PREEMPTION

SEC. 4. (a) No statement relating to smoking and health, other than the statement required by section 3 of this Act, shall be required on cigarette packages.

(b) No statement relating to smoking and health shall be required in the advertising of any cigarettes the packages of which are labeled in conformity with the provisions of this Act.

(c) Except as is otherwise provided in subsections (a) and (b), nothing in this Act shall be construed to limit, restrict, expand, or otherwise affect, the authority of the Federal Trade Commission with respect to unfair or deceptive acts or practices in the advertising of cigarettes.

(d) The Federal Trade Commission, with the cooperation of the Department of Health, Education, and Welfare, shall transmit a report to the Congress not later than eighteen months after the effective date of this Act, and annually thereafter, concerning (1) the effectiveness of cigarette labeling, (2) current information on the health consequences of smoking, (3) current practices and methods of cigarette advertising and promotion, and (4) such recommendations for legislation as it may deem appropriate.

(e) The provisions of subsection (b) shall be effective only for the three-year period beginning on the effective date of this Act.

CRIMINAL PENALTY

SEC. 5. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and shall on conviction thereof be subject to a fine of not more than $100,000.

INJUNCTION PROCEEDINGS

SEC. 6. The several district courts of the United States are invested with jurisdiction, for cause shown, to prevent and restrain violations of this Act upon application of the Attorney General of the United States acting through the several United States attorneys in their several districts.

CIGARETTES FOR EXPORT

SEC. 7. Cigarettes manufactured, imported, or packaged (1) for export from the United States or (2) for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue laws of the United States shall be exempt from the requirements of this Act, but such exemption shall not apply to cigarettes manufactured, imported, or packaged for shipment to United States military vessels, installations, or shore-based activities wherever such vessels, installations, or activities may be located.

SEPARABILITY

SEC. 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the other provisions of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

EFFECTIVE DATE

SEC. 9. This Act shall take effect one hundred and twenty days after the date of its enactment.

Mr. HARRIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: Strike out all after the enacting clause of S. 559 and insert the provisions of H.R. 3014, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill, H.R. 3014, was laid on the table.

APPOINTMENT OF CONFEREES

Mr. HARRIS. Mr. Speaker, I move that the House insist upon the amendment of the House to the Senate bill, S. 559, and ask for a conference thereon.

The motion was agreed to.

The SPEAKER. The Chair appoints the following conferees: Messrs. HARRIS, ROGERS of Texas, O'BRIEN, KORNEGAY, SPRINGER, YOUNGER, and NELSEN.

DEDICATION OF HISTORIC ASSEMBLY ROOM OF INDEPENDENCE HALL AT PHILADELPHIA, JUNE 28, 1965

The SPEAKER. Pursuant to the provisions of House Resolution 426, 89th Congress, the Chair appoints as members of the delegation to attend the dedication of the Historic Assembly Room of Independence Hall, to be held in Philadelphia, Pa., on June 28, 1965, the following Members of the House: Mr. BYRNE of Pennsylvania, chairman; Mrs. KELLY, Mr. NIX, Mr. GALLAGHER, Mr. CURTIN, Mr. CAHILL, Mr. MCDADE, Mr. JOHNSON of Pennsylvania.

TWENTIETH ANNIVERSARY OF UNITED NATIONS—JUNE 26, 1965 "INTERNATIONAL COOPERATION YEAR"

Mr. FASCELL. Mr. Speaker, before the House passed Senate Concurrent Resolution 36, it was amended to correct a typographical error that appeared in the reported version of the resolution.

Upon further investigation, I find that the engrossed copy of the Senate concurrent resolution is correct and that no amendment was necessary.

Therefore, Mr. Speaker, I ask unanimous consent that the proceedings whereby Senate Concurrent Resolution 36 was amended and agreed to be vacated and that it be considered as agreed to without amendment.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The Senate concurrent resolution is as follows:

S. CON. RES. 36

Whereas the year 1965 marks the twentieth anniversary of the United Nations, which will be celebrated in San Francisco on June 26, 1965; and

Whereas the United Nations General Assembly has designated the year 1965 as "International Cooperation Year"; and

Whereas the President of the United States has proclaimed 1965 as "International Cooperation Year," and has set up a broad program within the executive branch to review our present international policies in cooperation with a bipartisan group of distinguished private citizens; and

Whereas the President has charged those participating in the International Cooperation Year program to "search and explore and canvass and thoroughly discuss every conceivable approach and avenue of cooperation that could lead to peace"; and

Whereas the International Cooperation Year program will culminate in a White House Conference on International Cooperation which the President has announced he will convene in November 1965; and

Whereas during the twenty years of its existence the United Nations has played an important, and at times crucial, role in pursuit of one of its stated purposes "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind"; and

Whereas during that time the United Nations has also performed a valuable service through the specialized agencies and otherwise in helping to establish human rights and to eliminate those ancient enemies of mankind—hunger, poverty, disease, and ignorance: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the United States of America rededicates itself to the principles of the United Nations and to the furtherance of international cooperation within the framework of law and order; and that all other members of the United Nations are urged to do likewise.

SEC. 2. It is further the sense of the Congress that in connection with the examination for International Cooperation Year of United States participation in international cooperative activities, the executive branch should—

(1) review with a high sense of urgency the current state of international peacekeeping machinery with a view to making specific suggestions for strengthening this machinery, (2) review other major elements of international community and cooperation with a view to making specific suggestions to promote the growth of institutions of international cooperation and law and order, and (3) review urgently the status of disarmament negotiations with a view to further progress in reducing the dangers and burden of competitive national armaments.

SEC. 3. In order to provide for participation by the Congress in the White House Conference on International Cooperation, subject to an invitation by the President, there is hereby created a congressional delegation of twelve members to be composed of six Members of the Senate appointed by the President pro tempore of the Senate and six Members of the House of Representatives appointed by the Speaker of the House of Representatives. Any vacancy in the membership of the delegation shall be filled in the same manner as in the case of the original appointments.

A motion to reconsider was laid on the table.

COINAGE ACT OF 1965

Mr. CONTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, I want to call to the attention of my colleagues the absence of H.R. 8926, the Coinage Act of 1965, from the program for the House this week. It is indeed unfortunate that the Rules Committee has not given a ruling on this bill to the Committee on Banking and Currency enabling them to bring this matter of great urgency and importance before the Committee of the Whole House.

For the past 2 years, Mr. Speaker, I have advocated that a change in our coinage system must be made, one which would eliminate the dependence of our coins, as a circulating medium of exchange, upon a tenuous supply of silver for the minting of these coins. During the last session of Congress, I introduced a joint resolution providing for a study and report to Congress by the Secretary of the Treasury concerning the use of some material other than silver in the minting of subsidiary coins.

I pointed out at that time, as I have done repeatedly during this session of Congress, that:

There is an increasing gap between the consumption of silver and the supply of that precious metal;

The U.S. consumption of silver, for coinage alone, exceeds the annual free world production;

The day is at hand when there is just not enough silver to fulfill the requirements for either coinage or industry;

There is no workable substitute for many of the uses of silver in industry; but

There are substitutes for silver in the metal content of our subsidiary coins.

I asked, in the joint resolution, that the Secretary of the Treasury make an immediate and intensive study of possible substitutes for silver in the minting of subsidiary coins and report to the Congress the results of this study, together with legislative recommendations for a new system of coinage for this country—sufficient to meet the demands that are being made and will be made on that system.

I have seen my efforts, and those of my colleagues here in the Congress who are aware and concerned about the problems confronting our coinage system, come to fruition within the last, too few, and too short days. But, just as so many of us had feared that we had been forced to wait until the last possible hour to make a change in our coinage system, that could be a timely and orderly transition, it now appears that we have been hurried through the important initial phase of the legislative process for the new coinage system, only to wait and wait and lose the momentum that had been gained.

The old clichés that "time is money" and "the price of delay is dear" aptly characterize the situation with which we are now confronted. In this instance, I can cite for you the cost of that delay, for each hour, each day, or each week that it may be prolonged.

The President's message on coinage and the accompanying Treasury staff study of silver and coinage were placed in our hands at noon on Thursday, June 3. Less than 24 hours later, at 10 o'clock in the morning, on Friday, June 4, the gavel rang down opening hearings before the House Banking and Currency Committee on the Coinage Act of 1965. Those hearings were conducted in an atmosphere of urgency, prompted by the statements made both by the President and the Secretary of the Treasury urging approval of the new coinage system at the earliest possible date.

I asked, on the day that we received the President's message and legislative recommendations, that we all be given time to study these proposals before hearings were initiated. That time was not made available and forced many of us to work long hours during the few days that were set aside for hearings, in order to adequately evaluate the complex new proposals so that constructive criticisms and suggestions could be made. We met that challenge and the Banking and Currency Committee has acted competently and with dispatch. The extra efforts of that committee and all of the individuals who appeared before it during its hearings would have been justified by the continued speedy response of this body to the requests of the administration.

But, the time gained by those efforts is now being whiled away in the idle hours during which we await a ruling from the Rules Committee. Each day that passes that we are unable to act on this important piece of legislation is another day that the present silver-content coins will be minted—minted at an annual rate of 9 billion coins and a silver consumption of more than 300 million ounces, over 10,000 tons.

At the average minting rate of the subsidiary coins for the calendar year 1965, each day is accounting for the use of almost a million ounces of silver from a silver supply, the very criticality of which, has prompted the need for this legislation, now.

The President said in his message to the Congress on the new coinage system, that:

> Prompt action on a new coinage will help us protect the silver coinage by freeing our silver reserves from redemption of silver certificates at $1.29 per ounce. Thus, we can assure that no incentive will be created for hoarding our present coins in anticipation of a higher price for their silver content.

Every day that we delay weakens our ability to effect a transition to the new system of coinage—a transition that would not have been easy 2 years ago and promises to be quite difficult today.

Every day that we delay costs us approximately 1 million ounces of silver. Those 1 million ounces of silver that will be used today, and another tomorrow, and so on until we make the transition to a new system of coinage, would have supplied the photographic industry with its silver requirements for more than a week; it would have been more than 2 weeks' supply of silver for the electronics industry; 1 million ounces of silver is enough to meet the needs of the battery manufacturers of the United States for an entire month and are equivalent to an entire year's silver supply for the missile industry.

The bill for which this body is waiting is a fine piece of legislation. It is not just another in the long line of remedial, stop-gap measures that have been tried to cure the ills of our ailing coinage system. It is a measure that meets the dual problems of coinage and silver head-on. It looks to the future of this country's coinage with the breadth of vision of our predecessors, who gave us our system of coinage more than 173 years ago.

I believe that those of us here today are impatient to get on with the business of this country with a system of coinage that will fulfill its primary function as a medium of exchange in the commercial transactions of the millions of coin users.

THE QUEST FOR PEACE

Mr. NIX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NIX. Mr. Speaker, along with the relentless revolution for human rights, the other vibrant and compelling issue in the world of today is the quest for peace. Even those of our citizens who live in the most remote sections of our country cannot help but be aware of the widespread interest expressed by an ever-increasing variety of our citizens in world peace and equal justice for all people, without regard to race or color.

It has been made abundantly clear in recent months that the quest for peace and the posture of our Nation as reflected by our foreign policy is a matter of growing concern on the part of hundreds, yes, thousands of our citizens. Mr. Speaker, this is as it should be. This is evidence that our country is indeed in a state of excellent health. History has shown that as surely as day follows day, a country will wither and die if the interest of its citizens is lost.

I wish, among other things, to remind my colleagues that the press and other media of communication in our country has in the past, and will continue in the future, to serve as the architect in great measure of public opinion. It is, therefore, of the greatest significance that in recent weeks, many of our great newspapers, and in particular the Philadelphia Bulletin of June 4, 1965, in an article titled, "GOP on Vietnam," had the following to say:

> The Republican coordinating committee's first statement on foreign policy is pretty good evidence of bipartisan support for the war in Vietnam. Where the composers seemed to try hard to be critical, they wound up proposing things the Johnson administration is either doing or aiming at doing. If there was any real point of difference, it was in a mildly put contention that the administration ought to plunge deeper militarily than it has.
>
> There appeared to be criticism in the assertion that our military effort was designed to bring about a diplomatic settlement, rather, one is led to suppose, than a complete military defeat; but then the suggestion is later made that a conference of nations be called to "join us in ending the war." It was further said that the problem in Vietnam is not exclusively military, but is also political, economic, and social, a point the administration has made over and over.
>
> President Johnson was urged to make this country's policy in southeast Asia clearer, but even those who disagree with our policies have the impression that what we are trying to do there has been amply explained.
>
> All in all, the GOP committee's first venture in foreign policy was constructive, for it underlined the essential bipartisan agreement on a difficult situation that needs such agreement, rather than sharp partisan carping.

I offer the opinion that the article just set forth represents the kind of sound and substantial editorial thinking that argues well for the preservation of our great Nation.

I invite the attention of my colleagues now to an editorial in the Philadelphia Inquirer as of Saturday morning June 5, 1965, titled: "They Refuse To Negotiate." And, I quote the article:

Those misguided zealots who have been aiding the Communist cause by denouncing U.S. failure to negotiate a peaceful settlement in Vietnam should take time out from their banner waving to read the white paper just released by British Foreign Secretary Michael Stewart.

The United States has been willing all along to negotiate, but has found nobody with whom to negotiate.

The Foreign Secretary relates the frustrations met by the British Government in trying to get Soviet Russia, Communist China, and North Vietnam to agree to a conference on Vietnam. When the futility of getting Peiping and Hanoi to negotiate became evident, Britain centered its efforts upon Moscow. When Prime Minister Wilson brought the subject up at a conference with Soviet Foreign Minister Gromyko, he was turned down completely.

The next proposal was for a conference concerning Cambodia, with the implied intention, once all the interested parties were present at Geneva, of approaching the issue of Vietnamese settlement on an unofficial basis. To British suggestions in this connection, the Soviet Government has not bothered to give any kind of reply.

There had been some hope initially that Peiping and Hanoi would participate in a meeting on Cambodia, but their insistence, in which they were joined by Prince Sihanouk, that South Vietnam be represented by the Vietcong, jammed on the brakes. Now, belatedly Prince Sihanouk has notified Britain's Prime Minister that he is willing to leave the question of South Vietnamese representation up to Britain, the United States, Russia, France, and Red China.

This is a small opening, but it could lead to a revival of the Cambodia plan, provided the Communist regime would agree to meet.

Soviet Russia holds the key, because its agreement or refusal to attend a new Geneva meeting could have a great influence on Hanoi.

President Johnson's appeal to the Russians to support moves for world peace, in his speech in Chicago on Thursday, could be taken in Moscow as a prod toward Vietnamese negotiation.

The Communist powers cannot say that they have not been asked, and urged, to support peace in Vietnam through negotiation. We continue to ask, and to urge, and they continue to refuse.

Here, again, a great newspaper has set the tone for the thoughtful American and has emphasized the fact that there is wisdom and truth, patience and persistence in the foreign policy of the United States of America as formulated and pursued by our great President.

Finally, Mr. Speaker, I offer for the consideration of my colleagues, an article from the New York Journal-American, dated Sunday, June 6, 1965, titled: "Watch on the Potomac: Wanted: Ideas, Not Gripes," which I quote and incorporate along with others in my remarks:

WASHINGTON.—Several months ago the President invited some leaders of Americans for Democratic Action and other liberals to his Office for an off-the-record conference. He had heard of their discontent with his Vietnam policy and that they were somewhat irritated or impatient, about other matters.

The talk lasted about 90 minutes and, on the whole, was friendly. But after it was over, an observer, not a participant, told me that he considered the session a waste of time.

"The one thing I learned a long time ago," my friend said, "is that you do not spend an hour and a half with this President, telling him what a mess we are in, or how serious the problems are. He knows this far better than those who are lecturing him. What the President likes to hear are suggestions for improving the situation."

So far as I know the President himself has never characterized the meeting and since he gave so much of his time he may have found the conversation stimulating. Some of those who entered the White House in a skeptical mood told me they came away impressed with the extent of the President's knowledge and his attentiveness.

Many years ago I attended a similar session with Franklin D. Roosevelt. Then the issue was American intervention in Europe. But this was before Hitler had attacked the Soviet Union and several participants in the talk took the line that Great Britain was just an imperialist power, not worth defending. Some of the questions directed at F.D.R. were unbelievably abusive and insulting; the defenders of the Nazi-Soviet pact were writing off the New Deal as a fraud and F.D.R. as a reactionary.

After F.D.R. left the room, Harry Hopkins gave the pro-Soviet part of the audience a dressing down that many will never forget. "How dare you," he told one of the more offensive questioners, "waste this man's time with such drivel?"

Johnson, in far politer language, is letting the liberal community know that he expects more of them than just carping criticism. This applies to certain columnists and editorialists, too, who seem to be infatuated with the idea that they are a breed apart, with only negative responsibilities concerning the Nation's welfare.

While scholars and students are expected to be a primary source of useful new ideas, they are not the only ones who have this responsibility. So does the loyal opposition.

The Nation's top Republicans, including Nixon, Romney, Scranton and Goldwater, recently conferred here.

For sheer unproductiveness in the realm of new thoughts this conference could hardly be beat. The whole attitude seemed to be that the GOP was not going to "bail out" the Johnson administration. In itself that was indicative of how out of touch with reality the GOP leaders had become; if ever there was an administration that does not need bailing out this is it.

Strong political pressure from left or right is valuable in a democracy, but just to recite the problems without offering alternatives is of limited value.

Now, Mr. Speaker, I wish to close my remarks by emphasizing the fact that it is the consensus that the foreign policy of our country is in the hands of a great and dedicated President of the United States; that his course of action has been geared to the interest of the United States of America, as well as to the protection of human rights of all men. Therefore, it behooves those of our countrymen who criticize without adequate information, who form critical judgments without proper analysis, to realize that this is a time which demands that the uninformed become informed, and that criticism be constructive.

COMMENTS ON PRESIDENT JOHNSON'S SPEECH AT HOWARD UNIVERSITY

Mr. GILLIGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, since President Johnson's speech at Howard University was inserted in the RECORD, several editorials have appeared around the country which comment on the President's speech.

I think this speech by President Johnson is one of the most significant made by any President and certainly the most significant of recent times concerning the role of the Negro in our society.

The editorials follow:

[From the Washington (D.C.) Post, June 9, 1965]

THE TWO NATIONS AND THE PRESIDENT

(By Marquis Childs)

Every now and then comes a landmark that promises to divide one era from another. It may not be immediately recognized but sooner or later the long shadow it casts is bound to be, evident.

President Johnson's commencement speech at Howard University is already beginning to achieve that recognition. In the boldest and most eloquent way he confronted the harshest truth. That is that everything done so far to right the centuries of injustice done the Negro is only the smallest beginning.

What makes this even more impressive is that the President, above all others, knows what the cost has been in the progress achieved to date. He knows the hours upon hours of intensive effort spent in helping to guide the voting rights bill through the Congress. He knows the midnight sessions with reluctant Members of Senate and House, the innumerable tallies that could never take for granted at the outset the large majority finally mustered, the calculations based on the shrewdest knowledge of the forces for and against. And the voting bill had seemed to be the triumphant climax of a decade of effort.

But, quoting Winston Churchill in another context, he said that the victory was not the end nor even the beginning of the end but the end of the beginning. As others have observed, this was the speech of a President who might have rested on a political claim to a score that in view of all the obstacles out of the past was impressive.

Instead he chose to look at the hard facts of Negro inequality that equal rights, in the sense in which it has been understood in the decade of struggle, can never cure. Speaking to the graduating class at Howard, one of the first institutions of higher learning for the Negro, he recited the figures on Negro poverty, Negro unemployment, Negro losses in almost every area in relation to white gains.

The President delivered this historic speech, and many are already saying it is just that, on a Friday evening. This meant that in a week crowded with events and with previous Presidential statements it did not get the attention it might otherwise have had. As the significance of the President's word comes through, however, the landmark nature of his utterance is unmistakable.

He spoke of the Negro as belonging to "another nation," in which he had been deprived of freedom, crippled by hatred, the doors of opportunity closed to hope. The two nations existing side by side under the comforting and, as events have shown, wholly false doctrine of "separate but equal," to bring these two nations together in one whole; that was the meaning of the Howard University speech.

More than a century ago Disraeli, one of Britain's great Prime Ministers; posed this same dilemma of "two nations." For Disraeli, then a young Tory reformer, the one nation was the rich upper class exploiting the mass of the poor living in the degradation and horror of the industrial revolution who made up the second nation. Not only a rising politician but an accomplished novelist, Disraeli chose to dramatize the gulf between the two in a novel, "Sybil of the Two Nations." It had a far-reaching effect in arousing opinion to how dangerously wide was the separation between the two.

The two nations in this century today are separated, as the President frankly recognized, by color as well as by poverty and physical isolation. One of the remarkable aspects of the speech was the way in which he, a southerner born and bred, faced up to this barrier and the profound difficulties in the way of its removal. Other minorities that have fought their way out of oppression and discrimination have not confronted exclusion because of color—what the President called "a feeling whose dark intensity is matched by no other prejudice in our society."

Characteristically, Mr. Johnson did not stop with words. He proposed a conference in the fall with the theme and title, "To Fulfill These Rights." Jobs, welfare programs, decent houses—these are all within reach with the realization that what has been undertaken so far in the war on poverty is only the smallest token beginning.

But they are only part of the answer. The conference in the fall is intended to search deeper for the answers beyond the formal programs and the proposals thus far put forward within the current political framework.

Having staked out this new territory and dedicated the expanding efforts of his administration to its conquest, the President was clearly aware of the landmark nature of his speech.

[From the New York (N.Y.) Times, June 6, 1965]

To Fulfill These Rights

President Johnson has addressed himself boldly to what is unquestionably the most basic and also the most complicated phase of the civil rights struggle—the need for translating newly reinforced legal rights into genuine equality. In his Howard University commencement speech, the President exhibited the same forthrightness and resolve he used to drive the Civil Rights Act through Congress and is now applying to smash barriers to Negro voting.

The difficulty, however, is that the second phase of the struggle does not lend itself to the same clear types of solution as the first. A courageous President, backed by the aroused conscience of the Nation, could—and did—accomplish in a year or two the destruction of legal walls that have penned the Negro into a ghetto of undereducation, wretched housing, low pay, job exclusion, and social neglect.

But giving the great mass of ghetto dwellers the ability to walk through the gates of hope and opportunity presents a vastly more challenging assignment. The nature of that challenge was well indicated by Mr. Johnson's citation of statistics showing that Negroes, already at the bottom of the economic scale, have been slipping even further behind in the years of maximum prosperity since World War II—the years in which they have made their greatest progress in establishing their right to equal treatment by law.

Bayard Rustin, the ranking economic philosopher of the civil rights movement, noted at a recent New York conference how inexorably changing technology is snuffing out the unskilled and semiskilled jobs that have historically been the mainstay of Negro employment. If every Negro were changed into a white man overnight, Mr. Rustin observed, he would not be able to get a job because business today does not want what he has—muscle power.

The cures for the social afflictions that hold the Negro in thrall lie in public and private programs that make the present war on poverty and all its related undertakings for expanded education, urban renewal, and improved welfare services seem incredibly puny. In the absence of much more massive action to engender full employment, clear the slums, and make more schooling available to more people, the chief effect of these programs may be to confront the United States with problems not unlike those of the revolutions of rising expectations in Africa and Asia.

The conference the President intends to hold at the White House next fall with the theme, "To Fulfill These Rights," will have as its mission the development of an action program as crucial for the country as it is for the Negro.

[From the New York (N.Y.) Post, June 7, 1965]

To Fulfill These Rights

By now the Nation is accustomed to surprises from President Johnson, but his commencement address at Howard University was a most extraordinary document. Others may consider it routine by now to hear the first southerner in the White House since the Civil War present the agenda for the next stage in the civil rights revolution, but we find it profoundly moving and memorable.

In accents that were almost Churchillian and phrases that will become battlecries, the President defined where we are in the struggle to right "the one huge wrong of the American Nation" and where we must go from here.

With the passage of the Negro Voting Rights Act, the President said, the legal barriers in the way of equality and opportunity are being leveled. Now the Nation has to advance from equality as a right and a theory to equality as a fact and as a result.

The period that has just ended constituted the struggle to secure these rights; the challenge ahead is to fulfill these rights. Mr. Johnson did not minimize the difficulties. There is a growing Negro middle class but the mass of Negro Americans are still another nation. In employment, income, infant mortality, and the like, the majority of Negroes are losing ground every day in relation to white America.

It will not be easy to overcome this widening gulf, the President emphasized. Poverty is self-perpetuating and there is a bitter legacy of color prejudices. Other minorities have overcome poverty and discrimination, but their experience, he indicated, was not wholly relevant. These other groups were not excluded "because of race or color, a feeling whose dark intensity is matched by no other prejudice in our society." For other groups, success and achievement could wipe away the wounds of intolerance, but such gains do not change the color of a man's skin.

To plan the strategy and goals of the next phase of the civil rights struggle, Mr. Johnson is convening a White House Conference. Its theme will be to fulfill these rights.

Even before it convenes, all Americans could probably study and digest the President's magnificent address. It should be made obligatory reading in the classroom, expounded from the pulpit, and explained in the press until it becomes the basic doctrine of our age.

HOW TO PROTECT YOURSELF—IN THE STREETS AND IN YOUR HOME

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, the Washington Star is rendering a great public service in the publication of a series of articles, "How To Protect Yourself—in the Streets and in Your Home." This series commenced in the Sunday, June 20, 1965, edition of that newspaper. As I understand it, on completion of the publication of the series, the articles will be available in book form.

This action by the newspaper should prove to be of great value to the people of the District of Columbia in that it points out ways and means to guard against crimes of violence being committed so often in the District of Columbia.

The frequency of these crimes of violence are indicated in a story in the Sunday Star of June 20, 1965, by Miriam Ottenberg entitled "Burglars Strike Every 56 Minutes." This well written article brings to our attention in a dramatic manner the unbelievable high incidents of burglaries in the daytime and the nighttime in the city of Washington.

It seems to me that we can ill afford to ignore the message of these two articles. They point clearly to the need of legislative action which will provide effective weapons to law enforcement officers and courts in the District of Columbia at the earliest possible date.

The omnibus crime bill, which the House passed by a two to one vote, will, in my judgment, provide some of the tools that are needed in this battle against crime. The legislation is now pending in the other body. It should be immediately brought to the floor over there in order that the Members of the U.S. Senate may be given an opportunity to express their sentiments as to whether it constitutes proper legislation. If the bill needs amendment, in the judgment of the Senate, they can do that; and then the conferees of the House and of the Senate can arrive at some consensus as to the final language of the legislation.

I urge immediate action on the omnibus crime bill and hope that such action will be forthcoming.

Under unanimous consent, I include the two articles referred to as part of my remarks.

How To Protect Yourself—On the Streets and in Your Home—Chapter 1

USE YOUR DOOR FOR PROTECTION

(Note.—This series is from the book "How to Protect Yourself—On the Streets and in

Your Home," by Gene Accas and John H. Eckstein, originally published by This Week magazine in association with Pocket Books, Inc. This is the first of 12 installments to be published in the Star every Sunday. The crime rate in Washington continues to climb. There are two and a half times more robberies here now than in 1960. Burglars are hitting Washington homes, stores, and offices at the rate of 1 every 56 minutes. In this manmade jungle, what can you do to reduce your chances of becoming a crime statistic? By following simple precautions and observing the commonsense advice that follows, you can reduce the chances of trouble coming your way. Protection starts at home.)

(By Gene Accas and John H. Eckstein)

As soon as you move into your new home (either an apartment or a private house), have all the outside locks changed. There may be several duplicates of your set of keys for the old locks.

Here are some security rules to follow in connection with the keys to all the outside doors on your house or apartment:

1. Your local locksmith is the man to see about changing the locks. Try to find one you can trust. (In some jurisdictions locksmiths are licensed, but this is not the case in the District, Maryland, or Virginia.)

2. Do not be generous with duplicate keys. Don't give them to friends who might visit from time to time. Don't give them to delivery people or domestics.

3. Above all, don't "hide" a key under the mat, in a flowerpot, or on the ledge over the door. Burglars know about these supposed hiding places and will look there first.

4. You should give copies of your keys to the building superintendent only if you are absolutely sure that he is a responsible person. (You are not required by law to provide him with keys, so don't let anyone intimidate you.)

5. Don't carry your house keys and car keys on the same chain. It is not a good idea to have name-and-address identification on keys, in case of loss. The reason: If you do lose them, you have no idea into whose hands they may fall. You might be lucky and have them returned by an honest person; but they could fall into the wrong hands. (It is a good idea to keep a duplicate set of keys available in a safe place for immediate emergency use).

If you lose your keys, have the locks replaced promptly—it may seem expensive, but it is a wise precaution.

Caution: If you have roommates, make sure they observe the same intelligent rules about the keys as you do.

6. Never leave your door "on the latch" in such a way that it could be opened from the outside by anyone. If you are going out, even for a few minutes, take your keys and double lock your door.

SOME TRAGIC ERRORS

Here are some brief, tragic, factual case histories which demonstrate the folly of leaving your door open (or unlocked) for the shortest time, even when going to a nearby place, on a personal, safe errand.

Recently, a series of attacks, several of which resulted in the death of the victim, took place in the same neighborhood of a large city. All the attacks took place inside the victim's apartment. In each case, the woman did something foolish like this:

She stepped out of her apartment to put garbage in cans in front of the building.

She went downstairs to pick up mail from her lobby mailbox.

She went down the hall to borrow a cup of flour.

She went out to move the family car to another location.

She went downstairs for a moment to check on her child, playing with friends.

In each case, the woman left the safety of her apartment, sensing no danger, and left her door unlocked. When she returned, the hoodlum-rapist was inside her apartment. His pattern of crime involved trying doors to find one that was unlocked, entering, and waiting for his victim's return.

The lesson is painfully obvious: Never leave your door open even for a moment. When you go out, always take your keys with you, always lock—and double-lock—the door.

Be extra safe: Get in the habit of double-locking your door from the inside every time you come in. Don't just let the door close; taken a second and turn the bolt. Have an extra lock and turn the extra bolt as well.

Here are two important rules to follow when going out:

Always try to leave a light on, to give the impression that someone is at home.

If you have a roommate and you expect to stay out late at night, leave a note saying where you are, when you expect to return, and, if possible, whom you are with. Caution: Never leave a note in the mailbox or on the outside of your door.

OTHER DEVICES

1. If you have a peephole, always use it. If you don't have a peephole (also called an interviewer), get one installed right away. Never open your door to someone whom you don't know or recognize or who doesn't have legitimate business with you.

Remember, authorized representatives of the Post Office Department, utility companies, parcel delivery services, etc., are not only often uniformed but always have proper identification, which they must present if asked.

2. If you don't have a door chain (or similar "shortstop" device), have one installed immediately. Using this chain at any time when you must open the door to a stranger is an intelligent added precaution to the use of the peephole.

3. There are new types of chains that can be used even when you are out. They are locked from the outside with a special kind of key, and while you are inside, these chains can also be locked in place.

Once you do have a chain on your door (and don't neglect to put one on the back—or any other door with access to and from the outside), check to make sure:

That the chain is properly installed, so that a band cannot be slipped through the narrow opening and release it. (If it can, have the installation changed at once.)

Whether the chain could be broken by a strong person's ramming against the door. (If so, you should have the proper chain installed—motorcycle chain is the strongest made and is widely available.)

That the installation—the plates and screws holding the chain and socket is secure and solid. (If not, see that the job is done again and done right.)

Burglars Strike Every 56 Minutes—No Area in District of Columbia Exempt

(By Miriam Ottenberg)

Housebreakers are now burglarizing Washington homes and stores at the rate of one every 56 minutes of the day and night.

No area of the city is safe. Burglars are as likely to strike the garden apartments of far Southeast as the high-rise apartments of Connecticut Avenue and the estates on Foxhall Road.

The rate of housebreakings here has been spiraling since September 1963, climbing every month. Now it's nearly double what it was then and nearly triple the rate of housebreakings in 1957.

Nearly half of all the burglars arrested for housebreakings last year were juveniles. More juveniles were arrested for housebreaking than for any other serious crime—even more than for car theft.

MILLION COST

During the last year, burglaries cost Washington residents more than a million dollars.

Nearly twice as many Washington apartments as private homes are being looted. Burglars gain entry most often by breaking or forcing a lock or breaking glass. In many cases, however, an unlocked door or window is listed by police as the means of entry.

Three times as many residences are broken into during the day as during the night since householders are frequently at their offices all day. More stores and offices are hit at night than during the day, but daytime burglaries also are frequent in the commercial establishments.

Because of the tremendous upsurge in housebreaking here, most Washington real estate management companies are striving to improve the security of apartment houses. New and expensive security measures are being adopted to protect apartment dwellers here.

A check of real estate firms showed these precautions being taken:

In some of the new high-rise apartments, front doors are being locked around the clock or at sundown. Both tenants and visitors must ring the bell and identify themselves. A receptionist lets them in by pushing an electric catch release.

One real estate operator promised grimly, "If we have to lock up at 3 p.m. and require everybody to come through the front door, we're going to do it. We're getting too many daytime prowlers."

NIGHT PATROLS

Retired policemen are being hired for night duty in some buildings, doubling as guards and receptionists or doormen. Some patrol corridors through the night.

At several apartments, electric contacts have been installed at each exit door. When the door opens, a buzzer sounds and a light flashes on a panel board at the main desk of the apartment building.

If the light continues to flash, the man at the desk knows that one of the rear doors has been blocked open. A tenant taking a shortcut to the store has jeopardized the security of all the other tenants by leaving the door ajar for his return, but without the switchboard light or regular checks by guards the open door might not be spotted.

Closed-circuit television has been installed in some buildings as a means of covering parking areas and rear doors. A television screen at the front desk shows everyone coming or going through back and side entrances.

The garages of some apartment buildings remain locked and tenants must insert a card in a slot for the garage door to be raised automatically.

QUESTION OF ENTRY

The question of entry to the upper floors of a building via the garage and basement is being handled in various ways.

In one building, the elevator door in the basement is locked at night and anyone going to upper floors must climb a flight of stairs to the elevator. Each flight of stairs has a door which, when opened, flashes a light on the apartment switchboard.

If the night man sees the lights flashing from the basement door or from upper floors, he is alerted that someone has chosen to climb the back stairs instead of taking the elevator in the lobby. It could mean nothing, but it's worth a check.

In a number of buildings, back doors are being locked at 5 or 6 p.m.

Emergency doors leading from fire stairs are being equipped with panic bars so that tenants can get out but prowlers can't get in.

In the new apartments, jimmyproof locks are part of the equipment and some also are putting on various types of chains—including one that can be locked from the outside.

In some older buildings, dead bolt locks also are being installed. It's a costly security installation and some managements expect tenants to pay for it, if they want it.

The jimmyproof or dead bolt lock does not work on a spring and is rigidly fixed into an open or closed position by turning a handle or key. To open this door, the thief must force the mechanism right off the door—a very noisy procedure.

Security-minded apartment managements recognize, however, that the habits of tenants pose the greatest threat to the security of their fellow tenants. They particularly cite the tenants who block apartment building doors for their personal convenience and those who leave their own doors unlocked.

In Washington, gangs of thieves known as "creepers" start on the upper floors and spread through the apartments like locusts. They don't need a crowbar or a tire iron. All they do is try door handles.

The security officer for one Washington real estate firm estimated that one out of five apartment doors remains open all night—invitation for undesirable rabble guests.

TO REDUCE FEDERAL ESTATE AND GIFT TAXES

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, Representative Schneebeli and I are introducing today bills to reduce the estate and gift taxes. This reduction has long been needed; and as I shall point out, it would produce substantial economic benefits for the Nation as a whole. The proposed reduction is a moderate one. It would lower the rates of these taxes by 20 percent and would double the present relatively low exemptions.

Over the years, most of us have given little thought to the estate tax—with its corollarly, the gift tax—and when we did think of it we considered it a minor tax that was intended to affect only the well-to-do. I realize that many people will be surprised to hear me say that the estate tax is a bad tax and that the least we can properly do under present fiscal circumstances is to reduce it. I shall outline briefly for you why this is so and then request that the more complete analysis of the economic effects of this tax, which I have here, be printed in the Record.

There is strong evidence that the estate tax slows the growth of the Nation's productive power. This is because first, it prevents many businessmen and investors from making the fullest use of their business abilities and capital; second, it tends to foster monopoly; and third, it diverts savings from their most productive uses. Moreover, since the present rates of this tax were established about a quarter of a century ago its burden has been increased and its impact on the economy has been broadened substantially because of the gradual reduction in the dollar's purchasing power during that time. Today, the $60,000 exemption is the equivalent of a mere $30,000 back then, and the rapidly progressive scale of rates—which ranges from 3 to 77 percent—now applies to estate dollars whose purchasing power has been cut in half.

Where a closely held business is involved, even though the businessman may do little or nothing during his lifetime to prepare for the estate tax, his incentive to continue building and expanding his business can be greatly reduced because he knows that the business may have to be sold later on, perhaps at a sacrifice, in order to obtain the funds with which to pay the tax. If, instead of resorting sooner or later to the sale of the business, he accumulates a liquid reserve in anticipation of the tax, the capital thus tied up may be much less productive than it would have been if left to finance the business's growth and expansion. At the same time, a part of the businessman's ability will be unused and thus wasted, causing a loss to both the business and himself—and ultimately his estate—as well as to the whole economy, the total production of which would otherwise have been greater.

Because only successful businessmen have this problem—which is intensified according to the degree of their success—the limiting effect of the prospective estate tax on their productive business endeavors over a considerable period of time must cause a far larger loss to the national economy than any benefit that the tax can yield the Government and the Nation. In short, where businessmen's initiative and productive power could be greatest and where capital could be used in the most productive ways, the estate tax tends to have its most inhibiting effect.

For another, quite different, reason the estate tax is economically harmful. It tends to foster monopoly. Ironically, while we endeavor to reduce and eliminate monopoly from our free enterprise system, we retain at exceedingly high rates a tax conducive to it. I shall indicate briefly how the tax has this effect.

The number of potential buyers of a closely held business is usually quite limited. Other small businessmen who might be interested in buying it are likely to be struggling with their own financial problems, which include the same practical necessity for accumulating a liquid reserve for estate tax purposes. Moreover, the small businessman may prefer to accept marketable shares in a large corporation in exchange for his business in order to increase the liquidity of his estate and yet avoid the large tax liability that would arise from realization of a substantial capital gain during his lifetime.

Thus, the business is likely to be purchased by a large corporation that may already be more or less dominant within the industry, and the result may be a considerable reduction in competition. When a business is sold to a competing firm, either before or after the demise of its principal owner, the trend toward a monopolistic or partially monopolistic situation can be accentuated, with the usual diseconomies and losses that such situations cause for the over-all economy. It is axiomatic among economists that to the extent monopoly elements are present in an industry, output is less, fewer resources are employed, and prices are higher than they would have been under freer competitive conditions.

Another important consideration is the unfavorable effect of the estate tax on the flow of productive investment and thereby on the rate of economic growth. Even when an estate does not include an interest in a closely held business the tax has a generally deleterious economic effect. If the estate tax payment is made with cash that was held in anticipation of the tax, productive investment was foregone for this purpose. If noncash assets are liquidated in order to pay the tax, the buyers of those assets give up savings that would otherwise have been invested in new productive facilities. Thus, a part of savings intended for investment is absorbed by the Government.

If the Government were to invest the savings thus acquired in productive facilities in such a way that they increased the national flow of wealth by as much or more than it would have been increased if the funds had been retained and invested privately, one could argue that the Nation was no poorer because of the tax. It is hardly conceivable, however, that the ownership by Government of a considerable part of the Nation's capital—if that were to come about—would result in a higher level of productivity than is attainable under private ownership.

We already have other and more suitable taxes than the estate tax for meeting the costs of government, and the most important of them—the individual income tax—is devised to assess a large share of these costs on the well-to-do. It has been said by competent authorities that death taxes—estate and inheritance taxes—"undoubtedly burden capital accumulation, relative to the revenue involved, more than any other tax levied in the United States".

ANALYSIS[1]

The Federal estate tax will have the special attention of the Congress during the present session because of the Treasury's proposal that for the estates of citizens of foreign countries who do not reside in the United States the maximum rate of the tax be reduced from 77 to 10 percent and a large increase in the exemption be allowed them. This proposal is one of several that the Treasury has submitted to the Congress for the purpose of removing tax barriers to foreign investment and thereby easing this country's balance-of-payments problem. An analysis of the general economic effects of the estate tax should be helpful to the Congress in reappraising that tax and considering a substantial reduction of its rates and an increase in its exemption for American citizens as well as for noncitizens.

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[1] Death taxes include estate taxes and inheritance taxes. An estate tax is levied on the whole net estate. An inheritance tax is levied on the share of an estate that passes to each heir or beneficiary. Although this discussion deals particularly with the estate tax, which is the only kind of death tax levied by the Federal Government, much of it is applicable also to inheritance taxes, which are levied by almost all of the States. Because we are concerned here primarily with the economic effects of the Federal estate tax, various complexities, including the relationship of that tax to State death taxes, have been disregarded.

THE PRESENT STATUS OF THE ESTATE TAX

The estate tax has been a permanent part of the Federal revenue system since 1916. Its early purpose was to provide additional revenue. The original rates were comparatively low, ranging from 1 percent to a maximum of 10 percent, with an exemption of $50,000. Subsequently the rates and exemption were changed, and during the depression the rates were radically increased. Since then they have been increased still more. Despite the present high rates, however, which range from 3 percent to 77 percent after allowance for a $60,000 exemption, the tax yields about $2.8 billion in revenue, which is less than 3 percent of the total. Since the early 1930's the high rates have been primarily a device for breaking medium sized and larger estates, the purpose being to redistribute much of the wealth they represent. The adverse effects of the tax on the national economy have been largely overlooked by those responsible for tax policy.

EFFECT OF THE ESTATE TAX ON SMALL BUSINESS

Many medium-sized estates have as part of their assets a substantial interest in a small or closely held business. When this is the case, the administrators may have great difficulty in raising sufficient cash to meet the tax. Although the Government will extend the time for completing the payment when a closely held business is involved, interest is charged on the unpaid balance, and often funds that could be used in the business are siphoned off for the tax as they become available.

Because of this problem, the owner of a small, closely held business may try to accumulate enough liquid funds to make possible payment of the tax after his death. In doing this, however, he faces the alternatives of either taking a substantial amount of capital out of his business and putting it into a special reserve or selling the business during his lifetime in order to acquire the necessary funds. If he follows the first course, he cannot expand his business as much as he otherwise would when there is opportunity to do so profitably; and if he withdraws too much, he may jeopardize the solvency and perhaps the very existence of his business. If instead he sells out to some other going concern, one more small business has disappeared.

It is not surprising that the successful businessman, instead of making provisions for his family and his associates to carry on the business, is willing to sell out or merge with some other company. By so doing he can convert the frozen investment in the business into cash or readily marketable securities that will provide his estate with sufficient liquidity to pay the tax. Many owners or principal owners of small and medium-sized businesses are providing in advance for the estate tax in this way. This trend is not confined to individual proprietorships and partnerships. It also includes many closely held corporations. Often it is not practicable to sell a major stock interest in such a corporation to the remaining stockholders or transfer it to the owner's wife and other members of his family.

When death comes to the proprietor of a business, to a partner, or to a principal stockholder of a closely held corporation, serious problems arise for both his executors and his business associates. The executors may have to find new management to replace the deceased in order to continue operation of the business. They may also have the problem of raising money with which to pay the estate tax, if the decedent left comparatively little cash and if most of the liquid assets of the business are needed as operating capital. The executors may have to sell the business, if funds cannot be raised in other ways. In this event, the potential buyers are almost certain to be aware of the distress nature of the sale, and they will probably make their bids for the business at inordinately low prices. The result can be the sale of a business for much less than its actual value. Not only does this work a hardship on the businessman's family, but it also reduces the amount of revenue that the Government will receive.

The tax has created the same problem for many farmers and ranchers or their administrators and families. They must either accumulate a liquid reserve to pay the tax or contemplate the possible forced sale of livestock or land, or both. In most cases the farm or ranch is already mortgaged.

ECONOMIC EFFECTS OF THE ESTATE TAX

The estate tax is sometimes referred to as a tax on capital. Although it does not destroy existing productive capital facilities, it reduces the rate at which the increase and renewal of such facilities can take place. This occurs through the influence of the tax on production, consumption, saving, and investment. Its overall effect is to reduce the wealth-creating capacity of the economy (1) by reducing the incentive of many businessmen to make the fullest possible use of both their capital and their business abilities, (2) by fostering monopolistic situations, and (3) by channeling to the Government savings that otherwise would have been invested in productive plant and equipment.[2]

1. Reduction of business initiative and the use of capital

Even though a businessman may do little or nothing during his lifetime to prepare for the burden of the estate tax, his incentive to continue building and expanding his business may be greatly reduced because he knows that the business may have to be sold later on, perhaps at a sacrifice, in order to obtain the funds with which to pay the tax.[3] If, instead of resorting sooner or later to the sale of the business in order to pay the tax, the businessman accumulates a liquid reserve in advance, the magnitude of which will depend on the size of his business, the capital thus tied up may be much less productive than it would have been if left to finance growth and expansion. Moreover, a part of the businessman's ability will have remained unused and thus have been wasted, causing a loss to both the business and himself (and ultimately his estate) as well as to the whole economy, the total production of which would otherwise have been greater.

As only successful businessmen have this problem, and as it tends to be intensified according to the degree of their success, the limiting effect of the prospective estate-tax on their productive business endeavors over a considerable period of time must cause a far larger loss to the economy than any benefit that the tax can yield the Government and the Nation. In short, where businessmen's initiative and productive power could be greatest and where capital could be used in the most productive ways, the estate tax tends to have its most inhibiting effect.

2. Fostering of monopoly

The number of potential buyers of a closely held business is usually quite limited. Other small businessmen who might be interested in buying it are likely to be struggling with their own financial problems, which include the same practical necessity for accumulating a liquid reserve for estate tax purposes. Moreover the small businessman may prefer to accept marketable shares in a large corporation in exchange for his business in order to increase the liquidity of his estate and yet avoid the large tax liability that would arise from realization of a substantial capital gain during his lifetime.

Thus, the business is likely to be purchased by a large corporation that may already be more or less dominant within the industry, and the result may be a considerable reduction in competition.[4] When a business is sold to a competing firm, either before or after the demise of its principal owner, the trend toward a monopolistic or partially monopolistic situation can be accentuated, with the usual diseconomies and losses that such situations cause for the overall economy. It is axiomatic that to the extent monopoly elements are present in an industry, output is less, fewer resources are employed, and prices are higher than they would have been under freer competitive conditions.

3. Dissipation or less efficient use of capital funds

If the estate tax payment to the Government is made with cash that was held in anticipation of the tax, productive investment was foregone for this purpose. If noncash assets are liquidated in order to pay the tax, the buyers of those assets give up savings that would otherwise have been invested in new productive facilities.[5] Thus, a part of savings intended for investment is absorbed by the Government. If the Government were to invest the savings thus acquired in production facilities in such a way that they increased the national flow of wealth by as much or more than it would have been increased if the funds had been retained and invested privately, one could argue that the Nation was no poorer because of the tax. It is hardly conceivable, however, that the ownership by Government of a considerable part of the Nation's capital—if that were to come about—would result in a higher level of productivity than is attainable under private ownership. In the event of Government ownership one could expect reduced incentives, lack of competition, absence of free markets, and arbitrary controls to prevent the maximum use of human and material resources. Here we see the opposing ideologies of private capitalism (in a free, competitive enterprise economy) versus Government capitalism (and a centrally controlled economy) with all their implications for the preservation or the loss of individual freedom.

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[2] According to two prominent authorities in the field of public finance, "Death taxes * * * tend to absorb, on the whole, funds that would otherwise have been saved and available for investment. They undoubtedly burden capital accumulation, relative to the revenue involved, more than any other tax levied in the United States." William J. Shultz and C. Lowell Harriss, "American Public Finance," 8th ed. (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1965), p. 388.

[3] "Yet it can hardly be doubted that the frustration produced by the prospect of death taxes so severe as to expropriate a large part of the material fruits of one's life work is substantial, and that heavy taxes of this sort do have an adverse effect upon the vigor and intensity of the motives which induce men to work and to save." Harley L. Lutz, "Public Finance," 4th ed. (New York: D. Appleton-Century Co., Inc., 1947), p. 506.

[4] "It is ironic that the estate tax, which is intended to reduce the concentration of wealth, has the effect of increasing the concentration of business because of the need to secure funds to pay estate taxes." Dan Throop Smith, "Federal Tax Reform" (New York: McGraw-Hill Book Co., Inc., 1961), p. 262.

[5] Some economists have argued that the estate tax does not reduce the amount of savings available for investment, because if such a tax were not levied, the lack of revenue from that source would be made up by other taxes and so would leave in the hands of taxpayers that much less in capital funds. This argument fails to recognize that the

Although these ideological considerations cannot be overlooked, a relatively small part of the Government's revenue is at present being invested in productive capital facilities. Most of the funds that the Government takes from the people in taxes are dispersed in ways that use up, rather than create, wealth. The relevant question is whether the Government should finance such expenditures by reducing the Nation's future accumulation of productive capital or by drawing from the economy—insofar as possible—funds that would otherwise be spent on consumption. Although our interest here is focused solely on the estate tax, the general principle is applicable; namely, that tax policy should seek to raise the required amount of revenue, whatever that amount may be, with the least harmful effect on the national economy.[6]

CRITIQUE OF THE FEDERAL ESTATE TAX

On purely economic grounds a case can be made for no estate tax whatever. For political and social reasons, however, complete elimination of the tax can hardly be expected—at this time at least—not only because the tax falls directly on only a small minority of the population, but also because custom has sanctioned it. Its effect in reducing large accumulations of individual and family wealth appears to have widespread public approval, although there is a broad range of opinion as to the extent to which such wealth should be reduced. Apparently very few people favor expropriation of the whole amount, or of all but a sufficiency for the surviving spouse. On the other hand, there seem to be very few who favor no tax whatever on estates, regardless of size. To be realistic we must assume that the estate tax will continue to have a place in the Federal tax system, although that place will be necessarily a small one because even at the present very high rates the tax yields comparatively little revenue.

The most important consideration is the adverse effect of the tax on economic growth. Although the magnitude of this effect is not statistically determinable, it is undoubtedly sufficient to make even a moderate reduction of the tax well worth while.

A further justification for reducing the estate tax is the loss in purchasing power of the dollar that has occurred, because of inflation, during the past quarter of a century. The same tax rates that were applicable to estates in 1941 are applicable today, although the dollar today can purchase less than 50 percent of what it could at that time. Thus, a net estate worth $100,000 today is roughly the equivalent of a $50,000 estate in 1941.

In view of proposals now before the Congress to make a drastic reduction in the rates and a marked increase in the exemption for the estates of foreigners, it is especially appropriate for the Congress to consider similar, if not equal, tax relief for the estates of American citizens.

A PROPOSED REDUCTION OF THE ESTATE TAX FOR AMERICAN CITIZENS

A reduction in the rates of the estate tax by approximately 20 percent and an increase in the exemption from $60,000 to $120,000 would lessen the adverse economic effects of the tax and would reduce or remove (in the lower brackets) the burden added by the dollar's loss of purchasing power.

A Federal gift tax supplements the estate tax. Each of its present rates is three-fourths of the comparable estate tax rate. At present an individual may give way as much as $30,000, free of tax, during his lifetime, and during each calendar year he may give as much as $3,000 tax free to each of any number of individuals. To make the gift tax conform to the proposed changes in the estate tax, these allowances would be increased to $60,000 and $6,000, respectively, and the rates would be set at three-fourths of the new rates applicable to estates.

No change in the State death tax credit is proposed.

SUMMARY

Because the Federal estate tax hampers the growth of the Nation's productive power by preventing many businessmen and investors from making the fullest possible use of their business abilities and capital, by tending to foster monopoly, and by channeling savings away from productive use; and because the burden of the tax has been approximately doubled by the dollar's loss of purchasing power since the present rates were established—we recommend that the present rates be reduced by approximately 20 percent, the amount of the exemption be doubled, and the exemptions and rates for the gift tax be changed proportionally.

Present estate tax rates

[The ultimate tax is that computed at the rates below, less a credit computed under the "State death tax credit" table, or less the amount of State taxes, whichever is smaller]

Taxable estate (after deducting the $60,000 exemption)	Tax	Plus—	
		Percent	On excess over—
0 to $5,000	0	3	0
$5,000 to $10,000	$150	7	$5, 000
$10,000 to $20,000	500	11	10, 000
$20,000 to $30,000	1, 600	14	20, 000
$30,000 to $40,000	3, 000	18	30, 000
$40,000 to $50,000	4, 800	22	40, 000
$50,000 to $60,000	7, 000	25	50, 000
$60,000 to $100,000	9, 500	28	60, 000
$100,000 to $250,000	20, 700	30	100, 000
$250,000 to $500,000	65, 700	32	250, 000
$500,000 to $750,000	145, 700	35	500, 000
$750,000 to $1,000,000	233, 200	37	750, 000
$1,000,000 to $1,250,000	325, 700	39	1, 000, 000
$1,250,000 to $1,500,000	423, 200	42	1, 250, 000
$1,500,000 to $2,000,000	528, 200	45	1, 500, 000
$2,000,000 to $2,500,000	753, 200	49	2, 000, 000
$2,500,000 to $3,000,000	998, 200	53	2, 500, 000
$3,000,000 to $3,500,000	1, 263, 200	56	3, 000, 000
$3,500,000 to $4,000,000	1, 543, 200	59	3, 500, 000
$4,000,000 to $5,000,000	1, 838, 200	63	4, 000, 000
$5,000,000 to $6,000,000	2, 468, 200	67	5, 000, 000
$6,000,000 to $7,000,000	3, 138, 200	70	6, 000, 000
$7,000,000 to $8,000,000	3, 838, 200	73	7, 000, 000
$8,000,000 to $10,000,000	4, 568, 200	76	8, 000, 000
$10,000,000 and over	6, 088, 200	77	10, 000, 000

Present gift tax rates

Taxable gifts [1]	Tax	Plus—	
		Percent	Of excess over—
0 to $5,000	0	2¼	0
$5,000 to $10,000	$112. 50	5¼	$5, 000
$10,000 to $20,000	375. 00	8¼	10, 000
$20,000 to $30,000	1, 200. 00	10½	20, 000
$30,000 to $40,000	2, 250. 00	13½	30, 000
$40,000 to $50,000	3, 600. 00	16½	40, 000
$50,000 to $60,000	5, 250. 00	18¾	50, 000
$60,000 to $100,000	7, 125. 00	21	60, 000
$100,000 to $250,000	15, 525. 00	22½	100, 000
$250,000 to $500,000	49, 275. 00	24	250, 000
$500,000 to $750,000	109, 275. 00	26¼	500, 000
$750,000 to $1,000,000	174, 900. 00	27¾	750, 000
$1,000,000 to $1,250,000	244, 275. 00	29¼	1, 000, 000
$1,250,000 to $1,500,000	317, 400. 00	31½	1, 250, 000
$1,500,000 to $2,000,000	396, 150. 00	33¾	1, 500, 000
$2,000,000 to $2,500,000	564, 900. 00	36¾	2, 000, 000
$2,500,000 to $3,000,000	748, 650. 00	39¾	2, 500, 000
$3,000,000 to $3,500,000	947, 400. 00	42	3, 000, 000
$3,500,000 to $4,000,000	1, 157, 400. 00	44¼	3, 500, 000
$4,000,000 to $5,000,000	1, 378, 650. 00	47¼	4, 000, 000
$5,000,000 to $6,000,000	1, 851, 150. 00	50¼	5, 000, 000
$6,000,000 to $7,000,000	2, 353, 650. 00	52½	6, 000, 000
$7,000,000 to $8,000,000	2, 878, 650. 00	54¾	7, 000, 000
$8,000,000 to $10,000,000	3, 426, 150. 00	57	8, 000, 000
$10,000,000 and over	4, 566, 150. 00	57¾	10, 000, 000

[1] After deducting exemption of $30,000 and after taking exclusions for individual donees ($5,000 through 1938, $4,000 after 1938 and through 1942, and $3,000 after 1942). The annual exclusions do not apply to gifts of future interests. Neither do they apply to gifts in trust made after 1938 but before 1943.

Proposed estate tax rates

[The ultimate tax is that computed at the rates below, less a credit computed under the "State death tax credit" table, or less the amount of State taxes, whichever is smaller]

Taxable estate (after deducting the $120,000 exemption)	Tax	Plus—	
		Percent	On excess over—
0 to $5,000	0	2	0
$5,000 to $10,000	$100	5	$5, 000
$10,000 to $20,000	350	8	10, 000
$20,000 to $30,000	1, 150	11	20, 000
$30,000 to $40,000	2, 250	14	30, 000
$40,000 to $50,000	3, 650	17	40, 000
$50,000 to $60,000	5, 350	20	50, 000
$60,000 to $100,000	7, 350	22	60, 000
$100,000 to $250,000	16, 150	24	100, 000
$250,000 to $500,000	52, 150	26	250, 000
$500,000 to $750,000	117, 150	28	500, 000
$750,000 to $1,000,000	187, 150	30	750, 000
$1,000,000 to $1,250,000	262, 150	32	1, 000, 000
$1,250,000 to $1,500,000	342, 150	34	1, 250, 000
$1,500,000 to $2,000,000	427, 150	36	1, 500, 000
$2,000,000 to $2,500,000	607, 150	39	2, 000, 000

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incidence of the major taxes levied by the Federal Government is such that to a considerable extent they are paid with funds that would otherwise be spent for consumption purposes rather than invested.

If it could be assumed that the beneficiaries of estates would spend for consumption what is taken from them by the estate tax, it could not then be said that the tax reduces the Nation's supply of capital. Such an assumption, however, appears to be generally unwarranted.

Some individuals, among them certain economists, believe that the present rate of saving is too high and that there is an excess of productive plant and equipment. They do not realize that only through saving, which is the first essential step in capital formation, can the obsolete part of total productive facilities be replaced and additional facilities be created, and that only through this process can there be economic growth and a rising standard of living. If the Nation were to consume all of its current output, saving nothing, it would soon be impoverished.

[6] This statement of a general principle should not be mistaken for a proposal that the poor be taxed more heavily than they already are, either directly or indirectly through taxes that reduce their small incomes or the purchasing power those incomes provide. Because of high Government expenditures, a very large part of which is for national defense, the need for determining upon an adequate, humane, and economically sound tax system poses a problem of the first magnitude. It is beyond our purpose to discuss that problem here, but realization that a levy such as the estate tax reduces the production of wealth, and thereby the economic well-being of every segment of society, should help at least to show the nature of that problem.

Proposed estate tax rates—Continued

[The ultimate tax is that computed at the rates below, less a credit computed under the "State death tax credit" table, or less the amount of State taxes, whichever is smaller]

Taxable estate (after deducting the $120,000 exemption)	Tax	Plus—	
		Percent	On excess over—
$2,500,000 to $3,000,000	$802, 150	43	$2, 500, 000
$3 000,000 to $3,500,000	1, 017, 150	45	3, 000, 000
$3,500,000 to $4,000,000	1, 242, 150	47	3, 500, 000
$4,000,000 to $5,000,000	1, 477, 150	50	4, 000, 000
$5,000,000 to $6,000,000	1, 977, 150	53	5, 000, 000
$6,000,000 to $7,000,000	2, 507, 150	56	6, 000, 000
$7,000,000 to $8,000,000	3, 067, 150	58	7, 000, 000
$8,000,000 to $10,000,000	3, 647, 150	61	8, 000, 000
$10,000,000 and over	4, 867, 150	62	10, 000, 000

Proposed gift tax rates

Taxable gifts [1]	Tax	Plus—	
		Percent	Of excess over—
0 to $5,000	0	1½	0
$5,000 to $10,000	$75. 00	3¾	$5, 000
$10,000 to $20,000	262. 50	6	10, 000
$20,000 to $30,000	862. 50	8¼	20, 000
$30,000 to $40,000	1, 687. 50	10½	30, 000
$40,000 to $50,000	2, 737. 50	12¾	40, 000
$50,000 to $60,000	4, 012. 50	15	50, 000
$60,000 to $100,000	5, 512. 50	16½	60, 000
$100,000 to $250,000	12, 112. 50	18	100, 000
$250,000 to $500,000	39, 112. 50	19½	250, 000
$500,000 to $750,000	87, 862. 50	21	500, 000
$750,000 to $1,000,000	140, 362. 50	22½	750, 000
$1,000,000 to $1,250,000	196, 612. 50	24	1, 000, 000
$1,250,000 to $1,500,000	256, 612. 50	25½	1, 250, 000
$1,500,000 to $2,000,000	320, 362. 50	27	1, 500, 000
$2,000,000 to $2,500,000	455, 362. 50	29¼	2, 000, 000
$2,500,000 to $3,000,000	601, 612. 50	32¼	2, 500, 000
$3,000,000 to $3,500,000	762, 862. 50	33¾	3, 000, 000
$3,500,000 to $4,000,000	931, 612. 50	35¼	3, 500, 000
$4,000,000 to $5,000,000	1, 107, 862. 50	37½	4, 000, 000
$5,000,000 to $6,000,000	1, 482, 862. 50	39¾	5, 000, 000
$6,000,000 to $7,000,000	1, 880, 362. 50	42	6, 000, 000
$7,000,000 to $8,000,000	2, 300, 362. 50	43½	7, 000, 000
$8,000,000 to $10,000,000	2, 735, 362. 50	45¾	8, 000, 000
$10,000,000 and over	3, 650, 362. 50	46½	10, 000, 000

[1] After deducting exemption of $60,000, and after taking annual exclusions for individual donees ($5,000 through 1938, $4,000 after 1938 and through 1942, $3,000 after 1942 and through 1965, and $6,000 after 1965). The annual exclusions do not apply to gifts of future interests. Neither do they apply to gifts in trust made after 1938 but before 1943.

TRUTH IN PRICING

Mr. VANIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, the listing of automobile accessory prices which I made yesterday in the CONGRESSIONAL RECORD complements the basic automobile price lists about which I spoke last June 2.

My staff and I have carefully compiled complete price lists on all items subject to excise tax reduction. I will endeavor to carefully follow pricing policies to determine whether reduction benefits are passed on to the consumer.

I feel compelled to point out that factory installed automobile accessories are subject to the current 3-percent reduction. Dealer-installed accessories are still subject to the full 8-percent-tax levy until January 1. The automobile buyer should be certain to check when the accessories have been installed.

My staff and I have recorded representative sales prices on air conditioners, television sets, house appliances, luggage, and other items. There is a need now for truth in pricing as well as package. As an example, certain 1966 model air conditioners have a new 75-cent plastic grill to distinguish them from the 1965 model—which is the better bargain—if you can find it. Chevrolet has just come out which a new model called the Caprice—and it is certainly correctly named. For $20 more the buyer gets 6 inches of needless carpeting on the sides of the floor deck plus four wheel disks which are available at $18 separately purchased. There is no mercy in the market place for the uninformed buyer.

As I determine these facts, I will endeavor to speak out from time to time on truth in pricing.

SOUTHERN JUSTICE

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, I should like to call to the attention of the House the following article by Charles Morgan, Jr., published in the June 29, 1965, issue of Look magazine.

SOUTHERN JUSTICE

They were an unlikely trio on an unlikely trip. Few young people go to Philadelphia, Miss., except to visit the campgrounds of the "granddaddy of county fairs." Neshoba County's people are older; most of the young folk move away.

Michael Schwerner, 24, and Andrew Goodman, 20, both northerners and white, had hope for Neshoba County and, indeed, all of Mississippi. Their Negro comrade, James Chaney, 21, of Meridian, Miss., had hope, too—that Negroes might be free, that Negroes and whites might learn to live together. They were special young men. That is why they disappeared on a June night in 1964.

Forty-four days later, their bodies were dug out of a red-clay dam on the old John Townsend place, 5 miles from Philadelphia. They had been shot to death, Chaney's body had been mangled.

Southern justice is segregated. Judges, juries, sheriffs, and police are white. So are jailers, bailiffs, marshals, lawyers, stenographers, clerks, and coroners who command southern courthouses and jails and electric chairs.

In the Deep South, where Sunday morning foot washing may precede Sunday evening killing, justice is a weapon of repression. Lawmen are elected because they "know how to handle niggers." So do judges. Yet Negroes are told to fight their battle in white courts—courts that free white killers of Negroes, but punish Negroes harshly for minor offenses against whites. Meanwhile—

THE LIST OF DEAD IS GROWING

William L. Moore, 35, white Baltimore postman. Shot near Attalla, Ala., April 23, 1963.

Medgar W. Evers, 37, NAACP field secretary. Ambushed in Jackson, Miss., June 12, 1963.

Denise McNair, 11, Cynthia Wesley, Carol Robertson, and Addie Mae Collins, 14, Negro schoolgirls. Killed in church bombing, Birmingham, Ala., September 15, 1963.

Johnny Robinson, 16, Negro. Killed by policeman's shotgun after church bombing, Birmingham, Ala., September 15, 1963.

Lemuel A. Penn, 49 Negro school official returning to Washington, D.C., from Army Reserve training. Killed by shotgun blast on north Georgia highway, July 11, 1964.

Jimmie Lee Jackson, 26, Negro. According to witnesses, shot by State trooper while protecting his mother from beating, Marion, Ala., February 18, 1965. Died, February 26.

The Reverend James J. Reeb, 38, white Boston Unitarian minister, clubbed, Selma, Ala., March 9, 1965. Died, March 11.

Viola Gregg Liuzzo, 39, white Detroit housewife, killed on U.S. Highway 80 near Selma, Ala., March 25, 1965, following Montgomery march.

And there are forgotten casualties: Walter Bergman, freedom rider from Detroit, crippled in a beating on a bus near Birmingham. He will spend his life walking with canes. Little Sarah Jean Collins, 12, almost totally blinded in the bombing of the church in Birmingham, Ala.

And forgotten murders: Emmett Till, 14, Negro, murdered August 28, 1955. His killers went free. Mack Charles Parker, 23, Negro, lynched April 25, 1959. No one remembers the names of the two white men killed in the Ole Miss riot, Oxford, Miss., September 30, 1962. And no one will ever know how many more victims lie awash in the swamps and bayous of the Deep South.

The struggle in the South is not a battle for law and order. It is the struggle of law, new law, against the harsh, old order. Troopers and deputies who club demonstrators in Selma, Ala., bombings and arson across the South, the murdered, blinded, and maimed are all part of a willful defiance of law.

In all the above killings, not a single conviction has been obtained.

Mickey Schwerner, James Chaney, Andrew Goodman may have cried out that night in June 1964. We will never know. If they did, they cried for justice.

EARLE H. PICARD

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I pay tribute to the memory of a longtime friend who passed away in Grand Rapids, Mich. Earle H. Picard was a patriotic American who served his country with dedication. He devoted much of his time and energy as a member of the Veterans of World War I of the United States of America, Inc., later becoming senior vice commander. A successful businessman, Mr. Picard served his community and his State unselfishly giving of himself to help others. Mr. Picard set a splendid example for subsequent generations. I know he is missed by his family, military comrades, community, business associates, and by all others who were fortunate to know him.

FEDERAL TAX REFUND TO THE STATES

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, the Senate of the 74th General Assembly of the State of Illinois, with the concurrence of the House of Representatives, has adopted Senate Joint Resolution 22, which is quoted below, in support of the proposal to provide for a refund to the States of 10 percent of the Federal tax take in each State without restrictions on the use of such funds.

It will be recalled that Walter W. Heller, former Chairman of the Council of Economic Advisers, proposed the plan that a fixed percentage of U.S. tax receipts be returned to the 50 States annually on the premise that State and local expenditures are increasing more rapidly than those of the Federal Government. This proposal certainly merits the consideration of the Congress. There are a number of possible advantages to the plan that are readily apparent. State governments would be strengthened, centralized control could be lessened by encouraging action on public problems at the local, State, and regional levels, and additional costly Federal grants-in-aid programs can be avoided.

I urge that the entire question of State and local financial needs for more revenue and the feasibility of allocating a portion of Federal tax funds to the States be given the early attention of the Congress.

SENATE JOINT RESOLUTION 22

Whereas the Federal income tax and numerous other taxes levied by the Federal Government have not only imposed a heavy burden upon the American taxpayer but, by funneling into the Federal Treasury many of the prime potential sources of State revenue, have had a depressing effect upon each of the 50 sovereign States; and

Whereas the Federal Government now takes in Federal taxes from the State of Illinois approximately $7 billion annually, and takes a proportionate amount from each of the other States; and

Whereas for many years State and local governments have been in a straitened financial condition which constitutes a real emergency which has been compounded by the impact of Federal taxation; and

Whereas this emergency could be alleviated if the several States were given their rightful share of the total tax revenues by a system whereby the Government of the United States would refund to each State 10 percent of the Federal taxes collected therein without curtailing or interfering with any present or future program of Federal and State functions; and

Whereas since these tax funds are the taxes from the people, this refund is not to be considered a Federal loan or gift or any form of Federal aid nor will the use of these funds be restricted: Therefore be it

Resolved by the Senate of the 74th General Assembly of the State of Illinois (the House of Representatives concurring herein), That we respectfully petition the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States to provide for a refund to each State of 10 percent of all Federal taxes collected therein without any restriction on the use of such refunds; and be it further

Resolved, That a copy of this resolution be forwarded by the secretary of state to every Member of the Congress of the United States from the State of Illinois, and to the Governor and the secretary of state of each of the other 49 States.

THEY GAVE THEIR LIVES FOR A RIGHTEOUS CAUSE

Mr. CONTE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, I join my colleagues in paying tribute to the memory of these three young men who gave their lives for a righteous cause. We have made tremendous progress in recent years in guaranteeing the rights of all our citizens, and this year's voting rights bill contributes significantly to that progress. But the sad anniversary of this tragic murder reminds us of the long journey still ahead of us before we can truly say that equal opportunity for all citizens is a reality. The fact that these men were murdered, and even more the fact that their murder has gone unpunished, is a shameful page in America's history. As we remember them today let us hope that the American people and we as their Representatives can by our deeds overcome and erase that shame.

LANESBOROUGH BICENTENNIAL

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Conte] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONTE. Mr. Speaker, this week is an important one for the residents of Lanesborough in Berkshire County, Mass., because it marks the celebration of the 200th anniversary of the incorporation of their community. The bicentennial now in progress is a fitting occasion for me to call the attention of my colleagues to the history of this picturesque and sturdy New England town, for Lanesborough has a heritage of which all Americans should be proud.

As early as 1742, a group of 76 settlers from Framingham in eastern Massachusetts petitioned the general court for a grant of wilderness land on a beautiful ridge just north of an Indian town on the Housatonic River. The petition was granted on January 8, 1742, and the settlers were allotted 6 square miles, to be divided into 79 lots: 1 for each petitioner, 2 for the church, and 1 for the public school.

It was not easy for those first settlers. Twice they were driven out by hostile Indians, and even after the village became established two forts were built to protect women and children while the men were at work in outlying fields and forests. In 1753 the first settlers from Connecticut arrived, and by 1761 a few neighboring villages had been established.

The patience and fortitude of those pioneers was admirable. A good example was the Reverend Daniel Collins, who became town minister in 1763 and held the office for 58 years.

Charles Palmer's "History of the Town of Lanesborough" describes him as "one of the old continental gentry who always dressed with queue and knee-buckles, and whose manner was that of the courtly aristocrat. He always exacted the conventional marks of respect from those he met, and would enter formal complaints against children who omitted them. His whole manner was one calculated to kindle profound reverence from others, and children seeing him at a distance would sometimes hide behind a stone wall till he had passed by."

On January 20, 1765, the town was incorporated, and along with several smaller communities was organized into a county. Governor Bernard named the county after his home in England, Berkshire. The principal town was named for the wife of a member of the Privy Council, the attractive and charming Countess of Lanesborough. She was often called Lovely Lanesborough, and the phrase is still appropriate.

Lanesborough played an active part in the turbulent events leading to the Revolution. The town sent three delegates to the conference at Stockbridge July 6, 1774, which firmly asserted the rights of American colonists. At the State convention a short time after, Peter Curtiss, of Lanesborough, served on the committee that voted to abstain from using tea after it was taxed. Curtiss was later Lanesborough's first representative in the legislature.

When the war broke out, Lanesborough responded with patriotic fervor to the cause of independence. The list of Lanesborough soldiers in the Colonial Army is enormous, and although the town records show that the struggle took a heavy toll, there was never a thought of turning back.

There were a few Tories, among them a local lawyer named Woodbridge Little. Little was a vociferous objector, and soon found his name listed in the Hartford Courant as a "wanted man." He fled to a marble cave outside of town where he lived alone for weeks while friends brought him food. Finally, he changed his convictions, emerged from the cave, and fought bravely for the colonists at Bennington.

But Lanesborough's favorite son was undoubtedly Jonathan Smith. Smith was a delegate to the Massachusetts Convention, assembled to decide whether or not the State should adopt the Federal Constitution. After hours of long-winded oratory, Smith rose. "I am a plain man and get my living by the plow," he began. He proceeded to deliver a simple but stirring speech that won the convention to his side, and Massachusetts ratified the Constitution. The hill where Smith lived in 1788 is now known as Constitution Hill.

During the 19th century, Lanesborough prospered as a center of mining and manufacturing. In 1822 it contained no less than five hotels, three tanneries, two hatters, five shoe shops, three tailor shops, a harness maker, five blacksmith shops, two cloth dressing and carding factories, two wagon makers and repairers, a grinding mill, five sawmills, and one shop for making spinning wheels. Marble was the town's chief product; in 1842 and 1843 Lanesborough supplied the country with more than $200,000 worth of the finest white and variegated marble. In 1847 iron was discovered, and iron manufacturing soon became a thriving business.

Prominent 19th century residents of the town included Reuben Humphreyville, a blind fiddler who supplied music for festivities throughout the Berkshire area, and well-known entertainer Josh Billings. Billings' sharp wit and joking manner endeared him to all Americans, and Lanesborough's local chronicles are full of his exploits, such as the night he put a cow in the cupola of Pontoosuc Mill.

Lanesborough today combines the quietness of a village and the bustle of a city. No longer an industrial center, the town is a pleasant home for industrial workers in nearby Pittsfield. Busy traffic rumbling along Route 7 links the community with the modern industrial world, while shady side streets still reflect the past. And as Lanesborough pauses this year to look into that past, it finds that there is much of which we all may be proud.

A CALL TO ACTION BY NATHAN H. SCHWERNER

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, today we pay tribute to three dedicated and courrageous Americans—James Chaney, Andrew Goodman, and Michael Schwerner. Last year Michael Schwerner and Andrew Goodman went to Mississippi and joined with James Chaney in working for the equality of their fellow citizens. They reflected the highest principle of our Nation—equal opportunity for all our citizens to fully participate in American democracy. Because of their dedication to this principle they were brutally murdered last June. Nathan Schwerner, the father of Michael Schwerner, in an eloquent article published in the New York Herald Tribune on June 20, 1965, asks the Congress and the Nation to bring to reality the dream of equality held by his son and all those who have dedicated their lives to civil rights. In the hope that we will live up to the noble legacy of these three young men, I ask all my colleagues to read the following article:

[From the New York Herald Tribune, June 20, 1965]

HIS SON'S MARTYRDOM, A FATHER'S COMMITMENT

NOTE.—Three hundred and sixty-four days ago, on the night of June 21, 1964, a crime was committed in Mississippi that sickened the Nation and shocked the world. Three young men—James Chaney, 21, Andrew Goodman, 20, and Michael Schwerner, 24—were murdered in cold blood.

(The motive was as simple as it was appalling: They were civil rights workers, two white men from the North and a Mississippi Negro, active together in a State long tolerant of terror in defense of white supremacy and segregation. One year later, neither the State nor the Nation has been able to bring their murderers to trial.

(Here, the father of one of the murdered men reflects on the crime and the terrible contribution his son and two friends made toward the fellowship of all men everywhere.)

(By Nathan H. Schwerner)

It is strange, almost unbelievable to me, that because of the brutal death of my son, there has crystallized a clarity of both conviction and commitment so deep that they have come to pervade my whole life. I have tried to determine how and why this has come about.

My wife and I had lived with great fear, although with true pride, during the first 5 months of 1964, when our 24-year-old Mickey and his young wife first went to Mississippi. The pride was borne of a deep conviction in our family that fulfillment in life is attained by using one's ability to be of service to people and that our son had found this direction in which to channel his own talents. The fear stemmed from our knowledge of the dangers to anyone who attempted to cooperate with Southern Negroes in throwing off the yoke of segregation and second-class citizenship.

Yet the shock of loss in late June was so sharp as to result in an inability to think clearly—to do anything. When, in the early hours of June 22, I learned of the disappearance of our son and his coworkers, James Chaney, of Meridian, Miss., a Negro, and Andrew Goodman, a white student from New York, I strongly feared the worst. And when, at the White House, President Johnson told Mr. and Mrs. Robert Goodman and me that the burned-out station wagon had been found, I knew that we would never again see our children.

TWO COURSES

Then as the days wore on, through the grief and the sense of utter futility, came inner probings: How was I, as a father, as a husband, and as a man, to face the horrible situation? Two courses seemed to be open. On the one hand, I could attempt to pick up the strands of a "normal" life, quietly helping the cause of people, a cause I shared with my son. On the other hand, because of the public spotlight under which our family had been placed, I could participate actively in the struggle for human dignity that is known as the "movement." I decided upon the latter course and I let this be known.

What impelled this decision? I cannot fully answer that question. I was keenly aware that this was a road that would help open the wounds that my dear ones and I had suffered. Nevertheless, I felt that I owed it to my son, and to all those who have similarly dedicated themselves, to do everything in my power to help bring sanity to our great country.

Continually before me was the question: Why were Mickey, James, and Andy murdered? Was it an insane act? The result of a resentful whim of a group of rednecks? Or was it more purposive and, if so, what were the motivating factors?

The indictments against 18 men lodged in Mississippi by the U.S. Justice Department make it clear that, in the opinion of the Attorney General and his staff of experts, there was a careful, long-planned conspiracy to kill Mickey. What could he have done in 5 short months to have caused people to plot his death? I have believed the answer to this lies deep in our entire society, not merely in the Black Belt of the South. The events of the last several years, and those in Selma, Ala., last March have confirmed this belief: The vast majority of us whites has not, to this day, accepted the fact that every human being is as much an American—is as much entitled to respect as a person—as we who are white.

I fear that until the great bulk of our people not only realize this simple fact, but live by such realization, there will be more—far more—turmoil in our country.

ONE BASIC REASON

I strongly believe that resistance to this realization was one basic reason for the murders. Mickey and his coworkers had been helping to bring to Southern Negroes a measure of identity as citizens—as Americans. And I feel sure that a major factor in the killings was the conspiracy to deter other rights workers from coming down to help accelerate that process.

But this was not all. There was an equally important factor: although most civil rights workers were Negroes, Mickey was white. His camaraderie with Negro people, his growing acceptance by the Negro community as just another person, posed a threat. Suppose whites, in increasing numbers, especially young people from the South, were to establish rapport with the Negroes? For such rapport, founded on mutual respect, was being built through Mickey's establishment of the Meridian Community Center jointly with James Chaney and its growing role in the lives of more and more of the Negro people of Meridian. That center became a place where people could congregate, could learn the basics of citizenship and a good deal more. With sewing machines and materials sent down to the center, they were able to make for themselves a few articles of new clothing—made by and for people who had never worn anything but hand-me-downs from the homes in which many of the women work as domestics. In addition to the organizational support of the Council of Federated Organization (COFO), my wife and I, together with a host of friends, were of some small help in supplying materials, machines, stationery, books, and many other items so sorely needed for education and self-help. Mickey's example could not be tolerated; he had to be stopped.

What the conspirators and their mentors overlooked, however, was the fact that the American people had at least part of a conscience. That part was aroused by the fact that two white albeit young Jews from New York, were brutally murdered. As a result, the movement got a national impetus which no previous event had engendered. But what about James Chaney, who, for 5 months, helped build the center, went into outlying areas with Mickey to establish freedom schools, who became more a brother to Mickey than a coworker?

Let me answer that question with another: What about Herbert Lee? I am ashamed, as an American, that I had not known the name until August 1964. Lee was a Negro farmer in Amite County, Miss., who was murdered September 25, 1961, because he had attempted to assert his right to vote as an American citizen. There was hardly a ripple of American conscience stirred by Mr. Lee's death, or by the hundreds of clandestine murders, disappearances and beatings of Negroes in the Deep South. And I am convinced that if James Chaney had been murdered alone, there would have been no comparable awakening of white Americans.

I think of a few more names. We all know of the Reverend James Reeb and Mrs. Viola Liuzzo, both murdered in Alabama in March 1965. I think it was right for public figures and people from all over the Nation to express their grief and their indignation. But where were those expressions of grief and indignation a short time before when a young American was shot to death by an Alabama State Trooper for putting his body between his mother and the club of that officer? Where were the dignitaries representing Federal, State, municipal, trade union, church, fraternal, and other organizations at his funeral? Jimmy Lee Jackson was black.

The vast majority of us whites has not, to this day, accepted the fact that every human being is as much an American—is as much entitled to respect as a person—as we who are white.

During these months we have received much solace from intimates, from acquaintances and from strangers. People from all walks of life and from all over the world have expressed their sympathy. Many have also made kind comments about the courage of the three families involved—most justified, in my opinion, in the case of Mrs. Fanny Chaney and her children. But for me, one of the most moving experiences occurred last August while my wife and I were at the Atlantic City National Convention of the Democratic Party. It was during the historic attempt by the Mississippi Freedom Democratic Party (MFDP) to have its delegates seated in place of those "elected" at primaries in Mississippi from which Negroes were systematically excluded.

BEYOND SYMPATHY

A white-haired Negro, pulling himself tall and erect, approached us, clasped our hands, and said simply, "I am a delegate of MFDP from Lauderdale County. I would not be here if Mickey had not come to see me." We were very much touched by this living indication of the effectiveness of our son's work. But beyond that, I was impressed by this gentleman's words for another reason. I was aware of the courage it must have taken for this citizen, oppressed for his more than 60 years of life, even to have permitted Mickey to talk to him. Thereafter, I knew, he must have attended local MFDP meetings, must have gone to a county convention, the State convention and now to the national convention. All this he must have done with the knowledge that on his return home, he and his family might well meet with both physical violence and economic reprisal—loss of job, curtailment of credit, a thousand things. To me, such courage has transcended all others because it is typical of many thousands of Negroes who walk in constant fear.

More and more, I have pondered the question of how to move large numbers of our people beyond expressions of sympathy and admiration. It is heart-warming to realize that so much of America has identified itself with those of us who have become closely involved in the struggle for freedom of all of our citizens. But how far does this identification go?

I have often wondered what would happen if, by State laws and by oppression, violence and intimidation, all citizens of Irish or Italian extraction in New York State were denied the right to vote, or if, by similar means, all persons of Scandinavian or Teutonic ancestry in Minnesota were denied the right to vote. What an uproar there would be from every corner of the land. And yet, that is exactly what is happening in Mississippi, in Alabama and elsewhere. Isn't it time we adopted one standard for all Americans?

I certainly hope, as I write, that all the measures President Johnson has advanced for securing Negroes' right to vote will be implemented rapidly. But I have become convinced that legislation, carefully as it may be drawn, is subject to the tortuous delays of long, drawn-out litigation. Those people who are in absolute control of the political machinery in a given area have always been capable of frustrating the will of the majority of our citizenry for indefinite periods. This has been so, historically, in the South, until now, and there is little reason to doubt that it will continue to be so unless a means of shaking that control is found.

There is a means, however, whereby that control can be partly shaken in the next brief period. That is the situation, soon to come before the U.S. House of Representatives, in which the voices of all of us can be heard with immediate effect. It is a situation which can go far to undermine the political power illegally assumed by the dominant people in the Deep South. It is one upon which can be based major changes in the social and economic suppression of hundreds of thousands of American citizens. I refer to the challenge to unseat the five men purported to have been elected to the House from Mississippi.

THE CHALLENGE

I have been told that the challenge is supported by about 600 depositions which clearly indicate denial of the right to vote to great numbers of people. Every bit of testimony was subject to the right of cross-examination by attorneys for the challenged five men, and many of the witnesses were cross-examined. Yet the five so challenged have failed to adduce a single item of testimony on their own behalfs to rebut the evidence of the illegality of their election.

I cannot understand how we can face the world or face ourselves if we permit people elected without even the semblance of democratic process to sit in our Congress. Their voices affect not only the affairs of Mississippi, but every facet of national and internation life in which our Federal Government plays a role. They are our representatives, not merely those of Mississippi. I urge every American to press upon his own Representative the duty to unseat the five challenged Mississippians.

During the year, many people, many organizations, have created awards in the names of the three young men murdered in Mississippi. Little would be more fitting to memorialize their sacrifice, in my opinion, than for Congress to insist that all of its Members be elected by an electorate fully and freely composed of all citizens from any congressional district.

Many of us have long felt that our individual voices are too puny to have an effect upon our communities, our Congressmen, upon any situation. But the enemies of an integrated America, although in a small minority, are outspoken both as individuals and in groups. We, who truly believe that all men are created equal, must make our support most clear in our daily lives, by our financial assistance, and, yes, by our political support. Each of us must help do the job of all of us.

COMMEMORATION OF JAMES CHANEY, ANDREW GOODMAN, AND MICHAEL SCHWERNER—THREE COURAGEOUS FIGHTERS FOR FREEDOM

The **SPEAKER**. Under a previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 60 minutes.

Mr. **RYAN**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

GENERAL LEAVE

Mr. **RYAN**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter, immediately following my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **RYAN**. Mr. Speaker, 1 year ago I rose in the well of the House to inform the Members that three young Americans were missing in the State of Mississippi in the vicinity of Philadelphia, Neshoba County.

Today I rise to pay tribute to those courageous Americans—James Chaney, Andrew Goodman, and Michael Schwerner—who sacrificed their lives for liberty and freedom.

Thomas Jefferson warned 175 years ago of the price that must be paid time and again for liberty and freedom:

> The tree of liberty—

He wrote—

> must be refreshed from time to time with the blood of patriots and tyrants.

Mr. Speaker, today, on this first anniversary commemoration, we honor these young patriots whose blood has refreshed the tree of liberty.

Three civil rights workers—James Chaney, a young Negro from Meridian, Miss.; and Andrew Goodman and Michael Schwerner from New York—disappeared a year ago.

Weeks later, the Federal Bureau of Investigation discovered their bodies in an earthern dam near Philadelphia.

These three, together with countless others, were dedicated to the highest principles and the noblest goals of our Nation. They were committed to the right of every citizen, regardless of race, creed, or color, to full citizenship.

The history of modern democratic countries is characterized by the struggle for full participation in the political process by all citizens.

Today we pay tribute to these three brave young men who gave their lives in that struggle.

Michael Schwerner and Andrew Goodman went to Mississippi to conduct voter registration drives and to open freedom schools under the auspices of the Council of Federated Organizations, an alliance of several civil rights groups—the Congress of Racial Equality, the Southern Christian Leadership Conference, the National Association for the Advancement of Colored People, and the Student Nonviolent Coordinating Committee.

They, together with other volunteers, were preparing to offer courses of study designed to make possible greater freedom for Negroes in Mississippi—courses in the humanities, in the liberal arts, in the mechanical arts, and in the rights and the duties and the obligations of citizenship.

Michael Schwerner and Rita Schwerner, his wife, had opened one of the first two freedom schools in Mississippi. They opened their school in a 5-room space in the town of Meridian. They established a library with a collection of some 10,000 books which were available for all residents and citizens of that community.

What did these three dedicated, courageous young people do which was so offensive and so insufferable that they should have been brutally murdered in Neshoba County?

They were assisting American citizens to become full citizens in the real sense of the word. They were assisting disenfranchised men and women to become capable of assuming responsibility for government and to make that government responsible for insuring their rights under the Constitution.

To those tyrants, to those petty Caesars, I suppose this was reason enough for murder. The dedicated efforts of these three young civil rights workers in the cause of liberty cannot be fully honored, cannot be fully realized until every disenfranchised Negro in the South has the right to vote and until all of our citizens everywhere have equal opportunity to participate fully in the mainstream of American life and to enjoy the opportunities which this great Nation offers.

This struggle in which these courageous young people sacrificed their lives continues. As we honor these martyrs today other civil rights workers are being jailed and brutally beaten in Mississippi. As we pay tribute to these civil rights workers who died, there are those today who sit in this body as beneficiaries of the very system of disenfranchisement which brought Andrew Goodman and Michael Schwerner to Mississippi and which brought thousands of young people, dedicated young people, from all over the country to join in this drive for freedom.

Let us remember these young martyrs today who gave their lives in the cause of equal rights. Let us pay tribute to their names. Let us think of the grief of those who loved them. But we must do more than that, for we owe to James Chaney and to Andrew Goodman and to Michael Schwerner not a debt of gratitude, but we owe them justice. In their name and in the names of those who have joined them in this noble struggle for liberty, we should dedicate ourselves to the fulfillment of their dream. We should make the rhetoric of "liberty and justice for all" become the reality that it should be for all those who live under the Constitution. So today, I have reserved this time and other Members of this body will join in this tribute to three of our citizens who, in the noblest of our traditions, chose to act for freedom—James Chaney, Andrew Goodman, and Michael Schwerner.

Yesterday a special dedication ceremony took place in New York as a monument was unveiled to the memory of Andrew Goodman. I should like to read into the RECORD the words which are engraved on that monument concerning Andrew Goodman:

> He traveled a short while toward the sun and left the vivid air signed with his honour.

Mr. Speaker, under unanimous consent I include at this point in the RECORD several articles commemorating this tragic anniversary.

James Wechsler wrote a moving article concerning this anniversary in the New York Post of June 21, 1965.

The article follows:

[From the New York Post, June 21, 1965]

THE UNFORGOTTEN

(By James A. Wechsler)

The weekend of memorial services and tributes was approaching and last Thursday evening I went to the home of Robert and Carolyn Goodman, parents of one of the three young men savagely slain in Mississippi a year ago tonight.

There was a special compulsion for the visit because I had journeyed to the same gracious, comfortable West 86th Street apartment last July 7, 16 days after the youths were reported missing and 28 days before the discovery of their bodies.

They had talked somberly then of their furtive hopes and deepening dread. A Justice Department spokesman had asked them whether "Andy is the kind of kid who would panic" and, when they expressed confidence that he would not, the official commented: "then I think there's hope for him."

But each day diminished the dreams of rescue. When I left them that night last July, I had the sense that they were preparing to confront the worst. But I remember wondering whether they were also tormented by the doubt that, if 20-year-old Andy Goodman and his two companions—James Chaney and Michael Schwerner—were dead, many people would long remember them and whether the sacrifice would have enduring meaning.

It was not a matter one could discuss when they clung to the chance of survival. But one made a private resolution not to forget if and when a melancholy anniversary occurred.

Now, as that day approached and one talked again with Andy Goodman's parents, there was abundant evidence that the three victims had already achieved some measure of immortality. In Meridian, Miss., CORE is building a Chaney-Goodman-Schwerner Memorial Community Center, in one form or another the symbolism of this hideous crime has permeated the consciousness of a whole generation, and even of a society.

No parent can say to another that this is adequate compensation for the loss of a cherished young life; one can only say that the tragedy has not been compounded by absent-minded dismissal. To many who never knew them, these three who died so young have achieved a recognition few attain in long lifetimes, and a place in all the history books depicting the greatest social upheaval of our era.

Since Andy Goodman was under 21 at the time of his voyage to Mississippi, his parents were required to sign a waiver authorizing his participation. In the darkness of many nights they must have reviewed that decision. Now they recall the long hours of discussion which preceded their approval—but they do not see how it could have ended differently.

"We wanted Andy to be sure," Carolyn Goodman was saying.

"Once he convinced us that he knew all the dangers, and we were totally convinced of his seriousness, we had to agree."

To a degree they were trapped by circumstances. Andy grew up in a home in which sympathy with social protest and dissent was nourished. The last term paper he wrote at Queens College was called "The Black Muslims: A Phenomenon of Negro Reaction." Dated May 19, 1964, it is a sensitive, perceptive appraisal of the ghetto structure which incites black nationalism—a sober estimate of the deadend to which separatism can lead. And when he told them in one of their last conversations that "the civil rights movement is the great struggle of our time—how can you live and not be involved in it?" a negative answer would have compromised every decency they have implanted.

Yet, even with all their own awareness of the primitivism of Mississippi, the Goodmans concede that the prospect of murder was alone beyond contemplation.

"We knew it might be very rough, but suppose we never believed anyone would be killed," Mrs. Goodman remarked.

Now the counterpoint comes in the thousands of letters they have received carrying the recurrent refrain: "Andy didn't die in vain."

On a sun-drenched Sunday when a monument is being unveiled to a boy who will never see the sky again, it is not for the living to write of any glory in his death. But something may be said without irreverence.

For there was a singular purity in the actions which exposed these young men—two white, one Negro—to the ruthless sadism of a Mississippi mob. These were not hardened, doctrinaire veterans: Their commitment was to the proposition of human fraternity and dignity. Like any great social revolution, the civil rights movement is intermittently beset by dreary factional conflict. But these three were rebels whose cause transcended jurisdictional disputes and personal rivalries.

It may well be said that James Chaney, who was colored, would have been buried without notice if unaccompanied by two white youths in the moment of death. That, among other reasons, is why LeRoi Jones was guilty of so grievous an offense. It was a remark that deeply wounded the Goodmans, as it must the family of Micky Schwerner.

The memory of these three is not the property of any sect, but rather of all men who in varied ways may be seeking to achieve equity on earth.

It has become fashionable to assume that any act of social valor reflects some phychic maladjustment rather than an authentic allegiance to ethical values.

But life is not wholly explained by such modern dogma. The impulses that drew these three to that place at that time are surely some intimation of a common human spirit that can rise above the vulgarities and vanities of routine existence in this chaotic time. Perhaps this, above all, is their triumph.

Ted Poston wrote an article which eloquently relates the sentiments of the parents of the three civil rights workers. This article appeared in the New York Post of June 20, 1965.

The article follows:

[From the New York Post, June 20, 1965]

MISSISSIPPI: TRAGIC ANNIVERSARY

(By Ted Poston)

It will be just 1 year Monday since they were seized on a country road near Philadelphia, Miss., held incommunicado until the mob could assemble, then slaughtered at night, in cold blood. Their multilated bodies, buried beneath an earthen dam, were not discovered for 44 days.

On the eve of this anniversary, one gets the eerie impression—after visiting the bereaved families—that somehow Michael Schwerner, 24; James E. Chaney, 21; and Andrew Goodman, 20, are not really gone.

Listening to Nathan Schwerner as he sits near his ever-ringing phone in the seventh floor showroom and plant at 12 East 22d Street where three generations of Schwerners own and operate a prosperous wig manufacturing firm. The intense words of the stocky, mustached father seem to echo the last concerns of the martyred son:

"We've got to raise more money for CORE, SNCC (Student Nonviolent Coordinating Committee), and the Mississippi Freedom Democratic Party. These kids are the least able to get funds. We've got to get more medicines, legal aid, and cars, and we've got to install two-way radio on those cars—not only in Mississippi, but in Alabama, Arkansas, and Georgia as well. If we had two-way radios on that station wagon that night, Mickey, Jim, and Andy would still be alive."

Enter the bare-floored living room of Mrs. Fannie Lou Chaney's clapboard cottage in Meridian, Miss., and listen as she proudly tells how her daughter, Mrs. Barbara Chaney Moss, 23, is conducting a COFO (Council of Federation Organizations) center and education workshop in the same Philadelphia, Miss., from which her brother went to his death. And how her youngest son Ben, 12, was even then among the 700-odd civil rights demonstrators jailed last week in Jackson, Miss. She points to her 18-month-old grandson crawling across the bare floor to his toys, and says:

"You see that child? Life's going to be better for him. I have that faith. James gave it to me. We can't stop now. Not after all that's happened."

Then walk through the spacious, beautifully appointed apartment at 161 West 86th Street where Andy Goodman spent most of his scant 20 years.

Pause before the portrait in the dining room of "Andy A. M.," a painting by Michael Hampshire of which Andy's slender, attractive mother, Mrs. Carolyn Goodman, once said: "When I first saw it I just reached out my hand, without thinking, to touch it. It seemed so alive."

Her hand does not reach out this time, but there seems almost an air of expectancy as she leads the way to Andy's den and bedroom—still undisturbed except for the papers his psychologist-mother has placed upon the desk she now uses as her own.

Before leaving a few minutes earlier for his office, civil engineer Robert W. Goodman had said: "Nothing basic in our lives has changed during this year. Our awareness may have been heightened, for the values of equality have always been extremely valuable to us and our friends. And we'll pursue them as we always have."

Mrs. Goodman had murmured: "That's why Andy did what he did. He'd been around this all his life."

But don't stir the memories of tiny, shy Rita Schwerner, 23, the wife who had waited vain hours for Mickey to return to the CORE community center they'd established in Meridian, Miss., in January 1964.

"This anniversary is a very personal, very private thing to me," she will say. "I can't afford to talk about it right now. It is too personal for me to go into my reasons * * * I must get through these next few weeks by myself."

But none can forget the chilling calls early last June 22 which informed them that Schwerner, the Meridian CORE center director; Chaney, a young Negro plasterer-volunteer, and Goodman, arrived only 24 hours before for the Mississippi summer project, had disappeared after inspecting the burned-down Mount Zion Methodist Church near Philadelphia.

Mrs. Chaney, who will conduct a memorial service on the ruins of that gutted church Sunday, recalls:

"I guess I knew then what had really happened. I know Mississippi."

Schwerner: "Rita called us about 2:30 a.m. I went into some kind of shock. I telephoned Bill Kunstler (in whose law office Rita is now working for the Mississippi Freedom Democratic Party). I hardly knew what to think."

Mrs. Goodman: "We were alarmed and shocked, of course. But not without hope. You see, we didn't know then what was possible as we do now."

The Goodmans and the Schwerners were at the White House the next day, along with New York Congressmen RYAN and REID and Martin Popper, family friend and lawyer, when President Johnson told them that the station wagon in which the trio had disappeared had been found, fire-gutted, in a Neshoba County swamp.

Schwerner: "I knew then they were dead. Oh, I continued to make speeches before all the civil rights groups and anyone else who would hear me. I called for more Federal intervention—and we still need that today; that's why I still average at least one speech a week. But when they found the station wagon I knew."

Mrs. Goodman (conversely): "Our hopes rose then. We had every hope in the world then they would be found—especially when the President himself called us that night to say there were no indications of human remains in the car."

Mrs. Chaney: "I knew."

Robert Goodman murmured: "Towards those last weeks, dear, we came to a realization that we had to face it."

"But not Johnny," Mrs. Goodman said of her son, 24, now studying conducting at Juilliard. "Johnny just wouldn't accept the finality of it until we knew."

And mention of John brought thoughts of David, 18, who returned from Antioch College in Ohio this week to participate in Sunday's unveiling of a family monument to Andy at Mount Judah Cemetery in Brooklyn—a ceremony in which Dr. Aaron Henry, of the Mississippi NAACP, former Assistant U.S. Attorney General Burke Marshall and Joan Cadden, lifelong friend of Andy's, will participate before closing songs by folk singers Peter, Paul and Mary.

"I guess the greatest effect of all has been the feeling of emptiness and loss in not having Andy around, especially on holidays," she said. "We were always all together at those times. Every day brings such sharp recollections of what he did."

There is an odd mixture of grief and gratitude among all the families. Schwerner, with whom little Ben Chaney and Barbara spent the last Christmas holidays, sees the death of the three youths this way:

"It awakened part of the American conscience. It highlighted one important fact: that the majority of us white Americans really do not regard our Negro brothers as human beings—as worthy of human rights. Had Jim Chaney died alone, few would have cared. Remember the dismembered Negro bodies uncovered elsewhere during the long search?

"But some consciences were aroused because this involved two white kids, even if they were only two little Jewish boys. The identification was with the white boys mainly, and not just with all boys as humans."

Robert and Carolyn Goodman are less harsh in their assessment.

"I am still struck by the continued concern of so many people at what happened a year ago," she says. "I know how short memories are. I think this had a double meaning to people that three young men went into the countryside of Mississippi and tried to make a living reality of what we all speak and hope for. I think most Americans felt a sense of personal identification with them."

And Robert Goodman says: "The year has brought a sense of identification with so many people I never knew before—all over the country. Of course they can't take the place of a personal loss, but they have given this tragedy a meaning, a significance that could not have been obtained otherwise."

Mrs. Chaney still has compassion although racists shouted such vile insults nightly after James' funeral that she gave up her phone in Meridian; although shots were fired through her window after she tried to register little Ben "at the white school right across the street"; although a fire bomb was aimed at her house (and landed on her next door neighbor's porch).

"In spite of all that's happened and all the sorrow," she says, "I still believe there are some good white people in Mississippi, but they're afraid to say and do what they think because of what could happen to them."

Revealing that little Ben has been offered a scholarship at Andy's Walden School in New York, she said she was considering taking him out of St. Joseph's Catholic School in Meridian and moving here.

"Ben is my main concern now," she said, "I want to do what's best for him. I want him to grow up and be somebody—somebody James would be proud of."

The Chaneys, the Goodmans, and the Schwerners will be together Monday for anniversary observances.

While Andy's memorial is being unveiled Sunday, Nathan Schwerner will be addressing a Mississippi Freedom Party rally in Brooklyn's Tompkins Park, "I could ask no greater memorial for Mickey than the unseating of the present all-white, anti-Negro Mississippi congressional delegation," he said.

Monday morning, Mayor Wagner will present three college scholarships named for the martyrs in a city hall ceremony. And later the families will fly to Washington, where New York Post columnist Drew Pearson will host the presentation of Shirley Tucker's new book on the killings, "Mississippi From Within," to the survivors.

And Monday night, at the Ethical Culture Society, 2 West 64th, they will receive CORE's fifth annual Gandhi Award which says:

"James Chaney, Andrew Goodman, and Michael Schwerner dedicated their lives to the ideal of a society free of bigotry and discrimination."

Philip Benjamin in the New York Times of June 20, wrote an article which also sets forth the moving words of the parents of the three civil rights workers.

The article follows:

[From the New York Times, June 20, 1965]

Families Hope Three Didn't Die in Vain—Feel Rights Workers' Deaths Stirred an Awareness

(By Philip Benjamin)

In the year that has passed since the slayings of Andrew Goodman, Michael H. Schwerner, and James E. Chaney, their parents have, in their several ways, come to terms with bereavement.

All of them express the hope, if not the conviction, that their sons did not die for nothing. And they do not regret having allowed their sons to do what they believed was morally right.

The parents of Andrew Goodman are Mr. and Mrs. Robert W. Goodman. They live in a comfortable apartment at 161 West 86th Street. Mr. Goodman is a general contractor.

"Of course I have mixed feelings," Mrs. Goodman said recently. "But I think that what has happened has been a sharpening of the civil rights struggle, a greater awareness in the country of the need for achieving equal rights for all citizens. And I think it was because of the death of these three boys.

"I still feel that I would let Andy go to Mississippi again. Even after this terrible thing happened to Andy I couldn't make a turnabout of everything I believe in."

A CATALYST

Mr. Goodman said that he believed the "feeling of awareness in the Nation is the biggest thing that has happened in the past year."

The deaths of the three young men, he said, "can be looked on as a catalyst that brought into sharp focus the conflicting attitudes in the South and the sting of conscience in other parts of the country, where prejudice exists in a subtler form."

A monument to Andrew Goodman will be unveiled today at Mount Judah Cemetery in Brooklyn, where he is buried.

Nathan Schwerner, the father of Michael Schwerner, is a partner in the Schwerner Oppenheim Co., a wig manufacturer's concern. He and Mrs. Schwerner live in Pelham and have another son. They have long been active in civil rights movements.

"I felt very early," Mr. Schwerner said, "that I had the alternative of merely succumbing to grief or trying to do something about the situation. So I decided to do what I could to advance the things Mickey and I both believed in." In the last year, he said, he has spoken to 50 or 60 organizations.

CAUGHT IN A MAELSTROM

The slain rights workers were "three human beings caught in a maelstrom," Mr. Schwerner said.

"If two of them hadn't been white," he said, "I doubt if their deaths would have had the impact on the American people that they did have. Too many of us whites react to injuries and murders of whites far more quickly than to those of our own brother citizens of another color."

Michael Schwerner's widow, Rita, who worked with him in Mississippi, is still involved in the civil rights movement. But she is reluctant to make public statements and keeps out of the public eye as much as possible.

Mrs. Fannie Lee Chaney, the mother of James Chaney, lives in Meridian, Miss. Her husband is a construction crew foreman, and the Chaneys are among the relatively few prosperous Negroes in the town.

In a telephone interview, Mrs. Chaney said that even after a year, "I feel just like I felt when it first happened."

She said she had not been much interested in civil rights until her son became active in the movement. "I'd let him do it again," she said. "I feel their deaths were for the cause. To a certain extent it has opened the eyes of youngsters in Mississippi."

Mrs. Chaney's young son, Ben Chaney, Jr., 12, has been in jail twice as a result of civil rights activity. Her daughter, Janie, 19, is now in jail in Jackson after demonstrating there.

The New York Herald Tribune of June 20, 1965, published an article by John G. Rogers which includes an interview with Mr. and Mrs. Robert Goodman, the parents of Andrew Goodman, and Mrs. Fannie Chaney, the mother of James Chaney.

The article follows:

[From the New York Herald Tribune, June 20, 1965]

A MOTHER'S MEASURED ANSWER: "I'D LET MY OTHER SONS GO, TOO"

By John G. Rogers)

Mrs. Robert W. Goodman received the question stoically.

Would she and her husband withhold permission should either of their two remaining sons seek to go as civil rights workers to Mississippi where their brother, Andrew, was murdered a year ago tomorrow?

There was only the slightest hesitation before she replied:

"I really don't see how we could."

Her voice lowered as she went on to explain: "We've given the matter a very great deal of thought. When Andy went down there I didn't dream it would go as far as murder but I was fully aware of his danger and fully prepared for the possibility that he could be badly hurt.

"But, as hard as it is to say this, if either Jonathan or David felt that they must go to Mississippi, if they wanted to carry into action the beliefs and ideals that are very important to our entire family, as the cause of civil rights is, then I don't see how we could try to prevent them.

"I don't see that we could or should. It would be a terrible, terrible pain but * * *."

TRAGEDY

Mrs. Goodman, whose son Andrew was killed along with Michael Schwerner and James Chaney by a midnight mob in or near Philadelphia, Miss., is working as she has for a dozen years as a salaried psychologist in the Guidance Center at 427 Main Street, New Rochelle. She is in charge of community services at the psychiatric clinic.

As she contemplated the thought of either Jonathan or David following in Andrew's tragic footsteps, she said that although both brother were exceedingly proud of Andrew and though both were equally devoted to his ideals, they were occupied at the moment exclusively with educational pursuits.

Did she hope their energies and activities would steer away from Andrew's course?

"No, I can't say that either," she replied. "The gravest problem of our time and we're all caught up in it. To the extent that any of us is maimed, we're all maimed."

After the perspective of a year, Mr. and Mrs. Goodman still believe it was correct for them to give Andrew permission to go to Mississippi. And today, a year after his death, the routine of their lives has not greatly changed.

Mr. Goodman—a general contractor—and his wife are, if anything, more involved than before in aspects of the civil rights fight. This is not in an organized sense. But friends of Andrew's and other young people they have met because of Andrew's death consult with them frequently.

And quite often, at memorial meetings or scholarship awards or other commemorative events, they see the other parents who share the Mississippi tragedy—Mr. and Mrs. Nathan Schwerner and Mrs. Fannie Chaney.

CONSULTED

Mrs. Chaney, like the Goodmans, has not retreated from the civil rights struggle.

Last week in Philadelphia's Council of Federated Organizations headquarters, a middle-aged Negro woman picked up a ringing telephone.

"I'm sorry," she said, "all the staff workers are in jail in Jackson. There's no one who can be here at the moment except me."

"Me," of course, was Mrs. Chaney. She was holding down the office until the regular workers returned. They had been arrested in Jackson, the capital, during a week of demonstrations.

Mr. and Mrs. Goodman, Mr. and Mrs. Schwerner and Mrs. Chaney will see each other again at 8 p.m. tomorrow at a ceremony at the Ethical Culture Hall, 2 West 64th Street. The national office of the Congress of Racial Equality will award its fifth annual Gandhi Medal posthumously to the three martyred civil rights workers. The medal is awarded for great and nonviolent contribution to the civil rights cause. James Farmer, national CORE chairman, will speak. The parents will accept the medals.

At 1 p.m. tomorrow, CORE and the Student Non-Violent Coordinating Committee will picket FBI offices at 201 East 69th Street in protest of alleged insufficient protection of citizens in the South.

Meanwhile, at 2:30 p.m. today, the Mississippi Freedom Democratic Party will sponsor a rally in Tompkins Park, Brooklyn. And in Mississippi, Mr. Farmer will lead a CORE motorcade from Meridian to the Mount Zion Baptist Church in Philadelphia, part of the route the three civil rights workers traversed just before their deaths.

Mr. HALPERN. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Speaker, I commend the gentleman for taking this time today to call attention to one of the most dastardly crimes in our Nation's history—the shame that befell our country just 1 year ago.

James Chaney, Andrew Goodman, and Michael Schwerner were three brave young Americans. They believed in social justice—in equality before the law. They believed that every American citizen—regardless of color—has the right to elect his leaders. In short, they believed in those principles upon which our American form of government is founded.

Yes, these young men held ideals, but they also did much more. They chose to pay more than lipservice to a cause. They chose to act, to take up a commitment, to turn ideas into action. The 15th amendment to the Constitution must be implemented. Every eligible American citizen must have the right to vote without regard to race or color. In this they believed, and to this goal they were committed.

And so, to carry out their commitments, these three young men met near Philadelphia, Miss. They were going to educate rural Negroes living nearby; to inform them of their constitutionally guaranteed right to vote, to instruct them in methods of voter registration. But these three brave young volunteers were never permitted to carry out their work, for they were brutally, senselessly, and tragically murdered on their first day of travel.

One year has passed since these three young men were murdered. Yet not one suspect has been brought to trial. And not for lack of evidence, either. The FBI investigated this crime in its customary thorough manner, and, as a result, 21 suspects were arrested. But, because of an unusual holding on the part of the local U.S. Commissioner, the suspects were freed.

Clearly the crime of murder is an offense against the State. Mississippi has statutes outlawing murder. But what legal action has Mississippi taken? None. We hear a lot about States rights. Well, there is a corollary to that doctrine—States responsibilities. The State of Mississippi has a responsibility to guarantee law and order, to provide an impartial judicial system, to bring the guilty to trial. If she wants States rights, then she must accept States responsibilities. She must take action and remove this stigma from the South. The murderers of the three young volunteers must be brought to trial, if justice is to be served.

The finest tribute we in this Congress, we the representatives of the American people, can pay is to be relentless in our efforts and our actions in advancing the cause of freedom, justice, and human dignity.

Mr. RYAN. I thank the gentleman from New York for his contribution.

Mr. DADDARIO. Mr. Speaker, this commemoration today serves as an important reminder to all of us of the true nature of the struggle to obtain equal rights for all citizens. We commemorate today not the deaths of James Cheney, Andrew Goodman, and Michael Schwerner, but rather their lives and actions which led to their death. While much can and must be accomplished here and in the individual States in the form of legislation, the real progress in achieving civil rights is made on the local level through the efforts of these men and others like them. Cheney, Goodman, and Schwerner were, along with several hundred other volunteers, actively engaged in a political education and registration campaign for Negro citizens. Their efforts were designed to transform abstract equality in law into actual equality in life.

These men sought equality in peace. They were answered in violence. Their efforts on behalf of Mississippi Negroes were received with anxiety and disgust by numerous citizens of that State. They were the "outside agitators," the hated and distrusted "COFO workers." Their attempt at achieving civil equality peacefully brought violence, bloodshed, and murder. As a result of the actions of these men and the reactions of others to them, the emotion and conscience of the Nation was doubly aroused.

The summer volunteers, as exemplified by Cheney, Goodman, and Schwerner, aroused the individual consciences of all our citizens by their own demonstration of commitment. Their willingness to forgo their own enjoyment for the benefit of the welfare of others was in the best traditions of brotherly concern. Their dedication to involvement served as a stimulus to some, a painful reminder to others. They challenged the "armchair integrationists" who criticized the numerous minor defects of their program, yet failed to involve themselves to change or further the basically worthwhile aims of the movement. In some way, we were each challenged to assess our own personal commitment to the cause.

Then after their purposeless murder, our collective conscience was again pricked by the thought of this senseless killing. Our blame was directed at the still unpunished murderers, but in truth we all shared the guilt. This murder represented the extreme reaction of that prejudice and bigotry which infests our Nation and our people in every area. To some degree we each have acted and reacted from the same motivations that provoked those killers. If we thought beyond our disgust and repulsion, we saw in ourselves many of the same feelings. And beyond this we were made to see the effects of our refusals in the past to correct the evils of racial injustice. It was because of the failure to act early, the tendency to say "It all takes time, eventually things will work out," that the feelings of hate could have become so ingrained and violent as to lead to senseless brutality. Beneath all our reactions and condemnations of the unknown criminals, there lay some degree of self-condemnation for our own wrongdoings.

The murder of these young men served as a vivid though terrible reminder of the depth and intensity of feeling which persists in many areas of the land. Such feelings are not isolated to any one section or area. Similar outbreaks of violence have occurred in other areas of the South as well as the North. Similarly, the denunciation of this act was not limited to any particular segment of our people. Demands for justice and observance of the law have come from southern leaders as well as northern. Gov. Paul Johnson, of Mississippi, recently condemned such acts when he spoke before the Civil Rights Commission of the "few in our State who have committed unpardonable criminal acts." Cries for justice were heard throughout the land. It is indeed unfortunate that such demands have yet to be met.

Though we share with the families of these men the wish that this occasion for commemoration and the circumstances which compel us to pause and consider might never have arisen, we must never lose sight of the greater implications of their actions, implications which live after them. To some, Cheney, Goodman, and Schwerner were martyrs of freedom, to others they were examples of individual commitment; to some they were an ever-present thorn of conscience, and to still others they were the hated object of blind prejudice. To all of us they are a reminder—a reminder of the gains of the past, the accompanying losses—the job that has been done, and the one that remains. The barriers which these men sought to overcome—prejudice, bigotry, and discrimination—remain today, in the South and the North. The challenges facing them then face us now. May we each have the courage and commitment to face such challenge that was shown by these men. With such conviction we cannot fail to overcome.

Mr. HELSTOSKI. Mr. Speaker, it has been 1 year since the dignity of man and the sanctity of law were so wantonly defiled at Philadelphia, Miss. The fact that the murderers of civil rights martyrs James Chaney, Andrew Goodman, and Michael Schwerner are still free is a sad comment on some aspects of our society which have failed to live up to our great heritage.

Mr. Chaney became a victim simply because he sought that which was rightfully his by birth—the right to fair and equal treatment under the law, the right to vote, and freedom from oppression.

Since all too few of his fellow Mississippians were willing to help him secure these rights, other Americans came to his side. They came from the cities and the farms, from campuses across the Nation. They arrived with a single burning desire to hasten the removal of injustices that had festered for too long in a segment of our great Nation.

Goodman and Schwerner joined Chaney as martyrs to that cause. They were brutally murdered by a mob made brave by its numbers and encouraged in violence by the badges worn by several of its members. The three young men were buried under an earthen dam, but the world was soon to know of the foul crime that will provoke forever the anger of freedom-loving Americans.

After 1 year it is easy to arouse sorrow in the heart for these three young men who died for a worthy cause—the emancipation of their fellow men. But the expression of sorrow for their families and friends which we renew here today is also mingled with an aggravated frustration because we have not yet fully corrected the evils which led to their deaths.

And I cannot continue this opportunity to speak out without admitting that I feel sorrow also—mixed perhaps with a good portion of pity—for the people of Mississippi and other societies where similar standards are condoned by the majority.

I do not envy them their thinking. And most of all I do not envy their lack of safety from the law. For all residents of such societies should ask of themselves this question: If any man, with or without a badge, can warp and twist authority and law to snuff out the rights and even the life of another man without hindrance, what then is to prevent him from doing the same against me?

It puzzles me that I have not heard this logical question expressed widely in Mississippi. I wonder that the fear aroused by this act has not been turned into action against those who dared to take the law into their own hands and use it against another citizen.

Those who committed this crime are still free—turned loose by their fellow Mississippians. There are murderers in the streets there, and who can guarantee that they are not beyond going against the law again? And yet, the society called Mississippi turns its head the other way.

Unfortunately, Chaney, Schwerner, and Goodman were not the last in the growing line of civil rights martyrs. The list has grown longer with the Reebs and the Liuzzos. We pray to God that there shall be no more.

But their work—and their deaths—have awakened a great many Americans who before had ignored or refused to believe what they had heard. And instead of causing fear and abandonment among the civil rights workers who had been carrying out the same crusade, the deaths of the three Americans has aroused greater fervor, found new recruits, and made more determined the fight to provide equal justice under the law for Americans of all races and creeds.

We will win this fight, for there are thousands equally as dedicated as James Chaney, Andrew Goodman, and Michael Schwerner. They will not rest until the job is done.

They are abroad in our land today, working under the threat of similar fates to establish guarantees for the basic human rights. Their determination and the fruits of their efforts are the living memorials to Chaney, Goodman, and Schwerner. They are the memorials that these three young men would have desired most, I am sure.

This living memorial—the attainment of civil rights for all—should be forged by the dedication of every American to the basic principles outlined in our Constitution. I pledge to do my part and I urge all of my colleagues and my fellow citizens to do the same. No memorial except the attainment of their goals can do justice to the memory of James Chaney, Andrew Goodman, and Michael Schwerner.

Mr. ROOSEVELT. Mr. Speaker, I rise to call attention to an article by George Slaff which appeared in the May 17, 1965, issue of the Nation. The "Mississippi Challenge" is a particularly timely article, and I am pleased to take this opportunity to make it a part of this special order:

FIVE SEATS IN CONGRESS—THE MISSISSIPPI CHALLENGE

(By George Slaff)

The voting rights bill which President Johnson sent to Congress as a result of the Nation's anger, and his own, over the callous violence of Alabama State troopers at Selma and the murder of the Reverend James Reeb is a historic step forward—but long overdue and far from enough. (See "The Right To Vote: Small Fruit of a Bold Promise" by William W. Van Alstyne, the Nation, Apr. 19.)

That it is long overdue is certainly no reason not to welcome it. That it is far from enough is certainly reason to point out that the administration has at hand, if only it will use it, a much more effective way to guarantee the vote to Negroes in the South than this or any other piece of legislation that Congress could pass. That is the Mississippi challenge. If it succeeds—and what President Johnson and his administration do about it may well determine whether or not it will succeed—it will stand as a lesson forever to the Southern States that as long as they prevent Negroes from voting they are in danger of losing their representation in Congress.

The Mississippi challenge is the contest—filed on the first day of Congress this year on behalf of the Mississippi Freedom Democratic Party—to the right of the five Mississippi Congressmen to sit in the House of Representatives. It is based on the allegation that the Congressmen were nominated and elected in a primary and general election from which Negroes "were regularly and systematically excluded by intimidation, harassment, economic reprisal, property damage, terrorization, violence, and illegal and unconstitutional registration procedures."

What are chances of the challenge's success? Good, if the national indignation aroused by Selma and its aftermath does not cool off or become apathetically satisfied with a nominal voting rights bill. Good, if the challenge is determined on the basis of conditions as they exist in Mississippi, as documented by some 15,000 pages of sworn testimony taken in the space of 6 weeks in a modern miracle of legal effort. Good, if the administration and the Republican leadership make the slightest effort when the challenge comes to a vote in the House to support the 149 Congressmen who voted, on January 4, not even to seat the five Mississippians until the challenge was decided.

Federal law gives the contestants in such a challenge the right to take testimony to support their claim. The taking of that testimony has now been completed and has gone forward to the Subcommittee on Election of the House Committee on Administration. From there is will be reported out to the House itself. The Mississippi challenge has scarcely been mentioned in the Nation's press, but Drew Pearson said recently, "The challenge to Mississippi's Congressmen is causing such worry that Gov. Paul Johnson has called off a special session of the State legislature originally planned to denounce the new Civil Rights Act.

Under the Federal code, the lawyers for the Mississippi Freedom Democratic Party had only 40 days from January 4 in which to gather the evidence to support the challenge and put into deposition form. This deadline presented a challenge of its own, for there were hundreds of witnesses, friendly and hostile, to be interviewed, summoned and examined, mountains of voting records to be gone over and infinitude of details to be covered properly. Any ordinary lawyer might be expected to call the undertaking impossible, but the lawyers for the Mississippi Freedom Democratic Party, headed by William Kunstler and Arthur Kinoy, of New York, Mortimer Stavis, of Newark, N.J., and Ben Smith and Bruce Waltzer, of New Orleans, are not ordinary lawyers. To them, the impossible is simply routine in civil rights matters.

By personal appeal, phone, wire, letter—every form of communication except the jungle drum and the smoke signal—word went out to the lawyers of the country that there was work to be done—and fast—in Mississippi. Between the middle of January, and appropriately enough, Lincoln's Birthday, 96 of them had flown into the State at their own expense, had examined between 500 and 600 witnesses in 30 counties, and had taken approximately 15,000 pages of testimony, recorded by court reporters from outside the State who had also volunteered their services.

In Mississippi, only approximately 6 percent of the eligible Negro citizens are registered to vote. In Panola County, up in the northwestern part of the State, where Mike Lewton of San Francisco, Roy Collins of Danbury, and I held hearings during the week ending January 12, only 2 Negroes had been permitted to register from 1890 to 1962.

The year 1890 has special significance in Mississippi history. It was then that the white oligarchy of the State, seeking some "legal" means of disenfranchising the half million registered Negroes, adopted a new constitution which required that to be a voter a person had to be able to "read any section of the constitution of this State * * * or give a reasonable interpretation thereof." By strict application of this requirement, with unlimited discretion in the registrar of voters as to what constitutes a "reasonable interpretation thereof," more than 90 percent of the Negro citizenry of Mississippi is today barred from the polls. Approximately 28,500 Negroes are registered in Mississippi as against 525,000 white registrants (who, as a practical matter, are not subjected to the test of constitutional erudition), although the Negro population of the State is approximately two-thirds that of the white.

The testimony in the challenge varied in detail from county to county, but the basic pattern was the same. Panola County is a good example of the situation throughout the State.

The hearings were held in "Freedom House," the COFO headquarters in Batesville, the county seat. Close to 200 Negro residents of Panola County were in the hearing room which could comfortably hold about 150. The corridor outside was packed 10 to 12 deep with Negroes who had come from all over the county to listen. Outside, at each of the eight windows, opened a trifle at the bottom, Negroes stood on tiptoe, three to four deep.

Robert J. Miles, one of the leaders in Negro voter registration in the county and a founder of the Negro Voters League and the Freedom Democratic Party, was the first witness. Miles is a quiet, determined, fearless man, 50 years old, whose house was bombed twice last summer and shot at many times. He speaks softly but firmly.

He unhesitatingly told of conditions in Panola County over the years—the fear, the threats, the harassment, the intimidation, the evictions, the economic reprisals that had always effectively stopped Negro voter registration. He spoke of the "Darby days"—the dark periods when Sheriff Darby had ruled the county from 1951 to 1955 and again from 1959 to 1963—and of the beatings and killings of Negroes that marked Darby's reign. The hiatus between Darby's terms of office and the fact that he is not now sheriff are due to a Mississippi law that prevents various officials from succeeding themselves.

Miles stated that the Negroes in Panola County, as well as in the rest of the State, bore vividly in mind the death of the Reverend Lee in Belzoni and the killing of a Mr. Smith on the courthouse steps down in the southeastern part of the State. Both had expressed the determination to vote. He told of the cancellation of all his insurance after his first attempt to register and of the threat to kill him made to his neighbor, Mrs. Caldwell.

That pressure from outside and putting Mississippi in the spotlight of national attention have some value became evident when we went to see Sheriff Hubbard at the end of the day to tell him that we expected no harm to come to our witnesses. He assured us that he would have deputies patrolling in the neighborhoods where the witnesses lived and that he had already arranged a meeting that evening with some of the plantation owners and other to tell them that there were to be no reprisals. This solicitude reflected the word that had come down from former Governor Coleman, representing the Congressmen, that there were to be no incidents during the challenge because of the reaction outside Mississippi.

However, it is entirely likely that the moment the spotlight is turned off, the terror that has been commonplace in Mississippi for generations will be unleashed again. Less than a week after we finished taking testimony, the COFO headquarters in Laurel, Miss., was burned to the ground. A few days later, the headline in the Los Angeles Times over a story of the hearings held by the U.S. Civil Rights Commission read: "Mississippi 'Savagery' Shocks Rights Problem: Commission Hears Sworn Testimony of Floggings and Slayings of Negroes." Early in March, the New York Times carried the following story from Batesville about what happened there when Negroes gathered outside the court where a group of local Negroes and two COFO workers were being tried on charges of "parading without a permit, blocking the sidewalk, and disturbing the peace":

"A crowd of several hundred Negroes gathered to learn the decision in mayor's court.

"This brought several hundred whites to the scene. Toughs spotted Christopher Williams, of Amherst, Mass., 18-year-old son of Schafer Williams, history professor of the University of Massachusetts. They beat the youth to the ground and stomped on him. He still has a red, 3-inch wound from a kick in the face.

"Six Negroes also were beaten, one requiring five stitches to close a wound over his eye . One Negro, Robert Miles, fought back.

"This started a brawl. The police, who had been watching, broke it up. Mr. Miles and two of the whites were arrested and released on bond.

"Then on Sunday night a shotgun was fired through the window of the front door of the Miles home. Pellets just missed Mr. Williams and another white worker, 21-year-old Penny Patch of Englewood, N.J. The two are living at the Miles home."

Robert Miles surely knew as he testified that day in February that his future would not be free of violences, yet he continued to tell calmly of the efforts made by himself, his brother-in-law, William Kuykendall, C. J. Williams, the Reverend Middleton, Lamarr Thomas and others to organize a voters' league among the Negroes of Panola County in 1959. A few of them had begun to study the Constitution of Mississippi in detail and had gone in groups of three to register; all had been failed in their applications. Mr. Miles said that Kuykendall had been shot at and that crosses were burned at his home; he said that Town Marshall Ira Seals had beaten 12-year-old Linda Kuykendall so badly that she had been hospitalized, telling her it was "on account of your father being a smart, NAACP nigger." He told of the telephone threats and the shots at Kuykendall's home which finally forced him to take his family from Batesville to the safety of Detroit.

Although, by comparison, violence against Negroes has been less in Panola than in some of the other counties in Mississippi, Panola Negroes have been beaten, shot and killed by sheriffs, by highway patrolmen and by white civilians—and none of the offenders has been punished by the law. Robert Miles pointed out that the Negroes of Panola always bore this fact of life—and death—in mind and that it had discouraged registration.

All that day and for half of the next, witness followed witness with personal testimony as to why only two Negroes had been permitted to register in Panola County in the 72 years from 1890 to 1962. C. J. Williams looked straight at the lawyers for the Congressmen as he told of the fear that gripped the Negro community when voting was discussed; of nocturnal roadblocks as late as last September, manned by the sheriff, his deputies and the district attorney in person, to get the names of everyone who attended a voter-registration meeting. Rev. W. G. Middleton, 10 years old when the 1890 constitution took the franchise away from Negroes, and who was to say after the hearings were over, "I saw the doors close and now I have seen them open again," sat erectly in the witness chair and looked out at the crowded hearing room as he might upon his congregation. He gave in measured tones a detailed recital of the absolute deprivation of the rights of American citizenship that had been the Negroes' lot in Panola County. His voice was firm with hope and confidence for the future—the Reverend Middletons, the Mileses, the Williamses of Panola County do not frighten easily or despair readily.

Mrs. Caldwell took the stand to state that the sheriff's son-in-law had threatened to kill Miles if he didn't get those COFO workers out of his house. Sharecroppers from plantations near Batesville and from Crenshaw, 30 miles away, told of coming to register and of being turned away because the registrar was not in his office, or of standing in line all day and having the office closed before they had a chance to get in—and this even after the registrar was subject to a Federal court injunction.

Charles Gardner, who had been a tenant farmer on the McMillen Plantation for 8 years, testified that he was ordered to leave shortly after his wife had registered to vote last August. Clara Perry, who had been a tenant for 2 years on the R. L. Milam Plantation, was told to get out by Milam himself 3 or 4 days after she registered. And so it went with witness after witness, including two of the unsinkable COFO workers, Penny Patch and Clair O'Connor, and concluding just before noon on Wednesday with Rev. Charles E. Lester, ordained a minister in 1922, now more than 80 years old, who was ordered out of the place he had occupied for 10 years on the Crenshaw Plantation a week or so after he attempted to register last summer.

Then it became the turn of the registrar of voters, Ike Shankle, to take the stand and to account, under oath, for his actions. For years Shankle and his predecessors had been requiring Negroes in Panola County to interpret such portions of the Mississippi constitution as section 212 which deals with the interest rate of the Chickasaw school fund and other trust funds for educational purposes for which the State is responsible, etc., etc.

It may thus come as a surprise that the man who determines whether a Negro's written interpretation of esoteric sections of the Mississippi constitution entitles him to vote confessed in reply to the first question I put to him that he had not the slightest idea of what a bill of attainder was, although that prohibition against bills of attainder is contained in the bill of rights of at least 34 of the 50 States. He admitted that if that were a part of the Mississippi constitution he would not be able to interpret it—and that when he had first registered he had not been asked to interpret any section of the constitution, but had merely "gone down to the courthouse and signed the book."

For a day and a half Shankle sweated on the stand, trying to explain why he did not consider "No one should be convicted for the same things twice" to be a reasonable interpretation of the "double jeopardy" section of the Mississippi constitution; why he had closed down one of the two voter registration offices in the county and forced a large part of its Negro residents to trek an additional 25 or 30 miles to register; why he refused to appoint any deputy registrars to handle applications, with the result that Negroes were prevented from registering during the 2 months when he was acting as clerk of the circuit court, while he was on vacation, or during the many other times when he was away from his office; why he had denied a Negro applicant the right to register because, although she had answered perfectly the 21 questions on the application, including the constitutional interpretation and the final question requiring her to write her understanding "of the duties and obligations of citizenship under a constitutional form of government," she had signed the application in only one of the two required places; why, indeed, he had refused to certify the names of registered voters on a petition to place Mrs. Fanny Lou Hamer on the ballot to contest the congressional seat in the last election, and to place the name of Aaron Henry, president of the Mississippi NAACP, on the ballot for the U.S. Senate.

Sheriff Hubbard, following Mr. Shankle to the stand, spun a fanciful tale of trying to intercept moonshiners as the reason for a four-road block last September by which he and his deputies and the district attorney secured the names of all who attended a voter registration meeting. The district attorney's presence, he explained, was not an attempt to intimidate potential voters; he had happened to meet the district attorney that evening and Mr. Finch was just "taking a ride with me like he often done."

Finch, a filibusterer to put Senator Claghorn to shame, swore to the same thing, although he could not recall where or when he "happened" to meet the sheriff that evening. He admitted writing down the names of occupants of cars coming from the meeting, but denied that this had anything to do with the fact that they were organizing to vote.

Plantation owners, called to the stand, piously denied intimidation, threat, harassment, as they reluctantly agreed that voting and registering to vote were duties and obligations of citizenship which they recognized and which should not be denied to Negro citizens.

At 11:15 a.m. on Friday, February 12, the hearing ended and as it did, 200 people stood in the hearing room, joined hands and burst out with "We Shall Overcome." It was an unforgettable moment for those of us who had come from far away to help the Negro people of Mississippi.

The lawyers for the Congressmen gathered their papers and left the room followed by the dozen or so white witnesses and spectators. C. J. Williams mounted a table and exhorted everyone in the audience who had not yet registered to "Go down to the courthouse and register now—not tomorrow or the day after but now. You heard them say it's all right for you to register. Go ahead and do it. Now. Now. Now."

But while such emotional fulfillment is all very well, the important matter is the effect, and the effectiveness, of the challenge. So far the results have been valuable in two respects. First, the evidence at the hearings is more than enough to provide a solid basis for congressional action to oust the Mississippi Congressmen. Second, the hearings have provided a tremendous boost to the morale of the Negroes over the entire State, both leaders and rank and file.

There remains to be accomplished the third and final result—the actual ousting of the five pretenders. It would be naive to assume that this decisive step will be taken strictly from an impartial weighing of the evidence by individual Congressmen. The southern bloc of approximately 100 votes will be cast almost solidly against the challenge. Political considerations of every sort will in varying degrees, enter into the determination of the rest of the Congress.

Some Congressmen will satisfy their consciences by voting for the voting-rights bill, and then against the challenge, on the theory that "enough is enough" and why rock the boat of congressional privilege? The administration, too, may decide that there is more to be lost than gained by creating further antagonism among the white population of the South. The soft pedal may very well replace the blazing anger that President Johnson displayed in his voting-rights address.

In fact, a great deal could be gained by ousting the five Congressmen, and there is every reason for the administration to give its full force to the effort. All possible steps must be taken by every interested person and organization to see that their own Congressmen and as many others as can be reached, as well as the administration itself, support the challenge wholeheartedly when it reaches the floor of Congress. A successful answer to the Mississippi challenge will go further toward shaping the course of democracy in the South than the voting-rights bill and a half dozen Supreme Court decisions, important as those are. Once the principle is established that Congress itself—without the need for court intervention—will not tolerate Negro disenfranchisement, Negro disenfranchisement will really begin to disappear from America.

Mr. MINISH. Mr. Speaker, it is well that we commemorate the tragedy that occurred 1 year ago in Mississippi and that we pay tribute to the heroism of the three young civil rights workers who died that men might be free.

It is a sad commentary on the state of affairs in Mississippi that a year since the murders that shocked the civilized world American citizens are still being persecuted for their adherence to the principles upon which this Nation was founded, the principles for which the three slain victims we mourn today gave up their youth and hopes and future.

The memory of James Chaney, Andrew Goodman, and Michael Schwerner, the plight of civil rights workers in Mississippi and elsewhere today, deserve more than sympathy or praise. We must insure that their sacrifices have not been in vain. Our commitment must be as strong and resolute and unyielding as theirs. We must redouble our efforts to enable all Americans to enjoy justice, equality, and dignity. We must take whatever measures are required to end this reign of terror against civil rights workers and to enforce the constitutional guarantees of equal rights.

Mr. POWELL. Mr. Speaker, several generations ago America's black masses in their dark suffering of slavery lifted tormented hearts in a spiritual to ask:

> Were you there when they crucified my
> Lord?
> Were you there when they laid Him in the
> tomb?

Three whom we remember today in sorrow, but with loving tenderness—James Chaney, Andrew Goodman, and Michael Schwerner—they were there.

In that final gasping agony before the cruel spikes of Mississippi's race hatred pounded into their bleeding bodies, they were there—and they understood.

They understood how long black people had lain there, dying on Calvary's Cross of lynchings, tortures, and bombings.

They knew in those last previous moments the redemptive beauty of man's love for his fellow man.

For James, Andrew, and Michael, the battle is over. They now wear a crown in the new Jerusalem.

And their deaths will forever be immortalized by that highest sacrifice of all time:

> For God so loved the world, that He gave His only begotten Son, that whosoever believeth in Him should not perish but have everlasting life.

Mr. WOLFF. Mr. Speaker, it is ironical, but it seems more and more that the value of human life, the essence of what it is to be a man, is taught to us by the death of another. A year ago, James Chaney, Andrew Goodman, and Michael Schwerner taught the American people this lesson anew. Their death at the hands of beasts of prey sickened the Nation; millions mourned them. But while many of us today question the purpose of our life—the aimless wandering—their death did teach us something. It was the direct antecedent to a tidal wave of involvement and concern for the human rights of millions of other Americans by fellow Americans. Senseless death taught us the sense of life. Many have dedicated themselves to the resurrection of the ideals and vitality that first prompted these three determined youths. The world has long applauded the bravery of the man that takes fate in his hands and still determines to do what is right—Oedipus, Achilles, Socrates long ago—three dedicated youths in the modern world. And it taught us, the older generation, something too. Spectors of these boys, youths with the burdens of men on their shoulders, haunt us today whenever we vote. Their memory will not fade, nor will the ideals they gave their life for die—we dedicate ourselves, in commemorating their deaths today, to that end. Usually such solemn statements are reserved for those that have died on the battlefield. But these men did too—the battle for justice, for equality, for a chance, for a decent life.

The President himself has appropriated the words of the civil rights movement when he declared "We shall overcome" poverty, disease, ignorance, and warped minds. James Chaney, Andrew Goodman, and Michael Schwerner died to make us see that we as Representatives must overcome these injustices. We owe them, the Nation owes them, a debt to see that all Americans are guaranteed their inalienable rights.

Mr. BINGHAM. Mr. Speaker, it is appropriate that we observe in this House the anniversary of the tragic death of James Chaney, Andrew Goodman, and Michael Schwerner.

It is also appropriate that physical memorials to these brave young men should be constructed in Philadelphia, Miss., and elsewhere.

But by far the most meaningful observance and memorial would be the immediate enactment of the voting rights bill in the form recommended by our Committee on the Judiciary and its distinguished chairman.

Enactment of this bill would, of course, be only one step toward the realization of those goals for which James Chaney, Andrew Goodman, and Michael Schwerner gave their lives. To insure that they did not die in vain, we must rededicate our every effort now and in the future.

I for one am not a pessimist about the certainty of success of our efforts. For all the difficulties we are encountering, in the North as well as in the South, great progress is being made. I hope that the families of James Chaney, Andrew Goodman, and Michael Schwerner can take some comfort from the fact that the appalling murder of these young men did arouse the conscience of the Nation to rectify the shame of discrimination that plagues us. Opposition and apathy remain, of course, but nevertheless we are moving, I believe, at an ever accelerated pace toward the realization of the ideals upon which this Nation was founded.

Mr. LOVE. Mr. Speaker, only a year ago the country first heard of the three men whom we commemorate today. To Americans, Michael Schwerner, James Chaney, and Andrew Goodman suddenly became three tragic victims of the bitter racial hatred which has plagued this country.

These young people had joined the summer project in Mississippi because they were firmly dedicated to the principle of equal rights and because, as one of them said, they wanted to see for themselves how things were in Mississippi and if they could help.

An important task for the many workers in the summer project was that of voter registration. They knew that many people of the South were being denied their constitutional right to vote because the heart of the voting provision of the 1964 Civil Rights Act had been eliminated by Congress, and they wanted to do their part to unlock the door to freedom and eliminate this injustice.

In my district of Oxford, Ohio, the students of Miami University participated in this registration drive and it was here that Michael Schwerner trained voter registration volunteers only a few weeks before he and his companions were murdered.

Because the voting provision of the 1964 legislation was eliminated—because these three young men were stopped in Mississippi as so many others have been stopped before—the 89th Congress must act to redress these wrongs. The administration's proposed voting rights legislation will accomplish what the summer project workers set out to do early last summer—protect the right of every American to vote in every election.

A year has passed since these men died and we have already waited too long. The families and friends of Michael Schwerner, James Chaney, and Andrew Goodman will verify this.

I urge my colleagues to remember these men and the cause for which they died by passage of the administration's voting rights bill.

Mr. FARBSTEIN. Mr. Speaker, 1 year ago today the lives of three young civil rights workers, Michael Schwerner, Andrew Goodman, and James Chaney, were abrupty and brutally extinguished by intolerant and bigoted individuals. On that day the lives of these three young men were sacrificed to the cause of freedom—freedom of political liberty to the disfranchised Negro of the South, freedom from want, freedom to walk with dignity and equality with other Americans.

The cause which gave meaning to their lives has been illuminated by their deaths. In the light of their deaths, Americans recognize the injustice suffered by hundreds of thousands of Negroes who are denied the right to take part in the choice of those who make the laws which they must obey. In the light of their deaths Americans recognize anew the principle of political liberty which gives meaning to our country.

Our duty is clarified by the deaths of these three young men—justice must be done to those for whose liberty they died.

These young men were the representation of the youth of this country—a youth which today is very much aware of the misery of others. They acted in the American tradition and chose to combat the apparent injustice by teaching and by good works.

Michael Schwerner was born in New York City. He was a graduate of the New York School of Social Work. He had been a staff member of the Hamilton-Madison House in New York City, which is in my congressional district, prior to organizing the Meridian Center for the youth of that community.

Andrew Goodman, whose parents reside in New York City, was a 20-year-old student who volunteered to spend his summer teaching and helping those who were being deprived of their full rights as American citizens.

James Chaney had grown up in Meridian, had worked in Meridian, and died in Meridian along with two neighbors from New York who had taken up the battle to eliminate the cruel racial barriers that still exist in schools, industry, and neighborhoods.

It becomes, therefore, just and fitting that we here today commemorate the anniversary of their martyrdom to the cause of liberty and freedom. It is just and fitting that we honor the memory of these three young men and salute the efforts of all the others who have moved courageously toward the continuation of this American struggle in all parts of the country. It is just and fitting that we here in Congress, and Americans everywhere, rededicate ourselves to the principle that people have the right to govern themselves through their own representatives.

In order to insure that these young men have not died in vain, it becomes the duty of this Congress to enact a strong voting rights bill as the most fitting memorial to their efforts, their dreams, and their short, but most effective lives.

Mr. SCHEUER. Mr. Speaker, 1 year ago three young Americans were brutally murdered near Philadelphia, Miss. Michael Schwerner, Andrew Goodman, and James Chaney represented the best impulses of the youth of this Nation. They were moved by misery and inequality to lead the fight for justice at the risk of their own lives.

In their fight for justice and equality they lost those lives.

It is up to us to see that their sacrifice was not in vain. Let us honor these men not by marble monuments, but by making a living reality of the ideals for which they gave their lives.

Let us dedicate ourselves to achieving what these young men strove to attain—equal rights for every American regardless of race, creed, or color. Soon we will have before us a bill for voting rights. The passage of this legislation in its strongest possible form is the best marker we here can erect for Michael Schwerner, Andrew Goodman, and James Chaney.

Mr. SCHMIDHAUSER. Mr. Speaker, I feel that it is a great honor and privilege to participate in this commemoration of the three civil rights workers who were brutally murdered near Philadelphia, Miss., 1 year ago. I think it is only fitting and proper that this House pause to commemorate this tragedy in which the lives of three fine young men, who strongly believed in the high American ideal of freedom of opportunity for all Americans, were snuffed out.

This day should serve as a reminder to all of us that there is still a great deal to be done if our Nation is to realize the American dream for all Americans. I would also like to take this opportunity to commend all of those fine citizens of the United States, who at great sacrifice to themselves, are working to make our Nation a much better place in which to live. Also, I hope that this body will pause here during this hour to realize the urgency of the immediate passage of President Johnson's proposed voting rights bill.

Mr. BURTON of California. Mr. Speaker, 1 year ago three civil rights workers were brutally murdered because they sought to advance the cause of freedom in Mississippi for all people. Three young men lost their lives because they fought injustice. They realized that this was the price that they might be called upon to pay, yet they continued.

James Chaney, Andrew Goodman, and Michael Schwerner were the victims of the hate and bigotry which they fought.

Today, in Mississippi, as then, men and women are continuing the struggle for human rights. Hundreds of them have been arrested in the past few weeks and subjected to brutality, both in and out of Mississippi jails.

While we commemorate the sacrifice of these young men, we are also mindful of the continuing nature of the struggle in which they engaged. We are mindful, to an even greater degree of our reponsibility, to eliminate every existing vestige of hate, bigotry, and discrimination in our society and these, "we shall overcome."

We must afford full Federal protection for those who seek to exercise their rights or who demonstrate to dramatize the denial of these rights.

We must enact meaningful voting rights legislation which bans poll taxes and which guarantees Federal protection for those who seek to register, to vote, to run for public office, or to assist another to do these things.

We can do no less.

Mr. VIVIAN. Mr. Speaker, every American must bear in part the fateful responsibility for the death 1 year ago today, near Philadelphia, Miss., of three American citizens; Michael Schwerner, Andrew Goodman, and James Chaney. On this first anniversary of their deaths, let us resolve to honor these men in the only way that we possibly can: by continuing the work to which they gave their lives.

These young men died in the continuing struggle to guarantee basic human rights and human dignity to Americans denied these precious gifts because of the color of their skins. As I speak to you this afternoon, hundreds more American citizens engaged in this struggle are being treated by police-state methods, in the jails and detention compounds of Jackson, Miss. This morning, I heard moving testimony from a few victims of the Mississippi police. More will speak in the days and weeks to come.

When American citizens are denied their constitutional right to petition for redress of grievances—when they are arrested and subjected to beatings, and harassment, as has happened in Jackson during the past 8 days, our entire Nation suffers. These demonstrators simply wished to call attention to the fact that the Mississippi State Legislature is meeting in an attempt to undercut the voting rights bill of 1965, soon to become the law of this land. And the fact is that that very legislature is composed, in the main, of individuals who, according to the demonstrators—and to most fair-minded Americans, I suspect—were elected in essentially illegal elections in Mississippi, last November. These elections were illegal because the overwhelming majority of Negro American citizens in that State were systematically denied their right to register and vote.

But this problem affects not only the legislature of that State, it affects this House as well. For a legal challenge has been pending before this House since January which alleges that the individuals certified by the government of the State of Mississippi to have been elected to the U.S. Congress, in November 1964, were likewise illegally elected, due to the systematic racial discrimination which prevented almost all qualified Negro American citizens from registering and voting. These charges are, I understand, now supported by several thousand pages of legal depositions, taken by volunteer attorneys from throughout the Nation, under the relevant statutes pertaining to such challenges to the seating of Members of this House.

Mr. Speaker, I would hope that each Member here today will communicate to the Clerk of the House his desire that these depositions be speedily printed and made available for study. I would further hope that the Subcommittee on Elections of the House Administration Committee, and the parent committee in turn, be urged to report their findings on these charges to this House as quickly as possible. And finally, I hope that each Member of this House, without regard to party or sectional affiliation, will find it in his heart to meet the evidence squarely, and to come to a conclusion in keeping with the traditions of fairness and justice which have characterized decisions of this House over the years. Let us here affirm and uphold the great hope which led Michael Schwerner, Andrew Goodman, and James Chaney to their lonely and terrifying deaths, on a back road in Mississippi, 1 year ago today.

IS ACADEMIC FREEDOM WORTH SAVING?

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House, the Chair recognizes the gentleman from New York [Mr. WYDLER] for 30 minutes.

Mr. WYDLER. Mr. Speaker, on June 14 of this year 1965, I had the high honor of giving the commencement address at the State University Agricultural and Technical Institute at Farmingdale, N.Y.

My topic was "Is Academic Freedom Worth Saving?" and I spoke to 630 graduates on one of the most important days in their lives.

I must remark of how impressed I was with the kindness, competency, and dedication of the members of the faculty and administration.

The president, Dr. Charles W. Laffin, Jr., recently announced a master plan to double the facilities of the school by 1970. The plan calls for a $7.7 million building construction program, an increase in the faculty from 175 to 266 and in student enrollment to 4,000.

In fact, I had the great privilege, just before the commencement ceremonies began, of participating in the dedication of a new and beautiful building on the campus which is known as Theodore Roosevelt Hall.

I would be less than candid, Mr. Speaker, if I were not to admit that the subject of my speech has evoked some controversy. I would be even less candid if I did not admit that I planned it that way. I wished to stimulate thought and discussion in the best American tradition to make those who weighed my words mindful of a serious problem in American education.

A few people have construed the speech as critical of college faculty, particularly those holding a degree as Ph. D. Nothing could be further from the truth. Such an analysis so misses the point of my address that I can only conclude that these critics have not fully read it.

My point is simply that there is a competition between the research laboratory and the classroom for the services of our best scientists. In such competition, I conclude that the educational needs of the students must come first. It is the responsibility of the college administration to see that this is done.

My criticism, therefore, was directed at those college administrators who have failed to keep the main emphasis on the teaching of the student.

Presently three congressional committees are looking into the questions that I raised in my address. In the Senate, the Labor and Public Welfare Committee is holding hearings on "The Impact of Federal Research and Development Policies on Scientific and Technical Manpower." In the House, the the two committees on which I serve are both holding hearings relating to this problem facing our Nation. The Committee on Science and Astronautics is reviewing the whole spectrum of basic research and national goals. The Committee on Government Operations is holding hearings on the question of "whether Federal research programs carried out by institutions of higher learning may be adversely affecting the Nation's goals for higher education."

We members of that committee were startled to discover that there were more than 26,000 Ph. D.'s on our Nation's campuses not involved in teaching.

As one who has supported every bill to aid higher education in Congress, I know that Federal involvement in higher education will grow in the years ahead. I, therefore, give warning to keep it on a balanced basis and in proper perspective on American college campuses.

I thoroughly enjoyed the day I spent on the Farmingdale campus. I was pleased to be presented membership in the college commission of honor in recognition of unselfish performance on the behalf of others, and I will treasure it as a reminder of the pleasant memories of that day.

As I walked with Dr. Laffin from the dedication of the Theodore Roosevelt Hall to the commencement to begin my address, I could see many parking fields on the beautiful campus. Many more were under construction. I could not help remarking to Dr. Laffin that the parking field was indeed the main and significant difference in the physical makeup of the 20th century campus and I could not help thinking to myself about the wonderful land in which we live—a land in which a college student drives his car to the college campus to learn how to earn a living. It could only happen in America.

Mr. Speaker, the text of my speech follows:

IS ACADEMIC FREEDOM WORTH SAVING?

Graduates, you are about to receive a diploma worth $170,000. That is the current cash value that the Census Bureau estimates is the difference between the lifetime earning power of a college and a high school graduate. Unfortunately for you—but fortunately for the country—you cannot just cash in the diploma. It is instead a tool which you can use to better your life.

And it is a sobering thought that while you are "one up" on most of your fellow Americans, you are still in competition with 500,000 others who, like yourselves, will be graduates of institutions of higher education this year. That competition should stimulate you to meet the challenges of our exploding world.

You will be called upon to meet challenges which can be more clearly foreseen than believed. The next 50 years are going to be the most dramatic in the history of mankind. The changes wrought by science and the "population explosion" will call upon us to think and act in new, bold, and imaginative ways. Changes—profound and deep—will come about in our society and in our lives.

Just consider: More than 90 percent of all the scientists who ever lived are alive today.

Before you graduates are 50 years old, an American will have landed on the planet Mars, and will have returned to Earth.

By the time you are 70, our economic output should increase 200 percent, and will total $2 trillion, or about $2,000 billion.

As you watch at the turn of this century, the population of the earth will have more than doubled from today, and there will be almost 7 billion human beings on this earth—each with human needs.

These are merely indications of the enormous changes that will be wrought in every facet of life on earth during your lifetimes. And you will have to meet them and adjust to them.

I suggest that you put fire in your life—you will most certainly need it. The "fire" of which I speak is that which has been kindled by "academic freedom" throughout the history of our Nation. Many of us mistakenly think of "academic freedom" merely as the right to dissent. But that is only one of its many forms. Dissent is not an end in itself—nothing constructive flows from it.

Dissent can be self-defeating. If all were to oppose the existing order of things, then they would cease being dissenters and would become conformists.

Academic freedom means much more than dissent. It is the willingness and the ability to weigh ideas—accepting as well as rejecting on reasoned grounds. It is the right to explore; a free mind searching for the truth in an atmosphere of calm and dedication.

It is an insistence on learning the cause of things. It is the discerning, flexible, searching mind willing to support as well as attack.

Today, our attention is focused on the campus demonstration as the example of academic freedom.

In my opinion, much of the discussion of these demonstrations has been nonintellectual. Those who should know better lump all the current demonstrations together for the purpose of discussion. This results in some shocking conclusions.

I submit that campus demonstrations are not right or wrong, good or bad—but are instead distinct incidents that should be judged on the merits by students and by administrators.

For example: The current wave of campus demonstrations take three main forms. The first are those staged to protest our actions in Vietnam. These demonstrations are deplorable, but understandable. College students have been conditioned by the foreign policy of the last few years to believe that all international disputes were subject to negotiation. Last fall all of us were informed that it was "trigger happy" to suggest escalation of the war in southeast Asia, and that it bordered on insanity.

A few months later, the war was nevertheless escalated with no more explanation then that the North Vietnamese were involved in the war. I'm sure everyone knew that fact for years.

I support the President's policy in Vietnam, but I do think that campus demonstrations are justifiable if they call on him—and not his spokesman, but the President—to state clearly to the American people what change of events made a policy—so foolish and dangerous last fall—so right and necessary this spring.

It is intellectual to believe that such an explanation exists.

If the campus demonstrations were to bring forth such a statement, they would strengthen U.S. foreign policy. Insofar as they seek such a constructive result, they are proper and deserve student participation.

The second type of demonstrations are those calling for free speech. These have been explained, and I believe in the main rightly so, as a reaction to "introverted professors." Students are objecting to being treated as problems of the university when they are, in fact, the very reason for the universities' existence. Their interests must come first in the order of things. They know it—or sense it—and insist on it.

They want their teachers to teach. They want their education to be the first and foremost business of the university. They are saying, "First comes me and my education"—then for a long time nothing comes—then come other university activities and functions.

And, they are right and I am with them.

Last among the demonstrations come those demanding the right to use dirty words. These are the demonstrations by intellectual beatniks who seek license and notoriety. They are in the same classification as the goldfish swallowers and panty raiders of bygone days. They are ludicrous and should be treated as such.

I would place in this category those students who throw themselves on the ground to stop ROTC exercises engaged in by fellow students. As discerning students, you should avoid such demonstrations like the plague.

And I believe the failure of college administrators to discuss and deal with these demonstrations separately, and severely, is an error of judgment, and wrong.

All students recognize that it is the administration that must run the college. No one can deny them the right to dissent from student activities.

It is the spirit of the academy that administrators must protect and whose duty it is to defend it from those students who would abuse it.

And there is a gathering storm over the citadel of academic freedom today that administrators must not themselves abet, and which is called Federal aid to higher education.

Federal aid is merely Federal dollars. Whether the dollars are an aid is an open question. Federal dollars pose a threat to academic freedom.

The threat takes many forms, but the most dangerous is to the administrators of our universities.

Federal control is not a whip-snapping bureaucrat from Washington. It is instead an attractive, subtle, seductive force that can wreck the happy marriage between the college and the teacher, and affect the student adversely.

Take, for example, Federal research dollars that go to universities. Of almost four billion Federal dollars given to higher education, one-half is for research and development—known as R. & D.

These dollars go to a chosen few among our colleges—90 percent go to 100 universities and the remaining 10 percent to the more than 2,000 others.

Eighty percent of all university funds spent on research is federally supplied. It is 15 percent of all money spent by universities, and in some cases is 85 percent of the universities' budgets.

The lure of the dollar draws teachers into the larger institutions. Research becomes the golden idol to which our most educated bend their knee.

We are developing mercenaries of science and scholarship hooded with doctorates, and ready for hire on contracts done to Federal specifications.

And federally spent means federally directed.

Since research is done by scientists and teaching is done by scientists, there is a research imbalance.

It is time for our college administrators to take stock, and to take control of the situation. It is time for them to ask: "Is it good—good for the universities—good for education?"

It is time for them to ask what its effect is on students, who as undergraduates are shortchanged by inexperienced teachers on faculty, who may shift their loyalty to the Federal Government or even their jobs;

On institutions, who stress science over the humanities, and become research factories;

On graduates, who are encouraged to abandon teaching;

On administrators, themselves, who seek grant specialists, rather than teachers.

It is the universities' responsibility to handle the necessary Government research, and yet keep the main emphasis on the student.

I shudder to think what the choice might be if the university had to choose between Federal dollars or academic freedom.

To many today, both are essential—and yet the liberty of learning is the one which must be chosen if a choice has to be made.

As our educational system explodes in the years ahead, these problems will magnify.

The Federal Government will continue to finance gigantic works of science—not only works of war and weapons, but works of peacetime problems for our new age; works such as the transformation of our cities, oceanography, automation of industry, and pesticides and pollution. And all these will be a potential source of compromise of the integrity of our universities. For services bought by the Federal Government exert a pressure against objectivity and academic honesty.

And who will those of us who govern turn to for unbiased advice and counsel? As the Federal dollar pervades more and more of our university establishment, it is difficult to find a mouth which can voice an opinion without risking a bite of the hand that feeds it.

Federally predetermined objectives; an establishment of educational grantors and grantees; these are hardly comforting thoughts for those who would retain academic freedom.

But you, who have enjoyed it, know that we need it; that your children are entitled to it; and that it is worth saving.

The protection of freedom afforded by the university must be upheld.

Freedom cannot be destroyed in our country until academic freedom is destroyed on our campuses. It is our first line of defense.

The problem is to find a way to preserve academic freedom in the face of the Federal dollar.

We must develop a means of proper balance. We must establish a new order of idealism.

The lesson of history is that the giving of Federal dollars breeds resentment—not loyalty.

The Federal Government must need its citizens—and not the other way around. Men cannot be rallied to defend an impregnable fortress.

Academic freedom is worth saving to supply this new idealism necessary for our free way of life. It is necessary to postulate mankind's need for you.

And you, as graduates of an academically free institution, must do your part.

During my talk here today, more than 100 new Americans have been born. Most of them will want to go to college; all will want to live as freemen.

The challenges this presents to you in the light of our exploding world of science and population are staggering.

I charge you to stand before these challenges completely unafraid.

The force of evil has been a consistent loser in its battle with history.

It will continue to recede before the coming dawn of this, our new American generation.

I charge you that when you rise from your seats today, you rise to face this challenge:

Rise and go forth ready to take a walk in space—into the unknown;

Rise to escape the confines of our spacecraft called Earth;

Rise and float weightless, unhampered by the gravitation of a dead mind and spirit;

Rise and maneuver, tethered only by your imagination and daring;

Rise and reach out, ready in heart and spirit to touch a star;

Rise and go forth with an unquenchable fire in your life.

NEW GI BILL OF RIGHTS

The SPEAKER pro tempore. Under previous order of the House, the Chair recognizes the gentleman from New York [Mr. HALPERN] for 10 minutes.

Mr. HALPERN. Mr. Speaker, the Secretary of Defense has just made public the fact that, in 2 short weeks, we will have 75,000 American servicemen in Vietnam. Every day, we read that these men are fighting, and bleeding and suffering, yet valiantly carrying on. Their advisory role has all but ended and now they are clearly combatants. I believe that the nature of this action should be recognized: These men are engaged in warlike conflict and should be given the kind of assistance we traditionally offer as a symbol of our gratitude.

For that reason, I introduced a bill today to provide a new GI bill of rights for veterans of the armed services who have fought in Vietnam and other areas of hostility.

Benefits under this legislation would be provided to those veterans who served in areas of hostilities. The President would be given the authority to designate areas of hostilities when members of the Armed Forces serving there are exposed to hazardous and warlike conditions. When our soldiers and sailors leave the area, or hazardous conditions no longer exist, the President will terminate that place as an area of hostilities. It is easy to see how this method is flexible and will provide for benefits to GI's of future hotspots.

The bill would provide benefits similar to those received by veterans of the Korean war. In the field of education, for instance, the cold war veteran would receive substantial assistance. The veteran-student could receive between $110 and $160 monthly for the full-time pursuit of education. Homeownership, Mr. Speaker, has always been an important goal for Americans. Under my bill, the Veterans' Administration could guarantee loans to veterans to assist them in the purchase of homes. As much as $7,500 of homeownership loans could be guaranteed. Where housing credit is not readily available, as in rural areas, the Veterans' Administration is authorized to make direct loans of up to $15,000 to enable the cold war GI to purchase a home. The Veterans' Administration could also guarantee up to 50 percent of loans made to veterans of areas of hostilities for the purchase of farms and businesses. In addition, my bill would give the cold war warrior a mustering-out pay of $300.

The main purpose of all this, of course, is to enable our fighting men to make a smooth transition to civilian life. These readjustment benefits have been extremely successful in assisting our fighting men of World War II and the Korean conflict in this respect. Moreover, our Nation has benefited tremendously from the peacetime efforts of the soldier come home.

A cursory glance at some statistics of the benefits that World War II and Korean veterans received will remind us of the success of that program. Over 10 million veterans of World War II and Korea entered educational training programs with assistance from the Veterans' Administration. Over 50 percent of the Korean veterans in this program studied at the college level. One hundred and twenty-nine thousand Korean trainees entered the teaching profession. In the homeownership program, the results were fantastic. The Veterans' Administration guaranteed loans enabling over 6 million World War II and Korean veterans to purchase almost $60 billion worth of residential property.

Mr. Speaker, the very least we can do is give the GI's who are fighting our battles today the same opportunities we afforded our men who fought the battles of yesteryear. Though the action in Vietnam may not be a war in the technical sense of the word, the sacrifice, the heartache, and the risk to life are no less real in Vietnam than they were in Korea or on the beaches of Normandy. Our boys did not ask for this war, but they are there nonetheless, and we owe them the same consideration and assistance our fighting men have been given in the past.

I can assure my colleagues that as a member of the House Committee on Veterans' Affairs and as ranking minority member on its Subcommittee on Education and Training, I shall exert every effort to provide these veterans with this assistance they so clearly deserve. I urge all my colleagues to join me in supporting this new GI bill of rights.

THE LATE HONORABLE OLIN D. JOHNSTON

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House, the gentleman from South Carolina [Mr. MCMILLAN] is recognized for 60 minutes.

Mr. McMILLAN. Mr. Speaker and Members of the House, I have requested this hour for the purpose of giving the Members of Congress an opportunity to eulogize the late Senator OLIN D. JOHNSTON who served the State of South Carolina and our Nation so well for approximately 40 years. We were all shocked to learn of the late Senator's passing on the 18th of April, and I personally suffered a great loss in the late Senator JOHNSTON'S untimely passing. Our great State of South Carolina and the Nation suffered a great loss, as he was among the top dozen leading Senators in the U.S. Senate.

I could spend hours, days, and weeks telling you of the wonderful things the late Senator JOHNSTON from South Carolina did for the people of our State and the Nation; however, I will only try to mention a few of the highlights in his life so far as I was personally concerned.

I became acquainted with the late Senator while we were students at the University of South Carolina. Senator JOHNSTON was late in beginning his education and was approximately 5 or 6 years older than I when he entered the South Carolina Law School. Senator JOHNSTON immediately became noticed by all the students at the university for his energy and willingness to work not only as a student but as head of the university YMCA and president of the Clairosophic Literary Society. The late Senator spent practically all his spare time in trying to see that the freshmen and all other interested students who had some free time utilized their energy and spare moments in improving the morale at the university and promoting the right type of Christian leadership. The Senator played on the varsity football team, and as I just stated was selected as head of the university YMCA during the entire 5 or 6 years he attended the university.

We all had great admiration for the Senator to have the intestinal fortitude to come back to college after serving as sergeant, with the 117th Engineers in France during World War II, which was a unit of the famous Rainbow Division. He was a great deal older than the average member of his class since he was not fortunate enough to be able to secure the benefits of a regular elementary education until he was older than the average child who entered school at that time. All of us in South Carolina will remember the two terms the late Senator served our State as Governor. The reason we are able to purchase automobile tags at such a low price today is the result of the late Senator's action during the time he was serving as Governor of our State. He spent a great deal of his time in trying to improve our school system, our State prisons, and every other State unit where the individual human was concerned. I am certain it is not necessary for me to remind the Members of this body that the late Senator was responsible for the Retirement Act for the Members of Congress and for the original health insurance and hospital benefits all the Government employees are enjoying today. In fact all the postal employees had not received more than two or three salary increases during the 27 years prior to Senator JOHNSTON'S election to the Senate and during his term of service they had received at least 10 or 12 salary increases. The late Senator was never too busy to talk and give advice to the poorest person in the United States, and he was never too busy to talk and discuss any problem with the wealthiest person in the United States.

South Carolina has lost one of its finest citizens in the passing of the late Senator OLIN D. JOHNSTON. It is only human that the Members of Congress disagree on proposed legislation and quite often the late Senator, who I considered one of my closest personal friends, disagreed with me on certain proposals that were made to the Congress; however, there is one thing we never disagreed on and that was the fact that Senator JOHNSTON was a Christian gentleman and could disagree with people on material subjects without becoming disagreeable. In the passing of Senator JOHNSTON, South Carolina has lost one of its most valuable citizens, and Mrs. McMillan joins me in expressing our deepest sympathy to his lovely family, Mrs. Johnston, his son, and two daughters.

Mr. Speaker, I ask unanimous consent to extend in the RECORD the remarks of the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT], also the gentleman from North Carolina [Mr. WHITENER], the gentleman from North Carolina [Mr. KORNEGAY], and the gentleman from North Carolina [Mr. TAYLOR].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. ALBERT. Mr. Speaker, I join the gentleman from South Carolina [Mr. MCMILLAN] in his tribute to the late U.S. Senator from his State, our friend, OLIN D. JOHNSTON.

Senator JOHNSTON is missed in the Halls of the Congress. He was a great man with a big heart. A Democrat, a man of the people, he was also a gentleman of the South and a statesman with a sure instinct for the possible and the good.

OLIN JOHNSTON was acknowledged for his wit and humor, which were a rich blend of subtlety and full mirth. To know Senator JOHNSTON was to have rays of happiness and laughter burst bright through the clouds at any moment.

A Governor of the State of South Carolina for two terms and a U.S. Senator for almost four terms, OLIN JOHNSTON sat at the center of the stage of American history for much of his distinguished life. He was loved by the people of South Carolina, and he was loved by the Representatives and Senators of the U.S. Congress.

Mr. WHITENER. Mr. Speaker, the passing of Senator OLIN D. JOHNSTON marked the end of the career of one of the most worthwhile people that I have ever known. His service to his people in South Carolina was given with a zeal seldom seen in any individual. The loyalty to his friends was equal to his dedication to the worthwhile causes to which he attached himself.

I first met this great American during his first term as Governor of South Carolina. I was a college student and could hardly expect one in his position to show the warmth of friendship which he extended to me at that time. Throughout the intervening years this friendship continued. As we served together here in Washington, our opportunities for association increased. This strengthened the bonds which had been established so long ago.

OLIN JOHNSTON was a remarkable man. In every role which he occupied as a student, soldier, lawyer, State legislator, Governor, U.S. Senator, churchman, husband, and father, he displayed the qualities which all of us should admire. In each of these roles, he contributed immeasurably to the welfare of family, friends, community, State, and Nation.

His loyalty to family, friends philosophies, and Nation could never be seriously questioned. In all of my lifetime I have never known one who displayed greater fidelity to people and causes than did he.

We have all lost by his passing. We have all gained by his being with us.

I extend to Mrs. Johnston and the other members of Senator JOHNSTON'S family my deepest sympathy in the period of sadness which they are experiencing.

Mr. KORNEGAY. Mr. Speaker, I should like to join with the esteemed dean of the South Carolina delegation, Congressman JOHN MCMILLAN, in paying tribute to the fine service and to the long years of dedication to the Senate of the United States and to the Senate Post Office and Civil Service Committee rendered by the late Senator OLIN D. JOHNSTON.

I had the privilege of knowing Senator JOHNSTON personally, and his warmth and geniality, along with his devotion to his high calling, always impressed me most favorably. Senator JOHNSTON, despite his prestige and spendid record of accomplishments in the U.S. Senate, was a man of humility and of down-to-earth goodness of spirit. His contributions, through his able chairmanship of the Senate Post Office and Civil Service Committee, will leave a lasting imprint on the Post Office Department and on the Commission. And he will long be remembered for his championship of the "little fellow" in Government and in postal service and his concern for the welfare of the employees in the lower echelons of the Federal service. On several occasions I corresponded with him about matters relating to his committee, and he was unfailingly gracious in response, diligent in action, and interested in the smallest problem affecting a Government or a postal employee.

Senator JOHNSTON leaves a shining record of public service, of a hard job well done, which all of us could well emulate. I join his South Carolina colleagues and his many friends in both the House and the Senate in appreciation of his efforts in the Congress and in sadness over the fact that he is no longer with us.

I am sure that heaven is better off for OLIN JOHNSTON's presence there.

Mr. TAYLOR. Mr. Speaker, I join my colleagues in paying respect to our late esteemed colleague and friend, the Honorable OLIN D. JOHNSTON.

The people of South Carolina and the Nation realize that in OLIN JOHNSTON they had a great and dedicated representative in the U.S. Senate. Senator JOHNSTON was a man of the people who came up through the ranks. He remained humble and close to the people. He kept an open mind and a responsive heart to the needs of the people. He loved the Democratic Party and his loyalty to that party, even during times of storm and stress, was firm and constant.

As chairman of the Senate Post Office and Civil Service Committee he led the way in giving to the United States the finest postal system in the world and in seeing that the rights of postal employees were properly protected.

Senator JOHNSTON's career in the U.S. Senate spanned almost a quarter of a century and in that time he carved a remarkable and memorable record as a powerful and influential leader. With strong convictions and determination, and a willingness to work himself through college, and oftentimes to hold two jobs at once, Senator JOHNSTON achieved greatness and received the highest honors which the people of his State could bestow upon him and made a lasting contribution to the growth and development of this great Nation.

Mr. WATSON. Mr. Speaker, I appreciate the senior member of the South Carolina delegation yielding to me for a moment to participate in this hour of eulogy for the late Senator OLIN D. JOHNSTON, of South Carolina.

Mr. Speaker, it was my honor and privilege to run with the Senator some 3 years ago, in 1962. At that time he was running for reelection to the Senate, and I was a freshman aspiring to the House of Representatives. I enjoyed making that campaign with him. As a young man he certainly demonstrated to me an unusual amount of political ability and a vast knowledge of the people of South Carolina.

After I was successful in being elected to the House of Representatives I had frequent occasion to go over to the Senate and sit down with him, and to seek his advice and his counsel. He was always a man who was associated with the welfare of the working man of South Carolina. Not only did he have their interest at heart, but I believe he had the interest of the working people of the Nation at heart. He was a champion of the cause of the Federal employees.

In addition to extending my commendations to him as a man who had a long life of public service in South Carolina, I want to take this opportunity to extend by condolences to his widow and to his family.

He has left a void in South Carolina. It will be difficult to fill his shoes by any man, regardless of party affiliation.

Again I thank the senior member of the South Carolina delegation for allowing me this opportunity to extend my commendations to a man who gave most of his life to the service of the people of South Carolina, and to the people of the United States.

Mr. McMILLAN. I thank the gentleman.

Mr. MORRISON. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from Louisiana.

Mr. MORRISON. Mr. Speaker, I wish to take this occasion to express my appreciation to my distinguished colleague, chairman of the House Committee on the District of Columbia, the gentleman from South Carolina [Mr. McMILLAN], giving me this opportunity to take part in this eulogy of the late Senator OLIN JOHNSTON.

OLIN JOHNSTON was one of America's greatest Senators of all time. He did, not only an outstanding job for his own State, but he was a man who had a great interest in the welfare of all the people of the United States. He loved and worked with fellow Members in the Senate of the United States and the House of Representatives of the United States, and was a great influence on the entire Nation.

OLIN JOHNSTON was a man who had a heart, as we would say in the State I come from, as big as this table. He was a man who knew the feeling of the average man and woman in ordinary walks of life, not only in his own State but in the entire United States, and all over the world, for that matter. At no time did he ever lose the feeling of respect for the other person's position and the other person's needs and the other person's problems.

It was my great privilege and honor to have the opportunity as a member of the House Post Office and Civil Service Committee, to work with this great man when he was chairman of the Senate Post Office and Civil Service Committee, in many conferences where different bills were passed by the Senate and the House, and had to be worked out in conference. We worked together to unify them, and to see that they became law. Many of those bills did a tremendous amount of good for the economy of the whole Nation, particularly for the over 2 million Federal employees pay raises and in fringe benefits that they received from these various acts of Congress. He had a tremendous amount of patience in bringing unison to the two bodies where bills differed, sometimes to a vast extent, and he did an amazing job.

But at no time did he ever lose sight of the fact of the human element and human feelings and of the fact that there are so many thousands of people who have problems and who have families and who have jobs and who are dependent upon Members of both the House and the Senate for help, to be able to get the salaries they are entitled to and the salaries they deserve. At all times he so eloquently stated that they certainly should be comparable in the pay scale to comparable jobs in private industry. He was truly the great champion for all of our Federal employees.

I have often heard it mentioned, by some people, who did not agree with OLIN JOHNSTON from his home State, that he was in trouble politically, because of the stand he had taken on so many occasions. Yet, when the election was over, those people who had predicted that things were not so well for him could not help but be amazed and surprised with his smashing victory time and again. With a shrug of a shoulder they would say, "Well, all that Senator OLIN JOHNSTON had was the people." What greater compliment could one get—especially from those who differed with him. I guess that really typifies Senator OLIN JOHNSTON and his great life's work in the Senate of the United States. Yes, that is just about all he had, and just think how much that was—the vast majority of the people, you might say, in the average walks of life in his home State and for that matter in so many other places. And I guess to have had their support election in and election out, year in and year out, was one of the greatest achievements of any man and something that did not come accidentally. I think we all realize he earned that support and earned it by living just that way, in the sincere belief, that it was his job to look after, and work for the majority of the people of his State and actually many millions of people who lived far from the borders of his own State.

He was one of the most unselfish men I have ever known. I had the opportunity to be with him at many affairs both public and private. I was on the same platform so many times with him and spoke with him—sometimes before he spoke first and sometimes after I had spoken. Most of the time in his great eloquence and simplicity, he would always give someone else a great share of the credit that was his, for the job that he had accomplished and the job that he had done. He was always trying to work out something to help someone. I can remember one particular time when we were in the great State of Colorado speaking together there. His lovely and devoted wife, Mrs. Johnston, made one of the greatest speeches I have ever heard in all my life. I said to Senator OLIN JOHNSTON, "Well you have a great asset there. Not only do you have a lovely wife but she certainly has made you something to be proud of today." And there was something like 6,000 or 8,000 people who were gathered there to hear that speech. He said, "Well, Jimmy, I will tell you. Perhaps if it had not been for her, maybe I would never have been U.S. Senator and fulfilled the dream and hope of my life, something that I longed for, and something that was my greatest ambition, something that I sought with all of my being." The way he put it, in such a very wonderful and such a generous way was saying that perhaps she deserved the great credit for his great successes, in all of his smashing and victorious campaigns.

That was OLIN JOHNSTON. I believe OLIN JOHNSTON has left with all who knew him and all who worked with him, a deep and lasting heritage, which we can all feel and know has made us better persons for having had the opportunity of knowing him and having had the opportunity of being with him.

I believe that as the days, weeks, months, and years go by, from now on, we will, in our way of looking back in retrospect, feel that OLIN JOHNSTON was a man who made life much better for his fellow man, a man who devoted much of his ability, much of his time, much of his ambition, and all of his hope and all of his ambition for the sole purpose of helping people and making this a better place in which for them to live.

I know of no man who loved his home State with greater affection than OLIN JOHNSTON, who ever served in Washington, with more determination and sincere effort. I know of no man who put forth a greater effort to do what he thought was right. He did that, not only with greatness, and with a great deal of amazing ability, but he never lost sight of the fact, that these United States were the land he loved and the home of all human beings making up this great Nation of ours even though so many people lived many thousands of miles away from his native State.

I have seen him go to great lengths when he thought he was right, to help a person who was in distress and who needed help.

I would say that OLIN JOHNSTON typified in a human being that which so many of us, strive for, and hope for. He was a man of great ideals, a man of unending courage, a man of tremendous spirit, to do the right thing for his people and for his country. Above all else, he was a man who loved and respected his fellow man and did everything he could to help his fellow man.

Perhaps the reason why OLIN JOHNSTON was as great and wonderful a person as he was and, led the life he did and made the record he did, was the fact that sometimes one cannot expect people to like or admire them unless he has a faculty or facility for doing the same thing.

OLIN JOHNSTON typified that. He loved his fellow man and he respected his fellow man. From that love and affection for, and respect of, his fellow man, there grew a feeling of respect and honor which so many thousands of people who had the great privilege of knowing him had, when they, on so many occasions, said that few men they had ever known or had ever seen or ever been with, they liked better, admired more, or had a greater or more profound respect for, than OLIN JOHNSTON.

Many people strive to get the respect of their fellow man and many people strive for greatness in life, because it is greatness when one earns the respect and admiration of his people.

All of which does not come easy, nor does it come by accident. It has to be earned. I think OLIN JOHNSTON's life is one of the greatest examples of just exactly that. He was a great man. He was admired and respected by so many, and he earned every bit of his amazing success by his wonderful spirit and his great generosity and his devotion to his people and to this great Nation of ours. I think the loved ones that he has left behind, will have something perhaps in this life that will always be with them, that being the memory of the wonderful accomplishments and the unselfish life of Senator OLIN D. JOHNSTON. I know this: being here in Washington for over 22 years and having the great honor and privilege of representing my district here in this wonderful and great body. I know as far as I am personally concerned, having been associated, so closely with him, and having been inspired by him, on so many occasions, I am a better man for having had that wonderful opportunity. One of the greatest assets of my life was knowing and being a close friend of OLIN D. JOHNSTON.

I think his relatives who will carry on will always know and feel that he has left a great and wonderful record; that they have so much to be happy for and so much to be proud of, in the wonderful life of their loved one, OLIN D. JOHNSTON.

GENERAL LEAVE TO EXTEND

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 legislative days in which to extend their remarks in the RECORD on the subject of the life of OLIN D. JOHNSTON.

The SPEAKER pro tempore (Mr. PATTEN). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, at this time I yield to my colleague [Mr. DORN].

Mr. DORN. Mr. Speaker, I commend the distinguished dean of the South Carolina delegation for reserving this hour permitting us to pay tribute to the memory of a great South Carolinian, a great southerner, and a great American.

Senator OLIN D. JOHNSTON was born in the congressional district it is my honor to represent, on November 18, 1896. He returned to rest forever at Barker's Creek Baptist Church a few hundred yards from where he was born. Senator JOHNSTON was born and spent his early boyhood on the farm. Like Lincoln and Washington, he spent his early and formative years out under the stars and in the open countryside which is rural America. Before he reached his teens, he heard on the stump that stormy petrel of South Carolina politics, Coleman L. Blease. Then and there, OLIN D. JOHNSTON decided that he could and would be Governor of South Carolina.

OLIN JOHNSTON worked on the farm and he worked in the cotton mill to earn money to go to trade school; and then later to Wofford College, that great Methodist institution in Spartanburg, S.C.

When the United States entered World War I OLIN JOHNSTON became a combat veteran, with 18 months of European service. He was a member of the famous Rainbow Division under the command of that dynamic, fabulous young general, Douglas MacArthur. OLIN JOHNSTON never lost his respect and admiration for Douglas MacArthur.

Returning to South Carolina, he received an M.A. degree from the University of South Carolina and later an LL. B. degree.

OLIN JOHNSTON climbed the political ladder with courage and determination and was finally inaugurated as Governor of our State in January 1935. He became a friend and confidant of President Franklin D. Roosevelt; and I remember the first time I saw Franklin Roosevelt, he was in the company of Gov. OLIN D. JOHNSTON before the statehouse in Columbia in the fall of 1938. JOHNSTON was one of the few men in our State's history to be elected for a second full 4-year term as Governor. His second term was during the critical years of World War II. As wartime Governor of South Carolina, he appeared before a joint session of the South Carolina Legislature and presented my mother with an award for having more sons in the service than any other mother in the State at that time. This was typical of OLIN JOHNSTON; and my mother, who still lives, shall never forget or cease being grateful for this courtesy and kindness on the part of OLIN D. JOHNSTON.

In 1944 he became U.S. Senator following "Cotton Ed" Smith, who had served in the U.S. Senate for 36 years—longer than any man in our State's history. In the more than 20 years that Senator JOHNSTON served in the U.S. Senate, he made a record of distinguished service rivaling that of the greatest South Carolinians of all time.

Among the many great attributes of character and distinguished service that I will always remember about Senator JOHNSTON were his devotion and loyalty to his State and to his country. He was first a South Carolinian. He believed in States rights and individual liberty. He was a patriotic American and made no apologies to anyone for being for the United States first. His devotion to this country was tested and tried in the fiery crucible of combat with the professional soldiers of Imperial Germany.

Then Senator JOHNSTON was a great Democrat. He believed in the philosophy of Thomas Jefferson, William Jennings Bryan, and Franklin D. Roosevelt. In South Carolina he was known for almost a generation as "Mr. Democrat." He served the Democratic Party from the precincts and the county conventions to the high councils of the national party conventions. In his last appearance before the national convention in Atlantic City, he eloquently seconded the nomination of our Vice President, HUBERT H. HUMPHREY.

It was my pleasure to ride with Senator JOHNSTON and the First Lady of the land as they traversed South Carolina during the campaign last fall.

The last time I saw Senator JOHNSTON alive was at the White House with President Johnson when the Appalachia bill was signed into law. It was fitting and in character that OLIN JOHNSTON be there, though he was ill at the time, to participate in the signing of legislation that would benefit the underprivileged and provide for them opportunity and hope.

In the passing of Senator JOHNSTON, South Carolina lost one of her greatest sons and the typical American lost a great champion. Senator JOHNSTON was a man of unquestioned integrity and character. He was a Christian who devoted much of his time and energy to the cause of his church. He was an ideal father who thought constantly of the welfare of his family; and he loved children.

The tremendous contribution that OLIN D. JOHNSTON made to the welfare of his State and Nation will live on, even in generations yet unborn. Millions of Americans are happier and more comfortable and face the future with more opportunity and more optimism because of the life, career, and character of OLIN D. JOHNSTON.

Mrs. Dorn and my family join me in my expression of deepest sympathy always to his devoted and lovely wife, his son, and his two charming and beautiful daughters.

Mr. McMILLAN. Mr. Speaker, at this time I yield to my colleague, the gentleman from South Carolina [Mr. GETTYS].

Mr. GETTYS. Mr. Speaker, I rise to say a few words of eulogy in behalf of the late great Senator OLIN D. JOHNSTON, of South Carolina, and to join with my colleagues in doing him honor today.

I was a teenager when I first learned of and heard the name OLIN D. JOHNSTON. I was in high school when OLIN D. JOHNSTON was a member of the State house in South Carolina from Anderson County. Later I believe he served as a member of the State house from Spartanburg, and I heard talk about him in those days. Then in 1930 I remember OLIN D. JOHNSTON came through my county, York County, and Rock Hill politicking and going up and down the streets and into the mills. I recognized him as a great politician and a great humanitarian and a great person with a knowledge of what makes human beings tick. He would go along, but you would never see him rush. In that campaign in 1930 when he was running for Governor, in the first primary he led a field of 18 candidates by more than 15,000 votes. Then in the second primary and in the runoff he lost by a little less than 1,000 votes. I remember at the time wondering how can a man take that kind of a defeat, but he did not let it defeat him. I think that was one of the characteristics and qualities that OLIN JOHNSTON demonstrated throughout his entire career. He took the bad with the good. He had an unbounded faith in the great God above, and it stood him in good stead through thick and thin. He would not quit.

So in 1934, I believe it was, he came back and was elected to the governorship. Later on, in 1942, he was elected Governor of the great State of South Carolina and again served with distinction. He came to the Senate, I believe, in 1944. He never lost an election after his second term as Governor.

Through my adult life I have admired the ability of OLIN JOHNSTON to deal with the common men as well as with the highly placed men in the same manner. He made no distinction between the man in the field, the man in the mill, the man in the Senate, the man in the White House, the man in the bank. He had a good word for all people. He was a warmhearted man.

I am so proud that I had the opportunity to serve in the House for a few months in his last days in the Senate. He offered so much inspiration to me during my first few months in the House. He told me a great many things that I ought to do and some that I ought not to do. He gave me a certain pride in being a colleague of his.

I join my colleagues who today have said so many kind things about OLIN JOHNSTON. He was a family man. He was a man who lived the type of life that so many of us like to profess we live, but he actually lived that kind of life. I never saw OLIN JOHNSTON take a drink of whisky. I never saw OLIN JOHNSTON smoke a cigarette. I never heard OLIN JOHNSTON use a profane word. He was a great Christian; he was a Baptist who loved his church. He loved his family. My distinguished friend and colleague, the gentleman from Louisiana [Mr. MORRISON], mentioned his wife, Gladys who is the person that she is, perhaps because he was the kind of person he was; and may I say that perhaps he was the person he was because she was the kind of person she is. They were a great pair who loved the people of South Carolina and who did a great job for the people of our State.

It was my privilege to serve as postmaster at Rock Hill during the time the Senator was chairman of the Senate Committee on Post Office and Civil Service. During those days I saw how postal workers, how the men who were not doing so well, looked up to him in a warm way, because of the way he looked after their interests. The gentleman who spoke just before I did, my good friend, the gentleman from Louisiana [Mr. MORRISON], has some of those same lovable attributes of the late, great Senator JOHNSTON.

I join my colleagues in saying to the survivors in his family, Mrs. Johnston, and to the two lovely daughters, Mrs. Scott (Sallie) and to Liz, may a kind Providence sustain you in your loss and sorrow in the years that are ahead. You will have always the pride of knowing that your husband and father was one of the great ones.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman from South Carolina yield?

Mr. McMILLAN. Yes, I am delighted to yield to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY of New York. Mr. Speaker, I knew the late Senator OLIN JOHNSTON for over 20 years. He was a fine and distinguished gentleman and a great American. His passing was a great loss not only to this country and to the State of South Carolina but to the many Federal employees and particularly postal workers whose champion he was over all the years of his service in the Senate.

Mr. Speaker, I mourn his passing and extend my sympathy to his widow and family.

Mr. McMILLAN. I thank the gentleman from New York.

Mr. BOGGS. Our departed friend, OLIN JOHNSTON, of South Carolina, was a great public servant and a distinguished U.S. Senator, and I am proud to join with his colleagues and friends from his native State and from throughout our country in saluting him today for the fine service which he rendered to his State and our Nation. Senator JOHNSTON served faithfully and well his fellow citizens in local, State, and National government.

As the Members of this House know, he was a member of the South Carolina Legislature for 6 years; he was Governor of his State for 8 years, and he served the people of South Carolina and of the United States for more than 20 years in the Senate.

In addition to his many good works for his State and Nation, Senator JOHNSTON was a kind and a gentle man; he was loyal to his friends and his colleagues in the Congress and considerate and charitable to his fellow man. He was always mindful of the needs of other people, and he ministered to them and their needs in all his years in public office. There is no doubt that the U.S. Senate is a finer institution today because he served there. There is no doubt that his State of South Carolina and the United States have progressed because of his service to them.

Mr. Speaker, what Senator OLIN JOHNSTON and other men of his high caliber leave among us after they are gone is an indomitable spirit—that is what lives on and inspires us to greater service. That he passed among us has made us all better men for it, and I am happy and proud to pay tribute to him today. May God rest his soul, and may He bless Mrs. Johnston and her children and all her fine family.

Mr. FEIGHAN. Mr. Speaker, it was with deep regret that I learned of the passing of our distinguished and able Senator from South Carolina, whose friendship I have enjoyed for many years.

Senator OLIN JOHNSTON was a member of the Judiciary Committee of the Senate which afforded me, as a member of the Judiciary Committee of the House, the opportunity to come to know him well. At all times he was kind, considerate of his colleagues' point of view, understanding of the complex considerations which enter into Federal legislation, and always mindful of those principles which are the foundation stones of our representative form of government. Senator JOHNSTON as a senior member of the Senate Judiciary Committee also served as a member of the Joint Committee on Immigration and Nationality Policy. In this capacity I had the additional privilege of discussing with him the many problems which the Congress must face in this vital area of national policy. His concern was always what served best the interests of the people of our country.

Senator JOHNSTON was a devoted member of his church and maintained a lively interest in youth activities. The offices to which he was elected in the great State of South Carolina reflect the high esteem and confidence in which he was held by the people of his State who knew him as a man of high character and integrity.

To his family I extend my sincere sympathy in their bereavement.

Mr. DULSKI. Mr. Speaker, it is a privilege to join with my colleagues and associates of the late Senator OLIN D. JOHNSTON in paying tribute to the memory of one of the most popular leaders to serve the State of South Carolina.

As a Member of the House Post Office and Civil Service Committee, I had occasion to meet with Senator JOHNSTON several times to discuss various postal matters, et cetera. Without qualification, he was one of the most dedicated public servants it has been my privilege to meet.

He was interested not only in the welfare of the Federal worker but he also had great concern for the welfare of all his countrymen. Those who were his constituents had reason to have confidence not only in his integrity but in his ability as well.

Senator JOHNSTON's service will not be forgotten by the people of his State, nor by the many Federal and postal employees who were the recipients of his tireless efforts to improve their working conditions. He was one of the strongest champions Government and postal workers ever had in Congress.

Although the Senator is no longer with us to advise and counsel, he remains with us in our hearts and minds. He will be remembered not only for his legislative achievements, but also for his kindliness, friendliness, and deep affection for mankind.

The great outpouring of sorrow and regret at the passing of this distinguished Senator is a monument to the high esteem and regard in which he was held by his colleagues and the people in the State of South Carolina.

Mr. BROOKS. Mr. Speaker, I join with the other Members of this House today to pay tribute to an outstanding man who served our Nation so capably in the U.S. Senate for more than 20 years. OLIN D. JOHNSTON was a lifelong Democrat and leader of the Democratic Party in his home State of South Carolina for many decades. Nothing I can say could do justice to the public service which this fine gentleman performed. His dedication, integrity, and the dignity he brought to the Senate was recognized by all who came in contact with him.

The State of South Carolina which he served as Governor and the rest of our Nation lost a great leader in the passing of OLIN JOHNSTON. Our Nation has benefited from the good fortune of having had the service of this devoted servant of his State and his Nation.

Mr. ASHMORE. Mr. Speaker, I wish to join with my colleagues from South Carolina as well as many other Members of both the Senate and House in paying tribute to our departed friend, Senator OLIN D. JOHNSTON.

OLIN D. JOHNSTON was recognized by the people of South Carolina soon after World War I as a man to be reckoned with in the future political arena of the State. When he returned home from the battlefields of Europe in 1918, it was said that this young former Army sergeant had a great determination to become Governor of his native State. In order to attain this ambition, OLIN realized he must equip himself with more education and knowledge. Since he was a poor country boy without finances, it was necessary for him to work his way through college. So he secured a job in a cotton mill where he work at night while attending college by day, and ultimately graduated at Spartanburg Junior College, Wofford College, and the University of South Carolina where he was awarded a degree in law.

He first held public office as a member of the General Assembly of South Carolina from Anderson County. He later moved to Spartanburg County, S.C., and was then elected to the general assembly from that county. The distinction of serving in the general assembly of his State as a representative of two separate counties was unique to say the least.

From the beginning of his career of public service he consistently emphasized the fact that he was a representative of the working class of people, who earned their livelihood primarily by the sweat of the brow in the cottonfields and in the hot, lint-filled atmosphere of the cotton mills. The laboring people on the farms and in the industrial plants of South Carolina immediately accepted him as the champion of the workingman. And until his final days on this earth his loyalty to them and their loyalty to him never diminished. Not only in his home State but throughout the land he was known as the friend of the toiling masses. Moreover, all Federal employees of this country looked upon him as their friend because his efforts and accomplishments in their behalf were unsurpassed by any man who ever served in either House of the Congress of the United States. During his more than 40 years of public service he established an outstanding and distinguished record of dedication and devotion to the welfare of the Federal workman and wage earner of America.

Senator JOHNSTON attained his announced ambition of serving his State as Governor on two separate occasions, but he was not satisfied with this great honor and privilege because he also had a burning desire to become a Member of the U.S. Senate. He achieved this goal in 1944 and continued to serve there with great distinction and ability until his untimely death April 18, 1965.

OLIN JOHNSTON had more than desire, ambition, and ability. He also had the human touch, a humble spirit, a calm and lovable personality, and an unflagging devotion to his family, church, and God. These attributes, plus his unfailing loyalty to the workingman, made him beloved by rich and poor, white and black, and those of both high and low estate. By virtue of these wonderful characteristics he was always able to obtain a tremendously large vote, not only among the farmers, industrial workers, and Federal employees, but on Main Street as well. Thus, it is evident that his friends and supporters were countless in every walk of life.

This man was also blessed with a lovely, consecrated and highly accomplished wife. She was from the beginning to the end, in the highest sense of the word, a "helpmeet for him." It is common knowledge among their close friends that Mrs. Johnston was always an inspiration to him and without her great ability, kindly spirit, and faith, OLIN would never have so successfully fulfilled the dreams and hopes of his young manhood. He knew the capacity of his wife, and I am sure often accepted her wise counsel and leadership. He recognized her strength and faith, and was smart enough to utilize her wisdom and sound judgment at every opportunity. She was truly the power behind the throne.

My wife, my daughter, and I extend our deepest sympathy to Mrs. Johnston and the entire family on this sorrowful occasion.

Mr. RIVERS of South Carolina. Mr. Speaker, South Carolina and the Nation suffered a gigantic loss when Senator OLIN D. JOHNSTON crossed over the river to take his place in history.

Many great and distinguished men have served in the Congress of the United States from South Carolina, but I know of no man more dedicated to his own State and to his Nation.

OLIN JOHNSTON has left an indelible mark in the annals of our legislative history. He will be remembered by countless thousands for his leadership in improving the working conditions of those who serve in civilian capacities in the Federal Government. But, his tremendous accomplishments in this area cannot overshadow the greatness he achieved as the only individual in the history of South Carolina to twice serve as Governor.

Lawyer, soldier, Governor, Senator. There are few Americans who can claim the distinctions which he earned.

OLIN JOHNSTON knew the rigors of war, having served in combat in France in World War I. But, above all, OLIN JOHNSTON understood, loved, and respected the most valuable asset to which any nation can lay claim—its people.

OLIN JOHNSTON never forgot, not for one moment throughout his long and distinguished career, that people are the only truly indispensable national possession.

His efforts in behalf of the farmers of South Carolina, as well as the farmers throughout the United States, will long be remembered.

But, OLIN JOHNSTON did not limit his interest in human affairs to any one particular group, for he was also in the forefront in the fight for better working conditions for men and women everywhere.

He knew the vicissitudes of history. He served as Governor of the State of South Carolina when poverty and unemployment were common catastrophies for countless thousands. He served in the State legislature during periods of prosperity, and he served in the U.S. Senate at the height of World War II.

He was continuously reelected by the people he so ably represented.

I have lost a personal friend. The South has lost a distinguished and truly great son. But the Nation has lost an outstanding patriot who was dedicated to every cause which led to the betterment of our way of life.

No words of mine can console those of his family and friends who remain behind, but we can take solace in the knowledge that we were privileged to know, love, and respect a great man who left this world far better because he lived, and during his lifetime, devoted his towering intellect, his humanness, and his energy to people and their problems.

Mr. COOLEY. Mr. Speaker, for many years I enjoyed the friendship of our late and beloved colleague, OLIN JOHNSTON, who by the simplicity of his life and by his devotion to duty and by his sterling character and great ability endeared himself to his colleagues and to his countrymen. In the golden hours of his great life, he left the shores of sound and moved into the great realm of silence to receive the full reward which his strong faith had purchased. OLIN JOHNSTON was a brave and courageous man, yet he was an humble and devoted public servant. He was unswerving in his fidelity to truth. He discharged all of the vital functions of high office in a manner which proved him to be worthy of the confidence of the people he so well and ably represented. From an humble beginning through all of the hardships and vicissitudes of life he moved to places of prominence and great responsibility in the public life of his State and Nation. When he left the shores of sound for the great realm of silence, I lost a true and beloved friend, and his State and Nation lost a great statesman. May the Lord of Mercy bless and sustain the members of his family, and may the love and sympathy of his friends soften the sorrow they are now suffering.

Mr. MATSUNAGA. Mr. Speaker, I rise to eulogize the late Senator OLIN D. JOHNSTON, a great statesman and a great American.

Like many other great Americans, Senator JOHNSTON rose from humble beginnings to devote a lifetime of outstanding service to his State and to his country. Academically, Senator JOHNSTON prepared himself well in spite of his modest circumstances and the fact that his educational training was interrupted by a period of combat service in Gen. Douglas MacArthur's famed Rainbow Division during World War I. Upon returning to civilian life, he received his B.A. degree from Wofford College and earned both an M.A. degree and the LL.B. degree from the University of South Carolina.

As he progressed in his public service career, first as a member of the South Carolina State Legislature, then as Governor of that State, and finally as U.S. Senator, OLIN D. JOHNSTON always remained close to the people whose interests he served so well. Truly, under his long and able chairmanship of the Senate Post Office and Civil Service Committee, Federal Government employees throughout the Nation have benefited from Senator JOHNSTON's fairness, vision, and legislative ability.

His qualities of leadership, benevolence, and integrity were also felt by other people whose lives were touched by laws that he had helped to enact.

I extend to Mrs. Johnston and to the other members of Senator JOHNSTON's family my deepest sympathy in this period of sadness.

Mr. MILLS. Mr. Speaker, it was with a sense of deep sadness that I learned of the passing of the admired and respected Senator OLIN D. JOHNSTON, of South Carolina.

OLIN JOHNSTON served his State and Nation long and diligently, with conscientious devotion to duty, a deep sense of integrity and with a sincere and deep feeling for the less fortunate. He will be sorely missed by his constituents, and by his friends in all ranks of life which are legion throughout the Nation. His accomplishments in the legislative arena are many and varied, not the least of which are the many improvements in the status of Federal employees which he sponsored and pushed to a successful conclusion. Senator JOHNSTON was indeed a friend of the millions of our devoted civil servants. He did much to improve the administration of the laws by his deep and abiding concern for the status of those who are charged with the administration of the laws. He will be long remembered for his work as chairman of the Senate Post Office and Civil Service Committee.

Senator JOHNSTON's family and friends and constituents can take solace in the knowledge that he served his country well and that he has left a monument in the form of hundreds of statutes which bear his indelible imprint.

My sincere condolences to his surviving family in this, their hour of sadness.

FUNDAMENTAL CHANGE IS NEEDED IN MILITARY PAY AND ALLOWANCES

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House, the gentleman from Wisconsin [Mr. KASTENMEIER] is recognized for 60 minutes.

Mr. FARNUM. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks and include extraneous matter and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the House Armed Services Committee has approved a military pay bill which will soon come up for consideration in the House. The bill provides for pay increases averaging 10.7 percent. The recommended increases for all personnel range from 13 percent for recruits to 15.3 percent for master sergeants, and 22 percent for second lieutenants to 6 percent for Chiefs of Staff.

Notwithstanding the apparent generous proportions of the provisions of this bill, it fails to deal adequately with the man entering service for the first time.

I have made a detailed comparative study of the existing pay and allowances, the committee-approved bill and a bill, S. 1095, introduced by Senator GAYLORD NELSON, of Wisconsin, and a dozen or more other Senators.

The purpose of Senator NELSON's bill is primarily to provide an increase in the pay of members of the Armed Forces performing their first 2 years of service. As you know, the men in this category—under 2 years of service—have had no pay increase—whether an E-1, E-5, or O-3—since 1952. Since the war—1946—while civilian pay has increased 20.3 percent, and the pay of servicemen, both officers and enlisted men, with more than 2 years' service, has increased 42.8 for officers and 52 percent for enlisted men, the enlisted man entering service today receives $78 per month or $3 per month more than his 1946 counterpart.

The $10 increase for the recruit is a mere token raise in the light of the fact that the pay of the other enlisted men with over 2 years service has been increased by 52 percent since 1946 and would be increased by this bill an additional 13 to 15 percent.

The concept of military service has changed dramatically since World War II. Even in 1946 most American boys recognized that it was everyone's duty to serve in the military. The draft was geared to wartime needs and it was a matter of everyone—or nearly everyone—serving.

Today, that situation is drastically changed. The selective service system is replete with loopholes for young men—marriage, school, minimal draft calls, higher physical and mental standards. The result is that the average draftee is 22 or 23 years of age. Not only is he inducted to serve at a low pay level, he also has had to wait around for the draft call, facing uncertain employment opportunities. And today, if a man is so unfortunate as to not be able to fit into any one of the deferred or exempt categories, he may well find himself in a hot war.

Thus, my objection is not merely to the lag in pay increases for the men entering service for the first time, but to the system we use in this country to man our Armed Forces as well.

It is time we stop requiring the one man in three of draft age who actually serves to subsidize our national defense. His low pay can be called nothing but reverse Government subsidy. What an incredible situation this is. Many elements of our society receive subsidies. The draftee, on the other hand, is expected to subsidize our defense budget by accepting low pay during his first 2 years of service.

If everyone coming of draft age is required to serve in the military, then the low starting pay equals out—everyone contributes about the same thing to the national defense. But when we have essentially a peacetime draft where a relatively small force is required, it is grossly unfair to require the draftee or volunteer in his first 2 years to subsidize the man who avoids the draft call by marrying or going to graduate school. The disparity between the man entering service and his graduate-degree-bearing counterpart who has not been drafted and is also able to take a job in the missile industry is downright discouraging.

Just how discouraging it is is reflected in not only the low reenlistment rates, but also in the fact that the services which rely on volunteers are having great difficulty in getting enough volunteers. It is known that the Navy has had to accept category C volunteers in order to survive as a volunteer service. Thus, this volunteer branch is limping along with volunteers of a lower category than the Army which relies on the selective service for draftees on a select basis. This was also highlighted by the Navy Secretary's recent call for all hands to extend voluntarily.

One point before getting to my specific pay proposal. As you know, to make up for the failure to include the 2-year man in past military pay bills will cost more money. Senator NELSON and his cosponsors estimate that just bringing the pay in this category up to date, without including any substantial across-the-board raise this year, would cost $605 million per year for the entering servicemen.

Thus, unless we pass a bill increasing the pay of entering servicemen, this is the size of the subsidy we in Congress are asking the country's volunteers and draftees to continue to make to our national defense.

It must be ended by the Congress in this pay bill. To say that it cannot be done because it costs too much emphasizes how much it costs our young men. The rest of our society, or 190 million people, can afford the $605 million far better than the young men entering service.

Thus, while I support the committee bill as it pertains to the pay of enlisted men with one exception, which I will discuss in detail in a moment, I am opposed to further increases for officers, particularly for officers in the higher ranks.

Two military pay bills were enacted in the 88th Congress; high-ranking officers received substantial pay increases in each of these bills, while the entering serviceman was generally ignored by these bills.

I support Senator NELSON's bill, S. 1095, as it pertains to officers. It would raise the pay of the officers in their first 2 years of service approximately equal to the increases all other servicemen with more than 2 years service have received since 1946.

Administration studies notwithstanding, I believe we in this Congress have an ideal opportunity to take the first step forward—the elimination of low pay for entering servicemen, as well as toward ending the inequitable draft system we now have relied on since the Second World War.

I propose a fundamental change in the pay structure for the military service. I recommend most strongly that the under-2-years-service category be abolished and that all men with less than 3 years' service be paid the same for the grade they hold. To understand this proposal it is necessary to look at the pay table as it currently exists. Since my proposal only affects the pay of servicemen in their first few years service, I have excluded pay figures for the two highest enlisted grades and the grades of colonel and above.

COMMISSIONED OFFICERS

Pay grade	Years of service			Source of pay figures
	Under 2	Over 3	Over 4	
O-5	514.50	604.80	645.90	37 U.S.C. 203.
	591.60	644.70	688.50	Committee bill.
	676.80	680.40	684.00	Senator Nelson's bill.
O-4	434.10	528.00	563.70	37 U.S.C. 203.
	526.50	562.80	600.90	Committee bill.
	579.90	583.80	587.70	Senator Nelson's bill.
O-3	353.70	450.90	481.80	37 U.S.C. 203.
	427.80	473.40	505.80	Committee bill.
	464.10	473.10	481.80	Senator Nelson's bill.
O-2	281.40	384.30	461.40	37 U.S.C. 203.
	342.60	403.50	484.50	Committee bill.
	382.70	424.20	461.40	Senator Nelson's bill.
O-1	241.20	307.50	384.30	37 U.S.C. 203.
	294.60	330.00	412.50	Committee bill.
	348.00	366.00	384.30	Senator Nelson's bill.
WARRANT OFFICERS				
W-2	287.40	353.70	353.70	37 U.S.C. 203.
	346.50	388.50	388.50	Committee bill.
	405.90	408.30	410.70	Senator Nelson's bill.
W-1	238.20	312.60	312.60	37 U.S.C. 203.
	288.90	347.70	347.70	Committee bill.
	348.00	349.50	351.00	Senator Nelson's bill.
ENLISTED MEMBERS				
E-7	206.39	282.00	292.20	37 U.S.C. 203.
	261.00	324.90	336.90	Committee bill.
	323.70	325.20	326.70	Senator Nelson's bill.
E-6	175.81	246.00	256.20	37 U.S.C. 203.
	225.00	276.30	287.70	Committee bill.
	267.30	269.70	272.10	Senator Nelson's bill.
E-5	145.24	215.40	225.60	37 U.S.C. 203.
	194.10	242.10	253.50	Committee bill.
	225.00	225.30	225.60	Senator Nelson's bill.
E-4	122.30	184.50	194.70	37 U.S.C. 203.
	163.50	200.70	211.80	Committee bill.
	183.00	184.50	194.70	Senator Nelson's bill.
E-3	99.37	148.50	159.00	37 U.S.C. 203.
	117.90	160.20	171.60	Committee bill.
	154.80	156.90	159.00	Senator Nelson's bill.
E-2	85.80	123.00	123.00	37 U.S.C. 203.
	97.50	132.60	132.60	Committee bill.
	126.60	126.60	126.60	Senator Nelson's bill.
E-1	83.20	112.80	112.80	37 U.S.C. 203.
	93.50	121.80	121.80	Committee bill.
	117.30	117.30	117.30	Senator Nelson's bill.
E-1 [1]	78.00			37 U.S.C. 203.
Under 4 months	87.90			Committee bill.

[1] No recommendation in Nelson bill.

The figures listed for each grade or rank in each of the years of service categories are labeled. The top figure is the existing pay figures taken from title 37, United States Code, section 203, for men in each of the respective pay grades with under 2 years service, over 2 years service and over 3 years service. The second figure is taken from the committee approved bill.

I have taken the third figure in each pay category from Senator NELSON's bill, S. 1095. As I have explained, this figure represents the Pentagon's calculation of what it would take to raise the pay of the under 2-year men, a percentage equal to the raises other military personnel have had since 1946.

You will note that in the case of each of the seven enlisted grades, Senator NELSON's figure for under 2 years is $4 to $6 below Chairman RIVERS' figure for the "over two" category. For example, in the case of the entering enlisted man, private E-1 with over 4 months' service, his existing pay is $83.20, Chairman RIVERS' bill raises it to $93.50 and the amount needed to raise it an amount proportionate to others in the military as contained in Senator NELSON's bill is $117.30. This would not include a raise proportionate to the across-the-board raise expected this year. The E-1 pay in the "over two" category recommended by Chairman RIVERS is $121.80—approximately equal to NELSON's proposal plus this year's pay increase.

My proposal is quite simple. It is to adopt the pay table as contained in the committee bill providing increases for all enlisted personnel, except that I would entirely eliminate the "under two" category and change the label on the "over two" category to read "under three."

Similarly for officers, I would adopt the pay table as contained in Senator NELSON's bill providing increases for all officers, except that I would entirely eliminate the "under two" category and change the label on the "over two" category to read "under three."

Thus my proposal is to substitute one category "under three" to cover all men in the two present categories, "under two" and "over two" for both officers and enlisted men. The purpose of my proposal is to provide the entering serviceman with a pay raise equal to the pay raises other servicemen have received since 1946. If all other servicemen are to receive pay increases this year and in the years ahead, the entering serviceman should be included.

Just why the military pay rates have continued to be based on the 2-year draft period is hard to understand. Most of our military manpower enlists in service for the first time for 3 or more years. All services except the Army rely exclusively on volunteers, volunteers who enlist for 3 or more years. Defense Department statistics for fiscal 1964 as contained in the following table show that less than 1 out of every 3 men enter service for less than 3 years:

Enlistments for 3 or more years compared with inductions for 2 years

Branch of service	Volunteers for 3 or more years	Men inducted for 2 years	Total incoming personnel
Navy	95,040	0	95,040
Marines	39,065	0	39,065
Air Force	94,836	0	94,836
Army	116,202	150,680	266,882
Total	345,143	150,680	495,823

Thus, out of nearly half a million men entering service each year 150,000 enter for 2 years. The others are committed for at least a 3d year. The pay system which gives a pay raise at the end of 2 years offers no reenlistment incentive to the bulk of our manpower with longer commitments.

The result of my proposed change would be to conform our military pay schedule to the 3-year enlistment or volunteer Army basis. This change in the pay schedule would raise the pay of the draftee. In the services, which already rely on 3-year enlistments, for which the 2-year pay raise is an anachronism providing no reenlistment incentive to the man already committed to a third year, this change would just be sound personnel practice. To the Army, which obtains a portion of its manpower from the draft each year, this would be the first step toward the elimination of the draft.

With some creative thinking, this change in pay schedules could be used to persuade those who volunteer for the draft to take 3 years, at a living wage, and with a choice of training. Sound personnel management could build on this change as a basis for encouraging careers for many young men in our society.

In this respect, I would also like to comment on two or three other pay and allowance items bearing directly on the concept of career military service.

I find particularly objectionable the concept that a man in grade E-4 or below in his first 4 years of service is presumed to have no dependents and that his quarters allowance is based on that presumption. If we are expecting to create a pay schedule and in general a climate in the military which will induce American boys to consider a career in the military, we cannot tell them at the outset that they cannot be married or cannot marry during their first 2 years service because their quarters allowance will be based on the presumption they are single.

A man considering military service will think twice about it if it means an unnatural existence or poverty for his wife and family, not only during the beginning of his service but in all likelihood at the beginning of his marriage. It is time we become good employers and give thought to the factors by which young men judge a career.

The prohibition against transporting dependents and household goods for men E-4 or below with less than 4 years service similarly inhibits careers. In a universal military service situation we might be able to justify such thinking. In a competitive labormarket, we cannot keep people in service by depriving them of a natural home life. While a capable man may easily make sergeant E-5 in 4 years, there are problems of being in the right place at the right time even for the best man in certain MOS positions throughout the military service. Some change should be made in this practice.

A third item is the fact that a serviceman is generally paid per mile for the use of his privately owned vehicle on permanent change of station travel. Nationwide tests have conclusively shown that the costs of operating any make of automobile is over 10 cents per mile. At this rate, the serviceman loses 4 cents per mile on a cross-country change of station—not even counting food or sleeping accommodations for which the lower enlisted grades receive small per diem allowances. If he has a wife and is eligible for dependency travel, she also may get 6 cents per mile, but he and his family are still far short of breaking even on the travel required by Uncle Sam. This inequity is further highlighted by the fact that the Internal Revenue Service will allow a deduction of 10 cents per mile for business travel under some circumstances, simply for the costs of operating a car, not counting food or lodging.

After all, if we are ever going to get rid of the draft, career military service in a competitive labor market must be made more comparable to civilian careers. We must look at the pay and allowances practices of the military services from the standpoint of a young man getting started in life who is assessing the relative merits of several possible careers.

I again emphasize that the American people can better afford to end the subsidy paid by our 2-year servicemen than the serviceman can afford to continue it. Those men who have served know what it is first hand to take less pay so that our defense costs are kept down. Those who have not served should be more than willing to pay those who deserve at least a living wage. Those who are coming of draft age or already are in service will be encouraged to take up a career in the service.

Finally, I can say that if we again fail to provide the entering serviceman with a substantial increase in pay, over and above the token $5 or $10 included in the administration and committee bills, we in this Congress will in effect be telling the hundreds of thousands of young men just entering service that the only hope is to organize and lobby in Congress. The point will not be lost on them that the admirals and generals and other officer groups are tightly organized and have been successful in getting Congress to pass two pay bills in one Congress increasing their pay. Certainly several hundred thousand voices, if organized, would be heard when it came to evaluating these pay proposals.

I firmly believe that if the American people understand this situation they will support an increase in pay and allowances for the man entering the service of his country.

Furthermore, there can be no question that the proposed change in the pay table itself will serve not only to bring the recruits pay into line with the pay of other members of the military, but it also will be a step toward the elimination of our most inequitable draft system.

LEGISLATION TO AUTHORIZE TEACHERS AND OTHER EDUCATIONAL PERSONNEL TO DEDUCT ALL REASONABLE EDUCATIONAL EXPENSES

Mr. FARNUM. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GIAIMO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GIAIMO. Mr. Speaker, I have introduced, for appropriate referral, a bill amending the Internal Revenue Code of 1954 to authorize teachers and other educational personnel to deduct from their annual gross income all reasonable educational expenses they may incur during the year in developing their professional skills and in meeting the standards required for advancement in the field.

This bill would encourage this Nation's professional educators to keep on advancing their knowledge of classroom techniques or supervisory or administrative procedures through formal study in accredited graduate programs of education. But basically it would remove the financial penalty now imposed upon those teachers who desire or are required to earn and accumulate post-graduate credits in education.

This problem is clearly evident in my own State of Connecticut. Men and women entering the teaching profession in Connecticut are issued a provisional certificate. But, as the Connecticut Education Association has pointed out, after at least 3 years experience and either 30 credits in a planned program or a master degree, they are awarded a standard certificate.

Without such additional credits or degree, the teacher must wait 10 years to obtain his standard certificate. Even then, he is denied the salary increment which accompanies the attainment of degrees beyond the bachelor level.

It would appear that two general rules promulgated by the U.S. Tax Commissioner in Internal Revenue Bulletin No. 1960-11 apply to teachers with advanced academic credit. The Tax Commissioner stated:

> The regulations provide that expenditures made by a taxpayer for his education are deductible if they are for education undertaken primarily for the purposes of (1) maintaining or improving skills required by the taxpayer in his employment or other trade or business, or (2) meeting the express requirements of applicable law or regulations, imposed as a condition to the retention by the taxpayer of his salary, status, or employment.

To my knowledge, it has never been satisfactorily explained why a distinction has been drawn between the teaching profession and other types of trade or business which may qualify for income tax deductions under these regulations.

The objectives of this bill, in a sense, are in keeping with our national goal of achieving educational excellence in our time. Since the National Defense Education Act of 1958, we have appropriated billions of dollars to increase educational facilities and to improve educational opportunities. Moreover, special attention was given to the task of attracting more and better teachers into the American education system.

In large part, we have succeeded in this task. We have bright, ambitious, dedicated teachers in our classrooms. Let us not lose them.

NEW YORK CITY IN CRISIS—PART CII

Mr. FARNUM. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns slumlords in New York City and appeared in the New York Herald Tribune on April 29, 1965.

The article is part of the series on "New York City in Crisis" and follows:

NEW YORK CITY IN CRISIS NO SLUMLORD—JUST A CORPORATION

(By Martin J. Steadman)

Arthur J. Clyne, a 34-year-old lawyer who once was a $100-a-day consultant to the city real estate department, paid a $500 fine in housing court yesterday.

Mr. Clyne was appearing on a charge of ignoring more than 100 violations placed by the Buildings Department on 704 East 5th Street, a six-story tenement on the lower East Side. This amounted to less than $5 a violation.

Criminal Court Judge Milton Shalleck permitted Mr. Clyne to substitute a corporation in which he had an interest, the 704 East Fifth Street Corp., which was listed as the owner, as defendant. The corporation was found guilty and Mr. Clyne paid the clerk and left.

Substitution of corporations as defendants is a common, everyday happening in housing court. The corporation counsel, representing the city, routinely registers an objection to a request to substitute a corporation. Just as routinely, the judges grant the requests.

The Community Service Society, a respected civic group that pays close attention to housing problems, has repeatedly urged that the practice of substituting be stopped. CSS says there is nothing in the law to permit a landlord to escape responsibility by pleading that a corporation is the owner and should be convicted instead.

Officials of the Buildings Department, trying to bring slumlords to account, find themselves lost in a maze of corporations. Last year only 11 landlords went to jail, out of over 30,000 convictions.

THE ADVANTAGES

The advantages of substituting a corporation are fairly obvious. The multiple dwelling law provides jail terms for landlords who fail to repair their buildings. Conviction on a second offense could draw a year in jail. But a corporation can't serve time. And there is no law to stop a landlord from selling his corporation to another corporation in which he has an interest after the first one has taken a conviction.

Mr. Clyne's request for the substitution of his corporation was granted over the strenuous objection of Special Assistant Corporation Counsel Irving Cohen. Mr. Cohen is assigned to a "crash bureau" of six talented attorneys assigned to work with the Buildings Department in its attack on slum landlords.

The building at 704 East Fifth Street had been ordered vacated by the city on January 23. The tenants were removed because conditions in the building were abominable. Because the building is still not boarded up, a policeman must stand duty at the door, round the clock, 7 days a week.

Until yesterday, Mr. Clyne had refused to accept responsibility for the tenement. He told a Herald Tribune reporter on March 3 that he had simply agreed to hold the deed to the building in escrow for the owners, the Liknos Realty Corp., until he could get a long-term loan from the city to rehabilitate the slum building.

But as things got worse in the building, as violations began to pile up, and the city ignored his requests to arrange a meeting to discuss a loan, Mr. Clyne said he gave up the building in despair and turned it back to its original owners.

But at yesterday's court proceeding, he agreed to accept responsibility if the corporation, in which he had an interest could be substituted.

The city was ready with its case against him. Witnesses who had come to court through several adjournments, some of them mothers who left their children with neighbors, some men missing a day's pay, one a 74-year-old woman on crutches, were in court ready to testify that Mr. Clyne had been collecting rents at the building.

The tenants live in different tenements now, with different landlords, who are principals, of course, in different corporations.

NEW YORK IN CRISIS—PART CIII

Mr. FARNUM. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MULTER. Mr. Speaker, New York City's commuter problems are well known to all who are concerned with mass transportation. The following article concerns that problem.

The article appeared in the New York Herald Tribune on April 30, 1965, and is part of the series on "New York City in Crisis," and follows:

NEW YORK CITY IN CRISIS: WAGNER'S CASE ON RAILROADS

(By Barrett McGurn)

Mayor Wagner painted a picture of grotesque confusion yesterday as he described what would happen in New York City if the New Haven Railroad were to succeed with its announced desire of shutting down commuter service.

The mayor appealed to the Interstate Commerce Commission to reject the New Haven demand to shut down December 31 and even to forbid the merger of the Pennsylvania and New York Central Railroads until the Central agrees to continue New Haven passenger service. (The two wish to buy the bankrupt New Haven, using it merely for freight.)

Then the mayor outlined his own plan for New York's commuter crisis: a new tristate government authority running all commuter rail service from Connecticut, Long Island, the Hudson Valley, and New Jersey.

STATEMENT

The mayor submitted a written statement, read by Deputy City Administrator Maxwell Lehman, to the 30 Church Street hearing.

The three-State commuter rail authority included elements of a proposal Governor Rockefeller has advocated, but the city did not go into specifics. Even such questions as to how much financial power such a commuter rail authority should possess were "details" to be worked on, Mr. Lehman said.

Neither Mayor Wagner nor anyone else who testified yesterday at the ICC hearing implied that they really believed New Haven service would begin to cut back, as requested, starting August 1. The trustees of the bankrupt railroad already have agreed to keep running until December 31, 1966, if the Federal Government, as expected, contributes $3 million to be added to moneys granted by the States of New York and Connecticut.

The hearing merely is to give the New Haven permission to begin going out of the commuter business August 1 if there should be a slip-up on Federal aid or elsewhere.

Whatever happens the New Haven commuter trains must not stop, the mayor argued. Considering what would happen in the event of a New Haven closedown, the mayor spelled out the size of some of the crises that would occur here:

A shift of only half of the 15,000 New Haven rush-hour commuters to private cars would make another six-lane highway like the East River Drive a New York City necessity. Such a highway, could cost as much as $30 million a mile "assuming we found the land and you can't assume that."

Parking space for 5,000 cars would have to be built at a cost of $6,000 a car—another $30 million.

A giant new burden would be thrust on the Bronx subways, which, "during the rush hours, are already used to their capacity." The whole New York subway system would strain, for, "as a matter of fact, New York City needs an additional subway line on the East Side to carry present riders."

(The reference was to a subway to the Bronx under the east side of Central Park or up Madison or Second Avenues, projects discussed and studied for several years.)

Mayor Wagner said he agreed with Governor Rockefeller's New York commuter rail agency proposal if it is "open ended," if it takes in not only the bankrupt New Haven and Long Island Railroad but all commuter lines feeding New York City and, eventually, "all forms of transportation."

Governor Rockefeller's staff has worked out a series of proposals calling for the purchase of the Long Island Railroad, the spending of $200 million on Long Island Railroad improvements, and the formation of a commuter rail authority, which would join in running both the Long Island and New Haven Railroads and also, possibly, some New Jersey railroads if the Trenton statehouse and legislature cooperate.

The mayor took note that 64 presidents, board chairmen, vice presidents and publishers of New York's foremost companies banded together earlier this week to plump for a $1 billion 10-year governmental investment in the takeover and improvement of all of the dozen wobbly commuter railroads now serving New York.

HAPPY

The mayor said he was "happy to note" that such "responsible business leaders" had endorsed so broad program of governmental operation of defaulting private lines. He said he agreed with the Committee of 64.

A governmental agency to run New York's commuter railroads should keep in mind that New Jersey, Connecticut and New York are all one "geographical economic" unit now, and must find a way to "move people swifty and effectively," the mayor went on. He added:

"A single supervisory directorate * * * under governmental auspices * * * could conduct essential research in applying new technology to existing forms of transportation, the development and use of newly invented forms of transportation (and), better resource allocation in the provision for all forms of transportation."

PROPOSED MERGER OF THE CHICAGO NORTHWESTERN RAILWAY AND THE CHICAGO GREAT WESTERN RAILWAY

Mr. FARNUM. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Culver] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CULVER. Mr. Speaker, it was with deep regret that I was unable to be present yesterday while the House of Representatives was in session.

The Interstate Commerce Commission is at the present time holding hearings in Waterloo, Iowa, with regard to the proposed merger of the Chicago Northwestern Railway and the Chicago Great Western Railway. The proposed merger is a matter of substantial concern to the residents of the Second Congressional District and I was called back to Iowa to testify before the hearing examiner in Waterloo on Monday morning.

However, had I been present it was my intention to join with my colleagues in support of the amendments to the Agriculture Acts to take into consideration floods and other natural disasters in reference to the feed grains, cotton, and wheat programs for 1965. This is a very important bill to Iowans since it will permit farmers who signed up for the 1965 feed grain program to receive price support payments if they were unable to plant their corn on account of the devastating floods of this spring. It will also permit diversion payments for those participants whose diverted acres were affected by the natural disaster. The effect of the bill is to avoid unnecessarily penalizing those farmers who were struck by disaster at a time prior to planting.

It was my further intention on Monday to support the National Vocational Student Act of 1965, and the resolution in support of the people of the Baltic nations.

ADDITIONAL LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House of additions to the program for this week which will follow the scheduled program of the Defense Department appropriation bill.

Mr. Speaker, I have already advised the minority leader that these additions would be made. They are as follows:

H.R. 8131 from the Committee on Education and Labor, extending the Juvenile Delinquency and Youth Offenses Control Act of 1961, open rule, with 1 hour of general debate.

House Joint Resolution 541 from the Committee on Banking and Currency, to extend the Area Redevelopment Act for a period of 2 months, open rule, with 1 hour of general debate.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Kastenmeier, for 30 minutes, today.

Mr. Pike, for 1 hour, on tomorrow, June 23.

Mr. Ellsworth, for 60 minutes, on June 24, 1965.

The following Members (at the request of Mr. Farnum) to revise and extend their remarks and to include extraneous matter:

Mr. Dent, for 30 minutes, on June 23.

Mr. Cohelan, for 60 minutes, on June 24.

Mr. Gallagher, for 60 minutes, on July 1.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Baldwin, his remarks on the public works appropriation bill and to include two letters.

Mr. Rooney of New York (at the request of Mr. Farnum) to address the House for 1 minutes and to revise and extend his remarks; and tc include extraneous matter and that these remarks appear with the other 1-minute speeches made earlier today.

Mr. Brown of California.

Mr. Horton.

(The following Members (at the request of Mr. Farnum) and to include extraneous matter:)

Mr. St. Onge.

Mr. Hamilton.

Mr. Bennett.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 360. An act for the establishment of the Indiana Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

ADJOURNMENT

Mr. FARNUM. Mr Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 44 minutes p.m.) the House adjourned until tomorrow, Wednesday, June 23, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1249. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other firms, for the period July, 1964 to April, 1965, pursuant to section 10(d) of the Small Business Act; to the Committee on Banking and Currency.

1250. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to prescribe stipends to be paid patients and residents employed in institutions of or under programs sponsored by the government of the District of Columbia as an aid to their rehabilitation or for training purposes; to the Committee on the District of Columbia.

1251. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Public Assistance Act of 1962 so as to provide for the furnishing of medical assistance for the aged to eligible residents of the District of Columbia; to the Committee on the District of Columbia.

1252. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the District of Columbia to advance funds to the National Park Service and the National Zoological Park; to the Committee on the District of Columbia.

1253. A letter from the Chairman, Franklin Delano Roosevelt Memorial Commission, transmitting the ninth interim report of the Franklin Delano Roosevelt Memorial Commission, pursuant to 69 Stat. 694; to the Committee on House Administration.

1254. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend the authorization to appropriate money for the maintenance and operation of three experimental stations of the Department of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee of conference. S. 1229. An act to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes (Rept. No. 538). Ordered to be printed.

Mr. BLATNIK: Committee on Public Works. S. 1648. An act to provide grants for public works and development facilities, other financial assistance and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions; with amendment (Rept. No. 539). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 77. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; without amendment (Rept. No. 540). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 430. Resolution for consideration of H.R. 8131, a bill to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961; without amendment (Rept. No. 541). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 431. Resolution for consideration of H.R. 8283, a bill to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964; without amendment (Rept. No. 542). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 9303. A bill to prescribe certain safety features for all motor vehicles manufactured for, sold, or shipped in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. ELLSWORTH:

H.R. 9304. A bill to allow feed grains to be planted without price support on wheat acreage destroyed by flood, drought, hail or other natural disaster in 1965; to the Committee on Agriculture.

By Mr. GIAIMO:

H.R. 9305. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 9306. A bill to authorize wartime benefits under certain circumstances for peacetime veterans and their dependents; to the Committee on Veterans Affairs.

By Mr. HANLEY:

H.R. 9307. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. HANSEN of Idaho:

H.R. 9308. A bill to amend the law establishing the Indian revolving loan fund; to the Committee on Interior and Insular Affairs.

H.R. 9309. A bill to provide for guaranty and insurance of loans to Indians and Indian organizations; to the Committee on Interior and Insular Affairs.

By Mr. KEOGH:

H.R. 9310. A bill to amend the Internal Revenue Code of 1954 to reduce the rates of the estate tax and gift tax by approximately 20 percent, and to increase the exemptions (and exclusions) allowed in determining the amount of an individual's taxable estate or taxable gifts; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 9311. A bill to amend the Tariff Act of 1930 with respect to the tariff treatment of certain imported dress gloves; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 9312. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 9313. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon", approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. ST. ONGE:

H.R. 9314. A bill to provide certain benefits for Federal civilian employees with respect to premium pay; to the Committee on Post Office and Civil Service.

By Mr. SCHNEEBELI:

H.R. 9315. A bill to amend the Internal Revenue Code of 1954 to reduce the rates of the estate tax and gift tax by approximately 20 percent, and to increase the exemptions (and exclusions) allowed in determining the amount of an individual's taxable estate or taxable gifts; to the Committee on Ways and Means.

By Mr. SECREST:

H.R. 9316. A bill to amend section 723 of title 38, United States Code, to remove time limitation for payment of special dividend upon exchange or conversion to another plan of national service life insurance; to the Committee on Veterans Affairs.

By Mr. STALBAUM:

H.R. 9317. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. TENZER:

H.R. 9318. A bill to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and other major diseases; to the Committee on Interstate and Foreign Commerce.

By Br. VANIK:

H.R. 9319. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9320. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ADAMS:

H.R. 9321. A bill to authorize the Secretary of Defense to convey certain lands known as Fort Lawton situated in the State of Washington to the city of Seattle and King County, Wash.; to the Committee on Armed Services.

By Mr. DONOHUE:

H.R. 9322. A bill to provide severance pay to certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALEY (by request):

H.R. 9323. A bill to amend the law establishing the Indian revolving loan fund; to the Committee on Interior and Insular Affairs.

H.R. 9324. A bill to provide for guaranty and insurance of loans to Indians and Indian organizations; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 9325. A bill to establish the Herbert Hoover National Historic Site in the State of Iowa; to the Committee on Interior and Insular Affairs.

By Mr. SKUBITZ:

H.R. 9326. A bill to establish the Herbert Hoover National Historic Site in the State of Iowa; to the Committee on Interior and Insular Affairs.

By Mr. WYATT:

H.R. 9327. A bill to provide educational assistance to certain veterans of service in Vietnam; to the Committee on Veterans' Affairs.

By Mr. CLEVENGER:

H.R. 9328. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

H.R. 9329. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

H.R. 9330. A bill to authorize a survey of streams in, and in the vicinity of, Marquette County, Mich.; to the Committee on Public Works.

By Mr. DUNCAN of Tennessee:

H.R. 9331. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 9332. A bill to provide for guarantee and insurance of loans to Indians and Indian organizations; to the Committee on Interior and Insular Affairs.

H.R. 9333. A bill to amend the law establishing the Indian revolving loan fund; to the Committee on Interior and Insular Affairs.

By Mr. MORTON:

H.R. 9334. A bill to provide for the conveyance of certain real property of the United States to the State of Maryland; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 9335. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. FASCELL:

H.R. 9336. A bill to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba; to the Committee on Foreign Affairs.

By Mr. MOORE:

H.R. 9337. A bill to amend title II of the Social Security Act to permit the payment of widow's insurance benefits at age 50 in the case of a woman who is permanently and totally disabled; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 9338. A bill to more effectively prohibit discrimination in employment because of race, color, sex, age, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. SCHEUER:

H.R. 9339. A bill to protect the health and well-being of the Nation's children by establishing a special summer lunch program; to the Committee on Education and Labor.

By Mr. UDALL:

H.R. 9340. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. MATSUNAGA:

H.J. Res. 540. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. PATMAN:

H.J. Res. 541. Joint resolution to extend the Area Redevelopment Act for a period of 2 months; to the Committee on Banking and Currency.

By Mr. MULTER:

H.J. Res. 542. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

325. Mr. PEPPER presented a memorial, at the request of the Florida Legislature (House Memorial No. 2433), adopted at the 1965 regular session, applying to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States with regard to apportionment of bicameral State legislatures, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 9341. A bill for the relief of Sung Duck Park; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 9342. A bill for the relief of Markos P. Keloudis; to the Committee on the Judiciary.

By Mr. CLEVENGER:

H.R. 9343. A bill for the relief of Armando DaLio and his wife, Domenica Vescovi DaLio; to the Committee on the Judiciary.

By Mr. HAGAN of Georgia:

H.R. 9344. A bill for the relief of W. H. Walters; to the Committee on the Judiciary.

By Mr. HOWARD:

H.R. 9345. A bill for the relief of Nikiforos Katechis; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 9346. A bill for the relief of Giuseppa Palazzolo; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 9347. A bill for the relief of Mrs. Deborah Gisela Trinczer de Sperber; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 9348. A bill for the relief of Capt. Harold G. Wilmarth; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 9349. A bill for the relief of Maria Magdalene Henriquez; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9350. A bill for the relief of Natale Gambino; to the Committee on the Judiciary.

By Mr. REIFEL:

H.R. 9351. A bill to provide for the free entry of one shadomaster measuring projector for the use of the University of South Dakota; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 9352. A bill for the relief of Juanita Cecile Sawyer; to the Committee on the Judiciary.

H.R. 9353. A bill for the relief of John Alexander Staine and his wife, Georgiana Melba Staine; to the Committee on the Judiciary.

By Mr. VIVIAN:

H.R. 9354. A bill for the relief of Mrs. Margaret Marieh Guirguis and Mr. Alfy Ebeidalla Guirguis; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Capitol—Chronicle of Freedom

EXTENSION OF REMARKS

OF

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 22, 1965

Mr. HORTON. Mr. Speaker—

> It is dawn * * * overture to another day in the history of the United States. Here atop its hill in Washington, D.C., the building waits for those who will come to it and give it life. Waits for the Congress whose home it is. There is no structure in the country more important than this building; no monument to democracy more surpassing than this building. For within its walls, America—through its elected representatives—rules as master of its fate; indeed, sometimes * * * in deciding for war or peace * * * the fate of humanity, whose every nation (no matter its distance from it) knows the fate of this building.

With these lines, narrated by Raymond Massey, an exciting and educational experience begins. This is part of the description of the Capitol, written by television producer Lou Hazam that opens his 1-hour documentary, "The Capitol—Chronicle of Freedom."

Many of us first became acquainted with the television creativity Mr. Hazam so successfully applied to America's lawmaking home, shortly before the inauguration. NBC-TV presented the program as a news special so that the art, architecture, and history of this building, on whose steps stood the inaugural stand, might be better known.

Subsequently, the acclaim of the press and the public led to special showings of the program here on Capitol Hill. and an even greater appreciation of this color masterpiece developed. In fact, the U.S. Capitol Historical Society held a luncheon honoring Mr. Hazam at which Vice President HUMPHREY presented him a citation of merit.

Because of my belief in the exceptional educational value of "The Capitol—Chronicle of Freedom," I am pleased to call my colleagues' and constituents' attention to a scheduled rebroadcast. William K. Divers, president of the Savings and Loan Foundation, sponsor of the program, informs me "The Capitol—Chronicle of Freedom" will be telecast Sunday, October 17, at 6:30–7:30 p.m., e.d.t.

I think this early hour is especially appropriate for I know it means that millions of school students will have a rich opportunity to learn more about their country's Capitol. Further, I am confident that all who see the program will be left with a feeling of patriotic pride, for it is in this building, the Capitol, that the voice of a democracy—the people—is heard.

The Baltic States

EXTENSION OF REMARKS

OF

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 1965

Mr. BROWN of California. Mr. Speaker, on Monday, June 21, 1965, this body passed House Concurrent Resolution 416, a resolution urging the President to take appropriate action to bring the force of world opinion to bear on behalf of the restoration of freedom to the Baltic nations.

Unfortunately, I was not able to be present for that vote, as official business had called me away from Washington that day.

Mr. Speaker, I ask unanimous consent to have the RECORD show that I join in supporting the resolution and did, in fact, introduce a similar resolution in both the 88th and 89th Congresses.

This is a belated action, commemorating the loss of independence of Lithuania, Latvia, and Estonia, and the illegal actions by the Soviet Union in persisting in denying these three countries the universal right to self-determination. If I had been present, I would have voted "yea" on the resolution.

Safety Standards for Automobiles Would Save 25,000 Lives Per Year

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 22, 1965

Mr. BENNETT. Mr. Speaker, last year 47,800 persons died on our Nation's highways, marking traffic accidents as the fourth largest killer of Americans.

By the end of this week, 1,000 Americans will have died on the highways.

By the end of 1965 almost 52,000 Americans will have been killed in traffic accidents.

Almost 2 million others are expected to be injured in traffic accidents this year, and $3 billion in property damage will result from this highway mayhem.

Accidents have already brought about a loss of property and life that is greater than that of any war in which America has participated.

These figures are appalling.

But what is more appalling is the fact that 43 percent of the people who died in traffic accidents will die because they travel in unsafe vehicles. Elmer Paul, of the U.S. Public Health Accident Prevention Bureau, cites the fact that almost one-half of those who are killed in accidents could have survived in a safe automobile.

This means that we would save 25,000 Americans this year if their automobiles were equipped with certain safety features.

President Johnson has said:

> We cannot accept the intolerable drain on our human and economic resources that these accidents are causing.

There is a definite tendency on the part of the American public to accept the rising death rate as inevitable, and yet statistics prove that, far from being inevitable, almost half of these deaths are unnecessary.

The prime source for corrective measures for unsafe vehicles lies with the automobile manufacturer, but for the most part, the manufacturer has cavalierly said, "safety doesn't sell." Recently, a fresh approach to this great problem came from the president of American Motors Corp., who said the industry "has done an excellent safety engineering job," but "the industry has been expert in selling almost everything, but it has acquired no experience in selling safety features."

Legislation is essential, especially when we have been told by experts that safety standards on automobiles would save half of those lives we now lose annually.

During the last decade I have introduced and strongly supported legislation to require certain safety devices on motor vehicles sold in interstate commerce. In the last session of Congress legislation was enacted which establishes certain required standard safety devices for automotive vehicles purchased by the Federal Government. The General Services Administration prepared safety features, including standards for seat belts, dash, safety glass, exhaust, lights and other devices, will be available in 60,000 Government-purchased cars by 1967.

Today, Mr. Speaker, I am introducing legislation which would extend the new Federal safety standards for Government vehicles to all vehicles manufactured for, sold, or shipped in interstate commerce.

I have pushed this needed legislation since the 85th Congress, and now with more Americans being killed and injured on the highways than ever before, I sincerely hope speedy action will be taken by the Congress. I commend the following bill to the House of Representatives and the Nation:

H.R. 9303

A bill to prescribe certain safety features for all motor vehicles manufactured for, sold, or shipped in interstate commerce

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the manufacture for sale, the sale, or the offering for sale in interstate commerce, or the importation into the United States, or the introduction, delivery for introduction, transportation or causing to be transported in, interstate commerce or for the purpose of sale, or delivery after sale in interstate commerce, or the use in interstate commerce, of any motor vehicle manufactured after the date of this Act, shall be unlawful unless such motor vehicle is equipped with passenger safety devices prescribed in accordance with the provisions of this Act.

SEC. 2. The Secretary of Commerce shall prescribe and publish in the Federal Register standards for passenger safety devices required under authority of the first section of this Act, which standards shall to the extent deemed desirable be consistent with standards prescribed by the Administrator of General Services pursuant to the provisions of Public Law 88–515. The standards first established under this section shall be prescribed and published not later than one year from the date of enactment of this Act.

SEC. 3. The Secretary of Commerce shall cooperate with other Federal departments and agencies and with other public and private agencies, institutions, organizations and companies, and with any industries involved, in the establishment of safety standards under this Act. Where other Federal instrumentalities have prescribed standards in the field of automotive safety, standards issued hereunder shall be fully coordinated with those of such instrumentalities.

SEC. 4. Any person violating the provisions of section 1 of this Act shall be fined not more than $1,000. Such violation with respect to each motor vehicle shall constitute a separate offense.

SEC. 5. As used in this Act the term "motor vehicle'" means any vehicle, self-propelled or drawn by mechanical power, designed for use on the highways principally for the transportation of passengers, and light trucks up to a gross vehicle weight of ten thousand pounds, but will not include any vehicle designed or used for military field training, combat, or tactical purposes, and motor vehicles subject to standards prescribed by the Interstate Commerce Commission.

SEC. 6. This Act shall take effect on the date of its enactment except that section 1 of this Act shall take effect one year and ninety days after the publication of standards for passenger safety first established under section 2 of this Act. If additional standards are established, or if the standards first established hereunder are later changed, such standards, as so later established or changed, shall take effect one year and ninety days after the date of their publication.

Vocational Education

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 22, 1965

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of an address I delivered at the commencement exercises of the Regional Vocational Technical School at Norwich, Conn., in my district, on Monday, June 21, 1965. The theme of my address was the role of vocational education today and ways to improve such education.

The address was as follows:

NO ROOM AT THE BOTTOM

Mr. Rooke, Reverend clergy, members of the graduating class, parents and friends, thank you for the gracious reception you have given me. I am delighted to be here with you in Norwich again, and I am especially pleased to have been invited to attend this graduation ceremony. As a onetime member of the school board in Putnam, as a parent, and as the Representative in Congress from this area, I am deeply interested in education and in the educational process generally. I believe with President Johnson that education belongs at the head of our national work agenda, that schooling must be the No. 1 business of our country. You young people have made it your business over the past years. Your very presence at today's commencement testifies to the success you have attained in that business.

If I could impress but one fact upon you today, I would like for it to be this: The business of education must go on for each of you, even after graduation. Today should represent the completion of only one stage in your educational progress, not the end of the process itself. We live in a world of change, and education is our best tool for coping with change. You are ready to begin your working lives in this changing world. In order for your work to be successful and rewarding, there must also be room in your future for continuing education. Dr. Grant Venn, a leading educator and keen observer of the American school scene, has stated in his book, "Man, Education, and Work" as follows:

"Today's accelerating and changing technology has placed man, his education, and his work in a new relationship in which education becomes the bridge between man and his work."

Now, your first thoughts may be that this has always been the case in America, and you will be right to a degree. For certain jobs—teaching, medicine, law, engineering, the professions in general—education has indeed been the bridge between man and his work since long before the beginning of our Nation. But there have been other large areas of work in which the lack of formal schooling has not been much of a hurdle between most men and their work. I think this can be borne out if we think back over the last century in our Nation's past.

In 1865, our country was just emerging from 4 years of blood and iron which has finally established that we were to be one nation. Our country was in a jubilant mood and confident of its future. It had the freedom from foreign entanglements that makes for swift settlement of domestic problems, and it had a vast, undeveloped continent in which to work out its destiny. The northern States, including our own Connecticut, were, largely as a result of war needs, becoming the seats of industrial production and commerce, and the procedures and methods of the industrial revolution were making themselves felt to no small degree. Immigrants were pouring into our shores from old Europe in such numbers that there were plenty of hands to turn the wheels in our new factories, and plenty left over to tame the vast stretches of wild land extending from the eastern mountains to the Pacific. They tamed that land; they joined its old east with its new west by steel rails; and, everywhere, they drew from its fastness the grain, the cattle, the metals, oil, and timber from which a giant new nation was forged.

In those wide-open days a century ago, most Americans had a rudimentary education. They could read a bit, write, and cipher. And that was enough for most of them. The possession of strong arms and a willing mind was more important than a university education in those days. For the eastern boy, there was ready work in the mills and on the farms. If this didn't suit him, there were the rails to be pushed westward. The great west was full of free land where the easterner could settle to farm, mine, and trade. There were always more jobs than men to do them.

Moving from 1865 to the 1940's, we can see many differences on the American scene, but many similarities as well. From a small and isolated Nation in the west, America had developed into the bulwark of the entire free world. It had nurtured the seeds of the industrial revolution to their highest fruition. In the vast industrial complexes created by necessities of war, there was a place for the highly educated, but there was also a place for the less highly educated majority. There were still more jobs than people to do them, and unemployment all but vanished from our land, with the exception of the period of the great depression in the 1930's. Education, at least highly sophisticated education, was not yet the single bridge between man and his work.

But in the short 20-year period between the end of the second World War and the present, the period in which most of you graduates have lived your entire lives, great changes have come about, changes which have, as Grant Venn pointed out, undoubtedly established education as a bridge between man and his work. These changes have been in the field of technology and science. They are often referred to as automation or cybernation.

A century ago, many Americans made a living by combining their intelligence with their own muscle and the muscle of animals; some others, especially in the manufacturing east, by combining their intelligence with the muscle of machines. Twenty years ago, almost all Americans gained a livelihood by using their minds and the power of machines. Today, as a result of technological advances, work can be done by machines with muscles and intelligence. This is automation.

This technological revolution as embodied in automation is still so new that it does not admit of definite predictions as to the results it will bring in the coming years. Various qualified observers view it either as a curse or as a blessing. According to one scholar who was among the first to comment on the subject, and I quote, "Automation will produce an unemployment situation in comparison with which the depression of the 1930's will seem a joke." But the chairman of one of our largest industrial corporations has this to say: "New technology is creating three new jobs for every two we eliminate."

So we are not quite sure of all the ramifications of the new technology—automation, cybernation, increased mechanization, call it what we may. We do know, however, that its results, whatever they are, are not occurring in a vacuum, but are being accompanied by other changes. Perhaps foremost among these other changes is the great population boom, with the great increase in the labor force it is causing. There are currently over 73 million workers in our country, and this figure is expected to rise to nearly 90 million by 1970. In the single year 1963–1964, and one-fourth million new workers were added to the American labor force.

There is also a great process of urbanization going on in our Nation. Each year, more and more of the working force is employed in or near the great cities and large towns. During the war years of the 1940's 1 out of every 6 American workers was on the farm. Today, 1 out of 18 remains on the farm and that figure is still declining.

Then there is the rising degree of educational attainment among the labor force. Not too many years ago, if you had a high school education, you had a distinct advantage over most of the people with whom you would be in competition for a job. Today, with that same high school education, you will have no advantage at all over your competitors, for the median education attainment of the American worker has increased to 12.2 years.

In effect, then, the employment outlook for today, while not fully clear, would seem to shape up like this: There are more workers, each worker can produce more work, and work is available in more limited geographical areas. Most important, the day of the uneducated, unskilled worker is fast drawing to a close. If education is a bridge, it is also a ladder, and there is no room at the bottom. From now on, in the business of making a living, the brain will be more important than the back, the skill more vital than the will. Education will be almost the sole bridge between man and his work, the single ladder between you and your job.

In this context, the role of vocational education is just as vital as the role of other types of education, the university-trained architect will continue to design buildings, but the mason, the carpenter, the electrician and the plumber must execute his designs. The engineer will develop more and more intricate machines, but the skilled technician must build them, run them, and service them. The production-line worker and the day laborer will be in less demand, but the skilled craftsman, the service producer, and the technician will be in greater demand than ever.

The Labor Department has estimated that we will need 50,000 new carpenters for every year of this decade. We will need 5,000 new tool and diemakers annually; 5,000 appliance servicemen; 10,000 plumbers; 40,000 auto mechanics; and 200,000 science and engineering technicians. For the first 5 months of this year, an average of 4.8 percent of our labor force has been unemployed. These are for the most part people who possess no skills. Experts say that for every 10 people without jobs, there are seven open jobs without skilled people to do them. This is where vocational education can render a great service, for it helps close this distressing gap by preparing skilled people to fill those empty jobs.

I do not consider myself an authority on vocational and technical education, but I am interested in this important field. I read about it, and I discuss it with others, for I feel it is vital to our Nation's economic and social welfare. In such readings and discussions, this question, of course, is bound to arise: Is vocational education doing a good job? Is it achieving its goals?

From my nonprofessional viewpoint, I would have to answer with a qualified "yes." I think that the people trained in vocational-technical schools are trained well, and I think that our State, with its system of regional schools and State technical institutes, makes quality training available to almost all who need it or want it. In this opinion, other more professional observers concur.

I recently saw some very interesting figures cited by the Connecticut State Board of Education showing that graduates from our vocational schools earn more money and have a lower unemployment rate than graduates of other secondary schools. In 1964, we had 2,425 graduates of vocational schools in the State, but only 1.6 percent are currently unemployed, compared with 5.7 percent for public high school graduates. Thus, the opportunities for employment are exceptionally high for vocational school graduates.

In a survey last year, the Engineering Manpower Commission, a private professional group in New York, said that within the coming decade business and industry will increase their hiring of technicians by 3 percent annually. During that same period, however, the hiring of technicians who are graduates of our technical schools will increase at five times that rate. It is clear, then, that business and industry are convinced of the value of vocational-technical education, and are in constant search of people possessing such education.

You will remember that I qualified my "yes" in reply to the question of whether vocational schools are doing a good job. I did so because I believe there are several ways in which they could do a better job. Let me mention them briefly:

First, vocational education must be made available to all the segments of our population who want it and can profit from it. This would entail increasing opportunities at several levels of the formal schools—in the high schools, where it is estimated that only 5 percent of the students receive any vocational instruction; in the postsecondary technical and vocational schools; and in the 2-year junior and community colleges. It is also vital that we provide greater opportunities for people who are out of the formal schools, including the unemployed school dropouts and adults who have lost their old jobs because of the changing technology, and the development of new industries requiring new skills.

Second, I think vocational education could be improved if there were more interplay and feedback among the schools, business and industry, and labor organizations. With such interplay, the schools could be constantly aware of the needs of the employment fields, of the opportunities which arise, of the vacancies which exist, and they could then concentrate on training people to fill those vacancies and meet the needs. Vocational education is aimed at preparing a person for a job; if that job doesn't exist, the training is wasted. It has been estimated, for example, that about one-third of the money spent on vocational education today is used for agricultural education. Back when most of our population were farmers, that would be fine. But today, when only 1 out of 18 of our present work force is on the farms, I think a shift of emphasis is definitely required.

Third. I wish to emphasize that vocational education must be geared to the needs of the times, as well as to the needs of particular areas. This should be done by introducing specific courses to train people for new industries, and especially for local industries. At this point, I want to commend the Norwich Regional Vocational Technical School and its very capable director, John T. Rooke, Jr., for its forward-looking program. Mr. Rooke has recently announced the launching of a new program to train health physics technicians, which was suggested by Electric Boat Co., at Groton, with the approval of the U.S. Office of Education. These men will be trained in the methods of health control, radiation monitoring, use of radiological measuring equipment, and the like. You can readily understand why this will be important in the future. There is a growing demand for health physics technicians in the country by various industries. This is what I mean when I suggest specific courses for new industries, with emphasis on local industries—and I am proud that the Norwich school has the necessary vision and foresight.

Fourth. I believe vocational education, like all other sorts of education, needs more teachers and better-paid teachers. From my experience, vocational school teachers are competent and dedicated men. They have to support their families like the rest of us, however, and they can do this more easily by practicing their skills than by teaching them. We must make it sufficiently remunerative for them to remain in the teaching field for the benefit of our young people. Education must meet industry's offer, and the colleges and universities must put more stress on producing competent teachers in larger numbers also for the vocational schools.

Fifth, I would like to see the early enactment of legislation to establish a system of loan insurance, including direct loans to assist students to attend postsecondary business, trade, technical, or other vocational schools. As you know, Congress has in recent years enacted legislation which provides such assistance to needy students enabling them to attend colleges or universities for academic and professional studies. I believe there are also many students in the fields of vocational and technical education who need such assistance, and they are entitled to this aid as much as others. There is such a bill now pending before the Congress, introduced by Representative JOHN H. DENT, of Pennsylvania, which should be enacted as soon as possible and I plan to support it. It would not only fill a gap, but also help place vocational education on an equal status with the rest of our educational process.

Sixth and finally, there is the matter of prestige. For some reason, many Americans look on vocational education as a stepchild of the real schools. They are wrong, of course. Those who are closest to vocational education—the businesses and the industries who need these graduates and hire them as fast as they can get them—have long realized its worth. But it will be up to you and others like you to change this mistaken public image. The task of the vocational school is as noble as the task of any other American school. Indeed, it is the same. It is to prepare young people with the general education and to provide them with special skills that will help them become competent members of our country's productive force and intelligent participants in its governmental and social processes. Your performance in the years ahead will tell whether or not this school has succeeded. If it has—and I am confident that it has—the prestige of vocational education as a whole will be greatly enhanced.

A while back I spoke of education as a bridge and as a ladder—the bridge between you and your job, the ladder between you and success. Each step up the ladder of learning is more difficult and more challenging. You have worked hard to attain that diploma and you have earned it well. But keep climbing up that ladder, leave room in your future for continuing education and growth—otherwise you may find yourself struggling at the bottom.

So, on this day of completion and beginning, I congratulate you and extend to all of you my best wishes for the future.

Secretary of State Dean Rusk's Address to the First Inter-American Conference of the Partners of the Alliance

EXTENSION OF REMARKS

OF

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 22, 1965

Mr. HAMILTON. Mr. Speaker, the following is an address by the Honorable Dean Rusk, Secretary of State, who spoke at a banquet of the First Inter-American Conference of the Partners of the Alliance, at the Mayflower Hotel, Thursday, June 10. I feel this is one of the finest and most significant speeches ever given, concerning the Alliance for Progress, and I should like very much to include it in the RECORD:

ADDRESS BY THE HONORABLE DEAN RUSK, SECRETARY OF STATE, AT BANQUET OF FIRST INTER-AMERICAN CONFERENCE OF THE PARTNERS OF THE ALLIANCE, MAYFLOWER HOTEL BALLROOM, WASHINGTON, D.C., THURSDAY, JUNE 10, 1965

I

Good evening. I count it a special privilege to be here, as you wind up your first day's work as delegates to the First Inter-American Conference of the Partners of the Alliance. This first conference is a milestone in a truly great enterprise: the Alliance for Progress.

Nearly 4 years have passed since representatives of the 20 independent republics of this hemisphere met in Punta del Este to fashion the Alliance for Progress. The Charter of Punta del Este gave hope to the aspirations of responsible and progressive Latin Americans. The United States helped in the formulation of the charter, but the ideas and the inspiration were profoundly Latin American.

The signatory governments pledged to their own peoples—and to one another—that they would meet the challenges of the 20th century. The commitment was clear: to change old ways so that each nation would become politically more democratic, economically more developed, and socially more just.

The ties that bind the American Republics in the Inter-American system command us to respect one another, and to help one another. The Alliance for Progress was fashioned in that spirit of mutual help and respect.

The Charter of Punta del Este made it plain that no one nation would, or could, assume the major responsibility of carrying out the purposes of the Alliance. Indeed, that historic document declared that this was to be a common and united effort of the peoples of the Americas.

The Charter of the Alliance recognized that the strengthening of liberty in Latin America required rapid and profound change. It declared: "The men and women of our hemisphere are reaching for a better life which today's skills have placed within their grasp. They are determined for themselves and their children to have decent and even more abundant lives, to gain access to knowledge and equal opportunity for all, to end those conditions which benefit the few at the expense of the needs and dignity of the many. It is our inescapable task to fulfill these just desires—to demonstrate to the poor and forsaken of our countries, and of all lands, that the creative powers of freemen hold the key to their progress and to the progress of future generations."

Those words were a call for peaceful revolution. And as President Johnson has said, "Those who make peaceful revolution impossible, make violent revolution inevitable."

Obviously, then, the United States welcomes change in Latin America. From its inception, the Alliance for Progress has been the cornerstone of our policy in Latin America. The Alliance objectives—of reform and development in democracy—are our objectives. They are our objectives because we have always believed in them, and because their attainment in each and every country of Latin America is in our national interest.

II

The Alliance for Progress is approaching its fifth year. It stands at a hopeful but critically important stage.

The situation is hopeful for several reasons:

Last year Latin America achieved an overall increase in its gross national product of 2½ percent per capita—the rough target set in 1961. The increase varied from country to country but was rather well spread. The Inter-American Committee for the Alliance for Progress (CIAP) feels there is a fair chance that overall 2½ percent per capita rate of growth will be achieved again in 1965.

Let me cite a few figures on the achievements of the Alliance: 12 countries have land reform laws; 10 have produced national development plans or sector investment programs, and other country programs are being completed; 15 have self-help housing programs, and more than 300,000 dwelling units have been completed or are nearing completion; every Alliance country has improved its tax system or tax administration; 9 have undertaken major tax reform; 42 intermediate credit institutions have been created; 6,150 miles of roads have been built; more than 75,000 teachers have been trained; nearly 10 million school books have been circulated; more than 13 million schoolchildren are participating in special school lunch programs, three times the number of 2½ years ago; more than 200,000 agricultural credit loans have been made.

In most of the countries of Latin America there are governments, backed by a vital new generation in public and private life, which are facing courageously the tremendous problems which must be solved to achieve well-balanced economic and social development. It is not easy to bring inflation to a halt. It is not easy to increase tax collections and to design and execute programs of land reform.

It is not easy to move away from the protection of high tariff barriers and to expand manufactured exports in a competitive world. But these things are happening. The language of the Charter of Punta del Este is being translated into reality.

The Western Hemisphere has fashioned effective machinery for promoting sound development and reform—institutions such as the Inter-American Development Bank and the Inter-American Committee for the Alliance for Progress.

Many of our friends in Latin America wish to go beyond modernization of the individual nations of the hemisphere. They seek to accelerate the process of economic integration. We see the beginning of this process in the Central American Common Market and the Latin American Free Trade Association. Economic integration offers many potential advantages. Investments for integrated markets can be more efficient and productive. Wider markets stimulate competitive attitudes and practices. Integration accelerates diversification of agriculture and industry. And diversification is fundamental to efficiency and regular self-sustained growth. The United States has supported, and continues to support, economic integration in Europe. We think integration would be correspondingly beneficial to Latin America. We look forward to having a strong economic and political partner in Latin America. That partnership would be strengthened by the success of the integration movement.

III

Although we have solid grounds for satisfaction in the progress that has been made and for hope as we look to the future, we must not underestimate the difficulties confronting us.

One of the most serious difficulties is the decline in the prices of certain traditional Latin American exports—exports on which many Latin American countries depend to earn foreign exchange. The drop in the price of sugar from 11 to 2½ cents was one of the causes of the crisis in the Dominican Republic. The long-range solution to overdependence on the export of a few agricultural commodities lies in the diversification of agriculture and the development of export industries.

Another serious problem in several countries is inflation. Controlling it is a searching test politically and socially as well as economically. We are full of respect for those governments which are dealing with the inflation courageously and tenaciously.

A third problem—and a far-reaching one—is the modernization of rural life. Latin America is at a stage of development where industry and urban life are moving ahead with high momentum. But most people in Latin America still live in the countryside, substantially untouched by modern life. These people need schools and roads and electricity. They need to organize cooperatives to sell their products in the cities at a fair price. They need to learn how to improve and diversify their production. Above all, they need to hope that they will not be left behind as the modernization of Latin America moves forward. They need to feel that not only their governments but that their fellow citizens in the cities have an interest in improving rural life. Building a modern nation is more than a technical task. City folk and country folk, the rich and the poor, the educated and the illiterate, must develop a sense of common purpose and brotherhood.

IV

The Alliance for Progress was only beginning to take hold in the Dominican Republic—a little country with a great potential to provide a good life for its people—when the government was overthrown in April. Tragically, a hard-handed dictator had for three decades thwarted the development of the institutions required for effective democracy and social progress. Such economic advance as took place was poorly balanced. Potential leaders in the country did not have an opportunity to develop mutual understanding and trust. Such a legacy is indeed hard to overcome.

The countries of this hemisphere must devise new mechanisms for cooperative action in the Dominican situation and for any crises which might arise in the future. And all of us in the Alliance for Progress must demonstrate our deep and lively interest in the welfare of the people of the Dominican Republic. For, they want what the rest of us want for ourselves: Representative constitutional government, economic and social progress, hope that their children's lives will be happier and more fruitful than their own. One of our jobs in this hemisphere is to help the Dominican people to attain these objectives. The machinery of the Alliance for Progress should set to work to build as rapidly as possible on that island the foundations for a modern, democratic life.

V

Above all, however, the Alliance for Progress needs the enthusiastic and sustained support of the people of all the member countries. The people must know that this is their program. And this is where you—the Partners of the Alliance—are helping to make an invaluable contribution. You have established the means whereby the people of all our countries can join together in a partnership of mutual help—a partnership based on respect for each other's culture, and for each other's dignity.

One of the greatest strengths of our form of society is the readiness of private citizens, as individuals and through voluntary organizations, to further public objectives.

Through your efforts more and more people will come to see and understand that the Alliance is a living thing and that it goes beyond power projects and trade conferences and governmental decrees. Through your efforts more and more people will come to realize that there are many things they can do for themselves, things that governments cannot do for them, things they can do right now to change their lives and to improve the chances of their children having better lives.

Your work has already produced suggestions for hundreds of ways in which the people themselves can participate in the Alliance for Progress.

So, I think we are all entitled to regard this First Inter-American Conference of the Partners of the Alliance as a significant milestone. I congratulate you. Let us move forward, never forgetting, as President Johnson said recently, that we in North America and Latin America have always had very special ties of interest and affection and that "together we share and shape the destiny of the New World."

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 23, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Deuteronomy 6:18: *Thou shalt do that which is right and good in the sight of the Lord.*

Almighty God, Thou knowest how greatly concerned we are about the welfare of our beloved country and the problems of its defense and security.

Help us to see clearly that if our Nation is to remain invulnerable and invincible, then we must not fail to mobilize our moral and spiritual resources.

Grant that our leaders and chosen representatives may seek and surrender themselves gladly and gratefully to the guidance of Thy divine spirit.

May we earnestly covet for ourselves a new nativity of faith and courage which will enable us to remain strong and steadfast when we encounter life's stern demands and difficulties.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On June 12, 1965:

H.R. 821. An act for the relief of the town of Kure Beach, N.C.

On June 14, 1965:

H.R. 2299. An act for the relief of Robert L. Yates and others;

H.R. 3051. An act for the relief of Vermont Maple Orchards, Inc., Burlington, Vt.;

H.R. 3074. An act for the relief of Maxie L. Stevens; and

H.R. 7597. An act to establish the veterans reopened insurance fund in the Treasury and to authorize initial capital to operate insurance programs under title 38, United States Code, section 725.

On June 18, 1965:

H.R. 6755. An act authorizing appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes.

On June 21, 1965:

H.R. 8371. An act to reduce excise taxes, and for other purposes.

On June 22, 1965:

H.R. 1782. An act to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act; and

H.R. 7777. An act to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired) to the office of Administrator of the Federal Aviation Agency.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6453. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

The message also announced that the Senate insists on its amendments to the bill H.R. 6453, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints as conferees Mr. Byrd of West Virginia, Mr. Hayden, Mr. Bartlett, Mr. McIntyre, Mr. Case, Mr. Cotton, and Mr. Saltonstall.

COMMITTEE ON RULES

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file reports.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERSONAL EXPLANATION

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I am recorded as not voting on rollcalls Nos. 145, 146, and 147. I was in my district. If present, I would have voted "yea" on all three measures.

LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I have asked for this time to inquire of the majority leader if he will kindly inform us of any changes in the program for this week, and what we may expect.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Last night we announced the addition of two bills to the program for this week. Those bills will be brought up tomorrow. One, a joint resolution, has to do with the temporary extension of the Area Redevelopment Act. The other deals with the extension of the Juvenile Delinquency Control Act. Those two bills will be brought up tomorrow.

Mr. ARENDS. And it is expected to finish the appropriation bill and call those two up tomorrow?

Mr. ALBERT. We will call them tomorrow.

Mr. ARENDS. And that will complete the program for the week?

Mr. ALBERT. It will complete the program, as far as I know, for the week.

Mr. ARENDS. Mr. Speaker, I thank the gentleman from Oklahoma.

SUBCOMMITTEE ON IMMIGRATION, COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Immigration of the Committee on the Judiciary may be permitted to sit during general debate today, June 23, 1965.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ANNUAL REPORT OF ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION (H. DOC. NO. 218)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to the provisions of section 10 of Public Law 358, 83d Congress, I transmit herewith for the information of the Congress the Annual Report of the St. Lawrence Seaway Development Corporation, covering its activities for the year ended December 31, 1964.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 23, 1965.*

UNIFORM POLICIES ON MULTIPLE-PURPOSE WATER RESOURCE PROJECTS

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 538)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter inserted by the House amendment insert the following:

"That it is the policy of the Congress and the intent of this Act that (a) in investigating and planning any Federal navigation, flood control, reclamation, hydroelectric, or multiple-purpose water resource project, full consideration shall be given to the opportunities, if any, which the project affords for outdoor recreation and for fish and wildlife enhancement and that, wherever any such project can reasonably serve either or both of these purposes consistently with the provisions of this Act, it shall be constructed, operated, and maintained accordingly; (b) planning with respect to the development of the recreation potential of any such project shall be based on the coordination of the recreational use of the project area with the use of existing and planned Federal, State, or local public recreation developments; and (c) project construction agencies shall encourage non-Federal public bodies to administer project land and water areas for recreation and fish and wildlife enhancement purposes and operate, maintain, and replace facilities provided for those purposes unless such areas or facilities are included or proposed for inclusion within a national recreation area, or are appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

"SEC. 2. (a) If, before authorization of a project, non-Federal public bodies indicate their intent in writing to agree to administer project land and water areas for recreation or fish and wildlife enhancement or for both of these purposes pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and to bear not less than one-half the separable costs of the project allocated to either or both of said purposes, as the case may be, and all the costs of operation, maintenance, and replacement incurred therefor—

"(1) the benefits of the project to said purpose or purposes shall be taken into account in determining the economic benefits of the project;

"(2) costs shall be allocated to said purpose or purposes and to other purposes in a manner which will insure that all project purposes share equitably in the advantages of multiple-purpose construction: *Provided,* That the costs allocated to recreation or fish and wildlife enhancement shall not exceed the lesser of the benefits from those functions or the costs of providing recreation or fish and wildlife enhancement benefits of reasonably equivalent use and location by the least costly alternative means; and

"(3) not more than one-half the separable costs and all the joint costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by the United States and be nonreimbursable.

Projects authorized during the calendar year 1965 may include recreation and fish and wildlife enhancement on the foregoing basis without the required indication of intent. Execution of an agreement as aforesaid shall be a prerequisite to commencement of construction of any project to which this subsection is applicable.

"(b) The non-Federal share of the separable costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the head of the Federal agency having jurisdiction over the project: (1) payment, or provision of lands, interests therein, or facilities for the project; or (2) repayment, with interest at a rate comparable to that for other interest-bearing functions of Federal water resource projects, within fifty years of first use of project recreation or fish and wildlife enhancement facilities: *Provided,* That the source of repayment may be limited to entrance and user fees or charges collected at the project by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and are made subject to review and renegotiation at intervals of not more than five years.

"SEC. 3. (a) No facilities or project modifications which will furnish recreation or fish and wildlife enhancement benefits shall be provided in the absence of the indication of intent with respect thereto specified in subsection 2(a) of this Act unless (1) such facilities or modifications serve other project purposes and are justified thereby without regard to such incidental recreation or fish and wildlife enhancement benefits as they may have or (2) they are minimum facilities which are required for the public health and safety and are located at access points provided by roads existing at the time of project construction or constructed for the administration and management of the project. Calculation of the recreation and fish and wildlife enhancement benefits in any such case shall be based on the number of visitor days anticipated in the absence of recreation and fish and wildlife enhancement facilities or modifications except as hereinbefore provided and on the value per visitor-day of the project without such facilities or modifications. Project costs allocated to recreation and fish and wildlife enhancement on this basis shall be nonreimbursable.

"(b) Notwithstanding the absence of an indication of intent as specified in subsection 2(a), lands may be provided in connection with project construction to preserve the recreation and fish and wildlife enhancement potential of the project.

"(1) If non-Federal public bodies execute an agreement within ten years after initial operation of the project (which agreement shall provide that the non-Federal public bodies will administer project land and water areas for recreation or fish and wildlife enhancement or both pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and will bear not less than one-half the costs of lands, facilities, and project modifications provided for either or both of those purposes, as the case may be, and all costs of operation, maintenance, and replacement attributable thereto), the remainder of the costs of lands, facilities, and project modifications provided pursuant to this paragraph shall be nonreimbursable. Such agreement and subsequent development, however, shall not be the basis for any reallocation of joint costs of the project to recreation or fish and wildlife enhancement.

"(2) If, within ten years after initial operation of the project, there is not an executed agreement as specified in paragraph (1) of this subsection, the head of the agency having jurisdiction over the project may utilize the lands for any lawful purpose within the jurisdiction of his agency, or may offer the land for sale to its immediate prior owner or his immediate heirs at its appraised fair market value as approved by the head of the agency at the time of offer or, if a firm agreement by said owner or his immediate heirs is not executed within ninety days of the date of the offer, may transfer custody of the lands to another

Federal agency for use for any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which the project was constructed, and in every case except that of an offer to purchase made, as hereinbefore provided, by the prior owner or his heirs preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential.

"Sec. 4. At projects, the construction of which has commenced or been completed as of the effective date of this Act, where non-Federal public bodies agree to administer project land and water areas for recreation and fish and wildlife enhancement purposes and to bear the costs of operation, maintenance, and replacement of existing facilities serving those purposes, such facilities and appropriate project lands may be leased to non-Federal public bodies.

"Sec. 5. Nothing herein shall be construed as preventing or discouraging postauthorization development of any project for recreation or fish and wildlife enhancement or both by non-Federal public bodies pursuant to agreement with the head of the Federal agency having jurisdiction over the project. Such development shall not be the basis for any allocation or reallocation of project costs to recreation or fish and wildlife enhancement.

"Sec. 6. (a) The views of the Secretary of the Interior developed in accordance with section 3 of the Act of May 28, 1963 (77 Stat. 49), with respect to the outdoor recreation aspects shall be set forth in any report of any project or appropriate unit thereof within the purview of this Act. Such views shall include a report on the extent to which the proposed recreation and fish and wildlife development conforms to and is in accord with the State comprehensive plan developed pursuant to subsection 5(d) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897).

"(b) The first proviso of subsection 2(d) of the Act of August 12, 1958 (72 Stat. 563; 16 U.S.C. 662(d)) is amended to read as follows: '*Provided*, That such cost attributable to the development and improvement of wildlife shall not extend beyond that necessary for (1) land acquisition, (2) facilities as specifically recommended in water resource project reports, (3) modification of the project, and (4) modification of project operations, but shall not include the operation of wildlife facilities.' The second proviso of subsection 2(d) of said Act is hereby repealed.

"(c) Expenditures for lands or interests in lands hereafter acquired by project construction agencies for the establishment of migratory waterfowl refuges recommended by the Secretary of the Interior at Federal water resource projects, when such lands or interests in lands would not have been acquired but for the establishment of a migratory waterfowl refuge at the project, shall not exceed $28,000,000: *Provided*, That the aforementioned expenditure limitation in this subsection shall not apply to the costs of mitigating damages to migratory waterfowl caused by such water resource project.

"(d) This Act shall not apply to the Tennessee Valley Authority, nor to projects constructed under authority of the Small Reclamation Projects Act, as amended, or under authority of the Watershed Protection and Flood Prevention Act, as amended.

"(e) Sections 2, 3, 4, and 5 of this Act shall not apply to nonreservoir local flood control projects, beach erosion control projects, small boat harbor projects, hurricane protection projects, or to project areas or facilities authorized by law for inclusion within a national recreation area or appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

"(f) As used in this Act, the term 'nonreimbursable' shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

"(g) Subsection 6(a)(2) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) shall not apply to costs allocated to recreation and fish and wildlife enhancement which are borne by the United States as a nonreimbursable project cost pursuant to subsection 2(a) or subsection 3(b)(1) of this Act.

"(h) All payments and repayment by non-Federal public bodies under the provisions of this Act shall be deposited in the Treasury as miscellaneous receipts, and revenue from the conveyance by deed, lease, or otherwise, of lands under subsection 3(b)(2) of this Act shall be deposited in the Land and Water Conservation Fund Act of 1965.

"Sec. 7. (a) The Secretary is authorized, in conjunction with any reservoir heretofore constructed by him pursuant to the Federal reclamation laws or any reservoir which is otherwise under his control, except reservoirs within national wildlife refuges to investigate, plan, construct, operate and maintain, or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise make available such adjacent lands or interests therein as are necessary for public outdoor recreation or fish and wildlife use, and to provide for public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes: *Provided*, That not more than $100,000 shall be available to carry out the provisions of this subsection at any one reservoir. Lands, facilities and project modifications for the purposes of this subsection may be provided only after an agreement in accordance with subsection 3(b) of this Act has been executed.

"(b) The Secretary of the Interior is authorized to enter into agreements with Federal agencies or State or local public bodies for the administration of project land and water areas and the operation, maintenance, and replacement of facilities and to transfer project lands or facilities to Federal agencies or State or local public bodies by lease agreement or exchange upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

"(c) No lands under the jurisdiction of any other Federal agency may be included for or devoted to recreation or fish and wildlife purposes under the authority of this section without the consent of the head of such agency; and the head of any such agency is authorized to transfer any such lands to the jurisdiction of the Secretary of the Interior for purposes of this section. The Secretary of the Interior is authorized to transfer jurisdiction over project lands within or adjacent to the exterior boundaries of national forests and facilities thereon to the Secretary of Agriculture for recreation and other national forest system purposes; and such transfer shall be made in each case in which the project reservoir area is located wholly within the exterior boundaries of a national forest unless the Secretaries of Agriculture and Interior jointly determine otherwise. Where any project lands are transferred hereunder to the jurisdiction of the Secretary of Agriculture, the lands involved shall become national forest lands: *Provided*, That the lands and waters within the flow lines of any reservoir or otherwise needed or used for the operation of the project for other purposes shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. Nothing herein shall limit the authority of the Secretary of the Interior granted by existing provisions of law relating to recreation or fish and wildlife development in connection with water resource projects or to disposition of public lands for such purposes.

"Sec. 8. Effective on and after July 1, 1966, neither the Secretary of the Interior nor any bureau nor any person acting under his authority shall engage in the preparation of any feasibility report under reclamation law with respect to any water resource project unless the preparation of such feasibility report has been specifically authorized by law, any other provision of law to the contrary notwithstanding.

"Sec. 9. Nothing contained in this Act shall be taken to authorize or to sanction the construction under the Federal reclamation laws or under any Rivers and Harbors or Flood Control Act of any project in which the sum of the allocations to recreation and fish and wildlife enhancement exceeds the sum of the allocations to irrigation, hydroelectric power, municipal, domestic and industrial water supply, navigation, and flood control, except that this section shall not apply to any such project for the enhancement of anadromous fisheries, shrimp, or for the conservation of migratory birds protected by treaty, when each of the other functions of such a project has, of itself, a favorable benefit-cost ratio.

"Sec. 10. As used in this Act—

"(a) The term 'project' shall mean a project or any appropriate unit thereof.

"(b) The term 'separable costs,' as applied to any project purpose, means the difference between the capital cost of the entire multiple-purpose project and the capital cost of the project with the purpose omitted.

"(c) The term 'joint costs' means the difference between the capital cost of the entire multiple-purpose project and the sum of the separable costs for all project purposes.

"(d) The term 'feasibility report' shall mean any report of the scope required by the Congress when formally considering authorization of the project of which the report treats.

"(e) The term 'capital cost' includes interest during construction, wherever appropriate.

"Sec. 11. Section 2, subsection (a) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) is hereby amended by striking out the words 'notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury:' and inserting in lieu thereof the words 'notwithstanding any other provision of law:' and by striking out the words 'or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law' and inserting in lieu thereof 'or affect any contract heretofore entered into by the United States that provides that such revenues collected at particular Federal areas shall be credited to specific purposes'.

"Sec. 12. This Act may be cited as the 'Federal Water Project Recreation Act'."

And the House agree to the same.

Wayne N. Aspinall,
Walter Rogers,
James A. Haley,
John P. Saylor,
Joe Skubitz,
Managers on the Part of the House.

Henry M. Jackson,
Alan Bible,
Quentin N. Burdick,
Gordn Allott,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, S. 1229, to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes, submit this statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report. The language agreed upon is essentially the language of the House amendment except as herein noted.

REACQUISITION RIGHTS OF PRIOR LANDOWNERS

Section 3(b)(2) of S. 1229 relates to the situation where a construction agency has acquired lands to preserve the recreation and fish and wildlife enhancement potential of a project and there has been no interest by a local public body in developing such potential during the specified 10-year period. In these circumstances, the Secretary must make a decision with respect to further use or disposition of the land.

The language of the Senate-passed bill required the head of the construction agency to first offer the land for sale to the immediate prior owner at its appraised fair market value. If it were not disposed of in this manner within 90 days he would have had to determine whether the lands were to be put to other use or reported as excess to the General Services Administration for disposition.

The language of the House-passed bill provided that the head of the construction agency may (1) utilize the lands for any other lawful purpose within the jurisdiction of his agency, (2) transfer custody of the lands to another Federal agency for any lawful purpose within the jurisdiction of that agency, (3) lease the lands to any non-Federal public body, or (4) transfer the lands to the General Services Administration for disposition.

Both the Senate language and the House language provided that in no case shall the lands be used or made available for any purpose in conflict with the purposes for which the project was constructed. The House language provided, in addition, that preference be given to uses which promote the recreation and fish and wildlife potential.

The language agreed upon by the conference committee follows:

"SEC. 3. (b)(2) If, within ten years after initial operation of the project, there is not an executed agreement as specified in paragraph (1) of this subsection, the head of the agency having jurisdiction over the project may utilize the lands for any lawful purpose within the jurisdiction of his agency, or may offer the land for sale to its immediate prior owner or his immediate heirs at its appraised fair market value as approved by the head of the agency at the time of offer, or, if a firm agreement by said owner or his immediate heirs is not executed within ninety days of the date of the offer, may transfer custody of the lands to another Federal agency for use for any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which the project was constructed, and in every case except that of an offer to purchase made, as hereinbefore provided, by the prior owner or his heirs preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential."

This language is intended to require the head of the construction agency, if he has no authority to utilize the lands for some other needed and justified purpose, to first offer the lands for sale to the immediate prior owner or his immediate heirs at the appraised fair market value. If the lands are not disposed of in this manner within 90 days, the head of the construction agency may (1) transfer custody of the lands to another Federal agency that needs the lands and has authority to utilize them, (2) lease the lands to any non-Federal public body, or (3) transfer the lands to the General Services Administration for disposition. In the event the prior owner or his immediate heirs cannot readily be found, it is the intent of the conferees that 30-day notice be given by publication in a local newspaper or newspapers of wide circulation in the project area, the 90-day period to begin to run with the first publication of notice in this way. The lands can be used or made available for any purpose not in conflict with the purposes for which the project was constructed and, except in connection with an offer to sell to the immediate prior owner or his immediate heirs, preference must be given to uses which promote the recreation and fish and wildlife enhancement potential of the project.

RECREATION DEVELOPMENT AT EXISTING PROJECTS

Section 7 of S. 1229 as passed by the Senate authorized the Secretary of the Interior to construct and operate recreation facilities at projects heretofore authorized, provided the cost for such facilities for any one project does not exceed $50,000.

The language of section 7(a) of the House-passed bill authorized the Secretary to construct and operate recreation facilities and acquire lands for such purpose at any existing project or project hereafter authorized, but, with respect to existing projects, no appropriation for land acquisition or development could be made until 60 legislative days after a report recommending such development had been submitted to the Congress and then only if neither the House nor the Senate Committee on Interior and Insular Affairs had disapproved such proposal.

In lieu of the language in the two bills, the conference committee adopted language making section 7(a) applicable only to projects heretofore constructed by or under the control of the Secretary of the Interior and providing authority for both the construction of recreation facilities and the acquisition of lands, provided the Federal cost for both development and acquisition at any one reservoir does not exceed $100,000. The development could go forward only under an agreement with a local public body for cost-sharing and administration.

FEASIBILITY REPORTS ON RECLAMATION PROJECTS

Section 9 of S. 1229 as passed by the Senate contained language prohibiting the preparation by or under the authority of the Secretary of the Interior of any feasibility report on a water resource project unless it had been specifically authorized by law or unless such preparation had been specifically directed by either the Senate Committee on Interior and Insular Affairs or the House Committee on Interior and Insular Affairs.

There was no similar provision in the House-passed bill.

The conference committee agreed upon language in section 8 which requires prior approval by the Congress of any studies and investigations leading to the preparation of a feasibility report on a reclamation project. The term "feasibility report" is defined in section 10 to mean any report of the scope required by the Congress when formally considering authorization of a project. It does not include such preliminary studies as normally go into the making of reconnaissance-grade reports:

EXTENT OF ALLOCATIONS TO RECREATION AND FISH AND WILDLIFE

The language of the House-passed bill contained a provision which, in effect, means that projects in which the sum of the allocations to recreation and fish and wildlife enhancement exceeds the sum of the allocations to the other project purposes should not be recommended for authorization and construction under Federal reclamation laws or under any Rivers and Harbors or Flood Control Act.

There was no similar provision in the Senate-passed bill.

The conference committee retained this language but exempted from its coverage any project for the enhancement of anadromous fisheries, shrimp, or the conservation of migratory birds protected by treaty, when each of the other functions of such a project has, of itself, a favorable benefit-cost ratio.

ACQUISITION OF LANDS FOR MIGRATORY WATERFOWL REFUGES

The provision in the House-passed bill placing a $28 million ceiling on expenditures for lands acquired by construction agencies for the establishment of migratory waterfowl refuges in connection with water resource projects was retained by the conference committee. The conference committee wants it clearly understood that this is a limitation on expenditures and is not itself an authorization for land acquisition. The authorization for the appropriation of funds to acquire lands for these migratory waterfowl refuges will be considered on a case-by-case basis in connection with the authorization of individual water resource projects.

WAYNE N. ASPINALL,
WALTER ROGERS,
JAMES A. HALEY,
JOHN P. SAYLOR,
JOE SKUBITZ,
Managers on the Part of the House.

Mr. ASPINALL (interrupting the reading of the statement). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, the conference report on S. 1229, which we present to the House for adoption today, represents important and far-reaching legislation relating to the future development and use of this Nation's water resources. It provides uniform rules and policies for the treatment of recreation and fish and wildlife benefits and costs in connection with Federal multiple-purpose water resources projects of the Department of the Interior and the Corps of Engineers.

For the first time, general authority is given for the inclusion of recreation and fish and wildlife enhancement as project purposes in Federal water projects on par with the other purposes, and general cost sharing and reimbursement policy for these purposes is established. Planning with respect to the recreation potential of any project must be coordinated with existing and planned Federal, State, or local recreation developments. Non-Federal administration of the recreation and fish and wildlife enhancement features of water projects is to be encouraged, and the full potential of any project for serving these purposes can be developed only under an agreement with a State or local public body whereby it will administer the area for either or both of these purposes and will advance or repay not less than half of the separable costs of the project allocated to these purposes. Separable costs are those specific costs incurred as a result of including recreation and fish and wildlife as purposes in the development.

Mr. Speaker, as indicated in the statement of managers on the part of the House, the language of the conference report is, for the most part, the language of the House-passed bill. The few differences which are explained in the statement are not of significance from the standpoint of the purposes and objectives of this legislation.

This legislation stems primarily from the ever-increasing outdoor recreation needs of this Nation and the demand of the American people that more recreation opportunities be provided. The Nation's needs which support and justify this legislation are the same as those which led to the enactment last year of the Land and Water Conservation Fund Act and those which have led to the authorization in recent years of several new national recreation areas and additions to the National Park System. They are the same needs which are the basis for the consideration in this Congress of several additional national recreation areas.

Mr. Speaker, I am particularly pleased that we are approaching final action on this important and forward-looking legislation because it brings to a successful conclusion the efforts of my committee over several years to provide full recreation use of our water resource development projects under policies and procedures which treat all projects alike. This legislation was initiated in the Committee on Interior and Insular Affairs by committee resolution in 1963.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Saylor] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I opposed this legislation when it was in the committee because it had neither a dollar limitation nor a percentage limitation on that part of the cost of a project which could be allocated to recreation and fish and wildlife enhancement. I was particularly concerned about the joint costs of a project because in this legislation the cost sharing between the Federal Government and a local agency is limited to the separable costs—in other words, the costs added to a project specifically for these purposes. The joint costs are fully nonreimbursable. The project cost allocations are made on the basis of procedures approved by the President for the use of all departments and agencies but which have never been approved by the Congress. I preferred the bill approved by the committee last year which included a formula setting a ceiling on the joint costs that could be allocated to these purposes or a bill along the lines of that passed by the Senate several years ago which included a limitation of 15 percent of the project cost.

The language of the conference report is much improved on this matter of allocations because the preparation of feasibility reports on reclamation projects must hereafter be approved by the Congress. The Public Works Committee presently must give its approval to feasibility studies of the Corps of Engineers. Thus, the Congress will have the opportunity, at the time it considers authorization of the specific project studies and on the basis of information from the reconnaissance investigations and reports, to give direction to the construction agencies on the cost allocations.

Mr. Speaker, with this provision for adequate opportunity to consider each project feasibility study included in S. 1229, I support the conference report.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 151]

Ashley
Baring
Bingham
Blatnik
Bonner
Bow
Brown, Calif.
Brown, Ohio
Colmer
Cramer
Ellsworth
Evans, Colo.
Green, Oreg.
Hall
Harvey, Ind.
Hawkins
Hays
Holland
Karth
Kee
Landrum
Leggett
Lindsay
Long, Md.
Morris
Pool
Powell
Pucinski
Reid, N.Y.
Rivers, Alaska
Rogers, Tex.
Roncalio
Ryan
Thomas
Toll
Wilson,
  Charles H.
Zablocki

The SPEAKER. On this rollcall, 394 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1966

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 4 hours, the time to be equally divided and controlled by the gentleman from California [Mr. Lipscomb] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9221, with Mr. Keogh in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas [Mr. Mahon] will be recognized for 2 hours, and the gentleman from California [Mr. Lipscomb] will be recognized for 2 hours. The Chair recognizes the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the gentleman from California [Mr. Lipscomb], the ranking minority member on the Subcommittee on Defense Appropriations, and I agreed that we would ask that general debate be limited to not exceeding 4 hours. It may be that not all of this time will be taken, but on a bill of this magnitude, embracing the eventual Government expenditure of $45 billion, it ought to be possible for Members who wish to express their views on the measure to have an opportunity to do so.

I must say that in the old days there were times when several days and often more than a week was required for completion of general debate and the reading of appropriation bills; but there seems to be considerable accord in regard to most of the bills which have been presented this year, and the support which the Appropriations Committee has had from the House has been phenomenal.

Practically no changes have been made in the bills presented. I take this to be a very high compliment from the House to the Members who undertake to serve in this capacity.

A large portion of the budget is embraced in the $45 billion bill before us today. This bill does not include military construction, which is handled by another subcommittee of the Committee on Appropriations chaired by the gentleman from Florida [Mr. Sikes], and with the gentleman from Michigan [Mr. Cederberg], as the ranking minority member. It does not include military foreign aid which is an integral part of the defense program. It does not include the appropriations for the Atomic Energy Commission. So, while this bill is big, it does not provide all of the appropriations for the year for national defense.

Everybody knows that we live in a dangerous world and that the future is unpredictable. No one, not even the President, who is fortified by a staff of advisers and assistants, can foresee with certainty what the future holds in the field of international relations. Under these circumstances what, then, does the Congress do? We do just what we have been doing every year since the outbreak of the Korean war in 1950. We appropriate vast sums of money for the armed services of the United States. As a result of these actions by Congress, the President has been able to deal in international affairs throughout these years from a position of superior military strength. If there have been deficiencies in our foreign policy under Mr. Eisenhower, Mr. Kennedy, or Mr. Johnson, those deficiencies have not been a result of any inadequacy of funds to finance the mightiest military force in the world.

The vast sums of money which we have provided have not prevented armed conflict here and there about the world, but they have helped to prevent larger conflicts and greater hazard to the peace and security of this country and the world.

The tasks which we as a Congress have performed—and I take some pride in them, as I know you do—have been entirely worthwhile. I think we as a Congress, both Democrats and Republicans, have done a good job in the area of national defense. Our people have been patient with Congress, and Congress, as I said earlier, has been patient with the Committee on Appropriations in giving us the support and the understanding which has enabled us to secure the approval of these bills. During the last 10 years, for the items covered in this bill alone, the Congress has appropriated in excess of $400 billion.

I do not anticipate any substantial contest over the pending bill. For one thing, the sums involved are so large and the programs are so complex that it is difficult to select an appropriate battleground.

If there is an issue—and I doubt that there is—it is over the question of whether or not the pending bill, which is based on estimates which were made prior to the escalation of the fighting in Vietnam, provides sufficient funds for the Defense Department. I say without hesitation that in my judgment the bill is adequate for the present. Likewise, I say without hesitation that the bill does not provide all of the funds that will most likely be needed for the entire fiscal year which this bill covers, the period from July 1, 1965, through June 30, 1966.

Officials of the Department of Defense are not able to itemize and specify and document and present to us, or predict, just what the additional cost may be in Vietnam. Nor is Congress able to itemize and specify the precise amounts that may be required.

We cannot even—and I see present the chairman of the great House Committee on Armed Services—we cannot even predict the required supplemental appropriations which will be necessary as a result of the passage by the Congress of pay increase bills for military and civilian personnel. So it was obviously impossible for us to tailor this bill to meet unpredictable future requirements during the forthcoming fiscal year.

We could have provided the Department of Defense with a blank check for a few billion dollars but the blank-check procedure would erode, as I see it, the position of Congress in fiscal and in military affairs. When the requirements are clearer, a formal request will be presented to the Congress. We will evaluate the request and act promptly and in an orderly way. This seems to me to be in the public interest.

I would like to point out that while the amounts in the budget were agreed upon in the Defense Department prior to the escalation of the conflict in South Vietnam, we have in the bill this year, as we have had in previous years, a provision which enables the Department of Defense to spend the funds made available at whatever pace may be required. Under the Antideficiency Act, normally a department of Government must expend funds provided for the year on a quarterly basis, and may not exceed the rate of expenditures in one quarter over the pro rata part that would be assigned thereto.

On page 34 of this bill, we have section 512 which provides that the President could approve the expenditure of all the funds in this bill in one quarter, in 1 month, or in 1 week, so far as that is concerned, if required for the Nation's defense. This is a tremendous flexibility which we give, and I think this flexibility is desirable in this unpredictable world.

In this same section we also provide another authority in section 512(c). We provide that additional forces could be called into service and paid, even on a deficiency basis, in order to meet national defense requirements.

So, Mr. Chairman, with this flexibility and safeguard, which in my judgment the committee has wisely approved, I believe we can have even greater confidence in the overall adequacy of the bill which is pending before us today.

Mr. Chairman, on July 1 the Defense Department will have on hand for purposes generally covered in this bill an unexpended carryover from all previous years of the total sum of about $29 billion. Included in that sum is most of the $700 million which we provided for the southeast Asian conflict a few weeks ago. When the sum proposed in the pending bill is added to the unexpended-balance a total sum of about $75 billion will be available for the forthcoming fiscal year.

Mr. Chairman, I do not want to oversimplify this—the carryover funds of about $29 billion are mostly committed or obligated. Approximately $9 billion is not legally obligated. The unexpended funds were provided for specific purposes in the area of research and development, and also in procurement. They have not been expended primarily because the items being procured have not been delivered and the payment has not been made thereon. So, Mr. Chairman, this does not mean that these funds can be freely diverted to any purpose.

This, in a general way, covers the bill. But I would like to talk to the members of the Committee more specifically about the sums that are carried in this bill for various purposes.

Mr. Chairman, the bill this year is $2.5 billion less than last year. This may cause some apprehensions on the part of those who do not understand the situation.

First of all, let me say that appropriations for 1965, as shown in the committee report table, include the $700 million emergency fund for southeast Asia just recently enacted. The appropriations for 1965 include approximately $235 million, supplemental to the original 1965 appropriations, to cover the cost of military and civilian pay increases enacted since the 1965 regular annual bill.

Since the calendar year 1961, the military strength of the United States has been tremendously increased by the large annual appropriations enacted. It should be clear that this strength is still increasing. Stockpiles are increasing, inventories of aircraft are increasing and these increases continue in spite of the necessity to make use of forces and our supplies and equipment in peacekeeping operations of varying sizes in several parts of the globe.

In addition to the tremendous increases which have been made in procurement of tactical aircraft, and in the procurement of ordnance, vehicles, and so forth over this period of time; tremendous increases have been made also in the strength of our nuclear intercontinental ballistic missile force. I might point out that in the appropriation this year for "Missile procurement, Air Force," the amount of funds provided is nearly $1 billion less than was appropriated under that heading for the fiscal year 1965. This reflects virtual completion of the large intercontinental ballistic missile deployment and the substitution, therefor, of basic improvements which, while adding greatly to the capability of the force, requires significantly less amounts of money.

I might point out also that appropriations for procurement of equipment and missiles in the Army are significantly lower (about $450 million) than were made in 1965. This does not indicate any culmination of a large program but rather illustrates the carryover of funds available from prior years.

So, Mr. Chairman, it was possible for us to recommend the appropriation of less money this year than last year. However, let me point out that for the past 4 years, on the average, we have appropriated in regular annual acts $9 billion a year more for defense than was appropriated during the previous 4 years. This shows something of the magnitude of the effort of the Congress to make us more readily able to defend the United States.

Mr. Chairman, while this bill is below last year's, it is still $7 billion above the average of Defense appropriation bills for the 4 years prior to the fiscal year 1962.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MAHON. Mr. Chairman, I yield myself 10 additional minutes.

The CHAIRMAN. The gentleman from Texas is recognized for 10 additional minutes.

Mr. MAHON. Mr. Chairman, I shall put in the RECORD in connection with the adequacy of the pending bill, the letter of June 9 from the Secretary of Defense in regard to the adequacy of the pending Defense budget. Copies of the letter are available at the committee table.

THE SECRETARY OF DEFENSE,
Washington, D.C., June 9, 1965.
Hon. GEORGE MAHON,
Chairman, Committee on Appropriations, House of Representatives.

DEAR MR. CHAIRMAN: In your letter of June 4, 1965, you request my views as to the present adequacy of the fiscal year 1966 Defense budget in light of the developing situation in southeast Asia and the $700 million supplemental to the fiscal year 1965 budget which was approved last month.

To assess the adequacy of any Defense budget, we should keep in mind that it must provide for several levels of requirements: (1) Initial equipment for the forces and initial stocks to fill the pipelines; (2) peacetime consumption; (3) wartime consumption. The requirements for the first two categories can be determined with a relatively high degree of precision and, with respect to them, I can assure you again that our fiscal year 1966 budget request, submitted last January, is still fully adequate.

The requirements for the third category, however, are completely dependent on whether and to what extent our forces actually engage in combat during the fiscal year for which we are budgeting. Since we have no way of knowing, 6 to 18 months before the fact, what the situation will then be, we must provide for a very wide range of contingencies; and, indeed, we do. But our war reserve requirements are not based on any one or two contingency plans but rather on a composite of all of the plans. In other words, our objective is to provide sufficient war consumption stocks to support all of our forces in combat for sustained periods of time under a variety of different circumstances. As you know, we have substantially increased our procurement of war consumables during the past 4 years and we are now in much better shape than we were in 1960 or 1961.

However, the purpose of the war reserve stocks is not to support our forces in combat indefinitely, but rather to tide them over the period until additional supplies can be delivered from new production. That is why we call them "reserve" stocks. Therefore, as soon as we actually start to consume the war reserve stocks in combat in any significant quantities, we must promptly provide for their replacement so that at all times we have adequate stocks on hand to support our forces in combat until production can be expanded sufficiently to meet our wartime consumption requirements. If it were possible to forecast with some reasonable degree of precision all combat operations in which our forces would be engaged over the next 12 months, we could budget in advance for actual combat consumption. But we cannot forecast with such precision, so instead we depend on a general war reserve which we replace as we actually consume.

Thus, the fact that we have requested and the Congress has appropriated additional fiscal year 1965 funds for the procurement of such a typical war reserve requirement as ordnance and ammunition, in no way means that the original fiscal year 1965 budget request or the amounts originally appropriated for that fiscal year were inadequate. Such supplemental requirements are inherent in the way in which we compute our war reserve requirements in the first place. By the same token, a fiscal year 1966 supplemental may be required next year—depending on future developments in southeast Asia and possibly elsewhere in the world. But again, this does not mean that the fiscal year 1966 budget request now before the Congress is inadequate. It is adequate at the present time. But, if we draw on our war reserves in any significant amounts during fiscal year 1966, we will have to replace them in order that we always have sufficient stocks on hand to support our forces in combat until additional supplies can be produced and delivered.

With regard to such major end items as aircraft, the Defense Department, at least since the end of World War II, has not attempted to provide war reserves. I understand that this possibility was considered during the Korean war but was rejected as being infeasible because of rapid obsolescence and unnecessarily excessive cost. We do, however, procure additional aircraft to replace peacetime attrition. If combat losses exceed the peacetime attrition rates by any significant amount then eventually we have to take steps to replace the extra losses caused by combat.

But, as I pointed out to your committee in discussing the $700 million 1965 supplemental, our aircraft losses in southeast Asia have been quite small in relation to current production. Nevertheless, we did include in the 1965 supplemental some funds for aircraft, principally for the advance procurement of long lead time components so that we would be in a position to increase promptly the production of selected aircraft if that should become necessary. If we do decide to increase the presently planned production rates for Navy and Air Force aircraft, additional new funds may be needed before the end of fiscal year 1966. I believe this is the most practical way to deal with combat losses of aircraft under the present circumstances.

One final point. When our forces are actually engaged in combat, other additional expenses also arise—for the transportation of men and equipment, for the provision of facilities in the areas in which the forces are required to operate, for higher rates of operation (i.e., steaming hours and flying hours), and to a lesser extent for special pay and rations. The 1965 supplemental includes funds for most of these purposes, and depending on how the situation in southeast Asia may develop, additional funds for these same purposes may be required in fiscal year 1966. But it seems to me that these additional requirements might best be submitted to the Congress later in the fiscal year, when we will be in a position to determine them with greater precision.

To summarize, the fiscal year 1966 defense budget request now before the Congress would provide all the funds we need at this time to continue the strengthening of our overall military posture and to carry out whatever combat operations our forces are called upon to perform during the next 12 months. The special transfer provisions contained in the bill and the reprograming arrangements approved by the committees provide sufficient flexibility to meet all foreseeable requirements until the Congress reconvenes next January and can act on a possible fiscal year 1966 supplemental.

Sincerely,

ROBERT S. MCNAMARA.

I would point out that we have gone above the budget request in providing for certain programs. We have provided 133.6 million above the budget for the purpose of funding two additional nuclear-powered attack submarines. The budget requested a total of four. We propose financing a total of six submarines, two above the budget.

No provision was made in the budget for a nuclear-powered surface ship for the Navy. We have included $20 million for the long leadtime items for a nuclear-powered frigate, a surface ship on which construction would start next year. This would enable the Navy to let contracts for this program in an orderly way.

We are providing in this bill the sum of about $57 million more than was requested for the purpose of enabling the Department of Defense to carry on the Army National Guard and Reserve programs as they are presently being carried on. The Defense Department has made a proposal for a consolidation of the Army Reserve and National Guard. We do not undertake to resolve that issue, and it is quite an issue, but we have provided funds to enable these programs to continue at the present pace for the next fiscal year if steps are not taken to reorganize them prior to the next fiscal year. Our report specifically states that "the committee, by its action, does not wish to imply that it has taken a position either for or against the proposed consolidation of the Army Reserve components."

Of course, we provide for the defense space program as an integral part of our national space program. About $6½ billion is budgeted for the national space program in the coming fiscal year; $1.670 million of this is under the Department of Defense. About $1.2 billion of the $1.6 billion in the defense space program is research and development funding. This constitutes about 20 percent of our total defense research and development effort and represents the single largest development program grouping.

Critics of the defense space program apparently must refer only to military manned space programs. We are currently employing many operational unmanned space systems. We have operational space systems in navigation, we have two satellite interceptor systems and a satellite system for the detection of nuclear explosions in space. There are also military space programs which are highly classified.

The information available to me does not indicate that there is a lag in this country's military use of space as compared with the Soviet Union. Our military satellite launching program substantially exceeds that of the Soviet's. My conclusion is that today we seem to enjoy a distinct technological and operational lead in military space.

We have provided in the current bill the customary funds for operation and maintenance, for the pay of military personnel, for research, and development, and procurement. We have provided $7 million above the budget estimate for development of the long-range bomber of the future.

We have tried to include all of the funds necessary for these purposes. Of course, if the war in South Vietnam continues to escalate, additional funds will undoubtedly be requested, and will be provided.

There have been losses, as you know, of both men and machines in South Vietnam. During the last 4½ years in southeast Asia, we have lost about 320 aircraft and we have added to our inventory during the last 4½ years nearly 7,000 additional aircraft, including both rotary wing and fixed wing aircraft.

Our losses have certainly not been very great in comparison to the overall capabilities which we have, but we have a reserve which must be kept at a certain level. It is for that reason it may very well be necessary to provide additional funds later.

Mr. Chairman, this very broadly and generally covers the provisions in the bill. I shall insert in my remarks the table on page 2 of the report, giving a breakdown as between the services, and certain other pertinent information which will be of interest to all Members:

Summary of appropriations

Title	Appropriations, 1965 (to date)	Budget estimates, 1966	Recommended in bill, 1966	Bill compared with— Appropriations, 1965	Bill compared with— Budget estimates, 1966
Title I—Military personnel	$14,666,000,000	$14,618,100,000	$14,656,600,000	−$9,400,000	+$38,500,000
Title II—Operation and maintenance	12,445,878,000	12,510,244,000	12,547,144,000	+101,266,000	+36,900,000
Title III—Procurement	13,422,047,000	11,411,700,000	11,390,000,000	−2,032,047,000	−21,700,000
Title IV—Research, development, test, and evaluation	6,448,520,000	6,708,800,000	6,594,500,000	+145,980,000	−114,300,000
Emergency fund, southeast Asia (Public Law 89-18)	700,000,000			−700,000,000	
Total	47,682,445,000	45,248,844,000	45,188,244,000	−2,494,201,000	−60,600,000
Distribution of appropriations by organizational component:					
Army	11,412,659,000	10,961,403,000	10,963,903,000	−448,756,000	+2,500,000
Navy	14,326,271,000	13,932,600,000	13,942,200,000	−384,071,000	+9,600,000
Air Force	18,608,601,000	17,602,100,000	17,519,600,000	−1,089,001,000	−82,500,000
Defense agencies/OSD	3,334,914,000	2,752,741,000	2,762,541,000	−572,373,000	+9,800,000
Total, Department of Defense	47,682,445,000	45,248,844,000	45,188,244,000	−2,494,201,000	−60,600,000

SCOPE OF THE BILL

The amounts recommended in the accompanying bill provide for the continuation of, and an increase in, the military strength of what is already the strongest military establishment that has been maintained in the peacetime history of the United States.

The committee considered budget estimates totaling $45,248,844,000 and recommends the appropriation of $45,188,244,000. The amount recommended is $60,600,000 less than the amount requested in the budget and $2,494,201,000 less than the $47,682,455,000 appropriated to date for fiscal year 1965. Appropriations to date for fiscal year 1965 include $700 million recently enacted (Public Law 89–18) under the heading of "Emergency Fund, Southeast Asia."

Adjustments recommended by the committee include program increases above the budget for the Reserve components of the Army, for shipbuilding and conversion in the Navy, and for an advanced manned strategic bomber, which together with other lesser increases total $208,400,000 above the estimates. These increases are more than offset by various financing adjustments totaling $269 million. The most important of these decreases is that of $114,300,000 (net) in research and development made as a result of prior congressional action on the authorization act (Public Law 89–37).

ADEQUACY OF THE ESTIMATES

It will be understood that the regular annual budget estimates for fiscal year 1966 were prepared and largely presented to the Congress prior to the recently expanded level of activity in South Vietnam and prior to the participation of U.S. troops in the difficulties in the Dominican Republic. The President's request for, and the prompt enactment of, a $700 million 1965 supplemental for southeast Asia has sharply focused attention on the adequacy of the fiscal year 1966 Defense program proposed by the President last January. The committee, of course, in its scrutiny of the budget estimates, not only has the responsibility of seeking out any apparently unwise or needless expenditure, it must also seek to ensure that the proposed programs are fully adequate to meet all the requirements of national defense.

The situation is not materially different from that which existed in the consideration of the budget request for the fiscal year 1952, when we were engaged in war in Korea. At that time, Admiral Sherman, then Chief of Naval Operations, said (on May 8, 1951):

"Last December when the preparation of * * * the estimates for fiscal year 1952 was commenced, it was impracticable to determine when the hostilities in Korea might end. It was impracticable to estimate very far ahead the tempo of combat and consequent fiscal requirements. * * * it was decided that the estimates for the fiscal year 1952 would provide only for a base—a year of steady, sustained expansion * * *. This will, of course, make it necessary to submit supplementary estimates to cover the additional costs arising from combat operations as their intensity and duration are determined." (H. Rept. 790, 82d Cong., p. 3.)

The budget requests for the fiscal year 1966 contained no funds specifically programed to support what are now the current rates, or any future increased rates of operations in Vietnam or in fact in any other specific area of the world. To judge the overall of Defense programs it is useful to divide the total program into three categories: (1) The general purpose forces, those concerned primarily with military actions short of general nuclear war, i.e., limited war and counterinsurgency operations; (2) the strategic offensive and defensive forces, those concerned primarily with general nuclear war; and (3) the research and development program which forms the basis for the future adequacy of our military forces.

Limited war forces

During the course of its hearings, the committee carefully explored all of these categories of our military program. Regular annual appropriations for Defense since 1962 have averaged $9 billion per year more than the average of regular annual Defense appropriation acts during 1958–61. This higher rate of funds has resulted in military resources increases, from June 30, 1961, to June 30, 1965, in these categories.

Because of the rapidly changing situation in southeast Asia, the general purpose forces program was examined with special reference to its adequacy, not just to meet requirements in that part of the world, but elsewhere. This, of course, is not a new interest. For many years the committee has been concerned with our preparations for fighting limited wars and, on a number of occasions during the 1950's, proposed increases in the amounts requested by the executive branch for this purpose. During the last 4 years, budgets have proposed, and the committee has supported, very substantial increases both in the size of the general purpose forces and in procurement for their support.

For example, a total of $5.8 billion was appropriated for ordnance, vehicles and related equipment during the 3 fiscal years 1962–64 compared with $2.3 billion in the 3 years preceding. As a result, inventories have been substantially modernized and built up, e.g., the tonnage of modern nonnuclear aircraft ordnance on hand will have increased from 1961 through 1966 eight-fold in the Air Force and four-fold in the Navy and Marine Corps.

Procurement of tactical aircraft for the Air Force has increased from about $360 million in fiscal year 1961 to about $1 billion in the current fiscal year and an additional $1.1 billion is included in the present bill. Over the 1962–65 fiscal period, procurement of Navy and Marine Corps aircraft has averaged about $2 billion annually compared with less than $1.8 billion in 1961, and almost $2.2 billion is recommended for 1966. Aircraft procurement for the Army increased from about $180 million in fiscal year 1961 to an average of about $370 million in the next 3 years and $345 million is recommended in the bill for 1966. Procurement of Army helicopters alone rose from 286 in 1961 to 935 in 1965 (not counting those financed by the 1965 Supplemental) and this bill provides for an additional 1,008. The number of Air Force tactical squadrons has increased from 55 to 83, or 51 percent, in the last 4 years and will increase still further in the coming year. Army and Marine Corps helicopter inventories have risen 55 and 69 percent, respectively, since fiscal year 1961, and they, too, will continue to increase during 1966.

Missile procurement for the general purpose forces has averaged about $125 million a year more in the 1962–65 period than the $625 million in fiscal year 1961. With stocks of such missiles now substantially rebuilt (e.g., the requirements for the air-to-surface Bullpup and the air-to-air Sidewinder have been met with prior year procurements), an additional $440 million is provided in the present bill.

Shipbuilding and conversion for the Navy's general purpose forces has increased from about $900 million in fiscal year 1961 to over $1.7 billion in fiscal year 1965 and approximately the same amount is included in the present bill.

Since 1961, the vastly increased procurement of airlift aircraft has about doubled the airlift capability and under present plans it will more than double again in the next 4 years. The procurement of airlift aircraft increased from about $200 million in 1961 to an average of about $440 million a year in the 1962–65 period and the present bill provides about $400 million for fiscal year 1966.

These very substantial increases in forces and inventories were designed to build up our capability to meet a wide range of possible threats other than nuclear warfare. That capability is now, indeed, a reality. Our war reserve stocks and equipment levels are presently such that all our general purpose forces would be able to engage in combat for sustained periods of time. The question has been asked, however: If we do have such a capability, why was a fiscal year 1965 supplemental needed since, clearly U.S. forces committed to the conflict in southeast Asia represent but a very small fraction of our total strength? The answer lies in the nature of the way the Defense Department computes its requirements for supplies and equipment.

Essentially, such stocks are procured to meet three objectives: (1) Initial stocks for the forces and the pipeline; (2) peacetime consumption; and (3) wartime consumption. The first two objectives lend themselves to rather precise computation and Secretary McNamara has very recently again assured the committee that the amounts included in the original budget request for fiscal year 1966 remain fully adequate for these purposes.

For the third objective, however, requirements cannot be so easily computed in advance since they will depend on whether and to what extent U.S. forces actually become involved in combat. Because budgets must be prepared 6 months to a year and half beforehand, the Department must provide in its procurement plans for a wide range of contingencies. It does this by computing the war reserve requirements on a composite of all the various contingency plans with the general objective of having enough supplies and equipment to support all the general purpose forces in combat for extended periods of time.

War reserves are not intended to be large enough to support the forces in combat indefinitely but only until stepped-up production can catch up with wartime consumption rates. When stocks are consumed in combat in any significant quantities, they should be promptly replaced. When this happened in southeast Asia, the President promptly and properly requested funds to maintain the planned war reserve levels. Nor is there any assurance that supplemental appropriations will not also be required next year. They very probably will be, but this will depend on the course of events in southeast Asia and elsewhere in the world in the coming months.

This does not mean that the fiscal year 1966 budget estimate was or is inadequate, any more than the 1965 budget was when it was initially proposed. As long as the present general authority and the special transfer authorities included in the bill are available to handle short-term situations, there seems to be no reason or need for further measures at this time. As previously mentioned, Secretary McNamara, in response to a very recent inquiry from the committee, has assured that:

"The fiscal year 1966 Defense budget request now before the Congress would provide all the funds we need at this time to continue the strengthening of our overall military posture and to carry out whatever combat operations our forces are called upon to perform during the next 12 months." (Letter to Chairman MAHON, June 9, 1965.)

Thus, for the immediate future, the funds provided in this bill, together with the residue of the 1965 supplemental, should provide adequately for the general purpose forces. The specific forces to be supported and the weapons, equipment, and supplies associated with them are described elsewhere in this report.

Adequacy of other forces and programs

The adequacy of the forces and programs designed to meet our general, nuclear war needs must be judged against the missions they are designed to fulfill, i.e., (1) to deter a deliberate nuclear attack upon the United States and its allies by maintaining a clear and convincing capability to inflict unacceptable damage on an attacker, even were he to strike first; and (2) in the event deterrence should fail, to limit damage to our people and our industrial capacity. In his presentation to the committee, the Secretary presented a very detailed analysis of the adequacy of the recommended strategic offensive and defensive programs with respect to achieving these two capabilities. That analysis showed that given the likely enemy threat through the early 1970's and the most likely planning factors, even after absorbing his first strike, our presently authorized missile force alone, could cause an enemy to suffer casualties that any prudent man must consider unacceptable. The buildup in these forces has been as striking as that of the general purpose forces. For example, the number of nuclear warheads in strategic alert forces has increased from 850 on June 30, 1961, to 2,700 estimated as of June 30, 1965. Between those two dates the megatonnage of alert force weapons has increased 200 percent. Clearly, our forces are adequate to the task of nuclear deterrence.

The question of adequacy for the third broad category of the defense program, research and development, is by its very nature, more difficult to answer with certainty. Our ability to perceive future requirements is limited and many of our undertakings in this area must be viewed as insurance premiums, hedges against possible future developments that may never occur. Where contingencies exist and can be identified, we must provide for them; the programs supported by this bill do so provide, e.g., the component development work needed to permit the development and deployment of a follow-on manned strategic bomber aircraft. Overall, spending for defense research, development, test, and evaluation over the past 4 years has averaged more than 50 percent higher than the previous 4 years. At this high level, the committee believes that such work will continue to be adequately supported.

The objective of the committee, and of the President, and of the Secretary of Defense is the maintenance of the country's military strength. Today the military might of the United States is great and growing. It is the view of this committee that it should continue to grow. The amounts recommended in the accompanying bill will, so far as can be foreseen, continue to maintain the military strength at the high level to which it has been built over the last several years. As the Secretary said:

"Our defense program and budget is based solely on our own national security requirements * * *.

"The decline in our own defense expenditures from a high of $51.2 billion in fiscal year 1964 to an estimated $49 billion in fiscal year 1966 simply reflects the substantial completion of the buildup started in 1961 * * *.

"In developing the fiscal year 1966–70 program and the fiscal year 1966 budget, I have carefully reviewed all the proposals originating from the Joint Chiefs of Staff, the military departments, and other defense agencies. This process began nearly a year ago, and through a step-by-step review of the 1966 and prior year programs it was possible to reduce the fiscal year 1966 budget request from about $56.5 billion in new obligational authority as proposed by the services and defense agencies, to approximately $48.6 billion, a reduction of about $8 billion. * * * While our fiscal year 1966 budget request does not include all of the forces or force modernizations recommended by the military departments and individual service chiefs, the Joint Chiefs of Staff agree that the program supported by this budget will increase our overall combat effectiveness and will provide effective forces in a high state of readiness for the defense of the vital interests of the United States." (Hearings, pt. 3, p. 5.)

In this connection, it should be noted that historically the Budget requests of the military services have been, except where expressly precluded by the imposition of ceilings on initial requests, consistently higher than the amounts allowed in the President's budget. This situation is undoubtedly a true and proper reflection of the action of the Chief Executive in allocating priorities, among and between functions, for the use of the Nation's resources. It would be futile to attempt to argue that we should give every department head every dollar he thinks he might be able to use. The following table is illustrative of the point:

[In millions of dollars]

Fiscal year	Service requests	President's budget
1952	94,385	60,742
1955	37,552	30,942
1958	45,231	37,893
1960	48,439	40,811
1964	63,931	51,281
1966	56,290	47,395

UTILIZATION OF MILITARY RESOURCES

As noted above, the Budget does not contain funds specifically programed for the current or increased rates of military activities in southeast Asia. Obviously, the rate at which such activities are being pursued varies from time to time and has an effect on the rate of accomplishment of the normal, peacetime, routine military operations of training, exercises, maneuvers, storage, issue, and maintenance of military hardware and so forth. For example, of the funds budgeted and appropriated for training exercises in the current fiscal year, approximately $85 million has been reallocated for use in connection with active military engagements in southeast Asia and operations in the Dominican Republic. It is possible that a similar situation will exist in fiscal year 1966, and in anticipation, the committee has identified areas where funds budgeted for routine, normal functions may be better applied to crisis areas.

Of military weaponry in use and being lost in Vietnam, the larger and more costly are aircraft, both fixed and rotary wing. Secretary McNamara placed this loss in perspective when he testified:

"The aircraft losses to date have been very small, and particularly small in relation to our inventory and in relation to our procurement. For example, for the past 4½ years the total number of tactical fighters, bombers and reconnaissance aircraft lost in southeast Asia is 157, and during that same 4-year period we have taken delivery of 3,500. The total helicopter loss in 4½ years is 152, and we have taken delivery in that period of 3,276 helicopters. Our inventories of tactical aircraft today are very large in relation to these losses. For the types of tactical aircraft I have just referred to, in the active forces, excluding reserves, we have something on the order of 5,500 active tactical aircraft compared to the 157 we have lost in our 4-year period. In terms of helicopters we have in the active forces in the Navy and Marines and Army alone, excluding Air Force, about 5,200 helicopters compared to the loss of 152." (Hearings, Supplemental Defense, 1965, p. 3.)

Rates of usage of military hardware are significant, but should be related to inventory. For example, Secretary McNamara said:

"In the case of ammunition, bombs, rockets, artillery ammunition, and small arms ammunition, the Congress has, as you know, appropriated substantial sums for this purpose in the last 3 or 4 years, sums in excess of previous levels. The ammunition inventories have been building up. That is particularly true of modern ordnance for both the Air Force and Navy aircraft. But the consumption rates of these items are so great at the present time and have increased so dramatically in the last 90 days, that we think it will be wise to increase our procure-

ment of ammunition." (Hearings, Supplemental Defense, 1965, p. 3.)

A majority of the committee felt that it would not be feasible, practicable, or appropriate to provide funds above the budget estimate for routine procurements of replacement military goods in the absence of any departmental calculations of requirements, production rates, inventories, and so forth, in short, a supplemental budget estimate. Appropriations to finance any such items of urgent need continue available from prior years in staggering totals, for example the budget estimate in January indicated $30,529,379,000 total unexpended carryover into fiscal year 1966, of which a total of $9,624,627,000 would be unobligated. While it is true that most of these funds are committed to specific programs, it is also true that substantial changes in priorities can be accomplished without the necessity for immediate additional appropriations.

It cannot be denied that, at some point in time—and this point may differ with each gun, round of ammunition, aircraft, etc.—and at some tempo of utilization, additional funds may be needed to keep the overall military strength of the United States on the program of modest annual increments of increase which now prevail following essential completion of the major buildup begun in 1961. As was stated in connection with the recent enactment of the Emergency Fund, southeast Asia:

"The authorities in existing law could have been utilized in lieu of the proposed appropriation. Supplies and equipment could have been diverted from other, less active areas and replaced at a later date.

"Although we probably would not adversely affect our overall military strength by delaying in a minor way the continuing increase in military inventories, the committee believes a position of plenty—militarily—is to be desired in the light of world conditions." (H. Rept. 286, 89th Cong. p. 2.)

FORCES TO BE SUPPORTED—BY ORGANIZATION

This section of the report outlines the military forces and programs to be supported by organizational component in contrast to the preceding discussion which was organized by major military programs.

Total active duty military personnel strength for the end of fiscal year 1966 is estimated at 2,640,266—15,742 fewer than estimated for the end of fiscal year 1965 and 44,895 fewer than at the end of fiscal year 1964. The detailed strength levels are shown in the following table:

Active duty military personnel strengths (excluding reimbursables)

[In thousands]

	Actual strength		Fiscal year 1965, planned		Fiscal year 1966, estimate	
	June 30, 1964	Dec. 31, 1964	Average	End	Average	End
Army:						
Officers	110.3	110.9	111.0	110.5	111.9	110.7
Enlisted	860.3	850.6	853.9	850.3	847.2	839.6
Cadets, USMA	1.9	2.7	2.5	2.5	2.7	2.7
Total, Army	972.4	964.2	967.4	963.3	961.7	953.1
Navy:						
Officers	76.3	77.5	76.9	76.8	76.8	77.3
Enlisted	586.0	583.4	588.7	592.3	597.9	602.7
Midshipmen, USNA	4.2	3.9	4.0	4.2	4.0	4.2
Aviation cadets	.7	.8	.7	.8	.7	.8
Total, Navy	667.2	665.6	670.3	674.1	679.5	684.8
Marine Corps:						
Officers	16.8	17.1	17.1	17.3	17.5	17.6
Enlisted	172.6	171.0	172.6	172.5	173.7	175.4
Aviation cadets, MARCADS	.4	.4	.3	.2	.2	.2
Total, Marine Corps	189.8	188.5	190.0	190.1	191.4	193.2

Active duty military personnel strengths (excluding reimbursables)—Continued

[In thousands]

	Actual strength		Fiscal year 1965, planned		Fiscal year 1966, estimate	
	June 30, 1964	Dec. 31, 1964	Average	End	Average	End
Air Force:						
Officers	133.0	134.3	132.8	128.9	128.7	127.7
Enlisted	719.7	705.5	709.7	696.7	688.7	678.3
Cadets, USAFA	2.8	2.6	2.7	3.0	2.8	3.1
Aviation cadets	.2	----------	.1	----------	----------	----------
Total, Air Force	855.8	842.4	845.2	828.6	820.3	809.1
Total, Department of Defense:						
Officers	336.4	339.8	337.7	333.5	334.9	333.4
Enlisted	2,338.7	2,310.4	2,324.8	2,311.8	2,307.5	2,296.0
Officer candidates, cadets, and midshipmen	10.1	10.5	10.3	10.6	10.5	10.9
Grand total	2,685.2	2,660.7	2,672.8	2,656.0	2,652.9	2,640.3

NOTE.—Detail may not add to totals due to rounding.

Department of the Army

For the military functions (excluding civil defense, family housing, and military construction) of the Army, the budget proposes $10,961,403,000 in appropriations, the transfer of $240 million from the revolving funds in lieu of new appropriations. The committee recommends $10,963,903,000 in appropriations and the transfer of $240 million from the revolving funds. The recommended amount is $448,756,000 below the fiscal year 1965 appropriations and $2,500,000 above the budget request.

DEPARTMENT OF THE ARMY

Appropriation summary comparison

[In millions of dollars]

Appropriation title	Appropriated, 1965	Budget estimate, 1966	Recommended in bill, 1966	Bill compared with—	
				1965	Estimate, 1966
Military personnel	[1] 4,221.0	[1] 4,114.9	[1] 4,108.4	−112.6	−6.5
National Guard and Reserve personnel	----------	459.8	----------	----------	−459.8
Reserve personnel	242.9	----------	238.6	−4.3	+238.6
National Guard personnel	277.5	----------	266.2	−11.3	+266.2
Operation and maintenance	3,482.9	3,379.1	3,475.2	−7.7	+96.1
Operation and maintenance (liquidation contract authority)	----------	54.0	54.0	+54.0	----------
Operation and maintenance, Army National Guard and Reserve	----------	292.0	----------	----------	−292.0
Operation and maintenance, Army National Guard	191.4	----------	208.8	+17.4	+208.8
National Board for the Promotion of Rifle Practice	.5	.5	.5	----------	----------
Procurement of equipment and missiles	1,656.4	1,223.1	1,205.8	−450.6	−17.3
Research, development, test, and evaluation	1,340.0	1,438.0	1,406.4	+66.4	−31.6
Total	11,412.7	10,961.4	10,963.9	−448.8	+2.5

[1] In addition, transfers from working capital funds: 1965—$85,000,000; 1966—$240,000,000; 1966 estimate and recommended includes reappropriation of $12,300,000.

Summary of major forces, fiscal years 1964–66

	Actual June 30,	Planned	
		June 30, 1965	June 30, 1966
Divisions	16	16	16
Armored cavalry regiments	4	4	4
Brigades	7	7	7
Missile commands	2	2	2
Special forces groups	7	7	7
Missile battalions	78¼	76¼	77¼
Aircraft inventory—Active	6,338	6,899	7,624
Active duty military personnel	972,445	963,273	953,094
Reserve component personnel (paid drill training)	(650,070)	(655,000)	(650,000)
Army National Guard	381,546	385,000	650,000
Army Reserve	268,524	270,000	

1. The bill recommended by the committee would provide for Army forces of essentially the same size and character as the current fiscal year with 16 divisions, 4 armored cavalry regiments, 7 brigades and 2 missile commands. The provisional air assault division formed to test certain air mobility concepts has been disbanded this year following completion of the required exercises.

The number of Army aircraft will continue to increase during fiscal year 1966 reflecting the delivery of planes funded in prior years. Large quantities of Hawk, Honest John, Pershing, and antitank missiles; tactical and support vehicles; communications equipment; and a wide variety of other items have also been procured since 1962 and are entering the inventory.

2. Personnel: The bill provides funds for an active Army strength of 953,094 at June 30, 1966, compared with 936,273 estimated for the end of the current fiscal year and 972,445 at the end of fiscal year 1964. With the completion of the air mobility tests this fiscal year, the temporary authorization for 15,000 men who conducted them will not be needed in fiscal year 1966 and are being phased out during the current year.

The bill provides funds for an Army Reserve components paid drill training strength of 650,000 for end fiscal year 1966 compared with 655,000 estimated for June 30, 1965, and 650,000 at end fiscal year 1964. This matter is discussed in detail under title I following.

3. Procurement: The bill provides for the procurement of 1,018 aircraft and over 32,200 missiles including the first major procurements of the Shillelagh antitank and Redeye antiaircraft missiles, as well as numerous other items. Although the amounts recommended are smaller than provided for the current year, funds carried over from prior years will support a fiscal year 1966 program of about $2 billion compared with an adjusted fiscal year 1965 program of about $1.9 billion.

Department of the Navy

For the military functions (excluding family housing and military construction) of the Navy, the budget proposes $13,932,600,000 in appropriations and the transfer of $145 million from the revolving funds in lieu of new appropriations. The committee recommends appropriations of $13,942,200,000 and the transfer of $145 million. The amount is $384,071,000 below the appropriations for fiscal year 1965, and $9,600,000 above the estimates for fiscal year 1966.

DEPARTMENT OF THE NAVY

Appropriation summary comparison

[In millions of dollars]

Appropriation title	Appropriated, 1965	Budget estimate, 1966	Recommended in bill 1966	Bill compared with—	
				1965	Estimate, 1966
Military personnel, Navy	[1] 3,074.0	[1] 3,055.0	[1] 3,055.0	−19.0	
Military personnel, Marine Corps	[2] 750.5	[2] 749.9	[2] 749.9	−.6	
Reserve personnel, Navy	[3] 99.2	105.1	105.1	+5.9	
Reserve personnel, Marine Corps	[4] 30.9	33.0	33.0	+2.1	
Operation and maintenace, Navy	3,178.5	[5] 3,340.7	[5] 3,340.7	+162.2	
Operation and maintenance, Marine Corps	189.6	192.5	192.5	+2.9	
Procurement of aircraft and missiles, Navy	2,496.4	2,279.8	2,272.5	−223.9	−7.3
Shipbuilding and conversion, Navy	1,930.1	1,501.1	1,590.5	−339.6	+89.4
Other procurement, Navy	1,041.4	1,159.1	1,120.0	+78.6	−39.1
Procurement, Marine Corps	162.9	43.8	43.8	−119.1	
Research, development, test and evaluation, Navy	1,372.8	1,472.6	1,439.2	+66.4	−33.4
Total	14,326.3	13,932.6	13,942.2	−384.1	+9.6

[1] In addition, transfers from working capital funds: 1965, $60,000,000; 1966, $120,000,000.

[2] In addition, transfers from working capital funds: 1965, $6,000,000; 1966, $25,000,000.

[3] In addition, transfer from working capital funds, $3,400,000.

[4] In addition, transfer from working capital funds, $1,200,000.

[5] Includes reappropriation of $8,600,000.

Summary of major forces, fiscal years 1964–66

	Actual June 30, 1964	Planned	
		June 30, 1965	June 30, 1966
Commissioned ships in fleet	859	880	899
Warships	388	406	416
Other	471	474	484
Carrier air groups	28	28	28
Patrol and warning squadrons	35	34	32
Marine divisions	3	3	3
Marine air wings	3	3	3
Aircraft inventory—active	8,391	8,250	8,241
Active duty military personnel	(856,914)	(864,184)	(878,038)
Navy	667,163	674,115	684.848
Marine Corps	189,751	190,069	193,190
Reserve components personnel (paid drill training)	(169,137)	(171,500)	(171,500)
Naval Reserve	123,277	126,000	126,000
Marine Corps Reserve	45,860	45,500	45,500

1. The bill recommended by the committee will support an active fleet of 899 ships at end fiscal year 1966 compared with 880 planned for the end of the current fiscal year and 859 at the end of fiscal year 1964.

A number of ships from prior year construction and conversion programs will be delivered to the fleet in fiscal year 1966 including nine Polaris submarines, five nuclear-powered attack submarines, one nuclear-powered and three conventionally powered guided-missile frigates and six escort types. The active aircraft inventory will remain about the same although substantial numbers of new aircraft will be received from production. Missile deliveries will include Sparrow and Sidewinder air-to-air types, the air defense Hawk and Redeye for the Marine Corps, and the air-to-surface Bullpup.

2. Personnel: The bill provides for a Navy active duty strength of 684,848 at end fiscal year 1966, an increase of about 10,700 from that planned for the end of the current fiscal year. The increase is principally related to the commissioning of new ships in fiscal year 1966. Marine Corps strength would also rise by about 3,100 men in fiscal year 1966 to a level of 193,190, principally because of the larger helicopter force.

Paid drill training strength for the Naval and Marine Corps Reserve would remain the same at 126,000 and 45,500, respectively.

3. Procurement: The bill provides for the construction of 61 ships and the major conversion of 12 more, for the procurement of 659 aircraft and for substantial quantities of missiles, ordnance, vehicles, and other equipment: The details of the major item of procurement are included under title III of this report.

Department of the Air Force

For the military functions of the Air Force (excluding family housing and military construction), the budget proposed $17,602,100,000 in appropriations and $85 million to be transferred from the revolving funds in lieu of new appropriations. The committee recommends $17,519,600,000 in new appropriations and $85 million in transfer authority. The recommended amount is $1,089,001,000 below the fiscal year 1965 appropriations and $82,500,000 below the estimate for fiscal year 1966.

1. The bill recommended by the committee would provide funds to support an Air Force of 74 combat wings and 112 combat support flying squadrons at end fiscal year 1966. The B–52 force will decline by two squadrons with the deactivation of the oldest and least effective models; the B–58 force will remain the same; and the last of the B–47 medium bombers will be phased out of active service. The Minuteman missile forces will continue to expand.

The committee recommends continuation of the authority to provide for the costs of an airborne alert as an excepted expense when such action is deemed necessary by the President. The tactical forces squadrons will increase in fiscal year 1966 from 117 to 119. The Air Force will continue to receive substantial numbers of F–4 fighters, C–130, and C–141 transport and SR–71 reconnaissance aircraft. Additional quantities of tactical missiles will also be delivered including Sparrow, Bullpup, and Shrike, as will significant amounts of other combat consumables.

2. Personnel: The bill provides for an active duty military personnel strength of 809,134 at the end of fiscal year 1966, about 19,400 fewer than planned for the end of the current year. The decrease stems primarily from base closings, the phaseout of B–47's and KC–97's, and lower technical training requirements.

The paid drill training strength of the Air National Guard is estimated to increase by 2,000 to a level of 77,000 by end fiscal year 1966 as a result of higher manning levels for the airlift elements. The paid drill training strength of the Air Force Reserve is budgeted to decline by about 3,000 to a level of 45,835, the result of changes in the airlift force structure.

3. Procurement: The bill recommended by the committee will provide for the procurement of 517 aircraft in fiscal year 1966, including SR–71's, F/RF–4's, F–111's, and C–141's, Missile procurement includes substantial numbers of Minuteman II's and Shrike's. Additional detail on the Air Force's procurement program is furnished in title III of this report.

DEPARTMENT OF THE AIR FORCE

Appropriation summary comparison

[In millions of dollars]

Appropriation title	Appropriated 1965	Budget estimate, 1966	Recommended in bill 1966	Bill compared with— 1965	Bill compared with— Estimate, 1966
Military personnel	[1] 4,442.5	[1] 4,439.6	[1] 4,439.6	−2.9	---------
Reserve personnel	[2] 59.2	60.5	60.5	+1.3	---------
National Guard personnel	69.3	71.3	71.3	+2.0	---------
Operation and maintenance	4,615.2	4,464.1	4,464.1	−151.1	---------
Operation and maintenance, Air National Guard	237.6	238.0	238.0	+0.4	---------
Aircraft procurement	3,563.7	3,550.2	3,517.0	−46.7	−33.2
Missile procurement	1,730.0	796.1	796.1	−933.9	---------
Other procurement	779.1	834.5	829.1	+50.0	−5.4
Research, development, test and evaluation	3,112.0	3,147.8	3,103.9	−8.1	−43.9
Total	18,608.6	17,602.1	17,519.6	−1,089.0	−82.5

[1] In addition, transfers from working capital funds: 1965—$81 million; 1966—$85 million; 1966 includes reappropriation of $45.8 million.

[2] In addition, transfer from working capital funds, $3.4 million.

Summary of major forces, fiscal years 1964–66

	Actual, June 30, 1964	Planned: June 30, 1965	Planned: June 30, 1966
U.S. Air Force combat wings (including missile wings)	83	78	74
U.S. Air Force combat support flying forces (squadrons)	130	117	112
Aircraft inventory—active	15,380	14,411	13,706
Active duty military personnel	855,802	828,551	809,134
Reserve components personnel (paid drill training)	(134,049)	(123,820)	(122,835)
Air National Guard	73,217	75,000	77,000
Air Force Reserve	60,832	48,820	45,835

Defense agencies

For the various activities grouped under "Defense Agencies," the budget proposes 2,752,741,000 in new appropriations for military functions. The committee recommends $2,762,541,000, $572,373,000 below the appropriations for fiscal year 1965 and $9,800,000 above the estimate for fiscal year 1966. Note that the amount appropriated for 1965 includes the emergency fund, southeast Asia, supplemental in the amount of $700 million.

DEFENSE AGENCIES/OSD

Appropriation summary comparison

[In millions of dollars]

Appropriation title	Appropriated, 1965	Budget estimate, 1966	Recommended in bill, 1966	Bill compared with— 1965	Bill compared with— Estimates, 1966
Retired pay	1,399.0	1,529.0	1,529.0	+130.0	---------
Operation and maintenance, Defense agencies	511.6	533.8	533.8	+22.1	---------
Claims	[1] 23.0	([2])	24.0	+1.0	+24.0
Contingencies	15.0	15.0	15.0	---------	---------
Court of Military Appeals	.6	.6	.6	---------	---------
Procurement, Defense agencies	62.0	24.0	15.2	−46.8	−8.8
Research, development, test, and evaluation, Defense agencies	498.7	500.4	495.0	−3.7	−5.4

Appropriation summary comparison—Continued

[In millions of dollars]

Appropriation title	Appropriated, 1965	Budget estimate, 1966	Recommended in bill, 1966	Bill compared with— 1965	Bill compared with— Estimates, 1966
Emergency fund	[3] 125.0	[3] 150.0	[3] 150.0	+25.0	---------
Emergency fund, southeast Asia	700.0	---------	---------	−700.0	---------
Total	3,334.9	2,752.7	2,762.5	−572.4	+9.8

[1] In addition, not to exceed $6 million to be derived by transfer from appropriations available to the Department of Defense for fiscal year 1964.

[2] Budget proposes language making permanent indefinite appropriation.

[3] In addition, $150 million to be derived by transfer from other appropriations available for obligation in the respective fiscal year and authority to transfer an additional $200 million under certain conditions—see section 536.

Unexpended and unobligated balances

The following tables show a comparison of the unexpended and unobligated balances for the military functions of the Department of Defense, including both the amounts for all accounts and those pertaining to the appropriations covered in the bill. Both the unobligated and unexpended balances associated with the accounts in this bill are projected to decline from end fiscal year 1964 to end fiscal year 1966—the former from $9 billion to $7.6 billion and the latter from $28.2 billion to $27.9 billion.

Unobligated balances, fiscal years 1957–66

[In millions of dollars]

Fiscal year	Total unobligated balance	Pertaining to appropriations in the bill
At end of—		
Fiscal year 1957	10,869	10,103
Fiscal year 1958	7,904	6,690
Fiscal year 1959	7,513	6,626
Fiscal year 1960	8,638	7,734
Fiscal year 1961	7,167	6,483
Fiscal year 1962	7,120	6,584
Fiscal year 1963	9,170	8,150
Fiscal year 1964	9,961	9,008
Fiscal year 1965 [1]	9,624	8,860
Fiscal year 1966 [1]	8,538	7,619

[1] Estimates based upon data in 1966 budget document and therefore excludes the effects of the 1965 supplemental appropriation, Emergency Fund, Southeast Asia.

Unexpended balances, fiscal years 1957–66

[In millions of dollars]

Fiscal year	Total cash unexpended balance	Pertaining to appropriations in the bill [1]
At end of—		
Fiscal year 1957	34,660	31,955
Fiscal year 1958	32,086	29,044
Fiscal year 1959	31,635	29,139
Fiscal year 1960	30,660	28,415
Fiscal year 1961	28,606	26,888
Fiscal year 1962	28,697	27,161
Fiscal year 1963	30,019	28,237
Fiscal year 1964	29,966	28,211
Fiscal year 1965 [2]	30,529	28,852
Fiscal year 1966 [2]	30,145	27,915

[1] Includes balances of Department of Defense revolving and management funds.

[2] Estimates based upon data in 1966 budget document and therefore exclude the effects of the 1965 supplemental appropriation, "Emergency Fund, Southeast Asia.

I am pleased to note that, as in former years, the distinguished gentleman from New York [Mr. KEOGH] is presiding again. My longtime friend, who is retiring from Congress, has been most gracious and effective in conducting the Committee of the Whole House during consideration of defense appropriations bills.

I salute him and wish him well.

The CHAIRMAN. The gentleman from Texas [Mr. MAHON] has consumed 20 minutes.

Mr. LIPSCOMB. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, the chairman of this committee, the gentleman from Texas [Mr. MAHON] has covered a good many of the items in the bill and as usual he has given detailed examples of great merit. At the outset I would like to commend the chairman of this committee and the members I am privileged to work with and the staff who put in many, many hours getting the details of this very complicated bill which is very vital to the defense of our country and the free world.

Mr. Chairman, the bill before the House today, H.R. 9221, will provide appropriations of new obligational authority in the amount of $45,188,244,000, for the Department of Defense for fiscal year 1966.

I support this bill which essentially will provide funding during the fiscal year at a level needed to maintain the U.S. Defense Establishment at a strength second to none in the world. A superior defense posture is required as a bulwark against the forces of aggression for the protection and security of our citizens and the free world.

At the same time I feel compelled to discuss with the House of Representatives my deep concern with regard to certain aspects and policies being pursued in the carrying out of the mission of the Department of Defense, both from the point of view of current happenings and also the formulation of plans which will affect our defense effort in the crucial years ahead.

The committee spent literally hundreds of hours over the course of about 4 months of hearings to explore the lengthy and involved Defense budget and the administration's policies and decisions on which the Defense budget request is based. The hearings produced much interesting and revealing testimony.

It is clearly understood that U.S. defense policy and foreign policy are closely interrelated. We need therefore to examine these policies, which provide the framework in shaping the defense budget and the basic direction in administering the defense program. This is the major area of concern for I believe various policies being followed and advocated are seriously wanting.

Despite contrary expressions and viewpoints, I firmly believe that the overall threat from communism has not diminished, that a genuine mellowing has not taken place in the Soviet Union and in many of the satellite countries, and that tensions between the Communist bloc and the free world have not been eased.

The basic administration defense decisions reflect more of a policy of seeking for the future to achieve a defense standoff or parity between the Communist bloc and the free world, not a decisive superiority on our part.

The Defense budget submitted to the Congress and the testimony received by the committee during the course of the hearings indicates that action is being taken toward this end. I have grave reservations about the implications of such decisions and policy.

It appears that examples of the efforts to carry out this policy include: a cutback of Minuteman missiles to 1,000 from the planned 1,200; decisions to delay production and deployment of the Nike X antiballistic missile system; a proposed low level of effort to develop the follow-on manned bomber; a lack of aggressive new weapons developments in research and development; and the Secretary of Defense's proposed reduced program of nuclear attack submarines from six to four.

As further evidence that this appears to be the policy, on April 26, 1965, in a speech before the U.N. Disarmament Commission, U.S. Ambassador to the United Nations Adlai E. Stevenson commented on actions that have been taken to limit and reverse the arms race to achieve arms control and disarmament.

Ambassador Stevenson seems to believe that nations have an obligation to make an arms reduction independently of others in the hope that others will act accordingly, for he states that the United States has taken some actions "which we hope will be reciprocated," including reductions in planned procurement of fissionable material and a reduction of B–47 strategic bombers. He declares that by mid-1966 the United States will have inactivated or destroyed over 2,000 B–47 bomber-type aircraft. Mr. Stevenson further states that there will be a reduction during 1965 in the number of B–52 aircraft, and that these reductions will also be accomplished by destruction of aircraft. Ambassador Stevenson also told the United Nations Disarmament Commission that the United States now plans to forego the construction of some advanced design Minuteman missiles which were included in our plans, as well as further increments of such missiles for the future.

Mr. Chairman, these actions, taken collectively, certainly are not based upon a realistic appraisal of and do not recognize fully the nature and magnitude of the Communist threat and about Communist thinking on vital matters relating to East-West relations.

Certainly we must not fail to recognize the obvious—that communism continues to seek world domination by any and all avenues that may be available to it. It stands to reason that any sizable slowing down of our efforts and reductions in our defense forces is one of the things the Communist bloc would most wish to see.

The world knows that the United States does not have aggressive designs upon any other nations. But it must also know that if aggression should occur, we are capable, in our preparations and our dedication, to take steps necessary to defend the people and interests of the United States and help advance the cause of peace and freedom.

The Department of Defense has displayed a far too narrow attitude toward advanced development, in effect putting a straitjacket on developing new weapons and procedures through arbitrary and rigid limitations and conditions.

Certainly I do not advocate open-end scientific and research fishing expeditions. But in this age more than ever the state of scientific technological advancement largely will determine military preparedness and effectiveness. We must allow creativity and initiative to go to work or we could become increasingly more vulnerable to potential aggressors in the late sixties and in the seventies.

The primary threat to peace are men and their motives.

Nuclear war is unthinkable to a rational person but there is always the possibility of the use of nuclear weapons by irrational people. We must therefore be fully prepared, taking into account the capabilities and known policies of potential aggressors.

Military judgment must be given proper weight in matters of national security. Strategy, the selection of weapons, and similar matters must not be dominated by political or other considerations.

Let me make clear that as of today we do have sufficient military superiority to deter aggression and to mount counter-action should attack occur. Much of the reason for our superiority are the advances made in prior years. Today's question therefore is whether or not we have the policies and the will to carry forward that military capability responsibly, and adequately, and decisively.

It is the future which is of particular concern because it is then that the results of many of the basic plans we lay at this time will be realized.

A complete review in depth of our foreign and defense policies is an urgent requirement that the Administration and this Congress must undertake.

SUMMARY

The amounts recommended in the defense bill for the Department of Defense for fiscal year 1966 total $45,188,244,000, new obligational authority. This is $60,600,000 less than the budget request. The total is $2,494,201,000 less than was appropriated in fiscal year 1965.

These funds will continue and increase the military strength of the United States, which has at this time already the strongest Military Establishment that has been maintained in our peacetime history.

The bill includes $4.48 billion for the strategic offensive forces, which are designed to provide a deterrent to nuclear attack on the United States or its allies and in the event of attack to limit damages to our people and industrial capacity. The sum of $1.57 billion is provided for the continental air and missile forces, the program designed to detect, identify, track, and deter unfriendly forces approaching our continent, and to help limit damage to our population and industry in case of nuclear attack.

The general purpose forces, the largest part of the major military programs, are designed to perform the entire range of combat operations short of general nuclear war. The sum of $18.63 billiion is provided in the bill for general purpose forces.

Airlift and sealift forces are created to provide a capability of moving our forces quickly to areas where they may be needed. The bill provides $1.53 billion for this program.

The sum of $5.3 billion is provided for research and development, which comprises five major categories: research, exploratory development, advance development, engineering development, and management and support.

The bill provides approximately $2 billion for Reserve and National Guard forces. This amount is to support a total of over 1 million personnel in a paid training status by the end of the fiscal year.

General support includes a variety of activities such as individual training and education, communications, logistic support, medical services, weather services, the national military command system, the defense atomic support program, claims, contingencies, and others—$13.14 billion is included in the bill for these items.

The final major program covers retired pay as authorized and prescribed by law. Costs are estimated at $1.52 billion and this amount is included in the bill.

The funds recommended in the bill will support an average of 2,653,000 military personnel.

The Department of the Army will receive a total of $10.96 billion and this would support Army forces of essentially the same size and makeup as the present fiscal year. The bill provides funds for an Active Army strength of 953,094. The Army forces will be comprised of 16 divisions, 4 armored cavalry regiments, 7 brigades, and 2 missile commands. The numbers of Army aircraft will continue to increase during the year as planes are delivered which were funded in prior years. Deliveries will also be made of large quantities of Hawk, Honest John, and Pershing antitank missiles, vehicles, communications equipment, and many other items.

Funding is provided for the procurement of 1,018 aircraft and over 32,200 missiles. This includes the first missile procurements of Shillelagh antitank and the Redeye antiaircraft missiles.

The Department of the Navy will receive $13.94 billion for military functions. The Navy will have an active fleet of 899 ships by the end of the fiscal year. Nine Polaris submarines, five nuclear powered submarines, one nuclear powered, and three conventionally powered guided-missile frigates, and six escort types will be delivered during the year from prior year funds. The active aircraft inventory will remain approximately the same although new aircraft will be received. The Navy will also get missile deliveries, including Sparrow, the Sidewinder air-to-air missiles, the air defense Hawk and Redeye for the Marine Corps, and the air-to-surface Bullpup.

The Navy under the bill will have an active duty strength of 684,848 personnel at the end of the year. The Marine Corps will have a strength of 193,190.

The bill provides a total of $17.52 billion for the Department of the Air Force. Active Air Force personnel strength at the end of the fiscal year is expected to be 809,134.

The active aircraft inventory of the Air Force at the present time stands at approximately 14,400 aircraft and it is expected to have approximately 13,700 at the end of the fiscal year. The bill will provide funds to support 74 combat wings and 112 combat support flying squadrons at the end of the fiscal year 1966. Two B–52 squadrons will be deactivated. The B–58 force will remain at the same strength, and the B–47 medium bombers will be phased out of active service. The tactical forces squadrons will increase during the fiscal year from 117 to 119.

The Air Force will continue to receive substantial numbers of F–4 fighters, C–130 and C–141 transports, and the SR–71 reconnaissance aircraft. Also it will receive tactical missiles such as Sparrow, Bullpup, and Shrike.

SUMMARY OF TITLE I, MILITARY PERSONNEL

The bill provides appropriations for military personnel, covering the major programs of pay and allowances, subsistence of enlisted personnel, permanent change of station travel, and other military personnel costs, totaling $14,598,500,000 plus reappropriations of $58,100,000, and transfer from revolving funds in the amount of $470 million. The amounts recommended by the committee are $38,500,000 above the budget estimates. Other than minor adjustments, the major cause for a net increase was the committee action to provide funds for the Army Reserve and the Army National Guard as separate organizational units.

PROBLEMS OF RETAINING EXPERIENCED CAREER PERSONNEL

The complex weapons systems which we have today demand high caliber personnel. The Army, Navy, Air Force, and Marine Corps all have stated that the major personnel problem in the services today is the problem of attracting the retaining skilled, highly qualified people to do the jobs at hand. Looking into the future, the problem seems to grow even more acute as we can expect an increase in retirements of our more experienced people coupled with further increases in the complexities of our weapons systems. Solutions must be found, and the Department of Defense should study this problem and make solid recommendations the Congress can act upon, such as the increased pay legislation.

SPECIAL TRAINING AND ENLISTMENT PROGRAM (STEP)

The Army has proposed with funds in the budget to begin a new program, the special training and enlistment program, known as STEP, which is open to serious questions on a number of counts. STEP is a proposal under which medical care and educational training would be given to enlistees who do not presently meet Army standards. The personnel needs of the Army will not be met by STEP. Testimony before the committee clearly indicated that the major manpower problem faced by the services is to attract and retain skilled personnel. STEP is ill conceived, duplicates existing programs such as the Job Corps, and would create additional problems without remedying existing ones.

The cost of the STEP as contained in the bill is $24.2 million, which could provide for training up to 15,000 personnel, though apparently no one really knows just how many will be trained the first year. Under the proposed STEP, the Army would take marginal enlistees, those it would not otherwise accept, and try to qualify them through a basic training program stretched out from 8 to 14 weeks, or longer, depending on the progress of the individuals.

The committee received considerable testimony about the STEP program, and I simply cannot agree that a need for it has been established. This matter first came up as a reprograming action in February of this year with a scheduled starting date of April 1, 1965. The Army sought to shift $7.4 million from fiscal year 1965 funds into the STEP program. The request was denied.

There is much conflicting data and information about just what the program would cost, and the methods followed in determining the cost. Although $24.2 million is included in the bill for STEP for fiscal year 1966, there seems to be considerable difficulty in determining the elements of cost which make up that figure or whether it is accurate or not. During the course of the hearings it was stated that based upon a 4-year program, to train 60,000 men, the cost per man would be $3,920. By multiplying through you obtain a figure of $235,200,000 as the cost for the 4-year program. However, in one set of supporting papers supplied to the committee just recently, the Department of Defense stated that the cost per man would be $4,104. This could come to a total of $246,240,000. In this connection we are advised that probable costs are determined on the basis of an assumed 50-percent retention rate and it was stated that the 4-year cost would be $144,630,000. Try as one might, none of these figures, no matter what kind of calculation is made, appears to bear any sort of relationship to the $24.2 million amount as budgeted and as is contained in the bill.

Furthermore, these cost figures do not include costs for new construction required by the STEP program. Here too, it is unclear as to just what the actual costs will be.

The Army clearly does not require this program to obtain adequate manpower. In terms of overall members, it receives sufficient men through enlistments and the draft. The major manpower problems the Army has, as were discussed at length during the hearings, revolve around its need to acquire and retain skilled personnel. The problem of how to retain skilled and experienced career personnel is growing more and more acute. Obviously, the STEP program would do next to nothing toward solving the problems in this area.

Aside from the lack of a demonstrated need for STEP, the proposal has been justly criticized on many counts. STEP would be duplication of work more properly being done in other areas, on other levels of government and privately. It would, for example, parallel the efforts of the Job Corps, one of whose aims is training youths for placement in the Armed Forces. Specifically, in the Job Corps Conservation Center Administrative Manual, it is stated that:

> Youth selected for the Job Corps would include those who have been unable to pass

the educational part of the Selective Service examination.

The manual further states that as part of its responsibility, the corps will help place those youths who have completed their training, and that one of the principal areas mentioned for placement is the Armed Forces.

STEP would aggravate the already admitted shortage of qualified teachers and counselors. It is difficult to determine just what type of curriculum would be offered the enlistees under STEP, but it is clear that a major subject would be social studies, which leaves the door open as to specific subject matter and the point of view stressed.

Furthermore, it could produce serious disciplinary problems. The Army has made encouraging progress over recent years toward solving disciplinary problems. In light of the testimony that these stem primarily from those in the lowest 10 or 20 percent of the enlistment or draft standards, I feel it would be completely unrealistic to hold that the STEP program will not bring about a sizable increase in Army disciplinary problems. Also, even if the men in STEP prove to be incapable of retention in the Army, they would still be veterans and eligible for peacetime veterans' benefits on the basis of their having been in the "Army."

If there is no clear-cut demonstrable need for the STEP program to enable the Army to obtain personnel, and on the other hand there are many actual and potential problem areas, why should the Army insist on spending $24.2 million for STEP during the fiscal year 1966? The original budget request for STEP for fiscal year 1966 was $31.3 million. The reduction is due to the additional delay in schedule in starting this program.

Despite the many skepticisms that were raised about STEP in the hearings, essentially the response was a dogged persistence that the Army should go ahead and that good could come of it. But to my mind the Army failed to give concrete evidence as to why such an undertaking is properly a part of the Army's mission.

It is commendable for the Army to show persistence, but that persistence should be directed toward doing the job it was established to do, which is to help provide for our national defense. The Army was not meant to nor should it be called upon to conduct programs such as this.

Funds included in this budget for the STEP proposal should not be deleted, but a limitation should be provided in the legislation that none of the funds appropriated shall be utilized for the special training and enlistment program. The funds which had been requested for the STEP program, and which are recommended to be retained in the budget, should be used for emergency problems, such as the necessary increases in Vietnam. This is made necessary by the administration's decision to increase our efforts in Vietnam which have not been adequately provided for in the budget.

ARMY RESERVE

The defense appropriation bill as in previous years provides separate appropriations for the Army Reserve and Army National Guard. The budget request was submitted to the committee on the basis of reorganizing the Army Reserve and National Guard into one unit within the National Guard. Before the committee can act on such a proposal, legislation is required to revise existing law.

The committee bill provides $504,800,000 to maintain the Army Reserve and the Army National Guard as separate organizational units at a level of 650,000 men. The budget request was for $459,800,000 to support a level of 575,000 men under a single unit.

SUMMARY OF TITLE II, OPERATION AND MAINTENANCE

For the operation and maintenance of our military forces for fiscal year 1966, $12,547,144,000 is recommended by the committee. This is an increase of $36,900,000 above the budget estimates. It is also $101,266,000 above the fiscal year 1965 appropriations.

Though the committee recommended $36,900,000 over the budget request for operation and maintenance, it did make various savings throughout this portion of the budget totaling $104,250,000. This amount however was left in the bill to provide, in the words of the committee, "for the higher priority needs wherever they may develop."

ADEQUACY OF THE BUDGET TO SUPPORT OUR COMMITMENTS IN VIETNAM

The fiscal year 1966 budget contains insufficient funding for the Vietnamese effort. The President has made certain policy decisions affecting our position and commitments in Vietnam. This commitment includes the large-scale introduction of American personnel and equipment. The decisions to commit American lives and American prestige must be backed up and supported with the appropriations necessary to carry them out successfully.

The committee's hearings on the defense bill extended almost through May. Markup was done on June 2 and the bill was reported last Thursday, June 16. All this covers several months after the decision was made to escalate the conflict in Vietnam. Certainly this should have given the Department of Defense ample opportunity to submit a revised budget estimate.

As a matter of note, revised estimates were submitted on other activities as late as May. Also, the President did revise the economic portion of the foreign aid bill for Vietnam, after his original submittal, in a June 1 message to Congress.

The committee during the course of the hearings on the appropriation bill itself and during the hearings on the $700 million supplemental request for emergency funds for southeast Asia gave Secretary McNamara every opportunity to review and revise the fiscal year 1966 budget.

It is also of serious concern that equipment and material priorities for Vietnam must not be permitted to so deplete active force inventory as to impair the readiness of our forces not committed to Vietnam. Our forces no matter where they are located, must be sufficiently equipped to respond to any emergency. Reserve stocks are for the purpose of having available a sufficient inventory to take care of the unknown and unpredictable events that could occur all over the world. The Dominican Republic is a recent example.

It was stated in the emergency supplemental appropriations hearings on Vietnam, and set forth in the committee report:

> Although we probably would not adversely affect our overall military strength by delaying in a minor way the continuing increase in military inventories, the committee believes a position of plenty—militarily—is to be desired in the light of world conditions. (H. Rept. 286, 89th Cong., p. 2.)

On the basis of this approach I find the position of the Department of Defense incompatible with what the fiscal year 1966 budget actually reflects.

Based upon existing procedures, the Department of Defense does have the ability to use emergency funds and transfers from other programs, but these means are to be used for emergency situations which were not known at the time of the budget request. The general nature of the conditions in Vietnam are known and the situation indicates that the current level of effort will at least continue and could require escalation. Though it is difficult to make precise estimates covering our Vietnam needs, nevertheless it should be possible to place some sort of overall figure on probable cost.

It is a fact that we are carrying out added activities and that they must be funded. This should be accomplished in a timely, reasonable manner, completely in keeping with the right of Congress and the public to know how much is being spent, when it is being spent and for what purpose.

In this connection, it is interesting to refer again to the committee action in allowing $104,250,000 in savings the committee developed in operation and maintenance to remain in the bill "for higher priority needs."

The report states:

> By leaving the dollars available for higher priority uses, the committee is again demonstrating its philosophy of plenty in the matter of maintaining the security and safety of the Nation.

This is the very approach that I believe should be taken with regard to the Vietnam situation since it is based on a recognition of the fact that we should have timely and adequate funding of military programs even though the exact amount required for this emergency cannot be precisely determined.

It seems apparent, therefore, that beyond the matter of inadequacy of funds, the entire problem of the thinking and approach of the administration relative to the conflict in Vietnam bears close inspection.

DEFENSE AGENCIES

In recent years there have been efforts to unify and strengthen defense management activities. One of the results of this has been the creation of centralized management facilities such as the Defense Supply Agency, the Defense Intelligence Agency, and the Defense Communications Agency.

The committee has, in the past, encouraged this effort. It has found out, however, that a little encouragement goes a long way, especially when it comes to matters such as adding personnel.

It is admitted, for example, that the Office of the Secretary of Defense had a 39-percent buildup in personnel between 1961 and 1966, from 1,453 to an estimated 2,023. The Joint Chiefs of Staff organization, including the Joint Staff, has grown by 77 percent, from 890 in 1961 to an estimated 1,577 in 1966. The Defense Intelligent Agency started in 1961 with 72 employees and will have 3,883 employees on its rolls June 30, 1965. While the services have had reductions to offset this increase, the entire idea of such a reorganization is to promote better management and efficiency. Presumably, placing the work under one head should result in a lessening of personnel.

I should particularly like to point out my concern about the Office of Assistant Secretary of Defense for Administration, which seems to have acquired enormous powers and responsibilities since it was created in July 1964. The functions encompass such areas as DOD coordinator in the area of command, control, and communications; to provide the Secretary of Defense and Joint Chiefs of Staff with the capability to conduct criminal or counterintelligence investigations; and to act as executive agent in all matters pertaining to national communications systems. These functions represent a great concentration of power in that Office which has broad and far-reaching implications to our national security.

An example of how still more functions are being added to the new Office of the Assistant Secretary for Administration was the creation of an Office of Directorate of Inspection Services, which is just getting underway now, starting with 26 employees. The separate services and most defense agencies already have inspector general positions which carry out the very type of function the new Office was established for. The Department was unable during the hearings to tell us just how the new Office might overlap, duplicate, or impinge on the duties of Inspector General offices already in existence.

It must be mentioned too that in spite of the obviously great need to look into and evaluate the activities of this new agency, the Assistant Secretary for Administration did not even appear before the committee. We were told he had "a major conflict" and could not appear. The witness in his place, the Deputy Assistant Secretary, was relatively new in the position which made it very difficult to explore in depth the activities of the rapidly expanding new Office.

The Office of the Assistant Secretary for Administration, with the type of duties and responsibilities placed in it and the propensities that have been shown toward expansion, could grow enormously in personnel and power and must be closely watched in the future.

Also, the centralization, duplication, and expansion that is taking place in the Office of the Secretary of Defense could further diminish the voices of the military services and other offices and agencies in matters pertaining to our defense program which must be heard. This whole area warrants extensive and critical review.

SUMMARY OF TITLE III PROCUREMENT

The committee recommends appropriations for procurement totaling $11,390 million which is a reduction of $21,700,000 below the budget estimates submitted. It is also $2,032,047,000 below the amount appropriated for fiscal year 1965.

F-111 AIRCRAFT

Included in this appropriation bill under procurement is $591,800,000 for the F-111 aircraft, formerly known as the TFX. The amount includes $140 million for the Navy model, the F-111B, and $451,800,000 for the Air Force version of F-111A.

This aircraft will definitely be a significant addition to our forces provided it meets its mission requirements. It should be aggressively pursued. There is a serious concern, however, about the problems which are being encountered in development. A major problem is one of excessive weight which affects both the Air Force and Navy version. Other problems were also mentioned which clearly indicate that we are definitely not ready for production on the Navy version and any production on the Air Force version should be carefully monitored to prevent costly rework.

The $140 million included for the Navy aircraft is to procure research and development models so that these problems can be worked out and then tested. These funds should not be used for hard tooling or production aircraft of the existing model.

NUCLEAR ATTACK SUBMARINE PROGRAM

The committee has recommended $133,600,000 to be added to the budget request for the construction of two additional nuclear-powered attack submarines. Only four had been requested by the Secretary of Defense. The testimony before the committee clearly demonstrates the need to continue a current building rate of six ships a year in view of the anticipated threat in the field of ASW for the late 1960's and early 1970's. It should particularly be noted that the Joint Chiefs of Staff recommended six nuclear attack submarines in the fiscal year 1966 budget.

DLGN—NUCLEAR FRIGATE

Twenty million dollars has also been added to the budget request for the advance procurement of long leadtime items required for the construction of the nuclear-powered, guided-missile frigate—DLGN. The total cost of the frigate is estimated at $150,500,000. I strongly concur in this action. It seems Congress is again put in a position of leading the way toward encouraging an increase in a nuclear Navy. I also feel there is too much stress by the Secretary of Defense on the initial cost rather than the long-term cost and effectiveness of a weapons system.

MINUTEMAN MISSILE

The previously planned program of 1,200 Minuteman missiles has been reduced by the Secretary of Defense by 200 to a new program level of 1,000 missiles. The 1,200 missile program would have provided a higher degree of insurance in our strategic capability and therefore the reduced program included in this budget is viewed with concern. It should be noted that the Joint Chiefs of Staff proposed a 1,200 force missile program.

The Secretary of Defense should review his position with the Joint Chiefs of Staff in light of the new evidence of Soviet advancements in this area, and reevaluate his decision.

AIRLIFT

The committee has repeatedly urged a buildup in our airlift capability in view of the assessments of the future threats and the nature of the conflicts anticipated. We do need an adequate airlift capability to assist in deterring aggression. Vietnam and the Dominican Republic are two current examples that have substantiated this need.

In view of the clearly established need now and in the immediate future, it is strongly recommended that no unnecessary risks be introduced into the planning. For example, the C-141 procurement program should stay at a substantial level until the C-5A aircraft has been proven.

TITLE IV. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

The recommended appropriation for fiscal year 1966 for the accounts included in title IV, research, development, test, and evaluation, is $6,594,500,000, which is $114,300,000 less than the amount requested. This is $145,980,000 more than appropriated for these functions for fiscal year 1965. The amount recommended for each of the accounts in this title of the bill is the amount authorized to be appropriated for that account by Public Law 89-37.

Our level of effort in advanced weapons developments is the area of major concern in our defense posture. Military effectiveness is largely determined by the state of scientific and technological advancements. New weapons systems must be aggressively pursued, based upon both the assessment of the threat and the pace of technology. Testimony during the course of the hearings reflects an approach falling far short of what must be done in this vital area.

It became apparent during the course of the hearings that there was a tendency on the part of some of the principal witnesses to believe we have essentially reached a plateau in new weapons developments. Such a belief is very difficult to accept, based upon both the overall testimony and statements from some of our foremost scientists, engineers, and military people. We have the capability to make large-scale, meaningful advances if pursued aggressively and purposefully.

But these efforts will fall short of success if the planning and consequent decisions on these programs are governed by a belief that there has been a leveling in the progress of science and technology. The efforts will also be impaired by too rigid demands that operational requirements be specifically defined before allowing new technological developments to be undertaken. Such restrictions stifle creativity, the evolution of new ideas, and the incentive to explore new horizons in science and technology.

The pace of advanced developments must be a reflection of both a realistic assessment of the threat and the advances in science and technology. If these considerations do not govern our decisions, we will become increasingly vulnerable in the late 1960's and early 1970's.

ANTISUBMARINE WARFARE

The field of antisubmarine warfare is an exceedingly important area. All of the witnesses agreed that one of our most critical and difficult areas of defense is antisubmarine warfare, both offensively and defensively. Yet the antisubmarine warfare portion of the budget is described as very "tight" primarily emphasizing operational improvements. Although we need improvements in our existing operational systems, the evaluation of the threat clearly shows our needs become even more crucial in the late 1960's and early 1970's for which we need new concepts and new systems. A "tight" approach does not permit the flexibility to explore potential concepts that might provide some of the solutions being sought. New ideas and new programs should not be straitjacketed by either a lack of funds or a lack of encouragement to explore new avenues.

It is encouraging that the Navy is reorganizing the antisubmarine warfare program under a single director, along the lines of a recommendation made some time ago by members of the Defense Appropriations Committee. Hopefully this will serve to help bring about an improved antisubmarine effort.

NIKE X

The decisions relating to deploying an antiballistic missile defense system remains a most critical issue for our strategic defense posture. Although there are many elements to be taken into account in such a decision, which leaves room for varying judgments, I believe a decision must be made very soon. Here again the Joint Chiefs of Staff clearly indicated that the program was not adequately provided for in the budget.

The primary area of differing opinions is over the degree of effectiveness of this system in handling a massive sophisticated attack. There is virtually no disagreement with the conclusion that it can handle smaller attacks.

The urgency of the need to initiate production and deployment of this defense system is underlined by the fact that insufficient support is being given toward achieving an adequate civil defense program.

MANNED ORBITAL LABORATORY

The sum of $150 million is in this budget request for the manned orbital laboratory program. There must be greater emphasis and direction in the field of space to overcome the military lag in space technology. A major step forward would be the development of the manned orbital laboratory. This is the only major program directed toward utilizing the military man in space. For this reason the committee has placed a limitation in the bill prohibiting the use of these funds being transferred to any other program.

ADVANCED MANNED INTERCEPTOR, YF-12A

The bill includes $5 million for development of the advanced manned interceptor, YF-12A, which is a very low level of effort, considering the need and the technological and military advances this aircraft would provide for our continental defense. Additional funds are included for related programs, but the overall effort cannot be described as aggressive.

When the Joint Chiefs of Staff were questioned as to the adequacy of the budget, the advanced manned interceptor was one of the areas pointed out as being inadequately funded.

I would urge the Department of Defense to consider revising upward its level of effort.

ADVANCED MANNED STRATEGIC AIRCRAFT

The committee has recommended an appropriation of $7 million more than was requested in the budget for advanced manned strategic aircraft development; $15 million had been included in the budget request thereby totaling $22 million of new obligational authority. An additional $24 million of the funds appropriated last year remain available only for this program for a total of $46 million.

Testimony during the course of the hearings indicated that the advanced manned strategic aircraft program has not been advancing as rapidly as possible due to decisions by the Secretary of Defense. The Air Force and the Joint Chiefs of Staff have clearly indicated the need for this program and at a higher level than that which was approved by the Secretary of Defense.

A mixed force of both missiles and strategic bombers has been justified as being required through the foreseeable future. There is question as to how long the B-52 will have adequate capability both as to structural and performance obsolescence. The schedule being quoted by the Secretary of Defense to retain the B-52 at least through the mid-1970's seems to be an outside date which incurs unwarranted risks.

Also during the course of the testimony it became apparent that this program would not have advanced to the degree that it has were it not for the funds and encouragement of the Congress.

There has also been discussion about the possibility of the F-111 being modified to include strategic bomber capabilities. Within limitations this can probably be effected, but it should be recognized that the capabilities of the F-111 would only suffice as an interim bomber as it cannot be stretched into having a full strategic bombing capability.

MILITARY SCIENCE

Basic research in the military sciences is an important and necessary element in the defense research and development budget. As expressed in the committee report there is concern, however, that these programs require better management and, more importantly, lack coordination and direction. There also seems to be a proliferation of studies of all types with overlaps between the services. In addition there are some of questionable benefit to the armed services.

A particular area that warrants a close review is the category of behavioral and social sciences. Considering the nature of today's warfare, it is readily admitted that behavioral and social sciences must be considered, but this is a field where the selection of such matter must be carefully determined to prevent academic excursions into nebulous areas that have little or no benefits to the military. The little benefit that might be gained perhaps warrants that this would better be done elsewhere and then used by the military services for further development into specific military applications.

Research in this area covers such subjects as social psychology, sociology, ethnology, humanistic sciences, cross cultural relationships, and teaching machines. Applications to the Department of Defense on these subjects require careful delineations that we have not found being exerted. For fiscal year 1966 $22,974,000 was requested. In fiscal year 1965 the amount was $18,726,000. The committee has essentially cut the budget request back to the fiscal year 1965 level of funds. A thorough review of this area should be made by the Department of Defense.

ARMS CONTROL AND DISARMAMENT

The subject of arms control and disarmament was discussed at considerable length during the course of the hearings. It is an element in our overall policy that has far-reaching effects directly on our defense posture and on our national security as a whole. The committee report states that it is indicated there is $2,600,000 in the fiscal year 1966 budget to contract for studies related to arms control and disarmament. Actually, the amount of funds contained in the budget for this purpose could vary considerably, amounting to millions of dollars, depending upon the definition used in describing arms control and disarmament programs. This, of course, is in addition to the in-house work being done within the Department of Defense itself.

It is understood that the Department of Defense and the Military Establishments must undertake research and assume responsible positions in any decisionmaking processes in this area. Such research, however, must be accomplished before any proposals are made, not after.

There is concern, also, about the weight being given military judgment. Armaments, strategy, and overall defense policies of our country are basic to the subject of arms control and disarmament. Since these are matters to which the Department of Defense has primary responsibility, it is obvious that they must be an active party to any arms control and disarmament deliberations in a priority position. Under existing procedures it appears a distinct possibility that proposals could be agreed to and simply presented as accomplished fact.

In view of the question over how much funding is actually in the fiscal year 1966 budget and the question of policy relative to the role of the Department of Defense, a thorough review and investigation into this area is urgently required.

CIVIL DEFENSE

Civil defense appropriations are handled by another Subcommittee of Appropriations and therefore is not included in this bill even though the Office of Civil Defense is under the Department of Defense. Inasmuch as our defense posture is based to a large degree on the scope and adequacy of our civil defense efforts, I would like to bring to the attention of the House what, in my opinion, is a situation which needs serious attention.

Various spokesmen for the administration, including Secretary McNamara, have said that a comprehensive fallout shelter system would be by far the single most effective damage limiting effort we can undertake toward saving lives. However, according to the Secretary of Defense, the Congress for 3 years running has declined to authorize the dual-purpose shelter subsidy program.

In this fiscal year 1966 budget he decided to concentrate his efforts on exploiting the existing potential for fallout protection under the present authority. It is estimated that this in itself would reduce fatalities by 30 million people or more.

The President's fiscal year 1966 budget request of $193.9 million was reduced by the House of Representatives by $104.7 million. It is apparent that the Secretary of Defense and the Civil Defense people who testified in behalf of the total budget request must not have made their case plain. The subcommittee of the House Appropriations Committee which heard the budget request is known for its thoroughness, and the House of Representatives upheld the subcommittee recommendations.

Decisions are required by the President so that firm and comprehensive plans can be drawn up to obtain the best protection possible for our citizens. There are other aspects of the damage limiting program which the Secretary of Defense has been holding up by a lack of decisions and aggressive action which would make our Nation more secure in the late 1960's and 1970's. Decisions need to be made on the production and deployment of a new manned interceptor, of the Nike X antiballistic missile system, of a new manned bomber as well as additional ballistic missiles if needed. Either we should go ahead with a comprehensive, well planned and administered civil defense program, or we should go ahead with the necessary weapons systems or perhaps a combination of both.

I am not prepared to say what the right decision should be, but believe that the whole damaged limiting problem should be opened up for discussion and decisions made so that action can be taken. Congress should be given the opportunity to hear the plans, to discuss and debate them, and to make the decisions as to what should be authorized.

The initial decisions must be faced up to by the President and then submitted to Congress. It is time to stop talking and to determine what action should be taken in regard to a damaged limiting program which will adequately protect the greatest number of our population in the event of a nuclear attack.

CONCLUSION

Mr. Chairman, I want at this time to express once again my position that this fiscal year 1966 defense appropriation bill will provide for a continuing strong America and that the bill should receive full support by the House of Representatives.

Though I have certain differences of opinion with reference to some of the approaches taken in connection with the shaping of the defense budget, it is of course recognized that in matters such as this different individuals may reasonably reach varying opinions. Nevertheless, it is my firm conviction that the areas I have referred to and discussed today are places and items that must receive serious attention by the Congress to help assure a completely adequate defense posture in the upcoming years.

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Illinois.

Mr. MICHEL. Within the past few days, the Department of Defense has announced that combat pay will be in order for certain of our forces in the Vietnam war. I might say that I was glad to hear of this announcement for it was long overdue. Is there money in this bill to account for this increased allowance that will be made over there if what we hear about is borne out by action?

Mr. LIPSCOMB. There is no planning in this bill for this specific item of combat pay. There is no planning for the purpose of an air mobile division, as has been recently announced. There is no money here for combat pay for the proposed 6,000 or 8,000 additional personnel recently announced for Vietnam and those are just exactly the points we are trying to make.

Mr. MICHEL. In other words, before the end of this fiscal year, we will surely have a supplemental request for x amount of dollars to pay for these additional personnel and combat pay and allowances.

Mr. LIPSCOMB. I think by reading the letter written by Secretary McNamara, which the chairman has indicated is at the desk, you can come to only one conclusion and that is you are going to have a sizable supplemental request next year, the next calendar year. Our point is that we should give the American public time to vote on it now and not after the fact. But we will certainly have a supplemental request.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAHON. Mr. Chairman, I yield 20 minutes to the gentleman from Florida [Mr. SIKES].

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-nine Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 152]

Baring
Bonner
Bow
Brown, Ohio
Colmer
Cramer
Ellsworth
Evans, Colo.
Green, Oreg.
Hall
Hansen, Wash.
Harvey, Ind.
Hawkins
Hays
Holland
Horton
Karth
Kluczynski
Landrum
Leggett
Lindsay
Mackie
Martin, Ala.
Mathias
Morris
Morrison
Pool
Powell
Reid, N.Y.
Roncalio
Ryan
Thomas
Toll
Wilson, Charles H.
Zablocki

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee, having had under consideration the bill H.R. 9221, and finding itself without a quorum, he had directed the roll to be called, when 395 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Florida [Mr. SIKES] is recognized for 20 minutes.

Mr. SIKES. Mr. Chairman, first, let me express appreciation for the privilege of working with one of the most effective teams that I have ever known, and I refer to the Defense Subcommittee of the Committee on Appropriations.

My associates are skilled and dedicated men. Our staff is expert and effective. In the chairman of the subcommittee—and he also is chairman of the full committee—we have in the distinguished gentleman from Texas [Mr. MAHON] one of the strongest and one of the best-informed leaders in the history of the Congress. In my opinion the accord with which the House of Representatives has received appropriation bills during this session bespeaks the confidence in which this distinguished gentleman, the chairman of the committee is held.

Mr. Chairman, permit me also to single out for individual mention the distinguished gentleman from California [Mr. LIPSCOMB].

He is the ranking Republican member of the subcommittee. He was thrust this year into that position. It is a position of great responsibility, and one fraught with difficulty. He has performed in an outstanding manner, and has rendered a significant contribution.

I feel that this committee and the Congress can take pride in the contributions which have been made here toward building the strongest defense America has ever known. That is the status of our Armed Forces today, and it is possible not only because of the efforts and the determination of those in uniform and those who make up the secretariat and the civilian components of our defense system, but also it is true because Congress has vigorously supported the concept of a defense second to none and because Congress has reserved the right to speak out when it was felt corrective steps or additional measures were required.

It is rather significant that emphasis in the past few years has been increasingly toward conventional weapons rather than the superweapons which we emphasized during the 1950's. There is and must continue to be a combination of both. But the weapons and the techniques which are being used primarily today are predominantly those of conventional warfare. The elaborate, sophisticated designs which capture our imagination and consume limitless dollars are not the weapons which are paying off in the jungles in Vietnam. Wars still are won by capturing and holding the enemy's territory. The problem today in Vietnam is simply that so much of the territory is now held by the Vietcong, and the South Vietnamese have not been able to develop sufficient strength to retake that territory and hold it. They are stretched thin; so thin that any serious breakthrough by the Vietcong now would almost certainly result in American forces being thrown in to hold the breach. That is why American forces are there in ever-increasing numbers.

I share the concern expressed by some of the members of this subcommittee that the budget estimates before us do not provide a realistic view of the actual requirements of the military in fiscal 1966. Undeniably, more men, money, and weapons are going to be needed to meet the military crises of the period. Those who persevere sufficiently to read the hearings will find that time after time I queried principal witnesses on the sufficiency of this budget to meet escalations which had not taken place at the time of the hearings, but which have taken place since. The answers in most instances made no realistic forecast of what has since happened and of what may happen to greater degree in future months. Quite frankly, it sounded too much like "business is usual." When you have a bear by the tail, there is no point in saying you are just exercising your grip.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Louisiana

Mr. WAGGONNER. I thank the gentleman for yielding.

I want to call the attention of the Members of the House to the fact that the gentleman now in the well is making a profound statement. We do have a bear by the tail, whether some people want to admit it or not. It was my pleasure and privilege, with a few other members of the Science and Astronautics Committee, the Armed Services Committee and the Committee on Interstate and Foreign Commerce, to attend the International Air Show in Paris over the last weekend.

We saw there that the Communists, primarily Russia, were exhibiting for all to see airplanes and military equipment that are examples of that kind of imagination and preparedness that the gentleman is speaking of so eloquently now and which we seem to want to forget. The Russians have produced and are producing now the kind of airplanes that we talk about building some time in the future. That situation is not in any way limited to airplanes alone. The sun may be shining in Moscow today but it has not thawed the cold war enough for us to go back to sleep and forget that we are engaged in a war of ideas for the control of men's minds. At that exposition we saw too something of the efforts of the Russians in space. Those of us who speak about the peaceful use of space, and the idea is noble, can be lulled to sleep if we forget that whoever controls space is going to control the peace in time to come. Research and development will give us military space capability. So the gentleman speaks with full knowledge of what we are confronted with if we do not use our imagination and ability to provide for the conventional and super weapon needs of the military to keep this country the strongest power on the face of the earth. The peace cannot be preserved any other way.

I personally appreciate the efforts of the gentleman from Florida, the gentleman from Texas and those members of this committee who are voicing these opinions at this time. I support them.

Mr. SIKES. I am very grateful to my distinguished friend for his contribution.

Now, Mr. Chairman, quite understandably those principal witnesses who were reluctant to admit a need for men and money and machines during the coming fiscal year did not want to sound like prophets of doom. They are confident of the capacity of our forces to meet the responsibilities which may be placed upon them and possibly this confidence is sufficient to excuse what I considered to be a lack of realism.

We must recognize the fact that, after all, $45 billion should buy and does buy a lot of defense. But it is well to note that this subcommittee in this bill added funds in certain critical areas. We are on record as recognizing deficiences.

As the grimness of the situation in South Vietnam intensifies, let me make these two observations. First, we are committed to fight in South Vietnam and we must win. It would be wholly ruinous to our prestige and to our hopes for the recognition of our future aspirations anywhere in the world if we were to forfeit our commitment in Vietnam. That means we must accept the possibility of an escalation of the conflict. Possibly we can engage the Vietcong with present forces, but not with present funds.

Only the Red Chinese can cause an escalation sufficiently large to require an all-out effort on our part. The experts are agreed that such an escalation would be extremely dangerous to Red China and she is unlikely to provoke such a conflict by sending mass armies into South Vietnam or into the neighboring states under the present circumstances.

Sometimes, the experts are wrong, but whether they are right or wrong, we have no choice. I think the American people recognize this. I see no disposition on their part to want to withdraw. If I know the American people, they want to get on with the winning of whatever it is we are involved in. Once we got ourselves similarly involved in South Korea, but then we made the serious mistake of attempting to extricate ourselves short of victory. We compromised. By so doing we gave Red China world recognition and world prestige she never could have obtained otherwise. And we cheapened our image just as much. And nothing was settled. Red China is our real enemy of the future, and there is no point in backing away from trouble with Red China now or in the future. We will do better if the world knows, and if Red China knows, that we are ready, willing, and able to settle that problem whenever it comes.

For years we have maintained a strong defense and in the immediate past few years it has been the strongest in history. Sometimes strength breeds overconfidence and people who are overconfident become vulnerable. We may be overconfident in some areas and one area of especial concern to me is that of aircraft development.

As my friend the gentleman from Louisiana pointed out a few moments ago, some of our colleagues who went to the Paris Air Show believe the Russians stole that show. Some who are experts are downgrading the new Russian planes. But the planes were there and they flew. The Russians already have spectacular planes of the future which we do not have. They have the planes we are talking about building.

That is a serious matter. It is a serious thought that the huge cargo plane, the C–5, the advanced jet transport, and the huge helicopter, all of which are in the process of development in this country, are being flown by the Russians.

We are planning rather vaguely for a follow-on bomber to replace the aging B–52. We have to face up to the fact that the Russians may already have a follow-on bomber. No, we have not seen it, so we assume it does not exist; but we had not seen the new cargo plane, the new jet transport, and the new helicopter prior to the Paris Air Show. We could be in for another rude awakening.

In the meantime, at home, the Navy version of the much-discussed TFX is in trouble, and its weapons system is in deeper trouble.

We have talked too long about designing, planning, and cost, and not enough about getting things done. We are developing blind spots. We see only what we want to see.

Mr. Chairman, there was a time when this committee could call in the heads of the major commands and gain from them valuable information about the areas of greatest emergency. In cases where that emergency had not been appropriately recognized in the high places, this committee supplied a remedy. I believe we contributed substantially to the Nation's defense effort in the process. But it is becoming increasingly difficult to get that kind of testimony. A Pentagon ruling has substantially tied up all information other than the official Department of Defense line, even to the committees of the Congress, and that is not a wholesome situation.

The directive on the subject of congressional appearances by Department of Defense witnesses, issued in January of this year, puts witnesses in a straitjacket when they are asked for personal opinions before congressional committees. This has been referred to editorially as tightening of civilian reins on the military. To me it appears restrictive to the point that it discourages thinking within the Department of Defense and prescribes blind obedience to the official line. I am distressed to think about the future of our Armed Forces if its personnel are not permitted to have thoughts about the way the job can best be done. This sort of thing can be carried to an extreme.

Now, let me talk rather briefly about a few of the items which make up this complex and costly bill.

I find myself more and more concerned about the increase of personnel in OSD and DIA levels. The numbers have grown amazingly.

In fiscal year 1961, the number in OSD was 1,453. Proposed for fiscal year 1966 is 2,023.

In the first year of the Defense Intelligence Agency, on October 1, 1961, the number assigned was 71. The number proposed for fiscal year 1966 is 3,882.

Perhaps some of this is necessary, and perhaps some of it is "empire building." I am certain not all of it is necessary.

Some 3 or 4 years ago we began a substantial buildup in procurement of missiles and equipment for the Army. The Army had reached a low level of readiness insofar as modern weapons and equipment were concerned. By maintaining a high level of procurement for this need in the intervening years, we placed the Army at its greatest strength in years. This year there has been a cutback in the procurement appropriations. Last year's procurement appropriations were $1.6 billion, and that figure was down from the previous year. This year it is $1.2 billion. Yet the Army has just engaged in the Dominican crisis and is heavily committed in South Vietnam. It is totally unrealistic to begin a downward trend in procurement of weapons and equipment at a time when our supplies are being burned up at a much heavier rate, with every prospect of greater requirements in the future.

I find a few who share my concern, but I am concerned by the fact that we plan fewer and fewer aircraft, each of them carrying bigger and bigger cargoes in our strategic and logistic forces. To me, this is inconsistent because of improved ground defenses against aircraft. Every year ground defenses against aircraft are getting better; yet we propose to send fewer aircraft against those better defenses.

I do not know how many will be left to get through.

The action of the committee—and I want you to hear this—the action of the committee continues the status of the Reserves and the Guard just as they were prior to the McNamara proposal for consolidation. Funds are provided for drill pay units at the approximate present strength of 650,000. That is 100,000 more than the Secretary proposed. It is expected that this will be divided according to present levels which are 376,000 guardsmen and 267,000 Reserves.

The committee report states that this action is not to be construed as taking a position pro or con on the proposed merger. Before the Secretary takes that bait and runs under a log, let me point to a number of items of significance.

The Secretary of Defense proposed to accomplish the merger of the Reserves with the Guard with no legislative authorization but with a single line item in this appropriation bill. It was quickly pointed out that this was not a proper proposal; that if such a merger is to be accomplished, it requires hearings and legislative action by properly constituted legislative committees of the Congress. This has been agreed to by the Secretary of Defense. In the meantime, the Committee on Appropriations has disapproved the proposal to reduce Army Reserve Forces strength and is appropriating sufficient funds to carry the present program forward. This I think is entirely proper. The United States may soon need every trained and experienced military person this country has. The reservists are entitled to their right to be ready. We have not won a war yet without them, and I doubt that we are going to in our time.

The Congress time after time has thrown its support behind a trained, well equipped, and combat effective program utilizing both the National Guard and the Reserve. The proposals made earlier this year for a merger have been injurious to morale and have done damage to the national defense in critical times. It is unfortunate that the Congress was not taken more into the confidence of the Department of Defense in preliminary considerations of this matter.

I do not want to dwell too long on this subject, but I do feel that I should refute a statement that has been made repeatedly by Defense witnesses to the effect that the Reservists are not adequately trained or properly equipped I respectfully submit that no one is at fault in this but the Department of Defense. The Reservists have done the best they could with what was made available to them. They always were at the bottom of the list. The Congress provided all of the equipment and all of the training programs of the Reservists that have been recommended by the Department and more money than the Department has been willing to spend.

Meantime, the Secretary of Defense, both in public hearings and in press conferences, has stated that he expects to abide by the expressed wishes of the Congress and that if this merger proposal is disapproved he will go forward with intensive training of both the Reserves and the Guard. I hope this also means that steps will be taken to rescind actions now in progress toward implementation of the merger and that a program will promptly and positively be set in motion to offset the bad morale, in the Reserve Forces created by the announcement of December 12.

Finally, let me emphasize again the fact that both in line items for personnel and for operation and maintenance, the merger is not approved.

Mr. FLYNT. Mr. Chairman, will the gentleman yield to me at that point?

Mr. SIKES. I yield to my distinguished friend from Georgia.

The CHAIRMAN. The time of the gentleman has just expired.

Mr. MAHON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. FLYNT. Mr. Chairman, I congratulate and commend the gentleman from Florida for the statement which he has just made. I would like to associate myself with his remarks.

The distinguished and able gentleman from Florida has made a comprehensive study of the personnel requirements of every segment of our military forces. His words should be listened to by those who serve in the Department of Defense as well as those of us who serve in the Congress.

He has spoken of the requirements for a strong military establishment capable of preserving the position and posture of strength of the United States of America.

Mr. Chairman, I sincerely hope that the words of our colleague from Florida will not go unheeded.

Mr. SIKES. Mr. Chairman, my distinguished friend from Georgia is most generous in his comments.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the distinguished chairman of the great Committee on Armed Services, the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Mr. Chairman, I want to commend the gentleman on a very comprehensive and knowledgeable statement. It indicates the deep and intense dedication of the gentleman from Florida. I know of no one more qualified to speak on the areas to which he has so eloquently addressed himself and I want to associate myself with him.

In the area of the B-52 bombers, I think the events of that mission to Vietnam indicate the need for modern arms. We have urged the Secretary to get on with the program definition of the followthrough of the B-52. Time is wasting.

At the Paris airshow which I visited, the indications are that Russians are building very good airplanes. We saw a helicopter there that is quite capable of lifting very heavy loads. These aircraft and these programs are working. The gentleman knows whereof he speaks.

We have urged the Secretary to get on with the program definition of the C-5A and it is hoped this will come this summer. Time is of the essence in these areas.

I am fearful and the Nation had better be fearful. Somebody in the Defense Department should be more interested in personnel warfare and more knowledgeable in manned systems. This is true of the improved manned interceptor which we do not have. Of course, we do have a fine airlift and we are implementing it every day. The 141's are coming in fine and fast but we need the C–5A. Nothing is more important.

Mr. Chairman, speaking of the Reserves, the Nation sees now that our Committee on Armed Services was wise when we did not accept the merger of the Guard and the Reserves at this time. We are determined not to go in headlong on these programs unless and until a worthwhile case has been made in the interest of the security of this Nation.

The things which worry me should worry every member of this committee and the Congress. One of these things is that the Guard and the Reserves have not been given the missions of which they are capable. This is eroding their dedication and is destructive of their morale. These things concern us. Had the Reserve components been given the missions and the equipment things would not be as they are.

Mr. Chairman, the gentleman has made a very eloquent statement to you. Read it. You would do well to listen to him. Our committee has not the remotest idea of carrying out some of the recommendations about which you have read unless and until we go into them fully, because we are your agents. Unanimously the Congress made me chairman of the Committee on Armed Services. I am determined. I do not care what happens. I do not care what controlled group of columnists, blackmailers, libelers, and slanderers speak against me and vilify the committee over which I have jurisdiction as a result of your dedication. I am determined, so help me God, to carry out my constitutional mandate and provide this country to the limit of my capacity—and I speak for 37 Members of the House—with the best military in the world, because of your direct charge to me.

Mr. Chairman, I thank the gentleman from Florida for giving me this opportunity and for his statement with which I can find little to disagree.

Mr. SIKES. Mr. Chairman, the gentleman from South Carolina [Mr. Rivers] has made a significant contribution, just as his leadership provides significant contributions to the work of the Congress.

Now, to move to the general subject of the availability of personnel for military service.

For a long time, we have been concerned with competition by industry for trained military personnel. There is now a new problem—that of competition for personnel by the Economic Opportunities Act. There are cases where it is more advantageous financially to join the poverty program than it is to join the military services, and, in addition, it is safer and less exacting. For them, there are no Vietcong bullets. To join the military, a man must meet basic requirements of mental and physical competence that the average Job Corps enrollee would fail. But, if the Job Corps enrollee uses his training as a way to qualify for enlistment, he will have to take a pay cut to join the military services.

This is not a matter to be taken lightly. We cannot afford a decline in armed services enlistment. Yet enlistments are down. But, now there is competition at both ends of the line for the men who are needed in uniform. A sense of high value is imperative in the training of our youth. We are not encouraging this sense of values when we place a premium on nonachievement. One answer is a pay raise bill which has been proposed and which should be enacted.

We talk of rapid transport equipment on land and sea for military forces and supplies, but we are building only token numbers of this new equipment. Unquestionably, we now have great need for means of rapid transport in faraway corners of the world. Prototypes do not supply the support that combat forces need. I think this program should be stepped up materially.

There is renewed emphasis this year on a manned orbiting laboratory. I question that there has been sufficient effort in military in space research. It is all but incredible that after 7 years of space research so little has been accomplished in the field of the military space effort. There has not been a lack of expenditure. Nearly $2 billion a year is now being spent in developing the military potential in space. Yet, we have very little to show for it. I am not certain that sufficient stress is being placed on this area now. The manned orbiting laboratory should not be our only functional accomplishment. In any event, the manned-orbiting laboratory is past the talking stage and we expect to have some hardware in that category at least.

Now, Mr. Chairman, there are many things that I would like to discuss, but I shall conclude with only this statement.

My discussion at times today has been critical. That criticism is intended to be constructive. I take great pride in America's military organization and in its personnel. I think it is the best in the world. That does not make it perfect, and I am sure that I can be excused if I insist upon improvement in those areas where I consider it less than perfect.

Mr. Chairman, I have worked with the military organizations for many years. I have tried to view them objectively. I am certain that Congress has the responsibility to prod our Government and its agencies in the right direction to the extent that we are endowed with the ability and discernment to do so.

So, now, Mr. Chairman, I salute a great and effective organization, the military forces which I believe are a better organization because of the insistence of the Congress.

Mr. LIPSCOMB. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. Laird].

Mr. MAILLIARD. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I would be happy to yield to the distinguished gentleman from California.

Mr. MAILLIARD. I thank the gentleman from Wisconsin.

Mr. Chairman, I have asked the gentleman to yield in order that I might pose a question to the chairman of the committee.

Several weeks ago, in reading the hearings, part II, on "Operation and Maintenance," beginning on about page 252, there is considerable discussion of the use of naval ships in Operation Steel Pike.

The witness for the Department of the Navy inadvertently, I am sure, put some very incorrect information into the record. I contacted the Department of the Navy and I understand that they have sent a communication to the chairman of the committee correcting this record.

In order that such correction may be printed—and it has not been previously printed—I wonder if the gentleman from Texas would at least state its contents at this point in the Record?

Mr. MAHON. Mr. Chairman, will the distinguished gentleman from Wisconsin yield?

Mr. LAIRD. I am happy to yield to the gentleman from Texas.

Mr. MAHON. I am pleased to respond to the question of the gentleman from California.

Admiral Ensey wrote me a letter on May 3, 1965, making reference to the gentleman from California [Mr. Mailliard] and to the error which the admiral made. In that letter he expressed regret as to the incorrect statement which had been made.

Mr. Chairman, at this point in the Record, if permission is granted later, I shall insert either the letter or the chief contents of the letter. It is obvious that Admiral Ensey did not make the facts clear in his previous statement. The letter from Admiral Ensey is as follows:

May 3, 1965.

Hon. George H. Mahon,
House of Representatives,
Washington, D.C.

My Dear Mr. Mahon: Congressman Mailliard has called to my attention that a part of my testimony on February 19, 1965, at the Operations and Maintenance, Navy, hearings appears to be in error and suggests a departure from the Navy's traditional position in support of the U.S. Merchant Marine. When asked what merchant ships were used in exercise "Steel Pike I," I replied that they were old conventional World War II standard merchant ships. While I regret having to initiate action to set the record straight, I appreciate having this brought to my attention by Congressman Mailliard and the opportunity his appraisal affords to clarify my position.

I was incorrect in indicating that all ships used in the exercise were of World War II construction. As is now generally known, a large percentage of the ships were modern, subsidized cargo ships. Certainly these new ships contributed substantially to the success of the exercise and provided an impressive display of modern merchant ship capabilities in a simulated wartime environment.

The overall objective of my testimony in this matter was to make it quite clear that there is no merchant marine capability, old or new, which can substitute for amphibious ships, integral to our fleets and specifically designed to meet the needs of our Navy/Marine team for landing in amphibious assault. Clearly, modern, high-speed merchant cargo ships are essential to meet the heavy demands for material supply and resupply of our troops ashore. It was in this context that I endeavored to draw a distinction between those ships which must be designed for our specific amphibious assault requirements in the initial assault landing ashore and those merchant ships which, on the other hand, are needed to augment our Navy capability and to sustain us through successive phases of the total operation.

I believe this is a logical and fair assessment of the differing roles of Navy ships and merchant ships in the complex amphibious operation. It was my intent to emphasize our militarily peculiar amphibious ship needs. It was not my desire to do so in a manner suggesting any degradation of the vital role which the merchant marine, too, must play.

I would much appreciate your consideration of this clarification of my views and request your assistance in setting the record straight in such manner as you may deem appropriate.

Sincerely yours,

LOT ENSEY,
Vice Admiral, U.S. Navy.

Mr. MAILLIARD. Mr. Chairman, if the gentleman from Wisconsin will yield for one more second so that the members of the Committee will understand. Admiral Ensey inadvertently indicated that the merchant vessels which were used in this amphibious assault in Spain were unsatisfactory or World War II vessels. As a matter of fact, they were highly satisfactory, brandnew vessels, for which the Congress has recently appropriated the money to build and as a member of the Committee on Merchant Marine and Fisheries I simply did not want this statement to stand unchallenged in the RECORD.

Mr. MAHON. Yes.

Mr. MAILLIARD. I thank the gentleman.

Mr. LAIRD. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from California who has made an objective and penetrating analysis of the situation.

By now, it is no secret that a precedent has been set on the Defense appropriation bill inasmuch as this is the first time additional views have been filed at least in the 13 years it has been my privilege to serve on this committee. It should be made clear that these are not minority views or opposition views but are properly entitled additional views.

There is good reason for the precedent we have set here today. All minority party members of the Defense subcommittee support this bill but feel very strongly that another year cannot go by without expressing our very deep concern about certain overall policies that have become a hallmark of our present defense program. We also feel it necessary to express concern about certain specific aspects of the bill which is before this House.

Mr. Chairman, members of my party have gone the extra step to support our President and this administration on every question thus far raised in public debate when the national security of our country has been involved. It has been members of the President's own party who have been leveling a constant barrage of criticism against the administration's foreign policy especially in regard to Vietnam.

I have supported the Secretary of Defense on many occasions. Secretary McNamara has been overridden by his own party's majority in the Congress in such areas of concern as base closings, reserve programs, pay scales, and other controversial proposals.

It is my own conviction that no minority Member should ever allow himself to be cast in a position where he cannot question or sincerely criticize military or foreign policy when there is legitimate cause for concern. Much of the concern which we, the minority members of the Defense Appropriations Committee, share has been very ably discussed by the gentleman from California and I would once again like to indicate my strong concurrence in the views he has expressed.

For my part, Mr. Chairman, there are two specific areas which deserve additional comment: the budget guidelines and their effect on Vietnam; and our advanced development efforts with particular emphasis on the antisubmarine warfare program.

BUDGET GUIDELINES

Mr. Chairman, the testimony before our committee on the establishment of budget guidelines—a euphemistic description for budget ceilings—was devastating. A cursory glance at the quotes in the additional views contained in our committee report demonstrates this fact. Major General Crow, for example, who is Director of Budget, Comptroller of the Air Force, as late as March 26, 1965, told our committee that the budget guidelines did not anticipate increased activities in Vietnam and that these guidelines were really a carryover of the guidelines that were used in the preparation of the fiscal year 1965 budget, guidelines, I might add, that were formulated in 1963.

If this statement by General Crow is accurate and there seems no reason to question it, one can only express astonishment that the Defense Department considered 18-month-old budget guidelines adequate for the needs of 1966 when the entire picture of the Vietnamese situation has changed so radically.

As a matter of fact, Mr. Chairman, it is not my belief that the Defense Department really considered these 18-month-old guidelines adequate. Rather another and more logical explanation presents itself in light of recent developments.

In January of this year, the fiscal year 1966 budget was sent to the Congress by the President. It contained estimated expenditures that were just barely under the much publicized $100 billion budget ceiling. Yet, this budget also contained many very costly new domestic programs such as the Appalachia bill, the aid to education bill, and medicare.

The seemingly impossible had apparently been done. A budget was submitted below the $100 billion ceiling without any apparent need to forgo new and costly domestic proposals.

In my view, Mr. Chairman, this was possible because the administration undoubtedly must have known that the Defense budget could initially contain requests for a great deal less than was actually needed. It was clear that the Congress has never, nor is it likely that it will ever deny the funds necessary to carry out our country's defense needs.

This fact was demonstrated in remarkable fashion when the $700 million supplemental to the fiscal 1965 budget was requested earlier this session to partially fund our increased activities in Vietnam.

It will be demonstrated again in January or February of next year, if not sooner, when another supplemental request will be submitted for the fiscal 1966 budget to remedy the inadequacies in the bill that is before this body today.

Mr. Chairman, I have no doubt that Republicans will support that supplemental for fiscal 1966 just as they did the $700 million supplemental of a few weeks ago. But I also have equally few doubts about the fact that Republicans on that occasion will not refrain from telling the American people of their extreme displeasure at the cavalier way in which this administration sees fit to inject political considerations into its defense proposals.

It is about time that the American people be made aware of the fact that they get only one widely publicized look at a fiscal year budget. That comes when the budget is submitted. Very seldom, if ever again, is the total budget for a particular year added up and presented to the American people in the same clear and widely publicized fashion.

Few Americans, for example, have forgotten that the estimated expenditures for the fiscal year 1966 budget were $99.7 billion. But few Americans will ever realize that when all the supplementals are totaled in, the expenditures will be well over the $100 billion figure.

Mr. Chairman, this initial cutback in defense funding requests in order to finance costly domestic programs and still keep the estimated expenditures under $100 billion is one explanation for the inadequacy of funds for our increased activities in Vietnam. But there is another, equally plausible, explanation.

It is possible that the administration did not anticipate the continuing need for increased activities in Vietnam. It is probable that our policymakers—when the initial decision to go north was first taken—felt that negotiations would be agreed to within a short time after our air strikes began.

If this in fact was the reasoning within the administration, an analogy exists between the Vietnam situation of today and the events that led up to the Cuban missile crisis of 1962. It should not be forgotten that our top foreign policy advisers and intelligence analysts disregarded the evidence that missiles were being introduced into Cuba because they felt that the Soviets would not attempt such a thing.

It is equally possible that our top foreign policy advisers and intelligence analysts felt just as strongly when the decision to go North was made that the Communists would be willing to negotiate in a very short time and that our air activities and increased commitment in Vietnam would be a short-term affair and would not require a sustained and costly effort. It is even possible that this view persists even today, which would explain, at least in part, the reluctance to revise the budget in anticipation of a continuing need to sustain our war effort in Vietnam through 1966.

If this reasoning is valid, Mr. Chairman, it can only lead to the conclusion that the administration expects the war in Vietnam to be slowed down or halted either by a capitulation by the Vietcong—hardly likely in light of their successes on the ground and our reluctance to hit significant military targets from the air—or by a negotiated settlement—which seems to be our present first choice.

These remarks should not necessarily be taken as a criticism of the administration's assessment of whether a negotiated settlement is in the cards in the near future. But criticism is justified of the administration's apparent willingness to gamble that their assessments are correct without properly planning for the contingency that negotiations will not be agreed to by the Communists in southeast Asia. This is the same sort of gamble that was taken and lost in regard to the Cuban missile crisis of 1962.

At the very least, we should provide for a hedge on the probability that negotiations will not be forthcoming or have immediate results in the near future. We all remember the Korean negotiation.

Mr. Chairman, it is my own conviction that one or the other or a combination of the two explanations I have described account for the refusal to request adequate funds for our increased activities in Vietnam. Neither explanation, in my opinion, is a justifiable one for taking risks we can ill afford.

It should not be forgotten that we have committed thousands of American lives as well as American prestige. Both the lives and the prestige must be adequately supported in order to minimize American casualties and loss of American prestige.

Closely related to these concerns is the need for recognition that we are playing a dangerous game in regard to other present and future possible commitments of men and materials. I would caution very strongly, as was done in our additional views, that equipment and military priorities for Vietnam must not be permitted so to deplete Active Forces inventories as to impair the readiness of our forces not committed to Vietnam. Presently we have encountered an added requirement as a result of our actions in the Dominican Republic. It has been said by many in authority that the possibilities of another incident like the Dominican Republic are very likely. Although we cannot anticipate such events with a high degree of probability, or estimate precise requirements in the event they do happen, allocations must still be made in a budget so that should they happen, we will be prepared.

The question, therefore, is more than the adequacy of funds in the budget, it is also the thinking and the approach which has been used to prepare that budget. On both counts, the budget that is before us reflects a serious problem that demands a serious reassessment by the administration both from the standpoint of planning and funding.

ANTISUBMARINE WARFARE

Mr. Chairman, in the whole area of advanced developments, there are many areas that give rise to concern. The gentleman from California has discussed several of them. We are convinced that military effectiveness is largely determined by the state of scientific and technological advancements. Our purpose is peace and freedom but to attain that purpose in light of the threat we face, new weapons systems must be aggressively pursued. Testimony during the hearings reflected an approach falling far short of what we believe must be done in this vital area so long as the threat remains and the pace of technology continues to advance.

Mr. Chairman, an area of particular concern involves our efforts in the area of antisubmarine warfare. The problem of ASW is one of the most crucial problems we face as we look into the future.

An assessment of the threat demonstrates that it continues to increase significantly.

An analysis of our technological capability clearly indicates that the complexities of the problem will continue to multiply.

These evaluations were admitted during the course of our hearings and, in fact, Secretary McNamara himself stated:

> I think we do not yet have a satisfactory capability to defeat an attempt by the Soviet Union to launch ballistic missiles against our cities from their submarines.

The Navy testified that the problems are becoming increasingly more thorny as we look into the future.

Though we were told the threat and the problems are increasing, we were also told that the ASW budget in research and development was very "tight." This appears to be somewhat of a contradiction.

Since research and development will be the critical area where solutions will be found, the planning of the budget should reflect a flexibility to be able to pursue a number of approaches. Not only was the budget "tight," but it emphasizes operational effort. While we do need improvements in our operational systems, the key is in new concepts and in new systems.

But, Mr. Chairman, even in the operational area we find that the Secretary of Defense cut approximately $289 million out of shipbuilding and conversion for ASW. As part of this reduction he cut the Navy request for destroyer escorts by 6, from 16 to 10.

He requested no funds in research and development to continue the regenerative turboprop program even though, Admiral Raborn, 2 years ago, described this as one of the most important developments as far as research and development was concerned. In fact, it would increase the range and capability of the aircraft at least 25 percent and at that time was given top priority.

For the fiscal 1966 budget, the Navy had requested funds for the regenerative turboprop program but they were denied by the Secretary of Defense. This was considered a very important item as far as ASW is concerned, and yet we find Secretary McNamara stating before our committee that, "further study has convinced us that it is unlikely that this engine will be retrofitted into existing aircraft or installed in a new aircraft during the next decade."

Mr. Chairman, although this engine can in fact be retrofitted into the P-3 aircraft which would significantly add to its ASW capabilities, it seems that we will not have it. It seems we can also assume we will not have a new ASW aircraft.

These decisions and the approach they represent certainly do not seem to reflect the level of effort necessary to cope with the threat and the technological problems which have been described.

The whole area of antisubmarine warfare is an urgent requirement recognized by all competent experts and which needs adequate funding. But perhaps even more importantly, it needs the kind of planning and decisionmaking that recognizes the severity of the problems and the critical nature of timing.

Though the full effect of the decisions we make will not be realized until the late 1960's or early 1970's, it should be recognized that new weapons systems, as the Secretary of Defense has told us, take anywhere from 10 to 15 years to fully develop and become operational. This problem therefore, must be attacked now. I urge the Department of Defense to consider revising its ASW budget to a higher level of effort in order that it can pursue this problem more aggressively and purposefully.

Mr. Chairman, few would disagree with the statement that the foreign policy of this country determines in large measure the defense posture we will attempt to maintain. One of the primary purposes of the additional views that were submitted was to discuss the foreign policy aspects of this administration with particular emphasis on the assessment of the threat which we face.

One does not change overall foreign policy in an appropriations bill but one can question, in discussing the adequacy of an appropriation bill, the foreign policy which, in large measure gave rise to the funding requests which determine our level of effort in the defense establishment.

This is the crux of the matter. Based on foreign policy assessments of the threat which we face, the administration's defense policy reflects more of an attempt to achieve a balanced deterrent or a parity of defense forces rather than insuring a decisive superiority.

What is needed more than anything else is a curtailment of our tendency to view conditions in the world as we would like them to be and view them instead as they actually are.

We must view the world realistically, recognizing that an aggressor does exist, who seeks to dominate the world, and is building up a capability to do so. This recognition demands an approach which dictates superiority—military, economic, technological, and political.

To do less, based upon the progress of events in the world, would be to invite disaster rather than assure peace.

Mr. Chairman, our primary concern at this time involves the late 1960's and early 1970's. It is during that time period and beyond that the effects of today's decisions will be felt.

It is up to our leaders today—in foreign and defense policy—to make realistic assessments of the needs of tomorrow.

Mr. Chairman, it is up to the Congress to see that they do.

Mr. MAHON. Mr. Chairman, I yield myself 1 minute.

Some reference has been made to the $100 billion expenditure budget for the fiscal year 1966. I believe we all know that the appropriations budget, that is, the new obligational authority for this year, is approximately $106 billion. The estimate of the executive as to the expenditures is still, as I understand it, about $100 billion, and I hope we make that.

With respect to the adequacy of the bill, I believe we all recognize that additional funds will be required if the conflict continues to escalate in the Far East. We do not know how much will be required at this time. We will provide the necessary funds at a later date. I am sure we will all join together in that. I am sure the executive branch realizes, as we do, that there will be additional costs. Until we know in reasonable detail what those costs are apt to be, it would not be prudent to make the appropriations.

With respect to the overall readiness of the forces, I wish to say, for Secretary of Defense McNamara, that the increase in the readiness of the forces has been nothing short of phenomenal during the time the present Secretary of Defense has occupied that position. A tremendous and spectacular improvement in readiness has been wrought. It is a consolation to the American people, I believe, to know that under the management which has been provided we have been able to present a much greater degree of readiness than ever before in the history of the country, as I have noted in detail earlier. The Secretary has provided leadership of the highest quality.

Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. Whitten].

Mr. WHITTEN. Mr. Chairman, I wish to join with the gentlemen who have preceded me as to the hard work and mastery of this subject, not only on the part of the chairman of the full committee and the chairman of the subcommittee, the gentleman from Texas [Mr. Mahon], but also the gentleman from Florida [Mr. Sikes], and the gentleman from California [Mr. Lipscomb]. In fact, I could include every member of the subcommittee, and particularly the gentleman from Pennsylvania [Mr. Flood], whose knowledge of matters military is unsurpassed in the Congress, in my judgment.

Before we get excited about the matter of how much money is in the Defense budget, and how much is available to meet the needs which may arise from Vietnam, I would review for a moment a point I have made in years past—that the policy of full funding which we follow, in my opinion, is not called for. As Members know, individually I have felt that to be a poor practice. Of course, all contractors with the Defense Department want full funding. They know that if we provide the full amount of money at the outset for a completed contract, it is less likely that the contract will be canceled. They know we are apt to let the contract go ahead to completion, even though we may change our minds and doubt whether we really need all that we may have contracted for. Too, the Department of Defense likes full funding, for it makes it easier for the Department to transfer funds to uses for which funds were not, and perhaps, could not have been obtained. Of course, I have not had my way on that issue. As a result of full funding at the outset of a contract or program, however, we certainly do not need to worry about whether the Defense Department has enough money to meet any emergency which may arise.

As shown on page 20 of the report, the Department has $8.5 billion which is not even obligated, and which would be available to meet any emergency which might arise. On that same page, Members will see that they have approximately $30 billion not yet spent which they could use to meet any emergency which might arise.

Of course, the Congress thereafter would have to bring about such balancing of the funds, including provision of additional funds as the circumstances might require.

Insofar as the Federal budget being $100 billion or not is concerned, it would take a lot of figuring to decide exactly what it is. However, this is a common complaint against whatever administration or party is in power. I have made it myself on occasion. I could make a good record against it, and I could take another set of figures and make a record for it. It seems par for the course when political issues are brought up.

But I do want to tell the Members that we need not worry about this Defense appropriation bill, for funds on hand, plus those in this bill, certainly will meet any foreseeable emergency.

Since I have taken the floor there are one or two things I would like to point out. I went on the Appropriations Subcommittee on Defense Appropriations in 1943. Through the years we have seen much, much waste, which we have tried to eliminate. I recall a few years ago the only time I ever filed "supplemental views"—and may I say, on request, in that instance—complaint was then made that we had not provided sufficient funds. At that time I pointed out that the Air Force had what it called Operation Smoke-Out where it developed they had some $4.5 billion, I believe, in various dormant accounts in the Air Force which were smoked out and recouped from themselves. As I recall that report, I pointed out that we had 177 shifts of command resulting from General LeMay becoming Air Force Chief of Staff at a cost of hundreds of thousands of dollars. Since then I am glad to say this subcommittee, under Mr. Mahon, has set up a system of investigation which, with the cooperation of the Department, has resulted in great improvement.

Mr. Chairman, I wish to say, as I did in the hearings, no Secretary of Defense since Secretary Forrestal, has come nearer to mastering his assignment, of gaining full knowledge about the total Pentagon operations than has Mr. McNamara. His detailed knowledge of the various military services from a financial standpoint exceeds that of any other Secretary of Defense. He is brilliant, a hard worker, and he has the talent to find the facts, and the courage to enforce his decision far more than almost anyone with whom I have ever come in contact.

As I said in the committee then—and I repeat it here—there is always one fear that we have with a man of that talent, ability, and capacity to act on his knowledge and judgment. That is, 30 days after it is decided by him, he may reach the conclusion that it is right because he decided it. I think he did that on closing bases and on his efforts to consolidate the National Guard and the Reserves. Also Mr. Chairman I would like to see the Secretary devote his time to running this $45 billion per year establishment, at the Pentagon and leave the military decisions to military people acting on the advice of our most experienced advisers on the Asiatic or eastern mind. Certainly I am no expert in this area. However, in World War II, I spent quite a while with Gen. Pat Hurley in Chungking, China. General Hurley was the President's special representative over there, and I listened to him, learned firsthand of his experiences in the Asiatic world where time means very little and individual human life means virtually nothing, where they were playing poker 5,000 years before this country was discovered by Columbus. I spent some time with General Chennault in Kunming, China, and with General MacArthur in the Philippines. I say here and now, in my judgment, we need to give real thought to whether we are maintaining the proper "face" in areas where "face," "appearance" is so important.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAHON. I yield the gentleman 2 additional minutes.

Mr. WHITTEN. I say that because I am greatly disturbed. I say this with the greatest admiration for the Secretary of Defense and his capacity in the field in which he is trained.

Gentleman, General MacArthur returned to the Philippines making great effort to show the majesty and might of the American people. By his appearance he made a great contribution to the United States. Later his approach did so much to restore Japan, to bring order out of chaos.

If General MacArthur was right and I believe he was, what we are doing now is wrong. As was pointed out to me by an American just back from years in Vietnam, it is difficult to impress either the Vietcong or the Vietnamese, when moving about over the rice paddies like a boy scout.

Mr. Chairman, the raid of our B-52's is the subject of much controversy. I do not profess to know what the facts are. We may be sure the rest of the world knows. I had earlier decided not to raise these points, but I think the situation is sufficiently serious in view of the B–52 raid and in view of the pictures of visitors from our Defense Establishment in the rice paddies of Vietnam and the other things which I think go counter to the advice of General MacArthur and of those leaders who were masters in dealing with the people in that part of the world, that I feel compelled to make the point.

I hope that our leaders will reconsider our approach to this matter, because it is getting more serious by the day. You know as I know, I will be here with you supporting and defending whatever policy our Government decides to follow, but it is time that we stop, look, and revise our thinking as to how to proceed in the days ahead.

Mr. LIPSCOMB. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. MINSHALL].

Mr. MINSHALL. Mr. Chairman, this year Congressmen LIPSCOMB and LAIRD and I, the minority members of the Department of Defense Appropriations Subcommittee, have filed additional views to the report on the $45 billion defense appropriation. We have done so to indicate areas in which we do not agree with policies being carried out by the Department of Defense.

The additional views of my colleagues from California and Wisconsin and I have submitted to the House will point the course for a stronger defense.

The subcommittee has been proud of its reputation for a nonpartisan quest for a defense system superior to any other in the world. I do not suggest that this is now otherwise, but I am convinced that certain inadequacies in the defense budget for fiscal 1966 demand the full attention and concern of the House.

The subcommittee spent months in hearings interrogating hundreds of witnesses—civilian and military. We questioned, at great length, the Secretary of Defense, the Secretaries of the Army, Navy, and Air Force, the Joint Chiefs of Staff, and their numerous backup witnesses.

Our work is represented in over 3,000 pages of testimony cleared for publication in the 5 volumes issued by the subcommittee, but I should like to point out that this is only a part of the information we received in closed session. Once again these published hearings have been reduced in size by the overzealous use of the "Top secret" stamp at the Pentagon to obliterate politically objectionable portions from the public eye.

I support the $45.2 billion defense budget. But I do want to point out that it is $2.5 billion less than the budget we reported and passed in the House last year. I do not consider it broad enough in scope to provide for possible future military needs in Vietnam and other world trouble spots. It falls far short of the sights we should be setting for our military space effort in the late sixties and early seventies.

Those who know my record in the Congress are aware that I have never come to the floor during my 11 years of service to ask for additional spending. But I am now asking the administration to reevaluate its defense budget to provide for unplanned and unprogramed expenditures resulting from the greater role we are playing in southeast Asia.

It should be brought to the attention of this committee that the guidelines used in formulating the fiscal 1966 budget are at least 18 months old. Testimony taken by my subcommittee indicates they were formulated in calendar year 1963. Not only was the recent escalation in our Vietnamese effort not taken into account, but the increase in activity between 1963 and the end of 1964 when the budget was officially drawn up was not considered.

Although the Defense budget before us today was completed in December 1964, some 2 months before the decision was made to step up our role in the Far East, the subcommittee's hearings extended through May, giving the Department of Defense every opportunity to revise its budget requirements to meet projected military needs. It should also be recognized that during our hearings on the $700 million supplemental request for fiscal 1965 for Vietnam, the subcommittee specifically instructed the Secretary of Defense to review the fiscal 1966 budget before we acted on it to determine if any adjustments should be made. To date we have received no indication of any such review or adjustment.

Time and again during our hearings we were surprised to hear testimony revealing that the budget does not provide for any escalation of activities in Vietnam.

Navy Secretary Nitze told us there have been no changes in his budget since the Far East problem became more complicated.

General Crow of the Air Force advised us that the fiscal 1966 budget does not reflect anticipated requirements for a step-up in Vietnam.

Army Secretary Ailes stated we are maintaining a status quo on procurement of materiel heavily in demand in the conflict.

General Greene of the Marines testified there have been no changes in his budget as a result of intensified U.S. participation.

Logically, this leads to speculation as to the firmness of our new policy of stepped-up activity in Vietnam. The budget ignores any anticipated higher level of requirements for weapons, ammunition, and equipment. The administration ignores the subcommittee's request that revised estimates be submitted in time for inclusion in the budget for the war it purportedly intends to win.

The subcommittee was repeatedly advised that emergency funds and reprograming mechanism could be drawn on for future military needs. But these procedures are designed specifically for unforeseen emergencies and must not be misused. It was also suggested that additional supplemental appropriations could be granted by the Congress, but this is a piecemeal effort with many disadvantages.

It is vitally important to bear in mind that military priorities for Vietnam must not deplete inventories which could impair readiness of forces not committed to the Far East. We already have encountered the added requirement demanded by our action in the Dominican Republic. There is no predicting what future brush fires may break out in the innumerable hotspots around the globe. Name almost any border in the world today and I will show you a trouble spot—Berlin, Cuba, the Congo, Cyprus, Zanzibar, India, Pakistan, Latin America.

The line is clearly drawn in Vietnam. If we are to achieve victory there it certainly is established procedure to conform the military budget to our military effort. The present budget does not do this, the military experts do not pretend that it does, and the reluctance of the Department of Defense to review and revise its outdated estimates defies understanding.

Such inaction leads one to reluctantly conclude that our officially stated intentions in Vietnam are neither so firm nor so clearly defined as we have been led to believe.

The people in this country are confused. We in the Congress are confused. Reading between the lines, official statements by the Departments of State and Defense are characterized by frustration. We are behaving as though we had never fought a war before in our 180-year history. We seem to be experimenting and vacillating rather than going ahead with the policies which have made and kept this country great.

Editorialists and columnists by the score have commented along this line. One of the best I have seen comes from my own Cleveland Plain Dealer of June 21, 1965:

> WHAT ABOUT U.S. FUTURE IN VIETNAM?
>
> Piecemeal feeding of American strength into the Vietnam conflict has served as a reminder that the administration's long-range objectives and hopes in the dirty little war still are unknown to the public.
>
> Reassessment after reassessment of current developments has followed Defense Secretary McNamara's once-glowing accounts of successes and his unfortunate prediction that withdrawal of American troops could be begun in January of 1965.
>
> But what about answers concerning tomorrow and the future in Vietnam?
>
> McNamara's televised press conferences are shy of what-next information and they arouse suspicion of the planted question. Answers to pertinent inquiries frequently are vague and rambling.
>
> His preoccupation with pictures of bombed North Vietnam bridges continues in contrast with seasoned military estimates that the North has not been badly hurt by American bombing.

Yes, if I might interject—some have said that we have been hoodwinked.

> If every step-up in Vietcong operations is to be met by fresh American reinforcements, has it been decided that the United States is now committed to ground warfare on the Asian Continent, an adventure opposed by some of the best military minds and one in which France met disaster?
>
> If the holding action mentioned by Senator FULBRIGHT reflects official policy, how long is U.S. manpower to be fed into the conflict? The South Vietnamese have been fighting a holding action for 11 years.
>
> President Johnson's repeated offers of unconditional negotiation are commendable but if the Communist world continues to reject

> them, what does the Nation face, a sapping status quo, all-out war, or finally withdrawal after vast expenditures of lives and money?
>
> Saigon now has a new Premier, Gen. Nguyen Ky, a choice the United States opposed as Premier because he is commander of the air force and is needed there. If this government also collapses, what is the next move?
>
> The Wilson peace mission is energetic and dedicated but it could be regarded in Hanoi and Peiping as an agency of Washington with which England is so closely allied. If it fails, what next?
>
> Manpower figures, damage claims and peace missions do not tell the public the ultimate goal of the United States in Vietnam. It has a right to know.

As the editorial says so well, the American people do indeed have a right to know the administration's intentions in Vietnam. For these reasons I strongly subscribe to the statement on page 63 of the report under the heading, "Recommendations." I quote:

> We believe the President should immediately revise this fiscal year 1966 budget with a view toward requesting the Congress to provide for the unplanned and unprogramed expenditures which have resulted from his decision to assume a greater role in southeast Asia.

Another aspect of the budget which causes me grave concern is its shortsightedness regarding military use of space.

In listening to testimony I found the Air Force particularly alarmed by our lack of aggression in pursuing space projects which would give us a weapons capability in inner space. General LeMay, Dr. Teller, the famed scientist, and other experts have expressed these fears publicly.

General LeMay only recently declared that new space developments by the Soviet are more in keeping with aggressive than peaceful objectives. He stated:

> Already there is considerable reason for concern about Soviet capabilities in space. Many of the techniques the Soviet Union has developed so far point strongly toward a military space effort. The development of a capability by the Soviet Union to deliver strategic weapons from near space or to deny the United States the opportunity to continue its present programs in space would amount to a serious threat and would negate our present favorable balance of military power. It is in the arena of space that Soviet technological developments are most likely to bypass this generation of U.S. weapons systems.

Only last week Dr. George E. Mueller, Director of Manned Space Flight for the National Aeronautics and Space Administration, warned the National Space Club meeting in Washington that it will take "a great deal of effort over a number of years" for the United States to achieve first place in space. He stated that it would be a mistake to believe that the highly successful Gemini 4 flight had "overcome a lead of several years" held by the Soviets.

We will become increasingly vulnerable in space when we enter the late 1960's and early 1970's. I cannot urge too strongly that the Department of Defense launch an all-out program, with the first step immediate full-scale development of a manned orbital laboratory.

In conclusion I hope that my colleagues give special attention to the additional views contained on pages 60 through 69 of the report. They merit your consideration.

I hope the administration takes heed.

Mr. MAHON. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY of New York. Mr. Chairman, I am grateful to the distinguished gentleman from Texas, the chairman of the full House Committee on Appropriations for granting me this minute. I believe I can make my points within the allotted time.

I should first like to ask the gentleman—Am I correct in my understanding that no funds are included in the pending bill in connection with the proposed closing of the New York Naval Shipyard?

Mr. MAHON. The gentleman is correct. There are no funds in the budget estimates, according to the information the committee has, nor in the bill, for the closing of the New York Naval Shipyard.

Mr. ROONEY of New York. I thank the distinguished gentleman.

Do I correctly understand that in the coming fiscal year, to wit, fiscal year 1966, there will be approximately $29,600,000 available for work and activities at the New York Naval Shipyard?

Mr. MAHON. From previous years' appropriations there are funds in approximately that amount scheduled to be utilized at the Naval Shipyard in New York.

Mr. ROONEY of New York. Finally, Mr. Chairman, I should like to commend the distinguished chairman, the gentleman from Texas [Mr. MAHON] and his committee for having retained section 532 in the pending bill which provides for a set-aside of $7½ million of funds to be available only for the procurement of commercial passenger sea transportation service on American-flag vessels.

Mr. MAHON. I thank the gentleman from New York for his statement.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MAHON. Mr. Chairman, I yield to the gentleman from Alabama [Mr. GEORGE W. ANDREWS], a member of the Defense Subcommittee, 10 minutes.

Mr. GEORGE W. ANDREWS. Mr. Chairman, I rise in support of the bill before the Committee. The appropriation of the money to operate the Defense Establishment of the United States is always an important action by the Congress. This year, when our soldiers and marines and flyers are giving their lives daily for their country, the enactment of this bill is particularly significant.

The gentleman from Texas and others have given you a general review of the whole bill. I would like to give you a view in greater depth of two of the new weapon system developments which are now underway and which will help to insure the continued superiority of our arms in the years to come. The first program I will discuss is the Poseidon missile program. The Poseidon is the latest in the series of developments designed to enhance the capability of our fleet ballistic missile force. The fleet ballistic missile weapon system, popularly called the Polaris, is now completing a full 5 years of deployed operational capability. In my opinion, the Polaris is the most effective deterrent weapon that we have in our arsenal.

Twenty-seven submarines, carrying a total of 432 Polaris missiles, have been deployed on operational patrol. There have been more than 160 2-month operational patrols to date and none of them have failed for any reason. The submerged Polaris submarine is invulnerable to any defensive system which the Soviet Union now possesses. A very massive effort, indeed, would be required in order for them to develop even a marginal defense against the Polaris. The Poseidon will be the fourth missile developed for the fleet ballistic missile program. The first Polaris missile, the A–1, had a range of better than a thousand miles. The A–2, the second missile developed, has a range of 1,725 miles, and the newest operational missile, the A–3 has a 28,000-mile range.

On January 18 of this year, President Johnson announced, in a special message to the Congress, that the administration proposed to develop a new and larger missile for the fleet ballistic missile system. This missile is called the Poseidon. The Poseidon will incorporate improved accuracy and larger payload. The Poseidon will have double the payload of the Polaris A–3. It will be twice as accurate. Its effective kill capability against hardened targets will be some eight times greater than that of the A–3. Like the Polaris A–3, it will be able to reach any spot of earth from submerged submarines.

The larger payload capability will permit Poseidon to carry a much greater weight of penetration aids thus enabling the warhead to penetrate the defenses of heavily defended target areas and destroy assigned targets. Alternatively, it could be used to attack a hardened point target, such as a missile site, with greater accuracy and with a heavier warhead.

The Poseidon missile is named after the god of the sea in Greek mythology. His name is particularly appropriate for this sea-based missile. The mythological Poseidon was known as the earth shaker because of his ability to cause earthquakes far inland. But he was also known as "the preserver" because he could send calm seas.

The Poseidon missile will be distinctly different from the Polaris A–3 missile. It will be 6 feet in diameter as opposed to the 4½-foot Polaris. It will be 3 feet longer than the 31-foot A–3 missile. Yet, despite the increase in size, the growth potential of the ballistic missile submarine launching system will permit Poseidon missiles to be fitted into the same 16 submarine missile tubes that carry Polaris. Only a minor and relatively inexpensive modification to the missile tubes will be required.

The increased capabilities of the Poseidon, plus the inherent survivability of the nuclear-powered submarine, give us every reason to believe that the fleet ballistic missile weapon system will continue to be a reliable, creditable, deterrent force for this country in the years ahead.

The great success which has been attained thus far in the Polaris program is a credit to the Navy, to American industry, and to the Congress which has emphasized and supported this program, sometimes to a greater extent than has the Defense Department. None of us are resting on our laurels. The Navy and industry, with the support of the Congress, are going ahead with this latest development, and I anticipate that it will be followed by still further significant developments which will retain the fleet ballistic missile system as a major force for freedom for many years.

The second program which I want to bring to your attention is also a program on which the Congress has had a more positive attitude, and I think a more realistic attitude, than the Department of Defense has had at times. The program is the development of an advanced manned strategic bomber, a bomber to replace the aging B-52.

Our national policies dictate the continuing need for manned strategic aircraft well into the future and well past the time that we can reasonably expect to depend upon the aging B-52 and B-58 aircraft now in the SAC inventory. In addition to what has come to be known as the classical strategic bomber mission of deterring large-scale conflicts or retaliating to attack if required, the large payload and accurate delivery capability of strategic bombers can also be applicable to lesser encounters requiring these capabilities. This was demonstrated just last week when B-52 strategic bombers were sent on a mission to attack a Communist stronghold just 25 miles north of Saigon. The success or lack of success of that one mission does not alter the potential value of strategic bombers in a limited war role.

I want to add right here that two B-52 aircraft were lost on that mission. This loss was not due to enemy action but the loss is still a real one. The B-52 aircraft is no longer in production, no strategic bombardment aircraft is now in production in this country. If we call on these aircraft in a tactical role as well, as in the airborne and ground alert roles associated with their strategic mission, these aircraft are going to wear out and we are going to need replacements for them.

Today we have significant strategic capability in the 630-aircraft B-52 force and our two wings of B-58's. But these aircraft are not going to last forever. Forecasting their use well into the 1970's may be desirable, and possibly such forecasting can be done with some degree of certainty, but we saw last week how these predictions can go awry. If we put our complete reliance for strategic bombers on what will have to be weary aircraft in the 1970's, and these aircraft are called upon to operate against the advanced defenses which will be found in the 1970's, we will be creating a situation that is neither reasonable nor desirable.

The Department of Defense programed $39 million to be spent on the development of an advanced manned strategic aircraft in fiscal year 1966. Most of this money, $24 million, is money that was voted for this program last year and was not utilized by the Department of Defense. The $24 million, plus $15 million of new money was programed for the next fiscal year. The Air Force had requested an additional $82 million for this program. When this was refused, the Air Force appealed for at least $7 million of the $82 million. This was refused by the Department of Defense, but the Congress, in enacting the legislation authorizing appropriations for research and development programs of the Defense Department, increased the amount authorized for this program by $7 million. The bill before you provides this $7 million in increased appropriations. The bill also provides that all of the new obligational authority, the $15 million in the budget and the $7 million which has been added, will be available only for development of advanced manned strategic aircraft. The $24 million, which remains available from last year's appropriations, was similarly limited by last year's Appropriation Act and continues to be available only for the development of advanced manned strategic aircraft. So a total of $46 million will be available in fiscal year 1966.

I cannot describe the future manned bomber to you as I could the Poseidon missile because the determinations have not yet been made as to the precise characteristics of the bomber. It is probable that the future strategic bomber will have supersonic speed at low altitudes and will be designed to have sufficient range to accomplish strategic missions. The primary reason the B-70 program failed was that the B-70 was designed to fly at high altitudes. Developments in antiaircraft-missiles made attack at high altitudes dangerous. Aircraft are much more likely to penetrate to their targets if they proceed at high speed and at low altitude so that they are not identified and tracked by enemy radar systems until they are very close to the targets. Future manned bombers will also probably depend primarily on missiles to strike targets rather than gravity bombs. This eliminates the necessity for the aircraft to fly directly over the target where the enemy's defenses would be concentrated.

As was stated in the Appropriations Committee report, we are concerned that the strength of the strategic bomber force may be seriously reduced before replacement aircraft are available. The committee asked the Department of Defense to carefully consider the development of a strategic bomber version of the F-111 aircraft. It seems that this aircraft has many of the characteristics which a strategic bomber for the 1970's should possess, and most significantly, could be added to the inventory in a much shorter period of time than could a completely redesigned aircraft. It may be that a B-111 would be useful as an interim strategic bomber until a new, heavy bomber could be developed and deployed.

As good as our strategic ballistic missiles are, and I believe that our latest missile, the Minuteman II, is very good, we must not abandon the manned strategic bombardment aircraft. We must also have another kind of weapon system—one which is not vulnerable to the same defenses as the missile. One which has the versatility for use in situations not applicable to missiles, one which is manned so that human judgment can be applied as the situation warrants. I am speaking now of what has been called the mixed force concept. It is the consensus of exhaustive studies performed not only by the Air Force but also by other Department of Defense agencies that the United States must maintain a mixed strategic retaliatory force throughout the foreseeable future.

In considering national defense matters today, we are, of course, all concerned primarily with the present fighting in southeast Asia. This should receive our primary attention now, but we must not forget to provide for the future. We must never be tempted to provide only for the near-term requirements of the Defense Department and neglect the long-term requirements as primarily expressed in the research and development program. The bill before you provides one more increment in the funding of our defenses of the future.

Mr. LIPSCOMB. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, I take this time to ask a few questions of the gentleman from Texas [Mr. Mahon].

First, I attended a hearing this morning that was held before a subcommittee, involving the so-called poverty program. Representatives of the Office of Economic Opportunity testified and admitted they are hiring attorneys on contract to represent Job Corps enrollees when they get in trouble. My question: Is there any money in this bill to provide for legal representation for servicemen who may have engaged in an altercation of some kind and are brought into court? Is there any money to provide legal counsel for servicemen in such cases?

Mr. MAHON. I do not believe there is any money in this bill for that purpose.

Mr. GROSS. Or in any other bill, is there?

Mr. MAHON. No, I do not know of any money in any other bill for this purpose. Of course, the gentleman well knows that when servicemen are charged with criminal offenses before courts-martial military officers are often assigned to defend them.

Mr. GROSS. I am well aware of that. I am talking about misdemeanors; I am not an attorney, but I am talking about run-of-the-mine arrests.

Does not the gentleman think that a serviceman is as much entitled to legal representation by a contract attorney as is a Job Corps enrollee? Would not the gentleman agree that if attorneys are to be provided for Job Corps enrollees, that the serviceman is entitled to the same kind of representation?

Mr. MAHON. To tell the gentleman the truth, I have not had the opportunity to study the situation which the gentleman has outlined. I believe this would require legislation which would have to be presented to the Committee on

Armed Services. I should be glad to look into the matter, but I am not sufficiently aware of the situation to comment on the question intelligently.

Mr. GROSS. I think it is a shocking thing when the taxpayers of this country are called upon to provide legal representation for any and all cases in a court that may involve a Job Corps enrollee. And, if legal counsel is to be provided these individuals, servicemen are entitled to the same kind of treatment.

Now, I would like to ask the gentleman from Texas this question: How many of our so-called allies have provided combat troops for Vietnam? And, please remember, I said "combat troops."

Mr. MAHON. Mr. Chairman, if the gentleman will yield further, of course we have in excess of 50,000 troops in South Vietnam. They are not all combat troops, though some of them are, of course, so designated.

Now, I think that three nations have provided troops, Australia, Korea, and New Zealand, in the amount of about 3,300 troops. This is my understanding.

Mr. GROSS. The gentleman is not saying that those 3,000 are combat troops, because the news reports have said they are not combat troops.

Mr. MAHON. Of course, we have many support troops that could become combat troops. The exact status, and the formal designation, of these troops I am not sure about. But if there is an additional escalation, this would be a different situation.

I assume that these men from these countries enumerated would be combat troops, at least some of them.

Mr. GROSS. Does the gentleman from Texas have any idea when we are going to get substantial help from any of these so-called friends, and by that process, perhaps, reduce the cost of this bill to some extent?

Mr. MAHON. I do not know myself what the future holds in South Vietnam or what contribution other countries may make or what course we may ultimately follow there.

As the gentleman knows, in order to help support South Vietnam, for a number of years we have poured in large sums of money in foreign aid. Also, as the gentleman knows, we have had our own troops there. We have provided large quantities of fighting equipment; ammunition and so forth.

Mr. GROSS. But outside of the South Vietnamese, we are bearing the brunt of the fighting in Vietnam, are we not?

The British, the last time I inquired as a member of the Committee on Foreign Affairs, had a mission of 5 or 10 officers over there; the French had a mission of a few officers.

In other words, insofar as these so-called friends of ours are concerned, there has been no substantial contribution from them.

I cannot remember the number of Australians that were sent there. I think there has been an engineer battalion or two from Korea put into Vietnam. However, I do not believe we are getting substantial combat help and I do not think the gentleman from Texas believes we are getting any part of the help we ought to have in South Vietnam from our so-called friends.

Mr. MAHON. If the gentleman will yield further, I am told that Australia has deployed a combat infantry battalion with its own logistics. This, I assume, is correct. New Zealand is carrying out the deployment of a 105-millimeter howitzer battery and tank troops.

So, this is the situation.

The gentleman is critical of our friends for not making a larger contribution, and so might we all be.

Mr. GROSS. I surely am.

Mr. MAHON. And in our disappointment we could call upon them for more assistance. We could take whatever steps that may be necessary, but I do not believe the tenor of the debate, particularly this afternoon, would indicate that the Congress feels we should withdraw from South Vietnam.

Mr. GROSS. I did not suggest withdrawal. I suggested that we get some help from the so-called friends of ours upon whom we have lavished billions of dollars. I think they ought to do their share of the dying over there if it has to be done.

Mr. MAHON. I agree with the gentleman we should insist.

Mr. GROSS. Instead of that, some of our presumed friends are operating their ships into Haiphong with supplies, all kinds for the Communist Vietcong. I often wonder why, instead of pounding the jungles, shaking the leaves off the trees, we are not bombing this port of supply of Haiphong. Are we afraid we would probably destroy some British, French, Panamanian and other ships? Is that why we do not bomb Haiphong, a big source of Communist supply?

Mr. MAHON. I cannot give all the answers. The war is there, and gradually escalating, as the gentleman knows. Targets are being selected for bombing. These are decisions which have to be made by the Commander in Chief himself, in cooperation with and on the advice of his military leaders.

With respect to South Vietnam, the French fought over there without any assistance from us, insofar as I know, from the standpoint of having combat American troops there. The British fought for years in Malaysia and, insofar as I know we did not put any combat battalions in this effort. I know we would be only too glad to get all the assistance we can from other nations, and I am sure we are inclined to do that, but this is a very difficult situation, and I trust some way will be found to settle this issue in South Vietnam. I do not think anybody knows what the developments may be. We may get in a large war involving Communist China. We cannot foresee what may develop. The gentleman cannot, and I cannot.

Mr. GROSS. Henry Cabot Lodge recently returned from a tour around the world on which he was sent by President Johnson to try to get some help in Vietnam. What was his statement before the Committee on Foreign Affairs? He said the European countries and others expressed deep gratification that we were doing the fighting and financing the war in Vietnam, and I suspect, unless somebody puts a prod under these people or denies them foreign aid handout money that probably will be the case from now until the interminable end. They will continue to express their gratification that we are doing the fighting and the financing of the war.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. LIPSCOMB. Mr. Chairman, I yield the gentleman from Iowa 5 additional minutes.

Mr. GROSS. Mr. Chairman, I would like to inquire about the statement on page 38 and the preceding page, page 37, concerning the TFX, or what is now known as the F-111A and F-111B.

The report says:

> Two serious problems have been encountered in this program. One relates to the weight of the aircraft and the other to the development of the Phoenix missile system.

That weight problem of the F-111B, and that is a most important problem insofar as the Navy is concerned, was apparent from the very start of negotiations of that plane.

This was the point at issue when the contract was awarded by Secretary McNamara to General Dynamics at Fort Worth, Tex., this $6½ billion contract which I note in your report now involves $7 billion. When the contract was awarded to General Dynamics at Fort Worth, Tex., at a cost of at least $400 million more than the Boeing bid, the weight situation was then the point of contention. But Secretary McNamara overrode the Pentagon's Source Selection Board and he overrode both General LeMay, then Chief of the Air Force, and Admiral Anderson, Chief of Naval Operations. Both of them are now gone, driven from the service because they opposed the award of this contract to the Texas firm—to the bidder who practically assured that there would be more weight in this plane. So now we are confronted with a situation where apparently we have a plane that is going to be 5 to 10 tons heavier than Navy specifications and that apparently cannot be operated off of all our carriers. This I say again because the contract went to the Fort Worth, Tex., firm under forced draft. I do not know how far the committee went into this contract when it held its hearings, but it seems to me that it is about time that somebody uprooted what went on with respect to the TFX plane, now the F-111 plane.

Mr. MAHON. Would the gentleman like me to comment on this subject?

Mr. GROSS. Yes.

Mr. MAHON. In this bill under the title "Procurement," there are about $591 million for the F-111. Of this sum $140 million is for the F-111B version, the Navy version. I know of no contract that was forced to go to General Dynamics. With respect to the Navy version which the gentleman is speaking of, the work on that plane principally is being done I believe by the Grumman Co. of New York and not by the Texas Division of General Dynamics.

Mr. GROSS. But the main contract went to General Dynamics; did it not? The gentleman will agree with that?

Mr. MAHON. That is right. It anything wrong with that?

Mr. GROSS. It seems to me there is everything wrong with it, when the principal parties, the Air Force and the Navy, that must use this plane, said they were dissatisfied with the specifications offered by General Dynamics and supported the less costly, lighter plane offered by Boeing.

The Source Selection Board knew that if the contract went to General Dynamics, the Navy would get a heavier plane, questionable from the standpoint of acceptability because it would probably be too heavy to be flown off all the carriers that we have. And when the Comptroller General sought to obtain—and this is his testimony under oath before the Senate investigating committee—when he tried to obtain from the Secretary of Defense, McNamara, the figures upon which he based his award to General Dynamics, he, McNamara, said in effect: "I am carrying the figures in my head." In other words, you try and get them. To this day the door has been locked on certain information. If the gentleman has pried into this at all, he knows this to be the case. I say that the award of this contract to General Dynamics stinks to high heaven. And we sit here without an acceptable new supersonic plane, and without a follow-on to the Phantom F-4 if the F-111B proves to be unacceptable to the Navy. This is the situation we are in. The Lord help us if we get into a large-scale war.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MAHON. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I do not agree with the views of my good friend, the gentleman from Iowa, in regard to the F-111 aircraft. The merits of the plane and the competing contractors have been fully discussed in the past. There were people lined up on both sides. Some wanted the General Dynamics Co. to have the contract and some wanted Boeing to have it. The decision was not up to Congress but to the Defense Department. Insofar as this contract is concerned, I assume that the gentleman from Iowa feels that Boeing was the right company for the job. I am not saying this in any criticism at all. But that is his view of what ought to have been done. The gentleman may be right. It is just a matter of opinion. I have every confidence that the Department of Defense used its best judgment in making the decision. No Member of Congress insofar as I know made a recommendation as to contractors or had any voice in the selection of a contractor. Whether the decision was good or bad may prove to be impossible of determination. The Boeing Co. is a good company. The Government has spent billions of dollars with the company. And the Government has spent billions of dollars with General Dynamics. But I think this plane, the F-111, is going to be a terrific plane, especially the Air Force version. We may be skeptical about the Navy version of the plane. I am afraid it will be quite some time before we will know whether or not it will be successful.

But this is true of all leaps forward in military development and production. One cannot expect these things to evolve without problems. Problems arise every day in these projects. Answers are hard to come by. One cannot tell in advance whether a bright new idea will work out.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to my good friend from Iowa.

Mr. GROSS. I am not interested in either Boeing or General Dynamics. I am an American who knows that the weight problem arose from the very outset before the decision was made. Long before the award decision was made by McNamara, this weight factor was kicked around all over the place.

Let me say to the gentleman that I am an American who believes if we could get an acceptable plane for $400 million less, on a $6.5 billion contract, we ought to have done so.

Mr. MAHON. The gentleman believes that the contract should have gone to Boeing, I assume, or does the gentleman believe it should have gone to General Dynamics? That was the decision.

Mr. GROSS. Yes. Under the circumstances, I believe it should have gone to Boeing. But let me make it plain that I have never talked to a representative of the Boeing Co.

Mr. MAHON. I did not mean to imply that the gentleman had.

Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. Flood].

Mr. FLOOD. Mr. Chairman, I should like to say a word, although it is not quite as a valedictory. I remember, beginning with the War Between the States, this debate has always been presided over in the Committee of the Whole by the distinguished and handsome gentleman from New York [Mr. Keogh], who is presiding again today. Unfortunately, he has decided to leave the Congress. With God's help he will be with us next year. I just wanted to be sure that Members got a good look at him before he leaves, especially with reference to our tremendous bill for the Department of Defense.

Mr. Chairman, when I first went on this subcommittee, the bill was about half this size. It seems that in direct ratio to the billions we add there is a lack of interest in the House.

I believe the best way to handle this whole bill this afternoon occurs to me as I look around the House. There is $45 billion involved. That would be about $2 billion apiece for all the Members on the floor. We can dispose of the whole thing. Let us split it up among the 20 or so of us who are here for this debate. We can split up this $45 billion "pigeon" and that will eliminate a great deal of controversy about Boeing or General Dynamics or anything else.

There is a word I should like to say concerning the loss the committee suffered when the distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford], left our committee. This is a hard working committee. We sit for months and months and months, like in the basement of some department store downtown. It is a tough job. The gentleman from Michigan [Mr. Gerald R. Ford] was a great and strong man on that committee. I wish to say that we missed him grievously because of his new duties with the leadership on the minority side.

The gentleman was ably succeeded by the right kind of guy to have on this committee, a certified public accountant, the gentleman from California [Mr. Lipscomb]. He can do better than I. The minute I get beyond my fingers, I have trouble counting. That is why I am such a great help on the Appropriations Committee. I do not add very well. He is quite a help.

I am running out of trouble, or finding something to become angry about in respect to the bill this year. This has been a mild afternoon. There were years when we could rant and tear. Years ago this bill took 6 or 7 days. We may not take 4 hours, though I remember the debates would go 6 or 7 days on this particular bill not too long ago.

Now, we will be out of here in what? 10 to 15 minutes. Not quite 4 hours all together. Well, there is one thing in here I would like to point out. You who are old enough, right after the war when I started screaming about airplanes and started shouting, "When are we going to get airplanes to lift our things and our troops?"—you who are old enough remember the situation was a disgrace. All you have to do around here is to come back often enough and live long enough and everything ultimately happens. I am happy to tell you today that I do not have much to complain about on that score. By 1970 you will have five times the airlift that you had in this month in 1961—five times. Now, that is a great thing. We have this new C-5-A coming in. Do you know what that is? Well, the C-141 that we just dusted off for our airlift weighs 316,000 pounds. The C-5-A will weigh 725,000 pounds. And we will be able to operate it at a cost of 4 cents a ton-mile. You remember the old DC-3, the old workhorse of the airlines? The Army version was the C-47. The good old DC-3. Twenty cents a ton-mile. Even the C-135 was 7 cents a ton-mile. But this new baby, 4 cents a ton-mile and weighs 725,000 pounds. The fuselage will be over 17 feet wide, so we will be able to drive two columns of Army vehicles up the gangplank into that aircraft. The C-141 could only take one at a time. You just drive them up two by two like they are going on the ark. That is the kind of aircraft this will be. It will be a beauty.

I am also at the point of accomplishment again. I never believed that the war we would fight would be somebody's total nuclear war. I never did believe that. From the day we first started this business I was for the program and voted for every appropriation and for every one of those programs down through the years, including the last one and this one. I will vote for this one again. But I have always been a loud advocate of what we call conventional war. And, I have gotten no place with it. No place.

Nothing was done for years. Well, now that has changed and the thinking in that Department now across the river is along that line. Just within weeks the Secretary of Defense directed the formation of something that I pleaded for and used to try to amend the act to get, and to attract attention to year after year, an air assault division with their own hardware and their own aircraft. An air assault division that can move out with their own stuff and their own aircraft at a moment's notice. These things are now actually in being. Just a few short years ago I worried that we would never, never have these things. I was delighted with the remarks of my distinguished colleague, the gentleman from Florida, [Mr. Sikes], in connection with the Reserve component. I think Secretary McNamara is the greatest thing that came to town here since they put beer in cans or sold sliced bread. He is the greatest. But like a distinguished New York mayor, when he make a mistake, boy, he makes a beauty. And he has made them in his thinking in connection with the Reserves, the Air and the Army, and in the proposal to merge them with the Guard and hence eliminate them. It would be pretty tough for me to try to improve upon the reasoning and the explanation of my position that was given by the gentleman from Florida [Mr. Sikes].

He is an expert on that subject. He and I handled the Secretary in the hearings, not with kid gloves, I assure you, on this subject at great length. I hope the great Armed Services Committee will see fit expeditiously to act on this subject, the way I think and the way the gentleman from Florida thinks, and I believe the way this House thinks, and will act to preserve the Reserve components, these great elements of our whole defense structure.

Mr. Chairman, I am interested in what the Navy is doing. For 10 years I would ask those boys across the table: "Now, you are going overboard on missiles with your cruisers and destroyer-escorts. You are taking off the guns and you are putting in missiles. I do not like that. I think you are wrong. Some one of these days we are going to be fighting limited wars. Some one of these days we will be hitting the beaches, and I would not have any guns on my fleet."

Within the last week you have read two or three announcements where the flagship of the fleet off the Vietnam coast is using her 6-inch guns. Well, they have some left. But the point that I want to talk about is this: They now agree with us and that has been changed. Any idea of abandoning 5-inch and 6-inch guns from the fleet—that will not happen. That we have been assured of. They have seen the error of their ways.

I am glad to see the Air Force with that spectacular space shot the other day. Did you ever think you would live long enough to see the "fly boys" 300 feet down in the ground—covered by concrete—the great Air Force? That is where they have been going for several years out in the Northwest. It looks as though we are going to get them back in the air. And I assure you I think it is the feeling of our committee that they should be there. I hope that we expedite the space laboratory for the Air Force.

I have never been able to get a word out of Secretary McNamara for years, since he has been here, as to the importance of satellites for defense. I just want to touch on that point, that since sputnik was first fired, I believed the morning I heard about it, and I believe today and I think you do, that there is a place in the Department of Defense for space satellites of whatever kind; for observation platforms, for platforms and various kinds of weapons. But in the future of space there must be satellites of the Department of Defense.

I am for peace, and I am for motherhood, and I am against sin, too. I think this work being done by the space people for peace and prosperity is one thing. But out of an abundance of caution, if for no other reason, I will not be happy until the Defense Department recognizes this problem, that there is a place in space for the Department of Defense.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Chairman, I have listened with a great deal of interest—I listen with interest to everything my distinguished friend says—but I listened with particular interest to what he said about the essentiality of the manned orbiting laboratory and manned satellites in the military applications of space.

Mr. Chairman, I have been privileged to observe the outstanding quality of the work of the distinguished gentleman from Pennsylvania [Mr. Flood] as a member of this committee for a long time.

There is no one who has done more to focus the attention of the military services on the deficiencies which have existed and which required correction if we are to have a fully adequate defense, than the gentleman from Pennsylvania. Year after year the gentleman has insisted on corrections and improvements in the services and in their equipment. Through his efforts as much as those of any man, it has been possible to move the military toward the correction of those deficiencies that have threatened the effectiveness of our defense program. We have a stronger defense today because a man like Dan Flood has served on this committee and in the Congress and has insisted on a better national defense. I feel that everyone of us should be proud of his contributions.

Mr. FLOOD. Well, is he not nice?

Mr. Chairman, I will let you in on a secret. I am not a damn Yankee. I am just a Yankee. As a matter of fact I was reared in St. Augustine, Fla., and lived there for many, many years. So you can understand how my friend the gentleman from Florida [Mr. Sikes] and I get along so well together.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Of course; I am delighted to yield to my distinguished friend and hard worker from California.

Mr. LIPSCOMB. Mr. Chairman, I would like to join in the remarks of my colleague, the gentleman from Florida [Mr. Sikes]. I have felt very privileged to work with the man in the well, the gentleman from Pennsylvania [Mr. Flood]. I have watched his decisions. I have listened to his complaints and his suggestions, going back to his concern for airlift aircraft. I just want to add my voice at this time to the comments made by the gentleman from Florida.

Mr. FLOOD. Well, are you not nice. I have a sister-in-law in California.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield to me at this point?

Mr. FLOOD. I am delighted to yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Chairman, I would like to also associate myself with the remarks that have been made about the distinguished gentleman from Pennsylvania. I am confident that we all feel he is probably one of the most discerning and knowledgeable men about military affairs in the entire Congress.

Mr. Chairman, I have been on this subcommittee for 7 years. I remember full well when I first joined the subcommittee the gentleman from Pennsylvania gave me a little bit of advice. He said, "It is a great subcommittee to be on," but he said further, "You never get anywhere on it."

Mr. Chairman, I was last 7 years ago and I am still last today.

Mr. FLOOD. Well, of course you ought to look at my side I have been on the committee for about 20 years and I am still low man on the totem pole. Look what the setup is. If these southerners ever started a war we will never get off the ground. Take a look at that committee: The gentleman from Texas [Mr. Mahon], chairman; next, the gentleman from Florida [Mr. Sikes]; next to him, the gentleman from Mississippi [Mr. Whitten]; next to him, the gentleman from Alabama [Mr. George W. Andrews]; and then, Flood. And, this has been going on since the war.

Mr. LIPSCOMB. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. Cahill].

Mr. CAHILL. Mr. Chairman and members of the Committee, I just have this one observation to make to the gentleman from Pennsylvania, and that is from my observations of him, one Irishman like him can take care of all four of those southerners.

Mr. GEORGE W. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I shall be happy to yield to the gentleman from Alabama.

Mr. GEORGE W. ANDREWS. He does.

Mr. CAHILL. Mr. Chairman and members of the Committee, I asked for this time, and I am very grateful to my friend the gentleman from California [Mr. Lipscomb], for permitting me, although not a member of the committee, to address this Committee of the Whole House on the State of the Union today on this very important bill.

Mr. Chairman, I asked for this time, not to be critical of any facet of the bill nor do I have any real constructive suggestions to make to the Committee. But as I understand this bill it carries an appropriation of $45 billion for the defense of the United States of America and of the free world.

I would merely like to point out to the Committee that in spite of all of the money that is being spent on defense, in spite of the efforts of this Committee, it is my humble opinion that we as a people and certainly we in the Congress are neglecting a very vital part of the defense necessities of this country, and that is our shipbuilding.

I do not know whether my colleagues in the House are aware of the fact—I was not until recently—that as of February 1, 1965, there were 612 merchant ships totaling slightly more than 4 million deadweight tons on order or under construction for the Russians, and as of the same date there were only 44 merchant ships totaling less than 650,000 deadweight tons on order for construction in the U.S. shipyards.

I listened to my friend speak of the missiles, to modern fighting planes, I listened to all of the talk about the moon shot and, while I agree these are all necessary, it seems to me that we are neglecting the one arm of defense without which we would not have won World War II. Yet, the delivery of these new ships for the Russian merchant marine has exceeded 100 vessels annually for the past several years, while in U.S. shipyards we have delivered only 16 merchant vessels during the entire year of 1964. While the Communists are building new and modern seapower, about 90 percent of all U.S.-flag dry cargo ships and 55 percent of our tankers are 20 years of age or older. Our fleet of dry cargo ships engaged in the domestic trade is practically extinct. Two-thirds of our naval fleet will be 20 years of age or older in less than 2 years because of the absence of a suitable replacement-ship program, so that the private shipyards are more than 50 percent idle. And U.S.-flag shipping is carrying only 5 percent of our export and import commercial cargoes. By 1970 it is estimated that Russia's maritime fleet will total more than 2,500 vessels. In 5 years, at the present rate of retrogression, the U.S.-flag merchant marine will total about 650 ships. More than 1,600 vessels, mostly of World War II vintage, remain in reserve status, but only a small fraction of these will be of any benefit in time of emergency. No real benefit to this country is possible from these ships and they are destined, in my judgment, for one thing, and that is the scrap pile.

But here is what concerns me, Mr. Chairman. This is only part of the story. The real problem, as I see it, is that the Soviet Union today is second only to the United States as a naval power. Russia's shipyards are now being utilized to 100 percent of capacity. The hammer and sickle fleet of submarines numbers more than 500, the largest underseas armada the world has ever known. It is eight times larger than the underseas fleet that Hitler had at the beginning of World War II, and includes an ever-increasing number of nuclear-powered units. Soviet-built submarines have also been supplied to satellite and other countries, more than 20 to Communist China, 12 to Indonesia, and 8 to 10 to Egypt.

I do not want to take more time than is necessary but I desire to make another point. I suggest to many of my friends in the House who have private shipbuilding interests in their area that we in the United States today are only using 50 percent of our shipbuilding capacity.

Private shipbuilding in the United States of America is on its way out. The reason for that is twofold—one reason is that we as a government and we as a people have not recognized the great contribution and the overall importance of shipbuilding to the defense of our country. The second reason is that the administration today, as previous administrations have done, has placed emphasis on naval shipyards. Let me say parenthetically, I have right across the river from me one of the finest naval shipyards in the world and I am not recommending that there be any termination or even a limitation of the work assigned to that shipyard. But I can say to you that right across the river from that shipyard there is a private shipyard that has not had a contract in 2 solid years—a shipyard that made tremendous contributions to the American fleet during World War II and had as high as 30,000 employees and now is down to 4,000 employees, with no contracts coming to them for over 2 years.

As I have listened to the debate on the floor of this House year in and year out, I hear that we are going to subsidize tobacco. We are going to subsidize the farmers. We are going to subsidize the airlines, the textile manufacturers, the oil interests, the poor, the student, the teachers, the elderly. We are going to give money for Federal highways, airports, recreation areas. We are going to give money for the development and research of all kinds for rockets and planes and moon shots. It seems to me, gentlemen and ladies of the Committee, that we ought to take cognizance of the deplorable condition of our merchant fleet and of our naval vessels. The only reason we have the greatest navy in the world today is because we have the greatest sailors—because we have the greatest men and not because we have the most modern ships. I think all of my friends who have shipbuilding in their areas must agree with me that the time has come when the appropriate committees of this Congress must do something about it. I certainly would recommend as one constructive suggestion, I hope, that there will be formed some special committee with adequate funds to come up with the knowledge and research that will show us how we can be competitive in the world market and how we can preserve our private shipbuilders so that if, God forbid, the day ever comes when we are going to find ourselves in need of ships to transport troops, we will not find ourselves as we were in 1940 but we will find ourselves ready. I would say to the Committee that today we are not ready.

I would also recommend that Congress appropriate funds for the design and construction of at least four 30-knot, 15,000-ton automated nuclear merchant ships for delivery in 1970.

I think graduate studies in ship automation and nuclear technology should be initiated at Annapolis and the Merchant Marine Academy at Kings Point, and most ineptly, I recommend that Congress appropriate funds for the establishment of Federal grants for an extensive research program which will devise and study methods to make U.S. ships and shipyards more competitive.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman.

Mr. MILLER. The gentleman has referred to the fact that our merchant marine was not ready in 1940. I would apply that same statement to the year 1917 when World War I started. At that time we were not ready either. The Lord had His arms around us on these two world-shaking occasions. We were fortunate to have had someone to protect us. We were unprepared in this phase of our defense. The private shipbuilding sector is as much a phase of defense as the Air Force or the Navy or anything else. I congratulate the gentleman and associate myself with the remarks that he has made.

Mr. CAHILL. I thank the distinguished gentleman from California.

Mr. CHAMBERLAIN. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman.

Mr. CHAMBERLAIN. I commend my colleague, the gentleman from New Jersey, for the statement he has made. Although there are no shipping interests in my district whatsoever, I have long shared his concern over what is going to happen in the future if we ever need, as the gentleman has said, a surface fleet to support a war effort for our country. I think it is very unfortunate that more Members of the House have not been present to hear what the gentleman has said.

Mr. CAHILL. I thank the gentleman.

Mr. Chairman, I would like to close my remarks with just two observations. I will not take the time of the Committee now to go into certain matters, but I will obtain and place in the RECORD some facts that I have been able to obtain that to me were very shocking.

I do not really believe that the American people understand the condition of our merchant fleet. I do not really believe they understand the antiquity of our Navy. I do not really believe they understand what is happening in the competitive field of shipbuilding abroad as compared to the United States.

Perhaps some Members read the article I read in last week's newspaper, in which our Secretary of Defense, while in England, made a statement that he believed the time had come when we should buy more ships from England.

Coming from the area I do, where shipbuilding has been flourishing in the Delaware Valley since the time of the founding of the Republic, I see it about to vanish—and I mean vanish from the Delaware Valley—because we cannot compete with European and foreign shipyards, and because our Government will not take a proper and correct and just look at the shipbuilding industry, I can tell you this gives us great concern. I hope the Committee will join me in looking over these statistics when they appear in the RECORD.

Mr. MAHON. Mr. Chairman, I yield 4 minutes to the gentleman from Maryland [Mr. GARMATZ].

Mr. GARMATZ. Mr. Chairman, first I commend the gentleman from New Jersey for his fine remarks. I surely agree with him 100 percent on his remarks with reference to private shipyards.

Mr. Chairman, an article in the Washington Post of June 18 stated that the Defense Department is considering buying about $50 million worth of naval vessels a year from Great Britain.

I consider this a harbinger of doom for the privately owned shipbuilding industry in the United States.

Such a proposal is beyond comprehension, in the face of Navy's oft-admitted dependence on the privately owned shipyards for logistic support in war and emergency.

Coming on the heels of Navy's recent success in forcing repeal of the budgetary provisions for channelling 35 percent of Navy repairs into the private yards in the bill under consideration, this proposal is indicative of a Defense Department attitude that could only lead to further and rapid disintegration of America's non-Government ship-construction facilities.

Keeping in mind the Department's insistence upon retaining all but one of the shipyards that serviced the mammouth World War II fleets, could anyone conversant with the situation expect that any work done foreign would be taken from scheduled Navy yard construction?

One of the arguments advanced for building in Great Britain, we are told, is that in long-range instances, it is better to get the best price and quality obtainable. If that is to be the norm, two independent studies made recently, both made clear that costs of construction and repair in the U.S. privately owned yards averaged 8 to 32 percent lower than the same type of work in the Navy yards. There was no suggestion in either report that the work performed at the lower cost private yards were inferior to that done in the higher cost Navy yards.

Navy logistics officers time and again have admitted the Department's utter dependence upon the private yards for support in times of war or emergency. Yet the powers that be, seem ever ready to bypass the private yards in favor of their own jealously guarded facilities.

It seems rather contradictory to argue the necessity for keeping Defense facilities in major allied countries in a condition of readiness for expansion in an emergency, when every move Navy makes, or proposes, tends to weaken further our country's private shipyard facilities, upon which the Navy must place first dependence.

Is it not enough that we made possible rebuilding and modernization of shipyards in all Europe and Japan that have taken from us the world leadership in this field? I think we have done more than enough in this respect. In view of these latest proposals, I consider it urgent that the administration's leadership acquaint the Department of Defense and its Office of International Security Affairs with some facts of life in the shipbuilding field to which Defense might well give due consideration.

I am today writing to Secretary of Defense McNamara expressing my strong opposition to this proposal.

Mr. LIPSCOMB. Mr. Chairman, I have no further requests for time.

Mr. MAHON. Mr. Chairman, I yield such time as he may desire to the gentleman from Maryland [Mr. FRIEDEL].

Mr. FRIEDEL. Mr. Chairman, I wish to associate myself with the remarks of Congressman GARMATZ and compliment him on his statement.

Mr. Chairman, the private shipyard industry of the United States seems to be a favorite topic of discussion these days. The Maritime Administrator has publicly suggested that we should have merchant ships built in foreign shipyards. The Department of Defense, according to the newspapers, is considering the construction of naval vessels in British shipyards. And, the Navy Department has successfully—though erroneously in my opinion—convinced the Congress that more Navy ship contracts should go to the naval shipyards.

All of this, of course, works to the disadvantage and detriment of the U.S. private shipyard industry. All of this reminds me of a poem by Rudyard Kipling, which went like this:

> God and the shipbuilder we adore
> In times of danger, not before
> With danger passed
>   And all things righted
> God is forgotten
>   And the shipbuilder slighted.

To illustrate, Mr. Chairman, the lasting significance of shipyards—in times of peace as well as in times of emergency—I include in the body of the RECORD at this point, excerpts from a very comprehensive speech entitled "U.S. Private Shipyards—A Vital National Asset," by the president of the Shipbuilders Council of America, Mr. Edwin M. Hood, a native of my home city of Baltimore, Md.:

U.S. PRIVATE SHIPYARDS A VITAL NATIONAL ASSET

(By Edwin M. Hood, president, Shipbuilders Council of America)

(The remarks were delivered by Mr. Hood at the 13th Annual Fort Schuyler Forum, Fort Schuyler, N.Y., on Mar. 13, 1965)

In recent months, the full spectrum of U.S. maritime policies, programs and problems has been given more public airing than at any previous time in the last decade. This development has been helpful in focusing attention on the complexities of present conditions within the U.S. merchant marine community; in focusing attention on the relationships between shipping and shipbuilding; and in focusing attention on the role of maritime endeavors in our national economy, national security, and global strategy, as well as in our national aspirations for expanded trade and commerce.

MARITIME POLICIES ARE AT THE CROSSROADS

Now that the general proposition has been stated, the coming months will be devoted to the important process of decision making. Underlying this task will be the need for determinations of which courses of action, which programs and what budgetary commitments will best serve the public interest. There are also collateral questions of terminology and definitions, and of correspondent obligations among the separate agencies of the Government which must be answered. A better understanding of the correlation between dollars invested and earned, gross national product, tax revenues, and the balance of international payments is also required.

In all of this, unassailable logic, rational thinking, incontestible statistics, and orderly programing are required as never before. In all of this, the Secretary of Commerce has given positive assurances that the viewpoints of all segments of the maritime industry will be given careful evaluation.

During a March 3, 1965, hearing of the House Committee on Merchant Marine and Fisheries, Secretary Connor stated that, because of the balance-of-payments deficit, the policy of the administration "at this time" is to require the construction of merchant ships in U.S. commercial shipyards. His statement tends to clear the air, at least temporarily, with respect to rumors which have been prevalent for many months suggesting that some unspecified number of U.S.-flag ships would be built in foreign shipyards.

Standing alone, these rumors have created a state of confusion in the U.S. shipyard industry. Management, labor, suppliers, investors, bankers, naval architects, marine engineers, customers, and others, could only view the future with apprehension until Secretary Connor dispelled the brewing storm clouds.

But, his statement must be regarded solely in the context in which it was made—the imbalance of international payments issue. When that problem is solved—and certainly President Johnson's actions are directed toward an ultimate solution—the alternative of foreign building for all or part of the U.S.-flag merchant fleet could very well be revived. Meanwhile, the importance of U.S. shipbuilding to our national well-being must be placed in better perspective.

The private sector of the U.S. shipyard industry is composed of more than 300 commercial establishments. They range from small to medium to large facilities. Many are equipped to perform both shipbuilding and ship repair. Some are only shipbuilders. Others limit their operations to ship repairing. A number have diversified into other activities—such as the construction of heavy industrial equipment, wind tunnels, centrifugal pumps, kiln plants, missile and rocket components, hydraulic turbines, and so on. A few are engaged in the exploration of the emerging ocean sciences. But, shipbuilding, ship repairing, ship conversions and ship overhauls remain the principal source of revenues for the private yards.

PRIVATE YARDS—MAJOR FORCE IN U.S. ECONOMY

The latest figures available from the Department of Commerce census of manufactures showed that the value of shipwork done in U.S. private shipyards during 1963 totaled $1,499,700,000. Of this amount, merchant ship construction of all types represented $314,145,000 or 20.9 percent. Repairs and conversions to merchant vessels of all types amounted to another $276,514,000 or 18.4 percent. In other words, 39.3 percent of the total volume of work performed in domestic shipyards in that year can be attributed to work on merchant vessels, and about 13.3 percent involved ship construction contracts coming under the jurisdiction of the Maritime Administration.

Again, according to the 1963 census of manufactures, the private shipbuilding and repairing industry employed 114,205 people, including 96,053 production workers, with a total payroll of $779,678,000. Approximately 10,000 shipyard employees are directly or indirectly engaged on Maritime Administration contracts. Based on the ratio of purchased goods and services to total ship cost, it is estimated that another 10,000 persons in supporting endeavors and industries earn their livelihood as a result of the Maritime Administration shipbuilding program. It should be pointed out here that every State of the Union provides a component, resource, or service that goes into the construction of every ship in a U.S. shipyard.

Government economists use a factor—known as the multiplier effect—of one job in industry creates one job in supporting services or commercial enterprise. Thus, shipbuilding under Maritime Administration auspices accounts for about 40,000 jobs and more than $300 million in gross national product. Since by Bureau of Labor Statistics yardsticks, the average family size is considered to be 3.7 persons, the loss of Maritime Administration ship construction in U.S. shipyards would have the potential of removing the means of support for about 148,000 persons. The inclusion of repair work on Maritime Administration-sponsored vessels would of course increase this latter figure significantly.

FEW INDUSTRIES MATCH SHIPYARDS' COST-CUTTING ACHIEVEMENTS

In spite of steadily rising material and labor costs, U.S. private shipyard selling prices are still 15 to 20 percent below the 1957 level. Intensive cost reduction programs continue in all of our yards. Through meaningful investments of risk capital ($24,104,000 in 1963 according to the census of manufactures), and with typical American optimism in the future, facilities and techniques in U.S. commercial shipyards are constantly being improved.

Most of the modern shipbuilding know-how—cost control, reduced scale lofting, optical layout, automated flame cutting, shot blasting, automated material handling, new welding processes, and subassembly prefabrication—are already being employed. Computerized operations and tape control of various fabrication processes may soon bring about even more improvements in our shipyards and shipbuilding methods. The opportunities for extensive automation, such as have given U.S. manufacturers of mass consumption items a productivity edge over foreign competitors, are limited in shipyards by the job shop nature and variability of shipwork. However, we have been encouraged to hear the Maritime Administrator say "* * * by and large our shipyards' equipment and methods are the equal of most in the world."

Private yard utilization has been at less than 45 percent of capacity. There can be no question that an increase in activity levels—an increase in the volume of merchant shipbuilding contracts—would reduce unit costs by lowering the amount of fixed costs per unit of production and by making possible more extensive automation of shipyard techniques.

KEY PROBLEM: THE DISPARITY BETWEEN U.S. AND FOREIGN LABOR COSTS

Our country and an increasing number of American industries face an economic disadvantage when competing in world markets. U.S. products and services are frequently much higher in cost than those of foreign nations. This is principally due to our higher standard of living and the higher wages necessary to support that standard of living. The American way of life contemplates, for all citizens, a house, a car, work-saving appliances, leisure time and vacation, a good education for their children, health and medical care, and more. To provide these, a wage structure has emerged here which is more affluent than that of any other country in the world. In reference to comparative labor costs, the wage levels which prevail in American shipyards range from double to four times those paid by foreign shipyards for the same skills. Thus, where a worker in an American yard earns in excess of $3 per hour his counterpart in Japan receives less than 75 cents per hour.

The extent to which U.S. services and industries are vulnerable to foreign competition because of this wage cost disparity varies considerably. Many industries, by reason of special circumstances, have a built-in advantage of facing foreign competition. For example, retail businesses, the construction industry, public utilities, and certain other nonmanufacturing enterprises are automatically immune because of laws which prohibit foreign citizens from working within the United States at less than our minimum wage scales.

It is sometimes noted that U.S. airplane manufacturers are able to compete on the world market. The question which inevitably follows is: "Why can't the shipyards?" The answer, of course, rests largely in the fact that aircraft are generally mass produced in greater numbers than ships. But, even more than that, the Federal Government has provided the aircraft industry with a high degree of encouragement, incentives, and assistance.

To illustrate: In fiscal year 1965, the amount of Department of Defense expenditures for research, development, tests, and evaluations of aircraft is about equal to the value of all Government ship procurements from private shipyards, including naval vessels plus merchant ships for the subsidized fleet. We are talking about a figure of the magnitude of nearly $900 million in a single year. This support to the aircraft industry for research alone is nearly three times the average total level of merchant ship construction and operating subsidy funds. And yet, it is suggested that the Federal investment in our merchant fleet is too high.

Shipbuilding and shipping are among the few national activities wherein a direct confrontation occurs between U.S. and foreign wage levels, since a ship is its own means of transport, requires no special packaging, and so on. This perspective of their unique economic vulnerability to low-cost foreign competition must be taken into consideration when evaluating or proposing rules, regulations, and programs pertaining to the maritime industry.

It is not appropriate to chastise or downgrade U.S. shipbuilders and U.S. ship operators simply because this wage disparity is more easily recognizable in their situation than in most other industries.

SEAPOWER HAS A PRICE TAG

As a practical economic fact, a dollar spent in direct subsidy payment via congressional appropriations is no more of a subsidy than an extra dollar spent to build our roads by virtue of excluding low-cost imported foreign labor from participating in their construction. The U.S. maritime industry has been unfairly criticized because the support given it is a tangible figure while many other industries receive Federal supports which are disguised but which are just as real.

A more positive approach would be to concentrate on constructive ways to achieve our national objective of a strong, viable, merchant fleet at the lowest public cost and to recognize, as realistic necessities, programs such as ship-construction subsidies, operating-differential subsidies, and cargo preference cargoes for U.S.-flag shipping.

Since an effective maritime effort would not be possible without such protective measures, the underlying issue before us at this time should not be the cost disparity, but instead a judgment as to how much shipping and shipbuilding capability we must maintain in our own national interest. Proposals to restrict subsidy payments at the present level of appropriations are, in effect, recommendations to diminish this Nation's seapower and to proscribe the industry's future growth. Suggestions to eliminate or reduce maritime assistance programs are truly proposals to transfer American-flag shipping services to foreign-flag shipping lines and U.S. shipbuilding opportunities to foreign shipyards.

Instead, we must establish with certainty the relationship of shipping and shipbuilding to our national economy. We must decide how much maritime capability we need to support our leadership role as the defender of freedom for all mankind. We must decide how much maritime capability we need to protect our economic interests as a nation virtually surrounded by water and dependent more and more on international commerce. We must resolve to have sufficient shipyard capability to support these national needs at all times and under all conceivable circumstances. If Y represents the present level of tonnage carried aboard U.S.-flag ships (less than 10 percent), we must resolve that by X years U.S.-flag shipping will be carrying Y plus Z percentage of our own trade and commerce.

Having made these decisions in the national interest, the cost must be approached in the same manner that the cost of placing a scientific team on the moon is approved with alacrity. There are many side benefits to these expeditions in outer space, just as there are many side benefits to an effective maritime effort. Having made these decisions, we must be prepared to build ships, as required, in U.S. yards—not on the basis of how cheap, or how much, but on the basis of how good in terms of serving national needs. We must assure U.S. labor that job opportunities are not going to be diverted to foreign shipyards.

U.S.S.R.'S MASSIVE MARITIME BUILDUP

The Soviet Union is moving rapidly to control the oceans and trade routes of the world. As a naval power, she is already second only to the United States. As a maritime power, experts predict she will surpass the United States in less than 2 years. Russia presently has nearly 6.5 million deadweight tons of merchant ships under construction or on order—673 merchant vessels compared to our 40. She is committing large domestic resources and a substantial portion of her foreign exchange to enlarging her merchant fleet.

This extensive building program represents the Communists approach to the cold war on the economic front, and recognizes merchant ships as instruments of major economic influence. The present Soviet merchant shipbuilding effort is more than 10 times that of the United States. Nearly 2 million tons of the vessels under construction for the Russian flag are being built in Russian shipyards, an activity level 3 times that in U.S. shipyards. It should be noted that the Soviet Union has placed shipbuilding contracts with other countries—including some of our friends in the community of free nations—only because of this high degree of utilization of her own shipyard capacity.

A reference has also been made to the fact that Norwegian shipowners build many of their ships in other countries, and it needs to be pointed out that Norway has only a limited shipyard capacity. In addition, the British Fairplay Shipping Journal of February 5, 1965 includes these comments: "Norway evidently favors her own yards for the smaller type of vessel * * * few Norwegian yards are in a position to arrange for first priority financing, and there is no doubt that some of the yards have had to forgo several contracts for this reason."

To offset the ocean threat of the Soviet Union, and to facilitate the decision determinations previously mentioned, it seems to me that the subject of Federal support for maritime activities must be reoriented.

SHIPPING AND SHIPBUILDING INTERRELATED

Some authorities advance the notion that shipbuilding and ship operations are separate and distinct activities. From this they conclude, in essence, that reliance on foreign shipyards would not importantly decrease job opportunities for U.S. citizens, and that a greater use of foreign-flag shipping to transport our trade and commerce would not significantly take away job opportunities for our people. This kind of thinking ignores not only some of the relationships already cited, but fails to take into account possibilities for more effective and efficient allocation of resources and manpower coming within the purview of maritime subsidies. In other words, despite the wage cost disparity, are there ways by which more jobs in the maritime industry can be held by U.S. citizens rather than citizens of some foreign country?

There are, but first the industry must be viewed as a single unit. Shipbuilding, ship repair, and all of the various categories of ship operations—subsidized and unsubsidized services, tramp operators, domestic deepwater carriers, inland waterways operators, the Great Lakes fleet, and all of the others—must be considered one with the other in terms of the aggregate. To use a popular economic term, the industry can be strengthened by developing methods to maximize its hardware—ships, shipyards, and personnel.

As a viable component of merchant marine capability, shipyard hardware can only be maintained and maximized in direct proportion to the availability of shipbuilding and ship repair work in the United States. Obviously, to build or to repair ships in foreign shipyards would constitute a decision to forgo a fundamental part of the industry's hardware and to allocate shipyard jobs and production facilities to other nations.

The problem with respect to maximizing the hardware represented by ships is less clearcut. But even on cursory examination, it is readily apparent that ship construction and ship operations are closely interrelated.

Mr. MAHON. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. McGRATH].

Mr. McGRATH. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from New Jersey [Mr. CAHILL], and the gentleman from Maryland [Mr. GARMATZ].

Mr. Chairman, I also support the recommendation of the gentleman from New Jersey [Mr. CAHILL] that a committee be named to make an independent study of ways in which our private shipyards can be kept open and flourishing.

It is important to the United States that our Nation have private shipyards and that they be given sufficient funds to do a good job. Although the present governmental policy is to buy ships through competitive bidding and, on occasion, from foreign nations, I feel this can be unfair in that the use of cheap labor is employed in foreign countries in order to permit low competitive bids.

Privately owned shipyards should be kept open in the United States in order to be able to provide the necessary increase in shipping in the event of war and to keep up our Merchant Marine fleet.

Furthermore, Mr. Chairman, I believe the Government should do everything possible to provide a contract to the New York Shipbuilding Corp., located in Camden, N.J., which has not had such a contract for some time and is, in fact, being threatened with closing. The closing of this shipyard would work a tremendous hardship on the economy of the State of New Jersey and would affect many residents of the Second District, which I have the honor to represent, and who are employed by the New York Shipbuilding Corp.

Mr. MAHON. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, I am grateful to the chairman of the full committee for the time he has granted to me.

Mr. Chairman, I rise in support of H.R. 9221. I want to compliment the chairman and the members of the committee for what I consider an excellent presentation and bill. I might mention, because of the colloquy that took place here regarding the Boeing Co. and the General Dynamics Co., I, being one who you might say has an interest in one of the participants in that, that as far as we are concerned this is water over the dam and we look only to the future. The past is the past and the past is closed.

Mr. Chairman, I want to particularly address my remarks to the research and development funds for the Air Force contained in title IV of the bill and attempt to bring to you some comparison with recent Russian technical achievements.

I have just returned from the International Exposition on Air and Space in Paris, France, and want to bring to the attention of the Members of the House the tremendous impact created by the Russian exhibition and specifically the AN–22.

This is a giant turboprop aircraft which the Russians publicized as being capable of transporting more than 700 passengers. The U.S.S.R. also exhibited one of their Vostok space capsules which have been the basis of their extensive orbiting of the earth, and a MIL V–10 flying crane helicopter purported to be able to lift over 40 tons. Unfortunately, the United States did not have comparable exhibits in these vital fields of commercial transport and space development.

I specifically mention these items because title IV of this bill includes an item of $157 million for the development of the C–5A heavy logistics transport aircraft which will be America's answer to the AN–22. I believe it is very vital that we promptly pass this bill and I hope the other body will act on it promptly so that we can look to having a competitive transport to the AN–22 in the near future.

I examined the Russian cargo carrier with care and my measurement of the interior indicated it to be approximately 15 feet in diameter. I have been through mockups of the C–5A and the AN–22 is not as large as the proposed C–5A but it is certainly large enough to carry almost any heavy piece of military equipment, which will give the Russians the capacity to move mechanized division strength units throughout the world at speeds over 500 miles per hour.

In my conversations with American technical experts who had been able to enter the cockpit, I found general agreement that this was a handmade prototype airplane. For example, the radio and navigational equipment appeared to be hand tooled for this specific craft. It was undoubtedly made specially for the exhibit to create a psychological impact and in this it was successful.

In my opinion, the C–54 is a superior concept. It will be jet powered and its interior design is superior. The Russians did not demonstrate the AN–22 and they were reluctant to discuss with our exhibitors its performance characteristics. It seems clear that they do not want to discuss ton-mile operating cost estimates. Whereas, the proposed C5A is directed towards greatly reducing ton-mile costs for moving of military personnel and equipment.

I would like to recommend that we immediately consider the development of the C–54 for civilian as well as military use. In my opinion, it would be more than competitive with the Russian AN–22 and would usher in a new era in low-cost, high-volume transportation of freight and people. The C–54 is designed to carry in excess of 700 persons whereas it is gross exaggeration to say the AN–22 could carry 700 persons without stretching the airframe. I do not, by these remarks, however, want to lull you into a sense of complacency because the AN–22 is a flying prototype and is by far the largest air transport in the world.

We certainly need the C–54 and the plane has built-in economies that will make the initial investment well worth it. The entire concept of military operations throughout the world is changing and the C–54 is absolutely necessary. In the future we will depend less and less on large inventories of military hardware and large concentrations of personnel disbursed throughout the world.

Instead we will depend upon Operation Airlift and Operation Sealift to move material and men immediately to trouble spots. We are already started on this program which has created significant savings in the cost of operations and investment in inventory. The C–5A will amplify and perpetuate this strategy and will allow our defenses to remain flexible so that we may react quickly to changing situations.

While discussing the C–5A I would like to spend a moment on the supersonic transports. The front page of the exhibition program which was distributed to technical representatives of every country in the world contains a picture of the British-French Concorde. We are all aware that the cost of development of a supersonic transport is so large that no private company can develop this plane. In fact there are few governments in the world that can afford such an investment. Therefore, the British and French have successfully joined their engineering talents and finances to move ahead in the worldwide race to develop a supersonic transport. This is the Concorde. I wish to alert you, my colleagues, to the fact that we have been talking about a supersonic transport in America for many months, but we have not made any decision to proceed with it, and even if we were to authorize its development by the U.S. Government today, we would face the fact that the Concorde will be an operational aircraft at least 1 year before the American version is available. This could well mean that the major airlines of the world will be committed to the British-French Concorde, and every day we delay means it will be more difficult for American competitors to enter this commercial transport market of the 1970's. To me, the development of the C-5A and supersonic transport move together because these planes indicate the pattern of commercial air transportation for the 1970's.

Finally, I wish to compliment the committee for including in the bill funds for the Manned Orbiting Laboratory program. The demonstration of the Russian Vostok at the International Exhibition shows beyond doubt that the Russians are committed to impressing upon the world their technical competence in space. Frankly, from my examination of the space capsule—with its use of a solid construction with an overall heat shield as opposed to the more sophisticated honeycomb construction with maneuverability characteristics of the American Gemini and Apollo spacecraft—indicates that we in America are still ahead of the Russians in the technology of space. It is clear, however, from examination of the Vostok and particularly of the space suit development of the Russians that they are moving ahead very fast. I was very disappointed to see in Paris that the United States did not have a comparable space exhibit to that of the Russians and we did not even have a "mockup" of the Gemini capsule. I am grateful that the decision was made to have Vice President HUMPHREY and our two recently returned astronauts, Major McDivitt and Major White attend the exhibition. Literally thousands of the French people stood in line at the American Embassy to greet them.

I want to express my appreciation to Chairman MILLER of the Science and Astronautics Committee for inviting me to attend the exposition. There is no substitute for personal involvement in discussing the factors involved with the people on the spot. It is much more effective to view, with your own eyes, and evaluate your own impressions than to absorb a host of reports, however detailed. I know each of you, my colleagues, feel as I do, that our job is to determine whether we are spending our money wisely in our space and aeronautical programs and whether we are remaining competitive with the other great powers.

In conclusion, I would state that I do believe we are significantly ahead in major areas of space and aeronautical development but there is no time to rest or even pause. The British-French "Concorde" and the Russian AN-22, with the Russian superhelicopter, the Myasishchen V-10 prove beyond doubt that we in America have no monopoly on talent or productive genius. Let us go forward so that we and our children may live in peace and prosperity in the decades before us.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Texas.

Mr. MAHON. The gentleman, of course, is familiar with the fact that in this bill we have total recommended appropriations of about $157 million for the C-5A program.

Mr. ADAMS. Yes, Mr. Chairman, I am. I am hopeful, as I say, that this aircraft will also be developed for possible future civilian use. This was the thrust of the Russian exhibit. They exhibited it as a civilian aircraft, but it is very clear that it is a major troop-carrying and equipment-carrying transport.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Florida.

Mr. SIKES. I should like to say that I think the gentleman has made a distinct contribution to the debate here today. I have listened to his statement with a great deal of interest and appreciation.

Mr. ADAMS. I thank the gentleman from Florida.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. GREEN of Oregon. Mr. Chairman, I would point out that for the past 2 years the Congress has considered and acted favorably upon a provision to assure that a minimum amount of naval conversion, alteration, and repair work would go to private naval yards. The reasons for this have been sound in past years and are even more sound today in light of the current world situation. Chiefly, they are that it is indisputably cheaper to convert, alter, or repair a naval ship in a private yard than in a Navy yard; and that it is vital to our national security requirements that private yards be kept in a reserve status able to respond to naval defense requirements in the event of international crises.

To expand briefly on these points, let me recall to my colleagues the results of two cost analysis studies made in this field 2 years ago. Both of them clearly established the fact that it is, depending on the type of work, from 9 to 33 percent cheaper to do naval repair work in private yards than in Navy yards. And, Mr. Chairman, one of these surveys, as has been mentioned in previous years was conducted by the Navy itself. It is indisputable that it is cheaper to do the work in private yards.

As for "readiness" requirements, the facts of both the First and Second World Wars when private yards were called upon on short notice to perform virtual magic in increasing their production levels to meet national needs should demonstrate the need to keep these yards operating and to keep a reserve pool of trained civilian technicians available in case of national need.

With these two points in mind I would suggest that logic dictates that our national defense and economic interests demand that we take a compromise approach to this issue. We all admit the need for operating Navy yards during peacetime, and the facts clearly show us the need for keeping private yards at an operating level along with them. When the time of crisis comes we are not going to have need of one or the other of these yards—we will need them both. For this reason I would urge the Secretary of the Navy to take appropriate action to insure diversion of a sufficient amount of work to private yards to keep them at a skilled operating level.

Mr. MAHON. Mr. Chairman, I yield such time as he may require to the gentleman from New Jersey [Mr. KREBS].

Mr. KREBS. Mr. Chairman, I should like to go on record commending my colleague, the gentleman from Camden, N.J., Congressman CAHILL, and say that we are well conversant with the problems that the shipbuilding situation has caused in his area.

However, I want to point out that this is not peculiar to that area alone. We are suffering the same ailments in northern New Jersey, in the Kearny-Newark-Hoboken area.

Mr. Chairman, I feel that it is high time something be done to provide work for the tens of thousands of skilled shipbuilders who have lost their jobs. Unless something is done, I am fearful they will have permanently lost their jobs.

Mr. Chairman, I thank the gentleman from Texas for yielding to me this time.

Mr. SKUBITZ. Mr. Chairman, I want to commend my colleague, the gentleman from Florida [Mr. SIKES]. It is about time that we began facing up to reality rather than seeing only those things we want to see.

For a number of years nearly one-half of our budget has been for national defense. We in the Congress appropriate funds for the national defense and then go happily on our way assuming that our country is adequately protected.

I agree with my colleague, the gentleman from Florida [Mr. SIKES], that we spend too much time talking about design and planning and not enough time getting the job done. One might be led to believe, at times, that all it takes to build a plane is to attach two $1 bills with a safety pin and a fighter plane is brought into being. I believe that we should quit using the kid-glove approach in dealing with the Defense Department and resort to brass knuckles instead.

We have been advised today that the Russians now have a plane in being which we only talk about constructing; that we are planning a followup bomber to replace the B-52 while the Russians may already have them in production; that the TFX is in trouble and its weapon system in deeper trouble. Is it not about time that this body stop, look, ponder, and ask why?

We have all read glowing reports released by the Defense Department concerning the TFX. But listen to what the committee report has to say on page 38:

> The F-111B is the Navy carrier-based version of the advanced supersonic F-111 aircraft. Armed with the long-range Phoenix

air-to-air missile system, it is scheduled to perform a major mission in naval aviation. Two serious problems have been encountered in this program. One relates to the weight of the aircraft and the other to the development of the Phoenix missile system. While noting these problems with some concern * * *.

I say to you being "concerned" is not enough. It is time that we find out how one man was able to overrule the considered judgment of the military leaders of the country. Texas may have been successful in getting the TFX contract but it now appears that the Nation is going to get the second-best place.

We were led to believe that the Texas-made TFX which was supposed to cost less money than the Boeing plane is now costing Uncle Sam a great deal more than originally estimated. According to the committee report—page 37—instead of a $6 billion program the cost of the total program is now to be $7 billion. Boeing may have had its wounds treated by receiving other contracts but for reasons unknown to me, very little or none of the new contracts awarded to Boeing are being completed at the Boeing Wichita plant where the rate of employment is steadily decreasing.

I shall support this bill because I believe that it is in the national interest that I do so. I must confess, however, that I am not impressed with the committee's report that this appropriation is $2.5 billion less than last year's budget. There is no doubt in my mind that before this fiscal year is over supplementary requests will be submitted to us that will take all or a great portion of this amount.

The **CHAIRMAN.** If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Page 17, line 5:

"SEC. 538. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project."

AMENDMENT OFFERED BY MR. LIPSCOMB

Mr. **LIPSCOMB.** Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LIPSCOMB: On page 47, after line 8, insert a new section as follows:

"SEC. 539. None of the funds provided in this Act shall be used for the Special Training and Enlistment Program."

And in line 9, change "SEC. 539" to "SEC. 540".

Mr. **LIPSCOMB.** Mr. Chairman, at the end of a long debate on a very important bill, probably the most important bill that any of us could be voting on, because it affects the national welfare and security of our Nation, this amendment may seem rather unimportant and minor. It amounts to only $24.2 million, but there is a principle involved here that we as the Congress should examine.

This amendment, as it is introduced, is to provide that no funds contained in this bill shall be used for the special training and enlistment program, which is commonly known as the STEP program.

We recommend that the funds be retained in the budget, however, for use on emergency problems which call for necessary increases in spending, such as Vietnam.

As will be recalled, the STEP program, which was discussed during debate on this bill and is discussed in the additional views in the report accompanying this bill at page 66. This is a program where men who wish to volunteer for the U.S. Army and who do not come up to the present mental and/or physical standards will be taken into the Army, given their basic training plus extended training from 6 to 14 weeks, then if they qualify they will be taken into the service.

There is no demonstrated need for the STEP program and if the hearings are read carefully, you can determine this.

In terms of overall numbers the Army receives sufficient manpower through enlistment and the draft. The major Army problem relating to acquiring and retaining skilled personnel is another matter and the STEP program would contribute practically nothing toward solving a problem of this nature.

In addition to this fact, there is no need for the STEP program. It could aggravate existing problems and create new ones.

This program would duplicate work being done by other agencies, at other levels of government, and privately. It would aggravate an admitted shortage of teachers. Serious questions could be raised as to just what STEP enlistees' course of study would be.

I would like to call your attention to the committee report, page 25, where the majority of the committee had this to say:

> The committee has some doubts with respect to the potential success of the STEP program. There are dangers inherent in the proposal to accept persons not physically qualified even though such acceptances are to be of persons with "readily correctible" deficiencies.
>
> The committee is aware that the STEP program appears to duplicate, in part at least, training proposed to be provided by the Job Corps. However, if both the STEP program and the Job Corps are successful and all applicants from both groups were to succeed in obtaining enlistment in the Army, there would still be a necessity for substantial draft calls.

There is an unbelievable amount of confusion as to the cost of the STEP proposal, and it should be emphasized that it is envisioned as at least a 4-year program.

The amount contained in the bill is $24.2 million for STEP during fiscal year 1966. There seems to be no way to tell, however, whether that is an accurate cost figure for the first year, or how much it would cost for 4 years. There are varying factors involved such as how many would be retained in the Army, what costs can be appropriately classified as STEP costs, and so forth.

One set of estimates presented to the committee place the 4-year cost at $144,630,000. This was based on an assumption that half the enlistees could be retained in the Army. Of course, no one can tell with accuracy, just how many will be retained so this is really an exercise in guesswork.

I would encourage the House to support this proposal and thus delete the funds for the STEP program.

Mr. **GROSS.** Mr. Chairman, will the gentleman yield?

Mr. **LIPSCOMB.** I yield to the gentleman.

Mr. **GROSS.** I want to compliment the gentleman on his amendment and say I thoroughly agree with him with respect to the special training program. It is my understanding that this will not stop any other training program presently being pursued.

Mr. **LIPSCOMB.** That is correct.

Mr. **GROSS.** We ought to save this $24 million that would be expended for the special training program and dedicate it to a pay increase for those of the rank of staff sergeant and below. Let us retain these skilled people in the armed services and we will be doing the armed services of this country far more good than to initiate another special training program.

Mr. **LIPSCOMB.** I thank the gentleman for his contribution.

Mr. **MAHON.** Mr. Chairman, I rise in opposition to the amendment

Mr. Chairman, all of us would like to see the draft program eliminated. If we could eliminate the draft and get people into the Army who are motivated to make the Army a career, it would undoubtedly be in the public interest. Of course, there is not a man or woman here who would not like to go home and say that he had tried to find a way to eliminate the draft, within limits, or at least to reduce the draft.

The purpose of this so-called STEP, the special training and enlistment program, is to reduce the number of draft calls in your State, in your district and in mine, and to take men into the service who want to be in the service. This is all voluntary. A man would apply to enlist in the Army. Maybe he does not quite meet all the physical and mental standards. In view of his desire to enter the service as an enlistee and not on a draft basis, this program provides that he shall receive some training and correction of those physical defects that are correctible so that he can go into the service.

I have some doubt as to whether this program will prove to be an outstanding success. I hope it will be. I hope it will be so successful that draft calls can be considerably reduced. I do not know.

Any man who is taken into the service must be given certain basic military training. This would give some additional educational training, to let these people who are begging to get into the service have an opportunity to get in.

Training of the average Active Army man cost $3,387. Under the STEP, to train a man who enters through this program would cost $4,104, or about $717 more per man. Total program costs, and net comparative costs are quite difficult to obtain; it all depends upon the retention and reenlistment assumptions one makes.

If these men who want to go into the service, and who enlist through the

STEP, remain in the service over a period of time, the Government would in the long run be compensated for the additional expense involved.

The program is an effort to save human resources to some extent, to help people enter a career which they would like to enter. If 77 percent or more of them remained in the service, then this program would be a success financially.

So there are more things involved than meet the eye here.

Since the administration has made this request and the program is supported by the President, the Secretary of Defense, and from the Secretary of the Army, who made an eloquent plea for it—I am willing to give them an opportunity. It may not succeed, but I am willing to give them an opportunity to try it. I should like for Members to join with me in defeating the proposed amendment.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to my good friend, who is a member of the committee.

Mr. MINSHALL. The gentleman mentioned the cost of the STEP program as being only $4,000 per man. That is not for 2 full years.

Mr. MAHON. This is for 6 months.

Mr. MINSHALL. I respect the Chairman for his views, but on page 25 of the report—I believe the Chairman would agree with the report—it is stated:

> The committee is aware that the STEP appears to duplicate, in part at least, training proposed to be provided by the Job Corps.

I do not see how the gentleman can reconcile the statement just made with that.

Mr. MAHON. Let me read from the report:

> The committee is aware that the STEP appears to duplicate, in part at least, training proposed to be provided by the Job Corps.

It does duplicate it to some extent. A man going through the Job Corps would cost $5,000-plus. Then we would have to pay $3,387 for his basic military training if he became an enlistee. If he were motivated to go into the service, we could take him directly into the service, and I believe that would be cheaper.

The report continues:

> However, if both the STEP and the Job Corps are successful and all applicants from both groups were to succeed in obtaining enlistment in the Army, there would still be a necessity for substantial draft calls.

This program would not wholly eliminate the need for the draft, but it would be a move in that direction.

Mr. GEORGE W. ANDREWS. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the amendment.

Mr. Chairman, and Members of the Committee, the purpose of this so-called STEP is to permit men who want to enlist in the Army to do so. The reason why they cannot be accepted is they have a minor physical defect or an educational deficiency.

I should like to read from the statement made by Secretary Ailes before our committee, as shown on page 515 of part 3 of the hearings:

> Basically, the STEP is a program under which we will give educational training or medical treatment to some of the volunteers for enlistment in the Army who are now being turned away because they do not meet Army enlistment standards.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield to me?

Mr. GEORGE W. ANDREWS. I yield to the Speaker of the House.

Mr. McCORMACK. As I understand it, the present minimum standard for enlistment is an AFQT score of 31 points.

Mr. GEORGE W. ANDREWS. That is correct.

Mr. McCORMACK. This is the requirement for voluntary enlistment and it is for a 3-year period, as I understand it. Then, between an AFQT of 21 and 31 they can enlist them and, in addition to their basic military training, they have about 6 weeks of educational training. However, if they do not make the minimum AFQT of 31, then they are discharged.

Mr. GEORGE W. ANDREWS. It is a 14-week minimum program.

Mr. McCORMACK. But that includes the military training and the basic training.

Mr. GEORGE W. ANDREWS. That is right.

Mr. McCORMACK. I understand if they are not taken in, then they can be drafted later.

Mr. GEORGE W. ANDREWS. That is right.

Mr. McCORMACK. The very men we refuse to take in and give the opportunity to can be drafted later, and they as draftees only have to have an AFQT record of 21 points.

Mr. GEORGE W. ANDREWS. That is right.

Mr. McCORMACK. It seems to me it would be logical and commonsense to make this experiment. If they are drafted, they are in for 2 years, whereas if they enlist, they are in for at least 3 years.

Mr. GEORGE W. ANDREWS. The purpose of this program is to take in men who want to get in the Army. They do not want to be drafted, but they want to volunteer.

Mr. McCORMACK. And they serve longer.

Mr. GEORGE W. ANDREWS. That is right.

Mr. McCORMACK. And if they are not taken in, most of them will be picked up later on in the draft.

Mr. GEORGE W. ANDREWS. They could be.

Mr. McCORMACK. Surely.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. GEORGE W. ANDREWS. I am glad to yield to the gentleman from California.

Mr. LIPSCOMB. In regard to the Speaker's comments about the fact that they could be let out of the STEP and be free, they become subject to certain veterans benefits when this happens. If they are taken into the STEP and if they are not accepted into regular enlistment, they become subject to some of the regular veterans benefits.

Mr. GEORGE W. ANDREWS. As I understand it, the only veterans benefits they get under this program would be if they were injured while in service. I am talking about under this STEP.

Mr. LIPSCOMB. If the gentleman will yield further, they would be eligible for these veterans benefits, burial in a national cemetery, a headstone or grave marker, reemployment benefits, assistance in obtaining home loan, and hospital benefits for only service-connected disability. He also may be eligible under certain conditions for unemployment compensation.

Mr. GEORGE W. ANDREWS. I would like to continue reading what the Secretary said on page 515:

> The purpose of the STEP is to increase the number of volunteers accepted by the Army without lowering our standards. Volunteers, by definition, wish to serve in the Army; they serve a longer tour than draftees—they enlist for 3 years instead of 2—and they have a much higher reenlistment rate. Thus increasing the number of volunteers reduces personnel turbulence, reduces the number of men, that is, the portion of the Army, in basic training and thus strengthens the Army. For every volunteer accepted in the Army, one less man is brought into the Army by the draft. Many draftees make good soldiers. But, as between the man who wants to serve and the man who does not, all else being equal, we should certainly take the one who wants to serve.
>
> There should be some way in which a man can serve in the Army who wants to do so and is prevented from doing so by a readily correctible educational or physical deficiency. STEP is designed to provide the way.
>
> During fiscal year 1964 over 181,000 young men volunteered for enlistment in the Regular Army. About 111,200 met all mental, physical, and moral standards.
>
> Of the 69,900 who were rejected, 700 failed because they could not meet moral standards or because they lacked both mental and physical minimum qualifications.

Mr. LENNON. Mr. Chairman, will the gentleman yield to me at that point?

Mr. GEORGE W. ANDREWS. I yield to the gentleman from North Carolina.

Mr. LENNON. I am frankly very much interested in the objective sought by the committee here, but I am very much concerned about the language used in the report by the full committee found on page 25. I read:

> There are dangers inherent in the proposal to accept persons not physically qualified even though such acceptances are to be of persons with "readily correctible" deficiencies.

For the benefit of the members of this Committee, would you tell us just what your committee had in mind when you spoke of dangers inherent in this program? You do not elaborate on it in the committee report.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. GEORGE W. ANDREWS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. LENNON. I would appreciate the gentleman from Alabama telling us just what the committee meant when it said there were dangers inherent in this proposal.

Mr. GEORGE W. ANDREWS. Mr. Chairman, I yield to the chairman of the committee to answer that.

Mr. MAHON. At the beginning of any new program there are always dangers and difficulties and problems, as the gentleman knows, in any field of endeavor. We are seeking in this program to ride herd over it and assure the success of it if we possibly can. We have sounded a word of caution. There are dangers in this program only if there is mismanagement, in my judgment. It remains to be seen if it will be successful. But if the gentleman will read the whole report I think he will see that this is an experiment which we are undertaking. I am willing to undertake it and I believe the gentleman from North Carolina is probably willing to undertake it.

Mr. LENNON. I note that the chairman goes on to say in the report:

> Further, the committee insists that persons accepted into the Army upon completion of STEP training must be shown to fully meet standards for voluntary enlistment.

Is that a criterion that the committee has laid down for the Department of the Army and the other branches of the armed services, that the recommendation in the committee report must be followed? Do we have that assurance?

Mr. MAHON. I think so, undoubtedly. But before these men can go into the Army finally as a result of this program they have got to measure up to standards as pointed out by the Speaker which are higher than those for the draftee; because the standards for the enlisted man who volunteers are higher than for the drafted man. So I think that these people who come into the service will be fully adequate. We must bear in mind that in writing the report, while my name is on the report, I have to have respect and give consideration to the views of Mr. LIPSCOMB, and for the views of Mr. LAIRD, and for the views of Mr. MINSHALL and others on the committee and the views of majority members, too.

The report of the committee represents not precisely the views of any one man but all of us. This, I think, is a fair statement. There was concern and some members of the committee did feel that the program would be a complete failure.

Mr. LENNON. I appreciate that, but I was reading from the language of the committee report, not from the language written by the gentlemen whom the chairman has just mentioned.

Mr. MAHON. The language in the committee report was written in view of the general feeling of members of the committee. There was not complete unanimity. There was opposition by a number of members.

Mr. LENNON. This is the language of the full committee?

Mr. MAHON. This is the language of the full committee which is supposed to represent the views generally of the committee.

Mr. LENNON. May I ask the gentleman this: When he uses language such as "dangers inherent" is the gentleman now assured that those dangers found inherent in this program can be met successfully?

Mr. MAHON. I think we do.

Mr. LENNON. That is all I want to know.

Mr. GEORGE W. ANDREWS. Mr. Chairman, may I say in conclusion that the Secretary of the Army said:

> The STEP program is aimed at the remaining group of about 69,000. However, not everyone in that group is eligible. * * *
>
> Thus, the total pool of STEP eligible among last year's applicants would have been about 41,900 men. We anticipate that a similar number of eligibles will volunteer for the Army each year for the next few years, and from that number each year we propose to enlist about 15,000 men for the STEP program.

Then on page 637, this question was asked of the Secretary:

> Let's assume you get your program underway. Then your draft needs could be reduced by the number of people who graduate, so to speak, from the 14-week course and enter the Army.

And Secretary Ailes said:

> Absolutely.
>
> If we had the extra spaces for STEP as I have requested, every time we take a man into the Army from this program, we could cut the draft call by one.

So I think this is a good program. Certainly we at last ought to try it and see if we cannot cut down on the number of draftees.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. GEORGE W. ANDREWS. I yield to the gentleman.

Mr. SIKES. I, too, have had some misgivings about this program; I think everyone has. But I think it is worth taking a chance, it is worth trying to see what it will do. All we are trying to do is to encourage voluntary enlistments.

The Army feels that there are these men who have correctible deficiencies who can be made into good career soldiers and who want to volunteer. Mr. Chairman, the enlistments are down. We need to encourage these young people to join the services.

Mr. Chairman, further, we have competition in this program from the war on poverty program. This would help to compete with the poverty program in attracting young men who want to get into the Army and who otherwise would not be able to get in the Army. The representatives on the part of the Department of the Army feel it is good and that they will make good career soldiers.

I am willing to take a chance on it and I am sure the gentleman from Alabama [Mr. GEORGE W. ANDREWS] is willing to take a chance on it.

Mr. GEORGE W. ANDREWS. The purpose of this is to permit about 42,000 men a year who want to get into the Army to do so.

Mr. LAIRD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment which has been offered by the gentleman from California [Mr. LIPSCOMB]. I would like to direct the attention of the full Committee to the remarks which we have filed as additional views, on page 66 of this report:

> SPECIAL TRAINING AND ENLISTMENT PROGRAM (STEP)
>
> STEP is a proposal under which medical care and educational training would be given to enlistees who do not presently meet Army standards. The personnel needs of the Army will not be met by STEP. Testimony before this subcommittee clearly indicated that the major manpower problems faced by the services is to attract and retain skilled personnel. STEP is ill-conceived, duplicates existing programs such as the Job Corps, and would create additional problems without remedying existing ones.
>
> DISCUSSION
>
> The cost of the STEP program as contained in the fiscal year 1966 Defense appropriation bill is $24.2 million, which would provide for training 15,000 personnel. Under the proposed STEP program, the Army would take marginal enlistees, those it would not otherwise accept, and try to qualify them through a basic training program stretched out from 8 weeks to 14 weeks, or longer, depending on the progress of the individuals.
>
> The subcommittee received considerable testimony about the STEP program, and we simply cannot agree that a need for it has been established. This matter first came up as a reprograming action in February of this year with a scheduled starting date of April 1, 1965. The Army sought to shift $7.4 million from fiscal year 1965 funds into the STEP. The request was denied.
>
> The Army clearly does not require this program to obtain adequate manpower. In terms of overall members, it receives sufficient men through enlistments and the draft. The major manpower problems the Army has, as were discussed at length during the hearings, revolve around its need to acquire and retain skilled personnel. The problem of how to retain skilled and experienced career personnel is growing more and more acute. Obviously, the STEP, which would be geared to taking marginal enlistees into the Army, would do next to nothing toward solving the problems in this area.
>
> Aside from the lack of a demonstrated need for STEP, the proposal, we feel, has been justly criticized on many counts. STEP would be duplication of work more properly being done in other areas, on other levels of government and privately. It would, for example, parallel the efforts of the Job Corps, one of whose aims is training youths for placement in the Armed Forces. Specifically, in the Job Corps, Conservation Center Administrative Manual, it is stated that, "Youth selected for the Job Corps would include those who * * * have been unable to pass the educational part of the Selective Service examination * * *"[1] The manual further states that as part of its responsibility, the Corps will help place those youths who have completed their training, and that one of the principal areas mentioned for placement is the Armed Forces.
>
> STEP would aggravate the already admitted shortage of qualified teachers and counselors. It is difficult to determine just what type of curriculum would be offered the STEPees, but it is clear that a major subject would be "Social Studies," which leaves the door open as to specific subject matter and the point of view stressed.
>
> Furthermore, it could produce serious disciplinary problems. The Army has made encouraging progress over recent years toward solving disciplinary problems. In light of

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[1] Department of Defense Appropriations for 1966, pt. 3, p. 374.

the testimony that these stem primarily from those in the lowest 10 or 20 percent of the enlistment or draft standards, we feel it would be completely unrealistic to hold that the STEP will not bring about a sizable increase in Army disciplinary problems. Also, even if the men in STEP prove to be incapable of retention in the Army, they would still be veterans and eligible for peacetime veterans' benefits on the basis of their having been in the "Army".

Could it be supposed that the Army would readily admit "failure" in its training if a large amount of the STEP enlistees do not measure up after the training period? We think not, and that the tendency would be to keep as many in the Army as possible—to the detriment of the Army.

If there is no clear-cut demonstrable need for the STEP to enable the Army to obtain personnel, and on the other hand there are many actual and potential problem areas, why should the Army insist on spending $24.5 million for STEP during fiscal year 1966? (The original budget request for STEP for fiscal year 1966 was $31.2 million. The reduction is due to the additional delay in schedule in starting this program.)

Despite the many skepticisms that were raised about STEP in the hearings, essentially the response was a dogged persistence that the Army should go ahead and that good could come of it. But to our mind the Army failed to produce concrete evidence as to why such an undertaking is properly a part of the Army's mission.

RECOMMENDATIONS

We believe it is commendable for the Army to show persistence, but that persistence should be directed toward doing the job it was established to do, which is to help provide for our national defense. The Army was not meant to nor should it be called upon to conduct programs such as this.

We believe that the funds included in this budget for the STEP proposal should not be deleted, but that a limitation should be provided in the legislation that none of the funds appropriated shall be utilized for the special training and enlistment program. The funds which had been requested for the STEP, and which we recommended to be retained in the budget, should be used for emergency problems, such as the necessary increases in Vietnam. This is made necessary by the administration's decision to increase our efforts in Vietnam which have not been adequately provided for in the budget.

Mr. Chairman, the hope has been held out here that there will be a reduction in the draft calls because of this program.

I predict that when we come back here next year, the fallacy of that statement will be proven beyond a question of a doubt. This will not reduce the draft calls for the next 12 months.

In addition to that, Mr. Chairman, the Speaker when addressing himself to this particular program made reference to the fact that the required percentile for the Armed Forces qualification's test would be reduced under the terms of this program.

Mr. Chairman, this is not the case. I direct your attention to page 25 of the committee report which clearly states that the QT percentile cannot be reduced while this program is in effect. This states that the STEP trainee must be shown to fully meet standards for voluntary enlistment. This particular program was first set up to bring persons who were unable to meet the QT into the program, but the program as it has come from the committee maintains the same intelligence quotient that is presently used for enlistments.

Mr. Chairman, the statement made by the distinguished Speaker in regard to this program applied to the old program. However, it does not apply to the program as it comes from this committee.

Mr. Chairman, I happen to serve on the subcommittee which handles the appropriations for the Department of Education and Welfare. In that particular committee we also handle the poverty program. One of the purposes of the poverty program to which we have given a considerable amount of study and work is in the so-called Job Corps program. In the manual creating the Job Corps program, put out by Sargent Shriver, the Director of the poverty program, it is made very clear that one of the major concerns of the Job Corps program under civilian leadership and civilian control is to try to make it possible for many young people who cannot meet draft standards to meet these standards and also to meet enlistment standards.

Mr. Chairman, this program that we have pending before us today has nothing to do with draft standards nor the enlistment standards. Tomorrow the same Congress and the President can reduce the enlistment standards so that many of these people who are being rejected today can go in for special service in the Army, the Air Force, or the Navy.

This only requires a simple change in the present enlistment standards, which can be done now, and it does not require a duplicate program, since the Job Corps is already set up to serve this purpose.

Mr. Chairman, insofar as the cost of this program is concerned, our very distinguished chairman of the committee, the gentleman from Texas [Mr. MAHON], made reference to these costs and I accept the figure of about $4,000 additional cost for this 14 weeks of training.

But these costs, however, depend quite obviously on the attrition rate. It is conceivable that they could be double the $4,000 or $3,857 estimated or even more.

I say, Mr. Chairman, as far as the vocational training and as far as vocational opportunities are concerned, this problem of training can be handled under the Job Corps program. If we want to take any additional enlistees to do a special kind of work in the Army, this can be done today under a special enlistment program without setting up a new vocational training program in the Department of Defense under the control of the U.S. Army. This program can be carried out under civilian control. It is a mistake for us to put the U.S. Army in a position of carrying out a vocational training program or an educational program.

I can well realize the need to get additional people in who want to enlist under this program, but this can be done today under present enlistment rules by merely changing the regulations as they were changed during the Korean war, and as they were changed in World War II. We are embarking on a very costly program here, we are using one of the services of the Department of Defense to carry on a program for which our military should not be responsible. I urge you to give consideration to keeping this aspect, this educational aspect, in the hands of civilian control and keeping it in the hands of the Job Corps program, and the vocational schools throughout the United States, and in the hands of a civilian rather than the U.S. Army. We should not cast the Army in this role.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. LIPSCOMB].

The question was taken; and on a division (demanded by Mr. LIPSCOMB) there were—ayes 66, noes 114.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House, without amendment, with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

The SPEAKER. Without objection, the previous question will be ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MAHON. Mr. Speaker, on the passage of the bill, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 407, nays 0, not voting 27, as follows:

[Roll No. 153]

YEAS—407

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Cameron
Carey
Carter
Casey

Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Cohelan
Collier
Conable
Conte
Conyers
Cooley
Corbett
Corman
Craley
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Ellsworth
Erlenborn
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Findley
Fino
Fisher
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Mich.
Hathaway
Hébert
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McMillan
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Meeds
Michel
Miller
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Powell
Price
Pucinski
Purcell
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Selden
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, La.
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger

NAYS—0

NOT VOTING—27

Bonner
Bow
Brown, Ohio
Colmer
Cramer
Davis, Ga.
Evans, Colo.
Green, Oreg.
Hall
Harvey, Ind.
Hawkins
Hays
Holland
Karth
Landrum
Leggett
Lindsay
Morris
Pool
Roncalio
Rosenthal
Ryan
Thomas
Thompson, N.J.
Toll
Wilson, Charles H.
Zablocki

So the bill was passed.

The Clerk announced the following pairs:

Mr. Toll with Mr. Lindsay.

Mr. Holland with Mr. Cramer.

Mr. Davis of Georgia with Mr. Hall.

Mr. Thompson of New Jersey with Mr. Harvey of Indiana.

Mr. Colmer with Mr. Brown of Ohio.

Mr. Zablocki with Mr. Bow.

Mr. Hays with Mr. Pool.

Mr. Roncalio with Mr. Rosenthal.

Mr. Morris with Mr. Thomas.

Mr. Charles H. Wilson with Mr. Bonner.

Mr. Evans of Colorado with Mr. Leggett.

Mr. Landrum with Mr. Karth.

Mr. Ryan with Mr. Hawkins.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed and to include brief appropriate excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

June 23, 1965.

Hon. John McCormack,
Speaker of the House,
U.S. House of Representatives.

Dear Mr. Speaker: It has been a privilege and honor to work with the many fine members of the House Committee on Interstate and Foreign Commerce. However, I am submitting my resignation as a member of this committee effective immediately.

My association and participation in the deliberations of this group will remain a pleasant and rewarding experience.

Sincerely,

Howard H. Callaway.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION OF MEMBER TO STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. GERALD R. FORD. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

H. Res. 436

Resolved, That Albert W. Watson, of South Carolina, be and he is hereby, elected to the standing Committee of the House of Representatives on Interstate and Foreign Commerce.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON TREASURY AND POST OFFICE DEPARTMENTS, THE EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES APPROPRIATION BILL

Mr. STEED. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight, Thursday, June 24, 1965, to file a conference report on the bill (H.R. 7060) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1966, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUBCOMMITTEE ON LABOR OF THE COMMITTEE ON EDUCATION AND LABOR

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Labor of the Committee on Education and Labor be permitted to sit during general debate tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

HOUSE TO MEET AT 11 O'CLOCK TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

BRIEFING ON VIETNAM

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, today I had the privilege of participating in a half-hour televised news conference with His Excellency Nguyen Phu Duc, former Ambassador of the Republic of Vietnam to the United Nations. I first met Ambassador Duc on my factfinding trip to Vietnam last June. At this time I would like to extend an invitation to all Members of Congress to meet Ambassador

Duc tomorrow, Thursday, June 24, at 3 p.m. in the Speaker's dining room, to question the Ambassador on the struggle in Vietnam.

Mr. Speaker, the struggle continues to preoccupy all thinking Americans. We are bombarded on all sides by a multitude of suggestions ranging from total and immediate withdrawal of all American forces in Vietnam to a greatly increased commitment there.

It is my belief that it is incumbent on all Members of Congress to gather information and to analyze the facts concerning this conflict. The ramifications of Vietnam are of enormous consequence, and we must seize every opportunity to glean educated obervations and insight on the conflict. Ambassador Duc is scheduled to return to Vietnam in the very near future, thus this particular opportunity will not be repetitive.

Before we take unequivocable positions on U.S. policy in this troubled and wartorn land, in which ephemeral conditions persist, we must be sure of our facts. I am making a plea for each Member to further familiarize himself with the situation as it now exists. Whether one's position be in full support of the administration's policy in Vietnam or in dissent—here is an opportunity to listen and to question so that opinions may be formulated.

OUR ASTRONAUTS IN PARIS

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, the Gemini twins, McDivitt and White, saved the day for American scientific and technical prestige abroad by attending the International Air Show and Space Exhibit in Paris last week. Considering the importance of the event the American participation, except for the appearance of our astronauts, was indeed lacking in luster and imagination.

Our emphasis was on the military aspect of our endeavors and while thousands of Europeans were walking through the Soviet space exhibit viewing the Russian spacecraft, inspecting the huge Russian 750-passenger plane, and standing by in awe as the large Russian helicopter tucked a large bus under its belly and maneuvered over the airfield, our exhibit was receiving no more than passing notice. But the arrival of our Vice President and the two astronauts awakened the crowd to our presence and to the remarkable progress that the United States has made in the field of space.

I sat through their news conference where they performed with distinction and honor. Their forthrightness and good humor captured their audience. I followed along with them as they walked through the exposition grounds with the Vice President with large crowds following and expressing approval. As we walked through the Soviet exhibit the crowd pressed so that one could barely move. These two Americans are not only heroes here at home but are heroes in the eyes of the entire world. It is wise and important the world be given the chance to see them and recognize them. In doing this we are doing more than showing off our heroes, we are winning a battle in the cold war.

ARE WE GOING TO GET THE BRITISH TO BUILD OUR SHIPS?

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a statement.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, reports are circulating that the Defense Department may have some $50 million worth of ships built for the U.S. Navy by shipyards in Great Britain.

American shipyards are running at approximately 55 percent capacity. The Nation has been told that greater efforts are needed to fight poverty, yet to allow the British to build ships for America would make a pocket of poverty out of every American shipyard.

Why should this Government help the British shipping industry? They have done little to help America's efforts to curb free world shipping to Communist countries.

Just last month two British ships, the *Antarctica* and the *Hemisphere,* made cargo hauls for the Communists from Cuba to North Vietnam. Since January British-flag ships have made a total of 38 calls in Vietcong ports despite pleas by this Government for a halt to this traffic.

And since January a total of 157 American soldiers have been killed in action by Communist Vietcong guerrillas.

I urge that U.S. naval vessels be built by American shipbuilders, and as a member of the House Merchant Marine and Fisheries Committee, call upon the Congress to see that this action is taken to help rebuild the American shipping industry.

In further discussion of this matter I include a statement by Mr. Edwin M. Hood, president of the Shipbuilders Council of America, at this point in the RECORD:

STATEMENT BY EDWIN M. HOOD, PRESIDENT, SHIPBUILDERS COUNCIL OF AMERICA, JUNE 18, 1965

The announcement that the Department of Defense may order U.S. Navy vessels from British shipyards is startling to say the least. It would seem to show a complete lack of awareness of the plight of both private and naval shipyards in this country.

It coincides with the announcement that the House Appropriations Committee has approved the fiscal 1966 Defense appropriations bill which prohibits the expenditure of any funds with foreign shipyards. This action has been taken in 2 successive years to buttress the U.S. shipyard industry. During the past 10 years, 18 privately owned shipyards have been forced to close their doors permanently because of the lack of sufficient work. And it will be recalled that Secretary of Defense McNamara only recently announced his intention to close the Brooklyn Navy Yard in June 1966 and the Portsmouth, N.H., Naval Shipyard at a later date. Although the planned closing of these Government shipyards has been attributed to the high cost of their operations, it was indicated that another contributing factor was the finding that there is an excess of shipyard capacity in this country in relation to the amount of naval shipbuilding work which would be generated in the years ahead.

No doubt if the Congress permitted the diversion of these contracts to foreign shipyards, it would be found that additional excess capacity, created by the transfer of work abroad, would have to be corrected by additional contraction of either the private or naval shipyards or both. And more skilled shipyard workers would face unemployment. In other words, this proposal would increase shipbuilding employment in Great Britain at the expense of the displaced American shipyard workers.

I note that one news account of this development explained that the "build in Great Britain" proposal was "aimed at keeping defense industries in major allied countries in a condition of readiness for expansion in an emergency."

One might ask the question of whether or not the United States should give first priority to maintaining the readiness of its own shipyard facilities. For an authoritative answer, one need only to heed the pleading of the Chief of Naval Operations. Adm. David L. McDonald, in late 1964, told a gathering of naval architects and marine engineers in New York City that the U.S. Government and the American people "must become vitally concerned with preserving and maintaining our repository of trained manpower resources found in our shipyard facilities." But that repository and those facilities cannot be maintained, nor preserved, if we begin a foot-in-the-door arrangement which can only lead to the demise of shipbuilding in the United States and to the ruination of many activities which support our shipyards.

This same news account reported that some who are favoring the proposal believe that British yards could produce better as well as lower cost ships for the U.S. Navy. While the far lower wage scales paid to British shipyard workers might result in some cost savings, I assure you that the British yards are incapable of building better ships than those produced in this country. British yards have no experience whatsoever with the precise standards of quality control and assurance reliability which U.S. private shipyards are required to maintain in the execution of contracts for the U.S. Navy. They have no exposure whatsoever to the rigid requirements for contract performance and administration, all of which add to the cost of building ships in this country or in any other country.

The best way to gage the capabilities and know-how of a shipyard industry is to examine the vessels it has produced. The American yards have not only produced the most advanced naval vessels—both combatant and auxiliary types—ever designed, but have far more experience in dealing with the very complex and sophisticated electronic and weaponry systems which these modern vessels require.

Finally, there would appear to be some serious reservations about the desirability of having U.S. naval vessels under construction in shipyards which may be building a Russian vessel on an adjacent shipway. It must be presumed that whereas the initial plan may only call for the construction of so-called auxiliary or noncombatant ships abroad, the same faulty reasoning eventually would find it equally justifiable to have our top-secret combatant ships built in foreign shipyards.

> Although I am shocked and dismayed that this build-abroad proposal should be advanced under the auspices of the Department of Defense, I am equally confident that the Congress of the United States will arrive at a far more realistic and wiser judgment and expose the shortcomings and great deficiencies which are so evident in the build-abroad trail balloon.

DISCUSSION OF FARM LABOR PROBLEMS

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, I have requested a special order of 1 hour at the close of business tomorrow to discuss developments during the first 5 months of this year in regard to farm labor.

The facts, fortunately, are somewhat different from what some sources would have us believe, and I encourage all Members who are concerned with this subject to be present, to listen and to participate.

SALE OF FOODSTUFFS TO THE UNITED ARAB REPUBLIC

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, I most strongly disagree with President Johnson's decision to fulfill the balance of the 3-year agreement to sell foodstuffs to the United Arab Republic, and to accept in exchange soft and worthless currency.

I do not desire to see the needy Egyptian Felaheen go hungry, but I do not believe he would go hungry if President Nasser refrained from trading to the Soviet Union food meant for poverty-stricken peasants in exchange for guns and tanks. He would not go hungry if rice grown in Egypt were not sold to the Communist Chinese and Cuba.

If the United States is to maintain the respect of other nations, we must somehow chop Mr. Nasser down to size. Too long have we smilingly submitted to his wishes while he repeatedly and arrogantly spat in our faces.

Let us cut Mr. Nasser from our umbilical cord. Let us finally withdraw our support from him, limiting his power so that he will have to halt his subversive activities in other Middle Eastern nations.

Let us recall why we suspended the delivery of foodstuffs to the United Arab Republic in the first place. There was the burning of a USIA library, the delivery of arms to both the Congo and Cyprus, the Egyptian attempt at hegemony in Yemen. And now we are faced with this most recent action—Egyptian sale of badly needed rice to Communist China and Cuba. I believe we had ample reason to maintain the suspension on the sale of foodstuffs.

Perhaps the amendment to the foreign aid bill I offered in committee and which was adopted will be of value to us in our foreign policy. It restricts to 1 year all future agreements to sell foodstuffs for soft currency. If it is accepted by the Senate, we will be able to more readily control Mr. Nasser's actions.

SALE OF FOODSTUFFS TO UNITED ARAB REPUBLIC

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, the decision reached by President Johnson to send the United Arab Republic the remaining undelivered $37 million worth of surplus farm products is most regrettable.

It is difficult to understand the President's thinking in view of the fact that Egypt had sold 40 percent of its rice crop to Communist China and Cuba. It is also hard to understand the logic behind this decision in view of the fact that the Egyptian people have been asked by Nasser to tighten their belts so that 50,000 Egyptian soldiers can be maintained in Yemen at a cost of $100 million a year.

We have so far under a 3-year contract sent the United Arab Republic $395 million worth of surplus foods. It was hoped that this would improve our relations with the United Arab Republic but it did not. Nasser's insolence continued. He has encouraged every kind of indignity aimed at the United States. He has courted Red Russia. He has told us to "jump in the lake" with our aid.

The sale of the 40-percent of its rice crop to Communist China and Cuba shows little concern for its own people who need food so why should we be so concerned?

I am very disturbed that the President under the mistaken guise of "in the national interest" has seen fit to end the suspension on food aid to Egypt and decided to ship surplus food to this country.

MORE BAD NEWS FOR FEDERAL WORKERS

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, Reporter Jerry Kluttz in the June 7 issue of the Washington Post discloses that Civil Service Commission officials "are divided over a suggestion that employees in grades 16, 17, and 18 that pay up to $24,500 be exempt from the Hatch 'no politics' Act."

Mr. Kluttz comments:

> It's a safe bet that CSC won't initiate action on the proposal but will await the results of a full study of the act by a group of distinguished citizens.

Mr. Speaker, it is disturbing to think that the very agency established to protect the civil service system of the United States may have among its membership those who wish to use it to destroy these protections so carefully written into Federal law.

To me, it is like having some of the best policemen on the beat suddenly announce that a little robbery is to be permitted.

Perhaps this attitude to relax existing law explains the Commission's reluctance to move actively to resolve cases involving possible violations of that law.

As a practical matter, this proposed change would affect more than 2,500 Government officials serving in key policymaking posts. It would remove essential safeguards presently restricting their political activity. It would encourage these officials to utilize their Government positions to exploit partisan, political aims at the expense of the taxpayer.

There is little doubt in my mind that the end result would be even more serious, more concerted efforts to coerce subordinate Federal workers for campaign funds, for more political favors, putting millions of Federal employees more directly under the thumb of the politicians.

Mr. Speaker, there is too much of this going on right now. I have repeatedly brought to the attention of this body the efforts I have made to obtain corrective action on charges of illegal political arm-twisting in the Rural Electrification Administration. I have repeatedly informed this body of the renewed shakedowns reportedly sought among Federal workers for $100 tickets to a Democrat dinner later this week.

If this proposal is accepted how long will it be until others try to exempt lesser GS grades from provisions of the Hatch Act? And then how long will it be before the Civil Service system no longer operates on merit, but upon the whims and personal favor of the politicians who crack the whip?

VIETNAM

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, in previous speeches I have clearly stated my support of our firm action in Vietnam. I went to Vietnam, I saw our policy in action, and I reported to this body that it was working well.

Yet today I am concerned that by limiting our air strikes to secondary targets and bypassing prime military targets in North Vietnam, we are taking dangerous risks. By prime military targets I refer specifically to, first, Russian IL-28 jet bombers located near Hanoi; second, Soviet manned surface-to-air missiles; and third, large munitions buildup in North Vietnamese ports.

Let us look at these targets. The Russian jets are capable of bombing our carriers and our extremely vulnerable overcrowded airfields; the missiles are capable of shooting down our aircraft over North Vietnam; and the munitions are capable of supplying a greatly stepped up war against South Vietnam.

Surely the planes, the missiles and the munitions were sent in for a purpose. It seems to me that it is naive of us to hope that they will not be used. And if they are used, if the planes bomb our bases, if the missiles shoot down our planes, and if the munitions support a stepped-up attack, the war has been dangerously escalated. We have the capability today to destroy each of these targets, and I hope that the administration will now take another look at the dangers of allowing the targets to remain.

THE STATE DEPARTMENT EVALUATES THE "TEACH-IN" AND OTHER "IN" PROTESTS

Mr. MIZE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MIZE. Mr. Speaker, recently I received a letter from John Evarts Horner, Director of the Office of Public Services at the U.S. State Department, notifying me that he had participated in a discussion on our policy in Vietnam at Kansas State University, Manhattan, Kans.

Because I am more than somewhat concerned about the attitude of many college students and their instructors with respect to our foreign policy, I asked Mr. Horner to evaluate the attitude of the Kansas State students. I wanted to know if the students on the campus at Kansas State took the same position as other college students across the country or whether they stood apart, in his estimation, with a little more reasonable approach to this critical situation. I do not mind saying that the intensity of the demonstrations by college students—the "teach-ins"—and the other signs of revolt, cause me to wonder about these young people.

Although Mr. Horner responded specifically about the prevailing attitude on the campus at Kansas State University—and I must state that his experience there was "not discouraging"—he took occasion in his letter to sum up his impression of the current campus revolt and its manifestations.

It seems to me that his evaluation, which also reflects what his colleagues have observed in similar circumstances, provides a penetrating insight into some of the reasons why these students and teachers are reacting as they are. The picture is not entirely black, nor is it entirely bright. There is cause for concern and I feel that if more Members can share Mr. Horner's evaluation, we can explore ways and means of reaching these students through meaningful discussions so that there can be a better understanding and a better appreciation of the critical problems we face in these fast-moving days.

Under leave to extend my remarks, I ask that Mr. Horner's letter appear at this point in the RECORD. The letter follows:

DEPARTMENT OF STATE,
Washington, June 16, 1965.

Hon. CHESTER L. MIZE,
House of Representatives.

DEAR CONGRESSMAN MIZE: Thank you for your kind letter of June 2, 1965, in which you have requested my appraisal of the teach-ins on Vietnam. Having received similar requests from other Members of the Congress, I have made an effort to generalize on my experiences, and those of several of my own colleagues, in order to provide a meaningful evaluation. Let me say that the situation I found at Kansas State was not at all discouraging. The program was scrupulously run by a graduate student of English. There were differences of viewpoint aired during the question period, but I had the strong sense that a majority of the student body realized the necessity for President Johnson's policy in Vietnam, and rejected the spurious alternative of a precipitous withdrawal.

It is somewhat difficult to arrive at a synthesis of campus opinion on the Vietnam situation for several related reasons. Those of us who have engaged in teach-ins generally have not remained on the campuses long enough to sort out student opinion and reactions from what is sometimes only a fraction of such opinion which has turned out to protest. Again, campuses differ markedly. On some, there have been previous histories of turbulence, not necessarily related to Vietnam as a specific issue. On other campuses, there seems to have been little previous interest in Vietnam, and a tendency to adopt the teach-ins as something which is "in." I myself have only spoken at seven campus teach-ins, but I have discussed my impressions with several colleagues with comparable experience. I would sum up our views as follows:

(a) The protest group appears to be a relatively small minority.

(b) The protestors usually have little positive to offer as an alternative to current policy toward Vietnam.

(c) The protestors are apparently divided into organized leftists (notable for their apparent ability to produce copious literature), pacifists, supporters of Moral Rearmament, and self-styled liberals.

(d) It seems an article of faith for some liberals to hold that there is an inherent conflict between liberalism and anticommunism. Characteristically, they deprecate past aggressive moves by the Soviet Union and tend to assert that Communist China should be permitted to expand into its natural sphere of influence in southeast Asia.

(e) Professors and graduate students, often from disciplines (e.g., the physical sciences) which provide little basis for evaluating international developments, tend to be dogmatic ringleaders in the protest movement. I have often found an amazing lack of adherence to the scientific method; they will reject, for example, U.S. Government figures on Communist infiltrations into South Vietnam as absurd, and will base their claims that this is nothing but an indigenous upheaval on random newspaper and other sources. Several professors I encountered seemed to cling to the conspiratorial view of history, claiming the existence of key persons in the State and Defense Departments itching to lead us into nuclear war. None was willing to come up with a name.

(f) There were occasional instances of student insolence and unmannerly behavior. This was not, however, characteristic of most campuses. On the whole, students seemed interested in the issues. On those campuses where we were invited to speak before political science classes, we found the experience rewarding, and the students better equipped to discuss foreign policy issues on an adult plane. I myself feel there has been somewhat of a student "blacklash" to the excesses of criticism of American Vietnam policy; this has expressed itself in efforts by Young Democrats-Young Republicans on several campuses to unite in support of our policy.

I would say that, on balance, the Department acted wisely in fielding speakers. Given the emotionalism present, and the pressures of time, we endeavored to send speakers to key campuses where we felt an effort was being made to see the problem in a fair way, with reasonably equal time for both views (this manifestly was not the case at UCLA, which was little more than a circus). Altogether, we fulfilled over 100 separate engagements on Vietnam in a span of 3 weeks; we had to decline about 88. This was a dual burden in that in all cases, of course, our speakers had full workloads they had to leave behind, since we do not dispose of a speakers bureau.

It may be that what we have been witnessing is a renewed interest on the part of young Americans of school age in foreign policy. (Eric Hoffer in Harper's notes: "The juvenile, then, is the archetypal man in transition".) Well before the current teach-ins, I made three lengthy speaking tours with a group of colleagues in our community meetings series. These, taken at the request of local organizations, were centered to a great degree on high schools, where we spoke to thousands of young people. I personally was enormously impressed with their interest and knowledge, which far exceeded that of my own generation (the 1930's). Our public information program, as you know, is small, and entirely responsive. We cannot, and in my judgment, should not, seek audiences. But I do think we can be helpful when we go out into the country at the request of organizations to carry on a dialog on issues which concern all of us. Our success, I should think, will be the measure to which we can be utterly honest in talking with America's youth. Perhaps what we need to do most is to place foreign policy in its proper perspective, and to admit that mistakes can be made by governments as well as by individuals (what businessman could say that he has never made a mistake of judgment?).

In the final analysis, the only real test of foreign policy is in action, and we cannot—as can the pure scientists—operate through the test tube. It might be true—as some of our critics assert (these are often the same ones who allege that our references to the experiences of the 1930's with appeasement are false, especially as applied to Asia) that a united Vietnam under Ho Chi-minh would be "Titoist" and possibly independent of Communist China. It might be true that in the Dominican Republic the Communist effort to take over in the period late April to early May could have been frustrated by other Dominicans without U.S. intervention. These are imponderables, and will be debated by academicians in the coming years. Here may reside the difference in the role of the responsible policymaker and the critics; the gulf between an overly simplistic world outlook and one based, in the words of Charles Burton Marshall, upon this thesis: "Making foreign policy is not like cheerleading. It is like quarterbacking. The real work comes not in deciding where you want to go—that is the easiest part of it—but in figuring out how to get there. One could no more describe a nation's foreign policy in terms solely of objectives than one could write a man's biography in terms of his New Year's resolutions."

I think you will see that what I have been giving you is a personal and perhaps an impressionistic view of these teach-ins, my reaction to them, and what seem to be new trends on American campuses. I am not, therefore, writing as an "official" spokesman for the Department in the sense that I reflect a consensus of departmental attitudes, but, by the same token, I cannot divorce myself—nor would I wish to do so—from my responsibilities as a Foreign Service officer and an official in the Bureau of Public Affairs. Both officially and personally, I adhere to the view that we must welcome informed public discussion of the issues of foreign policy, for it is the openness which distinguishes our society from our Communist adversaries. At the same time, democracy connotes responsibility, and I would hope that, as time goes on, Americans critical of our foreign policies would take greater pains to inform themselves of the facts, the consequences, and the complexities of these policies and their alternatives.

Sincerely yours,

JOHN EVARTS HORNER,
Director, Office of Public Services.

SOLICITATION FOR CONTRIBUTIONS TO 1965 DEMOCRATIC CONGRESSIONAL DINNER

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, a visit was paid to my office yesterday by a grade GS-14 employee of the Department of Commerce. He was greatly disturbed. He has received three letters and one very persistent telephone call from officials of the Democratic National Committee soliciting a $100 contribution to the 1965 Democratic congressional dinner. In the absence of any other logical source of information, his name must have been obtained either from the Civil Service Commission or from the rolls of the Department of Commerce. Whatever is the case, he considered this solicitation a politically inspired infringement on his career service.

This morning, another incident came to my attention. There was a meeting yesterday to which some grade GS-13 and GS-14 employees were called—on Government time—to suggest that it would be appropriate if each of them made their $100 contributions. These civil servants also had each received three letters from the Democratic National Committee and all had failed to respond to them. I understand from one of the persons attending this meeting that there was an implication that this contribution, or lack of it, might affect future promotion possibilities.

A principle is in jeopardy—a principle deeply rooted in American political tradition since President Chester A. Arthur established the civil service. I shall do all in my power as a Member of this House to uphold the nonpartisan character of the civil service. I offer my services as a citizen and a lawyer to any civil servant who suffers because he fails to pay tribute to any political party.

HORTON QUESTIONS U.S. FOOD SHIPMENTS TO EGYPT

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HORTON. Mr. Speaker, the administration has announced an end to its 6-month suspension of shipping surplus agricultural commodities to the United Arab Republic. Tied to this announcement is the disclosure by our Government that Egypt will receive $37 million worth of surplus U.S. food.

I seriously question this decision to resume the provision of these items to the Nasser government. Frankly, I remain unconvinced that any amelioration or alleviation of the Cairo-inspired disputes that divide the Near East has occurred to warrant our action.

The United Arab Republic arms buildup still remains a menace and threat to peace in this area of the world. Our great democratic friend and ally, Israel, constantly is taunted by the increasing military machinery of Nasser.

And, the products of American agriculture which our Nation generously supplies to the United Arab Republic become tools for the belligerence of the Nasser regime. Abundant evidence already is available to demonstrate the use to which our products are put.

As in the case with any other government, the United Arab Republic requires the production of certain staple items in order to continue its economic well-being. Therefore, a certain portion of its national activity must be devoted to the food needs of its people. Only after these basic needs are met can resources be turned to the elements of hostility.

This is what has happened in Egypt. Because of U.S. agricultural supplies, Nasser has been able to expand significantly United Arab Republic cotton and rice crops for export purposes. These harvests are sold to the Soviet Union, Communist China, Cuba, and elsewhere for arms—the weapons of war Nasser wants and needs in order to strengthen his offensive posture.

That the United States should be in the position of nurturing this ambition by a notorious world troublemaker, in my opinion, is contrary to our fundamental belief in preserving peace and protecting those who share our ideals. This aid to Egypt is an affront to Israel for it can only weaken the ability of the Israeli Government to withstand Nasser's cunning.

I think we would do better to attach to our Egyptian assistance some reasonable requirements that would help to foster friendship, not foment, among the countries of the Near East. Our role in this strife-ridden situation could be much more purposeful if we were to condition Nasser's eligibility on standards that would prevent any further arms buildup, that would insure against any inimical water diversion plans, and that would help to reduce the aggression in Yemen.

CEREAL LEAF BEETLE MENACES OHIO'S GRAIN PRODUCING AREAS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, one of the areas of vital concern in which the Government can be an effective partner to the American farmer is the matter of insect control. Both the Ohio and the U.S. Departments of Agriculture have long been a competent force in combating the many enemies of the farmer's crops and livestock. The Agricultural Experiment Station at Wooster, Ohio, has been one of the outstanding agencies in the Nation in working as the farmer's silent partner. Indeed, not just the farmer but the housewife and consumer, too.

One of the immediate problems in the area which I am privileged to represent is the cereal leaf beetle which is menacing Ohio's grain-producing areas. John M. Stackhouse, director of the Ohio Department of Agriculture has announced the detection of this insect in northwestern Ohio and has called upon all agencies and farmers to help in combating this insect. The entire counties of Erie, Huron, Richland, Morrow, Delaware, Franklin, Pickaway, Fayette, Madison, Clark, Miami, Darke, Preble and all counties to the west and north of those named are in the regulated area.

In addition, certain townships of the following counties are also included in the regulated area: Wayne County, townships of Plain and Clinton; Ashland County, townships of Mifflin, Vermillion, Mohican, Green, Lake, and Hanover, Knox County, townships of Middleburg and Berlin; Licking County, townships of Lima, Harrison, and Etna.

The U.S. Department of Agriculture has produced a very compact and comprehensive bulletin on the cereal leaf beetle which may be obtained from any Member of Congress.

In many parts of the world, damage caused by the cereal leaf beetle has been of considerable economic importance. In parts of the U.S.S.R., for example, losses have ranged from 25 to 50 percent of the crop. Attacks have been so severe in certain areas of Rumania that the crop has had to be plowed under.

In the United States, severe local damage occurred in the summer of 1962 in fields of oats, wheat, and barley. Some farmers had to abandon or plow under their crops because of the heavy damage. This is an indication of the destructive potential of the beetle should it spread to heavy grain-producing areas of the United States.

An excellent article concerning this threat appeared in the October 1964 issue of Agricultural Chemicals. It was written by Joseph F. Spears, Chief Staff Officer, Plant Pest Control Division of the U.S. Department of Agriculture. It is a good example of the hard working partner the farmer has in these fine public servants who give unstintingly of their time and devotion to duty. We hear so much about the bureaucrats who administer unworkable agricultural programs that it is refreshing to see the effective out-of-the-limelight efforts of these career people who are working to make American agriculture even more successful in supplying the food and fiber needs of 190 million people.

The article follows:

A NEW PEST: CEREAL LEAF BEETLE MENACES AMERICA'S GRAIN-PRODUCING AREAS

(By Joseph F. Spears, chief staff officer, Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture)

The cereal leaf beetle (*Oulema melanopa*) is the latest insect pest of major importance to be introduced in the United States. It has been on the unwanted list for several years, and entomologists and pest control officials have been on the watch for it. Its occurrence in the United States is its first reported appearance in the Western Hemisphere.

The cereal leaf beetle probably had been in the United States several years before it was first identified in Berrien County, Mich., in July 1962. The insect is now known to occur throughout southern Michigan, northern Indiana, and northwestern Ohio.

When and how this serious pest of cereal crops gained entry into the United States is not known. However, it has been intercepted a number of times by plant quarantine inspectors at ports of entry, including an interception in 1960 at Muskegon, Mich., on plants in the trunk of a passenger car arriving by ship from Europe. The first recorded interception was at Baltimore, Md., in 1936.

The cereal leaf beetle occurs throughout most of Europe and extends into Siberia in the U.S.S.R. It also has been reported in Morocco and Tunisia in North Africa, and Iran and Turkey in the Near East.

Recently, a bin of barley stored since 1959 on a Berrien County, Mich., farm was found to contain dead cereal leaf beetles. Many farmers in this area believe that they observed the beetle in 1959, but could not remember its presence prior to that time. Some of its damage was noticed in 1961, and severe local damage occurred in the summer of 1962 in fields of oats, wheat, and barley in the infested area. Some farmers abandoned or plowed under their crops because of the heavy damage caused by this important pest. These significant losses in the relatively small area give a clear indication of the destructive potential of the beetle should it spread to the heavy grain-producing areas of the country.

The cereal leaf beetle apparently is adaptable to a wide range of climatic conditions. This emphasizes the need for (1) a program to determine the extent of spread, (2) regulatory and control measures to prevent spread from known infested areas, and (3) a research program to learn how to deal effectively with the pest.

DAMAGE

Both adults and larvae of the cereal leaf beetle damage grain crops. They take their nourishment from grain shoots or from grasses by chewing out long strips between the leaf veins. In a heavy infestation, this damage causes the plants to appear yellowish white.

In other parts of the world, the damage caused by this pest has been of considerable economic importance. In parts of the U.S.S.R., for example, losses from infestations have ranged from 25 to 50 percent of the crop. In certain areas of Rumania, attacks have been so severe that the crop had to be plowed under.

DESCRIPTION

The life cycle of the cereal leaf beetle has four stages—egg, larva, pupa, and adult. Adults usually overwinter in clusters in the bark of trees, in corn stalks, and under field trash. The adults appear in spring, when the temperature reaches 60 degrees, and feed on quack grass, orchard grass, and nearby cereals, if present. The females lay eggs on the upper surfaces of plant leaves. The larvae hatch from the eggs in about 5 days and soon begin feeding on the young, tender leaves of host plants. The larvae cause the most severe damage.

The adult cereal leaf beetle is about one-quarter inch long; the male is slightly smaller and narrower than the female. Wing covers and head are a metallic, bluish black. The legs and the front segment of the thorax are red. Adult cereal leaf beetles are strong flyers and have been collected at heights of 1,000 feet above ground in special nets attached to one of the Plant Pest Control Division's aircraft.

The eggs are cylindrical, rounded, and less than one-sixteenth inch long. Newly laid eggs are yellowish, but the color darkens to almost black before they hatch.

The larva is slightly longer than the adult, and resembles the Colorado potato beetle larva in shape. The head and legs are brown-black; the body is yellowish. The larva is usually covered by a globule of fecal matter that obscures its coloration except for the head and legs.

The pupa, when removed from its earthen cell, is enveloped in a thin, transparent membrane. Its coloration varies from a bright yellow when it is first formed, to the coloration of the adult just before emergence.

In North America, several species of leaf beetles closely resemble the cereal leaf beetle; the asparagus beetle is one example of a similar species. However, the cereal leaf beetle differs from these other species in that it feeds only on cereals and related grasses. Also, the combination of color patterns of the adult cereal leaf beetle, described here is not present in other similar species.

QUARANTINE

The regulatory officials of Indiana, Michigan, and Ohio, working in cooperation with their counterparts in the Plant Pest Control Division, have developed a uniform State quarantine designed to stop artificial spread of this serious pest. It was determined very soon after the cereal leaf beetle was found in the United States that the small grains, uncleaned grass and forage crop seed, hay, straw, fodder, and plant litter, as well as used harvesting equipment, could very easily spread the beetle to all parts of the Nation. These articles, plus any others that might present a hazard of spread, were placed under quarantine regulation by the three States involved.

Procedures were jointly worked out by the States and division personnel to allow the orderly movement of these regulated articles after the quarantines went into effect. Some of the more commonly used certification procedures are: The use of malathion applied to the small grains, shelled corn, and uncleaned grass and forage seed; the use of a CO_2 propelled micronized malathion or carbaryl (Sevin) dust to eliminate the pest from empty railroad cars and trucks; the fumigation with methyl bromide of various commodities; and approval of small grain movement after a minimum storage period of 3 months.

While it may be too early to determine the effects of this uniform quarantine, it appears that it has been very effective in preventing long-distance spread, since the known infestation to date seems to be the result of natural movement by the beetle.

CONTROL

To help prevent spread, suppress populations, and reduce damage caused by this insect in heavily infested areas of Indiana, Michigan, and Ohio, a cooperative control program was begun in the spring of 1963. Two insecticides were found to give satisfactory control against the beetles. Sevin and malathion at the rate of 1 pound per acre were found to be highly effective in reducing beetle populations.

In the spring of 1963, fixed-wing aircraft and helicopters were used in Indiana and Michigan to treat 36,000 acres of wheat, oats, and barley with malathion. In July of that year, 12,000 acres of corn in Michigan were treated with Sevin following the summer grain harvest when cereal leaf beetles moved into the corn crop. In 1964, the acreage requiring treatment was considerably greater than in 1963; 115,380 acres were treated, some of which required two applications, bringing the aggregate total to 170,610 acres. Following is a tabulation by States of acres treated during the 1964 control season.

State	Actual acres treated	Aggregate acres treated
Indiana	11, 060	19, 560
Michigan	93, 820	137, 550
Ohio	10, 500	13, 500
Total	115, 380	170, 610

A new low-volume aerial spray technique utilizing undiluted technical malathion was used with outstanding results in the 1964 control operations. Initial dosage was 8 ounces per acre, which later was reduced to 5.3 ounces with no loss in effectiveness. In heavily infested areas in the control program, beetle populations dropped from 800 per hundred sweeps to none per hundred sweeps after application of the insecticide.

The program of 1964 was conducted at considerably less cost than that of 1963. The 1963 per-acre application cost was approximately $3. With the new low-volume technique employed in 1964, aerial application costs went as low as 20 cents per acre, and results were far superior to those obtained the previous year.

MONITORING

Monitoring the side effects of the insecticide treatment program is an important part of the overall control program. The monitoring program is under the general direction of the Plant Pest Control Division. Michigan State University and Michigan Department of Conservation are under contract to conduct studies in the treated area on the effects of malathion and Sevin on nontarget organisms. Indiana State agencies also make checks in that State.

RESEARCH

Following the discovery of the cereal leaf beetle in 1962, research work was initiated by the Agricultural Research Service, Michigan State University, and Purdue University. Ohio State University also established a research program on some aspects of the problem. Investigations center on the biology of the insect, the effectiveness of chemicals, the occurrence of parasites and predators that might hold beetle populations in check, sources of resistance in varieties of wheat, oats, barley, and rye, and survey methods. The Plant Pest Control Division established a Methods Improvement Laboratory in Niles, Mich., to work on the tristate area problem.

There is some indication that the cereal leaf beetle may behave differently under Corn Belt conditions than in Europe. Parasites of the cereal leaf beetle occur in several places in Europe and may be responsible for holding the insect in check.

Entomologists at Purdue University are working in cooperation with the Entomology Research Division's Plant Parasites Introduction Laboratory in Paris. These scientists already have discovered two parasites that may be important in controlling the cereal leaf beetle in the United States. A parasitic chalcid wasp has been collected in Italy, and specimens have been released in a 5-acre oat field in St. Joseph County in Indiana. Additional shipments of these parasites will be made as specimens are collected. The wasps, whose developing eggs kill the host cereal leaf beetle, have proven 60- to 70-percent effective in controlling the pest in Italy.

The cooperative Federal-State program is aimed at overcoming this new pest by application of insecticides and by regulating the movement of contaminated articles to keep it from spreading to other States. The cereal leaf beetle must be stopped before it gains a strong foothold. If left unchecked, it could threaten the entire "breadbasket" of the United States and Canada.

FEDERAL TRADE COMMISSION LOOKING INTO TEXTILE INDUSTRY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I have received a letter from Mr. Paul Rand Dixon, Chairman of the Federal Trade Commission, indicating that the Commission is presently engaged in an effort to "evaluate the competitive significance" of developments in the textile industry.

I had asked the Commission to examine the possiblity of price fixing in restraint of trade and present herewith the full text of my initial inquiry and Mr. Dixon's reply.

Text of my letter to the Commission:

MAY 25, 1965.

DEAR CHAIRMAN DIXON: The trend of cloth prices and cotton mill margins since the enactment of the one-price cotton legislation of last year is so peculiar that I strongly urge that you make an investigation to determine whether the prices of cotton textiles are being fixed in restraint of trade.

The statistics enclosed herewith, provided by the U.S. Department of Agriculture, show a steady upward trend in cloth prices despite the drop in cost of raw cotton made possible by last year's legislation. You will note that mill margins jumped sharply when the lower cost cotton became available. There is no indication that consumers have benefited from this legislation, despite official assurances Congress received last year that it would save them more than $700 million.

Clearly, cloth prices have not responded to substantially lower raw-material costs. This of course does not necessarily mean that a conspiracy to fix prices exists, but it is highly unusual in a supposedly competitive industry. Consequently, it seems to me that a thorough inquiry would be in the public interest.

I enclose herewith:

1. A table showing cloth and raw cotton prices and mill margins by months beginning with 1962, together with a chart reflecting these same statistics.

2. A copy of a letter dated January 31, 1964 from the Secretary of Commerce to the chairman of the Senate Committee, on Agriculture and Forestry giving assurances to the Congress that the proposed cotton legislation would save consumers more than $700 million.

This has special interest for me because I am a member of the Cotton Subcommittee of the House Agriculture Committee. We will soon be considering a revision of the present legislation.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

Mr. Dixon's reply follows:

FEDERAL TRADE COMMISSION,
Washington, D.C., June 9, 1965.

HON. PAUL FINDLEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FINDLEY: This is in further reference to your letter of May 25, 1965, in which you raise questions as to the causal factors underlying recent developments in cotton cloth price and mill margins. For some months now, developments in the textile industry, particularly movements toward higher levels of concentration, have been a matter of concern to the Commission. The textile industry is one which has witnessed a high rate of merger activity, and we are presently engaged in an effort to evaluate the competitive significance of these developments.

We can appreciate your concern about any possible price fixing in cotton textile. Although we have not undertaken any specific investigation relating to collusive pricing in this industry, our present study has encompassed various industry activities, including marketing and pricing practices. In the course of this study, it has been noted that other factors have been acting on the industry which may equally well explain present mill margins. Demand for cotton goods has risen steadily in recent years and as a result, excess capacity in the industry has diminished. Currently, buyers are committing orders 12 months in advance, whereas prior to the present market condition delivery commitments were made from quarter to quarter. As long as strong demand is sustained, it is not surprising that manufacturers have found it unnecessary to pass along to consumers the savings derived from the "one price" cotton legislation, since they find they can sell all of their output without doing so.

The consequence of these developments has been to substantially improve the profit position of the industry. In the last quarter of 1963, profits after taxes on stockholder's equity equaled 7 percent as compared to 10.6 percent in the last quarter of 1964. Although this represents a substantial increase, it should be noted that profits in cotton manufacture are still somewhat below the average for manufacturing as a whole, which in the last quarter of 1964 equaled 12.4 percent.

The Commission of course is concerned that pricing in cotton textiles be maintained at competitive levels. You may be assured that in the following months, we will continue to review the marketing activities of the industry for any possible violations of the statutes administered by the Commission.

We appreciate your interest in this matter. With best wishes, I am,

Sincerely,

PAUL RAND DIXON,
Chairman.

L.B.J.'S FIRST DEFEAT?

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HARVEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HARVEY of Michigan. Mr. Speaker, next week the House will consider H.R. 7984, the Housing and Urban Development Act of 1965. This is one of the largest authorizations for any single domestic program that will come before the 89th Congress. Section 101 of title I, authorizing rent supplements to be paid various groups of persons, will in itself, according to the Housing and Home Finance Agency, cost $4.7 billion. We in the minority believe that simple mathematics, multiplying the $200 million annual authorization by 40 years, the life of the contract, indicates a cost of at least $8 billion, to be much more realistic for these rent supplements. As we have expressed in minority views, we do not believe this is the way to go about providing housing for these groups. So that Members will have the benefit of the most recent discussion of the merits of this proposal, I include with my remarks the column entitled "Inside Report" by Rowland Evans and Robert Novak, appearing in today's—June 23—Washington Post:

INSIDE REPORT: L.B.J.'S FIRST DEFEAT?

(By Rowland Evans and Robert Novak)

A daring new scheme first concocted last fall to breathe new life into the nearly dormant public housing program may well prove to be President Johnson's first out-and-out defeat in Congress.

The truth is that the hotly debated plan for rent subsidies for low and moderate income families may be crushed under an avalanche of bipartisan opposition in the House.

The reasons are many and paradoxical. Up to now, Mr. Johnson has shown less than all-out interest in saving the subsidy scheme. Liberal Congressmen of both parties, who usually salivate over any new social welfare plan, are hanging back from support of such a radically new idea, condemned as it is both by Main Street conservatives and the public housing lobby. The fact is that the public housing lobby has made a temporary alliance with its old enemies on the right to cut off this threat to its existence.

The increasingly torrid fight stems from the little realized fact that the public housing program, started in 1937, has lost its momentum.

Only 1,014 units of public housing went to the 20 largest cities in the country in the year ended last October. Elected local officials are chary about approving public housing projects. The simple act of approval involves public officials in racial conflict.

Neither Negro ghettos nor white suburbs want public housing projects, the ghettos because they perpetuate segregated housing the suburbs because they might depress property values.

Enters the rent plan, first thought up last fall by one of the President's celebrated special task forces.

Under this new system, rental units would depend not on the approval of publicly elected bodies. Instead, private nonprofit groups, especially churches, would sponsor a project.

And here is the radical part: Low-income families could get a subsidy from the Federal Treasury equal to the difference between the cost of the rent and one-fourth of their annual income.

But the new scheme has turned housing battle lines upside down. Because the subsidized housing would be privately financed, mortgage bankers are among its loudest supporters. But the public housing leaders, who have fought for years on the side of Democratic administrations, are fighting against President Johnson this time.

This is one reason for the rent plan's problems. Another is congressional fear of the unknown, a characteristic of liberal as well as conservative lawmakers. A good many liberals do not want to take a chance backing a new idea that might explode in their faces.

"This could be great or it could be a great disaster, and I'm not going to take a chance," a western Democratic Congressman (normally a Johnson stalwart) told us. He is voting "No."

The loss of a few nonsouthern Democrats in the House would not be fatal were it not that the complement of liberal Republicans, up to 20 or more, who usually back Mr. Johnson, will not this time. No more than three Republicans support the rent subsidy today (including New York's John V. Lindsay, whose mayoralty campaign would be damaged by a "no" vote). This means Mr. Johnson can lose no more than 75 or 80 Democrats.

But so far, Mr. Johnson has scarcely said a word about the subsidy (a silence interpreted by some Congressmen as meaning he really wants to drop the plan). Democratic congressional leaders have sent a private warning to the White House that the President had better get moving if he wants to escape defeat.

With the President silent, his supporters have been less than adroit. When eight Republicans on the House Banking Committee issued a hard-hitting minority report, the answer came not from the White House but from Representative Wright Patman, of Texas, chairman of the Banking Committee.

The heavy handed Patman privately ordered preparation of an unprecented staff report grandiosely called, "Correction of Misleading and False Statements Concerning Rent Supplement Program." It cost the President votes.

CONDUCT OF THE TASK FORCE ON NATO AND THE ATLANTIC COMMUNITY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Goodell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GOODELL. Mr. Speaker, as chairman of the Republican Planning and Research Committee, I was deeply gratified by the way the task force on NATO and the Atlantic community conducted itself during its recent trip to France. Thoroughly prepared with excellent planning, the group did a magnificent job and made a responsible and substantial impression.

Following the series of meetings the group held, there were several refreshing and encouraging developments in Franco-American relations which were certainly related to the efforts of the task force.

I am pleased to insert at this point in the Record a dispatch dated June 17 from Paris to the New York Times. I also enclose a copy of a statement issued June 21 by House Republican Leader Gerald R. Ford.

[From the New York Times, June 19, 1965]

GOP Panel Hails Ties With France—Factfinding Mission Sees Need for More Dialog

Paris, June 17.—The Republican congressional factfinding mission to Paris failed to live up to the scornful predictions of its detractors. The Congressmen did not spend their nights in the Lido, nor their afternoons in the Folies Bergere, as had been expected.

Their activities were almost all official. They had 23 sessions, day and night, with high-ranking, low-ranking and nonranking French and Americans. And they say they are leaving tomorrow impressed with the fact that Paris-Washington relations are not all bad but that there is need for more dialog.

In a formal statement winding up its trip, the congressional mission said:

"It is highly important that the traditional ties between governments and peoples be preserved and strengthened."

The group will make its report to the Republican Conference of the House, and to the administration, if it is interested.

If their minds wandered from affairs of the Atlantic Alliance now and then, they stuck to business nonetheless.

Representative James D. Martin, of Alabama, taped his weekly broadcast to his constituents at the Embassy's studio and had breakfast with one constituent who is a sergeant stationed outside Paris.

Representative Hasting Keith, of Massachusetts, whose district includes Cape Cod and New Bedford and who represents many Portugese-Americans, had a date with the Portuguese Ambassador.

Representative Alexander Pirnie of Utica, N.J., found two constituents working in the Embassy. The leader of the group, 43-year-old Paul Findley, a weekly newspaper editor from Abraham Lincoln's old district in Illinois, was approached by a Parisienne who wanted to sell him paintings—she said.

The mission began awkwardly with the "are you kidding" reaction of the Senate Republican leader, Everett McKinley Dirksen, of Illinois, when the reporters first told him that the mission was being planned. Mr. Dirksen later recanted, but in his original comments pointed out that the State Department normally handled U.S. foreign relations.

His point had validity. French authorities said that official visits by members of a country's opposition party were always difficult. This one required restraint on the part of the French Government, an official said, "so that we would not appear to be meddling in internal affairs of a friendly state."

SEE ASTRONAUTS ARRIVE

The group had a date with the French Foreign Minister, Maurice Couve de Murville, this afternoon. The other high-ranking French official on their list was Pierre Messmer, Minister of Defense.

As Mr. Findley explained it in an interview today, the mission was without precedent.

No political party has ever sent a mission overseas before. The party paid. It was estimated ahead of time that it might cost about $2,800, all told.

To avoid expense to American taxpayers, the mission came by commercial airliner. To avoid being caught having fun, the group chose an airline that does not show movies aboard its craft.

June 21, 1965.

Statement by Representative Gerald R. Ford, Republican, of Michigan, on Republican Factfinding Mission to France

The Republican factfinding mission on NATO has returned from a busy schedule of conferences in Paris. The purpose was to study the Atlantic Alliance and to probe what appeared to be a deepening rift between France and the United States.

The mission received an enthusiastic and warm welcome by French leaders.

A full report and specific recommendations will be made to the Republican conference at an early date, but it is obvious this mission has already made a significant contribution.

Toward the end of the 8-day period several notable developments occurred in United States-French relations.

President Johnson suddenly dispatched Vice President Humphrey to France where he praised France and met with President de Gaulle.

The French Government made a number of friendly gestures toward the United States. The Government announced prepayment of $178 million in World War II debt, 10 years ahead of schedule, and both Foreign Minister Couve de Murville and President de Gaulle expressed warmth toward this country in personal statements.

I am delighted to see that President Johnson is now apparently moving in a direction long advocated by Republicans. The Republican task force on NATO last April 20 urged President Johnson himself to go to Europe at the earliest possible date to visit De Gaulle. I still hope he will do so.

Republicans are gratified by these developments and hope the President will now give priority to the difficult and urgent problems of the Atlantic Alliance.

MILITARY ACCIDENTS REQUIRE EXPLANATION

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, I believe that the recent rash of disastrous accidents, involving our military personnel in Vietnam and elsewhere, have raised some extremely serious questions which require the urgent attention of Congress. I trust that our colleagues of the Armed Services Committee will pursue this matter with their customary diligence.

We are receiving reports almost daily of tragic losses of one kind or another—none of which is due to enemy action.

We recall the midair collision last week of two B–52 bombers during their mission from Guam to Vietnam—the results of which are at least questionable. In addition to the lives lost, a conservative estimate of the cost of the raid was in excess of $20 million.

During the same week, two helicopters collided in this country with severe loss of life. Helicopter collisions in Vietnam are reported every few days.

The disaster at our Bienhoa Airbase in Vietnam a few weeks ago, when many

Americans were killed and a score or more of our finest aircraft were destroyed, was perhaps the most shocking accident of all.

Almost as many of our marines in Vietnam have been killed and wounded by the inadvertent actions of our own forces as by the Vietcong. Many accidental losses are probably not reported.

The reported losses are immense and mounting. Many American servicemen have been killed and injured. Aircraft and other equipment, costing the taxpayers hundreds of millions of dollars, have been destroyed.

Mr. Speaker, I believe we have a solemn obligation to require the Department of Defense to supply a full and frank explanation of these tragic accidents. For years, we have been appropriating $50 billion annually for defense purposes. At such a high level of expenditure, I believe we have a right to expect topflight performance.

It may be that training is inadequate. Unofficial reports immediately following the Bienhoa disaster suggested that an inexperienced bomb handler may have caused the initial explosion. The holocaust which followed also brought our aircraft deployment practices into question once again.

Mr. Speaker, my mail indicates that our people are becoming increasingly concerned regarding these unnecessary military accidents and the accompanying loss of life and materiel. I trust the administration will supply the required answers without delay.

LOIS LAYCOOK

The SPEAKER. Under previous order of the House, the gentleman from Tennessee [Mr. FULTON] is recognized for 15 minutes.

Mr. FULTON of Tennessee. Mr. Speaker, it is with regret that I report to this body my good personal friend and a very fine friend of the House of Representatives is leaving us.

Mr. Lois Laycook, for 15 years the Washington correspondent of the Nashville Tennessean, is retiring from Washington to return to his home at Jackson, Tenn., and manage his family firm, Laycook Printing Co.

For a decade and a half now Mr. Laycook has been covering the House of Representatives and reporting its proceedings. During this time he has carried out his assignments in a forthright and conscientious manner which has brought him credit and distinction. He is a credit to his profession and a credit to one of the Nation's great newspapers, the Nashville Tennessean.

At times he has praised. At times he has criticized. But at all times he has been fair and objective in his reporting and commentary. As an admirer of Mr. Laycook's work for many years I have been most impressed by his pursuit of truth and his conscientious objectivity.

Mr. Speaker, the House of Representatives is losing a great friend. He will be missed. I know that my colleagues who have had the good fortune to know and work with Mr. Laycook over the years join with me in expressing regret at his decision to leave us and in wishing him every possible success.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Tennessee. I yield to my distinguished colleague.

Mr. EVINS. Mr. Speaker, I should like to join my colleagues in commending and paying a brief but sincere tribute to my friend, Lois Laycook, an outstanding newspaperman and journalist.

Lois Laycook came to Washington shortly after I became a Member of the House—he has served as Washington correspondent for the Nashville Tennessean for a number of years. We became good friends and our friendship has remained through the years. His friendship has meant much to me as has his integrity and absolute fairness.

His reporting has been fair and objective and without bias.

He has written factually and with rare insight about the Washington scene and the workings in Congress.

Lois Laycook understands Congress and the interacting relationship between Congress and the executive branch of Government. His reports to the great Tennessee readership reflect his perception and understanding.

We shall miss Lois Laycook on Capitol Hill but I wish for him the best of good luck in the business enterprise of which he is to become a part. I know he will be a progressive businessman. He will be an asset to his hometown of Jackson, Tenn., where he returns to live and participate in his family printing business.

He is a great Tennessean and a great American.

I wish him every success and Godspeed.

Mr. ANDERSON of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Tennessee. I yield to the gentleman.

Mr. ANDERSON of Tennessee. Mr. Speaker, I would like to join my distinguished colleagues in paying tribute to Lois Laycook, a fine and dedicated newsman. Over his many years of service, Lois has become well loved in his home State of Tennessee, and prominently known on the national level.

For a newsman, Washington is often an extremely frustrating experience. But Lois has long ago overcome these frustrations through his sincere, gifted, and level-headed approach to gathering the news. He is a man who has won the esteem, confidence, and respect of this city. It is with great regret that we must now say goodby to him, as he leaves Washington to return to his home in Jackson, Tenn., to enter private enterprise. We can only wish him well in his new endeavor, and we know that he will be as eminently successful in business as he has been here as a superb journalist, a fine gentleman, and a cherished friend.

Mr. EVERETT. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Tennessee. I yield to the gentleman.

Mr. EVERETT. Mr. Speaker, first, I wish to thank our distinguished colleague, Hon. RICHARD FULTON, of the Fifth District of Tennessee, for obtaining this special order for what we consider to be a very special purpose. This order allows us to express to the Honorable Lois Laycook, of Jackson, Tenn., our appreciation for the wonderful contribution that he has made to the newspaper profession of this Nation in the years he has been the Washington correspondent for the Nashville Tennessean of Nashville, Tenn.

He has always been very fair and very accurate in all of his reporting. At all times he has worked energetically to report the facts as they happen here in Washington to his distinguished and outstanding newspaper. In returning to his and our native State to help manage his family's business, we all wish him well and hope he will enjoy the future years with much happiness.

Looking back on his career here, I know that his family in the generations to come can point with pride to the record that he has made. We certainly hate for him to leave, but we all wish the best of everything for him in the years to come.

Mr. FULTON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks in the RECORD with reference to Mr. Lois Laycook.

The SPEAKER pro tempore (Mr. GRAY). Without objection, it is so ordered.

There was no objection.

Mr. GRIDER. Mr. Speaker, I join my colleague, the gentleman from Tennessee [Mr. FULTON], in expressing regret over the departure of Mr. Lois Laycook, Washington correspondent from the Nashville Tennessean from the Press Gallery. Mr. Laycook is returning to Jackson, Tenn., and will operate his family's firm, Laycook Printing Co.

It seems to me almost impertinent for a new Member of this body to add his word of praise in regard to Lois Laycook. He was an established institution upon my arrival here. I knew of his reputation, his good works, and his dedication to his profession. During the 6 months of my service here, I have found that his reputation is well deserved. His courtesy, his warm friendship to this freshman Congressman, his clarity, and the incisive character of his mind have made a lasting impression upon me.

As the able representative of a great Tennessee newspaper, he has served his country well. We shall certainly miss him.

VIETNAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. PIKE] is recognized for 60 minutes.

Mr. PIKE. Mr. Speaker, last week, on Thursday, the Members of this House gathered in special session to do honor to two majors of the U.S. Air Force. The men were indeed heroes, the honors were richly deserved and wholly fitting. The gallery was packed, there was the usual scramble for tickets, and Americans of all political philosophy joined together to sing with one voice a song of praise for their latest space heroes.

I would have enjoyed participating on that happy occasion. On that date however, with three colleagues of the House, the gentelman from Indiana [Mr. Bray], the gentleman from Missouri [Mr. Ichord], and the gentleman from Michigan [Mr. Chamberlain], I was in Vietnam.

Today the galleries are not packed, there has been no need for tickets, and the floor of this Chamber is more reminiscent of the deathly hush of a battlefield after a battle than the festivities of a special session. I have asked for this time, Mr. Speaker, in order to raise at least one small voice in praise of some other men who are unsung heroes, doing unglamorous jobs in unknown places with unpronounceable names. I have asked for this time because I believe with all my heart that the job that they are doing is more vital than the race to the moon—it is harder, less rewarding, more demanding, more important, and they are doing it magnificently.

We are an emotional people—we glorify the glamorous, we obscure the obvious. For the predictable future, the destiny of mankind is inextricably wrapped up, not with the moon, but with a rich and poor, hungry and fat, dusty and wet, pleasant and bleeding planet called earth. The heroes of whom I speak today are working at the unglamorous job of trying to do something about the destinies of men on the only planet on which men live. While two men were being honored magnificently for their contribution to the effort to get man off this planet, others were returning home, silently, in boxes, as their last contribution to the effort to enable men to live in decency on this planet.

There are those voices raised in this land, even, I am ashamed to say, in the Halls of Congress, saying that these silent returnees should never have been there in the first place, that the preservation of freedom in Vietnam is no concern of ours, that we should, in short, get out, and if that means the Communists take over all of southeast Asia, well, that is just the way the cookie crumbles.

There have always been such voices. There have always been those intellectual ostriches who would bury their heads in the sand of their own self-concern, and from a combination of self-delusion, misplaced faith in the intentions of the enemy, and fear, say that if we would just ignore the bad, it would go away.

Back in the early years of Nazi Germany, even after the swallowing of Czechoslovakia and the crushing of Poland, there were such voices in America. Scraggly students sat, philosophical professors picketed, and on Sunday night radio a great American entertainer made them weep and cheer when he wrapped up his weekly broadcast with this song, which I remember:

> If they feel like a war
> On some foreign shore
>   Let them keep it over there.
>
> If some fools want to fight
> And think might makes right,
>   Let them keep it over there.
>
> From coast to coast
> You'll hear a million mothers say,
> We've done enough,
> Don't take my only boy away.
>
> We're for you, Uncle Sam,
> But keep out of this jam,
>   Let them keep it over there.

So, wet eyed and feeling righteous, we looked the other way, and dry eyed and feeling God-only-knows what, the Nazis ran their trains on time, raped France and the low countries, and built those institutions known as Dachau, Belsen, and Auschwitz.

Today a new generation of isolationists is singing the same song. A new generation of students is objecting to American involvement by picketing the White House. Happily, they do not represent America. While they sing and picket, others work. We spent last week watching them work.

We met, in Saigon, an Army lieutenant colonel named Moore, who so loves and believes in that country and its people that having finished one tour of duty there, separated from his wife and family, working by our observation at least a 12-hour day—without overtime—he volunteered to stay on for more.

We saw, on the battlefield at Dong Xoai, walking among the human and material litter of the battle, an Army Special Forces lieutenant colonel named Frink, physically sick, wholly exhausted, who refused to be evacuated simply because there was more work to be done.

We watched, at the airfield of Bien Hoa, a briefing of young Air Force pilots getting ready to take off in 20-year-old planes on a mission in support of Vietnamese ground troops.

We saw, at Chu Lai, Marine Corps pilots take off on a combat mission from an airstrip which an inexperienced Seabee unit had made operational just 22 days after they landed. We watched little children come running at Phu Bai to the big marines who had brought, not only security, but medical care, food, and hope.

We went into the Mekong delta region and were briefed on two types of operation. The first was being conducted by the 43d Ranger Battalion and the 9th Reconnaissance Company of the 9th Vietnamese Infantry Division against a suspected Vietcong company. We inspected the Ranger battalion in the morning. By that night 8 of them were dead and 12 wounded, but they had killed 29 Vietcong, captured one, and seized 12 weapons, 50 mines, and a case of grenades.

The second operation goes, as the entire effort in Vietnam goes, hand in hand with the first. We saw a new school and a new bridge being built with U.S. aid, and new and better pigs which we had introduced and which meant more to the inhabitants of the hamlet of Tan than the most expensive and lethal fighter plane in the world.

We watched, from the carrier *Midway*, a Navy strike launched against targets less than 50 miles from Hanoi, and learned later with relief that the strike was successful and all pilots returned safely. We heard about the Navy pilot from that carrier who, shot down, hid until dark, then walked straight through a Vietcong camp in the dark of night, fell first into a foxhole and climbed out and then fell into a slit trench, climbed out, walked into a volley ball net, kept his head, and got back home.

Not all of the pilots get back home, nor all of the special forces of the Army, nor all of the marines. Some have come home in boxes, and some will never come at all. Is it worth it? I believe it is.

No one will ever tell this subcommittee again that the South Vietnamese are not fighting for themselves. At Dong Xoai they were outnumbered and outgunned, they suffered over 1,000 casualties, and they fought and they fought and they fought. Perhaps the outstanding memory I will have of this trip is not that of bodies on a battlefield, and bodies on a battlefield are always memorable, but that of tough little men, weighing perhaps 125 pounds, moving out from that battlefield, a helmet full of rice in one hand, a carbine in the other, or bent under the weight of a machinegun, going out to chase the Vietcong one more long weary day back into their hiding places.

When the Government in Saigon falls, they fight on, for they fight not for their Government but for their country. When they are outnumbered, they fight; when they feel hopeless they fight, because they love their country as we love ours. They have been fighting for 20 years. The fighting is more intense today. They are fighting an enemy which will not even discuss negotiations, but brags openly of conquest. They would fight on as long as they could, without American help, but with American help there is a light at the end of the tunnel.

There is hope for the people of Vietnam. There is hope for military security and political stability, but the latter cannot be expected until the former is achieved. Because memories are short, America is called upon from time to time to prove that she is not a paper tiger, that our commitment to freedom is genuine and strong.

Those men who are answering that call in Vietnam today represent the best of America. They deserve more from the homefront than fearful, querulous voices raised questioning their presence. They deserve more from Congress than sniping and stewing. They deserve the same sort of acclaim we give to the heroic performers of glamorous feats. They deserve praise from bigger, stronger, more influential voices than my own. But while this voice lasts, I guarantee you it will be raised again and again and again on their behalf.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. PIKE. Mr. Speaker, I am very happy to yield to the distinguished gentleman from Indiana. Before yielding I might say, on behalf of the gentleman from Indiana, that the pace we went over a 2-week period was one which wearied me. I think the gentleman from Indiana has about two decades on me in time as well as one in Congress. I know that he spent his 62d birthday walking around the boondocks in Thailand. I think that is the way he likes to spend his birthdays. I am delighted to have had him with us on this trip, and thank him for the wonderful cooperation he gave throughout the trip.

Mr. BRAY. I thank the gentleman. I am very appreciative of the fact that the gentleman from New York brought this matter before the House. I would say that it was one of the most interesting—I will not say pleasant—one of the most interesting experiences I have ever had, this visit to Vietnam. I saw as great a degree of heroism as I believe I have ever seen before, and I have seen war before.

In my book, the American helicopter pilots bringing the Vietnamese into battle, under heavy fire—right north of us there were four helicopters that were destroyed and four are still missing—under heavy mortar fire and rifle machinegun fire, are tops in my book.

I wish those people who say that the Vietnamese will not fight could have seen what we saw there. They brought those men, trying to save the village of Dong Xoai—they flew them in three different times. They were ambushed; the Americans kept bringing them in and finally they brought the Vietnamese Ranger battalion right in the village over into our side and landed them, under heavy fire, and forced the Vietcong out of that village.

Mr. Speaker, in a sense I believe this may have been a landmark in Vietcong activities, because here they would attack the village always in the nighttime. Then they would have their group around the area to ambush the people who came in to reinforce the village. However, this time not only did they do that but in addition to attacking the village—and they attacked with great force with modern weapons—they ambushed these different groups attempting to get into the village and then attempted to hold the village.

Mr. Speaker, it was a bloody battle. I will say the village of Dong Xoai was as bloody a battlefield as anyone would ever want to see. Those men fought with extreme courage. The Americans that backed them up and brought them in by helicopter were just as brave.

Mr. Speaker, there were many other things that we saw showing the same courage and bravery as we saw at Dong Xoai. But I would say that was perhaps the largest battle and most viciously fought battle that has taken place there. We arrived there on the third day of that battle.

Mr. Speaker, I want to also echo the remarks which have been made by the gentleman from New York [Mr. PIKE], that these people who say, "Oh, negotiate; get out of Vietnam," what is there to negotiate? Every time the President of the United States has even suggested negotiations they make fun of us and insult America and insult freedom.

Mr. Speaker, when I saw those women and men, living and dead, in that village the only crime they had committed was that they would be free instead of being slaves for communism. In that faraway country they were willing to die before yielding to the Communists. The only crime that they committed was that they would be free.

Mr. Speaker, I left there with a very deep reverence for those courageous people and for the Americans who are there fighting with them.

Yes, Mr. Speaker, it is a tough war and no one wants it. We would all love very much to settle this war. But today the only opportunity we have to settle that war is to surrender. If we did surrender, we would surrender all of southeast Asia which would go into the Communist orbit. China, with its plan of world dominion, certainly needs the rice of southeast Asia. That is the breadbasket of Asia, the land of rice, where rice is life.

Mr. Speaker, there is only one answer. There has never been but one answer. When freedom and slavery collide—and that is exactly what is happening today in that faraway country—the only answer is to fight. There are other people getting interested now—Australia had a battalion of troops in there and we saw them, Korea had troops there, and I believe the Government should make an effort, instead of discouraging it, to bring more people in who believe in freedom the same as we do.

Mr. Speaker, I know it is going to take a lot of courage on the part of the leaders of America and on the part of all of us to fight that war, because it is a war. But the only alternative is to surrender to communism. The day that they are willing to talk any sense about any compromise that is reasonable we should naturally agree to that and to make such negotiations.

But, Mr. Speaker, today the only thing they say is that freedom must surrender to communism. I think that they will change their mind, but the price of freedom has always been high.

Mr. Speaker, the freedom of man, the freedom and dignity of man throughout the ages, is the most priceless heritage that has been reserved for the brave and the strong of heart. That is what the situation is in Vietnam.

Mr. Speaker, we are stronger in America, far stronger economically, than all the forces of communism, because our problems involve surpluses and their problems involve scarcities.

Mr. Speaker, we are strong militarily. But the question is going to have to be answered in the next few weeks or months, perhaps years, I do not know, of whether with that economic strength and military strength we have the spiritual strength of a few people who are willing to fight for freedom.

Mr. Speaker, if we do—and as soon as the Communists well know we will do so—then this matter can be resolved. However, it can never be resolved by a group of people screaming around America who would rather surrender freedom to communism than to fight.

Mr. PIKE. I certainly thank the gentleman. I believe he will agree with me that one of the things we all observed was that the closer you got to the battleline the nastier the conditions under which the men worked were, the greater the danger in which they found themselves, the less they questioned the value of the job they were doing, the less they complained about the conditions, the greater the sacrifices they seemed willing to make, and the more they believed in the job they were doing.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. PIKE. I am happy to yield to the gentleman from Missouri. We had a wholly bipartisan committee and a wholly nonpartisan committee. The gentleman made a great contribution to the efforts of that committee, and I was delighted to have him with us.

Mr. ICHORD. I thank the gentleman from New York for yielding.

As a member of the four-man subcommittee of the Committee on Armed Services, I wish to take this opportunity to associate myself with the remarks of the chairman of the subcommittee, the gentleman from New York.

During our 5-day stay in South Vietnam we traveled almost 2,500 miles from one end of South Vietnam to the other, into the major battle zones, to the scene of the battle of Dong Xoai, to the aircraft carrier *Midway*, to a minor engagement near Cao Lanh, to the Marine beachheads at Phu Bai, Da Nang, and Chu Lai, to places I had heard of but could not visualize, such as Pleiku, Quang Ngai, Bien Hoa, Vinh Long, Phouc Vinh, and so forth. We were not only briefed by Ambassador Taylor, General Westmoreland, South Vietnamese, and American officials in Saigon but we visited in the battle areas and talked to the hundreds of officers, noncoms, and enlisted Americans, and South Vietnamese soldiers who are shooting, getting shot at, and dying in South Vietnam.

I left South Vietnam with a new understanding of what is happening in that part of the world.

Like the gentleman from New York no one can again tell me that the South Vietnamese do not have the will or desire to fight. I saw how they fought at Dong Xoai and I heard time and time again the American advisers praise the fighting ability of South Vietnamese units. I would also state no one can impress me in the least measure by arguments that the Vietcong are just a bunch of poorly armed peasants fighting an internal revolution. Nothing could be further from the truth. I saw the firepower the Vietcong threw at the compound in Dong Xoai and the modern weapons of North Vietnamese or Chinese manufacture, his dead and withdrawing troops left behind at Dong Xoai.

I departed from South Vietnam of the firm opinion that there is probably more misinformed and uninformed discussion of the South Vietnam situation throughout America today than any other current event in the public eye. However, we fortunately found there is no wavering of purpose among the American combat man in South Vietnam. His high morale, his dedication to the South Vietnamese welfare and the cause of freedom is absolutely astounding. Time and time again these men who were risking loss of life and limb in this far and remote corner of the world told me that whatever we do we cannot abandon the South Vietnamese to their fate. Repeatedly they expressed concern about the overpublicized demonstrations and teach-ins in America. I am certain, Mr. Speaker, that even the "most confirmed beatnik" who marched in front of the White House some time ago would have serious misgivings about his actions if he had had the opportunity to observe and listen to these dedicated young Americans, many of whom will no doubt make the supreme sacrifice. And I submit, Mr. Speaker, that those misguided idealists who have expressed concern about the loss of American life in South Vietnam should stop and evaluate what the effect of their position is upon the chances of these boys bringing the war in South Vietnam to a successful conclusion with a minimum loss of life. To what extent these people are contributing to the prolongation of the war and the loss of American life should be seriously considered by them. As an American and Member of Congress I feel it is my duty to speak out on this subject to let the Communists in Hanoi and Peiping know that the overpublicized views of these few Americans are not indicative of America's purpose. Such a mistaken opinion of America's resolve on the part of Peiping and Hanoi could be catastrophic.

Mr. Speaker, a week ago Monday a young, handsome, and courageous Marine corporal from Dexter, Mo., named Kenneth Parker, proudly presented to me a picture of his Marine battalion on the western coast of South Vietnam marching forth to secure an objective. I thanked him for the presentation and asked, "How is it going, soldier?" He replied, "Well, sir, it is not too pleasant. I would prefer to be back home." I returned, "Corporal, we have had demonstrations by a few young people in America to have you pull out." He quickly replied, "Sir, I would not want to return home under those circumstances. I think those demonstrations are terrible. They don't know what we are up against."

Yesterday I received word that Corporal Parker's body is being returned to the country he loved so much and for which he gave his life. The message from Department of Defense read that he was killed by Vietcong fire near Da Nang. We, the living, have the duty to see that Corporal Parker did not die in vain. We must see that the principles and objectives for which he fought are attained.

Though Kenneth Parker may not have been familiar with all the complexities of the South Vietnam problem, he was ready and determined and did make the supreme sacrifice in an effort to stop Communist aggression. After meeting Corporal Parker, Mr. Speaker, and coming to a full realization of what he fought and died for, I would hope that the distorted press articles and editorials of the South Vietnam situation would be minimized, and those giving the peace-at-any-price speeches in the Halls of Congress will measure the effect of their speeches before they bow to emotion.

I thank the gentleman from New York for yielding.

Mr. PIKE. I thank the gentleman deeply for his articulate and eloquent contribution and the tribute he paid to his friend from Missouri.

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. PIKE. I am happy to yield to the distinguished gentleman from the State of Michigan who was of such value in producing many new ideas throughout the trip we took.

Mr. CHAMBERLAIN. I thank the gentleman.

Mr. Speaker, first I wish to say that I am indeed proud to have been associated with my colleagues who joined in going to Vietnam. I particularly wish to pay tribute to the chairman of our subcommittee, the gentleman from New York, for his aggressive approach to all our problems and for making certain that our committee was provided with opportunities to obtain information we needed. This he saw to with great diligence.

He was quite a taskmaster. We worked early and late. We were up several mornings at 5 and 6 o'clock, getting our fatigues on to go out with the troops, and it was after dark most evenings by the time we got back to clean up.

I wish to say, Mr. Speaker, that I take no exception to anything my colleague from New York has said, or my colleague from Missouri [Mr. ICHORD] or my colleague from Indiana [Mr. BRAY]. This was indeed a bipartisan mission. We did not go as Republicans or Democrats—we went as red, white, and blue Members of Congress.

I believe we cannot overemphasize the fact that this struggle which is going on in this remote area of the world, halfway around it, is a real war. This was brought home to us very forcefully. I do not believe the American people really understand it as fully as they should.

I must say that as I have read about Vietnam in the news and followed events of the past several months—I believe with considerable diligence, being a member of the Committee on Armed Services—I really could not fully appreciate the nature of this jungle warfare. How could they take hundreds of men, or perhaps thousands, and no one know of their presence, not be able to go out and find them, and say, "Let us take care of this problem"?

I feel one has to fly over that jungle area and see it with his own eyes to fully comprehend the nature of this struggle.

There is perhaps little I can add to what my colleagues have said.

They have covered our activities rather fully, but I would say this: All of us, everywhere we went, asked this question of our people, not only of our forces but those of the South Vietnamese: "Is there anything that you need, and how is your equipment," and so forth. We had no complaints, or no major complaints at least, about the equipment available for our forces there. We had no complaints about the food supplied to our people. We found the clothing to be adequate in most instances.

I would also like to say that what has been reported here with respect to the morale of our forces I, too, found to be true. The boys out there that are doing this job seem to know why they are there and what they are doing. There may be doubts here in this country as to why they are in Vietnam, but the fellows we talked to had no doubts about their job in Vietnam.

My colleague [Mr. ICHORD] and I went to a hospital in Vietnam where the wounded had been brought from the battle of Dong Xoai. He talked to some of the service people there that had been injured and so did I. One chap from by home State, whom I found there and whom I particularly sought out because I wanted to give him a few words of encouragement, had this to say to me. I told him, "You know, back home there is quite a bit of discussion as to whether or not we have any business being over here." I asked him, "What do you have to say about that?" Well, this young man lying on his back, with his foot in a cast and one hand in a cast, said to me, "You cannot beat the commies by backing down. I would rather fight them here than at home."

And the chap in the next bed to him, coming from Virginia, chimed in when we were talking about these teach-ins, "Sir, I do not know what you have to learn in order to be educated, but those professors are nuts." I could not have had it expressed more eloquently than it was by that chap from Virginia who was also there recovering from injuries sustained 2 days earlier in the battle of Dong Xoai.

There is one thing that has disturbed me and which I have given some thought to, not only since I returned from South Vietnam, but, before that. This is the question of supplying these forces that are out there. Before I left I asked some people in the Department of Defense to advise me about the free world shipping that was going into North Vietnam. They gave me a report and I specifically asked them for an unclassified report. I have here in my hand this unclassified report of shipping into North Vietnam so far this year—January, February, March, April, and May—nothing for June. They have had 38 British ships going into North Vietnam, 2 Japanese ships, 9 ships from Greece, 9 ships from Norway, 3 ships from Holland, and 4 ships from Lebanon, or a total of 65 ships from what we would call free world nations that are sending their ships to help supply the North Vietnamese which are keeping this thing going.

Mr. Speaker and my colleagues of the House, I say again that these are unclassified figures made available by Lloyd's of London. I further say to you that I have seen the classified figures. If you are shocked by this, you should see what the classified report says about free world nations, people that we have helped over the years, who are helping to keep this thing going.

Each one of these nations that is now sending their ships to North Vietnam is the beneficiary this year, the fiscal year 1966, of the Foreign Aid bill that was passed by this House weeks ago; maybe not as much as some of them have received in years past, but I checked this out this afternoon and each one of them is getting something from us. I say it is time that our State Department got on the stick and started to put some pressure where it belongs to shut off their water.

Mr. Speaker, one other thing that has not been mentioned here. I think we might have a comment with respect to this. As we stepped from the aircraft at the airport serving Saigon the local press, after we had exchanged greetings with General Westmoreland, asked the chairman of our subcommittee for his comments on the change of government in Vietnam. Of course, we had agreed among us that we were not there for publicity or to do anything but to find out as much as we could about what was going on and to complete the mission to which we had been assigned.

So the chairman of our subcommittee said that we had no comment. That was the first we had learned that the Government in South Vietnam had been altered in any form. I do not know how the press reported that back here. The only comment that I would like to make at this time is that there did not seem to be great concern over the change in the Government in Saigon at that time. Sure, they are going to be making some realinements, but I did not sense that it was going to have any major impact on the conduct of the war. I thought I would pass that observation along to my colleagues.

There is no easy answer, as I view it in this struggle. It has been going on for many, many years out there. I do not think by virtue of our short visit out there that it is going to be appreciably shortened. I think it was my colleague from Indiana [Mr. BRAY] who said that to be an expert on this situation in Vietnam you have got to be there less than 30 days or more than 30 years; and I think that is probably true.

I do not think we came back with the feeling that we are experts in this area, but at the same time I think it would be well for us to say that we think this is not going to be solved in any easy way because it is not. It is going to test the best of us, of the people of this country, and it is apt to go on for some time. I think we had better take a notch in our belt, get a little more serious about it, and get about the job.

I was pleased to have it reported that we are getting some help from our allies out there, the Korean troops and the Australians. But as we are called upon to put in more of our people, more of our boys—and the Secretary of Defense while we were there announced that we were sending in another 15,000 troops, perhaps more—I feel that here again the people of this area who are more directly affected should likewise take a notch in their belt and realize that this, too, has a direct bearing upon their own security, and they should help perhaps a little bit more than they are now. In addition to our completing our assigned mission, that of supplying answers to specific inquiries that were put to us by the chairman of our committee, I feel that we, by virtue of our trip, have obtained a fund of information that is going to serve us well in the weeks and months ahead as we are called upon to deal with the problems in this troubled area of the world.

Mr. Speaker, I thank the gentleman.

Mr. PIKE. I thank the gentleman very much for his very important contribution.

Mr. Speaker, in closing this discussion I would like to say this. We know that tomorrow the newspapers are going to show pictures of people picketing the White House, complaining about what we are trying to do over there and what we are trying to do in the world.

Mr. Speaker, I only hope that as this word gets back to the boys in Vietnam they also get the word that four Representatives of somewhat over 2 million people, I expect, of four different backgrounds and two different political faiths, and as many different philosophies as there are people, have simply gone out there together and have seen as Americans and reported back with one voice that what we are doing out there is important, that what we are doing out there is meaningful and that we are just as proud as we can be of the Americans who are out there representing us.

AMENDING THE TRADE EXPANSION ACT

The SPEAKER pro tempore (Mr. GRAY). Under previous order of the House the gentleman from Pennsylvania [Mr. DENT] is recognized for 30 minutes.

Mr. DENT. Mr. Speaker, I have taken the floor many times during the past 7 years in opposition to our national trade policy and the philosophy on which it seems to be based. Today I am as completely convinced as I was during those years that this program is on the wrong track. I said so in 1962 when the legislation was debated on this floor. I have said so on numerous occasions since that time, and I still say it.

I do not believe in legislating as we did in 1962 to injure American industry and then telling the Government to run over to the injured companies and workers with first-aid packs to ease them over injuries caused by previous governmental action. Yet that approach was adopted. Up to now, not far from 3 years later, no adjustment assistance has been given, even though 17 applications have been made for it before the Tariff Commission.

As I say, I do not believe in legislating deliberately to cause injury on a national scale and then coming to the rescue; but the legislation having been adopted, it should not have been drawn up, as it was, in a manner to assure its sterility.

I have never been able to understand why domestic industry, upon which our economy relies, along with agriculture, to provide us with what we eat, wear, live in, ride in, and use in many other activities, should be used as a pawn in international politics, and why it should bow to imports and move over to make way for them, as if imports were sacred.

I will grant that a healthy exchange of goods among nations is fine, but I do not buy the philosophy that would hoist trade to a level of priority above the welfare of our own industries and workers. That does not make sense, and yet that is the very essence of the trade policy of the past 30 years.

Also I do not object to reducing tariffs that are higher than necessary; but I do want to adopt an arbitrary approach, such as is contemplated under the GATT negotiations in which we are now engaged by way of carrying out the notorious Trade Expansion Act of 1962. The purpose is to slice our tariffs in half, with "a bare minimum of exceptions." This intent or policy runs counter to all proper regard for American industry and especially labor. Not all our industries are on an equal competitive basis with imports. Therefore they should not be treated the same.

If some tariffs might be cut 50 percent with impunity, others should not be cut more than 25 percent or less and some should not be cut at all. Some tariffs, moreover, have already been cut too deeply and should be raised or their place taken by import quotas.

Our tariffs have been in effect a long time, and our industries have grown up under them. We have been reducing them for 30 years, and on the average they are only 20 percent as high today as they were in 1934 in the amount of protection they afford. Some rates are higher than others. Indeed nearly 40 percent of our total imports come in free of duty. The higher rates have been reviewed numerous times in the past 30 years and they are what remains after many exposures to the tariff-cutting exercises of the State Department. There were no doubt good reasons for not cutting them deeper, considering the eagerness of our delegations to the international conferences to use the knife.

During this 30-year span since 1934, different rates have been cut varying amounts. This is in keeping with the different competitive position of various industries. It should not be difficult to understand that an industry that is in the happy position of being well ahead of foreign industry technologically and in point of richness of resources and other factors, might have no need of tariff protection or could get along with lower rates than other industries not so well favored.

It is not necessarily inefficiency in a domestic industry that places it at a competitive disadvantage. An industry may be at a disadvantage through no fault of its own, but if the tariff on its products is reduced it will nonetheless surely suffer seriously from import competition.

One of the common disadvantages that is not the fault of our industry—in fact is to its credit—are the higher wages paid in this country. This can become a serious disadvantage in the face of foreign industries when they have adopted our technology and production methods and have installed modern machinery that lifts their man-hour productivity up to or nearly up to or even above ours. We are justly proud of the high wages we pay but they can represent a terrific handicap in foreign trade, as many industries have learned. I am not one who believes that we should reduce our wages in order to compete with imports. Attachment A following my statement is the testimony given this very morning by the Plywood Industry before our Committee on Fair Labor Standards.

Another disadvantage that need not be the fault of an American industry might lie in the failure to find a rapid cost-reducing mechanism when challenged by imports. New methods of production that represent radical improvement over current methods depend on invention; and inventions are not turned on like a light. Yet, given time we have made tremendous progress in overcoming the disadvantages that may reside in labor-intensive situations. In recent years, for example, pretzel bending by hand has been replaced by machines. Very few cigars are still made by hand. A hundred and more examples could be found of instances in which a long lag gave way to some novel invention. As a country we have nothing to apologize for in this respect. We have led the world in technological advancement.

Having led the world we then shared our technology with other countries and in recent years they have eagerly taken to our system.

That this fact should have confronted many of our industries with serious problems should not have surprised anyone. That it will confront yet more industries in like manner should also surprise no one. An industry that is well ahead in technology today may be outstripped tomorrow. Should there be no decent defense against these developments? Are we who led the world in this field to become the victims of our generosity? I ask you in all fairness: What kind of a policy is it that would exact this penalty of us, in the name of anything you can think of? We do not buy world peace with such currency.

The facts have been very clear. The cost of production in other industrial countries has fallen in relation to ours in many fields. This was the result of rapid technological advancement in those countries. They were able to leap over virtually a generation of research and development because we made our technology available to them.

Because of this cost advantage many of their products have been able to penetrate our market with remarkable ease. In the case of the large, powerful industries, such as automobiles, the imports have been survived; but even there we should not sing too loudly and lustily. The steel industry has also withstood the import impact; but the end is not yet. Imports are still rising. In smaller industries, such as glassware, tile, pottery, textiles, typewriters, sewing machines, and many others, the power of resistance is not of the same degree. Such industry can no longer expand in the face of imports as it did in past years and hire additional workers. Rather it strives with might and main to reduce its costs by installing the most modern machinery and thus displacing workers by the hundreds or thousands.

In the case of typewriters and sewing machines overseas investments have been resorted to as the remedy. This leaves the home fires of labor burning ever dimmer while the companies do quite well abroad, enjoying the low wages prevailing there.

The trouble facing so many of our industries from imports is not mysterious; nor is it a mystery when they try to defend themselves by becoming more efficient. Unless they do this they will inevitably succumb to the import damage. The fact is, however, that the only way open for real cost reduction lies in eliminating labor, for employee costs in total corporate costs in this country represent 80 percent. Therefore efforts to remain competitive come out of the hides of the workers; and not only is unemployment swelled but our consumer purchasing power is crippled every time a worker is displaced by machinery.

I want at this point to answer the academic economists who say that installation of laborsaving machinery leads to higher employment. Ordinarily this would be true; but they have not considered the situation where the installations are made in feverish efforts to remain competitive; that is, simply to hold their own. Under these circumstances, precisely because imports have already come in at lower prices and have captured most of the additional market that opens up because of lower prices our industry's cost reduction does not lead to the higher volume of sales that would be necessary to rehire the displaced workers. Imports have supplied this additional new demand and our industry does well to hold its own and indeed often does not succeed in doing so. The displaced workers then either find employment elsewhere, and this is not always easy; or they start drawing unemployment compensation; and that is not the kind of future that our workers look forward to and are entitled to.

How many tests do we need in order to prove that under present circumstances we are not generally competitive with other countries?

Consider the merchant marine. We find it necessary to subsidize both ship construction and ship operation. Even so, many of our ships register under foreign flags and only about 10 percent of our foreign trade moves under the American flag.

Why the subsidies? They are based on relative costs of ship construction and ship operation. Actual studies are made of wage costs here and abroad. As I say, even then many of our ships register under foreign flags. Why? They gain the advantage of wages low enough to permit them to compete with foreign lines. For them the foreign flag represents the same as foreign investments by companies that open up manufacturing plants abroad; that is, under foreign flags.

Figures are available to demonstrate that our share of world exports has been shrinking—this in the face of our extensive and heavy subsidization through foreign aid, Public Law 480, food for peace, and so forth. Particularly unfavorable has been the decline in our share of world exports of manufactured products. Again, there should be no mystery about this. The answer is as clear as it is with our merchant marine.

Let me tell you something about our steel exports.

The iron and steel community of Europe produced 82.8 million tons of steel in 1964. It exported 13.9 million tons, or 16.7 percent—Source: "European Community," May 1965, p. 5. The United States produced 84.9 million tons and exported 3.3 million tons, or 3.9 percent; and 30 percent of these exports are accounted for by foreign aid—Source: Iron and Steel Institute—Japan produced 39.8 million tons of crude steel in the same year—1964—and exported 6.9 million tons, or 17 percent.

In 1958 we were exporting more than half as much again in steel as we imported. Now we import twice the tonnage that we export.

Do these figures mean anything in point of the competitive position of our steel industry? Are we going to stand idly by and watch this industry do its expanding overseas? The industry invested about $1½ billion in new plant and equipment in 1964. This is for the installation of oxygen furnaces, continuous casting, and so forth; but these investments represented "modernization," not expansion. We have excess capacity, as it is. They meant making more tons of steel per thousand workers than before. Steel employment is down from 10 years ago even though we are producing more steel. That is the effect of becoming more efficient.

How efficient must the steel industry become in order to halt the increase in imports? Must we install enough new machinery to displace a quarter of the work force?

In 1960 the number of production workers in blast furnaces, steel and rolling mills was 424,000. They produced 71,149,000 tons of steel or 154 tons per worker. In 1964 the number of workers was 456,000 but they produced 84,945,000 tons of steel or 186 tons per worker. This was 32 tons more per worker than 4 years earlier, or an increase of 20 percent—Survey of Current Business, October 1961 and May 1965. This was production workers in the mills, not the technicians, office workers, salesmen, and so forth.

Unfortunately this increase in "efficiency" did not prevent the rise in imports. So I ask, how far must we pare labor costs in order to become really competitive both at home and abroad?

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How much longer are we to worship the goddess of free trade? How many more millions of jobs must we feed her insatiable hunger?

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Would it not be better to remove from the President's list all those products that have already established a record of easy access to our market even at the present level of duties? Also, would it not be better to hold imports down to the average level of the past 3 years so that we will not be pressed to throw people out of work more rapidly than we can absorb them—simply as a matter of holding our own against imports?

Mr. Speaker, to me the answer to these questions is very clear. I am in full accord with the legislation that is offered to amend the Trade Expansion Act of 1962 and am happy to join in the introduction of it. I shall do all I can to bring it to passage.

I will support this legislation as a holding device, to hold onto our industrial competitiveness in our own markets until the inevitable day when we realize the fallacy of the free trade doctrine that ignores the economics of international trade and its effect upon the lives of domestic workers.

ATTACHMENT A

STATEMENT OF ROBERT N. KATZ, ON BEHALF OF THE HARDWOOD PLYWOOD MANUFACTURERS ASSOCIATION, BEFORE THE GENERAL SUBCOMMITTEE ON LABOR, APRIL 23, 1965

Mr. Chairman and members of the committee, my name is Robert N. Katz, an attorney with offices at 1100 17th Street NW., Washington, D.C. I am here today as counsel for the Hardwood Plywood Manufacturers Association, a trade association which represents the domestic hardwood plywood industry. This industry accounts for more than 35,000 employees in 31 States. Many of our members' production facilities are located in areas of substantial and persistent unemployment and provide employment to persons who would neither find nor be qualified for employment elsewhere. On behalf of our industry, our membership and their employees, we are testifying in support of a minimum wage of $1.25 per hour, a work week of 40 hours and time and one-half for overtime.

Any increase in minimum wages, any decrease in length of the work week or any increase in premiums for overtime work will inflict additional burdens on an already beleaguered industry. Today, imports account for more than 50 percent of sales of hardwood plywood in the United States. In addition, this industry is facing increased competition for lower priced substitute products. Although the Consumer Price Index has risen, wages have risen and other costs have risen, the price of hardwood plywood has shown remarkable constancy due to competitive pressures on this industry. As a result, of course, a number of mills have closed their doors with the resultant unemployment.

The hardwood plywood worker in foreign countries is paid less than one-eighth the pay of some employees in the United States. For example, in 1962, a daily wage in the plywood industry in Japan was $2.32. An hourly wage for one of our member companies is $2.50 per hour. It is obvious that the productivity of the U.S. worker is not that much greater that the wage differential can be overcome. The foreign employee is working with equipment financed partially or completely with U.S. foreign aid funds. Yet some persons have the audacity to say that the U.S. businessman isn't competing as fully and effectively as he can and should. How can one compete effectively when he is financing and subsidizing his competition?

The hardwood plywood industry technology is such that new and better equipment or capital investment will not significantly reduce the cost of labor involved. Accordingly, the producer cannot offset rising labor costs by increased efficiencies elsewhere. The result is loss of markets and loss of jobs. Thus, in areas of substantial unemployment, we'd have $80-a-week men idle instead of $50-a-week men working.

A survey of the domestic hardwood plywood industry has indicated that the employer will not increase his labor force and thus spread jobs among more people because of the cost of fringe benefits that would accrue to additional employees. Instead, the employer will be compelled to pay the overtime premium if he does retain enough of the market to justify the longer hours. However, it is obvious that costs per unit of plywood will increase so that either meager profits will be curtailed or ultimately the business will be closed. The hardwood plywood manufacturer cannot obtain capital investment in this industry because investment capital is being diverted into segments of the economy which offer more attractive situations from a labor standpoint.

A shorter workweek or premium pay for overtime would not serve to increase employment in this industry nor would it enrich the workers. Here again, markets would be lost and output reduced. The producer would not add a second or third shift; he couldn't sell what he produced. He won't pay overtime premiums. The market will be further capitulated to the foreign producer by default at a time when this administration is concerned about balance of payments.

It is obvious that the increase in costs of manufacture of hardwood plywood are not and cannot be passed on to the consumer. In 1951, the wholesale price index for hardwood plywood was 105.8. Ten years later in 1961, that index price had declined in the face of rising costs to 101.4 and has declined even lower since that time. In 1963 it was, for example, 96.9.

Accordingly, in conclusion we strongly urge that this Congress not impose additional cost burdens upon an already burdened industry beset by rising cost of materials and by competitive pressures of substitute articles.

ATTACHMENT B

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HERTER'S PROGRESS REPORT

Herter, speaking before Washington Board of Trade, May 20, 1965, made a progress report on the Kennedy Round. "Already on the bargaining table," he said, so far as industrial tariffs are concerned, was enough for "the most substantial liberalization of world trade in industrial products that has ever been achieved in the entire history of trade negotiations."

"This time," he continued, "we are dealing with virtually all goods which move in foreign commerce. We are proposing for most products a linear tariff cut of 50 percent."

There may be some surprises among those who believe they have persuaded the special representatives to treat them with kid gloves. Everything points to drastic cuts along a very broad front.

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But for imports the consumer electronic goods industry would have been one of the classical growth industries that would have employed several hundred thousand workers in the production, distribution, repairing and servicing operations. Instead some leading domestic manufacturers have undertaken production abroad or have licensed foreign producers. Also, parts manufacturing for our set assemblers has expanded greatly abroad.

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CELEBRATION OF THE 50TH ANNIVERSARY OF THE OPENING OF THE PANAMA CANAL—GRAND OLD MAN OF THE CANAL

The SPEAKER pro tempore. Under previous order of the House the gentleman from Wisconsin [Mr. LAIRD] is recognized for 15 minutes.

Mr. LAIRD. Mr. Speaker, on August 15, 1914, the Panama Canal was formally opened to world traffic. On August 14 and 15, 1964, the 50th anniversary of that great event was celebrated in the Canal Zone.

The celebration consisted of special features of commemorative character. In attendance were prominent Canal Zone and Panamanian officials and citizens; also distinguished guests associated with the building of the canal and its maintenance and operation. Among the latter were a number of former Governors of the Panama Canal; namely, Major Generals Julian L. Schley—recently deceased, Clarence S. Ridley, Glen Enedgerson, F. K. Newcomer, John S. Seybold, and William A. Carter. Also present were Mrs. Schley, Mrs. Ridley, and Mrs. Newcomer; former executive secretary of the canal organization, Col.

by the Plywood Industry before our Committee on Fair Labor Standards.

Another disadvantage that need not be the fault of an American industry might lie in the failure to find a rapid cost-reducing mechanism when challenged by imports. New methods of production that represent radical improvement over current methods depend on invention; and inventions are not turned on like a light. Yet, given time we have made tremendous progress in overcoming the disadvantages that may reside in labor-intensive situations. In recent years, for example, pretzel bending by hand has been replaced by machines. Very few cigars are still made by hand. A hundred and more examples could be found of instances in which a long lag gave way to some novel invention. As a country we have nothing to apologize for in this respect. We have led the world in technological advancement.

Having led the world we then shared our technology with other countries and in recent years they have eagerly taken to our system.

That this fact should have confronted many of our industries with serious problems should not have surprised anyone. That it will confront yet more industries in like manner should also surprise no one. An industry that is well ahead in technology today may be outstripped tomorrow. Should there be no decent defense against these developments? Are we who led the world in this field to become the victims of our generosity? I ask you in all fairness: What kind of a policy is it that would exact this penalty of us, in the name of anything you can think of? We do not buy world peace with such currency.

The facts have been very clear. The cost of production in other industrial countries has fallen in relation to ours in many fields. This was the result of rapid technological advancement in those countries. They were able to leap over virtually a generation of research and development because we made our technology available to them.

Because of this cost advantage many of their products have been able to penetrate our market with remarkable ease. In the case of the large, powerful industries, such as automobiles, the imports have been survived; but even there we should not sing too loudly and lustily. The steel industry has also withstood the import impact; but the end is not yet. Imports are still rising. In smaller industries, such as glassware, tile, pottery, textiles, typewriters, sewing machines, and many others, the power of resistance is not of the same degree. Such industry can no longer expand in the face of imports as it did in past years and hire additional workers. Rather it strives with might and main to reduce its costs by installing the most modern machinery and thus displacing workers by the hundreds or thousands.

In the case of typewriters and sewing machines overseas investments have been resorted to as the remedy. This leaves the home fires of labor burning ever dimmer while the companies do quite well abroad, enjoying the low wages prevailing there.

The trouble facing so many of our industries from imports is not mysterious; nor is it a mystery when they try to defend themselves by becoming more efficient. Unless they do this they will inevitably succumb to the import damage. The fact is, however, that the only way open for real cost reduction lies in eliminating labor, for employee costs in total corporate costs in this country represent 80 percent. Therefore efforts to remain competitive come out of the hides of the workers; and not only is unemployment swelled but our consumer purchasing power is crippled every time a worker is displaced by machinery.

I want at this point to answer the academic economists who say that installation of laborsaving machinery leads to higher employment. Ordinarily this would be true; but they have not considered the situation where the installations are made in feverish efforts to remain competitive; that is, simply to hold their own. Under these circumstances, precisely because imports have already come in at lower prices and have captured most of the additional market that opens up because of lower prices our industry's cost reduction does not lead to the higher volume of sales that would be necessary to rehire the displaced workers. Imports have supplied this additional new demand and our industry does well to hold its own and indeed often does not succeed in doing so. The displaced workers then either find employment elsewhere, and this is not always easy; or they start drawing unemployment compensation; and that is not the kind of future that our workers look forward to and are entitled to.

How many tests do we need in order to prove that under present circumstances we are not generally competitive with other countries?

Consider the merchant marine. We find it necessary to subsidize both ship construction and ship operation. Even so, many of our ships register under foreign flags and only about 10 percent of our foreign trade moves under the American flag.

Why the subsidies? They are based on relative costs of ship construction and ship operation. Actual studies are made of wage costs here and abroad. As I say, even then many of our ships register under foreign flags. Why? They gain the advantage of wages low enough to permit them to compete with foreign lines. For them the foreign flag represents the same as foreign investments by companies that open up manufacturing plants abroad; that is, under foreign flags.

Figures are available to demonstrate that our share of world exports has been shrinking—this in the face of our extensive and heavy subsidization through foreign aid, Public Law 480, food for peace, and so forth. Particularly unfavorable has been the decline in our share of world exports of manufactured products. Again, there should be no mystery about this. The answer is as clear as it is with our merchant marine.

Let me tell you something about our steel exports.

The iron and steel community of Europe produced 82.8 million tons of steel in 1964. It exported 13.9 million tons, or 16.7 percent—Source: "European Community," May 1965, p. 5. The United States produced 84.9 million tons and exported 3.3 million tons, or 3.9 percent; and 30 percent of these exports are accounted for by foreign aid—Source: Iron and Steel Institute—Japan produced 39.8 million tons of crude steel in the same year—1964—and exported 6.9 million tons, or 17 percent.

In 1958 we were exporting more than half as much again in steel as we imported. Now we import twice the tonnage that we export.

Do these figures mean anything in point of the competitive position of our steel industry? Are we going to stand idly by and watch this industry do its expanding overseas? The industry invested about $1½ billion in new plant and equipment in 1964. This is for the installation of oxygen furnaces, continuous casting, and so forth; but these investments represented "modernization," not expansion. We have excess capacity, as it is. They meant making more tons of steel per thousand workers than before. Steel employment is down from 10 years ago even though we are producing more steel. That is the effect of becoming more efficient.

How efficient must the steel industry become in order to halt the increase in imports? Must we install enough new machinery to displace a quarter of the work force?

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HERTER'S PROGRESS REPORT

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Mr. LAIRD. Mr. Speaker, on August 15, 1914, the Panama Canal was formally opened to world traffic. On August 14 and 15, 1964, the 50th anniversary of that great event was celebrated in the Canal Zone.

The celebration consisted of special features of commemorative character. In attendance were prominent Canal Zone and Panamanian officials and citizens; also distinguished guests associated with the building of the canal and its maintenance and operation. Among the latter were a number of former Governors of the Panama Canal; namely, Major Generals Julian L. Schley—recently deceased, Clarence S. Ridley, Glen Enedgerson, F. K. Newcomer, John S. Seybold, and William A. Carter. Also present were Mrs. Schley, Mrs. Ridley, and Mrs. Newcomer; former executive secretary of the canal organization, Col.

Frank H. Wang, of California; Capt. Walter G. Ross, of Washington, D.C., Quartermaster at Emoire, during the construction era; James G. Gilbert of Greenville, N.C., who was superintendent of mails of the Canal Zone 50 years before; and Frederick G. Swanson, of Tyler, Tex., an oldtimer, who served in various capacities on the canal project during construction days. Other oldtimers were also in attendance, including former Representatives in Congress, and the sole surviving member of the Isthmian Canal Commission and Civil Governor of the Canal Zone during construction, Maurice H. Thatcher of Kentucky and Washington, D.C.

Maj. Gen. Robert J. Fleming, Jr., Governor of the Canal Zone and President of the Panama Canal Company, led the celebration, assisted by Col.—now General—David S. Parker, Lieutenant Governor; Paul Runnestrand, executive secretary; Frank A. Baldwin, information officer; Miguel Corco, protocol officer; and others of the Canal Zone organization.

Then there was the social side of the picture that required consideration. In the welcoming and entertainment of guests, in planning the social entertainments, and the like, Mrs. Fleming, with requisite assistance, discharged all the duties imposed with charming courtesy. One of those helping in these tasks was Mrs. Amy McCormack, founder, and now—for the second time—president of the Isthmian Historical Society, of which former President of Panama, Dr. Ricardo J. Alfaro, and Mr. Thatcher are honorary life members.

On each day of the celebration two or more events were featured, as now enumerated. The first of these was a midday luncheon on board the Panama liner, the SS *Cristobal*, in port at Cristobal, C.Z., on the Caribbean side of the canal, whose efficient master, Capt. Charles S. Foley, was host. A trainload of Canal Zone officials and distinguished guests were transported by the time-honored and efficient Panama Railroad, from the Pacific side. A large number were present at the luncheon, and its principal feature was the bestowal, by Governor Fleming, of a certificate of appreciation to the United Fruit Co. for its heavy patronage of the canal through all the years of canal transit.

After the return of the train to the Pacific side that afternoon, the party repaired to the rotunda of the administration building on Balboa Heights, and witnessed the presentation by Mr. Thatcher and Lieutenant Governor Parker, to a few surviving employees of the construction days, silver medallions and the handsome book prepared for the celebration.

Immediately there followed a most interesting ceremony, on the esplanade of the Administration Building, facing the Pacific entrance of the Canal, namely, the unveiling of a memorial to the builders of the Canal. Lieutenant Governor Parker presided. General Edgerton paid a worthy tribute to the builders, after which Mr. Thatcher unveiled the memorial and paid further tribute to the builders, as well as to those who followed after and had operated, maintained, and protected the great waterway with complete efficiency and success.

The memorial is a large slab or boulder, bearing an inscription which is an excerpt from the address to the builders made in 1906 by President Theodore Roosevelt when he visited the isthmus to inspect the canal work. This is the inscription, English text, which was followed by Spanish translation:

> DEDICATED TO THE BUILDERS OF THE PANAMA CANAL
>
> You, here, who do your work well in bringing to completion this great enterprise, will stand exactly as the soldiers of a few, and only a few of the most famous armies in all the nations stand in history. This is one of the great works of the world.

On the evening of August 14, distinguished guests and Panamanian and zone friends, hosted by Governor and Mrs. Fleming, were carried by a large launch through Gaillard—formerly Culebra—Cut into Gatun Lake, and return to the Pedro Miguel locks. The cut is now illuminated at night for transit use, and the scenes thus presented are most interesting.

The next feature of the celebration took place at the Pedro Miguel locks on the morning of August 15, when Governor Fleming presented to the St. Louis Museum of Transport an obsolete towing locomotive which for years had been used on the lock walls in the transiting of the locks by ships of the world. Acceptance was made for the museum by Mr. Everett Winter. Here it may be noted that all the older towing locomotives have been recently replaced by newer and more up-to-date locomotives.

The next item of the celebration program occurred on board the Grace Line's lovely ship, the *Santa Maria*, in Balboa Harbor. The vessel plies between New York and the west coast of South America. An excellent luncheon was served, and Governor Fleming presented to the Grace Line a handsome certificate of appreciation for the line's long continued use of the canal, with a huge total of tolls involved. Acceptance of the certificate was made by the line's vice president, Mr. Frank X. Steimetz. He and the captain of the ship, Capt. A. DeSmedt, were cordial hosts, and distributed to the assembled guests tiny, but beautiful enameled replicas of the time-famed *Santa Maria*, the flagship of Columbus on his first voyage to the New World. It may be recalled that Columbus, in a later voyage, visited the Caribbean shores of present-day Panama.

Among the Panamanian group attending this ceremonial were former Presidents of Panama, Ricardo A. de la Guardia, Dr. Ricardo J. Alfaro, accompanied by Mme. Alfaro Ernesto de la Guardia, and Ricardo M. Arias E. The visiting guests included Ambassador to Panama, Hon. Jack H. Vaughn. The Secretary of Foreign Relations of Panama, Mr. Galileo Solis, was there, with cordial greetings for all.

Governor Fleming presented to the Grace Line a certificate of appreciation, in behalf of the canal organization, because the line has been, like the United Fruit Co., a high-ranking patron and tolls-payer of the canal. Acceptance of the bestowal was made by Vice President Steimetz.

Thereupon, in conclusion of the ship's program, the traditional ribbon was cut by former President Alfaro and Mr. Thatcher jointly; and the scissors thus used were afterwards appropriately inscribed and presented to Mr. Thatcher, to be added to his many isthmian trophies.

On the evening of that day—August 15—Governor and Mrs. Fleming, at the Governor's House, Balboa Heights, gave a beautiful reception, with buffet dinner. It was largely attended. The distinguished guests from the United States mingled in cordial good will with Panamanian officials and nonofficials and Zonians in attendance. The Flemings had thoughtfully—and generously—provided a handsome birthday cake for Mr. Thatcher—August 15 being his natal date. He was most agreeably surprised when he learned of the courtesy when the hosts asked him to enter the dining room and cut, which he did, as "Happy Birthday" was sung to him. Also Governor Fleming presented him with a handsome cane or walking stick made from an ancient lignum vitae tie of the Panama Railroad, appropriately inscribed.

The reception was the last feature of the celebration, which closed on a very pleasing note. For Mr. Thatcher, however, there was yet much to do before he left the isthmus, by jet, on his return to Washington. Zone and Panamanian friends entertained him, and came to see him at the Tivoli Guest House—some of these friendships were a half century old, and he was exceedingly grateful therefor. Among these were Gerald G. Typaldos, former director of the Star & Herald, the oldest newspaper on the west coast of the Americas, and Estrella de Panama. The editor of the newspapers, Panama American and its companion paper, in Spanish, Dr. Harmodio Arias, son of a former President of Panama, found him at the Tivoli, where pleasant converse was held.

Mr. Thatcher also found time to place a handsome floral wreath at the base of the statue in old Panama, of Samuel Lewis, a former friend during the construction era. Mr. Lewis was Secretary of Foreign Affairs of Panama at that time, and was the stanch friend of the canal enterprise and rendered in its behalf much needed and powerful support—especially with respect to the importation of needed labor for the canal work. Mr. Lewis possessed a rare capacity for friendship; and he was a brilliant scholar and historian. His son and grandson, Samuel Lewis II, former Ambassador from Panama to the United States, and Samuel Lewis III met Thatcher at the statue, and took him to the home of Samuel II, where oldtime Panamanian friends joined them and reminisced.

On Sunday, August 17, Mr. Thatcher was the guest—the honored guest—of the Panamanian town of Arraijan, and its inhabitants and the consolidated Guillermo School. The town has something like 3,000 people in its borders, and the school has about 750 students. Some years ago he gave the land for a children's playground in Arraijan, and gave and procured the necessary funds for the purchase, made by him, for the equipment for the playground, which was named for him, Parque Infantil Thatcher, and which was formally dedicated by him in November 1958 when he and Mrs. Thatcher—now deceased—were in attendance at the 100th anniversary celebration of the birth of Theodore Roosevelt. Practically the entire population of Arraijan and the school turned out to greet him whom they regard as a benefactor; addresses of welcome were given by Dr. Julio Pinilla, director of the school, and the teacher of English, Miss Dureen King. The students put on a very novel and interesting program of songs, recitals in English and Spanish, and native dances. A feature of the occasion was the presentation of a Thatcher Medal to the best student in Spanish for the last school year. He is furnishing each year handsome medals for the best students in English and Spanish. In this connection it may be noted that some years ago he began the bestowal of medals to the Canal Junior College for the student, each year, with the highest rank in scholarship and deportment; and he has made important contributions of reference books for the college library. Arraijan officially named a street for him—Calle Thatcher—also one of the two municipal districts of the town bears his name.

Before leaving the isthmus, after Arraijan, Mr. Thatcher found time to visit the widely known island of Barro Colorado, a game refuge under the supervision of the Smithsonian Institution, where science is making substantial headway in the study of the native flora and fauna. The island is in Gatun Lake, and was converted from high hill to island with the rise of water in the lake for canal purposes. After his return from Barro Colorado that afternoon, Mr. Thatcher visited the Star & Herald staff.

The story of Mr. Thatcher's benefactions for the canal, its employees, and the isthmus in general might go on and on. In Congress he was the author of the legislation that established a free ferry across the canal, at Balboa, and brought construction of a highway across the western section of the zone—links in the Inter-American Highway System. After 20 years of useful service, the ferry was replaced by the splendid bridge on the site of the ferry, the bridge connecting with the Thatcher Highway.

He was also, in Congress, the author of legislation creating the Gorgas Memorial Laboratory—operating with congressional appropriations—in Panama City, devoted to the study of the cause and prevention of tropical disease, human and veterinary. For more than a generation he has served the supervisory institution, the Gorgas Memorial Institute of Tropical Medicine, as Vice President, General Counsel, member of the Executive Committee and Board of Directors, capably and gratuitously. All the officers of the Institute serve without compensation; and the Laboratory has developed into one of the outstanding institutions of research in the entire world. Since leaving Congress he has drafted, and has materially aided in the enactment of, legislation according to the builders of the Panama Canal—both U.S. civilians and aliens—annuities and retirement benefits—this, also, in gratuitous fashion. Last August he found time to visit the Laboratory, and note its progress under Director Dr. Martin D. Young and staff.

These and related services with respect to the canal and the isthmus, together with the fact that he is the sole surviving member of the Isthmian Canal Commission, which had charge of the building of the canal, and is regarded as a link with the construction era, and a symbolic figure of the present and past in that connection, and had also served the whole of his five terms in the House as an honored and effective member of the Committee on Appropriations, were considerations, I would say, that caused the Appropriations Committees of the two Houses of the Congress, with complete unanimity, to name, as Chairman Cannon stated to the House, the splendid new, free, $20 million bridge across the canal on the Thatcher Ferry site, the Thatcher Ferry Bridge, in his honor. All this, also, has caused him—as the Star & Herald states—to be called "The grand old man of the Panama Canal."

Upon the occasion of the indicated celebration the newspapers of Panama—both English and Spanish—were very kind to Mr. Thatcher in their editorials and news stories; and, under unanimous consent at the conclusion of these remarks, I include some of these, together with the fine tribute in the Journal of Commerce, New York, written by the distinguished chairman of the Panama Canal Subcommittee, Committee on Merchant Marine and Fisheries, Mrs. LEONOR K. SULLIVAN, as follows:

[From the La Estrella de Panama, Aug. 3, 1964]

MR. MAURICE H. THATCHER, GREAT FRIEND OF PANAMA

[Translated from Spanish text]

For more than 50 years, Mr. Maurice H. Thatcher, distinguished North American lawyer, a resident of the city of Washington, has been demonstrating a sincere and unselfish affection for our country, as clearly revealed on numerous occasions. Arriving in Panama in 1910 as a member of the Isthmian Canal Commission, he took over the duties of Governor of the Canal Zone; and one of his later interests as Congressman was to obtain the construction of a highway to Arraijan, which from that time bears his name, and the installation of a ferry service across the Canal, which is also known as the Thatcher Ferry. It was used for a long time, even up until the inaugura-ferry service across the canal, which is also officially named for him (Thatcher Ferry Bridge).

Having a special fondness for the city of Arraijan, which he often visited, Mr. Maurice H. Thatcher endowed it with a magnificent parcel of land which he equipped, in addition, with valuable equipment for a childrens' playground (Parque Infantil Thatcher). Moreover, he donated to Guillermo Andreve School a series of medals as prizes for pupils excelling in the study of the English language. The official conveyance of this park to the people of Arraijan took place in November 1958 in a special ceremony of moving simplicity, held on the occasion of a visit to Panama by Mr. Thatcher. Many officials of the National Government took part in this ceremony with Mr. Thatcher and his wife. Mr. Thatcher, speaking in English, and his wife, in Spanish, presented to the community of Arraijan the childrens' playground, which we have just mentioned, as a demonstration of sentiment toward them. This gesture will be remembered tenderly through time and space.

At a future date (August 15, 1964), on the occasion of the commemoration of the 50th anniversary of the canal, Mr. Thatcher has been invited to come to Panama to participate in the celebration, not only because of the special bonds of this illustrious North American with the canal and the abovementioned works, and because of his outstanding prestige, but also because of his ever-present desire to visit our country, and thus renew personal relations with his many friends here.

Without any doubt Mr. Thatcher will want to return to Arraijan and see what use has been made of the playground which he donated, and the condition it is in. It is to be expected that the authorities in that district will take an interest so that this gentleman is not disappointed, since it would be regrettable that a gift so cordially given could not have been preserved in proper condition. At the same time, we should not forget that this illustrious and venerable gentleman, Mr. Thatcher, has been one of the best friends that we have in the United States for more than half a century.

[From the Panama Star & Herald, Aug. 19, 1964]

THATCHER RETURNING TO STATES AFTER VISIT

Maurice H. Thatcher, the grand old man of the Panama Canal, returns today to Washington after a busy week's visit on the isthmus to attend the celebration of the 50th anniversary of the waterway.

Despite his 94 years, Mr. Thatcher has set a pace that has taxed men much younger than he. Yesterday was a typical day.

On a visit to Barro Colorado Island, in Gatun Lake, he climbed 210 steps to the top of the island. Throughout the trip, he amazed his companions by his sharp recollection of names, dates and details of incidents during his period of service with the Isthmian Canal Commission from 1910 to 1913.

Back from the island, he asked to be brought to the offices of the Star & Herald to call on Star & Herald Vice President Alejandro A. Duque, Editor Emeritus Albert V. McGeachy, and Editor Luis Bunting, all of whom he has known personally because of his long association with Panamanian affairs. He had previously called on Publisher T. Gabriel Duque, who is a patient in Gorgas Hospital.

He made the visit to this newspaper accompanied by Justo Fabio Arosemena, whose father, Fabio Arosemena, a founder of the Republic, was a close friend of Mr. Thatcher.

At the home of Mr. and Mrs. Samuel Lewis he had met with a large number of his Panamanian friends. The day before he had visited Arraijan, which many years ago proclaimed him a "favorite son" in recognition of his services.

To friends who marvel at his spryness, Mr. Thatcher does not hesitate to impart his secret: He keeps his vegetarian diet, works every day and lives in gratefulness to the Lord for his friends.

The accomplishments of Mr. Thatcher in connection with the Panama Canal were set forth in the book "The Makers of the Panama Canal," published in 1911, a compilation by

F. E. Jackson & Son. About Mr. Thatcher, the book said:

"As a member of the Isthmian Canal Commission and head of the Department of Civil Administration, the U.S. Government had in Maurice H. Thatcher, a man who is splendidly equipped for the exacting position he fills. It is no light task to be Governor of the Canal Zone, and to have in hand the civil administration of its widely varied interests. Not only does he have supervision and oversight of the division of police and prisons, fire protection, customs and taxes, roads and streets, water supply and plumbing, postal affairs and schools; he has supervision also over the street, water and sewer systems of the Panamanian cities of Panama and Colon; and he is the official channel through which must flow all communications with the Republic of Panama for or on behalf of the Isthmian Canal Commission or the Canal Zone Government.

"The reader will readily see that whoever successfully attends to all these details must be, in the fullest measure, an all-around man. No one better understood this than President Taft, who had handled similar matters in the insular possessions of the United States, and, when it became his duty to select a successor to Governor Blackburn as head of the Department of Civil Administration, he picked his man with the utmost care. He sought to find in one person a rare combination of legal and executive ability, unquestioned integrity, coupled with untiring energy, and loyalty to the great isthmian enterprise. When he had satisfied himself that in Mr. Thatcher he had found this combination of qualities he tendered the appointment to Mr. Thatcher; and no greater compliment will ever be paid to the latter than this appointment at the hands of President Taft. The best part of it, however, is that Mr. Thatcher is in every way justifying the wisdom of the President's selection. His administration of zone affairs has been highly successful from the beginning.

"During his incumbency the schools of the Canal Zone have been consolidated and their efficiency greatly increased; a system of grading zone prisoners has been formulated and installed with beneficial results; roads, streets, trails, and other public improvements in the zone have gone forward as rapidly as public funds permitted; the work of the police and fire divisions has been marked by the highest efficiency; law and order among the 80,000 people of the zone, made up of nearly every race and tongue on the globe, have been maintained while the great work of 'digging the ditch' has proceeded; throughout the various divisions and branches making up the Department of Civil Administration, strict economy in the expenditure of public funds has been practiced, and such expenditure has been judiciously made. In short, Mr. Thatcher has met every obligation imposed on him by the important duties of his position and has made a record of which his friends are justly proud.

"All this might have been safely predicted from Mr. Thatcher's past career, for he had long acquired the habit of making good. He has lived a life of usefulness and struggle. He has served his fellow men in various capacities, always bringing to the public service that high ideal of duty which lifts official place above the mire of politics.

"Mr. Thatcher, who is the youngest member of the Commission, was born in Chicago, Ill., the son of John C. Thatcher and Mary T. (Graves) Thatcher. His father was a native of Connecticut and his mother was born in Tennessee, and reared in St. Louis. In his veins, therefore, there flows the mingled strain of northern and southern blood. He was reared in western Kentucky, in Butler County. Upon attaining his majority he was elected clerk of the circuit court of that county, holding the office until June 1896, when he resigned it to accept an important position in the State auditor's department at Frankfort, the capital of the State. At Frankfort, he completed his legal studies, theretofore begun, and in 1898 was examined by judges of the Kentucky Court of Appeals, and admitted to the practice of law. He was thereupon appointed assistant attorney general of Kentucky and served in that position with marked efficiency until he resigned in the early part of 1900. In that year he located in Louisville, Ky., and entered upon the general practice of his profession. In the following year he was appointed assistant U.S. attorney for the district of Kentucky, and on July 1, 1901, he was named assistant U.S. attorney for the western district of Kentucky, upon the division of the State into two Federal districts. He filled this position with characteristic fidelity and efficiency, achieving an enviable reputation as public prosecutor. On August 1, 1906, he resigned this office, and again entered the general practice of his profession in Louisville. His efficiency as a public officer had been such, however, that in March 1908 he was urged by the Governor of the State to accept the chief appointive office of the State, viz: that of State inspector and examiner; and at a personal sacrifice he accepted the appointment because he saw in it great opportunity for useful public service. By his thorough investigation of public offices and institutions of the State he lifted his office out of the ruck of politics, recovering for the Kentucky State treasury thousands of dollars of public revenues, and bringing about in the public offices and institutions of the State many greatly needed reforms. It is said that in Kentucky, his administration of the affairs of this office has made it impossible for political appointments to be made to it in the future; that whoever follows in his wake must give public service of the highest order. Mr. Thatcher held this position until he assumed the duties of his present office in May 1910.

"Mr. Thatcher is an indefatigable worker and student. In addition to his capabilities as a lawyer and executive he is an earnest and forceful speaker. His tact, patience, and persistence are proverbial. In his habits and sympathies he is thoroughly democratic. Any man, however humble, can approach him, and is treated with the same respect and kindness as if he were a man of place or power. Authority has not corrupted him, but is only recognized and treated as an opportunity for useful service. The simplicity and earnestness of character that have distinguished him in the past yet distinguish him. His discharge of public duty has always been marked with the utmost fairness and frankness; and these qualities have particularly endeared him to Panamanian officials and citizens. He is extremely popular with them."

[From the Journal of Commerce and Commercial, Aug. 14, 1964]

MR. PANAMA CANAL—EX-ZONE GOVERNOR RETAINS INTEREST

(By U.S. Representative LEONOR K. SULLIVAN[1])

A frequent visitor in my Washington office is a white-haired, wise, old gentleman who once served in the House of Representatives and who comes to see me periodically to plead the cause of the Panama Canal old timers—the Roosevelt medalist pensioners who wrought the miracles which culminated with the opening of the canal exactly 50 years ago.

He is Maurice H. Thatcher, a Kentuckian, who was civil Governor of the Canal Zone from 1910 to 1913, and a member of the Isthmian Canal Commission. To those of us in the Congress interested in the operation of the Western Hemisphere's greatest engineering achievement, and who never knew Teddy Roosevelt or Gorgas or Gaillard or Goethals, he is "Mr. Panama Canal."

It was on his 44th birthday that the Panama Railroad Company's twin-screw steamer, the *Ancon*, made the historic first transit of the canal. Today, exactly a half century later, as he celebrates his 94th birthday on August 15, he is a bridge for many of us to the beginnings of the great canal story.

NAMED FOR HIM

The word "bridge" is particularly apt in view of the fact that the magnificent bridge which now spans the Panama Canal is named for Maurice Thatcher.

Mr. Thatcher, I believe, is the only living American to serve in the Congress who actually had a hand in the building of the Panama Canal. But most Members of Congress, after learning something about the canal and its vital role in American and world commerce, soon begin to exhibit a personal pride in the canal, as if they, too, were Maurice Thatchers—as if they had personally participated in the canal's construction.

This is particularly true of those of us on the Committee on Merchant Marine and Fisheries, and of my subcommittee. No matter how often we visit the zone, we are newly impressed by the imagination in the canal's construction, and the importance of its mission in promoting commerce and peace. The Congress is traditionally far more jealous than the executive branch of our rights in the zone, and has demonstrated this on numerous occasions. The most recent notable instance was the restrictive rider on disposal of canal properties which we attached to the public works appropriation bill last December.

CONGRESS' ROLE

Congress has authorized expenditures of millions of dollars to assure that the present canal is operated at maximum capacity and efficiency, while at the same time continuing the search for the best solution for devising expanded transisthmian transit facilities. A new commission is now being created by Congress to translate past surveys into concrete engineering data. Congressional interest in the expansion of transiting facilities is comprehensive and bipartisan. The ultimate solution will undoubtedly reflect a combination of international political, as well as engineering, factors.

The present canal still has many years of vigorous life to it. Also, it might very well serve as the site for a sea level canal, if both the engineering and political complications to that end can be solved.

As we observe the 50th anniversary of the *Ancon's* journey through the great divide, all of us in the United States, in the Republic of Panama, and in all nations which benefit from the civilized flow of international commerce and trade, can be grateful for the spirit and courage and indomitable will and great skill of those who hacked the canal out of jungle and disease-ridden swamps. The whole world is in their debt.

Is it any wonder that I welcome so warmly the visits to my office of Maurice Thatcher?

THE POTOMAC

The SPEAKER pro tempore. Under previous order of the House the gentleman from Maryland [Mr. MATHIAS] is recognized for 30 minutes.

Mr. MATHIAS. Mr. Speaker, the Potomac River and its basin comprise one of the few great natural areas remaining on the eastern seaboard. From its source

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[1] The author, a Democratic Congresswoman from Missouri, is chairman of the Subcommittee on the Panama Canal of the House Committee on Merchant Marine and Fisheries.

in West Virginia near the southwest corner of Garrett County, Md., to the city of Washington, the Potomac is extraordinarily rich in natural beauty and historical significance. For over three centuries, the resources of the Potomac Valley have served the expanding population of the National Capital and the States of Maryland, Virginia, and West Virginia, providing water, land, and recreational opportunities.

This is an era of great growth for the Potomac region. Metropolitan Washington alone has boomed from 1,500,000 people in 1950 to 2 million in 1960, to an estimated 2,500,000 this year. This rate of population growth is expected to accelerate still further in the years ahead, bringing sharply rising demands on the Potomac Valley's water resources, and increasing pressure for urban development of the basin's land. If sensible, sensitive action is not taken soon, the future of the Potomac's natural and historical assets will be in serious jeopardy.

The people who live in the Potomac Valley, and who use and enjoy the river in so many ways, have a common interest in protecting it, and a very real desire to preserve it for themselves and future generations. Many individuals and organizations have gained vast knowledge of the Potomac, have acquired deep experience in studying and attacking its problems, and can make great contributions toward insuring its continued health.

On March 19 of this year, I sponsored a conference on the Potomac in an effort to discuss the river's future with those most intimately familiar with it. The meeting, held at the Antietam Battlefield, was attended by more than 200 persons, including concerned individuals and spokesmen for a wide range of conservation, agricultural, recreational, historical, and civic groups. Brig. Gen. Charles M. Duke, Engineer Commissioner of the District of Columbia, was in attendance, and the Governors of Maryland, Virginia, and West Virginia sent personal representatives. The Director of the National Capital Parks represented the Federal interest.

Mr. Speaker, I will request permission to insert in the RECORD following my remarks the minutes of the conference at Antietam, and a roster of those who attended.

From the presentations, discussion, and exchange of ideas at this conference, a consensus on several paths of action emerged. The following points gained especially strong support:

First. Prompt enactment of legislation to create a C. & O. Canal National Historical Park.

Second. The systematizing and extension of procedures for controlling water pollution.

Third. The cancellation of Corps of Engineers plans to erect a high dam at Seneca or anywhere else on the main stem east of Harpers Ferry, and cancellation of plans to construct other dams on certain tributaries of the Potomac.

Fourth. The close coordination of Federal, State, local, and private programs affecting the Potomac Valley.

In accordance with these guidelines, I am today introducing a new bill to establish a C. & O. Canal National Historical Park. The C. & O. Canal, stretching 180 miles along the Potomac from Washington to Cumberland, is both a priceless historical waterway and a precious natural asset. Its parks and paths will serve the growing need for recreation in the years ahead, and its preservation and maintenance should be assured. Throughout my service in the House, I have sponsored legislation to create this park, and I hope for the enactment of this bill in this Congress.

One particular step toward improving the recreational facilities of the canal is the reconstruction of dam No. 6, located southwest of Hancock, Md., between lock 55 on the Maryland side of the Potomac and Great Cacapon, W. Va., where the route of the canal enters the river for a few miles. I am today introducing a bill which would authorize $60,000 for a preliminary engineering study directed toward the reconstruction of the dam. Rebuilding this dam would create a large pool in the river suitable for fishing, boating, and swimming, and would provide water to refill the canal in that area.

One of the most important historical park areas along the Potomac is the Harpers Ferry-Antietam region, the scene of so many stirring events of the Civil War. I am today introducing legislation which would permit the Secretary of the Interior to purchase up to 600 additional acres for the enlargement of the Antietam National Historical Battlefield. I have also recommended that the National Park Service investigate the possibility of purchasing the famous John Brown farm, 5 miles from Harpers Ferry, for incorporation into the Harpers Ferry National Historical Park. I hope that such initiatives as these might lead to the combining of the Harpers Ferry and Antietam park areas into a single system of expanded recreational opportunities and deep historical significance.

By far the most important aspect of Potomac development is the human aspect. Just as we must answer needs for clean water and good land, we must respond to human needs for open space, for beauty, for recreation and solitude. Often those who have lived along the river, and have worked and relaxed there, know best how these needs can be met. In many cases they have already shown how local and regional, private and public interests can be integrated with benefit to all. Thus I am proposing, as part of the creation of the C. & O. Canal National Historical Park, the establishment of a 17-member Advisory Commission. Eight members of this Commission would be chosen from persons recommended by the commissioners or boards of Allegany, Frederick, Washington, and Montgomery Counties. Eight members would be chosen from among persons recommended by the Governors of Maryland, Virginia, West Virginia, and Pennsylvania, while the Chairman of the Commission would be appointed by the Secretary of the Interior. Active oversight by such a committee would be one of our best defenses against unwise, shortsighted, or uninformed park policies.

In considering the problems of the Potomac, it is important to remember that a significant portion of the basin is already in the public or quasi-public domain. In Maryland's Sixth Congressional District, for example, 166.5 square miles of land out of a total of 2,707 square miles are devoted to State-owned forests and parks. Federal parks occupy another 21.4 square miles, while counties, cities, towns, and regional commissions also have extensive holdings. In this era of urban expansion, it is especially important that such public lands continue to serve the long-range public interests. It is equally important to recognize and encourage the ownership and use of many, many square miles of undeveloped lands by private organizations dedicated to the public good. In many cases, such private groups have taken great initiatives in soil conservation, wildlife restoration, water quality control, and provision of recreational facilities.

Particular attention should now be paid to the programs and policies of local and private groups along the Potomac, for the Secretary of the Interior, in concert with the Commissioners of the District of Columbia and the Governors of the affected States, is now preparing a comprehensive Potomac plan. Elements of this plan will be discussed at a high-level conference called for next Monday, June 28.

I am today writing to Secretary Udall to express my hope that the following steps will be emphasized in the critical early stages of planning for the Potomac:

First. Opposition to construction of the Seneca Dam, or any high dam on the river.

Second. Serious consultation with private organizations concerned with the Potomac. While a planning task force of nongovernmental professionals has been appointed, this group appears to focus primarily on metropolitan planning. There has been little evidence of extensive consultation with the many citizens' groups possessing such valuable knowledge and experience with Potomac recreation and conservation, and the many groups who own unique Potomac Valley lands. Their contributions should be sought, both before the Interior Department's plans have solidified, and at each stage of subsequent action. Toward this end, an annual public conference on the Potomac basin might be appropriate.

Third. Similar close coordination with local governments in the Potomac basin. The conservation and water resources plans of the many cities and towns along the river should be developed cooperatively, to avoid conflicts and duplications. Yet again there has been little evidence of direct consultation with informed local officials as part of the drafting of a comprehensive plan.

Fourth. Full liaison with the Appalachia Regional Development Commission. The Commission has already allocated funds for "quick start" highway construction, and will be implementing plans to attract new industry and tourism to the upper Potomac basin. These efforts should certainly be integrated with the planning for the basin as a whole.

Fifth. Imaginative use of the most advanced techniques of soil conservation and water quality control. The Potomac could be a model and a testing ground for our most farsighted technology in these fields. For example, a demonstration project in the Potomac estuary might be undertaken by the Office of Saline Water.

These are just a few of the many resources available for the development and preservation of the Potomac. Yet its future can be secured only through comprehensive action based upon the working partnership of all who care about this mighty river. If such a partnership can be achieved, the Potomac of the future will indeed become a model of humane, intelligent, compassionate development.

The aforementioned material follows:

Minutes of the Potomac River Conference, March 19, 1965, Antietam Battlefield Visitors Center

Congressman Mathias opened the meeting with a word of welcome. Senators Byrd, Robertson, Brewster, and Tydings, Congressman Sickles, and others sent their regrets because they could not be present. Justice William O. Douglas could not attend and sent his regrets.

Congressman Mathias said that the people who live in the Potomac Valley have a common interest and a very real part to play in this kind of project. He said that he has not yet introduced Potomac River legislation in the 89th Congress, and before doing so wants to get the views and suggestions of all interested persons and organizations. The President has expressed on several occasions his personal interest in what is to be done relative to the Potomac River. The Secretary of the Interior has given personal attention to Potomac problems. Interest is being shown at the highest possible levels of government.

The Federal park properties, including the Antietam Battlefield, the C. & O. Canal National Monument, and Harpers Ferry National Park, and others should be coordinated with that which is being done by the States and by private interests. What is sometimes forgotten, Congressman Mathias said, are the private interests and the private properties being dedicated to conservation and wildlife preservation. Everyone has a very active and a very real part to play in the active development of the Potomac Valley. Congressman Mathias said that the people of the Potomac Valley are as much a natural resource as any other part of the Potomac Valley. The people of the Potomac Valley should be a part of the coordinated valley plan which will be developing within the coming months. To put the whole project into proper perspective, Congressman Mathias invited representatives of the Federal Government and the adjoining States to speak.

Brig. Gen. C. M. Duke, Engineer Commissioner, District of Columbia, said that all are dedicated to the preservation of the beauty of the river. He said, too, that we want to prevent unnecessary encroachment in the basin and at the same time preserve the beauty for generations to come and to provide for their well being. Although all are in agreement on these factors, he said, the difference might arise as to how to carry them out. All factors must be considered thoroughly and he gave assurance that this is being done. He also said that it might be possible for those in the community to develop a set of plans which might guide the Secretary of the Interior in the review he is now making.

Mr. Adna R. Bond, assistant State forester, State department of forests and parks, representing the State of Maryland, spoke on behalf of Governor Tawes. He discussed activities on the part of the State of Maryland in the Potomac watershed and described the contribution of forests to the welfare of people in the basin. He said, too, that it might be stated that people, Potomac, potential are all tied together and if joined correctly should equal progress. The interests of the department of forests and parks in the Potomac are: (1) Protection of forest areas; (2) management of woodlands so that they may serve multiple purposes; (3) reforestation of strip-mined areas and others; (4) administration of State-owned forest and park areas to provide recreational opportunities for society; (5) cooperation with other agencies, groups, and individuals in the coordinated development of the basin.

Mr. T. R. Samsell, chief, division of game and fish, West Virginia Department of Natural Resources, said that he can endorse the statements Mr. Bond has made for Maryland. West Virginia has the same interests. The Potomac has been the vital recreational area. The plans for West Virginia include continuing the advance of the recreational aspect and maintaining pollution control.

Mr. E. W. Ramsey, ground water specialist, department of conservation and economic development, division of water resources, representing the State of Virginia, expressed the regrets of Mr. Alexander and Mr. Sutherland who could not attend. He described the interests of Virginia in activities as they affect the watershed in the Shenandoah Valley and indicated that studies are underway relating to the Potomac watershed on the downstream part of the river, opposite Washington, D.C., and Maryland.

Mr. Orville Crowder, secretary, C. & O. Canal Association, Washington, D.C., spoke on behalf of the canal association. He expressed interest in the Potomac River as an example of a great historic and scenic waterway of economic importance in the lives of millions of people. Looking beyond this, there should be strong emphasis on the natural and the esthetic. These efforts are saluted with great enthusiasm. Because of the common interest of so many, he suggested some organization which would develop out of all the common interests for the valley and expressed the hope that there might be some sort of continuing thread of activity which could represent the people who are interested in the valley as a whole and who are interested in the preservation and protection of it.

Mr. T. Sutton Jett, Director, National Park Service, Washington, D.C., brought the regrets of the Secretary of the Interior who could not attend. He said that the Secretary understands and feels, and has asked him to say, that a great Potomac River project will not be realized without the support of many special interests. The Secretary, and representatives, toured the area just a couple of weeks ago looking at some of the special problems on the river, and he expressed the hope that the Potomac River Valley may someday become a great area richly preserved which will afford a national scene as well as the great history it represents. He hopes that it will become the model river. It is also hoped that something acceptable to the people throughout Maryland, Virginia, and West Virginia and throughout the Nation will evolve.

Congressman Mathias then mentioned some of the others attending the meeting: A. Trago Brust, who represents industry; Mayor James Cummings, of Brunswick; Councilman J. Henry Hiser, of Montgomery County; and former Congressman Clifford McIntyre, representing the American Farm Bureau.

At the request of Congressman Mathias, Mr. Brust took the chair at this point and in his opening remarks said that this is undoubtedly the era of joint efforts in conservation. He said that the important thing to take into account is the industrial use of water which provides the opportunity for a great many jobs and can be consistent with sound conservation practices. At this point, Mr. Brust called on various individuals who stated the views of their organizations and their own opinions.

Among those who expressed their views, and those of their organizations, relative to pollution, the proposed Seneca Dam, preservation of natural beauty of the river, development of recreational and scenic areas, preserving the C. & O. Canal, proper zoning of the land, necessity of cooperation of State, local, and governmental agencies, importance of agriculture, sportsmen's activities, necessity of consideration of the drought cycle, restoration of Old Aqueduct at Williamsport, recommendation of a comprehensive river basin authority, and many other related factors of importance to the Potomac Valley, were:

Dr. Spencer M. Smith, Jr., secretary, Committee on Natural Resources, Washington, D.C.

Mr. Carl J. Johnson, executive director, Interstate Commission on the Potomac River Basin, Washington, D.C.

Anthony Wayne Smith, Esq., president and general counsel, National Parks Association, Washington, D.C.

Mr. G. M. VanHoesen, president, Maryland State division, Izaak Walton League, Takoma Park, Md.

Mr. Harry L. Powers, Jr., chairman, national affairs, National Wildlife Federation, Washington, D.C.

Mr. Creed D. Sions, West Virginia division, Izaak Walton League of America, and superintendent of schools, Grant County, Petersburg, W. Va.

Mr. Robert Harrigan, treasurer, Citizens Council for a Clean Potomac, Washington, D.C.

Mr. Kenward K. Harris, chairman, Citizens Council for a Clean Potomac, Silver Spring, Md.

Mr. Don A. Emerson, professor of biology, State College, Frostburg, Md.

Mr. Henry S. Landis, national director of Ruritan National, Point of Rocks, Md.

Mr. William C. Davies, Coordinating Committee on the Potomac, Falls Church, Va.

Mr. Glenn C. Weldon, vice president, Virginia division, Izaak Walton League, McLean, Va.

Mr. James E. Zerkel, president, Virginia Wildlife Association, Mount Jackson, Va.

Mr. Grant Conway, Appalachian Trail Conference, board of trustees, National Parks Association.

Mr. G. A. Biggs, president, Pennsylvania Farmers Association, McConnellsburg, Pa.

Mr. Bill Boyd, Water Ski Club, Seneca, Md.

Mr. R. Earl Dungan, Water Ski Club, Rockville, Md.

Mr. R. Edwin Brown, Dickerson, Md.

Mayor James E. Cummings, Brunswick, Md.

Mr. Edwin M. Dale, superintendent, C. & O. Canal National Monument.

Mr. J. W. Penfold, conservation director, Izaak Walton League of America, Washington, D.C.

Mr. Bill Miller, assistant to Senator Brewster, Washington, D.C.

Mr. John Henry Hiser, Montgomery County, Chevy Chase, Md.

Mr. Francis Silver, county surveyor, Berkeley County, Martinsburg, W. Va.

Lt. Col. Vincent J. Perricelli, U.S. Army Engineers, Baltimore, Md.

Mr. Bob Young, Maryland National Capital Park and Planning Commission, Wheaton, Md.

G. Victor Cushwa, vice president, C. & O. Canal, Williamsport, Md.

Mr. George R. Heidrich, West Virginia State Soil Conservation Committee, Charles Town, W. Va.

Mr. H. B. Turner, Citizens Council Association, North Fork of the Shenandoah River, Fulks Run, Va.

Mrs. Margaret Kilpatrick, Path Valley Citizens, Richmond Furnace, Pa.

Mr. J. Lin Huber, South East Pennsylvania Citizens Commission.

Mr. R. T. Reppert, Natural Resources Institute, University of Maryland, LaVale, Md.

Mr. Donald Frush, FKD Sportsmen's Club, Inc., Hagerstown, Md.

Mr. Arlo D. Anderson, the Moyaone Association, Accokeek, Md.

Mr. John Foley, South Connellsville Lumber Co., Connellsville, Pa.

After some informal discussions at this point, Congressman MATHIAS again expressed his thanks to all for coming and for giving him the benefit of their views. He stated that he intends to introduce a Potomac River bill which will be based on some of the recommendations of those at the meeting.

The meeting adjourned at 4 p.m.

List of Persons Attending the Meeting

Mr. Robert W. Abraham, Route 2, Thurmont, Md., Maryland Game and Inland Fish Commission.

Mr. M. L. Adams, Rippon, W. Va.

Mr. John C. Ailes, Hampshire County, W. Va., Committee on Potomac River.

Mr. Walter F. Albert, Brunswick, Md.

Mr. Arlo D. Anderson, the Moyaone Association, Accokeek, Md.

Mr. Jacob M. Ankeney, supervisor, conservation, Washington, D.C.

Mr. L. B. Backus, Armory House (store), Harpers Ferry, W. Va.

Mr. S. George Barnett, Brunswick, Md.

Mr. Elmo R. Bennett, Martinsburg, W. Va.

Mr. Nelson Bevard, Maryland Game and Fish Commission.

Mr. G. A. Biggs, president, Pennsylvania Farmers Association, McConnellsburg, Pa.

Mrs. Ruth E. Blackburn, Potomac Appalachian Trail Club, 1916 Sunderland Place NW., Washington, D.C.

Mr. Harry C. Bodie, planning commissioner, Post Office Box 265, Brunswick, Md.

Mr. Adna R. Bond, Maryland Department of Forests and Parks, Annapolis, Md.

Mr. William O. Boothe, Carroll County Soil Conservation District.

Mr. Fred A. Bowers, Potomac Shores, Inc., Frederick, Md. (Weverton, Md.).

Mr. Bill Boyd, Water Ski Club, Seneca, Md.

Dr. K. R. Bromfield, 522 Military Road, Frederick, Md. (Monacacy Canoe Club).

Mr. R. Edwin Brown, R. E. Brown Building, Rockville, Md.

Mr. A. T. Brust, West Virginia Pulp & Paper Co., Luke, Md.

Mr. James L. Bryan, Blade Time, Brunswick, Md.

Mr. L. C. Burns, Soil Conservation Service, Carroll County, Westminster, Md.

Mr. C. V. Bush, West Virginia Member Interstate Commission-Potomac River Basin.

Mr. F. Bennett Carter, Centreville, Md.

Mr. Charles A. Chaney, engineer, 7240 Wisconsin Avenue, Bethesda, Md.

Mr. W. Philip Childs, chairman, planning commission, Brunswick, Md.

Mr. Louis S. Clapper, 1412 16th Street NW., Washington, D.C.

Mr. C. Cline, game warden.

Mr. Robert C. Glingan and Mary Tuter Clingan, Potomac Shore Inc. (camp) Taneytown, Md.

Mr. and Mrs. Grant Conway, 6032 Broad Street, Washington, D.C., Appalachian Trail Conference, board of trustees, National Parks Association, former president of C. & O. Canal Association.

Mr. Clyde A. Creek, Jr., Western Maryland Wildlife Federation, 243 Nottingham Road, Hagerstown, Md.

Mr. Charles M. Cronauer, Washington County Commission, 2022 Gay Street, Hagerstown, Md.

Mr. Orville Crowder, 119 Third Street NE., Washington, D.C., C. & O. Canal Association (secretary), American Youth Hostels (national board), World Nature Group (acting chairman).

The Honorable James E. Cummings, the mayor of Brunswick, Md.

Mr. G. Victor Cushwa, Cloverton, Williamsport, Md., Maryland Geology Commission, vice president, Williamsport, Md., C. & O. Canal.

Mr. Edwin M. Dale, superintendent, C. & O. Canal National Monument, 120 North Potomac Street, Hagerstown, Md.

Mr. E. Donald Darr, town clerk, Brunswick, Md.

Mr. William E. Davies, Coordinating Committee on Potomac (a member of the Northern Virginia Regional Park Authority), Post Office Box 234, Annandale, Va.

Mr. Julien P. Delphey, 140 West Patrick Street, Frederick, Md.

Mr. Walter Denny, NACD area vice president.

Mr. Frank J. Dice, Route 4, Chambersburg, Pa., Pennsylvania Farmers Association.

Mr. Garnet Dice, Route 4, Chambersburg, Pa., farmer.

Mr. E. C. Dimming, Chambersburg, Pa., Inter State Mills Producers Corp.

Mr. S. J. Donley, the Potomac Edison Co., Hagerstown, Md.

Mr. and Mrs. Ralph H. Donnelly, president, Hancock C. & O. Canal Club, Hancock, Md.

Mr. William L. Drevo, architect and planning consultant, Washington, D.C.

Brig. Gen. C. M. Duke, Board of Commissioners, Washington, D.C.

Mr. Robert Earl Dungan, 1032 Welsh Drive, Rockville, Md., Mid-Water Ski Federation.

The Honorable Merton F. Duvall, the mayor of Gaithersburg, Md.

Mr. Philip Ebersole, the Daily Mail, Hagerstown, Md.

Mr. Don A. Emerson, professor of biology, State College, Frostburg, Md.

Mr. George C. Evans, Frederick County Fish and Game Association, 413 Lee Place, Frederick, Md.

S. B. Findale, Martinsburg, W. Va.

Mr. L. F. Fiorita, Maryland game warden, Hancock, Md.

Mr. William Floyd, 214 Brooks Avenue, Gaithersburg, Md., Seneca Ski Bees-Water Ski Club.

Mr. John J. Foley, South Connellsville Lumber Co., Connellsville, Pa.

Mr. William E. Forrest, U.S. Geological Survey, Water Resources Division, 724 York Road, Towson, Md.

Dr. Walter D. Foster, Monocacy Canoe Club, 406 Magnolia Avenue, Frederick, Md.

Mr. Richard E. Frederick, clerk to the Montgomery County Council, Courthouse, Rockville, Md.

Mrs. Judson C. French, conservation chairman, National Capital Garden Club League, Inc., 5810 Ipswich Road, Bethesda, Md.

Quentin V. Frey, councilman, Gaithersburg, Md.

Donald R. Frush, FKD Sportsmen, Inc., 1002 Woodland Way, Hagerstown, Md.

Kathryn Fulkerson, 119 Third Street NE., Washington, D.C. (P.A.T.C. and C. & O. Canal).

Mason P. Gigeous, Potomac Fish & Game Club, 41 North Conococheague, Hagerstown, Md.

William B. Gross, Brunswick, Md.

Mr. and Mrs. Henry W. Grove, Star Route 1, Shippensburg, Pa. Pennsylvania Farmers Association.

George S. Gutsell, Martinsburg, W. Va.

Mrs. Jesse F. Hakes, Federated Garden Clubs of Maryland.

William E. Harman, Maryland Game and Inland Fish Commission, Accident, Md.

Mr. Robert Harrigan, 5113 Wehawken Road, Washington 16, D.C.

Mr. Kenward K. Harris, chairman, Citizens Council for a Clean Potomac, 14450 Homecrest Road, Silver Spring, Md.

Mr. George R. Heidrich, Charles Town, W. Va.

Mr. Harold E. Henry, FKD Sportsmen's Club, Inc., 1018 Rose Hill Avenue, Hagerstown, Md.

William C. Hill, Ijamsville, Md.

Herbert S. Hiller, the Nature Conservatory, 2039 K Street NW., Washington, D.C.

John H. Hiser (Henry), 8026 Glendale Road, Chevy Chase, Md.

Mrs. P. L. Hockman, 1755 Preston Road, Hagerstown, Md.

O. H. Hoffman, Jr., Hampstead, Md.

James E. Honan, general manager, Interstate Milk Producers Co-op, 401 North Broad Street, Philadelphia, Pa.

J. Lin Huber, Southeast Pennsylvania Citizens Committee.

T. Sutton Jett, Director, National Park Service, Washington, D.C.

Carl J. Johnson, executive director, Interstate Commission on the Potomac, 203 Transportation Building, 815 17th Street NW., Washington, D.C.

James W. Johnston, Jr., representing Canoe Cruisers Association, 217 North Wayne Street, Arlington, Va.

Robert L. Jones, extension agent, Westminster, Md.

Harry T. Kaufmann, secretary, Dairy Council, Inc.

E. R. Keil, Soil Conservation Service, College Park, Md.

Guy S. Kidwell, Woodmont Rod & Gun Club, 16 East Antietam Street, Hagerstown, Md.

Mrs. Margaret Kilpatrick, Path Valley Citizens, Richmond Furnace, Pa.

Malcolm E. King, Maryland Department of Game and Inland Fish, State office building, Annapolis, Md.

William E. King, president, Western Maryland Sportsmen's Club, Hagerstown, Md.

George W. Kline, C. & O. Canal Association, 106 North 14th Street, Frederick, Md.

Edwin M. Klitch, radio station WFMD, Frederick, Md.

Fred M. Kramer, architect, planning consultant, Washington, D.C.

Henry S. Landis, national director, Ruritan National, Point of Rocks, Md.

William D. Lawson, Bureau of Sport Fisheries and Wildlife, room 3242, Interior Building, Washington, D.C.

Sterling J. Leister, Carroll County Soil Conservation District.

Mrs. Evelyn Leonard, radio station WFMD, Frederick, Md.

Guy E. Lerner, department of water resources, State of Maryland.

H. J. Lipscomb, 124 East Melrose Avenue, Baltimore, Md.

David W. Litton, R.F.D. 1, Boonsboro, Md., Interstate Milk Producers.

Isaac T. Long, secretary, Oldtown Sportsmen Club, Oldtown, Md.

Clarence S. Makec.

Robert O. Manitz, National Rural Electric Co-op Association, Washington, D.C.

Virginia M. Marrone, Potomac Shore, Inc., Frederick, Md.

Elmer C. Martinson, Northeast Regional Office, National Park Service, 143 South Third Street, Philadelphia, Pa.

The Honorable Clifford G. McIntire, director, department of natural resources, American Farm Bureau Federation, Washington, D.C.

Walter A. McKinney, Route 1, Thurmont, Md., Frederick County Sportsman's Council,

David C. Meadows, Monocacy Canoe Club, Frederick, Md.

John M. Meloney, eastern regional director of American Youth Hostels, Inc., 14 West Eighth Street, New York City.

Albert R. Miller, Jr., Maryland State Planning Department.

Bill Miller, assistant to Senator BREWSTER.

H. E. Miller, Jr., Sharpsburg, Md.

B. J. Morgan, Route 1, Boonsboro, Md.

Ann Murray, Girl Scouts Council of Nation's Capital.

Aaron Myers, Dev. Co., Lancaster, Pa.

W. Lester Nalley, 1907 Virginia Avenue, Hagerstown, Md.

Bradley D. Nash, Harpers Ferry, W. Va.

George Nay, News Post, Frederick, Md.

R. J. Neugebauer, 1412 16th Street NW., Washington, D.C., National Wildlife Federation.

M. K. Newcomer, Route 5, Chambersburg, Pa., director of Interstates Mills.

S. R. Pancake, Hampshire County, W. Va., Committee on Potomac River.

Woodrow W. Parsons, Box 391, Martinsburg, W. Va.

Albert Paye, city engineer, Cumberland, Md.

J. W. Penfold, conservation director, 320 Bond Building, Washington, D.C., Izaak Walton League.

Mrs. Lady H. Penfold, Izaak Walton League.

Lt. Col. Vincent J. Perricelli, Corps of Engineers, U.S. Army Engineers District, Baltimore, Md.

A. W. Phillips, W. D. Byron & Sons, Inc., Williamsport, Md.

Eber H. Pisle, Chambersburg, Pa.

Albert M. Powell, Route 3, Frederick, Md.

Harry L. Powers, Jr., chairman of national affairs, N.W.F., Washington, D.C., Hancock, Md.

Jay N. Price, Montgomery County Government, Courthouse, Rockville, Md.

E. W. Ramsey, Virginia Division of Water Resources, Richmond, Va.

R. T. Reppert, University of Maryland, Nat. Res. Inst., LaVale, Md.

Paul Rhoads, Jr., Frederick County Fish and Game Association, Frederick, Md.

Terry A. Ringler, Soil Conservation Service, 1600 Oak Hill Avenue, Hagerstown, Md.

Max K. Robison, 1708 Wabash Avenue, Hagerstown, Md.

Massey H. Roe, 34 Moller Parkway, Hagerstown, Md.

Daniel J. Rohrer, Wash. Co. Ec. Dev. Commission, Courthouse, Hagerstown, Md.

Clyde Rowe, Hagerstown, Md.

John L. Rusle, Cacapon Club, Great Cacapon, W. Va.

Ralph M. Ryan, secretary, Cacapon Club, Inc., 74 Lincoln Street, Uniontown, Pa.

T. R. Samsell, West Virginia Department of Natural Resources, 1800 Washington Street, Charleston, W. Va.

James H. Schamel, 904 East C Street, Brunswick, Md.

Harry E. Schwarz, U.S. Army Engineers District, Baltimore, Md.

George B. Shields, director, State department of game and inland fish, State Office Building, Annapolis, Md.

James J. Shirey, W. D. Byron & Sons, Inc., Williamsport, Md.

Francis Silver, survey of Berkeley County, Martinsburg, W. Va.

C. D. Sions, superintendent of schools, Grant County, Petersburg, W. Va.

Anthony Wayne Smith, Esq., president and general counsel, National Parks Association, 1300 New Hampshire Avenue NW., Washington, D.C.

Art Smith, Washington, D.C.

Dr. Spencer M. Smith, Jr., secretary, Citizens Committee on Natural Resources, 1346 Connecticut Avenue, Washington, D.C.

Donald S. Sobiorck, Morning Herald, Hagerstown, Md.

Randall Spaulein, Carroll County Conservation District.

Donald L. Spickler, Route 1, Clear Spring, Md.

Ralph W. Stauffer, Jr., Brunswick, Md.

Rufus E. Stetson, Jr., Izaak Walton League, BCC chapter.

Philip J. Stone, Potomac Appalachian Travel Club, Washington, D.C.

A. R. Thompson, Jr., president, Virginia division, Izaak Walton League of America.

Charles E. Troxell, 631 Schley Avenue, Frederick, Md.

H. B. Turner, chairman, Citizens Council Association, North Fork Shenandoah River, Fulks Run, Va.

Ed Turney, WMAL Radio-TV, Washington, D.C.

G. M. VanHoesen, president, Maryland State division, Izaak Walton League, 7300 Willow Avenue, Takoma Park, Md.

Fred C. Vantz, president, Western Maryland Wildlife Federation, Hancock, Md.

A. O. Vernon.

Dr. Stanton J. Ware, 8405 Westmont Terrace, Bethesda, Md.

Glenn C. Welden, first vice president, Virginia division, Izaak Walton League, 6611 Denny Place, McLean, Va.

Mary Williamson, secretary, Kenna chapter, Izaak Walton League of America, Falling Waters, W. Va.

Bob Young, Maryland National Capital Park and Planning Commission, park naturalist, 1901 Henderson Avenue, Wheaton, Md.

James E. Zerkel, Virginia Wildlife Federation, Mount Jackson, Va.

Melvin L. ———, president, Williamsport C. & O. Canal Club, Williamsport, Md.

SPOILED WILD GAME

The SPEAKER pro tempore. Under previous order of the House the gentleman from Montana [Mr. BATTIN] is recognized for 15 minutes.

Mr. BATTIN. Mr. Speaker, I am compelled to call to the attention of the House a very distasteful experience. It involves the Federal Government and our great wildlife resources. As our population has expanded, the wildlife of our country has had to retreat to smaller and smaller areas, and through the efforts of man and science we have learned a great deal about the proper methods of game management.

I am sure we all agree that waste in any form is bad and the waste by spoilage of elk and buffalo meat that has been slaughtered under a range and wildlife management program is inexcusable.

The story started many years ago but came to a head in late 1962 and early 1963. In order to reduce the number of elk in Yellowstone National Park, the Park Service started a virtual indiscriminate slaughter of this noble animal. The mail started to pour into my congressional office here in Washington and citizens from Montana and all over the country expressed their indignation. The number of complaints reached such proportions that Congressman WAYNE ASPINALL, chairman of the House Committee on Interior and Insular Affairs, approved hearings by a subcommittee to be held in Bozeman, Mont. Congressman RALPH RIVERS, of Alaska, chaired the hearing and I was privileged to be asked to sit in and participate in the questioning. We were told the killing of the elk in the park was the "humane" way to handle the problem. The range could not handle the numbers of elk and these animals would starve to death. In a letter from the Assistant Secretary of the Interior dated October 25, 1962, he said:

> This year, the total reduction target is 1,800 elk by all of the methods described above. If the rangers have to shoot any part of that total, American Indian people will get all of the meat. The tribes are already requesting more meat than we could furnish, even if all 1,800 elk were killed inside the park.

The other methods of reduction referred to in the quotation above include hunting outside the park and live trapping for transplanting and research studies.

From this statement, there would be little doubt that the meat from these animals would go to serve a vital need. Again, "American Indian people will get all of the meat."

By letter of January 25, 1963, I was advised by Mr. Jackson Price, Assistant Director of the National Park Service, that the reduction program was underway and on January 21, "240 elk had been killed and the meat distributed to the Indian tribes." Again, since the Service could not be talked out of reducing the herd by this wholesale slaughter, at least the Indian tribes are going to get all of the meat.

On January 31, 1963, Secretary Udall issued a press release to the effect that "reduction" was nearing an end and then said:

> Carcasses of all elk killed in the park have gone to American Indian tribes to supplement their meat diets. The meat from the additional laboratory specimens will also go to the Indians. Secretary Udall added that even if all 1,800 animals had been turned over to Indian tribes, the tribal request would still have exceeded the reduction program's capability of providing elk meat.

It would appear that the Department wanted to leave the impression that the Indians, though not responsible for the slaughter, were going to be the beneficiaries. Certainly, the meat was not going to be wasted.

Perhaps the most self-serving document in my file attempting to justify what was done is a copy of the minutes of the Interagency Cooperative Elk Management meeting. This meeting was held in Yellowstone Park on May 22, 1963. At one point in the report, the Park Service was commended for "achieving their goal against almost insurmountable obstacles." The report must have been referring to the American people and to the Congress. I know all Members of Congress from the area affected were strongly opposed to the procedures being followed.

In this report, however, was another interesting quote from the then Superintendent of the Crow Indian Reservation, Mr. Otto K. Weaver, who, the report said, "spoke for the Crow Tribe." Mr. Weaver said:

> The Crow made good use of the meat, hide, and antlers from the direct reduction program and refuted newspaper accounts of damaged meat, saying that out of the 147 animals, only one-quarter was ruined by gunshot.

During the 1962–63 period, according to the report, 404 elk were shot within the boundaries of Yellowstone Park. From the press releases and letters I have quoted above, one would believe that it was well handled, that only one-quarter of one animal was ruined by gunshot and that the American Indian was the beneficiary of what "had to be done."

Sometimes it takes quite a while to get the whole story.

In May 1965, almost 2 years later, 8,770 pounds of elk and buffalo were sold to a private concern for tankage at 2½ cents per pound. The meat was spoiled and could not be consumed by humans. It was to be made into dogfood, pigs feed, and fertilizer. So goes the way of nature's most noble hunting animal. Of the 8,770 pounds, 1,160 were buffalo meat, also part of a reduction program. Reports indicate that the meat had been field dressed after the kill and was dirty and contaminated from hair, and so forth. Further checking indicates that this was part of the slaughter of 1963 and has been in cold storage, frozen if you will, for about 2 years.

How does this coincide with the claims and flat statements made by those who tried to say this meat was being used and consumed, or as Secretary Udall said:

> Even if all 1,800 animals had been turned over to the Indian tribes, the tribal request would still have exceeded the reduction program's capability of providing elk meat.

This type of action can only have the effect of casting doubt on pronouncements of agency officials and is certainly a dubious way to treat the American people. It is my belief that the American people can stand the truth and Government officials should give only factual information.

No one questions the need for good game management. In Montana, for example, before State officials will take elk transplants, they must be tested for brucellosis and other diseases that could cause harm to livestock, and buffalo, of course, cannot be transplanted. The reduction this year was handled in a much more satisfactory way. The animals that could not be transplanted were killed and dressed in a packing plant in Livingston, Mont., and the meat inspected and shipped. This, obviously, is the sanitary way in which to handle a problem of this kind.

Since this information has come into my hands and since the game animals have been spoiled and have to be sold for fertilizer, I am asking the subcommittee which held the original hearings to make an inquiry into this shameful situation.

THE 1965 ANTIDUMPING AMENDMENT: A PRACTICAL STEP IN AN EXPANDING WORLD TRADE

The **SPEAKER** pro tempore. Under previous order of the House the gentleman from Texas [Mr. THOMPSON] is recognized for 30 minutes.

Mr. **THOMPSON** of Texas. Mr. Speaker, I was interested to note the concern of the gentleman from Missouri [Mr. CURTIS] on the compelling present need to find "improved means to eliminate the evils of dumping." On the other hand, I note that in grasping at the panacea of an international code of fair competition to unify antidumping laws and their administration among all nations—as desirable as this may ultimately be—short shrift was given to the logical first step, the improvement of our own existing Antidumping Act. Passage of the proposed 1965 amendment to the Antidumping Act of 1921—S. 2045; H.R. 8510, and related bills—would enable our country to lead the way in the difficult and delicate task of formulating effective curbs on dumping. These could later be proposed to other nations in due course as a practical model for part of the gentleman's more encompassing and, I might add, futuristic ideal of an international code of fair competition.

I find myself in full agreement with my distinguished colleague's basic argument about the validity and importance of deterring dumping. Dumping by foreign firms of goods at prices less than they charge in their own domestic markets has been long recognized, as he points out, to be unfair and often very damaging to U.S. industries and workers. There is sound economic justification for antidumping protection for domestic industries.

He is, moreover, wholly right in asserting that confusion has arisen over what constitutes "sales at less than fair value" or especially what criteria should be used in determining "injury" under the present act.

The result of these administrative difficulties is that past decisions have produced no clear, guiding precedents on the practices or circumstances which in fact constitute dumping. Without reliable standards the foreign businessmen cannot make pricing and sales decisions which he can be reasonably confident will conform to the requirements of our law. I feel such uncertainty is disruptive of international trade and is really the chief cause of foreign complaints about our cumbersome antidumping program.

The uncertainties inherent in the present law are the primary target of the proposed 1965 amendment. For example, after Treasury has determined that a dumping price exists in a specific case, "injury" to a domestic industry by this international price discrimination would be established if the dumped imports caused a 5-percent loss of domestic sales or a 5-percent loss of labor employment. Other heretofore vague concepts, such as "likelihood of injury," causation, and "industry," would be spelled out in the same terms as those successfully applied for over 50 years in the administration of our domestic antitrust laws. The traditional principles of unfair competition, as clarified by the large body of judicial decisions and other explanatory writings, would make the Tariff Commission's determination of injury depend on concepts and factual findings widely understood and generally accepted. All parties could predict with great certainty the outcome of potential cases.

Other parts of the proposed amendment would clarify and further specify the Treasury's computations in determining whether price discrimination has taken place. In the case of goods from Communist or other countries where the method of establishing prices is not realistically related to cost or profit factors, Treasury would be given the discretion to make appropriate adjustments in determining foreign market value.

The amendment would also guarantee more expedited and fair procedures during the Treasury's investigation of dumping. For example, all contemporaneous complaints regarding the same class or level of goods, even though involving different importers or foreign countries, would be consolidated by Treasury into one proceeding. Unsubstantiated complaints could be dismissed within 15 days. Treasury would be authorized to order in aid of its investigation an oral hearing at which interested parties, represented by counsel, would present such evidence and conduct such cross-examination as necessary for a full and fair disclosure of the facts.

In short, Mr. Speaker, the proposed 1965 amendment to the Antidumping Act is aimed precisely at eliminating those aspects of the act's administration which have at times been uncertain and cumbersome and which have irritated—with some justification—foreign exporters, thereby hindering international trade. Parenthetically, it should be noted that the recent administrative revisions of Treasury's regulations in 1960 and 1964 could not possibly have already met this need, as the gentleman suggested. Those regulations necessarily confine themselves to Treasury's own proceedings and computations, while the heart of the proposed amendment involves the determination of injury by the Tariff Commission—a determination completely independent of any of Treasury's regulations.

Under this amendment our act would surely not be the kind of statute which the gentleman is disturbed to find on the increase, that is, "statutes which are poorly designed to eliminate dumping itself but which threaten to be used as protective barriers against foreign competition." Nor would the act any longer leave open the possibility that unfounded dumping complaints might unreasonably hinder foreign trade because of the uncertainty of the importers' liabilities; not only could Treasury dismiss such complaints in only 15 days but the clearer standards of the act would allow the parties themselves to assess accurately the risks involved. What uncertainties do remain are surely no greater in scope or effect than those arising from the scrutiny of our own domestic antitrust laws; nor would they be less salutary in causing voluntary compliance with the universally recognized rules of fair competition in a free market, whether that market be national or international.

While S. 2045 and H.R. 8510 would thus make the act simpler, less cumbersome and greatly improved in terms of the procedures by which it is administered, it is also the purpose of the bills to clarify the standards for determining whether "dumping" or "injury" exists. I very strongly suspect that this is one of the main reasons for the opposition of some foreign exporters to the bills. It is my fervent hope that the Ways and Means Committee will hold hearings on this matter, at which time the views and suggestions of all interested parties can be presented. I myself believe that the clarified standards are reasonable and appropriate as proposed.

I respectfully suggest to the gentleman that such hearings before the Ways and Means Committee would be the appropriate way to decide these details rather than to turn the formulation of fair and effective antidumping policy over to the executive at this time. Such studies are typically time consuming and go beyond the immediate details of the problem at hand. For example, note the vague generalizations in the policy statement on the international dumping problem issued a year ago by the Committee for Economic Development, a nonprofit, nonpartisan, and nonpolitical organization made up of leading businessmen and educators:

> Antidumping policy should seek to halt dumping in place of trying to punish parties to dumping, subject to rules established in the GATT * * * an international agreement imposing obligations on exporting nations to halt dumping when an impartial international body has determined that dumping is taking place ("Trade Negotiations for a Better Free World Economy," p. 55).

Halting dumping is an excellent and praiseworthy objective. But it is a much broader objective, implying as it does universal international cooperation and effective international enforcement. Admittedly, this is a proper subject for executive rather than legislative action. But the aim and effect of the U.S. Antidumping Act is much narrower. Our act does not attempt to halt dumping; it only applies a corrective duty equivalent to the amount of the price discrimination, thereby erasing the discrimination but not stopping the importation of the goods. And it does not even apply in every case of price discrimination, even though all price discrimination not attributable to transportation costs is condemned universally as being economically disruptive and an unfair competitive practice; it only applies where domestic industry or labor has been, or is probably about to be, injured.

As the gentleman himself noted, this mild, corrective action of our Antidumping Act is in no way violative of the General Agreement on Tariffs and Trade obligations. Nor should the effectiveness of the act be diluted in negotiations during the Kennedy round prior to the opportunity for Congress to have had a chance to express its intent in this important area of our trade policy.

If it is true, as the gentleman has suggested, that there is a danger that some nations' antidumping procedures are growing in complexity and in resulting harassment to international trade without effectively curbing dumping, I would suggest the most fruitful contribution we can make to head off that tendency is to pass H.R. 8510 or a close equivalent. We then would be able to point to our act as an effective solution which sharply focuses on correcting the evils of dumping without otherwise unduly restricting trade.

Mr Speaker, I salute my colleague from Missouri for his concern about dumping and his desire for a better world trade order, which is also the goal of those who support the 1965 Antidumping Act Amendment. I hope he will lend his talents to a practical first step—a fair, effective U.S. Antidumping Act to which our negotiators can have reference in seeking an expanded legitimate world trade.

LAWRENCE F. O'BRIEN, SPECIAL ASSISTANT TO THE PRESIDENT, AWARDED HONORARY DOCTORATE IN PUBLIC ADMINISTRATION BY NORTHEASTERN UNIVERSITY

Mr. TODD. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BOLAND. Mr. Speaker, my long time friend and hometown associate, Lawrence F. O'Brien, Special Assistant to the President for Congressional Affairs, was awarded an honorary degree of doctor of public administration by his alma mater, Northeastern University, during the 64th annual commencement exercises in Boston Sunday.

A confidant of our late beloved President John Fitzgerald Kennedy, Larry O'Brien has been well known to all Members of the House and Senate for the last 4½ years as congressional liaison at the White House for both President Kennedy, and President Johnson. Northeastern University recognized Larry O'Brien's skill in that very important White House position by stating in the citation accompanying the degree:

> Your skill in the art of politics has been conspicuously recognized in your appointment as special presidential assistant.

Mr. Speaker, the citation then goes on to say:

> In a nation where destiny turns on politics, you have shown rare ability both as an organizer of political campaigns and as an adviser to political leaders of our Nation.

I know I speak for all of the Members of the House when I congratulate Larry O'Brien on receiving this honorary degree from Northeastern University, adding to his long list of awards received in past years for his skill, his ability, his devotion and unselfish attention and dedication to the public service. I know that this occasion must bring great satisfaction to his charming wife, Elva, and his wonderful son, Larry, a student at Harvard.

Mr. Speaker, I ask permission to have a news story from the Springfield Union of June 22 telling about Larry O'Brien's honorary degree included with my remarks:

PRESIDENTIAL AID GIVEN HONORARY DEGREE

Lawrence F. O'Brien, special presidential assistant for congressional relations to the late President Kennedy and President Johnson, was awarded an honorary degree of doctor of public administration at Northeastern University's 64th annual commencement exercises. The degree was conferred by Dr. Asa S. Knowles, president of Northeastern.

A graduate of Northeastern's Law School with the class of 1940, O'Brien has been a prominent figure in organization of political campaigns for a number of years. He is author of the "O'Brien Manual," which provided the basic campaign procedure for the then Senator John Kennedy's 1960 presidential campaign.

O'Brien was national director of organization for the "Kennedy for President" campaign, 1959–60; the Kennedy-Johnson campaign in 1960; and the Johnson-Humphrey campaign of 1964.

The Springfield native is former president of O'Brien Realty Co. of Springfield and was board president and business manager of the Western Massachusetts Hotel and Restaurant Health Fund.

The citation accompanying the degree reads in part:

"Your skill in the art of politics has been conspicuously recognized in your appointment as special presidential assistant * * *.

"In a nation where destiny turns on politics, you have shown rare ability both as an organizer of political campaigns and as an adviser to political leaders of our Nation."

O'Brien is married to the former Elva L. Brassard. They have a son, Lawrence 3d, a student at Harvard University.

MICHIGAN'S CLAIM TO GEMINI 4

Mr. TODD. Mr. Speaker, I ask unanimous consent that the gentlewoman from Michigan [Mrs. GRIFFITHS] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, the State of Michigan proudly participated in the development and success of our Nation's latest space guest. Astronauts Maj. James A. McDivitt and Maj. Edward H. White received advance training at the University of Michigan, and 14 Michigan manufacturing corporations were involved in the construction of the Gemini 4 spacecraft. In view of Michigan's special contribution, the Michigan House of Representatives has passed the following resolution urging that the Gemini 4 spacecraft be contributed to the new Space Research Center at the University of Michigan:

HOUSE RESOLUTION 148

Resolution relative to the Gemini 4 spacecraft

Whereas on June 15, 1965, the U.S. Astronauts Maj. James A. McDivitt and Maj. Edward H. White will participate in the dedication ceremonies of the new Space Research Center at the University of Michigan; and

Whereas this new Space Research Center is being dedicated and operated by the University of Michigan with the cooperation of the National Aeronautics and Space Administration; and

Whereas Gemini 4, the historic spacecraft in which Astronauts Maj. James A. McDivitt and Maj. Edward H. White conducted their world-famous flight was a combined construction project of many outstanding corporations of the United States, including 14 Michigan manufacturing corporations; and

Whereas it should be pointed out that both Astronauts Maj. James A. McDivitt and Maj. Edward H. White received advance training at the University of Michigan and are thus closely related to this great institution: Now, therefore, be it

Resolved by the house of representatives, That the members of the Michigan House sincerely and respectfully urge that the Gemini 4 spacecraft be displayed at and be used for research purposes at the new University of Michigan Space Research Center; and be it further

Resolved, That a copy of this resolution be transmitted to the National Aeronautics and Space Administration, to the President of the U.S. Senate, to the presiding officer of the U.S. House of Representatives, and to each member of the Michigan delegation to the U.S. Congress.

Adopted by the house June 14, 1965.

Norman E. Philleo,
Clerk of the House of Representatives.

NEW YORK CITY IN CRISIS—PART CIV

Mr. TODD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns the taxicab industry in New York City.

The article appeared in the New York Herald Tribune of May 1, 1965, and is part of the series on "New York City in Crisis" and follows:

New York City in Crisis: Taxi Study Panel Offers a Compromise

(By Edward J. Silberfarb)

A three-man team that has been trying to end the labor struggle within the taxicab industry offered a compromise yesterday, and Mayor Wagner urged both sides to accept it.

The panel was appointed by the mayor after a 1-day strike March 24 had taken some 10,000 of the city's 11,772 cabs off the street. The members are Theodore W. Kheel, Thomas Jefferson Miley, and Herman Cooper, all labor specialists.

In a 13-page joint report, the three conceded, "We have not been able to find the basis for an agreement between the parties on procedures for the resolution of the question of representation."

But they proposed:

An election should be held to determine whether a union should represent drivers of the city's 83 cab fleets, which operate 6,816 taxis.

Only full-time drivers (some 14,000), those who work at least 4 days a week, and those part-time drivers (some 3,000), who work regular should be eligible to vote.

The controversy, between the Taxi Drivers Organizing Committee of the AFL–CIO and the fleet owners' Metropolitan Taxi Board of Trade, centered on the question of who should be allowed to vote.

The union, which claimed membership signatures from 18,026 of the 21,010 regular drivers, maintained that it should be recognized as the bargaining agent without an election, but that if an election is held, only full-time drivers (at least 4 days a week) should vote.

The industry argued that only an election should determine representation and that all part-time drivers should be included as well as full time.

The panelists agreed that it does not matter whether the election is conducted by the National Labor Relations Board, which is favored by the industry, or some other impartial body.

The only dissent, from Mr. Miley, was on the question of the scope of the election. Mr. Miley favored elections on a company-by-company basis, while the other two members favored an industrywide vote.

Mr. Miley said the interests of the many small and medium-sized operators would be crushed by the will of the large ones in an industrywide election.

On the other hand, Mr. Kheel and Mr. Cooper said just the reverse would happen, that smaller operators would be at the mercy of the union without the protection of a united industry.

Mr. Miley, who helped work his way through college in 1918 by driving a cab, said that individual garages have been dealing separately with drivers on pension and other benefits and should continue to do so rather than on an industrywide basis. But Mr. Kheel cited industrywide bargaining practices such as in the garment industry as examples that should be followed.

The panelists said both union and management had agreed that the 8,000 so-called "casual drivers," those who work only sporadically, should not be eligible to vote.

Some 6,000 independent owner-drivers would not be affected by a union election.

The whole issue of union representation has become crucial since the 10-cent taxi fare increase of last December. The union maintains it should play a role in insuring that the money goes to the drivers in cash and benefits.

NEW YORK CITY IN CRISIS—PART CV

Mr. TODD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns the downtown expressway in New York City and is part of the series on "New York City in Crisis."

The article appeared in the New York Herald Tribune on May 2, 1965, and follows:

New York City in Crisis: Downtown Expressway—End to Stops and Starts?

(By Marshall Peck)

The first red light was right at the Williamsburg Bridge exit, and driver Leslie Self, 29, braked the truck and shifted into neutral. He was making his daily return run to Newark after general freight deliveries in Brooklyn and Queens.

The light changed, and Mr. Self cranked up for the stop-and-crawl push down Delancey Street, and toward the Holland Tunnel.

It was Thursday, a few minutes after 6 p.m., and at least traffic was moving. "It's those Friday nights in the summertime," said Mr. Self to a passenger. "Kids out of schools, people taking off * * * those nights you can just forget it."

Mr. Self, leaning over the wheel in a kind of body-English effort to keep going, was slowed by a nervy Volkswagen that squeaked through a light at Essex, by a merge as he came to Kenmare, by a turn at Broome, and by red lights at Forsyth, Mulberry, Watts, and Varick. But he considered it a fast ride. "Eleven minutes—not bad; takes 20 going out in the morning. An expressway—that would be a dream."

Mr. Self's truck is one of the 24,000 vehicles, according to a survey, that make a through 2-mile trip across lower Manhattan each day, following the route that would become—if Mayor Wagner gives the word—the Lower Manhattan Expressway. Local traffic, it is estimated, would bring the total number of vehicles using the long-planned route to 120,000 daily.

DISPUTE

Traffic flow is only one of many issues involved in a fierce dispute that has stalemated the expressway since it was first proposed in 1941. Opponents say the artery would not be built to serve New Yorkers, but drivers passing through. Proponents say, on the contrary, that the greater part of expressway traffic would consist of 70,000 vehicles that come across the East River heading for the West Side of Manhattan, and that in all a daily traffic volume of 450,000 vehicles, on and off, over and under, would be benefited.

Those who are against the expressway say it would be a Chinese Wall splitting Manhattan—another ugly elevated structure like the ones the city has been tearing down—and that it would create new bottlenecks instead of speeding traffic. They say it would destroy neighborhoods, root out 2,000 families, and displace 800 commercial enterprises where 10,000-plus people are employed.

Those who are for the expressway, argue that the overhead route would relieve congestion, breathe new life into some blighted areas, lead to new building and revitalization of property values, and, incidentally, assure the city of more than $1 million worth of construction activity.

The mayor and the board of estimate were for the expressway in 1960, but after a public clamor, they reversed themselves. After the city planning commission had fought against legal moves to have the route removed formally from the city map, another push for the expressway resulted in another vote of approval by the board of estimate last December.

Mayor Wagner announced that he would be making a decision after studying the data once more, all the pros and cons of a superhighway, costing $100 million, 2.4 miles long, across Manhattan.

January, February, the winter months gave way to spring, and the city waited. Finally, last week, came a hint, a decision is being formulated.

The salient reason for prompt action is this: the Lower Manhattan Highway System, and the program, under which the Federal Government pays 90 percent of the costs and the State 10 percent, is slated for termination in October 1972.

If the expressway segment (Interstate 78) is not completed by that date, there will be no reimbursement unless the Federal program is extended.

"We've warned the State people to keep an eye on the clock," said a spokesman from the Bureau of Roads in the Department of Commerce. "Work on interstates has to be completed by a certain time; we know they know what time it is—that it's getting late. The problem isn't that the State doesn't have a sense of urgency, the problem is that your city doesn't."

And in Albany, the Department of Public Works agreed that "time is a factor now" if the expressway is to be finished by the present deadline date. "We haven't received or been given an ultimatum," a spokesman said, "but the Federal Government knows, we know and the city knows about 1972. We have been in communication, and everyone appreciates what a tremendous and lengthy job this will be. We hope the city will announce its decision * * * reasonably soon."

WARNING

In the city, the receiving point for these signals has been the Triborough Bridge and Tunnel Authority, which—although not involved as an agency—is headed by Robert

Moses, coordinator for the city on the projected highway. Presumably Mr. Moses, a fighter for the expressway, has informed Mr. Wagner of Triborough's opinion, as given by a spokesman, that "if we don't get started shortly on the expressway, we won't be able to complete the job within the time limit."

The round-figure estimate of the actual time it will take to build the expressway, as judged by State highway officials and the staff of Madigan-Hyland, Inc., consulting engineers, is 5 years. This would include completion of contract plans, award of job contracts, acquisition of property, relocation, demolition, clearing, and construction. But engineering specialists indicate that paperwork, renegotiation of contracts, and general warmup preparation might add a year to the total.

Engineers also point out that things usually take longer to finish than anybody expects, and that delays could spread the job out for a few extra months. In sum, if the expressway is to be completed by 1972, it should be started as soon as possible.

Mr. Wagner indicated to the Herald Tribune last week that he was moving toward some pronouncement. He told Reporter Edward J. Silberfarb he "expected to have a statement within a week," and was "waiting to receive certain relocation reports."

Meyer Kailo, deputy commissioner of the department of relocation, explained that the agency had been "doing a special analysis, on people and commercials, a piece or two of information" that was going to Mr. Wagner this week. He added:

"We have been working on something, we are providing something, that we believe is brandnew and beneficial."

STOPPING COMMUNIST AGGRESSION

Mr. TODD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MULTER. Mr. Speaker, there is just too much loose talk about the war in Vietnam. Some of it is based upon lack of knowledge, some of it is based upon distortions of fact, and another large part of it is based upon purely emotional reaction.

On February 17, 1965, President Johnson said:

> Our purpose in Vietnam is to join in the defense and protection of freedom of a brave people who are under attack that is controlled and that is directed from outside their country.

A sound analysis of President Johnson's position and policy with reference to Vietnam appeared in the following editorial of William Randolph Hearst, Jr. in the Sunday, June 20, 1965, edition of the New York Journal-American.

I am pleased to commend it to the attention of our colleagues:

[From the New York (N.Y.) Journal-American, June 20, 1965]

Editor's Report: A GI War?

(By William Randolph Hearst, Jr.)

The Vietnam war grows in scope and savagery, and the specter of American commitment to a land war in Asia is again haunting our national councils.

Not since the Korean war, when 250,000 American troops fought in a terrible conflict on the Asian mainland, has this prospect loomed so close.

This is a development warned against by Gen. Douglas MacArthur, viewed with foreboding by Winston Churchill and consistently deplored by the Hearst Newspapers.

But events have a habit of bending previously held beliefs and policies into new shapes.

We learn the administration is preparing to increase American personnel strength in Vietnam up to 75,000—and that this figure will probably again climb to 100,000 and probably many more.

In addition, we note one feature of recent troop movements to Vietnam is the heavy ratio of actual ground combat units, as opposed to the former preponderance of support and "advisory" elements.

Thus, despite President Johnson's genuine abhorrence of a GI war in Asia, this is precisely the direction in which the struggle appears to be heading. And it isn't L.B.J.'s fault.

This "escalation" is being relentlessly goaded onward and upward not by this country, but by the fanaticism of communism itself, expressed in the deepening commitment of Communist forces to battle.

It has been argued that the United States sent a ridiculously large force to cope with the crisis in the tiny Dominican Republic. But it has been counterargued that if a smaller force had been sent—say hundreds instead of thousands—it could have suffered very heavy casualties.

The theory also applies to Vietnam. Small American forces could well be overrun and wiped out by the well-hidden Vietcong. But guerrillas will think twice before attacking extremely strong forces: Such action runs counter to the theory of guerrilla war itself.

So it could well be that the presence in South Vietnam of an overpowering American military presence will have the effect of decreasing and not increasing the scale of war and its attendant casualties.

It is also necessary to bear in mind that whatever "escalation" is undertaken by the United States in this grim business is only done so in order to match that undertaken by the other side.

Numerous large elements of the North Vietnamese Army have been identified in the forests of South Vietnam. These were infiltrated into South Vietnam as a regular adjunct to the Hanoi-supported operations of the Vietcong, our intelligence sources report.

If this is not escalation, what is?

The North Vietnamese Army is highly rated and is not in South Vietnam to admire the scenery. There is every likelihood that it will be used in battle in South Vietnam. In this case it is inevitable that it will collide with U.S. Marines or paratroopers now there.

It is essential, therefore, that our forces in South Vietnam be brought up to and maintained at adequate strength to cope with any threat to themselves.

Any other course would be one of irresponsibility towards the lives of our servicemen, and it is out of the question that the administration should pursue it.

The present trend shows clearly that it will not. The mood of the administration is one of total determination to fulfill America's obligations with purpose and honor, yet of leaving the door wide open for discussions that could lead to peace.

There can be no other path to follow.

Doctrinaire liberals—too many of whom are college professors who preside over those so-called teach-ins—have done and are doing our country a disservice, wittingly or not.

It is a disservice based on two related positions.

The first urges a disastrous U.S. withdrawal from Vietnam, which would irreparably damage American prestige throughout the whole world and open the gate for a Communist takeover of southeast Asia.

The second advocates instant negotiations, even with the Vietcong guerrillas who have no government of their own and who are controlled by Communist North Vietnam, meaning that implacable little man, Ho Chi Minh.

To negotiate with the Vietcong, and include it in a splintered South Vietnamese government, would bring about, as certainly as military conquest, Communist domination of South Vietnam.

The Vietcong would have achieved politically what it has failed to achieve by open aggression.

The implication in these demands for "negotiation" is that President Johnson does not want to negotiate.

That is the opposite of the truth.

Again and again the President has expressed his willingness to negotiate honorably for a fair settlement that would preserve the freedom of South Vietnam.

It is Ho Chi Minh with the support of Peiping and to an uncertain extent Moscow, who refuses to negotiate. Why? Because he thinks he holds the winning hand.

Way back in February I wrote that Ho—and not the ruling tandem in Moscow or Mao in Peiping—was the key to settlement. This column of February 21 said:

"Only when he is made to realize that the game he is playing is not worth the gamble, only then will realistic negotiations be possible."

He hadn't been made to realize it then; he apparently hasn't been made to realize it yet.

It occurs to me that the use of some 30 big B–52 jet bombers which flew some 4,000 miles from Guam to Vietnam and back the other day was more of an exercise in psychological than strategic warfare.

Because of an unfortunate mid-air accident and a seemingly sparse number of the enemy killed in the raid itself, it was too promptly labeled a farce and a failure by our Monday morning armchair strategists.

As every American who has ever watched and heard our bombers flying over our heads toward enemy positions in World War II knows, this is a great morale stimulus to Allied troops on the ground.

Conversely, I can assume that the same sight and sound of the 8th Air Force and the RAF must have had a definitely disheartening effect on German morale.

I don't know—and I don't think all of the reporters in Saigon or Washington know—just how many Vietcong these bombers expected to kill. My point is that even if we didn't kill anyone, there were a lot of little Vietcong guerrillas over there this weekend who were bound to have a distinctly higher opinion of the formidable nature of their enemy.

At his press conference this past Thursday the President read from a report of an unidentified foreign ambassador who quite recently had been in contact with the North Vietnamese Government in Hanoi. The ambassador concluded that the Ho Chi Minh regime was not interested in negotiations of any kind.

Secretary of State Dean Rusk supplemented this with a more official statement after a Cabinet meeting Friday. He said all channels for Vietnam peace talks remain open on our side. He added he saw no "active interest" by Hanoi or Peiping or any "active effort" by the Soviet Union to end the war.

All this casts doubt on the effectiveness of a Commonwealth mission that British Prime Minister Harold Wilson is putting together with a view to visiting Washington, Moscow, Saigon, Hanoi, and Peiping in quest of a formula for peace.

In fact, it is questionable whether the mission would be received in Hanoi and Peiping. Those capitals refused visas to

British Foreign Secretary Patrick Gordon Walker, who ventured on a peace mission earlier this year.

But let's wait and see whether blame for refusing negotiations will be placed where it should be in future college teach-ins.

Which reminds me of an apt distinction between true and phony liberals that was made by John J. McCloy in a speech at Haverford College in Pennsylvania. Mr. McCloy, a former Secretary of War and High Commissioner in Germany, carries the credentials of a true liberal.

"If anything would seem to be clear," he said, "it would be that no one is entitled to the designation 'liberal' if, in his conclusions, he disregards the fact for the theory or the condition for the attitude.

"Liberality, in its true sense, excludes doctrines or slants. [Those] who, with the passage of each year, grow more rigid and doctrinaire in their thinking are the real reactionaries, whether inclined to the left or to the right."

Let those who rigidly oppose the Johnson policy in Vietnam chew that over for a while.

At press time, it appears that Premier Ben Bella of Algeria, often and rightfully referred to as the "Mediterranean Castro," has been given the hook.

I haven't yet read a form chart on his successor. But my first reaction was a sense of relief on receipt of good news. Ben Bella is—perhaps by now it should be was—bad news for the United States and the free world. And as far as his people were concerned, he was a Communist dictator.

Good riddance to bad rubbish, say I.

OUR SAFEGUARDS AGAINST DEPRESSION

Mr. TODD. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BOGGS. Mr. Speaker, more than 32 years ago, at a time of the worst domestic crisis in the history of the United States, a new, courageous President spoke to the American people in his first inaugural address. Many of my fellow colleagues in both the House and the Senate remember, all too vividly, his words:

> This is a day of national consecration, and I am certain that my fellow Americans expect that on my induction into the Presidency I will address them with a candor and a decision which the present situation of our Nation impels.
>
> This is preeminently the time to speak the truth, the whole truth, frankly, and boldly. Nor need we shrink from honestly facing conditions in our country today.
>
> Values have shrunk to fantastic levels; taxes have risen; our ability to pay has fallen; government of all kinds is faced by serious curtailment of income; the means of exchange are frozen in the currencies of trade; the withered leaves of industrial enterprise lie on every side; farmers find no markets for their produce; the savings of many years in thousands of families are gone. More important, a host of unemployed citizens—

By that time, about 12 million—

> face the grim problem of existence and an equally great number toil with little return. Only a foolish optimist can deny the dark realities of the moment.

Mr. Speaker, these were the somber words of Franklin Delano Roosevelt, spoken to a gloomy American people in his first inaugural address on March 4, 1933. As the Members of this House know, President Roosevelt was speaking in the depths of the great depression which had fallen on the Nation with the crash of the stock market beginning in October 1929.

When he spoke on a cold, bleak day in Washington, unemployment had climbed above 12 million people, or more than 25 percent of the labor force. The gross national product had plunged from $104.4 billion at the end of 1929 to $56 billion in 1933, and retail sales had fallen from $48.5 billion in 1929 to about $25 billion in 1933. Prices on such basic commodities as wheat, corn, raw cotton, wool, tobacco, began to nosedive in 1929, and hit their lowest point in 1932 and 1933. Banks had failed throughout the country, and by Inuguration Day in 1933, the governors of 22 States had closed all of their banks. By March 4, of that year, almost 5,000 banks had collapsed in America.

The raw effect of this catastrophe, Mr. Speaker, was to strike fear and despair into the hearts of so many of our people, not to mention the severe material deprivation which was forced on so many of them.

In complete contrast today, I am confident that no such economic collapse as occurred in those years of our youth, could ever happen in our country again.

Today, our Nation enjoys many built-in safeguards, as well as controls on the stock market and the banking system, which help to prevent such a tragedy from ever occurring again.

In his new book, "The Oxford History of the American People," Samuel Eliot Morison, an eminent American historian, states:

> The stock market crash of October 1929 (which of course continued its downward spiral until late 1932) was a natural consequence of the greatest orgy of speculation and overoptimism since the South Sea bubble of 1720.

He notes that speculation began to reach "a giddy height" by 1925, and "when speculation began to get out of hand, neither the Federal nor the State governments did anything effective to check it." Further, with the detached view of President Coolidge, and the essentially fixed ideas on economy of President Hoover who succeeded him, the Federal Reserve Board and the Trade Commission took no action to help stem the tragic tide.

Mr. Speaker, the crash of the stock market in October 1929, and its continued drop through mid-1932 was not the sole reason for the great depression. In fact, if anything, the collapse of the market might be considered more a manifestation of the sinking economy than the root cause of it.

Of the causes of the depression, Mr. Morison states in his book:

> As yet there is no consensus among economists as to why a prolonged depression followed the crash. Not all agree with this writer's generalization that the national economy was honeycombed with weakness, giving Coolidge prosperity a fine appearance over a rotten foundation. Optimism, justified in the early 1920's, had been carried to extremes owing to the lack of insight and want of courage to say "stop" on the part of leaders in business, finance, politics, and the universities. These, imbued with laissez-faire doctrine and overrating the importance of maintaining public confidence, refrained from making candid statements or taking steps to curb or cure the abuses.

In short, Mr. Speaker, the leaders of our country in the late twenties permitted themselves and the American people the false luxury of indulging in economic and speculative excesses; and those who saw the danger signals—with but too few exceptions—remained silent.

Certainly there were other factors, other weaknesses, such as the overproduction of basic food commodities and minerals; the tremendous volume of the stock market and borrowing on stocks and mortgages, and installment-buying debts; our erratic banking system, along with weak European currencies, which contributed to the collapse. But I believe, Mr. Speaker, that unrestrained excesses, coupled with the lack of proper controls over the stock market, the banking system, the establishment of corporations, and so on, sum up the principal reasons for the great depression. In short, avarice and greed, and human frailty, were at the forefront.

But we have learned much since those carefree days of the late twenties—and the agonizing years which followed. Through positive and constructive actions, both on a national and local level, we have learned that we can enjoy economic growth and prosperity in a safe and solid manner.

In his address to the alumni of Columbia University on June 1, if Federal Reserve Board Chairman William McChesney Martin was trying to remind us that in the past we have been guilty of excesses, then he is most assuredly right, and in doing so, he has rendered a service to the Nation. If, however, he truly believes that the "disquieting similarities" between today and the late 1920's are so parallel that they portend peril for our economy, then I believe that he is mistaken, and I am confident the facts on our economy today will bear me out.

First, I might note that Chairman Martin cited as many dissimilarities between today and the late twenties in his address as he did similarities. The parallels were cited first, and apparently with more emphasis, or at least they were taken in that vein, because the press coverage of his speech gave greater emphasis to the similarities.

Chairman Martin does cite differences between then and now, but unfortunately he omits some of the most important dissimilarities, and I would like to cite them here. Furthermore, the sum total of the differences between the economy in 1965 and in the late 1920's are more important and reassuring, in my opinion.

Some of the built-in insurance plans we now have to prevent any great downturn are:

First. Unemployment compensation which today insures about 49 million workers during periods of unemployment; there was no such program in 1929.

Second. Social security insurance which provides income to senior citizens and to widows left with young children to support; today 9 out of 10 workers are covered by social security which was enacted in 1935. There was no such program in 1929.

Third. Not only is the distribution of our Nation's wealth much more broad based, but also millions of our workers are protected in their jobs and their good salaries by strong labor unions, and most all workers are now guaranteed a minimum wage by Federal law; this was not true in 1929.

Fourth. Long-term borrowing, at low-interest rates, is in effect today, particularly for home buyers or builders; home loans now are provided at low-interest rates, to be paid off in 20 years or more. Thirty-five percent of the total of home mortgage loans—a sum of $69 billion—are now underwritten by the National Government through the Federal Housing Administration, the Veterans' Administration, and other related agencies. Such opportunities were not available in 1929.

Fifth. American farmers today are protected against bankruptcy by price supports on the major commodities; there was no such protection for farmers in 1929, which saw the beginning of a great drop—about 65 percent—in commodity prices between that year and 1933.

These are some of the marked dissimilarities, Mr. Speaker, which I think are very important in safeguarding any repetition of the great depression. These and other safeguards also are significant programs to help prevent a severe recession, although, of course, our society is not "recession proof."

At this point, Mr. Speaker, I would like to include in the RECORD five recent magazine and newspaper articles which elaborate on some of the points I have been making, and cite some additional factors on the strength and endurance of our economic prosperity of today.

First, for the benefit of my colleagues, I would cite an article from the June 21 issue of U.S. News & World Report, entitled "Another 1929?—Why There Is Little Chance," followed by recent stories in the Washington Evening Star; the New York Times; the Wall Street Journal; and the Washington Post. The articles follow:

[From U.S. News & World Report]

ANOTHER 1929?—WHY THERE'S LITTLE CHANCE

(NOTE.—As the boom ages, many wonder if it could end in a depression, as in 1929. Actually, things are vastly different now, as this report shows.)

Is another 1929 becoming possible? That question has been raised by William McChesney Martin, Jr., Chairman of the Federal Reserve Board.

What are the chances? Are a crash and then a deep depression now possible?

There has been a sharp fall out in stock prices of late. A speculative bubble burst recently in one phase of Western Europe's land boom. A bank scandal in Switzerland followed. Japan has been going through a financial crisis.

REASONS FOR CONFIDENCE

Yet all seems calm in the attitude of businessmen, leading bankers, high Government officials—both in the United States and abroad.

Why? Why the confidence that events are not now, or later, to lead to another 1929-type crash and depression?

You get the answer in an outline on these pages of 11 basic differences between then and now.

The world, economic analysts say, little understood the forces of depression at work in and after 1929, and lacked the means to counter them.

Now all is said to be different. Governments everywhere are armed with machinery that can be used against deflationary influences.

In the United States, in particular, it is said, the past 30 years has brought a revolutionary change in attitude and in machinery for countering forces of depression and recession.

ROLE OF WORLD TRADE

As the world's great creditor nation, the United States now is inclined to act the part rather than, as in 1929, acting as a debtor nation when actually a creditor. A basic cause of upset in the world economy was said to have been the Smoot-Hawley tariff of 1930, which increased barriers to imports into the United States. This country, however, had become a great creditor nation in World War I and needed to accept goods in payment of debts.

As U.S. tariffs mounted, other countries imposed barriers to trade and defaulted on debts to the United States. These activities brought stagnation to world trade.

Today, the Government's efforts are aimed at expanding world trade rather than restraining it.

BUILT-IN DEFENSES

Many other factors also are present today that were absent in 1929.

The Government is committed to a policy of promoting expansion and avoiding depressions, and it is armed with many tools to carry out that policy. One recent example is last year's $11.5 billion tax cut, which is credited with sparking the business expansion that still is going on. Now there are plans for excise tax cuts and stepped up social security payments to keep business activity from slowing.

The country also has "built-in stabilizers" that tend to soften any downturns. These include unemployment benefits, price supports for farmers, insurance for bank deposits, guarantees for mortgages, pensions for the elderly. The Government can speed public works to offset slack in private business.

Then, too, there is much more world cooperation to keep business stable. Leading industrial countries act in concert to maintain stable currencies. The International Monetary Fund stands ready to help. Recently steps have been taken to protect the British pound and to bolster the U.S. dollar.

The Government's own operations act to prevent depressions. The Federal cash budget of more than $120 billion a year is itself a stabilizer. And Federal spending automatically goes up when business slackens, thus tending to offset the slowdown.

WEATHER VANES TO WATCH

Both business and Government now have a lot more information about the American economy than was available in 1929. A whole array of economic indicators tests the pulse of business. When these indicators flash danger signals, officials are prepared to act promptly.

Actually, the President's economic advisers—and many business economists—believe that deep depressions of the post-1929 variety are phenomena of the past. The President's advisers go as far as to say that even recessions are not inevitable, although they are not yet ready to proclaim that occasional dips in activity can be avoided.

THE YEARS 1929 AND 1965—THEN AND NOW—THE DIFFERENCES ARE VAST

Money: A managed abundance

Then: Money was tied rigidly to gold. This limited moves by the Government to ease money. Money and credit contracted sharply. Interest rates went up. Financial crisis developed.

Now: Tie to gold has been ended. Money supply is more readily controlled by Government. Credit is pumped out as necessary. In hard times, interest rates are reduced, new borrowing promoted by official policy.

Government spending: An important cushion

Then: $10.5 billion a year in Federal, State, local cash spending. Federal spending, at $3 billion, was only $1 out of each $29 of national income, thus had limited importance in total economy.

Now: $176 billion—Federal, State, local. Federal cash spending alone is $121 billion, or $1 out of every $4 of national income. In a downturn, this spending rises. Federal outlays are a tremendous force in U.S. economy.

Deposits: Now they are insured

Then: People got panicky as things went from bad to worse in early thirties. Runs developed on banks across the country. Failures were widespread, and there was no insurance on deposits.

Now: Accounts in banks and savings and loan associations are insured up to $10,000. Result: Even in a severe business setback, wholesale withdrawals of deposits, such as took place 35 years ago, would be unlikely.

For the unemployed: A promise of help

Then: When a worker was laid off, he was on his own. There was no Government program to tide people over while they looked for new jobs. By 1933, one worker out of four was unemployed.

Now: About 49 million workers are insured during periods of unemployment. This means weekly benefits, for half a year in most States. In addition, many companies provide supplemental benefits for their own employees during layoffs.

Old people: The offer of security

Then: There was no social security to help in old age. Few companies offered pensions to employees after retirement. People had to rely on their own savings or help from relatives.

Now: Nine out of ten workers are covered by social security. Typical worker also has company pension. "Medicare" is on the way. Trend is to earlier retirement, opening up more jobs for younger people in the labor force.

Wages: Pay rates to stay high

Then: When times got tough, employers cut wages time and again. Labor unions were weak, had little voice on pay rates. Few workers were protected by wage contracts. No wage minimum was set by law.

Now: Workers have a whole system of protection built in. Wages are supported by powerful unions. Millions work on long-term contracts providing stable or rising pay rates. A minimum wage is provided by Federal law.

Farmers: Support for prices

Then: There was little or no protection for farmers against collapse. At the mercy of the marketplace, with no system of price support, farmers saw prices fall 65 percent between 1928 and 1933.

Now: Prices of major farm commodities are supported by the Government. Over the years, huge surpluses have grown up to burden the market, but farmers are protected against anything comparable to the collapse of the thirties.

Home loans: Easy mortgage payments

Then: Home buyers and lending institutions were vulnerable. Mortgages were short term, 3 to 5 years, with no insurance or guarantee from Government. Many thousands lost their homes.

Now: It's a different story. Home loans are stretched out, many for 30 years or longer, with payments much like rent. On $69 billion in home mortgages, or 35 percent of the total, loans are underwritten by Government.

Stock market: Not so wild this time

Then: It was a frenzied market. People went in over their heads, many buying on credit. Some paid 15 percent interest on borrowed money subject to call at any time. Thousands got in real trouble.

Now: Stock prices are about as high relative to earnings as in 1929. But there is much less speculation, and relatively little credit in stocks. Typical investor today owns his stocks outright. Margin requirement: 70 percent.

Money trouble abroad: Less danger of crisis now

Then: When nations ran short of gold and could not pay bills abroad, they had nowhere to get help. In such cases, nations were forced to devalue currencies, raise tariffs, curtail buying abroad.

Now: International Monetary Fund provides aid to nations in temporary difficulty. Other kinds of cooperation have developed. Result: Some protection for United States and other nations against contraction of trade due to financial crisis.

Expansive policy: It's required by law

Then: Government was committed to a minimum role in private economy, deliberately kept hands off. Pump priming was not accepted. In depression, Government still tried to balance the budget.

Now: Federal law calls on Government for whatever steps are necessary to reverse a downturn. This means promoting jobs, pushing public works, pumping out money—anything to put life in business. Budget deficits are part of the plan.

[From the Washington (D.C.) Evening Star, June 1965]

SAFEGUARDS EXIST FOR PROTECTION OF NATION'S ECONOMY

(By Sam Dawson)

NEW YORK.—What are the bulwarks the Government is counting upon to safeguard your personal economy as well as the Nation's general one from the flash floods of bad news?

The increasingly serious conflict in Vietnam, or jittery days in the stock market, or labor-management conflicts in basic industries can and do darken the front pages. But today Americans have much better odds of surmounting crises with a minimum of personal tragedy than did the citizens of 30 or so years ago.

These safeguards have been built up by business, by labor unions, and by the Government.

UNLIKE THE PAST

Some things Americans did wrong in the past they can't do today. Example: They can't plunge in the stock market with just 10 percent of cash for the going price of the stocks they fancy. So they can't be wiped out so fast when stock prices tumble after bad news, or unfounded rumors. And they have access to much more information about the affairs of corporations and banks than in the 1920's.

If you have built up savings in banks or savings and loan associations, you are insured against loss to a degree that covers most such accounts.

If you have taken on a mortgage when buying your home, in many cases you have a Government insurance policy on that, too. And the mortgage terms today call for repayments that build up your equity over a long period. The outsize short-term mortgage with the threat of quick foreclosure is mostly a thing of the past.

INSURANCE HELPS

Many personal loans and monthly payments plans carry life insurance as guarantees for your survivors, so that home or cars or appliances aren't repossessed when personal tragedy strikes.

The total of installment credit has risen to a record high. But the lenders say that in the vast majority of cases such debts are well protected by the income prospects of the borrowers.

Even the upward trend of this personal income, while never a 100-percent sure thing, is better protected now than a generation or two earlier.

There are unemployment benefits for you if laid off in a temporary industrial lull. There are pension plans sponsored by management or by unions and social security for the elderly. There is insurance for many when bad health strikes. And medicare for the aged is just over the horizon.

The Government also is pledged to try by its fiscal policies to keep incomes rising and employment as high as possible. Today the middle-income class is strikingly larger than before World War II.

BUSINESS SAFEGUARDS

Business has added many safeguards for the economy beyond those the Government has fashioned.

One is the training that management has received since the shock of the great depression of the 1930's. Much of the caution that has kept today's 52-month old economic expansion from becoming a risk-fraught boom is traceable to better judgment and business methods.

The economy now is spread wide over many endeavors. When one industry slows down, another may be going strong. When factories take a breather, the service industries may be enjoying better demand than ever.

A steady stream of new products, new methods, new goals comes from the growing programs of research and development. If one region has a setback, somewhere else in the Nation men are busy getting ready for a try at the moon. And the new enterprises may be anxious to get and train men to reach their goals.

[From the New York Times, June 17, 1965]

INFLATION THREAT CALLED REMOTE—EXPANSION "SEEMS DESTINED TO CONTINUE MANY, MANY MONTHS," ACKLEY SAYS

(By Gerd Wilcke)

Gardner Ackley, Chairman of President's Council of Economic Advisers, said yesterday that the Nation's economic expansion "seems destined to continue many, many months into the future."

Mr. Ackley's statement, coming in the course of a speech at a meeting of the American Marketing Association, was interpreted as an answer to a recent warning that there were "disquieting similarities" between present conditions and those in the 1920's.

The warning, by William McChesney Martin, Jr., Chairman of the Federal Reserve Board, has been widely held a factor in the drop in stock market prices.

MANAGING PROSPERITY

Without naming Mr. Martin, Mr. Ackley insisted that there were many built-in stabilizers and fiscal weapons, ranging from unemployment insurance to tax cuts, that since the depression have greatly enhanced the Government's ability to "manage prosperity."

While acknowledging that "prosperity has many pitfalls," Mr. Ackley implicitly rejected Mr. Martin's contention that the expansion might turn into a "disorderly boom" by stressing that at the moment the danger of inflation "appears remote."

"We see no present danger that U.S. economic expansion does now or will in the near future press too hard against our overall ability to produce," the economist said.

Elaborating, Mr. Ackley said that "factories are averaging below optimum operating rates," the labor force is rapidly growing and still not yet fully employed, the danger of too-rapid inventory buildup does not seem imminent and prosperity is not threatened by either the quality or quantity of credit.

ROLE OF GOVERNMENT

Returning to the comparison between the 1920's and today, Mr. Ackley said that "stabilizing structural changes" had been built into the economy in recent years. Most important, perhaps, is the increased economic role played by the Federal Government.

In the 1920's, he continued, almost all spending in the economy was closely tied to current incomes.

"A drop in spending in one segment knocked down the whole row of dominoes of spending in every other segment. Today there is one big domino (the Fedral Government) that stands firm against declines in private spending. And its revenue sources—highly dependent on the level of private incomes—decline markedly as incomes fall and thus greatly cushion any decline in private income."

Without mentioning the Federal Reserve, Mr. Ackley said monetary managers a generation ago followed an "essentialy perverse monetary policy."

"From 1929 to 1933 they allowed the total money supply of the economy to decline 25 percent when it could have and should have expanded.

"This kind of mistake would never be made again, just as we would never again raise taxes and attempt to balance the budget in the face of a business collapse."

MORE SOPHISTICATED

Today "we are much more sophisticated in our use of monetary policy," he asserted.

The official said that "at the moment, this danger (inflation) appears remote."

He said that "despite some much heralded exceptions, the average rate of gain in employee compensation has stayed with the rise of worker productivity." As a consequence, labor costs per unit of output have been almost unchanged in the whole economy.

Mr. Ackley warned, however, that this record would not be maintained unless unions and employers continued to respect the Government's guideposts in their bargaining.

"If we fail to maintain the stability of unit labor costs in the economy, arithmetic tells us that only one of two things can happen. Either profit margins will be squeezed, or—more probably—the level of prices will rise. Up to now our price record has been excellent."

He said that there was more danger of the economy "running out of gas" than the hazard of overheating.

"Our expansion has not run out of gas. And we have no expectation that it will, nor any intention of letting it," he said.

Mr. Ackley's speech, which was preceded by the introduction of Dr. Schuyler F. Otteson as new president of the association of the department of marketing at the University of Indiana.

GETTING EVEN BETTER

WASHINGTON, June 16.—Secretary of Commerce John T. Connor said today that "in spite of some problems business is great, and it's going to get even better."

In a speech to the National Press Club, Mr. Connor used evidence similar to that in the New York remarks of Gardner Ackley, Chairman of the Council of Economic Advisers, to demonstrate that the expansion is still "balanced" and thus should continue.

He cited price stability, a lack of inventory excess and adequate but not excessive plant capacity. He also said that consumer debt was a "factor to watch," but that consumer liquid assets had risen faster than debt "in the last few years."

With the sharp rise in tax receipts, Mr. Connor said, "the anticipated fiscal deficits for the 1965 and 1966 fiscal year seem to be quite reasonable and manageable."

Present indications, he said, "are for continued growth this year, fulfilling the forecast in President Johnson's economic message that gross national product will hit $660 billion in 1965."

In answer to questions, Mr. Connor made these points:

The stock market decline apparently resulted, in part, from "a general feeling in the country among investors that things were almost too good to be true." Thus profit taking seemed to be in order, he added. But, he said, the "solid economic facts of life" continue to be favorable.

He said he would not consider a short steel strike desirable as a means of working off inventories, mainly because "there is never any guarantee that a strike will be short." He also said steel companies might resort to lower prices to work off inventories, but he made no predictions.

He did not consider automobile inventories in the hands of dealers excessive for this time of the year.

[From the Wall Street Journal, June 18, 1965]

INDUSTRIAL OUTPUT SET MARK IN MAY—MORE FEDERAL AIDS VOICE OPTIMISM—INFLATIONARY OVERHEATING IS CALLED REMOTE BY ACKLEY—EXPANSION SEEN CONTINUING

(By a Wall Street Journal staff reporter)

WASHINGTON.—More top Johnson administration officials spoke reassuringly about the economic outlook, finding support for their optimism in news that industrial output moved solidly to a new record in May.

Chief Economic Adviser Gardner Ackley and Commerce Secretary Connor issued cheerful forecasts during the day, and last evening Treasury Secretary Fowler spoke warmly of the possibility of future income tax cuts designed to prevent the Government from pulling too much money out of the private economy.

Industrial production in May, the Federal Reserve Board reported, rose to 141.3 percent of the 1957–59 average from April's seasonally adjusted record of 140.8 percent. While the increase wasn't as great as in the unusually vigorous first-quarter months, it was wider than the 0.3-point April advance.

The latest increase, the board said, reflected "mainly continued expansion in output of machinery and other business equipment." Consumer goods output increased slightly but remained below the March high; the auto assembly annual rate was about 9.5 million units, about the same as recorded in April and as scheduled for June. Iron and steel output in May "remained close" to the record April rate, even though the interim labor settlement has postponed the threat of a steel strike.

THREAT IS CALLED REMOTE

Adviser Ackley, in what appeared a major effort to dim the economic danger signals flashed by Federal Reserve Board Chairman William McChesney Martin on June 1, dismissed as "remote" any threat to the economy from inflationary overheating. "Perhaps the most serious danger" to the economic engine, he said, isn't that it will boil over but that it can just run out of gas. But this doesn't appear likely, either, he said, citing the May industrial-output rise.

Without mentioning Mr. Martin, the Chairman of the Council of Economic Advisers agreed that history teaches that "prosperity has many pitfalls." But one by one, he discounted any imminent threats from these and said the record peacetime expansion currently in its 52d month "seems destined to continue many, many months into the future."

To worries that inflation could result from demand pushing too hard against capacity, Mr. Ackley said capacity is growing steadily and rapidly while output has slowed from a "hectic" first quarter pace. The labor force isn't yet fully employed and is growing rapidly, he said. Plant capacity isn't limiting growth, he said; the average operating rate of 89 percent in the first quarter is still 3 percentage points below the 92 percent "that managements say they prefer for peak efficiency." Imbalances could develop from too much inventory buildup, Mr. Ackley conceded, but, in relation to sales, inventories are around the lowest level of the whole expansion and "this particular pitfall doesn't seem imminent today."

CHANGES SINCE THE 1920'S

Like Mr. Martin, Mr. Ackley harked back to the predepression 1920's, but his emphasis was on the changes since then.

When the Federal Government was much smaller, he said, almost all the spending in the entire economy was closely tied to current incomes. "A drop in spending in one segment knocked down the whole row of dominoes of spending in every other segment." Today, he said, the Government is "one big domino that stands firm against declines in private spending"; its lessened tax intake during downturns greatly cushions any declines in private incomes.

Also, he said, "We have increasingly begun to harness the tremendous fiscal influence of the Federal Government in a conscious and constructive effort to assure an adequate and steadily growing market for the growing output our economy is capable of producing."

Among other changes he found favorable are the absence of the "essentially perverse" policy of tightening the money supply when the economy weakens, the switch to steadily amortized mortgage loans from lump-sum repayments, savings insurance, unemployment compensation and the like. On the international side, he said, official foreign claims on U.S. gold are less than the total of the U.S. gold stock plus its ability to borrow quickly from the International Monetary Fund; when the British pound was the key reserve currency in 1928, he said, short-term claims in pounds were about three times British gold reserves.

Mr. Ackley assured his audience at an American Marketing Association meeting in New York that the administration has no intention of letting the expansion "run out of gas," and Treasury Secretary Fowler, in his New York talk to the National Conference of Christians and Jews, said the Federal tax system is still "capable of stalling or holding back the economy," despite the pending excise tax cut and last year's income tax cut. "We must seek appropriate opportunities for tax reductions to keep the tax structure's revenue capability from growing too fast as private incomes and the capacity of the economy enlarge," he said. There is a great deal yet to be done, the Secretary said, in ridding the income tax particularly of its "impediments to an efficient flow of capital, its unlike treatment of like incomes, and its excessive burdens on small incomes."

CONNOR'S FORECAST

Commerce Secretary Connor, appearing at the National Press Club in Washington, asserted that "business is great, and it's going to get even better." Higher profit and capital-spending plans indicate that business "obviously is in a confident mood," the Secretary said, declaring that the principal feature of the current expansion is that it has been "orderly, broadly based and without the serious imbalances that spell trouble ahead." Among factors he singled out as favorable are a "remarkable stability in prices" and the fact that mortgage and installment debt "seems to be still within bounds."

Asked his views of the Martin speech, Mr. Connor called it well balanced, and he said careful reading shows more concern about international problems than domestic ones. Administration men agree with Mr. Martin on the need to reduce the balance-of-payments deficit, Mr. Connor said; the Martin comments are timely and "should by no means be ignored."

The Martin speech, Mr. Connor told a questioner, came at a time when many stock market investors felt "things were almost too good to be true," and thus "crystallized decisions for profit taking." Those who read just the headlines were the most likely to do this, he suggested, saying there have been "second thoughts" since because the "solid economic facts of life" show the outlook to be good.

Asked about steel prices, Mr. Connor said competition from imports and rival domestic materials make it "highly debatable" whether increases could be made to stick. His personal view, he said, is that steel executives will and should have the public interest in mind in making individual decisions about prices once a labor settlement is reached. There could be a glut of steel in mill inventories at the end of negotiations and more coming in from abroad, he said, requiring companies to "unload" their stocks. The quickest way to do this, he said, would be through price cuts.

Here is the Federal Reserve Board's index of industrial production (1957–59 = 100):

	Seasonally adjusted			Unadjusted		
	1965		1964, May	1965		1964, May
	May [1]	April [2]		May [1]	April [2]	
Total, industrial products	141	141	131	143	141	132
Market groupings:						
Final products	140	139	131	140	139	131
Consumer goods	139	138	131	138	137	130
Business equipment	153	151	138	154	152	139
Materials	142	142	131	145	144	134
Industry groupings:						
Manufacturing	143	142	132	145	143	134
Durable goods	146	145	133	148	147	135
Nondurable goods	139	139	132	140	138	132
Mining	114	112	111	114	112	112
Utilities	160	160	148			

[1] Preliminary.

[2] Revised.

[From the Washington Post, June 21, 1965]

Fowler Expects No Downturn in U.S. Economy Through 1966

Treasury Secretary Henry H. Fowler said yesterday that he is so convinced the Government has the right economic "mix" for prosperity that he simply can't envision a financial downturn for the foreseeable future.

Among prime factors for continuation of the 52-month boom Fowler listed wage, price, and inventory stability and confidence for the future among both consumers and businessmen, with a continuing favorable climate for capital investment.

As for the month-long drop in stock prices, Fowler said he could see no logical reason for the decline, since practically every other economic indicator showed the economy to be strong and healthy.

Anyway, Fowler continued, the stock market is not a reliable barometer of the economic condition of the Nation. There have been many stock exchange drops in the past, he said, with little or no effect on business as usual elsewhere.

Interviewed on the television program "Issues and Answers" (ABC, WMAL), the Treasury Secretary conceded that a continuing deep drop in stock market prices, without offsetting upturns, could produce "jitters" among the country's financial "decisionmakers."

But he doubted any such eventuality now, he said, because most other economic signs pointed to continued good conditions.

Pressed for a more precise prediction on the Nation's financial future, Fowler said he could see nothing that might cause a downturn for the balance of 1965 or that indicated 1966 would be any different.

He admitted that "unknown factors" could upset his confident predictions, but added quickly that "I have no fear of any major depression."

Asked whether a recent New York speech by Federal Reserve Board Chairman William McChesney Martin, might have caused the stock market drops, Fowler replied: "No." Martin had said he saw similarities between now and the beginning of the depression in 1929.

The market decline, Fowler pointed out, began several weeks before Martin made his address. Anyway, he continued, he doubted that it was possible to talk the country into or out of a depression.

The last two-thirds of Martin's speech, Fowler said, a part which had been largely ignored, was quite in line with President Johnson's and his own views.

This concerned the necessity to produce a better balance-of-payments situation, or the difference between what this country spends abroad and what it receives from other countries. Both the White House and the Treasury are pressing a number of measures to reduce the imbalance.

OUR MONETARY PROBLEMS

Mr. TODD. Mr. Speaker, I ask unanimous consent that the gentleman from from Texas [Mr. Pickle] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PICKLE. Mr. Speaker, Dr. James C. Dolley, the vice chancellor of the University of Texas, is one of our State's most eminent scholars and educators. For many years he was nationally known in his capacity as professor of economics and finance at the university.

Dr. Dolley has distinguished himself not only as a professor, but as the president of the University of Texas and as the president of the Austin National Bank, which is one of the largest banking institutions in Texas.

Recently, Dr. Dolley wrote a most thought-provoking article for the April 1 issue of the Commercial and Financial Chronicle. It is of special interest to all persons interested in the soundness of our monetary system.

I am happy to include in the Congressional Record this timely article, which follows:

Our Coming Monetary Crisis

(By James C. Dolley, professor of finance, University of Texas)

For many decades the dollar was considered to be, and rightly so, as good as gold. It is almost incredible that this money unit is now at the brink of disaster, all the result of our own doing.

It is difficult enough to forecast economic development under normal conditions. It is much more difficult to forecast events which will result from changes in mass public psychology. No one can foretell the event which will cause an internal flight from the dollar nor can the timing be fixed. It can be stated with assurance, however, that we are now at the point where massive loss of confidence in the future of the dollar could develop very suddenly.

In the following pages, the writer presents his opinion as to the possible and probable sequence of events in this vitally important area. Assuming no all-out war situation, it is expected that this sequence will be seen within the next 12 months or so.

The balance of international payments deficit of the United States has been rather widely publicized. To a much lesser extent has publicity been accorded to the loss of our gold stock which is the direct result of the balance-of-payments situation. The remedies which have been suggested by the several Federal administrations since 1957, including the latest, are mere palliatives. The obvious solution to the problem of weakening confidence in the integrity of the dollar are: The elimination of the foreign aid program and the real balancing of the Federal budget by cutting back on present spending programs and the prevention of new spending activities.

Since 1934, the Nation has operated on a limited gold bullion standard, with conversion into gold limited to foreign central banks and governments. The great value and protection to a nation of a gold standard, whether it be fully convertible or limited gold bullion, lies in its automatic restraint on the spending of public funds by politicians. Within the last few months, this restraint has become evident, as the supply of free gold approached the vanishing point.

To remedy that situation, the Congress of the United States during recent weeks, voted to rescind the 25-percent gold reserve requirement against Federal Reserve bank deposit liabilities. That action was recommended by the President and approved by the House and Senate with a minimum of debate and, more importantly, with virtually no publicity. It would appear that the word had come out from Washington that no featuring of this story should be permitted lest the public become alarmed, as indeed the public should be alarmed.

The debate on that really important issue turned on two simple considerations: Should we continue with our massive spending programs at home and abroad or should we take the obvious steps to protect the integrity of the dollar. By overwhelming majorities in both Houses, the Congress voted to continue with massive spending programs.

It should be pointed out that this action is entirely consistent with similar actions taken by other governments under similar circumstances throughout world history. Once the doors of the National Treasury have been breeched, as in our case in 1933, there is no closing of the doors until the ultimate debacle, which has meant the replacing of the old money unit with a new money unit of vastly less purchasing power than the replaced currency. Examples of this unhappy development are legion.

It is reasonable to believe that the recent congressional action in eliminating the gold reserve requirement against Federal Reserve bank deposit liabilities, will be accepted by foreign central banks as proof positive that the American government does not intend to return to fiscal responsibility. Instead of restoring confidence in the future of the dollar, the action cannot fail to have the opposite effect. That being the case, foreign central banks will have three choices with reference to their short-term dollar claims in excess of their necessary working balances: (1) Convert the excess now into gold at $35 per ounce, or (2) wait a while and convert the excess at, say, $70 per ounce, or (3) wait still longer and get only Federal Reserve notes.

Since these banks are knowledgeable, most of their countries having gone through this currency inflation wringer whereas the United States has not, it would be expected that more such banks would exercise the first option. Aready, since the first of the year more than $1 billion has been lost from our gold stock. This writer expects that loss to continue and to accelerate until our newly released free gold is almost gone.

As that time approaches, the Government will be forced to decide between three alternatives: (1) Either to lower the gold reserve requirement against Federal reserve notes from the present level of 25 percent to, say, 10 percent; or (2) to raise the price of gold from $35 per ounce to a probable $70 per ounce; or (3) to stop all convertibility into gold. This last named action would place the country on an outright paper money standard. Of the three alternatives, it is believed that the government would approve the first named which would free up several more billions of dollars in gold for sale to foreign central banks. This step would provide some additional months in which to solve the "perplexing" balance of payments problem. However, the period of time thus bought would probably be short because it could be expected that the outward flow of gold would accelerate sharply. Eventually the hard decision between devaluation (raising the price of gold) or stopping all convertibility into gold would be forced on the Government.

The average American citizen is not now disturbed by what has happened to the Nation's gold stock and he is not likely to be much disturbed by the sequence of probable developments outlined above. He has no understanding of the lasting value of a monetary gold reserve and he has never seen, much less handled, a gold coin. To him, the gold problem now seems remote indeed.

It is true that a modest but steadily growing internal flight from the dollar has developed during recent years. This has involved switching by knowledgeable individuals and institutions out of fixed income securities and bank balances into various areas which are believed to provide purchasing power protection such as: real estate, common stocks, silver bullion, and bank balances abroad—especially in Switzerland. Although only a trickle at the moment, this flight from the dollar could quickly become a torrent if the public should develop wholesale loss of confidence in the integrity of the dollar. Many things could cause such a change in mass psychology: physical disablement of the President, a series of serious bank or savings and loan failures, or an unfavorable international development.

In the opinion of this writer, the event which is most likely to tee off a massive internal flight from the dollar is the imminent debasement of our fractional silver coinage. This debasement, which probably will occur within a matter of months, will be forced by a simple demand-supply situation with reference to metallic silver. World production of silver is running at about 200 million ounces per year, whereas world consumption of silver during 1964, for industrial and coinage use, was in excess of 500 million ounces. The difference of 300 million ounces was provided almost entirely by the U.S. Treasury out of its huge stock acquired under various silver purchase acts. That stock, which has declined rapidly in recent years, was reported on December 31, 1964, at 1,193 million ounces. This amount would appear to be adequate to cover the annual world production deficit of 300 million ounces for some 4 years.

However, it is certain that the supply will not last that long. In the first place, the Defense Department will insist on a substantial stockpile—a figure of some 600 million ounces has been reported in the press. Second, with the spot price of silver at the melting point of the silver dollar and future prices much higher, inventory accumulation by industry and hoarding by individuals can be expected to increase rapidly. Third, the spot price of $1.293 is being maintained by Treasury redemption of silver certificates, almost entirely $1 bills, which currently are being replaced by $1 Federal Reserve notes as rapidly as they wear out. The amount of silver certificates now in active circulation is not known, but it must be relatively small and it is certain to diminish very rapidly. About four out of every five $1 bills now received in daily change are Federal Reserve notes. Once silver certificates are no longer available for redemption in silver bullion at $1.293 per ounce, the spot price can no longer be pegged and it can be expected to rise rapidly to $1.382 which is the melting point of the fractional silver coin. This will present an untenable situation.

It is known that, for many months, the Treasury has been working to find the best solution for the inevitable fractional silver coinage debasement. During the course of this study, it is certain that consideration has been given to the use of base metals such as aluminum or stainless steel, alloys, plastics, and a reduction in the fineness of the silver content. A recent news story suggests that a decision has been made to retain one silver-containing coin, presumably the half dollar, with the silver content reduced from the present 90 percent to a probable 50 percent, with the quarters and dimes to be made of a copper-nickel alloy.

Regardless of the final decision, it is certain that the public will take notice of this changeover. Everyone handles fractional silver and everyone will be placed on notice that something is wrong with the currency situation. Incidentally, a major problem in logistics is posed. The mints are reported to be running 24 hours a day and 7 days a week to keep pace with the present demand for coins. Under these circumstances, it will be impossible to build up a supply of debased coins to replace the present fractional silver in circulation. Moreover, the mints cannot mint the debased coinage without congressional authorization. Once the Congress begins debate on such a bill, the word is out and Gresham's law is certain to take over. It is not only possible but probable that the transition period must be accomplished by the use of fractional paper currency, similar to the "shinplasters" of Civil War vintage.

All of these developments can be expected to disturb the public as to the integrity of the dollar in which their savings are denominated. If a wholesale loss of confidence in the dollar should result, as is quite possible, a massive internal flight from the dollar should be expected. Such a flight would probably be directed first at demand deposits in commercial banks. Wholesale withdrawals of demand deposits from commercial banks could easily result in the imposition of a bank holiday, which could scarcely last longer than a week or 10 days. During such a period, numerous Government restrictions could be expected all aimed at limiting the conversion of dollars into tangible properties, foreign exchange, and common stocks.

If the Nation must endure a monetary crisis of this type, it is to be hoped that it will come sooner rather than later when the gold reserve will have been much further depleted. It would be hoped that an experience such as this would force an overwhelming realization that neither this Nation, nor any other nation, can indefinitely follow a program of deficit spending, however worthy or useless the spending programs might be. In this event and by popular demand it is not only possible but probable that the American Government will be forced to return to fiscal responsibility. If this should occur, the cost, however great, will not have been in vain.

ADDRESS BY THE HONORABLE WILLIAM JENNINGS BRYAN DORN TO NATIONAL DEFENSE COMMITTEE OF THE NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. TODD. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. GETTYS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GETTYS. Mr. Speaker, it is my pleasure to insert in the RECORD the brilliant and hard-hitting address of our colleague, the Honorable WILLIAM JENNINGS BRYAN DORN, delivered in Washington, D.C., on April 19, 1965, to the National Defense Committee of the National Society, Daughters of the American Revolution.

My colleague in his timely address aptly expressed the views of a large majority of our people regarding Communist aggression in southeast Asia.

ADDRESS OF THE HONORABLE WILLIAM JENNINGS BRYAN DORN, MEMBER OF CONGRESS FROM SOUTH CAROLINA, AT THE NATIONAL DEFENSE COMMITTEE LUNCHEON OF THE NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION, WASHINGTON, D.C., APRIL 19, 1965

Madam Program Chairman, Mrs. Jones; Madam President General, Mrs. Duncan; distinguished guests; charming and beautiful ladies, I want to thank the luncheon committee, headed by Mrs. Martin, and the national defense committee for arranging such a splendid luncheon. I left South Carolina this morning at 5 o'clock in order to be with you today and am having to go back this afternoon, but I did want to tell you how much the great majority of us on Capitol Hill have appreciated over the years the splendid work that you have done in maintaining a proper and adequate defense for our country—a defense which has been successful against all enemies. I want to take this opportunity, too, to tell you that I know of no organization in the United States of America of which I am more proud or of one which has meant as much to me, personally, as the Daughters of the American Revolution. Your president general has been and is an outstanding salesman and ambassador, not only for your great organization but for our American way of life. Mrs. Duncan, I congratulate you and extend to you the admiration and love of my people in South Carolina.

We are in war today in southeast Asia, in Africa, and in many places throughout the world. I am devoting as much of my personal time as possible all over the United States to awaken the American people to that fact. Yes, we are engaged in a bloody, costly, and desperate war in South Vietnam.

In this key area of the world we are fighting a war for freedom. We are meeting head on those exponents of totalitarianism who seek to destroy our way of life. Yes, the Far East is the key area of the world. It is the area selected by our Communist enemies at the moment to make a drive in their bid for world conquest.

The war in South Vietnam is a steppingstone by the Communists to conquer first southeast Asia and then all of southern Asia and north Africa, outflanking Western Europe.

Let us look for just a moment at the immense and startling power of Red China. We are reliably informed on Capitol Hill that in the last 14 years they have created a standing professional army of well over 2 million soldiers and they are excellent combat troops. Added to this number is a militia of an estimated 100 million men and an air force upward of 2,000 planes; and they, of course, as you so well know, have the atomic bomb. They are now well on the way, we are informed, toward developing a hydrogen bomb.

This is the monster with which we are confronted at this moment. I might remind you it was more than 40 years ago that Lenin was reported as having said that the road to Paris is the road through Peiping. The Communists have Peiping and they are on that road in South Vietnam today toward Paris and Western Europe.

They are driving for uranium, oil, tin, rubber, and the "cannon fodder" of southeast Asia. If they are permitted to conquer and consolidate the 150 million in the Malayan States—Thailand, Burma, South Vietnam, and Indonesia—India would fall. India, a nation of 450 million people, would be wide open to attack. The next step on the road to Paris will then be the Near East, with 67 percent of the world's untapped oil, only a step away from Africa. Where will we be then?

You know, it was many years ago that Commodore Perry warned, before the National Geographic Society in New York City (1856) that someday the Western World would meet the forces of totalitarianism in southeast Asia in a death struggle for the control and domination of the world. Theodore Roosevelt issued a similar warning, a warning against the consolidation of all the peoples of Asia into one totalitarian, ruthless, autocratic form of government. It happened once before, under Genghis Khan many centuries ago, and the only thing that saved Western Europe was the untimely death of Genghis Khan. His son then pulled back the Khan armies from central Europe which were poised to conquer Western Europe. Yes, the road to Paris is the road through South Vietnam, Singapore, Indonesia, Calcutta, Dhadran, Alexandria, and into north Africa. The Communists are on that road today.

We must stand firm in southeast Asia. I want to emphasize that this is the road to outflank Western Europe. There are some leaders in this country who for many years have been obsessed only with the idea of defending and pouring economic aid into Western Europe. Western Europe is important, of course, but we need to be reminded today that Western Europe is just a small peninsula, that and nothing more, on the great Afro-Eurasian land mass; and if Asia and north Africa fall to the Communists, Western Europe will fall without firing a shot.

We fail to believe what the Communists have written. We did not believe what Hitler wrote about his blueprint for world conquest. There are those in our country today, much to my dismay, who do not believe the Communists have a plan for world domination.

I have been shocked by some of my prominent colleagues who want to abandon southeast Asia altogether and pull out. If we do abandon southeast Asia, I would like to ask these gentlemen: Where are we to make a stand? You know some of them say that this is a bloody, nasty war in South Vietnam. It is a long way from home. The terrain is bad. There are swamps and quagmires. But I would like to ask my distinguished colleague who spoke to some self-styled peace demonstrators here on Saturday if the terrain is any better in Alaska or will we be any better prepared to meet the united, combined might of Russia and China in Idaho or Oregon? Is the terrain in the Rocky Mountains any better?

I say that the front line of American defense and that of Western Europe today is southeast Asia and we must stand firm in that area of the world.

This is a war, but a new kind of war, a new kind of aggression. The Communists tried open aggression in Greece. They tried, to a degree, open aggression in the Philippines. They tried open aggression in South Korea. Today they are trying a different type of aggression, where men and women are sent in who are similar to the people of South Vietnam—similar in appearance and language. These agents are saboteurs, infiltrators, espionage experts, and proponents of "termite tactics." This is the method of aggression being practiced at the moment. We must meet this aggression. We must force this new aggressor to withdraw to his own country and his own land. To me, it would be unthinkable to sit down and negotiate, particularly with a truce, while this group consolidates its position. I would like to remind my fellow countrymen that during the time of the Korean truce and the Korean cease-fire, the only Chinese Army worthy of the name had been destroyed in North Korea, so we sat down for 2 long years at the negotiating table with a truce and a cease-fire while Red China trained five whole new combat armies, and they have been on the 38th parallel ever since. Let us not make that same mistake again.

Yes, the terrain is rough. It is a bloody war. It is not the kind we like. But it is better than fighting in Hawaii or Alaska. We have to make a stand somewhere, because these people are bent on world conquest. It is written in their books. It is basic Communist dogma. Their every action indicates it. They have broken virtually every treaty they have signed with the free world. We must stand firm in southeast Asia and support our Commander in Chief. This administration realizes that we must stand firm in southeast Asia and Vietnam. There has been a great deal of pressure all over this country in the form of demonstrations and speeches, trying to pressure the Congress and the President into pulling out. I would like to remind the people of this great country of a very said incident in 1938. All of you know about it, but I would like to repeat it for emphasis. One of the most pathetic figures in all the history of the world, Neville Chamberlain, with his Foreign Minister, Lord Halifax, and Daladier and Bonnet of France, went to Munich. Chamberlain had never flown in a plane before. He was so scared he did not know what to do, but he was more afraid of Hitler and Mussolini, so he got on that plane with his teeth chattering and his knees knocking together, and flew to Munich to meet with these greedy, ruthless dictators, and there they signed away the birthright and the freedom of Czechoslovakia. I remember as a boy seeing it in the newspapers—Chamberlain's coming back to London in the rain, with his umbrella and his high top hat; yes, a pathetic figure, one that had been duped; and he had a smile on his face and he held up this piece of paper, signed by Adolph Hitler and Mussolini, and said, "My fellow Britons, this means peace in our time." Chamberlain, by his appeasement, by this withdrawal of support from the free Republic of Czechoslovakia, by this surrender of principle, by this collaboration with evil dictators, contributed to World War II. Chamberlain and Daladier, thus were just as responsible as Hitler himself for the terrible carnage of World War II. A few months after Munich, Hitler ordered his legions into the free Republic of Poland.

Oh, I want to warn this country of the fallacy of sitting down and making agreements with the exponents of evil. My Bible says that you cannot serve God and mammon. We cannot coexist with slavery and evil.

What is the answer to this situation all over the world? Some people tell me that there is a Sino-Soviet rift. Let me say that Kosygin recently, when he was in Hanoi, the capital of North Vietnam, proposed aid to the aggressor nation. He went on to a big conference with Mao Tse Tung in China. They seemed to be in agreement. I would certainly hesitate to ever predicate the future security of our Nation on even the remote possibility that there might be a Russia-China rift. They seem to be working together today. Kosygin has promised to send manpower into North Vietnam. He has promised to send planes. So has Red China. I see no real ideological differences between these aggressive giants. Maybe they are having a family quarrel at the moment, yes, but we must not be duped. We must not be fooled. We must plan our security and our Armed Forces to meet both of them if that day should come.

Both Russia and the United States today have vast stockpiles of atomic weapons. Russia may just sit back and, under the table, encourage the manpower of Red China to move on into southeast Asia and overrun all of Asia while they say to the United States, "If you come in and use atomic weapons, so will we."

We might find ourselves at the greatest disadvantage in history with 50 million men moving into southeast Asia unless we continue to have manned bombers and unless we continue to use our science and technology to the best advantage. We cannot fight 750 million people with manpower alone in the swamps of southeast Asia, but with our science and technology, I believe we can maintain the peace.

I would like to remind you, my patriotic fellow Americans, that England was a small island on the map of the world about 500 years ago with only 13 million people. She did not try to match the manpower of continental Europe, of Russia and later of Philip II of Spain, Frederick the Great, and the great land powers of western Europe. England concentrated on that in which she excelled—science and technology. She built a Navy and Britannica ruled the waves for nearly 400 years.

I think that challenge is open to our country today, to use our science and technology for peace. I will say this: It is important to control space. It is important for your country and mine to control space for peace. If Russia gains control of the moon and establishes bases in outer space, it will be for conquest, for war and slavery. From control of space Russia could eliminate our Christian faith and our Constitution and those things we cherish and love. If the United States of America reaches the moon first, if we control space, it will be for freedom; it will be to protect and preserve the worth and dignity of the individual. So we must maintain the strongest military forces in the world, backed up by adequate reserves at home. We must be first in space. It is not beyond the realm of possibility. We are a great people and we can do it. We have the scientific know-how. We only need the will.

There are those today who say that this is an enlightened age, that we can just make an appeal to morality and people will do right because it is right. My friends, do not believe that for one moment. I have been in areas of the world where there was no government and there was a great appeal for morality and for people to do what they felt was right. Yet the churches were destroyed and desecrated, windows were knocked out of schools, and decent people were driven underground. Even in the United States of America, we must have a police force, a State patrol in the States of our Union, State law enforcement agencies, and the FBI in order that decent people and God-fearing people might be protected in their prosaic duties and in their individual rights.

Liberty, to be preserved, demands discipline and restraint; even in a nation such as ours where the vast majority of our people are educated. Democracy, in order to survive, must be disciplined. It must be restrained. I must respect the rights of my neighbors. I like to talk with my young people, some of whom are being indoctrinated this day and time with various forms of progressive education where they are taught that you cannot repress an individual, that you cannot tell him what to do, that you must never say "do not" to them or it will give them a complex. This goes along with national defense. I have mentioned the Army, the Air Force, the Navy, and space. I have talked about standing firm in southeast Asia, Cuba, Berlin, and all over the world, but right here at home we must practice discipline and restraint. Yes, I tell my young people, my high schools, that the Congress itself is disciplined or else we could not pass legislation. We have a Sergeant at Arms in the House of Representatives—his name is Zeke Johnson. We are not permitted to smoke on the floor of the House; we cannot refer to our colleagues in any other term than "the gentleman from Massachusetts" or "the gentlewoman from Illinois." We have discipline. We have rules and regulations. You know what would happen if any of us came in and lay down on the floor of the House of Representatives before the Speaker: We would be thrown out.

Yes, democracy, in order to survive, in order to paint the proper picture before the world, in order to maintain the essence of civilization and respect for the rights of others, must be disciplined.

I want to warn you about a new, strange phenomenon sweeping the world today. Every time the Communists call for incidents in Berlin, every time they move in the Congo, or rattle the saber in Cuba and southeast Asia, you see students throughout the world who want to demonstrate. This is a strange and dangerous phenomenon occurring throughout the world. You remember a few years ago in Seoul, South Korea, on a quiet morning thousands of students started gathering in the streets. It did not just happen. They were not demonstrating against any real persecution. They were encouraged to go down into the capital of South Korea and they gathered there day after day until their number reached hundreds of thousands. They blocked the deployment of the armed forces of that country and overthrew a government headed by a man who I think, along with Chiang Kai-shek and Douglas MacArthur, was one of the greatest men of this age, Syngman Rhee. They forced him out of his country and overthrew the government.

Look at the government we have had in South Vietnam. Largely as a result of demonstrations, they have had no stable government at all. A year ago last January a group of students in Panama, at the university, pushed into the Panama Canal Zone where they attacked in open combat the Armed Forces of the United States guarding this vital artery between the Pacific and the Atlantic. Students overthrew the Government of Turkey some years ago. They have participated in the overthrow of African governments too numerous to mention.

Ladies and gentlemen, it is a technique aimed at freedom and the very heart and core of this country. It was employed successfully by the Nazis in May 1940. You remember how they seized the radio stations and jumped on the air and said that all the women and children should flee. Oh, they always use children. They said, "Fall out in the streets, flee for your lives"; and the great highways of France were blocked by children, mobs, and demonstrators. The crack French divisions could not get to the front in time, and the Nazis' panzers swept on to the English Channel.

It is a sinister diabolical technique. They know what they are doing. They are called out in strategic areas, and in the United States of America today, children who are being taken out of school, herded into the streets, and urged to throw whisky bottles and brick-bats at policemen in uniform today could be hurling lead at the Armed Forces of the United States tomorrow.

This is a technique that we must stop at its very inception. You can help us do it, you wonderful ladies, throughout this Nation. I saw so many of you who raised your hands a moment ago, representing the various regions throughout the length, width, and breadth of this great country. The challenge is yours and you will meet this challenge. You need some help in order to get this country back on an even keel.

Yes, we are passing through perilous times. We are in a critical era at home and abroad, but the challenge is not too great. We must sell Americanism. What can we do? Remain strong, and you are helping to do that. I never like to talk to any group and just be against something. I like to be for something, and I am thinking with you today what we might do about this situation. One thing we can do is to sell Americanism. A lady came dashing up to me not long ago in Savannah, Ga., at the De Soto Hotel, and said, "I want you to list for me the ways I can be against communism." Imagine that. She thought there was some hypothetical theory, some mathematical formula that she did not know about, a secret way to be against communism.

I did not write one thing on her tablet. I simply said, "You go back and be for Americanism. Be for the Constitution. Be for the Declaration of Independence. Be for the Bill of Rights. Be for a balanced budget. Be for sound money. Be for our private enterprise system. Be for a strong national defense."

We are not going to stop communism by being only against it. We must put something in the hearts and minds of the people of the world so communism cannot get in. That something is individual liberty and a belief in and a dedication to an omnipotent Being. Our form of government excels any in the history of the world. Our private enterprise system fostered by our Constitution has made the United States the arsenal of democracy and the hope of all free peoples.

Let me say this: People like to talk about how great and feared the Socialist society is, but let me remind my fellow Americans that when Guderian stood looking at the Kremlin from 13 miles away through his fieldglasses, it was your tanks, gunpowder, ammunition, uniforms, trucks and wheels, made by American private enterprise, that saved this society of which everyone seems to be so afraid. Let us rededicate ourselves to that free private enterprise system with the profit motive. I am proud of the profit motive and what it has done for this country. We have the highest standard of living in the world and the highest ever known by man.

So I came here today to congratulate you, to thank you for your fidelity, loyalty, and devotion to the United States, and to ask you to develop in your children and grandchildren the same traits of character that made General Nelson at Yorktown order the firing on his own house although he never received any remuneration for it.

Let us sell Americanism with the same zeal, know-how, finesse, and genius of public relations as we sell our automobiles, television sets, radios, and the other fantastic products of American industry. If the United States of America would do this we could win the cold war hands down. It would not even be a contest, if we just sell our Bill of Rights, the worth and dignity of man and the great system that our Constitution has fathered. We must sell it to the world, to our neighbors and friends, and the best way to do it as individuals is to tell our own children and grandchildren about it.

We must be strong, and so I commend you for the stand that you have always taken for a strong America, militarily, morally, and spiritually. We must rededicate ourselves as never before to the cause of freedom in this wonderful country, as espoused by the Founding Fathers.

Yesterday was Patriots Day in some of the New England States, commemorating Paul Revere's ride, commemorating the battles of Lexington and Concord. I wish more American flags would be flown at the homes of the people of this Nation on days commemorating the gallant deed of our forefathers. The Daughters of the American Revolution is doing its part to honor our heritage and secure the future through strength.

You know, of the beautiful 50-star U.S. flags that were flying on the birthday of George Washington, the Father of our Country, the greatest number across the country were in the homes of members of the Daughters of the American Revolution or those young people whom they have influenced, so I congratulate and commend you for your great efforts on the homefront.

We need your help to stand firm in South Vietnam. You can tell the American people why we are there and encourage them to persevere until victory. Should we withdraw, it will whet the appetite of our Red enemies for more aggression. Withdrawal will lead to world war III. Through victory in South Vietnam, we can make our greatest contribution to peace. Appeasement is the road to war and destruction of the world. We must learn the lessons of Munich, Manchuria, Ethiopia, and the Rhineland. Our boys are fighting in South Vietnam for peace. They are fighting for justice. They are fighting for a gallant and courageous people. They are fighting to prevent the spread of war and desolation. They need the love, understanding, support, and prayers of all the American people. You, the Daughters of the American Revolution, have kept alive those principles which enabled the Founding Fathers to pledge for liberty their lives, fortunes, and sacred honor. Our forefathers created a free nation. We can and will create a free world.

DEATH OF JAMES CHANEY, ANDREW GOODMAN, AND MICHAEL SCHWERNER AROUSED MORAL INDIGNATION OF THE ENTIRE COUNTRY

Mr. TODD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] may extend his remarks at this point in the RECORD and include extraneous matter .

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, a year ago, the Nation was outraged and appalled at the murder of civil rights workers James Chaney, Andrew Goodman, and Michael Schwerner, a brutal and despicable crime which thus far has gone unpunished.

Nothing, of course, can wipe out this tragic blot on our Nation. But the deaths of these three young men aroused the moral indignation of the entire country.

Millions who had been apathetic to the cause of civil rights joined the fight for equal rights to all in a surge of determination that brought about the civil rights bill, which will stand as a memorial to James Chaney, Andrew Goodman, and Michael Schwerner. Their deaths were not in vain.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. GREEN of Oregon (at the request of Mr. ALBERT), for today, on account of illness.

Mr. CHARLES H. WILSON (at the request of Mr. SISK), for June 14 through June 24, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. THOMPSON of Texas, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. LAIRD, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. EDMONDSON, for 30 minutes, on Thursday, June 24.

Mr. MATHIAS, for 30 minutes, today.

(The following Members (at the request of Mr. HUTCHINSON) and to revise and extend their remarks:)

Mr. ELLSWORTH, for 60 minutes, on June 28.

Mr. BATTIN, for 15 minutes, today.

Mr. HALPERN, for 5 minutes, on June 24.

Mr. QUIE, for 60 minutes, on June 28.

Mr. FOLEY (at the request of Mr. TODD, for 5 minutes, on June 24; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL

Record, or to revise and extend remarks was granted to:

Mr. Mahon to revise and extend remarks to be made by him today and to include therein pertinent extraneous matter, charts, and tables.

Mr. Fino.

Mr. Rogers of Florida.

Mr. Lipscomb to revise and extend his remarks during debate on the Defense Department appropriation bill, and to include tables and other extraneous matter.

Mr. Laird during general debate on the Defense appropriation bill for 1966 and to include charts, tables, and other extraneous matter.

(The following Members (at the request of Mr. Hutchinson) and to include extraneous matter:)

Mr. Devine.

Mr. Corbett.

Mr. Mathias in two instances.

(The following Members (at the request of Mr. Todd and to include extraneous matter:)

Mr. Hébert.

Mr. Moorhead.

Mr. Fascell.

Mr. Scheuer.

Mr. Sickles.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1796. An act to amend the Small Business Act to provide additional assistance for disaster victims.

ADJOURNMENT

Mr. TODD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 24, 1965; at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1255. A communication from the President of the United States, transmitting proposed supplemental appropriations for the Department of Labor for fiscal year 1966 (H. Doc. No. 211); to the Committee on Appropriations, and ordered to be printed.

1256. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated May 21, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the reports on San Diego River (Mission Valley), Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 3, 1959 (H. Doc. No. 212); to the Committee on Public Works and ordered to be printed with four illustrations.

1257. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated May 19, 1965, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey of Biscayne Bay, Fla., authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 213); to the Committee on Public Works and ordered to be printed with four illustrations.

1258. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 19, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the report on Jacksonville Harbor, Fla., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 9, 1957 (H. Doc. No. 214); to the Committee on Public Works and ordered to be printed with two illustrations.

1259. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 26, 1965, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study and an interim hurricane survey of the Atlantic Coast of New York City from East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, N.Y., authorized by the River and Harbor Act approved July 3, 1930, as amended and supplemented, and Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 215); to the Committee on Public Works and ordered to be printed with illustrations.

1260. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 21, 1965, submitting a report, together with accompanying papers and illustrations on an interim report on Gila River Basin, New River and Phoenix City streams, Ariz., authorized by the Flood Control Act approved June 28, 1938 (H. Doc. No. 216); to the Committee on Public Works and ordered to be printed with two illustrations.

1261. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 29, 1965, submitting a report, together with accompanying papers and an illustration, on a review of the report on Chocolate Bayou, Tex., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted June 30, 1960 (H. Doc. No. 217); to the Committee on Public Works and ordered to be printed with one illustration.

1262. A letter from the House of Representatives of Uruguay, Montevideo, Uruguay, transmitting a declaration expressing its protest against the landing of marines in the Dominican Republic; to the Committee on Foreign Affairs.

1263. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report involving suspension of deportation in the case of Yee Min Yow, also known as Gin Shew Ngin, A-14221280, pursuant to Public Law 87-885; to the Committee on the Judiciary.

1264. A letter from the Chairman, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report involving suspension of deportation in the case of Isabel Correa de Soto, A-12228471, pursuant to Public Law 87-885; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DULSKI: Committee on Post Office and Civil Service. H.R. 2035. A bill to provide for cost-of-living adjustments in star route contract prices; with amendment (Rept. No. 543). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government operations. Fourteenth report on proposed closing of public health service hospitals; without amendment (Rept. No. 544). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 433. Resolution for consideration of House Joint Resolution 541, joint resolution to extend the Area Redevelopment Act for a period of 2 months; without amendment (Rept. No. 545). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 434. Resolution for consideration of H.R. 4822, a bill to authorize the prosecution of a transit development program for the Nation's Capital region, and to further the objectives of the act of July 14, 1960; without amendment (Rept. No. 546). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 435. Resolution for consideration of H.R. 8926, a bill to provide for the coinage of the United States; without amendment (Rept. No. 547). Referred to the House Calendar.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 8715. A bill to authorize a contribution by the United States to the International Committee of the Red Cross; without amendment (Rept. No. 548). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 9355. A bill to amend the act of December 11, 1963, to extend the period during which Secret Service protection may be furnished Mrs. Jacqueline Bouvier Kennedy and her minor children; to the Committee on Post Office and Civil Service.

By Mr. CALLAN:

H.R. 9356. A bill to amend the Packers and Stockyards Act of 1921, as amended, and for other purposes; to the Committee on Agriculture.

H.R. 9357. A bill to permit Nebraska to obtain social security coverage, under its agreement with the Federal Government, for policemen and firemen in positions covered by a State or local retirement system and to validate the wages previously reported erroneously under such agreement for certain fireman covered by such a retirement system; to the Committee on Ways and Means.

H.R. 9358. A bill to validate, for purposes of social security coverage, wages reported erroneously, under the agreement with the State of Nebraska under section 218 of the Social Security Act, for certain firemen covered by a State or local retirement system; to the Committee on Ways and Means.

By Mr. FOGARTY:

H.R. 9359. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 9360. A bill to amend title 38 of the United States Code to provide that World War II and Korean conflict veterans entitled to educational benefit under any law administered by the Veterans' Administration who did not utilize their entitlement may transfer their entitlement to their children; to the Committee on Veterans' Affairs.

By Mr. HELSTOSKI:

H.R. 9361. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9362. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOELSON:

H.R. 9363. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MATHIAS:

H.R. 9364. A bill to amend the act of April 22, 1960, to authorize the Secretary of the Interior to acquire 600 additional acres at the Antietam Battlefield in the State of Maryland; to the Committee on Interior and Insular Affairs.

H.R. 9365. A bill to authorize appropriations to study the feasibility and desirability of reconstructing dam No. 6 on the Potomac River; to the Committee on Interior and Insular Affairs.

H.R. 9366. A bill to establish the Chesapeake and Ohio Canal National Historical Park, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROUDEBUSH:

H.R. 9367. A bill to provide for increases in the uniform allowances of Government employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SAYLOR:

H.R. 9368. A bill providing for the disposition of judgment funds of the Omaha Tribe of Indians; to the Committee on Interior and Insular Affairs.

By Mr. GERALD R. FORD:

H.R. 9369. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 9370. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. LAIRD:

H.R. 9371. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. RHODES of Arizona:

H.R. 9372. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. GOODELL:

H.R. 9373. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. POFF:

H.R. 9374. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. GROVER:

H.R. 9375. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 9376. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. YOUNGER:

H.R. 9377. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. STAFFORD:

H.R. 9378. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. NELSEN:

H.R. 9379. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H.R. 9380. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. SHRIVER:

H.R. 9381. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. ERLENBORN:

H.R. 9382. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. TALCOTT:

H.R. 9383. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 9384. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 9385. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 9386. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. CURTIN:

H.R. 9387. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H.R. 9388. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. JOHNSON of Pennsylvania:

H.R. 9389. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 9390. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. REIFEL:

H.R. 9391. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MIZE:

H.R. 9392. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DEVINE:

H.R. 9393. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. CALLAWAY:

H.R. 9394. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 9395. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. SKUBITZ:

H.R. 9396. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 9397. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. GRIFFIN:

H.R. 9398. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. WATSON:

H.R. 9399. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. HARVEY of Michigan:

H.R. 9400. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. LANGEN:

H.R. 9401. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DUNCAN of Tennessee:

H.R. 9402. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. BATES:

H.R. 9403. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MORSE:

H.R. 9404. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mrs. REID of Illinois:

H.R. 9405. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. SMITH of New York:

H.R. 9406. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MACGREGOR:

H.R. 9407. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mrs. BOLTON:

H.R. 9408. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. BROCK:

H.R. 9409. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 9410. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. RUMSFELD:

H.R. 9411. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 9412. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 9413. A bill to authorize payment of necessary medical expenses for the care and treatment of certain retired officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service Division, and for other purposes; to the Committee on the District of Columbia.

By Mr. COOLEY:

H.R. 9414. A bill to amend and extend the cotton provisions of the Agricultural Adjustment Act of 1938, as amended, and related legislation, and for other purposes; to the Committee on Agriculture.

By Mr. NIX:

H.R. 9415. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. BARING:

H.R. 9416. A bill to provide authority for the payment of certain amounts to offset certain expenses of Federal employees assigned to duty at the U.S. Atomic Energy Commission Nevada Test Site, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BERRY:

H.R. 9417. A bill to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FASCELL:

H.R. 9418. A bill to amend the Agricultural Marketing Agreement Act of 1937 to permit marketing orders applicable to celery, sweet corn, limes, or avocados to provide for paid advertising; to the Committee on Agriculture.

By Mr. JOHNSON of Oklahoma:

H.R. 9419. A bill to provide for a survey by the Secretary of the Interior to establish the route of the Chisholm Trail and for the establishment of markers to identify such route, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MEEDS:

H.R. 9420. A bill to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874; and for other purposes; to the Committee on Education and Labor.

By Mr. REINECKE:

H.R. 9421. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 9422. A bill to prohibit and make unlawful the hiring of professional strikebreakers in interstate labor disputes; to the Committee on Education and Labor.

By Mr. TENZER:

H.R. 9423. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of Louisiana:

H.R. 9424. A bill to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. VIVIAN:

H.R. 9425. A bill to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874; and for other purposes; to the Committee on Education and Labor.

By Mr. MURPHY of New York:

H.R. 9426. A bill to establish and prescribe the duties of a Federal boxing commission for the purpose of insuring that the channels of interstate commerce are free from false or fraudulent descriptions or depictions of professional boxing contests; to the Committee on Interstate and Foreign Commerce.

By Mr. BERRY:

H.J. Res. 543. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.J. Res. 544. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. McGRATH:

H.J. Res. 545. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H.J. Res. 546. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. SWEENEY:

H.J. Res. 547. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. TODD:

H.J. Res. 548. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. DENT:

H. Res. 432. Resolution to authorize the Committee on Education and Labor to conduct an investigation and study of the operation of elementary and secondary schools by Federal agencies; to the Committee on Rules.

By Mr. POWELL:

H. Res. 437. Resolution providing for consideration of the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

326. Mr. PRICE presented a memorial of the Senate of the 74th General Assembly of the State of Illinois in support of an amendment to the U.S. Constitution providing for a refund to each State of 10 percent of all Federal taxes collected therein without any restriction on the use of such refunds, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 9427. A bill for the relief of Fong Hong; to the Committee on the Judiciary.

H.R. 9428. A bill for the relief of Lucian Chin; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 9429. A bill for the relief of Sister Mary Sylvana (Maria Mattozi); to the Committee on the Judiciary.

By Mr. DYAL:

H.R. 9430. A bill for the relief of Nicholas B. Perry; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 9431. A bill for the relief of Silvio Tanzi; to the Committee on the Judiciary.

H.R. 9432. A bill for the relief of Mabel Brown; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 9433. A bill for the relief of Vilma Vagi; to the Committee on the Judiciary.

By Mr. KARSTEN:

H.R. 9434. A bill for the relief of Charles C. Beaury; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 9435. A bill for the relief of Aser and Sarah Ancselovits and Noa Dvora, Boaz and Jafa Ancselovits; to the Committee on the Judiciary.

By Mr. KING of Utah:

H.R. 9436. A bill for the relief of Mehdi Heravi; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 9437. A bill for the relief of Mufeed J. Shihadeh; to the Committee on the Judiciary.

H.R. 9438. A bill for the relief of Mrs. Marcella Ippoliti and her children, Miss Stafania Ippoliti and Master Franco Ippoliti; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 9439. A bill for the relief of Ruchama Lebel; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9440. A bill for the relief of Peggy Pei-chih Wang; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 9441. A bill for the relief of Ruben Gutierrez Sitson and his wife, Carmen D. Sitson; to the Committee on the Judiciary.

By Mr. SCHMIDHAUSER:

H.R. 9442. A bill for the relief of Ki Sook Jun; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 9443. A bill for the relief of Dr. Manohar U. Hasrajani; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 9444. A bill for the relief of Steven Han-Pum Cheung; to the Committee on the Judiciary.

H.R. 9445. A bill for the relief of Yee Yam Pong and his wife, Wong Kam Fong; to the Committee on the Judiciary.

By Mr. WALKER of New Mexico:

H.R. 9446. A bill for the relief of certain employees and former employees of the Department of the Interior, National Park Service, and for other purposes; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 9447. A bill for the relief of Mrs. Johanna Balogh; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 9448. A bill for the relief of Giuseppe Vitale; to the Committee on the Judiciary.

SENATE

Wednesday, June 23, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rabbi Abraham Chill, Congregation of Sons of Abraham, Providence, R.I., offered the following prayer:

Av Horachamim Shochen Bamromin.

God of mercy, who dwellest on high: In Thy fatherly care do we place our faith and our trust. Unto Thee our eyes are turned in humble supplication, and unto Thee our hearts are grateful for the abundance of blessings that Thou dost bestow upon us citizens of this great democracy.

Help us, O Heavenly Father, never to become casual, or to lose our sensibility, consciousness, and appreciation of Thy grace in permitting us to live and toil in a free and unshackled society. No greater gift can man ask; no greater gift can man receive.

O gracious Father, verily it was Thou who didst inspire man and give him the superlative intellect to solve the awesome mysteries in realms on high and in the areas beyond the horizon.

At the same time, we implore Thee to stir and move us to search for answers in the innermost recesses of our hearts, so that we may ferret out all vestiges of inhuman discriminations and unspeakable cruelties that are untenable in this advanced stage of civilization.

Finally, we ask Thy blessings upon the President and the Vice President of these United States, and upon our legislators. Concretize their aspirations to eradicate poverty and disease from this Nation of plenty. Crystallize their hopes for a tolerant society. Answer their prayers that accompany their efforts to bring serenity, sobriety, and peace to a confused and despairing world.

All this we ask in Thy name, O Thou who art above us. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 22, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries.

REPORT OF ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 218)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of section 10 of Public Law 358, 83d Congress, I transmit herewith for the information of the Congress the Annual Report of the St. Lawrence Seaway Development Corp., covering its activities for the year ended December 31, 1964.

Lyndon B. Johnson.

The White House, *June 23, 1965.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes, with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its amendment to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Harris, Mr. Rogers of Texas, Mr. O'Brien, Mr. Kornegay, Mr. Springer, Mr. Younger, and Mr. Nelsen were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 36) expressing the sense of the Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5497. An act to amend paragraphs b and c of section 14 of the Bankruptcy Act; and

H.R. 9220. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Delaware River Basin Commission, for the fiscal year ending June 30, 1966, and for other purposes.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 416) to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 1796) to amend the Small Business Act to provide additional assistance for disaster victims, and it was signed by the Vice President.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 5497. An act to amend paragraphs b and c of section 14 of the Bankruptcy Act; to the Committee on the Judiciary.

H.R. 9220. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Delaware River Basin Commission, for the fiscal year ending June 30, 1966, and for other purposes; to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 416) to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia, was referred to the Committee on Foreign Relations.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

SUBCOMMITTEE MEETINGS DURING SENATE SESSIONS

On request of Mr. Mansfield, and by unanimous consent, the Subcommittee on Labor of the Committee on Labor and Public Welfare, the Subcommittee on Constitutional Rights and the Subcommittee on Constitutional Amendments of the Committee on the Judiciary, and the Subcommittee on Intergovernmental Relations of the Committee on Government Operations were authorized to meet during the session of the Senate today.

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Health, Education, Welfare, and Safety of the Committee on the District of Columbia was authorized to meet during the session of the Senate today.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHURCH, from the Committee on Foreign Relations, without amendment:

S. 1903. A bill to amend the United Nations Participation Act, as amended (63 Stat. 734–736) (Rept. No. 360).

By Mr. CHURCH, from the Committee on Foreign Relations, with an amendment:

S.J. Res. 71. Joint resolution to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission (Rept. No. 361).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. 1760. A bill to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program (Rept. No. 362).

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment:

H.R. 7105. An act to provide for continuation of authority for regulation of exports, and for other purposes (Rept. No. 363).

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

H.R. 5988. An act to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes (Rept. No. 364).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. AIKEN:

S. 2178. A bill to establish the Robert Frost National Historic Site in the State of Vermont, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PROUTY:

S. 2179. A bill for the relief of Serafin Singla and Teresa Tornos Singla; to the Committee on the Judiciary.

By Mr. McGEE (for himself and Mr. Moss):

S. 2180. A bill to improve the safety of railroad transportation under the jurisdiction of the Interstate Commerce Commission; to the Committee on Commerce.

(See the remarks of Mr. McGEE when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Missouri:

S. 2181. A bill for the relief of Israel Giladi; to the Committee on the Judiciary.

By Mr. McGOVERN:

S. 2182. A bill to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MUNDT:

S. 2183. A bill to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JAVITS (for himself and Mr. MURPHY):

S. 2184. A bill to require clinical laboratories which transact business in interstate commerce to comply with minimum standards prescribed by the Surgeon General in the performance of laboratory procedures, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 2185. A bill to amend the act entitled "An act to establish eligibility for burial in national cemeteries, and for other purposes," approved May 14, 1948, so as to permit the parents of certain persons to be buried in national cemeteries; to the Committee on Interior and Insular Affairs.

By Mr. ERVIN:

S. 2186. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Bernard J. Campbell; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. MONTOYA):

S.J. Res. 92. Joint resolution authorizing the Secretary of the Interior to establish a memorial museum at Las Vegas, N. Mex., in honor of the Roosevelt Rough Riders; to the Committee on Interior and Insular Affairs.

IMPROVEMENT OF SAFETY OF RAILROAD TRANSPORTATION UNDER THE JURISDICTION OF THE INTERSTATE COMMERCE COMMISSION

Mr. McGEE. Mr. President, I introduce for appropriate reference, with my good friend the junior Senator from Utah [Mr. Moss], a bill to improve the safety of railroad transportation under the jurisdiction of the Interstate Commerce Commission.

This bill would do this by reducing the maximum permissible number of continuous hours that a railroad employee may work from 16 to 12. This bill would make it unlawful for any railroad to require or permit an employee to continue on duty after 12 consecutive hours or to go back on duty if he has not had at least 8 consecutive off-duty hours in the preceding 24-hour period.

Mr. President, it seems obvious to me that in a profession such as railroading where there is rapid movement and heavy equipment that the chance for accident and injury increases markedly when employees are fatigued from long hours of service. Therefore, I think this bill would go a long way toward promoting safety on the railroads and I hope it shall be given prompt consideration by the Congress. I would note that an exemption is provided for crews of wreck trains or relief trains, who may be allowed to remain on duty to clear the scene of a wreck or for other emergency duties.

Mr. President, I ask unanimous consent that this bill be held at the desk until July 9 so that any of my colleagues who so desire may join me in sponsorship.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Wyoming.

The bill (S. 2180) to improve the safety of railroad transportation under the jurisdiction of the Interstate Commerce Commission, introduced by Mr. McGEE (for himself and Mr. Moss), was received, read twice by its title, and referred to the Committee on Commerce.

REGULATION OF LABELING OF CIGARETTES

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Cigarette Labeling and Advertising Act".

FINDINGS

SEC. 2. The Congress hereby makes the following findings:

(a) A Federal program dealing with cigarette labeling and advertising is desirable to provide national uniformity in labeling and advertising requirements for the cigarette industry.

(b) The production, processing and distribution of cigarettes, the employment directly and indirectly resulting therefrom, and the revenues derived from taxes imposed thereon, affect commerce and the national economy.

DECLARATION OF POLICY

SEC. 3. It is the policy of the Congress, and the purpose of this Act, to establish a comprehensive Federal program to deal with cigarette labeling and advertising with respect to any relationship between smoking and health, whereby—

(a) the public may be adequately informed that cigarette smoking may be hazardous to health by inclusion of a warning to that effect on each package of cigarettes.

(b) Commerce and the national economy may be (i) protected to the maximum extent consistent with this declared policy and (ii) not impeded by diverse, nonuniform, and confusing cigarette labeling and advertising regulations with respect to any relationship between smoking and health.

DEFINITIONS

SEC. 4. As used in this Act—

(a) "Cigarette" means any roll of tobacco or other substance wrapped in paper or in any substance other than tobacco, and intended for smoking.

(b) "Commerce" means (1) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnson Island and any place outside thereof; (2) commerce between points in any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnson Island, but through any place outside thereof; or (3) commerce wholly within the District of Columbia, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnson Island.

(c) "United States," when used in a geographical sense, includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, and Johnson Island.

(d) "Package" means a pack or box, carton, or container of any kind in which cigarettes are offered for sale, sold, or otherwise supplied to consumers.

(e) "Person" means an individual, partnership, corporation, or any other business or legal entity.

(f) "Sale or distribution" includes sampling or any other distribution not for sale.

LABELING

SEC. 5. It shall be unlawful for any person to manufacture, import, or package for sale or distribution within the United States any cigarettes the package of which fails to bear the following statement: "Caution: Cigarette Smoking May Be Hazardous to Your Health." The foregoing statement shall appear in print contrasting to the background on either of the two side panels of the pack, or in the case of a cylindrical pack on the side thereof, in not less than ten-point type on a twelve-point body. In the case of boxes, cartons, or containers of any kind, other than the individual pack, containing cigarettes, the statement shall be printed in print contrasting to the background on a side in not less than twelve-point type on a fourteen-point base.

ADVERTISING

SEC. 6. Nothing herein contained shall be construed to limit or to expand the authority of the Federal Trade Commission with respect to the dissemination in commerce of any false or misleading advertisement of cigarettes, provided that the Commission shall not have authority in any proceeding under any statute administered by the Commission to require the inclusion in any advertisement of any statement with respect to smoking and health where the advertised cigarettes have been packaged in conformity with the labeling provisions of this Act. No Federal agency shall require any additional caution statement with respect to smoking and health on any package labeled in conformity with this Act.

PREEMPTION

SEC. 7. No caution statement with respect to smoking and health other than specified herein shall be required on any package. No caution statement with respect to smoking and health shall be required in advertising for cigarettes packaged in conformity with the labeling provisions of this Act.

CRIMINAL PENALTY

SEC. 8. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and shall on conviction thereof be subject to a fine of not more than $10,000.

INJUNCTION PROCEEDINGS

SEC. 9. The several district courts of the United States are invested with jurisdiction, for cause shown, to prevent and restrain violations of this Act upon the application of the Attorney General of the United States acting through the several United States attorneys in their several districts.

CIGARETTES FOR EXPORT

SEC. 10. Cigarettes manufactured, imported or packaged (a) for export from the United States or (b) for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue laws of the United States shall be exempt from the requirements of this Act: *Provided*, That such exemptions shall not extend to cigarettes manufactured, imported or packaged for shipment to United States military vessels or shore-based activities wherever such vessels or activities may be located.

SEPARABILITY

SEC. 11. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the other provisions of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

EFFECTIVE DATE

SEC. 12. This Act shall take effect one hundred and eighty days after the date of its enactment.

Mr. MAGNUSON. I move that the Senate disagree to the amendment of the House of Representatives, agree to the conference requested by the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. PASTORE, Mr. HARTKE, Mr. CANNON, Mrs. NEUBERGER, Mr. MCGEE, Mr. COTTON, Mr. MORTON, and Mr. SCOTT conferees on the part of the Senate.

PRINTING OF REVIEW OF REPORT ON REPLACEMENT OF CADDO DAM, LA. (S. DOC. NO. 39)

Mr. McNAMARA. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated April 13, 1965, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of reports on replacement of Caddo Dam, La., requested by a resolution of the Committee on Public Works, U.S. Senate.

I ask unanimous consent that the report be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The VICE PRESIDENT. Without objection, it is so ordered.

COINAGE OF THE UNITED STATES—AMENDMENTS

AMENDMENT NO. 287

Mr. SIMPSON (for himself, Mr. METCALF, Mr. CANNON, Mr. JORDAN of Idaho, Mr. MANSFIELD, and Mr. MOSS) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2080) to provide for the coinage of the United States, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 288

Mr. LAUSCHE submitted an amendment, intended to be proposed by him, to Senate bill 2080, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 289

Mr. MAGNUSON submitted an amendment, intended to be proposed by him, to Senate bill 2080, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 290

Mr. DOMINICK submitted an amendment, intended to be proposed by him, to Senate bill 2080, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 291

Mr. BIBLE. Mr. President, on behalf of myself and Senators FANNIN, JORDAN of Idaho, MCGEE, MAGNUSON, METCALF, MOSS, CANNON, CHURCH, BARTLETT, and GRUENING, I submit an amendment to Senate bill 2080, supra, and ask that it be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table; and, without objection, the explanation will be printed in the RECORD.

Mr. BIBLE. Mr. President, the proposed amendment would prohibit the exportation of U.S. coins with certain exceptions as provided in language adding a new section to section 211(a), chapter 18, of title 18, United States Code. The language is self-explanatory.

Here again S. 2080 gives the Secretary of the Treasury the authority to prohibit exportation of coins by regulation. It is believed desirable to prohibit exportation by law.

The world shortage of silver production as reflected in the following statistics as affecting the United States adversely during the year 1964:

[In millions of ounces]

Year	Imports	Exports
1960	56.1	26.6
1961	48.9	39.8
1962	76.4	13.1
1963	64.0	31.5
1964	54.0	99.0

The above table reflects a net deficit of 45 million fine troy ounces of silver during the year 1964. Whether this is caused by foreign nations' expanded industrial uses or by speculation is not known. Nevertheless, since the present law and S. 2080 still permit redemption of silver certificates in silver bullion, it is possible that sources in the United States could redeem silver certificates for silver bullion and export the silver.

If the free market price of silver rises above $1.2929 and $1.38, silver dollars and silver coins could be exported under present law and could be melted to the disadvantage of this Nation in its attempt to keep in circulation existing stocks of silver coins.

It is also interesting to note that the net deficit of silver did not occur until the Silver Purchase Act was repealed.

AMENDMENT NO. 292

Mr. BIBLE. Mr. President, on behalf of myself and Senators FANNIN, MCGEE, MAGNUSON, METCALF, MOSS, CANNON, CHURCH, BARTLETT, and GRUENING, I submit an amendment to Senate bill 2080, supra, and ask that it be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table; and, without objection, the explanation will be printed in the RECORD.

Mr. BIBLE. Mr. President, the proposed amendment would add a new section by amending section 212(a), chapter 17, of title 18, United States Code, entitled "Coins as Collateral for Loans." The amendment is self-explanatory.

It is a known fact that loans have been made where U.S. coins have been used as security. The proposed amendment would not prohibit the lending of money on bona fide collections of rare coins. The determination of rare coins would be left to the Secretary of the Treasury and would cause the Secretary to publish from time to time in the Federal Register a list of coins in the United states which, because of their rarity, have a value to bona fide collectors of coins in excess of their monetary value.

Such an amendment would stop much speculation in coins. Speculators, to the detriment of our coinage system, have secured loans and have advertised coins in excess of their monetary value for sale to the public. It is estimated that there are over 10 million coin collectors in the United States. Coins such as silver dollars have actually been advertised for sale by the bag containing 1,000 silver dollars. It is believed the great majority of the persons making such offerings are speculators. The result has caused the disappearance of the silver dollar in normal channels of trade. It is believed many of the silver dollars are in bank vaults with the speculators awaiting an opportunity to dispose of them at a profit. Advertisements are available which show definitely such loans have been made.

This practice could be controlled to a great extent if the amendment were adopted. It would at least stop those persons who are now advertising such sales as they would be fearful of the penalties.

Coins of a rare value are known to the coin collectors for they now have a book which is published annually, "The Red Book," which gives listings of value.

Subsidiary coins have also been bought and sold at a premium in excess of their value. Such sales have been made mostly to business concerns which demand large amounts of small coins to service their trade. It is believed there are ample coins to meet our present needs if the coins could be kept in circulation. Minting of coins has accelerated at a rapid rate in recent years and while the estimated figures on coins in circulation show a slight increase, the proposed amendment should be helpful in keeping our coins in circulation.

AMENDMENT NO. 293

Mr. BIBLE. Mr. President, on behalf of myself and Senators FANNIN, MCGEE, MAGNUSON, METCALF, MOSS, CANNON, CHURCH, BARTLETT, and GRUENING, I submit an amendment to Senate bill 2080, supra, and ask that it be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table; and, without objection, the explanation will be printed in the RECORD.

Mr. BIBLE. Mr. President, I consider the amendment to prohibit the melting of our coinage imperative. I do not feel we should give authority to the Secretary of the Treasury to stop the melting of coins by regulation. We should write it into this bill.

For one thing, melting of our coinage is already going on. This may come as a surprise to some. However, during the years from October 1942 until December 1945, the Mint manufactured nickels with silver content rather than nickel. This was done as nickel was in short supply during the war years. These nickels are now worth approximately 7½ cents when melted and the metals are recovered for sale.

To produce these nickels 48,699,548 troy ounces of silver were used. There is evidence the nickels are still being sought and are, in fact, being melted down.

I wish to bring to your attention an advertisement which was published in the Coin World, June 16, 1965. It is my understanding this publication has a readership well in excess of 100,000. The advertisement states:

> [From Coin World, June 16, 1965]
>
> Wartime nickels: Write for bag pickup prices between New York and Chicago or ship any amount, any condition, for an instantaneously airmailed $2.50 per roll. 65 tons received here since 1962. Many thanks, folks. Will continue buying unless an antismelting law becomes imminent. Bob Lamp, 1358 Cranford Avenue, Lakewood, Ohio.

Now, I am sure when this one purchaser of nickels points out that he will not buy if "antismelting" laws become effective, that this body should give consideration to my amendment to prohibit such practices.

I have received calls from other Senators' offices asking if my bill, S. 2036, would, in effect, put these operators out of business. It would, indeed, and so will the inclusion of an amendment prohibiting melting of coinage, if embodied in S. 2080.

The proposed attached amendment will add a new paragraph to section 331 of title 18, United States Code. This paragraph will prohibit the melting of any silver coins produced at the mints of the United States except as authorized by law. The Mint currently receives worn coins and remelts these coins, claiming the metals for usage in newly minted coins.

This amendment is believed necessary to preclude the melting of coins should the price of free market silver rise above $1.2929 per fine troy ounce.

Penalties would remain the same as provided in section 331 of title 18, United States Code; namely, "Shall be fined not more than $2,000, or imprisoned not more than 5 years, or both."

S. 2080 gives the Secretary of the Treasury in section 105(a), page 10, of the bill authority under such rules and regulations as he prescribes to prohibit melting of any coin. The attached amendment would prohibit the melting of coins by force of law.

Should the free market price of silver rise about $1.2929 per fine troy ounce, silver dollars could be melted and a profit could be realized. If the free market price should rise above $1.38 per fine troy ounce, subsidiary coinage, dimes, quarters, and half dollars, could be melted at a profit.

Our coinage should be maintained for the purpose it was intended and melting of coins should be prohibited by law. It is evident that some persons are speculating on an increase in the price of silver at the free market level. Silver dollars have, in less than 2 years, practically disappeared from circulation. Whether these dollars are being held for the purpose of melting to recover metals at a profit is conjecture. Nevertheless, melting of U.S. coins should be prohibited.

Questions have been raised as to the problem of enforcement. It is doubtful that the amendment prohibiting melting would be more difficult to enforce than present laws prohibiting defacement of coins. In any event it would act as a deterrent.

SECRETARY WIRTZ ENDORSES A NATIONAL REFERENDUM ON REPEAL OF SECTION 14 (b)—AMENDMENT

AMENDMENT NO. 294

Mr. PROUTY. Mr. President, yesterday morning Secretary of Labor Willard W. Wirtz testified before the Senate Committee on Labor and Public Welfare, which is holding hearings on the administration's proposal to repeal section 14(b) of the Taft-Hartley Act.

In the course of the hearing I asked Secretary Wirtz whether, in view of his belief that the majority of the American people favored repeal of section 14(b), he would be in favor of a national referendum on the issue.

Secretary Wirtz replied:

> I would be if that referendum could be held sufficiently quickly that it would not slow up what I consider to be the Congress discharge of its obligation at this point, and if that issue could be fairly posed so that it would be understood.

Then, after emphasizing the importance of an objective phrasing of the referendum question, the Secretary went on to say:

> I would think that a testing of the popular will would be a good thing, but again I say only if it could be done under circumstances and in time that would permit the discharge by the Government of what seems to me its obligation at this point.

Mr. President, I am delighted that Secretary Wirtz, the administration's chief spokesman on labor matters, has taken this position on the issue.

On Monday I submitted an amendment to S. 256 that provides for just such a national referendum on the repeal of section 14(b). My amendment, numbered 284, provides that repeal of section 14(b) by the Congress shall not go into effect until approved by a majority of those voting in a special national referendum to be conducted on November 2, 1965, or on some later date as fixed by the President.

The question to be presented to the voters in the referendum has been carefully designed to eliminate any possible bias in the statement of the proposition. It merely asks the voter to indicate his approval or disapproval of the congressional statute repealing 14(b) and making conforming changes. I am sure that stating the question in this form will satisfy Secretary Wirtz' condition that the question be stated without any "semantic overtones."

My amendment would also meet the Secretary's condition that action on section 14(b) be prompt. Under my amendment the entire issue would be settled by November 3—just 130 days from today.

Mr. President, I want to commend Secretary Wirtz for his endorsement, in principle, of a national referendum on section 14(b). Secretary Wirtz, like the junior Senator from Vermont, is not afraid to let the people speak. I share his faith that the American people will fairly and justly decide this matter, on which emotions have so often flared.

Mr. President, my amendment No. 284 to S. 256, which I submitted on Monday, contains some serious printing errors. I have accordingly prepared a corrected amendment, and ask that it be received and appropriately referred. I also ask that the original amendment No. 284 be withdrawn.

I also ask unanimous consent that the corrected amendment be printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, the amendment will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The amendment (No. 294) was referred to the Committee on Labor and Public Welfare, as follows:

On page 1, between lines 2 and 3, insert the following:

"TITLE I—UNION SECURITY AGREEMENTS"

On page 1, line 4, strike out the words "is hereby repealed" and insert in lieu thereof "is repealed upon the effective date of this Act as provided in section 102."

On page 1, line 5, strike out the word "The" and insert in lieu thereof the following: "Upon the effective date of this Act as provided in Section 102 the".

On page 2, lines 18 and 19, strike out the words "is hereby repealed" and insert in lieu thereof the following: "is repealed upon the effective date of this Act as provided in section 102."

At the end of the bill insert the following:

"SEC. 102. The first title of this Act shall take effect only if the qualified voters of the several States signify their approval of this Act in the national referendum provided by title II. If the qualified voters of the several States signify their approval in such referendum the first title of this Act shall become effective on the day on which the results of such referendum are declared under section 211 of this Act.

"TITLE II—NATIONAL REFERENDUM

"SEC. 201. (a) Each State is requested to conduct a referendum for the purpose of ascertaining whether the qualified voters of such State approve the provisions of the first title of this Act. Such referendum shall be conducted by each State consenting so to do at an election which shall be held in such State on November 2, 1965, or at such later date as the President may select.

"(b)(1) As used in the remaining sections of this title, the term 'referendum' when used in reference to any State means the national referendum referred to in section 102 insofar as it is conducted within the jurisdiction of such State.

"(2) As used in sections 202, 203, and 204, the term 'State' means only a State which consents to conduct the referendum within its jurisdiction.

"SEC. 202. Each State shall be entitled to reimbursement for the expenses incurred by it in conducting the referendum. Reimbursement shall be made in the manner provided by section 211.

"SEC. 203. Except as otherwise specifically provided in this title, the referendum shall be conducted in each State according to the election laws and regulations of such State. Any State the constitution or laws of which authorize the submission of State laws to the voters of such State for their approval or disapproval may conduct such referendum in the same manner as referendums conducted with respect to its State laws. Each State, through its legislature or the proper State officers, shall be the sole judge of the manner of conduct of the referendum within its jurisdiction.

"SEC. 204. The qualified voters in the referendum in each State shall be the persons in such State who are qualified to vote for Representative in the House of Representatives of the United States.

"SEC. 205. (a) The Governor of each State which consents to conduct the referendum shall so notify the President before September 1, 1965, or before such later date as the President may select. The President shall provide for the conduct of the referendum, in the manner provided in this section, in any State which does not consent, or is unable, to conduct the referendum. The referendum shall be held in any such State on the same day on which it would be held under section 201 if it were conducted by such State.

"(b) The President may provide for the conduct of the referendum in any State or States under this section—

"(1) by any department or agency of the Federal Government, or

"(2) by a commission established for such purpose under the authority of subsection (c).

Subject to the provisions of subsection (e), the referendum conducted in any State under this section shall be conducted pursuant to such rules and regulations as the President may prescribe.

"(c) The President is authorized to establish a commission to conduct the referendum in any State or States which do not consent, or are unable to conduct it. Any commission established pursuant to this subsection shall be composed of an even number of members and not more than one-half of the members shall be of the same political party. The President shall designate one of the members as chairman of the commission.

"(d) The President shall have such powers as may be necessary to enable him to carry out the duties and functions imposed on him by this section, including the power—

"(1) to appoint such experts, consultants, and other employees as may be necessary, and

"(2) to make such expenditures as may be necessary. The President is authorized to delegate any of the powers conferred upon him by this subsection to any department or agency designated by him to conduct the referendum in any State, or to any commission established under subsection (c).

"(e) Except as otherwise specifically provided in this title, the referendum conducted in any State under this section shall be conducted, insofar as possible, in conformity with the election laws and regulations, and the referendum laws and regulations, if any, of such State. The qualified voters in the referendum in any such State shall be the persons who would be qualified voters if the referendum were conducted by such State. Such State is requested to furnish lists of such qualified voters to the President, and shall be entitled to reimbursement, out of funds appropriated to the President under section 212, for expenses incurred in furnishing such lists. If such State refuses, or is unable, to furnish lists of such qualified voters, the determination as to the qualifications of any person to vote in the referendum in such State shall be made pursuant to rules and regulations prescribed by the President.

"SEC. 206. (a) The Joint Committee on Printing shall have printed by the Government Printing Office copies of this Act, and copies of provisions of any laws amended by the first title of this Act in which the amendments thereto shall be indicated in boldface type. Such copies shall be in such form and style as to be suitable for exhibition at the polling places in the States for the information of the persons voting in the referendum.

"(b) The Joint Committee on Printing shall furnish to each State which conducts the referendum such number of the copies of this Act and of provisions of any laws amended by the first title of this Act printed pursuant to subsection (a) as each State may request. The Joint Committee shall furnish to the President, for use in any State or States in which the referendum is conducted under section 205, such number of such copies as the President may request.

"(c) Each State which conducts the referendum is requested to exhibit, in conformity with the laws of such State, at the polling places at which voting in the referendum is conducted such number of the copies of this Act and of provisions of any laws amended by the first title of this Act printed pursuant to subsection (a) as may be necessary for the information of the persons voting in the referendum.

"SEC. 207. The form of the question to be presented at the referendum shall be substantially as follows:

" 'The Congress of the United States has enacted a law to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

" 'This law is divided into two titles, the second of which relates to this referendum. The law provides that the first title which repeals and amends certain provisions of the National Labor Relations Act, as amended, and certain provisions of the Labor-Management Reporting and Disclosure Act of 1959 shall take effect only if approved by the qualified voters of the several States in this referendum.

" 'Indicate by making a cross X in the proper square (or by pulling the proper lever) whether you approve or disapprove of the first title of the new statute which repeals section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and which amends the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

" 'Approve________________________________ ☐

" 'Disapprove_____________________________ ☐'

"SEC. 208. (a) At the request of the Governor of any State, the Attorney General shall assign agents or employees of the Federal Bureau of Investigation to such of the polling places in such State as the Governor thereof may designate.

"(b) In any case in which the President deems it necessary or advisable, the Attorney General shall assign agents or employees of the Federal Bureau of Investigation to such of the polling places in any State as the President may designate.

"(c) It shall be the duty of any agent or employee of the Federal Bureau of Investigation assigned to any polling place under subsection (a) or (b)—

"(1) to observe the conduct of the referendum at such polling place.

"(2) to observe the counting and tabulation of the votes cast in the referendum at such polling place, and

"(3) to submit a report to the Attorney General with respect to the duties imposed on him by paragraphs (1) and (2).

"(d) Each agent or employee of the Federal Bureau of Investigation assigned to any polling place under subsection (a) or (b) shall be given access to such polling place and the place where votes cast in the referendum at such polling place are counted and tabulated in order that he may carry out the duties imposed on him by paragraphs (1) and (2) of subsection (c); but no such agent or employee shall interfere in the conduct of the referendum, or of the election in conjunction with which such referendum is held, by the State officials, or in the counting and tabulating by such officials of the votes cast in the referendum.

"(e) The Attorney General shall furnish to the Governor of any State in which agents or employees of the Federal Bureau of Investigation are assigned under subsection (a) or (b) a copy of the reports submitted to him under subsection (c)(3) by the agents or employees assigned in such State.

"(f) The Attorney General is authorized, for the purpose of carrying out the duties imposed on him by subsections (a) and (b), to appoint, without regard to the civil service laws and regulations, such temporary employees as may be necessary, and to fix their compensation in accordance with the Classification Act of 1949, except that the rate of compensation of such number of such temporary employees as he determines necessary may be fixed at rates not in excess of $75 per day.

"(g) The Attorney General shall, before January 10, 1966, or such later date as the President may select, submit a report to the Congress with respect to the duties imposed on him by his section, which shall contain a summary of the reports submitted to him pursuant to subsection (c)(3).

"SEC. 209. (a) The Governor of each State which conducts the referendum shall certify the results of the referendum conducted in his State to the President of the Senate before January 10, 1966, or before such other date as the President of the United States may select.

"(b) The President of the United States shall certify the results of the referendum conducted in any State or States under section 205 to the President of the Senate before January 10, 1966, unless by his direction the referendum provided for in this Act is held at a date later than November 2, 1965, in which case the President may select a date on which he is to certify the results of the referendum to the President of the Senate.

"SEC. 210. (a) The Senate and the House of Representatives shall assemble in a joint meeting in the Hall of the House of Representatives on January 15, 1966 (or at such date as the President may select), at which the certificates from the Governors of the States, and from the President, shall be opened, read, and the results thereof tabulated. The President of the Senate and the Speaker of the House of Representatives, acting jointly, shall declare the results of the referendum.

"(b) If a majority of the votes cast in the referendum approve of the first title of this Act, such title shall become effective on the date on which the declaration of the President of the Senate and the Speaker of the House of Representatives is made.

"(c) If a majority of the votes cast in the referendum disapprove of the first title of this Act, such title shall not become effective.

"SEC. 211. Each State which conducts the referendum may through its proper State officer, request reimbursement of the expenses incurred by it in conducting the referendum by submitting a statement of such expenses to the chairman of the Committees on Appropriations of the Senate and House of Representatives. Such requests shall be reviewed and allowed by the Committees on Appropriations of the Senate and House of Representatives, acting jointly, and shall be certified by the chairmen of the two committees acting jointly, to the Secretary of the Treasury for payment out of moneys appropriated therefor pursuant to section 212.

"SEC. 212. There are authorized to be appropriated to the President such sums as may be necessary to enable him to carry out the duties and functions imposed on him by section 205. There are authorized to be appropriated to the Joint Committee on Printing such sums as may be necessary to enable it to carry out the provisions of section 206, including such sums as may be necessary to reimburse the Government Printing Office for expenses incurred by it under such sections. There are authorized to be appropriated to the Attorney General such sums as may be necessary to enable him to carry out the provisions of section 208. There are authorized to be appropriated to the Secretary of the Treasury such sums as may be necessary to reimburse the States pursuant to section 211 for expenses incurred in conducting the referendum.

"SEC. 213. For purposes of this Act the term State shall include the District of Columbia; and any reference to the Governor of a State shall in the case of the District of Columbia mean the Board of Commissioners of the District of Columbia."

EXTENSION OF TIME FOR BILL TO LIE ON THE DESK FOR ADDITIONAL COSPONSORS

Mr. COOPER. Mr. President, I am pleased that several Senators have expressed interest in the bill I introduced last Friday to provide $10,000 in Government life insurance for members of the armed services serving in combat zones so designated by the President since January 1, 1962, such as Vietnam, the Dominican Republic, and other areas.

I ask unanimous consent that the bill I introduced on Friday, S. 2158, lie at the desk for additional cosponsors through Monday, June 28.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL

Mr. McGEE. Mr. President, I ask unanimous consent that at the next printing of the bill I introduced, S. 2051, to provide tax relief on income from Indian trust lands to Indians, that the names of the junior Senator from Wyoming [Mr. SIMPSON] and the junior Senator from South Dakota [Mr. McGOVERN] be added as cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF AMENDMENT NO. 276

Under authority of the order of the Senate of June 15, 1965, the names of Mr. BREWSTER, Mr. COTTON, Mr. ERVIN, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. McINTYRE, and Mr. TYDINGS were added as additional cosponsors of Amendment No. 276, intended to be proposed by Mr. PASTORE (for himself and other Senators) to the bill (S. 2080) to provide for the coinage of the United States.

NOTICE OF PUBLIC HEARINGS ON THE VIENNA CONVENTION

Mr. CHURCH. Mr. President, as chairman of a subcommittee of the Committee on Foreign Relations appointed to consider the Vienna Convention on Diplomatic Relations, I wish to announce that the subcommittee will hold public hearings on this convention on July 6. The other members of the subcommittee are the senior Senators from Pennsylvania and Kansas [Mr. CLARK and Mr. CARLSON].

The Vienna Convention has been pending, before the Senate since 1963. It concerns the status of diplomatic representatives and sets forth their privileges and immunities and the rights and obligations of the state on whose territory they perform their functions.

All persons interested in presenting testimony on the Vienna Convention are requested to make arrangements with the chief clerk of the Committee on Foreign Relations.

NOTICE OF PUBLIC HEARINGS ON CERTAIN INTERNATIONAL ORGANIZATION MATTERS

Mr. CHURCH. Mr. President, I wish also to announce that a public hearing will be held by the subcommittee on Wednesday, June 30, 1965, on S. 2031, concerning contributions to the International Council of Scientific Unions and certain associated unions, and S. 2072, concerning a contribution to the International Red Cross.

Persons interested in presenting testimony on these bills should make arrangements with the chief clerk of the Committee on Foreign Relations.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 23, 1965, he presented to the President of the United States the enrolled bill (S. 1796) to amend the Small Business Act to provide additional assistance for disaster victims.

TWO MONTANA ATTORNEYS HONORED

Mr. MANSFIELD. Mr. President, I was very pleased to learn this morning that two Montana lawyers have been cited for their oustanding service by the Montana Bar Association.

David R. Mason, Montana State University law professor, was selected for the Montana Bar Association Award "for services rendered in connection with a specific project completed during the year." Mason received the award for his work as chairman of the Advisory Committee on Rules of Civil Procedure to the Montana Supreme Court.

David Mason is one of Montana's most respected and patriotic citizens, a man of great integrity and courage. The award is most deserving, and I wish to add my name to the long list of friends who are extending congratulations to David Mason at this time.

Also, the Montana Bar Association has given a special commendation to Emmett C. Angland, of Great Falls, a friend of long standing. Emmett has been active in the work of both the Montana and American Bar Associations and was lauded for reflecting "great credit to all the lawyers of the State of Montana." This is another deserving award, and I wish to extend my personal good wishes to Emmett Angland.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks in the CONGRESSIONAL RECORD a news story and editorial which appeared in the June 20 issue of the Great Falls Tribune.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the Great Falls (Mont.) Tribune, June 20, 1965]

Two Attorneys Are Honored by State Bar Association

Two Montana lawyers cited for outstanding service to the law profession in this State were honored Saturday by members of the Montana Bar Association in afternoon sessions of the MBA convention at Hotel Rainbow.

David R. Mason, Montana State University law professor who occupies the William Wirt Dixon chair at MSU and who has twice served as dean of the law school, received the first Montana Bar Association Award "for services rendered in connection with a specific project completed during the year."

Emmett C. Angland, Great Falls attorney and nominee as a member of the Board of Governors of the American Bar Association for the 13th District, was commended by the association in a special resolution for reflecting "great credit to all of the lawyers of the State of Montana."

Mason's award was given for his work as chairman of the advisory committee on rules of civil procedure to the Supreme Court of Montana. That committee completed and submitted this year the proposed Montana rules of appellate procedure.

Mason also worked with the same committee on the adaptation of Montana rules of civil procedure for the district courts. A plaque honoring Mason for his work and 30 years of service to the legal profession is being prepared by the MBA, Chief Justice James T. Harrison, chairman of the selection committee, stated.

Members of the selection committee, in addition to Harrison, include U.S. District Judges W. D. Murray and William J. Jameson, and delegates to the ABA, Kendrick, Smith, and Angland.

[From the Great Falls (Mont.) Tribune, June 20, 1965]

Attorneys Pay Well-Deserved Tribute to Law School's David R. Mason

Thousands of Montanans who respect David R. Mason, Montana State University law professor, must be delighted that he was honored by his fellow Montana attorneys in Great Falls Saturday.

Many of the attorneys at the Montana Bar Association convention which honored Mason were Mason's former students. Many others worked closely with him on legal matters.

Mason, who served twice as dean of the highly respected MSU School of Law, received the first Montana Bar Association award "for services rendered in connection with a specific project completed during the year."

The award was presented to Mason for his work as chairman of the advisory committee on rules of civil procedure to the Montana Supreme Court. That committee completed and submitted the proposed Montana rules of appellate procedure this year.

Mason also worked on the adaptation of Montana rules of civil procedure for the district courts. A plaque honoring Mason for his work and 30 years service to the legal profession is being prepared by the Montana Bar Association.

The honors accorded Mason Saturday were well earned. They also are especially significant at this time. Despite his long years of loyal and dedicated service to the MSU School of Law and his statewide recognition as a man of integrity and courage, Mason was the target last winter of a smear campaign by rightwing fanatics who questioned his patriotism. They attempted to smear his reputation with the university and the Montana Legislature.

The smear attempts boomeranged and merely caused Mason's friends throughout the State to rally to his side.

Great Falls can be proud of another honor the Montana Bar Association awarded Saturday. Emmett C. Angland, Great Falls attorney who is a nominee as a member of the board of governors of the American Bar Association, was given a special commendation. The bar association passed a special resolution lauding Angland for reflecting "great credit to all the lawyers of the State of Montana."

THE 25TH INFANTRY DIVISION—SHOTGUNNER

Mr. INOUYE. Mr. President, if, by chance, you need to have your faith restored in the youth of America—cast your eyes toward my home State and the military forces stationed there.

Within the 25th Infantry Division, there is an elite corps of officers and men carrying on the finest traditions of the American fighting man. They are called shotgunner by their friends, and a far worse name by the Vietcong they volunteer to fight.

Their official title—aerial flight augmentation crewman, their job—protection of the helicopter in which they fly, using a specially mounted M-60 machinegun over the dense jungle in South Vietnam.

In a recent talk with Maj. Gen. Frederick Weyand, the division commander, I find that in the past 2 years, almost 2,000 officers and men of the Hawaii-based unit have volunteered to leave their safe and secure home on Oahu and expose themselves to the rigors and hardships of war in Vietnam—including the personal dangers that have taken the lives of a number of these young American men.

A particularly interesting aspect of all this is that many, many more than the number required have volunteered. Those men accepted, serve for 90 days of active combat and they are permitted to return as volunteers only in exceptional cases.

Three hundred and fifty are in South Vietnam right now.

There is an interesting story behind the evolution of shotgunner. In January 1963, the U.S. Military Assistance Command, Vietnam, requested combat trained men to protect their vulnerable HU-1 helicopters. This relatively slow craft is a basic means of transportation over jungles and presents an excellent target to Vietcong small arms fire.

Helicopter crewman and mechanics were working round the clock and needed to have relief from the protection requirement. The Tropic Lightning Division met this need then, and continues to meet it now.

Originally the gunners sat in the open door and fired automatic and semiautomatic rifles at their fleeting targets, The American ingenuity took over and the machinegun was soon mounted on various prototype straps and mounts until today a standard fixed mount is used quite effectively.

But the Vietcong are also effective and over a hundred of these young men have been wounded or killed as their personal sacrifice for the freedom we enjoy today. These figures and the practical dangers they reflect have not been kept from the men of that division, yet, every 3 months the 25th Division has more volunteers than there are requirements to meet—Why? A recent detailed survey was taken among several hundred of these young men to determine "why." Why would these young men volunteer to move to the frontiers of freedom.

The answer turned out to be a clear desire to make a tangible and personal contribution toward a better world for the future. It was not money or a killer instinct, or a desire for personal aggrandizement—it was the same desire to become personally and individually involved in a great cause that has motivated the American patriot of the past. The citizen soldier who has made this country what it is; who has made education a right rather than a privilege and who has given us these very freedoms we see being flaunted by some today.

To their soldier buddy this is understandable—American fighting men have been doing this for years.

Following getting his name on the volunteer list the men are organized into teams with a lieutenant or captain in command. They are immediately pressed into an accelerated 4-week training phase that has as its theme, "to kill a tiger, learn the ways of a tiger."

And learn they must for there are alternates selected that train and any inattention to duty results in being cut from the program.

Physical training, assembly and disassembly of all small arms, first aid, survival in the jungle, marksmanship, handicrafts, and rappelling are included in their rapid pace training.

This is hard training. The product—a tough, well-informed aerial machinegunner who knows that once in Vietnam his day starts before dawn loading his "chopper" and ends after the last machinegun is cleaned and the last helicopter refueled and not before.

Since 1963, these men have won almost 2,000 combat awards and decorations. So far in 1965, over 600 combat decorations have been presented to the division's soldiers. Typical of the immediate entry into combat, one soldier in Shotgun III spent his 19th birthday, in a hospital bed, nursing a wound received after being in Vietnam just 2 days. The skeptic might step in and say, "Well, they're doing it for glory." If so, why then did over 100 volunteer to extend their stay to be perimeter guards around the airfield—no glory, no combat assaults, just sitting in cramped foxholes and machinegun emplacements staying awake half the night; securing the area until the Marines first group arrived. There is no glory in pulling guard duty.

When the number of helicopter companies in Vietnam was increased there was no problem getting men to man their chopper's machineguns—the group that was scheduled to return to Hawaii was canvassed and all the spaces were quickly filled with volunteers.

These are not all Regular Army soldiers—veterans of World War II or

Korea. Some are, of course, but for the most part they are just the boys down the street who after their basic training and assignment to Hawaii received the proper orientation—they know who the enemy of world freedom is because during their command information classes they have had Communist aggression in the last 30 years charted for them. They believe in what they are doing—and as the 25th Infantry Division motto states, they are "Ready To Fight, Anywhere! Anytime!"

INDUSTRY JOURNAL ENDORSES REAPPOINTMENT OF JOSEPH SWIDLER AS CHAIRMAN OF FEDERAL POWER COMMISSION

Mr. DOUGLAS. Mr. President, the fact that at least two industry journals have now endorsed the reappointment of Joseph Swidler as Chairman of the Federal Power Commission is a remarkable tribute to his leadership, hard work, and outstanding capabilities. In the last 4 years, he has done an outstanding job; and I am heartened to find that this is acknowledged by the industries which are under the jurisdiction of the Commission.

The June 21 issue of the Electrical World includes an editorial in which it is stated that Mr. Swidler "stands head and shoulders above most of the men who have occupied the chairs of the Federal Power Cmmission over the past 20 years."

I do not agree with the editorial's criticisms of his defense of the public interest; nonetheless, the editorial is an important tribute to Mr. Swidler.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SWIDLER'S CONTRIBUTIONS TO THE ELECTRIC UTILITY INDUSTRY

The 4-year term of Federal Power Commission Chairman Joseph Swidler expires this week. At this writing we do not know whether President Johnson will see fit to reappoint Swidler, or whether Swidler would accept if asked.

During his term, Swidler has made several constructive and substantial contributions to the electric utility industry.

He evidenced leadership and persistence in producing the National Power Survey which ranks as a most worthy achievement. Bringing together the various elements of the industry to labor on this report was a considerable task and has paved the way for wider cooperation in the years ahead. The mere conduct of the survey, we believe, encouraged constructive steps by the industry in the field of system interconnection and power pooling.

Swidler also provided the impetus for a more coordinated and better organized research and development effort on the part of the industry. While this research and development program is just getting started as a joint effort, it does appear that firm foundations have been laid pointing to a lasting contribution.

In the field of more conventional regulation, Swidler has gained the reputation of being forthright and aggressive. While the investor-owned utilities were displeased with his stand on the High Mountain Sheep licensing decision, his position was understandable. Also his stand against interference from the Interior Department was refreshing.

On the other side of the ledger, Swidler has pursued several courses of action that we believe are inimical to the long-range best interests of Federal regulation and the utility industry. This may be classed roughly as "empire building." They include Swidler's determination to expand the jurisdiction and the activities of the FPC in areas that infringe on the management prerogatives of utilities, both investor-owned and Government financed. For instance, he had sought to bring a sizable number of utilities under FPC jurisdiction which should remain under State or local jurisdiction. This reach for power by Swidler has been so blatant as to give rise in Congress to legislation which would more clearly define the perimeters of Federal jurisdiction.

Swidler has also sought funds and authority from Congress that would greatly enlarge, and in some instances, change the character of FPC authority over interconnections, steam plants and over accounting and rate matters. He also has sought court endorsement for expanding FPC jurisdiction over pumped-storage installations.

Thus far Congress has been able to keep in check some of these expansionist tendencies of Swidler, and we would certainly hope that it will continue to do so.

But weighing Swidler's contributions to the industry against his inclination to intrude unwarrantedly, we believe he has achieved an outstanding record as a regulator and public servant. From our point of view, he stands head and shoulders above most of the men who have occupied the chairs of the Federal Power Commission over the past 20 years.

THE INDIANA DUNES—ANOTHER MAJOR STEP TOWARD CONSERVATION

Mr. GRUENING. Mr. President again, at this session of Congress, the Senate has passed proposed legislation providing protection and preservation of the Indiana dunes for the greater benefit of the people of this generation and those to come who will find enjoyment in this uniquely beautiful place.

Since my first term as a Member of this body, I have consistently cosponsored and supported the Indiana dunes legislation. Representing the Public Lands Subcommittee of the Senate Committee on Interior and Insular Affairs, I conducted on-the-site hearings in Indiana in June of 1960. The Senator from Utah [Mr. Moss] participated in those hearings. Wherever possible, I have contributed my efforts to those of other Senators, by holding hearings on the bills as they have been introduced and referred to the Subcommittees of the Senate Interior and Insular Affairs, and by adding my support of the Indiana dunes proposals at every meeting at which discussion of them has been held. I have inspected the area sought to be preserved by means of different versions of the proposed legislation; and, as a result of these inspections I have become ever more firmly convinced of the importance of saving the dunes.

Thus, it is a source of great satisfaction to me that the Senate has, again, passed the Indiana dunes bill, at this session as S. 360.

I hope the House will act soon, and favorably, on the bill, and that this Congress will be remembered for having taken the action making possible an Indiana Dunes National Lakeshore.

When such action has been completed by Congress, and funds with which to acquire the lands to be preserved have been provided, the people of the Nation will have yet another protected place in which to find the recreational pleasures of beautiful outdoor surroundings, enhanced by clear, fresh water. The Indiana Dunes Lakeshore will be especially valuable, because it is located near the massive centers of industrial population in Chicago and in nearby parts of Indiana. It has been estimated that the Indiana dunes will provide a vacation and recreation area for more than 6 million people in this crowded metropolitan region. If the dunes are not preserved, these great masses of people will be deprived of land and water essential to their welfare, now and in the future.

As was pointed out during the debate on Monday of Senate bill 360, Indiana dunes is but one of a galaxy of national parks, seashores, and lakeshores that have been authorized during recent sessions of Congress, and have been, or should be, established by legislation now pending. During the 87th and 88th sessions of Congress, I was among those who were happy to see enacted the legislation establishing national seashores at Cape Cod, Point Reyes, and Padre Island, and subsequently at Fire Island National Seashore, in New York. At this session we have completed action in the Senate on the Bighorn Canyon National Recreation Area, and the Assateague Island National Seashore. I look forward to action which will establish the others called for by the President in his message on natural beauty—Tocks Island, in New Jersey and Pennsylvania; Cape Lookout National Seashore, in North Carolina; Sleeping Bear Dunes National Lakeshore, in Michigan; Oregon Dunes National Seashore, in Oregon; Great Basin National Park, in Nevada; Guadalupe Mountains National Park, in Texas; Spruce Knob, and Seneca Rocks National Recreation Area, in West Virginia; Flaming Gorge National Recreation Area, in Utah and Wyoming; and the Whiskeytown-Shasta-Trinity National Recreation Area, in California.

I shall be happy to support all of them as I have already supported Oregon dunes.

The imaginative concepts fostering the establishment of these great outdoor recreation areas represent a modern development of the great plans for conservation which developed in the latter part of the 19th century and the earlier years of this century, and which resulted in the preservation of our great national parks and monuments, largely located in the Western States. In earlier days, the preservation of places of natural beauty, for the enrichment of the life of the Nation, was largely accomplished by means of the reservation of sites in the public domain—a wise and constructive use of our resources of nature, which has contributed much to the welfare of the people.

Today, we recognize our national necessity for acquiring and preserving places of natural beauty for recreational resources to be used by the masses of people clustered in enormous centers of population. The seashores and recreational areas we have created in the last 5 years, and which, we hope, will shortly become realities, are located where they are desperately needed. The masses of our population are in urban areas; and these are the areas where every day sees the loss forever of more and more places of natural beauty to the physical needs for housing and the accommodation of our onrushing avalanche of population. The time is late and the need is urgent for selection and preservation of locations for outdoor recreation accessible to people. A recent publication of the Citizens Committee for the Outdoor Recreation Resources Review Commission Report reminds us that by the year 2,000, our population will nearly double; and this, with increasing leisure time, will cause a threefold increase in the demands for outdoor recreation.

The preservation of beauty in the midst of urban blight is as much a necessity for the people of this country as is the economic progress which brings with it an increasing realization of human requirements for this natural resource. As one who has always been a fervent conservationist, I applaud the wise proposals to preserve and, where necessary, to acquire land to satisfy the need of humans for enjoyment of outdoor recreation. This is a form of conservation which truly meets the needs of people; and this is, I believe, the purpose of successful conservation.

In my great State of Alaska, we have the most superb outdoor recreational sites in the Nation.

Our three great National Parks and Monuments—Katmai, Glacier Bay, and Mt. McKinley—are superlative as scenery and for their wildlife resources, Sitka National Monument is of great value historically, and its setting is no less entrancing. All of them will increasingly attract visitors, and deservedly so. Alaskans, more than any other people, understand the values of natural resources of beauty. The dramatic scenery of our great virgin forests, the mighty mountains rising out of the sea, our glaciers and our unspoiled lakes and rivers are priceless resources that are fully appreciated by Alaskans.

In addition to having the privilege of enjoying the grandeur of our scenery, Alaskans are fortunate, beyond the imagination of inhabitants of crowded urban areas, in having all this beauty close at hand. The vastness of our land area—586,400 square miles, as big as Texas, California, and Montana altogether—is a priceless asset to a land-hungry Nation.

The increasing population of America will, we know, soon be surging to our State, as it has, in the past, settled and developed the great western plains and mountains. We welcome these new Alaskans, and we look for more and more of them to develop our State and to bring the economic progress which is sure to come with the wise use of our natural resources for human progress.

Meanwhile, we sympathize with the needs of urban communities not blessed with an abundance of natural beauty and outdoor-recreation resources. We want to help our fellow citizens preserve and acquire the land they need for recreation and for the enjoyment of nature in the heavily populated cities and States where this is a scarce commodity, disappearing fast.

Again, I express my pleasure at the action of the Senate in passing the Indiana dunes bill; and I look forward to ever-greater accomplishments by means of the enactment of similar measures.

NEED GROWS DAILY FOR A LAW TO COMPENSATE VICTIMS OF CRIME

Mr. YARBOROUGH. Mr. President, on June 20, a 24-year-old secretary was raped and robbed in her Georgetown apartment. The assailant is believed to be the same man who beat and attempted to rape a 54-year-old nun on June 10. Also on June 20, a 24-year-old mother was raped by a man who dragged her off a Northwest streetcorner.

It is inconceivable to me how a humane society can allow things like this to happen, without making provision for redressing the injury suffered by these innocent victims of criminal violence. The examples of criminal violence now cited may not even be shocking to many persons, because in reading about such things in the newspapers, almost every day, they become hardened or accustomed to them. The victims still suffer, however, regardless of how the public reacts. I believe the time has come to put an end to the public disregard of the victims of criminal violence. On June 17, I introduced a bill entitled the "Criminal Injuries Compensation Act of 1965." This bill, S. 2155, now before the Committee on the Judiciary, would create a Violent Crimes Compensation Commission, to provide compensation to innocent victims of criminal violence. I hope that thorough hearings will be held on the bill. This is a problem we can no longer ignore.

I ask unanimous consent to have printed at this point in the RECORD two items from the Washington Post of June 21, 1965.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 21, 1965]

GEORGETOWN SECRETARY BEATEN, RAPED IN HOME

A 24-year-old Navy Department secretary was raped and robbed in her second-floor Georgetown apartment about 5 a.m. yesterday by an intruder who awakened her and held a knife at her throat, police reported.

Sex squad detectives said the assailant might be the same man who beat and attempted to rape a 54-year-old nun on June 10 at the Georgetown Visitation Convent, four blocks from the location of the attack yesterday.

The secretary told police the doors to her apartment were locked, but the man scaled a fire escape and entered through an unlocked bedroom window.

The man apparently removed $18 from the woman's purse before awakening her, police said. The victim, who is unmarried and lives alone, said she screamed when she saw the man standing over her, but he placed a hand over her mouth and threatened her with a knife, raped her, then fled through the front door.

Other tenants in the three-story house were asleep and did not hear the scream, according to police.

Police said the attacker was a white man in his late twenties, 5 feet 10, of slim build and with dark, wavy hair. He wore a long-sleeved white shirt and dark trousers.

The description and the method of attack were similar to the assault at the convent, police said, except that the man became violent when the nun fought back. The nun was admitted to Providence Hospital, where her condition was reported as satisfactory yesterday.

MOTHER, 24, RAPED ON NORTHWEST STREET

A 24-year-old Washington mother on her way to work was raped early yesterday by a man who threatened her with a knife, then dragged her off a Northwest street corner and into bushes on the grounds of an elementary school, police reported.

Investigators said the woman had observed her attacker walking in the same direction but across the street from her. When she crossed the street at an intersection, he grabbed her, knocked her pocketbook to the ground, dragged her about 30 yards and raped her.

INDIANA DUNES NATIONAL LAKESHORE

Mr. DOUGLAS. Mr. President, an editorial published this morning in the Washington Post urges immediate House passage of the Indiana Dunes National Lakeshore bill, S. 360, which the Senate passed on Monday, for the second time. The editorial properly points out that the bill is an integral part of the movement to preserve the natural beauty of America. It is, of course, a part of President Johnson's program.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 23, 1965]

HALFWAY ON THE DUNES

Once more the fight to save a portion of the Indiana Dunes is centered in the House. For the second time the Senate has passed a bill to preserve 11,292 acres of duneland along Lake Michigan as a national lakeshore. This compromise measure slipped through the Senate without opposition. On the House side the bill is still in subcommittee, and no hearings have been held.

This bill has become an integral part of the movement to preserve the natural beauty of America. The country's increasing hordes of urban dwellers are coming to place a greater premium upon streams, mountains, lakes, forests, dunes, seashore, and other areas of natural beauty. Their yearning for open space and the charm of an uncluttered landscape accounts in large measure for the popularity of the Johnson administration's beautification program.

Congress ought to realize that every dollar invested in retreats of this kind will multiply in value as the population of the country increases. The question is not merely one of selecting a few areas of extraordinary beauty, novelty, or historic interest. Rather, it is one of mobilizing our great national potential for outdoor recreation in the long-range future. The one thing certain is that Congress has not done enough to preserve our natural heritage. In our view the House should hasten to match the Senate's action in regard to the dunelands so that attention may be turned to various other conservation projects no less worthy.

INCREASED DRAFT CALLS DEMONSTRATE NEED FOR GI EDUCATIONAL BILL

Mr. YARBOROUGH. Mr. President, the hundreds of thousands of men and women who give their time and energy and sacrifice their futures for America during the cold war period must be recognized for their immeasurable intellectual value to this Nation. The number of individuals who are being taken from their communities, either directly or indirectly, through the selective service program is increasing monthly; and no end to the draft in the near future can be seen. Seventeen thousand one hundred men will be inducted into the Army in July 1965; and, under current law, these men will reenter civilian life from 2 to 4 years behind their undraftable contemporaries, and without significant advance in their education and without the opportunity this Government afforded the equally dedicated men and women of World War II and Korea to obtain a useful education.

Mr. President, this rank injustice cannot be allowed to continue. If we in this great Republic are to live to make men free, we must take up the burden and we must act forthrightly, and without the delay of wasteful hesitation, to grant an equal educational opportunity to the veterans of the cold war. Congress should act now on the GI educational bill, S. 9.

I ask unanimous consent to have printed at this point in the RECORD an article published in the June 5, 1965, issue of the Washington Post concerning the increased summer draft call. The article is entitled "Draft Call Highest Since Berlin Crisis."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 5, 1965]

DRAFT CALL HIGHEST SINCE BERLIN CRISIS

The Defense Department issued its biggest monthly draft call yesterday since the Berlin crisis late in 1961.

It asked Selective Service to induct 17,100 men in July for the Army. The June call was 17,000.

The call in November 1961, the Berlin crisis year, was for 20,000 men.

Draft quotas have been on the upgrade in large part because enlistments have fallen off.

The Navy, Marine Corps, and Air Force do not intend to draw on the draft in July, the Pentagon said in its announcement.

The Defense Department is completing a yearlong study of the need for the draft and possible alternatives to it.

By every indication, the study will recommend that the draft continue at least to 1970. The present draft law is due to expire in 1967.

Military manpower officials contend that many young men enlist in the armed services rather than take the chance of being drafted. Without the draft hanging over them, many of these young men might not choose to serve voluntarily, officials have said.

POLITICAL SCIENCE PROFESSORS AND LAW PROFESSORS OPPOSE DIRKSEN AMENDMENT

Mr. TYDINGS. Mr. President, I am pleased to note that over 150 eminent political scientists and law professors have gone on record as being opposed to any amendment to our Constitution that would overrule the Supreme Court's one-man, one-vote decisions.

Those of us who are convinced that such an amendment would turn back the clock in the struggle for full political and civil rights for all Americans are gratified to have the support of such a significant body of the concerned academic community.

The list of professors includes the current president of the American Political Science Association, Prof. David B. Truman, of Columbia; the president-elect of APSA, Prof. Gabriel Almond, of Leland Stanford; Prof. Quincy Wright, of the University of Virginia, a former president of APSA; Prof. David Easton, of the University of Chicago; Prof. Alpheus T. Mason, of Princeton; Paul R. Dean, dean of the Georgetown University Law Center; Clarence C. Ferguson, Jr., dean of the Howard University School of Law; Erwin N. Griswold, dean of Harvard Law School; Vernon X. Miller, dean of the Catholic University School of Law; and Eugene V. Rostow, dean of the Yale Law School.

The preliminary canvass of political scientists and law professors was made by Prof. C. Herman Pritchett, of the University of Chicago, and former president of the American Political Science Association; Robert McKay, dean of the New York University Law School; and Prof. Royce Hanson, of American University, secretary-treasurer of the National Committee for Fair Representation.

The professors' statement charges:

> The Dirksen amendment goes against the trend of democratic government and of expanding civil and political liberties. It would, if ratified, be the first amendment to reduce American liberties rather than to expand them. Its provision for popular ratification of malapportioned legislatures is a ruse. It would use the forms of democracy to impair both democracy and the personal rights of individual voters. It assumes that the right to be fairly represented is a right which properly belongs to a majority. Rather, it belongs to individuals. We maintain that a majority should not be permitted to relinquish a right which it cannot properly claim.

The professors argue that although the amendment sponsored in the Senate by Senator DIRKSEN would require a referendum before one house of a legislature could be based on factors other than population, it should be rejected, because the right of representation is a personal right, and "the first principle of a constitutional democracy is that a majority may not deprive an individual of his fundamental rights." Calling this a "fundamental flaw in the amendment," the professors oppose its adoption "even if its language is technically improved."

The statement defends the Supreme Court's one-man, one-vote decisions, and argues that adoption of the Dirksen amendment would seriously endanger minorities, by permitting majorities to adopt schemes of representation which would discriminate against certain groups.

I ask unanimous consent to have printed in the RECORD the statement of these professors and the full list of those who signed it.

There being no objection, the statement and the list were ordered to be printed in the RECORD, as follows:

STATEMENT BY POLITICAL SCIENTISTS AND LAW PROFESSORS

We oppose Senate Joint Resolution 2, introduced by Senator EVERETT DIRKSEN. This proposed constitutional amendment would make possible the apportionment of one house of a bicameral legislature on factors other than population if a majority of a State's voters approved such a plan. The effect of the amendment is partially to nullify the Supreme Court's reapportionment decisions which held that to satisfy the requirements of the 14th amendment both houses of a bicameral legislature must be based on population.

We support that decision. We believe that the facts in the cases considered by the Court and the development of the equal protection clause warrant the conclusions reached by the Court. That opinion was reached on the ground that the right of representation is a personal right held by individual voters, in the same class of constitutional rights as the right to vote which is also guaranteed by the equal protection clause.

The Dirksen amendment strikes at this basic constitutional rationale. It permits, in any State, a majority of voters to abolish a properly determined constitutional right. We do not deny the power of a constitutional amendment to reduce political or civil rights. We do strongly oppose such action as unwise public policy. The first principle of constitutional democracy is that a majority may not deprive an individual of his fundamental rights. As Mr. Justice Jackson said in *West Va.* v. *Barnette*, "fundamental rights may not be submitted to vote, they depend on the outcome of no elections."

The Dirksen amendment goes against the trend of democratic government and of expanding civil and political liberties. It would, if ratified, be the first amendment to reduce American liberties rather than to expand them. Its provision for popular ratification of malapportioned legislatures is a ruse. It would use the forms of democracy to impair both democracy and the personal rights of individual voters. It assumes that the right to be fairly represented is a right which properly belongs to a majority. Rather it belongs to individuals. We maintain that a majority should not be permitted to relinquish a right which it cannot properly claim.

The amendment is, in its most basic form, unsound public policy. Because of this fundamental flaw, we oppose its adoption even if its language is technically improved. The basic objection to the amendment can be met only by its defeat.

We believe that there is enough latitude in the reapportionment decisions to permit States to assure adequate protection of minority rights. The Dirksen amendment, to the contrary, seriously endangers minorities by permitting majorities to adopt schemes of representation which grossly discriminate against certain groups. A State which is only 51 percent urban, for instance might under the amendment, assign 90 percent of all senators to urban areas, greatly disadvantaging the rural minority.

The amendment would restrict the exercise of a fundamental constitutional right for no public purpose other than maintaining the power of a particular privileged minority to exercise veto power over all State legislation which it does not prefer.

Political Scientists and Law Professors Endorsing Statement on Dirksen Amendment

Prof. S. V. Anderson, University of California.

Prof. Wm. Anderson, Minneapolis, Minn.

Dr. J. D. Barber, Washington, D.C.

Prof. G. Almond, Stanford University.

Prof. C. Adrian, Michigan State University.

Prof. H. Bach, Bradley University.

Dr. Donald Balmer, Portland, Oreg.

Dr. G. E. Baker, University of California.

Mr. R. W. Becker, St. Cloud State.

Prof. D. M. Berman, American University.

Prof. L. Beth, University of Massachusetts.

Prof. A. P. Blaustein, Rutgers University.

Prof. A. Bone, Seattle, Wash.

Prof. K. A. Bosworth, Storrs, Conn.

Mrs. Hardy J. Bowen, Wilmington, Del.

Prof. A. Bromage, University of Michigan.

Prof. E. Byrd, Jr., University of Maryland.

Mr. Richard S. Childs, New York, N.Y.

Prof. Wm. M. Beany, Princeton, N.J.

Mr. Alan Clem, University of South Dakota.

Dr. R. Cortner, University of Tennessee.

Prof. W. W. Crouch, Los Angeles, Calif.

Prof. R. F. Cushman, New York University.

Dr. R. T. Daland, University of North Carolina.

Dr. Manning J. Dauer, University of Florida.

Dr. Paul Dolan, University of Delaware.

Prof. David Easton, University of Chicago.

Dr. Ralph Eisenberg, University of Virginia.

Prof. D. Fellman, University of Wisconsin.

Dr. T. A. Flinn, Oberlin College.

Prof. R. S. Friedman, University of Michigan.

Prof. H. Garfinkel, Michigan State University.

Dr. T. C. Geary, University of South Dakota.

Dr. R. M. Goldman, San Francisco College.

Prof. R. E. Goostree, American University.

Mr. C. B. Hagan, University of Illinois.

Prof. R. J. Harris, Vanderbilt University.

Prof. F. H. Hartmann, University of Florida.

Dr. M. E. Jewell, Lexington, Ky.

Prof. B. K. Johnpoll, Hartwick College.

Mr. T. P. Johnson, Aldie, Va.

Mr. Henry Kass, Washington, D.C.

Prof. G. M. Kammerer, University of Florida.

Prof. H. Kantor, University of Florida.

Dr. Paul Kelso, University of Arizona.

Prof. R. Lemarchand, University of Florida.

Prof. D. Lockhard, Princeton, N.J.

Dr. L. Loeb, American University.

Prof. A. Maas, Cambridge, Mass.

Prof. C. P. Magrath, Ithaca, N.Y.

Dr. A. T. Mason, Princeton University.

Miss D. J. Melhorn, University of Tennessee.

Prof. D. D. McKean, University of Colorado.

Prof. O. R. McQuown, University of Florida.

Prof. F. C. Mosher, Berkeley, Calif.

Mr. A. E. Nuquist, University of Vermont.

Dr. H. P. Odegard, Bloomington, Minn.

Prof. H. Petrowitz, American University.

Mr. E. C. Reock, Jr., Rutgers University.

Dr. H. J. Schmandt, University of Wisconsin.

Prof. R. Silva, Pennsylvania State University.

Prof. T. C. Sinclair, University of Houston.

Dr. R. M. Smith, Bradley University.

Prof. R. A. Smith, Temple University.

Prof. G. W. Spicer, University of Virginia.

Mr. J. O. Stitely, University of Rhode Island.

Mr. A. L. Sturm, Florida State University.

Prof. Oscar Svarlien, University of Florida.

Prof. W. F. Swindler, College of William and Mary.

Prof. V. V. Thursby, Florida State University.

Prof. H. J. Tomasek, University of North Dakota.

Prof. D. B. Truman, New York, N.Y.

Dr. W. E. Volkomer, Hunter College.

Prof. R. M. Wade, University of Wyoming.

Mr. H. Walker, Ohio State University.

Mr. E. Weaver, University of Utah.

Prof. R. Weintraub, Hunter College.

Prof. A. F. Westin, Columbia University.

Dr. J. P. Wheeler, Hollins College.

Mr. L. Wilmerding, Princeton, N.J.

Prof. T. J. Wood, Miami, Fla.

Prof. C. Woodbury, University of Wisconsin.

Prof. B. F. Wright, University of Texas.

Prof. Q. Wright, University of Virginia.

Dr. C. Press, Michigan State University.

LAW PROFESSORS

Prof. R. Aren, Catholic University.

Prof. F. N. Baldwin, University of Florida.

Prof. W. R. Bennett, University of Utah.

Prof. J. A. Barron, University of New Mexico.

Prof. G. M. Bell, University of Idaho.

Prof. H. A. Berman, University of Idaho.

Prof. R. C. Berry, University of Florida.

Prof. Wm. E. Biggs, University of Louisville.

Prof. W. R. Bishin, University of Southern California.

Prof. A. Bonfield, University of Iowa.

Prof. W. J. Brockelbank, University of Idaho.

Prof. A. Brodie, University of Wisconsin.

Prof. A. Brody, Boston, Mass.

Prof. T. Buergenthal, Buffalo, N.Y.

Prof. T. D. Buckley, Jr., University of North Dakota.

Prof. R. J. Childress, St. Louis University.

Prof. J. J. Cleary, Villanova University.

Prof. J. Cohen, Rutgers University.

Prof. Wm. Cohen, University of California.

Prof. R. G. Cohn, University of Illinois.

Dean T. M. Cooley, University of Pittsburgh.

Prof. V. Countryman, Harvard University.

Dean L. Cowen, University of Georgia.

Prof. E. E. Cushman, Stetson University.

Prof. C. W. Davidson, University of Iowa.

Prof. F. Davis, Emory University.

Dean P. R. Dean, Georgetown University.

Prof. D. W. Dowd, Villanova University.

Prof. T. I. Emerson, Yale University.

Prof. R. J. Farley, University of Florida.

Prof. D. M. Feild, University of Georgia.

Dean C. Clyde Ferguson, Howard University.

Prof. G. W. Foster, Jr., University of Wisconsin.

Prof. M. H. Freedman, George Washington University.

Prof. S. P. Franklino, Catholic University.

Prof. J. B. Gerard, Washington University.

Prof. D. A. Giannilla, Villanova University.

Prof. J. E. Gibbs, Florida A. & M. University.

Prof. M. Gitelman, University of Denver.

Prof. G. Gordin, Jr., Drake University.

Dean E. N. Griswold, Harvard University.

Prof. J. O. Honnold, Jr., University of Pennsylvania.

Prof. Y. Huffman, University of Denver.

Dean H. E. Hurst, University of Denver.

Prof. D. B. Isbell, University of Virginia.

Prof. E. Jarmel, Rutgers University.

Dean T. M. Jenkins, Florida A. & M. University.

Prof. E. M. Jones, University of Florida.

Prof. S. H. Kadish, University of California.

Prof. A. J. Keeffe, Catholic University.

Prof. H. C. Klemme, University of Colorado.

Prof. R. E. Knowlton, Rutgers University.

Prof. M. R. Konvitz, Cornell University.

Dean R. E. Kharas, Syracuse University.

Prof. A. K. Laughlin, University of Florida.

Prof. M. S. McDougal, Yale University.

Dean V. X. Miller, Catholic University.

Prof. M. B. Nimmer, University of California.

Prof. H. Norris, Detroit College.

Prof. W. E. Oberer, Cornell University.

Prof. R. Parker, Willamette University.

Prof. H. C. Petrowitz, American University.

Prof. D. H. Pollitt, University of North Carolina.

Prof. L. S. Powers, University of Florida.

Dean H. G. Ruschein, Villanova University.

Dean E. V. Rostow, Yale University.

Prof. C. D. Sands, University of Alabama.

Prof. M. G. Shimm, Duke University.

Prof. A. Trebach, Howard University.

Prof. W. J. van Alstyne, Yale University.

Prof. L. G. Wallace, Duke University.

Prof. T. R. Walenta, University of Idaho.

Prof. R. G. Weclew, De Paul University.

Prof. C. A. Wright, Harvard University.

JANE ADDAMS' HULL HOUSE

Mr. DOUGLAS. Mr. President, I was personally very much pleased to learn that Jane Addams' Hull House, in Chicago, has been selected by the Secretary of the Interior for Registered National Historic Landmark eligibility.

Jane Addams was undoubtedly one of Illinois' greatest citizens of all time. The example of her life is one of the lasting influences on the character of our society. It is, therefore, fitting that the original building of the settlement house, which now is a part of the new Chicago campus of the University of Illinois, should be recognized by the National Government as having historic importance. Furthermore, this recognition is not merely of a token nature. It was only by exerting the utmost effort that we were able to prevent the total destruction of Hull House when the area for the new university campus was being cleared. It would, indeed, have been a tragedy if this historic landmark had been thoughtlessly bulldozed. The national recognition now given to Hull House vindicates the efforts of the Chicago citizens who fought to save it, and should absolutely guarantee the preservation of the remaining portions of the building. I am confident that the university trustees will immediately complete the application for the certificate and a bronze plaque designated Hull House a Registered National Historic Landmark.

I ask unanimous consent that a brief statement on Hull House, as prepared by the National Survey of Historic Sites and Buildings, be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Hull House, Illinois

Jane Addams, in establishing Hull House, did not found the first settlement house in the United States, but she did create an institution that invariably responded to the needs of its visitors, a unique service in its period. The close identification of Hull House with the people it served gave the settlement house an internationally deserved reputation.

Nothing in Miss Addams' early career indicated what her true vocation would be. Born in Cedarville, Ill., on September 6, 1860, she was a small, bright child who responded best to her father. His influence caused her, when college age, to abandon her desire to attend Smith College and induced her to enter Rockford College, in Rockford, Ill., in 1877. Two years after completing college in 1881, she began studying medicine at the Woman's Medical College in Philadelphia, but soon abandoned her work there because of a physical collapse.

For about 5 years after leaving medical school, between 1883–88, Miss Addams searched for a purpose to her life. Two trips to Europe helped her discover it. She sailed from the United States for the first time in the summer of 1883, and while on her European tour gained a realization of the human tragedy inherent in poverty.

Despite her inability to decide definitely upon her life's work by the time of her second trip to Europe, December 14, 1887, she still sought, more zealously than ever, some means of applying her training and experience to a useful purpose. Her aim achieved realization through her learning of Toynbee Hall in London. Toynbee Hall enabled university students to live among the poor while working to improve the lot of the unfortunate. Upon visiting the hall and studying it, Miss Addams understood how she could apply the advantages that had befallen her in behalf of the poor: she could obtain a house in the slums of Chicago, live there, and place her experience at the call of the local residents.

Her decision made, she chose what would now be termed a blighted area in Chicago to begin her work. The house that she and two friends moved into on September 4, 1889, had formerly stood outside of Chicago, but now was in ward 19. Ward 19 had 9 churches and missions, but probably more, for it also harbored 255 saloons. Undaunted by the saloons, the amazing variety of nationalities, and the dirt, Jane Addams concentrated on her settlement work for the next 25 years.

Charles Hull built Hull House in 1856 as a suburban residence. The house was a two-story brick structure, with a piazza and a cupola on top of the roof. Now that the University of Illinois is creating a new campus in Chicago in the Hull House area, all but the original building of the expanded settlement house has been demolished. The original house is being restored.

Located at 800 South Halstead Street, Chicago, Ill., the structure is owned by the University of Chicago.

ELIMINATION OF UNREASONABLE AND UNNECESSARY RESTRICTIONS ON FREE FLOW OF MILK PRODUCTS IN INTERSTATE COMMERCE

Mr. MONDALE. Mr. President, recently I introduced Senate bill 1993, designed to eliminate unreasonable and unnecessary restrictions on the free flow of milk products in interstate commerce.

Following the introduction of the bill, I have received a number of statements of support. One of these thoughtful expressions was sent by Walter W. Thompson, general manager of St. Paul's North Star Dairy. Mr. Thompson, long familiar with the difficulties and inequalities imposed upon both consumers and producers by these restrictive barriers, is unquestionably competent to pass judgment on this important proposed legislation.

I request unanimous consent that Mr. Thompson's letter be printed in its entirety at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NORTH STAR DAIRY,
St. Paul, Minn., June 8, 1965.

Senator WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: The National Milk Sanitation Act of 1965 is a good piece of legislation, particularly for the Middle West, and for the country as a whole.

There is no logical reason why milk that meets sanitary standards in one municipality, should not meet it in another. It is also time that one agency have jurisdiction over the sanitary features of milk supplies as a whole. For too many years, municipal sanitary regulations and/or State regulations have served as economic barriers for the free flow of milk. This is not sound, and should be eliminated.

I sincerely hope that this bill passes Congress this year.

Yours very truly,
WALTER W. THOMPSON,
General Manager.

"BIG BROTHER"—INVASIONS OF PRIVACY

Mr. LONG of Missouri. Mr. President, today's big brother item consists of two letters in the New York Times of June 20, 1965, dealing with the methods and incivility of customs inspectors in New York City.

I ask unanimous consent to have these letters printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAIL: SEARCH AT CUSTOMS

To the EDITOR:

I have a view on the handling accorded what Lester D. Johnson, Acting Commissioner of Customs, calls "ordinary citizens." It is rather at variance with his. I enclose a copy of the note I have sent to Mr. Johnson:

"I am not certain I understood what meaning you assigned to the word 'needless' when you asked, in your letter to the New York Times of May 30, that John Klein inform you if he knows of any instance where customs agents have needlessly stopped passengers at Kennedy Airport. However, I have my own definition, and I offer it for your consideration:

"Last October, I arrived at Kennedy and cleared through the usual customs inspection in good order. As I left the inspection station, I was accosted by a customs agent, who bade me accompany him to a private room.

"Here, I was made to empty my pockets, and then remove my outer garments, I was then searched. Since, like most ordinary citizens, I was carrying no contraband, I was released.

"Significantly, despite your claim, no explanation was given for my detention, and, if there had been a good reason, it was kept from me.

"Perhaps it was because, when I arrived, I was wearing, against the inclement weather, a rather old and dirty James Bond-style trenchcoat. I prefer to believe not. Surely, there must be sounder criteria of a tourist's trustworthiness."

HENRY MEYER, Jr.

BOSTON.

SURLY CUSTOMS MAN

To the EDITOR:

Enclosed is a copy of a letter, the original of which was sent to Lester D. Johnson, Acting Commissioner of Customs:

"Your open invitation, as published in the New York Times, prompts me to offer you my name as one of the persons who considers that he was needlessly stopped for additional examination at Kennedy Airport.

"Further, let me assure you that the truculent manner of one of the agents, who neither showed me a badge, nor offered any explanation for his coming along except the words, 'Let's have your passport,' was to say the very least, objectionable.

"This same agent asked me innumerable questions as to the length of my stay abroad, the frequency of trips, what manner of transportation I had used, and why I went abroad at all, since I was a naturalized citizen. He also asked me for whom I worked and whether the trip had been expensive.

"During this time, the agent who had shown me a badge searched me and my clothing thoroughly, asking me, before examining each additional article, whether I was sure I had nothing to declare. At the end of his search, he assisted me in gathering my belongings, and even reminded me of a book I was about to forget.

"The other one, in the meantime, slid my passport across the table, saying, 'I'm finished, you can go,' and preceded me out of the room.

"Perhaps this sort of double vigilance is necessary, but I fail to see what my status had to do with my traveling, any more than I can divine the reasons for being asked questions that he saw plainly before him in an official document—my passport. He certainly offered no reasons.

"Let me also tell you that this is not the only instance of this sort of treatment occurring at Kennedy, as a woman from Colombia told me of a somewhat similar experience on her entry into the United States.

"Granted that New York customs men are the most uncivil of those at all the ports of entry in the United States, a timely reminder that the taxpayers are paying them, and not the other way around, might improve their surly manners before the influx of tourists from abroad, which the Government hopes will materialize, can experience this sort of contact with American officials."

RICHARD M. KRAEMER.

BALTIC, CONN.

ARMY AWARD FOR ELDON E. HAZLET

Mr. DOUGLAS. Mr. President, I am proud to bring to the attention of the Senate the fact that the Department of the Army has presented to Eldon E. Hazlet a special certificate of appreciation for patriotic civilian service.

Eldon Hazlet is president of the Kaskaskia Valley Association, in southern Illinois; and he has devoted many years of his time to the development of the entire Kaskaskia River Valley. He has been one of the guiding forces behind the creation and development of the Shelbyville Reservoir and the Carlyle Reservoir; and without his services, these projects would not have progressed as far as they have toward eventual completion, for the benefit of the entire State of Illinois, as well as the Nation. In my dealings with Eldon, I have always found his homework completed before he would come to Washington; and, when he did come, he knew exactly what assistance was needed, and when it should be given. It has been my pleasure, in the past, and I know it will be in the future, to know him personally and to work with him on the many projects in the Kaskaskia Valley. I join the Department of the Army and his many friends and associates in congratulating him.

THE PRESIDENT'S DECISION TO RESUME U.S. FOOD AID TO EGYPT

Mr. HARRIS. Mr. President, I was displeased and sorry to learn, today, that President Johnson has decided to complete the $37 million remaining Public Law 480 surplus food sales to the United

Arab Republic, under the 1962 agreement.

This action totally ignores the fact that the Senate adopted, by an overwhelming vote of 73 to 13, my amendment to cut off such aid to the United Arab Republic and Indonesia "so long as they continue to commit aggression."

But, more than that, the Presidential action at this time seems especially inappropriate while the State Department is investigating—as I called to the attention of the Senate last week—violations of the 1962 agreement by the United Arab Republic.

This morning there was published in the Washington Post an article by the Associated Press, headlined "U.S. Food Aid to Egypt Is Ordered Resumed." I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 23, 1965]

U.S. FOOD AID TO EGYPT IS ORDERED RESUMED

President Johnson has approved the shipment of $37 million worth of surplus food to Egypt, ending a 6-month-old suspension of food aid which resulted from a series of United States-Egyptian disputes.

A State Department spokesman, questioned about the President's decision, said last night:

"There has been a definite improvement in our relations with the United Arab Republic (Egypt) since aid was suspended 6 months ago."

Officials said that in mid-April the United Arab Republic stopped giving assistance to Communist-backed rebels in the Congo. The delivery of aid to the rebels was one of the reasons for friction with the United States at the end of last year.

Officials said they had also noted recent statements and actions by the Egyptian Government which semed designed to avoid adding to tensions in the Arab-Israeli dispute.

A statement issued by the State Department announcing Mr. Johnson's decision said in part:

"The President has determined that it is in U.S. interest to fulfill remaining commitments under Public Law 480 entered into with the United Arab Republic in October 1962 and which ends June 30, 1965.

"Accordingly the Department of Agriculture is proceeding with the issuance of purchase authorizations totaling approximately $37 million.

"In connection with the agreement the United Arab Republic Government has undertaken to enter into discussions with us on any outstanding differences and to resolve these to our mutual satisfaction."

The only specific difference for a discussion which was identified by State Department officials is one involving an Egyptian agreement with the United States, linked to the aid program, to control exports of Egyptian rice according to a quota system.

The State Department about a week ago confirmed reports that United Arab Republic rice shipments, presumably in excess of the quota, had gone to Communist China and Cuba. This situation is under discussion between Cairo and Washington now, officials said.

Mr. HARRIS. Mr. President, I call attention to the fact that the very article which reports the resumption of such food aid also repeats the report that the State Department is still discussing with Egypt the latter's violation of the very agreement the President has decided to carry out on our side.

While receiving our wheat, the United Arab Republic has been making shipments of its own rice to Communist countries, including China and Cuba, against which the United States has embargoes.

Our wheat shipments to Nasser have freed his rice for sale to Communist countries, and have allowed him to improve his foreign-exchange position and to finance his aggressions.

I am deeply disturbed by this action; and, because of it, I am even more emphatically in favor of my amendment which has been adopted by the Senate. I certainly hope the conference committee will not allow this amendment to be deleted or weakened.

EXPANSION AND ACCELERATION OF THE U.S. MILITARY SPACE PROGRAM

Mr. DODD. Mr. President, I wish to call attention to the magnificent achievement of the U.S. Air Force in launching last Friday the Titan III–C missile, the most powerful rocket ever fired. That Titan III–C rocket developed 2.65 millions pounds of thrust and orbited a 21,000 pound satellite—the heaviest payload ever launched.

The success of the Air Force Titan III–C project conclusively demonstrates that we now have the technology at hand to develop the space weapons systems which will soon be necessary to insure our national defense and the freedom of space for peaceful pursuits. I urge that the U.S. military space effort be expanded and accelerated to meet the certain threat of Communist military domination of space.

Let no one delude himself that the Soviet Union will follow our example if the United States abstains from fully developing a defense capability in space.

Yet we hear again the old arguments that our enemies will not exploit this new aspect of military technology if we neglect it.

We heard those arguments against our development of the hydrogen bomb, yet we perfected that weapon only months before the Russians did.

We heard those same arguments against resuming atmospheric nuclear testing in 1962, only to awaken one morning to the news that the Russians had begun an entire series of atmospheric tests of nuclear weapons of enormous and unprecedented size.

Are we to be duped again by such wishful thinking?

Will we merely stand by and watch the Russians develop and orbit any of the many space weapons of offense and defense which military experts warn us can be produced and not develop adequate defenses of our own?

For more than 3 years now I, together with a number of my colleagues, have been urging a more rapid and a larger military space program.

But the amounts requested each year for this most critical aspect of our defense are seriously deficient by any standard.

I am aware that the defenders of the pace and the size of our present military space effort argue that there is no military mission in space which the United States is not pursuing.

But the real issue is how fast we are pursuing our entire military space program. Will not a higher level of funding, will not a greater allocation of resources and energy provide a faster and fuller development of a greater number of space defense concepts, techniques, vehicles, and weapons?

Mr. President, I ask unanimous consent to have inserted in the RECORD at the close of my remarks two newspaper articles which describe the scope of the achievement and the degree of frustration which the Air Force has encountered in pursuing military missions in space.

I am not satisfied with the progress, the funding level, or the zeal with which our military space program has been pursued.

I urge all Senators to give renewed and careful scrutiny to the necessity of having a fully effective space defense program and to the necessity of funding and prosecuting that program at the maximum possible pace.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Star, June 19, 1965]

TITAN AN AIR FORCE TRIUMPH

(By William Hines)

CAPE KENNEDY, FLA.—The sweet smell of success was especially strong in the nostrils of Air Force officers today, following the maiden flight of a big military space booster called Titan III–C.

For about 5 years now, ever since military men in civilian clothing started flying space missions, the Air Force has been upstaged by the newer and even more flamboyant National Aeronautics and Space Administration. Yesterday the tables were turned, and the men responsible for the reversal reacted with satisfaction and glee.

Case-hardened bird watchers of the self-styled "rocket press crops" thought they were prepared for what the Air Force had to show them, but even the most blase were in for a surprise. This reporter, who has seen something like a hundred missiles struggle off the pad, had never beheld the like of Titan III–C before, and neither had anyone else.

The Titan III–C launching was more than just a staggering space spectacular, however, it was visible proof of a number of adages, including:

"You can't keep a good man down," and "Truth, crushed to earth will rise again."

From 1958 to 1965, NASA's star was definitely in the ascendancy with no really serious competition from the Air Force in the heavy-glamour end of space. As big new projects unfolded, NASA called the tune—even, sometimes, paying the piper with Air Force money.

The Air Force was frozen out of manned space with the termination of its Dynasoar program, which would have put a heavy, awkward and ineffectual winged vehicle into space. On balance, this freeze-out was probably a good thing, but it was made under circumstances that suggested that no matter what the Air Force might come up with later, the answer would be no.

But, like Robert Bruce and the spider (or Billy Mitchell and the battleship), the Air Force kept on trying. It had many things going against it—one being verbiage in the

1958 space act which suggested that military people had no business in space.

About the only thing the Air Force had going for it was the incredible morale and dedication of a small group of generals and colonels and the drive of an imaginative and hungry segment of the aerospace industry.

The officers and industrialists Scotch-taped something together over a period of 2½ years and flew it yesterday with complete success. That is proof of the first adage: You can't keep a good man down.

The other adage—Truth, crushed to earth, will rise again—got its proof in the firing of Titan III–C's big twin solid booster rockets. Before yesterday, the biggest solid rocket that had ever flown was the first stage of Minuteman, which weighs in at about 25,000 pounds (weight, not thrust).

Each of the two outriggers is 20 times as heavy. That two such monsters could be built to such high standards that they would fire simultaneously and produce identical thrusts for identical periods of time was one of the big surprises yesterday.

It was not a surprise to such members of the team as Col. Harold W. Robbins or Dr. Barnet Adelman or Eugene Roberts. Robbins has been doing missionary work on solid rockets for many years, and as long ago as 1959 told this reporter he would stake his professional reputation on the feasibility of large solid-fueled rockets. Few people in NASA bothered to listen.

The men at the United Technology Center in Sunnyvale, Calif., translated Robbins' conviction into reality. The performance of Titan III–C's zero stage, as the solid-fueled tandem is called, is a clear challenge now to NASA to give the solid end of rocket technology the fighting chance it has been begging for.

That chance was promised in the late President Kennedy's message on urgent national needs, with which he kicked off the moon program in May, 1961. Kennedy said parallel development paths between big liquid rockets and big solid rockets would be followed until it could clearly determine which was the better way to go.

Few top-level policy pronouncements have ever been ignored so blithely. Clusters of big liquid fueled rockets were NASA's choice before the 1961 message, and since NASA was in charge of funding and judging the competition, there never was a sincere effort to assess relative merits.

Now, by blending an ignored technology with a medium-sized weapons system, the Air Force has come up with something for NASA to reckon with. It is the Air Force position—which NASA will now be forced to try to disprove—that anything Saturn I–B can do, Titan III–C can do better.

The Air Force, for its part, must now try to prove Titan III–C's reliability over the long haul, for assuredly one rocket launching does not make a technological revolution. Brig. Gen. Joseph S. Bleymaier Jr., head of the Titan III–C program, said it is his goal to make every one of the 12 shots in the Titan III–C development series a 100-percent success.

Equally important with reliability is cost. Bleymaier says the Titan III–C can be produced in quantity for $12.8 million, or just a little more than half the $22 million it is estimated NASA's Saturn I–B will cost. Titan III–C's $800 million development cost is but a fraction of what NASA will have spent to get the first Saturn I–B off the ground.

The Air Force, which has been eating crow for so long, is sure there are brighter days ahead.

That's why the smoky cloud from pad 40 smelled so sweet in the nostrils of Titan III–C's sponsors in the heady moments after liftoff yesterday.

[From the Washington (D.C.) Post, June 19, 1965]

Air Force Titan Orbits Heaviest Payload Ever

(By Howard Benedict)

Cape Kennedy, Fla., June 18.—A mighty Titan III–C, the most powerful rocket ever fired, scored a thundering success on its maiden test flight today and signaled the Air Force to proceed with plans to establish a military beachhead in space.

The huge triple-barrel rocket developed total thrust of more than 3 million pounds, spewed a tail of flame more than 600 feet long and flung into orbit a 21,000-pound dummy satellite—the heaviest payload ever launched.

This orbiting chunk of lead is the forerunner of manned and unmanned military machines that will patrol and perhaps dominate space, preventing other nations from using it for warlike purposes.

Maj. Gen. Ben I. Funk, commander of the Air Force Space Systems Division, said the flight represented "a great day for the Nation, the Defense Department, and the Air Force."

"The success with a combination of solid and liquid fuel rockets," he said, "demonstrates the flexibility of the booster for military as well as other payloads. I feel it will be the catalyst which will kick off many programs which the Air Force has been working on and you have been reading about. The manned orbiting laboratory should get the green light in short order."

Within a few days, the Defense Department is expected to give the Air Force the go-ahead to develop the manned laboratory, which has been under study for several months.

The lab, which will be the size of a house trailer, will keep two or more astronauts in orbit for a month or more to determine what military missions man can effectively perform in space.

Within 3 years, Tital III–C rockets are expected to establish these unmanned space systems: a network of 24 communications satellites for swiftly relaying military messages around the world; reconnaissance, navigation, and satellite interceptor payloads.

With its weight-lifting capability, Titan III–C also will be used for scientific payloads. One project under consideration is to send a package of nine payloads to the moon with a single rocket to determine strength of the lunar surface.

The Titan III–C actually is three rockets strapped together. Two solid fuel motors ignited on lift off and generated 2.65 million pounds of thrust to propel the vehicle to an altitude of 24 miles. Then the 127-foot liquid fuel central chamber fired with a 474,000-pound thrust burst. Second and third stages of the center segment ignited with precision and hurled the lead satellite into orbit 115 miles high.

The Titan success and followup shots may fan into flame a smoldering controversy between the Air Force backer of the Titan, and the National Aeronautics and Space Administration. NASA is putting all its bets on the liquid-fueled Saturn rocket, still in the development stage, as the all-purpose booster for major space missions.

ILLEGAL DIVERSION OF GRAIN SHIPMENTS INTENDED FOR AUSTRIA

Mr. WILLIAMS of Delaware. Mr. President, on July 16, 1963, as appearing in the Congressional Record, volume 109, part 10, pages 12657 to 12666, I made the charge that out of total shipments of approximately 40 million bushels of grain to Austria, at a reduced price under our aid program, over 24 million bushels had been illegally diverted and sold in Western Europe at the higher world price. Part of this illegally diverted grain ultimately went behind the Iron Curtain.

After my remarks, the Department belittled my charges, and indicated that it had no knowledge of any illegal transactions.

I insisted that 24 million bushels of grain could not have disappeared without someone's having some knowledge of it.

Since that statement, the investigation has continued; and, last week, one company and its principal officer were convicted; and, 1 day later, the Government filed against 23 concerns charges for having diverted $13.7 million worth of grains that had been allocated to Austria.

In its suit, the Government is seeking damages and penalties of about $3 million, plus interest, against the various companies charged with participation in this illegal diversion.

This action completely refutes the claim of the Department of Agriculture that the Government lost no money on this illegal transaction. Certainly the Government lost; that is the basis of its $3 million suit.

I ask unanimous consent to have incorporated in the Record two articles, from the Wall Street Journal of June 16 and June 17 respectively, entitled "New Orleans Grain Exporter Pleads Guilty of Fraud in $6 Million Shipment for Austria" and "Government Charges 23 Concerns Diverted $13.7 Million of Grains Aimed for Austria."

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Wall Street Journal, June 16, 1965]

New Orleans Grain Exporter Pleads Guilty of Fraud in $6 Million Shipment for Austria

New York.—A New Orleans grain exporter C. B. Fox Co., pleaded guilty in Federal district court here of defrauding the Government by diverting about $6 million of surplus feed grains that were supposed to be shipped to Austria.

Judge John M. Cannella fined the concern and its senior partner, Willoughby Baresford Fox, $10,000 each, the maximum fine. Mr. Fox, who pleaded no contest to the charge, also had faced a possible 5-year prison term, but Judge Cannella didn't impose a jail sentence.

A Government attorney indicated the charges against another partner, Richard Brooke Fox, eventually will be dropped. "These pleas (by the concern and its senior partner) will be accepted by the Government to cover the entire indictment with regard to the American defendants," said Bernard Nussbaum, assistant U.S. atttorney.

Three European companies and two foreign citizens also were named in the May 13 Federal grand jury indictment against the New Orleans concern. Ameropa, A. G., and Vigor, A. G., of Switzerland and their manager Felix Zivy, and Prohaska & Cie of Austria and its manager, Walter Prukhart, haven't yet pleaded to the charges against them, Mr. Nussbaum said.

The Government charged that C. B. Fox received 128,605 metric tons of feed grains under the Federal barter program, on the condition it be shipped to Austria. But the grain instead was shipped to other European countries where prices were higher, and the defendants conspired to falsify documents which indicated the grain arrived in Austria, Mr. Nussbaum said.

Records of Fox and most other U.S. grain exporting companies were subpenaed a year ago by the Federal grand jury investigating alleged diversion of 568,428 metric tons of feed grains worth about $30 million. The grand jury hasn't yet been dismissed, leaving open the possibility of more indictments, Mr. Nussbaum said.

[From the Wall Street Journal, June 17, 1965]

Government Charges 23 Concerns Diverted $13.7 Million of Grains Aimed for Austria

New York.—The Government charged 23 concerns with illegally diverting to unauthorized destinations more than $13.7 million of Government surplus farm commodities that should have been shipped to Austria.

The Government is seeking damages and penalties of about $3 million plus interest in the civil suit filed in Federal district court in New York.

Three of the defendants were accused of presenting fraudulent proof of shipment to Austria. Many of the commodities, mainly feed grains, were exported to East Germany and Czechoslovakia, the Government charged.

The commodities involved were obtained through the U.S. barter program, under which the concerns agreed to sell to the Government strategic minerals and other materials in exchange for the surplus farm goods. Under this program, the barter contractors agreed to ship the agricultural commodities to Austria, which is one nation designated as an eligible recipient in the barter plan.

The barter contracts provide that if the commodities aren't shipped to the proper destination, the contractor shall pay the Government damages of 7½ percent of the value of the diverted goods.

Each of the barter contracting companies, the suit said, authorized and designated an agent to receive the commodities from the Government's Commodity Credit Corporation on the company's behalf and to export and deliver the goods in accordance with the contracts.

ALLEGATIONS OUTLINED

The Government outlined the alleged violations in three separate causes of action in the suit.

In the first, 21 concerns were accused of diverting 298,736.93 metric tons of commodities to unauthorized destinations. The damages asked for the alleged violation total $1,035,634.

The second alleges that eight of the barter contracting companies shipped 20,433.64 metric tons of staples to East Germany and Czechoslovakia, without obtaining a license from the Department of Commerce, as required by law. The Government claims the action of these eight concerns resulted in damages of $243,080.

The third section charges three companies with making "false and untrue" representations to the Government in attempts to prove the commodities were shipped to the proper point. Damages totaled $773,072, but the Government asked for double damages, or $546,145, plus penalties. The penalties would amount to $158,000, Arthur S. Olick, assistant U.S. Attorney, said.

COMPANIES ARE LISTED

The 21 concerns charged with diverting commodities to unspecified unauthorized destinations, and the amount of damages sought by the Government, are:

American Metal Climax Corp., $10,895.63; Associated Commodity Corp., $15,000; Associated Metals & Minerals Corp., $32,593.37; Ayrton Metal & Ore Corp., $8,701.17; Calabrian Co., $132,982.73; Ferro Metal & Chemical Corp., $2,285.31; M. Golodetz & Co., $155,046.45; Greg-Gary Corp., $14,061.48; Huxley-Westfried Corp., $34,622.13; International Bartering Corp., $64,734.83; Leytess Metal & Chemical Corp., $31,170.39; Lieber & Solow, Inc., $5,590.17; Mercantile Metal & Ore Corp., $53,613.15; Minerals & Chemicals Philipp Corp., $214,495.57; Overseas Metals & Ore Corp., $28,497.18; Henri Polak, $19,438.93; Primary Metal & Mineral Corp., $41,598.26; Leon Tempelsman & Co., $33,238.22; C. Tennant & Sons of New York, $45,751.66; Van Itallie Corp., $47,721.61; and Harry Winston, Inc., $43,596.63.

The eight concerns charged with diverting commodities to East Germany and Czechoslovakia without obtaining Commerce Department licenses, and the amount of damages claimed:

Associated Metals & Minerals Corp., $57,204.10; Ayrton Metal & Ore Corp., $13,419.62; M. Golodetz & Co., $59,115.25; International Bartering Corp., $31,268.28; Mercantile Metal & Ore Corp., $13,728.03; Minerals & Chemicals Philipp Corp., $44,356.20; Overseas Metal & Ore Corp., $12,949.22; and Leytess Metal & Chemical Corp., $11,039.71.

The three concerns that allegedly diverted commodities to ineligible foreign countries and allegedly submitted to the Government falsified proof of shipment to Austria, and the single damages claimed, are:

Louis Dreyfus Corp., $611,424.99; International Bartering Corp., $115,763.65, and Sinason-Teicher Inter American Corp., $45,823.86. The suit asks that each of the three defendants be ordered to pay double these damages, or single damages plus "such other further relief as the court may deem just and proper." The penalties claimed against Louis Dreyfus Corp. total $132,000; against International Bartering $24,000, and against Sinason-Teicher $2,000.

ON HEELS OF SENTENCING

The suit came on the heels of the sentencing of C. B. Fox Co., New Orleans, in Federal court in New York on criminal charges of diverting feed grains that should have been sent to Austria. The concern pleaded guilty, and its senior partner, Willoughby Baresford Fox, pleaded no contest; each was fined $10,000.

An official of the Federal district court in New Orleans said yesterday a civil suit similar to the New York suit against the 23 companies was filed against C. B. Fox Co. Also named as defendants were Willoughby B. Fox, W. Brooke Fox and Richard B. Fox.

A statement issued by American Metal Climax last night said the company "doesn't expect to ultimately pay damages as a result of this action, even if a diversion is found to have taken place." The concern explained that under the terms of its contract with the broker that acted for American Metal Climax as agent, "the responsibility lies with the broker." The statement said, "American Metal presently has no knowledge whether the grain was in fact improperly diverted."

AID FOR THE NEW HAVEN RAILROAD

Mr. JAVITS. Mr. President, we have just been advised that a demonstration grant of $3 million has been approved under the Mass Transit Act by the Housing and Home Finance Agency. The grant will assist the States of New York and Connecticut to work out a long-range solution to maintain commuter services on the New Haven Railroad. I point out however, that this is but temporary assistance, that the approach to a meaningful solution to the New Haven Railroad's problems must ensure that the States and the Federal Government join together to ensure the operation of this commuter railroad.

The States of New York and Connecticut are ready to do their part. I hope very much that this present announcement represents the opening in which it will be indicated that the Federal Government will do its part.

The demonstration project granted calls for first, developing an appropriate combination of private and public responsibilities for future operation of the New Haven commuter service; second, carrying out a series of studies to develop facts on which to base a workable decision, including costs and benefits, capital needs, traffic potential, fare structure, possible technical innovations, and the most desirable pattern of service and operations; and third, development and implementation of long-term managerial, legal, and financial arrangements necessary for continuing and improving the west end service in the future.

I still believe a long term solution requires the establishment of an interstate rail agency such as incorporated in S. 1234 which I introduced together with Congressman Reid of New York on February 23.

I ask unanimous consent that an editorial in today's New York Times supporting this principle and the text of S. 1234 be printed in the Record at this point in my remarks.

There being no objection, the article and bill were ordered to be printed in the Record, as follows:

The New Haven's Commuters

Now that the $3 million Federal grant essential to maintaining the New Haven Railroad's commuter service into New York for the next 18 months seems assured, some of the longer range problems require urgent attention. The engineering study just released by the New Haven Commuter Study Group, Inc., indicates that some drastic cuts will be required to keep it going without continuing subsidy.

An engineering firm of high standing concludes after a survey that commuter service can be maintained between Westport and New York with better than break-even results provided that: The number of stations can be reduced from 40 to 18; the track mileage can be reduced from 272 to 100; all passenger service on the Danbury branch can be abandoned; train crews can be reduced from a maximum of seven men to a maximum of four; and $31 million can be expended in a modernization program. These provisos bring up all kinds of fresh problems in the fields of legislation, labor relations and public relations. They would undoubtedly provoke indignant outcries from the patrons of the stations that would be closed, and from the railroad unions.

Nevertheless William J. Ronan, newly appointed chairman of the Metropolitan Commuter Transportation Authority, considers the study a substantial contribution toward the permanent solution of the New Haven commuter problem. Since the MCTA and the Connecticut Transportation Agency have been jointly charged by Governors Rockefeller and Dempsey with working out the permanent solution, this is significant of the line they are likely to take. Currently they are exploring the possibility of having the New York Central manage the New Haven commuter operation on a fee basis.

There can be little doubt that the 28,000 commuters from Westchester and Fairfield Counties on the New Haven are going to have to accept some reduction in service as the price of keeping it in operation. This is one

of the results of the piecemeal way in which the attempts have been made to solve commuter problems. There will never be a really satisfactory solution until New York, New Jersey, and Connecticut establish a tristate agency, with Federal financial support, to coordinate all the commuter railroads of the metropolitan area and integrate them with the city's subway system.

S. 1234

A bill to encourage the preservation and development of a modern and efficient passenger rail transportation service in the northeastern seaboard area by granting the consent and approval of Congress to the States of New York and Connecticut to negotiate and enter into a compact to create their own New York-Connecticut Rail Authority, and by guaranteeing certain bonds of, and furnishing certain assistance to, such authority.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SHORT TITLE AND STATEMENT OF FINDINGS AND DECLARATION OF POLICY

Short title

SEC. 101. This Act may be cited as the "New York-Connecticut Rail Authority Act of 1965".

Statement of findings and declaration of policy

SEC. 102. The Congress finds that it is necessary to the national defense and to the general welfare of the Nation as well as that of the area involved that passenger and commuter-rail transportation be preserved and properly maintained within the northeastern seaboard area. The Congress therefore declares that it is the continuing policy and responsibility of the Federal Government to encourage the State governments to enter into a compact to create their own New York-Connecticut Rail Authority to own, or lease, and operate such a system.

TITLE II—NEW YORK-CONNECTICUT RAIL AUTHORITY COMPACT

Consent and approval of compact

SEC. 201. The consent and approval of Congress is hereby given to the States of New York and Connecticut to negotiate and enter into the New York-Connecticut rail authority compact for the purpose of creating a New York-Connecticut Rail Authority to own, or lease, and operate a passenger or commuter-rail transportation system within such States. Such compact shall be as follows:

"NEW YORK-CONNECTICUT RAIL AUTHORITY COMPACT

"The States of New York and Connecticut hereinafter collectively referred to as signatories, any one of them being referred to as a signatory, do hereby covenant and agree as follows:

"Article I

"There is hereby created the New York-Connecticut Rail District, hereinafter referred to as the 'District', which shall embrace the States of New York and Connecticut.

"Article II

"The signatories hereby create the New York-Connecticut Rail Authority, hereinafter referred to as the 'Authority', which shall be a body corporate and politic, having the powers and jurisdiction hereinafter enumerated, and such other and additional powers and duties as may be conferred upon it by the legislatures of the signatories and concurred in and approved by the Congress. The Authority shall have the power to own, or lease, and operate a passenger rail transportation system within the District.

"Article III

"1. The Authority shall consist of four Commissioners, two each to be appointed by the Governors of New York and Connecticut. Each Commissioner so appointed shall serve for a term of four years.

"2. The Authority shall have a Federal representative, if such a representative is appointed by the Secretary of Commerce pursuant to title II of the New York-Connecticut Rail Authority Act of 1965. The function of such representative shall be (a) to have the authority to veto any matter relating to the issue and sale of bonds or other indebtedness guaranteed by the Federal Government pursuant to such title III, and (b) to report to the Secretary of Commerce with respect to the activities of the Authority.

"3. No Commissioner shall have financial interest in any corporation or other entity engaged in the business of providing public passenger transportation within the District or engaged in the manufacture or selling of passenger transportation facilities.

"4. The Authority shall annually elect a chairman from its commissioners and may appoint such other officers as it may require for the performance of its duties, and shall fix and determine their qualifications and duties.

"5. Each Commissioner shall receive basic compensation at the rate of $100 per diem, to be paid by the Authority as current expenses Commissioners shall be reimbursed for actual expenses, including traveling and subsistence expenses incurred by them in the performance of their duties.

"6. The Authority shall appoint an Executive Director, who shall be responsible for the day-to-day management of the operations conducted by the Authority. The Executive Director shall receive compensation at the rate established by the Authority.

"7. In addition, the Authority may employ such engineering, technical, legal, clerical, and other personnel on a regular, part-time, or consulting basis as in its judgment may be necessary for the discharge of its functions. The Authority shall not be bound by any statute or regulation of any signatory in the employment or discharge of any officer or employee, except as may be contained in this compact.

"Article IV

"No action may be taken by the Authority unless a majority or more, as may be provided in this compact, of the Commissioners concur therein, but nothing in this Article shall be construed to limit in any respect the power of the Authority to delegate to its officers and employees the administration of such matters as it deems advisable. Three Commissioners shall constitute a quorum of the Authority.

"Article V

"Except as otherwise specifically provided in this compact, the Authority shall have power to:

"(1) adopt, alter, and use a corporate seal, and such seal shall be judicially noticed;

"(2) adopt, amend, and repeal by-laws, rules, and regulations;

"(3) sue and be sued in its corporate name in any court of competent jurisdiction;

"(4) make contracts, as authorized in this compact;

"(5) accept gifts or donations of property;

"(6) acquire by purchase, lease, condemnation, or in other lawful manner, any property whether real, personal, or mixed, tangible or intangible, and any interest therein; hold, maintain, use, and operate such property; sell, lease or otherwise dispose of the same at such time, in such manner, and to the extent deemed necessary or appropriate to carry out its functions;

"(7) operate all facilities acquired or constructed by it or enter into agreements with railroad corporations, government agencies and public bodies or other persons for the operation of its facilities, the use of its operating rights, its equipment or the provision of passenger transportation services making use of other facilities and operating rights;

"(8) determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid;

"(9) set fares, tariffs, and other rates and charges to the public for the services rendered by its facilities;

"(10) execute, in accordance with its by-laws, rules or regulations all instruments necessary or appropriate in the exercise of any of its powers;

"(1) settle and adjust claims held by it against other persons or parties and by other persons or parties against it;

"(12) take such actions as may be necessary or appropriate to carry out the powers and duties specifically conferred upon it by this compact; and

"(13) apply for and be eligible for Federal, State or other governmental assistance.

"Article VI

"Insofar as possible the fares, tariffs, and other rates and charges to the public set by the Authority for the services rendered by its facilities shall be established at such levels that the revenues of the Authority may be reasonably expected to cover all costs of operating and maintaining the facilities under the administration of the Authority, including depreciation and payment of interest on its obligations. The Authority is not required, however, to operate any particular portion of its facilities without loss, but may set fares, tariffs or other rates and charges on the basis of all of its facilities considered as a whole. When, in the opinion of the Authority, it is in the best interest of the Authority not to charge fares, tariffs, or other rates and charges for a particular facility, it shall not be required to levy such charge. The Authority may enter into agreements with railroad corporations, government agencies or other persons or entities for the establishment of combination fares.

"Article VII

"1. The Authority shall annually submit to each of the signatories a budget for operating the Authority for the next ensuing year which shall include information concerning any amount by which costs of operations as conducted by the Authority are in excess of the revenues from such operations. To determine the proper allocation of any such amounts the Authority shall establish a formula for determining the portions of the signatories' share of any such amounts to be borne by each of the signatories. Such formula shall be consistent with the Constitution and laws of the individual signatories, and shall be established only by unanimous consent of the commissioners. Upon allocating in accordance with such formula the portions of any such amounts to be borne by the signatories, the Authority shall immediately notify the chief executive of each signatory as to the share which deems to be payable by such signatory under such formula. Such notice shall be submitted by the chief executive to the legislature of the signatory for its consideration and appropriate action. For the purpose of this article the 'signatories' share of any such amount shall be the portion of any such amount in excess of the Federal share of such amount as established pursuant to section 307 of the New York-Connecticut Rail Authority Act of 1965.

"2. At such time as the revenues per annum of the Authority may exceed the costs (including payment of indebtedness) per annum of the Authority, the Commissioners at their discretion may make payments to the Federal Government and the signatories in reimbursement of amounts paid to the Authority to cover deficits. Such

reimbursement shall be made at a prudent rate and in the same ratio as deficits were borne by the various signatories and the Federal Government.

"3. The Authority shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time for inspection by such representatives of the respective signatories as may be duly constituted for that purpose.

"Article VIII

"1. The Authority is authorized to issue and sell bonds, notes, and other evidences of indebtedness, hereinafter collectively referred to as 'bonds', in an amount not exceeding $500,000,000 outstanding at any time to assist in financing its operations pursuant to the powers granted by this compact. The Authority is authorized to enter into binding covenants with the holders of bonds, and with the trustee, if any, under any indenture, resolution, or other agreement entered into in connection with the issuance thereof.

"2. Bonds issued by the Authority shall be negotiable instruments unless otherwise specified therein, shall be in such forms and denominations, shall be sold at such times and in such amounts, shall mature at such time or times, shall be sold at such prices, shall bear such rates of interest, may be redeemable before maturity at the option of the Authority in such manner and at such times and redemption premiums, may be entitled to such relative priorities with respect to principal and interest payments, and shall be subject to such other terms and conditions, as the Authority may determine.

"3. Bonds issued by the Authority pursuant to this compact shall be legal investments under the laws of each of the signatories for all State and municipal officers and bodies, all banks, bankers, trust companies, savings banks, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and such persons and entities may properly and legally invest any funds, including capital, within their control; and said bonds shall be securities which may properly and legally be deposited with and shall be received by any State or municipal officer or agency for any purpose which the deposit of bonds or other obligations of the signatories are now or may hereafter be authorized.

"4. The bonds shall at all times be free from taxation by any signatory. The Authority shall be regarded as the instrumentality of the several signatories for the purpose of operating and developing passenger rail transportation and effectuating the pledge of the signatories in this compact, but it shall have no power to pledge the credit of any signatory or to impose any obligation upon any signatory, except as expressly provided in this compact.

"5. Bonds issued by the Authority may be guaranteed by the signatories or by the Federal Government pursuant to title III of the New York-Connecticut Rail Authority Act of 1965, or by the signatories and the Federal Government.

"Article IX

"The Authority is authorized to make payments to State and local governments in lieu of property taxes upon property within the District which was subject to State and local taxation before acquisition by the Authority, except that such payments will not be required in years when the annual budget as submitted to the signatories indicates that revenues will be less than expenses. Such payments shall be in the amounts, at the times, and upon such terms as the Authority in its discretion determines to be appropriate. No payment shall be made in excess of the taxes which would have been payable for such property except where special burdens are placed upon the State or local government by the activities of the Authority or its agents.

"Article X

"In the acquisition of any transportation facilities in the District the Authority shall make arrangements to protect the interests of employees affected by such acquisition. Such arrangements shall include, without being limited to, such provisions as may be necessary for (a) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise; (b) the continuation of collective bargaining rights; (c) the protection of individual employees against a worsening of their positions with respect to their employment; (d) assurances of employment to employees of acquired railroad companies and priority of reemployment of employees terminated or laid off; (e) necessary moving expenses, and (f) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Act of February 4, 1887 (24 Stat. 379), as amended. The contract for the granting of any such assistance shall specify the terms and conditions of the protective arrangements.

"Article XI

"This compact shall become effective ninety (90) days after the date of adoption thereof by the last signatory to adopt such compact.

"Article XII

"This compact may be amended from time to time with the consent of all of the signatories and the Congress of the United States.

"Article XIII

"Each of the signatories pledges to each of the other signatories faithful cooperation in the promotion of passenger rail transportation within the District and, in furtherance thereof, agrees to enact any necessary legislation to achieve the objectives of this compact.

"Article XIV

"1. If any part or provision of this compact or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this compact or the application thereof to other persons or circumstances and the signatories hereby declare that they would have entered into this compact or the remainder thereof had the invalidity of such provision or application thereof been apparent.

"2. In accordance with the ordinary rules for construction of interstate compacts, this compact shall be liberally construed to eliminate the evils described therein and to effectuate the purposes thereof.

"Article XV

"Other States may join this compact on the same terms and under the same obligations as set forth in the preceding articles of this compact with the consent of all of the signatories and the Congress of the United States."

TITLE III—FEDERAL BOND GUARANTY AND OTHER ASSISTANCE

Definitions

Sec. 301. For the purposes of this title—

(1) The term "Secretary" means the Secretary of Commerce.

(2) The term "Commission" means the Interstate Commerce Commission.

(3) The term "authority" means the New York-Connecticut Rail Authority established pursuant to the New York-Connecticut rail authority compact.

(4) The term "additions and betterments or other capital expenditures" means expenditures for the acquisition or construction of property used in transportation service, chargeable to the road, property, or equipment investment accounts, in the uniform system of accounts prescribed by the Commission.

(5) The term "expenditures for maintenance of property" means expenditures for labor, materials, and other costs incurred in maintaining, repairing, modernizing, or renewing equipment, road, or property used in transportation service chargeable to operating expenses in accordance with the uniform system of accounts prescribed by the Commission.

Guarantee authority

Sec. 302. (a) In order to carry out the purpose declared in section 201 of this Act, the Secretary may, after consultation with and consideration of the views and recommendations of the Commission and upon terms and conditions prescribed by him and consistent with the provisions of this title, guarantee any bonds (including other evidences of indebtedness) which are issued by the authority for the purpose of financing or refinancing (1) additions and betterments or other capital expenditures, or to reimburse the authority for expenditures made from its own funds for such additions and betterments or other capital expenditures, or (2) expenditures for the maintenance of property.

(b) The aggregate principal amount of all guarantees pursuant to this title shall not exceed $500,000,000.

Limitations

Sec. 303. No guaranty shall be made pursuant to this title—

(1) if in the judgment of the Secretary the bonds involved are at a rate of interest which is unreasonably high; or

(2) if the terms of such bonds permit redemption more than fifteen years after the date thereof.

Modification authority

Sec. 304. The Secretary may consent to the modification of the provisions as to rate of interest, time of payment of interest or principal, security, if any, or other terms and conditions of any bonds which he has guaranteed pursuant to this title, or the renewal or extension of any such bonds, whenever the Secretary shall determine it to be equitable to do so.

Payment on guaranty

Sec. 305. (a) Any payment required to be made as a consequence of any guaranty pursuant to this title shall be made by the Secretary of the Treasury from funds hereby authorized to be appropriated in such amounts as may be necessary for the purpose of carrying out the provisions of this section.

(b) In the event of any default on any bonds guaranteed pursuant to this title, and payment in accordance with the guaranty by the United States, the Attorney General shall take such action as may be appropriate to recover the amount of such payment, with interest, from the authority.

Guarantee fee

Sec. 306. The Secretary shall prescribe and collect a guaranty fee in connection with any guaranty pursuant to this title. Such fees shall not exceed such amounts as the Secretary estimates to be necessary to cover the administrative costs of carrying out the provisions of this title. Sums realized from such fees shall be deposited in the Treasury as miscellaneous receipts.

Federal share of the authority's operating costs in excess of revenues

SEC. 307. (a) The Secretary shall pay to the authority for each year during which the cost of operations conducted by the authority exceeded revenues from such operations, an amount equal to 33⅓ per centum of such excess. Such per centum shall be the Federal share of operation deficits incurred by the authority. Prior to making such payment, the Secretary shall receive from the authority a comprehensive plan and/or report as to the purposes for which this amount is to be expended.

(b) The Secretary is authorized to receive any reimbursement by the authority of amounts paid pursuant to this section and amounts received as such reimbursement shall be covered into the Treasury as miscellaneous receipts.

(c) There are authorized to be appropriated such amounts as may be necessary for payments pursuant to subsection (a).

Federal representative on authority and other assistance for Secretary

SEC. 308. (a) In order to more effectively carry out his functions pursuant to this title, the Secretary may appoint a Federal representative to the authority as authorized in article III of the New York-Connecticut rail authority compact.

(b) To permit the Secretary to make use of such other expert advice and services as he may require in carrying out the provisions of this title, he may use available services and facilities of other departments, agencies, and instrumentalities of the Government, with their consent and on a reimbursable basis where necessary.

(c) Departments, agencies, and instrumentalities of the Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this Act.

"FROM LOFTY NONINVOLVEMENT TO TEMPTING POWER"—ADDRESS BY ADLAI E. STEVENSON

Mr. RIBICOFF. Mr. President, last Thursday the Honorable Adlai E. Stevenson, U.S. Ambassador to the United Nations, addressed the annual commencement meeting of the Harvard Alumni Association, in Cambridge.

With wisdom that comes from experience and with the eloquence and the imagination for which he is known, Ambassador Stevenson described the posture and responsibilities of our Nation.

I ask unanimous consent that the text of his outstanding address, be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STEVENSON TEXT: FROM LOFTY NONINVOLVEMENT TO TEMPTING POWER

Goethe said there are many echoes in the world, but only a few voices.

These days everyone is voicing or echoing their views about Vietnam, the Dominican Republic, and student demonstrations and picketing.

I claim without shame that I am really a battle-scarred, if not scared veteran of the demonstrators and picketeers.

I've been picketed, applauded, and abused from right and left and center everywhere from Texas to Toronto for more years than I like to remember.

Indeed, my honorary degree should have a P.D.—a doctor of pickets.

I don't share the concern of some of my contemporaries about student demonstrations. I like their involvement in great issues.

But if I could offer them one word of advice, I would say that to state goals is easy; to tell them how to get there is not so easy. A moral commitment is hardly meaningful without a practical hope of improving the human condition.

But now I must speak a bit, and you must listen. I hope we both finish our work at about the same time.

I will suggest how we might—I say "might" advisedly—get to some of our goals in the world.

Twenty years have passed since we made the last peace, exactly the same span of time from Versailles to Hitler's war. This is the sobering fact which today overshadows our troubled world.

Last time not all our good intentions, not all our last-minute efforts of improvisation, could stave off catastrophe.

Can we be sure that on this grim anniversary we may not be failing once again?

The question dwarfs all others, for in the nuclear age we have peace or we have nothing.

We know all about our errors in 1919. They were, simply, to repeat the policies of the last century—high moral tone and noninvolvement.

ISOLATION A CLOAK

President Woodrow Wilson attempted through the League of Nations to bring our idealism down to earth in the first sketch of a functioning world society based on law, on self-determination, on the organized institutions of peace.

But this dive into reality was too much for us. We retreated to an old isolation and continued to mistake exhortation for power.

Could we have repeated this error in 1945? Perhaps, but in fact we were presented with the opposite temptation.

What a heyday of conquest we could have had—alone with the atom bomb, alone with a healthy economy in a shattered world, alone with our energy unleashed, unbroken by the ordeal of war.

But we are not conquerors. We are perhaps the most unwilling great power in history, and certainly no great power has been plunged so suddenly from the temptations of lofty noninvolvement to the opposite temptations of almost vital total power.

Yet we did not lose our idealism. We set up the United Nations on the basis of equality and self-determination, and have helped mightily to make it work ever since.

We have pressed for decolonization. We have offered to internationalize atomic energy. We have Europe the Marshal plan, first proposed from this platform. We preached the ideal of unity and federation of Europe.

A HEADY DRAUGHT

All of this was very far from selfish exercise of our power.

But of course it was power. The United States was dominant. The Western Alliance was guided by us. The United Nations majorities voted with us. The economic assistance was all from us. The Communists were largely contained by us.

It is a great record of magnanimous and responsible leadership.

But I suspect we became used to the idea that although nations were equal we were somehow a little more equal than anyone else. And of course for any nation this sense of leadership is very heady stuff.

I have myself said of flattery that "it is very fine provided that you don't inhale." The same is true of leadership. It's fine and we did inhale.

Today, however, we face entirely new conditions. Preponderant power is a thing of the past. Western Europe has recovered its economic strength and military potential.

Russia commands a vast war machine with a full nuclear arsenal. China adds incipient nuclear power to massive armies.

And both exploit the new techniques of covert aggression—the so-called wars of national liberation—which have nothing to do with nation or liberation—and can be stretched to cover any use of outside interference to remove any government, whatever its policies, that is anti-Communist or even non-Communist.

IDEALISM BALKED

Our idealism is trustrated too. The "third world" of post-colonial states seems to have much less stability and staying power than we expected. Just as Western colonialism ends, some of them seem ready to fight it all over again under the guise of neocolonialism.

Meanwhile, the new tactics of subversion, infiltration, deception, and confusion seem to be little understood, to say the least.

Even in Europe the partnership we looked for with a unified continent has been challenged and circumscribed by a reassertion of national power.

So we face a new situation—less manageable and less appealing. What do we do about it?

There are those who would bid us accept the inevitable. If Europe is strong enough to defend itself, let it do so. If China has recovered its ancient influence in Asia—so what—we can't stop it.

If weak developing nations want to try communism, let them learn the hard way, we've done the best we could with aid and advice.

In these arguments we can detect some of the old isolationist overtones and assumptions.

But in a world much less closely knit than this, isolation has not saved us from two global wars. It launched us into a worldwide depression. It saw the Far East all but devoured by a single military clique.

WHERE CRY "HALT"?

Would we now keep the peace by leaving the levers of power largely in the hands of vast imperial systems whose ideological aim is still to dominate the world? At what point should we cry halt, and probably confront a nuclear holocaust?

The isolationism was always too naive about power and about the pretensions of power. We must not make that mistake again.

But equally we must not make the opposite mistake and put too much faith in power.

We have among us advocates of much stronger action. For them, it is the idealism of America that is at fault. Get the allies back into line. Confront Russia over Berlin and Germany. Bomb China's nuclear capacity before it increases.

And back any anti-Communist government anywhere. Teach everyone they can't push us around.

But this won't work either. What power have we to coerce our friends in Europe?

What assurance have we that direct action against either Communist giant will not unleash a nuclear war from which we would suffer as much as they? How can we be sure that unlimited support of any authoritarian anti-Communist government may not merely hasten the day when their citizens become Communist as the only means to change?

If total isolationism is no answer, total interventionism is no answer either.

In fact, the clear, quick, definable, measurable answers are all ruled out. In this new twilight of power, there is no path to a convenient light switch.

PARTNERSHIP VITAL

What then can we do? What are the options?

I want to suggest that the extremes are not exhaustive. In between—less exciting perhaps, less nationally satisfying but safer and more humane—are other routes and methods which recognize the image of our power, allow for our traditional idealism, take account of the world ideological struggle and include no fantasies of either total withdrawal or total control.

But they are all paths which demand a high degree of genuine partnership, of genuine cooperation.

As such, they will often seem more arduous and more tedious than the old pursuits, for it is easier to command than to persuade.

How do we apply a new sense of partnership and cooperation to the dilemmas of our time? In Europe, we have to help defend against renewed Soviet pressure westward.

Equally, we have to remove the grievance of a divided Germany which obstructs genuine peace in central Europe. And to compound the problem to defend the West we must take a hard line with Russia.

But our only hope of reunifying Germany peacefully is with Russian good will. I do not believe a divided, splintered, nationalist Europe cut off from America can accomplish this complicated balance.

Either its divisions will enfeeble it militarily or a resurgence of German nationalism will postpone possible reconciliation with the West.

TIES WITH SOVIET

Our best policy is, I think, on the one hand, to keep our defense commitment to Europe unequivocal and to explore all reasonable ways of transferring greater responsibility to them—by joint planning, by joint purchasing, by joint burden sharing, by our readiness to consider any pattern of cooperation that Europeans care to suggest.

And if at some future time they move to political union, then clearly the question of nuclear responsibility will have to be reconsidered.

But at the same time, let us seek all possible ways, together with our European allies, to increase peaceful and profitable contacts with Eastern Europe and the Soviet Union.

There were small signs not long ago of a modest thaw in the dead winter of the old cold war.

We should be ready for all such signs—in trade, in scientific research, in cultural exchanges, in tourism—in anything, in short, that opens the two systems to each other, that substitutes knowledge and reality for myths and fear.

Just the other day, President Johnson said directly to the Soviet people, "There is no American interest in conflict with the Soviet people anywhere."

Had I been talking with you even a year ago, I would not have been more optimistic about these possibilities.

Today the drama in southeast Asia and the dilemmas faced by Russia in its relations with its stubborn, dogmatic Chinese associate have shrouded all hopes of yesterday.

But the aim is not at fault—to prove that we at least want to end this tragic breach in human society, want to overcome the barriers that unnaturally divide an ancient continent and culture, want to explore with our fellow citizens of a threatened world the dilemmas and possibilities of a stable peace.

THAILAND IN SHADOW

In Asia, too, I do not believe our aims are false. The right we seek to defend is the right of people, be it in Korea or South Vietnam, not to have their future decided by violence.

I do not believe this right can be secured by retreat. Retreat leads to retreat, just as aggression leads to aggression in this still primitive international community.

Already an active apparatus of subversion has begun its work in Thailand, and it is only a few years since Malayans beat down a long and murderous attempt to impose communism by force.

The Tibetans were not so fortunate, and the Indians have found in the neighborhood of 800 million Chinese hardly a guarantee of peace and security.

So the aim of reinforcing the right of peoples large and small to determine their own destiny does not seem one that we dare allow to go by default.

The old, old principle that powerful neighbors, for reasons of power alone, must prevail never gained the world peace in the past. I question whether it will do so even in a nuclear age.

But if you ask me whether the test of defending and upholding this right should be the responsibility of any one power, particularly of a large, white Western power whose past behavior in its own hemisphere has not, shall we say, been wholly without imperial overtones, then I say emphatically, "No."

Let us be quite clear about this. The United States has no desire to dominate. We have no delusion of omnipotence or omniscience.

We do not cheat ourselves with the purple rhetoric of "manifest destiny." We do not see ourselves as self-appointed gendarmes of this very troubled world. And we do not rely on muscle instead of diplomacy.

UNITED EFFORT GOAL

But although we are not even a direct party to most of the world's disputes, we have had to take a disproportionate share of the burden because the international community is not prepared already to do so, or to do so fast and far enough in a given crisis.

In South Vietnam, the task of upholding the principle of self-determination and popular sovereignty is ours in part by the chances of history, but in part by default.

We should use every persuasion, every instrument available to put responsibility where it belongs—in the international community, with international guarantees and policing, and in a long-term settlement resting not only on our own arms but in the will and authority of the United Nations.

This is what we seek.

That the Communists have rejected every overture from every quarter—more than 13—for negotiations without preconditions, does not alter our aim to stop the fighting, to create the international machinery to safeguard the people's right to peaceful choice, and to underpin the whole postcolonial settlement.

Only the right of self-determination brought it into being. Only that right can properly be enforced to defend it now.

So I am suggesting that our role is not absolute responsibility. Rather, it is to seek patiently, yes, and modestly, to persuade our fellow nations to take on the indispensable tasks of peace and law.

CONSISTENCY A MUST

And if we want the new nations to recognize the reality of the threat to self-determination in southeast Asia, for example, we must be ready to recognize the reality to them, for example, of the threat of a continued colonialism in southern Africa.

We can hardly proclaim the duty to safeguard the right of free choice in the Caribbean and deny its validity on the other side of the Atlantic.

The credibility of our posture rests on its consistency.

Safeguards for the right of choice, like safeguards for peace itself, must depend ultimately on multilateral foundations and the concepts of collective security enshrined in the United Nations Charter.

At a time when peace is so precarious, it is shameful that the great peacekeeping institution must beg for the means of keeping the peace.

But I believe its financial troubles may soon be over. It has been on a sickbed long enough.

But it is not a deathbed. It is suffering not from death pangs but from growing pains.

The simple truth is that as long as the world is in crisis, the United Nations will be in crisis. That is what it's there for. As long as there is global tension, there'll be tension at a global headquarters.

When it ceases to reflect the troubles of the world, then you can start worrying about its demise.

But external pressure is not the only threat to self-determination. Of the United Nations' 114 members, perhaps two-thirds are vulnerable and unstable, not because of great power ambitions and rivalries.

TASK IS FOR MANY

The instability springs from the growing gap between their aspirations and the hard economic reality of making their way in the postcolonial world.

The fact that sugar prices fell by half last winter is not unconnected with the crisis in the Dominican Republic.

Nor has the stability in Latin America been reinforced by a 10-year decline in primary prices that wiped out the effect of all incoming capital, public or private.

These are roots of disorder exploited by external subversion. To suppose that our world can continue half-affluent and half-desperate is to assume a patience on the part of the needy for which, to put it mildly, history gives us no warrant at all.

But like peacekeeping, this vast global task is not a task for one nation acting singly. The developed nations together must redress the imbalance.

While America can give—and has given—a modest lead, we have to accept once again the patient, modest, unsensational path of consulting and persuading.

The developing nations have started to act together in the framework of the United Nations Trade and Development Conference. The developed nations probably also should be internationalized more and more by working in and through the United Nations group.

JOINT ACTION BEST

If only one government is giving a country aid, it easily comes to play too persuasive a part in the local scene. Suspicions of neocolonialism arise. Issues of prestige and paternalism and dependence begin to obtrude.

The answer to these dilemmas is once again the way of consultation and joint action to bring a sizable part of the needed flow of capital under international bodies in which donors and recipients can work out their problems together.

No doubt much of this seems more difficult than the role of direct benefaction.

But our readiness to act not as a benefactor but as partner could lead to increasing respect, closer understanding, a sense of community and perhaps, at last, enough confidence to dissipate the myth of neocolonialism and to erase the memories of earlier servitude and humiliation.

In short, what I believe we should speak in this new age of more limited power but still unlimited challenge is not so much new policies as a new emphasis, a new tone.

We should be readier to listen than to instruct—that curiosity which is the beginning of wisdom. It will take a greater effort of imagination for us to see the world through others' eyes, to judge our policies as they impinge on others' interests.

A SECURE LOYALTY

For what we intend today is to extend to the whole society of man the techniques, the methods, the habits—if you will, the courtesies—upon which our own sense of citizenship is based.

In our free society we ask that citizens participate as equals. We accept their views and interests as significant. We struggle for unenforced consensus. We tolerate conflict and accept dissent.

But we believe that because each citizen knows he is valued and has his chance to comment and influence, his final loyalty to the social order will be more deeply rooted and secure.

But as heirs to the tradition of free government, what else can we do? Our founders had the audacity to proclaim their ideals self-evident for all mankind. We can hardly be less bold when all mankind is no longer an abstraction but a political fact in the United Nations, a physical fact for the circling astronaut.

Nor should we despair. The art of open government has grown from its seeds in the tiny city-states of Greece to become the political mode of half the world.

So let us dream of a world in which all states, great and small, work together for the peaceful flowering of the republic of man.

CONSTITUTION DAY AT LOUISVILLE, OHIO

Mr. LAUSCHE. Mr. President, Ohio's "constitution town," Louisville, has adopted its own flag, which will be dedicated during the annual constitution day observances this coming September.

The flag was designed by Mrs. Olga T. Weber, and has been approved by the city council.

I join her many friends in extending to Mrs. Weber commendations for her untiring efforts in connection with the observance of constitution day, and for gaining recognition for her community.

ENDORSEMENT OF CONTINUANCE OF SUNMOUNT VETERANS' HOSPITAL, TUPPER LAKE, N.Y.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record a resolution, unanimously approved at a regular meeting of the Champlain-Rouses Point Junior Chamber of Commerce, favoring continuance of the Sunmount Veterans' Hospital, with its present staff, budget, and facilities, at Tupper Lake, N.Y.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Champlain-Rouses Point Jaycees,
Rouses Point, N.Y., June 10, 1965.

Whereas the Champlain-Rouses Point Jaycees are young men of action that are dedicated to the development of the communities of Champlain and Rouses Point as well as the northeastern area of New York State; and

Whereas Tupper Lake, home of Sunmount Hospital, is located in the same geographical area as Champlain and Rouses Point; and

Whereas there are 70,000 veterans in the northeastern part of New York State in 10 upstate counties; and

Whereas there is a veterans' hospital employing over 400 people or about 45 percent of the Tupper Lake work force which earns about $3 million annually; and

Whereas this hospital has maintained such a high ratio of patients being returned to their homes and businesses rather than being turned into nursing homes; and

Whereas an undue hardship would be placed on relatives visiting these injured or sick veterans if they were transferred to Albany or Syracuse; and

Whereas the only patients and outpatients to be treated at Government expense would be service injured veterans, nonservice injured veterans would not be treated unless they traveled to Albany or Syracuse at their own expense: Now, therefore, be it

Resolved this 10th day of June 1965, That the Champlain-Rouses Point Jaycees are in favor of the continuance of the Sunmount Veterans' Hospital with its present staff, budget, and facilities, in Tupper Lake, N.Y.

(Unanimously approved at a regular business meeting of the Champlain-Rouses Point Jaycees on June 10, 1965.)

Arthur J. Bylow,
President.

"OUR FLAG IS A SYMBOL"—ADDRESS BY RABBI ABRAHAM J. FELDMAN

Mr. RIBICOFF. Mr. President, June 14, 1965, marked the 188th anniversary of our Nation's flag.

Patriotism and pride inspired the design of this banner—just as patriotism and pride inspired the design of this great Nation.

The American flag symbolizes meaningful memories and bold ideals. It represents a way of life, and offers us a world of challenges. The flag symbolizes national responsibility and achievement for our country today.

Dr. Abraham J. Feldman, Rabbi of the Congregation Beth Israel, in West Hartford, Conn., expressed these sentiments with eloquence and feeling in a recent speech.

I ask unanimous consent that the address by this outstanding spiritual leadleader, delivered on June 13, over station WTIC–TV, in Hartford, be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Setting Up Our Banners

(A Flag Day address over WTIC–TV (channel 3), Hartford, Conn., by Rabbi Abraham J. Feldman, D.D., June 13, 1965)

Ladies and gentlemen, tomorrow, we should be celebrating Flag Day in commemoration of that June 14, in the year 1777, when the Stars and Stripes was adopted as our country's national banner. With relatively minor changes, it has remained our national flag for these 188 years. This is a relatively short time as history goes but our flag is one of the oldest, perhaps the oldest amongst the national flags in the world today.

The custom of using some kind of a banner, or standard, or ensign, as a means of identification for royalty, or a nation, or armies, or individual units of armies, or navies, or even religious institutions—is as old as civilization and, in most cases, such banners "were associated in the minds of men with feelings of awe and devotion."

The Bible has numerous references to the existence and use of banners and flags. For instance, in the Book of Numbers (2:2), we read: "Every man of the children of Israel shall pitch by his own standard, with the ensign of their father's house." In Psalm 50, we read: "Thou hast given a banner to them that fear Thee that it may be displayed * * *." In Song of Songs (6:10), we read: "Who is he that looketh forth as the dawn, fair as the moon, clear as the sun, terrible as an army with banners?" And in Psalm 20, we find the statement: "We will shout for joy over thy victory and in the name of our God we will set up our banners." And, there are other such mentions in the Bible.

These banners, or flags, in time required a significance greater than that of their being identification marks of an individual, or a company, or a tribe or nation. Banners became symbols, reminders of higher spiritual values. They were not only symbols of royal prerogatives, of armed forces or of military goals. They became the visible symbols of ideals and of the loyalty to these ideals and, because of such ideals, flags, banners, became items of inspiration and exaltation, symbols of dedication and of constant rededication. They became—in the words of the Psalmist—banners which can be, and often are, set up in the name of the Lord and, accordingly, offer persistent and constant challenges which may come to all of us to remember the ideals and, in the words of someone, "Whenever you are tempted to anything mean, anything unworthy, look on that flag and forbear."

So—on this 188th birthday of our Nation's flag what does the flag mean to you and to me?

It seems to me that our flag: (a) Speaks to us of memories; (b) it offers a challenge; (c) it holds out a hope and a promise.

(A) Our flag evokes memories: It reminds us of the beginning of our Nation "conceived in liberty and dedicated to the proposition that all men are created equal." It reminds us of men who had a vision of a country established on justice, founded on the principle of the inalienable dignity of all human personalities, dedicated to the freedom of men to live and dream, to speak and read and write, to assemble and to petition, to vote and to dissent, to worship God, each in accordance with his own convictions, to participate in all the multifarious activities of life in our republic in accordance with our own choice, our own capacity, and with due regard for the identical rights of others.

Our flag reminds us of the beginnings of a great and noble experiment in representative democracy among a people, our people, which is diverse in origin, diverse in religion, diverse in historic background, tradition, and heritage, and yet, a people united in will and purpose and in determination to have this experiment succeed.

(B) Our flag offers us a challenge. As we proceed from the consideration of our national beginnings to the evaluation of our history since then, we must be thrilled by the realization that the experiment which European lands scoffed at, and scorned, has succeeded beyond the most daring dreams of the founders. As at the beginning—we stand today as a Nation which dares to believe in the reality and validity of an ideal; a Nation retaining its faith in God, yes, and its faith in man; a Nation committed to liberty, to justice for all within its own borders; a people united while scorning regimentation; a people strong because of the massed strength and democratic discipline of its constituent parts.

We were the only bulwark of democracy then. Even now, we are a citadel of democratic freedom in a world in which contempt for liberty, and scorn, and mockery, and oppression are abundant and militant.

Our flag is a symbol, the visible beauteous symbol of our past glory and of our present commitment. It is a symbol, too, of the heroism, the sacrifice, of American men and women in every part of the world, for the preservation of what we proudly call "the American way of life," against every threat wherever and by whomsoever offered; a symbol of the faith of American men and women backed by our substance and by our lives, faith in the validity of our way of life and faith in its enduring rightness. And as such a symbol, our flag challenges us who are the heirs of yesterday's valor and promise and the witnesses of, and participants in today's efforts, to be worthy of our heritage and strength, and vigilant in its preservation.

(C) This challenge we accept. And as we accept the challenge which the billowing folds of the Star-Spangled Banner offer us, this standard becomes also the symbol of a hope and the assurance of a promise. The hope is for the perpetuity of freedom in our land and its preservation inviolate. The promise is for today and tomorrow that our unity, that our liberty, that justice and brotherhood, that amity and cooperation, will continue to be controlling and governing factors in our living together.

Ladies and gentlemen, this is what Flag Day in 1965 should mean to us, and how necessary and timely this is. Within our land there are conflicts which threaten our heritage and which endanger the survival of the ideal of which the flag is our noble symbol. Too many in American life today look upon this banner and display it in public procession who are completely unmindful of what the flag should remind us. And overseas, in all the corners of this earth, there are those who are actively, belligerently, maliciously, tearing down and trampling upon this, to us, sacred ensign in a concerted effort to "black out" the light and the promise which our flag represents.

I say to you, my fellow Americans, in the words found in our Bible, "In the name of our God," the God of history, the God of holiness, the God of the spirits of all flesh; in the name of God in whose spiritual likeness all men have been created; in the name of the God of righteousness, the God of justice and of mercy; "in the name of our God, let us set up our banner." By the memories which it evokes, by the challenge which it offers, by the hope and promise which it holds out to us, let us consciously, responsibly, honestly, rededicate ourselves and our communities to the end that the American people may find itself standing and marching in the days ahead as in days of yore, ranks closed, souls enkindled, so that the lights of faith and of freedom may continue to burn undimmed on this continent and, perchance, God willing it, we may be privileged not only to keep the lights bright in our own midst but to help our brothers all over the world to keep them burning.

Unfurl this banner then, ladies and gentlemen; unfurl it to the breeze. Stand reverently before it. Salute it with hands, salute it with love, salute it with renewed devotion. Let us be reminded that this flag is the symbol of our idealism and commitment. Let it become also, the meaningful symbol of our loyalty and of our pledge of sacrificial devotion.

This is our flag, my fellow countrymen. "In the name of God, let us set up our banner."

A 3-year-old little girl, I read somewhere recently, found an American flag tucked away somewhere in her home. She pulled it out and brought it over to her parents in the living room and asked, "What is it?" Before the parents could answer, the child's 5-year-old sister, a kindergartener, said: "That's our country's flag. You hang it up and salute it to show that you like living here."

I can't improve upon this child's answer. Can you?

ANTIDUMPING ACT AMENDMENTS

Mr. SCOTT. Mr. President, as the principal cosponsor, with Senator HARTKE and other Senators, of the 1965 Antidumping Act amendment (S. 2045), it is gratifying to see the broad bipartisan support which this sorely needed measure is receiving within Congress. Senate bill 2045 has been cosponsored by 32 Senators; and 94 Representatives have introduced identical bills.

I hope this Congress will have an opportunity to focus its attention on Senate bill 2045 in an atmosphere free of the old "protectionist versus freetrader" cliches to which all of us have been conditioned, and which I have no doubt, will be bandied about again. Let us, instead, cut through to the problems involved in the operation of the U.S. Antidumping Act, and weigh the merits of the solutions proposed, without the emotional fanfare which only beclouds the issues. I urge Senators who have not yet done so to indicate their support of action on this moderate and constructive amendment to make ours a fair, effective Antidumping Act.

It has been most encouraging to note the frank remarks of Eliot Janeway, published in his syndicated column, "As Janeway Views It," of June 14. I recommend the article as one which loosens the shackles on some of the thinking that has long accompanied any attempt to explore the realities of our trade policies; and I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, June 14, 1965]

ANTIDUMPING BILL GETS SOLID SUPPORT

(By Eliot Janeway, consulting economist, Chicago Tribune press service)

NEW YORK, June 13.—Ever since Alf Landon said, "Politics end at the water's edge," bipartisanship has been standard operating procedure when our military security has been threatened. Now that the main battlefield of the cold war has moved to the marketplace, bipartisanship also is the order of the day when our economic security is threatened.

Happily, a strong and representative bipartisan movement has started in Congress which aims to update our thinking and our procedures in order to meet this threat on our critical front and neutralize it. Despite all the changes in our foreign trade since the end of World War I, despite the thoroughgoing internationalization of our economic relationships, the Antidumping Act on the books today is the one that was put there back in 1921.

Senator VANCE HARTKE, Democrat, of Indiana, has introduced a bill not merely to amend the 1921 act, but to modernize it. Senator HUGH SCOTT, Republican, of Pennsylvania, has joined him as the new bill's principal cosponsor. The bill's support is as powerful as its two principal sponsors. The list of signatories from both parties, in both Houses, leaves no doubt that the new Hartke-Scott approach expresses the sense of Congress.

On the Republican side, liberal Senator THOMAS KUCHEL, of California, conservative Senator JOHN TOWER, of Texas, and middle-of-the-road Senator THRUSTON MORTON, of Kentucky, support it. The Democrat endorsements reflect the same broad consensus, ranging from Senator FRANK LAUSCHE, of Ohio, who often is to the right of the administration, to Senator JOSEPH CLARK, of Pennsylvania, who often is to the left of the administration, to Senator EUGENE MCCARTHY, of Minnesota, who often speaks for the administration. Support throughout the House is comparably powerful.

PURPOSE OF BILL

The purpose of the new bill, as Senator HARTKE defined it, is "to assure a price floor on imports, tied not to U.S. prices, but to their own home market prices * * *. If the foreign supplier sells his product cheaper to the United States than in his own home market or to third countries * * * special dumping duty is determined by the Treasury which in effect brings the price to the United States back up to the foreign price level."

Senator SCOTT went to the heart of our need for updating our trade defenses when he explained that we do not need antidumping legislation "to prevent foreign manufacturers from selling in the United States at prices below those charged by domestic producers. Manufacturers in this country have never feared legitimate competition. The act does seek to curb, however, injury to U.S. industry from a foreign supplier dumping his product into this market at a price below what he charges in his own home market."

There is much food for thought here, and a compelling invitation to unfreeze old attitudes, to outgrow taboos, to put sacred cows out to pasture, to recognize new competitive challenges, and to improvise new techniques for meeting them. For instance, the restoration of price cuts by U.S. industries which have been hit by dumping has been taken as a pretext for antitrust suits. The bill would stop such harassment. It invites a hard new look at all our antitrust taboos in the light of our international economic involvements.

GATT A SACRED COW

Then there is the sacred cow we make of the General Agreement on Tariffs and Trade. Our naivete has made us a laughingstock in the GATT countries. As Senator HARTKE invites us to discover, all the GATT countries reserve the right to have antidumping laws against their free trade partners. Italy finds that her babies do not like the state of French bottle nipples, and the French find that the sound of foreign automobile horns grate on their nerves.

The non-Communist world is suffering from a liquidity crisis, which our new payments surplus is intensifying. A new dumping drive to get dollars at any cost is in the making. The Hartke-Scott bill is well timed. If, in addition, it needles our Government into ferreting out the sweetheart contracts made with the Soviet bloc by countries having the run of U.S. markets, it will put us in position to trade as hard with our friends as our enemies are.

THE VENDING MACHINE INDUSTRY AND THE SHORTAGE OF COINS

Mr. BIBLE. Mr. President, on May 25, I introduced Senate bill 2036, which, if passed by Congress and approved by the administration, will, in my opinion, stop much of the speculation and hoarding of our coins. I reintroduced this bill in early June, with additional cosponsors.

I have always held that we had sufficient coins with which to meet our needs within commerce and trade, and that the present shortage is an artificial one, created, not by a lack of coinage, but by hoarders and speculators.

Now the Treasury staff report and statements from responsible Senators have pointed out the need to accommodate the vending machine industry with a coin which would operate in its machines without requiring expensive changes. All have been sympathetic in regard to this problem, for we realize this is a billion-dollar industry.

Nevertheless, since this great amount of cooperation has been extended, I think it appropriate that the vending machine industry take a close look at some of its operators, who are literally rolling in coins. This is evident from advertisements offering all types of coins—rolls, bags, and so forth—for sale to the public. If the vending machine industry is concerned with a coinage shortage, one would think many of these operators would stop the sale of such coins and, instead, would put them into the channels of trade and commerce. I submit, for printing in the Record, concrete evidence that many vending machine operators are helping to create a shortage of coins. I urge that Members of this body review some of these advertisements.

There being no objection, the advertisements were ordered to be printed in the Record, as follows:

[From Coin World, May 26, 1965]

Dimes, 2,000 dimes, $216.50. Sent prepaid anywhere in the United States. Like our cents, guaranteed unpicked from our vending machines.

We think that dimes because of their silver content are going to be good. Even the common dates. We suggest that you go through the bag and take out the better dimes.

"Walk in" sales always welcome. Hours 7 a.m. to 5 p.m. daily; 9 a.m. to 1 p.m. Saturday.

A. Kantor, First National Vending Service, 5322 West Belmont Avenue, Chicago, Ill.

Unsorted numismatically untouched bags vending machine cents, nickels, dimes; $55 per $50 bag, plus shipping. TR 7-5841. H. & M. Enterprises, 6150 Cleon, North Hollywood, Calif.

Fifty-dollar sacks unsorted cents from California gum machines, $53; shipped express collect upon receipt of money order. E. A. Holliday Co., 6430 Freeport Boulevard, Sacramento, Calif.

Poverty area coins, direct from our own vending machines to you. Numismatically untouched. Most our customers repeat, some every week. Need say more? $50 bags of cents $55, $50 nickels $54, $50 dimes $53. If quantity totals $150, deduct $3. Southeastern Venders. 419 Quincy, Knoxville, Tenn.

WOW, 5,000 vending machine cents with all 1961, 1962, 1963, and 1964 PD's removed $65. Or 5,000 cents with 1956–64 PD's removed $95. Guaranteed numismatically untouched. Shipped freight collect. John Gash, Box 372, Gardena, Calif.

One thousand nickels $55; 500 dimes $53.50; 200 quarters $53.50. Shipped prepaid numismatically untouched from our own cigarette vending machines located in metropolitan New York. Send money order or certified check to: Aetna Automatic Vending Corp., 750 10th Avenue, New York, N.Y.

Guaranteed absolutely unsearched. Bagged by electric counter just as taken from vending, gum ball, cigarette machines. Try us once and you will reorder. $50 bag cents $54, $100 bag nickels $105, $100 bag dimes $105, $100 bag quarters $105, $500 bag dimes, quarters, special $514. Reference Southern Bank & Trust, Greenville. Express collect. Summey's 309 Blue Ridge Drive, Greenville, S.C.

California vending cents: Beware of secondhand bags picked up at banks, city halls, vendors, then sold as "untouched." We ship direct from our own machines throughout California in lead sealed canvas bags, guaranteed untouched.

Counted by weight (147 per pound); 5,000 cents 35 pounds, gross $55; 500 dimes 3 pounds, gross $54; 200 quarters 3 pounds, gross $54. Shipping charges collect. Order three or four bags and include $9 extra for prepaid shipment anywhere in U.S.A. No walk-in sales. Mail check to Peerless Weighing & Vending Machine Co., 2166 Market Street, San Francisco, Calif.

We have halves. Orders shipped in 2 days and shipped prepaid. That's right—prices below include all shipping and insurance charges.

Halves are still hot and getting scarce, but we are shipping as promised above.

Numismatically unsorted halves brought in by visitors from all 50 States are fresh and unpicked—just as we receive them. All the good ones stay in. Most of our customers repeat. F.O.H., Akron, Ohio, has bought over 50 bags. Mrs. F.G., New York City says "the best I've seen, only 4 bad ones in 2 bags." T.C., Philadelphia, Pa., writes "Really good—send three bags again." Many other letters on file.

Halves are rich in mint mark Liberty—many AU—1959–63 Franklins—even AU Kennedy's. Many scarce halves reported found. You'll find fun and profit in our halves. Satisfaction guaranteed.

1 bag $100 face	$107. 75
3 bags $300 face	321. 00
5 bags $500 face	532. 00

Dimes, quarters: 1,000 dimes; 400 quarters; $100 bags. Prices include shipping and insurance.

1 bag	$106
2 bags	211
3 bags	315
5 bags	523

Remember—above include all shipping and insurance. No other charge to you and we ship within 2 business days. You don't wait 3 weeks or more for your orders, if you send money order or certified check. Personal checks held for clearance. National Premiums, 8841–G Biscayne Boulevard, Miami, Fla.

Unsorted vending nickels: 2,000, $102.50; 3,000, $153.50; 4,000, $204.50. Shipped collect upon receipt of money order. M. Schaubert, Box 32, Granger, Ind.

Twenty-five hundred (one-half bag) cents numismatically untouched, good area, $30.50 prepaid; 1,000 (one-quarter bag), nickels numismatically untouched, $55.50 prepaid. California residents $1.50 less, Herb Hord, 625 College, Fresno, Calif.

Parking meter coins, bank sealed: cents, 5,000, $51.95; 2,500, $26.95; nickels, 4,000, $205.80; 2,000 $102.95; 1500, $77.20; 1,000, $51.47. Vending machine coins: dimes, 1,000, $102.80; 500, $51.45; quarters, 400, $102.80; 200, $51.45; halves, 200, $103.50; 100, $52; $500 bags of dimes, quarters, $510; $500 halves, $518. All coins numismatically untouched. Money order or certified check. Roger Pollock, 456 Poinciana, Albany, Ga.

Vending machine coins: Free: 100 wrappers with each bag.

5,000 cents (1 bag)	$55
3 bags or more	54
10 bags or more	53
500 dimes	52

Shipped cheapest way collect or as you direct. Send money order with order.

Walk in sales welcome.

These coins come from vending machines that have high child appeal—ball gum machines and trinket machines, thus are a good source for collectors finds. Guaranteed unpicked. Automatic Merchandise, 3616 East 25th Street, Indianapolis, Ind.

Southern California cents: Do you know the difference between bags labeled "from our own machines" or labeled "vending machine cents"? Many vending machine operators pay for their supplies with cents. Then the supplier sells you these cents as "untouched." Over half of these bags have been searched by the operator or his family, before the supplier got them. Be wise, ask first, then buy. We are operators, not a vending machine supply house, and we are not numismatists. We ship coins direct from our own machines, located mostly in small towns. Try us and see the difference. No walk in sales.

Cents, dimes, quarters: $50 bag at $55 each or 3 or more at $54 each. Shipped collect or for $9 extra, we ship up to 4 bags prepaid. Immediate delivery. Mail check to Standard Vending Service, 5117 Hollywood Boulevard, Hollywood, Calif.

Direct from gumball machines in New England. Cents or nickels, one $50 bag $55; two $50 bags, $107; three $50 bags, $160; six $50 bags, $315. From jukeboxes and cigarette machines. Dimes, quarters, and halves, $100 at $105; $200 at $208. Guaranteed unsearched or money refunded. Freight collect, cheapest way. King Vending, Box 4153, East Providence, R.I.

Guaranteed unsearched vending coins from "D" and "S" rich area. Cents 2,500 ($28), 5,000 ($55); nickels 1,000 ($54), 2,000 ($107). Special on dimes and quarters only $500 bag ($512), 2 or more bags $510 each. Many, many keys reported. Many, many repeat orders indicates satisfaction. All shipping charges express collect. Personal checks OK, allow time to clear. Free wrappers. Free delivery. Loudon Co., Post Office Box 6510, Minneapolis, Minn.

Los Angeles, Calif.: Bags of vending machine coins. Guaranteed numismatically untouched. 5,000 cents, $52; 500 dimes, $52; 1,000 nickels, $52; 200 quarters, $52.

Walk-in sales welcomed. All shipments via REA freight collect. No personal checks accepted. Acme Vending Machine Co., 1696 West Washington Boulevard, Los Angeles, Calif.

STATEMENT BY SENATOR PELL, URGING ADOPTION OF TWO AMENDMENTS TO H.R. 6675, PROVIDING AN AUTOMATIC INCREASE IN SOCIAL SECURITY BENEFITS, BASED ON INCREASES IN THE COST OF LIVING, AND RAISING THE INCOME LIMITATION PLACED ON SOCIAL SECURITY BENEFICIARIES

Mr. PELL. Mr. President, the Senate will soon be debating the Social Security Amendments of 1965, which include a hospital-insurance plan for our elderly, a 7-percent increase in social security benefits, and certain other benefits. It is long overdue, but assuredly is most welcome.

The two amendments I offered on Thursday are designed to eliminate the need for Congress to act periodically on legislation to increase social security benefits or in other ways to liberalize the act.

The first amendment to House bill 6675 would link the social security system directly to the cost-of-living index as compiled monthly by the Bureau of Labor Statistics. Using the year 1964 as a base period, my amendment provides for an automatic increase of 3 percent in social security benefits when the cost of living rises by that amount.

Since the mid-1930's, when social security was first enacted, the act has not kept pace with the spiraling rise in living costs. Benefits to our aged citizens that may have been adequate in 1938 or 1948 are no longer so, as the purchasing power of the dollar has decreased. However, by linking the act directly to the cost-of-living index, we can provide an equitable and realistic system of benefits, similar to those provided for in the Civil Service Retirement Act and the Military Retirement Act. Both of these retirement programs provide a 3-percent increase in benefits when the cost of living rises by that percentage. The Civil Service Act, as amended by Public Law 87–793, uses the base period of 1962; the Military Retirement Act, as amended by Public Law 88–132, uses the base period of 1963. I believe it would be entirely consistent with the general intent of Congress to adjust the Social Security Act in an identical fashion; and, to insure that the social security fund will not fall into financial jeopardy, I have also provided that the Secretary of Health, Education, and Welfare report to Congress his recommendations for necessary increases in the tax rate or the wage base in order to cover the costs of this program.

The second amendment I offered, Mr. President, would raise from $1,200 per annum to $1,800 per annum the income limitation presently leveled on social security beneficiaries. Under present law, a person receiving social security benefits is penalized by loss of benefits of 50 cents on each dollar if he earns between $1,200 and $1,700 a year. If he exceeds $1,700 in annual income, his benefits will be reduced by $1 for each dollar of the excess. Thus, a person who makes the mistake of earning $1,700 in a year will lose $250 in social security benefits. If he earns $2,400 in any 1 year, he will lose $950 in benefits.

To my mind, the limitations on income imposed by the Social Security Act are unfair and unjust. On the one hand, we are saying that a person is entitled to certain benefits paid for under a Federal social-insurance program; and, on the other hand, we say that a person loses his right to such benefits if he makes the unfortunate error of earning more than $1,200 a year.

I recognize, Mr. President, that it would be virtually impossible to completely wipe out the income limitations in the act; but the very least we can do is raise them to a reasonable level. I am also mindful of the fact that the Senate Finance Committee voted to raise the limitation to $1,500; but I do not think this goes far enough.

My amendment would allow an individual to earn up to $1,800 a year, without any loss in benefits. If we consider the fact that the maximum benefit to an individual now is $127 a month, this would mean that a single person could receive as much as $3,324 a year, in combined income and social security benefits. I doubt that such a sum would provide a barely adequate standard of living; I believe it would be not too far above what is generally accepted as a level of poverty.

My amendment would then follow past precedent, and would reduce the benefits by 50 percent for income in excess of $1,800 and up to $3,000 a year, and only then dollar for dollar on income exceeding $3,000.

I request that the two amendments be printed in full at this point in the RECORD.

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

On page 218, strike out lines 16 through 19, and insert in lieu thereof the following:

"SEC. 310. (a) (1) Paragraphs (1), (3), and (4) (B) of subsection (f) of section 203 of the Social Security Act are each amended by striking out '$100' wherever it appears therein and inserting in lieu thereof '$150'.

"(2) The first sentence of paragraph (3) of such subsection (f) is amended by striking out '$500' each place it appears therein and inserting in lieu thereof '$1,200'.

"(3) Paragraph (1) (A) of subsection (h) of section 203 of such Act is amended by striking out '$100' and inserting in lieu thereof '$150'."

On page 266, between lines 22 and 23, insert the following:

"COST-OF-LIVING INCREASE IN BENEFITS

"SEC. 328. Section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"'COST-OF-LIVING INCREASE IN BENEFITS

"'(w) (1) (A) For purposes of this subsection—

"'(i) the term "price index" means the annual average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

"'(ii) the term "base period" means the calendar year 1964.

"'(B) For purposes of determining under this subsection the per centum of increase (if any) of the price index for any year over the price index for the base period, the price index for the base period shall be regarded as 100 per centum.

"'(2) As soon after January 1, 1966, and as soon after January 1 of each succeeding year as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary shall determine the per centum of increase (if any) in the price index for the calendar year ending with the close of the preceding December over the price index for the base period. For each full 3 per centum of increase occurring in the price index for the latest calendar year with respect to which a determination is made in accordance with this paragraph over the price index for the base period, there shall be made, in accordance with the succeeding provisions of this subsection, an increase of 3 per centum in insurance benefits payable under this title.

"'(3) Increases in insurance benefits provided under this subsection shall be effective, in the case of monthly benefits, for benefits payable with respect to months in the one-year period commencing with April of the year in which the most recent determination pursuant to paragraph (2) is made and ending with the close of the following March, and, in the case of lump-sum death benefits, with respect to deaths occurring during such one-year period.

"'(4) In determining the amount of any individual's monthly insurance benefit for purposes of applying the provisions of section 203(a) (relating to reductions of benefits when necessary to prevent certain maximum benefits from being exceeded, amounts payable by reason of this subsection shall not be regarded as part of the monthly benefit of such individual.

"'(5) Any increase to be made in the monthly benefit or lump-sum death payment payable to or with respect to any individual shall be applied after all other provisions of this title relating to the amount of such benefit or payment have been applied. If the amount of any increase payable by reason of the provisions of this subsection is not a multiple of $0.10, it shall be reduced to the next lower multiple of $0.10.

"'(6) Whenever the Secretary determines that the application of the foregoing provisions of this subsection will result in an actuarial deficit to the trust funds established by section 201 of this Act, he shall report the matter to the Congress together with such recommended changes in social security tax schedules or such changes in the wage base, or both, as may be necessary to offset such deficit.'"

ARGENTINE DECREE IMPOSING UNREALISTIC PRICE STRICTURES ON DRUGS

Mr. BAYH. Mr. President, those of us who watch developments in our Latin American neighbor countries have been increasingly dismayed in recent days by a government action in Argentina which could destroy its entire pharmaceutical industry. I am informed that this would be the unavoidable result of the Argentine decree No. 3042 which would impose on drugs such totally unrealistic price strictures as to force manufacturers to close their doors.

Enforcement of what appears to be a shortsighted law could endanger the livelihood of more than 20,000 Argentine families whose bread is earned in the pharmaceutical industry, and could prove detrimental to the good health of the entire country. Among many others in that country, members of the medical profession of Argentina have been gravely concerned.

A recent editorial in one of Buenos Aires' most important medical periodicals, Medical Orientation—Orientacion Medica—has commented in part as follows:

THE MEDICINALS ACT

We all know that this century has witnessed an accelerated advance in the realm of therapeutic agents, including drugs which are almost magical, capable of controlling conditions heretofore considered untreatable, such as tuberculosis, syphillis, infections of all sorts, etc., through the availability of antibiotics, chemotherapeutic agents, corticoids, psychiatric drugs, diuretics, and many other substances, with the help of which the physician's task has been simplified to such a point as in some cases to relieve him of the need for differential diagnosis of the conditions entrusted to his care, owing to the broad spectrum of activity of agents like those enumerated. Furthermore, the brilliant results obtained by their use affords him satisfaction undreamed of in the past century.

Now all these marvelous therapeutic weapons were created by research men working in laboratories organized and maintained by the pharmaceutical industry of the world, including that of our country, which has contributed in some measure to the advance referred to. This endeavor of transcendant human importance is not always engaged in disinterestedly, but inspired by a pragmatic sort of incentive, subject to the laws governing the economic life of any industry. If these laws are violated, the motive power of the operations of industrial management changes pace and diverts its attention to other horizons, leaving a void in an aspect of community activity which should by no means be neglected, as this would lead to a disastrous neglect of public health.

That unhappy condition may soon be reached if our pharmaceutical industry cannot, as has been brought out repeatedly by its responsible management, adapt itself to the new situation and organize the system of manufacturing and marketing pharmaceutical products on some other basis. We are well aware that the contribution of medical specialty laboratories operating among us is not at present of any very great significance in the field of original creation, but they are in a position to grow quickly into the production stage on any progress achieved elsewhere, thus performing a public service which otherwise would be unavailable or available only to those on a high economic level, with the further disadvantage that under abnormal conditions of warlike conflict, we should be completely cutoff from our supply of drugs and medicines.

In other words, if the consequences pointed out by the group affected by the measures in the regulations in question come true, our country cannot henceforth depend on a regular supply of medicinal products nor expect to benefit by pharmaceutical progress in other countries. Inevitably, such a situation will be gravely reflected in the health of the population, and physicians will directly feel the anxiety of not having access to the means by which to treat the ills of their patients.

This is an impartial analysis of the question; it may be that its scope has been exaggerated, but in any case, it will be appropriate for the responsible authorities to give it careful study, to avoid unforeseen disaster in times to come.

OPPOSITION TO REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY ACT—RESOLUTION OF SAN ANTONIO RETAIL MERCHANTS ASSOCIATION

Mr. TOWER. Mr. President, on June 14, at a meeting of the board of directors of the San Antonio Retail Merchants Association, a most important resolution was adopted.

I am in full agreement with the resolution. In order that other Senators may share the views of the distinguished directors of the association and may gage the depth of Texas interest in retention of our State's right-to-work law, I ask that the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SAN ANTONIO RETAIL MERCHANTS ASSOCIATION,
San Antonio, Tex., June 16, 1965.

Whereas in 1947, the Texas Legislature enacted a law which affirmed the inherent right of every person to work and bargain freely with his employer, individually or collectively, and gave assurance that no person should be denied employment on account of membership or nonmembership in a labor union; and

Whereas the movement for enactment of right-to-work laws began in 1944, and today some 20 States, with a total population in excess of 58 million, now have these laws in force; and

Whereas at the national level, section 14 (b) of the Taft-Hartley bill, enacted in 1947, affirmed the authority of the States to pass such laws by providing that nothing in the act should be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment where such execution or application was prohibited as State or Territorial law; and

Whereas the U.S. Supreme Court subsequently upheld the constitutionality of section 14(b) and all State laws enacted under its authority; and

Whereas labor union leaders are organizing to bring about the repeal of section 14 (b) by the 89th Congress, and, in the same vein, the National Labor Relations Board recently ruled to deny an employer the right to express his views to employees except through union representatives at the bargaining table; and

Whereas the right-to-work law in Texas and other States has served as the single greatest stimulant to economic growth since World War II, resulting in prosperity unprecedented in history.

We urgently request your support in opposing the repeal of section 14(b).

Sincerely,

T. C. TARIN,
Secretary-General Manager.

OPPOSITION TO REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY ACT—RESOLUTION OF TEXAS CITY CHAMBER OF COMMERCE

Mr. TOWER. Mr. President, the directors of the Texas City Chamber of Commerce recently adopted a most important resolution supporting retention of section 14(b) of the Taft-Hartley law.

I fully agree with the position taken by these distinguished directors. In order that other Senators may have the benefit of their views, I ask that the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolved by the board of directors of the Texas City Chamber of Commerce, That it opposes the repeal of section 14(b) of the Taft-Hartley Act, or any modification thereof which would impair or prevent any State from adopting or maintaining its own statute accepting or rejecting union membership as a condition of employment.

The board of directors makes this statement of policy for the following reasons:

1. That each of the sovereign States should retain the authority to determine for itself the wisdom of denying or granting labor unions the right to impose compulsory union membership upon the citizens of that State as a requirement of gainful employment. Section 14(b) of the Taft-Hartley Act constituting an express recognition of such authority.

2. That the decision to join or not to join a union is among the constitutional rights of the individual, and that the individual should be permitted to make that choice free of coercion or undue influence from either the employer or the labor union.

3. That unions should no more have the authority to insist that all employees become union members than employees should be able to require that all employees reject union membership as a condition for employment.

Be it further resolved, That this action and policy be communicated promptly to Congressman CLARK W. THOMPSON and such other public officials as would be appropriate; be it further

Resolved, That the board of directors of the Texas City Chamber of Commerce approves and endorses the continuation of the Texas right-to-work statute (art. 5207a, Vernon's Civil Statutes), as such statute is protected and embraced within the coverage of said section 14(b) of the Taft-Hartley Act; be it further

Resolved, That the officers, staff, and committee of this chamber of commerce be authorized and directed to work with other organizations and agencies in the carrying forward of the policy above stated, emphasizing the importance of preserving section 14(b) of the Taft-Hartley Act.

Adopted this 14th day of June 1965.

JAMES C. FULLER,
President.

Attest:

LESLIE H. BOX,
General Manager.

"DEFINITION OF A CONSERVATIVE"—STATEMENT BY RT. REV. MSGR. JOHN J. CLEARY

Mr. TOWER. Mr. President, the Right Reverend Monsignor John J. Cleary, pastor of St. Mary of the Assumption Church, in Staten Island, recently stated what he means by the word "conservative."

I ask that his interesting and informative comments be printed in the RECORD for the information of the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

DEFINITION OF A CONSERVATIVE

A conservative is one who strives to conserve the great and tested progress made by the human race in all fields of life—spiritual, moral, intellectual, material—and in all phases of human activity—religious, educational, economic, political, international.

A conservative does not accept the myth that no advance has been made in the past and that progress will come only from the rejection of the accumulated wisdom of the ages and the destruction of the past achievements of the human race.

If recognizing the existence of two substances, material and spiritual, body and soul;

If recognizing Almighty God as in the Declaration of Independence as "Nature's God," as "Creator," as "Supreme Judge," as "Divine Providence";

If recognizing that all men are created equal, endowed by their Creator with certain inalienable rights;

If maintaining that these rights are listed in the Ten Commandments;

If maintaining that governments are formed among men not to confer or to destroy but to preserve inalienable rights already given by God;

If agreeing with Pope John XXIII that "Order between the political communities must be built upon the unshakable and unchangeable rock or the moral law";

If agreeing with Pope John that "peace will be but an empty-sounding word unless it is based on an order founded on truth, built according to justice, vivified and integrated by charity, and put into practice in freedom"; "whose principles are universal, absolute and unchangeable, and its ultimate source is the one true God who is personal and transcends human nature. Inasmuch as God is the first truth and the highest good, He alone is the deepest source from which human society can draw its vitality";

If agreeing with Pope Pius XII that "A true peace is not, in fact, achieved without the employment of force, and its very existence needs the support of a normal measure of power"; "law and order may at times have need of the strong arm of force. But force should be held always in check by law and order and be exercised only in their defense";

If agreeing with J. Edgar Hoover that it would be a mistake to set up any device that will demoralize and discourage any police force from maintaining law and order;

If agreeing with Pope Pius XI that "the evil we must combat is at its origin primarily an evil of the spiritual order. From this polluted source the monstrous emanations of the atheistic system flow with satanic logic";

If agreeing with Pope Pius XI that the ancient tempter has never ceased to deceive mankind with false promises;

If agreeing with Pope Pius XI that "one explanation for the rapid diffusion of violently atheistic ideas is a propaganda truly diabolical";

If agreeing with Pope Pius XI that "one cherishes the firm hope that the fanaticism with which the sons of darkness work day and night at their materialistic and atheistic propaganda will at least serve the holy purpose of stimulating the sons of light to a like and even greater zeal for the honor of the Divine Majesty";

If agreeing with Pope Pius XI that "in this battle by the powers of darkness against the very idea of divinity, it is our fond hope that all those who still believe in God and pay Him homage may take a decisive part. We therefore renew the invitation invoking their loyal and hearty collaboration in order to ward off from mankind the great danger that threatens all alike";

If agreeing with the Pope that "Since * * * belief in God is the unshakable foundation of all social order and of all responsibility on earth, it follows that all those who do not want anarchy and terrorism ought to take energetic steps to prevent the enemies of religion from attaining the goal they have so brazenly proclaimed to the world";

If agreeing with Pope Pius XI that "all diligence should be exercised by states to prevent within their territories the ravages of anti-God campaign * * * there can be no authority on earth unless the authority of the Divine Majesty be recognized: no oath will bind which is not sworn in the name of the living God. How can any contract be maintained, and what value can any treaty have, in which every guarantee of conscience is lacking? And how can there be talk of guarantees of conscience when all faith in God and all fear of God have vanished? Take away this basis, and with it all moral law falls";

If agreeing with Pope Pius XI that "A powerful factor in the diffusion of communism is the conspiracy of silence—of the press of the world * * * due to political policy and by occult forces to overthrow the Christian social order";

If agreeing with Pope Pius XI that "communism strives to entice the multitudes by trickery of various forms, hiding its real designs behind ideas that in themselves are good and attractive. They try perfidiously to worm their way even into professedly Catholic and religious organizations";

If taking seriously and carrying out the mandate of Pope Pius XI: "See to it, venerable brethren, that the faithful do not allow themselves to be deceived. Communism is intrinsically wrong and no one who would save Christian civilization may collaborate with it in any undertaking whatsoever";

If progress for peace begins in each one's heart by praying for one's enemies;

"If all the preceding makes one a conservative, then by God's grace I am a conservative.

"PATRIOTISM"—ESSAYS BY VALDEMAR PEREZ, JR., AND STEVE CAVAZOS

Mr. TOWER. Mr. President, the Latin American influence, both cultural and political, in my State, has been, and is, very pronounced. Persons of Mexican ancestry have contributed a great deal to our society. They have fought well in the wars our sons have been called upon to fight around the world. They have contributed much in the way of cultural development. They have served, and are now serving, in positions of trust and influence in politics and government. In a word, they are good citizens.

It is with particular pride, then, that I ask consent to have printed in the CONGRESSIONAL RECORD the essays on patriotism written by two young Texans from Kingsville. With these essays, the youngsters won the John G. Tower scholarship in their community, which will be of some assistance, I hope, in furthering their education.

Valdemar Perez, Jr., and Steve Cavazos were students at H. M. King High School, in Kingsville, until their graduation this year. Both of them were good students; and what is more important—both have a good understanding of our country and its purposes.

Sometimes, Mr. President, in this day and age, when there is so much confusion about our purpose in Vietnam or in Santo Domingo, and about whether our country really means anything to our youngsters, it is good to turn to the thoughts of people like Valdemar Perez and Steve Cavazos, for renewed faith.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

PATRIOTISM

(By Valdemar Perez, Jr.)

Patriotism can be simply defined as love and loyal support of one's country. But this definition is not completely suitable because love for one's country is a natural quality which most of us are born with, and support for one's country is more like a duty than just being patriotic.

However, American patriotism should and does have a very special meaning. This patriotism is one including pride and honor of the many great Americans who fought and died so bravely for this their country. It is a patriotism in which one not only advocates, but also does his task toward betterment of his country.

Growing from the Original Thirteen Colonies to the present 50 States was not an easy accomplishment. Many patriotic men and women perished for this country during this period of growth. Although their bodies died, their spirit of patriotism lived on. And today, this patriotism is conveyed by the Americans who give recognition and honor to all those others so valiant in past times. This pride held by Americans is a part of the national patriotism.

Knowing how one's government is maintained is one other trait of a good patriotic American. This is not only best for one's country but also for oneself. Even support of one's country includes various things. Stating one's voice in government, either directly or through representatives, shows the makings of a patriotic citizen. Yet, often one hears of so-called Americans who failed to cast their votes because they just didn't care enough to do so. Such a plain occasion as voting shows one's support of their American government. And after all government is a major part of this country.

As we can see for ourselves, patriotism is the main characteristic of the American way. It is a characteristic which was established in the beginning of these United States and which shall be so till the very end if it should ever come.

PATRIOTISM

(By Steve Cavazos)

What causes the chills which run through us when the flag passes? What causes the beliefs and faith which we hold in our Nation? There is only one answer to these and similar questions—patriotism. Patriotism is the determining factor in our life and the life of our country. This patriotism has caused people to care enough to change and develop several colonies into the most powerful nation on earth.

Patriotism is not a seasonal feeling, developed only on historic holidays, but a deep love of our country instilled into its people. Without patriotism, elections and other government business would mean nothing. Patriotism is what every American feels as he goes to the polls to decide his country's future. Without this feeling, it is doubtful that we would care enough to find the most responsible leaders and decisions for our country.

Patriotism causes men to unite for the welfare of their country, be it after overwhelming victory, or crushing defeat. The bonds men feel between themselves and their country causes elimination of trivial differences between them, and allows them to join together for a single goal.

Although patriotism is scoffed at by liberal internationalists in their struggle to rid countries of nationalism, it will never die. For how could such a strong factory which has brought a country from a meager beginning to undreamed of power be ignored? The thousands of men who have fought and now fight for our free way of life will never allow patriotism to die. And neither will the millions of Americans who, with a chill of pride, will not be afraid to stand and shout, "I am an American."

EGYPT'S VIOLATIONS OF PUBLIC LAW 480 HURT U.S. BALANCE OF PAYMENTS AND AID CUBA

Mr. GRUENING. Mr. President, the basic purpose of the foreign aid program of the United States is to promote peace throughout the world. In keeping with this purpose, it was gratifying to see that the Senate voted 73 to 13 for an amendment—proposed by the able and distinguished junior Senator from Oklahoma [Mr. HARRIS] to this year's foreign aid bill—that will prohibit any kind of aid to Indonesia or the United Arab Republic "so long as they continue to commit aggression."

In 1963, I proposed to the Foreign Assistance Act of 1963 an amendment which provided that no further assistance and no further sales under Public Law 480 should be made to any nation found by the President to be "engaging in or preparing for aggressive military efforts against any country" receiving assistance from the United States. That amendment was adopted, and is now the law of the land.

Since that time, despite the United Arab Republic's continued aggression in Yemen, its active support through the furnishing of arms to the rebels in the Congo, its supplying of arms to Cyprus to promote strife there, its continuing threats to destroy the independent nation of Israel, and its continuing boycott of that country and the perpetuation of a declaration of war against it, our President has not made the necessary finding that the United Arab Republic was an aggressor within the meaning of my amendment.

The Harris amendment refines my amendment.

Without binding the hands of the President, under the Harris amendment, if adopted, Congress would be making the finding that both the United Arab Republic and Indonesia are aggressors within the meaning of the law. This would still leave the President perfectly free to find, whenever he feels that the facts so justify, that either or both of these countries are no longer aggressors, and thereby are again eligible to receive U.S. foreign assistance and to purchase grain and fiber under Public Law 480.

Recently, there have come to my attention facts indicating a serious and illegal misuse of wheat sold to the United Arab Republic under title I of Public Law 480.

The figures show clearly that wheat sold to the United Arab Republic has been utilized by the country in violation of the provision of Public Law 480 which requires that wheat sold under title I of that law should not be used so as to cut down normal purchases in the commercial market. This safeguard has been flouted by the United Arab Republic. The result is that the United Arab Republic has improved its foreign-exchange position; and the foreign exchange, which Nasser has thus freed, at the expense of the U.S. foreign-exchange position, has been used by him to support his aggressions.

The figures also show clearly that wheat sold to the United Arab Republic has been used, not to increase the food supply to the people of that country, but, rather, to free rice, which otherwise would be consumed within Egypt, for sale to such Iron Curtain countries as Cuba, the U.S.S.R., East Germany, and Bulgaria, and to such countries as Indonesia. Thus, Egypt's violation of its agreement with the United States under Public Law 480 enabled Egypt to ship more than 60,000 metric tons of rice to Cuba in 1964.

Senator Harris' amendment should be retained in conference, if we are to show the world that we will not permit our food-for-peace program to be used as fuel for carrying on wars or to harm the United States own vital interests.

Since 1952, U.S. foreign policy in the Middle East has been vacillating, weak, and ineffectual. U.S. persistent efforts to appease President Nasser have, in fact, been poorly concealed attempts to bribe a ruthless dictator who wants to spread his influence throughout the Middle East, and who seeks to thwart U.S. foreign policy at every turn.

Our appeasement of Nasser, by sending him food and funds for economic development, has enabled him to divert more and more of Egypt's resources to the development of a war-making machine.

In the last 2½ years, Nasser has deprived Egyptian people of the economic benefits of $2 billion, by diverting that sum from economic goals, so that he could fight an aggressive war in Yemen. No development loans have been made to Egypt in the last 18 months; but we have continued our technical assistance to Egypt, by the sale of grain and fiber to Egypt, under Public Law 480. Under title I of this program, we have shipped $365 million worth of commodities to Egypt since 1962. These commodities are sold for Egyptian currency; and, because of the excess currency situation in Egypt, they are, in effect, grants to Egypt.

In this connection, a few sentences of the testimony of the Administrator of the Agency for International Development, when he testified before the Senate Committee on Foreign Relations on March 12, 1965, are pertinent:

Mr. Bell. Senator, the title I sales have run in recent years from $130 to $150 million annually; the value of wheat at world prices.

Senator Hickenlooper. You are talking about sales, you mean for local currencies.

Mr. Bell. Yes, sir; title I sales for local currencies.

Senator Hickenlooper. Which is a gift, as a matter of fact.

Mr. Bell. In the Egyptian case, yes, because we have excess currencies. In addition to that, Senator, we have a technical cooperation program, technical assistance and training, which has been running at about between $1.5 and $2.5 million, $2.8 million in 1965, $1.4 million in fiscal 1964.

The Public Law 480 program reflects the compassion of the people of the United States for the starving peoples of the world. One of its goals is to assure that our surplus food is distributed to hungry people in countries where there is a wide gap between the extremely rich and the extremely poor.

For this reason, and for reasons of our own enlightened self-interest, Public Law 480 contains provisions which are intended to effect wide distribution of our surplus food within the countries aided. One method of insuring that the hungry people in the country for which our food is destined receive the food is to ask the recipient government to agree that it will not increase its food exports as a direct result of the food that we supply. This forces the recipient government to distribute the food to its own starving population before it fills its coffers with foreign exchange earned by exporting food.

Thus, section 101(a) of Public Law 480 provides:

> In negotiating such agreements the President shall (a) take reasonable precaution to safeguard usual marketings of the United States and to assure that sales under this act will not unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries.

By obtaining with recipient nations agreements that they will continue to buy from the United States the amounts of commodities that they have always bought, this provision insures that U.S. commercial interests will not lose foreign markets. Otherwise, our balance-of-payments position would be adversely affected.

At the same time, it effects a wider distribution of our agricultural surplus within the recipient nation, because this provision simply states that the commodities shipped should be in addition to our normal commercial shipments.

This provision of the law has been violated by the United Arab Republic since the initiation of our Public Law 480 program in that country in 1955.

Mr. President, I ask unanimous consent that a table showing U.S. commercial exports of wheat and/or wheat flour to the United Arab Republic from 1952 to 1963 be printed in the Record at this point in my remarks.

There being no objection, the table was ordered to be printed in the Record, as follows:

Schedule of U.S. commercial exports, Egypt, wheat

[Metric tons of wheat]

BEFORE PUBLIC LAW 480	
Fiscal year:	
1952	306,000
1953	339,000
1954	242,000
AFTER PUBLIC LAW 480	
1955	23,000
1956	48,000
1957	14,000
1958	10,000
1959	52,000
1960	40,000
1961	100,000
1962	2,000
1963	50,000

Mr. GRUENING. Mr. President, as this table clearly indicates, from an annual average commercial export of 295,000 metric tons of wheat in the years before the inception of the Public Law 480 program in 1955, the average rate of commercial exports has dropped to 37,667 metric tons of wheat a year. This represents a hidden grant to the United Arab Republic at the rate of more than $15 million a year, over and above our other AID programs for that country, or approximately an additional $135 million since 1955.

It represents a decrease in the U.S. favorable trade balance at the rate of more than $15 million a year, or approximately $135 million since 1955.

It represents an increase in Egypt's foreign exchange expendable in countries other than the United States at the rate of more than $15 million a year, or approximately $135 million since 1955.

Moreover, at the expense of the economic welfare of the Egyptian people, it has enabled Nasser to expand his own brand of economic and political socialism and to continue his attempts toward the violent overthrow of neighboring governments. Mr. President, this diversion of U.S. foreign exchange by Egypt, in violation of the explicit provisions of Public Law 480, should be stopped.

Egypt has, in addition, violated section 304 of Public Law 480, which provides:

> The President shall exercise the authority contained in title I of this Act * * * (2) to assure that agricultural commodities sold or transferred thereunder do not result in increased availability of those or like commodities to unfriendly nations.

The latest agreement under title I of the Public Law 480 program was signed by the United States and the United Arab Republic in October 1962. That agreement provides for the shipment of $132 million worth of commodities to the United Arab Republic through June 30, 1965, under certain conditions.

One of those conditions is that the imports of wheat and wheat flour from the United States will not increase the availability of rice for export by the United Arab Republic. This condition was meant to preclude the possibility of substituting wheat for rice in the United Arab Republic, and then shipping rice abroad. In other words, the United States was attempting to make sure that the commodities shipped to Egypt were used for the benefit of the Egyptian people. Under the food-for-peace program, the United States has no interest in helping a foreign exchange—at the expense of its own people and the American taxpayers—so that it can carry on unjust wars with its neighbors.

This condition was stated in the following way in a letter dated October 1962 and signed by His Excellency, Dr. M. Nostafa Kamel, Ambassador of the United Arab Republic, to the Honorable Dean Rusk, Secretary of State of the United States of America:

> Further, the Government of the United Arab Republic assures the Government of the United States of America that imports of wheat and wheat flour in this agreement will not increase the availability of rice for export by the United Arab Republic. It is accordingly agreed, that, on an assumed milled rice production totaling 1.3 million metric tons in the current year, rice exports in the 12 months beginning November 1, 1962, will not exceed 400,000 metric tons. Exports of rice in excess of 400,000 metric tons would be affected during this period only to the extent that final production figures for milled rice exceed 1.3 million metric tons. Levels for rice export for the second and third years of the agreement, will be considered during the annual review.

On December 9, 1963, the U.S. Government received a communication which was signed by Dr. Hadi Maghrad, Under Secretary of the Ministry Supply, of the United Arab Republic. The communication was an understanding on United Arab Republic rice exports for the period from November 1, 1963, to October 31, 1964. The following is an excerpt from that communication:

> This is to acknowledge receipt of your letter dated December 4, 1963.
>
> I have the honor to inform you of my Government's understanding of the following:
>
> The Government of the United Arab Republic agrees that, based on an assumed milled rice production totaling 1.4 million metric tons in the current year, rice exports in the 12 months beginning November 1, 1963, will not exceed 455,000 metric tons. Exports of rice in excess of 455,000 metric tons would be effected during this period only to the extent that final agreed production figures for milled rice exceed 1.4 million tons.

Mr. President, the United Arab Republic has violated this agreement. The United Arab Republic exported more than 455,000 metric tons of rice in 1964, and it exported hundreds of thousands of metric tons of that rice to Cuba, Russia, and other countries behind the Iron Curtain and the Bamboo Curtain.

The wheat which we have shipped to Egypt has been substituted for rice. The food-for-peace program, which is paid for by American taxpayers, is being used by the United Arab Republic to help the economies of Communist nations.

I ask unanimous consent that a table which shows United Arab Republic rice exports from January 1, 1964, to December 1964, be printed in the RECORD at this point in my remarks as additional support for the statement Senator HARRIS made last Wednesday.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Table showing United Arab Republic rice exports by amount and country of destination for the period Jan. 1, 1964, to Dec. 31, 1964

	Amount in metric tons
Syria	20,000
Jordan	1,823
Iraq	4,000
Sudan	650
Palestine (Gaza strip)	3,573
Lebanon	13,400
Lybia	3,300
U.S.S.R	131,398
East Germany	13,451
Hungary	6,350
Greece	1,752
Bulgaria	4,850
Poland	16,995
Czechoslovakia	24,919
Rumania	17,127
Finland	9,925
Cyprus	1,966
Yugoslava	16,145
Austria	3,450
Sweden	100
United Kingdom	8,853
Italy	1,500
Belgium	1,500
The Federal Republic of Germany	29,687
Switzerland	1,000
France	2,500
Netherlands	2,000
China	20,000
India	29,022
Kuwait	3,000
Indonesia	52,245
Cameroon	2,050
Senegal	15,000
Cuba	62,710
Somalia	430
Ship stores	22
Total	526,693

Mr. GRUENING. Mr. President, this table was compiled by the Food and Agriculture organization of the United Nations. Although there is a slight overlap in time between the dates in the United Nations table and the dates contained in the agreement between the United States and the United Arab Republic, which I have cited previously, it is perfectly obvious that the total of 526,693 metric tons of rice exported from the United Arab Republic during the calendar year of 1964 is far in excess of the amount of 455,000 metric tons which is the limit which the United Arab Republic promised to hold in its agreement for the period from November 1, 1963, to October 31, 1964.

Last year, the United Arab Republic shipped 62,710 metric tons of rice to Cuba. As can readily be seen from the table, the United Arab Republic also shipped 31,398 metric tons of rice to the U.S.S.R., 13,451 tons to Eastern Germany, 6,350 tons of rice to Hungary, almost 5,000 tons to Bulgaria, almost 17,000 tons to Poland, and over 52,000 tons to Sukarno, in Indonesia.

Thus, it is obvious that foreign aid from the United States is bolstering Communist economies throughout the world. Not only is it contributing to the economic well-being of the Communist empire in Russia and the satellite countries, but our foreign aid program enables Castro to devote more of his resources to armaments, instead of to food. The U.S. taxpayers are being forced, through the foreign aid program, to support the economy of a Communist dictatorship 90 miles from our shores.

At the same time, by not holding Nasser to the limits for exports, both under section 101(a) of Public Law 480 and under our agreements with the United Arab Republic, we are permitting Nasser to restrict the market distribution of food to the people of Egypt. Instead of negotiating with Nasser, the State Department has appeased him. Instead of promoting peace in the Middle East, we have been financing war and ruthless violations of the rights of man.

In addition to all of this, our aid program in Egypt is contributing to the deficit in our balance of payments.

We must cut through the redtape which is permitting a continuation of U.S. support of a tyrannical dictatorship. I believe it is mandatory that the Harris amendment, which would cut off all aid to Egypt, be maintained in conference.

Mr. President, this morning, there was published in the Washington Post an Associated Press dispatch to the effect that a 6-month-old suspension of food aid which resulted from a series of United States-Egyptian disputes would be ended, and that a shipment of $37 million worth of surplus food would go to Egypt. I ask unanimous consent that the entire item, as it appeared in the Washington Post of June 23, 1965, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, according to this news story, the State Department stated:

> There has been a definite improvement in our relations with the United Arab Republic (Egypt) since aid was suspended 6 months ago.

This action is again indicative of the appeasing attitude of the State Department toward Nasser.

It is also illustrative of Nasser's astute handling of the State Department, and of his blackmailing tactics. Whenever a new largesse from the United States appears possible, he becomes a cooing dove.

While there is in force a firm agreement with the United States for the shipment of Public Law 480 food and fiber to Egypt, to be purchased with local currencies, the sky is the limit, for Nasser's misbehavior. The John F. Kennedy Memorial Library can be burned and ransacked; the government-controlled Egyptian press and radio can be as vitriolic against the United States as possible; President Nasser, with Russian Communist leaders at his side, can publicly tell the United States to jump in

the lake with its aid; Egypt can supply arms to the Congolese rebels; Egypt can supply Communist arms to Cyprus; Egypt can continue its aggressive war in Yemen, can continue to threaten the destruction of Israel, and can build up a fantastic arsenal of sophisticated weapons, which can be intended only for aggression; and, in general, Egypt can continue its tactics of thwarting U.S. policy at every turn.

But when Congress expresses its disapproval of such treatment—as the Senate did recently, by an overwhelming vote—and when the time for renewal of the agreement looms, Nasser quiets down, and gives the State Department an opportunity to say he has reformed.

These tactics should fool no one. Nasser has used them in the past. He has quieted down only in comparison with his previous outrageous behavior toward the United States. He has quieted down only long enough to get a renewal of his agreement with the United States for Public Law 480 food and fiber. Once he has that agreement safely signed, he will again seek to work in every way against the U.S. foreign policies.

Congress should show that it is not fooled by these tactics, and should keep, in conference, the Harris amendment, which denies all aid to Nasser and to Sukarno.

EXHIBIT 1

[From the Washington, (D.C.) Post, June 23, 1965]

U.S. FOOD AID TO EGYPT IS ORDERED RESUMED

President Johnson has approved the shipment of $37 million worth of surplus food to Egypt, ending a 6-month-old suspension of food aid which resulted from a series of United States-Egyptian disputes.

A State Department spokesman, questioned about the President's decision, said last night:

"There has been a definite improvement in our relations with the United Arab Republic (Egypt) since aid was suspended 6 months ago."

Officials said that in mid-April the United Arab Republic stopped giving assistance to Communist-backed rebels in the Congo. The delivery of aid to the rebels was one of the reasons for friction with the United States at the end of last year.

Officials said they had also noted recent statements and actions by the Egyptian Government which seemed designed to avoid adding to tensions in the Arab-Israel dispute.

A statement issued by the State Department announcing Mr. Johnson's decision said in part:

"The President has determined that it is in U.S. interest to fulfill remaining commitments under Public Law 480 entered into with the United Arab Republic in October 1962 and which ends June 30, 1965.

"Accordingly the Department of Agriculture is proceeding with the issuance of purchase authorizations totaling approximately $37 million.

"In connection with the agreement the United Arab Republic Government has undertaken to enter into discussions with us on any outstanding differences and to resolve these to our mutual satisfaction."

The only specific difference for a discussion which was identified by State Department officials is one involving an Egyptian agreement with the United States, linked to the aid program, to control exports of Egyptian rice according to a quota system.

The State Department about a week ago confirmed reports that United Arab Republic rice shipments, presumably in excess of the quota, had gone to Communist China and Cuba. This situation is under discussion between Cairo and Washington now, officials said.

THE GOOD CHARACTER PROVISION IN THE LOUISIANA STATE CONSTITUTION AND VOTING RIGHTS

Mr. JAVITS. Mr. President, during the consideration of S. 1564, the Voting Rights Act of 1965, a provision of the Louisiana constitution was brought to my attention with a request that the bill be amended so as to invalidate the State law.

Article VIII, section 1(c) of the State constitution provides that electors in Louisiana be of "good character," and so defines that term as to exclude any person who has borne or fathered an illegitimate child within the preceding 5 years and any person who has lived in a common-law marriage within the preceding 5 years. It was my interpretation of section 4(c)(3) of S. 1564 that such State statutes would be suspended for purposes of determining voter eligibility in affected States, of which Louisiana would be one, and that an amendment to the bill would not be necessary. This view was confirmed by the Attorney General, Nicholas Katzenbach, in a letter to me dated June 11. For purposes of clarifying the legislative history of the bill, therefore, I ask unanimous consent that the text of the Attorney General's letter on this matter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., June 11, 1965.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: This is in response to your letter in which you raise a question about the relationship of S. 1564 to the Louisiana good moral character test. Article VIII, section 1(c) of the Louisiana constitution provides that an elector must be of "good character." The section then provides that a person shall not be deemed of "good character" if, among other things, he has been convicted of any of a variety of misdemeanors, has borne or fathered an illegitimate child within 5 years prior to the time of registration, or has lived in common-law marriage within 5 years of the time of registration. These constitutional provisions are implemented by title 18, section 32, Louisiana Code (1960) which prescribes the form of the application for registration. That application form contains questions paralleling the "good character" definition in article VIII.

One of the tests or devices suspended by S. 1564 is any requirement that a person, as a prerequisite for voting or registration for voting, "possess good moral character." I think that it is without question that the Louisiana good character test, which I have described above, would be suspended by operation of S. 1564. S. 1564 is intended to prevent the denial of the right to vote for reasons of lack of good character, irrespective of whether the phrase "good moral character" is used in the law or whether the law, in substance, constitutes a good moral character requirement.

This is also the opinion expressed in the joint views of 12 Members of the Judiciary Committee, of which you were one, in support of the adoption of S. 1564. In that statement, section 4(c)(3) of S. 1564 is analyzed as follows (S. Rep. No. 162, pt. 3, p. 24):

"The third type of test or device covered is any requirement of good moral character. This definition would not result in the proscription of the frequent requirement of States and political subdivisions that an applicant for voting or registration for voting be free of conviction of a felony or mental disability."

Hence, although S. 1564 would suspend the good character provisions of article VIII, section 1(c) of the Louisiana constitution, Louisiana would continue to be free to exclude from the ballot persons convicted of felonies. See article VIII, section 6, Louisiana constitution (implemented by title 18, sec. 42, Louisiana Code) which excludes from the franchise persons "who have been convicted of any crime which may be punishable by imprisonment in the penitentiary, and not afterwards pardoned with express restoration of franchise."

Sincerely,
NICHOLAS DEB. KATZENBACH,
Attorney General.

Mr. MANSFIELD. Is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is concluded.

Mr. KENNEDY of New York obtained the floor.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. KENNEDY of New York. I yield to the Senator from Montana.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Department of Justice are considered and confirmed en bloc.

U.S. COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the Coast Guard

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the Coast Guard nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

COINAGE OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2080) to provide for the coinage of the United States.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill (S. 2080) to provide for the coinage of the United States.

HAZARD OF NUCLEAR WAR

Mr. KENNEDY of New York. Mr. President, I ask unanimous consent that the germaneness rule may be waived during the duration of my speech.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KENNEDY of New York. Mr. President, I rise today to urge action on the most vital issue now facing this Nation and the world. This issue is not in the headlines. It is not Vietnam, or the Dominican Republic, or Berlin. It is the question of nuclear proliferation—of the mounting threat posed by the spread of nuclear weapons.

Five nations now have the capacity to explode nuclear bombs. This capacity was developed at great cost, over a period of a generation. But at least a dozen, perhaps a score, of other nations are now in a position to develop nuclear weapons within 3 years. Two of these nations—Israel and India—already possess weapons-grade fissionable material, and could fabricate an atomic device within a few months.

These nations, moreover, can develop nuclear capabilities at a fraction of past costs. Within a very few years, an investment of a few million dollars—well within the capacity even of private organizations—will produce nuclear weapons. Once such a capability is in being, weapons will probably be produced for costs in the hundreds of thousands of dollars each. Similarly, delivery systems are far cheaper than they once were. Jet bombers can be purchased from the great powers for a few million dollars. And our own Minuteman missile is far less costly than were our earlier missiles, or even the B-52's that preceded them.

Nuclear capability, then, will soon lie within the grasp of many. And it is all too likely that if events continue on their present course, this technical capability will be used to produce nuclear weapons. Since the explosion of the Chinese bomb, for example, pressure to develop a counterpart has built steadily in India despite Prime Minister Shastri's announced decision to refrain from nuclear armament; his policy may be reversed as a result. If India does acquire nuclear weapons, Pakistan will not be far behind. Finding itself threatened by the Chinese, Australia might work for nuclear capability—and in turn produce the same fears and desires in Indonesia. The prospect of nuclear weapons in West German hands might result in great pressures on Eastern European nations to acquire or develop a counterweight of their own. Israel and Egypt each have been deeply suspicious of the other for many years, and further Israeli progress would certainly impel the Egyptians to intensify their present efforts. Similar developments are possible all over the world.

Once nuclear war were to start, even between small, remote countries, it would be exceedingly difficult to stop a step-by-step progression of local war into a general conflagration.

Eighty million Americans—and hundreds of millions of other people—would die within the first 24 hours of a full-scale nuclear exchange. And as Chairman Khrushchev once said, the survivors would envy the dead.

This is not an acceptable future. We owe it to ourselves, to our children, to our forebears and our posterity, to prevent such an holocaust. But the proliferation of nuclear weapons immensely increases the chances that the world might stumble into catastrophe.

President Kennedy saw this clearly. He said, in 1963:

> I ask you to stop and think what it would mean to have nuclear weapons in so many hands, in the hands of countries large and small, stable and unstable, responsible and irresponsible, scattered throughout the world. There would be no rest for anyone then, no stability, no real security, and no chance of effective disarmament.

There could be no stability anywhere in the world—when nuclear weapons might be used between Greeks and Turks over Cyprus; between Arabs and Israelis over the Gaza strip; between India and Pakistan in the Rann of Kutch. But if nuclear weapons spread, it is dangerously likely that they will be so used—for these are matters of the deepest national interest to the countries involved.

There could be no security—when a decision to use these weapons might be made by an unstable demagogue, or by the head of one of the innumerable 2-month governments that plague so many countries, or by an irresponsible military commander, or even by an individual pilot. But if nuclear weapons spread, they may be thus set off—for it is far more difficult and expensive to construct an adequate system of control and custody than to develop the weapons themselves.

There could be no effective disarmament—when each nation would want guarantees, not from one or two or five powers, but from a dozen or a score or even more nations. But if nuclear weapons spread, such guarantees would be necessary.

Think just of the unparalleled opportunities for mischief: a bomb obliterates the capital city of a nation in Latin America, or Africa, or Asia—or even the Soviet Union, or the United States. How was it delivered—by plane? by missile? by car, or truck, or ship? There is no evidence. From where did it come—a jealous neighbor? an internal dissident? a great power bent on stirring up trouble—or an anonymous madman? There is only speculation. And what can be the response—what but a reprisal grounded on suspicion, leading in ever-widening circles to the utter destruction of the world we know.

It is clear, in short, that the United States—and the entire world—have the most vital interest in preventing the scattering of nuclear weapons. Upon the success of this effort depends the only future our children will have.

The need to halt the spread of nuclear weapons must be a central priority of American policy. Of all our major interests, this now deserves and demands the greatest additional effort. This is a broad statement, for our interests are extremely broad. The need to be strong—to meet aggression in far-off places—to work closely with allies all over the world—all these needs must be met. And the crises of the moment often pose urgent questions, of grave importance for national security. But these immediate problems, and others like them, have been with us constantly for 20 years—and will be with us far into the future. Should nuclear weapons become generally available to the world, however, each such crisis of the moment might well become the last crisis for all mankind.

Thus none of the momentary crises are more than small parts of the larger question of whether our politics can grow up to our technology. The nuclear weapon, as Henry Stimson said, "constitutes merely a first step in a new control by man over the forces of nature too revolutionary and dangerous to fit into the old concepts—it really caps the climax of the race between man's growing technical power for destructiveness and his psychological power of self-control and group control—his moral power."

The United States took the initiative and made the maximum effort to secure the nuclear test ban treaty in 1963 because we knew that our security and the future of the world depended on halting the arms race and exerting every possible effort toward peace. And we hailed the treaty not principally for its specific benefits—important and necessary as they were—but for its value as the first of many necessary actions to secure a lasting peace. It was "the first step in a journey of a thousand miles"—a journey to which President Kennedy was deeply committed, and to which President Johnson is deeply committed.

But we have not yet taken the second step. The world has not moved, beyond the limited nuclear test ban itself, to halt the proliferation of nuclear weapons. If we are to leave our children a planet on which to live safely, to fulfill the bright promise of their lives, we must resume the journey toward peace.

And at the outset of this journey, we cannot allow the demands of day-to-day policy to obstruct our efforts to solve the problem of nuclear spread. We cannot wait for peace in southeast Asia, which will not come until nuclear weapons have spread beyond recall. We cannot wait for a general European settlement, which has not existed since 1914. We cannot wait until all nations learn to behave, for bad behavior armed with nuclear weapons is the danger we must try to prevent.

Rather we must begin to move now, on as many fronts as possible, to meet the problem. With every day that passes, the likelihood increases that another nation will develop the bomb; and every new possessor will lead others to abandon the restraint that alone keeps them from acquiring a nuclear capability now. William Foster, head of the Arms Control and Disarmament Agency, has pointed out that as long as the problem involved only the United States and the Soviet Union, a delay of a year or more was not fatal to the conclusion of an agreement. But in the multination problem in which we now find ourselves, "a delay of a year or so, or perhaps even of months . . . could well mean the difference between failure and success."

I therefore urge immediate action along the following lines.

First, we should initiate at once negotiations with the Soviet Union and other nations with nuclear capability or potential, looking toward a nonproliferation treaty. This treaty would bind the major nuclear powers not to transfer nuclear weapons or weapons capability to nations not now in possession of them. And it would pledge nations without nuclear arms, on their part, not to acquire or develop these weapons.

This pledge would require a third component: the extension to all nations foregoing nuclear weapons a guarantee against nuclear aggression or blackmail. We presently protect our allies against nuclear attack. But our alliance umbrella does not extend to nonalined nations such as India; and while the President indicated that the United States would help them to resist nuclear blackmail, more specific and definite measures are needed. If these nations are to forego nuclear weapons—especially when their neighbors may possess them—they must be guaranteed against nuclear aggression.

To be effective, such a guarantee would have to be extended by the United States and the Soviet Union bilaterally—or better still, by a group of nuclear powers, and, in fact, nonnuclear powers, as well. But I would warn that such an umbrella—if it is to be effective, and if it is not to lead to great power confrontations all over the world—must be divorced from and superior to the other policy aims of the nations involved. We cannot protect only our friends from nuclear attack—or allow nations with whom we are otherwise friendly to threaten others with nuclear weapons. We must stand against nuclear aggression—period.

A treaty to prevent nuclear spread, as Mr. Foster has indicated, is manifestly in the paramount interest of the United States and the Soviet Union. It is by far the most important step we now can take to stop the spread of nuclear weapons.

There have been suggestions that the chief stumbling block to such a treaty is the war in Vietnam. But wholly apart from the strains resulting from that war, I think we have not ourselves done all we can to secure a nonproliferation treaty.

The most prominent example is the question of the multilateral force, and the variant Atlantic nuclear force. The Soviet Union contends that either plan would give control over nuclear weapons to West Germany; although we disagree with that view, the Soviet Union has absolutely refused to conclude a nonproliferation agreement as long as we go forward with the MLF or the ANF. We have not abandoned the MLF–ANF plans, because West Germany and other nations in Western Europe feel that they must have a greater role in nuclear deterrence.

But if a nonproliferation treaty can be concluded, it will be in the national interest of every nation. We should therefore continue with increased concern, our search for a form of nuclear guarantee which, it is now felt, requires participation by other nations, to West Germany and other countries of Europe which meets their needs without meeting with rejection by the Soviet Union—such as might evolve from the allied consultation device suggested at the NATO meeting by Defense Secretary McNamara, just a few weeks ago.

Second, we should immediately explore the creation of formal nuclear-free zones of the world. Right now, one of our greatest assets is that there is not one nuclear weapon in all of Latin America or Africa. This situation can be preserved if the nuclear powers pledge not to introduce any nuclear weapons into these areas, the nations of the areas pledge not to acquire them, and appropriate machinery for the verification of these pledges is set up. Some nations—particularly in Latin America—have already exchanged informal assurances to this effect. We should encourage them to go further in every possible way. We should extend similar efforts in Africa. And if these efforts are successful, we should call on Israel and the neighboring states of the Middle East, which might not be covered, to make the same commitment. I am not, however, suggesting that, under the present circumstances, we could establish nuclear-free zones in the Far East or in Europe.

Third, we should complete the partial test ban agreement of 1963 by extending it to underground as well as aboveground tests. Since 1963, we have made considerable scientific progress in detecting underground tests and in distinguishing many natural tremors from manmade explosions. Without jeopardizing our security, we can now extend the test ban to certain types of underground tests. And as soon as scientific advance makes it possible to extend the test ban to any other type or size of underground test without jeopardizing security, it is my judgment that it should be done. And we should also press all efforts to resolve the deadlock on inspections of those explosions which cannot be firmly identified without inspection. So let us return to the conference table, for the completion of this treaty would be a natural complement to a nonproliferation agreement. It would provide an additional incentive to nonnuclear powers to forgo a weapons development program. And it would help to restore the momentum of the test-ban treaty itself.

Fourth, we should act to halt and reverse the growth of the nuclear capabilities of the United States and the Soviet Union, both as to fissionable material for military weapons purposes and as to the strategic devices to deliver such material. Freezing these weapons at their present levels—which, as we all know, are more than adequate to destroy all human life on this earth—is a prerequisite to lowering those levels in the future.

Moreover, it would be in the direct self-interest of the United States and the Soviet Union to cut back our nuclear forces. For, as Secretary McNamara has shown, we each have more than enough to destroy the other nation—yet can never acquire enough to prevent our own destruction. And even substantial cutbacks would not affect our nuclear superiority over China in the foreseeable future. Most of all, it is essential that the two superpowers demonstrate to the world, by concrete example, their determination to turn away from weapons of absolute destruction, toward a world order based on other strengths. Here again, President Johnson has taken the initiative with the slowdown in production of plutonium and uranium 235, and with the phasing out of certain bombers. Much more, however, remains to be done.

Fifth, we should move to strengthen and support the International Atomic Energy Agency. This agency is the only truly international vehicle for inspecting peaceful atomic energy plants to assure that they are not used for the production of weapons-grade material. The IAEA is the only forum in which the United States, the Soviet Union, and Great Britain have worked without serious friction and without a Soviet veto. Already it inspects many reactors throughout the world; and its importance was increased last week when Great Britain, following an earlier U.S. initiative, opened its largest reactor to inspection.

But the IAEA has not received the full support it merits and demands. The reactor we helped India to build is subject, by prior condition, to IAEA inspection, and it has remained peaceful.

But another reactor, built with Canadian help, is not subject to equivalent conditions, and, in this reactor, the Indians may have produced their weapons-grade fissionable material.

We should insist, at a minimum, that all reactors built with the help of other powers be subject to IAEA inspection. Indeed, I think the time has come to insist that all peaceful reactors be subject to inspection. But we ourselves must also stop assisting nations which refuse inspection. In the past, for fear of antagonizing the Europeans, we have sold enriched uranium to Euratom without requiring that its plants be open to IAEA. We have thus aided the construction of reactors in France, Germany, and Holland, all of which are closed to the outside world. Until they are opened, all our assistance to their creation or functioning should cease. In this connection, I would like to pay tribute to the work of the Joint Atomic Energy Committee, and particularly to Senators ANDERSON and PASTORE, who have long insisted on adequate international safeguards on our nuclear-assistance programs.

A stronger stand in support of IAEA could have a major inhibiting effect on the diversion of peaceful nuclear plants to weapons work—for example, in such countries as Sweden or Switzerland. In fact, under the Pearson government, Canada has shown the way by responsibly insisting on guaranteed peaceful use of any uranium that it sells. That Canada has lost certain sales thereby proves the value of this policy; clearly, the material might well have gone to weapons. We should also work toward IAEA control of fabricating and reprocessing of all fuel for peaceful reactors.

Sixth, it is vital that we continue present efforts to lessen our own reliance on nuclear weapons. Since 1961, we have worked to build up our nonnuclear forces, and those of our allies—so that if conflict comes, we need not choose between defeat and mutual annihilation We have not yet been fully successful; only the United States and West Germany have met their full conventional force commitment to NATO. But we should continue to pursue this course. For our efforts to induce others to forego nuclear forces depend in large part on our ability and willingness to sharply limit the possible use of our own.

As to all these points—in all our efforts—we will have to deal with one of the most perplexing and difficult questions affecting American foreign policy: China. It is difficult to negotiate on any question with the intransigent leaders of Communist China. And it is doubly difficult when we are engaged in South Vietnam. China is profoundly suspicious of and hostile to us—as we are highly and rightly suspicious of her. But China is there. China will have nuclear weapons. And without her participation it will be infinitely more difficult, perhaps impossible in the long run, to prevent nuclear proliferation. This was recognized, just last week, by 70 nations at the Disarmament Commission of the United Nations, who urged that China be included in any non-proliferation agreement. It has been recognized by President Johnson, who has repeatedy offered to negotiate with any government in the world as to the peace of southeast Asia. And it has been recognized by the American people, who voted overwhelmingly in a recent poll for negotiations with the Chinese.

At an appropriate time and manner, therefore, we should vigorously pursue negotiations on this subject with China. But if we must ultimately have the cooperation of China, and the Soviet Union, and France, and all other nations with any nuclear capability whatever, it does not follow that we should wait for that cooperation before beginning our own efforts. We are stronger, and therefore have more responsibility, than any nation on earth; we should make the first effort, the greatest effort, and the last effort to control nuclear weapons. We can and must begin immediately.

In this connection, I urge that the work of the Gilpatric Committee—which included many distinguished public servants, such as Arthur Dean—appointed by the President to study the problem of nuclear proliferation, be carried forward by all concerned agencies of the Government at once. It is only by study and action by general concern throughout the Government, that the problem of nuclear proliferation will remain where it belongs—in our constant attention, the object of all of our principal concern. And we can and must continue to reexamine our own attitudes—to insure that we do not lapse back into the fatalistic and defeatist belief that war is inevitable, or that our course is too fixed to be affected by what we do—to remember as President Kennedy said, that "no government or social system is so evil that its people must be considered as lacking in virtue"—and to remember that "in the final analysis, our most basic common link is that we all inhabit this small planet. We all breathe the same air. We all cherish our children's future. And we are all mortal."

Above all, we must recognize what is at stake. We must face realities—however unpleasant the sight, however difficult the challenge they pose to all of us. And we must realize that peace is not inaction, nor the mere absence of war. "Peace," said President Kennedy "is a process—a way of solving problems." It is only as we devote our every effort to the solution of these problems that we are at peace; it is only if we succeed that there will be peace for our children.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. MANSFIELD. I commend and compliment the distinguished junior Senator from New York for the speech which he has just made. It is a speech which required courage to give, because there will be much that many will disagree with, but it is a speech which I believe should have been given, because as long as we accept the status quo, the more we will continue to move backward.

I remember when President Kennedy came to the Northwest to speak on natural resources, in September 1963. He went into Wisconsin, Minnesota, North Dakota, and Wyoming. In those States he discussed the natural resources of our country. In those States he was received with enthusiasm and approbation. But when he reached Billings, Mont., there was a crowd of 75,000 people there. That is more than one-tenth of the population of our State. There he did not speak so much of natural resources, but rather of human resources. He spoke of the test ban treaty which the Senate had approved the previous week. The people really were interested in what the President had recommended and what the Senate had done, and they showed their wholehearted approval of the action taken by this body. The same situation occurred in Great Falls where 100,000 people—more than one-seventh of Montana's population—expressed their approval of the test ban treaty.

It is my belief that many of the questions raised by the Senator from New York will have to be faced, because, in his words, there may be unstable demagogues who may use weapons of this kind. He has pointed out that their cost is being reduced day by day and the knowledge necessary to manufacture weapons of destruction which could kill millions, tens of millions, and hundreds of millions of people, is increasing. Therefore, this question should be faced up to.

I am afraid our own people are becoming too accustomed to the idea of nuclear war and the results in the way of difficulty, damage, and destruction that such a conflict would entail.

Therefore, without going into the questions raised by the distinguished Senator, without going into the recommendations—I shall do so later—I express my thanks for what he has done today, for the speech he has made, for the questions which he has called to our attention, and the need for facing up to these particular questions, not only in the interest of our own country, but in the interest of mankind as a whole.

Again I commend the distinguished Senator.

Mr. KENNEDY of New York. I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. AIKEN. Mr. President, the Senator from New York has made a very important speech, which had to be made. Someone had to make it. The Senator from New York had the courage to make it. I hope it is read, digested, and acted upon, not only by the leading officials of the United States, but those of every other country as well.

I commend the Senator from New York for delivering this very important speech. I do not know what else to call it but important, because the subject he has spoken on is one which so deeply concerns everybody on this earth that we must take action as fast as we can to make sure that the things that could happen do not happen.

Mr. KENNEDY of New York. I thank the Senator. Someone has said that evil triumphs when good men sit by doing nothing.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. MOSS. I commend my colleague the Senator from New York for the speech he has made today. It seems to me we have allowed ourselves to coast along. When I say that, I do not mean that no efforts have been made. We took a step forward in the test ban treaty, but we did not proceed far enough. The ban is only on tests or explosions in the atmosphere and on the surface.

This is a great cloud which hangs over mankind. I fear that we have been turning away from the problem, hoping that it would go away. But it will not go away, as the Senator from New York so clearly pointed out.

We must apply ourselves to a solution of the problem. Even though it appears to be difficult, perhaps even hopeless in some respects, someone must start, someone must try. Until a solution is found, the clouds will continue to hang over all mankind.

Therefore, I am grateful, indeed, to the Senator from New York that he has made this speech. I hope it will bring action.

Mr. KENNEDY of New York. I thank the Senator.

Mr. ANDERSON. Mr. President, will the Senator from New York yield?

The PRESIDING OFFICER (Mr. BASS in the chair). Does the Senator from New York yield to the Senator from New Mexico?

Mr. KENNEDY of New York. I am glad to yield to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I commend the junior Senator from New York for the fine statement he has just made, and which he kindly gave me the opportunity to review prior to its delivery.

Concerning the last portion of the speech, let me say to the Senator that I agree with him so thoroughly that I hope he enlists himself in the cause. He spoke of the work of the Gilpatric Committee, that it might not be carried forward. The Gilpatric Committee report has not been made available to the Joint Committee on Atomic Energy. I am told that it also has not been made available to the Armed Services Committee or to the Foreign Relations Committee.

I agree with the Senator from New York that this is a valuable document and should be seen by all who have responsibilities in this field. I hope that he and I may join in trying to have the report made available to the responsible committees of the Congress very soon.

Mr. President, as a former chairman of the Joint Committee on Atomic Energy, and as a member for over 14 years of that committee which has major responsibilities in the control and use of atomic weapons, I wish to thank the Senator from New York once more for his recognition of the work of the Joint Committee in the curtailment of weapon proliferation and the Joint Committee's support of the International Atomic Energy Agency. I particularly appreciate his kind remarks about the Senator from Rhode Island [Mr. PASTORE] and me. I cannot praise too highly the constant attention to duty and the highly intelligent approach of the senior Senator from Rhode Island.

Because of the highly classified subject matter with which it deals, much of the committee's work and efforts directed toward limiting nuclear weapon proliferation and curtailing the spread of nuclear weapons and nuclear weapons systems is not publicized. I should like to cite for the record, however, some instances which I believe reflect the not inconsequential results which the Joint Committee on Atomic Energy has achieved over sometimes strong executive reluctance, if not actual opposition.

In early 1958, for example, in the immediate postsputnik period, the Eisenhower administration somewhat alarmed over the exhibited Soviet technical achievement overreacted by suggesting major changes in the existing Atomic Energy Act to permit greater military cooperation in the uses of the atom with other nations.

Among the recommendations of the executive branch to Congress was a provision which would have permitted the transfer of nuclear weapon design information as well as parts of atomic weapons to other nations. In effect, this would have been a do-it-yourself kit and was so named by me and other members of the Joint Committee. The Joint Committee very carefully redrafted major portions of the bill, to assure that design information helpful to a nation in fabricating its own nuclear weapons could not be communicated, and that parts of nuclear weapons or special nuclear material for use in weapons could not be transferred to any nation that had not already achieved nuclear weapons capability. This action by the Joint Committee, endorsed by Congress, was specifically directed against nuclear weapon proliferation.

While the Congress approved certain amendments to the Atomic Energy Act in 1958 to give greater assistance to our NATO allies, particularly having to do with training their personnel for possible nuclear warfare, we are careful to maintain a prohibition against the transfer of nuclear weapons to any nation except, of course, in the case of war when the President, as Commander in Chief, through his constitutional powers, could authorize their use. I and other members of the Joint Committee also inserted a provision in the Atomic Energy Act that required all proposed agreements for cooperation for military purposes to be submitted to the Congress for a period of 60 days before they became effective, during which time the Congress by resolution could disapprove them.

Periodically, since 1955 and 1956, I and other members of the Joint Committee have been approached with proposals from the executive branch to transfer nuclear submarine information to other nations. I personally, and other members also, have strongly resisted these proposals. Basically, I do not wish to disseminate highly classified information of our submarine program to countries whose security procedures are not so secure as our own. In addition, I do not understand how on one hand we can take a strong position against nuclear proliferation and then assist other nations in developing independent nuclear submarine capability as platforms for intercontinental ballistic missile systems which basically is the reason why some of these nations want our assistance in developing nuclear submarines.

Mr. KENNEDY of New York. Mr. President, will the Senator from New Mexico yield at that point?

Mr. ANDERSON. I am glad to yield to the Senator from New York.

Mr. KENNEDY of New York. Is it not correct that those transfers really would have taken place if it had not been for the intervention of the Joint Atomic Energy Committee, and for the personal intervention of the Senator from Rhode Island and the Senator from New Mexico?

Mr. ANDERSON. I believe that would have taken place. The Senator from Rhode Island is not a man who is easily pushed around. He cannot be pushed around. I believe that is the real answer. He defied them. He told them that he would not agree to these things. I am glad that he did so, because he contributed a patriotic service to his country and to the world.

Further proliferation of these weapons cannot do any nation in the world any good.

CHET HOLIFIELD, chairman of the committee, has done a magnificent job, and I am sure that the Senator from New York would join me in praising his work.

Mr. KENNEDY of New York. I do.

Mr. ANDERSON. I must add that the ranking Republican member, CRAIG HOSMER, Representative from California, has made a very fine contribution to the work of that committee.

Mr. President, I might also mention that over the years there have been a number of secret and top secret communications from the Joint Committee to the President of the United States inviting attention to certain matters and making recommendations directed toward better safeguards. For security reasons, I cannot disclose many of the specifics. However, I should like to point out that in February 1961, after an extensive inspection of NATO installations, a special ad hoc committee of the Joint Committee, under Chairman CHET HOLIFIELD, pointed out a number of major problems to the President. In preparing its report, the committee and committee staff initiated work on the Permissive Action Links—the so-called PAL system. The ad hoc committee report to the President strongly recommended development and installation of electronic and mechanical locks on nuclear weapons in the NATO stockpile.

As the late President Kennedy subsequently made public, the Joint Committee in this same report recommended the removal of Jupiter missile systems from Turkey and Italy. This recommendation was the basis for such action by the executive branch. Numerous other conclusions and recommendations in that report are of a classified nature directed toward developing greater assurance against accidental nuclear war and against proliferation.

As the junior Senator from New York has mentioned in his statement, the United States is helping a number of nations to construct civilian nuclear reactors. As he correctly pointed out, the reactor we are helping India to build will be subject to International Atomic Energy Agency inspection. This, of course, is well known. Because it is generally not well known, I would like to take this opportunity to give recognition to a member of the Joint Committee who, in my opinion, is most responsible for assuring that International Agency safeguards will be brought to bear on that reactor. In 1963, when the AEC and Department of State were negotiating with representatives of India for a civilian nuclear reactor to be built at Tarapur, India, the Indians were most steadfast in their refusal to permit IAEA inspection rights and there were strong indications that our negotiators would give in to them.

The senior Senator from Rhode Island, who was then chairman of the Joint Committee on Atomic Energy, and who previously had had a great deal of experience as chairman of the Subcommittee on Agreements for Cooperation, was informed that the AEC and Department of State were about to permit the Indians to obtain the American civilian reactor without International Agency safeguards.

In a strongly worded letter, Senator PASTORE, as chairman of the Joint Committee, criticized the State Department and the Atomic Energy Commission for what he characterized as "pussyfooting." In no uncertain terms, he pointed out the importance of requiring India and other nations to come under the IAEA safeguards and succeeded in getting the executive branch to take a much stronger position.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the letter to which I referred from the then chairman of the Joint Committee on Atomic Energy, Senator JOHN O. PASTORE, to the Chairman of the Atomic Energy Commission and the Secretary of State, under date of February 19, 1963.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON ATOMIC ENERGY,
Washington, D.C., February 19, 1963.

Hon. GLENN T. SEABORG,
Chairman, U.S. Atomic Energy Commission.

DEAR MR. SEABORG: I have your letter of February 8, 1963, with regard to the U.S. policy toward the International Atomic Energy Agency. As I understand from your letter, and from the Department of State letter of January 22, which you referenced, it is the policy of the United States to make a determined effort to transfer safeguard arrangements as soon as possible to the International Atomic Energy Agency and get all new bilateral partners to accept Agency safeguards.

In view of this policy, I cannot understand why the United States is not more forceful in negotiating with the Indian Government on the Tarapur reactor case. It would seem to me that any proposed agreement for cooperation with India should contain a provision requiring the Indians to permit inspection by the IAEA once such a system has been set up. I do not believe that a provision calling for "sympathetic consideration to the application of Agency safeguards" or similar pussyfooting on our part will further the stated U.S. policy.

I am at a loss to understand how we can expect other nations to come around to our policy when we fail to adhere to it in our negotiations with the Indians for a new bilateral agreement. Now is the time to set a precedent when we are being asked to finance, through AID and other arrangements, the Indian project amounting to over $100 million. (It is my understanding that consideration is being given to furnishing approximately $70 million through AID and approximately $30 million for civil construction through U.S. counterpart funds.)

Separate and distinct from the safeguards problem, there is another important factor which I believe should be considered in connection with the proposed Tarapur project. Despite the efforts of our very best reactor experts, construction firms, and reactor operating specialists we have experienced numerous problems in the construction and operation of our large-scale power reactors. When one considers the remote area, the difficulties to be encountered in utilizing local construction personnel, and the generally less experienced nuclear reactor operators in India, it is questionable whether the construction of such a large full-scale power reactor in India should be undertaken at this time. I don't believe we should encourage a nation to become involved in a project which it may not be technically competent to support. Instead of expected gratitude, in the event of technical difficulties, the United States may find itself in the long run subject to severe criticism by this same government.

While I am in strong support of the atoms-for-peace program and for assisting foreign nations in the peaceful use of atomic energy, I believe premature and ill-advised projects can adversely affect not only our atoms-for-peace program but U.S. prestige in the eyes of the world.

I am sending a copy of this letter to the Secretary of State so that the Department may have my views in this matter.

Sincerely yours,

JOHN O. PASTORE,
Chairman.

Mr. ANDERSON. Mr. President, I again commend the junior Senator from New York for his perception in recognizing the problems of a nuclear proliferation, and for his well thought-out suggestions directed toward the nonproliferation of nuclear weapons.

I particularly commend him for his recognition of the importance of the International Atomic Energy Agency safeguards, and the need on the part of the United States to require that nations receiving assistance from the United States be required to submit to IAEA inspection.

Mr. KENNEDY of New York. Mr. President, I highly value the statement made by the Senator from New Mexico. He has been involved in this problem for a long period of time. He is performing a significant service not only to the Senate, but also to the country.

Mr. PASTORE. Mr. President, will the Senator from New York yield?

Mr. KENNEDY of New York. I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. I join my colleagues in complimenting the Senator from New York on making a timely speech on the very serious question of the proliferation of nuclear and thermonuclear weapons.

A few days ago, I read an account of some young members of a political unit—I do not wish to mention the name of the party because I do not wish my observations to be misconstrued as being partisan—but the fact remains that they were advocating the abrogation of the nuclear test ban treaty.

Mr. President, this makes my heart bleed, because persons who talk like that do not really understand the facts.

In 1955, I went to Hiroshima, and I saw that city. It was a city of 300,000 souls. The bomb that fell on Hiroshima in August 1945 was 17 kilotons. That is equivalent to 17,000 tons of TNT power. It completely destroyed the city. It killed and maimed half the population and left a scar that civilization will never forget.

In August of 1945, the United States was the only Nation in the world which had the atomic bomb. We were the only Nation in the world that had unlocked the secret of the atom.

Within 20 years the picture has changed. Soviet Russia has vast capability in nuclear and thermonuclear weapons. Great Britain has vast capability. Much of our trouble with De Gaulle today is due to the fact that he is trying to become a prominent member of the nuclear club. Now we know of the two explosions made by Red China, which causes us great concern because their regard for human life is very much different from our own. We are very close to the point of no return.

There are enough nuclear and thermonuclear weapons in the world today which, if dropped indiscriminately, could destroy everything that man has created from the beginning of time.

What do we do?

As the Senator from Montana [Mr. MANSFIELD] has said, and as the Senator from New York has already said so eloquently, we are beginning to accept this fact as a way of life. We seem to talk about proliferation as though it were of no concern to anyone.

Here we are—man has it within the palm of his hand to bring about what the Scriptures admonished us against; namely, a world destroyed by fire—unless we in this generation begin to do something about it.

There are those who are aiming to become leaders in the political life of this great country, saying, "Let us abrogate the nuclear test ban treaty, let us throw it aside and let us begin testing all over again" as though it were the concern of no one.

The Senator from New York is eminently correct. The time is coming when we must begin to face the facts of life as they are, not as we would like them to be. The time is coming when this problem must be reviewed with a sense of responsibility that the world and civilization in particular must have for generations yet unborn, because, as the Senator from New York has said, there will be no children, and there will be no children of our children's children unless we begin to do something about this problem now.

We talk about the 17 kilotons dropped on Hiroshima, but now we are talking about 20 megatons. Let me tell the Senate what a 20 megaton bomb consists of.

If we took the TNT power of 20 megatons and loaded it on a freight train, that freight train would extend from the Atlantic Ocean to the Pacific Ocean.

We have on our planes today—and we have many, many of those planes—enough power on one plane alone greater than all the explosive power that was dropped in World War II on both sides. The total of all explosives in World War II was about three megatons. That is over 100 times more powerful than the bomb that was dropped on Hiroshima.

We have that power in the United States. Now give it to the Soviet Union, give it to Mao Tse-tung, and give it to De Gaulle, and where is the world?

The time has come when we must begin to look at this problem objectively.

I praise the Senator from New York.

I have sat with the Appropriations Committee, and every time the appropriation came up for the International Agency for the Peaceful Uses of Atomic Energy. I have been asked this question: "What good does it do?"

I must spend hour after hour going back in history to the beginning of the bomb, to show what it means.

Mr. President, this is the only salvation we have. It is the only agency in the world that has nearly the full membership of every nation.

If we lose this agency, how can we ever have international inspection? We shall not have it.

What do we pay for it? We pay a few paltry dollars—to do what? To bring about international standards of safety and international standards of control.

They are not being applied today because we have problems. But the day will come, and the day must come, unless we wish to destroy ourselves.

So I say to my good friend from New York, "God bless you for making this speech today." It is about time that someone with a name that is recognized all over this country and all over this world began to talk about this important subject.

What difference does it make if we have to talk with Red China? They are on the face of the earth. We are not ready to recognize them. Do we have to recognize them to talk to them? Of course not.

The time is coming when the leading powers of the world will have to sit down and rationally discuss this subject. If they do not do so, they will be committing suicide.

I am told that the first surprise attack could kill 65 million Americans. Imagine that. We go to a theater downtown and someone yells, "Fire." There is a stampede. Hundreds of people are killed and trampled. Imagine a bomb of 20 megatons, the equivalent of the TNT power that can be loaded on a freight train which stretches from the Atlantic to the Pacific Ocean, falling on Chicago, Washington, or on Moscow. Imagine the panic and the death and the contamination.

My God. It is almost impossible to imagine.

The time has come when the world must look at this subject objectively. I congratulate the Senator from New York.

I remember when we had before us the proposal to help build an atomic reactor in Tarapur, India. I wrote to the Atomic Energy Commission, and the Secretary of State saying that this must be under international control. Dr. Bhabba, the Indian representative, was most anxious to discuss this matter with me. He was a little sensitive about losing sovereign power. I said to him, "I am talking about mankind, Doctor. I am talking about life and death."

I hope that this country will never give a single gram of U^{235} to any nation, by gift, by sale, or by loan, unless we specify specifically that the reactor shall be under international control, so we can be sure that no one will fabricate any more bombs. I hope that the day will come when all madness will be removed from man's mind, when the milk of human kindness will begin to flow, and we shall be able to look at this matter objectively and say, "Let us sit down and save future generations."

So I say to my good friend from New York, "Thank you for making the speech. It could not have come at a better time."

Mr. KENNEDY of New York. I thank the Senator from Rhode Island. I wish that not only those of us who are in the Senate, but all the people of the country and people of the world could have heard his speech. I thank him very much.

Mr. COOPER. Mr. President, will the Senator yield?

Mr KENNEDY of New York. I yield.

Mr. COOPER. I am very glad that I was present today and heard the Senator from New York speak on the question of nuclear proliferation, a question which in time will be the most important issue upon which a decision will have to be made by our country and other countries in the world.

As I listened to him, I could not help remembering that it was his brother who sent to the Senate for its consideration and decision the limited nuclear test ban treaty. All of us who had to vote on that treaty had many difficult questions to answer. We were concerned about its effect upon the security of the United States. I believe that most of us made the decision—at least I made my decision in voting for it—upon the ground that it was a first step toward control over nuclear weapons, and perhaps ultimately to agreement that they should not be used, and better, that those in existence would be destroyed and no more made.

The Senator has suggested new ideas, and new advances toward these objectives, vital to mankind. Whatever our problems are today and whatever difficult issues are before us for decision, we cannot wait until they are solved to begin work upon this problem.

I have always thought that there is a defect in our procedures, both on the executive side and the congressional side. Preoccupied by the issues which affect us at the moment—serious as they are—we do not work actively enough on those which will become the crises of tomorrow.

I have no doubt that unless thought is given, and steps taken—little steps though they may be—nuclear proliferation will bring about the ultimate crisis.

I join the Senator from New York today in expressing the hope that the executive branch and the Congress will work urgently on this problem and strive to find the means by which progress can be made.

The Senator has spoken about Communist China. Efforts were made in the United Nations in its early days to bring under the control of that body atomic material and atomic weapons. It was resisted by Russia because, as I am sure, Russia wanted to develop its atomic weapons. This without doubt is the attitude and position of Communist China today. Nevertheless, I believe efforts must be made, along the line suggested by the Senator from New York.

I hope that the Government of the United States and the Congress, the people, and other countries will listen to this plea, and will not wait until that day of crisis, when some irresponsible leader of another country may use nuclear weapons or perhaps our own country, placed in the position where it believes that for its own security it must use this horrendous weapon, will open the way to the destruction of mankind.

Mr. KENNEDY of New York. I thank the Senator from Kentucky. He has had wide experience in connection with our relations with other countries and with the United Nations, and I certainly appreciate his remarks.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. CHURCH. Mr. President, I, too, commend the Senator from New York for his forthright and farseeing address.

I remember that when the news first reached me of the dropping of an atomic bomb on Hiroshima, I was stationed at Kunming in China. The news broke at an intelligence briefing of the military staff. The bomb, we were told, had inflicted more than a hundred thousand casualties.

I remember how disbelieving we were at the news that that bomb was the equivalent of 17,000 to 20,000 tons of TNT. I think, from that moment forward, everyone sensed, at least partially, that the world faced a new era which would destroy the whole concept of national defense as we had previously known it. Within a very few years, we were dropping hydrogen bombs big enough to sink islands in the Pacific. As the distinguished chairman of the Joint Committee on Atomic Energy said today, we now have in our arsenal bombs hundreds of times more powerful than the bomb dropped on Hiroshima.

The effect of all this is that the very term "national defense" has largely disappeared from the lexicon of contemporary military usage. Today, instead of defense, we talk of deterrents. There is no defense. That is why the word has been dropped and "deterrent" has been substituted.

All we can do is avenge if we ever should be struck by an allout nuclear attack.

I appreciate the fact that the Senator from New York gave me an advance copy of his excellent address. I looked at it this morning. I went back over some of the papers I assembled at the time of the Senate's debate on the nuclear test ban treaty.

Among those papers, I found an address that had been made by the distinguished Senator Brien McMahon, who was the first chairman of the Joint Committee on Atomic Energy. He was the sponsor of a resolution in which a number of contemporary Senators joined, among them the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alabama [Mr. SPARKMAN], the Senator from Washington [Mr. MAGNUSON], the Senator from Oregon [Mr. MORSE], and the then Representative, but now Senator, from Washington [Mr. JACKSON]. The resolution concerned the overriding problem of our time then and now—how to stop the nuclear armaments race and establish a just peace.

I should like to read into the RECORD, if I may, the stirring summation that McMahon made in support of his resolution, in which he showed the depth of his concern that the world must find a way to deal with the split atom before the atoms split the world. He said:

> Mr. President, the clock is ticking, ticking, and with each swing of the pendulum the time to save civilization grows shorter. When shall we get about this business? Now, or when Russia and the United States glower at one another from atop competing stacks of hydrogen bombs. Senators, destiny will not grant us the gift of indifference. If we do not act, the atom will.
>
> If we do not act, we may be profaned forever by the inheritors of a ravished planet. We will be reviled, not as fools—even a fool can sense the massive danger. We will be reviled as cowards—and rightly, for only a coward can flee the awesome facts which command us to act with fortitude.

In the speech I delivered in support of the nuclear test ban treaty, I alluded to those remarks of Senator Brien McMahon. I noted that the United States and the Soviet Union were caught upon in the momentum of a grisly competition, and that both nations failed to heed McMahon's warnings; that during the 13 years that ensued, the clock had continued to tick away until we found ourselves, true to his prediction, glowering at one another from atop our respective hydrogen stockpiles, in the course of the two terrible showdowns of 1962—one over Berlin and the other over Cuba.

An implacable fate has not granted us the gift of indifference. What American parent in the dark hours of the Berlin confrontation or the Cuban missile crisis, in 1962, failed to look at his children and shudder at the thought of the catastrophic consequences of nuclear war?

What American who in that period honestly looked over the brink of the abyss did not realize the hideous catastrophe that confronted the world, did not feel panic in his heart, and did not emerge from that terrible crisis chastened?

I believe the leaders of both countries, President Kennedy, Chairman Khrushchev, and all those who were so closely in touch with the facts, including the distinguished Senator from New York, who has just made this brilliant address, experienced those feelings.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. KENNEDY of New York. I do not think anything could bring home more sharply and definitively what we are dealing with than did the crisis of October 1962. The leadership of not only the free world, but of the Communist world, looked down a nuclear barrel at that time. Steps were being taken by both Premier Khrushchev and President Kennedy as they considered the question of how far they should go and what we should do after Major Anderson, a U-2 pilot, was killed. That question involved not merely the death of President Kennedy, Mr. Khrushchev, or those who were in the Government; it would involve not only those who were in the Army, Navy, or Marine Corps. The decision that we were making at that time would involve, as the Senator from Rhode Island has indicated, and which I indicated in my speech, the death in the United States, within 24 hours of a nuclear attack, of at least 80 million Americans.

As I pointed out, Mr. Khrushchev said that the living would envy the dead. I believe that is correct.

I do not believe we can continue on the basis of believing that because we survived that crisis, it will not be duplicated in the future. I do not believe that any Senator, any American citizen, or any one anywhere in the world feels that we shall not again have the same kind of crisis that we had in October of 1962. Very likely, such a crisis will come again in the next decade. We shall have to make the same kind of decision.

But what might have resulted from a confrontation with Soviet Russia over Cuba could have been entirely different if Cuba itself had had control of atomic weapons.

The problems of the Middle East would be entirely different if both Israel and Egypt attain control over atomic weapons. The problems of the whole world would be different if India and Pakistan have control over such weapons.

We must consider not only what might happen to ourselves, but also what it would mean to children and people who would not have any role in the problem, or in the decisions that are made.

We as Senators, as do those in the executive branch of the Government, have a particular responsibility. We are dealing not only with the possibility of the termination of our own lives; we are also making decisions which will have an effect on people, born and unborn, who have nothing to say about what will happen.

In my judgment, therefore, we carry this major responsibility and obligation on our shoulders. If we do not fulfill that responsibility, how can we face anyone—and I do not mean only those in this world but anyone at anytime—and say, "Perhaps we did well with a dam. Perhaps we ended water pollution in New York. Perhaps we established a job-training corps in Oregon." But what could we actually say on the major question which involves what our children and other children will have on earth to inherit? That is the question before us.

Mr. CHURCH. I am in full agreement with the Senator. The question he raises is, How close are we to the end of the rope? We have been sliding down it. When do we reach the frazzled end and drop into the witch fire of a nuclear holocaust?

The test ban treaty was one pull back up that rope. But we have not made another pull. The test ban treaty has been observed by both sides because it was eminently in the interest of both sides. Whatever we may think of the Russians, they are human, too.

Now the world has to find a way to make a second step. We have delayed too long in finding it. That is why I feel so strongly compelled to compliment the Senator from New York for his speech, together with the proposals he has made, which are worthy of the most serious pursuit, if we are to find that second step which will, as President Kennedy once said, lead us forward on the long journey toward a safer and saner world.

Mr. PELL. Mr. President, will the Senator from New York yield?

Mr. KENNEDY of New York. I yield.

Mr. PELL. I congratulate the Senator from New York on the excellence and timeliness of his speech. The problem we face is not only a question of proliferation, but of what proliferation means, because as a small nation acquires nuclear capability, it means that while whatever damage it can inflict may be small in relative terms, by setting off its weapon, it has attained the power of holding the nuclear trigger to the rest of the world. This is the problem with France. It has a nuclear trigger that could set off a holocaust.

In addition, it would seem to me that if we go into nuclear war, it will probably not mean the end of mankind, but will most certainly mean the end of our civilization. I believe it was Arnold Toynbee who said that we have been through 21 civilizations already. Our objective as Senators and leaders should be that we believe in our civilization and in preserving it, and not in laying the groundwork for a 22d civilization.

In thinking of the same ideas the Senator from New York has expressed, I have tried also to think through the problem of facing up to proliferation. One method might be if the "have" nations, the members of the nuclear "club." might somehow band together and agree that they will not let any other nations join the club; might even take forcible action, though through conventional means, to insure that the nuclear potentiality of any other nation trying to develop nuclear weapons would be removed. That would be a distasteful procedure, but it is a thought, and it would at least keep the nuclear club down to five, which is already, in my view, five too many.

I remember when the first nuclear weapon was exploded in Hiroshima. I was walking down Pennsylvania Avenue when it went off. The thought that went through the mind of everyone was, "When will the next one go off, and where?" There was little joy, little elation, even though it brought to a close our war in the Pacific.

Finally, in congratulating the Senator from New York, I also congratulate my senior colleague from Rhode Island [Mr. PASTORE]. As I heard the emotion with which he spoke I knew it came from the depths and breadth of his knowledge of these awesome weapons of death.

Unless we take up the suggestion of the Senator from New York and move forward, we shall be in for what we all predict will be a world disaster. It was once said, "Let us begin."

We have already made a beginning; we have commenced with a nuclear test-ban treaty. But we have not gone 1 inch farther down the road since then. It is time for us to do so.

Mr. KENNEDY of New York. I thank the Senator from Rhode Island.

Mr. McGEE. Mr. President, will the Senator from New York yield?

Mr. KENNEDY of New York. I yield to the Senator from Wyoming.

Mr. McGEE. I, too, wish to join my colleagues in commending the Senator from New York for raising this question again and impressing it upon us. His remarks should stir the conscience of this body, because they are a stark reminder of how much we have dawdled since the enactment of the test ban treaty almost 2 years ago. They serve further as a reminder that we ought not to defer or procrastinate further on this question. We must be grateful to the Senator from New York for having brought this ever-increasing danger to our attention. We should have been acting on the problem yesterday, and the day before yesterday. It is much later than it ought to be, but there is still time.

I should like to ask the Senator from New York his reaction to the suggestion sometimes made by some of our countrymen: Why should we be involved in this problem when we are the most powerful Nation in the world? I ask, "Do we not have the most to gain from taking the initiative, with our great power, more so than a weak power?"

Mr. KENNEDY of New York. Yes, for two reasons: First, the possibility of nuclear exchange must be restricted. A nuclear exchange will involve equals. There is no question that we are the most powerful Nation in the world. We have far more nuclear capability than has the Soviet Union. But still, in a nuclear exchange with the Soviet Union, as the strength exists at the present time, 80 million Americans would be dead from mass destruction of the United States in the first 24 hours. After that, destruction would continue as the exchange was continued with whatever weapons were left. It would continue also because of fallout.

I mentioned in my speech a number of points which bear not only on the proliferation but also on the control of atomic weapons and in trying to reduce the number of weapons of war.

Second, the nuclear club is now restricted to a handful of nations. But more than a dozen nations now have the capability of making atomic weapons. If any one of those nations also produced the atomic bomb, the entire relationship of the United States with other nations would change immensely.

I point out, because I believe it is not understood clearly enough, that the cost of atomic weapons is becoming less and less. We can anticipate in the near future the making of atomic bombs of tremendous strength and force for a few hundred thousand dollars. There are some who believe that the cost will be much lower than that.

Not only is the construction of nuclear weapons within the capability of many other nations, but it is within the capability of private organizations. Private organizations have been uncovered around the District of Columbia that have thought it was a good idea to acquire bazookas and antitank guns. Thus such organizations might reason, "If 18 countries might be able to produce atomic weapons, why should we not do so? We will make one and put it in a suitcase, and if anyone does not behave or is going in the wrong direction, we will tell him what we will do."

That is the direction in which not only the United States, but the whole world, is moving. Every country will think it is necessary to have atomic weapons; and soon 12 or 18 countries will be making them. Israel and India can make nuclear devices within a couple of months, and weapons shortly thereafter. That is the kind of danger that confronts us.

Mr. McGEE. What the Senator from New York is really saying is that the television program "The Man From U.N.C.L.E." and similar programs are not merely TV extravaganzas that entertain us, but examples of a potential for trouble that may so exist. If we are to have order in the world, we must make certain that the means of international power bargaining and power potential can be under some kind of civilized and orderly control.

In terms of our own power in the world, we have much more to lose, for the simple reason that a government in Havana or in Tel Aviv or in Cairo, or almost anywhere else, can acquire enough destructive force to make insignificant our own great mass of power; and therefore, while we still have time, we have more to gain in a naked power sense.

Mr. KENNEDY of New York. That is correct.

Mr. McGEE. Aside from the catastrophic implications of nuclear warfare, we have more to gain as a world power if we can regulate the proliferation of nuclear power right now.

It is obvious to all of us that the easiest way to control the question would have been to have no one resolve the equation dealing with $E=MC^2$. That would have simplified it somewhat, although man is still developing other capabilities for destruction. The next best solution would have been if we had been the only one to have this capability.

The hard fact remains that this destructive capability is being multiplied each year. If the Russians and the Americans were the only nuclear powers, it would have been far easier to control the problem of nuclear weapons. With the entry of India, France, and now the Chinese, it would seem to me to be beyond question that we must be prepared to enforce nuclear control or run the great risk of contributing to the deterioration of the potential of a nuclear balance in the world.

I echo the warning expressed by the junior Senator from Rhode Island [Mr. PELL] a moment ago when he reminded us that some of these procedures would not be popular. We do not dare try to win a popularity contest in the world. We have an obligation, having had a hand in triggering this great force on the world, to attempt to bring it under control.

I believe that is the reason why the remarks of the Senator, impressing this upon the conscience of the Senate, as he has done today so effectively, demonstrate that we must take steps to take the lead in this struggle.

We could find 1 million reasons why we cannot do it now. Unfortunately we find this temperament among our colleagues who can see more obstacles to such a course of action than they can see urgency in finding the right answer.

I hope that Senators will take to heart the proposals made by the Senator from New York today and move with great speed and with all the wisdom that they can command.

I commend the Senator.

Mr. KENNEDY of New York. Mr. President, there is no question that the knowledge and influence which we and the Soviet Union have developed have had an effect on other countries.

I believe that an examination by experts of the explosions that have taken place over China indicates quite clearly that the explosions would not have taken place without the help that was given to the Chinese by the Soviet Union in 1958.

Without the assistance of the Soviet Union, it is possible that the Chinese could have developed a bomb. However, they could not have developed the kind of bomb that they have developed, if it had not been for the assistance which they received. The hard fact is that such devices spread out and other countries get them.

People will say, "There is nothing that we can do about this because we are involved in a war in Vietnam."

But we can take action on many of these matters now. The inhibiting factor is not the war in Vietnam. This is a question of proliferation and of reaching an agreement with the Soviet Union. The problem is complicated by the Vietnamese situation. The problem involves our relation with NATO and our determination, here in the United States, to make a final decision on this matter. We also have the further complications of our relationships with De Gaulle. We should resolve these questions and reach a conclusion on how best to handle these matters.

There is also the question of peaceful uses of atomic energy and our actions relative to this subject. We have permitted reactors to be a constructed in Europe without any international inspection. We can make a decision on this question now. People are inclined to say that we cannot demand international inspection, even though we furnish the material, because it would offend our allies.

If we decide not to do that, I should like to have a full discussion and debate as to why we do not do it. I believe that there are steps that could be taken which would have nothing to do with the war in Vietnam. The Vietnamese situation makes it more complicated since it involves the Soviet Union and China. However, we can take steps to discuss what we are prepared to do and resolve the questions.

I do not believe that we should wait until the problem becomes more difficult. I do not believe that we should wait for years. I do not believe that it is fair for those who live in the world at the present time to pass this kind or quality of problem on to our children and our children's children.

Mr. McGEE. The Senator is correct. The war in Vietnam is difficult enough in and of itself. It is unpredictable and ugly enough in all of its connotations without using it as an alibi for forfeiting the responsibility that we have to view this problem on a far higher level. One of the most criminal and irresponsible things that we could do would be to use the war in Vietnam as an excuse for not taking the giant steps that the times compel us to take toward the goal of nuclear disarmament. The war in Vietnam has not stopped everything else. It has not simplified the cosmic society of which we are a part.

The Senator from New York has made it very clear in his remarks that the time is later than we think. We have no right to delay this matter before taking large steps. If we were to permit any more time to pass without action, it would only mean the compounding of the situation.

Mr. KENNEDY of New York. Mr. President, in that connection, conscientious efforts have been made at various levels to try to deal with some of these problems. One of these efforts was the late Conference at Geneva. I believe that we have both pointed out that there are things that the United States can and must do. There are issues that we must resolve within our Goverment and with our allies before we can move ahead as we should.

Mr. McGEE. Mr. President, in his remarks the Senator has clearly indicated the solution. The Senator stated that we must initiate these things. We cannot wait for some kind of international consensus. We cannot wait until some international pool reveals that this is what people demand. We have the kind of leadership that is required. We must implement it as expeditiously as possible.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. McGOVERN. I believe that the Senator from New York has delivered perhaps the most significant speech that has been made on the floor of the Senate this session. The Senator has discussed what I believe to be the most important problem of our time—the question of our survival.

Many great speeches have been delivered in the Senate this year. Two of them have made a great impression on me. One was the speech delivered earlier by the Senator from Idaho [Mr. CHURCH], in which he warned against our deepening involvement in Asia and Africa in a way that would not enable us to project our strongest assets in that part of the world. The other speech was delivered by the Senator from New York today.

It is true, as the Senator has said, that the war in Vietnam ought not to divert our attention from the consideration of the fundamental problem of nuclear disarmament. Unfortunately, that is one of the most tragic byproducts of this crisis. It tends to absorb our energy, our attention, and the best talents of those in the executive and legislative branches.

The Vietnamese situation is important, but it is certainly secondary in importance to the enormous challenge raised by the Senator from New York today.

Very frequently, when one goes out on a busy highway early in the morning, after the night's traffic has moved through, he will find a number of animals that have been killed on the road, whether they be squirrels, badgers, possums, or one kind of animal or another. Those animals have been killed, not because they lacked speed or coordination or the capacity to move away from danger, but because they were somehow paralyzed or blinded by the lights of approaching vehicles on the highway.

Much the same thing has happened to us with respect to nuclear power. We have been blinded by the danger of nuclear energy that confronts us.

The special importance of the speech of the Senator from New York is that he has called us back to reality and spelled out a commonsense set of initiatives that are within our capabilities to implement.

On September 25, 1961, in addressing the United Nations General Assembly immediately after the death of Dag Hammarskjold, President Kennedy had this to say:

> Every man, woman, and child lives under a nuclear sword of Damocles hanging by the slenderest of threads, capable of being cut at any moment by accident or miscalculation or by madness.

He added:

> The weapons of war must be abolished before they abolish us.

As the Senator from New York has said, each time a new power develops nuclear capability and the capacity to deliver nuclear bombs, it further weakens the slender thread that means the difference between survival and life for ourselves and generations to come.

I have often pondered on the impact that the life and death of the late President Kennedy had and the unprecedented amount of grief that followed his death, not only in our own country, but all over the world.

The primary explanation of it is that the people of the world, on this side of the Iron Curtain, on the other side of the Iron Curtain, and in the noncommitted nations of the world, felt that our late President represented a hope for peace. They saw a chance for survival and a hope for peace with his leadership. The Senator from New York has today done much to renew that hope which I know President Johnson and my colleagues here in the Senate share. I commend him on his fine speech.

Mr. KENNEDY of New York. I thank the Senator from South Dakota, who served with President Kennedy in his administration, and who made so many efforts to better the lives of people all over the world.

Mr. HART. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. HART. I will not even presume to bespeak the thanks of the people of Michigan, much less the people of the world, to the Senator from New York, for the thought that produced the speech he has made today. I thank him as a human being for what he has said, and I presume I can speak for my children. I hope it will remind us, among many other things, that we ought to seek to look at ourselves through the eyes of people elsewhere in the world, and consider what they think of us, how they see us—not that we must lose our national identity or responsibility, but recognizing, if we can, what others attach to our acts and our omissions, realizing, as we must, that for long years the finger has been pointed at the United States as a threat to the peace. We know the story. We know the charge long made that the United States cannot afford to disarm. Those of us who have represented a community that lost a defense contract know that that kind of disarmament is not popular.

I would hope we would today, in reviewing the speech just made by the Senator from New York, take each of the particular recommendations he has marshalled, none of which really is new, and ask ourselves, "I wonder what the citizens in Timbuktu will interpret our real motive to be?"—in view of the fact that that recommendation has been on our desk for years and all it produced up to this moment as that person may see it is a speech—a magnificent speech. It should remind us, too, that we are so busy finding somebody's lost social security check, or scrambling for a defense contract, or replying to letters about a gun law, or untangling a rural mail carrier problem, and seeking to improve our level of educational excellence, purifying water and the air, and conserving areas for recreation, and all the other "right" things, that we can spend a long lifetime here and never give our continued attention to the overriding problem that should confront each of us in our days here. And that is the problem the Senator from New York has abruptly, with a sort of thumb in our eye, called attention to. It is good he did. It is too bad that he must.

I will not ask him, How do we avoid now a silence of 6 months, and then another speech? He has made specific suggestions as to what we ought to do. I for one, as a human being, thank him for what he has done.

Mr. KENNEDY of New York. I thank the Senator.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. I join in the general commendation of the distinguished Senator from New York. What I like about this speech particularly are two things. First, it is a positive speech. The sentence which will stick in my memory longer than any other one comes near the end of the speech, when the Senator said:

> We must realize that peace is not inaction, nor the mere absence of war.

He goes on to say:

> "Peace," said President Kennedy, "is a process—a way of solving problems."

Second, the Senator from New York does not do what critics find easiest:

Attacking what we are failing to do—the Senator from New York does not do this. He shows what constructive things we are doing. We have slowed down production of nuclear material. We have won some Russian cooperation in this. He says there has been progress in putting less reliance on our nuclear power and in the strengthening of our nonnuclear, conventional forces. But he has properly called upon us to recognize the great, in fact, the terrible urgency of the situation. He has called on us to go much further than we have.

Specifically, he calls on us to be far more stringent in limiting the dispersion of our nuclear power. I agree wholeheartedly. The vision which he has conjured in our minds, not of what would happen when Mao or De Gaulle have this power, but when Nasser, Castro, and 10 or 15 other countries have it, must impress on us the necessity for action in all the initiatives he suggests.

I, too, commend and am grateful to the distinguished Senator for an inspiring speech. I have learned a great deal from it. I thank the Senator from New York for the people of Wisconsin.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. TYDINGS. Mr. President, I should like to add my voice to those of my colleagues who have commended the Senator from New York for his fine and timely address. I should like particularly to associate myself with the simple but very eloquent remarks of the Senator from Michigan [Mr. HART].

I believe that the ability to see the forest when so many see only the trees is a great achievement. When the Senator from New York selected this particular subject on which to make a major address on the floor of the Senate, I believe that he did a great service not only to his own constituents, but also, as the Senator from Michigan pointed out, to all the world. Both the cogency of what he has to say and the fact that the junior Senator from New York, bears a great name, will bring public attention to the great problem of our generation; namely, whether we can make sufficient political adjustments and social progress to meet the immense problems and challenges which arise from the incredible scientific achievements of the last 25 years.

The manner in which the Senator analyzed the problem, the manner in which he presented the facts, and the constructive approaches he suggested, should give a great deal of impetus to the leadership which this country must produce if we are going to meet the challenge of this generation.

Therefore, on behalf of myself and the constituents of Maryland, I thank the Senator from New York for the great contribution he has made today.

Mr. KENNEDY of New York. I thank the Senator very much.

Mr. GRUENING. Mr. President, will the Senator from New York yield?

Mr. KENNEDY of New York. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. I join in the commendations of my colleagues of the important and excellent speech just made by the Senator from New York. It is an objection from which no one could possibly dissent. It is an issue which has been properly and most eloquently raised by the junior Senator from New York, and I applaud its purpose highly.

Let me comment on some of the difficulties which I see in the way of carrying out the Senator's ideas, and particularly with reference to the remarks just made by the Senator from Maryland [Mr. TYDINGS] as to the pertinent and cogent remarks of the junior Senator from Michigan [Mr. HART].

In approaching this subject, I believe as he does that we must view it from the other fellow's point of view. We must get out of the natural habit of viewing another country's attitudes and actions solely from the standpoint of our interest. The other country has its interest at heart as we have. It is a basic fact—albeit a distressing fact—that the United States developed the nuclear bomb and is the only nation yet to use it in war. The United States alone rained its horrible death and destruction on the people of another nation. This makes it rather difficult for us to come forward and persuasively be the leader in a reform movement to limit nuclear warfare when we have moved in the other direction, and were the only nation to do so.

I note, for example, a single reference in the Senator's speech to France compared to references to other nations. The other nations get fuller treatment in the Senator's address. I believe that we should start consideration of the problem from the standpoint of France. After all, the position of President de Gaulle in seeking nuclear capability for his country is inseparably related to the fact that he feels that if France were threatened he could not necessarily count on the assistance of the United States, and that he would not wish to wait until a decision which crucially involved the safety of France, had been arrived at in Washington. I can hardly see how he can be criticized for that, although he has been. I fail to see how he could act otherwise.

The history of our handling of the Suez Canal controversy, to cite only one example, when we went back on our traditional allies, France and Great Britain and got into bed with Soviet Russia, and handed the canal over to an aggressor, Nasser, and rebuked France and Britain in particular, sought to impose sanctions on them in the United Nations, and imposed them unilaterally, on these longtime friends, makes it understandable why President de Gaulle wishes to have all the weapons he can obtain independently, including nuclear weapons. Why should he not? So this is one of the problems facing us in seeking the objectives of nuclear disarmament. We must study past history and our own relations to the problem, and what we have done in the past.

Particularly now, I venture to say, it will be difficult to negotiate with China, in view of the fact that a far more pressing and immediate problem has been raised in the war in southeast Asia as to whether it will be possible, at this time, when we are raining death and destruction on a country neighboring China, North Vietnam, to approach the Chinese regarding the cessation of nuclear bombing and testing.

I believe those are among the questions we must take seriously to heart.

I commend the Senator from New York once more, as well as the Senator from Michigan, for their most appropriate comments.

Mr. KENNEDY of New York. Let me comment on some of the problems. I do not give this speech on the basis that any of these problems are easy to solve. They are difficult. After all, we struggled with the question of the test ban treaty, a treaty to ban nuclear explosions in the air, for a long period of time until it was finally concluded in 1963. But we were able to achieve that important result.

France, for reasons which the Senator from Alaska has described, did not see fit to become a signatory to that agreement.

The problem of France is difficult, but I do not know that that problem is always going to be with us in the form it presently takes.

In the meantime, I believe that it is of even greater importance that we begin to improve our relations with Soviet Russia, where it is my feeling there are areas in which we can make progress. My feeling is that we wish to be judged fairly. We do not wish to be judged as were the two leaders of Germany and Austria in the book "Guns of August." They were exchanging views as to how Europe exploded in the First World War; one asked the other why it happened, and the reply was, "Oh, my God, if we only knew—if we only knew."

We do not wish that written about those of us who have the responsibility within Government—that the problem was so difficult that we did not make the effort—and that when it was asked, how did it come about that the world was destroyed by an atomic exchange, the reply was, "Oh, my God, if we only knew—if we only knew."

Mr. President, as long as I am in the Senate and have any involvement in Government, I shall make every effort I can to bring about control of nuclear weapons. I know that it will be a constant struggle, that it will not be achieved overnight, but I believe that we can move ahead and lay out a program. We can resolve some of the problems concerning American policy and submit them to the nations of the world. If they are rejected, that will not be our fault. At least, we shall have made the effort.

We have made more efforts to limit nuclear weapons than has the Soviet Union. Their efforts have been negative.

But I should like to have not only all Senators and Representatives, but all the people of the world to know that we took the last step, walked the last final mile, to try to reach a firm understanding with the other countries of the world.

That is an extremely important objective which faces not only our constituencies, but also every Senator who represents them. It is an objective which must be in our hearts and minds each morning as we look at ourselves in the mirror.

Mr. JAVITS. Mr. President, will my colleague yield?

Mr. KENNEDY of New York. I am glad to yield to my colleague.

Mr. JAVITS. Let me say to my colleague that I did not have an opportunity to listen to his speech, because I was on my way to and from the funeral of Bernard Baruch. I know that my colleague would have wished he could have joined me were it not for the importance of making his speech on the floor of the Senate today.

I have read the Senator's remarks with the greatest interest. I assume they were generally delivered as written.

Although the Senator has spoken in the Senate before, of course, I can understand why he considered this subject for his first major speech, because it addressed itself to the number one problem of our age.

The speech is thoughtful and most constructive. What I like most about it is the fact that the Senator has committed himself to specific positions—positions with which we have wrestled in the Senate so many times and which have left many Senators with great experience and unquestioned patriotism in grave doubt.

My colleague has—as we sometimes say—"stuck his neck out," which is what one expects of a U.S. Senator.

I know that my colleague has had great experience in politics—in the Cabinet, as counsel for a Senate committee, and in other ways—but I believe that by the speech he has made today, he marks himself as a thoughtful Senator in appraising the whole of our past and of our future, counseling, as he must, with great influence and persuasiveness, what we must do in the present.

I find myself in agreement with a great deal of what the Senator has said. The crucial issues he has treated so ably have often weighed upon me as well.

I consider the Senator's speech to mark the maturing of my colleague as a Senator from New York. He will be of the greatest service to our State.

The speech is historic—a clear and thoughtful exposition of the monumental problem facing us.

Mr. KENNEDY of New York. I thank my colleague from New York for his very kind remarks.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. HARRIS. Mr. President, the distinguished Senator from New York has been on his feet for a long while, and I believe that the number of Senators who have come here to comment on his speech speaks eloquently of its importance and its impact and thought-provoking nature.

Therefore, I will simply say that under our Constitution, a Member of the Senate has no higher responsibility than in the field of foreign affairs, the responsibility, not only to agree or disagree with treaties and policies in the field of foreign affairs after they are made, but also to speak out, untrammeled by some of the restrictions which hem in some of those in the executive department, and help to mold and shape that policy before it is made.

The distinguished Senator from New York has today risen to that highest responsibility of a Member of the Senate of the United States by his speech.

Mr. KENNEDY of New York. I appreciate the kind remarks of the Senator from Oklahoma.

I yield the floor.

Mr. CLARK subsequently said: Mr. President, an extremely significant happening took place on the floor of the Senate this afternoon. The junior Senator from New York [Mr. KENNEDY], a Member of this body for hardly 6 months, took the floor and spoke up with courage and logic in favor of the United States taking the lead in international agreements which would end the further proliferation of nuclear weapons and result in both the Soviet Union and ourselves cutting back drastically our supply of such weapons.

It was significant indeed that ROBERT F. KENNEDY should make this speech. But perhaps it is even more significant that 16 other Senators—I am the 17th—should rise on the floor of the Senate and commend him for turning our minds away from nuclear war, from a nuclear holocaust, which would, as many Senators have pointed out, surely destroy civilization, if not human life. It was a speech which called upon the executive branch of our Government to take immediate and urgent steps to move forward toward an international agreement. I hope that both the press and the executive arm of our Government will take note of the apparently unanimous support in this body for a turn toward peace and away from war.

I point out a little known and little referred to fact. Earlier this month the Senate with practically no debate, adopted, without a dissenting voice, Senate Concurrent Resolution 36.

That resolution, in identical form, was adopted by the House of Representatives yesterday. It will be my privilege, as one of the Senate observers at the 20th anniversary celebration of the founding of the United Nations in San Francisco, tomorrow, Friday, and Saturday, to take engrossed copies of that resolution to that meeting of the United Nations, in order to show that without a dissenting vote the Senate and the House of Representatives of the United States have gone on record in support of urgent measures to be taken by the executive arm of this Government in a further search for peace and for accommodation with all the countries of the world in general, and the Soviet Union in particular.

I should like to read the pertinent parts of Concurrent Resolution 36. After a number of preambles, which recite the very useful part the United Nations has played in maintaining and advancing the cause of peace during the last 20 years, and referring to the International Cooperation Year established by the General Assembly, that year being 1965, and after resolving that it is the sense of Congress that our country rededicates itself to the principles of the United Nations and to the furtherance of international cooperation within the framework of law and order, Concurrent Resolution 36, in section 2 provides:

> SEC. 2. It is further the sense of the Congress that in connection with the examination for International Cooperation Year of United States participation in international cooperative activities, the executive branch should—
>
> (1) review with a high sense of urgency the current state of international peacekeeping machinery with a view to making specific suggestions for strengthening this machinery, (2) review other major elements of international community and cooperation with a view to making specific suggestions to promote the growth of institutions of international cooperation and law and order, and (3) review urgently the status of disarmament negotiations with a view to further progress in reducing the dangers and burden of competitive national armaments.

In section 3 the concurrent resolution provides for a group of 12 Senators and Representatives to create a congressional delegation to participate in the White House Conference on International Cooperation, which will be held this fall.

To me, Mr. President, it is extremely significant that without a dissenting vote Congress should have taken this strong position urging the executive arm to move with a sense of urgency toward, not a war offensive, but a peace offensive.

I point out that in many ways Senate Concurrent Resolution 36 is the minor child of Senate Concurrent Resolution 32, introduced in the Senate on behalf of myself and 25 other Senators on April 8, 1965.

We held some good hearings on Senate Concurrent Resolution 32. I commend them to all the readers of the CONGRESSIONAL RECORD.

I should like to read into the RECORD at this point two of the preambles of Senate Concurrent Resolution 32, which I believe are peculiarly appropriate in view of the fact that this great speech was made by the junior Senator from New York on the floor of the Senate this afternoon. Senate Concurrent Resolution 32 recites:

> Whereas the United Nations General Assembly, at its fourteenth session, unanimously adopted "the goal of general and complete disarmament under effective international control," and
>
> Whereas President Kennedy stated on September 25, 1961, that we must create "worldwide law and law enforcement as we outlaw worldwide war and weapons," and stated further on June 10, 1963, that "our primary long-range interest" is "general and complete disarmament—designed to take place by stages, permitting parallel political developments to build the new institutions of peace which would take the place of arms"; and
>
> Whereas the U.S. program for general and complete disarmament in a peaceful world, introduced at the 16th session of the United Nations General Assembly, defined the objective of the United States as "A world where there shall be a permanent state of general and complete disarmament under effective international control" and the "institution of effective means for the enforcement of international agreements, for the settlement of disputes, and for the maintenance of peace in accordance with the principles of the United Nations" and called for the creation of an International Disarmament Organization to insure compliance with disarmament obligations, a United Nations Peace Force to keep the peace during the period of disarmament and thereafter; and improved processes for the peaceful settlement of international disputes—

Mr. President, it might have been difficult to report Concurrent Resolution 32 and have it passed in the general warlike atmosphere of the moment. It certainly would have been impossible to bring it out and have it passed by June 24, when the celebration of the 20th anniversary of the founding of the United Nations will take place But Concurrent Resolution 36 is a pretty sturdy child of Concurrent Resolution 32.

In substance, it states, without elaborate preambles and with a slightly watered down series of preambles, what was in the minds of those of us who have all along felt that the way towards peace was laid down by John Fitzgerald Kennedy in three magnificent addresses in 1961, 1962, and 1963, two of them before the United Nations, and the third at American University.

So it is a heartening thing to me to see so many Senators stand on the floor of the Senate this afternoon and commend the junior Senator from New York [Mr. Kennedy] for making a specific, concrete suggestion in a relatively narrow field with respect to this broader field where his brother, our late great President, had taken so inspiring and constructive a lead.

Having made that statement, I am confident that President Johnson shares the ideals of President Kennedy. I am confident that he is as anxious to bring to pass that peaceful world as was his predecessor. With respect to the particular specific suggestion of the junior Senator from New York, I should like to read into the Record a part of the recommendations made by President Johnson on January 21, 1964, to the Conference of the 18-Nation Committee on Disarmament at Geneva. This is what he had to say with respect to the proliferation of nuclear weapons:

> Specifically, this Nation now proposes five major types of potential agreement:
>
> * * * * *
>
> Fifth, and finally, to stop the spread of nuclear weapons to nations not now controlling them, let us agree:
>
> (a) That nuclear weapons not be transferred into the national control of states which do not now control them, and that all transfers of nuclear material for peaceful purposes take place under effective international safeguards.
>
> (b) That the major nuclear powers accept in an increasing number of their peaceful nuclear activities the same inspection they recommend for other states; and
>
> (c) on the banning of all nuclear weapons tests under effective verification and control.

So President Johnson has anticipated the magnificent speech of the Senator from New York [Mr. Kennedy], and our country is on record in favor of moving forward toward a workable treaty which will eliminate the proliferation of nuclear weapons.

One might ask, Why has nothing effectively happened since January 21, 1964? The answer is clear. The answer is simple. The answer should be understood by every Senator in this body, by the press, and by the general public. The answer is probably MLF—the multilateral nuclear force. So long as we play around with the obsolete notion of MLF, so long as we flirt with the suggestion that Western Germany should be given a finger closer to the nuclear trigger than it has now, so long with the Soviet Union in all likelihood be unwilling to agree to a treaty which will ban the further proliferation of nuclear weapons.

Mr. President, I ask unanimous consent that an excerpt from the statement made by Mr. Tsarapkin, the head of the Soviet delegation to the Conference of the 18-Nation Committee on Disarmament at Geneva, under date of January 28, 1964, be printed at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

> ### 6. PREVENTION OF THE FURTHER SPREAD OF NUCLEAR WEAPONS
>
> As the stocks of nuclear weapons increase, and the methods of manufacturing them are improved, and as every new type of such weapons are being devised, the question of preventing their further dissemination becomes increasingly important. A widening of the circle of states possessing nuclear weapons would increase many times over the danger of the outbreak of a thermonuclear war. At the same time a widening of the circle of nuclear states would also make it much more difficult to solve the problem of disarmament.
>
> The Soviet Government notes that at present there is an increasing awareness throughout the world of the danger threatening mankind in connection with the further spread of nuclear weapons. It is the duty of all governments to make every effort to avert this danger before it is too late. It is particularly important from the point of view of the interests of peace to close all the channels, whether direct or indirect, through which nuclear weapons could come into the hands of those who twice during this century have caused the conflagration of a world war and who are now actively striving to obtain nuclear weapons.
>
> In order to shut off all possibilities for the spread of nuclear weapons, the Soviet Government proposes that an agreement on this question should contain, besides the prohibition to transfer such weapons or to give information on their manufacture to any particular government, also provisions to guarantee that such a transfer of nuclear weapons or access to them shall not take place indirectly, through military blocs, for example, through the so-called multilateral nuclear force of NATO.

Mr. CLARK. Again, on August 13, 1964, at Geneva, the same Mr. Tsarapkin made crystal clear in a much shorter statement why Russia would condition its agreement to a nonpoliferation of nuclear weapons treaty on our withdrawing our efforts to bring West Germany. through the NATO organization, closer to the trigger on the nuclear bomb. I ask unanimous consent that that statement may also be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

> In concluding, I should like once again, on behalf of the Soviet delegation, to appeal to all members of the 18-Nation Committee on Disarmament to set to work without any further delay on a practical solution of the problem of the nondissemination of nuclear weapons—such a solution as would shut off all possibilities of access to nuclear weapons for those states which do not now possess them.
>
> Such a solution should provide that the nuclear powers shall give an undertaking not to transfer to nonnuclear powers nuclear weapons and technical information necessary for their production.
>
> Such a solution should also provide for a commitment by the nonnuclear powers not to manufacture and not to acquire nuclear weapons from other states, and also not to obtain technical information for their production.
>
> Such a solution should also contain clear provisions precluding the possibility of granting access to nuclear weapons to states not possessing them, through military alliances, whether indirectly through the access of their military personnel to such weapons within the joint armed forces of such alliances, or through the participation of nonnuclear states in the possession, disposition and control of such weapons.
>
> That would be a comprehensive agreement on the prevention of the further spread of nuclear weapons, the conclusion of which is awaited with so much hope by the peoples of the world. The Soviet Union is prepared to sign such an agreement this very day. It is now up to the Western powers and, above all, the United States, to take the next step.
>
> Lastly, I should like to mention that we listened with great attention to the statement made today by the representative of the United Arab Republic, Mr. Hassan, and were most interested in his ideas and suggestions. Above all we welcome, and we note with deep satisfaction, the decision taken by the leaders of the African States and Governments at the Cairo Conference, at which the African States expressed themselves ready to conclude, under the aegis of the United Nations, an agreement renouncing the production of nuclear weapons and the acquisition of control over such weapons. There is no doubt that this resolution represents a substantial step forward on the road to the nondissemination of nuclear weapons and toward lessening the threat of thermonuclear war.

Mr. CLARK. Mr. President, who can tell whether the Russians mean what they say? Certainly not I. Who knows whether it is the heating up of the cold war resulting from Vietnam which has caused them to withdraw their interest, so far as we can tell, toward moving forward in the area of peaceful coexistence and progress in the general field of arms control and disarmament?

I point out that those two Russian statements were made long before we heated up the war in South Vietnam by bombing North Vietnam, long before the strong offensive of the Vietcong, with which we are having to contend right now; and if we try to exercise some sense of empathy to put ourselves in the position of the men who are in charge at the Kremlin, I wonder whether we, too, would not be concerned with U.S. efforts through MLF to come closer to a proliferation of nation-state control over nuclear weapons through the aegis of the NATO Alliance?

I suggest that whether the Russians are using the MLF as an excuse or whether they sincerely believe that it is impossible because of MLF to go forward with a treaty which would prevent the further dissemination of nuclear weapons and cut down on our own atomic stockpiles, we should call their bluff. MLF is as dead as a duck anyway. It was a silly idea in the first place. It was obsolete by the time the bureaucrats in the State Department were able to push it up from below and get the approval of the Secretary of State and the quite reluctant approval of President Johnson, from which he some time ago, apparently at least, withdrew.

So I say that what we should do is to urge the Executive, with that same sense of urgency set forth in Senate Concurrent Resolutions 32 and 36, to get into an active negotiation with the Soviet Union with respect to the kind of international agreement so ably recommended by the junior Senator from New York [Mr. KENNEDY] and other Senators on the floor of the Senate this afternoon, and let us see what can be accomplished. Perhaps we shall not accomplish anything. But let us at least turn aside for a while the dominance of the military and industrial complex in our county and in many countries of Western Europe, and instead of concentrating our attention on further ways of spreading nuclear proliferation against what is almost certainly an obsolete concept of danger in the world today—a Russian attack on Western Europe—see whether we cannot move along the lines recommended by the junior Senator from New York toward a limited detente with Soviet Russia in the field of nuclear proliferation.

And, actually, I mean more than this. I mean a detente not only in this restricted area of nonproliferation of nuclear weapons; I mean all along the line. It is my firm conviction that the major objective of our foreign policy should be an overall detente with Russia, so that bound together by a mutual economic self interest we can move forward together to maintain the peace of the world. This might well require a joint agreement to oppose the aggressive ambitions of Communist China, and to arrive eventually at that western union from the western shores of the Atlantic to the Urals, which that most unpopular but often wise President of France, General de Gaulle, has, to my way of thinking, recently been advocating.

Let us appreciate that our present foreign policy is obsolescent, if not obsolete; let us make an effort, before it is too late, to turn the world away from war and toward peace. This will be in the best interests not only of the Soviet Union, not only of Western Europe, not only of the underdeveloped countries of the world, but most important of all in the best interests of the people of the United States of America, as well.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that I may make the suggestion without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COINAGE OF THE UNITED STATES

The Senate resumed the consideration of the bill (S. 2080) to provide for the coinage of the United States.

Mr. BENNETT. Mr. President, the pending legislation is the silver coinage bill, reported by the Banking and Currency Committee. As one of the joint sponsors of the bill and the ranking minority member of the committee, I should like to discuss what probably is the most important coinage decision the Senate will make during my lifetime and in the lifetime of other Members of the Senate.

SILVER

I recommend speedy approval by the Senate of the silver legislation (S. 2080) as it has been reported from the Senate Banking and Currency Committee. This is an objective approach to an extremely difficult problem which has been building up for many years and which now must be met head on. The bill before us is the result of intensive study by the Treasury staff, by independent research institutions, by Members of Congress and others interested in the coinage and silver problem.

The basis of our present coinage and silver problem is the fact that silver is both a commodity used in industry and the arts as well as a metallic base for money, and as such, it is subject to all of the economic laws which affect both uses. Chief among these laws are the law of supply and demand and Gresham's law that bad money drives good money out of circulation. In addition to these two important laws, and in a measure conflicting with both of them, have been the policies of the Federal Government which during more than a century have influenced silver production, consumption, and price.

DEVELOPMENT OF A PROBLEM

To understand our silver and coinage situation and what must be done at this time, one needs to know how the problem developed and the factors that led to its development. I regret that apparently some members of this body have not understood the problem and are thus likely to be misled by regional biases and special interests.

In 1792, shortly after this Nation was founded, Congress enacted the first monetary law. This legislation set up a bimetallic standard, based on silver and gold at the ratio of 15 to 1, and the then current price of silver of $1.29 an ounce. The volume of pure silver chosen for the new dollar was 371.25 grains, a rough average of the silver content in the Spanish dollars then in circulation. With a content of 371.25 grains—.7734375 of an ounce—the silver in the new dollar was worth $1. In other words, it had full intrinsic value.

Neither the official silver content in a dollar nor the official monetary price of that silver has varied since the original law established it.

The market price of silver as a commodity, however, has fluctuated widely as a result of supply and demand for both industrial usage and coinage purposes. It has not maintained any specific relationship to the monetary price except in times when government action brought about such a relationship.

As long as the market price of silver remained below the monetary price, the face value of our silver-bearing coins was greater than their value as silver and the coins circulated and performed their purpose as a medium of exchange, regardless of this variation. During the periods of inflation or war, the market price of silver sometimes exceeded the monetary price and the silver bearing coins were withdrawn from circulation for their silver content and hoarded.

Frequently, during those early years, subsidiary coins were withdrawn because their silver content was set at full intrinsic value rather than on a token basis. This problem was finally alleviated when Congress, in 1853, reduced the silver content in subsidiary coins by 6.9 percent, thus giving the silver in these coins—the dime, the quarter, the half dollar—a monetary value of $1.38. This meant that the price could reach a level of $1.38 before it would prove profitable to withdraw coinage in denominations less than a dollar for their silver content. Our present dimes, quarters, and half dollars have retained the same silver content as provided in the 1853 act.

BIMETALLIC STANDARD ENDS

Soon after the Civil War, major countries of the world began to move away from a bimetallic standard and to use only gold as the metallic base of their monetary systems. The United States followed that pattern in 1873, and as a result of the cessation of free coinage of silver, the price dropped from $1.27 an ounce in 1874 to 61 cents an ounce in 1905, in spite of the Bland-Allison Act of 1878 and the Sherman Silver Purchase Act of 1890 under which the Treasury purchased and stockpiled 460 million ounces of silver.

In 1896, William Jennings Bryan staked his political career on an attempt to restore the prior ratio of silver to gold prices. He failed and the price of silver dropped to 47 cents an ounce in 1916 and to a low of 24 cents in 1932.

By Presidential proclamation in December of 1933 and then by law in June of 1934, the Treasury began to support the silver market by offering to buy all newly mined domestic silver at $0.646 an ounce. In July of 1939, the Treasury price was increased to $0.711 an ounce and in 1946, it was raised to $0.905. Because these prices were above the world price, the Treasury stockpile built up rapidly.

Before 1939, new production of silver exceeded the demand for the metal and Treasury policy of purchasing at above the market price was for the purpose of supporting the price received by domestic silver producers. By supporting the price, some silver was produced that would not have been mined at a lower price because it would not have been economically feasible or profitable to mine it and sell it in the private market.

The silver the Treasury was required to purchase during this time at above market prices is the very silver that is being sold by the Treasury today at the much higher price of $1.2929. If the Treasury had not had the previous purchase policy, the silver which is so vital now would never have been mined and would not be available for industrial needs, arts, or coinage today. Looking back, this was probably one of the wisest programs that has ever been undertaken by the U.S. Government. Even though it was strongly opposed by silver users, it is now providing them with silver at much lower costs than would have otherwise been the case.

DEMAND GROWS—PRODUCTION LAGS

In 1939, silver usage had increased until it equalled new production and since that time, the demand for the unique metal has continued to grow rapidly while production has lagged. The deficit between production and usage each year since 1939 has been made up from previously mined silver stocks which had been released for usage by the holders as the market price rose. By 1959, the world supply and demand factors resulted in a price of $0.905 an ounce at which price, the Treasury became an involuntary seller of silver. As long as the Treasury was willing to sell at $0.905 and had sufficient "free" silver not needed to back silver certificates, to meet all demands, $0.905 an ounce became the ceiling price on silver.

A net increase of 92 million ounces of Treasury silver in 1958 gave way to a net decrease by withdrawal of 46 million ounces in 1959. The handwriting was on the wall. The law of supply and demand was operating and since current supplies of silver were not sufficient to meet current demands, the deficit was made up from Treasury stocks. It could only be a matter of time until the Treasury would be forced to suspend sales, but for some reason Treasury officials believed that the situation was a temporary one and those of us who tried to persuade suspension were brushed off until November of 1961. By then, the stocks had been greatly depleted.

As soon as the Treasury stopped selling at $0.905, the price began to rise in the world market, as supply and demand again began to determine price. As the price climbed, the Treasury used its silver for coinage and other official purposes and by the beginning of 1963, the Treasury's free silver had dwindled to only 30 million ounces. The coinage requirements for that year had been estimated to be over 75 million ounces. This caused a major problem. The Treasury needed more silver than it could use from its own stock, yet it could not go into the market and purchase it for coinage because silver was already approaching the official monetary price of $1.2929 an ounce.

If the Treasury had entered the market as a buyer, the price of silver would have immediately risen above $1.29 and silver dollars would have become worth more as silver than they were as money. As had happened before, they would have been withdrawn. In fact, in anticipation of a rise in silver prices, our silver dollars had already begun to disappear in 1963. With the Treasury as a buyer, not only would the price have exceeded $1.29, but also the $1.38 an ounce price at which it would have become profitable to withdraw subsidiary coins—half dollars, quarters, and dimes—for their silver content.

TREASURY TURNS TO OWN STOCK

The Treasury had no choice but to look to its own huge silver stocks backing silver certificates as a supply of coinage silver. These reserves included 300 million ounces backing $5 and $10 certificates and 1.3 billion ounces backing the $1 silver certificates.

The Silver Purchase Act of 1963 made it possible to issue $1 Federal Reserve notes and thus the silver that was required to back silver certificates could be used for other purposes as the silver certificates were retired and replaced with the new Federal Reserve notes which had partial gold backing instead of silver.

By September of 1963, the price of silver in the world market, responding to the law of supply and demand, had risen to the monetary ceiling of $1.29 an ounce. At that point, the U.S. Treasury again became a supplier. Silver certificates bear a promise to pay to the bearer on demand $1 in silver; so rather than paying a higher price than $1.2929 an ounce for silver, those who wanted it demanded it from the U.S. Treasury at that price either through turning in silver certificates or asking the Federal Reserve banks to acquire silver certificates of an equivalent amount and surrender them. Thus, industrial users, or for that matter anyone, could draw on the Treasury silver stock. To add to this drain, a coin shortage developed and the U.S. mint was forced to increase production to capacity.

Not only did this put a strain on mint facilities, which continues at the present time, but it resulted in a significant increase in the use of silver. Coinage which had required only 46 million ounces in 1960, demanded 56 million ounces in 1961, 77 million in 1962, 112 million in 1963, and 203 million ounces in 1964. The combined world demand for industry and coinage needs resulted in a 366.3-million-ounce withdrawal of silver from the Treasury during 1964.

The present total Treasury stock of about 984 million ounces of silver, including that backing the silver certificates and not reserving any for a defense stockpile would last, at that rate of withdrawal, between 2 and 3 years.

In common everyday terms, "We have come to the end of our rope."

NEED TO CHANGE COINAGE CITED

In 1963, I tried to impress upon the Treasury that it would be necessary to change our coinage system within the next 2 or 3 years and made some recommendations which would have given the Treasury greater flexibility within which to act. I received a rebuff both to my recommendations and to my prediction. I think that it would be desirable to include at this point part of the Treasury response.

> Adoption of Senator BENNETT's proposal, then, would make it necessary very soon to reduce or eliminate the silver content of our subsidiary coins. Senator BENNETT indicated in his questioning of the Secretary that he accepted this reasoning and believed that the Government should face this possibility frankly at once.
>
> The Treasury, which considered this possibility before presenting the present bill, disagrees. It does not claim that passage of H.R. 5389 will solve the problem of providing silver for coinage for all time, but it does believe that its passage would assure the Government of adequate supplies of silver for coinage for at least the next 10 to 15 years.

That was the Treasury's estimate 2 years ago.

Continuing to read the response—

> Because the United States has had a silver coinage since 1792 and its people, we believe, attach considerable value to having silver coins, and because of the great difficulties which a change to a base-metal coinage would involve for our large and expanding coin-operated vending machine industry, the Treasury considers it unwise to abandon silver coins before it is absolutely necessary to do so, if indeed, it ever should be.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. BENNETT. I yield.

Mr. LAUSCHE. When was the letter from the Senator from Utah suggesting that there then be done what is now proposed to be done by the Federal Government written?

Mr. BENNETT. I did not write a letter. What I have read involved questioning by the Senator from Utah of the Secretary of the Treasury in a hearing on the bill to repeal the Silver Purchase Act, and that was only 2 years ago.

Mr. LAUSCHE. Did the Senator from Utah at that time suggest a program such as we are now asked to adopt?

Mr. BENNETT. The Senator from Utah said that we were within 2 or 3 years of the end of our available silver stock and suggested to the Treasury that it prepare a program and do so immediately.

Mr. LAUSCHE. Did the Department of the Treasury answer that we had at least 10 years?

Mr. BENNETT. The Treasury answered—and I have read the statement—that passage of that bill would "assure the Government of adequate supplies of silver for coinage for at least the next 10 to 15 years."

Mr. LAUSCHE. If I remember correctly, the Senator from Utah has been raising the alarm about the seriousness of the silver problem for more than 3 years.

Mr. BENNETT. The Senator from Utah has been talking about it ever since the Treasury became a seller of silver and ceased to buy it. It seems to me that that was the day we were on warning that we would face the problem inevitably, and probably sooner than we thought.

Mr. LAUSCHE. I thank the Senator.

Mr. BENNETT. I truly regret that the Treasury was mistaken. I personally wish that we could continue our present system of coinage with 90 percent silver content. I then wished that we could then also, but one cannot make a wish and expect the problem to be solved.

I believe that if the problem had been faced then, while there was still a much larger supply of silver in the Treasury, the new coinage system could have been planned so as to have more silver in the new coins than the present plan would permit.

Convinced that I was correct, I asked the Treasury to undertake a thorough study of the problem. That study, which began shortly after enactment of the Silver Purchase Act of 1963, was completed and reported to Congress on June 3 of this year and is the basis of the proposed legislation.

THERE HAD TO BE A CHANGE

It was determined that there must be a change in our coinage system and a reduction in the usage of silver. There is no alternative. In 1964, the United States produced only about one-eighth of our needs, as usage in batteries, brazing alloys, dental and medical, electronic components, mirrors, missiles, photographic film, silverware, jewelry, and other miscellaneous products reached a new high of 127 million ounces in this country and coinage required another 203 million ounces.

On a worldwide basis, free world new silver production during the year was only about 40 percent of world usage. For more than the past 10 years, new production has been less than that required by industry and the arts, exclusive of that used in coinage.

Since 1949, the accumulated deficit between production and consumption has totaled about 1.75 billion ounces and, as mentioned previously, at present rates of withdrawal, the remaining Treasury stock of less than one billion ounces would be completely exhausted in from 2 to 3 years. We cannot afford to let this happen for two important reasons.

First, silver is a strategic metal used for defense purposes, and the Treasury stock is the only stockpile that we have.

Second, if we were to allow the Treasury silver to disappear completely, the price of silver would immediately rise above the $1.38 an ounce level and it would become profitable to melt coins for their silver content. If this were to occur, our coins would be withdrawn from circulation and none would be available for commercial transactions. One can hardly imagine the problems and chaos that would face an advanced economy such as ours if this should ever happen.

Since private industry has not been able to find or develop substitutes for silver in its processes and products, and its consumption is increasing even at the higher prices reached during the last 2 or 3 years, little hope for an easing of demand can be seen in the private sector. This left the burden of change on the Treasury, because the Treasury cannot afford to purchase silver in the open market at prices which would be much higher than the monetary value of the coins made from that silver.

Mr. PASTORE. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. PASTORE. The assertion has been made that if the price of silver could be increased, that in itself would constitute an incentive to produce more silver. I noticed that the President, in his message, intimated that no matter what we do, no matter how hard we try, no matter what attractions we offer, the supply of silver could not be augmented appreciably. Will the Senator from Utah comment on that?

Mr. BENNETT. The Senator from Rhode Island used the word "appreciably." It is, therefore, impossible for me to answer simply yes or no. Silver is produced normally as a byproduct of the production of other metals. It appears in mixed ores. So we do not get a direct and immediate effect of a price increase.

On the other hand, any increase in price would raise the marginal level at which ore not now being mined but containing silver could be brought into the market. So there would be some increase with every rise in the level of the price of silver. However, I do not believe the increase would be great enough over the next 4 or 5 years to make up the deficit.

Mr. PASTORE. That is precisely the point the Senator from Rhode Island would like to reach. A serious problem confronts us. Silver is used today in much of our industry. I do not believe any Member of the Senate wants to hurt any segment of the silver community, whether it be the producer, industrial users, or the silverware makers. Nevertheless, the fact still remains, as we consider the entire problem, that we have failed to find any solution whereby the supply of silver can be increased to meet the demand, whether it be for coins, for industrial purposes, or anything else. That constitutes the crux of the problem.

The problem that confronts us now is: At what point ought we to break off in the use of silver in our coins? One solution proposed is that all silver be removed from the 10-cent piece and the quarter, as the administration has suggested; that 40 percent instead of 90 percent silver be used in the half dollar; and that the content of the silver dollar remain exactly as it is.

Others—and I am now addressing myself to the amendment that will be sponsored by the distinguished Senator from Nevada [Mr. BIBLE]—believe that a 40-percent silver content should remain in the 10-cent piece and the quarter, as well.

The Senator from Rhode Island takes the position that we must look at the proposals realistically—and that is not easy. If the silver content is to be removed entirely from the 10-cent piece and removed entirely from the quarter, why should a 40-percent silver content be retained in the half dollar, unless for practical reasons to satisfy certain segments of the population?

No matter how provincial one wishes to be, the fact still remains that this is, overall, a national problem. The population is increasing. There is more use for coins than ever before. But not enough silver is available. No matter how hard we try, we cannot produce as much as is actually needed. So there will be a shortage, and the price of silver will be high no matter what we do.

The point I wish to establish—and perhaps I am laboring it a little—is that I do not believe, no matter what the incentive is, that as much silver can be produced in 1 year as the demand requires. The only reason why there is a surplus in the Treasury is that when the price was low, we were wise enough to acquire it. But if we continue to retain silver in the dimes, quarters, half dollars, and silver dollars, it will be only a matter of time before no silver will be available in the Treasury.

Does the Senator from Utah agree with that statement?

Mr. BENNETT. I agree that there is and will likely continue to be a deficit in production until the price is allowed to rise. It is a basic problem, and I would like to discuss it in a minute.

Mr. LAUSCHE. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. LAUSCHE. Pertaining to the inquiry made by the Senator from Rhode Island, as to whether increased prices would induce increased silver production, so as to raise production in some measure beyond the needs of consumption, I should like to read what Mr. Glenn B. Smedly, of the American Numismatic Association, said on that subject on December 22, 1964:

> The world's known silver deposits are being steadily depleted. Furthermore, about two-thirds of current silver production is obtained as a byproduct of other metals and, of course, the level of such production is not responsive to changes in the price of silver. William L. Graham, Jr., a graduate geologist and author of a current book entitled "The Silver Crisis," has stated unequivocally that "free world production is going to continue on down as it has for over 30 years and increased prices are not going to stop it."

This, in a measure, confirms what the Senator from Utah has said and what the Senator from Rhode Island has at least implied and, I think, also expressed.

I thank the Senator from Utah for yielding.

Mr. BENNETT. Mr. President, I appreciate the patience of my colleagues.

I am bothered a little by the length of the statement I am making; but I am trying to give a history and background of the problem, which I think should be in the RECORD, in view of the decisions we shall have to make.

Before I return to my main statement, I should like to comment on the statement made by the friend of the Senator from Ohio [Mr. LAUSCHE] who said that free world production is declining. The Senator's friend is mistaken.

I have before me a table showing the free world production of silver since 1930. Only in 8 years during that period was more silver produced than was produced during 1964. In 1946, it was 125 million ounces; in 1950, 179 million ounces; in 1955—I am skipping—it was 199 million ounces; in 1960, it rose to 215 million ounces and was 215 million ounces in 1964. So although the production of silver is not rising rapidly, it is not declining.

Mr. LAUSCHE. But the rise in production constantly——

Mr. BENNETT. Is slower than the rise in consumption; there is no question about that.

Mr. BIBLE. Mr. President, at this point the record should be clear. I believe that it is almost impossible to predict what the production of silver will be because the price has been a closed price, as the Senator from Utah knows, for the past 2 years.

I am encouraged by the reports which I have received from the Department of the Interior. Those reports indicate the most recent discoveries in the silver field. These are predicated upon the price of $1.29 an ounce. As this price goes higher, I do not believe that any one of us can predict with accuracy how much silver will come out of the ground. I am prepared later to show the reasons why we should continue to have silver in coins, the 10-cent piece, the quarter, and the 50-cent piece.

A few years ago it was stated that there was no more gold. However, prospectors in Nevada went on to discover a gold mine which might become a second Comstock lode, with reserves of some $40 or $50 billion. Actual annual production of this new Nevada mine opened just last month in late May is 200,000 ounces per year. Newmont Mining officials expect the life of the mine to be in the neighborhood of 15 years.

I believe that same thing might very well happen in the case of silver, if the price of silver were to go higher.

The Senator from Utah is an expert in the mining field. He comes from a great mining State.

The order in L. 208 closed many gold mines which never reopened again. It did the same to the silver mines.

The retarding factor in the case of both gold and silver has been one very largely of price.

I do not believe that anyone can look in the crystal ball and see exactly how much silver can be produced. However, I should venture a guess that as the price of silver goes higher, as it will inevitably, and this will occur regardless of action taken by Congress in the months ahead—and I believe the Senator will agree—that the price of silver will go higher. As the price goes higher, more silver will be produced.

I thank the Senator for yielding. I shall not interrupt again.

TREASURY STARTS MAJOR INVESTIGATION

Mr. BENNETT. Mr. President, in trying to find a solution to this dilemma, the Treasury used its own research facilities and those of private institutions. After intensive investigation of all possible substitutes, the Treasury has proposed an alternative coinage system with greatly reduced silver content. To me, the recommendations are practical, objective, workable and reasonable.

I think that the greatest virtue of the proposed bill is that it does provide an effective solution for the immediate problems related to the necessary changeover to a new coinage system. In an area so fraught with imponderables, it does not and cannot supply answers to the deeper, long-range problems created by the continuing overall silver production deficit which both of my colleagues have mentioned. These must be deferred for the time being until the transition has taken place.

The responsibility to face this long range problem has been wisely left to a Joint Commission on the Coinage which this bill creates. This Commission will be composed of the Secretary of the Treasury as Chairman, the Secretary of Commerce, the Director of the Bureau of the Budget, the Director of the Mint, the chairman and ranking minority members of the Banking and Currency Committees of the House and Senate, one additional member from the House and one from the Senate, and four public members to be appointed by the President. The Joint Commission will study the progress of the coin transition and any other factors related to the coinage and silver problem, and make recommendations for future Treasury policy and legislation.

During the changeover period, there must be no interruption in the outpouring of coins from our mints if we are to escape a coinage crisis. This bill proposes that we continue to mint the present high-silver dimes, quarters, and half dollars at the same time that the new ones are being produced. Only when there is an ample supply of the new ones, can a tapering off of the production of the present high-silver content coins be permitted to occur. This could require as much as half of the Treasury's present silver stock, according to production estimates made by the Treasury.

During the changeover, it is also imperative that the value of the silver in present coins not be allowed to fluctuate substantially either upward or downward. To safeguard against a rise in the price of silver, the present silver content of the dollar will be maintained and the Treasury will continue to release its silver on demand at $1.2929 an ounce.

To protect against a substantial decline, which is not likely nor expected, a provision requiring the Treasury to purchase all newly mined silver at a price of $1.25 an ounce for a period of 5 years, is contained in the bill. This could act to protect against any unforeseen adverse effect that might occur as a result of the coinage changeover.

SPECIAL INTEREST GROUPS UNSATISFIED

There are special interest groups which are not satisfied with this bill. I have received numerous letters, telegrams, and calls from both users and producers, stating their objections which naturally are opposing each other. Through all the years in which the Government has had laws relating to its purchase of silver, producers and users of silver have disagreed. That problem will be with us as long as the Treasury is in the silver market. The problem will be with us today in the form of proposed amendments offered by both sides.

The producers of silver and Senators from silver-producing States of the West—and I am one of them—have always felt that we should have silver in our coinage and as a result are disappointed in the approach taken by the Treasury which would eliminate silver from our dimes and quarters. Certainly this is a reasonable objection and it probably expresses the feeling of a majority of the people in this country. Most of us would like to keep our coinage as it is now with its same silver content of 90 percent. It is a beautiful coinage unsurpassed by any in the world. It has a good feel and a good ring. Because I am from the fifth largest silver-producing State in the United States, I too, have some personal feeling for silver coins and a sincere regret that it is not possible to continue them indefinitely.

I hope the Senate will support the Treasury's proposal to keep 40 percent silver in the half dollar. I wish it were possible to keep the same 40 percent silver in the dimes and quarters, but, if the Treasury is to succeed in establishing the new coinage system, it must strike a safe balance between the western demand for silver in coinage and the eastern demand for silver in the arts and industry. It must reserve enough silver to give it flexibility and protection against unforeseen or unexpected withdrawals for either use and this protection must continue into the future, safely beyond the transition period.

The Treasury studies indicate that there is little if any chance of upsetting this balance by keeping 40 percent silver in the half dollar only, but to include the dimes and quarters would be very risky. Our economic pattern requires fewer half dollars than dimes and quarters. The Treasury could suspend minting the halves at any time, and supply the country's needs by increasing the numbers of quarters. Then, too, the half dollar is not often used in vending machines and, in most such cases, can be replaced by two quarters. On the other hand the increased volume in silver that would be required to maintain this same 40 percent in the dimes and quarters would be so great that it could create a crisis during the transition period.

I realize that the miners of silver from Utah and other Western States are hoping for the day when the present ceiling price of $1.29 will be removed and the price of silver allowed to seek its own level. That day will surely come no matter what may be in the bill. But it would be tragic, if by keeping a high silver content in the new coinage system, we precipitated it before we have passed safely beyond the necessary period of transition.

On the other extreme, silver users, processors and their congressional representatives are insisting that there be no silver in any of our coins. Since new production does not equal consumption, they argue that continuing silver in any coins in any amount would result in depleting the silver stock of the Treasury at a more rapid rate than would otherwise be the case.

I agree with this, obviously.

I have received telegrams and letters claiming that mass layoffs in silver-using firms will be prevented only if we remove all of the silver from our half dollar. Such a claim is unwarranted, and unrealistic, and I hope that it will not be the foundation on which any Member of this body will determine his vote.

Of course, silver is essential to many industries in this country and these industries provide thousands of jobs, but retaining silver in the half dollar will use only an estimated 15 million ounces of silver a year and will not adversely affect one single job.

There are in the Treasury now about 983 million ounces of silver. The Treasury estimates that it will require 15 million ounces a year to maintain 40 percent silver in the half dollar—approximately 1½ percent of its total volume. There is no intention of shutting off the supply of silver used in industry. So there is no reason to believe that those industries, during the period of transition, will be forced to lay people off work because they cannot obtain silver. There is no proposal to deny silver to the processors.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. PASTORE. I am reluctant to interrupt the Senator, because he is making an excellent presentation of the committee's and the administration's position on this matter; but is it not a fact that before we reach the point of making the new 10-cent pieces and new 25-cent pieces we may be using between 200 and 250 million ounces of the silver to make dimes and quarters?

Mr. BENNETT. Yes.

Mr. PASTORE. When that amount is subtracted from the existing stockpile, and the 15 million ounces the Senator has referred to are used, will it not be merely a matter of time before we shall run out of silver?

Mr. BENNETT. The 15 million ounces of silver represents at most a very small amount and even with its use, silver in our outstanding coins plus that held by the Treasury should last for several decades, though no one could accurately estimate how long at this point.

Mr. PASTORE. I do not know what claims others have made. I do not believe anyone with whom I have talked about this problem has taken the position that in a matter of months there will be widespread layoffs and that the entire industry will be paralyzed. I do not know of anyone who had made that contention.

What we have been saying is that, inasmuch as world consumption is much higher than world production, it is only a question of time before we shall have to make up our minds as to where we are going. Are we going to continue to have a ring in our coins, or are we going to preserve supplies for the electronic industry, the photographic industry, or the silver industry? If there is no more silver, of course, the factories will have to be closed. I am not saying it is not going to happen tomorrow, or even next year, but we shall have to make a serious decision. The only question I am raising is, if we recognize the fact that we produce much less than we use, why should we continue to maintain silver in the half dollar? Is it because of the sentiment felt on the part of some with regard to the half dollars? Is it for a practical reason? I am a practical man.

Mr. BENNETT. It was done at least partially because it makes people feel better if they have some vestige or remainder of silver in their coinage system.

When we try to estimate when the present supply of silver will be diminished to the point that people in the film or silverware or electronic businesses will be laid off, we must remember there are nearly 2 billion ounces of silver retained in our present coinage system. I am sure that long before we reach the point where an important industry might be destroyed, acting through the coinage committee appointed in this bill, there would be a decision as to some kind of program to withdraw silver from present coins. The officials say they have no present intention at this time, but I am sure they would not let American industry go down the drain.

The question of maintaining a token amount of silver in the new half dollar has much less significance than the possibility of getting the silver content out of the present half dollars, dimes, and quarters, which could be done without too much difficulty.

A demand that all silver be removed from the coins certainly ignores the traditional reaction of many American citizens to silver in our coinage. No one really knows what the public reaction to the new coins will be, but it seems obvious that it will be less adverse if we have a silver half dollar than if all the silver is removed.

Mr. LAUSCHE. Mr. President, will the Senator yield on the item just mentioned, as to whether the public will hesitate in the acceptance of this program?

Mr. BENNETT. I yield.

Mr. LAUSCHE. Was any testimony submitted to the committee as to what the experience has been in other countries, especially in Great Britain, when a substitute metal for silver was placed in coins?

Mr. BENNETT. There are several countries—Great Britain is one of them—which took silver out of coins. Some have put it back in one coin. France, Italy, Japan, South Africa, West Germany, and some other countries have at least one silver coin. They have the concept of one coin with some intrinsic value in it. That fact may have had some effect on the Treasury's decision to keep silver in the half-dollar coin.

Mr. LAUSCHE. The same gentleman whom I quoted earlier made the statement that, "To dispose first of one of the arguments which have been publicly made against base metal coinage, there is not the slightest reason in the world to fear widespread refusal by the public to accept the new coinage merely because it does not have intrinsic value. Provided we shift to a quality coinage later, the experience of many other countries which have abandoned silver coinage is adequate proof that coins are perfectly stable. Great Britain reduced the silver content of its coin to 50 percent and in 1947 it abandoned silver coins altogether. Yet I know of no great difficulty that such changes have caused."

As I understand the Senator from Utah, he is of the belief that, partly to offset a fear that might develop, it is now proposed to keep 40 percent of silver in the 50-cent coin.

Mr. BENNETT. I would not say it that way. I would say that in order to maintain at least one coin with the prestige of continued silver content, the Treasury decided to select the half dollar and keep the silver in it. I do not believe it is from fear as much as perhaps pride. We do not want the greatest Nation on earth to say that it cannot keep any silver in any of its coinage.

It is interesting to me how my colleagues anticipate the discussion which I have prepared.

Mr. PASTORE. Perhaps we have read the speech.

Mr. BENNETT. Perhaps the Senator did.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. MAGNUSON. In the colloquy between the Senator from Rhode Island and the Senator from Utah, the Senator used the argument that to keep silver in the quarter and the dime——

Mr. BENNETT. I have not used it.

Mr. MAGNUSON. I thought the Senator said 250 million ounces would be used.

Mr. PASTORE. Between now and the time when the new law will take effect.

Mr. MAGNUSON. How much would be required in a year to keep the present content of silver in the quarter and dime?

Mr. BENNETT. The best way to answer is to see how much silver the Treasury used last year—203 million ounces were used last year in coinage.

Mr. MAGNUSON. If the content of silver in the quarter and dime were reduced—as to which proposal there will be amendments, some providing 30 percent, some 40 percent, some less—that amount would be reduced accordingly; would it not?

Mr. BENNETT. Obviously, when we reduce the content we reduce the total amount of silver used.

Mr. MAGNUSON. With the exception that there might be a widespread use of coins, and we might have to do a little more, if there were 40 percent in the quarter, and 40 percent in the dime. We are talking about 100 million ounces of silver, are we not?

Mr. BENNETT. We are talking about more than that, at the Treasury's projected rate of coinage.

Mr. MAGNUSON. Compared with the world supply, that is a small amount, though, is it not?

Mr. BENNETT. The Treasury supply now is less than 1 billion ounces. They will keep 165 million ounces for a strategic stockpile and are probably going to chew up about 250 million to see the program through. So we are talking about 500 to 600 million left and we would use a great proportion of it to keep the silver in the dime, half dollar, and quarter for 1 year.

Mr. MAGNUSON. If we never purchased any more, is that correct?

Mr. BENNETT. But where will they get it?

Mr. MAGNUSON. We produce *x* number—100 million pounds of silver a year.

Mr. BENNETT. The total produced in the free world was 215 million ounces last year, but this is not going to the Treasury for coins, it is going to industry and the arts.

Mr. MAGNUSON. We could buy enough silver to keep 30 percent in the quarter and dime, could we not?

Mr. BENNETT. We could, but only at higher prices than the value of silver in our coins and at the expense of industry and the arts; and this is a part of the problem.

Mr. MAGNUSON. The arts?

Mr. BENNETT. Yes. We serve private industry, and we serve our coinage system. We cannot continue to serve them both. We cannot serve either of them completely.

Mr. MAGNUSON. Let us assume that there will be no more silver and that the supply of silver will be less than the demand. I cannot assume that, and none of those who produce silver can assume it either, because there are new mines coming in and old mines are being reopened. The estimate this year is that we would produce 47 million more ounces than last year. Thus, we start on a different basis, I believe.

Mr. BENNETT. The American Mining Congress has issued an estimate of the increased production that could be brought out, and the basic estimate is 38 million ounces. The top estimate is 52 million ounces.

Mr. MAGNUSON. I used the figure of 47 million. I believe that figure is in between, and can be realized. I know of other producers of silver who say they can produce more.

The Senator from Utah knows how silver is mined in independent mines. It is blocked out from year to year in the known veins, and this is done for tax purposes. Only so much silver is mined every year. The blocking is carried out for sometimes 20 to 30 years. But that does not mean that this is all the silver we have in the country or in the world. I cannot subscribe to the base that there will be no more silver produced than there has been in the past few years.

Mr. BENNETT. I wonder if I could finish my speech, and then I shall be glad to yield later, because this is a debate between the two regional groups and has been going on for some time already. After I take my seat, I am sure that amendments will be offered, and they will be debated.

Mr. SALTONSTALL. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Let me advise the Senator from Washington—if I am correct in my figures—that consumption has been greater than production since 1953. Total consumption ranged from 264 million ounces, average from 1953 to 1957, running up to 550 million ounces last year; whereas total new production has ranged from 191 million ounces up to 216 million ounces. That is worldwide, whereas ours has remained about the same—38 million ounces to 36 million ounces. So when it is said that we can build up our production, I remind Senators that it has not been built up since 1953.

Mr. MAGNUSON. That is because of the price of silver. The mines cannot afford to operate at the prices being paid for silver.

Mr. BENNETT. Mr. President, this has now become debate, and I have not yielded for that purpose. If Senators do not mind, I should like to complete my speech.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator has the floor, and may proceed as he desires.

The Senate will be in order.

The Senator from Utah may proceed.

Mr. BENNETT. Mr. President, I should also repeat that the bill does not force the Treasury to mint any half dollars if the supply of silver should ever become that critical. The fact that dimes and quarters can do the work of half dollars makes it possible to take care of all the needs of our commerce for coins without using any silver.

With these facts in mind, the position of those who demand that the new half dollar be minted without silver cannot be justified and should be rejected by the Senate.

INTRINSIC VALUE OF NEW COINS

There has also been some discussion of the intrinsic value of the new coins. It should be made crystal clear that the new coins will be just as valuable as the present ones for all monetary purposes. The fact that the half dollars will contain 40 percent silver and the dimes and quarters will contain no silver does not effect their purchasing power nor does it affect any other monetary use for which one might desire of them.

There are those who have expressed concern that the change in metallic content of the coins represents a debasement of our coins. One must ask, "A debasement in relation to what?" They are certainly not debased in their purchasing power. The new ones will purchase exactly the same amount as will the old ones. They are not debased in their relationship to gold. Thirty-five dollars worth of the new half dollars or dimes or quarters will be equal to the price of an ounce of gold. Two half dollars, four quarters, or ten dimes will still be equal in value to a silver dollar which will be maintained at its silver content of 371.25 grains—0.7734 of an ounce. If silver dollars are not available in exchange, one may request and obtain 0.7734 of an ounce of silver for any combination of coins with a face value of $1. This means that the new coins will actually purchase more in silver than our present coins contain. A half dollar at present contains 0.3636975 of an ounce of silver. Double this and you have 0.7233750 of an ounce, yet they may be exchanged for 0.7723 of an ounce of silver. The same holds true for the quarter and dime which contain the same ratio of silver to monetary value.

The intrinsic value of a nickel is $0.0076335. Twenty nickels therefore contain an intrinsic value of just over 15 cents, yet one can purchase just as much with 20 nickels both in goods and services and in silver as he can with a silver dollar and he can exchange it for the equivalent silver content of a silver dollar if he desires the silver.

PURCHASE POWER REMAINS THE SAME

No one questions the value of a nickel or a 1-cent piece just because they are less valuable for their metal content than our silver bearing subsidiary coins. The important fact is that they will purchase just as much and that they are freely exchangeable. As long as this is true, the intrinsic value of one need not bear any specific relationship to the other.

Those who think that it is important to have full intrinsic value in coins should glance back over our monetary history and they will discover that our coins have only had full intrinsic value in times of crisis such as war or inflation, and that our coinage system collapses whenever that occurs. As I pointed out earlier it happened in 1812, again in 1837, and again during the Civil War. And the reason it happened is that the coins were more valuable as metal than they were as money. Finally, in 1853, Congress reduced the silver content in subsidiary coinage—half dollars, quarters, and dimes—by 6.9 percent, thus giving the silver in these coins a monetary value of $1.38 an ounce as compared with the $1.29 an ounce monetary value of silver in the silver dollar. If our present subsidiary coins contained the same intrinsic value in relation to their monetary or face value as the dollar, we would find that they had also been withdrawn from circulation as the dollar has been.

Continuing our historical review, one discovers that the yearly average New York commercial price of silver has never been equal to the monetary price since 1874. Only if the commercial price equals or exceeds the monetary price of $1.38 do the coins have full intrinsic value. There were, however, very short periods during which the commercial price of silver approached or exceeded its monetary value as mentioned before. The latest of these was in 1919 when the price hit a high of $1.38 an ounce. But on an annual average basis, our subsidiary coins have had only token value and not full intrinsic value during the whole last century.

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the yearly average of New York commercial prices between 1874 to the present time.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I

Calendar year	Yearly average, New York commercial price	Intrinsic value of silver	
		In silver dollar	In half dollar
1874	$1.27195	$0.984	$0.460
1875	1.23883	.958	.448
1876	1.14950	.889	.416
1877	1.19408	.923	.432
1878	1.15429	.892	.417
1879	1.12088	.867	.405
1880	1.13931	.880	.412
1881	1.12823	.872	.408
1882	1.13855	.881	.412
1883	1.10874	.858	.401
1884	1.11161	.859	.402
1885	1.06428	.823	.385
1886	.99880	.772	.361
1887	.97899	.757	.354
1888	.94300	.729	.341
1889	.93634	.724	.338
1890	1.05329	.814	.381
1891	.99033	.766	.358
1892	.87552	.677	.317
1893	.78219	.605	.283
1894	.64043	.494	.231
1895	.66268	.513	.240
1896	.68195	.527	.247
1897	.60774	.470	.220
1898	.59064	.457	.214
1899	.60507	.468	.219
1900	.62065	.480	.225
1901	.59703	.462	.216
1902	.52815	.408	.191
1903	.54208	.419	.196
1904	.57843	.447	.209
1905	.61008	.471	.221
1906	.67379	.521	.244
1907	.65978	.510	.239
1908	.53496	.414	.194
1909	.52163	.404	.189
1910	.54245	.419	.196
1911	.54002	.418	.195
1912	.62006	.479	.224
1913	.61241	.473	.221
1914	.56331	.433	.204
1915	.51062	.395	.185
1916	.67151	.519	.243
1917	.84000	.650	.304
1918	.98445	.761	.356
1919	1.20870	.934	.437
1920	1.01940	.788	.369
1921	.63096	.488	.228
1922	.67934	.525	.246
1923	.65239	.504	.236
1924	.67111	.519	.243
1925	.69406	.537	.251
1926	.62428	.483	.226
1927	.56680	.438	.205
1928	.58488	.452	.212
1929	.53306	.412	.193
1930	.38154	.295	.138
1931	.28701	.221	.103
1932	.27892	.216	.101
1933	.34727	.268	.126
1934	.47973	.371	.173
1935	.64273	.497	.232
1936	.45087	.349	.163
1937	.44883	.347	.162
1938	.43225	.334	.156
1939	.39082	.302	.141
1940	.34773	.269	.126
1941	.34783	.269	.126
1942	.38333	.296	.138
1943	.44750	.346	.162
1944	.44750	.346	.162
1945	.51928	.401	.188
1946	.80151	.620	.290
1947	.71820	.555	.260
1948	.74361	.575	.269
1949	.71930	.556	.260
1950	.74169	.573	.268
1951	.89368	.691	.323
1952	.84941	.657	.307
1953	.85188	.659	.308
1954	.85250	.659	.308
1955	.89099	.689	.322
1956	.90826	.702	.328
1957	.90820	.702	.328
1958	.89044	.688	.322
1959	.91202	.705	.330
1960	.91375	.707	.331
1961	.92449	.715	.334
1962	1.08374	.838	.392
1963	1.28912	.989	.462
1964	1.29293	1.000	.468

Mr. BENNETT. Mr. President, to be even more specific, one may refer to table I which lists the market price and the intrinsic value of the silver in the dollar and half dollar, by year, since 1874. Note that in 1932, when the dollar would purchase more than twice what it will now purchase, its intrinsic value was about one-fifth what it is at the present time. A half dollar contained 10 cents worth of silver which, incidentally, is less than half the intrinsic value of the new half dollar proposed in this bill.

NO EFFECT ON REAL VALUE

From this discussion, it should be obvious that as long as our subsidiary coins are freely exchangeable for dollars or their equivalent in silver, a change in their metallic content does not affect their real value.

It should also be pointed out at this point that as long as they are freely exchangeable, there should be no effect of Gresham's law which states that bad money drives out good money.

This law operates only when one type of money is inferior to another and as long as it is completely exchangeable that condition does not exist. It is important that all users of U.S. coins realize this fact and that they refrain, therefore, from holding the old coins or withdrawing them from circulation. Those who use the intrinsic-value argument in the framework of this bill which we are considering are only arousing unnecessary fears which could result in hoarding and disruption of an orderly changeover to the new system. They do their country a great disservice regardless of how well intended their efforts may be. If the coins were not freely exchangeable for silver coins or for silver, or for real estate or some other goods or service, then their argument would have merit, but in the present context, it is unfounded.

Because of my own personal interest in silver, I have followed developments over a number of years with concern. During recent months, while the Treasury at long last has been preparing to meet the problem squarely, I have tried to be as completely objective as possible in my own suggestions for its solution and have avoided any public statement or support of any legislation that might have made it more difficult or added to the Treasury's problems. Indeed, I have drafted several bills myself, but have refrained from introducing them because I know that this is a very sensitive issue.

My last formal statement made in December of 1964 to the meeting of the Northwest Mining Association was well received. In it I summarized my views on the actions needed. I am sure that the projections and recommendations I made at that time have been used as a basis for many statements on the problem in the intervening period. And I am glad that I was able to make such a contribution.

CONFORMS WITH SPIRIT OF RECOMMENDATIONS

While the bill we are considering today does not correspond exactly with what I recommend at that time, it conforms with the spirit of my recommendations to a remarkable degree.

I said at that time that:

1. We must have a change in our coinage system.
2. The change should disrupt our present system as little as possible. This recommendation included acceptability of the new coins to vending machines, and reactions of the public to the new system.
3. We must be prepared for a difficult transition period and take precautionary measures necessary.
4. The sooner the change takes place the better it will be for all concerned.
5. Congress must act on the problem early in the session.
6. The system must be one that will not need to be changed again in the foreseeable future.
7. We should mint no more silver dollars.
8. The Treasury must hold the price of silver below $1.38 an ounce until the transition is completed.
9. Reduction rather than elimination of silver should be approved.
10. Eventually, the price of silver must be released from what is now an artificial ceiling if we are ever to expect to bring supply and demand into balance.

Nothing in this bill conflicts with those recommendations.

In the same speech, I suggested that about 30 percent silver should be retained in the coins. This recommendation was based on several considerations.

First, my desire that the coins be acceptable in vending machines. If they had not been, they would not have been "as good" in purchasing power as the present coins and Gresham's law would have taken its toll.

Second, I wanted silver retention to minimize the danger of counterfeiting and use of slugs.

Third, I felt that we should retain a continuity with our present system.

Fourth, I wanted our coins to retain their traditional beauty.

OBJECTIVES REASONABLY MET

These objectives have been reasonably met in the Treasury plan before us through the development of alternatives which were not available at that time.

The new coins will be acceptable in vending machines and they will be difficult to counterfeit because of the clad process used to produce them. All the new coins will be attractive, and because the half-dollars are clad with an 80 percent silver alloy, even though their total silver content is only 40 percent, they will look and feel the same as the present ones—thus maintaining a tie with our present system.

My earlier recommendations would have introduced the new coins immediately and replaced present coins with the new ones as rapidly as possible, leaving both side by side only as long as was necessary to make the complete transition. Actually, this bill requires the use of much more silver in our coins to sustain the changeover than my recommendation would have done since the new coins in my earlier proposal would have used the silver from present coins to produce new ones and would not have used any Treasury silver until sometime late in the 1980's. It may well be that this plan will provide for a more orderly transition, though I am not sure that is the case.

No one will ever know which plan would have worked more smoothly, or taken the Treasury out of the business of supplying silver to industry earlier.

This bill does provide for an orderly changeover that is reasonable and workable. It gives the Treasury the needed flexibility to make the transition in an atmosphere of calmness.

It is a balanced approach meeting the needs of all interested groups, causing no hardship on any of them. Amendments either to eliminate all silver from the coins or to retain 40 percent or 30 percent in all of them are not desirable nor justified and if accepted would upset the delicate balance intended in this legislation.

If administered properly, this legislation can take care of our coinage crisis and be used as a basis for our coinage system more or less indefinitely.

It does not, and again I want to emphasize this fact, propose a solution to the long-range problem of the deficit between silver supply and demand for other than coinage purposes—a deficit that will likely remain as long as there is an artificial low ceiling on the price of silver. Only after the coinage transition, however, can the market again be allowed to play a part in the determination of price.

During the changeover, the Joint Commission on the Coinage will be in a position to follow all interrelated factors closely and by the time the transition is completed, there will be a basis for determination of future Treasury silver policy that is not presently available.

This legislation is the latest in a series of steps which have been necessary for an orderly transition from a past of silver surpluses and price subsidies or ceilings, to a future based on a free market for silver with demand and supply in substantial balance at higher price levels. Until this occurs and both the price ceiling and floor contained in this bill have been removed, we cannot expect to have resolved our silver problem.

This step is necessary at this time. I hope that all of the Members of this body after hearing the comments on all sides of the problem will forget their regional biases which in this case are unfounded and will vote for this objective, reasonable, and workable approach.

Mr. MAGNUSON. Mr. President, I wish to compliment the Senator on his very effective presentation, even though I do not agree with him on a great deal of what he has said.

Mr. BIBLE. Mr. President, will the Senator yield to me for several questions before he yields the floor?

Mr. BENNETT. Yes. Before I yield to the Senator from Nevada [Mr. BIBLE], I should like to say that I was interested in the comment of the Senator from Washington [Mr. MAGNUSON], that he does not agree with much I have said. I am sure that the Senator from Rhode Island does not agree with much that I have said.

Mr. PASTORE. I agree with two-thirds of what the Senator has said. If the Senator were to take the silver out of the half dollars, I would agree with him 100 percent.

Mr. BENNETT. That is the point on which I agree with the administration. I, therefore, stand in the middle, and I realize it.

Mr. BIBLE. I cannot help observing that if we were to put the silver back in the dime and quarter, as well as in the 50-cent piece, I would be with the Senator from Utah 100 percent. I merely wish to show that there is another side to the coin.

I should like to ask the distinguished Senator from Utah several questions. I should like to get this matter in the best perspective I can. I promise the Senator I shall not take long. He has been very patient. He has made a very scholarly address. I disagree with much that he has said, as the Senator from Washington does also. I am particularly interested to know what happens during the changeover period. Do I understand correctly that if the bill remains as it is, unchanged—and I am afraid it will not—it will mean the minting of x number of 50-cent pieces 0.400 fine?

Mr. BENNETT. It is my understanding that the Treasury would continue to mint the present 50-cent pieces for at least a year and a half, that it would mint the present quarters for a year or 6 months, and the dimes for 6 months. I do not know which one it would mint first, but it would begin to mint these coins and would introduce the new coins only after a sufficient stock had been produced. The half dollar, I would assume, would be the last to be minted.

From now until then they would continue to mint the present half dollar pieces.

Mr. BIBLE. Up to that point—and this relates to my next question—how many million ounces of silver would be required?

Mr. BENNETT. Of course, this is based on estimates, but the Senator from Rhode Island suggested it would be somewhere around 300 million ounces. I believe I have heard estimates as high as 450 million ounces. I do not know, but it would be a substantial volume of silver.

Mr. BIBLE. I understand the Senator from Utah to be saying that if we continue the 900-fine silver in 10-cent pieces and quarters and 50-cent pieces, up to the changeover, we would use somewhere between 300 million and 400 million ounces of silver. Is that correct?

Mr. BENNETT. That is the Treasury's estimate.

Mr. BIBLE. I appreciate that clarification. I am interested in the Senator's viewpoint as to what will happen when we get to the end of the transition period, and we have a new 10-cent piece and a new 25-cent piece coming into circulation with the present 10-cent piece and with the present quarter. Will they be able to go through our medium of exchange and into our marketplaces side by side?

Mr. BENNETT. It is the Treasury's hope that that will happen. That is one reason why they will withhold the release of the new coins until they have had 6 months or so in which to mint a vast stock of them, and they expect to have them continue to come into circulation so that they will not become collector's items. They assume that people will accept either coin, and that they will work side by side in vending machines, and the Treasury also assumes that the people will not care whether they have one coin of one kind and another of another kind.

Mr. BIBLE. The Senator serves on committees that hear economists and other experts. Does he believe this is a very realistic hope? I am interested in his judgment.

Mr. BENNETT. The Treasury based that hope on studies made for it by the renowned Battelle Institute and by economists and other professionals.

I shall not challenge them. The fact that the introduction of the new coins would be delayed past the time we are arguing over the proposed legislation will be one of the reasons why people will accept them. They might be stirred up now because we are considering the bill. But none of those coins would appear for 6, 8, or 10 months. When they are released, I think that they will be interesting enough so that people will accept them.

Mr. BIBLE. That will make an interesting study. It is something we shall be getting into in a year and a half or 2 years from now. But does not what the Senator has said fly in the face of history, which teaches that the coins with intrinsic value have always driven out the cheaper coins? Is that not historically true?

Mr. BENNETT. We are talking about token coins, coins less than $1. One can take four quarters to the bank and get a dollar for them.

As I said previously, 2 half dollars, 4 quarters, or 10 dimes will still be equal in value to a silver dollar which will be maintained at its silver content of 371.25 grains—0.7734 of an ounce. If silver dollars are not available in exchange, one may request and obtain 0.7734 of an ounce of silver for any combination of coins with a face value of $1. This means that the new coins will actually purchase more in silver than our present coins contain. A half dollar at present contains 0.3636975 of an ounce of silver. Double this and you have 0.7233750 of an ounce, yet they may be exchanged for 0.7723 of an ounce of silver. The same holds true for the quarter and dime which contain the same ratio of silver to monetary value. I expect that the two will go along side by side.

Mr. BIBLE. I should like to ask one further question of the senior Senator from Utah. The question would be directed to the inevitable day when silver in the U.S. Treasury is gone. It would be partly directed to an observation by the senior Senator from Rhode Island as to what the users will do. We shall face that in a year and a half or 2 years. If they want silver, they will have to go into the open marketplace and pay the price that is required to purchase silver. Is that not true?

Mr. BENNETT. None of us has any way of knowing when that day might come.

Mr. BIBLE. Whenever it comes; and it will come inevitably in the next few months.

Mr. BENNETT. When it comes, and I do not agree that it will come in the next few months, the Joint Committee on Coinage will have had to face the problem of what to do with the silver in our current coinage which has a high silver content. The bill would give the Secretary standby power to forbid the melting or exporting of coins. It would be easy for the Treasury to begin to hold onto some of the high-content silver coins as they pass through the banks and bring them into our monetary system. It could replenish its stock of silver in either that way or by bringing in the coins and melting them. That is a great supply.

Mr. BIBLE. The new resources, are rich, and fruitful sources of silver. As a result of man's ingenuity in conquering the mysteries of the earth and bringing silver up, we are moving forward very dramatically. I believe we shall reach the day when we purchase more silver if the price is right.

The only observation I would make is that the Senator from Utah seems to think that the day when silver stocks will be completely used up will be a year and a half or 2 years from now.

Mr. BENNETT. The Senator from Utah accepts the estimate of the Treasury that it has time enough left to complete the necessary transition. By their timetable, the process will take between 2 and 3 years. It is estimated that there will be enough silver to carry us through that point. In the meantime, we shall gain a great deal of experience that will enable us to see the next step. I cannot see that step until we have had some experience with the transition.

Mr. BIBLE. I hope that the estimates of the Treasury in the future will be better than they have been in the past. It is almost 2 years to the day that we considered the Silver Purchase Act on the floor of the Senate. It was said at that time that about $105 million in silver certificates would be retired annually and there were then $1.8 billion in silver certificates outstanding. Today there is less than $1 billion in silver certificates outstanding. The redemption of silver certificates has been many times faster than anticipated by Treasury officials.

The records which the Senator from Utah related indicate that instead of being used at the rate of 105 million or 115 million ounces a year, silver has been used at a rate in excess of 450 million ounces a year—not in a period of 15 to 20 years—but in the short period of 2 years. If the forecasts of the Treasury Department are no more accurate now than they were 2 years ago, we shall be facing that critical day much sooner than we realize.

I thank the Senator from Utah. He has been very patient.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. BENNETT. I yield to the Senator from Colorado.

Mr. DOMINICK. I join the distinguished Senator from Nevada [Mr. BIBLE] and the distinguished Senator from Washington [Mr. MAGNUSON] in complimenting the Senator on a thorough analysis of the bill, although I do not agree with his conclusions any more than they did.

The Senator has made a careful and capable analysis of a subject which should be carefully considered.

I should appreciate an opportunity to submit two amendments, which I send to the desk, one on behalf of myself, and the second on behalf of myself and Senators ALLOTT, BARTLETT, BENNETT, BIBLE, BURDICK, CHURCH, CANNON, FANNIN, HAYDEN, INOUYE, JACKSON, JORDAN of Idaho, KUCHEL, MAGNUSON, MCGEE, METCALF, MONTOYA, MOSS, MURPHY, NEUBERGER, SIMPSON, and YOUNG of North Dakota.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

Mr. DOMINICK. The second amendment is quite similar to Senate bill 813, which I introduced earlier this year.

The amendment would direct the Secretary of the Treasury to establish a reserve or stockpile of at least 165 million ounces of silver for national defense purposes. The setting aside of the 165 million ounces of silver for that purpose would conform the bill with administrative action taken by Governor Ellington, Director of the Office of Emergency Planning, and the Treasury Department.

I believe some people might wish to know why we take the proposed action. I believe it is very simple. I shall read the letter from the Secretary of the Treasury to Governor Ellington under date of June 18, 1965:

> Confirming staff discussions held by the Office of Emergency Planning and the Treasury Department, the Treasury Department is prepared to reserve 165 million fine troy ounces of silver to meet the silver stockpile objective that has been established by the Office of Emergency Planning. The Department would hold this amount of silver aside for that purpose unless its use were to become necessary for critical national needs during the next 3 years of transition to new coinage materials including, without limitation, the exchange for silver certificates or outright sale of the silver where necessary to maintain the price of silver at $1.29-plus per ounce. Such use during that period would be made only after consultation with the Office of Emergency Planning.

It seems apparent from that letter that the Treasury Department is saying to the Office of Emergency Planning, "You set up your goal. We recognize that you have a goal, but we are going to do what we want with that silver." So I believe what we need is the amendment. I shall not call it up at the present time, but I wish to submit it.

I ask unanimous consent that the amendment and a statement in support of the amendment be printed at this point in the RECORD together with the full text of the letter from which I have quoted.

There being no objection, the amendment, statement, and letter were ordered to be printed in the RECORD, as follows:

AMENDMENT TO BE PROPOSED BY SENATOR DOMINICK TO S. 2080

On page 15, strike out lines 9 through 16 and insert in lieu thereof the following:

"SEC. 209. Section 2 of the Act of June 4, 1963 (Public Law 88–36; 31 U.S.C. 405a–1) is amended by striking out the second sentence and inserting in lieu thereof the following: 'The Secretary of the Treasury shall also maintain the ownership and the possession or control within the United States of not less than 165,000,000 ounces of silver as a reserve for national defense purposes. Silver held as a reserve for national defense purposes shall be available only to meet military and other defense requirements in accordance with such terms and conditions as the Secretary, with the approval of the President, shall by regulation prescribe. The Secretary of the Treasury is authorized to use for coinage, or to sell on such terms and conditions as he may deem appropriate, at a price not less than the monetary value of $1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates and as a reserve for national defense purposes'."

STATEMENT OF PETER H. DOMINICK

I offer an amendment to S. 2080, the bill to provide for coinage of the United States. This amendment is quite similar to a bill, S. 813, that I introduced earlier this year.

This amendment would simply direct the Secretary of the Treasury to establish a reserve or stockpile of at least 165 million ounces of silver for national defense purposes. The setting aside of 165 million ounces of silver for this purpose would conform the bill with administrative action taken by Governor Ellington, Director of the Office of Emergency Planning, and the Secretary of the Treasury.

The need for this type of amendment is obvious. The Office of Emergency Planning has recognized that national defense needs must be taken care of first. It was pointed out last year in a special study conducted by the U.S. Bureau of Mines at the direction of the Secretary of the Interior: "New uses for silver in solid-fuel rockets, supersonic jets, and special-use batteries, added to conventional strategic uses, make any shortage of silver a potential threat to national security." It is now clear to all of us that silver is in very short supply and unless we anticipate and provide for national defense needs now in this bill, we will surely regret it in just a few short years.

I do not think that the administrative actions taken by the Treasury and the Office of Emergency Planning are sufficient to provide for future contingencies. First, in reading section 209 of the bill, it provides: "The Secretary of the Treasury is authorized to * * * sell on such terms and conditions as he may deem appropriate, at a price not less than the monetary value of $1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates." In plain language this means that the Secretary may sell any silver in the Treasury including that amount supposedly set aside for national defense purposes. If there is any doubt about this fact, I refer to a letter from the Secretary of the Treasury to the Director of the Office of Emergency Planning dated June 14, 1965. I shall read the letter since it is short.

If we follow the interpretation of the Secretary of Treasury, it could completely nullify the action of the Office of Emergency Planning in setting aside the reserve. Therefore, without my amendment the action of OEP has little or no meaning.

In conversations with the Office of the Secretary of Defense they have given me estimates of their various uses of silver. It amounts to about 27 to 30 million ounces per year and is used in missiles, rockets, nuclear submarine batteries, photography and other such products. Of course, these estimates do not take into account any type of national mobilization or national emergency. By writing a 165-million-ounce reserve into the bill, we would at least be providing a 5- or 6-year supply for national defense purposes which seems to be a minimum amount for future planning.

AMERICAN MINING CONGRESS,
June 18, 1965.

Mr. JAMES R. RICHARDS,
Legislative Assistant to Senator Dominick, Old Senate Office Building, Washington, D.C.

DEAR JIM: I am attaching a copy of the letter from Secretary of the Treasury Henry H. Fowler to Gov. Buford Ellington, Director of the Office of Emergency Planning. Since this is virtually illegible, I will quote it in full below:

"DEAR GOVERNOR ELLINGTON: Confirming staff discussions held by the Office of Emergency Planning and the Treasury Department, the Treasury Department is prepared to reserve 165 million fine troy ounces of silver to meet the silver stockpile objective that has been established by the Office of Emergency Planning. The Department would hold this amount of silver aside for that purpose unless its use were to become necessary for critical national needs during the next 3 years of transition to new coinage materials including, without limitation, the exchange for silver certificates or outright sale of the silver where necessary to maintain the price of silver at $1.29+ per ounce. Such use during that period would be made only after consultation with the Office of Emergency Planning.

"The Treasury Department would retain physical custody of the silver. The silver reserved for the stockpile would continue to appear on the Treasurer's daily statement as part of the Treasury's silver stocks.

"Sincerely yours,
"HENRY H. FOWLER."

This correspondence was presented to the full House Interior Committee on June 16 by committee counsel and is therefore a matter of public record.

With kindest regards, I am,
Sincerely yours,
CHARLES S. BURNS,
Assistant Director of Government Relations.

Mr. DOMINICK. I was most interested in the colloquy between the Senator from Utah [Mr. BENNETT] and the Senator from Nevada [Mr. BIBLE]. As I understand, the Treasury is now obligated to redeem silver certificates in terms of silver.

According to the report, more than 800 million ounces of silver are required for those silver certificates. There has been a goal of 165 million ounces of a national reserve already established by the OEP. This comes to 990 million ounces of silver. At the present time the Treasury does not even have that much silver. In addition, they say that they will go ahead and coin, as I understand, between 300 and 400 million ounces of silver in the next year and a half, which puts us out of sight so far as our Treasury supply of silver is concerned.

I should like to ask the following question of the Senator from Utah: It seems to me that what we are doing is merely delaying the evil day when we must be able to allow the law of supply and demand to operate so that we can get additional production of silver. We cannot do so with a price ceiling. Does the Senator disagree with that?

Mr. BENNETT. This is the Treasury's problem. On the other hand, the Treasury must hold the price ceiling through the transition period; otherwise, its whole new coinage system will collapse.

Mr. DOMINICK. Would not Congress then be forced to amend the Silver Purchase Act in some way?

Mr. BENNETT. Congress did amend it 2 years ago. On the basis of that amendment, the Treasury has the right to exchange silver certificates for Federal Reserve notes as well as to redeem them for silver.

Mr. DOMINICK. Have we actually saved any silver in that way?

Mr. BENNETT. There is enough silver to meet the 165-million-ounce stockpile and still retire existing outstanding silver certificates. That is not enough for coinage. But we will meet our needs for coinage by supplanting the present silver certificates with Federal Reserve notes.

Mr. DOMINICK. Would not the Senator from Utah agree with me that the Government is in a real mess over this situation?

Mr. BENNETT. The Senator from Utah has been saying that for 5 years.

Mr. DOMINICK. I thank the Senator.

Mr. MAGNUSON. Mr. President, I submit an amendment and ask that it lie on the table.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The amendment will be received and printed, and will lie on the table.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. SALTONSTALL. I merely wish to ask a question. It is my understanding that the Senator from Utah is proposing what is contained in his bill; in other words, to eliminate silver from the 10-cent piece and from the quarter, and to provide for a 40-percent silver content in the half dollar.

Mr. BENNETT. That is correct.

Mr. SALTONSTALL. There has been much discussion of two subjects. One proposal is to leave the silver in the dime and the quarter, and also to provide for a transition period. That is my assumption. Am I correct?

Mr. BENNETT. I understand an amendment will be offered to leave a 40-percent silver content in the dime and the quarter. That is before the Senate now. We have been discussing the question of the amount of silver that would be required under the Treasury plan in the transition period; but that is on the basis of an estimate.

Mr. SALTONSTALL. Is it not true that in 1964 total amount of silver consumed for coinage was 203 million ounces; that in 1965, according to the President's message, it was about 300 million ounces; whereas the total production in 1964 was 216 million ounces? In other words, 84 million ounces more silver were used for coinage than the total amount produced in 1965. If the Senator's proposal were put into effect, ultimately between 15 and 30 million ounces—my understanding is that it would be practically nearer 30 million ounces than 15 million ounces—would be used in the 50-cent pieces, and the great balance of 300 million ounces would be eliminated.

Mr. BENNETT. I should like to take the Senator from Massachusetts back to his first statement. I know of no way to get a figure showing the consumption of silver for 1965. The year is only halfway through.

Mr. SALTONSTALL. I am basing my assumption on the President's message.

Mr. BENNETT. I would appreciate having the Senator from Massachusetts quote it.

Mr. SALTONSTALL. The President's message, from the White House to Congress, dated June 3, 1965, states, in the sixth paragraph:

> We expect to use more than 300 million troy ounces—over 10,000 tons—of silver for our coinage this year. That is far more than total new production of silver expected in the entire free world this year.

Mr. BENNETT. That is obviously an estimate.

Mr. PASTORE. Mr. President, will the Senator yield at that point? I think the RECORD ought to be clear.

Mr. BENNETT. Yes.

Mr. PASTORE. I think we are becoming confused. Under the law as it is today, and until this bill is passed, if it is passed at all, the fact remains that it will be necessary to continue minting 10-cent pieces and quarters as they are now being minted. That means that from now until the bill becomes law—until the end of the year—it is expected to use about 300 million ounces of silver in order to continue to produce 10-cent pieces, quarters, and half dollars as they are now being produced. Is not that what the statement means?

Mr. BENNETT. I think it means during the entire year.

Mr. SALTONSTALL. On the basis of the statement by the Senator from Rhode Island, if the bill becomes law, there would still be between 15 million and 30 million ounces that could be used for the 50-cent pieces.

Mr. PASTORE. That is correct.

Mr. BENNETT. The Treasury says 15 million; the users say 30 million. This becomes a little more difficult to explain. I accept the Treasury's estimate of 15 million.

Mr. SALTONSTALL. Of course the Senator does. I would not accept it in full, because there has been some experience with the Kennedy 50-cent pieces. We know that many of them have been taken out of circulation and there has been a much greater demand for them than was anticipated originally.

Mr. BENNETT. The Senator from Utah would like to remind the Senate again that while Congress would authorize the minting of 50-cent pieces having a silver content of 40 percent, the Treasury would not be required to mint them. The Treasury can meet its coinage demands by doubling its production of quarters, if that should become vital.

Mr. SALTONSTALL. At the same time, if the Treasury did mint 50-cent pieces, it would be required to provide a 40-percent silver content in them.

Mr. BENNETT. Yes; but the Treasury expects that it would be a year and a half before it reached the point where it would mint the new coins. In the meantime, it would continue to mint the present coins.

Mr. SALTONSTALL. My only inquiry—and what I want to have clear in my mind—is that if we pass the bill which the Senator from Utah is advocating we pass, ultimately, 1, 2, or 3 years after the transition, there would be between 15 and 30 million ounces of silver for use in the half-dollar.

Mr. BENNETT. I think that is a fair assumption, based on the Treasury's estimate.

One last word: This is an interesting situation. I am the ranking minority member of the Committee on Banking and Currency, and I have been carrying much of the burden of defending the administration's silver program. As a westerner, I wish I were free to join my western colleagues and to support the amendments they offer for the very reasons they will offer them. But as the ranking minority member of the Committee on Banking and Currency, and in view of the overall silver situation as I analyze it, I must support the Treasury's program. I do that.

Mr. President, I yield the floor.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that, without losing the floor, I may yield 30 seconds to the distinguished Senator from Ohio.

Mr. LAUSCHE. Mr. President, I submit an amendment which, if adopted, would make mandatory the appointment of a numismatist to the Commission that would be created under the bill. Being aware of the keen intellect of the Senator from Virginia, who is about to speak, I feel rather confident that he will consent to accept the amendment and take it to conference.

The PRESIDING OFFICER. The amendment will be received and printed and will lie on the table.

Mr. ROBERTSON. Mr. President, I shall open my brief comment by saying that it is difficult for me even to pronounce the name of the occupation or hobby of the proposed new member of the Commission. Naturally, I could not accept the amendment. The Treasury says, "Do not bind the President's hands by placing on the Commission someone who is interested in collecting coins because then someone who produces silver will want to become a member, and someone who uses silver might want to go on the Commission, and the next thing we know, it will be necessary to designate everybody who wishes to go on. If that were done, the situation that confronts us today would be impossible of solution."

Mr. President, I thank my distinguished colleague from Utah [Mr. BENNETT] for his contribution, which was statesmanlike and patriotic. He comes from a silver-producing State, the fifth largest producer in the United States. His natural inclination would be to go with his silver producers, because they feel that if an amendment is accepted to take all silver out of coins, it would be calculated to reduce the price of silver and therefore hurt silver producers.

But the Senator from Utah became a cosponsor with me of the administration's bill, which was a compromise, after more than a year's study of what was involved.

In February of last year, I put the Treasury Department on notice that we could not continue indefinitely to use the same amount of silver in coins, because in 3 or 4 more years all the silver would be gone; there would be no silver coins; there would be no silver for electronics and photography, and there would be no silver for June brides.

After a year's study, the Department came up with a recommendation. The Senator from Utah and I, without definitely committing ourselves to the proposal, introduced a bill by request. However, after hearing the testimony, both the Senator from Utah and I decided that we would go along with the position of the administration.

We now find ourselves confronted with at least three major amendments. One is offered—and will be the next one to be considered—by the distinguished Senator from Rhode Island [Mr. PASTORE], who has 14 cosponsors on his amendment. That amendment relates to the 50-cent piece. It proposes to take the 40 percent silver content out of the 50-cent piece and put that coin on the same basis as the 25-cent piece and the other coins covered by the bill.

There is an amendment submitted by the distinguished Senator from Utah [Mr. MOSS] on which there are 19 cosponsors. This amendment proposes to put silver in the 25-cent piece and the 10-cent piece. That would be moving in the opposite direction from the Pastore amendment. It would not be an amendment in the second degree because one would relate to the 50-cent piece and the other would relate to the two smaller coins.

Mr. President, I ask unanimous consent that we adopt the one committee amendment, which is in the nature of a substitute for the original bill, with the understanding that the amendment, as adopted, shall be open to amendment as if it were the original text, and an amendment to it shall not be considered in the second degree.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTSON. Mr. President, the first amendment to be considered will be the Pastore amendment, offered on behalf of the silver users. It is the hope of the junior Senator from Virginia, the chairman of the committee, that the debate will center largely pro and con on that amendment. That is the key amendment. It would not make any sense to take the silver out of the 50-cent piece and put it in the dime. The dime is in large circulation. The quarter is in large circulation. One reason for having only one prestige coin, as the Senator from Utah said, is that the 50-cent piece would not be manufactured on the same scale as the smaller coins.

We have a table showing that in the calendar year 1966, the mint plans to produce 4,830 million 10-cent pieces and 3,530 million 25-cent pieces, but only 134 million 50-cent pieces.

The testimony indicated that if we were to take all the silver out of the dimes and the quarters, and reduce the silver content of the 50-cent piece from about 80 to 40 percent, we would then use only 5 percent of the amount of silver that we have been using in our coins. Technically we could still mint dollars with 90 percent silver content. However, actually we do not intend to do it.

I take the position that, until the Commission which would be created by the bill—there would be six Members of Congress, four Government officials, and four public committeemen—recommends a permanent policy, the Senator from Utah and I have, in effect, agreed to a compromise.

So far as the people in Virginia are concerned, they do not produce any silver. They once had a gold mine, but that soon petered out. We never have had a silver mine, so far as I know. However, we do use silver products and coins. The price of silver would be of importance to the jewelers in Virginia. And of course my constituents must have coins to buy and sell with.

There is a considerable production of silver in Utah. The retention of the silver content in our coins, as proposed by the amendment of the Senator from Utah [Mr. MOSS] would please that State. However, the Senator from Utah [Mr. BENNETT] and I have taken the position that we would go along with what appeared to be a reasonable compromise—a reduction in the amount of silver in a sufficient amount to prolong our stockpile of silver for a very long period—even on the basis agreed upon and, at the same time, have one prestige coin which would have all the appearance, weight, and purchasing power of the 50-cent piece if one did not look too closely between the top and the bottom and see a little yellow.

Mr. BENNETT. There would be no yellow. One would see a little yellow in the dime and the quarter. However, the 50-cent piece would look exactly like the present 50-cent piece. There would be no yellow in the 50-cent piece.

Mr. ROBERTSON. Mr. President, I am happy to be reassured on that. There would be 40 percent of silver content so that they would not have to do that.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. SIMPSON. Mr. President, I believe that the Senator has overlooked the amendment with respect to the dollar. I want to be sure that the amendment will be considered as part of the clean bill.

Mr. ROBERTSON. To be frank, I did overlook it. I did not see it when I looked at the list of amendments. I thought that the advocates of the dollar had given up.

Mr. SIMPSON. Not by a long shot.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. DOMINICK. Mr. President, I was unable to be on the floor before. Do I correctly understand that there is a unanimous-consent agreement of some kind?

The PRESIDING OFFICER. There is no unanimous-consent agreement.

Mr. DOMINICK. Mr. President, do I correctly understand that there was a unanimous-consent agreement of some kind proposed?

Mr. ROBERTSON. Not yet. We ought to have one. However, the majority leader told me that it would be futile to ask for one. I am trying to put the Senate on notice. There are only 10 or 12 Senators on the floor to hear the debate on a very important bill. I believe that every Senator should try to get as much information in the RECORD between now and adjournment tonight and try to have some limitation on all the amendments we are to consider. A record vote will probably be desired on all of them.

Mr. DOMINICK. I misunderstood the Senator.

Mr. SIMPSON. I must have misunderstood the Senator, too.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. BENNETT. Mr. President, there was a unanimous-consent agreement that the committee amendment should be considered as a part of the bill so that we are treating the bill as though it were a clean bill and so that the amendments would not show up in the second degree.

Mr. ROBERTSON. Mr. President, I understood that the Senator from Colorado referred to a unanimous-consent agreement as to time.

Mr. DOMINICK. No.

Mr. ROBERTSON. We adopted the substitute and are treating the bill as original text so that all amendments would be in order and not be subject to a point of order.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. DOMINICK. Mr. President, does the Senator agree that our basic problem is supply and demand? Is it not accurate to say that the demand is much more than the supply?

Mr. ROBERTSON. The demand exceeds not only the supply, but also the world production. Our consumption has exceeded the world production.

Mr. DOMINICK. Mr. President, the distinguished chairman, being a very able economist and having fought for the value of the dollar for so many years, I am sure, recognizes that, in order to solve the demand and supply problem, we must raise the price and thereby increase production. Does not the Senator agree to that statement?

Mr. ROBERTSON. That sounds familiar, but it is a rule or principle which does not always apply—or at least there may be other considerations which may reduce its effect. It has some significance, but people have been looking for silver for many years. It is not like uranium. We were not looking for uranium until the atom was split. Then we discovered we had much uranium that we did not know we had. But silver has been in demand for a long time. St. Peter said, "Silver and gold have I none." Everybody wanted it then. I do not believe, even if the price of silver went to $2.49, that overnight we would get all the silver we needed.

Mr. DOMINICK. I agree that we would not get it overnight, but it seems to me we ought to have a leadtime of 3 or 4 years. It seems to me that in the meantime to have industrial users obtain silver from the stockpile is to use it as their own silver mine.

Mr. ROBERTSON. The Senator from Colorado asked us to accept an amendment relating to the stockpile. We consulted the Treasury, and the Treasury recommended against it. It was thought to be much better to leave the stockpile as it is for the time being.

Mr. President, I ask unanimous consent that the amendment I have referred to be inserted in the RECORD at this point.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

> On page 15 at the end of line 16, strike out the period and quotation marks and add the following: "*Provided*, That the authority of the Secretary to sell silver shall be limited to a period of five years after the effective date of this Act or such shorter period as he may deem appropriate if substantially all coins having a silver content and minted prior to this Act are out of circulation or have been retired, recalled or otherwise returned to the Treasury."

Mr. ROBERTSON. The Treasury has informal assurance from the OEP to supply it 175 million ounces to meet the silver stockpile objective, but they did not want to be tied down by the amendment offered by the Senator from Colorado. However, the Senator from Colorado has about 20 compatriots on his amendment, and he will get a fair vote on it.

Mr. DOMINICK. I appreciate the Senator's confidence. I hope it will be a majority of the votes. But the point I was making was that the supply and demand situation is basic to the whole problem.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. May I ask the Senator a question concerning the purpose of the amendment? I should like to ask the Senator a few questions dealing with the interpretation that the Senator and the committee make of the language in the bill describing the segment of the economy to which the members to be appointed belong. I read from page 17 of the bill, line 5: "and for public members to be appointed by the President, none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics, or production of the coinage of the United States."

The Senator understands that I consulted him about this language. It was the Senator's opinion, as set forth in his letter of June 11, that the language contained in the bill would not preclude the appointment of a numismatist by the President, if he so determines.

Mr. ROBERTSON. That is correct, although the matter was not officially discussed by the committee. That was merely the personal interpretation of the chairman.

Mr. LAUSCHE. That is, if the President decided that a representative of this segment asked for the appointment of one person who is interested in coin collections, it is the understanding of the chairman of the committee that the President would have the power to make that appointment?

Mr. ROBERTSON. That is correct.

Mr. LAUSCHE. The Senator, however, qualifies that statement by the further narration that that is his opinion, and that he does not speak for the committee.

Mr. ROBERTSON. That is correct, in addition to numerous decisions that history on a bill cannot be made on the floor when it is in conflict with the language the bill contains. It is merely the opinion of the chairman that when the bill provides that those appointed by the President shall not be associated with an "industry, group, business, or association directly interested as such in the composition, characteristics, or production" that language would eliminate the silver mines, and those in the silver business, some of whom wanted all silver, some of whom wanted no silver. That was the primary purpose. Nothing was mentioned in committee about coin collectors. The chairman gave the personal opinion that the language of that section would not preclude the appointment of an expert in coins, who is called a coin collector.

Mr. LAUSCHE. Will the Senator from Virginia yield to me so that I may ask questions of the Senator from Utah?

Mr. ROBERTSON. I yield for that purpose.

Mr. LAUSCHE. What is the interpretation of the Senator from Utah with respect to the authority of the President to appoint a coin collector?

Mr. BENNETT. The language provides "none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics"—that is the word that gives trouble. It seems to me that, if anybody is interested in the characteristics of coinage, it is a coin collector.

I do not like to disagree with the chairman of the committee, but I believe this is a close decision. It might be possible that the Attorney General or someone charged with the responsibility of the law, if the bill were enacted into law, would have to decide that the man interested in characteristics of coinage could be a coin collector.

Mr. LAUSCHE. The Senator from Virginia tried to protect himself by saying that there is a rule of law which provides that an interpretation cannot be gathered from a discussion on the floor which is in conflict with the language of the measure.

What did the Senator from Virginia mean by that?

Mr. ROBERTSON. The Senator from Virginia meant this: He had no request from any coin collector as to how much silver should be in the coins, or whether any silver should be in the coins. They were merely interested in having coins in 1964, 1965, and 1966, so they could have coins for every year.

In the opinion of the Senator from Virginia, the word "characteristics" related not to the year in which the coins were to be minted, but to the composition of the coin itself. However, someone might hold otherwise. Therefore, the Senator from Virginia said he could not categorically state that he was correct when he said the word "characteristics" would not apply to coin collectors. In his opinion, the word does not apply to them, but he can give the Senator from Ohio no assurance, and the best thing the Senator from Ohio could do is to offer his amendment.

Mr. LAUSCHE. From what the Senator from Virginia and the Senator from Utah have said, the answer to my question is, "No; it does not authorize the appointment of a coin expert."

Mr. ROBERTSON. The Senator from Ohio can offer his amendment, and the Senate will give him its answer.

I shall be very brief in my concluding remarks, but before I make a general statement about what is involved in the bill, I want to express the viewpoint that, in the opinion of the junior Senator from Virginia—and he has been in Congress as long as most of his colleagues—it is not a desirable practice to bring an important amendment to a bill up after the normal dinner hour of Members of the Senate.

In recent weeks, we have been held in the Chamber until 6:30, 7, 7:30, or 8 o'clock to vote on amendments, such as those on foreign aid, with the result that a total of only 60 Senators would be present and the rest would be absent.

I see no good and sufficient reason why Senators should be held in the Chamber tonight until 6, 7, or 8 o'clock to vote on amendments to the Coinage Act of 1965. Therefore, I express the hope that Senators who are for the Pastore amendment put their views in the Record; that those who are against it also put their views in the Record; and that those who wish silver in the other coins would place their views in the Record. Then the 80 percent of Senators who are not in the Chamber this afternoon will have an opportunity to review the respective positions before they are called on to vote tomorrow.

I do not suggest placing any time limitation upon Senators. I did invoke the reorganization rule to put a 10-minute limitation on some Senators when they were testifying before the Committee, but we told them at that time that they would have unlimited opportunity to speak and vote in the Chamber on the bill. It will all be printed in the Congressional Record, and of course they can read the record of the hearings.

Therefore, I am not putting the "squeeze" on Senators in the Chamber, but I believe that my distinguished friend, the Senator from Rhode Island, will agree with me——

Mr. PASTORE. Yes; if the Senator will yield——

Mr. ROBERTSON. It would be in the interests of good legislation on the bill if we could get as much material pro and con in the Record at this time, and then go over until tomorrow, with the understanding that there will be a brief morning hour, possibly there could be a suitable time limitation on each amendment. The bill could then be brought to a vote, and action on it could be completed.

I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. That will be satisfactory to me.

Mr. ROBERTSON. Does that meet with the approval of the Senator from Nevada?

Mr. BIBLE. Mr. President, in response to the suggestion of the Senator from Virginia, I would first wish to consult with the Senator from Washington [Mr. Magnuson], who is the chairman of the Western Conference. If I could get his attention, I could clarify the situation. I have no personal objection to that procedure, but I believe that the Senator from Washington had some reservations. I would hope the Senator from Virginia would put that same inquiry to him, to get his viewpoint on it. I have no personal objection.

Mr. MAGNUSON. I did not hear the Senator's suggestion.

Mr. PASTORE. If the Senator from Virginia will yield, it has been suggested that I call up my amendment and make my statement, that Senators in favor of it will speak on it tonight, that those opposed to it will also speak on it tonight, and that those who would like to have silver in the other coins will speak on it tonight. Then, tomorrow, we would have a unanimous consent agreement, for windup purposes, and we would take votes rather than have any votes tonight. This procedure would give Senators an opportunity to read the Record and make up their minds as to how they felt on this issue. That is what the Senator from Virginia said, am I not correct?

Mr. ROBERTSON. The Senator from Rhode Island is absolutely correct.

Mr. PASTORE. I usually am.

Mr. SALTONSTALL. I sometimes doubt that, but the Senator from Rhode Island is a great Senator.

Mr. PASTORE. I did not expect a compliment from the other side. I was speaking to this side.

Mr. MAGNUSON. The time is now 3:45, and I do not know how long the Senate wishes to remain in session today; but I should like the Senator from Rhode Island to make his presentation. I am sure those who are opposed to his amendment would also like to speak against it. I would think that there would be more time given to Senators who wish to speak against the Senator's amendment than there would be time available tonight, unless we stayed late.

As to the other amendments, I am hopeful that we could convince the Senate to keep a small amount of silver in the quarter and the dime, so that people would be willing to use them. On that point, I know that Senators will have a great deal to say tomorrow. There are approximately 15 to 20 Senators who wish to make speeches. I do not believe that we would have an opportunity to vote on the amendment this evening—perhaps tomorrow.

Mr. ROBERTSON. I have no engagements until noon on Friday.

Mr. MAGNUSON. The Senator might make that engagement at noon on Friday. Therefore, I believe that we should defer to the Senator from Rhode Island, who wishes to bring up his amendment first, and some of us may wish to answer it tonight, although I am sure we could not cover it all.

Mr. PASTORE. The point is, there will not be a vote tonight, in any event. Is not that the point? Tomorrow will speak for itself.

Mr. MAGNUSON. The Senator is correct.

Mr. ROBERTSON. That is the main thing.

Mr. MAGNUSON. We should adjourn at 5:30 or 6 and go home and think about the silver problem.

Mr. ROBERTSON. I am not the majority leader.

Mr. MAGNUSON. The more we think about it, the more Senators will agree with the amendments we shall be offering.

Mr. ROBERTSON. Mr. President, I conclude by a brief reference to what happened on June 3, 1965, when the President transmitted a message to the Congress proposing substantial changes in our coinage system. This proposal was based on a year's study of the whole situation by the Treasury, by the Bureau of the Mint, and by private industry in cooperation with those agencies. On that same day, I introduced the bill for Senator Bennett and myself, by request. Hearings were held on Wednesday, June 9, at which testimony was received from six Senators, one Member of the House of Representatives, the Secretary of the Treasury, the Director of the Mint, and representatives of mining interests, silver users, and the vending machine industry. The Committee on Banking and Currency met in executive session on the same day and reported the bill unanimously to the Senate with minor amendments.

The purpose of the bill is to reduce the amount of silver used in the Nation's coinage, so that we will continue to have an adequate supply of coins to carry on the Nation's business and trade in spite of the growing needs for silver and the increasing shortage in its supply. The bill would carry out the President's program presented to the Congress after a thorough study of silver and the coinage.

The bill would eliminate silver from the dime and the quarter, substituting a sandwich coin consisting of a cupronickel surface with a copper core. The bill would reduce the silver in the 50-cent piece from 90 to 40 percent, with 80-percent silver surfaces and a core with a low proportion of silver. The new dime, quarter, and 50-cent piece could be used in all vending machines, even the most sensitive, completely interchangeably with the present coins and requiring no change or adjustment of the vending machines.

In order to protect the outstanding supply of silver coins, the bill would not change the silver content of the dollar or its monetary value, and the Treasury would be authorized to redeem outstanding silver certicates or to sell silver at its monetary value of $1.29+ an ounce, continuing the present ceiling price resulting from the redemption of silver certificates. In order to further stabilize the silver market by minimizing any possible drop in the price of silver resulting from governmental action changing the coinage alloy, the Treasury would be required during the next 5 years to buy at $1.25 newly mined domestic silver offered to it.

The bill would provide standby authority to the Secretary of the Treasury to issue regulations to restrict or prohibit exporting, melting, or treating silver coins.

In order to provide a continuing review of the problems which may arise during transition to the new coins or afterward, the bill would establish a Joint Commission consisting of six congressional members, four Government officials, and four public members to make recommendations to the President and the Congress for the future.

The committee hearings and the committee report have been available for some time and go into the subject in great detail.

The President's program to change our coinage is a carefully worked out, carefully designed package. It takes care completely of the problem of the vending machine. It provides substantial benefits and a substantial measure of protection to the silver producers and to the silver users. The President's program was reported out from the Senate Banking and Currency Committee intact. I urge the Senate to act on this measure expeditiously and responsibly. In my judgment, the Senate should reject all amendments to the committee bill and approve the President's program as set forth in the committee bill at the earliest possible moment.

Mr. President, I yield the floor.

AMENDMENT NO. 276

Mr. PASTORE. Mr. President, I call up my amendment No. 276 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

On page 8, beginning with line 23, strike out all through line 2 on page 9, and insert in lieu thereof the following:

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 11.34 grams.

LICENSING OF MAIL ORDER MEDICAL LABS

Mr. JAVITS. Mr. President, I introduce, for myself and the Senator from California [Mr. Murphy], for appropriate reference, a bill designed to eliminate substandard and dangerous practices by clinical laboratories engaged in interstate commerce by providing for inspection and licensing under the authority of the Surgeon General of the United States. I ask unanimous consent that the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2184) to require clinical laboratories which transact business in interstate commerce to comply with minimum standards prescribed by the Surgeon General in the performance of laboratory procedures, and for other purposes, introduced by Mr. Javits (for himself and Mr. Murphy), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2184

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Clinical Laboratory Licensing Act of 1965".

Sec. 2. The Congress finds that clinical laboratories perform essential services necessary to the diagnosis and treatment of human diseases and that such laboratories can, by the improper performance of laboratory procedures, cause unnecessary or improper medical treatment, prolonged illness, injury, or death. The Congress further finds that clinical laboratories which transact business in interstate commerce should be licensed by the Surgeon General and required to comply with minimum standards in the performance of laboratory procedures.

Sec. 3. As used in this Act—

(1) The term "Surgeon General" means the Surgeon General or the Public Health Service.

(2) The term "laboratory" or "clinical laboratory" means a facility for the microbiological, serological, chemical, hematological, biophysical, cytological or pathological examination of materials derived from the human body, for the purpose of obtaining information for the diagnosis, prevention, or treatment of disease or the assessment of medical condition.

(3) The term "laboratory director" means the individual responsible for the administration of the technical and scientific operation of the clinical laboratory, including the supervision of procedures and reporting of findings.

(4) The term "interstate commerce" means commerce between any State, Commonwealth, or possession of the United States, or the District of Columbia and any place outside thereof; or between points within the same State or Commonwealth, possession, or the District of Columbia but through any place outside thereof.

Sec. 4. No clinical laboratory may solicit, or receive in interstate commerce any specimen for laboratory examination, nor transport or deliver for transport in interstate commerce any specimen with respect to which such laboratory has performed, or alleges to have performed, one or more laboratory procedures, unless such laboratory has been issued a license as provided in this Act and such license has not been suspended or revoked. A license issued under this Act shall authorize the performance of one or more laboratory procedures or one or more categories of such procedures.

Sec. 5. (a) Application for a laboratory license under this Act shall be made by the owner of the laboratory and shall contain the name of the owner, the name of the laboratory director, the laboratory procedures or categories of procedures for which the laboratory license is sought, the location and physical description of the facility at which tests are to be performed, and such other information as the Surgeon General may require.

(b) A license shall not be issued in the case of any clinical laboratory unless (1) the laboratory director of such laboratory holds a valid certificate of qualification, issued under section 7 of this Act, in the procedures for which the license is sought, (2) the Surgeon General finds that such laboratory is competently staffed and properly equipped to perform the laboratory procedures for which the license is sought, and (3) the owner agrees and the Surgeon General determines that such laboratory will be operated in the manner required by this Act.

(c) A license issued under this Act shall be valid for a period of one year and may be renewed annually in such manner as the Surgeon General may prescribe. The Surgeon General may require the payment of a reasonable fee each year for the issuance of a license under this Act but the amount of such fee shall not exceed $25.

(d) A license issued under this Act shall indicate, on the face thereof, the name of the owner of the laboratory, the laboratory procedures or categories of procedures authorized to be performed in such laboratory, and the location at which such procedures may be performed. Such license and the certificate of qualification issued under section 7 of this Act shall be displayed at all times in a prominent place in the laboratory.

(e) A license issued under this Act shall automatically become void by a change in the laboratory director. A license issued under this Act shall automatically become void thirty days following a change in the ownership or location of the laboratory. A new application for a license may be filed with the Surgeon General prior to any such change in the laboratory director, ownership or location of the laboratory, or prior to the expiration of such thirty-day period, in order to permit the uninterrupted operation of the laboratory.

Sec. 6. (a) In order to administer effectively the provisions of this Act, the Surgeon General, or his designee, may at all reasonable times inspect the facilities, methods, procedures, materials, staff, and equipment of any clinical laboratory subject to the provisions of this Act.

(b) The Surgeon General may require clinical laboratories subject to the provisions of this Act to submit periodic reports of tests performed in such laboratory and such other information as the Surgeon General determines necessary or appropriate to facilitate the administration of this Act. The Surgeon General may require such laboratories to submit lists of personnel employed to perform laboratory procedures, and the technical qualifications of such personnel, and to notify the Surgeon General promptly of any changes in such personnel.

(c) The Surgeon General shall prescribe standards for the examination of specimens submitted to any clinical laboratory subject to the provisions of this Act. In carrying out the provisions of this Act, the Surgeon General may require any such laboratory to analyze test samples submitted by him and to report to him on the results of such analyses. Such analyses and reports may be considered by the Surgeon General in making any finding under section 8 of this Act.

(d) The Surgeon General may appoint one or more advisory committees of persons expert in the major categories of laboratory procedures to advise him in connection with the qualifications of technical personnel employed in clinical laboratories, the use of appropriate laboratory procedures and the performance of his responsibilities under this Act.

SEC. 7. (a) No person shall act as the laboratory director of any clinical laboratory subject to the provisions of this Act unless a certificate of qualification has been issued to him as provided in this section. A certificate of qualification shall be issued authorizing the holder to direct one or more laboratory procedures or one or more categories of such procedures.

(b) The Surgeon General shall prescribe minimum qualifications for laboratory directors in microbiology, serology, chemistry, hematology, biophysics, cytology, or pathology.

(c) A certificate of qualification shall be issued to any person who meets the minimum qualifications prescribed by the Surgeon General and who otherwise demonstrates that he possesses the character, training, and ability to administer properly the technical and scientific operation of a clinical laboratory, including supervision of procedures and reporting of findings of tests.

(d) Application for a certificate of qualification shall specify the procedures or categories of procedures for which the certificate is sought and such other information as the Surgeon General may require.

(e) A certificate of qualification issued under this Act shall be valid for a period of five years from the date of its issuance and may be renewed for successive five-year periods thereafter. The Surgeon General may impose a fee for the issuance of a certificate of qualification and for each renewal thereof but such fee shall not exceed $25.

(f) The Surgeon General may issue a temporary certificate of qualification to any person pending the issuance of a regular certificate under this section, but a temporary certificate shall be valid for a period of only thirty days and may be renewed for not to exceed four successive periods of thirty days.

SEC. 8. (a) A laboratory license or certificate of qualification may be revoked, suspended, or limited if the Surgeon General finds, after notice and hearing, that the owner or operator of the laboratory, the holder of the certificate of qualification, or any employee of the laboratory—

(1) has been guilty of misrepresentation in obtaining the license or certificate or in the operation of the laboratory;

(2) has knowingly accepted or permitted to be accepted a specimen or assignment for laboratory examination from, or rendered a report for laboratory examination from or rendered a report thereon to, a person or persons not authorized under the law of the State from which the specimen was sent to submit such assignment or specimen or receive such report;

(3) has engaged or attempted to engage or represented himself as entitled to perform any laboratory procedure or category of procedures not authorized in the license or certificate;

(4) has failed to comply with the standards prescribed by the Surgeon General under section 6(c) of this Act for the examination of specimens;

(5) has rendered a report on laboratory work actually performed in another laboratory without designating the fact that the examination or procedure was performed in another laboratory;

(6) has demonstrated incompetence or has shown consistent errors in the performance of laboratory examinations or procedures;

(7) has failed to file any report required by the provisions of this Act or by any rule or regulation promulgated thereunder; or

(8) has violated or aided and abetted in the violation of any provisions of this Act or of any rule or regulation promulgated thereunder.

(b) A laboratory license or a certificate of qualification may be temporarily suspended without a hearing for a period of not to exceed 30 days if the Surgeon General determines that the public safety or welfare is in imminent danger.

SEC. 9. (a) Any party aggrieved by any action taken under this Act may at any time within 60 days after the date of final approval of such action by the Surgeon General file a petition with the United States court of appeals for the circuit wherein such person resides or has his principal place of business, for a judicial review of such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Surgeon General or other officer designated by him for that purpose. The Surgeon General thereupon shall file in the court the record on which the action of the Surgeon General is based, as provided in section 2112 of title 28, United States Code.

(b) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Surgeon General, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Surgeon General, and to be adduced upon the hearing in such manner and upon such terms and conditions as the court may deem proper. The Surgeon General may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendations, if any, for the modification or setting aside of his original action, with the return of such additional evidence.

(c) Upon the filing of the petition referred to in subsection (a) of this section, the court shall have jurisdiction to affirm the action, or to set it aside in whole or in part, temporarily or permanently. The findings of the Surgeon General as to the facts, if supported by substantial evidence, shall be conclusive.

(d) The judgment of the court affirming or setting aside, in whole or in part, any such action of the Surgeon General shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

SEC. 10. Any person who violates any provision of this Act or any rule or regulation promulgated thereunder shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than one year, or a fine of not more than $1,000, or both such imprisonment and fine.

SEC. 11. The provisions of this Act shall not apply to any clinical laboratory operated by a State or subdivision thereof or by a licensed physician, osteopath, dentist, or podiatrist who performs laboratory tests or procedures, personally or through his employees, solely as an adjunct to the treatment of his own patients.

SEC. 12. Nothing in this Act shall be construed as affecting the power of any State to enact and enforce laws relating to the matters covered by this Act to the extent that such laws are not inconsistent with the provisions of this Act or with the rules and regulations issued under this Act. Whenever the Surgeon General determines that such laws are adequate to protect the health and welfare of the people of such State and that such laws are being effectively enforced in such State, he may refrain from the enforcement of any or all of the provisions of this Act within such State.

Mr. JAVITS. Mr. President, my bill would require the licensing of clinical laboratories operating in interstate commerce under minimum standards to be set by the Surgeon General. The measure is patterned after the New York State and New York City laws which are considered by most authorities to be model statutes in the field. Clinical laboratories operated by State or local governments or by physicians, osteopaths, dentists, or podiatrists for their own patients are not affected by the bill.

In addition to licensing, the bill would:

First. Provide for inspection and evaluation by the Surgeon General of the effectiveness of these laboratories, including submission of test samples for analysis.

Second. Establish standards and certification of laboratory directors in microbiology, chemistry, hematology, biophysics, cystology, and pathology.

Three. Provide for the revocation, suspension, or limitation of laboratory licenses for failure to meet standards, incompetence of employees, misrepresentation, or similar causes. Hearings and judicial review procedures are provided by the bill.

Today, adequate medical care is impossible without adequate and efficient laboratories providing information for the diagnosis and treatment of disease and the assessment of the patient's medical condition. Repeated investigations and studies show that an important proportion of clinical laboratories are substandard and have uncovered instance after instance of incorrect diagnosis which have resulted in unnecessary hospitalization, unneeded operations, inappropriate treatment, injury, or even death. This legislation is necessary because a substantial amount of the business of supplying diagnoses and analyses is conducted through the mails. One west coast laboratory, for instance, runs more than 500,000 tests monthly for more than 4,000 doctors throughout the United States and Canada.

It has been New York's experience that after effective legislation was enacted for both the State and the city, a number of laboratories left the area but continued to operate with the use of the mails in jurisdictions having no laboratory control laws. Today, only 10 States require laboratory licensing. Thus, inefficient laboratories which conduct their business operations through the mails experience very little in the way of local controls.

Dr. Morris Schaeffer, the distinguished director of New York City's Bureau of Laboratories, has stated that clinical laboratory and blood bank practices in the United States are "generally extremely poor and require considerable upgrading. One of the important problems is lack of regulation." My bill seeks to correct this situation.

While the laboratory branch of the Public Health Service's Communicable Disease Center does assist commercial laboratories as well as State and local public authorities with evaluation services, this is on a voluntary basis. My bill would make such evaluation checks mandatory if the clinical laboratory operates across State lines.

Recently published examples of inefficient practices by clinical laboratories include:

First. A New York City survey, conducted before the city's present law went into effect, which reportedly showed that of 50 private laboratories given bacterial samples, 26 failed to make a proper diagnosis.

Second. A report of an Illinois test which alleged that 4 out of every 10 laboratories failed to determine the correct blood group and Rh type on a testing sample.

Third. A test in Pennsylvania reportedly showed that 9 out of 10 laboratories were unable to test accurately for the presence of parasites in a stool specimen.

Fourth. A New York State Legislature report noted that one laboratory uniformly reported "positive" on all samples submitted to determine pregnancy regardless of the actual facts.

Recent investigative articles published by leading popular and scientific trade magazines have disclosed such instances as—a doctor, suspicious of laboratory reports, submitted a sample of his own blood in three different containers and received three different conflicting reports; and laboratories in at least one State were reported to be managed and operated by individuals with little or no college training.

It is this sort of thing which my bill seeks to correct.

Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the May 1965 issue of McCall's magazine entitled "Medical Lab Tests: The Dangerous Mistakes," and written by Alice Lake.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MEDICAL LAB TESTS: THE DANGEROUS MISTAKES

(By Alice Lake)

This was her third pregnancy, the dangerous one, for she was Rh negative. Yet up to the moment the baby was born, there seemed little cause for alarm. The mother had an able obstetrician, on the staff of a leading Connecticut hospital. Blood tests, repeated in the past months, gave no hint of rising antibody count.

One midnight, the skillful obstetrician delivered a desperately sick baby. The infant was limp, his skin boggy with fluid. A skeleton hospital staff fought a heroic battle to save him from death or brain damage. Although they won, it was a needless flirtation with tragedy. The cause was a single weak link in a strong chain of medical proficiency—the neighborhood medical laboratory that performed the blood tests. Its reassuring reports were just plain wrong.

"We're in a field where one mistake in a thousand is too many," says a leading Boston hospital pathologist. Yet whopping errors are being made every day in the medical laboratories that test blood, urine, tissue, sputum, for disease.

If you are a patient in a nonprofit hospital of middling size or better, you need have little concern about the quality of the laboratory work. These hospital labs are usually run by pathologists, who have 5 years of training following medical school, who check constantly on the accuracy of their instruments, their techniques, and their staff. Small hospitals, particularly in rural areas, are a different story. They may be staffed by an undertrained technician, fleetingly supervised by a doctor. "I shudder to think of being hurt in an auto accident out in the country," Dr. Omer E. Hagebusch, a St. Louis pathologist, told me. Hospitals run for profit may try to save money on their laboratories, with disastrous results. Dr. Ray Trussell, New York City's commissioner of hospitals, recently threatened to close down four of these proprietary hospitals. "Their laboratories can't crossmatch blood for transfusions properly, and that's a fatal error," he said.

Another questionable area is the doctor's office. Over 30,000 doctors employ their own technicians or teach their nurses to perform routine laboratory work in the office. A Florida pathologist commented: "These girls don't know how to standardize or calibrate their equipment. Our hospital has had terrible experiences with their work."

The worst offenders are the private medical laboratories, run for profit, to which a doctor sends the diagnostic tests on his office patients. There are about 3,000 of these clustered in the large cities and their suburbs. A few are excellent, many acceptable. Some are run by pathologists, by other doctors, by Ph. D. chemists or microbiologists. These professionals are able, and usually they are ethical. But the majority of the laboratories are in the hands of laymen of varying qualifications, some of whom put business profit above medical service.

How does this concern you? Tests on your blood, urine, or tissue may give evidence of disease before a single symptom appears. Whether to operate and where, whether to prescribe dangerous drugs and which ones—these depend on the information the laboratory gives your doctor.

When you marry, when you become pregnant, when you have a checkup, when your symptoms suggest some organic disease, your doctor draws a blood sample, asks for a urine specimen, takes a smear, or snips away a bit of tissue for laboratory analysis.

If the laboratory diagnosis is faulty you may be treated for a disease you don't have, or not treated for one you do. You may be rushed to surgery when an operation is unnecessary. You may be treated for too long a time or not long enough.

A few years ago, in an eastern city, a laboratory reported that the Pap smear of a 20-year-old girl was positive, meaning cancer. Her doctor operated, removing part of the cervix, the neck of the uterus. Perhaps she will be able to bear children; but this operation makes pregnancy much more difficult to achieve. The laboratory had made a mistake. There was no cancer present.

"This specimen contains no excess sugar," a laboratory reported to a doctor about a blood test. The patient in question, her diabetes untreated, went into coma 2 weeks later and almost died.

Following a paternity suit, a young man was ordered to provide financial support for a child, although he was not its father. The court based its decision on blood tests performed in a laboratory that lacked the technical skill to do them accurately. It should have known better than to make the attempt, but the price was right—$100.

These are not isolated examples. Health officials, checking on the accuracy of tests that private laboratories grind out every day, have uncovered error after error. In 1959, a New York City survey revealed that only one in every four private laboratories performed an Rh-factor study accurately. A year later, over half the laboratories failed to give correct answers on blood-sugar and other tests. Three hundred Illinois laboratories were asked, in 1962, to determine the blood group and Rh type on a testing sample. Four out of ten failed. Nine out of ten Pennsylvania laboratories were unable to test accurately for the presence of parasites in a stool specimen. (But after four State-sponsored workshops, most of them did well on a second test.)

Who bears the blame? Three groups: the laboratories themselves; the doctors who patronize the laboratories; and the lawmakers who fail to protect the public.

The laboratories ignorance and greed are both factors when laboratories perform inferior work. "Some lab directors are just out to make a fast buck. They are flagrantly dishonest," says Dr. Joseph Bove, assistant professor of medicine at Yale University Medical School. "Others want to do a good job, but they just don't have the education or technical skill which this complex field requires." Many lab directors do not even have a college degree. Some picked up a smattering of knowledge while serving in the Armed Forces. An ex-convict whose nodding accquaintance with technique had been gained in the prison hospital directs a laboratory in Ohio. In New York, a pet shop owner performed pregnancy tests in the back of his store, until the city closed him down.

Private laboratories range from hole-in-the-wall operations, conducted in the kitchen of a small apartment, to huge concerns that invest hundreds of thousands of dollars in automated testing machines. The marginal labs flourishing in New York, Chicago, Miami often skimp on their equipment. One technician in New York was caught using a broken stopwatch to test the speed with which a heart patient's blood clotted. An error could mean death from hemorrhage. In other labs, faulty sterilizers gave merely a warm bath to test tubes, slides, and syringes. In Chicago, outdated testing solutions were found on a laboratory shelf, ready for use.

The larger laboratories combine volume operation with cutrate prices. A few of them in New York, Chicago, Dallas, Philadelphia, Portland, Oreg., work by contract, offering to perform all of a doctor's work for a flat price of $75 a month. Physicians who patronize these labs may ship blood specimens halfway across the country for analysis. "Some specimens can be mailed without damage, but others just don't lend themselves to this kind of treatment," says Dr. U. Pentti Kokko, chief of the laboratory branch of the U.S. Public Health Service's Communicable Disease Center.

In the more routine tests, the use of automated equipment is revolutionizing laboratory techniques. When automation is possible, large laboratories can turn out accurate results and afford to charge supermarket prices. But these commercial labs also perform complex hormone determinations and other tests that must be done painstakingly by expert hands. Dr. Coye Mason, a Chicago pathologist, says, "I charge $7 for a protein bound iodine test, which takes all day. Some laboratories charge only $3. I just don't believe they can do the job for this price."

How they do the job or sometimes even whether they do it, is an interesting question. In New York, one laboratory owner shifted to volume operations in order to keep up with the competition. After a few months, he quit in disgust. Because of the rush of work, he explained, 80 percent of the specimens he received were not tested by standard methods, and in one procedure, half the specimens were not tested at all.

No one knows how prevalent the "sink test" is; but there is no question that it flourishes in some commercial laboratories. Anyone can perform a sink test. You merely pick up the test tube filled with blood or urine, pour it down the drain, and then write out a bland report—"Everything negative"—for the doctor who ordered it. Sink testing, or its equivalent, has occurred even in hospitals. When a doctor told one hospital patient about the results of her blood test, the woman looked surprised. "But nobody," she said, "has even drawn my blood yet."

A few years ago, one New York laboratory performed a sink test on a grand scale and came close to getting away with it. The victims were several hundred women patients and 80 doctors, scattered through 6 States.

The hoax came to light in California when a laboratory owner bought from a salvage dealer a supply of slides, test tubes, and other equipment, which he thought were brand new. One carton, however, provided a surprise. It contained 500 slides, each smeared with cells for a Pap examination, and each neatly labeled with the name of a doctor and his patient. There were no signs indicating that any of these slides had ever been examined. Curious, the California Health Department took the trouble to write to each doctor whose name appeared on a slide. The answers all told the same story. "I mailed in the slide months ago to a New York laboratory," one doctor wrote, "and I got back a report promptly. Are you suggesting that it was a fake?" Asked what happened to the patients involved, Dr. W. Max Chapman, California's chief of laboratory field services, replied, "We just don't know. But when reports on 500 slides are faked, the consequences in some cases may be lethal."

Proof that a sink test has occurred is hard to come by; but occasionally the circumstances are highly suspicious. In Illinois, a hospital pathologist recently decided to turn detective on the private laboratory he used for his protein bound iodine tests. These tests of thyroid function are important. If a baby's underactive thyroid is not recognized in time, he can suffer lifelong retardation. "One little thing bothered me about this laboratory," the pathologist recalls. "Instead of just performing the tests, the director had a habit of calling me up and asking me what my clinical impressions were of each case. So I decided to set a trap. I drew 30 cubic centimeters of my own blood and divided it into three separate test tubes, each labeled with a fictitious name. When the lab inquired, I told them it seemed likely that one patient was normal, the second had an overactive and the third an underactive thyroid. Just as I suspected, back came the test results on my blood—one third normal, one third with too much thyroid, and one third with too little, a real case for the medical books.

"Did the laboratory pour the blood down the sink? I can't prove it, but it was the last business they got from me."

The Doctors: "It is up to the doctors whether their patients get good laboratory work, and they don't concern themselves much," says Dr. Herber McDaniels, chief of the Bureau of Laboratory Evaluation in the Illinois Health Department. "Too often, they send patients where it is convenient. If they were particular, the marginal laboratories would fold up quickly."

Most busy doctors are merely careless. They choose a lab because it is across the street or because it supplies quick answers. They could visit it and inquire about the training of its staff They could also split a specimen in half, smear it on two slides, and then see if they received identical reports; but few bother.

A more serious charge must be leveled against some doctors. They patronize certain laboratories not from ignorance but from avarice. Honest doctors may choose a cutrate laboratory in order to keep down their patients' bills; but many never pass along the saving to the patient. Suppose a doctor has signed a $75-a-month contract, which pays for all the specimens he mails to a laboratory. For each test, he may be out of pocket less than a dollar. Yet his bill to a patient may read: "Complete blood count and urinalysis—$8." Such a practice can net a doctor $6,000 or more a year.

The large contract laboratories gain customers by slyly encouraging such deception. The salesman for one told a doctor recently, "Confidentially, you'll get a sevenfold return when you deal with us."

How many unnecessary, laboratory tests are made, how many patients cheated is not known. Dr. Coye Mason estimates that 5 to 10 percent of his fellow physicians pocket rebates of one kind or another from cutrate laboratories. In California, where rebates and flat-rate contracts are forbidden by law, thousands of doctors send their work out of the State to a large contract laboratory in Oregon. It's a fair guess that their choice is dictated by money.

Doctors who patronize cutrate labs are often aware that they are paying for inferior work. Four hundred doctors on the staff of one New York hospital are allowed to send Pap smears and biopsies of their office patients to the hospital laboratory for analysis. Run by a leading pathologist, the lab charges $5 per smear and bills each patient directly. "Yet surprisingly few doctors use our service," the pathologist says, "unless they get in a jam. Then a doctor will come in, a little embarrassed, carrying the slide a private laboratory has already checked. He doesn't want us to know which laboratory, so he breaks off the edge of the slide, and then apologizes, 'Oh, I must have dropped it.' Not infrequently, I find such a slide shows malignancy, although the first laboratory called it benign. This is serious stuff. This is cancer. But that doesn't stop a doctor from sending his next slide to the same cutrate place."

The lawmakers: When you go to the hairdresser's, you have the assurance in most States that your operator is qualified and licensed. Yet the hand behind the pin curl is hardly as important to your health as the hand that adjusts the microscope. Alone among the health professions, the laboratory technologist is unlicensed in the vast majority of States. Ten States require some form of licensure of medical laboratories. Many of these laws cover only the qualifications of the lab director. In five States, only doctors may direct laboratories. Thirty-five States have no laws at all. In these, any Tom, Dick, or Harry can open a laboratory and hire whatever staff he chooses.

Where there are no laws, health officials don't even know how many laboratories are operating in their State. When I asked about the number in one eastern State, a high health official replied, "Why don't you check the yellow pages of the telephone book?"

Twenty-six States do place one minor curb on private laboratories. They ask those that perform blood tests for syphilis, required by law before marriage and during pregnancy, to show that they can perform this test accurately. Unfortunately, it is remarkably simple for an unscrupulous lab to appear proficient even though it isn't.

In Illinois, for example, before a laboratory is allowed to perform blood-grouping, Rh-factor, syphilis, or tuberculosis tests, it must interpret correctly a test sample mailed to it. Recently, a lab director simply forwarded his TB slide to Chicago's municipal sanitarium. "I'd like your opinion on this one," he asked innocently. "If the sanitarium people hadn't recognized the special label we put on these test slides," Dr. McDaniels says, "this lab would have passed with flying colors. Naturally, it didn't get permission to perform TB tests, but that's all we had the power to do. No one could stop it from operating in other areas."

Of 10 States with legislation, California has the oldest and strictest law. It prescribes educational standards both for directors of laboratories (when they are not doctors) and for the technologists working under them, and it requires each to pass a State exam. These are so tough that three out of four director-applicants flunk each year. "We feel the answer to the problem lies in keeping qualifications high," Dr. Chapman says.

New Jersey's law covers only laboratory directors, but many doctors feel it has been useful. "Any high school graduate who wanted to open a laboratory used to come to New Jersey," says Dr. William Bernhard, pathologist at St. Barnabas Hospital, in Livingston. "The law has cut this down tremendously."

Pennsylvania, which sets minimum qualifications for directors and for staff in private laboratories emphasizes education to upgrade quality.

Its voluntary workshops on laboratory techniques are scheduled at least four times a year and draw heavy atendance. "Our approach is mutual assistance, not policing," says Dr. Ralph Hogan, director of the Pennsylvania Division of Laboratories.

Only in New York City is policing of laboratories carried out on a large scale. In addition to licensing personnel, the city's code requires labs to show that they can perform their jobs with some proficiency.

New York employs 10 inspectors, who drop in on a laboratory without any notice and watch while a test is made. Although Dr. Morris Schaeffer, the city's tough director of the bureau of laboratories, called the results of performance tests in 1960 "absolutely appalling," steady improvement is now being noted. About 40 of the worst offenders have been put out of business. One of these, a large contract lab in the Bronx, turned out to be merely a mail drop for specimens, which were farmed out to another laboratory. Forced out of New York, its owner promptly moved his business to Chicago.

Aware of cases like this, the 1963 Illinois Legislature appointed a commission to investigate laboratories and blood banks and advise on whether legislation was needed. "We saw some laboratories whicl. were very good," says Dr. James Hartney, commission secretary. "We visited others which would not be acceptable under the most liberal standard. Some were crowded, cluttered. In one, the recording thermometer in the refrigerator that stored blood wasn't working. A few had obvious sources of electrical interference with the measuring equipment used." As a result, the commission has recommended a bill to license and regulate laboratories.

Surprisingly, pathologists themselves have been the major opponents to the passage of State legislation designed to improve laboratory standards through a variety of regulatory measures. They believe that if the operation of medical laboratories were forbidden to laymen, further legislation would be unnecessary. When a layman directs a laboratory, pathologists hold, he is actually practicing medicine without a license. "The figures he reports on a test are often meaningless unless they can be interpreted to the doctor," says Dr. Arthur Rappoport, a Youngstown, Ohio, pathologist. "But once a layman attempts to interpret them, he is making a diagnosis, and that is the practice of medicine."

Other experts in the field disagree. They point out that Ph. D. chemists or microbiologists are frequently better trained in their own areas than most doctors, especially doctors who haven't specialized in pathology. Moreover, there simply are not enough pathologists to go around—fewer than 6,000, who are already busy directing 6,000 hospital laboratories. Six hundred pathologists also direct private laboratories; but most of the labs—some 1,800—are in the hands of laymen. Health officials believe it more practical to set standards for lay laboratories than to ask doctors, most of whom have no laboratory training, to take them over.

When laboratories are run by doctors, they are not always above criticism. In 1962, a College of American Pathologists survey revealed that at least 135 physicians acted as "fronts" for laboratories actually run by laymen. "I know of one case," a Chicago pathologist told me, "in which a doctor was offered a thousand dollars a year to lend his name to a laboratory, provided he never set foot in the place." Health officials in New York and California also complain about absenteeism by a doctor who directs several laboratories or also has a busy private practice. "Some drop in the laboratory for an hour a week, leaving an untrained technician in charge the rest of the time," says Dr. Schaeffer. To curb this practice, New York now forbids a doctor to run more than two laboratories.

Although they feud in some areas, pathologists and health officials agree in one—the desperate need for well-trained laboratory technologists. A joint program conducted by the American Medical Association and the American Society of Clinical Pathologists graduates some 3,000 technologists each year. These students gain B.S. degrees and AMA certification after 3 years of college and 1 year's internship in an approved hospital lab. Although 31,000 certified technologists are now working, more than twice their number is needed, and the demand is expected to soar in the next 10 years.

Unfortunately, the AMA program competes for students with more than 40 commercial schools, which offer a dubious shortcut to laboratory competence. Growing in number, these schools charge upwards of $1,000 for a 1-year course. Thirty to forty students share one teacher (who is sometimes not even a college graduate), compared with a ratio in the AMA schools of two students per instructor. Laboratory equipment and testing materials may be meager, and libraries sometimes merely empty bookshelves.

Commercial schools send fast-talking salesmen on the road, particularly in rural areas, to sign up girls about to graduate from high school. They flood the school-guidance counselors with flashy brochures. "Often the high school staff does not know what a technologist is and cannot advise the students," wrote Dr. K. R. Cross, an Iowa pathologist, in a recent warning to fellow doctors. "The students find out only after they are well along in the course that they aren't learning much. Many of you hire them without knowing how much they haven't learned."

Because of the shortage of trained technologists, these girls get jobs in rural hospitals, where they are scantily supervised, in private laboratories, and in doctors' offices. Some of them even open their own laboratories. Large hospitals are likely to shun them. We never hire them, not even as dishwashers," says Dr. Frederick Lott, pathologist at Northwestern Hospital, in Minneapolis.

Confusing the hiring picture still further is the emergency of three self-constituted accrediting agencies, which "certify" as a medical technologist the graduate of a commercial school, or sometimes even anyone who can afford the application fee. One such applicant to two of these agencies is a dog—a certain Straybourn Betts, of uncertain ancestry. Several weeks of fictitious correspondence and two $15 money orders were all it took to get "Stray" embossed certificates and membership cards certifying him as a "qualified medical technologist."

What can you, as a laboratory consumer, do to protect yourself and your family? The following steps should help:

Tell your doctor that you want the laboratory to bill you directly for any work performed. If the doctor draws your blood, he is entitled to an additional modest fee (perhaps $2) for the service. Direct billing by laboratory to patient is supported by the Judicial Council of the AMA. It not only eliminates rebates, but protects a doctor from the temptation to use a substandard lab.

Question your doctor closely about the laboratory that performs his work; inquire about the training of its staff and whether they routinely check instruments and techniques. A self-evaluating system known as quality control is used by all leading laboratories.

Do not patronize a laboratory on your own, especially if you think you are pregnant. Because the presence of certain tumors may give a false positive result, a pregnancy test should always be supplemented by a doctor's examination. Some States forbid laboratories to accept patients unless they are referred by a doctor; but many have no such limitation. A few years ago, a suburban laboratory director told a friend of mine that she was pregnant (she wasn't) and then offered to steer her to an abortionist.

I have asked dozens of pathologists and health officials what can be done to upgrade the quality of medical laboratories. These are some of their suggestions.

More high school seniors with a flair for science should be encouraged to choose a career in medical technology and steered to reliable schools. The average annual salary is now over $5,000. This is a field of service to the sick, offering many of the rewards young women find in nursing.

The public must be protected by stronger and more widespread legislation regulating medical laboratories. Although some laws are weak, experience in many States has shown that they are considerably better than no laws at all. In New York City and California, the two areas where the largest number of private laboratories flourish, good laws—strictly enforced—have brought definite improvement (although New York's Dr. Schaeffer says, "We still have a long way to go"). Dr. Hartney, secretary to the Illinois Laboratory Commission, adds, "Those who administer the law should have a constructive, helpful attitude. There should be a program for the continuing education of laboratory personnel."

The medical profession has the power to eliminate many substandard laboratories. Refusing to patronize them is an obvious step. Self-policing to stop rebates is another obvious step.

Automation is hastening centralization of laboratories and will eventually force marginal operators out of business. The process would be accelerated if hospital laboratories accepted more work from doctors' offices and if pathologists banded together to set up centralized laboratories in the community. In St. Louis, commercial labs have never gained a real foothold, because laboratory business there is dominated by a group of 10 pathologists, whose large private lab ably serves hospitals and office patients alike.

Centralization can also upgrade laboratory work in rural hospitals. In De Kalb County, Ill., a group of pathologists has organized a lab that offers a package deal to small hospitals in Illinois and neighboring States. These doctors hire and supervise technicians, who perform the simpler tests in the hospital. All other work is picked up by truck or airplane, and reports are dispatched swiftly by teletype. If hospitals are willing to pay, they can obtain adequate laboratory service.

The volume of laboratory work has more than doubled in the past decade, and it is still increasing. The current trend is to keep patients who need laboratory tests from tying up hospitals beds. Many insurance plans now pay for lab workups performed outside the hospital. As a result, the role of the private laboratory will increase rather than diminish in the near future. With growing automation, anyone who can pay for a machine can open a laboratory and reap himself a neat profit.

This is indeed the Achilles' heel of modern medicine. It will cease to be only when the first order of business of the medical laboratory becomes not business but service.

Mr. JAVITS. Mr. President, I ask unanimous consent that the bill which I have introduced may lie on the desk for a week for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, most Americans when they submit to a medical test have complete confidence in the doctor and in the team of health professionals that help and assist him. And well they might, for Americans enjoy a quality of medical care unparalleled anywhere on the globe. Therefore, I know all Americans are shocked to hear and read of the deplorable condition of some of our medical laboratories across the country. The laboratories may examine blood, tissues, and make other tests to determine evidence of disease. The results of these tests are then forwarded to the physician who prescribes the patient's treatment.

The following examples illustrate that there may very well be a weak link in an otherwise strong medical team.

In New York, 50 private laboratories were given bacterial samples to identify and 26 of these laboratories failed.

McCall's magazine reported that in a paternal suit, a young man was ordered to provide financial support for a child, although he was not the father. The court's decision resulted from erroneous blood tests performed in a laboratory that lacked the technical skill to do them accurately.

A New York survey taken in 1959 disclosed that only 1 in 4 private laboratories perform an Rh factor study accurately. A year later over half the laboratories failed to give correct an-answers to blood sugar and other tests.

In 1962, 300 laboratories in the State of Illinois were asked to determine the blood group and the Rh type on a group of people. Over one-third failed to perform the test accurately.

Several years ago in my own State various types of urine samples were sent to out-of-State laboratories, some of which had a few drops of blood deliberately added. The results were grossly in error. When the results were received, the report was "no blood."

Dr. W. Max Chapman, chief of the laboratory field services of the California Department of Public Health, recalls a case when an owner of a laboratory purchased from a salvage dealer a supply of supposedly new slides. One carton contained 500 slides, each smeared with cells for a Pap examination and bearing the name of the doctor and the patient. When it was discovered that none of these slides had been examined, the California Health Department investigated. The doctors replying to the investigation all indicated that they had sent the samples to a New York laboratory. Who can say what happened to these patients? As Dr. Chapman stated:

> We just don't know. But when reports on 500 slides are faked, the consequences in some cases may be lethal.

Mr. President, I am naturally very proud of the fact that the State of California is a pioneer in the regulation of these clinical laboratories. The first law in my State was passed in 1937 following 15 years of voluntary certification of clinical personnel and laboratories. The law as it exists today became effective in 1952. Enactment of the California law resulted from the efforts and cooperation of many groups, including the California Medical Laboratory Technologists, the California Society of Pathologists, California Medical Association, California Osteopathic Association, the hospital association, the State department of public health, and the California Association of Clinical Laboratories. It is my understanding that opposition to this legislation was very limited.

Despite this pioneering effort, California citizens are not completely protected because there is no present way that they can be protected from substandard out-of-State laboratories. As Dr. Chapman has stated:

> We have been faced with a problem relative to out-of-State clinical laboratories for about 5 years. Some of these mail-order laboratories tried to establish themselves in California, but because of a law which forbids unearned rebates, refunds and discounts, unearned considerations and that sort of thing, they were not able to set up in California. Our attorney general backed us up because they did not choose to operate except on a flat rate basis (so much a month for all the tests you want). However, one of these laboratories set up in another State and started work.

Mr. President, legislation which I am introducing today with Senator JAVITS would regulate clinical laboratories and personnel that are engaged in interstate commerce. This legislation will enable States to protect themselves from falling prey to some of the out-of-State mail-order laboratories.

I wish to make it clear, Mr. President, that the honest laboratories have nothing to fear. This legislation aims only to protect the health and welfare of the general public and not to interfere in any way with the legitimate laboratory. It should be noted that provision is made for judicial review of any determination of the Surgeon General. In addition, the legislation allows the Surgeon General to permit States which are properly regulating these laboratories to continue to do so.

Mr. President, I cannot emphasize too strongly the depth of my feelings on this matter. This is a field wherein careless work and inadequately trained personnel cannot be tolerated. The stakes are far too high when a human life is involved and where mistakes are frequently fatal.

I am certain my colleagues are aware that there is a precedent for Federal action in this field. The National Institutes of Health, Public Health Service, for many years has licensed blood banks—a procedure which incidentally has worked very well. Any blood bank shipping blood across State lines has to be federally licensed. Once a license is granted, the blood bank is thoroughly inspected, its techniques and personnel are checked out and it is reinspected from time to time.

Mr. President, I think recent magazine articles and the series that Walter Cronkite is doing on CBS News will focus the attention of the American people to this serious problem. I am hopeful that it will spur all the States to make certain that their laboratories continue to reflect what has always been the watchword of the medical profession—quality service for all Americans.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. MONDALE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I had hoped that it would be possible, on the basis of conversations that took place while I was out of the Chamber, to arrive at a unanimous-consent agreement, beginning tomorrow, to limit debate on the pending bill and amendments.

I have since been told that a Senator would object to any unanimous-consent agreement for tomorrow.

Therefore, I believe it is only fair to state that, in the interest of expediting the consideration of the pending legislation, amendments should be offered this afternoon. I hope that votes will be had on some of the amendments. It is the intention of the leadership to have the Senate remain in session until about 7 o'clock tonight. We have a great deal of business to attend to if we are to clear the calendar before the 4th of July recess and hope to be ready to call up the medicare bill when we return after the recess.

Mr. PASTORE. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. I understand that the Senator from Idaho [Mr. CHURCH] wishes to make a 2-hour speech tomorrow. Why could we not have the Senate meet at 10 o'clock tomorrow morning and let the Committee on Finance meet at the same time? We would enter into a unanimous-consent agreement with respect to voting on amendments and the bill. I believe the proponents of our amendment would not require more than an hour and a half. We all understand the bill. Many of us have a parochial interest. I believe we ought to be reasonable enough to enter into a unanimous-consent agreement to have a vote tomorrow. The Committee on Finance could meet while the Senate was in session. That should not be too hard to arrange. Perhaps the majority leader would ask the Senate to meet at 10 o'clock tomorrow, with the understanding that the Committee on Finance be permitted to meet at the same time, allowing the Senator from Idaho [Mr. CHURCH] to have the floor for 2 hours before 12 o'clock. The unanimous-consent agreement could begin to run at 12 o'clock.

Mr. JAVITS. Mr. President, I shall wish to say something on Vietnam, and for that I shall require about 20 minutes.

Mr. CHURCH. The subject of my speech will also relate to Vietnam.

Mr. JAVITS. That is very interesting. I would like to have 30 minutes for my speech.

Mr. CHURCH. My speech will not require 2 hours, but perhaps some colloquy will develop.

Mr. JAVITS. Perhaps we could share the time.

Mr. PASTORE. If the majority leader wishes to have the Finance Committee meet tomorrow, I believe some arrangement could be made. If that falls through, the whole arrangement falls through.

Mr. MANSFIELD. I am just as interested in silver legislation, which is the pending business before the Senate, as any other Senator, and more than most Members of the Senate. I also believe in expediting the regular business of the Senate.

Tomorrow the Committee on Finance will meet on a matter with respect to which there is a deadline. It is quite possible that the Finance Committee will report a medicare bill. That is of great importance. I would like to lay the medicare bill before the Senate before the July 4 recess, if it can be called a recess, because it is really only a weekend. We should be ready to take it up when we return.

All that the leaders can do is to try to expedite legislation, and schedule matters so that we can get away from here at a reasonable time this summer or early fall.

Mr. PASTORE. I understand that. Why does not the Senator ask for a unanimous-consent agreement to have the Finance Committee meet while the Senate is in session, and have the Senate meet at 10 o'clock?

Mr. MANSFIELD. That is very difficult to do.

Mr. PASTORE. Let us try it.

Mr. MAGNUSON. Everyone is trying to expedite legislation. We took up the pending bill only about 2 hours ago.

Mr. MANSFIELD. It was taken up at 5 minutes after 12.

Mr. MAGNUSON. But we did not reach a discussion of it for 2 hours. Two important amendments will be presented.

One of them will be presented by the Senator from Rhode Island [Mr. PASTORE]. Several other Senators will speak against the amendment. They ought to have time to speak. That discussion can proceed for a little while. The Pastore amendment will require some discussion.

Mr. MANSFIELD. It is a simple amendment. Either the Senator has made up his mind on it or he has not.

Mr. MAGNUSON. It may be a simple amendment in the Chamber, but it is not a simple amendment to the people in my State, and I wish to take a little time to talk about it and explain what it is and why it should be defeated.

Mr. MANSFIELD. It is a simple amendment to me. All I will do is vote "No."

Mr. MAGNUSON. No Senator speaks less in this Chamber than the Senator from Washington. Once in a while there are things we must do. I want to talk about the Pastore amendment. Then there is another amendment. I think we should have sufficient time to discuss the amendments. I believe 10 other amendments will be offered by various Senators. They believe it is important to stay with a discussion of this bill. We can move along very expeditiously.

Mr. PASTORE. I believe we can conclude the discussion on my amendment in 2 hours. I believe we can conclude the discussion on the Senator's amendment expeditiously. It does not make any difference how many times one says "No"; one can say it once or a hundred times. People will understand our position whether we say it once or a thousand times.

Mr. MAGNUSON. If every Senator will do that, we shall be able to expedite the work of the Senate. Once in a while we must discuss these things. I intend to talk a little about silver.

Mr. PASTORE. I shall say a great deal about it.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the Senator from Rhode Island losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONDALE in the chair). Without objection, it is so ordered.

The Senator from Rhode Island is recognized.

COINAGE OF THE UNITED STATES

The Senate resumed the consideration of the bill (S. 2080) to provide for the coinage of the United States.

Mr. PASTORE. Mr. President, the Coinage Act calls for the elimination of silver from our dimes and quarters. These coins, henceforth, are to be made of a new material composed of cupro nickel clad on copper but the half dollar piece will be made of coin containing 40-percent silver.

The President proposed this legislation to meet the very serious coinage crisis. But the provisions of S. 2080 are inconsistent with the dual purpose of the legislation—to conserve the short supply of silver while increasing the supply of coins. Retention of silver in the half dollar or any subsidiary coin will only aggravate the silver shortage. It will, I am sure, frustrate the President's solution to the crisis.

The effect of my amendment would be to eliminate silver entirely from our subsidiary coinage.

In other words, the President of the United States has recommended that we have new coins, insofar as dimes and quarters are concerned, without silver. He has suggested that the content of silver in the half dollar piece be reduced from 90 to 40 percent, and that the silver dollar go untouched. Nothing in the legislation proposed by the President would disturb the silver dollar. Therefore, when the argument is made about the prestige of some coin containing silver, the answer to that argument is that there is no provision in the proposed legislation that would disturb the silver dollar. The Senator from Rhode Island takes the position that that should not be disturbed, because the law requires that our silver certificates be redeemed.

The point I am making is essentially as follows: We recognize the fact that in 1 year we consume more silver than is produced worldwide. For that reason, we must look at the facts of life as they are. The argument of the Senator from Rhode Island is essentially that if we have reached the position in our coinage where we must remove all silver from the dime and all silver from the quarter, why do we need to have a 40-percent silver content in the half dollar?

I suppose if I came from a silver-producing State—and I make this statement sincerely—I would look upon the problem pretty much as my distinguished colleagues are looking at it. I suppose I would be excused for being parochial as I am excusing them. I want them to understand that I would not for 1 minute stand on the floor of the Senate and take a position that I thought would hurt the silver producers. We have reached a point in our economic evolution and in our development where silver today is a very precious metal, whether we put it in coins or not. Hollywood could not operate without silver. The Eastman Kodak Co. could not exist without silver. Much of the electronics business today would not operate without silver. We would not today have our silverware business unless we had silver.

No matter what we in the Senate do, the time will inevitably arrive when the price of silver will go above $1.29 an ounce. All we are trying to do is to put silver on the free market so that the law of supply and demand, under our free enterprise system, will be allowed to work.

The argument is made that if the price of silver goes up far enough, there will be an inducement to mine more silver. Silver is so precious today and in such short supply that if any silver were to be found, it would be found. I have not lost my confidence in American ingenuity to find it. But we must realize that there is always a point of no return. We might finally arrive at the point at which silver will be worth $2 an ounce. How big would the half dollar then be? The half dollar would be as big as a nickel.

The administration has recognized it, there is not enough silver to go around. For that reason the administration has found it necessary to take silver out of our coinage. If there were enough silver, there would be no question at all. We would not be discussing the subject today. But because there is not enough, we have reached the point at which we must begin to do something about it.

The Senator from Rhode Island is saying only this: Why stop where we have stopped, when the answer is inevitable?

I recognize that there is a problem. I recognize that the population has increased, that more people are handling money, and that more people are handling coins. I realize that there are all the brandnew vending machines from which, when one puts in a dime, he gets a "cup," either with or without. When one puts in a dime or a quarter, he can have a sandwich made right under his eyes. With all the machines that have come into play—and it is a good thing, because it provides work for many people—many more coins are needed.

The argument is made that people are attracted to the silver dime, the silver quarter, the silver half dollar, or the silver dollar. I do not know about that. I am not carried off by that argument, because if the new dime piece can buy the same ice cream cone that a silver dime can buy, I do not think children will be worried much about how the dime looks or, if they drop it, what kind of clink it makes. What the children are interested in is the ice cream cone. If they can buy the same cone with either a new coin or the old coin, I do not think it will make any difference to them.

I realize that some Senators, like myself, are interested in the commercial use of silver. I come from a silver-using State. Rhode Island has one huge factory, the Gorham Manufacturing Co., which is world renowned and employs hundreds of people. My interest in the bill—I will be frank with the Senate—is the retention of American jobs. A point has been reached where we must make a decision as to how the silver that is in supply will be used. Shall it be put into coins, and thus denied to industry? Or shall it be used in a way that will mean more to the development and welfare of America? That is the question that confronts us.

If there were enough silver to go around, I would say let us not disturb even the 10-cent piece. But the fact that the 10-cent piece must be disturbed proves the point that there is not enough silver. The fact that the quarter must be disturbed proves that there is not enough silver. By what logic, then is there enough silver to permit its continuing use in a half dollar? That does not make sense to me. That is the reason why I am taking this position.

What is the role of subsidiary coinage? Should it be composed of a rare metal like silver however small the fraction? These are questions that should be answered in this debate in plain language that the average citizen can understand. The American consumer and the American laborer are the ones who will be ultimately affected by the proposed change in our coinage system.

I am not certain that the average citizen understands the part that subsidiary coins play in our monetary system. First of all, let me identify the coins that we are talking about. They are the 50-cent piece, the 25-cent piece, and the 10-cent piece.

All coins—including these three pieces—are token coins, or what is known as fractional money. They are individually worth less than a dollar. They individually represent a fraction of one dollar. They are worth their face value in the marketplace and they will be worth their face value whether they are made of lead or silver or any other alloy.

The intrinsic value of the content of a dime, of a quarter, or of a half dollar piece has nothing to do with how much these coins will buy in the marketplace. In fact, it is a fundamental rule of economics, that subsidiary coins should have no intrinsic value. This is to insure that they remain a medium of exchange and to prevent their disappearance from the channels of commerce.

Originally, our subsidiary coins contained an amount of silver proportionate to the amount of silver in a dollar. This industry made silver a rare metal and gave it a higher prestige value. Last year we consumed in the free world 70 million ounces more silver than we produced. And there is no reasonable likelihood whatsoever that we can increase our production of silver to satisfy the demand.

If prices are raised astronomically, there may be an inducement to mine more silver; but after all, no matter how much of an effort is made—and the Senator from Utah [Mr. BENNETT] brought it out—first of all, silver is merely a byproduct. It must be found; and if it is not there, it cannot be mined. The President recognizes this problem. In his message to Congress earlier this month he stated:

> There is no dependable or likely prospect that new workable sources of silver may be found that could appreciably narrow the gap between the silver supply and demand.

Knowing President Johnson as well as I do, and in view of the statement that was made by the distinguished Senator from Nevada [Mr. BIBLE] this afternoon, that he has reports from the Department of the Interior that he will read to the Senate, I dislike to believe that President Johnson made the statement I have just read without consulting the Department of the Interior.

President Johnson obtained this information from the highest and most responsible source in the Government. When he said, "There is no dependable or likely prospect that new workable sources of silver may be found that could appreciably narrow the gap between the silver supply and demand," I am sure he knew what he was talking about. If he did not know what he was talking about, he would not have made that statement. I read the remainder of his statement:

> The optimistic outlook is for an increase in production of about 20 percent over the next 4 years.

Where do Senators think the President got that figure? He got it from the most responsible source in the Government.

> This would be of little help.

If he did not think so, the bill we are considering would not be before us today.

In my view, the President is correct. Four years from now we expect that the annual silver deficit will have soared beyond 87 million ounces. And as the silver deficit soars, our silver-bearing subsidiary coinage will slip from commerce into the smelter's furnace.

That is already happening. Many of our silver coins are going abroad to be melted down, the silver to be sold back in this country, because a quarter, a dime, a half dollar, or a dollar in silver coinage today can be melted down and perhaps bring a higher price than the coin is worth in the marketplace.

As silver becomes more scarce, the more profitable it will become to melt down our coins to obtain silver for industrial uses. Then we will face a real scarcity of change, a deficiency which, I believe, will be fostered by the present terms of the Coinage Act of 1965.

But what does this silver deficit mean to business and the American public? This year it is estimated that the free world will produce about 225 million ounces of silver. Consumption will be around 300 million ounces. That is a 75 million-ounce deficit.

This is not a deficit for the United States of America; it is for the entire free world. It is estimated that 225 million ounces of silver will be produced in the free world.

However, we shall consume around 300 million ounces of silver. That is a 75-million-ounce deficit. Where would industry find that amount of silver?

Fortunately, our Treasury silver stocks amount now to about 1 billion ounces. I want to talk a little bit about that. Someone may ask the question: "If you have an annual deficit, how do you accumulate a billion ounces of reserves?"

There was one time when the price of silver was quite low. In order to help the producers of this country—this was before industry began to use it as extensively as it now does—we supported the price and the Government bought it. And because the Government was fortunate enough to be able to buy it at that time, as the Senator from Utah has pointed out, we have been able to accumulate a stockpile of silver. Industry has had the authority to call upon this surplus and to buy it at, approximately $1.29 an ounce. It has been used in American industry in order to keep our factories going, and to keep our American workers at their benches.

But the Treasury has to set aside from this stockpile 300 million ounces for the continued minting of our present coins and the Office of Emergency Planning recently set up a defense stockpile requirement of 165 million ounces more.

Until this bill becomes law, we must continue making dimes, quarters, and half dollars as we are doing now. It is estimated that, in this process, up until the time that the bill becomes law and the new coins are put into the marketplace, we would have to use 300 million ounces of this 1 billion ounces in order to make such coins.

To protect our outstanding coinage from the smelter's fire, the Treasury must also be prepared to redeem on demand every silver certificate presented. Last year alone demand was made on the Treasury for 141 million ounces of silver.

That billion ounces will not last long—not more than a few years. Every ounce of silver that goes into the needless minting of coins, is an ounce of life blood from those industries which can find no substitute for this precious metal.

If my good friend the Senator from Nevada said, "Why is that any of your business?" he would be justified in asking that question. However, my answer would be, "Why do you worry? What difference does it make to your people? What difference does it make whether the silver goes into a coin or a set of spoons for some June bride, as has been pointed out, or the making of film, or the electronic industry, if it brings a good price? What difference does it make?"

Silver was not put into our coinage to make it a prestige coin. The vicissitudes of our time brought this about. Silver has been made a precious metal because man needs silver, industry needs silver.

As the balance of Treasury silver declines, inevitably unemployment will climb in the electronic industry, the photographic industry, the silverware industry, and the jewelry industry. Countless Americans will be out of work. Why? Maybe there is some practical reason for the continued minting of the silver half dollar. I do not know why. But I do know this—it is senseless to sacrifice American jobs for the sake of minting prestige coins. Silver will bring the same price but it will provide jobs for American workers. When we give jobs to American workers, we help the American economy. When we help the American economy, we help the State of Nevada and the Nation as a whole.

I say that it is inevitable—silver will soon be removed entirely from our subsidiary coinage. I do not urge a provincial argument on behalf of the electronic and photographic industries, or the silversmiths of the East as against the mining interests of the West.

I believe that I have made my position clear on that score. The coinage crisis, this scarcity of silver, these are matters affecting the national interest, a national interest which the President seeks to protect by the provisions of S. 2080. By and large, I think this will be an effective piece of legislation. Let me briefly describe what this bill is designed to do.

The silver dollar which is the keystone of our monetary system would remain unchanged, so would our nickels and pennies. Secretary Fowler assured us of this. He testified before the House Banking and Currency Committee that:

> The silver dollar will remain as an authorized coin of the United States, at 90 percent fineness. This is the central element in our program for holding the price of silver to its present level for the protection of our existing subsidiary silver coins.

The overall silver content of the 50-cent piece would be reduced from 90 to 40 percent. Silver would be eliminated entirely from the 25-cent piece and the 10-cent piece. The new dimes and quarters would be distinctive in design, difficult to counterfeit and usable in coin-operated machines without any mechanical changes necessary to the vending machines themselves.

The bill would direct the Secretary of the Treasury to purchase U.S.-mined silver at $1.25 an ounce if tendered within 1 year of mining. This directive is limited to a period of 5 years. The silver miners are fortunate to have this firm floor under the market price of silver. They won a very important concession. This is a guarantee for them.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. METCALF. That is only phraseology.

Mr. PASTORE. Why so?

Mr. METCALF. That is only phraseology, as the Senator brought out.

Mr. PASTORE. That is a floor now.

Mr. METCALF. I understand. As the Senator brought out, the new market for silver is such that we would never get $1.25 for silver, after we have used the private silver supply and exhausted our supply of silver in the Treasury Department.

Mr. PASTORE. I agree with my friend. That is the argument that I make this afternoon. No matter what happens, the price of silver will go up. I do not believe that it would go down to $1.25 an ounce. I said that before. I pointed out that economic developments have made silver a precious metal. It is in short supply. There is no question about that.

The only argument we can use is that if we were to allow silver to go as high as $1.50, $1.75, or perhaps $2, there might be a great deal of work for miners, but even then there would be limitations.

If I thought that permitting the price of silver to go up would saturate the warehouses with an abundance of silver, I would be foolish to advocate what I advocate this afternoon.

Mr. METCALF. We are both in accord on that.

Mr. PASTORE. The moment we arrive at the point at which we produce more silver worldwide than we use, the price is bound to come down.

So as long as less silver is being produced than the demand for it, the price will go up. We have had the artificial influence of the intervention of the Government. The Government is in this situation. On this point Senators may argue among themselves. I do not happen to have a half dollar in my pocket at this time. I rarely do. I have a penny—that is how properous I am.

I have just been handed a half dollar. The reason the half dollar is the size it is, is due to the price of silver.

Mr. METCALF. The half dollar has been that size for many years, and the intrinsic value has varied less than 10 cents——

Mr. PASTORE. Let me finish, because I think I am giving the Senator a logical argument. The minute the price of silver doubles, can I get as much silver for a half dollar as is represented in the one in my hand? Of course I cannot. That is the point. If the price of silver is doubled, the size of the half dollar must be cut in two. Otherwise it would be worth a dollar. Let us face it. If the price of silver is up, Senators can bet their bottom dollar that the half dollar will become a collector's item. They will be sent abroad if they cannot be melted in this country. They will be sent to France, or some other country, and melted down there.

Mr. METCALF. That is exactly why we want to reduce the silver content.

Mr. PASTORE. I do not believe the Senator wants to do that. All he wants to do is keep things the way they are.

Mr. METCALF. No. Last year, I introduced a bill which would have reduced the silver content of coins. The Treasury Department stated it would result in demonetization and there would be international repercussions. I am delighted that the Treasury Department is now facing up to the shortage of silver. But many of us would like to have silver in coins.

Mr. PASTORE. The Senator is going to have it in the dollar.

Mr. MANSFIELD. No, we are not going to have it in the dollar.

Mr. PASTORE. There is nothing in the bill that disturbs the dollar.

Mr. METCALF. Where can we get them?

Mr. PASTORE. Go to Las Vegas or anywhere else in Nevada. One can get all he can pick up. They weigh one down.

Mr. BIBLE. I shall be glad to take the Senator with me on my next trip there.

Mr. PASTORE. I would like to go.

Mr. METCALF. Will the Senator yield to my colleague, the majority leader?

Mr. PASTORE. I yield to the majority leader.

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I am about to make a unanimous consent request.

Mr. PASTORE. I yield for that purpose.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time between 10 and 12 o'clock tomorrow be set aside for speeches which have already been announced and for which arrangements have been made, and that beginning at 12 o'clock there be a time limitation of 1 hour on each amendment, 30 minutes to a side, the time to be under the control of the mover of the amendment and the chairman of the committee [Mr. Robertson], or whomever he may designate, but that on the Moss amendment the time be 2 hours, 1 hour on a side.

The PRESIDING OFFICER. How about the time on the bill itself?

Mr. PASTORE. Mr. President, before I yield further, may I keep this coin?

Mr. MOSS. No; they are hard to get. [Laughter.]

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. MAGNUSON. Did the agreement provide for 2 hours on the bill?

Mr. MANSFIELD. No time on the bill; only on the amendments.

Mr. PASTORE. Will the Senator get 2 hours on the bill?

Mr. MANSFIELD. No hours on the bill.

Mr. PASTORE. I suggest that the Senator get 2 hours on the bill.

Mr. MANSFIELD. Two hours on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent agreement subsequently reduced to writing is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective at 12 o'clock noon on Thursday, June 24, 1965, during the further consideration of the bill (S. 2080) to provide for the coinage of the United States, debate on any amendment (except the amendment to be proposed by the Senator from Utah [Mr. Moss] numbered 286, on which debate is to be limited to 2 hours), motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment and the Senator from Virginia [Mr. Robertson] or some Senator designated by him.

Ordered, That on the question of the final passage of the said bill, debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Ordered further, That the time from 10 o'clock a.m. until 12 o'clock noon shall be allotted to certain Senators to make speeches on nongermane subjects.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays on the Pastore amendment.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Vermont.

Mr. AIKEN. I believe in giving credit where credit is due.

Mr. PASTORE. So do I. I said that at the recent convention.

Mr. AIKEN. I commend the oratorical powers of the Senator from Rhode Island. I have never known anyone who held the rapt attention of anyone as the Senator from Rhode Island has been doing in the past hour.

Mr. METCALF. Mr. President, I concur.

Mr. PASTORE. Unfortunately, for the industrial users of silver there is no comparable ceiling placed on the price of silver—no guarantee that it will not rise above a price 4 cents higher than the present market of $1.29.

Furthermore, the Secretary is vested with standby authority to prohibit the exportation or melting down of U.S. coins. I would hope that this authority would be exercised only in the last extreme. I am certain that it will not prevent the hoarding of coins which under the circumstances is inevitable.

I have heard it said that the administration is trying to please all the interests involved in this national problem. The New York Times criticized this effort editorially as "a consensus coinage." Be that as it may. The vending machine industry is satisfied. These new coins are designed to operate in the old machines. The domestic silver producers are happy, or at least they should be. They have a guaranteed market for their product at a guaranteed price of $1.25 per ounce.

I do not think it is necessary, therefore, to provide an additional bonus in the form of a 50-cent piece composed of 40 percent silver, which according to the President's computations will consume about 15 million ounces of silver a year until the new coins are in adequate production.

I wish to make that clear. Some say 15 million ounces. Others estimate anywhere from 16 to 35 million ounces.

The Secretary of the Treasury speculates that 15 million ounces a year will be needed to produce the new coins.

Let me point out what 15 million ounces mean to industry. This amount in the new halves would keep our photographic industry operating almost 5 months. This industry contributes over $2½ billion annually to the gross national product.

Fifteen million ounces will keep our silverware industry operating for 1 year. This industry adds $200 million to the gross national product.

These two industries are entirely dependent upon access to silver. There is no substitute for silver in the photographic process, and sterling silverware by law must be 92-5/100 percent pure.

There are about half a million people employed in the photographic industry and about 30,000 people in silverware. Countless thousands are employed in the electronic and allied industries. All these jobs will be affected by the shortage of silver that will result from minting this new half dollar. And the retention of silver in the half dollar will not create one single additional job—not one—but it will put thousands and thousands of jobs in jeopardy needlessly.

Now, I know that my good friend and colleague, the senior Senator from the State of Washington, intends to rise to the battle, and he is a formidable foe. He put me on notice the minute I introduced this amendment, and I do not blame him. But I am at a loss to understand why he is so quick to defend silver in subsidiary coinage and to promote higher silver prices.

My colleague knows that last year the State of Washington produced 350,000 ounces of silver. By my estimates, silver products sold to constituents of the senior Senator from the State of Washington contained more than twice as much silver—over 700,000 ounces.

The same holds true for the State of Oregon. Oregon produced 14,000 ounces of silver last year. Yet, products sold in Oregon in 1964 contained approximately half a million ounces of silver.

California produces 175,000 ounces of silver annually while silver products sold there contain 7 to 8 million ounces. In fact, motion picture film alone contains far more silver than is produced in California. And finally the State of Nevada, the Silver State, produces only 125,000 ounces of silver, less than one-third of 1 percent of our annual production.

Yet now these silver producers are frantically predicting increased silver production. This is production on paper. We will never see it come out of the mines. I hope that it would, but I doubt very much that it can.

For the past 5 years, free world silver mistic increase in production, 57 million ounces. Even assuming the most optimistic increase in production, 57 million ounces for 1965, we will fall far short of the 75 million ounce deficit we expect this year.

Mr. MAGNUSON. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am glad to yield to the Senator from Washington.

Mr. MAGNUSON. I point out that the Senator's figures are correct about the State of Washingon. When I talk about the State of Washington I am not talking about State lines in this connection.

Mr. PASTORE. I realize that.

Mr. MAGNUSON. Just over the line and mainly in Spokane is probably the greatest silver exchange in the United States.

Mr. PASTORE. The Senator is correct.

Mr. MAGNUSON. The companies are there, the engineers, and most of the workers live there. The greatest silver-producing area in the United States is in northern Idaho.

Mr. PASTORE. The Senator is correct.

Mr. MAGNUSON. I do not know how much that panhandle area produces, but I believe it produces the vast majority of the silver produced in the United States.

Mr. PASTORE. That is true. From the history of silver and its use, I can predict with complete certainty that those people will still be in Spokane and northern Idaho. There is no question about that. Let us face it. I have been repeating time and again that silver is in short supply.

Even now, we cannot pick up a Kennedy half dollar anywhere. The situation has developed to the point that we do not have the silver. We know how popular photography has become. The photographic industry must have silver and it uses a great deal of it. I am not pleading so much for some of the other uses as I am for uses which would mean jobs for Americans. I would dislike to think what is going to happen to us. When I speak of figures, I am talking in worldwide terms. That means that we must import a great deal of silver. The reason we have not been doing so up to now is that we get it from the Treasury Department. The Treasury Department has accumulated a surplus of silver over many years, and that surplus is going fast. It is predicted that if we do not change the law now, it will all disappear in less than 3 years.

Mr. MAGNUSON. There has been no incentive to mine silver in the past few years, with the exception of the last two, when the price has gone up to $1.29. Many of the mines, even today, at $1.29, block out a certain amount of silver which will be projected over a 30-year period.

Mr. PASTORE. Does the Senator know why?

Mr. MAGNUSON. No one has looked at silver, or even reopened the mines.

Mr. PASTORE. Does the Senator know why? That is what I have been trying to explain. The reason is simple. The Government must keep silver at $1.29 an ounce; otherwise, it must change the character of the coins, and make them smaller. The minute anything happens to the price of silver, people will start melting down their coins. That is the problem. All I am saying is that the minute we get the Government out of this business, the price will go up. Sometimes, I have to argue with people who are urging me to do what I am doing now, and I have told them bluntly, "You talk about the free enterprise system, but the minute you get the Government out of this business, the price of silver will go up on the free market."

I cannot convince my people, and the Senator from Washington cannot convince his people, but it is inevitable.

Mr. MAGNUSON. The price cannot go up too much. The incentive will be to double the amount of silver. There are many silver mines today that are not being mined. I know of some personally. The owners cannot afford to mine them, or have not had any incentive during the past few years. Silver was down to approximately 8 cents at one time.

Mr. PASTORE. If the Senator continues to make a statement like that, I shall sympathize with him.

Mr. MAGNUSON. There is much more silver than the Senator would suggest, or the Treasury would suggest.

Mr. PASTORE. I know; but if there is so much silver there, and if we make it attractive enough so that they can get more than they need, why do we have to raise the price?

Mr. MAGNUSON. We do not raise the price; it is the old law of supply and demand.

Mr. PASTORE. That is what I am talking about. The supply is less than the demand.

Mr. MAGNUSON. Only for the past 2 or 3 years.

Mr. PASTORE. That is when things got pretty tough.

Mr. MAGNUSON. The mines have not started to reopen yet.

Mr. MOSS. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am glad to yield to the Senator from Utah.

Mr. MOSS. The Senator talks about supply and demand. That will govern the price of silver. But it was only 4 years ago that silver was 91 cents. It has just got to $1.29. It has more than doubled the activity in my State in silver mining. We are just now coming to the point where production is beginning to increase.

The latest announcement by the Geological Survey is that black calcite, which we have in vast amounts in Utah, can be used to recover silver up to as much as 200 ounces a ton. If such a process can be perfected, and black calcite can now be minded, additional silver will be coming onto the market in great amounts.

Mr. PASTORE. The day that happens, I shall be the first one to have this law repealed.

We talk about what the situation was 6 years ago. Thirty years ago we had a depression. But times are different. Our gross national product has gone up almost 36 percent in the past 4 years. Times have changed. Everything is more expensive, especially in the areas where the supply is less than the demand.

Prices have skyrocketed, but silver has been pegged at $1.29 an ounce because the Government is in it. Let us face it.

Mr. MAGNUSON. Let me make one more observation and I shall not bother the Senator any more, I hope, for a little while.

But all the argument of the Treasury, and all the testimony of the Treasury are based upon the premise that no more silver was mined in the last 5, 10, 15, or 20 years than is now coming out of the ground.

I cannot accept that argument. No one out West that knows anything about the mining of silver can accept that argument, either. It is based upon the fact that we are never going to have any more silver, will never discover any more, or mine any more. It is always going to be based upon the amount of supply. I cannot accept that argument.

Mr. PASTORE. If anyone has any silver stock or owns any part of a silver mine, all I have to say to him is "May God bless you."

Mr. MAGNUSON. What did the Senator say about me?

Mr. PASTORE. I did not say anything about the Senator. I said that I say to anyone who owns any part of a silver mine or owns any silver stock, "May God bless you; you have nothing to worry about." I wish I had.

That is the problem. Whose responsibility is it to protect the coinage and safeguard commerce? It is ours. We must provide a permanent solution to the coinage problem. We cannot chance half measures to meet this crisis. That is why I have introduced my amendment.

It would provide for a half-dollar piece composed of a core of copper, clad with a copper-nickel alloy. This is the inevitable solution. Why should we wait: If we do not adopt this amendment now, as I have said before, I am certain that we will be called upon within a matter of a few years to legislate silver from the half dollar. The absolute abandonment of silver from our coinage is inevitable. The only question is when shall we do it.

If we are to meet the problem, let us go all the way. For the sake of American industry, for the sake of American jobs, for the stability of American coinage, I urge my colleagues to support this amendment, to eliminate all silver from our subsidiary coinage now, including the elimination of silver from the half dollar.

Mr. President, if I thought for a minute that what I am advocating would hurt the silver producers of this country, I would have a second thought on it. I am not ready to do so.

Mr. PELL. Mr. President, I congratulate my senior colleague on his most articulate, and excellent way of presenting the viewpoint of the consumer. In our State where more than 7 percent of the people use silver as a raw material, this whole question is of more than academic importance.

Once a great man in our party spoke about not crucifying mankind upon a cross of gold. We are now talking about a cross of silver. We are concerned with a material with which our people work, and want it to remain at a reasonable price. We recognize the needs of those who produce the metal, and therefore we hope the amendment that the senior Senator from Rhode Island has offered will be successful.

Actually, Rhode Island has a direct and essential interest in this matter. It stems from the fact that our State's economy is heavily dependent on silver for a raw material for its silverware and jewelry manufacturing industries. The 1963 Census of Manufacturers, just issued by the Department of Commerce, shows that some 289 firms, employing some 8,234 persons are engaged in the manufacture of these items.

In brief, Mr. President, my State welcomes and applauds the administration's proposal for elimination of silver from our dimes and quarters, assuring as it does, a saving of some 90 percent of the silver now annually used for coinage. This is good news indeed for the industries who have been competing with the Treasury for the purchase of this metal.

We wish, however, that the administration bill went even further to eliminate silver content also from the manufacture of 50-cent pieces. For this reason, I have cosponsored and strongly support the amendment proposed by my distinguished senior colleague, Senator PASTORE, providing for manufacture of cupronickel and copper 50-cent pieces and I urge other Senators to support this sensible reform. I note with interest that the Treasury itself is apparently not seriously opposed to the elimination of silver in the 50-cent pieces and that Secretary Fowler himself said in testimony in the House:

> The shift to another alloy in the half dollar would probably not present serious difficulties.

Mr. KENNEDY of Massachusetts. Mr. President, I commend the senior Senator from Rhode Island on his very reasonable, responsible, and rational approach to this whole question. He has made some very important observations. I was struck by the thoughtfulness he has demonstrated this afternoon, in giving us assurance—certainly assurance to those of us who live in the New England area—that those who are producing silver in the Western States of our country will be adequately protected.

I believe in this way he has demonstrated responsibility. He speaks for many of us. Indeed, we do not wish procedures taken which would in any way disadvantage the economies of the great silver producing States of our country.

Nonetheless, the Senator from Rhode Island has demonstrated in a very convincing way that there is a real and critical need for silver. This is apparent not only in his State of Rhode Island, but it is increasingly apparent also in my own State of Massachusetts, among all those who work with silver in the photography, silverware, jewelry, electronic, and other industries. There is a critical need for a solution to this problem.

Mr. President, I would like, if I may, to make a more definitive statement as to why I fully support the amendment offered by the senior Senator from Rhode Island, and why I feel that it is very important that the Senate pass legislation removing silver entirely from our coinage, while at the same time making sure that our silver-producing interests are protected.

The problem before the Senate today is a very real, and serious one for the Nation, and in particular, for a number of important industries located in my section and other parts of the country. Stated very simply: There is a chronic worldwide shortage of silver which has resulted in hoarding, speculation, unfair prices, and could be a serious detriment to the manufacturing of products where silver is a basic component.

The problem is worsening as our economy grows, and as the insatiable demand for silver increases. It is particularly acute in the electronics and defense industries, and in photography, brazing alloys, silverware, jewelry, electrical contacts, and many other lines. As our space industries expand, silver is expected to play a critical role as a basic metal. It is an absolute necessity that we take action now to relieve this situation.

One solution is for us to produce more silver, but there are serious limitations here. Two-thirds of our silver production comes as a byproduct of mines devoted to copper, lead, and zinc ore. The few primary silver mines which exist can produce only about one-fourth of the silver required by U.S. industry. While the price of silver has increased almost 100 percent in the past 20 years, the annual U.S. production has remained pretty much at the same level. Our increasing demand has not been able to generate an expansion in silver production.

Another solution is to buy from foreign countries. We are doing this, but it is still not enough, and it is adding substantially to our balance-of-payments deficit. It is estimated that U.S. domestic mines are producing about one-fourth of our industry's requirements, and that we may have to pay foreign producers $100 million for the remainder. It is also estimated that each increase of 10 cents per ounce of silver would increase our foreign payments by $7.5 million.

The best solution—for the immediate period is to remove the silver content from all of our subsidiary coinage, and make this substantial supply of silver available to industry. It is no longer necessary that this coinage have any intrinsic value. Our Nation's economy stands behind the face value of our coins. We have already accepted this policy with respect to nickels and pennies. There is no reason why it should not be applied to 10-cent, 25-cent, and 50-cent pieces. However, there is a particular danger when the metal used in this coinage begins to achieve a worth greater than the face value. It is in the threat of this which can only lead to hoarding, speculation and the melting down of coins. We are beginning to reach this situation today.

What are the facts? Total silver consumption in 1965 is expected to exceed production by over 400 million ounces. Our U.S. stockpile of silver is the only major supply of silver in the world which can make up this deficit. At the present rates of demand, both governmental and industrial, this stockpile will be depleted in 3 years.

It is particularly significant that the silver required by the United States for its subsidiary coinage this year, alone, will exceed the entire world production of silver. On the other hand, with the elimination of these silver coinage demands, silver consumption will be brought close to world production, and our Treasury stockpile can be used to make up any deficits. This will bring a more reasonable and competitive market to silver, and permit a stabilization of price and supply. Of major importance will be the impact of this stability on the prices of silver products, and on the economic growth of the silver users. This growth will be measured in the protection and expansion of jobs which is of critical importance in New England, and in many other regions of our country.

Mr. President, I feel that S. 2080 will do a great deal to remedy the serious problems presented. I support the legislation, but I feel strongly that the committee should have gone all the way in removing the silver content from the half dollar.

I am in favor of the provision directing the Treasury to buy U.S.-mined silver at $1.25 per ounce in order to protect producers from a precipitous drop which conceivably could result from the enactment of this legislation. This must not be a one-way piece of legislation.

Our manufacturers in New England have their problems in obtaining silver at reasonable prices, but the mining interests and the producers must be assured of protection for the future. There must be provided the incentives to develop more silver here in the United States. I am happy to note that the producers will have, for some time to come, a sellers market because of the worldwide silver deficit, and that the bill has taken care of them by providing the $1.25 floor.

I believe that it is important for the Treasury to have authority to sell excess silver in order to protect our outstanding silver coins, at least during the transition period while new coins are being issued. The authority for the Treasury to prohibit exportation, melting or treating of U.S. coins I presume to be necessary. I am hopeful that the Treasury will exercise this authority only when absolutely necessary and that such prohibition will be removed when necessity no longer demands or requires it. The establishment of a Joint Commission on Coinage appears to be desirable. I am informed that the House increased the number to 16 in order to permit the President of the Senate and the Speaker of the House to appoint 2 Members from each body. I endorse this effort to make the committee bipartisan, insofar as possible.

My objection to the use of any silver in the new 50-cent piece is based on the silver supply situation. It is estimated that in 1965, industrial requirements will amount to 300 million ounces whereas new production will be 225 million ounces. The administration has made it quite clear that there is little likelihood of this gap being bridged through appreciable increases in production. Consequently it will be necessary for the owners of silver certificates to redeem them for silver bullion at the Treasury. The obligation to continue this redemption has been clearly set forth by the administration.

The entire silver content in 50-cent pieces should be eliminated for the following reasons:

First. The extra 40-percent silver left in the half dollars will result in a waste of 20 million ounces of silver, which could go to reducing the deficit.

Second. With this left in, the U.S. silver reserves could be depleted between 3 and 5 years.

Third. The half dollar is subsidiary coinage, not any "prestige" coin—most foreign countries have no rare metals in subsidiary coinage.

Fourth. We will have to eliminate this 40 percent in the future because silver stocks will be exhausted, so we should do it now.

Fifth. Leaving silver out of half dollars will save the Government $18 million for every 100 million coins minted.

Sixth. Placing all subsidiary coins under the new metal production will reduce costs and simplify manufacturing techniques.

The Treasury Department and administration statements all recognize the need to increase the supply of silver. S. 2080 reduces the content from 90 to 40 percent in half dollars. Why not all the way? This continued 40-percent content will involve between 15 and 33 million ounces of silver a year. This is half the yearly needs of the photography industry, and the entire needs of the silver industry. Jobs are involved in the retention of silver in half dollars. I cannot too strongly urge that the Senate amend the present bill to eliminate silver in the 50-cent piece.

To those who contend that silver should be continued not only in the 50-cent piece, but in the other subsidiary coins as well, I should like to again point out the deficit between production and consumption. We are now using silver at the rate of 27 million ounces a month, or 325 million ounces a year. This amount exceeds by 100 million ounces the estimated annual production for the entire free world. Attention is invited to the statements by Secretary Fowler supplied for the record in reply to questions from Representative COMPTON WHITE of Idaho:

> Whether or not even such a limited scale of coinage could be continued indefinitely is not certain * * *. The retention of any silver in the dime or the quarter is not a practical possibility (p. 41).
>
> However, a transition to reduced content silver coinage certainly could not be recommended unless study of the problem indicated that there was every indication that the transition could be negotiated successfully. The Treasury study concluded that this was not the case on any reasonable set of assumptions under present circumtances (p. 40).
>
> However, the estimated 15 million ounces annual use of silver that might eventually be devoted to this purpose would be a fraction of the requirements if an attempt were made to retain silver throughout the subsidiary coinage (p. 40).
>
> We firmly believe that the coins proposed will be acceptable to the public. In the unlikely event that they are not, the solution will not be, indeed cannot be, to switch to coins containing silver. In that event we would have to propose to the Cogress some other nonsilver alloy (p. 41).
>
> Essentially, it is our conclusion that we cannot count on enough silver during the period of implementation of a coinage program to keep silver in more than one coin.

With reference to a proposed amendment which will call for a reduction of the present silver dollar from a silver content of 90 to 40 percent, I should like to point out that last year I opposed a bill to reduce the silver content from 90 to 80 percent. The reasons for my objection remain the same. Such proposals are basically designed to permit a rise in the market price for silver. The Treasury cannot permit the market price to rise above its present level during the transition period to another subsidiary coinage. It is estimated that they may take 3 years. Secretary Fowler made the following statements concerning the silver dollar to the Senate and House Banking and Currency Committees in connection with the proposed legislation:

> Authority to make a silver dollar of the same weight and fineness (412.5 grains 90 percent silver) made at various times since the act of 1837, would thereby be continued. That standard silver dollar, whose pure silver content has actually remained the same since 1792, defines the monetary value of silver at which we are legally and morally obligated to continue the redemption of silver certificates. No change should be made in the legal definition of the standard silver dollar.
>
> The silver dollar will remain as an authorized coin of the United States, at 90 percent fineness. This is the central element in our

program for holding the price of silver to its present level for the protection of our existing subsidiary silver coins.

The monetary value of the new proposed dollar with a 40-percent silver content would be approximately $2.90.

This amendment would confuse not only the situation with relation to the silver dollar, but also our entire coinage system. Secretary Fowler replied in answer to a question submitted by Mr. White for the record:

> To help in maintaining the present market price for silver and prevent speculative hoarding of the existing silver coinage, we think it is important psychologically not to make any change in the monetary value of silver which coincides with the $1.29 plus price. Since 1792, the monetary value of silver has been set by the silver content of the silver dollar.

A devaluation of the silver dollar at this time would have an adverse psychological reaction. It would be interpreted as a step toward the devaluation of our gold dollar.

In conclusion, Mr. President, I want to compliment most sincerely the able leadership of the Senators from Virginia and Utah, Mr. ROBERTSON and Mr. BENNETT, in their efforts to work out this important legislation. I know there were many problems, and many interests affected. They and the committee did a fine job. I wish, also, to express my appreciation to the senior Senator from Rhode Island [Mr. PASTORE] for his splendid effort in making the case for the elimination of all silver in the 50-cent piece. As always, his presentation of the issues and the facts have been superb.

I, therefore, strongly recommend that the Senate consider favorably this silver legislation with particular attention to removing the 40-percent silver requirement in the half dollar.

As the Senator from Rhode Island has pointed out, there is no adequate substitute for silver in industrial usage.

The Senator has made a very worthwhile statement. I wish to identify myself with the efforts which he has put forward this afternoon and I commend him and express my appreciation to him for his leadership in this undertaking.

Mr. PASTORE. I thank the Senator from Massachusetts.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. DOMINICK. I was interested in the last statement that the Senator from Massachusetts made. If I understood him correctly, there is no substitute for silver in industrial usage. Is that his feeling? Do I accurately state what the Senator has said?

Mr. PASTORE. There is no substitute for silver as such. If the Senator is talking about a silver spoon as against a stainless steel spoon, of course, that does not hold.

Mr. DOMINICK. No.

Mr. PASTORE. There is no substitute for silver as such. That is why it is so precious.

Mr. DOMINICK. I am happy to hear my friend say that, because apparently we shall very soon be running out of silver.

Mr. PASTORE. If we continue industrially the way we have been going and we do not find more silver—and it has been the prognostication of the President himself that the increase will be minimal—and if we follow that statement with the fact that we are a growing society, with a possible population in the year 2000 of 250 million, instead of the present 192 million, with the result that more people will be using silver—and, after all, there is only so much silver in the ground, as there is only so much oil in the ground—and all we can do is to try to discover more, to see if we can find more—perhaps through ingenuity we may be able to find a substitute.

Mr. DOMINICK. The problem is that it does not do any good to discover it if one cannot afford to mine it.

Mr. PASTORE. That will follow if we do not let the Government continue to peg the price at $1.29 an ounce. After all, the half dollar is of a certain size. If the price of silver goes up from $1.29 to $2, the half dollar will become smaller, or it will be necessary to put more silver in it.

Mr. DOMINICK. The President is proposing to put less silver into it.

Mr. PASTORE. Yes. Why do we not go all the way? I told the Senator from Utah that his is a reasonable compromise. I have complimented the Senator from Utah. He has a parochial interest. I told him he made a fine presentation. We recognize the problem. However, we are now meeting it only half way. I say let us go all the way. That is the only way to solve the problem.

Mr. DOMINICK. We do not recognize it at all as long as we keep the price on silver, because the industrial users will be hurt just as much as the producers. Unless we can take the limit off, we shall not get any more production. We must have some method to take the price off.

Mr. PASTORE. Insofar as the industry is concerned, in my conversations with the people in the industry, I am informed that they would rather see silver on the free market. I believe that on the day that that happens it will make all of this more fluid. There is no question that the price is bound to go up. They believe in the free enterprise system, and they believe it ought to be on the free market.

Mr. DOMINICK. Then perhaps we can put it on the free market if we reserve the whole stockpile for coinage.

Mr. PASTORE. In other words, the devil with the electronics industry, the devil with the silver industry, the devil with the jewelry industry—let us make coins so they can go into machines. I believe I had better take my seat.

Mr. SALTONSTALL. Mr. President, I wish to make an observation. This same fight was fought in 1946. I heard all the pros and cons in the argument at that time. Then the price was 90.5 cents an ounce. Today it is $1.29 an ounce.

I recall the difference of opinion, particularly between Senator Millikin of Colorado, and Senator McCarran, of Nevada.

S. 2080 has much to commend it. The elimination of silver from the dime and the quarter and its reduction in the half dollar is a necessary action, although silver should be eliminated in the half dollar also. Insuring that the coins which will replace the present ones can be used in vending machines is highly desirable. Provision for the establishment of a Joint Committee on Coinage is especially important in view of the current situation in which we find ourselves. All of us probably would modify certain provisions of the bill if it were in our power to do so. We recognize, however, that various points of view must be considered. In legislation of this kind there must be some give and take, some accommodation to the needs of various segments of the economy. That is why I accept the major portion of this bill without argument.

I do believe, however, that the measure contains one important deficiency, and that is why I am a cosponsor of the amendment of the Senator from Rhode Island. It is a desirable amendment, one proposed in the national interest, and I urge its adoption.

There is general agreement that a serious shortage of silver exists in the world and that something must be done to see to it that the silver which is available is put to the best possible use. Not only does a shortage exist; there is no expectation that production can catch up with need.

We all share the concern of the President and his advisers that both world and domestic needs for silver substantially exceed capacity to produce it. Last year, for example, domestic industrial requirements alone exceeded production by 70 million ounces. And there is every indication that the gap will continue to increase. In his message to the Congress on this subject President Johnson stated that "there is no dependable or likely prospect that new, economically workable sources of silver may be found that could appreciably narrow the gap between silver supply and demand."

Those are the words of the President. Those words respond to much of the discussion that we have heard on the floor of the Senate in the last half hour.

We know that silver is essential in the manufacture of photographic film, dental supplies, silverware, jewelry, certain electronic devices, and other industrial products, some of which are very important to our national defense and space efforts. In many instances there is no known substitute for silver. On the other hand, we know there are acceptable and less expensive substitutes for silver in subsidiary coins. As the President himself has said, the one part of the demand for silver that can be reduced is governmental demand for use in coinage. If we fail to provide for a cupronickel clad coin for the half dollar, as virtually everyone agrees circumstances force us to do for the dime and quarter, we will but postpone the day when we will have no alternative but to take such action. Meanwhile more silver will have been diverted from industry which needs it. Now is the time to finish the job, not just begin it. The committee bill merely postpones the inevitable day when silver will have to be eliminated from the half dollar.

A 40-percent silver half dollar would not, I am afraid, achieve the result intended for it. Like the present 90-percent Kennedy half dollar, it would become a collector's item, and its circulation would be sluggish. If these coins were hoarded, and past experience and logic lead to the conclusion that they would be, they would not contribute to the alleviation of our coin shortage. Yet they would result in the depletion of our silver stock, leaving less available for industrial uses. Quite apart from the fact that it would be a new Kennedy coin, the prospect that it would be a temporary transition one, with a nonsilver 50-cent piece ultimately replacing it, will encourage people to hoard it.

That is one of the very serious problems that bothers us at the present moment as we debate the bill.

It is difficult to estimate how many of these new 40-percent silver half dollars would be minted annually. Secretary Fowler has suggested an eventual annual coinage of 100 million of them, which would use about 15 million ounces of silver. I suspect the figure would be considerably greater. We must remember that last year 206 million Kennedy half dollars were minted, yet few of them are in circulation. A similar number of the proposed 40-percent silver half dollars would require more than 30 million ounces of silver, a figure which closely approximates the total annual U.S. production of silver.

Even if we accept the 15-million-ounce figure, which is on the conservative side, that amount would be sufficient to meet the needs of the silverware industry for a year, to meet those of the jewelry industry for 2 years, or those of the photographic industry for half a year. That should be kept in mind when we decide whether to retain any silver in our half dollar.

It is said that the American people will react adversely if all silver is removed from our coins. The American people are reasonable and practical. They will not insist that we maintain token deference to silver in our coins when national needs dictate this would be counter to our interests. The bill before us proposes to eliminate silver in the dime and the quarter, and to reduce the silver content of the half dollar from 90 percent to 40 percent. Retention of this link with the past in the form of a 40-percent silver 50-cent piece seems to me shortsighted in view of the situation in which we find ourselves. The purchasing power of our coins will not change if they are minted without silver, and everyone knows that. We must be realistic and face the situation squarely.

In addition to releasing much needed silver for use where it is essential, elimination of all silver from subsidiary coins would be efficient and would result in savings to the Government. It has been estimated that the Government would save in costs of the coin about $18 million for every 100 million coins minted. Further, mint operating costs would be reduced and mint production would be simplified, since the same material could then be used for the dime, quarter, and half dollar.

The figures on the supply of and demand for silver are disturbing and show an unmistakable trend. Although the Treasury has about a billion ounces of silver on hand today, its stock is becoming depleted rapidly, and it is widely agreed that at the present rate of usage, would not last 3 years. Our consumption of silver in 1964 is estimated at 123 million ounces with demand outpacing production by 90 million ounces.

We are told that in the 5 postwar years of 1949 through 1953 there was an average deficit of more than 60 million ounces of silver per year in the free world. In the most recent 5-year period, 1960 through 1964, the average annual free world deficit rose to about 200 million ounces, more than three times that of the early period. For 1964 the deficit was 300 million ounces, half again the 1963 figure—200 million ounces. For 1965 it is expected to be 400 million ounces.

So the situation is serious. We can best help to meet it by eliminating now the silver in all subsidiary coins—the dime, quarter, and half dollar. I therefore hope that the Pastore amendment will be adopted.

Mr. SIMPSON. Mr. President, I ask unanimous consent that the amendment of the Senator from Rhode Island [Mr. PASTORE] be set aside, and that I may be permitted to call up my amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming?

Mr. SALTONSTALL. Mr. President, reserving the right to object—and I shall not object—I understand that the request was cleared with the Senator from Rhode Island, and that when he finishes his speech on his amendment, the Senate will resume consideration of the amendment of the Senator from Rhode Island [Mr. PASTORE]. Am I correct?

Mr. SIMPSON. The Senator is correct.

The PRESIDING OFFICER. The amendment of the Senator from Wyoming will be stated.

The legislative clerk read the amendment, as follows:

> On page 8, line 14, insert after the word "section," a metallic dollar or cartwheel.
>
> After line 20, insert the following:
>
> "(1) The metallic dollar shall have—
>
> (A) a diameter of 1.500 inches;
>
> (B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and
>
> (C) a core of an alloy of silver and copper such that the whole coin weighs 24.60 grams and contains 9.84 grams of copper."

Mr. SIMPSON. Mr. President, I have called up for consideration an amendment to the President's silver coinage legislation, S. 2080, which will insure the future of the silver dollar while at the same time providing a solution compatible with the aims of our newly proposed coinage system.

The reasons which motivate our action in substantially altering our coinage system for the first time since 1792 have been elaborated in this body at length today. Suffice it to say that I concur in the need for immediate action in this field. It is my hope today that by an exhausting consideration of this bill and an adoption of my amendment that the future of the silver dollar may not be lost in our rush to legislate an end to our coinage crisis.

As provided in the terms of my amendment, section I of the proposed legislation would be enlarged to include provision for a metallic dollar which shall be composed of an alloy of 800 parts of silver and 200 parts of copper per each 1,000 by weight, clad on a core of silver copper alloy of such fineness that the composition of each coin shall be 400 parts of silver and 600 parts of copper out of each 1,000 parts by weight. It will be noted, therefore, that the content of this metallic dollar would be identical to the content of the 50-cent piece as proposed by the President. Thus, the demand upon the Treasury to protect the integrity of this metallic dollar will in no way exceed that which is inherent in the administration's proposal. I make this proposal fully convinced that the realities of the silver shortage make it impossible for anyone to honestly predict that future events would permit the minting of a silver dollar with a 90-percent precious metal content. Such coinage would be at variance with the condition of the silver industry which is the motivating factor behind our entire debate.

Therefore, if there is to be a future for the silver dollar, this legislation must be amended to alter the statutory content requirement.

The need for additional coinage of the silver dollar was recognized in the last session of the Congress which passed a measure authorizing an appropriation and directing the Treasury to strike some 145 million silver dollars to be issued by the end of fiscal 1966. Acting pursuant to this legislation, the President as recently as the middle of last month issued an order directing production of the new silver dollars to begin. Based upon the 90-percent provision, such production would have required the Treasury to utilize in excess of 425 million troy ounces of silver to mint these new dollars. When we consider that the present balance or reserve of silver bullion maintained by the Treasury has now sunk below the perilous figure of 1 billion ounces, the squandering of nearly half of our reserve on an issue of these 90-percent dollars would be indefensible. An additional factor which must be considered is the widely publicized belief that such silver dollars would never reach general circulation, but rather would immediately find their way into the hands of private speculators and collectors, thus doing nothing to alleviate the coinage shortage while extravagantly draining our already depleted reserve.

Quick to recognize these facts, and acting in accordance with the statesmanship we have all come to expect of them, the distinguished Senators from Montana and Nevada, met with officials of the Treasury and agreed to suspend the President's order to mint new 90-percent silver dollars. The timely action of these Senators is to be commended, but I am certain that they will be the first to concur that there remains an unsatisfied demand for metallic dollars as a medium of exchange.

Wholly aside from the coinage demand for silver under the terms of existing statutory provisions, industrial demand for silver outstrips free world production by an ever-increasing gap. Faced with this dilemma, it is obvious that unless the statutory requirements are amended there will be no coinage of silver dollars now or in the foreseeable future. Indeed it would seem reasonable to predict that the future of the silver dollar would then hinge upon the tenuous possibility that Congress could be motivated to pass special legislation which would do in the future that which we have an opportunity to do today; namely, to reduce the silver content of the metallic dollar to a 40-percent level thereby bringing it into harmony with the new coinage system. Failure to act now will necessitate action in the future. Failure to act in the future will seal the doom of the silver dollar.

Why is the silver dollar needed? Apart from its historical significance—a coin which traces its ancestry to the Austrian thaler and which has remained in its present metallic content since the early 18th century—the silver dollar plays a vital role in the economy of many Western States. This reality was recognized by Congress only last year in the passage of the appropriation to which I have made reference, and by the President within the last month. Thus, my amendment serves to carry forth the already expressed intent of the Congress that this valid economic requirement be satisfied.

The posture of our economy and the integrity of our monetary system on the world market has rightly concerned the Treasury, the President, and Congress throughout these deliberations. One need look no further than the official White House summary of the Treasury study to glean knowledge that the current proposal retains a silver content in the 50-cent piece for prestige value on the international market. It is my contention that any future minting of metallic dollars based upon a 40-percent content would serve to further enhance the prestige of our new coinage system. Therefore, considered from the standpoint of international economics, this amendment, which essentially insures that any new minting of metallic dollars would be on par with the overall change being worked in our coinage system, makes eminent good sense.

At this juncture, I should like to strongly comment on what my amendment would not do. Nowhere does the amendment order the Secretary of the Treasury to undertake the minting of new metallic dollars. The language of the amendment, being identical with the language of the existing bill, is permissive, not compulsory, thus enabling future minting operations to be based on the altered metallic content established by statute. Therefore, discretion as to that moment which would be most opportune for the minting of these metallic dollars would remain in the hands of Congress and those officials most sensitive to the coinage needs of our economy.

The new coinage legislation as amended would simply provide authority for this step when it is determined that it be in the public interest. To again stress the glaring realities, if the amendment is not adopted, Treasury officials will find their hands tied in the future for they will be unable to mint silver dollars unless they conform to the 90-percent content requirement—a situation wholly imcompatible with reality.

In summary, therefore, I again note that the domestic need which motivated the Congress to provide for silver dollar coinage in 1964 remains with us, that if there is to be a future statisfaction of this economic need, then the statutory provisions determining the silver content of this coin must be altered to conform with the spirit of the new coinage system. Mr. President, I support the President's proposal and hope that Senators will recognize the validity of completing the logical extension of that proposal by adopting my amendment.

I express gratitude to the senior Senator from Rhode Island for his graciousness in according me this time, because time is valuable.

Mr. MANSFIELD. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield to the majority leader.

Mr. MANSFIELD. I commend the distinguished Senator from Wyoming for his unfailing and unyielding attitude so far as the retention of the silver dollar as a symbol of our currency is concerned. He had led the fight in trying to bring about a restoration of the symbol, even on a reduced silver content basis.

As one of the cosponsors of the amendment which the Senator from Wyoming has just discussed, along with my colleague from Montana [Mr. METCALF] and the two distinguished Senators from Nevada [Mr. BIBLE and Mr. CANNON], we were delighted to serve under the leadership of the Senator from Wyoming in this respect and assure him that we believe he is on the right track.

Mr. SIMPSON. I thank the Senator from Montana.

Mr. CANNON. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield to the Senator from Nevada.

Mr. CANNON. I, too, commend the Senator from Wyoming for his fine statement and analysis of what, to us, is a serious problem. I am happy to support him as a cosponsor of his amendment, which I hope the Senate will see fit to adopt.

It is extremely important that the authorization for a dollar coin be continued. As the Senator from Wyoming has well said, there will be no more coinage of the silver dollar with its present silver content, because the intrinsic value at this moment, practically exceeds the value of the coin itself. Therefore, if a dollar coin is to remain, we shall have to accept a reduced silver content, which we agree to and are happy to support. We believe that there should be such a coin as a token and as a valuable coin for use in our economy, and that it should have a substantial silver content.

Mr. SIMPSON. I thank the Senator from Nevada for his excellent observation and contribution to the debate. The State of the Senator from Nevada is vitally affected, as are the other States in the Rocky Mountain region.

Mr. JORDAN of Idaho. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield.

Mr. JORDAN of Idaho. Mr. President, I associate myself with the remarks of the distinguished Senator from Wyoming. As a cosponsor of his amendment, I wish to emphasize the necessity of keeping a strong representation of silver in the dollar. Out West, the silver dollar is the unit of measure. It has come to be recognized with great pride by westerners as a proper measure of value because of its intrinsic worth.

We recognize that the supply of silver is in a critical condition, even though many of us from the silver States have warned the administrations back through the years that this very situation was coming.

It is highly important that the same formula suggested by the President in his message with respect to the half dollar be followed with respect to the silver dollar; that the content of the silver dollar be reduced to 40 percent, the same as is recommended for the half dollar, in order that this valuable symbol of silver in our currency may be retained.

I congratulate the Senator from Wyoming on the presentation he has made, and I associate myself in full with his remarks.

Mr. SIMPSON. I am always grateful to the Senator from Idaho for his support. I feel that in this instance we are on good ground and that the amendment should be adopted.

Mr. BIBLE. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield to the Senator from Nevada.

Mr. BIBLE. Mr. President, I also congratulate the Senator from Wyoming. The Senator has been a very valuable ally on many subjects. He is a very valuable ally in the fight that we are waging today to preserve the silver in the coinage system of the United States.

I share his interest in the continued minting of the silver dollars. After all, this is an honorable symbol of the West. It is an honorable medium of exchange. The cartwheel is used as a medium of exchange, or it was until various kinds of practices arose to take it out of circulation. However, that does not stop us from waging a continuing fight to insure that it will always remain a proud symbol of the great West.

I compliment the Senator from Wyoming on the statement he has made. It is a statement which should be made. We should serve notice that we will continue to fight for the silver dollar.

I thank the Senator from Wyoming.

Mr. SIMPSON. Mr. President, I thank the Senator from Nevada.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield.

Mr. DOMINICK. Mr. President, I regret that I was unable to hear all of the very able presentation of the Senator. There is a question that I should like to ask.

Prior to this time, the Senator from Rhode Island has mentioned that, under the existing bill, we would still have a prestige coin in the silver dollar if we were to eliminate silver from the half dollar.

I ask the Senator from Wyoming for his experience with the current circulation of the existing half dollar.

Mr. SIMPSON. The Senator from Colorado well knows that there is no circulation at the present time. The statement made by the Senator from Rhode Island would merely distort Gresham's law.

Mr. DOMINICK. I very much appreciate that statement. I totally agree. If we are to have a prestige coin, we should have it where someone could see it.

Mr. SIMPSON. I agree. It is quite obvious, as I said in my talk on the floor of the Senate, that the silver dollar is no more unless this amendment is agreed to.

Mr. DOMINICK. Mr. President, I know of the amount of work which the Senator has put in on this amendment. I congratulate him for making a great talk. I, too, urge that we continue to make a fight to keep the silver dollar in circulation.

Mr. SIMPSON. This is a matter that we have been trying to solve. We have wrestled with it in the Committee on Banking and Currency, even in the 88th session.

Mr. MANSFIELD. Mr President, in view of the fact that an amendment having to do with silver dollars is to be offered on tomorrow by the distinguished Senator from Washington [Mr. MAGNUSON], I ask unanimous consent, as one of the cosponsors of the Simpson amendment, that the Simpson amendment be withdrawn at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CANNON. Mr. President, all throughout history the silver coin has enjoyed tremendous status and almost universal acceptabilitly. From the Greek drachma and the Roman denarius to the silver dollar of modern times, the silver coin, admired for its natural beauty, has been a monetary symbol of national prestige. Of those metals which in the past have been used as money, gold has been far too dear for common use while copper and other such base metals have been far too abundant to act as a store of value. Silver alone in everyday life has come to represent intrinsic tangible wealth.

Since 1792 when Congress adopted silver coinage because of the great confidence which foreign silver coins enjoyed in this country up to the present day, the United States has maintained coins of 90 percent silver content. This system has served well. Today, even more than in 1792, our silver coins enjoy public trust—both at home and abroad. Public preference still favors silver above any other type coin. Although the value of coins in practice is not solely dependent upon their metallic content, the presence of silver in coins is of real importance. The high silver content of our dimes, quarters, half dollars, and silver dollars not only gives them intrinsic value but also helps to support public confidence in paper money. In view of this stabilizing role as well as the prestige, widespread acceptance, and popularity of silver coins, any debasement of our coinage system is a matter of most grave consequence.

That there is a need for some form of action is practically an unavoidable conclusion. The facts concerning the supply and demand for silver in the free world speak loud and unmistakably clear. In brief terms, silver production has been considerably less than the amount required for consumption. A goodly portion of this imbalance between supply and demand has been satisfied by Treasury stocks. As things stand now, with an increased demand for coinage, this source of silver can be expected to last for only a few years. Therefore, our only alternative is to take immediate action to assure the American public that there will be sufficient coinage to meet their greatly expanded needs. However, to do so it is by no means necessary to completely eliminate silver from our dimes and quarters.

In the words of the Battelle Memorial Institute whose independent study was commissioned by the Treasury Department in connection with their own study of silver, the coin which we have been called upon to adopt is at best a "satisfactory compromise." It is a compromise which does not fully measure up to all those criteria for coinage deemed desirable by the Treasury Department. We in Congress who are charged with the responsibility of coining and regulating money owe more to our country than a coin which is a mere "satisfactory compromise." It is our constitutional duty to see to it that any new coin upon which the U.S. seal is imprinted is one that is in keeping with the status of this Nation and one that will at the same time fit readily into our economic structure, fulfilling the commercial and monetary needs of the American people.

Our dilemma is plain. The world uses 400 million ounces of silver annually of which consumption has reached 250 million ounces in the United States alone. On the other hand, we produce 40 million ounces and the world production is approximately 200 million ounces.

The artificiality of the price level of $1.29 an ounce is all too evident, especially in the United States where we produce only 17 percent of our requirement. At artificially low prices, it is only natural that exploration is hindered. It is only inevitable that hoarding and speculation can result. It is evident that the coinage system must be changed so that the intrinsic value of the silver in any coin will not exceed the face value of the coin itself.

How have minting policies affected this situation? Last year, 201 million Kennedy half dollars were minted which alone accounted for 36 percent of the silver used by the Treasury in 1964. These coins were meant to circulate but their commemorative quality impeded this intention and the silver content added to their value.

The statistical record of what has happened to our Treasury silver stocks makes it plain that the users and silver product manufacturers have been using Treasury as its own private silver mine. The silver used in coinage in 1958 was 38,200,000 ounces. But users and others withdrew more than 155 million ounces. In 1961, coinage demands accounted for 55.9 million ounces while the total loss in silver stocks at the Treasury was 129.5 million ounces.

Again in 1963, industrial users and others dipped into our silver reserves to the tune of 72 million ounces, and last year coinage demands because of the hoarding, speculating, and other factors amounted to 203 million ounces while the other users drained our silver stocks by 163.3 million ounces.

On page 4 of the committee report accompanying S. 2080, is found a chart which clearly shows that industry and the arts have consumed as much as five times the amount of silver required by our coinage system. It is no wonder these users have been so desperately fighting to keep their silver mine at the Treasury open for their own needs.

That there is no finer material than silver for coins is a fact on which there is almost universal agreement. In the words of our Secretary of the Treasury, "There is, of course, no substitute for the appearance of silver." Our present coinage has a handsome look, a healthy and authentic ring. In the purse it gives a solid, comfortable feel of wealth. U.S. silver coins carry with them a tradition of 173 years which has earned global trust and respect. When compared with the coins of other nations, they stand out for their good looks, continuity, and stability. To abruptly substitute for a coin of such excellent merits a coin which is an unsightly and unsatisfactory compromise is a choice to be endorsed only as a last desperate resort. The silver situation, while not as bright as we would like it, is not so dark as to merit such drastic action.

The statistics of supply and demand paint a grim picture, but, statistics have a way of not painting a full picture. If we examine the silver situation we find that conditions are not as hopeless as these statistics on their surface imply. For one thing, although production has lagged considerably behind consumption, there is good evidence that we can expect significant production increases in the near future. On the basis of surveys of projects definitely under way, for which capital has already been committed, silver producers estimate that by 1968 free world silver production will have been increased by 38 million ounces. For purposes of its report on silver to the Treasury Department, the Battelle Memorial Institute used an estimate of 48 million additional ounces of silver produced by 1968.

Although this increase will not eliminate the shortage, it will do much to relieve it. Moreover, these estimates are conservative when considered in the light of possible increases in production. In this country at present there is lacking the type of incentives necessary effectively to stimulate a rapid surge in silver production. It is true that the Federal Government has taken a number of steps to encourage domestic production. Nonetheless, the need for more exploration has not received due emphasis, even though we are confronted with a silver shortage. The Department of Interior presently offers loans that cover nearly 75 percent of exploration costs. However, to qualify for the benefits of this program a company is required to pass a means test and to be able to demonstrate that it cannot raise money to carry out exploration. This requirement practically eliminates the leading mining companies with great experience and know-how.

Neither are silver prices at current levels a sufficient stimulus to increased production. It is frequently stated that, because most silver is mined as a byproduct, silver production is inelastic in price. This statement contains more falsehood than truth. In the words of the Treasury report on coinage and silver:

> Higher prices can be expected to encourage net substitution and economies in use on the consumption side and also to encourage some increase in silver production beyond that which would otherwise occur.

Thus the fact that silver is a byproduct does not in itself explain the fact that silver production has not increased as rapidly as consumption in spite of some rise in price. Rather low production rates are to be explained by the fact that although the price of silver has increased, it has risen less than prices for other major nonferrous metals and significantly less than operating costs.

It seems remarkable that in spite of recognition of the depressive effect that the current price level has on supply and in spite of the fact that there is a serious imbalance between supply and demand, this present legislation proposes a domestic price of silver not less than $1.25. This is a serious inconsistency. Certainly at prices of from $1.29 to $1.25 it cannot be expected that silver production will be furthered to achieve its fullest potential.

It should be kept in mind, however, that new production is not the only source of silver. Salvaging from scraps and residue is an important source which cannot be overlooked in any estimate of silver supplies. In 1964, Handy and Harman, the leading experts on the world silver market, estimate that this source accounted for more than 11 million ounces of silver, or an amount equal to approximately 16 percent of the free world silver deficit excluding coinage demands. Inasmuch as such items as exposed film and spent batteries have relatively constant relationship to the amount of film and batteries produced, this source can be relied upon as a continuing source.

Another potential source of silver supply is the huge speculative holdings and hoards which have fostered and sustained the silver shortage. Handy and Harman indicate that in 1964 speculative holdings and inventory accumulations amounted to some 70 million ounces of silver. I believe this estimate is far too low. It is interesting to note that in 1963, instead of contributing to the silver shortage, liquidations of speculative holdings and inventory helped to fill in some 105 percent of the silver deficit excluding coinage demand, or some 20 percent of the overall silver deficit when coinage demands are taken into consideration. No doubt, the increased speculation in 1964 was in good part due to the minting of the Kennedy half dollar, most of which went out of circulation, and to the increased pressure on Treasury silver, as well as hoarding of silver dollars. Thus it can then be expected that, once our coinage is placed on a stable basis and the atmosphere of crises abates, the huge silver hoards will be increasingly liquidated. Moreover, because less of the silver supply will be hoarded for speculative purposes, more will be left for constructive uses.

Thus the silver problem is not insurmountable. At the most, a reduction of the silver content of coins would be all that would be required to insure sufficient coinage for the orderly flow of financial transactions. It is obvious that with a reduction of the silver content of coins, present Treasury silver stocks can be expected to go further. Once the transition to the new coins was made, the price of silver could be allowed to rise to the point where it becomes profitable to melt down already outstanding subsidiary coins. It would be possible then to redeem silver certificates with less silver. Thus even more silver would be available for coinage. During the transition, action could be taken to recover quickly as much of the outstanding silver coins as possible. Coinage recovered would be melted down by the Treasury and reissued as new reduced content coins.

We have learned from the Treasury report on coinage that not only is it possible to produce a coin of reduced silver content that will meet their standards of metallurgical and technical acceptability. A high silver-copper alloy or low silver-copper alloy would have the ability to operate in current vending machine coin rejection setups. Moreover, it would have certain advantages which a nonsilver coin does not. It would have no unsightly copper rim, would be of more desirable weight, and would maintain the tradition of silver content in coins. Thus technology poses no problem. Nor is the silver supply problem unsolvable. Even the report by the Treasury on silver and coins admits that in terms of longrun supply and demand factors, silver coinage of 500 fineness is not definitely ruled out. And when we know that it is possible to have a coin at 400 fineness or perhaps less of a quality far superior to a coin with no silver, I should think there would be no question as to whether or not silver will be kept in our coins.

It is said that maintaining silver involves great risk. Let me say now that the coin we are considering adopting now also involves great risks. It is not a matter of choice between a sure thing against risk, but a matter of weighing uncertainty against uncertainty. I think that by maintaining silver, we stand a far greater chance of once and for all ending our coinage problems. Any proposal to change the content of coins cannot afford to ignore the fate of the present outstanding coinage. It is a known fact that the only way for old coins and new coins to circulate side by side is if the public has equal confidence in both. No one seriously questions that this new coin, easily distinguishable by its light weight, sluglike appearance, and red copper rim, will not enjoy confidence that our present coinage does. I seriously question that Americans, as the Secretary of the Treasury asserts, "will come to value" red color rims of the proposed coin. Already those who have an intimate knowledge of the coin market are predicting that silver coins will have all but disappeared in a few short months. In spite of this real prospect, the legislation before us fails to present a plan to withdraw silver money from circulation.

Those who advocate a silverless coin have grossly and most seriously underestimated the significance of the hoarding problem which even at present inflates the gap between consumption and production. Their single solution to this pressing problem is to flood the market with a silverless coin. However, this action in itself will not reduce pressure on the price of silver nor will it assure a safe transition to the new coins. About all it will accomplish is to assure speculators of an undeserved profit at public expense.

I would not say that transition to a silver content coin involves no risks. However, the risks involved in the transition would seem to be significantly less than those involved in the adoption of a silverless coin. If proper safeguards against hoarding and speculation are made, the transition to a silver content coin promises to be more workable than that which seems possible under this present legislation.

In summary, let me repeat. Public consensus favors a silver coin. Certainly there is no doubt concerning the superior qualities of silver coins. Since even conservative estimates indicate conclusively that once the speculators are controlled, there will be sufficient silver with which to assure an adequate coin supply, eliminating silver from coins can in no way be justified. This is especially true when we know that present legislation not only fails to address itself to the most serious causes of the silver imbalance but also fails to provide for an orderly transition period without undue risk. Let it not be said that we who act as guardians of the Nation's coins were led with undue haste into an ill-conceived action prompted by an atmosphere of crisis created and fed by self-seeking speculators into needlessly abandoning as venerable a system of coinage as ours. To leave out the silver in American coins is to sacrifice an honorable and workable part of our Nation's monetary system.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the amendment of the Senator from Rhode Island [Mr. Pastore], No. 276.

LEAVE OF ABSENCE—PERSONAL STATEMENT BY SENATOR ERVIN

Mr. ERVIN. Mr. President, I ask unanimous consent that I may be excused from attendance on the Senate tomorrow in order that I may attend a funeral.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I also wish to say that if I were present at the time of the vote, I would vote for the Pastore amendment.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. I ask unanimous consent that all committees may meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

DRUG ABUSE CONTROL AMENDMENTS OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent to lay aside the pending business temporarily, and that the Senate proceed to the consideration of Calendar No. 326, H.R. 2.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 2) to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act, to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 3, line 18, after "(2)", to strike out "(A)"; on page 22, line 22, after "(26 U.S.C. 4731, 4761)", to strike out the comma and "or (B) peyote (mescaline) but only insofar as its use is in connection with the ceremonies of a bona fide religious organization"; on page 4, line 1, after the word "shall", to strike out the comma and "subject to the provisions of section 511(g), relating to advisory committees,"; on page 7, line 8, after the word "household.", to insert "In any criminal prosecution for possession of a depressant or stimulant drug in violation of this subsection (which is made a prohibited act by section 301(q)(3)), the United State shall have the burden of proof that the possession involved does not come within the exceptions contained in clauses (1) and (2) of the preceding sentence."; and, on page 11, after line 18, to strike out:

(g)(1) In any proceeding for the issuance, amendment, or repeal of a regulation under subparagraph (2)(C) or (3) of section 201(v), whether commenced by a proposal of the Secretary on his own initiative or by a proposal contained in the petition of any interested person, the petitioner, or any other person who will be adversely affected by the proposal or by the Secretary's order issued in accordance with section 701(e)(1) if placed in effect, may request, within the time specified in this paragraph, that the petition or order thereon, or the Secretary's proposal, be referred to an advisory committee for a report with respect to one or more of the following matters: (A) whether or not the substance involved has a depressant or stimulant effect on the central nervious system or a hallucinogenic effect, (B) whether the substance involved has a potential for abuse because of its depressant or stimulant effect on the central nervous system, and (C) any other scientific question (as determined by the Secretary) which is pertinent to the determination of whether such substance should be designated by the Secretary pursuant to subparagraph (2)(C) or (3) of section 201(v). The request for referral under this paragraph, or the Secretary's referral on his own initiative, may be made at any time before or within thirty days after publication of an order of the Secretary acting under the petition or proposal.

(2) The Secretary may by regulation condition referrals to an advisory committee pursuant to this subsection upon the payment, by the person requesting the referral, of fees to defray the per diem and travel costs arising by reason of such referrals. Such regulations may provide for waiver or refund of fees in whole or in part when in the judgment of the Secretary such waiver or refund is equitable and not contrary to the purposes of this subsection. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriation) the expenses of advisory committees under this subsection and other expenses arising by reason of referrals to such committees, and for refunds pursuant to this paragraph.

(3) Upon request that any petition, order, or proposal be referred to an advisory committee as provided in paragraph (1), or if the Secretary within such time deems such a referral necessary, the Secretary shall forthwith appoint an advisory committee under paragraph (5) of this subsection and shall refer to such advisory committee the matter set forth in paragraph (1) of this subsection for study thereof and for a report on such matters. As soon as practicable after such referral, but not later than sixty days thereafter, unless the advisory committee extends this period for an additional thirty days, the advisory committee shall certify to the Secretary a report on such matters, together with all underlying data and a statement of the reasons or basis for its findings. Within thirty days after such certification, the Secretary shall, after giving due consideration to such report and to all data then before him, by order confirm or modify any order theretofore issued or, if no such order has been issued, shall by order act upon the petition or other proposal.

(4) The deliberations of such advisory committee shall be conducted in accordance with regulations promulgated by the Secretary in order to assure independent study and impartial consideration of the matters set forth in paragraph (1) of this subsection. The right to consult with the advisory committee shall be reasonably afforded to the person who has filed the petition or who has requested referral to the advisory committee, or to any other interested person, as well as to representatives of the Department of Health, Education, and Welfare. All data or other matter, in whatever form and from any source, considered or received by the advisory committee, and all written or oral contacts by any person with the committee or any member thereof with respect to the subject matter before the committee (including the matters submitted or discussed in such contacts), shall be made a part of the record of its proceedings. Such record shall, upon publication of the Secretary's order issued after consideration of the committee's report, be open to inspection by any interested party.

(5) The advisory committee referred to in paragraph (1) shall be composed of impartial experts, qualified in the subject matter referred to the committee and of adequately diversified professional background, selected by the Secretary from a panel proposed by the National Academy of Sciences, except that in the event of the inability or refusal of the National Academy of Sciences to act, the Secretary shall select the members of the advisory committee. The size of the advisory committee, which shall not be less than three, shall be determined by the Secretary. Members of the advisory committee shall receive as compensation for their services a reasonable per diem, which the Secretary shall by rules and regulations prescribe, for time actually spent in the work of the advisory committee (including travel time), and shall in addition be reimbursed for their necessary travel and subsistence expenses while so serving away from their places of residence. The members shall not be subject to any other provisions of law regarding appointment and compensation of employees of the United States. The Secretary shall furnish the advisory committee with adequate clerical and other assistance.

(6) Any report, underlying data, and reasons certified to the Secretary by such advisory committee shall be made a part of the record of any public hearing held pursuant to section 701(e)(3), if relevant and material, subject to the provisions of section 7(c) of the Administrative Procedure Act (5 U.S.C. 1006(c)). The advisory committee shall designate a member to appear and testify at any such hearing with respect to the report of such committee upon the request of the Secretary, any interested party, or the officer conducting the hearing, but this shall not preclude any other member of the advisory committee from appearing and testifying at such hearing.

And, in lieu thereof, to insert:

(g)(1) The Secretary may, from time to time, appoint a committee of experts to advise him with regard to any of the following matters involved in determining whether a regulation under subparagraph (2)(C) or (3) of section 201(v) should be proposed, issued, amended, or repealed: (A) whether or not the substance involved has a depressant or stimulant effect on the central nervous system or a hallucinogenic effect, (B) whether the substance involved has a potential for abuse because of its depressant or stimulant effect on the central nervous system, and (C) any other scientific question (as determined by the Secretary) which is pertinent to the determination of whether such substance should be designated by the Secretary pursuant to subparagraph (2)(C) or (3) of section 201(v). The Secretary may establish a time limit for submission of the committee's report. The appointment, compensation, staffing, and procedure of such committees shall be in accordance with subsections (b)(5)(D), and the admissibility of their reports, recommendations, and testimony at any hearing involving such matters shall be determined in accordance with subsection (d)(2), of section 706. The appointment of such a committee after publication of an order acting on a proposal pursuant to section 701(e)(1) shall not suspend the running of the time for filing objections to such order and requesting a hearing unless the Secretary so directs.

(2) Where such a matter is referred to an expert advisory committee upon request of

an interested person, the Secretary may, pursuant to regulations, require such person to pay fees to pay the costs, to the Department, arising by reason of such referral. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriations) the expenses of advisory committees under this subsection and other expenses arising by reason of referrals to such committees and for refunds in accordance with such regulations.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The **PRESIDING OFFICER.** Without objection, the committee amendments will be considered en bloc.

Mr. **MANSFIELD.** Mr. President, this has been cleared on all sides, and, with the approval of the minority leader, and at the specific request of the distinguished Senator from Connecticut [Mr. DODD] H.R. 2, which was reported from the Labor and Public Welfare Committee several days ago, a bill to regulate the use of pep pills and other drugs that may affect the mind, is now before the Senate.

I commend the Senator from Connecticut for the unfailing interest he has shown during many years in legislation of this type, and assure him it is a pleasure to bring this bill up, at his specific request, because it is of great importance. I understand this measure has the wholehearted approval of every member of the committee concerned, and of the Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 337), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The bill provides increased controls over the distribution of barbiturates, amphetamines, and other drugs having a similar effect on the central nervous system. The controls are accomplished through increased recordkeeping and inspection requirements, through providing for control over intrastate traffic in these drugs because of its effect on interstate traffic, and through making possession of these drugs (other than by the user) illegal outside of the legitimate channels of commerce. The bill also increases the authority of the Department of Health, Education, and Welfare over counterfeit drugs.

A bill with the same objectives in the control of stimulant and depressant drugs was sponsored by Senator DODD and unanimously approved by the Senate last year. That bill was S. 2628.

SCOPE OF COVERAGE

The legislation would immediately place barbiturates and amphetamines in the category of drugs subject to its added controls. Since other drugs now on the market and likely to be developed will require the same type of control because of their potential for abuse, the bill provides that the Secretary of Health, Education, and Welfare, after investigation, shall, by regulation issued after opportunity for hearing, designate these other drugs as depressant or stimulant drugs, thereby bringing them under the coverage of the bill. This means that such drugs will be subject to closer recordkeeping, inspection, and possession controls.

The committee expects that the Secretary, very soon after the enactment of the legislation, will proceed with the classification as depressant or stimulant of those drugs which are already causing serious problems, primarily certain tranquilizers.

The committee determined that it would not be desirable to specify drugs other than barbiturates and amphetamines as subject to the controls of the bill, but determined that the other classes of drugs are to be brought under control of the bill on a case-by-case basis by the Secretary of Health, Education, and Welfare under the standards prescribed in the legislation. In accordance with this determination, the committee omitted specific reference to peyote as a substance subject to the provisions of the legislation. It is expected that peyote will be subject to the same consideration as all other drugs in determining whether or not it should be included under the provisions of the legislation.

The committee amended H.R. 2 to permit the Secretary, at his discretion, to utilize an advisory committee of scientific experts to assist him in determining whether drugs should be included as subject to the provisions of this legislation. In the interests of flexibility in administration, the committee has not required that it be mandatory for the Secretary to seek the advice of non-Federal consultants in reaching decisions concerning the drugs subject to the provisions of the legislation. Nonetheless, the committee believes the use of outside consultants would be beneficial and encourages their use by the Secretary.

While the bill would apply to all depressant or stimulant drugs, it would not apply to basic chemicals intended and used for nondrug purposes. For example, firms that ship or receive unsubstituted barbituric acid or other potentially depressant or stimulant drugs for industrial nondrug purposes would not be subject to the recordkeeping and other requirements of the bill.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendments en bloc.

The amendments were agreed to en bloc.

Mr. **DODD.** Mr. President, I want to thank the majority leader for his kind and generous comments and I urge my distinguished colleagues to consider favorably the pending business, a measure designed to curtail the irresponsible, criminal, and socially harmful diversion of dangerous drugs from legitimate channels.

This legislation has now been before Congress since 1961, and even while we were deliberating on its various provisions, the drug problem has continued to claim new victims from among the youth of our Nation.

These are not only young people who are the victims of slum life. These are young people who come from the high schools and college campuses across this land, from wealthy suburban neighborhoods, and from families unaccustomed to the kind of disorganization that often follows experimentation with stimulant and depressant drugs.

I point to these conditions because they represent a new dimension of the drug problem in this country. For many decades we have struggled with the so-called hard narcotics menace. The opium derivative heroin, the traditional agent of addiction, has always been prevalent in our city slum areas that for centuries have attracted all manner of vice and crime. But the use of these narcotics rarely penetrated into the more stable neighborhoods.

Today, the dangerous drugs are popular among people in all walks of life, ranging from truck drivers to students to suburban housewives.

But they have made their greatest impact in the ranks of our teenage population.

These white-collar youths have taken to these drugs by the tens of thousands. And the number increases every year.

These new drugs also appear to possess certain properties that make them even more dangerous and harmful than the opiates. While the former tend to produce a calm and peaceful state of mind, the amphetamines often used in combination with barbiturates have been hidden accomplices in tragic crimes of violence, in accidents, and in suicides.

We have cases in our files of murderers admitting that they killed the victim while under influence of these stimulants.

We have evidence that the amphetamines induce violence and hostility in those who abuse them and that they contribute to bizzare sexual behavior among young people as well.

Recently, two teenagers died in a brush fire in their automobile after both had passed out from an overdose of barbiturates as a part of a suicide pact.

In Chicago, an 18-year-old boy suddenly shot and killed a friend at a "goof ball" party even while they were joking with one another.

Early this year, the city of Chicago was stunned when three teenage boys, while under the influence of barbiturates, killed and robbed a 66-year-old man, who, because of a hearing difficulty, did not immediately respond to their request to hand over his money.

This man had left his home to go to the store and buy a pack of cigarettes. He ended up beaten, kicked, with 11 shots fired into his body by a 16-year-old boy. The reason? To quote the young hoodlums, "The pills made us do it."

Further examination will reveal if, indeed, the pills made them do it. But I have pointed out time and time again in the CONGRESSIONAL RECORD that these pills have figured in some of the most vicious, coldblooded, and cruel crimes on record.

After hearings in Los Angeles, I told the Senate of how a 17-year-old boy with no previous criminal record had become addicted to Seconal. His personality changed with pill use. He ended up savagely slashing a cab driver to death on a Los Angeles street.

These boys in Chicago were on the same type of drug. They knew where to get it and did so. No doubt, it had a great part to play in the murder of this man. The mother of the boy who pulled the trigger told authorities:

> I've known for about 3 weeks he was taking goofballs. * * * He was ready to fight at the drop of a hat when he took them.

Yet another case in our files tells of a young girl who, while on drugs, ran down her own mother with an automobile, dragging her body for over a mile beneath the car.

Such accounts of violence and wanton brutality were rarely heard in the days when the hard narcotics, heroin, morphine, and the other opium derivatives, provided the major avenues of escape from reality for the weak, defeated, and emotionally disturbed members of our society.

The dope fiend was a myth in the past, but is becoming a real threat today in the person of the habitual abuser of dangerous drugs.

The addicted sex fiend was a myth as related to the sexually passive user of opiates, but this type of deviate is becoming a reality among the young people hooked on the amphetamine and barbiturate drugs.

Thus, we are faced today with a crop of crippled people in the most vital productive segment of our population and they are helping to mutilate and undermine our society and our most basic standards of behavior.

There are college professors who encourage or even advocate experimentation with mind-altering drugs allegedly for purposes of scientific inquiry.

There are pseudointellectuals who advocate the use of drugs in the search for some imaginary freedoms of the mind and in the search of higher psychic experiences.

There are students who use drugs as part of a social custom on the campus and as aids to stay awake while cramming for examinations.

There are young people who use drugs simply for their euphoric effect.

There are young athletes in colleges and even in high schools irresponsibly supplied by their coaches with drugs to stretch the limits of human endurance and capacity.

There are truckdrivers who use them to stay awake on long hauls across the country.

And there are housewives and mothers in suburban residential districts who use tranquilizers to escape what they appear to consider the drudgery of housework and of bringing up children.

Together, these people have made drug use almost as respectable as smoking and drinking coffee.

Together they have destroyed in a large measure any taboos against the abuse of these drugs by sweeping aside the usual standards of behavior which are established for the self-preservation of society.

Together they have evoked the forces of supply and demand to widen the market for these products and in doing so, they have helped to bring increasingly more persons into jeopardy and in danger of addiction or habituation.

As a result, there are bootleg manufacturers of amphetamine and barbiturate drugs who make several hundred dollars profit for every dollar spent on the production of these pills.

There are legitimate manufacturers, wholesalers and retailers of these drugs who do not care who buys them, who uses them, or for what purpose.

There are physicians and pharmacists who do not take adequate care in dispensing these drugs.

And there is the criminal underworld, always eager to get in on making a dishonest dollar which is increasingly muscling in on the illicit market in dangerous drugs.

The excessive abuse of these medicines is well reflected in police statistics across the Nation.

In August of 1964, the Baltimore police broke up a major "pill" ring when they arrested a woman who had sold 200,000 pills to undercover officers over a 7-month period. This was just one case out of a total that comprised a 60-percent increase in arrests for dangerous drug violations in 1964 over 1963.

The Illinois Division of Narcotic Control reported a 100-percent increase in dangerous drug cases from 1960 to 1964.

Chicago alone reported a 65-percent increase in dangerous drug cases in 1964 over 1963. And substantial increases in drug law violations were also reported by police in New York, in Pittsburgh, in Boston, and in other cities throughout the country.

It is estimated by Federal and State agencies dealing with these problems that while there are perhaps between 50,000 and 60,000 narcotic addicts in America, the number of the habitual users of these dangerous drugs surpasses the 100,000 mark.

But we must admit that because of inadequate regulation and recordkeeping with respect to these products no one really knows how many people there are who have developed the habit of chemically altering their nervous system.

I have pointed out before that 10 billion amphetamine and barbiturate pills are produced or compounded in the United States every year and that fully half of these pills ultimately find their way into the illicit market.

But, here again, because of the lack of controls, it is difficult to know how many of these drugs are produced illegally by bootleggers and how many of them are abused by our people and particularly by our younger generation.

I believe that all of these conditions I have pointed out prove beyond doubt the need for the legislation before us.

It has been carefully drafted and redrafted for several years and I am confident that it now provides a maximum of protection for the public with a minimum of inconvenience to those whose activities it proposes to regulate.

One provision of this measure requires the pharmacist to keep records of dangerous drug sales and to make them available for inspection by the Food and Drug Administration.

It establishes a similar requirement regarding recordkeeping and inspection for any group of individuals engaged in the handling of drugs for sale or distribution, and it requires that only properly licensed and registered persons be allowed to manufacture, compound, or process certain types of drugs that are capable of being abused to the detriment of the health and welfare of the public.

These provisions will serve both to eliminate illicit operators in the drug trade and to protect the legitimate concerns for which handling of drugs constitutes a major part of this business or professional activity.

The bill gives added authority, to drug inspectors, authority which must be provided so that they may properly investigate the illegal disposal of these drugs.

The bill makes possession of these drugs illegal, except if the drugs are for one's own use or for the use of a member of the family.

The bill will also put controls on a prime source of dangerous drugs, the counterfeiter. It is this type of bootleg operation that we have found to exist in all parts of the Nation that must be shut down if we are to completely solve the problem.

To emphasize the concern of Congress over teenage drug use, the legislation calls for more severe penalties for those found selling to persons under 21 years of age.

Mr. President, before concluding my remarks, I want to pay tribute to Congressman OREN HARRIS and to the other members of his committee who have advanced this bill through the House of Representatives. On this side of the Capitol, I should like to compliment Senator LISTER HILL, the distinguished chairman of the Labor and Public Welfare Committee, and Senator YARBOROUGH, both of whom have worked hard to report the bill out of committee. I want also to thank the other Senators and members of the staff, particularly Mr. Robert Barclay, who have given of their wisdom and their time to prepare this measure in its final form.

Mr. President, I believe there is the most urgent need for this legislation. I believe that this need has been documented in many volumes of hearings, and I feel justified in asking speedy approval of this measure by the Members of this body.

Mr. YARBOROUGH. Mr. President, the Committee on Labor and Public Welfare has unanimously approved H.R. 2, the Drug Abuse Control Amendments of 1965. The legislation was approved in the House of Representatives by a vote of 402 to 0.

Senators will recall that we approved last year S. 2628, that was introduced by the senior Senator from Connecticut. The provisions of that bill were similar to those of the legislation we are considering today.

I want to take this opportunity to pay tribute to Senator DODD for his work in calling to the attention of the Nation the need for legislation to combat the illegal traffic in barbiturates and amphetamines. It was his pioneering that led to public recognition of the dimensions of the drug abuse problem and the need for remedial action. We all owe Senator DODD a vote of thanks.

H.R. 2 would give added authority to the Food and Drug Administration to combat the illegal traffic in stimulant and depressant drugs. The bill provides increased controls over the distribution of barbiturates, amphetamines, and other drugs having a similar effect on the central nervous system. The controls are accomplished through increased recordkeeping and inspection requirements, through providing for control over intrastate traffic in these drugs because of its effect on interstate traffic, and through making possession of these drugs—other than by the user—illegal outside of the legitimate channels of commerce.

H.R. 2 also gives protection to pharmaceutical manufacturers by increasing the authority of the Department of Health, Education, and Welfare in controlling counterfeit drugs.

The Department of Health, Education, and Welfare recommends the enactment of H.R. 2.

The Committee on Labor and Public Welfare has approved three amendments that have been endorsed by the administration.

The first amendment would delete specific reference to peyote, in accordance with the committee's decision to omit specific references to any drug other than barbiturates and amphetamines. The legislation provides for including peyote or any other drug with a potential for abuse under the provisions of the legislation on the basis of scientific review and the use of advisory groups. Many drugs other than the barbiturates and amphetamines—such as the tranquilizers—may be brought within the scope of the legislation following its enactment.

The second amendment would make the designation of an advisory committee in determining the drugs subject to the provisions of the legislation an option of the Secretary. Under the bill as passed by the House an advisory committee must be appointed if requested by any person who would be adversely affected by a proposed order of the Secretary. This amendment would provide further protection for the public health since it would shorten the period of time that might elapse prior to the inclusion of a dangerous drug under the provisions of the legislation. The committee believes the Secretary should have flexibility with respect to the use of advisory committees, but encourages their use in the administration of the legislation.

The third amendment would make it clear that the Government shall have the burden of proof to negate the fact that a person possesses drugs covered by the legislation for his personal use or that of a member of his household or for administration to an animal of the person. A valid prescription, for example, would serve as evidence that the drugs were legally possessed.

Mr. President, I urge that H.R. 2 as amended by the Committee on Labor and Public Welfare be approved.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DODD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COINAGE OF THE UNITED STATES

The Senate resumed the consideration of the bill (S. 2080) to provide for the coinage of the United States.

Mr. BIBLE. Mr. President, just 2 years ago the Congress was called upon to repeal the Silver Purchase Act. We were told at that time that, since the price of silver had risen to $1.27 per troy ounce, that we should take this action as it would be necessary to stabilizing the price of silver. We were further advised by Treasury officials and the administration that this was legislation which would conserve our silver stocks within the Treasury for coinage purposes.

They were wrong.

Today, we are told by some of these same officials that S. 2080, the proposed Coinage Act of 1965, is necessary in order that we may now have an adequate supply of coins to carry on the the Nation's business and trade. We are again told that this bill will stabilize the price of silver.

Some of the arguments used by the adherents of S. 2080 are much like a warmed up kettle of fish and just about as palatable.

The amazing thing about S. 2080 is that it actually provides for another silver purchase plan. This bill will permit the Treasury to purchase newly domestic mined silver during the next 5 years at a price not to exceed $1.25 per troy ounce.

The market price of silver is $1.29 per troy ounce. It has remained at this level for the past 2 years.

We are told we have a world shortage of silver.

If we admit this shortage exists and if we admit we must stabilize the price of silver—where do the Treasury officials hope to purchase silver at 4 cents an ounce less than the market price?

Earlier today, the distinguished Senator from Rhode Island [Mr. PASTORE] made considerable of the point that there was built into the bill a floor that would be attractive to the producers of silver because they would be guaranteed $1.25 an ounce. This is of no value to the producer, because the world price is $1.29 an ounce. I am sure it is going to remain in that area, and as the Treasury stocks dwindle, as they inevitably will, the price will go higher under the plain law of supply and demand.

For 173 years this Nation has used silver in its coinage system. Most nations of the world have cheapened their monetary system throughout the years by removing silver from their coins. Their paper money has become fiat money—it has fluctuated greatly to the detriment of their citizenry.

West Germany, Japan, France, and a few other nations have more recently recognized their folly and are now starting once again to use silver in some of their coins. Our Treasury officials have dubbed these silver coins prestige coins. This is an insult to all nations which recognize the need for intrinsic value in their coinage.

Today we are requested to enact legislation which will remove silver from the dimes and quarters. Some would go the full circle and remove silver from all our coinage.

That is what the amendment pending before the Senate at this time, on which we will take a vote tomorrow, would do.

We are told we must do this to protect our present coinage—to keep it circulating.

We are told we must permit the Treasury to continue selling silver bullion at bargain store prices to the silver users in order that these manufacturing plants will not shut down and throw out of work thousands of employees.

Now, let us reason which should come first—protection of our monetary system by providing coins with intrinsic value to all our citizens or providing silver to the silver users.

This Nation will not permit its citizens to hold gold. All other nations in the world permit their citizenry the right to hedge against inflation by holding this precious metal. We do not. We go one step further. We furnish the gold to these nations through exchange for the dollar, and we have frozen the price unrealistically at $35 an ounce.

Last year the United States exported 45 million ounces of silver more than it imported. This is the first time this Nation experienced a net loss in silver in many years.

This 45 million ounces of silver was more than our domestic producers mined—so we may assume Treasury silver was again being used to bolster the economies of our foreign friends.

We have for too many years permitted the dissipation of our gold stocks and now we are following the same course with silver.

Is it not about time the silver users, the manufacturing industry, faced up to their problem. How long do they expect Uncle Sam to furnish stocks of silver bullion at bargain prices to their industry? How many successful industries rely mainly upon one supplier of their most important product?

Mr. DOMINICK. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I am glad to yield to the Senator from Colorado.

Mr. DOMINICK. I thought it might be more fun if we could get a little colloquy going.

Mr. BIBLE. I am delighted to discuss this subject with my very warm friend from Colorado, who is an expert in the field. I am delighted to recognize him.

Mr. DOMINICK. I wish the Senator from Rhode Island were in the Chamber because he made some interesting statements earlier. One of them was that there is nothing the industrial users would like more than to obtain silver on the free market. He said it not once but twice. Then he went on to say that there is no substitute for silver for the industrial user. When I asked him why, if this were true, they were not willing to go out on the free market and obtain the silver. I said, "Why do you keep dipping into the Treasury supply? Why not go out on the free market?" Of course we cannot do that, so long as there is a price ceiling, at which point the Treasury would dump the silver on the regular market, so we cannot really blame them. We have to blame the Treasury. Would this not be accurate on that point?

Mr. BIBLE. The Senator is correct. The stocks of silver in the Treasury constitute a bargain-day price for anyone who wishes to obtain them. I develop that a little later in my statement.

I noticed the statement of the Senator from Rhode Island when I was in the Chamber but I did not challenge it because I had been interrupting him so much. But I heard the observation of the Senator from Colorado, and we both agree there is nothing better than to see silver reaching its free world price, which it will do inevitably, as soon as the U.S. Treasury silver stocks are dissipated, as they will be. I do not know how long—a year and half or 2 years, I suppose, at the most.

Mr. DOMINICK. So in a year and a half or 2 years, in the Senator's opinion, we shall be out of Treasury silver under the present formula?

Mr. BIBLE. That is correct. If we take the Treasury estimate, and if they miss as badly now as they did 2 years ago, we shall be out of silver even earlier than that.

Mr. DOMINICK. I agree with that statement. This is one of the reasons why I suggested to the Senator from Rhode Island that we could solve his problem and recommend that his users go out—and we have users in our State too, as does the Senator from Nevada——

Mr. BIBLE. The Senator is correct.

Mr. DOMINICK. We could recommend that users go into the free market, but see that the silver we have is reserved for coinage, redemption of silver certificates, and national defense reserves. Then we have the silver all obligated. As is said in connection with the foreign aid program, the pipeline is then full. All they would be doing at that point is saying, "All right; we cannot get any more from here. We will go out on the open market and pay a higher price for it." The problem is that we may lose some of our coinage. That is the problem with which we are wrestling at the present time, is it not?

Mr. BIBLE. The Senator is correct.

Mr. DOMINICK. We find a system whereby we can retain some silver in the coinage and still permit the price eventually to rise for free-world production.

Mr. BIBLE. I cannot quarrel with that observation and conclusion of the Senator from Colorado. I add the point that it is significant to me. I know that the Senator from Colorado was here 2 years ago when we had the repeal of the Silver Purchase Act and at that time we had a stock of free silver, some 30 million ounces; and I believe that a close study of the record will show this free silver stock was to be preserved for coinage. Yet we find that in a short time after that there was a raid on the Treasury of the United States and silver stocks were taken out not only in the form of silver dollars, but also silver bullion and redeeming the silver certificates over and above the free stock which was not to be used for any purpose other than coinage.

This complicates the problem. I believe that anyone who follows the silver situation must recognize that it is a matter of only a short time before we reach the point where silver will be acquired only under the law of supply and demand.

Mr. DOMINICK. I remember discussing this question on the floor of the Senate with the distinguished Senator from Nevada when the Silver Purchase Act debate was held 2 years ago and bringing it up before the Treasury when they testified before the Banking and Currency Committee, on which I was then serving. I said, "What are you going to do about the law of supply and demand? How in the world can you continue saying that we are going to get more silver out of the ground when you will not let the price go up and you cannot afford to mine it?"

This is the problem. I believe that the Senator from Nevada is doing a terrific job in setting the facts out clearly for the votes tomorrow.

Mr. BIBLE. I thank the Senator from Colorado. He has been a valuable ally. His amendment of 2 years ago creating a silver stockpile for national defense had great merit, in my opinion. I am sorry that the amendment did not prevail, because it was a deserving amendment. I intend to support the Senator's amendment wholeheartedly tomorrow. As I understand, it calls for the creation of a stockpile of 165 million ounces of silver.

Mr. DOMINICK. That is correct. At least that.

Mr. BIBLE. I shall support that amendment wholeheartedly.

Mr. DOMINICK. I thank the Senator from Nevada.

Mr. BIBLE. I thank the Senator from Colorado.

Mr. President, when the Congress repealed the Silver Purchase Act in May of 1963, we were given every assurance that this action would not only stabilize the price of silver but that it would insure a 10- or 12-year supply of silver bullion to protect our silver coinage.

I took exception to these predictions. I stated before the honorable chairman of the Banking and Currency Committee and on the Senate floor that, in my opinion, unless we permitted a free market on silver our Treasury stocks would soon disappear either through the redemption of the $1.8 billion outstanding in silver certificates or by other means. I predicted the Treasury would sell silver to the silver users.

Assurances were given to all of us that this would not be the case unless the price of silver exceeded its monetary value of $1.29 at which time it would be permissible for the Treasury to sell silver bullion.

My distinguished colleague, the senior Senator from Rhode Island engaged in a colloquy with the distinguished chairman of the Banking and Currency Committee, the Senator from Virginia. In this colloquy on the floor of the Senate, the Senator from Rhode Island said, and I quote:

> Is it not true that for coinage purposes, silver is in short supply?

The Senator from Virginia replied:

> That is correct.

Continuing, the Senator from Rhode Island stated:

> And unless we pass this bill, and it becomes law, the Government will have to begin to purchase silver to produce coin.

To which the chairman of the Banking and Currency Committee replied:

> Yes; and we will have to do it on the market, when we have it piled up today.

Pressing further the senior Senator from Rhode Island stated:

> And if we have to buy it on the market, there is not enough domestic silver to supply the need.
>
> Therefore, we would have to buy foreign silver.

The Senator from Virginia replied:

> Yes; and we would have to pay for it with dollars.

The distinguished Senator from Rhode Island stated:

> Our balance-of-payments problem would become so much worse.

To which the Senator from Virginia agreed.

Well, the Senate adopted the measure as recommended without amendment.

We are told today this pile of silver is fast disappearing.

We were given further assurances. We were told by the chairman of the Banking and Currency Committee, and I quote:

> In short, H.R. 5389 would take the Government out of the silver market. It would permit a free silver market, not restricted by prohibitive transfer taxes, and neither supported by Government purchases nor depressed by Government sales. It would provide for an adequate supply of paper currency and subsidiary coinage to meet the Nation's needs, and at the same time it would maintain and honor the Government's pledge to exchange silver for outstanding silver certificates.

Now, I ask what has brought about the shortage of silver. Where are these ample stocks for our subsidiary coinage? Do we have a free market on silver?

The then Secretary of the Treasury, Mr. Dillon, stated to the committee that citizens could draw on their banks for silver certificates and present them to the Treasury for silver. He estimated that not over $105 million of silver certificates a year would be needed and at that rate it would take slightly over 15 years to use up the present silver bullion reserves held by the Treasury, if the only use for silver were coinage.

Of course, this was unrealistic. Some of us feared exactly what has happened would happen, namely that means would be found where Treasury stocks of silver bullion would be consumed at an accelerated rate.

We know, of course, that we have redeemed more than $105 million of silver certificates a year.

We had $1.8 billion in silver certificates outstanding in May of 1963. The June 14, 1965, daily statement of the U.S. Treasury reports we now have $916,896,452 in silver certificates outstanding. So, we have actually redeemed over $450 million in silver certificates yearly. At this rate we will have redeemed all our silver certificates in 4 years instead of 15 years.

Mr. President, I cannot under any circumstances support S. 2080 without amendments. I did not support the repeal of the Silver Purchase Act, because no amendments were accepted and if this body takes the present bill as reported by the committee, it will not have my support.

I will not be a party to debasing our coinage for the purpose of supplying any private industry with our valuable silver bullion.

I have several amendments which I will offer to the present bill. I am hopeful that this body will not again adopt standby legislation, which, in my mind, will do no more than satisfy the needs of our silver users for a very short time before the day of reckoning. The price of silver will have to move upward if we are to expect increases in production.

More important, as I stated, I will not be a party to taking the silver out of our coinage system. I will support an amendment calling for a reduction in the silver content of all of our silver coins and I hope others of this distinguished body will approve such an amendment.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. CLARK. Mr. President, in accordance with the previous order, I move that the Senate adjourn until 10 o'clock tomorrow morning.

The PRESIDING OFFICER (Mr. DOMINICK in the chair). The question is on agreeing to the motion of the Senator from Pennsylvania.

The motion was agreed to; and (at 6 o'clock and 12 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, June 24, 1965, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 23, 1965:

FEDERAL AVIATION AGENCY

Gen. William F. McKee, U.S. Air Force, retired, of Virginia, to be Administrator of the Federal Aviation Agency.

David D. Thomas, of Virginia, to be Deputy Administrator of the Federal Aviation Agency.

NATIONAL MEDIATION BOARD

Francis A. O'Neill, Jr., of New York, to be a member of the National Mediation Board for the term expiring July 1, 1968. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate June 23, 1965:

DEPARTMENT OF JUSTICE

Donald Frank Turner, of Massachusetts, to be an Assistant Attorney General.

John H. Reddy, of Tennessee, to be U.S. attorney for the eastern district of Tennessee for the term of 4 years.

Floyd M. Buford, of Georgia, to be U.S. attorney for the middle district of Georgia for the term of 4 years.

Carl W. Feickert, of Illinois, to be U.S. attorney for the eastern district of Illinois for the term of 4 years.

Milton J. Ferguson, of West Virginia, to be U.S. attorney for the southern district of West Virginia for the term of 4 years.

Charles B. Bendlage, Jr., of Iowa, to be U.S. marshal for the southern district of Iowa for the term of 4 years.

Robert O. Doyle, of Georgia, to be U.S. marshal for the middle district of Georgia for the term of 4 years.

Ellis Maylett, of Utah, to be U.S. marshal for the district of Utah for the term of 4 years.

Cato Ellis, of Tennessee, to be U.S. marshal for the western district of Tennessee for the term of 4 years.

Fred F. Hoh, of Ohio, to be U.S. marshal for the southern district of Ohio for the term of 4 years.

R. Ben Hosler, of Ohio, to be U.S. marshal for the northern district of Ohio for the term of 4 years.

Anton T. Skoro, of Idaho, to be U.S. marshal for the district of Idaho for the term of 4 years.

Wesley H. Petrie, of Hawaii, to be U.S. marshal for the district of Hawaii for the term of 4 years.

Elmer W. Disspayne, of Tennessee, to be U.S. marshal for the middle district of Tennessee for the term of 4 years.

William J. Andrews, of Georgia, to be U.S. marshal for the northern district of Georgia for the term of 4 years.

U.S. COAST GUARD

The following-named persons to the rank indicated in the U.S. Coast Guard:

To be lieutenants

Marcus J. Wallace, Jr.
Clayton D. Morrison
William H. Tydings

To be lieutenants (junior grade)

Alfred T. Wilcox
John T. Keating
Hugh A. Dayton
Edward L. Weilbacher
Roger R. Roznoski
Richard R. Bock
Alfred W. Harrell
James L. Van Horn
John N. Malsom, Jr.
William A. Swansburg
Thomas V. Fielding, Sr.
Donald P. Billings
Charles W. Judge
Robert D. Weddell
Donald J. Strathern
Jack W. Wroton
Dennis R. Kay
Milford G. Gillam, Jr.
David A. Meadows
David C. Newton
Richard G. Gobble
Robert C. Wright
Harold D. Willis

EXTENSIONS OF REMARKS

Weston Instruments Wins Defense Contract

EXTENSION OF REMARKS

OF

HON. ROBERT J. CORBETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. CORBETT. Mr. Speaker, on June 9 the following editorial appeared in the Scranton Tribune:

KEEPING LOCAL PLANT BUSY

Congressman JOSEPH M. MCDADE is to be commended for his part in paving the way for Weston Instruments, Inc., Archbald, to bid on a sizable defense order.

Through the intervention and convincing arguments advanced by the Congressman, Weston not only was permitted to offer a bid but was succesful in obtaining the $1.2 million contract for the production of some 1,498 practice bombs for the use of the U.S. Air Force trainees.

When the Air Force originally asked for bids in a U.S. Department of Commerce publication, MCDADE found that it was limiting them to small businesses.

The Congressman was quick to explain that such a limitation would be contrary to the objectives of the Defense Manpower Policy which was designed to channel as much defense work as possible into areas having labor surpluses. And while Weston is not a small business, it operates in an area in which there is a high rate of surplus labor.

It took several weeks but the Defense Department gave favorable consideration to the Congressman's plea and on April 28 reversed the limited bidding rule in this case. The new bids, including Weston's, were opened last week at Washington, followed by the contract award Monday to Weston.

By virtue of the new contract, the local plant will be able to continue for some time its present fine employment total of some 1,400 workers from the region.

That these workers are highly skilled for this type of work is seen in the fact that the practice bombs are intricate pieces of equipment. They are designed to simulate the action of real bombs when dropped from airplanes.

Two days later, on June 11, the following editorial appeared in the Scranton Times:

NEW CONTRACT FOR WESTON

The announcement that Weston Instruments, Inc.—popularly known here as Daystrom—has received a $1.2 million contract from the Air Force was accompanied by the disclosure that the company has added nearly 400 employees to its payroll since the first of the year, to bring the total to about 1,400. General Manager Warnken says that the contract, for 1,500 practice bombs for the Air Force, will provide enough work to maintain this force.

Congressman MCDADE, who announced the contract award, deserves credit for having fought the original Defense Department ruling that the Archbald plant was not eligible because it was not a small business. The Congressman argued that Pentagon policy calls for funneling defense contracts into areas with a labor surplus and that under this policy Weston should be allowed to bid. Congressman MCDADE's argument produced a decision by the Department to advertise for new bids without any restrictions on the size of the companies bidding. The receipt of the contract by Weston is due largely to the Congressman's insistence.

Both of these newspapers, Mr. Speaker, reflect the continuing concern of our colleague, Congressman JOSEPH M. MCDADE, with the problem of unemployment in northeastern Pennsylvania.

Two and a half years ago, when he came to Congress, my colleague from the 10th District of Pennsylvania was faced with an unemployment rate of approximately 14 percent in his district. Today, that rate of unemployment has been cut nearly in half; and no one has worked harder to fight unemployment and save jobs than JOE MCDADE.

In April of this year, my colleague came to grips with a situation which would have prohibited a company in his district from bidding on an Air Force contract—even though that company was currently producing the very item the Air Force needed. As a result of Congressman McDade's intervention, the company was permitted to bid, ended up as low bidder, and so guaranteed continued employment at Weston Instruments.

This is only one instance of the work of my colleague in this field, and I could name many more. I call this particular one to the attention of my colleagues in the Congress to show them how the dedication of one man can affect the lives of so many people.

Federal Government and California Partners in Crime and Vice

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. FINO. Mr. Speaker, I would like today to bring to the attention of the Members of this House the unfortunate partnership of the Federal Government and the State of California in keeping gambling illegal and thus lucrative for the mob. The combined ignorance of California and the Federal Government is deadly—deadly for the Californians shot by gunmen hired with mob gambling profits, deadly for the Californians tortured and killed by dope from dope syndicates financed with mob gambling profits. The lethal negligent partnership in crime of the two governments is only something less fatal for housewives driven into prostitution by gambling debts owed the syndicates. The backlash of illegal gambling profits is a fantastic menace to society, yet the California and Federal governments continue to keep gambling illegal and ineffectively regulated.

Gambling is big business in California. The Golden State is a gangster's paradise and presumably a grafter's paradise. The parimutual turnover in California in 1964 was a shade less than $600 million. Far more important is California's vast share of the national illegal gambling total. The off-track betting national total was pegged at $50 billion a year by testimony before the McClellan Commission and additional testimony which set off-track betting at 42 percent of the illegal gambling total leads to a national illegal gambling figure of about $120 billion. California's share of this figure on a population basis would come to more than $11 billion. The mob keeps about 10 percent of this turnover. This 10 percent pays for a lot of high living and fast killing—and slow killing. A portion of it goes for graft and protection—and I feel sure that it is safe to say that graft is a multimillion-dollar industry in California.

The sum total of the gambling situation in California is this—the Federal Government and the California State government, by refusing to recognize and regulate gambling, have left it wide open for mob operation. The syndicates have been happy to fill the vacuum left by the blue-nosed governments, and by these gambling operations, they have derived profits that now support everything from housewife prostitution to narcotics rings.

To me, the answer is simple, both in gang-paradise California and in the Nation as a whole. We need Government controlled and regulated gambling. We need a national lottery and a series of State lotteries.

Honor for Senator Dodd

EXTENSION OF REMARKS

OF

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. DEVINE. Mr. Speaker, I am pleased to offer for the Record, the fine remarks of our colleague, Senator Thomas J. Dodd, of Connecticut, on the occasion of his receiving the Rickenbacker Award in Columbus, Ohio, on June 18, 1965.

Senator Dodd's remarks follow:

Remarks by Senator Thomas J. Dodd on Receiving Rickenbacker Award, Columbus, Ohio, June 18, 1965

I am more honored than I can tell you by this award, which you have seen fit to confer on me.

I am honored in the first place because the many distinguished citizens of your State who serve on your selection committee apparently felt that my record in Congress merits this signal recognition.

But I am honored above all because Eddie Rickenbacker has been a personal hero of mine for many, many years, and because I believe that he has, in his personal life, exemplified the best in the American tradition.

Eddie Rickenbacker has been a patriot in the purest and most positive sense of the word—not a jingo, not an imperialist, not a flag-waver as some of our professed patriots are, but a man whose whole life has been lived in the spirit of liberty which inspired our Founding Fathers, a man who is the personification of the genius and enterprise which have from the first wedded progress to freedom in our country, a man who has served his country in a thousand acts of dedication, a man who may justly be held up as a figure for the youth of America to emulate.

The qualities which Eddie Rickenbacker possesses in such rich measure are qualities which our country must display if we are to survive as a free nation.

For we live in a time that will try the soul of the bravest and strongest men.

In years gone by, world crises occurred at infrequent intervals and wars at still more infrequent intervals. But, since the close of World War II, the Communist conspiracy has confronted us with crisis after crisis and aggression after aggression.

We have had crises in China, in Korea, in Vietnam, in Laos, on the Indian frontier; in Greece, in Lebanon, in the Congo, at Suez; in Berlin and in Hungary; in Guatemala, in Cuba, in Brazil, and most recently in the Dominican Republic. And all of this over the brief span of 20 years.

The contrast between the world of today and the world of yesterday reminds me of a cartoon that appeared many years ago in the New Yorker. Two businessmen were slouched in overstuffed chairs in their clubroom, reminiscing about the past. And one of them was saying to the other, "Remember the good old days when we had nothing to fear but fear itself."

This joke would perhaps be funnier if there were not so much truth to it.

The war we are fighting today is infinitely more complex, infinitely more trying, than the wars we have had to fight in the past.

It is a war in which there is no declaration of war, no clearly defined line of battle, and, I am afraid, no durable diplomatic solution on the horizon.

It is a world war in which our survival and the survival of all free nations is at stake.

It is a war made up of many minor wars. At this very moment, for example:

American boys are fighting and dying in Vietnam.

The Communist and anti-Communist forces are locked in battle in Laos.

The Government of Burma is having great difficulty of coping with Communist insurgents who control important parts of the country.

Indonesia, which must now be considered a quasi-Communist state, has mounted its so-called confrontation, which is just plain aggression, against Malaysia and is sending guerrillas in a steady stream into Malaya and Sarawak and Brunei.

The Congo Government is still busy attempting to mop up the remnants of the Communist insurrection which a year ago threatened a complete takeover.

In the Dominican Republic only President Johnson's resolute intervention prevented the emergence of a second Castro regime in the Americas—and even as I speak here American boys are fighting and dying in the effort to restore peace in this unhappy island.

Armed Communist bands are active in Venezuela, in Guatemala, in Chile, and in other Latin American countries.

It would be a fatal mistake to look upon these many crises as localized problems to be dealt with by localized means, because what is involved here is a coordinated, worldwide assault on the free nations of every continent by the forces of international communism.

The Communists have developed the concept of "the long war." Because they are fanatics, because they are convinced that history is on their side, 10 years or 20 years, or more, mean nothing to them. After all, it took the Chinese Communists more than 20 years to conquer China. And, because of this peculiar brand of fanaticism, human life means absolutely nothing to them either.

They are confident that free peoples do not have the staying power to compete with them in this kind of war, and that, if they keep up their attacks without cessation, they will ultimately succeed in so confusing and dividing the free world and in so eroding the will to resist, that the still-free countries will, one by one, tumble into their laps, like so many overripe plums.

This concept is now being applied on a worldwide scale.

I wish that I could be more optimistic about the future. But, as I see the situation, we can expect no change in the pattern of Communist aggression over the coming decades. On the contrary, the chances are that we will be confronted with crisis after crisis, and with one so-called "war of national liberation" after another in such rapid sequence that there will be no respite from crises and wars on the Vietnam model.

There is only one way in which we can meet this Communist assault. We must stand up to it, as we did in Korea and as we are today attempting to do in Vietnam and in Laos and in the Dominican Republic.

But above all, the situation calls for understanding and confidence in the justness of our cause. I raise this point because I have been deeply troubled by the manifestation of a kind of "moral neutralism" between freedom and communism at every level of our society. I find this "moral neutralism" for lack of a better expression, reflected in our press coverage in Vietnam, in the situation on some of our campuses, and even in the ranks of Congress.

The philosophy of the "moral neutralists" has, perhaps, been articulated most clearly by the Chairman of the Foreign Relations Committee in a speech which he made on Tuesday of this week in the Senate. Appealing for "major concessions" on both sides in Vietnam, the Senator from Arkansas told us that—and I quote: "It is a mark of both greatness and maturity when a nation like the United States, without abandoning its convictions and commitments, is capable at the same time of acknowledging that there may be some merit and even good intent in the views and aims of its adversaries."

In replying to the chairman of the Foreign Relations Committee yesterday morning on the floor of the Senate, I said that I had never been prepared to concede any merit to the Nazi regime because, whatever its minor social accomplishments, it was evil by every moral criterion that mattered.

And I am not prepared to concede any merit, or even the possibility of merit, to the Communist system, which, whatever its mechanical or statistical accomplishments, have wiped out every vestige of human freedom, persecuted all religions alike, and sought to convert its subjects into brainwashed robots.

I can see no merit in a regime which has inflicted more suffering and cost more human life than all the wars of this century combined.

How can we possibly resist the worldwide offensive of communism unless we are prepared to face up to the facts—unless we are prepared to recognize that we are dealing with an utterly ruthless, utterly amoral, totally ambitious enemy—and unless we are convinced of the justness of our cause?

How can we possibly fight a war if the people on our side torment themselves with agnostic doubts about the rectitude of our cause, expressing a bland preference for our way of life but nevertheless conceding that there may also be merit and good intent on the Communist side?

I may be wrong, but I have the distinct impression that one of the reasons why there is so much confusion on Vietnam in this country is that much of the reporting and writing has been done by people who share some of this attitude of moral neutralism. Neutralism would be bad enough on the part of spectators at a football game. But in my opinion it becomes a danger to our own security when members of the American press corps in Vietnam look upon it as their duty to adopt the posture of neutral observers in the deadly war that is now going on in that country.

We must attempt to prove to the peoples of the Communist world—yes, and to the Communist leaders, too—that aggression and subversion do not pay off, that we are not moral neutralists paralyzed by agnostic uncertainty about the justness of our own beliefs, that we have the will to resist the Communists and the means to resist them, and that we have the patience and perseverance and dedication to match their own.

If we can force the Communists back in southeast Asia as we forced them back in Korea, if we can hold the line at other points against the many-pronged thrusts of Communist subversion, there is reason to hope that, with the passage of time, the advocates of aggression and subversion will be compromised by their many failures and that the more moderate elements who unquestionably exist in both Moscow and Peiping will come to the fore.

That is why I say that if America is to survive, we must all seek to imbue ourselves with the spirit and patriotism and courage of an Eddie Rickenbacker.

A hero with a great gift of rhetoric, Eddie Rickenbacker, has given us a philosophy for our time in these words:

"Our generation exists in a period of terrible peril. We must not be afraid. Life is sweet, yes, but as a great people let us not value it above principle, for Christianity and morality are entwined.

"If we Americans falter now; if we cringe in fear before the threat of a nuclear war; if we soften and appease, and try to mollify the most evil force ever to come upon this earth, then the people of all the world shall sink into a slavery, far worse than death. Again, I repeat, we must not be afraid, for a nation afraid is already dead.

"Therefore, let us have a rebirth of patriotism for our Declaration of Independence and our Constitution; a rekindling of the spirit of those two great freedom-giving manifestoes in the hearts and minds of the American people—both young and old."

To receive an award that bears the name of a man such as this is indeed an honor to cherish.

Welcome Home, Space Trav'ler—With a Bourbon Street Beat

EXTENSION OF REMARKS

OF

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. HÉBERT. Mr. Speaker, while the contributions of the city of New Orleans to America's heritage are legion, its most famous contribution is in the field of music.

Virtually anywhere a person may go on the face of the earth, he will find some rendition of New Orleans' most famous export, Dixieland jazz.

And, Mr. Speaker, now that Americans are literally walking in space, I predict that it will not be too many years before celestial versions of the Bourbon Street beat will be just as commonplace as the earthly arrangements.

Therefore I find it most fitting to point out to my colleagues that a New Orleans song writer has already taken steps to make this leap forward.

The song writer, Gaston Olivier, has composed a tuneful and topical musical item entitled "Welcome Home, Space Trav'ler." I have heard a recording of this, and I sincerely hope that my colleagues also soon will be hearing this Bourbon Street tribute to our astronauts.

Since New Orleans is the home of the huge Michoud operations of the National Aeronautics and Space Administration, Mr. Olivier's song is all the more appropriate.

Mr. Speaker, it is a pleasure to salute Mr. Olivier's inspiration and to commend his continuance of a long history of made-in-New Orleans music.

In fact, Mr. Speaker, nothing would make me happier than to have the first men on the moon to be Americans who arrived via rockets made in New Orleans, and who stepped off humming "Welcome Home, Space Trav'ler"—with a Bourbon Street beat.

National Foundation on the Arts and the Humanities

EXTENSION OF REMARKS

OF

HON. CARLTON R. SICKLES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. SICKLES. Mr. Speaker, it was recently my honor to deliver an address, prepared by Congressman Frank Thompson, Jr., concerning a National Foundation on the Arts and the Humanities, to a luncheon of the Joint National Conference of the American Symphony Orchestra League and Arts Councils of America.

So that my colleagues may have the benefit of Mr. Thompson's remarks, the text of the address follows:

REMARKS OF HON. FRANK THOMPSON, JR., BEFORE THE AMERICAN SYMPHONY ORCHESTRA LEAGUE LUNCHEON AS READ BY HON. CARLTON R. SICKLES

Your meeting here in Washington at this particular time is very significant.

This week started with the White House festival of arts, a first for this Nation. It reflected a growing national concern for the state of the arts and the humanities.

A little more than a week ago the Senate approved the bill, S. 1483, to create a National Foundation on the Arts and the Humanities. It had been my hope and my plan to report to you today that the House Committee on Education and Labor had cleared the companion bill, H.R. 6050, for action by the House of Representatives.

As you may have learned from the news media, such action has been delayed as a result of matters which have no bearing on this particular piece of legislation.

Despite this momentary delay, you are meeting almost simultaneously with House committee action, for I intend to bring it up for consideration at the next regularly scheduled meeting of the committee on Thursday.

We have the votes to report a bill, which will parallel the bill already approved by the Senate.

The significance of these legislative actions, both recent and soon to be, and your meeting here is that American Symphony Orchestra League footprints are all over this bill.

It began in 1961, when a subcommittee of which I was the chairman conducted an investigation into the economic conditions of the performing arts. Your Mrs. Helen Thompson was a witness. We were not considering specific legislative proposals, nor did she, at the time, make any specific recommendations.

Some of the possibilites for assistance to the arts, and symphony orchestras in particular, which she suggested as areas of study included:

1. Federal aid to education, which could greatly expand the playing of concerts for children and the use of that personnel for teaching. This has been accomplished partly through the elementary and secondary

education bill, enacted earlier, and through the inclusion in H.R. 6050 of provisions to improve the teaching of the arts and humanities.

2. The possibility of some Federal, State, and local matching program on buildings. Again, in the elementary and secondary education program we provide for construction of educational centers, designed to bring to bear all of the cultural resources of a given community, and, thanks to an amendment sponsored by a member of my subcommittee, so physically constructed as to provide separate entrance to an auditorium so that it might be utilized for cultural activities, including symphony concerts. As to the bill primarily under discussion, H.R. 6050, the arts endowment would be authorized to make grants for construction, as well as for alterations and repairs. All grants under the arts endowment would be matching.

Finally, in the section of our present bill relating to labor standards, we are adding a proviso that whenever there is compliance with State safety and sanitary laws, this shall be prima facie evidence of compliance with the Federal statute. This proviso has been included directly at the suggestion of the American Symphony Orchestra League.

Of course, over the years since, we have had testimony from official spokesmen for your organization, as well as from individual members thereof, and it has always been constructive. I should like to apologize once more to Mrs. Thompson for our inability to hear her in person this year. She was a scheduled witness before a joint hearing being conducted by the House and Senate subcommittees. Before we reached her, we were called to the floor for a roll call. Her testimony was made a part of the record and we all read it. As usual, it was very constructive. Last year, because Mr. SICKLES, of Maryland, is a member of our subcommittee, and personally very interested in this legislation, we had testimony from Mr. William Boucher III, vice president of the Baltimore Symphony Orchestra Association.

The record of the various symphony orchestra associations is a proud one. Of all the arts, the symphony in America has gained the greatest audience. Our orchestras are among the finest in the world. There are well over a thousand in existence. These are exclusive of secondary school symphony orchestras. The total number of performances given per year must approach the 10,000 figure.

On the face of it, these are extremely impressive statistics. Throughout our hearings this year, as well as last year, we have been reminded of these splendid accomplishments.

And the suggestion is then made that the arts must be doing very well, indeed.

We know differently, however. We know that the large number of symphony orchestras vary from completely volunteer operations to the completely professional.

They vary in expenditures from a few hundred dollars a year to several million—or more.

They have a gross audience of between 10 and 15 million people, who pay varying prices of admission.

About one in six of the musicians playing in these orchestras is a professional. This is significant, for the only way to achieve quality of performance is to be able to devote full time to perfecting the skill or art.

No one would deny the strength of professional sports in the United States, but neither would they count all of the sandlot and Little League teams, nor include the Golden Glovers in support of their arguments.

You and I know the facts of life regarding the health and well-being of symphony orchestras. You know it because you run these thousand and more orchestras. I know because you have told the Congress many times in testimony.

We know that ticket sales account for but 55 percent of the revenue to support your orchestras. We know that the deficit is made up through campaigns for contributions as well as a variety of fundraising activities, such as balls, bazaars, raffles, and the like.

You know that it is becoming increasingly more difficult to raise that other 45 percent to keep your symphony orchestras going because you wrestle with the problem every year. I know because you have told us about your problem. I know also because I became personally involved a few years ago in raising money to help our national symphony out of a hole.

These problems are not confined to the orchestras in the smaller cities. The greatest of our orchestras have faced it.

If the most successful of the performing arts—excluding the commercial theater—has these financial woes, it stands to reason that the others have even a greater struggle.

You who operate and manage our symphony orchestras have these problems; your musicians have great problems also. Most musicians have to moonlight. This is true even of those who perform before the widest audiences, such as those in our largest cities.

Some are fortunate in having the opportunity to perform during the summer at their trade, if you will. Those who can teach are also able to maintain their proficiency, perhaps to a lesser degree.

But what of the musician who must clerk in a haberdashery; or drive a taxicab; or even draw unemployment compensation? The only thing that can be said for the latter situation is that it enables the musician to have time to practice—providing he hasn't had to hock his instrument.

The current bill, when enacted—I repeat, when enacted—and implemented, will not, of course, underwrite every artistic endeavor. It will not even come close to underwriting the deficit of symphony orchestras.

It will, however, provide some seed money to stimulate additional support. That is its primary thrust, to stimulate private support for and interest in all of the arts and humanities, and to stimulate the States to show greater concern.

In 1964 at hearings I suggested to Mr. Boushay of Baltimore that studies had indicated that a dollar of Federal money would generate 8 more dollars of spending on the arts. He responded, and I quote:

"This is our purpose, not to get a deficit underwritten or not to take care of those people who can come to a symphony concert in the Lyric Theater in Baltimore and pay their price, because plenty can do that, but to provide opportunity as a part of national policy to develop a cultural base for the total community and reach out in new areas where it is so important."

I can find no better way of expressing the intent of the current legislation than those words which explained Mr. Boushay's petition to enact an arts foundation bill last year.

Unfortunately we did not have the support to do this last year, so we took the first step by forming a National Council on the Arts.

This year many bills were introduced, over a hundred, to establish a foundation on the humanities, and there were many bills to establish a foundation on the arts. The two are in a way inseparable. The arts and the humanities are like love and marriage. From a legislative standpoint, however, we have had some difficulty in joining them, since in the area of creation and performance we deal with different circumstances than we do in the area of study. After hearings on all of these bills had started, we worked with the administration in drafting a bill, which was introduced with the President's blessings, and became H.R. 6050. Fifty of my colleagues, from both parties, have joined as cosponsors. I am pleased that four members of my subcommittee, Mr. O'HARA of Michigan; Mr. CAREY, of New York; Mr. SICKLES, of Maryland; and Mr. SCHEUER, of New York, are among the cosponsors.

The legislation still required careful refinement, much of which is reflected in the Senate approved bill. Briefly, it will provide a foundation, which will have three segments. There will be an endowment for the arts, an endowment for the humanities, and a Federal Council on the Arts and the Humanities. The Council will serve to coordinate the work of the two endowments, recommend areas of joint support, and prevent overlapping with other Federal operating programs.

Some concern has been expressed over the mechanics of screening and approving applications. We now place authority for making grants in the hands of each endowment chairman. He must, however, have the recommendations of the Arts Council, already in existence, and the Humanities Council which will be created.

It is implicit in the legislation—and this will be carefully spelled out in the legislative history—that each Council will form subcommittees and appoint panels of experts who will screen and evaluate applications. But—and this is consistent with sound public administration of public funds—final responsibility to the Congress will rest with the respective chairmen.

Each endowment may be funded with a maximum of $5 million per year. Each endowment may ask for up to an additional $5 million providing that each endowment has received at least $5 million in gifts. Limited sums are authorized from this additional money as grants to the States to support arts councils. For those States without arts councils there is a one-time grant of $25,000 for surveys and to encourage the formation of arts councils.

We have tried to weigh all suggestions, and meet all anticipated administrative problems. We think we will have created a sound program. This is, admittedly, a new field and experimental. We therefore authorize funding for but 3 years. We do this so that the legislative committee must review the operation 3 years from now, and make adjustments, if necessary, before additional appropriations are authorized.

We think we have a good bill and a viable bill.

I have indicated that this bill will be enacted. I do so on the basis of administration support—affirmative support—plus the fact that close to 150 Members from both parties have sponsored legislation of a similar nature.

We shall need your active support.

I hope we have it.

I think we do.

Greater Miami Celebrates Alan Stewart's 20 Years of Service to Aviation

EXTENSION OF REMARKS

OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. FASCELL. Mr. Speaker, as we all realize, the development of air transportation has revolutionized almost every feature of American life. No area has benefited more from the manifold services of our Nation's aviation industry than Greater Dade County, and I want to bring to the Congress attention the recognition which the people of Dade County gave to this industry at a recent occasion in Miami.

Alan Stewart, the present director of the Greater Miami Port Authority, has been associated with the port authority for 20 years. He has become well known among the citizens of Miami for his contributions to and genuine interest in local affairs. During these 20 years, he has been significantly instrumental in the port authority's expansion of facilities and services. Today, at Miami, Fla., he directs one of the most modern, diversified, and complex port authorities in any of our Nation's great metropolitan areas. His efficient and capable direction—as well as his dedication to Dade County and the entire aviation industry—mark him as one of the select men who are responsible for the progress in air transportation which we have witnessed in the last few decades.

The Greater Miami Aviation Association recently held a giant testimonial luncheon honoring Mr. Stewart and the Dade County Port Authority. Capt. John Halliburton, vice president for flight operations at Eastern Airlines, delivered the main address, "Air Transportation—Past, Present, and Future."

I am pleased to join the large number of citizens who came to honor and give appropriate recognition to the great air industry of Greater Miami, the Dade County Port Authority, and its dedicated director, Mr. Alan Stewart.

Commencement Address by the Vice President at Syracuse University

EXTENSION OF REMARKS

OF

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. MOORHEAD. Mr. Speaker, it seems to me that in his recent commencement address at Syracuse University, Vice President HUMPHREY was directing his remarks not only to the graduating class before which he appeared, but indeed to all Americans.

The Vice President's address is a thoughtful treatise on the role of the Congress: its powers, its responsibilities, its functions. It is an eloquent expression of the keen intellect and long experience of the Vice President and permits us better to understand and appreciate our country's unique legislative process. I commend it to the attention of Members of the House and to all Americans. Under leave to extend my remarks, I include the text of the Vice President's address at this point in the RECORD:

COMMENCEMENT ADDRESS BY THE VICE PRESIDENT

As a former university teacher, I am aware of the pitfalls of commencement speeches. It is so easy to follow the formula: The world is in a mess, the older generation has failed, it is up to the graduating class to put things right. But platitudes rarely change attitudes, and baneful criticism and vapid exhortations are cheap substitutes for hard thought and analysis.

I prefer to take my stand on the proposition that the American people, working through democratic institutions, have met, are meeting, and will continue to meet the complex problems of our age.

If we still have a long way to go—in achieving human equality, in securing international and domestic tranquility, in extending the benefits of our technical genius to all citizens in the American Republic and to all mankind—let us glory in the unfinished agenda.

Let us glory in the fact that we still possess the wit and the wisdom to continue making our American democratic system responsive to the terribly complex problems of this turbulent age.

I want to discuss with this graduating class the importance of one of the great constitutional instruments at the disposal of the American people in the business of making democracy work. I refer to the institution of the U.S. Congress.

What I have to say, I think, needs saying because all too many of our citizens take an indifferent, or even a hostile, view toward the legislative branch.

This is not to underestimate the need for strong and able Presidential leadership or for wise and humane judicial decisions. It is, however, to reaffirm the vital role of Congress in our constitutional system.

Few persons can deal directly with either a President or a Supreme Court. But any person can communicate with his elected representatives in Washington.

The Members of Congress provide a direct link between the National Government and the almost 195 million persons who comprise this Republic.

Surely this connection is vital in keeping our National Government responsive to the needs and opinions of the American people.

I have found congressional service to be a remarkable form of higher education. My teachers have been Presidents and department heads, constituents and the press, and, above all, a group of wise and distinguished colleagues in both Houses.

I cannot in a few minutes convey to you all that I have learned from these teachers. But perhaps I can suggest some lessons in democratic theory and practice which I have gained from my collegial experiences in Congress.

The first lesson has to do with the creative and constructive dimension of the process of compromise.

There are 100 Members of the U.S. Senate; 435 Members of the House. They come from States and districts as diverse as Nevada and New York, Alaska and Alabama. No two States or regions of the United States have identical interests or prejudices.

One of the jobs of Congress is to reconcile such differences through the process of compromise and accommodation.

What sometimes seems to the untutored eye to be legislative obstructionisms are often no more than the honest expressions of dedicated representatives—trying to make clear the attitudes and interests of their States and regions.

As Sir Richard Grenfell once observed: "Mankind is slowly learning that because two men differ neither need be wicked."

From the earliest days of this Republic—at the Constitutional Convention of 1787—the leaders of this Nation have maintained an unwavering commitment to moderation. If our Founding Fathers had not understood the need to overcome extremes in drafting our Constitution, this noble experiment in the art of self-government would have surely foundered on the rocks of dissension and discord.

As in the deliberations of the Constitutional Convention, the heart of congressional activity are skills of negotiation—of honest bargaining among equals. My willingness to compromise—and I have done so more times than I can count—is the respect I pay to the dignity of those with whom I disagree.

Through reasonable discussion, through taking into account the views of many, Congress amends and refines legislative proposals so that once a law is passed it reflects the collective judgment of a diverse people.

Surely this is a remarkable service. Surely, the habits of accommodation and compromise are of universal consequence. These are the skills and attitudes so desperately needed on the larger stage of world conflict.

World order and the rule of law will be secure on this earth only when men have learned to cope with the continuing conflicts of peoples and nations through peaceful processes of legislative bargaining.

A second lesson I have learned from my congressional teachers is the importance of the congressional role of responsible surveillance. There are roughly 70 separate departments and agencies of the Federal Government. Some are small; some are large. All are engaged in carrying out the will of the people as expressed through Congress.

In the interests of efficiency, economy, and responsiveness, these departments and agencies need a continuing critical review by the committees and Houses of Congress. The genius of our Founding Fathers is nowhere more in evidence than in those sections of the Constitution which provide for checks and balances.

Through its review of the executive budget, in the appropriations process, through committee investigations, through advice and consent on appointments and treaties, and through informal discussion, Congress seeks to improve and to support the executive branch of the Government.

This exercise in freedom protects and extends freedom. If legislative voices are occasionally strident, citizens should take stock of what their world would be like if no legislative voices were heard at all.

We know what happens in countries without independent and constructively analytical legislatures.

Mankind invented a word for such systems centuries ago. The word is "tyranny."

But there is a final lesson I have learned from my congressional teachers: the creative joy of politics. Each Congress is devoted in substantial measure to the development of new public policies designed to promote the general welfare and the national security of this Nation. Congress is not a battlefield for blind armies that clash by night. It is a place where national objectives are sought—where Presidential programs are reviewed—where great societies are endlessly debated and implemented.

If, as Emerson once wrote, Congress is a "standing insurrection," it is a standing insurrection against the ancient enemies of mankind: war, poverty, ignorance, injustice, sickness, environmental ugliness, economic and personal insecurity.

Few careers open such remarkable opportunities for translating dreams into reality. A new bill, a creative amendment, a wise appropriation, may mean the difference between health and sickness, jobs and idleness, peace and war for millions of human beings.

Stemming from ancient parliamentary origins, the main job of Congress is to redress grievances, to right wrongs, to make freedom and justice living realities for all. What higher calling exists? This is the essence of politics: to translate the concerns and the creative responses of a vast citizenry into effective and humane laws.

I cannot conclude without a personal note. For almost 20 years, Congress has been my home. As Vice President, my relationships with my former colleagues are inevitably more formal and more intermittent than in past years. Yet I can say unashamedly that I cherish them dearly. I have seen their weakness as they have seen mine.

I have on occasion been restive of delays and procedural anachronisms—and so have they. But I have seen in the Halls of Congress more idealism, more humaneness and compassion, more empathy, more understanding, more profiles of courage than in any other institution I have ever known. Like many of you today, I find it in my heart to praise and to thank my teachers.

Perhaps some of these brief words of tribute to the institution of freedom known as the U.S. Congress may stay with you. As long as Congress continues to function as a responsible and viable element in our constitutional system, the promise of American democracy will forever endure—the torch of freedom will forever light the path of the future.

Each of you, however, must also assume a personal responsibility for preserving freedom in these perilous times. And the nature of this responsibility is best illustrated by John Adams' notion of the spirit of public happiness.

It was this spirit, said Adams, that possessed the American colonists and won the revolution even before it was fought—a spirit which is reflected in delight in participation in public discussion and public action. It is a sense of joy in citizenship, in self-government, in self-control, in self-discipline, and in dedication.

An important part of the mission of this great university has been to instill in each of you this spirit of public happiness. And it will be this dedication to public service—found in the hearts of Americans alive today and of generations yet unborn—that will insure the ultimate victory of freemen in their struggle against the forces of tyranny and oppression.

Commencement Address of Hon. Edith Green

EXTENSION OF REMARKS

OF

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. MATHIAS. Mr. Speaker, under the wise leadership of its president, Dr. Randle Elliott, Hood College in Frederick, Md., has increased its reputation as a dynamic institution offering an education of high quality. On June 6, Dr. Elliott and the graduating class of Hood were privileged to have as their guest and main commencement speaker our colleague, Representative EDITH GREEN of Oregon. Mrs. GREEN's thoughtful address was focused on the vital role of youth in this troubled and complex age. Praising the enthusiasm and social concern of the present college generation, she encouraged the graduates to press forward their drives for truth, justice, and human decency.

I am pleased to insert Mrs. GREEN's provocative address in the RECORD:

HON. EDITH GREEN, AT COMMENCEMENT ADDRESS OF HOOD COLLEGE, JUNE 6, 1965

President Elliott, Dean Keeler, Dean Sherrill, Mr. Thomas, and other members of the board of trustees, members of the faculty, members of the graduating class of 1965, and parents and friends of those whom we are honoring today, I was very pleased when your distinguished president invited me to participate in the commencement activities at Hood College. Graduation day is a festive occasion. The speaker is permitted an unlimited number of clichés; there is the sense of brightness—and future—and unlimited possibilities in the air; and for those of us who have long since forgotten our own graduation, there is also a feeling of renewal of tradition—the thought that here—for better or for worse—here stands the next generation.

I'm not going to apologize for the kind of a world our generation gives to your generation. And neither am I going to complain about your generation. Someone has said: "The old begin to complain about the conduct of the young when they themselves can no longer set a bad example."

But seriously—let me say—that in spite of the fact that this is a world where warhead faces warhead—where atomic annihilation is an ever present possibility—I still firmly believe that this is the most exciting time, the most challenging time in which to live.

And today you are receiving a diploma which may not be the open sesame to all the opportunities of this world, but at least it provides an entering wedge because it certifies that you have earned a college degree—and college trained people are in great demand. You don't have to worry about finding a job because you enter a world which wants you and needs you.

And I hope that many of you are thinking of today not only as the day you graduate, but as the time when you commence your graduate work. Many of us are concerned that the ratio of women who go on to get their master's and doctorate degrees has not risen since the war; in fact the percentage has declined. I hope many of you will help to change this picture, because doors are being opened to women in almost every field. Opportunities are now available that never were before.

By a more active involvement in the world around, women are growing not less concerned about when little Johnnie or Susan takes that first step, but they are growing far more concerned about the kind of a community and the kind of a world in which John and Susan will stride, as grown men and women.

Over the great temple of Delphi at the time of the ancient Greeks, was carved the maxim, "Know thyself." In the over 2,000 years since that command was given, science is just now beginning to open the ever-widening paths to knowledge of ourselves—to knowledge of the mechanisms of our minds and bodies. We are working, not just to understand the universe around us, but the world within us—not just the matter which surrounds us, but the nature of our own being.

In our society, which has learned to open cans electrically; to broadcast voices and pictures across oceans and continents, even to bounce them from a tiny satellite hurtling through space; to journey below the polar ice; to hurl man, borne by the most powerful engines known, literally toward the stars; that while doing all these things we have failed to solve the great unanswered questions that have faced the world since time began—the problems of hunger, want, disease, shelter from the cold and the heat—the problems of the basic needs of one-fifth of our Nation and three-quarters of our world; are making it possible for man to literally walk in outer space, while many, many cannot walk as men with dignity on this planet.

We have not solved the great human problems of despair and hardship and meaninglessness in a world so full of riches for so many.

We have not solved the great Christian problems of peace and brotherhood. We have not achieved triumph over warfare with victories of reason.

I am sure every graduating class is told that a commencement is only partly a beginning, even for you who are about to leave the academic life and emerge into a world of crisis. And this is true—but as Louisa May Alcott said, "Life is my college." And her hope is the hope of all of us as she expressed it, "May I graduate well, and earn some honors."

So graduation from college is a time for rededication, and reaffirmation of purposes and goals.

The anthropologists tell us that at a given time in the inexorable passage of the seasons, the young people of primitive tribes are gathered together, usually in the presence of the elders of the tribe, and are subjected to various rituals and ordeals which comprise what is called, by the anthropologists, a rite of passage.

The rite of passage, the anthropologists tell us, varies in its details from tribe to tribe, but there are certain underlying similarities everywhere.

In most groups, the rite of passage is a fairly uncomfortable, sometimes quite painful ritual. In most cases, the rites are administered by the old to the young, and in every case, it is a means of passing on to a new generation, the conventional wisdom which has enabled the tribe to cope, for years beyond measure with its environment—with natural forces, with neighbors, with enemies, with the everpresent supernatural currents.

This week, last week and next, throughout the length and breadth of this continent, the young men and women like you are undergoing our version of this rite of passage. I am sure that the graduating seniors can testify as to the discomforts they underwent during final examinations; and all of us can testify that the ritual wardrobe of a commencement must have been designed with redemptive suffering in mind.

These rites will differ in superficial details. But in one essential, the rites of passage everywhere in this great land will be identical with the rites of passage of tribal groups. In every case, the elders of the tribe are called upon, in various ritual ways, to impart to the youth conventional wisdom. All these will tell you and your counterparts how the tribe has achieved its greatness, or, alternatively, how it has begun to lose its past greatness. They will tell you what it is that you must struggle to preserve or perhaps what you must struggle to regain.

This advice will not be given in a condescending or smug fashion, I can assure you. This generation of ours has seen too much evil and too much of the ultimate depravity of which man can be guilty, to look back with excessive pride on its own accomplishment and hold them up as a necessary object of your emulation. There have been things done in this generation of which we are justly proud. There have been things done, too, by my contemporaries which only demonstrate how far men can depart from common decency and simple humanity.

No, we will not advise you because we believe we have found the ultimate in human insight, and we will not, I hope, look upon you as a Lost Generation, incapable of following the high example set by your elders. When we give advice to your generation we do so feeling both proud of you and concerned about you and your future—our future.

But—as this has usually been the case in rites of passage—we will probably not communicate well—because we feel, perhaps even more keenly than you feel, that the generations do not understand one another.

Never, I think, as I talk with countless young people, has this gap of communication been more evident than it is today.

And never, probably, will it be more evident than during our annual rites of passage.

Let me cite a few seemingly unrelated facts. Let me draw a tentative conclusion from them, and let me, in all humility offer it as my advice, my word—if not of wisdom, at least of good will, and friendship to you.

Item 1: Young Americans, most of them under the age of 30, have in recent years, gone by the thousands into every corner of the world as Peace Corps volunteers. In this capacity, even in situations where the American image in general was in rags and tatters, they have been able to carry out their work and to earn and retain an affectionate rapport with the people of these countries.

Item 2: Many of the first group of Peace Corps volunteers to return to this country met in Washington, earlier this year, to explore, with the leadership of the Peace Corps, ways of further service to the United States.

Item 3: A large number of young people have left their homes and gone to such places as Mississippi, there to work, to help encourage voter registration, to live and to know fear and privation, and, in a couple of cases, to die.

Even larger numbers of young people have participated in demonstrations in their own communities and in other States, in opposition to the racial injustices which are still too much a part of our society.

Item 4: Young people, in some cases the same young people who demonstrated for civil rights, have engaged in demonstrations against our foreign policies.

Item 5: In another great university, 3,000 miles from here, students demonstrated so vehemently in defense of what they thought to be a threat to their freedom of speech and political action, that a university administration was shaken and a major statewide political issue was born.

Item 6: In the Midwest, earlier this spring, record-breaking floods threatened to sweep into several major cities and to cause untold millions of dollars of damage. Among the hardest working volunteers on the dikes and levees were young college students. A number of newspaper accounts, and at least one editorial commented on this fact, to the effect that "Not all students are bearded troublemakers, demonstrating against the Government. Some of them, in Minnesota, at least, are valiantly out there helping their neighbors and their community."

Item 7: Much of the newspaper and other public criticism of the young people who have protested our foreign policy, and of the young people who have worked for civil rights, seems to stem from the fact that they were unshaven, and often poorly dressed.

Now, what do all these things mean? What conclusions can we draw from these facets of the always abrasive relationship between generations, and what comfort can we draw from our store of tribal wisdom?

First, let me say to any of you who may have picketed, who may have protested what seem to be injustices or stupidity, to those who have, in short, set their instinctive feelings against the accumulated knowledge of the people who bear responsibility for the resolution of issues—I would be the last to pass final judgment on the wisdom of such moves. If you have any contribution to make to a world which stands on the brink of self-destruction, to a nation which is in the throes of the most soul-searching revolution of the century, it is precisely your enthusiasm, your clear eyed, perhaps mistaken, perhaps not, but your concern about the irreconcilability of right and wrong.

You will be told that the things to which you object are impossible to correct overnight. Maybe they are, but they will never be corrected unless you and others like you continue to demand that they be corrected.

You will be told that this is not the way to seek reform, that you should present your requests through channels. But, also you know and I know that too often a channel is simply a ditch artificially dug to allow still waters to continue to run untroubled.

Respect for authority is indeed a laudable attribute. And I do not minimize it one single bit. Authority must be respected, but authority also must earn respect. I say the Republic is better off today for those young people whose respect for authority did not extend to the sheriff of Selma or others in authority who used electric cattle prods and bull whips on fellow human beings. When authority is abused to perpetuate wrong, it forfeits its right to respect. And age is no guarantee of wisdom. Respect authority, yes by all means—but first, respect yourselves, and love justice.

I'm told one of the slogans of some of our young people is "never trust anyone over 30." If this be true what a sad commentary on the lack of communication, of understanding between our generation and yours. I will admit to being over 30, and I would hope my contemporaries would not lose your trust. But, if you must discriminate, if you must be prejudiced, perhaps the generation which perfected the hydrogen bomb is as worthy of your lack of trust as any.

Let me say, too, that your addiction to folk songs and blue jeans and tennis shoes is a poor case for those who find you make them uncomfortable.

And to those who found a dilemma in the spectacle of young people from the same generation joining the Peace Corps, helping stem the raging Mississippi and picketing against the established policy of a community or a nation, I suggest there is no anomaly here.

These young people were each reacting, in ways which were really remarkably similar, to challenges which they could see, not challenges to policy, not challenges to authority, not challenges to order, but challenges to something more basic—challenges to life itself.

I don't automatically agree with every young person I see carrying a picket sign. I don't assume that a beard and a guitar are the infallible hallmarks of righteousness, and I agree that a vast amount of nonsense makes itself heard as the voice of youth.

But there is something infinitely precious which your generation has brought to a nation which could otherwise be infinitely smug and self-satisfied. It is not difficult, in countries of widespread poverty and obvious oppression, to awaken the spirit of protest and of revolution in which this Nation was founded. What is difficult is to keep the spirit alive when a nation is fat and prosperous, and when injustice masquerades under the guise of that great untouchable and impersonal deity policy.

"Why can't we do this?" asks the impatience of youth. "Because it's never been done that way. It's policy," replies the organization man. Well, we need organization men, and we need policy. But we need, as the world has never before needed, impatient, nonconforming, uncomfortable and uncomforting young men and young women who demand that policy justify itself and that the organization adapt to change.

So, perhaps, in this rite of passage, the tribal elder can only tell the young men and the young women, with a rueful shrug, "We have tried the conventional truths, and they don't always answer the new questions. We have made the customary sacrifices, and chanted the hallowed incantations, and still the rain doesn't come, the crops fail, and the flocks do not multiply as they should. Perhaps the impatient young men and women should give expression to their impatience."

I am not counseling you to throw off all the ancient ideals of the civilization of which you are the heirs. You could not if you would, and you should not, if you could.

And I do not really find much evidence in the rebellious spirit of your generation that you are even seeking to do so. I don't believe for one minute you are losing faith in democracy, in the Constitution, in American liberties and the concept of law and order. On the contrary, I find you making your elders uncomfortable precisely because you have the bad taste to take those concepts literally. You hear talk about free speech. You seek to speak out freely.

You read the 13th and the 14th and the 15th amendments to the Constitution, and you seek the equal justice, the equal opportunity and the equal rights which those honored but unobserved amendments promise.

And above all, I find that perhaps the most disquieting thing your generation is doing is to act as though the most fundamental religious beliefs were literally true. You act as though the brotherhood of man and the fatherhood of God were facts to be rejoiced in, not platitudes to contemplate in a segregated church on Sunday morning. You act as though the man who drove the money changers from the temple wanted his followers to concern themselves with economic inequities and social justice on weekdays, instead of just putting a dollar in the collection plate on Sundays to feed the distant poor.

You act as though you really thought the peacemakers are blessed. You act, in short, as though Jesus Christ were a man who spoke with authority, instead of just a troublesome Jew, who didn't care much about going through channels.

So I wish you well as you pass from the campus to the world of business or government, or finance, or to your professions, or to further study, or whatever. I assume much of your youthful enthusiasm will be tempered by your further experience. Other generations have been suspected by their elders of being uncontrolled. And the world has gone on. It will change most of you and some of you may change the world. The change in you will be the price you—and we—must pay for the change you will work in us.

Let me close by quoting a great philosopher who said to an audience in Boston over 100 years ago: "Ideals are like stars. You will not succeed in touching them with your hands. But like the seafaring man on the desert of waters, you choose them as your guides and following them you will reach your destiny."

Vietnam—The President Has Answered

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. ROGERS of Florida. Mr. Speaker, in a recent column David Lawrence outlined steps the President has taken to inform the world of our reasons for defending southeast Asia. Mr. Lawrence has also suggested a new way to publicize our position, and because it is worthy of serious consideration I include his thoughts on this important matter here in the RECORD.

WHAT ARE WE FIGHTING FOR? THE PRESIDENT HAS ANSWERED

(By David Lawrence)

WASHINGTON.—There was an art festival at the White House on Monday. It took the time and attention of the President of the United States. The occasion had a praiseworthy purpose. But there is something far more important which needs the time and attention of the Nation's Chief Executive right now. It's the wavering morale of the parents and relatives of the more than 50,000 American boys who are fighting the war in Vietnam.

These families cannot know what is going on in the jungles of Vietnam just by reading the newspapers, and naturally little mention of individuals is made unless there are casualties. Meanwhile, what the critics are saying, both here and abroad, is widely publicized. The impression is given that it is a useless war and that the lives of the American boys are being sacrificed in vain.

The real truth, however, is that the Americans in Vietnam are performing a service not only for the 190 million people in the United States, but also for the hundreds of millions of human beings in other countries who are being protected against a nuclear war because of the steadfastness and resoluteness of America's Armed Forces.

President Johnson is conscious of the worries and anxieties of the families of the Americans who are in Vietnam. But he admitted on Tuesday that he had a difficult time replying to a letter from a mother whose son was en route to Vietnam. He said he told her the Nation's liberty and freedom are so precious that her son's service is needed in Vietnam. But there has not yet been a definitive declaration telling the parents and relatives of the members of the Armed Forces of the United States why the mission in southeast Asia is so vitally important.

President Johnson could readily dramatize at a ceremony in the White House the reasons why American troops are in Vietnam. A delegation of parents of soldiers, airmen, and sailors in southeast Asia could be brought to the White House at Government expense so that the President personally could explain the war and what it means not only to the American people but to the world as a whole. Such an occasion would serve also to remind the parents of many boys who have not yet gone to Vietnam that if a crisis comes, they, too, must be prepared for the great sacrifices that are necessary to prevent a nuclear war.

President Johnson did make a generalized speech on April 7 at Johns Hopkins University in Baltimore, but what he said then about Vietnam needs reiteration. Mr. Johnson declared:

"Tonight Americans and Asians are dying for a world where each people may choose its own path to change.

"This is the principle for which our ancestors fought in the valleys of Pennsylvania. It is a principle for which our sons fight tonight in the jungles of Vietnam.

"Vietnam is far away from this quiet campus. We have no territory there, nor do we seek any. The war is dirty and brutal and difficult. And some 400 young men, born into an America that is bursting with opportunity and promise, have ended their lives on Vietnam's steaming soil.

"Why must we take this painful road? Why must this Nation hazard its ease, its interest, and its power for the sake of a people so far away?

"We fight because we must fight if we are to live in a world where every country can shape its own destiny, and only in such a world will our own freedom be finally secure.

"Over this war—and all Asia—is another reality: The deepening shadow of Communist China. The rulers in Hanoi are urged on by Peiping. This is a regime which has destroyed freedom in Tibet, which has attacked India, and has been condemned by the United Nations for aggression in Korea. It is a nation which is helping the forces of violence in almost every continent. The contest in Vietnam is part of a wider pattern of aggressive purposes.

"We are also there to strengthen world order. Around the globe, from Berlin to Thailand, are people whose well-being rests in part on the belief that they can count on us if they are attacked. To leave Vietnam to its fate would shake the confidence of all these people in the value of an American commitment and in the value of America's word. The result would be increased unrest and instability, and even wider war.

"We will not be defeated. We will not grow tired. We will not withdraw, either openly or under the cloak of a meaningless agreement."

The President could say a lot more at a White House ceremony and awaken an appreciation of the service being rendered by brave American boys as they risk their lives so that their families and their fellow Americans at home may be spared the horrors of a nuclear war.

Activities of an Urban Congressman

EXTENSION OF REMARKS

OF

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. SCHEUER. Mr. Speaker, the duties of a Congressman include a good deal more than legislating. We spend a good deal of our time concerning ourselves with community problems in our district. This is right and proper.

I have just prepared a report on my community activities for my constituents. I think that my colleagues and students of Congress will be interested in the activities of an urban Congressman. I have permission to insert the report in the Record.

The report follows:

Dear friend, since becoming your Congressman 6 months ago, I have devoted a great deal of time to the problems of our community. This report will tell you about many of my local projects and activities.

In the past months I have written to you about national and international issues. These of course must be my first concern as your Representative in Washington. But as the highest elected local official of our district, I have a special duty to concern myself with our many serious community problems, particularly because the Bronx has for so many years been New York City's neglected stepchild.

Here are some of the things I and my staff have undertaken to make our community a better place to live.

ST. FRANCIS SAVED AT LAST MOMENT

As this report was going to press, Cardinal Spellman announced the welcome news that St. Francis Hospital on East 142d Street had been granted a reprieve.

The loss of the hospital's 380 beds and the jobs it has provided for nearly a thousand workers would have created a major medical and economic crisis in this desperately needy south Bronx area.

I am happy to have been able to work closely with the tireless administrator of St. Francis, Sister Anthony Joseph, to achieve this goal. I organized a citizens' committee to help save the hospital, met with the department of hospitals and community leaders, urged the Mayor and the Governor to take action, and made a last-minute appeal for help on a TV program. I feel sure that our final success, however, came about through our total community effort to save St. Francis.

Cardinal Spellman has given us the best possible news. A brand new 350-bed hospital will be built on an adjacent site, creating hundreds of new jobs, and, when completed, greatly expanded medical services.

AREA BOYS SOUGHT FOR MILITARY ACADEMIES

If you have a friend or relative who would like to attend a U.S. military academy, please send his name and address to me in Washington as soon as possible. We are about to begin a district-wide search for qualified candidates.

As Congressman, I am entitled for this year to appoint seven boys to U.S. military academies—three to the Air Force Academy, two to West Point, and two to the Naval Academy at Annapolis. In addition, 5 alternates for each post must be selected, and another 10 will be chosen to take a qualifying exam for the Merchant Marine Academy. This makes a grand total of 52.

I have decided to depart from the tradition which allows me personal choice of any candidates I wish to recommend. Instead, I have formed a committee of public-spirited citizens in the Bronx to give equal consideration to every interested boy in our community. The committee will recommend candidates solely on the basis of merit.

Wouldn't it be a wonderful thing for our 21st District, and a good thing for our military academies too, to send a group of outstanding young men who might otherwise have missed this opportunity?

The chairman of the Committee on Academy Appointments is Donald Darcy, senior vice president of Northside Savings Bank, vice chairman is Harrison J. Goldin, attorney and leader of the Metropolitan New York Council of the American Jewish Congress.

Other members include: Frances Castaldo; Father Mario Ciampi, O.F.M., Our Lady of Pity; Dennis Coleman, president, Bronx NAACP; the Honorable Maximo Gonzalez, Bronx district rent director, rent and rehabilitation administration; Abraham Gurevich, president of the Security Mutual Insurance Co.; the Reverend Edler Hawkins, former moderator of the General Assembly of the United Presbyterian Church in the United States, and now minister of St. Augustine United Presbyterian Church; Rabbi David Hollander, Mount Eden Center; the Reverend James Keller, minister of Morisania Presbyterian Church; Leonard Lichtblau, principal of Public School No. 35; Ernest Minott, vice president of the United Parents' Association; Ira Petowski, commander, Pvt. Harvey Ehrilich Post, Jewish War Veterans; Mrs. Hyman Schneider; Rabbi Reuven Siegal, Adath Israel congregation.

CRIME AND PUBLIC SAFETY

Over 400 people attended our May 16 conference on crime and public safety. Mayor Wagner, our new Police Commissioner Vincent Broderick, Representative Jonathan Bingham, Assemblyman Seymour Posner, and many other national and local experts participated.

Recommendations based on the panel discussions at the conference—on the role of the Federal Government, the role of the courts, narcotics control, and neighborhood safety—are being drawn up. We are creating an advisory council to help put these recommendations into effect.

The long, hot summer is with us again—longer and hotter because of the water shortage. We have been conferring with the captains of the local precincts on measures to help keep the streets safe in this period. These meetings have produced a number of helpful suggestions, which my advisory council will help the police implement.

In early June I convened a meeting of community leaders, police captains, and youth patrolmen from local precincts to discuss this whole problem as it affects our neighborhoods. We took up specific plans for this summer, and long-range programs to ease community tensions.

Finally, I have tried to do something in Congress about the crime problem. On May 12, I introduced an anticrime bill in the House of Representatives embodying President Johnson's proposals for fighting crime, but adding two amendments not included in the President's recommendations.

My bill calls for the creation of a new office in the Justice Department devoted exclusively to criminological research. It also calls for the formation of a Scientific Advisory Council which would find ways to apply the scientific advances of modern life to crime prevention and detection. To give you an idea of what I mean: the local policeman on the beat might carry a weapon which fires not bullets, which kill, but pellets which temporarily stun a suspect. Such a device might produce more arrests yet cause less danger to all concerned.

PLANS FOR SENIOR CITIZENS

So many older people in our community have spoken to me about the need for small, easy-to-get-to places where they can spend friendly social hours together, and I am hopeful that we can make this wish a reality.

I have organized a committee in the community to concentrate on the needs and problems of our aging. Its special job is to work for worthwhile projects which we hope will qualify for Federal funds under the antipoverty program.

One such project is these store front clubs for older persons. They would be similar to Golden Age Clubs, but smaller, easier to find, and closer to home—like a corner drugstore.

Another project we hope will qualify for a demonstration grant is a geriatric center for the Concourse Division of the Bronx Lebanon Hospital. The purpose of this center would be to offer not only improved medical attention for the aged, but a great many helpful social services as well—all coordinated under one roof.

The committee, called the South West Bronx Anti-Poverty Advisory and Coordinating Committee, is headed by the active community leader, Carl Sontz.

Members include Ida Arbitman, supervisor of Golden Age Clubs for the Bronx YM–YMHA; Marvin Beile, director of health education for old-age groups of the Bronx Board of Health; Abraham Fleischman, executive director of the Bronx YM–YWHA; Donald Granick; Fannie Hurlinger, director of social services at Bronx-Lebanon Hospital; Susan Kinoy, director of the Kingsbridge neighborhood project on aging; Manfred Klein; Ralph Rivera; Dr. Herbert Seltzer, executive director of the Daughters of Jacob; and Ida Townsend.

PROGRESS ON SCHOOLS

I am very happy to tell you that funds for a new public school No. 35, a crucially important elementary school at 165th Street and Morris Avenue, have been included in the new city budget. I spoke on behalf of the new school at city planning commission hearings, and presented testimony at the budget hearings of the board of education.

I am working hard to get one of the first supplementary education centers in the Nation approved for our district. These centers will be provided under the new Elementary and Secondary School Education Act just passed by Congress. They are to be used for remedial reading, audiovisual programs, counseling, and are to be adaptable for cultural activities under the Scheuer amendment to the new act. My staff has located several possible sites for such a center, which are now before the board of education for approval. We are pursuing this actively with the superintendent of schools, Dr. Bernard Donovan, who is cooperating with our efforts to the full.

To be sure that the new planning by the board of education for Taft High School does not lower its educational standards, I have arranged meetings with the leaders of the PTA, school officials, and Dr. Donovan, superintendent of schools.

NEW HELP FOR AGING

The Kingsbridge neighborhood project on aging has been set up to assist all elderly men and women in the Concourse area. Its aim is to identify the problems of aging persons—family, financial, or medical problems, or perhaps simply the great problem of loneliness—and to put them in touch with the right health and welfare agencies.

I am working with this neighborhood project. Above all, we want to keep elderly people living in the southwest Bronx, and to include them in the life of the community.

I spent an afternoon with one of the project's volunteer interviewers, Mrs. Magda Quittner. We had a heartwarming visit with Mrs. Rose Siegal of Walton Avenue, who emphasized the need I mentioned earlier—the need for places close to home, without difficult stairs and hills to climb, where older people can gather for recreation and companionship.

At the end of our visit, our gracious hostess was so interested in the project she volunteered to interview others. If you would like to volunteer, your help is needed and welcome. Call 537-3885.

As your Congressman in Washington, I have worked to ease the problems of our aged by cosponsoring the medicare program in the House, voting for the Older Americans Act, and supporting increased pensions for retired Government employees.

ANTIPOVERTY PROGRAM UNDERWAY IN DISTRICT

We have had a major breakthrough for the antipoverty program in the Bronx. SEBU—South East Bronx United—has received a planning grant of over $25,000. I am happy to have had the opportunity, in cooperation with Councilman David Ross and Borough President Joseph Periconi, of working to obtain it.

SEBU is a coalition of community organizations and social agencies in the south and east Bronx formed under the leadership of the Reverend George Hardy of the Congregational Church of north New York.

As you know, I am a member of the Antipoverty Subcommittee of the House Education and Labor Committee. I was thus able to arrange the first congressional hearing held in the Bronx for years—an Antipoverty Subcommittee hearing on April 10.

Over 20 community leaders as well as residents of poverty areas in the Bronx participated. The views which they expressed on Federal antipoverty efforts were subsequently published in the CONGRESSIONAL RECORD.

I am working with city and Federal antipoverty officials to get a Community Progress Center and a JOIN (Job Orientation in Neighborhoods) Center for the south Bronx. Some of the most impoverished areas in the city are in the south Bronx, and it is important that they get both local and Federal assistance.

We have been working closely with the Einstein Medical Center Mental Health Division at Lincoln Hospital in its program to develop local community centers. The first was opened in our district on February 28, at 349 East 138th Street. It has already attracted widespread interest and community support.

TREES AND PARKS

My staff and I have met on numerous occasions with Commissioner of Parks Newbold Morris and his aids. Plans are now well developed for special tree plantings on Jerome, Willis, University, and Melrose Avenues, and 149th Street. I am also presenting plans for the planting of additional trees to fill the bare spots on the Grand Concourse.

It has taken many decades for New York to come back to an appreciation of not only the beauty, but the importance of trees. Trees purify the air, cushion the harsh noises of city streets, hold moisture in the ground, and help to moderate uncomfortable extremes of temperature. Above all, they delight and soothe the spirit.

My staff is working to locate possible sites in our area for badly needed vest-pocket parks. A survey of defects in our existing parks has been made by the local reform Democratic clubs, and submitted to Commissioner Morris. We have already had some results, and more improvements are expected in the near future.

HOUSING AND NEIGHBORHOOD CONSERVATION

Commissioner Herbert Evans of the city housing board and I are working to explore an area conservation program for the South Highbridge area, which would prevent the continued deterioration of sound housing there because of landlord neglect.

In cooperation with Housing Commissioner Hortense Gabel and Federal antipoverty officials, I have developed a plan to rehabilitate two blocks of substandard housing in the district. We have recommended a possible site to Commissioner Gabel.

I am actively working with the Mid-Bronx Community Council which is developing two proposals for middle-income Mitchell Lama projects off Jerome Avenue.

I have also worked closely for several years now with the Bronxchester Mutual Housing Association, a group of community organizations, businessmen and leaders, which is sponsoring a huge 4,000-unit middle-income development in the general area of 3d to Eagle Avenues, and 149th to 161st Streets.

I have conferred with Milton Mollen, city coordinator of housing and development, to urge additional middle-income housing in our district.

BUSINESS AND EMPLOYMENT

I have had several meetings with Bronx business leaders and am planning a Business Advisory Council to work on ways of bringing new businesses and more jobs into the area. We are exploring a proposal for an industrial park in the South Bronx which would be designed to attract firms with permanent, well-paying jobs.

We have also explored the possibility of demolishing the antiquated Third Avenue el, and a campaign to improve the 149th Street shopping area. The creation of a shopping mall is an attractive idea, but some viable substitute for the blight-producing el must first be found.

I am planning a small business workshop this coming fall or winter. The Small Business Administration will send representatives to explain opportunities for small businessmen under existing Federal programs.

COMMUNITY CONSUMER PROGRAM PLANNED

Esther Petersen, the President's charming and indomitable adviser on consumer problems, is working with me on a demonstration program on consumer problems which will take place this fall in our community. You will be hearing more about this in a few months.

BRONX CULTURAL LIFE

My wife, Emily, has become active with the Bronx Council on the Arts and is trying to develop projects which will give us more cultural facilities in the Bronx. We certainly need them.

With Congressman BINGHAM and Assemblyman Posner, I have sponsored a series of concerts in the Bronx by the young people's symphony.

I have conferred with the borough president's office to be certain that the new Bronx Civic Center will really serve community needs fully. I have expressed my concern that the civic center be a true public facility of great beauty and not another architectural monstrosity.

COMMUNITY SERVICES

We are now preparing a simple guide to community services offered in the Bronx. No such booklet is now available.

I have conferred with Welfare Commissioner Dumpson about setting up a new system to solve individual constituents' problems more quickly.

ESCALATORS AT SUBWAY STATIONS

I am forming a committee to explore the use of escalators in our elevated subway stations and to study the problems of Bronx public transportation in general.

PICTURE CAPTIONS

Photos taken at conference on crime and public safety, held May 16 at Taft High School. On left, Mayor Wagner speaks with Representative SCHEUER and interested citizens after his keynote speech. On right, the panel on the role of the Federal Government meets in the school gym; from left to right, Julius Edelstein, special assistant to Mayor Wagner; Richard Brown, administrative assistant to Representative SCHEUER; Seymour Feller, former president of the John F. Kennedy Independent Democratic Club; George O'Connor of the International Association of Chiefs of Police; and the Honorable Vincent Broderick, police commissioner of New York City.

Representative SCHEUER and Mrs. Magda Quittner of the Kingsbridge neighborhood project on aging, discuss problems of elderly persons with Mrs. Rose Siegal of Walton Avenue.

The Concourse Little League began another season this year with a parade in which I marched to express my support of this fine organization, directed by the dedicated Harry M. Klinetsky. Representative SCHEUER'S youthful companions here are: Row 1, left to right, Jackie Almalech, Steve Weissman, Al Tragerman, Randy Garfield, Barry Norch. Row 2, Mike Greenberg, Jeff Newman, Louis Nazel. Row 3, Jeff Kruger, Bill Jackson, Ira Brander, Jeff Hirsch, Preston Faro.

Dennis Coleman, president of Bronx NAACP, with Representative SCHEUER at Antipoverty Subcommittee hearing held April 10 in the Bronx.

Since I have not yet been your Congressman for 6 months, many of these projects are only in the beginning stage. While I cannot guarantee their successful conclusion, I can promise you that my staff and I are working as hard as we can to bring them to fruition. I hope and trust that, with your support, we will be successful in our efforts to provide a better neighborhood for you and your children.

Mail Explosion U.S.A.

EXTENSION OF REMARKS

OF

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. MATHIAS. Mr. Speaker, for several years the C. & P. Telephone Co. has been conducting an ambitious and admirable public affairs program. Its activities have included "register and vote" campaigns, courses in basic economics and in political action, and the publication of legislative bulletins on issues of interest to the company and its employees. The public affairs articles in the C. & P. magazine, the Transmitter, have won awards and citations from the Freedoms Foundation at Valley Forge for the past 4 years, including the top national award in this field in 1964.

A current theme of this fine program is "Know Your Government." At the core of this program is a new series in the Transmitter entitled "Your Federal Government in Action." Each issue will feature an article by the Secretary of a Cabinet department, explaining the history and functions of his department. These articles will be circulated widely, to schools, libraries, and civic groups, and will be made available to other Bell System companies and other industries. They should ultimately be read by hundreds of thousands of interested citizens in all parts of the Nation.

This series is but one of the projects currently underway. A series on the Congress is contemplated, as is coverage of the Supreme Court and the Presidency. In addition, the public affairs program will be in operation at other levels through publications, lectures, and seminars.

I commend this effort to answer the need for more information about our Government and its officials, and to provide material which is both enlightening and entertaining. I would like to place in the RECORD the first acticle in this series, "Mail Explosion U.S.A." by Postmaster General John A. Gronouski:

MAIL EXPLOSION U.S.A.

Sam Osgood was dubious about the whole thing. He didn't want to be the first Postmaster General under the new Constitution. That was General (by this time President) Washington's idea. Others clamored for the job, but Washington put them off. Osgood succumbed to the President's persuasion finally and became Postmaster General in 1789.

Thus, Osgood became director of the fledgling system that Benjamin Franklin had established under the Continental Congress—the embryo of today's postal system. There were about 75 offices and 2,400 miles of post roads to serve a population of three million persons. Rates of postage were high and often at variance according to the distances covered. Discipline among postal riders was lax. Enforcement of financial accountability and adherence to rules was all but impossible. Osgood reported to Congress in January 1790, only 4 months after taking office, "I beg leave to observe, that there may be so few letters written that it will not amount to anything considerable."

Had Osgood only known the growth in store for the Nation and the needs this growth would create. Operating under the main policies and basic rules of 1790, today's postal system handles 72 billion pieces of mail each year. The mail volume of this country alone nearly matches that of the rest of the world combined. The total volume amounts to one letter per day for every man, woman and child in the country.

Expressed in comparative terms, Greater New York City produces and processes about the same volume of mail as Great Britain. The annual increase in U.S. mail is equivalent to the total yearly volume of some European countries.

Such statistics and comparisons become blurred in their immensity. Suffice it that a slide rule expert recently concluded that our country's mail this year, if placed end to end, would reach 44 times between the earth and moon. But, enough of that.

COPING WITH THE MAIL EXPLOSION

The growth in mail volume during the latter half of the 20th century amounts almost literally to a "mail explosion." Handling the 72 billion pieces of mail with efficient dispatch requires a huge delivery system consisting of nearly 34,000 offices and 10,000 additional stations, garages and terminals. Some 590,000 employees are needed to man the system, and almost 120,000 vehicles—ranging from light and mobile Mailsters to huge over-the-road tractor trailers—are used in the complicated process of collection and delivery.

In great similarity with telephone companies, the mail service must adjust itself to the peaks and valleys of public demand, with little or no opportunity to stabilize work flow. Communications must be handled as perishable products and time is of utmost importance. The mail can't be stockpiled in order to obtain the most economic use of manpower and machinery. Unlike many businesses, there is no opportunity to control the number of pieces placed in the postal system or to dictate to customers the hours and dates when mail can be accepted for processing. Like the telephone company, the Post Office has to be ready to give service when, where and how public needs demand it.

The Post Office serves 45.1 million families and 4.3 million business addresses located along more than 103,000 city delivery routes. Nearly 10 million farms and nonurban addresses are served by some 31,000 rural delivery routes. Clockwork collection schedules are maintained for half a million street letter boxes.

CONGRESS AND EBENEZER'S HORSE

Members of the Congress may find solace in the monetary tribulations of their forebears of the Continental Congress.

Ebenezer Hazard, Continental postmaster at New York City during the Revolution, sought a special appropriation to purchase a horse.

It all began when Gen. George Washington, to consolidate his defensive position, fell back from Long Island and abandoned the New York Harbor area to the superior strength of the British. Ebenezer Hazard had been delivering mail dispatches on foot. But now the American Army was off somewhere in New Jersey.

"The post office," he claimed, "hath need of a horse."

We may have lost something in translation from the official documentese of the day but in substance the word to Postmaster Hazard was:

"Sorry, don't you know there's a war on?"

PRESORTING, 1773

The recent Post Office Department order that second and third-class permit holders presort their mail by ZIP codes before it enters the postal system has precedent in early colonial annals.

The following passage is found in the 1773 diary of Hugh Finlau who succeeded Benjamin Franklin as England's Deputy Postmaster General for the American Colonies:

"Acting Postmaster Antill (N. York) wishes that the letters sent from England by the Packet cou'd be sorted in London, each city its different bundle viz., N. York, Phila, Boston, Quebec, Montreal, &c; his reason for mentioning this wish is, that it often does happen that there is not time to assort them before the departures of the different riders or at least of some of them, by which means they lie in the office until next post day which makes eight days different to Canada for instance."

OPERATES ON A BUDGET, LIKE BIG BUSINESS

Yes, the Post Office is big business. It operates within a rigid budget of $5.3 billion and handles in the course of a year's business about $20 billion. Like private business, it has labor contract agreements with organizations representing its 590,000 employees—the largest civilian labor force in the Government and comparable in size to General Motors and A.T. & T. The Post Office "board of directors" is the U.S. Congress which sets the Post Office budget (the moneys used for wages, facilities, transportation and the like) and the postal rates that may be collected for its various services.

The Post Office leads all departments of Government in the recovery of its costs to the taxpayers served. Much of its cost-revenue gap results from activities designated by Congress as free public services. Among these traditional functions performed without charge are: delivery of franked mail for Members of Congress and other Departments and agencies of the Federal Government; delivery of books for the blind; the annual registration of aliens; sale of U.S. savings bonds and stamps, documentary Internal Revenue stamps for payment of taxes on Federal documents, and migratory bird handling stamps; assistance in obtaining statistical data for other Federal Departments, distribution of Internal Revenue forms and civil service information; conducts civil service examinations, locates relatives of deceased persons for the Armed Forces, certifies widows and children for Government benefits; through its rural carriers, surveys wild fowl population, reports forest fires and distributes livestock and crop acreage survey materials, and sometimes used for voter registrations, and most recently, for registration of Job Corps members in the war on poverty.

THE SPIRIT OF SERVICE

There is no section of the country, no matter how remote, where the mails do not penetrate with scheduled regularity. Symbolic of the spirit of service this represents is the oft-quoted line paraphrased from Herodotus (424 B.C.) which appears on the facade of the New York Post Office: "Neither snow, nor rain, nor heat, nor gloom of night stays these couriers from the swift completion of their appointed rounds."

The creed was a challenge to physical stamina and personal determination for colonial post riders and the famous pony express. Post riders in 1789 were adjured to cover 100 miles in 24 hours traveling through day and night, a feat seldom accomplished when inclement weather turn rustic roads into quagmires.

But, how are these appointed rounds to be completed in this modern age of technology and ever-growing mail volumes? Surely, nature still impedes these modern couriers and personal determination and dedication of individuals still insure that "the mail must go through." However, today's postmen have an increasing arsenal of modern management methods and electronic machines at their disposal.

These new developments have fathered the ZIP code (zoning improvement plan) and completely new patterns of distribution. Probably the most far-reaching improvement in postal service since city deliveries began in 1863, the ZIP code works with 553 sectional centers, or mail massing points, located strategically across the Nation.

The 5-digit ZIP code identifies every community in the 50 States, from the smallest crossroads hamlet to the largest metropolis. A natural extension of the old zone system which was limited to about 125 larger cities, the ZIP code enables originating post offices to sort mail for direct shipment to sectional centers nearest destination (see diagram), and to bypass terminals and intermediate offices where mail formerly was rehandled as many as a dozen times in cross-country transit.

In less populated areas, the first 3 digits identify sectional centers, which are main focal points for air, rail and highway transportation, and the last 2 digits identify the local post office or delivery station. In cities that formerly had local postal zones, the first 3 ZIP code digits establish the city, and the last 2 designate the former local zone.

PARCEL POST ZIPS, TOO

A prime example of how ZIP code and sectional center distribution is transforming the mails is a brandnew service called scheduled parcel post, a project of top priority on Postmaster General Gronouski's timetable of postal service improvements. Already, in a dozen geographical parts of the country, nearly 5,000 post offices are offering next-day parcel post delivery over wide areas, some of them as large as entire States.

Scheduled parcel post is one of the great accomplishments of our time in the postal service. And it works by ZIP code—with the same sectional center distribution being installed for letter mail.

Some of the geographical areas already included in the nearly 300,000 square miles of scheduled parcel post are southern Michigan, now interchanging with central Ohio; Baltimore, the Chesapeake area, Washington, D.C., and northern Virginia; northern, central and southern California—with second-day interchanges; southern Illinois and eastern Missouri, with St. Louis as the hub; the wide expanses of eastern and southern Texas, including Houston, Dallas, Fort Worth, Beaumont; all of South Carolina; most of Louisiana.

Who is using scheduled parcel post? Farmers and nursery growers; manufacturers and warehousers of machinery replacement parts; the suppliers of automotive items. All have found that fewer handlings spell faster delivery and less damage in transit.

Even more than a business-type organization in Government, the Post Office is a service organization to business. Time was when the bulk of mail consisted of individual correspondence. Today much individual mail, especially within cities, has been superseded by the telephone.

Today, 80 percent of the volume is business mail: magazines, insurance premiums, credit-card transactions, department store bills and payments, mortgage payments, automobile payments, dividend checks, and social security checks. The centralization of accounting by use of computers has accelerated the trend.

Because the United States has more telephones than any country in the world, the postal service gets 600 million phone bills to deliver and 600 million checks going back. The same is true in almost any other area. We produce 8 million cars a year, we set up millions of accounts, and some of them carry over as much as 36 months. Thus, around 200 million payments a year go through the mail to automobile sales organizations or finance organizations, and around 200 million statements go back to customers with return envelopes for the next month's check.

The interdependence of business and the postal service is the very core of the NIMS program—nationwide improved mail service. In 275 of our larger cities, 16,000 large business mailers have joined Mail Users Councils. Through the NIMS program they are reducing the after-5 p.m. mail glut by depositing mail throughout the working day—allowing more economical scheduling of manpower and machines by the Post Office.

Before, over 80 percent of the mail in big cities was coming into the postal system after 5 p.m.—and the jam-up was getting so bad that much of the mail couldn't be handled in time to make the final deadline for important dispatches. Now, as the result of business cooperation, the volume of mail coming in after 5 p.m. is less than 43 percent.

ABCD—SAME-DAY DELIVERY

Installed in 271 cities is an entirely new service concept, the accelerated business collection and delivery program (ABCD). By careful scheduling of collections and deliveries, ABCD gives same-day deliveries in these cities. All mail deposited in the ABCD collection boxes by 11 a.m. is delivered within the business district by 3 p.m.

Considering that business generates more than three-fourths of all first-class mail, 4-hour delivery is of tremendous value in processing vital correspondence during midday hours. Nearly 1 billion pieces of U.S. mail per year are now given same-day delivery by this means.

This program did have some disadvantages, however. For example, an Atlanta bank had to alert customers to be sure to have money in the bank before writing a check, because checks were getting to the bank before deposits.

A system for speedier delivery of mail to tenants of high-rise office buildings is called vertical improved mail—or VIM. Under this program, builders are asked to install a sophisticated conveyor system so that postal employees, working out of a downstairs mailroom, can dispatch mail to the various floors as soon as the mail comes in.

With the advent of ZIP code, which provides an improved transportation routing system, with the installation of optical scanning machines to read and sort letters at the rate of 36,000 an hour, and with the formulation of a transportation policy that is abreast of the time, new service breakthroughs are in store for the American public. One wonders what Samuel Osgood, first Postmaster General under the Constitution, would have thought about the changes wrought by the Post Office in less than two centuries. Had it been possible for him to look into the future and see the interdependence of business growth and the postal system of this great Nation, perhaps he would join with Postmaster General Gronouski in this expression of post office philosophy:

"We look upon ourselves as partners in an expanding economy. As long as our economy depends heavily upon the mails, we have a public trust that we will not fail."

SENATE

THURSDAY, JUNE 24, 1965

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, in the midst of all the bafflements of our mortal days, we are grateful for the light that shines and the music that sings at the inner altar of our faith. By daily vigils in those cloisters of the spirits, give us clear eyes to discern, without blinding sophistry, the momentous facts of our generation freighted with destiny, and undergird us with courage to meet them, and dedicated intelligence to handle them.

Knowing that all fetters of the mind and spirit and body, as they desecrate human dignity, are an offense to Thee, strengthen our will, we beseech Thee, never to be browbeaten by threatening evil, or to surrender to craven fear—that having done all for a just peace, to stand steadfastly where honor and duty draw the line, from which there can be no retreat without our being recreant to Thy solemn trust in us.

We ask it in the Redeemer's name. Amen.

Mr. CHURCH obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. CHURCH. I am happy to yield.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 23, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

THE CALENDAR

On request of Mr. Mansfield, and by unanimous consent, the following calendar measures were considered and acted upon as indicated, and excerpts from the reports were ordered to be printed in the Record, as follows:

BICENTENNIAL CELEBRATION OF THE BIRTH OF JAMES SMITHSON

The joint resolution (S.J. Res. 56) authorizing the President to proclaim the occasion of the bicentennial celebration of the birth of James Smithson, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas James Smithson, of London, England, by his last will and testament gave the whole of his property to the United States of America, to found at Washington, under the name of the "Smithsonian Institution", an establishment for the increase and diffusion of knowledge among men; and

Whereas the United States by Acts of Congress received that property and accepted such trust; and

Whereas the United States, for the faithful execution of such trust, by an Act of Congress approved August 10, 1846, formed an establishment, consisting of the President, the Vice President, the Chief Justice, and the heads of executive departments, by the name of the Smithsonian Institution for the increase and diffusion of knowledge among men; and

Whereas the Smithsonian Institution, in carrying out the provisions of the mandate placed upon it, has striven to serve as the cutting edge of original research in advancing the frontiers of knowledge beyond the limits of the practical, the profitable, and the obvious; and

Whereas James Smithson, in setting forth the ideal of the "increase and diffusion of knowledge among men", ignored considerations of nationality, private interest, and narrow scholarly specialization; and

Whereas any institution dedicated to an ideal must constantly remember and rededicate itself to that ideal; and

Whereas the Board of Regents and the Secretary of the Smithsonian Institution to celebrate the bicentennial of the birth of James Smithson have invited prominent scholars, scientists, and representatives of universities, museums, and learned societies of the world to Washington, District of Columbia, on September 17 and 18, 1965, for a program consisting of addresses, papers, and discussions concerning the broad problems of man and his relationship to his environment: Now, therefore, be it.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, as the presiding officer of the Smithsonian Institution, is hereby authorized and requested to issue a proclamation to announce the occasion of the celebration of the bicentennial of the birth of James Smithson and to designate and set aside September 17 and 18, 1965, as special days to honor the memory of James Smithson and the accomplishments of the Institution which bears his name.

PURPOSE

The purpose of the joint resolution is to authorize and request the President of the United States to issue a proclamation to announce the occasion of the celebration of the bicentennial of the birth of James Smithson, and to designate and set aside September 17 and 18, 1965, as special days to honor his memory.

STATEMENT

On September 17 and 18 of this year the Smithsonian Institution is celebrating in Washington the 200th anniversary of the birth of its founder. For the occasion it has invited more than 700 scholars, scientists, and representatives of universities, museums, and learned societies of the world to Washington for a program consisting of addresses, papers, and discussions concerning the broad problems of man and his relationship to his environment.

In addition to honoring the Institution's founder, the aims of the bicentennial celebration are (1) to pay tribute to the distinguished past of the Smithsonian Institution and affirm to its members and regents; to scholars, scientists, and kindred institutions; and to the general public, the Smithsonian's intent to fulfill a vital and useful role in society; and (2) to examine the nature of knowledge and creative discovery as conceived by Smithson and and as understood today.

KAM YUET MOY

The bill (S. 827) for the relief of Kam Yuet Moy was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Kam Yuet Moy, widow of Fred Moy (a citizen of the United States), shall be deemed to be eligible for immigrant status under section 101(a)(27)(A) of such Act, and may, notwithstanding the provisions of section 205 of such Act, be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of a nonquota immigrant to Kam Yuet Moy which is the status to which she would be entitled were it not for the death of her U.S. citizen husband.

CHANG AH LUNG

The bill (S. 858) for the relief of Chang Ah Lung was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Chang Ah Lung shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Chang Ah Lung. The bill provides for an appropriate quota deduction and for the payment of the require visa fee.

MR. AND MRS. TOROS TOROSIAN

The bill (S. 859) for the relief of Mr. and Mrs. Toros Torosian was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Act of July 14, 1960 (74 Stat. 504), Mr. and Mrs. Toros Torosian shall be held and considered to have been paroled into the United States on the date of the enactment of this Act, as provided for in the said Act of July 14, 1960.

PURPOSE OF THE BILL

The purpose of the bill is to provide that Mr. and Mrs. Toros Torosian shall be considered to have been paroled into the United States as refugees as of the date of the enactment of this act.

ROZA FEUER

The bill (S. 864) for the relief of Roza Feuer was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Roza Feuer shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Roza Feuer. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

YOUNG WAI

The bill (S. 867) for the relief of Young Wai was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Young Wai shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Young Wai. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

MOTHER AZUCENA DE SAN JOSÉ

The bill (S. 868) for the relief of Mother Azucena de San José (nee Carmen Hernández Aguilar) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Rpresentatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mother Azucena de San José (nee Carmen Hernández Aguilar), shall be held and considered to have been lawfully admitted for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Mother Azucena de San José (nee Carmen Hernández Aguilar). The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

WILLIAM S. HWANG

The bill (S. 925) for the relief of William S. Hwang was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, William S. Hwang may be charged to the quota for Malaysia.

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to qualify for an immigrant visa under the Malaysia quota.

LOUIS SIROTA

The bill (S. 1001) for the relief of Louis Sirota was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the case of Louis Sirota. From and after the date of the enactment of this Act, the said Louis Sirota shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued or on the basis of similar evidence or related conduct which was a matter of public record at the time.

PURPOSE OF THE BILL

The purpose of the bill is to cancel the outstanding deportation proceedings in the case of Louis Sirota and to provide that he shall not again be subject to deportation by reason of the same facts on which the present proceedings are based.

KURUSH SHAHBAZ

The bill (S. 1076) for the relief of Kurush Shahbaz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Kurush Shahbaz may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that no period of residence or physical presence within the United States or any State shall be required in addition to his residence and physical presence within the United States since October 26, 1962.

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

SETTLEMENT OF CLAIMS ARISING OUT OF THE CRASH OF A U.S. AIR FORCE AIRCRAFT AT WICHITA, KANS.

The bill (H.R. 3994) to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling and paying certain claims arising out of the crash of a U.S. aircraft at Wichita, Kans., was considered, ordered to a third reading, read the third time, and passed.

PURPOSE

The purpose of the proposed legislation is to waive the $5,000 limit on administrative settlement contained in section 2733 of title 10 of the United States Code so as to permit the prompt settlement and payment of claims filed as the result of the crash of a U.S. Air Force aircraft at Wichita, Kans., on January 16, 1965.

STATEMENT

The bill H.R. 3994 was introduced in accordance with the recommendations of the Department of the Air Force in an executive communication. The Department of the Air Force recommends the enactment of the bill.

The air crash referred to in the bill occurred on January 16, 1965, at 9:30 in the morning. An Air Force KC-135 aircraft took off from McConnell Air Force Base, Kans., on a refueling misison. The takeoff appeared to be normal and the aircraft climbed straight ahead for a short time and then began a left turn. It was after the aircraft reached this point in the flight that it apparently began to experience difficulties with the result that the aircraft crashed in a residential area of Wichita, Kans. The airplane exploded on impact and debris and burning fuel were scattered over an area which included several blocks.

In its communication to the Congress, the Department of the Air Force stated that the cause of the accident has not yet been determined. The seven Air Force crewmen carried on the plane perished in the crash and the airplane itself was a complete loss. The reports available to the Department indicate that 12 private homes were completely destroyed. Some 75 other homes were damaged in varying degrees. This, of course, resulted also in extensive damage to personal property in the homes destroyed or damaged. The preliminary report made to the Air Force indicates that a total of 30 persons lost their lives as a result of this accident. Further 17 persons suffered injuries and 4 were hospitalized. Two of those hospitalized suffered severe burns of their legs and feet as a result of attempting to escape by running through burning fuel.

The staff judge advocate's office at McConnell Air Force Base is expediting the investigation of this accident so as to provide the information necessary to promptly settle the claims arising from the crash. The claims which are filed in the matter are considered in accordance with the terms of section 2733 of title 10 which provides for the settlement of claims arising as the result of the noncombat activities of the military services. That section provides that the Secretary of a military department may settle and pay a claim of not more than $5,000 and, if a claim is considered meritorious which exceeds that amount, the Secretary may pay the claimant $5,000 and report his recommendation to Congress.

The House Judiciary Committee requested information on the steps taken by the Air Force. That committee has been advised that after the crash five Air Force investigative teams were immediately organized to expeditiously investigate and process all claims for damage. At the same time, the Judge Advocate General of the Air Force authorized the staff judge advocate, McConnell Air Force Base, Kans., to make emergency payments as authorized by section 2736 of title 28 in amounts up to $1,000 each to alleviate hardship of the injured and homeless. In addition, in order to expedite the payment of claims under the military claims settlement authority of section 2733 in small amounts in the field at the lowest level, the Judge Advocate General authorized the same officer to settle all claims presented for $1,000 or less, the maximum delegation possible under the statute. An experienced private civilian appraiser has been employed by the Air Force for the purpose of appraising damage to the destroyed realty. The Corps of Engineers personnel are appraising the damage and furnishing estimates of the cost to repair the houses which were not completely destroyed.

The House Judiciary Committee was interested in the number of potential claims to be settled under the authority of this bill. The Air Force has indicated that based upon information presently available to the staff judge advocate, McConnel Air Force Base, Kans., he has estimated that he will receive a total of 126 claims resulting from the crash, and there is a possibility of an additional 60 more being filed.

As to the potential amount of claims when due consideration is given to the Kansas wrongful death statutes (Kans. Stat. 60-1902 and 60-1905), which limit recovery to $25,000 for each death, a rough estimate of the amount which may be needed to cover the death and personal injury claims is $700,000.

The bill H.R. 3994 would eliminate the two-stage process of payment in order to grant expeditious relief to those persons who suffered as a result of this disastrous crash. This committee has recommended similar relief on a number of occasions. In the 87th Congress, the committee favorably reported H.R. 8958 which provided for similar relief in the case of a crash at Midwest City, Okla. That bill passed both Houses of Congress and became Public Law 87-393. In the 86th Congress, the committee favorably reported the bill H.R. 11644 which provided for the same relief concerning the crash of an Air Force aircraft at Little Rock, Ark. An identical Senate bill was substituted on the floor of the House which was enacted as Public Law 86-476.

In view of the recommendation of the Department of the Air Force and the clear-cut need for a prompt means of settlement of claims arising as a result of this crash, this committee recommends that the bill H.R. 3994 be considered favorably.

AMENDING PROVISIONS OF LAW RELATING TO THE SETTLEMENT OF ADMIRALTY CLAIMS

The bill (H.R. 3996) to amend provisions of law relating to the settlement of admiralty claims was considered, ordered to a third reading, read the third time, and passed.

PURPOSE

The purpose of the proposed legislation is to increase the amount of the statutory limitation for the settlement of admiralty claims by persons designated for that purpose by the Secretaries of the Army, the Navy, and the Air Force. The statutory limitation would be changed from $1,000 to $10,000 as to persons delegated the authority of the appropriate Secretary in accordance with the provisions of sections 4802 and 4803, 7622 and 7623, and 9802 and 9803 of title 10, United States Code.

MAKING SECTION 1952 OF TITLE 18, UNITED STATES CODE, APPLICABLE TO TRAVEL IN AID OF ARSON

The bill (H.R. 6507) to make section 1952 of title 18, United States Code, applicable to travel in aid of arson was considered, ordered to a third reading, read the third time, and passed.

PURPOSE

The purpose of H.R. 6507 is to penalize interstate travel and transportation in aid of arson, in the same manner as the existing antiracketeering law penalizes interstate travel and transportation in aid of other racketeering enterprises. The bill does this by adding arson to the list of "unlawful activities" defined in subsection (b) (2) of section 1952 of title 18, United States Code.

STATEMENT

In the 87th Congress, Congress enacted S. 1653, to amend title 18, United States Code, to prohibit travel or transportation in commerce in aid of racketeering enterprises. This measure became section 1952 of title 18.

Subsection (a) of section 1952 makes it a felony punishable by a fine of not more than $10,000 or imprisonment for not more than 5 years, or both, to travel in interstate or foreign commerce, or use any interstate or foreign commerce facility, with intent to (1) distribute the proceeds of any unlawful activity; (2) promote any crime of violence to further any unlawful activity; or (3) otherwise promote or carry on any unlawful activity, and thereafter attempt to perform or perform any of the enumerated acts. Subsection (b) defines "unlawful activity" as (1) any business enterprise involving gambling, liquor on which there is an unpaid Federal excise tax, narcotics, or prostitution offenses in violation of the laws of the State in which committed or the United States, or (2) extortion or bribery in violation of the laws of the State in which committed or the United States. This bill would amend subsection (b)(2) to include arson as an "unlawful activity."

H.R. 6507 was introduced at the request of the Attorney General, whose letter to the Vice President in regard thereto is attached. The Attorney General reports that arson has become a profitable business costing more than $16 million in insurance over the past 10 years, that arsonists have become specialists among racketeers, and that arson for insurance has become one of the ways in which persons who become indebted to the rackets are enabled to pay their debts. State law enforcement in this area is complicated because of the ease with which an arson specialist connected with the rackets may enter a State to set a fire and then flee.

AMENDING SECTION 35 OF TITLE 18 OF THE UNITED STATES CODE RELATING TO THE IMPARTING OR CONVEYING OF FALSE INFORMATION

The bill (H.R. 6848) to amend section 35 of title 18 of the United States Code relating to the imparting or conveying of false information was considered, ordered to a third reading, read the third time, and passed.

PURPOSE

The purpose of H.R. 6848 is to reduce the existing penalty against pranksters and jokesters who falsely report the presence of bombs, and the like, aboard aircraft, motor vehicles, railroads, or vessels, but who do so without malice or evil purpose. Present section 35(a) of title 18, United States Code, imposes a maximum penalty of $1,000 fine, 1 year's imprisonment, or both. H.R. 6848 would substitute a civil penalty of not more than $1,000, to be recovered in a civil action brought in the name of the United States.

STATEMENT

This measure was introduced at the request of the Attorney General. Prior to 1961, the law punished willful misinformation in this area by a maximum penalty of $1,000 fine or 1 year's imprisonment, or both. In 1961, this was changed by Public Law 87-338. The $1,000-1-year-imprisonment penalty was reserved for nonwillful offenses which were made misdemeanors, and willful offenses were penalized by a maximum of $5,000 fine or 5 years' imprisonment, or both.

The Justice Department reports that it is having difficulty in obtaining misdemeanor convictions against persons of good reputation and standing in their communities whose offense consists more of bad judgment than of intentional antisocial behavior, because juries are reluctant to stigmatize such persons as criminals.

The Department now believes that a civil penalty will be equally appropriate and more effective, that jokesters will be more likely to be punished, and that their punishment will serve to deter others. It therefore proposed to substitute for the existing misdemeanor provision a simple civil penalty of not more than $1,000 to be recovered in a civil action.

CHA MI HI

The Senate proceeded to consider the bill (S. 828) for the relief of Cha Mi Hi which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

> That, in the administration of the Immigration and Nationality Act, section 205(c), relating to the number of petitions which may be approved in behalf of eligible orphans, shall be inapplicable in the case of a petition filed in behalf of Cha Mi Hi by Mr. and Mrs. Anthony Caucutt, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in a nonquota status of an eligible orphan to be adopted by citizens of the United States, notwithstanding the fact that the prospective adoptive parents have previously had more than two petitions approved in behalf of eligible orphans. The bill has been amended in accordance with established precedents.

JULIANNA RADO

The Senate proceeded to consider the bill (S. 834) for the relief of Julianna Rado which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

> That, for the purposes of the Act of July 14, 1960 (74 Stat. 504), Julianna Rado shall be held and considered to have been paroled into the United States on the date of the enactment of this Act, as provided for in the said Act of July 14, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to provide that Julianna Rado shall be considered to have been paroled into the United States as a refugee on the date of the enactment of this act, under the provisions of Public Law 86-648. The bill has been amended in accordance with established precedents.

WOO ZEE-CHING

The Senate proceeded to consider the bill (S. 862) for the relief of Woo Zee-Ching which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

> That, for the purposes of the Act of July 14, 1960 (74 Stat. 504), Woo Zee-Ching shall be held and considered to have been paroled into the United States on the date of the enactment of this Act, as provided for in the said Act of July 14, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to provide that Woo Zee-Ching shall be considered to have been paroled into the United States as a refugee, on the date of the enactment of this act, under the provisions of Public Law 86-648. The bill has been amended in accordance with established precedents.

FRANTISEK VOHRYZKA

The Senate proceeded to consider the bill (S. 943) for the relief of Frantisek Vohryzka which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the periods of time Frantisek Vohryzka has resided in the United States since his lawful admission for permanent residence on March 28, 1955, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary, who was lawfully admitted to the United States for permanent residence on March 28, 1955, to file a petition for naturalization.

DR. OTTO F. KERNBERG

The Senate proceeded to consider the bill (S. 1012) for the relief of Dr. Otto F. Kernberg which had been reported from the Committee on the Judiciary with an amendment in line 4, after the word "since", to strike out "his lawful admission for permanent residence on October 25, 1963" and insert "August 16, 1959,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Doctor Otto F. Kernberg has resided in the United States since August 16, 1959, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended to reflect the date of the beneficiary's first admission into the United States.

AILSA MacINTYRE

The Senate proceeded to consider the bill (S. 954) for the relief of Ailsa MacIntyre which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Ailsa Alexandra MacIntyre, the fiancée of William Bruce Baird, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months: *Provided,* That the administrative authorities find that the said Ailsa Alexander MacIntyre is coming to the United States with a bona fide intention of being married to the said William Bruce Baird and that she is found otherwise admissible under the immigration laws, except that the provisions of section 212(a)(4) of the Immigration and Nationality Act shall not be applicable to the said Ailsa Alexandra MacIntyre: *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Ailsa Alexandra MacIntyre, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Ailsa Alexandra MacIntyre, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Ailsa Alexandra MacIntyre as of the date of the payment by her of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Ailsa Alexandra MacIntyre."

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to one who is afflicted with epilepsy in behalf of the fiance of a U.S. citizen veteran of our Armed Forces. The bill will enable her to enter the United States for the purpose of marriage and to thereafter reside permanently in the United States. The bill has been amended in accordance with established precedents.

JOANNA K. GEORGOULIA

The Senate proceeded to consider the bill (S. 518) for the relief of Joana K. Georgoulia which had been reported from the Committee on the Judiciary with amendments on page 1, line 4, after the word "Act,", to strike out "Joana" and insert "Joanna"; at the beginning of line 7, to strike out "Joana" and insert "Joanna"; and in the same line, after the word "by", to strike out "Mr. George H. Jules, a citizen" and insert "Mr. and Mrs. George H. Jules, citizens"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Joanna K. Georgoulia may be classified as an eligible orphan within the meaning of section 101(b)(1)(F), and a petition may be filed in behalf of the said Joanna K. Georgoulia by Mr. and Mrs. George H. Jules, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Joanna K. Georgoulia."

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant to the alien child to be adopted by citizens of the United States the status of a nonquota immigrant. The bill also provides for the filing of an eligible orphan visa petition in her behalf by her prospective adoptive parents. The amendments are technical in nature.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar. I wish to express my thanks to the distinguished Senator from Idaho for his courtesy.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the Senator from Idaho [Mr. CHURCH] again yield without losing his right to the floor?

Mr. CHURCH. I yield.

Mr. MANSFIELD. Mr. President, the Senator from Idaho is about to make a most important speech. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Without objection, it is so ordered.

TERMS OF MEMBERS OF FEDERAL MARITIME COMMISSION

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 353, H.R. 5988.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5988) to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 364), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this legislation is to change the term of office of Commissioners of the Federal Maritime Commission from 4 years to 5 years and to provide that a Commissioner whose term has expired will serve until his successor has been nominated and approved with the advice and consent of the Senate.

GENERAL STATEMENT

Under the present law the Federal Maritime Commission is composed of five members, each appointed for a 4-year term. Therefore, the terms of two Commissioners expire simultaneously. This situation could create a serious problem by preventing the continuity of service which is essential in any regulatory commission. The legislation would have no effect on the 4-year terms of Commissioners presently serving.

The problem of a possible lack of continuity could be seriously aggravated under the present law by the absence of any provision which authorizes Commissioners to continue to serve until their successor has been nominated and approved by the Senate. This standard provision is found in the basic law establishing the terms of Commissioners on other regulatory agencies. This bill would extend that provision to appointments made to the Federal Maritime Commission.

This aspect of the problem is particularly acute at the present time because the terms of office of the Chairman and of another member of the Federal Maritime Commission expire on July 1 of this year. If these offices are not filled under the present law by that date, no action could be taken by the remaining three Commissioners except by unanimous consent until the vacancies are filled. This undesirable situation could be avoided by prompt enactment of the bill.

The Federal Maritime Commission was created by Reorganization Plan No. 7 of 1961. Pursuant to the procedures applicable to congressional consideration of executive reorganization proposals in this form, no amendments could be made at the time Congress considered the proposal. This restriction has contributed to the seriousness of the problem created by the provisions of the reorganization plan.

The legislation was introduced at the request of the Federal Maritime Commission. Favorable reports have been received by all agencies concerned. Hearings were held by the Senate Subcommittee on Merchant Marine and Fisheries on the companion bill, S. 1348, on May 25 and no opposition was expressed.

THE VIETNAM IMBROGLIO

Mr. CHURCH. Madam President, on February 17, I spoke in this Chamber to urge a negotiated settlement of the war in Vietnam. At that time, negotiation was a dirty word in Washington; since that time, I am gratified that a negotiated peace has been expressly made the object of American policy in southeast Asia.

In view of the expanding nature of our military involvement in South Vietnam, it is difficult to see how the Vietcong can expect to score a conclusive military decision. On the other hand, any quest on our part for a durable victory on the battlefield is equally dubious. Senator FULBRIGHT, the distinguished chairman of the Foreign Relations Committee, wisely summed up the matter last week, in these words:

> It is clear to all reasonable Americans that a complete military victory in Vietnam, though theoretically attainable, can in fact be attained only at a cost far exceeding our interest and our honor.

With this statement, I am in full agreement. It obviously serves the American interest to reach a political settlement in Vietnam, whenever this can be accomplished on acceptable terms, and in a manner consistent with the commitments we have given to the Saigon government.

Now that this objective has become our avowed goal, there is a very real need for us to discuss, here in the Senate, in this historic forum of free and open debate, not only the direction of our policy, but new steps that might be taken in pursuit of a negotiated peace. To remain silent, when the prospect of a widening war confronts us, would be to shirk our duty; worse still, it would be to behave like a mock parliament of a totalitarian state.

Let me make my own position plain. In the past, beginning more than a year ago, I have publicly criticized American policy in Asia. But, in his handling of our predicament in Vietnam, I have not criticized the President. I realize that Lyndon Johnson is in the position of a man being asked to unscramble an omelet, many years in the baking. He is a man of peace, and he has been working ceaselessly to restore peace in southeast Asia.

Like Kennedy before him, President Johnson inherited an American obligation in South Vietnam, which must, and will, be honored. Often he has stressed that we seek no wider war, but in the face of mounting Vietcong pressure against the embattled Saigon government, the President has also emphasized that "we do not plan to come running home and abandon this little nation, or tear up our commitments, or go back on our word."

I fully support the President in this position. I have consistently backed him in the stepped-up military action he has ordered, including the bombing of supply routes in North Vietnam. These bombings, together with the American troop movements into South Vietnam presently taking place, should make it abundantly clear that the vast resources of the United States are now fully arrayed behind Saigon.

THE STUBBORN WAR

Within the past few weeks, American military strength in South Vietnam has doubled; at the present rate of input, it will double again before the end of the year. Our bombing of the north, once sporadic, has become systematic. The mission of our combat troops, once confined to sentinel duty at a few air bases, steadily expands toward a general American engagement in the war. We have too much muscle power to be driven out. We are capable of occupying and holding South Vietnam with our own military might. Hanoi cannot possibly defeat the United States.

Yet the war goes on.

Last April, in his notable peace-seeking address at Johns Hopkins, President Johnson threw open the door to the conference table by announcing his readiness to commence "unconditional discussions with the governments concerned." He declared that "the only path for reasonable men is the path of peaceful settlement." The terms he offered were anything but onerous.

He said:

> Such peace demands an independent South Vietnam—securely guaranteed and able to shape its own relationships to all others, free from outside interference, tied to no alliance, a military base for no other country.

By the standards of past wars, these are unusually generous terms. North Vietnam would escape unpunished for her aggression. An independent, nonalined South Vietnam would pose no threat to Hanoi. Moreover, such a settlement would bring about the orderly withdrawal of American troops from southeast Asia, for which the Communists have long and loudly campaigned.

Yet the war goes on.

This obstinate Communist refusal to end the shooting is all the more vexatious in face of Johnson's indicated readiness to contribute a billion dollars, once peace is restored, toward an international cooperative effort to develop the mighty Mekong River. The great rewards of such an enterprise—including electric power—could be fully shared by North Vietnam, as well as South Vietnam, Laos, and Cambodia. The President has made clear:

> We would hope that North Vietnam would take its place in the common effort just as soon as peaceful cooperation is possible.

Obviously, the words of peace cannot begin in earnest until the wastes of war have ended.

Yet the war goes on.

Two explanations, both of which deserve careful assessment, suggest themselves: First, Hanoi still anticipates victory on her own terms, despite Saigon's success in securing the United States as a fighting partner; and, second, Peiping presses for a prolonged war as the best device available for advancing China's larger ambitions in Asia.

THE VIEW FROM HANOI

If Hanoi's intransigence is rooted to the belief that the Vietcong will eventually prevail, what accounts for it? The answer given widest favor in this country is that Ho Chi Minh feels that we will grow weary of the war, and that American public opinion will then force us to pull out. Accordingly, homefront critics of our Vietnamese policy are admonished that their complaints will be interpreted in Hanoi as proof of our waning resolution. Students and faculty on our campuses, protesting the deepening American involvement in an Asian war, are scolded for giving false hopes to the enemy. Presumably, nothing less than total conformity of opinion throughout the United States will suffice to persuade Ho Chi Minh that our country will not soon abandon the Saigon government.

Undoubtedly, the college "teach-ins," the protest rallies, and the occasional picket lines demanding our withdrawal, are sources of encouragement for Hanoi. But since when have free people not behaved this way? Only dictatorships stifle dissent. As long as Americans stay free, differences of opinion, on foreign as well as domestic issues, will continue to be vigorously and openly expressed. Any American foreign policy which depends, for success, upon a monolithic acceptance at home is foreordained to failure.

However, this argument, so well designed to dampen homefront opposition, is much too convenient to be very convincing. Hanoi is surely aware that the United States has yet to quit a fight. In two World Wars, we settled for nothing less than unconditional surrender; in the Korean war, we fought on against the onslaught of Red China until all of South Korea was resecured. Never have we shown a lack of staying power under fire.

Besides, the President himself has made it unquestionably clear that the United States will "stay the course" in Vietnam. His words are as irreversible as his deeds:

> We will not be defeated. We will not grow tired. We will not withdraw, either openly or under the cloak of a meaningless agreement.

His pledge is sealed with American blood already drawn. The whole world bears him witness.

Congress has also made its position apparent. By nearly unanimous votes, the members of both parties have given unmistakable evidence of their willingness to supply whatever money the war may require. Our annual outlay, which until recent years was $200 million, has risen to $2 billion. If the burden were to again increase 10-fold, it is evident that Congress would readily vote the funds.

Indeed, the case is so lopsided that it should be plain by now, even to the most indoctrinated Communist, that the expanding military involvement of the United States cannot be dismissed as some sort of death agony, staged to give temporary cover to an impending American withdrawal from southeast Asia.

It is far more likely that Ho Chi Minh is counting not so much on Washington as on Saigon itself to call it quits. And with some reason. An endemic instability engulfs the city. One coup follows another with such frequency that correspondence with the Government might well be addressed: "To Whom It May Concern."

President Johnson cannot unite the spoiling factions. A competent and effective government in Saigon, capable of giving sustained direction to the war, can only be established by the Vietnamese themselves. They keep failing the test; no formula for stability emerges; no bonds endure between the Buddhists, the Catholics, and the self-seeking military rivals. The political situation seems to worsen day by day.

Under the circumstances, it is small wonder that public confidence crumbles away, or that this erosion should be further aggravated by the changing face of the war. For the more the war is transformed into an American engagement on the mainland of Asia, pitting the West against the East, white men against brown, the more the fighting takes on the outer appearance of the former war for independence against the French. In the countryside of Vietnam—and those who have been there as I have, will readily testify that this is the case—the level of sophistication is very low. Inhabitants of the rice fields and jungles, where the guerrilla war exists, are apt to mark an enemy more by the color of his skin than the uniform he wears. As larger numbers of Americans move in and take over, as the changing complexion of the war becomes more evident, Ho Chi Minh may well surmise that time plays on his side.

He may anticipate, as the months go by, that the incessant propaganda campaign of the Vietcong is bound to sound more plausible and appealing; that the Americans have come to reimpose the hated imperialism of the past; that the generals rotating on the roost in Saigon are contemptible puppets; that the people must join together in one great liberation front.

The continuing war, moreover, may bludgeon into the arms of the Vietcong a multitude that cannot be beckoned in. The guerrilla fighter is ruthless, but he kills with cunning, discriminating between friend, follower, and foe. Not so with napalm dropped on a native village—it burns blindly and converts all suffering survivors into foes. An American veteran of the jungle fighting in Vietnam has well observed that the best weapon for successfully prosecuting a guerrilla war is a knife; the worst, an airplane.

So there are good reasons for Ho Chi Minh to play a waiting game. The Vietcong grow stronger. Saigon staggers under mounting blows. If a protracted war involving increased numbers of American troops will win the Communists added favor among the people, the temptation to persist is compelling. After all, the American presence in South Vietnam will become very awkward, if not untenable, once it is no longer possible to tell the enemy apart from the people. Then, Hanoi may well reason, peace will come on her terms.

THE PRESSURE FROM PEIPING

There is also a heavy external pressure upon Hanoi to carry on, imposed from two directions—by the Vietcong doing the fighting, and by Red China, the chief beneficiary of the fighting. Every day it is clearer that the Chinese, above all others, want to see the war prolonged. Peiping exhorts Hanoi to keep up the fight and taunts us to do likewise with "paper tiger" insults. Among all Communist leaders, it is Mao Tse-tung who most adamantly opposes any negotiations. He wants the war to continue, because the longer the conflict lasts, the better China is served.

Our failure to comprehend, long ago, Mao's shrewd appraisal of the war in Indochina, has proved a great misfortune. It has enabled him to use us, along with the Vietnamese, to further his designs on Asia.

These designs are well enough known. As the giant of Asia, unfettered of her colonial bonds, China is determined to reclaim her place as the dominant power of the mainland. She would redraw old boundary lines, dating back to the ancient empire, through the assertion of claims which have nothing to do with communism. For example, less than 3 years ago, in the border dispute with India, Chiang Kai-shek publicly affirmed China's right to the territory sought by Mao. As with the Soviet Union, the territorial aspirations of Red China spring more from national tradition than from the doctrines of Marx or Lenin.

And, just as the Communist leaders in the Kremlin, following the Second World War, reimposed the Russian sphere of influence over the Balkans, earlier existing under the czars, so the Reds in Peiping, after 1954, have sought to reestablish over Indochina the sphere of influence so long enjoyed by the Chinese emperors. This region, in fact, bears a resemblance to the Balkans, consisting as it does of small, bordering countries, over which China looms like a dragon above a handful of lizards.

In the natural course of events, we cannot hope to deny China her influence in southeast Asia, any more than China can deny us ours in the Caribbean. The best we can do is to slow down the Chinese penetration, so that the larger of her neighbors, countries like India and Pakistan, can gather the strength necessary to furnish the mainland of Asia with an effective counterpoise to Chinese power.

Unfortunately, the American involvement in a protracted war in "the Balkans of Asia" works directly against these ends. As most Asians are inclined to see it, the United States has intervened in a war that is primarily a Vietnamese affair, regardless of whether the struggle is viewed as an insurrection in the south, or a covert war by the north against the south. Either way, American troops, not Chinese, are in the fight; American planes, not Chinese, are doing the bombing. Whatever aid China has given Hanoi is outweighed many times over by the weapons, food, training, and supplies, given Saigon by the United States. Thus, to much of Afro-Asia, the war seems a mismatch, with the rich and mighty American Nation cast in the role of bully, while struggling little North Vietnam plays the stalwart underdog. Hanoi, after all, is not about to take over the world.

So it is that American participation in the Vietnamese war is actually working against our larger interests in Asia. The longer it lasts, the more convincing China appears as the self-styled champion of Asia for the Asians; the faster Chinese influence in neighboring lands spreads from a trickle to a tide, gathering in such smaller countries as Burma and Cambodia, and provoking such larger countries as India and Pakistan into open criticism of American policy.

China also gains in other ways. Prolonging the war makes Hanio increasingly dependent upon China for weapons and supplies, compromising her hard-won independence. Within the Communist camp, the continuing war can be pointed to by China as proof that the Russian argument for peaceful coexistence with the West is absurd, while within China itself, the daily tongue lashings administered to the "American devils in Vietnam" furnish the Red government with a convenient whipping post around which to rally the people to greater endeavor at home.

THE SEARCH FOR A SOLUTION

Much as we need a solution, it will not be found in retreat. Were we to decide to abandon South Vietnam after so lavishly committing our prestige there, our withdrawal would surely undermine confidence in the United States throughout the Far East. Other little countries which now rely on us, like Thailand, Laos, and even Taiwan, would be demoralized. China would profit most from the triumph of the Vietcong which would soon follow an American decision to give up the fight in South Vietnam.

Therefore, we must remain in the war until a basis for its settlement is found. But let us concentrate our attention, and our military action as well, in South Vietnam, where the outcome will be determined anyhow.

The war in Vietnam is as much a political struggle as it is a military one. Indeed, I think if we looked at it closely we would decide to concentrate more work in the political and economic areas to help meet the threat of the Vietcong. As our former Ambassador, Henry Cabot Lodge, said during his tour of duty in Saigon:

> The Vietcong campaign is, above all, a political affair. When the Vietcong have had enough and decide to stop fighting, they simply melt in with the people. If the people were to deny the Vietcong, they would thus have no base; they would be through.

The essentially political nature of the struggle has led American officials who know most about the situation to correctly observe that the present conflict is essentially a South Vietnamese war which can only be won by the South Vietnamese themselves. As President Kennedy said shortly before his death:

> In the final analysis, it is their war. They are the ones who have to win it or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it—the people of Vietnam against the Communists.

Those who argue expansion of aerial attacks to the north misunderstand the nature of the situation. As leading spokesmen for the administration have noted, the basic problem is in the south. Although aerial attacks on the north may slow down supplies, they are no substitute for effective military and political action on the ground of South Vietnam itself. Further acceleration of the war northward should be resolutely resisted. Otherwise, the time will come when Communist China feels obliged to enter the war.

If that were to happen, the dimensions of the calamity would be mammoth. Undoubtedly, given our heavy dependence upon naval and aerial power, we would attempt to confine the land war to southeast Asia, where Chinese armies would soon fill the jungles. We would strike back through the air, observing no sanctuary, but as long as we used conventional weapons, we could never subdue China through bombing alone.

By sending five or six combat divisions into battle—the balance of our uncommitted army—we could probably convert South Vietnam into an American military outpost. A stalemate would develop, and, finally, in order to end the attrition, we would negotiate a truce with Red China, much as we did in Korea. The truce would conform with the realities of the situation, leaving us in possession of South Vietnam, and the Communists in occupation and control of the rest of Indochina.

Beyond southeast Asia, on the broad global front, the intensified struggle in Vietnam could yet lead to a shotgun marriage between the feuding titans of the Communist world. The promising thaw in our relations with the Soviet Union will then give way to a full resumption of the cold war, with our adversaries joined together again in common cause. This may still be a part of the price we shall pay for the corner into which we have been painted in Indochina.

These, then, are the two horns of our dilemma: If we abandon the war in Vietnam, China gains; if we fight it out, China also gains. Why should not Mao Tse-tung work so feverishly against a negotiated settlement? It is the one escape hatch which may still be within our reach.

Seymour Topping, writing from Saigon for the New York Times, confirms this analysis by observing that President Johnson's offer for unconditional peace talks was a blow to Red China. Topping writes:

> Peiping's propaganda denunciation of the "negotiations plot" has been almost hysterical. Acceptance by Hanoi of this offer would mean the strengthening of the positions in southeast Asia of Peiping's two chief adversaries, the United States and the Soviet Union.

THREE PROPOSALS FOR ACTION

It is already very late. We should waste no time on recriminations over past mistakes which may have led us into the Vietnam imbroglio. The uppermost requirement now is to find a solution. How do we bring Hanoi to the conference table ready to settle on honorable terms? The answer, if there is one, must lie in the calculated use of the mailed fist and the velvet glove.

Admittedly, the stepped-up American military pressure is intended to summon Hanoi to the conference table. But this alone will not suffice. It is obvious that further diplomatic moves are called for.

I would propose:

First. That we abandon our unilateral posture in Vietnam by soliciting the services of the United Nations in the search for a peaceful settlement.

Second. That we affirm our willingness to deal with representatives of the Vietcong, as part of any delegation Hanoi may send to the conference table.

Third. That we advocate genuine self-determination for the people of South Vietnam, as the basis for an agreement settling the war.

These proposals should be additional to, not substitutes for, the terms of peace offered by President Johnson in his laudable Johns Hopkins address. Naturally, we should continue to reiterate the President's declaration that we want no military foothold in Indochina nor alliances there—that our objective is independence and neutrality for the countries of the region and nothing more.

The method we should adopt, the tactics we should employ, in attempting to engage the services of the United Nations, are matters for the State Department. Whether we should try, under U.N. auspices, to reconvene the original signatories to the Geneva accords, or seek direct U.N. intervention through the Security Council, or whether we should pursue Secretary General U Thant's intimation that the good offices of the U.N. might be utilized to mediate the dispute, are matters that cannot be resolved here. But this war does threaten world peace, and the U.N. did intervene to restore internal order in the Congo. The situation in Vietnam is sufficiently similar to make the crisis there an entirely appropriate subject for U.N. action.

Indeed, our failure to take the controversy to the U.N. long ago is a puzzlement. It is said that the U.N. faces bankruptcy from past peacekeeping missions, and is quite unable to assume further burdens. Yet, a U.N. peace force in South Vietnam could be financed by voluntary contributions, the same as other ventures in the past. Even if the United States had to pay the bulk of the cost, the amount would be less than our present outlay.

It is also said that if we were to ask for U.N. intervention in the Security Council, Russia would probably veto the proposal. Perhaps this would happen, perhaps not. The Soviet Union has cause to want China restrained in southeast Asia, and the U.N. could well represent the most acceptable means available. But if Russia were to veto our proposal, the onus for the continued war would fall on the Communists. Our position would not be weakened but strengthened, the same as the President managed to strengthen it some 4 months ago, by making his still-unaccepted proposal for unconditional peace talks. If the Communists are determined for the war to last, we can at least keep placing the responsibility where it belongs—squarely on their backs.

Another argument, often used to cast scorn upon any suggested resort to the United Nations, is to the effect that other countries would send no more than token forces anyway, so that the United States would still have to bear the brunt of what Secretary Rusk has called "a mean, dirty war." That, of course, was the case in Korea, but conducting the campaign there under the U.N. flag proved a great advantage to the United States. The same would hold true in Vietnam.

Until recently, even more curious than our failure to turn to the U.N. has been the evident disdain we have shown for any contact with the Vietcong. Officially, we cannot extend to the Vietcong the autonomous recognition they desire, because we see the war as a case of indirect aggression by the north against the south, and regard the Vietcong—including its many members who are residents of the south—as merely the agents of Hanoi.

Nevertheless, there is nothing in our theory of the war to preclude Hanoi from including representatives of the Vietcong in any delegation the Government of North Vietnam may send to the conference table. In fact, the inclusion would tend to bear out our official viewpoint. Recognition of this, at long last, may account for the slow melt in our frozen posture which now appears to be taking place. Secretary Rusk has indicated, in response to recent inquiries, that he would not interpose an objection if Hanoi chose to include Vietcong spokesmen among her representatives. I think we should affirmatively declare our willingness to deal with the Vietcong on this basis. For too long, we have sought to exclude them entirely, though they are the very combatants opposing us, a posture so rigid and unreal as to have given a certain currency to the Communist charge that we really do not wish to negotiate.

Though the United States cannot deal directly with the Vietcong, we ought not to oppose peace talks among the Vietnamese themselves. The warring factions—Saigon, the Vietcong, and Hanoi—should explore the prospects for finding a formula to silence the guns, and to escape the pincers of the great-power squeeze which threatens to undermine the neutrality and independence coveted by all of them.

Finally, I believe that the time is ripe for us to vigorously proclaim the principle of self-determination for the people of South Vietnam. Whether the south should merge with the north under the rule of Hanoi, or remain separated under a government in Saigon, should be decided by popular vote.

The manner and method of the vote would have to be worked out by negotiations. The timing would have to await a cease-fire and the restoration of the requisite internal order. To insure the integrity of the election, we might propose its supervision by the U.N. If these arrangements could be made, both sides should pledge themselves to abide by the results.

Our belief that Hanoi will never permit free elections in the north—which has often been emphasized as an argument against the proposal—does not justify denying them in the south. We have often asserted that the Vietcong is a militant minority which seeks to forcibly impose its will upon the people of South Vietnam. If this is so, the people themselves will furnish the proof in a competently conducted election; if it is not so, then by what right would we deny the country to Ho Chi Minh?

There are some who ridicule any proposal for a popular referendum upon the ground that the Communists would never agree. All the more reason, I should think, to put them to the test, right out in the open, before the eyes of the watching world. What better way to prove that the Communists are relying on bullets, not ballots, to further their ambitions?

Perhaps the war has gone beyond the turning point. It may be that Hanoi intends to continue the fight, regardless of what we may now do or propose. The conference table may be off in the distance, at the end of a long and tragic trail of casualties still to be suffered. But we cannot know this positively without first making the proposals. If they are rejected, we will have lost nothing for having tried. Our interest calls for no less than a ceaseless effort to find an honorable basis for settling this war.

After all, the future of Asia will not be determined in the jungles of Vietnam. Peiping knows her real rival is New Delhi. Why else did China seek out the opportunity to humiliate India in the border war of 1962? If the future of freedom in Asia is to be decided in any one place, it will be on the Indian subcontinent, not in the little Balkan-type countries of Indochina, where our energies are now being so largely absorbed.

Freedom, as a matter of fact, is not really at issue in South Vietnam, unless we so degrade freedom as to confuse it with the mere absence of communism. Two dictatorial regimes, one sitting in Hanoi, the other in Saigon, struggle for control of the country. Whichever prevails, the outcome is not going to settle the fate of communism in the world at large, nor the problem of guerrilla wars. They did not begin in Vietnam and will not end there. They will continue to erupt in scattered, farflung places around the globe, wherever adverse conditions within a country permit Communist subversion to take root.

Nor can it be soundly contended that the security of the United States requires a military decision in South Vietnam. Our presence in the Far East is not anchored there. Saigon does not stand guard over Seattle. We conquered the Pacific Ocean in the Second World War. It is our moat, the broadest on earth, from the Golden Gate to the very shores of China. There is no way for the landlocked forces of Asia to drive us from the Pacific; there is no need for us to retain a military base on the mainland of Asia.

So, Madam President, we should hasten to explore any road that might lead to a satisfactory political settlement in Indochina. Hanoi still has reason to bargain, for she covets her independence and has cause to fear China. The same holds true for Laos, Cambodia, and South Vietnam, all of which have historically resisted Chinese dominion. Even the Soviet Union should have incentive to work for a settlement that will foreclose the prospect of a Chinese occupation of southeast Asia.

Despite the discouragement in the news from Moscow today, in the rejection given the delegation from the Commonwealth countries, which is attempting to find support for a peaceful settlement in southeast Asia, nevertheless it remains true that Russian interests would be served by an end to the war in southeast Asia which so augments Chinese hegemony over the continent.

These propitious factors, still working in our favor, are likely to be the first casualties of a widening war.

Mr. McGOVERN. Madam President, will the Senator yield?

Mr. CHURCH. I am happy to yield to the distinguished Senator from South Dakota.

Mr. McGOVERN. Madam President, the Senator from Idaho has delivered another thoughtful and balanced analysis of the crisis in Vietnam, one in a series of statements he has made on an equally high plane over the past year on this very important subject.

I said on the floor of the Senate yesterday, following the speech of the Senator from New York [Mr. KENNEDY], that I believed it to be one of two specially outstanding speeches delivered on the floor of the Senate this year. Many very fine speeches have been delivered, but I thought the speech of the Senator from New York and the speech delivered by the Senator from Idaho several months ago, in which he outlined the dangers of our deepening military involvement in Asia and Africa, constituted two of the very important addresses that have been given this year.

I commend the Senator on his address today, and associate myself with what he has had to say, especially with his point that it is absolutely essential to the national interest that the Senate not shirk its responsibility, but debate this issue fully and extensively and openly.

I do not agree with the notion that congressional debate in any way undercuts the position of the United States in world affairs.

The Senator from Wisconsin [Mr. NELSON], who is on the floor, answered this contention eloquently several days ago when he said that we should not surrender one of our most precious national privileges, which is the privilege of free debate and free discussion, merely because there are hostile forces in the world who have never known freedom, and who, therefore, do not understand how important free speech is to us.

As the Senator has said, while all of us have great sympathy for the President and want to do what we can to hold up his hand, this does not give us any excuse to remain silent in the face of an issue that affects our constituency and the peace of the world. The President is giving the Nation his energy, his talent and his judgment without stint. Members of the Senate can do no less. We owe it to ourselves and to our constituents and to mankind to speak our convictions and share our insights ever when it takes us on a course that may vary in some degree from the administration position.

I have noted in recent days that there is some feeling in portions of the press and in the executive branch of our Government that perhaps Congress said the last word on Vietnam last August, when we agreed to the Bay of Tonkin resolution, which, we are now told, was a blank check to the administration to do whatever they saw fit in the conduct of this war.

As the Senator from Idaho will remember, that was not the intent in the minds of many Senators at the time the resolution was approved last August.

I have before me an article, taken from the June 18, 1965, issue of the Washington Daily News, written by R. H. Shackford, which reads:

> President Johnson has thrown down a challenge to the congressional critics of his policies in Vietnam.
>
> He dares them, in effect, to try to repeal the resolution the House and Senate passed last August after the Tonkin Gulf shooting incident.
>
> That resolution gave congressional blessing in advance to anything President Johnson might do in Vietnam.
>
> And the President made it clear yesterday during a long, rambling "impromptu" press conference that he isn't about to let his former colleagues on Capitol Hill forget that they gave him a green light to do anything he decides is necessary in Vietnam.

Madam President, my understanding may be faulty—and if it is, I hope the

Senator from Idaho and other Senators who are on the floor will correct me—but it seems to me that at the time we gave our support to that resolution last August, the colloquies that developed on the floor of the Senate among various Senators and the chairman of the Foreign Relations Committee, who was handling the resolution for the administration, made it quite clear that we did not contemplate any radical change in our role in the war. The character of our role at that time was an advisory one, as the Senator from Idaho said today. We were there in a training and advisory capacity, and we made it clear time after time that the war had to be won by the South Vietnamese themselves. Neither the administration spokesmen nor Members of the Senate contemplated a major combat role for American troops in Vietnam.

Let us consider, for example, this colloquy, which developed with the Senator from Maryland [Mr. BREWSTER]. He said:

> I had the opportunity to see warfare not so very far from this area, and it was very mean. I would look with great dismay on a situation involving the landing of large land armies on the continent of Asia. So my question is whether there is anything in the resolution which would authorize or recommend or approve the landing of large American armies in Vietnam or in China.

The chairman of the Foreign Relations Committee replied as follows:

> Mr. FULBRIGHT. There is nothing in the resolution, as I read it, that contemplates it. I agree with the Senator that that is the last thing we would want to do. However, the language of the resolution would not prevent it. It would authorize whatever the Commander in Chief feels is necessary. It does not restrain the Executive from doing it. Whether or not that should ever be done is a matter of wisdom under the circumstances that exist at the particular time it is contemplated. Speaking for my own committee, everyone I have heard has said that the last thing we want to do is to become involved in a land war in Asia; that our power is sea and air, and that this is what we hope will deter the Chinese Communists and the North Vietnamese from spreading the war. That is what is contemplated. The resolution does not prohibit that, or any other kind of activity.

Then in additional colloquy participated in by the Senator from Wisconsin [Mr. NELSON], the Senator from New York [Mr. JAVITS], the Senator from Kentucky [Mr. MORTON], and myself, the Senator from South Dakota, it was made quite clear that no fundamental change in the character of the war was contemplated. The resolution of last August was endorsed primarily because it was viewed as an endorsement of the President's carefully limited retaliation to the attack on our destroyers by North Vietnamese PT boats.

I should like to ask the Senator from Idaho if he would care to comment on the contention that is being voiced now in some quarters that the Senate, having endorsed the resolution of August 1964, no longer has any reason to speak out on the issue of Vietnam.

Mr. CHURCH. Whatever interpretation is placed upon the resolution to which the Senator from South Dakota has referred, certainly no one can contend that by it we pledged ourselves to silence in the future. Much has happened since that resolution was passed. The character of the war is changing, regardless of what may be said about it officially.

When does the war become a land war between the United States and Asian forces on the Asian mainland? When our land troop level reaches 100,000? When it reaches 150,000? When we have a quarter of a million troops there?

We know the facts. We continue to increase the number of American troops in South Vietnam, and we continue to broaden the terms of their engagement with the enemy. If we are to be honest, we must at least observe that a broadening of our participation in the war is taking place.

I believe that we must go even further. Unless we are nothing but a mock parliament, we must honor our constitutional responsibility to advise and consent on this country's foreign policy, which is placed in the bosom of the Senate.

I have tried to make it clear that, though I have been for some time a critic of the general trend of American policy in Asia, I have never criticized the President himself. I understand the difficult problem that confronts him. I have nothing but compassion for him. I know he is striving every hour of every day to find some honorable basis for a settlement in southeast Asia.

But I know also that there are pressures in this Government—pressures indeed upon the President himself—to expand the war in southeast Asia in ways that I would regard as highly imprudent and prejudicial to the best interests of the United States. If we in this Chamber are to remain silent, if none of us will stand up and say, "We think this advice, these pressures, if you will, are inimical to the best interests of this country," who will speak? Who will speak?

The distinguished Senator from South Dakota had the courage months ago to speak and he has since spoken up consistently for his views.

The other day I read a column by a learned columnist, Mr. Eric Sevareid. He made the observation, in substance, that the Congress is subdued, as though the United States were involved in a full-scale war.

He observed, in so many words, that there is a wartime psychology which has taken over here.

Madam President, we are not yet in a full-scale war. There are still ways to be explored to find an honorable settlement. The President himself has made that the avowed goal of our policy. Therefore, I say it is incumbent upon every Senator to do what he can to explore possible ways and means, to make suggestions, and, above all, to raise his voice against pressures in this city that would expand the war into what I would regard as catastrophic dimensions. A land war in Asia against Asians, if history is my teacher, would be a war that would find no durable, or desirable resolution for this Government or for our people.

I thank the Senator for his remarks.

Mr. McGOVERN. Madam President, the Senator referred to the column by Mr. Sevareid, in which the writer commented, on the absence of real, searching debate on the issue about which we are speaking. There has come to my attention an editorial by Mr. John S. Knight published in the Akron Beacon-Journal of April 4, in which, in a rather lengthy and thoughtful editorial, he makes the observation:

> Time was when great debates on foreign policy enlivened the Senate and informed the Nation. But today the voices of opposition are muted.

He added:

> We have today no Borahs, Tafts, or La Follettes to challenge the creed of conformity. No men of great moral courage who would risk defeat rather than surrender a shred of principle. The voices of dissent have been stilled, and the great issues lie smothered by a pall of mediocrity.

I am happy to say that that editorial, while it contains a great deal of truth, is not entirely true as long as we have the clarity of thought and the courage that has been manifested here today by the Senator from Idaho. I again associate myself with his remarks.

Mr. CHURCH. I thank the Senator very much for his generosity.

Mr. NELSON. Madam President, will the Senator from Idaho yield?

Mr. CHURCH. I am happy to yield to the Senator from Wisconsin.

Mr. NELSON. I join the Senator from South Dakota in commending the Senator from Idaho for making what I consider to be a very thoughtful speech on this great and significant issue. I do not believe that anyone has delivered a speech with which I would agree 100 percent—including my own speeches 2 days later. But the speech of the Senator from Idaho contained a great deal of wisdom, and a great deal of courage was required for the Senator from Idaho to deliver it.

I was interested in noting the comments by Senator McGOVERN on the Tonkin Bay resolution. I would hope that those who write and talk about what the Tonkin Bay resolution means would take the trouble to read the RECORD of August 6 and August 7 and consider the views of the spokesman for the Foreign Relations Committee and the spokesman of the administration who stood on the floor of the Senate and interpreted the resolution. His interpretation of that resolution and what it meant and what the intent was is different from what many writers and others are saying was the intent of that resolution.

The Senator from South Dakota [Mr. McGOVERN], quoted from a statement by the Senator from Arkansas [Mr. FULBRIGHT] on August 6. He said:

> Speaking for my own committee, everyone I have heard has said that the last thing we want to do is to become involved in a land war in Asia.

On another occasion, in response to a question I raised on August 6th, the Senator from Arkansas [Mr. FULBRIGHT] said:

> I personally feel it would be very unwise under any circumstance to put a large land army on the Asian continent.

For purposes of interpreting the intent of the Tonkin Bay resolution, all we have is the colloquy on the floor of the Senate in which the chairman of the Foreign Relations Committee appeared here to speak in behalf of the administration and in behalf of the Foreign Relations Committee.

So I recommend a reading of the RECORD of those days so that at least we may have an understanding of what was intended by the administration at the time the Tonkin Bay resolution was before the Senate.

I was pleased to hear the observations of the Senator from Idaho about the role of the Senate and the House of Representatives on this question. At the time the request came to the floor of the Senate for $700 million so that we would have funds to pursue our enterprise in South Vietnam, I voted against the measure, not because I did not know the money would be needed sometime though it was not needed then—I voted against the resolution for precisely the reasons stated by the Senator from Idaho; the reason that we in the Senate do have a responsibility publicly to discuss and to carry on intelligent debate about the role of the United States in Vietnam and everywhere else in the world.

I stated at the time that all the money necessary would be provided to carry on our enterprise there; but I read about the request on my way to my office in the morning and learned that it was intended that the Senate should vote on it in the afternoon. It was the unnecessary speed with which we were acting without adequate discussion that I objected to. Precisely for that reason columnists are writing, and the people across the country are saying, that this institution is nothing but a rubber stamp.

I endorse the Senator's view that it is absolutely necessary in a free society to insist upon a continuous public discussion of these great international issues. I had always thought there was universal agreement on that point. However, Senator CHURCH and the Senator from South Dakota [Mr. MCGOVERN] were present at a small meeting in which we were told by a distinguished representative of the State Department that these discussions on the Senate floor were misunderstood in Saigon. The implication was that for that reason we ought to be silent. He said he had just read the speech made by Senator CHURCH and the speech of Senator MCGOVERN. He said these speeches were intelligent discussions of the issue before us in South Vietnam. But he said everyone does not read the speeches of Senators. People read reports in the newspapers. Those reports do not exactly reflect what Senators say. What is reported in the newspapers then goes into the rumor mill in Saigon. It becomes further distorted. His whole point was that it is a kind of dangerous thing for us to exercise our right of free speech—a right for which blood has been shed for over a thousand years. Should we give up our rights because the people in some dictatorial country do not understand what freedom is all about? This position is absolutely unacceptable to me. I think it is unacceptable to all thoughtful people who are concerned about freedom and what it means.

Mr. CHURCH. I could not possibly agree more. I do not for a moment contend that protests against American policy on campuses, at teach-ins, or student picketings that have occurred in some places, or even in addresses on the floor of the Senate, no matter how carefully they may be made, can be grasped at as straws in the wind by Hanoi or by Peiping. But that is the price we pay for being free. That is the meaning of a thousand years of struggle for freedom. A free people must behave in this way, because—barring a general war—vigorous dissent will exist in this country to any given policy, in any given situation, at home or abroad.

It makes no sense to say, "You may discuss domestic matters, but dissent must end at the water's edge. Foreign matters are the ones most vital to the survival of our Nation and the health and safety of our people." That is why the Constitution vested in Congress the power to declare war, recognizing that this, above all other decisions, was the most fundamental that a government could make.

So we have to conduct foreign policy in full recognition that we are and shall remain a free people. I tried in my address to point out that I do not believe that dissent from some quarters within the United States is the reason why Hanoi persists in the war. There are much better reasons.

But this argument serves those who would quiet all dissents, who would have us act like some monolithic mass; who seem to believe that our efforts against totalitarianism in the world should be conducted as though we were ourselves bound in a totalitarian straitjacket.

The Senator is correct: We in the Senate have a duty to speak up. I have tried to execute that duty today by pointing out that I fully support the President's efforts, and that I am in full agreement with what he said in his Johns Hopkins address—namely, that he is prepared to enter into unconditional discussions looking toward a political settlement in southeast Asia.

The new proposals I have made may not work; but no one yet has shown me how this country would be weakened by trying them. Until someone does, I shall continue to stress them.

I thank the Senator from Wisconsin for his contribution to the debate.

Mr. CLARK. Madam President, will the Senator from Idaho yield?

Mr. CHURCH. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. Madam President, I should like to join the Senator from South Dakota and the Senator from Wisconsin in their commendation of the splendid address just made by the Senator from Idaho. I find myself generally in agreement with what he has said; specifically, I am impressed by the constructive suggestions he has made in the course of his remarks. However, I should like to express a slightly different view, to this extent:

We in the Senate should stop acting defensively about our constitutional duty to debate foreign policy in the Senate. Of course we must debate the Vietnam situation. Of course we must debate the Dominican Republic situation. Of course we must stand in support of the Senator from New York [Mr. KENNEDY] in the brilliant address he made yesterday, in which he said, "Let us stop all the nonsense about the proliferation of nuclear weapons and try to reach an accommodation which will lift the burden of nuclear terror off the shoulders of the world."

I intend to pay no attention to the columnists hawks and the military for whom they front. Let the Messrs. Alsop, Hanson Baldwin, and William S. White, and the militarists for whom they front, take their particular positions with respect to muzzling the Senate and cutting off debate in the name of phony patriotism. I say let us stop talking about our right to debate. Of course we are going to debate, and we need not be defensive about it.

I should like to ask the Senator from Idaho a few questions of substance in connection with his splendid address. First, does he not find himself in substantial agreement with the recent speech by the distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] in this regard?

Mr. CHURCH. I do.

Mr. CLARK. Next, I wonder whether we do not have to take a somewhat more pessimistic veiw of the situation in South Vietnam than is represented by the administration's position at the moment or by the attitude taken by our good friend, the Senator from Connecticut [Mr. DODD], on the floor of the Senate not too long ago. I should like to make an observation and ask the Senator from Idaho to comment on it.

I am gravely concerned about what has happened in Saigon. I consider the installation, as premier, of Air Force General Ky to be a move of desperation. I am terribly upset about his announcement, as reported in the New York Times, that he has set up sandbags for public executions in the city square without trial, of individual citizens of South Vietnam who may or may not be profiteers, and the like.

I wonder what the Senator's view is concerning the sincerity with which we can support a kind of government which appears to deny every principle of freedom and democracy for which we are fighting. We have said we are in Vietnam to protect freedom, but I am afraid history will show that it is a freedom which, for more than 1,000 years, the people never had.

I wonder what the Senator from Idaho thinks about the contention that we are holding up the aims of a free people who, for some reason, seem to have chosen a government that makes Tony Imbert's government in the Dominican Republic look like a democracy.

Mr. CHURCH. Madam President, I am afraid that we Americans have a tendency to wrap any American engagement abroad in a thick ideological cloak. Ever since we entered the First World War, we have converted our fights into moral crusades. Even now we talk about the free world, and our duty to stand as its sentinel on its every boundary, against communistic transgression. Heaven knows that I find communism repugnant. Everything that I believe in is contrary to Communist doctrine and Communist objectives. However, in all candor, I admit that communism is not the only kind of tyranny in the world.

If we take a look at the countries surrounding the Communist world, we have to look very hard to find one that is a free land. From Japan to Israel, with the exception of India and Malaysia, most of the countries are tyrannies. Many of the tyrannies are so reprehensible to the people living within the countries that, in this era of rising popular expectations, there will come revolutions against them. I hope that the Government of the United States will not become so single-purposed in its fixation with communism that it places this Nation in the position of defender or protector over every rotten tyranny in what we euphemistically choose to call the free world. If we do that, our policy will never work. This is an era of great ferment in the world. There will be other revolutions in many of these countries.

For us to take the position that we are to be a kind of global policeman with the duty of imposing a Pax Americana, and with a military obligation to intervene to put down every future effort to overthrow established governments would be a foolish and futile enterprise, compared with which I can think of no example in the long course of history. Rome governed the ancient world by conquering it, and thus imposed a Pax Romana based upon a universal order of Roman law and government. That is not possible in the modern world, and it is the furthest thing from the American purpose or desire.

Mr. CLARK. Madam President, I completely agree with the Senator from Idaho. I should like now, if I may, to turn his mind to another, and perhaps unduly pessimistic, point of view. There are those, including the eminent Columnist Walter Lippmann, who believe that the time might well be past when we can negotiate with Hanoi, or even Peiping or possibly even with the Vietcong, and that we have reached a point of no return in that regard.

I ask my friend the Senator from Idaho to comment as to what we could do if, after having "stood firm" during the monsoon season—and I agree that we should, because I see no alternative and am in complete accord with both the President and the Senator from Arkansas [Mr. FULBRIGHT] in that regard—at a cost of perhaps thousands of American casualities, the monsoon season comes to an end and we still have a foothold in Vietnam and there is no negotiation. Then what should we do? Should we go on interminably in a war which shows little hope for this country? Should we join our Republican friends who say that if that happens they will take the case to the country against the administration?

I ask these questions not rhetorically because I am not sure that I have the answers. I believe that the Senate debate should be one in which we should think through the problems and attempt to see what will happen when we get by the monsoon season.

Mr. CHURCH. Madam President, I thank the Senator from Pennsylvania for making a very excellent point.

I am told that the French, during the last phases of their attempt to preserve French rule in Vietnam, used to reassure themselves that things would be different after the monsoon season.

I believe it is also true that the advice we were giving the French in Vietnam, in those days, is very similar to the advice that the French are now giving us, 10 years later.

I can only say that I have made some proposals which I believe are worthy of serious study. If they were tried, they might work. If they do not work, we shall not be weakened in any way.

In the meantime, I concur with the Senator from Pennsylvania [Mr. CLARK] and with the distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT] that we must stick it out, because we have made a commitment. Whether it was a wise or an unwise commitment is not the point. Once a country like the United States pledges itself to assume an obligation, that obligation must be honored. At the same time, we must continue to try to find a basis for a satisfactory settlement in Vietnam. One of the ways to do it is by continuing the debate on the floor of the U.S. Senate.

I now yield to the Senator from Utah.

Mr. MOSS. Madam President, very briefly, I commend my colleague the Senator from Idaho for his usual, thoughtful and very courageous exposition of a problem that I am sure bothers us all.

I find myself in concurrence with the speech that the Senator has delivered today. I congratulate him on his courage in coming to the floor and trying to open and expand the dialog on the situation in Vietnam.

It seems to me that the Senator from Idaho has said, in a little different way, something that was said on the floor yesterday when the problem of nuclear proliferation was being discussed, and that is that we in the United States, merely because we are the greatest and richest country in the world, must take the initiative in seeking a way out of this problem, rather than comporting ourselves as though we were fearful of our prestige, fearful of being thought to be compliant, fearful of taking the steps that a truly great nation should take.

I find that implicit in the three proposals the Senator has made, which are: First, that we seek to have the United Nations enter this matter; second, that we affirm our willingness to deal with representatives of the Vietcong as part of the negotiations; and, third, that we advocate genuine self-determination for the people of South Vietnam, as the basis for an agreement settling the war.

I believe that these are great and worthy programs, and that we should have continued debate on the floor of the Senate.

We should fulfill our position as partners in this form of government and in our general policy.

I commend the Senator from Idaho.

Mr. CHURCH. Madam President, I thank the Senator very much for his words.

One final word concerning the prestige argument. The continuing war in southeast Asia, in my judgment, is steadily eroding American prestige in the eyes of most of the ordinary people in the Afro-Asian world, because they see the war differently than we see it. That is why Red China is so interested in seeing the war prolonged. If we were able to find a basis for a settlement that we could live with, that would not represent either unilateral American withdrawal or a repudiation of our commitment to Saigon, our prestige would begin to rise again.

Does anyone think that French prestige has suffered since France managed to recognize that the era for the white man's control over Africa and Asia has ended, that is to say, since France stopped trying to preserve French dominion in that part of the world?

I realize our purpose is not the same as the French was. We all know it. It does not do any good to keep pushing this open door. The point is not how we see our purpose, or what we know it to be. The question is, How do the Asians see the war which outwardly seems to so much resemble wars with which they have had familiarity—the colonialist wars against the French, the Dutch, the British, the legions of the Western World?

I do not, I might add, have great faith in wars. Wars in this century have done more harm to the Western World than good. Rather than furnishing solutions, each great war created still bigger problems.

Our purpose is to seek a settlement in southeast Asia. That is the basis of our hopes; and then American prestige will soar again in the eyes of the peoples of Africa and Asia.

Madam President, I promised to yield the floor, and I am happy to yield the floor, so that the distinguished Senator from New York [Mr. JAVITS] may be recognized.

Mr. JAVITS. Madam President, I shall take only a few moments. I ask the distinguished Senator from Idaho to bear with me.

I have read his statement with great interest. I did not, unfortunately, because of committee meetings, find it possible to be present with other Members of the Senate during his delivery of the speech. I would like to put his speech in focus with respect to the resolution that I am about to introduce.

I consider the resolution a complement—and I use the word advisedly—to what the Senator from Idaho has laid before us. The dialog must go on, but a debate without an instrument of authority before us for action is a very different kind of dialog from that which occurs when there are committee hearings, committee consideration, debate, and a vote. That is what I am trying to bring about.

When Congress passed House Joint Resolution 1145 of August 10, 1964, it gave the President originally a big mandate. As Commander in Chief, he did not need it, but in our Government it was wise to get the advice and consent of Congress for such an important action. That resolution gave the President a blank check to use our Armed Forces, but it gave him a blank check only in the frame of reference at that time: that we were in South Vietnam as advisers, that we would strike back if we were attacked, as in the Gulf of Tonkin, that we would protect our bases, and that we would use the kind of discretion which was necessary under the prevailing conditions.

Now less than a year later we see the likelihood of a land war on a long-term basis.

Of course, the answer of the Senator from Idaho and the Senator from Pennsylvania [Mr. CLARK] is right. We understand we are waiting for a break in time and are trying to push all the levers we can in order to get that break, but that does not mean we should not stay there. We are mired there, if that is what we want to call it.

I try, in this resolution to do three things. One, to have Congress join the President in laying down our objectives in South Vietnam—that we have no designs in North Vietnam, for example, and are willing to go back to the 1954 Geneva agreement, which has been referred to by the Senator from Arkansas [Mr. FULBRIGHT], by other Senators, and by the majority leader, who is one of the most knowledgeable Senators in foreign affairs.

The second point is to have Congress join with what the President said at Johns Hopkins—That we are ready to negotiate, even, as some have said, if it means having some representatives of the Vietcong in North Vietnam costumes in a delegation.

The third point is to declare our readiness to use every medium the United Nations offers in trying to arrive at a solution.

It must be remembered that when the President was urged to say that he was willing to negotiate, he said he had said it 43 times, but when he said it the 44th time, at Johns Hopkins, the world heard it and said, "Now the United States is willing to conduct absolutely untrammeled discussions."

So it is in this case. The President says he has a mandate. It is reported that he carries it around in his pocket and will show it to demonstrate that he is acting in team with the Congress. But the words of that mandate no longer mean what was intended in the light of the situation at that time. A new joint resolution would lend the solidarity of the President, the Congress, and the people to our effort.

I have read what the Senator has said, just as he has read what I have said. I would be much comforted by his comments on this matter. I am trying to add a proper complement to the dialog which has taken place by a distinguished group in this Chamber.

Mr. CHURCH. I understand exactly what it is the Senator is attempting to do. In a way, he is furnishing an instrument to cope with the mounting frustrations in Congress over this situation.

Mr. JAVITS. Exactly.

Mr. CHURCH. His proposal is worthy of the most serious consideration by the Senate Foreign Relations Committee, because we are all groping for some answer, and we want to look very carefully at the one the Senator from New York has taken the initiative to offer today.

Mr. JAVITS. I am grateful for the comments of the Senator from Idaho.

I yield now, without losing my right to the floor, to the Senator from Ohio [Mr. YOUNG].

Mr. YOUNG of Ohio. Madam President, I thank the distinguished Senator from New York. I am in agreement with everything just said on the floor. Throughout the speech of the distinguished senior Senator from Idaho, I have been listening, and I compliment and congratulate him on his excellent appraisal of our predicament in South Vietnam. He has rendered a real and needful public service today. Some may argue with his conclusions, but after listening carefully to his speech, I find that his logic appears unassailable. Like him, I fully support the President in his determination to maintain our commitments to the South Vietnamese Government, such as it is, as there is not much of a government there at the present time.

I also agree with the Senator from Idaho that perhaps further steps may be taken toward bringing the North Vietnamese regime to the conference table ready to settle this terrible conflict on honorable terms.

The threefold proposal which he has set forth seems to me to be an excellent beginning toward that desired end. I am hopeful that they will be given serious consideration in the Senate.

At this time, I should like to add one more proposal to those made by the distinguished Senator from Idaho. Since the appointment of Gen. Maxwell Taylor as our Ambassador to South Vietnam, the situation militarily and politically has gone from bad to worse.

I fully concur with the statement made by the distinguished senior Senator from Pennsylvania [Mr. CLARK] that, despite the statement made by one of our colleagues who spent a week in Vietnam on one of those guided tours which Senators sometimes take, and who stated in May, and repeated in June, that we were winning the war in South Vietnam, the facts are exactly to the contrary. The events of history show that he is wrong, that the situation over there is very bad militarily for the cause of the South Vietnamese people and for us.

The blame, or some part of it, may or may not be partly that of Ambassador Taylor, but it is obvious that he has outlived his usefulness as our Ambassador to South Vietnam.

I again urge that the President replace him with an outstanding civilian. Our Founding Fathers provided that civilian authority must always be supreme over the military.

Recently, when Ambassador Taylor was in Washington, I asked him some questions at a joint meeting of the Committee on Armed Services and the Foreign Relations Committee, at which time he made a bad impression upon me. The senior Senator from New York has referred on several occasions to the great statement of the President of the United States at Johns Hopkins University, that the United States was ready to negotiate unconditionally. In answer to a question I asked Ambassador Taylor, he referred to the proposed negotiations as "conversations." It must take a military mind, in my judgment, to draw a distinction between negotiations and conversations.

Before Ambassador Taylor left the United States, he stated that he saw no probability of a change in the South Vietnamese regime. He had not returned to South Vietnam before the militarists took over there and threw out the civilian regime. This demonstrated to me the instability of the Saigon government, but it also demonstrated the poor judgment of Ambassador Taylor or the poor information which he is receiving.

Madam President, in having someone in Vietnam to give a new look at the situation as our Ambassador there, it seems to me that the President would do very well indeed were he to recall Ambassador Taylor and assign either Ambassador W. Averell Harriman, or former U.S. Senator Kenneth Keating, of New York.

Either of these two men would have the confidence of the country. W. Averell Harriman, in particular, is an exceedingly skillful diplomat. I am certain that the senior Senator and the junior Senator from New York [Mr. KENNEDY] who was in the Chamber a moment ago listening to this debate—would agree with me that a man who attains a high public office in the State of New York and deals with a great many groups and factions, grows to become a great man and a truly great American—as are the two New Yorkers I have named.

I again urge that the President replace Ambassador Taylor with an outstanding civilian who has the confidence of the American people and who can bring a fresh approach to our dealings with the South Vietnamese Government—or should I say governments, as it is not known from day to day who is running that unhappy country. A man such as Ambassador W. Averell Harriman, or former U.S. Senator Kenneth Keating would make an outstanding representative of our Nation in Saigon.

I thank the Senator from New York for yielding to me.

Mr. CLARK. Madam President, will the Senator from New York yield to me for 30 seconds?

Mr. JAVITS. I am glad to yield to the Senator from Pennsylvania.

Mr. CLARK. Madam President, in connection with the colloquy engaged in this morning, I ask unanimous consent to have printed in the RECORD two perceptive and well-reasoned articles written by the well-known commentator, Walter Lippmann. The first is entitled "The Sharpening Predicament in Vietnam," and the other is entitled "The Fierceness of Red China." Both of these articles were published in the Washington Post this week.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 22, 1965]

THE SHARPENING PREDICAMENT IN VIETNAM

(By Walter Lippmann)

In his press conference last Thursday, the President quoted some secret reports he had received from a foreigner who had made contact with a high official in Hanoi. The President meant to convince our people that he had tried and failed to "get them (the North Vietnamese) to talk to us."

The first secret report was on February 15, very shortly after our bombing offensive had begun. The second report was on June 7, when the bombing policy had been in operation for 4 months. The substance of both reports was the same. Neither the threat of the bombing nor the results of the bombing had induced Hanoi to take an interest in negotiating peace with the United States.

There is no doubt that the President is correctly informed. Hanoi will not negotiate with Washington because it is convinced that Saigon has lost the war and that we cannot reverse the results. In Paris a few weeks ago I talked with a number of specialists in southeast Asia, both French and Vietnamese. I asked them what would happen if the President ordered the bombing of Hanoi and Haiphong and invaded with a very large army.

It would only make more certain, they said, the ultimate domination of Vietnam by China. For the result of all our bombing in the north and of all our fighting in the south would be to wreck and ruin the whole of Vietnam to a point where the Vietnamese themselves would be quite unable to reconstruct their economy.

They would have to turn to China. For the United States would find no government which it could support, and amidst the devastation only an oriental dictatorship would be able to deal with the chaos and the misery.

I have learned over the years to have great respect for the judgment of these men with whom I talked. They have the advantage not only of the long French experience in Indochina but also of their contacts, through the large Vietnamese colony in Paris, with Hanoi, and even with the Vietcong.

They are prophesying now that while U.S. military power can destroy the political and economic structure of Vietnam, it cannot transform the defeated Saigonese into victors. The more the devastation, the more certainly will China be the ultimate winner.

Does this mean that the time has passed, owing to the irreparable losses in South Vietnam, when the President can hope to induce Hanoi to negotiate with him? If he means with him, I am afraid there is no doubt it means just that. It is no less true, I think, that he is now unable, even if he were willing, to negotiate with the Vietcong.

At this grim juncture, the President is threatened at home by a Republican maneuver which he cannot easily dismiss. Messrs Laird and Ford told him last week that if his objective is nothing better than a negotiated peace, he is committing many too many American troops. This is an exceedingly shrewd political maneuver. For, if the President continues his present policy, which is to commit an increasingly large ground army in order to produce a stalemate, he will be accused of wasting American lives for no real purpose. Messrs. Laird and Ford, on the other hand, will go to the country saying that if the President had only dared to bomb Hanoi and Haiphong, the United States would have had a victory without casualties on the ground. It would not be true because all experience goes to show that wars cannot be won by bombing alone. But it would be effective demagogy.

The President is in a squeeze because his limited policy has failed and an unlimited policy would incur greater risks of great war than he has a right to take. The moment of truth is drawing near, a moment when he will have to ask himself whether, since he cannot negotiate with Hanoi, someone else can. In the months to come he will have to consider whether the only course still open to him is to encourage the Vietnamese—Hanoi, Saigon, Vietcong—to negotiate with each other.

If they could work out a deal among themselves, it would no doubt mean that our influence in Vietnam had sunk to a very low point, except as we recovered some of it in assisting the reconstruction of the country. But there may be some consolation in the fact that a Vietnamese solution made by the Vietnamese might lay the foundations of an independent Vietnam, independent of the United States to be sure, and, in some measure, independent also of China.

[From the Washington Post, June 24, 1965]

THE FIERCENESS OF RED CHINA

(By Walter Lippmann)

The quarrel in the Communist camp has become evermore ferocious and from our point of view evermore interesting. We have to begin by making a guess as to why, as the military situation in Vietnam grows worse, the Sino-Soviet quarrel becomes fiercer. There must be something of very high importance at stake between Moscow and Peiping.

My guess—there is no way of knowing—is that the intensification of the quarrel is due at bottom to Red China's fears that there is in the making a Soviet-American understanding for the containment of China. If this came about, China would be strategically surrounded. There would be the Soviet nuclear power along its northern frontier and there would be American nuclear power, allied in some measure with the Soviet Union, along the Chinese southern and southeastern frontiers.

China's fear that this might happen could explain a number of otherwise puzzling things. It could explain Peiping's recent accusation that the Soviet Union is an American stooge conspiring to end the war and deprive Peiping of a total victory. It could explain the fact, which has now been confirmed officially by the Soviet Union, that Peiping has been opposing and obstructing Soviet military aid to North Vietnam. For if the Russians appeared as the principal military defender of Hanoi, they would acquire a principal influence on the settlement of the war.

Moreover, if my guess is correct, the Chinese Government believes that if the war can be made to go on to the bitter end, the result will be to expel the Soviet Union and the United States from its southern borderland. Without having to fight itself, Red China would then fall heir to the wreck and ruin of Vietnam, and the historically anti-Chinese people of Vietnam would be decimated and prostrated.

These are high stakes, and only high stakes can account for the fierceness of the Chinese campaign against the Russians. If the hypothesis is correct, the first practical conclusion we must draw from it is that we must not be overzealous. The Soviet Union is still a Communist society, and we must not embarrass it by treating it as if it had turned renegade. We should act on the principle that the Soviet Union is a mature Communist society, and because of that—since both of us are mature societies—we have a common vital interest in coexistence and world peace.

It is not for us to make ostentatious and dramatic overtures to Moscow. But we can move with deliberation to remove the minor irritations, as for example, over the payments to the U.N. Beyond this, we should let other governments make the running while we hold on in South Vietnam and ponder the crucial and unavoidable decision of whether to encourage negotiation among the Vietnamese.

The fierce intransigence of Red China is a fact. Potentially and theoretically it threatens everyone. The great question is whether Red China's militancy and expansionism will be moderated in the course of time or intensified during the few years that remain before Red China becomes a nuclear power. It is a gamble, of course. But I myself am betting that moderation will appear in the course of time and natural evolution and can be brought on by patience, firmness, and diplomatic skill. The alternative is preventive war.

Back in the late 1940's when the cold war had begun, when Stalin was at his worst, I was invited to lunch in the Pentagon with a high official. The object of the lunch was to persuade me to write articles in favor of launching a preventive nuclear war against the Soviet Union. Stalin, I was reminded, was a villain who was moving step by step toward the conquest of the world. There was no stopping him by measures short of nuclear war, and as we had the air force and the nuclear bombs while Stalin did not yet have them, it was our duty to strike him before he struck us. Not to do so would be criminal negligence. If we flinched and waited, we would lose the future.

I did not write the articles, but the luncheon made a profound impression on me, particularly in the years which have followed during which the Soviet Union has emerged from Stalinism. We gambled correctly that Stalinism would pass, and we won that gamble. We shall have to take the same gamble with Red China.

JOINT RESOLUTION DESIGNED TO TRIGGER HEARINGS AND DEBATE ON VIETNAM POLICY

Mr. JAVITS. Madam President, on several occasions in the past 2 months—ever since it began to appear likely that American troops in large numbers would be sent into ground combat in South Vietnam—I have urged the President to consult Congress by means of a joint resolution to approve and support such an important new phase of United States participation in the Vietnam struggle. Laying a new resolution before Congress to follow the August 10, 1964, resolution, passed after the Bay of Tonkin incident, would have been a most desirable and responsible action on the part of the administration. But it has not been done. I am, therefore, introducing today a joint resolution—which I send to the desk and ask that it be appropriately referred and printed in the RECORD—which raises the issues and will, if acted on, inspire the hearings and debate which the situation requires.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 93) to promote the maintenance of international peace and security in southeast Asia, and to supplement Public Law 88-408, introduced by Mr. JAVITS (for himself and Mr. RANDOLPH), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S.J. RES. 93

Whereas the Congress by joint resolution approved August 10, 1964, declared that it "approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression" and further declared that "The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia" and "is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom"; and

Whereas the deliberate and systematic campaign of aggression that the Communist regime in North Vietnam is waging against its neighbors and the nations joined with them in the collective defense of their freedom has risen in intensity and constitutes a threat to international peace and security which is not being met by action of the United Nations or other international agencies; and

Whereas the people of South Vietnam and the peoples of southeast Asia continue to desire the assistance of the United States in protecting their freedom and their right to be left in peace to work out their own destinies in their own way; and

Whereas the United States has no territorial, military, or political ambitions in that area, and the President has expressed the determination of the people of the United States that the United States is prepared to engage in uncondiional discussions and negotiations to bring about a condition of peace and security in southeast Asia; and

Whereas the intensification of the aggression against South Vietnam requires the United States so materially to increase the means for defense against such aggression, including the use of the Armed Forces, as to make advisable a further joint resolution of approval and support by the Congress: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the decisions made by the President, as Commander in Chief, in implementing the joint resolution of August 10, 1964, to promote the maintenance of international peace and security in southeast Asia.

SEC. 2. The United States declares its determination, consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, to take all necessary steps, including the use of armed force, as the President determines, for the purposes set forth in section 3, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

SEC. 3. The United States affirms that the objectives of the United States are to bring about the cessation of hostilities by cease-fire or other appropriate means and the restoration of peace, tranquillity, and security, and the observance of international treaties and agreements in South Vietnam, and to assist South Vietnam in obtaining a full opportunity for self-determination, religious freedom, economic and social progress, the establishment and strengthening of free institutions, and the enjoyment of friendly relations with its neighbors.

The United States is ready, whenever and wherever there is any willingness by the other appropriate parties to do so, to undertake honorable negotiations to attain these objectives.

SEC. 4. The United States regards international action to assure conditions of peace, security, and freedom in southeast Asia to be most desirable and is ready to join with other appropriate parties in assuring the maintenance of international peace and applying within that area the principles and provisions of the United Nations Charter.

SEC. 5. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent rsolution of the Congress.

Mr. JAVITS. Madam President, in this connection, it is important to note that Congress contemplated a continuing role, in conjunction with the President, in the making of our Vietnam policy. The intent of Congress to maintain continued participation is most strongly evidenced by its explicit reservation of the right to terminate by concurrent resolution the joint resolution of August 10, 1964. Congress having thus reserved this right, the time has now come to exercise it, when we seem about to enter upon a new dimension of the struggle not contemplated last August.

Madam President, I have explained the major sections of the joint resolution in colloquy with the Senator from Idaho [Mr. CHURCH], showing that it does actually accommodate the new situation which I have described by setting forth, first, our readiness and willingness to enter into negotiations—in which the Vietcong or similar forces could conceivably play a role as part of the North Vietnamese delegation; second, the objectives of the United States, which are confined to the situation in South Vietnam and include acceptance of a settlement for neutralization of that area adopted in 1954 in Geneva; and third, the acceptability of the United Nations to the extent that it can feasibly act in this area in whatever role may be found best, especially with the hope of bringing about a cease-fire and the initiation of negotiations between the parties.

First, this new resolution is needed because the resolution of August 10, 1964, is out of date. It was passed under wholly different circumstances, at a time when we were not bombing North Vietnam as part of the defense against the Vietcong, when the South Vietnamese Government looked relatively stable under General Khanh, and when we were there at the request of such a government. The likelihood then of direct U.S. involvement in ground combat in a large-scale struggle on the Asian mainland was not anticipated; we were not then on the verge of committing ourselves to such a conflict.

Second, the resolution is needed to provide a clear opportunity for the Foreign Relations and Foreign Affairs Committees to hold hearings in an attempt to bring out the relevant facts and clarify the issues, and an opportunity, too, for full debate on the floor of both Houses—not undirected, sporadic debate—such as we have had this morning and on other occasions—but debate focused on specific language, carrying the responsibility of positive action.

Finally, the resolution is needed because the decisions now being made by the President are crucial. Let us remember that great powers do not bluff. Once a great power commits itself to a course of action, it cannot fail to carry through without serious consequences both at home and abroad. The United States cannot become directly involved in ground combat in South Vietnam, reserving the right to change its mind later on. If things go badly, I have no doubt that we will send in more troops, and more, and still more, for there will be no turning back and we will be committed as completely as we were in Korea.

The real question is not whether we are willing to send another 21,000 troops to Vietnam to help the South Vietnamese during this summer's monsoon rains. It is whether we are prepared to send some hundreds of thousands of our troops into combat, as we did in Korea, if necessary—for it may become necessary. It is whether we are ready to face the American casualties of a long, drawn-out land struggle—for we may have to. It is whether we are prepared to risk a confrontation with Communist China or the Soviet Union, for we may have to.

The President may have the legal authority to make these decisions, but as a matter of policy they should not be made by him alone, without congressional approval and support.

The President should not risk leading the Nation, step by step, into a major conflict from which there is no honorable retreat—not without a clear mandate from the people and a united and determined country solidly behind him. An out-of-date resolution—and that is what the resolution of August 1964 is—is not enough. Neither is a Gallup poll.

We are on the threshold of crucial decisions, with large segments of the people anxious and uncertain, restive and confused. The probing and informed debate which the resolution I have introduced is designed to stimulate would contribute immeasurably to a better understanding of the whole Vietnam conflict and the proper role we can play in that part of the world. For there are still a great many nagging and worrisome questions unanswered, and a great many fears to be laid at rest.

Some of the important questions which need to be answered, always consistent with security considerations—and I am confident that it can be done that way—are these:

First. What is the exact nature and extent of the new combat responsibilities our forces are assuming in Vietnam?

Second. What is the nature and area of the conflict as now contemplated?

Third. Is it clear that the people of South Vietnam still want us there? That is a very critically important question.

Fourth. At whose invitation are we now participating in the struggle there?

Fifth. What do the people of southeast Asia and other parts of Asia think about the escalation of our involvement in this conflict?

Sixth. How much help are we getting from our allies, especially our SEATO allies, and what is the likelihood of getting more help?

Seventh. What practical possibilities exist of regional or United Nations action with respect to Vietnam? We hear a great deal about the Secretary General going out there. What, indeed, can the U.N. do? Let us remember that when the Security Council voted to undertake the responsibility of the conflict against the North Koreans, the Russians, for the moment, were not on the Security Council, and therefore not able to cast a veto.

Eighth. How much help are the Communist getting and where is it coming from?

Mr. AIKEN. Madam President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Vermont.

Mr. AIKEN. Has the Senator drawn any conclusion from the latest development in South Vietnam? I refer to the South Vietnamese breaking off relations with France and closing down all newspapers in the country except two, which we presume are completely controlled by the Government. I value his conclusions rather highly. Has he drawn any conclusion as to this latest development?

Mr. JAVITS. Madam President, it means a tight control by a government which is ruling by emergency power. That is the meaning also of the new Prime Minister's statement that he will shoot people without trial and take similar measures. This recalls Korea under Syngman Rhee, when we found ourselves between an imminent dictatorship and the necessity of protecting what had been accomplished there in the way of freeing South Korea. This is one of the endemic problems of our presence in South Vietnam and what makes me ask the question: "Do the people of South Vietnam want us there?" If they do not want us there, do we still propose to stay?

I conclude by saying to the Senator that this becomes a major factor in whether we should continue. I am with my colleagues in the Senate who have spoken this morning, and with the President, in saying that we should carry on if we are at all able to do so. However, the question involves the South Vietnamese governmental framework in which we are being asked to carry on. We need to have clear information on this, we need to digest it, and we need to see whether we can bring any influence to bear to see that human rights and liberties are respected. It is not a question which I can answer categorically by saying, for example, that if we find it is a dictatorship we should get out. But it is a question to which we should get an answer, because the answer will influence our total judgment as to what we should do.

Mr. AIKEN. Is that not a condition which was written into the resolution of last August, which is now interpreted in various ways? Did we not in fact commit ourselves to help those countries in southeast Asia when our help was requested and wanted?

Mr. JAVITS. And also, may I point out, we said to protect their freedom.

Mr. AIKEN. Yes.

Mr. JAVITS. If there is no freedom, there is no freedom to protect.

Mr. AIKEN. Do not the latest acts in South Vietnam strongly indicate a trend toward a form of government which we are committed to oppose with all reasonable means?

Mr. JAVITS. Exactly. The trend should be arrested. It is much easier to do that in the open, on the floor of the Senate and on the floor of the House, than in the privacy of an executive department.

Madam President, these are not the only questions. There are many others of equal importance to be answered. Indeed, one of the most vital questions is this: What do we expect to gain from a decision to commit increasing numbers of U.S. troops to ground combat roles?

We seem to be girding ourselves for a long and bloody summer in the hope that, in Senator FULBRIGHT's words, "When the current Vietcong offensive has run its course without decisive result, the Communists will be disposed to take a different view of our standing proposal for unconditional negotiations." I would not be quite so sanguine as the Senator from Arkansas about the prospects of successfully forcing the Communists to the conference table by denying them their hoped-for military victories this summer.

And this summer stalemate—what will it cost in casualties to achieve it? I am not saying, "Do not do it"—for it may, in the last analysis, be the least painful of all the alternatives. But I do not foresee a rush to the conference table as a probable result. Let us not once again be blinded by unwarranted optimism about Vietnam.

If one remembers nothing else I say, I hope he will remember this. We hear so many stories that the troops will be back in 1 year, or that we are on top of the situation, only to see it all disintegrate within a week or a month. Let us then not be blinded by unwarranted optimism; the situation in Vietnam is very rough and very difficult.

With the sorry prospect of intensified hostilities around the corner, we simply must redouble our search for an honorable peace. We cannot just resign ourselves to battle out the summer and then try again. I am, therefore, pleased to see the administration welcoming fresh efforts by Prime Minister Wilson and looking to the forthcoming Afro-Asian Conference for some new initiative. And while we have correctly held to our position that we will not recognize the Vietcong at the conference table, the Secretary of State has gone far toward making even this one condition to peace talks palatable by agreeing not to question the composition of the opposing delegation. All these efforts on our part to achieve a peaceful solution are commendable—they are more than commendable: they are essential. I am sure the President is continuing our quest for peace in every way open to him. He will need great wisdom, as well as great creativity and imagination, if we are to avoid another Korea in Vietnam. I wholeheartedly support him—as I always have—in those efforts, and I have little doubt I will be supporting him as we debate and enact an appropriate resolution.

The PRESIDING OFFICER. (Mr. KENNEDY of New York in the chair). The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may have 1 additional minute.

Mr. MANSFIELD. Mr. President, I yield the Senator from New York 1 minute under the bill.

Mr. JAVITS. The decisions that the administration must make in the weeks ahead are decisions which could vitally affect the entire Nation, and they should be discussed and debated by the Representatives of the entire Nation in Congress, with the stark facts laid out before us. Then whatever we decide to do will be done by a strong and determined people, united behind their President in one of the major decisions in our history.

Mr. President, I ask unanimous consent to add the name of the Senator from West Virginia [Mr. RANDOLPH] as a cosponsor of the joint resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. I thank my colleague for yielding.

COINAGE OF THE UNITED STATES

The PRESIDING OFFICER. Under the unanimous-consent agreement entered into, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 2080) to provide for the coinage of the United States.

The Senate resumed the consideration of the bill (S. 2080) to provide for the coinage of the United States.

UNPRECEDENTED LAWLESSNESS IN THE UNITED STATES

Mr. McCLELLAN obtained the floor.

Mr. MANSFIELD. Mr. President, I yield 15 minutes under the bill to the distinguished Senator from Arkansas.

Mr. McCLELLAN. Mr. President, we are experiencing a wave of unprecedented lawlessness in our country.

The crime menace to our society and security has become critical. It is a problem of grave concern to all of us. The ever-lengthening shadows of crime now becloud each day and like a pall hang heavily with ominous warnings that we can no longer ignore. Indeed, so serious is the threat of mounting crime that President Johnson used the solemn occasion of the state of the Union message to comment about it.

The gravity of this problem becomes apparent and is placed in proper prospective when we consider that by this time tomorrow—within the next 24 hours—in our United States of America 25 people will have been murdered; 56 women, or perhaps girls of tender age, will have been forcibly raped; 305 armed robberies will have been committed; 505 aggravated assaults will have been inflicted; 1,265 automobiles will have been stolen; 1,925 major thefts will have been committed, and more than 3,000 burglaries will have occurred. Mr. President, over 7,000 major crimes are committed in this country every day, day in and day out, Sundays included, for crime takes no holidays.

Obviously, Mr. President, no nation, no civilized society can long withstand or endure such major assaults upon its structure. The goals of the Great Society are being imperiled. For there can be no Great Society unless it is also a safe society. And a safe society cannot be built nor maintained in a climate of crime, corruption, and moral decay. I mean, Mr. President, a society where it is safe for our citizens to walk the streets day or night; a society where our children are safe both at play and en route to school; a society where our women are safe from the attacks of depraved rapists; in short, a society where all of us may at all times be safe in our own homes.

All of us—every citizen—has a duty and a responsibility to see that our laws are enforced; a duty to support and assist our law enforcement officers in their efforts to protect society. Mr. President, the crime rate increase is more than distressing—it is alarming. From 1958 to 1964 the total major crimes in this country jumped from 1,645,200 to 2,604,400—an increase of 959,200 in that 7-year period. In 1964 there was an increase of 13 percent over 1963. By 1975 it is estimated that our population will reach 225 million. A projection of the crime rate increase at 10 percent annually—and not at the 13 percent rate of increase that occurred in 1964—indicates that 10 years hence our citizens will have more than 7 million major crimes inflicted upon them. That would be one major crime for each 32 people in the United States.

Projected at the same rate of 10 percent until 1985 it is indicated that more than 18 million major crimes will be committed in that year, and with an estimated population of 266 million, that will be one major crime for each 15 people.

To those who say it just cannot happen, I say look at the figures—not just those I have projected, but look at the past record. Since 1958 crime has increased six times as fast as our population. In 1964 the crime rate—crimes per 100,000 population—was 11 percent higher than in 1963; 75 percent higher than in 1954; and more than double the rate in 1940.

So, Mr. President, not only can it happen, it has happened and is happening today.

What price do these criminals, the hoodlums, the parasites, the lawless who prey on our citizens, extract from our economy? The cost is burdensome. In 1964, the Federal Bureau of Investigation estimated that crime cost the American people $27 billion. This is equivalent to $143 for every man, woman, and child—or $574 for each family—in the United States. The misery and human suffering that crime produces, of course, cannot be measured in money.

Mr. President, I have confidence in our military might and in our ability to defend against external threats to our security, but I am concerned and apprehensive about the possibility of destruction from within—destruction by a ruthless empire of organized crime known by such names as the Mafia, the Cosa Nostra, the syndicate or the mob.

The Bureau of Narcotics has for over 25 years tried to warn the public of the danger of the Mafia in our country. In doing so the Bureau quite often found itself on the receiving end of vitriolic criticism and derision from so-called good citizens; i.e., good in the sense of those who likewise refuse to believe that communism poses any threat to our survival.

History records that many civilizations have been destroyed from within. Let us heed that warning, lest we succumb to the tyranny of a criminal anarchy.

The general intent of criminal legislation is to protect society and to provide punishment for those who willfully violate our laws. But unfortunately, Mr. President, in recent years there has developed an imbalance in the scales of criminal justice. This imbalance is on the side of the perpetrators of crime—the guilty.

The administration of criminal justice in the United States is founded on and should be administered on two concepts—deterrence of crime through punishment and, where possible, the rehabilitation of the offenders. The order of these concepts is important—deterrence first, and rehabilitation second.

But this order has been altered to a great degree in many jurisdictions of our country. In fact, in some jurisdictions it appears that the concept of deterrence through punishment is rapidly becoming inoperative.

There are sentimentalists who are plaguing our Nation with the advocacy of more and more sympathy and less and lighter punishment for criminals. Oblivious to the plight and suffering of the victims of crime and its impact on society, these sentimentalists seem bent on excusing every unlawful act, from truancy to murder, on the pretext of mental illness, tender age, social ills such as broken homes, lack of opportunity, and an unhappy childhood.

With the exception of mental illness, none of these is an excuse for the commission of crime. Social ills should afford no refuge, no license to anyone to assault society. We cannot justifiably excuse an armed robber because he came from a broken home; a rapist because he may have been mistreated as a child; or a murderer because he did not have the opportunity to attend high school.

The welfare and internal security of our Nation demands that law and order prevail. If our laws are not respected and obeyed, order and a decent society cannot be maintained. The law is our strength and our shield. Willful violators must be held to account and punished.

Unfortunately, the sentimentalist's attitude is reflected in some recent court decisions. Some courts seem so obsessed with technicalities that they lose sight of truth. In those courts, Mr. President, technicalities have become paramount to truth and the pursuit of justice is abandoned with the result that society becomes the victim of injustice while the guilty are free to return unpunished and uninhibited to a life of lawlessness and crime.

Only last week, Judge George L. Hart, Jr., of the U.S. District Court in Washington, D.C., "reluctantly" dismissed a rape charge, and challenged the idea that "decisions of the courts in our jurisdiction have nothing to do with the crime rate." According to newspaper accounts of the case, the basis for dismissal of the indictment was the failure of police to obtain a search warrant, and conducting an illegal arrest. The prosecution noted that the police probably could not have obtained a warrant during the early morning hours following the rape.

The alleged victim in the case—a 17-year-old girl—joined police in a search for the suspect's home after reporting the rape. They located the roominghouse, entered without permission, and arrested the suspect. The girl's skirt and sweater were found in a car parked in the backyard of the house. Judge Hart said that the evidence in the case had been "reliably obtained even though it may violate some of the extreme technical rules that have been involved in this jurisdiction with regard to search and seizure and arrest." Another rape charge against the same defendant was also dismissed recently when the 30-year-old victim committed suicide a week before the trial.

Some months ago a lone policeman patrolling his beat in a midwestern city noticed a group of youths loitering on a street corner. He told them to move along. They attacked him instead, knocked him to the ground, kicked him, and took his revolver. One of the youths held the gun against the officer's head and dared him to do something about it. Then they fled.

Arrested, the youths were indicted for robbery and aggravated assault. At the trial they pleaded guilty to the charges. But the judge ignored the pleas and directed a finding of guilty of simple battery. He reasoned the youths were not committing a crime when told to disperse, that the taking of the gun did not constitute a robbery, and the facts did not support aggravated assault. He then placed the youths on probation on this minor charge.

Earlier this year another midwestern judge released a man who had severely slashed the face of a policeman with a broken beer bottle. This jurist reasoned the two officers, who had responded to the cry of a citizen that a "crazy guy is trying to cut people with a bottle," were attempting to make an illegal arrest and, by drawing their guns, were using excessive force. "What is a citizen to do when he is approached by two officers with a gun?" the judge asked. This decision, and the reasons assigned therefor by the jurist who tried the case, are reprehensible beyond description and contemptible under any civilized standards of justice and human conduct.

It is my belief that honest people have no cause to fear our law enforcement officers and no reason to attack them with broken beer bottles or anything else. We have an efficient law enforcement profession, but the effectiveness of our dedicated, underpaid and overworked police officers is being eroded by such illogical and unwarranted judicial decisions. And a sometimes indifferent and apathetic public only contributes to this erosive process.

In 1964, when we experienced a 13-percent increase in crime over 1963, the police solution rate for serious crime declined. At the same time, according to information collected by the FBI under the uniform crime reports program, acquittals and dismissals were on the increase. One can only conclude that the various court decisions which have favored the guilty and added new shackles on law enforcement activities, are an important factor in these unfavorable and unfortunate trends. Mr. President, I am not alone in my thinking. Others share these sentiments that I express. The chief judge of a Federal circuit court of appeals recently asserted:

> The two persistent trends in the criminal law during the last 40 years have been to strengthen the rights of the individuals and to restrict the powers of the police.

We have apparently reached the incredulous situation where our police are now compelled to defend themselves and their actions from all sides. For example, many who approve and advocate the rule laid down in the Mallory case say that it serves to punish the police. That is simply ludicrous, Mr. President. This amounts to an unwarranted sanction of crime without punishment where society is compelled to suffer while the guilty go free.

The law requires that a person be proven guilty beyond a reasonable doubt before he can be convicted, and rightly so. This is an essential safeguard. But in too many instances the same courts which adhere to a reasonable doubt clause with respect to conviction often ignore it when it comes time to impose sentence. Time after time convicted criminals are fined, given suspended prison sentences, and released outright or released on probation when there was far more than a reasonable doubt that they can be trusted not to resume their life of crime.

Examples of such miscarriages of justice can be found in every part of our land. But one need not look any further than our Nation's Capital for a classic illustration.

A little over a year ago one Washington policeman was killed and another seriously wounded by two robbers. The slain officer was shot six times; the other was shot once and clubbed over the head. Their assailants were two men with long criminal records, including convictions for armed robbery. But both were free on parole at the time of this attack.

In the last 5 years there have been 225 police officers killed by criminal action, according to data collected by the FBI. Of the 293 criminals responsible for these police murders, 78 percent had prior records of arrest. Over half had previously committed crimes of violence such as rape, robbery, and assault with a deadly weapon. Six of the officers were killed by paroled murderers. Almost a third of the killers were on parole or probation at the time of the murder. More than 25 percent had been paroled on two or more occasions after conviction for serious crimes.

Many burglaries, robberies, automobile thefts, and other such serious crimes are committed by the same persons or group of persons before they are captured. Even arrest often does not mean a break in their criminal acts since they generally are released on bond. And conviction frequently means only a relatively short "vacation" after which they return to the same criminal ways.

Action under the Federal kidnaping statute is an excellent example of the deterrent effect of almost certain detection and severe punishment. The FBI has established an outstanding solution rate under the Federal kidnaping statute. And the Federal courts have not been paltry with the sentences imposed on convicted kidnapers.

Several kidnapers have been executed and long prison terms have been given with regularity. As a result, kidnaping has become a rarity, especially when compared with the rash of such crime in the thirties when kidnaping first was made a Federal offense. While almost all other serious crimes have steadily increased, kidnaping has shown a marked decline. Perhaps we should take the hint and try the same formula with other serious crimes.

But the howl of our sentimentalists and some of our misguided public officials today is for less rather than more severe punishment for criminal offenders. They offer various theories to support their baleful pleas for sympathy for the criminal. But what is really provoking to me is to hear them blatantly declare that parole and probation are economically sound methods for dealing with criminals. This is pure, unadulterated nonsense.

Certainly it costs less to turn a convicted criminal loose than it does to put him in prison. But why not go all the way—why not dispense with the trial and even the arrest of the criminal? Think of the money we can save that way.

In approximately the last year there have been close to 20 gangland slayings in one of our eastern metropolitan areas. Twelve of the victims were parolees. A high State parole official testifying on these murders, declared, "The only way to stem the tide of the killings would be to tighten up parole." He pointed out that 15 percent of the parolees are returned to prison because of serious violations, adding that when this percentage goes over 10 percent it indicates a very bad parole system.

FBI Director J. Edgar Hoover has asserted:

> We are faced today with one of the most disturbing trends that I have witnessed in my years of law enforcement—an overzealous pity for the criminal and an equivalent disregard for his victim. There can be no law and order in a society which excuses crime on the premise that the perpetrator is sick. Basic logic demands that a man be held morally and legally responsible for his willful acts. When a hardened criminal unwisely is granted lenience, the very lives of countless unwary citizens who by chance come in contact with him are placed in jeopardy.

We must face the hard fact that for some, crime does pay. It is up to us and to every American to change this fact. Willful violators of our laws must be convinced that they will have to pay and pay dearly for their misdeeds—they must be taught that we will not allow crime to pay. We must reexamine our entire approach to the administration of justice. There is much which needs to be corrected.

Look how we burden our law enforcement agencies. We shackled them with the impossible task of deciding constitutional law on the spur of the moment and often in the face of danger when our learned justices cannot even decide it in unison with the benefit of lengthy study and contemplation. And, if the officers make an honest mistake, which our judges decide in retrospect, we penalize them and society by freeing the criminal no matter whether he is guilty or not. We even subject our police officers to being sued in Federal court if they are determined to have erred and made an arrest without probable cause or an unreasonable search. This bit of "encouragement" was provided for our police officers by the Supreme Court in its decision in *Monroe* v. *Pape,* 365 U.S. 160 (1961).

A law-enforcement officer can spend weeks—months—trying to make a case against a criminal. He arrests him, but he cannot relax. The accused is assured a reasonable bond in most criminal cases. In a matter of hours he is free to do virtually as he pleases. His reasonable bond often is unreasonable jeopardy to society.

Our distinguished colleague from Colorado will surely remember this example. Less than a year ago a member of his staff captured a 17-year-old youth who had broken into her apartment. A prior record led juvenile authorities to waive jurisdiction, and the accused was scheduled for trial as an adult. This prompted the Senator to comment here in this Chamber that he was "sure it will be some time before this young man tries to enter any apartment or any other dwelling in this city, or any other city."

But a personal bond provided freedom for this youth, and in a matter of weeks he was arrested again on a charge of breaking into a woman's apartment.

I would ask every American—who is our enemy, the criminal or the law enforcement officer? Who deserves our support? The criminal—the murderer, the rapist, the robber, the burglar, the mugger, the gangster—certainly not. But the scales of justice are greatly imbalanced today in their favor.

In an attempt to help stem this prevailing adverse tide of lawlessness and serious crimes that we face today, I am introducing a series of bills which I hope the Congress will promptly consider. Some of these measures grew out of the work of the Permanent Subcommittee on investigations; others have been worked out in conjunction with the Justice Department. I hope Congress will enact these bills or something similar to them.

They are certainly not the end-all or be-all. These bills deal with sensitive areas of criminal law, involving many aspects of individual rights. As a result, serious constitutional problems are involved in some of these proposals. But these matters can be thoroughly explored in the committee. Meanwhile, the bills which I am offering today will provide the means for the Congress to begin working toward the solution of problems that need urgent attention.

I am undertaking to draft other measures, which I plan to introduce soon—measures that will give some relief from court decisions that brought about the current imbalance in the scales of justice to which I have referred.

A BILL TO OUTLAW ORGANIZED CRIME SYNDICATES

Mr. President, the first of these bills is one to make it a violation of Federal law for any person to join the Mafia or any other organization which is dedicated to the commission of crimes. In our hearings we heard testimony that the criminal combine, known as the Mafia or Cosa Nostra, is composed of hardened criminals who have devoted their lives to flouting and circumventing the law. This tightly knit organization attempts with considerable success to be a government in itself. It imposes strict discipline on its members and demands absolute loyalty to the organization.

In recent hearings the subcommittee heard for the first time a former member of the Mafia, Joseph Valachi, testify about the hierachy of the Mafia, its organization structure, the identity of its leaders, and many details of its criminal operations including a description of certain specific activities. These revelations were verified and supported by law enforcement officials of high rank who appeared as witnesses representing Federal, State, and local law enforcement agencies.

Valachi testified concerning the details of many murders and other crimes, most of them corroborated by police records and testimony. He said that the gangland bosses are insulated from the criminal activity which is carried on by their underlings. For this and other reasons, the bosses are rarely convicted. The bill to outlaw the Mafia and similar organizations would make the fact of mere membership in such an organization a violation of Federal law. I believe that this statute will go far toward discouraging such membership.

A BILL TO PROHIBIT THE OBSTRUCTION OF CRIMINAL INVESTIGATION

Former Attorney General Kennedy stressed in his testimony before our subcommittee the difficulty of preparing cases for trials in the field of organized crime when witnesses refuse to testify in the face of threats and other kinds of intimidation directed at them or their families. Commissioner Giordano, of the U.S. Bureau of Narcotics, pointed out during our hearings that it is not at the present time a violation of Federal law to threaten a witness prior to the institution of judicial proceedings. This bill would correct this deficiency and provide severe penalties for intimidation of witnesses during the course of criminal investigations being conducted by the Federal agencies.

State and city police officers, as well as Federal officials, have testified repeatedly during our hearings that organized crime owes much of its national power and affluence to its ability to impose silence on members and thereby protect both the leaders and the membership. This bill would give law enforcement another lever to help break this grip of silence.

PROHIBITION OF PRIVATE WIRETAPPING

An area that has been clouded by Supreme Court decisions is that relating to State and Federal statutes concerned with the prevention of wiretapping. The only Federal legislation dealing with the subject at the present time is the Federal Communications Act which provides in section 605:

> No person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person.

Since the law requires the proof relating both to the interception and to the disclosure, it is extremely difficult to secure a conviction. As a result, private and unauthorized wiretappers with no official capacity or responsibility can tap telephones with virtual impunity.

On the other hand, law enforcement does not have this weapon available legally. Matters which have reached the Supreme Court involving the admissibility of evidence have resulted in decisions establishing the fact that not only is wiretap evidence itself inadmissible in court proceedings but any evidence merely resulting from a wiretap, directly or indirectly, is inadmissible likewise.

Several States have made provisions for the admissibility of wiretap evidence in State courts under proper conditions. Among these was the State of New York. In the decision of *U.S.* v. *Benanti*, 55 U.S. 96, the Supreme Court held that even if authorized by State court the act of wirtapping violated section 605 of the Communications Act and the resulting information was therefore inadmissible as evidence. It seems probable that no evidence having any connection with wiretap is admissible in any court in the United States, but private entrepreneurs can and do tap wires regularly.

The Congress must make a decision. As the President said in his message:

> In our increasingly mobile urban society, crime problems are not only greater, they are immensely more complex.

To handcuff law enforcement while simultaneously preserving a sanctuary for hoodlums and racketeers which permits them to use the telephone in the commission of crimes with complete immunity and freedom from detection and prosecution, in the light of the problems confronting us, is highly dangerous. This is particularly true in the light of the fact that there is scarcely a major crime in the field of organized criminal activity in which the telephone is not used in some fashion.

Search warrants have been a part of our legal tradition since before the Constitution was adopted. Under proper circumstances, a law enforcement officer can request and get permission of a court of competent jurisdiction to enter into private property and conduct a search. The bill I propose would outlaw all private wiretapping and provide severe penalties for violation of this statute. The bill would permit law enforcement officers to come before a court of competent jurisdiction and request, for good cause only, permission to establish a wiretap. The judge could grant the permission, he could require additional information, or he could deny permission. Such permission could be granted only for relatively short periods of time and it would be necessary to renew the permission periodically. The information which results would be admissible as evidence in court. I know of no authoritative person connected with law enforcement who opposes such legislation and, on the contrary, many have testified before our subcommittee in favor of it. Failure to enact this legislation, or something similar to it, will amount to failure to deal realistically with the problem of organized crime.

A BILL TO COMPEL TESTIMONY AND GRANT IMMUNITY

The next bill in this series is a broad-reaching measure, Mr. President, but I think it is one which will prove to be a valuable weapon in our fight against organized crime.

As members know, section 1952 of title 18 of the United States Code goes to the heart of illegal activities conducted by crime syndicates by making it a felony to travel in interstate or foreign commerce, or to use an interstate or foreign commerce facility, with intent to first, distribute the proceeds of an unlawful activity; second, commit a crime of violence to further an unlawful activity; or, third, otherwise promote or carry on an unlawful activity, and thereafter perform or attempt to perform any of such acts. "Unlawful activity" is defined as first, any business enterprise involving gambling, liquor on which there is an unpaid Federal excise tax, narcotics, or prostitution offenses in violation of the laws of the State in which committed or the United States; or, second, extortion or bribery in violation of the laws of the State in which committed or the United States.

Although section 1952 has been a most effective statute, a provision enabling the Government to compel the testimony of persons having knowledge of violations of the section, or conspiracies to violate it, is needed to develop this statute to its maximum efficiency. Such a provision would permit the Government to obtain information from underlings for use in achieving the successful prosecution of the more culpable syndicate bosses.

Section 2 of the bill would similarly provide the means with which persons possessed of essential information with respect to violations of section 1503 of title 18, United States Code, may be compelled to testify in exchange for immunity from prosecution.

Section 1503 makes it a felony to influence by threat or force, or to injure, a witness or juror in a judicial proceeding. One major way in which justice is sometimes frustrated is by the intimidation or injury of witnesses in such proceedings. Potential witnesses in Federal court proceedings have even been killed, and persons believed to have evidence with respect to the killings have refused to testify on the grounds of self-incrimination. The statutory tools which have been provided for the Government's fight against organized and other crime will be much more effective after the enactment of section 2 of this measure.

Section 3 of the proposal would amend chapter 9, title 18, United States Code—bankruptcy—to make similar provisions with respect to the compelling of testimony in judicial proceedings related to violations of that chapter.

Bankruptcy investigations conducted in various parts of the country have disclosed that organized crime groups are involved in setting up and financing planned bankruptcies. They use a figurehead, or front man, to obtain merchandise from suppliers, with no intention of paying for it. Then, the merchandise is converted into cash which the organizers of the operation take, and the business goes into bankruptcy. Throughout the operation, and at the bankruptcy proceedings in the Federal court, only the front man appears. Without his cooperation, there is often no evidence with which to connect the operators of the scheme to it.

In the fight against organized crime, we must eradicate the illegal revenue sources of crime groups. The progress of our fight is furthered whenever another source of illegal funds is closed. Section 3 of the proposal would accomplish this by affording a means whereby persons involved in relatively minor capacities in fraudulent bankruptcy schemes can be compelled to testify. This would permit the persons principally responsible for these fraudulent operations to be discovered and prosecuted.

Section 4 would similarly amend chapter 11, title 18, United States Code, to provide for the compelling of testimony and the granting of immunity therefor with respect to bribery, graft, and conflict-of-interest violations. These are crimes which undermine the integrity and efficiency of full-time public officials and persons who render part-time compensated or uncompensated service to the Government. Because of the nature of these crimes, which makes them difficult to uncover, and their gravity, it is essential for the Government to be afforded a further tool with which to protect itself. The proposal would provide such a tool by permitting immunity from prosecution to be granted to the less culpable who supply information to be used to achieve the punishment of the more culpable.

CIVIL COMMITMENT

The final bill in this series which I propose for enactment by Congress is not directed, as the other bills are, toward organized crime but is instead aimed at the disturbing effect of the narcotics traffic which is operated principally by organized criminals. This bill would provide programs of civil commitment for narcotic addicts in keeping with the overwhelming weight of expert opinion which holds that civil commitment will provide the most favorable prospects for maximum improvement in the treatment of narcotics addicts. The bill provides for an advanced system of proper medical care and withdrawal in a drug-free environment to be followed by aftercare and rehabilitation procedures which take full account of the need to supervise the addict during a lengthy period of time after his treatment.

This legislation to provide civil commitment for addicts is in harmony with the recommendations of the President's Advisory Commission on Narcotics and Drug Abuse and it reflects the testimony of the great majority of witnesses at the subcommittee's hearings on narcotics problems. The bill is also in keeping with the recommendations of the American Medical Association and the National Research Council which represents the views of most members of the medical profession.

Mr. LAUSCHE. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may become a cosponsor of the bills being introduced by the Senator from Arkansas.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. I am happy to welcome the Senator from Ohio as a cosponsor of the bills.

Mr. President, I send the bills to the desk and ask that they be appropriately referred.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. McCLELLAN (for himself and Mr. LAUSCHE), were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 2187. A bill to outlaw the Mafia and other organized crime syndicates;

S. 2188. A bill to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States;

S. 2189. A bill to prohibit wiretapping by persons other than duly authorized law-enforcement officers engaged in the investigation or prevention of specified categories of criminal offenses, and for other purposes;

S. 2190. A bill to permit the compelling of testimony with respect to certain crimes, and the granting of immunity in connection therewith; and

S. 2191. A bill to provide for the civil commitment of certain persons addicted to the use of narcotic drugs.

COINAGE OF THE UNITED STATES

The Senate resumed the consideration of the bill (S. 2080) to provide for the coinage of the United States.

Mr. PASTORE. Mr. President, the Senator from Rhode Island is reluctant to discuss the amendment while the Senator in charge of the bill [Mr. ROBERTSON] is not in the Chamber. I ask unanimous consent that there be a quorum call, the time consumed by the quorum call to be equally divided between the two sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. How much time remains for each side?

The PRESIDING OFFICER. Each side has 27½ minutes remaining.

Mr. PASTORE. I thank the Chair.

Mr. President, I understand that the pending business is the amendment which I offered.

The PRESIDING OFFICER. The Senator is correct.

Mr. PASTORE. Mr. President, yesterday afternoon I gave quite a detailed explanation of my amendment. I shall not belabor it this afternoon. I shall merely recapitulate and, unless other Senators intend to speak on behalf of the amendment, when I am through I shall be perfectly willing to yield back the remainder of my time. That, of course, is not an effort to persuade my distinguished colleague the Senator in charge of the bill [Mr. ROBERTSON] to follow my example. He may do as he pleases.

Mr. President, the President's suggestion is for the complete elimination of silver from the dime, the complete elimination of silver from the quarter, and the retention of a silver content of 40 percent, in the half dollar as against 90 percent, which is the situation now.

Under the recommendation of the President, the silver dollar would not be disturbed in any way. For the benefit of those who want to retain silver in coins for prestige, that matter will be resolved and solved by the fact that the silver dollar would not be disturbed in any way. I recommend that that condition continue for the simple reason that, under the law, silver dollar certificates are redeemable and the silver dollar will, of course, facilitate and accomplish that.

The reason why I suggest that the silver content be likewise removed from the half dollar is because of the urgency that now confronts us. The reason that the bill is before the Senate today at all is that there is a shortage of silver.

The development of our economy has been such that silver has become a very precious metal. It is used in the photographic industry to a very large extent. It is used in industry. It is used in jewelry. It is used in silverware. It is used in electronics. It has been used in coinage.

Last year the free world consumption of silver was 285 million ounces. The total production of silver in the free world was 215 million ounces. This means that, in 1964, we used 70 million ounces more of silver than the free world was capable of producing.

The argument is made that if we were to raise the price of silver, that would constitute an inducement to the production of more silver. The answer to that argument, and I think the most cogent answer that can be given, is the statement made by the President of the United States when he sent the bill to Congress.

This is what the President said:

> There is no dependable or likely prospect that new economically workable sources of silver may be found that could appreciably narrow the gap between silver supply and demand. The optimistic outlook is for an increase in production of about 20 percent over the next 4 years. This would be of little help.

The estimate of silver consumption in 1965 as against 1964 is that we will consume about 300 million ounces of silver and will produce about 225 million ounces of silver. This means that we shall have a deficit in the year 1965 of 75 million ounces of silver.

I believe that after I have made this statement, I shall have made my case for better or worse, and I shall be perfectly willing to submit the amendment to a vote.

What do these figures mean? They mean that we have reached a point in our economic society and in our coinage system at which we must make a judgment. We must make a determination as to how we shall allocate the available silver supply in the public interest, for the benefit of the expansion of our economy, and for the benefit of American jobs.

That is the question. I heard the Senator from Colorado ask last night—I think he said it facetiously—"Why not use it all for coins?" I answered by saying that we would completely disregard our economy. We would completely disregard our photographic business, which means many jobs. It would mean the loss of jobs in the electronic field. It would mean the loss of jobs in the jewelry industry. It would mean the loss of jobs in the silverware industry. Naturally, we could not afford to do that merely to hold to the sentiment that the coin must have silver.

The argument I make today is that if we have reached a crisis that requires us to remove silver from the 10 cent piece and the quarter, why do we maintain 40 percent silver in the half dollar? It does not make any sense.

That is the point my amendment is addressed to. My amendment requires silver to be removed from the half dollar piece. I believe it would be a boon to our industry. I do not believe it would damage the silver producers. I can say to them unequivocally here this afternoon, with no fear of contradiction, that I do not care what is said on the bill today, the price of silver is bound to go up. The demand for silver will increase. It will increase, with the gross national product today estimated at $650 billion for this year; I believe the exact figure is $648 billion. The prognostication is that by 1970 the gross national product of this Nation will be $850 billion.

We must increase the gross national product to meet the demand of an expanded labor market. Our population is increasing. By the year 2000 it is estimated that our population, which today is 192 million, will increase to 250 million Americans. It means we shall need more silver. We have not been able to find a worthy substitute for silver.

The question arises, What are we going to do about the shortage? The time to begin the solution is now.

I know of the interest of my colleagues from the West, the States where silver is mined. They have an idea that if silver is kept in the coin, it will give silver prestige. Silver has already reached the point of prestige. One could not take that prestige away, no matter what he did. It is a scarce metal. It is a precious metal. It is a needed metal. It is a metal we cannot do without. It is a metal we need more of than we can produce.

As I said yesterday afternoon, God bless the man who owns a piece of a silver mine or owns some stock in a silver mining company. He does not have to worry. He has about the best investment that can be made today.

All I am saying is, let us look at the subject objectively. My interest in this matter is to preserve American jobs. I am not saying, "Let us take silver out of the coinage and throw it in the ocean." All I am saying is, "Let us take silver out of coinage and put it in the blood veins of our American economy, where it will create jobs, where it will maintain jobs, where it will bring back to everybody who deals with silver a better price, a good price, even a higher price than is is in effect today." That is essentially what my amendment would do.

I repeat, if I thought for one moment that my good friends the Senators from Nevada [Mr. BIBLE and Mr. CANNON] or from Utah [Mr. MOSS] were going to be hurt by this amendment, I would have second thoughts about what I am saying, but the price of silver is going up. All I am saying to them is that the people in their States are going to sell silver. Purchasers are knocking at their door so violently that it is going to crack their eardrums.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CANNON. What will happen to the jobs the Senator is talking about after the private silver mine at the Treasury is used up?

Mr. PASTORE. That may happen, but the proposal to have silver in coinage is going to accelerate that day for the Treasury. What the Senator is saying is that if we are going to die 10 years from today, why not die today? I say, let us give ourselves 9 years of life. Perhaps we can come forth with a substitute. I do not know. But I know, with certainty, that we use more silver than we produce. The question is, Where are we going to get it? If we are going to take silver out of the dimes and quarters, I say take it out of the half dollars.

I am not quarreling with my colleagues from the West, but let me read what the official statement is. Free world consumption in 1964 was 286 million ounces. Free world production was 216 million ounces. Those figures cannot be changed. There is not enough silver to go around. Where do we get it?

My daughter does not care whether I give her a 10-cent piece that has silver in it. All she is interested in is using the 10-cent piece to buy an ice cream cone. She can still buy the ice cream cone with a 10-cent piece that has no silver in it. What does she care what it looks like if it serves the purpose? When one puts a quarter in a vending machine, he does not care whether it contains silver or another metal. All he is interested in is getting the sandwich that costs a quarter.

Why all the interest in keeping silver in the half dollar if some think it worthwhile to keep silver in the dollar?

Mr. MOSS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield. I am yielding on my own time. See how magnanimous I am. I yield to the Senator on my time.

Mr. MOSS. I thank the Senator. The Senator defended his position, not only today, but yesterday, at length. His arguments are worthy of being listened to. But I would like to ask a question. He questions whether it is worthwhile to keep silver in coinage. Is the Senator aware of the fact that at least three of the largest European nations that did away with silver in their coinage when it was not available returned to silver? Why would they return to silver if they had found a base metal that served as well?

Mr. PASTORE. They returned to it perhaps because they had the silver. I say to my friend from Utah that if we had enough silver to take care of our industrial needs and silver in coins, too, I would leave the silver in coins.

Does the Senator believe that the President cherished the idea of sending this bill to Congress? The Senator does not believe he likes the idea of getting into an argument with men from the Western States for the sake of the argument? The reason he sent us the bill is that there is an emergency. If he did not have to do it, he would not have done so. He wants to remain friendly with Senators from the West. Frankly, that is why there is a provision for 40 percent silver in half dollars.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield, but we must be more reasonable. We can discuss this problem. I wonder if we can ask unanimous consent to take time from the bill itself?

How much more time do I have, Mr. President?

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Eleven minutes remain to the Senator from Rhode Island.

Mr. PASTORE. I have only 11 minutes remaining.

Mr. BIBLE. Mr. President, I ask unanimous consent that the time for the question be taken out of the time available to Senators on the bill, because I want to listen to my colleague.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Under that condition, I am happy to yield to the Senator from Nevada [Mr. CANNON].

Mr. CANNON. The Senator is aware of the fact that this problem has been growing for a long time.

Mr. PASTORE. Absolutely.

Mr. CANNON. We have been trying to do something about it.

Mr. PASTORE. Absolutely.

Mr. CANNON. Those of us from the West recommended a year or so ago that the silver content of coins be reduced, in order to spread out the supply, because we knew it was a bad situation and could not go on forever.

There is only one way in which the supply of silver can be replenished and that is by encouraging the mining of silver out of the ground in such quantities that people will not hoard it.

Mr. PASTORE. I realize that, but the President has stated that no matter how much we try, we cannot appreciably change the situation. The President must have the best evidence in the world of this. He must have the best proof in the world of it, because he must get the best advice in the world on the subject. Woe upon us all if he does not get that kind of advice.

Mr. CANNON. I would assume that the President does have that kind of advice, but in the past we have found that that has not always been true. When we proceeded initially to suggest that the reduction be made in the silver content of coins, there were many objections to it because of what it would do to our monetary policy. Now the recommendation is exactly in line with what we were suggesting over a year ago.

Mr. PASTORE. We waited too long. Now the situation has become acute.

Mr. CANNON. The objective is the same.

Mr. PASTORE. Yes.

Mr. CANNON. The only point we are making is that we should have a prestige coin, that we should keep at least one coin——

Mr. PASTORE. We have got the silver dollars.

Mr. CANNON. Let us be realistic about the situation. I hold in my hand a silver dollar. There are not many of these in circulation today. Despite what the Senator said yesterday, there are not many in circulation today, even in the State of Nevada or elsewhere in the West, because people are not anxious to spend it, in view of the fact that its intrinsic value is $1, but if the price goes up it will be more than that.

Mr. PASTORE. The Senator is correct. If the situation keeps going the way it is now, in order to keep the content of the silver in the piece to the extent we have had up to now—not if it is reduced to 40 percent—we shall have to reduce the size. After all, the minute a silver dollar which can buy a dollar's worth of goods on the marketplace gets to be worth $2, those silver dollars will be melted down.

Mr. CANNON. No one is suggesting that the silver content be retained at its present level.

Mr. PASTORE. I realize that argument and I cannot subscribe to it. The fact is, we must be guided by someone. Therefore, to whom do we turn? The situation is not new. I did not bring the bill to the attention of the Senate. This is an important administration bill. The reason why it came to the Senate is that the President of the United States is disturbed about the fact that we do not have enough coins to go around in this country. Therefore, what do we do? We begin to look around for silver. We look at the stockpile and we see there are 1 billion ounces of silver in the stockpile. The argument is that from now until this bill is enacted into law—until the end of the year—we will use 300 million ounces of silver in order to make coins. If we take that 300 million ounces out, we have got—what?—700 million ounces left. Then we will need silver in order to redeem silver certificates, and we will end up, possibly, with 500 million ounces of silver. How long is that going to last? The day of doom will only strike sooner, there is no question about that.

That is the problem.

The opponents of my amendments are saying, "Look, for the sake of prestige, let us keep 40 percent in the half dollar." However, the opponents of my amendment wish to go even further than that, they wish to put 40 percent in the dime and 40 percent in the quarter. They are not satisfied with one piece, they wish silver in every piece—in the dime, the quarter, and the half dollar.

The fact remains that if we carried out their wish—and I certainly do not blame my opponents for arguing that way—but if we took their recommendation, we would have chaos.

Mr. MOSS. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. MOSS. The Senator from Rhode Island, in reciting the quantity of silver which would be needed to retain 40 percent of silver in the half dollar, has overlooked the fact that if we reduced the silver content of the 50-cent piece to 40 percent silver, we then could recover the silver coins which now contain 90 percent silver. We have that extra silver available. The Treasury was asked how much it thought could be recovered, and they replied that 1 billion ounces of silver could be recovered in the coins which could then be reduced by 40 percent and placed in the new coins as they are minted.

Mr. PASTORE. It is a question of whether the silver can be recovered. It is a question of whether people will hoard it. There is some credence and weight to the argument which the Senator from Utah is making, but I cannot escape the conviction that we have a serious problem on our hands. The Senators who are interested in maintaining silver in coins would like to delay it as much as possible. They recognize the problem. They have warned us about the problem, but they do not wish to go as far as the administration has recommended. I understand that. There is a judgment to be made on it. I am not saying that I am all right and the Senators are all wrong, and I hope that they do not believe that they are all right and I am all wrong. What I am saying is that if we recognize that there is a crisis on hand, if we have come to the point that we take it out of the dimes and quarters, I say, let us meet the situation head on, and let us take it out of the half dollar as well. Those Senators will say to me, "If you do that, you will destroy us." Then I would give the problem second thought. But we are not going to do that. The argument the Senator makes in the Chamber on the bill is step by step to give more and more value to silver no matter for what purpose it is used.

Do not Senators realize how much silver is used in the photographic industry alone, how much Hollywood depends upon silver for use in its industry, that it could not operate without it, that the television industry and the radio industry, the jewelry industry, and many other industries find this metal indispensable?

Let me tell the Senate that silver is needed so badly we can taste it. No matter what its use may be, whether for a coin, a television set, film in the camera, a spoon, or in a bill, it will have a very, very expensive price.

Mr. MOSS. The Senator's argument is based on the premise that we have an absolute limit on the amount of silver we can produce, and that it has been generally decided as to what we will be reducing at the present time.

Let me make two or three points to the Senator. First, the price of silver is pegged at $1.29 an ounce. Our "private" silver mine in the Treasury Department keeps the price pegged. It has only been $1.29 an ounce for approximately 2 years.

Four years ago, it was 91 cents an ounce. In that relatively short time, the price has increased to $1.29 an ounce.

Mr. PASTORE. The Senator is correct.

Mr. MOSS. We have increased our explorations for silver approximately fourfold. Production this year is up 17 percent already. We are finding ways to extract silver from compounds which we had not thought of mining before, just because of that much increase.

Now there will be a transition period, if we get into the 40-percent coin deal. After that transition period, the price of silver can go up to meet its market price. There will be further acceleration, and the difference between us, I believe is that we believe—and we can document it—the production of silver will materially increase in this country, as well as other places in the free world, as the price of silver seeks its own level in the market.

Consequently, we will have adequate silver to keep a prestige coinage—the words used by the Senator frequently—which we have had during the whole history of the Republic. I do not subscribe to the idea that we have reached a plateau where we will not produce more silver. We will produce a great deal more silver.

Mr. PASTORE. I realize that that is the position of my good friend, the Senator from Utah. I do not question his sincerity, integrity, or honesty. However, I cannot subscribe to his argument. I do not see it that way. I must be guided by the facts and by the recommendations which have been made by responsible individuals. I say again that this is not a situation which I made up. This is information which has come to me. This is the information which I have recited on the floor of the Senate. Now the Senator from Utah may be right and the Senator may be wrong, but I know one thing, that I understand his position. If I came from Utah, perhaps I would be arguing the same way.

Mr. MILLER. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. MILLER. I am familiar with the argument of the proponents. I recognize that this is not an issue which is all black and all white.

The projected increase in the silver supply that I have seen is not sufficient to overcome the crisis in which we find ourselves today. I believe that what the Senator from Rhode Island is trying to do is to make sure that we do not come back in 2 or 3 years with another crisis.

His arguments are most persuasive. The amendment should be adopted. I cannot see any particular argument to the prestige assertion as against the crisis in silver. We have a wonderful growing market for silver for industrial use. The Senator from Utah shows a little too much concern in the face of the rising market for industrial use for silver. I am wondering why he cannot be satisfied with the prospective market for industrial use for silver instead of being concerned about the Pastore amendment.

Mr. PASTORE. I believe the Senator from Utah has stated his reason. He looks at the problem from his point of view.

I respectfully suggest that there are several amendments coming up for debate, and that we have a great deal of time left. Some Senators would like to vote on the pending amendment before 1 o'clock. The Senator from Virginia will take only 5 or 6 minutes. The Senator from Massachusetts [Mr. Saltonstall] would like to take 5 or 6 minutes. I have 11 minutes remaining. I hope Senators will let us resolve this issue. I thank the Senators very much. I yield the floor.

Mr. ROBERTSON. Does the Senator from Massachusetts wish to speak?

Mr. SALTONSTALL. I would like to speak for a few minutes in favor of the Pastore amendment. If any opponents of the amendment wish to speak, I hope they will speak now. I shall then speak following them.

Mr. ROBERTSON. I yield myself 1 minute.

Two major amendments are proposed. One of them is the Pastore amendment. That amendment proposes to take all silver out of the 10-cent, 25-cent, and 50-cent pieces. The other amendment is the Moss amendment. That would keep silver in these three pieces.

As between these two very fine and able friends, I will remain neutral and impartial. I will vote against both amendments. I hope both amendments will be defeated.

As soon as the Senator from Massachusetts has concluded speaking for about 2 minutes, I shall yield back the remainder of my time and suggest the absence of a quorum.

Mr. BIBLE. Before the distinguished Senator in charge of the bill yields back the remainder of his time, I hope he will remember that there are some of us who wish to say something in response to the position taken by the Senator from Rhode Island [Mr. Pastore]. We hope to be able to do that within the 30-minute time limitation. I hope he will yield us a few moments.

Mr. ROBERTSON. I am always glad to yield a few moments to my colleagues. I could not be so unkind as not to yield a few moments to my colleagues.

Mr. BIBLE. It may take longer than 30 minutes to respond to the eloquent statement of the Senator from Rhode Island. I am not certain that 30 minutes will be sufficient.

Mr. PASTORE. Now I am in trouble.

Mr. BIBLE. On the contrary, we may have to use some time on the bill. I should like to have the Senator yield me 5 minutes.

Mr. ROBERTSON. The majority leader would like to have us complete action on the bill today. Two other bills will be taken up tomorrow. One is the export control bill, that will expire at the end of the month. If it is not enacted, materials and equipment may go behind the Iron Curtain which may be shot back at us in Vietnam. I hope we shall not extend the debate too much. I thought the opponents made a very good presentation in the Record yesterday. Those who do not want any silver in the coins explained their position, and those who want silver have explained their position also.

Mr. SALTONSTALL. Mr. President, I have two comments to make in support of the Pastore amendment. However, I should like to hear what the Senator from Nevada has to say before I make my argument.

Mr. BIBLE. I believe we shall be able to operate within the 25-minute limitation. I should like to have the Senator yield me 5 minutes.

Mr. ROBERTSON. I yield 5 minutes to the Senator from Nevada.

Mr. BIBLE. Mr. President, I cannot permit myself to be overwhelmed by the proposal that the Senator from Rhode Island is making. The Senator speaks about supporting the President of the United States. Yet in this one respect I find that he does not want to support the President of the United States. This is on rather minor grounds, ouncewise, because, if we were to adopt the amendment of the Senator from Rhode Island, it would only amount to—the nonuse of Treasury stocks—15 million ounces of silver per year. This is a comparatively small amount, even in the crisis in which we find ourselves today in connection with the supply of silver.

I hope that Senators will vote down the amendment of the Senator from Rhode Island and support the President of the United States on this point.

The Senator from Rhode Island has pointed with great feeling to the estimates made by our distinguished leader in the White House as to the production figures. I yield to no man in my respect and admiration and love for the President of the United States, but in this particular instance, whoever furnished him with these figures did him a disservice. I am sure that more silver will be produced than has been indicated in the statement of the Senator from Rhode Island.

Only 2 years ago the Senator from Rhode Island stood on the floor and said that we had to save this silver, if I understood him correctly, so that we could have silver coinage. I believe that is a correct statement of what he said. I would not wish to misquote the Record. However, a perusal of the Record shows that that was one reason used for the repeal of the Silver Purchase Act.

There were other reasons, of course, but this was one of them. It seems to me that the fact that other countries are minting coins with silver is significant. The position that the Senator from Rhode Island takes is not realistic, when he says that we will still have the mighty silver dollar. The only difficulty is that one cannot find the silver dollar. It is in the hands of the hoarders and speculators.

Whatever symbol the silver dollar constitutes in our medium of exchange and in the markets around the world, it is still very difficult to find. I am sure that the Senator from Rhode Island is not suggesting that there be unlimited coinage of the silver dollar. If he is suggesting that, I am willing to march arm and arm with him down the aisle in his advocacy of keeping silver in coins of intrinsic value, in contrast with those countries where it has been so badly debased. The fact that some nations are using it shows that they have great confidence in it.

I am concerned about what will happen if we put the new coins in circulation side by side with the silver coins that we have today. I believe that without a doubt the silver coins that are in circulation today will immediately disappear. It seems to me that our position is sound. It is clear and it is logical, because we say that there will be sufficient silver to take care of the coinage needs, and that when the price goes higher, as the Senator from Rhode Island frankly and honestly admits it will, more silver will be produced. How much, no one knows, but the amount will be substantial.

The total number of ounces to be used will be comparatively small, as compared with the representative number of ounces that are required to be used today in the 0.900-fine coin. The silver-clad half dollar—and I believe my figures are correct—would use only 15 million ounces of silver, which is roughly about the amount that the silverware industry uses. I believe it uses about 20 million ounces, if I read the report correctly. This is not a big item in the question of supply and demand. It seems to me that one of the great problems with which we are confronted is the hoarding and drying up of the silver coins throughout the length and breadth of the land. Yesterday I placed in the Record two examples of why we have these shortages. If Senators will turn to pages 14558 and 14559 of the RECORD of yesterday, they will see advertisements which indicate that it is possible to buy all the coins one wants, at a price.

If one pays a premium, he can obtain those coins. Our coinage system was not designed for that.

For the reasons I have stated, it seems to me that the amendment must be rejected. Silver coins are more than objects of sentimental value. They are coins that have intrinsic value. They are coins that have been in our monetary system for 173 years, almost since the start of our country.

The PRESIDING OFFICER. The time of the Senator from Nevada has expired.

Mr. PASTORE. Mr. President, I have been authorized by the Senator in charge of the bill to yield to the Senator from Nevada 2 additional minutes.

The PRESIDING OFFICER. The Senator from Nevada is recognized for 2 additional minutes.

Mr. BIBLE. I thank the Senator from Rhode Island.

Mr. PASTORE. The time comes out of the time under the control of the Senator from Virginia [Mr. ROBERTSON].

Mr. BIBLE. Yes.

It is very clear to me that whenever we reach the "end of the road," if we might call it that, where the users of silver must go to the world market—whether that is in a year and a half or 2 years from now, though it is inevitable—at that point more production will obviously be required. Some silver will be recaptured from the melting down of coins in circulation.

But man's ingenuity is such that, properly priced, sufficient silver will be available to take care of the needs of industry and the arts. Those of us who believe firmly that silver is an integral part of our coinage system feel that to consider it otherwise would debase the coinage.

For those reasons I resist the amendment of the Senator from Rhode Island. I do not believe the coins that we now have and the coins that are proposed could go side by side in our markets and in our places of exchange.

Mr. PASTORE. Mr. President, I yield 5 minutes to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I thank the Senator from Rhode Island.

I should like to make two points in support of the amendment offered by the Senator from Rhode Island, with which I am heartily in accord.

The President in his message to Congress said:

> We expect to use more than 300 million troy ounces—over 10,000 tons—of silver for our coinage this year. That is far more than total new production of silver expected in the entire free world this year.

Then the President said:

> In terms of the present pattern of coin usage, adoption of the new coinage will permit a saving of some 90 percent of the silver we are now putting into coins annually.

What we are requesting in the Pastore amendment is the elimination of even that 10 percent. In my opinion—and I believe in the opinion of other outspoken people—there will be more than 15 million ounces of silver involved if 40 percent of silver is put into the half dollar. I make that statement because if we minted a number of new half dollars equivalent to the 206 million Kennedy half dollars minted last year, we could not expect to find the coins in circulation, if last year's experience is a good guide.

Thirty million ounces of silver is 15 million ounces more than the minimum that has been suggested. That amount would be required to meet the needs of the jewelry industry for 4 year, the needs of the silver industry for 2 years, and the needs of the photographic industry for 1 year.

We must keep those figures in mind, especially since we all realize that there is a large gap between the consumption of silver and its production, a gap which President Johnson has said cannot be closed appreciably. In other words, if we cut out 40 percent of the silver content in the new half dollar, we shall provide enough silver for the silverware industry for 2 years, the jewelry industry for 4 years, and the photographic industry for 1 year. In our part of the country that quantity of silver would mean a great deal of employment.

I should like to make only one further point. Ultimately we desire a free market in silver. But to obtain a free market will take time. We must remember that as long as there are silver certificates outstanding, the Government must redeem those certificates at $1.29 for each dollar. What happens at the present time is that the silver certificates are turned into the Treasury. The Treasury pays out in bullion, and that bullion goes into industrial use. We wish to keep enough silver in the Government inventory to take care of the need for silver as long as silver certificates are outstanding. That is a very fundamental point in discussing the whole question. Whether we say 15 million ounces or 30 million ounces, every ounce counts as long as that inventory is maintained.

We are told that the silver in Government inventory will last 3 years. It might last 4 years. But if we are going to preserve it to the best of our ability, we should take the proposed 40 percent of silver out of the new half dollar which will be minted. We must always remember that there will be a certain number of collectors' items, so that the coins will go out into the hands of collectors rather than into use.

For those two fundamental reasons—to maintain industry and the employment of a substantial number of people in the various industries, and to make it possible for the Government to maintain its inventory and to redeem silver certificates at $1.29 as long as there are silver certificates outstanding—I urge adoption of the Pastore amendment.

Mr. President, the Government needs that silver inventory because last year the worldwide production of silver, as we know, and as I have said a number of times, was 216 million ounces, and the total consumption was equal to 550 million ounces, or well over twice the amount of production. That will keep on and it will take time to do it.

So I hope that the Pastore amendment will be adopted. In substance, that amendment provides that the 10-cent pieces, the 25-cent pieces, and the 50-cent pieces shall have no silver in them.

If we do that, we shall help industry and help support the Government in redeeming silver certificates at $1.29.

Mr. MOSS. Mr. President, will the Senator yield 5 minutes to me?

Mr. ROBERTSON. I yield 5 minutes to the Senator from Utah.

Mr. MOSS. I rise to oppose the Pastore amendment and to support the bill as reported by the committee. Much has been said in the debate on the floor of the Senate today about the President being aware of the situation that exists in our monetary system. We have been told that he has been trying to solve the problem, and that he has had the best information available in the country. He knew what we ought to do when he sent the bill to the Congress and in that bill provided for 40 percent silver in the half dollar. That is what we ought to have. Let us support the President.

We ought to keep silver in the coinage system of our country. First, we ought to keep silver in our coinage because of tradition. Tradition is a great thing. Silver has been the metal from which our coins except the very smallest ones, have been made since the time of our country's founding as a Republic.

Not only has that system been traditional in our country, but also it has been traditional the world over. Most of the nations that have tried to shift their coinage to base metal—at least those countries which were able to do so—returned to silver. They came back to silver because they found that in order to keep their coins items of prestige, value, and significance, silver was the best way to do it. So most of the great European nations which, during the war, because of lack of supply, had to go to base metals for their coinage, have come back to silver in their coins.

Though I know it is not of great importance, I hold in my hand a set of coins, three of which are of silver denomination. Then we come to the 5-cent piece, which is made of nickel. If the dime and the quarter are changed so as to be minted of nickel, they will look, as far as substance is concerned, like the nickel. The quarter will look like a nickel, and the dime will look like a half nickel. We shall have to become accustomed all over again to the establishment of values. I know that the price set by the mint on a coin is the amount at which it must be exchanged, but the coin becomes something of no value really in the minds of people when it is reduced to a base metal.

We should continue the use of silver in our coinage, particularly in the half dollar, about which we are now speaking.

Much has been said about the great shortage of silver that suddenly has come upon us. Of course, we are short of silver. That is the reason for the proposal to reduce the silver content from 90 percent to 40 percent. I support that. This is a position that I and many other Senators have taken for a long time. It is necessary to reduce the percentage of silver content in the coinage, but it should remain basically a silver coinage.

The Senator from Rhode Island in his argument yesterday said that in 1964 there was a deficit of 70 million ounces in our silver coinage production. I point out that this is almost identically the amount of silver that went into the Kennedy half dollars. We know what has happened to the Kennedy half dollars. Everyone in the country has tried to save one, two, or five. Kennedy half dollars are hard to find, even now. I do not recall receiving more than one or two Kennedy half dollars in commercial exchange since they began to be minted. I am sure that everyone else knows they are scarce. So one of the things that has caused something of a crisis now has been the great jump in silver consumption.

There are other factors. There is the threat of an increase in the price of silver. There has been some other hoarding, hoarding which has caused the disappearance of the silver dollar. The silver dollar is hardly ever seen now, but it was commonly circulating earlier.

If a half dollar having a silver content of 40 percent begins to circulate immediately, without a waiting period, we shall then have a coin that has the appearance and prestige of silver. It can be used all the time. At the same time, the 90 percent silver coin can be recovered and converted rather rapidly. In a short period of time a good coin can be in circulation without the stop-go that we would be faced with if we went to a base metal coin for a 50-cent piece, which would have to be released at once.

As the Senator from Nevada pointed out, if a base metal coin and a silver coin of the same denomination are in circulation simultaneously, the silver coin will disappear immediately.

The **PRESIDING OFFICER.** The time of the Senator from Utah has expired.

Mr. **MOSS.** Finally, there is much talk about a shortage of silver production. I think there is plenty of production.

Mr. **ROBERTSON.** Mr. President, I yield 4 minutes to the Senator from Colorado.

Mr. **DOMINICK.** Mr. President, I am happy to join the chairman in opposing the amendment of the Senator from Rhode Island. It strikes me, from all the discussion there has been on the amendment, that perhaps we have missed the main question, which is whether or not we shall be able to continue the use of silver in a prestige coin without hurting either the coinage or the industrial users.

Only 15 million ounces a year, according to the best testimony that has been given, are involved in this particular 50-cent piece. This is not extremely important in terms of the overall picture. But if we reduce the silver content in a 50-cent piece to 40 percent, we shall in effect be saying to the American people that the price can go up substantially beyond $1.29 without making it worthwhile to melt down the new 50-cent piece because of the reduction of silver in the coin.

A part of our problem is that we have tried to protect existing coinage because we are afraid that if the price goes up, coins will go out of circulation and will be melted down.

By coining a new 40-percent silver content piece, we shall maintain a prestige piece for a wealthy country that, on a worldwide basis, is trying to maintain leadership, trying to provide respect for itself in the forums of the world. Nevertheless, we are saying, on the other hand, that if we adopt the amendment of the Senator from Rhode Island, although we are in this posture, we cannot even afford to put silver into our coins. It seems to me that this does not channel through clearly to many people. We would be debasing our coinage at the same time we were trying to show how wealthy we are and that we are a people who are seeking to take the leadership in the world.

The fact that there would be a reduction of silver content in our coins, while the price of silver could go up substantially before any action could be taken about the retirement of other coins, is extremely important. I was interested to hear the Senator from Rhode Island and the Senator from Massachusetts say that the users are interested in obtaining silver in the free market. I said yesterday that there are many methods today that would permit them to do that. One is to say that we will reserve all the existing silver in coinage for the national defense reserve. Then there would not be this problem. The commercial users would have to go into the open market to obtain silver; and, of course, there is not enough there. But by adopting the Pastore amendment, all we would be doing would be saying, in effect, that we will put 15 million more ounces into a private mine for the benefit of users only. To me, that seems shortsighted.

Mr. **CANNON.** Mr. President, will the Senator from Virginia yield 3 minutes to me?

Mr. **ROBERTSON.** I have told many Senators that the Senate would vote at 1 o'clock. They have made engagements based on that expectation. There will be 2 hours on the next amendment.

I yield the Senator from Nevada 1 minute.

Mr. **CANNON.** Mr. President, this is an important amendment. It is important to all of us in the West, and it is important to the Senator proposing it.

Yesterday I said I would not object to the unanimous consent agreement because I felt we could use all the time we had agreed upon; that we could use an hour on the Senator's amendment, if we wished to do so. I dislike to be cut off short of the time we need, so long as we have not used the entire time. This is a more important issue to us from the West than to someone who may have prepared for a luncheon at 1 o'clock. This is an extremely important issue, particularly important to Senators from the silver producing States. I shall try to oversimplify the problem, but I hope the Senator from Virginia will not cut us off as to the time we agreed would be used for a specific amendment.

Mr. **ROBERTSON.** The Senator from Virginia does not wish to cut off any Senator. How much time does the Senator desire?

Mr. **CANNON.** I will try to complete my statement in 3 minutes.

Mr. **ROBERTSON.** The Senator from Nevada may take 10 minutes, so far as I am concerned.

Mr. **CANNON.** I thank the Senator from Virginia. I shall not take 10 minutes. I merely wish to make a few brief points, as follows:

First. I am sure that we all agree—and the RECORD is well documented—that more silver is being used in our country and in the world today than is produced. Therefore, that problem is before us and is one that we must face head on.

Second. We are all in agreement that the price of silver will eventually have to go up. The President has so stated. That is not disputed on the floor of the Senate.

The third point is one that I think is in dispute; that is, that the proponents of the Pastore amendment want to postpone to the future the time when the price of silver will go up.

On the point that we should continue to mint coins having a lower silver content, I say that we are opposed to that. We from the West believe that an increase in the price of silver is the only thing that will stimulate production. We, therefore, do not wish to continue to have the silver users in the East use the Treasury silver as their own private silver mine, so as to prolong the period of time when the price of silver will be maintained at $1.29 an ounce.

That is an oversimplification of the issue. I believe that the sooner the supply becomes more critical, the faster the price will go up. Once the Treasury faces that problem and takes steps to control the price or remove the limit at which the price now is, to protect the coins, we shall see the mines open in the West and shall see an increase production of silver, to try to satisfy all the needs in which we are all interested. We are interested in enabling the employees of eastern manufacturers to retain their jobs. We are interested in having a market for the silver we produce in the West. We are also interested in maintaining a prestige coin, such as the French 5-franc piece. Even the great country of France, with which we may not always agree, maintains a prestige 5-franc piece.

All those countries decided it was advisable to maintain one coin with a silver content. That is what we are arguing for today.

I thank the Senator for yielding.

Mr. **PASTORE.** Mr. President, how much time have I remaining?

The **PRESIDING OFFICER.** The Senator from Rhode Island has 6 minutes remaining.

Mr. **PASTORE.** Mr. President, I shall yield 4 minutes to the Senator from Ohio [Mr. LAUSCHE], 1 minute to the Senator from New York [Mr. JAVITS], and I shall reserve 1 minute.

The **PRESIDING OFFICER.** The Senator from Ohio is recognized for 4 minutes.

Mr. **LAUSCHE.** Mr. President, I shall support the amendment of the Senator from Rhode Island. I use as a basis for my remarks two axiomatic situations which were just described by the Senator from Nevada [Mr. CANNON].

The first of these is that it is admitted that the production of silver throughout the world does not measure up to the volume of consumption. The second point made was that it is certain that the price of silver will rise in the future because of the very conditions which I have just stated in my first premise.

We are in a critical situation with regard to silver. The critical nature of the problem is best reflected in the fact and knowledge that never before in the history of our Nation has there been a need to take such drastic action as has been recommended by the President with respect to this issue.

We have always had silver coins. Silver was contained in the nickel at one time. I have been informed that in about 1850 it was removed.

No one will argue that any Senator, much less the President of the United States, would recommend the elimination of silver from our coins unless it were absolutely essential. I believe that the President thought about it very seriously before he made the recommendation.

It is admitted that, with regard to the scarcity of silver, the production of silver in the free world was 24 percent less than the need.

It was suggested that that scarcity or deficiency will grow. Who is most likely to be adversely affected in the future? Is it the producers of silver? Will their prices and their industry grow rather than diminish 2, 3, or 4 years from now?

According to the Senator from Utah, the critical time would be reached in 3 years. The producers of silver at that time would have a bonanza, in my judgment. But what would happen to the silversmiths, the artisans, and the industries? They would, in my opinion, find such a scarcity of silver and such a high price on silver that they would have to look vigorously for new sources. Mr. President, I shall support the measure.

Other Senators have had much time, Mr. President. I know that the Senator from Rhode Island does not have much time remaining. It would be a mistake not to agree to this amendment. If the supply of silver is critical and it must be eliminated from our coinage, why do we retain 15 percent of silver content? There is no justification for it. We either have a problem or we have not. If we do have a problem, we should go the full way and eliminate the silver not only in the 10- and 25-cent but also in the 50-cent coins.

Mr. PASTORE. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Rhode Island has 2 minutes remaining.

Mr. PASTORE. Mr. President, I yield 1 minute to the Senator from New York.

Mr. JAVITS. Mr. President, I am a cosponsor of the Pastore amendment and support it. I believe that the full faith and credit of the United States is pledged behind every coin, as it is behind every paper dollar. That is the reason why people use the coinage as they use paper dollars for exchange purposes. They do not use coins because they have specifically designated silver content.

I believe that the arts, commerce, and industry would be well served by agreeing to the amendment.

Mr. PASTORE. Mr. President, I yield 1 minute to the Senator from Connecticut.

Mr. DODD. Mr. President, I do not doubt for a moment that this bill to repeal various requirements for silver in our coinage will be approved by the Senate, by a substantial margin.

There is no other way for us to help American industry obtain the silver it needs for silverware, jewelry, photographic processes and other industrial uses.

Seldom is the Senate presented with such a clear-cut issue and such an obviously correct solution to a problem.

The demand for silver among private users far outstrips not only domestic production but present and any possible anticipated future production throughout the world.

The Treasury Department is now using silver at the rate of approximately 300 million ounces a year for coinage.

The bill as it now stands, with the repeal of the silver requirements for dimes and quarters, would release 85 percent of this amount, around 280 million ounces or more.

Approval of the Pastore amendment, of which I am a cosponsor, would release an additional 14 million ounces, by repealing rather than just reducing the requirement for silver in the half dollar.

I am speaking, therefore, in support of the bill, without any debilitating amendments to keep silver in our dimes and quarters, and in support of the pending amendment because I think we should finish up the job this year.

There is no compelling reason why we have to have silver in any of our coins.

Most countries either do not use it at all or use silver only in selected coins.

I think it is about time that the United States followed suit.

Silver is too important a metal to be used where it is not needed and I hope we resolve this issue once and for all, this afternoon, by repealing the requirement for silver in dimes, quarters and half dollars.

I urge my colleagues to vote for the Pastore amendment and then to vote for the bill without any other amendments.

Mr. PASTORE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ROBERTSON. Mr. President, I yield 5 minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Virginia has 3 minutes remaining.

Mr. ROBERTSON. Mr. President, I yield 3 minutes to the Senator from Utah.

Mr. BENNETT. Mr. President, for more than 100 years there have been three participants in the silver market in the United States—the producers, the processors—industry and the arts—and the Treasury. They might be compared to three children on a teeter-totter—producers on one end, processors on the other, and the Treasury standing in the middle, able to throw its weight either way by becoming either a buyer or a seller.

For most of the decades of the last century, production exceeded consumption, and by law, the Treasury became a buyer, acquiring and storing more silver than it needed and paying more for it than the free market prices. Then it was helping the sellers get their end of the teeter-totter off the ground.

For the past 6 years, the Treasury has been putting its weight on the other side, becoming a seller instead of a buyer, and using its price as a ceiling instead of a floor, helping private industry by supplying silver from its stocks to make up for the growing production deficit.

The Treasury was not put in this position primarily to benefit either industry on the ends of the teeter-totter, but to perform its own function of providing metallic coins. This is its prime responsibility, and its service to industry is only incidental—a service it could and should perform only if this could be done without damage to our coinage system.

The need to rebalance these various roles of the Treasury really should have been apparent 6 years ago when the Treasury shifted from buyer to seller, but it was not. Now we have waited so long that drastic and immediate action is necessary to protect its basic legal obligation to our coinage system. It is my position that this obligation comes first, above any duty it may seem to owe, by tradition or political pressure, to either the producers or the users.

To meet that primary obligation under the present conditions of supply and demand for silver, the Treasury has devised a new coinage system and a plan by which it can replace the old system with a minimum of risk of trouble for our citizens who use coins in commerce. It keeps a reduced silver volume in one coin for prestige and public confidence—this seems to be a slight concession to the producers—and plans to keep on supplying silver to the users at the present ceiling price—a very much larger benefit to the users.

Sometime the Treasury must climb down off the teeter-totter, and the free market must provide the balancing force. If we try to keep too much silver in our coins, that day may come before the new system is fully operative and create a coin crisis. If we strike out all silver, this may weaken confidence in the new system from the beginning—and after all, only postpone the day of Treasury withdrawal by a few months.

Maybe other solutions could have been found. This one is nonpartisan, nonpolitical and seems practical. I hope my colleagues will all support it. I realize that those of us who represent producing and processing States must make our bows to the past. But the past is gone, and past regional interests must not prevail at the risk of jeopardizing either the Treasury's system for the future, or its ability to get us safely through the transition period.

The Pastore and Moss amendments represent conflicting regional interests.

The Treasury position is in the national interest.

As a Senator from Utah, I wish I could say, "Reject the Pastore amendment and support the Moss substitute," but as a member of the Banking and Currency Committee, concerned with the preservation of our coinage system, I must say, "Reject them both and support the Treasury plan."

The **PRESIDING OFFICER**. All time has expired. The question is on agreeing to the amendment offered by the Senator from Rhode Island. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **PEARSON** (when his name was called). On this vote I have a pair with the Senator from West Virginia [Mr. RANDOLPH]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore I withhold my vote.

The rollcall was concluded.

Mr. **LONG** of Louisiana. I announce that the Senator from Georgia [Mr. RUSSELL] is absent on official business.

I also announce that the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from North Carolina [Mr. ERVIN] are absent because of deaths in their respective families.

I further announce that the Senator from Virginia [Mr. BYRD], and the Senator from West Virginia [Mr. RANDOLPH] are necessarily absent.

On this vote, the Senator from Georgia [Mr. RUSSELL] is paired with the Senator from North Carolina [Mr. ERVIN]. If present and voting, the Senator from Georgia would vote "nay," and the Senator from North Carolina would vote "yea."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting, the Senator from Virginia would vote "nay," and the Senator from Arkansas would vote "yea."

Mr. **DIRKSEN**. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from California [Mr. KUCHEL] is necessarily absent.

If present and voting, the Senator from Colorado [Mr. ALLOTT] and the Senator from California [Mr. KUCHEL] would each vote "nay."

The result was announced—yeas 32, nays 60, as follows:

[No. 148 Leg.]

YEAS—32

Aiken
Bayh
Brewster
Case
Clark
Cotton
Dodd
Gore
Hart
Hill
Javits
Kennedy, Mass.
Kennedy, N.Y.
Lausche
McCarthy
McIntyre
Miller
Mondale
Morton
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Ribicoff
Saltonstall
Smith
Symington
Tydings
Williams, N.J.
Young, Ohio

NAYS—60

Anderson
Bartlett
Bass
Bennett
Bible
Boggs
Burdick
Byrd, W. Va.
Cannon
Carlson
Church
Cooper
Curtis
Dirksen
Dominick
Douglas
Eastland
Ellender
Fannin
Fong
Gruening
Harris
Hartke
Hayden
Hickenlooper
Holland
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
McNamara
Metcalf
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Neuberger
Robertson
Russell, S.C.
Scott
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—8

Allott
Byrd, Va.
Ervin
Fulbright
Kuchel
Pearson
Randolph
Russell, Ga.

So Mr. PASTORE's amendment was rejected.

Mr. **ROBERTSON**. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. **BIBLE** and Mr. **BENNETT** moved that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The **PRESIDING OFFICER** (Mr. KENNEDY of New York in the chair). The bill is open to further amendment.

AMENDMENT NO. 286

Mr. **MOSS**. Mr. President, I call up my amendment No. 286 and ask that it be stated.

The **PRESIDING OFFICER**. The amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

On page 9, strike out lines 5 through 8 and insert in lieu thereof the following:

"(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 5.75 grams and contains 2.3 grams of silver and 3.45 grams of copper."

On page 9, strike out lines 11 through 14 and insert in lieu thereof the following:

"(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 2.3 grams and contains .92 grams of silver and 1.38 grams of copper."

Mr. **MOSS**. Mr. President, I understand that we are operating under controlled time, and I yield myself 15 minutes.

The **PRESIDING OFFICER**. The Senator from Utah is recognized for 15 minutes.

Mr. **MOSS**. Mr. President, the Senate, by a yea-and-nay vote has just expressed its will on the Pastore amendment, which would have removed silver from the 50-cent piece and would have gone to a coin made of base metal. The Senate rejected the Pastore amendment and has supported the bill of the committee and that of the President, to keep silver in the 50-cent piece but reduced in content. There will now be 40 percent of silver in the 50-cent piece and it will have the appearance and characteristic of the current half dollar.

My amendment would extend the same percentage requirement to the 25-cent piece, the quarter; and to the 10-cent piece, the dime. My amendment would provide that the coins minted when the bill became law would contain 40 percent of silver for the quarter and the dime, and thus would retain all the characteristics and appearance those coins now have. If the committee's bill were not amended, those two coins would be made of base metal in the future.

As I pointed out earlier, it would be rather incongruous, for the dime, at least, to be approximately half the size and weight of the 5-cent piece, the nickel, and yet be twice as valuable in exchange. If the quarters and dimes are changed to 40 percent silver, the coins will work in existing vending machines and they will retain the physical characteristics of the present coins. They would also be fully acceptable from a metallurgical point of view.

My amendment is proposed because many of us feel that this country must and can retain a coinage of intrinsic value. Our coinage must demand the respect not only of our citizens, but also of all nations. This has been our policy for 173 years, and conditions do not require that we break with that tradition.

My colleague, the Senator from Nevada [Mr. CANNON], pointed out on the floor a short time ago that France, which had to abandon silver coinage for a time during World War II, feels it to be of importance to have silver coins and has produced a beautiful 5-franc piece. We should retain silver in our coins, not only the 50-cent piece, but also the 25-cent piece and the 10-cent piece.

Good silver coinage enhances the prestige of the money and of the emitting government. If the citizen would maintain the same confidence in a base metal coin, Congress would not be justified in decreasing the higher profit accruing from such coins. But history has shown that the citizen does not maintain confidence in such a coinage. That is why France, Italy, and Germany, which have all had their coinage depreciated, maintain silver coinage today. Our Nation cannot afford to sacrifice the prestige and dignity intrinsic in a silver coin.

The Treasury seriously considered recommending these 40 percent silver coins, as is evidence in the Treasury Staff Study, a copy of which I have on my desk. The Treasury failed to recommend these 40 percent silver clad coins principally because of two problems:

First. The Treasury felt that enough silver might not be available to mint the new silver clad dime and quarter and still redeem silver certificates at $1.29 an ounce. This redemption of silver certificates is essential to stabilize the price of silver to prevent the melting of our present coins before they are replaced.

A survey, however, of existing supplies demonstrates that enough silver is available. The silver needed for coinage under this amendment would average, after 1966, about 55 million ounces a year for the following 7 years. The bill itself would require approximately 15 million ounces of silver during the same period. We are talking about 40 million ounces a year for dimes and quarters.

The silver available to meet these needs in the short run must come from two principal sources, the Treasury's 1 billion ounce stock of silver bullion and the nearly 2 billion ounces of silver circulating in the existing coins. When the new dimes, quarters, and halves begin to replace the present coins, these existing coins could be withdrawn. Of the 1.8

billion ounces currently outstanding in coins, the Treasury predicts that 1 billion ounces could be recovered. The American Mining Congress predicts 1.2 billion ounces could be recovered.

Thus we would be bringing back into the Treasury almost 90 percent of the silver, which could be converted and reduced in silver content to 40-percent coins and issued as new coins. These would have all the prestige of silver coins, and the silver would recover a supply of approximately 1 billion ounces.

Under the Treasury predictions this would be ample to supply the needs of the mint for over 10 years. This is possible if this amendment is adopted. The initial coins would have to me minted, as the present coins are minted, out of the Treasury's 1 billion ounces of silver bullion. This bullion must also be used to redeem silver certificates which will maintain the present price of silver until the new coins supplant the old.

This would mean that by recovering even a conservative 1 billion ounces of silver from our existing coinage we can increase coins in circulation by 25 percent from this source alone.

Moreover, many of the fears regarding the shortage of silver are exaggerated. The figures in the Treasury study contrast total demand with new mine production. Part of the total demand, however, is met through salvage. Two other factors contributed to our current silver deficit. One was the accumulation of inventories by speculators and consumers. This has been estimated at 70 million ounces. The second factor is the huge increase in coinage production during the last 2 years. In 1964, 203 million ounces of silver were used in coinage, compared with about 55 million ounces under the amendment we are now considering. The Kennedy half dollar alone accounted for one-third of the silver used and it is hardly in circulation today.

Considering the total supply, including the silver in our present coinage, the needs of the Nation during the transition period should be met. This brings us to the second problem: Will enough silver be available after the transition period to meet both our coinage and industrial needs? I feel confident that within 15 years the supply of silver from our western mines and the free world will have responded to the greater incentives and will meet that demand.

The current price of silver is $1.29 an ounce. This figure has been in effect for only 2 years. Just 4 years ago silver sold for 91 cents an ounce. The exploration and eventual increase in production that the higher price has spawned has not yet increased production but it will.

Today more exploration and development work is under way on silver projects than at any time in the last 30 years. It is relevant to point out that U.S. mine production of silver was 17 percent higher in the first quarter of 1965, according to the Bureau of Mines, than in the same period last year. The American Mining Congress has estimated that the free world silver supply would increase by 38 million ounces, and possibly by 57 million ounces, by 1968. If this same rate of increase continues, and it should accelerate after the transition period, then the supply and demand of silver will be brought into equilibrium.

Mr. BIBLE. Mr. President, will the Senator yield to me at that point for an observation? He is developing a very important point.

Mr. MOSS. I am very happy to yield to the Senator from Nevada.

Mr. BIBLE. In the debate in support of the amendment and on the problem of the supply of silver, we have heard a great deal about the shortage of silver and the argument that no more silver would be available. I do not believe that is true.

One of the best studies that I have read on this subject is the one that was incorporated in the hearings before the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs, beginning at page 18 and running through page 33. The study is entitled "Silver: Facts, Estimates, and Projections." It is Information Circular 8257. It was prepared by Charles W. Merrill, Chief of the Division of Minerals, Bureau of Mines; E. T. McKnight, geologist, Geological Survey; Thor H. Kiilsgaard, geologist, of the Geological Survey; and J. Patrick Ryan, commodity specialist, Bureau of Mines. These are all outstanding experts in their fields.

I shall not read all they have to say, but I should like to highlight a few comments that they make, because I believe them to be significant.

At page 27 of the hearings there is a table entitled "Table 3—Silver Reserves of the United States." It is interesting to note that in measured and indicated ore, 559 million ounces of silver are available in the silver reserves in the United States.

In inferred ore, 840 million ounces of silver are available in the national reserve.

Table 4, on page 27, shows the silver reserves of the United States, classified by type of ore: Straight silver ores, lead-zinc—copper—ores, copper-zinc ores, copper ores, gold ores, and tungsten or iron ores.

If the Senator from Utah will permit me to do so, I ask unanimous consent that the pages to which I have referred in this report may be printed in the RECORD at this point in my remarks.

Mr. MOSS. I have no objection. I commend the Senator for doing it.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

SILVER: FACTS, ESTIMATES, AND PROJECTIONS

[Information Circular 8257]

(By Charles W. Merrill,[1] E. T. McKnight,[2] Thor H. Kiilsgaard,[2] and J. Patrick Ryan [3])

ABSTRACT

The U.S. Treasury stocks of silver have been reduced at such a rapid rate to meet industrial and coinage requirements that they face exhaustion in 3 or 4 years.

Alleviation of the silver problem will require increasing supply or reducing demand.

This paper examines possible long-range resource development and research programs and improved secondary recovery.

The possible reduction or elimination of silver in coinage and development and introduction of substitutes in the arts and industry are also discussed.

CONCLUSIONS

1. Free world production of silver has been rising since World War II, but not in pace with increased consumption by industry, the arts, and coinage. Demands for industrial uses should continue to increase. Consumption in the arts is influenced by prosperity and the vagaries of fashion. The amount used for coinage depends on political decision.

2. Projections of supply and demand trends indicate an annual free world supply deficit of 300 to 400 million ounces during the next few years.

3. Net U.S. imports of silver have declined since 1962, and the rate of withdrawal from accumulated stocks, chiefly that of the U.S. Treasury, has accelerated until a net export situation developed in late 1964.

4. Reduction of the silver content in U.S. subsidiary coins would extend the total supply of silver but could be only a temporary palliative.

5. Elimination of silver in subsidary coins would reduce withdrawals from Treasury stocks and should release a large quantity for industrial needs.

6. Net industrial consumption in the United States has been increasing for all major uses and may be expected to continue to increase in the foreseeable future.

7. Annual silver production of domestic mines, which averaged about 35 million ounces during 1955–63, is expected to increase moderately, perhaps to 41 million ounces by 1970.

8. About two-thirds of domestically mined silver is recovered as a byproduct in the treatment of base metal ores. Output of silver from these ores will be determined largely by base metal demands and prices and by plant capacities, and will be only nominally responsive to the price of silver.

9. The measured and indicated reserve of domestic silver-bearing ore is equivalent to a 16-year supply at the current production rate, and discovery and development of new ore can be expected as this reserve is mined; however, the anticipated productive rate of silver is grossly inadequate to supply projected domestic needs.

10. Useful estimates of silver reserves at prices two or three times the present price cannot be made at the present time because most straight silver mines have been idle for many years and information on the magnitude of the deposits is not available.

11. Silver prices two or three times the present level will stimulate the prospecting for new mines, the reopening of idle submarginal mines containing argentiferous ores, and the development of new reserves. The early effect on output will not be great.

12. Silver from other major producing countries of the free world—Canada, Mexico, Peru, and Australia—also is currently produced largely as a byproduct of base metal ores. Reserves are adequate for many years of mining, but the output will depend largely on the demand for base metals rather than silver.

13. The long-range demand for silver even without monetary usage promises an expansion that justifies geological, mining, and metallurgical research now to lay the groundwork for needed exploration and development of adequate silver resources for the future.

INTRODUCTION

Since 1959, owing largely to an increasing demand for U.S. coinage, current world silver production has been unable to meet world demand, and the price of silver has risen. U.S. needs have been met by imports and by drafts on U.S. Treasury stocks. The following paragraphs attempt to assess the magnitude of the world imbalance, to project trends, and to supply data and estimates for evaluating the crisis that impends if present trends persist and the Treasury stocks—1¼ billion ounces, December 1964—are exhausted.

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Supply is appraised in terms of ore reserves and their responsiveness to exploration, development, and application of new mining and metallurgical methods, with special regard to stimulation of production through higher silver price. In addition, the possibilities of expanding secondary supply through better reclamation are considered. The possibilities of substitution of other metals or silver-free alloys in industrial and monetary use are covered. In addition, the imponderable elements of demand, particularly the coin collecting vogue, speculation, and apparent widespread coin hoarding, are given weight.

DOMESTIC SUPPLY AND DEMAND, 1955–70

The tabulated [table 1 and fig. 1, not printed in the RECORD] disclose that total domestic consumption of silver will probably exceed mine production plus net imports by progressively increasing quantities in the period 1965–67. The deficit in new supply during this period can continue to be balanced almost entirely by withdrawals from Treasury stocks. After 1967, at the projected rate of withdrawal, Treasury stocks would not be adequate to balance the deficit in supply for both industrial and coinage requirements, and these stocks could be virtually depleted by 1968 unless consumption is reduced drastically. Hence, policies and programs must be established and developed at the earliest possible time to alleviate the growing imbalance in the supply of silver and to prevent an impending crisis which looms as the supply of silver coins in circulation is threatened.

Data in the attached table for the period 1955–63 are taken chiefly from Mineral Yearbooks; subsequent projected figures are based on the assumption that present policies with regard to silver coinage and disposal of monetary silver by the Treasury will continue unchanged.

TABLE 1.—*Silver—Supply and demand*

[Million troy ounces]

	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964 [1]	1965	1966	1967	1968	1969	1970	Total, 1965–70
United States:																	
Supply:																	
Mine production	37.2	38.9	38.2	34.1	31.2	30.8	34.8	36.8	35.2	37.0	38.0	39.0	40.0	40.0	41.0	41.0	239.0
Secondary production [2]	7.4	10.0	12.8	12.0	14.8	22.5	30.0	15.2	9.4	11.4	8.5	9.0	10.0	10.5	11.0	12.0	61.0
Imports [3]	67.7	68.0	60.4	73.9	63.7	56.1	48.9	76.4	59.1	48.0	60.0	60.0	62.0	64.0	66.0	68.0	380.0
Total	112.3	116.9	111.4	120.0	109.7	109.4	113.7	128.4	103.7	96.4	106.5	108.0	112.0	114.5	118.0	121.0	680.0
Requirements:																	
Industrial consumption	101.4	100.0	95.4	85.5	101.0	102.0	105.5	110.4	110.0	111.5	112.3	114.5	116.8	118.0	119.0	121.0	701.6
Coinage	8.2	31.2	52.0	38.2	41.4	46.0	55.9	77.4	111.3	202.5	235.0	267.0	315.0	--------	--------	--------	817.0
Exports	4.8	5.5	10.3	2.7	9.2	26.6	39.8	13.1	31.5	94.0	55.0	50.0	45.0	45.0	45.0	30.0	270.0
Total	114.4	136.7	157.7	126.4	151.6	174.6	201.2	200.9	252.8	408.0	402.3	431.5	476.8	163.0	164.0	151.0	1,788.6
Supply deficit	2.1	19.8	46.3	6.4	41.9	65.2	87.5	72.5	149.1	311.6	295.8	323.5	364.8	48.5	46.0	30.0	1,108.6
Treasury stock [4]	1,929.5	1,980.6	2,014.2	2,106.2	2,059.9	1,992.2	1,862.3	1,766.7	1,584.3	1,217.9	692.5	[5] 368.5	3.7	--------	--------	--------	--------
Free world:																	
Supply: Mine production	191.2	192.7	197.8	205.4	189.2	207.7	203.7	207.7	216.6	220.0	224.0	228.0	233.0	238.0	243.0	248.0	1,414.0
Requirements:																	
Industrial consumption	192.8	210.2	212.6	190.5	212.9	224.6	239.5	247.8	247.0	255.0	264.0	272.0	280.0	288.0	293.0	299.0	1,696.0
Coinage	52.6	56.5	84.2	79.5	86.4	103.9	137.1	136.4	172.2	260.0	295.0	300.0	335.0	--------	--------	--------	930.0
Total	245.4	266.7	296.8	270.0	299.3	328.5	376.6	384.2	419.2	515.0	559.0	572.0	615.0	288.0	293.0	299.0	2,626.0
Supply deficit	54.2	74.0	99.0	64.6	110.1	120.8	172.9	176.5	202.6	295.0	335.0	344.0	382.0	50.0	50.0	51.0	1,212.0

[1] Estimated.
[2] Source: Handy & Harman, 1959–64.
[3] Excludes lend-lease returns.
[4] After withdrawals for coinage and commercial use, 1959–65.
[5] After deducting supply deficit only.

TABLE 2.—*Silver produced in the United States from argentiferous ores in which silver contributes various proportions of total recoverable value of ore (excludes mines with annual production below 100,000 ounces in all years, 1954, 1959–63)*

Class of ore (percentage of total value contributed by silver)	Silver produced (ounces)	Percentage of U.S. total			Silver produced (ounces)	Percentage of U.S. total			Silver produced (ounces)	Percentage of U.S. total		
		By classes	Cumulative percent			By classes	Cumulative percent			By classes	Cumulative percent	
			0 to 100	100 to 0			0 to 100	100 to 0			0 to 100	100 to 0
	1963				1962				1961			
0 to 10	10,190,763	30.40	30.40	100.00	12,229,104	34.77	34.77	100.00	14,016,552	42.68	42.68	100.00
10 to 20	6,958,367	20.76	51.16	69.60	7,017,505	19.95	54.72	65.23	3,715,642	11.32	54.00	57.32
20 to 30	1,924,452	5.75	56.91	48.84	856,827	2.46	57.18	45.28	38,368	.12	54.12	46.00
30 to 40	252,555	.75	57.66	43.09	280,107	.80	57.98	42.82	292,887	.89	55.01	45.88
40 to 50	3,586,952	10.70	68.36	42.34	3,775,741	10.74	68.72	42.02	2,606,353	7.94	62.95	44.99
50 to 60	--------	--------	68.36	31.64	--------	--------	68.72	31.28	--------	--------	62.95	37.05
60 to 70	--------	--------	68.36	31.64	207,912	.59	69.31	31.28	124,583	.38	63.33	37.05
70 to 80	267,853	.80	69.16	31.64	--------	--------	69.31	30.69	4,263,997	12.98	76.31	36.67
80 to 90	9,841,311	29.36	98.52	30.84	9,936,182	28.25	97.56	30.69	7,756,962	23.62	99.93	23.69
90 to 100	494,827	1.48	100.00	1.48	856,130	2.44	100.00	2.44	22,072	.07	100.00	.07
Total 0 to 100	33,517,080	100.00	--------	--------	35,168,508	100.00	--------	--------	32,837,416	100.00	--------	--------
	1960				1959				1954			
0 to 10	11,838,874	41.24	41.24	100.00	10,328,335	35.40	35.40	100.00	11,640,505	34.05	34.05	100.00
10 to 20	3,402,607	11.85	53.09	58.76	4,719,457	16.18	51.58	64.60	7,545,172	22.07	56.12	65.95
20 to 30	756,436	2.64	55.73	46.91	117,928	.40	51.98	48.42	3,206,633	9.38	65.50	43.88
30 to 40	2,854,239	9.94	65.67	44.27	1,541,720	5,28	57.26	48.02	478,300	1.40	66.90	34.50
40 to 50	189	--------	65.67	34.33	7,248	.02	57.28	42.74	277,644	.81	67.71	33.10
50 to 60	--------	--------	65.67	34.33	--------	--------	57.28	42.72	--------	--------	67.71	32.29
60 to 70	172,740	.60	66.27	34.33	--------	--------	57.28	42.72	1,233,553	3.61	71.32	32.29
70 to 80	2,033,044	7.08	73.35	33.73	4,549,104	15.59	72.87	42.72	--------	--------	71.32	28.68
80 to 90	7,331,675	25.54	98.89	26.65	7,802,645	26.74	99.61	27.13	9,804,937	28.68	100.00	28.68
90 to 100	316,853	1.11	100.00	1.11	112,760	.39	100.00	.39	--------	--------	100.00	--------
Total 0 to 100	28,707,017	100.00	--------	--------	29,179,197	100.00	--------	--------	34,186,753	100.00	--------	--------

Mines whose principal product is other than silver, chiefly copper, lead, and zinc or some combination of these metals, furnish about two-thirds of the total domestic output. The quantity of silver obtained from these ores is not likely to change much in the next few years.

The recovery of silver from secondary sources such as scrap silverware, photographic wastes, and worn coins, which increased appreciably in the period 1955–61, has declined since, and is expected to level off in the range of 10 to 12 million ounces anually in the next few years.

Imports of silver have fluctuated considerably without showing a definite trend, and in recent years, have been affected by such factors as lead-lease returns, availability of Treasury silver, new production, and availability of world stocks. Exports have been rising since 1955 and probably will exceed imports in 1964 for the first time since 1945. As speculative stocks abroad appear to have been largely liquidated prior to 1964, it is expected that future net imports will constitute a lesser part of domestic supply than in the past.

Net industrial consumption has been increasing at an average rate of about 2.2 percent a year and may be expected to continue to increase at an average rate of about 1.5 to 2 percent annually in the foreseeable future. Although the use of silver may level off or decline in some consumer materials, its use is expected to increase in industrial or defense-oriented products such as batteries, brazing alloys, electric contacts, and other electrical components.

Treasury stocks of silver rose from 1,929.5 million ounces in 1955 to 2,106.2 million ounces in 1958, essentially because the return of lend-lease silver more than offset withdrawals for the manufacture of subsidiary coins and sales to domestic consumers. Following the return of most of lend-lease silver by the end of 1958, the Treasury stock declined continuously to 1,584.3 million ounces at the end of 1963 and to about 1,218 million ounces at the end of 1964. If the 1964 rate of withdrawal continues, the Treasury stock would be depleted by 1968.

Silver contained in coins in circulation has been increasing since 1960 at a compound rate of about 9 percent annually and may be expected to continue to increase at least at this rate in the next few years, assuming no change in monetary policy.

As the availability of silver from nonmonetary stocks was the principal stabilizing factor in the market, the price of silver on the New York market from 1955 through November 1961 fluctuated in a narrow range near the Treasury selling price of 91 cents per ounce. After November 1961, when sales of Treasury silver were discontinued, the New York price rose almost at once to about $1.05 an ounce and then continued a rise until June 1963 when it reached $1.293 an ounce, the monetary value of silver. As silver can be obtained from Treasury stocks at the monetary price in exchange of silver certificates (or by melting down silver dollars), this price has become an effective ceiling.

Reducing the silver content of subsidiary coins would extend the supply of silver for a time but would be only a temporary palliative. A 50-percent reduction, as has been proposed, would permit a rise in the price of silver to $2.76 per ounce, but at this price the intrinsic value of all present subsidiary silver coins would become greater than their face value and they would likely disappear from circulation and be melted down. A coin shortage could result which would disrupt retail trade unless adequate counteraction was taken. The increased price of silver resulting from reduction of the silver content of coins might, if maintained, stimulate increased exploration and development and ultimately lead to expansion of output.

Some increase in secondary returns and imports may be expected to result from a substantial price increase, but a substantial price rise will tend to reduce consumption of silver in industrial products which contain a high proportion of silver. Reducing the silver content of coins would bring a reduction in overall coinage consumption of silver.

Elimination of silver in subsidiary coins by 1967 or earlier would release substantial supplies for industrial use and reduce withdrawals from the Treasury reserve. The early elimination of silver in subsidiary coinage could extend indefinitely the life of remaining Treasury stock. The falloff in demand for coinage silver would tend to stabilize the price of silver and this in turn would tend to stabilize production at least in the short-term future. Furthermore, elimination of silver in U.S. subsidiary coinage may influence coinage policy in other countries and result in the release and liquidation of silver stocks throughout the world. An increase in U.S. imports could result from the availability of additional silver from demonetized stocks which would improve the domestic supply position.

A rise in the price of silver has caused changes in the method of treating some silver-bearing copper ores and in some copper refining operations resulting in increased production of silver. Fire-refined copper containing a high content of silver brings a premium price, but in the past few years it has been more profitable at one mine in Michigan to remove part of the silver from the copper concentrate for separate treatment and recovery of silver, prior to smelting and fire refining of the copper. The silver is then recovered by smelting and electrolytic refining. Further increase in the price of silver may bring additional recovery of byproduct silver from other copper refining operations.

FREE WORLD SUPPLY AND DEMAND, 1955–70

Free world production of silver has been rising since World War II, and since 1959 the average compound rate of increase has been about 1.5 percent annually. Consumption of silver in industry and the arts also has been rising, and since 1959 the compound rate of increase has been about 3 percent annually. Consumption of silver for coins in the same period has increased at a compound rate of about 18 percent annually. The combined rate of increase has been approximately 9 percent annually or six times the increase in rate of production. Most of the deficit in new supply was attributed to U.S. demand and was balanced by withdrawals from world stocks, chiefly those of the U.S. Treasury.

Assuming continuation of present policies with respect to the release of Treasury silver, the growth rates of consumption of silver in the free world are expected to continue at least in the next few years or until Treasury stocks are depleted (see fig. 2 not printed in the RECORD). Free world mine production of silver is expected to continue to increase at a rate somewhat greater than in recent years, chiefly because of increase in the market prices of the base metals, copper, lead, and zinc, with which most of the silver is associated as a byproduct and to increases in the price of silver. Unless some unforeseen industrial or defense applications requiring substantial quantities of silver are developed, free world mine production may ultimately approach a balance with industrial consumption. However, as long as the present U.S. Government policy with respect to coinage continues unchanged, a substantial deficit in new supply appears certain to continue.

Projections of new supply and demand trends (table 1, fig. 2, not printed in the RECORD) indicate an annual supply deficit of 300 to 400 million ounces in the next few years.

MAJOR FOREIGN SILVER-PRODUCING COUNTRIES

Mexico

Mexico is the leading silver-producing country averaging 44 million ounces annually since 1955. It is estimated that in recent years about 70 percent of the silver output was recovered as a coproduct or byproduct of base metal ores, the remainder from silver and gold-silver ores. These percentages from silver and other ores will probably not change appreciably in the foreseeable future. Output has been rising since 1961, reflecting principally an increase in the prices of associated base metals and silver. Production may increase to about 46 million ounces annually in the next few years largely because of strong demand for base metals.

Industrial consumption, averaging about 3.6 million ounces annually in recent years, is expected to decline to about 3 million ounces. About one-third of the Mexican output is exported to the United States; most of the remainder is shipped to European countries. A substantial quantity of silver has been derived from demonetized coins in recent years. It is estimated that 65 to 70 million ounces of silver in such coins is still held by the public.

Canada

Canada produces about 32 million ounces of silver annually, and output may increase as much as 13 million ounces in the next 3 or 4 years as newly discovered silver-bearing ore deposits are brought into production. Industrial consumption, averaging about 4.7 million ounces annually, is expected to increase slowly. The use of silver in coinage, also, is likely to increase in line with the growth of coin-operated meters and vending machines and increased population.

Peru

A major part of Peru's silver output is recovered as a coproduct of base metal ores, but production from silver ores also is substantial. The rising production trend since 1955 is expected to continue in the foreseeable future. Expansion of productive facilities by Cerro de Pasco Corp., the largest producer, will be a major factor in future production gains. Nearly all of Peru's silver production is exported to the United States.

Australia

In Australia, the fifth largest free-world, silver-producing country, a substantial increase in productive facilities at Mount Isa is expected to bring an increase of as much as 6 million ounces in byproduct silver production by the end of 1968.

GEOLOGIC ASSOCIATION OF SILVER WITH OTHER METALS

Silver in its geologic occurrence usually accompanies other valuable metals, notably lead, copper, and gold. Zinc also is a common associate through its geologic affinity with lead. In deposits of these metals, silver commonly occurs as a minor constituent of only byproduct importance. There are, however, all gradations to deposits in which the chief values are in silver, as in the Silver Belt, a part of the Coeur d'Alene region in Idaho, which currently is the major silver producing area of the United States. Table 2 shows the varying percentages contributed by silver to the total revenue from argentiferous ores produced in the United States in 1963, compared with the 4 preceding years and with 1954.

Where silver is a byproduct of other metals, it may be recovered from ores that have an extremely low content of silver. In the refining methods that are currently used on the metals from most Western States ores, the silver is recovered at relatively little additional cost; hence, it is especially valuable product that may determine whether certain deposits, and particularly lead-zinc deposits, can be profitably worked. The porphyry copper deposits, from which a major proportion of domestic primary copper production is derived, contain a very low percentage of silver (0.02 to 0.11 ounce recovered per ton of ore); yet so great a tonnage of this ore is mined and processed annually that this type of deposit is currently a major source of silver. Most lead-bearing deposits of the Western States are richer in silver than are copper deposits. In some of them the silver value equals or exceeds the combined values of the other products. Gold ores have produced much less silver than the lead and copper ores.

The extent to which silver production since 1905 has been dependent on base-metal mining is evident from figure 3. About two-thirds of the silver has come from base-metal ores. The production of silver over the years has more nearly reflected the demand for lead, copper, and zinc than for silver. Production rates of the base metals are integrated into the industrial economy and have not been much affected by changes in price of silver.

U.S. SILVER RESERVES

The reserves of silver minable at or near current metal prices are indicated in table 3. Table 4 shows these reserves broken down according to the dominant metals in the ores. Most of the reserves are in mining districts of the Western States, but minor quantities are recovered as a byproduct from the mining of other metals in the Central and Eastern States. Past experience has shown that estimates of inferred reserves are usually conservative, as new geologic information pertinent to ore discovery develops with time.

TABLE 3.—*Silver reserves of the United States*

Area	In measured and indicated ore		In inferred ore	
	Silver (ounces)	Percent of total	Silver (ounces)	Percent of total
Western States: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, South Dakota, Utah, and Washington	559,000,000	94.8	840,000,000	98.7
Central and Eastern States: Michigan, Missouri, New York, North Carolina, Pennsylvania, Tennessee, and Virginia	31,000,000	5.2	11,000,000	1.3
Total	590,000,000	100.0	851,000,000	100.0

TABLE 4.—*Silver reserves of the United States, classified by type of ore*

Type of ore	In measured and indicated ore		In inferred ore	
	Silver (ounces)	Percent of total	Silver (ounces)	Percent of total
Straight silver ores	52,700,000	9	85,000,000	10
Lead-zinc (copper) ores	236,000,000	40	570,000,000	67
Copper-zinc ores	410,000		8,200,000	1
Copper ores	295,000,000	50	170,000,000	20
Gold ores	5,300,000	1	4,000,000	2
Tungsten or iron ores	700,000		630,000	
Total	590,000,000	100	850,000,000	100

The total resources of silver are not known. Certainly they are much larger than known reserves, but there is at present no reliable means of estimating their potential. Estimates of measured reserves in straight silver and lead-zinc ores are a poor indication of their ultimate potential. These reserves are mainly in veins or deeply buried replacement deposits of similar small dimensions, where the proving up of new ore depends on development from mine openings that have followed the ore to depth, and where it is not economic to prove up and develop ore much in advance of mining. Reserves that can be classed as measured are developed from 3 to 5 years in advance of extraction. Information on the reserves of silver in low-grade copper deposits is somewhat better, as the bodies are mostly large masses that are extensively explored by drilling in advance of development.

The measured and indicated reserves shown in tables 3 and 4 are equivalent to a 16-year supply of mine ore at the 1964 production rate and prices. Inferred reserves that might be transferred to the measured and indicated classes by exploration and development work during this period will extend the productive lifespan, and ore deposits, currently unknown, may be expected to be found and to add still further to the supply. Because of uneven distribution of these classes of ore among many properties, not all districts have the same number of productive years in sight.

Table 4 shows that 90 percent of the measured and indicated ores are in base metal deposits as compared to only 9 percent in straight silver ores; this situation is a key factor in considering silver reserves. The silver in these base metal reserves is a byproduct, and, as noted previously, the future annual output of silver from them will respond only slightly to higher demands for silver. Thus the future annual mine output of silver from the reserves, somewhere in the range of 35 to 41 million ounces annually, will be keyed to the plant capacities of the major productive mines and to world demand for base metals.

The contrast between the silver reserve situation and the demand for silver is emphasized by the 1964 domestic consumption of 314 million ounces and the estimated 1964 domestic output of 37 million ounces. At the 1964 consumption rate, domestic measured and indicated reserves would be adequate only for 2 years instead of 16 years calculated at the 1964 productive rate. Even if no silver were considered for future coinage, the 1963 industrial consumption of 110 million ounces, which is expected to increase at an average rate of 1.5 to 2 percent annually in the foreseeable future, is more than three times the average annual domestic production for the past 5 years.

Although the national silver reserves are completely inadequate in terms of supplying silver to meet the domestic demand, they can supply silver for many years approximately at or moderately above the present annual mine production rate.

U.S. SILVER PRODUCTION CAPACITY

Production capacity is a more important factor than reserves in the short-term silver analysis. Mine plant capacity is greatly affected by the shape, size, and depth of the ore deposits. Except for the porphyry copper deposits, most silver-bearing deposits are narrow and lie deep in the ground where they are hard to reach. Ore bodies within the deposits commonly are irregular and discontinuous. In such ground the wall rocks are fractured and frequently highly altered making it difficult and expensive to drive mine working and to hold them open once driven. The discontinuity and size of the ore bodies increases the expense of exploration and mine development and limits the number and size of working faces. Haulage, hoisting, and mill capacities consequently are planned at predetermined rate of production, which usually is dependent on previously described aspects of the particular ore bodies; once constructed they are relatively inflexible because of the great outlay of capital and time necessary for expansion. Because current base metal prices have stimulated production to near plant capacities and because of the factors discussed above, the production rates of large mines currently producing silver cannot be expected to be expanded substantially in the near future.

FOREIGN SILVER RESERVES

Table 5 shows reserves of the principal silver producing countries of the free world; these countries each produce more than 10 million ounces of silver annually. Excepting Australia, all of these countries are in the Western Hemisphere, which is estimated to have produced about 80 percent of the world's supply of silver.

TABLE 5.—*Silver reserves of free world countries producing more than 10,000,000 ounces of silver annually*

Country	Silver production in 1963 (troy ounces)	Years' supply at 1963 output rate	Reserves, measured and indicated (million troy ounces)
Canada	30,739,429	21	[1] 640
United States	35,241,501	17	[2] 590
Mexico	42,760,487	17	[3] 734
Peru	36,769,487	14	[4] 528
Australia	18,900,000	14	[5] 259

[1] Published estimates as of the end of 1960.

[2] November 1964 estimate.

[3] Based on unpublished 1962 estimate of lead reserves and calculated on 5-year average (1959-63) silver to lead production ratio (204 ounces, silver/1 ton lead, plus silver calculated in copper ores).

[4] Based on unpublished 1962 estimate of lead reserves and calculated on 5-year average (1959-63) silver to lead production ratio (222 ounces, silver/1 ton lead, plus silver calculated in copper ores).

[5] Based on unpublished 1962 estimate of lead-zinc-silver reserves.

Silver from North and South America and Australia accounted for 72 percent of the world's production in 1963, and 73 percent of the world's production in 1953. A projection of output at these percentages in future years seems realistic.

Table 5 also shows the number of years of supply of silver output based on the 1963 rate of production. In evaluating this potential, however, it must be borne in mind that silver from foreign as well as domestic reserves is chiefly a byproduct of base metal ores. For example, 77 percent of the silver produced in Canada in 1960 came from base metal ores, as did almost all of the silver from Australia. New reserves of silver unquestionably will be developed as those now known are mined, but the deposits discovered probably will be mostly of the type now being mined, rather than the rich straight silver ores formerly mined in the Western Hemisphere.

Silver reserves of the world cannot be estimated with any accuracy because of the scarcity of reliable data. Rough approximations may be made by comparing silver output with that of other metals, the reserves of which are better known. For example, most lead-zinc ore is silver-bearing, and the ratio of output of silver to lead or silver to zinc is fairly constant. Measured and indicated world reserves of zinc were estimated at 87.5 million tons in 1962. World output of zinc in 1962 amounted to 3.7 million tons; thus the reserves may be calculated as equivalent to 23 years of output at the 1962 output rate. By direct analogy, silver reserves could be estimated to be also equivalent for 23 years at about the 1962 output rate of silver, assuming that during this time silver also will be recovered from copper and gold ores as it has been in the past.

EFFECT OF PRICE ON RESERVES OF SILVER

The measured and indicated reserves of silver in presently known deposits would not be greatly increased by a rise in the price of silver. A substantial rise to $2 or $3 an ounce would, however, stimulate exploration, which eventually would lead to increased reserves. There is undoubtedly silver-bearing ground at both operating and idle mines that has not been developed or has been bypassed because it was too low in grade to be profitably mined. However, there has been no incentive to perform more than minimal exploration of such ground, particularly of mineralized areas of low base metal content. The bulk of submarginal silver reserves are in base metal deposits. In these reserves, a large increase in the price of silver has less effect on the total value of a ton of ore than a small variation in the price of the base metals. The situation where an increase in the value of byproduct silver would make the ore commercial, therefore, is less common than that in which the overall value would vary with fluctuating base metal prices.

The situation does not hold in a straight silver ore district like the Silver Belt in Idaho, where bypassed marginal silver ore would become commercial at higher silver prices. But even here, although reserves would be increased, there are reasons why production could be expected to be held near the current rate. Shafts through which the ores are hoisted are deep and expensive to sink. It would be more profitable to extract remaining deep ore through existing facilities than to sink new and larger shafts in order to mine the ore at a faster rate.

Higher silver prices would make lower grade ores exploitable, but in processing these ores through facilities of fixed capacities it is possible that annual output of silver would decline temporarily even though profits would increase.

Most other districts formerly mined for straight silver ores have been idle so long that the mine workings now are inaccessible, the miners familiar with the deposits are dead or retired, and old records seldom available. Measured and indicated reserves of these districts cannot be reliably evaluated from available data. Estimates of their value at increased prices would be only guesswork.

A higher silver price, particularly if coupled to favorable base metal prices, would insure that production would be maintained at or near the limit of plant capacities and would insure that development of reserves would be adequately maintained. Moreover assurance of a higher price for silver would influence the planning of productive capacities of new mines, such as are planned in the Tintic district, Utah, which is expected to become a major producer. It would also stimulate reopening of submarginal mines containing argentiferous ores, and exploration in these mines could lead to the finding of new ore. Most of these mines are small; although their aggregate output might be appreciable, it would not greatly change the overall silver supply.

PROGRAMS TO EXPAND DOMESTIC SUPPLIES

Public programs to expand domestic supplies of silver, such as proposed recently by the Department of the Interior, will contribute to increasing reserves and production of silver, and so help to alleviate the shortage in new supply.

Increasing on September 30, 1964, the percentage of Federal financial assistance under the Office of Minerals Exploration (OME) program from 50 to 75 percent of the total cost of silver exploration provides greater incentive for prospecting and exploration of mineral deposits, and encourages reappraisal of inactive mines that may lead to development of new reserves and ultimately to increased production from mines whose principal product is silver but will not affect production of silver from mines whose principal product is other than silver. The OME program for silver, originally announced in 1961, has not been in effect for a long enough period to evaluate results fully.

The Geological Survey has initiated a reconnaissance program designed to outline favorable areas for the occurrence of near-surface, silver-rich epithermal deposits in Nevada and other western States. The program will include geologic mapping and geophysical and geochemical studies. More detailed work will be done in promising areas. Particular attention will be given to the distinctive hydrothermal alteration halos and geochemical anomalies that are associated with deposits of this type and which commonly may be used as guides to ore. As the work progresses it is planned to test new methods and techniques applicable to silver exploration.

One exploration technique to be further tested utilizes an instrument capable of detecting minute quantities of mercury in soils, rocks, and gas. Traces of mercury are known to be associated with many silver deposits and, as mercury is higly volatile, there is the possibility that halos of mercury surrounding these deposits may be detected. A truck-mounted mercury detector that permits rapid analysis of extremely small quantities of mercury has been built by the Survey and has been successfully used in the field. This detector will be used to explore favorable areas for abnormal concentrations of mercury.

The Survey has developed a chemical test for field analysis of silver. The new method has a sensitivity of 0.05 part per million of silver, and possibly as many as 80 samples per day could be analyzed at the field campsite. The new field test should be most useful in delineating geochemical anomalies of silver enrichment.

Still another technique that warrants testing is the use of airborne infrared systems as a means of outlining areas with higher than normal heat flows. Infrared instrumentation has been found to be extremely sensitive to differences in radiant temperatures of the earth. Many silver-rich epithermal deposits have exceptionally high thermal gradients, and further work might show that abnormally warm zones, in favorable areas, may be associated with hidden deposits.

Emphasis by the Bureau of Mines on silver in mining and metallurgical research is expected to yield information contributing to greater efficiency and safety in mining, better evaluation of mineral resources, increased recovery of silver from ores and wastes, and more effective utilization of silver.

Many of the fundamental physical factors relating to the environment and extraction of ore from mineral deposits are not well understood and, although advances in mining technology have been notable in recent years, much of the technique of mining continues to be based on empirical methods rather than scientific principles. This deficiency in fundamental knowledge of the physical and mechanical properties of rock associated with mineral deposits has been a contributing factor in preventing maximum efficiency in mineral extraction and reduction of the cost of mining. Solution of problems restricting mineral extraction would result ultimately in greater production at some mines.

Research on developing improved methods of sampling ores and evaluating mineral deposits and in applying new scientific techniques in mine planning and operation has yielded information useful to silver as well as other metal mining. Mine system analysis studies are designed to define variables that contribute to the solution of problems affecting production. Research in applying advanced methods of mathematical and statistical analysis to the study of mine production and distribution of mineral deposits is yielding data for guiding mineral exploration and increasing the probability of mineral discovery.

The extractive metallurgy of silver from either silver ores or silver-bearing base metal ores has not changed appreciably since the development of the process combining differential flotation and smelting of flotation concentrates, which has superseded other methods in most countries. In the United States more than 95 percent of domestic silver production is from the smelting of concentrates and crude ores. The overall recovery of silver from base metal or silver ores by flotation and smelting is 85 to 90 percent. The recovery in smelting and subsequent electrolytic processing is usually over 95 percent. Metallurgical research might result in some improvement in recovery, particularly in flotation or in reduction of costs, but the increase in silver production would not be significant.

Consideration is being given to increasing the recovery of silver from secondary sources, particularly photographic wastes. If a significant potential exists for reclaiming silver from such sources, small-scale recovery units could be developed to make such a reclamation of silver by small processing plants economically feasible.

In view of the fact that more efficient utilization is as helpful as the development of new supply, research will also be directed to reducing the consumption of silver. Investigators are reviewing the possibility of substituting other metals for silver in such applications as silver-infiltrated tungsten, dental amalgams, solders, brazing alloys, and other alloys high in silver.

Discovery, exploration, geologic mapping, and research in mining and metallurgical methods do not in themselves produce silver. Expansion in supply and greater efficiency in use will continue to rest with private initiative and enterprise. Nevertheless Government programs should expedite the undertaking of private projects and increase their productivity.

OUTLOOK FOR FUTURE EXPLORATION, DEVELOPMENT, AND PRODUCTION

Substantial increases in the price of silver undoubtedly will intensify exploration activity. There is a reasonably good chance that increased exploration will lead to discoveries of new silver districts or to extensions of known districts where there are no reserves at the present time. Recent increases in the price of silver already have resulted in some exploration for silver ore in areas particularly favorable for straight silver deposits of the epithermal type. It must be borne in mind, however, that most Western silver deposits have been repeatedly prospected by conventional methods. More sophisticated techniques and knowledge than were available to the old-time prospector will be required to bring about significant discoveries. New tools and methods applicable to exploration of straight silver ores will have to be developed, and advanced geological, geophysical, and geochemical techniques will have to be used to find deposits that are concealed beneath overlying volcanic rocks, alluvium, and other covering material. Sources, such as large extremely low-grade silver deposits in sandstones and shales will have to be more thoroughly explored. Even if new discoveries are made, however, substantial increases in silver output will be slow in reaching the market because of the time needed to bring new properties into production. If exploratory efforts are stepped up immediately, however, the effects should show within 10 years.

The possibility of utilizing low-cost open pit mining of low-grade deposits or of outcrop areas of abandoned straight silver camps needs to be thoroughly studied.

In these areas, veinlets, and disseminated ores may extend well away from the main veins, and while they could not be mined profitably during earlier days and probably could not be mined now using underground vein mining methods, they might be economically recoverable using modern low-cost surface or underground mining methods. A major problem in developing low-grade silver ore is the inadequacy of present sampling and mineral deposit evaluation techniques. In order to justify the large capital investment required to initiate a modern low unit cost bulk mining operation, a mining company must be able to estimate in advance, with precision and reliability, the grade and tonnage of ore available in a deposit. This is difficult when the metal content is in the range of a few pounds per ton as it is in some base metals, molybdenum, and other types of metal deposits now being exploited by block caving and open pit mining. The problem is much more difficult when the range of metal contained is in the order of a few ounces per ton as it would be in a low-grade straight silver deposit. Research to develop improved sampling and evaluation techniques is therefore of major importance not only to determine whether or not substantial low-grade silver deposits exist but also to their successful exploitation.

New mining techniques which provide for the prevention or control of rockbursts will be necessary for long-term continued production of silver from the Coeur d'Alene district in Idaho, as this problem will increase as the mines become deeper.

Metallurgical research is needed to develop more effective methods for recovery of silver from low-grade ores. The application of newer hydrometallurgical techniques to extraction of silver from these ores should be investigated. Studies should include the use of ion exchange resins and solvent extraction techniques to concentrate silver-bearing solutions, nitric acid leaching procedures, and a thorough reevaluation of combined flotation-leaching-electrolytic recovery methods. Other incentives such as the recently announced increased Office of Minerals Exploration financial aid to exploration also will be needed. All these possibilities deserve attention if increased output of silver it to be attained.

Mr. BIBLE. Mr. President, this is a very lengthy statement, and I shall not take up the Senator's time. However, anyone who reads the report will come to the conclusion that we have plenty of silver in the continental United States. The report goes on to state that silver is available in other areas of the world as well.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. MOSS. I yield.

Mr. JACKSON. I wholeheartedly subscribe to the comments of the distinguished Senator from Utah and the distinguished Senator from Nevada.

In 1949 I was a member of the Joint Committee on Atomic Energy. Fears were expressed at that time that there was not sufficient uranium in the United States to meet our requirements. At that time we were primarily dependent, first, on the Belgian Congo, and second, on Canada for supplies of uranium. However, we worked out a program to encourage our own mining industry to get into uranium production on a big scale, and it was not long before we not only had met our national security requirements, but we had more uranium than we knew what to do with.

Mr. MOSS. We were almost in trouble on the other side of the question. We obtained a surplus of uranium when we set out to find it and made the price attractive enough for prospectors and miners to extract it from the land.

Mr. JACKSON. The Senator is correct. If we provide similar incentives and encouragement in relation to silver, there is no question that in this country we shall find an adequate supply of silver to meet all of our coinage requirements and all of our industrial and military requirements.

I thank the Senator.

Mr. MOSS. I yield further to the Senator from Nevada.

Mr. BIBLE. I wish to make one further observation and particularly to pinpoint attention on an additional table that is contained in the valuable study to which I have referred. That is table 5, entitled "Silver Reserves of the Free World Countries Producing More Than 10 Million Ounces of Silver Annually."

Table 5 shows that reserves measured and indicated in Canada are 640 million ounces of silver. It shows that in Mexico there are measured and indicated reserves of 734 million ounces. In Peru there are measured and indicated reserves of 528 million ounces, and in Australia, 259 million ounces. So taken together with the amount that is both measured and indicated in the United States, I think it substantiates our claim with relation to reserves.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senate will suspend to receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 541) to extend the Area Redevelopment Act for a period of 2 months, in which it requested the concurrence of the Senate.

EXTENSION OF THE AREA OF REDEVELOPMENT ACT

Mr. MANSFIELD. Mr. President, will the Senator from Utah yield?

Mr. MOSS. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that House joint resolution (H.J. Res. 541), just passed by the House, and reported to the Senate, be taken up and considered.

The PRESIDING OFFICER. The House joint resolution will be stated.

The legislative clerk read the joint resolution, as follows:

H.J. RES. 541

Joint resolution to extend the Area Redevelopment Act for a period of 2 months

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 29 of the Area Redevelopment Act is amended by striking out "June 30, 1965." and inserting in lieu thereof "August 31, 1965.".

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which was read twice by its title.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there is no amendment to be proposed, the queston is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 541) was ordered to a third reading, was read the third time, and passed.

COINAGE OF THE UNITED STATES

The Senate resumed the consideration of the bill (S. 2080) to provide for the coinage of the United States.

Mr. BIBLE. Mr. President, to complete my thought, the information which I have stated well documents our position that there are adequate reserves in the United States and in the free world to take care of our coinage needs, our defense needs and the industrial needs of our friends throughout the entire United States.

I thank the Senator.

Mr. MOSS. I thank the Senator from Nevada. I yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, I commend the wise, reasonable, and constructive amendment offered by my friend the able junior Senator from Utah [Mr. Moss]. His arguments in favor of the amendment are both cogent and sound. It is a reasonable and moderate modification of the administration's proposal. I am a cosponsor and so, of course, I am happy to support it.

I cannot help observing, as I have done heretofore, that, by and large, mining has been and continues to be a stepchild in the national family. Mining was once not merely an industry but a thriving and important one, and it has now fallen on difficult days, if not largely—at least in substantial part—due to Federal neglect and Federal indifference. In some cases, as in the case of gold, destructive actions, coupled with a consistent unwillingness to entertain any of the various alternatives which have been offered in Congress to enable that once great industry, gold mining, to revive and survive is now at a very low ebb.

Now silver is being beset by Government action. The way to meet this situation is not arbitrarily to reduce the silver content of our coinage but to give encouragement to greater silver production. The amendment of the Senator from Utah does not depart drastically from the administration's proposal, and it would be a substantial improvement thereof. I hope that it will be enacted.

Mr. MOSS. I thank the Senator from Alaska.

What has been said by the Senator from Alaska [Mr. GRUENING], the Senator from Nevada [Mr. BIBLE] and the Senator from Washington [Mr. JACKSON] I believe is worthy of note in the Senate. There are vast supplies of silver that would be found. Many we know of are already blocked out; the silver could be mined and smelted. We are just learning how to reduce other ores to obtain silver in metal form.

The Geologic Survey has recently announced that black calcite, formerly considered a worthless mineral, may contain from 200 to 1,500 ounces of silver per ton in deposits sampled in Utah, Nevada, Arizona, and New Mexico. Silver ore is now being mined that yields only 4 ounces a ton. This is only one example of the vast potential that is waiting to be exploited. The lesson from this is clear, we cannot predict future production from past production.

So we are faced with a choice. We can remove silver from all of our coins in defiance of our 173-year tradition or, we can retain coins of intrinsic value. I have received a resolution from the Utah Bankers Association, a group interested in insuring this country of a sound currency. They requested that we maintain adequate amounts of silver in our subsidary coinage. I agree with them entirely.

The prestige of the Nation and the need for the confidence of our citizenry compels us to adopt this course.

I am happy to yield 5 minutes to the Senator from Washington [Mr. JACKSON].

Mr. JACKSON. Mr. President, I commend the distinguished Senator from Utah for offering his amendment, with which I am associated as a cosponsor. I compliment him on his excellent presentation, and rise to support it.

Mr. President, as a Senator from the State of Washington and as chairman of the Interior Committee of the Senate, I have followed with keenest interest and concern the hearings and debate on the Coinage Act of 1965. Although my State is not itself a large producer of silver at the present time, in the past we have had production from Metaline Falls or Pend Oreille, and I am hopeful for the future.

However, some of the largest silver mining enterprises in the United States have their headquarters in Spokane. I refer of course to those of the great Coeur d'Alene area in nearby Idaho, where our country's most productive silver mines are operating. For them, Spokane, Wash., is by way of being home base, managerially and financially.

The Interior Committee is the unit of the Senate which under the Legislative Reorganization Act has overall responsibility for mines and mining generally, and for development of the mineral resources of the publicly owned lands of the United States specifically.

It is in both of these capacities—that of a Senator from Washington and that of chairman of a committee with direct responsibility for silver production—that I urge the Senate not to rush into perhaps fateful action with respect to the elimination of silver from our so-called subsidiary coinage.

AMERICAN MONEY STANDARD OF WORLD

The consequences of thus turning our backs on some 173 years of our history and upsetting a coinage system that has worked, and worked well, over that time, to the point where American money is the standard of the free world, could open a Pandora's box of ills.

Mr. President, I am wholly cognizant of our need for silver and more silver. Earlier this year, in a talk I made before the American Mining Congress, I pointed out that silver, although a very old and revered metal through the ages, is the wonder metal of today, with industrial and national security needs threatening to overshadow silver's historic role even in coins and art.

Yes, Mr. President, I am thoroughly aware of and sympathetic to the need for a greater supply of silver. However, I gravely question whether the complete debasement of our subsidiary coinage by doing away with silver entirely is the right step to take toward fulfilling that need.

A much better and sounder long-range solution would be to increase our efforts to find and produce more silver, as indicated by the distinguished Senator from Utah. This can be done, with adequate incentive and aid to our American mining men.

SILVER PRODUCTION RISE FORECAST

Within the last 2 weeks the House Interior Committee held extensive exploratory hearings on silver production capacity. At these hearings, Robert Hardy, for many years president of the Sunshine Mining Co., one of the largest silver producers in the United States, who also is chairman of the silver committee, American Mining Congress, presented facts and figures to show that silver production within the next 2 years or so would increase by a minimum of 38 million ounces, or 18 percent over the free world's present production. He stressed his belief that this figure was a very conservative one. This extremely knowledgeable and astute mining man scoffed at the idea that there is little likelihood of finding new deposits of silver, and cited the analogous situation with respect to uranium in 1949.

By fortunate timing, just the week after Mr. Hardy testified before the House Interior Committee forecasting increased production, the Department of the Interior announced the discovery of a potential new source of silver which the U.S. Geological Survey described as "significant."

Mr. President, I ask unanimous consent that the text of the Interior Department announcement, dated June 17 and entitled "Common Mineral May Be New Source of Silver," be printed at this point in the RECORD.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

COMMON MINERAL MAY BE NEW SOURCE OF SILVER, U.S. GEOLOGISTS SAY

Black calcite—a common mineral heretofore considered worthless and hence ignored—may be a new significant source of silver, according to scientists of the Department of the Interior's Geological Survey.

In the June issue of the American Mining Congress Journal, D. Foster Hewett and Arthur Radtke of the Geological Survey's Menlo Park, Calif., offices and C. Taylor of Stanford University, Stanford, Calif., reported that in recent spectrographic studies black calcite has often been found to contain rich quantities of silver invisible to the naked eye.

"Heretofore," said Hewett, "black calcite has been considered by miners and earth scientists to be just another "gangue" (pronounced gang; meaning 'worthless') mineral, although it is interesting to note that many silver miners of the West in the late 1800's considered its presence to be a guide to silver ore. But, they didn't realize that the black calcite itself was silver bearing."

"At Hamilton, Nev., for example," said Hewett, "25 million ounces of silver were produced between 1870 and 1892 from ores in which the precise mineral source of much of the silver was unknown. We have found that black residue from acid dissolution of a sample of calcite from Hamilton contains as much as 1,500 ounces of silver per ton; so it seems likely that black calcite was the source of the silver ore produced there."

Hewett and his colleagues recently made field studies of deposits of manganese minerals (associated with silver) in the West and noted that black calcite was widespread, and, in some districts, abundant.

"In laboratory studies," said the earth scientist, "we determined that the black color of the calcite is due to dispersed grains of a manganese oxide, and that the calcite in which these grains were imbedded, is almost free of manganese. By dissolving the calcite in several common acids, the manganese oxide in samples from districts in Utah, Nevada, Arizona, and New Mexico was extracted and found to contain 200 to 1,500 ounces per ton of silver."

John M. Kelly, Assistant Secretary for Minerals, Department of the Interior, said that "the silver-bearing black calcite discovery by Geological Survey scientists is one of many recent examples of how energetic and imaginative geologic research and an aggressive pursuit of earth science knowledge can meet the Nation's need for key natural resources."

Mr. JACKSON. Mr. President, in addition to the work undertaken directly by the Geological Survey and the Bureau of Mines, aid and encouragement is being extended to private individuals and enterprise. The Office of Minerals Exploration, in the Department of the Interior, has a program designed to spur the finding of new mineral deposits, and now is advancing up to 75 percent of the cost of exploration for silver. There is good reason to hope that the Interior Department's program will bring results.

TAX INCENTIVE WOULD BE CONSTRUCTIVE

A highly constructive step that we in Congress could and should take is to enact the bill, pending in the Finance Committee, to allow costs of exploration for minerals to be deducted as a current business expense for tax purposes.

That bill, S. 338, which was introduced by the distinguished Senator from Alaska, Senator GRUENING, and of which

I am a cosponsor, was drafted after exhaustive discussion with Treasury and other administration officials. Its sponsors believe they have gone a long way toward meeting objections to the idea of a tax incentive for mineral exploration. By according mine exploration costs the same tax treatment that now is accorded research costs in other business enterprises, mining men would be spurred to go out and look for new sources of supply of silver and other minerals. Mining experts are convinced that such a search would be successful.

To me, favorable action on this tax bill would be far more constructive and do far more toward meeting our needs for silver than will the debasement of our subsidiary coinage.

Mr. President, I hope the amendment will be adopted.

Mr. MOSS. Mr. President, I yield 5 minutes to the distinguished Senator from Nevada.

Mr. BIBLE. Mr. President, first, I commend the distinguished Senator from Utah for his able presentation of the amendment, which I wholeheartedly and enthusiastically support.

The main reason why silver must be retained in the half dollar, the quarter, and the dime is twofold. Metal of intrinsic value is needed in our coins, as I said in statements I made earlier today and yesterday. But far more worthy of this body's consideration at present is the simple fact that our coinage must be kept in circulation.

This is the problem we have before us, and it is the major problem: The United States in 1 year will have minted almost 2 billion coins at the end of this fiscal year, June 30, which will occur in a few days. This is a staggering amount. I ask the question: Why has it been necessary to have our mints operate three shifts a day for the past 2 years?

The question is a simple one to answer. It started with a run on the U.S. Treasury when armored trucks hauled out millions of silver dollars less than 2 years ago. Those who obtained them offered them, in turn, for sale at prices ranging from $1.45 upward.

Congress followed with the minting of the Kennedy half dollar. More than 200 million have been minted; yet we rarely see one. Of course, they can be purchased in any amounts from dealers, and I have advertisements to prove this statement. I shall offer one for the RECORD to prove this point.

These two events created a shortage of two coins, and the shortage fed upon itself. Now one can buy all the dimes, quarters, and half dollars he wants from the speculators and hoarders.

I refer Senators to pages 14558 and 14559 in the RECORD of June 23, where I inserted a page of such advertisements. Remember, these coins are being offered for sale at a premium by the vending machine interests. This is the industry that so many people in the Treasury and Congress have been trying to protect, because it is a billion dollar industry and needs protection.

But it needs to protect itself from its own people. It needs to move these coins into commerce and trade and should stop attempting to make a few extra "bucks" selling them by the bag and ton to collectors. I emphasize the word "ton." Silver dimes are already being advertised for sale, because they will soon be out of production.

We must continue to mint coins having silver content, although the content may be reduced. This must be done because the silver-clad coin will have the same appearance as the present coins. They can then travel side by side in trade, and will not be easily distinguished.

If we do not take this action today, I predict that we shall see the greatest disappearance act since the days of Houdini. Present silver coins will vanish from the channels of commerce.

If Congress wishes to stop a coin shortage, it had better take heed immediately and make certain that any new coinage that is minted will be as nearly as possible the same in appearance as the coinage which is now circulating. We had better take this precaution, for if we do not, the business people back home will be subjecting all of us to reply to their inquiries as to why they cannot obtain an ample supply of coins to carry on their business.

If Senators will read the report of the House Committee on Appropriations on silver dollars, which was made in May, they will see that more than half the Federal Reserve banks and member banks, totaling 36 in all, are calling for half dollars, quarters, and dimes. This is ample proof that those coins are already in short supply because an artificial shortage has been caused by speculators and hoarders, who benefit financially at the overall expense of the public.

The argument of the Committee on Banking and Currency and of the administration that the bill must contain a provision for the future minting of silver dollars at the monetary value of $1.29 is made for one purpose: to keep our present coinage from being melted down.

I predict that, nevertheless, it will soon disappear if we do not produce coins which are as nearly the same in appearance as the ones now in circulation. I cannot emphasize and reemphasize that point too frequently. I am convinced that this is the one real solid reason why the amendment which we are sponsoring should be enacted into law.

Mr. MOSS. Mr. President, I yield to the junior Senator from Idaho [Mr. JORDAN] up to 10 minutes.

The **PRESIDING OFFICER.** The Senator from Idaho is recognized for up to 10 minutes.

Mr. JORDAN of Idaho. Mr. President, I speak in support of the Moss amendment to S. 2080. This amendment would provide for the minting of 40 percent silver-clad quarters and dimes, as well as half dollars.

I commend the junior Senator from Utah for the diligent research work he has done in preparing his amendment. It is highly essential that we give favorable consideration to this amendment.

Mr. President, the silver problem is one with which my State of Idaho has been vitally concerned with throughout most of the past decade. All of the present members of Idaho's congressional delegation have spent many hours studying this problem in search of solutions. Former members of the Idaho delegation including the late Senators Henry Dworshak and Herman Welker, former Congressman Hamer Budge and former Congresswoman Gracie Pfost have all at various times in the past decade sounded the warning of the impending silver crisis.

Twenty-five years ago it was a matter of supply surplus. Today it is a case of critical deficiency in production. Time and again spokesmen in Congress from the Western States have noted the progressive depletion of our Treasury stocks and have urged the adoption of a silver program designed to correct the imbalance between production and consumption.

Unfortunately these pleas were disregarded. In 1961 the Treasury Department apparently felt it could withstand the "run" which developed on its remaining free silver stocks and persisted in selling at 91 cents an ounce until this supply was nearly depleted and the President had to order such sales discontinued. Immediately it became necessary for the Treasury to start retiring silver certificates in order to make bullion available for coinage.

Two years later in 1963 the Treasury prevailed upon Congress to repeal the Silver Purchase Act and to authorize the issuance of $1 and $2 Federal Reserve notes so as to free the bullion reserve for $1 silver certificates. In requesting this legislation, Treasury Department officials said it would provide for coinage requirements for 15 to 20 years, and they virtually promised that they would not issue the new $1 Federal Reserve notes at a rate that would burden the gold reserve by more than $35 million annually. They were wrong on both counts.

Last year the estimate for coinage requirements was reduced to 8 years or less and now we are told we have only a 2- to 3-year supply at the current rate of usage.

This briefly is the record of the Treasury Department which now advises the President that the best solution to our problem is to eliminate silver from our dimes and quarters and reduce the content of the half dollar by more than half to 40 percent.

We are told that silver is now too scarce for continued large scale use in coins. Nevertheless, the proposed legislation specifically retains the dollar at its present weight and fineness, although there seems to be no present intention of minting any of them. This provision, of course, would preserve the existing monetary silver price of $1.29 per ounce, thus effectively continuing a Government-imposed ceiling price on the market.

Another provision would repeal the existing requirement for recoinage of all worn and uncurrent subsidiary silver coins received in the Treasury. This means that retired silver coins could be converted to bullion for sale to users in industry and the arts, thus augmenting the Treasury source of supply and prolonging the fixed price.

I do not agree that S. 2080 is the best solution, or in fact, any solution at all to either the silver or the coin shortage problems.

In the first place, it does nothing whatever to resolve the basic problem which is the deficiency in production. In fact, preserving and prolonging the fixed price would, in my opinion, discourage exploration and prevent the development of lower-grade ore deposits.

Second, I am convinced that any such resort to nickel-copper tokens as replacements for our present dimes and quarters will severely damage our Nation's prestige as an international monetary leader and may seriously shake, if not destroy, confidence in our money both at home and abroad. It is argued, of course, that other nations have discontinued the used of silver in coins and Great Britain is generaly cited as a fine example. It should be remembered, however, that Great Britain's monetary structure is shaky and under heavy pressure, whereas some of the other European nations such as West Germany, France, Japan, and Italy, which have resumed the use of silver in coins, have much more stable structures.

As for the coin shortage problem, it is my firm conviction that these base-metal coins will not circulate freely alongside the existing silver coins, as the proposals' sponsors contemplate. I feel sure that Gresham's law will still apply and that the good silver coins will simply cease to circulate. It is just plain human nature to put away a few of those high value silver coins for the children or grandchildren. Multiply that by a large majority of the population and those coins will disappear much faster than the nickel-copper substitutes can be produced. Instead of solving the coin shortage problem, this proposal will aggravate it greatly.

One of the strongest arguments advanced in support of this coin debasement bill is that silver production cannot be expected to increase faster than consumption in the arts and industries alone and therefore it is essential that coinage use be reduced to a bare minimum.

Again, I am inclined to disagree. No one, of course, can accurately forecast what new ore bodies will be found or how much new production will be taken from the earth under any given set of circumstances, but the history of this Nation and particularly the West is replete with examples of what can be accomplished in mineral production under our free enterprise economy. The spectacular development of our uranium industry is a classic example.

Silver production could be augmented similarly if the proper incentives were provided.

The silver supply situation has, through poor judgment and lack of foresight, been permitted to deteriorate to the point where it is no longer possible to retain a coinage of high intrinsic value that has been our proud tradition.

Nevertheless, I strongly believe that the international prestige and the economic welfare of this Nation demand that we retain a system of sound and valuable silver coinage.

The mining industry of my State has long been aware of this problem of the silver supply and has conducted considerable research seeking a solution that would provide enough silver for arts and industrial uses and for coins with a reduced silver content but which would still have intrinsic value. They are also aware that the price of silver cannot be allowed to go too high without the threat of substitute alloys taking over some of their industrial market eventually. I commend the Idaho Mining Association for its efforts at their recent convention when they unanimously approved the following statement on silver which I would like to read at this time.

The statement reads:

> It is our strong conviction that the public interest and the Nation's position as the international monetary leader will best be served by the retention of a substantial amount of silver in the U.S. coinage. This not only provides the American citizens with coins of intrinsic value, but also assures prestige and dignity which this Nation cannot afford to sacrifice.
>
> The production of newly mined silver, together with Treasury reserves and the known increases in production which will occur in the next several years, will be adequate to meet industrial needs and U.S. coinage requirements under a program calling for reduction in the silver content of our present coins.
>
> We commend the Treasury for effectively increasing its output of coins in recent months, and we continue to offer our cooperation to the Treasury and to the Congress in seeking a solution for the intensely practical problem of making this required conversion in our coinage system and providing a smooth transition period.
>
> Specifically, we recommend:
>
> 1. Reduction, rather than elimination, of silver in coinage.
> 2. Establishment of a strategic reserve of a minimum of 500 million ounces of silver.

The mining industry agrees that some such action must be taken to protect the dwindling stocks of silver remaining in the U.S. Treasury vaults.

The mining industry does argue, however, that it would be a mistake to eliminate silver entirely from our coinage system, for two principal reasons: Base metal coins have no intrinsic value and their introduction would lead to hoarding of present silver coins.

It has been said that if a nonsilver coin is adopted it will free "billions of ounces" of silver for industrial uses.

Technically, that may be correct, for 2 billions would be "billions." But the manner in which it is said leads to the belief it would be several times 2 billion.

From 1934 through 1962 the Treasury used 1,149,737,660 ounces of silver in coinage. Some of this represented recoinage—worn coins that were melted down and recast into coins. From 1792 through December 31, 1961, the value of all silver coinage minted in the United States was $2,891,768,585. There are now an estimated 13 billion silver coins in the country, and if all these were melted down, they would not add up to any large number of billions of ounces.

It has been said silver-producing States are "eager to keep the Treasury as a major customer for silver."

Those saying this are not aware that the Silver Purchase Act was repealed in 1963, and that the Treasury no longer purchases newly mined domestic silver, and that as a matter of fact for several years preceding repeal domestic mines sold only a negligible amount of silver to the Treasury. Production instead went directly to industry.

The Treasury now is permitted to sell silver to any customer—domestic and foreign, including Communists—but it cannot buy silver.

The lesson of history is that when currency of intrinsic value disappears completely from the monetary system, in due course the currency of that nation loses substantially all its value. This was true as far back as the ancient Greek city-states and the Roman Empire; it was true of Germany, Japan, and Italy as recently as World War II.

Mr. President, I have received a telegram from Gov. Robert E. Smylie, Governor of the State of Idaho. In his telegram he expresses the opposition of the western Governors conference to the administration bill S. 2080, and recommends that if any action is to be taken to reduce the silver content in our coinage, it should apply equally to all coins.

I ask unanimous consent that the telegram from Governor Smylie be printed at this point in the Record.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

> Boise, Idaho,
> *June 23, 1965.*
>
> Hon. Len B. Jordan,
> *Senate Office Building,*
> *Washington, D.C.:*
>
> Am advised vote will come in the Senate today on administration's proposal to change silver content of some silver coinage. It may be of some assistance to know that the western Governors at Portland last week adopted a resolution at my request which opposed the administration proposal and recommended that if any action were to be taken to reduce silver content in coinage that it be made to apply to all coinage equally. No reduction in content would be the better solution as far as Idaho is concerned, but if silver content is reduced on a hit-or-miss basis as the administration proposes, the coinage affected will be debased and the silver industry so important to Idaho will be adversely affected. I know you will exert every effort to defeat this proposal which is against the best interests of the Idaho industry.
>
> With warm regards,
>
> Robert E. Smylie,
> *Governor.*

Mr. JORDAN of Idaho. Mr. President, I ask unanimous consent that a resolution to which Governor Smylie refers and which was adopted at the western Governors' conference, held on June 10 to June 13, 1965, in Portland, Oreg., recommending that a substantial percentage of silver content be retained in all coins, be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

WESTERN GOVERNORS' CONFERENCE RESOLUTION ON SILVER

Whereas over the years, the western Governors' conference has cautioned the executive branch of our Government that U.S. Treasury stocks of silver could not indefinitely meet the requirements of the country for coinage, industrial, and art uses, and more recently the needs of our space program; and

Whereas a recent Treasury proposal calls for the virtual removal of silver from our coinage system, a negative approach that does nothing to further any increase in the production of silver; and

Whereas this proposal can only aggravate the coin shortage it purports to remedy and will result in a far more serious coin shortage than we ever have experienced: Now, therefore, be it

Resolved by the western Governors' conference, That Congress be urged to reject moves to eliminate silver from our coinage and that it provide for retention of silver in reduced amounts in all coins now silver; and be it further

Resolved, That affirmative programs be adopted to increase exploration for and development of domestic silver supplies, and that silver be permitted to seek its own price in the marketplace; and be it further

Resolved, That the administration be commended for its action in setting a national stockpile objective of 165 million ounces of silver to meet our security requirements, a move which the conference has urged for many years.

Mr. JORDAN of Idaho. Mr. President, I urge Senators to support the Moss amendment.

Mr. MOSS. Mr. President, I yield 5 minutes to the senior Senator from Idaho [Mr. CHURCH].

The PRESIDING OFFICER. The senior Senator from Idaho is recognized for 5 minutes.

RETAINING OUR SILVER COINS

Mr. CHURCH. Mr. President, I join with my distinguished colleague, the junior Senator from Idaho, in supporting the amendment offered by the Senator from Utah [Mr. MOSS].

I believe that it should be noted that, though the whole of the West has a historic and continuing interest in the mining of silver, the State of Idaho is particularly concerned. Idaho is the largest silver-producing State in the country.

I support the Moss amendment, not because of any misgivings about the future of silver, nor the future well-being of the silver mining industry. It is clear that the demand for silver, particularly for industrial uses, has so dramatically increased beyond present supply that the price of silver will continue to be favorable in the foreseeable future.

We hope, of course, that various incentives, including tax incentives, which are now pending before Congress, may be adopted, so that an expansion of silver mining can take place to help alleviate the present shortage and the coinage crisis that has brought about the pending bill.

The defect, however, of this bill, as I see it, is that it is ostensibly addressed toward the solution of the present coinage shortage, and yet the very formula adopted by the Treasury, in my judgment, may tend to aggravate that shortage.

If the Treasury had proposed a reduction in the quantity of the silver in the quarter and dime under the same formula that it proposes for the 50-cent piece, pressure on the silver supplies in the Treasury would be diminished for several years to come, and we would continue to place into the economy coins with a precious metal base. But the Treasury chose to adopt a different formula. The Treasury would retain silver in the 50-cent piece, but would eliminate silver entirely from the subsidiary coinage of quarters and dimes. These new coins will consist of base metal, copper and nickel, and they will have a different feel, they will have a different look, they will have a different weight from the coinage to which the American people have become accustomed.

No matter how much the Treasury may desire it, there is no formula, there is no way to repeal Gresham's Law, which is simply that bad money forces out good. It has been so, historically, whenever a nation has attempted to switch from a precious metal currency to a base metal currency. When this process begins in this country, and the new dimes and quarters begin to circulate, we are going to find that the old silver coinage in circulation will disappear.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CHURCH. I ask unanimous consent to have 3 additional minutes.

Mr. MOSS. I yield 3 additional minutes to the Senator from Idaho.

Mr. CHURCH. When that process begins, when the public starts to receive base metal coins in the market place, and realizes that the silver coinage is being replaced, watch how quickly the public will latch onto the old silver coins, waiting for the time when their intrinsic value will go higher than the face value, in hopes of then melting them down for a profit.

Will that solve the coinage shortage? I say it will aggravate it, and we will find that a serious shortage of coins will have developed throughout the economy.

How much more sensible is the formula offered by the Senator from Utah to leave silver in each coin, but to make the new coins of a lesser silver content. Then public confidence in the coinage will not be undermined. Then, as new coins begin to appear, there will not develop the immediate tendency to hoard away the old. Then we will solve the critical coinage problem and, at the same time, relieve the pressure on the dwindling silver supply in the Treasury.

This course I think commends itself as the best possible solution to the present dilemma.

I am pleased to join in full support of the amendment offered by the Senator from Utah.

I would close by asking unanimous consent that a statement by A. J. Teske, given at the Western Governors' Mining Advisory Council on June 12, 1965, at Portland, Oreg., which presents the case against the pending bill, and, I might say, contains some persuasive arguments in favor of the amendment offered by the Senator from Utah, be included at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY A. J. TESKE, WESTERN GOVERNORS' MINING ADVISORY COUNCIL, JUNE 12, 1965, PORTLAND, OREG., RELATING TO THE SILVER RESOLUTION PRESENTED TO THE WESTERN GOVERNORS' CONFERENCE

The silver problem is one with which this western Governors' conference has been concerned ever since it was organized and particularly during the past 10 years or so.

You have seen the problem change dramatically. Twenty-five years ago it was a matter of supply surplus. Today it is a case of critical deficiency in production.

This conference has repeatedly taken note of this changing picture and called to the attention of the Federal Government its implications with respect to our monetary silver stocks. As far back as 1959 at Sun Valley it was pointed out that free world consumption of silver had been exceeding new production regularly since World War II and that U.S. Treasury stocks would be rapidly exhausted unless corrective action was taken. Each year since that time you have adopted resolutions noting the progressive depletion of our Treasury stocks and urging the adoption of a silver program designed to correct the imbalance between production and consumption.

Unfortunately these resolutions were disregarded. In 1961 the Treasury Department apparently felt it could withstand the "run" which developed on its remaining "free silver" stocks and persisted in selling at 91 cents an ounce until this supply was nearly depleted and the President had to order such sales discontinued. Immediately it became necessary for the Treasury to start retiring silver certificates in order to make bullion available for coinage.

Two years later in 1963 the Treasury prevailed upon Congress to repeal the Silver Purchase Act and to authorize the issuance of $1 and $2 Federal Reserve notes so as to free the bullion reserve for $1 silver certificates. In requesting this legislation Treasury Department officials said it would provide for coinage requirements for 15 to 20 years, and they virtually promised that they would not issue the new $1 Federal Reserve notes at a rate that would burden the gold reserve by more than $35 million annually. They were wrong on both counts.

Last year the estimate for coinage requirements was reduced to 8 years or less and now we are told we have only a 2- to 3-year supply at the current rate of usage.

This briefly is the record of the Treasury Department which now advises the President that the best solution to our problem is to eliminate silver from our dimes and quarters and reduce the content of the half dollar by more than half to 40 percent.

This proposal, announced by President Johnson last week, is now being rushed through congressional hearings for an early vote.

We are told that silver is now too scarce for continued large-scale use in coins. Nevertheless, the proposed legislation specifically retains the dollar at its present weight and fineness, although there seems to be no present intention of minting any of them. This provision, of course, would preserve the existing monetary silver price of $1.293 per ounce, thus effectively continuing a Government-imposed ceiling price on the market.

Another provision would repeal the existing requirement for recoinage of all worn and uncurrent subsidiary silver coins received in the Treasury. This means that retired silver coins could be converted to bullion for sale to users in industry and the arts, thus augmenting the Treasury source of supply and prolonging the fixed price.

As your mining advisory council, we do not agree that this proposed legislation is the best solution, or in fact, any solution at all to either the silver or the coin shortage problems.

In the first place, it does nothing whatever to resolve the basic problem which is the deficiency in production. In fact, by preserving and prolonging the fixed price, it will in our opinion discourage exploration and prevent the development of lower grade ore deposits.

Secondly, we are convinced that any such resort to nickel-copper tokens as replacements for our present dimes and quarters will severely damage our Nation's prestige as an international monetary leader and may seriously shake, if not destroy, confidence in our money both at home and abroad. It is argued, of course, that other nations have discontinued the use of silver in coins and Great Britain is generally cited as a fine example. It should be remembered, however, that Great Britain's monetary structure is shaky and under heavy pressure, whereas some of the other European nations which have resumed the use of silver in coins, like West Germany, France, Japan, and Italy, have much more stable structures.

As for the coin shortage problem, it is our firm conviction that these base-metal coins will not circulate freely alongside the existing silver coins, as the proposal's sponsors contemplate. We feel sure that Gresham's law will still apply and that the good silver coins will simply cease to circulate. It is just plain human nature to put away a few of those high value silver coins for the children or grandchildren. Multiply that by a large majority of the population and those coins will disappear much faster than the nickel-copper substitutes can be produced. Instead of solving the coin shortage problem, this proposal will aggravate it greatly.

One of the strongest arguments advanced in support of this coin debasement bill is that silver production cannot be expected to increase faster than consumption in the arts and industries alone and therefore it is essential that coinage use be reduced to a bare minimum.

Again, we are inclined to disagree. No one, of course, can accurately forecast what new ore bodies will be found or how much new production will be taken from the earth under any given set of circumstances, but the history of this Nation and particularly the West is replete with examples of what can be accomplished in mineral production under our free enterprise economy with favorable price and profit incentives. The spectacular development of our uranium industry is a classic example.

We are confident that silver production could be augmented similarly if the proper incentives were provided.

We realize, of course, that the silver supply situation has, through poor judgment and lack of foresight, been permitted to deteriorate to the point where it is no longer possible to retain a coinage of high intrinsic value that has been our proud tradition.

Nevertheless we strongly believe that the international prestige and the economic welfare of this Nation demands that we retain a system of sound and valuable silver coinage.

This conviction is the basis for the silver resolution which your mining advisory council presented and which was approved by your resolutions committee in substance if not with all verbiage.

Mr. CANNON. Mr. President, will the Senator yield me 2 minutes?

Mr. MOSS. I yield 2 minutes to the Senator from Nevada.

Mr. CANNON. I commend the Senator from Utah on his amendment, of which I am happy to be a cosponor.

I also wish to associate myself with the facts which the Senator from Idaho has expressed so well, that we must have an additional incentive before we can have additional production of silver. I agree that this measure would aggravate the shortage which exists and would continue to exist.

I ask the Senator from Utah if it is not a fact that the action proposed to be taken today would force the price to increase for some time in the near future?

Mr. MOSS. Yes; the price of silver will rise, and must rise. The reason I have offered the amendment is that we can phase over the coinage of lesser silver content in a smooth manner and not displace the present coinage. In 2 or 3 years, at the most, there can be a complete change into a smaller silver content coinage, at which time the price of silver could continue to rise. It could double in price, and still not be equal to the intrinsic value in the coins.

Mr. CANNON. Is it not a fact that a rise in the price of silver also would increase production out of the ground and increase the volume of circulation of coins now being hoarded, and bring them back into circulation, putting silver into the Treasury's silver stocks, and tending to augment our supply of silver?

Mr. MOSS. As the price becomes higher, the metal becomes more valuable. In the past 2 years the price has gone up to $1.29, and that fact is going to bear fruit.

Mr. CANNON. We have heard discussion today about the effects on employees in the manufacturing business. Is it not a fact that the action that is being recommended will result in bringing more silver out of the ground and putting back into circulation coins now being hoarded, which would actually help the manufacturers, in the long run, and the employees in those industries would be helped by it?

Mr. MOSS. Yes. If the manufacture of silver products is to continue, there must be a silver supply. In order to have a silver supply, more silver must be produced. This amendment would have that result.

Mr. CANNON. So this is not an amendment which would result in putting people out of work. It would let them look forward to continuance in their particular jobs.

Mr. MOSS. That is correct—not only in mining but in fabricating.

Mr. CANNON. I thank the Senator. I am completely in favor of his amendment.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MOSS. I yield to the Senator.

Mr. DOMINICK. I shall support the Senator's amendment, but I thought perhaps I could make the point which I tried to make before, when I was speaking in opposition to the Pastore amendment. The principal problem is the pressure on the existing silver content in silver coins. If we should permit the price to go up, the present coins with high silver content would be either hoarded or melted down. Is that the picture we have before us?

Mr. MOSS. Yes.

Mr. DOMINICK. If we accept the Senator's amendment and put 40 percent of silver in all coins, we shall have reduced the likelihood of that in a substantial way; is that not correct?

Mr. MOSS. That is true, but the silver content would be such that it would not be profitable to melt down the coins.

Mr. DOMINICK. That is what I was about to ask the Senator. I was not in the Chamber for the Senator's full presentation. I did not know whether he had given the Senate a price level at which this problem might have come into existence. It is about twice the existing level, is it not?

Mr. MOSS. It is calculated at approximately $3.15 an ounce before it would become profitable to melt down 40 percent silver content coins.

Mr. DOMINICK. The Senator's proposal, therefore, would be to keep the coins with silver, retaining the prestige position we now have, so that there would be silver in all coins. This would still permit the price of silver to go up, in order to provide incentive for the additional production of silver and more quickly to equalize consumption and demand; is that not correct?

Mr. MOSS. The Senator is entirely correct.

Mr. DOMINICK. I compliment the Senator from Utah. There is a great deal of merit in his amendment.

I believe that the Senator from Utah [Mr. BENNETT] is probably in opposition to the amendment because of his position on the committee, but it would seem to me that what we are doing is to provide a method by which we can preserve our coinage with silver in it, which many people feel so deeply about, and still give us the opportunity to have a price rise, which is necessary to stimulate production.

I thank the Senator for yielding to me.

Mr. MOSS. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. MONDALE in the chair). Who yields time?

Mr. BENNETT. Mr. President, I am obviously not anxious to engage in debate with my junior colleague because he and I represent the same State. However, I recognize the interest of the people of my State in the present situation.

I should like to present certain figures which have been supplied by the Treasury Department to demonstrate why the proposal to keep 40 percent silver content in all subsidiary coins would likely create a crisis.

The present stocks of silver in the Treasury are approximately 983 million ounces.

Under the Treasury's changeover plan, it estimates that of that amount, 165 million ounces would be set aside for the stockpile. It will require approximately 150 million ounces for the remainder of 1965, in order to continue to mint the present coins. That would use up another 100 million ounces in 1966 and later, in the minting of present coins, until the Treasury is prepared to phase them out. This is 415 million ounces for the transition and the stockpile, and would leave a balance in the Treasury of 568 million ounces.

Turning to the proposal to fill this period out with coins of 40 percent silver content, the Treasury supplies us with these figures:

Stockpile, the same, 165 million ounces. For the balance of 1965 and the early part of 1966, minting of present coins, 210 million ounces.

The new coin schedule calls for minting 565 million pieces of new coins in 1965, and 8,494 million new pieces in 1966.

In other words, in 1966, the Treasury will go all out to flood the market with the new coins. If the new coins were made with 40 percent silver content for the remainder of 1965, that would require 44.1 million ounces of silver. In 1966, it would require 424.9 million ounces of silver to mint the 8,494 million coins.

When we add that to the silver required to phase out the present system and still leave 165 million ounces in the stockpile, we have a total of 844 million ounces, which would bring us to the end of 1966 with less than 150 million ounces of silver in the Treasury.

The 150 million ounces of silver would, of course, be drawn against by the users, who draw on the Treasury stocks which are needed to supply them at a rate which cannot be predicted. Therefore, on the basis of these figures, regardless of the desirability of a coinage system with 40 percent silver in it, we do not have the silver.

It might be said that out of black calcite, or out of mining, whether undiscovered or undeveloped, we will develop more silver; but that silver will not reach the Treasury for the minting of coins between now and December 1966—only 18 months away.

Consequently, I believe that this is one of the very real reasons why the Treasury Department feels that it is necessary to move now on the pattern it suggests, which would leave 40 percent of silver in the half dollar and remove all silver from coins of lower value.

Mr. President, I am just as anxious as any other western Senator to see the time come when the price ceiling held by the Treasury Department will be lifted. The price of silver will then begin to rise in the free market. But I do not wish to see that happen until after we have had time to make the changeover to the new coinage system work. If it should happen during that period, the predictions about the disappearance of our present supply of coins would come through dramatically. But so long as the ceiling is $1.29 an ounce, and it stays on until after the new coinage system is set, at least in the minds of the people of this country, we can safely begin to worry about taking it off.

This is one of the reasons why the Treasury proposal includes the idea for a commission which should observe the transition and which should have the opportunity to decide, when the day comes, that the Treasury can safely get down off the teeter-totter to which I referred earlier, and eliminate itself from the silver market and allow the silver market to reach its own level.

I believe, as the Senator from Rhode Island said, that the future of the silver producers of this country is rosy. It is almost a guaranteed future so far as the increase in the price of silver is concerned.

The question is, When will it come?

I believe that it must not be allowed to come so fast that it could create a crisis with our present coinage system.

Therefore, much as I, as a western Senator, representing a silver-producing State, dislike to take this kind of position, I hope that the proposal for a 40-percent silver content in the coinage will be rejected, as the Pastore proposal for no silver content in the coinage was rejected, and that we may proceed according to the plan laid out by the Treasury after at least a year and a half of study, both within the Treasury and through the facilities of a number of very effective research organizations.

Mr. President, I reserve the remainder of my time.

Mr. MAGNUSON. Mr. President, does the Senator from Utah [Mr. Moss] have any time to yield to me?

Mr. MOSS. I have approximately 6 minutes remaining. I am happy to yield 4 minutes to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized for 4 minutes.

Mr. MAGNUSON. Mr. President, I entered into discussion of the bill a great deal yesterday. What I have to say today would apply to the pending amendment, and I therefore do not wish to be repetitious.

It seems to me, as the debate continues on this subject, that the main proposition put forward in favor of the bill does not represent a correct premise. The main basis for the bill is that there is a silver shortage and that no more silver will be produced. I believe that is a false premise. We are talking about a silver shortage, according to the best estimate, of 50 million or 60 million ounces of silver. All the evidence of the silver producers and those who are engaged in silver mining—and that includes the smelting companies as well—shows that it is not true that no more silver would be produced and that the supply would remain static, and therefore we must take this drastic action on the coinage.

I refer now to the testimony on this subject by experts who have constantly told the Treasury Department during the past 10 or 12 years that its policy on silver was wrong, and that we would encounter the present situation. I refer to the hearings, and to the testimony of a very distinguished former resident of my State, who was a silver miner, as was his father before him, for many years. I refer to the statement of Mr. Robert M. Hardy, Jr., the chairman of the Silver Committee of the American Mining Congress.

I ask unanimous consent that his entire statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF ROBERT M. HARDY, JR., CHAIRMAN, SILVER COMMITTEE, AMERICAN MINING CONGRESS

Mr. HARDY. Mr. Chairman, Mr. Strauss is also appearing for the Mining Congress. May we appear together?

The CHAIRMAN. Yes.

Mr. STRAUSS. Thank you.

Mr. HARDY. Mr. Chairman and members of the committee, my name is Robert M. Hardy, Jr., and I reside in Santa Barbara, Calif. I am chairman of the silver committee of the American Mining Congress.

It is a privilege and a pleasure to appear before you today to discuss the legislation confronting you. I am grateful for the opportunity.

The American Mining Congress has brought to the attention of the executive branch of the Government and both Houses of Congress its views on the constitution of silver coins.

We feel very strongly that a coinage of intrinsic value is the coinage that will demand the respect not only of all people but of all nations and will best serve the purpose as a circulating medium. We have pointed out that the silver content must be reduced; the simple reason being that there is too much silver in the individual coins now being minted. We have considered the arguments advanced for the elimination of silver in the 25-cent piece and the 10-cent piece, and we do not find that they override our viewpoint. We feel that there is enough silver for retention of some in not only the 50-cent piece but in the 25-cent piece and in the 10-cent piece as well.

The main problem seems to be one of looking ahead to the supply of silver that will be available. I would like to point out that the present price of silver has existed since September of 1963 and that the short time since then has not really been long enough to properly assess the potential of the future.

We of the American Mining Congress have been studying this problem for some time and last fall released some of the results of our studies in that we would see by 1968 an increase of 38 million ounces in worldwide silver production, which I must say was a very conservative estimate and in no way optimistic. The figures were derived from projects either already underway or for which the capital had largely been committed, and was a first appraisal of a situation which changes continually and, I must say, on the upward side.

We see underway throughout the world at the present time not only the reopening of old mines, but the exploration for and the development of new properties which will, I am sure, increase that production potential remarkably over the 38 million ounces seen last fall.

After all, the production of a metal from the ground is not a procedure in which you plow, seed, fertilize, cultivate, and harvest. It is a process in which you must find the deposit and then force the earth to disgorge it. This is a project which takes time, toil, and effort and, I must say, a good deal of money.

I would like to call to your attention the story of uranium which, while not under discussion here today, illustrates so well what happens when one considers a metal that must be found and produced.

Back in 1949 we supposedly had very little uranium in this country, being dependent upon the Great Bear Lake deposit in Canada and mostly upon the Belgian Congo. Russia had just exploded her first atomic bomb and we were desperate.

After due deliberation a price of $3.50 per pound for uranium oxide was announced and the search commenced. By 1953 the development of the Colorado Plateau deposits was underway. Soon the extensions of the area into New Mexico and Wyoming were outlined, as were the Blind River, Ontario, and other Canadian projects.

Ten years from the announcement of the guaranteed price, we had more uranium in sight than we could use for the time being, whereas we had been woefully short in 1949.

Again, the point is that it takes time and effort to bring about the development of a mineral deposit so that it goes into production. It does not occur overnight, yet production does answer the call of price. Price in this instance does not mean that the producer is looking for a higher profit. It means that price must cover the cost of exploring for, developing and paying the cost of production so that the mineral may become ore and pass into trade and commerce.

Another example that I might point out to you has already been brought to your attention through the introduction into these hearings of the Treasury staff study of silver and coinage by the Secretary, Mr. Fowler, and I quote:

"Increases in copper and zinc production in the postwar period have far exceeded the expectations generally held in the early 1950's. It is interesting in this connection to compare the actual increases that have occurred with the projections for 1975 made by the Paley Commission in 1952."

The Treasury study goes on to show that by 1962 copper production had already exceeded the Paley Commission's estimate for 1975 by a wide margin, that world copper reserves are very large and that the Paley estimate for 1975 is quite unlikely to be accurate.

I might say the same is true of any Treasury estimates of the production of silver.

Another aspect which has received little attention is that of the newer techniques of exploration which are just beginning to be utilized. You have all heard of the Timmins discovery of Texas Gulf Sulphur. That was made by the diamond drilling of an anomaly initially outlined by airborne electro-magnetic-detection methods. There was no surface exposure, but the techniques pinpointed the deposit.

These geophysical techniques are strikingly effective, and we have many areas in this country alone which are susceptible to their employment. For instance, I have information concerning a deposit of over a billion tons located in the California desert which has been outlined by the newer techniques and is said to contain minable values in molybdenum and gold, with about one-half an ounce in silver per ton. If this is brought into production on a large scale, the U.S. production of silver will be enhanced remarkably.

In summation, there is silver to be had, enough to satisfy the needs for coinage and for industry. However, it must be wrested from the earth by toil and effort, and will not spring forth readily in answer to a cry of panic.

On the other hand, that cry of panic will not stop it from coming forth in answer to a need.

Thank you very much, sir.

Mr. MAGNUSON. I point out that Mr. Hardy said:

We feel very strongly that a coinage of intrinsic value is the coinage that will demand the respect not only of all people but of all nations and will best serve the purpose as a circulating medium. We have pointed out that the silver content must be reduced; the simple reason being that there is too much silver in the individual coins now being minted.

That is what we are suggesting.

We have considered the arguments advanced for the elimination of silver in the 25-cent piece and the 10-cent piece, and we do not find that they override our viewpoint. We feel that there is enough silver for retention of some in not only the 50-cent piece but in the 25-cent piece and in the 10-cent piece as well.

The main problem seems to be one of looking ahead to the supply of silver that will be available. I would like to point out that the present price of silver has existed since September of 1963 and that the short time since then has not really been long enough to properly assess the potential of the future.

We of the American Mining Congress have been studying this problem for some time and last fall released some of the results of our studies in that we would see by 1968 an increase of 38 million ounces in worldwide silver production, which I must say was a very conservative estimate and in no way optimistic. The figures were derived from projects either already underway or for which the capital had largely been committed, and was a first appraisal of a situation which changes continually and, I must say, on the upward side.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MOSS. I yield 1 more minute to the Senator from Washington.

Mr. MAGNUSON. Mr. Hardy goes on to say:

We see underway throughout the world at the present time not only the reopening of old mines, but the exploration for and the development of new properties which will, I am sure, increase that production potential remarkably over the 38 million ounces seen last fall.

He goes on to point to new methods in mining. He is a well known expert in this field, and there is no question in his mind that we shall have enough silver to take care of the amount suggested by the amendment.

Mr. President, Mr. Simon D. Strauss, vice president of the American Smelting & Refining Co., and a member of the Silver Committee of the American Mining Congress, said the same thing. I ask unanimous consent that his statement before the committee be printed in the Record at this point in my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Simon D. Strauss, Vice President, American Smelting & Refining Co., and Member of the Silver Committee, American Mining Congress

Mr. Strauss. Mr. Chairman and members of the committee, my name is Simon D. Strauss. I am a vice president of the American Smelting & Refining Co., a large miner and refiner of silver. I am also a member of the Silver Committee of the American Mining Congress.

In his autobiography, Winston Churchill described how, having led the British to victory in World War II, he was promptly discharged from office by the electorate at the war's end. The members of this committee will pardon me if I feel there is a strong analogy here to the attitude held by some regarding the use of silver in coinage.

After 173 years in which silver has been the backbone of our coinage system, they now suggest that all silver should immediately be dropped from the coinage in the future. The silver producers agree that maintenance of the present silver content of the coinage is no longer practicable. In fact, silver producers were warning of potential trouble at a time when others saw no need to discontinue Treasury Department silver sales at a price of 91 cents an ounce as recently as 3½ years ago.

But to us it seems possible that there can be a middle ground between a coinage based on a 90-percent silver content in subsidiary coinage and one containing no silver at all.

We believe it is important to maintain coinage of intrinsic value because we know of no instance in which a coinage without such value has kept its purchasing power over a considerable period of time. The history of the world is replete with examples of currency systems based exclusively on token coinage and paper money and, in every case, they have eventually come a cropper.

General de Gaulle may not be the most admired world figure in Washington currently, but all must agree that under his rule the French have restored confidence in their currency. How did he do it? Shortly after he came to power the franc was quoted at 500 to the dollar; before the war it had been 20 to the dollar; and earlier it had been 5 to the dollar.

First he exchanged 1 new franc for 100 old ones and the new franc was minted in pure nickel. Then he caused the issuance of a silver coin, the 5-franc piece, worth $1 at current rates of exchange but with a silver content worth about 40 cents at today's prices.

COINAGE ACT OF 1965

There was no compulsion on the French to revert to silver coinage, if silver coinage served no useful purpose; they had already abandoned it. If base-metal coinage would serve as well, there was much more profit for the French Government in minting nickel coins rather than silver ones. But they liked the 5-franc coin so well that now they are minting 10-franc coins also. The French public sees in the silver content of these coins a promise that their currency system will not again be allowed to collapse.

The Japanese, the Italians, and the Germans also saw the value of their currencies depreciate in World War II. They, like the French, also have made the painful climb back to economic strength and stability. And they, like the French, also are minting silver coins as a pledge to their people that they can have confidence in their newly stabilized currencies.

Certainly the Congress can decide what coins are legal tender and the majesty of the law will decide that such coinage shall be fully acceptable in the discharge of all debts. But it is the man in the street in the long run that determines the purchasing power of that currency through the confidence he has in it. You cannot legislate confidence; but the precious metals, which mankind has cherished since the beginning of recorded time, can help to maintain it.

The Treasury Department, in the legislation you are considering, recommends retention of 40-percent silver content in the 50-cent coin. The future of the $1 coin, it suggests, should be left to the proposed Joint Commission on the Coinage after the end of the transition period in which the new subsidiary coins go into circulation.

This strikes us as the minimum program that should be adopted in regard to silver. Just as we called attention to the deficit in silver supplies, when others considered the supplies ample, so now we would like to go on record that many of the fears regarding silver supplies are exaggerated.

For example, in the study made by the Treasury with regard to silver supplies and demand, we find that no allowance has been made at all for the substantial and growing recovery of silver from scrap. The figures contained in the report contrast total demand—industrial and coinage—with new mine production. But part of total demand is met through salvage. The extent of such recovery is unfortunately not easy to ascertain.

Handy and Harman in its 1964 report mentions 20 million ounces recovered from demonetized coin outside the United States and puts salvaged scrap, worldwide, at 11,400,000 ounces. Frankly, this latter figure seems too low. In any case, active work is now underway to increase scrap recovery, particularly from photographic film, and substantially larger yields from scrap can be expected in the future. Silver is an enduring metal as are copper, lead, and steel. With these elements we know that scrap recovery is a major factor in supply; so too is it with silver.

The Treasury has placed the 1964 deficit in silver supplies at 335 million ounces before allowing for scrap recovery. Two other major factors contributed to inflation of this deficit figure. One was the accumulation of inventories by speculators and consumers, estimated by Handy and Harman in its annual bullion review at 70 million ounces. It is interesting that in the 4 trading days since the Treasury plan was announced, the futures market for silver has dropped sharply as some of the speculators have decided to unload their positions. The second distortion arose from the accelerated Treasury minting program.

In an effort to meet the coin shortage the Treasury minted coins containing 203 million ounces of silver in calendar year 1964, as against an average rate of about 50 million ounces during the decade of the fifties. Greater population and higher economic activity would have caused a greater rate of coin output in any case—but certainly not a quadrupling of the rate. An important factor was the Kennedy half dollar, which alone accounted for one-third of the silver used. This beautiful coin did not stay in circulation—to a great extent because of a sentimental desire by people all over the world—not just in the United States—to have a memento of our late President.

In our view, on a realistic basis, the current gap between demand and supply is more probably in the order of 150 to 180 million ounces annually. And this estimate includes minting of 900-fineness clad coin in the 10-, 25-, and 50-cent denominations would require about 50 to 60 million ounces annually after the transition period has ended. On this basis the drain on our stocks would thus be reduced by one-third.

In calculating available silver stocks one must also take into account not only the billion ounces the Treasury holds but the 1,900 million ounces now circulating in coinage. How much of this the Treasury will recover is perhaps debatable, but no one should make the mistake of assuming that this huge stock has forever disappeared from the marketplace. In one form or another most of it will eventually find its way back and will be available either for the minting of new coins or for the satisfaction of industrial requirements.

After all these calculations, however, there still remains a gap to be bridged and you naturally ask what can be done about increasing new mine supply. Mr. Hardy has dealt in detail with this problem, but let me express my conviction that a major increase in silver output can be expected. Production has been static in recent years because, until recently, economic incentives to develop new production have been lacking. The price of silver has risen in the last 3 years, but it takes more time than that to develop new mine sources.

Today more exploration and development work is underway on silver projects than at any time in the last 30 years. A substantial number of specific projects are definitely scheduled for production. Others have not yet matured to the point where one can assess their possibilities, but some of these will surely reach fruition. It is relevant to point out that U.S. mine production of silver was 17 percent higher in the first quarter of 1965, according to the Bureau of Mines, than in the same period of last year.

The legislation before you contemplates the fixing of a minimum price of $1.25 an ounce for domestically mined silver. This floor was not sought by the mining industry; we do not attach any great importance to it. Past experience has taught us that, if we accept floors, we may also expect ceilings. So far as we are concerned, we would be just as happy without it.

We share with the Secretary of the Treasury his grave reservations about a system of elaborate controls on exports, hoarding, et cetera. We recognize and sympathize with the motives that prompt legislators to outlaw speculation and accumulation of silver at this crucial time with respect to coinage.

However, silver is a very valuable commodity and controls that will be observed by honest people are an open invitation to the racketeer and the criminal. A two-price system in silver, with higher prices abroad, would invite reverse smuggling across the borders.

Considering the large numbers of our citizens who work in Mexico and Canada, and Mexicans and Canadians who work in the United States and cross the borders daily, policing the regulations would be a herculean task. They would involve invasion of personal privacy to a degree that might be intolerable to many.

Gentlemen, we fully recognize the gravity of the situation but we do not believe it justifies swinging to the extreme of completely eliminating silver from coinage. We feel that the Treasury program for continuing silver in the half dollar is a minimum step and that actually a greater use of silver could be contemplated with reasonable safety.

The CHAIRMAN. Thank you very much.

Mr. MAGNUSON. They all pooh-pooh the idea, which is the basic idea of the Treasury, that no more silver will be mined, and that there is no future for it. This is wrong. The coinage of the 25- and 10-cent pieces will be more than adequately taken care of by an increase in silver mining.

Mr. BENNETT. Mr. President, I yield myself 2 minutes to make the point that Messrs. Strauss and Hardy appeared at the hearings as witnesses, and neither of them opposed the administration's bill. They expressed some disappointment that it was not possible to keep more silver, but they did not insist that the administration bill was a mistake.

Mr. MAGNUSON. They did not oppose it, but they said that we should go further and have more silver in the 25- and 10-cent pieces. If the Senator will yield me some time, I shall read the statements.

Mr. BENNETT. I am glad to yield time to the Senator.

Mr. MAGNUSON. Mr. Strauss testified:

> In our view, on a realistic basis, the current gap between demand and supply is more probably in the order of 150 to 180 million ounces annually. And this estimate includes minting of 900-fineness clad coin in the 10-, 25-, and 50-cent denominations would require about 50 to 60 million ounces annually after the transition period has ended. On this basis the drain on our stocks would thus be reduced by one-third.

Mr. Hardy stated that their studies showed that, "we would see by 1968 an increase of 38 million ounces in worldwide silver production, which I must say was a very conservative estimate and in no way optimistic."

I have put both statements in the RECORD, and they speak for themselves.

Mr. BENNETT. How does the time stand?

The PRESIDING OFFICER. The proponents have 3 minutes remaining, and the opponents have 49 minutes remaining.

Mr. MOSS. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. BENNETT. Mr. President, does any Senator wish to speak in opposition to the amendment? If not, I am prepared to yield back the remainder of my time.

Mr. DOMINICK. Mr. President, will the Senator yield me 1 minute?

Mr. BENNETT. I am glad to yield the Senator 1 minute, or two or three times that much, if he wishes.

Mr. DOMINICK. I appreciate the Senator's courtesy. I ask unanimous consent to have printed in the RECORD an article entitled, "Status of Silver Production," written by Robert M. Hardy, Jr., president of the Sunshine Mining Co., published in January 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATUS OF SILVER PRODUCTION[1]

(By Robert M. Hardy, Jr., president, Sunshine Mining Co.)

(NOTE.—Expected increases in production throughout the free world will make a significant contribution to meeting expanding industrial and monetary uses of silver.)

World production of silver since the end of World War II has been stable at slightly more than 200 million ounces a year. This is a figure representing output of newly mined silver outside the Communist world. It is, of course, recognized that there is production of silver in Soviet bloc countries, but data is sketchy and for all practical purposes their production cannot be considered available to the free world.

Prior to 1961 China sold a fair amount of silver in European markets. The general impression was that this metal had been recovered from accumulated hoards, rather than from new production. In any case, the sales ceased in November 1961. About 10 years ago the Russians sold a little silver in Western Europe but have since dropped out of the market and there are no reports of any offerings for many years. Thus, trade between the West and the East in silver is negligible at present and presumably this situation will continue.

PRODUCTION HAS BEEN STEADY IN RECENT YEARS

There are not yet available valid figures on newly mined production of silver in 1964, but for the three previous years output was 207,077,000 ounces in 1961, 209,439,000 ounces in 1962, and 215,985,000 ounces in 1963—with part of the 1963 production based on estimates that are still subject to revision.

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[1] Presented at Northwest Mining Association, Dec. 4, 1964.

These figures are about the same as those that prevailed throughout the 1950's. In many quarters it is assumed that no major change in new silver mine production is likely. How valid is this assumption?

In the decade from 1952 through November 1961, the market price of silver moved in a range from a low 82.75 cents to a high of 92 cents an ounce. When the U.S. Treasury suspended sales of free silver in November 1961, the market began to advance. In 1962 the price moved up to $1.08 an ounce on the average and in 1963 it reached $1.279 an ounce. Throughout 1964 the price held at the statutory monetary value of silver—$1.293 an ounce.

Because of the time it takes to develop new sources of mine production, the higher prices now in effect have as yet had no significant influence on the level of silver mine production. There has, however, been a substantial increase in exploration and development work looking towards the opening up of new silver resources.

EXPANSION OF 18 PERCENT IS PREDICTED

Looking ahead for a few years, it appears that the level of free world mine production of silver will show a significant change. A survey of projects now definitely underway, for which the capital has largely been committed, indicates a prospective increase of more than 38 million ounces in the annual rate of production by the end of 1968. The greater part of this increase of 18 percent will come from projects in which silver is recovered in association with other metals. In other words, almost all these projects also involve an expansion in production of copper, lead and zinc. Nevertheless, in several instances, the decision to go ahead with a specific project has been influenced by the good outlook for silver prices. If one were to conclude that production from silver ores would maintain its relationship of one-third and that two-thirds of silver production would continue to come from copper, lead and zinc ores, then there could be visualized a total increase of 54 million ounces by 1968. However, there are no figures at this time to support that viewpoint.

Obviously the estimate of prospective new production is subject to confirmation of both tonnages of ore to be mined and the amount of silver to be recovered per ton. However, the figures are believed, on the whole, to be conservative and no estimate has been made of additional production to come from expansion of projects other than those specifically listed—with the exception of Mexico.

Mexico has been for many years the largest producer of silver in the free world or, for that matter, the entire world since it is doubted that any one of the Soviet countries has an aggregate output equal to the Mexican production of between 40 and 45 million ounces a year.

There is considerable activity in exploration in the old silver mining camps which abound in Mexico, but we know of no specific major projects that will involve substantial new production at this time. The high rate of taxation imposed on mining in Mexico and the restrictions on foreign mining investors have discouraged the flow of capital from outside the country. Otherwise one might have looked for a real boom in Mexican silver production.

MEXICO MAY BE REPLACED AS NO. 1 PRODUCER

Nevertheless, it seems reasonable to assume that high prices will bring about a modest expansion in Mexican silver production—the figure used is 2 million ounces—a smaller increase than for any of the other major silver producing areas. In fact, expansion of production in Canada, the United States and Peru may well result in one or more of these surpassing Mexico as the largest silver producing country.

Estimate of new free world silver production expected in the next 4 years

LOCATION	Thousands of ounces of silver
United States:	
Mineral Park	168
Battle Mountain	432
East Tintic	2,500
Bingham Canyon	750
Flat Head	1,000
Wah Chang	300
Blue Hill	117
Missouri Lead Belt	500
Twin Buttes	1,500
Silver Summit	1,000
Total	8,267
Mexico	2,000
Other America: El Monchito	1,000
Total	1,000
Peru:	
Cerro	1,500
Machicala	500
Kiowa	200
Arcata	350
Quiruvilca	250
Total	2,800
Europe:	
Consolidated Mogul	550
Northgate	1,100
Largentiere	1,500
Total	3,150
Australia:	
Cobar	500
Mount Isa	5,800
Total	6,300
Southeast Asia:	
Marinduque	1,500
Te Aroha	70
Total	1,570
Canada:	
Texas Gulf Sulphur	7,750
Granduc	750
Brunswick	2,500
Western Copper	570
Lake Dufault	1,500
Mount Washington	200
Total	13,270

In the United States there are 10 specific projects involving a potential expansion of silver production by 8,250,000 ounces annually within the next 4 years. Of these, the largest such source is probably the East Tintic project of Kennecott Copper in Utah. A tonnage of high-grade lead-silver ore has been opened up in this old area and production at a rate of 2,500,000 ounces of silver annually is anticipated. Kennecott's expected expansion of copper production at Bingham Canyon may add another 750,000 ounces a year to silver production there.

Anaconda has two projects underway that will add to silver production—one being its work in the Twin Buttes area in Arizona, where it has an option from Banner Mining. The second is the reopening of the Flat Head mine in Montana. A combined total of 2,500,000 ounces annually is expected from these projects.

In Idaho, Hecla Mining expects increased production from the Silver Summit project of at least 1 million ounces a year. This is one example of an increase expected from silver ore.

Development of newly discovered lead deposits in south central Missouri is, of course, primarily a lead proposition. The silver byproduct is small, but given the scale of operations planned for this new lead field, it is estimated that about 500,000 ounces will be recovered annually.

Other sources of silver include byproduct metal from the Mineral Park and Battle Mountain copper projects of Duval Corp. in Arizona and Nevada respectively.

Maine will become a small producer of silver when the Blue Hill copper-zinc mine begins production in 1967. A further source of silver may be recovery of the metal as a byproduct in the operation of the Texas City smelter in Texas. Most of this metal will come from mines outside the United States.

GREAT INCREASE SEEN IN CANADIAN OUTPUT

Canada is expected to show the greatest increase in silver production of any country, the estimate being an addition of over 13 million ounces a year. Texas Gulf Sulphur plans to mine 2 million tons of ore annually at Timmins, Ontario, and since a silver content of about 4 ounces a ton is indicated, this mine alone should contribute almost 8 million ounces annually. In addition, there are reports that initial production by Texas Gulf may be increased by as much as 50 percent, in which case this mine alone might add 11 million to 12 million ounces a year. Although originally referred to as a copper deposit, the silver and zinc content of the Texas Gulf ore are of equal or greater importance in value than the copper content.

A second major new source of silver from Canada is the Brunswick mine in New Brunswick. This began production this year and is gradually working up to its rated capacity. Recovery of the silver from the Brunswick lead and zinc concentrates is now estimated at 2,500,000 ounces a year based on milling of 4,500 tons per day of ore. Should this milling rate be increased, there would be a corresponding gain in the silver output.

NEW MINES WILL ADD TO TONNAGES

In Quebec, the Lake Dufault mine is just getting into production; the best available estimate is that its copper and zinc concentrates will yield 1,500,000 ounces annually.

Another major Canadian project is the Granduc copper mine in British Columbia, expected to begin production in 1968. Based on the present expected analysis of the concentrates, this mine will produce about 750,000 ounces a year. Smaller amounts of silver will come from two other new copper mines, both in British Columbia—Western Copper Mines, Ltd., and Mount Washington. On the other hand, a new producer in the Northwest Territory—Pine Point—will mine large quantities of lead and zinc that have no associated silver.

Silver production

[Thousands of ounces]

Area	1961	1962	1963	Additional by 1968	Total 1968
United States	34,900	36,345	35,500	8,250	43,750
Mexico	40,341	41,249	42,760	2,000	44,760
Canada	31,168	30,669	29,840	13,270	43,110
Peru	33,581	32,931	36,913	2,800	39,713
Other America	12,425	10,772	[1]12,479	1,000	13,479
Australia	14,300	17,250	18,900	6,300	25,200
Asia	15,444	18,028	[1]18,612	1,570	20,182
Africa	9,817	6,997	[1]6,404		6,404
Europe	15,101	15,198	[1]14,577	3,150	17,727
Total	207,077	209,439	215,985	38,340	254,325

[1] Estimated.

In arriving at the Canadian estimates, no provision has been made for an increase of production from two areas that are now major sources of silver for Canada. These are the rich silver-cobalt ores from Cobalt, Ontario, and the equally rich silver-lead ores in the Yukon Territory. A great deal of work is being done in both these areas on new deposits and it is conceivable that additional production may be developed in either or both of them.

If the figures cited above for the United States and Canada are accurate, then the production of both these countries will approximate that of Mexico.

PERU WILL EXPAND PRODUCTION

Only a step behind will be Peru. In 1963, Peru was the second largest source of silver in the world with an output of almost 37 million ounces. Expansion planned by Cerro de Pasco should add at least 1,500,000 ounces a year to its own mine production of silver within the next 4 years. There are four smaller projects which in the aggregate are expected to contribute about 1,300,000 ounces annually. Thus Peru's production by 1968 should be at least close to 40 million ounces.

Elsewhere in the Western Hemisphere the only major expansion in silver production now listed is in Central America where New York & Honduras Rosario has long been a major source from its mines in Honduras. Expansion at this company's El Mochito mine may add about 1 million ounces annually by 1968.

No gains are counted on from other countries, such as Bolivia, Chile, and Argentina. If the Mathilda zinc mine in Bolivia should be equipped for large-scale production by Japanese interests, it would add to silver supplies.

AUSTRALIAN PRODUCTION WILL GO UP

In the Eastern Hemisphere the largest producer of silver is Australia, with an output in 1963 of 18,900,000 ounces. Mount Isa is the largest present producer. At this copper-lead-zinc operation work is underway for a doubling of lead production. This would result in a corresponding increase in silver output—about 5,800,000 ounces annually. A second source of additional silver in Australia will be the Cobar copper project in New South Wales, which will have an estimated byproduct silver output of 500,000 ounces annually. Production should begin in 1966.

Some increased production is also expected from the Philippines. A major new copper project there—Marinduque—will yield about 1,500,000 ounces annually.

There also will be a small yield of silver from a new mine in New Zealand—Te Aroha.

A country that is currently experiencing a revival of mining activity is Ireland. Two lead-zinc projects in that country will both recover significant amounts of silver. The Silvermine property of Consolidated Mogul is expected to begin production in 1966 and is expected to produce about 550,000 ounces of silver annually. Next year a somewhat larger project of Northgate Exploration will begin operations and should obtain 1,100,000 ounces of silver annually as a by product of lead and zinc concentrates.

A third new source of silver in Europe is the Largentiere mine in France which is just starting up now. This is a small but high grade lead-silver deposit with an estimated silver content of about 20 ounces of silver per ton. Annual silver production is calculated at 1,500,000 ounces.

Africa is the smallest producer of silver of any of the continents and no estimate has been made of any change in the African production of this metal, even though it seems probable that there will be some further expansion of African copper production.

NEW DEPOSITS BEING SOUGHT

As can be seen from a consideration of these projects, the bulk of new silver production is coming in association with copper, lead, and zinc ores. Nevertheless, large amounts of money are being spent now in exploration of deposits that are valuable chiefly for their silver content.

For instance, in the Coeur d'Alene area of Idaho, American Smelting & Refining Co. has committed itself to expenditures of about $3 million in exploration on the Rainbow project. Sunshine Mining Co. is actively engaged in exploration and development of properties in British Columbia, southern Idaho, Nevada, and Mexico, hoping to bring them into production.

These are cited simply as examples; there are many such undertakings underway in various parts of the world. Not all of them will be successful but it seems reasonable to expect that some at least will find profitable deposits that can be exploited.

Meanwhile the projects already enumerated indicate an increase in production, over the 1963 rate, of 18 percent within 4 years' time. This is a significant contribution to meeting the expanding industrial and monetary uses of silver.

Mr. DOMINICK. Mr. President, in this article Mr. Hardy points out clearly what the prospective increase in the silver production will be. This is supported by a release issued by the Secretary of the Interior, which was issued on January 7, 1965, in which he points to the increase in exploration and development of silver mines in Nevada, New Mexico, Idaho, and Montana.

For the benefit of my colleagues in the Senate, I may say that there has been greatly increased activity in the mine fields in Colorado, with particular reference to exploration for silver.

I have no doubt whatever that by virtue of this fact we shall eventually get back to our previous status as one of the major silver producing States in the country.

I believe we shall do this even more rapidly if we can do something about insuring that silver not only will continue for industrial use, but will also be retained in our coins. We have both users and producers in the State of Colorado.

It seems important to me that we recognize that not only do we need a supply of silver for industrial purposes but that we must also do something about stimulating the mining process, so that we can increase the production in order to be able to supply the silver. One of the ways in which we can do it is by insisting that we retain silver to a lesser degree in coins but retain it for prestige purposes.

Mr. MOSS. Mr. President, I am prepared to yield back the remainder of my time.

Mr. BENNETT. Mr. President, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment (No. 286) of the Senator from Utah [Mr. MOSS]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote, I have a pair with the distinguished Senator from Arkansas [Mr. MCCLELLAN]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from North Carolina [Mr. ERVIN] and the Senator from Arkansas [Mr. FULBRIGHT] are absent because of deaths in their respective families.

I further announce that the Senator from Virginia [Mr. BYRD] is necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK] and the Senator from Arkansas [Mr. FULBRIGHT] would each vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Georgia [Mr. RUSSELL].

If present and voting, the Senator from Virginia would vote "nay" and the Senator from Georgia would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from California [Mr. KUCHEL] is necessarily absent.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from California [Mr. KUCHEL]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from California would vote "nay."

The result was announced—yeas 34, nays 57, as follows:

[No. 149 Leg.]

YEAS—34

Anderson
Bartlett
Bass
Bible
Burdick
Cannon
Church
Dominick
Douglas
Eastland
Fannin
Gruening
Hartke
Hayden
Hill
Inouye
Jackson
Jordan, Idaho
Magnuson
McGee
McGovern
Metcalf
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Neuberger
Pearson
Simpson
Stennis
Yarborough
Young, N. Dak.

NAYS—57

Aiken
Bayh
Bennett
Boggs
Brewster
Byrd, W. Va.
Carlson
Case
Cooper
Cotton
Curtis
Dirksen
Dodd
Ellender
Fong
Gore
Harris
Hart
Hickenlooper
Holland
Hruska
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
McCarthy
McIntyre
McNamara
Miller
Mondale
Morton
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Scott
Smathers
Smith
Sparkman
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Young, Ohio

NOT VOTING—9

Allott
Byrd, Va.
Clark
Ervin
Fulbright
Kuchel
Mansfield
McClellan
Russell, Ga.

So Mr. Moss' amendment (No. 286) was rejected.

Mr. ROBERTSON. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMINICK. Mr. President, I send to the desk an amendment which is, in mimeographed form, on the desks of Senators, and ask unanimous consent that the names of the distinguished Senator from Montana [Mr. MANSFIELD] and the distinguished Senator from South Dakota [Mr. MCGOVERN] be added as cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the amendment.

The legislative clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment was ordered to be printed in the RECORD, as follows:

Amendment to be offered by Senator DOMINICK (for himself, Mr. ALLOTT, Mr. BARTLETT, Mr. BENNETT, Mr. BIBLE, Mr. BURDICK, Mr. CHURCH, Mr. CANNON, Mr. FANNIN, Mr. HAYDEN, Mr. INOUYE, Mr. JACKSON, Mr. JORDAN of Idaho, Mr. KUCHEL, Mr. MAGNUSON, Mr. MCGEE, Mr. METCALF, Mr. MONTOYA, Mr. MOSS, Mr. MURPHY, Mrs. NEUBERGER, Mr. SIMPSON, and Mr. YOUNG of North Dakota, Mr. MANSFIELD, and Mr. MCGOVERN).

On page 15, strike out lines 9 through 16 and insert in lieu thereof the following:

"SEC. 209. Section 2 of the Act of June 4, 1963 (Public Law 88–36; 31 U.S.C. 405a–1), is amended by striking out the second sentence and inserting in lieu thereof the following: " 'The Secretary of the Treasury shall also maintain the ownership and the possession or control within the United States of not less than 165,000,000 ounces of silver as a reserve for national defense purposes. Silver held as a reserve for national defense purposes shall be available only to meet military and other defense requirements in accordance with such terms and conditions as the Secretary, with the approval of the President, shall by regulation prescribe. The Secretary of the Treasury is authorized to use for coinage, or to sell on such terms and conditions as he may deem appropriate, at a price not less than the monetary value of $1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates and as a reserve for national defense purposes.' "

Mr. DOMINICK. Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, there are some 24 sponsors of the amendment. The amendment is simple. It does not pertain to the amount of silver in coinage.

The amendment merely provides that we shall place in the bill a provision which would implement what the Office of Emergency Planning has already recommended as its objective—that we provide for specifically setting aside, out of our Treasury supply of silver, 165 million ounces of silver for defense purposes. Some 2 weeks ago, the Office of Emergency Planning recommended this as their objective. They said that they wanted to do it.

The wording of the bill, plus a letter from the Secretary of the Treasury to the Office of Emergency Planning, indicated that they recognize the objective. The Secretary of the Treasury has said that under the proposed bill of the administration, plus his own feelings apparently, he would not really set this amount aside, but would keep the amount of silver available.

I am talking about silver for defense purposes. I believe that this might be rather important before we are through. I am talking about silver for Polaris missiles. I am talking about silver for electrical conduits. I am talking about silver to put in the rocket cones of missiles. I am talking about silver and the brazing alloys used in our defense instruments. I am talking about silver which we use so heavily in photography in our defense industries.

I am attempting to make sure that the Senate in the conduct of its responsibility for the country as a whole does not merely say, "We will take the national reserve of silver and let it go for redemption of silver certificates, for industrial uses, and for coins." I fear that we would then wake up in the event of a national emergency and find that no silver remained for defense purposes.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. PASTORE. Mr. President, would making this provision mandatory set a precedent? Copper is essential, too. However, in the case of copper, there is a stockpile and it is discretionary with the President, as Commander in Chief, to do exactly what this amendment proposes to do. However, this amendment would be mandatory. There could be some other reason for releasing this from the stockpile which might be paramount if it were not then needed by the Defense Department. The amendment of the Senator would make this procedure compulsory.

Mr. DOMINICK. The amendment would require that the Secretary of the Treasury set this amount aside so that it would not be used except for defense purposes.

Mr. PASTORE. Whether it is needed or not.

Mr. DOMINICK. Mr. President, at the present time the defense industries are using between 27 and 30 million ounces of silver each year. The Office of Emergency Planning has already recommended that we include this as its objective.

The Secretary of the Treasury has said he would use his own discretion.

It seems to me obvious that all we need to do is to put this provision in. The Secretary of the Treasury would then be instructed by Congress that no less than 165 million ounces of silver would be reserved so that it could be used for defense purposes which are vital to the country.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. COTTON. I am compelled to ask the Senator whether he believes that silver is more valuable when used for defense purposes or in the half dollar?

Mr. DOMINICK. Mr. President, all I can say to that is that, according to all the evidence, we have 15 million ounces of silver to use in the half dollar. It seems to me important to keep the half dollar as a prestige piece. The President also thinks so. That is the reason why he recommended it. That is the reason why we retained the provision in the bill.

Mr. COTTON. Mr. President, if silver is so vital for defense purposes, why should we waste silver purely for a symbolic purpose in the half dollar? I do not see the consistency of putting silver in the half dollar and then crying out for its need for defense purposes.

Mr. DOMINICK. Mr. President, the Senator from New Hampshire made his position known on the previous amendment, in which he was defeated by a 2-to-1 majority. I have deep respect for the Senator, and always have had.

Mr. COTTON. I greatly respect the Senator from Colorado, but I must disagree with him on this amendment.

Mr. DOMINICK. Mr. President, I hope I shall not be defeated on this amendment. The Senator from Rhode Island said yesterday, and I am sure that the Senator from New Hampshire was on the floor at the time, that there was no known substitute for silver in many industrial uses. To the extent that a supply of silver is now available in the Treasury, it seems to me that we, in the exercise of our own responsibility, should set aside at least this amount of silver for defense purposes.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. TOWER. Does the Senator believe that it is not possible for us to anticipate what our future needs may be and that, therefore, it would be a wise idea to provide for a stockpile so that in the event of an emergency situation which we cannot foresee now, the silver would be available to us?

I believe that the Senator has made it clear that silver is a vital ingredient in many of our weapons systems and that there is no substitute for silver. Would we not be wise to stockpile silver now and have it available in the event a need arose?

Mr. DOMINICK. Mr. President, I very much appreciate the comment of the Senator. The Senator is correct.

I seems to me self-evident that, while we have a stockpile, the stockpile will be depleted at its present rapid rate of use. The Senator from Utah said that to maintain the existing coinage until we can transfer to the new coinage would require about 300 to 400 million ounces of the silver that we have in supply. In addition, we must maintain enough to redeem silver certificates which are still in circulation, and unless we have a reserve for defense purposes at this point, we will wake up about a year and a half from now and discover that we do not have any silver for use in defense. We would then be obliged to go out in the market and obtain it at greatly increased prices, or not have any silver at all.

This provision makes sense to me. We should go ahead and provide at least the amount that the Office of Emergency Planning in this administration has already recommended.

This is all I am trying to do, to put it in terms laid down in the provisions of the bill. This is not a new idea of mine in connection with the bill. A couple of months ago I introduced a bill which had as its purpose the setting aside of a much larger amount, 500 million ounces of silver. The distinguished chairman of the Banking and Currency Committee, the Senator from Virginia [Mr. ROBERTSON] received reports from the various agencies as to what they thought about the bill. Almost everyone of them said, "We do not wish to commit ourselves, because we have not come up with a silver program proposed by the administration." The Defense Department said, "There is no doubt that we need silver for defense purposes, but inasmuch as we do not have provision now as to what we are going to do with respect to our coinage, it would not be fitting for us to say at this time." So there was an adverse report.

After a colloquy on the floor, participated in by the majority leader, the Senator from Nevada, and several other Senators, a week or two ago, that afternoon the Office of Emergency Planning wanted to set aside a reserve. Why is that not enough? I call attention to the following statement in a letter dated June 18, 1965, from the Secretary of the Treasury to Governor Ellington, head of the Office of Emergency Planning. It appears on page 14587 of yesterday's RECORD:

> Confirming staff discussions held by the Office of Emergency Planning and the Treasury Department, the Treasury Department is prepared to reserve 165 million fine troy ounces of silver to meet the silver stockpile objective that has been established by the Office of Emergency Planning. The Department would hold this amount of silver aside for that purpose unless—

And this is the key—

> its use were to become necessary for critical national needs during the next 3 years of transition to new coinage materials including, without limitation, the exchange for silver certificates or outright sale of the silver where necessary to maintain the price of silver at $1.29-plus per ounce. Such use during that period would be made only after consultation with the Office of Emergency Planning.

So what the Secretary of the Treasury is saying in the letter is, "Surely we recognize that we want this, or this is an objective, but if we find it is needed for coinage or redemption of silver certificates or for an outright sale to the users, we will go ahead and sell it in spite of the national objective."

It does not seem right to me to sit here in the Senate, dealing as we do day by day with national defense necessities of the country, and see the Treasury let it go when we need it urgently for the defense of our country.

Mr. PASTORE. Mr. President, will the Senator yield me 5 minutes?

Mr. ROBERTSON. I yield 5 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I say advisedly that the purpose of the amendment is not defense, because we have power under existing law to set aside any amount of silver we need for defense purposes. A short while ago, because of the scarcity of copper, and because some of our copper plants were ready to shut down, we were able to withdraw certain amounts of copper from the defense stockpile inventory in order to keep the economy of the country going. The authorities had the power to release it by directive. That is the way it should be. It should be discretionary, not mandatory.

This amendment will hurt the consumer.

I invite Senators to read this amendment very carefully. The amendment mandatorily seizes 165 million ounces of silver. It takes it out of the hands of the consumers and seizes that silver, whether or not there is any defense need for it. One hundred and sixty-five million ounces of silver, this amounts to almost three-quarters of the amount of silver produced in the free world in 1 year. That will make the price go up. But that is not enough. The amendment goes still further. The amendment includes:

> The Secretary of the Treasury is authorized to use for coinage, or to sell on such terms and conditions as he may deem appropriate, at a price not less than the monetary value of $1.292929292 per fine troy ounce—

Which means that that price becomes the minimum price.

The purpose of the amendment is to raise the price of silver.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. PASTORE. I will yield in a moment.

Mr. DOMINICK. Will the Senator yield?

Mr. PASTORE. I will yield in a moment. The natural result of the amendment is to protect the silver producers, and not the consumers of America.

This amendment would set a very bad precedent. If it were discretionary, I could understand it, but to make the provision mandatory and freeze such a large quantity of silver without any proof that it is necessary is difficult to understand.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Missouri.

Mr. SYMINGTON. I would support the position of the distinguished senior Senator from Rhode Island especially for one reason. The national stockpile today totals over $8 billion, of which over $5 million has been declared surplus. Therefore, I think we should be careful about what we add.

In addition, and more important, the concept of the national stockpile is that military authorities including the Joint Chiefs of Staff, formulate plans and policy, then tell the Secretary of Defense what their needs are. These needs are extrapolated, checked with various Government agencies, the Department of Interior, the Office of Emergency Planning, in effect the final policy decides, and the General Services Administration, which handles the procurement.

I would say to my good friend from Colorado, who knows of the interest of my State in mining, that we already have giant surpluses. As the Senator knows, the Senate recently passed bills which permitted the sale of copper, lead, zinc, and other metals.

I am sure if there was any need for a mandatory stockpiling of silver to this extent, it would be presented to the Congress by the officials of the executive branch who have the primary responsibility in this field.

Mr. PASTORE. I thank the Senator. The Senator from Colorado did not see fit to mention that, besides freezing 165 million ounces a year—I want to emphasize this afternoon—there is a provision in the amendment which would make the top price the minimum price for all time. It is in here. This is a price-fixing amendment.

Mr. DOMINICK. Will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. DOMINICK. All right. All the Senator has to do is read the provisions of section 209 of the bill, which is sponsored by the administration. The wording of my amendment is exactly the same.

Mr. PASTORE. The administration bill is $1.29, and the authority to sell is discretionary.

Mr. MANSFIELD. Mr. President, will the Senator yield me 2 minutes?

Mr. DOMINICK. I am happy to yield to the Senator from Montana.

The **PRESIDING OFFICER.** The Senator from Montana is recognized for 2 minutes.

Mr. MANSFIELD. Mr. President, it should be brought out that there is a floor of $1.29 under the amendment offered by the Senator from Colorado, in which I am pleased to join. I point out that so far as the present silver situation is concerned, the price range is between $1.25 and $1.29, as the distinguished Senator from Rhode Island has indicated.

However, in my opinion, $1.29 will be a cheap price for silver in the years ahead. There is no place for silver to go but up, primarily because of the fact that there is a scarcity of silver and that the scarcity will continue despite the fact that today the Department of the Interior is, under the law, eligible to make loans up to 75 percent for the development of silver claims.

It should be pointed out, too, that what the Senator from Colorado is doing is taking the Treasury at its word.

Ten days to two weeks ago, during discussion of the silver situation on the floor of the Senate, a notice appeared on the ticker, when the question was raised, or shortly thereafter, that it was the intention of the Treasury to put aside 165 million ounces of silver as a reserve for national defense purposes.

Of course, this is mandatory. Why not take the Treasury at its word? Why not put the silver where it will be useful in the defense of our country along the lines of the areas indicated by the Senator from Colorado?

I am sorry that the committee did not see fit to accept the amendment, because I believe that it is a good one. It is for a good purpose. So far as the Treasury is concerned, I believe that it would hold the Treasury to its word, which it gave 10 days or 2 weeks ago to that effect.

Mr. DOMINICK. I appreciate the comments of the distinguished majority leader.

The **PRESIDING OFFICER.** The time of the Senator from Colorado has expired.

Mr. DOMINICK. Mr. President, I do not know how much time I have left.

The **PRESIDING OFFICER.** How much time does the Senator yield himself?

Mr. DOMINICK. I yield myself 2 minutes.

The **PRESIDING OFFICER.** The Senator from Colorado is recognized for 2 minutes.

Mr. DOMINICK. All I wish to say to the very distinguished Senator from Rhode Island, for whom I have a great deal of respect, is that if he will look at page 15 of the bill, he will see under section 209 that section 209 is part of the proposed law submitted by the committee.

All I did was to add a sentence in front of it and then put in the wording which the Senator from Rhode Island quoted, and which he said was an effort by me to do something new.

It is not an effort by me to do something new. It is already in the bill. Therefore, the argument that was made does not hold water.

I am sorry that there was a misunderstanding on this question.

I am not going to take much more time. I believe that the wording of the amendment is clear, and I hope that the amendment will be adopted.

Mr. President, I reserve the remainder of my time.

Mr. ROBERTSON. Mr. President, I yield myself 5 minutes.

The **PRESIDING OFFICER.** The Senator from Virginia is recognized for 5 minutes.

Mr. ROBERTSON. Mr. President, the distinguished Senator from Colorado presented his amendment to the committee. The distinguished majority leader said that he did not understand why the committee did not accept it. There are two reasons why the committee did not accept it.

First, the administration informed us that it was against the amendment, and we decided to support the administration. Second, I did not believe it was a good amendment.

As pointed out by the distinguished Senator from Rhode Island, it is a price-fixing amendment. This is not a price-fixing bill.

The amendment of the Senator from Colorado is a stockpiling amendment. This is not a stockpiling bill.

We have ample authority to set aside whatever may be necessary in the national interest concerning silver from the stockpile. The administration has indicated that it is going to set aside 165 million ounces. That is more than three times the total of domestic production.

I read from a memorandum which the administration sent us when we decided to turn down this amendment:

> The Treasury now has informal agreements with the Office of Emergency Planning under which the Treasury is holding aside 165 million ounces in order to meet the silver stockpile objection. The silver will not be used unless necessary—unless necessary—for a critical national need, including—but only after consultation with the Office of Emergency Planning—protection of the coinage.

Mr. President, yesterday when I made a brief statement about the bill, I said that it did not fully satisfy everyone. The administration worked on it for a year. It was at least 2 or 3 months later in coming to us. The reason it took so long was that the administration did its best to draw the scales evenly between coin collectors, those who wanted all silver in coins, those who wanted part silver in coins, and those who wanted no silver in any coin.

I said that the committee, after turning down all the other amendments, had voted unanimously to report the bill, that I would be forced to oppose all amendments to the bill, and that I hoped the Senate would not adopt any amendment to the bill.

That is still my position.

Mr. DOMINICK. Mr. President, I yield myself 1 more minute.

The **PRESIDING OFFICER.** The Senator from Colorado is recognized for 1 additional minute.

Mr. DOMINICK. The Senator from Rhode Island said that this was a price-fixing amendment; and I believe I understood the Senator from Virginia to repeat the same statement.

I invite their attention again to section 209 as written in the bill, on page 15, and then invite their attention to the last 6 lines of my amendment. It is the exact wording that is in the bill. Therefore, my amendment on that point would not do anything that is not already provided in the bill. All I do is to set something aside for national defense purposes, which the Office of Emergency Planning has already recommended.

Mr. ROBERTSON. Mr. President, I yield back the remainder of my time.

Mr. DOMINICK. Mr. President, I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time has been yielded back. The question is on agreeing to the amendment of the Senator from Colorado. On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Georgia [Mr. RUSSELL], and the Senator from Pennsylvania [Mr. CLARK], are absent on official business.

I also announce that the Senator from North Carolina [Mr. ERVIN] and the Senator from Arkansas [Mr. FULBRIGHT] are absent because of deaths in their respective families.

I further announce that the Senator from Virginia [Mr. BYRD], the Senator from Tennessee [Mr. BASS], and the Senator from Ohio [Mr. LAUSCHE] are necessarily absent.

I further announce that, if present and voting, the Senator from Ohio [Mr. LAUSCHE], the Senator from Pennsylvania [Mr. CLARK], and the Senator from Tennessee [Mr. BASS] would each vote "nay."

On this vote, the Senator from Georgia [Mr. RUSSELL] is paired with the Senator from Virginia [Mr. BYRD]. If present and voting, the Senator from Virginia would vote "nay," and the Senator from Georgia would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from California [Mr. KUCHEL] is necessarily absent.

If present and voting, the Senator from Colorado [Mr. ALLOTT] and the Senator from California [Mr. KUCHEL] would each vote "yea."

The result was announced—yeas 36, nays 54, as follows:

[No. 150 Leg.]

YEAS—36

Anderson
Bartlett
Bennett
Bible
Burdick
Cannon
Carlson
Church
Cooper
Curtis
Dirksen
Dominick
Fannin
Gruening
Hayden
Hickenlooper
Hruska
Inouye
Jackson
Jordan, Idaho
Magnuson
Mansfield
McGee
McGovern
Metcalf
Montoya
Morse
Morton
Moss
Mundt
Murphy
Neuberger
Pearson
Simpson
Tower
Young, N. Dak.

NAYS—54

Aiken
Boggs
Brewster
Byrd, W. Va.
Case
Cotton
Dodd
Douglas
Eastland
Ellender
Fong
Gore
Harris
Hart
Hartke
Hill
Holland
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
McCarthy
McClellan
McIntyre
McNamara
Miller
Mondale
Monroney
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—10

Allott
Bass
Bayh
Byrd, Va.
Clark
Ervin
Fulbright
Kuchel
Lausche
Russell, Ga.

So Mr. DOMINICK's amendment was rejected.

Mr. ROBERTSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 289

Mr. MAGNUSON. Mr. President, I call up my amendment (No. 289) and ask that it be stated.

The **PRESIDING OFFICER.** The amendment of the Senator from Washington will be stated.

The LEGISLATIVE CLERK. On page 9, between lines 18 and 19, it is proposed to insert the following new subsection:

> (c) The Secretary is authorized to coin and issue, in such quantities as he may determine to be necessary to meet the needs of the public and consistent with the supply of silver on hand, dollars of standard coin silver as authorized by law at the time of enactment of this Act.

Mr. MAGNUSON. Mr. President, I may be able to withdraw the amendment, but I wish to have a brief discussion with the Senator from Virginia [Mr. ROBERTSON] and the Senator from Utah [Mr.

BENNETT], so that I shall have a clear understanding as to the position of the silver dollar if and when the bill is passed substantially as it is before the Senate.

My amendment would merely authorize—perhaps it would reauthorize; I do not know—the Treasury to coin silver dollars if and when the Treasury felt that it would be in the public interest to do so or the availability of the supply of silver would justify such action.

What I wish to prevent is a prohibition or a taking away of authority from the Treasury, so that some time in the future, if the Treasury wished to do so, it could coin silver dollars.

Such action would make sense. The results of the bill will be somewhat startling to some of the people who are supporting it. I am not so sure but that some time in the future, though perhaps not now—I know how the Treasury now feels about it—the Treasury might wish to coin silver dollars. I would not desire to see authority denied to the Treasury if the Department felt that at a certain time the supply of silver available was sufficient and the public interest, together with the needs of the public, were such that the Treasury Department might wish to coin silver dollars.

Mr. President, I believe the amendment is a fair one. I do not think it would jeopardize the bill or its objective.

Mr. ROBERTSON. Mr. President, there is no provision in the bill relating to the silver dollar. The Treasury Department has all the authority it ever had, including an appropriation that it did not use. But at the present time, based on the amount of silver in the dollar, 90 percent of that silver is worth a dollar. It costs 3 cents to mint the dollar. Therefore, it costs $1.03. If, as our friends from the West predict, the price of silver goes nowhere except up, whenever we go to minting or putting out silver dollars, I suggest that one obtain a truck and back it up to the Treasury, because it will be the cheapest silver mine he could find.

Naturally we are opposed to the amendment.

Mr. MAGNUSON. I wish to ask a question. Perhaps the amendment is not necessary. The Senator from Virginia presents facts which would make it very undesirable to mint the silver dollar at the present time. But the Treasury could, if it wanted to, coin silver dollars. Is that correct?

Mr. ROBERTSON. That is correct.

Mr. MAGNUSON. The authority still exists.

Mr. BENNETT. Mr. President, moreover, the bill requires the Treasury to maintain the silver dollar at its present rate of silver content. The bill provides that the present content of silver must be maintained. So the Department of the Treasury has both the power to coin the silver dollar and the requirement that when it is coined, it must be the present silver dollar.

Mr. MAGNUSON. That is great news to the people who desire to preserve the integrity of our money.

In view of the explanation given by the Senators, I withdraw the amendment, and hope that someday the Treasury Department will again be able to coin the silver dollar.

Mr. CANNON. Mr. President, will the Senator yield 30 seconds to me so that I might ask a question of the distinguished Senator from Virginia?

Mr. MAGNUSON. I yield.

Mr. CANNON. Do I correctly understand that the bill would not take away from or add to the authority of the Treasury with respect to the silver dollar?

Mr. ROBERTSON. That is correct.

When I raised a question about that point, they said, "We have the authority to do so at the present time, but we have no plans to exercise it."

Mr. CANNON. I thank the Senator.

Mr. MAGNUSON. I believe that clears up the question. It may be of some help in the administration of the bill to know that there is still a possibility—perhaps at the end of the rainbow or at some distant place—that we can get back to a solid coinage of silver and solid money.

Mr. BIBLE. Mr. President, will the Senator from Washington yield 1 minute to me?

Mr. MAGNUSON. I yield.

Mr. BIBLE. I wonder if the distinguished chairman of the committee would indicate whether there will still be the same possibility of minting the silver dollar when the price of silver goes over $1.29 an ounce?

Mr. ROBERTSON. There is no legal prohibition, but further minting is not likely if the price of silver keeps going up so that coins will be melted down faster than they are minted.

Mr. BIBLE. I thank the Senator from Virginia.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that I may be permitted to withdraw my amendment.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Without objection, amendment No. 289, offered by the Senator from Washington, is withdrawn.

AMENDMENT NO. 293

The Chair recognizes the Senator from Nevada [Mr. BIBLE].

Mr. BIBLE. Mr. President, I call up my amendments No. 293 and ask that they be stated.

The PRESIDING OFFICER. The amendments of the Senator from Nevada will be stated.

The legislative clerk proceeded to read the amendments.

Mr. BIBLE. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendments will be printed in the RECORD.

The amendments are as follows:

On page 11, line 1, strike out ", melting,".

On page 11, line 8, strike out ", melted,".

On page 16, between lines 15 and 16, insert a new section as follows:

"SEC. 212. (a) Section 331 of title 18, United States Code, is amended—

"(1) by striking out 'and falsification' in the section heading and inserting in lieu thereof ', falsification, and melting';

"(2) by striking out 'lightened—' in the second paragraph and inserting in lieu thereof 'lightened; or'; and

"(3) by inserting after the second paragraph a new paragraph as follows:

" 'Whoever, except as authorized by law, melts any silver coins coined at the mints of the United States—'.

"(b) The table of sections at the beginning of chapter 17 of such title is amended by striking out 'and falsification' in the first item and inserting in lieu thereof ', falsification, and melting'."

Mr. BIBLE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BIBLE. For the benefit of Senators in the Senate Chamber at the present time, I wish to say that I shall be extremely brief.

I would think that the amendments would be noncontroversial amendments because they are merely designed, as are two other amendments which I shall offer and not ask for yea-and-nay votes upon, to protect our present stock of silver coinage. The amendment—we will now discuss—designed to stop the melting of coins.

Yesterday on the floor of the Senate I pointed out that during World War II, nickel being in short supply, silver was substituted for nickel in the nickel coin. The nickels that were produced during this period of time contained a certain amount of silver, and the so-called war nickels, as a result, became more and more valuable. Today they are worth something in the neighborhood of 7 to 7½ cents apiece. They are being widely advertised.

One dealer pointed with pride in an advertisement which I placed in the RECORD yesterday to the fact that he had accumulated 65 tons of those nickels since 1962. We used over 48 million ounces of silver only a few years during the war, when nickels were in short supply, as I have indicated.

If we give the Secretary of the Treasury authority to invoke regulations which would prohibit the melting of coins, as written in the bill, I think that may be well and good. If the Secretary of the Treasury, the President of the United States, and the distinguished committee feels that that type of regulatory authority should be vested in the Treasury, I say that the Secretary might go ahead in his discretion and promulgate regulations to prohibit the melting of coins. That is the intention of his approval of that type of legislation.

Today there are provisions in our statutes that provide that one may not deface the currency. Nevertheless, we could be sure that no one would advertise in the "wanted" columns of publications an attempt to buy silver coins for melting if we prohibit it by statute. As I said, the advertisement that appeared in many newspapers merely stated that they would stop buying nickels if antimelting legislation is enacted. That is an area on which all of us can unite in an attempt to preserve the dwindling silver stocks. Such action would be to the advantage of those who put first emphasis on defense, those who say that users should have first call on the coins, and those who believe such coins should be an integral part of our coinage system.

I believe this covers them all.

I have talked with the chairman of the committee about his acceptance of the amendment. I found him somewhat resolute. I do not know that he is completely adamant. However, I cannot see how this type of amendment would pose any problems for the administration or for Senators who might serve with the Senator from Virginia as conferees on the bill. The amendment is designed, obviously, to prevent the melting down of coins once the free market price of silver goes beyond $1.29.

Our coinage should be maintained for the purpose for which it was intended, that is, as a medium of exchange; and the melting of coins should be prohibited by law.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. BIBLE. I yield 5 minutes to my distinguished colleague from Nevada, who has been extremely helpful in the fight for the retention of silver in coinage. We have not been quite so successful as we might have hoped to be; but I believe we have presented our case and shall continue to present it time and again.

Mr. CANNON. I thank my colleague. I support him completely in the offering of the amendment and am happy to be a cosponsor of it with him. I believe it is highly necessary if we are to keep coins in reasonable circulation, particularly after the new type coins begin to circulate.

This is a reasonable amendment. I had hoped that the chairman of the committee would accept it; but apparently he will not. Therefore, I merely say that I completely support my colleague and hope the Senate will support us, too.

Mr. ROBERTSON. Mr. President, I yield myself 5 minutes.

This issue was fully studied for months by experts in the Government. It is really just another feature of the price-fixing program that the Senate has just rejected.

If there were a shortage of silver and the price tended to go up, and if coins could be melted down, there might be no silver coins for use in business and trade. So it may be necessary to prohibit melting coins. The only question is how to do this.

The administration said to us, "Do not make the language mandatory. Give us authority to issue regulations prohibiting melting coins. Then if we think it desirable to prohibit the melting of silver, we will issue regulations. But do not tie our hands. Do not make it a permanent part of the criminal laws." This is the language in the bill:

> Whenever in the judgment of the Secretary such action is necessary to protect the coinage of the United States, he is authorized under such rules and regulations as he may prescribe to prohibit, curtail, or regulate the exportation, melting, or treating of any coin of the United States.

This is not a bill to protect silver mines and producers; this is a coinage bill. The administration sent us a bill which would have made it a felony to violate the regulations the Treasury might prescribe. We refused to accept that provision. The administration's bill would have provided a penalty of imprisonment for 5 years. We reduced that to 1 year. We ask the Senate to accept that provision and to reject the amendment of the Senator from Nevada.

Mr. BIBLE. Mr. President, this is not an amendment designed to help producers or consumers; it is designed to help the American people keep their confidence in coinage. I cannot believe that the chairman of the great Committee on Banking and Currency, which regulates the currency of our Nation, would subscribe to the melting down of coins that are in circulation today.

Mr. ROBERTSON. The bill as written protects the Nation whenever a prohibition against melting becomes necessary to protect the coinage of the United States.

Mr. BIBLE. I respect the views of the Senator from Virginia and his committee; but I point out that on the statute books of the land today are penalties against the defacement of coins. For defacing a coin, there is a penalty of a jail sentence or a fine or both. I cannot see a great deal of difference between defacing a coin and melting it completely down. Melting a coin is not defacing it; it is destroying it.

Mr. ROBERTSON. Defacing, in the old days, in the days of the Caesars, was the shaving of coins. Some shrewd people had developed a practice of shaving coins. So the coins were milled around the edges. We have made it a crime to deface coins as they come from the mint.

Mr. BENNETT. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. BENNETT. I point out to Senators, especially the author of the amendment, that part of the bill that gives the Secretary the power to impose regulations. It would be possible for him to meet a crisis by issuing a regulation against melting or exporting, and then to lift the regulation when the crisis had passed.

The language of the bill gives the Secretary flexibility to solve the problem the Senator from Nevada is seeking to solve. But if a mandatory provision is written into the bill, that flexibility will be gone.

I hope the Senate will trust the judgment of the committee and support its determination to keep the control in a flexible condition, rather than to make it permanent and mandatory.

Mr. ROBERTSON. Mr. President, I am ready to yield back my time.

Mr. BIBLE. Mr. President, I am not yet prepared to yield back the remainder of my time. I wish to make a few observations; they will not take long.

If I correctly recall the language of the Constitution on this point, it places the authority for regulating the coinage system of the United States in Congress. I believe that is what the articles of the Constitution provide. The distinguished Senator from West Virginia is a great constitutionalist. I appeal to him on this point. I do not see why we as a Congress should not face up to the problem. We should not delegate authority to an administrative agency to make the determination. Either we believe or we do not believe that Congress should prevent the melting down of coins. Personally, I believe Congress should retain the authority.

Yesterday I had called to my attention an advertisement published in Coin World for June 16, 1965.

If our coinage system is designed for the purpose set forth in the advertisement, I misunderstand the history of the building of a subsidiary coinage for our land. I understand the readership of Coin World is more than 100,000. This is what the advertisement states:

> [From Coin World, June 16, 1965]
>
> Wartime nickels: Write for bag pickup prices between New York and Chicago or ship any amount, any condition, for an instantaneously airmailed $2.50 per roll. 65 tons received here since 1962. Many thanks, folks. Will continue buying unless an antismelting law becomes imminent. Bob Lamp, 1358 Cranford Avenue, Lakewood, Ohio.

This is the type of activity I am trying to stamp out. I believe that our coinage system was built for something more than speculation and hoarding. My amendment is a small movement on the way to preventing them.

Mr. ROBERTSON. During wartime, we had an ample supply of silver but not of nickel. We used silver in the 5-cent piece and now that silver is worth 7½ cents. People have been melting these wartime silver 5-cent pieces. But the nickel is not going to be worth 7½ cents again. The situation is fully covered by the bill. I hope the amendment will not be adopted.

Mr. President, I yield back the remainder of my time.

Mr. BIBLE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

Mr. BIBLE. Mr. President, before I yield back my time——

The PRESIDING OFFICER. The Senator from Nevada has already yielded back the remainder of his time.

Mr. BIBLE. I failed to yield 2 minutes to the distinguished Senator from Utah. I hope I may have unanimous consent to yield to him. Although I have yielded back the remainder of my time, I ask unanimous consent that I may "unyield" it.

Mr. MOSS. Mr. President, my colleague the Senator from Nevada [Mr. BIBLE] has explained his position very eloquently.

I believe that, in view of the vote which was taken earlier, it will be announced shortly that we shall withdraw silver from dimes and quarters and that there will be a great flight of these coins into hiding. There will be a great temptation to melt the coins.

I believe that the least we could do would be to have a statute to curb or largely prevent the practice of melting coins.

As the Senator from Nevada has pointed out so clearly in his quotation, there are open advertisements now being circulated, soliciting people to send in coins. A premium is paid for such coins. The purpose of the newspaper advertisements is to obtain coins to melt down, thus destroying the coin.

I believe that we should try to preserve the coinage. We are dealing with coinage in this bill. It is proposed to remove the silver content from two of these coins by the action that the Senate will apparently now take.

I believe that we need the protection of an antimelting amendment.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendments offered by the Senator from Nevada (No. 293). On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mrs. NEUBERGER (after having voted in the affirmative). Mr. President, on this vote I have a pair with the senior Senator from Louisiana [Mr. Ellender]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Pennsylvania [Mr. Clark], the Senator from Arizona [Mr. Hayden], the Senator from Hawaii [Mr. Inouye], the Senator from Georgia [Mr. Russell], and the Senator from Louisiana [Mr. Ellender] are absent on official business.

I also announce that the Senator from North Carolina [Mr. Ervin], and the Senator from Arkansas [Mr. Fulbright] are absent because of deaths in their respective families.

I further announce that the Senator from Tennessee [Mr. Bass], the Senator from Virginia [Mr. Byrd], and the Senator from Ohio [Mr. Lausche] are necessarily absent.

I further announce that, if present and voting the Senator from Tennessee [Mr. Bass] and the Senator from Ohio [Mr. Lausche] would each vote "nay."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Hawaii [Mr. Inouye]. If present and voting, the Senator from Virginia would vote "nay" and the Senator from Hawaii would vote "yea."

On this vote, the Senator from Pennsylvania [Mr. Clark] is paired with the Senator from Georgia [Mr. Russell]. If present and voting, the Senator from Pennsylvania would vote "nay" and the Senator from Georgia would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. Allott] is absent on official business.

The Senator from California [Mr. Kuchel] is necessarily absent.

The Senator from New Jersey [Mr. Case] is detained on official business, and if present and voting would vote "nay."

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from California [Mr. Kuchel]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from California would vote "nay."

The result was announced—yeas 34, nays 52, as follows:

[No. 151 Leg.]

YEAS—34

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Cannon
Church
Dominick
Douglas
Eastland
Fannin
Gruening
Jackson
Jordan, Idaho
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Simpson
Smathers
Talmadge
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—52

Aiken
Bennett
Boggs
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dodd
Fong
Gore
Harris
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
McCarthy
McNamara
Miller
Mondale
Morton
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Scott
Smith
Sparkman
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Young, Ohio

NOT VOTING—14

Allott
Bass
Byrd, Va.
Case
Clark
Ellender
Ervin
Fulbright
Hayden
Inouye
Kuchel
Lausche
Neuberger
Russell, Ga.

So Mr. Bible's amendments were rejected.

Mr. BENNETT. Mr. President, I move to reconsider the vote by which the amendments were rejected.

Mr. ROBERTSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BIBLE. Mr. President——

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. BIBLE. Provided I am recognized first and do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTSON. Mr. President, I hope Senators will remain in the Chamber for a few minutes longer. I understand there will be one or two more amendments, without yea-and-nay votes. I do not plan to speak on them. They will be considered and acted on by voice vote, and we can get through with the bill in a short time, if Senators will remain.

Mr. MAGNUSON. Mr. President, to expedite matters, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

AMENDMENTS NO. 291

Mr. BIBLE. Mr. President, I call up, on behalf of myself and several other Senators, my amendments, No. 291.

The PRESIDING OFFICER. The amendments offered by the Senator from Nevada, for himself and other Senators, will be stated.

The legislative clerk proceeded to read the amendments.

Mr. BIBLE. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with, and that the amendments be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

On page 11, line 1, strike out "exportation,".

On page 11, line 8, strike out "exported,".

On page 16, between lines 15 and 16, insert a new section as follows:

"Sec. 212. (a) Chapter 17 of title 18, United States Code, is amended by adding at the end thereof a new section as follows:

" '§ 337. Exportation of coins

" 'Whoever, except as authorized by law, and except coins lawfully used as a part of personal jewelry by the owner, exports coins of the United States from the United States, or its possessions, shall be fined not more than $10,000 or imprisoned not more than one year, or both.

" 'This section shall not be construed to prohibit any person departing the United States, or any of its possessions, from taking for personal use coins of the United States having a market value (exclusive of coins contained in personal jewelry) of $50 or less.'

"(b) The table of sections at the beginning of chapter 17 of such title is amended by adding at the end thereof a new item as follows:

" '337. Exportation of coins.' "

Mr. BIBLE. Mr. President, I shall make only a short statement. I do not intend to ask for the yeas and nays.

The proposed amendment would prohibit the exportation of U.S. coins with certain exceptions as provided in language adding a new section to section 211(a), chapter 18, of title 18, United States Code. The language is self-explanatory.

Here again S. 2080 gives the Secretary of the Treasury the authority to prohibit exportation of coins by regulation. It seems to me it is highly desirable to prohibit exportation by law.

As I said on the previous amendment, responsibility for our coinage system is placed not on the Secretary of the Treasury, but on the Congress of the United States, and I think the Congress of the United States should face up to that responsibility.

The world shortage of silver production is reflected in statistics showing exportations over recent years.

In 1964, 54 million ounces of silver were imported into this country; 99 million ounces were exported. It shows a net deficit of 45 million fine troy ounces of silver during 1964. Whether this is caused by foreign nations' expanded industrial uses or by speculation is not known. We do know we should not export our silver coinage so it may possibly be melted down.

I believe a great deal went to the United Kingdom to bolster its economy. A great deal went to France to help that country.

If the free market price of silver rises above $1.2929 and $1.38, silver dollars and silver coins could be exported under present law and could be melted, to the disadvantage of this Nation in its attempt to keep in circulation existing stocks of silver coins, under the present law.

It is for these reasons that this amendment should be adopted.

These are protective amendments. They are designed to protect our stocks of silver in the Treasury of the United States.

Mr. ROBERTSON. Mr. President, the bill would authorize the Treasury Department to prohibit the export of all coins. The amendment is not necessary, and I hope it will not be adopted.

Mr. BIBLE. Mr. President, this is something that should be legislated into law, and not be dependent upon regulations of the Secretary of the Treasury.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. ROBERTSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada (No. 291).

The amendment was rejected.

AMENDMENT NO. 292

Mr. BIBLE. Mr. President, I call up my amendment No. 292 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. BIBLE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD.

The amendment (No. 292) submitted by Mr. BIBLE is as follows:

On page 16, between line 15 and line 16, insert a new section as follows:

"SEC. 212. (a) Chapter 17 of title 18, United States Code, is amended by adding at the end thereof a new section as follows:

"'§ 337. Coins as collateral for loans

"'Whoever offers or receives coins of the United States as collateral security for any loan shall be fined not more than $10,000 or imprisoned not more than one year, or both.

"'This section shall not be construed—

"'(1) to prohibit the offering or acceptance of a bona fide collection of rare coins (as determined by the Secretary of the Treasury pursuant to section 212(b) of the Coinage Act of 1965) as collateral security for any loan; or

"'(2) to apply to any loan made prior to the effective date of this section, unless, after the expiration of thirty days after such date, such loan is secured, in whole or in part, by collateral consisting of coins of the United States.'

"(b) The Secretary of the Treasury shall from time to time cause to be published in the Federal Register a list of coins of the United States which because of their rarity have a value to bona fide collectors of coins which is in excess of their monetary value.

"(c) The table of sections at the beginning of chapter 17 of such title is amended by adding at the end thereof a new item as follows:

"'337. Coins as collateral for loans.'"

Mr. BIBLE. Mr. President, I wish to make a brief explanation of the amendment within the 30-minute time limitation which I have. I do not intend to take more than 2 or 3 minutes.

The proposed amendment would add a new section by amending section 212(a), chapter 17 of title 18, United States Code, entitled "Coins as collateral for loans." The amendment is self-explanatory.

It is a known fact that loans have been made where U.S. coins have been used as security. The proposed amendment would not prohibit the lending of money on bona fide collections of rare coins. The determination of rare coins would be left to the Secretary of the Treasury and would cause the Secretary to publish from time to time in the Federal Register a list of coins in the United States which, because of their rarity, have a value to bona fide collectors of coins in excess of their monetary value.

Such an amendment would stop much speculation in coins. Speculators, to the detriment of our coinage system, have secured loans and have advertised coins in excess of their monetary value for sale to the public. It is estimated that there are over 10 million coin collectors in the United States. Coins such as silver dollars have actually been advertised for sale by the bag containing 1,000 silver dollars. It is believed that the great majority of persons making such offerings are speculators. The result has caused the disappearance of the silver dollar in normal channels of trade. It is believed that many of the silver dollars are in bank vaults with the speculators awaiting an opportunity to dispose of them at a profit. Advertisements are available which show definitely that such loans have been made.

This practice could be controlled to a great extent if the amendment were adopted. It would at least stop those persons who are now advertising such sales as they would be fearful of the penalties.

Coins of a rare value are known to the coin collectors for they now have a book which is published annually, "The Red Book," which gives listings of value.

Subsidiary coins have also been bought and sold at a premium in excess of their value. Such sales have been made mostly to business concerns which demand large amounts of small coins to service their trade. It is believed there are ample coins to meet our present needs if the coins could be kept in circulation. Minting of coins has accelerated at a rapid rate in recent years. While the estimated figures on coins in circulation show a slight increase, the proposed amendment should be helpful in keeping our coins in circulation.

Mr. President, let me say again that this amendment is designed as a protection to the coinage system of the United States.

Mr. ROBERTSON. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 5 minutes.

Mr. ROBERTSON. I hope that this is the last amendment to be offered. I shall be even briefer than my distinguished colleague.

The Federal Reserve Board has studied this proposal time after time, and they have turned it down. They have identified only a very few instances in which money has been put up as security. They say that to adopt this amendment might be an invitation to people to hoard. A second reason is that there is doubt as to the constitutional authority to make it a crime for a bank to accept money for security or collateral for a loan. That is what the Senator from Nevada is asking the Senate to approve today. Anyway, the Government is against it, the committee is against it, and I am against it—and I hope the Senate will be against it.

Mr. BIBLE. Mr. President, I should like the opportunity to respond to the Senator from Virginia as to the reason why I offer my amendment.

The reason why I have offered my amendment is that it is an attempt to protect the coinage system of the United States, to keep coins in circulation.

Mr. CANNON. Mr. President, will my colleague yield to me?

Mr. BIBLE. I am glad to yield such time as my distinguished colleague may desire.

Mr. CANNON. Mr. President, I completely support the amendment of my distinguished colleague. The Senator from Virginia has stated that the Federal Reserve Board has been unable to identify only a small number of cases in which lending has been made on large amounts of coin. The Federal Reserve Board may have been able to identify only a few cases, but I can identify many cases that I know of which have actually happened. Bankers have told me that we would be doing them a favor if we could enact a law prohibiting banks from lending money with coins as security. The banks are merely providing vaults at a small lending fee for the use of speculators, by placing coins in the vaults and locking them up and paying the interest rate on the loan, and speculating on a rise in the price of silver. I can identify many cases of that kind.

I have talked with administrative officials about this matter. They seem to do nothing about it, or they will not do anything about it.

Mr. President, I believe that these officials are wrong. If we are going to try to protect the coinage system of this country and keep coins in circulation, we must take action. We cannot do it by simply talking about it and saying, "Let us leave it up to the administration," because the administration may or may not decide to do something about it.

Over a year ago, I felt that the Treasury Department was wrong in its views as to what would happen. Now, a year later, they are trying to do something about it.

If this amendment is adopted it will, I am sure, insure that a substantial amount of silver coins will be placed in circulation fairly rapidly.

I therefore completely support the amendment of my distinguished colleague.

Mr. BIBLE. Mr. President, before I yield back the remainder of my time, I wish to thank the sponsors who have worked with me on the last three amendments. I cite their interest in an effort to protect the silver stocks of the United States and to keep coins in circulation.

Mr. President, I am now prepared to yield back the remainder of my time, if the Senator from Virginia does likewise.

Mr. ROBERTSON. Mr. President, before I yield back the remainder of my time, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 1 minute.

Mr. ROBERTSON. Mr. President, I do not question the sincerity of the representatives of the silver-producing States. They wish to protect the coinage system of this country.

I prefer to follow the advice of those who have charge of the coins, the Treasury Department and the Federal Reserve Board, who are against this proposal.

Mr. President, I yield back the remainder of my time.

Mr. BIBLE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Nevada (No. 292).

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CANNON. Mr. President, on behalf of myself and Senators Bible, Magnuson, Jackson, Moss, Mansfield, Metcalf, Simpson, Montoya, Burdick, McGee, Bartlett, Fannin, Dominick, Gruening, Inouye, Jordan of Idaho, and Anderson, I submit an amendment which we propose to S. 2080 providing for U.S. coinage, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. Amendment proposed by Mr. Cannon (for himself, Mr. Burdick, Mr. Bible, Mr. McGee, Mr. Bartlett, Mr. Fannin, Mr. Dominick, Mr. Gruening, Mr. Inouye, Mr. Magnuson, Mr. Jackson, Mr. Jordan of Idaho, Mr. Moss, Mr. Mansfield, Mr. Metcalf, Mr. Simpson, Mr. Montoya, and Mr. Anderson):

> On page 8, beginning with the word "Any" in line 17, strike out all through line 14, on page 9, and insert in lieu thereof the following: "Any coin minted under authority of this section shall consist of not less than three hundred parts of silver and seven hundred parts of such other metal or alloys as the Secretary shall determine.

Mr. CANNON. Mr. President, I shall be brief and take only approximately 3 minutes to make an explanation of the amendment, because the arguments have already been heard.

Before I do so, Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. CANNON. Mr. President, this amendment would provide for the minting of 30 percent silver content in our dimes, quarters, and half dollars. These coins would operate in all channels of commerce and would achieve several highly desirable purposes.

A 30-percent silver coin would save sufficient silver to allow us to meet our domestic needs until such time as technology and proper silver mining incentives can be implemented.

It would provide a coin of traditional intrinsic value, yet with a value not nearly so high as to encourage melting.

The present bill providing a 40-percent silver half dollar would require about 15 million ounces of silver a year. This amendment would require between 30 and 33 million more ounces of silver a year for quarters and dimes, but only 11¼ million ounces for half dollars.

This highly desirable silver content could be achieved with the implementation of other amendments designed to conserve and preserve our silver stocks.

Our Treasury Department could, without disrupting normal commerce, gradually replace and reclaim the silver from the coin pieces now circulating.

We remain firmly convinced that such a coin as herein proposed would extricate the Nation from the coin crisis in which we are now involved. This amendment would bring to bear upon a most difficult question a reasonable and far less risky compromise than any which has been proposed until now. It would further give us the time to weather the transition which our coinage system now must undergo.

Adoption of this amendment, when applied to Treasury estimates of future silver demands, would be in accordance with the table which I ask unanimous consent to have printed in the Record at this point.

There being no objection, the table was ordered to be printed in the Record, as follows:

[Millions of fine troy ounces]

	Present 90-percent silver coinage	30-percent silver coinage
1965	272.2	----------
1966	330.0	99.0
1967	119.9	40.0
1968	111.9	33.4
1969	116.9	35.0
1970	120.2	36.0
1971	125.3	37.6
1972	130.0	39.0
1973	135.4	40.6

Mr. CANNON. Mr. President, the amendment is offered in the nature of a substitute amendment for the Moss amendment. It would require, as I said earlier, a reduced amount of silver to be used, but it would keep our traditional intrinsic value of silver in all three coins that we have discussed today.

I yield such time as my distinguished colleague from Nevada may require.

Mr. BIBLE. Mr. President, I wholeheartedly support the amendment offered by my colleague from Nevada. It is similar to another amendment which was discussed earlier today. The point has been raised that we do not have sufficient silver supplies. The adoption of the amendment would result in the use of less silver, but we would still keep silver in our subsidiary coinage. I support the amendment.

Mr. BENNETT. Mr. President, I read from a report issued by the Treasury Department, as follows:

> TECHNICAL INFORMATION CONCERNING "300 FINE" SILVER COINAGE MATERIALS
>
> A. HOMOGENOUS .300 FINE, I.E., 30 PERCENT SILVER, 70 PERCENT COPPER
>
> 1. Color: The basic color of this alloy, because of its high copper content, has a pinkish cast. To avoid that, the mint subjects blanks to a preferential oxidation to remove copper from the surface layers, leaving a thin, friable film of pure silver on the blanks. Struck coins have a bright silvery appearance. After short circulation, the soft silver wears off in patches, exposing the underlying low fineness alloy. These patches rapidly tarnish to yellow and brown areas. The tarnish does not wipe off in circulation, and such coins were unfavorably received whenever issued by foreign governments in the past.
>
> 2. Acceptability in vending machines: Acceptable, however, because of high copper content, the electrical resistivity-density product of this alloy is lower than present U.S. coins, and is dangerously close to that of pure copper. If adopted, vending machines might experience substantial slugging from the use of pure copper slugs.

I hope the amendment will be defeated.

Mr. ROBERTSON. Mr. President, I yield myself no more than 2 minutes. I wish to emphasize the objections to the amendment. The coins would not look like silver coins for very long. They would be reddish or brownish in color, and therefore very objectionable. They possibly would not activate vending machines properly. More than $4 billion is invested in that industry.

The amendment is merely another grab, on a lower limb. The first amendment called for 40 percent, now it has been reduced to 30 percent. It would take more than 300 million ounces of silver, and silver would be put in all the coins, as against 15 million ounces of silver that we propose to put in the 50-cent pieces.

We have already voted on this issue. I hope we will not debate it any longer.

Before concluding, I want to thank Senator Bennett for his assistance in supporting the President's program and the committee bill. He has helped greatly to preserve those parts of the bill which help the silver producers—the silver 50-cent piece and so on, and the parts which help the silver users, and above all the assurance of a sound and stable coinage to carry on our trade and commerce.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. ROBERTSON. I yield back the remainder of my time.

Mr. CANNON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The question is on the amendment offered by the Senator from Nevada [Mr. Cannon]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Pennsylvania [Mr. Clark], the Senator from West Virginia [Mr. Byrd], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Hawaii [Mr. Inouye], the Senator from New York [Mr. Kennedy], the Senator from Minnesota [Mr. Mondale], the Senator from Florida [Mr. Smathers], the Senator from Georgia [Mr. Russell], the Senator from Michigan [Mr. McNamara], the Senator from Maryland [Mr. Brewster], and the Senator from Michigan [Mr. Hart], are absent on official business.

I further announce that the Senator from Tennessee [Mr. Bass], the Senator from Virginia [Mr. Byrd], and the Senator from Ohio [Mr. Lausche] are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. Bass], the Senator from Maryland [Mr. Brewster], the Senator from Pennsylvania [Mr. Clark], the Senator from Michigan [Mr. Hart], the Senator from Ohio [Mr. Lausche], and the Senator from Michigan [Mr. McNamara] would each vote "nay."

I also announce that the Senator from North Carolina [Mr. Ervin] and the Senator from Arkansas [Mr. Fulbright] are absent because of deaths in their respective families.

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Alaska [Mr. Gruening].

If present and voting, the Senator from Alaska would vote "yea" and the Senator from Virginia would vote "nay."

On this vote, the Senator from Hawaii [Mr. Inouye] is paired with the Senator from New York [Mr. Kennedy].

If present and voting, the Senator from Hawaii would vote "yea" and the Senator from New York would vote "nay."

On this vote, the Senator from Minnesota [Mr. Mondale] is paired with the Senator from Georgia [Mr. Russell].

If present and voting, the Senator from Minnesota would vote "nay" and the Senator from Georgia would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. Allott] is absent on official business.

The Senator from California [Mr. Kuchel] is necessarily absent.

The Senator from Delaware [Mr. Boggs] and the Senator from New Jersey [Mr. Case] are detained on official business.

If present and voting, the Senator from Delaware [Mr. Boggs] and the Senator from New Jersey [Mr. Case] would each vote "nay."

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from California [Mr. Kuchel].

If present and voting, the Senator from Colorado would vote "yea" and the Senator from California would vote "nay."

The result was announced—yeas 27, nays 52, as follows:

[No. 152 Leg.]

YEAS—27

Anderson
Bartlett
Bible
Burdick
Cannon
Church
Dominick
Douglas
Eastland
Fannin
Jackson
Jordan, Idaho
Magnuson
Mansfield
McGee
McGovern
Metcalf
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Neuberger
Simpson
Talmadge
Young, N. Dak.

NAYS—52

Aiken
Bayh
Bennett
Carlson
Cooper
Cotton
Curtis
Dirksen
Dodd
Ellender
Fong
Gore
Harris
Hartke
Hickenlooper
Hill
Holland
Hruska
Javits
Jordan, N.C.
Kennedy, Mass.
Long, Mo.
Long, La.
McCarthy
McClellan
McIntyre
Miller
Morton
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Scott
Smith
Sparkman
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—21

Allott
Bass
Boggs
Brewster
Byrd, Va.
Byrd, W. Va.
Case
Clark
Ervin
Fulbright
Gruening
Hart
Hayden
Inouye
Kennedy, N.Y.
Kuchel
Lausche
McNamara
Mondale
Russell, Ga.
Smathers

So Mr. Cannon's amendment was rejected.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. ROBERTSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. MAGNUSON. Mr. President, will the Senator yield 2 minutes on the bill?

Mr. MANSFIELD. I yield 2 minutes to the Senator from Washington.

Mr. MAGNUSON. I shall vote against the bill because I still feel that it is a great mistake for the Treasury to recommend taking silver out of the coinage of the quarters and dimes of this country. The 40 percent content of silver in the coinage of quarters, dimes, and half dollars would not in any particular way seriously injure the prospective, potential supply of silver for industrial and other uses.

Even if it did, to some extent, I believe we ought to weigh the harm that removal of the silver content would do to the integrity of our coinage and the confidence of our people in our basic monetary system of exchange. To retain a silver content would be worthwhile even if to do so would depreciate somewhat the industrial and other uses of silver. We should keep our monetary system sound. For the small amount of silver involved—40 percent not only in the half dollars but in the quarters and dimes—I do not believe our Nation can afford to sacrifice the prestige, dignity, and intrinsic value of silver coins for monetary purposes.

I do not agree with the basic premise of the Treasury Department that no more silver than has been mined in the past few years can be mined in the future. I believe that there will be a great enhancement in the mining of silver. There is much more silver available, and methods will be evolved to extract it.

Even today methods of reclaiming silver in photographic processes are being developed. We should maintain the prestige and the dignity of American coins—the dollar, the half dollar, the quarter, and the dime. I believe we are making a very sad mistake, in view of the small amount of silver that we are talking about, in passing the bill.

Mr. MANSFIELD. Mr. President, I yield 2 minutes on the bill to the Senator from Wyoming.

Mr. McGEE. Mr. President, many persons have approached the issues involved in our debate on Senate bill 2080 as sectional issues, depending on whether one comes from a State which produces silver or from a State which is an industrial consumer of silver. I point out that the State I represent does not produce silver and does not have any significant industrial users of silver. However, Mr. President, the State of Wyoming is, of course, a Western State—a State that is proud of its many western traditions. Among those traditions is the use of silver coins, especially the silver dollar, as the common denominator for financial transactions. It is possible that we could conduct our commercial activities without silver dollars. Indeed, from time to time it seems that we should have no choice in the matter.

But I do not believe it is in the best interests of either my State or the Nation to abandon completely the use of silver in our coins.

The use of silver dollars in Wyoming probably stems from the fact that in our pioneer days we were far removed in time and distance from any commercial center, and the less durable bank notes printed by banks unknown to the people of the area were regarded with justifiable suspicion, whereas a silver dollar, by the mere fact of its metallic content, was above manipulation or extensive counterfeiting. From this history has grown a tradition which I sincerely believe should be preserved if at all possible; and I believe that the proposals set forward by my colleagues and me from the West, to amend the bill under consideration, will not only provide for the retention of the silver dollar as a coin in circulation, but also will maintain the stability and public confidence in our other coins, to the benefit of the entire Nation.

Mr. President, in this debate the point has been repeatedly made that our consumption of silver has exceeded our production of silver, and will continue to exceed it in the foreseeable future. This fact has been used as an argument against the silver content of coins or the maintenance of a silver stockpile protected from use as a backstop for coinage or silver certificate redemption. As I stated earlier, the State of Wyoming does not mine silver. However, we are bordered on all sides by States which have a history of extensive silver mining; and our State is rich in many other minerals mined under circumstances similar to those under which silver is mined. I can state from personal experience that the rapid evolution of our mining industry with new techniques of exploration and discovery, plus scientific developments in mining, benefacting, and extracting, has created a potential for a vast increase in mineral production. The key to the use of this potential is demand; and I believe that the maintenance of a respectable percentage of silver in our coins, grouped with the evergrowing commercial uses of silver, will provide the demand necessary to stimulate further this basic industry.

For these reasons, Mr. President, I stand with my colleagues for the maintenance of silver in our coinage, for a silver stockpile, and for increased regulations to prohibit the misuse of existing coins. I believe this stand, while representing the historical and commercial traditions of the West, is also squarely in the best interest of the Nation.

Mr. MANSFIELD. Mr. President, I yield back the remainder of my time.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. On this vote I have a pair with the Senator from Wyoming [Mr. SIMPSON]. If present and voting, he would vote "yea." If at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUYE], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from North Carolina [Mr. ERVIN], and the Senator from Arkansas [Mr. FULBRIGHT] are absent because of deaths in their respective families.

I further announce that the Senator from Tennessee [Mr. BASS], the Senator from Virginia [Mr. BYRD], and the Senator from Ohio [Mr. LAUSCHE] are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. BASS], the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Hawaii [Mr. INOUYE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Michigan [Mr. MCNAMARA], and the Senator from Georgia [Mr. RUSSELL] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from California [Mr. KUCHEL] is necessarily absent.

The Senator from Delaware [Mr. BOGGS], the Senator from New Jersey [Mr. CASE], and the Senator from Wyoming [Mr. SIMPSON] are detained on official business.

If present and voting, the Senator from Delaware [Mr. BOGGS] and the Senator from New Jersey [Mr. CASE] would each vote "yea."

The pair of the Senator from Wyoming [Mr. SIMPSON] has been previously announced.

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from California would vote "yea" and the Senator from Colorado would vote "nay."

The result was announced—yeas 74, nays 9, as follows:

[No. 153 Leg.]

YEAS—74

Aiken
Anderson
Bayh
Bennett
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Cooper
Cotton
Curtis
Dirksen
Dodd
Douglas
Eastland
Ellender
Fannin
Fong
Gore
Harris
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—9

Bartlett
Bible
Church
Dominick
Gruening
Jackson
Jordan, Idaho
Magnuson
Moss

NOT VOTING—17

Allott
Bass
Boggs
Byrd, Va.
Case
Clark
Ervin
Fulbright
Hayden
Inouye
Kuchel
Lausche
Mansfield
McNamara
Neuberger
Russell, Ga.
Simpson

So the bill (S. 2080) was passed, as follows:

S. 2080

An act to provide for the coinage of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Coinage Act of 1965".

TITLE I—AUTHORIZATION OF ADDITIONAL COINAGE

SEC. 101. (a) The Secretary may coin and issue pursuant to this section half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet the needs of the public. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

(1) The half dollar shall have—

(A) a diameter of 1.205 inches;

(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

(C) a core of an alloy of silver and copper such that the whole coin weighs 11.5 grams and contains 4.6 grams of silver and 6.9 grams of copper.

(2) The quarter dollar shall have—

(A) a diameter of 0.955 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 5.67 grams.

(3) The dime shall have—

(A) a diameter of 0.705 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 2.268 grams.

(b) Nothing in this Act shall prohibit the continued minting of half dollars, quarter dollars, and dimes of standard coin silver as authorized by law at the time of enactment of this Act.

SEC. 102. All coins and currencies of the United States (including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations), regardless of when coined or issued, shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues.

SEC. 103. (a) In order to acquire equipment, manufacturing facilities, patents, patent rights, technical knowledge and assistance, metallic strip, and other materials necessary to produce rapidly an adequate supply of the coins authorized by section 101 of this Act, the Secretary may enter into contracts upon such terms and conditions as he may deem appropriate and in the public interest.

(b) During such period as he may deem necessary, but in no event later than five years after the date of enactment of this Act, the Secretary may exercise the authority conferred by subsection (a) of this section without regard to any other provisions of law governing procurement or public contracts.

SEC. 104. During the five-year period commencing on the date of enactment of this Act, the Secretary shall purchase at a price of $1.25 per fine troy ounce any silver mined after such date of enactment from natural deposits in the United States or any place subject to the jurisdiction thereof and tendered to a United States mint or assay office within one year after the month in which the ore from which it is derived was mined.

SEC. 105. (a) Whenever in the judgment of the Secretary such action is necessary to protect the coinage of the United States, he is authorized under such rules and regulations as he may prescribe to prohibit, curtail, or regulate the exportation, melting, or treating of any coin of the United States.

(b) Whoever knowingly violates any order, rule, regulation, or license issued pursuant to subsection (a) of this section shall be fined not more than $10,000, or imprisoned not more than one year, or both.

SEC. 106. (a) There shall be forfeited to the United States any coins exported, melted, or treated in violation of any order, rule, regulation, or license issued under section 105(a), and any metal resulting from such melting or treating.

(b) The powers of the Secretary and his delegates, and the judicial and other remedies available to the United States, for the enforcement of forfeitures of property subject to forfeiture pursuant to subsection (a) of this section shall be the same as those provided in part II of subchapter C of chapter 75 of the Internal Revenue Code of 1954 for the enforcement of forfeitures of property subject to forfeiture under any provision of such Code.

SEC. 107. The Secretary may issue such rules and regulations as he may deem necessary to carry out the provisions of this Act.

SEC. 108. For the purposes of this title—

(1) The term "Secretary" means the Secretary of the Treasury.

(2) The term "clad coin" means a coin composed of three layers of metal, the two outer layers being of identical composition and metallurgically bonded to an inner layer.

(3) The term "cladding" means the outer layers of a clad coin.

(4) The term "core" means the inner layer of a clad coin.

(5) A specification given otherwise than as a limit shall be maintained within such reasonable manufacturing tolerances as the Secretary may specify.

(6) Specifications given for an alloy are by weight.

TITLE II—AMENDMENTS TO EXISTING LAW

SEC. 201. The first sentence of section 3558 of the Revised Statutes (31 U.S.C. 283) is amended to read: "The business of the United States assay office in San Francisco shall be in all respects similar to that of the assay office of New York except that until the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins, its facilities may be used for the production of coins."

SEC. 202. Section 4 of the Act of August 20, 1963 (Public Law 88–102; 31 U.S.C. 294), is amended by changing "$30,000,000" to read "$45,000,000".

SEC. 203. (a) Section 3 of the Act of December 18, 1942 (56 Stat. 1065; 31 U.S.C. 317c), is amended by striking "minor" each place it appears.

(b) Section 9 of the Act of March 14, 1900 (31 Stat. 48; 31 U.S.C. 320), is repealed.

Sec. 204. (a) Section 3517 of the Revised Statutes (31 U.S.C. 324) is amended to read:

"Sec. 3517. Upon one side of all coins of the United States there shall be an impression emblematic of liberty, with an inscription of the word 'Liberty', and upon the reverse side shall be the figure or representation of an eagle, with the inscriptions 'United States of America' and 'E Pluribus Unum' and a designation of the value of the coin; but on the dime, 5-, and 1-cent piece, the figure of the eagle shall be omitted. The motto 'In God we trust' shall be inscribed on all coins. Coins shall be inscribed with the year of the coinage or issuance unless the Secretary of the Treasury, in order to prevent or alleviate a shortage of coins of any denomination, directs that coins of that denomination continue to be inscribed with the last preceding year inscribed on coins of that denomination."

(b) The Act of September 3, 1964 (Public Law 88-580; 31 U.S.C. 324 note), is repealed.

Sec. 205. The first sentence of section 3526 of the Revised Statutes (31 U.S.C. 335) is amended to read: "In order to procure bullion for coinage or to carry out the purposes of section 104 of the Coinage Act of 1965, the Secretary of the Treasury may purchase silver bullion with the bullion fund."

Sec. 206. (a) Section 3528 of the Revised Statutes (31 U.S.C. 340) is amended to read:

"Sec. 3528. The Secretary of the Treasury may use the coinage metal fund for the purchase of metal for coinage. The gain arising from the coinage of metals purchased out of such fund into coin of a nominal value exceeding the cost of such metals shall be credited to the coinage profit fund. The coinage profit fund shall be charged with the wastage incurred in such coinage, with the cost of distributing such coins, and with such sums as shall from time to time be transferred therefrom to the general fund of the Treasury."

(b) The effect of the amendment made by subsection (a) of this section shall be to redesignate the minor coinage metal fund established under section 3528 of the Revised Statutes as the coinage metal fund, and not to authorize the creation of a new fund.

Sec. 207. The second sentence of section 3542 of the Revised Statutes (31 U.S.C. 355) is amended by changing ", in the case of the superintendent of melting and refining department, one-thousandth of the whole amount of gold, and one and one-half thousandths of the whole amount of silver delivered to him since the last annual settlement, and in the case of the superintendent of coining department, one-thousandth of the whole amount of silver, and one-half thousandth of the whole amount of gold that has been delivered to him by the superintendent" to read "such limitations as the Secretary shall establish".

Sec. 208. Section 3550 of the Revised Statutes (31 U.S.C. 366) is repealed.

Sec. 209. The second sentence of section 2 of the Act of June 4, 1963 (Public Law 88-36; 31 U.S.C. 405a-1), is amended to read: "The Secretary of the Treasury is authorized to use for coinage, or to sell on such terms and conditions as he may deem appropriate, at a price not less than the monetary value of $1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates."

Sec. 210. The last sentence of section 43(b)(1) of the Act of May 12, 1933 (Public Law 10, Seventy-third Congress; 31 U.S.C. 462), is repealed.

Sec. 211. (a) Section 485 of title 18 of the United States Code is amended to read:

"§ 485. Coins or Bars

"Whoever falsely makes, forges, or counterfeits any coin or bar in resemblance or similitude of any coin of a denomination higher than 5 cents or any gold or silver bar coined or stamped at any mint or assay office of the United States, or in resemblance or similitude of any foreign gold or silver coin current in the United States or in actual use and circulation as money within the United States; or

"Whoever passes, utters, publishes, sells, possesses, or brings into the United States any false, forged, or counterfeit coin or bar, knowing the same to be false, forged, or counterfeit, with intent to defraud any body politic or corporate, or any reason, or attempts the commission of any offense described in this paragraph—

"Shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both."

(b) The table of sections at the beginning of chapter 25 of such title is amended by striking

"485. Gold or silver coins or bars."

and inserting

"485. Coins or bars."

TITLE III—JOINT COMMISSION ON THE COINAGE

Sec. 301. The President is hereby authorized to establish a Joint Commission on the Coinage to be composed of the Secretary of the Treasury as Chairman; the Secretary of Commerce; the Director of the Bureau of the Budget; the Director of the Mint; the chairman and ranking minority member of the Senate Banking and Currency Committee; the chairman and ranking minority member of the House Banking and Currency Committee; one Member of the House of Representatives to be appointed by the Speaker; one Member of the Senate to be appointed by the President of the Senate; and four public members to be appointed by the President, none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics, or production of the coinage of the United States.

Sec. 302. No public official or Member of Congress serving as a member of the Joint Commission shall continue to serve as such after he has ceased to hold the office by virtue of which he became a member of the Joint Commission. Any vacancy on the Joint Commission shall be filled by the choosing of a successor member in the same manner as his predecessor.

Sec. 303. The Joint Commission shall study the progress made in the implementation of the coinage program established by this Act, and shall review from time to time such matters as the needs of the economy for coins, the standards for the coinage, technological developments in metallurgy and coin-selector devices, the availability of various metals, renewed minting of the silver dollar, the time when and circumstances under which the United States should cease to maintain the price of silver, and other considerations relevant to the maintenance of an adequate and stable coinage system. It shall, from time to time, give its advice and recommendations with respect to these matters to the President, the Secretary of the Treasury, and the Congress.

Sec. 304. There are authorized to be appropriated to remain available until expended, such amounts as may be necessary to carry out the purposes of this title.

Mr. BENNETT. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AUTHORIZATION FOR COMMITTEE ON BANKING AND CURRENCY TO FILE REPORT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Banking and Currency may have until midnight, Monday, June 28, 1965, to file a report on the 1965 Housing Act.

Mr. SPARKMAN. Mr. President, I was prepared to make the same request. I had previously asked that a request be lodged that the Committee on Banking and Currency have until midnight on Monday next in which to file a report on the Housing Act of 1965.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF SMALL RECLAMATION PROJECTS ACT OF 1956

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 325, S. 602.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 602) to amend the Small Reclamation Projects Act of 1956.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 9, after the word "irrigation", to strike out "undertaking" and insert "undertaking,"; on page 3, line 22, after the word "the", to strike out "project"." and insert "project," and by inserting at the end of the parenthetical phrase "except as provided in subsection 5(b)(2) hereof." "; on page 4, line 1, after the word "subsection", to strike out "(a)" and insert "(d)"; in line 2, after the word "following", to strike out " "No appropriation for financing participation of more than $250,000 in any such project shall be made prior to sixty calendar days (which sixty days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) from the date on which the Secretary's findings and approval are submitted to the Congress and then only if, within said sixty days, neither the House nor the Senate Interior and Insular Affairs Committee disapproved the project proposal by committee resolution:"; in line 16, after the word "resolution.", to strike out "The provisions of this subsection (d) shall not be applicable to proposals made under section 6 of this Act." "; in line 21, after "(a)", to strike out "The" and insert "the"; on page 5, line 6, after the word "grant", to strike out "may equal" and insert "shall not exceed"; on page 7, line 24, after "10", to strike out "and"; on page 8, line 1, after "11", to insert "and "12" "; and in line 5, after "Sec. 9.", to strike out "The" and insert "To the extent not inconsistent with other provisions of this Act, the"; so as to make the bill read:

S. 602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Small Reclamation Projects Act of 1956 (70 Stat. 1044, as amended by 71 Stat. 48 and 49) is further amended as follows:

(a) Amend subsection (d) of section 2 to read as follows:

"(d) The term 'project' shall mean (i) any complete irrigation undertaking, including incidental features thereof, or distinct unit of such an undertaking or a rehabilitation and betterment program for an existing irrigation project, authorized to be constructed pursuant to the Federal reclamation laws and (ii) any similar undertaking proposed to be constructed by an organization. The term 'project' shall not include any such undertaking, unit, or program the cost of which exceeds $10,000,000: *Provided,* That no loan or grant or combination thereof in excess of $7,500,000 will be made: *Provided further,* That nothing contained in this definition shall preclude the making of a grant not in excess of $7,500,000 in accordance with the provisions of sections 4 and 5 of this Act, to organizations whose proposed projects qualify for the same but which are not applicants for a loan under this Act: *And provided further,* That nothing contained in this Act shall preclude the making of more than one loan or grant, or combined loan and grant, to an organization so long as no two such loans or grants, or combinations thereof, are for the same project, as herein defined."

(b) Amend subsection (a) of section 4 to read as follows:

"(a) Any proposal with respect to the construction of a project which has not theretofore been authorized for construction under the Federal reclamation laws shall set forth, among other things, a plan and estimated cost in detail adequate to provide a clear understanding of the project, to demonstrate that it is financially feasible, and to define the maximum amount of the loan; shall have been submitted for review by the States of the drainage basin in which the project is located in like manner as provided in subsection (c), section 1 of the Act of December 22, 1944 (58 Stat. 887), except that the review may be limited to the State or States in which the project is located if the proposal is one solely for rehabilitation and betterment of an existing project; and shall include a proposed allocation of capital costs to functions such that costs for facilities used for a single purpose shall be allocated to that purpose and costs for facilities used for more than one purpose shall be so allocated among the purposes served that each purpose will share equitably in the costs of such joint facilities: *Provided,* That costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among project functions."

(c) Amend subsection (b) of section 4 by striking out the word "construction" from the phrase which now reads "and willing to finance otherwise than by loan and grant under this Act such portion of the cost of construction" and insert in lieu thereof "the project," and by inserting at the end of the parenthetical phrase "except as provided in subsection 5(b)(2) hereof."

(d) Amend subsection (d), section 4, by adding at the end of the first sentence the following: "*Provided,* That an appropriation may be made before the end of the said sixty days if both House and Senate committees shall have earlier approved the project by committee resolution."

(e) Amend subsection (a) of section 5 to read as follows:

"(a) The maximum amount of any loan to be made to the organization and the time and method of making the same available to the organization. Said loan shall not exceed the lesser of (1) $7,500,000 or (2) the estimated total cost of the project minus the contribution of the local organization as provided in section 4(b) and the amount of the grant approved."

(f) Amend subsection (b) of section 5 to read as follows: "the maximum amount of any grant to be accorded the organization. Said grant shall not exceed the sum of the following: (1) the costs of investigations, surveys, and engineering and other services necessary to the preparation of proposals and plans for the project allocable to fish and wildlife enhancement or public recreation; (2) up to one-half the costs of acquiring lands or interest therein for a reservoir or other area to be operated for fish and wildlife enhancement or public recreation purposes; (3) up to one-half the costs of basic public outdoor recreation facilities or facilities serving fish and wildlife enhancement purposes exclusively; (4) up to one-half the costs of construction of joint use facilities properly allocable to fish and wildlife enhancement or public recreation; and (5) that portion of the estimated cost of constructing the project which if it were constructed as a Federal reclamation project, would be properly allocable to functions other than recreation and fish and wildlife enhancement which are nonreimbursable under general provisions of law applicable to such projects."

(g) Amend subsection (c) of section 5 to read as follows:

"(c) A plan of repayment by the organization of (1) the sums lent to it in not more than fifty years from the date when the principal benefits of the project first become available; (2) interest, as determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the contract is executed, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue, and by adjusting such average rate to the nearest one-eighth of 1 per centum at the beginning of the fiscal year preceding the date on which the contract is executed, on that portion of the loan which is attributable to furnishing water service or facilities to land held in private ownership in each year by any one owner in excess of one hundred and sixty irrigable acres; and (3) in case of any project involving an allocation to domestic, industrial, or municipal water supply, or commercial power, interest on the unamortized balance of an appropriate portion of the loan at a rate as determined in (2) above: *Provided,* That interest as determined herein shall apply to loans made heretofore under this Act;".

(h) Add, as a new section, section 8, to read as follows:

"SEC. 8. If he determines that it is justified, the Secretary may advance to an organization, eligible for a loan under this Act, funds up to half the amount required to undertake project investigations, to prepare the loan applications, and to do other work necessary to obtaining of a construction loan, the funds so advanced to become a part of the loan and grant or combination thereof; to be repaid as provided in section 5 of this Act, if not otherwise repaid. If no loan under this Act is made to the organization and no construction (whether or not financed under this Act) is performed as a result of such investigations or studies, such funds advanced may be nonreimbursable. Funds for this purpose shall not be advanced until the local organization has presented its program for these activities for approval by the Secretary. If a loan (or advance of funds) has been made by another Federal agency for planning with respect to a project theretofore or subsequently approved for a construction loan under this Act, the Secretary may provide from construction funds the full amount necessary to repay that loan or advance of funds and such amount shall be included as a part of the construction loan under this Act."

(i) Renumber existing sections "8", "9", "10", "11", and "12" as sections, "9", "10", "11", "12", and "13", respectively.

(j) Amend section 9 (formerly section 8) to read as follows:

"SEC. 9. To the extent not inconsistent with other provisions of this Act, the planning and construction of projects undertaken pursuant to this Act shall be subject to all procedural requirements and other provisions of the Fish and Wildlife Coordination Act."

(k) Amend section 11, formerly section 10, to read as follows:

"SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary, but not to exceed $200,000,000 to carry out the provisions of this Act, this limit to be extended by the amounts of repayment of principal received from loans and the amount of nonreimbursable expenditures under this Act: *Provided,* That the Secretary shall advise the Congress promptly on the receipt of each proposal referred to in section 3, and no contract, except as may be necessary under section 8, shall become effective until appropriated funds are available to initiate the specific proposal covered by each contract. All such appropriations shall remain available until expended and shall, insofar as they are used to finance loans made under this Act, be reimbursable in the manner hereinabove provided."

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, no further business will be transacted tonight. This will enable Democrats to go to a dinner and Republicans to go to their homes.

ARREARAGES IN PAYMENT OF CONTRIBUTIONS TO THE UNITED NATIONS

Mr. DIRKSEN. Mr. President, it is now clear that the United States has lost its fight to keep article 19 of the United Nations Charter alive. The fight was waged with neither skill nor vigor.

No sophistry can mask the fact that the United Nations has been weakened and that the present administration has suffered a serious defeat.

Article 19 prescribes the penalty of loss of voting rights in the General Assembly for any member nation in arrears by 2 years or more in the payment of its contributions to the United Nations.

A decision of the World Court in 1962, ratified overwhelmingly by the General Assembly, removed any doubt that the Soviet Union and some other nations are now subject to the penalty of article 19.

The administration at first loudly announced its intention to insist on the application of article 19. It even threatened to withhold its contributions for some U.N. activities if the Soviet Union failed to pay up.

Because of the issue raised by article 19, the last session of the General Assembly was a tragic farce with no voting at all until February 18. In effect, the delinquent members of the United Nations deprived the nations that had lived up to their obligations—including the United States—of their right to vote.

On February 18, a vote was taken. The acquiescence of the representative of the United States in that action constituted an abandonment of the position which he had taken until that time. On that day the position of the administration was exposed as a bluff, and a staggering blow was dealt to the structure of the United Nations.

We regret the backdown of last February. Further action to make Article 19 a dead letter will further weaken the United Nations.

Until the nations that are in arrears in their payments to the United Nations manifest interest in preserving the international organization by moving to make up their deficit, the United States should make no voluntary additional contribution. Once this Nation embarks on a policy of paying the debts of other countries to the United Nations, there will be no end to the process. It will help neither the world organization nor the cause of peace.

Mr. President, a second statement was made by the distinguished minority leader of the House, Representative GERALD FORD, of Michigan. It reads as follows:

STATEMENT BY REPRESENTATIVE GERALD R. FORD ON 20TH ANNIVERSARY OF UNITED NATIONS

We salute the United Nations with a mixture of satisfaction and apprehension on the occasion of its 20th anniversary.

Republicans (notably the late Senator Arthur Vandenberg) helped to bring this organization into being. They have loyally supported its every effort to attain the noble goals set forth in its charter.

There is some encouragement in its accomplishments in keeping the peace in certain troubled areas and there is reason for satisfaction in its social, economic, and humanitarian activities.

Yet the United Nations today is in difficult straits. It is bankrupt. It has been used as nothing more than a propaganda forum by many nations. It has violated its charter. The General Assembly was unable to take a vote on any substantive issue in its last session.

The survival of the organization as an effective agency is in doubt.

To save it, the United States and its other leading members must move to deal with its problems instead of permitting them to fester and grow.

One problem is posed by the separation of power and responsibility. A two-thirds majority of the 114 members of the General Assembly can be put together by nations representing 10 percent of the population of U.N. members and 5 percent of the contributions to the U.N. budget. Clearly, these small states cannot enforce big decisions, and situations can easily arise in which big states will be unwilling to follow the orders of smaller members.

Another problem is the relationship of the United Nations to regional organizations such as the Organization of American States. In the Dominican Republic representatives of the U.N. have in fact worked at cross purposes with the representatives of the inter-American organization.

Finally, there is the problem of finance. For more than 3 years, the U.N. has teetered on the brink of bankruptcy. At present it is $108 million in the red.

The problems are formidable. Solving them calls for determined action on the part of the administration.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to query the majority leader concerning the program for the remainder of the day, if there is anything further, and about the program for tomorrow.

Mr. MANSFIELD. Mr. President, in reply to the question raised by the distinguished minority leader, no further business will be transacted today.

The pending business is S. 602, a bill to amend the Small Reclamation Projects Act of 1956.

It is anticipated that, following that, tomorrow we shall take up Calendar No. 350, Senate Joint Resolution 71, a joint resolution to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission.

We shall next take up Calendar No. 351, S. 1760, a bill to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program.

We shall next take up Calendar No. 349, S. 1903, a bill to amend the United Nations Participation Act, as amended—63 Stat. 734–736.

We shall next take up Calendar No. 352, H.R. 7105, a bill to provide for continuation of authority for regulation of exports, and for other purposes.

Following that, we shall take up S. 596, the Regional Medical Complex Act, which has been reported, along with H.R. 2985, the Community Mental Health Center, and H.R. 2984, Health Research Facilities Amendments of 1965.

It is not anticipated that action on these measures will be completed tomorrow. However, we shall go as far as we can. On Monday, it is anticipated, at an appropriate time, to take up Calendar Order No. 327, H.R. 8439, the military construction bill.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, if it is in order, I should like to ask the distinguished majority leader whether he contemplates a Saturday session.

Mr. MANSFIELD. No.

Mr. DIRKSEN. Mr. President, I thank the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I should hope, in an attempt to expedite the business at hand before the Fourth of July recess—and it will be a very brief one, beginning at the conclusion of business on Thursday next—that the distinguished minority leader will give consideration to the possibility of perhaps coming in earlier on some of the mornings next week to expedite the program.

Mr. DIRKSEN. Mr. President, we shall be delighted to cooperate with the distinguished majority leader. The distinguished majority leader has been most cooperative at all times in the interest of the convenience of Senators not only on his side of the aisle, but on this side as well.

I thank him for that cooperation.

Mr. MANSFIELD. Mr. President, I thank the Senator for his kind words.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

CONCURRENT RESOLUTION OF NEW YORK LEGISLATURE

The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of New York, which was referred to the Committee on Finance, as follows:

RESOLUTION 142

Concurrent resolution of the Senate and Assembly of the State of New York memorializing the Congress of the United States to enact legislation amending section 7701(a) of the Internal Revenue Code, so as to afford nondiscriminatory tax treatment as between corporation employees and self-employed professionals

Whereas the Joint Legislative Committee on Professional Men—Tax Status and Tax Benefits of the New York State Legislature was created in April 1963 by concurrent resolution of the New York State Senate and Assembly (in assembly April 4, 1963; in senate April 5, 1963) and has been duly redesignated to serve until March 31, 1965, for the purpose of investigating and studying all phases of affording equitable tax status and tax benefits to professional men licensed to practice their professions pursuant to the laws of the State of New York; and

Whereas the said joint legislative committee has conducted its investigation and study of the question and has heretofore rendered its interim report, dated December 14, 1963, to the 1964 session of the New York State Legislature and its final report dated March 31, 1965, to the 1965 session of the New York State Legislature, in which, among other things, is recommended that the tax benefits and savings afforded corporation employees should not be denied to self-employed professionals; and

Whereas the said joint legislative committee in its interim report dated December 14, 1963, recommended that the New York State Senate and Assembly by appropriate joint resolution memorialize the Congress of the United States to enact legislation amending the Internal Revenue Code of 1954 so as to afford nondiscriminatory tax treatment as between corporation employees and self-employed professionals which was done pursuant to concurrent resolution adopted on March 18, 1964; and

Whereas the said joint legislative committee reported that under the then existing Kintner regulations (Internal Revenue Code Reg. sec. 301, 7701–1 and 2, adopted Nov. 15, 1960; CCH 1964 Fed. Tax Rep. vol. 6, par. 5942), equality of tax status could be afforded professionals by enactment of legislation at the State level which would authorize professional practice in association or corporation form, but that the Commissioner of Internal Revenue had announced that impending amendments to the Kintner regulations as they then existed would soon be made; and

Whereas on December 19, 1963, a bill was introduced in the Senate of the United States (S. 2403) by Senator HERMAN E. TALMADGE to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law and providing that professional associations and corporations shall by definition be granted the status of corporations within the meaning of Internal Revenue Code of 1954, section 7701(a); and

Whereas amendments to the existing Kintner regulations were approved by the Commissioner of Internal Revenue on January 28, 1965, in final form and thereafter published in the Federal Register, which make it extremely difficult, if not impossible, for professionals conducting their professions in association or corporation form to qualify for the tax savings presently afforded employees of corporations; and

Whereas the said joint legislative committee in its final report to the New York State Legislature, dated March 31, 1965, recommended that the New York State Senate and Assembly by appropriate joint resolution again memorialize the Congress of the United States to enact legislation amending the Internal Revenue Code of 1954 so as to afford nondiscriminatory tax treatment as between corporation employees and self-employed professionals; and

Whereas it is deemed desirable to create a tax status for self-employed professionals relatively equal to the favorable treatment afforded corporation employees, in order to eliminate the existing tax discrimination against professionals in New York State, which has resulted in a trend on the part of many professionals to enter corporate employment rather than private practice: Now, therefore, be it

Resolved (if the senate concurs), That the Congress of the United States be and it hereby is memorialized to enact into law S. 2403, known as the Talmadge bill, amending section 7701(a) of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law, or in lieu thereof, to enact other similar legislation amending the Internal Revenue Code to grant to self-employed professionals the tax benefits and savings afforded corporation employees; and be it further

Resolved (if the senate concur), That copies of this resolution be transmitted to the Congress of the United States by forwarding one copy thereof to the Secretary of the U.S. Senate and one copy to the Clerk of the House of Representatives and one copy to each Member of the Congress from the State of New York.

By order of the assembly:

JOHN T. MCKENNAN,
Clerk.

In senate June 14, 1965.

Concurred in, without amendment.

By order of the senate:

GEORGE H. VAN LENGEN,
Secretary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare, without amendment:

S. 511. A bill to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory (Rept. No. 365).

By Mr. HILL, from the Committee on Labor and Public Welfare, with amendments:

H.R. 2985. An act to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers (Rept. No. 366).

HEALTH RESEARCH FACILITIES AMENDMENTS OF 1965—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 367)

Mr. HILL. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with an amendment, the bill (H.R.2984) to amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and providing increased support for the program, to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare, and for other purposes, and I submit a report thereon. I ask that the report be printed, together with the individual views of the Senator from Texas [Mr. YARBOROUGH].

The PRESIDING OFFICER (Mr. MONDALE in the chair). The report will be received, and the bill will be placed on the calendar; and, without objection, the report wil be printed, as requested by the Senator from Alabama.

HEART DISEASE, CANCER, AND STROKE, AMENDMENTS OF 1965—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 368)

Mr. HILL. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (S. 596) to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases, and I submit a report thereon. I ask that the report be printed, together with the individual views of the Senator from Texas [Mr. YARBOROUGH].

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Alabama.

REPORT ON A STUDY OF "INTERAGENCY COORDINATION, ECONOMY AND EFFICIENCY"—REPORT OF A COMMITTEE (S. REPT. NO. 369)

Mr. RIBICOFF. Mr. President, the Committee on Government Operations, in executive session last January, approved a summary of activities toward interagency coordination submitted to it by the Subcommittee on Reorganization and International Organizations and authorized the subcommittee chairman to file a report. The subcommittee is no longer in existence but its chairman certainly continues in our midst as our beloved and distinguished Vice President—the Honorable HUBERT H. HUMPHREY. It is with some pride, therefore, Mr. President, that on behalf of the former chairman and now Vice President I submit the report on the activities of his old subcommittee toward the goal of coordination of Federal agency programs. And I want to add that the great work he began will be continued. The problems of Government efficiency and economy and the goal of interagency coordination will receive close study before the Subcommittee on Executive Reorganization and the entire Committee on Government Operations.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Connecticut.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. SYMINGTON, from the Committee on Armed Services:

Adm. David L. McDonald, U.S. Navy, for appointment as the Chief of Naval Operations.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. JACKSON. Mr. President, from the Committee on Armed Services I report favorably the nominations of 1 general officer in the Army, 12 general officers in the Air Force, and 7 flag officers in the Navy. I ask that these nominations be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Maj. Gen. Sam Maddux, Jr., Regular Air Force, and Maj. Gen. Joseph H. Moore, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grades of lieutenant generals;

Gen. Walter C. Sweeney, Jr. (major general, Regular Air Force), U.S. Air Force, Gen. Mark E. Bradley (major general, Regular Air Force), U.S. Air Force, Lt. Gen. Ralph P. Swofford, Jr. (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list;

Lt. Gen. John D. Ryan (major general, Regular Air Force), U.S. Air Force, and sundry other officers, to be assigned to positions of importance and responsibility designated by the President;

Edward P. Irons, and sundry other officers, for temporary promotion in the U.S. Navy; and

Lt. Gen. Frederic Joseph Brown, Army of the United States (major general, U.S. Army), to be placed on the retired list.

Mr. JACKSON. Mr. President, in addition, I report favorably 4,836 promotions in the Army to the grade of major and below. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Lael J. Abbott, and sundry other officers, for promotion in the Regular Army of the United States.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCLELLAN (for himself and Mr. Lausche):

S. 2187. A bill to outlaw the Mafia and other organized crime syndicates;

S. 2188. A bill to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States;

S. 2189. A bill to prohibit wiretapping by persons other than duly authorized law enforcement officers engaged in the investigation or prevention of specified categories of criminal offenses, and for other purposes;

S. 2190. A bill to permit the compelling of testimony with respect to certain crimes, and the granting of immunity in connection therewith; and

S. 2191. A bill to provide for the civil commitment of certain persons addicted to the use of narcotic drugs; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bills, which appear under a separate heading.)

By Mr. METCALF (for himself and Mr. Hruska):

S. 2192. A bill to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 2193. A bill for the relief of Dr. Quirico Santiago; and

S. 2194. A bill for the relief of Dr. Palem S. Rao; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 2195. A bill for the relief of Hoi Kan Lam; to the Committee on the Judiciary.

By Mr. METCALF (for himself and Mr. McGovern):

S. 2196. A bill to amend the law establishing the Indian revolving loan fund; and

S. 2197. A bill to provide for guaranty and insurance of loans to Indians and Indian organizations; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Metcalf when he introduced the above bills, which appear under a separate heading.)

By Mr. NELSON (for himself, Mr. Proxmire, and Mr. Yarborough):

S. 2198. A bill relating to payments for school construction in federally affected areas affected by proposed base closings; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 2199. A bill to provide certain services for Government employees in order to assist them in preparing for retirement; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF (for himself, Mr. McGovern, and Mr. Nelson):

S. 2200. A bill to amend the act of March 2, 1944, defining "nonfat dry milk," so as to include within the meaning of such term nonfat dry milk to which vitamin A or D has been added; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. Randolph):

S.J. Res. 93. Joint resolution to promote the maintenance of international peace and security in southeast Asia, and to supplement Public Law 88-408; to the Committee on Foreign Relations.

(See the remarks of Mr. Javits when he introduced the above joint resolution, which appear under a separate heading.)

AMENDMENT OF MIGRATORY BIRD CONSERVATION ACT

Mr. METCALF. Mr. President, on April 26 I discussed "Ratchet II," the cost reduction program of the Bureau of the Budget, upon the national wildlife refuge system. As part of my discussion, I mentioned my responsibility to this body, as a member of the Migratory Bird Conservation Commission. I raised serious questions about proposals to reduce or eliminate 11 wildlife refuges from the national system at a time when this Nation requires every acre possible to be dedicated to public purposes of wildlife conservation, outdoor recreation, and natural beauty.

As a trustee of the funds contributed by the Nation's duck hunters, private individuals, and conservation groups, I pointed out the congressional responsibility inherent in such a trust and introduced an amendment to the Migratory Bird Conservation Act providing simply that land should be taken out of the national wildlife refuge system the same way it gets in—by approval of the Migratory Bird Conservation Commission.

Since the introduction of this measure there have been encouraging signs of reappraisal by the administration. For this I am most pleased—but the basic threat to this great national sytem of wildlife areas remains. As introduced, my bill does not go far enough in protecting the integrity and broad national purposes of the system. Many wildlife refuge areas, game and wildlife ranges were created by Executive order or transfer of lands from other Government agencies and many of these areas have broader national wildlife conservation purposes than merely migratory birds.

The Congress, and particularly the appropriations committees, expects review of the total national wildlife refuge system by the Commission. Witness the language contained in the recent Interior appropriations reports to this effect.

To accomplish this, broader legislation than I first introduced is required. Such legislation has been introduced in the other body by our distinguished colleague, the gentleman from Michigan [Mr. Dingell].

I am therefore, on behalf of my senatorial colleague on the Migratory Bird Commission, the Senator from Nebraska [Mr. Hruska] and myself, introducing another amendment to the Migratory Bird Conservation Act identical with that offered in the House. I ask unanimous consent that the bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2192) to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes, introduced by Mr. Metcalf (for himself and Mr. Hruska), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a) is amended by inserting "(a)" immediately after "Sec. 2." and by inserting at the end of such section the following new subsection:

"(b) (1) No land located within any wildlife refuge, wildlife range, game range, wildlife management area, or waterfowl production area, administered by the Secretary of the Interior through the Fish and Wildlife Service, Department of the Interior, shall be sold, transferred for any other use, or otherwise deposed of—

"(A) without the approval of the Commission, and

"(B) without the payment by the Secretary of the Interior to the migratory conservation fund (established under section 4 of the Act of March 16, 1934 (16 U.S.C. 718d)) of the fair market value of such land.

"(2) Except for a road constructed for the sole purpose of maintaining and protecting any such refuge, range, or area, no road shall be constructed within any such refuge, range, or area—

"(A) without the approval of the Commission, and

"(B) without the payment by the Secretary of the Interior to such migratory bird conservation fund of the fair market value of the right-of-way.

"(3) Any funds transferred to such migratory bird conservation fund under paragraphs (1) and (2) of this subsection shall be used exclusively for the acquisition of areas for migratory bird refuges."

Mr. HRUSKA. Mr. President, today I am joining the Senator from Montana [Mr. Metcalf] as a cosponsor on his bill S. 2192 entitled "A bill to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Conservation Commission, and for other purposes."

A few weeks ago the Senator from Montana and I joined in introducing S. 1816, "A bill to amend the Migratory Bird Conservation Act with respect to the disposal of land and interests in land acquired pursuant to such act."

The purpose of that bill was to prevent the precipitate disposal of certain existing wildlife refuges by the Secretary of the Interior. Announcement had been made that a number of our wildlife refuges, 11 in all, were to be disposed of entirely or else reduced in size. With respect to some of these refuges an argument could be made for such an action, but in other cases apparently it was the intention to dispose of refuges still needed and still serving the purpose for which they were created.

Most of the units in our system of Federal wildlife refuges were created as the result of specific authorization by the Migratory Bird Conservation Commission. This Commission, of which I have the honor to be a member, contains representation from the Senate, the House of Representatives, and the executive branch. It exists for the purpose of providing policy guidelines in our program of wildlife conservation and of development of the refuge system.

Now Secretary Udall has proposed to close down certain of the refuges without even any consultation with the Migratory Bird Conservation Commission. This action partakes of a deliberate intention to ignore both the Congress and the Commission created by congressional enactment to serve as a monitor of this program for the Congress. By that action the Secretary proposes to reverse decisions of long standing by the Commission authorizing particular refuges, and to dispose of refuges purchased with duck stamp moneys provided in accordance with Commission actions of the past.

The bill previously referred to, S. 1816, was a simple one. It provided that lands acquired through Commission action could not be sold or otherwise disposed of without Commission approval.

That bill and other aspects of this problem were previously discussed by me in the Senate on April 30 of this year, at page 8743.

Following the introduction of that measure there have been indications that the Secretary of the Interior may be quietly reappraising his hasty decision to dispense with these key wildlife refuges. However, it remains a fact that there is no statutory protection against the closing down of any of the refuges solely on the basis of executive action.

The legislation we are introducing today is in a sense a revision of S. 1816. Our new bill is identical to one recently introduced in the House by Congressman Dingell, of Michigan, H.R. 8807. Further study of this problem has reminded us that there are refuges and lands in refuges that were brought within the refuge system by means other than specific action on the part of the Migratory Bird Conservation Commission. By the provisions of S. 1816 such refuges would be still unprotected against disposition. It is desirable that all lands in the national refuge system should be treated alike and subject to the same machinery of control. For that reason the proposed authority of the Commission to oversee the disposal of refuge lands has been broadened, in our new bill, to include all lands in the refuge system, rather than merely those lands which were brought in through specific Commission action.

In addition, the new bill makes provision for payment to the migratory bird conservation fund of the fair value of any land removed from the refuge system.

It is my hope that introduction of this legislation will check this move to get rid of needed existing refuges, and will lead to a better and more systematic method of overseeing the operation of the refuges in which the proper role of the Migratory Bird Conservation Commission will be recognized.

PROPOSED LEGISLATION, RELATING TO THE INDIANS

Mr. METCALF. Mr. President, I, for myself and the junior Senator from South Dakota [Mr. McGovern], send to the desk, for appropriate reference, two bills affecting American Indians.

The first measure would amend the law establishing the Indian revolving loan fund by increasing the amount authorized to be appropriated for this purpose.

The second bill would provide for guarantee and insurance of loans to Indians and Indian organizations made by private lenders.

I ask unanimous consent that the text of the letters from the Secretary of the Interior, dated June 10, 1965, explaining the need for these measures, together with the text of the bills themselves be printed in the Record following my remarks.

The **PRESIDING OFFICER.** The bills will be received and appropriately referred; and, without objection, the bills and accompanying letters will be printed in the Record.

The bills, introduced by Mr. Metcalf (for himself and Mr. McGovern), were received, read twice by their titles, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 2196

A bill to amend the law establishing the Indian revolving loan fund

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That section 10 of the Act of June 18, 1934 (48 Stat. 986; 25 U.S.C. 470), as amended by the Act of September 15, 1961 (75 Stat. 520), which authorizes appropriations for the Indian revolving loan fund, is amended to read as follows:

"Sec. 10. (a) There is authorized to be appropriated out of any funds in the Treasury not otherwise appropriated the sum of $55,000,000 to be established as an Indian revolving loan fund. Sums collected in repayment of loans or as interest or other charges on loans shall be credited to the fund.

"(b) All funds that are now or hereafter a part of the revolving loan fund authorized by subsection (a) of this section; by the Act of June 26, 1936 (49 Stat. 1967, 1968); and by the Act of April 19, 1950 (64 Stat. 44), as amended and supplemented, including sums received in settlement of debts of livestock pursuant to the Act of May 24, 1950 (64 Stat. 190), shall be administered as a single revolving loan fund in accordance with the provisions of this section.

"(c) The Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to make loans from the revolving loan fund to organizations of Indians, Eskimos, and Aleuts (hereinafter referred to as Indians), having a form of organization that is satisfactory to the Secretary, and to individual Indians of one-quarter degree or more of Indian blood who are not members of or eligible for membership in an organization that is making loans to its members. Loans may be made for any purpose that will promote the economic development of (1) the individual Indian borrower, including loans for educational purposes, and (2) the Indian organization and its members, including loans by such organization to other organizations and investments in other organizations regardless of whether they are organizations of Indians. Loans shall be made only when in the judgment of the Secretary there is a reasonable prospect of repayment, and only to applicants who in the opinion of the Secretary are unable to obtain financing from other sources on reasonable terms and conditions. Indian tribes that have adequate available funds on deposit in the United States Treasury or elsewhere, or funds accruing from income, shall be required to use their own funds before a loan may be made pursuant to this section. Expenses of administering loans may be paid out of the revolving loan fund to the extent deemed desirable by the Secretary.

"(d) Loans made pursuant to this section shall bear interest at a rate not less than (i) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, plus (ii) such additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purposes: *Provided,* That where the Secretary determines that necessary assistance cannot be provided at such rate the rate may be reduced by not to exceed 2 per centum per annum: *Provided further,* That educational loans may provide for no interest while the borrower is in school or in the military service. The Secretary shall pay from the fund into miscellaneous receipts of the Treasury, at the close of each fiscal year, interest on the cumulative amount of appropriations, and of sums received in settlement of debts on livestock pursuant to the Act of May 24, 1950 (64 Stat. 190), available as capital to the fund, less (a) the average undisbursed cash balance in the fund during the year, (b) the amounts of any loans that are canceled or adjusted, and (c) disbursements for grants. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. The Secretary may cancel or adjust any outstanding loan which he determines is uncollectible or collectible only at an unreasonable cost when such action would in his opinion be in the best interests of the United States.

"(e) With the approval of the Secretary, title to any land purchased by a tribe with loans made pursuant to this section may be taken in the name of the United States in trust for the tribe if it is located within the boundaries of the reservation or within a tribal consolidation area approved by the Secretary, and title to any land purchased by an individual Indian may be taken in a trust status. Title to any personal property purchased with loans made pursuant to this section shall be taken in the name of the purchaser.

"(f) Title to property purchased with a loan made pursuant to this section shall be pledged or mortgaged to the lender as security for the unpaid indebtedness to the lender, in such manner and upon such terms as may be prescribed by the Secretary: *Provided*, That this requirement may be waived or modified if the Secretary determines that the repayment of the loan is otherwise reasonably assured.

"(g) An organization receiving a loan made pursuant to this section shall be required to assign to the United States as security for the loan all securities acquired in connection with the loan made to its members from such funds, unless the Secretary determines that the repayment of the loan to the United States is otherwise reasonably assured.

"(h) A loan made pursuant to this section that becomes delinquent, and the interest thereon, may be collected by the Secretary from per capita payments or other distributions of tribal assets due the delinquent borrower, without prejudice to the right to foreclose on the securities for the loan.

"(i) The Secretary is authorized to use not to exceed 20 per centum of all amounts heretofore or hereafter credited to the revolving loan fund to make grants to Indian organizations and individual Indians receiving loans pursuant to this section, or to individual Indians receiving loans made from tribal funds under regulations of the Secretary. Grants may be extended only to help borrowers during initial periods of activities financed with loans or during periods of emergency. The total amount of a grant to any borrower may not exceed 20 per centum of the amount of the borrower's loan, exclusive of amounts included therein to refinance a previous loan, and no part of grant funds may be used to make payments of principal or interest on debts of the recipient."

LETTER ACCOMPANYING SENATE BILL 2196

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 10, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill to amend the law establishing the Indian revolving loan fund.

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The purpose of this proposed bill is to increase the opportunities for Indian tribes and individual Indians to obtain loans and other financial benefits in order to promote their economic development, and thereby enable them to become self-supporting. Although progress is being made in more adequately meeting the needs of Indians for financing, their economic development presently is being retarded by lack of capital.

This is one of two related bills which the Department is submitting to the Congress. This one relates to the Indian revolving loan fund. The other relates to a new program of loan insurance and guarantees. Both are in accord with the recommendation in the "Report of the Committee on Federal Credit Programs" made to the President on February 11, 1963.

Financing of Indians in 1964 which the Department has a record is estimated at more than $163 million. The major part, $103.38 million, or about 63 percent, was received from the same institutions and agencies that finance other citizens. Tribes with money of their own furnished about $36.51 million, or 23 percent of the total. The remainder, $23.17 million or about 14 percent came from the revolving fund for loans authorized by section 10 of the act of June 18, 1934 (48 Stat. 986; 25 U.S.C. 470), as amended and supplemented. Loans from the revolving fund are approved only if other sources of financing are unavailable.

Section 10 of the act of June 19, 1934 (48 Stat. 986), authorized the appropriation of $10 million to establish a revolving fund from which the Secretary of the Interior might make loans to Indian chartered corporations for the purpose of promoting the economic development of tribes and their members. By the act of September 15, 1961 (75 Stat. 520), the appropriation authorization for the revolving fund was raised from $10 to $20 million. From the beginning, repayment of amounts loaned were credited to the revolving fund and were available again for loans.

At June 30, 1964, applications for loans from the revolving fund totaling nearly $42 million had either been approved (subject to the availability of funds) or were pending. However, cash available in the fund for loans amounted to only $2,454,329. Proposals are continually being received for the establishment of industries on or near reservations which will provide employment for Indians. Usually the tribes involved require loans to enable them to offer some inducements to such industries. Funds presently are not available to make loans for this purpose. Over the past 3 years, this Department and other Government agencies have initiated studies to determine the feasibility of various proposed economic enterprises. Fifty-eight such studies had been completed and 32 were still underway at the end of 1964. Little progress can be made in activating many of these proposals until additional channels of financing are opened to Indians. These proposed enterprises would involve many millions of dollars.

The present authorization for the revolving fund is $20 million; plus $2 million under the Oklahoma Welfare Act of June 26, 1936 (49 Stat. 1968; 25 U.S.C. 506); plus $5 million under the Navajo-Hopi Rehabilitation Act of April 19, 1950 (64 Stat. 44; 25 U.S.C. 631). All funds authorized have been appropriated except $3,200,000 authorized by the Navajo-Hopi Act, and $400 authorized by the Act of June 18, 1934.

The following summarizes transactions from the revolving fund:

Appropriated to June 30, 1964	$23,799,600
Less amount expended for administrative expenses	4,073,940
Amount appropriated available for loans	19,725,000
Plus:	
Interest collections	3,318,303
Livestock settlements	2,778,395
Total	6,096,000
Total available for loans	25,822,358
Total amount loaned	55,057,888
Repaid	31,689,859
Total	[1] 23,368,029
Cash balance June 30, 1964	2,454,329

[1] Canceled $236,258.

The repayment record through June 30, 1964, is as follows:

Total loaned	$55,057,888
Payments due	36,052,464
Payments made	31,689,859
Payments in transit	48
Payments extended	3,833,770
Amount canceled	236,258
Payments delinquent	292,529

The enactment of this proposed bill would accomplish four main purposes:

First, it will increase the revolving loan fund authorization by $35 million, making a total of $62 million.

Second, it will make the total revolving fund equally available to all Indians and Indian organizations, and resolve doubts as to the statutory authority to make loans to certain Indians and Indian organizations from part of the fund.

Third, it will authorize limited grants in connection with loans.

Fourth, it will modify the provision for paying administrative expenses out of the revolving loan fund by making the payment discretionary with the Secretary.

With respect to the requested grant authority, such assistance would be limited to a total of 20 percent of all sums credited to the revolving loan fund, and the grant to any one person could not exceed 20 percent of his loan made either from the revolving loan fund or made from tribal funds loaned under regulations issued by the Secretary. The purpose of the grants would be to help borrowers during initial periods of activities financed with loans and during periods of emergency.

Many potential borrowers are in need of assistance during the initial period of a loan. Where Indian organizations undertake economic development programs, grants would permit them to undertake some projects which would result in benefits to their members, which could not be undertaken on a 100 percent loan basis. Very few individual Indians who cannot receive financing through customary credit channels, have adequate working capital. They have little security to offer other than the property purchased with loans. Generally, loans have to be made on the basis of character, industry, and plans of the enterprise being financed. In many cases it is necessary to furnish individuals some operating capital and subsistence during the initial periods of the operations of enterprises financed with loans. Nonrecoverable items such as feed, seed, and subsistence ordinarily constitute a higher percentage than can be considered a normal credit risk.

It has become practically impossible to rehabilitate such Indians entirely on a credit basis. If an Indian borrows money in an amount sufficient to finance an economic unit, plus funds for operating and family living expenses until the enterprise comes into production, the borrower's debt load pyramids to a point where repayment within a reasonable period of time is almost impossible. The borrower may demonstrate industry and operate his credit-financed enterprise successfully, and still be unable to work himself into a solvent position. In order to reduce his debt burden he may go to work for wages in order to meet family living expenses. Such wage work usually is available only during periods when the borrower's own enterprise needs close attention. Wage work thus can jeopardize successful operation of the borrower's credit-financed enterprise. The borrower is caught on the horns of a dilemma. He can either carry a burdensome debt load, with questionable repayment capacity, or endanger the successful operation of his enterprise by lack of attention thereto by working for wages, with an equally adverse affect upon his repayment capacity.

It is essential that borrowers have a clear understanding that when a loan is made, repayment is required. However, they should not be placed in an impossible debt position. If grant funds were available to meet some of the necessary but unproductive expenses during initial periods of operation, it would be possible for many projects to succeed. In the long run, limited grants probably would be cheaper than losses on loans which would result from overburdening borrowers with debts. Such grants would prevent them from becoming so discouraged that they would abandon the operation of their enterprises.

We do not intend that every borrower will receive 20 percent of the amount of his loan as a grant. Each case will be decided on its individual merits. Many years of experience indicate that this margin represents the difference between the success or failure of many Indians attempting to rehabilitate themselves in the absence of basic resources normally available to a loan client.

The bill provides that "Expenses of administering loans may be paid out of the revolving loan fund to the extent deemed desirable by the Secretary." We expect, however, that these costs will ordinarily be paid out of regular annual appropriations.

The bill also provides that loans will bear interest at rates that approximate the current average market yield on outstanding marketable obligations of the United States with comparable maturities, with two qualifications. The Secretary may reduce that rate by 2 percent when he determines that the necessary assistance cannot be provided at the higher rate, and he may provide that educational loans may bear no interest while the borrower is in school or in the military service. In administering this loan program it will be the Department's objective to control interest rates in a manner that will make the average rate on all loans outstanding at the close of each fiscal year approximate the average market yield interest rate on outstanding Treasury obligations of comparable maturity.

The Bureau of the Budget has advised us that there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

JOHN A. CARVER, Jr.,
Under Secretary of the Interior.

S. 2197

A bill to provide for guaranty and insurance of loans to Indians and Indian organizations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to help Indians, Eskimos, and Aleuts (hereinafter referred to as "Indians") establish themselves on a self-supporting basis, by making additional sources of financing available to them.

SEC. 2. The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized (a) to guarantee not to exceed 90 per centum of the amount of any loan made (1) to an organization of Indians having a form of organization satisfactory to the Secretary, and (2) to individual Indians of one-quarter or more degree of Indian blood; and (b) in lieu of such guaranty to insure loans under an agreement approved by the Secretary, whereby the lender will be reimbursed for losses in an amount not to exceed 15 per centum of the aggregate of such loans made by it, but not to exceed 90 per centum of the loss on any one loan. The Secretary may, to the extent he deems consistent with the purposes of the program, fix such premium charges for the insurance and guarantee of loans as are in his judgment adequate to cover expenses and probable losses, and to deposit receipts from such charges in the Indians' Loan Guaranty and Insurance Fund established pursuant to section 19. Such loans shall bear interest (exclusive of premium charges for insurance, and service charges, if any) at rates not to exceed such per centum per annum on the principal obligation outstanding as the Secretary determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Federal agency. No loan in excess of $60,000 shall be insured under this Act unless prior approval of the loan is obtained from the Secretary.

SEC. 3. No loan may be guaranteed or insured hereunder until the applicant shows to the satisfaction of the Secretary that financing is otherwise unavailable on reasonable terms and conditions, nor unless there is a reasonable assurance of repayment. No loan to an individual Indian may be guaranteed or insured which would cause the total unpaid principal indebtedness thereunder to exceed $60,000.

SEC. 4. Any loan guaranteed hereunder, including the security given therefor, may be sold or assigned by the lender to any financial institution subject to examination and supervision by an agency of the United States or of any State, including the District of Columbia.

SEC. 5. Loans made by any agency or instrumentality of the Federal Government or by an organization of Indians from funds borrowed from the United States shall not be eligible for guaranty or insurance hereunder.

SEC. 6. Any loans insured hereunder shall be restricted to those made by a financial institution subject to examination and supervision by an agency of the United States, a State, or the District of Columbia, and to loans made by Indian organizations to other tribes or organizations thereof.

SEC. 7. Loans guaranteed hereunder may be made by any lender satisfactory to the Secretary, except as provided in section 5. The liability under the guaranty shall decrease or increase pro rata with any decrease or increase in the amount of the unpaid portion of the obligation.

SEC. 8. Any loan made by any national bank or Federal savings and loan association; or by any bank, trust company, building and loan association or insurance company authorized to do business in the District of Columbia, at least 20 per centum of which is guaranteed hereunder, may be made without regard to the limitations and restrictions of any other Federal statute with respect to (a) ratio of amount of loan to the value of the property; (b) maturity of loan; (c) requirement of mortgage or other security; (d) priority of lien; or (e) percentage of assets which may be invested in real estate loans.

SEC. 9. The maturity of any loan guaranteed or insured hereunder shall not exceed thirty years.

SEC. 10. The application for a loan to be guaranteed hereunder shall be submitted to the Secretary for prior approval. Upon approval, the Secretary will issue a certificate as evidence of the guaranty.

SEC. 11. In the event of a default of a loan guaranteed hereunder, the holder of the guaranty certificate may (1) immediately notify the Secretary in writing of such default and the Secretary shall thereupon pay to such holder the pro rata portion of the amount guaranteed and shall be subrogated to the rights of the holder of the guaranty to the extent of the amount paid on the guaranty, or (2) notify the Secretary in writing prior to suit or foreclosure of such default and within thirty days thereafter the Secretary may, if he determines it would be in the financial interests of the United States, pay such holder the entire unpaid balance of the obligation, plus accrued interest, even though the total payment exceeds the amount of the guaranty, and receive an assignment of the obligation and security. The Secretary shall then take such further collection action as may be warranted upon receipt of an assignment of the obligation and security. The Secretary may cancel the uncollectible portion of any obligation to which he has an assignment or a subrogated right under this section. Nothing in this section shall be construed to preclude any forbearance for the benefit of the borrower as may be agreed upon by the parties to the loan and approved by the Secretary. The Secretary may establish the date, not later than the date of judgment and decree of foreclosure or sale, upon which accrual of interest or charges shall cease.

SEC. 12. When a lender suffers a loss on a loan insured hereunder, including accrued interest, a claim therefor shall be submitted to the Secretary. If the Secretary finds that the loss has been suffered, he will reimburse the lender therefor, and the amount payable to the lender for a loss on any one loan shall not exceed 90 per centum of such loss: *Provided,* That no reimbursement may be made for losses in excess of 15 per centum of the aggregate of insured loans made by the lender: *Provided further,* That before any reimbursement is made all reasonable collection efforts shall have been exhausted by the lender, and the security for the loan shall have been liquidated to the extent feasible, and the net proceeds applied on the debt. Upon reimbursement in whole or in part to the lender, the note or judgment evidencing the debt shall be assigned to the United States, and the lender shall have no further claim against the borrower or the United States. The Secretary shall then take such further collection action as may be warranted, or may cancel the uncollectible portion of any debt assigned pursuant hereto. The Secretary may establish a date upon which accrual of interest or charges shall cease.

SEC. 13. Whenever the Secretary finds that any lender or holder of a guaranty certificate fails to maintain adequate accounting records, or to demonstrate proper ability to service loans guaranteed or insured adequately, or to exercise proper credit judgment, or has willfully or negligently engaged in practices otherwise detrimental to the interests of a borrower or of the United States, he may refuse either temporarily or permanently to guarantee or insure any further loans made by such lender or holder, and may bar such lender or holder from acquiring additional loans guaranteed or insured hereunder: *Provided,* That the Secretary shall not refuse to pay a valid guaranty or insurance claim on loans previously made in good faith.

SEC. 14. Any evidence of guaranty or insurance issued by the Secretary shall be conclusive evidence of the eligibility of the loan for guaranty or insurance under the provisions of this Act and the amount of such guaranty or insurance: *Provided,* That nothing in this section shall preclude the Secretary from establishing, as against the original lender, defenses based on fraud or material misrepresentation or bar him from establishing, by regulations in force at the date of such issuance or disbursement, whichever is the earlier, partial defenses to the amount payable on the guaranty or insurance.

SEC. 15. The Secretary may sell to any person or entity any loan heretofore or hereafter made from the revolving fund for loans authorized by the Act of June 18, 1934 (48 Stat. 986; 25 U.S.C. 470) as amended and supplemented; the Act of June 26, 1936 (49 Stat. 1968; 25 U.S.C. 506); and the Act of April 19, 1950 (64 Stat. 44, 45; 25 U.S.C. 631, 634); and may guarantee any loan thus sold, subject to the same conditions, terms, and limitations of any loans guaranteed pursuant to this Act. The receipts from any such sale shall be deposited in the revolving fund for loans and be available for other loans from such fund.

SEC. 16. With the approval of the Secretary, title to any land purchased by a tribe with loans guaranteed or insured hereunder may be taken in the name of the United States in trust for the tribe, if the land is located within the boundaries of a reservation or within a tribal consolidation area approved by the Secretary. Title to any land purchased by an individual Indian with a loan guaranteed or insured hereunder also may be taken in trust. Title to any personal property purchased with loans guaranteed or insured hereunder shall be taken in the name of the purchaser.

SEC. 17. For the purpose of securing loans guaranteed or insured pursuant to this Act, Indian tribes, bands, pueblos, and groups (hereinafter referred to as "tribes"), are authorized, subject to approval by the Secretary, to execute mortgages or deeds of trust to land, title to which is held in the United States in trust for the tribe, and to any other land title to which is in a tribe, without regard to limitations or restrictions in any other statute. Such land shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State in which the land is located. The United States shall be an indispensable party to any such proceeding with the right to remove the action to the United States district court for the district in which the land is located, according to the procedure provided in section 1446 of title 28, United States Code: *Provided,* That the United States shall have the right to appeal from any order of remand in the case.

SEC. 18. (a) The financial transactions of the Secretary incident to or arising out of the guaranty or insurance of loans, and the acquisition, management, and disposition of property, real, personal, or mixed, incident to such activities, shall be final and conclusive upon all officers of the Government. With respect to matters arising by reason of this Act, and notwithstanding the provisions of any other laws, the Secretary may:

(1) Sue and be sued in his official capacity in any court of competent jurisdiction;

(2) Subject to specific limitations in this Act, consent to the modification with respect to the rate of interest, time of payment on principal or interest, or any portion thereof, security or any other provisions of any note, contract, mortgage or other instrument securing a loan which has been guaranteed or insured hereunder;

(3) Pay, or compromise, any claim on, or arising because of, any loan guaranty or insurance;

(4) Pay, compromise, waive or release any right, title, claim, lien, or demand, however acquired, including any equity or right of redemption;

(5) Purchase at any sale, public or private, upon such terms and for such prices as he determines to be reasonable, and take title to property, real, personal, or mixed; and similarly sell, at public or private sale, exchange, assign, convey, or otherwise dispose of such property; and

(6) Complete, administer, operate, obtain, and pay for insurance on, and maintain, renovate, repair, modernize, lease, or otherwise deal with any property acquired or held pursuant to this Act.

(b) The powers of this section may be exercised by the Secretary without regard to any other provisions of law which would govern the expenditure of public funds: *Provided,* That section 5, title 41, United States Code, shall apply to any contract for services or supplies on account of any property acquired pursuant to this section if the amount of such contract exceeds $1,000.

SEC. 19. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $15 million to be established as an "Indians' Loan Guaranty and Insurance Fund" (hereinafter called the "Fund"). The Fund shall be available to the Secretary when so provided in appropriation acts and within such limitations as may be included in such acts, without fiscal year limitation, for all loan guaranty and insurance operations hereunder. Premium income not needed for current operations may be invested in bonds or other obligations of the United States or obligations guaranteed as to principal and interest by the United States. Except as provided in section 15, all amounts received by the Secretary incident to loan guaranty and insurance operations shall be deposited in the Fund. In the event the amount in the Fund is insufficient to meet payments required at any one time by sections 11 and 12, the Secretary is authorized to transfer to the Fund, for such payments, so much of the unobligated balances of any funds available to the Bureau of Indian Affairs as he deems desirable.

SEC. 20. The Secretary shall promulgate rules and regulations to carry out the provisions of this Act.

LETTER ACCOMPANYING SENATE BILL 2197

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 10, 1965.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill to provide for guaranty and insurance of loans to Indians and Indian organizations.

We recommend that the bell be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The purpose of the bill is to provide additional sources of funds to finance Indian economic development. Such additional sources of financing are essential if Indians are to become self-supporting. The enclosed bill would help increase the supply of funds for financing Indian economic enterprises.

This is one of two related bills which the Department is submitting to the Congress. One relates to the Indian revolving loan fund. This one, however, relates to a new program of loan insurance and guarantees. Both are in accord with the recommendations in the "Report of the Committee on Federal Credit Programs" made to the President on February 11, 1963.

Financing of Indians in 1964 of which the Department has a record is estimated at more than $163 million. The major part, $103.38 million, or about 63 percent, was received from the same institutions and agencies that finance other citizens. Tribes with money of their own furnished about $36.51 million, or 23 percent of the total. The remainder, $23.17 million or about 14 percent came from the revolving fund for loans authorized by section 10 of the act of June 18, 1934 (48 Stat. 986; 25 U.S.C. 470), as amended and supplemented. Loans from the revolving fund are approved only if other sources of financing are unavailable.

Although progress is being made in more adequately meeting the needs of Indians for financing, their economic development presently is being retarded by lack of capital. At June 30, 1964, applications for loans from the revolving fund totaling nearly $42 million had either been approved (subject to the availability of funds) or were pending. However, cash available in the fund for loans amounted to only $2,454,329. Proposals are continually being received for the establishment of industries, on or near reservations, which will provide employment for Indians. Usually the tribes involved require loans to enable them to offer some inducements to such industries. Funds presently are not available to make loans for this purpose. Over the past 3 years, this Department and other Government agencies have initiated studies to determine the feasibility of various proposed economic enterprises. Fifty-eight such studies had been completed and 32 were still underway at the end of 1964. Little progress can be made in activating many of these proposals until additional channels of financing are opened to Indians. These proposed enterprises would involve many millions of dollars.

The present authorization for the revolving fund is $20 million; plus $2 million under the Oklahoma Welfare Act of June 26, 1936 (49 Stat. 1968; 25 U.S.C. 506); plus $5 million under the Navajo-Hopi Rehabilitation Act of April 19, 1950 (64 Stat. 44; 25 U.S.C. 631). All funds authorized have been appropriated except $3,200,000 authorized by the Navajo-Hopi Act, and $400 authorized by the revolving fund.

The proposed bill will make additional sources of financing available to Indians to enable them to establish themselves on a self-supporting basis, at a minimum cost to the Government. Financing of Indian enterprises by private lenders undoubtedly can be greatly increased by offering them insurance and guarantees for their loans.

The substance of the bill begins with section 2 which authorizes the Secretary to guarantee not to exceed 90 percent of any loan made to an Indian organization, or to an individual Indian of one-quarter or more degree of Indian blood. In lieu of such guarantee, it authorizes the Secretary to insure loans under an arrangement whereby the lender will be reimbursed for losses up to 15 percent of the aggregate of the loans made by it to such Indian organizations or individual Indians, but not to exceed 90 percent of the loss on any one loan. The guarantee provision will apply on a loan-by-loan basis. It is anticipated that the loan guarantee provision will be utilized in financing the larger tribal enterprises and industries. The insurance provision will apply to the aggregate of loans made to Indian organizations or to individual Indians by a particular lender. The details governing the insured loans, such as amount, purpose, geographic location of borrowers, and conditions, will be set forth in an agreement with the lender approved by the Secretary. However, no loan in excess of $60,000 may be insured unless prior approval is obtained from the Secretary. It is anticipated that the insurance provision will be utilized mainly in financing individual Indians, and possibly the smaller tribal enterprises and industries.

This section also authorizes the Secretary to fix such premium charges for the insurance and guarantee of loans as are, in this judgment, adequate to cover expenses and probable losses.

Section 3 of the bill requires all applicants to show to the satisfaction of the Secretary that financing is otherwise unavailable on reasonable terms and conditions, before the loan guarantee or insurance provisions may be utilized. Financing that Indians are now receiving from private sources without the benefit of loan guarantee or insurance should be continued. Lenders would not be permitted to utilize the loan guarantee or insurance provisions on loans which they are now making without such inducements.

Section 4 permits lenders to sell or assign guaranteed loans they may have made. This provision should provide a lender with authority which may be needed in the event its financial condition should change after a loan is made. The bill restricts the purchasers of loans to financial institutions.

Section 5 provides that loans by agencies and instrumentalities of the Federal Government shall not be eligible for loan guarantee or insurance. Otherwise, we could have situations where the Government was insuring itself. This section also provides that loans made by Indian organizations from funds borrowed from the United States shall not be eligible for loan guarantee or insurance. It would be inappropriate for the Government to guarantee or insure loans made by an Indian organization from funds that the organization had borrowed from the United States. Loans of its own funds by an Indian organization to other Indian tribes or organizations thereof, would be eligible for guarantee or insurance.

Section 6 restricts the insurance provisions to loans made by institutions, and by Indian organizations to other tribes or organizations of those tribes.

Section 7 permits the guarantee of loans made by any lender satisfactory to the Secretary, except as provided in section 5.

Section 7 also provides for the liability under a guarantee to decrease or increase pro rata with any decrease or increase in the amount of the unpaid portion of the obligation.

Section 8 will permit certain institutions to utilize the guarantee provisions of the bill without regard to present legal restrictions.

Section 9 provides that the maturity of loans which may be guaranteed or insured may not exceed 30 years.

Section 10 requires prior approval of loans to be guaranteed and the issuance of a certificate to evidence the guarantee. This section does not apply to insured loans. Prior approval may or may not be necessary in the case of insured loans of less than $60,000. Insured loans in excess of $60,000 require prior approval. Provisions regarding approval will be included in the agreements entered into pursuant to section 2 of the bill.

Section 11 provides procedures in the event of default in the case of guaranteed loans. If a loan of $100,000 were guaranteed on which $50,000 was unpaid, the original guarantee of 90 percent of $100,000 would have been reduced to 90 percent of $50,000 under the provisions of section 7 which require that the amount of the liability under the guarantee shall decrease pro rata with any decrease in the unpaid portion of the obligation. If the loan were in default, the lender could elect to either notify the Secretary of the default then and the Secretary would thereupon pay the lender $45,000 and be subrogated to the lender's rights to the extent of the amount paid on the guarantee, or the lender could determine that suit or foreclosure is necessary on a defaulted loan and notify the Secretary at that time. If the Secretary determines it would be in the interests of the United States he could, in this latter instance, pay the holder of the guarantee the entire $50,000, plus interest, and receive an assignment of the loan and the security given therefor. The procedures in this section also permit forbearance for the benefit of a borrower, and permit establishment of a date upon which further interest charges on a loan shall cease. Provision is made for canceling by the Secretary of the uncollectible portion of any obligation to which he has an assignment or a subrogated right.

Section 12 provides procedures to be followed in the event lenders suffer losses on insured loans. Before a lender is reimbursed under the insurance provisions, all reasonable collection efforts must have been exhausted and the security liquidated with the proceeds applied on the debt. If an agreement approved by the Secretary pursuant to section 2 authorized a lender to make loans totaling $100,000, reimbursement for losses up to a total of $15,000 could be made. However, reimbursement for the loss on any one loan may not exceed 90 percent. If a lender made five loans of $20,000 each, and losses of $3,500 were suffered on each loan, the lender could be reimbursed for not to exceed $3,150 on any one loan, but for not to exceed $15,000 on all five loans. Upon reimbursement, the debts would be assigned to the United States, and the lender would have no further claim against either the borrower or the United States. The Secretary would then take such further collection action as might be warranted, or would cancel the uncollectible portion of the debt.

Section 13 authorizes the Secretary to take appropriate action should a lender or holder of a guaranty certificate fail to operate in accordance with accepted credit principles. The Secretary may, in his discretion, refuse to guarantee or insure further loans by such lender or guaranty certificate holder.

Section 14 includes provisions necessary for the effective administration of the act. Any guaranty certificate issued pursuant to section 10, or any loan insured pursuant to an agreement approved in accordance with the provisions of section 2 of the bill, shall be conclusive evidence that the loan was eligible for guaranty or insurance. The Secretary may, however, establish defenses based on fraud or material misrepresentation, and defenses as to the amount payable on the guaranty or insurance in accordance with the regulations promulgated pursuant to section 20 of the bill.

Section 15 authorizes the Secretary to sell loans made from the revolving fund for loans authorized by the act of June 18, 1934, as amended and supplemented, and to issue guaranty certificates to the purchasers pursuant to the provisions of the bill. Receipts from such sales would be deposited in the revolving fund for loans, and would be available for the same purposes as any other part of the revolving fund. This procedure probably will have limited application because of the high risk element of outstanding loans made from the revolving fund. However, to the extent sales of such loans are consummated, the revolving fund's capital will be increased and the demand for additional appropriations for the fund decreased.

Section 16 provides that the United States may take title to certain land in trust for the tribe or individual Indian purchasing it with guaranteed or insured loan funds. However, title to personal property purchased with such funds must be taken in the name of the purchaser.

Section 17 provides authority for tribes to execute mortgages or deeds of trust to land which is held by the United States in trust for the tribe. Other land which is held by a tribe to secure loans guaranteed or insured may also be encumbered under the authority contained in this section. This authority will provide additional security for guaranteed or insured loans, and in some instances may make it possible to obtain financing for tribes at less than the 80-percent guaranty and 15-percent insurance maximums as provided by section 2 of the bill.

Section 18 provides certain authorities to enable the Secretary to effectively administer the provisions of the bill. These authorities are similar to those of the Administrator of the Veterans' Administration authorized by section 509 of the Servicemen's Readjustment Act (38 U.S.C. 1820 (a)–(c)). These authorities will permit the Secretary to readjust interest rates, time payments, etc., so as to carry out the bill's purpose.

Section 19 authorizes the establishment of an Indians' loan guaranty and insurance fund in the Treasury in the amount of $15 million. This is calculated on possible losses averaging 15 percent on loans guaranteed or insured of about $100 million. This provision is in accordance with the recommendation of the Committee on Federal Credit Programs (p. 30) that "* * * for all programs authorized to guarantee or insure loans, that the Congress provide, in advance, reasonable amounts of new obligational authority to meet any foreseeable contingencies arising from actual defaults."

Experience is lacking to provide adequate guidelines on losses which may be suffered under a loan guarantee and insurance program. On loans of over $55 million from the revolving fund to June 30, 1964, cancellations have totaled $236,258 in principal and $19,910 in interest. A reserve for losses totaling $3,267,820 has been established. The losses and reserves thus total 6.4 percent of the amount loaned. A premium of one-quarter of 1 percent annually pursuant to section 2 of this bill, on the basis of the loans receivable at the close of each fiscal year since the revolving fund was established, would have yielded $507,985, or more than sufficient to cover actual losses, but insufficient to cover both losses and reserves. We anticipate that losses may run somewhat higher on guaranteed and insured loans by commercial lenders than they have on loans from the revolving fund. This is because lenders probably will be unable to give borrowers the same supervision and followup they have received on loans made to them out of the revolving fund.

Section 20 authorizes the Secretary to promulgate rules and regulations to carry out the provisions of the bill.

In addition to making additional sources of private financing available to Indians, the bill will encourage Indians and Indian organizations to look to the same sources of financing as are utilized by other citizens and their organizations. Private lenders also will have a new source of business opened up to them.

The Bureau of the Budget has advised us that there is no objection to the submission of this proposed legislation to the Congress from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER,
Under Secretary of the Interior.

PAYMENTS FOR SCHOOL CONSTRUCTION IN CERTAIN AREAS AFFECTED BY PROPOSED BASE CLOSINGS

Mr. NELSON. Mr. President, I introduce on behalf of myself, Senator PROXMIRE, and Senator YARBOROUGH, a bill to bring equity to three school districts unfairly injured by the military base closing announcement of November 19, 1964.

Under Public Law 815 a school district which is only temporarily impacted by the presence of federally connected pupils is eligible for considerably less aid for the construction of school facilities than a school district located near a "permanent" facility.

The November order which automatically transferred bases near Sun Prairie, Wis., and Amarillo and Waco, Tex., from permanent to temporary status, cost these communities $141,362 in impacted aid funds that they had not only been promised by the Office of Education, but had in fact already contracted to spend on school construction projects.

The bill, which would affect only these three communities, directs the Office of Education to disregard the announcement of November 19, 1964, in determining payments under Public Law 815.

The amount of money is not large but $85,000 is a great deal of money indeed to the small community of Sun Prairie, Wis. That is the amount of money the local school district will be out if this measure is not passed.

These three communities have undertaken an expansion of their facilities to educate the children of military families in good faith. The bases and the children and the need for the schools remain. Truax Field near Sun Prairie will not close until 1968. It is unfair that these communities be severely penalized because of the advance announcement of the closing of these bases.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2198) relating to payments for school construction in federally affected areas affected by proposed base closings, introduced by Mr. NELSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PROVISION OF CERTAIN SERVICES FOR GOVERNMENT EMPLOYEES, IN PREPARING FOR RETIREMENT

Mr. BREWSTER. Mr. President, in recent years it has become increasingly recognized that the problems frequently accompanying retirement can be eased by adequate preretirement counseling and informational services. Such services can assist employees in planning for and achieving a "golden age," period of purposeful activity rather than one of inactivity.

The importance of preretirement programs is obvious to those who have ever been close to someone approaching retirement age. While there are many who know exactly what they want to do after they stop working, many people dread the idea of retiring.

Today, more people are retiring and at a younger age. There is every reason to believe that this trend will continue in the future. This fact has great significance because it means that an increasing percentage of our total population will be composed of retired people. While this will create new problems, it will also create new potentials that deserve to be fully developed. These potentials have certainly been recognized in such activities as the Peace Corps and VISTA where retired men and women from all walks of life are engaged in meaningful and beneficial activity. The growing number of retired Americans returning to school for further education and the many active senior citizens clubs in this country further help to demonstrate the purposeful activity in which many retirees are engaged.

Recently, both Houses of Congress showed a recognition of the problems faced by our senior citizens when they unanimously approved the Older Americans Act and created an Administration for Aging. This act is a significant step forward in developing effective programs to deal with the special needs of the senior members of our community.

Mr. President, I am today introducing legislation that will make the Federal Government an example to employers across the country in the area of preretirement services. This bill that I am introducing directs each Department and Agency of the Federal Government to develop and institute preretirement programs in accordance with standards prescribed by the Secretary of Health, Education, and Welfare. These programs, as I envision them, would provide interested employees with educational and informational materials, counseling services, and such other assistance as may be deemed necessary to aid them in making preparations for, and adjusting to, a retirement status.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2199) to provide certain services for Government employees in order to assist them in preparing for retirement, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

VITAMIN-FORTIFIED DRY MILK FOR HUNGRY CHILDREN

Mr. RIBICOFF. Mr. President, on behalf of the Senator from South Dakota [Mr. McGOVERN] the Senator from Wisconsin [Mr. NELSON] and myself, I introduce, for appropriate reference, a bill to allow the addition of vitamin A and vitamin D to nonfat dry milk. These important vitamins are fat soluble and removed with the cream when whole milk is processed into nonfat dry milk. It cannot now be restored to dry milk for domestic consumption because the standard of identity for that item, established by act of Congress, March 2, 1944, made no provision for vitamin additives.

Mr. President, nonfat dry milk is an important part of our war on poverty. The Department of Agriculture, for the 12 months ending last March 31, supplied over 178 million pounds of dry milk to our domestic direct distribution program. Over 136 million pounds were distributed to needy persons all over the country through State welfare programs. Institutions for needy persons received over 13 million pounds. The school lunch program received over 28 million pounds.

Milk has been called the world's most perfect food. But, ironically, the law itself prevents the restoration to dry milk of those vitamins which have been stripped out. And, mind you, my bill is designed merely to allow the restoration of the vitamins nature put there. The law forbids the restoration of vitamins to dry milk going to the very people in our Nation who need them most.

Who is it that we are concerned with? Not those who get plenty of vitamins through fresh vegetables and fruits in their daily diets. The donation program dry milk goes to those people who are in most desperate need of nutrition. Seventeen to twenty-three million persons are growing up in deprivation. We know that many thousands of children get their only meal from the school lunch program. This is the reason I have introduced a bill to continue school lunches through the summer.

Many other families subsist on welfare. Yet today, the dry milk we furnish welfare recipients is, by law, vitamin deficient.

This deplorable situation is totally without justification—and a crime against the poor. As far back as October 1958, the Food and Nutrition Board of the National Academy of Science recommended the restoration of vitamins to dry milk. In May 1961, the Council on Foods and Nutrition of the American Medical Association joined with the Food and Nutrition Board in a joint statement of general policy—which again called for the restoration of vitamins to nonfat dry milk.

The Food and Drug Administration, in response to my inquiry, stated its endorsement of the policy of restoring to nonfat dry milk the vitamins removed with the cream.

This deficiency in dry milk is recognized in other ways. The national school lunch program requires that each child get one-half pint of fluid milk. The nonfat dry milk supplied by the program is used in cooking, but there is still no reason for it to be vitamin deficient. Further, most of the dry milk furnished by the Department of Agriculture goes to needy persons through other programs. In many American families, the dry milk is reconstituted and provides the liquid milk supply for children and grownups alike.

Moreover, while American children and grownups are given vitamin-deficient dry milk, American nonfat dry milk going to needy children in 114 other countries this year will be vitamin fortified. On June 3, 1965, the Department of Agriculture announced the purchase of over 4 million pounds of vitamin-fortified nonfat dry milk for foreign donation. This milk, in 50- and 100-pound bags, is scheduled for shipment from plants between June 28 and September 24. Total purchases of fortified milk to date exceed 60 million pounds.

Mr. President, the needy children of Vietnam, of Sierra Leone, of Turkey and Korea, of Chile and Ecuador, of Jamaica and Honduras, of Martinique and Mexico, of Thailand and Malta, desperately need all the nutrition they can get. I commend the foreign donation programs which restore vitamins to this vital food product. Can we with any conscience do less for the poor children in the United States?

Mr. President, I urge early consideration of this bill by the Congress. It is needed and overdue. Further, the bill, as drafted, is permissive, not mandatory. It merely allows the addition of vitamins but does not require it.

If the dry milk industry wishes to continue to sell vitamin-deficient dry milk, it is free to do so. If the American public chooses to purchase vitamin-stripped dry milk it is free to do so. This bill, however, would at least give the industry and the American housewife the freedom to choose between vitamin-stripped and vitamin-restored dry milk. Both roads would be open. Further, the bill would remove the congressional bar to vitamin-restored dry milk so that our domestic donation programs can treat our needy people as well as we treat the needy elsewhere.

Mr. President, I would also like to commend Miss Nancy Dittmann, of West Hartford, Conn., a student of dietetics, at St. Joseph College for bringing this situation to my attention. Miss Dittmann's interest typifies our alert and responsible young people. Sensitive to the needs of others, they will eventually provide the leadership which will be our country's pride and strength.

I ask unanimous consent that Miss Dittmann's letter and my bill be printed in the RECORD at this point.

I also ask unanimous consent that the bill remain at the desk for a period of 10 days for cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record, and the bill will lie on the desk, as requested by the Senator from Connecticut.

The bill (S. 2200) to amend the act of March 2, 1944, defining nonfat dry milk, so as to include within the meaning of such term nonfat dry milk to which vitamin A or D has been added, introduced by Mr. Ribicoff (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids," approved March 2, 1944 (21 U.S.C. 321c), is amended by striking out the period at the end of the second sentence, inserting a comma in lieu thereof, and adding the following: "and may contain added vitamin A or D, or both, in such amounts as shall be determined by the Secretary of Health, Education, and Welfare."

The letter presented by Mr. Ribicoff is as follows:

West Hartford, Conn.

Hon. Senator Abraham Ribicoff:

I recently became aware of the limited nutritional value of all nonfat dry milk sold on the market, due to its lack of the fat-soluble vitamins A and D. As a student of dietetics, I can see the far-reaching consequences of such an inadequacy, particularly because this product is used in schools, by the people on low-income budgets and is given to people on relief—those who need extra nutrients. Today this is certainly unnecessary for there is now a dry form of these vitamins available and it could be easily included in dry milk.

I am bringing this to your attention since it is a 1944 act of Congress, which established the standard of identity for nonfat dry milk and which prohibits either vitamin A or vitamin D from being legally supplemented. I would like to see this present standard amended or a new standard for fortified nonfat dry milk established. I hope you will investigate and possibly take action.

The health of our people would certainly be improved with such action and we might consider this a small battle in today's war against poverty.

Sincerely,

Nancy M. Dittmann,
St. Joseph College.

AMENDMENT TO H.R. 5883

AMENDMENT NO. 295

Mr. PROUTY. Mr. President, I send to the desk, for appropriate reference, an amendment to H.R. 5883. I ask unanimous consent that this amendment be printed and so referred.

Mr. President, H.R. 5883 is a bill to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act.

The current law requires every officer, agent, shop steward, or other representative or employee of a union or of a trust in which a union is interested, and who handles funds or other property thereof, to be bonded "for the faithful discharge of his duties," unless the union's property and annual financial receipts do not exceed $5,000 in value.

The House-passed bill deletes the bonding requirement "for the faithful discharge of his duties" and inserts in lieu thereof that the enumerated individuals be bonded "to provide protection against loss by reason of acts of fraud or dishonesty on his part directly or through connivance with others."

The minority views filed to the House report on H.R. 5883 emphasize that individuals who occupy positions of trust, as do the union officers and agents covered by the bonding provision here in issue, are required to perform their duties not only without fraud or dishonesty, but with the knowledge, attention, and high degree of care exercised by a trustee whose activities are governed by the long-established principles that are applicable to fiduciaries.

I agree with the feeling that the phrase "faithful performance of his duties" is rather ambiguous and difficult of interpretation. I, also, agree with the minority views of the House committee, however, that the standards to which a trustee must adhere go beyond the minimum, elementary requirements that he not commit acts of fraud or dishonesty.

On June 22, 1965, Secretary of Labor Wirtz testified on this issue before the Senate Labor Subcommittee. In response to a question which I asked him, he stated that the intent of the proposed amendment was to require of the union officers and agents covered by these bonding provisions the same degree of due diligence normally required of a fiduciary or a trustee.

Accordingly, I am introducing this proposed amendment to H.R. 5883. If my amendment is adopted, bonding of union officers and agents subject to these provisions will be required "to provide protection against loss by reason of acts of fraud or dishonesty on his part directly or through connivance with others, or by reason of his failure to exercise that degree of due diligence normally required of a fiduciary or trustee in his handling of such funds or property."

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the Record.

The amendment (No. 295) was referred to the Committee on Labor and Public Welfare, as follows:

On page 1, line 9, add a comma after the word "others" and then insert the following: "or by reason of his failure to exercise that degree of due diligence normally required of a fiduciary or trustee in his handling of such funds or property."

ADDITIONAL COSPONSORS OF BILLS

Mr. JACKSON. Mr. President, I ask unanimous consent that the name of the senior Senator from New York [Mr. Javits] be added as a cosponsor of S. 2154, to amend the act to establish a United States-Puerto Rico Commission to conduct studies of Puerto Rico, and that the name of the Senator from New York be added at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, through an inadvertance, Senator Douglas' name was omitted from the list of cosponsors of S. 2121, my bill to establish a special summer lunch program for needy children. I ask unanimous consent that at its next printing Senator Douglas' name be included among the list of cosponsors.

Mr. President, I ask unanimous consent that at its next printing the name of the junior Senator from Oklahoma [Mr. Harris] be added as a cosponsor to S. 2121, a bill establishing a special summer lunch program for needy children.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. McCARTHY. Mr. President, I ask unanimous consent that Senator Talmadge and Senator Jordan of Idaho be added as cosponsors of Senate Joint Resolution 85, the resolution proposing an amendment to the Constitution relative to equal rights for men and women, and that their names be listed among the sponsors at the next printing of the joint resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. RANDOLPH:

Extension of remarks concerning dedication of new production facility of Marbon Chemical Division of Borg-Warner Corp., June 2, 1965, near Parkersburg, W. Va.

By Mr. SMATHERS:

Remarks by him on the Saline Water Act of 1965.

"BIG BROTHER"—INVASIONS OF PRIVACY

Mr. LONG of Missouri. Mr. President, on May 12, 1965, I inserted in the Record certain material with respect to the use of paid informants by the Internal Revenue Service. Although at that time, I was not daily inserting an item on "Big Brother," this material would certainly fit into that category.

I recently received a letter dated June 16, 1965, from the Commissioner of the Internal Revenue Service relating to this matter. As the Commissioner states that he is making a "further attempt to present a balanced picture of our activities," I think his letter should be included in the Record for the sake of clarity and understanding. I also would like to have published in the Record a brief public memorandum dated March 23, 1965, issued by IRS entitled "Tax Informants."

Additionally, for the sake of a balanced picture, it would be well to place in the Record the article by Mr. Bill Surface entitled "Tax Tattlers; Should We

Pay Them?" This article appeared in Parade magazine on March 7, 1965.

I ask unanimous consent that these three items be printed at this point in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., June 16, 1965.

Hon. EDWARD V. LONG,
Chairman, Subcommittee on Administrative Practice and Procedure, U.S. Senate, Washington, D.C.

DEAR SENATOR LONG: Your remarks carried in the CONGRESSIONAL RECORD of May 12, 1965, on the subject of tax informants are a source of concern to me in that they do not include pertinent information about our actions.

In a further attempt to present a balanced picture of our activities I should like to repeat and comment further on segments of our fact sheet and of the letter sent to you on March 30 by the Director of our Intelligence Division.

First, may I respectfully call to your attention the second through fourth paragraphs of the fact sheet:

"The Revenue Service is fully aware of the distasteful implications to Americans of any actions which involve the 'spying' of one individual on another, and its policy in administering the law is geared to avoid specific encouragement of such action.

"Only in the areas relating to illicit traffic in alcoholic liquors, machineguns, and certain other firearms, and of the special taxes on wagering does the Revenue Service countenance the soliciting of informants. In these areas there is a long history of effective and publicly accepted use of informants in the apprehension of violators.

"In all other areas of taxes it is Revenue Service policy that there shall be no general appeals to members of the public to inform on other individuals."

A review of your remarks can easily give a reader the impression that the Revenue Service is dependent on an auxiliary of informants running around and spying on otherwise honest citizens, and yet, nothing could be further from the truth.

The fact sheet went on further to point out that:

"The Internal Revenue Service is fully aware of the honesty of the vast majority of American taxpayers.

"It has constantly cited this as a primary reason for the relatively low cost to the Government of administering the tax system (less than ½ cent of each dollar collected).

"Notwithstanding the above, there remain people who try to evade their responsibilities and thereby pass their share of the tax burden to the honest majority."

With reference to this last paragraph quoted, there are few who will deny that the conscientious American citizen bears a substantial tax burden. In such a situation, what is the Revenue Service responsibility when an unsolicited item of information is given to us? Should we ignore it because it comes to us from an informant? Or should we discharge the responsibility assigned to us by the law and try to determine whether someone is actually stealing from other taxpayers by evading his own taxes?

And before we write off every informant let us consider the factor of motivation. Many people feel it is their patriotic duty to report crime. I'm sure all of us would consider it a crime if someone came into a home and took money. If a passerby on the street saw someone climbing through the window, reported it to a policeman and the culprit was apprehended, the informant would be considered an upstanding citizen. Is this situation so different when a person has reason to believe that an act of tax evasion has taken place?

So there will be no misunderstanding, may I assure you that my associates and I share the American distaste for the individual who informs solely for spite, personal gain or other less-than-patriotic motives. As you know, the courts have recognized that the identity of an individual who provides leads to Government enforcement officials may be protected when it is in the public interest. The Supreme Court, in speaking of the "informer's privilege" in a relatively recent decision, stated: "The purpose of the privilege is the furtherance and protection of the public interest in effective law enforcement. The privilege recognizes the obligation of citizens to communicate their knowledge of the commission of crimes to law-enforcement officials and, by preserving their anonymity, encourages them to perform that obligation."

You may be sure, too, that we are not easily taken in by the informant who is just a troublemaker. As we state in the last paragraph of our fact sheet:

"The Internal Revenue Service does not indiscriminately open an investigation as a result of every piece of information it receives. Trained and experienced special agents evaluate the information and determine the extent to which investigation, if any, is warranted. Only 10 percent of the information items received reach the point of even a preliminary investigation."

I believe that the comments I have conveyed above should indicate that I, too, subscribe to the opinion of a former IRS commissioner that is quoted in your remarks. To this end we have done whatever we could to avoid unwarranted encouragement of people to inform against each other. As to the soundness of our tax system—with all its shortcomings, the plain fact is that 97 percent of the moneys it produces comes in through voluntary compliance—a record which hardly supports the statement as to our alleged "reliance on tax tattlers."

I hope that this letter will help to provide a more balanced picture of the Internal Revenue Service position and practice.

With kind regards.

Sincerely,

SHELDON S. COHEN, *Commissioner.*

[From the Internal Revenue Service Public Information]

TAX INFORMANTS

Under existing tax laws, the Internal Revenue Service may pay rewards to persons who provide information which leads to the recovery of additional taxes due.

The Revenue Service is fully aware of the distasteful implications to Americans of any actions which involve the spying of one individual on another, and its policy in administering the law is geared to avoid specific encouragement of such action.

Only in the areas relating to illicit traffic in alcoholic liquors, machineguns, and certain other firearms, and of the special taxes on wagering does the Revenue Service countenance the soliciting of informants. In these areas there is a long history of effective and publicly accepted use of informants in the apprehension of violators.

In all other areas of taxes it is Revenue Service policy that there shall be no general appeals to members of the public to inform on other individuals.

Furthermore, the Internal Revenue Service issues rewards only upon the specific claim of the informant and after determining that his information helped materially in the recovering of additional taxes. During the fiscal year ending June 30, 1964, the Revenue Service disposed of 4,494 such claims, rejecting 3,672 and allowing only 822.

It is important to note that the number of persons who volunteer information and make no claim for reward is 20 times as great as the number who do claim rewards. It is reasonable to assume, too, that many of those who do not claim a reward, are impelled to furnish information from patriotic motivation of civic duty. On the basis of these factors, it seems questionable that the elimination of rewards, advocated in a recent national Sunday magazine article, will eliminate informing.

The Internal Revenue Service is fully aware of the honesty of the vast majority of American taxpayers. It has constantly cited this as a primary reason for the relatively low cost to the Government in administering the tax system (less than one-half cent of each dollar collected).

Notwithstanding the above, there remain people who try to evade their responsibilities and thereby pass their share of the tax burden to the honest majority.

Therefore the Internal Revenue Service would be remiss in its duties if it refused to consider allegations of evasion solely on the ground that the source was distasteful. The plain fact is that the Revenue Service does recover substantial amounts of taxes and penalties as a result of information furnished by informants. In the last fiscal year alone this amounted to more than $18 million.

The Internal Revenue Service does not indiscriminately open an investigation as a result of every piece of information it receives. Trained and experienced special agents evaluate the information and determine the extent to which investigation, if any, is warranted. Only 10 percent of the information items received reach the point of even a preliminary investigation.

[From Parade magazine of the Washington Post, Mar. 7, 1965]

TAX TATTLERS—SHOULD WE PAY THEM?

(By Bill Surface)

The other day, on the 21st floor of the Internal Revenue Service's Manhattan district office, a clerk dropped a batch of assorted letters into three trays marked Audit, Collection and Intelligence. All the letters had identical themes:

"My former husband puts away $350 a month in another name and doesn't report it on his taxes," the first note began.

"A man I used to work for makes over $40,000 a year profit but turns in only $11,000 for taxes," said another.

"You should investigate these tax dodgers," read a third. "They are supposed to make $9,000, but they carry big wads of money and spend $40,000 on wild living and everybody knows they cheat and put cash in secret Swiss bank accounts."

Each year, the IRS's 58 district offices receive an estimated 125,000 letters, phone calls, wires or personal visits from persons exposing alleged income-tax evaders. Tax men say these so-called "information items" come primarily from former spouses and girl friends, disgruntled employees and jealous neighbors and relatives. Yet the strongest motive, perhaps—often soft-pedaled or absent entirely from informers' tips—is the desire for cold cash.

Informers, upon filing Application and Public Voucher for Reward Form 211, are paid from 1 to 10 percent of any delinquent taxes collected as a result of their tips. In the 1963 fiscal year, 753 informers received a total of $458,688 in reward money.

Should the Internal Revenue Service encourage tax tattlers?

The informer system does have compensations. It makes would-be tax evaders feel watched and motivates them to report all taxable income. And it catches tax cheats on all income levels. Last year alone, the

IRS Compliance Section used informers' tips to collect $12.7 million. But do these benefits outweigh the disadvantages?

One basic objection to tax informing is that it causes honest taxpayers undeserved anxiety. Contrary to popular opinion, most tips about tax chiselers are not funneled into wastebaskets and incinerators. Every seemingly legitimate tip is evaluated and, in varying degrees, investigated.

"Crank letter are not always easy to detect unless you recognize the name," an IRS supervisor told Parade. "One housewife has written every week for over 10 years exposing the milkmen, movers, just everybody. The majority are harder to pin down." Another indication of a crank is when a letter accuses someone who, say, operates a small newspaper stand of "a million-dollar tax evasion." Recently one informer alleged that ragpickers on a large city dump were "evading $2 to $3.50 a day to finance riotous living."

But most tips aren't judged to be from cranks. Suppose the lady next door wrote the IRS saying that she had seen rolls of cash in your dresser, suggesting an illegitimate income. That letter, which would be examined by an officer in IRS's Audit, Collection or Intelligence Division, would probably initiate an investigation of your past tax returns, banks, credit bureaus, jobs. You might be called in and questioned. If the agent did not develop sufficient evidence to warrant a full-scale investigation (about 4,500 occur annually as a result of tips), the intelligence division still would open a card file on you. If you were cleared and your return examined in future years, the IRS still would find in your file an alleged evasion "we couldn't track down."

THE EVILS

Four main difficulties can result from informers' false tips:

Since informers are not held accountable for any investigation originating from their tips, they are free to make wild guesses regularly. Tipsters may collect part of any unpaid taxes and penalties (average individual reward: $609) if they guess correctly, lose nothing if their lead is erroneous. Hence many—particularly bookkeepers, accountants, secretaries, divorce lawyers and private detectives—attempt to make a business from tax rewards.

The informer system also is often used for threats and vengeance. Fired or bitter employees, taxmen admit, inform in order to get their employer or boss. Often they are able to furnish precise documentation: "He keeps the real figures in a looseleaf scrapbook." Many do not apply for rewards, indicating their motive is a grudge rather than greed. Still, former employees invariably receive the highest rewards: An attorney's secretary gave IRS her boss' files that substantiated tax evasion and collected $37,500. And four bookkeepers have long held the record reward, $79,999.93, for reporting a transport company official who evaded millions in taxes through fictitious foreign subsidiaries.

Informers and rewards breed mistrust. Unlike the ancient Greeks and Romans, who compelled the tax informer to make his accusation in public, IRS regulations guarantee informers anonymity. But taxmen say: "Sons turn in fathers, mothers report daughters, brothers expose brothers, and wives report husbands, especially if a bitter divorce is involved." Hence when anyone is reviewed— and 3.8 million returns are examined annually without use of informers—inquisitive relatives and neighbors become suspect.

It is indeed nerve racking to pay all your taxes and still be repeatedly investigated as a tax chiseler. "Once somebody is reviewed for any reason, including a tip, they seem to be reviewed practically every year, even if they're honest," said a Senator on the Joint Committee on Internal Revenue Taxation.

UN-AMERICAN

Inevitably, tax informers have been denounced, but seldom more vehemently than by T. Coleman Andrews, IRS Commissioner from 1953 to 1955: "I would not regard any tax system that makes people informers against each other as being compatible with our American concept of government. * * * Any tax system is fundamentally unsound that cannot be enforced without encouraging people to be stool pigeons."

How do you feel about tax informers? Let your Congressman know what you think. Should the following steps be taken?

1. Eliminate tax informers' rewards so tips would not be motivated by money, or, if the reward system is retained, make the list of reward recipients available to the public.
2. End the practice of opening a file on taxpayers who have been reported by grudge or money-minded informers and subsequently been cleared.
3. Make regular tax informers accountable for their claims. If tattlers were liable for all expenses caused by unnecessary investigations, they might think twice about making allegations.

Mr. LONG of Missouri. It is interesting to note that the payment of informants falls into two categories.

The first category includes persons whose information has been solicited by IRS. As the letter points out, such solicitations are used "only in the areas relating to illicit traffic in alcoholic liquors, machineguns, and certain other firearms, and of the special taxes on wagering." To this point, I know of no criticism that has been leveled at IRS for payment of such informants.

The criticism that has been raised refers to the payment of unsolicited informants or, if you prefer, "tax tattlers". These are the thousands of people who tattle on their friends and acquaintances and not only expect to be paid for their information, but are paid.

In the fiscal year ending June 30, 1964, alone, there were 822 tipsters who were so rewarded by IRS.

Such a system may be necessary for the collection of taxes, but I am from Missouri.

STUDY OF IMPORTS OF RESIDUAL FUEL OIL

Mr. BREWSTER. Mr. President, the Office of Emergency Planning is currently conducting an investigation to determine whether there is sufficient national security justification to warrant the continuation of controls on imports of residual fuel oil. This is a most important issue—involving, as it does, the assurance of adequate fuel for the east coast under emergency situations; and I am sure that the Honorable Buford Ellington and his staff at OEP will give the matter the serious and careful consideration it demands.

The eastern coal-carrying railroads in particular are deeply concerned over the possibility of removal of controls on residual fuel oil imports. They fear, and with justification, that if controls were removed, and if unlimited amounts of this foreign fuel were to be permitted to come into the east coast area, a major source of revenue and tonnage and an important creator of railroad jobs for the eastern railroads would be seriously jeopardized.

Coal transportation is the lifeblood of the eastern railroads. These rail systems derive from this source 45 percent of their total originated freight tonnage and more than 25 percent of total freight revenue.

Obviously, if this source of tonnage and revenue were to be destroyed, the eastern railroads would have an extremely difficult time maintaining service at the present high level. This would seriously affect the ability of the railroads to meet emergency needs for transportation, and the national security would be clearly involved.

The railroads are fearful that removal of residual import controls would have such a result.

In statements which the major coal-hauling railroads filed with the OEP, they made the point that losses of tonnage and revenue to imported oil already have been severe. In order to maintain coal tonnage in the face of competition from imported oil, the railroads have spent hundreds of millions of dollars to achieve economies in operation and to improve service to customers. At the same time, the railroads have developed the concept of unit-train delivery of coal—that is, shuttling large capacity trains back and forth between the plant and the consuming point, on a fast schedule. This has resulted in lower operating costs, better utilization of equipment, and savings of as much as $1.50 a ton in coal-transportation costs.

Yet, railroad people make the point that not even these almost revolutionary improvements in coal transportation could suffice to protect this important tonnage and revenue, if controls on imports were removed. Under such conditions, all of the railroads would anticipate additional large losses in coal tonnage.

For example, the Norfolk & Western estimates that, given unlimited oil imports and the drop in price which could be anticipated on the east coast as a result of such action, it would lose about 8 million tons in annual coal traffic. The Pennsylvania would expect to lose 13.5 million tons of coal traffic now going to utility plants, and an additional 3 million tons now going to industrial plants in its service area. The New York Central anticipates losses of 7.5 million tons, and the Chesapeake & Ohio anticipates immediate losses of 750,000 tons, increasing to almost 2 million tons by the end of 3 years, after the full effect of unlimited imports was felt. The Baltimore & Ohio estimates that it would lose 5.8 millions tons of its current 14.5 million tons of coal traffic to utilities, and that it would have a loss of several million tons of coal now going to industries. The Western Maryland estimates that it would lose about 50 percent of its utility coal traffic.

All of the railroads operating in coal areas report the same thing in the event of removal of controls on imports of residual fuel oil. The only difference is the degree of the losses.

I think all of us can agree that railroads are vital to the Nation. Railroad transportation becomes even more essential in times of emergencies. The ability of the railroads to maintain a strong and viable transportation system, capable of being expanded to meet the Nation's emergency needs, is a matter of critical importance.

Mr. President, I believe that the effect upon the railroads' capacity to meet national emergency demands is a critical question in any study designed to evaluate the national security basis of the oil import program. The concern of the railroads that such action would seriously damage their business to a point where they might not be able to maintain equipment on a standby basis sufficient to support expanded emergency transportation demands cannot be dismissed. I am sure that this aspect of the problem will receive every consideration by Mr. Ellington.

Typical of the statements submitted by the railroads to the OEP is the one filed by Stuart T. Saunders, chairman of the Pennsylvania Railroad. Because his statement clearly expresses the situation which applies to all of our eastern railroads, I am asking consent to have the statement printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE PENNSYLVANIA RAILROAD CO.,
OFFICE OF THE CHAIRMAN,
Philadelphia, Pa., June 1, 1965.

Hon. BUFORD ELLINGTON,
Director, Office of Emergency Planning, Executive Office of the President, Washington, D.C.

DEAR GOVERNOR ELLINGTON: Thank you for your letter of April 23 concerning the investigation you are conducting of the national security basis for control of residual fuel oil imports. Before specifically answering the questions raised in your letter, I would like to make a few general comments.

Traditionally, the transportation of coal has been and continues to be the lifeblood of the Pennsylvania Railroad. For example, in 1964, 32.6 percent of the Pennsylvania's freight tonnage and 16 percent of its freight revenues were derived from the transportation of coal.

The railroad's largest markets for this commodity are the eastern seaboard and its contiguous territory. In the last decade, millions of tons of coal have been displaced by imported residual oil. Such imports have increased 88 percent, while simultaneously rail coal to this territory has decreased 3 percent. This has resulted despite residual oil controls and reductions in coal freight rates to meet this competition. These reductions have spread far beyond the competitive residual oil territory, thereby depriving the Pennsylvania Railroad of substantial revenues. The attached exhibit lists the reduced rate tariffs that have been issued since 1959 to meet residual oil competition. The revenue losses shown under item 6 are equated to the tariff minimum tonnage requirements shown under item 5. As a matter of fact, the industries' annual coal burn will in nearly every case exceed the tariff minimum tonnage requirement. Accordingly, the actual revenue lost to the Pennsylvania and the other carriers involved will exceed substantially the more than $17 million shown under item 6.

Pennsylvania Railroad officers have appeared before Government bodies on numerous occasions to protest the unstable importation policy which not only has had a substantial adverse effect on Pennsylvania Railroad revenues and employment but also has contributed to the scrapping of rail coal carrying and handling facilities. On March 11, 1965, I appeared at the Department of the Interior hearing on residual oil import policy and I attach for the record a copy of my statement.

With the drastic reduction in our coal revenue as a result of the loss of coal traffic to residual oil, the Pennsylvania cannot afford to own and maintain surplus facilities to meet emergency or unforeseen transportation demands. Excess equipment and facilities which were maintained in the past have been retired and scrapped.

During World War II, the Pennsylvania Railroad had an average of 80,000 hopper cars with a carrying capacity of 5 million tons, whereas on January 1, 1965, we had 37,385 hopper cars having a capacity of 2.6 million tons. Moreover, past experience reveals that hopper car utilization during emergencies is not as efficient as in normal periods due to congestion on the railroads. With today's equipment it is estimated that the Pennsylvania could handle no more than half the coal transported during the emergency years of World War II. Further inroads of traditional coal markets by residual oil can only lead to further scrapping of equipment and reduced carrying capacity. We simply cannot afford to own and maintain surplus equipment and facilities.

Today, cars, locomotives, and railroad jobs are programed for current coal traffic requirements. The wide acceptance of the trainload and unit-coal-train concept has resulted in our future planning for volume coal movements to be made principally with dedicated cars and locomotives. This new concept plus reduced revenues necessarily eliminates large hopper car pools for national security emergencies.

In addition, since World War II the New York Harbor coal-dumping installations and supporting facilities, which are of great importance to national defense, have shrunk from 11 to 3. The importation of residual oil is largely responsible for this result. The Pennsylvania had three piers during World War II, only one of which is now operative. During World War II these facilities were pushed to their limit when the attacks on coastal shipping by German submarines caused normally waterborne southern coal to be diverted to all-rail movements direct to New England and New York Harbor. While statistics showing the all-rail diversion to New England are not readily available, the following tabulation demonstrates the increased southern coal tonnage moved through the New York Harbor facilities during the emergency:

	Pennsylvania Railroad	All roads
1941	None	None
1942	1,976,100	4,749,802
1943	2,491,961	8,545,576
1944	1,038,901	4,557,195
1945	955,290	3,779,075
1950	None	48,868
1955	8,294	11,263
1960	2,668	4,485
1964	77,158	115,333

With the substantial increase in residual oil usage today, what would happen in a shooting war?

Recognizing the continuing need for a modern, efficient coal pier in New York to reduce the cost of handling coal and to take full advantage of unit coal trains, the Pennsylvania Railroad has engineered and designed a facility requiring an investment of approximately $8 million. It is unlikely that this facility will be constructed if import oil controls are removed.

Turning now to the questions posed in your letter, I will answer them in order:

Question 1. Changes expected (by areas) in amounts of coal carried by you in the absence of residual fuel oil import controls.

The largest impact on Pennsylvania Railroad coal traffic in the absence of import fuel oil controls will be on long-haul tonnage to petroleum administration for defense district No. 1 which extends from Maine to Florida. In 1964, our long-haul tonnage to electric utility plants in this area totaled 17,017,000 tons which represented 41.4 percent of the total coal consumption of 41,063,000 tons[1] by these utilities.

Plants in the foregoing area fall into three categories, (a) those equipped with dual-firing facilities permitting the use of either coal or oil, (b) those which presently do not have oil-firing facilities but may be converted provided there is an assured supply of import residual oil and a drop in its price of from 25 to 50 cents per barrel, and (c) those interior plants which conversion to import residual oil would be economically impractical due to their favorable location for the delivery of low-cost coal. We are convinced that plants in the first category would be converted to residual oil with no more than an assurance of a stable supply of the product. Plants in the second category would undoubtedly make an investment in oil-firing facilities providing there is an assured supply and a price drop of from 25 to 50 cents per barrel, equivalent to $1.10 to $2.20 per net ton of coal. As a matter of fact, it has been predicted that the elimination of controls would result in just such a price drop. Plants in the third category likely would be unaffected by the elimination of control.

A plant-by-plant study of Federal Power Commission data and our own records shows that consumption, Pennsylvania Railroad tonnage and revenue in 1964 for plants in the three categories mentioned above is as follows:

	Total consumption (tons)	PRR participation		PRR gross revenue
		Tons	Percent of PRR total	
Dual-fired plants	18,716,000	7,161,000	42.1	$17,013,000
Installation of oil-burning equipment	15,035,000	6,320,000	37.1	14,992,000
Unaffected	7,312,000	3,536,000	20.8	8,405,000
Total	41,063,000	17,017,000	100.0	40,410,000

With the removal of controls, we would expect to lose all plants in the first two categories, totaling 13,481,000 tons and $32,005,000 of gross revenue.

In the east coast area alone in territory which is served by the Pennsylvania Railroad, there are planned additions to existing electric utility plants and projected new plants requiring an additional 14,700,000 tons of coal equivalent. This tonnage will not materialize for coal if residual import oil controls are removed.

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[1] 1964 Federal Power Commission records.

The other area of loss is the industrial steam-coal market. Our coal traffic to industrial plants in petroleum administration for defense district No. 1 has declined steadily due principally to import residual oil spreading from the coastal area to the interior, converting plant after plant from coal to oil. It is estimated that in the past 6 years the Pennsylvania's traditional industrial steam-coal markets in this area have declined 41 percent, i.e., from approximately 8 million tons of coal annually to roughly 4.5 million. This loss is the direct result of the substantial increase in available residual oil.

In 1964, the 4.5 million tons of industrial steam coal handled by the Pennsylvania generated approximately $14.5 million of gross revenue. Most of these coal-consuming plants are within the economic range of cheap residual oil and will be converted if there is no control program. With elimination of import residual oil controls, we would expect to lose at least 3 million tons of coal as quickly as conversions could be made.

Question 2. Significant changes expected in your freight rates and revenues in the absence of these controls.

I refer you to my statement of March 11 and the graph attached thereto showing coal rates from central Pennsylvania origins to New York Harbor for utility use. Commencing at the bottom of page 2 and proceeding to the bottom of page 4, I outline the existing reduced railroad rate structure which has been necessitated by residual oil competition. Both the price of coal and volume railroad rates today to the eastern seaboard are lower than they were 15 years ago. It is obvious that these existing volume rates with their narrow profit margin permit little leeway for further reductions. This is particularly true when the continuing rise in wage and material costs is considered.

In sum, I see little further opportunity to reduce coal rates in order to remain competitive with residual oil. Moreover, the elimination of controls would have a disastrous effect on our revenues. With no opportunity to reduce rates, we could expect the almost complete elimination of our eastbound movement of coal to electric utilities and industrial steamplants.

The impact upon national security is therefore clear—unrestricted import residual oil will dry up the Pennsylvania Railroad's ability to transport coal to petroleum administration for Defense District No. 1 in a national emergency.

Question 3. Effects of residual fuel oil import control removal on employment in your company.

The transportation of 1 million tons annually on the Pennsylvania Railroad provides employment for 221 railroad employees and requires 600 hopper cars. Thus, the loss of approximately 7 million tons to residual import oil at dual-fired electric plants, 6 million tons at converted electric utility plants, and 3 million tons at converted industrial steamplants would result in the loss of jobs to at least 3,500 railroad employees and would idle 9,600 hopper cars.

The Pennsylvania Railroad has already suffered irreparable damage from the importation of residual oil. Coal freight rates could not be reduced to offset the flood of low-cost import residual oil that would be available if there were no controls. The disastrous loss of coal revenue as a result of unrestricted importation of residual oil would not only necessitate the elimination of thousands of skilled railroad employees, but also would idle railroad coal facilities and thousands of hopper cars which could not be maintained for emergency periods.

I again stress the necessity for a stable import residual oil control program to preserve and maintain the flexibility and strength of the Pennsylvania Railroad system which is imperative to national security defense.

Sincerely,

Stuart T. Saunders.

"EXPORTING BOOTSTRAPS"

Mr. PELL. Mr. President, an excellent article by columnist Roscoe Drummond, published in the June 16 edition of the Washington Post, highlights a foreign assistance program that deserves recognition. Israel, with patience and hard work, is setting an example in assisting other small nations that every country should take a close look at. This young nation is selflessly exporting its practical know-how, and is showing other developing countries how an "Operation Bootstrap" can work.

I ask unanimous consent that Mr. Drummond's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Exporting Bootstraps—Israel Aids 67 Nations

(By Roscoe Drummond)

Jerusalem.—You might yawn and say "of course," if I reported that the United States is providing aid to 67 developing countries in three continents.

But the United States is not the only big dispenser of foreign assistance. Nor is the Soviet Union. There is also Israel.

One of the most exciting facts about this youthful, maturing, 17-year-old nation of 2½ million is the extent to which it is providing training and skill to help African, Latin American, and Asian nations do what Israel has already proved can be done.

It is Israel that is now assisting 67 other underdeveloped countries to begin to match what it has done so well.

At last count it had sent some 1,300 of its own experts abroad to demonstrate the practical Israeli way of pulling itself up by its own bootstraps and has brought to Israel more than 8,000 trainees to study at first hand in Israel's laboratory of practical achievement.

There is no nation of comparable resources that is rendering such a service to the developing world.

And Israel is acquiring a precious reservoir of friendship and good will.

This burgeoning Israel aid program was really brought into being by its enemies. It seems that right after the Bandung conference of Afro-Asian neutrals 10 years ago, the leaders of nine African countries then seeking their independence cabled Jerusalem to ask if they could pay a 2-day visit on the way home.

They were welcome, of course. When they arrived, the Israelis asked them why they had come. Their answer: "We had heard so many nasty things said about you by the Arabs that we wanted to find out for ourselves."

They liked what they heard and they were thrilled by what they saw, for even then Israel was lifting itself out of poverty and despair to progress and hope.

Out of this unplanned meeting the Israeli aid program took shape and spread to country after country. The Israel technicians were sought after—and responded.

There are several reasons why Israeli assistance has been so welcome and so useful to the recipient nations. Israel is a small country and therefore does not even cast a shadow of a possibility that it could take over anybody else's. It is a poor country relatively. It has faced and resolved many of the very same problems that it is helping other developing nations to solve. The Israelis send their practical doers to explain the Israel way. They are willing to get their feet wet and their hands dirty.

One African government had an Israel team and a Soviet team arrive at the same time to carry out two different projects. Each went off to the site of the project. The Soviets were back the same night to report that the project could be done but that they would need first-class hotel accommodations in the capital and an airplane to take them to and from the project every day. The Israeli team was out in the field until its project was finished.

Half the countries Israel is helping are in Africa. Their experts are teaching poultry farming; expounding farm cooperatives, cooperative marketing, banking and water development; training in the building trades, nursing, drafting, cement mixing, cooperative small-holding settlements, and, basic to everything, how to develop through education the galvanic pioneer spirit that makes everything else possible.

Whatever the motive, the effect of all this is that Israel is making friends and influencing the future. Israel is literally pole-vaulting right over the political and economic lockout by which the Arab world sought to smother the Israel state. There is not an Arab nation that has the esteem Israel has today everywhere in Africa south of the Sudan and in many other parts of the world.

The bread Israel is casting on the waters of the developing countries will be returning tenfold.

CLARIFICATION OF TAX STATUS OF PROFESSIONAL ASSOCIATIONS AND CORPORATIONS—RESOLUTION OF NEW YORK LEGISLATURE

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record a resolution adopted by the Legislature of New York, and the accompanying letter.

There being no objection, the letter and the resolution were ordered to be printed in the Record, as follows:

The Assembly, State of New York,
June 22, 1965.

Hon. Jacob K. Javits,
Senate Office Building,
Washington, D.C.

Dear Senator Javits: I have been instructed by the speaker of the assembly to transmit to you the enclosed resolution. It was adopted by the New York State Assembly and concurred in by the Senate of the State of New York.

Yours truly,

John T. McKennan,
Clerk.

Resolution 142 by Assembly of the State of New York

Whereas the Joint Legislative Committee on Professional Men—Tax Status and Tax Benefits of the New York State Legislature was created in April 1963 by concurrent resolution of the New York State Senate and Assembly (in assembly April 4, 1963; in senate April 5, 1963) and has been duly redesignated to serve until March 31, 1965, for the purpose of investigating and studying all phases of affording equitable tax status and tax benefits to professional men licensed to practice their professions pursuant to the laws of the State of New York; and

Whereas the said joint legislative committee has conducted its investigation and study of the question and has heretofore rendered its interim report, dated December 14, 1963 to the 1964 session of the New York

State Legislature and its final report dated March 31, 1965 to the 1965 session of the New York State Legislature, in which, among other things, it recommended that the tax benefits and savings afforded corporation employees should not be denied to self-employed professionals; and

Whereas the said joint legislative committee in its interim report dated December 14, 1963, recommended that the New York State senate and assembly by appropriate joint resolution memorialize the Congress of the United States to enact legislation amending the Internal Revenue Code of 1954 so as to afford nondiscriminatory tax treatment as between corporation employees and self-employed professionals which was done pursuant to concurrent resolution adopted on March 18, 1964; and

Whereas the said joint legislative committee reported that under the then existing Kintner regulations (Internal Revenue Code Regulations sec. 301, 7701-1 and 2, adopted Nov. 15, 1960; CCH 1964 Federal Tax Rept. vol. 6, par. 5942) equality of tax status could be afforded professionals by enactment of legislation at the State level which would authorize professional practice in association or corporation form, but that the Commissioner of Internal Revenue had announced that impending amendments to the Kintner regulations as they then existed would soon be made; and

Whereas on December 19, 1963, a bill was introduced in the Senate of the United States (S. 2403) by Senator HERMAN E. TALMADGE to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law and providing that professional associations and corporations shall by definition be granted the status of corporations within the meaning of Internal Revenue Code of 1954, section 7701(a); and

Whereas amendments to the existing Kintner regulations were approved by the Commissioner of Internal Revenue on January 28, 1965, in final form and thereafter published in the Federal Register, which make it extremely difficult, if not impossible, for professionals conducting their professions in association or corporation form to qualify for the tax savings presently afforded employees of corporations; and

Whereas the said joint legislative committee in its final report to the New York State Legislature, dated March 31, 1965, recommended that the New York State senate and assembly by appropriate joint resolution again memorialize the Congress of the United States to enact legislation amending the Internal Revenue Code of 1954 so as to afford nondiscriminatory tax treatment as between corporation employees and self-employed professionals; and

Whereas it is deemed desirable to create a tax status for self-employed professionals relatively equal to the favorable treatment afforded corporation employees, in order to eliminate the existing tax discrimination against professionals in New York State, which has resulted in a trend on the part of many professionals to enter corporate employment rather than private practice: Now, therefore, be it

Resolved (if the senate concur), That the Congress of the United States be, and it hereby is memorialized to enact into law S. 2403, known as the Talmadge bill, amending section 7701(a) of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law, or in lieu thereof, to enact other similar legislation amending the Internal Revenue Code to grant to self-employed professionals the tax benefits and savings afforded corporation employees; and be it further

Resolved (if the senate concur), That copies of this resolution be transmitted to the Congress of the United States by forwarding one copy thereof to the Secretary of the U.S. Senate and one copy to the Clerk of the House of Representatives, and one copy to each Member of the Congress from the State of New York.

By order of the assembly,

JOHN T. MCKENNAN,
Clerk.

In senate, June 14, 1965, concurred in, without amendment.

By order of the senate,

GEORGE H. VAN LENGEN,
Secretary.

ALASKA NEEDS BOTH COAL AND NATURAL GAS—THE WISE DECISION OF THE ARMED SERVICES COMMITTEE IN PREVENTING THE EXTINCTION OF COAL MINING AND FORESTALLING A MONOPOLY FOR ANY ONE FUEL SHOULD BE SUSTAINED BY CONGRESS

Mr. GRUENING. Mr. President, the Armed Services Committee has taken one action in connection with the military construction bill which will cause rejoicing throughout the State of Alaska. Interestingly enough, the action was not the approval of an expenditure of Federal funds, but, rather, was the reverse.

In reporting the bill, the committee removed items, totaling $1,560,000, requested by the Department of Defense to convert from coal to natural gas powerplants at Fort Richardson and Elmendorf Air Force Base, both located near Anchorage, Alaska.

This wise decision by the committee, if it is endorsed by the Senate and is sustained in conference, as I am hopeful it will be, will result in saving from virtual extinction one of Alaska's important industries—the coal-mining industry.

This proposal for conversion is not a new one; it has been under study and consideration for many years. The Alaska congressional delegation has carefully analyzed the arguments of Department of Defense officials seeking to justify conversion. We have followed carefully the hearings held on this matter by committees of the Senate and the House of Representatives. My conclusion, which is shared by my Alaska colleagues, is that conversion from coal to natural gas, as proposed by the Department of Defense, would constitute a tragic error.

Everyone who has looked carefully into this matter has agreed that loss of the military market would cause coal mines in the Matanuska field to go out of business. This loss would not be compensated for in any significant way by a gain on the part of the natural-gas industry in my State. Coal mining has existed in Alsaka for more than 50 years; natural gas is relatively new. The solution of the problem of finding markets for Alaska's great natural-gas resources should not be found in destroying an older industry. Both the coal industry and the gas industry can thrive in Alaska; and it should be the task of statesmanship, working in cooperation with the two industries, to expand the use of both fuels.

It should be understood here that the known reserves of natural gas in Alaska, even though exploration and production are in their infancy, are so great that, even if gas were the only fuel used for any purpose throughout the State, we could not begin to utilize a significant portion of it. Obviously, therefore, the major market for Alaska natural gas must be sought outside the State. Technological advances fortunately make this possible. It is known that a favorable market for Alaska natural gas exists in Japan. Plans are already in motion to compress Alaska gas and to ship it in liquid form, in special vessels, to the Orient. The economic activity connected with this use of gas will be much more beneficial to Alaska than that had by turning a valve, to feed gas to the two military bases.

Alaska needs both coal and gas in its future. The promising field of petrochemicals, for which Alaska happily possesses all the ingredients, would be slow in coming if, by the unwise proposal of the Defense Department, we killed off our coal mining industry at this time.

Alaska has all too few basic industries. Those upon which we relied most heavily in times past are now less secure than they were. Gold mining has practically disappeared, because of Federal-Government policies relative to the price of newly mined gold, which I can consider only shortsighted and erroneous. Salmon fishing has declined materially, again through the application of mistaken Federal policies during the period when Alaska was a Territory, and, therefore, did not have control of the management of the commercial fishery. Since statehood arrived, the State of Alaska, through the application of long overdue, sound conservation policies, has been painfully and slowly rebuilding the salmon runs; but we shall have a long way to go before the salmon fishing and canning industry will return to its position as a main prop of the Alaska economy.

One industry which has been relatively healthy in my State is coal mining. Most of the coal-mining activity and employment are centered in two major fields—the Healy River field, just north of Mount McKinley National Park and the Alaska range; and the Matanuska field, near Palmer, about 50 miles northeast of Alaska's largest city, Anchorage.

Coal from the Healy River field goes principally to Fairbanks and the Defense Department bases adjacent to that interior Alaska city—Fort Wainwright, Eielson Air Force Base, and the Clear Ballistic Missile early warning site.

The proposal of the Department of Defense to convert the Anchorage area military bases from coal to natural gas—a proposal which has wisely been rejected by the Armed Services Committee—would at one stroke have wiped out the coal mining industry in the Matanuska Valley field, which is the more productive of the two I have mentioned. The percentage of the total output of the mines in the Matanuska Valley which goes to Anchorage area military bases is so large, that the removal of this market, through conversion of burners on these bases to natural gas, would clearly make it uneconomic for the mines to continue to operate.

Officials of the Department of Defense had carefully and single mindedly studied this conversion proposal. In fact, it is precisely because the consideration was so single minded that greater and more important considerations than the estimated $1 million a year saving, which would, ostensibly, be realized from conversion by the Federal Government, have been completely overlooked or have been given too little consideration.

Even if the presumed saving could have been realized—and I have serious doubts about that, the mischief which would be done by conversion would far outweigh, in the national interest, any economy which might result. There comes a time, I believe, when we should, in effect, stand back and ask ourselves just what it is that we are attempting to defend by means of our defense efforts. If it is not a sound economy, with successful operating industries, gainfully employed workers, with the families of these breadwinners living in security, and the generation of all the beneficial side effects for the economy which such activities produce, what is it we seek to defend?

Without its coal mines, the Matanuska Valley would have become an economically blighted area—a little Appalachia in the heart of the 49th State, where, not decay and retrogression, but growth and hope should be, and have in general been, the watchwords.

Conversion by the military to natural gas would have resulted immediately in the unemployment of about 125 men who mine and handle coal which goes to Fort Richardson and Elmendorf Air Force Base. These men are in most cases longtime residents of Alaska. They have families. It is not overstating the case to say that in the area of the mines there is nothing else to provide the kind of economic activity which would permit these men and their dependents to continue to live there. Thus, the making of the appropriation for conversion sought by the Defense Department would have destroyed an industry and would have wrecked the economy of an important section of Alaska.

It is my belief that conversion in the Anchorage area would, in the natural course of events, be followed by similar conversion north of the range at the Fairbanks area bases, so that it would be only a matter of time until Alaska's coal mining industry would be wiped out entirely.

In short, the cost of conversion, $1,560,000, would not only be a waste of the taxpayers' dollars, but would also lay the foundation for a continued annually greater cost of operation of these military bases which the same taxpayers would be compelled to pay in perpetuity.

What we are dealing with here, Mr. President, is not only a few columns of figures. What we are dealing with is also the destiny of human beings. In addition to the direct effects which I have been discussing, there would be many incidental and related results, all of them destructive and unfortunate. The Alaska Railroad, owned by the Federal Government, now moves the coal from the mines at Palmer, Eska, and Jonesville to the bases. This transportation activity makes possible a quality and frequency of railroad service and a level of rates on commodities other than coal which the people of Alaska—although they often grumble about them—have managed to tolerate. Removal of the coal-transportation activity would hurt the railroad and also would hurt the people of Alaska who depend upon its rates and services. An alternative, which I hardly think the Bureau of the Budget or the Congress would look upon with great favor, would be to subsidize the operation of this Government-owned railroad, in order to make up for the losses of traffic. This would, indeed, be robbing Peter to pay Paul.

The computations, on which the supposed saving to the Federal Government from conversion were based, relied on a price of gas of 29 cents a thousand cubic feet delivered to the Defense Department. No other purchaser, wholesale or retail in Alaska, has up to this time, ever been able to enjoy a gas price that reasonable. There is reason to believe that a realistic price would be about 10 cents higher, or 39 cents a thousand cubic feet. At such a price—which I am fearful the gas supplier would have to move to, in years ahead, in order to remain solvent, there would be no saving at all to Uncle Sam from conversion. In fact, the fuel cost would be higher than the cost of coal has been in the past 2 years. In addition, of course, we would have gone to all of the expense and trouble of converting.

Let us consider what the situation would be after conversion to natural gas at these bases. It is fairly well conceded that in that area petroleum fuels are not competitive. With the coal mines out of business, their plants dismantled, and their employees dispersed, natural gas would be the fuel in the area. Not only the defense bases, but also the private consumers, would be wholly dependent on it, alone. All would have to pay whatever price was demanded. It should be understood that there is no free play of competition in connection with this matter. The pipeline company, which has quoted a gas price to the Defense Department, is the only supplier now in a position, or likely to be in a position in the foreseeable future, to deal with the Government. With coal out of the picture, this natural gas monopoly would completely rule the situation.

I applaud the action of the Armed Services Committee; and I hope this false, alleged economy will now be dropped, not only for the fiscal year ahead, but also for the future.

"FAIR FIGHTS AND FOUL"—BOOK BY JUDGE THURMAN ARNOLD

Mr. McGEE. Mr. President, some years ago a "lucky lawyer" came out of my State, and, after serving for a time as a professor of law at Yale, gravitated to Washington, to serve as Assistant Attorney General in charge of the Antitrust Division of the Department of Justice. Later, he sat on the U.S. Court of Appeals, and also founded a significant law firm here in our Nation's Capital.

Judge Thurman Arnold has written of his life—the "life of a lucky lawyer," as he calls it—in a book, just released, entitled "Fair Fights and Foul." An excellent review of the book by a fellow attorney, James Rowe, is published in today's issue of the Washington Post, along with an article based on a recent interview by Morton Mintz. The interview makes the point that Judge Arnold is still quite willing to "light matches in powder mills." I ask unanimous consent that the book review and an article from the Washington Post be printed in the RECORD.

There being no objection, the review and the article were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 24, 1965]

THURMAN ARNOLD RIDES AGAIN RELIVING SPECTACULAR PAST

(Reviewed by James Rowe)

"Fair Fights and Foul," by Thurman Arnold, Harcourt, Brace & World, 292 pages, $5.95.

Once upon a time, around 1940, there was an iconoclastic Yale law professor who, when sent to Washington, turned into a fearsome dragon. Even today any big businessman over 50 shivers and trembles in his boots at the magic phrase "Thurman Arnold." But the dragon has mellowed since he was the greatest trustbuster of them all, not even excluding his own two great trustbusting heroes, Teddy and Franklin Roosevelt.

So he has written a mellow book. It is as always sardonic, witty, anecdotal and it shines with a literary polish. All this one could expect from the author of the "Folklore of Capitalism," a brilliant pyrotechnic display which burst like the 4th of July over the legal firmament two decades ago.

The difference is that his new book has an increased urbanity. No longer is Arnold indulging in scintillating advocacy for one of his varied causes. Today he is indulging in a review of his attitudes and beliefs. He is looking back and pointing out with a modesty somewhat striking in Thurman Arnold how right he was on the various fields of battle. And incredibly, it does seem he was always right.

There is too little of the unforgettable man, the personality, color and excitement of Thurman Arnold in this book, except for his youth in Wyoming, Princeton, and Harvard Law School, and law practice in Wyoming. After a few years of teaching at Yale Law School, of which he still has a rather high opinion, Arnold took on a variety of legal tasks in Washington.

Then Roosevelt appointed him Assistant Attorney General in charge of the Antitrust Division of the Department of Justice. Those, as he says, were the great days; when he led possibly the single most talented staff of lawyers ever seen in Washington. In 4 years he brought more prosecutions for violation of the antitrust law than had taken place during the preceding 50 years. He insists nevertheless that the antitrust law is more important as a symbol of an American belief than it is in practice.

Still this is not simply a book on antitrust law. Arnold has opinions on everything, including working for the Government (which he liked), the Civil Service (which he would abolish because it is inefficient), the Federal court of appeals (on which he sat briefly but left because he knew he was by temperament an advocate and not an impartial judge).

He discourses on balanced budgets, Keynesian economics, the printing of money, and fiscal policy, the New Deal and the Great Society, which pleases him greatly.

He expounds a fascinating theory that Thomas Jefferson and Andrew Jackson were the William McChesney Martins of their day and Alexander Hamilton the Leon Keyserling. It may be true but, as he has said in other connections, it will take generations before this theory becomes general belief.

For many years the author has been in Washington private practice. Although he discourses happily about law firms and law schools, the book spends no time on the cases which have made him a successful corporate lawyer. He prefers his "public" cases—Esquire, Playboy, and obscenity, the Lattimore case, and the Bailey and Peters cases. He does not refrain from paying his due respects to the memory of Senator Joseph McCarthy and to timorous Government executives.

He tells about his rescue of poet Ezra Pound from St. Elizabeths and from trial for treason.

It would have been fun if he had put more of himself, rather than his ideas, into the telling. But the ideas and the causes are fascinating and interesting enough for everyone, not only the lawyer but also the historian, the sociologist, psychologist, and even the general reader.

It is quite clear that this dragon lived happily ever after.

STILL ICONOCLASTIC JUDGE ARNOLD CALLS CIVIL SERVICE A HANDICAP

(By Morton Mintz)

After Thurman W. Arnold took over the Justice Department's Antitrust Division during the New Deal, he says in his new book, "indictments of respectable people began to pour out."

He prosecuted oil firms, General Electric, the American Medical Association, the Associated Press.

"Cries of outrage could be heard from coast to coast," Arnold writes in "Fair Fights and Foul," which Harcourt, Brace & World is publishing today.

"I was pictured as a wild man whose sanity was in considerable doubt. One major newspaper referred to me as 'an idiot in a powder mill'."

Arnold is now 74, founding (and active) partner in the influential law firm of Arnold, Fortas & Porter and basking in prestige. He is addressed by many as "judge," having served on the U.S. court of appeals here.

But the willingness to light matches in powder mills—for what Arnold deems good and sufficient reason—is still there. It burned brightly in an interview the other day.

There is, he said, "no justification any more" for the civil service. This brought a lighted match closer to the powder than does his book, in which he is content to call it "a serious handicap to Government efficiency."

SURVIVES AS A SYMBOL

Interview or book, his objections are the same. Civil service, he says, survives "as a symbol of the Government's fairness to its employees." But, he writes in "Fair Fights," the symbol has little relation to reality:

Civil service affords practically no protection in the tenure of Government service. The head of a department, if he is conscientious, can always get rid of an employee by the process of a reorganization that abolishes his job.

"If he is not conscientious, he can file a list of charges against an employee, listen to the employee's defense in an absentminded way, and then fire him.

"The employee can appeal to the courts, if he wants to spend his money uselessly * * * I have undertaken cases of discharged employees where I was convinced that the evidence of bias was clear and convincing. I lost them all.

"On the other side of the ledger, civil service puts a handicap on the official's judgment in selecting his staff * * *

"If corporate management had to go through this process of subjecting the personnel and salaries of its staff to some higher authority, even the ordinary citizen unversed in the mysteries of corporate operation would be able to detect that it was nonsense.

"But any kind of restriction on Government management would be regarded by the same citizen as a necessary and wholesome restriction in the interests of preventing Government executives from ruining their own departments by the free exercise of their feeble personal judgments."

SACROSANCT POSITION

"Thus the civil service has acquired an impregnable position in the mind of the public as a symbol of respectability and decorum in the conduct of Government affairs. Anyone who doubts it is apt to be charged with being contumacious toward holy men."

Here, from the interview, are other matches carried by Arnold to other powder mills:

Little that was taught at Princeton when Arnold was a student there was relevant to the development of the social institutions of the outside world. But faculty members and students in today's teach-ins, seemingly so related to the outside world, are, if anything, even more detached from the realities. Arnold, it should be noted, believes that President Johnson will prove to be "one of the greatest Presidents we have ever known."

Like private industry, Government needs some "cleansing process" to get rid of its incompetent managers. Many of them got where they are because good men, finding that a Government career is not considered "a career of honor" by the people, get out. The people thus have a self-fulfilling prophecy.

"Big business is very inefficient, but is judged by its best examples. Government is very efficient in some things—look at the moonshot—but is judged by its worst examples."

Regulatory agencies become "captives of the people they regulate." The regulators are beset "by the pressures of wanting to be liked by the people they regulate" and from whom they may later seek employment.

So what they do is to turn to "harassment" of the small, rather than the regulation of the big.

Arnold would have liked to title his book "Life of a Lucky Lawyer," but his publisher talked him out of it.

He regrets that he dealt with the late Senator Estes Kefauver in the book solely in the unfavorable context of his crime investigation. In other respects, such as Kefauver's leadership of the Senate Antitrust Subcommittee, Arnold considers him "a great man," and wishes he had said so.

Finally, he wishes his manuscript deadline had not prevented him from saying more in praise of the performance of President Johnson.

VIETNAM DIALOG

Mr. McGEE. Mr. President, the Washington Star of June 23, in commenting on CBS television, Monday night, upon the debate between proponents and opponents of the administration's Vietnam policy, makes the point that the university professors opposed to the present course of events have offered us nothing which could rationally be described as an alternative.

The editorial also points up the effective and articulate affirmation of our Government's mission by the President's assistant, McGeorge Bundy, whose appearance served, as the editorial put it, "a useful purpose." The same could be said, I may add, for those on the other side. I ask unanimous consent that the editorial from the Washington Star be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

VIETNAM DIALOG

The "Vietnam dialog" presented by CBS Monday night obviously did not convert any of the professors to the administration's point of view. Nevertheless, the show served a useful purpose.

It demonstrated, for one thing, that McGeorge Bundy is indeed a formidable opponent on the debating platform. He was more than a match for the representatives of the "academic community," singly or collectively. And the President's aid was especially effective in carving up Prof. Hans Morgenthau, who is generally thought of as the guiding spirit of the academic critics of our policy in Vietnam.

More importantly, it demonstrated that you can't beat something with nothing. In this instance, Bundy's something was a clearly articulated definition of the administration's policy and program. The policy has not yet achieved the desired result. But we may know more about its usefulness 6 months from now, and in any event it constitutes a tangible, affirmative course of action which can be stated in terms that are understandable.

The great weakness of the position of the other side was that it offered nothing which could rationally be described as an alternative.

Mr. Morgenthau said he is "opposed to our present policy in Vietnam on moral, military, political and general intellectual grounds"—an interesting rhetorical exercise, but it means little or nothing. He also mentioned five alternatives to our present policy, and said he favored the fifth. What is it? "I think our aim must be to get out of Vietnam," he said, "but to get out of it with honor." This is an alternative? President Johnson has said essentially the same thing on half a dozen occasions.

One thing more. Mr. Morgenthau seemed to take as his model the French withdrawal from Algeria and Vietnam. He failed to mention that in each case the French were waging a purely colonial war, which is quite a different thing from honoring treaty commitments for the sole purpose of helping South Vietnam maintain its independence in the face of plain aggression by the Communists.

THE PROGRESSION IN VIETNAM DEBATE

Mr. McGEE. Mr. President, as one who has taken his stand early and firmly in support of the administration's policies in Vietnam, I have always welcomed debate on the subject, particularly with my colleagues here in the Senate who may disagree, at least on certain points of policy. Such debate is needed, especially in major policy areas.

Nonetheless, Mr. President, Max Freedman, writing in Wednesday's Washington Star, has called attention to the uses to which our adversaries have put some statements of disagreement. His article is worthy of note by the Members of this body. Therefore, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star, June 23, 1965]

THE PROGRESSION IN VIETNAM DEBATE

(By Max Freedman)

In the White House they are drawing up an interesting list of the various stages that have marked the public debate on Vietnam.

First there was the demand for negotiations. This demand died away when the President went to Baltimore and made his offer of unconditional discussions.

Then there was the campaign for a pause in the bombing. When President Johnson, ordered this pause and nothing happened to bring the Communists to the conference table, the agitation became far less vehement.

Now there is a demand for direct negotiations with the Vietcong. The White House is struck by the progression of these demands. The argument moves from a simple request for negotiations, to a campaign against bombing raids on North Vietnam, to a demand for a negotiated settlement based on direct talks with the Communist guerrilla forces in South Vietnam. Always the pressure is on the United States to make the first concessions to the Communists.

In pointing to these facts, White House officials make no criticism of the group of Democratic Senators who have become the public opponents of U.S. policies in Vietnam. The President himself has acknowledged that these Senators have both "the right and the duty" to express their convictions on such a major aspect of U.S. policy. Officials in the White House are not opposed to criticism. They are wondering instead whether the critics are sufficiently aware of the uses to which their protests have been put by the Communist side.

Instead of persuading the Communists that the time had come to seek a negotiated settlement, these American criticisms have had the opposite effect. They have hardened the Communist military campaign, led them to hope that the United States may yet become grievously divided, and pushed the Communists further away from the conference room.

Over the weekend President Ho Chi Minh of North Vietnam was quoted in Pravda as saying that the Communist military effort is receiving encouragement from the criticisms heard inside the United States.

Now the last thought in the mind of any Senator is to say or do anything that will bring aid and comfort to the Communists. Not a single critical Senator is trying to help the Communist side. Without exception all of them are trying to save the United States from following a path that they conceive to be full of mischief and danger. Their convictions command respect even when they do not carry agreement; for it is never easy to stand out against a mounting war fever.

But it cannot be challenged by anyone who has studied the uses made in Hanoi and Peiping of the senatorial criticisms that they have an impact which quite often mocks the purposes of the speakers. These Senators are men of experience and patriotism. It surely should be possible for them, within the traditions of responsible debate, to criticize their own government without giving comfort and encouragement to the Communists. After all, they could have been no happier than the White House with Ho Chi Minh's interview with Pravda.

Incidentally, far too much has been made of Senator J. William Fulbright's meeting with the President before his recent speech in the Senate. As chairman of the Senate Foreign Relations Committee, the Arkansas Democrat has his own constitutional duties to discharge. His ability to command a national or indeed a world audience does not depend on his being a spokesman for the White House. It depends on his own intrinsic wisdom. Nobody understands this better than the President.

That being clearly understood, it should be added that it is utter nonsense for the Republican Party to pretend that Fulbright is challenging the President's program. Johnson is pledged to a policy of unconditional discussions. That means he is ready to go to the conference table without preconditions of any kind. He is ready to listen to everything without agreeing to anything in advance.

Quite plainly there can be no settlement, as Fulbright has said, without concessions from both sides. The President has no quarrel at all with that position. He merely reserves the right to decide for himself at the proper time what precise concessions are in fact essential to a settlement. He would like that fact to be thoroughly understood here no less than by the Communists.

THE LAKE POWELL BOOKLET

Mr. MOSS. Mr. President, I read with considerable astonishment a speech made on June 7 in the House of Representatives by Representative John P. Saylor, of Pennsylvania, in attacking the Bureau of Reclamation and the Department of the Interior for issuing a booklet of color photographs of Lake Powell, the lake created by construction of the Glen Canyon Dam.

Although this is one of the most spectacular and inviting of the Nation's new playgrounds, and one which makes a mighty contribution toward meeting the recreational needs of our growing population, Representative Saylor calls the Lake Powell booklet a "blatantly illegal lobbying campaign." He sees in it an effort by the Bureau of Reclamation to promote other Colorado River reclamation legislation which will create similar lakes which can be used for recreation.

In view of the strong language Representative Saylor used on June 7 in criticizing the Lake Powell booklet and its publication by a bureau of the Department of the Interior, I did a "double take" when, some 5 days later, on June 12, I was handed a very attractive and artistic booklet on the proposal to establish Tocks Island National Recreation Area in Representative Saylor's State of Pennsylvania and the neighboring State of New Jersey. The Tocks Island booklet was likewise published by one of the bureaus of the Department of the Interior—in this instance, the National Park Service. The only difference is that the Tocks Island book is provided free, while the Lake Powell book is sold by the Government Printing Office for 75 cents a copy. A copy of the Tocks Island booklet was given to me when I made a Senate Interior Committee field trip, on Saturday, to Pennsylvania and New Jersey, to see, with the committee, the section which would be created as Tocks Island National Recreation Area, by means of a bill which Representative Saylor has introduced.

I noted immediately a number of similarities between the Tocks Island recreation area and the Glen Canyon recreation area. Both will be built around an artificial lake to be formed by a reservoir, and both will be constructed by the Federal Government. In the case of Tocks Island, the reservoir will be constructed by the U.S. Army Corps of Engineers; Glen Canyon has been built by the U.S. Bureau of Reclamation. Tocks Island is somewhat smaller than the Glen Canyon recreation area, but would be developed for the same purpose—to provide recreation for the approximately 30 million people who live within 100 miles of the area. There are not that many people, of course, living that close to Lake Powell; but, over a period of time, it will undoubtedly attract far more than 30 million to enjoy its unique beauty.

The pamphlet describing Tocks Island is not, I admit, fully in color; but it is handsome, nonetheless, with a two-color cover and double-page map, and with stunning halftones and glowing prose. It is without question a "sales pamphlet" for Tocks Island.

It happens that I favor the establishment of the Tocks Island recreation area; and I shall do what I can to see that it becomes a reality, by voting either for Representative Saylor's bill or for the companion bill introduced by Senator Clark, whichever comes before me.

As a matter of fact, I am in favor of extending our present system of parks and seashores and monuments and recreation areas as rapidly as we can investigate appropriate areas and can assure ourselves that they meet the necessary criteria. I am convinced that our population growth makes it mandatory that we provide more outdoor recreation sites, and that we must set aside those sites now, before they are swallowed up by expanding industry and agriculture or by urban sprawl.

I have no objection, as Representative Saylor does, if the publications of the Department of the Interior explain the merits of an area before it is established, or after it is ready for visitors. Neither do I object, as Representative Saylor does, if the booklet also looks to the future, by discussing the potentialities of other sites in the area which might become available for recreation if dams are built by the Corps of Engineers or by the Bureau of Reclamation. The American people are interested in what their Government is doing for them, and how it is being financed, and what it proposes to do in the future, and how those plans will be financed.

I believe that most of the nature lovers and conservationists in the country feel the same as I do about developing recreation sites as a "new part" of our heritage of natural beauty. This is put very well in the closing paragraphs of the Lake Powell booklet, which I shall quote:

> There is a natural order in our universe. God created both man and nature. And man served God. But nature serves man.
>
> Man cannot improve upon nature. But, as he has since the dawn of history, man must continue to adapt nature to his needs. Still, that process of adapting must preserve—in balance—the whole natural heritage that is his.
>
> The Colorado River and its basin are a great and abundant treasure house of natural resources and natural wonders.
>
> Let us husband the one wisely. Let us enjoy the other fully.

AMERICANS "DISCOVER" THE WEST AGAIN

Mr. SIMPSON. Mr. President, the June 21 issue of U.S. News & World Report contains an interesting report on a cultural phenomenon which many know as the "rediscovery of the West." It seems that many of our good friends in the East and in the South are only now discovering what we in Wyoming have known for many years; namely, that nowhere on this globe is the sky quite so blue, or are the mountains quite so imposing, the people quite so warm, or the handiwork of a benevolent Creator quite so evident as in the great Rocky Mountain West.

As if the natural beauty and the healthful climate were not enough, travelers to the State of Wyoming will receive an extra measure of western hospitality this year as my fellow Wyomingites celebrate our State's diamond jubilee. Earlier this year, I wrote to each of my colleagues, and suggested that they avail themselves of the pleasure of a visit to the Equality State. I was delighted at the enthusiastic response; and, in that spirit I take this opportunity to remind them that if we who serve in Congress can ever complete our business in the Nation's Capitol, each of us can enjoy part of the summer in wonderful Wyoming.

I ask unanimous consent that the article entitled "Americans 'Discover' the West Again" be printed in the RECORD with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the U.S. News & World Report]

AMERICANS "DISCOVER" THE WEST AGAIN

CODY, WYO.—An urge on the part of more and more people in the crowded East to get away from it all and to get out into the wide open spaces is being noted in new areas of the American West.

Earlier, this urge led to the upbuilding of California and the Pacific coast. Then the same urge sparked a boom in the desert States.

Now there is an upsurge of interest in the mountain West—a region of rugged beauty and grandeur that stretches away to the west and northwest of a line drawn from the foothills of the Colorado Rockies to South Dakota's Black Hills.

THEY COME, THEY SEE, AND—

This new boom goes beyond tourism. People often come first on a sightseeing trip, like what they see, and then buy or build vacation homes to which they return year after year. Some even cut loose from careers in the East and move west to stay.

The future of the boom in the mountain West, say those who are watching it grow, is assured by the fact that vast areas of wilderness and scenic beauty have been set aside permanently in national parks, forests, and monuments.

"Remember this," says a Cody man who was born and raised in the high country of Wyoming: "You don't have to worry about this country being overrun and desecrated. The Government has most of it nailed down."

More than half the land in the Western States is U.S. owned. Now the scramble is on for the limited amount of private land that gives access to the Government parks and forests.

FIVE THOUSAND FIVE HUNDRED DOLLARS A HALF ACRE

One striking example of this scramble is found at Jackson, county seat of Teton County. In that county, 97 percent of the land is U.S. owned. The small enclave of private land in an area known as Jackson Hole is surrounded by the Grand Teton National Park, Teton National Forest, and Bridger National Forest.

"Land in this valley can't be touched for much less than $1,000 an acre now," says Warren O. Erbe, a real estate agent in Jackson. "A small piece of land just south of town was subdivided in the spring of 1964, and lots of about half an acre in size were offered for $3,000 apiece. Now the price has jumped to $5,500."

A group of Jackson businessmen has bought 360 acres about 5 miles south of Jackson. The land is to be subdivided into building sites of about 4 acres. People who build homes on these lots will be able to arrange with a development company for year-round management that will include renting the homes to other vacationers and protecting and maintaining them.

Jackson Hole is billed as a year-round recreation center. One ski area has been operating for several years. Now a second ski layout is under construction on a former dude ranch that lies up against the Grand Teton Mountains. Lots for individual homes have been platted on land at the base of the new ski operation, and several have already been snapped up by out-of-town buyers.

A boomlet more modest than that around Jackson Hole is underway about 40 miles to the southwest in the area of Alpine Junction. Here there is a limited amount of non-Federal land available along the Palisades Reservoir.

Natives of the Palisades area tick off its attractions: (1) three national forests—Caribou, Bridger, and Targhee; (2) fishing in four rivers that run into the reservoir—the Snake, the Salt, the Grays, and McCoy Creek; (3) a ski slope and lift that will open next winter; (4) hunting in the autumn—elk, deer, duck, geese.

Though well-known attractions of the mountain West, such as the Grand Tetons and Yellowstone Park, are getting more crowded every year along their main highways, outdoorsmen say you don't have to venture far off the beaten track to find real wilderness.

"I've fished for 2 or 3 days at a time in the Jackson Hole and Yellowstone country and never saw a soul," says Dean Krakel, a native westerner who now is director of the "Cowboy Hall of Fame" in Oklahoma City. And, Mr. Krakel adds, "I've camped in the North Park country of Colorado for a week at a time in absolute solitude."

A BIGGER SKY

Ask Mr. Krakel what accounts for the growing interest in the Mountain West, and he gives this answer:

"I think it's because a lot of people are reasserting a certain amount of individualism. You feel more like an individual out West. The wind blows a little harder, it's colder, the sky is bigger.

"The people you meet in the West are different. They walk differently, and they're in less of a hurry. And the concepts of time and of space are considerably different. As one old fellow said to me: 'It's 15 miles from my place to the mailbox, and it's a long ways from there into town.'"

Summing up his answer, Mr. Krakel says: "Westerners are more conscious of what the weather is doing. They are more self-sufficient and more independent. Friendship is more open. When you come to a ranch, you are expected to spend some time there."

Areas of the Mountain West once considered remote now are being opened up. One such area is the North Park country of Colorado mentioned by Mr. Krakel. This region lies to the northwest of Denver.

At Walden, Colo., Mayor Herbert W. Berry has this comment:

"We are beginning to get quite a play from people coming in looking for a piece of land. Of course, one problem is that so much of the land around here is in national forests, but there are some cabin sites available."

To the north of Walden, on the Wyoming side of the border, some developments similar to those around Jackson Hole are underway.

In southern Montana, at Red Lodge, the same story of a scramble for private land adjacent to wilderness attractions set aside by the Government is found.

Red Lodge is situated at one gateway to the Custer National Forest, which holds the spectacular Beartooth Mountains. In these mountains is one of the 51 "wilderness areas" set aside in the Western States by Congress in 1964.

A second ski layout will open near Red Lodge this winter. A finger of privately owned land extending along Rock Creek up to the entrance to the Custer Forest is now being subdivided. On up the Rock Creek Canyon about 60 miles is the Cooke City entrance to Yellowstone National Park.

Commenting on renewed interest in the Mountain West, Dr. Harold McCracken, director of the Whitney Gallery of Western Art in Cody, says:

"I can't count the number of people who come through the gallery and ask me where they can find a piece of land in this country. They express a strong desire to get away from the problems of cities and their suburbs."

Cody has been a tourist attraction ever since "Buffalo Bill" Cody gave the town its name by settling there after his days as a scout during the Indian wars. Until recently, much of the demand for land in the Cody area has come from people able to buy sizable acreage. Now, however, a Cody real estate man reports that pressure is growing to subdivide ranchland along the south fork of the Shoshone River.

New highways and airports are making the Mountain West more accessible. A paved runway is being added to the airport at Walden in the North Park country, and this area is also to get some new and improved highways. Cody plans to lengthen the runway at its airport. Red Lodge opened a new mile-long runway in 1964.

WARM WORDS FROM NEWCOMERS

People who have given up careers to move west say they have no regrets.

"My income this year will be about a third of what it was, but I get to see three times as much of my family," said a young physician who gave up a practice in Philadelphia to move to Cody. "The children like the schools and their new friends. My wife has learned to ski. You couldn't get her out of here with a stick of dynamite."

Another factor in the upsurge of interest in the Mountain West is explained by a developer at Jackson:

"Americans have more discretionary income to spend than ever before. With the tax break you get on vacation property, many find that they are able to afford a second home in the Rockies."

The "tax break" this developer mentioned stems from regulations of the Internal Revenue Service that permit depreciation allowances for vacation homes if they are rented part time and thus become income-producing property.

While people of the Mountain West generally welcome the interest in their part of the country, many, like Mr. Krakel, have mixed feelings. Says Mr. Krakel, "I just hope this part of the country doesn't get overrun."

To the person traveling through the Mountain West, it seems hard to believe that this could happen.

COMMUNISTS IN THE DOMINICAN REPUBLIC

Mr. HARRIS. Mr. President, much has been said and much has been written about the U.S. actions in the Dominican Republic.

One of the more penetrating articles was written by Paul Bethel, and was printed in the Washington Daily News of June 23. In the article, Mr. Bethel shows clearly the Communist influence in the Dominican uprising. He points out that the Communists, most of whom were trained and exported from Cuba, made every attempt to spread terror and confusion throughout Santo Domingo. This is an old Communist tactic, and one which almost worked in establishing another Communist foothold in the Western Hemisphere.

President Johnson deserves the gratitude of every American and every freedom-loving man anywhere in the world for his decisiveness in meeting the Communist challenge in the Dominican Republic, which not only saved that strifetorn island from Red tyranny, but also let the world know that the United States would not hesitate to defend the cause of freedom.

Mr. President, I ask unanimous consent to have the Bethel article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, June 23, 1965]

DOMINICAN REVIEW—THE REBELS IN COLD BLOOD SENT 600 CIVILIANS TO DEATH

(NOTE.—How two Castro Communists made a deal with deposed President Juan Bosch 6 weeks before the Dominican Republic's revolution was started has been told in a previous installment. Mr. Bethel also outlined how, following the deal, the Communist manifesto was broadcast urging the people to overthrow the incumbent, interim President Donald Reid Cabral, and reinstate Senor Bosch. Today, he describes how the Communist-Bosch coalition doublecrossed and outmaneuvered the army, to take charge of the rebellion and transform it into a revolutionary grab for power with Bosch as their front.)

(By Paul D. Bethel)

On Sunday, April 25, the second day of the Dominican Republic revolt, Gen. Wessin y Wessin sent a personal representative to meet with the rebels of the 16th of August Barracks. Jointly, they were to set up a caretaker junta composed of rebels and loyalists until elections were called.

The general's emissary was met by banners carrying a slogan from Communist manifesto issued the month before: "We are for the return of President Bosch at the head of the constitutional government." This was the dramatic switch from the agreed-upon elections, maneuvered by the Bosch PRD-Communist combine.

The emissary also found that a large number of the army rebels had slipped into the center of the city where the political and military decisions were being made by the PRD–Communist combine.

The day before, mobs seized Radio Santo Domingo. Known Communist leaders—among them Castro-Cuban Luis Acosta—harangued the populace to "return President Bosch at the head of the constitutional government."

CONFUSED IMPRESSION

This was early—2:30 p.m. on Saturday. People were paraded across the TV screens dragging rifles, armed to the teeth, to give the impression that everyone was supporting the rebellion. Another purpose was to throw the loyalist armed forces into confusion, by televising people in uniform with the civilians. The broadcasts did the job.

In fact, control of radio and television nearly gave the Communists the country. The confusion in the loyalist ranks was enormous. Skillful radio and television propaganda made it appear that the country already was in rebel hands.

As late as 10 p.m. Sunday the Dominican Navy didn't know where it stood. Commodore Rivero Caminero told a junior commander: "I am with the people but against communism." Broadcasts that the navy had thrown in with the rebels were apparently interpreted by the commodore to mean that the joint rebel-loyalist military junta had been established. There were no clear instructions from the San Isidro base on the politics of the moment simply because Gen. Wessin y Wessin was trying to sort out the tangle.

Adding to the disorganization on Sunday the National Police set free both criminals and political prisoners. Rebels rushed them to the TV station saying the police had gone over to the side of the "peoples' movement." Powerful propaganda. Tremendous confusion.

TRUCKS WITH ARMS

But it was organized confusion. Four truck loads of arms roared into Independence Park in the rebel-held portion of Santo Domingo. As one Western diplomat stated: "I saw Peiping Communists, Castro Communists and Moscow Communists passing out arms to criminals and to the street gangs."

These, then, were the "armed civilians" referred to in news accounts by overly "objective" reporters. Gen. Wessin y Wessin's official log says the civilians got the automatic weapons, the soldiers only the hand weapons.

Thus the rebels gained 2 precious days, enabling them to secure and to hold the central part of the city.

Saturday night and early Sunday morning Gen. Wessin y Wessin's tanks moved across the Duarte Bridge over the Ozama River to curb the mobs, a few hours before he was to learn he had been doublecrossed. He confidently expected the army rebels to join him in cleaning out the mobs in the city. Instead, his troops were faced by those same rebels now working together with the organizers and the mobs. This blow to loyalist morale was nearly fatal.

Communist and leftwing parties openly endorsed the revolt and called for the return of Senor Bosch—the MPD (Popular Democratic Movement), the Communist Popular Socialist Party, the 14th of June movement, among others. All are pro-Castro organizations. The PRD provided the all-important front.

STREET GANG

Musclemen for the rebels are the "turbas"—street gangs, something like those who terrorize subway riders in New York City. They also do dirty work for whoever happens to hold power in the Dominican Republic, and will pay them.

During Trujillo's time, police gave street gangs missions to beat up or intimidate Trujillo foes to keep the populace in line.

During the April revolt, the turbas were used by Communist organizers. Their mission—to loot, kill, steal, create chaos, intimidate the populace, exterminate those not in sympathy with rebel aims.

Thus did hate and murder stalk rebel-held streets during the first few days.

Most foreign reporters arrived in Santo Domingo well over a week after the initial outbreak of the revolt. By that time most of the bodies had been removed. Since there were no bodies in abundance, as reported by U.S. Embassy sources, overly hostile reporters scoffed at those reports.

Yet, even the Peace Corps volunteers said that hoes and shovels given to the people for backyard gardening were used to bury the dead, and more were requested. Those same volunteers also reported that leaflets had been passed around by Communist organizers several weeks before the revolt, with instructions on how to make Molotov cocktails out of Coca-Cola bottles and gasoline.

Much other evidence of Communist domination of the rebel movement comes from Havana.

FIDELISTA

For example, on May 11, I found that Rafael Mejia (alias "Pichirilo") was in Santo Domingo with the rebels. Mejia was helmsman for the yacht *Gramma*, which took Fidel Castro and 82 men from Mexico to Cuba, where they landed on December 2, 1956, and took up the guerrilla fight against Gen. Fulgencio Batista.

Mejia is a Dominican by birth. He holds Cuban citizenship, as well, and is a captain in Castro's rebel army, a graduate of guerrilla training and political agitation schools in Cuba.

The extent of Castro-Communist influence in the rebel camp is fully documented in reports by John Bartlow Martin, President Johnson's special envoy. He named names. He described their activities, ranging from introducing large sums of political money into the country to running "a school for Communist indoctrination." All were trained in Cuba. Some had received training in Russia and China, as well.

A five-man factfinding commission of the Organization of American States gave a devastating report on Communist and Castro Communist rebel activities. Later the State Department furnished a list of 77 Communist leaders.

Several Senators, including Alaska's ERNEST GRUENING and Connecticut's THOMAS DODD, are critical of some of our press for not reporting those findings.

About noon, on Sunday, April 25, the rebel radio announced that Juan Bosch had designated Jose Rafael Molina as "provisional constitutional president."

COLDBLOODED

During the next 2 days, the rebel radio coldbloodedly directed civilians to go to areas which the loyal Dominican Air Force leaflets had warned would be bombed. It is not known how many were killed. The U.S. Embassy's estimate was 1,800 casualties, 600 dead.

On Sunday night, it looked as if the rebels had the upper hand.

Rebel Provisional President Molina first issued himself two pistols and then signed several decrees to give the impression the loyalist cause was lost.

But by Tuesday morning the air force's Vampire jets had silenced the rebel radio, the navy was lobbing shells into the presidential palace, and the loyalists held.

By Tuesday night, Provisional President Molina had sought asylum.

The next day, Wednesday, April 29, the U.S. Marines began to arrive, and the PDR-Communist strike for power had bogged down in a tiny enclave in the center of Santo Domingo, where it still is today.

AN EQUAL OPPORTUNITY FOR THE COLD WAR VETERAN

Mr. YARBOROUGH. Mr. President, the brave veterans of service throughout the world during the cold war period have been openly discriminated against by the very Government they so loyally serve. The dedication with which these men and women serve the cause of freedom is certainly no less than the patriotism and the devotion to duty which characterized the service of the soldiers of World War II and the Korean conflict. Why should not our veterans of today have the same opportunities and advantages for future economic success that the veterans of prior years had? I submit that there is no just excuse for the failure of this Government to offer the courageous veterans of cold war service an opportunity to regain their foothold in the civilian community. Enactment of the cold war GI bill (S. 9) will insure the removal of this discrimination and, at long last, will provide an equal educational opportunity for the cold war veterans.

I ask unanimous consent that a letter from Mrs. Helen Dunford, of Sylvester, W. Va., be printed at this point in the RECORD. The letter is dated May 3, 1965, and expresses the thoughts of many thousands of Americans who actively support the cold war GI bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 3, 1965.

U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SIR: I am writing to you to ask for your support and encouragement of immediate and favorable action on Senate bill S. 9, Cold War Veterans Readjustment Assistance Act. This has the potential of being one of the greatest educational bills in history. The benefits possible through this legislature can be seen by reviewing the results of previous GI bills.

Reasons for encouraging your support on this bill are many and were more than sufficiently covered during the hearings on this legislature. Your study and consideration of these hearings will surely result in your positive and active support.

Our future on the local, national, and international levels will be attained prosperously only through the thoughts and works of educated leaders who can think and act because they have been trained to use their mental facilities to the fullest. The above mentioned bill will help provide for financial assistance to train these potential future leaders.

I urge you to give your full support, in the name of education and national security.

Sincerely yours,

MRS. HELEN DUNFORD.

TRIBUTE TO JOE JAMES CUSTER

Mr. FONG. Mr. President, today, at Pearl Harbor, in Hawaii, funeral services are being held for Joe James Custer, heroic war correspondent, radio commentator, newspaperman, and public-relations consultant. Joe Custer died of a heart attack, last Sunday, at his home in Honolulu.

Last rites for him are being held on the U.S.S. *Arizona* Memorial, which he helped to build. For 7 years he was Executive Secretary of the Pacific War Memorial Commission, which handled the fund-raising to construct the memorial over the sunken hull of the battleship *Arizona,* in Pearl Harbor.

Joe was widely known among newsmen, having worked on various newspapers, and was an outstanding war correspondent in World War II. He lost an eye while covering a naval battle in the Pacific.

I knew Joe Custer for many years, and respected him professionally and personally. He served his profession and his country ably and courageously, in peace and in war. I join his many friends in mourning his passing and in extending heartfelt condolences to his wife and family.

I ask unanimous consent to have printed in the RECORD at this point two articles which were published this week in the Honolulu press.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin, June 22, 1965]

ARIZONA MEMORIAL RITES FOR CUSTER

Services over the ashes of Joe James Custer,, who was executive secretary of the Pacific War Memorial Commission, will be held on the U.S.S. *Arizona* Memorial he helped to build.

Mr. Custer's funeral services, set for 10 a.m. Thursday, are the first ever held at the memorial.

The Right Reverend Harry S. Kennedy, bishop of Honolulu of the Protestant Episcopal Church, will conduct the services.

Ashes will be scattered on Pearl Harbor waters following the ceremony.

Mr. Custer, 55, had been executive secretary of the Pacific War Memorial Commission for 7 years when he died Sunday in Queen's Hospital.

As a correspondent for United Press during World War II, he accompanied the Navy on several major Pacific operations until wounded aboard the *Astoria* in the Battle of Savo Island. For this action he received the Purple Heart.

Mr. Custer, also a veteran radio commentator, newspaper man, public relations correspondent, and author of "Through the Perilous Night," is survived by his wife, Victoria; a son, Brian,.and a daughter, Sharon.

The family requests that flowers be omitted. Donations in his memory may be made to the U.S.S. *Arizona* Memorial Fund in care of the Bishop Trust Co., Honolulu.

[From the Honolulu Advertiser, June 21, 1965]

JOE CUSTER DIES OF HEART ATTACK

Joe James Custer, veteran newsman, war correspondent, and radio commentator, died yesterday of an apparent heart attack.

He would have been 56 Wednesday.

He was born in New York City and worked on several San Francisco newspapers. He worked as a newsman in Honolulu before joining the staff of United Press (now United Press International) and serving as a war correspondent.

Custer saw the sea battle between United States and Japanese naval forces off Guadalcanal; the ship he was on, the U.S.S. *Astoria,* was hit more than 200 times and sank the following day. Custer lost an eye in the battle.

His eyewitness reports of sea action led to a book, "Through the Perilous Night."

Custer was a KGU and KGMB commentator, a public relations man, and former executive secretary of the Pacific War Memorial Commission. He was active in community affairs.

Custer was playing bridge with his wife and friends at his home, 1032 Hunakai Street, when he was stricken. An ambulance was called and he was taken to Queen's Hospital. The family doctor also was called and followed the ambulance to the hospital, where Custer was pronounced dead on arrival at 9:20 p.m.

Survivors are his wife, Victoria, son Brian B., and daughter Sharon M.

TRIBUTE TO ADM. GLYNN R. DONAHO

Mr. DOUGLAS. Mr. President, during recent hearings before the Subcommittee on Federal Procurement and Regulation of the Joint Economic Committee, we received testimony from Adm. Glynn R. Donaho, commander of the Military Sea Transport Service—MSTS—concerning the level of ocean freight rates paid by military departments for shipping defense cargoes. He expressed serious concern about the fact that American-flag lines, most of them heavily subsidized, agree among themselves on rates charged the Government, and decline to furnish data revealing their costs and profits.

We also received testimony describing the efforts of these combined lines to drive out a small, unsubsidized American carrier which has entered the field, to compete. The facts are intriguing, and they demonstrate very clearly that a little competition is more useful than any amount of shrewd negotiation in reaching reasonable rates. In the very act of fighting this small competitor, the combination—or cartel—has reduced by one-third its rates on the major defense commodities. It is reliably estimated that in a little over 2 months, the Department of Defense has saved between $2 and $3 million, over the preexisting schedules. The annual projection is impressive, and should, at present rates, procure a total saving of at least $10 million, on a bill for ocean transportation, that last year ran $36 million, to the ports visited by members of this particular conference. The saving on inland through bills on household goods, for which the rate has also been severely cut, is over $1 million, to this date, and may easily total another $10 million per annum.

I congratulate Admiral Donaho for his alert supervision of his Department, which seems now to be attentive to the whole problem of transportation costs. I should note that this is the second admiral whom the committee has had occasion to congratulate for a vigorous revival in Government maritime operations, the other being Adm. John Harllee, Chairman of the Federal Maritime Commission. Perhaps this country needs more cost-conscious admirals.

I ask to have printed in the RECORD a newspaper article on this subject, which was published on June 17 in the Baltimore Evening Sun.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ADMIRAL'S CURIOSITY SPURS SHIPPING SQUABBLE

(By Sarah McClendon)

WASHINGTON, June 17.—One of the biggest squabbles in U.S. maritime history, involving how Uncle Sam pays out millions in high shipping rates to commercial lines for carrying military goods to oversea bases, is being triggered in Washington by Vice Adm. Glynn Robert Donaho, commander of the Military Sea Transportation Service.

Involved are lines that ship regularly from Atlantic, gulf, and Pacific ports.

MILLIONS INVOLVED

The outcome could have even broader effects and is already beginning to spread to an inquiry into competitive factors among shipping lines.

It bids now to affect the $500 million in shipping costs that the Government pays regularly for carrying foreign aid to other countries as well as the $300,000 a liner annually which the United States pays through the Military Sea Transportation Service for carrying goods for the military, which compares with about $150,000 annually paid to foreign competitors.

After the Korean war, big U.S. shipping companies induced Uncle Sam to put his freighters into mothballs and retire the nucleus of Government shipping. The big companies said they could not stand the competition, despite the fact they operate and build their ships on Government subsidies.

Then the big companies organized rate conferences so that there would be no real competition in rates for hauling the merchandise that the U.S. Government itself could no longer ship, according to testimony before the Senate Commerce Committee, uncovered by Senator DOUGLAS, Democrat, of Illinois.

TWO GROUPS NAMED

One conference group is Atlantic Gulf American Flag Berth Operations. Another is West Coast American Flag Berth Operators.

For some time, it has been felt by officials in shipping around the U.S. Maritime Administration and the U.S. Maritime Commission, who watch these rate conferences and other international ones as they control rates throughout the world, that the United States is being charged exorbitantly for both military and civilian shipments.

This, they point out, is why the United States is suffering a severe trade disadvantage in the world, why it is sometimes cheaper to import than to export or produce here, and why, as an indirect result, the United States has a weak merchant marine, while other nations make money carrying U.S. products.

CONDITIONS ACCEPTED

Still, these conditions had been pretty much accepted here, except for the Senate Commerce Committee's inquiries, until Admiral Donaho arrived.

It had long been the custom for commercial shipping lines doing business with MSTS to give a "happy berth" to the commander, whereupon his second in command took over his old job.

But the chain was broken with Admiral Donaho, a scrappy Texan who had been the Navy's inspector general and during the war commanded a submarine wolf pack with the highest number of kills of Japanese shipping.

He entered the office saying, "I want a good lawyer and a good public information officer." Now, he is also convinced he must change many personnel there.

HE BEGAN WONDERING

Admiral Donaho began to wonder about how much it costs to ship household goods, refrigerators, and cars overseas.

He asked the shippers to give him their cost figures used in basing rates. They declined. Then he informed them he could no longer recommend that they be exempt from excess profits investigations by the Government's Renegotiation Board.

He did another thing, too. He dared recognize a new upstart of a line which offered to ship goods for the Government at $5 less per hundredweight.

SO HE TOLD DONAHO

The line was Sapphire Steamship Lines, Inc., New York, whose owner, Marshall P. Safir, had noted the high charges quoted by steamship lines to the Government while he was operating Weissberger Moving & Storage Co. in New York City.

Safir had long thought the Government was being overcharged. He told Donaho so.

Safir teamed up with Col. Lawrence D. Lally, former Army military transport officer, and his associate, W. Leslie Schultz, who handled shipping matters while in the U.S. Foreign Service in England. They had been trying to get a new competitive cargo shipping line established, known at Atlantic Express Lines.

Atlantic Express Lines overrode big shipping lines to get a favorable U.S. Maritime Board decision to operate. Atlantic Express got four ships by teaming with Safir.

Infuriated at the competition, the big shippers cut rates below Sapphire Lines for a month.

TOOK A DIM VIEW

Donaho, smelling a price war, took a dim view of this.

The Senate Commerce Committee began investigating the situation.

This triggered the U.S. Maritime Commission to act.

Rear Adm. John Harllee, who heads the Maritime Commission, had been watching events for some time. His job is to supervise the industry, and he did not like seeing the big companies crush out competition. He agreed to appoint an examiner to adjudicate the matter and eventually will have to pass upon this himself.

Meanwhile, closely observing the outcome is Nicholas Johnson, head of the U.S. Maritime Administration, who will eventually have to pass on operational matters affecting Sapphire.

THE HOUSE BOMBSHELL

Johnson is the under-30 bombshell from Houston whom President Johnson put into office in defiance of the established shipping lobby which was striving to have its friends installed.

U.S. Lines, which ships out of New York, is one of the most active in fighting this competition. In past cases, they have said the trade could stand no more ship space, but ports of Philadelphia, Baltimore, and Norfolk are eager for more shipping lines to use their ports.

OTHERS WAITING

Also watching developments with much interest are several former commanders at MSTS, including Vice Adm. Francis Denabrink, now retired, who went from MSTS to Matson Lines as consultant, then to States Steamship Co.; Adm. John M. (Dutch) Will, who became chairman of the board of American Export and Isbrandtsen Lines, and Vice Adm. Roy A. Gano, now vice president of Moore-McCormack Lines.

SHORT-HAUL AIR SERVICE

Mr. BAYH. Mr. President, one of the most vital problems confronting medium-sized cities is the need to improve air-transportation service. Local airlines are, in the main, doing an excellent job with the resources and facilities available to them; yet the very lifeblood of our smaller communities depends on expanded and more effective air service.

At the Fourth Annual Air Transport Conference, held at New York University on May 27, John Hoving, formerly associated with the Air Transport Association, and well qualified to speak authoritatively on the subject, delivered a paper in which he explored the many ramifications of short-haul air transportation. Because of its general significance and importance, I request unanimous consent that his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SHORT HAUL AIR SERVICE: DO WE REALLY WANT IT?

(By John Hoving,[1] remarks at the Fourth Annual Air Transport Conference, Division of General Education and Extension Service, New York University, May 27, 1965)

The title of this paper is not as rhetorical as it sounds. Everyone seems to be in favor of short haul air service, but at the same time there is a developing suspicion that not everyone wants to do anything about it.

This is a very serious problem for many reasons. These include:

1. A great many Americans live in small- or meduim-sized communities. They rely on continually improving transportation of all types if these cities are to compete effectively. This comes down to job opportunities for young and old.
2. As the trunk airlines have gotten bigger they have, quite understandably, concentrated on the hauls that are either at least half way across the country or even international. This means that many so-called intermediate cities have a shrinking air service in terms of trend if not always in absolute terms.
3. All of the Nation's regions are not economically equal, and there is reason to believe that a significant cause is inadequate transportation with a regional loyalty.
4. There is a national air service gap between the marvelous and efficient long haul truck airlines on the one hand and the subsidized local service airlines on the other.
5. Much of the discussion about short-haul air service has been concentrated on hardware, or the development of a perfect airplane. This is not only difficult to accomplish but tends to cloud the issue and distract rather than develop.
6. It is now only a cloud perhaps no bigger than a man's hand, but all signs point to a very serious squeeze on the subsidy for the local service airlines.

Let me just touch on the technology situation briefly. From all the experts there is a continuing series of reports that much could be accomplished if the Government financed and encouraged a considerable amount of research into the research and development of civilian aeronautics. Most people concentrate on the need for research into lighter and more powerful propulsion plants, noise control and improvements in aerodynamics.

This is endorsed in some measure by military as well as civilian experts. Probably because of the understandable emphasis placed on the space program there has been a relative slowdown on aeronautical research. Many argue that we should accelerate our efforts in this field. However, one thing is certain—we could not alter our path and increase our effort rapidly enough to deal with any of the immediate problems outlined above.

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[1] Mr. Hoving is a managment consultant in Washington to a number of business firms in aviation and other fields. He was formerly associated with Air Transport Association as vice president, executive action. Before joining ATA in 1956, Mr. Hoving was a partner in the New York public relations firm of Pendray, Cook & Hoving. Prior to that he was a newspaper reporter in Wisconsin for the Milwaukee Journal and the Madison Capital Times. During recent years, in addition to his regular activities, he has participated in key governmental tasks such as helping in the development of the Trade Expansion Act of 1962, an assignment for which he spent 6 months on special leave from ATA working with the White House, and most recently a special assignment for the Peace Corps. He is also a member of the Flight Forum Advisory Committee of Connecticut General Life Insurance Co.

The basic obstacles from a technological standpoint as the answer for our current needs are as follows:

1. Much of the governmental effort has been to find the "perfect" aircraft through the meeting of committees from Government, manufacturers, and the carriers. In this area as elsewhere committees of this type are more likely to be used to bury projects rather than to advance them.

2. There has been a good deal of diverting chatter, based on little knowledge, about the operating cost level required, the initial costs, etc. A typical comment on the supposed financial difficulties was made by one Government official. He said: "I am not rapturously hopeful because of these economics and the very healthy and difficult-to-overcome rates for autos, buses and trains in these depth-market areas."

It is interesting to contrast that comment with the conclusion reached recently by William J. Hogan, executive vice president, finance, of American Airlines. Mr. Hogan pointed out that an important consideration would be any indirect savings that would result in reducing air traffic and terminal costs through the use of some kind of V/STOL aircraft. He went on to make this realistic, businesslike assessment of the economic requirements:

"Trunklines in all probability would be willing, therefore, to begin operations with V/STOL equipment before their total cost of operations reached break-even levels, if sufficient connecting revenues are generated by the service and there is a reasonable expectation that the service will ultimately return a profit. Present operation of piston equipment over short-haul routes loses money. These piston operations are justified only by the fact that there is no more economic equipment available. The first goal of the V/STOL industry should be to produce a machine with total operating costs equal to or lower than these piston airplanes. The ultimate goal must be to produce a machine capable of yielding a profit on the basis of local revenue alone."

3. While many have fiddled there is a reasonable suspicion that Rome may be burning. Will there be an economically strong short-haul airline system available to put these technologically advanced aircraft, whenever they might appear, into?

Clearly we have made considerable progress in the development of the local service airline system. As the former Chairman of the Civil Aeronautics Board, Alan Boyd, said recently, "* * * the local service industry today is as big as the whole trunkline industry was at end of World War II."

Certainly the local service carriers, as well as the other U.S. short haul carriers in Alaska, Hawaii, and Puerto Rico, have a multitude of friends and supporters and have earned considerable goodwill over the years. I am personally optimistic that these carriers have the ability to anticipate and the capacity to organize the governmental assistance they need. This, I might emphasize, is half the battle so far as short haul air service is concerned because without economical, efficient, and functioning airlines you will not have the service.

Unfortunately there are a number of trends that could prove very serious unless properly dealt with. In addition, these trends are coming together almost as we discuss this problem and are steadily becoming more serious. You might say it is a cloud no bigger than a man's hand, but it is not to be ignored.

First let us look at the fact of subsidy. According to the CAB, since 1938 there has been a total of $1,344,715,000. Of this the trunks received $198,386,000; the helicopter carriers $49 million; Alaskan and Hawaiian carriers received $140,000,393; and local service airlines received $646,882,000—or a little more than half.

The subsidy specifically earmarked for the local service carriers reached a peak annual payment of about $69 million during fiscal year 1963, but this has now dropped off some and there are those who predict a steady but conservative reduction in the future. However, this does not really tell the full subsidy story. The short haul segments of one trunk airline are subsidized to the tune of $3,700,000 a year and the carriers in our 49th and 50th States receive more than $9 million a year.

I do not mention these figures to explain my concern about the size. However, I do think it important that we do not pretend that they are invisible.

Let's take a look and see what is happening:

1. Most obvious are the galloping examples of subsidy squeeze: the maritime industry and the helicopter carriers. It should be obvious that the heat is on, and if not now, soon.

2. There's a more fundamental problem. In a very understandable way President Johnson has put his Bureau of the Budget to work shrinking older governmental programs in order to make new money available. There is no necessary conflict between fairly heavy Government spending and vigorous budget control. There is no security in budget seniority. The administration, in addition, is attempting to shift some subsidies from the taxpayer to the consumer.

3. But if that doesn't convince you, listen to this statement by Gordon Murray, a key staff member of the Budget Bureau: "The practical problem would appear to be how quickly transportation subsidies can be eliminated, not whether they should be."

That should resolve any doubts that exist among you.

The local service airlines are faced, therefore, with two grinding pressures. For one thing there is very little financial margin in the operations of these carriers. All of them are caught in the economic strangulation of a very short haul, static route system. The fundamental economic rule that applies says that unit line-haul operating costs only decrease as average stage and traffic haul distances increase. This situation is compounded by the inflationary pressures that beset all business operations.

This financial sensitivity tends to make these carriers unusually sensitive to the subsidy policy. And here is where a very serious problem develops.

What it amounts to is that at the very time these local service airlines need all the help they can get the subsidy review process is cutting off their political legs. This results because all the incentives for the reviewers—the staff of the Bureau of the Budget, the staff of the Civil Aeronautics Board, and even the staffs of the airlines involved—are to reduce costs. In short, management policy is aimed at the reduction of expenditures rather than anything else. The inevitable result is reduction of service in terms of quantity, quality, and even location.

It can be stated as a solid fact: Never in history has a public utility gained the public support it requires by reducing the quality of the service it offers.

The deep and persistent concern expressed by Members of Congress is not only real but very meaningful. Senator BAYH, of Indiana, expressed it this way:

"It seems clear to me that this nationwide problem, accentuated by peremptory CAB rulings, will be solved only when we establish and maintain healthy local service airline systems. Subsidy policy should be set by the CAB based on transportation need, not a fixed formula applied to a predetermined budget. The CAB must look for ways to develop new patterns of air traffic to smaller communities to enable small cities to have adequate service along routes that are economically feasible to the carriers. Without adequate air transportation for small metropolitan areas, our Nation may be pockmarked by semidepressed, underdeveloped, dying communities. Then, partly as a result of shortsightedness, we will be faced with expensive crash programs to remedy a situation that we need not encounter if we try to comprehend the logical result of today's action."

It should be pointed out that no one is talking about an overnight slash below the present subsidy level. These local service carriers have been and remain sound credit risks. The law is clear on that and the record of these carrier managements and the Government provides a strong sense of confidence. However, the risk in a subsidized industry is that because of pressures and lack of support it is unable to keep improving the quality and type of service it provides. A major quality of the airline industry has been its financial ability to bring the fruits of technological progress to the traveling and shipping public. It is this pattern of progress that is now threatened and could well produce a very negative impact on the entire civil aviation program.

There have been some suggestions made for dealing with the general problem.

1. Drop off a large number of the smaller cities and at the same time speed up the consolidation of service into so-called regional airports.

2. Shift the subsidy to the consumer by increasing fares charged.

3. Shift the subsidy to the trunklines through a greater share for each ticket sold and other such methods. This approach has found some encouragement in Washington. Representative ALBERT THOMAS, chairman of the important House Appropriations Subcommittee on Independent Offices, made this comment as he led the successful fight to end the helicopter subsidies: "It is all taxpayers' money. It goes to the use and benefit of the big trunklines. Mr. Speaker, if we wind this up, the trunklines will work out this problem in less than 6 or 8 months, just as sure as shooting, in one form or another."

All of these suffer from being stopgap in nature and will tend to accentuate rather than end the possible downward service cycle that results from the present system for setting the budget.

The basic requirement is to provide as quickly as possible each short-haul airline with the routes and related commercial opportunities to become a self-sufficient, eventually unsubsidized, regional airline. Only in this way can we guarantee that the fruits of aeronautical technological progress will be made available to the small- and medium-size cities of America. Only economically healthy, profitmaking airlines provide—now and in the future—the kind of progressive air service we require and deserve. Essentially, this is a most important recognition of the principle of internal subsidization. This all must be done on a case-by-case basis, for this is the only honest way to get at the problem. In addition, the Government agencies must develop a sense of urgency.

The individual airline companies, of course, have the responsibility of coming forward with specific plans. They have the responsibility to press hard to get these solutions accepted. In addition, they need to develop programs to overcome the psychological barriers that exist at the local level against the replacement of trunk by local service. The continuing studies prepared by the Routes and Agreements Division of the Bureau of Economic Regulations show that replacement of trunks by local service has been an important factor in upgrading the quality of service available at many intermediate cities.

The most recent report arrived at the following conclusion:

"During 1964 the local carrier service offered had increased at 152 points over the last year of trunkline service. At 127 of these points, the increase in service was more than 50 percent. In passengers boarded the first year following the trunkline suspensions, the average increase for 132 points was a 134-percent increase. Of the 152 points where the passenger volume increased during 1964 over the year prior to trunkline suspension, all except 19 had increases of more than 50 percent. The average increase for the 152 points was 210 percent. The report shows that there were only 28 points at which traffic decreased during the year following suspension of the trunkline service. Twelve of these points in 1964 showed passenger increases ranging up to 183 percent over the comparable volume prior to trunkline suspension."

The executive branch should make its policy desires clear to the Bureau of the Budget and other agencies concerned.

The Civil Aeronautics Board has the most tedious part of the task in terms of day-in and day-out work but in policy terms it truly is the clearest. It is to state loudly and clearly, and then follow this on a vigorous case-by-case basis, that the most important policy of the CAB in the future is to reduce the subsidy bill. Since subsidy payments amount to better than three-quarters of the agency's annual budget, this would seem to be a worthy goal.

There is only one way to effectively reduce subsidy and that is to do what the Board has done in the past and see to it that carriers can become strengthened by route awards.

If the CAB had not done this during the fifties we would today have several trunks still in a subsidy posture. Now we have a system of long-haul carriers, many even international, and it is time to create a class of regional lines.

There are those who will interject at this point that the Board does not have sufficient power to do the whole job and that it is up to Congress to provide it with the necessary authority in many areas. In truth this begs the question. If the CAB will set forth on the overall policy, it will be able to make use of what power it has. When it runs out of power, there will undoubtedly be a favorable response from the Congress if the need can be proved.

What is most vital is that the Board recognize that half measures, overall studies, regulatory business as usual may not really do the job. There is a race against time, a race to reduce the subsidy effectively before the congressional and budget pressures catch up and make it impossible to move.

The need to reduce the subsidy is probably more important from a standpoint of national priorities than the encouragement of new and additional classes of air carriers or other policy activities.

Of course, the Board cannot carry on this fight alone. I have already mentioned the need for the carrier managements to make bold plans and to fight for them. The Congress itself, deeply concerned about the long-range implications of the present system, will be in the final analysis the vital factor.

If the Congress will encourage a policy of growth and development, the benefits will be widespread. However, if the rest of the Federal Government drifts along, hopes for a technological miracle, or assumes that "something will turn up," the communities, the regions, civil aviation, and our Nation's capacity for trade and influence in the world will all suffer.

"CLASSROOM TV COMES TO SAMOA"

Mr. JACKSON. Mr. President, the Saturday Review for June 19, 1965, contains an article entitled "Classroom TV Comes to Samoa."

In recent years, Congress has appropriated substantial funds to be used to improve economic and social conditions in American Samoa. The present Governor of that island, H. Rex Lee, has done a most commendable job in constructing needed facilities to serve this far-distant island and its 22,000 inhabitants. The educational TV program that Governor Lee sponsored has gained international recognition. In the words of the author of this article, it is "the most encouraging thing to happen in American Samoa in the last 65 years."

I ask unanimous consent that the complete text of the article, written by Tom Kaser, education editor of the Honolulu Star-Bulletin, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Classroom TV Comes to Samoa

(By Tom Kaser, education editor of the Honolulu Star-Bulletin)

Last November, a large, elegantly dressed Polynesian stepped before 7,000 people in Pago Pago, American Samoa, and uttered what was probably, for that part of the world, the understatement of the year.

"In ancient times," said Crown Prince Tupou To'a Tungi, premier of the nearby Tonga Islands, "the environment of Samoa and Tonga ended at the seashore of Samoa and Tonga. Today, the world is smaller. Now the whole world is our environment."

The occasion was the dedication of an anachronism: educational television in the South Seas. Less than 2 months before that day, engineers sent the first signal of a $1,700,000 ETV system into the steaming jungles of a Pacific paradise which for years had been forgotten by time and, most regrettably, the United States. Now, American Samoa has become the education showplace of the South Pacific, not only because of television but also because of the man who brought it there, Gov. Rex Lee.

Lee was sent to the island territory in May 1961 after serving 11 years in Washington as a high-ranking administrator in the Bureau of Indian Affairs. He didn't particularly want the job, but he did want to oblige any request of the new President and the new Secretary of the Interior, Stewart Udall. The result was an agreement that he would serve as Governor of America Samoa 1 year for the primary purpose of preparing the island territory for the 1962 conference of the six-nation South Pacific Commission.

When Lee arrived in Samoa he was appalled. What he saw was 60 years of neglect from the Naval officers who administered the islands from 1900 to 1951, the territorial Governors who came there during the Eisenhower years, and the white merchants and traders who had been there as long as anyone could remember.

The most serious neglect was that of the welfare of the Samoan people. Lee found that although half of the 22,000 natives in the territory were under 18, only 5,000 Samoan children were attending what was loosely called school—remote village huts of the native fale (pronounced "folly") design resembling open, grass-roofed houses. The only high school in the seven islands of the territory admitted only a third of the children of high school age in American Samoa—those who could pass the entrance examination.

But Lee was most shocked by the illiteracy of the Samoan schoolteachers. Although all instruction was supposed to be in English, he couldn't find one native teacher who could speak it fluently. He further discovered that most of the Samoan teachers had attended school only through the ninth grade, equal to about a fifth-grade education in stateside schools.

Lee realized that American Samoa was no place for a gradual improvement in the educational system. "There was no time for waiting, no time for armchair patience—there had been too much of that for 60 years," he says today. "It was obvious that what was needed was a sudden and explosive upgrading."

The answer in Lee's mind was ETV. He submitted the suggestion to the territory's department of education, a lifeless agency which rendered an equally lifeless reaction. Stateside educators assigned to the department belittled the idea as too expensive and not feasible for such a remote outpost.

Lee flew back to Washington and conferred with Udall, who surprisingly turned out to be "one of the few who didn't laugh," as Lee recalls today. With Udall's support, Lee went to Congress and obtained $40,000 for a study to determine whether the idea was feasible.

A four-man study team from the National Association of Educational Broadcasters went to Samoa in late 1961 and returned to Washington a month later to report that ETV was indeed the best potential tool for the task. The NAEB investigators, headed by Vernon Bronson, one of the most vigorous promoters of ETV in the country, cited television as the most likely means of: (1) training Samoan teachers, (2) providing quality instruction by top flight stateside teachers for every child in every village, (3) establishing, after a high initial investment, a low-cost permanent educational facility complete with a large library of tapes and other visual material. In short, ETV was seen as the fastest, most effective and, in the long run, most economical way of bringing the education system up to reasonable standards.

The alternative was to replace nearly 300 Samoan teachers—some with 30 to 40 years of teaching experience—with 300 stateside teachers. This would have created not only serious sociological problems but several logistical problems, including a massive building program to provide accommodations for the stateside. It would also have involved millions of dollars in transportation costs alone.

When Lee returned to Washington in January 1962 to request general operating funds for the island territory, he was armed with statistics (provided by the NAEB) outlining how an ETV system might be installed. He found a friend in Ohio Congressman Michael J. Kirwan, chairman of the powerful House Appropriations Subcommittee on Public Works, who also realized American Samoa had been neglected too long.

While Kirwan, Udall and Bronson exerted influence on Congress to approve the ETV section of Samoa's budget request, Lee returned to the Pacific. But for the first time, he began to see more challenge to his job than hosting the South Pacific Commission Conference. With an entire school system to renovate, and the possibility of ETV being approved, he told Udall he would remain in American Samoa because there was a job to be done. And indeed there was.

While the appropriation proceedings in Washington continued, Lee gathered his education officers together and outlined a plan to consolidate all of the territory's more than 50 independent village schools into a cohesive system of 26 new government-built schools—20 on the main island of Tutuila, five in the three Manua group islands, and one on privately owned Swains Island, 250 miles to the north.

Lee and his education officers agreed on a native design for the new consolidated schools: clusters of buildings resembling the open, grass-roofed Samoan fale or home. Each fale, to be built of concrete, steel and glass, was to contain two classrooms placed back to back, with television consoles at each end of the building and a blackboard wall forming the partition.

Lee's dream took a giant step toward reality in late 1962 when Congress approved a generous $10 million operating budget for general improvements in the island territory. Included in the appropriation was $1,583,000 for a three-channel ETV system to be used in American Samoa's elementary grades (one to eight), and a pledge to appropriate funds for three more channels for high school instruction if the initial system showed promise.

News of the appropriation activated plans which Lee had been holding in abeyance for months. A chief engineer arrived in the islands in January 1963 to study technical problems involved in building the system. In February, seven bids totaling $1,190,000 were let on electronic equipment, including a $60,000 contract to Motorola for 300 23-inch TV sets.

The onerous job of consolidating the village schools was started, and by August—1 month after the arrival of Blair MacKenzie, the new director of ETV—Samoan construction crews began work on a two-story, air-conditioned studio building which was later gratefully named the Michael J. Kirwan Broadcasting Center.

The most formidable construction problem was erecting a 226-foot transmitter atop Mount Alava, which climbs 1,603 feet almost vertically from the apex of Pagopago (pronounced "Pongopongo") Harbor. The original plan was that Samoan workers, using modern equipment, could make their way to the top of the mountain. But after three-quarters of a mile of construction, the road idea was abandoned: workers found that Samoa's water-soaked volcanic rock could not support a road on sloping land. Engineers estimated that even if the rock provided a suitable base, it would take 2 years to penetrate the thick jungle to the summit of Mount Alava.

Hope was renewed a few months later when a Navy ship carrying two helicopters stopped in Pagopago en route to the United States from an Antarctic mission. Lee's engineers suggested that the steel transmitter and supplies to build the transmitter station might be lifted to the top with helicopters, but a survey flight in the Navy helicopters dampened the idea. Navy pilots noted that not only were the crosswinds at the summit too severe, but a job of that sort would require about 800 flights from harbor to mountaintop.

The solution was an aerial tramway, which was installed in the summer of 1964 after a 5,102-foot cable had been strung across Pagopago Harbor to Mount Alava from a point near the Governor's mansion. The tramway and a few other last-minute expenses increased the first-year cost of the television system by about $140,000, but Lee plans to more than justify that amount with revenues reaped from eventual tourist use.

To the surprise of everyone in American Somoa, KZVK–TV worked when engineers beamed the first signal to Mount Alava on Sunday afternoon, October 4, just 4 days after the Samoan school year had begun. By that time, Bronson—now one of the prime movers of the Samoa ETV idea—had hired 6 ETV teachers and 32 technical personnel. He made it clear that their goal was to eliminate their own jobs by training Samoan understudies who will someday take over the operations.

Samoa's ETV system differs from the more than 100 ETV stations in the United States today in that it provides the core rather than a supplement to the local educational effort. Its purpose is to educate not only children but also teachers and, eventually, adults.

Although television teaching in Samoa totally amounts to only 2 hours a day, all instruction revolves around that teaching. Lessons, developed at the broadcast center by stateside teachers working with Samoan understudies, are sent to each classroom teacher several days before the telecast. Stateside principals who live at each consolidated school advise their classroom teachers how to prepare for the telecast, what to watch for, and how to follow up after the televised portion of the class is over. Samoan vice principals at each school are responsible for paperwork and related administrative details.

Oral English has been the cornerstone of instruction in all of American Samoa's schools since 1962 and especially since the establishment of ETV. Reading and writing in Samoan is taught only in the first and second grades on the principle that Samoan youngsters should become literate in their own language before learning another.

The backbone of the oral English instruction is a series of drills designed to aid the Samoan child in pronouncing sound combinations and speech rhythms unfamiliar to his native language. This is accomplished through a philosophy of linguistics called the Australian Method, fostered by George Pittman, a lecturer at New Zealand's Victoria University and now a part-time consultant to the Government of American Samoa.

Pittman's philosophy is based on what he calls a reversal of the standard process of teaching language. "Normally, when you start a child in school you are concerned with literacy," he says. "What we're trying to do here is put language into the child's mouth first; literacy comes later."

The Australian Method was founded in 1950 when Pittman and his staff of 150 were trying to give European immigrants in Australia a quick fundamental knowledge of English. Their starting point was extensive oral drill based on easily understood situations which could be created in a classroom. In Samoa, these exercises have been adapted for television use.

For example, the ETV teachers spend several minutes of each class leading youngsters in responsive drills such as the following:

Teacher: This is a bottle."
Pupils: "This is a bottle."
Teacher: This is a bottle."
Pupils: "This is a bottle."
Teacher: "These are bottles."
Pupils: "These are bottles."
Teacher: "This is a bottle."
Pupils: "This is a bottle."
Teacher: "These are bottles."
Pupils: "These are bottles."

Even more basic are twice-daily sound drills in which Samoan children repeat certain English-language sounds which are foreign to them. Examples: "th" as in "the"; "zz" as in "is" or "nose"; and most difficult of all, "i" as in "it" or "is." ETV teacher David Lommen, one of the drill leaders found that he became an overnight celebrity among the Samoan schoolchildren; whenever he visits a school he is mobbed by giggling youngsters who hop and dance behind him, chanting: "thhhh-zzzzz-thhhh-zzzzz."

As of April, eight of Lee's fale-style school complexes were open and receiving ETV; the rest of the 26 consolidated schools will be open to all of American Samoa's 5,500 elementary school children by this fall. Meanwhile, Lee is already working on an ETV plan for high school use: Congress, impressed with the progress and promise of the initial ETV system, appropriated an additional $985,000 in February of this year for three channels of phase 2, which will be started this fall in Pagopago High School and two new high schools now being built.

The new high schools, designed by San Francisco architect John Lyon Reid, are as new in design as ETV is to Samoa. One will be located in the Manua group of islands, 60 miles east of Tutuila, and the other is being constructed on Tutuila in the village of Leone, 15 winding miles by road west of Pagopago.

Movable redwood partitions, suspended from the ceiling, will provide up to six changeable classrooms in the new high schools. A center room, under the loft, will be used for conferences and storage. Television sets with low-level speakers will be placed in each room, enabling the classes to use open space with minimum distraction. Redwood ceiling baffles will help control sound.

So far, no one in the high ranks of the Department of Interior is less than pleased with the progress of Lee's ETV dream. And for the Samoans, the novelty has not worn off even after 8 months of operation; schoolchildren are still just as entranced with the magic box as they were last fall. Meanwhile, Lee is giving careful doses of ETV to adult Samoans as the incipient stage of a planned adult education program. Since last November, travelogs, syndicated educational films, and even occasional feature movies have brought standing-room-only crowds to the school fales at night.

The significance of American Samoa's ETV system is evidenced by the fact that it is being watched closely throughout the world—especially in the South Pacific—as the most practical and effective way of educating people where there is a tragically short supply of good schools and good teachers. The system has been studied by UNESCO, the World Bank, New Guinea, New Zealand, India, Guam, Western Samoa, Tonga, and the trust territories. Tests will soon be made in the Tonga chain, which begins 180 miles to the south, to determine whether the signal can be received there. Reception in Western Samoa, 80 miles to the west, is excellent and Lee has made it clear that the broadcasts are free to anyone who can receive them.

So far, ETV in American Samoa seems to be producing the sudden and explosive upgrading in education that it was intended to do. But no experiment is complete without an evaluation, and the NAEB is currently negotiating with educators at the University of Pittsburgh and the University of California at Berkeley to conduct a long-term study—lasting perhaps over a decade—of the island territory's educational system.

Lee claims he will never really know the effectiveness of the television idea until the study is completed—probably not before the present first-graders are in high school. But he is clearly happy about the short-term results: absenteeism has dropped sharply, children are more attentive than ever, and, for the first time, Samoan parents are taking an interest in having their children learn English.

By anyone's standards, that's the most encouraging thing to happen in American Samoa in the last 65 years.

MUSICAL INSTRUMENT MANUFACTURER SETS GOOD EXAMPLE

Mr. HARTKE. Mr. President, it is well known in this body that I have long been an advocate of excise tax repeal on many of the items involved in the bill which we passed last week, and particularly that ever since 1959. I have sought to secure repeal of the manufacturers' tax on musical instruments. I have done so in part because of the importance of the musical instrument manufacturing business in Indiana, but in part also because I have wanted to encourage, as much as possible, the purchase, and use of instruments by schoolchildren and others, as an important part of life.

Much has been said of the need for cooperation by companies benefiting from the removal of the excise taxes, so that the benefit is extended to the consumer, as we intended. I have just received from a leading instrument maker, the D. H. Baldwin Co., a letter which should reassure us not only that the pass-on intention is being put into effect, but also that it may even be augmented by its involvement of the markup at retail. I commend this particular company for the example it has set, and I commend all others who are taking similar action.

I ask unanimous consent that the letter be printed in the Congressional Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

D. H. Baldwin Co.,
Cincinnati, Ohio, June 21, 1965.

Senator R. Vance Hartke,
U.S. Senate,
Washington, D.C.

Dear Senator Hartke: In response to the President's request of May 17, 1965, to manufacturers to "translate lower excise taxes promptly into lower retail prices for consumers," and the enactment and signing of the excise tax bill, we are pleased to report that we are sending to all our dealers today new wholesale prices which have been reduced by the entire amount of the tax that we formerly paid to the Government. Second, our retail prices have been reduced, effective immediately, by the full amount of the tax plus the entire markup on the tax. Consequently, on all Baldwin built pianos and organs, instruments formerly carrying a retail price tag of $1,100 will now be retail priced at $1,000.

We greatly appreciate the opportunity that the President and Congress have given us to increase our sales and expand the economy through lower prices, and want to assure you that Baldwin is cooperating 100 percent.

Sincerely,
Morley P. Thompson,
Treasurer.

ADJOURNMENT

Mr. DIRKSEN. Mr. President, I move, pursuant to the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 28 minutes p.m.) the Senate adjourned, under the previous order, until Friday, June 25, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 24, 1965:

The Judiciary

James F. Gordon, of Kentucky, to be U.S. district judge for the western district of Kentucky, vice Roy M. Shelbourne, retired.

U.S. Attorney

Harold C. Doyle, of South Dakota, to be U.S. attorney for the district of South Dakota for the term of 4 years. (Reappointment.)

Charles L. Goodson, of Georgia, to be U.S. attorney for the northern district of Georgia for the term of 4 years. (Reappointment.)

U.S. Marshal

Floyd Stevens, of Michigan, to be U.S. marshal for the western district of Michigan for the term of 4 years. (Reappointment.)

Anson J. Anderson, of North Dakota, to be U.S. marshal for the district of North Dakota for the term of 4 years. He is now serving in this office under an appointment which expired April 13, 1965.

U.S. Attorney

Sylvan A. Jeppesen, of Idaho, to be U.S. attorney for the district of Idaho for the term of 4 years. (Reappointment.)

Herman T. F. Lum, of Hawaii, to be U.S. attorney for the district of Hawaii for the term of 4 years. (Reappointment.)

B. Andrew Potter, of Oklahoma, to be U.S. attorney for the western district of Oklahoma for the term of 4 years. He is now serving in this office under an appointment which expired May 15, 1965.

HOUSE OF REPRESENTATIVES

Thursday, June 24, 1965

The House met at 11 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 5: 3: *O Lord, in the morning will I direct my prayer unto Thee and will look up.*

O Thou God of all grace and goodness, we are turning our thoughts unto Thee in the sacred attitude of prayer, constrained and compelled by deep longings and instincts which Thou alone canst satisfy.

Show us how we may intensify and cultivate our aspirations and desires for a more intimate fellowship with Thy divine Spirit so that our minds may be illumined with wisdom and our hearts be warmed with love.

Grant that in these days of national and international crises we may be fortified against those devastating fears and moods of discouragement which so frequently storm the citadel of our souls.

May our President, our Speaker, and our chosen Representatives be richly blessed with insight and understanding as they strive to bring peace and goodness among the members of the human family, whatever their race, creed, or color.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 3994. An act to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling and paying certain claims arising out of the crash of a U.S. aircraft at Wichita, Kans.;

H.R. 3996. An act to amend provisions of law relating to the settlement of admiralty claims;

H.R. 5988. An act to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes;

H.R. 6507. An act to make section 1952 of title 18, United States Code, applicable to travel in aid of arson; and

H.R. 6848. An act to amend section 35 of title 18 of the United States Code relating to the imparting or conveying of false information.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2. An act to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes.

The message also announced that the Senate disagrees to the amendment of the House to the bill S. 559, to regulate the labeling of cigarettes and for other purposes, and agrees to the conference asked by the House, and appoints as conferees Mr. Magnuson, Mr. Pastore, Mr. Hartke, Mr. Cannon, Mrs. Neuberger, Mr. McGee, Mr. Cotton, Mr. Morton, and Mr. Scott.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight tonight to file certain reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. GROVER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from New York makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 154]

Ashley
Baring
Bingham
Bonner
Bow
Brown, Ohio
Colmer
Craley
Cramer
Culver
Curtis
Donohue
Ellsworth
Evans, Colo.
Foley
Grabowski
Green, Oreg.
Griffiths
Hall
Harvey, Ind.
Hawkins
Hays
Holifield
Holland
Karth
Landrum
Leggett
Lindsay
Long, La.
McDowell
Philbin
Pool
Powell
Roncalio
Ryan
St Germain
Scott
Senner
Stafford
Steed
Taylor
Thomas
Toll
Tupper
Wilson, Charles H.
Wright
Zablocki

The SPEAKER. On this rollcall, 386 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DELEGATES TO DEDICATION OF HISTORIC ASSEMBLY ROOM OF INDEPENDENCE HALL, PHILADELPHIA, PA., JUNE 28, 1965

The SPEAKER. The Chair lays before the House the following communication, which the Clerk will read.

The Clerk read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 24, 1965.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
H 209, The Capitol,
Washington, D.C.

DEAR MR. SPEAKER: I submit with deep regret a request that you accept my resignation as one of the delegates to the ceremony dedicating the historic Assembly Room of Independence Hall, to be held in Philadelphia, Pa., on Monday, June 28. This is due to the fact that I am a conferee on the Foreign Assistance Act of 1965 and must be present when the meetings resume on Monday.

With kindest personal regards, I am,

Sincerely yours,

EDNA F. KELLY.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER. Pursuant to the provisions of House Resolution 426, 89th Congress, the Chair appoints as a member of the delegation to attend the dedication of the historic Assembly Room of Independence Hall on June 28, 1965, the gentlewoman from Washington [Mrs. HANSEN] to fill an existing vacancy thereon.

EXTENDING JUVENILE DELINQUENCY AND YOUTH OFFENSES CONTROL ACT OF 1961

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 430, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8131) to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. MADDEN] for 1 hour.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and pending that, Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, House Resolution 430 makes in order the consideration of H.R. 8131, a bill to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961. It provides for 1 hour of general debate under an open rule.

The present act expires June 30, 1965, at midnight, hence, in order to keep this legislation in effect, passage of H.R. 8131 is necessary prior to that date. H.R. 8131 would extend the act through 1967 and provide for funds for the carrying out of the proposal written in the bill.

This act was originally passed in the 87th Congress to be in force for 3 years, then in the 88th Congress an extension was granted until June 30, 1966, but no funds were authorized for fiscal 1966, so this bill would authorize $10 million for fiscal 1966 and a like amount for the fiscal year ending June 30, 1967.

Mr. Speaker, I urge the adoption of House Resolution 430 so that the bill, H.R. 8131 may be taken up under the rule provided for by the resolution.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the gentleman from Indiana [Mr. MADDEN], House Resolution 430, upon adoption, will permit us to go into the Committee of the Whole for a 1-hour discussion, under an open rule, for consideration of H.R. 8131, to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

As I understand it, the act will not actually expire until June 30, 1966, but there was no authorization for funds for fiscal year 1966. So this is necessary to make available the authorization of funds to continue the program.

This particular bill would continue the act for an additional year, until June 30, 1967.

After reading the supplemental views of the gentleman from Minnesota [Mr. QUIE], I believe he desires to make it definitely clear that in his opinion this should be the last extension of the time of the act and for authorization.

I know of no objection to the rule, Mr. Speaker.

Mr. MADDEN. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL of Massachusetts. Mr. Speaker, I hope that House Resolution 430 will be adopted, and I hope that H.R. 8131, which I strongly endorse, will be passed by the House.

Mr. Speaker, we in the Boston area have been fortunate to participate in the development of both demonstration and training programs supported by the Juvenile Delinquency and Youth Offenses Control Act of 1961.

The grants provided to Action for Boston Community Development—popularly known as ABCD—under the act have provided Metropolitan Boston with a battery of special services to youth as well as the experience and know-how and a headstart in launching a large-scale war on poverty. Pilot programs in education, employment, legal services, and neighborhood development which were initiated in three areas of the city of Boston have been expanded to serve disadvantaged youth throughout the city.

Training grants to Harvard and Tufts Universities have resulted in new knowledge about delinquent behavior and new training materials for teachers, youth workers, police, probation, and parole workers.

The Training Center in Youth Development at Boston University has conducted special training programs for more than 1,500 youth-serving personnel in the Commonwealth of Massachusetts. Through its traveling teams the center provides continuous and updated training for probation and parole workers throughout the State. In addition, staff assistance from the center has made it possible for the Youth Service Board to establish inservice training units in the State's institutions for juvenile offenders. The center is also assisting Youth Service Board workers to find new ways of aiding youth released from correctional institutions to find meaningful and constructive places in the larger community. Other short-term courses are helping youth workers, police, and welfare workers to keep pace with new knowledge and new techniques of working with hard-core youth and their families.

Perhaps most important of all, the materials and methods being developed here are applicable not only to the Boston area or the Commonwealth of Massachusetts, but to many other localities throughout the country.

Mr. Speaker, I urge continued support of this act for the contribution it is making toward the prevention and control of juvenile delinquency.

I urge adoption of the rule.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Speaker, I just picked up a copy of the Washington Daily News for Thursday, June 24, 1965, in which there is an article about the pay for school teachers in the New York area for Operation Head Start. It indicates in the article that the teachers will be paid $8 to $9.20 an hour, which will amount to $200 a week for a 25-hour week. They will be teaching classes of 15 5- and 6-year-old children. This compares with the Washington area where they pay $5.24 an hour, which amounts to $20.97 a day or $104 a week, and compares with the national figure of $4.50 an hour in Operation Head Start.

A television commentator once said in this war on poverty we ought to give a little money to the poor so that they can fight back, and I am beginning to think that that is true. If it is going to be necessary to pay teachers that amount of money to teach deprived kids, I think it is fantastic. As Jule Sugarman, the Deputy Director of the OEO community action program, said himself, according to this article, it is "fantastic." He ordered that it be cut to $4.50 an hour, but after he found out that it had to be $8 to $9 an hour, he approved the project. According to Albert Shanker, president of the Federation of Teachers:

> If they were not paid this scale, Head Start would not be able to get any teachers.

The people of this country should be willing to go out of their way to help people get out of poverty and reach the poor people who need to develop culturally and socially. Unless we are working together, this program is doomed for failure. It is not possible for the Federal Government to pay fantastic salaries all over the country where the professionals get all the money and the poor people get very little of it. If this thing continues, we will see the local responsibility wane and all of the responsibility for community betterment turned over to the Federal Government. The poverty program will be up for consideration in the House very soon here. I have heard it said that it will be up next week. You will see at that time that program after program, is in chaos, meaning dismal failure and yet asking for a doubling of the amount of money. Why? To pay professionals more than they can get any other place. I think this is uncalled for and it is fantastic and we ought to do something about it.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield to me?

Mr. QUIE. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I read in the Evening Star under byline by Mr. John Matthews, 2 nights ago, I believe, comments regarding the fact that 300 Head Start aids heard a pep talk by Mr. Shriver, where he said that these youngsters 4 and 5 years old are going to be taken care of under this program, and a mother and her two teenage daughters volunteered to teach dancing and a student from the University of California at Berkeley is coming here for the summer to play the guitar in school. It seems to me if we are going to get these youngsters in Operation Head Start 4 or 5 years old, we should be teaching them something other than dancing and hearing a guitar played in the schools. I hope this program can succeed because it is an area where it can be helpful, but I hope they get to some other fundamental programs than those outlined in this article.

Mr. QUIE. Mr. Speaker, I ask unanimous consent to include an article by Jack Steele at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[From the Washington (D.C.) Daily News, June 24, 1965]

NEW YORK TEACHERS' POVERTY PAY HIT: $9 AN HOUR FOR HEAD START WORK

(By Jack Steele)

Federal antipoverty officials today branded as out of line the $8 to $9.20 an hour which nursery school teachers will be paid this summer under the Head Start project in New York City.

But these Office of Economic Opportunity officials insisted there was nothing they could do about it even though the Federal Government puts up 90 percent or more of the funds for Head Start.

Head Start teachers in New York City will be paid $200 a week or more for teaching classes of 15 5- and 6-year-old-children for 25 hours a week. These day care centers will run for 8 weeks.

HIGHEST SCALE

This not only will be the highest wage scale for any Head Start teachers in the Nation, OEO officials said, but compares with a national average of about $125 a week which teachers will be paid.

The Washington wage scale will be $5.24 an hour, which amounts to $20.97 a day and $104.85 a week. This is equal to the regular summer school pay scale here set by Congress.

The Head Start project, which was originated by Mrs. Lady Bird Johnson, is intended to prepare culturally deprived children to enter kindergarten or the first grade next autumn.

Although it has been one of the most popular and fastest growing of the antipoverty programs, some critics have labeled it as a project to provide high-priced babysitters for families with incomes of less than $3,000 a year.

Jule M. Sugarman, Deputy Director of the OEO community action program, approved New York's Head Start project.

"FANTASTIC"

Mr. Sugarman said he regarded the pay scale for New York City teachers as "fantastic" and ordered that it be cut to $4.50 an hour for "Head Start" teachers to bring it in line with the national average.

But he said he finally approved the high pay scales for "Head Start" teachers in New York after receiving an official report showing that the city's board of education and the powerful United Federation of Teachers (AFL-CIO) last year had negotiated a $8 an hour pay scale for all teachers in the city's summer elementary and high schools.

He said he could not explain how some teachers would be paid the higher $9.20 an hour rate.

"This shows what a strong teachers' union can do," Mr. Sugarman said.

Albert Shanker, president of the Federation of Teachers, told Scripps-Howard newspapers the pay scales for New York's teachers were "easily justified."

"If they were not paid this scale, "Head Start" would not be able to get any teachers," he said.

APPLIED

But officials of New York's antipoverty agency, known as the Council Against Poverty, said four or five times as many teachers had applied for "Head Start" jobs as there were positions available.

As a result of the high pay scales, the city's public health nurses today won their battle to collect $6 an hour for working for the project. These nurses had refused to take jobs in the program at their regular scale of $2.65 an hour.

Officials of OEO earlier had insisted that all "Head Start" teachers would be paid the same salary levels as prevail for regular full-time elementary school teachers in their areas. (The national average pay for elementary school teachers is about $6,000 a year—or about $3 an hour on the basis of the teacher's average workweek.)

But, Mr. Sugarman said, OEO had agreed to make exceptions where local school systems—like that in New York—prescribe special rates for summer teaching.

He conceded that there is a great variation in the pay scales approved for "Head Start" teachers across the Nation this summer.

He said Los Angeles, with a scale of $7.31 an hour for "Head Start" teachers, came closest to New York's top rate.

Rates in other cities, according to an OEO compilation, range from $175 a week in Chicago and $700 a month in Philadelphia, to $100 a week in Boston and Trenton, N.J. In Corpus Christi, Tex., the scale is $275 a month. In many areas, the centers will operate only on a half-day basis.

DIRECTOR

Directors of "Head Start" projects in New York will get $1,000 a month, which OEO officials said was close to the national average.

But so-called "neighborhood residents"—who will help with food preparation and similar jobs in "Head Start" centers—will get $1.50 an hour in New York, and only the $1.25 an hour minimum wage in most areas.

The bulk of the $83.7 million the Federal Government will spend on the "Head Start" salaries. Antipoverty Program Director Sargent Shriver said last week 530,000 children were expected to enroll this summer.

Congress has never specifically authorized or voted funds for "Head Start," which is being financed as a "demonstration" project under OEO's community action program.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF AREA REDEVELOPMENT ACT

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 433 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That, upon the adoption of this resolution, the House shall immediately resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the House joint resolution (H.J. Res. 541) to extend the Area Redevelopment Act for a period of two months. After general debate, which shall be confined to the resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH]; and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 433 makes in order the consideration of House Joint Resolution 541, a resolution to extend the Area Redevelopment Act for a period of 2 months. House Resolution 433 provides for an open rule with 1 hour of general debate.

Mr. Speaker, the need for this action now is that the present Area Redevelopment Act expires at midnight June 30, 1965, and in order to keep the act in operation until legislation providing for some changes in the present act can be brought forth by the appropriate committee of the House, which apparently cannot be done prior to June 30, 1965, this resolution would fill the gap between the expiration date of June 30, 1965, and the new legislation being adopted.

Mr. Speaker, I therefore urge the adoption of House Joint Resolution 433.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, so far as I am concerned, House Resolution 433 presents a unique situation. I do not recall its having occurred during my service in the House.

The Area Redevelopment Act will expire June 30, 1965, which means that it would just be out of operation then. The committee handling that legislation has not yet made it available for consideration before the Committee on Rules. So this resolution was worked out to extend the act for 2 months in order that they may complete their work on the bill, prepare a report, and ask for a rule. It is unique in one other respect, so far as I am concerned, in that upon the adoption of the resolution, House Resolution 433, we are automatically in Committee of the Whole, with 1 hour of general debate, under an open rule, on House Joint Resolution 541.

Mr. Speaker, I know there are many objections to extending the act, but there is no opposition to the rule at this time.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

The SPEAKER. Pursuant to House Resolution 433, the House resolves itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 541).

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 541), to extend the Area Redevelopment Act for a period of 2 months, with Mr. Boland in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

Mr. PATMAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the effect of this resolution will be to extend the life of the Area Redevelopment Act from its original expiration date of June 30 to August 31, 1965—in effect, a 60-day extension.

The purpose of the resolution is to prevent a lapse in the economic redevelopment activities of a large number of distressed communities while Congress considers the wisdom of continuing a program of Federal assistance for this purpose.

The Area Redevelopment Act was originally passed on May 1, 1961, and its expiration date was specified to be June 30, 1965.

On March 25, 1965, the President sent a message to Congress on area and regional economic development, in which he described an expanded and improved new program of grants and loans for public facilities, financial assistance for commercial and industrial activities, technical assistance, and assistance in establishing and carrying out district and regional development plans.

On March 30, 1965, the President sent to Congress a proposed Public Works and Economic Development Act to carry out the recommendations of his message. In his letter of transmittal accompanying the proposed act, the President urged the Congress to take early action on the proposed legislation so that its provisions would be in effect by the time the Area Redevelopment Act expires on June 30. Funds have been requested in the President's budget for fiscal year 1966 for the new program.

While Congress has acted with commendable dispatch, it has not yet been possible to complete action on the bill. The Senate passed a bill—S. 1648—on June 1. The House Committee on Public Works reported this bill, as amended, just yesterday, June 22. However, there are a number of other bills requiring the attention of this body prior to June 30, and for a period of time thereafter.

Accordingly, I have introduced this legislation to carry out the President's intent that action be taken on the proposed new act prior to the expiration of the Area Redevelopment Act. By postponing that expiration 60 days, we will provide sufficient time for Congress to complete action on the proposed Public Works and Economic Development Act of 1965.

The Members should keep in mind as they consider this resolution that there now exists in the Department of Commerce and elsewhere within the Federal Government a substantial number of employees who have been directly involved in the administration of the Area Redevelopment Act and whose experience and acquaintanceship with the problems of local economic distress are vitally needed to form the nucleus of a competent professional staff for the proposed new act.

Moreover, many communities are continuing to carry on their economic development planning activities in the hope that Congress will act favorably on the new legislation.

It is absolutely essential that means be provided to continue these programs without interruption until there has been a chance for final action of S. 1648. If we lose the employees, we will set back implementation of the new program by from 6 to 12 months in Washington; and if we interrupt the community programs we may set back the local effort even longer.

Moreover, it is highly desirable that Congress have an opportunity to consider the proposed new legislation without the inevitable pressures which would result if the Area Redevelopment Act is not continued. Such pressures might result in overly hasty action to the detriment of the new program and orderly legislative action.

We can accomplish these goals by the passage of this resolution. The Area Redevelopment Act will be continued. Community economic development efforts can continue. The nucleus of an administrative organization will be preserved for the new program. And Congress will have time for reasonable consideration of the proposed new legislation.

Accordingly, I urge prompt passage of this resolution—to extend the life of the Area Redevelopment Act until August 31, 1965.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Yes; I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. We have on the floor today for consideration the extension of the Area Redevelopment Administration. We have on the floor today the extension of the juvenile delinquency legislation for 60 days. The House Committee on Education and Labor has prepared for the benefit of the Members a committee report detailing the amount of money and the progress of the program. We have some additional views. We have some supplemental views.

However, I have not been able to find a committee report from the Committee on Banking and Currency for the extension of the ARA legislation.

Is there such a committee report?

Mr. PATMAN. Under the rule it was unnecessary. The leadership wanted this done and, naturally, we wanted to accommodate the leadership. They have a terrific problem with all of these bills up here for consideration and we do not have sufficient time for them. They do not have sufficient time in the Committee on Public Works to get this bill out immediately and get it passed in the Congress by June 30. You see, we have to take into consideration not only our action in the House of Representatives but the action of the other body. What is more important, the action of the conferees. Therefore, that is going to take some time. We are now approaching the time of the expiration of this program.

We are now approaching the time of expiration, and I think it is a wise thing for the leadership to take, to request this action in the hope we will get it.

Mr. GERALD R. FORD. It would have been helpful to the membership if we had had some indication in a committee report as to the amount of money that has been spent, the number of employees involved, the justification for the extension, even for 60 days. Why is it necessary under these circumstances other than the employees' angle to get an extension?

Mr. PATMAN. Of course, there are a lot of communities in our 3,072 counties in the United States, and a lot of those counties, or a majority of them, at least, are directly interested in this program. This community program is very important to them, and if we were to allow the ARA to expire, it would affect all of these different counties that have these community facilities programs. That alone is enough to pass this without argument. The fact is we have employees, and they are knowledgeable employees, who know about ARA, and if this were to expire it would be months before we would get back on the track again.

This is only being done for the purpose of keeping intact the organization in the event ARA is continued. It would be terrible to disband our organization. The chances are that ARA will be continued by this 89th Congress.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Indiana.

Mr. HALLECK. Does my memory serve me correctly in this respect?—the last time this matter was before us, the ARA matter, the House of Representatives did act. We had reports, we had full argument, we had debate and, as I say, the House acted. That was, I think, along in 1963.

Now, at that time the extension of ARA was defeated, was it not?

Mr. PATMAN. Yes, by three votes. A change of three votes would have made a difference. There were questions involved of an emotional nature that made the difference that did not enter into the merits of ARA.

Mr. HALLECK. The gentleman knows of my great respect and friendship with him. All I can say is while the bill was defeated by five votes, and a change of three would have resulted in a different result, it was a close vote; but, in my opinion, it was decisive and, in spite of the great pressures that were put on, this extension was defeated.

My point is simply this: The gentleman says there would be no notice that this thing would die. At that time the Congress put everybody on notice that the program was running out. What is now the great surprise?

Mr. PATMAN. This does not involve the merits of the ARA. It looks like good business and sound judgment to me to extend it under the circumstances, and I hope it is done.

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, neither the ARA's past record nor its present status justify any extension of time for this agency. It is a matter of public record and public knowledge that the ARA has done less with more money than almost any other bureaucratic agency in history. Its failures were recognized as early as June of 1963 when this House refused to authorize any additional funds for its operation. I personally object to the fact that the thinly disguised new ARA bill, under another name, has been sent to another committee rather than have the experience of the Banking and Currency Committee members brought to bear on the new proposal. But this diversionary maneuver is a significant comment on the fact that the administration, even with its numerical strength in Congress, was unwilling to have the albatross of the ARA hung around the neck of its so-called new proposal.

A noted economist, Dr. Sar A. Levitan, one of the original supporters of the Area Redevelopment Administration, pointed out several of the major deficiencies of the program in his article, "A Valiant Attempt To Do Too Much," which appeared last year in Challenge magazine.

As Dr. Levitan emphasized, many of the problems occurring in ARA stem from the overextension of the project and the lack of sufficient study of the various proposals involved both at the time the project was conceived and in subsequent years. The unfortunate results of these oversights reach into almost all of the ARA fields of endeavor. First, the project was forced to rely heavily on other agencies for technical support. However, these agencies have not only been reluctant to undertake the projects submitted but have charged ARA for services. Second, the qualification requiring that organizations applying for long-term, low-interest loans demonstrate their inability to obtain credit from conventional lending institutions eliminated virtually all of the established corporations from the program. In effect, says Dr. Levitan, the law limits ARA assistance to new or marginal firms though the bulk of economic expansion and growth during recent years has been generated by established corporations. Third, due to inadequate study, ARA has established industries in areas already suffering from declining employment in that very industry, thus creating further unemployment. In addition, entering such new facilities into competition with existing facilities which are struggling for existence further complicated the situation in that particular area. Fourth and final of the major problems is the mounting problem of the overextension of the ARA project. More than one-third of the 3,100 counties of the United States, including at least 1 in each of the 50 States, have been designated eligible for the program with many others applying for similar benefits.

It seems to me that a considerable number of the problems delineated by Dr. Levitan could have been avoided entirely had the efforts of the minority been recognized at an earlier date. Furthermore, these same problems undoubtedly contributed to the defeat of the Area Redevelopment Act Amendments of 1963.

Ineffective legislative and inept administration have combined to thwart the reasonable goal of assisting the truly depressed areas of the Nation under the ARA program. Too many areas—over a third of the counties of the country—have split the pie under the definitions of the act, particularly as interpreted by the ARA. And ARA's choice of projects has been anything but wise in too many cases. We have seen plant pirating, investment in industry fields already operating under capacity, unfair competition with self-supporting businessmen, and loans used to automate instead of creating new jobs. In addition, as of March of this year, 30 projects involving over $9.1 million were listed by ARA as having employment potential uncertain or being inactive. These projects represented over $7.9 million of funds disbursed which the U.S. Treasury will never see again. Mr. Speaker, at the conclusion of my remarks, I will list these projects for the benefit of my colleagues.

Nor has the ARA, even in its last days, indicated any maturity of judgment. In December 1964, a New York industrialist, operating through the creation of a new company called the Lisbon Weaving Corp., put up $50,000 and benefited in return from $1.2 million from other sources, including an ARA loan of $487,000, and an SBA loan of $350,000. The ARA announced that since the industrialist had reportedly been successful in opening up two other closed textile mills in Maine, presumably without Federal funds, that he had been chosen to open another one in Lisbon, Maine. In March of this year, the creditors of the Kenebac Woolen Co., owned by the same industrialist ARA had banked on, notified the ARA of their experiences, a fact that the ARA had previously been unaware of. Despite this warning, the ARA promptly disbursed all of the $487,000 by the end of the month.

A few weeks ago this House recognized the inability of ARA to cope with even the most seriously depressed areas when it passed the Appalachia bill. Back in July of 1963, the ARA Administrator grandly announced four ARA tourism projects worth $24 million to the State of West Virginia, which he claimed would immediately create thousands of new jobs. In fact, he predicted, on the basis of ARA studies, a rise within a year of 25 percent in the number of visitors to the State to a figure of 10 million. As of April 1 of this year, however, not one penny of that money had been disbursed, and not one job created. And the tourist total barely reached the 9 million figure, according to informal estimates I received yesterday from the West Virginia travel people. No wonder a West Virginia paper, in an editorial entitled "The ARA Flop" could say that "The ARA has turned out to be a lot of talk and little action."

I would also suggest that the Congress, in order to keep its own self-respect, should have no sympathy for an agency that has studiously ignored all congressional advice, guidance, and intent. In the summer of 1963, the Banking and Currency Committee of the other body, in its report on the ill-fated but unlamented ARA bill, warned the ARA against repetition of past poor judgment, particularly in the tourism and recreation field, and laid down certain standards to be followed. The ARA promptly violated them all with a $2.2 million loan to finance a Howard Johnson motel in Puerto Rico, not one penny of which had been disbursed, and no jobs created, by March of this year. The House Banking and Currency Committee went even further in August of 1963 and suggested a bar to all future loans for hotels, motels, nursing homes, and related facilities. Since that time ARA has handed out over $19 million for these and other tourist facilities.

ARA's supporters, of course, while sometimes recognizing its faults, still claim that ARA has created 116,000 new jobs. In fact, using ARA's own figures for funds disbursed as of March 1965, the latest detailed analysis that is available, and using ARA's own multiplier to find indirect jobs, the ARA could not have possibly created more than 50,600 jobs in 4 years which is little more than 1 percent of the jobless. It is less than 1 percent of the 5.3 million jobs created by our Nation's economy from January 1961 to May 1965. We have no idea how many jobs ARA competition cost. But we do know that in some instances ARA's job totals have been inflated. And we do know that ARA's figures are suspect as a result of a GAO report indicating that this same agency inflated job figures for the accelerated public works program by 128 percent.

Apparently the ARA bureaucracy has been successful only in providing jobs for themselves. They now want another 60 days on the Federal payroll, and a crack at disbursing the $54,894,972 worth of funds ARA's figures indicate has not as yet gone out. I think they have had plenty of time to close up shop. There has been ample opportunity to bring the new bill up for a vote. There is no need for this hasty and ill-conceived action. The American taxpayer deserves a better break than that.

ARA INACTIVE FUNDS

Area	State	Project	Date	Funds (in thousands)	
				Approved	Disbursed
1. Gadsden area	Alabama	Attalla Pipe & Foundry Co.; to modernize the foundry	December 1962	$453	$453
2. Lakewood-Toms River	New Jersey	Sica Skiffs, Inc., and Marina City; marina & boatbuilding plant	June 1962	222	222
ARA EMPLOYMENT POTENTIAL UNCERTAIN					
1. Jasper area	Alabama	Industrial Development Board of Dora Building Machinery & Equipment to lease to toy manufacturer.	August 1962	$116	$116
2. Autauga County	do	Autauga Terazzo Tile, Inc.; expand	December 1962	52	29
3. Ketchikan election district No. 1.	Alaska	Town of Saxman; port facility	June 1962	1,400	1,400
4. Kodiak election district No. 11.	do	Alvine's Marina; repair, expand facilities	June 1963	66	66
5. Palmer-Wasilla-Talkeetna election district no. 7.	Alaska	Alaska Hardwoods Co.; reopen sawmill	February 1962	230	230
6. Johnson County	Arkansas	Ozark Lumber Industries; establish new wood plant	November 1962	478	478
7. Miller County	do	Baltech, Inc.; establish new precision machinery plant	April 1963	92	92
8. Franklin County	Florida	Florida Seafood Canning Co.; seafood processing company	January 1962	756	
9. Gordon County	Georgia	Fletcher Bros. of Georgia; construct meatpacking plant	November 1962	390	390
10. Benewah County	Idaho	Benewah Lumber Co-op, Inc.; replace lumber finishing plant	September 1962	143	143
11. Clark County	Indiana	Louisville Plastic Co.; establish plant	October 1962	52	52
12. Jennings County	do	North Vernon Building Co.; erect plant for Nu-Tone	December 1963	161	161
13. Morehead-Grayson area	Kentucky	Mico Manufacturing Co.; new building and equipment for expansion	August 1962	281	281
14. Paintsville-Prestonburg	do	Kentucky Hills Handicraft, Inc.; expand facilities	do	33	33
15. Richmond area	do	Jackson Charcoal & Wood Co.; establish new firm	January 1963	21	21
16. Town of Franklin	Massachusetts	Genoa Macaroni Co.; construct new plant	June 1962	426	426
17. Iron County	Michigan	(Total)	May 1962	203	203
18. Socorro County	New Mexico	Socorro Packaging Co.; establish new soft-drink bottling plant	July 1962	192	192
19. Odgensburg-Massena-Malone area.	New York	Norfolk Development Corp.; reopen pulp and paper mill	November 1962	845	845
20. Eastern Cherokee Reservation.	North Carolina	Paul L. Von Canon, Inc.; manufacture beds	October 1963	765	564
21. Delaware County	Oklahoma	Shangri-La Recreational Complex; acquire land and construct motel and marina.	March 1963	650	465
22. Hughes County	do	Wetumka Farm Ranch Co-op; establish feed and grain mill	April 1963	68	64
23. Cherokee County	Texas	Southwest Design Co.; establish furniture plant	October 1962	56	56
24. Red River County	do	Pats-Co Athletic Manufacturing Co.; build and equip plant	May 1962	26	22
25. Carbon County	Utah	Blue Flame Coal Co.; expand mining operations	September 1962	81	81
26. Northumberland County	Virginia	Callao Foods; reopen a canning plant	April 1963	30	30
27. Centralia area	Washington	Cowlitz Forest Products; establish plywood plant	September 1962	140	140
28. Pikeville-Williamson area (Mingo County, W. Va., part).	West Virginia	National Seating & Dimension Co.; establish new firm	November 1961	680	680
Subtotal				8,433	7,260
Plus inactive				675,000	675,000
Total				9,108,000	7,935,000

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Chairman, the proposition before us is simple and clear cut. It was thoroughly and plainly explained by the distinguished and able chairman of the Committee on Banking and Currency [Mr. PATMAN].

The gentleman from New Jersey [Mr. WIDNALL] stated the case in opposition to ARA; and from his point of view, it is a good case, an earnest case, and a justifiable one.

Mr. Chairman, I merely point out that all we are asking for in the resolution is a short extension, because of circumstances beyond our control. We have a time limitation with respect to taking up legislation which, among other new programs, also proposes to extend a revised and updated area redevelopment program, which will expire June 30 of this year.

This bill was before the House Committee on Public Works. It was reported on last Tuesday, June 22, 2 days ago. The committee report is available, with majority and minority and supplemental views. We have held extensive hearings over a period of 8 or perhaps 9 days, some of the hearings lasting all day, so full information will be available to all Members, and full opportunity will be made available to all Members to debate the pros and cons of the whole program or any part of the program when the bill comes up.

This involves a 2-month extension. It is not necessarily extending the Area Redevelopment Administration. This involves a technicality, but an important one. If we permit this organization to expire or to die on June 30 or July 1, and if it should be reactivated within a week later, there would be a rather substantial but completely needless and unjustifiable expense of taking employees off the payroll and then putting them back on. There would be a space problem which GSA would have, of taking away space and then reallocating or reassigning space.

We are prepared to bring up this new legislation next week, before June 30. It has already passed the other body. But due to the very heavy backlog of work in the Rules Committee, we were told it might not be possible to do so that soon.

My own estimation, after consulting with the leadership and others, is that I am confident we can dispose of the bill, perhaps within 2 weeks from now, and certainly within 3 weeks from now.

All we are asking now is adoption of a technical resolution which will save the Government money and give us an opportunity soon to go into all the pros and cons of ARA, plus public works, and many other aspects of the legislation now before the Rules Committee, merely waiting to come to the floor of the House in turn.

By way of summary all we have asked in this 2-month extension is time for the Rules Committee to consider this important legislation. Due to the heavy legislative demands on the Public Works Committee, we could not finish the hearings, complete the executive sessions, and have the report printed in time to get a rule and have full debate on the issues involved before the ARA expired on June 30.

So we ask here and now to have ARA extended for another 2 months. This is not to approve or disapprove ARA as such. All we ask is that the Government be spared the enormous expense of closing out all these personnel records and then reopening all of them in the event that the bill before us becomes public law after it is fully debated on the House floor. As previously mentioned, it has already passed the Senate.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I will be pleased to yield to my good friend from Indiana.

Mr. HALLECK. I wonder if the gentleman or possibly someone here could tell us something about this matter. Having regard to the matter that was raised by the gentleman from Texas [Mr. PATMAN], in regard to employees, how far along in July could we go without this present extension of the Area Redevelopment Administration for 60 days and still keep those people on the payroll or arrange to see to it that they are paid for their time beginning July 1.

Mr. BLATNIK. We could not go beyond July 1.

Mr. HALLECK. You could not pay them, but suppose the legislation were finally enacted and became law, let us say, before the 15th of July. Would that make it possible, if it were so provided that the payment to employees could be made?

Mr. BLATNIK. In short, am I correct that the question is would it be possible, in case we passed the bill and it became law around the middle of July, would it be possible for it to be retroactive? The answer is it would not be retroactive.

Mr. ALBERT. Mr. Chairman, will the gentleman yield to me?

Mr. BLATNIK. I will be pleased to yield to the distinguished majority leader.

Mr. ALBERT. In response to the inquiry made by the distinguished gentleman from Indiana, it would be unfair to keep these people on a speculative basis even for 2 weeks as to whether they were on the payroll and whether Congress was going to extend this legislation or not. They need to know. That is one thing. The other thing is this matter has been reported by the Committee on Public Works and a request for a rule has been filed. The matter has been discussed with members of the Committee on Rules. We felt it would be unfair to the Committee on Rules to insist on a shotgun hearing on this thing.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. PATMAN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ALBERT. If the gentleman will yield further, I will say that in order that the matter might have proper consideration before the Committee on Rules and be programed regularly, we felt we should take the action here contemplated. It seems to me the logical thing to do, and I think it is the right thing to do.

Mr. BLATNIK. The gentleman from Oklahoma has explained it absolutely correctly.

Mr. HALLECK. Will the gentleman yield further for a brief observation and question?

Mr. BLATNIK. I yield to the gentleman from Indiana.

Mr. HALLECK. It runs through my mind—and I am sure I am right about it—in times past we have had these deadline dates and expiration dates. Then some month or two later the act is extended. As I remember it, there was no real hiatus in the operation of the agency at all and everybody got paid. I think that happened with the Export-Import Bank for one.

Mr. BLATNIK. If I am correct, the gentleman here is referring to continuing organizations or permanent organizations and agencies who have continuing authorizations but where they need a subsequent appropriation which may be delayed. There is no problem in that in making it retroactive. In this case, however, this is an agency which is only involved in a part of the overall bill that we are considering and which terminates and dies and ceases to exist after June 30 unless we have this legislation enacted.

Mr. HALLECK. I might ask one further question. In the event that someone voted for this resolution today—and I am not among those, I might say—would that commit him to vote for the extension of the ARA when it comes up at some time in the future?

Mr. BLATNIK. Absolutely not. I make that point clear. It would merely give the House an opportunity to give further consideration either pro or con to the new program before us. At this point it would merely amount to a financial saving in taking 200 employees off the rolls and putting them back on again a little later and rearranging the office space and so forth and so on.

Mr. HALLECK. I am sure the gentleman from Minnesota would not do this, but as one who signed minority views against the ARA bill, I just hope when we get that bill finally on the floor we will not hear stated there that the House of Representatives just voted to extend the Area Redevelopment Act, so what are you hacking around about it again for.

Mr. BLATNIK. No. It has no connection with that whatsoever. This is just a technical correction of the legislation.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PATMAN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. BLATNIK. I will be pleased to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Inasmuch as there is no committee report on the proposed extension of the Area Redevelopment Act, we have no idea of how many employees are involved or the dollars related to it. We have no idea as to the amount of funds available for expenditure.

Can the gentleman from Minnesota enlighten us, since there is no report as to the number of employees involved, the payroll that would be involved during this 60-day period, of the amount of funds available for obligation and the amount of funds anticipated for expenditure?

Mr. BLATNIK. I can answer part of the question, perhaps the important part. The number of employees involved would be less than 350. There are about 400 employees in other agencies, some on a part-time basis, such as the Small Business Administration, community facilities, and so forth. The amount in salaries would run a little over $1 million a month, if we are able to continue the program at presently existing levels.

Project allocations would go as high as $6 million a month. If we extended this program for 2 months obviously the proposed appropriation would have to be thoroughly justified before the Committee on Appropriations.

Mr. GERALD R. FORD. How much money is available during the 60-day period if no action is forthcoming on the authorization and on the appropriation?

Mr. BLATNIK. I do not recall the figures, but offhand I should say very little in the various categories, such as industrial grants and loans. I think there is some money for loans for community facilities, if there are sufficient applications for them.

Mr. GERALD R. FORD. Does not the gentleman from Minnesota believe that the House deserves more in the way of explanation as to the possibilities that might occur during this 60-day period, with reference to the amount of money and the programs—more than we have had here today?

Mr. BLATNIK. I think we have about all the information we need. A few more additional details could be supplied. The main thing is, we will get the bill to the House, that is now before the Rules Committee, just as fast as we are granted a general rule. The point is that we are going to save money for the Government by providing this extension.

Mr. GERALD R. FORD. How much money is available in carryover after June 30 for obligation and expenditure?

Mr. BLATNIK. I cannot answer that offhand.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in opposition to House Joint Resolution 541. It seems to me that we must consider this in light of the bill S. 1648 which was voted out of the Public Works Committee just a few days ago. If we do not feel that that bill is a desirable bill, then it does not seem to me that we should be supporting this 2-month extension because the only effective argument for supporting this 2-month extension is that we believe that S. 1648 should be passed. That will provide a 5-year extension of the ARA program. S. 1648, in my opinion, contains some very serious defects.

In the first place, it was increased by $150 million a year above the amount requested by the administration. Therefore, over a 5-year period, it involves $750 million of authorization that even the President did not ask for. The total authorization for that 5-year period is approximately $3.3 billion. So this is a great expansion of the present ARA program. The present ARA program has come in for serious and I think justified criticism from the General Accounting Office.

The General Accounting Office has rendered 17 adverse reports on the operations of the ARA. Those reports have pointed out some very fundamental defects in the way this program has been operated.

In the first place, they have pointed out that ARA has consistently overestimated the number of additional jobs provided.

In the second place, they have pointed out that ARA repeatedly has come in and subsidized, for instance, a motel or an industry practically right alongside some other motel or industry that has had to do its own financing, therefore providing very unjustified and unfair competition with private enterprise already existing in the area.

In the third place, the GAO has pointed out that repeatedly the ARA has extended funds and approved applications after the area involved has been removed from the criteria of the present law, and, therefore, no longer properly qualifies as a distressed area.

Mr. Chairman, if we are going to extend this kind of a program we should certainly take action to correct these defects. However, this bill does not do that, nor does S. 1648.

Mr. Chairman, S. 1648 in fact magnifies the defects. All amendments offered by the minority in an attempt to correct these defects as pointed out by the GAO were defeated in the committee.

Mr. Chairman, there is some further loose language in the bill which would allow the ARA even greater discretion than it now has. For example, the bill S. 1648 states that it will automatically continue as qualifying areas for the next year all those areas that on March 1 of this year met the test of the present ARA law. That means that if they went off the proper definition of a distressed area on April 1 or May 1 or June 1 and even though they could not qualify today under the present law, they would be qualified under the new program, once it is adopted.

Therefore, Mr. Chairman, if this is enacted we are going to have scores of communities around the country that no longer qualify as depressed communities but yet will qualify for these supplementary distributions of taxpayers' funds at the expense of your taxpayers, because it refers back to an arbitrary date, of March 1, and automatically loops all such communities in and in effect says that they shall continue to qualify not only as of the date the new act is passed, but for another year until ARA makes an annual review of the program.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Minnesota.

Mr. BLATNIK. Mr. Chairman, I apologize for interrupting the gentleman as I am sure he is stating a good case from his point of view. However, the issue here is not on the merits of ARA or the much broader and better streamlining of the program as proposed in the upcoming legislation which we hope to have on the floor of the House soon. All we are discussing under this resolution is a technicality—that is not quite the word—a procedural maneuver because of the time limitation involved in order to enable us to bring this bill onto the floor of the House. At that time we will have all the time we need for debate to point out the matters which the gentleman from California has been pointing out, to discuss its merits and the pros and cons thereof.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WIDNALL. I yield the gentleman 2 additional minutes.

Mr. BALDWIN. Mr. Chairman, I appreciate the comments of the gentleman from Minnesota but I will respectfully point out that in my opinion and in order to be consistent we cannot support a 2-month extension at this time unless we believe the major bill coming out of the Committee on Public Works which will be on the floor shortly should be adopted. If we do not feel that it should be adopted, then we should not have any further extension of the ARA. We should allow it to terminate as of the date it will now terminate under existing law.

I would like to say further, Mr. Chairman, that the bill that will be before this House within another couple of weeks sets up a revolving fund for the loan program under the ARA. That revolving fund will not be subject to appropriations approved by the Congress. It will give ARA, if adopted, the automatic power to go ahead and loan the funds that come in from repaid loans without coming to Congress to have appropriations given them for that purpose. This discretion they do not have today.

Therefore, Mr. Chairman, that represents a further loosening of the law, even though the GAO has sent in 17 negative reports as to how the ARA is operating today under the existing program.

Furthermore, the new law sets up a definition of economic development centers and states that these particularly defined areas can qualify for ARA assistance if they are not themselves depressed. This is something which is not contained in the present law and, therefore, this is a further loosening of the law even though the GAO says that the present law as administered is far too loose.

For these reasons, Mr. Chairman, it does not seem to me that the basic bill coming out of the House Public Works Committee should be passed, and if we recognize that bill should not be passed, then we should not extend the ARA 2 months on the premise that the basic bill may be passed.

Mr. WIDNALL. Mr. Chairman, I yield myself 5 minutes for the purpose of asking the gentleman from Minnesota [Mr. BLATNIK] a series of questions.

In June 1963 the Congress acted unfavorably on continuation of ARA, and also the providing of additional funds for ARA. Would not this action today negate the action of the Congress in June 1963?

Mr. BLATNIK. On, my, no. What that Congress has done it had every right to do on its responsibility. This is a new Congress completely, and the gentleman knows full well this Congress has within its jurisdiction the power to extend or desist from extending, enlarge, or expand any Government agency.

Mr. WIDNALL. Is it not a fact that in introducing this bill, the thinly disguised new ARA bill, the American people were told ARA was being phased out of existence in obedience to the wishes of Congress?

Mr. BLATNIK. I do not know where the gentleman got that information. That is not true under the circumstances.

Mr. WIDNALL. I think that will be found in the RECORD, and the American people were informed to that effect. It seems to me in asking for continuation at this time we are violating the wishes expressed previously by the Congress. We are completely disregarding the GAO criticisms and recommendations they have made in the past.

Mr. BLATNIK. No, we are not disregarding at all the recommendations of the GAO. Those are in the hearings. We had discussion, interrogation, and testimony, we have had full debate on that. All we are asking is to give us the opportunity through this procedural maneuver to bring this matter up and to avoid any unnecessary expenses in Government. At the time this bill comes up with 2, 4, or 6 hours' debate, we can go into this. There are many questions involved.

Mr. WIDNALL. Will not passage of this bill and the continuation of ARA in its present form be under the same personnel as at the present time?

Mr. BLATNIK. Yes, for a period of time until the Congress acts on pending legislation.

Mr. WIDNALL. The same discredited personnel, the same discredited agency is going to have power to dispose of additional funds during this time?

Mr. BLATNIK. We could pass this bill next week. It is not the fault of the agency. We only want 60 days, and we want it acted on as soon as possible.

Mr. WIDNALL. Would not the passage of this resolution mean that the present ARA head would be carried over as head of the new agency under the bill coming out of your committee?

Mr. BLATNIK. That would be nothing more than an assumption. We have no idea who may be the head of the agency. Whether the present head of the agency will continue is entirely a matter of speculation.

Mr. WIDNALL. In the consideration of your bill, did your committee go into the prior activities of the ARA out of which is growing the new department, APW, and to look at their record and how meaningful it was.

Mr. BLATNIK. Yes; we reviewed thoroughly, I believe, about 14 GAO reports and there were many amendments brought up by the minority group based on some of them. We have had full explanations, which are in the hearing, from the ARA point of view and the committee point of view and some of the amendments were adopted to prevent what deficiencies or shortcomings do exist.

Mr. WIDNALL. Was any recommendation of the GAO accepted by the committee?

Mr. BLATNIK. If I recall correctly, I believe some recommendations were adopted.

Mr. WIDNALL. Can the gentleman name any of them?

Mr. BLATNIK. Offhand, I believe, one was providing for the time limit of 5 years instead of the other limitation.

The CHAIRMAN. The gentleman from New Jersey has consumed 5 minutes.

Mr. PATMAN. Mr. Chairman, does the gentleman from New Jersey desire to yield more time?

Mr. WIDNALL. Mr. Chairman, I have no further requests for time.

Mr. PATMAN. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, it has been suggested by the gentleman from New Jersey that the will of the Congress was expressed in June 1963, and that therefore this action would be contrary to the will of the Congress. May I invite the attention of the gentleman respectfully to the fact that people voted on that issue in the next year, 1964, and I think the people overruled the action of the Congress in 1963. You know at that election certain people were defeated on the Democratic side and on the Republican side. I believe you had a lot more Members on the other side at that time. Now the Republican Party has only one-third of the Members and the Democratic Party has two-thirds of the Members of the House. The report, I think, will indicate if the gentleman will look it over, that there were many more people defeated who voted against the ARA in 1963 than those who voted for it in 1963. So if you want to look at it from a political angle, then you must admit that the people spoke adversely as to the action of the Congress in 1963 at the very next election when they had the first opportunity to do so.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding. I would point out to the gentleman that the record will disclose that there were a number of conversions on the subject in the House Committee on Public Works. I think the record will disclose that the bill we brought out was reported out with the votes of five Republican members of the Committee on Public Works who also believe that it is a very fine program and one that should be brought to the floor of the House for consideration by this body.

Mr. Chairman, I strongly support this continuing resolution and urge its approval.

The passage of this resolution will afford to this body an abundance of time to consider the regional economic development legislation which has been reported by the Committee on Public Works.

It will also assure the retention in government of the able and experienced personnel in ARA, who will undoubtedly provide the professional nucleus for the new Economic Development Administration.

The resolution should be approved by an overwhelming vote, and I urge its approval.

Mr. PATMAN. Mr. Chairman, my recollection is that only 15 Republican Members voted for the ARA in 1963. I would want to, but I cannot use the word "caution" and I cannot use the word "advice"—I am not capable of advising the Republican Party and I am not capable of advising anyone in politics. You never know exactly what you should do or what you should not do in all situations in politics. But this country is entitled to two major political parties—strong political parties. I think it is a wonderful system. But they should compete on basic issues and not on emotional issues and not on things that just stir people up and stir up their emotions so that the people will vote against their better judgment and contrary to logic and reason.

With all due respect our friends on the minority side, many of them, including their leaders have been engaging in emotional politics and trying to get people to forget about the basic issue. I believe it is in their interest to get back to the basic issues. You will remember in 1952 you had a good, fine candidate for President of the United States, Senator Robert Taft. A great majority of the Republicans seemed to be for him. But you were not pleased with that and you had to go out and get a great national hero, a great man, a man respected by Democrats as well as Republicans and you elected him on an emotional issue and he got the biggest vote that any President ever received up to that time. But you barely carried the Congress. You just did get a majority of the Senate. You just did get a majority of the House.

Then, 2 years later, you lost entirely, by a big majority, the Congress.

Four years later, you lost the Congress again.

Six years later, you lost the Congress again.

Then you went out and got that fine Senator from Arizona, Senator Goldwater, great man that he was—but he had emotional issues. He was about 180 degrees over to the right. He was accusing many of our good people of being about 180 degrees over to the left. Those were fine emotional issues, but they do not solve the basic issues in our country. I do not believe we should engage in those emotional issues for smokescreen purposes.

So Senator Goldwater did not come out very well, and the Republicans did not come out very well last fall.

I want to urge my distinguished friend from New Jersey to seriously consider getting his party back on the track, so that we will have two major parties competing in the next election. I would like to see it that way, if you will compete on basic, fundamental issues involving the health, welfare, and economic progress of all the people.

If we do that, I believe even the minority party will profit by it. Of course, I still insist I am not qualified to advise them in politics, but if they will remember the last 36 years, the minority party has had a majority Congress for only two terms, I believe, 4 years. You had a President for 8 years, but you have only had the Congress for 4 years out of 36 years. I know that is enough to discourage an ordinary party. It is enough to discourage the minority. They have so little to look forward to, certainly, when they lost so heavily last year.

May I urge you to consider that one of the main reasons why you lost so heavily last year was such votes as those against ARA. ARA helps thousands and tens of thousands of villages and towns and little cities all over the Nation. They are interested in this. It helps individuals. It helps communities in many, many ways. It is one of the finest organizations that the Congress has ever caused to be put into effect. It should be a permanent agency. There is a continuing need for just such an agency as this. This fills a vacuum which is not filled by any other agency. It provides "seed corn" money to help little towns and unemployed everywhere. It is the only agency charged with the duty of providing jobs.

Instead of voting almost unanimously against something like this, with only 15 votes for it before, the minority party should consider changing a little bit and getting back on the track on these fundamental, basic issues that will help all of the people, especially the unemployed. I believe then you can get away from that charge of always being for the big rich, or big business, or the big bankers. You have to do that, because if you do not, we are not going to have two major parties in this country. We have to get back to two major parties in this country. Now we have a major party in the Democrats, and the Republican Party is beginning to be considered in many quarters and in many circles as the permanent minority party. I want to help you get out of that category as a permanent minority party. I want to help you get back as a major competing political party in this country, because our country has grown big and great, to be one of the greatest nations on earth, because we have had two competing parties. We need them. In order to help the country we should have two major parties competing on issues that help the unemployed, the handicapped, the aged, the farmers, the workers, and all deserving people.

So long as the gentleman just keeps on fighting for emotional issues, things that becloud the issue and cause people to vote regardless of merit and contrary to logic and reason, otherwise, we cannot have those two strong political parties.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New Jersey.

Mr. WIDNALL. I should like to make an observation, after listening intently to the lecture on politics.

Mr. PATMAN. I disclaim the lecture.

Mr. WIDNALL. For 32 out of 36 years, your party has controlled both bodies of Congress. I believe that is enough to say in answer.

I should like to point out, in connection with this legislation: If ARA has been doing the job you claim it has and if its record has been so successful, and has had the mandate from the people, as you say, with the overwhelming support you claim it will now have, particularly from your party, why did not the continuation come back to our committee with the additional authorization? Why did you not point with pride to the record of ARA during the time it has been in existence?

You have not seen anything in the RECORD to that extent and we now have a devious maneuver in order to bring it back into existence with more authority than was ever claimed for it before, because it could not be gotten through as originally it went through the Congress.

Mr. PATMAN. To answer the gentleman, ARA has been too limited. It never had enough money to do as good a job as we wanted it to do. However, as a permanent agency, which I hope and believe it will become eventually, it will have plenty of money to do a real job. But the only time that the people had an opportunity to speak at an election was after this vote that the gentleman just mentioned. They spoke then in a way which was unfavorable to those who opposed ARA. So the people have been voting for ARA.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. GERALD R. FORD. I am very grateful for the solicitude that the gentleman has for the Republican Party.

Mr. PATMAN. It is for the benefit of the country.

Mr. GERALD R. FORD. For a person coming from a one-party State, I can understand his viewpoint. I think, however, that he has made one error or one misstatement in his emotional discussion of the ARA and related matters. I wish that the Republican Party could put on a function in the Nation's Capital, as our friends across the aisle are doing, and have some 8,000 people, I am told, who are paying $100 a person for one party one night to raise funds for good and useful purposes for the Democratic Party. I wish we had that kind of support from the financial interests of this country, but we do not have it on this side of the aisle. The gentleman from Texas brought up the question of the backing of his party and ours. It is obvious to me today that the facts do not back up or substantiate the allegation made by my friend from Texas.

Mr. PATMAN. I will answer the gentleman by saying it is true we have a big dinner tonight; 8,000 people. That is good strong support; $100 a plate. That is all right. The Republicans used to criticize us for doing that, but later they got into it in a big way. You do not have to have 8,000 people. You have just a few fat cats that you can call on, and you can get all the money you want. We have to have large numbers of people. That is why we have to have 8,000 of them. Mr. Goldwater, your candidate last year, moved 180 degrees to the right. There is no difference between 180 degrees to the right and 180 degrees to the left, because they come to a common point. Each one is for a dictatorship. No different. And we do not have to break into safes to get the record for that.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. CEDERBERG. I notice at this dinner tonight—and I think it is proper to have these kinds of dinners—that there has been some arm twisting going on to get $100 out of some employees of the Government.

Mr. PATMAN. No. That is a mistake. There are a few ungrateful people. You have them in the Republican Party and you have them in the Democratic Party. Some people, a very few, get a lifetime job from the Republican Party or from the Democratic Party and then they squeal like a stuck pig when they are asked for something to help their party carry on its campaign. There are just a few ungrateful ones.

Mr. CEDERBERG. Will the gentleman yield further?

Mr. PATMAN. Yes.

Mr. CEDERBERG. If the gentleman could only get the administration to follow his low-interest-rate policies, which they do not seem to follow, the fellows who have to pay these $100 in order to buy these tickets would have that low interest rate to pay off the debt that they will incur tonight.

Mr. PATMAN. Mr. Goldwater will get $10,000 for a ticket. He is the head of your party.

Mr. CEDERBERG. What $10,000 is that?

Mr. PATMAN. He is the head of your party, and he will get about $10,000 from each of his members. He is raising a lot of money that way. Even the regular Republicans are objecting to it.

GOLDWATER'S FAIR SOCIETY

In the Washington Post this morning, in the column "Inside Report," by Rowland Evans and Robert Novak, it is stated:

> The real tipoff came a few weeks ago when top corporation executives received confidential letters from Goldwater asking for contributions of an extraordinary $10,000 apiece. The contributions would build up a "retainer" fund to support a new research firm (headed by ex-Goldwater aids Tony Smith and Karl Hess) to do research for "conservative causes." Not long after, the formation of the Free Society Association was announced.
>
> Not surprisingly, the National Review conservatives in the ACU were furious. So was the national network of pragmatic conservative politicians, headed by New Yorker F. Clifton White, that engineered Goldwater's nomination. None was consulted by Kitchel or Goldwater about the Free Society Association. If they were, their answer would have been an emphatic "No."
>
> For the pragmatists believe the conservatives' only hope is to work within the Republican Party, fighting for control at the State level. They believe that formation of a third party movement will play into the hands of Republican liberals. And the way Kitchel privately describes his Free Society Association as a 7-million-member mass movement has a distinct third party aroma.
>
> Yet, it is doubtful if Goldwater understands what is happening. Since the election, he has given lipservice to National Chairman Ray Bliss' efforts at party unification. Moreover, he has denounced overbids for a third party movement.
>
> Just before Kitchel's FSA was unveiled, Goldwater talked privately about Gen. Lucius Clay serving both as a trustee of the new organization and as the regular party's new finance chairman. Clay, of course, flatly refused to have anything to do with the Goldwater-Kitchel group.
>
> Similarly, one of the first businessmen asked to serve as a trustee was Chase Manhattan Bank's George Champion, who is deeply involved in the regular party's new coordinating committee. He also abruptly turned down the Goldwater-Kitchel bid.
>
> In short, Goldwater simply couldn't understand the direct conflict between the FSA and the regular party.
>
> Even today Goldwater commands loyalty from millions of disaffected rank-and-file Americans. He also has intimate alliances with friends (like Kitchel) and aids (like Smith and Hess). But he has written himself off as a leader of either the party or the conservative establishment.

Mr. WIDNALL. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. As I came through the door, I heard the reference to stuck pigs by the gentleman from Texas. I kind of resent that, because I have some very nice pigs on my farm in Minnesota, and I wanted the gentleman to have that in mind.

Mr. PATMAN. I did not refer to that.

Mr. KEE. Mr. Chairman, it is my privilege to highly commend Congressman PATMAN for introducing House Joint Resolution 541, which will extend the life of the Area Redevelopment Act for an additional period from June 30, 1965, to August 31, 1965.

Because of the effective work of the Area Redevelopment Administration in the Fifth Congressional District of West Virginia, I wholeheartedly and enthusiastically support House Joint Resolution 541.

Mr. Chairman, the effectiveness of the Area Redevelopment Administration has been dependent upon local initiative. Those communities in the eligible areas have done their part, worked hard, and have called upon the officials of the Area Redevelopment Administration to assist them in obtaining a real start in solving their problems of persistent and substantial unemployment and underemployment. These communities have been the areas that have truly benefited under this farsighted and most helpful program.

In southern West Virginia, our local groups organized, studied, and initiated a recommendation for their overall economic development program which has since been approved by the Area Redevelopment Administration. This was the very first time that the citizens of our local counties realized the value of planning ahead because our local people came to the officials of the Area Redevelopment Administration for advice and assistance. The Area Redevelopment Administration has charted the way for a bright future for our citizens. It is essential that the experienced personnel of the Area Redevelopment Administration be continued in their capacity for this oncoming 60 days in order that they may continue to follow through and guide our local groups on these programs of improvement which are now underway.

In conclusion, Mr. Speaker, I have never known of a Federal agency more dedicated or more effective in helping our people to help themselves. Our people need the continued advice made available under this truly outstanding agency of the Federal Government. If these areas are to continue to have an opportunity to move forward economically, it is essential that this program be continued and I am hopeful that House Joint Resolution 541 will be passed by a substantial majority.

Mr. RYAN. Mr. Chairman, it is nearly 3 months since the President, on March 25, sent to the Congress his message on the Area Redevelopment Act. In that message he proposed a number of changes in the Area Redevelopment Act and in its implementation to make it more effective. These still need the serious study of the Congress. But there is no time to lose in extending the Area Redevelopment Administration which is scheduled to go out of existence on June 30 if this body does not act promptly. And if we are to continue even in modified form the ARA, we cannot let it go out of existence now. We must pass House Joint Resolution 541.

ARA has made an important beginning in the 4 brief years of its existence in our fight against unemployment and poverty in many of the distressed areas of our country. It has been a pioneering effort. Admittedly it has made mistakes. But it has also made decided contributions.

By the end of 1964 it had approved 543 projects of which about 300 were in rural areas. All told, these projects are expected to create a total of over 115,000 new jobs, 70,000 directly and 45,000 indirectly. In my own State of New York 11 projects have been approved which are expected to create 1,645 jobs directly and about 1,070 jobs indirectly or a total of over 2,700 jobs. In New York, loans have been approved for such varied projects as restoration and expansion of a milk plant and construction of a furniture polish factory in the Amsterdam area; removal of railroad tracks to permit expansion of industry in Auburn and Cayuga County, and construction of facilities for the manufacture of electronic assemblies in the Auburn area; the expansion of a steel rolling mill and construction of a building for Flakesboard in the Jamestown-Dunkirk area; and reopening and modernizing a pulp and paper mill in the Ogdensburg area. The few examples I have just given illustrate the kind of industrial project which ARA has made possible, the kind of help which enables some of these communities to lift themselves up by their own bootstraps.

In addition the ARA has approved numerous technical assistance and training projects. Altogether, by the end of 1964, 877 training projects involving nearly 40,000 trainees at an investment by the Federal Government of nearly $22 million had been approved. Only 4 of these, involving 280 trainees, were in New York State. These were for training sewing machine operators and machine stitchers. In other States training has been approved for bricklayers, carpenters, clerk typists, nurses' aids and many other occupations. Finally there were 412 technical assistance programs approved—8 in New York—with a Federal investment of $13.7 million—$0.5 million in New York. One of the most interesting of these technical assistance programs, and one which will benefit individuals in pockets of poverty within big cities, including my own city of New York, is one approved just last October. It involves a grant to the Small Business Development and Opportunities Corporation to develop small business opportunities among minority groups. A similar project is underway in Philadelphia.

What do these statistics mean for the Nation as a whole? What do they demonstrate insofar as the success of ARA itself is concerned? There are a few conclusions I think we can draw on the basis of ARA's experience over the past 4 years. First, due not exclusively but largely to ARA activities, unemployment rates in areas designated for redevelopment have been reduced at a rate faster than in the Nation as a whole. Second, over half of ARA's commercial and industrial loans were made to new businesses which probably could not have been started without ARA financial assistance. Third, it is demonstrated that the cost of providing Federal assistance to relieve area unemployment is less than the cost of providing the unemployment compensation and public assistance to the unemployed and their families. Fourth, the ARA experience has shown how successfully people in individual communities will work together in economic self-help programs. Effective local-State-Federal cooperation on the problems of area economic planning and development has become a reality.

These accomplishments are real. While the numbers of communities and individuals who have been helped by ARA approved programs may seem small, to the individuals and communities involved the help has meant a great deal. And above all it has pointed us in the right direction. There is little doubt that the experience gained to date will lead the way to desirable changes. President Johnson suggested some in his area redevelopment message. A direct grant program for facilities related to economic development could well be initiated. The loan program could be liberalized to permit more communities to take advantage of it and private capital to participate on a broader scale. A wider program of technical assistance to local communities and to multicounty economic development plans would be helpful. All these proposals must receive serious thought and debate.

But first things must come first. And the first thing, the immediate thing to do is to keep ARA alive. ARA is a symbol of hope. It has succeeded in providing more jobs, not just anywhere but in those particular parts of the country where they are most needed. It has demonstrated how successfully a modest amount of Federal assistance can stimulate greater efforts by local leaders.

We must not forget that by enabling depressed areas to help themselves more effectively, ARA has in fact been helping all of us. The increasing prosperity of any region in the country will increase the prosperity of the entire United States. Higher incomes for people in West Virginia and North Dakota mean increased markets for clothing made in New York City and steel poured in Pittsburgh. We cannot permit the efforts we have made to slacken. We must maintain our frontal attack in this war on poverty without letup. In the words of President Johnson in his message of March 25, "The conditions of our distressed areas today are among our most important economic problems. They hold back the progress of the Nation, and breed a despair and poverty which is inexcusable in the richest land on earth. We will not permit any part of this country to be a prison where hopes are crushed, human beings chained to misery and the promise of America denied. The conditions of our depressed areas can and must be righted. In this generation they will be righted."

We are pledged to this goal. We must not fail. We need the tools to do the job. ARA is one of these tools, a basic tool. Let us here and now extend its life and then work to increase effectiveness in the job it is designed to do, the job all of us want it to do.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

H.J. Res. 541

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 29 of the Area Redevelopment Act is amended by striking out "June 30, 1965." and inserting in lieu thereof "August 31, 1965.".

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Boland, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the resolution (H.J. Res. 541) to extend the Area Redevelopment Act for a period of 2 months, pursuant to House Resolution 433, he reported the resolution back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on engrossment and third reading of the joint resolution.

The joint resolution was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on passage of the joint resolution.

The question was taken; and the Speaker announced that the "ayes" had it.

Mr. WIDNALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 224, nays 167, not voting 43, as follows:

[Roll No. 155]

YEAS—224

Adams
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Bandstra
Barrett
Beckworth
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Cabell
Callan
Carter
Celler
Chelf
Clark
Clevenger
Cohelan
Corbett
Corman
Craley
Culver
Daddario
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Dow
Dulski
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gettys
Giaimo
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Greigg
Grider
Griffiths
Hagan, Ga.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Harsha
Hathaway
Hechler
Helstoski
Henderson
Hicks
Holifield
Horton
Howard
Hungate
Huot
Jacobs
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kluczynski
Krebs
Kunkel
Long, La.
Long, Md.
Love
McDade
McDowell
McFall
McGrath
McMillan
McVicker
Machen
Mackay
Mackie
Madden
Mathias
Matsunaga
Meeds
Miller
Mills
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Powell
Price
Pucinski
Race
Randall
Redlin
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Scott
Secrest
Shipley
Sickles
Sikes
Slack
Smith, Iowa
Smith, Va.
Staggers
Stalbaum
Steed
Stephens
Stubblefield
Sullivan
Sweeney
Taylor
Tenzer
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tunney
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Weltner
Whalley
White, Idaho
Willis
Wolff
Yates
Young

NAYS—167

Abbitt
Abernethy
Adair
Addabbo
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baldwin
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bolton
Bray
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cahill
Callaway
Cameron
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conable
Conte
Cooley
Cunningham
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Gathings
Gibbons
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Hagen, Calif.
Haley
Halleck
Hansen, Idaho
Hardy
Harvey, Mich.
Hébert
Herlong
Hosmer
Hull
Hutchinson
Ichord
Irwin
Jarman
Jonas
Keith
Kornegay
Laird
Langen
Latta
Lipscomb
McCarthy
McClory
McCulloch
MacGregor
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matthews
May
Michel
Minshall
Mize
Moore
Morse
Morton
Mosher
Murray
Nelsen
O'Neal, Ga.
Passman
Pelly
Pickle
Pike
Pirnie
Poage
Poff
Purcell
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Roberts
Robison
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Schneebeli
Selden
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Springer
Stafford
Stanton
Talcott
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Utt
Waggonner
Watkins
Watson
White, Tex.
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NOT VOTING—43

Bingham
Bonner
Bow
Brown, Ohio
Carey
Colmer
Conyers
Cramer
Donohue
Evans, Colo.
Gilbert
Green, Oreg.
Hall
Harvey, Ind.
Hawkins
Hays
Holland
Karth
Kee
Kirwan
Landrum
Leggett
Lennon
Lindsay
McEwen
Macdonald
Morris
Philbin
Pool
Roncalio
Ryan
St Germain
Senner
Sisk
Stratton
Thomas
Toll
Tupper
Walker, Miss.
Whitener
Wilson, Charles H.
Wright
Zablocki

So the joint resolution was agreed to.

The Clerk announced the following pairs:

Mr. Kirwan with Mr. Brown of Ohio.
Mr. Toll with Mr. Tupper.
Mr. Thomas with Mr. Cramer.
Mr. Kee with Mr. Harvey of Indiana.
Mr. Hays with Mr. Bow.
Mr. Roncalio with Mr. Lindsay.
Mr. Lennon with Mr. Hall.
Mr. Colmer with Mr. Walker of Mississippi.
Mr. Gilbert with Mr. McEwen.
Mr. Zablocki with Mr. Ryan.
Mr. Carey with Mr. Conyers.
Mr. Whitener with Mr. Pool.
Mr. Donohue with Mr. Bingham.
Mr. Sisk with Mr. Bonner.
Mr. Holland with Mr. Hawkins.
Mr. Philbin with Mrs. Green of Oregon.
Mr. Evans of Colorado with Mr. Leggett.
Mr. Landrum with Mr. Wright.
Mr. Charles H. Wilson with Mr. Macdonald.
Mr. Senner with Mr. St Germain.
Mr. Morris with Mr. Stratton.

Mr. FISHER changed his vote from "yea" to "nay."

Mr. YOUNG changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

EXTENDING JUVENILE DELINQUENCY ACT

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8131) to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 8131, with Mr. BOLAND in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may insert his remarks in the RECORD immediately following my own.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Chairman, I yield such time as he may require to the gentleman from Michigan [Mr. WILLIAM D. FORD].

Mr. WILLIAM D. FORD. Mr. Chairman, I rise in support of the bill.

Mr. Chairman, I would like to add my support to H.R. 8131, a bill to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961. Were we to abandon this program at this point, we would be leaving a most important job only partially completed.

Mr. Chairman, we are all aware that many of the important ideas incorporated in President Johnson's war on poverty are a result of the earlier experimentation and demonstrations of the juvenile delinquency program. You will recall that the comprehensive demonstrations were developed on a community basis, and attempted to provide a wide variety of services to young people and their families—education, counseling, employment training and placement, legal aid, and neighborhood development.

The poverty program required "maximum feasible involvement" of the poor in the planning and implementation of programs and services. Experience of the delinquency programs showed that program effectiveness increased when those served assisted in designing the services.

Additionally, this many-sided attack on delinquency required the best efforts and wholehearted support of the total community for its success. This meant not only utilizing to the full the knowledge and abilities found in the many social sciences, but enlisting the cooperation and support of the political, business, labor, and civic forces of the community. There was no set formula for organizing all these forces; each community developed a pattern suited to its own local situation. And this is the basis for the community action organization referred to in the Economic Opportunity Act.

But, Mr. Chairman, the fact that some of the broad concepts have been transferred to other programs is not enough. Juvenile delinquency has many faces—it appears in many modes, on the part of youngsters from many different environments. We know more than we did about delinquency, its prevention and control. But we have much to learn.

During the past year the Office of Juvenile Delinquency has turned its attention more directly to the problems of corrections—enforcement, parole, and probation—in an effort to see how these systems might be improved to better assure that youth who have been in trouble do not continue in trouble. The Office has also turned its attention to special problems such as individual violence, delinquency among middle-class youth, sexual deviance, and use of addictive substances such as pep pills, narcotics, and glue. All of these efforts should be continued and expanded if we are to lick the problem before it licks us.

It is, of course, impossible to talk about youth, youth services, delinquency, without being acutely aware that we do not have nearly enough trained people to work in our schools, our correctional institutions, our public and private service agencies. Nor are those who work with youth able to keep up with the new knowledge and information that is being brought to light by universities and demonstration projects.

The Juvenile Delinquency Act has provided a training program to fill part of this void. Keystone to all the programs—whether through the training centers, development of new curriculum, or short-term workshops—has been to reach all kinds of youth workers with new information, and frequently with information stemming from a field other than the one in which the person works. Thus gang workers have had special training in job counseling; police have learned more about the social services available through local public and private agencies; social workers have learned more about how the law, police, and courts work and affect young people.

Mr. Chairman, clearly we must continue to search for more answers to delinquency prevention and control—its causes and cures. Clearly, too, we must have more trained workers in the vineyards, if we are to protect and nurture our most vital resource for the future, our youth.

I urge adoption of this bill.

Mr. POWELL. Mr. Chairman, I rise in support of H.R. 8131, a bill to amend the Juvenile Delinquency and Youth Offenses Control Act of 1961, by extending its provisions to June 30, 1967.

This bill involves a simple extension of the Juvenile Delinquency Act until June 30, 1967, and it places a limitation on the authorization of funds for fiscal year 1966 of $6.5 million and for fiscal year 1967 of $10 million.

In authorizing a continuation of the program authorized by Public Law 87-274, the committee has recognized that the primary responsibility for the development of projects and for taking steps to control juvenile delinquency and youth crime rests primarily with local communities and State governments.

No substantive change is made by H.R. 8131 in the basic authorization. This philosophy concerning primary responsibility is emphasized in the committee report.

It has been the purpose of the legislation to assist in the financing of projects and programs developed by local communities so that new insight could be obtained into effective means of solving juvenile delinquency and youth crime problems.

We read and hear incessantly ominous predictions of the "long hot summer." But the "long hot summer" need not become a fearsome reality if action is taken to head off its explosive potential.

H.R. 8131 is one such type of action. It cuts through the morass of bureaucratic redtape and reaches down into communities and into the homes of people who need help. It provides the administrative tools to not only help cure the criminal mind, but eradicate the conditions that breed this criminalization.

I am not unaware that my own community of Harlem desperately needs help as critically as any in America. With one of the lowest median family incomes of the 41 congressional districts of New York State—$3,993—my district which is essentially Harlem has spawned juvenile criminals who saw only frustration, rejection, and despair in their future. Small wonder they have turned to crime. Legislation such as H.R. 8131 is public notice to them that help is indeed on its way.

However, I am likewise proud that Harlem's first comprehensive juvenile delinquency program, Haryou-Act, was initiated under this program.

Haryou-Act was also the forerunner for New York City's antipoverty program, but is one of the few agencies which has made that happy transition from sole involvement in antijuvenile delinquency to a combined assault on both poverty and the former social pathology. Haryou-Act is a leader in planning and action projects.

Throughout the country, besides the various planning and action projects, there have been more than 100 grants to enable at least 12,500 persons to be trained in such fields as police, parole, probation, correction, social welfare, judiciary, education, health, and recreation.

These include 73 grants for short-term workshops, institutes, seminars, and conferences at a cost of $2.7 million; the establishment of 13 university-based training centers at a cost of $2.2 million; and 50 curriculum development grants at a cost of $3.2 million.

There are 98,000 youth presently participating in programs operated by the projects funded under this act. Within the next year this figure should grow to 150,000. Indirectly, 270,000 young people are influenced constructively in the areas in which there are comprehensive community demonstration-action programs.

As to the future, when most of the comprehensive community action projects reach the end of their present grants from the Office of Juvenile Delinquency and Youth Development, they will apply to the Office of Economic Opportunity for refunding under the provisions of title II of the Economic Opportunities Act. This is what Haryou-Act is doing now.

As the comprehensive demonstration projects become established and are being phased out as projects assisted under the Juvenile Delinquency Act, it will be possible for the Office of Juvenile Delinquency to focus more attention on specific projects as well as new approaches for combatting juvenile delinquency. In the current fiscal year $1.8 million is being spent to finance such special programs. A like sum is proposed for this purpose in fiscal year 1966.

The administration has indicated the following breakdown of program activities for fiscal year 1966:

	Millions
Comprehensive demonstrations	$1.8
Special demonstrations	1.8
Training	2.0
Technical assistance and administration	.9
Total	6.5

A summary of program activities for fiscal years 1966 and 1967, as envisioned by the administration, is as follows:

First. Completion of four comprehensive demonstration projects and a thorough evaluation.

Second. Exploration of projects to deal with the hard-core problem youth who are systematically excluded from socializing agencies.

Third. Development of projects to upgrade the services of the law-enforcement and correctional agencies.

Fourth. Expansion and extension of training centers and curricular improvement and refinement.

Fifth. Publication and dissemination of materials already developed.

Sixth. Further development of materials.

Seventh. Support of short-term training courses to put to use knowledge already developed.

The program authorized by this legislation has successfully demonstrated the value of several approaches to the total problem of juvenile delinquency.

It has upgraded the competence of professional workers in the field and has supplied State and local efforts with additional trained personnel.

Its extension is necessary to complete presently operating demonstration projects so that their effectiveness can be evaluated and the companion research being conducted in connection with them can provide States and local governments with vitally needed information.

With permission, Mr. Chairman, I insert at this point in the RECORD a brief statement which illustrates what has been accomplished by the original legislation, and the definite advantages which will be gained by continuing and extending the Juvenile Delinquency Act:

SOME CONSIDERATIONS AND MAJOR ACHIEVEMENTS OF THE JUVENILE DELINQUENCY PROGRAM

In the United States what has been termed the age of maximum criminality varies with the type of crime. However, the crime rate appears to be highest during or shortly after adolescence. Such crimes as burglary and robbery have long been concentrated in the young adult age group. Furthermore, the crime rate for both males and females decreases from the age of maximum criminality to the end of life. Popular notions would attribute these differential crime rates to differences in physical strength and to heredity. But the facts, on the other hand, are consistent with the theory that crime is a product of social experience and social organization.

Since World War II uncertainties and instabilities have been associated with world tensions, growing urbanization, fear of automation, and unemployment. These forces have had a disabling effect on the lives of our children. In addition, we have had and will have more young people getting into trouble because there are more young people to get into trouble. During World War II the personnel needed to staff our schools, recreation centers, courts, and child welfare services were drained off to better-paying jobs. Facilities were understaffed and physically inadequate. We have never caught up.

In passing the Juvenile Delinquency and Youth Offenses Control Act of 1961, the Congress recognized the urgency of this most perplexing national problem and ordered a fresh approach to its solution.

Earlier this year in his message to the Congress on "Crime, Its Prevalence, and Measures of Prevention," President Johnson reiterated this intent when he said:

"In dollars the cost of crime runs to tens of billions annually. The human costs are simply not measurable.

"The Federal Government has been giving active support to juvenile delinquency control efforts. Under the Juvenile Delinquency and Youth Offenses Control Act, programs have been developed to provide new approaches * * * and to train needed personnel. Under this act, important studies have shed new light on the complex causes of delinquency."

Since Public Law 87-274 was signed on September 22, 1961, a little more than 3½ years have passed. More than $25 million has been spent of an appropriation of $28.5 million. While national statistics indicate that crime among young adults is increasing at a greater rate than the numbers of young people in our population, this law has provided demonstration, action, and training programs and projects in specific communities and in particular situations. In some cases, beginnings of breakthroughs are starting to appear. These programs are developing new techniques for helping disadvantaged young people rise out of their subculture of poverty and depression and into the mainstream of American life. They are helping to develop methods of enriching the opportunities of deprived youngsters, and they are enhancing the competence of local, State, and organizational bodies to solve problems of juvenile delinquency.

In New York City, studies funded under the original act and conducted in cooperation with the youth division of the police department clearly demonstrate that youth crime and delinquency can be stabilized. Through a network of programs in education, employment, services to families and individuals, group services and community organization, mobilization for youth has helped to create a whole new climate of opportunities and to keep youth crime rates at a fairly stable level.

These examples are only two of the important results which this program has been designed to accomplish: a decrease in juvenile delinquency and the development of successful new ways of rehabilitating young offenders.

Many other innovations to counteract delinquency have been stimulated by more than 175 demonstration, action, and training grants provided under the act of 1961. The experiences and findings of these efforts are now providing valuable information on the problems of youth in modern America. Some of the attempts are clearly successful and readily transferrable to communities across the Nation. Some may be inconclusive and others may fail. But since the main object has been to test new methods and find new and improved solutions both the successes and failures will help to indicate the direction for future efforts. Juvenile delinquency staff members will continue to give consultation to the juvenile delinquency components of projects phased out or being supported by funds from sources other than this act.

H.R. 8131 will permit the Office of Juvenile Delinquency to carry four of them to completion in order to analyze the results of their programs and to continue to test in those special areas where there are gaps of information, or where there seems to be inconclusive results. These are in Boston, New Haven, Washington, D.C., and New York City's Mobilization for Youth. Major achievements made in each of these programs are summarized below:

ACTION FOR BOSTON COMMUNITY DEVELOPMENT, BOSTON YOUTH OPPORTUNITIES PROJECT

While the Boston youth opportunities project is a delinquency prevention and control program of considerable scale, it is but one aspect of ABCD's broad attack on Boston's social problems, an attack which parallels the comprehensive war on physical blight taking place through urban renewal.

The objective of the Boston youth opportunities project is to test ways of reducing the volume and seriousness of criminal-type behavior on the part of male youth from 12 through 16 years of age living in the South End, Roxbury, and Charlestown sections of Boston as reflected in the official records of the principal law enforcement agencies—the police, the courts and the Massachusetts Youth Service Board. To meet this objective, more than a dozen programs have been developed, divided roughly into categories of education, employment and community services. Programs now underway include:

Prekindergarten classes to prepare 80 children from disadvantaged families to gain maximum benefit from their first years in school.

Experimental reading programs for 2,500 students whose reading achievement is substantially below the citywide average. All students are grouped according to reading ability and programs are tailored to needs, using special textbooks and equipment and creative activities.

Teams of adjustment counselors have been assigned to target area schools to consult with teachers regarding classroom problems and to help 150 pupils with serious health, behavior, and family problems.

A team of guidance counselors provides intensive individual and group counseling for 750 junior high school students. Guidance counselors hold regular sessions with classroom teachers and assist them in weaving new teaching materials into everyday programs. Although Boston schools have pioneered in many areas, they have never had guidance counselors in junior high schools before.

Youth employment services: 1,600 youth, 16–22 years are served in ABCD's Neighborhood Employment and Training Centers. Vocational agencies provide testing, training and counseling to those who need intensive service. A 4-week work orientation program is provided for youth not ready for formal training or job placement. On-the-job training experiences are provided for 200 youth, and 160 boys have been placed in eight work areas. Hospital, medical examinations and treatment are provided for applicants to the youth employment program.

Weekend rangers: 70 boys who have been in trouble with the police spend weekends and school holidays at Camp Union, a social agency camp. The program stresses vigorous activities, both work and recreation, and involves close contact with competent adult leaders.

School camps: 120 boys who are having trouble at school spent last summer at Agassiz Village. Formal remedial classes were combined with regular camping activities.

Another group of 50 boys who were failing at school were registered for a month at Camp Osamoquin, operated by the YMCA. Rather than holding formal classes, this demonstration wove educational activities into the informal recreation programs.

All of the camp programs are jointly sponsored by ABCD and local youth serving agencies. A followup study will measure the impact of these experimental programs on the boys' behavior in school and in the community.

College campus summer programs: In 1964, 90 underachieving high school students from the target area signed up for a summer on the campus of Brandeis University. The plan called for a two week exploration period including bus tours throughout New England, museum trips, and recreational activities. At the end of this time each student chose from a variety of special projects in art, science, literature, music, etc. The overall goal is to encourage disadvantaged youth to stay in school and even to seek education beyond high school.

In-town summer schools: With impetus from ABCD, six private schools, which have operated remedial summer programs for tuition-paying students, have opened their doors to disadvantaged students. Each school offers a number of scholarships specifically for students from the target area.

Our private school, Boston College High School, recruited 45 junior high school boys from a public housing development to spend eight tuition-free weeks on the campus. The program combined cultural and recreational programs with remedial education.

Neighborhood service centers: The neighborhood service centers—one in each target area—provides new and different systems of delivering fast and easily accessible services to families in need of immediate help. Employment counseling, homemaker services, legal aid, health services, family counseling, youth activities and community action programs are coordinated under one roof.

Unified legal services: Operating out of neighborhood centers and district courts, this program provides legal advice, defense services and legal counsel. Law students are being trained to conduct a bail program, so that target area residents may have a chance to return to their families and to work while waiting trial. Another important feature of the program is the training of attorneys to recognize and refer social problems and the training of social workers to recognize and refer legal problems. This program did not come about overnight. It is the sum total of months of roundtable discussions, negotiations and even debate among 40 representatives of the bar, bench, and social agencies.

Grants from the OJD/YD have provided Boston with the machinery, the know-how and a headstart in launching a large-scale war on poverty. Many of the new community action programs now going into operation in Boston are expansions or modifications of the demonstrations made possible under the 1961 delinquency control legislation.

COMMUNITY PROGRESS, INC., NEW HAVEN, CONN.

To understand the youth development program in New Haven, it is necessary to understand it as an integral part of the complete New Haven community action program. The New Haven community action program has begun with the philosophy that the problems of juvenile delinquency are interwoven with the problems of poverty, youth unemployment, and family and health problems. As a consequence, New Haven has designed its juvenile delinquency prevention program to be part of a total effort at attacking the social problems of the inner city of New Haven.

The community action program in New Haven amounts to more than 50 different programs, including youth work crew, employment counseling for youth, on-the-job training, direct job placement, skill training, prekindergarten, reading, helping teachers, adult literacy, ninth grade work study, tutorial, neighborhood services, community nursing, vocational rehabilitation, concerted services, police training, juvenile court probation, adult probation, community development, and staff training.

A partial list of CPI-sponsored programs includes:

Three neighborhood employment centers have registered nearly 4,000 New Haveners on the road to employment—either directly to jobs, to training, or to work crews. More than one-third have been placed directly on jobs.

Nearly 300 school dropouts have been trained in work crews, and either helped to return to school, or encouraged toward employment.

Nearly 700 youth and adults have completed skill training, qualifying them for middle technical skill employment.

More than 200 youths and adults have been placed in on-the-job training programs.

Nearly 400 children have attended 11 prekindergarten centers, which help them to adjust to formal schooling.

A supervisor and 13 reading teachers have aided nearly 800 students in an intensive remedial reading program. More than 120 teachers have received inservice training related to the teaching of reading.

Five experienced teachers are assisting beginning teachers to teach more effectively in the inner city. The program has reached into 15 schools with nearly 5,000 students.

The higher horizons program now reaches 5,000 children in 215 classrooms.

For 2 years, 1,800 students each year have voluntarily taken part in a 6-week summer school for grades 4 to 12.

More than 650 students have been in a single curriculum program, tailoring courses to fit the specific needs of individual students, rather than fitting students into existing courses.

In a ninth-grade work-study program, nearly 100 boys and girls, identified as potential dropouts, participate in a program of work in addition to a full school schedule.

A business education program has trained nearly 50 youths as key punch operators.

Nearly 1,500 pupils are enrolled in study clinics at the 2 high schools and tutoring centers in 6 community schools. The staff consists of 81 part-time paid instructors and 250 volunteers.

More than 600 adults have been assisted in the adult literacy program.

A variety of separate activities, such as sports, crafts, discussion groups and little theater are now servicing 5,000 youths. Programs are held at the high schools and the seven community schools.

Funds from OJD/YD help to finance youth development programs in education, social group work, correctional institutions, police services, volunteer services, research, evaluation, and training. CPI's delinquency prevention and control programs include:

Work-study program for potential dropouts. Nearly 100 ninth graders now serve as "aids" while pursuing their studies.

Prevocation high school course. A special course to teach students marketable skills.

Pretechnical program. Functional science courses designed to prepare high schoolers for semitechnical skill occupations.

Business education program. Specialized work-study programs in data processing techniques.

Two high school study clinics and tutorial programs in the six community schools. A total of 1,234 pupils are now enrolled in the 2 programs.

Assignment of special police department and juvenile court officers to work with neighborhood teams.

Expansion of extracurricular leisure time activities, athletic, cultural, and social—now involving over 5,000 youths.

Stimulation and coordination of student volunteer activities.

The youth development program in New Haven has significance far beyond its present accomplishments. This program has stimulated in New Haven a new commitment to meeting the problems of juvenile delinquency. The city government has committed staff and funds. The State is about to enact an education opportunity bill. This action reflects the influence of the New Haven program. The public and private agencies have committed hard work and time, and citizens have committed their voluntary support.

UNITED PLANNING ORGANIZATION, WASHINGTON, D.C.

The delinquency prevention project in the Nation's Capital includes a mixture of program components which deal with the spectrum of social conditions which spawn delinquency—decaying neighborhoods, discrimination, despair, inadequate schools, unemployment and underemployment. The planning program which was launched in July 1962 has culminated in a network of action programs, many of which have served as models for the District's large scale antipoverty programs.

Effective liaison has been achieved with a number of organizations that significantly affect the lives of children in the community. These organizations include, among others, the Department of Public Welfare, the Board of Education, the juvenile court, the police department, a number of the private social agencies affiliated with the health and welfare council, the department of recreation, the National Capital Housing Authority, and Howard University. All of these will conduct programs in the Cardozo area in concert with the United Planning Organization.

Specific programs underway or to be undertaken in the 3-year demonstration include the following:

1. Courts and law enforcement: In cooperation with the Metropolitan Police Department a demonstration is underway to deal more effectively with the apprehension and disposition of youth by the police department. A program for post-institutional treatment of youthful felony offenders is conducted in collaboration with the District of Columbia Department of Corrections. The purpose of this program is to provide assistance to youth in adjusting to community life following institutional confinement.

2. Education: A series of programs under the model school system is being carried out for all schools in the Cardozo area. This program includes teacher training, curriculum development and initiating new concepts of education. A preschool program is underway with five units currently in operation. Over 300 children will eventually be involved in this program. Other granting agencies will elevate the maximum enrollment to approximately 1,200. Health services, curriculum development and parent involvement programs have been developed as an integral part of the preschool program.

3. Community organization and local involvement: The organization of advisory boards to the United Planning Organization program has been started. Approximately 60 indigenous personnel are being employed as neighborhood organization workers. Several of these workers have received intensive training in the Howard University Center for Youth and Community Studies.

4. Welfare: A program in cooperation with the Family and Child Services of Washington and the District of Columbia Welfare Department has established group foster homes for youth. This program provides placement and services for approximately 25 youths and also offers training for foster parents. An experimental half-way house for pre- and post-correctional teenagers is being established in cooperation with the District of Columbia Welfare Department. A neighborhood development center has been established in each of the three target areas of the Cardozo project. Administrative cooperation with the center has been developed and a variety of welfare services have been initiated. A credit union has been established for residences of the Cardozo area in cooperation with the Fides Community Federal Credit Union and the District of Columbia Credit Union League. A program for consumers education is underway in the target area. This program teaches Cardozo residents budget purchasing skills, etc. A newcomers program designed to facilitate the adjustment of new residents in the Cardozo area has been implemented in conjunction with the Urban League and the Travelers Aid.

5. Employment: A variety of programs have been developed to provide work training, work experience, and work study. The Welfare Department developed a program to employ out-of-work heads of households and Howard University Training Center has trained teenagers for service aides in the preschool, recreation, and community organization.

6. Recreation: In cooperation with the District of Columbia Recreation Department a roving leader program is currently underway. This program extends the work of the District of Columbia Recreation Department and makes possible the provision of services to previously unreached youth. The Junior Citizens Core program will undertake a special recreational program which will serve several hundred additional youth.

7. Legal services: Neighborhood law offices have been initiated in each of the three target areas of the Cardozo project. Each program provides services to the indigent residents of the target area.

8. Housing: In cooperation with the Washington Planning and Housing Association and the Citizens for Better Housing, Inc., a series of programs dealing wth rehabilitation of low- and moderate-income housing have been undertaken. In addition, there is a housing code involvement program and a landlords-tenants relationship program to improve the housing conditions in the Cardozo area.

9. Research: The United Planning Organization conducts an intensive research program to evaluate the effectiveness of its demonstration programs. The Center for Youth and Community Studies at Howard University conducts a net impact study of certain services-oriented programs.

MOBILIZATION FOR YOUTH, INC., NEW YORK, N.Y.

Mobilization for Youth is a demonstration project in the prevention and control of juvenile delinquency. It is a social experiment, offering social services combined with research and evaluation. It views delinquency as a byproduct of such basic problems as poverty and discrimination. Its laboratory, the Lower East Side of Manhattan, spans 67 blocks of an area high in social problems.

Through a network of programs in education, employment, services to families and individuals, group services, and community organization, mobilization has created a new climate of opportunities on the Lower East Side.

One aspect of Mobilization's comprehensive attack on juvenile delinquency is its youth employment programs which include:

1. The Youth Job Center, which handles intake, counseling, and placement of youth in work experiences or programs to upgrade their education and skills, and job development.

2. The Urban Youth Service Corps, which provides several kinds of experience in subsidized work to help youth become employable.

3. On-the-job training with private employers.

4. Education and trade training.

5. Part-time jobs for in-school youth in public-service or private nonprofit agencies.

MFY's partnership with business, industry, and labor has made it possible to create new job-training programs tailored to the needs of the hard-core unemployed and the employer as well. Among many efforts in this direction, MFY induced a leading oil firm to open a filling station for training purposes. Similarly, it has launched a needle trades training project with the cooperation of industry and labor. And it has served a dual purpose, contributing to community improvement and providing job training as work crews have helped to landscape the grounds of a public housing development, construct bleachers for the city parks department and renovate a local community center. In cooperation with the board of education, Mobilization for Youth has employed a number of school dropouts as teacher helpers in six neighborhood schools These boys and girls have been trained to assist hard-pressed kindergarten teachers with reading readiness, music, art, and recreation.

Mobilization's youth employment project has been a laboratory for the local community and for State and Federal agencies. The experiences of this pilot program have been the basis for new policies and new State and Federal programs. The youth opportunity centers, and the neighborhood youth corps are modeled on pilot programs such as those tested by MFY.

MFY's educational programs are carried out in 25 Lower East Side schools. More than 10,000 children and youths have been served through these programs which include corrective reading, tutoring, preschools, guidance, counseling, and summer schools. New teaching techniques and materials have been developed for the teachers in the area.

The early childhood and preschool programs provide more than 900 children with enriched education experiences. The youngsters enrolled in these classes show significant improvements in IQ test scores.

Through a variety of special in-school programs, nearly 3,000 elementary and junior high school students have received special assistance in reading.

One of MFY's most innovative programs has been the use of more successful pupils in schools in its deprived neighborhood as tutors for less successful pupils. A carefully devised research project, with control and experimental groups, has demonstrated that reading retardation in the most severely handicapped children can be halted if they are tutored twice a week. In other words, Mobilization for Youth has found a way to combat retardation that is both economical and effective. This program has employed 546 high school youths as tutors of 1,326 elementary school pupils.

Four highly visible neighborhood service centers operate out of easily accessible neighborhood stores to serve area residents. Each center offers information, referral, and direct services.

These services range from advice on filling out employment applications to aid for newly released youthful offenders. Center workers deal with such problems of low-income persons as understanding the maze and policies of large municipal services, adjustment to the community, language barriers, discrimination, and poor housing.

Fears that low-income residents might have to be enticed to use the services proved unfounded. A statistical review showed that 2,213 families representing about 10,000 individuals sought them out during the first 16 months. In a typical month the caseload is 459 families.

The centers offer immediate service to those requesting help with or information about housing, education, public welfare, legal problems, and consumer problems. Small financial grants are made in emergency situations. Homemaking assistance, baby-sitting, legal aid, and other concrete services are also provided.

Bureaucratic systems are at best difficult to manage, and low-income persons who need them most are least able to manage them. Therefore, one of the main functions of the center workers is to serve as social brokers. The worker intervenes in the client's behalf and helps him to negotiate with the welfare department, schools, landlords, etc.

Along with services to families, the centers have established the following:

A consumer clinic to provide consumer education and advice.

A welfare clinic to assist residents receiving welfare by increasing their awareness of rights and responsibilities.

Housing clinics to provide tenants with help in coping with landlord and code enforcement problems.

An apartment-finding service geared to the reduction of discriminatory barriers in housing.

A legal services unit was established in January 1965, to provide legal advice, defense services, and legal counsel. MFY is only the third organization in the history of New York City to be granted the right by the courts to provide legal aid assistance. The unit provides legal representation in police stations, plays an active role in the disposition of convicted persons, assists in the conduct of trials, and helps in major areas of civil law such as housing, welfare, unemployment insurance, and consumer fraud. MFY's legal program has aroused the interest of the American Bar Association and has created national interest in the further development of such programs.

Services to groups include five major programs: the young adult action group, the adventure corps, the preadolescent program, the detached worker program and the coffee shop program. More than 1,250 young people have been served through these programs.

The young adult action group (YAAG) began in November 1963 with 15 older teenagers and now has a membership of more than 100. The goal is to channel the energies and drives of older youths into constructive action for community improvement. The group conducts institutes on pending legislation, education, problems with the police, and civil rights. The members have found pleasure not in dances and camping trips, but in visiting public officials, publishing a community newspaper, and in sponsoring communitywide meetings on problems of concern to local residents. In February 1964, a group of 70 members visited Washington to support the youth employment bill and to meet with governmental officials and Members of the Congress. Available evidence suggests that members of YAAG have improved in their performance on the job, in school, and in the neighborhood.

The adventure corps serves 325 boys and girls from 9 to 13 years old. Each squad is composed of about 25 youngsters who meet weekly under the sponsorship of churches and community agencies. The focus is on programs congenial with a lower-class-life style which slum children can feel a part of and be comfortable with. Leaders and assistants are recruited from the community. Activities include physical fiitness, drill, drum and bugle, bongo drums, music, and modern and folk dancing. Members have participated in community parades, jazz concerts, and a youth jamboree. Some squads raised funds to visit the grave of President Kennedy.

The preadolescent program provides small group services for 300 8-to-12-year-old boys and girls who are having difficulty at school. The goal is to prevent school failure by providing after-school social and remedial group programs, individual services to members and parents, close collaboration with teachers, and parent education. Programs are carried out through contracts with local youth agencies, all of which report high rates of attendance and enthusiastic support from parents and teachers.

The detached worker program provides a reaching-out service to 18 street-corner-gang groups representing nearly 300 teenagers. The goals are to redirect the energies of gang members into acceptable activities, and to forge links between delinquent youths and needed community resources. Workers help gang members utilize MFY's work programs, legal services, tutoring, and neighborhood services. Educational programs are conducted with parents of gang members, and special group programs are being developed for gang members who are narcotics addicts.

The coffee shop program is directed toward older teenagers who are not normally attracted to existing recreational programs. The shops feature Spanish music, calypso, rock and roll, and folk music, crafts, theater, and the arts supplement the dance programs. Coffee shop personnel provide a number of specialized services such as vocational counseling and tutoring.

As one means of increasing local residents' participation in community programs, MFY employs nearly 50 nonprofessional workers who live on the Lower East Side. These workers serve as homemakers, tutors, parent-education and aids, and community development workers. MFY has found that low-income, nonprofessional workers have particular expertise in coping with the life problems of the inner city and thus they are able to provide many useful services for their neighbors. Increasingly, other communities are following Mobilization's lead in employing indigenous workers in welfare and community programs.

The community organization program is another means of assisting residents to participate in the social and political life of the community. MFY holds that "participation by adults in decisionmaking matters about their interests increases their sense of identification with the community and the larger social order. People who identify with their neighborhood and share common values are more likely to try to control juvenile behavior."

The goals of the community organization program include (1) increasing the ability of local residents to participate in and influence community life; (2) dramatizing community needs and mobilizing public action to deal with those needs; (3) increasing the responsiveness of community institutions to the needs of low-income groups, and (4) improving the competence of local leaders to defend their constituents' rights.

MFY provides staff and facilities to help local groups participate in community action on social issues—encouraging residents to act within their legal rights to deal with the problems confronting them.

The community organization activities are closely related to all other MFY programs. Participation in community action programs has helped residents to make greater use of the resources of agencies and institutions.

Many of the hallmarks of mobilization for youth have become official policies and programs of the antipoverty program. For example: broadly based community action programs; planning with the target population instead of for them, preschool classes for the culturally disadvantaged; subsidized work training for out-of-school, out-of-work youth; neighborhood-based multiservice centers; neighborhood legal services; and the training and hiring of indigenous subprofessionals. Indeed, it is no exaggeration to suggest that the community action program of the Office of Economic Opportunity stems in large part from the experiences of MFY and other projects supported by the Federal delinquency program.

Special demonstration grants will continue to be made for projects which are focused specifically on the juvenile delinquent and his rehabilitation, especially the hard-core delinquent youth who are too disruptive to be acceptable to existing programs such as Job Corps or Neighborhood Youth Centers.

Juvenile courts and police youth bureaus will be encouraged to develop grant proposal for more effective police and court functioning.

Correctional institutions will be assisted to find new ways to prepare youth for reintegration into the community.

Local and State agencies will be assisted in developing programs to recruit and train middle management and operating personnel.

Community-based programs for delinquents and youthful offenders will be helped to experiment with (1) alternatives to holding juveniles in detention facilities while awaiting court action, (2) the development of legitimate career lines for delinquent youth in services to other delinquent youth and in other fields of community service, (3) the provision of new opportunities for neighborhood residents to take action roles in the control and prevention of delinquency among their youth, and (4) communities will be assisted in experimenting with providing services for juveniles at the point of their initial contact with the law.

TRAINING

To complement the efforts of the demonstration projects, more than 125 grants have been awarded to universities, colleges, and nonprofit organizations for short-term training of more than 13,000 youth workers.

Training grants have been designed to offset the critical shortage of youth workers, to upgrade the skills of veteran workers, and to spearhead the development of updated curriculum materials—in short to provide more and better training for those who work with delinquents and potential delinquents.

Most communities are competing with one another for talented manpower to plan and operate their delinquency control programs. As the number of delinquents increase and more programs are launched, the shortage of trained personnel promises to grow progressively more serious.

To cope with this problem three types of training grants are offered: training centers, curriculum development, and short-term workshops and institutes.

Twelve training centers have been established at outstanding universities and colleges throughout the country. These centers offer youth-serving personnel an interdisciplinary approach to youth problems, as well as specific training in specialized areas of practice, such as law enforcement, correctional treatment, youth education, youth employment, and recreation. Each center provides a concentration of resources, knowledge, staff and facilities on a long-range basis for the effective training of all categories of youth personnel including those who work for the demonstration programs.

Recipients of curriculum development grants have produced much dynamic new course material. Subjects include group treatment techniques in various settings, new social work practice for delinquency prevention and rehabilitation, family counseling with sexually delinquent girls, bail bond and legal practices as they affect youth and their families, community organization, and the reintegration of youth into the community after incarceration. Many formats have emerged: a handbook for detached workers, audiovisual aids for pre- and inservice education of teachers in depressed areas, a guide for probation officers in the handling of juvenile offenders, a text which can be used in deprived area schools and with minority group children, a tape recording which makes it possible for policemen to hear what delinquents say about cops.

The short-term workshops and institutes, which may last a few days or a few weeks, attract many workers who cannot leave their jobs for extended periods. They stress new techniques and information which can be communicated to other agencies and can be fed into the university-based training centers. These projects reach all levels of school personnel, welfare workers from all kinds of institutions and agencies, law enforcement officers, civic leaders, judges, volunteers, clergymen, and citizens with an interest in delinquency. Their interdisciplinary focus frequently spells the difference between misunderstanding among youth specialists versus new cooperative relationships, i.e., police and guidance counselors, clergy and gang workers, sociologists and parole officials.

Following are a few illustrations of the types of training programs which have been stimulated by OJD-YD:

Concerted efforts to explore and implement the citizen volunteer and subprofessional potential for increasing services to youth, especially disadvantaged youth, were undertaken through 38 different training programs. High school and college students, out-of-work youth, housewives, and other adults received training to enable them to serve as youth activity leaders, recreation aids, institutional aids, tutors, interviewers, foster parents, companions, and teachers of adolescents in need of remedial education. Each of these training programs contributed to the numbers of youth serving personnel and to the Nation's burgeoning effort to foster community self-help. These programs have also provided a testing ground for young people interested in future careers in the service professions.

Howard University's Center for Youth and Community Studies has had signal success in training high school dropouts to be human services aids in community programs.

The center found that it is, indeed, possible to hold out-of-school, out-of-work, "hard core" youth (all had records of past failure and had been repeatedly involved in delinquent acts) in training and to train them so that they can perform nonprofessional duties in providing services to other youth. The trainees are now holding down jobs and are competent employees.

Perhaps of greater significance, the center has developed a method for motivating socially deprived youth to hold down a job and start a career. This method has great potential for nationwide use as an effective means of rehabilitating adolescents with histories of delinquency and psychological problems.

Training projects are also zeroing in on system change. For example, through a grant to the International Association of Chiefs of Police, new handbooks and guidelines for changes in police practice have been developed for police administrators, police training officers, juvenile officers, and line patrolmen. These have been published and distributed to police across the country.

The police function with juveniles as a social service rather than as just a means of enforcing the law was the basic theme of many of the programs conducted by the International Association of Chiefs of Police (IACP). Representatives of more than 125 State, county, and municipal law enforcement agencies in 37 States and the District of Columbia attended the workshops. Results are striking: returning to his department in a large southern city, one participant became the prime mover in setting up a juvenile bureau and redirecting the police handling of juvenile cases in that city. Many of the workshop graduates set up courses on juvenile problems for their colleagues. Other graduates actively disseminated new materials and information to city and statewide police agencies.

A series of grants to the Vera Foundation has awakened nationwide interest in the problem of bail. Consequently, many jurisdictions have modified the bail bond process and have substituted procedures which do not punish the poor by jailing them unnecessarily.

Twenty-two separate training programs were devoted to providing a forum for community leaders to learn of youth problems and programs. These pioneering training sessions, conducted in various regions of the Nation, reached leadership personnel in 10 different communities, many of them among those with the highest delinquency rates. The programs were designed to assist leaders in exploring their own roles and responsibilities for launching delinquency control action at their respective levels of community organization. Results demonstrate the value of training for increasing community service activities.

Again in my own city, for example, a group of community service leaders attended a series of 3-month courses conducted by the Citizens' Committee for Children of New York. A systematic evaluation of these courses showed that participants became more informed about New York's problems, more familiar with its intricate networks of services, better able to evaluate these services, and more aware of their responsibilities as leaders. This is illustrated by the creativity and sense of responsibility shown by two groups of "alumni" who initiated social action projects—one to accomplish corrective action for alleviating housing problems and the other to stimulate and expedite the processing of foster home applications. In addition, many of the course members have moved into new types and levels of responsibility.

Expansion in training activities is contemplated in order to continue the momentum which has been generated. The training centers need additional staff assistance to meet the increasingly heavy demands for consultation with community leaders and professionals.

Each center will be encouraged to develop expertise in the training requirements of a special area such as the juvenile court, detached work with gangs, community social welfare workers, correctional personnel, police, and the like.

Workshops, institutes, and seminars will be funded in areas of growing importance such as the prevention and control of youth riots, mob behavior and violence in the schools; in middle-class delinquency, sexual promiscuity and the use of addictive substance; in the evaluation of popular delinquency solutions such as curfews, teenage juries, increasing the age for driver permits or for liquor purchases; in recruitment and training of personnel to work in community-based settings such as half-way houses, group foster homes, and day centers; and in ways of coordinating youth services between State and urban levels of government.

This act is scheduled to expire on June 30, 1966. H.R. 8131 makes no substantive change in the existing legislation and would amend section 6 of that act by extending it to June 30, 1967, and by authorizing the appropriation of $6.5 million for the fiscal year 1966 and $10 million for the fiscal year 1967.

The General Subcommittee on Education of my committee, under the chairmanship of the distinguished gentleman from Kentucky, Carl Perkins, conducted hearings on H.R. 8131, first in Washington, D.C., on April 25 of this year, and on May 10 in New York City. Considerable insight was gained into the programs being conducted pursuant to the act since 1962. As a result, the committee is convinced that the programs and activities should and must be continued for the period authorized by H.R. 8131.

At the same time, the Committee on Education and Labor feels that the programs conducted pursuant to the authority of this legislation should be periodically reviewed in terms of their relationship with other programs designed to cope with related social problems.

A proper evaluation of these antidelinquency programs requires continued funding and identification with the programs being extended by this act until their demonstration-experiment period is terminated. In this way the investment of effort and money already expended will not be wasted.

For these reasons, Mr. Chairman, I respectfully urge that this body give favorable consideration to this measure. This will enable our local communities, working with State and organizational bodies, to work toward the successful solution to this pressing delinquency problem. Hopefully, this legislation will assist in bringing our disadvantaged and delinquent people into the mainstream of American life.

Mr. ROOSEVELT. Mr. Chairman, I rise to support H.R. 8131 to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961. In Los Angeles, moneys from this act launched the youth opportunities board—a comprehensive delinquency prevention and youth opportunities demonstration program, covering all phases of service to youth.

Within the past year the Youth Opportunities Board has provided employment and counseling services to nearly 2,000 out-of-school, jobless youth. The school phase of the program provides remedial instruction and cultural enrichment for thousands of Los Angeles students. A delinquency prevention clinic provides a battery of social services to families of youth who have come to the attention of the police.

The pilot programs designed by the youth opportunities board for the demonstration area have already been expanded to serve other areas of the city and have served as a model for similar cooperative efforts to deal with other human problems.

The committee has noted that because so many of the concepts of the delinquency programs have been adopted by the antipoverty program, most of the comprehensive delinquency programs have been designated by their communities as the community action organization for poverty programs. As a result, most of these comprehensive programs are being phased into the Office of Economic Opportunity as funds granted under the Juvenile Delinquency and Youth Offenses Control Act expire.

I have also noted this, and want to make absolutely clear that it is proper, in my opinion, only where the delinquency control programs have the kind of policy-making boards which can and do meet the requirements of the Equal Opportunities Act. That, as many of you know, is the central problem with the Los Angeles Youth Opportunities Board acting as the community action agency in Los Angeles. I applaud the accomplishments of the youth opportunities board in its area of competence—juvenile delinquency control programs. And, I support this bill because I know what good it has done for the Los Angeles area. But I would be remiss if I allowed my appreciation and endorsement of the youth opportunities board activities under the Juvenile Delinquency and Youth Offenses Control Act, to still my criticism of those who would make the youth opportunities board, as it is presently constituted, the community action agency for Los Angeles under the Office of Economic Opportunity.

The training programs which have been supported by the Juvenile Delinquency and Youth Offenses Control Act have been of equal importance to Los Angeles. Through a grant to Los Angeles State hundreds of beginning teachers have been specially trained to work with disadvantaged youth. At youth studies center, youth workers are learning new techniques of working with delinquent gangs, and probation officers are being trained in group counseling. Staff from correctional institutions are receiving much needed inservice training and community leaders have been trained to take responsibility for the prevention and control of delinquency at the neighborhood level.

Mr. Chairman, Los Angeles is only one of our major metropolitan areas which has proven the need and effectiveness of the Juvenile Delinquency and Youth Offenses Control Act, and I urge the passage of this bill to extend and appropriate its continuation.

Mr. POWELL. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. Brademas], who is not only the author of this bill but is the author of the original bill which we enacted in 1961.

Mr. BRADEMAS. Mr. Chairman, this bill, H.R. 8131, as the distinguished chairman of the full committee has indicated, authorizes $6.5 million for the funding of the programs administered under the Juvenile Delinquency and Youth Offenses Control Act of 1961.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the chairman of the committee.

Mr. POWELL. Mr. Chairman, I would like to take this opportunity to pay a tribute to the distinguished chairman of the general Subcommittee on Education, of the Committee on Education and Labor, the gentleman from Kentucky [Mr. Perkins], who has done a very fine job not only on this bill but also on other bills in the field of education that come under the jurisdiction of his subcommittee.

Mr. BRADEMAS. I join the chairman in that tribute.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I think we ought to pay a tribute to the gentlelady from Oregon [Mrs. Green], who has worked on this legislation since its inception and who chaired the subcommittee which, until this year, has had jurisdiction over this legislation. I am sorry she cannot be here with us today.

Mr. BRADEMAS. I thank the gentleman from Minnesota.

Mr. POWELL. Mr. Chairman, if the gentleman will yield, I want to point out that the gentleman from Indiana was the initiating author of this legislation.

Mr. BRADEMAS. Mr. Chairman, I thank the chairman of the committee, and I should like to join in the tribute to our friend, the gentlelady from Oregon [Mrs. Green], who is ill today and cannot be with us.

Mr. Chairman, as I was saying, this bill authorizes $6.5 million for funding of the programs administered under the Juvenile Delinquency and Youth Offenses Control Act of 1961 for the fiscal year 1966.

I might point out to the Committee that last year Congress extended this act through fiscal year 1966 but only authorized funds for the fiscal year 1965.

In addition, this bill extends the act for 1 year, through June 30, 1967, and authorizes $10 million for that fiscal year.

The bill makes no substantive changes in the original legislation. Let me say, Mr. Chairman, that there are three chief purposes to the Juvenile Delinquency and Youth Offenses Control Act. First, the program authorizes projects of Federal assistance to carry out demonstration projects to develop improved methods for the prevention, control, and treatment of delinquency. There are two kinds of demonstration projects carried on under this part of the program: First, comprehensive, communitywide, antidelinquency projects which are aimed at enlisting the support of all of the appropriate elements in a given community in a broad-based attack on youth crime; and second, special demonstration projects which are designed to deal with particular social problems.

The second purpose of the act is to provide grants and contracts for the training of personnel in the field of preventing or controlling delinquency.

And third, the act seeks to provide technical assistance services, such as the dissemination of information developed from the demonstration and training projects to which I have referred.

Mr. Chairman, 4 years ago Congress passed the Juvenile Delinquency Act. The chief purpose of our action was to provide Federal assistance for projects, to quote the language of the act, "which would demonstrate and develop techniques and practices leading to the solution of the juvenile delinquency control problems."

Mr. Chairman, when Congress passed this legislation in 1961, we did not contend—nor do we now contend—that the $30 million authorized and the $19 million appropriated for 3 years would completely solve the problem of juvenile delinquency in the United States. That would not be an honest argument. But we did hope, and with reason, that the legislation would enable us to achieve the chief purposes which I have been discussing.

And, Mr. Chairman, let me make very clear that in recognizing the role of the Federal Government in fighting juvenile delinquency, Congress in no way sought to preempt the responsibility of the States and local communities in this field. Indeed, the purpose of this act was to encourage each community to examine its own problems of delinquency and to design its own programs at the local and State level for solving them.

Mr. Chairman, I believe one of the encouraging results of the Juvenile Delinquency Act to date has been that we have in fact seen a number of local communities undertake to develop their own projects.

Mr. Chairman, 16 communities in 13 States across the country have already undertaken the comprehensive demonstration projects to which I have referred, most of which have been in operation for 2 or 3 years. Most of these projects have been carried out in the areas of what the sociologists call the "innercity"—that is to say, in the slum areas of our large metropolitan centers which harbor the highest rate of unemployment, school dropouts, and all of the other social and economic problems associated with delinquency.

Mr. Chairman, the focus of these projects has been on rehabilitating young people in trouble as well as on preventing antisocial activity among the young people in the area.

It is probably too soon to have conclusive facts on the effectiveness of these programs. Yet we do know that impressive inroads have been made toward combating the forces that produce delinquency.

Mr. Chairman, in the target areas of these community projects to which I referred, we do know we have seen a decrease in the rising rate of crime. While preliminary FBI figures for 1964 indicate an increase of 13 percent over those for 1963, in the area of New Haven, Conn., for example, where a demonstration project has been carried out, juvenile delinquency has dropped slightly, in contrast to the rising delinquency rate in other areas of the city. Moreover, initial studies by the city police department of New York, according to Commissioner Murphy, indicate that—to quote a letter from the commissioner—

> In our case youth crime and delinquency has remained at a fairly stable level in the area serviced by the project, which is financed under this act, while during the same period of operation there was an increase in delinquency in the city as a whole. Moreover, on the lower East Side target area which is where the mobilization for youth program is charged with the operation, the statistics show that boys on parole from correctional institutions who are taking part in this project have had a recidivism rate 40 percent lower than the rest of the parolee group in New York City.

I think these minimum statistics that we have, Mr. Chairman, show us that we are making some headway in combating delinquency.

Mr. Chairman, other communities across the Nation, as I have already indicated, have benefited from the techniques which we have deevloped in these major demonstration projects, and without any Federal assistance, which I know will encourage the gentleman from Minnesota [Mr. QUIE]. They have launched their own anti-juvenile-delinquency projects.

Mr. Chairman, in light of these developments, most of the major comprehensive demonstration projects will be phased into the war-on-poverty program, into the Office of Economic Opportunity. While the juvenile delinquency program has relinquished its responsibility for administering these broad-based community action projects, it is continuing to work together very closely with the Administrator of the antipoverty program to prevent duplication of effort and to give technical assistance to the anti-juvenile-delinquency aspects of the war on poverty.

Mr. Chairman, only the comprehensive demonstration projects in Boston, New Haven, and in New York City will, in fiscal year 1966, be supported by the Juvenile Delinquency Act under consideration this afternoon. Authorization of the money for the Washington, D.C., project has already been provided by an amendment to this act last year.

Mr. Chairman, the reason we are continuing to fund these three projects from Juvenile Delinquency Act funds is that we want to complete the demonstration phase of these projects and make a thorough evaluation of the data from them.

These three projects have been in operation the longest period of time. They have developed the most comprehensive programs. We in Congress and the administrators of this act want to secure maximum evaluation of the effectiveness of these comprehensive programs.

There is one additional comprehensive demonstration project, to which I have just made reference. That is, of course, the one in the Nation's Capital which was begun only last October, the Cardozo project. In amending the 1961 Juvenile Delinquency Act, Congress authorized $5 million to be expended through fiscal 1967 for the project here in the Nation's Capital.

For the record I also want to report on a special study of compulsory school attendance and child labor laws and their effect on delinquency. This study was authorized last year. This project has already been started under joint supervision of the Departments of Health, Education, and Welfare and of Labor. A contract has been given to the Stanford Research Institute in California. The institute has already outlined the study and begun the research and the job of collating materials in relationship among juvenile delinquency, child labor laws, and school attendance. An interim report has been completed and will be submitted to the House Committee on Education and Labor as required by the act.

A particularly difficult problem on which the administrators of the programs under the act have begun to focus is hard-core delinquency. They are working on developing methods and techniques for dealing with the causes of hard-core delinquency.

Let me now say a word about the smaller scale demonstration projects, known as special demonstration projects, as distinguished from the comprehensive projects. Twenty-four of these special projects will be underway by the end of this month. They range from the operation of a halfway house in Philadelphia for youths who have been released from State correctional institutions to the carrying out of a bail bond project in New York City under the sponsorship of the Vera Foundation.

Let me also refer to a special project in New Hampshire at Hampton Beach, which was the scene of a Labor Day youth riot last year. This year there was a great crowd at Hampton Beach; they had a good time, but caused no incidents of concern to the police. While Hampton Beach remained calm, a neighboring beach hit the headlines recently with riots of young people.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, first let me compliment the distinguished gentleman from Indiana for his original authorship of the legislation, and for the great part he has played in the extension of his original legislation.

He refers to the "hard core" juvenile offender. I would like to ask the gentleman to explain to the Committee whether or not in the other programs that we have today we are bypassing to a great degree the "hard core" juvenile offender, and in this particular program we do not strike right at the heart of that "hard core" and try to do something to prevent juvenile delinquency?

Mr. BRADEMAS. I thank the gentleman for his thoughtful question. I think one significant difference between the Juvenile Delinquency Act and the programs that will be carried out under the war on poverty is precisely the one to which the gentleman refers; namely, the question of how to combat hard-core delinquency. This problem can be attacked under the legislation that we are now considering, the Juvenile Delinquency Act. The war on poverty, on the other hand, envisages somewhat broader approaches to community problems and will not therefore focus directly on these selective targets, such as hard-core delinquency.

Mr. PERKINS. And do we not have juveniles in the middle income group who perhaps do not get consideration in the poverty bill?

Mr. BRADEMAS. That is correct, I may say to the chairman because, as the chairman may remember, from some articles that were published in the Washington Post some weeks ago, we have had serious problems with juvenile delinquency from upper income families right here within the very shadow of the Nation's Capital. Does that answer the chairman's question?

Mr. PERKINS. I would like to ask the gentleman one further question concerning this alleged overlapping. Are you in a position to tell the committee, whether from the evidence we heard or the witnesses who appeared before the committee, and the special demonstration projects that the committee considered, and considering the way the funds have been expended in the past, and the very limited amount of funds that have been expended by this program, whether or not this program should be discontinued within another year or whether it should run on carrying on special studies to prevent juvenile delinquency?

Mr. BRADEMAS. I think the distinguished gentleman from Kentucky has preempted the question that my friend, the gentleman from Minnesota, had planned to ask me. If I am incorrect in that, I hope the gentleman from Minnesota will tell me.

Mr. QUIE. The gentleman is correct.

Mr. BRADEMAS. I would say to both the gentleman from Kentucky and the gentleman from Minnesota that, speaking for myself, it is not my intention now nor was it back in 1961, when we discussed this legislation originally, to have the Federal Government permanently in the business of fighting juvenile delinquency to the exclusion of State and local governments. I would add, having said that, that it ought also to be pointed out, as we say in the committee report, that the committee expects to maintain a continuing review of this program. And indeed we specifically say in the committee report that in the next session of the present Congress, we want to make another evaluation of the effectiveness of these programs.

I would make a further comment with respect to this question of the continuation of the program. In President Johnson's March 8 crime and delinquency message to Congress the President announced his intention to establish a Presidential Commission on Law Enforcement and the Administration of Justice. This Commission will be assigned the responsibility of making a comprehensive report on crime and delinquency by the summer of next year as well as providing interim reports wherever early action is possible.

It seems to me it would not be altogether responsible on our part to ignore or now to bind the hands of such a Commission or of the Congress by saying that we would pay no attention to the recommendations of this Commission which will have to consider the whole problem of youth delinquency and youth crime along with all other problems of crime in the United States.

So I hope I have made my position clear. It is not my intention to see a permanent program developed here, but nonetheless I am most interested, as I am sure the members of this committee and the Members of the House will be interested, in the recommendations of that Commission.

Mr. PERKINS. Mr. Chairman, in supporting H.R. 8131 I would like to emphasize that although this legislation represents a simple extension to June 30, 1967, of the Juvenile Delinquency Act the General Subcommittee on Education did an extensive study of the programs being conducted under this act. I was convinced from the testimony that there was justification for a longer extension than that approved. Also, it was my feeling that many of the training and special demonstration projects being conducted under the legislation offered substantial promise of real success in reducing the youth crime rate in those areas where they had been operative, justifying an enlargement of the program so that more communities in the country would have the benefit of the programs.

The committee received expressions of approval of the programs authorized by the legislation from the academic world, from law-enforcement agencies and associations, from welfare workers, from private associations, public corporations and others who are acquainted with the problems and with the projects made possible by the legislation.

During the hearings conducted by the General Subcommittee on Education we were impressed by the administration's account of the wide range of demonstration and training projects which have been supported by the Office of Juvenile Delinquency under this act.

The comprehensive demonstrations which have provided a battery of services in employment training and placement, individual and family counseling, legal aid, basic and vocational education and community development—services and programs available to families as well as to youth themselves have already formed models which are being followed by other communities seeking to eliminate juvenile delinquency. Four of these projects will be continued in the coming year so that the evaluation of these programs may be completed, and the findings made available to other communities and other Federal and local programs.

We cannot talk about new programs and increased services without, once again, being aware of the critical shortage of trained personnel, as Mr. Wilbur Cohen, Under Secretary of Health, Education, and Welfare, so rightly pointed out during hearings. Under this act a network of training centers has been established at 12 universities; other projects have brought together new knowledge and developed new training methods and materials for use in schools and centers around the country; and more than 12,500 people have participated in short-term workshops and seminars. But the manpower shortage persists, and extension of this program can help to fill that need.

I was particularly interested in the added emphasis under the special demonstration grants. These programs are directed toward the youth who resist all conventional behavior; who are isolated from schools, jobs, and adults; or middle-class youngsters who disrupt the community. They seek to deal with some of the specialized problems of delinquency such as individual violence, sexual deviance, alcoholism, and drug addiction—all problems of increasing importance.

In my own State of Kentucky, for instance, six public and private agencies have cooperated to establish an experimental group rehabilitation center in the Parkland area of Louisville. Through this experiment, other communities in Kentucky may acquire information as to how effective this combination of intensive services can be in helping these youngsters to turn from the road of delinquency and crime to become productive and respected members of the community.

I am happy to see this program continue to seek out new approaches such as this toward the conservation of our Nation's most valuable resource—its youth.

In addition to my commendation of the gentleman from Indiana [Mr. BRADEMAS], the sponsor of the bill, I would like also to commend the members of the subcommittee who worked diligently and hard in their study of the legislation, and the gentleman from New York [Mr. CAREY], who ably assisted in the committee hearings in connection with the mobilization for youth project on the Lower East Side of New York. Also extremely helpful have been the gentleman from North Carolina [Mr. SCOTT], the gentleman from Michigan [Mr. WILLIAM FORD], and the gentleman from California [Mr. BELL].

I would like to ask the gentleman to tell the committee in his judgment whether all the funds expended under this program have been expended wisely and whether the comprehensive programs developed under this legislation provided the basis for the community actions program and the Economic Opportunities Act to a great degree.

Mr. BRADEMAS. I will say to the chairman of the committee that many of the community action programs under the war on poverty as well as other strictly anti-juvenile-delinquency projects which are financed by non-Federal funds in communities across the United States have adopted some of the techniques that have been developed under these federally financed community action, comprehensive anti-juvenile-delinquency projects. I think we have tightened up the administration of the Juvenile Delinquency Act. I know there were some criticisms a couple of years ago but the criticisms that have been leveled against the program some years ago I think have met with effective response on the part of the administrators. I know of no serious criticism of the program at this time.

Mr. BENNETT. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to my friend the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. First, I wish to say that last Sunday's Parade magazine carried a very fine article by Dr. Yolles, head of the National Institute of Mental Health of the Federal Government. It pointed out that juvenile delinquency is in no way restricted to the poor and poverty stricken of our country.

Second, I wish to congratulate the subcommittee chairman, the gentleman from Kentucky, for his leadership and for his activities in this regard throughout the years.

Before I come to the question which I should like to ask the gentleman from Indiana, now addressing the House, I wish to congratulate the gentleman from Indiana on the fact that he was the leader who brought this and the need for this to the attention of the House, and who has pressed for it for many years. I congratulate the gentleman not only for this but also for the sterling and high quality of his service to his district and to the country as a whole since he has been in the Congress.

To what extent has the administration implemented the amendment which I offered, which was agreed to on the floor in 1964, to the Juvenile Delinquency and Youth Offenses Control Act, which stressed the inclusion of "techniques for the establishment of high ethical and community responsibility standards"?

Mr. BRADEMAS. First, I should like to express my deep appreciation to the gentleman from Florida for his gracious remarks.

Second, I should like to commend the gentleman for having offered the amendment to the act in the earlier Congress.

I have, in fact, requested of the administrator of this act an answer to the question which the gentleman has propounded, and I shall ask unanimous consent later in the House to insert the complete text of the response.

The letter referred to follows:

JUNE 24, 1965.

Hon. JOHN BRADEMAS,
House of Representatives,
Washington, D.C.

DEAR MR. BRADEMAS: This is in response to your inquiry regarding the implementation of an amendment to the extension of the Juvenile Delinquency and Youth Offenses Control Act of 1961, which called for the inclusion of "techniques for the establishment of high ethical and community responsibility standards."

These standards have been a part of all the demonstration grants which we have made. Thus, in all the comprehensive demonstration projects the clergy has played a prominent role on the policymaking boards. Local citizens serve on the board and participate in decisionmaking. All relevant community services—schools, church, police, welfare agencies, etc.—participate in the project to provide increased opportunities for the youth in the target areas.

In addition, our concern with high ethical and community responsibility standards is illustrated by the following:

SALT RIVER-PIMA-MARICOPA COMMUNITY COUNCIL

The Indian council, under the tribal courts, is taking responsibility for administering a youth center for delinquent youth. This project is based on the belief that delinquency prevention and control is the responsibility of the community, rather than one agency such as the police and the courts. The council further believes that youth who understand and appreciate their tribal heritage do better in school and on the job than those who lack such background; only the community itself can provide such an understanding.

ACTIVE COMMUNITY TEAMS, DETROIT

A community intervention team of local community residents and agency representatives take responsibility for youth apprehended by the police but not referred on to the court, or for youth who reach the court but whose cases are dismissed. Such youth often need services which are not part of police or court procedure, or changes may be necessary in the youth's environment—in employment, in school, in coordination of services, etc. A neighborhood committee consisting of local residents recognizing their ethical responsibility will advise the team and help in solving problems.

HAMPTON BEACH CHAMBER OF COMMERCE TEENAGE RELATIONS SUBCOMMITTEE

In order to prevent the recurrence of Labor Day youth riots at Hampton Beach, N.H., the business community in cooperation with such groups as the church is taking civic responsibility for involving the adult and teenage population, both resident and summer, in a joint enterprise to modify destructive youth behavior.

COMMUNITY CHEST AND COUNCIL OF THE CINCINNATI AREA

Agencies are cooperating to make sure that every child under 12 coming to the attention of the juvenile court, the police, or the school, who is in trouble but not in need of official action, receives care from an appropriate community service and that the service continues as long as it is needed.

FRIENDS NEIGHBORHOOD GUILD OF PHILADELPHIA

To meet the critical need for foster homes for delinquent adolescent boys, the guild is carrying out a special recruitment program through neighborhood groups and churches (Negro, white, and interracial) to find families with a sense of social obligation who can provide the kind of "family" life needed by the boys. It is expected that these foster families will serve to recruit and train additional foster families as the program continues.

Sincerely yours,

BERNARD RUSSELL,
Director, Office of Juvenile Delinquency and Youth Development, Department of Health, Education, and Welfare.

I can say at this time that the standards which were the purpose of the amendment of the gentleman from Florida have been made a part of all of the demonstration grants which have been undertaken by this act, so that, for example, in all of the comprehensive demonstration projects the clergy have played a very prominent role on the policymaking boards. Local citizens serve on boards and participate in the decisionmaking. All of the relevant community services—schools, churches, police, welfare agencies—participate in the project, in order to provide increased opportunities for the young people in the target area.

In the letter which I have inserted in the RECORD, there are set forth a number of specific instances, such as the Salt River-Pima-Maricopa program, and programs in the cities of Detroit and Cincinnati, as well as the Hampton Beach project, to which I have made reference, and another in Philadelphia. All of these projects afford concrete evidence of the response by the Administrator of the act to the requirement of the amendment of the gentleman from Florida.

Mr. Chairman, I have only a few minutes remaining, and I should like to complete my remarks. Then I will yield further to Members.

There is one other very important aspect of the program which should be discussed. This relates to the importance of providing enough trained personnel to meet our needs in this area. We specifically need more trained teachers, social workers, probation officers, and law enforcement officers. We need to find new ways to improve the capacity of people who are already in the field to carry out the new techniques which are being devised.

I am glad to report to this committee that in the past 3½ years more than 100 training projects have been established to help alleviate the problem of the critical shortage of trained personnel in this field. There are 12 university-based training centers already in existence, and we contemplate raising this figure to 20 during the next fiscal year.

Another of the major handicaps faced by organizations training personnel in this field has been the lack of modern and effective training materials and methods. I am pleased to say that some 50 grants have been made to universities and individuals to take the new techniques which we have learned from these demonstration projects into the classrooms and into the hands of youth workers. More than 12,500 people have participated in the workshops, institutes, and seminars funded by the act. These programs have included training programs especially designed for those already in youth work who cannot leave their jobs for more than brief periods of time. The agencies covering short-term training projects cover a very wide spectrum indeed: from the International Association of Chiefs of Police to local police departments, settlement houses, clergy and civic groups, juvenile court judges, and others.

These training programs have tried to respond to the needs for both professional and nonprofessional workers and are aimed at improving the skills of those already in the field. They are increasing their ranks. Yet they have only scratched the surface of our need for more trained personnel in fighting juvenile delinquency.

Mr. Chairman, let me say in conclusion that other community programs all over the United States have begun to draw upon some of the developments of the programs authorized by this Juvenile Delinquency Act. A significant start has been made in attacking specialized areas of juvenile delinquency and a fine training program has been going on working toward remedying our enormous shortage of trained personnel in this field. I very much hope that this Congress will continue this program and extend the act for one more year to fiscal 1967 and will provide the $6.5 million funding for fiscal 1966 and $10 million for fiscal 1967.

Mr. Chairman, here is a table showing the proposed use of the funds by the administration for fiscal years 1966 and 1967, as follows:

Proposed expenditures for fiscal year 1966

	Million
Comprehensive demonstrations	$1.8
Special demonstrations	1.8
Training	2.0
Technical assistance and administration	.9
Total	6.5

Proposed expenditures for fiscal year 1967

	Million
Demonstration projects	$5.0
Training	3.8
Technical assistance and administration	1.2
Total	10.0

I am very pleased now to yield to the gentleman from Iowa [Mr. Smith].

Mr. SMITH of Iowa. Mr. Chairman, since I have been one of the strongest critics of the way this program has been administered in previous years, I am very happy to note that finally, after 4 years, they are getting some special demonstration projects. My question now is when can we expect a report concerning these special demonstration projects.

Mr. BRADEMAS. The Committee on Education and Labor, as set forth in the report to which I made reference earlier, will conduct an evaluation and a series of hearings in the next session of Congress on the operation of the entire act. But I can say to the gentleman from Iowa, whose criticisms I think have been extremely helpful in bringing about the improved administration of this act, that I will be very glad to join with him in calling on the administrators of the program to provide an even earlier evaluation of the effectiveness of these special demonstration projects, if he would like me to do so.

Mr. SMITH of Iowa. Do you think there can be some reports on these special demonstration projects in a year?

Mr. BRADEMAS. Oh, yes. Indeed, I do. As I say, I will be glad to join with the gentleman from Iowa in requesting some interim reports on these special demonstration projects by the end of this year, if that is satisfactory.

Mr. SMITH of Iowa. I thank the gentleman.

Mr. BRADEMAS. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. Pucinski].

Mr. PUCINSKI. Mr. Chairman, if I recall correctly, the original request was that this legislation be extended for 2 years, I believe, through 1968.

Mr. BRADEMAS. That is correct.

Mr. PUCINSKI. The committee cut it down to 1 year plus the remainder of this fiscal year.

Mr. BRADEMAS. That is correct—to June 30, 1967.

Mr. PUCINSKI. Do I understand that under the provisions of this resolution the program goes out of business on July 1, 1967?

Mr. BRADEMAS. That is correct.

Mr. PUCINSKI. Does the gentleman think it is fair at this time to advise the effective agencies that they had better start phasing out these operations and not anticipate that there is going to be a renewal of this program beyond 1967? In other words, I do not want these people to come back before our committee in 1967 and say, "We have all of this in the pipeline and you have to extend it for another 2 years." It started out as an experimental program for 2 years in 1961. Is that correct?

Mr. BRADEMAS. Will the gentleman let me respond to his question so that I can yield next to the gentleman from Minnesota?

Mr. PUCINSKI. Yes.

Mr. BRADEMAS. First, I make mention of what I said earlier about the importance of paying attention to the recommendations of the President's Commission of Law Enforcement and the Administration of Justice. The second point which I made earlier, was that the demonstration projects at New Haven, Boston, Washington, and New York, which are continuing to be funded under this act, will go out of business in the demonstration phase after a year, and our intention is to evaluate them. Now I yield to the gentleman from Minnesota [Mr. Quie].

Mr. QUIE. If anybody feels the necessity of continuing Federal funding of any of these programs, you are saying that they cannot get it under the Juvenile Delinquency Act but would have to fund them out of some other Federal program specifically for this purpose? Is that what you are saying, really? Because I do not believe you are saying they ought to phase the program out.

Mr. BRADEMAS. That is correct. I assume that these programs will continue, without Federal funds, as have many other programs which were commenced with Federal funds.

Mr. QUIE. With State and local funds?

Mr. BRADEMAS. That is correct.

Mr. QUIE. And if there is going to be any Federal funding, it will have to come under a separate program?

Mr. BRADEMAS. Some of these programs—and I cannot look into the future—may well be placed under some other Federal program such as the war on poverty, for example.

Mr. QUIE. Mr. Chairman, let me ask the gentleman another question with regard to his answer to the gentleman who inquired about juvenile delinquents being assisted under this program who are not in poverty. When the juvenile delinquency programs that were under this act were transferred over to the poverty program, were the juvenile delinquents who happened to come from a family that had an income greater than $3,000 dropped from the program? I doubt that that was true.

Mr. BRADEMAS. I agree with the gentleman; I doubt that very much also. But I think the point to be made is this: The emphasis of the program as it would be carried out under the war on poverty as distinguished from the emphasis of the program as it would be carried out under the Juvenile Delinquency Act. The war on poverty obviously is going to gear a juvenile delinquency program into part of the comprehensive community action programs under title II and thereby may not focus as directly on the hard core delinquency problem as would a project carried out under the Juvenile Delinquency Act itself.

As I said earlier, there are a lot of juvenile delinquents in this country who do not come from poor families.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Chairman, I am happy to rise in support of H.R. 8131. I would first like to compliment the gentleman from Indiana for his persuasive discourse and for his original initiative in regard to this legislation. I think it is clear that we need to continue testing and evaluating new ideas and methods of juvenile delinquency prevention and control.

We have serious problems in the United States with regard, I think, to hard-core delinquency. We need to develop programs for assisting juvenile courts and correctional institutions in coping more effectively with delinquents. We need to provide alternatives so that these crowded, frontline correctional agencies can concentrate on the most difficult lawbreakers.

We need to train personnel to work in the correctional field. We need to work with the school, to develop methods of keeping problem youth in the classrooms of America.

It is clear that by supporting this legislation we will provide for the completion of four comprehensive demonstration projects and for the publication and dissemination of materials already developed. I would like to stress today a particular need, which is both a need and a concept. First, as Mr. Brademas, the distinguished gentleman from Indiana, has already pointed out, there is a severe shortage of trained personnel in the field. I have been informed by the President's Committee on Juvenile Delinquency and Youth Crime that today in the United States there is a shortage of about 12,000 needed, trained personnel. This is a serious shortage and I think we need to enlist in these programs some of our ablest people in America. This we are not doing.

I might add that in Westchester County, and I am sure in other areas of the United States, we have a condition that is sometimes overlooked; namely, delinquency amid affluence. Frequently in our wealthier communities, both with respect to poverty and delinquency, we forget that there can be serious problems amid affluence.

I would point out to the Members of the House that in Westchester County during the past year we had 12 deaths due to narcotic addiction. Of these 12, 10 of the unfortunate victims were persons under 21 years of age. They lost their lives. This is a serious problem.

Second, Mr. Chairman, I would say that I believe we must start working toward new concepts of penology and rehabilitation—especially with respect to the youth of America.

I have seen too many cases where we merely put an individual back into the jails and give him a postgraduate course in crime. We must find new ways of making youthful offenders ultimately responsible members of the community and of society.

Accordingly, Mr. Chairman, I am very happy to support the extension of this act for fiscal years 1966 and 1967. This represents an authorization of $16.5 million. I am sure the Office of Juvenile Delinquency and Youth Development; the President's Committee on Juvenile Delinquency and Youth Crime whose Executive Director is James Symington; and the Presidential Crime Commission that will be meeting and submitting a report by the end of 1966; all will be attacking serious problems that deserve the best minds and the best thoughts that America and this House can give to the program.

Mr. QUIE. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. DANIELS].

Mr. DANIELS. Mr. Chairman, I rise in support of H.R. 8131, to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

I think, Mr. Chairman, that the results achieved during the past 4 years have borne out the need for the extension of this singularly worthwhile program. Since the passage of this act in 1961, we have significantly increased both our understanding of youth problems and our ability to deal with them. Many of the demonstration projects stimulated by this act have resulted in the revision of obsolete educational and social service practices. It would be absurd to say that we have solved our juvenile problems in this Nation, but a start has been made.

In my own State of New Jersey, our youth problems have been aggravated by several factors. We have the highest population density of any State in the Union; we have one of the highest rates of in-migration, as well as a rapidly increasing urban concentration of disadvantaged families.

Statistics have shown that these disadvantaged families account for 85 percent of the welfare cases, 70 percent of the aid-to-dependent-children cases, and in the last 5 years have increased welfare rolls by 14,000 persons per year. It is within this group that family stability is needed for young people to grow to healthful maturity and good citizenship.

The Office of Juvenile Delinquency and Youth Development, which administers this act, has supported two demonstration projects in New Jersey which are worthy of citation. One is a preventive program at Rutgers—our State university—which is designed to help educationally disadvantaged children achieve social, emotional, and educational successes which would ordinarily be beyond their expectations. The other program is rehabilitative in nature and is run under the auspices of the Welfare Federation of the city of Newark. This latter program is designed to help groups of 14- and 15-year-old predelinquents and delinquents become a conforming group which will perform at expected rates beyond the age of 16.

It seems clear to me that in terms of the good being done for the youths in these and other programs and the knowledge gained that can be applied to larger groups of youngsters, that this bill deserves the support of every Member who is vitally concerned with the great national problem posed by juvenile delinquency.

It is to be remembered that a youth without a future will create an illicit one for himself and a costlier one for us.

I strongly urge passage of this bill.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, the last thing I expected to do was to speak on this bill. However, I have listened with intense interest to the different speeches which have been made. I compliment the gentleman who presented the legislation for his clear picture of it.

Mr. Chairman, may I say that to me the very fundamentals of life have been left out of this matter.

There is not going to be any use in just having this kind of technique and the other kind of a technique, unless you change some of the fundamental environments, mental, physical and spiritual, of these children.

Mr. Chairman, I have dealt with a great many children. I happen to have three grown sons of whom I am exceedingly proud. I have six grandsons and two granddaughters. They all behave rather well, although they are exceedingly human and so, of course, have their troubles.

Mr. Chairman, the fundamental lack in these United States for young people is we seem to be too busy to love them, to understand them, to give them strength and courage when they have need.

What are you going to do with a broken household? What are you going to do with intoxicated parents? What are you going to do with all this technique business and all of this money being spent? What are you going to do about it all? To me this bill brings uncertainty and deep concern. The situation is not going to be changed unless we can get at some fundamentals with these youngsters. So many of them are so insecure. Perhaps it is because we have too many nurseries and we have too many easy ways for mothers to put their children here and there because so many mothers work.

Mr. Chairman, 10 years ago when I was in Africa I was very much struck with the African family, which was so close. No child there feels insecure. Oh, I would not recommend that our mothers go around with their babies on their backs. That is not the point. But surely we should be able to find ways to make our love come through to our children and make them feel secure in it.

Of course, Mr. Chairman, it is fashionable now to tell everybody, as we know, "Oh, my mother does not understand me; my father does not know anything; they belong to another era." But in their hearts they are lonely, these so-called delinquents, altogether too emotionally starved.

Mr. Chairman, I would hope that some way might be found to bring realization to youth and to adults that life and the living of it must take its roots way down into the heart where love dwells, not emotionally, but practically, usefully, satisfyingly.

How can we help them in these very confused times to recognize their responsibility for themselves at home, in their communities, and in the Nation? How to make it clear to them that to be truly free they must learn responsibility for what they do?

I am hoping to live long enough to see this country turn about a bit and get back to some of those original fundamental truths that will bring to our young people a sense of security and a renewal of the joy of living.

I shall never forget my first baby. My, what a temper he had. When he yelled and screamed, and I could not do a thing with him, his father would come home and take over. In an instant he was quiet, safe in the strong arms about him.

Now, that goes on all the time in increasing measure. I am certain from the many long conversations I have had with youngsters they want to be told so often, they want discipline, they know they are not wise in all the things of life. They need help, they know they need help, but would they ask for it? No, they would fight before they would ask. But you can make them take it if you do it the right way.

To me there are essentials in the living of life. We as a nation very often forget why we became a nation. Surely it was so that the individual could take on his own responsibilities, and not "let George do it." We are just turning it over to George now. I wonder what sort of people we shall be in 10 years? How much discipline are we demanding of ourselves and our organizations?

Mr. Chairman, that is about all I have to say, but it goes to many areas of our life, and I hope the responsible people will give it a little thought.

Mr. QUIE. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, before making my statement I would like to ask the gentleman from Indiana some additional questions that I had intended to ask him while he had the floor, but I recognized he ran out of time.

I would like to ask him, first, in reference to the Hampton Beach project. He mentioned that the work up there eliminated juvenile delinquency this year.

What specific work was done up there that prevented the youth from getting out of hand this year that was different from other areas?

Mr. BRADEMAS. I thank the gentleman for that question. I call his attention to an article appearing in the Boston Globe of June 20, 1965, entitled "Sane Summer for Hampton Beach," in which there is described a program undertaken in that community, financed under the Juvenile Delinquency Act. The local chamber of commerce appointed a teenage problem committee to study the situation in that community. The Governor's commission on public disturbance was brought into the situation. A teenage relations committee was established. The director of training for the International Association of Chiefs of Police was brought into the picture. Then there was established a program which was run under the direction of a youth coordinator, who was supported by funds from the Federal act.

Sane Summer for Hampton Beach—800 Youths Join Adults To Make It So

(By Richard J. Connolly)

A new image, conceived amid teenage restlessness and community indifference to youth and born in the trauma of a nightmarish riot, is emerging gradually at Hampton Beach, N.H.

Through 10 busy months of self-analysis, Hampton has discovered to its own amazement a cohesive community spirit in its endeavor to completely rebuild its reputation.

Now the accent is on the positive. Hampton is reluctant to talk about the negative aspects of the riot.

As it begins another season, Hampton feels relaxed, more so than it was at the start of the four trouble-marred seasons of the past.

There is some apprehension about the forthcoming season because Hampton is still feeling its way, but generally there is an attitude of confidence and the community is eager to tell you what it is doing to improve its image.

It has a $41,000 Federal grant, $4,000 of its own money, the assistance of social scientists and a helping hand from the State in its attempt to prevent repetition of last year's lawlessness.

The money is vital to the scientific approach to the problem: What caused it? and, What can be done this year to solve it here and anywhere else it may develop?

Of more importance, however, is the support pledged by a large segment of the youthful, seasonal population of the beach. More than 800 young men and women have joined a growing organization opposed to violent eruptions at the beach.

The plan of action, devoted to improved relations between youth and the community, evolved from at least 65 meetings of civic and government organizations during the fall, winter and spring.

Adults are working in close association with youths to prepare entertainment programs, fair rules of behavior and measures to ease communication between the two groups.

"We're building at Hampton Beach bridges of communication between the worlds of youth and adults and they really are two different worlds," says Rev. Manning E. Van Nostrand, minister of the Hampton Methodist Church.

The 34-year-old clergyman, who holds a doctorate in social ethics from Boston University, is community coordinator of the program financed by the President's Committee on Juvenile Delinquency and Youth Development through the U.S. Department of Health, Education, and Welfare.

"Communication is the real problem of our day," Reverend Van Nostrand asserts. "This is going to be worse than the racial problem if we don't find some way of communicating with our young people."

While the riot focused attention on Hampton's problem and forced a shocked community into action, an element of the community had watched with alarm as the situation worsened for several years.

Reverend Van Nostrand and members of his church's commission on Christian social concern, including Richard B. Stone, 32, a Northeast Airlines pilot, approached the beach problem as a special project.

In June 1964, 3 months before the riot, the church group started discussions with businessmen and civic leaders in the hope of blocking the tide of youthful restlessness and disregard for authority.

"We felt there had to be another approach besides law enforcement," Reverend Van Nostrand says. "Something was needed to help the kids plan their own programs in relationship to our realistic expectations from the adult world."

Youth, a major contributor to Hampton's economy, needed stricter control and an outlet for its enthusiasm. But Hampton lacked the community spirit to provide it until it shamefully viewed itself in the mirror of national publicity over the riot.

Two weeks after the Labor Day disturbance, Walter Vanderpool, a hotel owner at the beach and president of the chamber of commerce, launched the chamber on a yearlong program to rebuild Hampton's image.

The chamber appointed a teenage problem committee—now known as TAP—to study the situation after which it recommended a hard-line approach through strengthening of law enforcement.

TAP concluded that a lack of parental control, inadequate law enforcement and poor rental practices at the beach contributed to the Labor Day disturbance.

Had "happy Hampton" been too soft?

"It was known to the kids as a wide-open place where you could stay in a place for a buck a night, 10 to a room," answers Robert F. Preston, 35, a Hampton businessman for 12 years and spokesman for the chamber of commerce.

"Fines were too low, there was too much littering and loitering," Preston says.

Gov. John W. King's Commission on Public Disturbances headed by Supreme Court Justice Amos N. Blandin, Jr., reached some of the same conclusions as the chamber's study group.

It found that one of the causes of the riot was the "extreme freedom" given youths by their parents.

The commission also cited a trend toward official leniency, many indiscretions, including the practice of boys and girls staying in the same motels, and isolated instances of retaliation by inexperienced police.

The opening of a State police barracks at Hampton Beach, a program of training for local police and strict penalties for violators of local ordinances were recommended by the commission and are in the process of adoption.

Five troopers are stationed at the beach on weekdays and 15 more are there on weekends.

"With State Police on duty, there was a general upgrading right off," Preston reports.

Since the riot, youthful Paul C. Leavitt, 30, a University of New Hampshire graduate and a policeman for 9 years, has become chief of the 51-member force, which includes 12 permanent men and 2 women.

"It's been unbelievable," Chief Leavitt says of the community's coordinated program. "The community is more relaxed and confident. You don't have a feeling of tension that you used to have."

Throughout the summer, the force will be taught crowd psychology by Lt. Norman Kassoff, director of training for the International Association of Chiefs of Police.

Although the beach front is State owned, Hampton has employed lifeguards in the past. This year efforts have been made to have the State provide guards, another move to strengthen enforcement.

A teenage relations committee, known as TAR, was established under the chairmanship of Stone, father of three girls ranging from 5 to 10 years old.

On the committee, which has become increasingly active, are Reverend Van Nostrand; State Police Lt. Paul O'Leary, who is in charge of the new barracks; Chief Leavitt; Postmaster George Downer Preston; Daniel Maloney, principal of Winnacunnet High School, and William Elliot, secretary of the chamber.

Others are Paul Estaver, youth coordinator of the Federally-financed program; State Representative Herbert Casassa; Chairman Noel W. Salomon of the Board of Selectmen; John J. Dineen, owner of the Casino and former FBI agent; John J. Foley, a precinct commissioner; and Judge Blandin, who serves in an ex-officio capacity.

Hampton had the tools to create its new image. But it needed money and professional assistance.

At the request of Reverend Van Nostrand, Dr. William C. Kvaraceus of Tufts University, an internationally known psychologist and expert in the field of juvenile delinquency, volunteered his advice.

Dr. Kvaraceus, who recently returned from behind the Iron Curtain where he studied juvenile delinquency, was instrumental in Hampton's receipt of the Federal grant.

Two other scientists were chosen to work with him in determining the cause of the riot and evaluating the program adopted at Hampton this summer.

They are Dr. Stuart Palmer, head of the sociology department at the University of New Hampshire and an expert on criminal deviate behavior, especially among adolescents, and Dr. Helen Kenney, a research psychologist at Harvard University.

"I am convinced that experts and professionals alone won't solve this problem," Dr. Kvaraceus says. "You've got to get the lay citizens, the townspeople and the businessmen involved."

Hampton is certain that it has done just that. Businessmen who hadn't spoken to each other in years are working closely in support of the program.

Selectman Salomon says he hasn't seen so much community spirit since he arrived here in 1948.

"There's a new image here," chamber spokesman Preston reports. "The people have gone through the whole gamut. They've spent thousands of hours working on this. It has amazed me the way young and old alike have worked together."

To demonstrate their willingness to cooperate, 500 young men and women from New Hampshire and Massachusetts recently formed the committee to avoid violent eruptions. It is known as CAVE and operates in conjunction with TAR.

The membership nearly doubled in 2 weeks and included representatives of all the New England and several other States.

Postmaster Downer and his brother, Ray, offered use of their former shoe store at Ocean Boulevard and A Street, complete with utilities, as headquarters for CAVE.

Within a few weeks, with the help of public donations, CAVE expects to construct a headquarters on the beachfront. It will be used as a youth center and clearinghouse for information about entertainment and jobs.

CAVE members will be issued identification cards and will decide on the type of entertainment programs, with the approval of the community itself, which will be offered this summer.

Estaver, who is paid $7,500 as coordinator of the program, says construction of the center by adults and youths should prove healthy for relations at the beach.

"The problem here is basically one of communication. The job is to restore the relationship between one generation and another. The whole community has to become involved in this."

CAVE has four committees at work.

Jack Lamb of Seabrook Beach and Ernie Underwood of Hampton head the membership and publicity committee. Jack Derby of Arlington, Mass., a Boston College senior, is chairman of the rules committee.

Bill Faris of Andover, Mass., heads the program committee and Jim Clark of Hampton is in charge of credentials.

CAVE's major effort, according to Coordinator Estaver, must be to prove to the community that the young men and women are sincere, that there will be no trouble this year and that they deserve to win back some of the privileges they lost last year.

Because of the riot, Hampton police have prohibited songfests unless they are supervised by CAVE.

"We won't allow itinerant minstrels wandering around," Chief Leavitt emphasizes. "We want to get away from unsupervised gatherings. Our department is fully in accord with TAR."

Ten young men and women have been hired as observer-participants under the grant at a weekly salary of $70 for 12 weeks. Young interviewers, who will gather information about the cause of the riot and this summer's program, will be hired on a part-time basis.

Observer-participants who will work with C.A.V.E. under the chamber's T.A.R. committee are Richard Downey, 25, of Durham, a U.N.H. senior and sociology major; Winthrop Rhodes of Littleton, a U.N.H. honor graduate and prospective teacher; John Green of 11 Woodbine Street, Worcester, a U.N.H. junior; and Peter Mason of Amarillo, Tex., a U.N.H. senior.

The group also includes Dennis Meehan of 436 Andover Street, Lowell, a junior at St. Anselm's College; Donald Murphy, 20, of 12 Tidemill Road, Hampton, a major in police administration at St. Petersburg Junior College; Richard Labrie of 5 Dennison Road, Durham, a U.N.H. senior; Craig Little of 472 High Street, Hampton, a sociology major at Colby College; Miss Elaine Moriarty of Durham, U.N.H. student; and Mrs. Nancy Deane, 25, of Madison, Wis., a former teacher.

One of the big questions that worried Hampton throughout the winter was the effect the riot would have on this year's business.

Town officials and businessmen report a good volume so far this season.

"Real estate has come back strong," says Selectman Salomon. "It's true, some sold, but a lot are buying."

"We're very pleased," reports chamber secretary Elliot, Hampton's one-time "Singing Cop."

"We're only two inquiries behind last year at this time," Elliot says. "A few places were sold, one or two more than normal. There have been tremendous weekend crowds. And the kids are better behaved this year."

THE RIOT'S AFTERMATH—239 ARRESTS

Of the 239 persons arrested in the Labor Day riot, only one has served a jail sentence.

Neal Leroy Hastey of 121 Grandview Terrace, Hartford, Conn., is confined to the Rockingham County House of Correction.

He was accused of setting fire to a parking lot ticket booth during the disturbance. His case was the only felony resulting from the riot.

Hastey was sentenced to a year's imprisonment, following conviction by a jury, but 6 months of his term was suspended.

About 134 youths picked up during the riot were released without court action because police could not adequately identify them as having been involved in the disturbance.

Fifty of those arrested were juveniles, under 18, whose cases were handled separately. Of the 76 youths who went into Hampton Municipal Court, action against 47 of them was dropped by the attorney general's department for lack of evidence.

Sixteen municipal court convictions were appealed to Rockingham County Superior Court, seven were upheld, one defendant changed his plea to guilty, and two cases were dropped.

Two youths convicted in superior court have appealed to the State supreme court and three others have appeals still pending in superior court.

Judge John W. Perkins of Hampton Municipal Court was severe in his punishment of the rioters but his sentences were reduced by Judge John H. Leary in superior court.

Fines of $500 and 6-month jail sentences generally were levied by Judge Perkins. In superior court on appeal, the fines were reduced to $300 and 3-month suspended sentences were given the defendants.

The lowest fines imposed by Judge Perkins were $25 for disorderly conduct—spitting on a policeman's feet, squirting persons on the beach with a cream substance and using offensive words to police.

Thirty-two Massachusetts communities were represented by those who appeared in court. Others were from three communities in Connecticut, two in Rhode Island, one each in Wisconsin and North Carolina and two in New Hampshire.

Not one of those arrested was from Hampton.

Few of those arrested have admitted to authorities that they were involved in the riot. Most have claimed they were victims of circumstances, trapped by the crowd, mistakenly identified by police as participants.

Because of the publicity, according to social scientists, those arrested have been reluctant to submit to interviews by researchers attempting to find out the cause of the riot and progress at the beach this year.

As an experiment, youths have been hired as interviewers on the theory that those in their own age brackets will be more willing to talk.

A number of factors have been blamed by those investigating the cause and even more will be listed before the Hampton project completes its survey this summer.

One youth, fined $500 and given a 3-month suspended jail sentence after pleading guilty to rioting and throwing rocks, blames "bossy" police for the disturbances.

"And more than likely there will be trouble this year if the town pushes too much," says the youth whose identity is withheld by the Globe.

"The teenagers last year didn't go up there for trouble," he explains. "They weren't doing anything wrong. They were crowded on the sidewalk, some were singing and the cops pushed us all onto the beach. There'll be trouble if the police get bossy; not if they let them alone."

Another youth, convicted of a charge of disorderly conduct, had been accused of chanting, "Let's start a riot—kill the cops—burn the casino."

Fined $25 and given a 6-month jail term in municipal court, he was acquitted in superior court but he estimates that his arrest cost him $1,000 for the services of two lawyers and other expenses.

"Why not let them sing on the beach?" he asks. "I was just walking off the beach with a guitar and was picked up because I had the guitar," he asserts.

Police differ, the case has been settled and the youth has found his troubles costly.

"I'm not going near that place again," he said.

The mother of another youth arrested and subsequently released for lack of evidence also cites the cost encountered by the defendants and their families.

"I'm still paying for it," she reports. "I had to borrow $500 because they wanted the bail in cash. Then the lawyer charged me $250 for one visit to his office between 10 and 10:30 in the morning."

"And my kid is innocent," she pleads.

The boy was walking through a parking lot, entered a parked car with several other boys to avoid the crowd at the suggestion of an attendant and was arrested at rifle-point by four policemen, according to the mother.

"He was caught up in it by accident," she says. "It was the first time I had heard of Hampton Beach and if I had heard about a riot before he went up there, I would have tied him up."

He, too, will not travel to Hampton Beach this summer. In fact, his mother says, she will not permit him to drive to New Hampshire, fearful his trouble at Hampton could be used against him if picked up on a routine traffic charge.

Mr. QUIE. So far I can understand they were able to put together a program because Federal money was available, and they did not have to go through the motion of collecting it locally. But I am wondering what unique effort was used in Hampton Beach which could be then used by other communities in the country that we would not have known about had we not had this act of 1961?

Mr. BRADEMAS. Of course, it is always difficult to respond to an open ended question like that because who knows—this is a big country—what programs might be developed without the existence of this Federal program? I cannot tell the gentleman that X program in X community, financed by Federal funds, would not have been developed in Y community on the other side of the United States had there been no Federal program.

Mr. QUIE. Let us just take the question of whether they knew about these unique and different ways in Hampton Beach before the act was passed in 1961.

Mr. BRADEMAS. I would have to say, in all candor, that I am not familiar enough with the specifics of the Hampton Beach situation to know whether or not the people of that community had informed themselves as to other ways of combating juvenile delinquency before this particular event happened. I am sure the gentleman will understand that what happened was that there was a tremendous riot in this community a year or so ago. Two hundred and thirty-nine people were arrested on Labor Day last year. This so shocked this community that they then, after it happened, determined to do something about the problem and they then developed the kind of local program to which I have alluded with some leadership financed out of Federal funds provided by the Juvenile Delinquency Act. The fact of the matter is that this year they are not having riots in Hampton Beach and they have made some real progress. I would hope very much that whatever the techniques were that were developed in this community will be made available to other communities. And when I say I hope, I know that such will be the case because one of the purposes of this act is to make available to other parts of the United States whatever methods of fighting delinquency are developed in any one particular community in the United States.

Mr. QUIE. I might tell my colleagues, Mr. Chairman, that I am going to vote to continue this program, and I am going to vote to continue it for 1 more year because that is what the administration asks for—we did not give them last year an authorization beyond 1966, but let us give them the full amount that they asked for at that time and then cut it off—but today I have not seen anybody come up saying that something new and unique in meeting the problems of juvenile delinquency has been discovered by this program that we did not know about before. No one has said that if it had not been for this program, we would not have learned about this and we could not have gotten the funds to do it—or anything of that nature.

The report has some general statements here. It was hoped that the first interim report will have something of this nature, but after it has been operating for this length of time, I would like to know one new specific thing that nobody knew about, this unique way of handling juvenile delinquency.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. FARBSTEIN. The gentleman from Minnesota asks if there is anything new. I would point out to the gentleman the old saying, "There is nothing new under the sun." But we do know there are things with which we can experiment. The mobilization for youth program operates in my congressional district. The mobilization for youth program is not only an experimental program; it is an effort and an organization that produces ideas. It is an idea organization. I would like to detail for the gentleman some of the ideas that have been produced and that are presently being acted upon by that organization in my district which I hope will make evident to the gentleman some of the answers to the questions that the gentleman has asked. I can readily understand the gentleman's questions when he says, Well, all of these things have been thought of before. The answer, of course, is that whether or not these ideas have been thought of before, it is evident that they have not been put into practice. So I would like to give the gentleman some details of what is being done by this organization in my district.

Mr. QUIE. Before the gentleman does that, and in order to get this in context, the mobilization for youth was in operation before the enactment of this program in 1961.

Mr. FARBSTEIN. No, the mobilization for youth program was created by this program. As a matter of fact, I attended the ceremony on the White House grounds when the program was inaugurated. This mobilization for youth program was funded with funds furnished for the juvenile delinquency program instituted by our late President Kennedy, and they are continuing under this program.

I would like to set forth for the record several things that have been done in the way of special programs.

Mr. QUIE. Before the gentleman does so, I would point out there were other efforts before the money for juvenile delinquency program came into this.

I heard talk of mobilization for youth before that. Substantial money came from the National Institute of Mental Health; is that not correct?

Mr. FARBSTEIN. That is correct. There was money from the National Institute of Mental Health.

I do not believe that Federal money alone funds this. I believe that perhaps some foundation funds also assisted in the mobilization for youth.

The raison d'être, the reason for being, of this organization, and of the entire program, in my opinon, is such that it should be conducted not alone for the next year or two but so long as it is evident that there are benefits to be derived as a result of these experimental programs and as a result of these idea programs. This should be continued.

Let me give one example. They have a program in which some of these young people—I do not know whether we should call them delinquents—devote half of their time to education and half of their time to job experience. Instead of the youngster going to school only, and then dropping out and trying to get a job, they permit him to go to school half of the time and give him job experience half of the time.

Mr. QUIE. They are doing that under the poverty program, also.

Mr. FARBSTEIN. That may be true, but the poverty program is not an experimental program. The poverty program takes over when there is a substantial idea which has been experimented with, which has worked out properly, and it is felt can be adopted.

This organization, and the purpose of it, is for ideas and experiments.

I should like to continue with some other examples.

They have a homework helper program. There are youngsters who do not work out well in school, so they send other youngsters to help them with their homework.

They have a mother's helper program. The gentlewoman from Ohio talked about the love which the children have failed to experience. In the neighborhood where the mobilization for youth operates, there is a changing population. New citizens keep coming in. They are fine citizens. Usually the families are large. Many come from areas where they did not receive much assistance or help. People are sent there to help the mothers with the children. They help them clean up the homes and take care of the youngsters, so that the children actually feel the presence of their parents and have an opportunity to feel the love of their parents.

They also have an intensive service in connection with the narcotics problem. There is an agency in the area which has contracted with the mobilization for youth, which is experimenting to determine whether the various narcotics users can be given non-habit-forming drugs, trying to break them away from the use of habit-forming drugs.

They also have a reintegration program. These reintegration programs consist of work with youngsters released from training schools. They have a meeting of people from the employment agencies, from the schools and the service agencies, so that the three organizations can meet and determine how best the young person who is released, who has served time, or is on parole from a delinquency agency or prison—whatever it may be—can be helped out. They try to determine how the child or young person can be best handled in the future.

There are other examples. These are experimental programs. There are ideas, for which the program is used. It seems to me that the paltry numbers of dollars expended for these purposes certainly are highly desirable.

So long as it is determined that this is a beneficial program, it should be continued, whether it be for 1 or 2 or 3 years.

I thank the gentleman for yielding.

Mr. QUIE. I say to the gentleman that many of these programs have been worked on, so far as experiments are concerned, for a long time. Even when I was a youth I did some of this in the little community from which I came.

I believe that the work which is done in the area of narcotics is of utmost importance. We should do more in this area, as well as with regard to the problems of alcoholism among youth. There are some severe and special problems.

I believe that if we had put the money into specific projects, rather than to let so much of it go into these huge umbrella agencies, we would have been able to come before the Congress at this time without so much reservation.

I fully concur with the gentleman from Iowa [Mr. SMITH], who brought this point to us as the gentlewoman from Oregon did many times. She was interested in this legislation, as I was, and was one of the authors of it and we both helped the gentleman from Indiana in passing this legislation originally in 1961. We had grave reservations as to this money again being spent more for professionals and their planning than getting into some of the specific projects that you referred to here, which I think give merit to the program.

Mr. FARBSTEIN. If the gentleman will permit me to interrupt him, there are additional programs that I have not mentioned.

Mr. QUIE. I know. You said that there are additional programs. But I hope they will come in before long with some reports on new ideas that have been found out from this that other communities have tried before.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I want to express my agreement with at least the last point that the gentleman from Minnesota was making. I, too, want to be shown the evidence of the effectiveness of these programs and I want to see an evaluation of them. I think the gentleman from Minnesota can take encouragement from the fact that in the coming fiscal years 1966 and 1967 the administrators of this program do intend to put increased emphasis on the kinds of special demonstration programs to which he has called the attention of this committee.

I want to say one other thing, if the gentleman will allow me to. He has spoken of the issue as to whether or not new techniques have in fact been developed under the program. There are many new techniques and new ideas which have been developed, and one can run through a full list of them, which are set forth in the hearings. I mention only one, which is interesting indeed. I refer to a conference, financed under a Federal juvenile delinquency grant, on the problem of the bail system in the United States. The so-called pretrial release program which was discussed not long ago at the conference, was financed, I repeat, with funds from the Juvenile Delinquency Act through the Vera Foundation, in cooperation with the Department of Justice. I have a letter here from the former police commissioner of New York City, Michael Murphy, who is a tough-minded police official, who refers to this Juvenile Delinquency Act and who says that the project in his community financed by the act shows great promise of being a substantial aid to the community and to law enforcement in the years to come.

I cite this as only one instance, although there are others which could be cited, of new ideas which have been developed under this act.

Mr. QUIE. I would say in this case it appears to me Federal money was used to have a conference to bring people together. Hopefully, without the Federal money under this program in 1967 they will continue to have conferences and to exchange ideas with each other and to encourage each other to develop their programs in a better way for the young people.

I would like to ask the gentleman from Indiana one more question, and then I will be glad to yield to the gentleman from Illinois.

Do you now have the amount of Federal funds that have gone into the mobilization for youth project in New York?

Mr. BRADEMAS. I can advise the gentleman that $1.9 million was allocated for this project for the first 3 years. The project was awarded an additional $600,000 this year.

Mr. QUIE. Do you have the information on the additional Federal money that has gone into the mobilization for youth project besides that which came from this act?

Mr. BRADEMAS. I do not have that figure on the tip of my tongue, I am afraid, I am sorry to say to the gentleman, but I will be glad to look it up and furnish it to you.

Mr. QUIE. If I recall correctly, there were quite a number of millions of dollars that have gone into it from Federal funds from NIMH.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I think the gentleman made a very significant observation here with which I agree. This program has not produced any new concepts or ideas as it had originally been intended to. I was wondering if the gentleman from Minnesota cared to comment on whether or not there was any significance in the fact that most of the people who have been associated with this program have now moved over to the Office of Economic Opportunity and are working in the poverty program, having abandoned the juvenile delinquency agency.

Mr. QUIE. I will surely agree with the gentleman from Illinois, because the mistakes we saw were occurring in the juvenile deliquency program have all been shifted over to the poverty program and the ones we want retained and the specific projects which account for something we have left to the juvenile delinquency program. But the rest of it is there. Now we see a controversy developing in the poverty program on a much greater scale, as we will point out next week.

This is going to confront us next week. I thank the gentleman for bringing this up. As I said earlier, I am going to support this 1-year extension, but I want it to be known also that this is the end for this program; that these projects had better be operating on their own. And also, when this final report is written, if they ever want any more money for the study of juvenile delinquency, they had better have something specific to tell us that is new, something that they have learned; because they have spent a number of millions of dollars—of course, it does not look much compared with our national defense budget, that is true—but they have spent a number of millions of dollars of the taxpayers' money, which has gone only to professionals to do planning, for them to sit down and plan, rather than to help these young people learn a better way of life. And that, I think, is uncalled for.

When we see their written report we want to see something that will enable communities to use these ideas to help young people find a better way of life; because, as we become more and more an urban society in this country, the problems of people living with each other, in close relationship with each other, are becoming more and more severe. Young people are suffering.

It used to be that young people were an asset. People had larger families because young people helped them. Now they are a problem. Children are looked upon as problems. If the Federal Government is only going to put money in to do some planning and not learn new ways of reaching these serious problems of juvenile delinquency, we will see the rates of juvenile delinquency continue to mount.

We see it in the District of Columbia; we see it in New York and in other large cities. We see it even in the rural communities. Its effect has reached those areas.

Also, if we want to do something for a model community, it ought to be here in the District of Columbia. I stand ready to support any program which will reach this community, which is not only the problem of the people of the District of Columbia, but is the problem of all the people of all the States. And it ought to be shared by all of us as Representatives of all of the 50 States.

Mr. RYAN. Mr. Chairman, today the House is considering H.R. 8131, the extension of the Juvenile Delinquency and Youth Offenses Control Act of 1961. Four years ago, the Juvenile Delinquency Act proposed to develop a comprehensive approach to solving youth problems within local communities. It undertook to train personnel and distribute information on how best to deal with these highly complex and increasingly severe problems. In 4 short years, it has managed to achieve some important victories and to demonstrate some valuable approaches in handling a major national problem. It has served as a laboratory whose successful experiments are being adopted for broader use—specifically under the programs of the Economic Opportunity Act. It has encouraged people to learn new methods and to devote their efforts to helping youth build a future. For these reasons, we must act today to extend the life and work of the Federal antidelinquency program.

H.R. 8131 makes no substantive change in the original legislation. It merely extends for 2 additional years the provisions of the existing act—which would otherwise expire next week. It asks for $6.5 million in fiscal 1966 and $10 million in fiscal 1967 to achieve this. Let us review briefly what we will get for our money.

The comprehensive demonstration projects that were set up in 16 communities are perhaps the best known and most conspicuous aspects of this legislation. These 16 communities received assistance for planning and establishing broadly based action programs which would emphasize the prevention of delinquency as well as its control. Each of these communities devised its own program tailored to its special needs with the recognition that youth's problems were the community's problems and that solutions could be reached only through touching all aspects of local life, such as education, housing, employment, recreation, cultural activity, and so on. In order to accomplish this action, broad participation of existing organizations and coordination of services became essential and standard in each of these programs.

In the next 2 fiscal years these demonstration projects will be phased out—not because they have been unsuccessful but because their work is being carried on through other media: local community organizations that have been inspired to create similar programs of their own and community action programs funded and organized through the programs of the Economic Opportunity Act.

Only four of the existing projects will receive continued support under H.R. 8131—the projects in Boston, New Haven, the District of Columbia, and mobilization for youth in New York City. Extensive evaluation and research into the activities and accomplishments of these especially broad programs will provide valuable insight into the degree of success of comprehensive community action to combat juvenile delinquency. Money will be provided for these four projects to conclude their activity and to evaluate their results.

It should be noted that the 16 projects are not dead now that money is no longer being funded for them under this act. Nine of the demonstration projects have already been designated as developers of antipoverty programs in their communities ,and others among them will be incorporated into broader community antipoverty programs.

In turning away from the comprehensive demonstration project that aimed at affecting the general environment surrounding youth in low-income, trouble-prone areas, the legislation is devoting new attention to developing special antidelinquency programs for specific types of youth problems—drug addiction, middle-class suburban delinquency, sexual deviance, and rehabilitation of youth released from penal institutions. Ten such projects have already been approved and more are presently pending. This represents a departure from general community action and reaffirms the legislation's stated purpose of blazing new frontiers in the battle against youth crime and problems.

The third key aspect of the legislation involves the training of professional and volunteer personnel and the dissemination of information and techniques to combat delinquency. At present, there are 13 nationally dispersed training centers that did not exist 4 years ago—centers based in universities for the use of youth correction personnel—police, juvenile court judges, teachers, counselors, youth workers. The centers have filled a glaring need created by a lack of contact and communication between the social scholars and the men intimately involved on a daily basis with troubled youth. The centers have become a bridge of understanding over a gulf of misunderstanding—and both sides have benefited from the contact. The centers have served to enlighten the schools as to what the real problems are and to inform the active workers on new techniques and theories that will aid them in their efforts.

In addition, the act has provided curriculum development grants to schools and grants for workshops, institutes, and seminars for the purpose of further disseminating new techniques and information relating to the treatment of youth. These training efforts have done much to counter the shortage of youth-serving personnel and have done even more to spread the new-found knowledge that experimentation and demonstration have uncovered.

The history of the Juvenile Delinquency and Youth Offenses Control Act, during its short 4 years of operation, contains some glowing highlights. In the demonstration projects, particularly, we have found a model for the kind of action that can positively affect some of our growing social and economic problems. The demonstration projects were the first laboratory for large-scale community action programs, the model for the all-inclusive and coordinated programs that are now sprouting up across the Nation. The original demonstration projects initiated the approach of solving youth problems through affecting youth's environment. They tried to change the overall social situation in a community rather than concentrate on changing the personalities of individual delinquents. They aimed at improving the education, employment opportunities, housing and recreation deficiencies of lower class youth—especially those in large city slums that are the traditional breeding grounds of youth crime.

The effectiveness and theory of these projects have been incorporated into the community action programs, leaving the attention of antidelinquency experts free to concentrate on problems more immediately related to youth crime.

In the demonstration projects, we saw the birth of planning programs with and by the people to be affected, not exclusively for them. We have seen the birth of the recognition that positive results can only be achieved with the cooperation of the people affected and through their creating changes in the community. And they have learned that they can change the dreary patterns of their lives. One of the drawbacks of previous—and less successful—attempts to stem youth crime was the exclusion of those immediately affected. Citizen participation, we have learned, is essential to success. People must know and care and attempt to solve their own problems.

Another assumption made at the initiation of these demonstration projects was that other communities would be encouraged to begin their own antidelinquency programs modeled on those supported with Federal funds. The 16 projects have indeed planted the seeds of action in many communities across the Nation and have justified the belief of the framers in the contagion of a good idea.

New York has played a key role in the demonstration of new techniques to combat delinquency. Two of the sixteen comprehensive demonstrations were located in New York—and both will ultimately be incorporated into the city's antipoverty program. Mobilization for Youth, on the city's Lower East Side, was the first project to be funded, the most controversial and creative, and will be one of the last to be disbanded.

In a city which has become increasingly burdened with the load of youth crime, Mobilization for Youth has had a heartening effectiveness. Its work program, for example, has registered nearly 2,000 youths—or 70 percent of the jobless youth in the project area. These are predominantly school dropouts from minority groups whose families receive public assistance.

Mobilization is just beginning its fourth year of operation, and it is too early to have definitive information regarding the reduction of delinquency. However, I was most pleased to note in the additional views of my colleague the gentleman from New York [Mr. CAREY] in the report of the Education and Labor Committee:

> The New York City police authorities, through the commissioner of police, have endorsed the legislation and have recommended its extension. These authorities point to information at their disposal which indicates that youth offenses and the incidence of youth crime in the area served by MFY has been considerably less than it would have been had these programs not been available.

This is certainly most encouraging.

And this program will continue under this bill during the coming year so that the maximum learning can be gleaned from the completed demonstration.

At the same time that MFY began its action program, Haryou and Act each received grants to develop a similar program for central Harlem. One of the unique things about the now-combined Haryou-Act program is that it is truly a locally developed program, designed by those who live and work in the area. The battery of services are estimated at a cost of about $100 million for a 3-year period. Already a number of programs are in operation—the Cadet Corps, after-school centers to help youth with their studies, an arts and culture program. Certainly this program would never have been started without the support of the Juvenile Delinquency Act.

New York is a monumental city with monumental problems. Juvenile crime in my city increased 100 percent in the decade from 1952 to 1962 at a time when the youth population increased only 8 percent. We in New York are very worried about this trend—and especially about the circumstances that cause youth to be destructive of themselves and of others.

The methods of the past do not seem to work. The methods of the past do not attempt to change the structure of the society which creates violence and despair. If we have learned anything from our experiments it is that we must not be afraid to change this structure if we are to achieve positive and lasting results. We have learned that we must not accept the status quo as a permanent and sanctified identity.

I support this legislation because it looks into the future and it provides an approach for the present. It encourages creative thinking and creative action. It promotes greater efforts on the parts of individuals and communities. I heartily urge your support for H.R. 8131 and for the programs it has created.

Mr. GILBERT. Mr. Chairman, I rise in support of H.R. 8131, to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961. This important legislation was enacted in 1961 as a 3-year program to stimulate State and community action to combat juvenile delinquency. It has been extended and expanded, and I am pleased with the accomplishments to date, which include the establishment of many new training centers and training programs to eliminate critical shortages of professional youth workers, with over 12,500 people participating in these training courses. Of all the problems confronting our Nation, none is of more far-reaching importance than the training and education of our youth. It is urgent that we further extend and expand these programs to combat juvenile delinquency. To neglect this need is false economy, for juvenile crime and delinquency cost the taxpayers millions of dollars each year.

Juvenile delinquency continues to be an extremely serious national problem and is sapping the Nation's moral strength to an alarming degree. Two million children in our country have been before juvenile courts one or more times; one in five of our adolescent male population has appeared before a juvenile court. Juvenile crime is still rising at a rate faster than our population growth.

The factors which cause juvenile delinquency strike at all children, regardless of color of skin, and among the poor, the middle-income groups, and the rich, in our cities and rural areas. No effort should be spared to rehabilitate and train the countless thousands of our young people who have as their only ideal, membership in a street gang. We must instill in them hope and self-respect and respect for the law and rights of others so they might become useful and honorable citizens, willing to accept the responsibilities of citizenship.

The first line of defense in combating juvenile delinquency is, of course, the local community through the joint cooperation and concerted efforts of many—the parents, social workers, churches, schools, the police, and civic groups.

But the Federal Government must continue to exercise leadership and continue to play an active and forceful role in combating, preventing, and controlling juvenile delinquency. It is a national problem that requires exhilarated Federal action as well as action by our States and local communities.

We must continue to improve methods of dealing with juvenile delinquency and we must increase the number of trained, qualified personnel to provide the help our young people need. To reverse the trend of increasing delinquency, all services must be available and we must provide effective programs.

Mr. Chairman, I strongly urge the passage of H.R. 8131, to extend the Juvenile Delinquency and Youth Offenses Control Act.

Mr. GIAIMO. Mr. Chairman, I have listened to this debate with great interest. Although I am no longer on the Education and Labor Committee, I served on Mrs. GREEN's subcommittee at the time that the original juvenile delinquency legislation was drafted in 1961. I participated in the drafting of the bill and believe that I am well equipped to speak on the legislative intent of this measure.

I am taking no issue whatsoever with the desirability of projects designed to find new ways to control juvenile delinquency. When we wrote and enacted this bill, this was its purpose. A 3-year program of demonstration grants was to be established to test new skills. This has been extended once and now we are asked to extend it for another year.

This will make a grand total of 5 years of study and experiment. It seems to me that this should mark the end of this phase of our war against juvenile delinquency. If we have not learned new methods of approaching this problem, then the entire plan is a failure and should be replaced by a new one.

I subscribe to the approach suggested by the gentleman from Illinois [Mr. PUCINSKI] and the gentleman from Minnesota [Mr. QUIE] and hope that Congress will again study this entire program and redesign legislation to incorporate any benefits of this bill and begin to give us a new program based on the progress made by the juvenile delinquency program.

As the gentleman from Indiana [Mr. BRADEMAS] has said, these programs should be studied and reevaluated. It is my hope that the Administrators of the program will keep this in mind and will devote the remainder of the life of this act to existing programs. Certainly there is no reason to expend money on new programs until we have an opportunity to test the effectiveness of the old ones.

Again, I will support this extension, but I feel strongly that this should be the last extension and that any further juvenile delinquency legislation should be based on the successes—and failures—which exist in this experimental program.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. QUIE] has expired. All time has expired, and the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Juvenile Delinquency and Youth Offenses Control Act of 1961 is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 6. For the purpose of carrying out the program provided for in the preceding sections of this Act during the period ending June 30, 1968, there is hereby authorized to be appropriated to the Secretary for the fiscal year ending June 30, 1962, and each of the three succeeding fiscal years, the sum of $10,000,000, for the fiscal year ending June 30, 1966, the sum of $6,500,000, and for the fiscal year ending June 30, 1967, the sum of $10,000,000."

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 8, strike out "1968" and insert "1967".

The committee amendment was agreed to.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am going to support this bill if only because there are several projects now underway in the pipeline and I think they should be given an opportunity to be completed. But in so doing, as one member of the committee, I should like to serve notice on this agency that I shall very strongly oppose any further continuation of this program beyond the period we are now agreeing to. And I have a very specific reason for that.

This program was presented to the Congress by a great President who had a vision, a great President who had prevailed upon the Congress to see if our generation could do something about juvenile delinquency. This proposal was submitted to Congress by the late President Kennedy in good faith.

The bureaucracy which has administered this program has broken faith with that great President. It would be my hope that some committee of Congress would study this agency and make a full report on how not to administer a program. Here it is 4 years later, and, as has been stated on the floor today, we have not seen one new concept come out of this program, nor one new idea.

I remember Members of Congress standing in the well of the House 4 years ago pleading for support of this program and saying that for the first time in 2,000 years we were going to try to get some answers to what creates these antisocial acts among young people.

Mr. Chairman, all of us had great hopes for this program and we supported it. Yet here we are 4 years later and find this agency has conveniently transferred all of the programs in the large cities which showed some promise of success over to the antipoverty program.

Mr. Chairman, they have scattered their shots all over the lot. We need only to look at the projects that they have funded to see that there are not going to be any new ideas. Many of the very projects that they are now funding are duplicates of projects being financed under other grants, both from private foundations and from other agencies of Government.

Mr. Chairman, it is indeed tragic—I say it is most tragic—that the people who have been administering this program did not take advantage of the excellent opportunity given them in the original legislation.

This Congress voted $10 million a year for intensive research in juvenile delinquency. This program could have made a great contribution to our society in understanding better the problems of the young people. Yet the managers of this program have gotten themselves all tied up in redtape.

So, Mr. Chairman, I say it is indeed lamentable that a program which held so much promise should today be such a failure.

Mr. Chairman, it is my hope that the people who are administering this program will heed the remarks made on this floor; yes, by the distinguished sponsor of this bill—and I congratulate the gentleman from Indiana because he has made a great contribution, first, when we fought for this bill at the time of its inception and since then—if nothing else, I hope they will heed his admonition that in the remaining 2 years of this program some new concepts and contributions will be made so we can go to the communities of America and say, "Here is what the research has produced. You can now take this information and apply it to programs in your own communities."

Mr. Chairman, I believe that within the next 2 years much can be done if these people stop wasting their efforts and get down to business. They have been supporting and financing programs that clearly belong to local communities.

Mr. Chairman, instead of sticking to the basic purpose of this act, which was to establish effective research programs on the causes of juvenile delinquency, they have gone off into all sorts of directions.

Mr. Chairman, I shall support this pending bill simply because I want to give these people a final opportunity to make good.

But, Mr. Chairman, I know that I speak for myself and possibly for other Members of this Congress who feel that unless we see, as the gentleman sponsoring this legislation so adequately stated, some concrete benefits and some concrete results, there is not a chance in the world of extending this program beyond the summer of 1967.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. BOLAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8131) to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961, pursuant to House Resolution 430, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CANADA WANTS UNITED STATES TO PICK UP RUSSIAN U.N. DEBT

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, in today's issue of the Chicago Tribune, in a story datelined Ottawa, Canada, and headed "Canada Wants United States To Pick Up Russian U.N. Debts," is a news story which states:

> Prime Minister Lester Pearson's government has been trying for months to get agreement on a compromise system of voluntary contributions which would save the delinquent countries from losing their votes at the U.N.

The article goes on further:

> President Johnson, it is anticipated here, will announce an American payment of a large share of the U.N. debt owed by Russia and other countries when he goes to San Francisco this week to speak on the 20th anniversary of the founding of the U.N.

Mr. Speaker, if President Johnson goes to San Francisco and pledges this country to pick up the bad debts of the Russian Communists to the United Nations, I want to warn him that it is not going to meet with favor by the citizens and taxpayers of the United States. This would be an unspeakable retreat from the position we have taken that delinquents pay up or forfeit their votes and the rankest kind of capitulation to the Communists.

The newspaper article follows:

CANADA WANTS UNITED STATES TO PICK UP RUSSIAN U.N. DEBT

(By Eugene Griffin)

OTTAWA, ONTARIO, June 23.—Canada expects the United States to bend from its principles of last summer to pick up part of the debts owed to the United Nations by Russia, France, and some other members.

Prime Minister Lester Pearson's government has been trying for months to get agreement on a compromise system of voluntary contributions which would save the delinquent countries from losing their votes at the U.N.

Paul Martin, Secretary of State for External Affairs, announced this week that Canada, along with Britain and the Scandinavian countries, was pledging contributions to the U.N. toward the overdue debts, and he said he would be surprised if the United States does not make a substantial pledge.

PAPERS HAIL PLEDGE

Martin said that nobody wants to see Russia leave the U.N., if it is forced to pay all of its bill or lose its vote. The Canadian pledge to save the U.N. from Russia's possible resignation has been hailed in newspapers as an example for the United States to follow, and as a brave gesture. It was praised in the Toronto Globe and Mail today in an editorial titled, "When Retreat Is Victory."

President Johnson, it is anticipated here, will announce an American payment of a large share of the U.N. debt owed by Russia and other countries when he goes to San Francisco this week to speak on the 20th anniversary of the founding of the U.N.

It is pointed out that Pearson has been successful for many years in influencing the policy of American Presidents, going as far back as the Korean war, and also has had some effect on Johnson.

Pearson first suggested the pause in American bombing in North Vietnam, an idea rejected offhand by the President, but which he soon accepted as an experiment which failed to impress Hanoi or Peiping.

SIGNS OF RETREATING

Canadian correspondents in Washington are finding signs there that the administration is retreating from its former position that Russia must pay its bills at the U.N. or lose its vote.

Canadian papers report that President Johnson has been urged by his advisers to end the dispute about delinquent debts at the U.N., and that officials have been saying for months that the Johnson administration wants "a graceful way of climbing down from its high principles."

One question to be faced in Washington, says the Toronto Star, is, "How will the American public and congressional opinion react to a decision to shoulder a part of the debt Russia owes the U.N.?"

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader if he will advise us as to the program for next week.

Mr. ALBERT. Mr. Speaker, in response to the question of the gentleman, I will advise the gentleman that we have completed the legislative business for this week, and it will be our purpose to ask to go over after the announcement of the program for next week.

The program for next week is as follows:

Monday is District day, and there are two bills on the calendar: H.R. 8126, amending District of Columbia minimum wage law; and House Joint Resolution 230, designating the Washington Channel Bridge as the Francis Case Memorial Bridge.

Also on Monday there will be a House joint resolution continuing appropriations for the fiscal year 1966.

May I advise the gentleman that the following bills will be considered, beginning on Monday, and we hope to proceed to complete them all without specifying which day each bill might be called up:

These include H.R. 7984, Housing and Urban Development Act of 1965, under an open rule providing 6 hours of debate and waiving points of order. We expect to begin consideration of that bill on Monday.

Then H.R. 8283, Economic Opportunity Amendments of 1965, under an open rule with 5 hours of debate.

H.R. 8926, the Coinage Act of 1965, under an open rule with 4 hours' debate.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time, and any further program will be announced later.

I may advise the House that the gentleman from Oklahoma [Mr. STEED] has advised that he will probably call up the conference report on the Post Office and Treasury Department appropriation bill on Monday.

Mr. ARENDS. In view of the fact that the Fourth of July comes next weekend, does the gentleman feel we can get out on Thursday?

Mr. ALBERT. I certainly hope that we may get out of here on Thursday evening. I do not want to bind myself except to say that we will probably meet pro forma on Friday and ask unanimous consent to go over until Tuesday.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Iowa.

Mr. GROSS. I was in hopes that with this dinner tonight the hearts of the Democrats would be softened to the extent we might have a 2-week recess over the Fourth of July weekend. Is it possible your hearts will soften to that extent?

Mr. ALBERT. My heart is very soft, and if the gentleman will give us the kind of cooperation he is capable of giving I think we can get the gentleman out of here about a month earlier than he expects to get out and he will therefore have a long vacation.

Mr. GROSS. I hope my heart softens to that extent.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The **SPEAKER** pro tempore (Mr. SMITH of Iowa). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORIZING RECEIPT OF MESSAGES FROM THE SENATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that, notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The **SPEAKER** pro tempore (Mr. SMITH of Iowa). Without objection, it is so ordered.

There was no objection.

CRIME IN THE STREETS

Mr. MARTIN of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, the serious increase in crime in the District of Columbia and in many metropolitan areas should be of grave concern to all of us. I think Congress has a responsibility to take moral leadership in bringing about a return to the fundamental principles upon which our Nation was founded, the respect for law and order and decent relationships with our neighbors. In this connection, I would like to extend my remarks in the RECORD at this point and to include some pertinent news articles and features from the Washington Star.

Mr. Speaker, just a few short months ago, President Johnson, as a candidate, Candidate HUBERT HUMPHREY, and the news media, almost without exception, ridiculed and villified Barry Goldwater because he pointed to the alarming increase in crime in the streets of the Nation. In one of the most vicious, hypocritical, and downright dishonest campaigns in the history of our country, the Johnson-Humphrey ticket was victorious. Now the truth is being told.

Crime in the streets is on the increase. The increase in crime in the Nation's Capital has reached the point where the same news media which tore Barry Goldwater apart for suggesting the seriousness of crime, is now printing articles warning citizens of the danger of living in crime-ridden areas and suggesting appropriate actions to protect the innocent in the jungle which has been created through the breakdown of law and order. The social planners would have us believe that all this crime is the result of poverty and the lack of opportunity. But this is not the sole cause nor, indeed, the major cause for the increase in crime.

May we be so bold as to suggest that encouraging defiance of law and order by minority groups who would settle grievances in the streets rather than in the courts has had a share in contributing to the growing increase in crime. May we also suggest that the lowering of our standards of morality to the point where we accept without protest the whitewash of the Bobby Baker case and the scandals which have beset this administration encourages the criminal element to "get theirs" in the only way they know how, through direct assault, robbery, and murder.

The leaders of the Nation have a responsibility in the war on crime; a responsibility to do more than provide extra police protection or to put extra locks on the doors of Government offices. The President, the leaders of Congress, and all those who assume to lead or teach must set the moral tone of the country so that the criminal element is clearly identified and there is no confusion between what is right and wrong because of the acceptance of immorality in high places.

Mr. Speaker, as a part of these remarks I would like to include a number of news and feature articles from the Washington Star. A story in the issue of June 16, "Crime Rate Continues To Rise in the District of Columbia." From the same issue, a front-page story, "Warning on Marauders—United States To Protect Employees." From the Sunday Star of June 20, the first of a series, "How To Protect Yourself on the Streets and in Your Home," and "Burglars Strike Every 56 Minutes," a shocking record of crime in the District of Columbia.

[From the Washington (D.C.) Star, June 16, 1965]

CRIME RATE CONTINUES TO RISE IN D.C.

The number of serious crimes committed in the District rose last month over May a year ago by 225 offenses or 10.5 percent, police reported yesterday.

The rise marked the 36th consecutive month in which the crime rate, as compared to the crime total a year earlier, increased.

The May report also showed, however, that crimes last month, totaling 2,673 were down some from the 3,018 listed in April. The May 1964 total was 2,418.

Compared to May last year, homicides in the District last month increased by 5 to a total of 13; robberies by 132 to 287; aggravated assaults by 7 to 274; grand larcencies by 4 to 133; petty larcencies by 128 to 782, and auto thefts by 10 to 466.

There were fewer rapes and housebreakings, however. Rapes decreased by 2 to a total of 14 for the month, and housebreakings by 29 to 704.

Police reported 31,982 offenses in all the above categories during the 12-month period ending in May, an increase of 10.8 percent over the year ending with May 1964.

Some 37.5 percent of the total cases during the 12-month period ending last month were closed by police as compared to 40.1 percent for the year ending in May 1964.

[From the Washington (D.C.) Star, June 16, 1965]

WARNING ON MARAUDERS: UNITED STATES TO PROTECT EMPLOYEES

(By Miriam Ottenberg)

Rising crime rates in the Washington area have prompted the Government to step up efforts to protect its workers from marauders around Federal buildings, it was learned today.

Protective measures introduced by General Services Administration range from floodlighted parking lots to electronic "anti-intruder" devices.

At the same time, GSA has issued brochures alerting Government employees to safeguard their purses as well as Government property. One brochure warns: "The empty office * * * an open door for the sneak thief * * * to rifle desks, files, to steal money, coats; to loot vending machines and Government equipment."

In a recent bulletin to heads of agencies and field offices in this region. GSA warns of the frequency of thefts and urges precautionary measures to make attempts at crime "unprofitable."

Women employees are told to take their purses with them when leaving an office unoccupied and, if the purse is left behind, to check its contents immediately after returning to the office to be sure it hasn't been rifled.

Men are advised to hang their coats as far from the office door as possible, to be sure they can describe their coat, and to clear coat pockets of car keys and wallets.

"Employees should be alert to detect office thieves who will often carry papers or envelopes, giving the appearance of being messengers," GSA advised.

Precautions being introduced in the Washington area include a "card-key" lock mechanism for use where a limited number of workers need to gain entry at odd hours for overtime work. Rather than have the guard leave his patrol to open the door, late working employees are given a card which, when stuck in a slot, automatically opens the door. The card is said to be harder to duplicate than a key.

Employees sign themselves in and out of the building and the guard, checking the book, knows the whereabouts of the late workers.

That device can be installed in a few hours. Others are more elaborate. Experts have been imported to continue research on comprehensive "anti-intrusion" systems. Those installed so far are considered highly effective at spreading the alarm.

Government buildings in high-crime neighborhoods are being given special attention. Employees are encouraged to report every untoward incident and, if investigation shows marauders are active, the guard force is increased.

To make the force of special police more mobile and concentrate them in emergencies, a control center links 54 buildings in the Washington area. This network will soon cover 100 buildings. In case of trouble, the control center can dispatch emergency squads around the clock.

Some of the problems faced by the Government's protection planners are similar to those in the older commercial buildings here. Protective devices are expensive to install after a building is up and the wires are hidden in the walls.

Now, the threat of crime and the needs of civil defense are taken into consideration at the planning and construction stages of Government buildings. A locking system, fire and intruder alarms and similar safety devices are being provided in buildings specifications. New buildings will have built-in security.

Meanwhile, the Government's protective research will be useful to private industry in protecting employees against today's marauders.

[From the Washington (D.C.) Star, June 20, 1965]

HOW TO PROTECT YOURSELF ON THE STREETS AND IN YOUR HOME—CHAPTER I: USE YOUR DOOR FOR PROTECTION

(By Gene Acas and John H. Eckstein)

(NOTE.—This series is from the book "How To Protect Yourself—On the Streets and in Your Home," by Gene Acas and John H. Eckstein, originally published by This Week magazine in association with Pocket Books, Inc. This is the first of 12 installments to be published in the Star every Sunday.)

The crime rate in Washington continues to climb. There are two and a half times more robberies here now than in 1960. Burglars are hitting Washington homes, stores, and offices at the rate of 1 every 56 minutes.

In this manmade jungle, what can you do to reduce your chances of becoming a crime statistic? By following simple precautions and observing the commonsense advice that follows, you can reduce the chances of trouble coming your way. Protection starts at home.

As soon as you move into your new home (either an apartment or a private house), have all outside locks changed. There may be several duplicates of your set of keys for the old locks.

Here are some security rules to follow in connection with the keys to all the outside doors on your house or apartment:

1. Your local locksmith is the man to see about changing the locks. Try to find one you can trust. (In some jurisdictions locksmiths are licensed, but this is not the case in the District, Maryland or Virginia.)

2. Do not be generous with duplicate keys. Don't give them to friends who might visit from time to time. Don't give them to delivery people or domestics.

3. Above all, don't "hide" a key under the mat, in a flowerpot, or on the ledge over the door. Burglars know about these supposed hiding places and will look there first.

4. You should give copies of your keys to the building superintendent only if you are absolutely sure that he is a responsible person. (You are not required by law to provide him with keys, so don't let anyone intimidate you.)

5. Don't carry your house keys and car keys on the same chain. It is not a good idea to have name-and-address identification on keys, in case of loss. The reason: If you do lose them, you have no idea into whose hands they may fall. You might be lucky and have them returned by an honest person; but they could fall into the wrong hands. (It is a good idea to keep a duplicate set of keys available in a safe place for immediate emergency use.)

If you lose your keys, have the locks replaced promptly—it may seem expensive, but it is a wise precaution.

Caution: If you have roommates, make sure they observe the same intelligent rules about the keys as you do.

6. Never leave your door "on the latch" in such a way that it could be opened from the outside by anyone. If you are going out, even for a few minutes, take your keys and double lock your door.

SOME TRAGIC ERRORS

Here are some brief, tragic, factual case histories which demonstrate the folly of leaving your door open (or unlocked) for the shortest time, even when going to a nearby place, on a personal, "safe" errand.

Recently, a series of attacks, several of which resulted in the death of the victim, took place in the same neighborhood of a large city. All the attacks took place inside the victim's apartment. In each case, the woman did something foolish like this:

She stepped out of her apartment to put garbage in cans in front of the building.

She went downstairs to pick up mail from her lobby mailbox.

She went down the hall to borrow a cup of flour.

She went out to move the family car to another location.

She went downstairs for a moment to check on her child, playing with friends.

In each case, the woman left the safety of her apartment, sensing no danger, and left her door unlocked. When she returned, the hoodlum-rapist was inside her apartment. His pattern of crime involved trying doors to find one that was unlocked, entering, and waiting for his victim's return.

The lesson is painfully obvious: Never leave your door open even for a moment. When you go out, always take your keys with you, always lock—and double lock—the door.

Be extra safe: Get in the habit of double locking your door from the inside every time you come in. Don't just let the door close; take a second and turn the bolt. Have an extra lock and turn the extra bolt as well.

Here are two important rules to follow when going out:

Always try to leave a light on, to give the impression that someone is at home.

If you have a roommate and you expect to stay out late at night, leave a note saying where you are, when you expect to return, and, if possible, whom you are with. Caution: Never leave a note in the mailbox or on the outside of your door.

OTHER DEVICES

1. If you have a peephole, always use it. If you don't have a peephole (also called an Interviewer), get one installed right away. Never open your door to someone whom you don't know or recognize or who doesn't have legitimate business with you.

Remember, authorized representatives of the Post Office Department, utility companies, parcel delivery services, etc., are not only often uniformed but always have proper identification, which they must present if asked.

2. If you don't have a door chain (or similar "shortstop" device), have one installed immediately. Using this chain at any time when you must open the door to a stranger is an intelligent added precaution to the use of the peephole.

3. There are new types of chains that can be used even when you are out. They are locked from the outside with a special kind of key, and while you are inside these chains can also be locked in place.

Once you do have a chain on your door (and don't neglect to put one on the back—or any other door with access to and from the outside), check to make sure:

That the chain is properly installed, so that a band cannot be slipped through the narrow opening and release it. (If it can, have the installation changed at once.)

Whether the chain could be broken by a strong person's ramming against the door. (If so, you should have the proper chain installed—motorcycle chain is the strongest made and is widely available.)

That the installation—the plates and screws holding the chain and socket is secure and solid. (If not, see that the job is done again and done right.)

[From the Washington (D.C.) Star, June 20, 1965]

NO AREA IN DISTRICT OF COLUMBIA EXEMPT—BURGLARS STRIKE EVERY 56 MINUTES

(By Miriam Ottenberg)

Housebreakers are now burglarizing Washington homes and stores at the rate of one every 56 minutes of the day and night.

No area of the city is safe. Burglars are as likely to strike the garden apartments of far Southeast as the high-rise apartments of Connecticut Avenue and the estates on Foxhall Road.

The rate of housebreakings here has been spiraling since September 1963, climbing every month. Now it's nearly double what it was then and nearly triple the rate of housebreakings in 1957.

Nearly half of all the burglars arrested for housebreakings last year were juveniles. More juveniles were arrested for housebreaking than for any other serious crime—even more than for car theft.

MILLION COST

During the last year, burglaries cost Washington residents more than a million dollars.

Nearly twice as many Washington apartments as private homes are being looted. Burglars gain entry most often by breaking or forcing a lock or breaking glass. In many cases, however, an unlocked door or window is listed by police as the means of entry.

Three times as many residences are broken into during the day as during the night since householders are frequently at their offices all day. More stores and offices are hit at night than during the day, but daytime burglaries also are frequent in the commercial establishments.

Because of the tremendous upsurge in housebreakings here, most Washington real estate management companies are striving to improve the security of apartment houses. New and expensive security measures are being adopted to protect apartment dwellers here.

A check of real estate firms showed these precautions being taken:

In some of the new high-rise apartments, front doors are being locked around the clock or at sundown. Both tenants and visitors must ring the bell and identify themselves. A receptionist lets them in by pushing an electric catch release.

One real estate operator promised grimly, "If we have to lock up at 3 p.m. and require everybody to come through the front door, we're going to do it. We're getting too many daytime prowlers."

NIGHT PATROLS

Retired policemen are being hired for night duty in some buildings, doubling as guards and receptionists or doormen. Some patrol corridors through the night.

At several apartments, electric contacts have been installed at each exit door. When the door opens, a buzzer sounds and a light flashes on a panel board at the main desk of the apartment building.

If the light continues to flash, the man at the desk knows that one of the rear doors has been blocked open. A tenant taking a short cut to the store has jeopardized the security of all the other tenants by leaving the door ajar for his return, but without the switchboard light or regular checks by guards the open door might not be spotted.

Closed circuit television has been installed in some buildings as a means of covering parking areas and rear doors. A television screen at the front desk shows everyone coming or going through back and side entrances.

The garages of some apartment buildings remain locked and tenants must insert a card in a slot for the garage door to be raised automatically.

QUESTION OF ENTRY

The question of entry to the upper floors of a building via the garage and basement is being handled in various ways.

In one building, the elevator door in the basement is locked at night and anyone going to upper floors must climb a flight of stairs to the elevator. Each flight of stairs has a door which, when opened, flashes a light on the apartment switchboard.

If the night man sees the lights flashing from the basement door or from upper floors, he is alerted that someone has chosen to climb the back stairs instead of taking the elevator in the lobby. It could mean nothing, but it's worth a check.

In a number of buildings, back doors are being locked at 5 p.m. or 6 p.m.

Emergency doors leading from fire stairs are being equipped with "panic bars" so that tenants can get out but prowlers can't get in.

In the new apartments, jimmyproof locks are part of the equipment and some also are putting on various types of chains—including one that can be locked from the outside.

In some older buildings, "dead bolt" locks also are being installed. It's a costly security installation and some managements expect tenants to pay for it, if they want it.

The jimmyproof or "dead bolt" lock does not work on a spring and is rigidly fixed into an open or closed position by turning a handle or key. To open this door, the thief must force the mechanism right off the door—a very noisy procedure.

Security-minded apartment managements recognize, however, that the habits of tenants pose the greatest threat to the security of their fellow tenants. They particularly cite the tenants who block apartment building doors for their personal convenience and those who leave their own doors unlocked.

In Washington, gangs of thieves known as "creepers" start on the upper floors and spread through the apartments like locusts. They don't need a crowbar or a tire iron. All they do is try door handles.

The security officer for one Washington real estate firm estimated that one out of five apartment doors remains open all night—invitation for undesirable rabble "guests."

HALPERN DEPLORES RENEWAL OF AID TO THE U.A.R.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, I am appalled by the President's order resuming assistance to Nasser.

I am amazed that we should fall for Nasser's expedient token wooing. This tyrant of the Near East—this Castro of the Nile—is a master of deceit, of intimidation and blackmail. While he is winking at us with the one eye, he is carrying on a flirtation with Chou of Red China with whom he is soon to join in a parley.

The fact that he is offering compensation for the J.F.K. Library is all well and good. This is the least we can expect when his subjects, fanned by Nasser's anti-U.S. statements, destroyed the library. But do we have to pay him back manifold for this measly remuneration? Should we give him $37 million worth of food supplies in return? Our assistance program is intended to help the undernourished of the world, to assist underdeveloped nations—not to subsidize, as in Nasser's instance, in the building of an offensive arms machine—purchased from Russia at that.

What makes the State Department feel that aid will win Nasser's support? We have already given the United Arab Republic over a billion dollars, and, in turn, Nasser flaunts our assistance and tells us "to take it and jump in the Mediterranean." This makes a mockery of our program. Yet what do we do now but offer him continued aid, supposedly because it is in our national self-interest. Where is our national self-respect? I think this clearly emphasizes the need for mandatory, rather than discretionary, measures by the Congress to sever aid to Nasser.

Also, it seems anomalous to me that we should even consider giving this food to the United Arab Republic, when the United Arab Republic is busy shipping rice to Communist China and Cuba.

Let Nasser announce his intentions to further peace in the Middle East. Let him sit at the peace table with Israel to negotiate a lasting peace. Let him get out of Yemen, which reportedly is costing him—and in turn us—a million dollars a day.

Then and then alone is the time to talk about renewing our aid program.

UNITED NATIONS

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, we all know that on Saturday we will commemorate the 20th anniversary of the establishment of the United Nations organization. At a time when our men are dying in Vietnam because of our country having to carry a burden which should be carried by the United Nations organization or by a collective authority in the world, it is of vital importance to our country and to the freedom of mankind that this organization of the United Nations not only be protected and perpetuated but that it also be perfected.

GENERAL LEAVE TO EXTEND

I feel that many Members of the House, Mr. Speaker, would like to express themselves in the RECORD in affirmation of their faith in and support for this great organization—the hope for the peace of the world. Therefore, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to insert in the RECORD any expressions of support for or faith in this organization of the United Nations.

The **SPEAKER.** Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I am happy that the gentleman from Florida has taken this time for this purpose on the eve of the 20th anniversary of the organization of the United Nations. This great Organization may not have done everything that everybody hoped it would do; it may not be everything that everybody hopes it will become—but if we did not have a United Nations Organization, where on earth would the cause of peace have a forum?

Mr. PEPPER. I thank the able majority leader. Everyone knows of the stalwart and magnificent support that the gentleman has so long given to this great Organization.

Mr. GROSS. Mr. Speaker, the United Nations, despite all efforts to make it appear otherwise, is morally and financially bankrupt.

It has repeatedly violated and failed to live up to its charter. It met this year and adjourned in a matter of days because it did not dare to put a single issue to a vote with the exception of a meaningless motion proposed by a Communist member.

Never has the United Nations had less influence on the behavior of nations.

It will be a travesty if the United States now proceeds to pay the delinquent assessments, totaling millions of dollars, owed to the Organization by the Communists and others. The taxpayers have already been bilked out of more than $2 billion for the support of the "Wind Palace" and its headquarters in New York.

The time has come for a showdown. If, as some apologists say, the United Nations is our last best hope, then there is indeed little hope left in the world.

Mr. UTT. Mr. Speaker, the United Nations has just celebrated its 20th anniversary in San Francisco. I can see very little about which to celebrate. President Johnson spoke at the meeting and extolled the virtues of the accomplishments of the U.N. in keeping the peace and stopping aggression of one nation against another. On this score, the U.N. is a woeful failure.

Wars of aggression are fought to acquire dominion and control over people and nations. They are motivated by covetousness, a desire to take that which is not rightfully theirs without paying for it. It is the same motivation that promotes robbery, murder, and rape.

The President appeared to be completely naive. He lives in the center of the Nation's Capital, an area comprising only 10 square miles and, yet, he cannot stop the selfish criminal element in this small speck of real estate. You dare not walk the streets alone or travel on a bus without the constant fear of criminal attack. Crime in the Nation's Capital is at its highest point in history and still rising. Policemen on patrol have to be accompanied by police dogs for their own protection. How, then, can you expect the people and the nations of the world to succumb to his plea for righteousness?

The respect for the United States has gone steadily downward since the creation of the United Nations. The Korean conflict was a United Nations operation, paid for mostly by the United States, with 156,000 casualties. It was the United Nations which prevented General MacArthur from crossing the Yalu River to destroy the Red Chinese sanctuary and forced the retreat to the 38th parallel where the U.N. negotiated the peace. That negotiated peace was a colossal failure and, for the 12 years following that so-called peace, the United States has had to maintain between 10,000 and 20,000 men along the 38th parallel, and the end is not in sight.

The U.N. is responsible for the failure at the Bay of Pigs. That operation was well planned and would have been successfully executed except for the intervention of the U.N. Because of that fiasco, the Berlin wall was built, and Castro exported his communism to Latin and Central America and forced us to send our troops to the Dominican Republic.

Since the formation of the United Nations, communism has had its appalling expansion. Where was the United Nations when Russia invaded Budapest? The U.N. did nothing when India invaded Goa, a Portuguese enclave in India. The Communist pirate, Sukarno, was permitted to take over the Dutch possessions a thousand miles away from Indonesia and was not even condemned by the U.N. for this action.

The U.N. involvement in the Belgian Congo was reprehensible. It allied itself with the Communist leaders of the Congo to destroy the great non-Communist Province of the Katanga and then, after destroying it, they asked the leader of Katanga, Moise Tshombe, to try to put the pieces together. Hundreds of Americans were murdered by the Communist rebels, and the United States finally came to their rescue. All of this could, and should, have been avoided. The coalition government of Laos was the handiwork of the United Nations.

For several years the Congo-based Communist rebels of Angola, a Portuguese colony, have been raiding and murdering the inhabitants thereof with the full consent of the United Nations. Angola is one of the most progressive colonies in Africa.

If the United Nations can extricate itself from its financial difficulties, it is planning an all-out U.N. attack on one of our best allies, Portugal, to wrest from it its two African colonies. Portugal has strong military establishments, especially on the sea, and the estimated cost of this military operation by the U.N. is expected to exceed $400 million. Thus, the U.N. becomes an organization, not for peace, but for war. The U.N. is further planning to overthrow the Government of the Union of South Africa, the most powerful and wealthy member of the British Empire on the African Continent.

Many members of the U.N. have not paid their dues and assessments, and it is apparent that the United States is planning to recommend that article 19 of the U.N. Charter be completely disregarded, thereby permitting the delinquent nations to vote. The increase in membership of the U.N., made up of countries with a few hundred thousand population, has so diluted the voting power that 10 percent of the population of the U.N. membership now controls 66 percent of the voting strength of that organization. This is a far cry from one man, one vote that the Supreme Court has inflicted on the United States. Some 56 countries, with a combined population of less than that of the United States, have about 50 percent of the voting strength. The odds are just too great against the survival of this country.

Sixty-five merchant ships from Britain, Japan, Greece, Norway, Holland, and Lebanon carried supplies to North Vietnam, which is the aggressor against South Vietnam, but you have not heard the U.N. object. All of these foregoing six countries participate lavishly in our foreign aid funds, paid for by the sweat of the American taxpayer.

The President urged the U.N. to help negotiate a settlement in South Vietnam. This would constitute a surrender to the Communists, and we might just as well bring all of our military forces home immediately because we cannot win with the United Nations in the picture. The last 15 years of this operation is living proof of this.

Mr. GRABOWSKI. Mr. Speaker, on June 26, 1965, the United Nations will celebrate the 20th anniversary of the signing of its charter in San Francisco. To help commemorate this important milestone, and to demonstrate the steadfast support of the United States for the United Nations, I would like to urge the passage of House Joint Resolution 499 which states: "that the United States reaffirms its faith in, and support of, the United Nations and the principles of the United Nations Charter and urges such reaffirmation of faith and support by all the members of the United Nations and peace-loving people everywhere."

The past year has been a difficult one for the United Nations. A member has withdrawn. The financial crisis caused by the refusal of certain members to pay their assessments has brought the work of the General Assembly to a standstill. But it is important that these troubles, which frequently make headlines, do not obscure the tremendous record of achievement which has been made in the past 20 years by the United Nations. It is important that as our representatives work to solve problems such as these they know that Congress and the American people remain committed to the principles of the United Nations and that they want the organization to continue as a cornerstone of American foreign policy.

What are the principles upon which the United Nations is founded? As set forth in article 2 of the Charter they are that the United Nations is based on the principle of the sovereign equality of all its members; that all members, in order to insure the rights and benefits of membership, shall fulfill their obligations in good faith; that all members shall settle their international disputes by peaceful means; that all members shall refrain from the threat or use of force against the territorial integrity or political independence of any state.

If all nations observed these principles, there would be far less conflict in the world in which we live. Tensions would be greatly reduced, and world peace would be much more secure. The fact that all nations do not observe these principles is at the root of the most serious threats to peace as well as the financial problems of the organization.

The world has changed greatly in the past 20 years since the United Nations Charter was signed. The emergence of dozens of newly independent nations is symbolized by the growth of the organization from 51 original members to its present membership of 114. The Disarmament Commission of the organization is struggling to bring about control of weapons which did not even exist when the United Nations was founded. The vast frontier of space has been opened up. Nevertheless, the United Nations has proved flexible enough to adjust to these great changes and many others, including a basic cleavage between the great powers.

Throughout the history of the United Nations, the United States has been one of its principal supporters. The United States, like the rest of the world, has benefited from the international cooperation encouraged by the organization, by the opportunity to discuss serious problems and present its views to a world forum, and by the activities which have been undertaken by the organization in behalf of peace. It is my hope that not only Congress and the American people, but all peace-loving people throughout the world, will seize the opportunity presented by the 20th anniversary celebration to reflect on the achievements of the United Nations and to reaffirm their support for the organization and the principles upon which the United Nations is based.

Mr. MEEDS. Mr. Speaker, at this time of year we celebrate not only the birth of our country, but we commemorate the founding of the United Nations. By long and painful struggle, we severed our nationhood from that of Great Britain; by longer and more tortured experience we discovered that we could not separate our welfare from that of the world. Indeed, just as the American Revolution of 1776 protested violations of the basic rights and dignities of man, so did the San Francisco Convention of 1945 protest too many years of bloodshed, privation, and subjugation of peoples against their will.

As the United Nations reaches its 20th anniversary, critics argue that the U.N. has passed from infancy to senility without a ripe middle age of maturity. While nations and nationalism have existed longer than an organization of nations, it is certain that the parents of the United Nations regarded her birth as a blessing to mankind. Much expectation has become fact. But like any organization, the United Nations, regardless of age, has no will of its own; rather, it behaves as its members behave. When states act wisely and in harmony, the United Nations is applauded for its maturity; when countries dishonor the spirit of the charter, the United Nations is rendered feeble, never its most powerful constituents.

My praise of and good wishes for the United Nations cannot adequately attest to the monuments constructed by the U.N. to the peace and security of man. Human beings are alive today as a result of the work done and being carried on by the United Nations Children's Fund, the United Nations Relief and Works Agency, and the World Health Organization. For example, by 1962 the World Health Organization had freed 329 million people from the curse of malaria.

In the past few months Americans have become highly conscious of the word "escalation." I suggest that this term would be much more common to our vocabulary had not the United Nations intervened in Palestine, in Korea, and in the turbulent religious and ethnic conflict that is Cyprus. In 1956 the world created the first international peacekeeping force, the United Nations Emergency Force. Having this power to bolster the collective wishes of its members, the United Nations has restored peace to Suez, and more recently, has prevented the spread of greater and more ghastly horrors in the Congo. To utilize the Emergency Force in Vietnam merits serious attention, and although we cannot ignore the Soviet veto in the Security Council, neither can we pass over the United Nations as a vehicle of negotiations.

Today the United Nations labors under difficulties, but these troubles are overshadowed by the evils which the U.N. prevents and are dwarfed by the good which it has accomplished. Not long ago the Congress appropriated $200 million to help finance the operations of the United Nations. Can anyone in good conscience say that this was not a wise investment? Perhaps the future will necessitate another such investment. This I would heartily support, for as President Kennedy said of the United Nations in an address before the General Assembly in 1961:

> Were we but to let it die, to enfeeble its vigor, cripple its powers, we would condemn our future.

Let me say that unlike totalitarian nations, the United States is not and never will be afraid to put its principles and practices before the world in an open and honest fashion. But I shudder at the dire consequences that would ensue should the world not have a meeting place where the actions of its members could be cross-examined, where the wants of its peoples could be fulfilled, and where men could come and reason together.

Mr. HANSEN of Iowa. Mr. Speaker, on June 26, 1965, the United Nations will celebrate the 20th anniversary of the signing of its charter in San Francisco. Our President will be present for that occasion and deliver an eloquent and timely restatement of this country's faith in the United Nations. The action of Congress in passing Senate Concurrent Resolution 36 was important in adding to the support given by our Nation to the U.N. Congressman CLAUDE PEPPER's leadership in the House of Representatives in this important area was extremely important.

All of us know the tribulations under which the United Nations has operated in this past year. We have seen first withdrawal by a country of its membership in the political aspects of the United Nations. Many have wondered if this was a repeat performance of problems of the League of Nations and pondered as to whether or not this would signal a breakup of the still quite young United Nations.

It is important for the President to express the support and faith we Americans have in the United Nations at this crucial time. We are fully aware that without this common ground for discussion and action many world crises would not have been eased or averted. The possibility of an all-out nuclear war would be multiplied a hundredfold.

All of us are concerned about a peaceful world. We see the United Nations as an alternative to the power struggle between nations and a resulting nuclear war. But we should not expect more than is reasonable from this young organization. The United Nations is still in its formative years and has much growing to do before it has reached full maturity and strength. We need to give it our full support so that we do not drag it to the ground and ourselves with it.

As the United Nations grows in responsibility and strength, we hope to see it equipped with the tools to enable it to avoid the conflicts and pitfalls of the Congo, Vietnam, and the Dominican Republic. More than that, it may show us through cooperation the way to eradicate hunger, disease, and ignorance. Let us join those who call for a strengthened United Nations through vigorous U.S. support.

Mr. LOVE. Mr. Speaker, on this 20th anniversary of the United Nations, I should like to add my voice to those of other Congressmen in the praise of this international organization.

Although many imperfections still exist and its effectiveness is particularly in question now owing to disagreements among the major powers, the United Nations still remains the greatest hope mankind has against the scourge of war.

My hope would be that the Congress and the Nation, in our desire for peace and justice to men everywhere, will find expression through cooperation with one another. The United Nations gives us this chance.

Mr. BROOMFIELD. Mr. Speaker, 20 years ago a world was weary with war. Hardly a nation on the face of the earth had been spared the demolition of its cities, the death and maiming of its troops or the despair and devastation of its citizenry.

Millions had perished. Hundreds of millions lived in rubble and with hunger.

A war had just been won in Europe. But both victor and vanquished lived in the midst of misery.

Another war was soon to be won in Asia. But with the sudden end of that war would come a new age—the nuclear age, the age of the atomic bomb and the ultimate weapon.

In most parts of the world, there was one hope and one goal, and that was that another world war would never again be visited upon the human race.

In an effort to bring that goal to realization, a new organization was formed, the United Nations. In the midst of war and turmoil, this organization came into formal being with the formal signing of the United Nations Charter on June 26, 1945.

Two decades have gone by. Some call the United Nations an unqualified success. Others claim it is succeeding too well and is subverting national governments. Still others see the U.N. as a failure, a flop, a burst balloon of vain hopes and unattainable goals.

The United Nations is none of these and yet a little of each of these.

To say that the United Nations has been an unqualified success would mean that it has helped substantially to keep us out of war. We know that it has not. We know that Americans are dying now in Vietnam, that many died in Korea and that troops of many lands have engaged in battle under the flag of the United Nations.

But there has been no worldwide conflict since the creation of the U.N. There has been no brutal confrontation of big powers in open conflict which has dragged the rest of the world into the battle.

There have been brush fires but no all-out conflagrations.

To say that the United Nations has had no influence on the foreign and domestic policies of the United States would be unrealistic. The U.N. most certainly has done so.

More than any other organization, the United Nations has created—or rather discovered—something called world opinion.

It has helped to formulate a sort of consensus of conscience in the world community which has had its affect upon our own Nation in our dealings with other nations and even upon such internal affairs as race relations and civil rights.

We have not been alone in, at times, receiving criticism from the world community. The Soviet Union has found itself in the same position on many occasions and its policies have been modified and tempered at least partly because of world opinion.

Yet, despite this influence, the criticism that the U.N. is too weak and too slow to be an effective force in world affairs most certainly has its advocates.

The U.N. has not been successful in finding a solution to the conflict in Vietnam. It has not been successful in ending the race to join the nuclear club.

But it has not been a flop in heading off conflict, as witness the U.N. force in the Middle East, the open and worldwide debate in the U.N. when the Cuban missile crisis was upon us, the end to the bloodshed in Cyprus and the Congo.

The United Nations has not attained all the goals, fulfilled all the hopes, or brought to reality all the dreams of its founders.

But it has consistently and constantly moved in the direction of these goals. It has helped man to know himself in myriad ways. It has helped nations to know themselves and to associate themselves with the larger community of the world.

By expecting nothing less than perfection from man and country in the attainment of its basic goals, the United Nations has gone a lot further down the road toward peace and freedom than we had any right to expect in such a small slice of history.

As the prime creators, the instigators, and the implementers of the United Nations, our United States has more at stake than most other countries in its success.

As the world's prime believers in the worth of work and freedom, we have more at stake than most in seeing to it that the United Nations continues to succeed.

The doctrines and beliefs put forth in the United Nations Charter are those to which each of us, as individuals, can subscribe completely.

The goal of freedom with justice is one which we can and must support domestically.

The aim of freedom and self-determination for all in the world is our goal in foreign affairs.

I think it is significant and important to note that there are only two nations in the world which show open hostility to the United Nations and look upon it with disdain.

One of these countries is Red China, an outlaw in the world community preaching a doctrine of racial hate, subversion of neighboring governments, assassination of public officials, and the inevitability of atomic war.

The other is Indonesia, another dictatorship which has the distinction of being the first nation to quit the U.N., which follows a policy of picking on its smaller neighbors and of ignoring the human needs of its own citizens.

If these are the kind of countries opposing the United Nations, then it should be clear to all of us that we want no part of such company in the world.

All of us realize that the United Nations organization is not perfect. But it is the best there is and the best we have.

If we support the U.N. in its efforts to achieve world peace as we have in the past, then our chances for peace will continue to improve.

If, instead, we support the splintering of the world community into noncommunicative cliques and groups, then our chances for peace are diminishing to that extent.

We do want peace; we do want freedom; we do want justice to reign in the world. Then let us continue our journey toward these goals in the vehicle we helped to create for just this purpose—the United Nations.

Mr. BURKE. Mr. Speaker, 20 years ago, after the most destructive and devastating war man has ever experienced, the leading nations of the world gathered together to create an organization dedicated to the principle of keeping a just and lasting peace. This was the second time in a half a century that such an attempt had been made and the delegates who gathered at San Francisco in April of 1945 well remembered the terrible price that had been paid for the failure of the first attempt, the League of Nations.

Profiting by the mistakes of the previous generation, these leaders constructed a charter which not only provided the machinery for keeping peace throughout the world, but also created the means for extensive international cooperation in all areas. Through the efforts of the United Nations, new and underdeveloped countries could seek and receive economic, educational, and technical aid from large and more prosperous nations.

A spirit of friendship, good will, and mutual help was intended to replace the old animosities, hatreds, and nationalistic fears which had for so long permeated the international situation. Deliberation and debate around the conference table would now arbitrate differences between soverign nations instead of bayonets and bombs.

With these as its principles, and with the new and terrifying realization of nuclear power which introduced an entire new dimension into world affairs, the United Nations embarked upon the task of measuring up to the most imminent need of man, the preservation from self-destruction.

Over the past two decades, the United Nations has indeed attained respect and stature in many of its endeavors. In Korea, Suez, and the Congo it has had the courage and determination to act in defense of the principle of nonaggression and its policy of mutual assistance has been invaluable to many of the new emerging nations. But there have also been failures and frustrations primarily due to the obstructionism of the Soviet bloc, in certain instances rendering the organization ineffective. However, on the sum total of evidence available, we must judge that the achievements of this organization have far outweighed its failures. Credit for this must be attributed to many truly great statesmen, from various nations, who have given of themselves and their ideas to the original proposition and to its continuity over the years. The United Nations was the ultimate dream of President Roosevelt, and his Secretary of State, Cordell Hull. Its successful initiation was dependent upon the forceful leadership of President Harry S. Truman and its continued dedication to principle has been furthered by the influence of such eminent statesmen and Henry Cabot Lodge and Adlai Stevenson. It is also indeed encouraging to observe the caliber of men such as Dag Hammarskjold and U Thant that have been selected to lead this body. Men of character and extreme competence who spare neither themselves nor their efforts in their dedication to mankind.

Much has been done, but much more is left to do. In an age of nuclear power and space exploration, the world looks to the United Nations and the United Nations must look to itself. Whether or not the principles of nonaggression, peaceful cooperation, self-determination and national integrity will become a reality is the burden which now rests on this organization. The world now awaits with apprehension and yet hope that the United Nations along with divine guidance can bring all men and all nations to the realization of the necessity of an honorable and lasting peace. In this light history will judge the United Nations and let us pray, for that we must, that it will be successful in the awesome endeavor.

Mr. HALPERN. Mr. Speaker, I rise to extend my warm-hearted congratulations to the United Nations on its 20th anniversary.

This international organization, through its various agencies, has done much in its 20-year history toward furthering the cause of peace and improving the material and social well-being of the world's peoples.

To further world peace, the U.N. undertook in 1950 the job of repelling Communist aggressors from the Republic of Korea. The success of this operation is attested to by the fact that South Korea exists today as a free and independent nation.

Other U.N. peacekeeping efforts have included the halting of hostilities during the Suez crisis, the ending of anarchy and mass blood-letting in the Congo, and the stoppage of shooting between rival factions on Cyprus. While such operations, it is true, have not settled the underlying problems in each of these areas, they have prevented these local conflicts from escalating into worldwide holocausts. And for this, we must all be grateful.

Such peacekeeping operations are but one part of the U.N.'s job; equally important part is the betterment of the world. To achieve this aim, the U.N. provides invaluable assistance to the world's underdeveloped countries. Such aid programs teach these nations to improve their educational systems, to introduce modern scientific methods of farming, to conserve and manage their natural resources, and to solve their food, health, and population problems. In addition, the U.N. runs various refugee programs and also provides aid to homeless and impoverished children all over the world.

The U.N. is an extremely worthwhile organization. Its peacekeeping and humanitarian efforts are a blessing to all mankind. This organization deserves and, I hope, will continue to receive our solid and everlasting support.

Mr. WILLIAM D. FORD. Mr. Speaker, we are about to mark the 20th anniversary of the signing of the United Nations Charter. I think it is appropriate that we take notice of this significant event in the history of mankind. Although the United Nations has not, perhaps, fulfilled all the hopes that were expressed in San Francisco 20 years ago, it has certainly been a valuable instrument for world peace and cooperation.

THE UNITED NATIONS

This month has brought about a welcome increase in attention to the achievements, as well as the problems, of the United Nations. On June 3, 1965, the Senate consented to the ratification of the first two proposed amendments of the United Nations Charter, increasing the membership of the Security Council from 11 to 15 and that of the Economic and Social Council from 18 to 27. On June 15 the Special Committee on Peace-Keeping Operations, which had been meeting since March 26, reported that more time was needed to find a solution to the financial problems resulting from the refusal of some nations to pay their assessments for peacekeeping. On June 26 the 20th anniversary of the signing of the United Nations Charter in San Francisco will be commemorated.

Through each of these events there has been the constant recognition that the United Nations is a vital part of today's world. It has helped to preserve or restore peace in many crises, such as Kashmir, Palestine, Korea, Suez, the Congo. Even in crises in which the United Nations did not undertake peacekeeping operations its existence has enabled the nations concerned to meet quickly for discussions in the tempering presence of nations which were not directly involved. Its important role in the time of crisis is not the only way that the United Nations makes an essential contribution to peace, however. Equally important is the cooperation which it promotes among nations in hundreds of different fields covering almost every aspect of international life.

In the effort to bring about economic development of the less developed areas, for example, the United Nations has launched the development decade to encourage members to intensify their efforts to speed up progress toward self-sustaining economic growth, and to provide a new impetus and coordination for national, international, and private assistance. During 1964 it sponsored the United Nations Conference on Trade and Development, with representatives of 119 states participating, to deal with the problems of international economic cooperation.

As another example, in the vast and important area of outer space the United Nations has already helped lay the foundation for promoting peaceful cooperation in its exploration and for developing international law to deal with its problems. In 1961 the General Assembly approved a resolution recommending the principles that international law, including the United Nations Charter, applies to outer space and celestial bodies, and that outer space and celestial bodies are not subject to national appropriation. In 1963, the General Assembly adopted another resolution against the orbiting of nuclear weapons in space. In addition, the United Nations has undertaken valuable activities such as the maintenance of a registry of space vehicles launched by all nations, and the encouragement of a worldwide program of weather research and forecasting based on data obtained from satellites as well as conventional sources.

These are only samples of the cooperation which has been encouraged by the United Nations in its 20 years. It is fitting that 1965 has been designated International Cooperation Year, in honor of the 20th anniversary of the United Nations, to encourage a full assessment of the scope and value of international cooperation. We look forward to the White House Conference on International Cooperation which the President will convene in November to take stock of past international cooperation and chart the course of continuing efforts.

Meanwhile, as the United Nations enters its 21st year, I would like to express my appreciation for the substantive contributions it has made to keeping the peace, for the practical assistance it has given to nations in their daily efforts to promote the welfare of their citizens, and for the moral leadership it has steadily exerted. It is my hope that before the 20th session of the General Assembly convenes, a resolution to the financial problem will have been found and the organization will be able to move ahead to new achievements.

Mr. CLEVELAND. Mr. Speaker, 20 years ago the United Nations came into being, invested with the hopes of men weary and torn by the most devastating general war in history. Since then, the roster of member nations has doubled and much has changed. Great strains threaten to rend the U.N., reflecting the strains within the international community. If there is trouble in the United Nations, and there is, it is not basically because of inherent defects within the structure. It is because of the failure of the membership to make it work. Fundamentally, the structure of the U.N. is sound and it would work if the members chose to make it work.

We in New Hampshire have a special interest in the United Nations because, in 1945, the question of whether the United States should endorse the proposal for the U.N. was put to the voters in the spring town meetings. It won overwhelming approval and this was, I believe, the only time when the question was put directly to the people anywhere in the country. In addition, the United Nations Building itself contains a quantity of New Hampshire granite.

As we reflect on the past 20 years and endeavor to fathom the future, let us salute the United Nations for its past accomplishments and strive to correct its faults. Its success is dependent upon the goodwill of men and nations. Let it not fail because of any lack of goodwill on our part.

Mr. FARBSTEIN. Mr. Speaker, it is with great pleasure that I rise to compliment the United Nations, which is celebrating its 20th anniversary this year. From its earliest inception, the U.N. has worked hard to achieve the primary objective of the charter—"to maintain international peace and security." The path has not been easy; an organization made up of sovereign states can move only in the direction and at the pace that its members want to move. Ideological differences between East and West, marked contrast in social and economic conditions between North and South, have been persistent obstacles hindering the effective workings of the organization.

And yet, the United Nations has served well the cause of world peace and progress. Through the United Nations, the members have acted together to avert war on at least a dozen occasions.

In Kashmir, the United Nations obtained and still polices a cease-fire line running through a bitterly contested area. In Suez, the United Nations deployed an emergency force which enabled the respective national military forces to withdraw. In Korea, the U.N. stopped aggression through collective military action and forced the aggressor north of the 38th parallel. Further, the United Nations Korean Reconstruction Agency help Korea to rebuild its economy.

In the tense moments of the great powers' confrontation over Cuba, the U.N. provided a worldwide forum for presenting the U.S. case and for mustering world opinion; the Security Council discussions provided a "cooling off" period. Later, the United Nations assisted in the removal of Soviet missiles from Cuba.

Without the United Nations, there would have been no international platform from which nations could communicate with each other and negotiate their grievances.

Today, the smallest nation can be heard as loudly as the most powerful. The United Nations serves simultaneously the large and the small, the rich and the poor—for the peace of one nation is but a part of world peace.

At the same time, the day-to-day objective of the United Nations is directed overwhelmingly toward creating conditions which make the peace worth keeping. United Nations experts are now at work in 13 countries or territories bringing modern knowledge and technology to bear on the universal struggle to liberate man from the slavery of poverty. The U.N. is in partnership with 89 nations and territories in cooperative preinvestment projects—surveying resources or training men and women in modern skills. The development lending institutions affiliated with the U.N. have been investing some $1 billion annually in world development. Many international institutions have been created in the last two decades within the framework of the United Nations to meet the varied needs of states and their people. There is not only the United Nations, but UNESCO, UNICEF, the World Health Organization, the World Bank, the Food and Agricultural Organization, the Trade and Development Conference and others.

Thus, through peacekeeping, through nation-building and through international technical services, the U.N. serves its members. In so doing, the organization serves the national interest of the United States; it helps us to do things we could not so well accomplish alone and encourages other nations to share the burdens. That is why consistent and effective support of the United Nations has been near the heart of U.S. foreign policy for two decades; that is why the Congress and the public, regardless of politics or party, have been ready to cooperate with the United Nations.

I have supported this organization since its inception, and as a member of the House Foreign Affairs Committee, have personally witnessed its valuable role in preserving the independence and stability of numerous nation states. In February of this year, I submitted a concurrent resolution reaffirming the continued faith of the United States in the growth and strengthening of the United Nations. I believe, Mr. Chairman, that the United Nations offers our most hopeful channel for finding reasonable and just solutions to pressing world problems.

The limitations of the United Nations are apparent. It has not been able to prevent aggression in southeast Asia, it has not been able to rid the world of poverty, nor has the United Nations been able to solve all of its internal problems. However, it is not the charter that obstructs the way to peace. The charter sets forth a few basic principles, but leaves to successive generations who will live under it the responsibility of finding suitable means of carrying out those principles. The charter is not a self-operating mechanism. Its operation depends not so much on the words of the charter as in the way member states exercise their rights and meet their responsibilities.

It is not the lack of power which stands in the way of the realization of the promise of the United Nations. It is the lack of genuine effort on the part of the member states to develop processes and procedures for the peaceful settlement of disputes among states.

Our late President John F. Kennedy has said:

> Peace does not rest in the charters and covenants alone. It lies in the hearts and minds of all people.

Without the wholehearted commitment of all people, no pact, no treaty, no international organization can hope to succeed.

In this nuclear age, it is imperative that we move closer and closer to mutual understanding and cooperation among all nations. Although in its 20 years of existence, the United Nations has not at all times lived up to the expectations of its creators, its future is bright. "We support the United Nations as the best instrument yet devised to promote the peace of the world and to promote the well-being of mankind" said President Johnson when he addressed the United Nations General Assembly in December 1963.

I join him and urge all mankind to join with us in our effort to sustain this magnificent organization for its self-preservation.

Mr. DERWINSKI. Mr. Speaker, unlike some groups, I do not advocate that the United States get out of the U.N.

I do advocate, however, our foreign policy administrators providing leadership for that body.

In this era, we are reviewing 20 years of the U.N. One of the most practical and objective commentaries is contained in the Thursday, June 24 edition of the Chicago Daily News, which I submit for the RECORD:

THE UNITED NATIONS AT 20

> There have been better times than now for celebrating the United Nations. But since a 20th anniversary can't be postponed, the festivities in San Francisco will proceed with everybody putting the best face possible on the affair.
>
> It takes no great powers of analysis to deduce that the United Nations at age 20 has not fulfilled the promise of the infant. It has grown physically—from 51 members to 114—but at an age when it should be at least approaching maturity it appears to be stalled in an unhappy and unending adolescence. It is deformed, weak, surly, flat broke and afflicted with schizophrenia.
>
> Yet the astonishing thing is that not only do its parents still love it, but so do the nations which have added to its growth over the years. And for a very good reason: It's all we've got.
>
> Looking back at the environment in which it has grown, perhaps the biggest wonder of all is that the United Nations has survived in any form. In spite of the cold war, nuclear threats, walkouts and such virulent illnesses as Korea and the Congo, only one nation—Indonesia—has left the Organization in those 20 years.
>
> The present crisis may not be the worst it has faced, but it is bad enough. With the Communist nations, France and a few others refusing to pay their assessments for peacekeeping operations, the United Nations is living on borrowed funds. The last meeting of the General Assembly was a no-vote fiasco and the next could be the same unless some way out of the stalemate is found.
>
> Britain and the Scandinavian countries have started a voluntary subscription list with pledges of more than $17 million, and it is generally expected that President Johnson will put the United States down for a sizable sum when he addresses the ceremonies this weekend. The hope is that Russia will do the same, sooner or later. Somewhere along the line, everyone will quietly forget that Russia and the others are welshing on a debt declared legal by the World Court, and the United States will no longer insist that Russia be denied a U.N. vote if it doesn't pay up.
>
> The whole procedure of passing the hat and bending the rules is degrading the world organization and trimming still further the limited power it was beginning to develop as a peacekeeping force in the world. Yet if the only alternative is the breakup of the U.N., the choice will doubtless be made to save it. We have nursed the U.N. too long to abandon it now. The hope born in San Francisco 20 years ago may be dimmed, and the organization today nearly unrecognizable as the same one, but hope and an organization do still exist.
>
> There is a forum to which the quarrelsome nations of the world can bring their grievances. There is a place for the exchange of ideas and for the venting of pressures which otherwise could build to the blowoff point. A great many things which never make the headlines are done in and by the United Nations that could never be done without it.
>
> Far too much was expected of the U.N. when it was born. And in the frustration over its failures, too little attention is paid now to the broad network of services it provides in the nonpolitical fields. If the anniversary celebration serves to bring better perspective, and teaches us to appreciate what the U.N. is, as well as disabuse us of what it is not, some portion of the expectations of 20 years ago may yet be realized.

Mr. MOORHEAD. Mr. Speaker, 20 years ago this week, delegates representing 50 nations met in San Francisco and drafted the United Nations Charter. Dedicated to the peaceful resolution of conflict, to the preservation of fundamental human rights, and to the search for economic and social progress, the United Nations was born in a postwar milieu of hope and common purpose.

This organization—this international experiment in the rule of law and conciliation—has sought to institutionalize mankind's dream for a lasting world peace.

In this 20th anniversary year, however, it is apparent that the United Nations has fallen short of its founders' hopes.

Its principal accomplishments have been in the fields of health, agriculture, child welfare, and technical aid. I am sure that even its detractors would concede the extent to which the United Nations has assisted the underdeveloped nations in the cyclical problems of poverty, hunger, disease, overpopulation, and illiteracy. Through the herculean efforts of its specialized agencies, the United Nations has given new hope and a sense of human dignity to the less fortunate peoples of the world community.

I regret to say, however, that the United Nations has been far less successful in the all-important area of peacekeeping. For as Max Frankel has noted, the Great Powers have been eager for the United Nations to take action only when they have been confident of controlling that action. In short, the Great Powers have been singularly unwilling to entrust matters of vital national interest to the world organization. As a consequence, the United Nations thus far has been unable to develop into a sufficiently viable and effective instrument of collective security.

Most recently, the Soviet Union and France—in flagrant disregard of article 19 of the charter—have flatly refused to pay their assessments for U.N. emergency force operations in the Congo and the Middle East. The 1964 session of the United Nations did not deal directly with this problem, and as a result the organization now finds itself some $108 million in debt.

Admittedly then, the United Nations is vulnerable to criticism. But I would remind the critics that by its very existence the United Nations has performed a valuable diplomatic function. It has made possible public debate and private discussion among nations. Indeed, it has been the scene of important negotiations, notably during the Berlin blockade of 1949 and the Cuban missile crisis of 1962.

The United Nations, furthermore, has provided the organizational framework for mediation in crises such as those in Indonesia, Palestine, Egypt, the Congo, Cyprus, and Yemen.

It is easy for irresponsible critics to point cynically to the United Nations' shortcomings; but it is far more difficult and infinitely more worthwhile to offer solutions to those problems which confront the world organization in this its 20th year. For not unlike any 20-year-old, the United Nations is undergoing a formative stage of development, a time for growth and maturation.

But the United Nations cannot possibly grow and mature in an atmosphere of doubt and despair, amidst the politics of pessimism.

On Friday, June 25, in his San Francisco address, President Johnson voiced his support for the United Nations. I am proud to say that I share with the

President of the United States "confidence in both the future of these United Nations and the fate of the human race."

GENERAL LEAVE TO EXTEND REMARKS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks in the body of the Record during the debate on House Joint Resolution 541 and include extraneous matter.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

NATIONAL RECOGNITION OF FIREMEN

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Callaway] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, I am sure that each of us is aware and thankful for the courageous and selfless service rendered to our communities by our Nation's fire departments. Yet it was recently brought to my attention that while we set aside so many days and weeks to celebrate our Nation's institutions, none has been established to show our honor and appreciation to these heroes. Therefore, the membership of Moose Lodge 1166 of Columbus, Ga., has suggested to me that we set aside established dates as "National Firemen's Appreciation Week" and "National Firemen's Memorial Day." I ask unanimous consent, Mr. Speaker, to insert in the Record the resolution sent to me by Moose Lodge 1166 which ably states the case for national recognition of firemen, and I wish to add to their excellent plea that because we owe so many American lives to firemen's courageous service, I feel that as a Nation, we can do no less.

A Resolution

Whereas the membership of Moose Lodge 1166 of Columbus, Ga., is cognizant of the heroism, devotion to duty, and selfless service rendered to the people of our Nation by members of the thousands of fire departments throughout the land; and

Whereas this lodge does not believe that these men receive either material benefits or public appreciation commensurate with the service they render; and

Whereas it is the feeling of this lodge that such appreciation should be expressed by no less a body than the Congress of the United States and no less a person than the President of the United States; and

Whereas it is felt that an appropriate manner to express such well deserved recognition and appreciation would be to establish the week of November 1, 1965, through November 7, 1965, as "National Firemen's Appreciation Week" and, further that November 1, 1965, be officially designated as the national day to honor those fire department members who have died in the line of duty: Now, therefore, be it

Resolved, That Columbus Moose Lodge No. 1166 does hereby respectfully petition the Honorable Howard Callaway, Member of Congress from the 3d District of Georgia, to introduce appropriate legislation and to take such further steps as are necessary to effectuate and establish the dates stated above as "National Firemen's Appreciation Week" and "National Firemen's Memorial Day," through the Congress and Office of the President of the United States.

Let a copy of this resolution be forwarded to Hon. Howard Callaway, Member of Congress, Washington, D.C.

C. F. Davis,
Columbus, Ga., Lodge 1166, Loyal Order of Moose.

WAR ON POVERTY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, we have been hearing a great deal recently about the escalation of war.

One kind of escalation we do not need is escalation of the war on poverty. And yet the Department of Labor apparently is determined on just that objective.

Agents of the Wage and Hour Branch of the Department have descended on 53-year-old Clarence Robinson, a Negro redcap at the municipal airport at Mobile, Ala., who has become a familiar and cheerful friend to many airport people over the years.

They evidently are about to require that Clarence meet Federal minimum wage requirements in his association with the two other redcaps at the airport.

The situation is described further in the following article from the Mobile Press newspaper of June 17, 1965:

Redcap Now Blue

(By Bill Sellers)

The powerful U.S. Department of Labor has unleashed its investigative guns against a most unlikely target in Mobile.

The Federal bureau's Wage and Hour Branch is moving against "interstate employer," Clarence Robinson.

Many Mobile air travelers will recognize Robinson, perhaps not by name, as the Mobile Municipal Airport "redcap" for the past 17 years or so.

CARRIES LUGGAGE

His "interstate" business is carrying luggage for travelers who have crossed State lines.

He works between the hours of about 6 a.m. and 3 p.m., after which time a couple of other "redcaps" take over.

And therein lies the problem between Robinson and the U.S. Department of Labor.

It seems that one day last week, Robinson was standing idly at the airport wondering if his tips that day would be enough to pay for filling a prescription in his pocket. Up walks this gentleman identifying himself as an agent of the Wage and Hour Branch of the Labor Department.

Robinson said the ensuing conversation went something like this:

Agent: "Mr. Robinson, I understand you operate this 'redcap' concession at the airport. Is that correct?"

Robinson: "Yes, sir; I pay the city $30 a month so I can 'redcap' out here."

Agent: "Do you work by yourself?"

Robinson: "No, sir; there are two other fellows who come on after I leave."

Agent: "Then they are your employees?"

Robinson: "Nope. I told them they could come out here and gamble just like me, but I didn't hire nobody."

Agent: "Gamble?"

Robinson: "Yes, sir; we gamble whether the people we help onto and off of the planes will tip us and we also gamble on the weather being okay for flying when we come out here. It's all a gamble and none of us are ever sure of any money at all."

Agent: "How much do these other men make?"

PAY HELP NEEDED

Robinson: "I don't know, I just hope that they are able to make enough sometime to help me pay off that $30 a month to the city."

Agent: "How much do you make?"

Robinson: "About $30 a week."

Agent: "I'll see you later."

The next day the agent returned to the airport with another agent as the probe deepened. Other airport employees and officials were quizzed.

The investigation concluded, apparently, with the labor investigators telling Robinson he had "hired" the men and since he was in the interstate business of hauling luggage from planes they must be paid minimum Federal wages.

MAY HAVE TO QUIT

The 53-year-old Robinson, if required to pay the $1.25-per-hour minimum, may be forced out of his "interstate" business.

He figures that the cost of paying the two other redcaps at the minimum wage will cost about $126 weekly which is exactly $90 more than he clears.

The Labor Department might suggest that he get in touch with the Small Business Administration.

"But all I do is carry luggage," Robinson laments.

Mr. Speaker, it is my hope that college students across the land will rise up in moral indignation and march in protest against this kind of escalation. The Department's action seems only to prolong the war on poverty by adding to the list of those who are poverty stricken.

If this is the way the Department of Labor operates, then we are really going to have a poverty problem.

Can it be that there are those in Government who really want everyone on the welfare list? Surely the Department of Labor must have something better to do with its time.

Rise up, students. Picket the Department of Labor in protest. Clarence Robinson is entitled to better treatment from the Federal Government.

THE DISTINCTION BETWEEN FREEDOM AND EQUALITY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, the U.S. News & World Report again moves forward the dialog on one of the greatest issues facing our society today; namely, that of race relations by publishing a recent interview with Dr. Eli Ginzberg, director, conservation of human resources, Columbia University, entitled

"Needed: 'Sense of Racial Pride,'" June 28, 1965, issue.

The consistent use of the question and answer technique in developing the dialog on public issues, particularly those involving controversy, employed by the U.S. News & World Report is something that all the news media should emulate. This technique permits the answerer to expose the rhetoric of the question as well as to employ his own rhetoric in the answer which the straight reporting technique does not permit and as a consequence frequently misrepresents the ideas sought to be expressed, sometimes intentionally because the art of rhetoric is so difficult that it lends itself to undetected insidiousness.

As usual, there is much that Dr. Ginzberg has to say in a relatively few words. Whether Dr. Ginzberg is happy with me as a disciple or not, the fact remains that never have I read an exposition of a difficult subject with which I was so much in accord. For further reference, I had occasion to place a previous article of Dr. Ginzberg in the CONGRESSIONAL RECORD on the same problem of race relations, February 25, 1964, volume 110, part 3, pages 3606–8.

I include the interview with Dr. Ginzberg to which I have referred in the RECORD at this point:

[From the U.S. News & World Report, June 28, 1965]

NEEDED: "SENSE OF RACIAL PRIDE"

(Interview with Dr. Eli Ginzberg, expert on racial economics)

(NOTE.—Dr. Eli Ginzberg is director of studies for conservation of human resources at Columbia University in New York City, and is a leading expert on manpower and on racial economics. Chairman of the National Manpower Advisory Committee, he is also consultant to many Government, business, and nonprofit organizations. He has written more than 20 books.)

Is the United States heading for allout racial conflict? Or does some sort of solution seem to be emerging after years of trial and error? Just how realistic is the idea of full equality for the Negro? Are there signs of progress? Can any solution be reached quickly? In what follows, you get answers from a leading economist, interviewed by U.S. News & World Report.

Question. Dr. Ginzberg, is any answer to the race problem in this country in sight?

Answer. Yes, I think so—though I'm both optimistic and a little pessimistic.

I'm optimistic enough to believe that the United States has really turned the corner on this problem for the first time in its entire history. We are now willing to accept the Negro as a part of our democracy, and this is the big thing that we weren't willing to do before. The polls show that southerners, as well as people in the North, have come to realize that the Negro must and should be accepted as a full-fledged member of American society in both the political and civic arenas.

Now, on the pessimistic side, I must add that it's going to take considerable time to bring about the effective integration of a large number of people who have had 350 years of inferior education, employment, income, and family structure.

Question. How much time, would you say?

Answer. It will take decades to wipe out the gross differences now existing between the average Negro and the average white.

Question. Are you able to visualize how this is going to come about?

Answer. There are two ways of looking at the process:

In the first place, part of the evening-out process already is underway with the development of a middle class of Negroes who have good education and good jobs and are beginning to be accepted by white society. I find this is to be true certainly in the North when I look at the colleges and at certain residential areas such as where I live, in which the apartment houses have Negro tenants—or when I see the increasing participation of Negroes in professional societies once limited to whites.

Second—and this is important—the middle-class Negroes are becoming much more sensitive than they were in the past to the problems of poor Negroes. They are becoming more aware of their responsibility to low-income Negroes.

I think this is going to be a major part of the answer to the race problem, because it reflects both a sense of racial pride and a sense of responsibility.

Question. Would you say that the middle-class or upperclass Negro now is finding many of his problems solved?

Answer. Yes, by and large. As far as I can see, there is almost no occupation closed to a Negro in the North today, and I think this will be increasingly true in the urban South.

In the city of Chicago, one-third of the Negro families have an income exceeding that of half the white families. Obviously, a fair number of Negro families aren't doing badly there, though, of course, they may have more than a single wage earner in the household. Negro families are doing just about as well on the west coast, where their average income is about the same as that of a white family in the South.

Question. Can these Negroes move out of the big-city "ghettoes" if they wish?

Answer. Increasingly so. My impression is that the suburbs around the large cities of the North, more and more, are accepting—if not exactly welcoming—Negroes who have the appropriate education and income.

Similarly, I suspect that the extreme housing shortage is over in most cities and that a family in Harlem which has the money can move to another part of town. Recently I read a report on housing in 10 midwestern cities which showed much the same thing for that area.

Question. Do these Negroes have a sense of belonging, do you think?

Answer. Oh, I'm very much impressed by the evidence that they have this feeling.

At the present time, I'm doing a study on the career plans of middle-class Negro youths in Atlanta and New York, and if you read my interviews with these youngsters without knowing they were Negroes, you would assume that they were white boys making their plans for the future.

I think few people realize that there are a large number of college-trained Negroes who are more middle-class in their outlook and pattern of life than many white Americans.

Question. You hear it said that one thing holding back a solution to the race problem is the lack of Negro businessmen and industrialists. Would you agree with that?

Answer. Well, increasing numbers of Negroes will be going into business, I think. On the whole, however, it seems to me that it will be more important for the Negro to become part of the corporate structure of America than to be a self-employed businessman.

Already, all of the large companies that I know anything about are very anxious to add qualified Negroes to their staffs for executive training programs, and so on.

FAVORING NEGROES IN JOBS

Question. Would it help solve the race problem to give preferential treatment to Negroes?

Answer. That word "preferential" is confusing. Here is what I think: Nobody ought to be asked to hire or promote anyone who can't do the job. You're not doing the applicant any real good, and you're not doing your organization any good.

On the other hand, you can make minor adjustments at the margins, so to speak. For instance, we have long followed a policy in our graduate school of business of accepting any Negro applicant who we thought could do the work—without asking whether he was equal to or better or worse than a white student.

Now, I know of several large companies that are beginning to think in the same terms. They have defined realistically what it takes to do certain jobs and, if a Negro applies for one of those jobs and can meet their standards, he will get the job. They believe he is entitled to it, because for so many years he was not being hired.

In other words, the question becomes: "Is he fully qualified?" instead of, "Is he best qualified?". This, I think, is sensible, because often we don't really know, and cannot objectively determine, what is "best."

Similarly, I think we have to be practical in considering in what other ways we can help the Negro's advancement. For instance, it surely is a good idea to move Negro youngsters out of their neighborhood schools and into schools in white neighborhoods when places are available. But I'm not in favor of sending elementary school children hither and yon over the city just to achieve integration. I have never thought that anybody would become educated in a bus.

Question. From what you say, it seems that the race problem is going to center increasingly on Negroes in the slums. Is that it?

Answer. I think so. It is pretty well known that the disparity between the average annual income of Negroes and of whites has been widening, not narrowing, since 1954, because jobs just haven't been as available for unskilled and semiskilled Negroes as they were during the boom years of World War II and the Korean war.

Then, too, a fair number of Negroes have lost the relatively high-earning jobs they held in industries which have been hard hit by technological change—meatpacking, rubber making, and so on. Their education was so limited that they couldn't fit themselves readily into a new field.

Of course, professional employment in our economy is expanding rapidly, but this requires a college education, which most Negroes have not been able to pursue.

Question. Is it going to take permanent prosperity, then, to solve the race problem?

Answer. Certainly we are going to need a strong and high level of employment. It seems to me that more progress was made toward a solution of the race problem between 1940 and 1955 than in all the years before. And this was primarily because so many Negroes had a chance to get a decent job, earn a decent living, and become part of the middle class.

Question. But where can enough jobs be found for unskilled or semiskilled Negroes?

Answer. It's going to be difficult—even more than many people realize.

You see, while Negroes represent only about 11 percent of our total population, they will account for about 16 percent of the young people reaching the age of 18 during the next few years. And they will account for a somewhat higher percentage of the youngsters coming onto the labor market at

18, because white youngsters tend to stay in school longer.

Question. So these Negro youngsters lack skills—

Answer. That's the trouble. The bulk of them will be unskilled or semiskilled, because among Negroes as among whites, the birth rate tends to be higher in poor families, where educational levels are likely to be lower.

We are reaching a point where we can have prosperity in terms of gross national product or high corporate profits, or even in total job openings, and still have more and more unemployment, not only among unskilled Negroes but among unskilled whites.

Question. Is this problem of unemployment a danger element in the race question?

Answer. Certainly it is crucial. But I think that a good deal can be done to lessen the problem.

One solution would be to provide all kinds of training and retraining for these young people. The war on poverty is moving in that direction. I'm reasonably hopeful about the results. In World War II we trained in the military about a half million young people who were illiterate and, as I recall it, about 80 percent or so were able to perform quite well at a modest but satisfactory level.

Then, we might work out some arrangement with private employers so that they pay the minimum or going rate for unskilled labor at jobs that need doing but where the handicapped applicants cannot at present meet the minimum standards of output.

Question. Would this be a subsidy?

Answer. Yes—and I would prefer this to something like the old Works Progress Administration, because private employers might provide better management skills, which might assure better performance from the workers. But the Government may also have to become directly involved in job creation.

Question. Might wages of other workers tend to go up as a result?

Answer. Well, we have to experiment. No one has the answers at this moment; we will just have to run some risks in trying to fit these handicapped people into the economy, because continuing merely to hand them welfare checks will make them a hostile element.

Question. Could something like a race war develop in America, if poverty grows among Negroes?

I doubt it. The color factor has long been so dominant in the Negro's situation that we tend to ignore all the points of similarity that exist between people who are black and those who are white. In other words, I expect that Negro and white members of business and professions—people who have the same educational background, who belong to the same occupations, and so on—will tend to come together and to have a somewhat collective interest.

Looking at it another way: I also expect that there will be more and more of a sense of identity between poor whites and poor Negroes who will come together to put more and more pressure on the Government to get what they need and want.

Question. Is there any chance, do you think, of conflict developing between poor whites and poor Negroes?

Answer. Very little, I'd say. I think their common interests—education and jobs—will tend to overshadow whatever hostility exists between them at the present time.

Question. Is education going to be an important answer to the Negro's problems?

Answer. Yes—but not just in terms of going to school and college. After all, the child is educated in basic social attitudes during the first 4 years of his life within the family. This presents another problem we will have to deal with: the home where the father is gone or unemployed, where the mother is out of the house earning a living, and where the children tend to be neglected and on the streets for many hours every day.

One of the bad results of chronic unemployment, incidentally, is what it does to children. Many years ago, I did a study on long-term unemployment among Welsh coal miners. I found that it not only demoralized the older generation but that the children grew up without knowing what work means and without any orientation toward the notion of having to earn one's own livelihood. In 1940 and 1941, I made a similar study in New York City, and found the same results.

That is why I think it is extremely important to reach these children in their earliest years, and I'm hopeful that projects like the "Project Head Start" which is beginning this year in New York City and many other cities will be able to give preschool children from deprived homes some of the orientation they need.

Question. Where is the race problem likely to be solved first—in the North or in the South?

Answer. The problem is different in each of those places. In the North, to a very large extent, you have the problem of unemployed youth. In the South, the conflict is still not resolved with respect to political and civic rights, in addition to educational and employment problems.

Actually, the big distinction is not between North and South but between urban and rural. Of course, the North does not have any rural Negroes, so the big lag that I foresee will be in the rural South, though even that area is changing rapidly as road systems develop, factories come in, and people move around.

WHERE LAWS CAN'T HELP

Question. Will more laws help?

Answer. In a broad sense, no, and here I make the distinction between freedom and equality. Laws help most with freedom.

Very shortly, the Negro in most or all parts of the country will have his political and civic rights. These are a precondition for enjoying equality of opportunity. But a democratic society doesn't promise anybody that he will be the equal of others. All it promises is that he will have equality of opportunity. A large number of Negroes will avail themselves of their new and broadened opportunities. Others will not take advantage of them, or will not know how to take advantage of them.

And this is going to create an entirely different situation from the one that we have been going through, as the Negro fought for and secured his freedom. The struggle for equality will, I believe, prove more difficult—or as difficult—but I am sure it will not take over 300 years, as it did to secure his freedom. How long it will take will depend first on how much help the whites will provide and, secondly, how well the Negro takes advantage of the help that is offered.

HOUSING AND URBAN DEVELOPMENT BILL

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. Berry] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BERRY. Mr. Speaker, the provisions for the rent supplements in the housing and urban development bill is a wild-eyed program. The Rules Committee should have refused the rule on this bill. It should never have been brought to the House floor.

This cornerstone of President Johnson's Great Society would discourage home ownership, destroy initiative, encourage waste, centralize too much power in the Federal Housing Administrator, and saddle the taxpayers with a new burden.

It is my understanding, Mr. Speaker, that under the provisions of the bill, Uncle Sam will pay that part of a tenant's rent which represents the difference between the fair market rental of an apartment and one-fourth of the tenant's income.

FARM PROGRAM

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LANGEN. Mr. Speaker, the U.S. farmer today is operating under a number of hardships. He is faced with low income, rising costs, and enormous investment requirements. Yet, despite these handicaps he provides the American consumer with the most dependable and inexpensive supply of food and fiber in the entire world.

Numerous Government agencies and programs have been established over the years in an effort to assist the farmer with his problems. Some have succeeded, but many have failed because of inadequacies in approach, design, or operation. It is shocking, however, to learn that a Goverment program has failed its intended purpose because the official who administers it has planned it that way.

Yet, hard as it is to believe, such is the case with the Commodity Credit Corporation program. Originally established to support farm prices and income, CCC is now being used to depress them.

Millions of dollars of needed farm income have been lost to U.S. farmers as a result of CCC dumping. Secretary of Agriculture Orville Freeman freely admits that he uses CCC sales to depress farm prices. His reason—to encourage voluntary compliance to his programs.

Mr. Speaker, the House Republican task force on agriculture has investigated this situation, and has determined that it is up to Congress to take corrective action. I include in the Record the task force statement and recommendations on this subject:

Commodity Credit Corporation Resale Prices

(Statement by the Republican task force on agriculture of the House of Representatives, on June 21, 1965)

We, the members of the House Republican task force on agriculture, strongly urge that Congress act to strengthen farm income and raise farm prices by increasing the minimum resale price of the Commodity Credit Corporation. Such action would, in effect, raise the present ceiling on farm prices by prohibiting CCC sales until the market price reached a higher level.

It is our opinion that the present authority delegated to the Secretary of Agriculture has demoralized wheat and feed grain prices through wholesale dumping of Government-owned commodities in direct competition with producer marketings. We feel such authority should be sharply restricted and farm market prices released to move above present levels.

Market price rise if CCC resale prices were raised to 115, 120, or 125 percent of the loan rate.

	1965 loan	105 percent	115 percent	120 percent	125 percent
Wheat	1.25	1.31	1.44	1.50	1.56
Corn	1.05	1.10	1.21	1.26	1.31
Barley	.80	.84	.92	.96	1.00
Oats	.60	.63	.69	.72	.75
Grain sorghum	1.65	1.73	1.90	1.98	2.06
Flax	2.90	3.05	3.34	3.48	3.63

Specifically, we strongly support pending proposals which would substantially increase Commodity Credit Corporation's minimum resale price from the present level of 100 percent of the support price on feed grains (representing payment-in-kind certificates), and 105 percent on wheat, plus reasonable carrying charges. Increasing the minimum resale price could well achieve the following results:

1. Raise net returns to wheat and feed grain producers by 10 to 20 cents per bushel.

2. Substantial savings to the Government by greatly reducing transportation costs and elevator in-and-out charges which now accrue as a result of selling farm products with one hand and buying equivalent amounts through the storage loan program. As a result, this could provide a greater return to the taxpayer on his investment in surplus grains now owned by the Government.

3. The farmer would receive his increased income in the marketplace and not through a direct Government payment. This would result in less cost to the Treasury.

4. Tighter restrictions on CCC sales would give farmer-owned cooperatives and the private grain trade an increased opportunity to carry out their historic function as the buyers and merchandisers of the output from American farms. There would be added incentive for all segments of the trade to carry larger inventories of farm commodities, thereby reducing the Government's enormous storage costs. As an example of decreased activity in private grain market operations, USDA's Commodity Exchange Authority reports trading in wheat during the first 9 months of the 1964–65 crop year fell 41.3 percent below the figure for the same period a year earlier. Trading in oats was down 29.3 percent, in rye down 58 percent, and in flax down 92.3 percent.

FREEMAN REJECTS THE MARKETPLACE

Secretary of Agriculture Orville Freeman declared in a recent (Apr. 13, 1965) speech before a Kansas City farm conference: "It is both unfair and unsound to deny the farmer an opportunity to get a fair return in the marketplace as do other segments of our economy." In fact, however, this is only lipservice, for day after day the Secretary denies farmers that every opportunity through price-depressing sales of CCC commodities.

The Secretary should be reminded that exactly 1 week before making that Kansas City speech he appeared before the House Agriculture Committee and referred to CCC feed grain sales in 1961–62: "* * * when we purposely sold in order to move our prices down far enough so that they would be way below the support level, the loan level, so that we could thereby get compliance. That was the whole intent and purpose and thrust of the program."

It becomes obvious that the Secretary has an aversion to higher farm prices if they do not come in the form of direct payments from the Government, as exemplified by his free admission that CCC sales of wheat and feed grains are being used to depress farm prices on the open market to force compliance with Government farm programs. The fundamental purpose of the Commodity Credit Corporation, "* * * of stabilizing, supporting, and protecting farm income and prices * * *," as expressed by Congress in 1948, has been subordinated and overshadowed by an objective which is clearly contrary to the intent of Congress and the American people, and is detrimental to the best interests of the farmer, taxpayer, and consumer.

MILLIONS LOST TO U.S. FARMERS

The House Republican Task Force on Agriculture has observed many examples of how the sale of Government-owned CCC stocks has become a gimmick for the purpose of artificially and arbitrarily depressing farm prices and lowering farm income.

Corn is a good example. Using figures obtained from Dr. Walter Wilcox, senior specialist in agriculture in the Legislative Reference Service of the Library of Congress, it can be estimated that in the absence of excessive CCC sales of Government-owned corn in the 1961–62 crop year, the value of corn sold from farms might have been $370 million greater. Total CCC sales of Government-owned corn in that crop year amounted to 975 million bushels, more than three times the amount sold the previous crop year.

TIMING A BIG FACTOR IN CCC SALES

However, it isn't only the volume of CCC sales that depresses farm prices. It also is a question of timing. As an example, from July to October of 1964, right at the peak of the new crop movement, nearly 50 million bushels of corn at 70 percent of parity, most of parity, in direct competition with producer marketings.

Since the beginning of the crop year last October 1, CCC has sold more than 350 million bushels of corn at 70 percent of parity, most of it for unrestricted domestic use. Secretary Freeman told the House Agriculture Committee on April 6 that such sales would not exceed 300 to 350 million bushels for the crop year, but CCC has already pierced that ceiling and continues to sell corn in heavy volume.

SECRETARY HAS POWER TO REVERSE SITUATION

The ironic part of it all is that the Secretary already has the authority to do what Congress apparently now must order him to do. He could shut off CCC marketings which compete with producer sales. He could, under existing law, raise the resale price on Government-held commodities to a higher figure—that is, if he wanted to. The law provides that the 105 percent of support level figure is only a base, not a maximum. Market prices for wheat and feed grains would rise automatically by 10 to 20 cents per bushel.

Most farmers and their organizations favor a higher resale price for CCC-owned wheat. Congress must act to protect them from the follies of Secretary Freeman and the Department of Agriculture. Therefore, we on the Republican task force on agriculture are asking for an increase in the CCC minimum resale price, forcing the Department of Agriculture to work for the good of the people they are pledged to help.

STOP AID TO THE UNITED ARAB REPUBLIC

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I was deeply disturbed to read in the press this week that President Johnson apparently has decided that it would be in the national interest to send the United Arab Republic $37 million in surplus farm products. He evidently is basing this decision on a State Department judgment that our relations with the United Arab Republic have markedly improved in the past 6 months.

In my opinion, this is mere wishful thinking.

President Nasser has repeatedly interfered to thwart U.S. foreign policy all over the world.

In the last 2½ years, Egypt has wasted more than $2 billion in fighting an aggressive war in Yemen.

Congress has written into law a provision requesting the President to cut off foreign aid to any country found to be an aggressor. Egypt has clearly been the aggressor in Yemen.

Finally, Nasser tells us to "go jump in the lake" with our aid and proceeds to sell 40 percent of his nation's rice crop to Communist China and Cuba.

Is our State Department unaware of the rice sale?

Is our State Department unaware that Nasser has asked the people of Egypt to tighten their belts to support his aggression in Yemen?

Is our State Department unaware of the reports that Nasser is now looking to Argentina and Australia to purchase food?

Mr. Speaker, last year $175 million worth of shipments were sent to the United Arab Republic. There is no indication that this was in the national interest. On the contrary, Nasser grew more militant, more insolent.

Our persistent policy of appeasement of Nasser has only led to increasing arrogance on his part, spreading aggression against his neighbors, and growing closeness to communism.

As I stated earlier this year, when the subject of aid to the United Arab Republic was discussed in this Chamber, I do not believe Congress should legislate the day-to-day conduct of our foreign policy.

However, I feel the administration's foreign policy should be subject to full and open discussion in Congress. I hope such discussion will take place regarding further aid to the United Arab Republic, and that my colleagues will join me in urging the President to withhold further assistance.

TESTIMONY ON H.R. 8995—SALARIES OF POSTAL AND CLASSIFIED FEDERAL EMPLOYEES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman New York [Mr. GILBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GILBERT. Mr. Speaker, I would like to call to the attention of my colleagues in the House my testimony before the House Post Office and Civil Service Committee this morning on my bill, H.R. 8995, to adjust the salaries of postal and classified Federal employees, and to urge support of this needed legislation to provide adequate pay with fair and equitable work standards and promotion schedules for our Government employee:

TESTIMONY OF HON. JACOB H. GILBERT, OF NEW YORK, BEFORE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE, SUBCOMMITTEE ON COMPENSATION, JUNE 24, 1965

Mr. Chairman and members of the committee, I welcome the opportunity to appear in behalf of my own bill, H.R. 8995, and identical bills, to adjust the salaries of postal and classified Federal employees.

I would like to say at the outset that I am pleased that President Johnson has made recommendations for a general pay raise for all Federal and postal employees. This action, unique in the administrations of the late President John F. Kennedy and President Lyndon B. Johnson, is a wholesome contrast to the approach of the White House in past years which has been to oppose all pay increases whatsoever, and to veto pay raises when Congress has approved them.

However, I do feel very strongly that the administration's pay recommendations are somewhat inadequate and, therefore, my bill differs from those recommendations in some important respects. I offer my bill as one which will adjust the pay of postal and classified civil service employees realistically and fairly. The administration's recommendation of a flat across-the-board 3-percent pay increase is not sufficient. It may be sufficient for those postal and Federal employees in the rarefied atmosphere of the higher echelons of the pay structure, but it is not adequate down in the middle and lower echelons where the vast majority of our employees work. My bill will give a 7-percent increase to those employees in level 4 of the postal field service, and in grade 5 in the classified service and will be somewhat more generous to the other levels and grades than would the administration's bill.

Mr. Chairman, I have received hundreds of letters this past week from residents of my congressional district—the 22d of New York—in support of my bill. Postal and other Federal employees have poignantly illustrated their financial plights—how impossible it is for them to meet increased living costs on their present salaries. Without exception, these letters have said the 3-percent increase would not be sufficient. Mr. Jerome Keating, of the National Association of Letter Carriers, pointed out to you that a letter carrier in step 1 would receive an actual take-home increase for a 2-week pay period of less than $5 under the 3-percent proposal.

Statistics show that the minimum annual income needed for a "modest but adequate standard of living" in New York City is $6,335. I know that in my congressional district in the Bronx, a large percentage of postal workers must hold extra jobs in order to support themselves and families. A larger percentage of postal workers hold extra jobs than any other category of workers; while 5.2 percent of all workers have a second job, 14.2 percent of postal workers must do so to maintain a decent standard of living.

The Federal Employees Pay Reform Act of 1962 included a pledge by Congress to grant true comparability with private industry. We are now 3 years late in keeping this promise. I feel that my bill would do this, whereas the administration bill would not. Postal and classified salaries are lagging 6 percent behind comparable rates for private industry. Civil Service Commission Chairman John Macy acknowledged before this committee that the 3-percent raise would not bring Government salaries in line with industry pay, simply indicating that the administration's proposal "would prevent the pay gap from getting any larger."

I have also inserted in my bill a provision that the pay structure of State governments, county governments, and city governments cannot be used in the computing of comparability for Federal and postal employees' salaries. In many States these local government salaries are far too low. Certainly they are far too low for valuable employments as a nationwide yardstick. It is obviously unfair to take the low-level wages that are paid in some communities and even in some State governments and make them a norm by which postal and Federal salaries should be measured.

The President's proposal for a Pay Commission to make reviews every 4 years is retained in my bill. However, I have eliminated the proposal for semiautomatic salary adjustments, unless Congress specifically were to disapprove it. I feel this is a wrong approach; it would leave Congress little decision in setting pay scales. The construction of pay scales should be a positive process, not a negative one, and it should be a prerogative of Congress. I feel that we as Members of Congress have an intimate and realistic picture of the economic conditions of postal and other Federal employees.

Also, Mr. Chairman, in my bill I would make the effective date January 1, 1965, not January 1, 1966. The figures on which the administration relied for its recommendations were compiled early last year. To make the pay raise based on those figures effective on January 1 next year would create no comparability whatsoever. It would bring the pay of postal and Federal employees up to where comparable wages in the private sector were 2 years ago. I feel that the intent of the Congress in the Federal Pay Reform Act of 1962 was to give postal and Federal employees contemporary comparability with private industrial workers, and my bill will do this.

If we are to obtain true comparability between the wages of Federal employees and private industry employees, provision should be made for these increases, when warranted, and effective retroactively to the time of the salary survey.

My bill will adopt, in principle, the so-called Dulski amendment which my colleague from New York tried to have enacted in the last Congress. This proposal is a just one and will permit postal and Federal employees to retain time credits which are now lost to them. When Public Law 87–793 was passed in 1962, employees who were about to attain a longevity grade were denied the increase and had to start a new anniversary date. In many instances this dropped them back with other employees several years behind them—some of them had been within days of securing these increases. Employees appointed prior to August 1962 would get credit for all the time served in determining within grade raises under my bill.

My bill would repeal the acceptable level-of-competence provision which was enacted in 1962. Under this provision a supervisor must certify that an employee's work had been of an acceptable level of competence before the employee can qualify for his periodic within-grade raises. This business of meeting acceptable standards of work sounds all very well, but we must remember that the determination must be made by an employee's supervisor. The present wording of the law creates a loophole through which many an injustice could penetrate the fabric of personnel management. A personality clash between a supervisor and an employee could result in the employee being deprived of his in-grade promotion unjustly. I think this "acceptable standard of work" provision makes many unhealthy conditions possible in the post office and Government offices, and I believe the best way to meet the situation is to eliminate the provision and make the promotions automatic. After all, if an employee is not meeting acceptable standards of work, he can be separated as incompetent. If the supervisor takes this course, the employee can defend himself through the appeals procedure. As it now stands, however, the employee has no real means of defending himself from possible vindictiveness and injustice.

Mr. Chairman, in addition to H.R. 8995 to provide salary increases, I want to call the committee's attention to other bills before your committee, which I have introduced in behalf of Federal employees, and to urge your early consideration of them.

H.R. 1020, providing for 30-year retirement without reduction in annuity; H.R. 1023 for an improved system of overtime compensation for postal field service employees; H.R. 1021 to eliminate the use of work measuring devices in the postal service; H.R. 2612 to liberalize the annuities formula; and H.R. 1019 to provide an allowance for work clothing of certain postal field service employees. I have also introduced H.R. 1013, which is before the Ways and Means Committee, to exempt from income tax the annuities and pensions of Federal employees.

In conclusion, Mr. Chairman, I want to say that, if we are to maintain a high level of efficiency in our Government service—if we are to retain loyal and dedicated workers and preserve employee morale in the Government—we have a definite responsibility to provide them with adequate pay and with fair and equitable work standards and promotion schedules.

We spend billions to close the missile gap, to lead the space race, and for foreign aid to improve the living standards of peoples around the globe. We must take action now to improve the living standards of our Federal employees.

VIETNAM POLICIES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PURCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PURCELL. Mr. Speaker, recently we have been hearing more criticism of our policies in South Vietnam, particularly from some of our college campuses. Seldom, however, do we have an opportunity to get the views of those who are paying the heaviest price, the American fighting men who are helping South Vietnam defend itself.

I was privileged to receive a copy of a letter written to the editor of the Denton, Tex., Record Chronicle by a resident of Denton serving in South Vietnam, Lones E. Taylor, AMH3, U.S. Navy.

I particularly want to call attention to his pointed question:

> We sacrifice everything dear to us, some even their lives. Is it too much for us to ask and expect that you at home have faith and back us just a little?

For us to fail to stand with this young man, those who serve with him, and the South Vietnamese, will only delay the time when we would be forced to call a halt to the expansionist policies of the

Communists in Asia. If we are to contain them, and we must do this sometime or perish, then we must recognize that although South Vietnam might not be the most ideal place for the confrontation, the time to make our determination clear to the Communists is now.

Americans like to win. This is our nature, and it is very difficult for us to live with a situation where we can foresee a long period of struggle ahead beset with so many problems. But, if we are to prevail in this conflict, we must realize these difficulties will be with us and we must recognize the need to continue to support our effort in South Vietnam.

I commend this letter to my colleagues:

A Letter on Vietnam

June 13, 1965.

Dear Editor: Whether or not you print this letter is up to you and your paper, but I feel I must write what I and many men over here in the Vietnam war feel.

As for myself, there were many reasons I stayed in the Navy (of which money certainly wasn't one) love of my home, family, and most of all, my country. I've never thought of myself as being very patriotic, but the more I read of papers back home, it turns my stomach to think that people can think so little of this wonderful country that we live in.

Among other things, the Navy has helped me to grow into a man and accept my responsibilities as a citizen of America, for which our forefathers fought and died so graciously and willingly.

Has everyone forgotten the basis that this country was founded on? Or don't they teach that in our colleges and universities today?

I have always regretted that I didn't attend college first instead of going into service, but now I'm not too sure. I would hate to think that I had the outlook on life and would so willingly turn down responsibility as students over the country today are doing.

They are making a mockery of everything that true Americans believe in today. When they protest the war in Vietnam and policies of our Government leaders by picketing the White House, burning their draft cards and doing many other disgraceful and unpatriotic things, it only shows their lack of learning and understanding. They don't care what they protest, or even care whom or what it hurts.

YOUTH WILL GOVERN WORLD

I realize they are only a small percentage of our young students, but if left to grow, could be our entire country, for the youth of today will govern the world tomorrow.

Most of this is caused by fear. No one wants war or to die in a far land that has little meaning to their lives.

This is not so. We over here know what we're fighting for. It isn't like the Korean war. We know now that we must fight communism anywhere over the world where it threatens free people that are depressed, poverty stricken and that are being eaten alive by the Communist machine. Not only for these reason but for our wives, families, and even our forefathers that have died before us.

We are over here now trying to do our job as we know it, but it is hard to have faith and fight for what we know to be right when people at home have no faith and aren't backing us as they should. Sometimes we wonder if you even care about us or yourselves.

Every day some of our shipmates fail to return to the ship (USS *Midway*), but they go each day knowing if they die we will carry on to win over communism in the end.

ONE LONE COMFORT

We left our comfortable homes, our wives and families to spend lonely, endless days at sea, our only comfort the fact that someday we'll be able to return in peace, for a while anyway.

We sacrifice everything dear to us, some even their lives. Is it too much for us to ask and expect that you at home have faith and back us just a little?

We are the ones fighting now and we're not complaining about it. Are people so afraid that they might be asked to fight a little for what (if anything) they believe in?

There isn't any one of us here who wouldn't like to change places with any student back home, but we believe in freedom. Doesn't anyone else believe in freedom any more?

Everyone wants peace, but to me it matters a great deal the price I have to pay for it. How can we expect to have peace and freedom at the expense of countries like South Vietnam if we turn our backs on them?

NO LONGER ANGRY

When I started this letter I was angry, but now I have compassion for those who believe that peace is good no matter what they have to do or what rights they have to give up to get it.

If we follow this line of thinking we'll soon have nothing else to lose and will be lost and buried by communism, because there will be nothing else to hope, believe, or fight for.

Has our morality dropped so low?

I've lived all my life in Denton prior to joining the Navy and I love the town and people. When this is over (the war), I plan to take my discharge with 6½ years' active service and return to my wife and children to take my place in a community that I'll be proud of.

I have heard of no such demonstrations from the campuses of Denton and this makes me proud and very happy.

If this letter serves no other purpose, I hope it will make a few people realize what I have tried to say and just understand a little of what is facing us.

We'll do the job. You just give us some support and we'll all be fulfilling our job. Give us back our faith in the American people again.

Respectfully submitted.

Lones E. Taylor, AMH3.

NEW YORK CITY IN CRISIS—PART CVI

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article which appeared in the New York Herald Tribune of May 3, 1965, concerning the Women's House of Detention in New York City.

The article is part of the series on "New York City in Crisis," and follows:

New York City in Crisis—Prison Report Attacked

(By Alfonso Narvaez)

New York City's Women's House of Detention found itself enmeshed in another controversy yesterday as Democratic members of the State and city government attacked Deputy Mayor Edward Cavanagh's recent report that charges of "snake-pit" conditions at the prison "were without substance." They called for continued investigation into conditions at the penal institution.

Assemblyman Joseph Kottler, chairman of the assembly committee on penal institutions, charged that Mr. Cavanagh's report, made public last Tuesday, was "totally inadequate and one sided." He said that despite the fact that overcrowding at the prison had been alleviated, "it is still a snake-pit."

Mr. Kottler, interviewed on WCBS–TV's "Newsmakers," said that he had the recorded testimony of four other former inmates of the prison who corroborated charges of rampant Lesbianism, rats, vermin, poor food, and humiliating internal examinations.

Mr. Kottler brought with him to the studio three women who had been arrested during a civil rights demonstration last October and who had been held in the House of Detention for 5 days.

After the telecast, the women charged that they had been subjected to inadequate medical attention and humiliating examinations and that they had seen Lesbian activity, rats, and other vermin.

TAKEN AWAY

Helena Lewis, 28, of 20 West 10th Street, said that they had been searched practically in public for narcotics. She said that everything had been taken away from them, including medicine that had been prescribed for her by her doctor.

One of the other women, a psychologist at a residence for neglected girls, said that one of the guards patted some of the prisoners as they waited for their examination.

Mr. Kottler said that he was hopeful that two State investigations would begin soon to look into conditions at the prison and others throughout the State. He said that he had sponsored legislation calling for the creation of a joint legislative investigation committee and that Speaker of the House Anthony J. Travia favored the proposal.

In a radio interview on "The WINS News Conference," city Councilman Paul O'Dwyer sharply criticized Mr. Cavanagh for his "political" report refuting charges against the prison.

"I would say that he was a less than impartial reporter in connection with that situation," Mr. O'Dwyer said. "Several of us intend to make an investigation or an inquiry of our own there in the coming week."

Mr. O'Dwyer said that the report by Mr. Cavanagh had been made to offset a damaging report by Herman T. Stichman, Governor Rockefeller's special investigator, and to "come in to sort of put up a defense."

DISCOUNT REPORTS

Mr. O'Dwyer said that he would discount both reports and rely on statements by Corrections Commissioner Anna Kross, who "for the last 12 years has been screaming that conditions are bad in the Women's House of Detention."

During the last 2 months more than eight women have complained publicly about their treatment at the prison and have testified before various investigating committees of the conditions there.

If the 3 proposed investigations take place, they will bring to 10 the number of committees that have probed into charges of overcrowding and homosexual activity first made public by an 18-year-old Bennington College freshman, Andrea Dworkin, who had been arrested during a pacifist demonstration and who could not raise $500 bail. She has recently been subpenaed to appear before a May grand jury investigating conditions and treatment at the 33-year-old prison, at Greenwich Avenue and West 10th Street.

The prison has been the target of countless investigations ever since it first opened "as the greatest step forward in prison history." The prison, originally designed to house 401 inmates, held as many as 650 when charges of "snakepit" conditions were aired last month.

As a result of Deputy Mayor Cavanagh's preliminary investigations more than 100 women were transferred to the top floor of the Brooklyn House of Detention, which usually houses only men.

At last reports, there were 450 inmates housed in accommodations for 457.

Reports of shocking conditions at the prison and the mixing of young first offenders and other persons not yet convicted of crimes with hardened female prisoners tend to highlight another apparent failure in the administration of New York City.

NEW YORK CITY IN CRISIS—PART CVII

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns the role that businessmen should play in solving some of New York City's problems.

The article is part of the series on New York City in Crisis and appeared in the New York Herald Tribune on May 4, 1965.

The article follows:

NEW YORK CITY IN CRISIS—DAVID ROCKEFELLER'S CALL FOR URBAN ACTION

(By Barrett McGurn)

David Rockefeller, president of the Chase Manhattan Bank, said yesterday that "private business" is the key to solving the crises threatening major cities from one side of America to the other.

Federal, State, and municipal funds combined will never amount to more than "seed money" in the face of the towering and multiplying needs of this country's great urban centers, the 49-year-old financier-philanthropist said.

For every dollar put up by Government, private business will have to raise five in order to assemble the immense sums needed, Mr. Rockefeller calculated.

Mr. Rockefeller made it clear that his analysis applied specifically to crisis ridden New York, the largest of the world's urban concentrations.

He spoke in Miami Beach to the 33d annual convention of the Edison Electric Institute. He talked of America's great cities and mentioned that success in this country in meeting the challenge would be a model for the whole planet. Mr. Rockefeller pointed out that the growth of city difficulties has been compared by the United Nations World Health Organization with war and peace as a foremost issue of the remaining 20th century years. He frequently cited the woes and efforts of New York in arguing his major thesis:

Business should shoulder its large share of the burden, but more favorable tax structures are needed as an inducement.

"The major investment must be underwritten by private sources.

"And to attract such substantial funds, we must take steps to make investment in urban redevelopment more appealing in competition with other opportunities.

"Modifications in some existing tax regulations, and the use of vehicles that would be free from some tax restraints, offer possible avenues of approach.

"Properly conceived, taxes can be made to stimulate growth as well as produce revenue."

LEADERSHIP

Mr. Rockefeller's comments were the latest contribution to a great public forum on the crisis of such areas as New York City, a colloquy which has mounted in intensity since the start of the continuing Herald Tribune series on "New York City in Crisis."

Like two other episodes, the formation of a Committee of 14 to cope especially with the New York blue collar job drain, and the creation of the Committee of 65 to combat the commuter rail crisis, Mr. Rockefeller's contribution was based on the prime assumption that business leadership must be part of any solution to the city's ills.

Mr. Rockefeller is a member of the Committee of 65. His Chase Manhattan board chairman, George Champion, is a key figure in the Committee of 14, and is immediate past president of the 197-year-old New York Chamber of Commerce, which sounded the first call for business leadership in tackling the difficulties of a city in crisis.

Mr. Rockefeller's comments were considered particularly significant because of his prominent position in New York civic and financial circles. He has often been suggested as a Republican candidate for mayor or as the leader of a businessmen's drive to combat New York's difficulties, but always has refused to join his brother, the Governor, in anything smacking of politics. Mr. Rockefeller is, however, president of the Downtown-Lower Manhattan Association, which has led the way in New York local reform by injecting hundreds of millions of dollars of new life into the once-fading Wall Street financial area.

Mr. Rockefeller made these remarks on the importance of the problem of the increasing urbanization of America:

"The United Nations World Health Organization declared recently that 'after the question of keeping world peace, metropolitan planning is probably the most serious single problem faced by man in the second half of the 20th century.' Indeed, it is a problem of such enormous magnitude, baffling complexity and immense diversity that it compels our attention and our energies.

"We are coming to realize the immense dangers of an uncontained population explosion and all this portends for inhibiting material progress. Now we must also acknowledge the dangers inherent in an uncontrolled population implosion, the tremendous influx of people into huge urban centers and the self-generating congestion of our cities."

STIMULATING NEWS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, we are all delighted with the President's act in signing the excise tax reduction bill on Monday. The following editorial from the New York Journal American of June 21, 1965, comments upon that and several other pieces of good news:

STIMULATING NEWS

President Johnson signs today the bill providing for $4.6 billion in reductions on excise taxes on a wide variety of consumer goods. It should be a vitamin shot to the economy.

The President estimates the bill will release about $1.75 billion in extra purchasing power during the remainder of this year, and another $1.75 billion next January when further excise cuts of $1.6 billion are scheduled.

Together with this development is the stimulating announcement by the President that the Federal budget deficit for the year ending June 30 will be about $3.8 billion—$2.5 billion less than his estimate last January.

For the most part the lower budget deficit is attributed to last year's cut in corporate and personal income taxes. Economists hold it has stepped up demand for goods and services, thereby increasing corporate and personal incomes and raising Federal revenues.

Other aspects of good news are:

The administration's program to cut the dollar drain of Government programs abroad has reduced the net balance-of-payment costs by 23 percent, or $635 million.

The Labor Department has reclassified 16 major manpower centers to categories denoting lower unemployment, reducing the number of substantial unemployment centers to the lowest since May 1957.

P.S. When the excise cuts on jewelry go into effect in 10 days you will be able to walk into Tiffany's and buy a 128-carat yellow Kimberly diamond, previously priced at $1 million, for a mere $900,000. Please don't rush.

THE ECONOMIC GROWTH AND PROSPERITY OF THE UNITED STATES AND OF SOUTH LOUISIANA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BOGGS. Mr. Speaker, I should like to follow my remarks of yesterday by speaking on the strength of our Nation's economic system and its present ecenomic growth and prosperity, which I think is solid and steady and devoid of excesses like those we witnessed in the late 1920's. I also will compare the general prosperity of our country with the tremendous economic boom now being enjoyed in my State of Louisiana, particularly in south Louisiana. To emphasize the prosperity in the Greater New Orleans, La., area and up the Mississippi River to Baton Rouge, it will be my distinct pleasure to insert into the RECORD a fine series of newspaper stories on the area's economic boom, written for the New Orleans States-Item by Mr. Robert Kelso, one of the best reporters and writers on the staff of my hometown's afternoon daily newspaper.

What do we see, Mr. Speaker, in our country today?

First. Fifty-two months of uninterrupted economic expansion and prosperity—the longest peacetime period of expansion in our Nation's history.

Second. A gross national product approaching $650 billion—seasonally adjusted—per year at mid-1965.

Third. An unemployment rate of only 4.6 percent, the lowest rate since October 1957.

Fourth. A record employment total in our country of about 72.5 million workers.

Fifth. A record employment in nonagricultural fields of more than 60 million.

Sixth. The average worker's pay climbed to a record $107.50 a week in the month of May—a new all-time high, and $4.50 a week higher than it was a year ago.

Seventh. Consumer spending, at a seasonally adjusted rate, reached $418 billion in the first quarter of 1965—a climb of $11.6 billion over the fourth quarter of 1964.

Eighth. Corporate profits after taxes reached an annual rate of about $36.5 billion for the first quarter of 1965, a gain of $4.6 billion over the previous quarter.

Ninth. Corporate profits before taxes in the first quarter of 1965 were running at an annual rate of $64 billion, a gain of $6.3 billion over the fourth quarter of 1964; and

Tenth. This month, the Department of Commerce has projected industrial plant and equipment expenditures for the full year 1965, to be about $50.4 billion, which is 12½ percent higher than 1964.

Mr. Speaker, these are some of the salient indicators of the splendid prosperity which America and its great people are enjoying today.

For the month of May alone, the latest month for which we have complete figures, there were continued advances in several spheres of activity.

Industrial production rose by five-tenths of a point to 141.3 percent of its 1957-59—100 percent—base. Since May 1964 the industrial production index has climbed by exactly 10 points. The Federal Reserve Board said this increase in May was due essentially to continuing expansion in the output of machinery and other business equipment.

In May, the production of business equipment rose by 2 percent to 153 percent of its 1957-59 base of 100 percent; every category of business equipment showed gains last month. The past year saw a climb of 11 percent in this area of economic activity.

Production of consumer goods increased slightly over April, and auto production and iron and steel production remained essentially at the April rates. The iron and steel industry had hit a record rate of production in April.

Mr. Speaker, what has brought about these economic advances and this steady, record period of 52 months of economic expansion? In essence, Mr. Speaker, our tremendous prosperity is due to the foresight of Congress in the past 4 years, coupled with the vision of Presidents Kennedy and Johnson, to provide our country—its business and industry, and its people—with new, imaginative economic measures and programs to stimulate the economy in its proper development.

These constructive, positive actions of the past three Congresses include passage of the Tax Revision Act of 1962, which provides, as its most salient feature, a 7-percent tax credit to American business and industry for investment in new plant and equipment; the Tax Reduction Act—both income and corporate—of 1964, and the 1965 excise tax reduction just signed into law.

These three tax cut laws are providing the American people with tax savings of almost $18 billion—approximately $11.5 billion of this total is included in the personal and corporate income tax cut; another $4.6 billion is the sum of reductions in various consumer excise taxes, and almost $2 billion is being provided to American business and industry as a tax credit for investment in new plant and equipment.

Under Secretary of the Treasury Joseph Barr has told me that the U.S. Treasury has realized a total of about $17.5 billion in the past 4 years, despite tax reductions of more than $17.5 billion in the same period. Mr. Barr also pointed out that in the 6-year period, 1955 to 1961, when there were no tax cuts enacted by the Congress, the Treasury's revenues increased by about the same sum of $17.5 billion. He cited this fact as a way of showing that instead of hindering the economy and its growth in any way, these income and consumer tax reductions are actually giving the Nation's economy a solid stimulus in the form of higher wages and salaries; more jobs; greater industrial production; more extensive investment by business and industry, and so on.

Mr. Barr also told me that if the Treasury Department's continuing liberalization of its depreciation allowances on industrial plant and equipment is added to the three large tax cuts, then the total tax relief approaches $20 billion.

The Under Secretary particularly praised the 87th Congress for its "bold and venturesome step of cutting taxes for the first time in the history of our country when we were faced with a deficit."

We so often hear, Mr. Speaker, talk of Federal intervention in the affairs of our State and local governments, or in the affairs of our individual citizens. Well, the fact is that reducing taxes is just the opposite from such an approach.

What the Congress is saying to the American people by these tax cuts is that we would prefer to have the private citizen, the private businessman or professional man, exercise a greater control over the money he earns and make his own decisions about what he wishes to do with more of his money. What we are saying is that too much of the gross national product of our Nation is going into the National Treasury, that more of it should go into the private citizens' pockets and the corporate treasuries.

In addition to these tax reductions, which are providing the principal stimulus to the prosperity of our Nation, there are many ancillary, but nonetheless salient, national programs which are adding their impact to the expansion of the economy and the progress of the United States. I refer to such positive programs as the Manpower Development and Training Act, which the 89th Congress has just expanded to provide more funds for trainees' allowances and a wider scope of training and job development in skilled trades; the Economic Opportunity Act—antipoverty program—which is attacking poverty throughout America in an extensive variety of educational and work training camps and schools, with emphasis placed on the advancement of the underprivileged youth of our country; the Appalachian Regional Development Act of 1965, which is designed to alleviate the heavy poverty in the Nation's 11 most depressed States through a concerted program of roadbuilding, mining area restoration, sewage treatment works construction, and vocational education expansion; the amendments to the Vocational Education Act of 1963, which is giving to more young people in America the opportunity to learn skilled trades so they can secure jobs in today's automated, technical world, and the proposed creation of a new Economic Development Administration to continue the work of the accelerated public works program and the Area Redevelopment Administration by aiding the areas of high unemployment and low income.

These are by no means all of the socioeconomic programs for progress which the Congress of the United States is enacting through the will of the majority of the American people. All of these programs, and others like them, are designed to help raise the economic, moral and social level of those Americans who have not been blessed with a fine family heritage, with dependable, responsible parents, and with an opportunity for a decent home and a good education. Those citizens who take advantage of these constructive avenues of advancement will better be able to enjoy the fruits of this great Nation—the most powerful, the richest, and freest country in the recorded history of mankind. In short, they can become responsible citizens who will be wage earners and taxpayers, and not "tax-eaters" on welfare rolls for the rest of their lives.

Along with the constructive actions which Presidents Kennedy and Johnson have proposed, and Congress has enacted, our country also is blessed more than ever before in its history with energetic, farsighted leaders in business, industry and in labor who are not indulging in the excesses of the past and who have placed the welfare of our Nation and the general welfare of the people above any narrow, or limited motives.

Furthermore, our business and industry executives of today are more cautious, more confident, and more imaginative men who formulate long-term plans for the future of their companies and industries and who understand that greater cooperation between business, labor, and government redounds to the greater benefit of all.

In other words, the attitudes of our business and industry and labor leaders are more positive and realistic, and as you know, Mr. Speaker, from our experience in the late 1920's and the great depression that followed, the attitudes and actions of the leaders of our country have a tremendous effect on the events which follow.

I would add at this point that the legislative actions of the Congress to safeguard against depressions in the future, and to foster economic growth and prosperity, have been accomplished without weakening our free enterprise system at all. In fact, if anything, our private enterprise system has been strengthened over the past 30 years through the increased cooperation between business, labor, and the national and local governments.

In my own area of the country, Metropolitan New Orleans and south Louisiana, we have entered an era of unprecedented boom.

In some spheres of economic activity, Metropolitan New Orleans not only is keeping abreast of the Nation's prosperity, but actually is moving ahead of it. The most significant example of the prosperity of the Greater New Orleans area lies in its record-low unemployment rate in the months of April and May 1965. The area now is enjoying the lowest unemployment rate since the end of World War II, and conversely, the greatest number of people employed, in its long and colorful history. In those 2 months, the unemployment percentage had dropped to 3.6 percent—a full percentage point below the Nation's rate of 4.6 percent in May. The only prior month to eclipse the present low rate was last December, when the percentage was 3.4.

Since 1961, when the average rate of unemployment in the New Orleans area was 7.1 percent, the reduction of unemployment in the area has been nothing short of phenomenal. In 1962, the percentage had dropped to 6.4 percent; and the next year, it was down to 5.3 percent. In 1964, the rate declined almost another percentage point to 4.4 percent. In the first 5 months of this year, the percentage has averaged below 4 percent.

Today there are almost 375,000 people gainfully employed in the four-parish area of Orleans, Jefferson, St. Bernard, and St. Tammany parishes, which make up the Metropolitan New Orleans area.

Furthermore, the average weekly salary for the New Orleans area has now reached $107.73, which is 23 cents above the national average announced earlier this month. A year ago in 1964 the weekly pay averaged $104.49, so that the workers in the area are enjoying a rise of $3.24 in the past 12 months. The New Orleans area also was ahead of the Nation as a whole in passing the $100 mark in its average weekly pay scale; this occurred in 1963. By the end of 1964, per capita income in the State of Louisiana had climbed more than 16 percent above what it had been in 1960.

In the sphere of unemployment, Louisiana as a whole also has seen a sharp decline in its unemployment rate since the advent of the Kennedy-Johnson administration in 1961. In the first year of the new administration, the average unemployment, as a holdover from the recession of 1959–60, climbed to 7.5 percent. The next year, it was down to 6.4 percent; in 1963, it dropped still further to a 5.5-percent average. Then last year, the average rate was down to 4.6 percent. For the first 5 months of 1965, the average unemployment rate has been a little over 4.5 percent; in April and May, the rate had dropped to an even 4 percent, and the outlook, except for the expected seasonal rise at the beginning of every summer, is that the downward trend would continue both in the State and in the Metropolitan New Orleans area.

As Mr. Robert Kelso writes in the second story of his series of articles in the New Orleans States-Item early this month, "Expanding industry in an area is the greatest launcher of the boom." And this is particularly true today in the Metropolitan New Orleans area and up the Mississippi River to Baton Rouge, the State capital.

In 1964, in the Greater New Orleans area, about $500 million was allocated for new or expanded industrial plants. In the previous decade, several billion dollars already had been spent to build new plants and expand existing ones, particularly in the petro-chemical industry.

I would be remiss, Mr. Speaker, if I did not point out the great work which Governor John J. McKeithen, assisted by the Louisiana Board of Commerce and Industry and the State department of commerce and industry, is doing to bring new industry into Louisiana. Governor McKeithen promoted the passage of two constitutional amendment proposals by the State legislature in its regular 1964 session, and these amendments were ratified by the people of Louisiana last November. These industrial inducement amendments provide, first, that all manufacturing establishments coming on the tax rolls at the end of the regular 10-year exemption period be assessed at not more than the average assessment ratio on all other property which is locally assessed within a parish; and, second, that the State legislature is authorized to grant tax credits to those Louisiana industries which use natural gas, a very vital form of fuel for industries in the State.

Governor McKeithen has augmented these legislative measures to induce new industry to come to Louisiana by traveling to many parts of our Nation to personally confer with industry executives and persuade them of the many advantages of establishing plants in the State. The Governor has proven to be a very fine salesman for Louisiana, displaying affability and charm, with a keen imagination and knowledge of the State's great potential. His efforts since his inauguration in May 1964 have borne fruit to the extent that 1965 may well be the record year in the history of Louisiana for the highest total of investments in new or expanded industry. At this point, Mr. Speaker, I should like to insert into the Record an impressive editorial from the New Orleans States-Item of May 11, 1965, which cites the high industrial investments in Louisiana in the first 4 months of this year. The editorial, "Louisiana Booms Industrially," follows:

Louisiana Booms Industrially

Although the figures on Louisiana's industrial boom don't agree in all respects, they do harmonize on the main point—that Louisiana is racing ahead to new records.

Investment in industry announced or granted industrial tax exemption from January through April hit $345.7 million. And that was beter than for the whole of 1964, according to William Hackett, executive director of the department of commerce and industry.

This 4-month growth, he says, already makes this year the second largest in State history, and by yearend the new investment could reach $600 million—the highest ever.

It was back in February that Gov. John J. McKeithen told an assessors' gathering that Louisiana's 1964 industrial expansion amounted to $500 million, which seems to dispute Mr. Hackett's statement that the first 4 months of 1965 exceeded all of 1964, which he reckoned as $324.8 million.

Anyhow, the 31 new manufacturing plants and 70 enlargements of existing facilities divulged in the period are expected to give 4,766 permanent jobs plus 12,000 construction jobs during plant erection.

Since about 40 percent of all last year's industrial investment in the State went into the Greater New Orleans area, it is anticipated that the proportion will hold for 1965 as well.

For pessimists, this will be a bad year as roseate predictions become reality.

There can be little doubt, Mr. Speaker, that the single industry which has contributed, and is contributing, more to the growth and prosperity of the Metropolitan New Orleans area than any other is the National Aeronautics and Space Administration plant at Michoud in the city of New Orleans. At that space installation, NASA is spending, principally through the plant's two prime contractors, the Boeing Co. and the Chrysler Corp.'s Space Division, more than $1 billion to build rockets which will help carry the Apollo spacecraft to the moon.

Just a few figures will show the tremendous impact to the New Orleans area of this NASA plant at Michoud:

First. Today there are almost 12,000 employees at Michoud and at the nearby telecomputing center at Slidell; their average wages are about $7,500 per year, so that the plant's annual payroll is approximately $90 million.

Second. There are some 27,000 people in the area with new jobs as a result of the space work at Michoud—12,000 at the plant itself; another 10,000 in retail establishments and other service businesses which serve the plant, its employees, and their families; some 5,000 in collateral industries which are doing subcontract work for the Boeing Co. and the Chrysler Corp., and another 1,650 who are doing construction work connected with the plant.

Third. There are 60,000 new residents in the area as a result of the reactivation of the Michoud plant in late 1961.

Fourth. There has been an additional $45 million in general construction in the area as a result of the operation of the Michoud plant.

Fifth. There has been a $2,433,800 increase in State and local sales tax revenues collected, and a total of $800,940 in State income taxes collected as a direct result of the new residents who have moved into the area to work at the Michoud plant or at some related subcontracting industry.

These are but a few of the vibrant indicators which reveal the powerful impact on the New Orleans area and south Louisiana from the arrival of the space age to the Crescent City.

My commentary would not be complete without reciting the great contributions being made daily by the oil and gas industry to the economy of Louisiana.

I quote from the latest issue of Louisiana Oil and Gas Facts, published by the Louisiana-Arkansas Division of the Mid-Continent Oil and Gas Association:

> Louisiana is more dependent on the oil and gas industry for its continuing economic strength than any other State in America.
>
> These industry contributions are a vital factor in Louisiana's everyday life:
>
> Almost $1 million in taxes and fees generated for the State of Louisiana every day of the year—more than one-half of all income from State sources realized by Louisiana.
>
> Almost $2 million invested every day in the cost of drilling and equipping oil and gas wells or drilling dry holes—the largest capital investment in the State.
>
> About $2.2 million is spent every day by Louisiana refineries for oil they process.
>
> Ninety-one thousand Louisiana citizens—one out of every seven covered by the employment security law—depend on the oil and gas industry for employment; many thousands of others profit from royalty income and leasing land for eventual exploration to operating companies.
>
> The impact of the industry is greatest in the coastal parishes, but spreads throughout 61 of the 64 parishes where production has been established, and is felt in the operations of the 67 school systems and all of the parish governments.
>
> The financing of schools and roads rests heavily on oil and gas.
>
> Three-fourths of the State's contribution to public schools for their operation comes directly from the oil and gas industry in the form of severance taxes on oil and gas, which are the highest in the Nation. Forty percent of the State's expenditures on higher education can be traced to taxes and fees provided by oil and gas.
>
> More than 90 percent of the money the State spends on roads is the product of motor fuel taxes or revenue from leases on State-owned land and water bottoms, generated by the oil and gas industry.
>
> In the 1964–65 fiscal year, Louisiana anticipates income of more than $350 million in taxes and fees from oil and gas sources; actual collections are certain to be somewhat higher due to sales of mineral leases in excess of amounts budgeted by the State. All parishes will share in these funds—10 percent of State-collected royalties in the parish, a portion of the gasoline tax, and up to $200,000 per year from severance taxes collected in the parish.
>
> Royalty road funds and severance taxes combined will total more than $15 million collected by the State and returned to parishes which participate in this income.
>
> All parishes also profit materially from property taxes paid by the oil and gas industry on production equipment, pipelines, processing plants and marketing properties. Pipelines and utility systems alone are assessed at more than $250 million by the Louisiana Tax Commission, and pay taxes on this valuation.
>
> The oil and gas industry in Louisiana has grown steadily in size and economic significance to the State over the past 20 years. Oil and gas production has more than tripled, with the State now resting securely in second place to Texas among the States in both production and reserves of petroleum.
>
> More significant is the steady increase in the percentage of money invested in Louisiana production and exploration operations—28 cents out of every dollar spent for that purpose. This investment is justified by the fact that, during the past 10 years, more than half of all the Nation's new supplies of oil and gas have been discovered in Louisiana.

These paragraphs from the seventh edition of Louisiana Oil and Gas Facts speak forcefully on the fantastic impact which the petroleum industry has had, and continues to have, on the economic growth and prosperity of Louisiana and all its people.

Mr. Speaker, I should like to conclude my comments on the present solid economic advancement and prosperity of our country and of south Louisiana by inserting in the RECORD the splendid series of stories by Robert Kelso of the staff of the New Orleans States-Item on the unprecedented boom which the people of the Metropolitan New Orleans area are now enjoying. His six articles published in the issues of May 31, 1965, through June 5, 1965, follow:

[New Orleans States-Item, May 31, 1965]

AREA INDUSTRIES SHATTERING RECORDS—NEW ORLEANS ENJOYING UNPRECEDENTED BOOM

(By Robert N. Kelso)

"Business," said the man at the chamber, "is so good nobody bothers to talk about it."

The visitor was an executive of one of the Nation's largest and most lucrative corporations, which long has made machines to keep money in and now manufactures computers.

Yes, a new tune is playing in New Orleans. One could properly call it, in country-Western vein, "Eatin' high on the hog."

Bankers and insurance companies, who seem to have most of the spare cash, are ladling it out in huge chunks around the country—including New Orleans—for enterprises that would have gotten the chill a few years back.

The new song in metropolitan New Orleans is orchestrated for wrecking ball, jackhammer, piledriver, and the delicate whine of the carpenter's saw.

Newspaper columns almost daily reveal new ventures in New Orleans building, manufacturing, and whatnot, where a million dollar investment is likely to border on the small time.

Witness:

Announcement of a $30 million luxury garden-apartment subdivision which Texas interests will build on a 100-acre tract in Algiers.

Opening of the first structures of a 300-unit spread of garden apartments on Veterans Highway.

Word that a 17-story "tower of glass" apartment-office building will be built, at an estimated cost of $3.5 million, at South Rampart and Gravier.

(This project follows the $13 million, 33-story Trade Mart Tower; the 45-story Plaza Towers office-apartment building; the 48-story Louisiana House apartment project, and the mind-boggling plans for a 72-story Place Vendome convention hotel.)

The same day as the 17-story glass tower was announced (May 7), the New Orleans Convention and Tourist Commission revealed that the new international convention facility, now just a hole in the ground but slated to go up alongside the Trade Mart Tower, already had bookings through 1972.

A few weeks earlier, tax writeoffs were approved for a $40 million electric generating plant in New Orleans East and nearly $13 million for expansion of a chemical plant in Jefferson Parish—not to mention a $75 million refinery to be built further upriver.

So it goes, with dozens of smaller industrial projects—some of which eventually may employ more permanent workers than the automated giants—too numerous to mention.

Meanwhile at Avondale shipyards, nearly one quarter billion dollars in construction contracts are being fulfilled. Avondale has been scooping in huge contracts, in clips ranging from $25 to $81 million, every few months for the past several years.

Then there's oil.

Louisiana's new finds in oil, gas and minerals during the past 10 years have accounted for 80 percent of the new hydrocarbon reserves in the United States. During the decade, Louisiana's increased production was 59 percent of the Nation's take from new wells.

Right now, 1.5 million barrels of crude are being pumped every day in the State, the bulk of it in south Louisiana. And 10 million cubic feet of natural gas is extracted daily.

What this means in gross income for the producers is a whopping $14 billion a year. (Crude is worth about $3.25 a barrel. Gas goes at 15 cents per thousand cubic feet. Value of distillates, side products of oil refining, is left out of the gross total here.)

Much of this money flows through New Orleans, either in the form of payroll or in oil company purchases of services and supplies. Whole industries based in Metropolitan New Orleans supply oilfield needs.

And there's the Michoud rocket plant—the big time operation which can be credited with giving our boom much of its initial steam. Michoud now has nearly 12,000 workers. They are carrying home $90 million, before withholding, in their pay envelopes.

While this sort of thing is going on, virtually everyone over the age of 14 who wants a job has got one, and some jobs go begging.

Unemployment (the figure is computed on the number of people in the potential work force who are not incapacitated for work, even if they aren't hunting it) stood at 3.7 percent in March. This is considered near a rockbottom figure.

Factory wages had increased slightly over 1964 (to an average of $107.45 per week for production workers), and despite widely bruited fears of the unskilled remaining jobless, job openings in March picked up 11 percent—mostly for services, unskilled occupations and clerical and sales jobs.

Folks were keeping homebuilders on the jump. After a record year for such construction in 1964, housing permits were up 78 percent for the first 3 months of 1965 in the metropolitan area.

A market research firm, using computers, forecast that more than 11,000 housing units would be built in this area by the end of 1965.

Stores were prospering. Retail sales in the first 3 months of this year in Orleans, Jefferson and St. Bernard Parishes hit $494.2 million, a 16-percent increase over the 1964 period.

Also busy scooping in money were banks and homesteads. Bank clearings in the first quarter of 1965 hit $5 billion, up 13.2 percent, and homesteads were holding $627.7 million in shares sold to savings-minded citizens, a 12.7 percent hike over 1964's first quarter.

The list could be prolonged. It would spell "boom" for anybody old enough to count without using his fingers, and no one is denying the outlook is bright.

A dock strike costing millions in lost wages and lost cargo shipments cast a shadow as the year started. This black cloud left a little debris in its passing, but the port is humming again.

So, like the man said, if things are good why talk about it?

Well, not everybody is lugging so much cash around, his shoulder aches. Some of us who've been on the scene for a while can't quite believe that El Dorado nears, or that the money train really will arrive at the station.

For this reason, which seems good enough, the States-Item today begins a series of articles to indicate the dimensions of this boom, and what educated guessers have to say about its longevity.

[From the New Orleans States-Item, June 1, 1965]

Plenty of Honey in New Orleans Hive—Industrial Expansion Top Factor in Area Boom

(By Robert N. Kelso)

Expanding industry in an area is the greatest launcher of the boom. It fattens take-home pay, makes suppliers happy, and, by magnetic attraction, brings in more factories. Industrialists are drawn to an expanding economy—if the home folks treat 'em right—like bees to honey.

Metropolitan New Orleans has plenty of honey in the hive:

The largest supplies of fresh water and natural gas in the country; unparalleled water transport; eight trunkline railroads, and a population of workers who don't object to giving a nickel's worth of labor to get 5 cents back.

There are a list of other attractions as long as one's leg, but these are enough in a good business climate where politicians aren't looting the public treasury or bleeding businessmen for taxes other people ought to pay.

In the past few years, Louisiana has brightened its image nationally and internationally, with a commonsense approach to State government which incorporates a commendable degree of vision.

This new approach has been based on rueful experience in the past and what then was the prospect of losing out in the general expansion of the U.S. economy unless we straightened up and flew right.

It is obvious today that Louisiana—and particularly Metropolitan New Orleans—is on the beam.

Thus we find that last year in the New Orleans area more than half a billion dollars were earmarked for new or expanded industrial plants.

That figure, handsome enough, comes after several billion had been pumped into new plant facilities in the area during the past 10 years.

Some of these expensive installations are petrochemical complexes which hire, at most a few hundred employees. Some highly automated plants hire only a handful when the operation is going full swing.

But construction of these facilities along the river occupies many thousands of man-hours at good pay. The engineers, technicians, and skilled workers who man the production lines when the plant is finished get high pay.

And—unless the plant is virtually at Baton Rouge's doorstep—many of them will live in the immediate New Orleans area and commute to work. There is no town midway which would draw them to settle down in any numbers, although these river communities are enjoying their own small booms.

One example of such plants is Du Pont's $24 million facility at Laplace—15 miles west of the Kenner city limits—which is pouring out chemical basic to the manufacture of nylon. And Union Carbide recently announced plans for a $50 million plant 15 miles above New Orleans at Taft, on the other side of the river.

At a February meeting the State board of commerce and industry, which approves 10-year tax exemptions as an industrial inducement, granted exemptions which included:

The sum of $3-plus million for expansion of Monsanto's huge chemical plant at Luling; $600,000 for expansion of the Johns-Manville building materials plant at Marrero and $1 million plus for some expensive odds and ends at Kaiser's giant aluminum plant in Chalmette.

The commerce and industry board met again in New Orleans at the end of March, granting tax writeoffs of:

The sum of $40 million for a new electric generating plant New Orleans Public Service Inc., will build in New Orleans East, doubling the city's production of power when in full operation.

The sum of $12.8 million plus for expanded facilities at American Cyanamid's plant at Fortier, a few miles above Bridge City. The company is spending $21 million but the board ruled some of this was enlarged replacement facilities, not new installations.

The sum of $4.9 million for Anchor-Wate's new plant at Oakdale, in Plaquemines Parish just below Braithwaite, for production of coating to help weight down offshore oil drilling pipe, and related products.

Nearly $1.7 million for expansion of Humble Oil's loading docks in Harvey.

And a host of others.

Before leaving this weighty evidence of expansion, it is worth noting that in New Orleans proper last year $28 million in new plants receive tax writeoffs, and more than $7.5 million in exemptions were granted for expanded facilities.

Jefferson Parish, where the huge Avondale Shipyards got a $4.3 million writeoff, totted up $7.1 million in new plants during 1964.

All told, Orleans, Jefferson, and St. Bernard accounted for exemptions amounting to more than $50 million for new plants and expansion during the past year.

Turning to public agencies, which occasionally shell out large sums for construction, we might mention the U.S. Treasury Department, which is just about to finish a limestone edifice for a new Federal Reserve Bank at St. Charles and Lafayette Square at a cost of $4 million.

The dock board is planning to spend $203 million by 1974 for expansion of facilities along the river and the Mississippi River gulf outlet. Permission has been sought from the U.S. Corps of Engineers to spend $30 million to enlarge the Industrial Canal locks, among other projects which include a multimillion-dollar development of Delta Shipyard area on the inner Harbor Navigation Canal which will berth 10 ships and boast a containerization terminal.

The Orleans Levee Board, with less money to expend, is issuing $3 million in bonds for wharf work, will ante up $1.3 million for a new Seabrook bridge (the city and dock board also will pay one-third each) and is refurbishing New Orleans Lakefront Airport and New Basin Canal properties adjoining the Orleans marina.

Any discussion of boom in this area might well start with the Michoud rocket plant where the National Aeronautics and Space Administration is spending more than $1 billion, under current contracts, in its moon shot program.

Michoud, a NASA official said last week, has just under 12,000 employees and the average wage at the plant is $7,500 a year. This means $90 million stuffed in the pay envelopes.

NASA statisticians have come up with fat figures on what the Michoud operation, begun in 1961, means to the New Orleans area, including Slidell, where the computer facility is located:

1. Twenty-seven thousand new jobs, including an estimated 5,000 in collateral industries drawn by the rocket plant, 1,650 in construction work, and an estimated 10,000 jobs in retail establishments and other service businesses attributable to the start of the moon shot program.

2. Sixty thousand new residents.

3. Forty-five million dollars in construction through December 31, 1964.

4. A $2,433,800 increase in State and local sales tax revenues and an $800,940 boost in State income taxes.

These figures, other than construction, were predicated on a peak employment at Michoud of 11,000 persons. With the employment figure now standing nearly 1,000 higher, the estimated totals should be adjusted upward.

Some industries springing up in the Michoud area are related to the space business, others not. One of the latter is the new $12 million Louisiana Cement Co. plant, already producing. A space-related industry is the $25 million chemical complex now being built by Air Products & Chemicals Co. adjacent to the cement works.

In the Michoud area today, workmen are busy stringing new electrical cable, installing water mains, topping roads and engaging in other tasks basic to converting more of this onetime swamp into an industrial city.

The Michoud area has its own telephone exchange building, a NOPSI powerplant, banks, motels, residential subdivisions and a host of appurtenances for modern living. Much of this was promoted by New Orleans East Inc., operating company for the Texas multimillionaires who bought the 33,000-acre property several years ago for a bargain $40 million.

Michoud promises to become the industrial showpiece of New Orleans, and is already well on its way to that distinction. It has nearly unlimited commercial sites with access to the Intracoastal Waterway; the river, via the Industrial Canal, and a straight shot at the Gulf, via the Tidewater Channel.

Michoud's development is being planned from the ground up, and companies already there have created structures, for the most part, of high architectural merit and beauty.

Among other industrial giants in Metropolitan New Orleans is the fabulous Avondale Shipyards, started in 1938 by a river pilot and two bargemen who anted up $20,000 between them.

Avondale is now the largest private builder of subsidized merchant shipping in the United States, and last week had a backlog of $220 million in orders to be filled. The firm has nearly 6,000 on its payroll and is pumping some $40 million a year into the economy via the pay envelopes.

Few people realize that today, the Gulf South is becoming top dog in the country's shipbuilding business. Avondale and and the Ingalls Shipbuilding Corp, at Pascagoula are getting much of the cream of big contracts.

Ingalls has been coining money on atomic submarines, and 2 weeks ago a $50 million merchant cargoliner contract. Avondale missed out on that one. But, in addition to huge orders for other cargoliner fleets, Avondale has an $81 million Navy contract for subchasers.

All of this omits mention of the biggest business we have—the port of New Orleans. It has long been established as second only to New York in tonnage and dollar-value of trade. Last year, more than 95 million tons moved through the port.

The U.S. Department of Commerce figures that each ton handled in a port generates from $15 to $20 for the economy of that area. Taking the conservative figure, we find that New Orleans port operations brought $1.4 billion into our laps last year.

The Chamber of Commerce of the New Orleans area, which employs a research staff headed by Kenneth A. Langguth to keep tabs on such things, says salaries and wages in the area last year totaled $1.8 billion.

In the first 3 months of 1965. Langguth found 15 of 19 metropolitan area business indicators up from 3 to 30 percent over the same period of 1964. The only faltering during the first quarter occured in port business, now again booming after the prolonged dock strike at the start of this year.

So—do you hear the money train a-coming? Maybe it's time to ask the boss for a raise.

[From the New Orleans States-Item, June 2, 1965]

BUILDING BOOM IS EVIDENCE OF AREA'S WEALTH

(By Robert N. Kelso)

If you have driven around New Orleans and outlying areas recently, you've seen it. The construction boom. You've noticed the bulldozers, grunting as they level a plot, ready-mix concrete trucks ambling along, girders poking up into the sky. You've heard the slam of the wrecker's ball and the banshee wall of the powersaw.

Building—particularly the residential variety—is the most solid kind of evidence that people have money, and confidence in the future. A man buying a home is making what may be the largest investment of his lifetime.

Do you think everybody is looking for bargain homes? Some of us are. A "bargain" home can be purchased in suburban areas nowadays for under $20,000.

But the fact is builders haven't concentrated on building these. They've been producing much higher-priced housing at a clip that has prompted market researchers to throw out a word of caution: the market for "bargain homes" is being neglected.

Still, money is flowing around so freely that homes costing $28,000 and up have sold readily, and $200 apartments are leased without delay. Apartment-house entrepreneurs, in fact, begin leasing long before the building is completed. There could be a downturn in this market from overproduction, but it has not gotten soft yet.

Homebuilders have successfully read the minds of their customers, who crave more impressive quarters, a little extra elegance, landscaping a little more lush than one gets in the nicest subdivision homes which go for under $20,000.

As speculative ventures last year, New Orleans area homebuilders put up 4,800 homes. About 65 percent of them were sold for under $20,000, with the remaining 35 percent going for higher—and in many instances, much higher—figures.

Under $20,000 homes captured a substantial part of the home market in 1964 (biggest in the city's history). But sale of homes in this price-bracket averaged only 37 percent above 1963, while homes costing more than $20,000 racked up an increase averaging 128 percent.

Sales of houses costing more than $38,000 were up 219 percent, and accounted for nearly 4 percent of the total housing market.

These figures and a few others to follow were drawn from studies conducted by the marketing consultant firm of W. R. Smolkin & Associates, which has been analyzing and predicting the market for the Home Builders Association of Greater New Orleans.

More than 1,300 buyers last year wanted more house than you can get for $20,000. This is by no means the total number—the figure is based on identifiable transfer deeds. In other transactions the conveyance record doesn't indicate clearly what building firm sold the house.

This year, during the first 3 months, identifiable transfer deeds show that builders sold in the 4-parish area (including St. Tammany) 293 homes costing more than $20,000, and 61 costing more than $35,000.

Percentagewise during these 3 months, homes costing $20,000 and up captured 38 percent of the market, and those costing $35,000 and up accounted for 8 percent.

These figures may be bothersome, but they unmistakably reflect the jingle of hard cash—and a lot of it—in the consumer's pocket.

About one in every four homes sold in the New Orleans area today is in the $14,000–$16,000 range, still the choice of a majority of would-be householders taking their first plunge.

In today's market that is a so-called modest suburban home. (You can't buy a new house, or an old one which isn't in a shambles in central New Orleans for that money—the land cost is too high).

The modest home, nevertheless has amenities which a few years ago were enjoyed only by the wealthy, or perhaps were entirely unheard of. They are just a little smaller, a little less plush, and have less space around them than the higher priced spread.

In the first couple of years of this decade, as the boom came on, builders constructed so many single-dwelling units that the apartment market was underbuilt.

Builders find it simpler and less risky to construct houses for sale than apartment structures, with their high initial expenses, maintenance costs and turnover of tenants.

For these reasons a solid boom is necessary to elicit any large-scale endeavors in the apartment building market. With the money train humming, we find that apartment buildings are sprouting up—some of them huge, and most of them with substantial rents.

We will not bother in this report to list the number of apartment units built in the past 3 years—it runs into the several thousands. It is sufficient to say that $200 rentals are common, and some run to $650 per month, with penthouses higher.

The years 1962 and 1963 were big ones for apartment-house construction, and additions to the supply dropped off 21 percent during 1964.

But the 1965 money train has brought this type of construction along again strong. In the first 3 months of this year building permits for multifamily construction bounced up more than 135 percent over the first quarter of 1964.

The term "multifamily units" includes "doubles"—rarely built nowadays, townhouse duplexes, four-plexes and on up into many-unit apartment structures.

Building permits were issued during the first 3 months of this year for 1,500 multifamily units. This means buildings with a total of 1,500 new apartments were being planned.

This amount of activity in apartment building has only served to spur speculative building in more, and in many cases bigger spreads.

As we mentioned in the opening article in this series, two Texas men showed up at City Hall May 8 and announced they had bought 100 acres of land on De Gaulle Drive in Algiers where they would build $30 million worth of luxury garden-apartments—an entire subdivision of them.

The West Bank has been getting big play from builders since Gov. John J. McKeithen decided a year ago the State Highway Department could foot interest charges on Greater New Orleans Bridge bonds, and took the tolls off the span.

This is a lip-smacking situation for builders in suburban areas of the West Bank, particularly sections of Algiers and Gretna within easy striking distance of the bridge.

One subdivision in the lower reaches of Algiers has a huge sign strategically located in several spots in the central business district: 8 minutes to Blank-Blank, for "estate" living.

Blank-Blank, as I have called it, is a large and pleasant subdivision where carpenters' hammers beat out a tattoo every working day as more homes go up. Many already-occupied ones haven't raised more than a few sprigs of grass in the lawn—because the buyer moved in almost before the paint was dry. In other subdivisions on the West Bank, the same scene is taking place.

Before this happy turn of events for West Bankers (no bridge toll), the East Bank of Jefferson was clobbering all other areas in Metropolitan New Orleans in the new-housing sweepstakes.

It is possible the completion of more stretches of the Interstate Highway in East Jefferson will help cut the West Bank's lead, as East Bankers find it simpler and speedier to get around their extensive territory and into the city.

A number of large apartment complexes have been completed or have gotten underway in Metairie since the start of the year, including the 244-unit Gatehouse Apartments on the Interstate near Causeway Boulevard; the 162-unit Imperial House on Causeway Boulevard just beyond the Lakeside Shopping Center, and the 300-unit Elmwood Plantation at 6801 Veterans Highway.

Another spread going up in Metairie, on which a construction start was announced May 8, is the Villa Mansard—four townhouses on Hessmer just off Veterans Highway.

St. Charles Avenue has a number of big apartment developments underway.

Newest example is the Carol at St. Charles and Jackson, a $6 million, 13-story layout. Then there's penthouse space—lots of it. The structure is being finished off one floor at a time.

The Carol opened for business, though far from completed, April 15 and has 24 tenants, with another 40 moving in in June. They've already leased 4,000 square feet of the penthouse space. A prestige restaurant, luxury shops and other necessaries of living will go on the ground floor of the place. (Do you hear the hum?)

They had to tear down a building to make room for this one, as is the case everywhere in Central New Orleans.

In eastern New Orleans there's plenty of space. New York developer Marvin Kratter is clearing ground to build an entire city on the Brown Tract in the area between Downman and Paris Roads, Morrison and the lake, with an eventual 20,000 dwellings in the luxury price range.

And there's New Orleans East, already mushrooming around the Michoud rocket plant. In Village d'el Este, 1,019 lots have been disposed of—200 homes built and sold, with others building—in the space of a few short months. The land goes at $5,700 for a typical lot with 60-foot frontage and 110-foot depth.

Three apartment complexes with 475 units lie on Chef Menteur near the junction of Michoud Avenue, main crossroads of New Orleans East. All completed units are already occupied at rentals from $125 to $175, and one of these entrepreneurs is constructing another 120 units. In addition, land has been sold in the same general area for another 500 apartment units.

Way farther east, at the Chef Menteur Pass and Highway 90, a 700-lot subdivision called Venetian Isles is being developed. New Orleans East Inc. has sold 100 of the 210 already developed lots for prices ranging from $8,000 to $13,000 in the 3 weeks they've been advertising the deal.

This is far from the end of the story.

There are many other new housing projects under way in New Orleans proper as well as on the east and west bank. And real estate development is going at an amazing pace in St. Bernard and Slidell, and to a lesser extent in the Covington-Mandeville area. Some of this story—the boom in what used to be the boondocks—will be described tomorrow.

[From the New Orleans States-Item, June 3, 1965]

East Jefferson Section Fastest Growing in Area

(By Robert N. Kelso)

Growth is most noticeable where grass, figuratively speaking, perhaps, grew in the streets a few short years ago.

Central New Orleans and many parts of Jefferson Parish have been built up for so long one has to look around a bit to find real evidence of growing pains.

This is not true of East Jefferson near Lake Pontchartrain, nor of St. Bernard, nor Slidell—all environs today of the burgeoning metropolis of New Orleans.

In East Jefferson—especially between North Causeway Boulevard and Kenner, and between Veterans Memorial Highway and the lake—there weren't any streets a few short years ago for grass to grow on. The area was mostly poorly drained swamp.

At the time of the 1960 census, about 3,800 people lived in this 2,965-acre territory, and most of them had moved in within a relatively short time before the head count was taken.

Today, this is one of the fastest growing sections in the entire metropolitan area. There are several reasons for this: It is the largest area remaining for residential development on the East Bank; the parish government is hurrying street projects to open it up further, and developers are working feverishly to cash in on the demand for new housing with more open vistas available in suburban neighborhoods.

As we mentioned yesterday, several big apartment house spreads have opened or are slated to open in this section for people who like fresh air and can pay up to $200 or more for choice quarters.

Also filling in at a good pace is the section of the East Bank above Veterans Highway between the Orleans Parish line and North Causeway Boulevard. This is an accretion to the first big development there—Bonnabel Place. However, the expansion potential of this area is limited. It's only a little more than half the size of the Northwest Metairie section mentioned earlier, and already heavily built up.

Residential development of East Jefferson (some parts of which, like "old" Metairie, Southport and Jefferson Heights, have long been densely populated) is underscored by the number of new electrical connections installed there by Louisiana Power & Light Co.

Each new residential electrical connection, as you would guess, represents a new housing unit.

Figures provided by L.P. & L. show new East Jefferson connections have increased by 6 percent or more annually since 1962. On May 1, 1965, a total of 48,246 residential electric meters were in service in East Jefferson.

That means there were that number of East Bank households. At the rate of 3.75 persons per household found in the 1960 census in Jefferson Parish, these 48,000-odd homes indicate a current population in East Jefferson of 180,922. This is a population increase of about 30 percent in 5 years.

West Jefferson has been growing at a faster pace during the past year, with the elimination of tolls on the Mississippi River Bridge providing a spur. Residential electrical connections rose 6 percent last year on the West Bank, and at year's end stood at 23,057. With a lot of territory open to development, the West Bank also is certain to see big growth.

The Louisiana State Highway Department, in a massive study of transportation needs of the area from population in Jefferson Parish 1960 to 1980, projected a 1980 population of 531,906 persons—with 344,364 of them living on the East Bank.

News media give extensive coverage to Jefferson Parish, and most persons are fairly familiar with the growth of that part of the metropolitan area. But news about St. Bernard is less voluminous, and that from Slidell, miniscule. Let's turn to those areas.

St. Bernard nearly tripled its population between 1950 and 1960, while Jefferson's population doubled and that of New Orleans increased by only 10 percent. (St. Bernard is still small by comparison, with some 32,000 showing in the 1960 census. Jefferson had 200,000 and New Orleans 672,000.)

St. Bernard's peculiar topography—a strip of dry land hemmed in on one side by the Mississippi River and on the other by around 400 square miles of swamp—has limited its growth. But grown it has.

We have already noted in an earlier article that a residential housing boom is underway in St. Bernard, chiefly in the upper section of parish near central New Orleans.

The shortage of desirable land for development along St. Bernard Highway, near New Orleans produced a remarkable phenomenon a few weeks ago. A developer opened a new subdivision between Arabi and Chalmette, and sold about 90 percent of the lots in the course of one weekend.

"It was fantastic," said Fred Sigur, the man who received these eager buyers. "I've been in real estate down here for 25 years and I've never seen anything like it."

Sigur is about to put on the market another subdivision alongside the one that went like hotcakes at $110 a front foot. He reportedly has the last two desirable plots of land above Paris Road, which are available for subdivision development at the present time. A plot of about 500 acres in the same general area is being kept off the market by its owners, presumably to realize a better price at a later date.

Meanwhile, nearly 20 more subdivisions are under development or completed below Paris Road in such formerly drowsy communities as Poydras.

Developer Martin Rothschild, who has several of these underway, says lots 50 by 100 feet down there are selling for $80 to $100 a front foot—that is, for $4,000 to $4,500 per lot.

Asked about the boom in St. Bernard, Rothschild replied, "There's no more boom here than in Jefferson and the whole metropolitan area. With the exception of an occasional soft spot, things have been consistently good, particularly since Michoud opened."

C. Earl Colomb, a developer and former president of the St. Bernard council of the chamber of commerce, also has subdivisions underway below Paris Road. He, however, is not entirely satisfied with the rate of parish growth since the opening of the rocket plant.

The two-lane Paris Road from Chalmette Highway to eastern New Orleans isn't big enough to handle the present burden of traffic, and the pontoon bridge on Paris across the Industrial Canal breaks down every few weeks, either from its own antiquated mechanism or from getting slammed by water traffic.

St. Bernard travel to New Orleans also is hampered by the lift bridge over the Industrial Canal at St. Claude, St. Bernarders' most direct route into the city. The Seeber high-level bridge about a mile eastward debouches into North Claiborne, a congested thoroughfare. In St. Bernard, North Claiborne is a four-lane job, but it stops dead at the back end of Carolyn Park in Arabi.

So St. Bernarders, to an appreciable extent, are cut off from the metropolis, but moves are afoot to correct this.

The projects include making Paris Road four lane, with a new high-level bridge over the Intracoastal Waterway near the Michoud plant, and the extension of North Claiborne down through Chalmette. St. Bernard also is hollering for, and may get, a new bridge over the Mississippi River in the vicinity of Paris Road.

Colomb says he worries about the high property tax millage in St. Bernard, most of which is footed by industry. This doesn't help draw new industry, and Colomb says he and the rest of the people in St. Bernard have been doing a poor selling job on the virtues of the parish.

Still, the population of the parish continues to grow faster than the natives can raise children. Somebody is moving to St. Bernard, whatever the drawbacks.

The parish water department over the past 2 years has furnished more than 1,250 meters to service new homes, and the rate, since January 1, indicates this year's demand may go well over 700.

When Waterworks General Manager Henry C. Schindler gets a request for a new residential meter, he knows another new house has gone up. And Schindler says he's been getting these requests lately at the rate of 10 or 12 a day.

The water department had 9,434 residential meters in service on May 14, 1965. This is exactly—with the exception of a few shacks in the boondocks—how many housing units there were in St. Bernard on that date.

While this reporter was talking with Schindler, a man called the office to ask about commercial rates. He was starting a new business in the parish.

A good index of growth is St. Bernard's actual water consumption. The waterworks district built a 5-million-gallon-per-day plant in 1955, and since has had to double the capacity. Further development of the water system recently was authorized in a $1.95 million bond issue. The parish sewerage department is engaged in similar expansion.

Meanwhile, the parish school system has seen an enrollment hike of 67 percent in 5 years from just under 6,000 to more than 10,000 last October. Scrambling to keep up, the school board has just finished a new elementary school in Poydras, and has on the drawing boards a 7–12-grade boys school at Poydras and a $2 million girls high school in Chalmette.

School Superintendent Joseph J. Davies, Jr., says that during the past 10 years the number of white children of school age in the parish has nearly trebled, while the number of Negroes in the schools has remained virtually static.

There are now estimated to be more than 15,000 educables in St. Bernard Parish—that many children between the ages of 6 and 18. Fortunately for the bulging school system, some of the 14-year-olds and up have decided to go to work.

One of its resident critics calls St. Bernard a "bedroom parish," meaning most people live there but work in New Orleans. The 1960 census indicated that 30 percent of St. Bernard residents work in New Orleans, and that two-thirds of them work in their home parish.

St. Bernard has two of the largest factories of their kinds in the world, which have employed nearly 4,000 people between them for a number of years. These are Kaiser's alumium reduction plant in Chalmette and American Sugar's refinery in Arabi.

Also in St. Bernard are several oil company operations, including two large refineries and a $6 million gas processing plant, which employ several hundred and are among the parish's 10 largest taxpayers. St. Bernard industries also include manufacturers of soap, machinery, wood products, tools, and food processors and producers of dairy items.

Given a new bridge, which if constructed would be a part of the Interstate 10 highway system, a speedy route via Paris Road to eastern New Orleans, and better access to central New Orleans, St. Bernard will graduate from the role of a generally ignored stepchild of Greater New Orleans.

In Slidell, there is no need to have bets that the place will be bursting at the seams within a few years.

The town, notable a few years ago chiefly for country, pine-scented air and a large brick plant alongside the railroad, has become a miniature metropolis, with a six-story glass-walled office building, a shopping mall with air-conditioned sidewalks, and expensive residential subdivisions. In one of the new subdivisions,. literally scores of homes priced at $28,000 and up are either already occupied, ready for sale or under construction.

Developers in Slidell are providing housing, both in apartments and homes, in virtually every price range. There are 16 residential subdivisions, some where homes start at $14,000; four new apartment complexes with 192 units, priced from $125 to $190 per month, and two other apartment ventures with offerings from $90 to $110.

Chamber of Commerce Manager John T. Guy estimates that Slidell—which in the 1960 census showed 6,356 inhabitants—has "about 12,000 people within its corporate limits." A 6-mile circle around and including Slidell proper contains 25,000, Guy estimates.

Slidell now has a trade area of about 35,000 persons in a swatch that would include Lacombe, Pearl River, and nearby south Mississippi towns, Guy says. He adds that even residents of Picayune, Miss., about 20 miles to the north, are drawn to Slidell to shop because of superior Slidell facilities.

Sales tax receipts in Slidell show 1963 retail sales of $19 million and 1964 sales of $24.9 million, a hike of 31 percent in 1 year.

With this kind of money hitting the cash register, Slidell needed a new bank and got one this March. Two other banks are expanding with suburban branches.

Guy sees virtually unlimited possibilities for Slidell, which entered the space age with the location there of the NASA computer facility. Slidell exports workers now both to Michoud in eastern New Orleans and to the Mississippi Test Operations in nearby Hancock County, Miss.

Guy estimates that 1,700 Slidell families, with an average income of $7,500—work either at the computer center, at Michoud or at MTO.

A new influx of MTO workers is expected at what used to be Gainesville, Miss. NASA announced 3 weeks ago that an estimated 10,500 workers would be on MTO contractor's payrolls by July 1. A peak of 10,500 is expected by the end of the year. Slidell is doing a selling job on the new arrivals.

Slidell also is rubbing its hands at another prospect, certain to boom business. No less than three interstate highways will intersect in Slidell environs—I–10 (Los Angeles to Jacksonville, Fla.); I–59, to Atlanta and New York, and I–12, an I–10 byroute from Slidell to Baton Rouge for through travelers who don't want to traverse New Orleans.

Less bustle is apparent in Covington, the St. Tammany Parish seat about 30 miles west of Slidell. Major industrialization has not hit this piney woods and ozone mecca of work-worn New Orleanians. Yet the area is showing good growth.

More than 1,600 new electric meters have been added in the past 4 years, and school enrollment has risen by more than 1,500 during the same period. Covington's 1960 population was 6,754. In the 10 years prior to the 1960 census, Covington gained only 1,641 inhabitants.

Another indication that the Covington area is on the move is the granting of building permits during the first 11 months of 1964 totaling more than $1 million in value.

The whole of Tammany Parish, booted upward by the ferment at Slidell, has seen property assessments rise by nearly $10 million in the past 5 years to $37 million.

Another hint that things are beginning to hum there is the volume of commuter traffic across the Lake Pontchartrain Causeway. When special commuter tickets were first offered in August 1962, 10,992 commuter cars crossed the span by the end of the year. The figure rose to 35,783 cars in 1963 and to 43,959 in 1964.

There is no other explanation for this than that a lot more people have taken up country residence in the Covington-Mandeville area.

Causeway traffic in general has risen from a total of 1,234,806 vehicles in 1957, the first full year of operation to 1,719,525 in 1964. The Greater New Orleans Expressway Commission, operators of the span, are several years ahead on their bond payment schedule and are talking about constructing a second bridge paralleling the first.

These things indicate that outlying sections of the metropolitan area are getting part of the cargo from the gravy train.

[From the New Orleans States-Item, June 4, 1965]

BUSINESS BOOM HITS AREA LIKE DELAYED BOMB

(By Robert N. Kelso)

The New Orleans metropolitan area, a business publication noted a few weeks ago, is now getting its share of the smart money from as far away as West Germany.

This journal, Business Week, also observed after a couple of its editors had cased the town for 3 weeks that traditionally cautious New Orleans money was beginning to flow into large-scale projects.

The boom has hit New Orleans like a delayed-action bomb. For years now, New Orleanians have been reading about fabulous developments in Houston, or Dallas, or Atlanta. And, indeed, these centers jumped ahead of us while New Orleans was practicing its footwork.

We're in the race now, and making an excellent showing. It may turn out that the Queen City of the South never again will be the only center worth mentioning in this end of the country—as it was for more than 100 years—but it also has shown sharp form recently to indicate it can't be relegated among the also-rans.

How far can this boom take us? Checking out this fascinating question with a number of people who keep a close watch on the economic weather has failed to produce one who claims to see storm warnings aloft, although a few observers—basing their views on historical experience—claim any boom must end in a down cycle.

These prophets are at variance with President Lyndon B. Johnson's boys in Washington—economists and money experts who assert that it is now possible, by manipulating credit and taxes, while gaging Government spending, to prevent depressions.

The boom in New Orleans, of course, is a part of the general fat-cat status of the entire national economy, where records fall almost daily. But New Orleans has a few drawbacks which could put a damper on the heights we reach. While the national economy is sailing high and strong, these deficiencies won't be critical. If the national boom slows down, they could cause trouble here.

Our drawbacks—not by any means unique in the South—can be summed up in two sentences:

1. The adult population 25 years old or older has had, on the average, only 9 years of schooling.

2. The city's property assessment system is antiquated, inequitable, and a stumbling block to getting new industry.

In the space age, one hardly need labor the point that under or poorly educated citizens are no asset to a community trying to stay aboard the money train. They can't do the jobs—and some can't even learn to do them—required in the highly technical pursuits which now blanket business and industry almost across the board.

An example is the exquisite piece of engineering demonstrated a week ago at Cape Kennedy, when the first made at Michoud Saturn booster performed flawlessly in orbiting a satellite.

The engineers who built that rocket were imported, almost to a man, from other parts of the country. Prime contractors at Michoud have bent over backward to employ as many of our homefolks as possible. They found while hiring several thousand that the tricky jobs would have to be filled by outsiders. These outsiders, we hasten to say, have become homefolks during the course of their work and New Orleans is delighted to number them among its inhabitants.

We learned at Michoud that our native pool of highly trained, highly skilled, and brainy citizens is distinctly limited. Efforts are being made on a bootstrap basis to correct this, and to discourage the emigration of our talent to other places where the pay is higher and the atmosphere is heady with intellectual enterprise.

It will be several years before we see the result of these efforts.

Turning from ill-equipped adults to our youngsters, we find that large sums of Federal money are being poured into the city now to give underprivileged children a head start in the learning process, so they can keep up in school with kids whose homes and parents provide them with intellectual stimulus.

More than 2,500 youngsters have dropped out of public school here annually for the past several years, most because they couldn't keep up with minimal demands made on them in the classroom.

Earnest attempts are being made in many quarters to prevent this wastage of human resources, and to stop the loss to the economy of people who could have helped push it forward.

On another point in the same battle, city fathers have been fighting to acquire for New Orleans the Gulf South Research Institute, a think factory which—experience shows—breeds new industries whose workers and technicians are exceptionally well paid.

The location of this center is still undecided. At least nine other communities in Louisiana are moving heaven and earth to get the institute, because they know what it can accomplish for them.

Consider this:

One of the Nation's newer research centers, in Kansas City, reported it can show evidence it has been instrumental in creating 11,000 more jobs above the $10,000-a-year level in its immediate area within 4 years' time.

While we're talking about new industry, the subject of property assessments needs discussing. There is disagreement about shortcomings of our assessment system, but no one informed about the matter—including the assessors themselves—will deny that a good overhauling is needed.

In a nutshell, the trouble with our assessments is they are not based on any set percentage of the fair market value of the property, and in many cases, they're set too low. Low assessments sound good to small householders, but they hamstring the city government as it tries to provide adequate services for a swelling population.

A special committee named by the mayor to look into the assessment situation produced a report 2 months ago whose principal recommendation was that property assessments in the city be fixed at not less than a fixed percentage of fair market value.

The assessors 2 years ago adopted for themselves a yardstick of 33 percent of market value. But this is the top figure. Lower percentages may be employed at the discretion of any assessor, and frequently are. For example, real property around town is assessed at about 25 percent of market value.

The mayor's assessment study committee, manned by leading figures in business, the professions, and labor, spent 2 years examining the assessments muddle. They recommended statewide equalization of assessments, while recognizing that this couldn't be accomplished overnight.

The assessors point out that any revamping of city assessment practices has to start in Baton Rouge, where the State tax commission, however, has yet to enforce State law calling for equalization of assessments.

The study of New Orleans assessments took place as the city, in a period of unprecedented boom, saw the rate of assessment increase drop to miniscule levels, although total assessments rose.

This kind of thing is an old story in New Orleans. In 1946, it was found that assessments had dropped $95 million over an 18-year period. The high in that era was 1928.

Nearly 40 years ago, in 1928, total assessments in New Orleans were slightly above $600 million. Today, the total stands a slightly over $1 billion. Thus in nearly 40 years total assessments have risen 66 percent while the population of New Orleans has doubled and the per capita income of its citizens has more than trebled. Something is wrong here, and few people are prepared to dispute it.

If New Orleans assessments are out of line, why—you may ask—are we getting new industry? Thank the State government, which grants 10-year tax exemptions to new industrial plants or additions to existing facilities. This woos industry, but doesn't really solve the city government's money problem. About one-fourth of all city money comes from property taxes.

The president of the board of assessors, replying to the study committee's report, advised citizens to consider the amount and size of industrial exemptions—now hitting about $95 million, and up $50 million within the past 12 years. He also suggested that the committee may have overlooked the large amounts of property owned by religious, educational and other nonprofit organizations, all of which get a free tax ride.

The Governor has appointed his own assessments study committee, charged with finding ways to equalize assessments without throwing individual parishes into turmoil. The Governor's committee has its work cut out, in a State where some assessors scale the property tax down so that any home, however unhumble, falls near or under the $2,000 homestead exemption granted all Louisiana citizens.

To make matters worse on assessments, voters last November approved a poorly drawn constitutional amendment which grants two $5,000 homestead exemptions, on top of the $2,000 everybody gets, to several thousand war veterans. This is a fat $12,000 exemption, and you have to have a costly home to pay any property tax at all with that big an exemption.

So we may safely say that assessments need a major overhaul. One can only hope such studies as conducted in New Orleans and by the Governor's group product tangible results. The Governor, who is willing to go anywhere and twist anybody's arm to bring new industry to Louisiana, may expedite assessments reform.

There really isn't much else wrong with us that would spoil our chances of staying with the leading centers of the Nation in this race for universal affluence.

We have already noted that nobody in the South or Southwest can claim more natural advantages than we possess for expanded industry and trade.

As the money train continues to bring in fresh supplies of the green, happy statisticians are toting up the loot itself, or evidence that it is filling our pockets. Tomorrow's article, the final in this series, will provide a fast fill-in on business indicators demonstrating the size of our boom, and some comment from sharp-eyed observers and operators directly involved in the phenomena.

[From the New Orleans States-Item, June 5, 1965]

Jobs Go Begging; Boom Eases Breadwinner's Burden

(By Robert N. Kelso)

Since this series on the boom in Greater New Orleans started we got a call from an irate woman who demanded to know why the newspaper would print such stuff.

"I'm broke and everybody I know can't pay their bills," the woman said. What is all this guff about prosperity?"

When we told the lady at some length that the figures indicated there was a real boom, and that unemployment was at a remarkably low level, the caller delivered a few more barbs and hung up.

This incident reveals something everyone should be aware of. When we talk about unprecedented prosperity we are not turning out the pockets of every living human in Greater New Orleans to see if they're prosperous. Some aren't, and they number in the thousands. Some who are don't realize it, since they find it convenient to forget times when things were tough.

Yet the fact is, jobs—some requiring no particular skill or extensive education—go begging, while job openings are on the increase. This shows that in all but exceptional circumstances, such as illness or incapacity, the breadwinner can bring in enough bread to provide decently for his family.

Nevertheless, about 1,200 families in the city of New Orleans have incomes of $2,000 per year or less, and thus qualify for help under the Federal poverty program being administered in New Orleans by Total Community Action, Inc. The group is about 60 percent Negro.

New Orleans, of course, has a lot of company among cities throughout the United States which have citizens living at the poverty level, but we are above the national average.

Still the Chamber of Commerce of the New Orleans Area insists things are good now for the overriding majority of people in the area, and the chamber is right. There is too much money being pumped into new homes, savings stashed with homesteads and other such depositories, to doubt this. Hundreds of thousands of just ordinary folks have more money than they ever had before, and many of them have a surplus that they are wise enough to invest.

One of the operators who discusses the Orleans boom makes the point that the money train is arriving for ordinary citizens, not just insiders. We'll take up his and other comment later.

At this point we would like to produce a little more evidence that the boom is here. This necessarily includes some figures, which most people find repellant reading. However, think of them as if you were feeling a new wad of bills in your wallet or purse.

The first batch is gleaned from the chamber's 1965 edition of Business Volume and Economic Growth, the New Orleans Area, giving yearend figures for 1964:

Bank resources: $1.7 billion, plus $680 million more in homestead association assets, up about 10 percent over the previous year.

Building permit valuations: $290 million, up 37 percent.

Retail sales: $1.8 billion, up 14 percent.

Wholesale sales: $2.9 billion, up 7.7 percent.

South Louisiana crude oil production: 500 million barrels, up 7 percent.

South Louisiana natural gas production: 3.5 trillion cubic feet, up 27.5 percent.

Effective buying income per capita: $2,016, up 6.4 percent from 1963 and 52 percent higher than in 1950.

As noted, these are 1964 yearend figures; 1965 has started out even better.

While other evidence of growth has been studded through these articles, more proof has come in during the course of this week. An example is the expansion of both commercial and residential telephone service in greater New Orleans.

Southern Bell Telephone Co., which provided this information, noted that new demand in the area from 1958 to mid-1962 was at a relatively low level compared to the earlier peak of 1956 and 1957. Then came Michoud, sparking a new wave of business activity which has steadily increased in volume.

From 1961 we get a picture like this on telephone service:

In 1962, up 166 percent from the previous (5,000 phones went into the Michoud plant alone to boost the percentage increase so high); 1963, up 24 percent more; 1964, up 34 percent, and 1965, up an estimated 21 percent.

Southern Bell projects a total number of phones in use in the area by 1970 of 568,840. Some 400,000 of these are expected to be residential telephones; the rest, business phones.

Suburban areas of Greater New Orleans, including East Gentilly and New Orleans East, are racking up the biggest percentage gains now—around 75 to 80 percent, and are expected to continue the demand at a similar high level through 1970.

Spectacular contributions to total telephone demand have, since Michoud started in mid-1961, come from "service" categories—including retail and wholesale trade, and personal and professional service.

Telephone demand from service categories represented 32 percent of total demand in 1962, increasing by 1964 to 50 percent. The rate for the first 3 months of 1965 has risen to 57 percent.

Other significant demand for new service has come from the transportation and communications industries, including port operations. For the past 3 years demand from these sources has risen from 3 percent of the total phones in use to 13 percent.

During the same period, demand from the construction industry has risen from 2 to 11 percent of all the phones in use.

Long distance phone calls originating through the New Orleans toll center, which serves parishes south of Lake Pontchartrain and primarily in the metropolitan area, have shown a corresponding boost in volume. A 47-percent increase (700,000 to 1,032,000) was racked up from December 1961, to December 1964. A volume of 1.6 million messages is anticipated by December 1967, up 55 percent over 1964.

Meanwhile, Southern Bell this year is spending more than $16 million for improved and expanded telephone facilities in Metropolitan New Orleans, compared to $9.5 million in 1964.

In earlier discussion of outfits injecting steam into the local economy, we failed to mention New Orleans International Airport, whose board is now busy preparing an exhaustive document demonstrating just how much and where airport activities are fattening the economy.

Preliminary figures indicate that the airport—which generates 200 flights daily—pumps almost $40 million in expenditures and payrolls attributable to its operation into Metropolitan New Orleans each year.

The board estimates that well over 3,500 persons are employed as a direct result of airport operations.

Kenner, which is showing great growth, can thank the airport for about one in every six jobs the city now has, and about $10 million in cash each year, the aviation board says.

A bit of news filtering in this week is that the 48-story Louisiana House apartment building, slated for Perdido and Carondelet, will start going up in September.

The boom is bringing another bank to New Orleans, now in the process of organization. The new bank will be chartered shortly.

Now let's see what a few observers closer than most people to the economic weather and the boom in New Orleans have to say.

The most recent big operator to hit New Orleans is Marvin Kratter of New York City, who is going ahead with a huge residential development called Lake Forest on the former Brown tract in the East Gentilly area. Kratter expects to construct and sell enough townhouses and luxurious homes to house 70,000 people in the vast development.

Kratter prefers, rather than referring to a "boom," to say that "the present brisk construction activity is actually a true expression of the expansion of the local economy."

"New Orleans and much of the South is only now realizing the full effects of the vast growth of the Nation's economy that other localities have enjoyed for the past decade," he added.

Kratter believes Greater New Orleans "will continue to enjoy a healthy construction pace in all phases, with the exception of the construction of new office buildings."

"New Orleans will continue to enjoy a flourishing and developing economy in the years to come," he concluded, "and I look forward to steady growth and improvement in industry and to improvement of the standard and mode of living of all the residents of the area."

Sam J. Recile, the man who is building the tall buildings among other ambitious projects, harks back to the golden era of New Orleans in the early 1800's and compares it with the period we are now entering.

He points out that by 1840 the port of New Orleans was handling something over half of the Nation's export traffic and "at this moment the port's volume is again at an alltime record level—a level forecast only a few years ago for a date 5 years hence."

Recile finds it not surprising, with the port booming and bank assets at an alltime high that other sectors of the economy are achieving high water marks like they did a century ago.

Recile suggests these developments were not "just bound to happen."

"They are happening, I believe, because vigorous and courageous leaders in government and finance are creating a climate in which investors and developers can exercise their imaginations and resources with a greater degree of confidence than has been possible for more than 100 years."

He strongly rejects any motion the New Orleans boom is "running out of gas."

"If this were a one company or even a one industry boom, there might be cause for concern," Recile said. "But when the foundation of today's developments are as diversified as oil, chemicals, international trade, tourism, and space itself, one would have to to be a pessimist, indeed, to conceive of a substantial setback caused by anything short of a great national or international catastrophe."

Louis J. Roussel, long established as a bigtime oilman and now one of the area's leading financiers, is the man who says that the balm from the boom is not being enjoyed solely by "insiders."

Referring to the widely quoted Business Week on New Orleans, Roussel said it had occurred to him that "some people might feel that our city's new prosperity is being enjoyed primarily by a handful of builders, bankers, and real estate men."

"This is not true," he said. "The opportunities were never brighter for anyone to 'get a piece of the action,' as the magazine puts it."

Roussel says banks and other financial institutions are changing their attitudes from the old one that they would lend you money "only if you prove you don't need it. * * *" Now a businessman with a sound plan for growth, expansion, or new enterprise finds himself welcome at the bank, he said.

Another departure is passage of State law which makes it possible for anybody to become a real estate investor through a "real estate investment trust."

This, Roussel explains, "is exactly like a mutual fund in which many people can invest small amounts. The difference is that the real estate investment trust buys income-producing properties such as shopping centers, office and apartment buildings, instead of stocks and bonds."

Roussel has an interest in such an organization here in New Orleans.

He sums up:

"This to me is the really important thing about the present economic upswing—the fact that there is opportunity for everyone rather than just a few insiders."

Clayton L. Nairne, president of the chamber and of New Orleans Public Service, Inc., sees continued expansion of the New Orleans economy as a virtually sure thing—particularly since the recent announcement that the Michoud plant will be used in space exploration beyond the moon.

"There seems little doubt," Nairne observes, "that an important factor in New Orleans current boom is the construction and production generated by the NASA program.

"But the effect of this stimulus has been heightened by growing national recognition of our area's other unrivaled advantages—such as its excellent port facilities; extensive resources of water, gas, oil, chemicals, electric power, and transportation; institutions for advanced medicine, research and education, and tourist, convention and recreation attractions."

Nairne then cites economic indicators mentioned earlier in this article and goes on to say:

"So we have a real basis for the belief that the next few years will be strong ones for our economy."

Nairne pointed out that NOPSI is spending $22 million to extend and improve electric, gas, and transit facilities in New Orleans in 1965, "the largest figure in any single year in our history."

"About $5 million of this amount is for initial phases of a $40 million, 650,000-kilowatt electric generating unit, which will be the largest in Louisiana at the time of its completion in early 1967," he said.

"This certainly indicates our confidence in New Orleans' future."

Yesterday, Mayor Victor H. Schiro noted publicly with great satisfaction that New Orleans is leading all other major U.S. cities in increased percentage of construction, compared with a year ago.

Especially gratifying to the mayor, and perhaps to a majority of New Orleanians, is that the city is clobbering Houston, out in front with a 22.8-percent increase, while Houston showed a tiny 2.7-percent rise.

"We are always hearing about what Houston is doing," said Schiro. "These figures show what Houston is doing and what New Orleans is doing. It's obvious which of these cities is on the ball."

So * * * do you hear the sweet sound the money train makes on those tracks? Better than Beethoven—if you like money.

THE 175TH ANNIVERSARY OF THE COAST GUARD

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Garmatz] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GARMATZ. Mr. Speaker, I call attention to a joint resolution which I have introduced, identical to others which have or will be introduced by some of my colleagues on the Merchant Marine and Fisheries Committee, to commemorate the 175th anniversary of the Coast Guard.

As Americans we can all feel proud of the magnificent record achieved by the U.S. Coast Guard in the 175 years since its founding on August 4, 1790. Its accomplishments both as a maritime safety agency and as an armed force are written indelibly into the history of our country. The growth of the Coast Guard has to a large extent paralleled the growth of our Nation. From the earliest days of the infant Republic we have been a maritime nation, dependent upon the sea for trade, commerce, and communication. It was under these conditions that the Coast Guard was born, to guard the sealanes and protect our coasts. Now we have grown to a large, highly industrialized nation with an enormous overseas trade in all parts of the world. The U.S. flag today flies in places as widely separated as Greenland and the Republic of Korea.

Yet, somehow, the Coast Guard has managed to keep pace with the dynamic forward thrust of American growth. Although it is the smallest of our armed services, its duties cover an amazing spectrum of activity, including an intensive merchant marine safety program aimed at making the U.S. fleet the safest in the world, an expanding oceanographic program, a high coordinated search and rescue program, utilizing the latest electronic computer equipment, surveillance over ports and waterfronts, a far flung aids to navigation network, including the first atomic-powered lighthouse in Baltimore Harbor, and operation of the International Ice Patrol.

During its long and eventful history the Coast Guard has taken part in all of our major wars including the Civil War and both World Wars. The record is there for all to read.

As Marylanders we are all aware of the many services rendered by the Coast Guard in the Chesapeake Bay area. It was at Flint Landing that the Coast Guard Academy was formerly located and the Coast Guard Yard at Curtis Bay, Md., is helping to build some of the fine new ships which will shortly take their places in the Coast Guard's fleet. Even now, the 210-foot medium endurance cutter *Confidence* is under construction. When completed, she will add new scope and effectiveness to the Coast Guard's helping hand.

By all means let us recognize this valiant service by dedicating each August 4 as Coast Guard Day. Through its long and faithful service extending over a century and three-quarters, the Coast Guard has richly earned this recognition.

THE 175TH ANNIVERSARY OF THE U.S. COAST GUARD

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. BONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BONNER. Mr. Speaker, I should like to take this opportunity to pay tribute to an organization which for 175 years has rendered distinguished service both as an armed force and as a humanitarian agency dedicated to the safety of life at sea, the U.S. Coast Guard.

As a native North Carolinian, as chairman of the House Committee on Merchant Marine and Fisheries, and as a member of the Board of Visitors of the Coast Guard Academy, I have had the privilege of working closely with this fine service. I have come to know the high caliber of its men, of their devotion to duty and their gallantry in the face of danger. Surely, if any service deserves to be singled out for honor by our countrymen, it is this one.

The people of North Carolina have special reason to be grateful to the Coast Guard. Our coastal waters are filled with shipping and with thousands of recreational boatmen. It is the Coast Guard which tirelessly looks after their safety. Day after day, its ships and aircraft are busy watching over our heavily trafficked waters. When disaster strikes, they are usually on the scene in a matter of minutes. Actions such as these speak far louder than words.

Historically, North Carolina's association with the Coast Guard goes all the way back to its founder, Alexander Hamilton, first Secretary of the Treasury. The young Hamilton, en route from the West Indies to this country, was caught in a violent storm off Cape Hatteras. He was so impressed with this experience that years later his first official act as Secretary of the Treasury was to authorize the construction of a lighthouse there. The original light has long since vanished, and another has taken its place.

At Wilmington, the Coast Guard cutter, *Mendota*, is a welcome sight. This vessel is part of the Coast Guard's weather ship program. She and other cutters on ocean stations in the Atlantic and Pacific transmit weather data to transoceanic ships and planes.

North Carolinians are also proud of the fact that the Coast Guard's principal air station is at Elizabeth City. It represents the central point of the Coast Guard's air effort.

I have mentioned a few aspects in which the Coast Guard touches the lives and interests of the people of my own State. But the fact is that the Coast Guard plays a vital role in nearly every State in the Union. It is most fitting that special recognition be given to it at this time.

I therefore am proud to offer a resolution honoring the Coast Guard's 175th anniversary.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, news teletypes in the Speaker's lobby are carrying reports from the New York convention of the American Medical Association. It seems that the association's house of delegates has decided against taking action now on convention proposals to boycott medicare. Instead, they will wait until final enactment of this legislation by the Senate—and until the President has signed it into law—and then will convene again to decide what doctors should do about it.

As most of our colleague know, the State medical associations of Arizona and Ohio have formally urged nonparticipation and noncooperation in the new law on health care for the elderly. In California and elsewhere, similar proposals from within county societies were beaten down.

Some leaders in organized medicine have speculated that if the AMA were to endorse a boycott, it would take the form of refusing to submit billings to insurance carriers under medicare's voluntary supplementary plan, or to prepare any documents for Government use in verifying such billings.

Mr. Speaker, I think we owe some assurances to the millions of aging Americans who are prospective beneficiaries of the voluntary plan recently approved by this House—assurances that no action by the American Medical Association or any other private organization shall deprive them of their right to medical care under this act. The question of hostile response by individual physicians has been considered by appropriate officials in the Department of Health, Education, and Welfare—indeed, it was anticipated by the authors of this legislation.

The Government, to be sure, would much prefer doing business with designated carriers like Blue Shield. But it will not permit a denial of benefits to any individual simply because his doctor is determined to boycott the law of the land.

If a doctor's attitude makes it necessary, nonhospital benefits will be paid direct to the applicant patient on presentation of a receipted bill from his physician.

Obviously, this could cause the patient some inconvenience on substantial billings. He might have to obtain a short-term loan from friends in order to pay the full amount of the bill before getting reimbursement for the portion borne by medicare. But no doctor's intransigence will cause an eligible recipient to lose what he is entitled to under the new law. I think it is time to let our constituents know that this entitlement is decided by the Congress of the United States, and not by the house of delegates to the American Medical Association.

While we are at it, Mr. Speaker, we might add two important points:

First. The overwhelming majority of physicians can be expected to comply with both the letter and the spirit of the law.

Second. Those making the loudest noises in New York this week may have second thoughts after returning home. Despite earlier threats of noncooperation with social security earlier threats of a boycott against social security's total disability program, I am told that in only two instances have doctors actually withheld services, or failed to submit billings through the proper channels.

RETIREMENT ANNUITIES FOR CIVIL SERVANTS PERFORMING HAZARDOUS DUTIES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WHITE of Texas. Mr. Speaker, I am today introducing legislation that will, if enacted, revise the formula used in computing retirement annuities for civil servants performing hazardous duties.

The formula provided by this legislation will be 2½ percent of the average salary multiplied by the total service. This, however, shall not exceed 80 percent of the average salary.

At the present time the formula used in computing hazardous duty retirement annuities is identical to the formula for all other civil servants—2 percent. This is inadequate due to necessary early retirement.

This more generous annuity formula is necessary in the case of these Federal law enforcement officers, who must retire at an earlier age, due to the nature of the duties they perform. Their lives are fraught with danger, strain, and often with injury. We must not penalize these civil servants by less retirement pay, after their long and faithful service in protecting American citizens by enforcing our Federal laws. We must be able to attract capable personnel to our Federal service. We must provide the benefits that are necessary to attract and keep such able men.

THE ARTS AND HUMANITIES FOUNDATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORHEAD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I am particularly gratified to learn that the Education and Labor Committee of the House has today approved legislation to establish an Arts and Humanities Foundation. It has been my position since I first introduced legislation to achieve this purpose last year, that a fundamental change has developed in the U.S. attitude toward intellectual and cultural life. I have maintained in a series of speeches across the country and in testimony before the committee that the time is now right for the Federal Government to support and encourage this changing attitude. The arts and humanities are concerned with the improvement of the quality of life and an improved quality of life is the essence of the Great Society.

The late President Kennedy, who first exemplified and personified the new climate in this country for intellectual and cultural life, said in an address at Amherst College 2 years ago:

> I look forward to an America which will reward achievement in the arts as we reward achievement in business or statecraft. I look forward to an America which will steadily raise the standards of artistic accomplishment and which will steadily enlarge cultural opportunities for all of our citizens. And I look forward to an America which commands respect throughout the world not only for its strength but for its civilization as well. And I look forward to a world which will be safe not only for democracy and diversity but also for personal distinction.

I am sure all of us share these noble aspirations of our late President. I believe strongly that the Arts and Humanities Foundation will move us closer to these goals. I strongly urge all of you to support this legislation when it comes to the floor.

RECREATIONAL OPPORTUNITIES IN OKLAHOMA

The SPEAKER pro tempore (Mr. Smith of Iowa). Under a previous order of the House, the gentleman from Oklahoma [Mr. Edmondson] is recognized for 30 minutes.

Mr. EDMONDSON. Mr. Speaker, it had been my intention to take 30 minutes today to tell the Members of this body something of the outstanding recreational opportunities to be found in Oklahoma. Particularly, it had been my intention to invite every Member of the House to come to Oklahoma during the summer vacation, when, and if, that vacation develops, to see for themselves some of the splendid new lodges and outdoor recreational opportunities which are afforded in that State.

The fact of the matter is that the people in my office who have been compiling the descriptions and highway information for these recreational attractions have developed such a list of worthwhile vacation stops that a little further time is required to prepare that information for the House, so I have obtained time on Tuesday of next week for that purpose. I hope every colleague will take note of Oklahoma's outstanding recreation potential and will plan to spend some time in our State before the year ends.

COMMITTEE ON ARMED SERVICES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight tonight to file a report on H.R. 9075.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

These was no objection.

RETIREMENT FOR SELF-EMPLOYED INDIVIDUALS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island [Mr. Fogarty] is recognized for 10 minutes.

Mr. FOGARTY. Mr. Speaker, in 1961 the House of Representatives approved by an overwhelming vote the Self-Employed Individuals Retirement Act. I was a cosponsor of that legislation and I believed at the time, as did many others, that it would encourage millions of self-employed people to establish retirement plans for their later years. Unfortunately, in the closing days of the 87th Congress, certain last-minute changes were adopted in the other body which removed much of the incentive from the program.

Letters from self-employed people in Rhode Island indicate that very, very few of them have taken out plans, and, according to those active in organizations, there has been a minimum participation at the national level.

The legislation which I introduce today will correct two of the major deficiencies in the present law.

First. It will eliminate the provision allowing deduction of only 50 percent of the self-employed's contribution; and

Second. It will remove the percentage and dollar limitation with respect to self-employed having employees. For those who do not have employees the present limitation will be retained.

While the objective of this legislation is to encourage the self-employed to establish retirement programs, I should make it clear that I am also concerned about the employees of these people. The second step of my bill offers encouragement which I believe will result in retirement coverage for the secretaries, technical assistants, and other employees of the self-employed.

This was good legislation when it passed the House in 1961, and it is good legislation now. I urge my colleagues on both sides of the aisle to pursue its enactment.

CONFERENCE REPORT ON TREASURY AND POST OFFICE DEPARTMENTS, THE EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES APPROPRIATION BILL

Mr. STEED submitted a conference report and statement on the bill (H.R. 7060) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1966, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Kirwan (at the request of Mr. Addabbo), for Thursday, June 24, through Tuesday, June 29, 1965; on account of death in the family.

Mr. St Germain (at the request of Mr. Albert), for today, on account of a death in the family.

Mr. Whitener (at the request of Mr. Albert), for today, on account of death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Fogarty (at the request of Mr. Albert), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Edmondson, for 30 minutes, on Tuesday, June 29, 1965.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Widnall, his remarks in Committee of the Whole, on House Joint Resolution 541 and to include tables.

Mr. Brademas to revise and extend his remarks and include extraneous matter in his remarks on the juvenile delinquency bill.

Mr. Patman (at the request of Mr. Albert) to revise and extend his remarks made in Committee of the Whole today and include extraneous matter.

(The following Members (at the request of Mr. Hutchinson) and to include extraneous matter:)

Mr. Mosher.

Mr. Roudebush.

Mr. McClory.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Daniels.

Mr. Vanik.

Mr. Hanna in two instances.

Mr. Barrett.

Mr. Chelf.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until Monday, June 28, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1265. A communication from the President of the United States, transmitting for consideration of an amendment to the request for appropriations for the Department of

Health, Education, and Welfare for the fiscal year 1966 (H. Doc. No. 220); to the Committee on Appropriations, and ordered to be printed.

1266. A letter from the Comptroller General of the United States, transmitting a report of unwarranted construction-differential payments resulting from inadequate implementation of value engineering program, Maritime Administration, Department of Commerce; to the Committee on Government Operations.

1267. A letter from the Comptroller General of the United States, transmitting a report of unnecessary procurement of air passenger service on scheduled commercial airliners from Europe to the United States, Department of Defense; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 9075. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; without amendment (Rept. No. 549). Referred to the Committee of the Whole House on the State of the Union.

Mr. STEED: Committee of conference. H.R. 7060. A bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 550). Ordered to be printed.

Mr. McMILLAN: Committee on the District of Columbia. House Joint Resolution 230. Joint resolution designating the bridge constructed over the Washington Channel of the Potomac River, in the District of Columbia, as the "Francis Case Memorial Bridge"; with amendment (Rept. No. 551). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 8126. A bill to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement; with amendment (Rept. No. 552). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLEVENGER:

H.R. 9449. A bill to amend the Universal Military Training and Service Act to provide a draft exemption for persons who have completed 2 years of service in the Peace Corps or VISTA volunteers; to the Committee on Armed Services.

By Mr. FARNSLEY:

H.R. 9450. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against an undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9451. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. FEIGHAN:

H.R. 9452. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans Affairs.

By Mr. FOGARTY:

H.R. 9453. A bill to amend the Internal Revenue Code of 1954 to permit pension and profit-sharing plans to provide contributions or benefits on a nondiscriminatory basis for certain self-employed individuals without special limitations on the amount of contributions; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 9454. A bill to amend the Internal Revenue Code of 1954 to require the capitalization of all expenses incurred in connection with new plantings of citrus groves during the first 5 years of their growth; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 9455. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. KEE:

H.R. 9456. A bill to repeal the House Employees Position Classification Act; to the Committee on House Administration.

By Mr. MONAGAN:

H.R. 9457. A bill to establish a procedure for the review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes; to the Committee on Banking and Currency.

By Mr. PELLY:

H.R. 9458. A bill to provide for a national cemetery at Fort Lawton, Wash.; to the Committee on Interior and Insular Affairs.

By Mr. RESNICK:

H.R. 9459. A bill to authorize the Secretary of Agriculture to conduct programs to reduce the impact of droughts on rural residents, small municipalities, agriculture and livestock enterprises, and for other purposes; to the Committee on Agriculture.

By Mr. THOMPSON of New Jersey:

H.R. 9460. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. WHITE of Texas:

H.R. 9461. A bill to amend the Civil Service Retirement Act to increase from 2 to 2½ percent the retirement multiplication factor used in computing annuities of certain employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. GRIDER:

H.R. 9462. A bill to extend the application of the Classification Act of 1949 to certain positions in, and employees of, the executive branch of the Government; to the Committee on Post Office and Civil Service.

H.R. 9463. A bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 30 years of service without reduction in annuity; to the Committee on Post Office and Civil Service.

H.R. 9464. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

By Mr. MACKIE:

H. J. Res. 549. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. BONNER:

H. J. Res. 550. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.; to the Committee on the Judiciary.

By Mr. GARMATZ:

H. J. Res. 551. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.; to the Committee on the Judiciary.

By Mr. BRAY:

H. J. Res. 552. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. KREBS:

H. Con. Res. 445. Concurrent resolution to favor the establishment of an international living museum of traveling exhibits; to the Committee on Foreign Affairs.

By Mr. ANNUNZIO:

H. Res. 438. Resolution to authorize the abolition of the House Committee on Un-American Activities; to the Committee on Rules.

By Mr. DONOHUE:

H. Res. 439. Resolution relative to the 250th anniversary of the establishment of Hopkinton, Mass.; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLARK:

H.R. 9465. A bill for the relief of Anna Isaack Katribe; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 9466. A bill for the relief of Djamchio Shams and Homa Shams; to the Committee on the Judiciary.

By Mr. McGRATH:

H.R. 9467. A bill for the relief of Mario Errera; to the Committee on the Judiciary.

H.R. 9468. A bill for the relief of Donatantonio Fabiitto; to the Committee on the Judiciary.

H.R. 9469. A bill for the relief of Vasilije P. V. Punosevich; to the Committee on the Judiciary.

By Mr. MACKIE:

H.R. 9470. A bill for the relief of Dr. Francisco Bankuti and his wife, Ana Marta Esther Silbersdorff de Bankuti; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 9471. A bill for the relief of Dr. Esteban G. Friera; to the Committee on the Judiciary.

By Mr. O'BRIEN:

H.R. 9472. A bill for the relief of Dr. Melita Charlotte Gesche; to the Committee on the Judiciary.

H.R. 9473. A bill for the relief of Sister Perpetua Hallers and Sister Maria Margarita Garamendi y Magro; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

234. By the SPEAKER: Petition of the legislative secretary, Citizens Congressional Committee, Los Angeles, Calif., relative to impeachment proceedings of certain members of the Supreme Court; to the Committee on the Judiciary.

235. Also, petition of the legislative secretary, Citizens Congressional Committee, Los Angeles, Calif., relative to amending the Constitution to guarantee the right of our people to pray in their institutions; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Parkersburg, W. Va., Site of New Production Facility of Marbon Chemical Division of Borg-Warner Corp.—Industrial Expansion Continues To Aid Resurgence of Appalachian Region

EXTENSION OF REMARKS
OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, June 24, 1965

Mr. RANDOLPH. Mr. President, a new production facility at Marbon Chemical Division of Borg-Warner Corp., near Parkersburg, W. Va., was dedicated on June 2, 1965. Participating in this notable event were: Hon. Hulett C. Smith, Governor of the State of West Virginia; Hon. Koder Collison, commissioner of the State's department of commerce; Lester G. Porter, president of Borg-Warner Corp.; Robert Shattuck, group vice president of Borg-Warner; and William A. Suiter, president of Marbon.

It was my privilege to take part in the dedication and to join in a tour of the chemical complex. We were impressed by the recent expansion and welcomed this opportunity to meet and talk with a number of Marbon employees.

Mr. President, here is a concrete example of the dynamic business and industrial forces that are regenerating the West Virginia economy.

The size of Marbon Chemical is impressive. It covers 65 acres along the Ohio River south of Parkersburg. The spirit of Marbon people and their pride in the company and its products is a definite factor in the organization's success. Marbon is a valued industrial citizen of the Mountain State—one which has achieved a position of importance. Its role in the continuing economic renaissance of West Virginia will be increasingly significant.

Borg-Warner entered the chemical field in 1934 in Gary, Ind., by purchasing the Marsene Transparent Paper Co., changing its name to Marbon Corp., forerunner of Marbon Chemical. The company originally manufactured a transparent film made from casein—a derivative of milk. Following an extensive research program over many years, the original business was dropped in favor of crude rubber derivatives.

During the early years of World War II, this company developed and was the only source of cyclo rubber used exclusively as radar cable insulation. Operations were veiled in secrecy as this material was critical—particularly in the Battle of Britain where the newly developed radar system allowed the RAF to be most effective against unfavorable odds.

The chain of events that led Marbon to West Virginia began in the late 1940's in Gary, Ind., according to Robert Shattuck, then president of Marbon and now group vice president of Borg-Warner.

At the recent dedicatory ceremony, Mr. Shattuck noted that Marbon research personnel conducted extensive work with combinations of acrylonitrile, butadiene, and styrene chemicals. As a result, the company placed an ABS—acrylonitrile-butadiene-styrene—plastic on the market in 1952. Its tradename was Cycolac. Three years later, this tough, rigid material caused Marbon officials to face a major decision. Where could the company grow to meet the demand for Cycolac? Facilities at the Indiana plant were overcrowded. Less than 5 acres of property were owned. In addition, it seemed desirable at this time for Marbon to acquire a site of substantial acreage for current as well as future expansion.

In August 1953, a comprehensive survey was commenced with the objective of finding a suitable industrial site.

According to Mr. Shattuck, specifications for the site were approximately these: about 300 acres of land; flood free on a navigable waterway; served by rail and highway; and in a pleasant community.

A professional search group was engaged and over 7,000 miles of waterfront industrial sites were surveyed commencing on the Mississippi River at Paducah, Ky., and extending north throughout Kentucky and West Virginia along the Ohio River to Pittsburgh and on a 150-mile stretch along the south shore of Lake Erie.

As a result of this survey, five sites were selected for consideration. One of these sites was in Pennsylvania, two were in Kentucky, one on the Kanawha River near Charleston, W. Va., and finally the present site near Parkersburg.

Ground was broken in 1956 on February 22—George Washington's birthday. Quite appropriate since the land was once surveyed and owned by General Washington.

The new plant went into production approximately 1 year later. In August 1958, the company completed an administration building and research center, and moved its headquarters to Washington, W. Va.—a suburb of Parkersburg.

The recently dedicated production unit adds 40 million pounds annually to the plant's total ABS plastic capacity. It makes Marbon's Parkersburg plant the largest ABS plastic manufacturing facility in the world—with present annual capacity of 140 million pounds. This is more than 11 times its original size in 1957—which was 12 million pounds. It is interesting to note that since coming to West Virginia, this company's sales have increased 710 percent.

To West Virginia and to Parkersburg, here is probably the most important fact: When Marbon came to the State over 8 years ago, it transferred about 40 employees to the area. Today, the company employs over 750 people—most of them natives of West Virginia. The importance of this company to the area and State's economic health is self-evident.

From its small beginning just 30 years ago, Marbon today is an international business with eight plants located in the United States and overseas.

In addition to its continuing growth at Parkersburg, other expansions of its chemical facilities are taking place this year at the division's original plant at Gary where the company makes resins for the rubber and paint industries, and at a plant in Baytown, Tex., where it produces styrene monomer, a petrochemical raw material for many of its products.

Ground was broken this spring for a new plastics plant in Amsterdam, Holland, to supply Common Market countries.

Other company operations are located in Scottsburg, Ind., Fremont, Ohio, and Oxnard, Calif. Foreign markets are served by plants in Grangemouth, Scotland, and Ube City, Japan.

The products which Marbon's professional people have developed and are marketing have helped lift the dimension of living in the 20th century. Not only are these products being refined and their markets broadened, but newer, more exciting products are continually being developed.

In a day, you may come in contact with Marbon products not once, but many times—at home, at work, at play, and on the road.

Through its five main product lines—rubber resins, paint resins, ABS plastics, latices, and adhesives—Marbon products have practically unlimited applications. However, research is the key to progress, and Marbon scientists are continually seeking new products and applications at the company's Parkersburg research center.

What does all of this mean to the State of West Virginia?

At the recent dedication, I talked with Lester G. Porter, president of Borg-Warner Corp.—the parent company of Marbon. He plans for the future.

In Mr. Porter's address, he noted that the Parkersburg area could well be "the core of Marbon's future growth." He also said that the corporation "is deeply interested in the economic factors which will affect the future of West Virginia and permit Borg-Warner to make a major investment in its chemical business in or near Parkersburg."

Mr. Porter added:

> From all that is taking place, it seems to me that Marbon and Borg-Warner have the ingredients for growth and development in West Virginia.

My visit with these leaders causes me to believe that a productive change can come to West Virginia through chemical and related business. The development is all part of the petrochemical industry that must be encouraged to grow in our area. This industry, through the magic of chemistry, generates a host of materials that in turn make possible not only new plastics, but also fibers for clothing, rubber products, agricultural chemicals, paints, and several building materials products. Petrochemicals can be the key that will unlock the doors of opportunity for many West Virginia businesses and create much employment.

West Virginia has great natural resources and unexcelled beauty. It is a wonderful land in which to live. Most important—it is in the heart of the great industrial east. By encouraging companies like Marbon to establish basic industries in the State, added employment will stimulate the economy through the chemical and satellite businesses. And we will provide a practical approach to the problems we identify with Appalachia.

Outstanding Diplomatic Achievement

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1965

Mr. HANNA. Mr. Speaker, I would like to take this opportunity to congratulate the Governments of Korea and Japan on a truly outstanding diplomatic achievement. On June 22, in Tokyo, the Foreign Ministers of these two nations signed a series of treaties to normalize their long disrupted relations. As a result the two nations, in the words of Japanese Prime Minister Sato, will render a greater contribution to the prosperity and stabilization of peace in Asia.

Korea is important to both the security and to the economic development of the Pacific community; a community of which this Nation is very much a part and a community in which Japan, as one of its most highly industrialized and rapidly growing nations, has a high stake. The normalization agreements will encourage both trade and credit exchanges between these two key members of the Pacific community. The body of the agreement already insures Korea $300 million in economic grants, $200 million in long-term development loans and $300 million in commercial loans. This extension of grants and loans from Japan will be of immeasurable benefit to Korea's achievement of her 5-year plan goals which terminate in 1966 and which demand $700 million in foreign investment for accomplishment.

The normalization agreements will also benefit Japan. In addition to opening Korea's rapidly expanding domestic market it will also permit Japanese businessmen to take advantage of Korea's low-cost labor market through investment—an opportunity for the Japanese which also promises to accelerate Korea's economic growth.

Through the normalization agreements Korea and Japan have done more than recognize their historic and strategic importance to one another. They have formalized the economic development potential of their geographical proximity. Although there are still many obstacles to be overcome, the normalization agreements, Mr. Speaker, are indeed a giant step forward in the full utilization of both Korea's and Japan's potential, in addition to acting as an example and stimulus to the entire Pacific community. We hope for speedy final ratification and look forward to successful implementation.

The Saline Water Act

EXTENSION OF REMARKS

OF

HON. GEORGE A. SMATHERS

OF FLORIDA

IN THE SENATE OF THE UNITED STATES

Thursday, June 24, 1965

Mr. SMATHERS. Mr. President, next to the air we breathe, clear, fresh water is perhaps this country's most vital resource. Every facet of life depends on sufficient quantities of it.

Yet, today, many Americans live in regions which are suffering from acute shortages of potable water. In the Florida Keys, in southern California, and Arizona, and in parts of the industrial Northeast, these shortages already approach crippling proportions. Scientists tell us it is only a matter of time before other areas of the Nation will find that their thirst, too, is unquenchable.

The Department of the Interior estimates that 1980 will be the critical year. By then, the demand everywhere in the United States will have outstripped the supply obtainable from natural sources.

Clearly, if we are to continue to prosper—and perhaps even to survive—we shall be forced to turn to the last great untapped reservoir available—the sea.

Fortunately, the Federal Government recognized our needs in this respect long before the problem was so acute. Beginning with the Saline Water Act of 1952, Congress has passed a series of laws providing funds for a sensible, orderly program of research into the problems of converting salt water to sweet water. Five experimental desalination plants have been constructed, each one utilizing a different process; and, today, desalting technology stands on a high plane of refinement.

But, as we in the Senate acknowledged yesterday, in passing the saline water bill of 1965, there is still much to be done in this field. We have approved an additional $200 million, and have extended the life of the program until 1972, so that the final barrier to a limitless flow of clean, pure water can be assaulted, so that water obtained from the sea and brackish inland sources can be made economically competitive with conventionally supplied water.

The day of the leveling of the "cost barrier" need not be far off. Thirteen years ago, desalinated water cost in the neighborhood of $4.50 per 1,000 gallons. Presently, its cost ranges between $1 and $1.25 per 1,000 gallons. By 1975, according to the Office of Science and Technology, it will be possible to build combined nuclear electricity-saline water conversion plants that will produce clean water for about 20 to 25 cents per 1,000 gallons.

When that day arrives, the deserts will blossom in abundance; new cities will spring up on land where previously the cactus was the only visible sign of life; old, established urban areas will be given new impetus for growth; and industry and agriculture everywhere will expand and develop with renewed force and vigor. The sweeping changes which desalinated water promises to bring will reach into every American home. Quite possibly, their effects will be as significant and as far reaching as those of any earlier scientific or technological breakthrough. Certainly, the drama of the transformation of barren wastes into fertile fields rivals even that of astronauts spinning high above the earth's surface.

But, Mr. President, if promise is to become reality, both Congress and the executive must continue their enlightened approach to the entire problem of water supply. We must stand ready to initiate and pass whatever proposed legislation may be required in the future. For the present, I congratulate both the House and the Senate on the passage of the saline water bill, and urge an early signing of this vital measure into law by the President.

Baltic States Want Freedom

EXTENSION OF REMARKS

OF

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1965

Mr. McCLORY. Mr. Speaker, Tuesday, June 15, 1965, marked the 25th anniversary of Soviet aggression against the Baltic States of Lithuania, Latvia, and Estonia. On June 15, 1940, in violation of solemn treaties with these sovereign nations the Soviet Union began her imperialistic movement into Eastern Europe, removed the legitimate Governments of these nations, and incorporated them into the Soviet Union satellite empire by force.

Following an ultimatum issued to the Lithuanian Government on June 14, 1940, the Soviet armies moved against this nation and moved subsequently against Estonia and Latvia overwhelming all three of these sovereign nations and suppressing such fundamental freedoms as speech, assembly, and religion.

Breaking their will by mass executions and deportations, the Soviet armies forcibly subjugated, persecuted, and physically annihilated their victims. Many sources estimated that the Baltic population was reduced by as much as 25 percent.

Lithuania, Latvia, and Estonia continued to wear the collar of Communist imperialism. Compounding this prolonged injustice, the Soviets have staged large-scale celebrations within the Baltic nations to commemorate their "liberation" from the "yoke of capitalism." Moscow has deceived no one with its propaganda designed to smother the freedom of the Baltic States under Communist ideology and power.

In the wake of this aggression, on July 23, 1940, the United States denounced this Soviet action against the Baltic States and has refused to recognize the Soviet domination of these nations. Every succeeding administration has refused to recognize or legitimatize the forced incorporation of the Baltic States into the Soviet Union.

I take this opportunity to join with many of my colleagues in the Congress to reaffirm the position that the United States has taken for the past 25 years, and once again to condemn Communist seizure of power in the Baltic States. We all hope, as do freedom-loving Baltic Americans throughout the United States, that the near future will hold the promise of renewed independence and self-determination for Lithuania, Latvia, and Estonia.

I am encouraged by the action of the House of Representatives on June 21 in the unanimous adoption of H.R. 416 a measure directed toward restoring freedom to the people of the Baltic States.

The Study of Congress

EXTENSION OF REMARKS

OF

HON. CHARLES A. MOSHER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1965

Mr. MOSHER. Mr. Speaker, back in 1961 when I was a freshman Member of this House, I had a rather portly "shadow" who went in and out with me for a full week.

That shadow was Dr. Nelson Polsby, one of the most energetic students of the congressional process. It happens that I was the first Congressman he shadowed, but he also followed that same procedure with several other Members, including some of the much more senior Members. He was attempting to observe in minute detail the life Congressmen live and how they make their decisions.

Since that time, I have had many further opportunities to watch with interest Professor Polsby's continuing studies of the Congress. He is now associate professor of government at Wesleyan University in Connecticut, and that university has been very generous in allowing him extended leaves of absence during which he has devoted his time to studying this legislative body.

I suggest, Mr. Speaker, that it is good to know that an exceptional group of scholars—including Professor Polsby—is now engaged in a very broad and thorough study of the congressional process. That enterprise, entitled "The Study of Congress," is being sponsored by the American Political Science Association, using a grant of some $230,000 from the very respected Carnegie Corp., of New York.

Directing the study is Prof. Ralph K. Huitt, of the University of Wisconsin, one of the best known of American political scientists. Dr. Huitt has managed to recruit a group of some 15 of the more outstanding of America's younger scholars to assist him in the study.

I cite Dr. Polsby to indicate that the caliber of that study will hopefully be excellent and valid. His publications concerning the Congress indicate that he already ranks high among government scholars. A Phi Beta Kappa graduate of Johns Hopkins University in 1956, he obtained his Ph. D. from Yale University Graduate School in 1961, and since then has taught at the University of Wisconsin, Columbia University, and Yale University before becoming associated with Wesleyan.

Dr. Polsby is the author of numerous articles in scholarly journals and has written or edited six books. Their subjects range from community power structure to the Congress and the Presidency, presidential elections, and urban renewal.

Mr. Speaker, I am impressed by the fact that, like Dr. Polsby, the other scholars working with Dr. Huitt on "The Study of Congress" all have done considerable work in this field and have established reputations for responsibility on the basis of their firsthand, personal experience and observations right here on Capitol Hill. It is good to have such studies done by men who have spent considerable time in close personal touch with the way Congress operates, its actual day-to-day processes, rather than only secondhand from sterile records.

As I understand it, the purpose of the study which Professor Huitt heads is to provide a set of comprehensive research papers which will be available, in effect, as staff material for congressional committees or citizens groups which may be interested in the problems of congressional reorganization. But they will be written with the idea of first finding out how Congress works, not for the purpose of trying to tell us how we should work.

Only Congress itself can make any final decisions concerning its own reorganization, that is obvious. But I feel confident that the Congress should welcome objective studies conducted by men as responsible as Professors Huitt and Polsby, financed by such an eminent foundation as the Carnegie Corporation, and sponsored by the leading professional organization of students of government, the American Political Science Association.

Kentucky Boosters Club

EXTENSION OF REMARKS

OF

HON. FRANK CHELF

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1965

Mr. CHELF. Mr. Speaker, the Loyal Boosters Club of Bellevue, Ky., located in the Fourth Congressional District which I have the honor to represent here has passed a resolution calling for every one of its approximately 70 members to fly our American flag every day during the month of July.

This club which is one of the oldest in northern Kentucky, felt that instead of celebrating one day of Independence of our country, it would like to observe this significant national holiday by displaying this beautiful banner for 31 days.

The club has the enthusiastic endorsement and cooperation of the city officials who have issued a proclamation designating July as "Rally Around the Flag" month. Other organizations are cooperating with the members of the club in devising ways and means of rendering special courtesies and respect to our national flag which stands for the United States of America, "one nation under God, indivisible, with liberty and justice for all."

Such special recognition by the Loyal Boosters Club is a splendid way of paying homage to this shining symbol of our national sovereignty, our glorious past, and the promise of our future greatness.

I would like to commend the Loyal Boosters Club for this admirable tribute. Each member of its organization and all of the others cooperating in this splendid action have given us a patriotic example worthy of praise and emulation.

Trenton Goes to Washington—New Jersey Lawmaker Offers Antismut Bill

EXTENSION OF REMARKS

OF

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1965

Mr. DANIELS. Mr. Speaker, on April 14, 1965, I introduced a bill to set up a Presidential Commission to find ways to combat smut. The reaction to my bill has been much greater than I had expected. From all parts of the Nation I have received encouraging letters.

In New Jersey, groups representing various denominations as well as nonsectarian organizations have volunteered their services.

A very excellent summary of the sentiment within the New Jersey delegation appeared in the June 4, 1965, edition of the Trentonian, a very influential newspaper in southern New Jersey. The article in question was written by Cyril J. O'Brien, a journalist with a deep understanding of both New Jersey and the Washington scene. I urge all Members to read Mr. O'Brien's article which I am inserting at this point in the RECORD:

TRENTON GOES TO WASHINGTON—NEW JERSEY LAWMAKER OFFERS ANTISMUT BILL

(By Cyril J. O'Brien)

WASHINGTON.—Pornography: the Supreme Court won't define it and the lower courts which try to obliterate it find their decisions knocked into a cocked hat the first time a test is made.

It is a problem because what might be prurient for Aunt Sadie would not cause Uncle Harry to bat an eye. And censorship, too, is a bugaboo with people so afraid of freedom's protection they permit almost anything to go by.

There is a limit somewhere, and members of the New Jersey congressional delegation queried this week all would draw a line, for instance, to shield teenagers and children. As for the public, the New Jersey legislators agreed with the Supreme Court that they would have trouble saying where the line should be drawn.

Recently, a New Jersey legislator, Representative DOMINICK V. DANIELS, introduced a bill to set up a commission on pornography. On it would be representatives of book publishers, the motion picture industry, newspapers, churches, librarians, lawmakers and other interests.

From the Garden State mail has been engendered, with several church groups behind the proposed law: the Knights of Columbus, with 50,000 membership in the State, and the Archdiocesan Federation of Holy Name Societies.

DANIELS, a Hudson County Democrat, told the Trentonian that the danger is "clear and present. It's obvious to anyone looking at a newstand. On all sides we are assailed by hardcore pornography."

The commission he proposes would develop a plan for cooperation of local, State, and Federal officials, and would find ways to keep the public informed on the origin and scope of the traffic. Members would try most of all to get the ball rolling with the voluntary cooperation of all.

Representative FRANK THOMPSON, JR., wanted any such proposal to protect the constitutional rights of individuals.

"I am unalterably opposed to the spread of pornography," THOMPSON said, "but insist that the guarantees of the Constitution be met in the making and enforcement of laws to deal with it."

Representative WILLIAM P. CAHILL, Republican, of Camden, thinks the problem is now right down to the line. Up to now, he feels, every law to block obscenity has been blocked by the courts, notably the Supreme Court. CAHILL thinks it is time a law was passed specifically putting the finger on pornography and its dangers.

Representative JAMES J. HOWARD, Republican, of Monmouth-Ocean, thinks pornography should be attacked.

There's a danger, however, that laws on what people can get to read may infringe upon peoples' rights. Under DANIELS, he feels, the law has wide and sound counsel.

Representative WILLARD CURTIN says "the guards are down all around for this type of thing. In general I am in favor of anything honoring individual rights that will halt the sale of this disgusting commodity." CURTIN is also the author of similar bills.

Cleveland Orchestra From 11-Week, 11-Country Tour of Europe

EXTENSION OF REMARKS

OF

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1965

Mr. VANIK. Mr. Speaker, it is with a great deal of pride and pleasure that I call to the attention of this body that the Cleveland Orchestra will be returning home on June 26, concluding an 11-week eastern and western European tour of 11 countries, giving 45 concerts in 20 cities, including 25 in 6 Russian cities. The tour was a part of the overseas cultural presentations program of the Department of State.

Audience, critic, and official reactions were consistently expressed in superlatives. As an example, a press story in Warsaw referred to the "Magicians from Cleveland" saying:

> This phenomenal orchestra is one of the best, if not the best, in the world.

In Berlin, long accustomed to the finest in the performing arts, the manager of the Philharmonic Orchestra, referring to a special concert for the university students, said:

> The enthusiasm and rapport was unmatched in his Berlin experience.

The impact of the Cleveland Orchestra extended far beyond their formal concerts. In practically every country all or parts of the concerts were broadcast over radio or television. Dr. Szell was untiring not only in giving the normal press conference but in appearing in special television interviews.

Discussions were arranged enabling members of the orchestra to meet informally in small group to exchange ideas with their colleagues of the host countries; seminars and discussions were led by Dr. Szell, Mr. Lane, and others at music conservatories of the host countries; dinners and luncheons arranged by the embassies enabled Dr. Szell, Mr. Lane, Mr. Barksdale, Mr. Druian, Mr. Browning, and others to have contact with the cultural and political leaders of the countries visited. These opportunities for individual American musicians to have personal contact with the citizens of cities visited were pleasant and rewarding.

It is impressive to note that during the time when the Soviet press was dominated by official party propaganda in connection with existing tensions with the United States, the Cleveland Orchestra's tour was given extremely favorable and accurate coverage. This feeling of friendship and understanding spilled over from the official aspects of the tour. Many individual members of the Cleveland Orchestra were invited to private apartments for informal friendly conversations.

In Vienna, Dr. Szell was awarded the Cross of Honor for Science and Art, first class, by the Austrian Minister of Education.

The first 5 weeks of the tour were all spent in the Soviet Union where concerts were given in Moscow, Kiev, Tbilisi, Yerevan, Sochi, and Leningrad. After leaving the Soviet Union, concerts followed in Helsinki, Stockholm, Warsaw, Berlin, Hamburg, Paris, Bergen, Norway; Prague, Czechoslovakia; Bratislava, Czechoslovakia; Vienna, London, Amsterdam, and Scheveningen, Holland.

The success of the tour of this great orchestra under the baton of one of the world's greatest conductors evidences again the great value of such a Government-sponsored cultural tour in conveying the depth and substance of our cultural endeavors in the United States to countries around the world. It is my sincere hope that many more tours of this nature will be conducted to as many countries around the world as will receive them. Music, and the arts generally, have proved to be one of the finest means to convey our desire to strive for peace and understanding throughout the world.

Orange County's Project 21: A Plan for Metropolitan Greatness

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1965

Mr. HANNA. Mr. Speaker, I would like to take this opportunity to bring to the attention of the Congress, and the entire Nation, a very unique and worthy undertaking now in progress in Orange County, Calif., entitled "Project 21." The goal of this project is to involve the entire business, industrial, civic, and labor community of Orange County in "studying and promoting balanced economic growth and in improving the county's physical resources and beauty." The project is aimed at metropolitan greatness for Orange County during the 21st century.

Our President has emphasized the need for urban planning and orderly development. It seems clear to this Member of Congress that this nongovernmental project, which does not receive nor seek tax support, is an ideal example of what farsighted, civic-minded Americans can do to insure that the growth we all know must take place will be a guided and orderly growth.

In Orange County, as in many areas adjacent to expanding urban centers, we have seen a great deal of growth in recent years. Yet, in a very real sense, our commercial, industrial, and population growth has just begun. If we allow this expansion to proceed in an uncoordinated, disjointed fashion, Orange County will itself become an ugly urban "slurb." The economic base will be unsound, transportation and communication systems will be lacking, our cultural, recreational, and educational facilities will be inadequate. And furthermore, Mr. Speaker, at that time there will be little or nothing we can do about it.

Fortunately, Orange County can avoid this unhappy fate. We can build the kind of sound, varied, and attractive community in which it will be a pleasure for our citizens to live, work, and enjoy life. Success in this worthy endeavor will only be ours, however, if we begin now to do the planning and the studies which are being carried on by Project 21. Project 21 is our best hope for the fulfillment of Orange County's rich potential.

I heartily commend John B. Lawson, vice president and general manager of the Aeronutronics Division of the Philco Corp., who is the father of Project 21. He first proposed that such a project be launched in his address before the Fourth Annual Orange County Economic Conference in 1963. Since that time, John Lawson, as president of Project 21, has worked with an outstanding group of business and civic leaders throughout the county to make Project 21 become a reality. The following is the proposed activities of Project 21 for the current year; as we can see, it is an ambitious, progressive, and well-constructed program which deserves the support and encouragement of all our people:

PROPOSED 1965 PROGRAM OF ACTION—PROJECT 21

ENLIST CITIZEN PARTICIPATION

Prepare a questionnaire relating to values Orange County citizens might like to see included in the framework of their environment. Widely administer the questionnaire and, upon completion and analysis, supply results to key Orange County people so that they may be cognizant of the preferences of the people;

Produce booklets, television films, and other media items from this study to give it added force and to solicit further citizen participation;

Inventory county government to find out who the governments are, what they do, and when they meet—all to encourage citizen awareness of government and what it is doing on the local level.

INITIATE AND ENCOURAGE ENVIRONMENTAL STUDIES

Through study and consultation, evolve a list of major county problems by priority;

Compile potential sources of finance for research studies in the problem areas, along with a corresponding list of appropriate research specialists;

Upon completion and publication of each study, provide widespread distribution of its recommendations through publicity.

ORGANIZE REFERENCE CENTER

Purchase and catalog publications on environmental planning and activities;

Obtain general plans, codes, statutes and ordinances relating to planning, zoning, building, housing and conservation;

Acquire pertinent statistical data on a continuing basis;

Take steps to establish reference center as depository and clearinghouse for planning materials.

PROVIDE A FORUM

Establish procedures for convening public forums on issues of topical interest.

RECOMMEND IMPROVED PLANNING STANDARDS AND TECHNIQUES

Maintain continuing study of literature to discover practices which might be beneficially applied in Orange County;

Establish methods to disseminate these findings and to ascertain if Project 21 recommendations are being used, and if not, why.

SPONSOR BIENNIAL CONFERENCE

Convene a biennial conference to discuss major issues of the day in environmental planning for Orange County.

HONORS

Establish criteria and awards to be given those who, in Project 21's view, contribute to county environmental excellence.

GENERATE CITIZEN SUPPORT

Organize and bring the influence of the people behind objectives of private and public sectors as expressed in Project 21;

Establish ways in which Project 21 will be continually aware of the goals of the people;

Set up a speakers' bureau and list of organizations within the county to which representatives may put on programs;

Prepare a newsletter and circulate it to members and interested other parties;

Compile list of individuals and organizations who may be likely sponsors and candidates for membership in Project 21 to aid a continuing fundraising program.

Mr. Speaker, Project 21 has attracted the active support of hundreds of Orange Countians. They, in turn, have selected as officers and members of the board of directors 20 men and women of the highest ability, reputation, and stature. Upon them will fall the heaviest load for guiding Project 21 during this, its vital formative years. The officers and directors are as follows:

OFFICERS

President: Mr. John B. Lawson.
Vice president: Mr. H. W. McMillen.
Secretary: Mr. Donald A. Strauss.
Treasurer: Miss Agnes Blomquist.

BOARD OF DIRECTORS

Dr. Daniel G. Aldrich, Jr., chancellor, University of California, Irvine; Irvine, Calif.

Mr. William Beck, general manager, Laguna Niguel Corp., South Laguna, Calif.

Mr. W. Worth Bernard, publisher and editor, Orange County Life, Business, and Industry newsmagazine, Santa Ana, Calif.

Miss Agnes Blomquist, president, Newport Balboa Savings & Loan Association, Newport Beach, Calif.

Mr. James Decker, local manager, Southern Counties Gas Co., Laguna Beach, Calif.

Mr. M. L. Doelz, vice president and general manager, Collins Radio Co., Information Science Center, Newport Beach, Calif.

Mr. C. M. Featherly, First District, Orange County Board of Supervisors, Santa Ana, Calif.

Mr. John B. Lawson, vice president and general manager, Aeronutronic Division, Philco Corp., a subsidiary of Ford Motor Co., Newport Beach, Calif.

Mr. Cecil Marks, executive manager, Orange County Farm Bureau, Orange, Calif.

Mr. H. W. McMillen, vice president, Orange County area administration office, Bank of America, Santa Ana, Calif.

Mr. Edgar C. Miller, director of economic planning, Autonetics Division, North American Aviation, Inc., Anaheim, Calif.

Miss Lorna Mills, president, Laguna Federal Savings & Loan Association, Laguna Beach, Calif.

Mr. Jack Mullan, vice president, 23d District, Orange County, Calif., Real Estate Association, Newport Beach, Calif.

Mr. Max Reynolds, president, Orange County Division, League of Cities, Orange, Calif.

Mr. Fred Schell, division manager, Southern California Edison Co., Santa Ana, Calif.

Mr. Howard B. Lawson, owner, Howard B. Lawson Co., Town & Country, Orange, Calif.

Mr. Donald A. Strauss, vice president, employee relations, Beckman Instruments, Inc., Fullerton, Calif.

Maj. Gen. Frank C. Tharin, commander of Marine Corps Air Bases, Western Area, and commanding general of El Toro Marine Corps Air Station, El Toro (Santa Ana), Calif.

Mr. Charles S. Thomas, president, the Irvine Co., Irvine, Calif.

Mr. C. E. White, director of administration and materiel, Hughes Aircraft Co., ground systems group, Fullerton, Calif.

Mr. Speaker, as we look at Orange County, with its more than 1 million people, extensive defense, electronic, and related industries, incomparable tourist and recreational attractions, vital military bases, and centers of higher learning; we realize that is is in itself a very important part of the most populous State in the greatest Nation in the world. Yet even beyond this, with our diversity and rich potential we reflect the entire Nation. Project 21 shows that private citizens, recognizing their responsibilities as community leaders, and with nothing to gain personally but the satisfaction of achievement, can join together to provide for a better, a more worthwhile, and a productive future for our county, State, and Nation. Many areas throughout the United States need and would benefit greatly from a program similar to Project 21. It is our hope that Project 21 will lead the way in a nationwide commitment at the local level to, in the words of John Lawson, "long-range planning and growth management that integrates the aspirations of all our municipalities into a total metropolitan plan for greatness."

Reapportionment of State Legislatures

EXTENSION OF REMARKS
OF
HON. RICHARD L. ROUDEBUSH
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 24, 1965

Mr. ROUDEBUSH. Mr. Speaker, there is great concern throughout the country and in the Congress about the Supreme Court decision affecting reapportionment of State legislatures.

The Supreme Court has taken upon itself to enter the legislative field of government by denying our individual States the right to govern themselves according to the wishes of their own people.

It has been my privilege during this session of the 89th Congress to introduce a constitutional amendment designed to overcome the great damage caused by the Supreme Court.

My legislation would provide that the individual States retain the right and power to determine the apportionment of their own governing assemblies, and does not restrict them to apportioning these bodies on a solitary population basis.

I sincerely believe that the Supreme Court has seriously overstepped its authority by requiring both houses of our State legislatures to be reapportioned on strictly a population basis. This theory conflicts with all principles of our republican form of government.

The beauty of our unique, American system has been a carefully constructed method of checks and balances.

Fortunately, for generations of Americans, our Founding Fathers in a flash of genius unequaled since the dawn of civilization, wrought a constitutional system that has enabled the people of the United States to enjoy the blessings of liberty.

The prescribed function of the three branches of Government—legislative, executive, and judicial—is to act as a restraint on the others.

It is my firm conviction that the Supreme Court has usurped the legislative function in its reapportionment ruling that in effect prohibits the right of the States to use a basis other than population in apportioning membership of one house of their State legislatures.

As Supreme Court Justice Potter Stewart states in his dissenting opinion:

> The Court's draconian pronouncement, which makes unconstitutional the legislatures of most of the 50 States, finds no support in the words of the Constitution, in any prior decision of this Court, or in the 175-year political history of our Federal Union. The rule announced today is at odds with the long-established principles of constitutional adjudication under the equal protection clause, and it stifles values of local individuality and initiative vital to the character of the Federal Union which it was the genius of our Constitution to create.

The effect of this ruling on the rural and small town areas of America will be most harmful. To still the voice and conscience of rural America will be a blow to our representative form of Government, and strikes at the heart of the Federal system.

The Supreme Court has gone to the dictatorial position of telling the individual States they no longer can govern themselves as they please, but must abide by the Supreme Court in Washington, D.C.

The role of the Supreme Court was envisioned by our Founding Fathers as that of interpreters of the Constitution, but the present Court is dominated by a viewpoint that its duty is to make law, rather than interpret law.

To alleviate and correct the damage of this Supreme Court ruling, I have joined with other Members of Congress in introducing legislation designed to get the Supreme Court back into its proper role, and prohibit its trampling traditional States rights provided by our Constitution.

My legislation, entitled House Joint Resolution 176, provides that the right and power to determine the composition of the legislature of a State and the apportionment of the membership thereof shall remain in the people of the States.

My bill, and others like it, merely provide what our Constitution stated so emphatically, that the people shall retain the right to govern themselves.

It is unfortunate that corrective legislation is needed to reaffirm what our Constitution sought to provide, but this is the result of Supreme Court interference in the rights of our people.

To authorize both houses of a legislature to be apportioned on the basis of local need or selected interest or geography would, of course, be unfair and inimical to the general public interest.

But, by the same token, the requirement that both houses be apportioned strictly on population alone would amount to a desertion of the rights of the minority and to an abandonment of the unique needs of the individual citizen.

Some people may live in areas of high employment, others in depressed areas with high unemployment. Some may be farmers, miners, fishermen, or lumbermen. Some may be one religion or national origin peculiar in need or consideration from those of another religion or national origin.

Some may live in rural areas or small towns while others live in metropolitan areas or suburban expanses. Some may direct their needs toward secondary roads or superhighways while others are more concerned about rapid transit systems. Some may require priority consideration of irrigation projects while others demand consideration of water systems.

Between each group, conflicting interests of varying degree develop, with each conflict producing a majority and minority. Certainly, the majority must have effective rule, but the minority, too, is entitled to effective representation lest important segments of our people be completely subject to the tyranny of a temporary majority. Abandonment of this concept will most certainly convert our system of government, the oldest continuous constitutional government in the world, to something alien thereto and potentially dangerous to individual liberty.

It is correct to say, as the Supreme Court did, that legislators represent people, not trees or acres. But, the people who reside in States are more than mere numbers. They are people with dissimilar and sometimes conflicting needs, with conflicting hopes and aspirations, with ever-changing problems that sometimes fail to yield to computer logic. Through the wisdom of the people themselves, as represented by the elected leaders of sovereign States, they may well decide there is a need for representation of particular interests in one body of a legislature in contrast to the representation of general interests in the other body.

Mr. Justice Stewart put it perfectly when he said in his dissent:

> Throughout our history the apportionments of State legislatures have reflected the strongly felt American tradition that the public interest is composed of many diverse interests, and that in the long run it can better be expressed by a medley of component voices than by the majority's monolithic command. What constitutes reasonable plan reasonably designed to achieve this object will vary from State to State, since each State is unique, in terms of topography, geography, demography, history, heterogeneity and concentration of population, variety of social and economic interests, and in the operation and interrelation of its political institutions.

Making his point further, Mr. Justice Stewart continued:

> A system of legislative apportionment which might be best for South Dakota, might be unwise for Hawaii with its many islands, or Michigan with its northern peninsula—Montana with its vast distances is not Rhode Island with its heavy concentrations of people. I do know enough to be aware of the great variations among the several States in their historic manner of distributing legislative power of the Governor's council in New England, of the broad powers of initiative referendum retained in some States by the people, of the legislative power which some States give to their Governors, by the right of veto or otherwise, of the widely autonomous home rule which many States give to their cities.

The American farmer represents only 7 percent of the total population of this Nation. Yet the general interests and well-being of the American farmer is important to every American. The Supreme Court would reduce the voice of the American farmer and the small townsman to a whisper, a legislative slave to the big cities and urban centers.

Let us make no mistake about the political implications of the Supreme Court ruling. Advocates of one-party, big city rule together with collectivists and Socialists in this country have claimed the Court decision as a victory and a blow to representative government.

Elimination of farm and small town representation in State legislatures will shift absolute and irrevocable power to the large urban centers which are controlled in most areas by advocates of centralized government, deficit spending, and one-party rule.

I respectfully request favorable consideration of a constitutional amendment to enable our States to retain control of their legislatures.

The time has arrived in America to determine if the Constitution as devised by the Founding Fathers is still valid and in force to protect the rights of our citizens, or if this precious document is to be perverted and rewritten at the whim of the Supreme Court.

Thank you.

Rent Supplements

EXTENSION OF REMARKS

OF

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1965

Mr. BARRETT. Mr. Speaker, clearly the most controversial item in the general housing bill which the House will soon consider is the President's rent supplement proposal—section 101 of the bill—which he has called "the most crucial new instrument in our effort to improve the American city."

I agree with the President that the rent supplement program offers the greatest potential promise of any proposal in recent years to provide decent, safe, and sanitary housing for the low-income families of our Nation.

Despite the clearly desirable objectives of the proposal and its many merits, there has been some misunderstanding as to why the program is needed, what it seeks to achieve, and how it will operate. To help clear up these misunderstandings, I am inserting in the Record for our colleagues' attention a series of questions and answers which I hope will clarify everyone's understanding of the proposed program and also convince them of the desirability of voting for the new proposal when the House considers the bill.

Question. How would the program work?

Answer. The sponsor of a private nonprofit, limited dividend, or cooperative project would negotiate with a private lender and the FHA for a market interest rate mortgage to be insured under FHA section 221(d)(3). The sponsor would also enter into contract with HHFA for rent supplement payments on those units in the project which are to be occupied by eligible low-income families. The sponsor would select the occupants, subject to qualifications relating to eligibility, such as tenant's age, physical handicap, displacement or occupancy in substandard housing, and income. These qualifications would be checked by the offices or agencies designated for this purpose by the Housing Administrator.

The amount of the rent supplement payments with respect to a family would be for the difference between the full rent for the dwelling unit it would occupy and 25 percent of the income of that family. Incomes of tenants, except the elderly, would be checked every 2 years, or more frequently if necessary, by the offices or agencies designated for this purpose. As incomes of tenants increased, the rents charged to tenants would be increased, and the rent supplement payments would be reduced until the tenant could pay the full rent. At that time, rent supplement payments with respect to that tenant would cease, but he could continue to occupy the unit by paying the full rent.

Question. Who would be eligible?

Answer. Families eligible for housing units assisted with rent supplements would be those who, first, are either elderly, physically handicapped, displaced by public improvement programs, such as the urban renewal and Federal highway programs, or are living in substandard housing, and second, have incomes that do not exceed the income ceilings established for their locality. Income ceilings, in turn, would be established for various sizes of families as follows: the lowest rental at which private standard units are available in a locality would be determined, and that rental would be multiplied by four to establish the maximum income for that locality. Thus, only families otherwise eligible, who have to pay more than 25 percent of their income to rent the lowest rent standard rental units that are available in the private market in that locality would be eligible.

Question. Who supports the rent supplement program?

Answer. This program is recommended by the administration, the committee which held full and extensive hearings on the program, mayors and Governors, and representatives of labor, agriculture, banking industry, the construction industry, and almost every interested organization. Favorable testimony on the rent supplement program was received from representatives of:

National Association of Home Builders.

Mortgage Bankers Association of America.

American Bankers Association.

National Association of Mutual Savings Banks.

AFL-CIO.

American Association of Homes for the Aging.

Archdiocese of New York—Committee on Housing and Urban Renewal.

Cooperative League of the USA.

Joint Center for Urban Studies of MIT and Harvard University.

General Improvement Contractors Association.

National Conference of Catholic Charities.

National Council for Senior Citizens.

National Council on the Aging.

National Farmers Union.

National Housing Conference.

Question. How would income ceilings for eligibility be established?

Answer. A survey would be made in each locality to determine the lowest rents at which private standard units are available and the maximum income of families that would be eligible for rent supplements in that area. Thus, the Housing Administrator would establish income ceilings for various size families in each locality.

Recently, the Housing Agency indicated that on the basis of some preliminary data for two dozen cities of various population sizes, the estimated income ceiling for a three- or four-person family—assuming a 25-percent rent-to-income ratio—in more than four-fifths of the cities covered were in the $3,000 to $5,000 range. Most of the remaining cities were slightly above $5,000, with a few near or at $6,000 and one slightly below $3,000.

Question. What kind of housing would be eligible under the rent supplement program?

Answer. The housing would be new or rehabilitated housing financed under FHA section 221(d)(3). The units would be of modest and unextravagant design, as in the case of the below market interest rate program—FHA section 221(d)(3). Under that program, FHA by regulation limits the maximum mortgage amounts permissible in an area and thus assures that rents appropriate for moderate-income families in that area will result.

Question. What is the estimated cost of the program?

Answer. Authority would be provided to enter into rent supplement contracts not to exceed amounts approved by appropriation acts and not to exceed $200 million a year. While this would be the maximum contractual authority, the aggregate of the actual rent supplement payments would be substantially less because as incomes of tenants increased, rent supplement payments would be decreased, and when the tenant could afford to pay full rents, rent supplement payments would cease. The Housing Agency has estimated that the rent supplement payments actually made under a program authorizing an annual maximum of $200 million would probably not greatly exceed $100 million per year over 40 years. This is only one-tenth of 1 percent of our annual Federal budget.

Question. Why is the rent supplement program needed in addition to the substantial number of low-rent public housing units authorized in other sections of the bill?

Answer. The housing would be available only to families and individuals in the lowest income group, basically the same income group now eligible for public housing.

The number of low-income families on the waiting list for public housing units has reached 500,000. It is obvious that we must use every possible tool to deal with the housing needs of our low- and moderate-income families. The public housing program is, and will remain, one of our basic tools for providing standard housing for low-income families. To the extent that the rent supplement program can serve these families it will constitute a needed supplement—not a substitute—to public housing. The need is sufficiently great to warrant maximum effort under both programs.

Question. Why has the rent supplement program been characterized as a program of private enterprise and private participation?

Answer. The rent supplement payments would be made with respect to housing built by private nonprofit or limited dividend corporations, or by cooperatives, and financed with section 221(d)(3) market-interest-rate mortgages insured by FHA.

Housing built under this new program would be privately built, privately financed, and privately owned. It is basically a private enterprise program with supplemental Federal assistance through partial rent payments to help meet the housing problems of our low-income families.

Question. Will the rent supplement program reduce the incentive for home ownership?

Answer. The rent supplement program would provide an opportunity for low-income families who are desirous of becoming homeowners and have the potential for increased incomes that would permit homeownership at a later time. This would be accomplished under the lease-with-option-to-purchase part of the program. Under this plan, an eligible family would rent a detached, semidetached, or row house in a project of such homes, and rent supplements would be paid in the same manner as for rent supplement units in other projects. When the income of the family had increased sufficiently so that it could afford to pay the full rent, the rent supplements would be terminated and the family would proceed to purchase the unit it occupied with the aid of an FHA-insured section 221 home mortgage.

Question. Will the rent supplement program reduce incentives to increase income?

Answer. No, because only 25 percent of any increase in income would go for increased rent. The other 75 percent of the increase in income would be available for the family to use in meeting family needs other than rent. The head of a family making $250 a month will not lose incentive to raise his income by $50—$300 a month—just because that would require him to increase his rent payments by $12.50 a month. This would be the same as saying that a person would not accept a higher income because his Federal income tax rate would be increased.

Question. Would the rent supplement program tend to establish national rent standards?

Answer. No, the rent supplement program will not cause or enable landlords to increase the rents they charge. Rents in privately owned units are determined by demand and supply in local housing markets.

Actually, the addition to the housing supply which this program would make will help to reduce rents through the normal competitive process. According to the Bureau of the Census, over three-fourths of our lowest income families now pay 35 percent or more of their small incomes for rent because of the inadequate supply of housing for the disadvantaged.

Question. How would a family's income be checked for eligibility?

Answer. First, maximum income limits would be established by the Housing Administrator based on a market analysis showing the lowest rent at which standard housing is available to accommodate a given family size. Payments could not be made on behalf of any family whose income was more than four times the minimum rent required to obtain standard housing in the community. Second, applicants found acceptable by the private owner of the project would then be referred to an agency, which might be the community's relocation service or a similar qualified organization, which would determine if the applicant met the maximum income limits established for the project. While the private owner chooses the prospective applicant, he would have no voice in determining the applicant's eligibility.

The check on income which would be performed by this agency would be a mere routine function, much less detailed than is currently being carried on by local housing authorities throughout the country under the public housing program. Primarily, it would involve the applicant—on whose behalf the payment is to be made—presenting either a tax return, or W–2 form, or statement of his earnings from his employer.

Question. Would most families have incomes below the maximum for eligibility purposes?

Answer. The great bulk of rent supplement tenants would have incomes below the maximum. And where an occupant's income is up close to the ceiling, the supplement would be correspondingly small and the family would be paying a substantial rent out of its own income.

Question. How would a family's assets be determined and how would they affect eligibility?

Answer. A family's assets would have to be considered, just as they have to be considered now in determining eligibility for public housing. The Housing Administrator testified that this will be controlled by regulation.

Along with his statement of income, an applicant would have to present a statement of his assets. Just as maximum income limits would be set for each community, reasonable limits will be placed on the amount of assets permitted in addition to income. Even though an applicant's income qualified for a rent supplement payment on his behalf, he would be ineligible if his assets exceeded these limits.

Question. If a tenant's income decreases during occupancy in a rent supplement unit, will his rent supplement payment be increased?

Answer. Yes, the rent supplement would be increased if a tenant's income decreased. In general the incomes of tenants would be expected to rise, thus reducing their need for rent supplements. There would, therefore, be sufficient funds available under the maximum for the project permitted by the original rent supplement contract to take care of those cases in which income decreased.

Question. How often will incomes be recertified?

Answer. Except for the elderly, incomes of occupants will have to be recertified at least every 2 years, or lesser periods in those instances where the Administrator decides that it is desirable. Since elderly are not likely to have any significant increases in income, there will be no need to recertify the incomes of these households.

Question. What will be considered as income in determining the eligibility of an applicant?

Answer. As indicated in the House Banking and Currency Committee report on the bill, H.R. 7984, gross income of the family or the individual will be used in determining eligibility to receive rent supplements. Gross income would include all income, before taxes, from all sources.

SENATE

FRIDAY, JUNE 25, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore [Mr. METCALF].

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, amid the seething strife that mars the earth, which could be so fair, we turn from all the vexatious problems which press, to the supreme spiritual verities which cannot be shaken, and which abide forever.

In a violent world, the defense of those eternal values has been entrusted to our fallible hands. We are painfully conscious that this treasure is in earthen vessels. Enable us to exercise our stewardship wisely and well, for the sake of those of all lands and kindreds whose distant feet we hear coming along the future's broadening way.

Deliver us from any complacent satisfaction, as in a world half impoverished we may not be moved with compassion as we gaze from the ivory towers of our own privilege.

By the saving grace of true penitence, may we speedily cleanse our Republic of betrayals which deny our high profession. With no walls or curtains to blot out freedom's glorious light, may the richness of our inheritance be to us as Thy call to protect the weak and exploited, to unshackle the enslaved, and to clear the way for emancipation everywhere, that, through the potent ministry of our dear land, all peoples of the earth may be blessed.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On the request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 24, 1965, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 8131) to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 5988) to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes, and it was signed by the Vice President.

HOUSE BILL PLACED ON THE CALENDAR

The bill (H.R. 8131) to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961, was read twice by its title and ordered to be placed on the calendar.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

SUBCOMMITTEE MEETING DURING SENATE SESSION

On the request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Labor of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to consider executive business.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

U.S. NAVY

The Chief Clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc. Before the Chair rules on the request, I should like to say that I believe the President is showing excellent judgment in continuing Adm. David L. McDonald as Chief of Naval Operations for another 2-year term, because I think he has exemplified the best tradition of naval service.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

U.S. ARMY

The Chief Clerk read the nomination of Maj. Gen. Frederic Joseph Brown, to be a lieutenant general.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

ARMY NOMINATIONS PLACED ON THE SECRETARY'S DESK

The Chief Clerk proceeded to read sundry nominations in the Army placed on the Secretary's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

The PRESIDING OFFICER (Mr. Mondale in the chair). Morning business is in order.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 2154. A bill to amend the act establishing the United States-Puerto Rico Commission on the Status of Puerto Rico (Rept. No. 370).

REPORT ENTITLED "REFUGEES AND ESCAPEES"—REPORT OF A COMMITTEE (S. REPT. NO. 371)

Mr. KENNEDY of Massachusetts. Mr. President, from the Committee on the Judiciary, pursuant to Senate Resolution 271, 88th Congress, 2d session, I submit a report entitled "Refugees and Escapees," and ask that it be printed.

The PRESIDING OFFICER. The report will be received and printed, as requested.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MONDALE:

S. 2201. A bill for the relief of Dr. Ruouhollah Kadivar; to the Committee on the Judiciary.

By Mr. LAUSCHE (for himself, Mr. McClellan, Mr. Saltonstall, Mr. Bass, and Mr. Young of Ohio):

S. 2202. A bill to amend the Social Security Act to provide that the Secretary of Health, Education, and Welfare shall, under certain circumstances, disclose the current addresses of husbands and parents who have deserted their families; to the Committee on Finance.

(See the remarks of Mr. Lausche when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS (for himself and Mr. Monroney):

S. 2203. A bill for the relief of Adel Lessert Bellmard, Clement Lessert, Josephine Gonvil Pappan, Julie Gonvil Pappan, Pelagie Convil Franceour de Aubri, Victore Gonvil Pappan, Marine Gonvil, Lafleche Gonvil, Louis Laventure, Elizabeth Carbonau Vertifelle, Pierre Carbonau, Louis Joncas, Basil Joncas, James Joncas, Elizabeth Datcherute, Joseph Butler, William Rodger, Joseph Cote, four children of Cicili Compare and Joseph James, or the heirs of any who may be deceased; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S. 2204. A bill to modify the general comprehensive plan for flood control and other purposes in the Missouri River Basin in order to provide for certain payments to the cities of Mandan and Bismarck, N. Dak.; to the Committee on Public Works.

By Mr. BURDICK (for himself and Mr. Young of North Dakota):

S. 2205. A bill for the relief of the widow of Albert M. Pepoon; to the Committee on Post Office and Civil Service.

By Mr. MONRONEY:

S. 2206. A bill to extend certain benefits of the Annual and Sick Leave Act, the Veterans' Preference Act, and the Classification Act to employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Monroney when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

AUTHORIZATION FOR SECRETARY OF THE SENATE TO MAKE A CORRECTION IN THE ENROLLMENT OF S. 1229

Mr. JACKSON submitted a concurrent resolution (S. Con. Res. 40) authorizing the Secretary of the Senate to make a correction in the enrollment of S. 1229, which was considered and agreed to.

(See the above concurrent resolution printed in full when submitted by Mr. Jackson, which appears under a separate heading.)

RESOLUTION

ADDITIONAL FUNDS FOR COMMITTEE ON THE JUDICIARY

Mr. LONG of Missouri submitted a resolution (S. Res. 120) to provide additional funds for the Committee on the Judiciary, which was referred to the Committee on the Judiciary.

(See the above resolution printed in full when submitted by Mr. Long of Missouri, which appears under a separate heading.)

AMENDMENT TO THE SOCIAL SECURITY ACT TO REQUIRE DISCLOSURE UNDER CERTAIN CONDITIONS OF CURRENT ADDRESSES OF HUSBANDS AND PARENTS

Mr. LAUSCHE. Mr. President, I send to the desk a bill and ask that it be appropriately referred.

The bill contemplates making mandatory the release of the last known address of a husband who has abandoned his wife, or of a father who has abandoned his children, and left them destitute.

Under existing law, the Secretary of Health, Education, and Welfare is prohibited from making available information about the address of the members of the social security system.

Frequently, law enforcement officials trying to find the father to make him take care of his family are unable to learn the address of the parent.

My bill would offer some help to the courts in finding the address of a person who has abandoned either his wife or children.

Mr. President, the bill is introduced on behalf of myself, the Senator from Arkansas [Mr. McClellan], the Senator from Massachusetts [Mr. Saltonstall], the Senator from Tennessee [Mr. Bass], and my colleague the junior Senator from Ohio [Mr. Young].

I ask unanimous consent that the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2202) to amend the Social Security Act to provide that the Secretary of Health, Education, and Welfare shall, under certain circumstances, disclose the current addresses of husbands and parents who have deserted their families, introduced by Mr. LAUSCHE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1106 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(c) upon the request of the welfare agency of a State or a political subdivision thereof, or of a court of competent jurisdiction, the Secretary of Health, Education, and Welfare shall disclose the most recent address contained in the files of the Department of Health, Education, and Welfare for any individual who is certified by such agency or court as failing, without lawful excuse, to provide for the support and maintenance (1) of his wife in destitute or necessitous circumstances, or (2) of his or her minor child or children under the age of sixteen in destitute or necessitous circumstances. Such disclosure shall be made only if the request is made by the agency or court on behalf of such wife or such child or children; and the address so obtained shall be used by the agency or court only in their behalf. The provisions of subsection (a) with respect to penalties for unauthorized disclosure, and the provisions of subsection (b) with respect to payments for the cost of obtaining information, shall (under such regulations as the Secretary of Health, Education, and Welfare shall prescribe) apply to the disclosure of any address under the subsection."

RELIEF OF CERTAIN KAW INDIANS

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a bill calling for financial reimbursement by the Federal Government to the living heirs of 23 half-blood Kaw Indians who were deprived of lands near Topeka, Kans., a little over a century ago. These lands were tracts originally given to 23 persons by the Federal Government in the treaty of June 3, 1825. Although the Government had a managerial responsibility for these people and their heirs, and a duty to protect their financial interests, they were deprived of their land by various means over the next few years as settlers came to the region. Some allegedly were killed, some were driven away forcefully and some were swindled. Perhaps others were compensated, but not adequately.

This land is today in a state of confusion and titles for the present occupants who have no personal responsibility in this matter whatsoever, are not clear. There exists a state of confusion which should be subjected to careful scrutiny by the Government to accomplish two ends; first, to see that any governmental responsibility to the heirs of the original allottees be discharged if found valid, and, second, to quiet the titles to the disputed lands for the benefit of the present occupants.

The bill I propose would accomplish these things, in that it would permit the Congress, through its committees to study this matter carefully and systematically. It would be the vehicle through which the Bureau of Indian Affairs could render its position and the results of its research to the Congress for its deliberation. It would give a long overdue hearing to persons who have sought a judgment in this matter for years. I am hopeful of speedy action on this matter.

The bill directs the Secretary of the Treasury to pay the claims for loss of property to the heirs of the persons named in the bill, the amount of the claims to be determined by the congressional committee after hearing testimony. The bill is expected to be referred to the Senate Committee on Interior and Insular Affairs.

The Secretary of the Interior is directed to determine the heirs of the individuals named in the bill and the payments provided to them are to be in full and final satisfaction of all claims against the United States growing out of the loss of Indian land allotted to the original persons named in the bill.

My colleague, the senior Senator from Oklahoma [Mr. MONRONEY] joins me in cosponoring the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2203) for the relief of Adel Lessert Bellmard, Clement Lessert, Josephine Gonvil Pappan, Julie Gonvil Pappan, Pelagie Convil Franceour de Aubri, Victore Gonvil Pappan, Marine Gonvil, Lafleche Gonvil, Louis Laventure, Elizabeth Carbonau Vertifelle, Pierre Carbonau, Louis Joncas, Basil Joncas, James Joncas, Elizabeth Datcherute, Joseph Butler, William Rodger, Joseph Cote, four children of Cicili Compare and Joseph James, or the heirs of any who may be deceased, introduced by Mr. HARRIS (for himself and Mr. MONRONEY), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXTENSION OF CERTAIN BENEFITS TO EMPLOYEES OF COUNTY COMMITTEES

Mr. MONRONEY. Mr. President, I send to the desk, for appropriate reference, a bill to extend certain benefits of the Annual and Sick Leave Act, the Veterans' Preference Act, and the Classification Act, to certain employees of county committees under the Soil Conservation and Domestic Allotment Act, when these employees are appointed to positions under the Department of Agriculture.

This bill would grant these employees rights and privileges in regard to the accumulation of annual leave and sick leave, veterans preference, salary classification, and other benefits, by crediting to their account the service they have had as county committee employees. But it would do so only when these employees are appointed to positions in the Department of Agriculture. It would not apply if they go to work for any other department or agency.

Some of the best trained and most capable Department of Agriculture employees have had previous experience on county committees. In 1960, Congress extended to these people the benefits of Federal health insurance and life insurance, and civil service retirement. This bill goes a step further in recognizing their valuable experience and service.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2206) to extend certain benefits of the Annual and Sick Leave Act, the Veterans' Preference Act, and the Classification Act to employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes, introduced by Mr. MONRONEY, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

ADDITIONAL FUNDS FOR COMMITTEE ON THE JUDICIARY

Mr. LONG of Missouri. Mr. President, I send to the desk a resolution with respect to funds for the Subcommittee on Administrative Practice and Procedure. I ask that it be referred to the proper committee for consideration. At the same time, I ask that the text of the resolution and a letter to the chairman of the Committee on the Judiciary relative thereto be published at this point in the RECORD.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution and letter will be printed in the RECORD.

The resolution (S. Res. 120) was referred to the Committee on the Judiciary, as follows:

Resolved, That the sum of money authorized for the expenditure of the Committee on the Judiciary, or any duly authorized subcommittee thereof, under S. Res. 39, Eighty-ninth Congress, first session, be increased from $150,000 to $175,000.

The letter presented by Mr. LONG of Missouri is as follows:

U.S. SENATE COMMITTEE ON THE JUDICIARY, SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURE,

June 25, 1965.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: On this date, I have introduced a resolution requesting additional funds for use of the Committee on the Judiciary and any authorized subcommittee thereof, for study and investigation of administrative practices and procedures. The request is for an additional $25,000. It is very likely that all of these funds will not be needed; any unexpended funds will return to the Treasury; but there are certain vital activities of the Subcommittee on Administrative Practice and Procedure which should continue without letup during the congressional recess. These activities would have to be curtailed if the present funds were not supplemented.

These activities relate primarily to the investigation of invasions of privacy by the

Federal departments and agencies. This investigation has been able to progress more slowly than many of us would like. It has been more difficult and costly than we had anticipated. We have had uncommon difficulty in getting at the facts. We have become increasingly aware of the necessity before recommending restraints on Government snooping, of examining into snooping by other segments of society. In this regard, we have scheduled out-of-town hearings which were not anticipated at an earlier date.

All of this necessitates additional funds. We have requested $25,000. You may be assured that we will use these funds carefully and return to the Treasury any that are not vitally necessary to our subcommittee activities.

For your information, this request has been approved by all members of the subcommittee.

Kind regards.

Sincerely,

Edward V. Long,
Chairman, Subcommittee on Administrative Practice and Procedure.

AUTHORIZATION OF CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS—AMENDMENTS

AMENDMENT NO. 296

Mr. DOUGLAS (for himself and Mr. Miller) submitted amendments, intended to be proposed by them, jointly, to the bill (H.R. 8439) to authorize certain construction at military installations, and for other purposes, which were ordered to lie on the table and to be printed.

THE WAR ON POVERTY—AMENDMENTS

PUTTING THE UNEMPLOYED TO WORK ON CONSTRUCTIVE JOBS

AMENDMENT NO. 297

Mr. NELSON. Mr. President, for myself and Senators Morse, Yarborough, Clark, Randolph, Williams of New Jersey, Pell, Kennedy of New York, and Javits, I send to the desk an amendment to S. 1759, a bill to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.

The amendment would eliminate the 21-year age limitation in the present Neighborhood Youth Corps provisions of the antipoverty program—title Ib.

The amendment is designed to accomplish two purposes: to give unemployed men and women constructive work experience; to simultaneously begin a substantial effort to preserve our wasting natural resources, to beautify the Nation, to increase the value of our recreational areas, and to clean up our cities.

It would provide an additional $150 million for work-experience programs for "chronically unemployed poor adults." The programs would be administered by existing agencies at the local, State, and Federal level.

For local and State programs, funds are to be expended on a 90–10 matching basis. No more than $50 million of the authorized funds are to be expended on Federal lands.

The program would be supervised by the Department of Labor under the broad authority of the Office of Economic Opportunity. This is the agency which has operated perhaps the most successful of the various antipoverty programs, the Neighborhood Youth Corps. Discussions with Department officials indicate that the experience already gained can be readily transferred to the parallel adult program envisioned by this proposal.

Today America faces twin crises: Through sheer failure to act we are wasted our natural resources at an ever-increasing rate; at the same time there are millions of men who want to work but cannot find jobs who are wasting their lives in poverty. I propose that we face both crises boldly and that we begin a massive program to put men to work and conserve our natural resources.

I ask unanimous consent that the amendment be printed in the Record.

The PRESIDING OFFICER. The amendment will be received and appropriately referred; and, without objection, the amendment will be printed in the Record.

The amendment (No. 297) was referred to the Committee on Labor and Public Welfare, as follows:

AMENDMENT NO. 297

On page 3, beginning with line 1, strike out all through line 11 and insert in lieu thereof the following:

"WORK TRAINING PROGRAMS—EXTENSION AND REVISION

"Sec. 5. (a) Section 111 of title I of the Economic Opportunity Act of 1964 is amended to read as follows:

" 'Sec. 111. The purpose of this part is to provide useful work experience opportunities through participation in Federal, State, and community work training programs. These opportunities shall be afforded to unemployed young men and women and to chronically unemployed poor adult workers with poor employment prospects so that their employability may be increased or their education resumed or continued and so that public agencies and private nonprofit organizations (other than political parties) will be enabled to carry out programs which will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided, or will contribute to the conservation, beautification, and development of natural resources, recreational areas, Federal, State, or local government parks, highways, or other lands.'

"(b) Section 112 of such title is amended—

"(1) by striking out 'young people' and inserting in lieu thereof 'persons'; and

"(2) by inserting 'and on Federal property as' immediately after 'community activities'.

"(c) Section 113 (a) of such title is amended—

"(1) by inserting 'Federal,' immediately before 'State' in the matter preceding paragraph (1) thereof; and

"(2) by striking out 'or will contribute to the conservation, development, or management of the natural resources of the State or community or to the development, management, or protection of State or community recreational areas;' in paragraph (3) and inserting in lieu thereof 'or will contribute to the management, conservation, beautification, or development of natural resources, recreational areas, Federal, State, or local government parks, highways, or other lands;'.

"(d) Section 114(a) of such title is amended—

"(1) by striking out 'limited' and inserting in lieu thereof 'open'; and

"(2) by substituting for the period at the end thereof a comma and adding the following: 'and to chronically unemployed poor employed adults with poor employment prospects provided that not more than $150,000,000 of the funds appropriated for work training programs under this title may be used to pay the salaries of such adult enrollees.'

"(e) Section 114(c) of such title is amended by striking out 'youths' and inserting in lieu thereof 'enrollees'.

"(f) Section 115 of such title is amended by striking out the first sentence and inserting in lieu thereof the following: 'Federal assistance to any person pursuant to this part shall not exceed 90 per centum of the costs of such program, including costs of administration, unless the Director determines, pursuant to regulations, adopted and promulgated by him establishing objective criteria for such determinations, that assistance in excess of such percentage is required in furtherance of the purposes of this part. The limitation contained in this section shall not apply to projects for the purpose of improving Federal lands or other property but no more than $50,000,000 of the funds appropriated for work training programs under this title shall be available for projects on Federal lands or property.'

"(g) The title of such title I is amended to read as follows:

" 'TITLE I—YOUTH AND WORK TRAINING PROGRAMS' "

On page 9, line 23, strike out "$1,500,000,000" and insert in lieu thereof "$1,650,000,000".

On page 9, line 25, strike out the period and insert in lieu thereof the following: ": *Provided*, That $150,000,000 of the sum appropriated for the fiscal year ending June 30, 1966, shall be used for adult work programs under title I of this Act."

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of June 16, 1965, the names of Mr. Kennedy of New York, Mr. Bayh, Mr. Burdick, Mr. Ervin, Mr. Fong, Mr. Gruening, Mr. Javits, Mr. Lausche, Mr. Ribicoff, Mr. Scott, Mr. Tydings, and Mr. Yarborough were added as cosponsors of the bill (S. 2152) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes, introduced by Mr. Dodd (for himself and Mr. Hartke) on June 16, 1965.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. THURMOND:

Editorial entitled "Facts, Not Myths, on Reds," published in The State, of Columbia, S.C., of June 12, 1965; and Senator Thurmond's newsletter of May 31, 1965, entitled "The Radical Left."

SENATOR BREWSTER URGES SETTLEMENT OF NCAA-AAU DISPUTE

Mr. BREWSTER. Mr. President, I am disturbed to note that there is continuing dissension between the Amateur Athletic Union and the National Collegiate Athletic Association. Such squabbling has been going on for a number of years, despite the efforts of two presidents to resolve it.

The feuding takes on new importance now. The time is approaching for the San Diego track and field competition, which will also be the qualifying trial for the Russian-United States meet to be held later this summer.

Many of our finest collegiate athletes will probably decide not to compete at San Diego because they cannot get NCAA sanction for the meet. Even such top athletes as Gerry Lindgren, the 10,000-meter runner, and 800-meter runner Tom Farrell will compete only at the risk of reprisals by the NCAA. Such a situation will undoubtedly lower the quality of the American team which will compete against the Russians.

There can be no question that sports contests have an important effect on the prestige of the nations involved. Our record against the Russians is especially important for this reason. We must send our finest athletes to compete.

Especially in track and field, which is perhaps our strongest point, we cannot allow petty bickering to affect the quality of the team which will represent the United States.

I therefore strongly urge the parties involved to resolve the dispute as soon as possible, and settle down to the more important task of putting together the best possible group of American athletes. And if the NCAA and the AAU cannot resolve their longstanding difficulties, then I believe that the Congress of the United States has an obligation to take appropriate action to insure that the athletes who represent this Nation abroad are the finest that we have to offer.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BREWSTER. I am happy to yield to the majority leader.

Mr. MANSFIELD. I should like to join in the remarks of the distinguished Senator from Maryland. I do so from the point of view of parochial pride. We have at Montana State University a 6-mile champion who is caught in a box, so to speak, because of the difficulty between these competing organizations. I hope that they will put aside pettiness and see to it that the best which America produces can be induced to enter the meet so that we can make the kind of showing of which this country is capable.

I thank the Senator from Maryland for calling the problem to the attention of the Senate at this time. I hope some results will be forthcoming. If not, I hope that the suggestion of the Senator will be followed through so far as Congress is concerned.

Mr. BREWSTER. I thank the majority leader.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 349, and that the measures on the calendar beginning with Calendar No. 349 be called to order.

The PRESIDING OFFICER. Without objection, it is so ordered. The first measure on the calendar will be stated.

UNITED NATIONS PARTICIPATION ACT—AMENDMENT

The Senate proceeded to consider the bill (S. 1903) to amend the United Nations Participation Act, as amended (63 Stat. 734–736).

Mr. MANSFIELD. Mr. President, the Senate is already familiar with the provisions of S. 1903 since these identical provisions, as S. 949, were passed by the Senate without objection on December 3, 1963.

To recapitulate them briefly, the first section of S. 1903 is designed to make more flexible our representation to the United Nations in New York. Currently, of our five ambassadors at the U.S. mission to the United Nations, two by law can represent the United States in any of the principal organs of the United Nations. The third one can do so to a limited extent, and the last two are restricted to representing the United States to the Commissions to which they are appointed—The Economic and Social Council and the Trusteeship Council respectively. Under the proposed changes the principal U.S. representative to the United Nations—Ambassador Stevenson—will be enabled to assign the other four U.S. representatives to the positions where they are needed, making it possible to use their expert knowledge to better advantage. For instance, matters involving colonialism arise not only in the Trusteeship Council, but also in the General Assembly and the Security Council and elsewhere and the United States is clearly better represented in these discussions by the ambassador most familiar with them. I want to stress that these five ambassadors will continue to require Senate confirmation and that there is no addition in personnel contemplated in this section.

The second section of S. 1903 provides statutory authority for the position of the U.S. representative to the European Office of the United Nations in Geneva. The U.S. mission in Geneva has existed since 1949. Over the years, conference activity in Geneva has increased enormously, outstripping even the headquarters of the United Nations at New York in number of international conferences held. Since 1961, the U.S. representative to the European office has held the personal rank of ambassador by Presidential appointment. This bill would authorize the President to appoint a U.S. representative to the European Office of the U.N., by and with the advice and consent of the Senate, with "appropriate rank and status," to serve at the pleasure of the President. Of the 36 resident missions in Geneva, 31 are already represented by an ambassador.

Mr. President, I respectfully submit that this bill, S. 1903, is worthy of favorable Senate consideration.

Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 360), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The bill contains two sections. The first will enable the principal U.S. representative of the United Nations to assign duties to his colleagues on a somewhat more flexible basis than at present. The second will provide statutory authority for the existing position of the U.S. representative to the European Office of the United Nations.

PROVISIONS

Although on the face, the amendments in the first section appear substantial because they rewrite subsections (a), (b), and (d) of the United Nations Participation Act of 1945, the real changes are mostly technical. There is no diminution of the confirmation requirements in the present act. There is no provision for additional personnel. What is involved in section 1 is merely greater flexibility in assignments.

Under present law, only three of the top members of the U.S. mission to the United Nations may represent the United States in the Security Council, and only two of them may represent the United States both there and in "any organ, commission, or other body of the United Nations, other than specialized agencies * * *." This means that of the U.S. representatives to the United Nations, only two have all-round flexibility, and a third one has a limited degree of flexibility. In addition to the three top members of the U.S. mission (currently, Ambassadors Stevenson, Plimpton, and Yost) the U.S. representatives to the Economic and Social Council and the Trusteeship Council of the United Nations require Senate confirmation. What the amendments to the existing law will effect is an interchangeability of these five top officials in the principal organs of the United Nations. For instance, Ambassadors Franklin Williams and Mrs. Marietta Tree, now respectively assigned to the U.N. Economic and Social Council and the Trusteeship Council, could also be assigned to handle an economic or trusteeship matter in the Security Council or another organ or commission of the United Nations. The advantages of this flexibility are self-evident.

The second section is also quite simple. Since 1949, the United States has had a mission to the European Office of the United Nations at Geneva. It is currently headed by Roger Tubby, who has the personal rank of Ambassador but neither the status nor the remuneration of one. The bill provides that in the future, the President shall, by and with the advice and consent of the Senate, appoint a U.S. representative to the European Office of the U.N., with "appropriate rank and status," to serve at the pleasure of the President, and, at the direction of the Secretary of State, perform functions there in connection with the participation of the United States in international organizations.

Conference activity at Geneva has grown tremendously over the years outstripping even that at the headquarters of the United Nations in New York. There are 36 resident missions at Geneva, 31 of them headed by Ambassadors. Giving our chief representative there a statutory position should promote better coordination, direction, and representation of our activities.

The PRESIDING OFFICER. The bill is open to amendment. If there is no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1903) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1903

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (a), (b), and (d) of the United Nations Participation Act of 1945, as amended by Public Law 341, Eighty-first Congress, October 10, 1949, are hereby further amended to read as follows:

"(a) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States to the United Nations who shall have the rank and status of Ambassador Extraordinary and Plenipotentiary and shall hold office at the pleasure of the President. Such representative shall represent the United States in the Security Council of the United Nations and may serve ex officio as representative of the United States in any organ, commission, or other body of the United Nations other than specialized agencies of the United Nations, and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may, from time to time, direct.

"(b) The President, by and with the advice and consent of the Senate, shall appoint additional persons with appropriate titles, rank, and status to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies as may be created by the United Nations with respect to nuclear energy or disarmament (control and limitation of armament). Such persons shall serve at the pleasure of the President and subject to the direction of the Representative of the United States to the United Nations. They shall, at the direction of the Representative of the United States to the United Nations, represent the United States in any organ, commission, or other body of the United Nations, including the Security Council, the Economic and Social Council, and the Trusteeship Council, and perform such other functions as the Representative of the United States is authorized to perform in connection with the participation of the United States in the United Nations. Any Deputy Representative or any other officer holding office at the time the provisions of this Act, as amended, become effective shall not be required to be reappointed by reason of the enactment of this Act, as amended.

"(d) The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in organs and agencies of the United Nations. The President may, without the advice and consent of the Senate, designate any officer of the United States to act without additional compensation as the representative of the United States in either the Economic and Social Council or the Trusteeship Council (1) at any specified session thereof where the position is vacant or in the absence or disability of the regular representative or (2) in connection with a specified subject matter at any specified session of either such Council in lieu of the regular representative. The President may designate any officer of the Department of State, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States in the Security Council of the United Nations in the absence or disability of the representatives provided for under section 2 (a) and (b) or in lieu of such representatives in connection with a specified subject matter."

SEC. 2. Section 2 of such Act is hereby further amended by redesignating subsections (e) and (f) to be subsections (f) and (g) respectively; and by adding after subsection (d) the following new subsection:

"(e) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States to the European office of the United Nations with appropriate rank and status who shall serve at the pleasure of the President and subject to the direction of the Secretary of State. Such person shall, at the direction of the Secretary of State, represent the United States at the European office of the United Nations, and perform such other functions there in connection with the participation of the United States in international organizations as the Secretary of State may, from time to time, direct".

U.S. CONTRIBUTIONS TO THE SOUTH PACIFIC COMMISSION

The Senate proceeded to consider the joint resolution (S.J. Res. 71) to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific, which has been reported from the Committee on Foreign Relations with an amendment on page 1, line 8, after the word "annually", to insert "not to exceed $200,000 per fiscal year,"; so as to make the joint resolution read:

S.J. RES. 71

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(a) of the joint resolution entitled "Joint resolution providing for membership and participation by the United States in the South Pacific Commission and authorizing an appropriation therefor", as amended (22 U.S.C. 280b) is hereby amended to read as follows:

"(a) such sums as may be required annually, not to exceed $200,000 per fiscal year, for the payment by the United States of its proportionate share of the expenses of the Commission and its auxiliary and subsidiary bodies, as set forth in article XIV of the agreement establishing the South Pacific Commission."

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, Senate Joint Resolution 71 concerns U.S. contributions to the South Pacific Commission. The United States, by virtue of its interests in American Samoa, Guam, and the Trust Territories of the Pacific Islands, became a member of this Commission in 1948 and has been active in it ever since. Until 1964, the appropriations for U.S. contributions to the Commission were authorized on a continuing basis but with financial ceilings. In 1963, the executive branch requested the elimination of this financial ceiling but Congress instead authorized appropriations, not to exceed $150,000 a year, for fiscal years 1965 and 1966, which financed the U.S. contributions for the calendar years 1964 and 1965. Since this authority is now exhausted, the executive branch again requested the elimination of both the financial and the fiscal year limitations. The Committee on Foreign Relations instead voted to raise the ceiling to $200,000 per fiscal year and eliminate the time limitation. This recommendation is embodied in the committee amendment. The committee strongly felt that a financial ceiling alone afforded adequate congressional control over U.S. participation in the South Pacific Commission. Testimony was given that the $200,000 ceiling will be reached in calendar year 1967 so it is probable that in any event, this matter will have to be reviewed again in several years. There was further testimony that of the 34 international organizations financed from the State Department's contributions appropriations, seven have financial ceilings, four have percentage ceilings, and only one has a fiscal year limitation—and that is the South Pacific Commission.

A brief word about the South Pacific Commission itself. Witnesses before the committee, who included our distinguished colleague, the junior Senator from Hawaii, described the South Pacific Commission as a "catalyst" or a "sparkplug." That is, in itself the commission does not undertake large-scale programs but it encourages the metropolitan and territorial governments to undertake these by research, demonstration projects, technical advice, and acting as a clearinghouse for information. A more detailed description of these activities is contained in the hearing which is appended to the committee report.

For these purposes, the South Pacific Commission has a relatively modest budget which for this calendar year is $747,799, of which the U.S. share amounts to $149,559.

Mr. President, I urge adoption of the committee amendment and passage of Senate Joint Resolution 71 as amended.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 361), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

As proposed to be amended by the committee, the joint resolution would authorize the appropriation of such sums, not to exceed $200,000 a year, as may be required annually for the payment by the United States of its proportionate share of the expenses of the Commission and its auxiliary and subsidiary bodies, as set forth in article XIV of the agreement establishing the South Pacific Commission.

BACKGROUND

The South Pacific Commission was established in 1948 and includes in its current membership the United States, the United Kingdom, France, Australia, New Zealand, and Western Samoa. In authorizing U.S. participation in 1948, the Congress placed a ceiling of $20,000 a year on U.S. contributions to the Commission. This ceiling was raised to $75,000 in 1950 and to $100,000 in 1960. In 1963, the executive branch requested the elimination of the ceiling, but the Congress instead raised it to $150,000 for the fiscal years 1965 and 1966. This authorization has now been exhausted and the administration again has requested the elimination of the ceiling, as well as the fiscal year limitation. The share of contributions to the assessed budget of the Commission is as follows: United States, 20 percent; United Kingdom, 17 percent; Australia, 32 percent; New Zealand, 16 percent; France, 14 percent; and Western Samoa, 1 percent.

The calendar years 1963, 1964, and 1965 budgets of the Commission are set forth in the following table.

South Pacific Commission—Budgets for calendar years 1963–65

	1963	1964	1965
I. Administration:			
Personnel salaries and allowances	$153,720	$138,320	$159,289
Travel	13,384	11,200	12,765
Equipment, supplies, and services	74,329	79,934	81,623
Total	241,433	229,454	253,677

South Pacific Commission—Budgets for calendar years 1963–65—Continued

	1963	1964	1965
II. Work programs:			
Health	$101,668	$127,490	$136,114
Economic development	157,472	207,287	193,080
Social development	196,333	153,437	145,585
Publications Bureau and Library	42,644	67,530	71,377
Research Council	5,460		
Total	503,577	555,744	546,156
III. South Pacific Conference	3,330	25,200	56,000
IV. Reserve working fund: Rhinoceros beetle project			36,198
Gross budget	748,340	810,398	892,031
Less:			
Carryover	−89,264	−47,944	−95,386
Miscellaneous income	−60,088	−62,454	−48,846
Assessment budget	598,988	700,000	747,799

The 20 percent U.S. share of the assessed 1965 budget will amount to $148,559. For calendar year 1966, a budget of $822,360 is envisioned of which the U.S. share would be $164,472. By 1967, U.S. contributions at the 20-percent rate are estimated to reach the neighborhood of $200,000.

The U.S. territories of American Samoa and Guam, as well as the Trust Territory of the Pacific Islands, are covered by the Commission's activities. These activities center in the economic and social fields, and are mainly consultative and advisory. One of the witnesses before the committee described the Commission as a "sparkling," supporting, supplementing, and complementing the work of the metropolitan powers and territorial governments through research, technical conferences, and training courses, and by acting as a clearinghouse. For this purpose it has a secretariat of 61 members at its headquarters in Noumea, New Caledonia. Such programs as are undertaken are financed by the metropolitan or territorial governments, sometimes with United Nations assistance.

The **PRESIDING OFFICER**. The joint resolution is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 71) was ordered to be engrossed for a third reading, was read the third time, and passed.

ACCEPTANCE OF A SETTLEMENT OF CERTAIN INDEBTEDNESS OF GREECE TO THE UNITED STATES

The Senate proceeded to consider the bill (S. 1760) to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program.

Mr. **MANSFIELD**. Mr. President, this bill provides for the settlement of a debt arising out of a loan made to Greece in 1929. In 1929, the United States loaned $12 million to Greece to help meet the costs of repatriating Greek refugees from Asia Minor.

Prior to 1931, the Greek Government made payments on this 20-year loan, reducing the debt to about $11 million. Since that time, conditions have been so turbulent that no payments have been made.

Last year, however, the United States and Greece entered into an agreement providing for repayment of the loan in a series of 82 annual installments, with interest at the rate of 2 percent per year on the outstanding principal. Thus, over a term of years, the United States will receive over $26½ million.

Annual installments will be received from Greece in the amount of about $329,000. These payments will go into the U.S. Treasury with the understanding that the Department of State, in its regular appropriation bills, will request that these funds be used to support the educational and cultural exchange program between the United States and Greece.

The committee gave careful consideration to S. 1760 and recommends that it be approved by the Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 362), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSES OF THE BILL

The main purpose of the bill is to authorize the Secretary of the Treasury to conclude the settlement of a debt arising from a U.S. loan to Greece in 1929, on which no payments have been made since the early years of World War II. Under the terms of the settlement Greece will repay at interest $13,155,921 in 82 annual installments; the latter with one exception will each amount to approximately $329,000, and the payments thus will total about $26.7 million. Authority is also sought to use these annual payments for educational and cultural exchange activities with Greece under Public Law 87-256, the Mutual Educational and Cultural Exchange Act of 1961.

BACKGROUND

The United States in 1929 made a loan of $12,167,000 to Greece for the purpose of helping in the repatriation of Greek refugees from Asia Minor, a task undertaken by the Refugee Settlement Commission under League of Nations auspices. The amount outstanding on this 20-year loan was reduced to $11.3 million by payments made prior to May 1931. Through an agreement reached between the United States and Greece a year later, $900,000 due in fiscal year 1931 were funded into a separate loan. However, no payments were made on the latter, and only token payments were received on the original loan prior to the invasion of Greece in 1941. Since that date nothing has been paid under the 1929 and 1932 agreements, and Greece therefore has been in default on both loans.

Despite many efforts over the years to settle Greece's defaulted post-World War I external debts—including this account—the first real progress was made in October 1962, when Greece and the Foreign Bondholders' Protective Council agreed upon settlement of the $36 million in privately held dollar bonds. The terms and arrangements employed in that settlement served as guidelines for the governmental agreement now under consideration.

TERMS OF THE SETTLEMENT

The agreement entered into by the United States and Greece on May 28, 1964—subject to action by the U.S. Congress—is printed below as appendix A. Under its terms principal and interest due up to August 10, 1933, under the 1929 and 1932 agreements are computed at $12,208,538. The sum of $947,383 was added in lieu of arrears of interest from the above date, giving a total of $13,155,921 to be funded. With interest at 2 percent a year on the outstanding principal, and repayment in dollars in 82 annual installments beginning 1 year after enactment of this bill, Greece will pay the United States a total of $26,731,494. The Secretary of the Treasury would be authorized to accept a bond from Greece which would provide for payment under these terms, and which, upon receipt, would discharge Greece of its obligations under the 1929 and 1932 agreements.

The settlement and the bill provide that these payments of principal and interest would be made available for use in financing educational and cultural exchange programs with Greece authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended. The annual installments paid by Greece in the amount of about $329,000 each would go into an account in the Treasury, and appropriations of those amounts, to remain available until expended, would be requested by the Secretary of State in the regular appropriation for the State Department. The annual cost of the total educational and cultural exchange program between Greece and the United States currently is about $750,000. At this level the annual payment under the settlement could cover almost all the dollar—as contrasted with foreign currency—expenditures under the total program.

The **PRESIDING OFFICER**. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1760) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1760

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Greek Loan of 1929 Settlement Act".

SEC. 2. The Secretary of the Treasury is hereby authorized to accept a bond from the Kingdom of Greece (hereinafter referred to as "Greece") in the principal amount of $13,155,921 in settlement of the indebtedness of Greece to the United States under part II of the agreement of May 10, 1929, and under paragraph 1(b) of the agreement of May 24, 1932. The terms and conditions of such bond shall be those set forth in the agreement between the United States and Greece of May 28, 1964. Upon the delivery of said bond by Greece to the United States, the Secretary of the Treasury is hereby authorized to surrender to Greece all the bonds issued pursuant to part II of the agreement of May 10, 1929, and discharge Greece of its obligations under paragraph 1(b) of the agreement of May 24, 1932.

SEC. 3. The sums paid by Greece to the United States as interest on or in retirement of the principal of the bond issued as provided in section 2 hereof shall be placed in an account in the Treasury of the United States. Such sums are hereby authorized to be appropriated to remain available until expended for use in financing educational and cultural exchange programs authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451–2458), in relation to Greece and the people of Greece.

BILL PASSED OVER

The bill (H.R. 7105) to provide for continuation of authority for regulation of exports, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Mr. President, over.

The PRESIDING OFFICER. The bill will be passed over.

INCREASE IN AUTHORIZATION OF APPROPRIATIONS FOR THE GORGAS MEMORIAL LABORATORY

The bill (S. 511) to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 511

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective for fiscal years ending after June 30, 1963, the first section of the Act entitled "An Act to authorize a permanent annual appropriation for the maintenance and operation of the Gorgas Memorial Laboratory", approved May 7, 1928, as amended (45 Stat. 491; 22 U.S.C. 278), is amended by striking out "$250,000" and inserting in lieu thereof "$500,000".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 365), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

EXPLANATION

S. 511 would increase the annual authorization for appropriations for the Gorgas Memorial Laboratory from $250,000 to $500,000.

This increase is required to maintain the research program of the Laboratory at an optimum level and make the most effective utilization of the additional research space that was provided by the enactment of Public Law 86–617.

BACKGROUND

The Gorgas Memorial Laboratory is the medical-research component of the Gorgas Memorial Institute of Tropical and Preventive Medicine. The Laboratory was established in 1929 through legislative agreement between the Governments of the United States and the Republic of Panama. It has long maintained close relations with the U.S. Public Health Service and its National Institute of Allergy and Infectious Diseases.

Located in Panama City, the Republic of Panama, its Laboratory is an internationally known research center in tropical medicine and parasitology. It has made important research contributions through (1) the valuable information it has gathered relating to organisms and their environment; and (2) its investigations of malaria, yellow fever, various types of encephalitis, and other diseases and conditions.

As a result of the addition of a new half-million-dollar facility, the Laboratory has been able to extend its research activities and to undertake new projects in experimental pathology, serology, tissue culture, comparative vertebrate zoology, and epidemiology. Its facilities are utilized by specialists in tropical diseases from the United States and many other countries. The members of its staff are widely recognized for their achievements in tropical medicine.

In 1964, Dr. Martin D. Young was appointed Director of the Laboratory. Dr. Young is distinguished for his outstanding achievements in research on tropical medicine. He has won international renown for his work on malaria, particularly while Director of the Field Section of the Public Health Service Malaria Laboratory of Parasite Chemotherapy, Columbia, S.C.

The research activities have implications that extend beyond the tropics. Many of the human and animal diseases that flourish in tropical regions are also found in, or may spread to, the temperate zones. The United States depends on many tropical areas for a large share of its important strategic materials. The output of these areas is adversely influenced by debilitating infections of man and by diseases of meat-food animals that deprive the populations of sources of dietary protein and that contribute to undernourishment and the prevalence of nutritional disorders.

The Laboratory is performing a valuable, needed service in offering opportunities for field training in tropical diseases. It cooperates with the program of Louisiana State University fellowships in tropical medicine, under which teachers and research workers in disciplines relating to tropical medicine are able to take training tours of the Caribbean or Middle America in order to familiarize themselves with local research activities and to view clinical cases characteristic of the areas visited. The Army and Navy assign scientists to the Laboratory for various periods, to receive training and to participate in the research program.

The Laboratory occupies an ideal location for the study of certain viruses. Many of these viruses have been found to cause disease in man and to have extensive geographic distribution. In tropical America, the natural vectors and reservoir hosts may be readily investigated, and serologic surveys of human populations subject to infections may be conducted.

In one of its continuing research projects, the Laboratory is investigating yellow fever in areas near the Panama Canal and in eastern Panama. In an effort to discover a means of preventing the northward extension of the disease, Laboratory investigators are seeking to determine the factors which inhibit or favor passage of the virus from South into Middle America.

The Laboratory collaborates with many other research and public health organizations, including the Middle America Research Unit, a laboratory in the Canal Zone operated by the National Institute of Allergy and Infectious Diseases in collaboration with the Walter Reed Army Institute of Research. One cooperative endeavor was work on eastern equine encephalomyelitis.

The Laboratory has utilized its position on the Isthmus of Panama, a "crossroads of the world," to take advantage of many rich opportunities for research in tropical medicine. With its new and enlarged laboratory facilities, it has a modern research plant that will enable it to intensify and augment its work on broad problems of growing importance to the health of the Americas and of the world.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar at this time.

The PRESIDING OFFICER. Is there further morning business?

ALCOHOLISM—A SURVEY

Mrs. NEUBERGER. Mr. President, the addiction to alcoholic drinking—alcoholism—is the fourth most serious health problem, after heart disease, cancer, and mental illness, in the United States today. According to the latest figures from the Public Health Service there are approximately 5 million alcoholics in our Nation. Four and a half percent of our total population over 20 years of age are alcoholics. School officials are becoming aware that an increasing number of school dropouts are due to teenage alcoholism. A recent study has demonstrated that in the past 10 years there has been an 18-percent increase in the admissions to mental institutions due to alcoholism. The losses in earnings and production due to alcoholic employees is costing American business and industry billions of dollars each year.

Clearly, one does not have to be a prohibitionist to be concerned with a medical, social, and economic problem of this magnitude. I have joined with the junior Senator from South Dakota and others in urging the President to call a White House Conference on Alcoholism and have welcomed the President's appointment of a study commission in the Public Health Service to lay the groundwork for such a meeting, perhaps to be held next year.

During the past 2 months the Christian Science Monitor has been carrying a series of articles on alcoholism in the United States and abroad. I ask unanimous consent that the articles be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Christian Science Monitor, Mar. 25, 1965]

Empty Chairs Around the World

The alcoholic drinking menace assails virtually every facet of world society today.

Few problems are at once so damaging and yet so controversial. On the one hand, individual well-being and the stability of families and careers, corporations, and campuses are widely threatened. On the other hand, age-old prodrink customs, traditions, and beliefs are still strong.

Communications media on every hand glorify the presumed attractions of alcoholic drinking through a great variety of advertisements. Liquor imbibing is matched with manliness, pleasure, conviviality, prestige, career, and social success.

VIOLENCE IS EVERYDAY NEWS

Once targeted only for a male audience, advertisements today bring women into the picture—not yet portrayed actually drinking but shown holding a drink or admiring the man who indulges.

Movies and plays portray the drunk for comedy or ridicule, making only rare efforts to point up the tragedies of habitual alcoholic drinking or the urgent need for understanding and treatment of the problem.

News items almost daily report violence and degradation directly linked to alcoholic addictions.

U.S. authorities devote much time and money to detecting and prosecuting the "moonshiners" who produce illegal and often lethal alcoholic beverages.

Many nations are mounting substantial treatment and rehabilitation programs for alcoholics. Others are far behind the problem.

LOSS OF CONTROL DOUBTED

To ascertain the precise dimensions of this subject, the Christian Science Monitor asked its correspondents throughout the world to investigate problem drinking in their areas. Their findings illuminate a problem of serious, subtle, and growing proportions.

It may further be concluded from their stories that while there appears to be agreement in society today that alcoholism—addiction to alcoholic drinking—is a serious affliction to be resisted at all costs, there is considerable acceptance of the belief that moderate or social drinking does no harm.

Many millions of people who indulge in alcoholic drinking feel certain that their imbibing is well under control. They feel certain that they will not fall victim to the enslavement which has overtaken other millions who also once thought their indulgence was in hand.

Yet the problem of alcoholism is undeniably great, say the experts consulted for these articles. By many measures it is growing. They emphasize its assaults on happiness, safety, judgment, and security, to mention only four very evident zones of alcoholism's impact. They stress the urgency of finding more effective ways to deal with the problem.

The U.S. Public Health Service has deemed alcoholism the country's fourth most serious public health problem (after heart disease, cancer, and mental illness).

American businessmen are mounting a major drive against alcoholism in industry.

California is calling for a White House conference on alcoholism.

SPECIAL STUDY SETUP

The Georgia Senate has just established an Alcoholic Study Commission to cope with the 75,000 Georgians judged alcoholics and with crime and traffic accident increases traced to alcoholism.

Adults in countless communities and nations are registering special concern with teenage drinking. But much adult concern stops short of curbing adult drinking and thereby setting a needed example for youth.

In some instances—a current Connecticut case for example—parents not only condone teenage drinking but encourage it by serving alcoholic beverages at teen parties in their homes. After one such party in Connecticut two of the young people entertained were involved in an automobile accident in which one was killed.

U.S. STATISTICS OMINOUS

According to recent World Health Organization statistics, the United States has just moved ahead of France as the nation with the world's highest incidence of alcoholism.

The European Institute on the Prevention and Treatment of Alcoholism was recently told, in fact, that every 15th American drinker of alcoholic beverages is an alcoholic, that altogether 75 million Americans drink alcoholic beverages, and that 2 million American alcoholics on the payrolls of business and industry cost their managements more than $2 billion every year through absenteeism.

It has been observed that countries confronted with almost any other problem of this magnitude would long since have declared themselves to be in the throes of a crisis of epidemic proportions.

GREATER EFFORTS ASKED

Earnest, forthright public and private attention is being focused on the problems of alcoholic drinking. But Monitor reporters encountered many appeals for much greater efforts than presently exist.

Why is the alcoholism problem so great?

In a copyrighted interview in U.S. News & World Report, Dr. Marvin Block, an internationally recognized authority on problem drinking, offered two explanations for the United States.

"The acceptance of drunken behavior in our society, the tolerance of it. Increasingly," said Dr. Block, "people are accepting drunkenness without being shocked.

"The second factor is the social pressures for drinking. Everywhere you go, you are offered liquor. Even during business hours."

CONTROVERSY WIDESPREAD

Drinking could hardly be a more controversial subject. The problem drinker often, until he finds himself on the brink of tragedy, tends to deny that his drinking habit is either unbreakable or a problem.

The moderate or social drinker, who scoffs at the suggestion that he or she is vulnerable to the addictive grip of alcoholism, tends to resent identification with habitual drinkers.

However, despite the majority numbers of so-called controlled, moderate drinkers whose drinking outwardly poses few problems for society, the facts and figures of alcoholism's tragic toll tend to pale the arguments for moderation, in the view of many students of the problem.

Some seek to excuse liquor itself. There is the contention of many, frequently the alcoholic beverage production, sales, and marketing industries, that while alcoholism is admittedly a problem, "Evil is never in the bottle; evil is in the individual."

WINE INSTITUTE QUOTED

The president of the Wine Institute told the Monitor: "Alcoholism is viewed by the wine industry as it must be by any other industry or segment of the population, as a serious problem. * * * Whether any individual decides to drink should be a matter for him to determine himself.

"If he does drink, it should be in moderation. Wine is a beverage of moderation, and is taken with food as part of the meal. * * * The wine industry probably bears the same social responsibility for pathological drinking as the petroleum industry bears for pathological driving."

Despite many reports of crises with drunken airline passengers, the airlines today insist that alcoholic beverage service is a highly competitive feature in modern travel and champion the right of the passenger to have the opportunity to say "yes" or "no" to drinking aloft.

TOLL MULTIDIMENSIONED

The toll of drunken driving and of crime linked to problem drinking, and the millions and millions of dollars spent throughout the world every year for care and treatment of alcoholics underscore other dimensions of this subject.

Antialcohol forces constantly press their pleas for abstinence and prohibition of the manufacture and sale of alcoholic beverages, challenging powerful liquor interests and lobbies.

Many and influential citizens warn against resort to depressant alcohol for escape from day-to-day troubles. Many have experienced addiction and have surmounted its claims. Others have refused ever to be lured to indulge.

OPIATE OF THE PEOPLE

Albion Roy King, who has written much on alcohol and alcoholism, contends:

"The resort to alcohol for escape is at best artificial and unintelligent. It never cures any evil thing. The compensating satisfactions which man gets out of drink are likely to make him content with his lot without considered and courageous effort to change the circumstances. In the struggle for better social conditions, alcohol is the great 'opiate of the people.'"

Meanwhile, governments, both national and local, have for centuries wrestled with regulations both to curtail and to control alcoholic beverages. Some have succeeded; many have failed. The London Daily Telegraph asked editorially last year: "How can social legislation be drawn which keeps the alcoholic from temptation, without seriously invading the rights of moderate drinkers?"

In the year 81, the Roman Emperor Domitian ordered the destruction of half of the vineyards and forbade the planting of more without a special imperial license, apparently in an attempt to stop intemperate drinking. The liquor lobby of Domitian's day must have rebelled at this, however, because the ban was soon lifted.

Many other historical as well as contemporary aspects of the drinking challenge are discussed throughout subsequent articles in this series.

Among topics to be examined:

Drinking behind the Iron Curtain;

Hollywood's view of the drinking challenge;

The role of the classroom in portraying alcohol's evils;

The viewpoint of native wives in New Guinea who beg Australian authorities to help them curb their husbands' drinking;

The persevering campaigning of the Women's Christian Temperance Union and the Salvation Army;

The widely acclaimed rehabilitation programs of Alcoholics Anonymous and other public and private agencies;

A Chicago judge's unique approach to alcoholism;

The U.S. Government's attitude toward drinking;

A Chicago family's frank discussion of its drinking habits.

Clearly, the facets of the drink menace are almost endless. Limitations of time and space preclude mention of every attitude and action on this subject in this series. But an earnest effort has been made to report as many of the most important elements as possible.

[From the Christian Science Monitor, Apr. 1, 1965]

Liquor Industry Eyes Wider Market

The American liquor industry is big.

This fact is pointed out insistently by its various spokesmen and publications. They carefully spell out the industry's contribution to the economy in payrolls, purchases of raw materials, and tax revenues.

During 1964, Americans spent well over $13 billion on alcoholic beverages of all types. This sum has been climbing by about $500 million each year recently.

Enormous sums are spent by the liquor industry each year in advertising and promotion to boost these consumption totals.

A compilation of statistics shows that in 1963 the industry spent at least $345 million in promotion.

The liquor industry also shares a stake in the drink-serving policies of airlines, theaters, sports arenas, and the like.

The liquor industry is thriving.

The total $13 billion drinking bill run up by Americans in 1964 breaks down to approximately $6 billion for distilled spirits (hard liquors); almost $7 billion for beer and ale; and more than $700 million for wine.

In addition to these legal sales, a large quantity of illegal liquor—chiefly distilled spirits—is sold by moonshiners.

Licensed Beverage Industries, Inc., the public relations organization for makers of distilled spirts, estimates that Federal, State, and local governments lost $600 million in revenues from such illegal liquor in 1963. If sold at normal prices, illegal liquor would add perhaps $1.1 billion to the Nation's liquor bill.

These statistics indicate a sizable impact of liquor expenditures on the economy.

To some States, the liquor industry is especially important. Some 66 percent of American-made whisky, for instance, is produced in Kentucky.

California is the biggest wine-producing State. New York, Wisconsin, Missouri, and California are the major brewery States.

The brewery industry does not like to be included in the liquor industry. In 1933, Congress declared the malt beverages with less than 3.2 percent alcohol content were not alcoholic beverages. Thus the sale of beer was legalized before the repeal of the prohibition amendment to the Constitution a few months later.

POSITION CHALLENGED

Spokesmen for the National Council on Alcoholism challenge this position. They note that many alcoholics drink only beer. The alcoholic content of most premium beers, they add, is from 3.8 to 4 percent with some imported brands as high as 5.5 percent.

"The female alcoholic problem is largely one of beer," commented Merle A. Gulick, president of the council. "Some of them live on beer all day long while their husbands are at work."

Still, the argument that beer is a beverage of moderation is used to justify its sale in supermarkets and other food stores.

Consumption of alcoholic beverages is increasing at the same time that dollar expenditures are going up.

The industry says that the United States remains a nation of moderate drinkers. The statistics, however, are not entirely clear as they are based on consumption per capita for the entire population and not just the drinking population.

On this basis, the estimated average number of gallons consumed per capita in 1964 was 15.7 of beer and ale, 1.42 of distilled whisky, and 0.9 of wine.

Statistics indicate that Americans are drinking more distilled spirits and less beer and ale than 10 years ago.

And, again on a per capita basis, they drink less of both distilled spirits and beer and ale than they did in the peak years of 1945 and 1946 at the end of World War II. In 1946 consumption of distilled spirits was 1.65 gallons per capita and in 1945 beer and ale sales amounted to 18.7 gallons per capita.

Basing beer consumption on a per capita basis of the beer-consuming population, Americans drank more than 24 gallons per drinker last year.

On the basis of consumption per adult in the population, Americans imbibed 2.32 gallons of distilled spirits in 1963, the latest figures available.

Wine consumption has increased rapidly as the wine industry "educates" the American public on its use as a beverage to accompany meals in the European tradition.

MILLIONS FOR PROMOTION

Looking at total volumes, residents of the United States in 1963 consumed some 272 million gallons of distilled spirits, 97,793,000 barrels of beer and ale, and more than 165,200,000 gallons of wine.

Sales of malted beverages were up 4.2 percent above 1963. This has delighted the brewers. They have been worried about some drinkers switching to the more expensive distilled spirits with increased prosperity in the Nation.

Last year's increase in beer sales was one of the biggest year-to-year gains in 15 years. The increase between 1962 and 1963 was hailed as a major sales victory, but it was only a 2.8 percent increase.

Sales of hard liquors—the distilled spirits—climbed about 5 percent last year. That compared with a 2 percent rise during 1963 and 5 percent in 1962.

This year the distillers expect sales of 280 million gallons.

How much money goes into advertising and promotion?

A compilation of statistics shows that in 1963 the industry spent at least $345 million in these areas.

Its expenditures on research into alcoholism in 1963 amounted to something less than $150,000.

Industry spokesmen assert that large advertising and promotion expenditures do not increase liquor consumption.

"Advertising does not increase the consumption of distilled spirits," held Vern M. Boxell, a senior vice president of Hill & Knowlton, Inc. (This public-relations firm is hired by Licensed Beverage Industries, Inc., the public-relations arm of the distilled spirits industry, to assist it in its activities.)

He continues: "It merely switches people from one brand to another. We don't create drinkers."

Competition between brands is clearly the major reason for heavy advertising expenditures of firms making alcoholic drinks.

But trade publications and the advertising itself make it plain that the firms are also attempting to increase consumption and tempt nondrinkers to start drinking.

ADS BECKON WOMEN

Whenever consumption per capita increases—and it has slightly in recent years—trade and industry publications happily note the fact.

In 1958, the Distilled Spirits Institute repealed its prohibition against showing women in advertisements of hard liquor. Since then, women may appear if a natural part of the scene, say at a barbecue or cocktail party.

The ads still are not to show a woman drinking or dressed improperly.

However, a random sampling of national magazines indicates distillers are stretching their advertising limitations to the breaking point.

One example shows a goblet held to a woman's lips with the liquor portrayed in another illustration. The promotion text reads: "The whole world loves it after dinner. Intriguing on the rocks * * * essential in a side car."

Another layout shows a young couple seated at a table with two whisky glasses before them. "Since when do you drink bourbon?" asks he. "Since I tasted [the brand advertised]," the woman answers.

The number of women drinking alcoholic beverages, including distilled spirits, has increased rapidly since 1958. How much of this could be attributed to advertising and how much to changing mores is an unknown.

The liquor industry cracked one more acceptance barrier recently when New York's Broadway theaters began serving drinks during intermissions. Liquor interests are also indebted to airline and railroad clubcar drink-serving policies.

Despite many hair-raising in-flight experiences with intoxicated men and women, one airline spokesman defended liquor beverage service and made light of those who emphasized scattered incidents.

"In our operation," he asserted, "providing alcoholic beverages in limited servings prior to meal service substantially cuts down, if it does not eliminate, the danger of any unpleasant occurrences. Furthermore, the service of liquor assists our industry in its competition with the railroads."

PILOTS ASSOCIATION OBJECTS

Some airlines reportedly set what amounted to quotas for liquor sales for their stewardesses.

"This is a free country," wrote one passenger in response to a United Air Lines survey several years ago. "All people should be able to enjoy what they like."

"The number of drinks should be governed by the passenger's capacity to assimilate liquor," said another.

"Unregulated consumption of alcoholic beverages by passengers in aircraft constitutes a compromise with safety," replied the Air Line Pilots Association (ALPA).

Today the novelty of drinking alcoholic beverages on airplanes seems to have worn off somewhat and the rules have stiffened against allowing intoxicated passengers to board commercial flights.

Still the ALPA opposes liquor service on safety grounds.

"The only real solution to the liquor problem aboard planes," the association has said repeatedly, "is to abolish liquor in flight."

[From the Christian Science Monitor, Apr. 15, 1965]

LIQUOR CASUALTIES—WHO PAYS?

California is calling for a White House conference on alcoholism. It is also asking Congress to give the States back 5 percent of Federal liquor taxes to help them tackle alcoholism and the rehabilitation of alcoholics.

California, by official estimates, has 885,000 people who have becme dependent on liquor to the extent that their capacity to earn their livelihoods is impaired.

It has, surveys show, 700,000 teenagers who are regular liquor users.

Its statewide traffic problem due to liquor is becoming increasingly acute, and the cost to taxpayers in this one area alone, reaches into millions of dollars annually.

One major insurance firm reckons that automobile-insurance costs due to liquor total $100 million a year for California alone.

Though California's alcoholism rate leads the Nation, many States share its concern and are battling the problem their own way.

In Massachusetts, which ranks fourth nationally in the alcoholism statistics, Gov. John A. Volpe proposes a renewed attack.

The Governor zeroed in on the problem in his 1965 inaugural message, stressing that alcohol was "a prime causative factor" in 14 percent of the State's welfare cases and one-third of its mental-illness admissions.

BUDGET INCREASE DUE

Governor Volpe has requested a sizable budget increase for the Department of Public Health's Division of Alcoholism. The division seeks expansion of its alcoholism education, research, and treatment programs to strengthen its 17 clinics across the State.

Like Massachusetts, neighboring Rhode Island's welfare costs have mushroomed with alcoholic case loads. The Department of Social Welfare estimates that 16 percent of its 2,800 disability cases are alcoholics or problem drinkers.

Connecticut confirms the Massachusetts testimony on alcoholism leading to mental illness. State mental health commissioner, Wilfred Bloomberg, says Connecticut mental hospitals admit about 8,100 patients a year of which roughly 3,300 or 40 percent of the cases are attributed directly to alcoholism.

As the cost to the States mounts—to say nothing of the toll in ruined human lives—public officials are seeking new answers to the problem.

California Assemblyman George A. Willson, Democrat, chairman of a legislative interim subcommittee on alcoholism and alcoholic rehabilitation, is waging a two-front war.

RESOLUTION RECALLED

He is keeping Washington mindful that California urged the White House conference. Last year's legislature embodied this in a joint resolution (AJR15) with strong bipartisan backing.

Mr. Willson is also continuing to press for the liquor-tax rebate. This fiscal year, Californians are paying $450 million in Federal liquor taxes. A 5-percent rebate would give this State something like $23 million extra.

Other States with alcoholism rehabilitation programs—about 40 of the States have them—would get rebates proportional to the liquor consumed.

In States with high liquor-consumption averages—such as New Jersey, where the average family spent some $402 on alcoholic beverages during 1963—this rebate would be sizable.

Gov. Edmund G. Brown indicated his support for action when he opened the 1965 legislature. He said that six times as many people were killed in 1964 California auto accidents where liquor was involved as were killed in the Vietnam war in 5 years.

Mr. Willson has introduced vigorous new legislation in the alcoholism field.

BILL PROVISIONS

One package bill would: (1) Provide for mandatory 30-day jail sentences for first-offense, drunk-driving cases; (2) increase the present mandatory 5-day jail sentence for the second offense to 60 days; (3) provide for suspension of driver licenses in such cases; (4) require drivers to give "implied consent" to chemical tests before getting their licenses back.

It would also provide for mandatory jail sentences for speeding. Extensive testimony before Mr. Willson's committee shows, he says, that speeding often goes with use of liquor.

In another bill, Mr. Willson is asking the legislature to transfer rehabilitation of alcoholics from the State department of public health to the State department of rehabilitation.

He believes this would save California $700,000 annually. It would also increase the number of rehabilitation offices from 8—maintained by public health—to the 40 offices run by rehabilitation.

Savings would come because the latter already has staff for the work. And Federal funds would be available. Of about $1 million a year spent on rehabilitation by the State, $400,000 has gone for costs. Of the $600,000 left to work with, half would come from Washington under the new plan.

California's request for a White House conference comes, Mr. Willson says, from its legislature's conviction that a national meeting of officials concerned with the problems may produce some workable answers.

Since 1957, he points out, the State has put almost $7 million into rehabilitation of alcoholics. Results have been small.

Mr. Willson believes this may be due to the fact that the State approach has been mainly medical. Hearings have convinced him, he says, that alcoholism has its roots in personality disturbances.

REPORTS CONFLICT

One witness before his committee, long experienced in helping women alcoholics, charged that State-supported clinics were of little help.

This opinion is in sharp contrast to reports from Florida, for instance, where officials estimate that two-thirds of the patients treated by the State's alcoholic rehabilitation center (ARC) respond favorably to treatment.

As in all the States, however, Florida can handle only a small proportion of its total alcoholic population through its State program. The ARC, therefore, regards its own treatment facilities as demonstration units from which will emerge knowledge and techniques helpful to other agencies, institutions, and professional groups faced with the problem of alcoholism.

The California assemblyman's committee heard a spokesman for the liquor industry advocate dropping from age 21 to age 18 the year when young people can legally buy liquor in this State.

PROBLEM IN BARS

The spokesman reasoned that this would relieve bars of the difficulty of excluding older teenagers who misrepresent their ages when they come as patrons.

"I am unalterably opposed to this," says Mr. Willson. "If we dropped the age level to 18, soon we would be under pressure to put it down to 16.

"Some of the most impressive testimony put before us was that in Scotland and England, where the age has been lowered to 18, the amount of alcoholic consumption has quadrupled."

Lowering California's drinking age could also create another "New York problem" with neighboring States. New York allows 18-year-olds to drink. Bordering States contend their youths are lured into the Empire State to drink and then become involved in traffic accidents when they drive home under the influence of liquor. In recent years, New Jersey, Connecticut, Massachusetts, and Vermont have petitioned New York to raise its drinking age to 21.

What about pressures from the liquor industry itself and from television, radio, and newspaper advertising interests?

COUNTERPROPAGANDA

"We all know the part such promulgation plays," Mr. Willson says. "This is why Former Attorney General Stanley Mosk urged the importance of developing vigorous counterpropaganda.

"He said we must start intensive campaigns to associate abstinence and temperance with success in life. He said we must show young people that those who achieve in athletics, for example, know the dangers of alcohol."

Mr. Willson says he is speaking strictly for moderation. He finds no evidence that total prohibition is either workable or, from the standpoint of general popular opinion, acceptable. He is completely frank about it: he himself drinks socially.

"But we cannot escape the fact," he continues, "that the World Health Organization has designated alcohol as an addictive drug. This is what we are dealing with."

[From the Christian Science Monitor, Apr. 22, 1965]

Alcoholism in the Cities

San Francisco.—Is San Francisco the "most drunken" city in the United States because it is the "most oversalooned" city?

This question comes up whenever someone observes that there is a licensed liquor outlet here for every 143 inhabitants.

Alcohol consumption in San Francisco is 3½ times the national average, according to the city's public health director, Dr. Ellis Sox.

Judge Harold Caulfield, in charging the grand jury on January 17, 1963, said:

"There's a high incidence of problem drinkers here—an estimated 100,000. Only 4 percent of the alcoholics are found on skid row. The rest are citizens in all walks of life. This is one of our city's greatest problems—alcoholism."

More recently, Dr. Malcolm Merrill, State public health director, reported that there now are 885,814 alcoholics in California alone. This figures in excess of 8,600 alcoholics for every 100,000 adult residents.

HIGH ALCOHOLISM RATE

Assemblyman Byran Rumford of Berkeley, chairman of the assembly public health committee, says the figure is approaching a million. The total number of State-licensed liquor outlets exceeds 44,000, roughly 1 liquor store or bar for every 386 Californians.

Of the 14 U.S. cities with the highest alcoholism rates, 6 are found in California, according to the Reverend Wilbur Korfhage, legislative advocate of the council on alcohol problems.

Would fewer State-issued liquor licenses mean fewer cases of alcoholism, wrecked homes, and liquor-related crimes?

Not necessarily, says Judge Gerald S. Levin, chairman of San Francisco's Council on Alcoholism, Inc., the chief alleviate agency in this field.

The Moreland Commission in New York State, appointed by Gov. Nelson A. Rockefeller to recommend changes in the State's liquor control act, comes up with findings that seem to support Judge Levin's conclusion.

The New York study group, in fact, urged legislation to increase the number of liquor outlets. Such an act was passed in 1964 with intent to abolish price fixing and step up competition.

During the depression, Californians were induced to repeal their prohibition enforcement law by amendment to their State constitution.

LEGAL "JOKER" FOUND

The argument advanced at that time was that taxes on liquor would reduce their other taxes. Later Californians discovered that the measure contained what temperance advocates called a "joker." This took away the people's direct control of the liquor traffic and placed that power in a remote State agency.

Local control of the liquor traffic, which the people thus lost, is known as local option. Not only did the industry-drafted substitute wipe out local option; in effect, it prohibited the legislature from again enacting such a local control law.

The only way local option can be restored to the communities is through amendment to the State constitution. Such an amendment was proposed in 1948. Liquor lobbyist Arthur Samish stated then that liquor interests spent $750,000 to defeat the local control measure.

Mr. Samish told the crime commission his chief value to the liquor industry was in spending money to influence legislation hostile to local option.

Charles C. Boynton, onetime attorney for the Fleishhacker banking interests and an advocate of local option, championed the other side's view before the Commonwealth Club of California:

"Local option means control of liquor by the people of the community. We had it in this State and what was the result? As one pundit said, 'The trouble with local option is that if you get it in one community and it goes dry, it spreads to community after community.' That is, people like it."

ENFORCEMENT QUESTIONED

The last full-scale study of California's liquor problems in 1954 noted that "sporadic enforcement of criminal laws does not help much in the correction of liquor evils."

"The real power to effectively control illegal sales lies in the power to prevent the granting of liquor licenses and to revoke liquor licenses for misconduct," the report added. "The local communities do not have this power and the State does not effectively exercise it."

Ten years ago, when the liquor issue was being debated, it was disclosed that, had the no-saloon constitutional provision been enforced, 75 percent of the alcohol outlets would have been closed.

Temperance spokesmen argue that the closing of three-fourths of California's 44,000 liquor outlets would reduce alcoholism there considerably.

Official concern today is weighted heavily on the side of rehabilitation, while passing over the intensive promotion of liquor sales.

Firings Avoided

Chicago.—City government has its alcohol problem, too.

What is a public agency to do about employees, trained at a cost of hundreds and perhaps thousands of dollars, who become liabilities because of alcoholism?

The city of Chicago does not regard dismissal as a satisfactory answer to this question. Firing means that the city loses a skilled employee—and the individual's case may be more serious than before.

Thanks to a former police officer who worked at the problem, a better solution now is offered.

It is commonly known as the Fellowship Club with headquarters in the Board of Health building. Officially it is styled "the Chicago Program for the Prevention of Progressive Alcoholism."

The method is that of Alcoholics Anonymous.

The goal: total sobriety.

Men and women whom it has restored to service testified to its value.

It all began in the Chicago Police Department.

Big, genial Joseph E. Thurston, a member of the force, had been three times suspended for drunkenness which he could not control. Then he found Alcoholics Anonymous and sobriety.

Thankful for being given another chance, he began voluntarily helping those of his colleagues who wanted to quit drinking.

RELIGIOUS ASPECT

Timothy J. O'Connor, then police commissioner, saw the value of the work Mr. Thurston was doing and established for him what he thought to be the first office of its kind—that of rehabilitation officer.

Mr. Thurston set up the Fellowship Club to give 24-hour-a-day service to all those who, as he said, "wanted to stay off the pop."

Not only policemen, but other local government employees, came to the club for aid. After a time it was discontinued in the police department and reestablished within the board of health. It has received enthusiastic support from Mayor Richard J. Daley, said Mr. Thurston.

Quarters of the Fellowship Club on the top floor of the Board of Health Building are inviting. Mr. Thurston's office door is open to all who come for personal consultation, and all are welcome to relax in a club lounge.

Mr. Thurston's approach to those who come to him for aid is simple: He has been through it all himself, knows what it means to be an alcoholic, is certain that there is hope for everyone who wants to quit drinking and will turn unreservedly to God, as he understands Him, for help.

"Be honest with yourself," he tells those who come to him.

"Forgive yourself first. Turn your back on the past. Use your simple, God-given power of prayer."

"I'm not a doctor or a psychiatrist or a reformer or a social worker," he told this correspondent.

"I'm a member of AA in good standing, and there's one thing I know. The cause of alcoholism is drinking alcohol; it isn't drinking buttermilk or eating chocolate cake.

"To handle your problems you have to want to quit drinking. This is a way of life."

FRIENDLY ATMOSPHERE

About 10 new cases come to Mr. Thurston each week. He encourages those who are helped to come often to the social room adjoining his office and visit with each other, enjoy a hot drink and look at television.

The place has a warm and friendly atmosphere. Most of Mr. Thurston's assistants are AA members and they chat with the visitors as they go about their work. Often the AA members who drop in bring members of their own families and all are welcomed. Building employees join the group for their coffee breaks.

Many requests come to this office from individuals and agencies about the country who are interested in setting up similar programs.

"Since 1955 we have sent out 147,000 pieces of our printed material in response to individual requests from all over the world," Mr. Thurston said. He also gives public addresses to groups working on the alcoholism problems. His straight-from-the-shoulder policeman's approach, brightened by humor, is highly effective.

LOSSES CUT

LOS ANGELES.—Francis "Pat" Mahoney reckons that the Los Angeles Post Office Committee on Alcoholism has saved the local postal operation more than $2 million.

Mr. Mahoney works as foreman of mails in this city's main postal center called Terminal Annex. He has been chairman of the Alcoholism Committee since he helped start it in 1955.

Post offices, like other enterprises involving many people, he points out, often suffer grievous manpower losses from alcoholism.

Since 1955 the Post Office has offered man-to-man encouragement to employees in danger of losing their jobs through drinking. The Post Office used to fire workers immediately if a drinking problem came into the open, Mr. Mahoney explains.

"This meant that if the post office here hired 500 new workers," he says, "2 years later it would be lucky to have 50 left."

But now the six-man Alcoholism Committee—now composed entirely of Alcoholics Anonymous members—does all it can to help problem drinkers. Drinkers may be referred to their own clergyman, to an alcoholism clinic, to an AA meeting. But they are urged to do something.

The key to victory over alcoholism, Mr. Mahoney tells them, is in realizing the only man you can change is yourself."

[From the Christian Science Monitor, Apr. 29, 1965]

ALCOHOLISM AND THE COURT

Until quite recent years, a judge had but one sentence for a chronic drunkenness offender. He jailed him.

But after release, the man would get drunk again, be rearrested, and be thrown in jail once more. After his next release, the same thing would happen.

This was the revolving door situation which confronted Judge Gerald S. Levin in San Francisco and Judge Hyman Feldman in Chicago when they were assigned their present benches.

Judge Feldman presides over Monroe Street Court, Chicago's so-called Skid Row Court, and Judge Levin runs San Francisco's Council on Alcoholism. Both—and many other judges—are trying to whittle down the dreary statistics of drunkenness arrests.

When Judge Levin took on his duties, San Francisco police were making close to 50,000 arrests a year. More than half of them were and still are on drunkenness charges.

SCHOOL FOR ALCOHOLICS

In 1963 there were more than 27,000 arrests for drunkenness. And the year before that, and the year before that.

One of the more effective means of changing this, Judge Levin believes, is the San Francisco Alcoholism Prevention School.

Judge Levin borrowed the idea from the traffic school the courts operate in conjunction with the San Francisco Police Department. The council's city-endorsed alcoholism-prevention school opened in May of 1964 and is already showing good results.

As fast as the courts convict a person charged with drunkenness, he is sentenced to the school. It meets from 7:30 to 9 p.m. on Wednesdays. The course lasts four Wednesdays.

So far, Judge Levin says, only a handful of persons convicted of drunkenness have been arrested again. The public-spirited judge figures 4 days of prevention are worth a month of jailing.

TRY 150 EVERY MORNING

"We know it's doing some good," says Judge Levin. "Not just saving the taxpayers' money. It's keeping people out of jail and helping them rehabilitate themselves.

"Those who come into our court are only 3 percent of the drink offenders. So you can see how serious the problem of alcoholism is in San Francisco. We try 150 drunk cases in municipal court every morning.

"Generally we have been sending offenders out to the county jail in San Bruno for from 1 to 30 days. We find sentencing them to school interests many of these real problem drinkers. We send them over to the Hall of Justice. First offenders are given probation or they are ordered to prevention school if they impress us as being rehabilitable.

"The cost of the school is surprisingly low in view of the good we feel it is accomplishing. And Alcoholics Anonymous is doing a good job in the community."

WOMEN INVOLVED

"Our Council on Alcoholism recognizes AA as one of the effective rehabilitation agencies. AA is helping out with our alcoholism-prevention school. Their lectures make a useful impression, and their doctors participate in the program.

"Every so often, I make a talk at the school, laying down the law, so to speak, and stressing the consequences for the individual who does not try to get a grip on himself.

"I should say 'herself,' too. It is pathetic to see how many women, how many housewives, and single businesswomen are quietly involved in alcoholism problems.

"Right off I observed that some of the enrollees in prevention school started thinking about their problem, facing up to it for the first time, perhaps."

INCENTIVE PROVIDED

"This wouldn't be the case generally if they were just sent to county jail. The more thoughtful ones start asking questions at the end of the class session. Usually the questions are directed to the doctor.

"These alcohol victims are impressed by the fact that the Council on Alcoholism and many of its supporting agencies today fall in step with the American Medical Association.

"We state that alcoholism is a disease, that alcoholics are sick people. We feel we are removing some stigma from those in this serious social plight. We are giving them an incentive."

The council is working with the San Francisco Police Academy, the local Nurses' Association, and as many of the hospitals as are receptive. Beginners in these agency training centers are being given 3- or 4-day lecture courses now on alcoholism as a health problem and how to treat it.

Judge Feldman in Chicago agrees with this approach. As he viewed his many alcoholic cases, the judge recalled, he "decided that this problem was physical, emotional, and mental."

"I took the position that alcoholism is a mental disturbance, an emotional breakdown of some kind," he related. This was 2 years before the AMA officially designated alcoholism as a treatable illness.

NOT CRIMINALS

Judge Feldman quickly realized that the alcoholics who came before him "were not criminal minded." The vast majority had never been jailed for anything but drunkenness. They needed help, not punishment.

At that time, prevailing public opinion regarded alcoholics as weakminded derelicts who deserved what they got. Judge Feldman took a different tack.

He astounded observers—and drew criticism—by adopting a policy of refusing to confine a man merely for drunkenness. Instead, he called on the city to start a social welfare program for these men. He asked for a city social worker to help screen the men. He urged the city to establish an alcoholic rehabilitation center.

Today, two courts handle most of Chicago's drunkenness cases. Thanks to Judge Feldman's efforts, they have a knowledgeable staff experienced in handling alcoholic cases. It includes two police officers, two city social workers with master's degrees, two representatives from the Illinois Employment Service, and volunteer workers from Alcoholics Anonymous.

STEADY WORK SHUNNED

These men help screen the drunkenness offenders. If a man is mentally aberrated, says Judge Feldman, he commits him to a mental institution. If he has medical defects, he refers him to a hospital. If an offender is employable, the employment service tries to get him a job. More often than not, these jobs are of a day-to-day nature.

"Getting jobs has never been a problem, which is very unusual," relates Judge Feldman. "The only reason I can think of is that these men are not in a position where they have to be paid high wages.

"Many of these men won't take a job for more than a day anyway. So the big answer is that this is unskilled labor which has a ready market. And $8 to $10 is a fortune where these men live."

HELP EXTENDED

Some of the offenders, who evince a desire to overcome their drinking, are referred to Alcoholics Anonymous. Still others are sent to a farm, which is part of the city house of correction. There they participate in AA group meetings as well as work, according to Judge Feldman.

Altogether, about 25 to 30 percent of the daily roll of drunkenness offenders receive some sort of service, the judge says. Of these, about one-third are committed to mental institutions or hospital clinics, one-third are referred to AA, and one-third receive help from such agencies as the Salvation Army and various missions.

FACES BECOME FAMILIAR

This, then, leaves 70 percent or more of the day's offenders—the majority of them. What happens to them?

"If a man can walk out, and he has no desire to be helped, we discharge him," says Judge Feldman. "Some of these men say, 'There's nothing you can do for me, judge.' Then you have to let them go."

Judge Feldman estimates that his courts receive from 7,000 to 15,000 repeaters every year, some of them returning as many as 20 to 30 times.

"You get some work for them, and maybe they'll go along for a few days. Then they fall back to drinking, and you get them back," the judge says. "The only help I can give is when they want help."

INTEREST IMPORTANT

And some of them do come around.

"A man comes in six or seven times, and you finally catch him at a time when he isn't even drunk. Something hits him all of a sudden, and he feels he can do something for himself."

Judge Feldman concedes that there's a limit to what he can do for these men.

"The court is a source referral more than anything else," he says. It just doesn't have the facilities to do much more.

"If there's anything that can be done for these men," the judge says, "it is to show that you have interest in them. You don't treat them as just another bum or derelict. You let them realize they are individuals. This constant kindness puts them in a position so that eventually they come to you for help."

EXAMPLE CONVINCING

Judge Feldman no longer handles these drunkenness cases personally, as he used to. He has magistrates under him who do most of the questioning and screening. He himself oversees the operation of the two courts.

When he personally handled the cases, Judge Feldman developed the practice of questioning them in front of the other offenders.

"This is good therapy," he says. By making them share their experiences, he says, "you revive the spark of life in them." Eventually some of these men will see a former derelict living a full life again and he says to himself, "If Mike can do it, I can, too."

Most drunkenness cases are long-term situations. "You can't reactivate them in a week or 2 weeks," says Judge Feldman.

Yet, though rehabilitation is a slow process, the judge's novel approach is a distant cry from the days when the House of Correction used to be 50 to 75 percent filled with alcoholic offenders. Those were the days, the judge recalls, when a repeater "could do life [in jail] on the installment plan."

[From the Christian Science Monitor, May 7, 1965]

A JOB FOR THE CHURCH

Alcohol problems exist in part because the concerned Christians of America have not given enough attention to the personal, social, and world aspects of drinking.

This is the warning of the National Council of Churches in a study book, "What About Alcohol?" used together with its 1958 pronouncement on "The Churches and Alcohol" in churches across the country.

The pronouncement called for (1) adequate programs of education to make more effective legal controls relating to beverage alcohol, (2) acceptance that alcoholism is an affliction requiring treatment, and (3) recognition that "it is more effective to win understanding than to coerce people."

After repeal of the prohibition amendment in 1933, church leaders participating in temperance activities were sorely demoralized. But new leadership and a deeper understanding of the problems of alcohol have gradually developed.

STAND REAFFIRMED

Today, according to Dr. Harold C. Letts, associate executive secretary of the Division of Christian Life and Work of the National Council of Churches, the churches are still standing on the 1958 pronouncement.

The stress is upon (1) education on the nature of alcohol and its effects as a means of helping citizens reach a Christian decision as to its use and (2) ministering to alcoholics and their families.

The second phase, Dr. Letts explains, now includes pastoral care for narcotics addicts and compulsive gamblers as well as alcoholics.

"We are coming to see," he says, "that we have a sort of class of these people in our population that the church really needs to be concerned about."

Dr. Letts recalls that the only real point of disagreement when the churches adopted their present position on drinking was whether alcoholism should be classed as an "affliction" or a "sickness."

The churches agreed that once drinking has passed a certain point, it becomes alcoholism which cannot be met effectively by the unaided efforts of its victims.

"We decided to use the word 'affliction,'" he explains, "because we felt it connoted an element of decision—of moral choice—in the early stages of a person's drinking * * * and something that he could do something about."

SOCIAL DUTY STRESSED

But the churches also stressed the social duty that attends each individual's decision whether or not to drink. Says the national council's manual on alcoholism:

"The simple decision of a Christian to decide the question of drinking in terms of whether or not he is strong enough to handle it is not an adequate criterion. Our concern must also involve helping our brother live creatively in a world that is filled with despair, fear, and anxiety—a world in which indulgence is practiced for indulgence's sake."

Practically every denomination and faith in the United States has shown some interest in the problem of alcohol. Many are sponsoring outstanding programs of alcohol education and action.

Many urge abstinence from the use of alcoholic beverages for all members. Others hold that abstinence is not necessary. They say that sobriety can be practiced by moderate use.

VIEW BUTTRESSED

Many observers feel that both groups must join in a united front if they hope to sway the drinking public. This view is buttressed by Roger Burgess, associate general secretary for the General Board of Christian Social Concerns of the Methodist Church:

"Churches always have been the main support of the temperance movement, supplying both leadership and financial resources," he wrote in 1964. "In the United States this has meant a handful of abstinence-oriented Protestant churches, most of them from the 'fundamentalistic' tradition.

"But in Europe, Britain, and Canada temperance organizations are supported by churches in the so-called 'moderate' tradition as well as those teaching total abstinence.

"Working together within one temperance movement these 'abstinence' and 'moderation' churches have discovered areas of solid agreement and common purpose which far outshadow their continuing differences over social drinking: alcoholism rehabilitation, drinking and driving, teenage consumption. Differences on the question of social drinking are not allowed to stand in the way of constructive action in areas of agreement."

EFFORTS UNDERWAY

Mr. Burgess notes that an effort is underway in the United States to bring the churches closer together in this field.

"It is not going on within the temperance movement," he points out. "Instead the churches themselves are building a common mind through cooperation in the National Council of Churches in interfaith groups such as the North Conway (N.H.) Institute. An interfaith consensus is growing.

Denominations that have urged or commended abstinence as the best Christian response include the American Baptist Convention, Church of the Brethren, Congregational Christian Church (now a part of the United Church of Christ), Disciples of Christ, the Methodist Church, Evangelical United Brethren, Moravian Church in America, Presbyterian Church in the United States, Seventh-day Adventists, United Presbyterian Church in the United States, Southern Baptists Convention, Church of Jesus Christ of the Latter-day Saints (Mormon), and the Church of Christ, Scientist.

Bodies such as the Protestant Episcopal, Roman Catholic, and some Lutheran denominations hold that sobriety may be practiced either by abstinence or moderate usage.

The Protestant Episcopal Church, despite this stand, has placed a new emphasis on alcohol problems in recent years. Resources and energies of a number of outstanding Episcopal leaders are currently being used to develop study materials and action projects.

In the Roman Catholic Church there is a continuous program of education and action with particular concern about excessive use of alcohol and alcoholism. There are within the United States several Roman Catholic organizations urging abstinence as an act of devotion to Jesus Christ.

Although many Jews drink, the rate of alcoholism among them has been low, partly due to the positive sanctions against drunkenness imposed by Jewish communities and the closeness of the family unit in Jewish life.

HOSTESSES ADVISED

One Episcopalian document, "Alcohol, Alcoholism, and Social Drinking," tells much about the church's position in its rules for a proper hostess:

"Never give a party for the main or sole purpose of drinking.

"If alcoholic drinks are served, serve always with them, and as attractively, nonalcoholic drinks.

"Never violate courtesy by allowing pressure to be put on guests to drink if they do not wish to do so.

"Never delegate to cocktails the host's responsibility to create an atmosphere, to encourage relationships conducive to wholesome recreation.

"Avoid drawing attention to a guest who is known to have the illness of alcoholism."

The Methodist Church sponsors a multifaceted program of alcohol education and action, including stimulation of laws to curb the liquor industry and protect citizen rights.

The Methodist program also sponsors the particularly important national schools of alcohol studies and seminars on the rehabilitation of alcoholics.

FORD GRANT

The United Presbyterian Church, the Presbyterian Church in the United States, and the United Church of Christ each publishes special editions of social-action journals focusing on the alcohol problem.

An annual grant from the Ford Foundation, administered by the National Council of Churches, makes it possible for six ministers each year to attend the Summer School of Alcoholic Studies at Rutgers University (formerly at Yale) where they get both a broad understanding of the alcohol problem and specific information on how to minister to the alcoholic.

Roman Catholic, Protestant, and Jewish churchmen regularly meet together at the North Conway Institute in New Hampshire. Here they study means of stimulating education on alcohol within the churches.

The Reverend Ernest A. Shepherd, a Methodist minister, organized the alcoholism program in New Hampshire and then went to Florida to lead an expanded program in that State.

WORK RECOGNIZED

In Dallas the Reverend Thomas Shipp has received State and National recognition for his work with alcoholics and others in special need.

The Reverend Mr. Shipp spends hours counseling alcoholics, finding fellowship friends to see them through their initial agony on the road to sobriety, referring them to Alcoholics Anonymous and other rehabilitation agencies and conditioning his congregation to welcome them into its fellowship.

Many of the approximately 200 alcoholics in the congregation are used to help other alcoholics who come for help.

The Church of the Brethren in Elkhart, Ind., has worked out a plan to have alcoholics from a nearby prison paroled to the church.

The social-action committee of the church helps them obtain employment and involves them in Alcoholics Anonymous and the sustaining fellowship of the church.

EXAMPLES OF HELP GIVEN

One man who had been hospitalized for alcoholism 50 times became an excellent workman and a leader in Alcoholics Anonymous. He has not touched liquor since the start of his association with the church. He moved to another city, where he was given a $10,000 a year office manager's job in a manufacturing company. He continues to be active in his church.

As a result of its program with alcoholics, the Graves Memorial Presbyterian Church in Clinton, N.C., has brought several former alcoholics into leading roles in the life of the church. One is an elder and one teaches the young adult Sunday school class.

Publications of the Church of Christ, Scientist, record abundant examples of the overcoming of alcoholism—sometimes in its extreme stages—through systematic reliance on divine help.

Here the approach is individual rather than organizational, but a sufferer may enlist the aid and support of a Christian Science practitioner.

The practitioner's method involves bringing the individual into a better awareness of his true relationship to God. This method heals the individual—by means of prayer—of the maladjustments, tensions, and anxieties which drive him to seek solace in alcohol.

Adherents of Christian Science practice total abstinence.

Some church bodies seek regulation and restriction of alcohol advertising. The national council's manual has urged church members to send any advertisements in poor taste to the Alcohol Tax Unit of the Treasury Department. From time to time, churchmen's attention is called to bills before Congress needing grassroots support.

SOBRIETY IS NEEDED

"All church bodies," says the national council, "are agreed that a nation of sobriety is needed. We find that church bodies from various traditions agree on far more things than they disagree on and can do an unlimited number of things together to achieve this goal.

"Through a redemptive ministry to alcoholics, education within the church and outside which may lead to abstinence, and a constructive program of Christian social action on every level, we have ample opportunity for constructive work.

"It is the high task of churches and church members to express renewed Christian social responsibility in seeking lasting solutions to the problems related to drinking."

[From the Christian Science Monitor, May 20, 1965]

TWO DRINKERS EXPLAIN

"It's not a matter of how much you drink but what it does for you."

A suburban husband settled back into a porch chair one after-work evening recently. He and his wife had volunteered to talk about alcoholism, and drinking. Their four under-10 children romped in and out of the house, while Frank and Edith, we'll call them, discussed their drinking habits with a visiting friend.

"My parents drank," Edith said, starting off. "They would offer me watered-down drinks when I was little. Drinking for them was a social thing, as it is for us today. Drinking seems always to be a factor in the social situation. You drink because others do."

Frank said he likes to have a drink or two when he gets home from work, especially when it has been a trying day. (By drink, both these people refer to hard liquor, distilled spirits—whisky, gin, etc.)

"It relaxes me. It makes the troubles go away for a while," says Frank.

AND THE TASTE?

Do you like the taste? the visitor asked.

"Oh the flavor's terrible," Edith hooted. "You absolutely have to learn to tolerate the flavor. After you drink for a while, the flavor doesn't bother."

"No," said Frank, "I think I really do like the flavor."

But why not handle the day's troubles directly instead of, say muffling them with drink, wondered the guest.

"You're right there," said Frank. "The drinking doesn't get rid of the problems. But it sure helps put them aside."

Both Frank and Edith believe their own drinking to be well controlled. They have had long firsthand contact, however, with drinking in the extreme. Members of each of their families have fought alcohol addiction.

Each has observed the role and effect of medical, psychiatric, ministerial, and group therapy on these distressing family cases. (Both Edith's mother and Frank's stepfather became alcoholics.)

Frank pointed out that sometimes both husband and wife drink, with but one able to control it. There are some cases of record where the effort of the non- or slight-drinker to commiserate with the heavy drinker has led the former into addiction.

"Alcoholics can literally sense the presence of liquor in a house," said Edith.

"There is no place you can hide it where they won't find it. And they themselves, when they reach the point of sneaking their drinking at all hours of the day, will hide and steal and do absolutely wild things to acquire and hide drink. It would almost be funny if it weren't so horrible.

"Fine minds have crumbled because of this drink problem," Edith went on. She told of another instance she knows where a brilliantly talented professional man fell deeply into alcohol addiction and only through great moral courage and determination escaped the problem.

"He used to say that it was a prison in which 'everyone was shut out except you and the bottle.' He said life was 'all gray.' Then he told me: 'One day I heard the birds sing. I heard children's voices. I saw life in color.'

"All this cost him 18 years."

CREDIT TO AA

Both Edith and Frank credit Alcoholics Anonymous with outstanding rehabilitation work with drink addiction cases.

AA says, "Look, we have the problem together." They start with you admitting that you have a problem. This is the crucial point. Once you have decided to stop, then you can go any number of places for help; but it takes a long time to reach this point. And often by the time you get to it you have already shut yourself off from all help.

"You know," said Frank, "the alcoholic fights this admission. He'll tell you, 'I don't drink as much as Joe Jones, and he's not an alcoholic.'

"But really this man does drink that much and probably more. He will also tell you that he can stop whenever he wants to but that he doesn't want to yet.

"He constantly hides his problem and his drink. He can hide it on the job by taking a customer to lunch and adding several drinks. He can stop for a drink on the way home from work. He can drink in the bar car on the commuter train.

"By the time he gets home he is nearly drunk. He has no appetite and he just goes to bed. The next day the pattern starts all over."

ABOUT $56 FOR MONTH'S LIQUOR

Prompted by the evening's discussion, Frank said they had spent no less than $56 for alcoholic beverages the month before at his house and that this would have to be cut down. He said most of it had been consumed by guests "who just seem to expect to have a drink when they drop in."

Will Frank and Edith's children be allowed to drink? "Some day, probably, but we'll certainly instruct them firmly and strictly on the dangers involved."

They realize the contradiction of telling their children not to drink while persisting in it themselves. Nor are they moved to stop their drinking together because of the tragic experiences they have witnessed when drinking became excessive.

Thus, for the moment, these two points of seeming ambivalence stand unresolved in their home.

That sociable drink with the boys is leading alarmingly often to broken homes and divorce.

This is the view from the Boston Probate Court bench of Judge Robert G. Wilson, Jr., in a city which ranks second only to San Francisco in its alcoholism rate.

In more than half the divorce cases to come before Judge Wilson, for example, he estimates that extreme intoxication is a major factor.

"Many of these cases arise in families where the breadwinner is a manual worker and has become a heavy drinker," he says.

"It's customary for some of these men to drop by the corner bar for a Friday night beer—and they never stop drinking it the rest of the weekend."

Massachusetts law grants seven grounds for divorce, of which "gross and confirmed habits of intoxication" is but one.

WAS HE SOBER?

"More often than not a woman will file suit on other grounds—say 'cruel and abusive treatment,' " the judge explains.

"But I'll ask her, 'Was he sober when he hit you?' and 50 percent of the time I'll find the husband had been drinking heavily.

"This is the answer in a rising number of cases."

Judge Wilson says the statistical count of such husbands as alcoholics is misleadingly low.

" 'I've never been arrested for drunkenness,' they'll tell me.

"I say, 'That's no criterion.' "

"You have to be lying in the gutter to be arrested for drunkenness. A man can stagger home without the police bothering.

"It's what happens when he's at home that counts."

VIEWPOINT SUPPORTED

Judge Wilson's viewpoint is supported by Dr. Selden O. Bacon, director of the Rutgers Center of Alcohol Studies, in the Annals of the American Academy of Political and Social Science, January 1958.

Dr. Bacon declares that in the progression toward alcoholism, the word "drinking" fails to describe the victim's use of alcohol.

"He is no more a drinker than a kleptomaniac is a customer or a pyromaniac is a Campfire Girl," he writes.

"Alcoholics may consume alcohol. They do not drink it."

Alton L. Blakeslee, writing in Public Affairs Pamphlet No. 118, 1952, of the Parent-Teachers Association elaborates on the type of "secondary alcoholic" Judge Wilson describes.

"Outwardly, this kind of alcoholic may appear to have been a reasonably well-adjusted person for most of his adult life. He starts out as a social drinker but may wind up as an excessive drinker in reaction to some trouble or problem * * *. He seems to possess strong predisposing factors for excessive drinking."

Two agencies are designed to aid families when a member becomes a victim of alcohol. One is Al-anon, a fellowship primarily of wives of alcoholics (there are more men than women alcoholics). Friends and relatives of alcoholics also may join.

HELP FOR TEENAGERS

A more recent group is Alateen, which brings together teenagers whose parents are alcoholics. Through sharing experiences, these teenagers are helped to overcome any resentment and bitterness toward their alcoholic parents and to learn how to cope with criticism toward them.

Neither Al-anon nor Alateen is organizationally linked with Alcoholics Anonymous, but both are considered important allies. All three depend, to some degree, on working through a group.

States with highest rates of alcoholism

[Cases per 100,000 population]

Nevada	6, 638
California	6, 388
Rhode Island	5, 913
Massachusetts	5, 713
New York	5, 463
Illinois	5, 050
Missouri	5, 038
Wisconsin	4, 988
Connecticut	4, 838
New Jersey	4, 838
Michigan	4, 350
Pennsylvania	4, 325

By Joan Forbes, staff artist, based on "Selected Statistical Tables on the Consumption of Alcohol, 1850–1962," and on "Alcoholism, 1930–60," copyright by Journal of Studies on Alcohol, Inc.

[From the Christian Science Monitor, May 27, 1965]

DOWN THE PATH OF SOCIAL DRINKING

A freshman adviser at a well-known eastern men's college had some of the boys over for a get-acquainted supper at his house. Wine was served before the meal. One of the boys declined the drink.

The adviser remarked: "Anybody who is going to be a success in life has to drink socially."

The boy said that abstinence was a matter of religious conviction with him. The adviser was not embarrassed, just shocked, as the boy recalls it.

"You've got to get used to parties," said the professor, "and you had better learn to hold your liquor."

The adviser's viewpoint, shared by many, dramatizes the role drinking has come to play in modern society. It also poses a challenge to every individual: "Must I drink to succeed?"

The evidence weighs topheavily to the contrary. Not only does it cite impressive testimony of those who have achieved greatness without drinking. It presents strong arguments that alcohol is a longrun obstacle to success in any field.

NOTABLE FILMS

Hollywood, armed with movies—the most potent means of mass communication yet devised—has occasionally taken aim on alcoholism and the success-through-drinking notion.

Notable among a handful of past films on the subject have been "Come Fill the Cup," "Lost Weekend," and "I'll Cry Tomorrow." The latest and one of the most powerful was "Days of Wine and Roses," produced by Martin Manulis in 1962, directed by Blake Edwards, and starring Jack Lemmon and Lee Remick.

The film bluntly chronicled the dismal decline of a young couple into the morass of alcoholism. The husband, in lurching desperation, finally sought Alcoholics Anonymous for help and eventually pulled himself out.

The wife, introduced to drinking by her husband, became an alcoholic, too. But she refused help, always thinking she could quit whenever she wanted. But she never could, and their life together was ruined.

HARD IDEA TO SELL

"The picture was important," Mr. Manulis explains, "because it dealt not with people who are bizarre or removed or unique, but with a typical young, clean, attractive, wholesome couple. They slipped into alcoholism out of the pressures of life and partly through their own tendencies."

Mr. Manulis had trouble selling the idea to a major Hollywood studio, even though the story had first appeared on television. All the studios turned it down. Finally, Warner Brothers agreed to make it.

"The studios all felt the audience would not be interested in the subject and they would lose money," Mr. Manulis explains. "But when I read the national figures on alcoholism, I felt there was enough curiosity that a film dealing honestly with the problem would do well. There is hardly anyone who is not touched in some way by it, who hasn't had relatives or friends who have been involved in some way with alcoholism."

MOVIE MADE MONEY

The film did well indeed. It was one of the top 10 moneymaking films of 1963. A major reason for its success, Mr. Manulis says, was its subject matter.

It was suggested, Mr. Manulis recalls, that the film be made for adults only. But he not only wanted young people to be allowed to see it, but urged to see it.

"We got a big response from young people," he says. "Many of them were at the age where it is considered sophisticated to drink. The film had validity in that it made them realize that the step from light social drinking to alcoholism is not that big.

"I believe the film also brought out something else—that alcoholism has nothing to do with the amount of drinking, but with the inability to stop."

HELPFUL IMPACT SEEN

Mr. Manulis also believes the film may have had an impact in persuading people that it is no shame to reach out for help.

"I am certain," he says, "that a great many alcoholics desire to go to AA or some other source for help but are too ashamed. Many believe, as the girl did in 'Days of Wine and Roses,' that willpower was enough. But it never is."

The film at one point graphically depicted actor Jack Lemmon writhing, strapped to a table in an alcoholic ward, trying to "shake" his addictive urge. Messrs. Lemmon, Manulis, and Edwards spent time watching actual alcoholics in similar circumstances in the drunk tanks in Los Angeles.

Mr. Manulis says that similar field trips to see the "extremities of alcoholism" should be made mandatory for young people in high schools. "As harrowing as it is," he says, "it could be an enormous object lesson."

SKID-ROW LESSONS

An equally sobering lesson can be glimpsed in particularly acute form along the world's skid-row streets, those bleak neighborhoods of cheap restaurants and hotels and tattered lives.

It is talked about there by jobless, homeless, sometimes friendless and hopeless men and women in words such as these:

"Well it's just the bottom. Ya gotta be drunk to stay on this street.

"A man who lives down here is an outcast. He's beat before he starts. The people you have to associate with; they're always looking for a drink.

"They (other men on skid row) are just like me. They are drunk every day and go borrowin' money to buy a bottle.

"You take a man that's sober. They've had lots of interesting things in their lives. As a general rule they come from nice homes. Some of 'em have had upsets in their lives and got to drinking to drown their sorrows. The general run is good when they're sober."

COMMENTS PUBLISHED

Interviews by a group of researchers from the Community and Family Study Center of the University of Chicago under the direction of Dr. Donald J. Bogue elicited these comments. In 1963 the center published a 500-page compilation of skid-row interviews and analyses.

The study identifies and assesses the part alcohol plays in the despairing lives of skid-row inhabitants.

Dr. Bogue and his colleagues got their information from more than 600 interviewees along Chicago's several skid-row streets.

"Obtaining a clear picture of the drinking behavior of homeless men and developing an understanding of motives upon which their drinking is based," writes Dr. Bogue, "are among the principal objectives of the study.

"Drinking to forget trouble" (especially marital trouble) was found to be the dominant theme of skid-row drinking.

"The responses of these skid-row men," reports Dr. Bogue, "indicate that the taverns are not patronized by men filled with a zest for living and enjoying their present freedom, but with men trying to anesthetize themselves to the point of blotting out the present and memories of the past and of trouble."

JUST DRIFTED INTO IT

How did the problem of drinking start for these men? Most say they just drifted into it. Nine out of ten of the heavy drinkers, the chronic alcoholics, along Chicago's skid-row streets said their drinking developed almost without their awareness until it became uncontrolled.

Most said they regarded it merely as a harmless, pleasant pastime at first, although more than one-third said they used it from the beginning as a means of relief, escape, or relaxation from troubles, worry, or tension.

Only a few of these skid-row drinkers claimed to have been just curious or to have drunk solely to demonstrate manliness.

"If this description is correct," observes Dr. Bogue, "the first few weeks or months of drinking were not dissimilar from usual social drinking."

Even skid-row drinking problems are not without balancing courageous efforts to surmount this personal crisis in countless lives.

SUCCESS EQUALS ABSTINENCE

Dr. Bogue reports that most of the heavy drinkers along the down-and-out streets of Chicago "have made an effort to conquer drinking, and many of them have succeeded."

Success at this point, it should be noted, is no longer considered in terms of limited drinking. It is now synonymous with a mastery of alcohol through total abstinence.

One more dimension of the problem as it confronts the individual appears on the Nation's highways. Here again, as grim statistics bear out year after year, the only sure road to success is a sober one. Drinking [of alcoholic beverages] is a factor in more than 50 percent of all traffic accidents in the United States.

Again the individual's drinking customs are partially attributed to widespread social attitudes.

SOCIETY'S ATTITUDE

Dr. Joan K. Jackson, sociologist at the school of medicine, University of Washington, makes this observation:

"The drinker and the driver are considered socially responsible for their behavior at the abstract level of public opinion, but not at the individual level. The very use of the term 'accident' conveys society's attitudes toward the responsibility of those involved.

"The rights and privileges of the offender are stressed, rather than his responsibility.

"Neither drinking nor driving is subjected to consistent punishment or reward.

"The victim is often the object of the sympathy of his social group, rather than of its disapproval. There are no rewards for approved, socially responsible behavior; there are emotional and social rewards for irresponsible behavior."

PARADOX UNCOVERED

Dr. Jackson cites the teenage boy who "can gain prestige by his daring" and the adult who "feels young and dashing" when he takes a chance.

These findings uncover a curious paradox:

As the educator and writer Albion Roy King points out, the desire to please, the fear of offending, and the social pressures against those who differ are well entrenched. In a society with so many inducements and coercions to drink, the greatest exhibition of daring is often shown by the individual who can say "no thanks."

[From the Christian Science Monitor, June 3, 1965]

YOUTH AND DRINKING

Herbie Louis wasn't even old enough to figure into the teenage drinking statistics. When a Boston social worker first found him and his wine bottle, he was only 9 years old.

"Even then he needed an eye-opener in the morning.

"He couldn't tell me the last time he'd been sober.

"It took another year for him to admit to me he had a problem."

Youthful Warren McManus of Boston's Huntington Avenue YMCA was recalling one of his "case histories" and giving fresh slants on teenage drinking.

The case of Herbie Louis (not the youth's real name) is no classic exception these days. In fact, Mr. McManus notes that a startling number of 10-, 11-, and 12-year-olds are acquiring a drinking habit in Boston's inner city.

"It's a matter of 'experimenting' much earlier," he says.

SUBSTITUTE NEEDED

From his days as a community worker, the YMCA youth director has formed a theory about alcohol and underprivileged boys.

"It's one thing to take it away—it's something else to provide a satisfactory substitute.

"Drinking has been their outlet, their escape from a hostile home life.

"They're seeking an adult male role. So do kids in the well-to-do class, but it's easier to spot here.

"They identify alcohol with manhood and think they can take a shortcut with it. Cigarettes are just another phase of this.

"You can't destroy this shortcut notion. But you can substitute. We use athletics. We've formed some teams that nobody around here can beat. But we say 'No drinking if you want to compete.'

"Some choose to continue drinking. We manage to change quite a few."

Mr. McManus cites the Herbie Louis case, for example.

"He's 13 now and well on the road to rehabilitation, but it's taken us 3 years. He started drinking to gain attention and then he couldn't lick the habit alone.

"Even now he'll rebel and go on binges sometimes. But we found physical education the right substitute for him. He's on the right track."

As acute as Boston's "inner-city problem" sounds, it is but one sampling of the rising rate of teenage drinking in the Nation.

Dr. George L. Maddox, professor of sociology at Duke University, thinks that almost all youths taste or drink an alcoholic beverage at least once by the time they are graduated from high school. He finds, however, that an established pattern of drinking is characteristic only of a minimum of high school students.

EVOLUTION TRACED

He told the Midwest Institute on Alcohol Studies in June 1964 that most American children are not introduced to liquor early. This points up a nagging contradiction on the matter of drinking—on the one hand the abstaining child and on the other the drinking adult.

How does the one evolve into the other?

"In the in-between stage—adolescence," says Dr. Maddox. "Many adolescents have established drinking patterns by the time they reach 18. Drinking is a large part of growing up in a society where adults have established drinking patterns."

Where do Americans drink? In early America, it was in the tavern. Today it is largely in the home. Young people often report their first exposure to alcohol in the home with an adult present.

The Gallup youth survey of 1961 turned up data tending to confirm Dr. Maddox's contentions.

In a poll of 3,053 young people between the ages of 14 and 23 in 271 American communities, the Gallup researchers found 24 percent admitting they drink wine, beer, and hard liquor.

Fifteen percent of the 15-year-old boys and 11 percent of the girls said they drink alcoholic beverages.

Twenty-one percent of the 16-year-old boys and 16 percent of the girls of that age said they drink; 29 percent of the boys and 21 percent of the girls among 17-year-olds; 42 percent and 22 percent of the 18-year-olds; 61 percent and 49 percent of the 19-year-olds; and 82 percent and 64 percent of the 22-year-olds said they drink.

Among students who reported a pattern of drinking behavior, 57 percent of the boys and 62 percent of the girls reported the home as one of the places in which their drinking takes place.

ENVIRONMENTAL GUIDE

"Approval of alcohol use, then," points out Dr. Maddox, "like drinking itself, appears to be a function of age and of the particular social experiences that the young person has had with regard to alcohol use, particularly in the context of the home."

Four conclusions are drawn from these studies of young people drinking:

Although most high school youths are eventually exposed to alcohol use, a pattern of drinking characterizes only a minority.

There are few reports of intensive drinking.

Many factors (religious, socioeconomic, cultural, and so on) affect drinking behavior. The Gallup poll found for example, that high school students who identified themselves as Protestants were less likely than Roman Catholics or Jews to report a pattern of drinking behavior.

Many of these same factors influence youths to either approve or disapprove the use of alcoholic beverages in their lives.

Dr. E. Mansell Pattison, alcoholism clinic coordinator at Cincinnati General Hospital, feels that youth and others face a situation in which "society simply has never put the case of why not to drink."

Such is often the case among impressionable college freshmen.

These young people consulted for this report say they and their fellows drink for several reasons.

LIQUOR SMUGGLED

"It's just the accepted thing at college." "I'm old enough now, why not?" "It makes you feel like you belong." "You have to drink to be one of the boys."

In several colleges, beer is served at the student union. In at least one, it is available at the campus stadium during football games. At Duke University, students are permitted to keep alcoholic beverages in their rooms at residence halls, although they face suspension for public display of containers.

A college coed from Chicago says that at the small church-affiliated school she attends, liquor and beer are smuggled into dormitories in regular defiance of strict school regulations against any and all campus drinking.

"Let's go for quarts," is the rallying cry heard at one Chicago area university.

"It's sort of a last class; it's the thing to do," says one of the students, explaining the late afternoon and evening visits of students to local taverns.

Does everybody drink?

"Take our fraternity," explains a sophomore. "Out of 50 members only 4 or 5 are abstainers. The age range in the fraternity is 18 to 25. The freshmen don't drink at the start, but in a year or two they join the go-go crowd at the local tavern."

Hearing these comments and statistics a clergyman remarked:

"In what other situation would you go out and buy a quart of something to quench a thirst? Do they want a thirst quencher or an anesthetic? To buy by the quart is not just to quench a thirst. This is a dangerous sign to one who works with alcoholics."

Though drinking attitudes held by collegian and high school dropouts may vary slightly, one line of reason prevails in either case. Both attack their elders' double standard: "Why condone your own drinking and condemn ours?"

A Chicago police officer experienced in youth problems says the best place for alcohol education is in the home.

NEW YORK ISSUE

"Too often parents look on their child's drinking as a big joke," maintains Sgt. William Touhey. "You bring an intoxicated youngster to his home and the father laughs and says, 'Just like his dad. I have been drinking all my life.' What's a kid to think?"

Sergeant Touhey finds the problem in all parts of his large north side district, among the rich as well as the poor.

National attention focused recently on teenage drinking among the sons and daughters of wealthy Connecticut socialites. Public concern rose from a 1964 automobile-homicide case following two teenage drinking parties in fashionable Darien. Thirteen adults were arrested for serving liquor to minors.

Minors from States bordering New York have also aroused controversy by driving to State-line communities like Port Chester to drink. In New York the drinking age is 18 contrasted to 21 in its neighboring States.

More often, youths will acquire alcohol through a go-between.

Teenagers in Boston will often pay willing adults up to triple the price of the liquor to act as their buyer, Mr. McManus discloses.

"In many of these homes," he relates, "no one cares if a boy comes in with liquor on his breath. In other cases, the kids lean toward vodka, which is hard to detect on the breath."

Police urge citizens to report disturbances due to youth drinking, as well as liquor-sale violations to minors. But they point out that preventive steps—particularly greater effort in the alcohol education area—are much needed.

[From the Christian Science Monitor, June 10, 1965]

BREAKING THE "BOTTLENECK"

The lay preacher, a former alcoholic, stood in the skid-row pulpit singing, his voice lifting above a plunking piano.

"Glory, Glory, Halleujah" he sang, "Glory Glory, Halleujah."

Drunks and down-and-outers sat in the congregation. Some listened. Some dozed. Fifteen even raised their hands and "declared for Christ." All knew that with the last prayer came their first free meal of the day.

Few knew, perhaps, that this is the way the Salvation Army "goes fishing."

Back in a cramped little office within earshot of this midmorning skid-row religious service sat C. C. Clitheroe, a Salvation Army brigadier and commanding officer of the Army's Los Angeles Harbor Light Center.

TO CATCH A FISH

During his three decades in the Salvation Army, Brigadier Clitheroe has ministered to alcoholics. Like Alcoholics Anonymous, the Salvation Army is committed to solving the problem through rehabilitation.

"We hold religious services, and then we feed the hungry," he explains. "To get a free meal some of those men go to more religious services than you or I—they can sleep through anything. And we use it to 'catch fish,' to attract alcoholics who need or want help."

The Salvation Army began a century ago in the slums of London. It was born, Brigadier Clitheroe says, "ministering to the drunk."

Today, in the skid rows of 15 major American cities, Army field officers such as Brigadier Clitheroe still minister to the drunk. Their aim is to salvage the alcoholics—ideally to instill "the Christ" in him, as Brigadier Clitheroe puts it. At least they seek to get him out of the bottle and back into society.

NOT EVEN THE FRINGE

Brigadier Clitheroe, a broad-minded, compassionate former British, is part optimist and part pessimist—but mostly pessimist.

"We haven't gotten to the fringe of the problem," he sighs. He says he has been working with alcoholics personally for 36 years.

"It's a fascinating, challenging, hellish, mysterious thing," he says. "I think I know less about it now than I ever did. I'm lucky even to help these men."

The brigadier works hard trying. In his creaky, cracker-box building in the heart of skid row, he and his staff undertake the rehabilitation of about 300 alcoholics each year. All staff members except himself are former alcoholics.

The Harbor Light Center also feeds and quarters the homeless, the transient, and the down-and-out. It supplied 22,145 lodgings last year and served up to 242,715 meals and at least 700 religious services. But the alcoholic is its chief concern.

ROLE AS CLINIC

"When alcohol becomes more important to a man than anything else in his life," Brigadier Clitheroe explains, "then that man is an alcoholic. * * * And when he dips below a certain economic level he finds himself in skid row."

And that's usually where the Harbor Light finds him.

Harbor Light Centers, however, have changed over the years since the first one was founded in Detroit 25 years ago. It has gone from a mission-type operation solely to a clinic for alcoholics. It now utilizes every modern professional aid available.

"Years ago," Brigadier Clitheroe says, "we got our men only from the streets. But now we get them also from jails. Churches, clinics, doctors, and other interested people also send them to us."

"IN ANOTHER WORLD"

The brigadier says they all come in the same general condition.

"The alcoholic's life," he explained, "is severed from the usual run of society. He is in another world. To break out he has got to adjust. His life is completely centered around the bottle.

"He comes here stripped of everything. His teeth, eyeglasses, hearing aid, watch are lost. He often has no identification. He is clean to the bone. We have got to find out if he is involved with the law or with alimony or if he owes money. It takes a while to learn these things.

"He is dishonest, selfish, suspicious. He is a con artist, and he is thin-skinned. And with the alcoholic it is negative thinking all along the line."

TWO-WEEK ADJUSTMENT

Each alcoholic that comes to the center must undergo a 2-week adjustment period. During that time the staff concentrates on getting him reoriented, his past pinpointed. It also gets him cleaned up and starts the long job of getting him thinking differently about things.

After 2 weeks, if the staff thinks him ready, the man gets a job and ventures tentatively back out into society. But he continues to live at the center, undergoing group therapy and counciling. The average length of time in the center is about 4 or 5 months. Eventually he graduates to Harmony House, a lodging where he may stay, paying his own way, until the staff thinks he is ready to go back into society entirely on his own.

The center maintains a Toastmaster's Club for its alcoholics. It is important, explains Brigadier Clitheroe, to have the men begin to think about something other than liquor. The center also maintains a service organization called the Converts Club.

A LINK TO BE BROKEN

"Almost every alcoholic," Brigadier Clitheroe points out, "knows how to make a living, but seems not to know how to live. * * * The man on skid row has lost his link with everything. The only link he has left is his bottle. That link has got to be broken."

The question the center's staff must always eventually face is whether a man is really ready to go back into society and take on its responsibilities and pressures. This is not always easy to judge.

"The alcoholic can always quit," says Brigadier Clitheroe, "but can he stay quit? That's the test."

Nor is it easy to determine if a man's alcoholism has been arrested. "You can get a man out of skid row easy enough," says Brigadier Clitheroe, "but it is another thing to get skid row out of the man. Till you do that you haven't succeeded."

Does the center succeed?

"There's been many a sacred moment," says Brigadier Clitheroe, "when a man has brought his wife or mother or sister back here and said to her, 'That's where I started.' In many cases these men have convinced us completely by their appearance that they have done well."

At the same time other men have had to come back and begin all over again. There are some cases the center just won't take at all.

"Some," says the brigadier, "just don't want to play ball but simply want to use us. Or we feel we don't have a program to suit them."

Brigadier Clitheroe says the average age of the alcoholic treated at the center is 45. Most of them drank as teenagers. Most began simply as social drinkers. Many drank for 5 or 10 years before they discovered they were alcoholics.

The brigadier says many of the old concepts about alcoholics are being challenged today. One of these is the notion that alcoholics can never really be cured. He admits that in most cases, alcoholism is only arrested. But arrest can be permanent.

WORLDWIDE FELLOWSHIP

"Alcoholism," Brigadier Clitheroe says thoughtfully, "is a billion-dollar hangover—there is no better description for it. If the American people really want to be generous and sacrifice something for good, the first thing they should do is solve this problem of the alcoholic."

Fitting in with the Salvation Army approach to problem drinking is Alcoholics Anonymous, a worldwide fellowship of approximately 350,000 victims of alcohol. The AA treatment method is among the most successful in its field. Many Salvation Army workers subscribe to it.

AA, as it is better known, combines group therapy and reliance on "a Higher Power." At open and closed (restricted to members) meetings, AA members share their experience, strength, and hope with one another.

Through this sharing, they gain understanding and support in their efforts to overcome the compulsion to drink.

TWENTY-FOUR-HOUR BASIS

AA's treatment is based on adherence to "The 12 Steps" of recovery from alcoholism. This suggested program begins with an admission that "we were powerless over alcohol—that our lives had become unmanageable." It then proceeds to a belief "that a power greater than ourselves could restore us to sanity."

The third step is "a decision to turn our will and our lives over to the care of God as we understood Him."

Above all else, the AA program aims at maintaining sobriety. But it does not require members to pledge never to take another drink.

"We go on a 24-hour basis," explains one member. "Therefore the only important day is today. You don't think about yesterday or tomorrow. When you put it on a day-to-day basis, it's much easier not to drink."

This 24-hour approach brings unexpected benefits to an AA's life, this member says.

THE WAY TO ARREST IT

"The next thing you know," she says, "you begin to apply this philosophy in all your problems. It begins to be your operation of living, more or less. You do your best today and worry about tomorrow when it comes. It really gives you peace of mind."

At present, one-fifth of AA members are women. In recent years, many young people in their twenties and some even in their teens have turned to AA.

Along with medical opinion, AA considers alcoholism a progressive illness "which can never be cured but which * * * can be arrested." The only way to arrest it, AA declares, is to stop drinking.

"No one who has crossed the line to problem drinking," says an AA member, "can ever return to controlled drinking. Therefore, the only way he can maintain a normal way of life is total abstinence."

Such discipline is sometimes difficult. "Most experts," says University of Chicago Sociologist Donald J. Bogue, "believe a man must stay 'dry' for at least 3 months before he ceases to need almost daily help and encouragement, and that at least 6 months to 1 year must elapse before the danger of a return to heavy drinking is largely passed."

Working with other alcoholics is AA's time-proved solution for this difficulty.

"The AA program works best for the individual when it is recognized and accepted as a program involving other people," says an AA pamphlet.

HOPES SHARED

"Working with other alcoholics in his local AA group, the problem drinker seems to acquire understanding and support. He finds himself surrounded by others who share his past experience, his present problems, and his hopes for the future. He sheds the feeling of loneliness that may have been an important factor in his compulsion to drink."

Most "solid AA members" attend local group meetings throughout their lives, according to one member. "Many newcomers begin by attending meetings every evening but then level off to about one meeting a week," she says.

These meetings, at which members relate personal experiences, are central to AA work, this member emphasizes. "You've got to help someone else. You can't keep it," she asserts. "This is the foundation of AA that you pass this on."

[From the Christian Science Monitor, June 17, 1965]

Alcoholism Tied to Russian Past

Alcoholism in the Soviet Union is different from that in almost any other country. Throughout the Russias it is an old belief that "where man does not drink, there is no life."

And drinking for Russians and most of the other Slavic peoples of the Soviet Union means drinking fast and heavily.

After the war Russian drinking habits spread through much of Communist-ruled Europe.

Poland, with its ancient proverb: "If vodka interferes with work, quit work," has a problem of its own.

East Germany and Rumania do not seem to have been affected by Russian and Polish drinking habits.

Because of these habits, the effects of alcoholism are more devastating than in the West, although per capita consumption of alcoholic beverages may be lower.

DRINKS GULPED DOWN

Peculiar traits of the Russian drinking problem, which predate the revolution, are:

Consumption of vodka, and among better paid people now also cognac, fast and in incredibly large quantities. Two or three cups of these highly concentrated liquors are guzzled quickly, one after another, each in one gulp. A contributor to this article once saw a Russian worker, who had just stood in line for a large bottle of vodka, empty the whole bottle (about a pint and a half) in one gulp, and drop to the ground unconscious.

Governments again and again have abused the liquor monopoly for financial purposes. Excessive profits from vodka sales were among the darkest spot on the record of czarist Russia. Liberals and revolutionists alike violently denounced this practice.

LIQUOR-BASED BUDGET

Yet the Soviets after a few years did the same thing. Stalin's industrialization drive was financed to a large extent through vodka sales which brought the state a 400- to 500-percent profit.

Only when the defense of the country was at stake, both the czar and Stalin restricted vodka consumption. During World War I the czar's government stopped vodka production and reduced consumption to a minimum. Stalin, less radical in this respect, did it by raising prices fivefold.

The Government's leeway in fighting vodka consumption was and still is limited by illegal production of liquor on a massive scale. Because vodka is many times more expensive than it was under the czar, large profits can be made by selling the product of home stills.

Monopoly vodka costs 6.14 rubles a liter (a little less than 1 quart). At the official rate this would be $6.75. The ingredients of a liter of vodka cost home distillers about 2 rubles—mainly homegrown potatoes, yeast, and sugar. By selling their beverage at perhaps 4 rubles, home distillers make a 100-percent profit.

HABITS TRACED

Whence came those gargantuan Russian drinking habits? They date in legend to Prince Vladimir of Kiev, the founder of the Russian State. The prince, the tales relate, adopted Christianity rather than Islam because "it is quite impossible to be happy in Russia without strong drink."

The poverty and backwardness of small Russian towns contribute to the problem. Their dreariness, the sheer endless land, the monotony of the landscape, the mud, the snow, unrelieved by remnants of a great cultural heritage, can make for moods of despair and self-annihilation.

The Russian writer, Maxim Gorky, in the beginning of his novel, "The Mother," paints a poignant picture of the rhythm of life in a smaller industrial town before the revolution.

After long hours in a dirty factory, the worker comes home exhausted to dingy surroundings. He drinks because he has nothing else to do. On Sundays and holidays he drinks even more and beats up his wife.

The Orthodox Church did nothing to discourage drinking. The village priests often were among the worst offenders. Drinking became identified with manliness. Common people laughed (and unfortunately still laugh) over the grotesque capers or violent outbursts of the drunks. Only zealous young Communists and the relatively few Baptists are likely to protest today.

The party always has condemned hard drinking, although it cannot be said that the Communist leaders themselves always set a good example.

According to the current social science textbook for Soviet secondary schools, alcohol is "a survival of the past through which tremendous harm is done to society."

CRIME LAID TO LIQUOR

"Abuse of alcohol," the text continues, "is one of the main reasons for hooliganism (juvenile delinquency) and robbery. Statistics show that the majority of crimes are committed by persons in a state of intoxication. * * * By his conduct the drunkard brings strife into families and prevents people from working and relaxing quietly."

To put it more precisely, in 1957, 50 percent of all accidents and 70 percent of all crimes were due to drinking, according to Izvestia in February 1958.

Lately the Soviets have played down the capitalist survival theory, but until recently the line was: "Alcoholism is a phenomenon alien to Socialist order. Capitalism, with its social inequalities, degrading work, unemployment, lawlessness, and ignorance offers a wide field of alcoholism among the workers. The bourgeoisie needs alcoholism in order to demoralize the workers and to make them unsuitable for class struggle."

The hypocrisy of such statements is too obvious.

MONOPOLY REINSTATED

Stalin reintroduced the vodka monopoly through a ruse. According to a letter by Leon Trotsky of October 1923, there was strong opposition to restoration of the vodka monopoly in the central committee and among the rank and file.

Stalin said at the time that Lenin approved of the reintroduction of a vodka monopoly for financial purposes "as a temporary measure." It was better to "get revenue from vodka than to go cap in hand to foreign capitalists," Stalin wrote in 1925.

At first a Soviet decree of 1923 authorized production of a relatively weak vodka (20 percent), the so-called rykovka, but very soon the alcohol content was doubled.

In June 1925, production of vodka in state factories was still only about 5 percent of prewar volume and was supposed to increase to a "firm limit" of 15 percent. At that time already receipts from vodka sales were considerable, covering about one-quarter of all direct and indirect taxes.

ONE-THIRD OF FOOD SALES

The first 5-year plan (1927–33) called for a 31-percent decline in vodka sales—an indication of internal party opposition. Actually state vodka production increased by 30 percent.

The sale of alcoholic beverages accounted for more than one-third of all food sales in state and cooperative stores. The share of vodka sales in the turnover of restaurants also went up. By 1940, vodka and coarse rye bread were the only items never in short supply at village stores.

Thanks to the sharp increase of the vodka price in 1941 and the inability of mobilized or displaced peasants to go in for moonshining on the usual scale, alcoholism declined during the war.

PURCHASE CLIMBS

But by 1950 the vodka price was down to less than half of what it had been in 1946, In 1958, as part of a campaign against alcohol consumption, it was increased again.

The party's campaign so far has not been very effective. Alcoholic beverage sales increased from a 1940 base figure of 100 to 166 in 1958 and 225 in 1962. The level had risen to 245 for 1963, a 145-percent increase since 1940. During this period the population grew only 19 percent.

One saving factor is the larger consumption of wines, which makes for a smaller share of highly concentrated liquors in the total.

The situation remains disturbing, however. Nearly one-fifth of all retail sales are for beverages of which 72 percent are alcoholic.

Since the average Soviet also buys quite a lot of home-distilled liquor—and more than one-third of restaurant turnover consists of alcoholic drink sales—it is not exaggerated to assume that more than a quarter of all average earnings is spent on alcohol.

Soviet psychiatrists have disclosed that in 1958 one-third of all hospital beds were occupied by alcoholics. In 1950, 7.1 percent of patients admitted to clinics were alcoholics. In 1953 the percent was 14.3. The "survivals" are growing.

Yet the Communists try hard to fight alcoholism. Intoxication does not rule out penal responsibility, nor are extenuating circumstances granted. People in a state of alcoholic hallucination are picked up by the militia or police and subject to treatment at their own expense.

The main therapy, the Soviets believe, is work. Pravda of August 7, 1964, developed a whole program of antialcoholic activities. Ceremonies like the "first paycheck day" or "initiation into the working class" should be nonalcoholic, according to the program. The great libations on Mother's Day, International Woman's Day, and so on should be stopped.

SOME DON'T DRINK

The danger of drinking should be more insistently explained to children.

People should be taught to use their leisure hours intelligently.

But old habits run deep and the task is a difficult one, especially when the receipts of the alcohol monopoly contribute substantially to the budget.

In the long run there is hope that a generation of younger leaders will react more consistently than today's leaders. In the course of extensive journeys through Eastern Europe during the past 4 years, a contributor to this report met a large number of men who did not drink at all for reasons of principle.

One would have had to look for them like needles in a haystack before the war.

[From the Christian Science Monitor, June 22, 1965]

Global Fight on Drunkenness

The recent World Health Organization report that the United States has succeeded France as the nation with the highest incidence of alcoholism in the world points up the attention given differing rates of alcoholism on an international scale.

According to the most recent available estimates, some of which are seriously out of date, the United States, France, Chile, Sweden, Switzerland, Denmark, Canada, Norway, Finland, Australia, England and Wales, and Italy, in approximately that order, are the nations of greatest alcoholism incidence.

"Just a few short years ago," observes David Archibald, "people in North America used to suggest that all we had to do 'was to learn to drink like the French.' (The new statistics appear to indicate that this may be all too true.) This is to suggest that the traditional wine drinking of France and the general absence of public intoxication meant that there was no particular problem with alcohol in that country."

FRENCH FACE BIG HURDLE

But Mr. Archibald, director of the Alcoholism and Drug Addiction Research Foundation of Toronto, notes also the high alcoholism rates in France, among the highest in the world.

To those who wonder why France has not acted more decisively to overcome alcoholism, Mr. Archibald points out that French efforts have indeed begun.

"The slowness of developments must be attributed in part," he contends, "to the great political and economic strength of the alcoholic beverage industry.

"Something on the order of 6 million of the French population are involved in some phase of the alcoholic beverage industry, either as growers of grapes or other fruit, or as producers or distributors of wine or spirits, or some other associated occupation. You can appreciate that this group forms a powerful voting bloc," Mr. Archibald explained to the Midwest Institute of Alcohol Studies this past July.

"Hence the relatively quick political death of Premier Mendes-France when he boldly suggested that it might be better to drink milk than wine;

"Hence the fact that you pay 5 cents for a glass of wine in France and approximately 20 cents for a soft drink;

"Hence the fact that France is saturated with liquor outlets—1 alcoholic beverage outlet for every 80 of the population as compared with 1 for every 2,600 of population in Ontario."

APPROACHES DIFFER

In Italy, where wine drinking is more closely related to mealtime than in France and where the social pressure to drink is much less than in France, the drinking problem, Mr. Archibald points out, is much less severe.

French drinking also includes large quantities of distilled spirits—more per capita, in fact, Mr. Archibald notes, than in Scandinavia, where it is the tradition to drink distilled spirits.

That Sweden recognizes the magnitudes of its problems is to some extent apparent in the fact that it employs 203 instructors and spends nearly $500,000 a year for education on the problems of alcoholism, according to a member of the Royal Education Board of Sweden reporting to the August 1964 meeting in London of the European Institute on the Prevention and Treatment of Alcoholism.

Finland, meanwhile, according to a recent Reuters report from Helsinki, is beginning to relax its strict regulations on drinking and gambling.

"Restaurants which formerly started serving beer at noon," said the dispatch, "are permitted to satisfy thirsty customers from 9 a.m. provided a sandwich is ordered with each glass of beer. But liquor drinkers still must wait until noon."

COMPULSORY TREATMENT

The State alcohol monopoly is also pressing for the sale of beer in grocery stores and other outlets not managed by the monopoly.

According to the 1963 E. M. Jellinek survey for the Department of National Health Welfare in Canada, Finland as well as Sweden, Norway, and Switzerland provides compulsory treatment, theoretically at least, for all "true" alcoholics.

France, Italy, and some other countries require treatment only for "dangerous alcoholics" or delinquent alcoholics (but not felonious alcoholics) whose minor misdemeanors are related to drunkenness. In Denmark the compulsory treatment relates exclusively to psychopathic criminal alcoholics.

In the Netherlands, England (as far as the latter has any public care), Denmark, Chile, the United States, Canada, and to some extent in Switzerland, Czechoslovakia, and the Soviet Union, the implications of the concept of alcoholism as a disease are duly considered, says Dr. Jellinek. "In many other countries," he charges, "the disease concept receives lipservice."

"The treatment of the early alcoholic is a goal aimed at by most workers in the field," the report continues. "It is a moot question whether this objective is most effectively achieved through mandatory measures [as in the Nordic countries] or through the propaganda of voluntary organizations and of government agencies as in Canada and the United States."

EDUCATIONAL EFFORTS

Alcoholism education takes a variety of forms throughout the world.

The Jellinek report notes that "On the North American Continent the main emphasis has been on alcoholism as a disease and its treatability.

"This aspect of education covers only the prevention of the growth of existing alcoholism and other drinking problems, but does not take into account the prevention of new growth. The latter aspect is practically left to the temperance societies which," in Dr. Jellinek's view, "utilize the element of fear more than of prudence.

"On the other hand," he continues, "in most European or South American countries, little if any effort has been made to propagate the idea that alcoholism and other drinking problems are accessible to psychiatric-medical treatment.

"Instead, they concentrate on the evil effects of alcohol, in much the same manner as temperance societies, i.e., the total abstention movements. Educational activities," Dr. Jellinek insists, "should cover both aspects."

In the area of research, Sweden, Norway, Finland, and Chile have national research institutes.

In Switzerland the Federal Committee Against Alcoholism acts as a consultative agency and occasionally carries out research projects on its own or subsidizes research.

The United States offers Federal, State, and local public and private programs.

POSTER CAMPAIGNS

In France, the Haut Comité d'Etude et Information sur l'Alcoolisme serves as a documentation center and fosters research through grants to competent and interested persons at universities and hospitals.

Either at an official or a private level, several French groups are putting up a vigorous battle against alcoholism. They are fighting preventively, helping alcoholics as well as those who have stopped drinking.

Their weapons are posters—representing, for example, a child who cries, "Papa! Don't drink! Think of me!"

The words "Health Sobriety" and "Security Sobriety" are displayed in Paris and on the roads for drivers, and in the carriages of the Metro and the railways.

The fight goes on through the radio and the cinema as well as TV programs. Educative action has been taken by the press in 37 daily newspapers and 6 important weekly magazines.

A campaign in 11 of the most well-known feminine reviews has drawn women's attention to the role they can play in maintaining a moral balance in their home.

In the Nordic countries, the trend of research projects has been toward an increased interest in the sociocultural elements of alcoholism and any other form of drinking, drinking patterns and customs.

MONOPOLIES COMPARED

Alcoholic-beverage control also varies widely from almost complete sales and/or production monopoly to comparatively loose local regulations.

The Swiss alcohol monopoly, for example, covers the production and wholesale of certain spirits only and does not extend to retail by the bottle.

Measures for cutting down the excessive use of alcohol also differ, country to country.

In England and Wales, where drunkenness has risen 50 percent in the past 10 years, "business hours" in pubs have been curtailed. The Christian Economic Aid and Social Research Foundation now reports less drinking among young people.

In other countries, provinces, states, and counties, there has been some limitation of the number of sales outlets in relation to the population of the particular area.

Different licensing regulations and price variations and controls also act as restraints.

In sum, the world offers a variety of responses to the drinking challenge, some more orderly, broadly based and effective than others.

To assess these efforts, says Dr. Jellinek, "We must get accustomed to think in terms of total government programs on alcohol and alcoholism."

[From the Christian Science Monitor, June 24, 1965]

BOTTLED EXPLOITATION

Not all exploitation comes in political garb.

Many of the world's newly emerging nations are discovering it in bottles.

Alcoholism in Africa, as well as India, dates back to the European colonial days. When freedom came for the native populations, liquor lingered as a sort of farewell booby prize.

Now the degree to which alcoholism hampers stability and growth disturbs many of the new leaders. Too often, drinking has caused backsliding and uncertain futures—and this at a time when responsibility is so vital to personal and national progress. A vivid example occurred recently in Kenya.

A young African in Nairobi was coming up fast as a newspaperman and making a highly favorable impression on his superiors. Then one day he got drunk, insulted a politician, and immediately lost his job.

This was a loss not only to his employers, who found him almost impossible to replace, but, of course, to the man himself, since good jobs are hard to find.

The case is one of many illustrating the growing problem alcohol is creating in underdeveloped nations.

PATTERN ESTABLISHMENT

In many African countries the colonial period established a pattern of drinking for sociability—many times cultural and recreational activities were limited—and the tragic legacy remains today for the young nations.

The African is, naturally, striving to raise his standards of living. While he may scorn colonialism, he still seeks to emulate the ways of life associated with the white man.

Since drinking has been so woven into the fabric of Africa in the colonial past, he associates it with the "good life." Not infrequently he drinks excessively, becoming a problem to himself, his family, and society.

Statistics are not easy to come by in Africa, particularly for the incidence of African alcoholism. National councils on alcoholism have been set up in many countries, but they are still in the early stages and their statistics are not extensive.

However, in a 1964 survey the Salisbury (Rhodesia) Council on Alcoholism found that some 41 percent of those Africans queried reported someone in their family was "drinking a lot." The council estimates alcoholics among urban African households in Rhodesia and Zambia at 2,110, of which 1,300 are men and 810 women.

Salisbury has had a council for more than 7 years. Others have been set up in Umtali and Bulawayo. They have been able to help alcoholics among both the African and European communities. In addition, Alcoholics Anonymous has branches in Rhodesia and other parts of Africa. Through them many have been restored to useful lives.

PARTICULAR PROBLEM

Susan Cassels, organizing secretary of the Salisbury council, points out that this country has a particular problem.

Until 2 years ago, Africans were not allowed to buy European beer or hard liquor. They were restricted by law to drinking native beer, which is a mild brew (3 percent alcohol) with some nutritional value.

Now they can go into any store and buy bottled goods. European beer is four times as strong as their own brew, Miss Cassels points out. Other bottled goods are as much as 20 times as potent.

"Any African with a tendency to alcoholism has every chance of becoming an alcoholic very quickly," she said in an interview in her office in downtown Salisbury. "There are now bottle stores in African townships. As a result, there are thousands who, if not fullfledged alcoholics, are well on their way."

The council holds conferences on problems of alcohol that are open to persons of both races. It sponsors lectures in native areas, has consulting and counseling services available in some communities.

COUNCILS AFFILIATED

Miss Cassels, who went to the Yale School of Alcohol Studies (now at Rutgers), said that because alcohol has only recently become available to the African in quantity and potency, Africans are at a beginning stage.

"Nevertheless, there is no doubt that drinking has become a severe social problem here," she continued. "Families have been broken up, causing suffering to young children, and many men are out of work."

Alcoholism is a more serious problem in Salisbury and other centers of population in Africa than in small towns because cities offer relatively good wages, heavy concentration of population, and high sales of alcoholic beverages.

Miss Cassels said most of the councils on alcoholism in Africa are affiliated with the National Council on Alcoholism in the United States from which they receive literature and advice.

South Africa has a similar council, although by law it cannot be multiracial. The council has asked an African university there to provide a course on alcoholism for Africans.

Zambia has councils on alcoholism in Lusaka, the capital, and in Kitwe in the copper belt. Dr. Kenneth Kaunda, the Prime Minister, is a teetotaler and has encouraged the work of the councils.

A lot of drinking among Rhodesian whites stems from loneliness. Many families live far out in the bush on farms or at mines. Practically their only social activity is drinking at the local country club or hotel bar.

India's experience with alcoholism follows much the same pattern as that of the African nations. Here too the problem is traced to British colonial days.

The Indian freedom movement, waged vigorously from the end of World War I to its successful conclusion in 1947, sought "prohibition of the consumption except for medicinal purposes of intoxicating drinks."

Under the leadership of Mohandas K. Gandhi the Indians picketed bars, liquor shops, and distilleries. When Gandhi's Indian National Congress gained power in 1936–37, 7 of the then 11 Indian states tried prohibition. The liquor industry suffered a major setback.

SALES BOOM

The experiment failed to meet Gandhi's high expectations but was rated a moderate success. Then came World War II. India became a base for thousands of soldiers. Drinking and drunkenness, particularly in cities near military camps, increased.

When freedom came in 1947, Gandhi opposed a return to prohibition. But his party decided otherwise. With Bombay and Southern Madras leading the way, state after state legislated prohibition.

The system failed, due largely to bootlegging, smuggling of foreign liquor, and bribery of the prohibition police. A new health permit system was introduced in Bombay. It allowed physicians to prescribe liquor for medicinal use. This system was abused to the point of ridicule.

The Government derives a high income from liquor taxes. But with more than 80 diplomatic missions in the city, plus a constant flow of tourists, liquor sales are booming. Gandhi's greatest living disciple, Acharya Vinoba Bhava of the Bhoodan (land gift) movement, consistently refuses to come to Delhi—"a city which floats on a sea of whisky."

Today, hard liquor imbiding appears widely as a proudly worn badge for India's new technocracy, the Western-style men and women of the new elite who set the fashion.

Alcoholic absenteeism in the hundreds of new plants and factories is not high at present. But with the managerial class forming the pattern, this may be a future problem.

FURTHER OUTCRY

One further outcry against alcoholic excess in underdeveloped areas comes from the native women in Australian New Guinea.

"Our men are drinking too much and it has to stop," they maintained during a public protest in Rabaul, where Australian authorities are stationed.

These New Guinea women, not very far removed from their primitive past, trudged many of the miles on foot from their villages, some carrying babies, to stage this sitdown demonstration.

They declared their men were spending all their money on drink as a result of relaxed Government liquor laws. Families were without food. Husbands returned home violently drunk and forced entire families out of their homes, they said.

The New Guinea protest received wide support from Australia and New Zealand, where drinking habits are a continuing problem. The Foundation for Research and Treatment of Alcoholism reports that 1.5 million Australians are victims of alcoholism. This figure includes the New Guinea family men.

RUNNER'S STORY

At the same time, New Zealand's National Society of Alcoholism expresses concern at the rising drinking rate among high school students there. It blamed this on parents who set an example by drinking in the home.

New Zealand 3-mile champion Neville Scott has a tale to tell, and he does so most places he goes "because it may help others."

He told it to the press in South Africa recently. It was related, with Mr. Scott's permission, to the crowd attending South Africa's track and field championships while the tall Kiwi stood alone on the victory dais after winning the 3-mile title. It is a story of triumph over alcoholism.

Mr. Scott ran for New Zealand in the Melborne Olympics in 1956 with such distinction that he was hailed as a hero back home. The accolades "went to my head" says Mr. Scott, and within a few years he was a compulsive drinker. When New Zealand's team flew to Rome in 1960, it was without Mr. Scott, by then a confirmed alcoholic.

During 1961, realizing the futility of it all, the track star determined to rehabilitate himself. Steadily his prowess returned until last year he again wore the black vest and silver fern of New Zealand at the Olympics. After Tokyo he returned home to the finest season of his career.

As Mr. Scott's story was related the spectators in South Africa were strangely hushed. The silence continued momentarily after the announcer had finished speaking. Then followed a roar of acclaim and sustained applause not accorded any other athlete throughout the 2-day meet.

REPORT OF THE PORTLAND CHAPTER OF THE OREGON UNITED NATIONS ASSOCIATION

Mrs. NEUBERGER. Mr. President, the Oregon United Nations Association has been fortunate in having enthusiastic leaders throughout the years. The Portland chapter recently held a dinner which I was privileged to attend at the invitation of the president, a prominent young lawyer of Portland, Mr. Frank A. Bauman. At this meeting a unique feature was the honoring of 20 Peace Corps returnees in the Oregon area.

The President's report to the members can explain better than I some of the activities of the Portland chapter and the plans for making it a useful adjunct to the United Nations.

Mr. President, I ask unanimous consent that the annual report to the members of the Portland Chapter of the United Nations Association be printed following my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

ANNUAL REPORT TO THE MEMBERS OF THE PORTLAND CHAPTER

This is the first time, I believe, since succeeding Judge William L. Dickson that I have written to the members as a whole. Let me say how very much the board and I appreciate your membership in the Portland chapter. The fact that some 275 or more of you have seen fit to join this organization and maintain your membership at this time is significant. Nevertheless, if the search for peace is the cardinal issue of our time and if the United Nations is the principal world instrument to undertake this search it would seem that the membership of the Portland chapter should be tenfold, yes, twentyfold of what it is at present.

Lamentably the United Nations is passing through a period, at least for now, in which it is being overlooked as a principal source for maintaining peace. In fact, to put it more bluntly, it can be said that it is being largely ignored as the primary agent for maintaining international peace and security. Only recently Mr. U Thant, Secretary General, voiced this concern about the United Nations attrition in a speech at Queens College, Kingston, Ontario, when he deplored the trend of the first 5 months of this year, to reduce the United Nations to "merely a debating forum and nothing else."

This lack of vigor of the United Nations which we find on the international level we find on the local level insofar as the Portland chapter is concerned. Consequently, on the local level this has not been a period of significant accomplishment in enlisting support for the United Nations. At most I report to you that for the past 12 months your board and officers have been engaged in an action of stewardship merely to breathe life into the local organization so that, if nothing else, it will continue as a public organization on the local level. This pronouncement may seem harsh to some, even unduly critical or unfair, nevertheless it is a fact that not only must be faced, it must be faced and overcome if the Portland chapter is to have a significant role in this community. In the larger sense, both locally and conceivably internationally, this is all the more tragic in view of the boundless citizen support for the United Nations as the principal instrument to maintain the peace. True, we find on the local level criticism of the United Nations but generally it is ineffective and misses its mark. Thus there exists in this community a formidable reservoir of good will toward the Portland chapter and, more significantly, the United Nations itself.

This is underwritten by the fact that in creating and carrying out our admittedly limited program our organization has had wholehearted and complete cooperation of the most cordial kind from all areas of our community. As a result there exists in Portland a profound abundance of resources and material upon which the Portland chapter can and must build. Nevertheless, if our chapter is going to be, as it has in the past, an organization of preeminence and influence in this community, let alone perform a leading role in enlisting support for the United Nations, it must carry out what I consider to be the following minimal steps:

First, the Portland chapter must obtain the services of at least a permanent part-time secretary who will remove from the shoulders of the board and officers the all too ensnaring and fettering detail that is required of any organization if its books, records, correspondence, program and accounts are to be in order. By this I do not mean to cast the slightest aspersion upon our treasurer, Mr. Herbert Collard, whose financial recordkeeping has at all times been of the highest order.

Second, we must strengthen our program on all levels. This is fundamental, without which all else is as nothing. True, in the past year you have had some meetings that have been highly successful. I call to your attention particularly the impressive gathering in December at Westminster Presbyterian Church when some 350 citizens assembled in the great hall to hear our internationally esteemed Clarke Eichelberger speak on the challenges facing the General Assembly in 1964. I have heard it said that this was one of the largest U.N. gatherings ever held in Portland. The success of this event is due in a large measure to Leon Jourolman, Tom Young, and many others. Then too, I recall with pride the efforts of our indefatigable friend, John W. Pugh, in serving as chairman of the Portland United Nations Week. The culmination of this week in Portland was Mayor Schrunk's reading of his proclamation at half time to some 23,000 spectators at Multnomah Stadium at the Oregon State-Syracuse University football game. Not only did Oregon State win a significant victory that day, but so did the Portland chapter. The example of community cooperation by the U.N., Slats Gill and his Oregon State University was of the first magnitude. Why, Mr. Ted Messang, the musical director of Oregon State University, even wrote a march for the occasion which was played at half time by the band and was named in honor of the United Nations.

These, of course, are examples of program events which reminds the community in no uncertain terms of the United Nations work. Yet there are many areas in which our program must be, and I trust will be, strengthened. For some reason or another we do not have the essential support of the young people in this community. For some reason or another we have not actively enlisted the decisionmakers of tomorrow in our cause. I am speaking about the school age groups on the high school and the college level and the after school years young people. Of the school age group you are aware that our Portland school system does not have a course dedicated principally to the study of international bodies such as the United Nations. If it is important that our students know something of Oregon history, and I submit that it is, then how much more important is it that they at least have some fundamental grasp of international institutions or better, the lack of effective international institutions in the world of today?

The supreme governing rules of the United Nations are collected together in the charter just as the supreme rules of this good country are embodied in the Federal Constitution. We recognize that the conditions today are not the same as were found by the charter creators in San Francisco 20 years ago. Both the founding fathers of the United Nations and those that met in Philadelphia in 1787 recognize the certainty of changing conditions by providing an amendment procedure. In the 20 years after the adoption of the Federal Constitution in 1789, 13 amendments were put to the States and 12 were adopted. If new conditions require amendments to the United Nations Charter this, like any other hard fact, should be faced and overcome. Yet on the local level anyway we find that our organization is doing precious little or nothing by way of study in the field of charter revision.

I ask our new president and officers, therefore, to give the highest priority to programs in terms of content, penetration and timing, as well as in the area of ample planning at an early hour so that the Portland chapter can present to the community in the fall of 1965 a program that will be truly meaningful.

Third, you cannot discuss a program without relating it to membership. Both subjects are closely interrelated and tend to cross-fertilize each other. If we do not have an adequate program our membership list is going to dwindle. If we do have an effective program this, in and of itself, will be most helpful in maintaining and increasing membership. Still, this is not enough. We must obtain the services of a community leader to serve as membership chairman who will do battle on this subject. This we do not have at this time.

I urge our new president and our officers, our incoming board, and all members to give thought to these three categories: a permanent part-time secretary, a vigorous program, and enlarging our membership. Of these categories the area of program is the area of greatest need.

This search for peace is the great quest of our time. It would appear that we will be engaged in this quest for a good many years to come. I hope that you and I will remain on this search team not only for the coming year but in the forseeable years ahead and more immediately will give our new president and board every reasonable support during the coming year.

This week McDivitt and White in carrying out their brave feat nailed another major plank on our bridge to the moon. What use will it serve to put a man on the moon if he cannot view the earth beneath because of it being enveloped by seemingly endless martian clouds. Must this be the prelude to tomorrow and the 21st century? Surely our children are worthy of a better view.

Respectfully submitted.

FRANK A. BAUMAN.

JUNE 7, 1965.

NAVAL EXPERIMENT—HOME UNDER THE SEA

Mr. DOMINICK. Mr. President, yesterday I had the rare opportunity to visit once again with a famous and personable Coloradan, Lt. Comdr. Scott Carpenter. Since his multiple orbiting flight in the *Aurora VII*, he has been assigned to temporary duty with the U.S. Navy and has been training with other carefully selected young men for exploration down instead of up. Scott will be the officer in charge of the naval experiment to live for 45 days far below the surface of the sea. They are scheduled to make free dives to their "home under the sea" off La Jolla, Calif., on August 16, 1965. This home will be 210 feet below the surface, at more than seven times sea level pressures.

Pressurization will be supplied, and helium will be used instead of nitrogen because of the nauseous effects of the latter when it is absorbed into the bloodstream.

Scott himself will attempt to remain below for a continuous 30 days and will be the officer in charge of all the experimental work conducted during the entire period. This will be the longest continuous period that any of them will be below the surface.

It is cold at that depth, so cold that body temperatures drop rapidly, requiring the use of electrically heated suits while in the water, and 90° temperatures in the housing unit. The cold which any of us can envisage, particularly those of us who have done any diving, is accentuated by the use of helium, which is less dense and which vitiates body heat far more rapidly than usual.

From this "home" located 210 feet below the surface, the men will conduct work programs and deeper experimental dives. The deeper dives are scheduled to go below 300 feet, with pressures as high as 150 pounds per square inch.

One of the problems with deep diving is the necessary time required to decompress on the way up, in order to avoid the bends. At a level of 210 feet, for example, it would take 70 hours to decompress properly; but once the pressures have driven the gases into the blood stream, the same 70 hours apply whether a man stays down for 2 hours or 2 weeks. Hence, for any kind of efficient diving schedule, it makes sense to have a place at that depth where the men can rest and remain pressurized and still perform productive work on an extended scale.

It is my understanding that the men who will participate in the program will be conducting realistic experiments which could create a pattern of values for the country and the world almost unlimited in scope. Vast oil reserves are believed to be in existence in the North Sea and in the Continental Shelf. But there are problems in properly spudding the drills at the depths encountered, and many problems in trying to anchor them from the top. One of the experiments which these men will perform at 200 to 300 feet below the sea is the construction of a drilling derrick, called a "Christmas tree" in ordinary trade language. Studies of marine ecology will be conducted, and there is even the possibility of marine agriculture and ranching.

Communications will be maintained not only with the top, but, also, by way of Telstar, with a similar group under the sea off Ville, France, under the command of the famous Jacques Cousteau.

Methods of penetrating the blackness of those depths will be explored, as well as fantastic trips on underwater vehicles. Just as our astronauts are conducting experiments in the effects of long periods of weightlessness, these men will be conducting living experiments in the effect of long continued pressure patterns on the body.

Mr. President, I salute the imagination and courage of this Navy group and its commanding officer. Once more we see this country bringing forth men to match our mountains, men of faith, courage, imagination, and great intellectual capability.

This is no easy task. This is an unusual and deliberate test of man's strength and ability to function productively under adverse conditions in order to expand knowledge of our environment and to apply that knowledge for the beneficial use of future generations, from the heights to the depths in search of knowledge; and once again Colorado is in the lead.

"BIG BROTHER"—WIRETAP VERSUS PRIVACY

Mr. LONG of Missouri. Mr. President, My "Big Brother" item for today is an article from the New York Times of June 15, 1965, entitled "Wiretap Versus Privacy." It is a very excellent article by Mr. Sidney E. Zion, outlining recent judicial developments which indicate that both the State and Federal courts are taking a very strong interest in restricting the activities of "Big Brother."

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Wiretap Versus Privacy—Court's Recent Ruling on Birth Control Seen as Wedge Against Eavesdropping

(By Sidney E. Zion)

The connection between birth control and wiretapping may not seem obvious to the naked eye. But there were legal experts yesterday who predicted that last week's ruling, by the U.S. Supreme Court invalidating Connecticut's birth control statute would very likely mean the outlawing of wiretapping and other forms of electronic eavesdropping.

The link between the two questions is the right of privacy, which was given a constitutional home of its own for the first time in the Connecticut case.

Ever since 1890, when Louis D. Brandeis and Prof. Samuel Warren argued in the Harvard Law Review for the "right to be let alone," civil libertarians have contended that the right of privacy is implicit in the Bill of Rights.

But until last week this position had never been accepted by the Supreme Court, although in certain specific and peripheral matters a limited right of privacy was recognized.

When the wiretap issue first reached the Court in 1928 in the Olmstead case involving a Seattle bootlegging ring, Mr. Brandeis, who had become an Associate Justice, was forced into dissent on the privacy issue.

By a 5-to-4 vote the Court ruled that wiretapping was outside the protection of the fourth amendment's prohibition of unreasonable searches and seizures. The Court maintained that wiretaping did not involve a physical intrusion on the defendant's premises.

BRENNAN CRITICAL

The Olmstead case, although widely criticized inside and outside the Court—Associate Justice William J. Brennan, Jr., called it "insupportable" 2 years ago in a dissenting opinion—is still the law, since the Court has sidestepped the wiretap issue over the years.

But lawyers yesterday viewed the new right of privacy as enunciated in the Connecticut case as overriding the technical distinction of a physical intrusion that the Court made both in the Olmstead case and in decisions involving other electronic eavesdropping.

Prof. Thomas I. Emerson, of the Yale Law School, who argued for the defense in the birth control case in the High Court, said the ruling "furnishes a substantial basis for declaring wiretapping and other eavesdropping unconstitutional."

"I view it as a very promising development," he declared.

Supreme Court Justice Nathan R. Sobel, who ruled last February in Brooklyn that New York State's "bugging" law was unconstitutional, flatly predicted that the Supreme Court would knock out all forms of eavesdropping.

"I have always believed that the Court could do it on the fourth amendment alone," Justice Sobel said, "but apparently there was resistance to it. Now, with the broadened right of privacy, I think they will have to do it in the next case."

THE MARITAL ASPECT

The majority opinion in the birth control case rested heavily on the fact that the Connecticut statute banned the use of contraceptive devices by married couples. Undoubtedly, law enforcement officials and others who favor wiretapping will argue that the privacy doctrine is limited to marital relationships.

Indeed, the American Civil Liberties Union voiced some caution regarding the extension of the privacy right to wiretapping because the opinion referred so extensively to the marriage relationship.

But the Civil Liberties Union, which has long opposed all forms of eavesdropping, echoed the views of many lawyers in saying that the decision "logically applies in all circumstances where the interest of privacy is paramount."

Opponents of eavesdropping say that it is by nature an invasion of privacy, since it indiscriminately picks up all conversations in the bugged or wiretapped premises.

Thus, they argue, an electronic device "hears" the most intimate conversations between husband and wife as well as other conversations. Therefore they say that, like the birth control statute, it invades "the sanctity" of the marriage relationship, if the argument need be limited to that relationship.

If the Supreme Court does eventually rule out wiretapping it would, of course, put an end to the long congressional fight for legalization, which in the last few years has been led by Robert F. Kennedy, both as Attorney General and Senator.

Wiretapping is now outlawed in Federal courts by the Federal Communications Act, but is permitted in State courts. A constitutional ruling would forbid its use in State courts as well.

The Kennedy proposal would permit wiretap evidence only in serious cases, such as espionage and kidnaping.

But even Mr. Kennedy, in the New York Times magazine in June 1962, said "wiretapping involves a greater interference with privacy than does the conventional search and seizure."

At that time, of course, privacy was beside the point, legally speaking. Whether it is now relevant is very much the point.

VIETNAM

Mr. DODD. Mr. President, I ask unanimous consent to insert into the Record three recent items from the American press which help to illuminate the situation in Vietnam.

The first item is an editorial which appeared in the Bridgeport Telegram on June 12, commending President Johnson for his appeal to the people of the Soviet Union to join us in new initiative for world peace.

The second item is an editorial which appeared in the Boston Traveler for June 10. Commenting on the continuing American troop buildup in South Vietnam and on the increased involvement of American servicemen in the actual fighting there, the editorial says that while "there will be no shortage of critics," these are measures that had to be taken to meet the changing circumstances. The editorial also points out that President Johnson, last year, received congressional aproval to take "all necessary steps" to keep South Vietnam free.

The third item I wish to insert is an editorial which appeared in the Washington Evening Star on June 23, commenting on the TV debate last Monday between Mr. McGeorge Bundy, Prof. Hans Morgenthau, and other speakers on both sides. Having myself witnessed this debate, I believe that the observations of the Star editorialist are extremely well taken. In fact, I think Mr. Bundy did an outstanding job of presenting the administration's case. I plan to say more about this within the next few days.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Bridgeport (Conn.) Telegram, June 12, 1965]

A Good Try by L.B.J.

"There is no American interest in conflict with the Soviet people anywhere," President Johnson said, in an unusually strong and direct appeal to the people of the Soviet Union to seek new initiatives for world peace.

Adding that "No true Soviet interest is served by the support of aggression or subversion anywhere," Johnson pledged U.S. cooperation in seeking new roads to peace. At the same time, he told the non-Communist world not to delude itself that peace can be achieved by submissiveness or extended by expediency.

These appeals were made at about the same time that Communist Chinese Premier Chou En-lai was telling Egyptians that only the United States and the Soviet Union could start a world war and that China will defend her own territory if she is attacked, and will not need Soviet aid to finish one.

Chou is talking out of the other side of his mouth, the side he uses to sell emerging nations his peace line. The real side is the ones he uses to clobber the Soviets for not being more belligerent against the United States.

As for President Johnson's appeal to the Soviet people, it has little chance of reaching through the curtain of propaganda their government showers them with. People in Communist countries are powerless to change policy. Witness the bloody attempts in Hungary, East Germany, and Poland.

The President made a good try. It won't satisfy our appeasers but it will keep the record straight for those of us who care.

[From the Boston (Mass.) Traveler, June 10, 1965]

The New War

Without any fanfare whatever, the United States has shifted its role in South Vietnam from a restricted position of advisory support to that of ground combat.

That's the meaning of President Johnson's action in giving Gen. William C. Westmoreland authority to order our ground forces into battle against Vietcong, North Vietnamese or any other aggressor. The restrictions are that our forces must be requested by South Vietnam, and that South Vietnamese troops must be fighting alongside ours.

In a sense, this gives Westmoreland a new war to fight. Offensive action may now replace defensive action. A new cycle of escalation probably has begun.

There will be no shortage of critics objecting to this move. Yet it is a step that must be taken to meet the changing circumstances.

The arrival of the monsoon season, just now beginning, will mean a sharp cutback in U.S. air activity. This will permit the Vietcong to hurl heavy ground power against the forces of South Vietnam, which are already badly depleted in some areas. It could be that the Vietcong might sweep to victory in the rainy season unless American troops are moved in to block them.

Our forces in South Vietnam now number about 52,000 men, of whom about 16,000 are combat troops. Indications are that we may double our forces there before the summer is over.

President Johnson several months ago received congressional approval to take "all necessary steps" to keep South Vietnam free. This is one such step.

[From the Washington Evening Star, June 23, 1965]

"Vietnam Dialog"

The "Vietnam dialog" presented by CBS Monday night obviously did not convert any of the professors to the administration's point of view. Nevertheless, the show served a useful purpose.

It demonstrated, for one thing, that McGeorge Bundy is indeed a formidable opponent on the debating platform. He was more than a match for the representatives of the academic community, singly or collectively. And the President's aid was especially effective in carving up Prof. Hans Morgenthau, who is generally thought of as the guiding spirit of the academic critics of our policy in Vietnam.

More importantly, it demonstrated that you can't beat something with nothing. In this instance, Bundy's something was a clearly articulated definition of the administration's policy and program. The policy has not yet achieved the desired result. But we may know more about its usefulness six months from now, and in any event it constitutes a tangible, affirmative course of action which can be stated in terms that are understandable.

The great weakness of the position of the other side was that it offered nothing which could rationally be described as an alternative.

Mr. Morgenthau said he is "opposed to our present policy in Vietnam on moral, military, political and general intellectual grounds"—an interesting rhetorical exercise, but it means little or nothing. He also mentioned five "alternatives" to our present policy, and said he favored the fifth. What is it? "I think our aim must be to get out of Vietnam," he said, "but to get out of it with honor." This is an alternative? President Johnson has said essentially the same thing on half a dozen occasions.

One thing more. Mr. Morgenthau seemed to take as his model the French withdrawal from Algeria and Vietnam. He failed to mention that in each case the French were waging a purely colonial war, which is quite a different thing from honoring treaty commitments for the sole purpose of helping South Vietnam maintain its independence in the face of plain aggression by the Communists.

INTEGRATION VERSUS EDUCATION—FRATERNITIES AND CLUBS

Mr. THURMOND. Mr. President, I have been astounded to learn that the U.S. Commissioner of Education, Mr. Francis Keppel, has stretched title VI of the so-called Civil Rights Act of 1964 another extra few miles in his efforts to put integration ahead of education. Mr. Keppel has written a letter stating in effect, that if a college fraternity on a college campus refuses to integrate, then the college itself may be denied Federal funds under title VI of the 1964 Civil Rights Act.

The distinguished news columnist and analyst, David Lawrence, has pointed out, in a column in the Washington Star of June 21, 1965, that this could mean that the Civil Rights Act of 1964 could be made to apply to all private clubs, groups, and associations, although in the debate over this legislation it was made very clear that it was not to apply to any private clubs, groups, or associations.

The National Observer of June 21, 1965, has also pointed with alarm to Mr. Keppel's action. The editorial in the National Observer makes the point that the Commissioner of Education has apparently failed to distinguish between college facilities and property and the facilities and property owned by others—in this case, a social fraternity.

I ask unanimous consent that both of these commentaries be printed in the Record at the conclusion of these remarks.

There being no objection, the editorial and the article were ordered to be printed in the Record, as follows:

[From the National Observer, June 21, 1965]

Colleges may lose their Federal aid money if one Federal official decides a fraternity on the campus is practicing racial discrimination.

The official is Francis Keppel, Commissioner of Education, a fellow who has distinguished himself by also saying "schools can teach no lesson more important for all our children than integration." Under his new dictum, not only could one college lose its grants if one fraternity discriminates. Also, all colleges having chapters of a national fraternity, one of whose chapters discriminates, could lose their Federal money.

Mr. Keppel believes this is required by the Civil Rights Act of 1964. The law requires schools to assure the Federal Government that there is no discrimination in "making available for the use of students any building, room, space, materials, equipment or property."

Says Mr. Keppel: "This language makes it apparent that an institution which maintains a fraternity system as part of its activities and overall program is responsible under the Civil Rights Act requirements for assuring that discrimination is not practiced by the fraternities in the system."

Well, fraternities have long been unpopular in many circles for various practices ranging from hazing to snobbery, with an occasional dash of envy thrown in. They make a convenient handle, certainly. But that is not an argument we care to go into.

What interests us is the apparent leap in logic by the Commissioner, an apparent disinclination to distinguish between university facilities and property, and facilities and property owned by others.

We are fascinated also to see that, yes, indeed, Federal grants to colleges are not only a carrot but a stick. A stick that doesn't have much to do with education unless, of course, you believe that "schools can teach no lesson more important for all our children than integration."

[From the Washington Star, June 21, 1965]

Clubs' Right of Privacy Periled

(By David Lawrence)

The way has been opened to compel every fraternity in the colleges, universities and high schools, every private club and every fraternal organization to include in its membership persons of every race and religion or suffer as a penalty the loss of Federal tax exemption. In the case of educational institutions, there would be a loss of Federal financial aid to the university or college which permits any campus organization to practice racial or religious discrimination.

These steps are foreshadowed by the interpretation of the Civil Rights Act of 1964 just issued by the administration through the office of the U.S. Commissioner of Education, Francis Keppel.

The Federal Government intervened recently when it was discovered that the local chapter of the Sigma Chi Fraternity at Stanford University in California had been suspended by the national chapter for having decided to admit a Negro student. The national chapter is a private organization. It is not under the jurisdiction of the Federal Government, nor does it receive any financial assistance from Washington. But the U.S. Commissioner of Education warned in a letter that, unless the Stanford chapter were allowed to include the Negro student in its membership, Stanford University itself would be penalized.

This extraordinary threat is contained in the Commissioner's pronouncement. It states first that there must be no discriminatory practices in "making available for the use of students any building, room, space, materials, equipment or other facility or property." Then the Commissioner points to the regulations which were issued supposedly under the authority of the Civil Rights Act of 1964 and which require schools to give assurances that there is no racial discrimination "in admission practices or any other practices of the institution relating to the treatment of students." Furthermore, the Commissioner declares:

"This language makes it apparent that an institution which maintains a fraternity system as a part of its activities and overall program is responsible under the Civil Rights Act requirements for assuring that discrimination is not practiced by the fraternities in the system.

"To my knowledge the suspension of Sigma Chi at Stanford by the fraternity's national executive committee is the first major test involving de facto discrimination within a national fraternity to develop since passage of the Civil Rights Act of 1964. As such, it seems certain to attract wide public interest."

Unfortunately, though the letter was made public last Thursday, it hasn't attracted "wide public interest." But possibly this is because the American people—particularly those who are identified with clubs, fraternities or other social organizations—haven't discovered as yet that the new ruling makes a mockery of what the Supreme Court of the United States said just a few days before on the importance of preserving the "right of privacy" as an inherent part of the Constitution itself.

While almost everyone with human sympathy and understanding recognizes that discrimination by reason of race or religion gives the individual affected a feeling of unforgetable stigma, there is a bigger injustice in brushing aside constitutional methods and endeavoring to achieve reform by applying the doctrine that "the end justifies the means."

There is nothing in the Constitution which permits the Federal Government to control the educational process in America. The mere grant or loan of taxpayers' money to the States or directly to colleges or universities does not carry with it the right to exercise any jurisdiction over such matters as regulating the conduct or relationships of students to each other.

But if a regulation can be derived from the civil rights law of 1964 empowering the Federal Government to use its financial transactions with the citizens to impose punishment for actions which are not in themselves forbidden by State or Federal law, then the way is opened to apply the same procedure to fraternal organizations of all kinds, as well as private clubs generally. It can be done by denying them exemptions from the payment of income taxes in those years in which their receipts exceed expenditures.

It apparently would be sufficient for the Treasury to declare that the Civil Rights Act of 1964 authorizes the withholding of financial assistance to any organization or institution which permits discrimination on racial or religious grounds. Certainly in these days of official word twisting, financial assistance is a broad enough term to cover tax exemptions.

Thus, Federal power could be used as a form of coercion in private clubs in the same way it is about to be exercised in passing upon the qualifications for membership in student fraternities in colleges and universities throughout the United States.

MINORITY OPINION—PROTESTS HELD HEALTHY

Mr. McGEE. Mr. President, Roscoe Drummond stands up today to disagree with Americans who have decided that campus debates on Government policy are a bad and unhealthy thing, and with those who attribute to radicals the ferment among the academies of the land.

Many of us disagree with the loudest voices heard at the many teach-ins across the land, but, nevertheless, accept the opinions and convictions of the professors as honest. Certainly we do not quarrel with their right to be heard. Mr. Drummond states this very well in his article, which I think the Members of this body and all other Americans can profit from. Therefore, I ask unanimous consent that the article, which was published in the Washington Post, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

MINORITY OPINION—PROTESTS HELD HEALTHY

(By Roscoe Drummond)

A recent Louis Harris poll reveals two startling and disturbing facts:

That a majority of Americans who have followed the campus teach-ins and student protests over Vietnam feel that these actions are "a bad thing," unhealthy, to be condemned.

That a near-majority does not even concede honesty of conviction to the protesting professors and students and dismisses the teach-ins as something organized by "radicals."

I dissent.

As one who strongly supports the rightness and necessity of President Johnson's unwavering defense of South Vietnam, I think that the teach-in movement is overwhelmingly honest in purpose and is not harmful or unhealthy.

I think it is helpful and healthy for these reasons:

1. There are nearly 5 million college students in the United States. Many can already vote. Nearly all of them will be voting in the next presidential election. Far better that they should be sharpening their concern about the real world than swallowing goldfish as they did in the 1930's or indulging the woes of the "bland generation" or the "beatnik generation" as they did in the 1950's. It's healthy.

2. We needed more debate and more public discussion—for the Government's stand on Vietnam and against it—and we were not getting it until the campus teach-ins helped to stimulate it.

3. Criticism of the Government does not hurt. It helps. It serves to focus and stabilize public opinion. Did the anti-Vietnam teach-ins undercut support for the President's course in Vietnam? No, just the opposite.

In the wake of the teach-ins the Gallup poll revealed three changes in public opinion—Support for quitting Vietnam went up 1 percent, support for defending went up 7 percent; the personal popularity of President Johnson went up 6 percent; support for the Democratic Party as the best guardian of the peace went up 3 percent.

4. The expression of unpopular, minority opinion—about Vietnam or anything else—ought to be respected and defended. The only way to protect the right of free speech for the majority is to protect the rights of the minority. Let's not look down at minority opinion; let's look up to it—and meet it head on in the arena of free speech.

5. But shouldn't we close ranks in time of war, ideally, yes. But this must be voluntary. It cannot be brought about by compulsion or coercion. Furthermore, our stake in the defense of South Vietnam is not so self-evident that it does not need more exposition and debate.

The truth is that the size of our commitment to defend South Vietnam has grown in a way that made it difficult for the American people to really know where we stood until the President's Baltimore speech of last April.

Our military help was to be "advisory." It became far more than advisory.

Our troop buildup in 1961 and 1962 was kept secret by President Kennedy. We had 2,000 men in Vietnam in 1961 and 11,000 in 1962. This buildup was not disclosed to the country until January 1963.

The size of our forces in Vietnam has now grown to 75,000 as of this month.

I believe that President Johnson is acting wisely to resist this aggression right where it is taking place. I believe that to permit it to succeed could only mean larger aggression under worse circumstances.

But public opinion has not been well served until recent weeks and it is only fair to state the facts candidly. That is what we need more of.

HONORABLE-MENTION ESSAYS ON "MAKING DEMOCRACY WORK"

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for the graduating high school seniors in Wyoming the McGee Senate internship contest, which brings to Washington one boy and one girl for a week of observation of democracy in action in the Senate and elsewhere in Washington, D.C.

As a part of the contest, each student is required to complete an essay on the subject, "Making Democracy Work." Each year, I am impressed by the depth of understanding and the dedication to our democratic principles displayed in the essays by these young people. All show real thought and a thorough knowledge of our system of Government.

Of course, it would be impossible for everyone to read all the essays; but I think some of the most outstanding ones, selected by an impartial panel of three judges, should receive wider circulation. Therefore, I ask unanimous consent that two of the essays, written by Mary Dean, of Basin, Wyo., and Alan Feiner, of Cheyenne, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the Record.

There being no objection, the essays were ordered to be printed in the Record, as follows:

MAKING DEMOCRACY WORK

(By Mary Dean, of Basin, Wyo.)

Our Founding Fathers were practical men who fought for their independence, wrote our Constitution, and subdued the hardships of the wilderness. Some of them were dreamers who dreamed of a Nation with doors open, on the same basis, to the people of all creeds. From these dreams they conceived a Nation in which people, regardless of race or class, had a full measure of opportunity and personal and civil rights. They established this Nation without nobility and eliminated the idea of the political and social caste system. Opportunities were open to all men. Minorities, the smaller and culturally different elements in the population, were heard and protected by the stronger majority. This was the beginning of our democracy.

The people of the United States are guaranteed the rights of speaking out for what they want, of having a trial by jury, of having free enterprise, and of devoting their lives to whatever they choose. These freedoms show our true democratic way of life. We are not ruled by an aristocracy, but instead, we, the people, govern.

To strengthen our way of life, we must change with the times. Every day new discoveries are made that alter our lives, and we must keep in stride with these changes.

Although we are one of the strongest nations in the world, we have many weaknesses. One of them is the problems which arise from our racial differences. Legislation alone in this area will not solve the problems. It is the people who are involved who must find the solution. The answer does not lie in the violence that is now taking place in some of our States; it lies instead in the understanding that we must eventually develop.

Bitterness deepens and tempers rise among both the whites and the Negroes when an assassination takes place as it recently did in Selma, Ala. Extremist groups, which usually cause these acts of violence, should be severely dealt with. These groups are usually comprised of people who believe they are the leaders and must be looked up to, people whose ideas are so far-fetched from the actual situation that they cannot do any good. One such organization, the Ku Klux Klan, believes in violence to put fear into the people and so drive them and force them to stay in their lowly position. The Ku Klux Klan does not think that Negroes belong on the same level as white people. But where do they belong? They are citizens of the United States and our Constitution guarantees the rights of every man, black or white.

Our Nation cannot continue to grow and prosper if we do not cease having racial violence and unrest among us. Each of us must fight for our rights; not the rights of the Negro or the rights of the white, but the rights of all freemen.

If our people can live with harmony between the races, perhaps we can solve many of our other problems, problems that weaken our Nation.

Something that we should be thinking very seriously about is the high standard of living in relation to school dropouts and the mentally retarded. It has become a necessity for all young people to finish high school and perhaps attend college. A student with emotional problems who drops out before graduating from high school, and the student who does not have the mental ability to maintain the required grade standard, are cripples before they have the chance to get started. They have little opportunity to make up any lost time because of the stiff competition from the other more stable, intelligent people. It is up to those of us who have succeeded and who want to do something for our country to get out and, if at all possible, help rehabilitate these people.

One of the best ways, I think, to make our democracy work is through our social organizations. If people begin to attend functions of the various groups while they are young, they begin to adjust to the ideas, needs, and wants of other people. They are associating with many different philosophies and they can benefit by these associations. Discussions, in which everyone contributes his ideas, are held in most social organizations. This gives fellow members the chance to recognize other viewpoints on some of our problems. Through these organizations and our communications, we must make people aware of our national and international problems. If the people are aware of and understand these problems, they will be willing to fight for what they feel is right.

Our country has often been called a "sleeping lion" who awakens to snarl and fight only when a major crisis develops. We must keep our "lion" awake by informing the people of what is going on at all times.

The United States is supporting several organizations whose aims are to make our democracy work and to show other people just how wonderful it really is. One of these is the Peace Corps. The Peace Corps has high entrance acceptance requirements which must be met, but those people who have given part of their lives to this organization feel it was well worth their while. The aim of this group is to educate and help the millions of illiterate and poverty-stricken people of the world. To help one of these people is to help a score of them, for he will spread his knowledge and respect among his peers.

On our homefront, President Johnson's "unconditional war on poverty" has caught the eye of the American public. It is estimated that one-fifth of our population—about 35 million people—lives in abject poverty. Because things don't have to be this way in our country, it is a challenge to us to do something about it. In a country with a standard of living such as we have, we must serve our fellowman to keep him on a level where he might at least have the necessary things in life. Economically and morally it is not good for our democratic way of life for such a large percentage of our population to be poverty stricken.

It is our responsibility to continue the heritage that our Founding Fathers began and to pass it on to our children so that they, too, can live in our land of opportunity with a democratic system of government. If each of us takes it upon himself to understand our Government, to break down the prejudices that exist among us, and to fight for the rights of all men, our democracy can and will work.

MAKING DEMOCRACY WORK

(By Alan Feiner, Cheyenne, Wyo.)

"All of us are involved in the discipline of self-government. All of us in this country, in a sense, are officeholders. All of us make an important decision as to what this country must be and how it must move." These words by our late President John F. Kennedy seem to summarize one of the cardinal principles upon which any democracy must be founded, the belief that each citizen has a primary role in the operation of his Government. Black, white, red, yellow—we are all involved in a unique governing experiment. Without this special emphasis on the importance of the individual, no true democracy can hope to survive. Yet, simply placing emphasis on the general populace of a society does not guarantee that the democratic system will work. Much more is involved. Each of us has certain responsibilities inherent in his citizenship. The neglect of these responsibilities diminishes the success of a democracy. Also to be considered is the misuse of these obligations. Our main objective, then, should be to awaken every American to the responsibility placed upon him and to educate him in the proper exercise of his freedom under our constitutional system.

Making democracy work involves one of the oldest processes known to man: Education. Education is the key; we must now use this key to open the door to a better way of life for all mankind. Any failure we have in our present society may be attributed to our educational system. We must, therefore, examine the curriculums used in many schools and decide if students are being properly motivated. Courses in government should be required as a prerequisite to graduation from high school. Every student must understand the basic organization and structure of our constitutional government so that he can begin to assume some of the responsibilities of citizenship. A thorough understanding of all levels of government is to be desired. This is important.

Even more important, however, than the simple "how" of democracy is the "why" of the system. Perhaps no aspect of our society is more fascinating and yet more neglected. It is imperative that every student have a sense of identity with his governmental organization. Democracy is much more than the Capitol Building in Washington or the Statehouse in Cheyenne. Students must realize this. Our principal beliefs extoll the virtues of equality for all and the pursuit of peace. These rather high-level abstractions must be related to each individual's life. In this respect, our schools could play a major role in making democracy more meaningful and in eliminating the parasites of hatred and intolerance from the contemporary scene. The St. Louis Post-Dispatch reasons in this manner: "Our democracy [should be] reminded that the very fabric of popular self-government depends upon a universal faith in reason and moderation, in patient accommodation of conflicting views and interest, in the democratic processes of conciliation." Our ancestors knew the value of freedom. They understood the principles behind it and were willing to sacrifice their lives in the defense of it. Before we are able to believe in this glorious ideal which they prized so dearly, we must first understand it thoroughly. Our educational system must not fail.

The general obligation of education follows closely with this understanding of our Government. We must have a citizenry that has some knowledge of the vast scientific and technological age in which we are living. Our people should understand history, both American and world, and should be able to apply it in analyzing trends. The American must cultivate an appreciation for literature and its meaning. Indeed, we must copy the ancient Greeks in striving for physical strength and mental alertness. In order to be successful, democracy needs for its foundation a society able to think and reason critically. A society that values worthwhile creations and yet is constantly analyzing its values provides the firm basis upon which a democratic nation can survive. Given the proper liberal education, the average citizen is able to meet his responsibilities and contribute something to the advancement of our way of life. The light of learning shines through the darkness of bigotry and suspicion and points the way toward peace for all.

Education, until now, has been limited solely to schools. This, however, has excluded other methods of educating the general populace, particularly those methods that would reach individuals no longer in school. Our consideration of education, therefore, must be expanded. In our expansion, we may consider the use of the mass communication systems now dominating our country. Their powerful influence might be used in enlightening the citizenry toward the intelligent use of their citizenship. Television discussions among national personalities concerning our democratic society might interest a previously unreached segment of our population. Even more important than this idea, however, might be a massive campaign designed to reach every citizen at the local level. Service organizations could play a part by helping to stimulate this democratic renaissance in their own communities. Seminars and group workshops could be sponsored in an effort to educate and promote renewed interest in our way of life. Every citizen must be reached; every effort must be made; democracy must be preserved.

Ralph Waldo Emerson once said that, "Nothing great was ever achieved without enthusiasm." His words are quite applicable to the situation at hand. It is high time that enthusiasm was generated for democracy. Ignorance and complacency are our enemies. Only total victory over these forces will insure the preservation of our society. Every properly educated and informed citizen should be encouraged to express himself on the operation of his Government. As was stated in the beginning, democracy is everybody's business. It can succeed only when everybody is intelligently participating in its functioning.

This goal will not be easy to attain. It will involve a conscientious effort on the part of every true Democrat. The challenge is great; but the blood shed across the plains of Europe, through the jungles of Vietnam, and on a Dallas street make our commitment firm. We, today, have a responsibility to ourselves and to the rest of the world. The torch of liberty must illuminate the far corners of the earth's surface and the deep caverns of men's minds. We must have faith in, and understanding of, democracy, so that its message to all of mankind will be abundantly clear. If we, our children, and our children's children are to enjoy the benefits of freedom, we must not fail in the preservation and promotion of our democratic ideals. A sick, oppressed world begs for help; a strong, working democracy must answer with a resounding "yes."

CONTINUANCE OF AGRICULTURAL CONSERVATION PROGRAM AND SOIL CONSERVATION SERVICE

Mr. MURPHY. Mr. President, recently the California Legislature passed a resolution sponsored by State Senator Virgil O'Sullivan urging that the Congress of the United States "give the necessary and adequate support to the continuance of the agricultural conservation program and the Soil Conservation Service" of the Department of Agriculture.

This resolution was brought to my attention by Arthur L. Darsey, secretary to the State soil conservation commission, in behalf of Harold B. Blatz, chairman, and the other members of the commission.

Mr. Darsey, who is also chief of the division of soil conservation of California, pointed out that there are 30,000 cooperatives in the soil conservation program in California, and that these will be affected by whatever action the Congress takes on the agricultural programs named in the State legislature's resolution.

Many of my State's farmers and others interested in its agricultural well-being have also written to me about the Federal services in question.

Therefore, because of its great interest to so many individuals and groups, I ask unanimous consent that the complete text of the California Legislature's resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

SENATE JOINT RESOLUTION 48

Joint resolution relative to the agricultural conservation program and the Soil Conservation Service

Whereas the preservation of the soils, water, forests, and wildlife of this Nation, and in particular the topsoil, is necessary; and

Whereas we believe the preservation of these resources is a responsibility of all people; and

Whereas farmers and landowners through conservation practices have made California a far more beautiful State for both rural and urban people to enjoy; and

Whereas the agricultural conservation program and the technical assistance provided the landowners of California by the Soil Conservation Service are a vital link in the overall natural resource conservation movement through the State; and

Whereas for the past 30 years the U.S. Department of Agriculture, through the agricultural conservation program and the Soil Conservation Service, has done much to maintain and improve these resources, and make landowners and society in general more conscious of the need for such preservation; and

Whereas during this period many California farmers and landowners have put to good use the many conservation practices of the agricultural conservation program; and

Whereas in carrying out these practices California farmers and landowners are now more than matching Government funds dollar for dollar; and

Whereas through the medium of agricultural conservation program farmer-elected committeemen and soil conservation district supervisors throughout the State, farm leadership has been developed to a most helpful degree: Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California (jointly), That the Congress of the United States be respectfully urged to give the necessary and adequate support to the continuance of the agricultural conservation program and the Soil Conservation Service; and be it further

Resolved, That an adequate amount be set aside from an appropriation to make it possible to administer the program through the present system of farmer-elected committeemen; and be it further

Resolved, That the secretary of the senate be directed to transmit suitably prepared copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the chairmen of the Senate and House Committees on Agriculture, to the chairmen of the Senate and House Committees on Appropriations, to the Secretary of Agriculture, and to the California congressional delegation.

NO LIMITATION FOR GI EDUCATION

Mr. YARBOROUGH. Mr. President, this Government cannot afford to discriminate against the dedicated young men and women of this Nation who have served in the Armed Forces during this period of cold war danger merely upon the basis of actual physical danger or the quirk of geography. If one looks to the record of service during World War II and the Korean conflict it becomes apparent that a surprising number of soldiers never saw the shores of a distant land yet they received, and rightly so, the benefits of the GI bills.

Mr. President, I ask unanimous consent that a letter from Mr. Leonard A. Newton, of 6000 Fulton Avenue, Van Nuys, Calif., be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

VAN NUYS, CALIF.

DEAR SENATOR: I would like to voice my approval of your proposed Veterans' Readjustment Act. Our country's fighting men are exposed to constant hazards in the line of normal duty. These hazards seem to be inherent to the technological posture of the military today.

In addition to normal hazards there is the hazard of poor morale among those who serve, especially the enlisted man. He is not and will probably not be accepted within the same economic level of society as his counterpart who stayed home and continued his education.

I can speak with personal knowledge of the present situation since I have served for more than 10 years with the air wing of the Marine Corps, Marine Reserve, and California Air National Guard. The great majority of those with whom I serve have seen bloodshed, homes lost, families broken and personal hopes for the future lost in the interest of service to their country. Those who continue to make these sacrifices and those who have made sacrifices in the past 10 years do not even have the privilege of calling themselves veterans in the eyes of our present statutes. We need the cold war GI bill.

Respectfully,

LEONARD A. NEWTON.

THE HUMAN ELEMENT: AMERICA'S FIRST ASSET—ADDRESS BY SENATOR RANDOLPH BEFORE NATIONAL AEROSPACE EDUCATION COUNCIL

Mr. MONRONEY. Mr. President, the distinguished Senator from West Virginia [Mr. RANDOLPH] delivered a most thought provoking and perceptive address at a luncheon of the National Aerospace Education Council on June 24 at the Mayflower Hotel. His topic was "The Human Element: America's First Asset." His dedicated service on the Senate Education Subcommittee qualifies him to speak with authority on the needs and challenges of young, as well as adult, America. His comments on our rapidly changing technological society and the problems caused thereby and the bright future which may result therefrom are worth the time and attention of every member of this body. I ask unanimous consent to have printed in the Record a summary of the history of National Aerospace Education Council, together with Senator RANDOLPH's address; and I strongly urge my colleagues to read with great care this excellent and timely speech.

There being no objection, the summary and address were ordered to be printed in the Record, as follows:

NAEC was organized in 1950 by representatives of industry, education, and Government. It is an independent, nonprofit organization directed by professional educators who are convinced that the use of aerospace material in the teaching of science, arithmetic, social studies, or reading enriches instruction and relates it to life.

The council has several major programs. It publishes and distributes books for students at all grade levels on such subjects as jet aircraft, aviation careers, helicopters, and space exploration. It offers to schools numerous aerospace teaching aids such as bibliographies, source books, units of work, and suggestions to teachers for using aerospace education materials in their daily classroom instruction. It provides a library or curriculum service which assures subscribers of a continuous flow of up-to-date, informative and authoritative aerospace information, background material, and related teaching aids. The council also answers requests from thousands of students and teachers for free aerospace pictures, booklets, and pamphlets.

At the council's annual conference now in session in Washington, D.C., such distinguished Americans as Dr. George Mueller, Associate Administrator for Manned Space Flight, National Aeronautics and Space Administration; Mr. Karl G. Harr, Jr., president of the Aerospace Industries Association; and Senator JENNINGS RANDOLPH, of West Virginia, are included on the speakers' list. Also, more than 25 recognized national leaders in aviation and space education are participating in the conference panel discussions and symposiums.

THE HUMAN ELEMENT: AMERICA'S FIRST ASSET

(Remarks by Senator JENNINGS RANDOLPH, Democrat, of West Virginia, at the National Aerospace Education Council Conference Luncheon Session, June 24, 1965, the Mayflower Hotel, Washington, D.C.)

Never before have all of us needed, so urgently, people qualified to cope with a world in which bewildering changes and advances are routine. President Kennedy stated it so well when he said that we are engaged "in a race for the mastery of the sky, and the rain, the ocean, and the tides, for the far side of space and the inside of men's minds."

Nowhere is this more true than in the field of aerospace technology. The rapid progress in this new frontier requires the best minds in the Nation—minds that translate into skillful hands. The rapid technological progress is creating a demand for skilled manpower unequaled in past generations.

The increasing need for highly motivated, highly trained scientists, engineers, and technicians is urgent and unprecedented. People of this caliber are not just born; they must be developed. They are the product of carefully planned programs. Stuart G. Tipton, able president of the Air Transport Association, has told me that the question of future manpower is one of the most prominent subjects discussed in airline executive offices. The airlines see the necessity for an extensive recruiting job to find the people to operate their rapidly expanding system.

And the system is expanding at rates that were deemed unattainable only a few years ago. Last year the airlines flew 82 million passengers and 800 million ton-miles of airfreight. By 1970, the airlines expect to fly 120 million passengers and 2½ billion ton-miles of airfreight.

At the same time that they will be flying more people and goods to more places, they will be operating a much more sophisticated system than exists even today. They are in the process of installing all-weather landing systems which require enormous investment in electronic equipment. They are introducing new reservation systems using the most advanced electronic computing data known to science. They are experimenting here and testing there. All of this means that the airlines will be needing not just pilots, not just hostesses, not just salesmen, but the electronic experts, the data processing specialists and all of the men and women who will be entering the new careers being opened up by the advancing technology of the United States.

How are technological advances made? They are made possible by trained and dedicated scientists and engineers. They are made possible by an understanding public—by industrialists, businessmen, doctors, lawyers—by the poet, the musician, the painter, the architect. For ours is a world that requires a citizenry informed by the humanities, as well as by science, industry, business, and the professions. Ours is a world that requires Renaissance men.

Men of this stamp exist today. They will be required in much greater numbers tomorrow.

Such manpower is the product of native ability, education, and experience. Added to which is the all-important factor of guidance and motivation that will enable young people to find and develop their potential for a chosen career.

You in the audience are a vital element in shaping the world of tomorrow by helping young people find their way into a future that depends on them.

I mentioned motivation. Young people are motivated to choose a career not only because they like a given business, profession, or category of the arts or sciences, but because jobs exist. And because they beckon.

Also, young people are motivated to choose a career because they can identify with it. Certainly aerospace makes an impact on the young and inspires intense identification.

This identification is even being recognized at college commencements—forums not always characterized by speakers remarkable for discovering the yeast in life that causes enthusiasm in young people to rise.

It was noted in a recent issue of Time that Secretary of Labor Willard Wirtz said in his commencement address at the University of Iowa that "commencement speakers generally have a good deal in common with grandfather clocks: standing usually 6 feet tall, typically ponderous in construction, more traditional than functional, their distinction is largely their noisy communication of essentially commonplace information."

In the same article, it was reported that this stereotype was shattered by the 1965 crop of commencement speakers. They hewed much closer to the realities of contemporary life. An example was the remark by Emmett Dedmon, executive editor of the Chicago Sun-Times, when addressing the graduating class of George Williams College in Chicago. Dedmon said: "May the explosions of your generation cut as clear as those which freed the capsule of Gemini 4 from the booster engines."

Time observed that whatever his fellow editors might think of that particular metaphor, Dedmon states the dominant theme of the 1965 commencement speeches: The "explosions" of the younger generation.

Our interest here today is focused on aerospace—the aerospace that serves as an important source of career opportunities for young people preparing to be in the forefront of the world in the making—"exploding" into the world in the making, to continue the metaphor.

I understand that you had concentrated sessions on the space and general aviation aspects of aerospace in this morning's program. Also, I am told that Karl Harr, president of the Aerospace Industries Association, will talk at the banquet on Saturday night, so I know that aircraft technology and its impacts on education will be well covered.

Therefore, my remarks essentially concern the airline industry, whose progress I have participated in and followed with intense interest for many years. Certainly the airlines, along with the rest of aerospace, have been as concerned about the "explosions" of the younger generation as the commencement speaker at George Williams College.

The airline industry provides a textbook example of how to make new jobs. Here are a few examples of how they have done it:

During the first 6 years of the jet age (we are now in the seventh), the airlines created some 39,000 new jobs in their industry alone.

The many billions of dollars the airlines have invested in flight and supporting equipment since the beginning of the jet age has created work for over 5,000 factories and jobs for over 100,000 men and women in manufacturing.

For every employee directly concerned with assembling the sections of just one airplane into the finished product, there are additional workers employed by the subcontractors, the electronic equipment companies, rubber companies, and other industries who directly contribute to the aircraft assembly process.

Wages and salaries paid to these workers provide employment for an equal number of nonmanufacturing workers in trade and service industries.

The airlines themselves employ approximately 190,000 people who, in 1964, were paid over $1½ billion in wages.

These figures in themselves are impressive. But their impact on the total economy is the vital matter.

The U.S. Chamber of Commerce has reported that 100 industrial employees add an average of 296 more people to the community, 112 more households, 50 more schoolchildren, 107 more automobiles, 174 more jobs in the community, 4 more retail stores and a minimum average of $590,000 more in retail sales per year.

As to the future, the airline reequipment program is most encouraging for young people looking for a career and for teachers helping them to prepare for one. At the present time, the airlines have on order approximately 450 new jets, representing an investment of $2.2 billion. It is the largest equipment order in the history of the industry, exceeding in dollar volume the orders placed in the late 1950's at the time of the beginning of the transition from piston to jet aircraft.

To purchase this new equipment, the airlines, of course, must have adequate earnings. I am gratified that recently the airlines have indeed been making an adequate return on their enormous investment. They'll need these earnings and more to pay for the new equipment that is on order and the additional planes which will be necessary to add to the existing fleets in the years ahead.

This emerging new transportation system is expected to provide new job opportunities in the airlines for 50,000 additional people by 1970. In the flight crew category alone, the airlines will hire 3,000 to 5,000 new pilots and copilots. It may be expected that many thousands of new jobs will also be created in the aircraft and related industries.

The trends are contrary to some expectations. It was widely believed that the larger, faster jet would require fewer pilots. But airline experience has not borne this out. In 1955, there were about 11,000 pilot and copilot jobs. At the end of 1964, the number of flight crew positions had grown to 14,934.

From the beginning, all phases of air transportation have reflected marked advances in technology, making the airline industry in a very real sense a barometer of technological development. Always, too, there has been concern over what the impact of various equipment revolutions might be on airline employment.

Gloomy prophecies from many quarters had it that jet aircraft would mean greater capacity per plane and a consequent reduction in the number of airliners, a reduction in the number of flight crews, and a generally declining employment picture in commercial aviation.

What the pessimists failed to understand is that an industry with growth potential can adjust to automation and technological change while at the same time providing more and better jobs.

In other words, an expanding economy can, by creating a demand for more jobs, absorb those who may be replaced by automation.

Looking further into the future, as subsonic flight merges into supersonic flight, new

> challenges in navigation, meteorology, metallurgy and the application of the multiple uses of computers will require the ablest minds of our generation.
>
> It is estimated that the SST would create some 40,000 new jobs in the aircraft industry alone. It would provide opportunities for hundreds of thousands of people in the supplier industries. Progress in the design of the SST today shows that it would be more than three times as productive for the airlines as today's subsonic jets.
>
> There is hardly a facet of the Nation's life that the aerospace industry does not touch in some way through its vast need for supplies, equipment, and services.
>
> My cherished friend throughout the years, C. R. Smith, chairman of the board of American Airlines, addressed not long ago a group of new Air Force pilots following their completion of a year's training in preparation for the career they had selected. He said: "As you grow older, you will realize more and more how fortunate you are if you have an occupation that interests you. There are millions of people who arise in the morning and face the tasks of the day with reluctance, because they have an occupation unable to hold their interest. Your outlook and your opportunity is not that; you have chosen the Air Force because its mission appeals to you; the Air Force has chosen you because it believes that you have ability and promise. A very happy combination."
>
> Board Chairman Smith might well have been addressing a group of young people who had decided to seek their careers in the aerospace industry—with the manufacturers of planes or space vehicles, with the airplanes, or in the field of general aviation.
>
> Angela Morgan has written:
>
> "To be alive in such an age
> With every year a lighting page
> When miracles are everywhere
> And every inch of common air
> Throbs a tremendous prophecy
> Of greater marvels yet to be.
>
> To be alive in such an age—
> To live in it—to give to it!
> Give thanks with all thy flaming heart—
> Crave but to have in it a part!"

PRESIDENT JOHNSON URGES THE WHOLE WORLD TO FACE PROBLEM OF MULTIPLYING POPULATIONS AND TO INVEST IN POPULATION CONTROL

Mr. GRUENING. Mr. President, I wholly and highly applaud the fact that for the second time since the assumption of the Presidency, President Johnson has come out in favor of meeting the population problem—namely, birth control.

His first statement in his state of the Union message, delivered after his election to the Presidency, was primarily addressed to the people of the United States, when he said:

> I will seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources.

Now, using the United Nations as a forum, on the occasion of its 20th anniversary, he has made the same plea to the whole world, saying:

> Let us in all our lands—including this land—face forthrightly the multiplying problems of our multiplying populations and seek the answers to this most profound challenge to the future of the world. Let us act on the facts that less than $5 invested in population control is worth $100 invested in economic growth.

His second statement, made today, with the eyes of the whole world focused upon him, carries his efforts beyond that of his state of the Union message 6 months ago. His San Francisco statement—

> Let us act on the fact that less than $5 invested in population control is worth a hundred dollars invested in economic growth—

Is essentially a mandate to various Government agencies—to the Agency for International Development, which is spending billions of dollars annually in trying to promote economic growth in less developed nations; to the Agency for Economic Opportunity, which is investing large sums in trying to combat poverty in our own country; and to the Interior Department, whose Secretary Udall has announced his purpose to carry out such a program among the impoverished Indians and Eskimos of our land and the people in the trust territories; and to the Department of Health, Education, and Welfare, all three of whose titles are pertinent to the carrying out of the President's mandate. This may well be a framed slogan placed above the desk of each of these executives and others:

> Less than $5 invested in population control is worth $100 invested in economic growth.

President Johnson cannot be praised too highly. Of the many important achievements of his Presidency, it may be difficult to choose the one that is most outstanding. It is entirely possible that history will record this to be it—that, for the first time, a President of the United States came out forthrightly and unmistakeably in favor of population control, thereby facing what several witnesses at the birth-control hearings now being held by our Senate committee and President Eisenhower also declared to be the most crucial issue of our time.

POPULATION HEARINGS PROGRESS

Mr. GRUENING. Mr. President, on Tuesday and Wednesday of this week, June 22 and June 23, the Senate Government Operations Committee's Subcommittee on Foreign Aid Expenditures, of which I am chairman, held the first 2 days of what will be an extended hearing on Senate bill 1676 and related bills which would coordinate and make available, upon request, birth-control information.

The response to the hearing has been gratifying. The hearings continue next week. Members of Congress have appeared before the subcommittee, to express their interest. In my opening statement, I quoted Thomas Jefferson, who said, 187 years ago, that giving information to the people is the most certain and most legitimate engine of Government.

I had the privilege, when the hearings opened, of reading a statement submitted to the Foreign Aid Expenditures Subcommittee by former President Dwight Eisenhower, who believes the population problem has serious portents, both at home and overseas.

President Eisenhower said:

> If we now ignore the plight of those unborn generations which, because of our unreadiness to take corrective action in controlling population growth, will be denied any expectations beyond abject poverty and suffering, then history will rightly condemn us.

Unless a solution is found, said former President Eisenhower—

> there is going to be in some regions not only a series of riotous explosions, but a lowering of standards of all peoples, including our own.

Thanks to the interest of the press and the radio in the population dilemma, the words of former President Eisenhower have reached across the land, the seas, and the nations beyond. The subcommittee is gratified.

President Lyndon Johnson has pledged to "seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources."

We will do what we can to help the President.

The Government Operations Committee's Subcommittee on Foreign Aid Expenditures will resume the hearings on Senate bill 1676 and related bills on Tuesday next, starting at 10 a.m., in room 3302, New Senate Office Building.

Witnesses who will appear before the subcommittee on June 29 are Dr. John Rock, of Brookline, Mass.; Gen. William J. Draper, Jr., of Palo Alto, Calif.; and Dr. George B. Kistiakowsky, of Cambridge, Mass.

Dr. Rock, a distinguished Catholic gynecologist, helped develop the birth-control pill, and has written the informative book entitled "The Time Has Come."

General Draper, a distinguished investment banker and statesman, is renowned for his work in stimulating public discussion on the population dilemma. The Draper report on foreign aid, in 1959, pointed up the dangers to our foreign aid and assistance program, and recommended that the United States become aware of the fact that economic development in foreign nations is being offset by rapid population growth.

Dr. Kistiakowsky, a world-renowned chemist, was Special Assistant for Science and Technology to former President Eisenhower. A member of the National Academy of Sciences, he—perhaps more than any other member of the Academy—has contributed to the reports on population issued by the Academy.

The subcommittee looks forward with great interest to the contributions these men can make to the population dialog.

I ask unanimous consent to have printed in the RECORD an editorial and several articles related to the hearings on Senate bill 1676 or to the population problem in general. They are an article written by Arthur Krock, and entitled "In the Nation: The Birth Control Hearings," which was published in the New York Times of June 24, 1965; an editorial entitled "More Headway on Birth Control," which was published in the New York Times of June 21; an article entitled "Cushing Softens Birth-Curb Stand," which was published in the New York Times of June 24, 1965; an article entitled "Udall Urges Action," published

in the New York Times of June 24, 1965; and an article entitled "Pope To Redefine Birth Curb Stand," published in the New York Times of June 25, 1965.

There being no objection, the editorial and the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 24, 1965]

In the Nation: The Birth Control Hearings

(By Arthur Krock)

WASHINGTON, June 23.—Of all the contributions President Johnson may make toward the goal he has described as the "harmonious unity of man with the world he has built," none may prove to have been more substantial than his initiative of recognition by this Government of the problem of birth control. Until he did that, with one sentence in his state of the Union message to Congress on January 4, 1965, the political community avoided direct involvement with this gravest of existing menaces to human progress.

SENSITIVE SUBJECT

The subject, as Representative UDALL, of Arizona, phrased it yesterday at the first hearings Congress ever ventured upon, had been accepted by American politicians as "too sensitive for public discussion and action." And if the President had not taken the lead in dispelling what UDALL, referred to in the hearings as "a myth that deserves oblivion," the Government with the greatest resources for checking the most critical threat to human progress would have continued to keep it at a distance.

But, once the President sponsored Government action, the groups of private citizens and the few in public office who long and vainly have been urging it were furnished with sufficient political authority to break down the wall of congressional resistance to open discussion. This authority was directly derived from the following sentence in the January message: "I will seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity of world resources."

EARLIER SPADEWORK

Mr. Johnson's predecessors had, however, helped to fertilize the political ground for his position. President Eisenhower had already publicly reversed his position of 10 years ago that birth control was not a proper issue for Government, having become convinced—as he told the Senate subcommittee yesterday—by studying "the results of some of the [foreign] aid programs of the early fifties * * * that without parallel programs looking to population stabilization all we could do would be to maintain rather than improve standards in those who need our help." And President Kennedy had authorized the supply of birth control information by this Government to any nation requesting it, but without appearing to "advocate limitation of the black, brown, or yellow peoples."

But it required President Johnson's direct espousal to bring from the pigeonholes of congressional committees into open consideration the definite legislative proposals made by Senator GRUENING, of Alaska, for the establishment of Government units specifically assigned to deal with the world population explosion and evolve the role of the United States in efforts to control it. For some years statistics collected and published by private organizations such as Population Reference Bureau, Inc., and Planned Parenthood have made the necessity of control appallingly plain. Yet, though those statistics demonstrated that the menace was steadily mounting, and more rapidly in areas where the bulk of U.S. aid is being dispensed the American political community continued to imitate the ostrich which thinks he will be spared by an indiscriminating predator by sticking his head in the sand.

The best analysis of the problem the subcommittee heard yesterday was from General Eisenhower, perhaps in proof of the axiom that there is no faith stronger than an honest convert's. "Since the earth is finite in area and physical resources," he said, "it is clear that unless something is done to bring an essential equilibrium between human requirements and available supply, there is going to be in some regions not only a series of riotous explosions but a lowering of standards of all peoples, including our own. If we now ignore the plight of unborn generations which, because of our unreadiness to take corrective action in controlling population growth, will be denied all expectations beyond abject poverty and suffering, then history will rightly condemn us."

DANGER OF DESPERATION

The condemnation, however, is not likely to await history, in the usual connotation of a century or more. In a few decades, at the present rate, even a concentration of aid from the nations which can afford it will not keep pace with the bare individual needs of the peoples that most require it. Then every self-sufficient nation, including the United States will be directly imperiled by the potentials of mass desperation created in three continents by starvation and endless penury.

[From the New York Times, June 21, 1965]

More Headway on Birth Control

American Indians, Eskimos, and natives of the islands the United States holds in trust in the Pacific have just been made beneficiaries of the first Federal program offering direct help in family planning and birth control. The announcement by Secretary of the Interior Udall that contraceptive advice and services will be made available, where desired, on reservations and in trust territories encourages hope that the taboos against birth-control programs will also crumble in such domestic undertakings as the war on poverty.

Congress can help by moving on some of the bills now before it to encourage wider dissemination of information on family planning in this country and in overseas areas afflicted by low incomes and expanding populations. Typical of most of these measures is one sponsored by Senator GRUENING of Alaska and seven other Senators, which calls for special offices in the State Department and in Health, Education, and Welfare to carry forward positive programs in this field.

Representative SCHEUER of New York has moved in another and equally important direction. He wants repeal of two 1873 Federal laws, both hangovers from the prudery of the Comstock era, that still technically ban importation, interstate transportation, and mailing of contraceptive devices and data. Even though time and court decisions have made the laws largely inoperative, they ought to be removed as a sign of congressional recognition that the 20th century has brought changed attitudes and needs.

New York State set an example last week by repealing its 84-year-old law against disseminating birth-control information. Colorado, Kansas, and Indiana had already taken similar action. The Supreme Court's decision invalidating Connecticut's law probably makes all such statutes unenforceable.

The need now at both Federal and State levels is for affirmative action to assist in family planning. As the distinguished committee on population of the National Academy of Sciences-National Research Council observed in a report last month: "The freedom to limit family size to the number of children wanted when they are wanted is, in our view, a basic human right." Poverty and ignorance now stand as the principal obstacle to the exercise of that right by millions of Americans.

[From the New York Times, June 24, 1965]

Cushing Softens Birth-Curb Stand

BOSTON, June 23.—Richard Cardinal Cushing, once strong against repealing the Massachusetts birth-control law, indicated yesterday that he had changed his thinking since the Vatican Council began a study of family planning.

Distraught mothers asking for specific guidance have been told by the Roman Catholic Archbishop of Boston that he hopes the problem will be settled when the Second Vatican Council opens its fourth session on September 14.

In a radio interview yesterday, Cardinal Cushing said: "My sympathy and love goes out to those people who are having problems with large families, and who are worried sick about the church's teaching. I'm hoping and praying that all these problems will be settled by the commission's report."

The Cardinal appeared as a guest on the "Haywood Vincent Show," a conversation program on station WNAC. When one telephoner, a mother, asked if Catholics who had gone against the church's teaching in using contraceptives were guilty of mortal sin, the prelate answered, "Only God knows that, my dear."

At another point he said: "I do not see where I have the obligation to impose my will on those who do not accept the faith I do."

[From the New York Times, June 24, 1965]

Udall Urges Action

ASPEN, COLO., June 23.—Interior Secretary Stewart L. Udall called yesterday for an urgent effort by public and private agencies "to slow the critical population explosion in this hemisphere."

Secretary Udall's statement was jointly with Gen. William H. Draper, Jr. It was issued here at the close of a week-long conference on population growth in the Western Hemisphere, a meeting sponsored by the Aspen Institute for Humanistic Studies.

Mr. Udall and General Draper, chairman of the Presidential Committee on Foreign Aid, which was set up during the Eisenhower administration, said "it is now clear that a growing consensus is being reached in the United States on the need for more public and private action to reasonably limit population growth on a wholly voluntary basis.

[From the New York Times, June 25, 1965]

Pope To Redefine Birth Curb Stand—Says He Hopes To Act Soon—Presses Commission To Rush Study of Subject

(By Robert C. Doty)

ROME, June 24.—Pope Paul VI said today that he hoped soon to be able to make a statement redefining the Roman Catholic teaching on birth control.

In a 3,000-word review of the many difficult problems facing the church in a world of flux, the Pope listed also the questions of marriages involving non-Catholics, reform of the Roman administration of the church and establishment of some form of consultative body of bishops in the spirit defined by the Ecumenical Council.

All of these, he indicated, require still further reflection.

Addressing 30 members of the College of Cardinals, the Pontiff also restated his overriding concern for world peace. He warned that nuclear weapons could end "not difficulties, but civilization," and he praised statesmen who take "bold and uncommon" initiatives for peace.

This seemed to allude most directly to Prime Minister Wilson's Commonwealth peace mission on Vietnam.

COMMISSION STUDY CONTINUING

On the birth-control issue, the Pontiff said the papal commission that had been studying the question for more than a year had not yet completed its labors.

But he is pressing the clerical scientific and lay members of the commission with "respectful urgency," the Pope said, so that "we hope soon to be able to say our word, supported by the light of human science, as we ask the Lord that it should be by the light of His wisdom, on a theme of such vital importance."

The Pope gave no indication of the trend of his own thinking on maintenance or modification of the church's current absolute ban on any form of birth control except abstinence from sexual relations during female periods of fecundity. Some commission members are known to support the use of the pills or even more direct means of contraception.

The 30 cardinals had called on the Pope to express good wishes on his Saint's Day, that of St. John the Baptist. Pope Paul was christened Giovanni Battista (John the Baptist) in Italian Montini 67 years ago.

He spoke feelingly of "the bark of Peter [the church] sailing a stormy sea."

"Everything moves," he said. "Everything is a problem."

The modern world, he went on, raises "new questions of all kinds, rendered more acute for us who cannot fail to remain firm and faithful to a conception of the world and to a body of doctrine and precepts not only immutable but permanently current and thus rich in always new and coherent expressions."

This appeared to be a renewed warning that neither the pontiff nor the church could yield to the increasingly heavy pressure for merely rationalistic and materialistic solutions to world problems.

As an example of this pressure, the pontiff recently received appeals from 78 Nobel Prize winners in science for modification of the church ban on chemical and mechanical birth control.

The Pope seemed to postpone decision on questions involving marriages between Catholics and non-Catholics with the statement that it was "a delicate question that demands some more reflection."

During the Ecumenical Council's third session last fall, a majority of bishops expressed the desire for some liberalization of the rules in this domain.

They approved a "wish," passed on to the Pope, for changes requiring only the Catholic partner to make formal pledges to raise children in the Catholic faith instead of both partners, as at present.

They asked also a liberalization of the rules regarding the legality, if not the validity, of marriages contracted before a non-Catholic clergyman.

The American hierarchy was split on this issue.

Spokesmen for about half the American bishops warned that relaxation of the present rules might do "serious spiritual harm" in a country of multidenominational religious composition wherein mixed marriages were frequent. Other American churchmen sided with the majority for change.

Indirectly, the Pope urged patience, too, on two other church issues—reform of the Curia, the central administration, and establishment of some body of bishops to give expression to the principle of their collective authority, voted by the council.

Under study, he said, is a statute for an episcopal conference from which would evolve "one of the forms of better collaboration with our brothers of the episcopacy."

Establishment of the principle that the bishops collectively with the Pope—but never without him—formed the ruling college of the church in emulation of St. Peter and the original apostles was the major accomplishment of the council last year. Its implementation, which would almost certainly reduce the Roman and Italian dominance in the church, has been opposed by conservatives.

There is similar resistance to the Pope's expressed intention to reorganize and internationalize the predominantly Italian and conservative Curia.

FARM LEGISLATION

Mr. MONDALE. Mr. President, the decisionmaking process of farm legislation for 1966 and following years is now in operation and will reach its consumation in the next month or two.

General hearings are underway in the Senate Agriculture Committee, while a farm bill has already begun to take shape in the House Agriculture Committee.

This Congress must act, not only because some of the basic legislation expires at the end of this calendar year, but because farm income is still low by whatever measurement might be applied—whether by the U.S. parity ratio, by comparisons with earnings of skilled nonfarm workers, or by statistics of median incomes in our rural counties.

Farm net income in each of the years since 1961 has been about $1 billion higher than prevailed in 1960 because of the programs carried out by the Kennedy and Johnson administrations.

However, on-farm costs have also continued to advance, reaching new record highs. As a result, a shocking proportion of our farmers fall into the income level below $3,000 a year—a dividing line which, for the purpose of many programs, is considered the poverty level.

I am not talking about marginal, inefficient or part-time farmers, even though the part-time farmer is having income trouble—the small farmer is having income trouble—and their situation needs to be dealt with. The price support program alone is not the complete answer for these people. Specialized income, credit, and economic opportunity measures can help in this sector.

We must be concerned today with the situation of the full-time commercial family farmer, the farmer who needs a fair return for his products, so that he can have a standard of living more nearly comparable with that of the skilled worker in the cities.

It is a well-known fact that the number of farmers has been declining for many years.

It has been assumed superficially by many that the outmigration from farming has principally been from the ranks of the marginal, part-time, residential or retirement farmers—and it is true that some of these people have left the farm.

But surprisingly, the total number of these marginal farm operators has stayed relatively constant over a period of years, and it is from the middle group of farmers—the commercial family farmers—that the great exodus has taken place.

The question still remains: How many farmers do we need to do the job of providing adequate supplies of food and fiber, plus reasonable reserves, at a fair price to the Nation's industries and consumers?

The distinguished former chairman of the President's Council of Economic Advisers, Dr. Leon H. Keyserling appeared before the Senate Committee on Agriculture and Forestry last Friday, and in the course of an able and comprehensive statement on the proposed farm bill, offered some significant comments on the number of farmers we ought to have. He declared that our policy should be to reasonably stabilize our farm population.

Dr. Keyserling said:

> Despite the amazing advance of farm technology, we need considerable expansion of acreage and livestock breeding units, and a virtual stabilization of the farm population, looking forward to 1970 and 1975, if we are to have a healthy and serviceable agricultural sector in a fully employed American economy, make due allowance for adequate food reserves, and contribute effectively to the war against starvation and poverty in other areas of the world. Even if this were not true, and it is true, we should recognize the urgency of efforts to rehabilitate and utilize our farm people where they now are. This holds far more promise on all scores than to continue to believe that farm people or others can be helped by the continued massive flow of unfortunate human beings from the farms to the cities and other industrial areas, where the new technology and automation are presenting a difficult enough challenge on the job front without compounding this problem by the influx of dispossessed farm people.

He made the point that it is better, both economically and socially, to maintain these people on the farm where they can be used productively, since they cannot be employed in urban labor markets.

Most people still believe and I am emphatically among that group that our agriculture is and should be based upon a family farm system; that is, families owning, living on, and cultivating the land.

If we agree on this fundamental premise, then we must examine the extent to which existing farm programs are assisting in strengthening the income of commercial family farmers.

A careful examination of the frequency distribution of the feed grains base acres in each of the Minnesota counties, in which the production of feed grains is substantial and in which program payments totaled $1 million for the year, shows that in the 42 principal feed grains counties in Minnesota, an average of 80 percent of the payments went to cooperating producers with a base acreage of 200 acres or less.

Rather than 80 percent of the money going to large farmers who do not need it, the bulk of the payments, as high as 96 and 97 percent, went to typical family farm operators.

Mr. President, I ask unanimous consent to print table 1 at this point in the RECORD. Table 1 shows the percentage of payments going to feed grains producers with a base of 200 acres or less.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Feed grains program, 1964—Major Minnesota counties (percentage of program payments to farm with base acres of 200 or less)*

	Percent
Blue Earth	81
Brown	96
Carver	93

TABLE 1.—*Feed grains program, 1964—Major Minnesota counties (percentage of program payments to farm with base acres of 200 or less)*—Continued

	Percent
Chippewa	85
Cottonwood	85
Dakota	89
Dodge	87
Faribault	80
Fillmore	96
Freeborn	90
Goodhue	93
Houston	96
Jackson	76
Kandiyohi	98
Lac qui Parle	88
Le Sueur	90
Lincoln	93
Lyon	70
McLeod	97
Martin	72
Meeker	93
Mower	88
Murray	89
Nicollet	88
Nobles	80
Olmsted	90
Pipestone	71
Redwood	81
Renville	76
Rice	97
Rock	86
Scott	97
Sibley	94
Stearns	95
Steele	88
Swift	82
Wabasha	98
Waseca	89
Watonwan	96
Winona	94
Wright	96
Yellow Medicine	82

Mr. MONDALE. Mr. President, one of the problems which we have in the Congress and on the Agricultural Committees is that the vast amount of statistical data available to us always deals in averages, in samples, in estimates and projections. The data which comes from the Department of Agriculture and from the Census Bureau is valuable and is accurate to the best of the ability of competent researchers and economists.

It is worthwhile on occasion to go beyond the statistical tables—the typical and the averages—and see how the living, breathing individual is doing.

I wish at this time to recommend to the attention of my colleagues in the Senate the reports from an accumulation of economic case histories of individual farms in every agricultural county of my State.

This project was carried out by one of our effective farm organizations in Minnesota—the Minnesota Farmers Union—and by its constructive and imaginative State president, Mr. Edwin Christianson.

In this effort, individual farmers were asked to supply data on the location of their farm, the acres being farmed, investment in farm plant, farm debt, and then to copy off from their 1964 schedule F form, the farm income and expenses for the year.

Schedule F shows the income from sales of crops, livestock, dairy and poultry and other commodities, together with other farm income, such as agricultural program payments, patronage refunds, and pay for machine work.

It also shows farm expense for the year, such as labor, repairs, interest, feed, seeds and plants, fertilizer, supplies, machine hire, gasoline, fuel and oil, storage, taxes, insurance, transportation, and conservation expenses.

Many hundreds of farmers cooperated in divulging these operating facts about their farms. Many of those who submitted balance sheets for their farms made additional comments.

Although it was suggested that the name of the farm not be identified, one farmer from McLeod County signed his name to the report and said:

> I am signing my name because the figures might not be believed otherwise.

A Steele County farmer in one of the most productive areas of the State, reported a net loss for the year and added that both he and his wife are working off the farm in order to meet payments as they come due. He said:

> We would like to make the farm pay its way.

A Red Lake farmer asked:

> What would I have done without the farm program payments?

A Todd County farmer listed several thousands of dollars in needed farm buildings and improvements, but said a new barn and machine shed have had to wait because with farm prices as they are, "by the time we paid other expenses each year, there was not anything left to build with."

A Dodge County farmer who was able to show a net income only because of substantial farm program payments, wrote in huge letters across his return "Keep farm supports we need them."

A Norman County farmer asked:

> How can we keep going paying on a $39,000 farm debt when our net income is only $2,300 a year?

His report showed interest payments of near to $1,900 for the year.

A Marshall County farmer, who netted $1,622 for the year said:

> If it had not been for the farm programs, I would have been $660 in the red.

A McLeod County farmer reported:

> I have a $100,000 investment and I netted $1,732. I would have been better off putting the money in the bank on interest, rather than farming.

A Murray County farm, which showed a $4,190 loss, reported:

> This operation is a full-time job with no other income.

A Todd County farmer attached to his return, a grocery bill for $10.48 which he purchased on the same day that he marketed 44 dozen of eggs. He said:

> The income from the eggs did not bring in enough to pay for the groceries.

A Swift County farmer said:

> The home we live in is 70 years old—no money to fix it—or to build a granary or henhouse we need.

A Stevens County farmer commented:

> As you see, I made 2.5 percent on my investment, not counting anything for labor.

A Marshall County farmer declared:

> Off-farm income kept us alive this year.

A Steele County farmer said:

> Everything is worn out and should all be replaced. I have $15,000 in equipment, repairs, and remodeling which would be done if I had the income.

A Pennington County farmer said:

> Two of us have to work in town to meet our farm expenses.

A Marshall County farmer declared:

> I work 12 to 18 hours a day and don't earn as much as a fellow working 8 hours a day at $1.25 an hour.

I ask unanimous consent to insert in the RECORD at this point a tabulation of pertinent figures from these economic case histories of Minnesota farmers.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

WHY FARMERS NEED HELP—THE FACTS ABOUT FARM INCOME IN 1964—ACTUAL OPERATING FIGURES FROM MINNESOTA FARMS, WITH 1964 GROSS AND NET INCOME AS REPORTED ON SCHEDULE F TAX FORM

INTRODUCTION

Here are operating figures supplied by Minnesota farm operators from their record books and their schedule F Federal income tax forms in response to a plea by Minnesota Farmers Union for them to "lay the facts on the line."

Each line in the tabulations below represents an individual farm and shows the acreage being farmed, the total farm investment, farm debt, gross farm income, farming expenses, net farm income, and USDA farm program payments.

These are actual economic case histories of how farmers fared in 1964, the unvarnished truth about farm income.

County and acres being farmed	Total farm investment	Total farm debt	Gross farm income	Total farming expenses	Net farm income	Income from USDA payments
Aitkin County:						
400	$45,070		$25,552	$28,369	−$2,816	$60
770	26,675	$9,713	10,600	9,118	1,472	200
200	43,500	13,000	4,257	6,257	−2,127	72
240	45,000	7,000	5,926	4,294	1,626	57
240	24,000		7,203	5,328	1,875	107
228	22,890	2,000	6,186	5,469	717	60
224	15,750		6,348	2,951	3,397	
Anoka County:						
240	59,000	10,000	10,041	8,694	1,346	1,456
500	32,500	14,500	6,966	4,782	2,184	109
Benton County:						
160	$27,000	$9,000	$6,000	$5,125	$885	
400	53,652	8,352	8,901	7,135	1,746	$7,309
320	23,000	3,500	7,367	5,923	1,439	436
Becker County:						
693	110,800	27,200	24,902	16,007	8,895	3,165
160	8,800	1,200	2,000	1,593	383	153
200	44,000		4,778	4,267	502	81
160	12,000	1,000	3,627	2,696	931	
340	37,105	12,500	5,291	3,205	2,085	222
166	25,420	2,815	5,245	2,702	2,543	27

County and acres being farmed	Total farm investment	Total farm debt	Gross farm income	Total farming expenses	Net farm income	Income from USDA payments
Becker—Con.						
287	$42,500	$52,500	$2,196	$2,367	−$171	$279
640	116,000	40,000	11,300	9,952	1,347	----------
340	37,150	12,500	5,291	3,205	2,085	222
160	24,500	8,000	4,806	5,553	−746	885
730	49,000	24,000	12,770	8,419	4,360	2,098
480	40,660	20,800	9,176	8,057	1,119	849
Beltrami County:						
505	31,500	3,500	9,090	8,029	1,060	332
320	38,000	2,400	6,587	5,816	771	604
320	31,000	2,000	6,858	4,457	2,401	74
1,030	61,328	----------	22,185	13,898	8,286	5,381
Big Stone County:						
240	73,000	----------	4,858	5,170	311	859
435	97,000	29,000	14,973	11,530	3,443	682
400	54,400	5,500	12,568	8,237	4,330	2,119
320	----------	----------	16,623	13,801	2,822	975
480	80,000	14,000	8,503	6,304	2,198	1,047
320	45,000	30,000	13,812	10,777	3,035	2,581
400	45,000	2,000	21,470	16,888	5,996	2,039
400	65,000	25,000	11,429	8,918	2,511	660
160	28,720	4,000	8,492	6,555	1,936	375
190	13,700	5,250	4,545	2,073	1,470	491
320	24,000	11,000	6,208	6,389	−181	656
160	27,500	2,258	2,182	2,395	−212	284
320	60,000	29,600	15,483	12,697	2,785	2,433
395	76,000	21,000	12,242	11,790	452	3,010
690	75,000	45,000	24,360	22,506	1,854	1,262
480	18,000	7,900	16,545	12,482	4,158	965
694	53,717	25,926	10,070	11,994	−1,923	1,904
450	19,050	6,000	7,781	7,551	230	996
352	50,000	36,000	15,310	12,244	3,066	1,443
400	110,329	----------	15,806	11,480	4,326	1,324
600	61,000	18,500	16,233	13,446	2,787	563
331	49,100	----------	9,515	11,001	−1,486	1,114
480	10,350	7,800	5,750	6,204	−453	883
Blue Earth County:						
280	66,000	28,000	18,318	12,864	5,454	2,239
100	49,000	----------	3,164	1,380	1,783	277
160	58,000	----------	12,306	10,322	1,983	1,140
280	137,462	18,000	24,699	21,104	3,594	1,430
160	70,000	----------	8,226	4,732	3,493	1,288
200	60,100	34,600	19,626	22,519	2,893	2,406
200	180,000	5,580	12,529	10,378	2,151	----------
120	----------	----------	8,028	4,191	3,827	509
200	25,800	4,700	11,164	8,314	2,850	531
60	14,512	----------	2,657	1,197	1,460	344
512	244,800	----------	45,000	15,695	29,304	5,300
200	70,000	35,000	26,000	22,477	3,523	2,500
280	101,000	9,000	11,999	11,098	101	----------
160	36,000	2,000	3,720	4,619	893	387
310	93,500	29,000	18,351	17,235	1,116	1,166
Brown County:						
160	22,000	----------	6,441	1,702	4,738	1,498
160	23,274	23,274	12,997	13,774	−995	645
240	106,500	11,000	12,814	9,046	2,767	1,777
160	20,000	1,900	4,707	2,209	1,997	----------
Carver County:						
230	42,000	7,500	15,384	11,897	3,487	1,452
160	47,448	2,800	14,698	14,002	696	1,363
80	42,000	----------	4,768	2,630	1,650	4,768
Carlton County:						
292	35,400	3,500	9,304	7,854	1,450	14
80	8,000	----------	604	1,159	−554	12
160	6,500	----------	2,701	1,691	1,010	20
200	----------	----------	6,182	5,211	971	71
Cass County:						
238	29,500	9,500	7,416	5,049	2,367	197
80	12,300	----------	1,771	1,241	529	394
Chisago County:						
210	54,940	----------	9,721	8,563	1,157	1,636
540	65,000	28,750	15,620	14,978	642	74
220	29,450	17,900	15,645	10,891	4,753	22
100	32,000	20,000	5,683	4,111	1,472	----------
350	38,150	16,000	3,966	5,153	1,187	841
Clay County:						
470	58,987	22,000	13,965	8,323	5,642	1,295
280	53,000	21,500	11,723	8,043	3,679	827
480	52,200	29,800	12,200	10,953	1,246	1,148
Clearwater County:						
720	27,320	2,863	4,506	3,475	1,030	70
280	25,606	1,500	4,825	4,517	308	----------
320	35,570	19,086	9,337	6,964	2,372	----------
460	35,950	26,000	9,068	7,622	1,446	571
184	43,000	700	5,453	4,019	1,434	496
285	23,500	----------	7,067	4,349	2,687	444
639	35,160	14,700	9,798	8,099	1,699	393
Chippewa County:						
200	73,000	14,000	12,216	10,218	1,995	1,313
200	9,300	----------	10,680	9,550	1,129	510
210	56,200	10,000	9,793	9,404	388	----------
520	49,670	21,450	14,671	9,778	4,893	2,304
320	43,000	28,550	11,748	11,997	249	1,882
316	28,620	10,443	8,827	5,205	3,622	1,824
240	83,775	36,000	14,824	10,946	3,877	3,314
400	44,750	----------	11,790	6,391	5,393	1,754
400	145,740	60,000	35,747	30,897	4,850	4,366
240	83,000	9,300	17,991	13,747	4,243	1,385
151	----------	----------	6,015	4,576	1,476	616
240	83,326	15,000	11,326	10,707	618	1,400
160	5,820	2,000	7,249	4,729	2,354	348
Cottonwood County:						
40	$18,330	----------	$3,284	$1,608	$1,672	$305
247	11,340	$1,400	13,283	11,900	1,383	1,394
320	67,465	26,093	22,620	20,966	1,653	2,384
240	10,500	3,500	3,976	2,959	1,020	782
240	84,000	17,000	18,421	17,665	755	959
320	79,000	45,000	17,330	16,458	872	3,904
320	47,266	12,870	15,110	11,660	3,449	938
480	104,500	42,000	19,414	15,711	3,702	4,795
160	48,000	7,700	8,934	3,662	5,272	1,498
160	104,000	----------	9,602	9,985	−382	----------
240	13,000	----------	6,076	4,333	1,743	527
110	45,000	13,000	7,864	7,201	662	694
Crow Wing County:						
120	13,259	----------	5,638	4,229	1,398	1,055
240	----------	----------	6,461	4,584	1,876	----------
80	9,000	----------	1,386	1,505	−118	21
240	37,500	----------	6,179	6,609	−429	556
240	37,500	----------	10,102	8,457	1,645	248
160	39,500	13,000	10,701	9,671	1,029	144
770	98,446	20,000	16,336	11,532	4,803	480
290	31,710	1,800	7,983	6,774	1,209	258
240	29,900	----------	5,657	4,375	1,281	535
Dakota County:						
160	63,025	----------	5,952	9,027	−3,075	2,400
Dodge County:						
200	65,000	37,000	8,016	15,635	−7,619	1,600
327	71,000	4,000	6,454	6,001	453	1,171
216	33,000	11,000	10,616	10,438	178	----------
80	36,000	4,000	4,138	2,899	1,238	263
200	62,000	----------	7,914	5,181	2,732	1,377
260	55,350	8,600	13,693	11,622	2,071	953
240	114,925	----------	15,470	15,505	−35	14
Douglas County:						
381	34,315	4,100	10,668	9,762	960	229
155	42,000	10,000	9,778	9,105	673	358
200	50,000	15,000	10,960	9,225	1,734	803
200	30,000	11,000	9,666	6,566	3,100	108
160	77,000	----------	9,943	8,233	1,710	362
380	43,000	3,370	7,314	5,186	2,126	566
130	23,000	----------	5,076	3,942	1,134	583
200	37,000	1,500	10,564	9,190	1,374	803
104	26,500	4,500	4,376	2,892	1,484	----------
85.6	51,500	----------	11,979	17,550	−6,136	----------
240	89,960	27,000	13,825	15,781	−1,956	----------
220	108,750	52,000	18,225	17,023	1,201	----------
320	62,000	----------	11,870	9,856	2,013	1,369
154	15,000	----------	3,301	2,306	995	307
200	35,000	1,200	4,188	3,546	586	----------
400	82,900	32,690	12,745	12,298	447	948
225	47,300	----------	10,459	6,371	4,088	471
160	38,200	12,500	7,267	5,077	2,190	821
Faribault County:						
556	190,800	66,000	37,488	34,346	3,152	4,413
240	86,000	24,000	23,996	19,844	4,151	2,703
247	126,100	80,000	19,487	15,322	4,105	2,938
360	124,000	22,000	18,499	18,073	425	1,772
300	158,000	47,000	29,072	25,932	3,140	933
320	171,451	38,500	27,370	27,889	−518	3,220
240	27,000	8,500	16,957	12,571	4,385	1,294
315	8,500	6,600	11,667	10,625	1,041	681
146	39,100	16,000	4,406	5,533	−1,127	432
320	21,250	2,000	16,224	13,504	2,719	1,402
189	10,000	500	6,145	4,573	1,571	751
392	129,500	60,000	17,662	14,152	3,510	2,583
Fillmore County:						
280	8,950	5,936	6,032	3,535	2,496	330
330	66,000	30,000	17,252	16,350	902	2,086
240	49,490	8,298	11,094	9,388	1,705	----------
160	44,500	20,000	10,964	11,824	−806	1,886
260	75,000	----------	13,043	10,050	2,992	676
160	47,700	1,800	5,649	2,672	1,926	495
281	17,600	4,050	8,965	6,146	2,819	----------
290	58,000	20,000	16,822	14,069	2,753	1,045
240	12,500	4,500	10,250	8,937	1,312	2,211
514	67,000	30,000	30,261	28,089	2,172	3,066
440	111,000	15,000	9,468	9,216	215	267
120	24,000	14,000	4,530	4,292	237	1,164
----------	75,960	2,500	8,066	5,920	2,146	3,092
200	87,536	20,000	10,459	10,963	−503	1,474
325	36,000	23,800	7,495	6,447	1,047	578
Freeborn County:						
120	30,000	6,000	7,375	3,907	3,467	1,312
215	54,000	28,000	14,889	14,358	530	3,448
200	54,000	12,800	9,243	7,663	1,579	2,291
380	100,000	62,000	16,957	14,852	2,105	4,058
200	85,500	40,000	16,912	14,289	2,623	1,708
160	----------	9,250	12,321	12,771	−450	1,843
290	110,000	38,000	22,975	18,959	4,015	8,650
200	30,500	----------	16,436	9,991	6,444	200
200	80,000	24,000	13,007	9,440	3,567	1,023
160	79,500	15,000	12,251	9,601	2,650	2,074
320	17,000	9,000	10,657	7,680	2,967	4,419
270	160,000	1,200	5,353	2,562	2,790	471
40	----------	----------	6,697	5,781	915	260
240	27,960	----------	10,460	9,848	612	----------
160	75,000	7,000	13,190	10,030	3,160	1,809
200	64,000	----------	13,614	9,413	4,210	2,095
500	75,000	----------	8,278	6,079	2,190	1,347
210	85,500	27,000	13,789	12,293	1,496	1,675
160	14,300	15,500	8,342	7,684	657	2,228
160	34,300	7,000	4,479	3,636	842	605
240	56,500	----------	9,392	8,120	1,271	2,892

County and acres being farmed	Total farm investment	Total farm debt	Gross farm income	Total farming expenses	Net farm income	Income from USDA payments
Goodhue County:						
80	$13,000	$5,800	$3,733	$3,448	$287	$576
300	41,000	15,000	12,715	10,014	2,700	1,681
160	39,000	14,000	11,054	5,408	5,645	1,182
80	20,800	------	4,900	975	3,925	1,000
240	33,000	25,000	7,865	9,843	−1,977	1,634
162	54,500	------	9,677	6,331	3,346	1,501
120	30,000	6,000	7,375	3,907	3,467	1,312
240	95,000	16,000	9,379	1,210	2,724	1,125
140	47,100	------	9,797	10,629	−831	1,467
160	24,000	11,500	2,992	2,605	386	601
240	16,500	------	7,505	3,752	3,298	------
Grant County:						
520	------	------	8,405	6,505	1,959	724
640	50,636	15,000	7,160	6,986	173	1,146
237	13,376	3,068	4,797	3,007	1,790	310
317	37,000	10,000	18,039	14,369	3,670	502
110	18,000	------	4,828	5,109	−280	56
200	60,000	12,000	8,109	6,870	1,238	814
180	44,000	10,000	5,765	3,843	1,922	3,092
430	61,000	40,000	17,142	14,406	2,736	680
350	27,000	25,600	4,164	6,850	−2,686	1,547
156	40,000	2,250	4,694	2,278	2,415	528
280	68,000	8,000	6,899	6,611	258	1,257
490	49,430	19,050	14,963	12,448	2,514	1,438
Hennepin County:						
120	67,000	12,000	10,732	8,811	1,921	------
Houston County:						
440	177,080	48,000	21,142	21,156	−14	56
520	76,325	7,250	20,543	13,094	7,449	965
80	4,575	------	3,315	1,822	1,492	------
160	80,200	------	13,894	13,472	422	1,020
279	------	0	7,269	5,590	1,678	1,130
161	25,018	900	4,227	2,643	1,584	------
230	83,000	------	9,330	4,901	4,429	------
190	90,000	40,800	14,279	12,428	1,850	------
1,080	189,000	120,000	34,128	33,940	187	5,372
170	48,000	9,556	12,251	9,697	2,553	481
80	35,000	17,500	17,674	17,896	−222	755
210	52,000	9,000	11,921	10,061	1,859	------
160	62,128	49,972	8,164	6,449	1,615	------
Hubbard County:						
260	22,000	------	4,205	3,526	679	877
195	22,000	------	4,130	3,575	554	13
336	40,360	1,300	9,442	7,628	1,813	2,902
219	16,100	4,800	1,704	1,239	465	------
443	51,000	------	5,532	4,353	1,279	1,034
Itasca County:						
420	15,450	------	3,562	2,000	1,562	47
440	27,000	------	1,743	1,086	961	1,480
200	21,400	1,200	2,100	1,763	337	------
Isanti County:						
120	27,000	13,000	2,820	4,651	1,659	831
160	28,000	5,500	6,581	4,616	1,934	------
390	176,000	49,000	17,287	15,708	1,579	2,732
104	17,894	2,253	2,855	1,673	1,182	------
80	25,345	4,400	3,779	3,269	510	321
160	12,000	1,000	1,400	1,715	−315	------
240	14,000	------	2,377	3,319	−942	------
85	12,364	5,250	1,811	3,353	−1,542	------
263	19,000	9,500	13,688	11,234	2,453	91
116	53,000	9,500	14,011	9,185	4,826	500
Jackson County:						
240	160,529	20,200	6,540	12,894	−6,353	1,369
240	16,169	------	10,716	7,313	3,403	1,175
180	11,220	3,200	5,564	6,037	−473	1,079
480	28,000	8,000	23,070	15,980	7,089	1,246
590	212,180	101,953	36,786	33,305	3,481	1,378
240	5,000	1,600	8,005	6,025	1,985	------
160	16,000	1,800	12,744	10,948	1,796	1,228
256	30,000	------	14,157	6,882	7,278	859
240	80,000	79,372	10,861	9,368	1,492	565
320	63,315	30,374	18,691	17,651	1,039	3,201
260	87,000	77,000	23,449	13,377	10,071	2,500
Kanabec County:						
150	25,000	8,500	4,626	4,899	−272	393
80	12,000	6,000	5,489	3,415	2,073	------
160	40,000	15,000	8,358	7,417	941	------
790	39,775	4,800	12,980	11,541	1,438	146
240	25,356	950	5,595	5,925	−330	------
Kandiyohi County:						
220	62,000	30,000	17,499	11,851	5,648	2,560
226	53,073	13,000	9,519	8,570	948	569
470	14,710	100	11,984	7,063	4,920	3,031
169	43,500	8,000	11,596	8,450	3,146	------
40	19,000	1,000	3,294	2,394	999	115
160	------	------	6,039	4,276	1,769	994
248	49,200	14,000	10,767	8,936	1,830	1,863
200	78,000	6,000	8,282	6,468	1,813	------
160	------	------	10,020	5,525	4,495	382
140	19,100	300	2,509	2,303	205	1,916
182	39,400	1,075	13,254	7,677	5,576	1,463
200	43,750	16,000	10,491	11,091	−600	------
280	50,000	29,000	15,325	12,752	2,573	1,059
160	58,000	30,000	16,515	13,257	3,257	1,040
141	------	------	6,182	4,907	1,275	823
445	108,000	25,000	18,541	14,256	4,285	2,345
200	52,300	18,835	35,441	30,846	4,594	2,350
236	115,700	------	17,058	16,529	529	1,134
100	25,500	12,500	7,710	6,169	1,540	515
308	70,300	15,700	17,224	11,180	6,044	3,300
240	------	20,000	9,000	8,290	806	------
720	165,000	70,000	48,905	51,455	−2,550	------
180	------	39,000	8,808	5,791	3,106	------
320	63,061	39,933	26,065	25,088	977	1,782
Kandiyohi—Con.						
160	$53,500	$22,235	$15,011	$15,108	−$97	------
140	54,300	6,500	6,806	6,063	742	------
630	140,500	32,000	45,304	46,762	−1,457	$5,953
230	102,000	14,750	15,534	1,252	2,684	852
	112,500	26,000	12,720	10,429	2,290	1,107
185	------	------	10,023	7,015	3,007	------
280	50,000	40,500	12,767	14,454	−1,687	------
140	51,025	4,000	6,662	4,833	1,829	347
476	114,500	------	19,694	16,501	3,193	1,807
820	84,250	54,400	32,157	28,785	3,372	3,447
470	123,180	108,777	43,980	45,747	−1,767	------
385	------	18,900	14,034	11,743	2,290	3,276
Kittson County:						
1,281	16,700	------	17,741	14,889	2,851	2,408
960	207,000	------	33,381	25,955	7,425	9,046
360	36,700	------	11,711	8,287	3,423	450
1,300	54,864	54,864	12,255	15,935	3,677	1,469
360	31,200	5,160	3,176	3,078	98	348
240	47,300	12,000	6,108	4,812	1,296	505
460	2,462	------	12,041	8,152	3,888	2,015
320	79,300	33,000	19,003	15,157	3,846	2,573
800	22,978	26,215	7,409	7,072	336	------
660	108,000	35,000	17,491	13,725	3,766	3,617
	35,000	4,500	9,053	6,082	2,971	86
338	------	------	8,290	7,453	836	------
520	68,375	25,000	9,155	8,857	305	2,307
Lac Qui Parle County:						
306	16,000	8,000	9,051	5,428	3,623	836
320	64,000	40,000	16,365	12,725	3,639	2,531
382	51,000	41,000	10,165	8,840	1,325	3,081
360	67,000	27,000	12,853	8,974	3,879	1,907
616	81,868	2,500	8,409	5,771	2,638	1,330
220	34,000	17,000	11,066	8,879	2,187	94
160	18,450	1,800	1,666	1,567	98	------
240	60,000	------	16,634	7,463	9,170	1,549
100	24,490	------	4,885	3,619	1,265	684
400	------	------	11,983	8,965	3,018	979
320	35,500	23,000	8,481	6,609	1,172	673
340	------	------	7,246	3,020	4,217	1,348
280	23,500	------	6,455	5,378	1,077	886
480	23,838	4,555	15,305	16,414	1,109	1,098
300	62,500	------	14,302	9,781	4,521	1,688
340	100,000	30,000	9,144	6,554	2,589	------
255	65,700	25,000	12,058	9,128	2,930	942
240	13,000	13,000	12,385	11,601	784	------
320	------	------	10,190	7,289	2,901	1,082
Lake of the Woods County:						
600	110,000	3,000	9,162	13,040	−3,877	1,869
160	20,350	------	3,284	1,960	1,323	41
320	36,500	------	2,625	3,248	−623	------
760	64,700	15,600	7,933	7,008	924	886
550	32,620	5,200	6,068	5,573	495	215
740	53,000	18,000	5,498	7,671	−2,172	182
280	21,911	11,687	4,809	4,078	730	------
120	13,800	4,000	2,207	1,346	861	46
560	44,400	1,000	9,274	7,289	1,985	423
495	38,500	9,900	8,922	6,085	2,936	294
360	32,000	24,000	6,366	5,357	1,009	311
222	25,300	9,000	3,631	3,059	571	108
360	26,000	22,000	11,185	11,356	−170	442
319	34,475	1,870	3,953	3,378	575	321
280	20,700	9,093	3,997	2,941	1,056	372
360	41,000	20,000	8,369	7,193	1,176	751
400	70,000	25,000	7,100	8,301	−1,135	1,924
Le Sueur County:						
220	93,331	37,000	11,642	9,162	2,479	434
160	55,000	38,700	9,043	8,621	422	717
135	44,500	------	9,514	9,486	28	633
208	86,000	1,000	12,855	9,076	3,779	176
305	130,615	21,000	17,087	18,729	−1,641	2,645
170	41,000	3,700	9,803	8,223	1,201	1,032
224	63,800	9,300	10,753	9,077	1,675	542
232	70,000	10,000	10,190	9,485	705	------
385	208,498	67,862	25,957	25,030	927	150
540	565,000	172,500	92,872	114,153	−21,280	------
120	64,000	23,500	6,325	6,552	−227	------
160	88,000	26,500	7,606	8,379	−772	------
160	64,600	21,500	11,275	10,795	479	554
240	60,500	7,000	12,382	9,316	3,065	1,320
645	216,250	23,000	26,174	32,535	−6,361	4,667
Lincoln County:						
320	46,000	16,000	12,114	10,383	1,731	1,596
------	125,000	10,500	8,550	10,025	−1,175	2,250
320	125,000	36,000	12,531	13,858	−1,327	1,221
160	34,000	11,000	6,456	5,625	531	------
160	48,000	16,700	9,465	5,881	3,584	665
360	74,000	30,000	22,938	19,445	3,493	------
530	176,000	15,000	9,054	13,720	−4,666	1,787
240	74,000	32,000	8,314	13,264	−5,310	580
240	39,900	24,000	11,478	12,910	−1,432	------
715	69,700	26,400	11,345	10,108	−189	1,421
320	62,520	19,800	9,450	9,239	211	386
160	39,000	4,000	6,764	4,559	2,205	500
305	55,800	8,309	12,259	11,262	1,296	1,183
720	231,700	46,000	9,244	24,896	−12,652	------
270	54,600	43,000	10,524	12,375	−1,851	------
80	28,800	------	4,184	2,964	1,220	235
240	60,895	43,100	21,493	21,720	−226	934
520	89,000	30,000	17,207	18,958	−1,750	2,457

County and acres being farmed	Total farm investment	Total farm debt	Gross farm income	Total farming expenses	Net farm income	Income from USDA payments
Lyon County:						
240	$83,000	$35,000	$9,059	$10,655	$1,596	$1,728
210	58,600	5,000	8,307	6,477	1,830	----------
320	44,450	14,500	12,039	12,608	360	860
116	19,100	1,800	4,491	4,117	343	855
290	42,450	12,900	10,758	13,212	2,453	625
280	10,336	12,630	17,315	14,102	3,212	1,726
225	29,200	29,200	11,455	10,385	1,070	1,023
328	89,250	8,500	12,132	10,007	2,045	2,523
240	32,500	16,000	9,889	8,190	1,689	1,357
320	51,090	10,000	12,604	8,282	4,321	2,753
Mahnomen County:						
440	61,500	15,000	13,766	10,506	3,260	160
231	50,000	9,000	7,253	6,095	1,158	677
Marshall County:						
560	63,000	15,000	13,831	12,297	1,534	251
560	34,507	22,900	16,078	14,455	1,622	2,281
480	55,000	16,000	11,241	10,594	647	2,180
183	12,600	4,800	4,143	2,948	1,194	86
480	42,479	27,830	13,880	11,941	1,939	----------
307	44,000	14,000	8,815	7,580	1,237	526
160	31,200	----------	2,386	3,270	−834	135
600	95,000	72,000	10,548	12,115	−1,567	279
297	23,500	----------	3,335	1,967	1,368	607
680	51,980	----------	8,479	7,118	1,361	418
185	15,000	----------	2,106	1,253	852	167
640	36,600	35,600	4,952	5,148	−195	3,880
450	45,000	15,000	12,070	9,724	2,346	592
400	25,400	23,000	5,703	4,026	1,677	431
450	57,000	18,000	8,099	7,944	154	311
240	38,593	890	10,144	5,905	4,239	204
320	14,000	780	5,803	3,751	2,052	----------
640	74,050	46,800	27,423	25,423	2,000	2,186
460	94,000	----------	11,620	6,451	5,168	2,151
320	76,000	----------	10,958	6,952	4,006	2,335
300	60,120	6,350	9,783	8,188	1,595	237
480	91,000	----------	6,975	6,781	194	14
360	21,920	4,100	2,862	2,606	256	110
420	4,000	4,000	4,593	3,697	895	250
490	34.106	8,300	8,284	6,659	1,624	80
760	47,000	22,000	4,875	4,883	7	16
1,040	74,000	44,000	20,065	17,632	2,433	400
200	18,500	8,000	5,760	3,655	2,105	----------
330	38,550	1,500	4,468	3,194	1,274	2,531
900	102,000	15,000	17,333	15,030	2,295	3,052
480	39,450	10,000	6,965	4,937	2,028	1,854
240	27,000	3,000	899	1,147	248	49
240	38,593	890	10,144	5,905	4,239	204
Martin County:						
360	54,200	----------	24,922	12,904	12,508	1,575
120	12,153	3,240	8,162	8,022	137	1,665
80	27,225	13,400	4,541	4,295	245	887
880	130,000	50,000	48,900	37,250	11,700	12,000
McLeod County:						
260	66,445	----------	9,955	7,883	2,072	2,207
120	48,400	----------	13,864	13,094	770	1,255
100	59,150	5,000	5,618	5,577	41	437
150	55,000	30,000	17,344	13,611	3,733	1,648
90	----------	----------	4,296	2,732	1,564	----------
300	118,000	25,000	17,438	16,638	800	949
80	30,527	6,300	4,668	3,103	1,564	----------
80	35,500	12,000	8,358	6,502	1,856	----------
160	56,000	30,000	17,665	16,145	1,520	1,315
190	51,000	----------	3,662	2,773	889	----------
245	78,000	20,000	14,000	12,267	1,732	1,715
67	30,000	----------	5,217	4,028	1,188	647
155	66,000	33,000	13,499	9,592	3,906	----------
120	58,500	6,200	9,630	9,154	476	----------
Meeker County:						
240	----------	2,000	2,224	1,729	494	1,346
260	74,375	19,000	16,389	14,212	2,176	61
141	39,666	800	8,460	6,420	2,040	900
200	----------	5,000	8,505	8,345	159	331
360	113,900	----------	14,272	11,577	2,695	2,134
160	47,000	24,000	14,140	12,811	1,528	854
250	----------	----------	5,934	6,117	−183	759
180	52,000	----------	6,645	4,291	2,343	429
520	80,500	15,025	11,661	10,464	1,197	2,218
546	55,000	6,000	10,631	7,119	3,512	1,060
100	35,000	----------	5,721	5,415	206	----------
122	24,280	2,700	14,058	10,050	3,532	15
920	220,000	77,000	61,806	35,892	25,914	6,059
Mille Lacs County:						
80	21,200	6,000	3,011	3,188	−177	----------
120	87,000	----------	8,347	5,547	−2,300	----------
270	56,000	56,000	9,667	8,343	1,324	----------
Morrison County:						
80	12,750	1,800	2,913	2,846	67	129
----------	----------	----------	7,978	5,902	2,076	----------
160	33,000	9,500	7,879	6,690	1,188	162
200	28,090	7,184	5,262	5,297	35	10
226	34,000	1,000	4,702	4,732	30	----------
160	16,500	4,000	3,095	2,784	311	10
480	66,000	10,000	9,894	7,220	2,674	1,400
160	51,000	----------	1,884	4,036	−2,652	----------
Mower County:						
160	32,500	21,500	5,903	5,685	218	1,260
291	77,034	48,000	13,316	10,878	2,437	1,002
222	112,550	20,500	32,122	22,597	9,544	----------
160	50,000	22,000	14,780	12,676	2,104	1,197
120	34,000	9,000	9,710	6,990	2,719	680
320	97,000	72,700	14,102	10,396	3,706	----------
120	36,600	8,500	9,710	6,830	2,885	680
115	29,500	7,500	3,927	5,660	−1,733	808

County and acres being farmed	Total farm investment	Total farm debt	Gross farm income	Total farming expenses	Net farm income	Income from USDA payments
Murray County:						
161	$44,300	$36,000	$4,615	$4,667	−$52	----------
320	67,955	10,150	9,717	6,891	2,825	$2,249
200	75,000	11,000	11,304	10,451	853	1,056
400	89,469	36,320	12,010	16,200	−4,190	59
240	95,000	23,000	22,269	19,433	2,835	2,400
155	39,945	8,817	8,367	4,553	3,814	554
160	26,951	5,000	8,262	8,047	−214	99
Nicollet County:						
240	61,400	30,000	23,320	18,309	5,011	3,692
197	85,000	25,000	19,123	16,653	2,469	805
250	79,500	10,200	21,663	13,483	8,179	620
700	200,000	----------	32,501	35,164	−2,663	----------
193	83,573	----------	12,840	12,128	712	1,513
Nobles County:						
232	43,000	4,350	8,946	7,543	1,403	----------
160	39,800	18,000	7,933	5,165	2,769	706
160	17,000	6,000	11,145	8,315	2,830	----------
140	23,365	6,500	30,777	27,416	3,361	236
640	205,000	100,000	47,746	48,640	−893	38,899
552	150,500	49,000	50,041	28,790	21,221	2,956
Norman County:						
500	57.500	----------	10,371	6,961	3,410	905
440	51,000	2,000	10,357	7,215	3,142	2,446
480	76,180	52,300	15,155	14,232	896	474
600	72,180	26,683	20,292	16,323	3,968	----------
320	23,000	3,200	6,030	4,615	1,605	1,035
320	74,000	12,000	8,122	7,283	767	1,126
970	66,380	38,400	28,375	27,228	1,147	2,919
560	109,000	30,000	14,643	11,506	3,337	582
570	102,500	10,000	8,226	6,968	1,257	1,900
170	20,800	7,000	7,568	4,033	3,535	694
355	45,710	3,965	8,686	5,818	2,868	898
512	57,350	29,100	14,474	11,217	3,257	850
Olmsted County:						
160	33,000	26,000	11,585	8,314	3,270	1,510
316	72,204	3,200	13,870	11,708	2,162	----------
160	24,500	1,500	6,356	3,873	2,482	----------
320	75,000	20,000	7,990	7,471	512	2,312
Ottertail County:						
280	57,000	----------	8,827	6,131	2,696	260
270	37,350	3,000	10,460	7,500	2,960	100
90	10,500	4,800	4,966	2,891	2,074	----------
140	35,030	----------	3,472	2,780	712	522
340	60,500	10,000	11,024	6.571	4,452	101
986	97,516	19,600	19,020	17,576	1,444	2,651
215	----------	----------	1,096	2,243	−1,147	333
246	53,925	14.000	13,189	9,653	3.535	----------
123	16,500	5,500	18,131	5,237	2.595	289
160	31,500	2,000	4,063	3,359	704	145
540	98,555	----------	11,468	7.558	3,909	218
495	55,000	2,000	8,427	6,002	2,420	697
232	12,450	2,700	2,678	2,017	660	300
320	53,000	15,000	9,477	8,670	806	----------
Pennington County:						
320	----------	----------	3,363	2,399	963	543
440	34,900	----------	9,891	7,100	2,791	895
160	36,000	500	5,901	5,930	−29	665
580	62,000	18,000	15,713	11,701	4,012	1,050
322	56,000	560	4,370	5,000	−1,530	−143
160	----------	----------	1,670	1,875	−205	----------
760	78,400	7,000	16,511	10,410	6,100	1,374
460	66,323	13,000	−7,379	8,739	−1,359	158
400	46,000	6,174	6,154	7,651	−1,497	458
540	118,294	----------	5,836	5,534	301	274
640	40,200	5,800	7,328	4,320	3,008	2,084
400	44,000	2,000	5,645	6,041	−398	172
320	----------	----------	2,968	2,567	400	176
320	71,700	32,900	19,689	22,229	−2,540	48
207	24,700	8,000	5,470	4,938	1,179	144
240	----------	----------	2,167	1,787	379	475
250	60,000	9,000	13,998	13,627	371	420
----------	----------	----------	15,746	9,716	6,029	10,889
640	129,000	8,500	12,239	8,144	4,095	4,180
1,080	41,180	23,057	27,916	22,909	5,006	----------
Pine County:						
200	21,500	6,000	5,546	3,592	1,953	----------
440	42,000	4,800	6,544	6,766	−222	61
120	51,000	30,000	13,932	9,918	4,013	----------
400	62,600	12,500	14,204	11,158	3,045	1,937
Pipestone County:						
----------	53,000	2,000	5,564	4,018	1,545	1,442
----------	----------	----------	15,444	12,729	2,715	2,193
160	50,000	----------	6,305	4,201	2,104	----------
280	97,000	10,000	12,190	7,771	4,418	1,821
180	32,300	15,000	4,365	4,781	−415	271
240	107,000	25,000	16,677	13,872	2,805	116
400	41,041	3,500	10,761	9,541	1,220	1,278
260	35,000	37,000	8,167	12,428	−4,161	2,220
Polk County:						
180	----------	3,775	2,915	3,438	−522	----------
760	79,000	14,200	15,441	15,522	91	839
1,087	227,000	10,000	26,180	18,459	7,721	----------
665	119,185	40,180	33,542	27,670	5,871	3,407
200	24,000	----------	4,054	4,110	−56	159
160	61,000	1,500	2,853	2,495	358	353
380	12,500	24,000	11,669	12,477	−808	496
1,600	186,000	82,800	37,830	29,107	8,722	6,178
880	85,000	13,000	19,600	16,782	2,918	----------
180	27,600	5,000	2,098	3,685	−1,587	502
193	108,000	16,000	12,370	8,761	3,608	----------
480	20,299	9,840	9,067	7,752	1,315	----------
80	----------	----------	5,132	3,277	1,855	24
1,020	166,000	138,000	55,424	52,019	3,405	5,027

County and acres being farmed	Total farm investment	Total farm debt	Gross farm income	Total farming expenses	Net farm income	Income from USDA payments
Polk County—Con.						
156	$22,000		$3,342	$2,560	$782	$571
60	22,000		1,920	2,204	−283	
547	100,000		25,112	13,649	11,463	
160	23,500		2,084	1,894	190	
400	107,500	$22,000	17,460	16,741	718	2,712
1,390	241,500	7,000	65,400	51,228	14,169	6,294
160	22,900	9,000	4,668	4,355	312	120
360	58,000	31,000	9,980	7,589	2,391	800
240	50,870	50,870	7,286	3,720	3,566	1,400
160	22,909	1,500	3,850	1,878	1,972	
360	53,000	6,000	8,108	8,133	−25	415
310	20,000	900	10,351	9,714	637	1,393
604	100,000	14,000	13,286	10,177	3,108	
520	137,354	20,800	19,646	13,642	6,004	197
174	30,420		8,172	5,501	2,632	255
468	50,000	9,000	12,711	10,068	2,333	200
440	128,308	9,400	22,062	17,233	4,828	4,233
320	39,000	8,500	5,850	4,832	1,018	1,167
240	23,000	2,000	6,294	5,667	1,256	202
320	17,853	1,200	6,043	4,985	1,058	976
320	54,500	6,000	8,559	8,138	420	74
Pope County:						
240	43,000	20,000	10,221	8,978	1,243	800
400	51,000		5,793	5,671	121	811
310	60,000	60,000	7,850	9,173	−1,323	618
320	84,000	8,900	26,458	18,826	7,632	1,424
343	31,000	25,000	9,237	8,640	1,173	1,054
400	47,000	31,500	3,775	5,507	−1,732	1,002
160	42,000	3,600	10,751	7,124	3,627	1,001
		6,000	16,169	12,986	3,182	82
400	48,700	24,000	3,374	5,556	2,182	1,120
320	45,900	9,122	11,426	8,532	2,894	595
120	10,794		1,217	1,826	−609	612
Red Lake County:						
240	14,600	14,600	3,628	5,169	−1,541	
950	82,000	28,000	18,533	17,790	743	1,342
1,080	82,000	19,300	18,791	16,470	2,320	2,775
160	29,000		3,478	3,771	−293	444
678	54,600	26,700	8,934	9,055	−121	867
320	19,503		2,247	2,104	143	
473	63,200	28,000	9,603	7,998	1,605	
193	54,000	500	3,330	3,111	219	1,718
Redwood County:						
480	20,000	20,000	24,725	19,847	4,878	
320	120,000	42,000	26,282	20,732	5,550	2,959
410	30,000	3,000	8,682	8,839	−156	391
520	194,000	40,000	26,723	24,418	2,310	4,796
260	10,700	2,400	18,293	14,061	4,231	1,052
320	133,400	16,000	17,689	16,500	1,188	4,400
518	79,515	17,900	37,101	34,773	2,328	
120	34,240	3,600	6,400	5,083	1,317	1,300
240	70,000	3,700	15,699	10,447	5,252	2,600
651	68,000	45,000	14,638	10,200	4,438	1,722
Renville County:						
162	30,903	10,000	9,077	8,162	914	1,498
135	51,000	30,000	3,928	3,266	661	
160	45,000	12,000	5,926	7,410	1,484	72
150	55,000		6,656	5,536	1,119	
160	66,500	50,000	5,644	12,202	−6,558	
494	85,500	9,000	13,472	11,131	2,340	8,004
360	47,500	30,000	19,353	11,005	8,348	
200	115,000	11,000	10,862	8,311	2,551	866
120	48,000	1,000	14,320	5,420	8,495	8,800
320			12,221	9,496	2,724	1,173
200	37,000	10,000	6,637	7,903	−1,265	1,757
120	45,000	5,000	6,266	5,059	1,204	
160	69,000		11,159	2,727	8,432	1,279
240	51,593	12,023	13,165	8,296	4,868	645
290			7,521	4,196	3,325	1,700
160	21,500	7,000	8,015	7,935	80	
240	12,000	8,000	6,174	5,953	221	
240	41,500	34,500	11,814	10,108	1,706	1,648
320	97,600	22,000	17,800	13,996	3,803	3,415
200	70,000	30,000	10,448	11,199	−851	1,158
480	180,000	115,000	51,357	47,092	4,264	9,124
120	50,000	30,000	14,954	12,880	2,073	1,188
	10,350	4,870	5,777	5,700	77	
435	108,000	72,000	21,313	17,411	3,901	2,518
120	57,480	29,000	12,842	11,677	1,165	648
540	62,730	12,000	19,466	13,060	6,406	2,853
320	44,000	12,000	8,722	7,498	1,224	2,130
Rice County:						
260	76,000	18,000	14,988	10,247	4,741	2,921
160	63,275		13,672	9,858	9,858	
120	54,000	500	5,125	3,691	1,433	716
80	17,270		4,622	4,605	17	
240	88,000	28,000	15,950	12,816	3,133	
430	30,816	6,000	13,737	9,331	4,406	1,854
Rock County:						
300	79,450	17,400	12,805	9,954	2,941	1,210
400	87,500		17,977	14,351	3,625	1,252
320	15,852	6,900	4,371	4,330	41	200
Roseau County:						
800	120,000	1,700	10,149	10,815	666	2,852
319	28,150	2,500	5,807	3,859	1,947	
640	59,900	400	16,238	17,102	864	284
160	28,000		846	723	122	
160	19,400	6,400	6,756	4,831	1,925	490
320	47,500	13,000	3,578	4,581	1,003	
340			1,288	2,478	1,187	216
	14,600	1,200	961	2,754	1,793	
600	52,900	8,400	5,124	4,088	1,035	3,487
280	27,150	2,460	2,440	2,851	410	98
640	43,000	400	16,305	15,499	805	284
320	12,500	1,500	5,504	4,471	1,032	278
320	17,000	1,800	1,740	1,453	287	221
280			1,757	2,602	785	
St. Louis County:						
280	$20,400	$15,300	$7,752	$6,732	$1,020	$86
Scott County:						
272	98,100	18,000	14,421	7,767	6,653	2,386
120	28,500		8,373	4,388	3,985	305
160	69,000	69,000	8,016	6,506	1,510	1,618
140			5,240	3,446	1,798	671
Sherburne County:						
252	21,080	4,000	6,645	4,830	1,815	
325	53,665		8,613	7,785	828	1,208
544	98,000	30,000	33,937	36,872	−2,935	1,026
300	36,800	15,450	5,164	6,331	−1,167	321
Sibley County:						
160	79,400		7,624	4,398	3,225	530
201	68,000	31,800	14,961	11,518	3,173	
320	133,500	27,000	35,361	33,691	1,669	1,874
120	41,000	17,000	8,928	7,158	1,770	650
200	102,000	8,000	19,727	15,177	4,555	
160	46,400	22,250	10,605	7,057	3,547	661
Stearns County:						
320	76,500		9,893	9,678	215	430
262	49,700	14,000	5,630	6,403	−1,773	
402	174,900	2,500	41,388	32,741	8,647	
320	50,000	26,000	13,207	8,495	4,711	1,078
600	220,000	10,000	28,887	23,382	5,505	3,823
240	43,600	20,000	8,012	8,166	−153	762
80	25,500		2,993	1,811	1,182	
172	28,000		5,944	5,393	531	
137	41,700	9,000	6,400	5,590	810	525
160	27,600	21,060	5,899	3,720	2,128	775
160	41,000	26,997	6,751	8,524	−1,772	50
320	117,500	56,308	19,195	15,616	3,579	1,472
280	44,400	20,300	10,283	8,466	1,817	1,775
120	20,500	2,185	3,279	2,282	996	489
180	65,000	21,000	19,337	16,244	3,093	231
320	38,000	14,000	11,603	9,125	2,478	2,010
235	69,422		4,402	5,647	−1,244	328
320	71,000	20,300	9,960	9,120	839	461
169	50,200	14,000	14,831	10,485	4,345	
480			12,056	12,389	−332	
165	25,000		5,507	4,935	561	382
160			7,880	7,776	104	
162		24,000	12,577	10,468	2,109	
Steele County:						
160	73,000	23,000	17,258	13,811	3,447	1,800
160	48,150	16,000	12,926	9,488	3,437	1,974
230	57,000		7,042	6,471	570	1,861
140			10,432	9,069	1,362	667
199	61,489	18,680	14,423	10,396	4,026	1,294
200	73,000	21,000	12,367	8,934	3,832	1,708
164	73,500		11,476	7,442	4,033	760
120	39,600		8,813	6,155	2,657	
240	65,314	20,500	12,427	8,447	3,979	1,676
145	55,650		8,610	6,367	2,243	632
202	114,000	47,000	17,872	14,706	3,176	2,561
118	55,400	25,000	6,966	8,601	−1,645	1,089
224	66,000	30,000	20,300	13,099	7,200	2,077
437	118,000	46,400	15,752	14,883	868	1,236
Stevens County;						
450	33,400	14,000	19,120	15,459	3,660	1,156
340	82,000	45,000	11,125	13,954	−2,829	1,242
148	5,000		1,601	3,522	−2,218	
240	67,000	28,000	8,754	9,766	−1,006	1,331
320	79,000	27,000	6,783	6,604	170	745
480	100,000	52,500	20,367	16,798	3,569	1,835
451	69,066	12,600	13,161	11,364	1,796	2,410
400	27,850	3,150	9,436	6,682	2,754	789
320	100,000		5,858	3,548	2,310	1,179
320	45,900	41,000	11,471	9,809	1,662	947
480	34,000	5,800	8,653	7,028	1,615	2,038
Swift County:						
240	81,000	11,100	8,433	5,352	3,081	2,167
195	86,500	15,000	8,266	8,391	124	
200	60,500	7,000	11,882	10,498	1,383	
280	44,000	11,000	7,967	7,264	703	
320	21,000		8,875	2,409	2,409	
400	66,000	25,000	9,142	9,168	−26	2,652
360			15,029	20,491	−5,462	
160	39,400	1,500	12,799	9,401	3,368	
360	50,000	11,000	10,950	8,200	2,750	14
320	13,650	31,000	6,188	5,552	635	
400	38,600	28,000	14,056	14,455	399	616
120	26,478		6,701	5,092	1,608	
320	89,000	3,000	8,349	6,456	1,893	620
920	187,000	14,000	53,067	52,650	417	2,450
240	43,000	19,700	9,293	8,007	1,286	510
920	179,000	74,000	35,535	26,581	8,954	6,500
240			7,072	5,617	1,454	799
320	46,000	5,000	12,990	9,041	3,949	1,172
184	26,000	9,500	7,165	6,200	965	611
360	33,195	1,000	8,320	4,055	4,265	652
120	13,500	900	2,253	1,469	784	745
320	57,000		17,452	13,148	4,148	1,641
309	43,230	26,043	8,077	6,041	2,036	1,795
200			11,619	10,237	1,381	
160	22,000	9,700	8,653	6,434	1,219	302
120	15,105	8,100	9,924	7,104	2,819	91
240	59,000	15,500	14,173	9,957	4,216	
75	16,600	8,700	5,255	4,296	959	575
360	82,393	37,612	21,041	15,861	5,179	1,385
159	46,750	40,000	7,845	8,438	593	1,536
480	15,371	4,000	10,871	11,750	887	
156	32,000		8,262	11,231	3,049	770
Todd County:						
190	18,200	1,250	5,249	4,429	820	773
240	37,900	3,000	4,417	4,058	358	
320	50,000	20,000	25,770	22,751	3,018	
160			1,488	2,136	−648	624

County and acres being farmed	Total farm investment	Total farm debt	Gross farm income	Total farming expenses	Net farm income	Income from USDA payments
Todd County—Con.						
235	$65,000	$860	$6,175	$6,383	−$207	---
135	51,000	900	3,287	3,191	96	---
140	24,800	12,815	4,146	4,887	−741	$175
190	29,000	6,000	6,521	6,001	520	---
159	44,850	24,871	8,786	8,569	217	---
100	26,000	1,200	4,786	3,080	1,705	62
160	---	8,000	6,988	4,796	2,191	1,013
36	---	3,000	4,036	3,937	198	---
383	50,700	38,000	14,000	11,832	2,168	800
200	22,500	2,500	1,872	3,193	−1,321	879
Traverse County:						
360	82,400	---	8,448	7,060	1,388	67
360	72,000	20,000	12,694	9,756	2,938	1,914
900	160,000	2,000	27,240	15,387	11,853	2,867
520	73,140	---	33,992	25,757	8,235	203
480	54,000	9,000	18,309	15,096	3,202	1,237
220	37,400	250	4,871	3,954	916	484
540	6,227	---	10,288	4,167	6,121	3,158
400	59,581	17,100	6,969	6,368	1,601	677
460	42,479	21,600	7,367	8,093	−725	496
480	43,000	13,500	15,478	9,883	5,594	139
320	78,500	8,700	11,505	8,648	2,857	2,224
480	76,900	18,700	10,427	9,083	1,344	1,090
520	67,600	43,000	11,551	8,995	2,556	2,819
560	---	9,000	9,319	9,202	116	---
615	69,000	25,000	19,563	12,144	7,389	3,226
400	73,000	14,000	15,203	11,600	1,603	844
Wabasha County:						
640	125,400	50,000	47,013	51,060	−4,046	4,872
320	54,000	7,500	11,463	10,070	1,392	1,126
386	50,000	11,500	14,965	12,985	1,980	1,244
400	72,000	23,000	13,189	12,924	265	662
Wadena County:						
547	12,500	14,000	5,586	6,341	−755	1,297
160	47,350	5,000	10,069	7,626	2,443	---
604	48,600	19,400	17,548	15,446	2,101	1,089
218	31,000	12,000	6,685	5,531	1,153	60
480	97,000	2,000	10,984	11,188	−204	163
240	26,000	8,000	4,445	2,125	2,320	627
650	63,755	20,000	11,567	7,924	3,643	939
720	91,755	---	11,055	8,090	2,965	400
240	6,000	---	725	387	337	---
240	47,000	3,000	2,113	2,721	−608	---
380	56,200	12,210	12,210	11,062	1,586	1,213
250	41,755	1,000	5,881	4,010	1,871	658
Waseca County:						
260	105,000	30,000	20,851	16,614	4,236	2,914
136	---	---	10,637	6,408	4,228	---
400	52,000	25,000	14,360	11,590	2,770	1,700
240	80,000	20,000	9,698	8,247	1,450	1,652
96.6	41,229	8,500	3,460	3,631	−171	986
Washington County:						
120	45,200	---	8,461	4,901	3,559	---
80	27,130	6,116	5,250	3,808	1,441	---
455	469,500	85,000	23,379	25,279	−1,900	6,450
320	88,500	35,000	17,317	17,445	−128	1,950
195	74,500	---	16,768	14,867	1,901	1,780
Watonwan County:						
160	$64,000	$1,900	$4,759	$4,492	$267	---
160	33,375	10,500	3,718	1,784	1,933	$762
511	228,373	100,000	48,707	36,201	12,505	2,698
Wilkin County:						
650	96,000	15,000	15,611	13,351	2,259	1,307
320	35,000	17,000	7,411	9,164	−1,753	1,212
1,624	314,150	45,000	44,978	43,517	1,561	7,101
Winona County:						
765	170,000	40,000	14,897	42,653	−27,755	---
600	67,000	19,000	15,056	12,022	3,034	1,040
350	100,000	10,000	29,169	26,815	2,353	---
320	75,000	---	15,079	14,222	1,259	14
440	95,000	35,000	15,060	11,641	3,419	---
156	44,250	3,000	7,788	4,509	3,279	---
Wright County:						
240	95,000	---	13,660	8,424	5,236	---
100	---	630	1,995	1,559	385	449
160	40,000	14,000	12,491	10,798	1,693	1,651
80	35,500	27,000	7,461	7,401	59	---
200	46,000	20,000	5,516	5,936	420	1,195
120	34,000	4,000	4,322	3,138	1,174	565
160	40,000	11,000	10,299	10,561	−261	---
254	50,459	21,000	7,328	7,649	−321	10
160	41,500	8,500	6,906	5,324	1,582	467
75	15,000	8,000	2,813	3,532	−719	636
Yellow Medicine County:						
240	33,160	3,500	10,557	5,070	5,480	1,934
240	78,100	9,000	10,609	11,053	−444	3,517
160	40,100	9,600	10,629	7,534	3,095	1,073
480	49,000	24,000	11,734	12,087	−352	1,729
400	128,200	34,950	14,201	12,984	1,217	5,543
372	100,000	8,000	10,477	8,881	1,596	528
240	100,000	28,000	12,210	12,476	−266	927
320	18,000	15,000	8,018	11,024	−3,048	---
280	96,500	---	10,472	7,216	3,255	1,548
190	27,000	---	5,515	3,398	2,117	592
240	66,000	10,800	19,367	12,253	7,113	817
278	38,800	900	6,019	4,236	1,783	644
393	62,500	39,000	14,066	6,738	7,328	891
280	---	2,850	9,555	8,609	946	510
200	49,200	22,000	8,297	9,197	−900	1,431
240	54,000	---	6,926	5,043	1,883	825
320	50,000	25,000	24,214	17,508	6,705	875
360	99,500	52,000	13,888	11,452	2,432	2,460
351	44,000	18,800	12,267	10,055	2,212	1,635
160	44,303	15,834	8,263	6,071	2,192	523
211	72,000	10,000	6,810	5,383	1,427	505
280	25,000	25,000	11,851	8,136	3,715	817
---	37,400	12,000	6,300	3,700	2,600	200
400	60,000	49,000	19,765	15,950	3,815	2,229
320	135,000	78,000	22,538	20,593	1,945	1,342
26	25,700	15,000	11,242	8,157	3,084	2,462
320	25,000	2,400	11,759	7,916	3,843	---
200	---	---	6,324	6,035	288	863
200	45,000	2,000	6,358	5,455	902	2,229
200	---	---	5,126	6,982	−1,855	606
420	113,000	55,000	26,744	33,024	−6,279	2,072

Mr. MONDALE. Mr. President, the tabulation shows the acres being farmed, the total farm investment, farm debt, gross farm income, total farming expense, net farm income, and income from USDA payments. The figure for income from farm program payments is included in the gross farm income total.

However, it is listed separately in the last column so that an evaluation can be made of the impact of farm program payments on net farm income.

This is not a collection of horrible examples. It is clear from the acres being farmed and the total farm investment that these are substantial farm units. More than three-fourths of the farms in this tabulation show a greater total farm investment that the census shows to be the average for the State. By and large, therefore, these farms are mainly operations which are larger than average.

Each one of the lines in the tabulation is an individual farm. I could tell you that the average net income on the farm reported was $2,497; that 18 percent showed an operating loss for the year; and that of those who showed a net profit for the year, the farm program payments were equal to 90 percent of the total net income shown on the average.

However, the purpose of this series of case histories was not to find averages, but to find actual operating figures for real farms.

The value of this material is in studying the returns farm for farm, line for line. I regard it as a startling revelation of conditions as they exist.

I regard it as a challenge to us in Congress to renew and redouble our efforts to provide programs and measures through which farmers can help themselves earn an adequate return for the valuable service they provide to us.

Farming is a business, efficient and productive, which makes a great contribution to our national economy. We must not fail to find the way to permit our family farmers to operate on a business-like basis, with an adequate return on labor and capital.

WATER CRISIS IN THE NORTHEAST

Mr. KENNEDY of New York. Mr. President, I ask unanimous consent that an article appearing in today's New York Herald Tribune be printed in the RECORD. Mr. William Wing has comments on the shortage of water facing the Northeast, following a 4-year drought which has let to a rainfall deficiency of 49 inches in parts of this area. He points out that water rationing may be required in communities in New York State, New Jersey, Pennsylvania, and Delaware if the drought continues.

The seriousness of the current water shortage is manifest. Governor Hughes has asked that New Jersey be declared a disaster area because of the shortage of water. New York City has taken many steps to conserve water and may have to introduce water rationing.

I commend Mr. Wing's article to my colleague's attention. It is particularly pertinent to pending legislation in the fields of water resources planning, water pollution, and water desalinization.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, June 25, 1965]

WATER RATION IN NORTHEAST A POSSIBILITY

New York City's reserve water supply yesterday, as compared to the day before and a year ago at this time:

	Gallons (billions)	Percent capacity
June 24, 1965	252.1	52.9
June 23, 1965	252.6	53.0
June 24, 1964	407.2	85.5

(By William G. Wing)

The possibility of water rationing in a four-State region of the Northeast was raised yesterday. New York City, however, would not be immediately affected because of its unique status within the region.

The region is the Delaware River Basin, which covers 1,300 square miles and parts of 4 States and includes 20 million people. New York City lies outside the basin, but depends on it for about half its water supply.

The possibility of rationing for communities in New York, New Jersey, Pennsylvania, and Delaware came with the announcement yesterday of a public hearing in Philadelphia on July 7. The hearing was called by the Delaware River Basin Commission, which has overall authority over water in the basin.

The commission, created by an unusual compact among the four States and the Federal Government, said the public hearing will collect information on the basin's water supplies. On the basis of this information, the commission will consider whether to proclaim a state of emergency.

AUTHORITY

A state of emergency would give the commission almost supreme authority over the region's water supply.

This might lead to allocation of water among the many cities in the region, such as Philadelphia, Trenton, Bethlehem, and Allentown. New York City is the biggest user of Delaware water, but its use is protected by very special guarantees.

Following a dispute with New Jersey over use of the Delaware, New York City was given the right to take 490 million gallons of Delaware River water a day by a 1954 decree of the U.S. Supreme Court. In return, the city is obligated to release a certain amount of water each day into the Delaware River.

No change can be made in this formula of 490 million gallons a day without unanimous agreement among the parties to the Supreme Court suit: New York City, New York State, New Jersey, Pennsylvania, and Delaware. The city holds veto power, therefore, over any move to ration its Delaware water.

But any amount of water over the 490 million gallons a day which New York City takes from the Delaware presumably could be regulated by the commission.

MEMBER

The city is not a member, however, of the Commission which will consider the emergency decree. This Commission is composed of the Governors of the four States and a Commissioner appointed by the President. H. Mat Adams, who serves as alternate for Gov. Richard Hughes of New Jersey, is Chairman.

Mr. Adams noted yesterday that the northeast is now suffering the effect of a 4-year drought. "In a critical situation such as this," he said, "it may be necessary to draw upon all possible sources of water, including private water supplies and even hydroelectric power reservoirs."

A spokesman for the Commission shied away from the word "rationing." He said the Commission feels sure it will be able to work out equitable divisions of the water supply through negotiation and voluntary agreements.

"We don't anticipate that any allocation of water will have to be enforced against any one's will," the spokesman said.

If an emergency is declared, it will be the first in the 2½ years of the Commission's existence.

Under Federal law, "no person, firm, corporation or other public or private entity shall divert or withdraw water for any purpose, in excess of such quantities as the Commission may prescribe" during the emergency.

In New York City yesterday, the Board of Health adopted regulations for the sale of water brought into the city during the shortage. Such water must be pure enough to drink and must be treated with chlorine. A permit from the department is required before water can be imported.

In a water-related action, the appellate division unanimously affirmed yesterday that the city's water fluoridation program is constitutional. A suit to stop the city from fluoridating the supply was brought in 1964 by Dominick F. Paduano, former water commissioner. No date has been set for the start of the program.

THE ACHIEVEMENTS OF THE UNITED NATIONS—20TH ANNIVERSARY

Mr. TYDINGS. Mr. President, all thoughtful Americans are grateful for the United Nations. Though not perfect, it is our best hope for peace.

On the 20th anniversary of the signing of the United Nations Charter, we pause to reflect upon the achievements of the United Nations and to consider its future. It has a record of great accomplishments in keeping the peace and in promoting economic and social development.

But the future is cloudy. The shadow of nuclear terror still falls upon the world. Many of us believe that the U.N. Charter requires fundamental revisions if it is to continue to meet the challenges of the nuclear age.

I was therefore gratified that on this 20th anniversary of the signing of the U.N. Charter, the United World Federalists organization is attempting to persuade opinion leaders in this country to take the lead in calling for a strengthened United Nations.

The Federalists have issued a 32-page booklet to commemorate the 20th anniversary of the signing of the United Nations Charter in San Francisco on June 26, 1945. The handsomely designed and profusely illustrated booklet affirms that the United Nations has taken several major forward steps in its first two decades, so "the story of the U.N. in the first 20 years is one of the brightest chapters in the history of the human race."

Unfortunately, the CONGRESSIONAL RECORD cannot do justice to this fine booklet. The dramatic pictures and excellent layout have to be seen to be appreciated. Nonetheless, I ask unanimous consent to have printed in the RECORD the opening and concluding portions of the text of this booklet entitled "No Longer a Dream."

There being no objection, the portions of the text were ordered to be printed in the RECORD, as follows:

SAN FRANCISCO, JUNE 26, 1945

San Francisco, June 26, 1945, was a strategic American port. The gray ships of the U.S. fleet moved silently through the Golden Gate ferrying fresh troops to the Pacific theater of war. By June 26, the European campaign was over. The Blackhawk Division had just returned from LeHavre, and was on its way to San Francisco en route to the Philippines.

The week before, General of the Army Dwight D. Eisenhower had come home to a triumphant and tumultuous welcome in New York City and Washington, D.C. Six million people in Manhattan crowded the sidewalks to cheer the West Point hero who had led the Allied Command to victory in Europe.

In Moscow, the victorious Soviet Army generals had come home, too. Astride a gleaming white horse, Georgi K. Zhukov, defender of Moscow and conqueror of Berlin, rode over the cobblestones of Red Square and received the thunderous praise of his countrymen.

The long war in the Pacific writhed in its last agonies. On June 26, Gen. "Hap" Arnold reported that 520 B-29's had just dropped 3,000 tons of bombs on Osaka, Japan. The last remnants of Japanese strength were ebbing away in the jungles of the Philippines and Borneo. Like their allies in Germany, the Japanese people were tasting the bitter dregs of a war that had gone too long the wrong way. Their weariness was shortly to be replaced by the shock of Hiroshima and Nagasaki.

On June 26, 1945, it had been 70 months since Hitler's troopers had blitzkrieged into Czechoslovakia and Poland. England had suffered her finest hour. America had lost 270,000 of her sons. France had known national humiliation. Russia had borne her Stalingrad. The economy of Greece was shattered. Italy was swept by poverty.

In all 25 million men, women, boys and girls had lost their lives—under the rubble of Coventry, in the steaming jungles of Okinawa, in the bitter cold of Stalingrad, in the gas chambers of Dachau. Within a few days, 90,000 more would be totally destroyed in the cremating blast of one atomic bomb.

Little wonder that on June 26, 1945, the whole world was sick of war. Victors and vanquished shared this common sufferance. They were sick of mass murder. Sick of the smoke and the noise, the succession of horrors, the humiliations and the brutalities, sick of filth, hunger and pain, sick of the hollowness of grand national schemes and the emptiness of victory, sick of this worst of all plagues.

On that day, a world, sick of war, created the United Nations.

What a phenomenon * * * that from a world of such rubble and such a people, dumb with grief and almost smothered by cynicism, should spring again such a phoenix of hopefulness.

Twenty-five years before, after World War I, a similar tide of desperation had surged through Europe and given birth to the League of Nations. At that time, Woodrow Wilson declared, the people of the world had brought their hopes to America and America had failed them. Now, on June 26, 1945, in spite of the failures of history, long past and just past, the world was again caught up in hope and had again carried its hope to America.

This time there was no talk of realism or idealism. There was only an eloquent compulsion. On June 24, the Associated Press reported that 52 of the 75 U.S. Senators interviewed had already gone on record for the still unfinished U.N. Charter. None had said he would oppose it.

For 2 months before the signing, 1,200 delegates from 50 nations forged that eloquent compulsion into a framework for world law and order. With traditional distrust, the diplomats spent their mornings laboriously promoting their national interests and their afternoons tearing each other's phrases apart. But the newspaper headlines—morning and afternoon—told them of men still fighting and falling and held them to their commitment.

At 5 o'clock in the morning on June 23, the U.N. Conference Coordination Committee completed the text of the charter, the constitution of a new international order. The charter they produced was hastily translated and brought before the June 25 plenary which adopted it unanimously, then rose and cheered exultantly.

At 9 o'clock on June 26, 153 statesmen, the great men of Europe, Asia, the Americas, Africa, and Australia, stepped one by one to a round table bearing the hand-wrought charter and penned their names.

The table was 11 feet in diameter, draped with a blue cloth. The charter, printed in five languages, was bound in royal blue morocco. The ink in the pens was permanent.

The next morning, President Harry Truman stood before a listening world to say: "This is a declaration of great faith, that war is not inevitable * * *."

Thus, did history take a turn.

The pain of war is past. A new generation which has known neither the sharp fear of falling bombs nor the dull shame of senseless destruction has come of voting age. The nuclear age has come of age too, and matured to diabolic strength. The great powers are equipped with overkill capabilities too unbelievable. President Lyndon B. Johnson has said, "Indeed, for the first time, death in an afternoon is literally possible for most of the Northern Hemisphere."

The tide of hope has, for a long time, been ebbing. Yet on this once more day in June, the world again carries its hopes to America, to the doorstep of a United Nations celebrating its first 20 years.

The first two decades of the government of man is like a coin with two sides. The engraving on one side is deeply etched. It is an honorable record of humanity at its best—building, teaching, nourishing, healing—of keeping the peace in troubled places. After 20 years of practical projects, the United Nations is "no longer a dream."

The other side of the coin, the commitment of the U.N. to universal disarmament, that highest hope of 1945, is almost blank.

In recognition of both—the fruitfulness of the past and the ultimatum of the future—to what the U.N. has been and to what it must become—this commemorative book is dedicated. It says let June 26, 1965, also, be a beginning again.

A MIRROR TOO SLOW

The many have hoped and the few have feared that the United Nations was created as a counterweight to history and a reformer of reality. It is not true. The United Nations was intended to be a creature of history and a reflector of reality. Still the hopeful persist and the fearful insist that the United Nations will deliver us into a world government. But they are mistaken.

The United Nations stands between us and the history which created it. We stand between the United Nations and the future to which it might bear a creative relationship. Man is the crucial element. We have fashioned the United Nations as a skeletal international organization. Now we must apply the creative touch which can make of the United Nations the sustainer of peace in the world community.

I. HISTORY AND THE UNITED NATIONS

Prenuclear history said three things to political realists engaged in international relations in 1945: The first was that the nation-state, absorbed in the relentless pursuit of its own interests, was the basic and inviolable unit of political organization; the second was that the nation-states were unequal in the power they could bring to bear in these individual pursuits; the third was that, regardless of their autonomy or their power, the states often shared the need for communication among themselves.

Reflecting these understandings of history, the creators of the United Nations (1) founded the organization on the basic principle of the sovereign equality of its members, (2) provided special privileges for those possessing the greatest power, and (3) made the United Nations primarily a communications organ with limited power. What they fashioned in San Francisco during the spring of 1945 was more a mirror of that era's political forces than it was the creation of a new force. So the United Nations reflects more the limited consensus of the powerful than it does a dream of supranationalism. Further, the writers of the charter perpetuated the wartime power relationships by extending into the amendment process and to the admission of new members the special privileges of the then powerful.

Thus, in some ways most troublesome, what they gave to us was more a 1945 vintage photograph than it was a living mirror capable of reflecting future political realities.

Within a few weeks, the picture was radically altered by the first atomic explosion. Within 5 years, the photograph was hopelessly dated by the success of a Communist revolution in China. Within 15 years, the mirror was failing to reflect vast changes in the distribution of political power among the continents. By its 20th anniversary, the United Nations, unable to amend its charter, is reflecting the most glaring deficiencies of the League of Nations—the absence of major world powers and the lack of authority to safeguard the peace.

Thus were the fearful wrong and the hopeful premature. Thus did the United Nations lean too heavily on history and prepare too cautiously for the future. Thus did the United Nations—fashioned to reflect the realities of one historical era—know a certain dimension of failure in another era which came too fast for the slow mirror which was trained uncertainly on it.

Yet there have been some successes, casting forward a beam of hope. The mirror has become distorted; it has not shattered. The organization has faltered; it has not collapsed. Weaknesses cloud the troubled day; evolving strengths support the hopeful horizon.

An umbilical cord tied to prenuclear history cannot impart perpetual vitality to the United Nations. But the still strong desire of the world for peace gives hope that the United Nations can be strengthened to serve the nuclear age. Peace-keeping machinery, although relatively young, has been employed with success in Africa and Asia, in the Middle East, and the Mediterranean. Frustration, tensions, and hostile actions, which before the United Nations would certainly have meant war, have been moderated, meliorated, and mediated.

The message from history is clear. Success and failure tell the same story about the past and submit the same advice for the future: Communication facilitates cooperation; isolation aggravates conflict. The nation-state is no longer a viable security unit. Peace is a global mission. The nation-state is no longer a sufficient provider. Prosperity is a task for mankind. The nation-state is no longer the ultimate concern. Humanity cannot be bordered.

These truths guide the destiny of man. They tell us that we exist only because we have understood at least a part of them. They tell us that we will continue to survive only if we grow to understand them better. They impel us to reconsideration. They challenge us to strengthen, to extend, to dedicate ourselves to, the United Nations as a universal instrument of mankind.

In a very real sense, the transition to world community is inevitable. The question is not whether, but how. Yet caring men cannot relax. We cannot become mere spectators of history on its destined journey to peace. History will not run by itself. Inevitably, man must learn to guide his destiny away from senseless war. That it is inevitable will make it in no way easier.

II. THE UNITED NATIONS AND HISTORY

Upon us is the struggle with ourselves. How can we help history on its course toward peace? How can we, the peoples of the old and still ununited nation-states, convert our troubled past into a creative and truly united world community? How do we win the struggle to reach outside ourselves for the greater strength and the fuller wisdom which can make the United Nations more responsive, give it a more creative relationship to history?

We decry the fact that the natural sciences have developed more rapidly than the social sciences, that man has learned to build the bomb before he has learned to ban it. And it has become our lament that our fathers, reflecting that deficiency, gave to the United Nations no power save that of communicating with each other. Yet our hope is born of these two facts:

That there is a bomb makes peace necessary.

That we are in communication with each other makes peace possible.

The United Nations, as presently constituted, bears only an ancestral relationship to the world institution which our times require. But that relationship will be sufficient if we take courage from its successes and move forward, if we fashion from this primitive configuration a vehicle capable of meeting the greater challenges ahead.

There is nothing to deter us but ourselves. We are our only obstacle. The survival gap for mankind stretches not between what is necessary to do and what is possible. It is between what is possible for us to do and what we are doing.

We can build a bridge across the survival gap. We can reformulate the Charter of the United Nations. We can forge, from our own will to do so, the instruments of a community of mankind. We can. We must. We will.

There is only one secret to such a success: We can achieve it only if each of us as an individual strives to achieve it. We can, perhaps, afford the luxury of a few who do not care or do not know, but we cannot survive the quietude of the convinced. We who are wholeheartedly dedicated to the ideal of world community must wholeheartedly devote our resources to the daily press toward achievement of that ideal.

The first step toward peace tomorrow is the advocacy of peace today. In the long march of history, every action is a step. No word of hope expressed is ever lost. No work of vision is ever in vain.

This then was our dream, now become a practical necessity. What shall we, the peoples of the United Nations, do to convert the necessity into reality? The answer to these questions is our duty for these days.

The present charter expresses our goals and it records our determination. It has started us on the road. The new charter must translate the old vision of universality into a new reality of all nations joined together under the common controls necessary to assure peace, order, and justice.

The present charter moves us a step away from the primitive state of nation-states communicating sporadically in small groups and often acting alone. It has started us talking together and acting, sometimes, as a community. The new charter must shape these progressive experiences into a dynamic organization with the capacity to act quickly and judiciously in the interests of mankind.

The present charter reserves to some minorities the power to nullify the proposals of any majority. The new charter must provide democratic machinery which will allow "majorities of mankind," acting in good faith, to promote the total interest of the world community.

The present charter permits some peacekeeping operations. The new charter must make it possible for the U.N. to take immediate, positive, and prefinanced actions against aggression.

The present charter exhorts us to provide for disarmament. The new charter must create international safeguards commanding such confidence that national armaments will no longer seem feasible for any international purpose.

It is easy to catalog the obstacles which separate us from these goals. It is harder to overcome them. But we can.

The idea of world community is sound. Therefore it can become popular. The idea of the rampant nation-state is no longer sound. Therefore popularity cannot save it.

One day's work will not insure one world's future. Nor will the dedication of each of us for a month, or for a year, be sufficient to bridge the gap between the turbulent today and the tranquil tomorrow.

Yet, no man can fail to influence the future. The work of every person of peace is a positive force for peace. It is not our leaders who determine the course of history. They can but guide as we command. We are at the source of command.

Our influence can reach up only as it reaches out. We can reach out only in the measure of our own devotion.

Our world is what we have been. It will be what we are.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

AMENDMENT OF SMALL RECLAMATION PROJECTS ACT OF 1956

The PRESIDING OFFICER. The unfinished business will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 602) to amend the Small Reclamation Projects Act of 1956.

The PRESIDING OFFICER. Without objection, the Senate will resume the consideration of the bill.

Mr. MOSS. Mr. President, the Small Reclamation Projects Act has proved itself a most desirable supplement to Federal reclamation law. As of June 20, 1965, applications had been received and approved by the Secretary of the Interior and Congress for 33 separate projects, involving loans estimated at over $80 million, and 2 applications for loans of over $600,000 are now pending before the Congress. Two applications totaling nearly $5.3 million have been approved by the Secretary of the Interior and will be submitted to the Congress in the near future, and 3 additional applications involving loans of over $7.6 million are under consideration by the Department. With favorable action on the pending applications, over $93.2 million of the original $100 million authorized for this program in 1956 will have been committed, leaving only about $6.8 million for future loans. However, 17 local agencies are actively working on loan applications involving over $40 million.

The important statement in this summary, for the purposes of this body, is that of the $100 million originally authorized, only about $6 million is uncommitted, and there are loan applications totaling over $40 million, with others undoubtedly on the way. Unless this bill is passed, the whole small reclamation program will shortly end.

The idea of a Small Reclamation program was born in a National Reclamation Association resolution in 1946. It took 10 years to translate that resolution into public law. There was doubt on the part of some Members of Congress that the plan was workable. It was finally given a chance because there was obviously a "no man's land" in our western reclamation development, and all were agreed that neither the western reclamation States, nor the Nation, can afford underdevelopment of any part of our water resources.

Irrigation by Anglo Saxons was introduced in America by the Mormon pioneers. That was over 115 years ago. Almost immediately after arrival in Utah, groups of Mormon pioneers joined together to build ditches and to construct small irrigation dams. As other Western States were settled and developed, small irrigation ditch groups and companies began to develop small irrigation projects, each of them monuments of private cooperative initiative.

Naturally the easy projects were developed first. Then the settlers began to work on those where the water was harder and more expensive to divert.

The Reclamation Act of 1902 made possible the vast projects which have turned water onto millions of arid acres, and built community after community in the West. But left undeveloped were the smaller projects which fell outside the conventional reclamation program, and it gradually became evident that these smaller projects, like their larger counterparts, could not be developed without some Federal financial asistance. The Small Reclamation Projects Act has been the answer.

Enactment of this legislation has made it possible for local water users and small ditch companies to combine their efforts, talents, and investments with Bureau of Reclamation know-how and financing to broaden our water resource development. The program has been a success.

But experience has shown that improvements are needed to increase the scope and effectiveness of the program and to bring it more nearly into line with related water programs. This bill is intended to do this. It is a good bill, worked out in cooperation with representatives of the National Reclamation Association, and unanimously reported by the Senate Interior and Insular Affairs Committee.

S. 602, as amended by the committee, would change the act as follows:

First. Increase the authorization for funds available for the loan and grant program from $100 million, as at present, to $200 million. The overwhelming proportion—approximately 98 percent-plus—of the funds to date have been used for loans which will be repaid in full.

Second. Raise the limitation on loans or grants of Federal funds for single projects from $5 million, the present limit, to $7.5 million.

Third. Make the interest rate that payable by the Treasury, as provided in the Water Supply Act of 1958, instead of that of the average annual yield on long-term Government obligations; interest on loans currently outstanding would be revised retroactively to this rate.

Fourth. Incorporate into the Small Reclamation Projects Act provisions for establishing recreation and fish and wildlife facilities at projects aided by the act. These provisions are substantially comparable to those of S. 1229, the administration bill for participation by local entities of certain of the costs of recreation, and fish and wildlife enhancement facilities at Federal reclamation projects. The House has agreed to the conference version of this bill, and the Senate will consider it shortly.

Fifth. Authorize as a loan an advance of up to one-half of the funds required for a project investigation, preparation of an application, and meeting other conditions precedent to the granting of a loan.

Sixth. Provide for affirmative action by the Senate and House Interior Committees to accelerate appropriation for approved projects.

Mr. President, full water resource development is the key to tomorrow. To serve the national interest properly we must use imagination, resourcefulness, and tenacity to develop every source of water available to us. There are numerous opportunities for the development of new small sources of irrigation water, and for the rehabilitation and betterment of existing irrigation projects through the Small Reclamation Projects Act. It offers us the type of cooperative local-Federal project which is most desirable. It has its roots in local initiative and local management, but it is made feasible through Federal technical and financial assistance.

Mr. MOSS. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

SMALL RECLAMATION PROJECTS—SMALL IN NAME ONLY

Mr. BENNETT. Mr. President, it gives me great pleasure today to ask the Senate to approve S. 602, legislation to amend the Small Reclamation Projects Act of 1956. I similarly supported the original Small Reclamation Projects Act which has proved to be so highly successful and desirable over the years. I am a cosponsor of S. 602, as I was of similar legislation in the two prior Congresses.

Utahans have reaped considerable benefit from the Small Reclamation Projects Act. Within the State we have five projects completed and three additional ones under construction. Two of these should be finished this year.

The act which has been in affect since 1956, however, does need to be modernized and extended. The amendments proposed in S. 602 have the support of and were recommended by the National Reclamation Association.

Appropriations of $100 million were authorized in the original act for small projects. The program is rapidly approaching that ceiling and legislation is needed to increase the total limitation on appropriations to $200 million. This would be accomplished by S. 602.

Other significant changes recommended by the National Reclamation Association and incorporated into S. 602 would:

Increase the limits of Federal participation per project from $5 million to $7,500,000;

Change the interest formula to bring it into conformity with the Water Supply Act of 1958, the rate presently being applied by Congress to Federal water resources programs;

Permit the Secretary of the Interior to advance funds to the local organization for project planning;

And permit the congressional committees to reduce the 60-day waiting period for a specific project by resolution of both committees.

S. 602 also would include recreation as an authorized function eligible for grants, and would provide for the same cost-sharing treatment of recreation and fish and wildlife aspects of projects constructed under the Small Reclamation Projects Act as for those constructed under the Watershed Protection and Flood Prevention Act. The bill also makes several minor clarifying changes.

The entire group of amendments is of significant value in expanding and making more workable the Small Reclamation Projects Act.

Irrigation has made possible the development of Utah and the West, beginning in 1847 when the Mormon pioneers first arrived in the Salt Lake Valley and began building irrigation ditches and constructing small dams. Irrigation companies were formed and cooperative irrigation projects built, and these local irrigation companies still continue their immensely important role in our Western States civilization. In more recent years the Bureau of Reclamation has engineered and built huge dams and vast, regional reclamation projects not possible through local or even regional enterprise. But the need remains for continuing local development of new small sources of irrigation water and the rehabilitation and betterment of existing systems. The highly successful small reclamation projects programs is making this possible by combining local initiative with Federal financing and technical assistance. The local companies are responsible for planning, building, operating, and maintaining the system and for repaying the loan with interest.

In the rapidly growing West we must continue to develop every source of water available to us, with the help of both the regular program of the Bureau of Reclamation and the Small Reclamation Projects Act and through other local, State, and Federal programs. The strengthening of the Small Reclamation Projects Act through the proposed legislation is an important part of that pattern.

I urge the Senate's prompt approval of S. 602.

Mr. MOSS. Mr. President, I yield to the Senator from Colorado. I express my appreciation to the Senator from Colorado for his statement, which indicates, I believe, that there is unanimous support for the bill on the part of not only the Senators from the West, but all of the committee.

Mr. DOMINICK. Mr. President, I join the junior Senator from Utah [Mr. Moss] and the senior Senator from Utah [Mr. Bennett] in supporting the bill.

It strikes me that the Small Reclamation Projects Act of 1956 is one of the most productive measures we have been able to put into legislation. This updating of that act would be very helpful.

I wonder if the Senator would mind if I had my name added as a cosponsor.

Mr. MOSS. I would be happy to have the Senator listed as a cosponsor.

I ask unanimous consent that the name of the Senator from Colorado [Mr. Dominick] may be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I thank the Senator from Utah.

I hope that we shall move this forward rapidly.

Mr. MOSS. I appreciate the statement of the Senator.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 602) was passed.

Mr. MOSS. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 336), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF MEASURE

Purpose of S. 602, which is sponsored by Senator Moss for himself and 14 other Senators of both parties, is to broaden and strengthen the Small Reclamation Projects Act of 1956 (Public Law 984, 84th Congress, as amended by Public Law 85–47, found in 43 U.S.C. 442a, et seq.). This act was designed to encourage State and local participation in the development and improvement of reclamation projects in their own localities. It has been outstandingly successful in accomplishing this purpose.

S. 602, as amended by the committee, would change the act as follows:

1. Increase the authorization for funds available for the loan and grant program from $100 million, as at present, to $200 million. (The overwhelming proportion—approximately 98 percent-plus—of the funds to date have been used for loans which will be repaid in full.)

2. Raise the limitation on loans or grants of Federal funds for single projects from $5 million, the present limit, to $7.5 million.

3. Make the interest rate that payable by the Treasury, as provided in the Water Supply Act of 1958, instead of that of the average annual yield on long-term Government obligations; interest on loans currently outstanding would be revised retroactively to this rate.

4. Incorporate into the Small Reclamation Projects Act the substance of the provisions of S. 1229, the administration bill for participation by local entities of certain of the costs of recreation, and fish and wildlife enhancement facilities at Federal reclamation projects. This measure has passed both Houses of Congress and now is in conference.

5. Authorize as a loan an advance of up to one-half of the funds required for a project investigation, preparation of an application, and meeting other conditions precedent to the granting of a loan.

6. Provide for affirmative action by the Senate and House Interior committees to accelerate appropriation for approved projects.

LEO M. MONDRY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 244, S. 321.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 321) for the relief of Leo M. Mondry.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

ORDER OF BUSINESS

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Mr. President, is the Senate still in the morning hour?

The PRESIDING OFFICER. Morning business has been concluded.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may speak without regard to the rule of germaneness.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADEQUACY OF FISCAL YEAR 1966 MILITARY BUDGET

Mr. STENNIS. Mr. President, it was my original intent to make this statement during the discussion of the military construction authorization bill. However, the delay in bringing that bill to the floor, coupled with the special responsibility that I feel in connection with this matter, prompts me to make it now.

The $1.7 billion which the military construction bill authorizes for buildings and other facilities will, of course, contribute to the overall efficiency of our Military Establishment. However, that bill does not provide for the men, machines, arms, ammunition, supplies, and other tools of war which are vital and essential to actual combat. Such funds would be covered by other legislation. A great part of these funds would be contained in the major military appropriation bill.

Based upon a careful and extensive study and analysis over a period of several months I am compelled to suggest to the Senate and to the decisionmakers in the Pentagon that it is now time to reexamine the entire fiscal year 1966 defense budget for the purpose of insuring that funds will be available to meet our defense requirements, including our stepped-up activities in Vietnam and our peacekeeping operations in the Dominican Republic.

The fiscal year 1966 budget was developed during the summer and fall of 1964. The fiscal year 1965 budget under which we are now operating was prepared 18 months ago. These are peacetime budgets and neither is overly generous. In neither was there any specific planning or programing for the large demands on our funds and assets which have resulted from our heavy involvement in Vietnam. There is, therefore, a very serious question as to whether the fiscal year 1966 defense budget is now adequate for our defense needs.

The drain of the Vietnam operations on our military resources is substantially greater than is generally recognized. Except for the $700 million supplemental appropriation of a few weeks ago they have been funded out of a peacetime budget. Thus the men, equipment, and materiel sent to Vietnam come out of the hides of the military services. The effect on the readiness of the forces not committed to Vietnam is substantial. The situation is already serious. Without corrective action it could become critical in the months to come even if our activities should continue at the same level.

I have no figures in connection with these matters, but this refers to hardware of the most essential kind. I refer to trucks, and tanks, and even to small items like grenade launchers.

This cuts across all of the services. The Army, Navy, Air Force, and Marine Corps are all experiencing manpower problems, particularly in the more critical skills. Problems with respect to equipment and materiel—including aircraft, ships, and certain weapons—already exist and are growing. Maintenance, supplies, and spare parts also present existing problem areas. They will become more serious in the future.

I do not say that there is any fatal deficiency or shortage now. I emphasize that—there is no fatal deficiency now. However, there are obvious and increasing problems. A peacetime budget is being used to support combat operations which were not factors in the original planning. Unless the budget is revised upward and additional procurement is instituted in the near future critical problems could arise in combat essential firepower, mobility, and communications equipment. Fortunately, we have the time, the resources, and the knowhow to take action to prevent this.

Our military forces must be provided with the weapons, equipment, and other resources necessary to fulfill our commitments around the world. Our servicemen committed to Vietnam, or anywhere else, must not want for any essential. At the same time the drain and requirements of Vietnam must not be permitted to create an unacceptable degradation in the overall readiness of our Military Establishment elsewhere.

The unstable situation around the world is given emphasis by our commitment in the Dominican Republic. The drain upon our resources by our forces in Vietnam—and these forces are relatively small as compared to past wars—shows how delicately balanced we are between adequate strength and serious weakness. The key to avoiding future problems is sufficient strength in being to permit flexible responses to a variety of simultaneous contingencies. The time to make a start toward this goal is now.

I emphasize that these remarks are based upon months and months of careful investigation and analysis of the situation, of the so-called military depots and the preposition supplies of the essential hardware I have mentioned. Our checking on these matters was careful.

Recognizing that it is months and, in some cases, years before congressional appropriations are translated into hardware in the hands of our troops, I believe that our fiscal defense planning must be changed to take into consideration both the past developments and those which can be anticipated in the future. Further delay will be an unwarranted and risky gamble with our national security.

Therefore, I urge the Secretary of Defense to make an immediate study of the entire situation and to come to the Congress with all the facts and with such revisions in the fiscal year 1966 budget as are necessary to take up the slack caused by the heavy unplanned and unprogramed expenditures.

As I say, our checking and investigation of this matter will continue. We will supply the actual figures that can be published, but we will make a special classified report to members of the Armed Services Committee and the Appropriations Committee and any Member of the Senate who wishes to see it.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Massachusetts, who is familiar with this matter.

Mr. SALTONSTALL. First I commend the Senator from Mississippi for what he has said. I wish to add to what he has said that there are two bills which will come before this body in the near future. The first is the authorization bill for construction of more military establishments in the next fiscal year. Our committee has eliminated what we believe are all construction activities that can be postponed or delayed, because we believe we must concentrate on our efforts in Vietnam and other problems in other areas, realizing that they are more vital than some of the construction proposals presented to us for this year.

The second bill which will come before us is the military appropriation bill. The House has passed it. The House cut the amount slightly below budget recommendations.

I agree with what the Senator has said—that when the hearings are held on that bill—and they will be held shortly—we must consider the bill not only as a peacetime measure, but as a preparedness bill in relation to our activities in Vietnam and elsewhere.

Mr. STENNIS. Before the Senator leaves that point—he has stated it well, but we also need some specific facts and figures of estimates as to the hardware and other items that are needed, in addition to what is reflected by the normal budget. Does not the Senator believe we should have proof of what is needed as soon as it is available?

Mr. SALTONSTALL. Yes. As brought out in the Preparedness Subcommittee, we ought to keep our forces in Germany and Europe fully equipped with all the necessary equipment that can be made available in the highest class of readiness. We know that that requires a certain amount of reserve equipment. If it is used for activities in Vietnam and elsewhere, that must be provided for in our military budget.

We also have many troops in reserve in this country and Hawaii. They must be built up with equipment for readiness. If their reserve supplies are used to fill the need in Vietnam and other areas where that equipment has been sent and used, it must be built up at the present time.

So, as I see it, what the Senator from Mississippi emphasizes is that when we consider the military budget next month and consider the military construction bill in the next week, we must consider those two bills in the light of world conditions today and our participation in certain areas of the world, including Vietnam, and the destruction of planes, helicopters, artillery, and tanks.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the distinguished Senator from Missouri. I am glad he is present on the floor. He has done most important work on the matter of the needs of this country involving equipment to meet our commitments in view of conditions in the world.

Mr. SYMINGTON. I thank the able and distinguished chairman of the Preparedness Subcommittee. As usual, his statement is carefully worded, thorough, and comes to the point.

Many times I have presented on the floor of the Senate the fact that if we had the right to send men out to fight, and in some cases die, in the interest of the security of the country, we also have the duty to give them the best equipment in order to, in turn, give them the best chance to come back to their families. The Senator has stated that as of this time there are no fatal deficiencies; what he is doing, as I see it, is advising the Secretary of Defense—and I am sure his advice will be given full attention because of the respect the Secretary of Defense has for him. He is telling us that an ounce of prevention is worth a pound of cure, not only in the case the South Vietnamese developments escalate, but also because the present heavy use of materials can cause a shortage, tomorrow if not today.

Mr. STENNIS. The Senator from Missouri has spoken with proper emphasis. There is no fatal deficiency. We are well armed and well prepared. We do not wish to leave any inference to the contrary, but in the course of time we will not be well armed and well prepared, unless proper anticipation is made now for the drain that is going on of our reserves and our preposition material, and actually on the weapons.

Mr. SYMINGTON. In other words, if I may paraphrase the statement of the distinguished chairman of the

Preparedness Subcommittee, the hearings have shown that unless prompt action is taken at this time to recognize this increased use of our military equipment, there could be some serious shortages in the not too distant future; and the time to take care of such a situation is now.

Mr. STENNIS. The Senator is correct. Normally, it takes months—as the Senator knows as an original production man and later as Secretary of the Air Force in the Department of Defense—even longer, after a need has been recognized, to get the materiel, equipment, hardware, and guns into the hands of the men and at the places needed.

I thank the Senator very much.

Mr. SYMINGTON. I thank the Senator for yielding to me, and close with the observation that it is a good thing for the United States we have as the head of this committee a man of the character and caliber of the Senator from Mississippi, one who is so deeply interested in the security and prosperity of the United States.

Mr. JACKSON. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am happy to yield to the Senator from Washington, who is vitally concerned and very much interested in this matter and makes a valuable contribution daily to solving the problems.

Mr. JACKSON. Mr. President, I associate myself with the remarks of the able Senator from Missouri [Mr. SYMINGTON]. The chairman of the Preparedness Subcommittee has carried on, over a period of time, a very fine investigation into this most serious problem. The chairman has been objective. He has been forthright. I believe that what has been brought out to date in the executive sessions of the committee will, in the end, prove to be beneficial and helpful in strengthening our posture, to deal not only with the current situation in the Far East but also with other so-called wars of national liberation with which we will be confronted from time to time.

It is my understanding, and I believe it is the view of the distinguished chairman of the subcommittee, that in going into this problem of materiel and equipment we are looking at not only the problem of Vietnam and elsewhere but also at what will happen in the future.

Our biggest problem involves contingencies. I know that the Senator would agree with me that he and the members of the subcommittee have been particularly assisted by the competent staff, the able investigators who have been assigned to these many tasks. They are men with a fine spirit of professionalism. There has been no attempt to be petty, no attempt to be partisan. The effort has been one of assistance to the executive branch, and above all to the American people, in making sure that we have the means to carry out and fulfill our commitments honorably.

Mr. STENNIS. I thank the Senator from Washington very much for his kind remarks, especially what he said regarding the competence of our staff and their nonpartisan approach.

There are figures which we cannot give, for security reasons, but I know that we on the Preparedness Subcommittee all agree that the figures are substantial, sound, accurate, and represent a very grave need for the future, not a fatal deficiency for the present.

The staff members are trained men and know how to ferret out the facts, and how to evaluate them when they find them.

Mr. President, I yield the floor.

SITUATION ON THE NEW YORK STOCK MARKET

Mr. HARTKE. Mr. President, the continuing decline of the stock market is now in its sixth week and is causing a great deal of concern throughout the Nation, especially to the banking and financial business community as to what the cause may be.

I believe that the country is strong economically. I do not believe that this is the only economic indicator we should consider. Certainly we should, at this time, stop for a moment and give some thought as to where we are going and whether the time for action has now arrived and, if it has, what action, if any, should be taken.

Let me point out that the Federal Open Market Committee of the Federal Reserve Board has for some time been indicating that it wishes to maintain a tight money policy in the United States. This is reflected in the reserves which are available in the Nation's banking system. When the total of these reserves are in a negative position, it means that we have a relatively tight money situation. When there is a surplus, it is considered to be an easy money situation.

From 1960 until early this year, there were no negative reserve situations so far as the Federal Reserve System is concerned; but, beginning in the latter part of April, positive action was taken by the Federal Reserve Board to change the situation, the net result being that we have had a daily average deficit of $150 to $175 million. This means that there is a shortage of available credit in the United States.

This is probably one of the factors—which I have pointed out to the Secretary of the Treasury on several occasions—which has caused the continued decline of the stock market. This is not the only factor, but certainly a major one.

Therefore, I believe that the country would be open to suggestions, and I would have two suggestions that could be followed:

First, so far as the reserves in the Nation's banking system are concerned, we should eliminate the requirement that we continue the negative position and return to an equilibrium so that there will be a net surplus and not a negative situation so far as our finances are concerned, so that we can have a more or less steady, moderate policy.

The second suggestion is directed to the stock market itself, that during a period of time in the future, as the stock market rectifies itself, to reduce the reserve requirements which are required so far as purchases of stocks are concerned.

GUAM'S NEW REPRESENTATIVE IN WASHINGTON HAS LONG RECORD OF SERVICE FOR HIS PEOPLE

Mr. JACKSON. Mr. President, many of us in this body have known Antonio B. Won Pat for many years. I was personally very pleased by the election on March 15, 1965, when he became the first elected representative of Guam in the Nation's Capital.

Mr. Won Pat is no stranger to Washington or to the Members of Congress who have worked with him during the years when he served as speaker of the Legislature of Guam. Tony Won Pat is, indeed, one of the founding fathers of democracy on Guam. He fought long and hard for the passage of the organic act of 1950, which transferred the powers of local government from the U.S. Navy to an elective legislature and an appointive governor. The organic act, which provided Guam with the first form of democracy in its history, has worked very well during its 15 years of existence.

The office which he holds, that of Washington representative of the people of Guam, is an elective one, which was established in August 1964, by an act of the Legislature of Guam. By the islandwide election of March 15, Mr. Won Pat is charged with representing his people in their Nation's Capital.

I believe that this is a good thing—both for the people of Guam and for the U.S. Government. Guam has taken a stride forward in the democratic process by having their own popularly elected representative here to negotiate with Congress, the executive departments, and agencies over problems which affect our farthest outpost of democracy, over 9,000 miles away. The right to speak in Washington, D.C., for the people of Guam has been given, in free election, to a man highly capable of representing their best interests and the national interest.

There has been a steady, fruitful growth of democracy in our westernmost outpost, our picture window which faces the bamboo curtain. Now, with the representative elected by the people stationed here in Washington, I predict that even better things will be in store for the people of Guam.

Mr. President, I ask unanimous consent to include at the conclusion of my remarks a brief biography of Mr. Antonio B. Won Pat and his speech on the occasion of his inaugural as Guam's first elected Washington representative.

There being no objection, the biography and speech were ordered to be printed in the RECORD, as follows:

Born in Sumay on December 10, 1908, he attended Guam public schools and became a schoolteacher in 1926. In 1934 he was appointed a principal, a position he held until 1939. In 1940 he taught at George Washington High School until the outbreak of World War II. Speaker Won Pat married the former Ana Perez in March 1932. They have eight children, one of whom, Jacqueline, is a captain in the U.S. Army Nurse Corps. He was elected to the Guam Congress in 1936 and reelected in 1948 as speaker. It was while in this position that he participated in the drafting of the Organic Act for Guam. Since the passage of the Organic Act in 1950, Speaker Won Pat has appeared before nearly every committee of the U.S. Congress on behalf of legislation for Guam. Among the most significant pieces of legislation for which he has testified and lobbied are the War Claims Act, social security, urban renewal, rehabilitation, Small Business Administration, Airport Act, and the Federal Disaster Act and Agricultural Services Act. He has served on the advisory committee of the SBA and in November 1963 he received a public service award from the SBA. Mr. Won Pat has served as a delegate to the junior chamber of commerce international conclave in Dallas, Tex., the National Conference of State Legislative Leaders in New York, Seattle, and Boston. During the Boston conference, he had the distinction of serving as a panel speaker on Federal-State relations. He also served as Guam's delegate to the American Academy of Political and Social Sciences Conference in 1958. He is a sustaining member of the Democratic National Committee, the National Capital Democratic Club, and was the first president of the Guam Lions Club and Fraternal Order of Eagles. The veteran legislator has served as speaker of the first, second, fourth, fifth, sixth, and seventh Guam Legislatures. He served as a minority leader in the third legislature. Executive vice chairman, Democratic Party of Guam. He served as a minority leader, eighth Guam Legislature; elected as the first Washington representative on March 15, 1965.

Inaugural Address of Antonio Borja Won Pat, Washington Representative, March 28, 1965

Governor Guerrero, Speaker Taitano, Judge Shriver, Admiral Bird, General Ohlke, Governor Skinner, Mr. Reckord, Mr. Heller, distinguished guests, ladies and gentlemen, my chief emotion today at this ceremony marking my inauguration as Guam's first elected Washington representative is one of humility and warm gratitude to the people of Guam for the confidence they have reposed in me in selecting me for this post. At this moment I find it hard to express how humbly proud I am, how much I hope to merit the great honor bestowed upon me. I have been in politics for almost 30 years, and I have frequently been to Washington as a member of the Guam Legislature delegated to so appear in our Nation's Capital, but never before has anyone had the privilege to have been chosen by the people of Guam in an islandwide election as their sole elected Washington spokesman.

I know full well the magnitude and responsibilities that the office of Washington representative entails, and I promise you that, with God's help, and your support, I will do my utmost to represent you all in Washington to the best of my ability. I fully understand that I go to our Nation's Capital not as a spokesman for a particular party, or a particular group, or a particular philosophy, but as the spokesman for all of the people of Guam regardless of their race, religion, or creed, and regardless of their origin.

It was extremely heartening to me to receive the many friendly compliments and tributes from friends here and in Washington. It's also gratifying to me to see here today participating in this ceremony, representatives of our National Government, of all three branches of our local government, and of the military commands located here which are so important to the security and welfare of us and the others of the free world. I gratefully acknowledge their support, just as I have the support of the people of Guam. I will dedicate all my energies, I will devote all my time, I will strain all my powers, and I will do all in my command to live up to this responsibility and to pursuasively voice before the leaders of our Nation the aspirations, needs, and desires of the people of Guam.

Although today's occasion celebrates a remarkable step forward in our continuing efforts for more and more self-government and ever closer ties with our Nation, we should not forget to pay our respects to past efforts of others beginning back in 1936. Over the years since that first courageous effort almost 30 years ago, much has been accomplished and throughout the long period, it must be noted that all of these delegations to Washington, informal as many of them were, received unfailing cooperation and sympathetic understanding from both the Congress of the United States and the Federal agencies in Washington. When one considers the charges made by strangers that Guam is merely a dependent possession of the United States without the people of Guam being given any chance for self-determination, one remembers with pride the ready attention the problems of Guam have always received in Washington, the generous assistance that has been given by our Federal Government, and the remarkable advances we have made over the last generation, both economically and politically; then one knows full well that the charges that we are a colonial dependency is nonsense, and that both the people of Guam and the leaders of our Nation in Washington are united in a common desire to build ever greater bonds between us and the mainland and to bring us as rapidly as is possible to the mainstream of American life.

In giving credit to Federal Government and its leaders for the remarkable progress we have made, I do not forget, nor do they, that the people of Guam themselves can take pride in their own rapid advances over the past years, and I take nothing away from the efforts on Guam's behalf of our friends in the continental United States when I say that the people of Guam are to be commended upon the new and better Guam that we have seen abuilding on this beautiful island of ours.

In assessing our progress, we must never forget what we owe to the military commands stationed here. It was the Navy that started us on our road to self-government and economic stability; it was the combined efforts of the Army, Navy, Marines, and Air Force that freed us from 3 years of dreadful enemy oppression, and it is those large military bases now here that have made possible Guam's present prosperity and future expectancy. The people of Guam are ever proud that they help man one of the most important defense bastions of the free world. In the dire struggle that is now going on in southeast Asia, we in Guam are practically in the frontlines, and in this we rejoice as we know of no greater honor than that of joining with our fellow Americans and others in the free world in resisting the spread of tyranny and in forwarding the march of freedom and justice. Asia will be the main arena of the world for at least the next century and Guam is America's sole permanent foothold in Asia. Thus, it is our destiny to play an ever-increasing role in depicting for the downtrodden Asian masses the unequaled advantages of democracy and freedom. Thus, the phrase, "Guam—America's showplace for democracy" is more than a mere slogan; it is our most important responsibility and one in which we should take the deepest pride. It will be my main task in Washington, as I see it, to help make Guam an ever better example of American democracy in action.

Thus I place priority on seeking from the Congress and the Federal agencies in Washington greater local autonomy, combined with closer ties with our National Government. As an example, an elected Governor is legislation I will pursue with vigor. I will also do my best to regularize the position I now hold by seeking legislation to provide Guam's elected Washington representative, whoever he may be, a seat in the Halls of Congress itself. I will also seek to discover whether support can be obtained for a constitutional amendment that would permit Guam to cast its vote in the electoral college that chooses our President. I am, however, completely aware that I go to Washington not to express my own views, but to represent the views of the people of Guam, particularly as duly manifested by our elected representatives in the Guam Legislature, and I will look to them for assistance. Thus, at this time, the legislature is on record in support of both an elected Governor and a Delegate in Congress, but has not decided what other changes are desired in our political status; whether some other form of association with the American Union should be attempted. I have my own views on this, but I intend to live up to both the spirit and the letter of the law that authorized my election and I shall pursue actively the programs and policy of the Guam Legislature as well as that of the administration.

As I see it, another major responsibility that Guam's Washington representative has is that of establishing in Washington the image and identity the people of Guam desire. Although those in Washington who are directly responsible for our well-being are both sympathetic and fairly aware of our problems, the Nation at large, we must admit, is not familiar with either Guam or its peoples, and I shall do what I can to advertise Guam and tell our fellow Americans of our colorful past history and our present contributions to the effective role America is playing in the Far East. If tourists are to be attracted to Guam, which is a goal all of us are united upon, Guam must be better known and its beauties and attractions must be widely advertised. Furthermore, as a firm believer in the American system of free enterprise, I am deeply interested in the commercial and industrial plans of our business leaders here and I shall do all I can in helping them attain assistance to achieve their goal of economic prosperity for all of us. I have been deeply impressed with the great interest taken by the military commands under the leadership of Admiral Bird and General Ohlke in their efforts to promote the further development of Guam's civilian economy, and I promise that they and the business leaders in the community will find me completely receptive to their advice and suggestions on the programs I should pursue in Washington. I am sure that they will be equally cooperative with me in providing me the information and data I will need in bringing to the attention of our public officials and also major American business leaders, all of Guam's potentials—commercial, industrial, and agricultural.

Finally, and frankly I can promise no miracles, and, armed as I am with the mandate of a free election as Guam's first Washington representative, I do not expect, nor should the people of Guam, that the legislation and assistance we seek will be easy to obtain. We must remember the enormous national and global responsibilities faced by Congress and the Federal agencies. Those of necessity come first and Guam must await with patience the attention of our Nation's leaders. Furthermore, the legislative process itself is rightfully a long and complicated one in that both Houses must carefully consider and weigh all proposals from varied angles, and we do not and should not demand for quick decisions from Washington. Guam's political and economic future is too serious a matter to be hastily considered and acted upon in Washington, and, therefore, I urge you to be patient because, just as sure as was the promise of eventual citizenship for us met by the Organic Act, so will our aspirations for even greater autonomy be eventually met by our Nation and its leaders. We must also never forget we are first and foremost citizens of the United States and that our greatest duty is to our country, and next to our territory. It is our national interests that come first and it is the challenges that we as a part of the American Nation face that call for our greatest concern. We must therefore expect delay and difficulty in overcoming our territorial problems, but we shall never lose confidence in their eventual solution. The United States of America is the greatest nation in the world, not because of its resources or its wealth, but because of its recognition of the dignity of the individual and the rights of freemen, and we as part of that great Nation can rightfully expect that our goals of more self-government and greater freedom will be met.

In conclusion, ladies and gentlemen, I beseech all of you to give me the support and confidence that I will need in representing you all in our Capital. I am deeply proud of the many honors you have bestowed upon me in the past but I cannot carry out my task without your counsel and encouragement.

Thank you very much.

WATER PROJECTS RECREATION ACT—CONFERENCE REPORT

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 23, 1965, pp. 14463–14464, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JACKSON. Mr. President, the conference report was agreed to by the conferees in behalf of the Senate and the conferees in behalf of the House of Representatives.

The principal purpose of the conference version of S. 1229 is to establish prospective standard guidelines on the allocation of and the reimbursability of recreation and fish and wildlife costs of Federal multiple-purpose water-resource projects.

The conference version also gives the Secretary of the Interior certain limited authority for recreation development on existing projects under his control.

The final version also provides for more active congressional participation in the Department of the Interior's water project investigation process. The conferees believe that this will substantially strengthen the Department's water-resource program and be to the mutual benefit of both that agency and the Congress.

This particular provision is found in section 8 of the bill as finally approved. The effective date on which congressional authority would be required before undertaking project feasibility reports has been changed from January 1 to July 1, 1966, pursuant to agreement of the House and Senate conferees.

This provision was approved in an effort to bring Congress more fully into the water resource project cycle. It will allow the Congress to be better informed on prospective water resource projects nearer their inception rather than to be faced with virtually a "take it or leave it" situation following the submission of the completed project feasibility report by the Secretary of the Interior. The Corps of Engineers has operated under similar planning provisions for many years.

As the author of this particular provision, the chairman of the Senate Committee on Interior and Insular Affairs is convinced that this will not pose a burden upon the Secretary of the Interior. In fact, in order to obtain funds at present to undertake such feasibility reports, the Bureau of Reclamation must now presumably justify requests to pursue its reports before the Bureau of the Budget and subsequently the Committees on Appropriations of the Congress. The congressional committees with the responsibility for recommending the authorization of these not infrequently very large projects are often not satisfactorily apprised of their scope and nature until the project feasibility report has been submitted. But the authorizing committees must be fully advised on all phases of the project cycle in order to meet their responsibilities to their respective Houses.

As I previously stated, I foresee no difficulty for the Department of the Interior under section 8. I anticipate that an annual omnibus list of project feasibility reports will be presented to the Congress as an executive recommendation. Such an omnibus recommendation would be received shortly after the Congress convenes in each new session.

Of course, the Secretary of the Interior could submit project feasibility report recommendations individually whenever circumstances might warrant such action. Such individual proposals, as well as the annual omnibus bill, will receive prompt consideration by the Senate Committee on Interior and Insular Affairs.

The Secretary of the Interior must plan with foresight the potential water resource project development he intends to advocate before the Congress. In the interest of congressional efficiency and responsibility and in view of the increasing amount of taxpayers' funds involved in our water resources program, the Congress must fully participate in the project cycle. This, of course, does not mean that congressional approval is required for every preliminary investigation of the Department. We recognize that reconnaissance surveys are necessary to determine where potential projects are located and whether they merit further investigation. Once the Secretary of the Interior has determined, however, that a potential project is worthy of the detailed study necessary for its submission to the Congress for authorization, he must secure congressional approval to undertake the preparation of the project feasibility report.

I ask unanimous consent that the statement on the part of the managers of the House, which details the agreement between the House and Senate, be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, S. 1229, to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes, submit this statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report. The language agreed upon is essentially the language of the House amendment except as herein noted.

REACQUISITION RIGHTS OF PRIOR LANDOWNERS

Section 3(b)(2) of S. 1229 relates to the situation where a construction agency has acquired lands to preserve the recreation and fish and wildlife enhancement potential of a project and there has been no interest by a local public body in developing such potential during the specified 10-year period. In these circumstances, the Secretary must make a decision with respect to further use or disposition of the land.

The language of the Senate-passed bill required the head of the construction agency to first offer the land for sale to the immediate prior owner at its appraised fair market value. If it were not disposed of in this manner within 90 days he would have had to determine whether the lands were to be put to other use or reported as excess to the General Services Administration for disposition.

The language of the House-passed bill provided that the head of the construction agency may (1) utilize the lands for any other lawful purpose within the jurisdiction of his agency, (2) transfer custody of the lands to another Federal agency for any lawful purpose within the jurisdiction of that agency, (3) lease the lands to any non-Federal public body, or (4) transfer the lands to the General Services Administration for disposition.

Both the Senate language and the House language provided that in no case shall the lands be used or made available for any purpose in conflict with the purposes for which the project was constructed. The House language provided, in addition, that preference be given to uses which promote the recreation and fish and wildlife potential.

The language agreed upon by the conference committee follows:

"SEC. 3. (b)(2) If, within ten years after initial operation of the project, there is not an executed agreement as specified in paragraph (1) of this subsection, the head of the agency having jurisdiction over the project may utilize the lands for any lawful purpose within the jurisdiction of his agency, or may offer the land for sale to its immediate prior owner or his immediate heirs at its appraised fair market value as approved by the head of the agency at the time of offer or, if a firm agreement by said owner or his immediate heirs is not executed within ninety days of the date of the offer, may transfer custody of the lands to another Federal agency for use for any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which the project was constructed, and in every case except that of an offer to purchase made, as hereinbefore provided, by the prior owner or his heirs preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential."

This language is intended to require the head of the construction agency, if he has no authority to utilize the lands for some other needed and justified purpose, to first offer the lands for sale to the immediate prior owner or his immediate heirs at the appraised fair market value. If the lands are not disposed of in this manner within 90 days, the head of the construction agency may (1) transfer custody of the lands to another Federal agency that needs the lands and has authority to utilize them; (2) lease the lands to any non-Federal public body; or (3) transfer the lands to the General Services Administration for disposition. In the event the prior owner or his immediate heirs cannot readily be found, it is the intent of the conferees that 30-day notice be given by publication in a local newspaper or newspapers of wide circulation in the project area, the 90-day period to begin to run with the first publication of notice in this way. The lands can be used or made available for any purpose not in conflict with the purposes for which the project was constructed and, except in connection with an offer to sell to the immediate prior owner or his immediate heirs, preference must be given to uses which promote the recreation and fish and wildlife enhancement potential of the project.

RECREATION DEVELOPMENT AT EXISTING PROJECTS

Section 7 of S. 1229 as passed by the Senate authorized the Secretary of the Interior to construct and operate recreation facilities at projects heretofore authorized, provided the cost for such facilities for any one project does not exceed $50,000.

The language of section 7(a) of the House-passed bill authorized the Secretary to construct and operate recreation facilities and acquire lands for such purpose at any existing project or project hereafter authorized but, with respect to existing projects, no appropriation for land acquisition or development could be made until 60 legislative days after a report recommending such development had been submitted to the Congress and then only if neither the House nor the Senate Committee on Interior and Insular Affairs had disapproved such proposal.

In lieu of the language in the two bills, the conference committee adopted language making section 7(a) applicable only to projects heretofore constructed by or under the control of the Secretary of the Interior and providing authority for both the construction of recreation facilities and the acquisition of lands provided the Federal cost for both development and acquisition at any one reservoir does not exceed $100,000. The development could go forward only under an agreement with a local public body for cost sharing and administration.

FEASIBILITY REPORTS OF RECLAMATION PROJECTS

Section 9 of S. 1229 as passed by the Senate contained language prohibiting the preparation by or under the authority of the Secretary of the Interior of any feasibility report on a water resource project unless it had been specifically authorized by law or unless such preparation had been specifically directed by either the Senate Committee on Interior and Insular Affairs or the House Committee on Interior and Insular Affairs.

There was no similar provision in the House-passed bill.

The conference committee agreed upon language in section 8 which requires prior approval by the Congress of any studies and investigations leading to the preparation of a feasibility report on a reclamation project. The term "feasibility report" is defined in section 10 to mean any report of the scope required by the Congress when formally considering authorization of a project. It does not include such preliminary studies as normally go into the making of reconnaissance-grade reports.

EXTENT OF ALLOCATIONS TO RECREATION AND FISH AND WILDLIFE

The language of the House-passed bill contained a provision which, in effect, means that projects in which the sum of the allocations to recreation and fish and wildlife enhancement exceeds the sum of the allocations to the other project purposes should not be recommended for authorization and construction under Federal reclamation laws or under any Rivers and Harbors or Flood Control Act.

There was no similar provision in the Senate-passed bill.

The conference committee retained this language but exempted from its coverage any project for the enhancement of anadromous fisheries, shrimp, or the conservation of migratory birds protected by treaty, when each of the other functions of such a project has, of itself, a favorable benefit-cost ratio.

ACQUISITION OF LANDS FOR MIGRATORY WATERFOWL REFUGES

The provision in the House-passed bill placing a $28 million ceiling on expenditures for lands acquired by construction agencies for the establishment of migratory waterfowl refuges in connection with water resource projects was retained by the conference committee. The conference committee wants it clearly understood that this is a limitation on expenditures and is not itself an authorization for land acquisition. The authorization for the appropriation of funds to acquire lands for these migratory waterfowl refuges will be considered on a case-by-case basis in connection with the authorization of individual water resource projects.

Wayne N. Aspinall,
Walter Rogers,
James A. Haley,
John P. Saylor,
Joe Skubitz,
Managers on the Part of the House.

Mr. COOPER. Mr. President, I should like to direct several questions to the distinguished chairman of the Committee on Interior and Insular Affairs, who managed the bill, S. 1229, when it was passed by the Senate, who served as a conferee with representatives of the House, and is now presenting the conference report to the Senate for its consideration.

My questions concern sections of the conference report which I identify specifically as those which would require that one-half of the separable costs of the recreational and fish and wildlife enhancement facilities or project modifications on any multipurpose water project must be assumed by a non-Federal public body.

I have discussed this subject with the distinguished Senator at times, but I am asking these questions to ascertain his view with respect to the intentions of Congress respecting these sections. In addition to the questions we will discuss here, I want to say that I have discussed these sections with representatives of the Bureau of the Budget, with the Chief of the U.S. Army Corps of Engineers, with the Secretary of the Army, and with the Counsel for the Department of the Army. I have been given helpful information by these officials, and I have also addressed questions to the Bureau of the Budget as this legislation was being considered. I think it will be useful to this discussion to have my letter of April 21 and the Bureau of the Budget reply of May 5, 1965, included here, and I ask unanimous consent to have these letters printed at this point in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
April 21, 1965.

Hon. Kermit Gordon,
Director, Bureau of the Budget,
Washington, D.C.

Dear Mr. Gordon: I have been very much concerned about the policy which would require that one-half of the separate costs allocated to recreational and fish and wildlife enhancement in Federal multiple-purpose water resource projects be borne by non-Federal public bodies. This policy might be useful in Bureau of Reclamation projects, but I am sure that it would deny needed flood protection to many communities and areas.

If the community nearest a flood protection reservoir should be required to assume obligation for the non-Federal charge, I doubt that the great majority of communities could do so. The consequence would be the denial of vitally needed flood protection to such communities. If it is said that the community could avoid the obligation by the elimination of recreational and fish and wildlife enhancement, the result would be that, in many cases, the project could not meet the cost-benefit ratio. In either case, the result would be denial of flood protection.

Further, the policy being followed and the legislation which has been proposed are not clear in defining "non-Federal public bodies" against which the cost would be allocated. Recreational and fish and wildlife benefits are enjoyed not alone by the community which is immediately adjacent, and it would seem unfair to impose the cost upon the community nearest the facility. My chief opposition, however, to the policy is that it would deny in many cases necessary flood protection to many communities.

I have discussed this question with the Secretary of the Army, with the Corps of Engineers and with officials of the Bureau of the Budget. I know the subject is complex, but I do not believe that full consideration has been given to the fact that the policy will deny vital flood protection to many communities. I hope very much that you will discuss this problem with the concerned agencies and that procedures may be worked out to assure that communities which cannot bear the cost will be relieved of this imposition and thus assured of flood protection.

On November 10, 1964, I wrote the President of the United States on this subject, and I am taking the liberty of enclosing a copy of my letter. I will, of course, appreciate any additional information you can provide on this urgent matter.

With kind regards, I am,
Sincerely yours,
John Sherman Cooper.

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., May 5, 1965.

Hon. JOHN SHERMAN COOPER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COOPER: Your letter of April 21, 1965, to the Director raised several questions concerning S. 1229, the proposed Federal Water Project Recreation Act. You expressed concern that the proposed act may deny flood protection to some areas. Your concern is appreciated. However, we do not believe enactment of the bill will adversely affect the economic justification of flood protection projects.

The enactment of S. 1229 would establish congressional policy recognizing recreation as a purpose in the planning and construction of Federal water resource projects. Recognition of recreation as a project purpose means that recreation benefits may be considered in the economic justification of a project and that project costs may be allocated to recreation. With the increasing demand for outdoor recreation and the important role that water resources development can play in meeting that demand, we think it very desirable to have general legislative policy on this subject.

The importance of recreation at water resource projects has been recognized in recent years, as in the statement of "Policies, Standards, and Procedures in the Formulation, Evaluation, and Review of Plans for Use and Development of Water and Related Land Resources," approved by President Kennedy in May 1962 for the guidance of executive branch agencies and in the legislative authorization of individual projects. However, there has been no general legislation recognizing recreation as a purpose of water resources development and no uniform policy for treatment of recreation as part of these projects. The enactment of S. 1229 would remedy these deficiencies.

As you know, S. 1229 is similar to H.R. 9032 of the last Congress. However, major changes were made in the provisions relating to cost sharing to reflect the experience of the agencies in applying the provisions of H.R. 9032 and also to reflect comments received on that bill. Your views on H.R. 9032 which were expressed in your letter of November 10, 1964, to the President were very carefully considered in the drafting of S. 1229.

This brings us to another point in your letter—that is definition of "non-Federal public bodies." It is recognized that in some instances a community immediately adjacent to a reservoir may be unable to meet the cost-sharing requirements. And as you indicated, a reservoir could benefit a larger area than the nearby community. Accordingly, the term "non-Federal public bodies" includes one or more of the following public entities, as appropriate: States, counties, municipalities, recreation districts, or other special purpose districts with sufficient authority to participate under the provisions of the bill. The Federal water resource agencies will work with the appropriate non-Federal entities in planning recreation developments, and the extent to which non-Federal interests are willing to participate will be an important factor in developing an appropriate recreation plan for each project.

In recognition of varying abilities of non-Federal interests to share in the costs of recreation developments, two methods of fulfilling the sharing requirements are provided in the bill. First, payment in cash or provision of lands or facilities required for the project; and second, repayment with interest within 50 years. Repayment could be through user fees collected at the project by non-Federal interests. This latter method of repayment would mean that non-local, as well as local, recreation users would help pay for the non-Federal share of project costs.

We do not believe that there will be many instances where agreement cannot be reached on cost sharing under the foregoing provisions. As an example of the ability of non-Federal interests to share costs in recreation development, the Bureau of Outdoor Recreation indicates that under the Land and Water Conservation Fund Act of 1965, which authorizes grants for non-Federal development of recreation facilities, the States stand ready to match all the Federal funds expected to become available in 1966 under that act.

We appreciate receiving your comments on the bill, and we hope the foregoing explanations will be helpful to you. We consider enactment of this legislation essential in order to establish sound general policy for the treatment of recreation and fish and wildlife at Federal water resource projects.

Sincerely,

ELMER B. STAATS,
Deputy Director.

Mr. COOPER. Mr. President, because the conference report is now being considered by the Senate, and because if the conference report is approved by the Senate, it will become law after being signed by the President, I believe that the intent of Congress in regard to the language about cost sharing is a very important matter and should be made clear here.

Specifically, my concern about this section goes to two points, and I will illustrate my concern by some examples of the problem as it affects areas I know well. In the eastern part of Kentucky there are a number of streams and rivers, including those in the Big Sandy River basin, and its Tug and Leviso Forks, and there are the important basins encompassed by the Kentucky River, the Cumberland River, and the Licking River, among others. In the northern and western parts of my State, there are other great and important river basins, with long valleys and full tributaries. Year after year, the section of Kentucky—and similar areas in other States—are ravaged by floods, which result in property losses of millions of dollars, as well as the loss of human life and the destruction of community and family life.

To protect the river valleys not only in Kentucky but in the many States with similar rivers and streams it is necessary that flood protection facilities such as dams and reservoirs be constructed. It is the only way that the communities in these valleys and the people living there can be protected, and that their security and economic opportunity can be provided and maintained.

Although the total cost of each of the proposed facilities is not great, there is always the problem of whether the cost-benefit ratio can be met. As the Senator knows, Congress in practice does not authorize and appropriate funds for flood control facilities unless the cost-benefit ratio is favorable.

My first question applies to a facility in which, in order to gain a favorable cost-benefit ratio, recreational benefits, and perhaps fish and wildlife enhancement benefits would be included. Let us assume that there is a facility which, without these benefits, had an unfavorable cost-benefit ratio. If the provisions of this conference report mean that the recreation or fish and wildlife facilities giving benefits could not be included unless the non-Federal public body, which might be a community or a local government unit, would assume one-half of the separable costs of the facilities bringing this benefit, I believe the result will be that vital flood protection will never be made available to these communities in a great many cases.

I also ask the Senator, in the event that there were cases in which the inclusion of recreational benefits and fish and wildlife enhancement benefits would make a very important difference in determining whether the ratio is favorable, would this provision be so strictly applied, that if a community were not able to pay half the cost, the benefit could not be used, and therefore the complete project, including the vital flood control facility, would never be able to meet the cost-benefit ratio requirement, with the result that flood protection would be denied?

Mr. JACKSON. First of all, I commend the distinguished and able Senator from Kentucky for his continuing interest in this problem. He has conferred with me a number of times in connection with the pending legislation.

I should say that the thrust of the pending legislation is principally to provide guidelines for the executive branch of the Government in planning these multipurpose projects for submission to the Congress. The Congress, of course, can consider each proposed project on its own merits and take whatever action it finds appropriate.

Therefore, I emphasize that the pending legislation is a directive to the executive branch in connection with the planning of water-project proposals.

It is clearly expected that the Bureau of the Budget and the water-resource agencies would give most careful and sympathetic consideration to the cost-sharing problems you outlined in eastern Kentucky and similar areas, with a view to recommending whether an exception to these guidelines would be in order. In this regard, Mr. Elmer B. Staats, Deputy Director of the Bureau of the Budget, wrote Representative WAYNE N. ASPINALL on February 19, 1965, that:

> The formulation of a general policy to fit every circumstance is made difficult by the great variety among water-resources projects—in size, purposes served, and problems encountered. Therefore, the water-resources agencies may in some instances recommend departures from the general policy.

Mr. COOPER. In connection with the construction of reservoirs and dams which will protect a number of communities and areas downstream from the facility, there has been much fear that the term "non-Federal public body" might cause costs to be allocated against a community which geographically might be nearest the flood control facility. Would the Senator say that a proper interpretation of the term "non-Federal public body" could mean a State or a group of communities, and is not limited to the community nearest the facility?

Mr. JACKSON. The term "non-Federal public body" as used in the pending proposed legislation is used in a broad sense. It includes everything other than the Federal Government in the public area. It would mean the State—and I make the citation only by way of example—and it could mean a political subdivision of a State.

Mr. COOPER. That interpretation would seem more reasonable, because the recreational benefits and those resulting from fish and wildlife enhancement would not be available only to the nearest community.

Mr. JACKSON. Often the benefits might go to those far beyond the adjacent community.

Mr. COOPER. The Senator has said that the provisions in the bill are guidelines. I see the distinguished chairman of the appropriations subcommittee, the Senator from Louisiana [Mr. ELLENDER] in the Chamber. Assuming that the Public Works Committees of the Senate and the House, or the Appropriations Committees dealing with projects of the Corps of Engineers found, upon considering an authorization bill or appropriation bill, that a particular flood control project was vitally needed for flood protection and could not be brought under the proposed guidelines, could those committees decide in specific cases that the cost-sharing guideline or cost-sharing formula should be waived with respect to a particular facility?

Mr. JACKSON. There is no question about that. I again emphasize that the pending proposed legislation merely represents guidelines for the executive branch to follow prior to the submission of project proposals for consideration by the Congress. When they are submitted Congress can take any action it finds appropriate. Similarly, the Appropriations Committee can take whatever action it might deem fit.

The bill is, I reemphasize, principally a broad-gaged policy directive to the executive branch by which it is stated, "These are some of the criteria that we believe you should generally follow in planning."

When a project is submitted it will be up to Congress to decide whether to accept, reject, or modify it.

Mr. COOPER. That raises another point. The Senator has referred to the submission of projects to the Congress.

The Senator has said—and I believe he is correct—that the appropriate committee—for example, the Committee on Public Works with respect to an authorization bill and the Committee on Appropriations with respect to an appropriation bill for, say, a Corps of Engineers project—could take whatever action it thought proper. I have noted your expectation, as the floor manager of this bill, S. 1229, that the Bureau of the Budget and the water-resource agencies would give most careful and sympathetic consideration to the cost-sharing problems we have been discussing here, and my distinguished colleague, who is chairman of the Interior and Insular Affairs Committee which reported this legislation, has said that the intent of this bill is for the Bureau of the Budget to consider this problem with a view to recommending whether an exception to these guidelines would be in order in situations such as I have outlined in eastern Kentucky, where flood protection is vitally needed.

The Senator from Washington [Mr. JACKSON] has said that nothing in this bill is to be taken to mean that a committee of the Congress cannot take action it deems proper with respect to any particular facility. In this regard, it would be recognized that the Bureau of the Budget, the Corps of Engineers, or any other agency which makes a study or is responsible for making recommendations to the Congress in regard to flood protection facilities would not be directed in every case to apply the formula for local sharing of separable costs as included in this bill. Could the Bureau of the Budget, the Corps of Engineers, and other agencies, if they found in a particular case that it would be inequitable to apply the formula, or if they found that it would be impossible for such a formula to be applied and still enable construction of the needed flood protection facility, or if they found that the overriding need for flood protection was so great that the formula should not be insisted upon, recommend to the Congress either the authorization of a project or appropriations for a project without requiring the assurance of sharing in connection with the separable costs provision?

Mr. JACKSON. I fully appreciate the very real importance of the problem the Senator from Kentucky describes. There is no question that the Director of the Budget Bureau has authority to recommend an exception to the planning guidelines of S. 1229 when special circumstances warrant it.

I am sure that we are not wise enough—I must confess that I am not learned enough—to look so far in advance as to be able to state that the guidelines in this legislation are immutable. Obviously, they are mutable. They will always be so. But there is a need, I believe, for some broad planning directives to the executive agencies in regard to water projects. We need wise and prudent standards. That is what we are trying to establish here. I believe that the Congress will continue, as it should, to exercise its discretion properly and make its final decision on the merits in every case. But this legislation does not purport to prejudge the future in the field of public works, reclamation, or in any other area of resource development.

Mr. COOPER. I appreciate the reason the Senator has given for the provision of these guidelines, which may help in the establishment of some priorities among projects.

Mr. JACKSON. That is correct.

Mr. COOPER. But we all know that some are much more necessary than others. I assume also that the purpose is to insure that we do not get away from the basic purposes of flood control, navigation, and water resource control, so it is important to provide for very careful study and determination before submission, authorization, and construction of projects which may be mostly concerned with recreation, fish, and wildlife enhancement.

My concern has been that a rigid application of this formula might deny to the States—not only to my State, but to other States, as well—and to areas that are stricken year after year by awful floods, the possibility of flood protection. I am much pleased by the Senator's statement that the guidelines are not rigid, immutable rules that must be followed in every case.

One other question: Some officials of my State, some communities of my State, and the people of some communities have expressed a fear, which I felt at the beginning of the consideration of this problem, that a public body might be required to supply funds immediately, either by way of appropriations or from the sale of bonds, and might not be able to do so. Does the Senator from Washington know whether or not this method of assuring and paying the separable cost has been considered and might be approved; that is, that over a period of years the separable cost may be amortized and repaid by user funds?

Mr. JACKSON. We deliberately made provision for repayment from entrance and user fees or charges within 50 years of first use of project recreation or fish and wildlife enhancement facilities. The clear intent of the planning guidelines—again, I emphasize planning guidelines—is to give to local public entities the broadest possible assurances of an opportunity to participate in the program on a reasonable basis.

Mr. COOPER. I thank the Senator from Washington for his consideration and for his answers.

Mr. JACKSON. I compliment the Senator from Kentucky for his thoughtful contribution to the proper understanding of this legislation.

Mr. ELLENDER. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I yield to the Senator from Louisiana.

Mr. ELLENDER. As I understand the bill, it is, more or less, to make uniform the rules and regulations that now apply or that can be applied by the Corps of Engineers, so that they may be applicable to the Bureau of Reclamation.

Mr. JACKSON. We have had policies that have been inconsistent with respect to Corps of Engineers and Bureau of Reclamation projects.

Mr. ELLENDER. To what extent would the regulations apply to the Corps of Engineers?

Mr. JACKSON. The Corps of Engineers and the Bureau of Reclamation could be subject to uniform planning guidelines with respect to recreation and fish and wildlife benefits and costs. For example, we provide for reimbursability in connection with the separable costs of recreation and fish and wildlife enhancement facilities.

Mr. ELLENDER. By whom?

Mr. JACKSON. By local public bodies. In regard to fish and wildlife, reimbursability is required where the benefits are of a local nature.

Mr. ELLENDER. The next question is not in respect to the pending business. I was busy this morning holding hearings on the farm bill. I was informed that the Senate had passed S. 602, which had been reported by the Committee on Interior and Insular Affairs.

As I understand, the purpose of the bill, according to the report, is to increase the authorization of funds available for the loan and grant program from the present $100 to $200 million; second, to raise the limitation on loans or grants of Federal funds on single projects from $5 million to a limit of $7.5 million; third, to make the interest rate payable by the Treasury as provided in the Water Supply Act of 1958, instead of the rate of the average annual yield on long-term Government obligations. Is the Senator from Washington familiar with that particular interest rate? Can he say how it differs from what the law now provides?

Mr. JACKSON. First, in connection with the small reclamation projects, to which the bill, S. 602, is directed, I should mention that the interest rate requirement in the act is different from that in regular reclamation law. The Small Reclamation Projects Act, to which the Senator has referred, requires that the portion of the loan applicable to municipal and industrial water, power, and excess lands be repaid with interest.

Mr. ELLENDER. Is the same principle being applied to these projects?

Mr. JACKSON. Yes. Under the Small Reclamation Projects Act, loans for nonirrigation facilities and features are repayable with interest. When a single-purpose reclamation project has been completed, the principal is repaid, but without interest.

Mr. ELLENDER. But as to the small reclamation projects——

Mr. JACKSON. That principle does apply. All that is involved here is the rate of interest to be applied to small reclamation projects. As the Senator knows, the argument over interest rates has been going on for a long time.

Mr. ELLENDER. I know that. That is why I am raising the question.

Mr. JACKSON. What we have followed in this instance is to attempt to make the rate on the interest-bearing features of small reclamation projects conform to interest rates on regular Federal water projects.

Mr. ELLENDER. According to the report, the third item of amendment would:

> Make the interest rate that payable by the Treasury, as provided in the Water Supply Act of 1958, instead of that of the average annual yield on long-term Government obligations; interest on loans currently outstanding would be revised retroactively to this rate.

I should imagine that the purpose of that amendment is to provide a little relief in the interest field. Am I correct in that assumption or not?

Mr. JACKSON. Yes, the Senator is correct. But the problem is one of uniformity. The amendment would make the rate on small projects conform to that on regular Federal water projects with respect to the interest bearing features.

Mr. ELLENDER. Not if the payment is made retroactive and the rate of interest is lowered. The Government would be out of interest in some way. I wonder if the Senator could be more specific.

Mr. JACKSON. The bill would change the interest rate in the Small Projects Act to make it the same as now applicable under the Water Supply Act formula. That is all that we are doing at this time. The rate would be the same.

Mr. ELLENDER. And that rate is what?

Mr. JACKSON. Approximately 3¼ percent, I believe.

Mr. ELLENDER. Regardless of what the Government pays for that money, we are providing that it be 3¼ percent; is that correct?

Mr. JACKSON. We are providing for it on the basis of the formula that has been in effect since 1958.

Mr. ELLENDER. What is the present rate of interest?

Mr. JACKSON. The Water Supply Act formula interest rate is 3⅛ percent for fiscal 1965.

Mr. ELLENDER. The rate of interest is 3⅛ percent under existing law.

Mr. JACKSON. That is correct.

Mr. ELLENDER. What would it be under the bill that was acted on, I presume, on the Consent Calendar, without any opposition and without anyone knowing what was being done here? What would the rate be under S. 602?

Mr. JACKSON. It would be 3⅛ percent, which the Secretary of the Treasury has certified to be the average rate of interest paid on the long-term securities of the United States which are neither due nor callable for 15 years from the date of issue.

Mr. ELLENDER. Mr. President, has the motion to reconsider been made on S. 602? I would like to move to reconsider, if I am in order. I have been trying to watch some of these bills.

The PRESIDING OFFICER. No motion to reconsider was made.

Mr. ELLENDER. Mr. President, I enter a motion to reconsider the vote by which the bill was passed.

The motion is entered.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which the conference report was agreed to.

Mr. HILL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COOPER. Mr. President, I appreciate very much the explanation of the distinguished Senator from Washington and his interpretation of the various sections of the conference report.

The Senator from Washington knows that I have absolute confidence in everything he says, and there is no question in my mind about the statement or interpretation of the Senator. However, I am concerned about the interpretation that some agency in the executive branch may give to this legislation. I am concerned specifically that the Bureau of the Budget might apply these guidelines so strictly that, in some cases—where flood protection is vitally needed—the construction of vital flood control facilities might be delayed for a long time.

For that reason, I am constrained to vote against the bill, but I shall write the President again about these problems and to call the attention of the executive agencies to them and to the intent discussed here. Mr. President, I ask that my vote be recorded in the negative.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 40 TO PROVIDE UNIFORM POLICIES WITH RESPECT TO RECREATION AND FISH AND WILDLIFE BENEFITS

Mr. JACKSON. Mr. President, I submit a concurrent resolution—Senate Concurrent Resolution 40—concerning the bill (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multipurpose water resource projects, and ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. The concurrent resolution will be stated by title.

The LEGISLATIVE CLERK. A concurrent resolution—Senate Concurrent Resolution 40—to correct the enrollment of S. 1229.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

There being no objection, the concurrent resolution was considered and agreed to, as follows:

> *Resolved by the Senate (the House of Representatives concurring)*, That the Secretary of the Senate, in the enrollment of the bill (S. 1229), to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes, is authorized and directed to strike out the words "Act of 1965" in the last line of subsection (h) of section 6.

Mr. JACKSON. Mr. President, the concurrent resolution was necessary to correct a technical error in citation in subsection 6(h) of S. 1229 as reported by the committee of conference. No change of substance is in any way involved.

LEO M. MONDRY

The PRESIDING OFFICER. The Chair lays before the Senate the pending business.

The Senate resumed the consideration of the bill (S. 321) for the relief of Leo M. Mondry.

OPEN DISCUSSION ON VIETNAMESE SITUATION IS HEALTHY AND WISE

Mr. PROXMIRE. Mr. President, in this morning's Washington Post there appears a column by Roscoe Drummond on the national debate over Vietnam.

I agree with President Johnson on his Vietnamese policies. I believe that they make sense. The President is right in continuing our 10-year commitment to South Vietnam to help it resist aggression. He is right in doing all that he can to seek negotiation. I recognize that the facts are far from clear, and there is a great deal of room for disagreement on the part of many.

I believe that what Mr. Drummond has to say in his column in this morning's Washington Post is unusually significant. He calls attention to the fact that close to a majority of the American people believe that the protests and teachings on Vietnam are not even sincere. A majority feel that while they may be sincere, they are unhealthy and unwise and bad for the country.

It seems to me that, in these circumstances, a protest in our universities is in the best American tradition. I believe that with regard to Vietnam that it serves a useful purpose. Indeed, I believe that our policies have already been refined, improved, modified on the basis of some of those criticisms.

The debate between Mr. Bundy and Mr. Morgenthau on television recently was a most enlightening and informative discussion and was one of the most instructive programs that television has carried this year.

We have had throughout our history a tradition of protest, even in periods of dire national peril. How can any Senator forget that it was the Senate of the United States which was the foundation for the protest against President Wilson's involvement in World War I? Indeed, my predecessor in this seat, once or twice removed, Senator Bob La Follette, did a great deal in trying to slow down our involvement in World War I by means of his vigorous and vehement criticism of President Wilson. We know that in World War II there were voices of dissent raised—as they should have been—in the Senate. We know that the same thing occurred in the Korean war.

I believe that the debate that we have had on South Vietnam is far from an unhealthy or unwise thing. I believe that it is very useful. I believe that if anything is needed, it would be more of this debate, more vigorous dissent, and discussion. After all, a democracy is only a democracy when the people are fully informed on the pros and cons of vital policies, and what policies are currently more vital than our actions in Vietnam? What policies require greater information or enlightenment?

For that reason, I ask unanimous consent that the column published in this morning's Washington Post entitled "Minority Opinion—Protests Held Healthy," by Roscoe Drummond, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROTESTS HELD HEALTHY

(By Roscoe Drummond)

A recent Louis Harris poll reveals two startling and disturbing facts:

That a majority of Americans who have followed the campus teach-ins and student protests over Vietnam feel that these actions are "a bad thing," unhealthy, to be condemned.

That a near-majority does not even concede honesty of conviction to the protesting professors and students and dismisses the teach-ins as something organized by "radicals."

I dissent.

As one who strongly supports the rightness and necessity of President Johnson's unwavering defense of South Vietnam, I think that the teach-in movement is overwhelmingly honest in purpose and is not harmful or unhealthy.

I think it is helpful and healthy for these reasons:

1. There are nearly 5 million college students in the United States. Many can already vote. Nearly all of them will be voting in the next presidential election. Far better that they should be sharpening their concern about the real world than swallowing goldfish as they did in the 1930's or indulging the woes of the "bland generation" or the "beatnik generation" as they did in the 1950's. It's healthy.

2. We needed more debate and more public discussion—for the Government's stand on Vietnam and against it—and we were not getting it until the campus teach-ins helped to stimulate it.

3. Criticism of the Government does not hurt. It helps. It serves to focus and stabilize public opinion. Did the anti-Vietnam teach-ins undercut support for the President's course in Vietnam? No, just the opposite.

In the wake of the teach-ins the Gallup poll revealed three changes in public opinion—Support for quitting Vietnam went up 1 percent; support for defending went up 7 percent; the personal popularity of President Johnson went up 6 percent; support for the Democratic Party as the best guardian of the peace went up 3 percent.

4. The expression of unpopular minority opinion—about Vietnam or anything else—ought to be respected and defended. The only way to protect the right of free speech for the majority is to protect the rights of the minority. Let's not look down at minority opinion; let's look up to it—and meet it head-on in the arena of free speech.

5. But shouldn't we close ranks in time of war? Ideally, yes. But this must be voluntary. It cannot be brought about by compulsion or coercion. Furthermore, our stake in the defense of South Vietnam is not so self-evident that it does not need more exposition and debate.

The truth is that the size of our commitment to defend South Vietnam has grown in a way that made it difficult for the American people to really know where we stood until the President's Baltimore speech of last April.

Our military help was to be "advisory." It became far more than advisory.

Our troop buildup in 1961 and 1962 was kept secret by President Kennedy. We had 2,000 men in Vietnam in 1961 and 11,000 in 1962. This buildup was not disclosed to the country until January 1963.

The size of our forces in Vietnam has now grown to 75,000 as of this month.

I believe that President Johnson is acting wisely to resist this aggression right where it is taking place. I believe that to permit it to succeed could only mean larger aggression under worse circumstances.

But public opinion has not been well served until recent weeks and it is only fair to state the facts candidly. That is what we need more of.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WHITE HOUSE SIT-IN

Mr. LAUSCHE. Mr. President, a few days ago a judge in Washington imposed a 6-month jail sentence upon certain young men and women who, in a defiant way, entered the White House and sat down, thus defying the requests and commands to leave, and remained in the White House for a rather protracted period of time in violation of the law.

The judge who imposed the sentence was Judge Scalley, in the court of general sessions.

There has been some discussion as to the propriety of the sentence imposed. There are some who have expressed the view that the 6-month sentence is too severe and cannot be justified in any manner, when one considers the need of justice in our courts.

Mr. President, the imposition of sentences in criminal cases to precisely meet the seriousness of the offense committed is a rather difficult problem. The judge who has heard the testimony and listened to the answers given by the accused must use what he believes is his best judgment in determining the type of sentence that will in the best interest of the people be imposed upon the offender. I was a judge for 10 years.

Mr. President, in that experience on the bench, my recollection is that I approached the imposition of penalty on certain bases. First, I wanted to learn whether the act of the defendant was one of deliberation and premeditation; second, whether the offense was committed under compulsion of economic want; third, whether the offense was the consequence of a mind that was immature in its capacity to determine what a proper social course of conduct ought to be; and, fourth, to ascertain whether the individual had previously been involved in criminal misconduct.

One who commits an offense because of a limited intellectual capacity to understand his social responsibilities likewise must be treated with some degree of leniency. Judge Scalley had before him a group of offenders who, with premeditation and deliberation, violated the law. These young men who decided to enter the White House as visitors, knowing in advance that when they got into the White House they intended to sit down, challenge the officers of the Federal Government, and refuse to leave when request was made upon them. In my opinion, this offense was one of deliberate and premeditated intention of violating the law.

We now come to the question as to whether or not what these young men did was a serious challenge to duly constituted government and law enforcement officials. All but one who were sentenced are students in college. It cannot be said of them that their capacity to think and recognize their social responsibility was limited. It cannot be said that they were driven by economic pressure to commit the offense. What they did was deliberate and premeditated. They challenged the sanctity of the White House. They challenged the authority of duly constituted government officials and law enforcement officers.

If these boys are to be dealt with leniently, with a slap on the wrist, I ask the question, What will be the impact on boys in the future concerning their responsibility to comply with law and order?

We speak about liberty in our country, but we cannot have liberty unless there is obedience to law and order. When law and order are defied, liberty leaves, and leaves with great speed. Those of us who want to preserve for the future the liberties provided for us in the Constitution owe a grave responsibility to see to it that law and order are maintained.

In the administration of the criminal laws of our country, there must be a blend of tenderness and firmness. Unless there is that blend, the result is, if the penalties are too severe, eventually that juries will not convict and judges will not convict. But if there is a leniency beyond reason shown to offenders, the net result is that encouragement is given to all others to defy law and order.

The Senator from Arkansas has just mentioned the status of criminal conduct within our country.

On the floor of the Senate, I venture to say that in the past 6 months we have dealt with half a dozen bills trying to help youth stay out of crime. Bills have been passed providing aid to youth. No one objects to those efforts. But, unless the courts will deal firmly with offenders who deliberately and premeditatedly violate the law, there will be trouble.

What is the status of the moral picture in America today? In one State, 80 persons are under indictment for corruption in Government. In another State, a number of judges have admittedly been involved in the acceptance of bribes in the administration of justice. All these things contribute to a general disrespect for law and order.

I comment further on the propriety of the sentence imposed in this case by Judge Scalley. Judge Scalley presided over the trial. He heard the evidence. He therefore understood the gravity of what happened. He decided that these men should serve 6 months in jail. I am prepared to rely on his judgment in a greater degree than I am prepared to rely on those who are not fully familiar with the complexities of the case, and who are not officially burdened with the responsibility of executing the law.

The time has come when these sit-in demonstrations—which are thought out, planned, and then put into action—must be dealt with by the lawful authorities with a degree of severity far greater than has been practiced in the past.

My final view is that the sentence imposed by Judge Scalley will have a salutary effect upon the maintenance of law and order throughout the country. It will be an example to other persons in authority to exert themselves to prevent disobedience to law and order. In my judgment, it will strengthen the backbone of the presidents and boards of regents of our universities. It will strengthen the backbone of other judges in the country. The net result will be constructive and wholesome in the maintenance of law and order which is so vitally needed today.

Mr. President, I yield the floor.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from Arkansas.

Mr. McCLELLAN. I believe it can be said—at least this is my observation; I think millions of Americans will join me in this conclusion—that we now have more lawlessness and greater disrespect for law, and the lowest respect for law and order in the United States than ever before in its history.

I believe that comments such as the distinguished Senator from Ohio is referring to and the kind of support given to those who, as the Senator has observed and stated, willfully defy constituted authority, knowing they are doing it, simply contribute to further disrespect for law. Those who disrespect the law and those who want to violate the law will get solace and comfort from that kind of support.

I do not think there is anyone in America today who, by reason of the article being published, has greater respect for law and order than he would have had. I simply think it is support for those who today deliberately violate the law and who feel they can get off with light punishment and, in many cases, no punishment at all. They will feel a greater defiance for the law and exercise a greater defiance for the law from this sort of moral support than would be so if there were a demand for tighter enforcement and greater punishment for crime than is the rule in our land today.

I wish to commend the Senator for his remarks.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, is the Senate in the morning hour?

The PRESIDING OFFICER. Morning business has been closed.

Mr. MANSFIELD. What is the pending business?

The PRESIDING OFFICER. Senate bill 321.

PUBLIC HEALTH SERVICE ACT—AMENDMENT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to consider Calendar No. 357, S. 596.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 596) to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with amendments.

Mr. HILL. Mr. President, the Committee on Labor and Public Welfare has approved, without a dissenting vote, S. 596, that would assist communities in establishing regional medical complexes to combat heart disease, cancer, and stroke.

The toll of heart disease, cancer, and stroke in terms of human suffering, pain, and hardship cannot be measured. But we do know that the three killers in this country affected the lives of 30 million persons and their families and friends in 1963. We also know that 1,187,558 lives of Americans ended with the cause of death listed as heart disease, cancer, or stroke in the same year.

Heart disease, cancer, and stroke account for 71 percent of the deaths in this country and for 51 percent of the deaths of our people under 65 years of age.

The economic cost to the Nation for the ravages wrought by heart disease, cancer, and stroke amounted to $31.5 billion in 1962. This total includes an estimated $4 to $5 billion in direct costs of care and treatment as well as the indirect costs associated with loss of earnings due to disability and premature death.

A panel to our country's most distinguished medical authorities and laymen has reported to the President and to this committee that we can eliminate several hundred thousand unnecessary deaths each year if we bring to our citizens the full benefit of what we know today about prevention, detection, treatment, and cure in the case of heart disease, cancer, and stroke. It is to this purpose that S. 596 addresses itself.

I ask unanimous consent to include in the CONGRESSIONAL RECORD the membership of the President's Commission on Heart Disease, Cancer, and Stroke.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

MEMBERSHIP OF PRESIDENT'S COMMISSION ON HEART DISEASE, CANCER, AND STROKE

Dr. Michael E. DeBakey, professor and chairman, Department of Surgery, Baylor University College of Medicine, Houston, Tex., Chairman.

MEMBERS

Dr. Samuel Bellet, professor of clinical cardiology, Graduate School of Medicine, University of Pennsylvania, Philadelphia, Pa.

Mr. Barry Bingham, editor and publisher, Louisville Courier-Journal, Louisvile, Ky.

Mr. John M. Carter, editor, McCall's magazine, New York, N.Y.

Dr. R. Lee Clark, director and surgeon in chief, the University of Texas M. D. Anderson Hospital and Tumor Institute, Houston, Tex.

Dr. Edward W. Dempsey, former dean, School of Medicine, Washington University, St. Louis, Mo.: Resigned on September 28, 1964, to become special assistant to the Secretary (Health and Medical Affairs), U.S. Department of Health, Education, and Welfare, Washington, D.C.

Dr. Sidney Farber, director of research, Children's Cancer Research Foundation, and professor, Harvard Medical School, Boston, Mass.

Dr. Marion S. Fay, former president and dean, the Woman's Medical College of Pennsylvania, Philadelphia, Pa.

Mr. Marion B. Folsom, director, Eastman Kodak Co., Rochester, N.Y., and former Secretary of the U.S. Department of Health, Education, and Welfare, Washington, D.C.

Mr. Emerson Foote, former chairman of the board, McCann-Erickson, Inc., New York, N.Y.

Gen. Alfred M. Gruenther, immediate past president, American National Red Cross, Washington, D.C.

Dr. Philip Handler, professor and chairman, Department of Biochemistry, Duke University Medical Center, Durham, N.C.

Mr. Arthur O. Hanisch, president, Stuart Co., Pasadena, Calif.

Dr. Frank Horsfall, Jr., president and director, Sloan-Kettering Institute for Cancer Research, New York, N.Y.

Dr. J. Willis Hurst, professor and chairman, Department of Internal Medicine, Emory University School of Medicine, Atlanta, Ga.

Dr. Hugh H. Hussey, director, Division of Scientific Activities, American Medical Association, Chicago, Ill. Resigned as of September 5, 1964, to become special consultant to the Commission.

Mrs. Florence Mahoney, cochairman, National Committee Against Mental Illness, Washington, D.C.

Dr. Charles W. Mayo, emeritus staff surgeon, Mayo Clinic, Rochester, Minn.

Dr. John S. Meyer, professor and chairman, Department of Neurology, Wayne State University College of Medicine, Detroit, Mich.

Mr. James F. Oates, chairman of the board, Equitable Life Assurance Society, New York, N.Y.

Dr. E. M. Papper, professor and chairman, Department of Anesthesiology, College of Physicians and Surgeons, Columbia University, New York, N.Y.

Dr. Howard A. Rusk, professor and chairman, Department of Physical Medicine and Rehabilitation, New York University Medical Center, New York, N.Y.

Dr. Paul W. Sanger, surgeon, Charlotte, N.C.

Gen. David Sarnoff, chairman of the board, Radio Corp. of America, New York, N.Y.

Dr. Helen B. Taussig, emeritus professor of pediatrics, Johns Hopkins University, Baltimore, Md.

Mrs. Harry S. Truman, Independence, Mo.

Dr. Irving S. Wright, professor of clinical medicine, Cornell University, Medical College, New York, N.Y.

Dr. Jane C. Wright, adjunct associate professor of research surgery, New York University School of Medicine, New York, N.Y.

Mr. HILL. Mr. President, many distinguished doctors and scientists served on the Commission. However, the Commission was not composed entirely of doctors and scientists. For example, many of the members of that Commission were distinguished leaders in their fields, outside medicine and science.

I cite Mr. Barry Bingham, editor and publisher, Louisville Courier-Journal of Louisville, Ky.; Mr. John M. Carter, editor, McCall's magazine, New York, N.Y.; and Mr. Marion B. Folsom, director, Eastman Kodak Co., Rochester, N.Y. Of course, we remember him also as the former Secretary of the U.S. Department of Health, Education, and Welfare. I have had the privilege of knowing a number of Cabinet officers all through the years that I have been in the Senate, but I believe that Mr. Folsom was among the most able, most outstanding, and finest heads of Government departments that I have ever known.

Also on the Commission was Gen. Alfred M. Gruenther, immediate past president of the American National Red Cross in Washington, D.C. Also Dr. Frank Horsfall, Jr., president and director of Sloan-Kettering Institute for Cancer Research. Also Dr. Charles W. Mayo, emeritus staff surgeon of the famous Mayo Clinic in Rochester, Minn. Also Mr. James F. Oates, chairman of the board, Equitable Life Assurance Society in New York City. Also Gen. David Sarnoff, chairman of the board of the Radio Corp. of America in New York. He is one of the most forward looking men that I have ever known in my life, a man of great vision, a man of tremendous ability.

I shall not read all the names on the list. I have already placed all of them in the RECORD. I have almost hesitated to read any of them without reading all of them. One I wish to refer to is Dr. Helen B. Taussig, of Johns Hopkins University, who with Dr. Blalock—and I say to my friend from Georgia that Dr. Blalock is a native of the great State of Georgia—at Johns Hopkins Hospital performed the first blue baby heart operation.

People of that character served on this Commission. They served on the Commission and brought us a unanimous report. They are all outstanding leaders in our country. As Members of the Senate know, the Chairman of the Commission was Dr. Michael DeBakey, of Houston, Tex. When the Duke of Windsor had to undergo a serious operation on his heart, it was not done in London, Paris, Berlin, Vienna, Rome, or any of the other places that we used to think of as great centers of medicine and surgery. He went from London to Houston, Tex., where this operation was performed successfully. The bill before the Senate is to carry out the recommendations of the President's Commission on Heart Disease, Cancer, and Stroke.

I notice in the Chamber my distinguished friend from North Carolina [Mr. ERVIN]. One of the distinguished members of the Commission was from the State of North Carolina. North Carolina has three very fine medical centers and some very great scientists in the field of biology and health.

The members of the Commission, and I shall not repeat the names of these outstanding leaders of our country, carried out the most comprehensive and careful study of heart disease, cancer, and stroke that has been undertaken and set forth recommendations for minimizing the toll of these three leading killers and cripplers of mankind.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. COTTON. The Senator from Alabama so far has alluded to southerners. Were there no Yankees on that Commission?

Mr. HILL. Certainly there were Yankees on the Commission. For example, I noticed the name, which I had not read, of Mr. Emerson Foote, former chairman of McCann Erickson, Inc., New York, N.Y. I believe the Senator might claim Mr. Emerson Foote, who came from New York; but let me get a little closer to New Hampshire.

Mr. COTTON. New Yorkers are not Yankees; only a New Englander is a Yankee.

Mr. HILL. Then, for the sake of my friend from New Hampshire, I shall refer to a doctor in New England. From the list I select the name of Dr. Sidney Farber, who is as dedicated a man as any I have ever known in my life. He is giving his life fighting leukemia, particularly leukemia in little, beloved children. He is director of research, Children's Cancer Research Foundation, and professor of Harvard Medical School at Boston, Mass, which is in the heart of New England.

Mr. COTTON. I thank the Senator.

Mr. HILL. I see in the Chamber my friend the Senator from North Carolina [Mr. ERVIN]. I notice on the list the name of Dr. Philip Handler, professor and chairman, Department of Biochemistry, Duke University Medical Center, Durham, N.C. Dr. Handler is one of the great biochemists of our country.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield to my friend from Vermont.

Mr. AIKEN. The bill now being considered is the bill which New England people from Vermont discussed with the Senator and about which they are so enthusiastic.

Mr. HILL. It is, indeed. They are not only enthusiastic about it, but they have already started the formation of such a complex as the bill contemplates.

Mr. AIKEN. They already have full approval of the State legislature.

Mr. HILL. Yes.

Mr. AIKEN. They have my full approval, too. I believe we have the approval of the Senator from Alabama. They have an application which they intend to file the instant the bill is signed. They are prepared to be the first institution or group in the United States to establish the proposed regional complex.

Mr. HILL. They are first on my list.

Mr. AIKEN. Therefore I hope there will be no delay in enacting the proposed legislation and having it signed by the President.

Mr. HILL. I thank my distinguished friend. Vermont is first on the list of States that have laid the foundations for the program. They have already proceeded with their planning. They have already gone to work to form a complex such as is contemplated under the proposed legislation.

Their work is evidence that there is already a growing and enthusiastic response throughout the Nation to the prospect of regional medical complexes in combating heart disease, cancer, and stroke.

On May 5, Governor Hoff, of Vermont, signed a bill which creates a mechanism for planning with regard to the proposed new program that would be authorized by S. 596. This act of the Vermont Legislature creates an advisory board representing the medical society, the health department, and interested organizations and institutions. The act also designates the University of Vermont as the planning agency and appropriates funds to carry out the planning activity.

Preliminary discussions involving the two medical schools, the State medical society, and other health organizations and agencies in the State of Virginia have been held. These discussions look forward to the development of a cooperative approach on the part of all interested institutions and organizations in Virginia in bringing the benefits of regional medical complexes to that State. Virginia is fortunate in being able to build on the experience derived since the end of World War II in operating a limited program of cooperation between the medical schools and hospitals in various areas of the State.

Discussions are also proceeding in North Carolina which indicate that this program can help the people of North Carolina to achieve some of the objectives set forth by a statewide commission established by the State legislature almost 20 years ago. That commission saw the need to establish more fruitful relationships between the medical schools and the community hospitals in order to create better training opportunities and to communicate more effectively in health knowledge.

The State of Iowa already has in being some of the elements of regional medical complexes in that the university hospital in Iowa City has cooperative arrangements with all areas of the State and a program is underway which links the university medical center with other community hospitals in the State through a closed-circuit TV network for the purpose of communicating the latest advances in medical science.

The Bingham Associates program operating out of Boston has for some years provided the basis for making available to a considerable number of hospitals throughout the State of Maine and in other New England States the capabilities of the New England Medical Center in Boston.

Another successful program already in operation is the Albany regional hospital program which provides on a limited experimental basis for formal collaboration between the Albany Medical College and five hospitals in other communities. This collaboration is intended to make available to the physicians of hospitals the latest advances in medical knowledge through continuing programs of postgraduate medical education.

These brief examples show that, not only has this program struck a responsive chord throughout the country, but that it will build on the base of a number of activities already in progress on a limited scale.

Mr. AIKEN. Over half of the graduates of the University of Vermont are now practicing medicine in New England. They specialize as family doctors.

Mr. HILL. That is correct.

Mr. AIKEN. They are about the only medical institution left which turns out old-fashioned family physicians who know what ails a person no matter what it is.

Mr. HILL. The Legislature of Vermont has its plans well underway.

Mr. AIKEN. They work in close harmony with the 2-year premedical course at Dartmouth College in Hanover, N.H., which nearly 200 years ago was intended to be established in Vermont, but the geographical lines became twisted. Hanover happens to be the next town to where our distinguished senior Senator from New Hampshire resides. I am sure that he has an interest because it is in his region.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. COTTON. The Senator is correct. We are all very proud of what the University of Vermont is doing. Dartmouth is seeking to help. But in reference to the remark of the distinguished Senator from Vermont about the fact that Hanover, N.H., was intended to be in Vermont, I merely wish to say that at the time Dartmouth was founded, Vermont belonged to New Hampshire, but we let Vermont go.

Mr. AIKEN. Not exactly. The towns on the east side of the Connecticut River, including the Senator's hometown of Lebanon, were considered part of Vermont. As evidence of that I point out that at one time Vermont elected a Lieutenant Governor from the town of Lebanon. And at the one time a meeting of the Vermont State Legislature was held in what is now considered to be a part of the State of New Hampshire.

The intentions of the people of western New Hampshire were good, but when Vermont decided to join the Union, the U.S. Government, as it has done sometimes more recently, stepped into our affairs and upset the plans.

Seriously speaking, I believe that the bill is a very fine measure, and I hope that it will be passed.

At this point, Mr. President, I ask unanimous consent to include in the RECORD the following communication from Dr. Robert J. Slater, dean of the College of Medicine at the University of Vermont, as it pertains to the pending legislation.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM BY DR. ROBERT SLATER

This memorandum is written to delineate the planning by Gov. Philip Hoff, the legislature, and the University of Vermont regarding the intent of the President of the United States and the recommendations of the DeBakey commission to assure a continuing potential for physicians and other health professionals to provide the best in services through new programs in heart disease, cancer, and stroke, and other major diseases.

THE REGIONAL INFLUENCE OF THE COLLEGE OF MEDICINE

The College of Medicine of the University of Vermont is the only 4-year medical school north of Boston. In relation to other medical schools it is located 175 miles north of Albany and 250 miles northwest of Boston, 80 miles north of the 2-year Dartmouth Medical School in Hanover, N.H., and 100 miles south of the McGill and University of Montreal schools.

The patient-care programs extend throughout the northwestern New England region, including northern Vermont, northeastern New York, northern New Hampshire, and western Maine. The programs for continuing professional education reach out to the entire region of the northeastern United States, integrated with similar programs of other medical schools.

Historically, since 1822, this college of medicine has been the well-spring of medical care for this region. Over one-half of the doctors in Vermont are graduates of the medical college and one-half of the living graduates are practicing medicine in the New England States. Vermont ranks fifth in the Nation with its physician-population ratio and first in the relative number of family physicians.

The capability of the medical college has expanded greatly in recent years, in large part resultant to major Federal support of research and training programs. Having been awarded $4.3 million of Federal funds in the spring of 1965, it is currently embarking on an $8.7 million program of construction to complete the replacement of antiquated facilities and to expand for an increase in the medical student body from 200 to 300.

THE CONCEPT OF A REGIONAL MEDICAL COMPLEX

Resultant to the DeBakey Commission report and the ensuing Federal bills for the establishment of regional medical complexes (S. 596 and H.R. 3140), the health committees of the Vermont Legislature developed a bill (S. 30) to create a mechanism for regional planning. Signed by Governor Hoff on May 5, 1965, the bill designates the university as the agent to submit an application for planning funds, if and when the Federal legislation is enacted.

To support the university in this task, the bill created an advisory board of nine members to be appointed by the Governor with the advice of the president of the university. These represent the college of medicine, the Vermont State Medical Society, the Vermont State Health Department, the Vermont Hospital Association, the paramedical groups, the health insurance industry, and three lay individuals. Ten thousand dollars was appropriated to carry out the purposes of the bill. It is anticipated that the Governor will call the first meeting prior to July 1965.

The next stage will involve development of an interstate regional planning group.

INTERPRETATION OF THE DE BAKEY REPORT AND LEGISLATION

It is generally conceded that the recommendations of the DeBakey Commission contain many ideas which, properly implemented, could assure continuing improvement in the health of the people. Our preliminary thinking supports the concept that there is much to be achieved by adapting the recommendations of the Commission particularly to expansion and greater financial support of existing programs of the various health agencies, coupled with interagency areawide planning and coordination.

There is concern felt by many that too rapid an increase in emphasis on research in new centers as well as in regional hospitals may place a considerable strain upon existing professional staff. Since there exists a major deficit in manpower in the health fields at present, we consider that the suggested reorientation of programs and staffing must be phased in such a way that there is assured no lessening of the number and effectiveness of physicians and other personnel who provide primary patient care.

THE ROLE OF THE PRACTICING PHYSICIANS

The major potential of this medical college for continuing improvement in medical care throughout this region is based upon its excellent relationships with the practicing physicians. Thus, when the university suggested the value of early planning in anticipation of Federal legislation, with the idea of helping to shape the implementation of such planning as it might apply to New England, the council of the State medical society went on record in supporting the resultant Vermont legislation outlined above.

It was clearly understood that this support by the society was not to be construed as an official endorsement of either the DeBakey Commission report or the pending Federal legislation for regional complexes. Rather this cooperation was provided to enable a more united approach by the medical college, the practicing physicians, and other health agencies for positive planning.

REGIONAL MEDICAL COMPLEX FOR NORTHERN NEW ENGLAND

The central role of any medical school in a regional medical complex (as defined in S. 596 and H.R. 3140) is a very natural development considering their increasing ability to assist in programs for continuing excellent patient care. Such an evolution grows out of the directions in scientific and medical leadership taken by the schools in recent years—on the one hand strengthened by being able to draw upon the broad intellect of their parent universities, and on the other hand greatly enhanced by the marked focus of public and private support of programs in medical education and research.

It is our opinion that a very flexible attitude should be taken by the National Advisory Council in the development of regional medical complexes, as seems implicit in the legislation S. 596 and H.R. 3140. Major consideration should be given to the local and regional capabilities of existing medical schools and their established and evolving relationships with regional hospitals and the health professional groups.

We consider that the University of Vermont College of Medicine, working within the framework of the aforementioned interagency council, and in concert with other medical schools, can spearhead a regional medical complex embracing northwestern New England. Such a program, adapted to the particular characteristics of this rural and semiurban region, should ultimately assure a greatly improved potential for advances in the prevention and cure of major diseases.

Mr. HILL. The State of Vermont is a pioneer in the field which the bill contemplates and provides for.

I asked the distinguished Senator from Ohio [Mr. Lausche] to remain in the Chamber for a few minutes so that I might have an opportunity to point out that one of the men the distinguished Commission relied upon heavily was Dr. James B. Dixon, president of Antioch College, at Yellow Springs, Ohio. So Ohio had a large part in the whole plan, just as North Carolina, Georgia, Minnesota, Vermont, and New Hampshire did. If time permitted, I could name each of the 50 States of the Union and point out the help that has been given by them.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TALMADGE. My friend the able Senator from Alabama has made a geographically compelling case for his bill.

Mr. HILL. I thank the Senator. As the distinguished Senator knows, Dr. Alfred B. Blalock, who has now gone to his rich reward, was born, raised, and educated in Georgia.

My understanding is that Dr. Blalock and the distinguished colleague of the Senator, Richard B. Russell, were college mates at the University of Georgia. Dr. Blalock was one of the greatest surgeons the country ever produced. He was head of the Department of Surgery at Johns Hopkins University.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TALMADGE. I fully share the Senator's view with respect to the abilities and the great service of Dr. Alfred Blalock, who was born and reared 7 miles north of where I reside, in the little town of Jonesboro, Ga. Unfortunately, as the Senator knows, he passed away a year or two ago. His brother, Edward Blalock, still resides in Jonesboro, Ga., where he is a prominent businessman in the oil business. He served as a member of the general assembly on several occasions in the Georgia Legislature during the period when I served as chief executive. He is an outstanding businessman. He comes from a prominent and distinguished Georgia family. I thank the Senator for referring to the able doctor.

Mr. HILL. I thank my able friend from Georgia for his appropriate remarks and the tribute he has paid to Dr. Blalock and to the Blalock family. As I have said, there is no man with whom I have had contract whom I have held in higher esteem or greater appreciation than Dr. Alfred P. Blalock, who has now gone to his rich reward.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ERVIN. I thank the Senator from Alabama for his gracious and generous remarks in relation to the distinguished Dr. Philip Handler.

I express my surprise that New Hampshire needs any kind of medical aid. My understanding was that New Hampshire was such a healthy place that there was no need for physicians there.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HILL. I yield to the distinguished Senator from New Hampshire.

Mr. COTTON. I shall not answer the good-natured jibe of the distinguished Senator from North Carolina other than to say that if he comes to New Hampshire, we will guarantee him long life and happiness.

We have engaged in a little good-natured humor. Perhaps that is pleasant on the floor of the Senate, but it does not lend it dignity when it appears in the Record. The reason I asked the distinguished Senator from Alabama to yield is that I desire to say seriously that I believe every Senator on both sides of the aisle feels that the distinguished Senator from Alabama has rendered the most conspicuous and valuable service through the years in his dedication and devotion to all the measures that Congress can possibly and legitimately take in assisting in research and combating the dread diseases that we are fighting in this rather intense and crowded generation in which we live.

It is my privilege to serve as the ranking minority member of the Subcommittee on Appropriations for the Department of Health, Education, and Welfare, under the chairmanship of the distinguished Senator from Alabama. We have been holding hearings during the past few days concerning the activities of the National Institutes of Health.

Each year my admiration for the Senator from Alabama grows, not only because of his devotion to this cause, but also because of the great knowledge that he has of the cause of the advancement of medical science in this country. Seriously and sincerely I compliment the Senator from Alabama and express my gratification at serving with him. I am wholeheartedly in favor of the bill.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ERVIN. I should like to join in the remarks of my good friend from New Hampshire and to add my testimonial that no legislator in any legislative body in the history of this Republic has made so great a contribution as has the able and distinguished Senator from Alabama to the prevention and alleviation of human suffering.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. AIKEN. Having served on the Committee on Labor and Public Welfare under the Senator from Alabama for 14 years, I am in a position to state that I am in full accord with everything that has been said by the distinguished senior Senator from New Hampshire regarding the Senator from Alabama. If it had not been for the Senator from Alabama and his school of thought, it is quite unlikely that the progress of medicine, the progress of hospitalization, and the progress of health services would be anywhere near where it is, particularly in States like Vermont and New Hampshire.

The Senator from Alabama has served all the people, not merely some of the people. To him we owe nearly all the progress that has been made during the past 20 years in the fields I have mentioned.

Mr. HILL. Mr. President, frankly, I am rather overwhelmed; but I wish to express my thanks and heartfelt appreciation to the distinguished Senator from New Hampshire [Mr. COTTON], the distinguished Senator from North Carolina [Mr. ERVIN], and the distinguished Senator from Vermont [Mr. AIKEN]. They have been most generous. I shall ever be deeply grateful to them.

We say that water seeks its level. I have sat and worked with these men. They have been my fellow workers in the field of health. We have played together on the same team, so to speak. They have made mighty contributions to the work. They are responsible for much of what may have been accomplished in the battle against disease for the health of our people and peoples all over the earth.

Mr. YARBOROUGH. Mr. President, will the distinguished Senator from Alabama yield?

Mr. HILL. I yield to the distinguished Senator from Texas.

Mr. YARBOROUGH. Having served for 6 years on the Subcommittee on Public Health of the Committee on Labor and Public Welfare, under the leadership of the distinguished Senator from Alabama, I have seen much at firsthand in that time of his fine work as has any other member of the committee. Because I am next to the Senator from Alabama in seniority on that committee, I believe I have spent more hours listening to testimony than any other Senator, with the exception of the distinguished Senator from Alabama. The Senator from Alabama is always present. Often the chairman by himself hears all the testimony. No Member of the Senate has given more diligent attention to public health than has the distinguished Senator from Alabama.

Years—yes, decades—before I came to Congress, I heard of his work in connection with the Hill-Burton and other acts in the field of public health. His record is one that I think will not be equaled in the future. He has written such an enviable record that no one in the future can surpass it. Because so much ground has been plowed and so many improvements have been made, hereafter people will only be adding to it. The groundwork has been laid in the field of research by the establishment of the National Institutes of Health; in the field of hospitalization, by the Hill-Burton Act; in the field of mental health, by the Mental Health Act of 1963; and, by extensions through bills that are now on the calendar, in the field of nursing home care and in every other field of care for people who are in pain.

The distinguished Senator from Alabama has been a leader in promoting research in all fields of medicine, and even now is engaged in promoting research in the fields of heart disease and sclerosis.

As one who has for 6 years had an opportunity to view his dedication and detailed work, I pay tribute to him for the outstanding record he has made. The entire Senate reflects the glow of his leadership.

Mr. PASTORE. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. PASTORE. I should like to associate myself with the deserved praise that has been heaped upon the strong and compassionate shoulders of my dear friend from Alabama. No Member of the Senate better exemplifies the eternal command to love one's neighbor than my great friend from Alabama.

It has been my pleasure, privilege, and honor to serve with him on various committees. I know of no one who has done more to promote good health for the people of this country than Lister Hill, of the great State of Alabama.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. DOUGLAS. The Senator from Alabama is a modest man, but I wish to join my colleagues in paying honor to him. The Senator from Alabama is probably the most quietly useful Member of the Senate, because without ostentation or parade, he has been the foremost promoter of public health. At times, perhaps the Senator from Alabama has his enthusiasm carried away, so far as dollar restraints are concerned. But his motive is always good. He was the moving spirit behind the Hill-Burton Act for hospital construction and the moving spirit in improvements in medicine and public health. The Nation owes him a great debt. We in the North are fully aware of this and respect him highly. I hope this praise does not hurt him in Alabama.

Mr. HILL. I stand rather overwhelmed by these most generous words.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TALMADGE. I cannot let this opportunity pass without joining my colleagues on both sides of the aisle in paying deserved tribute to the able and distinguished Senator from Alabama. I, too, agree that the Senator from Alabama has done more to promote the relief of human suffering than any other person in the entire history of our country.

I well remember that when I was elected Governor of Georgia in 1948, hospitals were institutions that were limited to the principal urban areas and our largest cities. If one became ill or had a serious accident, it was necessary to transport him hundreds of miles to a hospital. Sometimes the arrival was too late.

One of the proudest accomplishments of my administration was to implement the Hill-Burton hospital program in our State. I am happy to say that a hospital, a health center, or both are now within reach of every man, woman, and child in Georgia.

I compliment the Senator from Alabama for the vision, foresight, and leadership which he still exercises in the Senate to relieve human suffering throughout the country.

Mr. BASS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BASS. Mr. President, to the words of tribute and commendation spoken of the able and distinguished Senator from Alabama, by neighbor and friend, I add, in capital letters: AMEN.

Mr. HILL. I thank the Senator from Tennessee.

I stand here rather overwhelmed. I thank the distinguished Senator from Texas, who serves, and who has served for a number of years, on the Committee on Labor and Public Welfare, which handles health legislation; the distinguished Senator from Rhode Island [Mr. PASTORE], who serves on the Subcommittee on Appropriations for the Department of Health, Education, and Welfare.

We have worked together on the same team. Surely, great credit for any accomplishments that may have been brought about to better the health of our people and all people must be given to others.

The Hospital Construction Act, often referred to as the Hill-Burton Act, was not brought to passage solely by one Senator. The bill had to be very much implemented by the action of several Senators.

I well recall that the State of Georgia, under the leadership of the Senator from Georgia [Mr. TALMADGE], then the Governor of Georgia, was one of the pioneers in bringing about the success of that act in the State of Georgia and the construction of many hospitals and health facilities throughout the State.

The senior Senator from Illinois [Mr. DOUGLAS] sat with me for many years on the Committee on Labor and Public Welfare.

He was always helpful. He was most helpful in waging a battle for the betterment of the health of the American people.

My friend the Senator from Tennessee, when he was in the House of Representatives, was one of the leaders in the battle for the betterment of the health of all people.

I thank each and every one of them.

The Commission concluded its study with respect to heart disease, cancer, and stroke in these terms:

> America need no longer tolerate several hundred thousand unnecessary deaths each year from heart disease, cancer, and stroke.
>
> By bringing to all the people the full benefit of what is now known of prevention, detection, treatment, and cure, we could save, each year, a number of lives equal to the population of a major city.

This legislation would authorize the Public Health Service to award grants-in-aid to public and other nonprofit institutions and associations to assist them in planning, establishing, and operating regional medical complexes to combat heart disease, cancer, stroke, and other major diseases.

The term "regional medical complex" denotes a group of institutions such as medical schools, research centers, hospitals, and other health institutions and agencies that has adopted an organized plan for a coordinated program of demonstrations, consultations, research, and training in order to assist physicians and hospitals in preventing, diagnosing, and treating heart disease, cancer, and stroke.

A regional medical complex would utilize the existing network of community hospitals and other health facilities, and would not interfere with existing methods of financing patient care, with professional practice, or with the administration of hospitals.

A complex could be administered by a university, a school of medicine, a research center, or by some other public or nonprofit agency or institution, or by an association of such organizations. An advisory group at the local level would assist in formulating and carrying out the program for the improvement of health services.

This legislation is needed so that the latest advances in medicine can be made more available to our citizens. As Dr. Donovan F. Ward, the president of the American Medical Association, has stated:

> More progress has been made in medicine in the last 25 years than in the preceding 20 centuries.

This progress in medicine will be of little benefit unless steps are taken now to provide for its practical application.

The Committee on Labor and Public Welfare has adopted amendments proposed to S. 596 that were recommended by the American Heart Association, the American Cancer Society, and the American Hospital Association.

In addition, the committee amended the bill as introduced to limit construction under the legislation to renovations, alterations, and the purchase of new initial equipment and equipment to replace obsolete equipment. No new hospital beds could be added under S. 596, as amended by this committee.

The committee has approved authorizations for appropriations that total $650 million over the 4 fiscal years 1966–1969. The administration had proposed a 5-year total of $1.1 billion and the President's Commission had recommended a 5-year total of $1.6 billion.

S. 596, as amended by the committee, is endorsed by the American Heart Association, the American Cancer Society, the American Hospital Association, and the American Public Health Association.

Mr. President, on behalf of the members of the Committee on Labor and Public Welfare, I urge the Senate to approve S. 596, so that we may further assist in combating heart disease, cancer, and stroke.

The PRESIDING OFFICER. The clerk will state the first committee amendment.

Mr. HILL. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the bill, as thus amended, be considered for the purpose of amendment as original text; provided, that no point of order against any amendment shall be deemed to have been waived by the adoption of this agreement. This is usually done in connection with appropriation bills.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 15, after the word "arrangements", to strike out "the" and insert "a more abundant"; in line 23, after "1966", to strike out "and such sums as may be necessary for each of the next four fiscal years" and insert "$100,000,000 for the fiscal year ending June 30, 1967, $200,000,000 for the fiscal year ending June 30, 1968, and $300,000,000 for the fiscal year ending June 30, 1969,"; on page 3, line 6, after the word "institutions", to insert "hospitals,"; in line 7, after the word "agencies", to insert "or associations thereof,"; in line 15, after the word "planning", to strike out "or" and insert "and"; on page 4, at the beginning of line 7, to strike out "each of which is"; in the same line, after the word "training", to insert "prevention,"; in line 11, after the word "the", where it appears the first time, to strike out "health of the Nation" and insert "aforesaid objectives of such regional medical complex"; at the top of page 5, to insert "or other medical institution involved in postgraduate medical training"; at the beginning of line 13, to strike out "diagnosis and treatment by"; in line 14, after the word "quality", to insert "preventive,"; after line 21, to strike out:

"(f) The term 'construction' includes construction and initial equipment of new buildings, expansion, remodeling, and alteration of existing buildings; including architects' services, but excluding off-site improvements and the acquisition of land.

And, in lieu thereof, to insert:

"(f) The term 'construction' includes alteration, major repair (to the extent permitted by regulations), remodeling, replacement, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

On page 6, line 10, after the word "General", to strike out "after consultation with" and insert "upon the recommendation of"; in line 15, after the word "institutions", to insert "hospitals,"; at the beginning of line 17, to insert a comma and "or associations thereof,"; on page 7, line 14, after the word "will", to strike out "provide for the designation of" and insert "designate"; on page 8, line 3, after the word "General", to strike out "after consultation with" and insert "upon the recommendation of"; in line 6, after the word "institutions", to insert "hospitals,"; in line 7, after the word "institutions", to insert a comma and "or associations thereof,"; on page 9, line 9, after the word "designated", to strike out "or will designate"; on page 10, line 4, after "(a)", to strike out "The Surgeon General, with the approval of the Secretary, may appoint without regard to the civil service laws," and insert "There is hereby established in the Public Health Service"; in line 9, after the word "Chairman", to insert "and the Chief Medical Director of the Veterans' Administration, ex officio,"; at the beginning of line 12, to insert "appointed by the Surgeon General, with the approval of the Secretary and without regard to the civil service laws,"; in line 15, after the word "sciences", to insert "hospital administration,"; on page 11, line 23, after the word "title", to insert a semicolon and "and such recommendations shall also be transmitted to any advisory council or committee, established by or pursuant to this Act, which the Surgeon General deems appropriate."; and on page 12, line 18, after "June 30,", to strike out "1969" and insert "1967"; so as to make the bill read:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the 'Heart Disease, Cancer, and Stroke Amendments of 1965.'

"SEC. 2. The Public Health Service Act (42 U.S.C., ch. 6A) is amended by adding at the end thereof the following new title:

" 'TITLE IX—REGIONAL MEDICAL COMPLEXES FOR RESEARCH AND TREATMENT IN HEART DISEASE, CANCER, STROKE, AND OTHER MAJOR DISEASES

" '*Purposes*

" 'SEC. 900. The purposes of this title are—

" '(a) Through grants, to encourage and assist in the establishment of regionally coordinated arrangements among medical schools, research institutions, and hospitals for research and training and for demonstrations of patient care in the fields of heart disease, cancer, stroke, and other major diseases;

" '(b) To afford to the medical profession and the medical institutions of the Nation, through such coordinated arrangements, a more abundant opportunity of making available to their patients the latest advances in the diagnosis and treatment of these diseases; and

" '(c) To accomplish these ends without interfering with the patterns, or the methods of financing, of patient care or professional practice, or with the administration of hospitals.

" '*Authorization of appropriations*

" 'SEC. 901. (a) There are authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1966, $100,000,000 for the fiscal year ending June 30, 1967, $200,000,000 for the fiscal year ending June 30, 1968, and $300,000,000 for the fiscal year ending June 30, 1969, for grants to assist public or nonprofit private universities, medical schools, research institutions, hospitals, and other public or nonprofit private institutions and agencies, or associations thereof, in planning, establishing, and operating regional medical complexes for research, training, and demonstration activities for carrying out the purposes of this title. Sums appropriated under this section for any fiscal year shall remain available for making such grants until the end of the fiscal year following the fiscal year for which the appropriation is made.

" '(b) A grant under this title shall be for part or all of the cost of the planning and other activities with respect to which the application is made, except that any such grant with respect to construction of, or provision of built-in (as determined in accordance with regulations) equipment for, any facility may not exceed 90 per centum of the cost of such construction or equipment.

" '(c) Funds appropriated pursuant to this title shall not be available to pay the cost of hospital, medical, or other care of patients except to the extent it is, as determined in accordance with regulations, incident to research, training, or demonstration activities.

" '*Definitions*

" 'SEC. 902. For the purposes of this title—

" '(a) The term "regional medical complex" means a group of public or nonprofit private institutions or agencies engaged in research, training, prevention, diagnosis, and treatment relating to heart disease, cancer, or stroke and, at the option of the applicant, any other disease found by the Surgeon General to be of major significance to the aforesaid objectives of such regional medical complex; but only if such group—

" '(1) is situated within a geographic area, composed of any part or parts of any one or more States, which the Surgeon General determines, in accordance with regulations, to be appropriate for carrying out the purposes of this title;

" '(2) consists of one or more medical centers, one or more categorical research centers, and one or more diagnostic and treatment stations; and

" '(3) has in effect arrangements for the coordination of the activities of its component units which the Surgeon General finds will be adequate for effectively carrying out the purposes of this title.

" '(b) The term "medical center" means a medical school or other medical institution involved in postgraduate medical training and one or more hospitals affiliated therewith for teaching, research, and demonstration purposes.

" '(c) The term "categorical research center" means an institution (or part of an institution) the primary function of which is research (including clinical research), training of specialists, and demonstrations and which, in connection therewith, provides specialized, high-quality diagnostic and treatment services for inpatients and outpatients.

" '(d) The term "diagnostic and treatment station" means a unit of a hospital or other health facility, the primary function of which is to support and augment local capability for providing specialized high-quality preventive, diagnostic, and treatment services to outpatients and inpatients.

" '(e) The term "nonprofit" as applied to any institution or agency means an institution or agency which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

" '(f) The term "construction" includes alteration, major repair (to the extent permitted by regulations), remodeling, replacement, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

" 'Grants for planning and development

" 'Sec. 903. (a) The Surgeon General, upon the recommendation of the National Advisory Council on Medical Complexes established by section 905 (hereinafter in this title referred to as the "Council"), is authorized to make grants to public or nonprofit private universities, medical schools, research institutions, hospitals, and other public or nonprofit private agencies and institutions, or associations thereof, to assist them in planning the development of regional medical complexes.

" '(b) Grants under this section may be made only upon application therefor approved by the Surgeon General. Any such application may be approved only if it contains or is supported by reasonable assurances that—

" '(1) Federal funds paid pursuant to any such grant will be used only for the purposes for which paid and in accordance with the applicable provisions of this title and the regulations thereunder;

" '(2) the applicant will provide for such fiscal control and fund accounting procedures as are required by the Surgeon General to assure proper disbursement of and accounting for such Federal funds;

" '(3) the applicant will make such reports, in such form and containing such information as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General may find necessary to assure the correctness and verification of such reports; and

" '(4) the applicant will designate an advisory group, to advise the applicant (and the resulting regional medical complex and its component units) in formulating and carrying out the plan for the establishment and operation of such regional medical complex, which includes representatives of organizations, institutions, and agencies concerned with activities of the kind to be carried on by the complex and members of the public familiar with the need for the services provided by the complex.

" 'Grants for establishment and operation of regional medical complexes

" 'Sec. 904. (a) The Surgeon General, upon the recommendation of the Council, is authorized to make grants to public or nonprofit private universities, medical schools, research institutions, hospitals, and other public or nonprofit private agencies and institutions, or associations thereof, to assist in establishment and operation of regional medical complexes, including construction and equipment of facilities in connection therewith.

" '(b) Grants under this section may be made only upon application therefor approved by the Surgeon General. Any such application may be approved only if it contains or is supported by reasonable assurances that—

" '(1) Federal funds paid pursuant to any such grant (A) will be used only for the purposes for which paid and in accordance with the applicable provisions of this title and the regulations thereunder, and (B) will not supplant funds that are otherwise available for establishment or operation of the regional medical complex with respect to which the grant is made;

" '(2) the applicant will provide for such fiscal control and fund accounting procedures as are required by the Surgeon General to assure proper disbursement of and accounting for such Federal funds;

" '(3) the applicant will make such reports, in such form and containing such information as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General may find necessary to assure the correctness and verification of such reports;

" '(4) the applicant has designated or will designate an advisory group, described in paragraph (4) of section 903(b), to advise in carrying out the plan for the regional medical complex; and

" '(5) any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by payments pursuant to any grant under this section will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5); and the Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

" 'National Advisory Council on Medical Complexes

" 'Sec. 905. (a) There is hereby established in the Public Health Service a National Advisory Council on Medical Complexes. The Council shall consist of the Surgeon General, who shall be the Chairman, and the Chief Medical Director of the Veterans' Administration, ex officio, and twelve members, not otherwise in the employ of the United States, appointed by the Surgeon General, with the approval of the Secretary and without regard to the civil service laws, who are leaders in the fields of the fundamental sciences, the medical sciences, hospital administration, or public affairs. At least one of the appointed members shall be outstanding in the study, diagnosis, or treatment of heart disease, one shall be outstanding in the study, diagnosis, or treatment of cancer, and one shall be outstanding in the study, diagnosis, or treatment of stroke.

" '(b) Each appointed member of the Council shall hold office for a term of four years, except that any member appointed to fill a vacancy prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the Surgeon General at the time of appointment, four at the end of the first year, four at the end of the second year, and four at the end of the third year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than two terms.

" '(c) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

" '(d) The Council shall advise and assist the Surgeon General in the preparation of regulations for, and as to policy matters arising with respect to, the administration of this title. The Council shall consider all applications for grants under this title and shall make recommendations to the Surgeon General with respect to approval of applications for and the amounts of grants under this title; and such recommendations shall also be transmitted to any advisory council or committee, established by or pursuant to this Act, which the Surgeon General deems appropriate.

" 'Regulations

" 'Sec. 906. The Surgeon General, after consultation with the Council, shall prescribe general regulations covering the terms and conditions for approving applications for grants under this title and the coordination of programs assisted under this title with programs for training, research and demonstrations relating to the same diseases assisted or authorized under other titles of this Act or other Acts of Congress.

" 'Report

" 'Sec. 907. On or before June 30, 1967, the Surgeon General, after consultation with the Council, shall submit to the Secretary for transmission to the President and then to the Congress, a report of the activities under this title together with (1) a statement of the relationship between Federal financing and financing from other sources of the activities undertaken pursuant to this title, (2) an appraisal of the activities assisted under this title in the light of their effectiveness in carrying out the purposes of this title, and (3) recommendations with respect to extension or modification of this title in the light thereof.'

"Sec. 3. (a) Section 1 of the Public Health Service Act is amended to read as follows:

" 'Section 1. Titles I to IX, inclusive, of this Act may be cited as the "Public Health Service Act." '

"(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title IX (as in effect prior to the enactment of this Act) as title X, and by renumbering sections 901 through 914 (as in effect prior to the enactment of this Act), and references thereto, as sections 1001 through 1014, respectively."

Mr. LONG of Louisiana. Mr. President, I am very much concerned about the problem of a large amount of Government research.

I ask unanimous consent that I may suggest the absence of a quorum without prejudicing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HARRIS in the chair).

Without objection, it is so ordered.

The Senator from Louisiana is recognized.

Mr. LONG of Louisiana. Mr. President, I applaud the efforts of the distinguished chairman and his committee. So far as the Senator from Louisiana knows, this is a very good bill. I am concerned, however, about the danger and possibility that the Federal research moneys might be spent in such a way that the public would be denied the benefit of that for which it has paid in the field of research in health through the Department of Health, Education, and Welfare. We find that the Government pays a tremendous amount for research and development in entering into contracts for research. And in many instances the Government pays out almost for the entire cost of the research. When the Government does that, the Department of Health, Education, and Welfare quite properly recognizes that there should not be private patents granted for this type of research, but that it should be available to all the people.

Most European countries, for example, will not permit private patents to be placed on drug products, even when such drugs are produced as a result of the expenditure of private money. In most instances they will permit a patent to be obtained only on the process. This is true in France, Germany, and Switzerland, the sources of many of the world's greatest drug discoveries.

This practice is based on the simple premise that no private company should exercise monopoly privileges in an area of such importance to the public welfare.

In 1950, England changed its law to conform with ours—granting patents on drug products as well as processes. But, to protect the public, it included a compulsory licensing provision to be used if prices were too high or the product was not made available generally. This is also the case in Australia, Canada and India, and in most countries where product patents are permitted.

In other words, in many of the advanced countries, companies are not permitted to have patents on medicines or drugs. They are permitted to have patents only on the method by which the drug is produced. If someone can find a process to produce the drug more cheaply, he is able to obtain a patent on the process, but not on the product, so the public can have the benefit of the product by the best methods known to produce it. So, although someone can have a patent on the process, he cannot have it on the product, which is what we have today in this country. Those who do not have a patent on the process can nevertheless compete in the market. This practice permits competition for the market, even though a company may not be able to use the patented process which may be used by one company for producing the product. It prevents companies in that nation from having a complete monopoly over the product.

That is what those countries do when the companies spend their own money.

What I do not want to have happen here is to have one company develop a certain product as a result of the expenditure of the taxpayers' money, and then obtain a patent on the process, which is permitted under the law, so that the company can charge the public anything it wishes. I can produce examples in which the price was 1,000 times the cost of the product and fantastic profits were made.

I am not trying to change that, but I would like to see the matter nailed down so that when the taxpayers pay for the research, there will not be a private patent on research done with the taxpayers' money on heart disease, cancer, stroke, or any type of health research.

That is the policy the Department of Health, Education, and Welfare itself advocates. That is what I am advocating as a solution to this problem.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I am happy to yield to the distinguished Senator from Connecticut, a former member of the Cabinet in the Kennedy administration, who was Secretary of Health, Education, and Welfare at the time when this matter was considered in his Department.

Mr. RIBICOFF. I wish to ask the Senator a question. As I understand his amendment, he does not provide that all inventions will belong to the Government; does he? The Senator does make certain exceptions, does he not, so that under certain circumstances, an invention may be transferred to a contractor or charitable health organization?

Mr. LONG of Louisiana. Yes; I make some exceptions.

Mr. RIBICOFF. I believe that point should be cleared up, because there is some misunderstanding about the Senator's amendment.

Mr. LONG of Louisiana. I make exceptions in certain instances where the equities are in favor of the concern that asks for a waiver. It is also provided that when exclusive rights are granted to a concern, and they are abused, the Department can protect itself. These were suggested either by the White House adviser on this problem or by the Under Secretary of Health, Education, and Welfare who was particularly conversant with these problems.

Mr. RIBICOFF. We are in an unusual dilemma. I do not agree with the Senator from Louisiana in putting the Long amendment on every proposal. I believe that the McClellan subcommittee is trying to develop a general policy. That is something which is needed. On the other hand, we have the situation with the Senator in charge of the bill, the Senator from Alabama, who has done more to further research in the field of health than any other man in the history of the country. He has been so successful that in 1966, $680 million is coming out of Federal funds to go to NIH for research grants. This is a problem which took a great deal of my time when I was Secretary of Health, Education, and Welfare. President Kennedy recognized that there were policy differences in all the agencies, and that is why it is important for the Senator from Arkansas to try to straighten the matter out, and for Congress to enunciate a general policy. But I took the position, during the period 1961 and 1962, that practically all the research that was being done for health in America was flourishing and being accomplished because of the large infusions of Federal funds.

There is no question about that. The great activator of all those Federal funds was the Senator from Alabama. Of all the men in this world who deserve the most credit, it should go to the Senator from Alabama [Mr. HILL], the Senator in charge of the bill.

Much of this research is oriented through universities, through hospitals, and through nonprofit organizations. Every once in a while a pharmaceutical or other company engages in this field of research. The exceptions that the Senator from Louisiana has made would take care of the unusual situation.

But I say to the Senator that I believe he is correct. When it comes to the field of health. When the Federal Government expends $680 million a year to try to find a cure for cancer, to try to find a cure for heart disease, to try to find a cure for arthritis, to try to find a cure for a great many other diseases that bedevil mankind, under these circumstances, I deem that the Federal Government must have some control on inventions dealing with health.

Private sources are entitled to a profit in the development stage and in the manufacturing stage; but a patent for these discoveries, in my opinion, belongs in the public domain and to the Federal Government which is actuating the discoveries. The Federal Government should make the determination as to who should do the manufacturing. I would hesitate to give any one company the exclusive right to sell the results acquired through Government research in the field of health. This should be made available by the Federal Government to any private concern, any university, any public concern that wishes to produce the serums, antibiotics, vaccines, medicines, pills, or what have you, which will help to cure the many ills which plague not only this Nation, but also the rest of the world.

Mr. LONG of Louisiana. I very much thank the Senator for his statement. I am happy to know that we agree on this subject. The view which he expresses is the view of all those who have studied the matter at the Department of Health, Education, and Welfare. It is also the view of the present Secretary of Health, Education, and Welfare, and his capable and competent advisers and assistants who work in this field.

A short time ago, I discussed with these very people, by pursuing this kind of policy which the Senator has recommended, the protection of little children from being exploited in the field of mental retardation, to prevent them from contracting a disease which, unless immediately corrected, could result in mental retardation.

Mr. RIBICOFF. I believe that the Senator in his exceptions has shown a way out, because I believe the biggest field of work being done with private industry in this field is in the field of cancer and chemotherapy. If my memory serves me correctly, these contracts were let by Secretary Hobby with a number of pharmaceutical houses which have continued their research, but it has been done by private industry. I believe that the agreement was entered into with the companies which initiated the work, and which are continuing the work, that they would have the rights and custody of the patents. What the Senator highlights is that there are great barriers to this problem.

I do not follow the Senator in his attitude in regard to NASA, or the aeronautics field, because I recognize the difference when private industry is basically engaged in manufacturing on basic research. But I believe, from my experience, and the experience that has developed because of the work of the Senator from Alabama, that when we come to the field of health, the greatest actuator, without question, is the Federal Government.

Here, it is clear that without Federal funds being used, great research efforts would not be going forward in the field of health and many of the discoveries would not have taken place.

While the Senator from Alabama is a great benefactor of all mankind, I believe that we should be in such a position that when it comes to health, these patents should belong to the Federal Government. I am pleased to see that allowance is made in the amendment for the unusual situation, in which the work is going forward in the main by private industry or private enterprise. The amendment does make it possible for the contractor or grantee to receive a license to do the manufacturing.

I do not know whether I state the position of the Senator correctly or not.

Mr. LONG of Louisiana. The Senator is correct. These are the equities for which Dr. Hornig, the White House adviser in this field, held forth. These are the considerations that we thought the heart and cancer people would like to have under certain conditions. They had endorsed the amendment which I had drawn, which would be stricter than this one. Then, having been urged to make it more flexible to meet the one problem that they had, we went beyond that and drafted this amendment to make it even more flexible, on the urgings of some of the advisers in the White House and Department of Health, Education, and Welfare. Even so, when the question came to a vote, at the last moment we found them urging that the amendment be not agreed to. I regret to see that.

It seemed that we had worked it out in a way which we thought had satisfied them completely, so that they would be for it. But the Senator well knows that in the field of health the public does not have much choice. If there are certain diseases and certain medicines are indicated to help alleviate them, if they are new medicines and we are spending our money to try to develop them, we want those medicines, or else our health will be in great danger. We could possibly die.

If we have diabetes, we can use insulin—at one time insulin was about the only thing available—and if we do not get it, it can cost us our lives. Perhaps a pill will cost 50 cents. If that same pill should be sold at 50 cents instead of one-half a cent, that would be a high degree of exploitation of the public, especially if the Government buys the pills by the thousands and over a period of time. It could become an extremely costly operation to the public.

I thank the Senator from Connecticut very much for his statement. I agree with him that the distinguished Senator from Alabama [Mr. HILL] has rendered a distinguished service. He and the chairman of the committee have rendered a magnificent service to the Nation in this fight for research to help us find ways to better protect the public health.

Mr. President, the difference in cost when a product is sold under monopolistic conditions and when the same product is sold under competitive conditions is very striking. For example, I cite a product called tolbutomide. It is sold in this country by the Upjohn Co. as Orinase. That product is the latest development in the treatment of diabetes. It was not developed in this country, but was developed overseas. It is a substitute for insulin. It has the advantage of being in the form of a pill. Therefore, it can be taken by mouth, and it is not necessary to use a needle, as is the case with insulin. It is widely sold in the treatment of diabetes. It is protected by the kind of patent system that Germany has had. It permits those people to patent the process, but not the product. When sold on a competitive basis in Europe, that product costs 18 cents for 100 tablets. The company that developed it licensed the Upjohn Co. That company has a patent on the product itself, not merely a patent on the way it is produced. What does Upjohn sell it for? Instead of 18 cents for 100 tablets, a person over here must pay $7.70. I do not know, at the moment, what the percentage increase is. It works out to about 40 times as much.

Senators should bear in mind that the Upjohn Co. did not develop that product. They received a license from the European firm that developed it, and that sells it in Europe for 18 cents for 100 tablets. Upjohn Co. sells the same product for $7.70 for 100 pills.

Mr. President, it would be all right with me if the Upjohn Co. had developed this product with their own money and was charging the public $7.70. However, if that product is to be developed with public money, I do not understand why the Upjohn Co. should be permitted to charge $7.70. On a competitive basis that product is being sold for 18 cents.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. McNAMARA. Generally I agree with the Senator. However, mention was made of the Upjohn Co. in connection with this particular product. Does the Upjohn Co. sell the product under the same name that the product is sold under in Europe?

Mr. LONG of Louisiana. Here it is called Orinase.

Mr. McNAMARA. It is a different name, then?

Mr. LONG of Louisiana. Yes.

Mr. McNAMARA. The real protection is on the name, then, rather than on the product. Is that correct?

Mr. LONG of Louisiana. No. The protection is on the product. The one who acquires the license is protected so that no one else can sell that product in this country. If that were not the case, the company selling it would not be able to charge 40 times as much as is being charged for the same product overseas, where it is sold on a competitive basis.

Mr. McNAMARA. Even if the product is protected, by changing the name, it is possible to do the same thing.

Mr. LONG of Louisiana. Oh, no.

Mr. McNAMARA. That is done in the case of other products that are developed in this country.

Mr. LONG of Louisiana. The Bayer Co. may, through its advertising, make people believe that their aspirin is the best. Of course aspirin is nothing but salicylic acid. A manufacturer of aspirin can make his product sound better and make the public believe that it is a better product.

Let us take the case of Bufferin. It is possible to mix a little soda with aspirin, and it need not be any more than the kind of soda that costs about 10 cents for a big can; and if a little soda is mixed with the aspirin it can be called Bufferin, and made to appear better than aspirin. Or, on the other hand, a little chemical can be mixed in with the aspirin to make it fizz, as is the case with Alkaseltzer, and in that way it can be advertised as a fantastic product which is much better than aspirin. Actually it need not contain anything more than plain baking soda. That is all it is. That brand name can help a person sell that product at probably twice the ordinary price.

Mr. McNAMARA. It seems to me that a better example of what I am talking about is cortisone. It is sold under three or four different names. The price varies, but basically all the products are the same. I do not believe it will be possible to get at the problem until it is possible to control that phase of it.

Mr. LONG of Louisiana. It is possible, of course, always to get a better price by better salesmanship. I understand that. That is nothing, however, compared with what can be done by preventing another man from getting the same product here and selling it.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. The Senator has cited a product which is manufactured in Italy and sold for 18 cents a hundred tablets.

He said that that same product is sold over here for $7. Is that a case in which the U.S. Government has supplied any money for research, or is it an isolated case, independent of the matter that is pending before us?

Mr. LONG of Louisiana. It is a comparison of what a product sells for when it is sold competitively and when it is sold on a monopolistic basis.

Mr. PASTORE. No Federal funds are involved?

Mr. LONG of Louisiana. No.

Mr. PASTORE. I believe that should be adequately explained, because we can dramatize a situation, take an isolated and not related incident and after a while people will believe that the situations are identical. I should like to ask the Senator a question. I should like to get the issue straight in my own mind.

Insofar as the Senator's objective is concerned, protection of the public interest, I agree with him completely. This is a matter that involves the public interest. The last time the Senator brought up his amendment, it was on the space authorization bill, I believe. At that time the distinguished Senator from Arkansas [Mr. MCCLELLAN] made a very cogent presentation. He said that his committee was making a thorough investigation of the whole subject. It was on that presentation and with that assurance that the Senator from Rhode Island abandoned the position of the Senator from Louisiana, although he agreed with the Senator's main objective.

The Senator from Louisiana has made an exhaustive study of this problem. Can he now state a case in which Federal money was granted for research and the same thing happened as happened in this pill case?

Mr. LONG of Louisiana. I will tell the Senator of one case. A grant was given to a Dr. Guthrie, a dedicated man working in the field of mental retardation. He discovered a disease called PKU. It is a disease that involves vitamin deficiency. When a child is born with this disease, and it is not discovered within 30 days, that child will be mentally retarded. It is one of the most damaging forms of mental retardation.

Dr. Guthrie was not interested in any patent on the product. However, some lawyer suggested that he ought to take a patent on it so that someone else would not get it. After that patent had been granted, the Miles Laboratory representatives said that they wanted to be licensed to produce a little kit with which children could be tested to see whether they had this disease. The doctor did not want any compensation or rewards. He said, "Put anything you get for it into a foundation for little children who are retarded." Miles Laboratory put out the kit and charged 40 or 50 times the cost of the production of that kit. When Dr. Guthrie heard about it, he was horrified. Of course, there was nothing he could do. He had been victimized. He did not want anything out of it. He had done the work with Government money. He was happy that he had been able to do that and to produce that product. He was producing a little kit for the benefit of hospitals that were testing the children. However, Miles Laboratory was in the position of being able to exploit the public and to exploit the parents of these little children.

Then someone in HEW read the fine print.

After he read the fine print on the forms he said, "Wait a minute. We are entitled to the patent rights on it." They said, "You cannot do this. The patent rights belong to us." They told Miles, "If you want to produce this kit, all right, but you will have to have some competition in this field."

So far as LSU is concerned, the New Orleans hospital can go ahead and make its own kits rather than buy them at that price. The same is true in Massachusetts, where they are producing their kits. Only a small amount is involved. The difference is between charging 1 cent and 50 cents to test children for PKU. Anyone who has that dread disease knows that the child would be mentally retarded.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. I can see the problem. I believe all Senators can see the problem. The problem is precisely as follows: How far should we go in preserving in the public domain the results of research supported by Federal funds and at the same time not follow procedures which will in any way discourage initiative and creativity? That is the problem. I do not believe that any Senator disagrees with the objective that the Senator from Louisiana is trying to accomplish. But this is an intricate field. It is very complex. What disturbs the Senator from Rhode Island is the fact that he does not believe we can resolve it in the way we have been going about it.

I do not believe the Senate Chamber is the place to analyze this proposal rather than a Senate committee.

I do not believe that such an amendment attached to a measure for facilities rather than research itself is the proper procedure.

The Senator in charge of the bill exemplifies in better style than any man I know the eternal commandment of brotherly love and public responsibility, as well. A man such as Lister Hill does not wish to see these great companies become rich as a result of such research, especially when human misery, pain, and suffering are involved.

Why should this amendment be the constantly recurring presentation in the Senate chamber? Why should we continue to wrestle every week or so over the subject in the proposed amendment? Why should we not take the word of the Senator from Arkansas? Then if the Senate Judiciary Committee does not do its job in due time, or if it does not do it correctly as we see it, we can then have a debate as to what should be done. But we are constantly getting into this problem. We are taking sides dictated by logic and orderly procedure when our hearts are dedicated to the objectives of the bill.

As I have said before, stories are written about what side we happen to take, for the bill or against the bill. That is not the question at all. Our disagreement is on procedure, not on objective.

What I am saying at the present time is that we should not get into this very intricate field in a superficial way. It is a delicate situation. We must preserve initiative; we must preserve creativity. Without initiative and creativity research would not be worth anything. At the same time we must protect the taxpayers, the public, and the dollars that they invest in research.

I understand that the Senator from Louisiana is investigating all those questions; I know the job he has done where the public interest is involved. But I dare say it will not be done in the way in which the Senator is attempting to do it. I understand the Judiciary Committee has already considered and is considering the issue. The committee has taken the position in this particular case that the policy should be an overall policy. If that is the case, why do we continue to wrangle? Why do we not assume the leadership that should be assumed by the leadership and say, "All right, gentlemen; let us wait for a reasonable period of time. Let us establish a good overall national policy, and then let us join ranks and follow it." Why can we not do that?

Mr. LONG of Louisiana. I should like to answer that question. There was a time when there was practically no general law which provided how patent rights would be handled. During that time perhaps the Department of Agriculture and the Department of the Interior were acting under laws which stated patent rights on Government research could not be given away.

There was no law stating that the Department of Defense, including the Army, the Navy, and the Air Force, should not give away rights resulting from Government research to private companies. That is how it was for the first hundred years or more, up to World War II.

No one even dreamed of giving away private patent rights on research paid for by the Government of the United States, whether the research was done by Government employees in a Government laboratory, or by Government contractors working on a guaranteed project.

But that policy was changed during World War II. From that time forward the Department of Defense has been granting private patent rights on research contracts.

To change that policy is beyond my power. It is beyond the power of any Member of the Senate or any Member of the House of Representatives to change. Why? Because both large political parties depend for financial support upon people connected with big business and such people are numerous in both parties.

They have friends. They have votes. They are powerful and influential. I predict that neither I nor any other Senator will be able to obtain passage of a law which would prevent the Department of Defense from giving away private patent rights to those who do research work for the Department of Defense.

I make that statement because I know the realities of public life.

Whether we like it or not, politics is the name of the game. When we are contending with politics and with the big industries and all the investments involved—and I am talking about legitimate investments—we know that those elements will do anything within their power to fight to see that they preserve what they have in the Department of Defense, which is a $9 billion a year investment in research. Those industries and investors have control over that research. Under those circumstances we shall not be able to pass a law because there will be too many friends of those people voting on their side.

On the other hand, if an attempt is made to enact a law which would provide the giveaway of patent rights resulting from work in agencies that are not giving away such rights at the present time, the Senator from Louisiana and his group will fight as hard as we know how to fight.

If the bill gets through the Senate, it will then be taken up in the House of Representatives. There it will be referred to a committee headed by EMANUEL CELLER, who does not believe in giving away private patent rights. He will fight the issue as hard as he knows how to fight it. Then the bill would go to a subcommittee over which presides Mr. WILLIS, of Louisiana, who is a great constitutional lawyer and who has the public interest at heart. He will fight the bill in his subcommittee, as chairman of the subcommittee, as hard as he knows how to fight it. Nothing will happen.

Can the Senator from Rhode Island tell me of a single law which has been passed in the 150 years of the history of this Government that has provided what should happen to private patent rights? Can the Senator name a single general law that provides what should happen to private patent rights resulting from Government research?

Mr. PASTORE. The Senator from Louisiana sells himself short. I realize that he attended the dinner last night. He went to the Hilton Washington. I went to the Arena. The President of the United States visited us at about 10 o'clock. He paid high compliment to the great qualities of leadership of the Senator from Louisiana. I shall follow that type of leadership. I have a great deal of confidence in the leadership of the Senator from Louisiana in bringing about justice in these cases.

The things about which he is speaking are rather historic. A highly competent man is chairman of the committee which is making a thorough study of the problem. The Senator from Arkansas [Mr. MCCLELLAN] is making that thorough study. I am only saying to the Senator from Louisiana that such a study needs to be made; and I am all for it.

However, I do not wish to be placed in a dubious position today. I am told by the Senator from Arkansas that the question will be straightened out in a national policy and therefore I vote against the amendment of the Senator from Louisiana. I certainly am not voting to charge people $7.95 for 100 pills when they can buy 100 for 18 cents. That is the position in which the Senator from Louisiana is seeking to place us. The Senator is setting the background today so that if we do not go along with his amendment, it might be inferred that we want the public to be gouged.

I want nothing of the kind.

I want our patent protection in the public interest to follow the pattern set out by President Kennedy. I do not want it formulated on the Senate floor by an amendment opposed by the great mass of the scientists and institutions dedicated to research.

I do not want the public to be gouged. In the protection of the public interest, let us not destroy initiative. Let us do the job required, and let us do it correctly. That is why the committee is going into the question. If the Senator from Arkansas [Mr. MCCLELLAN] does not through his committee achieve a result which I think is fair, naturally I shall stand shoulder to shoulder with the Senator from Louisiana. But we have been going through this same futile process month after month. Let us get back on the track so we can make progress.

Mr. LONG of Louisiana. On an annual basis, $15 billion is involved. That is what I am talking about.

Mr. PASTORE. I realize that. Does not the Senator from Louisiana believe that the Senator from Arkansas [Mr. MCCLELLAN] realizes it? Does not the Senator believe that the Senator from Alabama [Mr. HILL] realizes it? Does he not believe that I know it? Does the Senator believe that he is more careful about the people's money than I am?

Mr. LONG of Louisiana. I am not saying that.

Mr. PASTORE. The Senator is implying that. The Senator is implying that because we do not go along with the amendment today, we desire to throw away $15 billion. I do not want to throw it away. I am as careful about the people's money as is any other Senator. There is a time and a place and a committee for every action and issue in the Senate. The forum for this important problem is the committee and the committee is prepared to deal with it.

Mr. LONG of Louisiana. Every provision in law that deals with the results of Government research is in a bill authorizing research in a particular field. That is how it is with the Department of Agriculture.

That is how it is in the Department of the Interior. That is how it is in a number of other agencies. That is how it is under the Saline Water Act. The Senator from Rhode Island helped me to make it apply to the Pollution Act. That is how it is under the Appalachia Act, passed this year. I was happy to see that the great Senator from Alabama [Mr. HILL], chairman of the committee, and himself a great defender of the public interest, voted with us. The Senator from Rhode Island gave us valuable help by making his magnificent speech, saying that if the public was to pay for the program, the public should have the benefit of the research. So we voted in that bill to authorize research for the cleaning up of pollution in water and said that it would be a program in which there would be no private patents.

The Senator from Connecticut [Mr. RIBICOFF], a former Secretary of Health, Education, and Welfare, said that the Government would pay for practically all of the program; that being the case, there were very few instances in which the waiving of patent rights could be justified.

The amendment I am offering has been approved by the Department of Health, Education, and Welfare. Those in that Department think it is a good idea.

The people who are now in the department would not waive the patent rights. But all that would be necessary would be to have one President—I do not say that the present President would do it, nor would the present Secretary of Health, Education, and Welfare, Mr. Celebrezze—appoint a Secretary who would sign an order providing that from that time forward private patents would be granted on research, reversing the policy of the department.

We should close this stable door before the horse is stolen. Now is the time to do that.

Mr. PASTORE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. That is where we are in disagreement. I did support the Senator on a previous occasion, until such time as the Senator from Arkansas [Mr. MCCLELLAN] stated that his committee was making a complete and thorough study of the entire subject.

I do not disagree in the slightest with the objective of the Senator from Louisiana. But even the former Secretary of Health, Education, and Welfare, the present Senator from Connecticut [Mr. RIBICOFF], found vagueness in the Senator's amendment. We cannot legislate in this haphazard way on this important matter on the floor of the Senate. The Senator knows that as well as anyone else; otherwise he would not be the whip.

Mr. LONG of Louisiana. The amendment I am offering is the one I offered to the committee.

Mr. PASTORE. The committee did not accept it.

Mr. LONG of Louisiana. I understand; but the amendment is the result of advice I have received. It has been worked out not only by our own legislative counsel, but by those in the Department of Health, Education, and Welfare, which would have the responsibility of administering the program. The department favored the amendment. There was consultation about it. We had the advice of Mr. Hornig, of the White House, on this subject. We had the consultation and advice of the heart, cancer, and stroke organizations. Their representatives advised us that they thought it would be a good amendment if it were modified. So we modified it as they desired, to meet the objections we believed they had. We provided all the flexibility that was desired by both the White House and the Department of Health, Education, and Welfare.

Last month, we received word from the heart and cancer associations that they were opposed to the amendment. Where is the bug under that rug? I do not know, but I know there is one there. One does not have to eat the whole piece to tell that it is tainted. I merely say that someone must have put pressure somewhere, because they sent us a letter saying something different from what they said previously.

Mr. PASTORE. Pressure was not put on LISTER HILL. The man who decided this question was LISTER HILL. Nobody is putting a bug under his rug.

Mr. LONG of Louisiana. LISTER HILL is one of the greatest men of all time. I have to say so. I have known him and admired him for a long time. So far as I am concerned, the Senator from Alabama has voted with me on a number of these questions.

I am not casting any aspersions. Nevertheless, in my opinion, if we want to close the barn door, we ought to close it before the horse is stolen.

I tried to do something along this line with the National Aeronautics and Space Administration. I was chairman of a small committee, and we were discussing patent rights so far as space was concerned. What happened? Mr. Johnson came to visit us. He was a lawyer for the Space Administration. He asked us to pass a law to provide that the National Aeronautics and Space Administration could waive patent rights before they knew what they were.

I said, "No; that would be against the law. I shall fight your proposal if you attempt to do that." As I recall, such a bill passed the House, but got nowhere in the Senate.

Later, NASA got a new Administrator, Mr. James Webb. He announced that he would proceed with their plan anyway. But we absolutely raised the rooftop, and before we got through, he called off his policy.

But now we have an announcement that he has gone ahead anyway, even though lawyers for the agency advised against it.

It is said that it has so far affected only seven inventions. That may be true, but once the door is open, anything can be done.

If I had known that the National Space Act would be interpreted so patents would be given away to private contractors, I would have opposed it.

If I had known that the NASA Administrator would find it in the public interest to waive the public's rights, and would interpret the language to mean that a monopoly was in the public interest, I would have opposed it. If one buys that argument, he can argue that a monopoly is in the public interest; that patent rights can be waived because monopoly is in the public interest.

I submit that when a new research program is started, that is the time to say whether the patents shall be private patents or not.

A similar problem will confront us when the nomination of General McKee to be Administrator of the Federal Aviation Administration Commission is before the Senate. He comes from an agency which has interpreted the words "in the public interest" to mean that patent rights can be waived without knowing what they are.

General McKee is being considered for appointment to an agency which will finance the construction of a supersonic bomber. That agency proposes to spend a billion dollars for the development of the new bomber. General McKee will be coming from the Air Force to the Federal Aviation Agency. If the FAA is not stopped, it will let private industry have its patents. The policy ought to be that private industry would not get Government patents on this type of research. The Government should maintain its patents and grant licenses to use them upon payment of a royalty to the Government. The license fee that would be charged would be such that the Government would get $2 million in licenses and royalties for every supersonic transport that was produced. In that way, we would hope to get back the $1 billion we would spend upon the development of the transport. That may sound farfetched, but that is the policy that the British pursue; and in pursuing it, they developed one of the finest aircraft, the Viscount, and at the same time got back their entire investment in the building of the plane from license and royalty fees from those who purchased them.

I want to know if General McKee is going to go to the FAA and change patent policy, because the people who are now working there do not want to change it. All that is necessary, if a change of policy is necessary, is to send a man there who wants to change it. He will have the authority to do so, and those in the Department will have to go along with it, because they will have no choice.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. YARBOROUGH. When the Long amendment was offered to the NASA authorization bill, my recollection is that NASA fought that very vigorously. They were opposed to the Long amendment to protect the public's patent rights. Is that correct?

Mr. LONG of Louisiana. The Senator is correct.

Mr. YARBOROUGH. This amendment is offered to a bill through which public money would be granted for research in the field of public health. It is my understanding that the Department of Health, Education, and Welfare accepts the Long amendment and does not oppose it.

Mr. LONG of Louisiana. The Senator is correct.

Mr. YARBOROUGH. The representatives of the Department stated that they were willing to accept the amendment.

Mr. LONG of Louisiana. Mr. President, that is not unanimous in Government. The Department of Commerce has Mr. Hollomon from the General Electric Co. He is over there looking after business.

That man has all the power available to him to make sure that each agency gives away its patent rights on research. People like that in Government are too powerful. They have an assistant in the White House, an adviser, who is doing all he can to push the policy of helping general business by giving away patent rights.

Mr. YARBOROUGH. Mr. President, in one instance, the Senator from Louisiana had the governmental authority opposing the proposal as an impediment in their research. In this instance, the Senator from Louisiana has the authority willing to accept the proposal and saying that it would not be an impediment to research, such as it would object to under the bill.

Mr. LONG of Louisiana. Those who would have to administer the bill wrote the amendment. Mr. Celebrezze was in favor of the amendment. Mr. Wilbur Cohen was in favor of the amendment. They helped me to prepare the amendment. They think that is how they would like to do it. They could be compelled to do otherwise by somebody in the Department of Commerce. General Electric Co. and other giants have enough people in Government to influence the policy.

A short time ago General Electric went before the court and pleaded guilty and in some instances nolo contendere, which means, "I will not defend myself."

It was charged that for 10 years that company was systematically conspiring to defraud the Government on everything that it sold as an electrical contractor. Nine other companies were involved, including the Westinghouse Corp. They were engaged in a conspiracy to steal from the U.S. Government. What happened? When the Justice Department caught them stealing, they had to pay back all they had taken from the Government. Their private customers sued them. The private customers said, "You admit that you overcharged the Government. You have been overcharging us. You have been charging us the same price." They were then liable for $300 million because of treble damages imposed as a result of having been caught engaging in this kind of activity.

Having been caught in a conspiracy, they obtained a ruling from the Department of the Treasury that they could deduct the money that they had to give back, that they owed, including the penalty, on the ground that it was an ordinary and necessary expense of doing business.

When a company is stuck for treble damages, if it happens to be $300 million, the first $100 million is merely given back to the people from whom it was stolen. The other $200 million is the penalty that the company must pay for having stolen it in the first place.

When the ruling came through that those involved were entitled to deduct this as a business expense, it meant that Uncle Sam, the taxpayers, had to pick up 75 percent of the fine that General Electric paid. That was done, even though the Justice Department advised against it.

Some of their own lawyers were saying that they should consult Congress before that happened. That is the reason why we should not place those people in a position of power so that they can make rulings. The companies are so powerful that their lawyers, and others in Government, such as Hollomon, are in a position to press for and get private patents on research.

There was a cartoon published in this morning's Washington Post. I had nothing to do with it. I have met Herblock on one or two occasions. Sometimes I agree with him. Sometimes I do not.

I am pleased to say that this time the cartoonist agrees with the Senator from Louisiana. The cartoon portrays what appears to be a machine. At one end, the United States is stuffing its money into what appears to be a furnace. The machine is eating up our money. The cartoon portrays the United States putting $15 billion into that part of the machine. From another part of the machine, a pair of mechanical claws reaches into our pocket and removes the patent rights at the same time that we are pouring the money into the machine.

A character labeled as the private patent lobby is standing there watching the operation. They have finally invented a machine that will take our money and pick our pocket at the same time.

Mr. YARBOROUGH. The Senator from Louisiana is speaking of the cartoon by Herblock printed in the Washington Post of June 25, 1965?

Mr. LONG of Louisiana. The Senator is correct.

Some say that it is too complicated to figure out. However, I believe that I can figure it out. It is a pickpocketing machine which consumes our money and steals our patent rights at the time. The patent rights would then be passed on to somebody who would be in a position to use them to advantage. I am sure that they do a very effective job of it.

The United States has no safeguards of any kind for the protection of the public against a patent monopoly. This was brought out in the drug hearings of the Senate Subcommittee on Antitrust and Monopoly under the chairmanship of Senator Kefauver, and is covered in the subcommittee's report on drugs.

GOVERNMENT-FINANCED RESEARCH

Now, on top of this there has been an increasing tendency to give to private industry the fruits of Government-financed research in the health field. You are all familiar with the policy adopted by HEW in 1957 on the cancer chemotherapy contracts of NIH. In simple terms, the drug manufacturers went on strike until they got what they wanted, and what they wanted was a monopoly to any of the patentable inventions which might arise from the Government-financed work. All the Government was to get for the tremendous expenditure of public funds was a royalty-free license to use for governmental purposes only, whatever that means, plus a feeble and highly circumscribed right to move in if the private monopoly exploitation was too ruthless. In the meantime the public could pay exorbitant prices for drugs, for which it paid the costs of development.

Take, for example, the case of vitamin D which was the result some years ago of a research grant by the U.S. Department of Agriculture. Title to the Steenbock patent was allowed to be lodged with the Wisconsin Research Alumni Foundation. Apparently it was thought that an organization connected with a university—the University of Wisconsin—would consider the public welfare. Instead, a tight patent monopoly was established. The prices charged were exorbitant because of the restrictive provisions in the foundation's licensing contracts, and the whole thing culminated in an antitrust suit by the U.S. Department of Justice for violation of the Sherman Act. This was in the mid-1940's.

The same thing is happening today. Take the case of the new cancer compounds 5-FU and 5-FUDR which were the subject of an investigation and report of the Comptroller General in 1960. The cancer drug was first developed largely at Government expense, after which NIH wanted to subject the compounds to clinical testing to determine their usefulness on patients. Acting on the supposition that title for the discoveries would be lodged with Hoffman-LaRoche—a pharmaceutical company—NIH made no attempt to engage in competitive procurement of these compounds for clinical testing purposes. Instead, it bought the drug from Hoffman-LaRoche at monopoly prices. In 1958, NIH was paying $60,000 a kilo, according to the report of the Comptroller General; and of five contracts negotiated in 1958 and 1959, the lowest price was $29,000 a kilo. Altogether, in those 2 years, NIH contracted for 17 kilos at a total price in excess of $700,000.

Could this material have been bought at $60 a kilo or even $600 or $6,000 instead of $60,000 a kilo? Nobody knows, because NIH acted on the policy embodied in the cancer chemotherapy program under which patents for Government-financed research can be handed over to the private contractor.

This case represented such a flagrant abuse of private exploitation of patent rights that, after the Comptroller General's report, action was taken. The Government now has a one-fourth undivided interest in the patent, following negotiations with Hoffman-LaRoche and the American Cancer Society. And another company or two have been licensed to manufacture and sell the drug. Thus far, though, I have heard of no attempt on the part of the Government to attempt to renegotiate the purchase contracts to get some of its money back.

Why is all this important? Because, according to the National Senior Citizens Education and Research Center, there are 18,000 senior citizens who spend nearly a billion dollars a year for drugs and medicine. The average person over 65 spends 3½ times as much on drugs as is spent on the average child. And this occurs at a time when his income is the lowest. It is inhuman for the Government to permit price gouging of these elder citizens—and it is even worse if it is these very citizens who have contributed the funds for the drug's initial development.

But let us look at children for a moment. There are many serious children's diseases which are currently the subject of attack. On May 17, I brought to the attention of the American people a case study of what happens when a private company gets a monopoly and does not hesitate to use its power. I have previously discussed, as a result of the expenditure of public funds, a simple blood test was developed for the pinpointing of a metabolic deficiency which occurs in some children. If not detected quickly the result is mental retardation.

The Children's Bureau and the Public Health Service spent about three-quarters of a million dollars, with certain States also spending considerable funds, to develop this relatively simple device to ascertain whether new babies suffer from this metabolic deficiency. The treatment for its cure is known; the real problem is in locating the babies in sufficient time to start the treatment before permanent mental damage is done. Obviously, the market was there, waiting eagerly for the development; some States had already made the test mandatory, and in other States most hospitals incorporated the test as a normal routine with their newborn babies. Could there have been any rational purpose served in handing over a monopoly on such a development to a private company for monopoly exploitation? As the public records show, the hospitals in Massachusetts and in other States were producing a kit for testing 500 infants, including all costs, for $6. The granting of a monopoly to the Miles Laboratories would not only have prevented the production of such kits by anyone except Miles Laboratories, but the price would have been $262, a price over 40 times the cost to Massachusetts, Louisiana, and other States. This is a classic example of the ruthless exercise of monopoly power. Fortunately, the Public Health Service determined that ownership of the invention should reside in the U.S. Government and should be used for the benefit of our children and not to enrich private monopolies.

In order to protect its citizens, most European countries would not permit the issue of a patent even if the company developed it with its own funds. Can there be any defense for handing over monopoly rights in this country to a private company who made absolutely no contribution—financial or otherwise—to the development of such a test?

Or take the case of a single inexpensive test to determine whether a person is a diabetic. At the present time there is a good deal of Government-financed research being conducted on this problem, and it is only a question of time before it is worked out. Should the private contractor, financed by the Government, be permitted to have a monopoly on such a development? Should he be allowed to set monopoly priced on a discovery which has been paid for by the people and which should be priced at a level that permits everyone to have access to it? Is not the need rather for the Government to be so concerned about the welfare of its citizens that it take steps to insure that important discoveries in the field of health be made available at prices that people can afford to pay?

ANIMAL AND CLINICAL TESTING

Now, I want to turn for a moment to the Government's role in the animal and clinical testing of new drug compounds. Under the Kefauver-Harris drug statute, passed in 1962, every new drug which a company wishes to market must be first cleared by the Food and Drug Administration both for safety and efficacy.

Much of this testing work—both on animals and human beings—is done at the expense of the U.S. Government. Under the Health Research Facilities Act of 1956, the Public Health Service has supplied the funds for the actual constructing and equipping of facilities for research in the sciences related to health. This money—for years it has been at the rate of $30 million a year—has gone to non-Federal public and nonprofit institutions. Thus, organizations like Sloan Kettering Institute, the Mayo Clinic, and others, which engage in research are heavily supported by Government funds.

To a considerable extent the work of individual clinical testers is underwritten by NIH grants. I have on my desk two volumes of the Annals of the New York Academy of Sciences containing the reports of clinical investigators which were used by the drug companies sponsoring the symposium for securing clearance of their new drug applications through FDA. A sizable majority were financed by NIH grants or carried on with assistance from the Veterans' Administration. This kind of data is essential for clearance of the drug compound for marketing purposes. Why should this research work, paid for by the Government, become the private property of any drug company? Clearly, this knowledge developed with public funds should be made available to any person or organization interested in its use. Small companies, particularly, find a great barrier in the expenditure of funds for clinical testing. The costs can be as much as $100,000. Why should not small companies have ready access to the data as quickly as possible—published or unpublished? After all, they helped to pay for it.

It may be argued that these little companies would in any event be prohibited from selling the compound because the product is patented by a major company. But in some cases new uses are found for old drugs on which the patent has expired. If the compound is still classified by FDA as a "new drug," evidence of safety and utility must be supplied by the company if it wishes to market the product for the new uses. Or there may be an interference fight in the Patent Office as occurred in the case of one of the important drugs for arthritis. This drug—prednisone is the name—was involved in an interference fight for roughly 10 years, from 1954 to the spring of 1964.

During this period any company was free to engage in its marketing because no patent protection existed. In addition, irrespective of the existence of a patent, sales can always be made to the U.S. Government. Indeed, this is exactly what happened in the case of tetracycline, the leading antibiotic drug, involved in an action by the Federal Trade Commission. Here the patent was held by the Pfizer Co. which licensed only a couple of the major drug companies in this country. After investigation, the FTC found the companies guilty of rigging high prices on this essential drug in violation of our antitrust laws. Two companies—Pfizer and American Cyanamid—were also found to have engaged in misrepresentation of the facts in filing their patent applications in the Patent Office. The Medical Military Supply Agency, buying on behalf of the U.S. Government, acted long before the findings of the Federal Trade Commission came out; it simply disregarded the patent and went abroad for its purchases, paying 1½ cents a tablet instead of the 17 cents which was being demanded by Pfizer and its licensees. This is all contained in the Kefauver committee hearings, and the numerous speeches Senator Kefauver made on the subject on the floor.

Much of the testing work used by the big companies in getting their new drug applications through FDA is paid for by the Federal Government. The Long amendment merely provides that if the Government has paid for this research work, the results should not be monopolized and exploited by the private contractor. The new information should become public property and be made available to anyone who cares to use it.

I believe this policy would tend in the direction of more reasonable prices for essential drugs to the public. It should have that effect since it would invite the entrance of other companies wherever possible and insure the benefits of competition to the public. In addition, there is need—particularly in the health field—for the widest dissemination of knowledge in the interest of unlocking more and more doors to the conquest of disease, the infirmities accompanying old age, and the accidents of nature which cripple and retard the physical and mental development of so many of our children.

I am not today advocating a change in our patent laws to prohibit product patents. I am only explaining their use under existing legislation. Fortunately, the fact that there is a different situation in Europe which brings about much more effective competition permits me to bring out the manner in which some monopolies operate. Perhaps it is justifiable for companies to receive product patents on products developed by their own research, but what we are talking about today is the handing over of exclusive rights to private contractors on processes and products which are developed with public funds.

Let us take a look at chlorpromazine, which is a very potent tranquilizer widely used in all of the mental hospitals in this country. The French firm of Rhone Poulenc developed this drug. The European bulk price today is approximately $20 per kilo, which makes the ingredient cost of a bottle of 100 tablets of 25 milligrams each approximately 5 cents. When we add the 25 cents for tableting and bottling, the total cost is approximately 30 cents. In this country, this drug is sold exclusively by Smith, Kline & French under the trade name of Thorazine. What do you suppose the public is paying for Thorazine? Generally, the public is paying approximately $10 for a bottle of 100 tablets. The cost to the druggist runs approximately $6 per 100 tablets of 25 milligrams each.

Usually, Mr. President, the big hospitals can purchase drugs in large quantities at prices considerably lower than those charged the retail druggist. In this case, however, this situation does not prevail because there is only one seller. Smith, Kline & French have been charging the hospitals practically the same price as is charged the druggist. Of course, this means that the monopoly prices are borne by the general public because most of our mental hospitals are supported chiefly by public funds.

Phenmetrazine, which is of Swiss origin, is another example. It is widely prescribed by doctors as an appetite depressant for those who are overweight and trying to do something about it. Certainly, we can agree that there is a large potential market among the American people for this product, Mr. President. Perhaps I should be using it myself. It is sold by the Geigy Co., which is the U.S. subsidiary of the Swiss company by the same name, under the trade name of Preludin. In Europe, under similar calculations as we have made for the other preparations mentioned, the total cost would be approximately 33 cents per bottle of 100 tablets. In this country, the druggist pays approximately $4.50 for 100 tablets of 25 milligrams each, and the price to the public is approximately $7.50 for a bottle of 100 tablets.

Another one of European origin is chlordiazepoxide, which is a mild tranquilizer prescribed by the doctors for anxiety, tension, and similar problems. It is something like Miltown or Equanil, which I have seen on occasions around the Capitol, even in the offices of some of the Members of this body. This new compound is sold in this country only by Hoffman-LaRoche, the U.S. subsidiary of the parent Swiss company which developed it.

Here, the public is paying in excess of $15 per bottle of 100 tablets. In Europe, the product in finished bulk form is available for approximately $56 per kilo. When it is tableted and bottled, the cost per bottle of 100 tablets comes to approximately 41 cents. Mr. President, it is really outrageous how much this monopoly situation is costing the American people. I do not wish this to happen to any product developed by private firms under contract to our public health agencies. If we do not adopt my amendment, however, there is no way at all that we can be sure it will not happen.

In the field of public health, there is the most urgent of reasons why we should insist that the Government retain title to the discoveries which are to be financed in the future by the tax money of the American people. Exclusive rights assigned to private contractors is certain to mean monopoly prices, which means that the essential drugs and medicines are placed beyond the reach of many of our citizens. Particularly, the older members of our society are affected by these artificial and cruelly high prices. Among older people, chronic diseases are common. There is a high requirement for medication on a regular, even a daily basis, or several times a day.

Mr. President, there are unfortunately altogether too many examples of this nature. I do not believe it is necessary to take the time of the Senate to discuss each one in detail.

I ask unanimous consent to have printed in the RECORD a simple table containing a number of additional illustrations.

The prices originally were given in terms of kilos and were converted by my staff assistants into bottles of 100 tablets. Although I do not vouch for its precise accuracy, it does give, I believe, a reasonable comparison of the European and U.S. prices.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Drug price comparisons, European and United States

Generic name	Price per kilo	Ingredient cost per 100 tablets	U.S. trade name	U.S. price to druggist per 100 tablets
Tolbutamide	$3.65	$0.18 (0.5 gram)	Orinase (Upjohn)	$7.70
Nitrofurantoin	18.20	$0.19 (100 milligrams)	Furantin (Norwich)	29.00
Phenmetrazine	26.00	$0.07 (25 milligrams)	Preludin (Geigy)	4.50
Chlorothiazide	5.00	$0.25 (500 milligrams)	Diruril (Merck)	6.00
Hydrochlorothiazide	5.00	$0.025 (50 milligrams)	Hydrodiruril (Merck)	6.18
Chlordiazepoxide	56.00	$0.16 (25 milligrams)	Librium (Hoffman-LaRoche)	10.00
Chlorpromazine	20.00	$0.05 (25 milligrams)	Thorazine (Smith, Kline & French	6.06
Tetracyline	40.00	$1 (250 milligrams)	Tetracyn (Pfizer)	17.60
Sulfamethoxpyridazine	6.75	$0.34 (0.5 gram)	Kynex (Lederle) Midicel (Parke Davis)	8.82

Mr. LONG of Louisiana. Let me note that the prices in the extreme right-hand column are to the druggist, not to the consuming public.

Mr. President, the foregoing chart gives some idea of what happens to drug prices where there is monopoly control.

Is this what we want to have happen with drug discoveries which are actually financed by the U.S. Government?

This kind of price gouging by the drug monopolies is scandalous even when they spend their own funds on research to develop the products. It is beyond all standards of decency and morality when the money for the research comes from the Government.

Some of these companies are recipients of contracts from the National Institutes of Health cancer chemotherapy program. These include Upjohn, Pfizer, Merck, and Parke Davis. Senators may recall—believe it or not—that in connection with the cancer program the major drug companies actually went on strike. They refused to participate in the program unless they got title to the discoveries.

There are many small- and medium-sized companies in the drug industry which are fully qualified and eager to market the discoveries flowing from the research financed by the Government. We talk and talk about the desirability of maintaining a dynamic competitive economy in this country. It is time to do a little something about the situation, and we can do so by adopting my amendment. Let us do a little something to establish the kind of conditions which will at least make possible a more competitive situation in the drug industry.

Mr. President, the chart shows a comparison of European and American prices—rather hastily computed—where the European price was regarded as competitive and the American price was protected by a patent monopoly on the part of those who developed it. Although it does show a great degree of profit for those protected by patents, I have not attempted to average out the difference in the price.

I have already mentioned Tolbutamide with an international price of 18 cents against a price of $7.70 for a bottle of 100 tablets.

Here is another drug, very much used, with an international price of 19 cents for 100 tablets compared to a price of $29 wholesale, or $48 retail in the United States.

Here is another widely used drug, with a price of 7 cents compared to $4.71 to the druggist and $7.50 to the consumer.

Here is another drug with a price of 2½ cents and $6.18 for the same drug wholesale, or $9 at retail.

These are illustrations of the difference in prices charged for drugs, where drugs are sold on a competitive basis, or where the protection is only on the process used to produce the product, rather than on the protection existing with regard to the product itself.

Mr. President, Congress has acted on this subject many times. Each time it has acted, I have offered amendments and have followed the precedents of previous occasions.

I went to the extent of urging President Kennedy to sign an order that there would be no private patents on Government research. I was not successful in accomplishing that, even though I was successful in bringing about a policy statement which at least, so far as I was concerned, would mean that no private patents would be given on health research.

I thought at that time that something had been achieved. On page 3 of that statement, which I hold in my hand, there is the statement that no private patents will be granted if the principal purpose of the contract is for exploration in fields which directly concern the public health or public welfare.

The Senator from Louisiana thought that that meant that in the Department of Defense, where private patents were awarded on all Government research contracts, if they were looking for something that related to the health of the individual and something might be discovered in relation to preserving human life in high altitude, for example, it would be available to the public generally.

The statement also went on to state that this did not attempt to bind the existing agencies.

In any event, here is a statement of policy, which is six pages of legal typing, single spaced, in the form of a memorandum from the President of the United States addressed to the heads of the departments and agencies of Government. The best I can make out is that there are agencies like the Federal Aviation Agency, which in my judgment is carefully scrutinizing everything in the public interest and insisting that their policy should not be one of giving away private patent rights.

Then there are agencies like the Defense Department, where private patent rights are being given away in almost all contracts. In NASA and in other agencies they are giving away some and saving some. They insist on following that policy.

This subject has been studied at great length in various agencies, and as a result HEW has decided to continue following the policy which I advocate. I am happy to say the HEW has had a very great Secretary in the person of the distinguished Senator from Connecticut [Mr. RIBICOFF]. He studied this question, and he concluded that large amounts of money were being spent. As a matter of fact, he found that practically all research was being financed with Federal money—and that the patents should not be waived.

I submit that when we finally get down to determining what the patent policy of an agency should be, it all depends on the circumstances. We should either have a flat prohibition on any private patents on the results of Government research or we should permit some type of flexibility, geared to the particular agency.

The amendment that I am offering is what HEW is doing and what it thinks should be done. I am not quarreling with that agency. I am in support of the position that it has followed.

I do not wish to take the risk that this program, which is such a fine program and is following such a worthy purpose, and which is being offered by the distinguished chairman of the committee, should become subject to efforts of those who would exploit the public interest and bring about a change in that policy.

In my judgment a change in that policy would be a very great detriment to the public interest.

I am pleased to note that the distinguished Senator from New York [Mr. KENNEDY] is in the chair. He is the former Attorney General of the United States, and was in that office at the time this patent policy was discussed with all the agencies.

The spokesman of the Justice Department at that time was the gentleman who now is Supreme Court Associate Justice White. The policy of the Justice Department at that time was that the agencies should not waive patent rights unless they knew what they were waiving, and that in any event there should not be a waiver in the contract itself, but the matter should wait until the product had been developed and identified.

On the whole, it was the feeling of the junior Senator from Louisiana that there was more support for the position he is advocating in the Justice Department than perhaps in any other agency, except perhaps in the Department of Health, Education, and Welfare or in the Federal Aviation Agency.

My position is also strongly supported in the Department of Agriculture, where that policy is pursued, and also in the Tennessee Valley Authority, as well as in a number of other agencies of Government.

The Senator from Louisiana is convinced that this is a very important subject, in the public interest. I believe other Senators would like to discuss it. I therefore suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. **LONG** of Louisiana. Mr. President, I object.

The **PRESIDING OFFICER.** Objection is heard. The clerk will continue to call the roll.

The legislative clerk continued to call the roll.

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent that the proceedings under the quorum call be rescinded.

The **PRESIDING OFFICER** (Mr. MONTOYA in the chair). Without objection, it is so ordered.

The bill is open to further amendment.

Mr. **JAVITS.** Mr. President, I strongly favor the bill. In the course of the hearings there was an important interchange of memorandums with the New York Academy of Medicine, consisting of a letter which they wrote me on certain problems which will arise in respect to such a bill so far as doctors and medical practice is concerned, and to which the Department of Health, Education, and Welfare replied, giving answers to the professional and practical problems which the Academy believed would arise.

In addition, I have the answer of the Academy of Medicine to the views expressed by the Department of Health, Education, and Welfare.

I ask unanimous consent that the exchange, which will be critically important in the administration of this measure, be printed at this point in my remarks.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

THE NEW YORK ACADEMY OF MEDICINE
New York, N.Y., June 1, 1965.

Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR JAVITS: Here is a copy of a statement by the New York Academy of Medicine on the report entitled "A National Program To Conquer Heart Disease, Cancer, and Stroke," issued by the President's Commission on Heart Disease, Cancer, and Stroke; and on the bill S. 596 to implement the program.

I hope that the academy's statement will be useful to you in your consideration of the bill.

Very truly yours,
JOHN L. MADDEN, M.D.,
President.

STATEMENT BY THE NEW YORK ACADEMY OF MEDICINE ON THE NATIONAL PROGRAM TO CONQUER HEART DISEASE, CANCER, AND STROKE

The New York Academy of Medicine shares the objectives of the President's Commission on Heart Disease, Cancer, and Stroke "to reduce the incidence of these diseases through new knowledge and more complete utilization of the medical knowledge that we already have." But the academy finds some vagueness in the national program as outlined in the Commission's report.

For the New York Academy of Medicine the proposed national program raises a number of questions which it would bring to your attention.

1. Will the emphasis on heart disease, cancer, and stroke in a program on such a vast scale have an adverse effect on the attention, time, and funds devoted to other illnesses?

2. Is the asserted major deficit in present medical care in the acquisition of new knowledge, or in the application of available knowledge? Today, with the decline in family doctors, more than a majority of practicing physicians are specialists, many board certified, presumably able to handle difficult diagnoses, and provide known treatment.

3. Is there a shortage of medical complexes of such magnitude that it is the major limiting factor? Existing medical care centers are not negligible in number and with modern transportation are not inaccessible.

4. The need for continuing education of all physicians is perpetual and generally recognized. But will more medical complexes fulfill the need? Is expansion of their number the most feasible method of maintaining the proficiency of physicians? Is there not a simpler system of continuing education of physicians?

5. Is not the problem of reducing incidence of heart disease, cancer, and stroke as much, if not more, a matter of educating the vulnerable groups to seek an examination upon indication? Control of cancer of the breast and venereal disease in the past demonstrated that persons suspecting these conditions must seek medical attention. Unless the patient comes for an examination no physician or medical complex can help him. Furthermore, if the patient does not come early enough, the physician cannot render most effective care.

Public education has a record in the past of having worked in cancer of the breast and venereal disease. It is much less expensive than expanding a network of medical complexes. It is basic to the mass approach to disease. It has not been applied fully to heart disease, cancer, and stroke.

6. Medical care and its facilities have developed out of local needs, local responsibility, and local support, including voluntary organizations. Will the proposed Federal participation on a vast scale in planning and decisions on medical care affect local responsibility and support?

7. Is any existing Federal department prepared or could it be quickly readied to administer the proposed program? Is it wise to formulate huge Federal health programs to be imposed on departments already taxed to the utmost to discharge their present responsibilities?

8. In area and regional planning, which groups at the State and local levels are to wield power and authority in decisions and administration? Already this question has led to the emergence of rival groups.

9. What will be the basis for allocation of funds? Local need or influence and power? Are new medical centers to be created on the basis of demonstrated need or are existing ones to be strengthened?

10. The plan envisions fusing the four worlds of medical education, medical practice, hospitals, and research. Is it more likely to succeed in this endeavor by a program of expansion? Is this the best solution to the problem?

11. Does the program rely too heavily on the thesis that money is a sovereign remedy, that it can buy anything? Even if the program were sound, can the Nation by practical view, furnish the financial support?

12. Although the report takes medical manpower into account, is there sufficient skilled professional manpower to effectuate it? Congress now has under consideration another vast health program, medical care of the aged, that would increase utilization of hospitalization and medical services in the face of a limited supply of physicians.

The report does not provide clear or convincing answers to these questions. But the questions need answers. The report is a valuable document in stimulating attention to these matters. It should form the basis for careful consideration and planning toward the reduction of disease, especially heart disease, cancer and stroke.

Companion bills S. 596 and H.R. 3140 have already been introduced into the Congress as the first step to implement the report. Anthony J. Celebrezze, Secretary of Health, Education, and Welfare, testifying at hearings on the bills, has given his interpretation of them and answered other questions than those raised here.

He said the bill is not intended to provide Federal medical care programs. "What, basically, we are seeking to do for victims of these diseases is to equip existing hospitals and their existing medical staffs to provide care of quality that is available today only in a handful of places in the country.

"We are not proposing that the Federal Government pay for this care—either hospital costs or physicians' fees—except as the Government already pays for care that is part of federally supported research."

According to the Secretary, the proposed establishment of regional medical complexes by linkage of medical schools, research institutions and hospitals, and thus coordination of education, training, diagnosis, treatment and research, would afford to physicians, and to the health institutions at which they practice, the arrangements for them to supply the latest advances in diagnosis and treatment.

He asserted that the proposed program would accomplish these objectives without interfering with the traditional patterns of patient care, professional practice, the administration of hospitals, or the methods of financing health care.

But the New York Academy of Medicine does not find the answers to its questions either in the pending bills, or in the Secretary's interpretation.

The New York Academy of Medicine wishes to make clear that it has long been interested in ways and means to improve the quality of medical care. It too would welcome practical and effective steps to reduce the incidence of heart disease, cancer, and stroke.

But it does advocate careful consideration before taking precipitous steps on a vast scale. It would strongly urge the committee members in both the Senate and the House to deliberate deeply on the questions which the academy has raised before embarking on what promises to be a very expensive venture that might not produce the desired results.

Approved by the executive committee of the committee on public health, May 24, 1965.

Approved by John L. Madden, M.D., president, the New York Academy of Medicine, May 24, 1965.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., June 9, 1965.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: I have prepared the attached comments on the statement recently made by the New York Academy of Medicine on the report of the President's Commission on Heart Disease, Cancer, and Stroke.

In general, the academy's committee seems to have taken a position that public health measures are threatened by programs designed to support diagnostic and treatment procedures. Personally, I think this is not so. Public education in veneral disease control would have been useless if therapeutic agents culminating in penicillin had not been available as treatment; encouraging women to seek examination for uterine cancer is futile without diagnostic stations with trained technicians; without the facilities, equipment, clinical laboratories, and trained specialists, physicians can offer little to patients who seek them because of their afflictions caused by heart disease, cancer, or stroke.

The President's Commission consisted of 28 public-spirited physicians and laymen. It and its 8 subcommittees held 45 meetings, interviewed 166 expert consultants, took more than 7,500 pages of testimony and published a report in two volumes totaling 758 pages. The Commission earnestly sought answers to the many questions stemming from the President's instruction to "recommend steps to reduce the incidence of these diseases through new knowledge and more complete utilization of the medical knowledge we already have." It gave the most careful consideration to steps intended to be, not precipitous, but adequate to the scope of the problem. It recommended the most meticulous attention toward utilizing fully all existing resources, facilities, and manpower, including avoidance of interfering with the existing patterns of patient care, professional practice, the administration of hospitals, or the methods of financing health care. At the present time I know of no alternative plan designed to reach the stated objectives and to harmonize with present trends and achievements in medicine.

Sincerely yours,
EDWARD W. DEMPSEY,
Special Assistant to the Secretary,
(Health and Medical Affairs).

COMMENTS ON THE STATEMENT BY THE NEW YORK ACADEMY OF MEDICINE ON THE NATIONAL PROGRAM TO CONQUER HEART DISEASE, CANCER, AND STROKE

1. No proposal has been made to decrease support to programs combatting diseases other than heart disease, cancer, and stroke. Moreover, many of the recommendations of the Commission which have been embodied in the administration's program provide support for medicine in general. This is particularly true of the proposals to increase support for manpower, teaching and research construction, communication, and information. In any event, in assigning priorities, the fact that 71 percent of all deaths are represented in these three categories demands that great emphasis be assigned to heart disease, cancer, and stroke.

2. Major deficits occur both in adequate knowledge and in application of presently available knowledge. The Commission recommendations took both into account. The Department has recommended a supplemental appropriation of $44.1 million for the next fiscal year, much of which is to support further research and training.

3. The informed opinion, that a lag does exist in applying present knowledge, indicates that there is not an adequate system for making this knowledge available. By linking community hospitals to existing medical centers, this system will be improved and extended.

4. To be meaningful, continuing education must be intertwined with research and service. For continuing education of the highest quality, there is probably no simpler system.

5. True enough, unless the patient presents himself to a physician, he cannot be helped. The Commission's report, and the proposed supplemental appropriation, recognizes the need for improved public information. But without facilities organized to treat the patient little would be gained by having him recognize his disease.

6. The current proposals are for local organizations to prepare plans and applications. Federal participation has not stultified medical research, but has improved it. A partnership between Federal and local organizations can provide greater support tailored to meet local needs.

7. The Department of Health, Education, and Welfare is prepared to assume this responsibility, and assignment of the program to the National Institutes of Health has met with approval by a large number of informed leaders in medicine. Moreover, as provided in S. 596, local institutions or agencies would prepare applications which would be reviewed through procedures thoroughly familiar to NIH. Thus, no large involvement of federally employed skilled manpower would be required. The major responsibilities would be assumed by the applicant institutions or agencies.

8. Groups formed through local or regional enterprise would prepare and submit applications and would form the advisory and administrative organizations. The fear that rival forces might emerge in each locality is probably only a fear—in fact, the Vermont Legislature has authorized a statewide committee appointed by the Governor with representation from the university, the State health department, the medical society, and other groups; the three medical schools in North Carolina have agreed to cooperate in formulating a statewide plan; the University of Wisconsin and Marquette University are discussing a similar consortium, as are institutions in California, Virginia, and many other places. It would seem, therefore, that trends toward cooperation are strongly evident.

9. Funds would be allocated by the Surgeon General acting on the advice of the authorized Council, just as other grants are awarded. Awards would be based upon the merits of individual proposals.

10. The plan envisions expanding the involvement of existing institutions, particularly medical schools and their hospitals, into the area of patient services. This plan introduces a new dimension into programs for health care and represents a solution providing physicians with resources of the highest attainable quality.

11. It is difficult to define what is meant by relying "too heavily on the thesis that money is a sovereign remedy, that it can buy anything." Money is a medium of exchange; it is needed to provide the necessary facilities, services, and manpower. As to whether the Nation can afford this program, the economic advisers consulted by the President's Commission, by the Wooldridge Committee, and by the AMA Commission on the Cost of Medical Care all agree that health investments return more to the gross national product than they cost.

12. Recognizing critical needs, the Commission recommended programs to increase support for existing programs involving education and training of health manpower, including direct support of medical education. A bill, S. 595, has been introduced into Congress for this purpose. The Commission also recommended programs to utilize present manpower and other resources in the most effective ways possible. The provisions for increased and improved community planning, for centralization of expensive equipment and of procedures requiring extensive and sophisticated teamwork of organizations to assure effective utilization of community resources—all these were directed toward the efficient use of highly skilled manpower. In short, the medical complex is a means toward this end.

THE NEW YORK ACADEMY OF MEDICINE,
New York, N.Y., June 23, 1965.

Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR JAVITS: Thank you for your letter of June 14 in reply to my letter of June 1 which contained the statement by the New York Academy of Medicine on the program for heart disease, cancer, and stroke.

The academy appreciates your enclosing a letter from Dr. Edward W. Dempsey and his comments on the academy's statement. Dr. Dempsey attributes to the academy the position that public health measures would be threatened by programs designed to support diagnostic and treatment procedures.

Apparently misled by the name, Committee on Public Health, the academy's committee that prepared the statement, Dr. Dempsey has indulged in an erroneous assumption. Actually there is not a professional public health man on the committee. All are practicing physicians or medical educators.

As you know, the New York Academy of Medicine is an independent medical organization that is 118 years old, with a fellowship of more than 2,000 physicians. More than 50 years ago its committee on public health, which prepared the statement, was formed in the public interest, a principle to which it has tenaciously adhered.

The academy is well aware of the reputation of the members of the Commission on Heart Disease, Cancer, and Stroke. It is also familiar with the source material on which their report was based. As it has demonstrated on innumerable occasions, the academy is qualified and able to reach its own conclusions independently.

The present issue is open to more than one line of reasoning. Furthermore, the academy holds that some of Dr. Dempsey's assertions are unproved. It therefore finds his comments unconvincing.

The academy sees no reason to change its position that much further thought be given to the proposed program and to the provisions in S. 596. The academy considers the Commission report a desirable stimulus and working paper for further consideration rather than the last word on a debatable subject.

Very sincerely yours,
JOHN L. MADDEN, M.D.,
President.

SOME POINTS IN SUPPORT OF ACADEMY'S STAND CONCERNING A PROGRAM ON HEART DISEASE, CANCER, AND STROKE

1. The vast majority of patients across the country are not in hospitals affiliated with medical schools, nor have the majority of physicians in the community access to these affiliated hospitals.

2. How are community hospitals to be linked to existing medical schools when many existing schools consistently refuse to accept or foster any such linkage even in large cities?

3. The program does not provide any method for continuing medical education of

the practicing physician. The use of centers which Dr. Dempsey mentions will not attract or reach the local doctor. Therapy will be directed away from the practitioner into the medical schools and their hospitals.

4. The academy doubts that pouring of additional funds into areas already well provided with research funds will effect any great changes.

5. The academy questions whether there is sufficient personnel to staff expanded existing centers or new centers without resulting dilution of existing supply.

6. There is no proof that any great number of patients suffering from heart disease, cancer, and stroke are not getting proper and prompt medical attention because of lack of facilities. There are other reasons for delayed medical care.

JUNE 23, 1965.

Mr. JAVITS. I wish to point out that the New York Academy of Medicine is a most distinguished body of doctors; it has the reputation of being a great organ of public spirit and in the public interest. I therefore express the hope that the departmental authorities may, at the earliest opportunity, if the bill becomes law—and I hope that it will—confer with the officers of the New York Academy of Medicine under the leadership of its president, Dr. John L. Madden, so that the greatest benefit to the implementation of the program can be obtained from the fine expertise which is represented by this organization.

The PRESIDING OFFICER. The bill is open to further amendment.

If there is no amendment——

AMENDMENT NO. 298

Mr. LONG of Louisiana. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Louisiana will be stated.

The legislative clerk proceeded to read the amendment.

Mr. LONG of Louisiana. Mr. President, since I have already explained the amendment, I do not believe any further explanation is necessary at this time. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment of the Senator from Louisiana is as follows:

On page 12, line 4, immediately after "SEC. 906.", insert the subsection designation "(a)".

On page 12, between lines 11 and 12, insert the following:

"(b) (1) No part of any appropriated funds may be expended pursuant to authorization given by this title for any scientific or technological research or developmental activity unless such expenditure is conditioned upon provisions effective to insure that all developments resulting from that activity will be made freely available to the general public. The Surgeon General shall include in each grant or contract made or entered into under such authorization for any such activity provisions under which the United States will acquire exclusive right in and to any such development. Nothing contained in this paragraph shall be construed to deprive the owner of any background patent relating to any such activity, without his consent, of any right which that owner may have under that patent.

"(2) The Surgeon General may enter into an agreement with any charitable public health organization for the equitable disposition (for such period not exceeding three years as the Surgeon General may prescribe) of proprietary interests in any development which has been made through research or developmental activity for which such organization has made substantial financial contribution if the Surgeon General determines with the concurrence of the Attorney General, after according to all interested parties an opportunity for public hearing upon such proposed agreement, that such agreement will affirmatively advance the interests of public health. Each such agreement shall be subject to the provisions of paragraph (4) of this subsection.

"(3) Any grantee or contractor who has made any development in the performance of any obligation incurred under any grant or contract made or entered into subject to the provisions of this subsection may apply to the Surgeon General for the transfer to him of exclusive right (except against the United States or any Federal, State, or local governmental entity) to exploit such development for commercial purposes for such period (not exceeding three years) as the Surgeon General may prescribe. Before any such transfer is made, the Surgeon General shall comply with the requirements hereinafter set forth in this paragraph. The Surgeon General shall cause to be published in the Federal Register notice of the making of such application and a full and complete statement concerning the circumstances under which that development was made and the justification asserted by the applicant for such transfer. At such time (not earlier than 30 days after such publication) as the Surgeon General shall prescribe in such notice, opportunity for a hearing on the record upon such application shall be accorded under such regulations as the Surgeon General shall prescribe to each person who would be affected thereby, including any State or local government and any representative of an organization or segment of the public legitimately concerned therewith. Upon the basis of evidence received in such hearing, or if no such hearing has been requested upon the basis of such evidence as the Surgeon General shall obtain by full and complete investigation and preserve as a public record for not less than five years, the Surgeon General may transfer the proprietary interest for which application was made or any lesser proprietary interest to the applicant if the Surgeon General determines, with the concurrence of the Attorney General, that the making of such transfer—

"(A) is clearly justified upon equitable considerations by the contribution made or to be made by the applicant to such development apart from the financial contribution made or to be made thereto by the United States;

"(B) will affirmatively and substantially promote the utilization of such development and the interests of public health or welfare within the United States; and

"(C) will not result in or contribute to any material restraint of the interstate or foreign commerce of the United States.

"(4) Each transfer under paragraph (2) or paragraph (3) shall be made subject to—

"(A) the termination thereof at any time at which the Surgeon General determines that the recipient thereof has failed without adequate justification to (i) take prompt and effective action to bring the development to the point of practical application, or (ii) make the development available, upon terms and conditions determined by the Surgeon General to be reasonable, for use or exploitation by other parties within the United States for public benefit; and

"(B) such other terms and conditions as the Surgeon General shall determine, and specify in making such transfer, to be required for the protection of the interests of the United States.

"(5) The Surgeon General shall transmit to the Congress annually a full and complete statement concerning—

"(A) the identity of the recipient of each transfer made during the preceding calendar year with respect to any proprietary interest in any development subject to the provisions of this subsection;

"(B) the terms and conditions under which each such transfer was made;

"(C) the facts and circumstances relied upon in justification for the making of each such transfer; and

"(D) the use which has been made of all developments with respect to which such transfers have been made under this subsection at any time before the date of such report.

"(6) Whenever any development resulting from any research or developmental activity conducted in whole or in part with appropriated funds expended under authorization of this title or any proprietary interest in any such development is withheld or disposed of by any person, organization, or agency in contravention of any provision of this subsection or any condition imposed pursuant to this subsection, the Attorney General shall institute, upon his own motion or upon request made by any person having knowledge of pertinent facts, an action for the enforcement of such provision or such condition in the district court of the United States for any judicial district in which any defendant resides, is found, or has a place of business. Such court shall have jurisdiction to hear and determine such action, and to enter therein such orders and decrees as it shall determine to be required to carry into effect fully such provision or such condition. Process of the district court for any judicial district in any action instituted under this paragraph may be served in any other judicial district of the United States by the United States Marshal thereof. Whenever it appears to the court in which any such action is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

"(7) As used in this subsection—

"(A) the term 'development' means any information, copyrightable material, use, process, invention, patent, improvement or innovation resulting from scientific or technological research or developmental activity; and

"(B) the term 'charitable public health organization' means any organization described in section 501 (c) (3) of the Internal Revenue Code of 1954 which (i) is exempt from taxation under section 501 (a) of such Code, (ii) derives its income wholly or chiefly from charitable contributions made by the public at large, and (iii) expends its revenue chiefly for the promotion of public health or the alleviation of human suffering arising from floods, earthquakes, fires, explosions, and similar disasters affecting residents of the affected areas."

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Are any copies of the amendment available?

The PRESIDING OFFICER. The amendment is a typewritten amendment; printed copies are not available.

Mr. LONG of Louisiana. Mr. President, as I said, I have explained the amendment. I have additional copies available if any Senator wishes to read it.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alabama.

Mr. HILL. Mr. President, I rise in opposition to the amendment. I oppose the amendment because we do not know how it would affect the productivity of research and development. We do not know how it would ultimately affect the health and welfare of the American people.

The proposed amendment was rejected in the Senate Committee on Labor and Public Welfare and it was rejected by a large margin.

As the Senate recalls, when the Senate considered a similar amendment to the NASA bill, the amendment was defeated by the Senate by a vote of 59 to 26.

It has been implied that pharmaceutical companies represent the only opposition to this amendment. I assure the Senate that nothing could be further from the truth.

As chairman of the Committee on Labor and Public Welfare, I have heard opposition to the amendment from many of the foremost scientists and educators throughout the country. The Chairman of the President's Commission on Heart, Cancer, and Strokes, the recommendations of which we are now trying to carry out in the bill pending before the Senate, is Dr. Michael E. DeBakey, an outstanding surgeon. He strongly opposes the amendment.

Dr. I. S. Ravdin, vice president for medical affairs of the University of Pennsylvania, which is now celebrating its 200th anniversary, also opposes the amendment. Dr. Radvin is a former president of the American College of Surgeons, and for many years was chairman of the board of trustees of the American College of Surgeons. It may be recalled that when President Eisenhower had his operation for ileitis, it was Dr. Ravdin who was brought to Washington for that purpose. Dr. Ravdin strongly opposes the amendment, as do many other leading physicians and surgeons.

During the administration of President Eisenhower, Marion B. Folsom was Secretary of Health, Education, and Welfare. As I said earlier, he was one of the finest and best Secretaries I have known in all my years in Washington.

One of his advisers on health matters was Dr. Lowell T. Coggeshall, now vice president of the University of Chicago. Dr. Coggeshall strongly opposes the amendment.

Also in opposition to the amendment are Dr. Gaylord P. Harnwell, president of the University of Pennsylvania and Dr. Robert F. Goheen, president of Princeton University.

As chairman of the Committee on Labor and Public Welfare, I have received letters and other communications from the deans and professors of leading educational institutions. I shall not read all of them, but they include Boston University, Creighton University, Dartmouth College, Harvard University, Johns Hopkins University, Loma Linda University, Medical College of Georgia, Northwestern University, Purdue University, Rice University, Rutgers University, Stanford University, State University of New York at Buffalo, Southern Illinois University, the Catholic University of America.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ERVIN. Does not the Senator from Alabama agree with me that money never discovered any new process?

Mr. HILL. It never discovered any new process.

Mr. ERVIN. Are not new processes which are the subject of patent rights usually discoveries made by humans which have been developed by years of study and research?

Mr. HILL. The Senator is exactly correct.

Mr. ERVIN. I should like to ask the Senator from Alabama if this amendment might not handicap the discovery of new processes in that it would deny brains the opportunity for study and research to make discoveries and would deprive departments of any power to enter into contracts which would enlist those brains in the public service.

Mr. HILL. The Senator is exactly correct. That is why distinguished educators, scientists, and other leaders are opposed to the amendment. The Senator is absolutely correct.

Mr. ERVIN. The amendment could bring about a situation in which the persons who are able to make discoveries because of the experience gained by many years of study and research would be denied any share whatever in the profits of their brains except as a matter of extreme grace on the part of the Government.

Mr. HILL. That might well be true.

Mr. ERVIN. Even though the Department which was administering the Federal program might recognize that it would be impossible to obtain scientists or technicians whose services were necessary, unless they were given the right to receive some part of the fruits of their brainpower and long experience in research, the Department would be forbidden to make a contract to that effect.

Mr. HILL. The Senator is exactly correct.

Mr. ERVIN. Instead of promoting the public interest, the amendment might well result in the hampering and impeding of the development of the public interest.

Mr. HILL. And denying the public interest. It might deny the public interest.

Mr. ERVIN. Does the Senator from Alabama believe that the Senator from North Carolina might, in the exercise of intellectually honest judgment, be uninfluenced by the influences the Senator has named?

Mr. HILL. Knowing the Senator from North Carolina, I am absolutely sure that he would be uninfluenced by them. In the naming of universities we have heard from in opposition to the amendment, I was about to mention the name of the University of North Carolina. I had not named that university yet, so the Senator from North Carolina has reached his conclusion entirely on the basis of his own intelligence and understanding. As we all know, he is one of the ablest Members of this body.

Mr. ERVIN. I thank the Senator from Alabama.

Mr. SALTONSTALL. Mr. President, will the Senator yield further?

Mr. ERVIN. I yield to the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. I heartily oppose the amendment. I strongly favor what the Senator from Alabama has said. I am also heartily in favor of what the Senator from North Carolina has said. I should like to ask the Senator from Alabama a question from another point of view. I read from page 9 of the committee report, under the heading "Provisions of the bill," where it states:

> The primary thrust of the bill—

I wish to emphasize "primary thrust"—

> is to provide for the planning, establishment, and operation of regionally coordinated medical complexes for heart disease, cancer, and stroke, and other major diseases which will link together medical centers, categorical research centers, and diagnostic and treatment stations located in community hospitals or other health facilities.

The report continues:

> To carry out these purposes, the bill authorizes grants (1) for the planning and development of regional medical complexes and (2) for the establishment and operations of such complexes.

Then, again, it states:

> A distinctive feature of a complex would be arrangements for the coordination of the activities of its component parts in a manner calculated to achieve the purposes of the bill.

The amendment of the Senator from Louisiana is peculiarly wrong as applied to this bill. I feel certain it is the wish of the Senator from Louisiana to stimulate research through his amendment—for we have discussed the amendment, and I do not agree with it—this is not the bill through which this should be done. This is so because the great proportion of Federal money to be provided under the bill is for the construction of facilities, for coordinating complexes, and for physical purposes rather than for research.

Mr. HILL. Its primary purpose relates to the dissemination of knowledge which has been obtained. As the Senator from Massachusetts says, the bill is not primarily for health research; it is to disseminate knowledge that is now available.

Mr. SALTONSTALL. It is also a purpose of the bill to build health complexes. It is designed to provide money for construction of better research facilities, but not for the research itself.

Mr. HILL. The Senator is exactly correct.

Mr. SALTONSTALL. Therefore, as I see it, from the point of view of the Senator from North Carolina and the Senator from Alabama, it is particularly unfortunate that the Senator from Louisiana offered his amendment. If this bill were for pure research, it would be another matter.

Mr. HILL. The Senator is absolutely correct.

Mr. LONG of Louisiana. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. LONG of Louisiana. Are we not now debating S. 596?

Mr. HILL. Yes; we are debating that bill.

Mr. LONG of Louisiana. Is not that a bill to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases?

Mr. HILL. That is exactly correct, but it does not primarily authorize support for research.

The bill pertains largely to the collaboration of the different health agencies for the dissemination of medical information we possess, so that anyone who needs the information may have it at the time when he needs it.

Mr. LONG of Louisiana. I gathered from the debate of the Senator from Massachusetts [Mr. SALTONSTALL] that we were discussing the other bill.

Mr. HILL. No.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. SALTONSTALL. Mr. President, I refer the Senator from Louisiana to the bottom of page 9 of the committee report, the last paragraph. It reads:

> The bill authorizes Federal funds to pay up to 90 percent of the costs of renovating and remodeling existing space and for new equipment and facilities and the replacement of obsolete equipment.

On the basis of building up complexes, it is my feeling that the amendment would not provide funds which would go specifically into research. It would be more in the nature of facilities.

Mr. HILL. Mr. President, the primary purpose of the bill is not what we generally speak of as medical research.

Mr. SALTONSTALL. That is the point that I tried to make.

Mr. HILL. The primary purpose of the bill is not what we term medical research.

Along with the dissemination of knowledge, there might be some research. However, this is not primarily a bill for research purposes.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. JAVITS. Mr. President, I had the great privilege of being at the side of the Senator from Alabama when we discussed the matter in both the committee and subcommittee.

In that vein, I should like to ask the Senator a question. We have already had a helpful explanation of the amendment and the initiative demonstrated by the Senator from Louisiana.

I feel exactly as the Senator from Rhode Island [Mr. PASTORE] does about what the Senator from Louisiana has started. We should look at not only one side of the coin, namely, What is the United States getting for the research money? But also the other side of the coin, What are the people of the country receiving in terms of benefits? No invention or discovery means anything until it is worked out and perfected.

We must provide the carrot and the stick—the stick in the form of the amendment of the Senator from Louisiana, and the carrot in the form of flexibility so that the public can get the benefit of having research pursued.

I believe that on this amendment, as in the case of the previous amendment of the Senator from Louisiana, I would be perfectly willing to let the Committee on the Judiciary, of which I have the honor to be a member, work the matter out under the subcommittee chairmanship of the Senator from Arkansas [Mr. MCCLELLAN].

Mr. HILL. Let the Judiciary Committee work it out.

Mr. JAVITS. Of all the bills that we have had before us, this bill deals with the most complex operations, in each of which, or in a combination of which, there may be inventions or discoveries. The purpose of the bill is to establish—and this word is really a word of art—regional medical complexes. Each complex would include a medical school, a research center, hospitals, doctors, and professional technicians of various kinds. There may be a great variety of people and institutions who would participate in a particular invention or discovery.

If I ever saw a bill in which we should maintain flexibility, especially in regard to a department which has shown such a desire to conform to the public interest, it is this one. In this instance, we really have a very complex program to accomplish a purpose; and unless we retain a reasonable area of discretion in the Secretary, quite apart from the carrot and stick idea to which I have referred, we would run the risk of doing a great injustice in many cases. We would have to be wiser than Solomon to solve the problem on the basis of this amendment.

I believe that this goes to the very essence of the bill. The Senator from Massachusetts [Mr. SALTONSTALL] intimated that the essence of the bill is really such as to make it most inappropriate to include this amendment in the bill.

I honor the initiative of the amendment. I have pledged, along with other Senators, to carry out the public objective. We shall make it a policy which can cover the field in an intelligent way.

Mr. HILL. Mr. President, the distinguished senior Senator from New York is a member of the Committee on the Judiciary which has the subject of patent rights before it. The Senator serves under the chairmanship of the distinguished senior Senator from Arkansas [Mr. MCCLELLAN].

The Senator from New York is correct.

At the time that I yielded, I was speaking of the letters and communications which I had received.

I do not want to take up a great deal of time. I will mention a few of the others. Correspondence was received from such universities as: The Florida State University, the Jefferson Medical College, the Ohio State University, University of Alabama, University of California, University of Illinois, University of Iowa, University of Kentucky, University of Maryland, University of Michigan, University of Mississippi, University of Missouri, University of North Carolina, University of Rochester, University of the Pacific, University of West Virginia, Vanderbilt University, Wesleyan University.

Mr. President, in addition to those colleges which I have named, other institutions have written in opposition to the amendment.

Opposition to the adoption of the amendment has also been expressed by the American Council on Education, by the American Heart Association, by the American Cancer Society, by the Association of American Medical Colleges, by the National Academy of Science and by the American Association of Colleges of Pharmacy.

Dr. Donald F. Hornig, Director of the Office of Science and Technology, opposes the amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LAUSCHE. Mr. President, the Senator from Alabama has enumerated many institutions of medical learning which have expressed opposition to the amendment. Is the Senator able to inform me which institutions of responsibility, in the mail that he has received, have approved the amendment?

Mr. HILL. I have checked with the clerk of the committee who keeps tab on the mail. The committee clerk informs me that we may have had one or two letters in support of the amendment, but that the overwhelming majority of the correspondence expresses opposition to the amendment.

I do not recall any correspondence in support of the amendment.

Mr. LAUSCHE. Mr. President, it is quite significant that a long list of institutions of higher learning which are looked upon with great respect oppose the amendment, but only a small number, which the Senator from Alabama has not been able to recall—but he was informed by the committee clerk that there were possibly one or two—which support the amendment.

Mr. HILL. Perhaps one or two, but no more.

Mr. LAUSCHE. It is not certain then that there are even one or two.

Mr. HILL. The Senator is correct.

Let me emphasize this point. Virtually all of the opposition that was expressed in letters to me was based on convictions that any changes in existing Government patent policy should be adopted only after careful consideration and after there was the opportunity for a full and fair presentation of the views of all interested organizations and individuals.

Let them come in and present their case. The chairman of the Judiciary Committee is present. The committee is studying the matter. Let these individuals and organizations state their case. After the committee heard from the interested parties, it would be in a position to come to the Senate with a recommendation.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LAUSCHE. Would not the statement just made by the Senator from Alabama indicate that the simple attributes that have been ascribed to the problem do not exist and that the problem is so complex and so deep that we cannot, in this perfunctory manner, dispose of the issue on the floor of the Senate?

Mr. HILL. The Senator is correct.

Speaking frankly, as the chairman of the committee, I tried to see if we could draft some kind of amendment that would be satisfactory to the Senator from Louisiana. However, the more I got into it, the more I was like the man in Victor Hugo's great book "Les Miserables," when he got into the quicksand. He kept getting deeper and deeper into it and finally drowned. He was smothered because he went so deep into the quicksand.

This amendment is a subject that must be thoroughly studied after hearing from the many experts who want to come before the committee to express their views and give their opinions. We must have additional knowledge in order to solve the problem.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McCLELLAN. I do not want to speak at length, but I wanted to make one observation.

We have heard, in 3 days of hearings, 18 witnesses. I had to recess those hearings because I needed to get on with the work of the Appropriations Committee. I have been holding appropriation hearings ever since this question was raised on the other bill.

A few days ago, when I saw light as to when we would get through the appropriations bill, I gave notice that the Patent Committee would resume hearings on the 6th of next month, immediately after the Fourth of July recess. We have scheduled testimony by representatives of the Defense Department, Justice Department, the General Accounting Office, HEW, and witnesses from the public. We have so far agreed to hear everyone who has asked to be heard. I know of no reason why the committee should not hear anyone who is interested on any side of the controversy. So far as I know, we shall hear anyone who has any stature in this field who wants to be heard in support of the position now being presented, or in opposition to it.

That is all I want to say for the record, to reflect what is being done or what we are trying to do. I am not trying to settle the question.

The first time I saw the pending amendment was 5 minutes ago. It has 131 lines in it. I do not know what the nature of it is. I cannot determine that here.

I would like to see the Senate exercise its judgment. If it wants to legislate in this way, there is no use of having witnesses come and take up a great deal of time. We have all the work we can do. If this is the way the Senate wants to legislate, why not take the bill that the Senator has before the committee, offer it as a rider to the bill, and vote on it? That is the way to expedite, if we do not want to legislate in the regular, established legislative processes of this body.

This is a sloppy way to legislate. It ought to be done in the other way. However, if the Senate does not want to do it that way, if it wants to do it in a piecemeal way, it can do so. A better way than the piecemeal way is to propose the bill that the Senator has in committee, have it debated as a rider to this bill, and have the Senate vote on it one way or the other. That is the practical way. That will end the matter one way or the other. But if we want to do business in the regular way, let us give an opportunity to witnesses who have something to contribute to the question.

I have no preconceived ideas about the matter. I have introduced measures in line with what two Presidents have recommended. Perhaps they are wrong. Perhaps the Judiciary Committee will say they are mistaken, after hearing all the facts. I do not know. But I am not prepared to accept anything that is offered here today in this manner and feel that I have done my duty to my country and to this body.

I am glad now to yield to the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. The Senator has answered the question I had in mind.

Mr. PELL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. PELL. I have one question. Last time, when the same issue came up in the Senate a few weeks ago, I voted against the position of the Senator from Louisiana [Mr. LONG], because my understanding was that the whole patent policy question on the part of the Government's and the public's rights was before the committee of the Senator from Arkansas. It seemed to me much better to treat it as a whole, and not in bits and pieces.

Am I correct in my assumption that the Senator expects some sort of proposed legislation to be reported from his committee in this session of Congress?

Mr. McCLELLAN. Let me answer the Senator from Rhode Island in this way: I see no reason at all why it will not be. Of course, we have the problem of marking up the bill, but, so far as hearings are concerned on the four bills pending before the committee, I assure the Senator that, if providence does not intervene, the hearings will be concluded in time for the subcommittee and the full committee to act.

I have not tried to delay action. I am as much interested as anyone else in resolving the issue. There is no manufacturing company in my State to protect. I do not believe there is one in my State. The University of Arkansas may do a little research for the Government.

I understand from the distinguished Senator from Louisiana that the agency is carrying out his policy now, so I see no urgency. Perhaps we can arrive at an overall policy, which I think is desirable and needed. There is an issue presented here. I am willing to help resolve it. But if the way to resolve it is by piecemeal action, I suggest that we go all the way, take the bill the Senator has introduced, make a rider of it to this bill, act on it, and relieve the committee of any further work on it.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. LAUSCHE. What is wrong with the Senator from Louisiana offering his bill as an amendment to this bill, as new matter, without paying any further attention to it?

Mr. McCLELLAN. That is a question for the Senate to decide. There is a great deal of opposition to the bill.

Mr. LAUSCHE. What is wrong with it is that it would involve disposition of a bill without having hearings on what is a complex issue.

Mr. McCLELLAN. That is exactly what I said. It is a sloppy way to legislate, but if the Senate wants to do it that way, let us go the whole way.

Mr. LAUSCHE. The Senator from Arkansas mentioned the fact that the recommendations of two Presidents are embodied in the bill of the Senator from Arkansas.

Mr. McCLELLAN. In general, this is correct. That was the concept of the bill. As I understand, the bill was to carry out those policies. I am not committed to them.

Mr. LAUSCHE. Which Presidents were they?

Mr. McCLELLAN. President Kennedy who issued the policy directive; and I understand the present President is supporting that premise. I cannot give a quotation, but that is my understanding. At least, I have nothing to indicate to the contrary. I think the bill I have introduced is generally what the administration wants.

Mr. PELL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. PELL. May I ask the Senator from Arkansas if the general philosophy that is embodied in the amendment of the Senator from Louisiana is expressed in the bills that the Senator's committee is presently considering and planning on reporting out of the committee?

Mr. McCLELLAN. They are expressed in the bill.

Mr. PELL. Is it in the bill the Senator introduced?

Mr. McCLELLAN. There is some difference in that there is more latitude in the bill I have introduced, in accordance with the expression of President Kennedy. That is the issue. Shall we have a firm, rigid, inflexible policy that the Government take all, or shall we resolve the issue somewhere in an area that is considered equitable?

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield.

Mr. LAUSCHE. On the basis of the last answer, I ask whether the bill follows the concept of the Senator from Louisiana or that of President Kennedy and President Johnson.

Mr. McCLELLAN. I understand that the bill which I introduced was in line with their concept and with the directive that was issued, but the committee will have to work it out. I do not know which way it will resolve the issue. It may accept the Long bill.

I do not mind. I am not prepared to say. The members of the committee are present. There may be differences of opinion, but ultimately I hope that the Judiciary Committee, the parent committee, would report the bill with such amendments as—in its wisdom—it is willing to recommend to the Senate.

Mr. HILL. Mr. President, speaking of the existing Government policy which was adopted by the late President Kennedy, and which I understand is supported by President Johnson, President Kennedy brought together the recommendations of 20 Federal agencies on this problem, which shows how complex it is. The policy was carefully formulated after more than a year of interagency discussion and consultation with those outside the agencies. In conformance with this policy, the Department of Health, Education, and Welfare included provisions in its grants and contracts to insure that the grantees and contractors who would receive exclusive rights could be compelled to issue licenses. As a general rule, however, no exclusive rights are granted. Only in exceptional cases would an exclusive right be granted. Then, those who obtained it could be compelled to issue a license to the other party.

In testifying before the Judiciary Committee, Dr. Hornig, of the Office of Science and Technology, aptly summed up the situation concerning exclusive rights when he made this statement:

> Although no exclusivity may superficially appear to be desirable in all situations, it is clearly inadequate where risk must be taken and substantial additional investment is required for development. Otherwise, what is available to all may, in effect, be available to none.

In other words, we may not get that which is needed and which we should have for the health of the American people.

Recently, the Senator from Louisiana spoke in praise of the Department of Health, Education, and Welfare, and its administration of the present Kennedy-Johnson patent policy.

In his remarks on the floor of the Senate regarding the PKU testing kit for mental retardation, and the developments made by Dr. Guthrie, the Senator stated:

> The Public Health Service determined that ownership of the invention belonged to the United States, and the proper action was taken. Credit for this action on behalf of the public must be given to Dr. Luther L. Terry, Surgeon General, to Dr. David E. Price, and all of the staff connected with this action.

In other words, acting under the policy laid down by President Kennedy and supported by President Johnson, the public interest has been protected and has been taken care of, according to the words of the Senator from Louisiana.

When he spoke about a pill costing so much overseas and much more in this country, there is no evidence whatever that Government funds had gone into the production of that pill overseas.

I understand that we can go to any country in Europe today and buy a necktie, a shirt, or a suit of clothes much cheaper than we can in this country.

Mr. ERVIN. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I am glad to yield to the Senator from North Carolina.

Mr. ERVIN. There are many countries, are there not, which—unlike the United States—do not have constitutional laws establishing patent rights?

Mr. HILL. The Senator is exactly correct.

Mr. ERVIN. One of those countries, as I understand, is Italy, which has no patent rights. If the Senator from Louisiana, the Senator from Alabama, or anyone else made a discovery in Italy, it would be perfectly legal for anyone in that country to steal that idea from him; is that not correct?

Mr. HILL. The Senator is exactly correct.

Mr. ERVIN. I therefore ask the Senator from Alabama if the history of those countries which do not have patent rights does not show that very little money is spent in research and development and making new discoveries, for the very reason that the man whose brain power, research, energy, and hard work discovers something important, can be robbed of his discovery by anyone in that country and it would be legal.

Mr. HILL. The Senator is exactly correct. There was a time when students went to Vienna, Berlin, Paris, or Rome for their medical education, but now where do they travel? They come to the United States.

Mr. ERVIN. That is because we have a system which is a part of our Constitution to try to give men a reasonable share of the fruits of their labor.

Mr. HILL. The Senator is correct. We have the private enterprise system.

Mr. ERVIN. Does not the Senator from Alabama agree with the Senator from North Carolina that there should be a flexible condition in this field, allowing the departments and agencies to do whatever they believe is best, not only to protect the public interest, but also to stimulate research which will enable us to bring about the Great Society and alleviate human suffering, and deal with all the conditions against which we are fighting?

Mr. HILL. The Senator is correct. The president of the American Medical Association has said that we have made more progress in improving the health of the American people through developments in medicine in the past 25 years than we did in the past 20 centuries.

Mr. ERVIN. Does not the Senator from Arkansas agree with the Senator from North Carolina that in the very nature of things, if we progress in this field we shall have confidence not only in the wisdom, but also in the integrity, of the administrators of the departments and agencies of Government?

Mr. HILL. The Senator is exactly correct. They are the ones who live with, investigate, and study the subject and who have the judgment and knowledge to speak on the subject.

Mr. LAUSCHE. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. The Senator from Alabama just stated that no one knows how much of a Government subsidy goes into the production of various products in foreign countries.

Mr. HILL. The Senator is correct.

Mr. LAUSCHE. I ask the Senator whether this situation does not parallel what he said. About 2 years ago, I was told that one could travel 60 kilometers in Argentina for 2¾ pennies in American money.

Mr. HILL. That is a perfect illustration.

Mr. LAUSCHE. I did not believe it.

Mr. HILL. It is hard to believe; nevertheless, it is true.

Mr. LAUSCHE. I had a check made on that——

Mr. HILL. It turned out to be true, did it not?

Mr. LAUSCHE. It turned out to be true. But consider the conditions in Argentina today, economically and socially.

Mr. LONG of Louisiana. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. As I understand it, Dr. Arthur Smith, president of the Pharmaceutical Manufacturers' Association stated that the progress of the American druggist has been great only in the past 20 years. That is what he told the Kefauver committee. Yet, we have had patent laws granting monopoly rights on the drug processes and products since 1793. If those patent laws have brought us progress in drugs only during the past 20 years, why did they not bring us that same kind of progress from 1793 to 1940? If patents are of such strategic importance in promoting drug discoveries, how come it took so long before this country got going?

Mr. HILL. There is a great deal more in the pending bill besides discoveries and patent laws. The Senator knows that we have moved into a new era only in recent years. We did not even have the airplane until December of 1903, when the Wright brothers made their first flight at Kitty Hawk in North Carolina.

Mr. LONG of Louisiana. The reason we had so much progress in the last 20 years and so little in the past 150 was not the initiative stirred up by the patent laws but because of the vast expenditure of Federal money urged by the Senator from Alabama, which made available huge facilities, and huge operations such as the pending bill calls for, and the vast activities to spend these great amounts of money to obtain the fruits of research. It was Federal money which made these great breakthroughs in America possible.

In other countries, where they have not made a breakthrough, they did not have Federal grants, and they have not had the incentive.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. HILL. I shall yield in a moment. I am opposed to the Senator's amendment because we do not have enough knowledge about it at the present time.

We hope to get more information from the McClellan committee. We are not prepared to act wisely. We do not want to hamper or hinder progress.

Mr. LONG of Louisiana. The Senator's committee has the responsibility of informing us how we can get the best results with this research money.

Mr. HILL. Our committee does not have jurisdiction over patents. That jurisdiction lies in the Committee on the Judiciary. The subcommittee dealing with this matter is headed by a man in whom we have full confidence, the Senator from Arkansas [Mr. McCLELLAN].

Mr. LONG of Louisiana. Is not the Senator from Alabama interested in knowing whether the public will get the benefit of this research? Should the benefits go to a relatively few, or should all the people have the benefit of it? The public is spending the money for this purpose, and I am sure the Senator would not want a few to get the benefit of it.

Mr. HILL. Of course, everyone will have the benefit of this legislation that we are considering. The impression has been created that those of us who oppose the Long amendment may have some interest in pharmaceutical houses. The truth is that these pharmaceutical houses do not like the John F. Kennedy-Lyndon B. Johnson plan.

Let us retain the Government patent policy which was adopted in 1963 until the McClellan committee can have an opportunity to investigate the whole subject, to hear all sides, and get all the facts. Then, that committee can bring us a bill which will recommend to the Senate the patent policy in the best interests of the American people.

Mr. ERVIN. Mr. President, I should like to ask the Senator from Alabama if Thomas Edison and scores of other people did not make great discoveries prior to the past 20 years?

Mr. HILL. Of course. Alexander Graham Bell gave us the telephone. The Wright brothers can be cited. There were many others.

Mr. ERVIN. I ask the Senator if it is not true that virtually all the discoveries that have been made from the dawn of history have been made without the benefit of the amendment of the Senator from Louisiana?

Mr. HILL. The Senator is correct. I might add without either the benefit or the handicap of that amendment.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LONG of Louisiana. Jonas Salk did not get any patent rights for developing his product, which is used to fight polio. He obtained no patents on it, and it is thus made available at the lowest possible price.

The Senator said that the pharmaceutical companies do not like the Kennedy-Johnson plan. Mr. President, they have their own plan, and I do not want them to get it.

Mr. HILL. I am sure the Senator is not trying to draw an indictment against the whole Senate.

Mr. LONG of Louisiana. If we pass the bill as it stands now, all that the pharmaceutical houses will need is to get a President who will name a Secretary of HEW who will do their bidding.

Mr. HILL. I am sure that the present President will be here for some time to come. I hope the Senator feels that way, particularly as the assistant Democratic leader in the Senate. I am sure he feels confident that the President will not act in any way adverse to the interest of the people.

Mr. LONG of Louisiana. I hope not. I hope the next President will not, either.

Mr. HILL. I am sure we can have faith in President Johnson. Let us stay with the patent plan of John F. Kennedy and Lyndon B. Johnson until the McClellan committee can have an opportunity to go into this subject and hear witnesses and experts in this field, and then give us its report and tell us what the committee recommends. We should not be jumping up here in a haphazard fashion changing this carefully thought-out patent policy.

The pharmaceutical houses do not like that plan. I have before me a copy of the Medical World News of June 18, 1965. It contains a letter written to Chairman OREN HARRIS of the House Commerce Committee, which has jurisdiction over the legislation under consideration. The letter is written by Dr. Smith, executive director and spokesman for the American Pharmaceutical Association.

He states that the present HEW policy is "confiscatory and unrealistic." He said that it had brought about "the accelerating decline in medical research cosponsored by industry and Government, coupled with an increased strain on the traditional university-industry bonds, which have been such an important segment of this country's research efforts."

This in itself, with other statements, confirms the fact that we ought to let the proper Senate committee investigate this subject. Let the Judiciary Committee have the opportunity to hear testimony and to search out the facts, and then to bring us recommended changes in the Government's patent policy.

Mr. President, I know that Senators wish to vote this afternoon. I wish to add merely this word: If we are to change existing patent policy, the Kennedy-Johnson policy, we surely ought to have it considered by the Judiciary Committee, the committee which has jurisdiction and has the duty and obligation and responsibility in this matter.

I urge the Senate to reject this amendment. Let us proceed in an orderly way.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the benefit of the Senate I should like to get some definite information, if it is at all possible to do so. The Senator from Louisiana came to me this afternoon and suggested that this matter be postponed until Monday. I said, "No. Many Members of the Senate have stayed on the floor in the hope that a vote would occur."

The Senator from Louisiana graciously said that there would be a vote and that he would forgo his personal inclination.

The hour is growing late. I believe that Senators and the Senate as an institution are entitled to some consideration. I ask the Senator from Louisiana what his situation is insofar as this particular amendment is concerned. Can the Senate vote on it tonight at a reasonable time? Can we agree to a time limitation? What can we do?

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. LONG of Louisiana. In answer to the Senator's question, I feel very strongly about this matter. I am sure the Senator knows that.

Mr. MANSFIELD. I do.

Mr. LONG of Louisiana. I had the responsibility of being chairman of the Monopoly Subcommittee of the Committee on Small Business. I have studied this subject. I believe I have raised this issue on four or five occasions. I have been fighting this matter ever since, because I believe this to be in the public interest.

I understand what the Senator's problem is, because I have tried to share some of the responsibility with regard to other items when Senators felt just as strongly as I do.

So far as I am concerned, I am willing to vote tonight. I realize that today is Friday, and that on Friday evening Senators have made plans to go home. They have made train or airplane reservations, so that they can be with their families.

I feel some apprehension—the same apprehension that occurs to other Senators—but when I am right about something, if enough Senators are present to listen to me, I may prevail. Of course, sometimes I am disappointed. That is true of other Senators also.

However, Senators who find themselves in my position indulge themselves with the thought that as right as they are, if only they can get other Senators to listen to them, they may prevail.

I should like to have this subject discussed and have the RECORD available, so that Senators may read it before they vote on the issue. I believe if they were to do that it might strengthen my case. However, so far as I am concerned, I would be willing to vote on the amendment, but without entering into any unanimous-consent request, because to do so at this time would prejudice my case, I fear.

I would be willing to enter into a short limitation on Monday to dispose of the matter after, perhaps, 3 hours of debate.

Mr. HILL. Did the Senator say "shortly"?

Mr. LONG of Louisiana. With the time to be equally divided.

Mr. MANSFIELD. Would the Senator agree to 2 hours of debate, to be equally divided?

Mr. LONG of Louisiana. With 1 hour to each side; yes. We could discuss the matter tonight, and then vote after 2 hours on Monday. If that cannot be arranged, we shall have to remain here and debate the matter this evening.

In my judgment the Senator from Montana is one of the greatest majority leaders we ever had. As the Vice President said the other evening, he is the greatest majority leader since Lyndon Johnson.

Perhaps except for Lyndon Johnson, the Senator from Montana is the greatest majority leader in the history of the country. Perhaps when he is through with his service, we shall conclude that he was the greatest of all time.

I say to the distinguished majority leader that we would be willing to remain here and debate the issue, for some Senators have anticipated a vote on the issue. They will be cursing us under their breath. Still, Senators will have to hear us. We might persuade a few and get our point across. So we give Senators a choice. If we are kept here, we shall debate the issue and vote sometime tonight. If accommodation of Senators is preferred, give us a 2-hour limitation on Monday.

Mr. MANSFIELD. Mr. President, I am about to make a unanimous-consent request, to which I hope there will be no objection.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of morning business on Monday, 2 hours be set aside to consider the amendment of the Senator from Louisiana [Mr. LONG], 1 hour to be under the control of the distinguished Senator from Louisiana [Mr. LONG], the other hour to be under the control of the distinguished Senator from Alabama [Mr. HILL] and that the debate on the amendment be no longer than 2 hours.

Mr. HOLLAND. Mr. President, reserving the right to object, has the majority leader advised as to what hour he wishes the Senate to commence business on Monday?

Mr. MANSFIELD. I shall make a request that the Senate convene at 11 o'clock a.m.

Mr. HOLLAND. Was that included in the request?

Mr. MANSFIELD. It will be after the present request is agreed to, if it is agreed to.

Mr. HOLLAND. I thank the majority leader.

Mr. LAUSCHE. Mr. President, reserving the right to object, it has been said that there have not been enough Senators on the floor to hear the debate. The argument has been repeated about five or six times. I am deeply convinced that nothing more can be said that will have any impact on Senators than what has been said in the past. With my deep love for the Senator from Louisiana, I must say that he has extravagant expectations that Monday, in 1 hour, he will be able to change the minds of some Senators who may not agree with him today. But I shall be glad to listen to him.

Mr. LONG of Louisiana. I shall get at least one more vote, because today WAYNE MORSE is out of the city.

Mr. MANSFIELD. Delay has changed votes on more than one occasion. It is true that a number of Senators who would support the amendment are out of the city. The longer the afternoon wanes, the greater the number who will be going out of the city. But that applies equally on both sides.

Mr. BASS. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. BASS. Does the Senator expect the Senate to come in at 11 o'clock a.m. on Monday?

Mr. MANSFIELD. With the approval of the Senate.

Mr. BASS. I have remained here all afternoon expecting to vote on the amendment. I must leave town, and my plane will not return to Washington, D.C., until 12 noon on Monday. May we have some assurance that the vote on the amendment will not come until 1 o'clock?

Mr. MANSFIELD. It will not come by noon; I can assure the Senator of that. I know the Senator from Louisiana.

Mr. BASS. But unless there is an agreement, he might run down between noon and 1 o'clock.

Mr. MANSFIELD. The Senator does not know the Senator from Louisiana.

Mr. BASS. Would the Senator revise his request so that under the agreement the Senate would not vote before 1 o'clock?

Mr. MANSFIELD. No; not up until 1 o'clock. The Senator can be sure that he will be protected if he is not due back until 12 o'clock noon.

Mr. YARBOROUGH. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. YARBOROUGH. Would it be possible for the Senate to convene at 12 noon? I shall be here. I am not leaving town. The request would not suit me in this case. But some Senators have expressed apprehension that their planes will not arrive in Washington until 12 o'clock.

Mr. MANSFIELD. No. We have a great deal of work to do. What I should like to do would be, with the approval and the assistance of the Senator from Louisiana, to clear as much of the calendar as we can before we take the Fourth of July recess. I am sure the Senator thinks in that same direction.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana?

Mr. HOLLAND. Mr. President, reserving the right to object—and I shall strongly favor the agreement—how would it be for the distinguished majority leader to revise his request so as to provide that the morning hour and other business would run up until 12 o'clock noon, and that the vote on the amendment would therefore come at 2 p.m.?

Mr. MANSFIELD. No, I would prefer to do it as I have outlined, if the Senator would not mind.

The **PRESIDING OFFICER.** Is there objection? There being no objection, it is so ordered.

The unanimous-consent agreement, reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective after the prayer on Monday, June 28, 1965, further debate on the amendment of the Senator from Louisiana [Mr. LONG], No. 298, to the bill S. 596, to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases, be limited to 2 hours to be equally divided and controlled by the Senator from Louisiana [Mr. LONG] and the Senator from Alabama [Mr. HILL].

ORDER FOR RECESS UNTIL 11 A.M. ON MONDAY, AND THE TIME FOR DEBATE ON THE AMENDMENT TO START RUNNING AT THE CONCLUSION OF THE MORNING PRAYER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 11 o'clock a.m. on Monday, and that the time allotted for debate on the pending amendment start running at the conclusion of the morning prayer.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO MEET DURING THE SESSION OF THE SENATE ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be permitted to meet during the session of the Senate on Monday.

Mr. LONG of Louisiana. Mr. President, I object. During the debate on the amendment I would hope that Senators will be present. I shall cooperate 100 percent when the Senate convenes on Monday. I do not wish to impede the work of the Senate, but I wish to have more Senators present. Today I had hoped that more Senators would be present to help in the debate. I have been fighting this battle for 5 years.

I feel like the late Senator Henry Fountain Ashhurst when, as district attorney, he had a case involving a man who had been caught stealing a carload of butter. Every time the district attorney wanted to prosecute, the defense attorney asked for a continuance. Finally he said, "Continue the case as long as you want to, because the longer the case is delayed, the stronger my evidence will be."

Mr. JAVITS. Mr. President, on the question of committee meetings, I point out that Mr. Shriver is scheduled to appear in relation to the poverty program. We would like to have permission for our committee to meet.

Mr. LONG of Louisiana. Mr. President, I have discussed the subject with other Senators, and I believe that I should reconsider my position. I ask unanimous consent that all committees may meet.

Mr. MANSFIELD. Mr. President, I object.

The **PRESIDING OFFICER.** Objection is heard.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. McCLELLAN. What is pending?

The **PRESIDING OFFICER.** The amendment of the Senator from Louisiana is still the pending question.

Mr. McCLELLAN. Is a unanimous-consent request pending before the Senate?

The PRESIDING OFFICER. Not any longer.

Mr. McCLELLAN. Has a request been agreed to?

The PRESIDING OFFICER. A number of requests have been agreed to.

Mr. McCLELLAN. It is sometimes very difficult to understand what is going on on the floor of the Senate.

Mr. MANSFIELD. Mr. President, on the pending amendment I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have already been ordered.

Mr. MANSFIELD. I ask for them again.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. In the first unanimous-consent request was it agreed that the vote should not come until after the discussion on Monday next?

Mr. MANSFIELD. Not later than 2 hours—up to 2 hours on the amendment.

Mr. DIRKSEN. And the yeas and nays are ordered?

The PRESIDING OFFICER. The Senator is correct.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUBLIC HEALTH SERVICE ACT—AMENDMENT

The Senate resumed consideration of the bill (S. 596) to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases.

Mr. LONG of Louisiana. Mr. President, I believe I have a right to discuss some of the issues that have been raised here for the purpose of the RECORD.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE HOUSE OF REPRESENTATIVES DURING THE RECESS, AND FOR THE VICE PRESIDENT, PRESIDENT PRO TEMPORE AND THE ACTING PRESIDENT PRO TEMPORE TO SIGN DULY ENROLLED BILLS

Mr. MANSFIELD. Mr. President, will the Senator yield briefly?

Mr. LONG of Louisiana. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives during the recess of the Senate until Monday, June 28, and that the Vice President, the President pro tempore, or the Acting President pro tempore be authorized to sign duly enrolled bills during the recess.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I thank the Senator.

PUBLIC HEALTH SERVICE ACT—AMENDMENT

The Senate resumed consideration of the bill (S. 596) to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases.

Mr. LONG of Louisiana. Mr. President, the statement has been made that a large number of associations, universities, and other groups are opposed to the amendment. I think it is fair to ask: Why are they opposed to the amendment? If what we are talking about relates to the health and safety of people, and to helping unfortunate people, why should the American Heart Association and the American Cancer Society favor an arrangement that could mean that the public might have to pay 40 times the price that should exist for a medicine to protect them from heart disease? Why should the American Heart Association take that attitude? At one time, the Heart Association indicated to me that it would support the position taken by me. I had a letter stating as much. I ask unanimous consent that that letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN HEART ASSOCIATION, INC.,
New York, N.Y., April 29, 1965.

Mr. BENJAMIN GORDON,
Select Committee on Small Business,
Senate Office Building,
Washington, D.C.

DEAR MR. GORDON: We are most grateful and appreciative of your good offices in assisting in the preparation of an amendment to Senator LONG's amendment to Senate bills Nos. 512, 596, and 597.

The attached has been reviewed by our president, Dr. Carleton B. Chapman and Dr. James V. Warren, the chairman of our legislative advisory committee and we feel that in our combined judgment this represents a very satisfactory solution to our problem. We hope Senator LONG will consent and be willing to consider this as an amendment to his present amendments to the Senate bills.

Again may we express our thanks to you and through you to Senator LONG for consideration in this matter.

Sincerely yours,

ROME A. BETTS,
Executive Director.

Mr. LONG of Louisiana. The amendment that the Heart and Cancer Societies indicated they would be willing to agree to, and that they thought was in good order, did not provide as much flexibility as the amendment I am now offering.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from the American Cancer Society, under date of April 30, 1965, so that Senators may see what the position of the society was prior to the last minute when, I understand, they proceeded to urge Senators not to vote for my amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN CANCER SOCIETY, INC.,
New York, N.Y., April 30, 1965.

BENJAMIN GORDON, Esq.,
Select Committee on Small Business,
U.S. Senate Office Building,
Washington, D.C.

DEAR MR. GORDON: The American Cancer Society and I wish to express our appreciation for the courtesy and attention to our problems in the area of the multiple support of research that you and the legislative staff for Senator LONG have extended. We are particularly grateful that the proposed amendment No. 14 to Senator LONG's amendment to bill S. 512 recognizes the different status of charitable public health organizations and preserves their proprietary interest in the results of research developments under which they have made substantial financial contributions.

In accordance with our discussions, it is understood that, in presenting this amendment, statements will be made for purposes of legislative history indicating the intent that this exception will be made automatically operational and effective by providing that the determination of the Secretary of Health, Education, and Welfare will be prompt and that the Attorney General's approval will also be promptly furnished. Also, unless objections or unusual problems are raised, hearings will normally not be held or required.

It was also discussed, and we believe sufficiently important, that the legislative history of Senator LONG's proposed original amendment make clear that the requirements for information and other details will not in any way include material which would be contrary to, or interfere with, the established doctor-patient relationship which might underlie some of the research activities.

Thank you again for the cooperation and understanding that you have shown. We feel that these proposals will resolve a troublesome problem which otherwise would have had an adverse effect upon the progress of medical research in fields of vital importance to us all.

Sincerely,

FRANCIS J. WILCOX,
Chairman of the Board.

Mr. LONG of Louisiana. One might ask why the universities oppose my amendment. I do not know the answer. I suspect that if an investigation were made, it would develop that the universities are privately endowed or have re-received pressure from someone connected with the endowment, or perhaps because of the research grants made by private groups, and that the groups with which they are working have importuned them to express themselves in the way they have.

On the other hand, it may be that they have made their recommendations in the open, without any pressure or any suggestion by any of those who have made contributions to the support of the universities, or by the industries that may have representation on the boards of universities, or who are connected with various and sundry organizations.

We should realize that we are talking about an issue on which large numbers of people, representing all branches of American industry, have an interest. This problem involves an expenditure of as much as $15 billion a year. This would be spent in ways which would enable certain private interests to gain an advantage, while the public could be denied the full benefit of what was developed. The patent policy of the Department of Defense is the kind of policy that pharmaceutical firms want. What is that policy?

The patent policy of the Department of Defense is that the Government will pay for research and development, saving only to the Government the right to a nonexclusive license of that which is developed under the Government research activities. The contractor is guaranteed a profit in any event, whether he develops anything or not.

That would be the same as the Government awarding a single contract for $200 million to build a bridge over Chesapeake Bay. The Corps of Engineers, which would handle the contract, would guarantee the contractor a profit of $14 million a year, even if the bridge fell in the middle of the bay, and then proceed to say, the bridge having been built, that U.S. Army trucks would have the right to cross, but the taxpayers, who paid for the bridge, and wanted to drive across it, would have to pay whatever the contractor wanted to charge. The taxpayers might be charged $5 a car to drive across the bridge, even though they had paid for the bridge, while the contractor who built it would take no risk and would be guaranteed payment for building it.

The kind of exploitation I have been referring to occurs when the public pays monopoly prices for medicines rather than to pay what would be an appropriate price on a competitive basis.

I am not complaining about a system under which someone develops a product with his own funds and is in a position to charge the public 40 times as much as the public ought to pay. If he develops his product with his own money and his own research, that is one thing. But what do we find? Under the great incentive of the private patent system, which existed from 1793 until 1940, a period of almost 150 years, the patent system resulted in small achievement in the field of medical research. Since that time great advances have been made. The Senator from Alabama has played an important part in those advances. Important advances have been made in developing better drugs, better cures, better facilities, and better means of applying drugs. So American medicine has made great advances.

But the advances have been made with the taxpayers' money. As the distinguished Senator from Connecticut [Mr. RIBICOFF], a former Secretary of Health, Education, and Welfare, said today, his experience in that Department with the efforts being made to develop private cures was in areas in which public money was so fantastically greater in amount than private money. There is very little equity for the private concern.

Some time ago a person engaged with one of the great private foundations of the country told me that in earlier years his foundation had spent large amounts of money in research to find cures for diseases.

He said they had greatly reduced their expenditure in the area because of the Federal Government doing so much work that they thought it would be best to put their money into something else. Incidentally, I believe that the attitude taken by that foundation is somewhat typical of most of the foundations. This is one of the great ones. They felt that, inasmuch as what they were doing was done with money intended for charitable purposes, this should not be an area in which private patents should be used to exploit the public. Insofar as possible, the fruits of the research were made generally available to the people.

It was said that we should refer the matter to the Committee on the Judiciary. Let us look at the history of our legislation with regard to patent rights. Every statute on the books, to my knowledge, that provides what should happen to Government patent rights relates to the act that created the research. In other words, when a bill is presented to provide that the Government shall pay for research, the act providing for the research also provides for disposition of the fruits of that research. Almost without exception, those bills provide that the public, having paid for the research, should have the benefit of it.

I once asked an executive of one of the great corporations of America, who was in Washington to serve an agency which was doing a great deal of research, what he thought about the issue. He did not want to discuss it forthrightly for awhile. However, finally he gave me a simple answer. He said, "Whoever pays for the research ought to have the patent rights."

That is a simple, honest answer. We hear people in business advocating that we should operate our Government the way they operate their businesses. Sometimes that is a good idea. Sometimes it is not. This is a case in which we advocate that we run our Government and handle our policy in the same way that a businessman would do were he handling this matter for his business.

For example, suppose a lawyer represented Procter & Gamble in an endeavor to develop a new soap. The lawyer would proceed to write the contract and provide that after the better soap was developed, Procter & Gamble would have the right to use it in their own bathrooms, and that the stockholders in the corporation could use it in their bathrooms, but that whoever developed the better soap would have a complete monopoly and the right to sell it to the entire public. They would fire the lawyer immediately. They would say, "How ridiculous can you be?" The lawyer would have to prove either that he was insane or that he belonged in jail.

Yet, that is the kind of contract that is being written in the Department of Defense to the tune of $9 billion a year. That is the policy to which the Senator from Alabama referred when he said that the pharmaceutical firms do not like the Kennedy policy or the Johnson policy. They do like the policy of the Department of Defense. They want to adopt a policy whereby the public pays a great amount of money and receives practically nothing. They want the benefit of the private enterprise machine to which I referred that was portrayed in Herblock's cartoon in this morning's Washington Post.

Mr. President, it is suggested that we should wait for the Committee on the Judiciary to tell us what to do. In the first place, I do not know of any committee which understands the problem of health and health research better than does the committee headed by the distinguished Senator from Alabama [Mr. HILL]. The distinguished Senator from Alabama has been preeminent in this field. He has led the way and worked for research. He has brought before us a great number of bills with respect to research.

I am not particularly concerned or upset about the way in which these programs have worked out, except with respect to the cancer chemotherapy program. In that instance, we hoped that the drug firms would cooperate with the national research workers and do some research. However, that crowd ganged up on us and said that they did not want to do it unless they could have private patents on the product.

The solution would be very simple. What should have been done is that the Government should have found someone to do it. They should have gone to some university which would be willing to do it. If the university did not want to do it, the Government itself could do it. It could go ahead and hire the same scientists, the same chemists, the same research doctors whom these companies would have hired with Government money and made a profit with it.

The Government could have hired the same people to do the research in cancer chemotherapy and find a cure for cancer. Then the cure would belong to the public at the lowest possible cost, instead of letting a private firm be put in a position to be able to charge monopolistic prices.

We have heard much discussion of the Kennedy program and the Johnson program. That is nothing more than a simple memorandum indicating what the policy should be. I submit to anybody that we can read that memorandum and arrive at almost any conclusion. So far as one can detect, it is not really being followed now. It never was intended to be. It was intended to set down certain guidelines. However, even then, it provided that normally the rights to health research should not be given to any private contractor.

Mr. President, concerning incentives, Dr. Austin Smith, president of the Pharmaceutical Manufacturers Association, has stated in the Kefauver subcommittee, that American drug progress "has been great only in the last 20 years." Yet our patent laws granting monopoly rights on drug processes and products have been on the statute books since 1793. If patents are of such strategic importance in promoting drug discoveries, how come it took so long before this country got going?

And how does it happen that countries like Germany, France, and Switzerland, which grant patents only on processes and not on drug products, have for centuries been at the forefront in drug discoveries? In these countries, if a new method of manufacture is devised, the company can produce and sell any drug; until 1950 this was also true in England. Not so in the United States from 1793 to the present. For example, Abbott Laboratories devised a cheaper method of manufacturing meprobamate, known as Miltown and Equanil, but it could not market it because Carter holds the product patent.

Even in the past 20 years, many of the important drug discoveries have emanated from abroad. An examination of the important drugs in use today shows the following:

Oral antidiabetic drugs are a German development, although some American companies later developed molecular modifications of the original German compounds. Tolbutamide, sold by Upjohn under the trade name Orinase, was developed by Hoechst Co. of Germany, and is exclusively licensed to Upjohn for manufacture and sale in the United States. Orinase is the largest selling oral antidiabetic drug in this country.

Potent tranquilizers used in our mental hospitals are a French development. Thorazine and Compazine, the biggest selling potent tranquilizers to mental institutions in this country, are sold only by Smith Kline & French. They are exclusively licensed in this country by Rhone Poulenc, the French company which originated the compound. Needless to say, Smith Kline & French is taking full advantage of its monopolistic position in this country.

Miltown is the largest selling mild tranquilizer prescribed routinely by physicians to patents suffering from temporary anxiety and tension. This is a slight modification of mephenesin and is of English origin. Dr. Frank M. Berger, a Czech physician, developed the original compound in England during World War II, migrated to the United States, and worked out a slight modification. He subsequently assigned the patent to his employer, Carter Products.

Reserpine, the largest selling drug for hypertension, is a refinement of rauwolfia used in India and the Far East for centuries in raw root form for a number of illnesses. Much of the basic work in isolating the important ingredient in the root was done by Indian physicians and chemists; the final step was taken by a Swiss firm, CIBA, in its laboratories in Switzerland. CIBA has secured worldwide patent rights on the refined derivative, reserpine.

Original work on cortisone was the result of university research in the United States. Prednisone—the most significant step taken in 1951 and still very important for treatment of arthritis—was credited by PMA to the Syntex Corp., then a small independent Mexican company. The product was involved in an interference fight in the Patent Office from 1954 until May 1964, when Schering Corp. secured the patent. A number of modifications on prednisone have since been developed and have been subjected to patent control. They are more potent in that less of the essential ingredient is contained in a tablet; but their therapeutic usefulness and side effects are no different than prednisone.

The original discovery of penicillin was made, of course, by Sir Alexander Fleming in 1929; commercial production methods were than developed by Peoria Laboratory of the Department of Agriculture. From the midforties, the U.S. drug companies have engaged in a race in simply ferreting out other microorganisms after the way was pointed out by the university researchers. The first development was streptomycin, discovered at Rutgers University, and then chloromycetin, at Yale. Others quickly followed, and although the micro-organisms are products of nature, patents were issued by the U.S. Patent Office. The U.S. companies contributed terramycin, aureomycin, and tetracycline. Penicillin V widely used in the United States, is an Austrian development; the so-called "synthetic penicillins" are English; one of the most important recent innovations is griseofulvin—for skin diseases—and is also of English origin.

Diuretics are a U.S. development, although they originated outside of the drug companies. According to John T. Connor, the work of Dr. Shartz of Boston "set off a race between several pharmaceutical companies to see which one could reach the goal line first." Merck got there first with its product diuril—chlorothiazide—in the late fifties, but has been involved in a patent interference fight for years with other drug companies as to which first made the invention.

Antihistamines are of French origin, stemming from work associated with its strong position in the tranquilizer field. Much German work followed; Chlortrimeton, for example—Schering's specialty, and very widely sold—was secured from its German parent company just prior to seizure by the Alien Property Custodian during World War II. Neosynephrine is also a German contribution.

Searle, a U.S. company, developed dramamine and has a patent monopoly on this drug. On the other hand, the competing product sold only by Pfizer—donine and bonadettes—is a Belgian development. The Belgian firm, Union Chimique, granted an exclusive license to Pfizer for sales in the United States.

Mr. President, what I have just stated shows the developments that have been achieved. What will be achieved under this legislation will be developed either for the benefit of 190 million people or for the benefit of the few.

Congress can make the choice as to which direction it will take. In this legislation we set the pattern for medical research and development for the entire Nation.

Those in the Department of Health, Education, and Welfare today follow a policy of protecting the public interest. They would be in a stronger position to do so if they had the legislation the Senator from Louisiana is recommending.

They are under pressure from other departments, especially the Department of Commerce. I assume that pressure is not from Mr. Connor—he is a former director of Merck & Co.—because he has said so. I assume that the pressure is not coming from him, because he could be accused of favoring someone, but that does not stop officials in his department from bringing pressure on others in Government to grant private patent rights that properly should be in the public domain.

It is our feeling that both Mr. Eaton and Mr. Holloman in that department, and certain other people in Government, are doing the work of the few who seek to profit at the expense of the many. If private pharmaceutical firms are permitted to obtain private patent rights on Government research, it is not going to be the stockholders in those firms or the presidents of those firms that will do the research. They will be merely the ones to take Federal money and pay someone else to do the research. In some cases they will be paying universities, and I gather that some of the universities would like to be helped and get some of these grants.

In some cases, they will pay a particular research group to make the study, but wherever the pharmaceutical firms can do so, they will gain control of the product. If not directly on the research contract, they will obviously have a secondary interest. They would see to it that there was not much competition in the development and merchandising of the product. So far as the pharmaceutical firms are concerned, they could make more money if they could manufacture the product on a licensee basis, or on a basis that only one or two companies would compete with them. They could conceivably conspire to violate the law, as some major contractors have done already. They have benefited greatly from Government contracts and could overcharge the public—even the Government itself—on the products they are selling.

I am not saying that they will do so. I am merely saying that that sort of thing has happened in other industries.

Thus, here we have the issue. Here we have the opportunity to lock the stable door before the horse is stolen.

This issue is as old as government. It is as old as the American Revolution. It is as old as the fight against King John at Runnymede. It is the question of whether the Government should be operated for the benefit of the many or for the benefit of the few.

This is the same issue that separated Thomas Jefferson from Alexander Hamilton. It is the same issue that caused Andrew Jackson to make his fight against the Bank of the United States. It is the same fight that Woodrow Wilson and Theodore Roosevelt waged against the monopolies of their day.

It is the same fight that created the Populist Party which breathed life back into a dead and defunct Democratic Party. It is the same issue that William Jennings Bryan took to the people of this Nation by word of mouth. Had he had the benefit of radio and television, he would have won the Presidency by a landslide. As has been stated, had he had an honest count, he would have won by a landslide.

This is an issue as old as government. When we tax the people and extract large amounts of money from them, who should get the benefit of it, the many or the few? There is no other issue involved.

Some of the major officers and stockholders of various pharmaceutical firms like to talk about big government, that America is turning into a giveaway government. They talk about high taxes. When we study the taxes they pay, we find that they have found so many loopholes in the tax laws that 26 percent of those who had a gross adjusted income exceeding $5 million a year owed no Federal income tax to their Government.

Those people talk about big government. They say that government is capturing control of business. What major business corporation can continue to be free and independent if the Government is parceling out $15 billion of research money to its favorites, without any competition in bidding for the product? Corporations such as General Electric, which has over 15,000 patents to protect against competition, could be broken in its monopolistic power by simply parceling that research money out to someone else.

Then we find that other corporations come to Washington, become Government favorites; and, like the Aerojet-General Corp. grow from $7,500 to over $300 million in value in 10 years, doing business exclusively with the Government, almost entirely under research and development contracts.

There are many other companies in that general category which have grown primarily on Government money.

Does this not put the Government in a position to dictate what those companies will do?

Does this not tend to destroy the concept that the Government should be for the benefit of all, and that industry should conduct its affairs for the benefit of its stockholders and its owners?

If I had my way, I would keep Government out of business. I would also keep business out of Government. I would also keep labor out of both. Then I would keep all three out of the ordinary day-to-day life of the American citizen insofar as his private affairs are concerned.

This big bonanza for business, the vast expenditure of public funds which results in huge giveaways tends in many respects to undermine the integrity and independence of business. It tends to make business a captive of the Government.

In other respects, we find that the Government becomes so big, interferes in so many things, that the same problem develops with regard to the relationship of labor and Government.

This sort of thing can be avoided; and my amendment is an attempt to avoid it.

Mr. President, there was a time when no agency in Government gave away private patent rights on Government research, but that was over a period of time. Since then, for selfish reasons, many people have been able to persuade the Government to give them research contracts and patent rights on Government research.

From that small acorn a giant oak has grown. If we are to prevent that oak from extending and expanding ever larger, we must ask the Government: Who is to benefit from this research? Will it be for the benefit of 192 million Americans? If so, let us draw our lines of determination together and make sure that it will be.

RECESS UNTIL 11 A.M. ON MONDAY

Mr. LONG of Louisiana. Mr. President, in accordance with the previous order, I move that the Senate stand in recess until 11 a.m. on Monday next.

The motion was agreed to; and (at 5 o'clock and 49 minutes p.m.) the Senate took a recess, under the order previously entered, until Monday, June 28, 1965, at 11 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate, June 25, 1965:

U.S. NAVY

Adm. David L. McDonald, U.S. Navy, to be Chief of Naval Operations for a term of 2 years, effective August 1, 1965.

The following-named officers of the Navy for temporary promotion to the grade indicated and in the staff corps indicated, subject to qualification therefor as provided by law:

To be rear admirals, Medical Corps

Edward P. Irons
John W. Albrittain
George M. Davis, Jr.

To be rear admirals, Supply Corps

Henry L. Beardsley
Kenneth R. Wheeler

To be rear admiral, Chaplain Corps

Henry J. Rotrige

To be rear admiral, Civil Engineer Corps

Walter M. Enger

U.S. ARMY

The following-named officer to be placed on the retired list, in grade indicated, under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Frederic Joseph Brown O16761, Army of the United States (major general, U.S. Army).

U.S. AIR FORCE

The following-named officers to be assigned to positions of importance and responsibility designated by the President in the grade indicated, under the provisions of section 8066, title 10, of the United States Code:

To be lieutenant general

Maj. Gen. Sam Maddux, Jr., 1561A Regular Air Force.

Maj. Gen. Joseph H. Moore 1836A, Regular Air Force.

The following officers to be placed on the retired list, in the grade indicated, under the provisions of section 8962, title 10, of the United States Code.

To be general

Gen. Walter C. Sweeney, Jr., 555A (major general, Regular Air Force), U.S. Air Force.

Gen. Mark E. Bradley 552A (major general, Regular Air Force), U.S. Air Force.

Lt. Gen. Ralph P. Swofford, Jr., 547A (major general, Regular Air Force), U.S. Air Force.

The following-named officers to be assigned to positions of importance and responsibility designated by the President, in the grade indicated, under the provisions of section 8066, title 10, of the United States Code:

To be general

Lt. Gen. John D. Ryan 1418A (major general, Regular Air Force), U.S. Air Force, currently serving as general under recess appointment.

Lt. Gen. Kenneth B. Hobson 616A (major general, Regular Air Force), U.S. Air Force.

Lt. Gen. Bruce K. Holloway 1336A (major general, Regular Air Force), U.S. Air Force.

To be lieutenant general

Maj. Gen. Horace M. Wade 1872A, Regular Air Force, currently serving as lieutenant general under recess appointment.

Maj. Gen. Albert P. Clark 1218A, Regular Air Force.

Maj. Gen. Lewis L. Mundell 1286A, Regular Air Force.

Maj. Gen. John W. Carpenter III 1647A, Regular Air Force.

IN THE ARMY

The nominations beginning Lael J. Abbott to be major, and ending Ida M. Beam to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 7, 1965.

EXTENSIONS OF REMARKS

"Facts, Not Myths, on Reds"—"The Radical Left"

EXTENSION OF REMARKS
OF
HON. STROM THURMOND
OF SOUTH CAROLINA
IN THE SENATE OF THE UNITED STATES
Friday, June 25, 1965

Mr. THURMOND. Mr. President, I call to the attention of Senators an important editorial from the State, of Columbia, S.C., dated June 12, 1965. The editorial is entitled "Facts, Not Myths, on Reds." I ask unanimous consent that the editorial be printed in the CONGRESSIONAL RECORD, together with a newsletter entitled "The Radical Left," which I published on May 31, 1965.

There being no objection, the editorial and the newsletter were ordered to be printed in the RECORD, as follows:

[From the State (Columbia, S.C.), June 12, 1965]

FACTS, NOT MYTHS, ON REDS

Knowledgeable J. Edgar Hoover has issued a warning that this country faces a growing menace from the resurgent Communist Party, U.S.A., but many ears will be deaf to his words.

For one thing, it has become politically fashionable to denounce rightwing extremists. Those who have spent all their time decrying activities of the right cannot admit so quickly they were swatting at flies while the termites were eating away the foundations of our political system.

In addition, it has also become fashionable in many circles to say American Communists are so few they represent no danger. There has been no end of talk about good Communists such as the Russians, and bad Communists such as the more militant Chinese.

In fact, not a few prominent figures in our country have disposed of the American Communist Party as being merely a myth.

But Mr. Hoover finds the domestic Communist Party no myth. He found them distributing copies of the Worker, the official Communist Party organ on the east coast, during the demonstration in the Nation's Capital this past April 17.

It might be well to remember that this April 17 march on Washington was in protest of our policies in Vietnam where we are fighting Communist forces. Hoover found known Reds playing a leading role in this particular demonstration. Similar demonstrations against our foreign policy in Vietnam—and our caution in the Dominican Republic to prevent a Communist takeover there—have occurred in many other major cities and on college campuses. On the campuses, W. E. B. DuBois clubs are furthering Communist aims, according to Mr. Hoover.

As some courageous people have been noting recently, there is a growing trend for civil rights organizations to combine forces with the antiforeign policy demonstrators. Some of the civil rights organizations, according to massive evidence, already have been heavily infiltrated by radical leftwingers.

It is completely logical that the Communists should have taken advantage of the anti-right-wing phobia which has swept the country. It gave them, indirectly, respectability. They, too, were against the radical right.

But it is ironic, and a sad commentary on the gullibility of the American public, that we should have heeded the legitimate warning against radicals of the right and ignored all warnings of danger from the radical left at a time when we were at war with the Communists.

And we are at war with Communists in more places around the globe than anyone cares to admit. When we are at war with Communists, both Russian and Chinese style, we should heed the warnings of Hoover that people loyal to communism rather than their own government are planning turmoil and trouble. Mr. Hoover, after all, has always been more interested in gathering facts than in creating or dispelling myths.

THE RADICAL LEFT

(By STROM THURMOND, U.S. Senator from South Carolina)

The man primarily charged with keeping tabs on enemy plans to subvert our Nation has been in large part ignored in his admonitions on internal security. For the past several years, FBI Director J. Edgar Hoover has warned in books, articles, speeches, and testimony about three primary projects of the Communists in the United States: (1) twisting of minds of campus youngsters with Communist dogma; (2) exploitation and infiltration of civil rights movements; and (3) the silencing of anti-Communist voices. In recent months, the fruits of Communist seed planted across America have been blossoming forth on campuses, in the streets, and in left-wing periodicals.

In recently released testimony given before the House Appropriations Committee, Mr. Hoover officially revealed the Communist orientation of the student demonstrations at the University of California. He stated that 43 individuals with Communist backgrounds, 5 of them being professors and all being connected with the university, played active roles in the explosive developments.

Mr. Hoover laid bare Communist actions for pumping propaganda at college campuses, recruiting new members, and establishing front group operations. He particularly deplored the increasing number of lectures being presented on campuses by leading Communist Party officials. Given special attention by Mr. Hoover was the new Communist-organized W. E. B. DuBois Clubs of America. He said this organization "is designed to attract youth interested in peace, disarmament, civil rights, and the like."

The progress of the Communist efforts to exploit and infiltrate civil rights groups has been astounding. This has even been publicly acknowledged by concerned "liberal" columnists. I placed in the CONGRESSIONAL RECORD of May 20 a newsletter of the American Flag Committee setting forth in 1956 the Communist Party's detailed plan for causing a voting rights crisis in early 1965, a civil rights fight over public accommodations in 1964, and the employment of demonstrations and civil disobedience to stampede Congress into enacting Red proposals for subverting the powers of State and local governments. The newsletter forecast the tactics and timing almost perfectly.

In testifying on present operations of the Communists in the area of civil rights, Mr. Hoover told the committee of a recruitment drive now underway among Negro youth. He added: "The party plans to hold a training school for youth in New York City in the summer of 1965 * * *. In addition, certain Communist Party, U.S.A., youths will be asked to go to the South during the summer of 1965 to work with civil rights organizations."

One of the reasons why the public ardor for civil disobedience has cooled in recent weeks—and at the White House, too—is because many of the same beatnik demonstrators involved in the Selma provocations have been found working together in pacifist demonstrations against U.S. policies resisting Communist aggression.

Anti-Communist individuals and groups are on the defensive in the United States today as never before. They are being harassed, smeared, and investigated by Government agencies and left-wing news media. Indeed, the false idea has been planted across the country that the real enemy of America is the anti-Communist rather than the Communist.

Here is Mr. Hoover's frank evaluation of Communist plans for further progress in America: "Encouraged by recent Court decisions which the party considers major victories in its efforts to nullify the Internal Security Act of 1950, and convinced that a large segment of the population is ready to accept some form of socialism as a cure for domestic problems, such as civil rights and poverty, the party has streamlined its structure in preparation for operating more openly."

The No. 1 enemy of the American way of life is the radical left with its revolutionary aim of leveling all Americans to a common plane under an all-powerful centralized bureaucracy. The Congress is past due in thoroughly investigating the radical left for purposes of considering new internal security legislation. Communist and front groups have been able to get too far in recent years because internal security laws have been rendered impotent by Supreme Court decisions.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 28, 1965

The House met at 12 o'clock noon.

Rev. Marvan Frame, Methodist Church, Mason, W. Va., offered the following prayer:

Our Heavenly Father, we pause in these moments to praise Thee for Thy eternal goodness. In a world in transition, we direct our thoughts to Thee for Thou art steadfast and secure.

Grant us increasing wisdom and understanding that we may be adequate for the demands of the day and for the age in which Thou hast given us to live.

May we be given grace to follow the example of Thy Son, Jesus Christ, whose attributes are compassion, love, and peace. Make us to know that our world is too small for anything other than peace and too dangerous for anything other than brotherhood.

Redeem us from frustration and dangerous doubt. Where there is fear, wilt Thou bring courage. Where there is weaknesses, wilt Thou supply strength, and where darkness shrouds the minds of men, we pray for illumination.

We confess that too often we have been motivated by selfish desire rather than to surrender our wills to that ever-increasing purpose which Thou hast entrusted to the minds of men.

Give us to know the prophets' ancient scorn for tyranny, and to view all men as possessors of dignity and nobility. Set our hearts aflame with eternal values and whet our minds until they are keen, perceptive, and obedient unto Thee. Then, use each of us for Thyself that we may aid in establishing a world like unto Thine own eternal kingdom, where justice and mercy abound like the waters of the sea, through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 24, 1965, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills and resolutions of the following titles, in which the concurrence of the House is requested:

S. 511. An act to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory;

S. 518. An act for the relief of Joanna K. Georgoulia;

S. 827. An act for the relief of Kam Yuet Moy;

S. 828. An act for the relief of Cha Mi Hi;

S. 834. An act for the relief of Julianna Rado;

S. 858. An act for the relief of Chang Ah Lung;

S. 859. An act for the relief of Mr. and Mrs. Toros Torosian;

S. 862. An act for the relief of Woo Zee-ching;

S. 864. An act for the relief of Roza Feuer;

S. 867. An act for the relief of Young Wai;

S. 868. An act for the relief of Mother Azucena de San José (nee Carmen Hernández Aguilar);

S. 925. An act for the relief of William S. Hwang;

S. 943. An act for the relief of Frantisek Vohryzka;

S. 954. An act for the relief of Ailsa Alexandra MacIntyre;

S. 1001. An act for the relief of Louis Sirota;

S. 1012. An act for the relief of Dr. Otto F. Kernberg;

S. 1076. An act for the relief of Kurush Sahbaz;

S. 1760. An act to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program;

S. 1903. An act to amend the United Nations Participation Act, as amended (63 Stat. 734–736);

S. 2080. An act to provide for the coinage of the United States;

S.J. Res. 56. Joint resolution authorizing the President to proclaim the occasion of the bicentennial celebration of the birth of James Smithson;

S.J. Res. 71. Joint resolution to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission; and

S. Con. Res. 40. Concurrent resolution authorizing the Secretary of the Senate to make a correction in the enrollment of S. 1229.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1229) entitled "An act to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes."

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JUNE 25, 1965.

The Honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to authority granted on June 24, 1965, the Clerk received from the Secretary of the Senate today, the following message:

That the Senate passed H.J. Res. 541, entitled "Joint resolution to extend the Area Redevelopment Act for a period of 2 months."

Respectfully yours,
RALPH R. ROBERTS,
Clerk,
U.S. House of Representatives.

HOUSE BILLS AND JOINT RESOLUTION ENROLLED

Mr. BURLESON, from the Committee on House Administration, announced that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles:

H.R. 3994. An act to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling and paying certain claims arising out of the crash of a U.S. aircraft at Wichita, Kans.;

H.R. 3996. An act to amend provisions of law relating to the settlement of admiralty claims;

H.R. 6507. An act to make section 1952 of title 18, United States Code, applicable to travel in aid of arson;

H.R. 6848. An act to amend section 35 of title 18 of the United States Code relating to the imparting or conveying of false information;

H.R. 5988. An act to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes; and

H.J. Res. 451. Joint resolution to extend the Area Redevelopment Act for a period of 2 months.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Thursday, June 24, 1965, he did on June 25, 1965, sign the following enrolled bill of the House:

H.R. 5988. An act to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes.

And on June 26, 1965, sign the following enrolled bills and joint resolution of the House:

H.R. 3994. An act to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling and paying certain claims arising out of the crash of a U.S. aircraft at Wichita, Kans.;

H.R. 3996. An act to amend provisions of law relating to the settlement of admiralty claims;

H.R. 6507. An act to make section 1952 of title 18, United States Code, applicable to travel in aid of arson;

H.R. 6848. An act to amend section 35 of title 18 of the United States Code relating to the imparting or conveying of false information; and

H.J. Res. 541. Joint resolution to extend the Area Redevelopment Act for a period of 2 months.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JUNE 26, 1965.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 12:03 p.m. on June 26, 1965, and said to contain H.R. 2166, an act for the relief of Staiman Brothers-Simon Wrecking Co., and a veto message thereon.

Respectfully yours,
RALPH R. ROBERTS,
Clerk,
U.S. House of Representatives.

STAIMAN BROS.-SIMON WRECKING CO.—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 221)

The SPEAKER. The Clerk will read the message.

The Clerk read as follows:

To the House of Representatives:

I return without my approval H.R. 2166, a bill "For the relief of Staiman Brothers-Simon Wrecking Co."

The bill confers jurisdiction on the Court of Claims to render judgment on the claim of Staiman Brothers-Simon Wrecking Co. for losses allegedly sustained by them in connection with a $301,000 contract for the purchase from the General Services Administration of buried cast iron pipe in a surplus military water system which had been laid some 16 years previously. The bill also waives all defenses of the United States based upon provisions in the purchase contract explicitly denying warranty as to quantity, size, and character and barring claims based on errors or omissions in the description of the pipe.

The claimants allege that the weight of the pipe which they removed fell almost 40 percent short of the estimated weights. They argue that adequate inspection was not possible because the pipe was underground and that under these circumstances the descriptions of the pipe set out in the Government's invitation to bid should be regarded as nullifying by implication the express disclaimers by the Government of any warranty or guaranty.

The conditions of sale of the property were clear and specific. The invitation to bid invited bidders to inspect the material being offered, with a notation that failure of a bidder to do so or to fully inform himself as to the condition of the property would not constitute grounds for any adjustment. It also stated that the property was being sold without warranty as to quantity, condition, size, or kind and that no claim for deduction on such grounds would be considered. It further indicated that while identification and location of the property were believed to be correct, any error or omission in the description would not constitute ground for a claim.

In short, the contract involved a substantial business risk—the amount of pipe actually in the ground could exceed, equal, or fall below expectations, with consequent effect on profits from the contract.

The General Accounting Office denied a claim submitted administratively in a decision dated May 25, 1962.

I note that this bill would restrict the Court of Claims' authority to decide this case on the merits, since it would waive the Government's defenses based on contract provisions to which the claimants agreed with their eyes wide open.

Many other purchasers of Government surplus property have had to abide by provisions in their contracts like the ones involved in this case even though losses were the consequence. The decision of the Comptroller General referred to above cited numerous similar contract cases in which the courts have applied the rule of caveat emptor.

In summary, I believe that the relief which this bill would grant would be discriminatory and would set an unwise and unfortunate precedent. Accordingly, I am constrained to withhold my approval.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 26, 1965.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the bill and message will be referred to the Committee on the Judiciary and ordered to be printed.

There was no objection.

RESIGNATIONS FROM DELEGATION

The SPEAKER laid before the House the following resignations from a delegation:

June 25, 1965.

Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: It is with great regret that I am compelled to resign from the delegation appointed to attend the dedication of the historic Assembly Room of Independence Hall which is scheduled to be held in Philadelphia, Pa., on June 28, 1965.

I had looked forward with great pleasure to those ceremonies but I learn now that most serious business is scheduled in the House that day and that two meetings of the Appropriations Committee are also scheduled. I believe that I must be present in the House for all of these meetings.

I thank you most sincerely for the compliment you paid me in appointing me to this delegation. It is with deepest regrets that I am compelled to resign.

With warmest personal regards,

Sincerely,

Joseph M. McDade,
Member of Congress.

June 25, 1965.

Hon. John W. McCormack,
The Speaker,
House of Representatives,
Washington, D.C.

Dear Mr. Speaker: It is with deep regret that I tender my resignation as one of the delegates to the ceremony dedicating the historic Assembly House of Independence Hall to be held in Philadelphia, Pa., on Monday, June 28, 1965.

This is due to the fact that H.R. 7984, Housing and Urban Development Act of 1965, reported by the Banking and Currency Committee on which I serve, will be on the House floor on that date.

With best personal regards,

Sincerely yours,

Albert W. Johnson,
Member of Congress.

The SPEAKER. Without objection, the resignations will be accepted.

There was no objection.

DELEGATES TO DEDICATION OF HISTORIC ASSEMBLY ROOM OF INDEPENDENCE HALL, PHILADELPHIA, PA., JUNE 28, 1965

The SPEAKER. Pursuant to the provisions of House Resolution 426, 89th Congress, the Chair appoints as members of the delegation to attend the dedication of the historic Assembly Room of Independence Hall to be held in Philadelphia, Pa., on June 28, 1965, the gentleman from Pennsylvania [Mr. Saylor] and the gentleman from Idaho [Mr. Hansen] to fill the existing vacancies thereon.

WORK PLANS, COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication, which was read and referred to the Committee on Appropriations:

June 24, 1965.

Hon. John W. McCormack,
The Speaker, House of Representatives,
Washington, D.C.

Dear Mr. Speaker: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plans involved are:

State	Watershed	Executive committee number
Georgia	Lower Little Tallapoosa River.	[1] 1198
Oklahoma	Uncle John Creek	[1] 1198
Tennessee	Wilson Spring Creek	[1] 1198
Texas	Attoyac Bayou	[1] 1198
Do	Castleman Creek	[1] 1198
Do	Donahoe Creek	[1] 1198

[1] Committee approval given June 24, 1965.

Sincerely yours,

George H. Fallon,
Member of Congress,
Chairman, Committee on Public Works.

DISTRICT OF COLUMBIA APPROPRIATIONS FISCAL YEAR ENDING JUNE 30, 1966

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6453), an act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

The Chair hears none and appoints the following conferees: Messrs. Natcher, Giaimo, Smith of Iowa, McFall, Mahon, Davis of Wisconsin, McDade, and Jonas.

UNIFORM POLICIES WITH RESPECT TO RECREATION AND FISH AND WILDLIFE BENEFITS AND COSTS OF FEDERAL MULTIPLE-PURPOSE WATER RESOURCE PROJECTS AND FOR OTHER PURPOSES

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution No. 40.

The Clerk read the title of the concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate, in the enrollment of the bill (S. 1229), to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes, is authorized and directed to strike out the words "Act of 1965" in the last line of subsection (h) of section 6.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

CONTINUING APPROPRIATIONS, 1966

Mr. MAHON. Mr. Speaker, I call up House Joint Resolution 553 making continuing appropriations for the fiscal year 1966, and for other purposes, and I ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the State of the Union.

The Clerk read the House joint resolution as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1966, namely:

Sec. 101. (a) (1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1965 and for which appropriations, funds, or other authority would be available in the following appropriation Acts for the fiscal year 1966:

District of Columbia Appropriation Act;

Treasury-Post Office Departments and Executive Office Appropriation Act;

Legislative Branch Appropriation Act;

Departments of Labor and Health, Education, and Welfare Appropriation Act;

Department of Defense Appropriation Act;

Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act;

Department of Agriculture and Related Agencies Appropriation Act;

Independent Offices Appropriation Act; and Public Works Appropriation Act.

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act.

(3) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this subsection as passed by the House is different from that which would be available or granted under such Act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an Act listed in this subsection has been passed by only one House or where an item is included in only one version of an Act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower: *Provided,* That no provision which is included in an appropriation Act enumerated in this subsection but which was not included in the applicable appropriation Act for the fiscal year 1965, and which by its terms is applicable to more than one appropriation, fund, or authority, shall be applicable to any appropriation, fund, or authority provided in this joint resolution unless such provision shall have been included in identical form in such bill as enacted by both the House and Senate.

(b) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1965 and are listed in this subsection at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority:

Equal Employment Opportunity Commission;

Economic Opportunity Program;

Interoceanic Canal Commission;

Foreign assistance and other activities for which provision was made in the Foreign Assistance and Related Agencies Appropriation Act, 1965;

Activities for which provision was made in the Military Construction Appropriation Act, 1965;

Department of Commerce: Mobile Trade Fair activities;

Department of Health, Education, and Welfare:

Grants for family health service clinics for domestic agricultural migratory workers under section 310 of the Public Health Service Act, as amended;

Grants for intensive vaccination programs under section 317 of the Public Health Service Act, as amended; and

Activities under sections 3, 4 and 5 of the Juvenile Delinquency and Youth Offenses Control Act of 1961, as amended.

(c) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1965 and are listed in this subsection at a rate for operations not in excess of the current rate:

Department of Commerce: Area Redevelopment activities;

Department of Health, Education, and Welfare: Activities authorized by section 105 of the Higher Education Facilities Act of 1963.

(d) Such amounts as may be necessary for continuing projects or activities for which disbursements are made by the Secretary of the Senate, and the Senate items under the Architect of the Capitol, to the extent and in the manner which would be provided for in the budget estimates for the fiscal year 1966.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation for any project or activity provided in this joint resolution, or (b) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity, or (c) July 31, 1965, whichever first occurs.

SEC. 103. Appropriations and funds made available or authority granted pursuant to this joint resolution may be used without regard to the time limitations set forth in subsection (d)(2) of section 3679 of the Revised Statutes, as amended, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 104. No appropriation or fund made available or authority granted pursuant to this joint resolution shall be used to initiate or resume any project or activity which was not being conducted during the fiscal year 1965. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 156]

Abbitt
Andrews, N. Dak.
Arends
Ashley
Baring
Bingham
Bolling
Bonner
Bow
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Byrne, Pa.
Cahill
Carter
Chamberlain
Chelf
Clark
Collier
Colmer
Conable
Corbett
Craley
Curtin
Curtis
Daddario
Davis, Ga.
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dowdy
Evins, Tenn.
Farnsley
Fulton, Pa.
Gilligan
Grabowski
Green, Oreg.
Greigg
Gurney
Halleck
Halpern
Hansen, Wash.
Harris
Harsha
Harvey, Ind.
Hays
Holifield
Holland
Johnson, Calif.
Kastenmeier
Keogh
Laird
Lindsay
McDowell
McVicker
Macdonald
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Michel
Miller
Moeller
Morse
Morton
Nelsen
Nix
Olson, Minn.
O'Neill, Mass.
Philbin
Powell
Rogers, Tex.
Roosevelt
Rostenkowski
Ryan
St Germain
Saylor
Senner
Shriver
Springer
Stratton
Teague, Tex.
Tenzer
Thomas
Toll
Tupper
Watson
Willis

The SPEAKER. On this rollcall, 348 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONTINUING APPROPRIATIONS, 1966

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, this is the usual type of continuing resolution from the Committee on Appropriations which would make interim provision to enable the various agencies of the Government to continue operations in the new fiscal year 1966, beginning July 1, in instances where the appropriations have not yet cleared Congress.

Only two of the 1966 appropriation bills—Interior and Treasury-Post Office—have cleared both Houses and conference. All except two of the regular annual appropriation bills for 1966 have passed the House, but several of them have not passed the other body. There are two regular bills for 1966—military construction and foreign assistance—yet to be reported to the House, in addition to a special Labor-HEW supplemental plus the usual "end of the session" supplemental bill. Thus, prompt enactment of this resolution is the proper course of action under the circumstances.

The resolution ceases to apply to an agency or activity concurrent with approval by the President of the applicable appropriation bill in which provision for such agency or activity is made. Thus the scope of the continuing resolution constricts as each regular bill is enacted; the resolution would be wholly inoperative after the last approval.

While the hope may exceed the expectation, the time period covered by the resolution is limited to the month of July 1965. Extending legislation will, of course, have to be considered by late next month if the situation so requires.

The emphasis in the resolution is on the continuation of existing projects and activities at the lowest of the three rates; namely, the current—fiscal year 1965—rate; the budget request, where no action has been taken by either House; or the more restrictive amount adopted by either of the two Houses. It is solely an interim measure to keep the Government functioning on a minimum basis until funds for the full year are supplied in the regular course of events.

May I say in elaboration, as the committee report on the resolution states, in those instances where the applicable 1966 appropriation bills have passed both Houses but the amounts or authority therein differ, the pertinent project or activity continues during July under the lesser of the two amounts and under the more restrictive authority.

Further, where a bill has passed only one House, or where an appropriation for a project or activity is included in only one version of the bill as passed by both Houses, the pertinent project or activity continues under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the fiscal year 1965 rate or the rate permitted by the one House, whichever is the lower.

Still further, in those instances where neither House has passed the applicable appropriation bill for the fiscal year 1966, appropriations are provided for continuing projects or activities conducted during fiscal year 1965 at the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority.

The resolution does not in any way augment the appropriation for a given project or activity in the regular bills. In the words of the resolution itself:

> * * * expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

Mr. Speaker, there is nothing novel or new about continuing resolutions. They are necessary to orderly government whenever the appropriation bills are delayed beyond the first of the new fiscal year. For several reasons Congress has not been meeting that time schedule for a good many years.

STATUS OF THE APPROPRIATION BILLS

Until recently the appropriation bills have moved through the House according to a planned schedule but of late the schedule has suffered some disruption from delays in final disposition of certain related annual authorization bills.

As Members know, the Committee on Appropriations cannot, within the rules, report appropriations for any purpose not previously authorized by separate law. Some of the authorization bills have not cleared Congress. The original reporting schedule was recast to accommodate to these delays but there are some further delays.

The original plan was to bring to the House all the regular bills for the fiscal year 1966 before July 1, as was done last year. That will not now be practicable. All the regular hearings on appropriations bills were concluded some weeks ago but delayed clearance of several authorization bills resulted in some slippage. That is also the situation as to the two regular bills yet to be reported to the House—military construction and foreign assistance; they involve budget requests of about $6,237 million. There is also to be a special Labor-HEW supplemental and presumably the usual end-of-the-session supplemental, but the exact amounts are unknown.

Mr. Speaker, I believe that explains generally the situation confronting us in the pending resolution.

Insofar as I know, the Committee on Appropriations is unanimous in support of this resolution.

Under leave to extend, I include a tabulation of the original and revised committee reporting schedule for the regular appropriation bills for 1966, and the dates actually reported and passed on the bills thus far processed:

The regular annual appropriation bills for fiscal year 1966, as of June 28, 1965

Bill	Original reporting schedule (Mar. 10, 1965)	Revised reporting schedule (May 18, 1965)	Reported to House	Passed House	Passed Senate	Final congressional action	Note
District of Columbia	Mar. 18		Mar. 18	Mar. 23	June 22		
Interior	Mar. 25		Mar. 25	Mar. 30	May 26	June 15	
Treasury-Post Office	Apr. 1		Apr. 1	Apr. 5	June 8		
Labor-Health, Education, and Welfare	Apr. 29		Apr. 29	May 4			
Independent Offices	May 6		May 6	May 11			NASA authorization not enacted when appropriation bill was reported.
Defense	May 13	June 18	June 17	June 23			Defense authorization bill delay.
Agriculture	May 20		May 20	May 26			
Legislative	May 20	June 3	June 3	June 8			Extended hearings and additional estimates.
State, Justice, Commerce, and the Judiciary	May 27		May 27	June 1			
Military construction	June 3	June 10	(?)	(?)			Awaiting approval of authorization bill.
Public works	June 10	June 17	June 17	June 22			Authorization bill delay.
Foreign assistance	June 17	June 24	(?)	(?)			Awaiting approval of authorization bill.

NOTE.—A special Labor-HEW supplemental and the usual "end of the session" supplemental, for which no dates were shown, are not listed.

Mr. Speaker, it is also timely to include, for the information of Members and others who may be interested, a summary of the appropriation bills of the session in relation to the budget requests in the bills thus far processed.

The House cut the budget requests of $88,637,709,322 on 10 regular bills for fiscal year 1966 by $1,347,159,515 in addition to reductions of $250,332,850 from fiscal 1965 supplemental requests.

The two regular bills yet to be reported to the House—military construction and foreign assistance—at the moment involve budget requests of about $6,237 million. There will be significant additional, but as yet unknown, amounts in connection with later supplemental bills for fiscal 1966—for Labor-HEW programs, including, for example, aid to education, manpower training, antipoverty, plus the usual end-of-session supplemental requests.

In the three regular bills for 1966 which the other body has cleared, and in one of which it considered substantial amendatory budget requests sent there after House action, $1,145,977,470 was added to the House bills, but the total of the three was held $65,847,730 below the aggregate budget amounts.

For the two bills for 1966 that have cleared conference, $8,882,183,070 was appropriated, $109,136,430 below the budget requests involved. This is aside from the supplementals and deficiencies for fiscal 1965 handled in the present session, details of which are on the table I am inserting.

In any meaningful summarization of appropriations it is necessary to include those permanent appropriations which recur automatically under previous law and, therefore, not carried in the bills voted on each year. There are several such appropriations, tentatively estimated in the January budget at about $12,300 million for fiscal year 1966, interest on the national debt being by far the largest single item. Then, the so-called back-door appropriations in bills out of the legislative committees figure into the totality of availability for expenditure; the precise amounts are not always readily determinable or easily noted, but they enter into the total picture just as do the more common form of appropriations.

The following table discloses more detail on the appropriation bills:

The appropriation bills, 89th Cong., 1st sess., as of June 28, 1965

[Does not include back-door appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

Bill	Budget estimates to House	House: Date passed	House: Amount as passed	House: Compared with budget estimates
1965 SUPPLEMENTALS				
Agriculture, CCC (H.J. Res. 234)	$1,742,209,000	Jan. 26	$1,600,000,000	-$142,209,000
2d supplemental bill, 1965 (H.R. 7091)	2,226,456,933	Apr. 6	2,118,333,083	-108,123,850
Defense (H.J. Res. 447)	700,000,000	May 5	700,000,000	
Total, 1965 supplementals	4,668,665,933		4,418,333,083	-250,332,850
1966 APPROPRIATIONS				
District of Columbia (H.R. 6453)	(387,467,800)	Mar. 23	(356,300,500)	(-31,167,300)
Federal payment	53,122,000		44,122,000	-9,000,000
Loan authorization	(26,311,900)		(26,311,900)	
Interior (H.R. 6767)	1,240,849,500	Mar. 30	1,184,090,300	-56,759,200
Loan authorization	(16,780,000)		(16,000,000)	(-780,000)
Treasury-Post Office (H.R. 7060)	6,708,510,000	Apr. 5	6,604,404,000	-104,106,000
Labor-HEW (H.R. 7765)	8,293,814,000	May 4	7,964,034,000	-329,780,000
Independent offices (H.R. 7997)	14,531,023,000	May 11	14,109,908,000	-421,115,000
Agriculture (H.R. 8370)	5,815,134,000	May 26	5,717,832,000	-97,302,000
Loan authorizations	(787,000,000)		(787,000,000)	
State, Justice, Commerce, and the Judiciary (H.R. 8639)	2,167,735,600	June 1	2,085,689,900	-82,045,700
Legislative (H.R. 8775)	204,872,222	June 8	150,589,107	-54,283,115
Public works (H.R. 9220)	4,373,805,000	June 22	4,241,636,500	-132,168,500
Defense (H.R. 9221)	45,248,844,000	June 23	45,188,244,000	-60,600,000
Total, 1966 bills to date	88,637,709,322		87,290,549,807	-1,347,159,515
Total, all appropriations to date	93,306,375,255		91,708,882,890	-1,597,492,365
Total, loan authorizations	(830,091,900)		(829,311,900)	(-780,000)

***The appropriation bills, 89th Cong., 1st sess., as of June 28, 1965*—Continued**

[Does not include back-door appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

Bill	Senate					Final appropriation		Public Law	
	Budget estimates to Senate	Date passed	Amount as passed	Compared with—		Amount as approved	Final action compared with budget estimates	No.	Date approved
				Budget estimates	House action				
1965 SUPPLEMENTALS									
Agriculture, CCC (H.J. Res. 234)	$1,742,209,000	Feb. 3	$1,600,000,000	−$142,209,000		$1,600,000,000	−$142,209,000	89-2	Feb. 11
Second supplemental bill, 1965 (H.R. 7091)	2,280,251,327	Apr. 27	2,257,869,415	−22,381,912	+$139,536,332	2,227,563,977	−52,687,350	89-16	Apr. 30
Defense (H.J. Res. 447)	700,000,000	May 6	700,000,000			700,000,000		89-18	May 7
Total, 1965 supplementals	4,722,460,327		4,557,869,415	−164,590,912	+139,536,332	4,527,563,977	−194,896,350		
1966 APPROPRIATIONS									
District of Columbia (H.R. 6453)	(389,346,800)	June 22	(364,358,347)	(−24,988,453)	(+8,057,847)				
Federal payment	53,122,000		49,122,000	−4,000,000	+5,000,000				
Loan authorization	(26,311,900)		(26,311,900)						
Interior (H.R. 6767)	1,241,549,500	May 26	1,230,802,770	−10,746,730	+46,712,470	1,212,739,070	−28,810,430		
Loan authorization	(16,780,000)		(16,000,000)	(−780,000)		(16,000,000)	(−780,000)		
Treasury-Post Office (H.R. 7060)	[2] 7,749,770,000	June 8	[2] 7,698,669,000	−51,101,000	[2]+1,094,265,000	[2] 7,669,444,000	−80,326,000		
Labor-HEW (H.R. 7765)									
Independent offices (H.R. 7997)									
Agriculture (H.R. 8370)									
Loan authorizations									
State, Justice, Commerce, and the Judiciary (H.R. 8639)									
Legislative (H.R. 8775)									
Public works (H.R. 9220)									
Defense (H.R. 9221)									
Total, 1966 bills to date	9,044,441,500		8,978,593,770	−65,847,730	+1,145,977,470	8,882,183,070	−109,136,430		
Total, all appropriations to date	13,766,901,827		13,536,463,185	−230,438,642	+1,285,513,802	13,409,747,047	−304,032,780		
Total, loan authorizations	(43,091,900)		(42,311,900)	(−780,000)		(16,000,000)	(−780,000)		

[1] Permanent appropriations were tentatively estimated in January budget at about $12,300,000,000 for fiscal year 1966.

[2] Includes $1,035,000,000 supplemental estimate for 1965 (S. Doc. 31).

NOTE.—Bills yet to be reported to the House: Military construction; foreign assistance; and necessary supplementals.

Mr. JONAS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the distinguished chairman of the House Committee on Appropriations, the gentleman from Texas, has explained the purpose of this resolution. There was no opposition to it in the Committee on Appropriations. I think all members of the committee are unanimous in agreeing that this resolution is necessary unless many of the agencies and activities of the Government are to be closed down. While such a result might meet with approval on the part of some of our citizens, I doubt if Congress is prepared this week to preside over the liquidation of a major portion of the Government's activities.

The activities of the Government are financed by appropriations made by Congress. We provide these funds in appropriation bills from year to year. With the exception of certain "no-year" funds included in some of the appropriation acts and certain unobligated balances, which may be carried over for spending in future years, the activities of the Government are funded on a year by year basis. So as we approach the end of the current fiscal year, which will occur at the end of business on next Wednesday, funds to operate many of the ordinary activities of the Government will not be available unless this continuing resolution is adopted, for the very simple reason that only two appropriation bills for fiscal year 1966 which will begin July 1, 1965, have cleared conference and only one has been signed into law by the President.

It should be clearly understood by all Members of the House that responsibility for the delay in enacting appropriation bills does not rest with the Committee on Appropriations. So far this year our committee has cleared 3 supplemental bills and 11 regular appropriation bills to finance all of the departments and agencies of the Government except the bills for military construction and foreign aid. Action has been delayed on these bills because of a lack of authorizing authority. All members of the House know that appropriation bills to fund projects that have not been authorized are subject to points of order so action on these two remaining bills is awaiting authorizing legislation but the committee is prepared to act promptly as soon as the authorization bills are approved.

Mr. Speaker, the necessity of adopting this resolution is made manifest by a mere recital of the foregoing facts. The only alternative would be to close down the normal operations of the Federal Government. But in preparing this resolution we inserted all necessary safeguards in order to maintain as much congressional control over spending as possible.

For example, the resolution specifically provides that whatever funds are expended by executive agencies and departments under this continuing resolution will be charged to their regular appropriations. This makes it impossible for any Government agency or department to spend more money than finally is approved in the applicable appropriation bill.

In addition, the resolution specifically provides that the authority granted pursuant to the resolution shall not be used to "initiate or resume any project or activity which was not being conducted during the fiscal year 1965." This makes it clear that the funds authorized to be obligated under this resolution shall be used only to continue activities previously initiated under existing law.

Finally, the resolution simply provides for the continuation of existing projects and activities at the lowest of one of three rates; namely, first, the current—fiscal year 1965—rate; second, the budget request where no action has been taken by either House; or third, the more restricted amount adopted by either of the two Houses.

It is important to realize and worth noting here that we are operating a big organization when we speak of the Federal Government. Before coming to the floor today I examined the daily statement of the U.S. Treasury for June 22, 1965, and found that from July 1, 1964, to the date of that statement there had been withdrawn from the Treasury of the United States a total of $123,862,258,812.41, in contrast with $121,794,146,714.43 which was withdrawn from the Treasury during the corresponding period beginning July 1, 1963, and ending June 22, 1964. This means that up to this date in the current fiscal year cash withdrawals from the Treasury have amounted to more than $2 billion in excess of withdrawals last year. This increase in spending does not occur in the Department of Defense because cash withdrawals by that Department were down by more than $2 billion. The increased spending or cash withdrawals are attributable to civilian agencies. For example, interest on the public debt is nearly one-half billion dollars up this year over last year, and substantial increases have been made in foreign aid, by NASA, social security, and a miscellaneous list of purely civilian agencies.

I did a little quick problem in mathematics and find that during the current fiscal year the Government is spending money at the rate of $348 million a day, which is sufficient proof of the statement made earlier that the Federal Government is a big and expensive operation.

I support the resolution because we are not prepared to close down this big operation overnight. I know of no way the Government can continue to function, in the absence of the enactment of all of the appropriation bill, unless this continuing resolution is approved.

The **SPEAKER**. The question is on the joint resolution.

The joint resolution was agreed to.

A motion to reconsider was laid on the table.

TREASURY, POST OFFICE, EXECUTIVE OFFICE OF THE PRESIDENT, ETC., APPROPRIATION BILL, 1966

Mr. **STEED**. Mr. Speaker, I call up the conference report on the bill (H.R. 7060) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1966, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 550)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7060) "making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending June 30, 1966, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered, 3, 5, and 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 7, 8, 13, 14 and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$159,600,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,304,900,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$221,000,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$105,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 10.

TOM STEED,
OTTO E. PASSMAN,
JOS. P. ADDABBO,
GEORGE MAHON,
SILVIO O. CONTE,
HOWARD W. ROBISON,
CHARLES R. JONAS,
Managers on the Part of the House.

A. WILLIS ROBERTSON,
J. L. MCCLELLAN,
MIKE MONRONEY,
E. L. BARTLETT,
RALPH W. YARBOROUGH,
CARL HAYDEN,
JENNINGS RANDOLPH,
CLIFFORD P. CASE,
GORDON ALLOTT,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7060) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1966, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments; namely:

TITLE I—TREASURY DEPARTMENT

Office of the Secretary

Amendment No. 1: Appropriates $5,874,000 for salaries and expenses as proposed by the Senate instead of $5,875,000 as proposed by the House.

Coast Guard

Acquisition, Construction, and Improvements

Amendment No. 2: Appropriates $115,510,000 as proposed by the Senate instead of $101,000,000 as proposed by the House.

Reserve Training

Amendment No. 3: Appropriates $22,500,000 as proposed by the House instead of $23,125,000 as proposed by the Senate.

Internal Revenue Service

Revenue Accounting and Processing

Amendment No. 4: Appropriates $159,600,000 instead of $154,600,000 as proposed by the House and $164,500,000 as proposed by the Senate.

Compliance

Amendment No. 5: Appropriates $439,000,000 as proposed by the House instead of $446,250,000 as proposed by the Senate.

Administrative Provisions

Amendment No. 6: Deletes language proposed by the Senate which would have permitted transfers among appropriations of the Internal Revenue Service.

U.S. Secret Service

Salaries and Expenses

Amendment No. 7: Permits the purchase of 125 vehicles as proposed by the Senate instead of 45 as proposed by the House.

Amendment No. 8: Appropriates $12,105,000 as proposed by the Senate instead of $12,627,000 as proposed by the House. This action deletes $522,000 for the purchase of two armored cars for use of the Secret Service in protection of the President.

TITLE II—POST OFFICE DEPARTMENT

Operations

Amendment No. 9: Appropriates $4,304,900,000 instead of $4,298,900,000 as proposed by the House and $4,321,350,000 as proposed by the Senate. The conferees are agreed that the additional funds allowed are for the purpose of eliminating excess overtime by postal employees over and above 60 hours per week, and that no postal employee should be required or allowed to work in excess of 60 hours in any one week.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to concur with an amendment permitting transfers between appropriations of not to exceed 2½ per centum.

Building Occupancy and Postal Supplies

Amendment No. 11: Appropriates $221,000,000 instead of $226,000,000 as proposed by the House and $216,000,000 as proposed by the Senate.

Plant and Equipment

Amendment No. 12: Appropriates $105,000,000 instead of $95,000,000 as proposed by the House and $110,000,000 as proposed by the Senate.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

Bureau of the Budget

Amendment No. 13: Appropriates $7,973,000 for salaries and expenses as proposed by the Senate instead of $7,920,000 as proposed by the House.

TITLE V—FUNDS APPROPRIATED TO THE PRESIDENT

International Monetary Fund

Amendment No. 14: Appropriates $1,035,000,000 as proposed by the Senate. The estimate for this item was not submitted to Congress until after the bill had passed the House.

TOM STEED,
OTTO E. PASSMAN,
JOSEPH P. ADDABBO,
GEORGE MAHON,
SILVIO O. CONTE,
HOWARD W. ROBISON,
CHARLES R. JONAS,
Managers on the Part of the House.

The **SPEAKER**. The question is on the conference report.

The conference report was agreed to.

The **SPEAKER**. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10: Page 12, line 7, insert: "That not to exceed 5 per centum of any appropriation available to the Post Office Department for the current fiscal year may be transferred, with the approval of the Bureau of the Budget, to any other such appropriation or".

Mr. **STEED**. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein within an amendment, as follows: In lieu of "5 per centum", insert: "2½ per centum".

The **SPEAKER**. The Chair recognizes the gentleman from Oklahoma [Mr. STEED].

Mr. **GROSS**. Mr. Speaker, will the gentleman yield?

Mr. **STEED**. I yield to the gentleman.

Mr. **GROSS**. How does this conference report stack up with the bill that the House passed? I do not believe we have had any information as to spending between the two bills.

Mr. **STEED**. The conference report was published in the RECORD last Friday morning. The House had originally cut $104 million from this year's budget request. The conference report results in a cut of $80 million. This is offset by the fact that after the House passed the bill an item of $6,260,000 for the

Coast Guard to finance the transfer of 17 patrol craft to be deployed to Vietnam was added to the budget request. That matter had not come before the House when we had the bill. In addition, the Senate added $1,035 million to finance an increase in the quota of the International Monetary Fund which was authorized by Public Law 89-31, approved June 2, 1965. The request for these funds was sent to the Senate after this bill had already passed the House.

Mr. GROSS. It is not an increase over the figure as it left the House other than the amount to which the gentleman just alluded?

Mr. STEED. Perhaps I can answer the gentleman this way: The other body added $59 million more than the bill contained when it left the House, excluding the amount for the International Monetary Fund, in the conference that was divided about equally. We met them about halfway on the items that were in dispute.

Mr. GROSS. What is the net figure over the amount of the bill as it left the House?

Mr. STEED. Again excluding the IMF item, it is about $30 million more than it was when we last had it. As I said, $6 million of that was in the money that was added to the budget request after we finished with the bill here.

Mr. GROSS. That is with regard to the Coast Guard?

Mr. STEED. Yes, sir.

Mr. GROSS. How about the other $24 million? Where did it go?

Mr. STEED. The $8,250,000 was also for the acquisition, construction, and improvements fund of the Coast Guard. We had made a cut in that item because we were displeased with the large amount of carryovers they have shown in recent years. From the time the bill left the House until it was finished by the other body, the Coast Guard was able to proceed with their acquisition program and get this back in good order and since they are in urgent need of this equipment, we agreed to the full restoration of the budget which actually in that item totals $14,510,000 more than when it left the House.

Another $6 million was added in the Post Office Department to provide for the elimination of excessive overtime now being worked by postal workers. We have, by their own payroll figures, given a sufficient amount of money in the bill this year to eliminate all overtime in excess of 55 hours a week. If the pending legislation now currently before the Congress is passed, it provides that all postal workers shall get time and one-half for overtime instead of permanent regulars as is the case now, and we think the overtime problem of the Post Office Department will be solved.

Mr. GROSS. The gentleman raised the question of personnel and the pay of personnel. Let me ask this question. Do I understand the Post Office Department is putting on some 6,000 temporary employees this summer?

Mr. STEED. That is not anything unusual. They always put on temporary employees during the summer, or whenever they are needed.

Mr. GROSS. But they never put on that number of employees during the summer; have they?

Mr. STEED. I do not have the records at the moment, but this last year they put on about 71,000 people.

Mr. GROSS. I am talking about temporary summer employees.

Mr. STEED. Last year they put on about 71,000 people, most of whom were temporary employees. Some are put on during the Christmas season. Some are put on during the summer vacation season when the regular employees are on vacation. So the money that they are using now is the same money they always use in their temporary employee account. We think the Department has always had an excessive number of people in both the substitute account and the temporary employee account and what we are doing here today is to reduce those two accounts and put these overtime situations in the hands of the regular employees where the Government gets the most for its money.

Mr. GROSS. If the gentleman will yield further. When the hearings were held this year, did the Post Office Department make any representation to the committee that they were going to put on these thousands of temporary employees this summer?

I am certain this is far in excess of employment in past years for temporary summer employees. Was any representation made to your committee during the hearings that this was to be done? If so, how much will it cost?

Mr. STEED. As the gentleman knows, the operations account of the Post Office Department is handled by the Congress as a lump sum. This year it is in the neighborhood of $4.3 billion.

The splitting up of that money in the carrying out of the operations of the Post Office Department is left to the Department. They do that routinely each year as they set up their work program for the year and allocate the money on the 8-week term basis throughout the entire year. They always make provision for the employment of the three categories of workers; the regulars, the subs, and the temporaries. There has never been a time when they have not had a fairly large account to provide for employment of temporaries.

Mr. GROSS. I say to the gentleman from Oklahoma that this is the first year my office has ever been called and asked whether I had applications for temporary summer employment in the Post Office Department. I serve on the Post Office and Civil Service Committee, yet this is the first year that I have ever heard of Members of Congress, in some districts, being allocated 15 summer employees, and others 10. I am talking now about the Democrat side of the aisle and the Democrats being offered those numbers. I feel certain that Republicans are not being offered that many. Certainly, most of us are not.

I am not complaining, because I have no temporaries to put on the payroll in this kind of boondoggle.

I say to the gentleman that I would hope his committee would look into this situation. It do not believe it is possible to get the Post Office and Civil Service Committee to look into it, because that committee seems to be too busy with pay-raise legislation to deal with anything else.

Mr. STEED. I might say to the gentleman that I found out about this particular matter the same way he did. Knowing this picture as we believe we know it, this is only calling the same thing by a different name and arriving at it by a different method. We are very concerned, quite definitely, about excessive overtime and the relationship between the regular employee staff and the subs and the temporaries.

I assure the gentleman that next year the Bureau of the Budget, as well as this committee are going into this entire picture quite thoroughly. We will be able to spell out in the hearings next year not only what we are talking about but, in addition, what application is made of the money we are allowing them here to reduce the excessive overtime and wipe out the whole picture of too many temporaries and too many subs.

We believe the best efficiency is achieved, where the work justifies it, with use of skilled regular employees. We want to keep as much of the workload in that category as possible. That is why we have provided the funds necessary to carry on the increased workload with respect to the volume of mail they anticipate during the coming year, plus allowing sufficient money for them to wipe out all overtime, at least in excess of a 55-hour week.

Mr. GROSS. I thank the gentleman.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. STEED. I am happy to yield to the gentleman from Missouri.

Mr. HALL. I thank the gentleman from Oklahoma, who is handling the conference report, for the statement he has just made. I wish to associate myself with his statement and with the interrogation by, and colloquy held with, the gentleman from Iowa.

I have before me considerable documentation about this same three-way problem the gentleman was discussing; namely, first, the elimination of overtime; second, the requests by the regional offices for nominations which were never really considered for us on this side of the aisle, with respect to the 18- to 22-year-olds for summer employment provided they have graduated from high school; and, finally, the question of the way this ties in with the actual appointments by the regional directors before there was actually laid down a time for the applications to be submitted in the various districts.

For example, in the districts in Missouri the actual appointments range from 15 in one district down to none in the other districts. I think this is an unfair way to handle this. However, if there will be an investigation on a line-item basis so that we will not always be coming up, as it says in one of the paragraphs here in the statement of the managers on the part of the House, "with the ability to appropriate or reassign up to 1½ percent within the Department," for either the temporary employees or payments of overtime, then we will be on our way to accomplishing something.

Third, we do not want to have constantly brought back to us from the Post Office Department the fact that Congress withheld funds, which means that city free delivery in a town which otherwise qualifies cannot be instituted.

I think we have made great strides in this conference committee toward accomplishing this. If the Subcommittee on Appropriations which handles the Post Office Department and the Treasury Department appropriations will arrive at the point where they analyze these expenditures on a line-item basis or a projected basis with reference to the budget, I think that will be about the only answer to the problem.

I commend the gentleman for his statement and thank him for yielding me this time.

Mr. STEED. I assure the gentleman from Missouri that the Subcommittee on Post Office and Treasury is greatly concerned about this problem. We added about 84,000 people since 1954 to their total staff, bringing it up to a total today of about 586,000 employees. What worries us is that these new things going on have continued the excessive overtime and the employment of temporaries and subs as compared to regulars has continued apace.

This year we have come to what we think is a means of coming to grips with that problem and bringing it back to reasonable proportions. As long as the situation exists under the law that regulars must be paid time and a half for overtime but temporaries and subs can be paid straight time it is an open invitation for this to remain out of balance. It is our feeling until all overtime is on a time-and-a-half basis something will have to be done before this can be put back in proper balance. As a realistic matter, this is something we must live with. This year we want to get rid of any necessity for excessive overtime. There will obviously be some situations always where some overtime will be good business, but when it gets to be excessive, as has been the case in the last 2 or 3 years, we think something should be done about it. We believe this year we have made the provisions necessary to avoid any overtime which could be considered excessive, unreasonable, or unfair and that this will bring it into better balance. We are following through very carefully, because only by following it year by year can you know whether or not these moneys we have provided will accomplish the goals that we have set out to accomplish. So we are going to keep a very close check on this whole matter.

Mr. HALL. I thank the gentleman for his comment. As he well knows, ordinarily we do not believe in using more money and personnel as universal panaceas. If we can solve this time and a half for overtime for our regulars, we have made a pretty good start.

As far as item 3 is concerned, which I have mentioned, will the gentleman agree with me that it is almost a case of false pretense, to say that in a department having the power to move its own funds appropriated between its departments for different purposes that we could blame it on the Congress for nonappropriation of funds in order to provide city delivery or any other approved postal service?

Mr. STEED. I think that is true.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. STEED. Yes. I yield to the gentleman.

Mr. CONTE. I think we ought to clarify the RECORD in regard to this overtime. In one breath the chairman mentioned that we provided funds in here for overtime not to exceed 55 hours, and yet the report shows 60 hours. This should be clarified. As I understand it, in conference we provided enough funds for about 8,900 new employees plus another 5,200 employees for increased volume of mail, making a total of 14,100 more employees.

We worked this out by the records that we have and the investigation that our counsel has made, with the Post Office Department. There would be no need for overtime of more than 55 hours. As I understand, the use of the 60-hour figure is because of extreme circumstances, such as the flood on the Arkansas River, and so forth.

Mr. STEED. As a matter of fact, the figures to continue this in the next year as for this year is on a basis of a total overtime of a little less than 55 hours; but as a practical matter, the committee felt that the management of the Post Office would require some margin for emergencies. That is the reason why we thought as long as they stayed under 60 hours, with reason, that would be a desirable goal. But the gentleman is entirely correct.

Mr. CONTE. Outside of those extreme cases we hope the Department will content itself to staying within 55 hours a week.

Mr. STEED. I am sure they can, and I am hoping they will.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STEED. I yield.

Mr. GROSS. This is not exactly the matter I was referring to although overtime is an element. What I was talking about is the 25,000 summer employees that are being put on the Federal payroll; 6,000 of them, as I understand it, in the Post Office Department. What I am talking about is that kind of political boondoggling. So far as I know, there has been no justification for the employment of these people in such numbers.

Mr. STEED. Until we have an opportunity to go back and analyze the figures, I cannot give the gentleman a final answer. As a matter of fact, they hire temporaries all the time in various parts of the country for 1 month or more, sometimes for the entire year. It depends on local conditions. So this matter of temporaries is something that means that that is the only account that they have for that kind of employment. They are just calling something else temporary for the time being.

Mr. GROSS. I do not know whether the Post Office Department is being used now as one of the agencies of Government in a cross-fertilization with the Office of Economic Opportunity, or whether it is the other way around. But something is going on around here that does not smell very good.

Mr. STEED. We assure the gentleman that we will get a complete analysis of it in the next year's budget. I am very strongly of the opinion that you are going to find that these bodies would have been added to the work staff in any event.

The SPEAKER. The question is on the motion.

The motion was agreed to.

A motion to reconsider the vote by which action was taken on the motion was laid on the table.

Mr. STEED. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include certain tables pertaining to the conference report just adopted.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STEED. Mr. Speaker, I include a table at this point in the RECORD which reflects the various actions by both Houses on H.R. 7060:

Treasury, Post Office, and Executive Office appropriation bill, 1966

TITLE I—TREASURY DEPARTMENT

	1965 appropriations	1966 budget estimates (as amended)	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1965 appropriations	1966 budget estimates	House	Senate
Office of the Secretary	$5,907,000	$5,920,000	$5,875,000	$5,874,000	$5,874,000	−$33,000	−$46,000	−$1,000	----------
Bureau of Accounts	32,764,000	33,765,000	33,500,000	33,500,000	33,500,000	+736,000	−265,000	----------	----------
Bureau of Customs	78,854,000	82,850,000	82,250,000	82,250,000	82,250,000	+3,396,000	−600,000	----------	----------
Bureau of Engraving and Printing	5,750,000	----------	----------	----------	----------	−5,750,000	----------	----------	----------
Bureau of the Mint:									
Salaries and expenses	14,659,000	13,350,000	13,350,000	13,350,000	13,350,000	−1,309,000	----------	----------	----------
Construction of mint facilities	16,000,000	1,000,000	1,000,000	1,000,000	1,000,000	−15,000,000	----------	----------	----------
Total, Bureau of the Mint	30,659,000	14,350,000	14,350,000	14,350,000	14,350,000	−16,309,000	----------	----------	----------

Treasury, Post Office, and Executive Office appropriation bill, 1966—Continued

	1965 appropriations	1966 budget estimates (as amended)	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1965 appropriations	1966 budget estimates	House	Senate
TITLE I—TREASURY DEPARTMENT									
Bureau of Narcotics	$5,657,000	$5,970,000	$5,970,000	$5,970,000	$5,970,000	$+313,000			
Bureau of the Public Debt	50,237,000	50,330,000	50,330,000	50,330,000	50,330,000	+93,000			
Coast Guard:									
Operating expenses	273,752,000	285,200,000	284,000,000	284,000,000	284,000,000	+10,248,000	−$1,200,000		
Acquisition, construction, and improvements	85,000,000	[1] 115,510,000	101,000,000	115,510,000	115,510,000	+30,510,000		+$14,510,000	
Retired pay	36,961,000	40,300,000	40,000,000	40,000,000	40,000,000	+3,039,000	−300,000		
Reserve training	20,939,000	23,750,000	22,500,000	23,125,000	22,500,000	+1,561,000	−1,250,000		−$625,000
Total, Coast Guard	416,652,000	464,760,000	447,500,000	462,635,000	462,010,000	+45,358,000	−2,750,000	+14,510,000	−625,000
Internal Revenue Service:									
Salaries and expenses	16,445,000	18,120,000	17,600,000	17,600,000	17,600,000	+1,155,000	−520,000		
Revenue accounting and processing	152,100,000	166,000,000	154,600,000	164,500,000	159,600,000	+7,500,000	−6,400,000	+5,000,000	−4,900,000
Compliance	429,850,000	453,500,000	439,000,000	446,250,000	439,000,000	+9,150,000	−14,500,000		−7,250,000
Total, Internal Revenue Service	598,395,000	637,620,000	611,200,000	628,350,000	616,200,000	+17,805,000	−21,420,000	+5,000,000	−12,150,000
Office of the Treasurer	6,175,000	6,350,000	6,350,000	6,350,000	6,350,000	+175,000			
U.S. Secret Service:									
Salaries and expenses	8,310,000	8,750,000	12,627,000	12,105,000	12,105,000	+3,795,000	+3,355,000	−522,000	
White House Police	1,859,000	1,866,000	1,866,000	1,866,000	1,866,000	+7,000			
Guard force	436,000	434,000	434,000	434,000	434,000	−2,000			
Total, U.S. Secret Service	10,605,000	11,050,000	14,927,000	14,405,000	14,405,000	+3,800,000	+3,355,000	−522,000	
Total, title I, Treasury Department	1,241,655,000	1,312,965,000	1,272,252,000	1,304,014,000	1,291,239,000	+49,584,000	−21,726,000	+18,987,000	−12,775,000
TITLE II—POST OFFICE DEPARTMENT									
Administration and regional operation	$87,441,000	$88,100,000	$86,500,000	$86,500,000	$86,500,000	−$941,000	−$1,600,000		
Research, development, and engineering	12,000,000	13,000,000	12,000,000	12,000,000	12,000,000		−1,000,000		
Operations	4,224,059,000	4,333,900,000	4,298,900,000	4,321,350,000	4,304,900,000	+80,841,000	−29,000,000	+$6,000,000	−$16,450,000
Transportation	596,500,000	598,000,000	595,000,000	595,000,000	595,000,000	−1,500,000	−3,000,000		
Building occupancy and postal supplies	199,000,000	226,000,000	226,000,000	216,000,000	221,000,000	+22,000,000	−5,000,000	−5,000,000	+5,000,000
Plant and equipment	83,000,000	124,000,000	95,000,000	110,000,000	105,000,000	+22,000,000	−19,000,000	+10,000,000	−5,000,000
Total, title II, Post Office Department	5,202,000,000	5,383,000,000	5,313,400,000	5,340,850,000	5,324,400,000	+122,400,000	−58,600,000	+11,000,000	−16,450,000
TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT									
Compensation of the President	$150,000	$150,000	$150,000	$150,000	$150,000				
White House Office	2,855,000	2,855,000	2,855,000	2,855,000	2,855,000				
Special projects	1,375,000	1,500,000	1,500,000	1,500,000	1,500,000	+$125,000			
Executive Mansion and Grounds	696,000	694,000	694,000	694,000	694,000	−2,000			
Bureau of the Budget	7,306,800	7,973,000	7,920,000	7,973,000	7,973,000	+666,200		+$53,000	
Council of Economic Advisers	697,000	723,000	723,000	723,000	723,000	+26,000			
National Security Council	626,900	660,000	660,000	660,000	660,000	+33,100			
Emergency fund for the President	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000				
Expenses of management improvement	300,000	250,000	250,000	250,000	250,000	−50,000			
Total, title III, Executive Office of the President	15,006,700	15,805,000	15,752,000	15,805,000	15,805,000	+798,300		+53,000	
TITLE IV—INDEPENDENT AGENCIES									
Tax Court of the United States	$2,183,300	$2,190,000	$2,190,000	$2,190,000	$2,190,000	+$6,700			
Administrative Conference of the United States		250,000	250,000	250,000	250,000	+250,000			
Advisory Commission on Intergovernmental Relations	410,000	410,000	410,000	410,000	410,000				
President's Advisory Committee on Labor-Management Policy	150,000	150,000	150,000	150,000	150,000				
Total, title IV, independent agencies	2,743,300	3,000,000	3,000,000	3,000,000	3,000,000	+256,700			
TITLE V—FUNDS APPROPRIATED TO THE PRESIDENT [2]									
International Monetary Fund, increase in quota		$1,035,000,000		$1,035,000,000	$1,035,000,000	+$1,035,000,000		+$1,035,000,000	
Total, title V, funds appropriated to the President		1,035,000,000		1,035,000,000	1,035,000,000	+1,035,000,000		+1,035,000,000	
Grand total, titles I, II, III, IV, and V	$6,461,405,000	7,749,770,000	$6,604,404,000	7,698,669,000	7,669,444,000	+1,208,039,000	−$80,326,000	+1,065,040,000	−$29,225,000
Consisting of—									
1966 appropriations	6,461,405,000	6,714,770,000	6,604,404,000	6,663,669,000	6,634,444,000	+173,039,000	−80,326,000	+30,040,000	−29,225,000
1965 supplemental (S. Doc. 331)		1,035,000,000		1,035,000,000	1,035,000,000	+1,035,000,000		+1,035,000,000	

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[1] Includes supplemental estimate of $6,260,000 for 17 patrol craft deployed to Vietnam, Public Law 89-21 (S. Doc. 24).

[2] Supplemental estimate sent to Senate (S. Doc. 31) subsequent to passage of bill by House.

DISTRICT OF COLUMBIA BUSINESS

FRANCIS CASE MEMORIAL BRIDGE

The SPEAKER. This is District of Columbia Day. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, by direction of the Committee on the District of Columbia I call up the joint resolution (H.J. Res. 230), designating the bridge constructed over the Washington Channel of the Potomac River, in the District of Columbia, as the "Francis Case Memorial Bridge," and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks on this joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas the Congress and the citizens of the District of Columbia are sorely saddened by the tragic and untimely passing of one of the District's most dedicated and resourceful friends, the distinguished Senator from South Dakota, Francis Case; and

Whereas during his long and distinguished career in the United States House of Representatives and the United States Senate, Francis Case was known and respected for his courage and untiring devotion to duty, and was loved for his sincerity, modesty, and understanding; and

Whereas he attained enviable stature and esteem for his constant cooperation, his wise counsel, and his broad comprehension of planning and development in the District of Columbia; and

Whereas Francis Case was an architect of the twenty-third amendment to the Constitution of the United States guaranteeing residents of the District of Columbia the right to vote for electors for President and Vice President; and

Whereas during his years of service Francis Case sponsored almost numberless measures for improvements in the District of Columbia and served as chairman of the Senate Committee on the District of Columbia in 1953 and 1954; and

Whereas, through diligent study of past, present, and future District of Columbia needs, Francis Case gained a thorough grasp of District activities and helped fashion firm policies that will guide the District for decades; and

Whereas, after having served on the Senate Committee on the District of Columbia through the years 1951 to 1954, Francis Case returned voluntarily to the committee in 1959 and 1960 to serve again the people of the District despite his increased responsibilities in the United States Senate; and

Whereas his able and dedicated service as a member of the Senate Committee on Public Works contributed immeasurably to the development and improvement of the highway transportation system in the District of Columbia; and

Whereas it was through his remarkable dedication to duty that Francis Case helped bring about major District of Columbia expansion of highway and bridge construction, through the enactment of the District of Columbia public works program in 1954, that is a lasting monument to his service: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge crossing the Washington Channel of the Potomac River on Interstate Route 95, approximately one hundred yards downstream from the outlet gate of the Tidal Basin, near the intersection of the extension of Thirteenth and G Streets Southwest, shall be known and designated as the "Francis Case Memorial Bridge." Any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the "Francis Case Memorial Bridge."

SEC. 2. The Commissioners of the District of Columbia shall—

(1) place on the "Francis Case Memorial Bridge" plaques of suitable and appropriate design; and

(2) in connection with the opening of such bridge to the public, provide for suitable ceremonies honoring the late Francis Case, United States Senator from the State of South Dakota, for his many valuable services for and on behalf of the residents of the District of Columbia.

SEC. 3. The Secretary of the Senate shall transmit copies of this resolution to the wife of the late Senator Francis Case, Myrle Case; his daughter, Jane Case Commander; and his granddaughter, Catherine.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the bridge crossing the Washington Channel of the Potomac River on Interstate Route 95, approximately one hundred yards downstream from the outlet gate of the Tidal Basin, near the intersection of the extension of Thirteeenth and G Streets Southwest, shall be known and designated as the 'Francis Case Memorial Bridge'. Any law, regulation, map, document, record, or other paper of the United States or of the District of Columbia in which such bridge is referred to shall be held to refer to such bridge as the 'Francis Case Memorial Bridge'.

"SEC. 2. The Commissioners of the District of Columbia shall place on the 'Francis Case Memorial Bridge' plaques of suitable and appropriate design.

"SEC. 3. The Secretary of the Senate shall transmit copies of this resolution to the wife of the late Senator Francis Case, Myrle Case; his daughter, Jane Case Williams; and his granddaughters, Catherine and Julia."

Mr. MULTER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the purpose of the joint resolution is to name the bridge across the Washington Channel on the Potomac River connecting the Rochambeau Memorial Bridge with the Southwest Freeway complex in honor of the late distinguished U.S. Senator, Francis Case, of South Dakota.

This bridge was completed in 1962, and was opened to vehicular traffic with appropriate ceremonies on July 31 of that year.

Senator Case was a member of the Senate Committee on the District of Columbia for several years, and served as its chairman in 1953 and 1954. During his years of service, he sponsored many measures for improvements in the District of Columbia, and was one of the foremost architects of the 23d amendment to the Constitution of the United States guaranteeing residents of the District of Columbia the right to vote for electors for President and Vice President.

It seems peculiarly appropriate to your committee that the Washington Channel Bridge, which links the Nation's Capital to the Interstate Highway System, be named in memory of Senator Case in view of the fact that one of his greatest contributions to this city was his support and leadership which were instrumental in enactment of the District of Columbia public works program in 1954, which made possible a major expansion of highway and bridge construction in the District. Of equal significance was his able and dedicated service as a member of the Senate Committee on Public Works in the enactment of the Federal Aid to Highways Act of 1962, which contributed immeasurably to the development and improvement of the highway transportation system in the District of Columbia and actually made it possible for this Washington Channel Bridge to be constructed.

The joint resolution provides also that appropriately designed name plaques be placed on the bridge by the Commissioners of the District of Columbia, in order to commemorate properly the dedicated service of Senator Case in behalf of the District of Columbia.

The Board of Commissioners of the District of Columbia, in a letter under date of March 30, 1965, stated that they have no objection to the enactment of this proposed legislation.

A joint resolution (S.J. Res. 5) substantially identical to House Joint Resolution 230 was approved by the Senate on May 11, 1965.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from New York.

Mr. HORTON. Mr. Speaker, it is a most fitting memorial and tribute to the late, great Senator from South Dakota that this bridge bear his name—a name connected with so much progress here in the Nation's Capital. It was largely through this fine gentleman's efforts that the 23d amendment was finally enacted into law; this amendment, as we know, granted the right to vote for President and Vice President to the previously disenfranchised citizens of the District of Columbia.

It was the very keen involvement of this great gentleman in the intimate affairs of the District of Columbia which led to much of the fine and very necessary public works projects here in the District which have redounded to the benefit of not only the citizens of the District of Columbia, but all the citizens of the Nation.

The Nation, the Congress, and his family have every reason to be proud of the outstanding record of this able, sincere, universally respected, and dedicated statesman.

Mr. REIFEL. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from South Dakota.

Mr. REIFEL. Mr. Speaker, many of those present in this Chamber today knew Francis Case when he served seven terms in the House of Representatives.

They will remember him as a hardworking and conscientious man of unquestionable talent and integrity. He served in the other body from 1951 until his untimely passing in 1962.

During his more than 25 years in Congress, Francis Case came to know and love the District of Columbia almost as much as he loved his own South Dakota. He devoted his tireless efforts to serving both of them.

It was largely through Senator Case's sponsorship of the 23d amendment to our Constitution that in 1964 the citizens of the District of Columbia were privileged to vote for President and Vice President for the first time.

Senator Case sponsored many measures for improvements in the District of Columbia. Possibly one of his greatest contributions was his activity in securing enactment of the District public works program in 1954 while he was in effect, "mayor of Washington." It was under this program that the major expansion of District highway and bridge construction began.

He demonstrated further his sincere concern for District affairs by volunteering for further service on the Senate District Committee in 1959.

Mr. Speaker, this resolution is offered to provide a lasting monument to a man who gave years of service to the Nation's Capital both as chairman and member of the Senate District of Columbia Committee. Except for some technical amendments, it is identical to Senate Joint Resolution 5 passed by the other body on May 11, 1965, under the joint sponsorship of my distinguished colleagues from South Dakota.

I can think of no better tribute to Senator Case's efforts as a dedicated champion of the Capital City than designation of the channel bridge as the "Francis Case Memorial Bridge." I am pleased to have the active support of Senators KARL E. MUNDT and GEORGE MCGOVERN and Representative E. Y. BERRY, each of whom has sponsored similar resolutions, in recommending this measure honoring a friend and colleague whose memory is revered in both Houses, and I am hopeful the House of Representatives will join the other body in approving it.

I want especially to thank the distinguished chairman of the House District of Columbia Committee, Mr. MCMILLAN, for his assistance and support in securing favorable committee action on this resolution. Like the late Senator Case, Chairman MCMILLAN has proved himself a conscientious and hard-working benefactor for the District of Columbia. During the 87th Congress, Mr. MCMILLAN sponsored a similar resolution in honor of the late Senator Francis Case.

My heartfelt thanks also to my very dear friend and good neighbor from Minnesota [Mr. NELSEN], ranking minority member of the District of Columbia Committee, for his active assistance in securing committee support for this resolution. Without his cooperation in calling up this resolution before the District Committee, it would not have been possible to consider it today.

I am sure that I speak for the members of the late Senator Case's family and his many friends both here and in South Dakota in expressing deepest and sincere appreciation for the assistance of these two outstanding gentlemen and the other members of the committee.

Mr. BERRY. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from South Dakota.

Mr. BERRY. Mr. Speaker, it is altogether fitting and proper that this bridge across the Washington Channel of the Potomac River should be designated as the "Francis Case Memorial Bridge" because of the great work Senator Case did while on the District of Columbia Committee.

Most Members of Congress treat the District of Columbia as an orphan because it in no way influences their home district. This was not true of Senator Case. He approached every problem with zeal because he felt the responsibility of accomplishing a worthwhile purpose.

In recognition of his outstanding service this measure will pass the House, as it passed the Senate, without a dissenting vote.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time; was read the third time.

The SPEAKER. The question is on the passage of the resolution. The House joint resolution was passed.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA MINIMUM WAGE AMENDMENTS ACT OF 1965

Mr. MULTER. Mr. Speaker, I call up the bill (H.R. 8126), to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage, and overtime compensation protection, and improved means of enforcement, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Minimum Wage Amendments Act of 1965".

SEC. 2. (a) The first section of the District of Columbia minimum-wage law (D.C. Code, § 36–401) is amended—

(1) by striking out

"The term 'woman' includes only a woman of eighteen years of age or over;"

and inserting in lieu thereof the following:

"The term 'employer' includes every individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer, but shall not include the United States or the District of Columbia;

"The term 'employee' means a person employed or suffered or permitted to work by an employer, but shall not include—

"(A) any person employed in domestic service, in or about a private home, in or about a public or private nursing home for the aged or for the infirm, in or about a hospital of whatever kind and character, public or private, or in an eleemosynary institution;

"(B) any person engaged or employed, whether on a voluntary basis or otherwise, in the activities of an educational, charitable, religious, or nonprofit organization;

"The term 'wage' means compensation due an employee by reason of his employment, payable in legal tender of the United States or by checks on banks convertible into cash on demand at full face value and such term shall include the fair value to the employee of board, lodging, apparel, or other facilities or services customarily furnished by the employer to the employee. Such term shall also include the reasonable value of gratuities received by the employee if such employee is employed in an occupation in which gratuities have customarily and usually constituted, and have been recognized as, part of the remuneration for hiring purposes. The Board is authorized to determine (A) the fair value of such board, lodging, apparel, or other facilities or services for defined classes of employees, taking into account the average cost to the employer or to groups of employers similarly situated, and (B) the fair value of gratuities for defined classes of employees in such occupations.

"The term 'Washington metropolitan area' shall comprise such area as may from time to time be delineated by the Board, but it shall be comprised of at least the following: The District of Columbia; the counties of Montgomery and Prince Georges in Maryland; and the cities of Alexandria, Falls Church, and Fairfax, and the counties of Arlington and Fairfax, in Virginia."

(2) in the clause containing the definition of the term "minor", by striking out "of either sex"; and

(3) in the clause containing the definition of the term "occupation", by inserting immediately before the period "or employment in or about a private home".

(b) The first and second paragraphs of section 8 of such Act (D.C. Code, § 36–407) are amended to read as follows:

"The Board shall have full power and authority (1) to investigate and ascertain the wages of employees in the different occupations in which they are employed in the District of Columbia; (2) to enter and inspect the place of business or employment of any employer in the District of Columbia for the purpose of (A) examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the wages, hours, or other conditions of employment of his employees, (B) copying any or all of such books, registers, payrolls, and other records as the Board may deem necessary or appropriate, and (C) questioning employees for the purpose of ascertaining whether the provisions of this Act and the provisions of the orders issued thereunder have been and are being complied with; and (3) to require from any employer full and correct statements in writing, including sworn statements, with respect to wages, hours, names, addresses, and such other information pertaining to the employment of his employees as the Board may deem necessary or appropriate to carry out the purposes of this Act.

"Every employer shall make, keep, and preserve for a period of not less than three years a record of (1) the name, address, and occupation of each of his employees, (2) the date of birth of any employee under eighteen years of age, (3) the hours worked by each of his employees, (4) the amount paid each pay period to each of his employees, and (5) such other records or information as the Board shall prescribe as necessary or appropriate for the enforcement of the provisions of this Act or of the orders issued thereunder. Such records shall be open and made available for inspection or transcription by the Board or its authorized representative at any reasonable time. Every employer shall furnish to the Board on demand a sworn statement of such records and information upon forms prescribed or approved by the Board.

"Every employer shall post in a conspicuous place in or about the premises wherein any employee covered by this Act is employed a summary of each applicable wage order. The Board shall prepare such summaries and shall, as far as is practicable, mail a copy of such summaries to every employer affected thereby.

"Every employer shall furnish to each employee at the time of payment of wages an itemized statement showing the date of the wage payment and the period which the payment covers, gross wages, net wages paid, and hours worked during the pay period."

(c) Section 9 of such Act (D.C. Code § 36–408) is amended to read as follows:

"Sec. 9. (a) Each employer, subject to the provisions of section 14—

"(1) shall pay each of his employees, employed in an occupation with respect to which there is outstanding on the date of enactment of the District of Columbia Minimum Wage Amendment Act of 1965 a minimum wage order issued prior to such date by the Board, wages at rates not less than $1.15 an hour beginning on the effective date of the amendments made by such Act, and not less than $1.25 an hour beginning September 3, 1966; and

"(2) shall pay each of his employees, employed in an occupation with respect to which there is not outstanding on the date of enactment of such Act a minimum wage order, wages at rates not less than $1 an hour beginning on the effective date of the amendments made by such Act, not less than $1.15 an hour beginning September 3, 1966, and not less than $1.25 an hour beginning September 3, 1967.

"(b) Nothing contained in subsection (a) shall be construed so as to reduce any higher rate of pay established by any minimum wage order issued pursuant to this Act or to invalidate any special license issued by the Board pursuant to section 13.

"(c) No employer shall employ any of his employees—

"(1) for a workweek longer than forty-two hours beginning on the effective date of the amendments made by the District of Columbia Minimum Wage Amendments Act of 1965, or

"(2) for a workweek longer than forty hours beginning September 3, 1966,

unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

"(d)(1) The minimum wage and overtime provisions of subsections (a) and (c) shall not apply with respect to—

"(A) any employee employed in a bona fide executive, administrative, or professional capacity or in the capacity of outside salesman or commission salesman (as such terms are defined and delimited from time to time by regulations of the Secretary of Labor under the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201–219)); or

"(B) any employee engaged in the delivery of newspapers to the home of the consumer.

"(2) The overtime provisions of subsection (c) shall not apply with respect to—

"(A) any employee employed as a seaman;

"(B) any employee employed by a railroad;

"(C) any employee employed primarily to wash automobiles by an employer, more than 50 percent of whose annual dollar volume of sales is derived from washing automobiles;

"(D) any employee covered by Minimum Wage Order Numbered 10 (relating to hotel, restaurant, and allied occupations) whose overtime wage rate is established by the Board pursuant to subsection (e)(2);

"(3) If the regular rate of compensation of an employee for a period of four consecutive workweeks (if paid on a weekly basis) or one month (if paid on a monthly or semimonthly basis) is in excess of one and one-half times the minimum hourly rate applicable to him under subsection (a), the overtime provisions of subsection (c) shall not apply with respect to such employee during such period.

"(e)(1) Except as otherwise provided in this section, the minimum wage orders issued by the Board prior to the effective date of the amendments made by the District of Columbia Minimum Wage Amendments Act of 1965 shall remain in full force and effect, except that they shall be modified by order of the Board, without wage conference procedure and public hearing, effective on such effective date, (1) to apply to men as well as women employees, (2) to provide, subject to any order issued under section 14, for the payment of minimum wages at rates not less than the rates prescribed by subsection (a), (3) to provide for the payment of overtime compensation as prescribed by subsection (c), and (4) to provide such adaptation, as the Board deems necessary, of the definitions and standards set forth in any such minimum wage order, including, without limitation, those relating to the minimum wage rates and overtime compensation for service employees, learners, and apprentices.

"(2) Minimum Wage Order Numbered 10, effective August 15, 1964, shall be modified by the Board, without wage conference procedure and public hearing, effective on the effective date of the amendments made by such Act, to apply to men as well as women. In all other respects such order shall remain in full force and effect until August 15, 1967, at which time such order shall be modified by the Board, without wage conference procedure and public hearing, effective on such date, in accordance with clauses (2) and (4) of paragraph (1) of this subsection, except that the minimum wage rate shall not be less than $1.15 an hour beginning on such date, and not less than $1.25 an hour beginning August 15, 1968. Effective August 15, 1967, the Board shall establish by wage conference procedure and public hearing and without regard to subsection (c) the overtime wage rates for the employees covered by such order.

"(f) For employees in occupations not covered by minimum wage orders issued by the Board prior to the effective date of the amendments made by the District of Columbia Minimum Wage Amendments Act of 1965, the Board—

"(1) shall, prior to such effective date, make, without wage conference procedure and public hearing, an interim minimum wage order of general applicability, effective on such effective date, which shall include the minimum wages prescribed by subsection (a), the overtime compensation prescribed by subsection (c), and such standards as the Board deems necessary to immediately carry out the purposes of such Act;

"(2) may, without investigating the working conditions, within three years after the effective date of the amendments made by the District of Columbia Minimum Wage Amendments Act of 1965, call and convene one or more conferences for the purpose of considering standards, other than minimum wages and overtime compensation, to be incorporated in a minimum wage order or orders for an occupation or occupations included in the interim minimum wage order. Any one of such orders may include such related or unrelated occupations as the Board, in its discretion, shall consider advisable. Such conference shall be composed of not more than three representatives of employers, of an equal number of representatives of employees, and of not more than three persons representing the public. One or more members of the Board may serve on the conference in an ex officio nonvoting capacity. After completing its consideration of and inquiry into the subject submitted to it by the Board, the conference shall make and transmit to the Board a report containing its findings, including recommendations for additional payments for split shifts and excessive spread of hours, suitable wages for learners and apprentices which may be less than those specified in section 9(a), regulations governing piece-rates, bonus and commission payments, reporting time payments, travel expenses, uniforms, and tools, and other standards as the conference deems necessary to carry out the purposes of this Act. If the Board approves any recommendations contained in any report from any conference, it shall publish a notice in a newspaper of general circulation printed in the District of Columbia, containing a summary of the recommendations of the conference and stating that it will, on a date not less than three weeks from the date of publication of the notice, hold a public hearing at which all persons in favor of or opposed to such recommendations will be heard. After such hearing, the Board may, in its discretion, make and render such an order as may be proper or necessary to adopt such recommendations and carry them into effect. Such order shall become effective thirty days after it is made. "(g) The Board may exempt any occupation or employer from the minimum wage and overtime provisions of subsections (a) and (c) or establish a minimum wage rate or overtime rate lower than the applicable rate specified in subsections (a) and (c) for such occupation for employer, where it determines, after considering such factors as the wages generally paid in the Washington metropolitan area by like or comparable employers and in like or comparable occupations, that such occupation or employer would suffer extreme economic hardship if such provisions were applied to it or persons otherwise unemployable would become unemployed because of the provisions of this Act. An application for the establishment of such a minimum wage or overtime rate or such an exemption may be filed (in such manner, and setting forth such information, as the Board may by regulation prescribe) on or after the date of the enactment of this subsection.

"(h) Nothing in this Act shall be construed so as to authorize the Board to establish a minimum weekly wage which would require an employer to pay an employee in any week an amount greater than the amount such employer would have to pay such employee under this section for the hours worked in such week."

(d) Section 10 of such Act (D.C. Code, § 36–409) is amended in the first paragraph—

(1) by striking out "women workers" and inserting in lieu thereof "employees, except those who are minors,";

(2) by striking out "supply them with the necessary cost of living and maintain them in health and protect their morals" and inserting in lieu thereof "provide them with adequate maintenance to protect their health"; and

(3) by striking out "of not more than three disinterested persons representing the public, and one or more members of the Board" and inserting in lieu thereof "and of not more than three persons representing the public. One or more members of the Board

may serve on the conference in an ex officio nonvoting capacity".

(e) Section 11 of such Act (D.C. Code § 36–410) is amended to read as follows:

"SEC. 11. After completing its consideration of and inquiry into the subject submitted to it by the Board, the conference shall make and transmit to the Board a report containing its findings and recommendations on such subject, including, but not limited to: (1) recommendations as to standards of minimum wages and overtime compensation for employees, except those who are minors, in the occupation under inquiry, taking into consideration the amount of wages sufficient to provide adequate maintenance and to protect health, the fair and reasonable value of the work performed, and the wages generally paid in the Washington metropolitan area for work of like or comparable character, except that the minimum wages and overtime compensation recommended shall not be less than either the rates prescribed by section 9(a) and 9(c) or the rates prescribed in the minimum wage order then applicable to such occupation; (2) recommendations as to minimum piece rates as well as minimum time rates and other standards which are necessary to provide adequate maintenance for such employees of average ordinary ability if any substantial number of such employees are being paid by piece rates as distinguished from time rates; (3) recommendations as to suitable minimum wages for learners and apprentices in such occupation where it appears proper or necessary and as to the maximum length of time any such employee may be kept at such wages as a learner or apprentice, which wages shall be less than the minimum wages recommended for other employees in such occupation; (4) recommendations as to additional payment for split shifts and excessive spread of hours, regulations governing bonus and commission payments, reporting time payments, and uniforms, tools, travel expenses, and other items of expense incurred by employees as a condition of employment; (5) recommendations as to allowances permitted for meals and lodging and for gratuities if such occupation is an occupation in which gratuities have customarily and usually constituted and have been recognized as a part of the remuneration for hiring purposes; and (6) recommendations as to other standards which the conference may deem appropriate to carry out the purposes of this Act or necessary to prevent the circumvention or evasion thereof and to safeguard the minimum wage and overtime provisions thereby established.

(f) Section 12 of such Act (D.C. Code, § 36–411) is amended—

(1) in the first sentence of the third paragraph, by inserting ", including such provisions as the Board may consider appropriate," immediately after "into effect";

(2) in the last sentence of the third paragraph, by striking out "woman worker" and inserting in lieu thereof "employee"; and

(3) by striking out the fourth paragraph and inserting in lieu thereof "The Board shall, as far as is practicable, mail a summary of such order to every employer affected thereby.".

(g) Section 14 of such Act (D.C. Code, § 36–413) is amended by inserting in the first sentence immediately before the period ", without regard to the provisions of section 9(a)".

(h) Section 13 of such Act (D.C. Code, § 36–412) is amended by striking out "to a woman" and inserting in lieu thereof "for an employee, except one who is a minor,"; and by striking out "her employment" and inserting in lieu thereof "employment of such employee".

(i) Section 16 of such Act (D.C. Code § 36–415) is amended by striking out ", and shall report to the corporation counsel of the District of Columbia all violations of this Act".

(j) Such Act is amended by redesignating section 23 as section 25 and inserting after section 22 the following new sections:

"SEC. 23. Nothing in this Act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work in excess of the standards applicable under the provisions of this Act.

"SEC. 24. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of this Act and the application thereof to other persons or circumstances shall not be affected thereby."

(k) The section of such Act redesignated by subsection (j) of this section as section 25 is amended by striking out "the women and minors of the District" and inserting in lieu thereof "employees in the District of Columbia", and by striking out "and morals".

SEC. 3. (a) Section 4 of the District of Columbia minimum-wage law (D.C. Code, § 36–404) is amended by striking out "United States District Court for the District of Columbia" and inserting in lieu thereof "District of Columbia Court of General Sessions".

(b) Section 17 of such Act (D.C. Code, § 36–416) is amended by striking out "United States District Court for the District of Columbia" and inserting in lieu thereof "District of Columbia Court of Appeals".

(c) Section 21 of such Act (D.C. Code, § 36–420) is amended by striking out "Municipal Court for the District of Columbia" and inserting in lieu thereof "District of Columbia Court of General Sessions".

SEC. 4. Section 11–742(a) of the District of Columbia Code is amended—

(1) by striking out "and" at the end of paragraph (9);

(2) by striking out the period at the end of paragraph (10) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following new paragraph:

"(11) any decision or order of the Minimum Wage and Industrial Safety Board made under the District of Columbia minimum-wage law, but only with respect to rulings or holdings on questions of law included or embodied in any such decision or order."

SEC. 5. Section 18 of such Act (D.C. Code, § 36–417) is amended—

(1) by inserting "or any minimum-wage order or regulation issued thereunder," immediately after "whoever violates this Act";

(2) by striking out "not less than $25 nor more than $100" and inserting in lieu thereof "not more than $300"; and

(3) by striking out "not less than ten days nor more than three months" and inserting in lieu thereof "not more than ninety days".

SEC. 6. Section 22 of such Act (D.C. Code, § 36–421) is amended to read as follows:

"SEC. 22. (a) If any employee is paid by his employer less than the wages to which he is entitled under this Act or any order issued thereunder, he may recover in a civil action the full amount of such wages, less any amount actually paid him by the employer, together with such reasonable attorney's fee as may be allowed by the court. Any agreement for such employee to work for less than the wages to which he is entitled under this Act or any order issued thereunder shall be no defense to such action.

"(b) The Board is authorized to supervise the payment of the unpaid wages due any employee under this Act or any order issued thereunder, and the agreement of any employee to accept such payment shall upon payment in full constitute a waiver by such employee of any right he may have under subsection (a) of this section."

SEC. 7. Any judicial or administrative proceeding initiated under the District of Columbia minimum-wage law before the effective date of this Act shall proceed to its conclusion without regard to the amendments made by this Act.

SEC. 8. No amendments made by this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by amendments made by this Act in any office or agency created by such Board under such plan shall be deemed to have been vested in such Board and may be delegated by such Board in accordance with section 3 of such plan.

SEC. 9. (a) Except as otherwise provided in this section, the amendments made by this Act shall become effective one hundred and eighty days after the date of its enactment, except that the authority to promulgate necessary regulations or orders with regard to amendments made by this Act may be exercised by the Board on or after the date of enactment of this Act.

(b) In the case of an occupation or employer for which an application for an exemption or special minimum wage or overtime rate was filed under section 9(h) of the District of Columbia minimum wage law within ninety days after the date of enactment of this Act, the provisions of sections 9(a) and 9(d) of such law shall not apply until the Board acts on such application.

GENERAL LEAVE TO EXTEND

Mr. MULTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on this bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The Clerk will report the first committee amendment.

The Clerk read as follows:

1. Page 2, after line 18, insert the following: "*Provided*, That any woman or minor who (1) is employed in any occupation which is covered by a minimum wage order in effect on the date immediately prior to the effective date of the amendments made by the District of Columbia Minimum Wage Amendments Act of 1965, and (2) is not covered by this Act because of subparagraph (A) or (B) of this paragraph, shall continue to be covered by such minimum wage order, and such minimum wage order shall be enforced and revised with respect to such woman or minor in accordance with procedures set forth in the amendments made by the District of Columbia Minimum Wage Amendments Act of 1965."

SUMMARY OF BILL'S MAJOR PROVISIONS

Mr. MULTER. Mr. Speaker:

First. The bill extends the coverage of present law to men (women and minors only are now covered), effective 180 days after the approval of this legislation.

Second. The bill increases minimum wages now in effect ($1.05 to $1.15) to not less than $1.15 an hour effective 180 days from the date of approval of the act, and to not less than $1.25 an hour on September 3, 1966, in occupations now covered by minimum wage orders.

In occupations not so covered, employees will receive not less than $1 an hour effective 180 days from the date of approval on this act, $1.15 an hour on September 3, 1966, and $1.25 an hour on September 3, 1967.

Third. The above rates include the fair value to the employee of board, lodging, apparel, or other facilities or services customarily furnished by the employer, and also the reasonable value of gratuities received by the employee in occupations in which gratuities are recognized as part of the remuneration for hiring.

Fourth. The bill establishes a workweek of 42 hours, effective 180 days from the date of approval of this act, and 40 hours beginning September 3, 1966.

Fifth. Compensation for overtime is fixed at 1½ times the regular rate for employment in excess of the hours indicated.

Sixth. The bill amends present law to permit the Board to call a wage conference if wages are not adequate to provide maintenance which will protect the health of the employees.

Seventh. Also included is the usual collective bargaining provision to assure to employees their right to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work in excess of the standards applicable under the act.

Eighth. Issuance of subpenas for attendance at public hearings by the Board, and prosecutions for violations of the act, are lodged in the District of Columbia court of general sessions. Appeals from Board decisions and judicial review of questions of law are lodged in the District of Columbia Court of Appeals.

OTHER PROVISIONS: WHAT WAGES INCLUDE

"Wages" is defined by the bill as compensation due an employee by reason of his employment, payable in legal tender of the United States or by checks on banks convertible into cash on demand at full face value and such term shall include the fair value to the employee of board, lodging, apparel, or other facilities or services customarily furnished by the employer to the employee. It also includes the reasonable value of gratuities received by the employee if such employee is employed in an occupation in which gratuities have customarily and usually constituted, and have been recognized as, part of the remuneration for hiring purposes. The Board is authorized to determine (A) the fair value of such board, lodging, apparel, or other facilities or services for defined classes of employees taking into account the average cost to the employer or to groups of employers similarly situated, and (B) the fair value of gratuities for defined classes of employees in such occupations.

The bill also contains strong administrative provisions, including provisions for the revision of minimum wage orders, enforcement, subpena powers, effective penalties, and machinery to assist workers in collecting unpaid minimum wages. It also provides for certain types of adjustments in wages, such as provisions for apprentices, learners, handicapped workers, students, and the making of regulations relating to various kinds of allowances.

EXISTING DISTRICT OF COLUMBIA MINIMUM WAGE ORDERS

Minimum wage orders covering women and minors are presently in effect in Washington in the following classifications or occupations:

Retail trade—Order No. 3.

Laundry and drycleaning—Order No. 5.

Beauty culture—Order No. 6.

Manufacturing and wholesaling—Order No. 8.

Clerical and semitechnical—Order No. 9.

Hotel, restaurant, and allied—Order No. 10.

Building service—Order No. 11.

These are set forth in full in the appendix to the hearings. Minimum wage hearings, before Subcommittee No. 3 of the House District of Columbia Committee, on H.R. 648 and H.R. 6494, March 18, 24, 25, and 31, 1965, 89th Congress, 1st session.

EFFECT ON MINIMUM WAGE ORDER NO. 10—HOTEL, RESTAURANT, AND ALLIED OCCUPATIONS

As to Minimum Wage Order No. 10, which became effective on August 15, 1964, the bill directs that it remain in full force and effect—modified to include men as well as women—until August 15, 1967, when the minimum rate of not less than $1.15 per hour becomes effective. On the same date, the overtime wage rate will be established by the Board, by wage conference procedure and public hearing, for employees in the occupations covered by the order. On August 15, 1968, the minimum rate of $1.25 an hour becomes effective as to such employees.

Considerable testimony was offered by representatives on behalf of the hotel and restaurant industries in the District of Columbia in support of the inclusion in "wages" of allowances for meals, lodging, and apparel, as well as a reasonable value of gratuities received by employees, all of which the bill as reported provides. Also, they supported the escalation clause, which the bill provides, making the minimum wage rates effective in steps, rather than in one fell swoop.

Opposition was expressed, however, to the overtime provisions—time and one-half for hours in excess of the maximum hour week—in view of the fact that the hotel and restaurant industries operate on a 7-day-a-week basis. After prolonged discussion, the subcommittee agreed to the language in the bill as reported, providing—in lieu of the application of the overtime provisions of the bill to occupations covered by wage order No. 10—that effective on August 15, 1967, the Board shall establish by wage conference procedure and public hearing the overtime wage rates for the employees covered by such order. Your committee concurs in this action and believes it to be a fair solution of the problem in view of the unique requirements of the hotel and restaurant industries.

PRESENT BOARD RETAINED

The reported bill does not disturb the existing Minimum Wage and Industrial Safety Board of three members, appointed by the District of Columbia Board of Commissioners, of whom one is public, one for employees, and one for employers, which in turn appoints a conference of nine members, three each for the public, employees, and employers, to hold hearings, establish minimum wages, and promulgate wage orders for various occupations.

The Commissioners of the District of Columbia had requested an amendment vesting in them, rather than in the Board, the authority to administer the act, but with authority to delegate the functions to be performed thereunder. However, your committee concurred in the action of the subcommittee which considered the bill, which overwhelmingly voted to retain the Board and procedures thereof as now existing.

ESCALATION OF WAGES AND HOURS

Emulating the 1961 amendments to the Fair Labor Standards Act referred to, your committee, in broadening the coverage of the District of Columbia minimum wage law to include men, has adopted the escalation method to reach the $1.25 minimum rate. This means a two-step increase—to $1.15 within 180 days of approval of the act, and to $1.25 by September 3, 1966—for occupations presently covered by minimum wage orders. It means a three-step increase—to $1 within 180 days to $1.15 by September 3, 1966, and to $1.25 by September 1967—for occupations not now covered.

Likewise, the workweek is reached in two steps: 42 hours within 180 days of the act's approval, and 40 hours on September 3, 1966.

The escalation method of putting into effect new wage minimums has been utilized successfully, your committee is advised, in State and Federal laws and in the establishment of minimum wages in the District of Columbia. On four different occasions the District of Columbia Minimum Wage and Industrial Safety Board has used this method effectively to reduce the economic shock of reaching the minimum rate in one step. Your committee believes that the proposed method of establishing the ultimate minimum wage rate and ultimate maximum hours of work after which overtime compensation will be paid allows time for industries to accommodate themselves to the impact of an increase in the minimum wage and overtime compensation. In addition to the escalation process as suggested by the Commissioners and approved by your committee, the bill will not become effective until 6 months after its enactment.

CONCLUSION

The bill, as reported, is the result of public hearings commenced by Subcommittee No. 3 of your committee, on December 11, 1963, in the 88th Congress, and continued more extensively in this Congress on March 18, 24, 25, and 31, 1965. Many witnesses, in addition to the Commissioners, appeared or submitted statements, supporting the proposed legislation in toto, or urged its enlargement, or proposed various amendments, many of which were adopted, some of which were rejected. Few witnesses opposed the legislation in its entirety.

Many serious and prolonged sessions of the subcommittee were held, both in the last Congress and in the present Congress, to iron out different opinions present and bring forward legislation which would assure the widest support from the committee, and at the same time meet, to the maximum extent possible, the conditions for which the bill is designed to control. I feel that the reported bill achieves these objectives. While the bill does not extend as far as the Commissioners and others recommended, as is true of most important legislation, it is the compromise measure and represents the considered judgment of members of your committee.

Your committee recommends it to the favorable consideration of the House.

Mr. Speaker, I cannot forego the opportunity to pay especial thanks to the gentleman from New York [Mr. HORTON], first, for the nice things he has said about me and, second, for the fine cooperation he has extended to me and to the committee in bringing about the enactment of this important and progressive amendment to existing law. The bill does not go as far as either of us would like, but it is a tremendous step in that direction. All of the members of the subcommittee and of the full committee are to be commended for their fine cooperation.

Mr. HORTON. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I want to take this opportunity to express to the gentleman from New York [Mr. MULTER] the feeling of gratitude I have for the manner in which he handled this bill as the chairman of the subcommittee.

Mr. Speaker, the Members of the House should know that this matter of the minimum wage for the employees in the District of Columbia has represented a very complicated problem. At all times the gentleman from New York and other members of the subcommittee endeavored to work out a program which would provide a minimum wage for all employees of the District of Columbia and at the same time provide a minimum wage with the least disruption to the employers in this area, recognizing that there were many problems.

I might say also that the gentleman from New York [Mr. MULTER] was very understanding and tolerant of all views expressed, and gave each member of the subcommittee ample opportunity to express his views. The gentleman from New York was as disappointed as I was at the end of the 88th Congress when we were not able to resolve this matter. But the subcommittee met at the begining of the 89th Congress, and I think we have a bill before us today that works for the benefit of the employees of the District of Columbia, and also for the benefit of the employer.

This is a compromise between two conflicting views. At the same time it is a bill which will ultimately bring all of the employees of the District under a fair minimum wage and will provide employers an opportunity to make necessary adjustments so that the minimum wage of $1.25 an hour can be in effect in about 2 years' time. I should also point out that in addition to bringing coverage to the men who are not now under the minimum wage law, this bill will bring in groups of employees of the District not now covered by the Federal minimum wage law.

This, again, I think is to the credit of the chairman of our subcommittee and his desire to hear all sides of this problem so that we could work out a compromise which will bring the hotel workers and employees of restaurants in the District of Columbia under this bill.

I take this opportunity again to commend the gentleman from New York [Mr. MULTER], and the other members of the subcommittee, for the work that was necessary to bring this bill to the floor.

Mr. Speaker, I also think it should be brought out in the legislative history of this measure that we are adding the District of Columbia to the company of 34 States which now have minimum wage statutes. In these jurisdictions, we find every evidence that a floor on wages of the type now pending before us makes a material contribution to the improvement of employee working conditions and strengthens the fabric of labor-management relations.

For the information of my colleagues and other serious students of minimum wage legislation, I am including with my remarks at this point in the RECORD a table of statistics which I hope will be useful in comparing the design of this legislation to the conditions found in other areas of our Nation:

PRECEDENTS: MINIMUM WAGE LEGISLATION IN STATES

There are 34 States, plus the District of Columbia and Puerto Rico, in which minimum wage laws are in effect at this time.

The following table indicates how the rates are set and the coverage:

State	Rates set by—		Coverage
	Statute	Wage orders	
Alaska	X	X	All employees.
Arizona		X	Women and minors.
Arkansas	X		Females.
California		X	Women and minors.
Colorado		X	Do.
Connecticut	X	X	All employees.
District of Columbia.		X	Women and minors.
Hawaii	X		All employees.
Idaho	X		Do.
Illinois		X	Women and minors.
Kansas		X	Do.
Kentucky		X	Do.
Louisiana		X	Females.
Maine	X		All employees.
Massachusetts	X	X	Do.
Michigan	X	X	Men and women.
Minnesota		X	Women and minors.
Nevada	X		Females.
New Hampshire	X	X	All employees.
New Jersey		X	Women and minors.
New Mexico	X		All employees.
New York	X	X	Do.
North Carolina	X		Do.
North Dakota		X	Women and minors.
Ohio		X	Do.
Oklahoma		X	Females.
Oregon		X	Women and minors.
Pennsylvania	X	X	All employees.
Puerto Rico	X	X	Do.
Rhode Island	X	X	Do.
South Dakota	X		Females.
Utah		X	Women and minors.
Vermont	X	X	All employees.
Washington	X	X	Do.
Wisconsin		X	Women and minors.
Wyoming	X		Men and women.

NOTE.—Of the 34 States in which minimum wage laws or orders are in effect, coverage in 16 of them includes men and women.

Source: Women's Bureau, U.S. Department of Labor.

Mr. Speaker, I also would like to point out that H.R. 8126 provides exemptions from coverage in the following areas:

First, hardship cases: The Board may exempt any occupation or employer from minimum wage and overtime provisions, or establish lower rates therefor, where the Board, considering factors such as wages paid in the Washington metropolitan area by like or comparable employers in like or comparable occupations, determines that such occupation or employer would suffer extreme economic hardship by the application of such provisions, or that persons otherwise unemployable would become unemployed.

Second, impairment of earning capacity: The Board may issue special licenses for payment of less than minimum-time rate wages to employees, other than minors, whose earning capacity has been impaired by age or otherwise.

Third, household, medical, educational, and nonprofit employees: The bill exempts from coverage any person employed in domestic service in or about a private home, in or about a public or private nursing home for the aged or for the infirm, in or about a hospital of whatever kind and character, public or private, or in an eleemosynary institution; and any person engaged or employed, whether on a voluntary basis or otherwise, in the activities of an educational, charitable, religious, or nonprofit organization.

However, any women or minors employed in the above occupations if already covered by an existing wage order will continue to be covered thereby.

Fourth, executive, administrative, professional employees and salesmen: The bill exempts from the minimum wage and overtime provisions employees employed in executive, administrative, or professional capacity, as outside and commission salesmen, or home delivery of newspapers.

Fifth, seamen, railroad employees, car wash employees; employees in hotels, restaurants, and allied occupations; and employee attendants at parking lots and parking garages: Such employees are exempt from the overtime provisions of the bill.

Sixth, employees earning in excess of 1½ times the minimum rate: Exempt from the overtime provisions are employees whose compensation for a 4-week period—if paid weekly—or for a month (if paid monthly or semimonthly) is in excess of 1½ times the minimum hourly rates. Automobile mechanics typify such classes of employees.

Mr. BROYHILL of Virginia. Mr. Speaker, the Committee on the District of Columbia has considered the enactment of a minimum wage law for the District of Columbia for several years. Careful study and attention was given such proposals by Mr. MULTER'S subcommittee and, in fact, by members of the entire committee during the last session of Congress and also during the last several months of this Congress.

Thirty-four States do have provision for minimum wage laws or orders in effect at this time In 15 States the coverage is for both men and women, while in the remaining number it is only applicable to females. The hourly wages in the States that cover both men and women range from a low of 75 cents in Wyoming to a high of $1.75 in Alaska. Most of the States are in the $1 to $1.25 range. Each year another State or two join the list of those having such legislation, so it seems entirely reasonable that at this time we should provide for coverage of all workers in the District of Columbia.

In my judgment the House adopted a bill on the committee's recommendation which will benefit many workers and, at the same time, impose a minimum of hardship on employers.

We all know that a great proportion of employment in this city is at a rate of more than $1.25 an hour which is the figure this bill prescribes to begin with, but a study made by the Department of Labor demonstrates that there are some situations where a lower rate is paid and there are many who believe that the health and well being of these underpaid people is threatened by their low wages. The District has had a minimum wage law covering women and minors since 1918, and the orders currently effective applicable to women are generally approximately at the $1.25 level. We think we are quite sound in saying that minimum wage provisions should also be applied to men.

In preparing this bill for House consideration, our committee nevertheless wanted to develop language which would accomplish the desired purpose but be as harmless as possible to the employers of the District. We developed language which does not impose undue costs on employers in the District in comparison with those in nearby Maryland and Virginia.

The committee was cognizant of the fact that Federal law is applicable to most employment in the District as it is in other jurisdictions, and agreed that a District law should, as far as possible, conform in most respects to the provisions of Federal law. The bill which has been adopted includes provisions which reasonably correspond with provisions of law and regulations adopted after careful consideration in the Federal act. To be sure, there will be coverage of some employees in some type of establishments currently excluded under the Federal act. Each session of Congress sees some extension of the Federal Code and I think we can all agree that it is but a matter of a short time when the wage and hour law will be pretty generally applicable to almost all employment.

I believe we have prepared a good law which will serve a useful purpose in the District without being a burden to anyone.

Mr. SICKLES. Mr. Speaker, the purpose of the bill H.R. 8126 is to amend the existing District of Columbia minimum wage law for women and minors, approved September 19, 1918, as amended—40 statutes at large, page 960, District of Columbia Code, title 36, section 401–422—and extend its coverage to include men.

The bill would increase current minimum wage coverage for persons employed in the District from about 85,000 women and minors, to about 250,000 men, women, and minors. The occupations covered are shown in the following tabulation:

Coverage of H.R. 8126 by industry

	Number of employees covered
Total	251,212
Retail trade	45,926
Laundry, drycleaning	6,012
Beauty culture	3,076
Manufacturing, wholesaling	40,174
Hotels, restaurants, etc	28,034
Construction	23,700
Finance, insurance, and real estate	28,044
Personal services (excluding laundry, drycleaning, beauty culture)	509
Miscellaneous business services	12,662
Auto repairs, garages, etc	2,862
Miscellaneous repairs	1,611
Transportation, communication, utilities	23,977
Amusement and recreation services	3,476
Medical and other health services	4,092
Legal services	3,756
Educational services	6,699
Miscellaneous services	7,469
Nonprofit organizations	9,133

Sources: (*a*) District Unemployment Compensation Board annual report, 1963; (*b*) 1960 Census of Population; (*c*) Estimates by Minimum Wage and Industrial Safety Board.

NECESSITY FOR LEGISLATION

The Commissioners of the District of Columbia recommended the adoption of amendments to the present minimum wage law, and testified that present social and economic conditions in the District require that persons employed in private industry be paid wages sufficient to provide them with adequate maintenance and to protect their health; that a minimum wage law covering the great majority of the workers in the District and providing adequate rates is, in the view of the Commissioners, necessary to the public welfare; and, that employment at insufficient wages curbs the economic growth of the area, threatens the health and well-being of the people, results in large public relief expenditures, and demands the use of the police power to protect individuals and the overall economy. Finally, the Commissioners declared that the underpayment of workers leads to deterioration of their families, as well as of themselves; promotes the spread of slums; and increases disease and crime, and that these conditions, in the opinion of the Commissioners, inevitably result in increased expenditures for police and health protection and for public welfare. Your committee concurs in the overall purposes of this legislation and urges the adoption of the bill.

EMPLOYEES IN THE DISTRICT OF COLUMBIA COVERED BY FEDERAL FAIR LABOR STANDARDS ACT AND BY THE DISTRICT OF COLUMBIA MININUM WAGE LAW

The Fair Labor Standards Act of 1938—29 U.S.C. 201–219—which applies to all the States and to the District of Columbia, of course, covers employers and employees engaged in or producing goods for interstate commerce, or in occupations closely related and directly essential to such production, except where a specific exemption applies. Amendments to this act in 1961 added to these employees the following groups: Employees in retail and service, local transit or other enterprises with gross annual volume of sales of at least $1 million; employees in construction enterprises doing a gross annual business of at least $250,000; and employees of gasoline service stations which have gross annual volume of sales of at least $250,000.

Hence, beginning September 3, 1965, an estimated 151,500 employees in the District of Columbia will be getting at least $1.25 an hour for a 40-hour workweek under the Federal act.

The reported bill for the District of Columbia, providing an ultimate minimum wage of $1.25 per hour and a 40-hour workweek after which overtime compensation is required to be paid, matches the minimum wage and maximum workweek which will be established by the Fair Labor Standards Act beginning September 3, 1965.

The 251,000 employees covered by H.R. 8126, added to the 151,500 employees already covered by the Federal act, will make a total of 402,500 employees in private industry in the District of Columbia who will receive the minimum wage and maximum hour benefits referred to.

The committee amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

One page 8, line 8, strike out "or".

The committee amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 8, line 12, strike out the period and insert in lieu thereof "; or".

The committee amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 8, immediately after line 12, insert the following new subparagraph:

"(E) any employee employed as an attendant at a parking lot or parking garage."

The committee amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 15, strike out lines 20, 21, and 22, and insert in lieu thereof: "by inserting 'including such provisions as the Board may consider appropriate,' immediately after 'into effect,';".

The committee amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 18, strike out line 18 and insert in lieu thereof: "ever violates this Act,";".

The committee amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 20, line 17, strike out "(h)" and insert in lieu thereof "(g)".

The committee amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 20, line 20, strike out "(d)" and insert in lieu thereof "(c)".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 425, and ask for its immediate consideration.

The Clerk read as follows:

H. Res. 425

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7984) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed six hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Florida [Mr. PEPPER] is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, before yielding to the distinguished gentleman from Illinois [Mr. ANDERSON], I would like to announce that by inadvertence on page 2 of the rule the Committee on Public Works was named in lieu of the Committee on Banking and Currency. Therefore, at the conclusion of the debate on this rule, I shall offer the following amendment:

On page 2, line 1, strike out "Committee on Public Works" and insert "Committee on Banking and Currency."

Mr. Speaker, I yield to the distinguished gentleman from Illinois [Mr. ANDERSON] 30 minutes and myself such time as I shall consume on this rule.

Mr. Speaker, House Resolution 425 provides for the consideration of H.R. 7984, a bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities. The resolution provides an open rule with 6 hours of general debate and waives points of order.

Prompt action on H.R. 7984, the housing and urban development bill, is urgently needed because this bill provides additional authorizations and extensions of authority for most of our programs in this field and a number of those programs have reached or are close to the limits in existing law. These include the entire program of FHA mortgage insurance, urban renewal, public housing, the college dormitory program and farm housing. For years the Congress has sought to achieve as much continuity in these programs as is consistent with congressional control and it is important that we act on this bill without further delay so that our cities, the home building and home financing industries, our universities, and others can make their plans for the future.

This bill is necessarily lengthy and complex because the problems with which it deals are serious and involve the welfare of many millions of our citizens, the future development of our towns and cities, the health of our economy, and a number of specialized problems such as the housing conditions of the elderly. I will give only a brief summary of the bill and leave the more detailed explanation for the extended general debate provided by the rule.

Title I of the bill covers most of the new and existing programs aimed directly at the housing problems of lowest income families. The first section embodies President Johnson's proposal for rent supplments to help poor families to obtain decent housing. In addition to being low income, the families eligible would be those displaced by Government action, the elderly and handicapped, and those now living in slum housing. The housing would be rental and cooperative housing financed under the FHA program and sponsored by private nonprofit or limited dividend corporations or cooperatives. The supplement would be the difference between one-fourth of the occupant's income, which he would pay as rent in the normal way, and the full market rental for the unit. The housing would be privately built, privately financed, and privately owned, with the Federal assistance confined only to that margin of aid needed to enable eligible poor families to live there.

Mr. Speaker, this is clearly the most controversial provision of this bill and I know it will be discussed at length during the general debate so I will not go into any further detail at this point.

The second section of the bill would extend for years the increasingly successful FHA program of below-market interest financing for rental and cooperative housing for families of modest incomes. It would also put a ceiling of 3 percent on the interest rate of these loans which would otherwise go to 4 percent on June 30. Sections 103 and 104 would continue the low rent public housing program for 4 years at an annual rate of 60,000 units a year and provide flexibility in the formula so that local housing authorities can use existing privately owned units as well as new construction. The next section of the bill would extend the program of low-interest direct loans for housing for the elderly created in 1959 and limit the interest rate under that program to 3 percent. Finally this title would provide a very promising new authority under the urban renewal program for grants up to $1,500 for lowest income homeowners in urban renewal areas to enable them to bring their homes up to code requirements and thereby avoid eviction. This will be an important step toward achieving the goal we have long sought of encouraging rehabilitation of run-down areas where possible and will avoid the personal tragedy of putting people out of their homes and at the same time avoid the public cost of relocation payments and other aid now provided for the displaced.

Title II of the bill covers FHA operations and has three main provisions. First, it would extend all FHA insurance programs for an additional 4 years. Unless we act on this bill FHA will be out of business after September 30 of this year. In addition, title II would authorize a new program of FHA mortgage financing to help finance land acquisition and development for subdivisions. This provision is not as broad as the original administration proposal which would have included the development of entire new communities but that was taken out of the bill by the committee. The third main provision of title II would for the first time permit no downpayment loans for veterans under the FHA insurance programs.

Title III would continue the urban renewal program for 4 years at an annual rate of $700 million. In addition, it would tighten the urban renewal program requirements to minimize relocation hardships and encourage more efficient program operation. It would continue the 3-percent rehabilitation loan program authorized in the Housing Act of 1964 for 4 years, and would provide a new program of lease guarantees for small business concerns displaced by urban renewal projects.

Title IV—compensation of condemnees—would provide a new feature designed to protect displaced homeowners and businesses. It would do this through increased relocation payments and also by assuring owners a prompt and substantial payment for their properties pending final court settlement.

Title V would continue the very successful college housing program. It would increase the authorization for college housing loans by $300 million a year over each of the next 4 years and would establish a maximum interest rate of 3 percent.

Title VI of the bill would offer new aid for local community facilities. It would authorize Federal grants to meet one of the most urgent problems facing our towns and cities today, that of adequate and safe water supply. The grants could cover up to 50 percent of the cost of providing basic water and sewer facilities and would be available to towns and cities of all sizes. Another section of this title would provide a new program of grants covering two-thirds of the cost of needed community centers to serve the social and recreational needs of the poorer sections of our cities, and the bill provides a priority for projects undertaken in connection with the Economic Opportunity Act of 1964.

Title VII would increase the mortgage purchasing authority of the Federal National Mortgage Association special assistance program by a total of $1.6 billion over the next 4 years. This money is needed to continue the FHA below-market interest rate program for low- and moderate-income families.

Title VIII of the bill would amend the open space land program to liberalize the grants in existing law and to make the aid available in built-up areas. It would also provide assistance to towns and cities which increase their efforts in the field of urban beautification.

Title IX would extend our housing programs in rural areas for 4 years and would add an insured home loan program to make liberal financing available in very small towns and farm areas which cannot be fully served by regular private mortgage lenders.

The last title of the bill, title X, includes a number of miscellaneous provisions, the most important of which are 4-year extensions of the existing urban planning grant program and the public works planning advance program.

Mr. Speaker, as I said before, any delay in acting on this bill would be damaging to our housing programs. I believe the rule is noncontroversial; it had bipartisan support in the hearings before our committee, even from those who are critical of some of the provisions in the bill. I urge the House to approve it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I gladly yield to my distinguished friend from Iowa.

Mr. GROSS. The gentleman has given us quite a rundown on the bill, but I do not believe he stated why the rule provides for waiving points of order. Could the gentleman tell us why the rule would waive points of order?

Mr. PEPPER. That matter came up in the Rules Committee. Those who presented the application for the rule to the committee felt that technical questions might arise which would make it appropriate to provide in the rule for the waiver of points of order.

In a complex bill like this, which affects many provisions of existing law and has many ramifications, it was felt that full and fair consideration of the bill and the whole subject matter thereof by the House would require or make desirable the provision in the rule for waiving points of order, which, as the able gentleman knows, is not an unusual provision for a rule to contain. However, the able gentleman also knows 6 hours of debate are allowed in this rule, and it is an open rule. Therefore, the House will have ample opportunity for thorough debate on the measure.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. PEPPER. Yes. I yield to the able gentleman.

Mr. GROSS. I suppose there are technical questions concerning almost any bill brought on the floor of the House. I still await some kind of bill of particulars as to why all points of order were waived or will be waived by the adoption of this rule. Has it just become fashionable for the Committee on Rules to bring out rules waiving all points of order? Is that the story?

Mr. PEPPER. I will say to the able gentleman that when the Committee on Rules is requested to provide in the rule for the waiving of points of order, it always gives pause to the committee in the consideration of the matter. The committee never does it without deliberating on it and raising the very question that the able gentleman raised as to whether or not it is desirable for the rule to provide for waiver of points of order. I will say, as Mr. Justice Holmes said, "Everything from the 12 tables down to the present is a matter of degree." In this particular case the Rules Committee thought the provision for the waiver of points of order was appropriate to the subject matter.

Now, Mr. Speaker, I yield to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker and Members of the House, to continue just for a moment or two the colloquy which has just taken place between the gentleman from Iowa [Mr. GROSS] and my distinguished colleague from the Committee on Rules, the gentleman from Florida [Mr. PEPPER], I would share with the gentleman from Iowa the feeling that there is an unfortunate growing tendency on the part of those who appear before the Committee on Rules to ask for waivers of points of order almost as a matter of course, whether or not it can really be demonstrated to the satisfaction of the committee that this is truly necessary. I think the gentleman performed a service here today in pointing out that we ought to be prepared, unless there is very good cause shown to the contrary, to be willing to abide by the rules of the House and not to resort to this frequent practice of the waiving of points of order.

Mr. Speaker, Members of the House will recall that last year we had before this body a bill which was referred to as a barebones housing bill. I am sure no one in this Chamber today, least of all the members of the Committee on Banking and Currency, who have studied this legislation, would suggest that we are today considering anything in the nature of a barebones legislative package. This is far from that. I have not been able to determine, even after several days of hearings in the Committee on Rules, how much this is going to cost the taxpayers. Some people have put a price tag of $6 billion on it. Someone else said $7 billion. There are those who are going to point out during general debate, I am sure, that under one section alone, section 101, the eventual cost to the taxpayers could be $8 billion. There are others who will point out—I think, under section 104, the public housing section, of this bill—the eventual cost may run to $7 billion.

Be that as it may, I think the point can be amply substantiated that this is a multibillion-dollar bill. Not only is it gigantic in cost, but it is a bill that is revolutionary in its philosophy which it espouses and the concepts it seeks to introduce into the field of housing legislation.

I do not know how many Members of the House, but maybe all of them, got the same little do-it-yourself kit that I got when this session of Congress opened in January, which was kindly provided to us from the Housing and Home Finance Agency, telling about all of the programs they had. I brought just a few, not all, of the pamphlets that they were thoughtful enough to include in this little packet: "FHA Mortgage Insurance for Urban Renewal," "FHA Home Mortgage Insurance," "Housing Loans for Major Home Improvements," "FHA's Rental Housing Program," "FHA and the Homebuying Servicemen," "FHA Mortgage Association for Condominiums," "FHA Assistance for Home Trade-Ins," "Mortgage Insurance for Rental and Cooperative Housing for Families of Low and Moderate Income," "Mortgage Insurance on Housing for the Elderly," and "FHA Financing for Home Purchases and Home Improvements."

I could go on and on and on with a list of problems that already exist in HHFA. And yet today, as the gentleman from Florida has pointed out, we are faced not only with extending for 4 years many of the well-known and familiar programs of that agency but starting some brandnew, very expensive programs as well.

This, of course, is a pretty good illustration of the legislative technique that has been used by this administration consistently in this session of Congress. If is the omnibus-bill tactic. It is the package approach. All the time they tell us, why, of course, all of these programs are functioning beautifully, they are doing fine for the elderly and for the servicemen and for rental housing and for all of these diverse groups. But despite all of the praise that is heaped on these programs, it is not quite enough. We have got to start something that is a little bit better, a little bit different and, of course, we are going to start very modestly, as we do in this rental supplement program with only $50 million a year authorization, but next year inexorably as the hand of time moves, the program is going to go up to $100 million, then $150 million, then $200 million.

And, as I think the gentleman from Michigan and others on the Committee on Banking and Currency can point out during the time we will have on general debate, this is just the beginning of a program that could literally lead to the subsidization of housing for millions and millions of American families.

According to the testimony of Mr. Ed Mendenhall, representing the National Association of Real Estate Boards, the administration's subsidy program for America's middle class will eventually include all families whose housing costs exceed 20 percent of the family income. According to the 1960 census figures, this would include at least 40 percent of our Nation's population.

In Mr. Mendenhall's words:

> The rent supplement program by reaching into the income levels even in excess of the median income of all families constitutes a gross misrepresentation of the capabilities of the American family to acquire adequate shelter through its own resources.

The 1960 census figures also tell us that 72 percent of the families who earn less than $4,000 a year, and 92 percent of families earning between $4,000 and $8,000 annually live in adequate housing. The administration's bill seems to be based on the mistaken premise that everyone, regardless of income and present conditions, is entitled to a new dwelling unit. The absurdity of such an undertaking is obvious. In the words of the gentleman from Wisconsin [Mr. REUSS]:

> We'll have rent supplements for everybody who does not live on Park Avenue.

I am not going to take the time to go through, as my friend from Florida has done in excellent fashion, all of the various authorizations that are contained in this bill that would be continued on new programs. But it reminds me pretty much of that old expression—something old, something new, something borrowed, something blue.

I think it is the taxpayers who are going to be singing the blues when they get to examining all of the provisions that are to be found in this bill. There is one that said it is going to promote the goals of the Great Society and as the majority report makes clear in connection with one of the new programs to finance the construction of community recreation and neighborhood centers, this bill is part of the poverty program; to carry out the poverty program.

We will have a bill, I can remind you, and perhaps I need not, another bill of close to $2 billion to carry out the poverty program a little bit later this week.

Over the weekend I noticed a speech that was delivered by a Mr. Donald Henderson who is the director of research, I believe, for the united planning organization, the group which coordinates the antipoverty program in the District of Columbia. I mention this because of the reference in the majority report to the fact that this bill is clearly necessary to implement the poverty program.

In his speech as reported, he is supposed to have said that this is necessary to coordinate the poverty program in the District of Columbia. He said that the war on poverty should be aimed at bringing about fundamental changes in the American social structure.

And one of the things that he went on to stress as being necessary to produce those changes is, "facing the inevitability of the welfare state."

Believe me, we not only face, we accept in this bill the inevitability of the introduction of the welfare state. This is nothing short of a Brannan plan for city dwellers, a Brannan plan where there will be compensatory payments to allow the renter to upgrade his housing without any effort on his part but at the expense of the American taxpayer.

No longer is the administration content to single out the lower class as the prime target in the war on poverty. Now it is supposedly a war crime to belong to the lower middle class. We have been led to believe that the war on poverty is an attempt to help the poor help themselves. This is a most commendable goal. Yet the reasoning behind the rent subsidy plan is a curious contradiction to this goal. The rent subsidy plan would extend Federal assistance to those who have managed to pull themselves up by their bootstraps and stand on their own feet. It provides for additional Federal aid where it is not really needed. In short, it is a crutch that is being offered to those who have just learned to walk. Its only possible effect will be to cripple for life those who have just overcome a major handicap. It does not offer a helping hand; it only imposes a lifelong brace.

Allow me to illustrate this point. A family in the $3,000-a-year income bracket—that's $250 a month—would pay $62.50 a month on a $100 apartment under the rent subsidy plan. The Government would pay the difference between 25 percent of the family's income and the cost of the apartment, or $37.50 a month. Should that family's income be raised to $300 a month, its own rent payment would be upped to $75 and the Government subsidy would drop to $25.

And if the family's income were raised to $400 a month, it would be forced to pay all of the rent. In other words, the family has no incentive to increase its income as long as it can live in the same accommodations earning $250 a month as it could earning $400.

Or if the family wished, it could move into a $200-a-month apartment and still receive a Government subsidy since the law only specifies that the standard housing should be suitable to the tenant's needs and desires as determined by the housing administrator.

It is called by some a social experiment. Well, I wonder if there is a single Member listening to me in this Chamber who thinks that this experiment, once started, will ever end.

Mr. Speaker, we have had public housing, I would remind you, since 1937. If my memory serves me correctly, we still have only about 540,000 public housing units, costing about $191 million, in fiscal 1964.

Under this proposal, in just 4 short years, not 25 years, you are going to have 500,000 subsidized units costing, as I have said previously, $200 million a year at least.

Mr. Speaker, this is one of those never-ending experiments that once begun is certainly not going to be discontinued.

You know, it was Arthur Krock, I think, who commented in an article, which I read not long ago, on this program which appeared in the New York Times on May 26, as follows, and I quote:

> The rent supplement plan is merely the latest, though the most extreme, expression of the political philosophy which would create an egalitarian socioeconomy, irrespective of individual merit, with subsidies financed by the ambitious, the industrious, and the worthy; the real issue is whether the Federal Union is to undergo its greatest transformation thus far into a collectivist state.

Those, Mr. Speaker, were the words of Arthur Krock.

So, Mr. Speaker, I beg the Members of this body to listen during the 2 or 3 days that we will be engaged in the debate on this bill because the decision you make on this section is going to have one of the most far-reaching effects that Members of this Congress have been asked to enact to date.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I am happy to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's comment and the beautiful exposition of some of the objections to this rule. I certainly would like to associate myself with the comments of the gentleman concerning the prior colloquy with the gentleman from Iowa and the gentleman from Florida [Mr. PEPPER] who brings this rule to the floor of the House today.

Mr. Speaker, I fail to see why we should waive all points of order on these bills and on these rules.

I wonder if the gentleman from Illinois could go into that a little further to say that it is more appropriate to waive points of order in the opinion of the majority of the Committee on Rules on any given legislation without specifying earlier or why, in a bill of particulars, points of order are waived, is the difference between tweedle-dum and tweedle-dee.

I would urge the gentleman for the benefit of the Members of the House to explain that further.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Illinois has expired.

Mr. ANDERSON of Illinois. I yield myself 2 additional minutes.

The SPEAKER pro tempore. The gentleman is recognized for 2 additional minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, I would like to take the time to go into this in detail but there are others who have requested to be heard under the rule and I must conclude my remarks. But, perhaps, suffice it to say, as the gentleman said earlier, it is simply a question of the committee chairman and those who come before the Committee on Rules just getting into the habit of asking on almost everything and on almost each and every occasion for a rule waiving points of order. I have not been satisfied on several occasions with the explanations that have been given as to why this is necessary. Yet that is the kind of rule that has been granted, according to the will of the majority of the Committee on Rules.

Mr. HALL. Mr. Speaker, will the gentleman yield further?

Mr. ANDERSON of Illinois. I yield further to the gentleman from Missouri.

Mr. HALL. There are many of us working night and day on the rules of the Congress under Senate Concurrent Resolution 2. Should not the rules as to the procedures of each body interrelate between the two bodies and not allow things that are nongermane to be considered or to waive points of order that might otherwise, under existing rules of the House, be objected to by Members of the House?

Mr. ANDERSON of Illinois. I certainly agree with the gentleman's view and I would like to have the gentleman's committee address itself to that very problem during the course of its hearings.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. I should like to commend the gentleman for the excellent statement he has made in connection with this bill and say again that I am opposed to this rule for the reason that it waives points of order. I hope, therefore, the rule will be defeated.

Mr. ANDERSON of Illinois. I want to say just one thing before I yield to the gentleman from Michigan. A large part of the hearings which were held in the Committee on Rules, much of the time spent thereon, was stimulated because of the issuance of what is depicted as a committee print, a document called Corrections of Misleading and False Statements Concerning Rent Supplement Program Made in Minority Report on the Housing and Urban Development Act of 1965.

Mr. Speaker, it developed in the hearings that were held in the committee that this was a document—and this is my impression of the hearings—which was prepared by the Housing and Home Finance Agency and then issued under the imprimatur of the Committee on Banking and Currency.

Mr. Speaker, I think this represents a mighty poor procedure for any committee of this House to indulge in such a travesty on the Members of the Congress and the House itself.

Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. HARVEY].

Mr. HARVEY of Michigan. Mr. Speaker, I rise to discuss the open rule granting 6 hours' debate on H.R. 7984, the Housing and Urban Development Act of 1965. I certainly want to emphasize that I do not approve of a rule waiving points of order.

At the outset, Mr. Speaker, I want to make my own position clear. I believe that by and large, both urban renewal and public housing, which are dealt with in this bill, have made significant contributions to our Nation's welfare. I may occasionally have differences insofar as the amount of these programs is concerned, or with the manner in which they are being administered, but I support the concept of both programs and do not question the need or necessity. I say that as a former mayor in a Michigan city of 100,000 population, who has worked with the problems of blighted downtown areas, slums, and the housing of both low-income and minority groups.

But, Mr. Speaker, one issue in this bill overshadows all the rest. I refer, of course, to section 101, the proposal to begin a massive $8 billion program of rent supplements to middle-income families. If this rent supplement program is still in the bill when we come to final passage, I intend to vote against the bill. If it is eliminated, as I hope, I will vote for the bill—and it is just that simple.

It is a pity that this housing bill has come to be characterized by this rent supplement program. I say that because, by and large, with the exception of the rent supplement section, the remainder of the bill represents a bipartisan effort. I have been proud of the contributions from our minority Members, for more than 20 major Republican proposals have found their way into this legislation. Look, for example, at the amendment of the gentleman from New Jersey [Mr. WIDNALL], found on page 44—in section 211—entitled "FHA Mortgage Financing for Veterans." It is a fact that the present VA home loan program is being phased out of existence. This section, suggested by Mr. WIDNALL, will insure that every veteran who has not used up his eligibility will be entitled to secure an FHA "no downpayment" mortgage on homes costing up to $20,000 and with only 5 percent down on homes up to $30,000.

We hear loud noises about the need for rent supplements in order to boost the housing construction industry. Mr. Speaker, with the passage of this section of the bill, granting VA-type mortgage insurance to all veterans, we will be creating far more potential demand for new housing construction than could ever be created by rent supplements. More important, in the process of doing so, we will be correcting a great wrong to those tens of thousands of cold war GI's who have never been made eligible for the VA housing program. We will be serving notice to our boys in Vietnam and Santo Domingo that the 89th Congress has not turned its back on their future needs.

It would be an oversight at this point if I did not give credit to the distinguished chairman of our subcommittee, the gentleman from Pennsylvania [Mr. BARRETT], who readily recognized and accepted this worthy provision.

Look also at page 58, for the minority had added to this measure a bill of rights for those poor unfortunate souls whose businesses and homes happen to stand in the way of a Federal bulldozer. I refer, of course, to title IV of the bill which establishes a uniform land acquisition procedure. Too often in the past the byproduct of urban programs has been the tragic loss of homes and businesses and long, drawn-out legal battles with city hall in a hopeless attempt by the landowner to receive a fair price for the property desired for urban renewal. Title IV was inspired by the minority and it corrects this evil.

Under this title reasonable efforts to negotiate are required. Further, if agreement cannot be reached, the landowner is entitled to receive 75 percent of the most recent fair price before eminent domain proceedings begin.

Mr. Speaker, I think my remarks make it abundantly clear that in many respects this is a bipartisan bill. Again, I commend the gentleman from Pennsylvania [Mr. BARRETT], chairman of our subcommittee, for the friendly spirit of cooperation he displayed in accepting many of these fine features. It is, therefore, unfortunate that we find ourselves this afternoon about to consider one of the most bitterly debated pieces of legislation to come before Congress in several years. As the dean of Washington correspondents, Mr. Arthur Krock, said recently in the New York Times:

> Of all the legislation proposed by President Johnson, none has reached a more basic issue of political philosophy than section 101 of the housing bill.

It is fair to ask: How did this rent supplement plan come about? It came about because the administration recommended phasing out section 221(d)(3), below - market - interest - rate program. But the committee decided not to do this and has tacked the rent supplement program into the below-market-interest-rate program.

It is fair to ask also: Who is the rent supplement program intended to benefit? It is intended to benefit—not the low income group—but the moderate group. Show me just one instance where "low income" appears in the language of section 101. If you do not believe me, then ask yourself why Dr. Weaver, the Housing Administrator, told a Pittsburgh audience just 2 days after this bill was reported out, "one would have to have a heart of gold and a head of lead" to think that low income families would benefit from rent supplements. Dr. Weaver told the Senate committee virtually the same thing. Look at our minority views on page 183. In no uncertain terms, the Housing Administrator made clear that this plan is not intended for the low income groups.

Mr. Speaker, no other piece of legislation before us this year has attained such a universal consensus—a consensus of bitter criticism.

No other piece of legislation has received so little vocal support from the President. He has been eloquent by what he has failed to say.

No other piece of legislation is so regressive in its social impact, for in no other legislation do we authorize the expenditure of so much to help those who truly need it so little.

Yes, Mr. Speaker, nowhere in section 101 do the words "low income" appear. In fact, nowhere in section 101 do any limits whatsoever appear. The intent is clearly spelled out in line 3 of page 4, where it says, "as deemed by the Administrator pursuant to procedures and regulations established by him." This sentence summarizes the whole of section 101.

I want to compliment the gentleman from Pennsylvania [Mr. BARRETT] again for being so candid in his description of the lack of support for this program. It was not a member of the minority, but our distinguished chairman himself, who said the following, and I quote:

> Frankly, I have been somewhat surprised at some of the public interest groups who have either directly opposed the rent supplement program, or have damned it with faint praise.

This, then, is the brief history of rent supplements. The only support for this program comes from those who would reap a "one-shot profit" from the construction of 500,000 apartment units, and if one Washington special interest group constitutes a consensus, we are traveling down a dangerous road indeed.

Mr. Speaker, there is no reason why this year's housing bill cannot achieve a ringing vote of confidence from both sides of the aisle as it has in years past. The rent supplement program set forth in section 101 is the only thing that stands in the way of such broad support.

Mr. PEPPER. Mr. Speaker, I yield 5 minutes to the able gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I should like to discuss the provision about waiving points of order. This question came up in the Rules Committee.

It is traditional, in respect to housing bills, for points of order to be waived.

Our Committee on Banking and Currency has much of which to be proud. The Banking and Currency Committee has never asked for a closed rule. We never have, not even once. Even during World War II, when there were unpopular price controls and wage control bills, involving 8 million prices and wages—8 million—notwithstanding that, we never asked for a closed rule. We came to the floor of the House on an open rule, and any Member could offer any amendment concerning any of those 8 million prices or wages.

We had some difficult times then. We had some hard work to do. But we never asked for a closed rule.

In this case I do not believe we should be criticized or censured because we have asked to continue the traditional policy in respect to a housing bill. There are many things which cannot be anticipated, which cannot be foreseen, in respect to this bill. The Committee on Rules has always granted a rule to waive points of order on this subject.

Does that inconvenience the House? Does that inconvenience the membership? Not at all. A majority can always work its will. So when anyone objects to waiving points of order he is in effect saying, "We want a very small minority to pick up anything to make a point of order on—just one thing—and perhaps override the will of the whole House by making the point of order."

I believe the democratic way, as well as the traditional way, has been that if anything should be discussed in respect to the bill, which is considered objectionable, any Member can offer a motion to strike it out and then a majority of the Members present can strike it out.

In fact, we are perpetuating and recognizing the majority rule when we waive points of order on a bill. That is exactly what we are doing here.

The original bill which was introduced was 80 pages long. The clean bill we are now considering is 105 pages long, or 25 pages more.

The committee, in considering this bill—and particularly the subcommittee which did the work on the bill, under the chairmanship of the distinguished and honorable gentleman from Pennsylvania [Mr. BARRETT]—wanted to make sure that everything was included in the right way.

In rewriting a bill that is as huge as this bill is, no one can anticipate and foresee the possibility of something in the bill that might be subject to a point of order. So you do not lose your rights. You just lose the right of one person getting up and saying, "I will make a point of order." It may be something that is vital and very necessary for the welfare of the country. Notwithstanding that, he could overrule the sentiment of the entire House with just one point of order.

So it occurs to me it is a very fine thing for this committee and a very fine record for our committee, never having asked for a gag rule and never having asked for a closed rule and having handled some of the most intricate and some of the most unpopular bills that have ever been in the Congress of the United States. What we are asking for is a procedure so as not to deny the majority the right to pass on it, no, because a majority always works its way and works its will in this body.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman has expired.

Mr. PEPPER. Mr. Speaker, I yield the gentleman from Texas an additional 3 minutes.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. YOUNGER. The gentleman from Texas makes a very good argument, it is true, but my experience this year is that the majority is unwilling to accept any kind of an amendment. We had an example the other day about the elimination of 16 elevator operators for the automatic elevators in the Rayburn Building. Even this small amendment would not be passed. Now the elevator service has been slowed down materially.

Mr. PATMAN. Let us stay on the housing bill. Who are the majority? It is not necessarily a party that represents the majority. I do not know of any major bill that does not receive support and opposition from both political parties. That is all right. So we do not know who the majority is always. However, one thing is sure. The majority always works its way and its will. I have never known a major law to become a law or a major bill to pass both House of Congress involving as much as this housing bill involves which did not represent a compromise of view or a sacrifice of opinion on the part of practically every Member of the House and of the other body. We cannot always have our way. We cannot have everything as we want it. We have to give and we have to take. We have to compromise. That is legislation. Without compromise there can be no legislation. If every Member were adamant and said we must have it this way or not at all, we would not have any kind of a bill ever pass the House.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Missouri.

Mr. HALL. It would seem to me that the gentleman's exposition "doth protest too much," for, if we had from the gentleman who is the author of the bill but one or two items which he is trying to protect by the waiver of all points of order, I think perhaps the minority, whose rights we strive to protect, as he adamantly declaims for the overwhelming power of the majority, we would probably be assuaged in our feelings and would resume our seats. It is of no avail, I think, to proclaim the process of democracy and the rule of the majority, simultaneously, while doing away with Jefferson's own rules which involve the protection of the rights of the minority, including germaneness, points of order, and other very valuable and proved rules through the decades of this Congress history. They are points that might well be made. I would very much like to hear item No. 1 of what is being protected in this bill consisting of 11 titles and many pages.

The SPEAKER pro tempore. The time of the gentleman from Texas has again expired.

Mr. PEPPER. I yield the gentleman 2 additional minutes.

Mr. PATMAN. I would like to answer the gentleman. Maybe the gentleman can see farther down the road, around the curve and over the hill, than we can see. We do not know of any provision in this bill that is subject to a point of order. If the gentleman knows of one, I wish he would tell it to us now.

Mr. HALL. If the gentleman will yield further, if he knows of none, could he not use his overpowering majority to have his point made if an objection is raised?

Mr. PATMAN. Yes, the majority could.

Mr. HALL. Absolutely. Then, why do you object so strenuously to a simple question about a waiver of points of order?

Mr. PATMAN. Because we cannot anticipate all that is in a 105-page bill every time. We cannot foresee; we cannot see down the road far enough.

Now, I have great respect for the gentleman, but I feel he ought to name something in this bill that he would move to strike out on a point of order. I do not know of anything. This rule is traditional on a 105-page bill. We cannot anticipate everything that might come up. Therefore this is for the purpose of permitting the majority to carry out its will. That is all we are doing.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I would say that he is building mightily on a frail frame if, indeed, he does not have more faith in the legislative counseling service, or what he himself has drafted in this bill. It is not incumbent upon us to name in advance the weak points, the nongermane elements of this bill; we have had less than 2 days in which to study this bill. It is incumbent upon the gentleman, when he asks the Committee on Rules to offer a resolution on the bill waiving all points of order, to state why he has done so.

Mr. PATMAN. I am proud of my position, because I am on the side of majority rule. The gentleman is on the side of one-person rule.

Mr. PEPPER. Mr. Speaker, I have no further requests for time.

Mr. ANDERSON of Illinois. Mr. Speaker, I have no further requests for time.

AMENDMENT OFFERED BY MR. PEPPER

Mr. PEPPER. Mr. Speaker, to correct an inadvertence in the resolution, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PEPPER: On page 2, line 1, strike out "Committee on Public Works" and insert "Committee on Banking and Currency".

The amendment was agreed to.

Mr. PEPPER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the "ayes" appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 230, nays 115, not voting 89, as follows:

[Roll No. 157]

YEAS—230

Adams
Addabbo
Albert
Anderson, Tenn.
Annumzio
Ashley
Aspinall
Baldwin
Bandstra
Barrett
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Cabell
Callan
Cameron
Carey
Casey
Cleveland
Clevenger
Cohelan
Conte
Conyers
Cooley
Corman
Craley
Culver
Daddario
Daniels
Dawson
de la Garza
Delaney
Denton
Dow
Downing
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Evans, Colo.
Everett
Fallon
Farbstein
Farnum
Fascell
Fino
Flood
Flynt
Fogarty
Foley
Ford, William D.
Fountain
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Green, Oreg.
Green, Pa.
Grider
Griffiths
Hagan, Ga.
Hagen, Calif.
Hamilton
Hanley
Hanna
Hansen, Iowa
Hardy
Harris
Hathaway
Hawkins
Hechler
Helstoski
Hicks
Holifield
Hosmer
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
King, Utah
Kornegay
Krebs
Landrum
Leggett
Lennon
Long, Md.
Love
McCarthy
McDade
McFall
McGrath
McMillan
Machen
Mackay
Madden
Mahon
Mathias
Matsunaga
Matthews
Meeds
Miller
Mills
Minish
Mink
Moeller
Moorhead
Monagan
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Natcher
Nedzi
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pickle
Pike
Poage
Price
Pucinski
Purcell
Quie
Quillen
Race
Randall
Redlin
Reid, N.Y.
Reuss
Rivers, Alaska
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Scheuer
Schisler
Schmidhauser
Schweiker
Scott
Secrest
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Stalbaum
Steed
Stephens
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Tex.
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tunney
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vivian
Walker, N. Mex.
Watts
Weltner
White, Idaho
White, Tex.
Whitener
Widnall
Willis
Wilson, Charles H.
Wolff
Wright
Wydler
Yates
Young
Zablocki

NAYS—115

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Ashbrook
Ashmore
Ayres
Bates
Battin
Belcher
Berry
Betts
Bolton
Bray
Brock
Broomfield
Broyhill, N.C.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Callaway
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Collier
Colmer
Cunningham
Dague
Davis, Wis.
Devine
Dole
Dorn
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Erlenborn
Findley
Fisher
Ford, Gerald R.
Frelinghuysen
Gathings
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Hansen, Idaho
Harvey, Mich.
Hébert
Henderson
Herlong
Horton
Hutchinson
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kunkel
Langen
Latta
Lipscomb
Long, La.
McClory
McCulloch
McEwen
MacGregor
Mailliard
Marsh
May
Minshall
Mize
Moore
Mosher
Murray
O'Neal, Ga.
Passman
Pirnie
Poff
Pool
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Robison
Roudebush
Rumsfeld
Satterfield
Schneebeli
Selden
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Utt
Waggonner
Walker, Miss.
Watkins
Whalley
Whitten
Wyatt
Younger

NOT VOTING—89

Andrews, N. Dak.
Arends
Baring
Bolling
Bonner
Bow
Brown, Ohio
Broyhill, Va.
Byrne, Pa.
Cahill
Carter
Celler
Chamberlain
Chelf
Clark
Conable
Corbett
Cramer
Curtin
Curtis
Davis, Ga.
Dent
Derwinski
Dickinson
Diggs
Dingell
Donohue
Dowdy
Edwards, Calif.
Evins, Tenn.
Farnsley
Feighan
Fraser
Fulton, Pa.
Gilligan
Grabowski
Gray
Greigg
Halleck
Halpern
Hansen, Wash.
Harsha
Harvey, Ind.
Hays
Holland
Jennings
Keogh
King, Calif.
Kirwan
Kluczynski
Laird
Lindsay
McDowell
McVicker
Macdonald
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Michel
Morse
Morton
Murphy, N.Y.
Nelsen
Nix
Olson, Minn.
O'Neill, Mass.
Philbin
Powell
Resnick
Rhodes, Pa.
Roosevelt
Roybal
Ryan
St Germain
St. Onge
Saylor
Senner
Shriver
Stratton
Tenzer
Thomas
Thompson, La.
Toll
Tupper
Vigorito
Watson
Williams
Wilson, Bob

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Williams against.
Mr. Lindsay for, with Mr. Nelsen against.
Mr. Cahill for, with Mr. Brown of Ohio against.
Mr. Tupper for, with Mr. Cramer against.
Mr. Kirwan for, with Mr. Baring against.
Mr. Halpern for, with Mr. Derwinski against.
Mr. King of California for, with Mr. Laird against.
Mr. Evins of Tennessee for, with Mr. Martin of Nebraska against.
Mr. Dent for, with Mr. Bob Wilson against.
Mr. Celler for, with Mr. Curtis against.
Mr. Byrne of Pennsylvania for, with Mr. Andrews of North Dakota against.
Mr. Hays for, with Mr. Watson against.
Mr. Philbin for, with Mr. Dickinson against.
Mr. O'Neill of Massachusetts for, with Mr. Shriver against.
Mr. Donohue for, with Mr. Dowdy against.
Mr. Tenzer for, with Mr. Carter against.

Until further notice:

Mr. McDowell with Mr. Chamberlain.
Mr. Bonner with Mr. Arends.
Mr. Gray with Mr. Saylor.
Mr. Macdonald with Mr. Martin of Massachusetts.
Mr. Dingell with Mr. Harsha.
Mr. Toll with Mr. Michel.
Mr. Feighan with Mr. Halleck.
Mr. Powell with Mr. Farnsley.
Mr. Stratton with Mr. Conable.
Mr. St. Onge with Mr. Corbett.
Mr. Holland with Mr. Diggs.
Mr. Davis of Georgia with Mr. Martin of Alabama.
Mr. Edwards of California with Mr. Fraser.
Mr. Murphy of New York with Mr. Grabowski.
Mr. Nix with Mr. Harvey of Indiana.
Mr. Jennings with Mr. Morse.
Mr. Roosevelt with Mr. Thomas.
Mr. Kluczynski with Mr. Roybal.
Mr. Rhodes of Pennsylvania with Mr. Senner.
Mr. Vigorito with Mr. Thompson of Louisiana.
Mr. Chelf with Mr. Morton.
Mr. Olson of Minnesota with Mr. Fulton of Pennsylvania.
Mrs. Hansen of Washington with Mr. Bow.
Mr. St Germain with Mr. Curtin.
Mr. McVicker with Mr. Broyhill of Virginia.
Mr. Greigg with Mr. Mackie.
Mr. Resnick with Mr. Gilligan.

Mr. LONG of Louisiana changed his vote from "yea" to "nay."

Mr. PELLY changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7984) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7984, with Mr. FLOOD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. PATMAN. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, I consider it a privilege, as chairman of the Banking and Currency Committee, to lay before this body a bill of such major importance to our people and our Nation as the housing and urban development bill of 1965.

This legislation is a landmark bill that ranks in scope and significance with the great Housing Acts of 1949, 1955, and 1961. It represents another great step forward toward the goal set by Congress in 1949 of a decent home and a suitable living environment for every American family.

This is a bill very close to my longstanding interests as a legislator. For the past 20 years or more, much of my legislative effort has centered on the development of better housing and community life. At the end of the war I participated in setting up the emergency operation to restore our housing economy to a peacetime operation. I authored the Veterans' Emergency Housing Act to provide housing for our returning veterans. I have supported and participated in every progressive housing and urban bill enacted since that time.

I now tender this legislation confident that it embodies the best thinking and the most considered set of measures for our day and time that the experience and dedication of the members of your committee, from both parties, can produce.

This is truly a committee bill, worked out by the subcommittee and fully reviewed by our full committee. It is also truly a bipartisan bill, incorporating proposals developed by members of both parties and adopted by the nearly unanimous consensus of the members of the Housing Subcommittee.

I want to acknowledge the able work of the gentleman from Pennsylvania, Congressman William A. Barrett, as head of this subcommittee, in shaping this legislation.

And I want to express my appreciation for the important contributions and the constructive cooperation of the ranking minority member of the subcommittee, the gentleman from New Jersey, Congressman William B. Widnall.

The original bill introduced to carry out the President's broad-ranging proposals for housing and community assistance has been thoroughly considered. In many cases these proposals have been reshaped and augmented by the committee membership of both parties. The resulting bill carries out all the essentials of the President's message, and improves and expands upon them.

Virtually all the basic programs for housing and urban development established over the years have come before us for review and decision as to their future.

This legislation, therefore, provides over the next 4 years authority for the mortgage insurance programs of the FHA, the college housing loan program, the urban renewal and urban planning assistance programs, the farm housing programs, the public housing program on an enlarged basis, the new rehabilitation loans program authorized in 1964, and the programs for public works planning, open space, and the mortgage purchase operations of the Federal National Mortgage Association.

I feel that I need not argue the case for programs that the Congress has time after time affirmed, except to point out that this legislation is necessary for their continuance.

But this bill is concerned with more than what we have been doing. It is geared also to other things that need to be done to meet the persistent and changing needs of our housing and community problems today. To this end it contains a number of major new proposals and approaches.

The bill before us today would establish a new program of matching grants to local public bodies and agencies to finance construction of basic water and sewer facilities. The grants authorized by the bill could also be made for projects to expand, enlarge, or improve existing water and sewer systems and would be available to large and small communities throughout the country.

Mr. Chairman, one of the most pressing problems facing many American communities today is the need to provide adequate water and sewer facilities. This has been testified to repeatedly in hearings held by our committee in recent years.

Many small communities are caught in a vicious circle. They cannot attract industry and provide jobs for their young people because they cannot offer adequate water and sewer facilities—and they lack the financial ability to construct adequate water and sewer facilities because without industry they have no economic base. Even the larger cities already find that their water and sewer facilities are no longer adequate to meet the increased demands for water and sewer services of their existing population—and we know that these larger cities will absorb much of the population growth that will take place in this Nation in the next 25 years.

All of the members of this body know that our towns and cities are hard pressed. Sources of tax revenue are under heavy strain, and individual government units are at a disadvantage in imposing additional tax burdens because this often has the effect of driving industry and employment to other locations. I believe that the new matching grant program for water and sewers provided by the bill will be a very great help to our communities and permit them to make a significant start toward working off the great backlog of needed water and sewer facilities.

Another new program contained in the bill would authorize FHA to insure mortgage loans for developing residential building sites which will be part of good neighborhoods adequately served by schools and other community facilities. There is a pressing need to make the well-established FHA credit assistance available to enable builders to develop land more efficiently and at lower cost. The rising cost of land has been one of the principal causes of the increased prices of new homes.

Many of the Members of this body will recall that a similar provision was included in the Housing Act of 1961. But, unfortunately, in that year we were unable to persuade the conferees to include this provision in the housing bill enacted. Over the last 4 years the problem has become more acute, and the need for this new program of FHA mortgage insurance for land development is now widely recognized.

Another new program authorized by the bill would provide Federal assistance for the acquisition of parks and playgrounds and for the beautification and improvement of these and other public areas. This program would, at moderate cost, enable local communities to increase their activities to improve our public places.

The deterioration of the appearance and spirit of our countryside and our cities has become a problem of national concern. I believe this new program will help spark the beginning of a drive to improve the beauty and quality of the physical environment of our Nation's communities.

The bill also contains a provision which would establish a new program of liberal FHA mortgage insurance to serve our veterans. This new program would help our young veterans, who have not had the benefit of the GI home loan program, to acquire good housing, and would stimulate construction of additional new housing.

A new program contained in this bill would authorize grants of up to $1,500 to very low income homeowners in urban renewal areas to enable them to repair and rehabilitate their homes to bring them up to standards required in the community by housing or building codes or the urban renewal plan for the area.

Generally, these grants will be made to elderly homeowners in urban renewal areas whose incomes are very low and who cannot afford the cost of repairs that are required to be made to their homes. Without the grants authorized by this new program, the homes of these people would often have to be acquired by a local public agency and these homeowners displaced and faced to seek some other place to live.

The most discussed and far reaching of the new programs authorized by this bill is the program of rent supplements. The rent supplement program will make it possible for low- and moderate-income families to be able to afford standard housing. It will harness the energies and abilities of the American free enterprise system. By increasing the number of families that can afford standard housing, it will enable American private enterprise to construct and finance, over the next 4 years, approximately 500,000 dwelling units of modest design which will serve low- and moderate-income families who cannot now afford decent housing.

Others will discuss the rent supplement program in more detail, but I would like to comment on several aspects of it.

As submitted to the Congress, the rent supplement program was not available to families with incomes sufficiently low to enable them to qualify for admission to public housing projects. It was limited to families whose incomes were too high to enable them to qualify for admission to public housing, but still too low to enable them to acquire standard private housing in their communities.

The committee felt that it was inequitable to deny the benefits of this rent supplement program to families just because their incomes were sufficiently low to enable them to qualify for admission to public housing. Many communities still do not have public housing programs in operation. And even in those communities which have public housing programs, there are long waiting lists for admission to public housing units. The committee was informed that there are 500,000 families on waiting lists. The testimony before the committee was to the effect that the public housing program could not absorb a larger number of additional public housing units than the 60,000 a year authorized by this bill. In these circumstances the committee believed that the rent supplement program ought to be available to these people.

The committee also considerably reduced the amount of income a family may have and still be eligible to have a rent supplement payment made on its behalf.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Massachusetts [Mr. McCORMACK], the distinguished Speaker of the House.

Mr. McCORMACK. With reference to the rent supplement program as contained in the pending bill, it is my understanding that this section of the bill is for the purpose of enabling private housing to be available for certain low-income families and the payment of these rent supplements in such cases would be made by the administrator under contracts with owners of such housing and therefore this housing would be privately financed and is strictly in the field of private business.

Mr. PATMAN. It is strictly a private enterprise project. I thank the distinguished Speaker.

This was done by limiting rent supplements to families who cannot obtain standard housing with 25 percent of their monthly income rather than 20 percent as proposed to the Congress.

Let me give you an example of the effect of the committee amendment to the proposal.

Assume a community in which the lowest monthly rental at which a family can obtain a standard two-bedroom unit is $80.

Under the program, as submitted to the Congress, a three- to four-person family in this community would have been eligible for a rent supplement if it was elderly, displaced or handicapped, or living in substandard housing and had a monthly income of less than $400 or an annual income of less than $4,800. That is, if it could not pay the $80 a month in rent with 20 percent of its monthly income.

Under the committee amendment such a three- to four-person family in this community would be eligible for a rent supplement only if its income was less than $320 a month or $3,840 annually. That is, if it could not pay the $80 a month rent with 25 percent of its monthly income.

The effect of this committee amendment is to lower by 20 percent the income levels of families who may have rent supplements paid on their behalf.

I believe that this amendment will assure that rent supplement payments are paid only on behalf of families who need them. It will also assure that families receiving rent supplement payments are paying as much as they can toward the cost of the standard housing the rent supplement program will provide.

It was claimed before our subcommittee by one spokesman that public housing would cost less than rent supplements. That is not an accurate reading of the facts, and I think that erroneous impression should be dispelled. The figures supporting that statement left many things out of account.

They took no account of the income and property tax exemption, which is also a part of the public cost of public housing. They were based on annual subsidies covering public housing built over many past years when costs were lower—not on today's costs. They did not take into account the fact that under this bill, as we have revised it, the tenant under rent supplements would pay 25 percent of his income for rent compared to less than 20 percent in public housing.

They did not take into account the fact that land and construction costs for private housing under the rent supplement program would be less than for public housing. This housing would have a much wider range of selection of sites, including outlying areas, would involve no substantial clearance in most cases, and while meeting FHA mortgage requirements, would not have to meet some of the special construction problems in public housing projects.

Compared to a current level of about $58 a month per unit for annual subsidies in public housing, it is estimated that the average subsidy cost under rent supplements would run about $40 a month per unit.

Some who have fought and obstructed the public housing program for 30 years now pretend to fear the rent supplement program will hurt public housing. This is not true.

Now, when our attention is being focused, perhaps more closely than ever, on the housing needs for low-income families, I am happy to see that this bill would provide for public housing a renewed commitment from the Congress, with new authorization and new programs.

The bill would authorize an additional 60,000 units a year for the next 4 years—240,000 units in all. This would be one of the largest authorizations for public housing in the history of that program.

New approaches authorized in the bill would give the public housing program greater flexibility in meeting the housing needs of low-income families. These new approaches will permit public housing to purchase, or purchase and rehabilitate, existing units, and lease privately owned units for use under the public housing program. In many communities, where such units are available, local housing authorities would be able to obtain housing units more quickly and more economically than by building new projects.

These new approaches represent a major step forward in the effort to house low-income families.

Furthermore, the bill would eliminate the requirement that there be a 20-percent gap between the upper rental limits for admission to low-rent housing projects and the lowest rents at which private enterprise is providing a substantial supply of standard housing. This gap has already been eliminated with respect to displaced families and the elderly. The across-the-board removal of this requirement, as provided in the bill, will enable the public housing program to expand its operations and serve an even larger number of low-income families.

In short, I believe that the public housing provisions of the bill reflect the proven value of the program and would serve not only to continue, but substantially broaden the program and enable it even more successfully to fulfill its traditional function of providing housing for low-income families.

There is one area that I, personally, have been especially concerned with in considering this housing legislation. That is the question of interest rates.

We are already paying more than $5 billion too much on the national debt because of drastic interest rate increases during the 1950's. The interest rate increases since we passed the Housing Act of 1961 have already destroyed much of what the Congress hoped to accomplish through that bill.

The most important provision in the 1961 Housing Act was the 221(d)(3) program designed to make reasonable interest rate financing available so that housing could be provided for displaced and other lower and moderate income facilities at rentals they could afford. Under the statutory interest rate formula Congress adopted the program interest rate then was 3⅛ percent. Now it is 3⅞ percent, and I understand it will shortly be going up to 4⅛ percent.

A 1-percent increase may not sound like a very important change, but it results in a $10-a-month increase in rent that a family has to pay under the program. The same thing has happened in other housing and public facilities loan programs.

The program of housing for the elderly we started in 1959 is almost at a standstill. Under the statutory interest rate formula Congress adopted the program interest rate then was 3⅛ percent. Now it is 3¾ and I understand will shortly be going up to 4 percent.

In the college housing program, the interest rate will shortly be a full 1¼ percent higher than the rate we provided by special legislation in 1955.

These programs are important for the whole country from Texarkana College in my district to a moderate-income housing project in New York. I do not want the people we have been trying to help through these programs to think that we have joined forces with the banking interests. We have heard all kinds of new and old excuses raised in the past several years, attempting to justify why we must have high interest rates in our country. The shopworn argument is that inflation is just around the corner, or that this is necessary because of the balance-of-payments problems. These and other reasons have been given why we have to continually jack up interest rates. Not a one of these reasons has any basis in fact. In my opinion, we have more than run out of excuses for not making available adequate financing at reasonable interest rates for our housing and urban development loan programs. If these programs Congress has enacted with a specific interest rate in mind are to accomplish their ends, the Congress, not the private banker, must determine the costs of money under these programs.

Accordingly, in this bill we have followed the same course that the Congress took in 1964 when it limited the new rehabilitation loan rate to a 3 percent interest maximum. We have set this same 3 percent maximum in this bill for the FHA 221(d)(3) below-market moderate income program, for housing loans for the elderly, and for college housing loans.

This comprehensive legislation that is offered you here today is one of the most forward-looking and extensive ever to come before the Congress. It is needed to house the poor. It is needed to build and improve our towns, cities, and suburbs. It is needed to raise the housing standards on our farms. It is needed to help our veterans. It is needed to expand our housing production, provide employment, and to root out poverty.

This landmark bill represents a set of measures to carry out principles and achieve goals that the Congress has consistently and repeatedly supported and endorsed over the past quarter of a century. I strongly urge enactment of this bill.

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may require.

For the past 2 years the members of the Subcommittee on Housing have labored and labored long trying to bring out a bill that could pass the House with support from both sides of the aisle. I personally want to thank the members of the majority party for their very earnest consideration of proposals that were made by minority members of the subcommittee. I do believe that what has come out of the subcommittee and been approved by the full committee has been a consensus of proposals that mean a lot to the welfare of America and to enterprise in the housing field.

Particularly I want to commend the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. BARRETT], who was certainly most patient in trying to work these things out and to see what could be done to develop a better program giving a full hearing to the view of the minority members of the subcommittee.

Also, the gentleman from Texas [Mr. PATMAN], the able chairman of the full committee fully cooperated toward molding a bill reflecting divergent proposals and viewpoints.

I believe that this legislation finally voted by the committee has contained many improvements in programs which unfortunately in practice have not lived up to their promise and have in many cases drifted away from the original goals established by Congress.

This year's bill contains a number of new suggestions which emanate in part or in whole from the minority. I think it would be useful for judging the bill as a whole and for guiding those who in the future may search for congressional intent in these areas for some additional comment to be made on these provisions. I feel there is a need for emphasizing this because the chairman of the full committee, the gentleman from Texas [Mr. PATMAN], has gone over the provisions of the entire bill and given a very enlightening development of the various phases of the bill for the Members.

In the field of low-income housing, the committee bill accepts a minority-proposed rent certificate program, in section 103, title I, which was originally suggested last year. It is designed to coordinate with the present public housing program and reach the income levels represented in public housing. It differs from both conventional and public housing and the proposed rent supplement program in that it makes use of existing private housing on a voluntary basis. It differs from the rent supplement program in that it is confined solely to low-income people.

By making use of available private rental housing, the rent certificate approach offers some hope of cutting down immediately on the long waiting lists presently existing throughout the country for conventional public housing. At the same time, it eliminates the major cost of the conventional public housing program, which is the construction and related costs of new housing units. If used in conjunction with a well-planned code enforcement effort, it can also be a stimulus to the rehabilitation of deteriorating areas. By providing that only 10 percent of the units in any one building can be used for public housing tenants, with certain exceptions, the rent certificate approach provides an economic mix without the wide divergence in income possible under the rent supplement approach. This program was first offered by the Republican minority last year and, as originally proposed, would have put 60,000 additional units into operation within 2 years. Had this program been enacted last year, there might very well have been no need for the rent supplement program contained in this year's legislation. A proposal by Congressman FINO to remove the 20-percent gap in the public housing income formula was also accepted in the bill.

Several major changes were proposed by the minority and incorporated into the bill with reference to the operation of the Federal Housing Administration. A new proposal for FHA insured mortgages for veterans provides a 100-percent guarantee for the first $20,000 of value and an 85-percent guarantee on any additional value, up to the FHA maximum of $30,000. The program will be open to all veterans who have not used their eligibility under the Veterans' Administration mortgage insurance program. This will cover all veterans since the Korean war, and is a significant step in recognizing the contributions of those Americans who have served in the defense of their country since that time. In particular, it is a recognition of the sacrifices that have been or are being made in such diverse areas as Berlin, the Lebanon and Formosa Straits crises of the 1950's, and the Korean truce line, as well as Vietnam and Santo Domingo.

In addition, a minority suggestion to lower the interest rates on mortgages which may be insured by FHA under the section 221(d)3, the below market interest rate program, is included in the bill. Under the present formula, the rate is 3⅞ percent, and will rise to 4 percent or higher on June 30, 1965. The increased cost of borrowing money which was not contemplated by Congress when the program was enacted, must, of course, be passed on in the form of higher rents, thus defeating the purpose of the program. The new formula will set an interest rate ceiling of 3 percent. A compromise has also been achieved on the minority proposal to increase the mortgage limit for homes in outlying areas under the FHA section 203(I) program. There the dollar limit will now be increased from $11,000 to $12,500.

In two other areas involving college housing and elderly housing programs, both of which have been highly successful with no defaults, the interest rate formula was recognized by the minority as being out of line with the original intent of Congress. At a time when the baby boom of the postwar years is reaching college age and providing increasing burdens for higher educational facilities throughout the country, the increase in borrowing cost for college housing represented a major threat to our ability to meet these needs.

In the case of elderly housing, the increased interest rates have been passed on in the form of increased rents. Considerable testimony was taken by the Special Housing Subcommittee regarding both programs and the need to continue both programs at a reasonable rate of interest.

Although there were requests for an even lower rate of interest, we believe a ceiling of 3 percent is a realistic figure, or the amount derived under the existing formula, if lower.

Mr. Chairman, it is recognized that there is some subsidy involved, but in my opinion, this is preferable to the costs that would be involved should the pressure for college housing result in the abandonment of the loan program in favor of a construction grant approach. That I feel will be inevitable if we do not do something along the lines recommended by the committee.

Of major importance is title IV, the first attempt to deal on a comprehensive basis with the problems of those whose property is taken under eminent domain in a program conducted by the Federal housing and urban renewal laws.

That, first, provides a comprehensive land acquisition policy designed to insure fair treatment to a property owner whenever a taking is contemplated. Our files are full of what has been happening to the low-income property owner and to the small businessman by way of unfairness in the current condemnation procedures. The applicant for Federal funds under any program administered by the Housing and Home Finance Agency would have to agree to follow the equitable procedures outlined before any assistance could be given.

Second, a major new innovation involves the access afforded a property owner to money owed him for his property. This is an extremely important provision. In too many cases property owners have been forced to go into debt or, in the case of some small business establishment, have been unable to relocate at all, because a money award has been tied up in rounds of negotiations and court cases dragging on for months and years.

At the suggestion of the minority, 75 percent of the appraised value of the property, as appraised by the governmental agency involved, will be made available to the property owner immediately under the terms of this bill. This will in no wise compromise the property owner's claims against the governmental agency, or prohibit his resort to the courts. It will, however, provide the capital to buy a new home or relocate a business with a minimum of financial hardship.

In a small way, individuals displaced by urban renewal and other housing programs will be further compensated as a result of this bill. Costs for transfer of title to property will be reimbursed and additional money will be made available to the very small businessman.

It is my understanding that the administrators of these programs will include as a part of the reimbursable moving expenses, the cost of insurance and storage and installation of relocated fixtures and equipment, at the request of the committee, and as contained in this bill.

Mr. Chairman, while this is a start toward a fuller compensation policy, it is but a start. In my opinion, Federal, State, and local officials alike will eventually have to agree on the concept of replacement costs, suggested by the minority, if fair and just compensation to all is ever to be fully achieved. No arbitrary figure or award will ever be able to guarantee that the individual affected by a taking will be receiving what would be fair and equitable compensation, no more and no less.

Mr. Chairman, in the urban renewal field, the bill incorporates several additional suggestions on the part of the minority, besides providing for some increased protection in eminent domain takings. It extends the minority proposal adopted last year for low-interest rehabilitation loans for a 4-year period, with an open-end authorization.

Mr. Chairman, although the administration has requested a funding for the $50 million authorized in last year's Housing Act, I am concerned with the future of this revolving fund program which the President himself has indicated can take the place of the bulldozer. There is no new request made in the fiscal 1966 budget for the loan program.

Last year the Bureau of the Budget fought successfully a bipartisan effort within Congress to gain funds under last year's authorization.

I trust that both the administration and the Congress will be more aware of the need for appropriations for this program in succeeding years. These are loans, replacing expensive grants for clearance, going back into a revolving fund, and I cannot imagine any reason why anyone would object to this more effective, less expensive approach. I might add that there is specific protection for the private lending industry written into the law which requires proof that a loan could not be obtained on terms the individual could afford from private sources before the individual can qualify for the Federal direct loan program.

In addition, the minority has suggested, and the committee adopted, several provisions providing for a lease guarantee program for small businesses in urban renewal areas, and a study by the HHFA of local and State housing and building codes, zoning policies, tax laws and the like in order to provide information by which private enterprise can be used more effectively to serve the entire housing market and the need to rejuvenate our cities. Two provisions restate congressional intent regarding feasible relocation and planning requirements. Another minority suggestion incorporates into law a report from the General Accounting Office regarding publicly owned, and profitable parking lots within urban renewal areas.

Not every suggestion by the minority has been incorporated, or even carried over in full into the bill. There is considerably more, in my opinion, that can be done regarding the present unfortunate inclination toward commercial and luxury housing renewal projects. Suggestions for a limitation on the amount of luxury housing that any one project can have, and a loan program based on increased tax returns to the cities from commercial renewal projects, should receive further consideration. In one case, where the minority suggestion for a minimum of 30 percent of urban renewal projects to be in the rehabilitation and code enforcement fields has been diluted to a 10 percent floor, the final suggestion may well be worse than no provision at all. The Urban Renewal Commissioner has already testified that 17 percent of urban renewal projects are involved in rehabilitation work, and that was before the institution last year of the code enforcement urban renewal project.

I am not at all satisfied with the way the administrators of these new rehabilitation and code enforcement programs have acted to implement what are essentially congressional and bipartisan programs based on minority ideas. The 10 percent floor could well become a ceiling.

There is then, a good deal in this bill to commend itself for a favorable vote, and by no means is this limited to the proposals made by the minority. There are several sections, such as the new provision for applying the open spaces program to developed land, that deserve fuller consideration and examination by the Congress. On the whole, it is an acceptable bill, but I do not think that anyone would be rash enough to claim that it is perfect. I do urge support of the bill.

Mr. PATMAN. Mr. Chairman, I yield 30 minutes to the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, the housing and urban development bill of 1965, which we are considering today, is one of the most important pieces of legislation which will come before the Congress this year. I believe it will be a milestone in the history of legislation on housing and urban development.

As my good friends on both sides of the aisle know, this bill is the first omnibus housing bill it has been my privilege to present to this House. I want to express my deep appreciation to my colleagues on the Committee on Banking and Currency, and the Subcommittee on Housing, and especially to the chairman of the committee, the distinguished gentleman from Texas. Their cooperation on all aspects of the legislation, and their willingness to spend long hours working over its provisions, have been a rewarding experience which I shall not forget.

The bill I present today is basically the bill sent to us by the President to implement the recommendations made in his message to the Congress concerning the problems and future of the central city and its suburbs. It contains most of the President's major recommendations. In my judgment, however, it has been made a better bill by improvements added in committee.

Many of these improvements were suggested by my good friend, the ranking minority member of the committee. I cannot praise too highly the cooperation I and the entire subcommittee received during all stages of our consideration of the bill from the gentleman from New Jersey. Specifically, section 10, the rent certificate program, is Mr. WIDNALL's; the extension of the very successful program of direct loans for housing for the elderly and reduction of the interest rate was proposed by the minority; more than half of the sections in the urban renewal title—title III—were proposed by Mr. WIDNALL; all of title IV, compensation of condemnees, was taken from Mr. WIDNALL's bill; the no downpayment loans for veterans under FHA was Mr. WIDNALL's amendment, and the authorization for college housing loans and the 3-percent interest rate in title V is his amendment. In fact, every section of the bill clearly shows his imprint.

This bill provides the necessary extensions and additional funds to keep new and existing programs of Federal assistance in the housing and urban development field in full operation over the next 4-year period.

It makes a major attack on the continuing problem of providing decent housing for our lower income citizens in both urban and rural areas. It authorizes new programs to provide community and neighborhood facilities for the Nation's localities. It establishes new programs to beautify our urban and suburban areas.

After 10 days of intensive hearings, the Subcommittee on Housing reported the bill by a vote of 10 to 1. The full committee held 2 days of closed hearings in executive session and on May 19, the full committee approved the subcommittee bill and reported it by a vote of 26 to 7.

Prompt action is needed on this bill because a number of our housing programs have exhausted or nearly exhausted their current authorizations. These include the urban renewal program, the college housing program, and the public housing program. Moreover, FHA's authority to insure mortgages would expire on September 30 under existing law and it is important that we extend this program as soon as possible.

Since this bill amends and extends nearly every program in the fields of housing aid for low income families, mortgage finance, farm housing, and community development, it is necessarily a lengthy and complex bill. I will not cover all the details which are explained in the committee report but I would like to touch on the major features of each title.

Mr. Chairman, title I of the bill would authorize a major new program of housing assistance to lower income families and provide improvements of existing programs to enable these families to obtain decent, safe, and sanitary housing.

A NEW PROGRAM OF RENT SUPPLEMENTS

The rent supplement program, as recommended by the administration, with certain improving amendments by the committee, is the most important of these tools.

The rent supplement program would enable American private enterprise to construct and finance, over the next 4 years, approximately 500,000 dwelling units designed to serve lower income families who cannot now afford decent housing. It would enable low and moderate income families to be able to afford to occupy these privately constructed and financed units by authorizing Federal rent supplement payments to be made on their behalf.

The rent supplement payments would be made with respect to housing built by private nonprofit or limited dividend corporations, or by cooperatives, and financed with section 221(d)(3) market interest rate mortgages insured by FHA.

The rent supplement payments could be made only on behalf of an individual or family unable to obtain standard privately owned housing in his community at a monthly rental which is equal to or less than one-quarter of his monthly income, and who is either displaced by governmental action, elderly or physically handicapped, or occupying substandard housing. Rent supplement payments could not be made on behalf of anyone whose income was more than four times the minimum monthly rent required to obtain standard private housing in the area.

The amount of the rent supplement payment made on behalf of an individual or family could not exceed the difference between 25 percent of the tenant's income and the full rent—which would, of course, cover heat and the utilities and other services generally provided—that is required for the dwelling unit occupied by the individual or family. For the purpose of determining the amount of the income of an individual or family, all income, from every source, whether taxable of not, of the individual or adult members of the family will be included. If, after he moves into the dwelling unit, the income of the individual or family increases, the amount of the rent supplement payments on his behalf is reduced. If his income increases sufficiently so that he can pay the full economic rent with 25 percent of his monthly income, rent supplement payments on his behalf would cease to be made. The tenant could, however, continue to live in the project and would not be required to pay more than the full economic rent.

The bill establishes precise and objective standards as to the amount of income a family may have and still be eligible to have a rent supplement payment made on its behalf.

Under the bill, the Housing Administrator would be required to make a factual finding as to the lowest rent required, in different areas of the country, to obtain a standard one-, two-, three-, or four-bedroom unit.

If in a community a standard one-bedroom unit can be rented for, for example, $75 a month, a family which needs a one-bedroom unit can have a rent supplement payment made on its behalf only if its income is less than $300 a month or $3,600 a year. In other words, any family which, in its own community, can with 25 percent of its monthly income obtain standard housing is not eligible to participate in the rent supplement program.

The Housing Administrator has no authority to make any rent supplement payment on behalf of a family which, with one-fourth of its monthly income, can pay the monthly rental required for standard housing in the area.

Data submitted to the committee indicated that there are very few areas where a two-bedroom unit suitable for a three- or four-person family cannot be obtained for $100 per month or less and that even larger families can obtain suitable housing for $125 or less per month in most communities.

This, of course, assures that in almost every area no three- or four-person family whose income is more than $400 a month or $4,800 a year, or a larger family whose income is $500 a month or $6,000 a year, will have a rent supplement paid on their behalf.

It should be emphasized, of course, that there are maximum incomes for eligibility purposes. The great bulk of rent supplement tenants would have incomes below the maximum. And where an occupant's income is up close to the ceiling, the supplement would be correspondingly small and the family would be paying a substantial rent out of its own income.

The organizations owning the project would select the families who would occupy the dwelling units in the project, but would have no voice in determining a family's eligibility to have a rent supplement paid on its behalf or the amount of any supplement payment. Facts relating to eligibility to have a rent supplement paid on a family's behalf or the size of the payment would be determined by the Housing Administrator or his agent.

Prospective occupants or their applications would be referred to agencies such as the community's relocation service or a similar qualified organization designated by the Housing Administrator for the purpose of certifying the facts concerning eligibility. The certification would relate to the tenant's age or physical handicap where this is the basis for eligibility, or displacement, or occupancy of substandard housing. Certifications would also relate to incomes at initial occupancy. Every 2 years thereafter, or more frequently if the Housing Administrator deems it desirable, recertifications of incomes would be required, except in the case of the elderly whose incomes increase so seldom that there would be little need to require recertification.

The housing units that would be utilized under the rent supplement program will be of modest design. The average mortgage amount that FHA will permit for a project in a particular area will not exceed that permitted under FHA section 221(d)(3) below-market interest rate projects in that area. Under the below-market interest rate program, FHA limits the maximum mortgage amounts permissible in an area and assures that only units of such cost are built as will require rents appropriate for moderate-income families in the area.

The national average mortgage amount under the below-market interest rate projects for which FHA has issued commitments to insure is approximately $12,500. If a rent supplement program had been in operation during this time, the average mortgage amount would have been close to this figure. Rent supplement payments will not be made on high-cost or luxury-type apartments.

Financing would be provided by means of FHA section 221 market interest rate insured loans, with the regular mortgage insurance premium and a maximum term of 40 years.

Under the rent supplement program, the Housing Administrator would enter into a separate contract with the owner of each project in which tenants are to receive the benefit of rent supplement payments. The contract would provide for rent supplement payments by the Housing Administrator to the owner during the period in which the project is covered by an FHA-insured mortgage with the maximum term for any such contract being set at 40 years.

The contract would specify the number of units in the project to be made available to tenants for whom rent supplement payments would be made. It would specify a maximum dollar amount to be paid annually by the Housing Administrator to the owner of the project based on the total rent for the number of units in the project to be made available for rent supplement payments.

The contract would also provide that the amount of monthly payments to be made will be determined on the basis of the total of the amounts required by way of a rent supplement payment for each particular tenant and that these amounts will be adjusted periodically as tenants move out, as new tenants move in, and as there are changes in the income of tenants receiving the supplement payments.

The supplement payments could be made on a monthly or other periodic basis by the Housing Administrator to the project owner. An owner would not receive any payment for units which are not occupied.

The Federal rent supplement payments contracted to be made under this program could not exceed appropriations of $50 million per annum prior to July 1, 1966, and this amount would be increased by $50 million on July 1 of each of the years 1966, 1967, and 1968.

Mr. Chairman, the rent supplement program I have outlined is the most important and vital new program which would be established by the bill. In the President's words, it is "the most crucial new instrument in our effort to improve the American city." In my opinion, it is the most promising program yet devised to deal with a housing problem which has plagued this Nation for decades.

Up to now, the Federal Government's primary programs to provide additional housing for low- and moderate-income families have been the low-rent public housing program and the section 221(d)(3) below-market-interest-rate program. However, as helpful as these programs have been, in helping low- and moderate-income families to obtain standard housing, they, and similar State housing programs, reach only a very small part of the total number of lower income families.

Of the 1.6 million housing starts last year, less than 60,000 were units assisted under Federal or State programs designed to help these families.

In the case of public housing, a variety of factors have limited construction. In the case of the (d)(3) program, rising interest rates and land and construction costs have resulted in this program serving a higher income group than originally intended by the Congress in 1961.

Mr. Chairman, the rent supplement program will greatly increase the supply of standard housing at reasonable rentals by using the initiative and resources of private enterprise. Housing under this program will be planned and built by private organizations. It will be financed by private funds. Federal participation will be involved only in the making of those rent supplement payments on behalf of eligible families and persons needed to enable them to be able to afford the units constructed.

Mr. Chairman, some who have for 30 years fought and obstructed the public housing program, now wring their hands and pretend that the rent supplement program will jeopardize the public housing program.

It is not true. It is a smokescreen thrown up to confuse and divide those of us who for many years have stood together and fought to provide better housing for our low income families.

The same title of this bill that will establish the rent supplement program as a new and additional tool to provide standard housing for low income families also authorizes an additional 240,000 units of public housing over the next 4 years. This would be one of the largest public housing authorizations in the history of the public housing program.

The same title of this bill which will establish the rent supplement program authorizes new methods of utilizing the public housing program and will enable local authorities to use existing private housing units for public housing.

And it is safe to predict that those gentlemen who, with tongue in cheek, express such concern that the rent supplement program will jeopardize the public housing program will vote against both the rent supplement program and the public housing program.

No one knows better than I the value of the public housing program. I say to those who have labored long in the cause of public housing that the rent supplement program is no threat to public housing.

There is work enough for all. The housing needs of low and moderate income families cannot be met under existing programs alone.

Mr. Chairman, the committee heard testimony that the number of low income families on the waiting list for public housing units has reached 500,000. In this situation, it is obvious that we must use every possible tool to deal with the housing needs of our low and moderate income families. The public housing program is, and will remain, one of our basic tools for providing standard housing for low income families. To the extent that the rent supplement program can serve these families it will constitute a needed supplement—not a substitute—to public housing. The need is sufficiently great to warrant maximum efforts under both programs.

It is essential to encourage by every means available the construction of a greater volume of housing geared to the needs of lower income families. The rent supplement program can be the most successful approach yet devised for this purpose because it enlists all the initiative and resources of private enterprise. Testimony before the committee indicated that, through this program, the Nation's private civic-minded groups, lending institutions, and business leaders can provide more than 500,000 new housing units designed to serve low and moderate income families over the next 4 years.

Mr. Chairman, I believe that enactment of this program will be the most constructive step the Congress can take in providing decent housing for every American.

MODIFICATION OF INTEREST RATE

Another important provision of the bill places an interest rate ceiling of 3 percent on mortgages which may be insured under the section 221(d)(3) below-market interest rate rental housing program.

The 221(d)(3) program has been, and can continue to be, an extremely effective tool for providing housing designed to meet the needs of moderate-income families. The statutory interest rate formula resulted in mortgages bearing a 3⅛ interest rate when the program was enacted in 1961. Under the statutory formula mortgages now must bear an interest rate of 3⅞ percent and the committee has been advised that the rate is expected to rise again to 4 percent or higher at the end of this month.

These rising interest rates, combined with increasing construction and land costs, have resulted in rents in these projects higher than those intended by the Congress through the low rate set in 1961. The 3-percent interest rate ceiling established by the bill will have the effect of reducing rentals charged in these projects to levels within the means of a greater number of low- and moderate-income families.

LOW-RENT PUBLIC HOUSING

The Housing Act of 1964 authorized an interim increase of 37,500 units of low-rent public housing. However, the local communities' demand for additional units, based on the needs of their low-income families and the elderly, has reached 90,000 units. In addition, Housing Agency officials have informed the committee that over the past year, more than 300 communities have initiated new low-rent housing programs. Of these communities, more than 170 are participating for the first time, making a total of more than 700 additional communities since 1961.

To meet this increasing demand for public housing, the bill would increase the authorization for annual contributions contracts to permit the construction of approximately 140,000 units over the next 4 years. In addition, it would permit—through the short-term use of privately owned housing and through low-rent housing in private accommodations—the use, over the next 4 years, of up to 100,000 additional units suitable for low-rent housing purposes.

The committee believes that two new approaches adopted to permit and encourage the use of existing housing will provide localities participating in the program important new tools to supplement their existing programs. Under the first approach, recommended by the administration, local housing authorities will be permitted to purchase, purchase and rehabilitate, or lease existing privately owned housing through enactment of a technical change in the public housing law. This change—which would permit the amortization of a local housing authority's indebtedness over a period less than the 30- to 40-year periods required under the existing annual contributions formula—would enable local housing authorities to provide additional units of various sizes, especially for large families, in areas where there are substantial vacancies in privately owned housing.

Under the second approach, recommended by the gentleman from New

Jersey, a new program of low-rent housing in private accommodations would be established under the public housing program. Under this program, local housing agencies would be permitted to utilize a community's existing inventory of privately owned vacant units by leasing them from owners for use as low-rent housing. Tenants in these private accommodations would be selected by the owners, subject only to existing provisions in the public housing law relating to eligibility. Rentals would be negotiated and agreed to by the owner and the local agency. In no case could the annual contribution payable for the lease of a private unit be greater than that required for new public housing in the community.

The committee believes these new approaches will make it possible for many localities to strengthen their existing programs by permitting them greater flexibility in choosing the most appropriate means of providing low-rent housing. In many cases, for example, local authorities will be able to provide units more quickly, and in greater variety to accommodate various sizes of families, than solely through new construction. In addition, these new approaches should be particularly useful in localities where there are substantial vacancy rates and in gray areas where they would encourage the conservation and improvement of residential properties.

I wish to emphasize one other point regarding the low-income public housing program. The committee heard testimony from many housing organizations concerning the need to provide a broader range of social services to families in public housing projects. Services such as counseling of families moving into or out of public housing projects, counseling on the upkeep of units, family money management, and the availability of community and recreational facilities can help families in these projects make an easier adjustment to urban living conditions.

The committee has been informed that without any additional authorization, the Housing Agency can authorize local housing authorities to provide these services as part of the general cost of project management. In addition, Housing Agency officials have informed the committee that the Public Housing Administration will work with other interested Federal agencies, such as the Department of Health, Education, and Welfare, and the Office of Economic Opportunity on providing a broad range of services to these low-income families. Providing these services will enable the public housing program to make an even greater contribution in meeting the social needs of low-income families.

The bill would also provide for parity of treatment between the handicapped and the elderly for low-rent housing purposes by extending to the handicapped the advantages of certain provisions of the public housing law presently applicable to the elderly.

In addition, the bill would eliminate the requirement that there be a 20-percent gap between the upper rental limits for admission to a low-rent housing project and the lowest rents at which private enterprise is providing a substantial supply of standard housing. Previous laws have already eliminated the 20-percent gap requirement for the displaced and the elderly. It is inequitable to exclude any income group from the advantages of the program when they cannot afford housing provided by private enterprise.

REHABILITATION GRANTS TO HOMEOWNERS IN URBAN AREAS

The bill would also authorize a new program of grants to low-income homeowners in urban renewal areas to finance repairs and improvements necessary to bring their homes up to standards required in the community or the urban renewal plan for the area. These grants would be used only in hardship cases, generally to avoid the displacement which would result for those families, particularly the elderly, who have no other means of financing required repairs and improvements.

A rehabilitation grant under the new section 115 may cover the actual cost of the repairs and improvements involved up to a maximum of $1,500; except that, if the homeowner's income exceeds $2,000 a year, the grant would in any case be limited to the portion of such cost which cannot be paid for with any available loan that can be amortized without requiring the homeowner's housing expense to exceed 25 percent of his monthly income.

TITLE II—FHA INSURANCE OPERATIONS

Title II of the bill authorizes a new program of FHA mortgage insurance for land development in subdivisions and extends and improves FHA's programs of mortgage insurance.

Section 201 of the bill would add a new title to the National Housing Act and permit the FHA to insure mortgages on projects for land development. This would permit the well-established FHA credit assistance device which has encouraged the flow of private credit for privately built good homes to be available to encourage the flow of credit so that private enterprise can provide a larger and more even supply of properly planned residential building sites. The program has as its immediate purpose an improved supply of credit, at reasonable interest rates, for land preparation. It has as its ultimate purpose an increased supply of moderately priced good building lots in good neighborhoods. No component of housing cost has risen more rapidly than land. There is a pressing need for financial assistance to enable builders to develop land more efficiently and at lower cost.

Among the major beneficiaries, along with consumers, will be small builders, who build perhaps 10 or 20 houses a year and who cannot readily compete with large builders in finding good home sites.

The legislation itself is, to a degree, experimental; and the program would therefore be limited to a 4-year period to give the Congress a clear opportunity to review it carefully. The FHA-insured loans would finance such activities as the acquisition of land, its clearance, and its improvement with water and sewer facilities, roads, streets, sidewalks, and storm drainage facilities. Only private subdivision developers would be eligible to receive the insured mortgage loan.

The loan could not exceed 75 percent of the FHA's estimate of the aggregate value of the lots after improvement. The loan would also be limited to the sum of 50 percent of the value of the land before development and 90 percent of the cost of the site improvements. In a typical case this formula actually provides for a loan equal to about 75 percent of the sum of the value of the land and the cost of the improvements. The maximum outstanding dollar amount of any insured loan would be $12.5 million and the maximum maturity would be 7 years.

The project would be required to represent a good insurance risk. That is, the FHA would be required to find that the project was an acceptable risk in the light of the purpose of the legislation—which is to provide credit aid only for well-planned land development contributing to sound and economic urban growth.

The physical improvements and the general development plan of the project would be required to comply, not only with FHA minimum standards, but also with all applicable State and local governmental requirements. In all cases, the lots would be part of good neighborhoods, likely to have a long economic life and adequately served by shopping, school, recreational, transportation, and similar public facilities.

In addition to the new FHA mortgage insurance program for land development authorized by the bill, a new program of no-downpayment, FHA-insured loans for veterans would be authorized. Under this program any veteran of either peacetime or wartime service in the armed services could purchase a home with no downpayment where the value of the home does not exceed $20,000. If the home costs more than $20,000 the downpayment would be 15 percent of the value of the home in excess of $20,000. This loan would not be available for a veteran who has already received a loan under the GI program. Mr. Chairman, before including this program in the bill Mr. TEAGUE, chairman of the Committee on Veterans' Affairs, was consulted. He has assured us that the provision has his approval.

The bill would continue for 4 years—up until October 1, 1969—all of FHA's existing housing programs. It would also make a number of changes in these programs and authorize some changes in their administration.

The revisions of existing programs include an increase in the limit on the amount of a mortgage on a home in an outlying area from $11,000 to $12,500. Also, the maximum amount of a mortgage financing the purchase of a home by a serviceman would be increased from $20,000 to $30,000. These larger mortgage limits reflect the increased costs of housing construction.

The per family unit limit on the amount of a mortgage financing rental housing would be raised where the dwelling units consist of four or more bedrooms. This provision should encourage the production of rental units for larger families where needed.

Some liberalization would be made in the FHA provisions limiting the amount of a mortgage financing rehabilitation of 1- to 11-family structures in urban renewal areas. In addition, a mortgage financing rental housing in urban renewal areas would be permitted to finance more nondwelling facilities than under present law. This amendment will encourage early occupancy of rental housing provided in cleared areas.

Substantial economies should result to both FHA and the Treasury from authority provided by the bill for FHA to consolidate around 18 insurance funds into 1 fund, and discretionary authority provided to the Commissioner to pay insurance benefits to lenders in cash instead of issuing debentures. The Commissioner's authority to issue debentures in payment of insurance benefits is carefully retained by the bill so that at any time the Commissioner can revert to the present system of paying most insurance benefits in debentures. Of course, this provision does not change certain programs where advance commitments to make cash insurance payments have previously been authorized as additional inducements to lenders to make the loans.

Another significant FHA provision in the bill is the provision of mutuality for management type cooperatives, which would give these cooperatives the same treatment in this respect as the regular FHA section 203(b) home mortgagors.

It has been brought to the attention of the Banking and Currency Committee that the existing practice of requiring competitive bidding in the sale of FHA-acquired housing unfairly discriminates against cooperatives. Usually, competitive bidding serves a desirable purpose. However, it is unfair to cooperatives because they can only organize for the purpose of acquiring housing if they have reasonable assurance that they can complete the purchase. Cooperatives should be able to negotiate for the purchase of FHA housing at full market value as determined by the FHA Commissioner. He has authority to do this under existing law, and we believe that he should.

TITLE III—URBAN RENEWAL

Title III of the bill continues and strengthens the slum clearance and urban renewal program, begun by the Housing Act of 1949. This program, supported by the Nation's business and civic groups and local government officials, has proven to be of tremendous value and benefit to both large and small cities in every part of the country. It is making possible a comprehensive attack on the slums which blight most of the Nation's communities.

Mr. Chairman, an immensely important benefit of the urban renewal program, which is becoming increasingly recognized by all, has been the improvement that has resulted in local financial resources throughout the country.

Our communities are faced with an overwhelming demand for more health, police, fire, and other municipal services. This demand is straining their financial resources. One of the most severe problems facing our communities, in trying to meet these demands, is the fact that slum areas need far more municipal services than they return in taxes.

By clearing these slums, and replacing them with new and rehabilitated construction, the urban renewal program has substantially increased tax revenues and thereby enabled many of our localities to increase their municipal services.

This title would increase the capital grant authorization for the urban renewal program by $2.9 billion, sufficient to carry on this program for an estimated 4 years. In my judgment, this amount is absolutely essential. It is less than the mayors and other local officials of the Nation requested. However, the committee believes that, balanced against our other needs, this amount will be adequate to carry the program at a reasonable level over the next 4 years.

This title also authorizes the Housing Administrator to conduct a comprehensive study of housing and building laws and codes, zoning and land use laws, and tax policies, and to report to the President and the Congress on the results of the study. Mr. Chairman, the committee has heard much testimony in recent years concerning the restraints which these laws often place on builders and developers in providing lower cost housing in our urban areas. The purpose of this study, recommended by the gentleman from New Jersey, is to enable the committee to determine how these various laws can be utilized to more effectively permit private enterprise to produce lower cost housing and to serve a larger part of the need for such housing.

Two important provisions of this title reflect the concern of many individuals for the need to place greater emphasis on code enforcement and rehabilitation activities under the urban renewal program:

The first would make available for urban renewal projects involving primarily code enforcement and rehabilitation, at least 10 percent of the new urban renewal capital grant authority provided in the bill and subsequent bills and the authorization for direct rehabilitation loans under section 312 of the Housing Act of 1964.

The second provision would remove the $50 million limit on the authorization for funds under the section 312 rehabilitation program which provides 3-percent loans and authorize such additional appropriations as are needed to carry out the program.

These provisions, which we owe largely to the efforts of the gentleman from New Jersey, will minimize the need for demolition and clearance in the urban renewal program in a practical way, without placing a straitjacket on communities carrying out essential clearance activities.

Another provision of the bill strengthens the workable program requirement in the urban renewal law to require localities, as part of these programs, to establish priorities for individual urban renewal projects and to coordinate such projects with other community activities and programs. This amendment to the law would make clear that the Housing Administrator, in recertifying a locality's workable program, has authority to require that each urban renewal project is consistent with the community's overall renewal objectives and resources.

To meet the requirement of this provision of the bill that the workable program provide sufficient information for the Housing Administrator to evaluate a particular proposed project, the workable program should identify blighted or declining neighborhoods in the community, indicate the factors causing the deterioration, and provide a basis for scheduling urban renewal activities of various kinds.

This amendment should result in localities placing greater emphasis on the planning and scheduling of urban renewal activities in accordance with its overall renewal objectives and priorities and resources.

This title also contains provisions designed to give greater assistance to business concerns and others displaced from urban renewal areas by authorizing a lease guaranty program for small businesses and requiring relocation assistance programs established during urban renewal projects to provide additional information to all displacees.

TITLE IV—COMPENSATION OF CONDEMNEES

Title IV of the bill deals with a problem of growing concern to many members of the committee and the Congress. In recent years there has been an increasing number of complaints questioning the fairness of procedures followed by local public agencies which acquire land for use in the course of public improvement programs. Many of the programs under which land is taken for public use receive substantial amounts of Federal financial assistance.

Of particular concern in recent years has been the problem of differing methods of land acquisition being followed in various federally assisted programs.

This title of the bill, recommended by the gentleman from New Jersey, would deal with this problem by establishing uniform land acquisition procedures to be followed by local public agencies in the acquisition of land by eminent domain under certain programs administered by the Housing and Home Finance Agency. The programs covered would be the public housing and urban renewal programs, the public facility loan program, the college housing program, the senior citizens housing program, and the open-space land program.

The bill would require local agencies, as a condition of eligibility for Federal assistance under these programs, to satisfy the Housing Administrator that certain policies would be followed in acquiring land by eminent domain in the course of the particular program. These policies would involve such actions by the local agency as making every reasonable effort to acquire the land by negotiation, rather than through eminent domain; permitting the owner of land an opportunity to accompany the appraiser; and giving owners of land to be taken at least 90 days written notice of the date on which project activities are scheduled to begin.

In addition, where the owner disputes the price established by the local agency as fair and reasonable for the property, the agency would be required to make the owner an advance payment of 75 percent of the most recent price established for the land. This advance payment would later be applied to the ultimate price for the property established by eminent domain proceedings. This provision will help owners of land who often must bear the cost of litigation and moving expenses resulting from eminent domain proceedings over long periods of time.

This title would also make the relocation payment provisions enacted by the Congress in 1964 applicable to the college and elderly housing programs and the public facility loans and open-space land programs. These payments are presently authorized only under the public housing and urban renewal programs.

In addition, this title would increase from $1,500 to $2,500 the amount of the relocation payment authorized by the 1964 act to displace small business concerns and authorizes additional payments for expenses which are incidental to the taking of a person's property. These new payments would include such items as expenses incurred for recording fees, transfer taxes, mortgage prepayment penalties, and a pro rata share of real estate taxes covering a period after the owner transfers title to his property. The committee believes these additional payments are clearly justified. An owner of property acquired during a public improvement program should be reimbursed for any expenses resulting from transferring title to his property.

TITLE V—COLLEGE HOUSING

Title V of the bill extends and provides additional funds for the college housing loan program, one of the most successful programs that the Federal Government has ever undertaken. In its 15 years of operation it has helped to provide housing for more than 660,000 students and faculty in over 2,500 projects—and it has done this without experiencing a single default.

Of course, the tremendous job of housing our college and university students and faculty is far from finished. The Office of Education estimates that college enrollment will increase by 1.5 million in the next 4 years and that about 25 percent of this increased enrollment will require housing and related facilities such as student unions, dining halls, and health centers. Accordingly, the bill would provide for increases of $300 million in the college housing loan authorization in each of the next 4 years.

In addition, the bill establishes an interest rate ceiling of 3 percent on loans under this program, a rate which the committee believes will enable the program to more effectively serve our growing college population. Under the existing statutory interest rate formula, the program lending rate is currently 3¾ percent and would rise to 4 percent on June 30. The reduced interest rate will serve to lower rentals charged to college students for their housing accommodations.

TITLE VI—COMMUNITY FACILITIES

Title VI deals with two of the most pressing problems facing the Nation's localities—the need for basic water and sewer works and for neighborhood facilities such as health and recreation centers.

Mr. Chairman, the rapid rise in population in recent years, coupled with the increasing demands on the financial resources of our localities, has outpaced the ability of many communities to provide adequate basic water and sewer facilities. The Housing Subcommittee heard repeatedly of the tremendous backlog of additional water and sewer facilities needed to keep up with the surging growth of our population. By 1975, the urban population alone is expected to increase by 50 million and the per capita use of municipal water is expected to increase from 140 to 160 gallons per day.

In addition, many localities have had to forgo investment, no matter how greatly needed, in neighborhood facilities such as community recreation centers, health stations, and other public buildings housing health and recreational facilities. Mr. Chairman, such facilities are essential to our communities so that they can effectively meet the undesirable social effects of idleness upon their juvenile and elderly population.

Accordingly, the purpose of title VI of the bill is to provide financial assistance to communities to construct badly needed water and sewer works and neighborhood facilities such as health and recreational centers.

The bill would authorize the Housing Administrator to make grants to localities to finance up to 50 percent of the cost of basic public water and sewer projects. These grants would be available to all communities, regardless of size. They could be used to expand, enlarge, or improve existing water and sewer facilities, as well as to construct new facilities. Eligible water facilities projects would include facilities to store, supply, treat, purify, or distribute safe, potable water for domestic, commercial, and industrial use. Eligible sewer facilities would include sanitary sewer systems for the collection, transmission, and discharge of liquid wastes, storm sewer systems, and other facilities for the collection and disposal of other categories of wastes.

Although this program will cover a wide range of needs in the field of basic water and sewer facilities, it will not duplicate the very successful program of grants for waste treatment plants under the Water Pollution Control Act.

In addition, the bill contains provisions designed to assure that Federal grant funds do not finance uncoordinated or piecemeal water and sewer facilities. Grant funds would be available only for facilities which are designed so that adequate capacity will be available to serve the reasonably foreseeable growth needs of the area and which are or will be consistent with areawide water or sewer facilities systems.

The bill also authorizes grants to localities to finance specific projects for neighborhood facilities such as community centers, youth centers, health stations, and other public buildings which provide health or recreation or similar social services. Grants would be available to cover up to two-thirds of the cost of these projects, with provision for three-fourths grants in the case of a project located in economically depressed areas.

Neighborhood facilities projects assisted under this new program would have to be so located as to be available for use by a significant portion of an area's low- and moderate-income residents. In addition, a priority is given to applications for projects that primarily benefit members of low-income families or which otherwise further the objectives of a community action program approved under the Economic Opportunity Act. The committee expects that a great majority of neighborhood facilities for which grants will be made under this program will be used in connection with these community action programs.

TITLE VII—FNMA

Title VII of the bill contains important provisions affecting the Federal National Mortgage Association's activities under its special assistance programs.

The first provision would increase the revolving authority under which the President authorizes FNMA to furnish special assistance to mortgage financing of certain housing. This increase would be $1,625,000 over the next 4 years.

Mr. Chairman, FNMA's special assistance authority has been vital to the success of many of our most important housing programs, and will prove to be even more valuable in the coming years. This is especially true in the case of mortgages insured by the FHA under the section 221(d)(3) below-market-interest-rate program. Because of their below-market interest rates, which would be reduced by the bill to 3 percent, it is clear that all of the mortgages insured by the FHA under this program will be offered to FNMA for purchase. It is the committee's understanding that approximately one and a half billion in new authorization will be set aside by the administration for this one program. Thus, FNMA special assistance authority will continue to do its part in helping to expand the supply of rental housing available for low- and moderate-income families.

Another provision of the bill, although contained in title I, relates to FNMA's activities with respect to these section 221(d)(3) mortgages. The Housing Act of 1964 authorized FNMA to sell participations in pools of mortgages held by it under its special assistance programs or management and liquidations functions, or held by other Federal agencies. These participations permit the substitution of private funds for Treasury funds to finance these mortgage holdings. Because of their below-market interest rates, section 221(d)(3) mortgages have not been included in the pools. To make it feasible for these mortgages to be included in future pools, the bill would authorize funds to reimburse FNMA for its expenses in including these mortgages in the pools.

This provision would make it possible to substitute private financing for substantial portions of the amounts of section 221(d)(3) mortgages.

TITLE VIII—OPEN-SPACE LAND AND URBAN BEAUTIFICATION AND IMPROVEMENT

As the President emphasized in both his message on natural beauty and his message on cities, one of the greatest needs of our towns and cities is additional Federal assistance for the acquisition of parks and playgrounds and for the beautification and improvement of these and other public areas. The bill would provide that needed assistance.

The open-space land acquisition program, authorized by the Housing Act of 1961, would be strengthened and expanded. Maximum grants under the present program would be increased from 30 to 40 percent.

Forty percent grants would be authorized, also, for the provision of open-space land through the acquisition and clearance of land in built-up areas. This would enable the program to provide increased assistance for downtown and neighborhood parks. The present authority, limited as it is to acquisition only of undeveloped land, has for the most part assisted land acquisition only in the suburbs.

In general, large areas will not be acquired under this new authority. Land in developed areas is expensive, and localities will always think twice about changing it from a taxable asset into a maintenance cost. However, many localities have an urgent need for more open space—both neighborhood lots for children, and downtown malls and parks for officeworkers and shoppers. Where localities are willing to do their share in providing such facilities, the Federal Government, also, can count its money as well-spent.

In addition, an entirely new program would authorize grants for local programs for landscaping, park improvement, and other urban beautification and improvement.

The usual Federal grant would be 40 percent of the increased expenditures by the locality for such activities. However, $5 million would be authorized to be used for higher percentage grants—up to 100 percent of cost—for beautification and improvement projects which would be of special value to other localities in testing and demonstrating new beautification methods and techniques.

This program is a promising new approach in Federal assistance for our towns and cities. Making our parks and other public areas more attractive and useful are problems which must and will be met primarily through local efforts. However, Federal assistance is also needed.

What is more, it can be provided through this program without substituting Federal for local decisions. Assisted activities would have to be part of a locally approved beautification and improvement program. These programs would be prepared by the applicant and other interested local bodies. They, rather than the Federal Government, would make the basic decisions as to how much is to be spent and what kinds of activities are to be assisted.

TITLE IX—RURAL HOUSING

Mr. Chairman, title IX of the bill is the rural housing title. The hearings of our subcommittee clearly revealed the immediate need for expansion of the rural housing program.

There is twice the proportion of substandard housing in rural areas as there is in our cities and suburbs.

Half of the rural families with incomes of less than $3,000 a year are living in houses that are so run-down they need replacement or major repairs to make them decently habitable. These are families who do not have enough income to repair their homes and cannot obtain a modest home improvement loan from conventional creditors.

A widespread housing credit gap continues to exist in rural areas despite the efforts of the Farmers Home Administration and the Federal Housing Administration to reach further and more effectively into rural areas.

An example of the inadequacy of the present rural housing program was brought out in the committee hearings this year where it was revealed that the Farmers Home Administration had a backlog of more than 15,000 housing loan applications on hand. This has been going on for several years. This agency has not had sufficient loan funds to meet this backlog of loan applications totaling more than $100 million.

New rural housing legislation is obviously called for. The President has recommended it.

Under title IX, rural housing loans totaling $300 million could be insured each year by the Farmers Home Administration for families in low or moderate income levels who would pay interest at a rate not to exceed 5 percent. Additional loans could be insured each year for families with incomes above the moderate level and these families would pay interest rates comparable to the rates paid on insured Federal Housing Administration loans. The new insured rural housing program will serve to reduce, to some degree, the inequality in opportunities for urban and rural families in the field of housing, without increasing the burden on the Federal budget.

The committee has confidence that the Farmers Home Administration can do an outstanding job in administering this expanded program with proper legislative authority. The committee has noted the experience the Farmers Home Administration has had in the successful operation of the insured loan program for farmownership and soil and water loans under the Consolidated Farmers Home Administration Act of 1961. It makes good commonsense that the same type of insured loan program be adapted to the large rural housing loan needs.

There are, however, several differences between the two programs: First is that the proposed bill would establish a 5-year minimum repurchase period for the insured notes, whereas the 1961 act permits a 3-year minimum period;

During deliberations of your committee on title IX, we considered very carefully the best way to handle this insured mortgage paper. The administration bill proposed that it be sold to maturity at whatever discount rate might be necessary at the time. It was the feeling of the committee that 33-year notes bearing 5 percent interest could not be sold at par. The observation was made that the Department of Agriculture through the Farmers Home Administration is and has been selling similar paper to local and national lenders at par, but for shorter periods of time. The committee considered the alternatives very carefully and concluded that such notes should not be sold at discount, resulting in request for an appropriation to make up the loss, when they can be sold at par. So it is the intent of the pending legislation that this paper be sold at par as long as possible even though this requires an agreement to repurchase the paper from the original lender after 5 years.

Second, any amount withheld as a loan insurance charge is discretionary with the Secretary of Agriculture under this bill. The act of 1961 requires a minimum charge of one-half of 1 percent. The greater latitude of this bill is designed to provide more flexibility in establishing the interest return to investors in insured loans and thus improve their salability.

Mr. Chairman, there are a number of other features and improvements in this bill that I should like to discuss briefly:

AUTHORITY TO BUY PREVIOUSLY OCCUPIED HOMES AND BUILDING SITES

Throughout rural America there are many vacant houses that are structurally sound and can be purchased and modernized at a cost considerably below the cost of a new house. Under present law, rural housing loans to buy previously occupied dwellings and the sites may be made only to senior citizens who are at least 62 years of age. The committee believes that extending this authority to all age groups in rural areas will be a way of effectively using existing sound structures and in helping low-income families acquire a decent home of their own within their capacity to pay.

INTEREST RATES

In order to make the insured loans salable without substantial discounts, the interest rate would be 5 percent per annum on loans to low- or moderate-income families. For borrowers above the moderate level, rates will be comparable to interest rates and insurance charges paid by families who use Federal Housing Administration insured loans.

The committee also recognizes that many families have such low incomes that they cannot pay the higher rates that are necessary to make insured loans salable. For this reason, the bill provides that, on direct loans to senior citizens and on the specialized direct loans to all low-income families involving minor repairs to make the house safe and sanitary, the maximum interest rate will remain at 4 percent.

The bill also retains in the Secretary of Agriculture discretionary authority to set rates at less than the statutory maximum for direct loans to families in distress situations, such as those whose buildings are destroyed or damaged by natural disasters and families with low incomes who cannot afford to pay 5-percent interest.

With respect to direct loans to nonprofit organizations for senior citizens rental housing, the maximum rate will be 3 percent.

ESTABLISHMENT OF A RURAL HOUSING DIRECT-LOAN ACCOUNT

In order to simplify the budgetary operations of the rural housing program, the bill provides for the establishment of a rural housing direct-loan account. In this account would be deposited borrowings from the Treasury and appropriations for direct loans under title V of the Housing Act of 1949 as well as future collections on direct loans. All rural housing direct loans would be made out of the direct-loan account to the extent authorized annually by the Congress. Collections and other funds in this account would be utilized to make these loans.

EXTENSION OF RURAL HOUSING PROGRAM

The committee recommends an extension to October 1, 1969, of existing authorizations that expire September 30, 1965, to permit orderly administration of the rural housing programs.

RENTAL HOUSING FOR DOMESTIC FARM LABOR

Provisions are also contained in this bill to increase from $10 to $50 million the total authorized for section 516 grants to provide low-rent housing for domestic farm labor. This is a most critical housing problem in a number of rural areas. Because of the short period of occupancy of housing by farm laborers, most growers cannot afford the total cost of adequate housing. Because of the seasonally short work period, most farm laborers are unable to pay the rent required to provide the necessary income to repay the loan for the full cost of the housing. These grants, which may be made up to two-thirds of the cost of the rental housing, would speed up the rate of replacing the existing farm labor slums with housing that is more adequate and decent but still modest and economical.

RURAL HOUSING NEEDS

The need for more credit resources for rural housing is great. The fact that insured loans will be made, for the most part, to low- or moderate-income people who are unable to get credit from conventional sources does not mean these will be unsound loans. Quite the contrary.

Experience by the Farmers Home Administration has shown a remarkable repayment record and an almost phenomenal low-loss record for rural housing loans.

Since the beginning of the program in 1949 through January 1, 1956, Farmers Home Administration has made rural housing loans totaling $783 million to 97,000 rural families. As of January 1, 1965, borrowers had repaid $176.4 million in principal plus $87.5 million in interest.

More than 19,000, or 20 percent, of the families had repaid their loans in full, many before they had become due. Borrowers with payments due had paid 104 percent of the amount matured.

Foreclosures were less than one for each thousand loans made.

Losses have been negligible, amounting to less than one two-hundredths of 1 percent of the amount loaned.

Any way you look at it, the insured rural housing program that will be created by title IX is a good program—it will be a big step forward toward raising living standards in rural America and the program is actuarially sound. The program puts no strain on the budget.

TITLE X—MISCELLANEOUS

Title X, the last title of the bill, would eliminate existing dollar ceilings for the appropriation of funds for the urban planning assistance program, the public works planning advance program and the Federal-State training program. A cutoff date of October 1, 1969, would be provided for each program. Funds would be made available only through appropriations.

The title would also extend the investment authority of saving and loan associations by permitting them to make college housing loans and by broadening their power to make leasehold loans. I would like to make it clear that the reference to fraternity houses and sorority houses in section 1007 is not intended to refer to houses that serve merely as meeting places. It is intended, as the context indicates, to cover only such houses as include rooming accommodations so that they may provide what might be called a residence away from home.

Mr. Chairman, this completes the review of the major provisions of H.R. 7984. I realize that this is a large and a complex bill, but that is because the problems of housing and urban development are equally large and complex.

I have not taken the time to touch on every detail in the legislation, but I assure you that the members of the Banking and Currency Committee and the Subcommittee on Housing, as well as the experts of the housing agencies and outside groups interested in the legislation, have considered every point carefully.

I believe that this bill will mark an important forward step in our housing and urban development legislation and will enable the country to embark on an intensive 4-year program to improve housing conditions and the physical environment of our communities in every part of our country and for all of our people. I am hopeful that the Members of the House will recognize the broad range of needs which this bill will meet and approve it as recommended by the committee by an overwhelming margin.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. The gentleman referred to the type of structures to be built under this rent supplement at a modest cost and referred to rent subsidies under the low market interest rate in section 221. But the programs we are talking about are all market interest programs, and I understand the limit on this may go up to $32,900 per unit. Am I correct?

Mr. BARRETT. I appreciate the gentleman asking that question.

Mr. Chairman, I think we ought to bring this down to a position which everyone can understand it. There is no luxurious housing in this program. There are no apartments that cost $38,000 or anything close to that figure. For the gentleman's edification I would like to make this very simple, and an easily understood explanation of this section of the bill.

What it is necessary here to understand, Mr. Chairman, is who builds these structures. They are built in this fashion: A nonprofit organization may desire to build 300 or 400 or 500 units. He goes to a private lender and tells the private lender what moneys he wants to borrow. When they agree on the amount, then he goes to the FHA with the private lender and if he meets all the necessary requirements for this modest construction, then the FHA would agree to insure the mortgage. There are no dollars that are put into this by the Government at this point. The mortgage is insured for 40 years.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. If the gentleman will permit me first to explain this more fully, I think it might save many Members of the House from asking a lot of questions relating to the first question that my colleague asked, namely, Will people be able to go into $38,000 apartments? The answer is—no.

When the owner gets that insurance for the mortgage, then he, the owner and nobody else—no builders, no construction company—but the owner goes to the HHFA and says, I want a contract with you for rent supplements. Then if he meets all of the requirements including the requirement that the construction be of modest design, the HHFA will say to him, "All right, we will assure rent supplements in your construction."

Now keep in mind the kind of low-income people who can get rent supplements. First, the individual who wants to occupy this housing as a rent supplement tenant must be in one of these four categories. He must be a displacee, that is, one who is displaced from his home by public action; or second, he must live in substandard housing; or third, he must be an elderly person, or, fourth, he must be a handicapped person.

Now who are these people? In the case of a person considered as a displacee, is that person eligible if he can obtain decent housing for less than one-fourth of his monthly income? No, he is not eligible.

Is he eligible if he lives in a slum and can obtain standard housing—and let me say, decent, safe, and sanitary housing, for less than one-fourth of his income? That person is not eligible.

Can the elderly obtain this type of apartment? And who are the elderly that we are trying to help here? Is he not the person who may be on social security and who is receiving $100 a month or so?

If the person does not qualify as being in one of these four categories, then he is not eligible for this type of apartment.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I am glad to yield to my colleague.

Mr. HARVEY of Michigan. I want to say to the gentleman I am somewhat astounded because the gentleman really could not have understood my question because I cannot believe that the chairman of our subcommittee, as knowledgeable as he is on this subject and the gentleman from Pennsylvania is a very able chairman I want to say right here and now.

Mr. BARRETT. I thank the gentleman from Michigan.

Mr. HARVEY of Michigan. The gentleman from Pennsylvania could not and would not possibly want to leave the impression with the Members of the House that the type of structures that the gentleman is talking about is being built under the below-market interest rate for housing.

That is what the gentleman said in his remarks. I say that this rent supplement program is included under the market interest rate program. I am sure, in his vast knowledge, the gentleman will agree that the upper limit under this market interest rate for this housing is $32,900.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Pennsylvania.

Mr. MOORHEAD. Mr. Chairman, I should like to direct the attention of the gentleman from Michigan to page 5 of the report, to the next to the last paragraph. The second sentence of that paragraph clearly says, as the gentleman from Michigan pointed out, that the financing of these programs would be under market interest loans.

Let me read a portion of the first sentence of that paragraph:

> projects containing units for which rent supplement payments could be made would be of modest design, constructed to the standards prescribed for the FHA section 221(d)(3) below-market interest rate insured loan program.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield? Perhaps the gentleman can point out where this appears in the bill. No such language appears anywhere in the bill, to my knowledge. I still say that the limit prescribed by the administrator is $32,900.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Ohio.

Mr. VANIK. Will the gentleman from Pennsylvania tell me whether the rent supplement payments could be made to the owner or property used in violation of either the building code or the zoning code of the local community?

Mr. BARRETT. All of these would have to be built according to zoning requirements and codes and would have to meet FHA minimum property standards.

Mr. VANIK. I take it the payments could not be made where there was a violation of the building code or the zoning code.

Mr. BARRETT. The gentleman is correct.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield? I would ask the gentleman where in the bill that appears? Will the gentleman point out the line or the page?

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Ohio.

Mr. ASHLEY. Is it not true that the FHA standards require that already? It does not have to be in the bill.

Mr. HARVEY of Michigan. There is certainly nothing in the language of this bill that requires it.

Mr. ASHLEY. The FHA standards require it. We are building these things under FHA standards, it is reasonable to assume.

Mr. HARVEY of Michigan. I assume that the gentleman will agree with me, then, that $32,900 is the limit?

Mr. WIDNALL. Mr. Chairman, I now yield 20 minutes to the gentleman from New York [Mr. Fino].

Mr. STANTON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Fifty-two Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 158]

Andrews, N. Dak.
Arends
Baring
Blatnik
Bonner
Bow
Brown, Ohio
Broyhill, Va.
Byrne, Pa.
Cahill
Chamberlain
Chelf
Clark
Conable
Curtin
Curtis
Davis, Ga.
Dent
Derwinski
Dickinson
Diggs
Dingell
Donohue
Dowdy
Evins, Tenn.
Farnsley
Fulton, Pa.
Gilligan
Grabowski
Gray
Greigg
Halleck
Halpern
Hansen, Wash.
Harsha
Harvey, Ind.
Hays
Holland
Jacobs
Jennings
Keogh
Kluczynski
Lindsay
Long, La.
Long, Md.
McDowell
McVicker
Macdonald
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Miller
Moore
Morse
Morton
Nelsen
Nix
Olson, Minn.
Philbin
Powell
Race
Reid, N.Y.
Resnick
Rhodes, Pa.
Roosevelt
Roybal
Ryan
St Germain
Saylor
Senner
Shriver
Steed
Stratton
Tenzer
Thomas
Toll
Tupper
Ullman
Vigorito
Watson

Accordingly, the Committee rose; and the Speaker pro tempore, Mr. Albert, having assumed the chair, Mr. Flood, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 7984, and finding itself without a quorum, he had directed the roll to be called, when 355 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from New York [Mr. Fino] is recognized for 20 minutes.

Mr. FINO. Mr. Chairman, at the very outset, I would like to make my position on this housing bill crystal clear. I have always been a great supporter of housing legislation not only in the Congress of the United States but as a member for 6 years of the New York State Senate.

In the 13 years that I have been privileged to be a Member of this House I have always supported and I have always voted for every housing bill that has come before this House.

Now, let us make no mistakes about my position here today. I still favor and support legislation that will provide adequate, suitable and decent housing for families of low and moderate income.

As for this bill, I will support all of the programs contained in it except for one, and that is the proposal in section 101, commonly referred to as the rent-supplement program, or better known as the rent-subsidy proposal.

Under this section 101, which the Housing Administrator calls an "experiment," massive rent subsidies will be doled out to certain population groups—the elderly, the handicapped, those displaced by urban renewal and those living in substandard housing.

I agree that these people need help, but I seriously question not only the motives but also the real worth of this proposal.

Under this recent supplement or subsidy scheme, persons in four categories may receive rent subsidies if they cannot find standard housing using one-quarter of their annual income. The rent subsidies will then be the difference between the fair market rental and one-quarter of the tenant's income.

At first glance, just looking at the bill this formula might sound reasonable. It might sound fair. But I say to you gentlemen that it is neither reasonable nor fair—it is simply clever.

Let us take a very close look at the eligibility requirements.

First of all, one must be fit into one of the four categories. That sounds fair. Then one must be unable to locate and rent standard housing which is suitable for one-quarter or less of his income. This, too, would seem fair and equitable until—I repeat, until we realize that under this section the Housing Administrator determines and the Housing Administrator defines what is suitable standard housing. By his power of definition he can set standards which suit his purposes.

Let us take an example. Should the Administrator decide that he wants to move a $6,000 a year family of four persons living in a three-and-a-half room apartment, he would simply define the present accommodation as substandard. He would establish a standard of spacious, air-conditioned, four-room apartments renting at $150 per month, and then go to work.

The better apartment, at $150 per month, would cost $1,800 per year, which is well over the $1,500 a year which represents one-quarter of the family income. The family in question would qualify for a rent subsidy of $300 per year, or $25 per month.

This, my friends, is the kind of power we would give the Housing Administrator under section 101 of this bill.

I say to the Members of this House that there are no safeguards in this legislation. There are no restrictions, and there are no prohibitions.

The rent subsidy proposal is also open to all kinds of abuses. Let us take a closer look at this program.

Under section 101, the Administrator has the power to define and determine what is income. But, what is more important, he has the power to determine what may be excluded from income. He can choose to say that a family with $10,000 a year income—which could include bank interest, employee bonus, wife's earnings—really has an income of only $7,000 per year, from which he can exclude $1,800, under some exclusionary definition the Administrator has the power to draw, thereby leaving a $5,200 income.

This is the power he has. He can do it, and there is nothing in this section 101 which prohibits the Administrator from doing it.

Now, if this family was eligible under the four categories, it could receive a very nice rent subsidy because obviously with a redefined income of $5,200 a year it could not afford the apartment it needed for one-fourth of its income as artificially lowered.

I am sure that the proponents of this program will say that things like this will not be done and that such abuses will not occur. I think they will occur because there is nothing in this legislation that prohibits or restricts the Administrator from doing it.

If the proponents of this bill were really concerned with making the rent subsidy program a careful experiment, they could have done a better job on the bill's language. But they did not. They left section 101 loose, ambiguous, and flexible enough to write all kinds of abuses.

I think that is what the Housing Administrator had in mind all the time—far-reaching control that could extend into every nook and corner of American residential patterns. That is why this section does not contain specific protections against the type of abuses that I have mentioned.

As far as I am concerned, the only safeguard we have against the loose language of section 101 is the social philosophy of the Housing Administrator. If he chooses to experiment in reweaving the national social fabric, we will have given him many tools when we give him section 101. Frankly, I am afraid of the power that would be available for such exercise. I am afraid because I do not believe in federalized residential patterns.

As I have already mentioned, this rent subsidy proposal applies to a broad range of groups—extending well beyond the lower-income group it is supposed to be concentrating on. I seriously doubt that the lower-income group will get much real benefit out of this section.

I think that the low-income group could be better served. I do not believe that the rent subsidy program is intended to put low-income people in appropriate standard housing. I am certain that this program is intended to put certain selected low-income groups in middle-income and near luxury housing. That is what the rent subsidy program is doing in New York State and the people in these middle-income apartments don't like to see people subsidized while they are paying all the rent they can afford on their own initiative and hard work.

I know that the proponents of section 101 [illegible] argue that this across-the-board economic integration is a sound idea because it mixes the underprivileged with the privileged. I feel however, that those paying full rent have a valid reason to object to economic integration especially when they additionally have to pay part of the rent of their underprivileged neighbors.

You will also hear it argued that this section 101 will give an incentive to the underprivileged person to improve his lot and will educate the privileged on how the other half lives. As for giving the underprivileged person an incentive for improving his lot, I think the opposite is true because the moment he increases his earnings, he loses his subsidy. So why should he strive to improve himself?

As for educating the privileged person on how the other half lives, it might very well educate him to do exactly what the underprivileged person is doing—cut down on his own initiative and enjoy the same kind of subsidy benefits his neighbor enjoys.

I feel certain that this section is not really concerned with helping people as much as it is with grabbing power. It is a social planning power grab disguised in housing terminology.

This section is more important to the bureaucrats than to the people who it is supposed to help. Let us make no mistake about it—this measure is concerned with power—an extension of Government power to regulate lives and living patterns, and not with people.

Let us not be misled by the arguments of the proponents of this section that this program will help provide housing for those of low incomes. This is only a smokescreen. It is a dense cloud of misinformation. We know and the private builders know that there is no real profit in building low-income housing units—the only housing that will be constructed under this program will be middle-income and upper middle-income housing from which the low-income people will benefit at the added expense of the American taxpayers. The moneys that are to be used on this experimental program could be much better spent in other ways and the Housing Administrator knows it.

If the Administrator was really concerned with people and adequate housing for people in need of help, he would have asked for additional public housing and a broader rent certificate program. I say this because public housing can do the job for more people and for less money—much less money.

I am fully aware that public housing has shown very real qualitative and numerical shortcomings to date but that merely reflects the sterility of administration programing. The truth of the matter is that a good public housing program would provide more units more quickly at substantially less cost. And, I might point out, it would provide these units for the income ranges that need housing, not the income ranges that the Administrator would like to experiment with.

When Mr. Ira Robbins, president of the National Association of Housing and Redevelopment Officials, testified on section 101 before the Subcommittee on Housing—and incidentally, Mr. Robbins is an expert on housing; he has had 38 years of experience in that field—he was very blunt in his appraisal of the rent subsidy scheme. Mr. Robbins, an expert on housing, said that a $4,000-a-year family can be subsidized in public housing for $37 per month while it will cost $66 per month to subsidize the same family in similar quarters under the rent supplement program. My point is very simple. Nearly twice as many needy families could be provided for by public housing as will be provided for at the same cost by the rent supplement program. But, as I have mentioned before, the Housing Administrator is more concerned with power than with people.

I do not believe that the social planners who drew up this rent subsidy program were really concerned with helping the needy to get housing. If they were, they could have gotten so much more for the same money in other ways. As a matter of fact, the proponents of section 101 have even admitted their lack of interest in low-income groups.

When the Housing Administrator was before the committee he said that the rent supplement program was aimed at low-income groups. Then, 2 days later, he told a Pittsburgh Civic group that only persons with "hearts of gold but heads of lead" would build housing units for low-income families. As I already mentioned, private builders cannot and will not build low-cost housing. I can only conclude that all this talk—all this concern about the needy is sham and trickery. As far as I can see, and I challenge anyone to prove otherwise, this program is an attempt to subsidize rents in middle-income and upper-middle-income housing and thereby impose Federal controls over American residential patterns.

The proponents of this program have urged that this rent subsidy proposal is worth trying on an experimental basis. I might agree that would be worth trying on a small scale under carefully worded legislation. But what we have here is anything but a small-scale experiment. It is a phoney. It is a Trojan horse from which will spring vast Federal control.

Above all, it is not a small, short range experimental program. It is a program that will run for 40 years, involving $200 million a year for a total of $8 billion. Now, Mr. Chairman, how can anyone in his right mind say this is an experiment?

Let us make no mistake about this program. It is a long-range subsidy program that binds this Congress and all of the succeeding Congresses for the next 40 years. That is what this bill does. I ask you, is that what we want?

In voting for section 101 you will not be voting for a small-scale experiment but rather for an incredibly large-scale program which defies the name experiment by its magnitude and longevity. The social planners who have designed section 101 have chosen this Congress, the 89th Congress, as the Congress least likely to assert its rights. They feel that this Congress would insulate and protect their program's future from other Congresses. I am counting on this Congress to prove them wrong.

If the rent subsidy program is not aimed at low-income groups and is not calculated to get low-income housing built, it must have other aims and purposes. I will tell you what they are. Their aim is to put low-income groups in middle-income housing which might be called economic integration and also to subsidize middle-income groups.

Now, I see no financial sense in subsidizing middle-income groups by this rent supplement scheme. We already have housing under section 221(d)(3)—below-market-interest rate loan program which can do the job and should be encouraged to continue to do this job.

Besides, at my suggestion, we have knocked out the 20-percent gap requirement between public housing income ceilings and the lowest rents at which private enterprise is providing an essential supply of standard housing. With the elimination of this 20 percent gap requirement more people will be able to get into public housing.

I know and you know that the rent subsidy scheme does not aim at getting middle income people into appropriate housing any more than it aims at building low-income housing for low-income groups. It should be bluntly obvious that the rent subsidy program aims at social experimentation. Only in this sense is it an experimental plan. The Administrator gets to experiment but the Congress does not get to experiment.

Let me warn you that if this Congress approves this section 101, and I repeat that, if this Congress approves section 101, it will be buying a 40-year program and we can count on an abundance of experiments. Experiments that will cost $8 billion of the American taxpayers' money.

Let me repeat that under the rent subsidy program, there are no safeguards, no guidelines, no restrictions and no prohibitions that will keep the Housing Administrator from moving the poorest people into the best apartments. It will not concern itself with our primary objective to remove people from substandard housing, it will go far beyond that. As I said before, the Housing Administrator has one aim and purpose and that is to accomplish economic integration through rent subsidies. I do not know whether this is a good sound American idea. All I can say is that we ought to go very slowly in this sort of direction, and this section 101 is not a safe, go-slow program. It is, and I repeat, a power-grab that the social planners think just might slip by a rubberstamp Congress. It is social legislation not aimed at the housing problem—not aimed at providing low-income housing units—not aimed at providing middle-income housing but aimed at changing social patterns.

If you support section 101, that is exactly what you will be voting for—giving the Housing Administrator vast power to reshape the social and living patterns in this Nation.

To the proponents of the rent subsidy program who say that we need it to deal with our housing problem, I say that is not true. Let me remind them that we have, in this bill, public housing; we have below-market-interest-rate loans for middle-income housing; and we have rent certificates for privately owned existing structures. These are solid housing measures. The rent subsidy scheme is not. The rent supplement is not a housing measure but a social experiment and nothing else.

In the May 27th issue of the New York Times, Arthur Krock wrote this about the rent supplement:

> The real issue is whether the Federal Union is to undergo its greatest transformation thus far into a collectivist state.

These are dire words but they are accurate. The rent subsidy scheme is a tool—a dangerous tool—for the complete federalization of American residential patterns.

I have devoted all of my time to the rent subsidy scheme because I feel—honestly feel—that it is a blemish on a good housing bill. It ought to be wiped away.

Later, a motion will be offered to recommit this bill with instructions to strike out section 101. Your vote on this motion will determine whether or not you want to hand away power to restructure the national social fabric in the guise of housing legislation.

In closing, I would like to quickly recapitulate what section 101 does and does not do.

First. It does not aim at building low-income housing units. The Administrator not only knows it but admits it as well.

Second. It does not aim at providing the most economical standard housing for needy families.

Third. It does not contain effective limitations on the amount of individual subsidies. There is no subsidy ceiling.

Fourth. It does not limit subsidies to the truly needy—those with whom we should be primarily concerned.

Fifth. It does not prohibit rent supplements from amounting to almost all of the rent paid for an apartment.

Sixth. It does not prohibit rent supplements from being used to put low-income families in upper-middle-income housing.

Seventh. Most of all, section 101 does not contain any language that would safeguard against the above abuses. Look at the bill yourself. Section 101 extends only five pages.

Incidentally, the gentleman from Pennsylvania [Mr. BARRETT] mentioned low-income families. There is nothing in this section that talks about low-income families. It talks about "qualified tenants."

All the safeguards the friends of section 101 talk about do not exist. They will not exist until Dr. Weaver issues regulations, if then. That is not enough for me.

Now, let me say what this bill does do.

First. It runs 40 years, costing $200 million a year, for a total of $8 billion—$8 billion of taxpayers' money.

Let us make no mistakes about what this bill does. It runs for 40 years. If you read the bill—and you do not have to be a lawyer—just read the bill, and then compute those figures. It runs for 40 years because the Administrator has the power to sign up with any builder for 40 years, costing $200 million a year. That is a total of $8 billion of the taxpayers' money.

Second. It runs 40 years, so that, once Congress assents to it, Congress loses control over it.

Third. It will build middle-income housing for a select, subsidized low-income group.

Fourth. It will house a select subsidized low-income group far less economically than other low-income groups are provided for in public housing.

Fifth. Its per unit cost will be almost twice as high as public housing because middle-income units will be utilized.

Sixth. It will extend Government control over middle-income housing patterns.

Seventh. It will federalize American residential patterns.

Eighth. It will open the door to Government-enforced economic integration nearly tantamount to collectivism.

Ninth. It will encourage neighbor to spy on neighbor for the amusement of the bureaucrats.

As I said before, I think section 101 is a blot on a good housing bill. I urge you to join with me in opposing it. It is a dangerous provision and has no place in this otherwise good housing bill. In supporting and voting for the motion to recommit you will be striking out only section 101 from this bill—nothing else.

It is a dangerous provision and it has no place in this otherwise good housing bill.

In supporting and voting for this motion to recommit, which will come at the end of the general debate, you will be striking out only section 101 and nothing else. This is the only section we are concerned with and this is the only section that we say is a very dangerous section and should not be in this housing bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PATMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. ASHLEY].

Mr. ASHLEY. Mr. Chairman, I suppose there is bound to be controversy with respect to the rent supplement program. This, after all, is a program that seeks to provide housing for families whose income prevents them from qualifying for decent housing on the private market. If we have learned anything from the discussions and debates that we have had with respect to public housing over the years, it is that no Government program seeking to make available decent housing for the American people can be debated on the floor without intense controversy.

I think if we are going to argue the merits of the rent subsidy program, we should at least try to agree on the extent of the need for the program.

In 1949 the Congress established a national housing policy, establishing a goal of decent, safe, and sanitary housing for every American family. Since that time, as we know, Mr. Chairman, this Congress has enacted a whole range of programs seeking to achieve this goal. We have not achieved the goal and that is why we are here today with this program. Today in the United States there are 3,100,000 families living in substandard housing who have incomes too low for decent private housing in their community as a monthly rental equal to or less than 25 percent of their monthly income—3.1 million families. Add to that 2,100,000 elderly or handicapped and then add to that 80,000 families who each year are being displaced because of governmental action of one kind or another—and the numbers are growing. This is a measurement of the need. According to the gentleman from New York, the rent supplement program has no restrictions. Well, it does have restrictions and it does have safeguards and, as a matter of fact, it is a limited program.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman.

Mr. FINO. Will the gentleman show me on what page it has restrictions?

Mr. ASHLEY. If the gentleman will wait, I will tell him and he will not need to have any further identification.

Mr. FINO. I would like to know because I made the observation that there was no restriction and no prohibitions in this bill and I ask the gentleman to show me where there are any such restrictions or prohibitions.

Mr. ASHLEY. I am going to do that and must now decline to yield further so that I will have an opportunity to respond to the gentleman.

Mr. MULTER. Mr. Chairman, will the gentleman yield at this point?

Mr. ASHLEY. I yield to the gentleman.

Mr. MULTER. I have asked the gentleman to yield at this point before answering the question of my colleague from New York because I think since we are talking about the number of people who need housing, particularly in the lower income groups, the Record at this point ought to show that in the city of New York from which, of course, the gentleman from New York [Mr. Fino] comes and from which city I come, there are in excess of 100,000 families now on the waiting list for public housing who cannot be accommodated.

Mr. ASHLEY. Presumably, the gentleman from New York will offer an amendment to increase the amount of public housing in the bill to take care of those families in New York.

Mr. MULTER. If you were to take all of the public housing called for in this bill and allocate all of it to the city of New York, you would not be able to accommodate them.

Mr. ASHLEY. I say to the gentleman from New York [Mr. Fino] there are restrictions and there are safeguards to assure that the housing under this program will be at minimum cost and will actually provide shelter for the people it is designed to house.

First, what about the cost? The gentleman totally overlooked in his remarks that the sponsors of this housing must be nonprofit, limited dividend, or cooperative groups. Is this not so?

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from New York.

Mr. FINO. If the gentleman will read title I, section (b), line 21, it says:

> As used in this section, the term "housing owner" means a private nonprofit corporation or other entity, a limited dividend corporation or other entity, or a cooperative housing corporation.

What did they mean by "other entity"?

Mr. ASHLEY. It would seem to me that the congressional intent is quite manifest with respect to kinds of sponsors intended.

Mr. FINO. These are profit organizations.

Mr. ASHLEY. Would the gentleman please not interrupt me in the middle of a sentence? I will yield to the gentleman at any point, but not in the middle of a sentence.

We have experience, as a matter of fact, do we not, under section 221? Do we not know what kinds of sponsors there have been since the inception of that program? These are the same types of sponsors. It is because of this type of sponsor that low-cost housing can be assured. This is one of the safeguards.

Nor can we dismiss lightly the fact that in order to qualify as a tenant under this program, a family must come from one of the four categories described by previous speakers. They must be displacees, or they must be elderly, or they must be handicapped, or they must be presently living in substandard housing. These are additional safeguards, I say to the gentleman.

Mr. MULTER. Mr. Chairman, will the gentleman yield to me at that point, for clarification?

Mr. ASHLEY. I yield to the gentleman from New York.

Mr. MULTER. The language to which the gentleman from New York [Mr. Fino] referred must read exactly as written and not torn apart.

When it says "a private nonprofit corporation or other entity," it means a private nonprofit corporation or a private nonprofit entity, not any other entity which may be for profit. The same is true with respect to the limited dividend corporation or other entity. It is a limited dividend corporation or other limited dividend entity.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from New York.

Mr. FINO. I ask the gentleman from New York why they did not put that in specific language, if that was intended?

Mr. MULTER. Let us not quibble. If that is what the gentleman is arguing about, we will put in those words, if he will offer an amendment.

Mr. ASHLEY. Mr. Chairman, under the bill the Administrator would be required to determine the lowest rent required in each community to obtain a standard one-, two-, three-, or four-bedroom unit. This determination would be a factual one based on a market analysis, exactly the same as FHA has made in thousands of previous cases. If the market analysis disclosed that in a particular community a standard one-bedroom unit could be rented, for example, for $80 a month, a family which needed a one-bedroom unit could have a rent supplement payment made on its behalf only if its monthly income were less than four times that required rent for that unit, or $320. There is no discretion involved in this process. It is simply a case of finding the facts—in this case the rent required to obtain a particular unit—and then multiplying by four.

The gentleman from New York says this is an enormous grant of power to the Administrator. I say, on the contrary, this is no enormous grant of authority or power whatever. This is what has been done with respect to public housing for 30 years, as the gentleman most certainly knows.

On that point, Mr. Chairman, I believe a very interesting fact to consider is the preliminary estimate of income limits for families of different sizes recently issued by the FHA.

It showed, for example, for Toledo, Ohio, the district that I represent, that decent housing is available in the private market for families of two persons earning $4,000 annually or more. For three or four persons in the family it would require $4,500 annually or more. For five or six persons it would require $5,500 a year or more, and for seven or eight in the family $6,000 or more annually.

What this means, of course, is that a family of seven or eight in Toledo earning $6,000 a year would not be eligible under this program. If this family is earning $5,000 a year it would be eligible for a rent supplement determined in the following manner: It would be expected to pay 25 percent of its income for rent, and 25 percent of $5,000 is $1,250.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PATMAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. ASHLEY. The FHA survey for Toledo found private housing is available for a seven- to eight-member family earning $6,000, if they allot 25 percent of their income, or $1,500, for rent. Subtracting $1,250 from $1,500, the rent supplement would be $250 a year or approximately $20 a month.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. Yes. I yield to the gentleman from New York.

Mr. FINO. The gentleman is talking and discussing figures and incomes, but where in the report, where in the hearings, where in the bill is there such language as you are alluding to?

Mr. ASHLEY. The hearings clearly describe the method of computation and it is set forth in the bill.

Mr. FINO. There are no figures in this bill, and there are no figures in the hearings or in the report. Let me point this out on page 4.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. Let us see if the chairman of the subcommittee has a comment.

Mr. BARRETT. Since this is a new program, the Housing Administrator did not have firm figures available at the time of the hearings. Since then HHFA has gotten data based on the next supplement plan included in last year's housing bill and has given us estimates for a number of cities.

If the gentleman will yield further, on June 21 I put these 25 cities in the daily Record on page A3213 for the benefit of the Members of the House.

Mr. MULTER. Will the gentleman yield at that point?

Mr. ASHLEY. Yes. I yield to the gentleman from New York.

Mr. MULTER. I am pleased to hear the gentleman from New York [Mr. Fino] say that there is nothing in the record to sustain the figures, because this proves that the minority report, which pretended to give the Congress figures, is completely inaccurate. These figures they have in their minority report, which try to show it is a luxury program, for luxury incomes, are apparently pulled right out of the air.

Mr. ASHLEY. Let me say to the gentleman that the formula is abundantly clear if there are not any figures. Is not the gentleman clear on how the formula works?

Mr. FINO. We are very familiar with the formula, but what disturbs and bothers me is subsection (e), which says that for the purpose of carrying out the provisions of section 101 the Administrator shall establish the criteria and procedures for determining the eligibility of occupants and rental charges, including criteria and procedures with respect to periodic review of tenant incomes and periodic adjustment of rental charges. These are the things that disturb me about this bill.

Mr. ASHLEY. Do you not think there should be a periodic review of incomes that the tenants are receiving?

Mr. FINO. I say we are giving all of this power to the Administrator to determine what is income and what is the ceiling and the rental and everything that goes under this program. That is the objection I have.

Mr. ASHLEY. The gentleman has made quite a case for public housing, and it is a good case. It does not satisfy me, quite frankly. I have been a friend of public housing for a good many years but it simply has not done the job. There is presently a 500,000 backlog in applications for public housing.

We have only built since the inception of the public housing program a total of some 580,000 units. There are almost as many today on the waiting list as there are units that have been constructed since the program was initiated in 1937. If all of the public housing were constructed that is needed to meet the demand for decent housing for families that cannot afford at this time private housing, we would then have the largest federally operated housing operation in the world. Is this what the gentleman wants? Why is the gentleman so reluctant, let me ask him, to have this need met by the private sector of our economy as well as by the public?

Mr. FINO. Mr. Chairman, if the gentleman will yield, we do have section 221(3)(d) which is private. We do have the rent certificate proposed by the ranking member of the subcommittee. So it is not a question of objecting to meeting the demand.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. Ashley] has expired.

Mr. PATMAN. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman.

Mr. BROCK. I wonder if the gentleman would answer this question. When he mentioned $6,000 for Toledo, did he mean gross income or net, and under whose standards? By what standards does the gentleman arrive at that $6,000?

Mr. ASHLEY. Let me make it clear that the Administrator would have discretion and would be expected to write regulations to spell out exactly what is contemplated by income. But again we get to standards and the experience that has been derived under the public housing program.

There has been the comment made that nothing is said specifically about assets of rent-supplement families. Yes, these would be considered, too; there is no question about that. The Administrator has so testified.

Mr. BROCK. Mr. Chairman, if the gentleman will yield further, I should like to comment that there is nothing in the bill which mentions assets at all. Then I would ask him this question. If we apply the standards, as if permissible under this bill, which are applied under public housing rules by giving the Administrator the right to set standards, is it not true that the gross income in Toledo could be $8,000, with a $2,400 exclusion, so that there is a gross income of $8,000 and not $6,000?

Mr. MULTER. Mr. Chairman, will the gentleman yield to me?

Mr. ASHLEY. I yield to the gentleman.

Mr. MULTER. Mr. Chairman, I know the gentleman has the answer to that question, but I have the record in front of me. I am referring to the report at page 5. It says:

> The committee expects that, for the purpose of determining the amount of the income of an individual or family, all income, from every source, whether taxable or not, of the individual or adult members of the family will be included.

Further, with reference to the figures that have been asked for, they are not only in our hearings, but in addition to that, our distinguished chairman of the subcommittee [Mr. Barrett] on June 21, placed in the Record a letter from the Administrator, Dr. Weaver, together with all the figures. They appear in the Record for those who want them.

Mr. WIDNALL. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. Bray].

Mr. BRAY. Mr. Chairman, there are programs for Federal aid to housing that have been aimed at those Americans who simply cannot pay for the housing that they need. However, the rent-subsidy proposal in the legislation before us is nothing less than an attempt to make the Federal Government the landlord for the entire American middle class. It has been estimated that this plan could eventually cover 40 percent of all American families. Yet, the Government's own census figures show that over 90 percent of all families in the $4,000 to $8,000 income group are adequately housed.

Who will police such a program? How will the Government determine that those receiving rent subsidies are not falsifying their income figures? An open invitation to the American people to turn into informers was freely given during the hearings on this bill before the Committee on Banking and Currency. The gentleman from New York [Mr. Fino] asked Robert Weaver, Administrator of the Housing and Home Finance Agency, to explain:

> How would I be in difficulty if you do not police it, or investigate it, supervise it and watch me?

Mr. Weaver replied that:

> There will be spot checks * * * and there is one other check, too, which I hate to say. Your friends and neighbors would be very much concerned about this. They are the best investigators that you have in these projects.

Mr. Weaver later piously told a newspaper:

> We are not encouraging snooping. I was just reporting a fact of life.

How ironic, that this House, which has heard so many ringing speeches denouncing informers, should now be asked to approve legislation that, more than any other bill that has ever come before us, would turn Americans into a collection of snoops and sneaks, running to some Government agency with tales about their neighbors' income. And this has been gratuitously suggested by an administration official who will have a major part to play in the operation of this program if it becomes law.

If this provision becomes law, we can look forward to the day when there is just one landlord for all Americans: the Federal Government. When Nikita Khrushchev visited the United States, he bragged that in the Soviet Union, the Government took care of everyone's housing. That is true, but by American standards almost all of Russian housing would be classed as slums. A bureaucrat, in Russia called a commissar, determines whether you will live in a house the equal of a pigsty or in one of the better houses. Is this what we want in our country?

Why stop with subsidies for rent? The same distorted logic which seeks to justify this program may be just as easily applied to automobiles, clothes, and, for that matter, television sets. Why not subsidize them as well? The Government is already on its way to paying doctor bills and this program would provide for rent. What is next on the list?

With the national debt at an all-time high—and we just voted another "temporary" increase in the debt limit—

and the value of the dollar at an all-time low, and with our deficit in the balance of payments threatening to destroy the value of the dollar abroad, I think it is time the administration cut back some of its spending.

The minority report on this bill sums up the rent-subsidy provision very well: It is foreign to American concepts; it kills the incentive of the American family to improve its living accommodations by its own efforts; it kills the incentive for home ownership; it makes renters wards of the Government; it is a system of economic integration of housing through Government subsidy and it is the way of the socialistic state.

Mr. WIDNALL. Mr. Chairman, I now yield 15 minutes to the gentlewoman from New Jersey [Mrs. DWYER.]

Mrs. DWYER. Mr. Chairman, for the most part, the pending bill deserves support in this body. It is one of the best and most constructive housing bills which has been reported by the Banking and Currency Committee since I have been privilege to be a member. As a member, too, of the Subcommittee on Housing, I can testify to the spirit of cooperation and bipartisanship which has gone into this legislation and which helped us to produce a bill which both Republicans and Democrats can support.

We can support this bill, that is, subject to one major qualification—the elimination of section 101, which would establish a new program of rent subsidies for middle-income families.

This proposal, Mr. Chairman, is so thoroughly unjustified that its presence in the housing bill may jeopardize the omnibus measure itself. I hope, therefore, that the House will be able to agree that the rent supplement program must go and, having done this, will then approve the balance of a bill which can benefit millions of our fellow citizens.

I fear, Mr. Chairman, that we shall be hearing so much today and tomorrow about rent supplements that it will be all too easy to overlook the many virtues in the rest of the bill. Since the bill is a composite of proposals advanced by both the majority and the minority, I should like to call special attention to some of the more significant provisions and, in doing so, to pay tribute to the leadership displayed by the subcommittee chairman, the distinguished gentleman from Pennsylvania [Mr. BARRETT] and the ranking minority member of the subcommittee and the full committee, my distinguished colleague from New Jersey [Mr. WIDNALL]. As one of those who joined with the ranking minority Member in introducing the Republican alternative, I am deeply gratified that so much of our bill is included in the legislation reported by the committee.

In addition to the rent supplement proposal, title I of the bill includes four programs especially designed to help low-income families, the elderly and disabled, and those displaced by government projects to find decent housing.

One of the most useful and successful of these programs is the program of direct loans for housing for the elderly and the handicapped. As a long-time supporter of this and related elderly housing programs, I have been pleased to note the way in which interest in the program has grown and the way in which the program has helped our older people to live their declining years in comfort and security and dignity.

With the above-65 portion of our population growing at a faster than average rate and with retired persons required, in general, to sustain themselves on lower incomes, the need for this program has greatly increased. To meet the need, the committee has extended the authority to make loans to October 1969, and has removed the existing dollar limitation from the program, thus authorizing Congress to appropriate whatever funds it believes the program needs.

The section 103 program, Mr. Chairman, is a new one and makes a promising new departure from the conventional public housing program, a supplement to low-rent housing which Republicans on the Housing Subcommittee proposed both this year and last. Under this program, local housing authorities would be authorized to lease units in existing privately owned housing and make them available to low-income families whose rental payments would be based on the conventional program. The housing authority would pay the difference between the rent charged by the owner and the amount which the low-income families could afford up to a maximum equivalent to the annual contributions established for newly constructed housing. This program is not to be confused with rent supplement plans.

The advantage of this rent certificate plan would be great. It would introduce valuable flexibility into the low-rent housing program. It would utilize existing housing which would be made immediately available. Use enough for their needs at rental payments they can afford. It would provide a feasible alternative to reliance exclusively on the huge, depersonalized, high-rise buildings which have so often served to keep low-income families separated from their own communities. And it would encourage the conservation and rehabilitation of housing in areas which might, without special effort, become the slums of tomorrow.

In addition, Mr. Chairman, title I would authorize the acquisition of 60,000 units of low-rent public housing in each of 4 more years. This would include both the conventional public housing and units acquired through the new rent certificate plan. Additional flexibility in the public housing program would also be provided by permitting local housing authorities to use older housing, with or without rehabilitation for periods less than the usual 30 or 40 years required under the present subsidy formula. Here, again, local authorities would be given a useful tool in finding the kind of housing most needed in meeting local situations.

In the area of moderate-income housing, title I would extend for 4 additional years the increasingly successful program under section 221(d)(3) of the Housing Act which provides long-term loans at below-market interest rates. As a result of the special financing provided by this program, low- and moderate-income families are enabled to find housing suited to their needs which they would otherwise not be able to afford.

In another new departure, Mr. Chairman, title I of the committee bill would authorize grants to low-income homeowners in urban renewal areas for the purpose of financing repairs and improvements necessary to bring their homes up to the standards for decent, safe, and sanitary housing. Among other benefits, this program would reduce the cost of property acquisition in urban renewal projects. It would permit residents of the area to save their homes and avoid the hardship of forced dislocation. And it would save the Government the expenses of relocating such homeowners in other housing. The program is both practical and humane.

In order to make the loan programs in title I work more effectively—and these include housing for the elderly and section 221(d)(3) as well as college housing in title V—the committee has recommended that a stable below-market interest rate of 3 percent be established. Steadily rising interest rates under existing formulas are just as steadily reducing the advantages of these low-interest loan programs. If Congress intends these programs to function properly, then we must either maintain a ceiling on interest rates or provide an alternative form of direct subsidy. The committee's recommendation to follow the former course is, I believe, a sound one.

Among other features of the committee bill, Mr. Chairman, I would emphasize especially the improvements we have recommended in the urban renewal program. In addition to providing funds and authority for 4 more years of the program, the bill would tighten up program requirements to minimize relocation hardships and encourage more efficient operation. It would stress the rehabilitation of existing houses as an alternative to the bulldozing of entire project areas. It would encourage better enforcement of building codes as a means of preventing the growth of slums. It would help local redevelopment agencies plan their projects more realistically and help to minimize such wasteful conditions as the existence of cleared land which is allowed to sit idle and undeveloped for periods up to several years in length.

Properly planned and executed urban renewal projects can be extremely important in preventing the decay of our cities and in encouraging their growth and development as healthy, vital, and attractive places in which to live and work. With the tools Congress has already provided and those recommended in the committee bill, there will be no excuse for local redevelopment agencies to fail to make this program work as Congress has intended it should.

In a related area, Mr. Chairman, the bill would correct a number of inequities of long standing in connection with land acquisition practices under urban renewal and related urban development programs. The bill would establish uniform land acquisition procedures, provide for increased relocation payments to homeowners and businessmen displaced by such projects, and assure more promp payment and fairer treatment for those whose property is acquired through eminent domain proceedings.

Finally, Mr. Chairman, I should like to add a word about the proposed rent supplement plan—a proposal which is, in my judgment, the major flaw in an otherwise generally sound and progressive bill. The rent supplement proposal not only would cost more than all the other programs in this bill put together but it would also use this money—approximately $8 billion—for purposes which I believe to be unnecessary, unjustified, and inequitable.

In this very bill, Mr. Chairman, the committee has recommended new or improved programs which would do everything the rent supplement program proposes to accomplish. These include the public housing program, the rent certificate plan, section 221(d)(3) housing loans, and housing for the elderly. The committee has also removed the existing 20-percent gap between the income of persons eligible for public housing and the income necessary for standard available private housing. This action, when combined with the section 221(d)(3) program, should effectively fill the need for which rent supplements were proposed, especially when you add the benefits to be expected from the 3-percent interest rate.

If further efforts are needed to provide suitable housing for families which cannot afford such housing, the way to do it, I believe, is through the wide variety of programs already in existence or otherwise provided in this bill. These programs are directed at those in need. They provide proper standards and criteria. The rent supplement program as proposed by the administration would do neither.

At a time when we have embarked on a massive war against poverty, when millions of American families lag tragically far behind the general prosperity of the country, I cannot believe we would be justified in providing additional housing subsidies for families with incomes well above the median income of families, nationally.

By means of the committee bill now before us, Congress can take a giant stride forward in meeting the housing needs of all our people. The rent supplement plan would be a retreat, a wasteful retreat, from the direction and objectives pursued by the rest of the bill. I hope, Mr. Chairman, that we can defeat the rent supplement program and go on to enact a housing bill which deserves the approval of the Nation.

Mr. PATMAN. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Chairman, after the conclusion of general debate on the bill, H.R. 7984, and at the appropriate point when the bill is being read for amendment, I will offer an amendment which will authorize the transfer of certain land in the city of Macon for urban renewal purposes from the housing authority of the city of Macon, Ga., to the Urban Renewal Department of Macon.

This amendment has been requested by the Macon Council of the city of Macon and is concurred in by the Housing Authority of the city of Macon and the Urban Renewal Department of the city of Macon. The amendment which I referred to is as follows:

On Page 107, after line 14, add the following new section:

"TRANSFER OF LAND FOR URBAN RENEWAL PURPOSES BY HOUSING AUTHORITY OF THE CITY OF MACON, GEORGIA

"SEC. 1010. (a) Notwithstanding the provisions of title I of the Housing Act of 1949 and the United States Housing Act of 1937, the Housing and Home Finance Administrator and the Public Housing Commissioner are authorized and directed to consent to the transfer by the Housing Authority of the City of Macon, Georgia, to the Urban Renewal Department of the City of Macon, Georgia, of all property acquired by the Housing Authority for low-rent housing project numbered Georgia 7–8, on condition that (1) an amount which, together with any funds of the Housing Authority available for the purpose, is sufficient to pay and discharge all obligations incurred by the Housing Authority in connection with such low-rent housing project and owing at the time of transfer, will be paid by the Urban Renewal Department of the City of Macon to the Public Housing Administration to be applied in satisfaction of the Housing Authority's obligations which it cannot meet with its own funds available for the purpose, and (2) the total amount so paid by the Urban Renewal Department of the City of Macon will be included in the gross project cost of its Coliseum Urban Renewal Project, Georgia R–95.

"(b) The Housing and Home Finance Administrator and the Public Housing Commissioner are authorized to modify any contracts heretofore entered into and to take any other appropriate action necessary to carry out the provisions of subsection (a)."

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. We have had a chance to study this amendment and I think the committee on this side will have no objection to it.

Mr. FLYNT. I thank the gentleman from Pennsylvania.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman.

Mr. COHELAN. Mr. Chairman, this bill before us today does not, in my estimation, accomplish all that it could or should. It will certainly not meet all of our pressing needs in the field of housing and urban development. But it will assist low- and moderate-income families in their quest for adequate housing. It will help our cities to cope with the problems of urban and suburban expansion. It will continue and improve for 4 years our present programs of housing and community development, and I rise in its support.

The pressures on our urban areas today—the pressures which necessitate this bill—are nothing short of tremendous. Not only do we find fully 70 percent of our total population living there; during the next 15 years their number will have been increased by 30 million—enough to equal the present combined population of New York, Los Angeles, Chicago, Philadelphia, Detroit, and Baltimore.

These new city dwellers will need homes, and schools and public services. By 1970 they will need over 2 million new homes each year. Before the close of this century they will need to double their present facilities and services. It is, as President Johnson suggested in his special message to Congress on cities, as if we had 40 years to rebuild the entire urban United States.

And these ever increasing pressures are being imposed upon cities which are already facing difficult problems. We have over 9 million homes today, most of them in cities, which are run down or deteriorated; over 4 million do not have even running water or plumbing. Many of our major population centers are in need of major surgery, to say nothing of the problems posed by suburban sprawl. These problems are particularly severe for the old, the poor, and the minority groups which are increasingly concentrated in our central cities.

This bill provides many of the tools which are necessary for the tasks at hand. Housing for the elderly and the disadvantaged, FHA mortgage insurance, continuation of urban renewal, more adequate compensation for those whose property is condemned, increased authorization for college housing, construction of community and neighborhood facilities, and others are all important if we are to wage successful war on poverty.

It is unfortunate that much if not most of the criticism of this bill is directed at its one new instrument—rent supplements for low-income families who cannot qualify for public housing but are unable to afford decent private housing. It is unfortunate, for much of the criticism is misdirected and misinformed.

Here is how the program would, in fact, work:

First, the housing would be rental and cooperative housing restricted to nonprofit and limited-dividend corporations and cooperatives.

Second, the families to be aided would be low-income families who cannot afford decent private housing by paying one-fourth of their income.

Third, the income ceilings would be set individually for each community in order to reflect different cost levels. They would also differ for family size.

Fourth, in addition to being low-income, the family would have to be either elderly, handicapped, displaced by Government action, or now living in substandard housing.

Fifth, the family would pay one-fourth of its income for rent, and the rent supplement would make up the difference between that amount and the fair market rental of the unit. When a family's income rose to the point where one-fourth of its income would cover the rent, the supplement payments would stop.

This program would enable American private enterprise to construct and finance and own over the next 4 years approximately 500,000 decent dwelling units for low-income Americans. It would enlist the energy and imagination of churches, unions, cooperatives, and civic-minded groups. It would reduce the impact on the Federal budget of direct Government financing on the whole cost of a unit. And it would provide a flexible formula—a formula that would extend aid to families when they need it, that would curtail aid when their incomes rose, and that would terminate it when they could afford housing on their own. It is a sound program and it should be approved.

As I indicated initially, Mr. Chairman, this bill will not solve all of our Nation's housing needs. They, quite properly, are the primary responsibility of private investment and local initiative. But the Federal Government does have a legitimate role to play and responsibility to fill. This role is met by this bill and I urge its support.

Mr. RHODES of Arizona. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Chairman, as chairman of the Republican policy committee, I rise to report the position taken by the committee on this bill.

The policy committee cannot endorse this bill in its present form.

Our primary objection to the bill as now written centers around the rent supplement proposal contained in H.R. 7984.

This section of the bill is completely unacceptable to Republicans, as it will be, I am sure, to most Americans.

It would destroy the incentive of low-income families to better their housing situations. It would freeze permanently many low-income families into housing they might try to escape otherwise. It would discriminate against all those Americans not included in the program whose rent dollar would be worth about one-half of that of those in the program.

This proposal is foolish. It is expensive. It is dangerous. It should be stricken from the bill.

Mr. Chairman, I include in the RECORD at this point the statement of the policy committee on this bill:

> We cannot endorse H.R. 7984, the Housing and Urban Development Act of 1965, in its present form.
>
> The administration's rent supplement proposal contained in section 101 of this bill is completely unacceptable. The proposal would kill the initiative of the American family to improve its living accommodations by its own efforts. It would kill the incentive for homeownership and would make renters the wards of the Government. It is a complete departure from the ordinary American way of doing things.
>
> From the outset of the hearings on this bill it has been apparent that section 101, rent supplements, was in deep trouble. Even those persons who normally support broader housing legislation have been unrelenting in their criticism.
>
> The proposed program is essentially a subsidy for middle-income families including those well above median income level. It is a program without effective standards and qualifications.
>
> We are certain that the American public will refuse to buy this incredibly wide open subsidy proposal once it is fully advised as to the potential evils of the program. This is a system of making the rent dollar of the beneficiary worth up to double or more the rent dollar of the unassisted taxpayer. It is unequal opportunity in housing by Government fiat. It is legislated discrimination against the self-sufficient citizen.
>
> The Republican policy committee urges that section 101, the rent supplement proposal, be stricken from the bill.

Mr. PATMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. FLOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7984) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities, had come to no resolution thereon.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

> H.J. Res. 553. Joint resolution making continuing appropriations for the fiscal year 1966, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7060) entitled "An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1966, and for other purposes."

The message further announced that the Senate agrees to the amendment of the House to Senate amendment numbered 10 to the above-entitled bill.

FARM LABOR IN THIS COUNTRY

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, I have asked for a special order of 1 hour at the close of regularly scheduled business today to review the current and objective situation in regard to farm labor in this country.

Unfortunately, a combination of circumstances beyond my control made it impossible for me to make these remarks as originally scheduled last Thursday.

The topic, however, is important. American crops are being harvested this year almost entirely by American farmworkers. Their employment and their income is up significantly and I again encourage all Members who are concerned with this much discussed and frequently misunderstood subject to be present and to participate.

THE NAVAL RESERVE; FIFTY YEARS OF SERVICE

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, as I stand here, over half a million men and women of the Naval Reserve are prepared to defend us, should our national security be threatened. Though we realize it too infrequently, we are continually comforted by this thought. Security seems to be a fact of American life. For 50 years, the Naval Reserve has offered ready reinforcement to our Regular Navy. On the occasion of this golden anniversary, it is especially appropriate that we pause to review the development and honor the achievements of our Naval Reserve.

In 1915, Congress created the Naval Reserve as we know it. Prior to that time the Reserve emerged from its Revolutionary War stage, the "state navy," to the State Naval Militia, used extensively during the Spanish-American War.

By the end of World War I, 30,000 officers and 300,000 enlisted personnel, 60 percent of the total naval forces, were reservists serving in active duty. In World War II the Reserves contributed 87 percent of the active Navy personnel. In the Korean war more than 155,000 reservists, 60 percent of all Navy officers and 23 percent of the Navy enlisted men, were called to serve. Exceptional duty and heroism became the norm for these men. During 1 month of the Korean war, 6,000 of the 8,000 combat sorties were flown by Naval Reserve fliers.

Since that time, thousands of America's naval reservists have been called to active duty, willing and trained to defend this country at the call of the President. This was true in October of 1961 when 40 ASW ships and 18 ASW air squadrons gave lightning support to our ASW forces of the fleets in the Berlin crisis.

Today there are 126,000 reservists in drill-pay status with thousands of others in nonpay status. Our Naval Reserves man 452 training centers and 18 air squadrons. Thirty-eight destroyer types and twelve minesweepers are ready for immediate mobilization. Two hundred and twenty-six air Reserve squadrons are available on 24-hour notice.

Two fleet Reserve divisions composed of 650 men, the largest per capita Naval Reserve affiliation in the Third Naval Reserve District serve my own community of Rochester, N.Y. Aboard the minesweeper U.S.S. *Prowess*, reservists participate in training maneuvers, and perform vital rescue and search operations on Lake Ontario. There units reinforce our regular naval operations and serve as liaisons to Canadian Reserve components. An inspiration to local citizens, they attract prospective naval officers and enlisted candidates and symbolize the strength of our national defense posture.

Mr. Speaker, we may never be able to reward fully the selfless service of our naval reservists. Yet with pride and sincerity, we salute the advancement of the Naval Reserve in the past 50 years and pledge our support to those who will continue to defend our independence as a nation in the years ahead.

ANNIVERSARY OF BATTLE OF KOSSOVO

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, today is the anniversary of a tragic event in the history of the Serbian people. On June 28, 1389, the Battle of Kossovo ended in the Turkish horde destroying the brave forces of the Serbian people, and five centuries of bondage followed.

The Serbs eventually regained their freedom, but since World War II, they have been suffering under the domination of Soviet imperialism.

Therefore, I join the Serbian people in the fervent wish that they may soon realize success in their struggle to achieve independence from their oppressive Communist rulers. All who share and understand their feelings as a captive nation hope that they will once again be free. The Tito dictatorship is not the government these brave people deserve.

Mr. Speaker, may I once again remind the Members of the resolutions pending before the House Rules Committee to establish a Special Committee on the Captive Nations. The resolution which I have introduced, House Resolution 15, very appropriately includes Yugoslavia as a captive nation. The people of Yugoslavia are certainly denied their freedom by Tito just as much as are the peoples of the Soviet Union and the other captive nations of Eastern Europe.

The Serbian-Americans and all the other American groups working to preserve the spirit of freedom in their own oppressed homelands are united in their desire that Congress act on these resolutions so that the Communist colonization of their countries can be exposed and condemned.

UNITED STATES AND PANAMA—ENDLESS APPEASEMENT?

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Utt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. UTT. Mr. Speaker, a year and a half ago, January 9–12, 1964, the people of our country were shocked by the sanguinary violence of attempted Panamanian mob invasions of the Canal Zone that overwhelmed the zone police force and required the use of our Armed Forces to protect the lives of our citizens and to prevent damage to the Panama Canal.

Prior to and subsequent to those attacks, there were many illuminating addresses in the Congress dealing with various angles in the overall interocean canal problem, most notably by my most distinguished and scholarly colleague, the gentleman from Pennsylvania [Mr. Flood]. His contributions in the way of carefully documented studies, and prophecies came true, are unsurpassed and are listed in a timely address to the House by my colleague, the gentleman from Texas [Mr. Thompson] in a comprehensive bibliography under the title "Isthmian Canal Policy of the United States—Documentation, 1955–64."

Among recent authoritative and analytical articles on United States-Panama relations is one by Prof. J. Fred Rippy, distinguished North American historian specializing in the field of U.S. diplomacy in the Caribbean, published in the summer of 1964 issue of Modern Age, the quarterly review of the Foundation for Foreign Affairs of Chicago, Ill.

Because this contribution of Dr. Rippy is a valuable addition to the cumulating literature on interocean canal problems, I quote it as part of these remarks and commend it for reading by all concerned with Isthmian policy questions. The indicated article follows:

The United States and Panama—Endless Appeasement?

(By J. Fred Rippy)

A few years ago, in a volume dealing with foreign aid by the Government of the United States ("Globe and Hemisphere," Chicago: Regnery, 1958), I wrote: "To international benevolence, once begun with gallant fanfare, there appears to be no end—or call it mutual aid and the result will be the same if the mutuality is vastly modified by immense disparities in wealth, actual or assumed." The little Republic of Panama is an impressive illustration of the soundness of this statement.

Somewhat smaller in area than the State of South Carolina, Panama has a population (though thrice as numerous as it was 60 years earlier) of scarcely more than 1,100,000. It is composed mainly of mixed elements, Negroes, and mulattoes forming the vast majority. Indians and mestiros have almost disappeared since early colonial times. Pure whites probably account for no more than 6 percent of the total; but, together with a few mulattoes, they own most of the wealth of the country and control its news media and its Government. In fact, until a few years ago, the economy, the Government, and almost everything else in Panama were controlled by 30 or 40 families. As in many countries in Africa, the Orient, and Latin America, the wealthy and moderately affluent are rather scarce, while the great majority live in poverty. But with increasing literacy, the development of modern means of global communication, and the rise of communism, the inhabitants of Panama, like the masses in many other retarded countries, have become discontented and restless, the ready victims of manipulation by demagogs and radical intellectuals, supported by bureaucrats and a few well-to-do politicians who denounce foreigners and foreign nations and blame them for the misfortunes of Panama's poor, thus tragically oversimplifying a very complex problem.

Stated very bluntly, the United States has become the scapegoat in Panama, utilized by the wealthy oligarchy in unnatural alliance with extremists of all types, to divert attention from political and economic inefficiency, greed, corruption, and injustice. And it has been rather easy to assign that role to the United States not only because it is actually one of the most affluent nations in the world but because of the contrast in levels of living in the Canal Zone and in other parts of Panama and adjacent countries. In fact, this contrast serves as a bonanza for the manipulaters of popular sentiment during periodic national elections.

Nobody has computed or ever can compute the precise value of the benefits derived by the Republic of Panama from the United States as the result of Theodore Roosevelt's eager acquisition of the Canal Zone that bisects Panama's national domain and the concession to construct the Panama Canal. Benefits that might be measured in dollars cannot be accurately determined because some of them depend upon statistics that no longer exist or may never have been fully recorded or collected, while others—such as national independence (achieved late in 1903 with Roosevelt's aid) and large-scale improvements in sanitation and health—defy measurement in monetary terms. Whatever the value of these benefits—tangible and intangible, material and psychological—they have not satisfied the politicians and some of the intellectuals of Panama, and such of its citizens as have been swayed by the harangues of officeseekers and the propaganda of Communists and other extremists. And yet one significant fact stands out amid all the noisy confusion and violence: None of these agitators and propagandists has ever proposed that Panama resume its former status as a part of Colombia—perpetuity for national independence but not for the control of the canal and the Canal Zone by the Nation that aided and abetted and guaranteed that independence.

It will be recalled that the original price paid by the United States to Panama for the Canal Zone and Panama's permission to construct the canal was $10 million, plus a perpetual annuity of $250,000 scheduled to begin in 1913. Shortly before construction was completed, the United States began to consider favorably a generous compensation to Colombia for its loss of the Canal Zone and Panama and for the recognition of Panama's independence; but it was not until 1921, soon after the canal attained efficiency in interoceanic traffic, that the Washington Government finally decided to compensate Colombia for the acceptance of accomplished facts. The compensation was $25 million, paid in five installments beginning in 1922. This gallant gesture initiated an expensive appeasement policy.

Promptly taking note of a tendency toward generosity on the part of the United States and no longer fearing attack from Colombia, Panama's politicians began to press for increased benefits in behalf of their new nation. Resisting this pressure for more than 20 years, pressure that grew stronger during the 1920's and 1930's, the Washington Government succumbed to it during the F. D. Roosevelt "good-neighbor era" as another world war threatened. By virtue of a treaty signed in 1936 and finally approved in 1939, the United States released Panama from its status of protectorate, and renounced, among other things, the right to intervene to maintain public order, the right to eminent domain in the zone, the right to expropriate additional lands for the use and defense of the canal, and the right to defend the canal without a pledge to consult Panama.

Depending upon future contingencies, these concessions might or might not require increased payments to Panama by the United States. But other provisions of the treaty certainly did, and they likewise involved limitations of potential profits for U.S. citizens in connection with the canal. Panama's annuities were raised to $430,000. Persons not connected with the operation and defense of the canal were prohibited from leasing dwellings belonging to the United States and from residing in the Canal Zone. Sale of goods within the zone was restricted to employees of the zone agencies of the United States and their families. And Panama was furnished free-of-charge sites for the establishment of custom houses within the zone.

The approach of World War II and participation of the United States in global military operations were largely responsible for several years of special benevolence by the United States in dealing with its neighbors in the Western Hemisphere, Panama included. The establishment of a division of cultural relations in the State Department was followed by the appointment of a Coordinator of Inter-American Affairs and the organization of a number of war agencies for the purchase and development in Latin America of certain materials and for the administration of technical and other types of assistance. Defense of the canal required the lease of airfields in Panama outside of the Canal Zone, facilities that cost the United States more than a million dollars before they were hastily abandoned in 1948 at the angry insistence of Panamanian politicians who failed to take account of the fact that the airfields were required for the security of Panama and the rest of Latin America as well as the United States. Involvement of the United States in this global war also accounted largely for the Washington Government's agreement to help finance the long stretch of an Inter-American Highway extending from the Mexican-Guatemalan boundary to Panama City (and, eventually, beyond this point to the boundary between Panama and Colombia). As a result of this highway agreement, Panama received within a few years outright gifts of more than $41 million (including the cost of a high bridge across the canal) and loans amounting to nearly $13 million.

But these bounties were not enough to satisfy Panama's politicians and their cohorts. Each favor led to demands for another; and with the onset of the cold war, the Communist conquest of China, the war in Korea, and the rise of Fidel Castro in Cuba, the pressure waxed more vigorous and unrestrained. Soon after the United States allowed itself to be unceremoniously hustled out of its airbases in Panama, prominent Panamanian politicians and extremists set up a loud clamor for more profits from the canal and Canal Zone, and the response to the insistent noise and pressure was another treaty, a "Treaty of Mutual Under-Standing and Cooperation," signed and ratified in the summer of 1955.

By the terms of this pact, "Good Partner" Eisenhower committed his government to appeasement as expensive as that of "Good Neighbor" Roosevelt. Panama's perpetual annuity was increased from $430,000 to $1,930,000—and the increase was at the expense of the taxpayers of the United States and not at the expense of the Panama Canal Company or the Government of the Canal Zone, for the Panama Canal is essentially a nonprofit enterprise which still owes nearly $400 million to the U.S. Treasury, an enterprise operating largely for the accommodation of world commerce, including that of Latin America.

Nor was this all. The treaty specified a long list of concessions to Panama; classification of citizens of Panama employed by the agencies of the canal and the Canal Zone so as to raise their wages and salaries; inclusion of such citizens in the civil service and retirement system of the United States; subjection of such employees and all others not citizens of the United States to a Panamanian income tax (soon afterward withheld by the zone authorities without charging the cost of this service to the Government of Panama); access of said employees to such training programs as the zone agencies conduct; transfer free of cost to Panama of lands and improvements thereon no longer needed in the operation and management of the canal and the zone; a pledge to request the Congress of the United States to vote funds for the construction of a bridge across the canal in the vicinity of Balboa (adjacent to Panama City)—namely, the bridge already mentioned above, completed and dedicated in 1962 in the midst of a protesting mob which objected to the naming of the bridge in honor of a distinguished citizen of the United States who had been conspicuous in the canal's construction; restriction of the purchase of supplies by the canal and zone agencies to the United States and Panama, as far as feasible; further restriction of sales of goods by the zone's commissaries and post exchanges (to the disadvantage of these establishments and citizen-employees of the United States who patronized them); renunciation by the United States of the right to prescribe and enforce sanitary measures in the cities of Panama and Colón—a renunciation likely to result in filthy streets and the spread of disease.

Such were the main items of appeasement accorded by the provisions of the treaty of 1955. The agreement was misnamed. It was not mutual; and events would soon reveal that it did not promote understanding, if that diplomatically much abused word signifies a disposition on the side of Panamanians to seek harmony in relations with its big neighbor.

Less than a year later, Gamal Nasser, Egypt's dictator, seized the Suez Canal with impunity and by that act erected a goal for the elite of Panama and those associated with them. Early in 1959 Fidel Castro captured the Government of Cuba and promptly sent his agents into Panama to join Soviet, Chinese, and other Communists and extremists in denunciation of the capitalist imperialism of the United States.

The effectiveness of their campaign of abuse was enhanced by delay in implementing the pact of 1955, which required favorable action by both Chambers of the U.S. Congress. These lawmakers, diverted by seemingly more urgent problems, harassed by growing Federal deficits, and reluctant to engage in such wholesale appeasement of Panama's politicians and their radical collaborators, failed to authorize implementation of the treaty until July of 1958. This postponement, and further delays caused by complexities in civil service regulations and other complications, played into the hands of the demagogs and radicals, who managed repeatedly to incite mob violence in the Canal Zone and Panama City in November 1959, violence which inflicted serious injury upon persons and property both within and without the Canal Zone.

The immediate occasion, actual or pretended, for these outrages were unsuccessful attempts on November 3 and 26, 1959, to hoist the Panamanian flag within the Canal Zone as evidence that Panama had not surrendered sovereignty over either this 10-mile strip across the isthmus or over the canal itself.

The primary purpose was to publicize and buttress claims for larger and larger annuities—ranging upward from $5 million to half the gross receipts of the canal operations—and ultimate nationalization of the zone and the canal in imitation of Gamal Nasser.

This violence was quickly rewarded by further appeasement. The Eisenhower administration promptly hinted, in both Panama and the United States, that the Panamanian flag might be flown in the Canal Zone as visible evidence of titular sovereignty, and gradually the flag began to appear at several points. Moreover, a press release from the White House on April 19, 1960, informed the public that President Eisenhower had approved a nine-point program designed to improve relations between the United States and Panama with reference to operations in the Canal Zone.

Although this program included a commitment to construct a new water main and reduce the rates—already very low—for water sold to the Government of Panama for distribution (at high profits) in the cities of Panama and Colon, its main objective appears to have been to enable Panama's politicians, in immediately forthcoming national elections, to win the votes of Panamanian workers and teachers, especially those employed in the Canal Zone, who were promised increases in wages, various fringe benefits, and improved housing at the Canal Company's expense, not only in the zone but in Panama City as well. The party in power won the ensuing elections. Roberto Chiari, a dairy magnate, became President of the Republic of Panama in the spring of 1960, replacing another wealthy politician named Ernesto de la Guardia.

The calm that followed lasted barely more than a year. Then the habitual pressure was resumed; and in the hope of making it more effective, President Chiari visited Washington, D.C., in June of 1962 for conferences with President John F. Kennedy and members of the State Department. In the course of their conversations the two chief executives discussed several issues, among them those mentioned below: increase in annuities; the flying of Panama's flag at more points within the Canal Zone (and possibly on ships passing through the canal); use of Panama's stamps and the setting up of mixed courts within the zone; cession of more lands to Panama; a new treaty revoking the perpetual sovereignty of the United States over the zone and the canal. The substance of these discussions was kept secret for some 18 months; and then, after President Kennedy's death, the Panamanian diplomat serving in Washington at the time the conversations took place claimed that the late President promised to negotiate a drastically revised treaty.

Did John F. Kennedy allow himself to be wheedled into making such a promise? On February 10, 1964, the State Department of the United States declared that he did not, and contended that such a promise, even if suggested in the course of these informal discussions, would not have any binding force. In the meantime, during the second week of the previous January, a tremendous explosion had taken place in Panama. Marching and shouting mobs at both ends of the Canal Zone, in the urban centers of Panama-Balboa and Colón-Cristóbal, and possibly terrorists in other parts of this small country, murdered several citizens of both the United States and Panama, and inflicted many more personal injuries, destroyed or damaged numerous properties both within and without the Canal Zone, and provoked the severance of diplomatic relations with the United States, whose high officials and defense forces had done no more than try to protect the lives and properties of citizens of their country and employees within the zone by curbing the outrages of the rioters and firing a few well-aimed bullets at murderous "sniper" riflemen. And as if the breaking of diplomatic relations was not sufficient protest, Panamanian bureaucrats and politicians attempted to condemn the United States, both before the United Nations and the Organization of the American States, for miserly misbehavior and brutal aggression.

The year 1964, an election year in both the United States and Panama, might turn out to be a difficult year for the settlement of this particular controversy and the fate of the canal and the Canal Zone. Would the United States continue its appeasement policy? In view of the fact that the problem was placed in the hands of a committee representing the OAS, and in view of the previous record of the U.S. Government, continuation may well be expected.

"To international benevolence, once begun with gallant fanfare, there appears to be no end." It is unlikely that anybody will ever succeed in calculating precisely the full cost to the United States of this benevolent relationship with Panama. Without including numerous minor items, or any part of the $40 million paid to the bankrupt French company that had failed in its efforts to construct the Panama Canal, or any part of the reconciliation payment of $25 million to Colombia, which served the interests of Panama as well as those of the United States, the total cost borne by the U.S. Government and its taxpayers in connection with this Panamanian relationship during the 60 years following 1903 has been no less than $200 million—probably several millions more.

Direct aid extended by the U.S. Government to Panama during fiscal years running from July 1, 1945, through June 30, 1963, for example, amounted to approximately $160 million, with grants far exceeding cheap loans (most of which are still unpaid). Indirect assistance channeled through various international organizations, hemispheric and global, totaled during the same period of time at least $20 million, divided almost equally between gifts and loans. And carefully note that this aggregate of $180 million does not include the wages and salaries paid to Panama's workers within the zone—always much higher, particularly so in recent years, than wages and salaries prevailing in Panama; nor does it include the fringe benefits conferred upon these alien employees under the civil service and retirement system of the United States, nor the profits and revenues derived by Panamanians and the Government of Panama from the canal and the Canal Zone, usually at extra cost to both U.S. agencies and its citizen-employees in this important enterprise. Wages and fringe benefits paid to Panamanians employed in the zone and in operations of the canal during calendar years 1960, 1961, and 1962 averaged around $33 million annually; net profits of citizens of Panama from trade with the agencies of the zone probably averaged no less than $6 million annually during the same 3 years.

If poverty is still prevalent in Panama, the United States certainly is not responsible for this misfortune. What the United States can justly, if not proudly, claim responsibility for is the very existence of Panama as an independent nation; and the United States can also claim a large measure of credit for such prosperity as this new nation has attained since independence. The U.S. Government and its agencies operating in the zone have probably been tactless at times: in adopting a system of segregation of workers at pay windows; in providing too elaborate fringe benefits for its citizen-employees, and awarding them large hardship allowances besides; in failing to caution them against clubbing together to the exclusion of Panamanians and against flaunting their affluence inside and outside the zone. But these are for the most part either minor or unintended offenses that—with the exception of rather extravagant fringe benefits and hardship differentials—have been discontinued or decidedly modified.

Let the people and politicians and bureaucrats of Panama earnestly seek to discover the real causes of their country's misfortunes and strive to adopt appropriate remedies instead of denouncing and abusing their generous neighbor. Nationalization of the canal and the Canal Zone by Panama would not contribute to the welfare of its people in any circumstances likely to prevail in the near future. On the contrary, it would mean a serious loss to Panama as well as to the United States and most of the world.

HORTON TAX CREDIT BILL FOR COLLEGE COSTS

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. HORTON. Mr. Speaker, I am pleased to announce my introduction of a bill to ease the costly burden so many people face in an area most vital to personal and national development; namely, higher education. This bill provides an income tax credit for certain expenses of higher education, and would open the door of educational opportunity to more people.

The movement today is toward not only undergraduate study, but also work at the graduate level. The burdens of this advanced instruction fall most heavily on low-income and middle-income families. Government assistance is mandatory if we are to maintain high standards of education and living for all.

Advancing education and democratic progress go hand in hand. We cannot have one without the other.

Yet, too often, we are confronted with evidence that many qualified and deserving students fail to continue or complete college-level instruction because of the heavy costs involved.

In my files are the letters of countless constituents—students and their parents—urging that Congress in its recognition of higher education as a worthy objective take the necessary steps to help relieve the burden of its tremendous costs.

Our problem now is not determining the need for aid, as overcrowded conditions surely bear witness to the expansion in sheer numbers of college-bound people, but rather determining how best to aid higher education and fulfill individual incentive. The plans for direct aid by the Federal Government often are blocked by the recurring issues of Federal control and church and State relationships. Therefore, let us approach this assistance through indirect methods, by Federal income tax credits. This would tackle the problem at its grassroots, at the level of the relationship between the individual and the Government, and not between the Government and the institution of higher education.

Relief on income tax has already been practiced in certain areas of our tax system, in the special burdens borne by some taxpayers. The encouragement given to these other areas, such as the 7-percent credit for business investment, by every reasonable view, must be extended to our higher education also.

The proposed tax credit covers the individual who is a candidate for a college-level degree, as well as the person who needs courses of instruction to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

On the average, the new plan provided for in my bill would cover 75 percent of the tuition and fees of students in a public institution, and about 33 percent of those in private schools; thus the benefit would go directly to those most in need.

This plan for tax credits to relieve students has the support of many educational institutions, including the Association of American Colleges. It is one that looks toward and provides for the future, one that mitigates the load on parents, and one that aids the individual directly.

By initiating the tax credit in this area, the Federal Government could give a much-needed stimulus to education in this country and without interference or control. Higher education benefits not only the individual, but also society in general. We must maintain and broaden our position of leadership in the world and continue to meet the ever-increasing demands of society and technology; an improved system to meet the cost of education would further move us toward this goal.

While I am proud of what we have done in Congress to aid institutions of higher learning in providing the highest quality of education, we now need to assist those who are qualified to reap the benefits of these improvements.

THE 175TH ANNIVERSARY OF THE U.S. COAST GUARD

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MAILLIARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. MAILLIARD. Mr. Speaker, I am delighted to join with my colleagues on the Merchant Marine and Fisheries Committee in introducing a resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.

The Coast Guard is one of the oldest organizations under the Federal Government. Its history dates back to the earliest days of the Republic. Established in 1790 as the Revenue Cutter Service under the first Secretary of the Treasury, Alexander Hamilton, it has steadily grown in strength and acquired its humanitarian traditions which affect the daily lives of millions of our citizens.

But, while the Coast Guard protects the entire American seacoast, the Great Lakes and all the navigable waters, I, speaking for the people of California, can more readily speak to the many services which this maritime police force has performed for the people of my State.

Over the years, California has had ample reason to be grateful for the heroic service rendered by the Coast Guard to victims of the sea's and Nature's wrath. Californians will always remember with gratitude the work of coast guardsmen during the disastrous floods at Marysville in the fall of 1955. Working around the clock, the Coast Guard saved over 500 persons by helicopters and boats. The record established by one Coast Guard helicopter operating around Yuba City and Marysville was outstanding. This helicopter was the first rescue unit to reach the disaster scene, before daylight on the day before Christmas, December 24, 1955. It hoisted 138 persons to safety within the next 12 hours. The first 58 of these were removed by the light of a small hand-held searchlight from positions of peril among chimneys, television antennas, and trees. It would have been a grim Christmas indeed but for the courage of the Coast Guard helicopter crew.

More recently, in December 1964, the Coast Guard once again extended its helping hand to victims of flooding in northern California caused by unseasonably warm weather and heavy rains. The commander, western area, marshaled all available forces to render assistance, including helicopters from Coast Guard air stations, San Diego, San Francisco, Port Angeles, and Astoria. Coast Guard units, acting individually and in cooperation with local authorities; patrolled flooded areas, rescued flood victims, and participated in relief and cleanup operations. Over 400 persons were evacuated by Coast Guard units. During these operations, a Coast Guard helicopter crashed with the loss of all seven persons on board. Other losses occurred to aids to navigation, to shore stations and to two buoytenders. The people of California will not soon forget the Coast Guard's valor in these and other operations.

In February 1965, my wife had the high honor of christening the Coast Guard's newest coastal buoytender, *Red Birch*. This ship is the second of a new class of vessels and will be commissioned next month. With this advanced new vessel, the Coast Guard has moved ahead significantly toward its goal of fleet modernization.

Along with our fellow Americans, we Californians have the highest regard for this great service which serves the cause of humanity both ashore and afloat. Its graceful white cutters are familiar and beloved sights along our extended coastline. Californians are familiar with the Coast Guard extensive aids-to-navigation system, which includes such picturesque lighthouses as those at Pigeon Point, St. George Reef, and Trinidad Head. They also know of the many assistance calls answered by the Coast Guard to meet emergencies of recreational boatmen and commercial vessels.

It has been a stirring century and three-quarters for our Nation's oldest, continuous, seagoing service which has its roots deep in American history. With all my heart I wish it smooth sailing for many years to come. I salute the U.S. Coast Guard.

TAX CREDIT FOR COLLEGE EDUCATIONAL EXPENSES

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Stanton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. STANTON. Mr. Speaker, I have today introduced a bill which would offer millions of American parents the benefit of a tax credit for tuition and other educational expenses for their children's college education. It is well known that American institutions of higher learning face serious problems in the coming years with greatly increased enrollments. High tuition charges are placing too heavy a burden on families of modest means. Help is needed and it is needed now.

The bill which I have introduced will help solve some of the problems involved by granting a tax credit of up to $325 to any individual who pays, or helps to pay, for the expenses of a higher education for any person, including himself. Seventy-five percent of the initial $200; 25 percent of the next $300, and 10 percent of the next $1,000 of tuition and fees would be allowable. No credit is provided for expenses above $1,500. In 1964–65 tuitions and fees at public universities and colleges averaged $222. This proposed tax credit would offset close to 75 percent of this amout or $155.50, so that the remaining net tuition cost to the student would be only $66.50. The proposed tax credit would offset 31 percent of the tuitions and fees charged by the average private university or college. On the average then, my bill would wipe out three-fourths of a student's tuition and fees at a public institution and one-third at a private institution.

While I was campaigning for Congress I often expressed my support of a tax credit approach to aid in the payment of college fees. On the legislative poll which was mailed to all residents in the 11th Congressional District of Ohio, I included a question on this subject and 73 percent of those responding favored tax reductions for parents paying college tuition. It seems to me that this is the best way in which to approach this problem of aiding those in pursuit of a college education, and at the same time eliminating the problem of Federal control as might well be the case should direct grants for this purpose be given to colleges and universities.

Of course, the price of all this is not cheap. Certainly I would not recommend tax credit programs indiscriminately, but in this case I believe that higher education rates top priority. I believe it should receive consideration ahead of other programs of questionable merit which are now under consideration. The cost of such a program as I have outlined would be between $750 million and $1 billion. I have given serious thought to the matter and sincerely believe that this program warrants an expenditure of this magnitude and that it should take precedence over many of the Great Society programs which are far more expensive and do not begin to attack the roots of the various problems which they seek to solve.

Support for a tax credit for college tuition has wide bipartisan support and indeed would have passed long ago had the President and his administration not opposed it so vigorously. I add my name enthusiastically to the long list of Members of Congress who support this tax credit approach as it will give assistance where it is most needed, while at the same time maintaining the independence of our existing educational system with all its diversity and excellence.

INTERNATIONAL MONETARY SYSTEM

The SPEAKER. Under a previous order of the House, the gentleman from Kansas [Mr. Ellsworth] is recognized for 60 minutes.

Mr. ELLSWORTH. Mr. Speaker, I am authorized to say that the following Members of the House join with me in the statement I am about to make on the subject of the International Monetary System: The gentleman from Massachusetts [Mr. Morse], the gentleman from New York [Mr. Horton], the gentleman from Maryland [Mr. Mathias], the gentleman from New York [Mr. Reid],the gentleman from Vermont [Mr. Stafford], the gentleman from Ohio [Mr. Mosher], the gentleman from California [Mr. Bell], the gentleman from Pennsylvania [Mr. McDade], the gentleman from New York [Mr. Robison], the gentleman from Massachusetts [Mr. Conte], the gentleman from New Jersey [Mr. Frelinghuysen].

Mr. Speaker, before delivering the substance of my remarks this afternoon, I wish to say also that the minority members of the Joint Economic Committee of the Congress have, by introducing a resolution earlier in this Congress which I will include at the conclusion of my statement, as well as by their observations in the annual report for 1965 of the Joint Economic Committee, indicated clearly the importance of and the necessity of timely action by the administration on the subject of international monetary reform.

I want to express to the minority of the Joint Economic Committee my sense of indebtedness to them for their leadership in establishing a sound and thoughtful foundation for the Congress to give consideration to the proposals which I will make this afternoon.

Mr. Speaker, it now seems clear that the international monetary system established at the end of World War II is on the verge of not being able to work.

William McChesney Martin, distinguished Chairman of the Board of Governors of the Federal Reserve System, recently sketched 12 ways in which the national economy today resembles the national economy in the days before the great depression of the thirties. George Champion, board chairman of the Chase Manhattan Bank, recently spoke of the subtle risks of Government by guideline. Both speeches have touched off serious and wide-ranging debate. Both speeches were directly concerned with critical aspects of our country's balance-of-payments problem: the Martin speech, with the need for greater flexibility in monetary policy as a backup for the President's voluntary investment control program, and the Champion speech with the dangers inherent in the extra-legal character of that voluntary program. Each of these American leaders has helped, then, to begin a vital debate over fundamental issues affecting the prosperity and strength of the American economy—and, indeed, the world economy.

These debates lead inevitably to the question of the adequacy of the current international monetary system, and U.S. policy toward it. The outflow of this country's gold and the decline of the dollar as a key international currency if continued much longer, could result in a critical shortage of world liquidity and a major slowdown in international trade. The human effects of a global recession at this time can easily be imagined. Many of us remember and Chairman Martin has reminded us of an earlier depression, aggravated by lack of leadership in the complicated area of international monetary systems management.

Accordingly, some authorities urge correctives that emphasize ease through greatly expanded international liquidity. At the same time there is danger that other proposals—particularly those demanding discipline—could lead to politically unacceptable unemployment rates and unnecessary sapping of the great economic strength of Western civilization.

Today we urge upon our national leadership a central course—a course that requires bold, creative leadership by the most powerful and conservative of our industrial and political captains—a new course, but one that is compelled by the facts and conditions of the world as it is today.

THE PROBLEM

At the outset of our analysis of the problem, we are faced with a paradox: The United States must solve its balance-of-payments deficit in order to preserve international financial stability; but when it does so, international financial stability will be threatened by a major crisis in the shortage of international reserves.

International reserves are currencies which are used to finance international payments imbalances—to provide surplus nations with satisfactory payment in the form of international purchasing capacity in a stable medium of exchange. Few national currencies are sufficiently stable to be acceptable as payment and therefore to be used as international reserves. Under the gold standard only gold was acceptable. In today's gold exchange standard there are four generally accepted units of reserves: first, the U.S. dollar; second, the British pound sterling; third, gold; fourth, the resources of the International Monetary Fund.

First. The dollar: Because of its extraordinary strength, the U.S. dollar has been acceptable all over the world as a means of settling international accounts since the end of World War II. Everyone has been relatively confident that expansion of the U.S. gross national product would keep the dollar a valuable currency to hold and that it could be exchanged at any time for U.S. gold at a fixed price.

When the United States runs a deficit in its balance of payments, it is in effect paying out the amount of the deficit in dollars—redeemable in gold—to foreign creditors. These dollars have become a vital source of new reserves to finance other international transactions all over the world. Thus the United States, through its balance-of-payments deficits in 14 of the last 15 years, has provided most of the expanding liquidity for an expanding international trade.

There are many signs now that the supply of dollars in foreign hands has reached a saturation point, when any more dollars in foreign hands would convince foreign holders that the danger to them of inflation in their own country was real and that they should exchange their U.S. dollars for U.S. gold before everyone else tries to do so. The French have steadily been exchanging dollars for gold. Germany has been less dramatically reducing the dollar proportion of her reserves. Japan and Italy are under pressure to do the same. Even as the U.S. deficit has declined recently, the exchange of dollars for gold is being accelerated by those who had been holding dollars for our convenience while the U.S. deficit was extremely high. A run on U.S. gold would signal an end to the use of the dollar as a means of international liquidity and thus would bring chaos to the entire international monetary system.

Second. The British pound sterling: Principally throughout the British Commonwealth of Nations, the pound sterling is acceptable for international settlement. Sterling-area countries exchange U.S. dollars in the London market for British pounds which they then hold as reserves.

The recent crisis over the stability of the pound has apparently not shaken the faith of its Commonwealth Government holders. Nonetheless the British payments deficit, the stringent measures applied to reduce it, and the political tenderness of the Wilson parliamentary majority have raised doubts whether the pound can play a serious role in the search for expanded sources of international reserves to replace the dollar. In the long run even the present sterling area may be forced to seek greater confidence in a more secure means of liquidity.

Third. Gold: Because of its enduring value in all societies, gold is the most stable international reserve. Nonetheless, its supply is limited and at present prices would not be adequate to provide sufficient international reserves by itself. Also, annual gold production for national holdings is significantly less than needed to meet the expanding requirement for international reserves. Of the current official U.S. gold stock of over $14.5 billion only $6 billion are now available for payments in the international monetary system because the U.S. Government is required by law to maintain gold backing for its currency to the value of 25 percent of all Federal Reserve notes.

Fourth. The International Monetary Fund: The Fund is a buffer supply of international currencies to facilitate international payments in an expanding and complicated multilateral trade.

From its inception in 1946, IMF funds available for international reserve purposes have been expanded through increases in national currency and gold quotas and membership. The IMF reserves were $8.8 billion in 1946; they were $15.6 billion before the additional quota increase of 25 percent which is before the Congress now. Also in recent years the Group of Ten industrial nations has created a $6 billion special fund for IMF use when its own sources are depleted.

Under a basic theory of the IMF system, national currency exchange rates were to be pegged at a particular value in terms of gold, but when a nation's balance of payments was in fundamental disequilibrium measures toward equilibrium, including currency revaluation if necessary, could and would be undertaken. Thus the value of a nation's currency would be prevented from major short-term fluctuation in order to promote domestic economic stability, but would be adjusted—and the domestic economy thereby disturbed if necessary—in order to prevent gross instability in the international system. Members were, therefore, given two options in reestablishing equilibrium in a payments deficit situation: either currency devaluation, or a raise in interest rates, tightened money, and policies which run the risk of some internal deflation in the economy. In international monetary circles these are known as the rules of the game and if they are not observed the IMF system cannot work. There is nothing automatic about the process, however, because no accepted definition has ever been applied to fundamental disequilibrium.

The United States is the prime example of a nation whose payments have been in chronic imbalance. Whether the United States has been in fundamental disequilibrium is at least debatable in view of its strong trade surplus and the fact that its deficit reflects foreign assistance and military expenditures. Unwilling to forgo any of the political delights which it believes may flow from "cheap" money in the domestic economy, the Democratic administration has been reluctant to permit normal market forces to set long-term interest rates to help reduce the payments deficit. Instead it has chosen to reduce U.S. payments income in the future by cutting private investment outflow now.

On the other hand the United States, whether or not currency devaluation would be an appropriate policy, cannot devalue because that would destroy confidence in the dollar, cause a run on U.S. gold, and undermine the entire international monetary system. Because the dollar has become an international reserve currency, the United States cannot follow this rule of the game.

It can now be seen that the fundamental shortcoming of the current international monetary system is this: As international trade expands international reserves must expand also, although not necessarily in exact proportion; over the last 15 years the U.S. balance-of-payments deficits have provided a major source of those new reserves; today international holdings of dollars are so great that further increases in dollar holdings abroad would cause some foreign holders to doubt that the United States has the gold to honor claims against it; thus the United States must end its deficit, and a major source of international reserves and liquidity will disappear.

When this happens, the world will still be faced with the fact that the international system must have sufficient flexibility to accommodate payments imbalances in order to prevent the requirements of international equilibrium from stifling the growth of international trade.

On the other hand the continental Europeans are understandably concerned lest the international payments system apply no limit to imbalance—lest the rules of the game are totally ignored. In its 1963 report, for example, the Bank for International Settlements in Basle, Switzerland, a leading European international monetary authority, argued that while international reserves should be adequate they also should be capable of running out because otherwise it might be possible to continue a payments deficit indefinitely.

Surely the United States can agree that, if international liquidity is so great as to allow the domestic economies complete immunity from irresponsible international financial practices, then there is too much liquidity and not enough discipline. Surely the Europeans can agree that, if international liquidity is so slight that it cannot accommodate the natural growth of international commerce, with the material and social progress which that implies, then there is too little liquidity and the chief effect of discipline would be to stifle rather than to stabilize.

In summary: When the United States solves its balance-of-payments crisis, the world will soon experience a shortage of the international reserves necessary to finance international trade. This will require a new or strengthened international monetary system. We need to plan now.

AREAS OF SOLUTION

The magnitude of the impending liquidity crisis is heightened by the plethora of solutions to it offered by economists, bankers, and politicians the world over. Their complexity and ingenuity are matched only by their variety. There are essentially three approaches:

The international economy could dominate, as under the pure gold standard, where a payments imbalance would require the automatic expansion or contraction of the domestic economies.

The domestic economies could dominate, as under freely fluctuating exchange rates, where all prices in international trade would reflect the unencumbered laws of supply and demand applied to national currencies.

Relative stability could be sought in the international economy and in the domestic economies, as under the gold exchange—or multiple currency—standard and the IMF, where exchange rates are pegged firmly until fundamental disequilibrium occurs and limited currency revaluation is permitted—and encouraged.

1. THE PURE GOLD STANDARD

A frequent proposal to increase international liquidity is a simultaneous international rise—doubling—in the price of gold. The presumed immediate effect would be a doubling in the reserves which gold provides. Some adherents see a gold price rise as the obvious means by which the present gold exchange standard can be retained, national payments deficits can be met, domestic deflation can be avoided, and economic and social gains maintained. For them, a gold price rise is a means by which disequilibrium in international payments can be kept from jeopardizing domestic tranquillity.

Others, like M. Jacques Rueff, of France, see a gold price rise as a means toward the opposite end—a return to the pure gold standard which requires the rules of the game to be followed. If a price rise doubled the value of gold reserves and thereby made the dollar and the pound unnecessary as reserves, it would be possible to return to the rigid discipline of the gold standard in which any international payments disequilibrium would require immediate adjustments to the domestic economy.

A gold price rise would be inherently biased in favor of gold-holding and gold-producing countries. The three countries most likely to benefit would be the United States, the Union of South Africa, and the Soviet Union.

Even more importantly, it is doubtful that a rise in the price of gold would have a long-term impact on the shortcomings of the current system. In all likelihood it would be greeted, not as a solution to current problems, but as a respite from the immediate need to find a solution. And if it were to result in a return to the pure gold standard the patient growth of international payments flexibility, the growth of international trade, and the material and social progress which are their byproducts would be endangered by a discipline which is inappropriately severe.

2. FREELY FLUCTUATING EXCHANGE RATES

Many of the most honored and revered economic theoreticians suggest freely fluctuating currency exchange rates which would provide an automatic system for international prices to adjust to the supply and demand of national currencies, and would minimize the need for reserves. But until clear evidence is provided that fluctuating rates will not result in enormous capital speculation and gross uncertainty in all money markets, the proposal will receive the support of neither central bankers nor political leaders.

3. THE MULTIPLE CURRENCY SYSTEM

Briefly, this group of proposals, which is most likely to include those on which both bankers and politicians can agree, includes a vast variety of ingenious devices to produce new forms of international reserves.

Balance-of-payments loans: Numerous proposals have been made for the facilitation of central bank loans from surplus to deficit countries. In essence, most of them would assign an intermediary and guarantor role to the IMF. Thus the Fund would borrow from industrial countries in surplus, provide a gold guarantee in exchange, and then lend to industrial countries in deficit.

Of course more direct transactions between central banks are possible. Loans of gold, foreign exchange, or national currency can be made for national currency, obligations to the IMF, or obligations of the borrowing country payable in its currency, the lender's currency, third party currency, or gold.

Two features of these proposals deserve special attention. First, short-term central bank cooperation, as described here and as practiced through currency swaps and the so-called Roosa bonds, is not an appropriate means for creation of long-term international reserves and liquidity. It can help overcome an immediate crisis and it is an important part of a workable international payments system, but expanding reserves to finance expanding trade must come from more deliberate long-term policies.

Second, international central bank loans are generally considered appropriate only for short-term capital outflow problems. If a country's deficit is the result of long-term influences, a balance-of-payments loan may delay the adoption of national policies to redress the balance. Under these circumstances the deficit may be allowed to become chronic or fundamental, requiring currency devaluation.

New reserve currencies: If a national currency in addition to the dollar and sterling is to be used as reserves, it must be fully convertible. It probably must be guaranteed in gold. And monetary authorities around the world must have great confidence in the credit and fiscal policies employed in the home country of the currency. This probably means that any reserve currency would have to come from among the 11 industrially stable nations who are now associated in the Group of Ten, founded to promote international financial stability.

The U.S. Government has encouraged this development by asserting that as its balance-of-payments deficit is solved it will not recall its dollars held abroad but rather will begin to hold leading foreign convertible currencies as reserves. This process would not only mitigate the liquidity crisis which will occur when U.S. payments are in balance, but might instill new confidence in the currencies so held. However, almost 97 percent of U.S. reserves are still held in gold today.

Suardus Posthuma, former managing director of the Central Bank of the Netherlands, has proposed that governments either hold their gold and foreign currency reserves in fixed proportions or make their deficit payments in a fixed proportion among gold, foreign exchange, and the debtor's currency. In either case, if the agreed-upon percentage of gold were significantly smaller than at present, the system would permit the building up of new global reserves in the form of foreign currencies.

Composite reserve unit: In late 1963, Mr. Edward Bernstein, former Research Director of the IMF, proposed a new composite reserve to be based on a fixed percentage of leading convertible currencies. The ultimate objective would be to raise new reserve unit holdings to at least one-half the value of gold holdings.

The essence of this proposal was urged on the Group of Ten throughout 1964 by M. Valery Giscard d'Estaing, French Finance Minister. Both this French position and General de Gaulle's dramatic call for a return to the gold standard, despite apparent inconsistencies, are based on a common desire to reduce the role of the dollar, the pound sterling, and the impact of the British and American deficits in international finance. De Gaulle wishes the world to be placed on an indisputable monetary basis bearing the mark of no particular country. Gold could achieve this; so could a composite reserve unit. The major differences between Bernstein's and d'Estaing's views of a composite reserve unit are; First, the former views it as an additional reserve to increase liquidity while the latter sees it as a substitute for the dollar and pound in current reserves; and second, Bernstein would construct proportions similar to the national roles in international trade or to the IMF quotas while d'Estaing's ratio would reflect national gold holdings.

The Group of Ten has established a study group to pursue the possible creation of a reserve asset aside from gold and national currencies. A composite reserve unit is one form to be examined. Another would be guaranteed deposits with the IMF, which would be used to finance investments to create new liquidity undertaken at the initiative of the Fund.

An International Central Bank. The establishment of an authority with the power to create international reserves without the unanimous approval of all depositors—member Governments and central banks—would be an extraordinary political step.

From the International Clearing Union proposal of John Maynard Keynes in 1943 to the famous Triffin plan for a World Central Bank in 1960 and its many variations, each proposal in this category has shared the common goal of developing an international monetary mechanism broad enough and sufficiently flexible to accommodate foreseeable future needs. In varying degrees each proposal has envisaged a central banking institution which would operate toward the central banks of members as the central banks themselves operate toward member banks in their own countries. Whether through the overdraft theories of Keynes, the open market operations of Triffin, the new international reserve unit of Sir Roy Harrod, the certificate of indebtedness of Reginald Maudling, or the multilateral reserves aid-to-developing-countries proposed by Sir Maxwell stamp, each of the proposals has made a valuable contribution to the consideration of how to develop new sources of international liquidity.

There is little likelihood that any of these far-reaching plans will gain the political acceptability to justify an abandonment of the International Monetary Fund in its favor. But on the other hand, any one of them can be accommodated through an expansion or evolution of the IMF.

There has been an unwarranted tendency on the part of some to conclude hastily that because the present system is under severe strain it should be discarded. This attitude does not reflect adequate appreciation of the vast degree of international understanding and cooperation which were achieved at the Bretton Woods Conference in 1944. Despite genuine and understandable European concerns that the institution is unduly dominated by the United States, there is no reason why the future course of international monetary stability should not be sought within the framework of the International Monetary Fund, which has served so many so well for so long.

THE POLITICS INVOLVED

The U.S. deficit has been a serious obstacle to agreement on reform among the industrial countries for two reasons: First, the Europeans have believed that any U.S. proposal to increase international reserves was merely a way to finance the U.S. deficit rather than a genuine attempt at meeting future liquidity problems which would be created by balancing U.S. payments; second, the U.S. deficit, in the view of the continental Europeans, has reflected American unwillingness to abide by the rules of the game—to assure international economic stability even though the domestic economy might suffer.

This is the heart of the transatlantic debate. All the continental Europeans, of whom only France has been vocal, emphasize the need to stop relying on the pound and the dollar as reserves because of the inflationary result in Europe of constant expansion of central bank holdings in those currencies. Thus their insistence on a return to the gold standard or on establishment of a new international composite reserve unit. The Anglo-Saxon emphasis is on the shortage of reserves, present and future, but particularly if and when the British and American payments are balanced.

In short, the British and Americans wish to find reserves in addition to the dollar and sterling; the continental Europeans wish to find reserves to replace the dollar and sterling.

The French seem to assume that the American interest in new reserves is motivated only by a desire to continue the deficit and avoid the domestic implications of correcting the payments imbalance. Many Americans, including some in the administration, seem to assume that the French interest in different reserves is motivated by a desire to embarrass the United States to the benefit of France.

Neither charge is fully false. The efforts of the Democratic administration over the last 3 years have concentrated on short-term borrowing and currency swaps rather than on firm domestic policies to effectively restrict the outflow of capital. In other words, the administration did try to get by without difficult domestic decisions. A French unwillingness to continue to play along has forced the administration to take stringent measures to erase the payments deficit—measures probably more severe than would have been required if the administration had begun the effort 2 or 3 years ago.

On the other hand, the grandeur of the French gold withdrawals suggests that General de Gaulle is not unmindful of the embarrassment his policies cause the United States. Whatever measures the United States must take to correct its payments imbalance will work to increase French influence in Europe and throughout the world. A reduction in private U.S. capital investment abroad will undoubtedly reduce American investment in France, which has long been a De Gaulle objective. A withdrawal of U.S. troops from Europe would increase European reliance on French leadership in both military and political affairs. A substantial cut in American foreign aid would present France with important new opportunities to develop strong trade ties with Latin America through carefully prepared development assistance.

The current crisis in international liquidity is another dimension of the many-faceted dilemma in North Atlantic relations. At the end of World War II the United States, with its industrial base largely unscathed, was able to develop its own international framework of relations with Western Europe. The European nations, unbowed but battered by the war, had no choice but to accede to our leadership. In the area of international finances the IMF represented the formula agreed to by all, but largely dominated by the United States from its position of economic preeminence.

Through the late forties and fifties the United States adopted policies to put Western Europe back on its feet—to minimize its dependence on the United States. In many respects the current independence of continental Europe from American leadership, in financial and other areas, reflects the great success of our earlier policies. Our wisdom now must match our wisdom when we embarked upon that course. We must realize better than we have that a strong and vital and thriving Europe is an impetus to an even more strong and vital and thriving North Atlantic relationship. We must appreciate that if we wish a strong Europe it must be a Europe strong enough to look upon an American proposal as merely one among many possible solutions—all of which will be reviewed together. If we wish their partnership, we must treat them as partners.

Agreement on the need and the means for new international reserves will obviously require each side to exercise self-restraint and to assure the other of its sincerity. It is inappropriate, although not uncommon, for Americans to lecture the French on what their policies should be. Suffice it to say that as the U.S. deficit declines continued French exchange of U.S. dollars for U.S. gold will not enhance the likelihood of American confidence in French good will. The United States on its own part must bring its international payments into short-term and long-term balance so that its desires for new sources of international liquidity will not be interpreted as a desire to find an easy way to finance a U.S. deficit.

If the current balance in American payments proves lasting the need for new reserves will soon be obvious to all. Many variables would affect the length of the grace period but there is no justification for a continued postponement of the administration's search for, and adoption of, its own proposals for new sources of international liquidity.

There is an obvious need for an international conference to develop a system leading to expanded liquidity and to discuss the processes of national adjustment to international disequilibrium. There is some danger that the conference will not be held until the liquidity crisis is already upon us. On the other hand, extreme care should be taken to avoid premature scheduling of a conference. To meet and not succeed would be worse than not meeting at all. The London Economic Conference in 1931 began and ended in utter confusion and further destabilized already unstable international finances. As with any major and publicized international negotiations, reasonable certainty of agreement must be assured before the conference takes place.

Such an international conference must deal also with another and separate problem—the need of the developing countries for expanded reserves to finance development purchasing. The liquidity crisis centers on the need to find new sources of reserves to finance the payments imbalance among the major traders—the industrial countries. On top of that need is the persistent requirement of the developing countries to obtain the means to purchase the equipment with which to stimulate their own economic growth. This problem must be considered in any conference because the developing countries will demand attention to their needs as quid pro quo for their conference support of formulas promoted by the industrial nations to meet the more fundamental liquidity problem.

POLICY RECOMMENDATIONS

U.S. policy on international monetary reform must reflect an understanding of both timing and psychology. The proposals made here are primarily designed to facilitate an atmosphere in which constructive international discussion and agreement are possible.

First. The primary emphasis in American policy must be placed on erasing the chronic deficit in the U.S. balance of payments. There are many encouraging signs that the administration's current policies are reducing the payments deficit. But last year, at this time, there also were many encouraging signs that the administration's policies then were reducing the deficit then. It did not last; 1964 amply demonstrated that short-term success does not necessarily imply long-term success. U.S. payments must be balanced and kept in balance. Until it is clear that the balance is stable, no productive solution to the resulting liquidity shortage can be reached, even though the administration would be remiss in not beginning the search for a solution to the liquidity problem now, even before long-term balance is assured.

The current policies of the administration reflect great concern over the immediate payments problem but less over the need for long-range equilibrium. The interest equalization tax and voluntary guideline restrictions on the outflow of private capital are labeled temporary stopgap measures; but are fully adequate programs being undertaken to keep the temporary expedients from becoming permanent? The administration must concentrate on more effective long-range programs to bring balance to U.S. payments without artificial controls on the free flow of capital. In particular the administration could and should greatly expand its efforts to promote U.S. export trade, to remove international freight rate discrimination against American shippers, and to encourage foreign tourism in the United States.

Another area of long-range policy which may have profound effects on the U.S. balance of payments is the future of the North Atlantic Alliance. If reconsideration of current and future political realities and military requirements justifies a substantial U.S. troop withdrawal from Europe the impact on the U.S. payments position could be immense. If, on the other hand, the present level of American forces must remain, every effort should be made to negotiate with France an arrangement to offset substantially the cost of maintaining U.S. troops in France. Arrangements of this kind exist with Germany, Italy, and Great Britain.

Serious questions are also in order over the failures of the administration to look upon monetary and fiscal policies as appropriate means for inducing and stabilizing payments balance. Although it would not be feasible to rely solely on monetary measures to keep the capital outflow in hand, it is nevertheless true that a more flexible monetary policy than is permitted under current administration policy might play a crucial part in backing up the administration's stopgap voluntary controls.

This is especially so in view of the powerful stimulating effect on the economy of the administration's expansionist fiscal policy. Indeed, fiscal policy in its own right is important in any discussion of international monetary affairs if for no other reason than the effect on global confidence in the dollar of large increases in spending, especially if those increases go along with persistent deficits. More directly, if increased revenues stemming from continued economic growth lead to further tax cuts rather than more Federal spending, the result will be reflected in expanded investment in the domestic economy including those industries which contribute to a substantial surplus on our trade balance.

Second. As the U.S. payments deficit recedes, the administration should implement its declared intention of holding a substantial percentage of its international reserves in foreign currencies. Such a policy would promote acceptance of convertible currencies as international reserves and would attest to U.S. sincerity in the search for new liquidity. The United States has announced its willingness to hold foreign currencies as reserves, but has done virtually nothing. Almost 97 percent of U.S. reserves today are still in gold. In the absence of a sudden and massive U.S. payments surplus, in order to meet its stated objective the administration should begin now a deliberate and limited purchase of foreign currencies for U.S. gold. Direct purchase by us of foreign governments' currencies would create new international reserves and liquidity.

Third. The President should declare the U.S. willingness to attend an International Monetary Conference to review the long-term adequacy of international liquidity and the processes of national adjustment to international disequilibrium. The United States, however, should insist that any international conference must be preceded, first, by agreement among the 11 industrialized nations on the general formulas to be presented to the Conference; and, second, by reduction in the U.S. balance-of-payments deficit to under $200 million computed in accordance with the official settlements concept recommended by the Bernstein Committee, or approximately $800 million computed on the basis of the liquidity concept currently in use.

Fourth. The administration should immediately call for the creation of a permanent Preparatory Commission which can meet now to lay the groundwork for such a Conference. At present many different talks are underway in a variety of settings. The most important are the studies on balance of payments adjustment problems by Working Group 3 of the OECD and on liquidity by the Group of Ten. The separate exploratory talks of interested groups should continue, but a single Preparatory Commission could give order to the separate discussion, and provide continuing evidence of a multilateral commitment to the effective resolution of international financial problems.

The membership of the Preparatory Commission might include representatives of the IMF, the Group of Ten, the OECD, the Bank for International Settlements, the European Economic Community, the sterling area, and the developing countries. The membership of both the Preparatory Commission and the Conference itself should reflect the community of bankers and politicians who must work with the institutions and programs adopted by the Conference—and U.S. industrialists such as those who have secured the reduction of our payments deficit by their adherence to voluntary guidelines for limiting direct investments overseas. And they should seek the most learned and competent advice from academic and business economists.

The duties of the Preparatory Commission would include facilitation of preliminary agreement among the Conference participants on the major formulae for reform; adoption of an agendum for the Conference; determination of the rules of the Conference including those governing voting; and final determination of a date for the Conference.

In preparing for a Conference through such a Preparatory Commission the United States should be willing to accommodate and encourage responsible change. It must be willing to consider conscientiously and carefully proposals in any of the following areas:

Expansion of current quotas and drawing rights in the International Monetary Fund, with the ultimate objective of treatment of IMF deposits as the major source of national reserves.

Denomination of new currency reserves including a composite reserve unit based on proportions of industrial nation currencies.

Increased cooperation and communication among central banks, including utilization of the IMF as guarantor of short-term credit transactions to meet short-term payments needs. Long-term balance-of-payments loans should require approval of an international board representing industrial countries.

Multilateral development aid through creation of international reserves to be extended to the developing countries for payment to the industrial nations in transactions certified by competent international authorities to further constructive national programs for economic development.

Reaffirmation of the economic necessity that nations with chronic payments imbalance undertake prompt and effective domestic policies to restore fundamental equilibrium.

Gradual evolution of the International Monetary Fund into an authority with power to execute limited reserve expansion and contraction in international markets.

Above all the United States must be guided by a devotion to the future. So far, the administration appears to assume there is plenty of time to deal with the present crisis and plenty of room in the current system for continued drifting. There is neither time nor room to drift; moreover, the conditions of international life have presented us with an opportunity to build a system which will anticipate future crises. Policies which merely adjust to today's conditions will not be ample tomorrow. John Foster Dulles once wrote:

> Change is the law of life, of international life as well as national and personal life. If we set up barriers to all change, we make it certain that there will be evident and explosive change.

We must have the courage to shape the future, not merely await it.

House Concurrent Resolution 127 is as follows:

> Whereas the United States has had a deficit in its international balance of payments every year, except one, since 1950; and
>
> Whereas, largely as a result of these deficits, United States short-term dollar liabilities to foreigners totaled an estimated $27,976,000,000 at the end of October 1964; and
>
> Whereas these liabilities constitute a potential claim against the United States gold stock of $15,200,000,000, of which less than $1,400,000,000 is "free gold" not required to serve as backing for our currency; and
>
> Whereas the health of our domestic economy and strength of the dollar and its ability to serve as a key international reserve currency depends upon the early elimination of the balance-of-payments deficit and the creation of improved arrangements to serve the liquidity needs of an expanding international trade and payments system: Now, therefore, be it
>
> *Resolved by the House of Representatives* (*the Senate concurring*), That it is the sense of the Congress of the United States that achievement of balance-of-payments equilibrium in a manner consistent with the dollar's role as a key international reserve currency should receive the highest priority in the formation of national economic policy; and be it further
>
> *Resolved*, That the maintenance of equilibrium in its international accounts should be a continuing and major goal of United States international economic policy; and be it further
>
> *Resolved*, That the United States take the initiative to devise new and improved methods of permanently strengthening the international monetary and credit mechanism in order to provide (a) improved means of financing balance-of-payments deficits until basic corrective forces restore equilibrium, and (b) sufficient liquidity to finance future increases in world trade and payments; and be it further
>
> *Resolved*, That the President be requested to call for an International Economic Conference to review the long-term adequately of international credit; to recommend needed changes in existing financial institutions; to consider increased sharing of economic aid for development and military assistance; and to consider other pressing international economic problems placed before it by a preparatory committee for such Conference.

INCREASING COSTS OF HIGHER EDUCATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, for the past several months the Republican task force on education has been exploring in depth the needs of education in America today. From the very beginning the task force has been aware of the keen concern over the increasing costs of higher education and the very evident need for some relief for the American taxpayer in this area. These costs have been increasing at a phenomenal rate. In both private and public higher educational institutions costs have increased on an average of 25 percent over the last 5 years. Prominent authorities on college and university finance estimate that tuition will rise another 50 percent in private and public higher educational institutions over the next 10 years. These rising costs of higher education will close the doors of education to many highly qualified students of limited means unless some corrective action is taken.

We on the Republican task force feel that a tax credit against the income tax would be the most appropriate and effective device for relieving students and their parents of the rising costs of higher education. The tax credit avoids the difficult problems of Federal control and the relation between church and state which rightly or wrongly have thus far prevented action in this area. It does not discriminate between public and private institutions. Instead it leaves the student, his parents, or anyone else supporting a student with the money to pay the increasing costs of higher education.

Moreover, it is in line with the best principles of our tax law that Congress should not tax income which is being spent to achieve social purposes for which the Federal Government might otherwise be spending money. Our laws recognize this in not taxing charitable contributions to worthy causes. Contributions to the education of our next generation are at least as worthy of such treatment.

In the past year we have seen tax reduction bills for the important purposes of stimulating the economy and getting rid of arbitrary and discriminatory excises. We on the task force believe that it is equally important to reduce the present burden on the educational expenses of our students. Among the many competing claims for relief from the burden of Federal taxation, surely education has the highest of priorities.

Some have said that the tax credit would provide no relief to those without taxable income. No information is available on the total number of college students and their families who pay no Federal income tax. But it is certain that their number is very small. A recent survey at the University of California found that only 5 percent of the parents reported an income of $4,000 or less. In addition a student might have his tuition and fees paid by another individual who would then be able to take the tax credit.

We are all, as a people, heavily indebted to our existing institutions of higher education with all their diversity, experimentation, and excellence, for the magnificent job they have done in the past and are doing today. As members of the Republican task force on education we feel that the taxes on expenses of higher education should be reduced. We believe that students should be encouraged to complete their college and university training by the tax credit we have proposed, and that it is essential to our future as leader of the free world that we do so.

I am pleased that the House Republican conference has gone on record in support of tax credits for higher education. At its meeting on June 23, the House Republican conference unanimously endorsed a bill to provide tax credits for students, their parents, or others paying the costs of higher education. The following 26 Republicans had already introduced similar tax credit legislation:

The gentlemen from Ohio, JOHN M. ASHBROOK, and WILLIAM H. AYERS; the gentleman from Montana JAMES F. BATTIN; the gentleman from South Dakota, E. Y. BERRY; the gentleman from Michigan, WILLIAM S. BROOMFIELD; the gentleman from Virginia, JOEL T. BROYHILL; the gentleman from Wisconsin, JOHN W. BYRNES; the gentleman from New Hampshire, JAMES C. CLEVELAND; the gentleman from Missouri, THOMAS B. CURTIS; the gentlewoman from New Jersey, FLORENCE P. DWYER; the gentleman from Alabama, JACK EDWARDS; the gentleman from Illinois, JOHN N. ERLENBORN; the gentleman from New Jersey, PETER H. B. FRELINGHUYSEN; the gentleman from New York, CHARLES E. GOODELL; the gentleman from Michigan, ROBERT P. GRIFFIN; the gentleman from Missouri, DURWARD G. HALL; the gentleman from Pennsylvania, ALBERT W. JOHNSON; the gentleman from Wisconsin, MELVIN R. LAIRD; the gentleman from Pennsylvania, JOSEPH M. MCDADE; the gentleman from Maryland, CHARLES MCC. MATHIAS, JR.; the gentleman from Ohio, CHARLES A. MOSHER; the gentleman from Minnesota, ANCHER NELSEN; the gentleman from Washington, THOMAS M. PELLY; the gentleman from Pennsylvania, HERMAN SCHNEEBELI; the gentleman from California, BURT L. TALCOTT; and the gentleman from New York, JOHN W. WYDLER.

In addition to their endorsement at the House Republican conference, the following Republican Members have emphasized their strong support of the tax credit approach by introducing the proposed tax credit bill:

The gentleman from Michigan, Minority Leader GERALD R. FORD; the gentleman from Minnesota, ALBERT H. QUIE; the gentleman from Wisconsin, MELVIN R. LAIRD; the gentleman from Arizona, JOHN J. RHODES; the gentleman from New York, CHARLES E. GOODELL; the gentleman from Virginia, RICHARD H. POFF; the gentlemen from New York, JAMES R. GROVER, JR., and HOWARD W. ROBISON; the gentleman from California, J. ARTHUR YOUNGER; the gentleman from Vermont, ROBERT T. STAFFORD; the gentleman from Minnesota, ANCHER NELSEN; the gentleman from Illinois, JOHN B. ANDERSON; the gentleman from Kansas, GARNER E. SHRIVER; the gentleman from Illinois, JOHN N. ERLENBORN; the gentlemen from California, BURT L. TALCOTT and JAMES B. UTT; the gentlemen from Pennsylvania, JOSEPH M. MCDADE, J. IRVING WHALLEY, WILLARD S. CURTIN, HERMAN SCHNEEBELI, and ALBERT W. JOHNSON; the gentleman from Virginia, JOEL T. BROYHILL; the gentleman from South Dakota, BEN REIFEL; the gentleman from Kansas, CHESTER L. MIZE; the gentleman from Ohio, SAMUEL L. DEVINE; the gentleman from Georgia, HOWARD H. CALLAWAY; the gentleman from Kentucky, TIM LEE CARTER; the gentleman from Kansas, JOE SKUBITZ; the gentleman from Montana, JAMES F. BATTIN; the gentleman from Michigan, ROBERT P. GRIFFIN; the gentleman from South Carolina, ALBERT WATSON; the gentleman from Michigan, JAMES HARVEY; the gentleman from Minnesota, ODIN LANGEN; the gentleman from Tennessee, JOHN J. DUNCAN; the gentlemen from Massachusetts, WILLIAM H. BATES and F. BRADFORD MORSE; the gentlewoman from Illinois, CHARLOTTE T. REID; the gentleman from New York, HENRY P. SMITH III; the gentleman from Minnesota, CLARK MACGREGOR; the gentlewoman from Ohio, FRANCES P. BOLTON; the gentleman from Tennessee, W. E. BROCK; the gentleman from California, DON H. CLAUSEN; the gentleman from Illinois, DONALD RUMSFELD; the gentleman from New York, JOHN W. WYDLER; the gentlemen from California, ED REINECKE and CRAIG HOSMER; the gentleman from Ohio, J. WILLIAM STANTON; the gentleman from New York, ROBERT C. MCEWEN; the gentleman from Utah, LAURENCE J. BURTON; the gentlewoman from Washington, CATHERINE MAY; and the gentleman from Florida, WILLIAM C. CRAMER.

Thus a total of 64 Republicans have now introduced tax-credit-for-higher-education legislation.

To be more specific, the bill which the House Republican conference endorsed would contain the following provisions.

SECTION 39(a). GENERAL RULE

This new section would provide a tax credit to individuals for the expenses of higher education—defined by subsection (c)—paid by them to an institution of higher education in providing an education above the 12th grade for themselves or for any other individuals. The maximum amount of the credit for each individual for whom tuition and fees and other allowable expenses of up to $1,500 were paid by himself or another individual would be $325. A single individual, however, could obtain such a credit for each individual he supported in that amount.

(b) LIMITATIONS

First. Amount per individual: 75 percent of the initial $200 paid for the expenses of higher education of each individual are allowable as a tax credit; 25 percent of the next $300 are so allowable; and 10 percent of the next $1,000. No credit is provided for such expenses of the individual above $1,500.

Second. Proration of credit where more than one taxpayer pays expenses: If more than one taxpayer pays for the expenses of higher education of an individual each would be given a portion of the tax credit provided for that individual. The portion of the tax credit each would be given would be the same portion as the amount of the expenses of higher education paid by him is of total of such expenses of the individual paid by all taxpayers. Thus, if an individual's educational expenses of $1,500 were paid by two taxpayers, one of whom gave $1,000 and the second of whom gave $500, the first would obtain a tax credit of $216.67—two-thirds of $1,500—and the second would receive a tax credit of $108.33—one-third of $1,500.

(c) DEFINITIONS

First. "Expenses of higher education" include tuition, fees, books, supplies and equipment required for courses of instruction above the 12th grade at an institution of higher education. Such expenses do not include the expenses of meals, lodging, or other similar personal and family expenses.

Second. An "institution of higher education" means a duly accredited educational institution which maintains a regular faculty, curriculum, and an organized student body, and regularly offers courses above the 12th grade. It must qualify as an institution for which charitable contributions are deductible under section 170.

(d) SPECIAL RULES

First. Adjustment for certain scholarship and veteran's benefits: The credit is reduced by the amounts which each individual receives as a scholarship or veteran's benefit. These amounts already receive favorable treatment under other sections of the tax law.

Second. Noncredit and recreational courses: The expenses of higher education would have to be incurred either (a) for credit courses leading to a baccalaureate degree; or (b) for attaining a predetermined and identified education, professional, or vocational objective.

Third. Application with other credits: The credit allowed would never exceed the tax imposed. Thus the taxpayer will never be given a refund on the basis of this credit.

(e) DISALLOWANCE OF EXPENSES AS DEDUCTION

If a taxpayer is given a tax credit for the expenses of higher education he would not be allowed to take a deduction for those expenses in addition. At present such a deduction is given to a very limited group, such as accountants, whose educational expenses are in pursuit of their trade or business.

The language of the bill itself is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by redesignating section 39 as section 40, and by inserting after section 38 the following new section:

"SEC. 39. EXPENSES OF HIGHER EDUCATION.

"(a) GENERAL RULE.—There shall be allowed to an individual, as a credit against the tax imposed by this chapter for the taxable year, an amount, determined under subsection (b), of the expenses of higher education paid by him during the taxable year to one or more institutions of higher education in providing an education above the twelfth grade for himself or for any other individual.

"(b) LIMITATIONS.—

"(1) AMOUNT PER INDIVIDUAL.—The credit under subsection (a) for expenses of higher education of any individual paid during the taxable year shall be an amount equal to the sum of—

"(A) 75 percent of so much of such expenses as does not exceed $200,

"(B) 25 percent of so much of such expenses as exceeds $200 but does not exceed $500, and

"(C) 10 percent of so much of such expenses as exceeds $500 but does not exceed $1,500.

"(2) Proration of credit where more than one taxpayer pays expenses.—If expenses of higher education of an individual are paid by more than one taxpayer during the taxable year, the credit allowable to each such taxpayer under subsection (a) shall be the same portion of the credit determined under paragraph (1) as the amount of expenses of higher education of such individual paid by the taxpayer during the taxable year is of the total amount of expenses of higher education of such individual paid by all taxpayers during the taxable year.

"(c) Definitions.—For purposes of this section—

"(1) Expenses of higher education.—The term 'expenses of higher education' means—

"(A) Tuition and fees required for the enrollment or attendance of a student at a level above the twelfth grade at an institution of higher education, and

"(B) fees, books, supplies, and equipment required for courses of instruction above the twelfth grade at an institution of higher education.

Such term does not include any amount paid, directly or indirectly, for meals, lodging, or similar personal, living, or family expenses. In the event an amount paid for tuition or fees includes an amount for meals, lodging, or similar expenses which is not separately stated, the portion of such amount which is attributable to meals, lodging, or similar expenses shall be determined under regulations prescribed by the Secretary or his delegate.

"(2) Institution of higher education.—The term 'institution of higher education' means only a duly accredited educational institution—

"(A) which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on,

"(B) which regularly offers education at a level above the twelfth grade, and

"(C) contributions to or for the use of which constitute charitable contributions within the meaning of section 170(c).

"(d) Special Rules.—

"(1) Adjustment for certain scholarships and veterans' benefits.—The amounts otherwise taken into account under subsection (a) as expenses of higher education of any individual during any period shall be reduced (before the application of subsection (b)) by any amounts received by such individual during such period as——

"(A) a scholarship or fellowship grant (within the meaning of section 117(a)(1)) which under section 117 is not includible in gross income, and

"(B) an education and training allowance under chapter 33 of title 38 of the United States Code or an educational assistance allowance under chapter 35 of such title.

"(2) Noncredit and recreational, etc., courses.—Amounts paid for expenses of higher education of any individual shall be taken into account under subsection (a)—

"(A) in the case of an individual who is a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction for which credit is allowed toward a baccalaureate or higher degree, and

"(B) in the case of an individual who is not a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

"(3) Application with other credits.—The credit allowed by subsection (a) to the taxpayer shall not exceed the amount of the tax imposed on the taxpayer for the taxable year by this chapter, reduced by the sum of the credits allowable under this subpart (other than under this section and section 31).

"(e) Disallowance of Expenses as Deduction.—No deduction shall be allowed under section 162 (relating to trade or business expenses) for any expense of higher education which (after the application of subsection (b)) is taken into account in determining the amount of any credit allowed under subsection (a). The preceding sentence shall not apply to the expenses of higher education of any taxpayer who, under regulations prescribed by the Secretary or his delegate, elects not to apply the provisions of this section with respect to such expenses for the taxable year.

"(f) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section."

(b) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 39. Expenses of higher education.

"Sec. 40. Overpayments of tax."

Sec. 2. The amendments made by this Act shall apply to taxable years ending after the date of the enactment of this Act.

This bill is the product of a long, indepth study and hearings by the Republican task force on education, composed of the following Members:

The gentleman from Minnesota, Albert H. Quie, chairman; the gentleman from Ohio, William H. Ayres; the gentleman from Georgia, Howard H. Callaway; the gentleman from Michigan, Robert P. Griffin; the gentleman from Florida, Edward J. Gurney; the gentleman from Michigan, James Harvey; the gentleman from Indiana, Ralph Harvey; the gentleman from Washington, Thomas M. Pelly; the gentleman from California, Ed Reinecke; the gentlemen from New York, Henry P. Smith III and John W. Wydler; the gentleman from California, J. Arthur Younger; and the gentleman from Tennessee, William E. Brock.

I would like to place in the Record for the benefit of the Members of this House the report of this task force in explanation and justification of this bill, in the hope that more and more Members will come to understand and support the tax-credit approach for relieving millions of students and their parents of the rising costs of higher education.

Report of the Republican Task Force on Education in Support of a Plan for Tax Credits for Certain Expenses of Higher Education

It is well known that higher education faces a severe challenge in the next 5 to 10 years. Campuses which are already overcrowded will have to provide for up to an additional 3 million students by 1975. According to the Department of Health, Education, and Welfare, the present college and university enrollment is 4,775,000. Their projected figures show 6,959,000 students by 1970, and a total of 7,951,000 by the 1973–74 school year.[1]

This spiraling enrollment calls for increased investment in physical plants and enlarged faculties by colleges and universities. It is readily apparent that present resources which support higher education will be hard pressed to meet the continually growing needs of these institutions. State and local governments have been increasing their appropriations for higher education at a spectacular rate. For the 2-year period, 1961–63, the national average of increase in State appropriations for higher education was 24.5 percent.[2] If that rate continues, as seems likely, State and local appropriations would double every 8 years. At present the States are straining their resources to the utmost to meet immediate needs. And rapidly increasing tuition fees which institutions see themselves forced to impose place a heavy burden on students of families in the modest income brackets. All too often this burden is prohibitively large, and talent loss is substantial.

Help is needed now. It is no longer a question of whether we should aid higher education, but rather, in what way can we most appropriately and effectively provide the necessary support to keep higher education at its present level of academic excellence as well as provide the incentive to improve its facilities and faculties to meet the needs we see for the future.

The Federal Government has been participating indirectly in the financing of higher education, largely in specialized fields and primarily in research. Unfortunately none of the present programs provide the assistance that is most urgently needed; help for the vast majority of students whose families are in the middle or lower income brackets which are most burdened by the spiraling costs of higher education. Help is also needed for such necessities as increased faculties, classroom buildings, dormitories, and other items to be administered at the discretion of the governing boards of the institutions.

No proposals have been advanced for direct Federal aid in these areas, nor are such proposals likely to be successful. Always present in such aid are the questions of Federal control and church-state relations. Rightly or wrongly, these particular problems have kept the Federal Government from giving direct assistance to colleges and universities.

To answer these objections, indirect means of help have been proposed, mainly through tax credits against the income tax for the expenses of tuition and fees. Such credits would help not only the student and his family, but also the colleges. Many in Congress endorse such a plan, in fact, it is likely that an educational tax credit program would have been enacted by Congress if President Johnson had not intervened and "persuaded" some of the plan's leading sponsors to withdraw their support and vote against their own proposal. But no alternative plan has been submitted by the President to meet the needs increasing yearly. So at this time income tax credits still appear to be the most effective and feasible method to aid colleges, universities, and students in a fair and impartial way, by a method which has widespread support among Democrats and Republicans in the House and the Senate. If the advantages of such a plan were more widely known and understood, public demand for such legislation would probably encourage Congress to act and force the President to yield on such legislation.

WHY HIGHER EDUCATION NEEDS AID

The tidal wave of postwar babies which moved through the elementary and secondary schools between 1952 and 1964 has already hit the campuses. While the common schools will experience only modest attendance growth for some time, colleges and universities can expect to be deluged with applicants for the next 4 to 5 years. Moreover, the percentage of our young men and women who aim to continue their formal schooling beyond high school has been sharply rising and will keep climbing. Today two out of five graduating students go to college, and within a few years it may be more than half. We would hardly expect otherwise. Rapidly changing job requirements in this scientific and technological age demand a more thorough and elaborate preparation from all workers except those who are satisfied with filling low-skilled jobs at the bottom of the occupational ladder.

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[1] "Projections of Educational Statistics to 1973–74" (U.S. Department of Health, Education, and Welfare; Office of Education, 1964) p. 3.

[2] "The Money Behind our Colleges" (Editorial Projects for Education, Inc., 1964) pp. 8–9.

It is essential for the Nation's present and future progress that we open college doors to all with the capacity and desire to acquire a higher education. To do otherwise, to limit opportunity and restrict access to college education, would jeopardize our cultural and economic growth and deal a fatal blow to America's position in the free world. The widening scope of subject matter, the explosive growth of knowledge, and the ever-growing need for research in depth make the needed college expansion a costly enterprise to build and to operate. It has been estimated that current expenditures of institutions of higher education should increase from $8.2 billion in 1964 to $12.6 billion in 1970, and up to $14.6 billion by 1973.[3] Only half the additional necessary sums may come from the natural growth in educational revenues. The rest will have to come from other sources.

State governments, as mentioned above, are increasing their appropriations an average of 24.5 percent every 2 years, but such increases may be harder to come by as time goes on and the tax burden multiplies. Tuitions are rising at a rapid rate. Today average tuition and fees amount to $222 for public institutions. By 1975 it will be $480, and by 1980, $760. Today private school tuition and fees average $831, by 1975 it will be $1,355, and by 1980, $1,815. This, of course, is only for tuition and fees. What of the total expenses of attending college? Today for a public institution it is $1,560, by 1975 it will be $2,040, and by 1980, $2,400. For private institutions the present cost is $2,370, by 1975 it will be $3,100, and by 1980, $3,640.[4]

These increases in the cost of providing a college education are thrown on the student and his parents who, perhaps not only in the lowest income groups, may be unable to bear them without some form of relief.

It is therefore imperative that we now plan and prepare for the expansion of the facilities of today's colleges and universities to meet the needs of the eight million students of 1975. To initiate such plans, our first concern should be to mitigate the load which millions of parents will have to assume in putting their children through colleges.

WHAT TYPE OF AID DOES THE FEDERAL GOVERNMENT NOW PROVIDE FOR HIGHER EDUCATION? WHAT HAS THE PRESIDENT PROPOSED AND OF HOW MUCH HELP WOULD IT BE?

Present Federal programs within higher education are primarily incidental to other national objectives and are not designed to aid education. These programs consist of research grants and contracts, and while such activities have done good, they have also created problems.

One of the main problems is the concentration of research grants in a few institutions. Over 90 percent of these research funds are given to approximately 5 percent of the institutions of higher education in the country. While this has enhanced the position of those few, it has made that of many others more precarious, especially in the important area of retaining a competent faculty. This allocation of funds has increased the imbalance between rich and poor institutions, between the various States and geographical regions, and between the natural sciences and the humanities. Most importantly, these grants have stimulated the already mounting flight from teaching.

Construction aid is also available, on a matching basis, for buildings such as laboratories, libraries, foreign language departments, etc., but no aid is available for general classroom buildings, a pressing need now and for the future if projected figures of increased enrollment are anywhere near correct.

There are other Federal programs, such as for medical research, work-study programs, and the like, but such programs reach only a small percentage of students and a smaller percentage of the colleges and universities.

In other words, then, present programs are not aimed at helping the colleges and universities to meet the expenses of the expansion of the next decade, nor are they of any tangible benefit to millions of college students and their parents. Nor has the President submitted any suggestions which would achieve these ends.

There are two basic reasons for the lack of direct Federal grants to the institutions of higher education. One concern is that of Federal control, a concern that cannot be shrugged off as unimportant. Here is what the president of the country's largest university recently said:

"A university's control over its destiny has been substantially reduced. (Federal) funds * * * commit some of the university's own funds; they influence the assignment of space; they determine the distribution of time between teaching and research; to a large extent they establish the areas in which a university grows the fastest; almost imperceptibly a university is changed."

President Clark Kerr of the University of California charged further:

"To students versus faculty, assistant versus tenure professors, faculty versus administrators has been added a new hierarchical point of tensions—that between humanities and sciences."

Many of today's college and university heads believe that Federal funds may carry the price tag of Federal control, a price which American education may be unwilling to pay.

The second issue is that of church-state relations. Many Members of Congress seriously doubt whether broad or general Federal grants to all higher educational institutions, public and private, including those which are church connected, would be constitutional. But to limit such aid to public institutions only and to omit those which are under private control would weigh the scales so heavily in favor of public education that most private institutions might not be able to survive. The enrollment imbalance between public and private colleges has been growing over the past years and the enactment of Federal aid to public institutions only would probably spell the demise of many private colleges or of most except the exceptionally well endowed. To hasten the trend toward a near monopoly of higher education by public institutions in the United States is not the type of action that the Congress is likely to take. This stalemate makes such direct Federal assistance unlikely in the future.

HOW INCOME TAX CREDITS CAN GIVE RELIEF TO STUDENTS AND THEIR FAMILIES WHILE AIDING COLLEGES AND UNIVERSITIES

To recognize the special burdens borne by some taxpayers and to grant them relief on their income tax has long been an established practice in our tax system. The general tendency has been to add more relief measures, such as the 7 percent credit for business investment approved 4 years ago. Should not higher education receive like encouragement? Higher education confers benefits not only on the individual but also upon society; it is certainly in the national interest, and there is good justification for granting recognition to those who carry the bulk of their load, students and their parents. To encourage and facilitate college education is at least as important and worthy an objective as many of the activities which now receive favorable tax treatment, and perhaps more so. This is particularly true at a time when costs of college attendance are soaring and a growing number of families are trying to enable several of their children to acquire a higher education.

The concern is not new, but the method of relief is. Direct aid and the objections to it have already been explored. Indirect relief was next suggested. The initial conception of indirect relief took the form of tax deductions and exemptions, but because of our progressive tax system, those receiving the most benefit were in the higher income brackets and needed the relief the least. This obviously did not adequately direct the relief to those most in need of it, to students and families in the lower and middle income groups.

Three years ago a new type of educational tax relief plan was introduced, designed to concentrate aid where it is needed the most; namely, in the lower and middle income brackets. Under that plan a student, his parents, or anybody else who is paying his expenses could apply part or all of the tuition, fees, books, and supplies against the income tax liability itself rather than merely against the tax base; that is, his income, as under the deduction plans. In order to give relatively greater benefits to students attending public, low-tuition institutions it uses a graduated percentage scale of benefits. The plan which was arrived at after much deliberation by several Members of Congress would permit deduction from the income tax liability of 75 percent of the first $200 of the cost of tuition, books, et cetera; 25 percent of the next $300; and 10 percent of the next $1,000. So the maximum credit would total $325 if tuitions and other expenses reach $1,500. This is what the credit would amount to:

Cost of tuitions, fees, books, and supplies	Tax credit		Remaining net cost to student
	Amount	Percent of cost	
$200	$150	75	$50
$400	200	50	200
$600	235	39	365
$1,000	275	28	725
$1,500	325	21	1,175

In 1964–65, tuitions and fees at public universities and colleges averaged $222. The tax credit would offset close to 75 percent or $155.50, so that the remaining net tuition cost to the student would be $66.50.

At private universities and colleges tuitions and fees averaged $831. The tax credit would offset 31 percent or $258.10, so that the remaining net tuition cost to the student would be $572.90.

On the average then, the student at a public institution of higher learning would have three-fourths of his tuition and fees wiped out, at a private institution about one-third. The schedule is deliberately weighted in favor of the student at a public and low-tuition college because he is more likely to come from a family with a lower income. While tax credits would be of very material assistance to students and their families in helping them to ease their load, they would also soften the impact of future tuition boosts. As has been shown, college fees have been steadily climbing and budgetary pressures will force the institutions to keep raising their charges, although most boards of trustees strongly dislike doing so. Tax credits will enable students or their fathers to offset much or all of the tuition increases by a reduction in their income tax liability. This means that colleges will be able to add to their general revenues without imposing a commensurate burden on their students. Thus the institutions as well as the students will benefit from the tax credits—which probably is why the Association of American Colleges at its annual meeting in 1964 voted overwhelmingly to support educational tax credits.

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[3] Op. cit., "Projections," p. 35.

[4] Keppel, Francis, exhibit referred to before the Subcommittee on Education of the Senate Committee on Labor and Public Welfare, March 16, 1965.

Some have voiced the criticism that the tax credit would provide no relief to students, parents, and others with no taxable income. No information is available on the number of college students and their families who pay no Federal income tax. But it is certain that their number is very small. A recent survey at the University of California found that only 5 percent of the parents reported an income of $4,000 or less. In addition a student might have his tuition and fees paid by another individual who would then be able to take the tax credit.

To suggest that colleges would raise their tuitions mainly to absorb the savings from tax credits is to suggest that their boards of trustees are utterly irresponsible. We may assume that they will boost tuitions only when the gap between financial needs and income leaves them only the alternative between higher fees and neglect or deterioration.

Educational tax credits are not intended to be substitutes for scholarships, but a necessary supplement. It is quite likely that the enactment of tax credits would lead to a sharp increase in the number of available scholarships since some students from middle-income families who are now recipients of scholarships could get along without them if they were given the tax credit. Many persons, whether relative, alumni, or whatever, would be willing to donate scholarships, that is, pay part or all of the expenses of one or several needy college students if they could deduct a material share of the cost from their income tax. For example, if an uncle, or a friend, or anybody else paid $400 for the college expenses of a student he could deduct $200 from his income tax. So his net cost would be only one-half of the benefit to the student.

The resulting revenue loss to the Treasury has been a frequently raised objection to the enactment of educational tax credits. This is a valid concern at a time when the Federal budget has been showing red balances for 6 years in the offing. Clearly it is incumbent upon the President and the Congress very carefully to review the competing claims for relief from the burden of Federal taxation and to allow only those with the greatest merit. At this juncture higher education rates top priority, preceded only by national security. It should receive consideration ahead of many other programs, old or new, of questionable justification.

The rate schedules suggested above would probably amount to between $750 million and $1 billion for tuition credits. This does not seem unreasonable at this time and can be offset by cutbacks in other programs whose merits are of a more doubtful nature.

SUMMARY

Steadily increasing tuition charges are placing too heavy a burden on many students and their families of modest means. Plans for aid to the major purposes of higher education through direct grants by the Federal Government appear hopelessly blocked by such issues as church and state and Federal control. But help can be given through indirect methods, by Federal income tax credits for tuitions and other costs of college attendance. Such credits appear to be a feasible and the most effective way in which the National Government can provide tangible assistance to higher education. Tax credits for tuition under schedules currently pending in Congress would, on the average, wipe out about three-fourths of the tuition costs of students at public universities and colleges and about one-third of the fees at institutions under private control. Most of the benefits of tax credits would go to students of modest means and their families. They would also enable the institutions to increase their revenues without imposing undue burdens.

Tax credits raise no constitutional problems and avoid any danger of Federal control of education. Virtually all contacts would be between individual taxpayers and the Government and almost none between the Government and educational institutions.

Support for educational tax credits has been bipartisan, ranging in the 88th Congress from Senator—now Vice President—HUMPHREY to Senator Goldwater. There are presently 21 Republican tax credit for higher education bills which have been introduced in the House of Representatives. The leading Senate bill in the 89th Congress is being sponsored by 17 Republicans and 18 Democrats, some liberals and some conservatives—but opposed by the President. The main reason for employing the tax credit device is the fact that it would leave decisions with the individual students and their parents—as to the college at which they wish to enroll—and with the governing boards and administrators of the institutions. Tax credits would enable the schools rather than the Federal Government to determine the purposes for which the funds are to be applied and the manner and conditions under which they would be spent. Our existing educational system with all its diversity, experimentation, and excellence should be encouraged rather than changed and rendered dependent.

Mr. CRAMER. Mr. Speaker, I wish to join with my colleagues in endorsing the tax-credits-for-higher-education proposal by again sponsoring legislation, as I have in the previous two Congresses, to provide for certain tax credits against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education. I have long advocated the enactment of such legislation as a means of providing urgently needed relief in the burdensome cost of higher education and, thus, as an incentive toward the attainment of higher education. I am glad to participate in this united effort in support of the tax-credit approach to the problem of the steadily rising cost of higher education by my reintroduction today of legislation for this purpose.

THE FARM LABOR SITUATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. COHELAN] is recognized for 60 minutes.

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, last April I discussed at some length the basic facts and issues involved in the bracero controversy. It is now almost 6 months since the end of the bracero program. During the months since January 1 Secretary of Labor Wirtz has, in my estimation, done a commendable job in the administration of his responsibilities involving foreign labor. The Secretary has been steadfast in insisting that farm employers give first priority to our own citizens in farm jobs offering decent pay and working conditions before he will give any consideration to certifying that a need for foreign workers exists. We have now had over 5 months experience with this "new look" in the farm labor program. I would like at this time to review and evaluate what has happened.

First, it is necessary to keep in mind what was intended when the bracero program was terminated. This action was not taken because the Congress had any animosity toward our Mexican neighbors. It was not taken to punish our farmers who have used foreign labor in the past. It was not taken because the Congress and the American public were opposed to foreign labor importation. Nor was it taken without ample warning.

It was terminated because we were concerned about the plight of our own farmworkers. Their sad condition is a national scandal and disgrace to a prosperous nation. This point has been so amply and eloquently presented in the past that I need only to mention briefly now that American farmworkers rank at the bottom on almost any index of social and economic well-being that one could devise—annual earnings, education, unemployment, underemployment, living standards, and so forth. To require the poorest of our poor to compete for jobs with the poor of other nations was an outrage against common decency.

The jobs that foreign workers held should have been made available to Americans, at an American wage standard, long ago. If agriculture could become competitive with other American industries offering suitable wages and working conditions, we were convinced that growers who had depended upon foreign labor in past years could adequately meet their needs with domestic workers; that their so-called labor shortages would disappear.

Our experience during this past 5 months gives substantial indications that we were right in our assessment; that Secretary Wirtz has acted correctly in strictly limiting his certifications for foreign labor and insisting that growers, if they wish any consideration to employ foreign labor, improve their wage offers and very actively recruit domestic workers.

The table—based upon data obtained from the Labor Department—which I will insert in the RECORD, shows quite clearly that as the season has progressed more and more domestic workers have entered the labor market to replace the foreign workers. Of course there have been year-to-year decreases in domestic employment in some activities due to changes in the timing of the crop season and the size of the crop. Also, some of the domestic employment gains may be due to these same kinds of factors that have increased total labor demands for particular crops.

Nonetheless, I believe the facts presented are clear and convincing proof that when better wages are offered, American workers will respond. Starting in mid-January, domestic employment was up 8,200 in the main foreign worker crops. By the end of May, as farmwork picked up, the year-to-year employment gain had reached a level of about 30,000. These are very real employment gains—gains in jobs paying better wages, increasing the income of American farmworkers. And this is income that is spent in the United States with multiplier effects on the economies of American cities and towns.

Let us look at what has happened with a few of the major crops.

Lettuce: In past years lettuce was a crop heavily dominated by braceros. In 1964, during the peak season, 66 percent of the workers were foreign. The wage rate paid was 24 cents a carton for harvesting and $1 to $1.05 for preharvest labor.

The termination of Public Law 78 caught producers in Arizona and California in the middle of winter harvest. The growers increased their wage rates in the harvest and they were able to complete the winter harvest with a labor force composed of 100 percent of domestic workers. Since then, the spring harvest has been completed, again with the need of no foreign labor, and the summer harvest is well underway with domestic workers as the only source of labor.

This has been possible because of two basic factors: the harvest wage rate was raised to about 32 cents per carton—1⅓ penny per head of lettuce. At this rate, the workers can make a fairly good wage; earnings of at least $1.75 to $2 per hour are commonly reported. Secondly, both the growers and the workers realize that these jobs now belong solely to domestic workers. The threat of foreign labor no longer exists to deter domestic workers from taking the jobs as it did in the past.

The lettuce situation brings up another interesting aspect of this foreign labor controversy—the impact on consumer prices that would result from the end of foreign labor supplies. Many growers and their supporters have long argued that they could not increase wages without a disastrous rise in retail prices. Last January the price in the lettuce market was very low—as low as 90 cents a carton at times. The growers had "shipping holidays" to curtail supplies and force prices up.

Later, California experienced the wettest April on record, the crop timetable was set back several weeks. As a result, when the summer crop came on there was a short supply of lettuce; prices skyrocketed, reaching up to 45 cents per head at times in Washington stores. Immediately there was a hue and cry by the same growers and their professional propagandists that the high price was caused by the labor policies of Secretary Wirtz.

Nothing could be farther from the truth. The high prices were caused solely by market conditions resulting from dislocations due to weather. This has been borne out by the recent price drops as more lettuce reached the market, and today lettuce is being advertised by chainstores at prices varying from 25 cents a head to two heads for 35 cents.

The simple economics of the agricultural marketplace are that labor is not a major factor influencing retail prices. Labor costs represent only a fraction of the retail price. The increase of one-third of a penny per head of lettuce for harvesting did not cause a rise in the retail price in late May of 20 cents a head. But there has been a vicious campaign by some leaders of the fruit and vegetable interests to hoodwink the public into believing that the high lettuce prices are due to the lack of braceros. Posters to this effect have been posted in produce departments of some grocery stores. Biased newspaper accounts have played up the lettuce price rise to further misinform the public. I hasten to add, however, that responsible growers know and recognize the immoral basis of such tactics.

Bud Antle, head of the world's biggest lettuce shipping firm, was incensed by the shameful attempt of the American Farm Bureau Federation to associate high lettuce prices with the labor situation. He described a statement to that effect as "unfair, irresponsible, and not based on fact."

Without doubt growers will use the same argument in the future as fresh fruit and vegetable prices experience their usual volatile price swings. So, let me caution you to have a ready supply of salt available so that you can season such charges properly.

Mr. RONCALIO. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. Yes, I am glad to yield to the gentleman from Wyoming.

Mr. RONCALIO. Does the gentleman from California have figures regarding the strawberry situation in California?

Mr. COHELAN. Yes. I am coming to that in the course of my speech.

My general observation is, and as the gentleman well knows, I am trying to be as constructive as possible. It was never anticipated that there would not be some difficulty and, in fact, some confusion—and I might say painful confusion—with reference to Public Law 78's termination.

My paper will show, if the gentleman will read it in the record, that we have done an excellent job. We have had some difficulty in such crops as strawberries and asparagus, but on balance in the other crops such as beans, celery, citrus, tomatoes, corn, cotton, cucumbers, grapes, watermelons, and so on, we have done very well.

I shall furnish for the RECORD the current crop reporting service which substantiates what I am saying.

I would say to the gentleman from Wyoming that one of the interesting sidelights of this whole affair is that if we had had more cooperation from, not all, but some of the growers of these specific commodities, we might be in better shape. In addition to that, we cannot easily assign all of their problems in this very interesting area of production to the labor situation alone. In strawberries, for example, in California we had a disastrously wet situation in the month of April. As a matter of fact, we missed most of the first harvest of strawberries. Therefore, if you never had a labor problem, you would have had difficulty in harvesting this early crop of strawberries.

What I am saying will be reflected in the figures which I shall insert in the RECORD.

Mr. RONCALIO. Mr. Speaker, will the gentleman yield further?

Mr. COHELAN. Yes, I would be glad to yield further to the gentleman from Wyoming.

Mr. RONCALIO. Mr. Speaker, at the risk of some length, I would like to state a review generally of the colloquy that took place on the floor of the House between the gentleman from California and the gentleman from Wyoming earlier when it was my role at that time to speak for the beet farmers of Wyoming, whose need at the time I interpreted to be serious and required a continuation of the bracero law.

I am happy to note that I was proven wrong by the recruitment policies of the very able companies of Wyoming engaged in the sugarbeet business.

However, I would like to call to the attention of the distinguished gentleman from California the development today that has Wyoming quite disturbed and excited. It is the application of the A-team project by the Office of the Secretary of Labor in which case some 37 athletes from Wyoming were recruited about a month ago to a strawberry picking job in the strawberry country of California.

I noticed with some chagrin the observation that before the braceros could come into Wyoming contracts had to be negotiated and engaged in, and signed, sent to the Labor Department, and every condition set forth so that if any condition was breached, action would lie in law for recovery of the breach.

Here we find the case apparently in which the Secretary of Labor's recruiters took 37 high school students from the State of Wyoming, without so much as a written contract, without letting them know how much they were going to be paid. The 37 had to come back to Wyoming, paying their own transportation, after a few days in California. They were misrepresented to. They were fed food that was unfit for human consumption, they lived in beds filthy with bedbugs, they had to associate with switchblade knife carriers. I submit this is too much for normal high school kids in the so-called farm labor situation requiring proper working conditions.

Mr. COHELAN. I am delighted to hear the gentleman from Wyoming give this report to the House, because the conditions he described are conditions I and others have been describing and deploring over many years as they applied to other workers.

I want the gentleman to know that I am not an enthusiast of this particular program of the Secretary's, but I would assume that the Secretary would require that the adverse affect rate conditions be met, and that other contract arrangements such as housing, food, and transportation would apply to any young people who have been recruited.

Since the gentleman has raised the subject of the A-teams, he should know that the total number of teams that have been formed to date is only 578. The total number of young people who are involved is 18,975.

Mr. RONCALIO. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Wyoming.

Mr. RONCALIO. Does the gentleman know how many are employed as of this day?

Mr. COHELAN. Yes; we are going to give the gentleman that. The total number of teams that are committed to jobs today is 134, involving 5,023 young people. The total number of teams that have actually gone to work is 73, involving 2,498 young people. To date, 4 teams totaling 180 workers have quit and the total who have quit probably does not exceed 200 to 225.

Now, the reason for dropoffs and team quittings are basically the very things you describe—rotten living conditions, lack of facilities and recreation which, incidentally, had been promised.

Three of the teams which quit came from New Mexico and there is a definite indication there was a misunderstanding of what the job would be and what the kids actually found. The fourth team was apparently formed and included just a lot of what could be fairly described as "crybabies."

Discrepancies between the total number of teams formed and those actually at work makes it quite clear there are more workers available than those presently being used, thus posing another problem which is probably even a more important problem than the dropoffs. This is the problem that kids who signed up for work may become discouraged when work is not available and later on in the summer, when more workers are needed, they may not be available. In any case this is the current state of affairs and I deplore the kind of conditions in agriculture which the gentleman has described, whether it apply to 18-year-olds or older workers.

Mr. WIDNALL. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I am glad to yield to the gentleman.

Mr. WIDNALL. I have been very much interested in the colloquy which has just taken place and also in the gentleman's prior remarks. I think it is going to be very wholesome to have these facts and figures in the RECORD. I noticed over the last weekend in doing some shopping in several chainstores that prices have skyrocketed, particularly the prices of vegetables in all categories. I found that four tiny tomatoes that you could hardly see cost 25 cents. Three ears of corn were priced at 39 cents. I am talking about chainstores now. Three ears of corn at 39 cents. In other words, it means almost $1.60 a dozen. One small cantaloup cost 59 cents, and I found similar high prices all the way along the line. All you can think of in looking at those prices is how in heaven's name could anybody who is in the low-income class going to be able to do any shopping in those chainstores with those prices? The prices are very much higher than they have been in previous years, and I hope that some remedy can be provided to take care of all of these vegetable prices collectively.

Mr. COHELAN. I thank the gentleman for his observation. I would remind you of my reference to the lettuce market and that you are dealing with specialized crops which as the gentleman well knows has a fluctuating price depending on weather conditions and the supply. Now because of this other problem, the labor problem that we have been talking about for some time, there has been a great deal of organized effort to leave the impression that there is going to be a great increase in prices. In the case of lettuce as I have indicated, it is not true. Nothwithstanding that fact, in a large market in Arizona this sign that I hold in my hand was seen at one point and the sign says, "Sorry—lettuce quality does not meet our standards due to seasonal and labor problems."

But the price did not have anything to do with seasonal and labor problems. It had to do with the problem of weather. We have all the lettuce we want today and the data that I will put in the RECORD will demonstrate that there is lettuce today in Washington and that there has been for some time. It is 25 cents for a firm head and less, and you can get all you want. That is a reasonable price.

Mr. WIDNALL. I thank the gentleman and would just like to ask him one further question. If the price of oranges gets any higher, will there be any domestic oranges produced and consumed by American purchasers?

Is this not going to invite an influx of imported oranges? They are coming into the market now. I have gotten some recently from overseas which have been of better grade than we have been getting from either Florida or California. Is this not going to end up by putting the orange production in America completely out of business?

Mr. COHELAN. The gentleman will find, from reading my remarks, that we are doing very well in respect to citrus. I do not anticipate the kinds of problems to which the gentleman alludes. I would have to check on the specific imports of citrus. I am sure it is a fairly stable item.

A charge has been frequently made by people who are trying to get a kind of "canned" or "instant" labor supply in what is supposed to be a competitive situation that imports are coming in from Mexico. The gentleman is well-skilled in research and in digging out statistical data. This simply is not true. The imports from Mexico are very small, they have very little impact on the domestic market, and they are much less than our exports to Mexico.

This raises many collateral questions which I cannot get into at this time on this topic. If the gentleman will permit me to continue, perhaps I can cover some of these points. I want to be sure that all Members who desire to do so join me in colloquy.

Mr. TALCOTT. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I am glad to yield to the gentleman from California.

Mr. TALCOTT. I am sorry I was not present to hear the portion of the gentleman's remarks made earlier. I wonder if the gentleman would agree with me that the farmer is as much entitled to competent, skilled labor as any other employer?

Mr. COHELAN. Yes; but the farmer, like the rest of American industry, does not deserve a guaranteed labor supply.

Mr. TALCOTT. Of course.

Mr. COHELAN. But this is the burden of the whole argument. This is what Public Law 78 provided over the years and it is exactly what I have been arguing against.

The proposals I am going to make and the proposals about which the gentleman knows cover this. I believe that we should give them some help over and above and beyond, in this transition period and we are doing so. But I can also look forward to the day when the labor market in agriculture is going to be a relatively free market.

Mr. TALCOTT. That would be a very great day for the farmer.

I am interested in knowing about these A-teams. I know the gentleman mentioned the A-teams. I wonder if the gentleman believes the farmer in a free market or otherwise, now, should be required to conduct a business with teenagers?

Mr. COHELAN. I will address myself to that, since the gentleman raised the question.

I do not believe that the Government of the United States is under any obligation to guarantee a labor supply to agriculture. I believe that agriculture, to the extent it believes in our great free enterprise system and to the extent it believes in economic risks, should stand on its own feet.

I could give the gentleman some examples in terms of tomato plantings. There are those who argue that tomato plantings are far in excess of what they might be in relation to past packs. In any case, those farmers are taking a risk on the basis of what the market will take. That is the nature of the enterprise system. But when they take those risks there can be no guarantee by the Federal Government that they are going to have a labor supply. They have to meet the conditions of the marketplace and try to anticipate them.

This is the heart of the argument we have been making.

Mr. TALCOTT. Mr. Speaker, will the gentleman yield further?

Mr. COHELAN. I am glad to yield to my distinguished colleague from California.

Mr. TALCOTT. Does not the gentleman believe that the farmer probably takes one of the greatest risks taken by any industry today?

Mr. COHELAN. I believe that modern agriculture has done some ingenious things. It has taken important risks. It has also had all sorts of public support and public research. Indeed, the very spirit of our land grant colleges is to help improve our great agriculture.

I believe, as my talk will indicate, that we are solving our problems and that we can do even better in the future.

Mr. TALCOTT. I concur with the gentleman that we are going to solve our problems. One of the problems faced by the farmers in my area, about which I know a little something, is that they were forced rather dramatically and suddenly, in a sort of wrenching way, to change their mode of doing business overnight, which few were able to cope with. We did lose millions of dollars worth of crops and millions of dollars of the industry. I believe this is the thing we should try to avoid.

I should like to ask one more question, without detaining my colleague too long.

Would the gentleman join with me in urging that some sort of an investigation be made of the relationship between the termination of the bracero program and the lack of adequate farm labor and the price situation with regard to fresh fruits and vegetables?

Mr. COHELAN. I am doing that very thing right now. I made that study, and this is the midyear report based on the actual facts and figures.

Mr. TALCOTT. That is the problem. I made a study, also, and I came to different conclusions.

Mr. COHELAN. I think the best thing for us to do under the circumstances, since the gentleman's attitude and interest in this subject are so well known, as are mine, that we should just develop the data and then we will put it in the RECORD and let the good public decide which is the valid data.

CITRUS

Mr. Speaker, in 1964 foreign workers made up 28 percent of the peak citrus work force. They were mainly Mexicans employed in California, and British West Indians in Florida.

The termination of Public Law 78 had no direct legal impact upon the Florida British West Indians situation. Secretary Wirtz, however, quite rightly took the position that the failure of the Congress to renew Public Law 78 was a clear expression of congressional concern about preventing any kind of foreign labor importation to jeopardize the position of our own farmworkers. Accordingly, the Secretary announced higher standards that would have to be met by prospective British West Indians employers, as well as prospective bracero employers, before he would give any consideration to certifying a need for foreign labor.

Since the Florida British West Indians workers had already been contracted until April 15, Secretary Wirtz did not make any effort to terminate foreign workers already employed. But his strict policy on new arrivals brought him into conflict with the Florida citrus growers who were in the midst of their harvest and requesting additional foreign workers. A freeze occurred about this time in late January, and the growers began to clamor for more and more workers to meet alleged emergency needs. Secretary Wirtz insisted that a massive domestic labor recruitment program be instituted. No additional foreign workers were authorized.

The growers followed their standard campaign plan and began to claim substantial crop losses, even putting out a slick public relations brochure in an attempt to prove that over $5 million of citrus were lost because of labor problems.

But let us look at the record.

Domestic employment was up between 3,000 and 4,000 workers over the preceding year; foreign employment was up only about 1,000 to harvest a much larger crop than the year before. Orange production is expected to be about 46 percent greater in Florida this season.

The increased labor demands were, of course, a result of the larger crop. But the better utilization of the domestic work force was the result of the Secretary's new labor policy. For several weeks during the lull between the early and midseason crop and the Valencia crop the foreign workers were not employed and the entire harvest was done by domestic workers. This was the first time the domestic workers had been given preference over the foreign workers—in past years foreign workers had been kept employed while the Florida Employment Service reported surplus domestic workers.

And what about crop losses?

An examination of the production statistics for the current season indicates that these claims are as phony as the claims of the Farm Bureau Federation that high lettuce prices are due to labor problems. At the start of the season the Department of Agriculture forecast an orange crop of 83.6 million boxes. Later it was revised down to 80.6 million boxes. Florida Citrus Mutual, the leading grower's organization in Florida, attacked these estimates as too high. When the growers were complaining the loudest about their crop losses, the Agriculture Department revised its estimates—upward to 82.2 million. The citrus that the growers said was dropping must have been climbing back on the trees very fast.

The fact is that as of June 6, the volume of oranges and grapefruit had exceeded the latest Department of Agriculture estimate. Surely, if the growers had such great losses as they claimed, their losses would have been reflected in official production statistics. But they have not.

LEMONS

Another significant foreign labor activity was in the lemon industry in California. What happened here?

At first, the growers met the criteria of Secretary Wirtz so that they could be eligible to employ foreign workers. One of the conditions required was that when they employed workers at piece rates they guarantee qualified domestic workers earnings of no less than the hourly wage rate cited in the Secretary's regulations—$1.40 per hour. After a few weeks of experience, they decided that they would prefer to increase their piece rates to yield better earnings, but to drop the minimum guarantee. They made a deliberate decision not to meet the Secretary's criteria, to rely solely upon domestic workers, and to forgo any future consideration for foreign labor.

They have been successful, I am pleased to say, in attracting domestic workers and their domestic employment is up some 2,500 to 3,000 from a year ago. They are getting their crop harvested. They are getting by fairly well.

Fresh market lemons are a crop in which marketing is controlled to some extent by a Federal market order. From the period February through May, the growers have shipped about 98 per cent of the lemons they were permitted to ship by market orders. Their rate of harvest this year is running slightly behind but this only means that the peak period will continue longer.

To sum up the situation in citrus: nationally, domestic employment has increased by as much as 10,000 workers in this activity, and production has not been appreciably hampered.

SUGARBEETS

A very significant employer of contract Mexican labor in the past has been the sugarbeet industry. In 1964 a peak of 12,000 Mexican workers were employed—20 percent of the total seasonal work force. As soon as the bracero program ended, the Sugar companies began a campaign to get foreign labor. The Labor Department insisted that they recruit all available workers—Texas migrants, Indians, youth. The result? They found that they did not need the foreign labor after all. Over 10,000 more Texas migrants were recruited. So many Indians and school youth were lined up for sugarbeet work that there is now a surplus of labor in the beet areas. The season this year is somewhat later than normal because of bad weather but by the end of May domestic employment was 6,000 greater than a year ago.

And, the propaganda campaign of the sugar companies backfired. They were criticized by local press in their own areas because they could not use the local workers recruited. Their efforts to enlist local support and congressional pressure were properly characterized as a "snipe hunt."

I could review the record with other crops with similar results—gains in domestic worker employment, without serious impact upon American agriculture.

Mr. RONCALIO. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman.

Mr. RONCALIO. Mr. Speaker, I would like to state that I believe the gentleman from California now in the well of the House, deserves great credit from the Nation for what has been accomplished in that regard. It was never our position in Wyoming to oppose the termination of Public Law 78. It was our object to aid the beet farmers and to save crops, by a few braceros now in the transition from Mexican or bracero labor to the day when mechanized harvesting would make unnecessary stoop labor of any kind.

I am happy to state also that we in Wyoming apparently are able to survive this year without braceros. I believe it was the gentleman from California [Mr. Teague] who made the observation that if the bracero program is dead indeed the gentleman in the well is probably the chief executioner. I would say that if I were in the well I would be pleased with such a tribute, and I hope that the gentleman from California is so pleased.

My remarks today, however, deal with the A-team substitutes only, and if 37 of my people in Wyoming, high school athletes, were misused after their work in the California strawberry fields and had to pay their own way home, then I think their transportation expenses should be paid either by the strawberry companies of California or by the Department of Labor, because someone has been dealt with unfairly in this situation.

During our colloquy on April 14 on this subject, I said:

> The whole foundation of hand labor upon the farms of the West has always been the sometimes brutal, sometimes benevolent use of other men. The Secretary of Labor's basic position in this matter is, of course, sound and it is not in fact the Secretary of Labor's basic position, it is the position of Congress as reflected by the people themselves, who will bring about an end to braceros eventually. But this end must be done in good conscience, without an abrupt destruction of the lot of the farmer himself, and with regard for the industry, and for the economy of large areas of Wyoming.
>
> I feel confident that the limited use in Wyoming of some bracero labor this year, a new look into a program of higher pay both for the farmer and for labor, can bring about corrections to two groups who have long suffered in the inequities of sharing the prosperity of our land.

Mr. Speaker, I repeat today that a limited use of bracero labor, on a phaseout basis as certified only upon proof of the hardships we now see in the A-team program, and as reflected by price increases generally, appears now to have been the better choice. It is perhaps second guessing, and this I should not want to be guilty of. But I do believe the Department of Labor has a duty to make an immediate investigation of the A-team matter as it affected these Wyoming youth. If it is found that the California growers did in fact misrepresent working conditions and pay, then I believe they should be made to pay the cost of the fare back to Wyoming of these 37 Wyoming youth.

If, on the other hand, the evidence shows that the Wyoming students broke their word, or failed to fulfill their part of the bargain, then I know they will not allow an incident of this kind to either discredit their reputation as workers, or their basic honesty in raising claims for wages due.

Mr. COHELAN. I would agree with the gentleman. I would remind the gentleman, who has just come to the Congress and who is doing such a fine job for his great State, that I have been arguing this question for many years. In past years, proposals were made in a spirit of compromise and bargaining. Distinguished Members of the other body who held this point of view—Senator McCarthy, Senator Williams—proposed, for example, that we phase out the program and that we do it on a modest basis. This and other proposals also would have provided for domestic workers exactly the same conditions we were supplying for the Mexican braceros, which include a fixed rate, certain requirements for housing and food, and transportation. But, does the gentleman know, we were unable to get that through? We could not get the opponents to agree even to that.

So I get a little irritated when some of my dear colleagues get all excited about how they are getting hurt. I deeply deplore the fact that anybody may feel that they are under assault here. This is simply not true. We have tried to help. I think in the ultimate sense, as it is being described here, we are going to solve our problems.

But I want to indicate before I conclude that there are a few things that need to be done because in a great and in a free society and in a free market there are always going to be awkward market conditions. We have got to be on top of this problem all the time.

I want to compliment the press of the State of Wyoming. I am going to put an item in the Record from the Casper Star-Tribune, in which they make the observation in an editorial that the gentleman has just made, and which I think reflects great credit on the objectivity of the people of that great State and an excellent sense of humor.

Mr. RONCALIO. Mr. Speaker, from what newspaper, may I ask?

Mr. COHELAN. This is from the Casper Star-Tribune. It is entitled "The Great Snipe Hunt" and it discusses the problem.

Mr. RONCALIO. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Wyoming.

Mr. RONCALIO. I wish again to compliment the gentleman from California on a very objective review of this extremely difficult situation. The talk of the gentleman from California excluded the A team aspects in this transition from braceros to local labor.

Mr. COHELAN. The A team, as the gentleman knows, is a rather novel development that occurred to meet the short-term situation. I have already put the statistics in the Record.

Mr. RONCALIO. I am particularly grateful to the gentleman. I have no quarrel with the observation about its ingenuity, but I insist it does not depart from fundamental conditions which were set forth regarding representations of pay and decent working conditions.

Mr. COHELAN. If the gentleman will join me, we will meet with the Secretary and we will review this whole matter with him.

Mr. RONCALIO. I am grateful to the gentleman for his remarks.

Upon receiving this information, I contacted the Office of the Secretary of Labor. I had to do so in order to intelligently answer Mr. Scott Marriner, station manager of KASL at Newcastle, Wyo., where a goodly number of high school students responded to the A-team call to travel to California.

I ask unanimous consent to insert at this point in the Record a United Press International dispatch stating "Casper Youth Says Undesirables Influenced Pickers' Return Home." I might observe that out of some 37 or 38 young men probably 2 or 3 could have been dismissed for due cause. Only an investigation will tell.

I would also like to include two editorials.

The SPEAKER pro tempore (Mr. Rivers of Alaska). Is there objection to the request of the gentleman from Wyoming?

There was no objection.

The matter referred to follows:

Casper Youth Says Undesirables Influenced Pickers Return Home

Casper.—A Casper youth who participated in a U.S. Labor Department-sponsored program picking strawberries in California said Tuesday one of the important reasons why the Wyoming youths returned home was because they were forced to associate with undesirable, dangerous youths.

"There was an awful lot of fighting. That's why a lot of us wanted to get out of there," said Mat McAteer, 18. "There were an awful lot of rough kids down there."

Like the others, McAteer also mentioned poor food, the lack of laundry facilities, and the unexpected low pay.

He said some of the youths in the camp were "pulling knives on kids." He said the Wyoming workers were forced to associate with the undesirable youths at the work camp near Salinas, Calif., because they rode in the same buses to the fields and worked in the same fields.

Hamburger patties were served frequently, he said, and "for the first 3 days we were there nobody could even eat the food." He said the patties "were just plain rotten. Nobody could eat them. They just didn't taste good."

The food began to improve just before they left, McAteer said. "They got new cooks, I think, and then the food started getting better."

He said the barracks where the boys were placed were crude but the beds were comfortable.

"But the biggest thing was the pay," he said.

He said before they left Wyoming, the 40 Wyoming boys were told by the State Employment Department they would receive a guaranteed $1.40 per hour.

"We went down there with the idea we were going to be making $1.40 per hour all summer," McAteer said.

Robert Clizbe, director of the Wyoming Employment Security Commission, said the information supplied by the California Farm Growers Labor Association, which requested the Wyoming boys, had specified a $1.40 per hour would be the minimum.

But McAteer said the growers, after a training period, put the boys on a piecework basis and that to make the $1.40, a worker had to fill 1½ crates an hour.

"Boy, that really pushing it," McAteer said. "Every one of us really pushed and not one of us could make it."

Clizbe said, "We're pretty upset about the kind of treatment that our boys got from the employer in California." He discounted reports that some of the Wyoming youths were "crybabies."

"Our boys were willing to put up with a lot of things out there if they had been assured that they were actually going to earn the kind of wages that the growers had offered," he said.

Other so-called "A-team" groups of boys from New Mexico and Kansas have reported similar conditions to those reported by the Wyoming boys. They also have returned home.

The youths were recruited by the Labor Department as replacements for Mexican braceros who have been used in the past.

[From the Sheridan (Wyo.) Press, June 24, 1965]

THE FAULT

The case of the schoolboy berrypickers from Wyoming is to be fully investigated. And this is as it should be.

Thirty-seven Wyoming high school boys went to California to pick strawberries for the summer. They went thinking they were to receive $1.40 an hour. They went with the understanding they would be adequately fed and housed, and that adequate recreational facilities would be available.

They are home and collectively their parents are in debt $2,000, the cost of bringing them home. There was another cost, disillusion.

The youths maintain the pay agreement was broken, the food was not good, and recreation facilities were not as they had been told. About the only benefit of the trip, as far as they are concerned, is the experience.

About everyone, including the boys' parents is asking for an investigation, which has been ordered. And this should be. It needs to be determined whether the berry growers were at fault or whether the boys had illusions of a summer job that was never really promised.

If it turns out that the growers did not fulfill their part of the bargain, the situation will offer some indications as to why growers needing pickers have been having trouble getting them. The fault might well be their own.

[From the Casper Tribune, June 23, 1965]

BACK FROM BATTLE

Wyoming's recruits in Labor Secretary Willard Wirtz's campaign to Americanize agricultural labor forces have retired from the field in California, disillusioned and a little disgusted with the mess they found themselves in.

Dubbed an A-team by some bureaucrat enamored of acronyms, they marched off to economic battle indoctrinated with the idea that they were helping their country and would be reasonably well paid for doing so.

The fact that the Government, or at least the Labor and Agriculture Departments, are locked in economic battle with California farmers was not explained to them. But this is actually the case.

The California farmers, and many of them are large business-organized corporations, maintain that they must have Mexican laborers (braceros) to harvest their crops so that raising them is economically feasible.

The Government, whose spokesman in this case is Mr. Wirtz, maintains that these jobs should be given to Americans, thus reducing the unemployment rolls.

The hitch is that Americans, even though they have no jobs, will not work in the harvest fields for what the braceros are paid. They do not have the farm skills to compete with the braceros on piece-work basis, and the growers are not about to pay $1.40 hourly rates for less-productive labor.

The reports of ramshackle and bedbug-infested quarters for harvest workers in California which our high school athletes brought back, after retiring from the battle lines, indicates that the braceros have not been treated very well in California, either. There are undoubted abuses which should be eliminated.

Apparently we in Wyoming can take some pride in the fact that the working conditions and pay for sugarbeet field labor in this State was attractive enough to bring workers here so that emergency recruiting was not necessary. Most of the beet laborers are from the Southwest and are Americans of Mexican origin.

Nevertheless, if we are to rally to Mr. Wirtz's banner of American jobs for Americans, whether they want them or not, it will cost us something. Particularly higher prices for strawberries. And they may be imported, at that.

Mr. RONCALIO. Mr. Speaker, I have discussed this matter via phone today with Terry Egge, the Newcastle, Wyo., high school physical education instructor who went along as the Wyoming boys' supervisor. I asked for and it is my understanding that affidavits are being prepared and will be submitted to the Department of Labor. I have every hope that in the investigation the matter will be handled equitably and fairly for all concerned.

Mr. COHELAN. Mr. Speaker, in conclusion I will be perfectly frank to admit that there have been some problems. The harvests of a few crops have not proceeded with as much dispatch as the growers would prefer.

It has not been easy for growers to make an abrupt transition to a completely domestic workforce. There have been some shifts in acreage, patricularly tomatoes and cucumbers for pickles, to States where there is a more plentiful supply of domestic labor.

Secretary Wirtz has wisely permitted a few foreigners to work in a few critical situations. But in California even these workers are now being terminated, and by the growers themselves, because of a massive outpouring of domestic workers, particularly young men out of school on their summer vacations.

It is quite possible that more foreign workers may be needed for limited times later this year; that in certain fruits and vegetables, such as the huge canning tomato crop in California which comes later this summer, foreign workers may be needed to supplement domestics at peak harvest time. Where legitimate shortages develop, I have every confidence that the Secretary of Labor will act promptly and fairly.

But on balance, Mr. Speaker, the evidence is clear and convincing that the action of the Congress in terminating the bracero program was wise. Domestic workers can do the job. They are now doing the job. The gains to the national economy have been very great. The increased wages and increased employment have probably resulted in an increase in income of about $20 million this year for our farmworkers—extra income going to that portion of our population that needs it most. This far outweighs the minor losses that some growers have been claiming.

Secretary Wirtz deserves the gratitude of the Congress and the public for seeing that our action in Congress was not thwarted by administrative subterfuge; that through the use of the Immigration Act large-scale foreign labor imports did not swamp the domestic labor market. If another "Profiles in Courage" were to be written today, his battle to advance the cause of American farmworkers would rate an early chapter.

Mr. Speaker, I am concerned now that we turn to the larger task of improving the lot of our domestic farmworkers; of providing a stable and a dependable supply of domestic farm labor fully capable of harvesting our Nation's crops.

Let us work together for additional gains. Let us recognize that the difficulties of these past months have been relatively minor. Let us begin to plan how these can be overcome in the future so that our farmers and farmworkers can mutually share in the benefits of our abundance.

If the movement and the recruitment of domestic workers from their homes to areas of peak demands is a problem, as it is, let us see how this can be solved without degrading American workers by continued shrill cries for foreign labor. If legislation is needed to assist this movement, let us give attention to measures designed to improve the operations of the public employment service.

If housing is a limiting factor on the availability of domestic workers, as it is, let us embark upon a program to assist growers in this regard.

If the problem of migrant family care is a problem, as it is, let us develop imaginative programs to help the workers maintain their families in some degree of dignity and comfort in their home areas while the men work where they are needed.

If the status of agricultural work has been downgraded over the years, as it has, let us work toward giving farmworkers equal status with industrial workers in such matters as minimum wage protections, unemployment insurance, workman's compensation, and collective bargaining.

I invite a closing of the ranks of all my fairminded colleagues on farm labor problems. It is now high time to work out a positive program for further improvement.

Mr. Speaker, I include the table, prepared by the U.S. Department of Labor, which documents the overall increase in domestic farm employment. I also include several newspaper reports which make a valuable contribution to any objective review and consideration of this subject:

Change in seasonal domestic farm employment, 1964–65, in crops and States where foreign workers were employed in 1964

Crop	January		February		March		April		May	
	15	31	15	28	15	31	15	30	15	31
Asparagus [1]	(*)	650	500	1,800	650	250	−1,100	−550	−590	370
Beans [2]	−360	−1,400	−1,170	−670	−630	−1,260	70	1,240	2,400	−140
Celery [1] [2]	600	540	470	320	50	−20	−120	−760	600	520
Citrus [1] [2]	5,400	6,700	8,700	9,600	10,600	5,500	7,900	7,800	7,200	9,200
Corn, sweet [2]	1,400	550	520	600	910	910	1,890	1,570	2,200	1,450
Cotton [1] [2] [4] [8]	−4,600	−2,400	−630	280	690	640	300	−750	−2,400	−3,200
Cucumbers [4]	0	10	0	50	−40	120	0	140	340	350
Dates [1]	30	10	40	50	50	70	170	180	−40	−10
Grapes [1]	1,400	2,400	3,800	3,400	1,400	400	470	−2,100	−650	450
Hay and grain [4]	580	440	440	470	240	670	2,300	750	590	250
Lettuce [1] [3]	2,300	2,900	2,400	1,590	2,200	3,200	3,200	2,900	2,900	3,700
Melons [1] [3] [4]	50	660	−290	−180	940	230	−780	−2,000	270	2,900
Onions [3] [4]	160	620	80	440	640	100	−480	−400	590	1,660
Potatoes [5]	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	−1,450	−880
Strawberries [1] [2]	790	1,280	1,000	1,640	830	400	320	1,390	2,400	3,100
Sugarcane [2]	−290	1,630	580	670	100	−560	−1,570	−680	980	610
Sugarbeets [1] [6]	−300	200	550	350	−100	850	−920	80	2,800	6,000
Tobacco [7]	860	720	680	560	640	750	1,590	2,300	1,260	1,500
Tomatoes [1] [2] [4]	200	10	−1,920	−1,620	−4,500	−3,000	1,040	110	−960	+570
Total	8,200	15,600	15,700	19,400	15,900	9,200	14,200	11,200	18,500	28,400
Percent of 1964 foreign worker employment in above crops	82	82	82	82	86	86	88	84	85	87

*Crop not active.

States:

[1] California.

[2] Florida.

[3] Arizona.

[4] Texas.

[5] Maine.

[6] Colorado, Kansas, Montana, Nebraska, South Dakota, Utah, and Wyoming.

States—Continued

[7] Connecticut and Massachusetts.

[8] Arkansas.

Source: BES in-season farm labor reports.

NOTE.—Due to rounding, items may not add to totals. Figures shown indicate increases between 1964 and 1965 unless otherwise indicated.

WIRTZ DOES SKILLFUL JOB HANDLING BRACERO PROBLEM

(By Robert W. Glasgow)

The outcries that came forth from the produce growers of the Southwest, as the bracero importation law ended early this year, have not ended but they certainly have diminished both in frequency and volume. It is interesting to examine some of the reasons for this diminuendo.

Is it because Secretary of Labor Willard W. Wirtz, though confronted with pressures under which many another public servant would have retreated, has courageously stuck to his position that given time and improved wages and working conditions a domestic labor would be forthcoming? Partly, though there is increasing evidence that the predicted shortages of labor simply have not developed in the catastrophic proportions so many growers hysterically contended.

The loudest cries of protest still come from the citrus growers who only recently took Secretary Wirtz on a farm tour to show him that in California groves, citrus was already oversize on the trees and well on the way to rotting. The growers contended that the reason the fruit remained on the trees was because they could not get the number of pickers needed. Even Gov. Edmund G. Brown, whose moderate position in the bracero dispute has angered both growers and liberal-labor groups favoring total abolition of the labor importation program, has formally asked for a few thousand Mexican workers for the April harvest.

However, the situation is a bit more complicated than this and thus far it appears that no one has pulled the wool over Secretary Wirtz' eyes. For there is evidence that present market conditions in the citrus industry are probably a more important factor than a labor shortage.

Some illumination on this matter was provided in a recent letter to the Packer, Bible of the produce industry, from Art Bodine, a major Phoenix grower and president of the Arizona Citrus Growers. "Oranges and grapefruit are so badly overproduced," Mr. Bodine wrote, "that mature fruit is hanging on the trees, not due to a shortage of labor for harvesting but just a good case of overproduction with a resulting low market. If the growers and shippers of citrus fruits think this season is bad, just wait 5 years and see the fruit production at that time, if there is no damage due to weather hazards or other reasons. Then we will all wish for a labor shortage at that time."

Mr. Bodine, of course, was one of the few major growers who welcomed the termination of the bracero program on the ruggedly individualistic grounds that it was simply bad economics. He contended that the endless supply of labor had encouraged overproduction throughout the industry. Moreover, this condition of economic chaos among producers was the result of Government subsidy. For to Mr. Bodine that's exactly what the bracero program was, a Government subsidy to the growers, practically all of whom professed pride that they were among the few in agriculture who sought no subsidies from the Government.

As for present farm labor supply conditions in the Salt River Valley, Mr. Bodine asserts that they have exceeded even his expectations. "I've never seen so much labor," says he, "and it's good labor, not the winos and bums that everybody likes to talk about. Sure there may be spots of tightness in some of the months ahead but it's not going to be anything to get excited about."

One byproduct of Secretary Wirtz' recent farm tour that was perhaps unanticipated by some of the growers' associations was his expression of disgust at some of the farm labor camps he saw. "These hovels are shameful," commented the conservative Los Angeles Times, "and they must be improved." And Governor Brown immediately announced a program to improve farm housing in response to Secretary Wirtz' criticism, though it seems unlikely that major progress will be made along those lines this year.

Governor Brown had previously called for a gradual 5-year phaseout of the use of foreign workers in California, but after Wirtz' visit it appeared that the Secretary of Labor is determined to make this transition period much shorter.

Though unquestionably there are some growers who still feel that Secretary Wirtz is intent on destroying their industry, the evidence is that he's perhaps a bit overrated as a bogey-man. Industry observers in California believe Wirtz eventually will allow some foreign workers in—if the grower has made every effort to recruit American workers, shown good faith in encouraging those workers to remain on the job, met the Federal minimum standards. If the grower has met these conditions and is still unable to obtain workers, then the belief is that Wirtz will allow some foreign workers to enter. But never in the inflated numbers that California growers would like to have them.

Would that there were more such strong and dedicated public servants as Wirtz, with his remarkable efforts, in the interest of all the public, to administer what essentially has been a thankless task.

[From the Casper Star-Tribune, Apr. 25, 1965]

BIG SNIPE HUNT?

It begins to look as though the beef farmers of Wyoming have been crying wolf in connection with the claims of a desperate need to import braceros from Mexico.

The situation isn't as bad as it first appeared, because Mexican families can be obtained from Texas to do the work. Also, the high school kids are not turning down the $1.25 an hour. It's just that the beef growers want help with more experience and which is not in need of special supervision.

Maybe we don't have the picture right, but that's the way it looks from here. All the shouting and the tumult of the last month or two appear to have been pretty much wasted, and Secretary of Labor Willard Wirtz was right all the time.

We're a bit incensed about this situation after carrying the torch for what seemed to be an important Wyoming cause. Perhaps Senator MILWARD SIMPSON, who did yeoman work in trying to ease what seemed to be an aggravating situation, is in a similar position, having been taken along with the rest of Wyoming on a snipe hunt and having been left holding an empty bag.

[From the Los Angeles Times, June 16, 1965]

ASPARAGUS PROFIT INCREASE SEEN—$2.5 MILLION RISE IN REVENUE EXPECTED DESPITE LABOR PROBLEM

(By Harry Bernstein)

California asparagus growers, who suffered crop losses because of labor shortages, nevertheless will gross about $2.5 million more this year than last—and net about $1 million more.

Frank Bennett, deputy director of the State department of agriculture, made these estimates Tuesday after a report to the State board of agriculture on the status of the asparagus industry.

The figures give a substantial boost to the argument that while there are some serious problems, the State's overall farm economy has felt only a slight impact from Congress' revolutionary move last year in ending the Mexican farm labor import law, known as the bracero program.

DEEP CONCERN

Asparagus has been causing more concern to State officials than any crop besides strawberries because of the cutoff of the mass importation of Mexican workers. The asparagus crop actually had major cutbacks.

In part because they expected to be having labor problems, and in part for other market reasons, growers had cut down their acreage for harvest this year 16 percent below last year.

This means that even if there were enough asparagus workers, the growers would have to expect a cut in production because they had less acres to harvest.

PRODUCTION OFF

So far, with the harvest almost completed, production has totaled 148 million pounds of asparagus compared to 170 million last year.

Bennett said that if there had been more workers in the fields, another 11 million pounds might have been harvested, but, of course, the extra asparagus would have probably lower the prices to the growers.

With current prices and lower production, he said, asparagus growers will gross about $23,400,000 this year compared to $21 million last year.

Because of higher labor costs, the net increase to growers will be only about $1 million over last year, he estimated.

LOSSES IN CANNING

Most of the production cutbacks mean losses in canned asparagus, not losses in the fresh market.

Bennett estimated growers netted last year about 18 percent of the total receipts.

California growers produce an estimated three-fourths of the Nation's asparagus.

There are only about 300 growers in the California asparagus industry.

A few large firms like California Packing Corp., however, produce the bulk of the asparagus, so gross returns on this crop are fairly good.

State officials said other crops, such as lettuce, cherries, and other deciduous fruits, and onions, were paying higher rates for what are regarded by workers as easier jobs than asparagus.

RAISED WAGES

This might have contributed to the labor shortage in asparagus, it is argued, although asparagus growers say they raised their own wages substantially over last year to attract workers.

Bennett said a check of retail markets problem is seen in a different light.

Bennett said a check of retail markets shows that the typical can of asparagus (white No. 300) has been selling for 57 cents this year compared to 45 cents last year.

Actually, however, the growers received only 3 cents of this 12-cent increase.

Last year, growers received 10 cents for enough asparagus to fill a can. This year the price is about 13 cents for the growers, delivered to the processors.

FOUR-CENT BOOST

The processors, who put the asparagus in the cans, last year sold their product for 30 cents a can. This year the price is 37 cents.

From the processor, the can of No. 300 white asparagus went to the wholesaler, who last year sold it for 31 cents compared to this year's 39 cents.

This meant the wholesaler has added another 4 cents on the can, in addition to the price hikes he passes on from the farmer and processor.

The retailer last year sold the same can for 45 cents. This year it has been going for 57 cents, so he, too, added an increase for himself.

FACED PROBLEM

In each case, there have been reasons given for the extra increases which the consumer ultimately paid.

But only part of the final 12 cents a can is attributable to the grower, who has been directly facing the problems caused by the end of the bracero program.

Another problem crop has been in the citrus industry, which currently seems to have enough farmworkers, although additional workers are still needed.

The total work force early in the season, however, was smaller than last year because of the lack of imported workers, although more Americans were on the jobs than ever before.

PICKING SLOWER

Result of the smaller work force is slower picking.

But so far, the American market has been supplied with just about all of its demands for lemons, and, in fact, supply to the domestic market has equalled last year's recordbreaking sales.

The price for lemons has also jumped up to 35 percent above last year, says State Department of Agriculture Director Charles Paul.

There has been a problem in supplying the foreign market, and Sunkist's Don Anderson says this could be a long-term problem because the growers have been supplying the domestic market first, and the result has been a loss of foreign market sales.

BETTER OFF

Supplies are now starting to roll again to markets abroad, he said, but growers might have had another $2 million in foreign sales if all foreign demands could have been met.

And had there been the same number of workers in the lemon groves as last year, he said, the harvest could have been adequate.

As of June 12, there were 3,810 workers in the lemon harvest compared to 4,490 in the same week a year ago.

But it should also be noted that growers had taken nearly 2,000 acres of lemon trees out of production this year, or nearly 5 percent of the total acreage, leaving about 45,000 acres to harvest.

Part of the reason for the lower acreage was an anticipated labor shortage, but there has been about 1,000 or so acres dropped annually anyway in the past, usually because they were removed to make way for housing developments.

Another crop where serious problems have stemmed in part from the end of the bracero program is strawberries.

Here, however, Secretary Wirtz's special advisory panel blames the strawberry growers to some extent for their own lack of workers.

In Orange County, growers there have not asked for foreign workers to help harvest the crop, and part of the production drop this year from last was due to heavy rains early in the season.

In the Salinas area, the panel said, growers there were not making an all-out attempt to get American workers.

The panel, headed by UCLA's Benjamin Aaron, said most of the Mexicans admitted so far to this country have gone to Salinas strawberry growers.

LESS PLANTINGS

While growers planted about 8 percent less acres in strawberries this year than last (it totaled 8,300 this year), the harvest through June 12 for fresh and processed fruit combined was 81 million pounds compared to 105 million pounds last year—a drop of about 23 percent.

Prices are up somewhat, from 5 to 15 percent to growers, so that the actual gross, while below last year, will help offset some of the loss in production.

Biggest problem for the growers has been that they are forced to sell their berries for processing, which brings in a lower price.

The harvest was slow because of labor shortages, which means the berries often got too ripe for fresh market sales.

But the amount of berries which will actually be left unharvested in the fields is difficult to determine, although undoubtedly there will be some losses of berries.

Consumers in California may notice almost no impact on their strawberry prices, because total quality here is not much below last year.

The drop is primarily in the so-called premium berries, which are large and uniform and bring premium prices from eastern markets.

SHORTAGE FEARED

The next crop of major concern is tomatoes, and these plantings are down from last year because growers said they fear a labor shortage, and also because last year's production was so high there was a surplus of canned tomatoes left for this year's sales.

The conclusion seems to be that California so far is weathering well the dramatic shift from a great dependence on foreign workers to a predominantly American work force.

And the dramatic gains in terms of wages to farmworkers may help in the war on poverty because farmworkers are historically in the lowest income bracket of any large group of workers in the Nation.

WEEKLY FARM LABOR REPORT

Summer lettuce, week ending June 19, 1965

I. SUPPLY—HARVEST SEASON

	Acreage	Production 1,000 cwt.	Harvest season	Peak
Average 1959-63	31,660	7,285	June 1 to Aug. 31	Continuous.
1964	26,500	7,155	Do	Do.
1965	25,400	6,604	Do	Do.

II. EMPLOYMENT—CURRENT AND PROJECTED

	Past week ending June 12	Current week ending June 19	Next week ending June 26
Average, 1959-63	6,685	6,705	6,582
1964	6,220	7,010	7,150
1965	[1] 4,860	[2] 5,590	[3] 5,590

III. HARVEST PROGRESS—CURRENT AND PROJECTED MOVEMENT

[Cars and carlot equivalents]

	Past week ending June 12	Current week ending June 19	Next week ending June 26	Following week ending July 3	Cumulative ending June 19	Percent harvested to June 19
Average 1959-63	1,946	1,772	1,978	1,701	5,531	25.3
1964	1,916	1,821	1,806	1,591	5,912	26.8
1965	[1] 2,031	[4] 2,075	[5] 1,900	[5] 2,000	5,751	[6] 28.2

[1] Revised.
[2] Preliminary.
[3] Projected.
[4] Estimated last 3 days of week.
[5] Projected movement.
[6] Assumes movement of 21,815 cars.

Lemons, week ending June 19, 1965

I. SUPPLY—HARVEST SEASON

	Acreage	Production		Harvest season	Peak 8 top weeks
		Million boxes	Thousand cars		
Average 1958-62	49,751	15.1	32.5	November to October.	Mar. 1 to Apr. 25.
1963-64	46,919	16.3	35.1	do	Apr. 5 to May 31.
1964-65	44,800	13.5	29.0	do	Estimated Apr. 18 to Jun 13.

II. EMPLOYMENT—CURRENT AND PROJECTED

	Past week ending June 12	Current week ending June 19	Next week ending June 26
Average 1960-64	3,892	3,698	3,494
1964	4,490	4,200	4,050
1965	[1] 3,750	[2] 4,040	[3] 3,950

III. HARVEST PROGRESS—CURRENT AND PROJECTED PICKS

[Cars]

	Past week ending June 13	Current week ending June 20	Next week ending June 27	Following week ending July 4	Cumulative ending June 20	Percent harvested to June 20
Average 1958-62	689	588	604	570	24,985	81.0
1963-64	1,130	1,013	874	662	29,881	85.2
1964-65	1,115	[4] 1,050	[5] 1,025	[5] 1,000	19,068	69.3

[1] Revised.
[2] Preliminary.
[3] Projected.
[4] Estimated picks.
[5] Projected picks.

Cantaloups—Spring (desert districts), week ending June 19, 1965

I. SUPPLY—HARVEST SEASON

	Acreage	Production (1,000 hundredweight)	Harvest season	Peak
Average 1959-63	9,260	1,200	May 10 to July 15	June 1 to June 30.
1964	5,700	570	May 25 to July 15	June 10 to June 30.
1965	4,900	588	do	Do.

II. EMPLOYMENT—CURRENT AND PROJECTED

	Past week ending June 12	Current week ending June 19	Next week ending June 26
Average 1960-63	1,165	1,097	825
1964	500	900	1,000
1965	[1] 600	[2] 1,350	[3] 1,610

III. HARVEST PROGRESS—CURRENT AND PROJECTED MOVEMENT

[Cars and carlot equivalents]

	Past week ending June 12	Current week ending June 19	Next week ending June 26	Following week ending July 3	Cumulative ending June 19	Percent harvested to June 19
Average 1959-63	553	468	486	232	2,033	73.1
1964	174	351	424	243	590	42.0
1965	[1] 154	[4] 425	[5] 395	[5] 250	607	[6] 43.4

[1] Revised.
[2] Preliminary.
[3] Projected.
[4] Estimated last 3 days of week.
[5] Projected movement.
[6] Assumes movement of 1,400 cars.

Strawberries, week ending June 19, 1965

I. SUPPLY—HARVEST SEASON

	Acreage	Production (1,000 lbs.)		Harvest season	Peak
		Fresh	Process		
Average 1959-63	11,340	122,410	75,460	3-1—12-1 5-1—11-15	5-1—6-15 (F). 6-10—7-20 (P).
1964	9,000	141,100	87,500	3-1—12-10 5-15—11-7	5-1—6-15 (F). 6-1—7-15 (P).
1965	8,300	[1] 190,900		3-1—12-1 5-1—11-15	5-1—6-15 (F). 6-10—7-20 (P).

II. EMPLOYMENT—CURRENT AND PROJECTED

	Past week ending June 12	Current week ending June 19	Next week ending June 26
Average 1960-64	13,814	13,270	12,746
1964	14,370	14,650	13,970
1965	[2] 9,950	[3] 9,910	[4] 9,910

III. HARVEST PROGRESS—CURRENT AND PROJECTED FRESH MARKET MOVEMENT

	Past week ending June 12	Cars and carlot equivalents				Percent harvested to June 19		
		Current week ending June 19	Next week ending June 26	Following week ending July 3	Cumulative, ending June 19	Fresh	Processed	Total
Average 1959-63	399	343	287	246	5,271	71.0	29.8	55.3
1964	576	412	405	289	5,748	67.6	29.3	53.0
1965	[2] 316	[5] 291	[6] 275	[6] 250	4,713	[7] 56.2	31.8	47.2

[1] All; total supply which was available for harvest. Total crop loss cannot be projected at this time.
[2] Revised.
[3] Preliminary.
[4] Projected.
[5] Estimated last 3 days of week.
[6] Projected supply.
[7] Assumes 5-year average fresh; movement of 7,425 cars.

Asparagus, week ending June 19, 1965

I. SUPPLY—HARVEST SEASON

	Acreage	Production (1,000 lbs.)		Harvest season	Peak
		Fresh	Process		
Average 1959-63	69,960	61,860	134,120	2- 1—6-30 4-10—6-30	3-21—4-10 (F). 4-21—6-10 (P).
1964	65,400	47,400	122,600	2-20—6-30 4-10—6-30	3-28—4-17 (F). 4-20—6-10 (P).
1965	54,900	[1] 159,200		2- 1—6-30 4-10—6-30	3-14—4-20 (F). 4-20—6-20 (P).

II. EMPLOYMENT—CURRENT AND PROJECTED (STATE DEPARTMENT OF EMPLOYMENT)

	Past week ending June 12	Current week ending June 19	Next week ending June 26
Average 1960-64	7,286	6,504	3,914
1964	6,640	5,920	4,200
1965	[3] 3,910	[3] 3,080	[4] 1,650

III. HARVEST PROGRESS—CURRENT AND PROJECTED FRESH MARKET MOVEMENT

	Past week ending June 12	Current week ending June 19	Cars and carlot equivalents			Percent harvested to June 19		
			Next week ending June 26	Following week ending July 3	Cumulative ending June 19	Fresh	Processed	Total
Average, 1959-63	40	36	27	NA	2,766	99.0	[5] 91.8	94.1
1964	39	35	25	NA	2,172	98.9	93.0	94.7
1965	[2] 30	[6] 21	[7] 20	NA	2,402	[8] 96.1	[9] 79.8	85.8

[1] All; total supply which was available for harvest. Actual harvested production now unofficially projected at 148,200,000 pounds.
[2] Revised.
[3] Preliminary.
[4] Projected.
[5] 1963 data only.
[6] Estimated last 3 days of week.
[7] Projected supply.
[8] Assumes movement of 2,500 cars.
[9] Current week estimated.
NA—Not available.

Tomatoes for processing, week ending June 5, 1965

I. SUPPLY—HARVEST SEASON

Period	Acreage	Production (tons)	Harvest season	Peak
Average 1958-62	147,320	2,482,660	Aug. 1 to Nov. 30	Sept. 1 to Oct. 20.
1963	129,000	2,463,900	do	Do.
1964	143,000	3,003,000	do	Aug. 20 to Oct. 15.

II. NORMAL PLANTING PERIODS

Planting season		Peak	
Direct seed	Transplant	Direct seed	Transplant
Mar. 1 to May 15	Apr. 1 to May 31	Mar. 15 to Apr. 30	Apr. 15 to May 20.

III. PLANTINGS REPORTED BY CANNERS, 1964 TOTAL AND 1965 TO DATE

Method of planting	Acreage contracted 1964				Acreage planted in 1965, sample 10 canners		
	Total all canners	Total 10 canners	Cumulative, week ending May 29 [1]		Additional, week ending June 5	Cumulative, week ending June 5	
			Acres	Percent col. 3	Acres	Acres	Percent col. 3
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Direct seed	99,800	75,145	60,384	80	365	60,749	81
Transplant	39,200	29,620	20,358	69	48	20,406	69
Total	139,000	[2] 104,765	80,742	77	413	81,155	77

[1] Revised.
[2] These 10 canners accounted for 75.4 percent of total in 1964.

NOTE.—1965 estimated acreage, 107,632.

TRAFFIC ACCIDENTS IN THE UNITED STATES

The SPEAKER pro tempore (Mr. RIVERS of Alaska). Under previous order of the House, the gentleman from New Jersey [Mr. HOWARD] is recognized for 30 minutes.

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOWARD. Mr. Speaker, in the half hour it takes me to deliver this address three persons will be killed and scores more injured in traffic accidents across the United States.

This is deplorable.

Under the able leadership of President Johnson, this Congress has moved ahead with a war on poverty; it has extended a helping hand to our senior citizens in the form of medicare and has opened an offensive against crippling heart disease, cancer and stroke.

Today I would propose that we declare a war on traffic deaths with all the vigor and might at our command. Much of the important legislation we have passed and will have passed before this session ends has received wide bipartisan support. I hope that a war on traffic deaths will also generate such support.

There have been leaders in Congress who have worked hard in behalf of traffic safety. Surely I would be remiss if I failed to mention the efforts of such persons as Senator GAYLORD NELSON of Wisconsin and Senator ABRAHAM RIBICOFF of Connecticut, as well as our own colleague, Congressman CHARLES E. BENNETT, of Florida.

Today I am introducing three bills aimed at cutting down the number of deaths on our highways.

The first measure would authorize the Federal Government to spend up to $5 million to research, design, develop, construct and test fully operational motor vehicles in prototype quantities.

The bill, which is the companion to legislation offered in the other body by Senator NELSON, will be a major step forward in our battle against traffic deaths.

This bill will authorize the General Services Administration to develop a car which would cut down on the number of deaths and injuries on our highways. The development of such a car is aimed at stepping up our war against the appalling and unnecessary slaughter which this year alone is expected to take more than 50,000 lives.

To those who feel that research and development of a safer automobile is not necessary, I would only point to the figures which show that some 4.8 million persons were injured in automobile accidents last year.

The second bill I am introducing prescribes certain safety features for all motor vehicles manufactured for, sold or shipped in interstate commerce.

As you know, the General Services Administration has set down requirements which list 17 safety features which must be included in any 1967 automobile the Government purchases.

This type of regulation should be expanded to cover every new car which is driven on our highways, not just those purchased by the Federal Government.

This bill will make it mandatory for all new cars to be equipped with such features as an exhaust control device to reduce air pollution, an impact-absorbing steering wheel and column, a passenger harness, a padded dash and visor, safety door latches and hinges, safety glass, glare reduction surfaces, a dual braking system, standard bumper heights and several other safety features.

President Johnson has signed the legislation which will gradually reduce the excise tax on automobiles. The manufacturers should be able to pass this reduction on to the consumers and still include in their automobiles the safety features called for in my bill. When mass produced, these features can be included in an automobile at a relatively low cost.

The third measure will set Federal standards for the grading and labeling of automobile tires. It will ban outright the sale of tires rated as unsafe and would establish minimum safety and performance standards for all tires.

There are some excellent tires being produced today but there are also some inferior tires on the market.

When we consider that blowouts and flat tires contribute to a great number of deaths on our highways, I think it is imperative that we have certain minimum safety and performance standards.

We cannot overlook the fact that the human element also must be considered seriously when we discuss traffic deaths. Nevertheless, by adding more safety features to the product when it comes off the assembly line, we will have taken a giant step forward in our war on traffic deaths.

There is more, much more, to be done in this field if we are to attack the traffic deaths problem through research and legislation. We must wage a major offensive now and increase that action through more research and more legislation.

This is not to say that our officials on the State, county, and municipal levels have not done a commendable job in this field.

For instance, in my own State of New Jersey, Gov. Richard J. Hughes has held an annual traffic safety conference for 4 consecutive years. Our State attorney general, Arthur J. Sills, has escalated his campaign against traffic deaths by calling on all police chiefs to initiate enforcement crackdowns on a municipal level. And only this month Governor Hughes, a Democrat, signed into law a bill sponsored by six Republican assemblymen. That bill requires that after July 1, 1966, all passenger cars sold or manufactured in New Jersey must be equipped with front seat belts.

It is bipartisan cooperation such as this which has encouraged me to ask everyone to join with me in this war on traffic deaths.

Mr. Speaker, I hope that many of my colleagues will see fit to introduce legislation similar to the three bills I am proposing here today:

H.R. 9514

A bill to provide for research, design, development and construction of fully operational passenger motor vehicles in prototype quantities embodying certain safety features

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to research, design, develop, construct, and test fully operational passenger motor vehicles in prototype quantities, embodying such safety features and technical approaches as the Administrator shall from time to time deem necessary. Such vehicles are to serve as prototypes for the development of safety designs, characteristics and features for use on commercially manufactured passenger motor vehicles. There should be incorporated into such prototype vehicles those safety designs, characteristics, and features tending to avoid or minimize the risk of accident, and/or avoid or minimize injury to passengers, pedestrians and damage to other vehicles in the event of accidents.

SEC. 2. The Administrator of General Services may consult with any sources, groups, or individuals from which sound data, recommendations, and evaluations may be obtained. Such prototype safety vehicles program shall not be limited to traditional methods of automobile design, styling, testing, production or sales practices and methods.

SEC. 3. In carrying out the purposes of this Act, the Administrator of General Services is authorized to acquire by purchase, license, lease for a term of years or less, or donation, secret processes, technical data, inventions, patent applications, copyright applications, patents, copyrights, irrevocable nonexclusive licenses, and other rights and licenses under patents and copyrights granted by this or any other country.

SEC. 4. To implement the provisions of this Act, the Administrator of General Services may negotiate research contracts, hire experts and consultants, and procure trade journals and technical information.

SEC. 5. Such experts and consultants as may be employed hereunder may be compensated at rates not in excess of $75 per diem, and while away from their homes or regular places of business they may be paid actual travel expenses and per diem in lieu of subsistence at the applicable rate prescribed in the Standardized Government Travel Regulations, as amended from time to time.

SEC. 6. There is authorized to be appropriated a sum not in excess of $5,000,000 to carry out the provisions of this Act. Any funds so appropriated shall remain available to carry out the purposes for which appropriated until expended.

H.R. 9479

A bill to prescribe certain safety features for all motor vehicles manufactured for, sold, or shipped in interstate commerce

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the manufacture for sale, the sale, or the offering for sale in interestate commerce, or the importation into the United States, or the introduction, delivery for introduction, transportation or causing to be transported in, interstate commerce or for the purpose of sale, or delivery after sale in interstate commerce, or the use in interstate commerce, of any motor vehicle manufactured after the date of this Act, shall be unlawful unless such motor vehicle in equipped with passenger safety devices prescribed in accordance with the provisions of this Act.

SEC. 2. The Secretary of Commerce shall prescribe and publish in the Federal Register standards for passenger safety devices required under authority of the first section of this Act, which standards shall to the extent deemed desirable, be consistent with standards prescribed by the Administrator of General Services pursuant to the provisions of Public Law 88–515. The standards first established under this section shall be prescribed and published not later than one year from the date of enactment of this Act.

SEC. 3. The Secretary of Commerce shall cooperate with other Federal departments and agencies and with other public and private agencies, institutions, organizations and companies, and with any industries involved, in the establishment of safety standards under this Act. Where other Federal instrumentalities have prescribed standards in the field of automotive safety, standards issued hereunder shall be fully coordinated with those of such instrumentalities.

SEC. 4. Any person violating the provisions of section 1 of this Act shall be fined not more than $1,000. Such violation with respect to each motor vehicle shall constitute a separate offense.

SEC. 5. As used in this Act the term "motor vehicle" means any vehicle, self-propelled or drawn by mechanical power, designed for use on the highways principally for the transportation of passengers, and light trucks up to a gross vehicle weight of 10,000 pounds, but will not include any vehicle designed or used for military field training, combat, or tactical purposes, and motor vehicles subject to standards prescribed by the Interstate Commerce Commission.

SEC. 6. This Act shall take effect on the date of its enactment except that section 1 of this Act shall take effect one year and ninety days after the publication of standards for passenger safety first established under section 2 of this Act. If additional standards are established, or if the standards first established hereunder are later changed, such standards, as so later established or changed, shall take effect one year and ninety days after the date of their publication.

A bill to provide that tires sold or shipped in interstate commerce for use on motor vehicles shall comply with certain safety and labeling regulations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce shall prescribe and publish in the Federal Register regulations prescribing minimum safety and performance standards and a grading and labeling system for motor vehicle tires. Such regulations shall be designed to provide the public with safe tires so that motor vehicle accidents caused by tire failure can be kept to a minimum. Regulations first established under this section shall be prescribed and published not later than one year after the date of enactment of this Act.

SEC. 2. (a) The manufacture for sale, the sale, or the offering for sale, in interstate commerce, or the importation into the United States, or the introduction, delivery for introduction, transportation, or causing to be transported, in interstate commerce, or for the purpose of sale, or delivery after sale, in interstate commerce, of any tire manufactured on or after the date this section takes effect shall be unlawful unless in compliance with the regulations prescribed by the Secretary of Commerce pursuant to the first section of this Act.

(b) Whoever knowingly and willfully violates this section shall be fined not more than $1,000, or imprisoned not more than one year, or both.

SEC. 3. As used in this Act—

(1) The term "interstate commerce" includes commerce between one State, territory, possession, the District of Columbia, or the Commonwealth of Puerto Rico and another State, territory, possession, the District of Columbia, or the Commonwealth of Puerto Rico.

(2) The term "motor vehicle" includes any vehicle or machine propelled or drawn by mechanical power and used on the highways.

SEC. 4. This Act shall take effect on the date of its enactment except that section 2 shall take effect on such date as the Secretary of Commerce shall determine, but such date shall be not less than one hundred and eighty days nor more than one year after the date of publication of regulations first prescribed pursuant to the first section of this Act. If such regulations first prescribed are thereafter changed, such regulations as so changed shall take effect on such date as the Secretary of Commerce shall determine, but such date shall be not less than one hundred and eighty days nor more than one year after the date of their publication in accordance with the provisions of the first section of this Act.

GERRY LINDGREN, THE AAU AND THE NCAA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. FOLEY] is recognized for 15 minutes.

Mr. FOLEY. Mr. Speaker, one of the finest moments in American sports occurred last year in the Los Angeles Coliseum when the 10,000-meter race was run between the United States and the Soviet Union. This long-distance event has traditionally been the specialty of the strong Russian runners. According to all the experts, it was the usual Russian victory that was expected. An American had never beaten the Russians at that distance.

In the field, however, was a skinny 18-year-old high school boy from Spokane, Wash., standing scarcely 5 feet 5 inches tall and weighing 118 pounds. Suddenly he came out of nowhere to move ahead of the leading Russian contender, Leonid Ivanov, known to the sport pages as Ivanov the terrible.

This high school boy, Gerry Lindgren, moved out in the 15th lap to lead the Russians, and lap after lap he succeeded in holding that lead until, as the final lap was run, to the unbelieving eyes of the crowd, it was apparent that he would win. While the crowd roared its encouragement, Gerry Lindgren sprinted across the finish line, the winner by more than 100 yards. Although he was exhausted, he raised his arms and trotted around the field to receive an ovation from that crowd that no one who was present will ever forget.

Here was an American boy, who took time out from his studies to train, who defeated the Russian long-distance runners who had trained for years with the assistance, the encouragement, and the support of the Soviet State.

It was a proud and emotional moment for Gerry Lindgren, for his family, for his devoted coach, Tracy Walters, for his home town of Spokane, and for the United States.

Gerry went on later to race in the Olympics, where only an injury prevented him from being a prime challenger for a gold medal.

During the past several weeks, however, this boy, now 19, still weighing only 120 pounds, has been subjected to a strain that no race has ever brought. He has been caught in a titanic struggle between two giants of amateur athletics—the Amateur Athletic Union and the National Collegiate Athletic Association.

The AAU, held in San Diego over this last weekend its qualifying race for the later United States-Russian meet to be held in Kiev.

Because of the controversy which has erupted again this year between the AAU and the NCAA, Gerry, who attends Washington State University, was warned by NCAA officials that if he participated in this qualifying race he might lose his college eligibility, and that Washington State University, which is a constituent member of the NCAA, might be directly involved.

Gerry is a boy who has that tremendous desire to compete that every great athlete possesses. More than that, he has a patriotic desire as an American who has successfully beaten the best that Russia has to offer to win another race for the United States. I spoke to him last week by telephone on Thursday. He had not yet decided whether he would run in the San Diego race. He did run and he ran very well.

He ran yesterday in a 6-mile race that will go down as one of the greatest distance races in American history. Gerry Lindgren and Billy Mills, the great Olympic champion, ran chest to chest, stride for stride. Gerry was overtaken in the last instant by Mills in a burst of speed that won him the Olympic Gold Medal last year.

They finished in an absolute dead heat of 27 minutes 11.6 seconds, establishing a new world record and, in addition, knocking 6 seconds off the established world record of Ron Clarke. This 19-year old, ran the last mile in 4 minutes 22 seconds, the last half a mile in 2 minutes 2 seconds, and the last quarter mile in 58 seconds flat. This was at the end of a 6-mile race. In any other country in the world he would be hailed on every side. He would be showered with flowers, with praise, and with rewards. In this country this boy, for his achievement, for his patriotic desire to compete for the United States, still faces the danger that he and his university may suffer as the consequence of an indefensible argument between the two giants of amateur athletics.

I am not going to take the time of the House this evening to explore the causes and the circumstances of the dispute between the AAU and the NCAA. Historically the AAU has had general responsibility for supervision of amateur sports and has the recognition of the International Amateur Athletic Federation, which is the world's sports governing body, but NCAA has desired in recent years to participate in the sanction and sponsorship of certain meets. There are undoubtedly important arguments on each side.

The tragic consequence is that our best athletes are being involved in this controversy as pawns and innocent victims when two great national organizations are apparently unable to reach a decision and a conclusion to their dispute.

Last Friday in Spokane, Wash., the Athletic Association of Western Universities met to discuss and consider this problem. The universities involved in the Athletic Association of Western Universities include the Universities of California, Stanford, the University of California at Los Angeles, Southern California, Oregon, Oregon State, Washington, and Washington State. As a result of their meeting, a statement was issued by Dr. Robley Williams, the president of the Athletic Association of Western Universities, which called upon both the NCAA and the AAU to submit their controversy to a binding arbitration and in addition called on the President of the United States to issue the invitation to arbitration.

I wish to urge the acceptance of this proposal by the AAU and the NCAA and I earnestly hope the President will undertake immediately to issue an invitation to both groups to participate.

The Athletic Association of Western Universities is to be commended for taking a most responsible position in proposing an eminently sensible solution to this crisis.

Mr. Speaker, at this point in the RECORD I would like to include the statement of Dr. Robley Williams of the AAWU in its entirity.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

STATEMENT OF DR. ROBLEY WILLIAMS, PRESIDENT OF THE ATHLETIC ASSOCIATION OF WESTERN UNIVERSITIES, MEETING IN SPOKANE, WASH., JUNE 24, 1965

The Athletic Association of Western Universities has given consideration to the desire of Mr. Gerald Lindgren to participate in the AAU track meet in San Diego this Saturday. His case is typical of other qualified college athletes in AAWU institutions.

Since we are a part of the NCAA we must abide by its existing rules. The present rules, and the interpretation of them that has been given us, make it clear that if Mr. Lindgren, and others in a similar position, should participate in the AAU meet in San Diego, it would be a violation of the NCAA rules.

However, the failure of Mr. Lindgren, for example, to participate in the San Diego meet does not necessarily deprive the United States of his services in the meet with the Russians. The AAU is free to invite Mr. Lindgren to participate in the meet with the Russians. The records that he has made indicate that he is qualified to participate. If the AAU invites Mr. Lindgren, and others in a similar position, to participate, they could accept without being in violation of any NCAA rule. We hope that such invitations will be extended and accepted.

The conflict between the regulations of the AAU and the NCAA and the federations with which it is affiliated is illustrated once again by the case of Mr. Lindgren and the other qualified collegiate athletes in AAWU institutions. The continuing dispute confronts individual student athletes with unwarranted hazards, exposes educational institutions to untenable positions, and causes the Nation embarrassment and frustration in domestic and international athletic competition.

The welfare of individual student athletes, the integrity of educational institutions, the public interest, all suffer from the failure to resolve the persistent struggle of amateur athletics within the United States.

An effective settlement of this dispute leading to more reasonable regulations must be found for the good of all concerned. To this end, the AAWU has resolved to communicate with the President of the United States in an effort to enlist his services in setting up a procedure which will result in a binding arbitration of the indefensible dispute.

Mr. FOLEY. Mr. Speaker, historically, amateur athletics have played a great part in our national life. I have the honor to represent one young athlete whose courage and whose ability have brought credit to his university, to his community, and to his country. However, there are many young athletes who have been involved in this crisis and who are made the victims of this controversy. I know I speak for thousands of Americans who have the interest of amateur athletics at heart when I say that the dispute between the AAU and the NCAA, whatever its cause, whatever its merits must come to an end forthwith. It is time for both organizations to show maturity and responsibility. It is time for them to put aside their individual differences and meet together for the benefit of sports and the national interest.

May I say this in addition? The AAU for its part should see to it that any exceptional college athlete who was not able to participate in a qualifying meet because of the controversy should have the opportunity to participate in international competition. And the NCAA, for its part, should withhold any punishments, any sanctions, any restrictions against an individual athlete or institution until arbitration resolves the controversy.

Perhaps it is time for us to recognize for our college athletes something akin to the academic freedom which in recent years has been extended not only to college faculty members, but to students as well—an athletic freedom if you will.

What reason is there for a great college athlete to be barred from athletic competition outside of the normal intercollegiate competitive season? Is there any reason why he should not have the opportunity to give his talent, his training, his stamina, and his skill in those off season periods in any meet which is not otherwise inappropriate for his participation?

Finally, Mr. Speaker, we should remember that the contributions which amateur athletics make to our national life, are too obvious and too important to be lost in bureaucratic struggles. And those who may think that the whole issue is not worthy of national attention should reflect, Mr. Speaker, on the fact that generations of young men and women have benefited immeasurably in body and spirit from participation in sports; that great nations have attributed their survival in part to games and playing fields; and that the ancient Greeks awarded the laurel of victory to the champion of the race as a symbol of one of the highest expressions of human achievement.

SPOKANE, WASH.,
June 24, 1965.

Congressman THOMAS S. FOLEY,
House Office Building,
Washington, D.C.:

Editorial aired by both KREM radio and KREM television, Spokane, Wash., Wednesday, June 23, 1965:

"KREM Broadcasting Co. has been watching, with more than passing interest, the controversy now raging between the National Collegiate Athletic Association and the Amateur Athletic Union over which of these bodies, or whether both of them, should sponsor a track meet to decide the U.S.A. representatives against Russia later this summer.

"KREM has a major interest in bringing its audience the best of sports attractions and feels that you, the audience, is entitled to know where we stand in this NCAA-AAU controversy.

"KREM believes they are both wrong. They are wrong for several reasons—individually and collectively.

"The NCAA is wrong in banning its athletes from competing in the AAU meet this coming Saturday and Sunday. The NCAA ban is pointless at best and petty in addition, since it is based solely on the fact that the AAU has refused to permit dual sponsorship of the meet.

"The AAU is wrong in not permitting dual sponsorship and is compounding this wrong, apparently, by encouraging collegians to jump the NCAA ban to compete in the AAU meet.

"The collective wrong of the NCAA and AAU lies in the spectacle presented by two supposedly adult groups fighting publicly to decide which should lead the youth of America into international competition with this Nation's greatest rival.

"The NCAA is controlled by educators—more often criticized for their aloof, ivory tower view of the world around them than for gutter fighting.

"The AAU is made up of the Nation's leading business and professional men—more noted for their conference table and consultation techniques than for bantying brickbats.

"It is apparent to KREM that a conference room in some ivory tower might be the right spot for the NCAA and AAU to get together to compromise. And much as we abhor secrecy in public affairs, KREM would prefer to hear no more about this controversy until the athletic leaders are ready to present a united front for themselves—for the athletes who will compete against the Russians—and for the American people who will cheer them on. It is sheer foolishness to select representative athletes for international competition by any method which would send less than our best.

"Failing a compromise, perhaps we should add a new event to the track and field competition—something like 'knocking heads together' starting with the heads of the so-called leaders of the NCAA and AAU."

DICK HOOVER,
News Director, KREM AM–FM–TV,
Spokane, Wash.

[From the Seattle (Wash.) Post-Intelligencer, June 23, 1965]

LITTLE MAN IN BIG BATTLE

(By Royal Brougham)

They are putting courageous little Gerry Lindgren in the pressure cooker.

College athletic authorities are turning on the heat by edicts and ultimatums which may end the college athletic career of this brave youngster.

The latest ugly threat is to cancel the boy's athletic scholarship at Washington State and disqualify him from competition.

What is the heinous crime for which Jerry is being punished?

A SIMPLE REQUEST

He wants to do what he loves best, run footraces. The talented little distance champion wants to compete for his country against the Russians, which means he must enter the AAU championship meet in San Diego in order to qualify.

This is the guilt for which the handful of power-hungry National Collegiate Athletic Association officials are persecuting the 18-year-old freshman who just loves to run.

The school is out, the college track season is ended. The Amateur Athletic Union meet is not an outlawed event, the AAU is recognized by the U.S. Government and other countries as the governing power in this Nation's amateur sports. The AAU meets are the only competition open for ambitious young athletes this summer.

By what right can a State educational institution supported by taxes of the people bar a student from athletic competition?

Lindgren and scores of other protesting college athletes are the victims of a personal feud between stubborn, selfish men to control the NCAA and AAU policies.

So bitter is this senseless fight, the late President of the United States, John F. Kennedy, couldn't get the warring factions to settle their differences so that America's amateur and college athletic programs wouldn't continue to suffer.

As things stand, a dozen or more top competitors will be barred from making the trip to the Moscow track and field meet because the college authorities are jealous of the rival group.

This sordid situation has disgusted and discouraged young competitors all over the country.

IT'S AN UNEVEN FIGHT

Into this ugly picture steps a little slip of a kid named Gerry. He doesn't want to lead an insurrection. He just wants to pull on his track suit, tie on a pair of spike shoes and run races for the sheer joy of healthful, spirited competition.

It looks like an unequal fight—a skinny little freshman not long out of high school against the power and might of the NCAA.

But young Lindgren is getting strong support. Yesterday Harvard University reiterated its firm stand against the unreasonable NCAA policy and will permit its track stars to compete in the San Diego meet.

Other institutions and individuals are opposing the domination of the college athletic directors and coaches.

Suddenly, the Spokane teenager who by the yardstick measures a bare 5 foot 5 inches, is 9 feet tall.

[From the Spokesman (Wash.) Review June 23, 1965]

A MODEST PROPOSAL FOR THE AAUW PRESIDENTS

The Athletic Association of Western Universities, or Pacific Athletic Conference, as you will, currently is meeting in Spokane to discuss a variety of things.

Presidents of the eight universities—California, Stanford, UCLA, Southern California, Oregon, Oregon State, Washington, and Washington State—assemble today in the conference council to study recommendations of their athletic directors and faculty athletic representatives.

The agenda of subjects which the presidents will consider has not been made public but it would not be untoward to imagine one might be the current feud between the track and field ruling bodies.

The presidents, who of course have the ultimate decisionmaking power, may even get around to discussing what the conference's proper course should be in the AAU-NCAA track and field dispute.

I hope they do, and if they do, they scarcely could have picked a better time.

If it comes to a decision, or more properly to a change in existing policy, the presidents would discuss whether or not the conference should continue adhering to NCAA policy, or whether it should break with that policy as Harvard and indeed the more than 100 member schools of the Eastern Athletic Conference and the Ivy League have done.

PAC IS PREEMINENT IN COLLEGE TRACK

All eight universities, of course, are highly influential members of the NCAA. All have prestigious, highly developed, efficient and extensively patronized intercollegiate athletic programs.

I could not predict what a PAC break with the NCAA on track and field policy might generate. I hazard a prediction that it would generate a change in NCAA policy.

In college track and field, there is no more powerful conference, historically or currently, than the PAC. In recent evidence, of course, was the NCAA Track and Field Tournament, in which USC and Oregon tied for 1st, California placed 4th, Washington State 7th, UCLA 8th, Oregon State 12th and Stanford 21st.

Clearly, the NCAA could not afford to knock heads with the PAC on policy for track and field athletes, especially with most of the eastern establishment already at odds with the NCAA's policy of refusing permission for collegians to run in the AAU championships this weekend.

THE INDIVIDUAL—OR THE POLICY?

The presidents may consider the fact that one, several or many collegians, some of them—notably Gerry Lindgren—from the PAC, have announced they would defy the ban, run for a place on the U.S. team that will meet Russia, and risk the penalties, whatever they may be.

This would, of course, be the immediate question:

Is this proper policy for a university?

The background for the question, of course, is essentially that collegians never were barred from AAU competition until the NCAA, in concert with the U.S. Track and Field Federation, began earnestly waging its war with the AAU for more control of noncollegiate track and field affairs.

Should the individual be penalized for the attitude of organizations which, in essence, are charged with developing competition among teams and individuals?

ABOVE ALL ELSE: WHAT ABOUT THE KIDS?

Or, on the other hand, is the NCAA's war against the AAU so correct in its aim that the individual rightly should be subordinated?

Or, looking at it still another way, have recent developments in the U.S. Olympic Committee, which increased rather than depleted AAU control, made current NCAA tactics purely quixotic?

If the war's been lost, at least in its current phase, is there much use in using fine athletes like Lindgren of WSU, Bob Day, the UCLA miler, or Larry Questad, the Stanford sprinter, as cannon fodder?

While both sides may assume that this subtly suggests an answer, both sides would be wrong. In fact, my own frequently expressed attitude is that both sides are wrong and that both sides are responsible for the restrictions in college trackmen of international caliber.

Indeed, the whole subject may need more study than the presidents may be able to spend this week. But they could confront this one: Forgetting the rest, what shall we do about the kids who want to run this week?

That question should be advanced, discussed, settled and the answer should be made public with whatever comment or reasons the presidents might care to submit.

Such action and announcement by the presidents surely would reflect a good image of the PAC, whatever the decision.

REAR ADM. CHARLES S. STEPHENSON: NAVAL MEDICAL OFFICER, SCIENTIST, AND LAWYER (1887–1965)

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. ANDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, my home State of Tennessee has produced many leaders on the national scene but few have attained the stature of Rear Adm. Charles S. Stephenson of the Medical Corps, U.S. Navy, a native son of the Volunteer State. Though I never knew him personally in the course of my own naval career, I often heard of him and his work in the field of preventive medicine.

It was, therefore, most gratifying when, on January 22, 1965, he called on me in my Washington office looking fit and vital, and exuding the confidence and poise of one with a vast background of experience. I was naturally shocked on learning of his sudden death 18 days later, on February 9, at the U.S. Naval Hospital of the National Naval Medical Center, Bethesda.

What was he and what is his life story? Born on May 21, 1887, at Aetna in Hickman County, Tenn., only 27 miles from my own birthplace at Bakerville in Humphreys County, Admiral Stephenson graduated in 1912 from Vanderbilt University Medical School in Nashville and, in the year following, began what was to be a most notable career, with an internship and a period under instruction at the Naval Medical School, Washington, D.C.

Appointed on October 2, 1914, as a lieutenant, junior grade, in the Medical Corps of the Regular Navy, his first assignment was a brief period at the naval hospital in Washington, where one of his distinguished patients was Adm. George Dewey, 1837–1917. Transferred to the naval hospital, New York, he was ordered to foreign duty and, in December of 1914, left the United States for his first tour abroad on the Asiatic station where he remained until 1917.

Reassigned by the commander in chief, U.S. Asiatic Fleet, to positions of increasing responsibility, first at Cavite in the Philippines, later on vessels of the Yangtze patrol in China, and finally as commanding officer of the naval hospital at Yokohama in Japan, he had occasion to travel widely in eastern Asia at a crucial period of Chinese history; and he made the most of his opportunities. In addition to his professional naval medical work, he was able, at an early date in his career, to perform important additional services for our naval commander in chief in Far Eastern waters in the field of intelligence during the time when China was in the throes of revolution following the abdication of the Manchu dynasty and the establishment of the Republic with Sun Yat-Sen as President.

One of Admiral Stephenson's experiences during those years was his surgical operation on Gen. Yuan Shih-K'ai (1859–1916), the very able war lord who almost succeeded in becoming Emperor of China. Performed in the midst of a circle of heavily armed bodyguards with unsheathed bayonets around the operating room, the operation was successful and the youthful surgeon won the gratitude of the Chinese general.

Later in the same tour, while young Stephenson was in command of the naval hospital in Yokohama in 1917, an American of impressive bearing arrived from Manchuria seeking treatment for what proved to be malnutrition. Because the applicant was a civilian, the thoughtful hospital commander could not accept him as a regular patient but entertained him as a houseguest in the commanding officer's quarters until fully restored to health.

This man was John F. Stevens, then head of the U.S. Railway Mission, appointed by President Woodrow Wilson for the rehabilitation of Russian and Siberian railroads with the rank of ambassador, who had won great fame as chief engineer—1905–07—of the Isthmian Canal Commission during the critical years when the great decisions in the construction of the Panama Canal were made.

As recalled by Admiral Stephenson during our discussions in January 1965, he and the great construction engineer had long conversations in which the latter described his experiences as regards the Panama Canal and gave his observations concerning the significance of the Red revolution in Russia during which Stephenson made extensive notes. The admiral also remarked, incidentally, that he later came to know both the predecessor and the successor of Stevens on the Panama Canal project, John F. Wallace—1904–05—and George W. Goethals—1907–14—respectively, probably making Stephenson the last man alive who was acquainted with all three men who had served as chief engineer during the construction of the Panama Canal—1904–14.

After his first cruise in the Asiatic, Admiral Stephenson, then a lieutenant, was assigned in 1918 to the U.S. Naval Railway Batteries in Europe as senior medical officer under the command of Rear Adm. C. P. Plunkett. There he was wounded in action and received the Purple Heart Medal.

Subsequently, in the 1920's during another sojourn in China, Admiral Stephenson, as a lieutenant commander, witnessed the disruptive effects of Bolshevist agents, such as Michael Borodin, Abram Jaffe, and other topflight Reds assigned to accomplish the Communist revolutionary takeover of China and came to know distinguished American journalists then covering the activities of these agents, among whom was George L. Sokolsky. Moreover, when all his Asiatic tours were over, his time in the Orient totaled 13 years and included service under Maj. Gen. Smedley D. Butler as brigade surgeon of the Third Brigade Marine Corps Expeditionary Force, in north China. After return to the United States from this duty he was promoted in 1931 to the rank of commander.

Admiral Stephenson's career is meaningful in that he was usually stationed in directly affected areas during wars or revolutions, such as in China, Europe, and Africa; and in places where he could study, make researches, or teach in times of tranquillity; mainly in New York and Washington. His foreign assignments carried him to all continents and he developed worldwide associations with eminent leaders. In addition to research in epidemic cholera and plague while on the Yangtze River patrol, he became a student of anthropology, and, at times, made cephalic measurements of aborigines in various areas.

The combination of his research, writings, special training, and extensive experiences, administrative as well as professional, qualified him eminently for designation in 1936 as Officer in Charge of Preventive Medicine in the Bureau of Medicine and Surgery in the Navy Department where he was a key leader in naval preparations during the decisive years preceding Pearl Harbor. His highly successful performance on this assignment, in turn, led to his promotion to captain in 1940. Also, it resulted in his appointment in 1942 by President Franklin D. Roosevelt as the organizer and the first Director of the U.S. Typhus Commission in the War Department with field headquarters in Cairo, Egypt, and promotion to the rank of rear admiral.

Unfortunately, while engaged in the strenuous activities in the Near East directing the work of the Typhus Commission, Admiral Stephenson suffered an illness that caused his retirement from active naval service in 1944 but he quickly adapted himself to the new conditions. Being one of the 74 persons of our country then qualified in law as well as medicine, he promptly started upon a second career in the field of medical jurisprudence in which he rose to prominence. His last position was a vice president and medical director of the United Services Life Insurance Co. of Washington, D.C., where he was highly respected by all and looked upon as a rugged oak. He was at his desk on Wednesday, February 3, 1965, working as usual—almost until the end.

A prodigious reader with a quenchless thirst for knowledge, Admiral Stephenson did not restrict his interests to the bounds of the medical profession but undertook to render services to causes and organizations for which his experiences qualified him.

Mr. Speaker, all those who have known Admiral Stephenson well over a period of years, or have deeply studied his career and work before and after his retirement in 1944, including distinguished Members of the Congress, realize that his loss is the Nation's loss.

Buried at Arlington National Cemetery in the midst of newly fallen snow on February 15, 1965, with full military honors with Capt. F. M. Clingan, USN, commanding the military and naval escort, and Comdr. S. R. Hardman, Chaplain Corps, USN, officiating at the services, the setting was suggestive of the winter scenes that Admiral Stephenson, as a young naval medical officer had so often viewed among the rugged hills in North China.

The honorary pallbearers were: The Honorable Richard Arens, Lloyd M. Bauman, Wilbur E. Crofton, Lt. Gen. P. A. Del Valle, Capt. Miles P. DuVal, Jr., Mrs. Ray L. Erb, Robert H. Goldsborough, Col. M. Preston Goodfellow, Brig. Gen. Thomas H. King, Col. Matthew P. McKeon, the Honorable Lucas D. Phillips, Vice Adm. T. G. W. Settle, Ralph M. Townsend, David L. Wells, Capt. Franz O. Willenbucher.

Mr. Speaker, in order that the story of Admiral Stephenson's career may be more widely known to the Nation, especially the people of Tennessee, serve as an inspiration to ambitious, patriotic youth, provide a legacy for his family, and be suitably recorded in the permanent annals of the Congress for historians, I include an official Navy Department biographical sketch of the distinguished officer, and two of the many obituaries which appeared in the newspapers throughout the country.

NAVY DEPARTMENT OFFICE OF INFORMATION BIOGRAPHIES BRANCH

REAR ADM. CHARLES S. STEPHENSON, MEDICAL CORPS, U.S. NAVY, RETIRED

Charles S. Stephenson was born in Aetna, Tenn., on May 21, 1887. He was graduated from the Medical School of Vanderbilt University, Nashville, Tenn., with the degree of doctor of medicine in 1912, having received the degree of bachelor of science at that university earlier. He also has the degree of doctor of science in public health from Columbia University School of Public Health, New York, N.Y.

Appointed assistant surgeon in the Medical Reserve Corps of the U.S. Navy in September 1913, he accepted an appointment as lieutenant (jg.) in the Medical Corps of the U.S. Navy on October 2, 1914, and was promoted to lieutenant in 1917, to lieutenant commander in 1921, to commander in 1931, and to captain to date from July 1, 1940. His nomination for the rank of rear admiral was confirmed by the Senate, with rank to date from November 13, 1942. He was transferred to the retired list of the Navy in the rank of rear admiral on November 1, 1944, after 31 years of naval service which carried him to almost every corner of the globe.

After internship and a period of instruction at the Naval Medical School, Washington, D.C., he had brief duty at the naval hospital there before reporting in 1914 to the Naval Hospital, New York, N.Y. In December of that year he left the United States for Asiatic station, where he remained on duty until 1917, serving at the naval station and the Naval Hospital at Cavite, Philippine Islands; the Naval Hospital, Yokohama, Japan; and on board the USS *Monadnock* and U.S.S. *Quiros* of the Yangtze River patrol in China. In 1918, during the last year of World War I, he was transferred to duty as staff medical officer to Rear Adm. Charles P. P. Plunkett, commander naval base and naval railway batteries in St. Nazaire, France.

He remained in France until March 1919, then returned to New York for duty at the naval hospital until December 1921. Again ordered to the Far East he served on the U.S.S. *Isabel* and the U.S.S. *Black Hawk,* on Yangtze patrol, and carried on much research in epidemic cholera and plague. In 1924 he was again assigned to the Naval Hospital, New York, and completing his tour of duty in March 1927, joined the U.S. Marine Corps Expeditionary Force in northern China, as brigade surgeon. Early in 1929 he was transferred to the U.S.S. *Beaver,* tender for Submarine Division 16, based at Cavite. While in China he had additional duty as an instructor in military medicine at Peiping University.

During the period 1930–33 he again served at the Naval Hospital, N.Y., and in June 1933 was designated aide to the Governor of Samoa in charge of reorganizing the public health department of that island. While there he was senior medical officer at the U.S. Naval Station, Samoa. Upon his return to the United States in March 1935, he reported to the Army Industrial College, Washington, D.C., where he was a student for a year. In June 1936 he was designated Officer in Charge of Preventive Medicine in the Bureau of Medicine and Surgery, Navy Department, Washington, D.C. He was serving there at the outbreak of World War II in December 1941.

With his appointment to the rank of Rear Admiral in November 1942 he became Director of the United States of America Typhus Commission, composed of four outstanding typhus research specialists, and organized to aid in the prevention and control of typhus among the military forces of the United Nations and civilians in war areas throughout the world. The entire Commission was militarized so that its members would be able to enter theaters of operations throughout the world to conduct their studies, with emphasis on the factors which caused the spread of the typhus disease from the civilian population to the military population and vice versa.

By direction of the President, a special United States of America Typhus Commission Medal was awarded by the War Department to Rear Admiral Stephenson, with citation stating: "For exceptionally meritorious service in connection with the work of the United States of America Typhus Commission. During a number of months he devoted his special knowledge, energy, and abilities to development of detailed plans for the operation of the Commission abroad, and he led the first group to the initial theater of operations overseas, establishing the field headquarters in Cairo, Egypt. After the arrival of the Commission abroad, (he) organized extensive surveys of regions of the Middle East. While engaged in these labors of administration and field work, (he) suffered an attack of illness which made it necessary for him to relinquish the position as Director. To his devotion and effective activity are due the energetic initiation of the work of the Commission in large and extensive foreign theaters of operations."

He was also awarded the Legion of Merit by the Navy, the citation stating in part: "For exceptionally meritorious conduct in the performance of outstanding services to the Government of the United States as Medical Officer in Charge of the Division of Preventive Medicine in the Bureau of Medicine and Surgery and as Navy Medical Representative on the National Research Council from September 8, 1939, to November 24, 1942. Displaying outstanding organizational ability and farsightedness in making recommendations concerning the preservation of health (he) was in large measure responsible for safeguarding and maintaining the excellent physical condition of Navy, Marine Corps, and Coast Guard personnel during World War II. By his professional and scientific assistance, he contributed materially to the success of the National Research Council in the execution of its vital war mission."

At various times during his career, Rear Admiral Stephenson was an instructor in preventive medicine at the U.S. Naval Medical School. He was adviser to the Assistant Secretary of the Navy on medical health at shore establishments and lectured at Johns Hopkins University Medical School, Baltimore, Md., and at Columbia University, New York City. He was a member of the Tennessee Valley Authority Malaria Control Commission; representative of the Navy Department on the National Research Council; member of the American Association of Physicians; honorary life member of the American Social Hygiene Association; and served as an American Delegate to the Pan-American Scientific Congress at Rio de Janeiro in 1942. He was awarded the honorary degree of doctor of science by Duke University, Durham, N.C., in 1944. He has done much writing in the field of preventive medicine and tropical diseases.

In addition to the Legion of Merit and the War Department Award, Rear Admiral Stephenson has the Purple Heart Medal; the Mexican Service Medal; Yangtze Service Medal; Victory Medal (World War I); Marine Corps Expeditionary Medal (China); American Defense Service Medal; American Campaign Medal; the European-African-Middle Eastern Campaign Medal; and the World War II Victory Medal.

[From the Nashville (Tenn.) Tennessean, Feb. 11, 1965]

ADMIRAL STEPHENSON, STATE NATIVE, DIES

WASHINGTON.—Services for Rear Adm. Charles Scott Stephenson, 76, retired Navy surgeon, will be at 11 a.m. Monday at Fort Myer, Va.

Burial will be in Arlington National Cemetery.

Admiral Stephenson, a native of Hickman County, Tenn., died Tuesday in Bethesda Naval Hospital after a heart attack.

The body is at Hines Funeral Home.

Admiral Stephenson was graduated in 1912 from the Vanderbilt University School of Medicine and joined the Navy the same year.

His overseas duty included tours in the Philippines, China, Japan, and Samoa. During World War II, Admiral Stephenson headed the typhus commission for allied forces.

Since his retirement in 1945 he made his home in Washington.

Survivors include his widow, Mrs. Naomi Ackley Stephenson; a daughter, Mrs. Susan Pellecchia, Portsmouth, Va.; a son, Stephen Stephenson, Alexandria, Va.; two sisters, Mrs. Louise Lovell, Nashville, Tenn., and Miss Elizabeth Stephenson, Centerville, Tenn.; three brothers, C. Douglas, London, England, Claude B., Centerville, Tenn., and C. Guy Stephenson, Goshen, N.Y., and six grandchildren.

[From the Nashville Banner, Feb. 11, 1965]

ADM. C. S. STEPHENSON'S FUNERAL SET MONDAY

Funeral services for Rear Adm. Charles Scott Stephenson, middle Tennessee native considered a world authority on tropical diseases, are to be held at 11 a.m., Monday at Fort Myers Chapel in Arlington National Cemetery near Washington.

Admiral Stephenson, 76, died Tuesday night in Bethesda Naval Hospital, Washington. He was hospitalized Friday night with double pneumonia. The body is at S. H. Hines Funeral Home on 14th Street in Washington.

Admiral Stephenson was born May 22, 1888, at Aetna in Hickman County, the son of the late Dr. Charles Stephenson and Mrs. Frances Byran Stephenson. He attended Hickman County schools and the old Nashville Bible School, now David Lipscomb College.

He graduated from Vanderbilt University Medical School in 1912 and practiced medicine a year with his father at Centerville. In 1913, he entered the Naval Medical Corps and was assigned to the Philippine Islands, later serving in China and Japan. During World War I he received the Purple Heart for action in France, where he served with U.S. Navy artillery units whose batteries were being fired from railroad cars.

Following the war he was stationed at Samoa and served as an official of the military government there, returning to the United States in the 1930's for assignment to the War College in Washington.

During World War II, he served as head of the Typhus Commission for the Allied Nations and was stricken by two heart attacks in Damascus and a third in the Suez Canal while en route to Australia, where he was taken to recuperate.

He was returned to the United States from Australia and retired near the end of the war.

Admiral Stephenson was kept as a Navy consultant after retirement and also worked in pension research activities for the Disabled American Veterans, making his home at 4457 Q Street NW., in Washington.

He was a member of the Episcopal Church.

Admiral Stephenson was recognized throughout the world as a leading scientist in the tropical disease field and especially on typhus research. He received an honorary degree from Duke University and near the time of his retirement was a recipient of the William Gorgas Award.

He was awarded the Legion of Merit in 1947 and also listed among his awards the Mexican Campaign Medal, Yangtze Patrol Medal, and Marine Corps Expeditionary Medal.

He was a member of the Advisory Council to the U.S. Public Health Service and the Tennessee Valley Authority Malarial Control Commission. He served as a representative of the Navy Department on the National Research Council and as a delegate to the Pan-American Scientific Congress at Rio de Janeiro. He was an honorary life member of the American Social Hygiene Association.

He is survived by his wife, Mrs. Sonya Naomi Ackley Stephenson, who under the stage name of Sonya Laten was an understudy at the Metropolitan Opera; a son, Stephen Gordon Stephenson, Alexandria, Va.; a daughter, Mrs. Joseph Pellecchia, Portsmouth, Va.; three brothers, C. W. Stephenson, London, England, a retired squadron leader of the Royal Air Force; Guy Stephenson, owner of the Goshen Laboratories, Goshen, N.Y.; and Claude B. Stephenson, Centerville, Tenn., attorney; two sisters, both retired teachers, Mrs. Louise S. Lovell, 6532 Jocelyn Hollow Road, Nashville, and Miss Frances Elizabeth Stephenson, Centerville; five grandchildren; and several nieces and nephews, including Dr. Charles Stephenson of 871 Rodney Drive, Nashville, and Dr. Joanne Linn, Jocelyn Hollow Road, Nashville.

Another nephew, Douglas Stephenson, was graduated from Vanderbilt University and is chief of staff at a Battle Creek, Mich., hospital.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the war against poverty cannot be won if we lose the battle with the slum and the fight for urban progress. Those who oppose the Housing and Urban Development Act of 1965 would undermine the antipoverty campaign being waged across the land. Poverty cannot be fought unless we fight the slums, the dilapidated and substandard housing, and the urban blight which are the breeding grounds of poverty. The housing program, and H.R. 7984, which extends and improves the housing program, is, in my opinion, the most essential weapon we have in the war against poverty.

In the Housing Act of 1949, Congress declared:

> The general welfare and security of the Nation and the health and living standards of its people require housing production and related community development sufficient to remedy the serious housing shortage, the elimination of substandard and other inadequate housing through the clearance of slums and blighted areas, and the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family, thus contributing to the development and redevelopment of communities and to the advancement of the growth, wealth, and security of the Nation. The Congress further declares that such production is necessary to enable the housing industry to make its full contribution toward an economy of maximum employment production, and purchasing power.

Mr. Speaker, this Nation can have no other public policy so long as the conditions it is designed to meet exist. We have in the United States today 5 million housing units which are either dilapidated or deteriorating or lacking some or all plumbing units. This is part of the reason why I support the Housing and Urban Development Act of 1965 and why I urge every Member of this House sincerely interested in the plight of the poor and the continued prosperity of the economy to vote for it and against all crippling amendments.

There has been a good deal of criticism of the rent supplement proposal contained in title I of the bill. Some of this criticism has been well-intentioned and constructive. In fact, the original proposal was amended in committee in several respects, and, I believe, strengthened. This is often the result of the free exchange of ideas characterized by public hearings. Representative WILLIAM A. BARRETT, chairman of the housing subcommittee, on which I have the honor to serve, deserves enormous credit and gratitude for the manner in which the hearings on H.R. 7984 were conducted and for the excellent legislation which we have before us today.

But criticism is sometimes ill-intentioned and destructive. Much of what has been said about the rent supplement plan falls in this category. From the beginning, there has been those who would destroy the efforts by our Government to achieve the goal of "a decent home and a suitable living environment for every American family." Those who are of this mind are using the occasion of this bill to slow down and ultimately defeat the Federal housing program which has done so much and which has so much to do.

The duplicity of those who oppose the housing program is exemplified by the criticism of the rent supplement plan. For example, the opponents say that rent supplements are "the way of the socialistic state," and in the next breath proclaim that rent supplements will destroy public housing. This kind of doubletalk reveals the motives behind the criticism and discredits both ends of the argument.

The rent supplement proposal is sound and the rest of the bill is sound. We are providing for 60,000 additional units of low-rent housing annually, more units of public housing than we have had in a long time. We are extending the housing for the elderly program, FHA insurance operations, urban renewal, college housing, and many other facets of the housing program necessary to the maintenance and development of our economy, and to the carrying out of the public policy. It is a good bill.

GILBERT BILLS—SITUS PICKETING AND REPEAL OF SECTION 14(b) OF TAFT-HARTLEY ACT

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GILBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GILBERT. Mr. Speaker, I wish to call to the attention of my colleagues in the House, my testimony before the Special Labor Subcommittee of the House Education and Labor Committee on my bill, H.R. 2611, to repeal section 14(b) of the Taft-Hartley Act, and my testimony before the same subcommittee on my bill, H.R. 8994, the situs picketing bill, to amend section 8(b)(4) of the National Labor Relations Act.

TESTIMONY OF HON. JACOB H. GILBERT BEFORE SPECIAL SUBCOMMITTEE ON LABOR, HOUSE COMMITTEE ON EDUCATION AND LABOR, MAY 25, 1965

Mr. Chairman and members of the subcommittee, I appear before you to urge approval of proposals to repeal section 14(b) of the Taft-Hartley Act, which authorizes State laws prohibiting union shop agreements in labor-management contracts. My bill, H.R. 2611, is one of the bills being considered.

Federal law permits the union shop, under which all employees must join the union within a specified period, normally 30 days, after being hired. However, in 1947, by including section 14(b) in the Taft-Hartley Act, Congress yielded over to the States the right to enact right-to-work laws which ban the union shop. I know of no comparable provision in any Federal law wherein Federal jurisdiction is yielded to the States. I feel that Congress should make the union shop provision the law of the land, just as other provisions of the Taft-Hartley Act.

State legislation to ban union security has masqueraded under this deceptive title, right-to-work. This is a misleading term used as a weapon to weaken procedures and obstruct institutions established for peaceful, constructive labor-management relations. I quote former Secretary of Labor James Mitchell, when he said several years ago: "They call these right-to-work laws, but that is not what they really are. In the first place, they do not create any jobs at all. Second, they result in undesirable and unnecessary limitations upon the freedom of the working man and their employers to bargain collectively and to agree on conditions of work."

Mr. Chairman, I believe in collective bargaining, and I also believe we must have union security. When a majority of employees join a union, they should be entitled to negotiate a union security with their employers. The rights and interests of the majority should prevail. All workers receive the benefits of collective bargaining whether they are union members or not, and the union is required to deal fairly with all employees in negotiating contracts and handling grievances, regardless of union membership. Under the right-to-work provision, an employee enjoys the fruits of the benefits of the union, but he is not required to join and pay dues. Section 14(b) limits union security agreements; it infringes on the rights of workers to negotiate freely with employers, and makes it possible for the beneficiaries of unionism to refrain from sharing in its responsibilities.

Thus, the union shop is a matter of justice, requiring only that those who share the benefits and safeguards of the union contract, bear their fair and equal share of the responsibility. In this respect, I want to quote a statement by Samuel Gompers, the father of labor unions, made in 1905 when unions were in their infancy: "The union shop, in agreement with employers, is the application of the principle that those who enjoy the benefits and advantages resulting from an agreement shall also equally bear the moral and financial responsibilities involved."

The repeal of section 14(b) will go a long way toward eliminating wasteful and unproductive conflicts which have divided workers and employers for 18 years. As Mr. George Meany, president of the AFL-CIO, pointed out in his testimony to you, in the past 8 years alone, the AFL-CIO has been engaged in more than 40 battles over right-to-work laws, which were extremely costly in money, and man-hours, and in addition, upset established collective bargaining relationships, bringing conflict into labor and management dealings.

President Lyndon B. Johnson, in his recent Labor Message to Congress, said: " * * * with the hope of reducing conflicts in our national labor policy that for several years have divided Americans in various States, I recommend the repeal of section 14(b)."

I have long felt that one of the main purposes of the right-to-work laws has been to undermine union strength. By draining unions of financial strength, they weaken the ability of unions to participate vigorously in collective bargaining and to fully represent the rights of the workingman. In order to function in an effective and responsible way, a union needs the stability and security of regular dues payments.

The success of President Johnson's Great Society, and especially the war against poverty, depends on adequate wages. Many are of the erroneous opinion that right-to-work laws are responsible for higher wages. However, statistics show that in the right-to-work States, the per capita income is lower than in States which do not have them. I believe it has been shown that the State that undermines legitimate union strength is undermining itself. Thousands of employers have learned the value of good-faith collective bargaining, as is evidenced by the repeal of the right-to-work law in Indiana, and the defeat of the proposal in New Mexico.

Mr. Chairman, in the past I have supported labor legislation which would provide the proper climate for fair bargaining. I urge repeal of section 14(b). This restrictive legislation is out of step with our times; it should be repealed in the interest of our national economy and peaceful labor-management relations.

TESTIMONY OF HON. JACOB H. GILBERT BEFORE SPECIAL LABOR SUBCOMMITTEE OF THE HOUSE EDUCATION AND LABOR COMMITTEE, JUNE 22, 1965

Mr. Chairman and members of the subcommittee, I appear before you in support of H.R. 6363, and my own identical bill, H.R. 8994, referred to as the situs picketing bill, to restore the economic rights of the building and construction trade unions.

In clause (8)(b)(4)(B) of the Taft-Hartley Act, outlawing secondary boycotts, Congress sought to protect neutral employers from labor disputes in which they were not involved. This clause declares it to be an unfair labor practice for a union involved in a dispute with an employer to bring pressure upon another firm with which the employer is doing business.

The bill we are here considering would correct this inequity by adding a provision to that section of the act stating that the secondary boycott clause shall not prohibit picketing or a strike on a construction site in the course of a lawful labor dispute if such action is not in violation of an existing collective bargaining contract.

This amendment would reverse the Denver Building Trades ruling and would remove inequitable restrictions on activities of the building trades unions at construction sites. It would restore to the building trades the right of peaceful picketing on the site of construction jobs—a right enjoyed by factory employees in a labor dispute.

Let me just briefly recall to you the Denver Building Trades case in 1949. From the time of that decision of the National Labor Relations Board, the injunctive processes of the courts have been employed to limit seriously the economic rights of the trade unions in the building and construction industry.

Judge Fahy, former NLRB general counsel, who wrote the unanimous opinion of the U.S. Court of Appeals for the District of Columbia, in the Denver case, concluded that the picketing at the site of construction was not a true secondary boycott. I quote Judge Fahy: "* * * the usual secondary boycott or strike is against one who is not a party to the original dispute. It is designed to cause a neutral to cease doing business with, or to bring pressure upon the one with whom labor has the dispute. It seeks to enlist this outside influence to force an employer to make peace with the employees of labor organizations contesting them * * *." He said the situation in the Denver case was not of this character and pointed out precisely why it was not.

In 1951 the Supreme Court reversed the decision of the court of appeals and applied the secondary boycott clause to a labor dispute in a case that arose in Denver. This decision of the Supreme Court constituted an unfair restriction on the economic activities of the building and construction unions at the site of building and construction jobs. The strong dissenting opinions said the ruling virtually eliminated a trade union's right to strike on a construction job, a right guaranteed to all labor by section 13 of the Taft-Hartley Act.

Mr. Chairman, the proposal before this subcommittee is not a new one. It has been before Congress for many years. A number of Members of the House have introduced it, and Senators MCNAMARA and KUCHEL have introduced bills in the Senate. It has had bipartisan support in Congress and in the executive branch. Presidents Eisenhower and Kennedy supported it, as does President Johnson.

I would like to quote former President Eisenhower's 1954 message to Congress:

"The true secondary boycott is indefensible and must not be permitted. The act must not, however, prohibit legitimate concerted activities against other than innocent parties. I recommend that the act, be clarified by making it explicit that concerted action against * * * an employer on a construction project, who, together with other employers, is engaged in work on the site of the project, will not be treated as a secondary boycott."

Such legislation was considered by this committee and favorably reported in the 86th Congress, but as you know, certain differences concerning the language of the bill killed its chances of passage. Agreement has now been reached among the various groups within the labor movement, and we have once again offered legislation to correct this inequity.

The 1961 report of the Committee for Economic Development which was compiled by a distinguished group of panelists, stated:

"It is difficult, if not impossible to picket one subcontractor with whom a legitimate dispute exists without affecting the work of the primary or other subcontractors. Insofar as these effects are limited to a prime contractor and the subcontractors responsible to him, they should not lead to a classification of the primary dispute as a secondary boycott. The law should be changed to correct this inequity."

I would like to describe the kind of inequity I am talking about. The employees of a factory can engage in peaceful picketing in a labor dispute. Construction workers are denied this freedom because of a technicality in the law which failed to take into account the special facts of the building and construction industry. In the construction industry, instead of one employer with different departments for different kinds of work, there are numerous contractors on the job site doing different kinds of jobs—electrical contractors, bricklayers, carpenters, et cetera. If, for instance, the electricians union pickets a job site because of a dispute with the electrical contractor, and the carpenters, bricklayers, and other trades do not cross the picket line, it is held that the electrical union is causing a secondary boycott in violation of section 8(b)(4)(B). Yet, it is legal for industrial unions representing employees of a factory to picket the factory site, even though employees represented by other unions in the factory refuse to cross the picket line.

Mr. Chairman and members of the subcommittee, I urge your approval of our bill to restore to the building trades the right to engage in peaceful picketing on the site of construction jobs—the same right enjoyed by factory employees in a labor dispute.

I feel that the passage of this proposal is necessary in the interest of justice, to preserve wage standards in the building and construction industry, and for the protection of fair employers from the unfair competitive disadvantages of substandard employers.

PROMISING INROADS ON THE PROBLEM OF DELINQUENCY

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PEPPER. Mr. Speaker, I would like to direct my comments to H.R. 8131, a bill which passed by a voice vote on Thursday, June 24, 1965, that authorizes the extension of the Juvenile Delinquency and Youth Offenses Control Act of 1961. In view of the continuing and increasing seriousness of delinquency and youth crime it is imperative that we accelerate our efforts to find new methods and techniques to prevent and control juvenile offenses.

We live in a complex and confusing society. Its chief characteristic is change. For those who can meet the challenges of this society there are rich rewards and satisfactions. However, there are many—because of poverty, destructive environment, or accident or birth—who have been denied the full promise and opportunity we associate with our vision of America. In desperation, some of our youth have turned to delinquency and crime because the opportunity to share in the American dream has been denied them.

We are all sufficiently sophisticated to know that we cannot solve the problems of delinquent youth by ignoring them. We are also aware that there is no magical panacea that will enable us to solve the problem of delinquency overnight. The problem of delinquency is too intricately interwoven into our national fabric of urban and rural problems to yield to simple solutions.

The Juvenile Delinquency and Youth Offenses Control Act of 1961 has made some very promising inroads on the problem of delinquency and youth crime. With the moneys made available under the provisions of this act, an imaginative and dynamic array of talent has been brought to bear on the many facets of deliquency.

The large community demonstration projects of this program have served as models for the involvement of community leadership in developing ways and means to improve youth opportunities; the special demonstration projects have enabled correctional personnel to demonstrate the effectiveness of new approaches to delinquency prevention and control; the development of the university based delinquency training centers has brought the academic community and the correctional practitioner together in a joint effort to find solutions to youth behavioral problems; and the variety of training projects funded under the act has steered many individuals into rewarding correctional careers and brought specialized training to thousands of persons in the police, court, institutional, probation, and parole fields.

Two grants awarded in my own State of Florida are currently serving to add to our knowledge of delinquency prevention and control. One—a demonstration grant to the Young Women's Christian Association of Miami—is testing group work methods with 50 disadvantaged girls as a means of helping them with their educational, personal, and social adjustment. Many of the girls in this project have had difficulties with the police, the schools, and with the community. The aim of this project is to develop their educational and vocational abilities while helping them to overcome their environmental and personal behavior problems.

The second grant—to the Dade County sheriff's office—is for the development of materials and methods for the training of police administrators, specialized juvenile officers, and line officers in police work with children. The new curricula will be used in a permanent program of the Division of Police Science and Criminology of Miami-Dade Junior College and will continue on a self-sustaining basis after the expiration of the grant period.

The increasing urbanization of the United States and the pressures and dislocations resulting from this change are going to put increasing burdens on governments at all levels. H.R. 8131 can assist local and State governments in preventing youth from becoming delinquent casualties in this change and can help to rehabilitate those youth who have already taken their first steps on the paths of crime.

WHEAT PROGRAM FOR 1966

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PURCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PURCELL. Mr. Speaker, action is urgently needed to postpone the date for holding a national referendum on a mandatory wheat program for 1966, pending a final decision on an extension of the present voluntary wheat program now under active consideration by the Congress.

Present legislation requires that the Secretary of Agriculture—after proclaiming a wheat marketing quota, which by existing law is virtually mandated by the supply situation for the 1966 crop, must also hold a referendum among wheat producers on quotas not later than August 1.

With both Houses of the Congress working toward final action on the President's proposal to continue the voluntary program, an extension of the time for making a referendum decision until the Congress has acted is essential. A proposed joint resolution, which I am introducing today, would delay the final date for holding a referendum from August 1 to not later than 30 days after adjournment sine die of the 1st session of the 89th Congress. There is precedent for such a resolution in that the final date for a referendum on 1962 wheat crop marketing quotas was extended during a period when Congress was considering new legislation.

Under present legislation, the Secretary of Agriculture may have no alternative but to set a referendum date within a few days. Even so, the short time, remaining before August 1 would provide a bare minimum of the time needed to take all the steps in making arrangements for a vote and to inform farmers about what they would be voting on. Advance public notice must be made, preferably 30 days.

If the voluntary program which would suspend marketing quotas for the 1966 crop is approved by the Congress, the Department would be put to considerable expense that could be avoided by changing the final date for the referendum. Even more important, considerable confusion would result among wheat farmers concerning the 1966 wheat program.

If the Congress does not approve the voluntary program for the 1966 wheat crop, the resolution would simply move up the date by which the Secretary of Agriculture would be required to call a referendum in carrying out the law.

On the basis of participation, the voluntary wheat program for the 1964 and 1965 wheat crops has been highly acceptable to farmers. It has achieved the triple objectives of: first, holding production in line with needs; second, maintaining farm income from wheat; and third, reducing Government wheat program costs. These conclusive results under the voluntary program virtually eliminate the need for any consideration of mandatory controls, making it extremely undesirable to hold a referendum.

In any event, an immediate decision on the kind of wheat program there will be in 1966 is urgently needed as wheat farmers are now planning their winter wheat plantings and will be in the fields soon. They should be able to make their plans with full knowledge of program provisions. A resolution to delay the referendum date will permit the Congress, the administration, and wheat farmers to concentrate on developing the best kind of voluntary certificate program without an unneeded distraction.

CAPITAL IS HEAVEN FOR NEGRO WELFARISTS

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, under unanimous consent, I insert an article by Columnist Holmes Alexander in the Record for two good and sufficient reasons.

The first, because I feel it is time for those of us who are in full agreement with the commonsense and laudable efforts of our colleague in the other body, Senator Byrd of West Virginia, to come to his defense. Because he has had the hardihood to try to put some reasonableness into the welfare program of the District of Columbia, he has become the whipping boy of every leftwinger, every dole champion, and every welfare-statist within whining distance of the Capital.

The good Senator has been accused of everything short of arson and we can only wonder how long it will be before even that is included.

Well, it has been ever thus, if it is any consolation to the Senator. The honorable men who have tried to protect the Treasury from the raids of the irresponsible have always suffered this calumny from the left and only the best men are able to take their abuse and slander without flinching.

I hope that other Members of both bodies will similarly rise to his defense.

The second purpose in my inserting this article is to make a part of the permanent record the true situation, the true and appalling situation as far as the welfare program in the District is concerned.

This is a side of the story that the liberal press will not print. But, no matter how artfully they dodge the true facts and no matter how deep becomes the lake of crocodile tears and no matter how high on the Beaufort scale the velocity of their torrent of abuse becomes, these facts will not go away.

I commend this article for all to read.

Capital Is Heaven for Negro Welfarists

(By Holmes Alexander)

Washington.—Mrs. Mary Etheridge, 27, died here last spring of a blood clot in the lungs. It was a pitiful case because she was impoverished and Negro, with five children and an inconstant husband.

But the pitch of coverage and comment by Washington's liberal press was shrill and fictitious, not to say ghoulish. Mrs. Etheridge had died of a broken heart and a broken spirit. Her life had been shattered by the stringency of the District of Columbia welfare regulations. The "architect" of heartlessness in the application of public assistance was Senator Robert Byrd, Democrat, of West Virginia, who should bear a major share of the guilt for the woman's death.

Robert Byrd has come to regard such calumny as a seasonal sign which indicates the nearness of another District of Columbia welfare budget. The Senator is a sturdy, nervy, conscientious, up-from-poverty success story, and is chairman of the appropriations subcommittee which deals with local financing.

Byrd points out that Mrs. Etheridge makes a poor example of callous treatment at the welfare centers. A month before her death she had received a $191 payment. Four days before her death she had been given an $80 check in partial payment. She was authorized for continuing assistance through August 31, 1965. But the Senator does not expect the facts to make any difference to his attackers. He is a racket buster in Washington welfare. This has made him a marked man.

Bob Byrd, if I understand him, also feels that the circumstances of office have forced a mission upon him. If there is any stopping the Capital City from a plunging descent into total degeneracy, Byrd must be the stopper. Nobody else in Congress seems willing to point out how welfare officials and welfare recipients have made swag of the relief funds.

A study in 1961–62 showed that 60 percent of the aid to dependent children was going to ineligible persons—much of it spent for drink and gambling. Some 59 percent of the general public assistance was going to bogus claimants—some of them drawing relief money while in jail.

As of last January, 41 percent of the children on welfare were born out of wedlock. There are 170 mothers with 850 children on the relief rolls—it pays far better than working. More than 90 percent of Washington crime is committed by Negroes, 95 percent of the relief caseload goes to Negroes, and the Negro population will reach 70 percent by the end of the decade.

As Byrd reads these and other statistics, they tell him what sort of immigrants this city attracts. A man or woman intending to get away with crime in the streets, intending to become a freeloader on public charity, intending to live it up sexually and let somebody else pay the costs, wishing to live where Negroes are a majority—where else to migrate but to Washington? The rules are loose and would be looser if only the liberals could get rid of Robert Byrd.

PROGRESS AND PROBLEMS IN RADIATION STANDARDS AND RADIOACTIVE WASTE DISPOSAL

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Kornegay] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, a recent speech made by Commissioner James T. Ramey of the U.S. Atomic Energy Commission has come to my attention. The speech was made at the University of North Carolina School of Public Health, in Chapel Hill, N.C., which is located in my congressional district.

Mr. Ramey, as Members of the House recall, served as Executive Director of the Joint Committee on Atomic Energy during the period when my esteemed predecessor in Congress, the Honorable Carl T. Durham served as chairman and as vice chairman of that committee. Later Mr. Ramey was appointed a member of Atomic Energy Commission.

The subject of Commissioner Ramey's talk at the University of North Carolina is a very timely one—"Progress and Problems in Radiation Standards and Radioactive Waste Disposal," and I feel it would be of great interest to the Members of the House:

Progress and Problems in Radiation Standards and Radioactive Waste Disposal

(Remarks by James T. Ramey, Commissioner, U.S. Atomic Energy Commission)

INTRODUCTION

It is indeed a pleasure for me to be your guest lecturer here today at your student-faculty seminar, and to be able to discuss progress and problems in some important areas of radiation safety and public health.

I presume your kind invitation arose out of my visit to Raleigh last summer when I was privileged to participate along with Governor Sanford and my longtime friend and former boss, Carl Durham, in the signing of the agreement under which your State assumed part of the AEC's regulatory authority over the use of radioisotopes, source material and special nuclear material.

As I recall, Dr. Wilson of your State board of health hinted that some further expression of my views on radiation protection might be appropriate. I indicated I might be persuaded to come down, at the right time of the year. I have found that from time to time it is useful to do a bit of thinking out loud, as it were, as to the various problems of atomic energy and means of solving them. I also like a good excuse to see Carl Durham and visit your countryside and meet some new friends with mutual interests. At any rate, I am here, and hope that my presentation will be of some value to you.

The subject of radiation protection and public health has been of considerable interest to me for a number of years. When I first became Executive Director of the Joint Congressional Committee on Atomic Energy in 1956, the controversy over radioactive fallout from nuclear testing was just beginning to boil. Some of you may recall that various public figures gave the impression that fallout was good for you; whereas others proclaimed that it would perhaps cause two-headed babies and otherwise damage the human race.

I had the opportunity and privilege under the guidance of Congressmen Durham and Holifield to organize the 1957 joint committee hearings on fallout, which put the problem in better perspective and set the pattern for subsequent "expert" hearings in the years that followed. Thus, in the years 1959–62, the Joint Committee conducted hearings and issued reports on the effects of nuclear war, radioactive waste disposal, employee radiation protection, and workmen's compensation, and radiation standards.

Since joining the Atomic Energy Commission in September 1962, I have been on the receiving end of the Joint Committee hearings, in a manner of speaking. I have also managed to keep up my interest in various aspects of radiation protection. Your invitation gave me a good opportunity to bone up on what's happened in the past 5 years, and to take a look at our current and future problems.

As students and practitioners in the science (and art) of Public Health, you will understand that radiation is one of the four or five components of the environment which can cause harm to man when it is uncontrolled or present in excess. It, therefore, becomes your responsibility to understand radiation hazards and to maintain public health surveillance over radiation just as you do in the case of microorganisms, chemicals, dusts, smokes, parasites, and vermin.

Speaking of smoking reminds me of a story which may be of interest even in North Carolina.

A couple of years ago, a group of Russians from their atomic energy program were touring the United States. I was invited to a banquet in Chicago with the group. Since the famous Surgeon General's report on smoking had been just released, the conversation got around to this subject. One of my American scientific friends was speculating on the future of the tobacco industry. In typical scientific fashion, he stated his prediction by means of a graph on the back of the menu—smoking rate versus time. He indicated that he felt that the smoking curve, which had been rising constantly for many years, would drop down for a period of 6 months or so but then would soon proceed to start to take off again past the old mark.

Thereupon, one of the Russians indicated that he had something to relate. He said Russia had a somewhat similar situation in that the Government had on several occasions released reports on the dangers of drinking too much vodka. But, the Russian said, the response of their population was rather different from what was being predicted for the Americans. In Russia when such reports were released, the consumption curve just continued to go up as in the past.

A further occurrence took place on that trip and has always stuck in my mind as indicating the different stage of development of the Soviet and American societies. In talking with a Soviet official as to the justification of the U.S. atomic power development program, I pointed out that nuclear powerplants will avoid the problem of smoke and smog pollution, which is of growing concern in the United States. To which the Soviet official grimly replied: "In the Soviet Union, we don't mind a little smoke."

But in our emerging Great Society, with its effort to improve the quality of life, we do mind smoke and other pollutants, including radiation.

Today I want to talk to you about our progress and problems in two areas of radiation protection: (1) The development and application of radiation standards from an overall viewpoint, and (2) the application of standards in the field of radioactive waste disposal. The first deals with problems concerning basic concepts of radiation protection. The second deals primarily with the role of research and development concerning an important area of radiation protection of the general public. I had hoped to cover workmen's compensation for radiation hazards, but limitations on time will permit only a brief reference to this subject.

In my discussion, I hope you will keep in mind the role of scientists and engineers in relation to laymen—economists, statisticians, and even lawyers and administrators like myself. One of my abiding interests has been in the proper role of science and scientists vis-a-vis social and political science and practitioners of that art. I also hope you will keep in mind the role of government and nongovernment agencies in radiation protection—Federal, State, and local.

BACKGROUND

At the outset, it might be wise to note that in the field of radiation protection there have been two general types or levels of activity, so to speak. The first type relates to the use of radiation—primarily X-ray machines and naturally occurring radium—for diagnostic and therapeutic purposes in medicine and to a lesser extent in industry. It was here that radiation standards were first developed, in a thriving but hardly spectacular activity from 1900 through the 1930's. Such activities were regarded as subject to State and local regulations, through their police powers, although not much regulation was undertaken.

The second type or level of activity refers to the gigantic wartime effort to develop the A-bomb, and the even larger postwar effort, up to and including the present, to develop the peacetime atom as well as maintain and increase our military nuclear supremacy.

In this 20- to 25-year period, the U.S. Government has developed the great weapons and peacetime laboratories and production plants valued at billions of dollars, with a current annual expenditure of around $2½ billion. Also in recent years there is an emerging private nuclear industry, as, for example, when atomic electric power approaches a competitive basis with conventional fuels in various parts of the country. These activities by and large have been subject to Federal control and regulation under the Atomic Energy Act, until recently when some degree of State regulation has been authorized.

In this context, the development of the U.S. nuclear industry has been different from most other industrial development. It hasn't "just growed," like Topsy. In a very real sense, it is one of the first conscious attempts of Government to understand and control the hazards of an emerging large-scale industry. This has taken a great deal of planning, research and development, training, and careful operations. This point was emphasized in a pioneering report in 1956 by the National Academy of Sciences, where it stated:

"The use of atomic energy is perhaps one of the few major technological developments of the past 50 years in which careful consideration of the relationship of a new technology to the needs and welfare of human beings has kept pace with its development. Almost from the very beginning of the days of the Manhattan project careful attention has been given to the biological and medical aspects of the subject."

As a result of this effort, the U.S. atomic energy program has a record as one of the safest of industries, both from the standpoint of radiation hazards as well as ordinary industrial risks. Statistics are not readily available on the overall atomic energy program. However, one can obtain a good idea from the record established for the AEC's contract work. During the year 1964, the overall accident frequency rate; that is, the number of injuries per million hours worked, was 1.96 in the Commission's contract work, as compared to the all industrial rate of 6.12, as reported by the National Safety Council. During 1964, while there were seven deaths resulting from other types of accidents in the Commission's program, there were none resulting from radiation.

In the meantime, our first type or level of radiation sources—X-rays and radium—has also experienced considerable growth during and since the war. And here is where we run into some paradoxes. For when we looked into the quantitative amounts of radiation received by the U.S. population, in terms of averages (and it is this cumulative dose which is genetically significant), we find that X-rays are by far the largest source of radiation to humans. And, as we shall see, X-rays for medical uses are not covered by radiation standards or even by State regulation, except as to the machine itself and sometimes the machine operator.

The last paradox to which I will call your attention is that it took the hue and cry over fallout and other nuclear hazards to alert the Congress, the public, and the medical and dental professions to the problems of X-rays and other similar hazards. As a result, considerable improvements have been made in regard to protective devices for X-rays and the like, elimination of shoe fitting X-ray machines, and more discrimination in the use of X-rays for routine chest and dental X-rays.

CONCEPTS OF RADIATION STANDARDS

Now to get down to the development of radiation standards as such. But before I wade into it, let me warn you about one of its chief problems—and that is understanding the jargon.

First, let us identify which radiations may be of public health concern, what they arise from, and their normal levels in the environment—and the word "normal" should be in quotation marks because they vary from place to place. It is only recently that these normal background levels have been given any special recognition.

We are all normally and continuously exposed to alpha, beta, and gamma irradiation, 20 percent of which comes from decay of radioactive isotopes (K^{40}, C^{14}, Rb^{87}, and U^{238}, and Th^{232}, and their daughters) which are normally found in our tissues. The ambient environment contributes the other 80 percent, mostly in the form of gamma radiations from the earth, rocks, and atmosphere; only a small amount of cosmic radiation from space penetrates the atmosphere. The total radiation dose amounts to about 0.125 r per year, but it increases with altitude due to increase of the cosmic radiation component—it is about doubled at Denver's altitude. The level also increases with any increase of radioactivity of the environment; for example, a house built of granite may double one's background dose due to the radium and the thorium in the stone. Since ours and all other species, going back through geological history, must have been subjected to such radiations and possibly quite high levels at times, it is reasonable to speak of this 0.125 r as "normal."

The term r or roentgen or rad, of course, is a word of art. As a layman, I always remember that an ordinary chest X-ray gives about 1/5 r and that about 450 r can constitute a lethal dose.

Man-made sources of radiations may give exposures which must be added onto the normal background. One source is associated with nuclear energy activities, the reactors, accelerators, and radioactive materials which are byproducts or feed materials (uranium, thorium, and plutonium) of nuclear energy. This is now an established activity of mankind and must be given appropriate attention. The other source of exposure is from X-rays used for diagnostic or therapeutic purposes in medicine, and for radiography.

As I mentioned earlier radiation standards were developed first in connection with the use of X-rays for medical purposes. Within 4 months after Wilhelm Roentgen announced his discovery of X-rays on December 28, 1894, three men experimenting with the tube had noted irritation of the skin, loss of hair, and soreness of the eyes, the latter probably a simple conjunctivitis. By 1912, the list of damaging or destructive effects from X-rays contained all of the major radiation injuries that we now recognize. In all but one type of radiation effect, the damage, if any, is limited to the exposed person only and the total harm to the human race is restricted. But in the case of damage to the germinal tissue the potential damage is unrestricted and this difference has come to influence our perspective and philosophical attitude.

Between 1895 and 1925 there were many, many instances of radiation injury, but most radiologists must have taken some precautions to shield their patients and themselves from excessive exposures. Although both the British and American Radiological Societies had printed empirical codes or rules for protection around 1915, nothing scientific was done until 1925 when an American, Mutschellar, used a clumsy but, for that time, reliable ionization chamber to measure the monthly amount of X-ray exposure to persons in installations which had not had trouble with radiation burns, etc. He then took 1 percent of this 30-day amount as an amount which ought to be tolerated without injury. His criterion of injury was reddening of the skin or erythema dose, a very gross response by present day ideas. He had no reason for taking 1 percent instead of 10 or 0.1 percent; it seems that he judged this to be reasonable and he thereby set a pattern which is still imitated. Translated into present units, this equals about 0.2 rad per day; others found this dose to equal 0.1 to 0.2 rad per day.

ROLE OF ICRP AND NCRP

At the 1929 meeting of the International Congress of Radiology, an International Commission on Radiological Protection (ICRP) was set up possibly because there was now a technique for exploring radiation protection. Because some of its members have also been members of the U.S. National Committee on Radiation Protection (NCRP) and the various other national committees, this International Committee on Radiation Protection (ICRP) has exercised responsibility principally for originating and shaping the concepts and theory of radiation protection on the basis of its internationally recognized expertise. Each national committee then has taken over the duty of transforming these concepts into working rules and directives suitable for that specific country.

In the United States, the NCRP was initially organized as the "Advisory Committee on X-ray and Radium Protection" back in 1928. The initial membership included representatives from the medical societies, X-ray equipment manufacturers, and the National Bureau of Standards. After a reorganization in 1946, the name was changed to the National Committee on Radiation Protection and Measurements (NCRP) and additional scientific representatives from other organizations were included. Rather recently, the NCRP was given a Federal charter similar to that of the National Academy of Sciences, whereas in the past it had been a strictly unincorporated type of organization.

In its early days, the NCRP recommendations were limited to X-rays and radium, since these were the only sources of radiation utilized at that time. The committee now makes recommendations on exposure limitations for many different kinds of ionizing radiation, chiefly occupational in nature. These cover internal and external exposures, and include both somatic and genetic effects. The recommendations of this group have been generally published as NBS handbooks. Since 1947, a number of handbooks have been made available on different aspects of radiation protection.

Since 1942 when the Manhattan Engineering District began its work on nuclear energy, several new factors have been introduced which have determined our present attitudes toward radiation protection. First, whereas previously a man was concerned only with protecting himself, his assistant, and maybe the patient, it now becomes necessary that thousands of people who knew nothing about radiation should have adequate protection. This was accomplished by generating radiation protection specialists who made working conditions as free of radiation as possible, and then checked constantly to see that each man did not accumulate more than a certain dose which was arbitrarily set at 0.5 roentgen per week. These specialists recognized the need to know more scientifically how much exposure would give excessive tissue reactions, so a research program was started which to this day is studying that problem.

Meanwhile, the upper limit of exposure came to have the context of a "maximum permissible dose," as employed in industrial hygiene. Those health-physicists or administrators who must make yes-or-no decisions seem to require absolute standards upon which to base their judgment; they cannot afford to be called capricious or arbitrary. Therefore, any radiation standard, no matter how carefully qualified, tends to become arbitrary when put into practice. Thus, the "maximum permissible dose" and other standards which were not intended to be thin dividing lines between safe versus unsafe or legal versus illegal, as we shall see, have come to be thought of and applied in the absolute sense.

The advent of large-scale nuclear energy also aggravated a novel form of radiation hazard which had to be dealt with. It wasn't totally new, because people who had worked with radium, from the Curies to the radium dial painters, were found to be injured in a manner similar to those exposed to radiations from an X-ray machine; further, these internal deposits gave a special form of exposure, namely a continuous, low-level exposure. Therefore, there were set up levels of radioactivity in air or in water which were intended to limit this internal dose to no more than that from a maximum permissible dose for external irradiation. Implicit in these calculations for these internal emitters was the idea that some tissues would be more affected than others because different isotopes were found to deposit preferentially in certain tissues. Further, it emphasized the problem of continuous low-level exposure, in contrast to the usual brief doses from X- or r-rays, and this is a problem which is far from solution, although it clearly is most important in evaluating hazard.

The internal emitter problem became publicly prominent in 1957 when continued testing of weapons began to build up fission-product radioactive isotopes in the atmosphere and in the biosphere. These radioisotopes—principally strontium 90, cesium 137, and iodine 131—were in turn ingested by humans, through the food chain—and stayed there for various periods of time. The published maximum permissible concentrations for these substances were intended by the ICRP and NCRP to apply only to occupational practices, not to contamination of the general public, so that the effects on the public were not explicitly covered in the standards. Thus was revealed a major omission in our concepts of radiation protection.

JOINT COMMITTEE HEARINGS

In 1957, the Joint Committee began hearings on fallout as a hazard to the public. These hearings brought out the point that internally deposited radioisotopes, especially Sr^{90}, were a potential health hazard, but that fallout radioactivity was contributing only a small fraction to the usual background dose which man normally accepted. They pointed out that with several generations of testing, it could become a hazard. More importantly, perhaps, it pointed out the weaknesses in the biological data on which the dose calculations were built and thus stimulated investigation of all aspects of what is familiarly called the "internal emitter problem."

These hearings also focused on the uncertainties of the dose-effect relations upon which concepts of radiation hazard have been based. In the case of the skin, a fairly large dose was absorbed before reaction could be seen—this was the so-called "threshold response." Other so-called somatic reactions also were presumed to exhibit this "threshold response." But the radiation damage to the germinal tissues seemed for all practical purposes to be directly proportional to accumulted dose; there was no threshold effect. Therefore, since this direct proportionality case seemed to be the most sensitive case—and it is important to the existence of mankind—it has come to be regarded as the limiting condition of exposure for the population in general.

Thus our scientific experts, stimulated no doubt by the emerging fallout problem and Congressional interest therein, started to think about the need for establishing radiation protection standards applicable to the public as a whole. This resulted in the recommendation that the yearly radiation exposure to individuals in the general population (exclusive of natural background and the purposeful exposure of patients) should not exceed 0.5 rem. This standard, as it came out, was set at 10 percent of the industrial employee level.

A further complicating factor occurred when Dr. Lewis of Cal Tech postulated that there was no threshold even for somatic effects. Most experts agreed this was a prudent assumption for purposes of radiation protection even though scientific proof was and is lacking. Thus exposure even to "tolerable" doses of radiation becomes a matter of statistical risk as to possible injury. According to Dr. Paul Tompkins, Executive Director of the Federal Radiation Council:

"Several developments of practical import come immediately from the application of this concept. * * * First any standards do not and cannot set a line which is safe on one side and dangerous on the other. Therefore any standards must balance the potential health risk on one side against the reasons for exposure on the other. Standards affecting the general population incorporate social judgments and have deep implications regarding economic development, the way in which nuclear technology will be utilized, and additional costs, that might subsequently be imposed on the * * * community."

A further problem which was highlighted during the late 1950's was the matter of how the basic radiation standards, as set by the NCRP, were being translated into practicable and workable regulations by the AEC and State governments. The NCRP concept of maximum permissible dose or maximum permissible concentration (MPC) was being incorporated in toto by State laws and regulations, and to some extent in AEC regulations. This raised questions as to the legal and practical effect of violations of these regulations, if the MPC value were interpreted as an absolute ceiling.

The various Joint Committee hearings in the late 1950's tended to indicate that there was some confusion as to who was responsible for what, in terms of authority in the field of radiation protection, as well as confusion as to the radiation standards themselves. In particular there seemed to be a need for a more objective review and coordination of radiation standards than had existed theretofore.

ROLE OF FEDERAL RADIATION COUNCIL

As a result, the President by Executive Order in August 1959, which was later incorporated in a statute, established the Federal Radiation Council, to provide advice to the President and Federal and State agencies on radiation protection matters. This Council, which is chaired by the Secretary of Health, Education, and Welfare, is composed of the heads of the principal agencies involved, including AEC, Commerce, Labor, etc. This Council operated for several years with only a temporary staff and working groups recruited from the agencies, but more recently has established a small permanent staff headed by the Executive Director.

The FRC has reviewed the radiation standards used by the Federal agencies and the NCRP, and substantially adopted those of the NCRP and ICRP, but with two main differences. The FRC has called its standards "Radiation Protection Guides," with the emphasis on the word "Guide." To quote from the FRC Report: "The Radiation Protection Guide is the radiation dose which should not be exceeded without careful consideration of the reasons for doing so; every effort should be made to encourage the maintenance of radiation dose as far below this guide as possible."

Unfortunately, the FRC got caught in further confusion, when its Report No. 2 was construed as an action directive for taking countermeasures for fallout when the Soviets broke the testing moratorium in 1961. You may recall a couple of States in the West became so concerned over iodine 131 that they took countermeasures with the milk industry, embargoed feed, etc.

In order to clarify matters, the FRC more recently has been engaged in drafting proposed protective action guides that might be used for initiation of unusual measures to control exposure to radiation, such as measures to limit exposures from radioactivity already in the environment (e.g., as the result of the fallout or of a major accident resulting in the dispersal of nuclear materials), and guides for use in various emergencies. These have also been termed "countermeasures," but the term "protective action" is believed to have less of an emotional impact and thus has been selected by the FRC. To quote from the FRC: "The protective action guide (PAG) is the projected absorbed dose to individuals in the general population which warrants protective action following a contaminating event."

The distinguishing difference between the RPG's and the PAG's is that the protective action guides are concerned with accident or unusal type conditions involving environmental contamination, and include actions or countermeasures involving the general public.

ROLE OF PUBLIC HEALTH SERVICE

With the increased attention to the fallout problem, the U.S. Public Health Service started to play a much more active role. The main role of the Service is, of course, its traditional one of providing advice to the States and the public, and includes consideration of radiation from all sources. The PHS maintains a very extensive radiation monitoring system around the country; indeed it does most of the environmental monitoring for the AEC. It also has an active program of research into matters such as monitoring systems, radiation effects, and methods for removing radioactivity from foods. Finally, the Federal Radiation Council has been chaired by the Secretary of Health, Education, and Welfare, under whose jurisdiction the Public Health Service falls.

ROLE OF AEC

The Atomic Energy Commission also, of course, has certain basic statutory responsibility in the field of radiation health and safety for the construction and operation of nuclear facilities, which includes reactors and production facilities; and for dealing with radioisotope byproducts, source materials (natural uranium and thorium), and special nuclear materials (U^{235}, U^{233} and Pu).

Soon after it was established, the Commission sought the advice of an ad hoc medical review committee on questions of health and safety. Among the recommendations of this committee was that the AEC should look to the NCRP for guidance in the field of radiation protection. This the Commission has done.

Not only has the Atomic Energy Commission depended heavily upon the NCRP for guidance in its radiation protection activities, it has contributed in a number of ways to the development of standards of radiation protection by the NCRP. It has given financial assistance in meeting expenses of operation. Employees of both the Commission and its contractors have worked as members of subcommittees of the NCRP. Much of the information upon which recommendations of the NCRP are based has been developed in research and other activities supported by the Commission.

While the Atomic Energy Commission has undertaken to conduct its activities within the standards of radiation protection developed by the NCRP and, more recently, those developed by the Federal Radiation Council (FRC), the conduct and regulation of atomic energy programs has required many decisions and rules not specifically covered by the recommendations of standards groups. This has been particularly true in the case of measures designed to protect the general public.

ROLE OF STATES

Another significant development which occurred in the late 1950's was the increased interest and role of the States in radiation protection matters. In 1956 and 1957 Senator CLINTON ANDERSON and Congressman Durham of North Carolina of the congressional Joint Committee on Atomic Energy—sensitive to the important interests of the States in atomic energy, introduced bills to amend the Atomic Energy Act to permit increased participation by the States in this new field.

In 1959, the Joint Committee, at the request of the AEC as well as others, recommended legislation which Congress approved under which a portion of the Commission's regulatory control over atomic energy materials and processes could be transferred to the States. This legislation contained some of the features of the bills introduced earlier by Senator ANDERSON and Congressman Durham. As the staff director of that committee, I like to think I had a little bit to do with getting it enacted.

A primary purpose for enacting this legislation was to consolidate the control and licensing of ionizing radiation at the State and local level. As I mentioned earlier, control over X-rays and radium has always been a State responsibility. Thus it seemed to make sense to transfer control of other radioactive sources to the States, and thereby encourage a more comprehensive radiation safety program than would otherwise be possible.

As you may know, not all of the Commission's regulatory authority can be transferred to the States, for the law presently requires that the Commission retain authority and responsibility for the regulation of, among other things, the construction and operation of such facilities as nuclear reactors, the export and import of atomic energy materials, the reprocessing of nuclear fuels, and the ocean disposal of atomic wastes.

In addition, the Commission under its statutory authority has, by rule, retained control over the transfer of consumer products containing atomic energy materials. These are all areas for which, because of their special nature or for reasons of Federal responsibility, the Congress felt the Commission should continue to have responsibility.

However, the 1959 enactment is not to be interpreted as the final step in the Commission's program to relinquish regulatory authority to the States, for the language of the law expressly recognizes that "as the States improve their capabilities to regulate effectively such materials, additional legislation may be desirable."

The agreement AEC signed last summer to transfer regulatory authority to North Carolina is the logical extension of a number of significant steps your State has taken to protect the public health and safety. Thus, for one thing, the State has assumed responsibility for over 180 licenses—no small responsibility—but one for which we know that the State is well prepared.

We have made considerable progress in our program of transferring part of the AEC's regulatory responsibilities to the States. There are now nine agreement States, including North Carolina, and negotiations are under way with the AEC in nine other States. Fourteen States have legislation enabling them to enter into agreements, but have not yet started negotiations. Some four other States are expected to pass enabling legislation this year.

PROBLEMS OF "STANDARD SETTING"

In concluding this section of my talk, I would like to provide a few comments on the problems of standards setting as I see them.

First, it would seem that the basic principle applicable to radiation standard setting is the "risk-benefit" principle—of equating biological risk against the economic and social benefits derived.

Second, it would appear that the industrial occupational standards have been set quite conservatively, even if one adopts the linear hypothesis.

Third, when one moves from the relatively manageable industrial standards to population standards, matters get much more complicated. So complicated do they become, they can hardly be said to be scientific at all, since even the risk side is not based on directly verifiable scientific experiments, but rather on extrapolations using the linear hypothesis.

Yet these population standards, until very recently, have been set by scientists and technical experts, without much advice or participation by social scientists, statisticians, economists or lawyers. In setting these standards, they exercised some commonsense judgments with particular reference to genetic effects, and came up with substantially more stringent levels than for industrial workers. But in typical scientific fashion they lumped their judgment into the 2d, 3d or 10th powers or multiples thereof. Why couldn't they have chosen 5.6 or 4.3 or something uneven, if they must play the numbers game?

And, I would point out, these population standards have been established without any public hearings or any other procedures followed in administrative law. (I must add, however, that the Joint Committee has served as a good public watchdog.)

I am glad to say, also, that in the past 2 years, under the leadership of Dr. Paul Tompkins who is the staff director of the Federal Radiation Council, the FRC is beginning to take the social science side of the equation into account in relation to radiation standards. He ought to, since he was a consultant to the Joint Committee, when these criticisms were first propounded. Who knows, maybe the FRC will take in some economists and statisticians and even lawyers.

A related problem which concerns me is the uneasy feeling that we need to know more about the field of radiation protection in relation to other hazards of a public health nature and otherwise. Perhaps it's just because radiation is still relatively a mystery in comparison to motor cars, or smoking, or alcohol, or atmospheric and stream pollution, and people tend to believe it should be controlled more. Perhaps we should control the other pollutants to a greater extent.

At any rate, it would seem reasonable to me that we should study the comparative or relative risk of damage from the various environmental hazards in order to place the various standards in proper perspective. For example, chemicals have both somatic and genetic effects, but are controlled primarily to avoid acute or subacute effects. And each year many people die from accidental poisonings, let alone the relatively unknown effects from smaller dosages.

Not only do we need more research on the relative hazards in our environment, we need a greater public understanding of them. In my opinion, for example, there have been unnecessary fears aroused as to atomic energy because of its newness and its relationship to atomic weapons and concern for nuclear war. On the other hand, our familiarity with other pollutants has almost blinded us, until relatively recently, as to the real hazards involved. I am glad to say there has been shown recently a greater public understanding of all hazards nuclear and otherwise. I feel sure that your public health school and the new environmental health center will make a great contribution in this area.

Finally, I believe that our social engineering needs some improvement. We need to accelerate the consistent application of generally recognized radiation standards throughout the States. This is the so-called compatibility problem. To achieve compatibility of radiation standards, we will probably need greater forms of Federal-State cooperation through grants-in-aid based on Federal standards. In other words, we shall have to provide some carrots, as well as the stick. Going along with this should be a consistent coverage of radiation diseases in State workmen's compensation laws.

RADIOACTIVE WASTE MANAGEMENT

In the remaining minutes allotted to me, I would like to discuss the AEC radioactive waste disposal program, as an example of radiation protection in practice. I first got interested in this subject in connection with the Joint Committee hearings in 1959. During the past year or so I had occasion to inquire as to our progress over the past 5 or 6 years. Some of the opponents of atomic power seem to think that high level wastes are disposed up the stack or in the river adjacent to the plant.

The management or disposal of radioactive waste from the nuclear energy industry has long been a recognized and important aspect of all atomic energy activities. As in most other industries, waste treatment and disposal is not a single problem with a single solution.

Because of the very nature and characteristics of radioactive material—its nondetectability by human senses, ability to cause damge to human tissues, and potential dangers as an environmental pollutant—it was readily apparent from the beginning that the safe management of waste from this industry was paramount and perhaps more essential than from any previous industrial operation developed to date. Therefore, in the past 20 years, the Atomic Energy Commission has always followed a preventive approach rather than a curative program as a guide to its effluent control operations.

Also, research and development to improve existing waste handling and control methods and to meet new challenges as they appear has been an integral and continuing part of the Commission's activities. The importance of this task is attested to by the effort expended in the overall atomic energy program on this subject. More funds have been spent, and more scientific and technological efforts concentrated on facilities, operations, and research and development, with regard to this industrial waste than on any other industrial contaminant known. We have spent around $90 million on research and development, and have an annual outlay of $9 million.

The major objective of waste management in atomic energy operations is control over the radiation hazard that might be produced by these wastes, either in storage or in nature. This requires control not only during operations and discharge, but also over movement and distribution of the waste products in the movement.

JOINT COMMITTEE HEARINGS

The subject of industrial radioactive waste disposal was thoroughly and extensively discussed in hearings conducted by the Joint Congressional Committee on Atomic Energy in 1959, and the 3,000-page written record of the hearings represents perhaps the most comprehensive collection of technical information on this subject that has been compiled.

Among the salient conclusions reached as a result of these exhaustive JCAE hearings were: (1) radioactive waste management practices have not resulted in any harmful effects on the public, its environment, or its resources; and (2) the general problem of radioactive waste need not retard the future development of the nuclear energy industry with full protection of the public health and safety. We believe these cconclusions are still valid.

Since 1959, great strides have been made in reducing the volume of radioactive waste issuing from industrial nuclear activities, in the development of improved processes for treatment and disposal of these wastes, and in our understanding of the interactions of radionuclides with man's environment. I would like to briefly discuss with you today some of the major progess that has taken place in these areas.

NATURE OF RADIOACTIVE WASTE MANAGEMENT PROBLEM

But before entering into such a discussion, it may be useful to define, in general terms, the nature of the effluents which constitute the problem. Radioactive wastes continue to be considered by most people as a single entity. The word "radioactive" has been so strongly stressed that it has become an all-inclusive term, to the point where wastes from nuclear reactors, from laboratory research, from medical use, and from chemical reprocessing of irradiated fuel elements, are all considered as one and the same thing.

Important characteristics such as the quantity and concentration of radioactive material involved, and its detailed chemical and physical nature, are not considered, and most often completely ignored. However, these are paramount to a meaningful understanding and essential to any discussion of radioactive waste operations.

It is important to understand at the outset that radioactive wastes which are generated in routine nuclear reactor operations, in laboratory and medical research, and in other industrial applications of isotopes—all are generally considered as low-level, or low-hazard potential wastes. In terms of radioactivity concentration these wastes are normally in the thousandths or millionths of a curie per gallon range. Billions of gallons of low-level wastes are produced each year. Certain of these wastes in which the concentration of radioactivity is only a few times greater than drinking water standards may be disposed of in streams, where dilution will drop the concentration far below the maximum permitted, or, under suitable conditions, may be discharged into soils where the hazardous radionuclides are retained. Other low-level wastes are treated by processes which have been proven over several years of operation, processes which reduce the level of radioactivity in the wastes to a point where they may be safely discharged to the environment.

At the other end of the spectrum, high activity wastes, which are generated at present AEC plutonium production sites, and which will be produced in the future at commercial power reactor fuel reprocessing plants, have concentrations of radioactivity in the order of thousands of curies per gallon. I would like to emphasize at this point that high activity wastes are not produced at the reactor site. The spent reactor fuel as it is removed from the reactor is still protected with a metal cladding. After a short period of cooling to allow short-lived radioactivity to decay, the fuel is shipped intact in a shielded cask to the reprocessing plant. It is only during the chemical processing operation to recover unused uranium that high concentrations of fission product waste activity are produced. These wastes have radioactivity levels tens or hundreds of millions of times higher than those contained in low activity wastes.

However, it is important to note that the total numbers of gallons which evolve from low- and high-level waste operations are vastly different. As opposed to the billions of gallons of low-level wastes which are produced annually, the volume of high-level wastes which have been generated since the beginning of the atomic energy program, including both the civilian and military, has amounted to only about 65 million gallons, all of which is presently stored in underground tanks and intensively monitored.

In waste handling operations, two basic management concepts are in use:

Concentrate and contain: The radioactive materials may be confined or isolated within permanently maintained reservations, away from the biosphere and useful resources. Highly active liquid waste originating from the chemical processing of irradiated fuels from reactors must be reduced to a suitable concentrated form and contained indefinitely in this way.

Dilute and disperse: In this other basic concept of waste management, the radioactivity may be reduced to tolerable levels by dilution in nature—in air or water and usually after some form of treatment. However, the fact that some wastes can be dispersed directly to the environment makes it essential to control these operations carefully so as to assure that the safe capacity of the environment is not exceeded. (A third concept of delay and decay is also practicable in certain situations.)

For the high activity waste from power reactor fuel reprocessing, tank storage, while possibly not an ultimate solution in itself, probably will be an operating part of any final disposal system. However, the inherent restrictions of tank storage, such as potential leakage and the necessity of liquid waste transfer for periods of hundreds of years, have resulted in an extensive research and development program directed at engineering a practical system for conversion of high activity liquid waste to a solid form. Final storage or disposal of these high activity solids would be accomplished in a suitable dry geologic formation, such as salt. In this manner, the potentially harmful material is removed from the biosphere.

ESTIMATES OF RADIOACTIVE WASTES FROM CIVILIAN POWER PROGRAM

With the rapidly increasing role of nuclear power in our Nation's economy, what will be the magnitude of the high activity waste management problem in the years to come? During the 1959 JCAE hearings, it was estimated that, using the then current processing technology, the volume of high- and intermediate-level waste accumulated by 1980 in connection with the civilian nuclear power program would reach 36 million gallons.

The intervening years have brought improvements in fuels technology and in fuel reprocessing methods which have served to markedly reduce the volume of wastes generated per unit of nuclear power produced. Thus, while estimates of installed nuclear power in 1980 have risen by almost a factor of three from 25,000 MWe at the time of the hearings to the present 70,000 MWe forecast, predicted accumulated waste volume in storage by 1980 has dropped by a factor of 24 to 1.5 million gallons, based on 200 gallons of high activity waste generated per ton of uranium processed. Even by the year 2000, when it is predicted that nuclear energy will furnish one-half of the Nation's electric energy requirements, the accumulated volume of high activity wastes would amount to only 22 million gallons, if we assume that confinement of the wastes will be accomplished solely by long-term tank storage of liquids. Should a conversion-to-solids waste management program be adopted by, say, 1970, future liquid waste inventories would be reduced by another factor of 2 or more.

WASTE MANAGEMENT R. & D. PROGRAM

I wish I had time to describe our R. &. D. program on high-level and low-level wastes. Just let me tick off the major items:

1. The largest effort is at our waste calcination facility at our Idaho testing station to obtain solid wastes by the calcination process.

2. We also have a waste solidification engineering prototype plant under construction at our Hanford Works.

3. At Oak Ridge we have a research and development program for disposal of intermediate-level radioactive wastes by hydraulic fracturing of shale down in the earth, similar to the techniques used in the oil industry.

4. For permanent storage of solid radioactive wastes, we have conducted extensive laboratory and nonradioactive field studies on storage in salt domes which have shown good promise. A field experiment using high activity sources designed to demonstrate this concept is scheduled to begin later this year in Kansas.

5. For the safe disposal of low-level waste to nature after processing, a wide variety of studies has been conducted to provide specific information on the fate and behavior of small amounts of radioactivity in stream, ocean, atmospheric, and earth environments.

Another important point to be noted here is the possible utilization of the radioactive fission products contained in these high-activity fuel reprocessing wastes. Because of the energy due to radioactive decay, these isotopes have potential value for a wide variety of purposes; for example in our SNAP devices in space. However, from the standpoint of your interest as public health practitioners, such utilization does not automatically take care of the waste problem. This is because from a potential radiation exposure standpoint, extremely high decontamination factors (d.f.) are required for this kind of waste—as high as 10^6 to 10^8. From an economical fission product recovery standpoint, recovery efficiencies of 80 to 90 percent (d.f. 4–10) are generally the case. The point is that fission product recovery cannot be equated to fission product removal—the waste problem essentially remains.

In summary, the research and development program, which was mounted early and pursued vigorously, has provided a sound basis for management of potentially harmful wastes from the nuclear industry. It has reached the pilot plant and field demonstration phase for several major projects related to high-activity fuel reprocessing wastes, and it is expected that results of these programs will be available when industrial reprocessing and widespread civilian nuclear power become a reality in the near future. Through the R. & D. program, significant contributions have been made to pollution control problems generally, in areas such as air cleaning, atmospheric science, and hydrology.

Present engineering cost studies indicate that waste disposal operations should account for less than 1 percent of the cost of nuclear power in a 4 mill/kilowatt-hour economy. Therefore, it is firmly believed that waste management operations will not constitute a major obstacle in development of nuclear power—from either a safety or economic standpoint.

CONCLUSION

In conclusion let me say that I am a strong optimist as to the future of nuclear development. My colleagues and I were very pleased last week to receive a letter from President Johnson which confirms our views as to the future. Thus the President stated in part:

> I look for the continuation of the important progress that is being made in the peaceful uses of nuclear energy. For example, in the field of civilian nuclear power, I look forward to the development of the advanced converter and breeder reactors, which will be required for the more efficient and economical use of our Nation's nuclear fuel resources. Nuclear energy will fill an important role in partnership with fossil fuels in meeting the growing energy requirements of our Nation. As you know, I also anticipate that nuclear power will play a significant role in the desalting of sea water.

But while we can go forward with confidence, we still must remember Carl Durham's admonition, made back in 1958:

> "But along with these benefits has come the problem of learning to live with this new source of energy and learning to respect its dangers as well as its advantages. This is particularly important as our atomic energy program emerges more and more from the strict controls of Government laboratories and diffuses itself into many hundreds of private industries and institutions throughout the country."

I believe the purport of my remarks today is that we are indeed learning how to live safely with the atom. We do seem to be making considerable progress in radiation protection and in our concepts as to standards. We still have some problems. We have something to learn from the programs for protection against other hazards, and perhaps vice versa.

And with the help of all interested parties, including people such as you, I am personally confident that our problems can be resolved and the full benefits of radiation captured without resulting harmful effects on the public or its environment.

Thank you.

RENT SUPPLEMENT PROVISION, SECTION 101

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. HUOT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HUOT. Mr. Speaker, I rise in support of H.R. 7984 and particularly in support of the much maligned and misunderstood rent supplement provision, section 101. It is regrettable that this imaginative and constructive new program which will provide decent housing to those presently unable to afford it has been the object of so much misdirected criticism.

Many of the criticisms leveled against this provision are so obviously false as to deceive no one. Again we are warned of socialism, Federal encroachment, and other such shibboleths. We are all grateful to the distinguished chairman of the Banking and Currency Committee for fully and effectively refuting the arguments propounded by those who oppose this section.

The situation we are dealing with is simple. Under existing public housing programs there are many families of low to middle incomes who are ineligible for public housing. These same families, however, are forced to seek housing in a market where adequate private housing is beyond their means. Thus they are often forced to live in slums. Anyone who has ever walked through the ghettoes of some of our cities can imagine the oppressive neighborhoods in which these families are forced to live. There is no doubt in my mind that adequate housing ranks with education and job opportunity as a major factor toward the alleviation of poverty in our country. There can be no doubt that the outlook of those living in dark overcrowded, squalid conditions is far from bright.

But, we are told by the opposition that the program could be used to subsidize families who are making substantial incomes far above the national median income level. I again thank the distinguished gentleman from Texas for exploding this myth. As pointed out in the committee print:

> There are very few areas where a 2-bedroom unit suitable for a 3- or 4-person family cannot be obtained for $100 or less per month, requiring a $4,800 income limit.

It should also be repeated that the eligible family would be required to pay one-quarter of his monthly income toward the rent.

There can be no doubt that in recent years the public housing program has become bogged down. Almost 10 percent of the American people are still living in substandard housing. The rent subsidy program could well provide the necessary stimulus to rejuvenate the program. I urge its passage.

PANAMA CANAL ZONE: GOVERNOR URGES FURTHER CONCESSIONS TO PANAMA

The SPEAKER pro tempore. Under previous order of the House the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, it was with the greatest interest that I read in the June 15, 1965, issue of the Philadelphia, Pa., Evening Bulletin, a forthright news story by Don Bohning dispatched from Balboa, C.Z., reporting on an interview with Gov. Robert J. Fleming of the Canal Zone. Superficial and vague, the Governor's quoted statements do not clarify but serve to compound the confusion concerning the indispensable rights, power, and authority of the United States by urging further concessions to Panama. This Governor, it may be added, only a few days after his assumption of office and before he could know anything about his job, naively offered to placate Panamanians by changing the names of Fourth of July Avenue in the Canal Zone and probably would have done so had it not been criticizd in protests from the Congress.

In his interview, the Governor stressed the inevitability of change in relationship between the United States and Panama but the only changes he seems to desire are additional surrenders to radical Panamanian demands. Instead of such yielding, he ought to advocate protective measures such as the extension of the Canal Zone to include the entire watershed of the Chagres River Valley, as was once formally recommended by Gen. Clarence R. Edwards when in command of the U.S. Army on the isthmus, and reaffirmation of our treaty-based sovereignty.

Certainly, adjustments do not always have to be in one direction and for every demand there should be a counterdemand.

After all, Mr. Speaker, a Governor of the Canal Zone is only an occupant of an office, seldom qualified by experience to discharge his duties and forced to rely upon civilian employees who bear the real burden of running the Canal Zone and thus become the reservoirs of knowledge. If the committees of the Congress in seeking information would go to them as well as to officials temporarily in the saddle of high office, they would find a far more realistic process of thinking.

In all of the arguments made for further concessions to Panama as regards the canal enterprise, there seems to be no consideration whatever as to how the United States can maintain, operate, and defend the canal if deprived of the authority to perform these obligations as required by treaty. It seems to me that the United States should also have some nationalistic spirit in this situation because of its undoubted responsibilities. If the extreme sentiment of nationalism held by Panama is allowed to prevail, our Government will become powerless to discharge its duties with respect to the canal and will be finally driven from the isthmus with the result that the unrealistic and extreme nationalistic sentiment of Panama will be extinguished by the stern outcome that will be inevitable; namely, the dominance of revolutionary communism in Panama and the complete subjection of the Panamanian people and the canal itself to Red control.

Our Government has never sought to oppress Panama and our presence on the isthmus by reason of the canal undoubtedly operated to preserve Panama as a nation and has greatly benefited its people economically and otherwise. Any further concessions by the United States to Panama should certainly be limited to those of an economic character independently of the canal enterprise, and not in the form of destroying the indispensable authority required for the proper performance of our Panama Canal obligations. Responsibility without authority has never been a success and can never be successful so far as the Panama Canal is concerned.

In order that the Congress and the Nation at large may know about the latest public statements of the present Governor of the Canal Zone, I quote the indicated interview:

Governor Fleming Urges Concessions—Winds for Change Blowing Harder in Canal Zone

(By Don Bohning)

Balboa, Panama Canal Zone.—The United States has got to face up to the inevitability of change in its relationships with Panama, declares Canal Zone Gov. Robert J. Fleming, Jr.

"Definite changes are indicated and the more gracefully we make these changes the better off it is going to be for us," the outspoken two-star general said in an interview.

At the same time, he emphasized that "in any changes here which affect the American employees of the Canal Zone the United States has an obligation to those people" in making whatever readjustments might be called for.

Not all Zonians have taken kindly to the Governor's position that revisions and, in effect, concessions are necessary and/or inevitable.

GOT TO GIVE

The Governor says he believes, however, that "there is a general realization that something has got to give."

The realization was evidenced by President Johnson with his December 18, 1964, announcement declaring that both the present canal and the arrangement for its operation are obsolete.

"Our success now depends upon the sophistication and ease with which we can bring about certain things which can be changed," Fleming said.

"The value of making changes could be negated by any awkwardness in carrying them out," he added. "Our great problem has been that we are in a worldwide situation where, whether we like it or not, factors and conditions are changing but we lack the flexibility in meeting these changes."

It was demonstrated in part, he said, by the rapidity with which the January 1964, situation developed and the inflexibility in meeting the demands for change.

"When the winds of change confront the rigidities there are bound to be conflicts."

Concerning the U.S. position with respect to the canal, he cites a quotation which speaks in part of "the embodiment in the legacy of a heroic past."

"That pretty well describes the Panama Canal. As a business operation it has been superb.

"But let's face it. The people with whom we have to live have this horrible suspicion based on certain things done in the past—which reevaluated from the viewpoint of 1965—just don't look so good."

CRITICAL AREAS

These suspicions have manifested themselves in the issues of sovereignty, economic materialism, and economic geography of the canal.

"Whether we agree with the Panama point of view or not, we ought to recognize what exists in their minds."

It is also essential, declares Fleming, that "an effort be made to inform the American people of the issues involved here.

"I think it has been possible in the past to obscure those issues by lack of information and a fog of misinformation."

The pressures of sovereignty, particularly, have been building up since 1955 "when the forces of nationalism began to go rampant," says the Governor.

These pressures, he adds, had been resisted on the U.S. side by a rigid determination that under the treaty we had sovereignty to the exculsion of everyone else. Evidences indicating otherwise were just not allowed.

"We tended to downgrade some of these nationalistic ideas. Now it's gotten to the point where national pride is a deadly serious thing.

ONE-SIDED TREATY?

It is manifested in some of the Panamanian "aspirations," including use of Panama postage stamps and postal service in the Canal Zone, and display of the Panamanian flag thoughout the zone and on ships transiting through the canal.

The situation also has gotten to the point where sovereignty, and the economic issues have become a major propaganda pressure against any efforts to deal reasonably with the United States.

The Governor doesn't detail the changes he believes necessary—presumably leaving that to the negotiators—but he makes it clear they go far beyond the canal issue.

"The most important thing now," declares the Governor, "is to get the cooperation of a responsible Panamanian Government.

"The January riots will not recur as long as we have a government in Panama with a spirit of cooperation and responsibility. As of right now, I am confident Robles (President Marco) and his government are in control of the situation. They are not only capable but anxious of preventing anything like January 1954."

But to enable a government to cooperate when it is subjected to propaganda pressures, he added, "it is essential to overcome the suspicions which Panamanians have about the canal issue."

MUST RAISE SIGHTS

"We have to do something dramatic about Panama. The situation cannot be met only by revising the 1903 treaty. We've got to provide a shield against propaganda and to do so we've got to raise our sights on what we want to do about Panama."

This, he believes, includes even more assistance in development, reducing chronic unemployment in the terminal cities of Panama and Colon—perhaps through programs like the old Civilian Conservation Corps in the United States—and trade concessions.

"It would seem to me that by raising our sights here we could do something similar to what has been done in Puerto Rico since World War II," Fleming said.

"If there's any place in the world which should be a demonstrable asset in its cooperation with the United States that place is Panama," concludes the 58-year-old zone executive whose 4-year appointment expires in February.

NEW YORK CITY IN CRISIS—PART CVIII

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MULTER. Mr. Speaker, the following articles concern the cost of medical care and integration in the New York City school system.

The articles are part of the "New York City in Crisis" series and appeared in the New York Herald Tribune of May 5, 1965:

New York City in Crisis—Better Care: Doctors Move To Get It

New York's doctors asked hospitals yesterday to set doctors to catch doctors in poor medical practice. If the New York County Medical Society has its way, every physician in Manhattan's hospitals will have a committee peeking over his shoulder, gaging his every medical move.

The program, a pioneering one for organized medicine, aims primarily at cutting dow the steeply rising costs of hospital care and with that, the spiraling price of Blue Cross insurance. The other four county medical societies hace not yet moved in this area.

That watchdog program seeks to reduce unnecessary days in the hospital as well as inadequate performance by physicians. The society implied that unless the doctors cleaned their own house, other "segments of society" would do so.

In recent weeks, a study of families of teamsters receiving care in the city's hospitals turned up the finding that 43 percent of the patients received substandard care, and one out of six was hospitalized unnecessarily.

The society in its recommendations avoided citing any studies of this nature. "We have tried to be practical and constructive while avoiding recrimination," the report said. "There are more than enough faults by all concerned to provide an ample inventory of errors of omission and commission."

Technically, such watchdog groups bear the name "utilization committees," because they monitor the ways in which hospital facilities are utilized. But the county society goes beyond mere use. It recognizes that the doctor is the one who decides on hospital admissions, diagnostic tests, drugs, treatments, nursing procedures and length of hospitalization.

So the hospital utilization committees would monitor:

Instances of inadequate care, too early discharge, under-use of needed services.

Medically unnecessary hospital admissions or prolongation of stay.

Instances of bed occupancy caused by social rather than medical considerations, e.g., nobody at home to take care of patient.

Feasibility of out-patient service in lieu of hospital stay.

Timing of admissions to take advantage of hospital facilities and increasing weekend operation.

The society has no real power to insist that hospitals set up such committees. As Dr. John Cotton, the society's president, said, "We cannot put teeth into these suggestions, because we're toothless. We cannot punish a doctor or a hospital who doesn't comply."

To put teeth into the recommendation, the society wants the Joint Commission on Hospital Accreditation to include utilization committees as a mandatory requirement for every accredited hospital. Furthermore, the society wants the nonprofit insurance companies like Blue Cross to take action in cases cited by the utilization committees; i.e., to refuse to pay for inappropriate care. Furthermore, the society urged that the insurance plans, mainly Blue Cross, should provide comparisons among the various hospitals on hospital usage.

The society also made other recommendations to the hospitals which paralleled those made by the Governor's Committee on Hospital Costs. However, it spelled out the utilization committee problem in detail.

NEW YORK CITY IN CRISIS—SCHOOL INTEGRATION IS CRISIS, ALLEN WARNS

(By Terry Ferrer)

Great metropolitan centers like New York City have reached a point of crisis over school integration, State Commissioner of Education James E. Allen, Jr., declared here last night.

"I am overwhelmed by the magnitude" of city school problems, he said, and "alarmed by the present lack of effective means of solving them."

Dr. Allen offered these prescriptions for immediate big-city remedies:

Boards of education must make arrangements "to insure that the greatest teaching competence is channeled into schools where there are large portions" of educationally and culturally deprived children. Dr. Allen refused to be drawn into the controversy between New York City's school board and the United Federation of Teachers over the involuntary assignment of experienced teachers to slum schools, which the UFT opposes. However, he said in an interview, "It is the responsibility of any board of education to place the best teachers where they are most needed."

The State education department will establish immediately an office on urban education, whose chief—and unpaid—consultant will be Max Rubin, former president of the city school board.

Big-city school systems must be decentralized. Part of the answer to their problems may lie "in the formation of some type of metropolitan school district that will afford the opportunity for cooperative action with suburban communities, thus giving greater flexibility and scope for dealing with urban education problems."

Dr. Allen spoke at the inaugural dinner of the Center for New York City Affairs of the New School for Social Research. At the dinner, held at the Plaza, Dr. Allen, Bernard Botein, presiding justice of the appellate division, first department, and Joseph Papp, producer and director of the New York Shakespeare Festival, each received the first New School medallions for distinguished service to the city.

Dr. Allen received his medallion from the New School's president, Dr. John R. Everett, for leadership a year ago in preparing the so-called Allen report on desegregating New York City schools. The plan is the backbone of the city board's new integration policy, announced April 22.

In discussing the new office on urban education, to be financed by the State, Mr. Rubin said in an interview that he would start at once to study the schools of the State's six big cities—Albany, Buffalo, New York, Rochester, Syracuse, and Yonkers—"and of the metropolitan areas around them." He was this city's board president from 1961 to 1963, when he retired because of ill health.

Dr. Allen also said that the State education department will establish several regional centers for educational planning and development in these cities and would sponsor conferences in them this fall on urban school problems.

Funds for this part of his program will come from the $1.288 million the State will receive to strengthen its education department under the new $1.3 billion Federal school act.

The State Comissioner declared that "one of the greatest barriers to the achievement of equality of educational opportunity is the existence of racially segregated schools. The elimination of such schools in our urban centers, or wherever else they exist, is the imperative of our day."

Dr. Allen also chided the power of the city—the persons of influence and standing who wield a great power in the ordering and managing of city affairs—for their apathy over solving urban school problems and lack of support of public education. "How to get the support of the power," he continued, "is a formidable question."

NEW YORK CITY IN CRISIS—PART CIX

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MULTER. Mr. Speaker, one of New York City's greatest problems is the soaring cost of administering the city's programs with a diminishing supply of money. The following article gives the details to some of these problems and is part of the series on "New York City in Crisis."

The article appeared in the New York Herald Tribune of May 6, 1965, and follows:

NEW YORK CITY IN CRISIS—CITY FINANCES: A DARK LOOK

(By Barrett McGurn)

New York City's budget is climbing at the alarming rate of $270 million a year and may force a rethinking of the whole question of State and Federal aid and also of the present independent status of Robert Moses' Triborough Bridge and Tunnel Authority.

This was the statement made yesterday by Controller Abraham D. Beame in an unusually sweeping and dark report on the city's financial crisis.

CHALLENGE

Mr. Beame did not suggest that the flourishing Moses agency should come under government direction, but he did challenge the Triborough Authority's virtual tax exemption, and he did suggest that Mr. Moses' organization begin financing at least part of the annual $30 million subway deficit.

The controller denied tartly that New York City faces a job crisis because of the drain of blue-collar employment. He did concede in the next breath, however, that the boom in white-collar work inside skyscraper offices and in the service industries is not providing for the flood of needy, scantily educated immigrants from Puerto Rico and, in the case of Negroes, from the South.

The Puerto Rican and Negro problem is so severe, the controller said, that Federal aid is needed to help them in the areas not only of police and fire protection, welfare, housing, health services, and education but even to cover their share of the subsidized 15-cent subway fare.

Mr. Beame spoke at Finley Hall, City College, as the second biennial Abraham Rosenblatt lecturer in economics.

He painted a dark portrait of city finances with one hand and lashed out against some of those he considered blameworthy with the other. Among the latter were:

Governor Rockefeller for seeming to reflect an interest in a possibly broadened fiscal home rule policy for New York City and other areas when he was chairman of a constitutional revision commission in 1956, and then for killing the commission and dropping the subject as Governor.

The State in general for returning to New York City only 49 cents out of every dollar collected in taxes inside the five boroughs (compared with 74 cents handed back to outside New York City areas).

The Federal Government for giving merely token and moral financial aid to New York City, and for making a good start but only a beginning on assistance to education. (Federal aid covers about 5 percent of city costs, yielding $220 millions in one recent year taken as an example.)

The city's top financial officer phrased the question of the city's critical finances in stark terms. He inquired:

"Are we nearing the end of the tax road?

"With the city budget, in the last 3 years, rising at the rate of $270 million a year, what are the prospects for finding revenues to balance these increasing expenditures?

"What additional burdens can we place upon our taxpayers?"

On the subject of the Triborough Bridge and Tunnel Authority, the sharp-spoken controller, who has already been pursuing Robert Moses on the subject of World's Fair finances and closed books, zeroed in once again on a notoriously fiery and quick-tongued opponent.

The Triborough Bridge and Tunnel Authority, Mr. Beame said, should assume some of the costs of our mass transit.

Mr. Moses' agency, he added, has been building fine bridges, tunnels, and highways but has been scooping up profitable commuter business while leaving the New York City government to cope with steady losses on the subways.

The Moses bridges, tunnels, and roads not only have been acting as a competitor to New York's costly subways but even have been adding to municipal costs by increasing the problems of parking and street crowding, Mr. Beame said.

Meanwhile, the Triborough Bridge and Tunnel Authority properties, assessed at almost $600 million, are paying only $48,600 a year to New York City in lieu of taxes instead of a normal figure of more than $26 million annually, the controller said.

For all those reasons Mr. Beame asked the Moses agency to chip in more toward New York's mounting costs.

On the side of the Federal Government the controller insisted that far more Washington aid was justified. He said the Federal Government recognized its duty to help when millions of Europeans immigrated through Ellis Island from 50 to 100 years ago providing them with western lands and transcontinental railroad construction jobs. Something similar, he argued, should be done now through subsidies to New York City in behalf of Puerto Ricans and Negroes.

Mr. Beame hooted at the idea put forward indirectly by Governor Rockefeller and Mayor Wagner that the Federal Government should underwrite commuter rail transportation to New York, perhaps leaving it at that. He insisted that any Federal aid go also to the Nation's largest commuter line—our subways. He said counting capital investments and some operating costs the subways are now costing New York City's taxpayers $150 million a year—a gift of 10 cents to every commuter passenger including those (from) the New Haven.

DETRACTORS

Mr. Beame rapped detractors and critics who "tell you that jobs are vanishing, businesses are fleeing the city * * * and stark crisis looms over our economy". He said that such a view was a melodramatic shocker that just isn't true.

Automation and the departure of some firms did cost New York 221,000 factory jobs between 1958 and 1963, and jobs have been lost in manufacturing, transportation, and communications but gains in other areas such as services, construction, and finance covered the loss and provided a net gain of 86,000 employment chances, he said.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Bonner (at the request of Mr. Steed), for the remainder of the week, on account of illness.

Mr. Keogh (at the request of Mr. Carey), for an indefinite period, on account of personal reasons.

Mr. Dent (at the request of Mr. Morgan), for Monday, June 28, 1965, on account of illness.

Mr. Cahill (at the request of Mr. Gerald R. Ford), for Monday, June 28, 1965, on account of official business.

Mr. Curtin (at the request of Mr. Gerald R. Ford), for Monday, June 28, 1965, on account of official business.

Mr. Roosevelt (at the request of Mr. King of California), for Monday, June 28, and Tuesday, June 29, on account of the death of a staff member.

Mr. Nix (at the request of Mr. Morgan), for June 28, 1965, on account of official business.

Mr. Saylor (at the request of Mr. Gerald R. Ford), for Monday, June 28, 1965, on account of official business.

Mr. Byrne of Pennsylvania (at the request of Mr. Morgan), for Monday, June 28, 1965, on account of official business.

Mrs. Hansen of Washington (at the request of Mr. Morgan), for Monday, June 28, 1965, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Cohelan, for 1 hour, today; to revise and extend his remarks and to include extraneous matter.

Mr. Howard, for today, for 30 minutes; to revise and extend his remarks and to include extraneous matter.

Mr. Foley, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Sikes, for Wednesday, June 30, for 30 minutes; and to revise and extend his remarks and include extraneous matter.

Mr. Gallagher (at the request of Mr. Krebs), for 30 minutes, today.

Mr. Flood (at the request of Mr. Krebs), for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Mahon and to include certain tabulations and materials regarding the status of all appropriations.

Mr. Horton to revise and extend his remarks and to include tabular matter during consideration of H.R. 8126.

(The following Members (at the request of Mr. Burton of Utah) and to include extraneous matter:)

Mr. McClory.

Mr. Frelinghuysen.

(The following Members (at the request of Mr. Krebs) and to include extraneous matter:)

Mr. Schisler.

Mr. Fogarty in two instances.

Mr. Hébert.

Mr. Irwin.

Mr. O'Hara of Michigan.

Mr. Vanik.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and under the rule, referred as follows:

S. 511. An act to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory; to the Committee on Foreign Affairs.

S. 518. An act for the relief of Joanna K. Georgoulia; to the Committee on the Judiciary.

S. 827. An act for the relief of Kam Yuet Moy; to the Committee on the Judiciary.

S. 828. An act for the relief of Cha Mi Hi; to the Committee on the Judiciary.

S. 834. An act for the relief of Julianna Rado, to the Committee on the Judiciary.

S. 858. An act for the relief of Chang Ah Lung; to the Committee on the Judiciary.

S. 859. An act for the relief of Mr. and Mrs. Toros Torosian; to the Committee on the Judiciary.

S. 862. An act for the relief of Moo Zee-Ching; to the Committee on the Judiciary.

S. 864. An act for the relief of Roza Feuer; to the Committee on the Judiciary.

S. 867. An act for the relief of Young Wai; to the Committee on the Judiciary.

S. 868. An act for the relief of Mother Azucena de San José (nee Carmen Henrandez Aguilar); to the Committee on the Judiciary.

S. 925. An act for the relief of Mrs. William S. Hwang; to the Committee on the Judiciary.

S. 943. An act for the relief of Frantisek Vohryzka; to the Committee on the Judiciary.

S. 954. An act for the relief of Ailsa Alexandra MacIntyre; to the Committee on the Judiciary.

S. 1001. An act for the relief of Louis Sirota; to the Committee on the Judiciary.

S. 1012. An act for the relief of Dr. Otto F. Kernberg; to the Committee on the Judiciary.

S. 1076. An act for the relief of Kurush Sahbaz; to the Committee on the Judiciary.

S. 1760. An act to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program; to the Committee on Ways and Means.

S. 1903. An act to amend the United Nations Participation Act, as amended (63 Stat. 734–736); to the Committee on Foreign Affairs.

S.J. Res. 56. Joint resolution authorizing the President to proclaim the occasion of the bicentennial celebration of the birth of James Smithson; to the Committee on the Judiciary.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 7060. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1966, and for other purposes; and

H.J. Res. 553. Joint resolution making continuing appropriations for the fiscal year 1966, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1229. An act to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 25, 1965, present to the President, for his approval, a bill of the House of the following title:

H.R. 5988. An act to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes.

ADJOURNMENT

Mr. KREBS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 41 minutes p.m.) the House adjourned until tomorrow, Tuesday, June 29, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1268. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting the 19th semiannual report of the Foreign Claims Settlement Commission of the United States, pursuant to section 9 of the War Claims Act of 1948, as amended, and section 3(c) of the International Claims Settlement Act of 1949, as amended; to the Committee on Foreign Affairs.

1269. A letter from the Comptroller General of the United States, transmitting a report of patent royalty costs improperly charged for use of auxiliary fuel tank invention developed under Government contracts with Lockheed Aircraft Corp., Burbank Calif., Department of Defense; to the Committee on Government Operations.

1270. A letter from the Comptroller General of the United States, transmitting a report of unnecessary costs incurred in accelerating construction of Polaris submarines, Department of the Navy; to the Committee on Government Operations.

1271. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation, a bill to provide for the recordation of mining claims; to the Committee on Interior and Insular Affairs.

1272. A letter from the Chairman, Federal Communications Commission, transmitting copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of April 30, 1965, pursuant to section 5(e) of the Communications Act, as amended by Public Law 554; to the Committee on Interstate and Foreign Commerce.

1273. A letter from the General Counsel, National Council on Radiation Protection and Measurements, transmitting a report entitled "National Council on Radiation Protection and Measurements—Report on Examination of Accounts at December 31, 1964", pursuant to section 14(b) of Public Law 88–376; to the Committee on the Judiciary.

1274. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copy of the order entered in the case of the alien, Andor Bors, A10994454, pursuant to section 212(a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1275. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d) (3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, pursuant to the provisions of section 212(d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1276. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated March 23, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on Wrights Creek, N.C., authorized by the River and Harbor Act approved July 3, 1958. No authorization has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

1277. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated March 23, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on Bogue Inlet and Swansboro Harbor, N.C., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 27, 1950. No authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

1278. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated August 12, 1964, submitting a report, together with accompanying papers and an illustration, on a letter report on Perrin River, Gloucester County, Va., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 3, 1959; to the Committee on Public Works.

1279. A letter from the Secretary of State, transmitting the 13th report on the extent and disposition of U.S. contributions to international organizations, for the fiscal year 1964, pursuant to section 2 of Public Law 81–806 (H. Doc. No. 229); to the Committee on Foreign Affairs and ordered printed.

1280. A letter from the Comptroller General of the United States, transmitting a report of failure to obtain and consider cost data in the procurement of HY80 steel plate used in the construction of nuclear submarines, Department of the Navy; to the Committee on Government Operations.

1281. A letter from the Comptroller General of the United States, transmitting a report of purchase of residence in Tokyo for financial attaché from exchange stabilization fund, Treasury Department; to the Committee on Government Operations.

1282. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 30, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the reports on, and a survey of the Napa River Basin, Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 13, 1956, and authorized by the flood control acts approved June 28, 1938 and December 22, 1944 (H. Doc. No. 222); to the Committee on Public Works and ordered to be printed with three illustrations.

1283. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 21, 1965, submitting a report, together with accompanying papers and an illustration, on an interim survey of Tahquitz Creek, Whitewash River Basin, Calif., authorized by the flood control act approved August 28, 1937 (H. Doc. No. 223); to the Committee on Public Works and ordered to be printed with one illustration.

1284. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated May 11, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Sonoma Creek, Calif., requested by resolutions of the Committee on Public Works, House of Representatives, adopted March 16, 1954 and June 13, 1956 (H. Doc. No. 224); to the Committee on Public Works and ordered to be printed with two illustrations.

1285. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and an illustration, on a review of the reports on Tred Avon River, Md., requested by resolutions of the Committee on Public Works, House of Representatives, adopted June 27, 1956 and June 23, 1964 (H. Doc. No. 225); to the Committee on Public Works and ordered to be printed with one illustration.

1286. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 29, 1963, submitting a report, together with accompanying papers and an illustration, on an interim report on the Savannah Harbor, Ga., requested by a resolution of the Committee on Public Works, House of Representatives, adopted September 1, 1959 (H. Doc. No. 226); to the Committee on Public Works and ordered to be printed with one illustration.

1287. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 1, 1964, submitting a report, together with accompanying papers and illustrations, on a review of the reports on the Great Lakes Harbors study—second interim report on Indiana Harbor, Ind., requested by resolutions of the Committee on Public Works, U.S. Senate and House of Representatives, adopted May 18, 1956, and June 27, 1956 (H. Doc. No. 227); to the Committee on Public Works and ordered to be printed with two illustrations.

1288. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 28, 1964, submitting a report, together with accompanying papers and an illustration, on a cooperative beach erosion control study of Cliff Walk, Newport, R.I., authorized by section 2 of the River and Harbor Act approved July 3, 1930, as amended and supplemented (H. Doc. No. 228); to the Committee on Public Works and ordered to be printed with one illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAHON: Committee on Appropriations. House Joint Resolution 553. Joint resolution making continuing appropriations for the fiscal year 1966, and for other purposes; without amendment (Rept. No. 553). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 9474. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 9475. A bill to amend title 38 of the United States Code to provide that World War II and Korean conflict veterans entitled to educational benefits under any law administered by the Veterans' Administration who did not utilize their entitlement may transfer their entitlement to their children; to the Committee on Veterans' Affairs.

By Mr. HERLONG:

H.R. 9476. A bill to amend the Internal Revenue Code of 1954 to provide the same benefits for employees of public hospitals with respect to certain pensions and profit-sharing plans as those presently provided for employees of private nonprofit hospitals, other charitable organizations, and public and private schools; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 9477. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 9478. A bill to provide that tires sold or shipped in interstate commerce for use on motor vehicles shall comply with certain safety and labeling regulations; to the Committee on Interstate and Foreign Commerce.

H.R. 9479. A bill to prescribe certain safety features for all motor vehicles manufactured for, sold, or shipped in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. McEWEN:

H.R. 9480. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 9481. A bill authorizing a survey of the Laneohe-Kailua area, Oahu, Hawaii, in the interest of flood control and allied purposes; to the Committee on Public Works.

By Mr. MOORHEAD:

H.R. 9482. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. REINECKE:

H.R. 9483. A bill to establish a National Commission on Oceanography; to the Committee on Merchant Marine and Fisheries.

By Mr. RHODES of Pennsylvania:

H.R. 9484. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 9485. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. RONCALIO:

H.R. 9486. A bill to amend the act entitled "an act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 9487. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. WELTNER:

H.R. 9488. A bill to establish a procedure for the review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes; to the Committee on Banking and Currency.

By Mr. CHARLES H. WILSON:

H.R. 9489. A bill to provide for family winter recreational use of a portion of the Gorgonio Wilderness Area, San Bernardino National Forest, Calif., without reducing the area set aside for wilderness preservation within such forest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DENTON:

H.R. 9490. A bill to amend the Internal Revenue Code of 1954 to allow percentage depletion on certain clays at the same rate as allowed on calcium carbonates and limestone used in the manufacture of cement; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 9491. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for establishing standards of decomposability for pesticides which present a substantial hazard to the public health because of their failure to decompose; to the Committee on Interstate and Foreign Commerce.

H.R. 9492. A bill to amend the Fish and Wildlife Coordination Act to provide adequate notice and opportunity for the Secretary of the Interior and State fish and wildlife agencies to conduct studies on the effects of projects licensed by Federal agencies on fish and wildlife resources, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GARMATZ:

H.R. 9493. A bill to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 9494. A bill to amend the Shipping Act, 1916, and the Ship Mortgage Act, 1920. relating to certain mortgages, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KEOGH:

H.R. 9495. A bill to increase the appropriation authorization for the Franklin Delano Roosevelt Memorial Commission, and for other purposes; to the Committee on House Administration.

H.R. 9496. A bill to amend title I of the Tariff Act of 1930 with respect to the valuation of certain footwear for duty purposes; to the Committee on Ways and Means.

By Mr. PURCELL:

H.R. 9497. A bill to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966; to the Committee on Agriculture.

By Mr. RONCALIO:

H.R. 9498. A bill to clarify the tax status of American Indians; to the Committee on Ways and Means.

By Mr. SMITH of New York:

H.R. 9499. A bill authorizing the Secretary of the Army to make a study of works to improve the American Falls in the Niagara River; to the Committee on Public Works.

By Mr. VANIK:

H.R. 9500. A bill to amend the Internal Revenue Code of 1954 to allow percentage depletion on certain clays at the same rate as allowed on calcium carbonates and limestone used in the manufacture of cement; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 9501. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMER:

H.R. 9502. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DENTON:

H.R. 9503. A bill to authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both; to the Committee on Armed Services.

By Mr. FLOOD:

H.R. 9504. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. FOGARTY:

H.R. 9505. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 9506. A bill to amend title 10 of the United States Code to prohibit contracting for the construction of vessels for the U.S. Navy at places outside of the United States; to the Committee on Armed Services.

By Mr. HORTON:

H.R. 9507. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. KING of Utah:

H.R. 9508. A bill to create a bipartisan commission to study Federal laws limiting political activity by officers and employees of Government; to the Committee on House Administration.

By Mrs. MAY:

H.R. 9509. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 9510. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. PICKLE:

H.R. 9511. A bill to provide for judicial review of administrative findings of the Secretary of Labor under title III of the Social Security Act, as amended, and chapter 23 (Federal Unemployment Tax Act) of the Internal Revenue Code of 1954, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H.R. 9512. A bill to incorporate the Babe Ruth League, Inc.; to the Committee on the Judiciary.

By Mr. BRAY:

H.R. 9513. A bill to provide educational assistance to certain veterans of service in Vietnam; to the Committee on Veterans Affairs.

By Mr. HOWARD:

H.R. 9514. A bill to provide for research, design, development, and construction of fully operational passenger motor vehicles in prototype quantities embodying certain safety features; to the Committee on Interstate and Foreign Commerce.

By Mr. MACHEN:

H.R. 9515. A bill to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. REDLIN:

H.R. 9516. A bill to modify the general comprehensive plan for flood control and other purposes in the Missouri River Basin in order to provide for certain payments to the cities of Mandan and Bismarck, N. Dak.; to the Committee on Public Works.

By Mr. WALKER of Mississippi:

H.R. 9517. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MAHON:

H.J. Res. 553. Joint resolution making continuing appropriations for the fiscal year 1966, and for other purposes.

By Mr. KING of New York:

H.J. Res. 554. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.J. Res. 555. Joint resolution that the United States reaffirm its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. BELL:

H.J. Res. 556. Joint resolution to provide that a portion of the Garioa fund shall be used to assist in the establishment of Oriental College; to the Committee on Education and Labor.

Mr. MAILLIARD:

H.J. Res. 557. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

327. By the SPEAKER: Memorial of the Legislature of the State of California, relative to the San Felipe Division of the Central Valley project; to the Committee on Interior and Insular Affairs.

328. Also, memorial of the Legislature of the State of New York, relative to amending section 7701(A) of the Internal Revenue Code; to the Committee on Ways and Means.

329. Also, memorial of the Legislature of the State of North Dakota, commending members of the North Dakota congressional delegation for their efforts in behalf of the Pembina River development plan; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FARBSTEIN:

H.R. 9518. A bill for the relief of Yermiau Weingarten; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 9519. A bill for the relief of Fotini Skandalakis; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 9520. A bill to authorize the Secretary of the Interior to convey certain lands in Inyo County, Calif., to the personal representative of the estate of Gwilym L. Morris, Dolores G. Morris, George D. Ishmael, and Verna H. Ishmael; to the Committee on Interior and Insular Affairs.

By Mr. KEOGH:

H.R. 9521. A bill for the relief of Clarence Earle Davis; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 9522. A bill for the relief of Lambert A. Lactaoen, Antonio A. Lactaoen, and Theodore A. Lactaoen, minor children of Eleuteria A. Lactaoen; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 9523. A bill for the relief of Glen-Gery Shale Brick Corp.; to the Committee on the Judiciary.

By Mr. RONCALIO:

H.R. 9524. A bill for the relief of Harriet C. Chambers; to the Committee on Agriculture.

By Mr. TALCOTT:

H.R. 9525. A bill to authorize the Secretary of the Interior to convey certain lands in Inyo County, Calif., to the personal representative of the estate of Gwilym L. Morris, Dolores G. Morris, George D. Ishmael, and Verna H. Ishmael; to the Committee on Interior and Insular Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 9526. A bill for the relief of Raffaella Achilli; to the Committee on the Judiciary.

H.R. 9527. A bill for the relief of Tan Tze Tong; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

236. By Mr. PEPPER: Resolution by certain State representatives and senators of the State of Florida, representing a majority of the people of the State of Florida, urging the Congress to oppose any constitutional amendment authorizing a State with a bicameral legislature to utilize factors other than population in apportioning either house of a bicameral legislature; to the Committee on the Judiciary.

237. By the SPEAKER: Petition of Catherine Moody Figueroa and others, relative to H.R. 8021; to the Committee on Interior and Insular Affairs.

238. Also, petition of Henry Stoner, Fishing Bridge Station, Wyo., to amend the rules of the House of Representatives relative to a special subsidy appropriation bill; to the Committee on Rules.

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SENATE

MONDAY, JUNE 28, 1965

(Legislative day of Friday, June 25, 1965)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God: For another dawn, for another day, for another chance to serve this troubled world, we are truly thankful, as our hearts rejoice. As we bow at this high altar of national life, preserve us, we pray, from uttering with our lips words which do not come from our minds and hearts.

Fronting the clamant duties of this new week, steady our spirits with the realization of untapped power available to servants of Thy will, if only they go quietly and confidently about their appointed tasks.

Lift our eyes from the foes which press us and from cowardly doubts which blind us to the heights which are full of the chariots of God and the horsemen thereof.

We beseech Thee to free us, this day, from fear of the future, from all bitterness toward others, from cowardice in face of peril, from failure to seize opportunity, and from weakness when Thy strength is at our disposal.

We ask it in the dear Redeemer's name. Amen.

PUBLIC HEALTH SERVICE ACT—AMENDMENT

The Senate resumed consideration of the bill (S. 596) to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases.

Mr. MANSFIELD. Mr. President, from the time under the control of the Senator from Alabama [Mr. HILL], I yield 1 minute to the Senator from Idaho [Mr. CHURCH].

THE PRESIDENT'S MESSAGE TO THE UNITED NATIONS

Mr. CHURCH. Mr. President, last week, I was privileged to accompany President Johnson to San Francisco, where he made a notable address to delegates assembled at the opera house, the birthplace of the United Nations, on the 20th anniversary of that fortuitous occasion.

The long, transcontinental flight the President took in order to make a personal appearance at this birthday observance is, in itself, evidence of our recognition of the many contributions toward peace the U.N. has made in its first two decades of existence, as well as our hopes that the organization may grow stronger and more effective in the years ahead.

As one who has advocated that the U.N. assume a role in the quest for a peaceful settlement in southeast Asia, I was particularly gratified that President Johnson included the following passages in his excellent address:

> Therefore, today I put to this world assembly the facts of aggression, the right of a people to be free from attack, the interest of every member in safety against molestation, the duty of this Organization to reduce the dangers to peace, and the unhesitating readiness of the United States to find a peaceful solution.
>
> I call upon this gathering of the nations of the world to use their influence, individually and collectively, to bring to the tables those who seem determined to make war. We will support your efforts, as we will support effective action by any agent or agency of these United Nations.

In addition to calling upon the United Nations to positively engage in the pursuit of peace in Vietnam, President Johnson should also be commended for urging the formation of a dependable peacekeeping force for the U.N., as well as for suggesting increased technical assistance, reduction of armaments, population control, and an alliance for man to conduct an "international war against poverty."

I am sure that most Americans join President Johnson in supporting such worthy goals in the carrying out of our international responsibilities. I ask unanimous consent to have the President's eloquent San Francisco message printed at this point in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

JUNE 25, 1965.

Text of the Remarks by the President at the United Nations 20th Anniversary Commemorative Session, San Francisco, Opera House, San Francisco, Calif.

On my journey across this continent, I stopped in Missouri. There I met with the man who made the first such pilgrimage here 20 years ago as the 33d President of the United States—Harry S. Truman.

Mr. Truman sent to this Assembly his greetings and good wishes on this anniversary commemoration. He asked that I express to you for him—as for myself and for my countrymen—the faith which we of the United States hold firmly in the United Nations and the ultimate success of its mission among men.

On this happy and historic occasion we meet to celebrate 20 years of achievement and to look together at the work we face in future meetings. I come to this anniversary not to speak of futility or failure nor of doubt and despair—I come to raise a voice of confidence in both the future of these United Nations and the fate of the human race.

The movement of history is glacial. On two decades of experience, none can presume to speak with certainty of the direction or the destiny of man's affairs. But this we do know and this we do believe.

Futility and failure are not the truth of this organization brought into being here 20 years ago.

Where, historically, man has moved fitfully from war toward war, in these two decades man has moved steadily away from war as either an instrument of national policy or a means of international decision.

Many factors have contributed to this change. But no one factor has contributed more than the existence and the enterprise of the United Nations itself.

For there can be no doubt that the United Nations has taken root in human need and has established a shape and purpose and meaning of its own.

By providing a forum for the opinions of the world, the United Nations has given them a force and influence they never had before. By shining the light of inquiry and discussion upon dark and isolated conflicts, it has pressed the nations of the world to conform their courses to the requirements of the charter.

Let all remember—and none forget—that more than 50 times in this 20 years the United Nations has acted to keep the peace.

By persuading nations to justify their own conduct before all countries, it has helped, at many times and in many places, to soften the harshness of man to his fellow man.

By confronting the rich with the misery of the poor and the privileged with the despair of the oppressed, it has removed the excuse of ignorance—unmasked the evil of indifference, and has placed an insistent, if still unfulfilled, responsibility upon the more fortunate of the earth.

By insisting upon the political dignity of man, it has welcomed 63 nations to take their places alongside the 51 original members—a historical development of dramatic import, achieved mainly through peaceful means.

And by binding countries together in the great declarations of the charter, it has given those principles a strengthened vitality in the conduct of the affairs of man.

Today, then—at this time of anniversary—let us not occupy ourselves with parochial doubts or passing despair. The United Nations—after 20 years—does not draw its life from the assembly halls or committee rooms. It lives in the conscience and reason of mankind.

The most urgent problem we face is the keeping of the peace.

Today clear and present dangers in southeast Asia cast their shadow across the path of all mankind.

The United Nations must be concerned.

The most elementary principle of the United Nations is that neighbors must not attack their neighbors—and that principle is under challenge.

The processes of peaceful settlement are blocked by willful aggressors contemptuous of the opinion and the will of mankind.

Bilateral diplomacy has yielded no result.

The machinery of the Geneva Conference has been paralyzed.

Resort to the Security Council has been rejected.

The efforts of the Secretary General have been rebuffed.

An appeal for unconditional discussion was met with contempt.

A pause in bombing operations was called an insult.

The concern for peace of the Commonwealth Prime Ministers has received little response.

Therefore, today I put to this World Assembly the facts of aggression, the right of a people to be free from attack, the interest of every member in safety against molestation, the duty of this Organization to reduce the dangers to peace, and the unhesitating readiness of the United States to find a peaceful solution.

I call upon this gathering of the nations of the world to use their influence, individually and collectively, to bring to the tables those who seem determined to make war. We will support your efforts, as we will support effective action by any agent or agency of these United Nations.

But the agenda of peace is not a single item.

Around the world, there are many disputes filled with dangers, many tensions taut with peril, many arms races fraught with folly among small nations as well as large.

The first purpose of the United Nations is peacekeeping. The first work of all members now must be peacemaking. For this organization exists to resolve quarrels outside the confines of its headquarters—not to prolong quarrels within.

Where there are disputes, let us try to find the means to resolve them—through whatever machinery is possible.

Where the United Nations requires readily available peace forces in hours and days—not weeks or months—let all pledge to provide those forces. And my country is ready.

On another front of our common endeavors nothing is more urgent than the effort to diminish danger by bringing the armaments of the world under increasing control. Nations rich and poor are burdened down by excessive and competitive and frightening arms. Let us all urgently commit ourselves to the rational reduction of those burdens. We of the United States would hope that others will join us in coming to our next negotiations with proposals for effective attack upon these deadly dangers to mankind.

After peace, high on the agenda of man is devotion to the dignity and worth of the human person—and the promotion of better standards of life in larger freedom for all the human race.

We in this country are committing ourselves to great tasks in our own society. We are committed to narrow the gap between promise and performance, between equality in law and equality in fact, between opportunity for the numerous well-to-do and the still too numerous poor, between education for the successful and education for the whole people.

It is no longer a community or a nation or a continent but a whole generation of mankind for whom our promises must be kept—and kept within the next two decades.

If those promises are not kept for all, it will be less and less possible to keep them for any.

That is why—on this anniversary—I would call upon all member nations to rededicate themselves to wage together an international war on poverty.

Let us then together raise the goal for technical aid and investment through the United Nations; increase our food, health, and education programs to make a serious and successful attack upon hunger, disease, and ignorance—the ancient enemies of all mankind.

Let us in all our lands—including this land—face forthrightly the multiplying problems of our multiplying populations and seek the answers to this most profound challenge to the future of the world. Let us act on the fact that less than $5 invested in population control is worth $100 invested in economic growth.

For our wars together on the poverty and privation, the hunger and sickness, the despair and futility of mankind, let us mark this International Cooperation Year by joining together in an alliance for man.

The promise of the future lies in what science the evermore productive industrial machine, the evermore fertile and usable land, the computer, the miracle drug, and the man in space all spread before us. The promise of the future lies in what the religions, the philosophies, the cultures, the wisdom of 5,000 years of civilization have finally distilled and confided to us—the promise of the abundant life and the brotherhood of man.

The heritage we share together is a fragile heritage.

A world war would certainly destroy it. Pride and arrogance could destroy it. Neglect and indifference could destroy it. It could be destroyed by narrow nationalism or ideological intolerance—by rabid extremism of left or right.

We must find the way as a community of nations, as a United Nations, to keep the peace among and between all of us. We must restrain by joint and effective action any who place their ambitions or their dogmas or their prestige above the peace of the world. We must find a way to do that. It is the most profound and urgent imperative of our time.

I say to you as my personal belief and the belief of the great American majority that the world must finish once and for all the myth of inequality of races and peoples, with the scandal of discrimination, with the shocking violation of human rights and the cynical violation of political rights. We must stop preaching hatred, stop bringing up new generations to preserve and carry out the lethal fantasies of the old generation, stop believing that the gun or the bomb can solve all problems or that a revolution is of any value if it closes doors and limits choices instead of opening both as wide as possible.

As far back as we can look—until the light of history fades into the dusk of legend—such aspirations of man have been submerged and swallowed up by the violence and the weakness of man at his worst.

Generations have tried, and generations have failed.

Will we succeed?

I do not know.

But I dare to be confident.

I do know this: Whether we look for judgment to God, or to history, or to mankind, this is the age, and we are the men, and this is the place for us to give reality to our commitments under the charter. For what was for other generations a hope is for us a simple necessity.

PUBLIC HEALTH SERVICE ACT—AMENDMENT

The Senate resumed consideration of the bill (S. 596) to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, the time to be equally divided between both sides.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Without objection it is so ordered.

AMENDING THE ACT ESTABLISHING THE UNITED STATES-PUERTO RICO COMMISSION ON THE STATUS OF PUERTO RICO

Mr. MANSFIELD. Mr. President, on the time of the Senator from Alabama [Mr. HILL], I ask unanimous consent that the unfinished business be temporarily set aside, and that the Senate proceed to the consideration of Calendar No. 358, Senate bill 2154.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill—S. 2154—to amend the act establishing the United States-Puerto Rico Commission on the Status of Puerto Rico.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 370—explaining the need for the proposed legislation, which I understand was reported unanimously by the Committee on Interior and Insular Affairs. The bill has been cleared with the minority.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 2154, introduced by Senators JACKSON and JAVITS, is to amend the act of February 20, 1964, establishing the United States-Puerto Rico Commission on the Status of Puerto Rico, by extending the date for the submission of the Commission's final report and increasing the funds authorized to be appropriated for the Commission's operation.

Public Law 88–271 established the United States-Puerto Rico Commission to study all factors which have a bearing on the future relationship between the United States and Puerto Rico. The 1964 act authorized an appropriation of $250,000 for the Commission to perform its task. The Government of Puerto Rico appropriated an equal sum as its contribution to the Commission's work. The Commission's final report was to be submitted to the President, Congress, the Governor of Puerto Rico, and the Legislative Assembly of Puerto Rico not later than the opening day of the 2d session of the 89th Congress.

NEED

Because of the elections of 1964, both on the mainland and in Puerto Rico, the Commission was unable to begin its work as promptly as had been hoped. Following the elections there were 4 changes in the Commission's total membership of 13. While considerable work has been done in authorizing and preparing studies, these cannot be completed in the time authorized.

The additional funds are necessary in part because of the extension of time which the Commission requires to complete its work and because the studies authorized by the Commission are broader than originally envisioned.

S. 2154 would amend the existing law by authorizing a maximum appropriation of $465,000, an increase of $215,000. A similar increase in funds will also be authorized by the Commonwealth of Puerto Rico. The bill extends the time for submission of the final report until September 30, 1966, a period of 9 months beyond the present requirement.

Mr. JAVITS. Mr. President, I am honored to be a member of the United States-Puerto Rico Commission on the Status of Puerto Rico, and to cosponsor S. 2154 to provide the Commission with the further time and funds it needs to complete its studies and submit a first-rate report.

Since I have been a member of the Commission, I have seen its very able staff, under Ambassador Ben Stephansky, the Commission's Executive Director, devote a great deal of energy and dedication to developing a very comprehensive list of studies which the staff has already begun to carry out. Over the next year, every relevant factor bearing upon the status of Puerto Rico will be thoroughly examined and placed in appropriate relation to the other factors, so that the members of the Commission will be able to draft their report in the light of what will doubtless be the most wide-ranging, in-depth review ever made of the entire status question.

The interest of the United States in the question of the status of Puerto Rico continues to lie in the will of the people of Puerto Rico. I am indeed glad to offer my every support for the critically important work of the Commission, and to participate in these efforts toward the resolution of a problem of such vital concern to me and to all our citizens from Puerto Rico.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2154) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 20, 1964 (78 Stat. 17), is amended as follows:

(1) In section 4 strike out "the opening day of the second session of the Eighty-ninth United States Congress" and insert in lieu thereof "September 30, 1966".

(2) In section 5 strike out "$250,000" and insert in lieu thereof "$465,000".

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, the time necessary for the call to come from both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Without objection, it is so ordered.

PUBLIC HEALTH SERVICE ACT—AMENDMENT

The Senate resumed consideration of the bill (S. 596) to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases.

Mr. YARBOROUGH. Mr. President——

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I assume that the Senator from Texas would be in charge of the time until the Senator from Louisiana [Mr. LONG] arrived.

Mr. YARBOROUGH. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for 10 minutes.

Mr. YARBOROUGH. Mr. President, the Senate has under consideration this morning a piece of major legislation, S. 596, a bill to combat heart disease, cancer, and stroke—major diseases. These are the major killers of our population. The measure is designed to avert death and disability from these diseases. They being major diseases, we should have major means to combat them.

The incidence of these diseases was developed in the hearings on this measure before the Subcommittee on Public Health of the Committee on Labor and Public Welfare of which I am a member. The statistics show that the three diseases together cause more than half of all the deaths in the United States in 1 year.

In 1963, 707,830 persons died of, and from 25 to 30 million more suffered from, heart disease. The direct medical cost of heart disease in 1962 alone was $2.6 billion. The loss of income from heart disease that year amounted to $19.8 billion, for a total cost for this one disease in 1962, of $22.4 billion.

Also in 1963, 278,562 persons died of cancer. Another 830,000 were under treatment. It is estimated that 48 million people now living will have cancer. The total annual cost of cancer is $8 billion.

In the same year, 1963, 201,166 persons died of strokes. At least 2 million more now alive had strokes, and many of them are paralyzed. The economic cost of strokes is more than $1.1 billion a year.

These diseases are great killers and cripplers. They sap our economy of

$31.5 billion each year. They cause untold hardship, anguish, and suffering. But they give ground to organized attack, and this present bill is an organized attack upon them. We are dealing, in the amendment offered by the junior Senator from Louisiana, with the question of whether we will make the attack now or whether we will withhold the attack until some private monopoly can zero in with their patents, some 3 to 5 years after a discovery is made—which is possible if we give away these patents that have been bought and paid for by the Government. The private recipient of a U.S. patent, as we have seen under our present system, can protect his patent against possible other users and delay the product of research from promptly reaching the people whom it is intended to serve.

We are dealing with more than the question of whether the public should get the benefit of its medical discoveries paid for with public moneys or whether private manufacturers should get the benefit. We are dealing with the question of whether this relief from human suffering and anguish will be granted soon after discoveries are made or whether that relief will be delayed for years while private monopolists secure all their patent rights.

Since I have been in the Senate, two who were near and dear to me have died of cancer after prolonged illnesses. If any Senator has had anyone die of cancer within recent years and observed that person after they have reached the stage when the pain is so intense that neither morphine nor any other pain killer can relieve it, and nothing but death can relieve the pain, he would think a long time before he would vote to withdraw the product from the people until some private monopoly, which has used the money of the people to do the research, had developed the patent, and zeroed in all the patent rights, to reap an additional profit, on top of that granted with the Government research moneys.

No plainer issue has been before the Senate for some years. Each Senator must stop and consider whether he will vote to give the benefit of Government-paid-for medical discoveries to the public now or make the public wait for 3 to 5 years, so that the private monopoly may get exclusive patents lined up on these Government-financed discoveries. If a Senator stops and considers the question, he will think for a long time before he votes against the amendment offered by the junior Senator from Louisiana.

Mr. President, we have had numerous instances in history in which the public use of medicines has been delayed, after discovery, until some private interest could get its patents lined up.

I shall read from page 21 of a book by Richard Harris, entitled "The Real Voice." The book is an account of Senator Estes Kefauver's investigation into the drug industry and the battle which ensued.

I read from page 21 as follows:

> In looking into the development of the antibiotics, the staff started at the beginning—with Sir Alexander Fleming's discovery of penicillin, in 1929. Fleming realized that penicillin had a potent, if obscure, effect on certain bacteria, but it wasn't until 1941 that other British researchers proved that the drug was highly efficacious in treating septic wounds. That year, the U.S. Government became eager to determine whether it could be produced in quantity, and two British researchers were brought to this country, under the auspices of the Office of Scientific Research and Development, to try to get private pharmaceutical houses interested in working on the project. They had almost no luck. A few weeks after the attack on Pearl Harbor, Dr. Vannevar Bush, Director of the OSRD, personally brought a number of drug firms into the picture. Almost a year and a half later, in the spring of 1943, they had accomplished little in the way of quantity production, and on April 27 Dr. Bush wrote a letter to Elihu Root, Jr., then a consultant to the Army Air Forces: "Now, the pharmaceutical companies have cooperated in this affair after a fashion. They have not made their experimental results and their development of manufacturing processes generally available, however. * * * This is the problem. It obviously needs some very careful handling." As it turned out the problem was that most firms were too busy trying to corner patents on various processes in the production of penicillin to produce much of it, and the Government began pressing them to work together. It was slow going. On January 19, 1944, Dr. Albert L. Elder, the coordinator of a special penicillin program run by the War Production Board, sent a memorandum to Fred J. Stock, head of the Drugs and Cosmetics Section of the WPB, complaining about the refusal of the drug firms to exchange information, and added, "The value of penicillin in saving the lives of wounded soldiers has been so thoroughly demonstrated that I cannot with a clear conscience assume the responsibility for coordinating this program any longer while at the same time being handicapped by being unable to make available information which would result in the output of more penicillin and thereby save the lives of our soldiers."

Not even to save the lives of those men who were fighting for the survival of democracy would those private seekers after patents make the discovery of penicillin available so that it could be produced.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD the paragraphs that I have read, in addition to the remaining discussion of this question which appears on pages 22 and 23, down through the first 2 lines of page 23, in the book by Richard Harris.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

In looking into the development of the antibiotics, the staff started at the beginning—with Sir Alexander Fleming's discovery of penicillin, in 1929. Fleming realized that penicillin had a potent, if obscure, effect on certain bacteria, but it wasn't until 1941 that other British researchers proved that the drug was highly efficacious in treating septic wounds. That year, the U.S. Government became eager to determine whether it could be produced in quantity, and two British researchers were brought to this country, under the auspices of the Office of Scientific Research and Development, to try to get private pharmaceutical houses interested in working on the project. They had almost no luck. A few weeks after the attack on Pearl Harbor, Dr. Vannevar Bush, Director of the OSRD, personally brought a number of drug firms into the picture. Almost a year and a half later, in the spring of 1943, they had accomplished little in the way of quantity production, and on April 27 Dr. Bush wrote a letter to Elihu Root, Jr., then a consultant to the Army Air Forces: "Now, the pharmaceutical companies have cooperated in this affair after a fashion. They have not made their experimental results and their development of manufacturing processes generally available, however. * * * This is the problem. It obviously needs some very careful handling." As it turned out, the problem was that most firms were too busy trying to corner patents on various processes in the production of penicillin to produce much of it, and the Government began pressing them to work together. It was slow going. On January 19, 1944, Dr. Albert L. Elder, the coordinator of a special penicillin program run by the War Production Board, sent a memorandum to Fred J. Stock, head of the Drugs and Cosmetics Section of the WPB, complaining about the refusal of the drug firms to exchange information, and added, "The value of penicillin in saving the lives of wounded soldiers has been so thoroughly demonstrated that I cannot with a clear conscience assume the responsibility for coordinating this program any longer while at the same time being handicapped by being unable to make available information which would result in the output of more penicillin and thereby save the lives of our soldiers."

> By then, an obscure outpost of a Government agency was far ahead of the drug firms, the scientists of a Department of Agriculture laboratory in Peoria, Ill., were rapidly evolving a method of large-scale production. Soon, the Department filed its own patent applications, and they were granted, whereupon, under its regulations, all of its patents were made available to any producer without charge. By the time the war ended, the production of penicillin had reached some 7 billion units—an average shot may be 600,000 units—and the drug had saved the lives of thousands of servicemen. After the war, more and more drug firms began making and selling the drug in a stiffly competitive race; within 8 years the price had fallen from $200 per million units to 60 cents per million units.

Mr. YARBOROUGH. Mr. President, it was the research branch of the Department of Agriculture which discovered a faster method of producing penicillin, and enabled the mass production of penicillin for the use of the Armed Forces. It was not the pharmaceutical companies which were sitting back and waiting until they could zero in on the patents.

In the case of a public patent, the people develop the product with their money. It is made available to all the public and all manufacturers. The Government does not go into the private business of manufacturing the drug product. It will give the rights to manufacture to all those whom it feels can manufacture it and get it on the market at the lowest cost to the public. This is the true free enterprise system. It stimulates competition between the different drug manufacturers to get the product on the market in the most usable form, and results in the speedier usage of new drug discoveries.

While price is a great factor, and the saving of money by the patient is a great factor in the case of new drugs, time is an even greater factor. In the case of new cancer discoveries, many lives might be lost by the delay in announcing a new discovery. The obtaining of monopolistic patent rights is always a cause of long delay.

Mr. President, because the Government kept the patent rights on penicillin, it was made available to the public at a vastly lower cost per million units of penicillin. The price of penicillin fell from $200 for 600,000 units of penicillin to 60 cents per 600,000 units in 8 years, under the competitive private enterprise system. The Government made the benefits of the penicillin discoveries at a small agricultural research station at Peoria, Ill., available to all penicillin manufacturers and that caused the great saving in price.

If the Government retains the benefit of its research, it gives that knowledge free to all drug manufacturers, and strengthens the private enterprise system, as well as getting the drugs on the market without undue delay.

If we were to give the companies $650 million for research as provided in this bill, with research paid for on a cost-plus, fixed-percentage basis, if they find nothing, they have made their profit, they are paid the money.

If they find something, these drug manufacturers expect that we should allow them to patent the product, pull it off the market and then sell it years later at an unconscionable price.

There was printed in the Record a few days ago, and I ask unanimous consent to have reprinted at this point in the Record an article from the Washington Post of May 19, 1965, which outlined how the price of one unit of medicines that were discovered with Government moneys partly in a university laboratory and partly with private research, was overcharged 40 times, until the Government stepped in and reclaimed for the Government its own discoveries in the field of prevention of mental retardation.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, May 19, 1965]

How Bar to Retardation Was Opened to the Many—Test Cost Cut to One-Fortieth

(By Morton Mintz)

This is a story of why a test used to prevent a severe form of mental retardation costs 1.2 cents per baby instead of 40 times as much.

It did cost 50 cents per baby for a time. Had that price prevailed, says the U.S. Children's Bureau, certain States would not have begun mass testing programs and many children who now will be normal would have been irreversibly retarded.

Exclusive rights were originally assigned to a private firm that charged $262 for a test kit that the inventor manufactured for $6. The Government has now obtained uncontested rights in the pending patent application and any qualified organization can make the kits without paying royalties.

The story was pieced together from interviews and from Government files obtained by Senator Russell B. Long, Democrat, of Louisiana, as chairman of the Senate Small Business Committee's Monopoly Subcommittee. Long discussed the story in the Senate Monday.

Since 1959, Long has been working to give the Government property rights in inventions developed with the help of the $15 billion a year that the Government spends with research and development contractors. The mental retardation test was developed largely with Government funds.

STORY'S LEADING FIGURE

The leading figure in the story is the inventor of the test, Dr. Robert Guthrie, of Buffalo, a brilliant scientist and himself the parent of a retarded child.

"I had always assumed," he said, "that the price would be reasonable." But he termed himself naive about such matters.

The simple, reliable test he developed detects the metabolic disorder phenylketonuria, usually called PKU.

A few drops of blood are taken from the heel of an infant in the first few days after birth. If the disorder is found, a special diet will prevent retardation.

The incidence of PKU had been believed to be 1 in 20,000 to 40,000 births, but a mass screening of 400,000 infants in 1962–63 established a rate of at least 1 in 10,000. That indicates a nationwide potential of about 400 PKU-retarded infants a year, including roughly 3 in the District, 7 in Maryland, and 9 in Virginia.

MANDATORY IN MARYLAND

The test is now being performed regularly in 90 to 100 percent of the hospitals with maternity services in 14 States and in a total of 2,600 hospitals in all States except Alaska. Some States, including Maryland, have made the test mandatory for hospital births.

In Massachusetts, the test has detected 33 PKU cases. Dr. Guthrie said this was done with mass screening that cost State taxpayers about as much as lifetime custodial care for one person in a public institution.

Dr. Guthrie, a 48-year-old microbiologist and physician, attributed his special interest in developing the test to the PKU retardation of a relative in Minneapolis. A member of the pediatrics department of the School of Medicine of the State University of New York, Dr. Guthrie in 1958 received his first grants—$25,000 each, for 5 years—from the National Association for Retarded Children and the Association for Aid for Crippled Children. Later, he received a total of $75,672 from three other nongovernment sources.

But starting in 1959, the Public Health Service gave $251,700. Chiefly for the subsequent mass screening, the U.S. Children's Bureau granted $492,000.

FIRM IS NOMINATED

Long before the Bureau got into the picture, but after the test was perfected, Dr. Guthrie and the NARC agreed that a swift way to bring the test into the widest possible use would be to enlist a pharmaceutical firm with a worldwide organization.

The Ames Co., a subsidiary of Miles Laboratories of Elkhart, Ind., was nominated by Dr. Guthrie because it had been marketing a urine test for PKU. That test, however, is not well suited for mass use.

A lawyer friend of Dr. Guthrie, Raymond K. Kuhns of New York City, who was donating his legal services, advised that a patent on the invention be sought. He was concerned with the possibility that the plan for mass use of the test could be jeopardized by another patent only with costly, protracted litigation.

Almost a year had gone by since Dr. Guthrie had published articles about the test. This meant that unless a patent application were filed quickly, Dr. Guthrie's claim automatically would be denied.

Kuhns said that Miles Laboratories, which had accepted an invitation to participate, agreed with him in emphasizing to Dr. Guthrie that any proposed patent agreement would have to be approved by the Public Health Service.

BARS ROYALTIES FOR SELF

This is the kind of thing—questionnaires, redtape—that Dr. Guthrie scorns. His scientific work preoccupies him. Not until almost a year after the PHS began pressing him with letters and phone calls did he get around to filing the required reports.

The patent application and licensing agreement, which meanwhile had been drawn up by an associate of Kuhns on a nonprofit basis, put title in the name of Dr. Guthrie, but at his request barred him from getting a cent in royalties.

Instead, Miles, which was made the exclusive licensee, agreed to pay 5 percent of the net proceeds of sales to the NARC. Ultimately, that association got $1,100.

During the discussions, no one thought to ask what price Miles intended to charge.

In 1962, the patent application was filed and the licensing agreement signed. At about that time, the Children's Bureau announced its plans to screen the 400,000 infants. A great many test kits had to be produced, and quickly.

TURNS PRODUCTION MAN

Miles was unable to gear up fast enough for this job because of what Vice President G. W. Orr, Jr., told me were severe production problems. So Dr. Guthrie, who was not, as Kuhns put it, "in any remote sense a businessman," became a production man.

With bureau funds, he rented a house, and in it, in a year's time, turned out 10,000 kits, enough for a million tests. Packaging was done by retarded young adults.

Ames, the Miles subsidiary, "took what we had done and repackaged it," Dr. Guthrie said. "The big price then particularly made no sense."

The "big price" as $262 for a 500-test kit that the scientist produced for $6. He had not known what the price would be until June 1963, when he visited Miles. "I was horrified," he said.

He pointed out that since the Government made his invention freely available, commercial laboratories—including Miles—have offered the kit for a fraction of its original price.

The Miles official, Orr, suggested that one reason for the $262 price was the need to use only the highest quality sterile materials. However, he acknowledged that he did not intend to imply that his firm's test kit was superior in that regard to Dr. Guthrie's. He did, however, fault the scientist's definition of costs.

NULLIFICATION BEGINS

In the Department of Health, Education, and Welfare, a drive began to nullify the agreement with Miles. One who urged this was Herschel F. Clesner, inventions coordinator for the PHS.

On November 5, 1963, the chief of the Children's Bureau, Katherine B. Oettinger, wrote Clesner "that the granting of exclusive commercial rights to Miles Laboratories would prevent Massachusetts and some of the larger States now contemplating setting up this screening from carrying out their plans."

"None of these States could afford to institute a program if they had to purchase the kits commercially at the contemplated ($262) price, or if they had to pay royalties on the materials they would manufacture themselves," she said.

A year ago, the Acting Surgeon General of the PHS, Dr. David E. Price, officially determined that the contract should be canceled because "the best interests of the public will not be served by * * * an exclusive license. * * * Insofar as the invention may be patentable, the equitable ownership of all rights, both domestic and foreign, shall be in the United States."

Mr. YARBOROUGH. Mr. President, this product to determine whether a child was suffering from mental retardation, was discovered with the use of public moneys. Later, a private company charged $262 for one unit of a test in testing infants to see if they had an ailment that would cause mental retardation.

Since the Attorney General of the United States has reclaimed the product, the cost for a kit is now $6 for the test kit to be used. The cost of $262 for a kit to test to discover whether newborn babies had an ailment that would cause mental retardation all their lives was cut to $6 a kit, and the cost of the test per baby was cut from 50 cents a baby to 1.2 cents a baby. The overcharge had been 40 times the real cost.

Mr. HILL. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I shall yield on the Senator's own time.

Mr. HILL. Mr. President, the statement of the Senator should be accurate. It was the U.S. Public Health Service which stopped the profiteering.

Mr. YARBOROUGH. The Senator is correct. It was a part of the U.S. Government which stopped the profiteering. The private companies were claiming the discoveries as private patents and they had the assistance of a university. They were charging $262 for a unit of medicine with which to test babies to prevent severe mental retardation, when $6 was the final cost per unit established. The private drug company was more interested in a 40-fold profit than in whether mental retardation was to be prevented.

When we got that test back in the public domain to be used for the public, who had paid for the discovery, the cost was reduced to $6 per unit, or 1.2 cents per baby. The question at issue is whether we should allow a private monopoly to charge $262 for a test kit to be used with babies, or allow the people to charge whatever they want to charge with their own discoveries.

Any person or company can charge whatever they like if they discover something with their own money. But the Long amendment question does not deal with private moneys. This Long amendment deals with public funds, with public moneys taken from the pockets of all the taxpayers in the United States.

I ask every Senator to search his conscience and see whether he can vote to give away such patent rights when human pain is involved. This is different from the NASA. This is very different from the issue which arose in the case of NASA, when the NASA directors wanted to give the patents away. We vote $6 billion a year to space exploration, and we hope they make great discoveries. The NASA authorities worked to keep the authority to give away patent rights to those amply paid to do Government research on space problems.

By throwing their weight in and fighting for the giveaway the NASA authorities were able to beat the opposition down and to defeat those defending the public interest. But this time we are dealing with human pain; we are dealing with ill people on earth, not researches in space. When a means of relief from human pain and illness is discovered as a result of the expenditure of public money, are we going to make it available for the average person to buy or are we going to permit a monopoly to delay the general use for 3 or 5 years, and then charge exorbitant prices? That is the question involved.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. LONG of Louisiana. The Senator is absolutely correct. We want the Public Health Service and the Department of Health, Education, and Welfare and the National Institutes of Health to protect the public interest, just the same as these fine people did in this case.

I have some other examples to give, and I will give them before the debate is over. The National Institutes of Health is honeycombed with people who want to be able to patent and sell certain products to private companies so the monopolies can sell them for 10 to 30 times what they would be otherwise sold.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield the Senator 2 additional minutes.

Mr. YARBOROUGH. This has been a subject for considerable discussion in university circles and the role of universities in this medical research. The governing officials of our universities should search their consciences. Do they want to protect the people's rights, or, in return for an endowed chair, do they think it is worth giving away the public interest? Is an endowment more to be treasured that the protection of the people's rights? Do the humanities teach that we surrender monopoly patents on discoveries to alleviate human pain, discoveries made with public moneys? The university community of America should ask itself some soul-searching questions on its position concerning proper use of the proceeds of these public funds.

Mr. LONG of Louisiana. I have checked this question over the weekend. The best information I can get is that not one of the associations representing universities has taken a position on this issue. From what I understand, two-thirds of the universities have not taken a position, and of the one-third that have taken a position, the great majority of them recognize that discoveries made as a result of using public funds in the area of public health should be placed in the public domain.

Mr. YARBOROUGH. Mr. President, I wish to state my strong support for the broad purposes of this legislation. One of the great problems facing the health professions is how best to make use of all the knowledge which is being discovered every year through research. How do we get the message out to the doctors in small towns and in rural areas? Through this bill we will construct regional medical complexes consisting of medical schools and hospitals in association with research centers and treatment stations working on heart disease, cancer, and stroke. These dread diseases are our big killers, and it is vital to the improved health of our citizenry that we make use of the new knowledge which is constantly being discovered.

This being the purpose of the legislation, it is important that the information discovered through funds authorized by the bill be made freely and fully available. The amendment offered by the distinguished Senator from Louisiana [Mr. LONG] provides just this. It says very simply that—

> No part of any appropriated funds may be expended pursuant to authorization given by this act for any scientific or technological research of developmental activity unless such expenditure is conditioned upon provisions effective to insure that all developments resulting from that activity will be made freely available to the general public.

In the difficult area where both public and private funds have been spent on the research leading to a discovery, the amendment provides a limited exclusive licensing arrangement for no longer than 3 years if the private company is justified in receiving such an exclusive right upon equitable considerations related to its own financial contribution and, if such an arrangement will affirmatively and substantially promote the utilization of the development and the interests of public health or welfare within the United States.

Mr. President, this amendment is fair to the interests or private contractors. It protects the public interest. Why is it being so stoutly resisted? The answer, in four words, is: "The manufacturers of drugs."

This is not the first time Congress has had to deal with the fantastic lobbying strength which this segment of the manufacturing industry can muster. We still remember the gallant fight which our late, beloved colleague from Tennessee, Senator Kefauver, led to effectively moderate some of the excesses of this segment of the manufacturing industry.

Figures turned up by Senator Kefauver showed that the drug manufacturing industry has shown the highest profit rate on investment of any industry in the land. The unbelievable profits of the big drug manufacturing companies are often the result of Government imposed restrictions on competition and indirect Government subsidies. But to the drug manufacturing companies this is not enough. They eagerly importune the Federal Government to finance much of their costs of research and development—but they demand that they be entitled to preempt for themselves the fruits of the research financed by the citizens of our country.

At the present time Federal funds are used in this industry to finance research and development in three major ways. Although it is virtually impossible to estimate the value of these Federal contributions, it probably runs to hundreds of thousands of dollars a year. In the first place, research conducted by governmental agencies, such as the National Institutes of Health, occasionally yield new drug products. In 1961, for example, NIH reported the development of a new and potent synthetic painkilling drug, available under the trade name Prinadol. This new analygesic has a more powerful painkilling action than morphine; yet it is free from many of the undesirable side effects caused by morphine. Products such as this, in turn, are made available for commercial exploitation, usually on an exclusive basis, to a major drug company. This is necessary when new uses are found for old drugs on which the patent has expired, when sales are to be made to the Government, or evidence of safety and utility must be provided.

Finally, Federal funds support similar testing carried on by private hospitals as well as by State, county, and municipal hospitals. This money, which is in the form of grants from NIH, helps to defray for individual drug companies the expense of clinical testing carried on in such hospitals.

In addition to forthright financial aid, the Federal Government has provided a number of important protections and benefits to the U.S. drug manufacturing industry. The Federal Government gives exceptionally favorable tax treatment for expenditures on research and development which can be treated as either a business expense or can be capitalized and amortized over a period of years. Moreover, this type of treatment can be extended to many types of expenditures which are only distantly related to research, as usually conceived.

Further, most people are not aware of the great service rendered by the Federal Government to the big manufacturing drug companies with respect to the new drug applications which must be filed and approved by the Food and Drug Administration before any drug can be put on the market. These applications must be supported by extensive clinical testing which costs from $50,000 to $100,000 and up. Under the FDA's regulations, which are not required by law, the smaller drug producers who wish to sell a drug already on the market must duplicate the clinical testing which has already been approved by the FDA. According to small drug producers, the effect of this requirement is to prevent them from competing with their larger rivals on products which are not patentable or on which the patent has expired.

Of course, the most important protection extended to the industry by the Federal Government is the patent. It is often forgotten that the Constitution makes the granting of patents permissive, not mandatory. And on drugs this country has seen fit to grant the most extreme form of patent protection possible. With the exception of Belgium, it is the only developed, industrialized country which grants both process and product patents on drugs, does not provide for compulsory licensing, and imposes no price controls. Other countries, including many which have been noted for their development of new pharmaceutical products—for example, Germany, France, and Switzerland—have sought to provide some protection to the consumer. This attitude stems from the strong moral conviction that no one should have the right to withhold from the sick and ailing a product which spells the difference between sickness and health, life and death. But while granting to the drug manufacturing industry vast sums of money and a myriad of protections, the U.S. Government has extended no comparable protection to the American public. The drug manufacturing industry is being allowed to make tremendous profits at the expense of the taxpayers.

Spokesmen for our drug industry would have you believe that they are the only people who have ever discovered any drugs. The facts are otherwise.

Countries like Germany, France, and Switzerland, which grant patents only on processes and not on drug products, have been in the forefront in drug discoveries. Even in the past 20 years, many of the important discoveries have emanated from abroad. Oral antidiabetic drugs, for example, are the German development, although some Americans later developed molecular modifications of the original German compounds. Tolbutamide, sold by Upjohn under the trade name Orinase, was developed by Hoechst Co., of Germany, and is the largest selling oral antidiabetic drug in this country. Potent tranquilizers used in our mental hospitals are a French development. Thorazine and Compazine, the biggest selling potent tranquilizers to mental institutions in this country, are exclusively licensed to Smith, Kline & French by the French company which originated the compound. An additional example is the development of drugs designed to alleviate motion sickness. Searle, a U.S. company, developed Dramamine and has a patent monopoly. On the other hand, the competing product sold only by Pfizer is a Belgian development. The Belgian firm granted an exclusive license to Pfizer for sales in the United States.

In his fascinating, best-selling book on the Kefauver drug investigation, "The Real Voice," Richard Harris notes that at one of the hearings, a noted professor of pharmacology testified that:

> Far from leading in drug progress, it appears that our industry has usually followed and often after a clear lag.

Harris goes on to note that the doctor did—

> give the United States credit for the discovery of cortisone and other cortical steroids, and for anticoagulants, hydrazides, anterior pituitary hormones, antithyroids, and oral diuretics, but he went on to say that "most of the progress—in drug research—has come from European and British researchers, both industrial and independent." Foreign researchers, he added, had discovered the antihistamines, synthetic morphine substitutes, new antimalarials, synthetic estrogen, almost all of the tranquilizers, oral antidiabetics, and penicillin, the ancestor of all the other antibiotics. The purpose of much of the work done by American drug firms, Dr. Meyers asserted, was "partly to exploit and market" these foreign products but "mostly to modify the original drug just enough to get a patentable derivative."

The American public is paying for this vast research effort. And the American people should not be deprived of the resulting benefits. New drugs discovered with the aid of public money have been withheld from the public entirely, or were offered only at outrageous prices. I am not contending that the various forms of Federal aid be curtailed. I am for this Federal research. I am, however, insisting that those who pay for the research should be its beneficiaries. It is most unbecoming for the Government of the United States to accede as a matter of policy to any private interest, group, or industry. The very belligerence of the drug manufacturing industry that it will conduct research financed by the Federal Government only on its own terms is the strongest possible argument that can be advanced in support of Senator LONG's amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield 1 additional minute to the Senator from Texas.

Mr. YARBOROUGH. I ask unanimous consent to have 3 additional minutes.

Mr. LONG of Louisiana. I yield 3 additional minutes to the Senator from Texas.

Mr. YARBOROUGH. We heard the statement made last Friday that the floor of the Senate is no place to legislate. If the floor of the U.S. Senate is no place to legislate, why in God's name do we have it? The criticism we hear around the country is that decisions are made in smoke-filled rooms or in the little groups of subcommittees, and that the Senate has lost its savor, and fails to legislate. Let us legislate on the floor of the Senate, let us take this bill out into the light of day, and let the American people see how we legislate. It is time we legislated on the floor of the Senate if the fruits of $650 million of the people's research money is going to be given away to private monopolies which are already paid in full, with profit, for the research done.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I yield such time as is necessary for me to propound a question and for the Senator to reply.

The Senator from Texas has discussed some of the drugs developed in Europe. The Senator is aware, is he not, that when some of the products are made available to American drug companies through a license, the American company receives much greater protection than the European company, enabling the American company to charge a higher price than is permitted in the European countries?

Mr. YARBOROUGH. Exactly.

The purpose of the Long amendment is to permit the results of the research made with the people's money to be made available to the people. By adoption of the Long amendment the discoveries will be made available to the people much faster than if they are given to private monopolies.

I regret that there is no single representative of the other side of the aisle on the floor today. Maybe they do not want to listen, and then vote against the Long amendment. There was a time when Republicans like Borah, Norris, McNary, and La Follette stood up alone fighting to protect the public interest when the minority which then was on our side of the aisle was not fighting to protect the public interest. I hope, whichever way the vote goes, that the majority of Senators on this side of the aisle will not vote to give away the public interest. I hope the great majority of the Democrats will cast their votes for the Long amendment.

It is not a restrictive amendment on research, and will not delay research.

This amendment has been watered down to meet the approval of the department concerned. It was amended after long discussion, to meet the approval of the Department of Health, Education, and Welfare, and did meet its approval.

What secret forces are applied to them to make the American Cancer Society and the American Heart Institute change their position, because they have been doing exactly that when they agreed to the changed Long amendment. They have now reversed themselves. Why?

Mr. President, I ask unanimous consent to have printed in the Record the wording of the Long amendment.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

On page 12, line 4, immediately after "Sec. 906.", insert the subsection designation "(a)".

On page 12, between lines 11 and 12, insert the following:

"(b) (1) No part of any appropriated funds may be expended pursuant to authorization given by this title for any scientific or technological research or developmental activity unless such expenditure is conditioned upon provisions effective to insure that all developments resulting from that activity will be made freely available to the general public. The Surgeon General shall include in each grant or contract made or entered into under such authorization for any such activity provisions under which the United States will acquire exclusive right in and to any such development. Nothing contained in this paragraph shall be construed to deprive the owner of any background patent relating to any such activity, without his consent, of any right which that owner may have under that patent.

"(2) The Surgeon General may enter into an agreement with any charitable public health organization for the equitable disposition (for such period not exceeding three years as the Surgeon General may prescribe) of proprietary interests in any development which has been made through research or developmental activity for which such organization has made substantial financial contribution if the Surgeon General determines with the concurrence of the Attorney General, after according to all interested parties an opportunity for public hearing upon such proposed agreement, that such agreement will affirmatively advance the interests of public health. Each such agreement shall be subject to the provisions of paragraph (4) of this subsection.

"(3) Any grantee or contractor who has made any development in the performance of any obligation incurred under any grant or contract made or entered into subject to the provisions of this subsection may apply to the Surgeon General for the transfer to him of exclusive right (except against the United States or any Federal, State, or local governmental entity) to exploit such development for commercial purposes for such period (not exceeding three years) as the Surgeon General may prescribe. Before any such transfer is made, the Surgeon General shall comply with the requirements hereinafter set forth in this paragraph. The Surgeon General shall cause to be published in the Federal Register notice of the making of such application and a full and complete statement concerning the circumstances under which that development was made and the justification asserted by the applicant for such transfer. At such time (not earlier than 30 days after such publication) as the Surgeon General shall prescribe in such notice, opportunity for a hearing on the record upon such application shall be accorded under such regulations as the Surgeon General shall prescribe to each person who would be affected thereby, including any State or local government and any representative of an organization or segment of the public legitimately concerned therewith. Upon the basis of evidence received in such hearing, or if no such hearing has been requested upon the basis of such evidence as the Surgeon General shall obtain by full and complete investigation and preserve as a public record for not less than five years, the Surgeon General may transfer the proprietary interest for which application was made or any lesser proprietary interest to the applicant if the Surgeon General determines, with the concurrence of the Attorney General, that the making of such transfer—

"(A) is clearly justified upon equitable considerations by the contribution made or to be made by the applicant to such development apart from the financial contribution made or to be made thereto by the United States;

"(B) will affirmatively and substantially promote the utilization of such development and the interests of public health or welfare within the United States; and

"(C) will not result in or contribute to any material restraint of the interstate or foreign commerce of the United States.

"(4) Each transfer under paragraph (2) or paragraph (3) shall be made subject to—

"(A) the termination thereof at any time at which the Surgeon General determines that the recipient thereof has failed without adequate justification to (i) take prompt and effective action to bring the development to the point of practical application, or (ii) make the development available, upon terms and conditions determined by the Surgeon General to be reasonable, for use or exploitation by other parties within the United States for public benefit; and

"(B) such other terms and conditions as the Surgeon General shall determine, and specify in making such transfer, to be required for the protection of the interests of the United States.

"(5) The Surgeon General shall transmit to the Congress annually a full and complete statement concerning—

"(A) the identity of the recipient of each transfer made during the preceding calendar year with respect to any proprietary interest in any development subject to the provisions of this subsection;

"(B) the terms and conditions under which each such transfer was made;

"(C) the facts and circumstances relied upon in justification for the making of each such transfer; and

"(D) the use which has been made of all developments with respect to which such transfers have been made under this subsection at any time before the date of such report.

"(6) Whenever any development resulting from any research or developmental activity conducted in whole or in part with appropriated funds expended under authorization of this title or any proprietary interest in any such developments is withheld or disposed of by any person, organization, or agency in contravention of any provision of this subsection or any condition imposed pursuant to this subsection, the Attorney General shall institute, upon his own motion or upon request made by any person having knowledge of pertinent facts, an action for the enforcement of such provision or such condition in the district court of the United States for any judicial district in which any defendant resides, is found, or has a place of business. Such court shall have jurisdiction to hear and determine such action, and to enter therein such orders and decrees as it shall determine to be required to carry into effect fully such provision or such condition. Process of the district court for any judicial district in any action instituted under this paragraph may be served in any other judicial district of the United States by the United States marshal thereof. Whenever it appears to the court in which any such action is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

"(7) As used in this subsection—

"(A) the term 'development' means any information, copyrightable material, use, process, invention, patent, improvement or innovation resulting from scientific or technological research or developmental activity; and

"(B) the term 'charitable public health organization' means any organization described in section 501(c) (3) of the Internal Revenue Code of 1954 which (i) is exempt from taxation under section 501(a) of such Code, (ii) derives its income wholly or chiefly from charitable contributions made by the public at large, and (iii) expends its revenue chiefly for the promotion of public health or the alleviation of human suffering arising from floods, earthquakes, fires, explosions, and similar disasters affecting residents of the affected areas."

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the Record, because time will not permit my reading them, letters received just a few days before hearings were held in the Public Health Subcommittee, of which I am a member, from both the American Cancer Society and the American Hear Association, approving the Long amendment, and then, a day or two before we voted, telegrams received from them reversing their stand.

There being no objection, the letters and telegrams were ordered to be printed in the Record, as follows:

American Cancer Society, Inc.,
New York, N.Y., April 30, 1965.

Benjamin Gordon, Esq.,
Select Committee on Small Business,
U.S. Senate, Senate Office Building,
Washington, D.C.

Dear Mr. Gordon: The American Cancer Society and I wish to express our appreciation for the courtesy and attention to our problems in the area of the multiple support of research that you and the legislative staff for Senator Long have extended. We are particularly grateful that the proposed amendment No. 14 to Senator Long's amendment to bill S. 512 recognizes the different status of charitable public health organizations and preserves their proprietary interest in the results of research developments under which they have made substantial financial contributions.

In accordance with our discussions, it is understood that, in presenting this amendment, statements will be made for purposes of legislative history indicating the intent that this exception will be made automatically operational and effective by providing that the determination of the Secretary of Health, Education, and Welfare will be prompt and that the Attorney General's approval will also be promptly furnished. Also, unless objections or unusual problems are raised, hearings will normally not be held or required.

It was also discussed, and we believe sufficiently important, that the legislative history of Senator Long's proposed original amendment make clear that the requirements for information and other details will not in any way include material which would be contrary to, or interfere with, the established doctor-patient relationship which might underlie some of the research activities.

Thank you again for the cooperation and understanding that you have shown. We feel that these proposals will resolve a troublesome problem which otherwise would have had an adverse effect upon the progress of medical research in fields of vital importance to us all.

Sincerely,

Francis J. Wilcox,
Chairman of the Board.

American Heart Association, Inc.,
New York, N.Y., April 29, 1965.

Mr. Benjamin Gordon,
Select Committee on Small Business,
Senate Office Building,
Washington, D.C.

Dear Mr. Gordon: We are most grateful and appreciative of your good offices in assisting in the preparation of an amendment to Senator Long's amendment to Senate bills Nos. 512, 596, and 597.

The attached has been reviewed by our president, Dr. Carleton B. Chapman and Dr. James V. Warren, the chairman of our legislative advisory committee and we feel that in our combined judgments this represents a very satisfactory solution to our problem. We hope Senator Long will consent and be willing to consider this as an amendment to his present amendments to the Senate bills.

Again may we express our thanks to you and through you to Senator Long for consideration in this matter.

Sincerely yours,

Rome A. Betts,
Executive Director.

New York, N.Y.,
June 3, 1965.

Senator Lister Hill,
Chairman, Labor and Public Welfare Committee, U.S. Senate, Washington, D.C.:

The American Cancer Society noting the current sentiment of the Senate regarding the policy on patents growing out of Federally sponsored research would like to request favorable consideration of S. 512 without inclusion of any amendments on patents which were added to the original draft of the bill as it was introduced on January 15, 1965.

Harold S. Diehl, M.D.,
Senior Vice President for Research and Medical Affairs.

New York, N.Y.,
June 4, 1965.

Senator Lister Hill,
Senate Office Building,
Washington, D.C.:

American Heart Association concurs in Senate action defeating Long amendment on patent rights June 2. The association is hopeful that this important matter may now be resolved within the Judiciary Committee on an equitable basis since the association has major interest in the solution of this problem.

Rome A. Betts,
Executive Director,
American Heart Association.

Mr. YARBOROUGH. Mr. President, had the objections of the Senator from Rhode Island [Mr. Pastore] been valid, that we should not legislate originally on the floor of the Senate, in the sense of taking up for the first time on the floor of the Senate some amendments or measures not considered in the subcommittee, it would not apply to the Long amendment, because the Long amendment was considered by the subcommittee and by the full committee, and I filed individual views on it.

Mr. President, I ask unanimous consent to have printed in the Record, from Senate Report No. 368 on the bill, the individual views which I set out in that report.

There being no objection, the individual views were ordered to be printed in the Record, as follows:

Individual Views of Mr. Yarborough

While I enthusiastically support the broad purpose of this legislation, I feel that the bill would be greatly improved by the inclusion of a requirement that the results of research which is financed by public funds authorized under this act be made freely available to the general public. If the public pays for the research they should be entitled to the results of it. No private citizen should be allowed to acquire monopoly patent rights to the results of research which is financed with public funds.

In the case of research which is financed partly with public funds and partly with private funds, provision should be made for the granting of an exclusive right to the private researcher for a limited period of time (for instance, 3 years) if such a right is justified upon equitable considerations by the financial contribution made by the private researcher and if the action will promote the utilization of the development and the interests of the public health and welfare in the United States.

Through such a provision, the public interest would be safeguarded at the same time that the rights of private researchers were recognized.

I commend the Department of Health, Education, and Welfare for their efforts in the past to protect the public interest. I feel, however, that specific legislation is desirable in order to make clear the intent of Congress in the use of public moneys for research, and to insure that the public interest be safeguarded by law.

Ralph Yarborough.

Mr. LONG of Louisiana. Mr. President, will the Senator from Texas yield?

The PRESIDING OFFICER (Mr. Young of Ohio in the chair). Does the Senator from Texas yield to the Senator from Louisiana?

Mr. YARBOROUGH. I yield.

Mr. LONG of Louisiana. Let me compliment the Senator from Texas for the magnificent fight he has always made to protect the public from monopolistic exploitation. During the time I have had the opportunity to serve in the Senate, I have observed that the Senator has been 1,000 percent consistent whenever a fight developed between the interests of the public and the interests of a small minority who would victimize the public. The Senator from Texas has never been found wanting in that regard.

Mr. YARBOROUGH. Mr. President, I thank the Senator from Louisiana for his generous comments. I commend him also. The people of the United States are fortunate in having a man of his caliber serving on committees with the dedication which he has always shown to the people of the United States.

Mr. President, this country is enjoying a period of high prosperity. The history of the country shows that during a period of high prosperity, when everyone is doing well, the Government sometimes gets careless.

During those periods of high prosperity we find the greatest giveaways of the public's rights by the Government, merely because people have become so prosperous they are not paying much attention to what the Government is doing.

Today, I hope that we will pay attention, and secure for the people the right to obtain early use of valuable drugs that might be discovered with public moneys. The Long amendment is only for the purpose of protecting the public interest in the public's money, and the fruits of its use. This is not a limitation upon private rights. Every private researcher or manufacturer is free to research, to explore, at his own expense, and keep all his findings for himself.

The Long amendment is written in such a way as to give a firm the exclusive right to use a discovery for a limited number of years, if they have contributed to that discovery. If they make the discovery by themselves, they have an unlimited right. And if they add their moneys or their patents to the Government moneys, they share the fruits of the research. It is a fair amendment to researchers and manufacturers.

It has been pointed out that American drug manufacturers can both produce and market exclusively, something drug companies cannot do in most of the countries of the Western World. This bill, which I strongly support with or without the Long amendment, will aid in bringing about discoveries which are badly needed by humanity, especially in the ailments which today kill more Americans than all other ailments combined.

Mr. President, I yield the floor.

Mr. LONG of Louisiana. Mr. President, I suggest at this time, because there are few Senators in the Chamber, that Senators who wish to speak in opposition to the amendment who have used a smaller amount of time than we have—I believe they have used no time except 5 minutes for the calling of a quorum—speak at this time.

I believe that the side which offers the amendment, by tradition, is entitled to close debate. We have used 32 minutes out of 60. Inasmuch as we are entitled to close debate on the amendment, I urge that Senators who wish to speak against the amendment proceed at this point.

Mr. KENNEDY of Massachusetts. Mr. President——

Mr. HILL. Mr. President, I yield 10 minutes to the Senator from Massachusetts [Mr. Kennedy].

The PRESIDING OFFICER (Mr. Gore in the chair). The Senator from Massachusetts is recognized for 10 minutes.

Mr. KENNEDY of Massachusetts. Mr. President, I claim no special knowledge in the area of patent policy, nor do I have, or represent, any vested interest other than my concern for health matters. I do have the most profound respect for each of my colleagues who are actively involved in this debate. Senator McClellan, as chairman of the Patents, Trademarks, and Copyrights Subcommittee of the Judiciary Committee is an authority in this area, and I feel his views cannot be lightly dismissed on any question concerning patents. Senator Long is one of the most dedicated and sincere Members of this body and I often am in sympathy with his views on matters of basic social interest. His concern with the disposition of patent rights where public funds are involved is to be commended. I completely support his motives and desires in this area, and his fight for the protection of the public interest will, I am convinced, yield the results he seeks. I shall support him in a major effort for sound, all-inclusive legislation—but I cannot support ad hoc amendments in the complex area of patent policy. And Senator Lister Hill is the undisputed leader of the Senate, indeed of the entire Congress, in matters relating to the health and well-being of the country. I have nothing but the most profound admiration for the work of this Senator over the years—work that has directly resulted in unprecented advances against the causes and accompanying misery of disease and illness. The position of Senator Hill on this amendment should be of the greatest significance to all of us.

The issue before us is whether there should be a national patent policy or whether each piece of major legislation should be amended to provide different policies for each agency or program. The issue is not the pricing practices of the drug industry.

We now have a presidential patent policy that was developed over a period of 20 months or more. This policy has worked well. We have not been informed of any abuses under this policy in general, and as regards the Department of Health, Education, and Welfare, Senator Long has stated that he has no quarrel with their use of their patent authority. Referring to HEW, Senator Long stated on Friday that "I am in support of the position that it has followed."

So what we are concerned with here is the necessity at this time to amend various pieces of health legislation when we are not confronted with an immediate need. We are asked to do this even though Senator McClellan's Subcommittee on Patents is conducting hearings on bills that would create a national patent policy. These hearings will, I am sure, produce the protections in this area that Senator Long is asking for and the protections that I support. But this will be done after a full opportunity is had to consider our national patent policy. This will not only assist Members of the Senate to reach an informed opinion but will also create less disruptions in the research field. I have been informed by research men that I highly respect from my State that the amendment procedures currently being employed on patent policy could seriously affect the cooperation between private industry and university and medical researchers. These people do not know what future policy will be, for the amendments that are offered are often changed and their effects are never fully discussed. As a result, private researchers in industry are not anxious to accept any assistance from institutions supported by Federal funds, and this assistance would in many instances speed up the development of vaccines and drugs that are urgently needed.

Mr. President, in the area of patent policy and health we should be absolutely sure of what we are doing. The problem of preserving initiative in research while protecting the public interest cannot be solved in a day's debate on the Senate floor.

We have the time to consider our patent policy. A respected member of the Judiciary Committee—Senator McClellan—is currently holding hearings on this subject, and we are assured that the existing presidential policy is working well under the current administration of the Department of Health, Education, and Welfare.

If this policy is to be changed and put into law, we should do that through the Patent Subcommittee, and not by a piecemeal approach through an amendment process. The fact that we do not act today does not mean that we can never act. It does mean, however, that when we do legislate we will be fully informed and aware of the effects of our actions.

Mr. President, I therefore will support the Senator from Alabama [Mr. Hill], the Senator in charge of the bill, in opposing the Long amendment.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time for the quorum call be charged to the time of the Senator from Alabama [Mr. Hill].

The PRESIDING OFFICER (Mr. Brewster in the chair). Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. Harris in the chair). Without objection, it is so ordered.

Mr. HILL. Mr. President, I yield to the distinguished Senator from Missouri as much time as he desires.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. SYMINGTON. I thank the able and distinguished Senator from Alabama for yielding.

Mr. President, I have followed these discussions with interest and care: I have nothing but commendation for the distinguished Senator from Louisiana [Mr. Long] in respect to his position on the issue. He believes that he is protecting the rights of the Government, and therefore of its citizens.

When a similar amendment came before the Senate during the discussion of patents incident to space developments in this country, many of the business people, those who have and do not have relationships with NASA, felt that the amendment would be an infringement on their basic rights under the capitalistic system.

That included small companies as well as large companies.

This morning I received three telegrams from three universities of my State. The first comes from the University of Missouri, one of the institutions of learning mentioned on the floor of the Senate previously by the distinguished chairman of the committee in question. The telegram reads as follows:

> I hope the Russell Long amendment on patents will not be added to any appropriations for research. In our view it would damage all universities research programs. The subject needs far more study.
>
> Elmer Ellis.

The second telegram comes from the acting president of St. Louis University, the Reverend Jerome Marchetti, S.J. It reads:

> We oppose proposed amendment whereby patent rights in sponsored research in medical field become property of Government.
>
> Rev. Jerome L. Marchetti, S.J.,
> *Acting President, St. Louis University.*

The third telegram, signed by Thomas H. Eliot, chancellor of Washington University, reads:

> On behalf of Washington University I urge you to oppose the Long amendment to the health, education, and welfare bill scheduled to be voted upon at noon on Monday. Departure from the long tradition of patent law would be a grave mistake. Your existing patent laws on research and development has flourished and the Nation has benefited. Dealing specifically with universities these are not profit institutions and any patent royalties are spent by them for the public benefit, for our universities must strive if they are to provide good education for the swiftly increasing number of young Americans.
>
> Thomas H. Eliot,
> *Chancellor, Washington University.*

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. SYMINGTON. I do not have the floor, but if the Senator from Alabama agrees, I shall be happy to yield.

Mr. HILL. Certainly.

Mr. CARLSON. I should like to associate myself with the remarks made by the distinguished Senator from Missouri [Mr. Symington] in regard to the pending Long amendment. I have received several communications from our State which are thoroughly in accord with the statements that have been read into the Record by the distinguished Senator from Missouri. I appreciate very much his taking the position which he has taken on the floor of the Senate today.

Mr. SYMINGTON. I thank the able senior Senator from Kansas for his remarks.

As one who has operated outside, and in the Government, I would worry about complete Government control from the standpoint of motive incentive in the arts as well as engineering. On the other hand, I realize that some interesting cases have been made on the floor of the Senate with respect to future policy in connection with this all-important subject, and commend the able Senator from Louisiana for his interest.

Mr. President, I hope that the Senate will accept the position taken by the senior Senator from Arkansas [Mr. McClellan] when he says that as soon as possible he will complete hearings on these measures now before his committee, and currently before the Senate. Then we can work out—and I would certainly hope so; I shall do my part to that end—

a standard overall patent policy for the Government of the United States.

I thank the able Senator for yielding to me.

Mr. HILL. Mr. President, I yield to the distinguished Senator from Massachusetts [Mr. SALTONSTALL] 5 minutes.

Mr. SALTONSTALL. Mr. President, I thank the Senator. I have listened to the Senator from Missouri, and I am heartily in accord with what he has said. As I see it, there are three reasons why we should not support the amendment of the distinguished Senator from Louisiana, for whom I have a high regard. He is most persistent and energetic in anything that he undertakes.

My first reason relates to the number of differing patent policies that presently exist in the Government. If my memory serves me correctly, there are today 20 departments of the Government which are doing research of one type or another. We shall have 20 different policies if we follow the proposed procedure. Shall we proceed in such a manner, or shall we have a policy that will be thoughtfully worked out by the Senator from Arkansas [Mr. McCLELLAN] and his committee?

The Senator from Arkansas [Mr. McCLELLAN] has at least three bills on this subject before his committee at the present time. There is a bill which he introduced, a bill which the Senator from Louisiana introduced, and a bill which I introduced. There may be others. It is our mutual desire to work out a careful and thoughtful policy that will apply to all Government agencies. At the present time, if this job is done piecemeal on the floor of the Senate, we shall endanger one of the most important aspects of the American way of life. In the United States we have gone ahead in many different fields through individual initiative, individual imagination, individual patience, and willingness to work hard. We know that from such work we derive benefits through the discovery of patentable materials.

My second reason is based upon facts brought out in the debate on the question of patent rights disposition arising out of NASA research and development contracts. I am speaking from memory now, but I believe there have been approximately 4,400 contracts entered into by that agency since adoption of its recently revised patent waiver regulations. Out of these approximately 4,400 contracts, NASA, under Mr. Webb, has issued only 7 waivers at the time of contract negotiation.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. LONG of Louisiana. I should be glad to use some of my time in order that I might ask a question.

The Senator has spoken about seven waivers that were granted prior to anyone knowing what might be discovered under those contracts. The Senator would find that a great number of additional waivers were granted and are being granted on discoveries after they are made. I suspect that they are being granted on the very best things that NASA is discovering, with applications for waiver being made after the discovery is made.

So what the Senator from Massachusetts is talking about is only what NASA is doing in ways which I believe directly violate the law. That is what the Department of Justice advised the agency some years ago. They did not have the right to waive those rights prior to knowing what might be developed. Their lawyers testified before us that they did not think they had the power to do it.

I am opposed to waivers after a discovery is made. But in my judgment, waiver before discovery is a direct violation of law. Their own lawyers testified as much before my subcommittee. They said that waivers should not be made without the parties even knowing what would be discovered.

Mr. SALTONSTALL. I thank the Senator for his observation. I believe that the issue as to who should receive patent rights under research and development contracts should be determined, generally, at the time a contract is negotiated. The parties should know their rights at that time. In the bill that I introduced, we tried to deal with patent rights disposition in that way. The Government would have the responsibility for making the decision at that time. If a mistake is made, or if conditions change, the Government would have the authority to revise its commitment.

It was not my intention to deal with this particular subject, but I wanted to cite this as an example.

My first reason, then, is that there should be an overall general policy governing patent rights disposition under Government research and development contracts. This is preferable to a hit-or-miss policy adopted through the amendment procedure.

My second argument is, as I sought to bring out the other day, that if there is to be a patent policy established under a health bill, this is not the bill on which to do it. As I understand, from a reading of the committee report—and that is all that I am familiar with—it would be mostly Government money that would be used for construction in one form or another, with little to be used for research.

My third reason is based upon insuring progress in our way of life. The best way to accomplish this is by encouraging individual initiative.

The PRESIDING OFFICER. The time of the Senator from Massachusetts has expired.

Mr. HILL. I yield an additional 2 minutes to the Senator from Massachusetts.

Mr. SALTONSTALL. I well recall an interesting evening some years ago when I, together with several others, had dinner with Dr. Fleming, the discoverer of penicillin. He told us that his discovery of penicillin was incidental to work he was performing on another subject. The side issue was continually coming up. Finally he concentrated on the side issue and in that way discovered penicillin.

Is it proposed to take away from a great scientist, a great doctor, a great medical man, the rights to a discovery that is his entirely? I do not believe any doctors take patent rights anyway. I do not know whether Dr. Fleming ever received anything from the discovery of penicillin. But such a person, who may be working on an entirely different issue, although supported by Government money, should not have taken away from him rights he may ultimately derive as a result of his study. I do not believe that is wise, unless based upon one general policy.

For all these reasons, I hope that the amendment of the Senator from Louisiana will be rejected. Then the Senate can go forward to pass a bill which relates to the extremely important subject of public health.

I thank the Senator from Alabama for the time which he yielded.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, how much time remains to the two sides?

The PRESIDING OFFICER. Twenty-eight minutes remain under the control of the Senator from Louisiana; 20 minutes remain under the control of the Senator from Alabama.

Mr. LONG of Louisiana. We have more time remaining than they have?

The PRESIDING OFFICER. That is correct.

Mr. LONG of Louisiana. Mr. President, I yield myself 4 minutes. I shall reply briefly to one or two of the points made.

It has been stated that I did not allege that the Department of Health, Education, and Welfare was not using its powers correctly. The burden of my argument has been that we should not leave the stable door open with respect to the billions of dollars spent for health research and let the plunderers proceed to put pressure upon people in Government agencies so as to try to obtain private monopoly rights on research financed by the Government.

I contend that the difference between having drugs developed so that they are immediately available to the public and letting them be sold under a patent monopoly when the Government has paid for the entire research results in a difference in price of about 30 to 1. There is a difference between a person paying 14 cents for a pill for diabetes when the pill has been developed by a private company and paying only half a cent for a pill that has been developed by research conducted with Government money. Over a period of 10 years, the difference in cost to a diabetic might be the difference between $1,600 and $48. That is the kind of money we are dealing with.

Let me cite some of the things that are taking place. I explained the other day how Dr. Guthrie did some research. He is a dedicated man, not seeking to make a killing, not even interested in patent rights. Yet his discovery, used by the Miles Laboratories, sold at 40 times what it cost for manufacture, 40 times the cost of producing it, let us say, in a small laboratory in Louisiana. Fortunately, in that development, a fight was made to protect the public interest.

But there are some cases in which the public interest has not been protected too well. I learned only recently about one case. I made inquiry about it. It deals with a development by Government employees. The work was done in National Institutes of Health laboratories by Government employees. Merck & Co. filed for patents for the Government employees and paid the fees for filing the patent. They provided the patent attorneys to create the presumption of ownership in the company. No other company, to my knowledge—and I believe this is correct—had access to the work done by the National Institutes of Health in this discovery. It is evident that only Merck & Co. got the information and know-how on those contracts.

In my judgment, a legitimate question is whether Government employees were actually working for the company or working for the Government. They were being paid by the Government.

This patent application was paid for by Merck & Co. Merck & Co. apparently has all the foreign rights to it. Yet Merck did not spend a nickel in connection with developing the product. Only after I began to investigate and asked to see the files did the employees assign the patent to the Government. Up to that time, it had not even been reported to the Surgeon General. No request for a determination had been made. This had been done in violation of the law, so far as I can determine. I am sorry to say that the assignment came too late for the Government to obtain its foreign rights. The foreign rights were already vested in employees who had made an agreement with the private company, before the Government even had an opportunity to determine the kind of action that would be in the public interest.

I can cite other cases, but the one I have cited is an excellent example. The patent was not assigned to the Government, even for domestic uses, until after I began an investigation. Even now, it appears that the foreign market is being exploited, because the private company has the foreign patent rights, even though the drug was developed with Government money in Government laboratories. That is the kind of activity I am trying to prevent.

Pressures are being put upon the National Institutes of Health and the Department of Health, Education, and Welfare by private companies, using every power at their command, to turn over the Government findings to the private companies, companies which did not spend a penny and had nothing to do with the research, but which seek the information so that they can exploit the public by charging anywhere from 30 to 1,000 times what the product should sell for.

Much has been said about the messages from universities. I inquired about that. As best I can determine, some of the research people were completely biased. Dr. Lowell T. Coggeshall of the University of Chicago, who was presumed to be impartial, has not been. He is a director of Abbott Laboratories, one of the big drug concerns in this country. For whom is he speaking? Abbott Laboratories or the university? There is a direct conflict of interest.

Another person, Dr. I. S. Ravdin, of the University of Pennsylvania, appeared before the Kefauver committee and testified for the Pharmaceutical Manufacturers Association. For whom is he speaking? For the university or for the Association of Pharmaceutical Manufacturers? I inquired of the man who, I understand, is chairman of the Patent Committee of the Universities—at least, he is responsible in that connection—as to what was his view on this subject.

The man whom I have in mind is the vice president of Tulane University at New Orleans. What did he say? He spent the weekend looking into the matter. He said that the American Association of Universities has taken no position and not looked into the matter. He said that the American Council on Education has taken no position and has not determined what its position would be.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 additional minute.

Mr. LONG of Louisiana. Mr. President, he said that the Association of Land Grant Colleges and State Universities have not examined the question nor taken a position on the matter, and neither has the National Association of College and University Business Offices.

These are the people who presume to speak for the institutions and they have taken no position. However, on the contrary, there are several organizations such as the Wisconsin Alumni Fund—which was prosecuted by the Attorney General of the United States on an antitrust action—which send telegrams and say that they want the Long amendment defeated.

Some universities are receiving grants and royalties on some of the discoveries and developments. The universities receive this income by signing monopoly rights on work done for and paid for by the Government. The amount of money which they receive is very small when compared to what the pharmaceutical firms extract from the consuming public.

This is a most inefficient way by which to subsidize education or research. If we want to subsidize research or education, we should do what is proposed in the bill—appropriate the money to them.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 additional minute.

Mr. LONG of Louisiana. Mr. President, if we want to subsidize research, we should do what is proposed to be done in the bill. We should grant money from the Treasury of the United States. However, to talk about subsidizing education and research by permitting them to take something that belongs to the people of the country and to put some private firm in position to charge 40 times what they should charge for it, and then to permit them to come in here and say that this is a great help to education because education gets back 5 cents on the dollar from the money which has been plundered from the public is a pretty expensive way to subsidize education.

The PRESIDING OFFICER. Who yields time?

Mr. McCLELLAN. Mr. President, will the distinguished Senator from Alabama yield 5 minutes to me?

Mr. HILL. Mr. President, I yield 5 minutes to the distinguished Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes.

Mr. McCLELLAN. Mr. President, we have a parliamentary situation which exists here that is apt to be overlooked by Senators.

The real issue involved in the amendment—arguments can be made on either side—is whether we shall now abandon the committee system, do away with it, and make an assault upon the committee system in order to get an amendment agreed to. No hearings have been held on the amendment. The amendment has not been examined by committee process. No opportunities for hearings have been offered. The amendment deals with a vital problem confronting this country.

Do we want to agree to abandon a tried and valuable system that has been established and has worked over the years? In committee hearings, we have the advantage of having both sides present their cases, and then we can let the Senate resolve the question.

Are we to resolve this question in an ex parte fashion? If we should agree to the proposed procedure at this time, we would be abrogating every precedent that we have followed in the committee system of the U.S. Senate for so many years.

Every chairman of a Senate committee has something at stake. Every committee member has something at stake. Every Senator has a vital interest in whether we agree to such a departure from the established custom.

I know of cases that might be cited otherwise. They will be referred to in due course. I have made no commitment. I have not resolved the case with myself. There are cases and circumstances under which the Government should take absolute title to a product. However, there are other cases in which it should not. I daresay there is not a Senator today, including the author of the amendment, who can stand on the floor of the Senate now and tell us exactly what this proposal would do. It is complicated. Anyone who argues that the situation is not complicated does not know what he is talking about. It is highly complicated.

Mr. President, all we have to do to determine the answer is to hold committee hearings and hear the testimony that is presented. We have an issue which we must resolve. I should like to see it resolved in the interest of our country, the welfare of our Government and of our people. However, I am not ready to depart from the committee system.

Mr. President, it would be a great favor to me if such a procedure were adopted. The Senate might be doing me a personal favor. The problem is now before my committee. I did not seek the problem. I happen to be chairman of the Subcommittee on Patents. The issue is involved in hearings before that subcommittee. The subcommittee is in the process of holding hearings on the subject now. I propose to hear anyone on either side who has anything to contribute. When that record is made, this amendment might be a proper issue for the Senate. However, it is not a proper issue at this time unless we want to abandon the traditional committee procedures which are followed in the processing of vital and important legislation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HILL. Mr. President, I yield 2 additional minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 2 additional minutes.

Mr. McCLELLAN. Mr. President, the Senator from Louisiana, who has offered this amendment, said in debate on the floor of the Senate last week:

> Those in the Department of Health, Education, and Welfare today follow a policy of protecting the public interest.

That appears on page 14842 of the CONGRESSIONAL RECORD of June 25, 1965.

In the CONGRESSIONAL RECORD of the same day, on page 14830, the following language appears:

> This subject has been studied at great length in various agencies, and as a result HEW has decided to continue following the policy which I advocate.

Mr. President, if that is true, where is the emergency? Where is the urgency to accomplish this purpose in an unorthodox way? Where is the necessity for abrogating established policies in order to effectuate agreement to this amendment?

Agreeing to this amendment would establish a precedent that would come back to haunt the Senate. What committee would feel that it had a duty imposed upon it to go into these controversial issues thoroughly and present a record here that would enlighten and inform the Senate, and enable the Senate to pass judgment on and resolve the issue?

If we were to agree to this amendment, then when bills would be introduced, they would be debated, and any Senator could offer amendments on the basis of his own ideas without hearings having been conducted.

Surely we can submit something for the record, as being done here today, concerning isolated cases. Just as many cases could be cited on the other side, if this were a proper time and forum in which to try the issue. However, it would not be the proper forum unless we want to permanently set the precedent here of departing from established parliamentary procedures of processing legislation.

Mr. SALTONSTALL. Mr. President, will the distinguished Senator from Alabama yield time to me for the purpose of asking a question?

Mr. HILL. Mr. President, I yield 1 minute to the distinguished Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 1 minute.

Mr. SALTONSTALL. Mr. President, does the Senator not agree with me that patent law is one of the most complex fields of law, and that there are lawyers throughout the country who confine their entire practice to the knowledge and practice of patent laws? Yet, on the floor of the Senate we are trying to agree on an amendment to the patent laws of our country, an amendment which relates to Government patent policy. It is perhaps the most complex subject in the field of law.

Mr. McCLELLAN. The Senator is correct. I have no fixed conclusions about it. I have a desire to learn. I have a desire to make a record here and to receive testimony from all of those who are interested and who have anything that they can contribute that would enable the Senate to legislate wisely and in the public interest.

Mr. HILL. Is it not true that the Senator has already started his hearings?

Mr. McCLELLAN. We have heard 18 witnesses. We have scheduled more witnesses for the 6th of next month, which is the earliest we can schedule them for. Anybody who wants to come before the committee can do so. Statements can be placed in the record which can be read and reflected upon. The other side of the question can be represented. Those statements can be placed in the record. The Senate will then have an opportunity to sit in judgment on the facts, and not on the basis of someone's opinion or argument which can be made without regard to the facts.

Mr. HILL. The Senator has heard 18 witnesses?

Mr. McCLELLAN. Yes.

Mr. HILL. Are others scheduled to be heard?

Mr. McCLELLAN. There are 12 more witnesses to be heard.

Mr. HILL. The Senator is in the middle of hearing the case and going into the case, examining the testimony, getting the best available advice he can get from the expert witnesses, and seeking the benefit of their knowledge and advice. He is in the middle of that, and now it is proposed to jump in and put this provision in the bill.

Mr. McCLELLAN. We are still hearing their testimony and getting their help.

Mr. HILL. Mr. President, may I ask the Chair how much time I have left?

The PRESIDING OFFICER. The Senator from Alabama has 11 minutes remaining.

Mr. HILL. How much time has the Senator from Louisiana?

The PRESIDING OFFICER. The Senator from Louisiana has 18 minutes remaining.

Mr. HILL. I think the Senator from Louisiana should use some time.

Mr. LONG of Louisiana. Mr. President, the matter of committee jurisdiction has been mentioned.

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. LONG of Louisiana. I yield myself 4 minutes.

The question of committee jurisdiction has been discussed. The Senator from Louisiana started looking into this matter back in 1959. He discovered situations in 1959 that he concluded were horrible. I refer to the matter of private concerns getting the benefit of Government research money. The Senator from Louisiana went to the then Senator from Wyoming, Mr. O'Mahoney, who had done much work on the antitrust field, and who was then on the Judiciary Committee. Hearings were conducted. He told me, as a personal matter, "You are right, but we have a great deal of power to fight and I will need your help and all the help I can get." But no bill came from the Judiciary Committee.

There was no more able or sincere antitrust and antimonopoly man on that committee than the then Senator from Wyoming, Mr. O'Mahoney, but nothing came from the Judiciary Committee. The Senator from Louisiana asked to have a special committee to investigate the whole patent question but nothing came of it.

I have in my hands three volumes of testimony, very formidable documents. The hearings were conducted by the Monopoly Subcommittee of the Small Business Committee, of which I am chairman. Witnesses testified before the committee and important information was developed. I submitted this information to the Judiciary Committee.

Hearings were then conducted by the subcommittee headed by the distinguished Senator from Arkansas, one of the great Members of this body. Two additional volumes came from that committee. I testified before the committee five times.

Mr. President, my investigation of this question started about 1959. I did what I could to get information as to what the public interest required.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 2 additional minutes.

My interest in this field started in 1959 and has continued until today, in the year 1965. I determined to see to it that any time a Senator wanted to bring a research bill out of committee, I was going to ask the question, "Are you going to give money for the use of a private company, or are you going to let the public get the benefit of it?"

I have placed a memorandum of the questions involved on Senators' desks.

With regard to doing this in the interest of the public, I remind Senators that we put such a provision in the Helium Gas Act, in the Saline Water Act, in the Solar Energy Act, in the Water Resources Act, in the Coal Research Act, and in the Regional Development Act of 1965.

Every time a bill comes out of committee providing for research funds, I raise the question, "What do you want to do with the money? Use it for the benefit of 196 million Americans or put someone in a position where he can victimize the American people?"

I am seeking to amend the National Public Health Act. The act comes under the direct jurisdiction of the Committee on Labor and Public Welfare. That is the committee that should amend the act when it needs correction or when it finds fault with it. I submitted the amendment and requested permission to testify. Through some misunderstanding, I was not permitted to testify. I am sure it was not the fault of the Senator from Alabama. There are individual views filed by the Senator from Texas supporting the amendment, which was cleared with the Department of Health, Education, and Welfare.

The President's adviser in the White House said he saw nothing wrong with the amendment. Now I understand he is opposed to it.

When we try to adopt a patent policy that will apply to all the agencies, we find it is impossible to have one policy in effect for all of them. In the Department of Defense the big firms have established a policy, and they have great power. The same is true of the National Space Agency. But when we provide money for research, particularly in new programs, I must ask why we are going to do it. I think I have advocated flexibility.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **LONG** of Louisiana. Mr. President, how much time have we left?

The **PRESIDING OFFICER**. The Senator from Louisiana has 11 minutes under his control, and the Senator from Alabama has 11 minutes under his control.

Mr. **YARBOROUGH**. Mr. President, will the Senator yield me a quarter of a minute?

Mr. **LONG** of Louisiana. I yield the Senator 30 seconds.

Mr. **YARBOROUGH**. I ask unanimous consent to have a three-page statement inserted in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Shall the Public Get Its Money's Worth?

THE ISSUE

When the Government pays billions of dollars for research, should the fruit of that research be freely available to the public or should it be the private property of a company which worked for the Government on a guaranteed profit basis?

HOW DOES A PRIVATE BUSINESS DO IT?

Private companies doing research or hiring researchers always insist that whoever pays for the research gets the patent rights to it.

HOW DOES THE GOVERNMENT DO IT?

Until World War II, private patents were not granted on Government research. Most agencies doing research are forbidden by law from giving away patent rights. However, the Department of Defense spends most of the money, and since World War II, it has been granting private patent rights to commercial application of its research. NASA is permitted by law to grant private patents when the Administrator finds it "in the public interest," which under pressure of contractors, is tending toward more and more waivers of the best things developed. Federal Aviation Agency is not bound by law, but does not waive patent rights.

WHAT DOES THE DIFFERENCE MEAN AS APPLIED TO DRUGS?

On the average, it means that the public pays about 30 times the cost plus fair profit at wholesale for drugs produced under private patents. After a retail markup, the public is paying about 60 times the cost of production. (See table at page 14830, Congressional Record, June 25, 1965.) For example, the latest oral medicine for diabetes (replacing insulin) retails for about $14.40 per hundred pills—about 14 cents each. This medicine—tolbutamide—was discovered in Europe. Upjohn—using the trade name "Orinase" is the American licensee. The drug sells at wholesale in Europe for about 3 percent of the wholesale price here.

WHAT ABOUT THE CASE WHERE THE COMPANY HAS MADE SOME PROPORTIONATE CONTRIBUTION?

Under the proposed amendments the company could be given exclusive license privileges for 3 years under closely circumscribed conditions.

WHAT PERCENT OF MEDICAL RESEARCH IS DONE BY GOVERNMENT?

The overwhelming bulk of it.

WHY HAVE SOME UNIVERSITY PEOPLE EXPRESSED OPPOSITION?

The leading university organizations have taken no position on the issue, and are generally uninformed on it. Some few special university-oriented persons have been importuned by the drug companies, some of which make contributions to research programs in university laboratories. Some of these contributions are no more than $500 or $1,000, but as tight as university budgets are these days, even small contributions are important.

IF THE UNIVERSITY OR NON-PROFIT RESEARCH LABORATORY DISCOVERS SOMETHING VALUABLE AT PUBLIC EXPENSE, SUCH AS A CURE FOR CANCER, WHY SHOULD IT NOT BE PERMITTED TO LICENSE THE PRODUCTION AND USE THE ROYALTIES FOR MORE RESEARCH?

The difficulty is that the licensee usually gets only a small part of the profit and the bulk of the high monopoly profit—as much as 90 percent of it—can be retained by the private drug company acting as sole licensee. This is a very inefficient way to aid either research or education.

WHY NOT WAIT UNTIL THE M'CLELLAN SUBCOMMITTEE OF THE JUDICIARY COMMITTEE ACTS?

This same subcommittee has been looking at the problem since 1961 without reaching a conclusion. Meanwhile, Congress, especially the Senate, has been acting repeatedly on new research programs to provide that where research is authorized to be done with public funds, the public will enjoy the full benefit rather than place some private group in position to plunder the public interest. As a matter of fact, three of the five members of that subcommittee have voted twice this year for amendments to other bills to forbid private patents on new research programs.

ARE WE LIKELY TO ENACT GENERAL LEGISLATION ON THE SUBJECT AT THIS CONGRESS?

Hardly. If the legislation proposed would drastically alter the policy of the Department of Defense and NASA, there would be tremendous opposition from a great number of business interests, and the Judiciary Committee has a rule of free debate. For example, the civil rights acts have either bypassed the committee or they have been referred with instructions to report on a certain day.

If the committee sought to enact a law to guarantee private patents on Government research, and if it should pass the Senate, it would go to the House Judiciary Committee where Chairman Celler and Subcommittee Chairman Willis both have outstanding records for opposing monopoly. You will never satisfy both sides of this issue.

WHAT ABOUT INCENTIVE?

At least 99 percent of medical research nowadays is done by dedicated men who are motivated by the salary they are paid and by their desire to benefit mankind. The Dr. Guthrie case, discussed in debate, is an example of how such a man can be horrified to find that the public is being overcharged fortyfold by a drug company in order to have available the fruit of his research.

Most of these research doctors, chemists, and scientists neither understand nor care about the patent system. They will not have the patents in any event. Most of them are astute enough to know that in the last analysis, it is the U.S. Government that is paying their salary and expenses—not the company, university, or institution through which the money is funneled.

AND HOW ABOUT PRESERVING FREE ENTERPRISE?

If private patents are not permitted on Government research then many companies will compete in price for the public's business and the public will benefit. Competition is the fundamental element that assures the public the benefit of even better products at even lower prices. No one on the selling end can be blamed for trying to avoid competition, but those of us who have a responsibility to the consumer would be derelict of duty to permit monopoly conditions in situations where it is clearly not justified.

IS THERE A DISTINCTION BETWEEN THE HEALTH ASPECT OF THE PROBLEM AND THE DEFENSE RELATED RESEARCH?

Some people think so. The Kennedy memorandum said that patent rights would not "normally" be permitted private contractors in health-related research. Senator Ribicoff, former Secretary of Health, Education, and Welfare, stated in debate that the Government contributions in this field are so overwhelming that he concluded this was the area in which the case against private patents was the strongest, and he will so vote. Undersecretary Wilbur Cohen helped to work out the Long amendment, and feels that it adequatedy meets the problem. Secretary Celebrezze does not oppose it.

SUMMARY

The question is simply whether the 196 million Americans, having paid for a cure for cancer, heart disease, stroke and many other diseases, are to be assured the new medicines at low competitive prices or whether they will be required for the remainder of their lives to pay monopoly prices ranging from twenty to one thousand times what those drugs could have been availabe for.

To use orinase (for diabetes) as an example, at European prices and under competitive conditions, it could be made available to a person requiring it for 36 cents per month retail compared to $14. In 10 years a diabetes sufferer would pay $43.20 in competitive prices, compared to $1,680 when sold under the American style of drug monopoly.

The orinase example is noteworthy because it is one of many good drugs developed in Europe under a different patent system, the less rigid patent protection there permits Europeans to have the product at prices far below that which a licensed American drug company—which did not discover the drug—is able to extract from the public here.

Mr. **SALTONSTALL**. Mr. President, will the Senator from Alabama yield to me so that I may ask a question?

Mr. **HILL**. I yield.

Mr. SALTONSTALL. The Senator from Louisiana and I are agreed that we want to give the benefits to 196 million Americans, but we also wish to be sure that those 196 million Americans receive the benefits of further scientific research that will advance their health and advance our space efforts and our military efforts. If we take away incentives to develop these inventions, we are taking away much of the initiative that will benefit these 196 million people.

Mr. LONG of Louisiana. Mr. President, I yield myself such time as I may need to comment, but less than 1 minute.

At least 99 percent of the research is done by dedicated men who are motivated by the salary they are paid and by their desire to benefit mankind. The Dr. Guthrie case, discussed in debate, is an example of how such a man can be horrified to find that the public is being overcharged fortyfold by a drug company in order to have available the fruit of his research.

Most of these research doctors, chemists and scientists neither understand nor care about the patent system. They will not have the patents in any event. Most of them are astute enough to know that in the last analysis, it is the U.S. Government that is paying their salary and expenses—not the company, university or institution through which the money is funneled.

If private patents are not permitted on Government research then many companies will compete in price for the public's business and the public will benefit.

Mr. BAYH. Mr. President, will the Senator yield long enough for me to inject a note into this discussion?

Mr. HILL. Mr. President, how much time remains?

The PRESIDING OFFICER. Eight minutes remain.

Mr. HILL. I yield 3 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 3 minutes.

Mr. BAYH. Mr. President, the Senator from Louisiana continues to mention the Guthrie example as one in which a company has apparently indulged in practices designed to penalize the public and charge them unconscionable prices for drugs.

I voted with the Senator from Louisiana in his efforts last year to oppose this kind of legislation, but I must say that if the Guthrie case is the best evidence the Senator has, I believe that this demonstrates all the more the need for more hearings. I talked with the Senator and showed him that the information the Children's Bureau gave him was in error. The Children's Bureau said that it costs 1.2 cents per test. The record of the Children's Bureau shows that it cost 9.2 cents for the materials alone to give the test. It does not cover the cost of the labor or the advertising—only the cost of the medicine which was eight times the original figure reported by the Children's Bureau.

It seems that it must be based on specific facts. The Senator and the Children's Bureau alluded to the fact that Miles Laboratories, through the Ames Co., was charging 52 cents a test. They have never charged 52 cents. They did charge 42 cents. Now the cost is down to barely over 20 cents a test.

An accounting study was made by the firm of Price, Waterhouse & Co., which I shall be glad to let the Senator from Louisiana see—I placed it in the RECORD in answering one of his earlier statements—that proved that the cost to Miles Laboratories and to the Ames Co. was 17.4 cents. It seems to me that this is not an unreasonable burden which the public should have to bear.

I wish to make certain that the public receives the benefit of this research, but when private enterprise goes to all the trouble which Miles Laboratories and the Ames Co. have, I do not believe that it is unfair to request that they get a modest return on the money which they have spent.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 minute.

Mr. LONG of Louisiana. Mr. President, I have not responded to the Senator's statement concerning Miles Laboratories, but I have prepared an answer to it, and I shall be glad to make it available to him, if he will read it, before I place it in the RECORD. This is the information which Miles Laboratories presented; and I am sure the Senator realizes it is a self-serving statement of Miles Laboratories. I prepared an answer to that, made by persons who are not biased and prejudiced and have no financial interest in the matter.

Mr. BAYH. This is supported by one of the most reliable accounting firms in the country——

Mr. LONG of Louisiana. Which they hired. Let me speak for a moment on this point: The Massachusetts Public Health Service estimated that the test cost 1.2 cents. Here is a statement which I believe is an adequate answer, showing that this was one good example of exploitation of the public interest. I was saying to the Senator, whether he agrees with it or not, that he should take a look at this statement in any event. I believe that he will find these people are being exploited by the abuse of patent rights. If he will take a look at the statement, I am sure he will agree with me.

Mr. BAYH. Mr. President, will the Senator yield me 30 seconds to respond to the Senator from Louisiana?

Mr. LONG of Louisiana. Why does not the Senator read the statement before he responds?

Mr. BAYH. I suggest that the Senator from Louisiana read this Government document. A book entitled——

The PRESIDING OFFICER. Just a moment—who yields time?

Mr. LONG of Louisiana. I yield 30 seconds to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 30 seconds.

Mr. BAYH. There is a book entitled "PKU," published by the Department of Health, Education, and Welfare which is hardly a self-serving institution.

A list of the tests appears on page 32—665,902 in number. If the Senator will take the figure and divide into that the cost of the material in the report of the Children's Bureau, he will find that the cost of the materials was approximately 9.2 cents.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. LONG of Louisiana. I hope the Senator will read the statement I have made. The Senator, of course, is a great believer in the public interest up until one of his constituents, such as Miles Laboratories, comes into the picture, then the Senator forgets about the rest of his constituents.

I hope that by his vote he will consider the overall interest of the public in this problem.

The PRESIDING OFFICER. Who yields time?

Mr. HILL. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Alabama has 7 minutes remaining and the Senator from Louisiana has 8 minutes remaining.

Mr. BAYH. Mr. President, will the Senator from Louisiana yield me 15 seconds?

Mr. LONG of Louisiana. I yield 30 seconds to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 30 seconds.

Mr. BAYH. I am certain that the Senator from Louisiana in referring to one of my constituents is well aware that I have more than 5 million of them, and I am not going to let the private interests of one corporation alter what I feel to be the best interests of my 5 million constituents, to whom the Senator refers.

The PRESIDING OFFICER. Who yields time?

Mr. HILL. Mr. President, I yield 2 minutes to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, earlier today, the distinguished Senator from Texas [Mr. YARBOROUGH] said:

> I regret that Senators on the other side of the aisle are not represented on the floor today.

That is an unkind and uncalled for remark, because Senators are in and out of the Chamber all the time, answering telephones, greeting visitors, and so forth.

He said further:

> Maybe their consciences would not permit them to listen.

As if the Senator from Texas has the only conscience in the Senate. That, I have got to see.

The Senator continues:

> There was a time when Republicans like Borah, Norris, McNary, and LaFollette stood up, when the minority was on our side of the aisle, fighting to protect the public interest.

I suppose the Senator from Texas is the only defender on a white charger who has the work of keeping the public interest.

The Senator continues:

> I hope, whichever way the vote goes, that Senators on this side of the aisle will not vote to betray the public interest. I hope the great majority of the Democrats will cast their votes for the Long amendment.

Well, now, I am against the amendment and I do not yield for a moment to the Senator from the greatest unfrozen State in the Union when it comes to an interest in the public interest, and when it comes to a conscientious approach to the problem.

The Senator from Texas should not have said these things on the floor of the Senate. It is not becoming of him.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield, if I have time.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. DIRKSEN. I have no time.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that we might have 2 additional minutes in order that the Senator may respond, and that I may then respond to the response?

The PRESIDING OFFICER. Is there objection?

Mr. McCLELLAN. That is 2 minutes, and 2 minutes, and 2 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Texas is recognized for 2 minutes.

Mr. YARBOROUGH. Mr. President, it is shocking that the minority leader should protest the tribute that I paid to such great members of his party in the Senate as Borah of Idaho, La Follette of Wisconsin, McNary of Washington, and Norris of Nebraska. Norris, the father of TVA, who stood with Franklin Delano Roosevelt and cried at the dedication of the great TVA dam when Franklin Delano Roosevelt put his arms around, not a Democrat, but a Republican, Senator Norris, and said to him, "To you, more than to any other one man, we owe this; you saved the TVA."

This was done by Senator George Norris in the area of the public interest—in protecting the public interest.

Now we have a fight to keep this subject in the public domain, and today the minority side was unrepresented on the floor in a time of crucial debate.

I do not claim to be the leader in this fight; I am merely a worker in the vineyard. The Senator from Louisiana is the leader and has worked, of course, in the Senate for approximately 20 years now, and other Senators have led with him—the Senator from Alabama [Mr. HILL] has led in public health, and I am astonished to hear the Senator say that I should be ashamed of that tribute that I paid to men, Republicans like Norris, and La Follette—I recall from reading history that Bob La Follette's grandfather and Abraham Lincoln's father used to sit on juries together in Kentucky and out of these two lines of American blood came great leadership, which added so much of distinction to American history—both were on the side of the aisle that the distinguished minority leader represents so ably.

I believe that the Senator from Illinois should be extolling the fact—as I did—that while those Republicans were fighting for the public interest they—Norris, Borah, McNary, and La Follette—were fighting against the majority on their own side of the aisle. My major plea was to the Democrats on this side of the aisle to disregard the telephone calls they may have received, and to vote for the public interest as Norris, McNary, and La Follette did, whether or not they were in the majority in their own party. My plea was primarily to the Democrats in my party; I had no reason to hope that the other party would listen to my pleas. I think it is not a matter of party, but of conscience of each Senator, and I claim no superiority to anybody else. Each Senator knows his own duties and obligations and hopes and aspirations. I call upon their conscience on this bill, but I do not purport to sit in judgment on the conscience of any other man.

I plead with my fellow Democrats to fight in the public interest. My interest, when I made my statement, was that a majority on this side vote with the Senator from Louisiana, regardless of what the minority does.

Mr. HILL. I ask unanimous consent that the minority leader may have 1 minute in which to make answer.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, there is not an abler Senator to completely beg the question. No man has a mind more adroit than that of my friend from Texas in picking out a few names and missing the whole substance of what was said. It was a reflection upon the conscience of Senators and their interest in the public domain.

The Senator from Texas can raise his voice from now until doomsday, but it will not change the content of his utterance on this floor earlier today.

I shall let people read the RECORD, because here are the words that were spoken.

Mr. YARBOROUGH. Mr. President, will the Senator from Louisiana yield me 5 seconds?

Mr. LONG of Louisiana. I yield 5 seconds to the Senator from Texas.

Mr. YARBOROUGH. I thank the very able Senator from Illinois for his kind remarks about my ability. I claim no such achievements. But the vote today will be its own voice and no one can change it from now to doomsday. Methinks he doth protest too much.

Mr. HILL. Mr. President, how does the time stand?

The PRESIDING OFFICER. The Senator from Louisiana has 6 minutes remaining; 5 minutes remain to the Senator from Alabama [Mr. HILL].

Mr. HILL. I yield myself 5 minutes.

On last Thursday, speaking for the large majority of the Committee on Labor and Public Welfare, I opposed the amendment. Today I oppose the amendment, as I must, as chairman of the Committee on Labor and Public Welfare.

I have received many letters and telegrams and communications from presidents and deans and scores of faculty members throughout the United States in opposition to the amendment.

As I cited the other day, such voluntary organizations in the field of health as the American Heart Association, the American Cancer Society, the Association of American Medical Colleges, and the American Association of Colleges of Pharmacy also oppose the amendment; as do the National Academy of Sciences and the American Council on Education. Many other such organizations have stated their opposition.

The Johnson administration also opposes the amendment. Dr. Donald F. Hornig, the director of the Office of Science and Technology at the White House, is also opposed to the amendment. He appeared before the committee of the distinguished Senator from Arkansas only a few days ago and said that this matter should be carefully considered, that it should be thrashed out, and that those with experience and knowledge in this field should be called in. Legislation should be passed, but only after we have had testimony by expert witnesses.

Let me make this point clear. The opposition to the amendment is not based on rigid resistance to modifying the existing Kennedy-Johnson government patent policy. It is based on the conviction that any changes in Government patent policy should be adopted only after careful consideration and after an opportunity for full and fair presentation of the views of all interested organizations and individuals.

As the distinguished Senator from Arkansas has stated, his subcommittee of the Committee on the Judiciary has within recent days heard 18 witnesses on this subject, and at least 12 more witnesses remain to be heard. The subcommittee is proceeding according to the rules and procedures and precedents of the Senate in having witnesses come in to make their presentation, and then having the committee make its report to the Senate.

The present patent policy was adopted in 1963, following more than a year of interagency discussion on the basis of recommendations from 20 Federal agencies and non-Federal authorities. Under this policy, every grantee and every contractor of the Department of Health, Education, and Welfare can be compelled to issue licenses. The Kennedy-Johnson patent policy is an effective policy and it is protecting the consumer. No monopoly or exclusive control is involved.

This fact was brought out by the Senator from Indiana [Mr. BAYH] with reference to the PKU tests, carried out by the Miles Laboratories, through discoveries made by Dr. Guthrie. The Surgeon General insisted that under our policy the results of the research be made available to everyone, no matter who he was or what he was. That was done.

The Senator from Louisiana [Mr. LONG] on the floor of the Senate applauded the U.S. Public Health Service for what it had done under the Kennedy-Johnson patent policy in protecting the rights of all the American people.

The Senator from Louisiana stated that credit for this action on behalf of the public must be given to Dr. Luther L. Terry, the Surgeon General, and to Dr. David E. Price, the Deputy Surgeon General, and all the staff people connected with this action.

I know that Senators will agree with me when I say: "Praise from Caesar is praise, indeed."

The Senator from Louisiana has sought today to impeach some of the witnesses who have protested against the amendment. He said that we have heard nothing from the American Council on Education. The truth is that we received a letter from Dr. Logan Wilson, who is the director of the American Council on Education, in which he said——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HILL. Has all my time expired?

The PRESIDING OFFICER. All time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senator may proceed for 3 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HILL. I merely wish to call attention to some of the witnesses who testified.

Dr. Wilson said:

> May I respectfully suggest that a policy issue of such great significance should be studied carefully, as a substantive matter, by committees in both Houses of the Congress. Such an approach would assure constructive changes in present policy and at the same time avoid unforeseen and possible disastrous consequences that might occur as a result of wholesale changes occasioned by the proposed amendment.

I have a communication from Dr. Frederick Seitz, president of the National Academy of Science, in which he says:

> We know far too little of the possible consequences of changes envisaged by the proposed amendment to warrant its approval without a very broad and painstaking inquiry.

From the Association of American Medical Colleges there comes a communication signed by Robert C. Berson, executive director. He says:

> The development and distribution of scientific instruments and devices, such as electronic pacemakers, artificial kindeys, and hopefully other artificial organs, is properly a function of instrument manufacturers who may need some protection of patent rights to continue this activity. If further refinements of this policy are desirable, we would urge that legislation to that end be carefully studied by appropriate committees.

I have before me a communication from the University of the Pacific in California and another from the University of California. Prof. D. J. Cram of the University of California at Los Angeles stated:

> At the very least, extensive hearings on the proposed Long amendment should be entertained to determine the public interest in this important matter.

I have also in my hand a communication from Mr. Karl Folkers, president of the Stanford Research Institute, pointing out how important this matter is and how it should be gone into with the greatest care by a committee before any action is taken.

I have before me a communication from Prof. Arnold D. Welch, of Yale University. I shall not read all of the communication because my time is limited. In part he said:

> I must speak most strongly to the effect that the Long amendment would seem to me to exert a devastating effect on the future development of new drugs in this country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HILL. Mr. President, will the Senator yield me 1 more minute?

Mr. LONG of Louisiana. I yield 1 additional minute to the Senator from Alabama.

Mr. HILL. I shall not quote all of the communications, but I point out that in addition to the ones I have read, I have received communications from the Florida State University, the Medical College of Georgia, and the head of the Department of Chemistry at the University of Illinois. He is also past president of the American Chemical Society. He is past president of the American Association for the Advancement of Science. In his communication, Roger Adams said:

> The Long amendment is certainly not in the public interest for it would deter developments rather than expedite them and many potential industrial products of interest to the public would never be developed.

I have a communication from Johns Hopkins University stating:

> Such an amendment would have a severely limiting effect on clinical pharmacologists like myself.

From that same university I have a communication from a famous woman doctor, Dr. Helen B. Taussig, who, along with Dr. Blalock, did the first open heart surgery. In that letter, Dr. Taussig said:

> Just a line to let you know that I am strongly behind your bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HILL. Mr. President, I ask unanimous consent that other statements of a like character which I hold in my hand—and there are many from all over the United States—may be printed in the RECORD at this point.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM LETTERS TO SENATOR LISTER HILL OF ALABAMA IN OPPOSITION TO THE AMENDMENT OF SENATOR RUSSELL LONG

AMERICAN HEART ASSOCIATION

Rome A. Betts, executive director, American Heart Association (June 7, 1965):

"American Heart Association concurs in Senate action defeating Long amendment on patent rights June 2. The association is hopeful that this important matter may now be resolved in the Judiciary Committee on an equitable basis since the association has major interest in the solution of this problem."

AMERICAN COUNCIL ON EDUCATION

Logan Wilson, director, American Council on Education:

"May I respectfully suggest that a policy issue of such great significance should be studied carefully, as a substantive matter, by committees in both Houses of the Congress? Such an approach would assure constructive changes in present policy and at the same time avoid unforeseen and possible disastrous consequences that might occur as a result of wholesale changes occasioned by the proposed amendment."

NATIONAL ACADEMY OF SCIENCES

Frederick Seitz, president, National Academy of Science:

"I myself feel that the committee's conclusion is entitled to great respect as a general proposition. I particularly feel that we know far too little of the possible consequences of changes envisaged by the proposed amendment to warrant its approval without a very broad and painstaking inquiry."

ASSOCIATION OF AMERICAN MEDICAL COLLEGES

Robert C. Berson, M.D., executive director:

"The development and distribution of scientific instruments and devices, such as electronic pacemakers, artificial kidneys, and, hopefully, other artificial organs, is properly a function of instrument manufacturers who may need some protection of patent rights to continue this activity. If further refinements of this policy are desirable, we would urge that legislation to that end be carefully studied by appropriate committees."

AMERICAN CANCER SOCIETY

Harold S. Diehl, M.D., senior vice president for research and medical affairs, American Cancer Society: "The American Cancer Society, noting the current sentiment of the Senate regarding the policy on patents growing out of federally sponsored research, would like to request favorable consideration of S. 512 without inclusion of any amendments on patents which were added to the original draft of the bill as it was introduced on January 15, 1965."

CALIFORNIA

Robert E. Burns, president, University of the Pacific: "We feel * * * that the Federal Government's existing policies on patents and copyrights with respect to federally supported research are equitable and reasonable and have not impaired either the flow of information or the transfer of research discoveries into useful healing and life-saving procedures. * * * It is our sincere hope that your committee will see fit to reject Senator LONG's amendment."

D. J. Cram, professor of chemistry, University of California, Los Angeles: "At the very least, extensive hearings on the proposed Long amendment should be entertained to determine the public interest in this important matter."

Karl Folkers, Ph. D., Sc. D., president, Stanford Research Institute: "As a general rule, Stanford Research Institute does not comment on pending legislation. However, there is a piece of proposed legislation before your Committee on Labor and Public Welfare which has such far-reaching implications to research and development in the United States that I feel some comment is in order. I am referring to the so-called Long amendment. * * * The importance of developing a sound, workable Government patent policy is so great that I would like to urge that the Long amendment be tabled until there can be a complete study and public hearings on the subject."

Lee A. DuBridge, president, California Institute of Technology: "The sweeping provisions of the Long amendment would eliminate discretionary powers to take account of special circumstances. Furthermore, the provisions of this amendment have not been adequately studied as to their possible impact on the public welfare."

CONNECTICUT

Arnold D. Welch, Ph. D., M.D.; Eugene Higgins, professor of pharmacology, Yale University: "I must speak most strongly to the effect that the Long amendment would seem to me to exert a devastating effect on the future development of new drugs in this country, and I sincerely and strongly urge that extensive hearings be held on this subject, if necessary, with a view to making any influence of Government funds upon cooperative research between Government grantees and industrial organizations reflect the true spirit of cooperation, rather than punitive control, as seems to be proposed by the Long amendment."

FLORIDA

Werner Herz, professor of chemistry, the Florida State University: "My letter in this instance is prompted by the strong belief that the Long amendment, while superficially in accord with a policy I have favored, will in fact do harm rather than good."

GEORGIA

Robert B. Greenblatt, M.D., professor, Department of Endocrinology, Medical College of Georgia: "As one who has done considerable research with drugs provided me by various pharmaceutical houses, I am deeply concerned. This amendment could deprive me of the opportunity to work with many an interesting compound which could help in the advance of our knowledge and help keep the United States in the forefront of medical research. * * * as the recipient of five awards from the American Medical Association I believe I speak with some authority in saying that I do not believe the amendment necessary nor does it in any way enhance the general good of drug research."

ILLINOIS

Roger Adams, University of Illinois, head of the chemistry department; emeritus past president, American Chemical Society; past president, American Association for the Advancement of Science: "The Long amendment is certainly not in the public interest for it would deter developments rather than expedite them and many potential industrial products of interest to the public would never be developed."

MARYLAND

Louis Lasagna, M.D., Division of Clinical Pharmacology, the Johns Hopkins University: "Such an amendment would have a severely limiting effect on clinical pharmacologists like myself who are sometimes eager to participate in drug research in its early and most difficult stages. I hope it will be possible to pass bill S. 512 without this undesirable amendment."

Helen B. Taussig, M.D., professor of pediatrics (emeritus), the Johns Hopkins Hospital: "Just a line to let you know that I am strongly behind your bill S. 512 and feel that the Long amendment to S. 512 takes the teeth out of your bill and would make it hard for the National Institutes of Health and the other Federal organizations interested in advancement of medical know-how, would find great difficulty in placing contracts."

MASSACHUSETTS

J. M. Hayman, Jr., M.D., dean, Tufts University School of Medicine: "Certainly the Government should have an interest in the product of the research it supports. There can be no quarrel with that. But the Long amendment, as written, is manifestly unfair to the university."

M. Kent Wilson, chairman, Department of Chemistry, Tufts University School of Medicine: "The Long amendment would do serious damage to the fruitful cooperation between all facets of the scientific community and, therefore, in my judgment is against the public interest."

Chester S. Keefer, M.D., former special assistant to the Secretary of HEW for Health and Medical Affairs: "I respectfully urge that action be deferred on the Long amendment until the Congress has had the opportunity to determine the basic guidelines of Government patent policies."

MICHIGAN

Robert C. Edlerfield, professor of chemistry, University of Michigan: "Protest this (Long amendments) to the extent of my ability and solicit your efforts to defeat them. I speak solely as an individual with no connection with any drug house but as one with experience in this area who has developed the only practical curative drug for relaxing malaria which has been properly assigned to the Government. As a former chairman of the National Research Council Division of Chemistry and a member of the National Academy of Sciences I feel that I have a sufficiently objective view to consider Senator LONG's proposals with serious alarms."

MISSISSIPPI

Lewis Nobles, dean, the Graduate School, the University of Mississippi: "In my opinion, the Long rider, if adopted, would greatly hamper all of our efforts (university, Government, and industry) to improve research relations among university, industry and Government personnel."

MISSOURI

Elmer Ellis, president, University of Missouri: "I am not advocating undue protection for any private interests which may be involved in this problem, but simply stressing the value of the patent policy to our total national interests and the danger involved if we automatically remove benefits of the patent policy from any and every activity which may have received any type of Federal support."

NEBRASKA

John P. Lambooy, Ph. D., professor of biochemistry, the University of Nebraska, College of Medicine: "If the Long amendment is applied to all Government-supported research, the real vigor in science in the United States of America will quite simply and ultimately disappear from the scene."

NEW JERSEY

Robert F. Goheen, president, Princeton University: "Present patent policies can probably be improved. However, this complex and important subject merits its own thoughtful and exhaustive study, and it should not be approached by the hasty attachment of amendments to any and all bills having to do with Government sponsored research."

NEW YORK

Dr. W. H. Sebrell, Jr., professor of nutrition, Columbia University: "As you are well aware, there are many difficult problems to be resolved in reaching a fair decision in so complicated a matter, particularly since university, commercial, and Government support are all concerned in medical research accomplishments. No one questions that the Government should have an interest in the results of the research to which it has contributed. However, the Long amendment appears to me to be unfair to the other interests that are concerned. I would, therefore, like to urge that you give your support to deferring the Long amendment until there has been thorough consideration of the broad questions involved in arriving at a sound and fair patent policy for Government-supported research.

"One of the very great things about American research has been the way in which Government, industry, and the universities have worked together. The question of patent policy is too important to allow a hurried decision to jeopardize the very basis of the excellent progress we are making."

James M. Hester, president, New York University: "The Long amendment removes discretionary powers from the administrative heads of agencies and makes the proposed policy mandatory. The Office of Science and Technology has well stated the complexity of the situation and the need for full consideration of the wide range of issues involved."

NORTH CAROLINA

James W. Bawden, assistant dean and coordinator of research, Dental Research Center, University of North Carolina: "I urge that you oppose passage of this legislation. We have given careful consideration to the situation and feel that the amendment is not to the advantage of high-level scientific research."

NEW HAMPSHIRE

James Brian Quinn, professor of business administration, Dartmouth College: "I consider the Long amendment to bills involving scientific and technological development to be one of the most dangerous and wasteful proposals ever put forward in the field of Government contracting. As a specialist in the administration of scientific and technical programs, I urge you to bring all possible political pressure against this amendment."

OHIO

Melvin S. Newman, professor of organic chemistry, the Ohio State University: "As a person who has spent over 30 years in research in universities as a staff member and as a member of the National Academy of Sciences, Organic Chemistry Division, I urge that very careful attention be given to any laws now being considered which threaten to break down the present system of research support and cooperation between members of universities, industry, and Government."

PENNSYLVANIA

Charles C. Price, chairman, Department of Chemistry, University of Pennsylvania: "The Long amendment will greatly decrease the progress of medical science in this country, at least its availability for the benefit of the public. I hope you will oppose this amendment vigorously, in favor of a more judicious and long-range study of the entire problem of the relationship of the private and public sectors of our scientific and technological endeavors."

Charles S. Cameron, president, Hahnemann Medical College and Hospital: "Surely the Government's and the public's interests can be safeguarded without the blanket provision of Mr. LONG's amendment which, as we see it, will not warm, but smother the free association of scientific minds which is the lifeblood of scientific discovery and technical progress."

RHODE ISLAND

Barnaby C. Keeney, president, Brown University: "The proposed Long amendment has been discussed here with people who have spent many years studying the problems of Federal support of research and education in the life sciences. We recognize the complexity of patent and copyright problems.

"I certainly endorse Dr. Donald Hornig's general approach to this amendment. The amendment appears to be an oversimplified approach to a complex problem."

TENNESSEE

Grant W. Liddle, professor of medicine, Vanderbilt University: "It would be a genuine tragedy for all of us if, as a result of legislation, the pharmaceutical industry, which has unique contributions to make to medical research, were to be any less creative vigorous, and enthusiastic than in the past in joining their efforts with those of university physicians in solving biomedical problems."

TEXAS

Richard B. Turner, professor of chemistry, Rice University: "First let me say that I oppose the amendment. My present purpose, however, is to urge in the strongest terms that action on the Long amendment be deferred until such time as the whole general question of patent policy can be made the subject of detailed investigation, debate, and public hearing."

UTAH

D. M. Hammond, professor and head, department of zoology, Utah State University: "In my opinion this is an important problem, action on which should be deferred until consideration has been given to the fundamental question of patent policies for Government-supported research.

"In my opinion any hasty legislative action which might jeopardize the cooperative relationship between university scientists and industry would be highly unfortunate. Therefore, I am asking that this problem receive thorough consideration before any action is taken on the Long amendment."

VIRGINIA

Randolph T. Major, University of Virginia: "I am sure that all would agree that the Government should have an interest in the results of the research it supports. But the Long amendment seems to me clearly unfair to university and industrial scientists who may collaborate with Government scientists on research programs."

WISCONSIN

Farrington Daniels, professor emeritus, Solar Energy Laboratory, the University of Wisconsin: "This problem of the ownership of patentable ideas developed by scientists receiving part of their support from Government funds is very complicated. Certainly the Government which supplies part of the support of a research project is entitled to free use of any inventions which may come from this research. On the other hand, the progress toward public use of these inventions may well be accelerated if patents can be issued for commercial development. The U.S. system of patents has been uniquely successful in developing new manufacturing projects and has resulted in an extraordinary high standard of living. Some of my friends are quite concerned that if the Long amendment is adopted by Congress, that the advances in the country's economics may suffer a setback because private capital will not be so readily available for carrying our development of new inventions. I hope that you and your committee members will give careful thought to the implications of this amendment."

Mr. LONG of Louisiana and **Mr. MILLER** addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Louisiana has 6 minutes remaining under his control.

Mr. LONG of Louisiana. Is there more time available?

The PRESIDING OFFICER. All time has expired except the 6 minutes remaining under the control of the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I yield myself 2 minutes.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I have only 2 minutes.

Mr. President, it is obvious that efforts are being made to make the universities front for the drug companies. I understand that. I have exposed on the floor of the Senate at least two individuals who claimed to speak for universities when they were actually speaking for their drug companies, and when they have been here speaking for associations, they have been really speaking for pharmaceutical monopolies.

I should like to point out that Dr. Fred Cagle, of Tulane University, is the chairman of research activities of the American Council on Education. That is the biggest of the associations. He has said that the Council on Education is being quoted as being opposed to the Long amendment. That is completely incorrect because the organization has the same objectives as does the Senator from Louisiana, that is, to make the fruits of research freely available to the public as quickly as possible.

Some of the letters to which the Senator from Alabama referred had to do with my amendment to the higher education bill and are not at all relevant with regard to the question of Government-sponsored research for health as contained in the bill now before the Senate.

It has been said that the Senator from Louisiana stated that he knew of no misuse going on. I pointed out one case in which there was a direct violation of the law. In that case the research was done in Government laboratories by Government researchers. After I looked into the case, the Merck Co. assigned the patent rights to the Government because they knew it was against the law for them to have those rights. But the Government lost its rights to the foreign patents as a result of what the Merck Co. did in that case.

I can point to another case to show how Merck Co. has been using pressure in order to find ways to get patents, in violation of the law, on Government research in the field of tranquilizers which are used for mental health problems. They try, often in violation of law, to get hold of patents on Government research even when the work is done by the Government's own employees.

What protection have we when some private concern gets its foot in the door and can make a case for private patents on Government research?

THE HASSLE OVER PATENTS

Mr. President, an interesting editorial concerning the general issue debated in the Senate earlier today was published in the Washington Post on May 26, 1965, entitled "Hassle Over Patents."

I ask unanimous consent to have this editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Hassle Over Patents

The long smoldering dispute over the patenting of discoveries made in the course of federally financed research and development work has flared up again. Senator Lee Metcalf, in a speech on the floor of the Senate, accused several high administration officials of "lobbying" on behalf of certain business groups. These groups believe that the patent rights to ideas developed with Federal funds should be awarded to the contracting business firm or nonprofit institution.

"Lobbying" is a pejorative, often imprecise term, and there is little point in attempting to plumb the Senator's charges. But there is much that should be said and done about the failure of the Government to articulate a clear policy in this troublesome area.

Some Federal agencies, notably the Atomic Energy Commission, follow a clear and consistent rule. Except in cases where the research contractor already holds patents in closely related areas, all patents issuing from Federal contracts automatically revert to the Government. But other agencies are permitted by law to waive the patent claims of the Government.

The battle now being waged, both in the Congress and within the administration, is over which policy shall prevail. Senator Russell B. Long insists that the patents growing out of Federal contracts belong to the public, and he has attached amendments to several important bills which uphold that principle. The patent law bar, industry groups and many universities are ranged on the other side. They contend that the prospect of owning patent rights provides an important incentive to solve problems quickly. And they raise the question of whether the Government has the right to patents where the contracting researcher draws upon a previously acquired expertise.

In October 1963, the late President Kennedy issued a patent memorandum which purported to provide guidance for Government agencies. But that document and the Patent Advisory Panel subsequently formed appear only to have confused matters.

Patent policy issues can be complex, but not so esoteric as spokesmen for the patent bar claim when they chastise laymen for speaking out. When a private business enterprise contracts and pays for research and development work, there is seldom if ever any question about its right to the patents that may emerge. The same principle should apply in the case of Government-sponsored research. There is no good reason why the taxpayers should be expected to pay $15 billion a year for research and then turn over to the adequately compensated contractors exclusive patent rights.

To be sure, the rights of the owners of "back-ground patents" should be protected when they engage in Government contract work. But aside from that exception, all patents developed under Federal contracts should revert to the Government, and the Government in turn should make the patented knowledge freely available to all potential users.

Mr. LONG of Louisiana. I have outlined my arguments. I do not have much more time to go into the issue. I should like to offer my remaining time to the senator from Oregon [Mr. Morse] and the Senator from Michigan [Mr. Hart].

I yield 2 minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. MORSE. Mr. President, as a member of the Committee on Labor and Public Welfare, it is with reluctance that I have come to the conclusion that the amendment of the Senator from Louisiana should be adopted. There is a question of fact in the debate so far as I am concerned that will determine my vote on the issue, and that is whether or not the evidence presented by the Senator from Louisiana and others supports a prima facie case to the end that various commercial concerns, particularly drug companies, will be unduly enriched by a failure to adopt the amendment and the financing of their research by the taxpayers of the country. I think it would be a mistake to set a precedent here today, when we have this great controversy on patents, of seeming to approve of the undue enrichment of private concerns as a result of research financed by the taxpayers.

Furthermore, I well remember not so long ago the sound amendment of the Senator from Alabama to the tidelands bill, which I supported, and which my friend from Louisiana opposed, in which we urged then that royalties from the oil lands go to support education. I suggest that in connection with the payment for research by the taxpayers we have the right not to give away the benefits that flow from that research to commercial concerns in this country. At least we should be insisting that the proceeds go to some such worthwhile public purpose as aid to education.

The PRESIDING OFFICER. The 2 minutes yielded to the Senator from Oregon have expired.

Mr. MORSE. We have in this country what amounts to a shakedown of the American taxpayer by commercial concerns that wish to unduly enrich themselves at the expense of the public purse. This is an example of it.

Mr. LONG of Louisiana. Mr. President, I yield 2 minutes to the Senator from Michigan.

Mr. HART. Mr. President, one comment that is frequently made of the Senate and the Congress is that there are too many lawyers in it. I have never heard the charge made that there are too many patent lawyers. Indeed, I doubt if there are any. This may explain in part why there are few of us who are comfortable and assured in the treatment and disposition of matters relating to patent rights.

It is for this reason that I am delighted that the able Senator from Arkansas [Mr. McClellan] is directing now an overall analysis of the position which the Federal Government should take with respect to discoveries and patents resulting from Government-financed research. This is the first such review in many, many years; years during which the Federal Government has become a most important contributor to such research. In the few years I have been permitted to be a participant in the Senate business, I have supported the so-called Long amendment the several times it has been offered to various bills. For the first time I opposed this amendment when a few weeks ago it was proposed to be added to the NASA authorization bill. It seems to me desirable that we await the full record of the McClellan study and seek to apply across the board a prudent rule. On earlier votes, no such study was underway. I would anticipate taking a similar position on any other authorization or appropriation bills which relate, as did the NASA bill, to research which is related to commercial products. But the Long amendment now pending is to a bill which provides in part for health research. For some 2 years under the leadership of the late and respected Senator Kefauver, I was a member of the subcommittee which heard much testimony on patents in the field of medicine.

Even in this field I confess to a continuing uncertainty as to what the final answer should be, but it is a field in which I have heard extensive testimony and much discussion. Indeed, I was alone with the Senator from Tennessee in supporting the proposition that the general patent law should be modified as it relates to drug patents, that the exclusive period should be reduced substantially, and that licenses be required to be given by a patent holder to any responsible firm on the payment of a reasonable royalty after the period of the reduced exclusive patent right had run. So I bring to this area of Government research some rather established opinions as to the course which best serves the public welfare. I hope that as the overall patent policy can be developed within the McClellan committee, that I may persuade others in the committee to this point of view with respect to research relating to health. I do not know how long it will be before the effort which began some weeks ago in the McClellan committee reaches the point of enactment of basic patent policy on the statute books. This year I would doubt it. This Congress? One cannot be certain. But the Senator from Arkansas [Mr. McClellan] can be counted on to move the basic study as objectively as possible. I believe that the Long amendment, which provides flexibility, represents a prudent policy for the transition period, however long it may be, before we are in position to make final determination with respect to the legislation now pending in the McClellan committee. It is just possible that a cancer cure could "fall out" from Government-financed research during this, we hope, brief interim period. The Long formula would be of real value under such circumstances.

It is for this reason, therefore, that I shall support the Long amendment, it relating to medicine and public health research, not to commercial rockets or tools.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HILL. Mr. President, I yield 2 minutes to the Senator from New York.

Mr. KENNEDY of New York. Mr. President, I want to be on record regarding this vote, because I want the Record to reflect that in voting against the amendment proposed by the Senator from Louisiana, I am doing so for procedural reasons only.

I believe basically that the Government should retain title to inventions discovered through research that it has financed. This is particularly true where matters regarding health are concerned, but I continue to be disturbed about the procedure of having to consider this matter anew every time we are faced with the authorization or appropriation for a different Government agency. Senator McClellan's subcommittee is still considering this matter on a Government-wide basis, and as I stated at the time of the vote on the NASA authorization bill, I believe that we should await the results of that study.

If changes are to be made in the Government-wide patent policy, they should be made on a Government-wide basis after full hearings and study. If Senator McClellan's hearings do not produce an overall policy that we can agree to, then there would be more justification for using the case-by-case approach of Senator Long.

Our vote today does not bind us to approving the actions and policies of every President and every Secretary of Health, Education, and Welfare and every Surgeon General. And it is important to note that the Senator from Louisiana stated on the Senate floor last Friday that he does not disagree with the present HEW patent policy. The amendment, he said, simply codified: "what HEW is doing and what it thinks should be done. I am not quarreling with that agency. I am in support of the position that it has followed."

Thus, in the words of the Senator from Louisiana himself, the problem is not in the present, but rather "the risk that this program should become subject to efforts of those who would exploit the public interest and bring about a change in that policy."

The point is, therefore, that there is no urgency on this matter. We do have time, insofar as HEW is concerned, to let Senator McClellan complete his study, so that we can evolve the presently satisfactory policy of HEW into a legislative policy that is appropriate for every agency of the Government. If by next year or the year after we still have no overall policy by legislation, and if it then appears that particular legislation is needed for HEW or NASA or any other agency, we can act then. Our action today does not keep us from doing that.

My only point is that I do not believe we should act on an agency-by-agency basis until it is apparent that that is the only way we will get action in this field. There will be ample time for that kind of approach when and if it becomes necessary. I shall, therefore, vote against the amendment which the Senator from Louisiana has proposed today.

Mr. MILLER. Mr. President, the Long amendment should be defeated, and it should be tabled.

This points up the same old issue which the Senator from Louisiana and I debated last January 28—page 1533 of the Record of that date—at the time of consideration of the water pollution control bill.

I said then and I say now that it is unfair to turn over all patents and inventions to the Federal Government without regard to how much of the contractor's own money and resources are involved—just because some Federal money is involved in a contract.

This is not an issue of turning over all patent and invention rights to the Federal Government when the Government puts up all of the money. It is an issue of whether the contractor and the Federal Government should share equitably in these rights when both put up something.

The amendment of the Senator from Louisiana would turn over practically all patent rights to the Government whenever appropriated funds are expended for any scientific or technological research or development activity—regardless of how much the contractor puts up. It is one sided and unfair, and it will tend to retard inventiveness because the rewards therefrom will be lost by private industry.

I ask unanimous consent that a telegram in opposition to this amendment from the president of Iowa State University and a letter in opposition to the amendment from the professor of organic chemistry of Iowa University be printed at this point in the Record.

There being no objection, the telegram and letter were ordered to be printed in the Record, as follows:

Ames, Iowa,
June 22, 1965.

Senator Jack Miller,
New Senate Office Building,
Washington, D.C.:

Iowa State University respectfully urges your support in defeating Senator Long's attempt to force his patent amendment on the House-passed health research facilities bill, H.R. 2984. Senator Long's amendment would seriously limit university research.

James H. Hilton,
President, Iowa State University.

State University of Iowa,
Iowa City, Iowa, June 22, 1965.

Senator Jack Miller,
U.S. Senate,
Washington, D.C.

Dear Senator Miller: This letter is being written to give you my views on the Senator Long patent amendment to the House-passed health research facilities bill, H.R. 2984.

We in the academic field working in medical chemistry are greatly dependent upon drug firms for the screening of compounds for physiological action. Passage of the Long amendment would prevent this arrangement and seriously hinder research on the preparation of new drugs and impede scientific progress which results from such collaboration.

I hope that you will oppose this amendment when it comes up before the Senate. In so doing, you will aid the continuation of the Nation's economic growth.

Sincerely yours,

Stanley Wawzonek,
Professor, Organic Chemistry.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Louisiana [Mr. Long], No. 298. On this question the yeas and nays have been ordered.

Mr. PASTORE. Mr. President——

The PRESIDING OFFICER. All time has expired.

Mr. PASTORE. Mr. President, I move to lay amendment of the Senator from Louisiana on the table.

Mr. MANSFIELD. Mr. President, will the Senator withhold his motion?

The PRESIDING OFFICER. Will the Senator withhold his motion?

Mr. MILLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island withhold his motion?

Mr. PASTORE. Mr. President, I move to lay the amendment of the Senator from Louisiana on the table.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island to lay on the table the amendment of the Senator from Louisiana [Mr. Long].

Mr. MILLER. Mr. President——

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island to lay on the table the amendment of the Senator from Louisiana [Mr. Long]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (when his name was called). I have a pair with the senior Senator from Virginia [Mr. Byrd]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

The roll call was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Pennsylvania [Mr. Clark], the Senator from South Dakota [Mr. McGovern], the Senator from Maryland [Mr. Tydings], are absent on official business.

I further announce that the Senator from Virginia [Mr. Byrd], is necessarily absent.

On this vote, the Senator from Pennsylvania [Mr. Clark] is paired with the Senator from Wyoming [Mr. Simpson]. If present and voting, the Senator from Pennsylvania would vote "nay" and the Senator from Wyoming would vote yea.

On this vote, the Senator from Maryland [Mr. Tydings] is paired with the Senator from New Hampshire [Mr. Cotton]. If present and voting, the Senator from Maryland would vote "nay" and the Senator from New Hampshire would vote "yea."

On this vote, the Senator from South Dakota [Mr. McGovern] is paired with the Senator from Nebraska [Mr. Hruska]. If present and voting, the Senator from South Dakota would vote "nay" and the Senator from Nebraska would vote "yea."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Hruska] and the Senator from New Hampshire [Mr. Cotton] are necessarily absent.

The Senator from North Dakota [Mr. Young] is absent on official business.

The Senator from Wyoming [Mr. Simpson] is detained on official business.

On this vote, the Senator from New Hampshire [Mr. Cotton] is paired with the Senator from Maryland [Mr. Tydings]. If present and voting, the Senator from New Hampshire would vote "yea" and the Senator from Maryland would vote "nay."

On this vote, the Senator from Wyoming [Mr. Simpson] is paired with the Senator from Pennsylvania [Mr. Clark]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Nebraska [Mr. Hruska] is paired with the Senator from South Dakota [Mr. McGovern]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from South Dakota would vote "nay."

The result was announced—yeas 55, nays 36, as follows:

[No. 154 Leg.]

YEAS—55

Aiken
Allott
Bayh
Bennett
Boggs
Carlson
Case
Cooper
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Fulbright
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Magnuson
McCarthy
McClellan
Miller
Mondale
Monroney
Morton
Mundt
Murphy
Muskie
Pastore
Pearson
Pell
Prouty
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smith
Sparkman
Stennis
Symington
Thurmond
Tower
Williams, N.J.
Williams, Del.

NAYS—36

Anderson
Bartlett
Bass
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Dodd
Douglas
Ellender
Fong
Gore
Gruening
Harris
Hart
Hartke
Long, Mo.
Long, La.
McGee
McIntyre
McNamara
Metcalf
Montoya
Morse
Moss
Nelson
Neuberger
Proxmire
Randolph
Ribicoff
Smathers
Talmadge
Yarborough
Young, Ohio

NOT VOTING—9

Byrd, Va.
Clark
Cotton
Hruska
Mansfield
McGovern
Simpson
Tydings
Young, N. Dak.

So Mr. Pastore's motion to lay on the table the amendment of Mr. Long of Louisiana was agreed to.

Mr. HILL. Mr. President, I move to reconsider the vote by which the motion to lay the amendment on the table was agreed to.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I should like to explain why I made the motion to lay on the table and why I voted as I did.

I am doing it now because all time had expired and I did not then have opportunity to express myself. I was unable to do so before I made the motion.

If I were placed in the position of having to vote on the merits of the amendment, I should have voted in the affirmative. I believe in the objective which the amendment seeks to accomplish. I am for the consumer. I voted for the consumer when the natural gas bill was before us. I voted to cut down the oil depletion allowance. I believe in protecting the rights of the consumer. The objective of this amendment is to protect the rights of the consumer. But the weight of opinion is that this is not the time or place or procedure.

The Senator from Rhode Island was persuaded by the argument made by the Senator from Alabama [Mr. Hill] and the Senator from Arkansas [Mr. McClellan] that the matter needs exhaustive study. It needs the considered judgment based upon hearings by a proper committee of the Senate. That committee is now engaged in hearings on this specific question.

For that reason, I made the motion to lay the amendment on the table, merely as a procedural matter, and not because I am opposed to the objective of the particular amendment.

I should hope that the committee of Congress which is entrusted with this very important problem would act expeditiously so that we might achieve a settled national policy concerning the protection of patent rights when Federal money is used in these research programs.

Mr. JAVITS. Mr. President, I should like to identify myself with the views of the Senator from Rhode Island.

I feel exactly that way. I agree with the Senator in every way.

Mr. DODD. Mr. President, I want to take just a moment to note why I voted against tabling the amendment of the distinguished Senator from Louisiana.

Senator LONG has labored indefatigably for many years on patent policy amendments he and a number of our colleagues deem to best serve the public interest.

I have disagreed with the wisdom of some of these amendments because I believe that the traditional American patent policy of rewarding private inventive energy and genius and protecting its fruits has been the key to much of the material greatness of our Nation.

At the same time, I believe that the health, even the life, of every American, indeed of every person in the world is intimately connected with the achievements of modern medicine.

Therefore, I believe that medical discoveries financed by public funds present a case significantly different from other scientific and mechanical developments in the course of Government-subsidized research.

Furthermore, whereas our traditional patent policy has consistently encouraged prolific invention, by requiring development of alternative or improved devices and ideas to circumvent existing patents, we can have no such confidence that we can develop or that we can await the development of alternative medicines and devices to combat cancer, heart disease, and the whole catalog of ailments which plague mankind.

And so I think that the only similarity relevant to patent policy between Government-financed research in medicine and in other fields is that all such research involves public funds.

Thus, the objects of medical research, their urgency, and their intimacy to human welfare and survival may dictate that different patent policies be applied to publicly financed medical research than are applied, for example, to defense and space research.

Therefore, I voted against tabling Senator LONG's amendment. I think it deserved the test of a rollcall vote.

Mr. McGOVERN subsequently said: Mr. President, earlier this afternoon I inadvertently missed a rollcall vote on the amendment of the Senator from Louisiana [Mr. LONG], relative to the public's interest in patents, stemming from Government-financed medical research.

I support the Long amendment and I regret missing this important vote.

I was in the Senate dining room during the entire rollcall conferring with six university leaders who are supporting my bill, S. 1212, that seeks to give our colleges and universities a more effective role in the foreign assistance program. We were deeply engrossed in conservation. I simply did not hear the rollcall bell. Furthermore, no member of the Senate staff, nor of my own staff, notified me that a rollcall was in progress. I am sorry that a combination of negligence on my part, and that of staff personnel, led to my missing this important vote.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 596

An act to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Heart Disease, Cancer, and Stroke Amendments of 1965".

SEC. 2. The Public Health Service Act (42 U.S.C., ch. 6A) is amended by adding at the end thereof the following new title:

"TITLE IX—REGIONAL MEDICAL COMPLEXES FOR RESEARCH AND TREATMENT IN HEART DISEASE, CANCER, STROKE, AND OTHER MAJOR DISEASES

"Purposes

"SEC. 900. The purposes of this title are—

"(a) Through grants, to encourage and assist in the establishment of regionally coordinated arrangements among medical schools, research institutions, and hospitals for research and training and for demonstrations of patient care in the fields of heart disease, cancer, stroke, and other major diseases;

"(b) To afford to the medical profession and the medical institutions of the Nation, through such coordinated arrangements, a more abundant opportunity of making available to their patients the latest advances in the diagnosis and treatment of these diseases; and

"(c) To accomplish these ends without interfering with the patterns, or the methods of financing, of patient care or professional practice, or with the administration of hospitals.

"Authorization of appropriations

"SEC. 901. (a) There are authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1966, $100,000,000 for the fiscal year ending June 30, 1967, $200,000,000 for the fiscal year ending June 30, 1968, and $300,000,000 for the fiscal year ending June 30, 1969, for grants to assist public or nonprofit private universities, medical schools, research institutions, hospitals, and other public or nonprofit private institutions and agencies, or associations thereof, in planning, establishing, and operating regional medical complexes for research, training, and demonstration activities for carrying out the purposes of this title. Sums appropriated under this section for any fiscal year shall remain available for making such grants until the end of the fiscal year following the fiscal year for which the appropriation is made.

"(b) A grant under this title shall be for part or all of the cost of the planning and other activities with respect to which the application is made, except that any such grant with respect to construction of, or provision of built-in (as determined in accordance with regulations) equipment for, any facility may not exceed 90 per centum of the cost of such construction or equipment.

"(c) Funds appropriated pursuant to this title shall not be available to pay the cost of hospital, medical, or other care of patients except to the extent it is, as determined in accordance with regulations, incident to research, training, or demonstration activities.

"Definitions

"SEC. 902. For the purpose of this title—

"(a) The term 'regional medical complex' means a group of public or nonprofit private institutions or agencies engaged in research, training, prevention, diagnosis, and treatment relating to heart disease, cancer, or stroke and, at the option of the applicant, any other disease found by the Surgeon General to be of major significance to the aforesaid objectives of such regional medical complex; but only if such group—

"(1) is situated within a geographic area, composed of any part or parts of any one or more States, which the Surgeon General determines, in accordance with regulations, to be appropriate for carrying out the purposes of this title;

"(2) consists of one or more medical centers, one or more categorical research centers, and one or more diagnostic and treatment stations; and

"(3) has in effect arrangements for the coordination of the activities of its component units which the Surgeon General finds will be adequate for effectively carrying out the purposes of this title.

"(b) The term 'medical center' means a medical school or other medical institution involved in post-graduate medical training and one or more hospitals affiliated therewith for teaching, research, and demonstration purposes.

"(c) The term 'categorical research center' means an institution (or part of an institution) the primary function of which is research (including clinical research), training of specialists, and demonstrations and which, in connection therewith, provides specialized, high-quality diagnostic and treatment services for inpatients and outpatients.

"(d) The term 'diagnostic and treatment station' means a unit of a hospital or other health facility, the primary function of which is to support and augment local capability for providing specialized, high-quality preventive, diagnostic, and treatment services to outpatients and inpatients.

"(e) The term 'nonprofit' as applied to any institution or agency means an institution or agency which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"(f) The term 'construction' includes alteration, major repair (to the extent permitted by regulations), remodeling, replacement, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

"Grants for planning and development

"SEC. 903. (a) The Surgeon General, upon the recommendation of the National Advisory Council on Medical Complexes established by section 905 (hereinafter in this title referred to as the 'Council'), is authorized to make grants to public or nonprofit private universities, medical schools, research institutions, hospitals, and other public or nonprofit private agencies and institutions, or associations thereof, to assist them in planning the development of regional medical complexes.

"(b) Grants under this section may be made only upon application therefor approved by the Surgeon General. Any such application may be approved only if it contains or is supported by reasonable assurances that—

"(1) Federal funds paid pursuant to any such grant will be used only for the purposes for which paid and in accordance with the applicable provisions of this title and the regulations thereunder;

"(2) the applicant will provide for such fiscal control and fund accounting procedures as are required by the Surgeon General to assure proper disbursement of and accounting for such Federal funds;

"(3) the applicant will make such reports, in such form and containing such information as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General may find necessary to assure the correctness and verification of such reports; and

"(4) the applicant will designate an advisory group, to advise the applicant (and the resulting regional medical complex and its component units) in formulating and carrying out the plans for the establishment and operation of such regional medical complex, which includes representatives of organizations, institutions, and agencies concerned with activities of the kind to be carried on by the complex and members of the public familiar with the need for the services provided by the complex.

"Grants for establishment and operation of regional medical complexes

"Sec. 904. (a) The Surgeon General, upon the recommendations of the Council, is authorized to make grants to public or nonprofit private universities, medical schools, research institutions, hospitals, and other public or nonprofit private agencies and institutions, or associations thereof, to assist in establishment and operation of regional medical complexes, including construction and equipment of facilities in connection therewith.

"(b) Grants under this section may be made only upon application therefor approved by the Surgeon General. Any such application may be approved only if it contains or is supported by reasonable assurances that—

"(1) Federal funds paid pursuant to any such grant (A) will be used only for the purposes for which paid and in accordance with the applicable provisions of this title and the regulations thereunder, and (B) will not supplant funds that are otherwise available for establishment or operation of the regional medical complex with respect to which the grant is made;

"(2) the applicant will provide for such fiscal control and fund accounting procedures as are required by the Surgeon General to assure proper disbursement of and accounting for such Federal funds;

"(3) the applicant will make such reports, in such form and containing such information as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General may find necessary to assure the correctness and verification of such reports;

"(4) the applicant has designated an advisory group, described in paragraph (4) of section 903(b), to advise in carrying out the plan for the regional medical complex; and

"(5) any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by payments pursuant to any grant under this section will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"National advisory council on medical complexes

"Sec. 905. (a) There is hereby established in the Public Health Service a National Advisory Council on Medical Complexes. The Council shall consist of the Surgeon General, who shall be the Chairman, and the Chief Medical Director of the Veterans' Administration, ex officio, and twelve members, not otherwise in the employ of the United States, appointed by the Surgeon General, with the approval of the Secretary and without regard to the civil service laws, who are leaders in the fields of the fundamental sciences, the medical sciences, hospital administration, or public affairs. At least one of the appointed members shall be outstanding in the study, diagnosis, or treatment of heart disease, one shall be outstanding in the study, diagnosis, or treatment of cancer, and one shall be outstanding in the study, diagnosis, or treatment of stroke.

"(b) Each appointed member of the Council shall hold office for a term of four years, except that any member appointed to fill a vacancy prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the Surgeon General at the time of appointment, four at the end of the first year, four at the end of the second year, and four at the end of the third year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than two terms.

"(c) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

"(d) The Council shall advise and assist the Surgeon General in the preparation of regulations for, and as to policy matters arising with respect to, the administration of this title. The Council shall consider all applications for grants under this title and shall make recommendations to the Surgeon General with respect to approval of applications for and the amounts of grants under this title; and such recommendations shall also be transmitted to any advisory council or committee, established by or pursuant to this Act, which the Surgeon General deems appropriate.

"Regulations

"Sec. 906. The Surgeon General, after consultation with the Council, shall prescribe general regulations covering the terms and conditions for approving applications for grants under this title and the coordination of programs assisted under this title with programs for training, research, and demonstrations relating to the same diseases assisted or authorized under other titles of this Act or other Acts of Congress.

"Report

"Sec. 907. On or before June 30, 1967, the Surgeon General, after consultation with the Council, shall submit to the Secretary for transmission to the President and then to the Congress, a report of the activities under this title together with (1) a statement of the relationship between Federal financing and financing from other sources of the activities undertaken pursuant to this title, (2) an appraisal of the activities assisted under this title in the light of their effectiveness in carrying out the purposes of this title, and (3) recommendations with respect to extension or modification of this title in the light thereof."

Sec. 3. (a) Section 1 of the Public Health Service Act is amended to read as follows:

"Section 1. Titles I to IX, inclusive, of this Act may be cited as the 'Public Health Service Act'."

(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title IX (as in effect prior to the enactment of this Act) as title X, and by renumbering sections 901 through 914 (as in effect prior to the enactment of this Act), and references thereto, as sections 1001 through 1014, respectively.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HILL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ASSISTANCE IN MEETING INITIAL COST OF PROFESSIONAL AND TECHNICAL PERSONNEL FOR COMPREHENSIVE COMMUNITY MENTAL HEALTH CENTERS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 355, H.R. 2985, be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 2985) to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 1, line 3, after the word "the", to strike out "Community Mental Health Centers Act Amendments of 1965" and insert "Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965"; on page 7, after line 4, to insert a new section, as follows:

Sec. 4. Subsection (a) of section 302 of the Mental Retardation Facilities and Community Health Centers Construction Act of 1963 (Public Law 88-164) is amended by striking the following language: "There is authorized to be appropriated for the fiscal year ending June 30, 1964, and each of the next two fiscal years the sum of $2,000,000" and inserting in lieu thereof the following language: "There is authorized to be appropriated $6,000,000 for the fiscal year ending June 30, 1966; $9,000,000 for fiscal year ending June 30, 1967; $12,000,000 for fiscal year ending June 30, 1968; $14,000,000 for fiscal year ending June 30, 1969; $17,000,000 for fiscal year ending June 30, 1970; and $22,000,000 for fiscal year ending June 30, 1971".

After line 18, to insert a new section, as follows:

Sec. 5. Section 302 of the Mental Retardation Facilities and Community Mental

Health Centers Construction Act of 1963 (Public Law 88-164) is further amended by inserting at the end thereof the following new subsections as follow:

"(f) For the purposes of this section the Commissioner of Education may make grants to institutions of higher education for the construction, equipping, and operation of a facility for research, or for research and related purposes (as defined in this section).

On page 9, after line 3, to insert a new section, as follows:

SEC. 6. There is hereby established on the books of the Treasury an account or accounts without fiscal year limitation. There shall be deposited in such account, to the extent provided by the Secretary of Health, Education, and Welfare or his designee, all of part of any grant awarded by the Secretary or any other officer or employee of the Department of Health, Education, and Welfare. Payments of any such grant shall from time to time be made to the grantee from such account or accounts, subject to such limitations relating to fund accumulation as the Secretary may prescribe, to the extent needed to carry out the purposes of any such grant. Such reports as the Secretary or other officer awarding the grant may find necessary to assure expenditure of funds for the purpose of and in accordance with the terms and conditions of the grant shall be made to the Secretary or such officer by any such grantee.

After line 19, to insert a new section, as follows:

SEC. 7. Section 5 of the Act of September 6, 1958 (Public Law 85-926), is amended by adding at the end thereof the following new paragraph:

"(c) The term 'State' includes the Commonwealth of Puerto Rico, the Virgin Islands, the District of Columbia, Guam, and American Samoa."

And, at the top of page 10, to insert a new section, as follows:

SEC. 8. Section 7 of the Act of September 6, 1958 (Public Law 85-926), as amended (20 U.S.C. 617), is amended to read as follows:

"SEC. 7. There are authorized to be appropriated for carrying out this Act $24,500,000 for the fiscal year ending June 30, 1966; $29,500,000 for the fiscal year ending June 30, 1967; $34,000,000 for the fiscal year ending June 30, 1968; $37,500,000 for the fiscal year ending June 30, 1969; $40,000,000 for the fiscal year ending June 30, 1970; and $40,000,000 for the fiscal year ending June 30, 1971."

Mr. HILL. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were considered and agreed to en bloc.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. HILL. Mr. President, H.R. 2985, a part of the President's health program, would amend titles II and III of Public Law 88-164, the Mental Retardation Facilities and Community Mental Health Centers Construction Act.

INITIAL STAFFING GRANTS

Title II of Public Law 88-164 would be amended to authorize financial assistance toward meeting the cost of technical and professional personnel serving in community mental health centers during the first 51 months in which such centers, or new services in existing centers, are in operation.

The Members will recall that in 1963 the Senate approved the Community Mental Health Centers Act that authorized matching grants for the construction of community mental health centers and initial staffing grants for technical and professional personnel at such centers. The vote was 72 to 1.

The House of Representatives did not approve initial staffing and the 1963 legislation as enacted did not include provisions authorizing initial staffing support for community mental health centers. Such support is provided for, however, under this bill, H.R. 2985, that was approved by the House of Representatives by a vote of 390 to 0.

Most States have been actively preparing a State plan for the construction of community mental health centers. Thirty-six States have already indicated that they intend to utilize the first year's construction funds for such centers.

There are already 200 communities in 48 States that have begun planning project applications for community mental health centers. Many of them, however, have strongly emphasized that it will be extremely difficult to initiate and adequately develop community programs if there are not additional Federal funds for the initial staffing expenses of these centers.

It is clearly the immediate financial problem which is acute and critical to the success of improving the treatment of mentally ill through the establishment of community mental health centers. It is the committee's view that it is the proper role of the Federal Government to give its financial assistance in this transitional period. The committee intends that assistance is to be furnished on a declining basis, with 75 percent of the costs of professional and technical personnel covered for 15 months, 60 percent of the costs for the next 12 months, 45 percent for the next 12 months, and 30 percent for the next 12 months.

As reported by this committee, H.R. 2985 authorizes appropriations for initial grants in the 3 fiscal years 1966-68 and continuation grants for the fiscal years 1967-72. This will permit funds to be appropriated to finance the full 51 months of support provided for in H.R. 2985 as passed by the House and approved by this committee. The estimated costs over the 7-year period would total $224,175,000.

This committee has received expressions of support for initial staffing grants for community mental health centers from the National Association of Counties, the National Association of State Mental Health Program Directors, the American Association on Mental Deficiency, American Dental Association, American Hospital Association, American Nurses Association, American Osteopathic Association, American Psychiatric Association, American Psychological Association, National Association for Mental Health, and the National Committee Against Mental Illness.

TEACHERS OF HANDICAPPED CHILDREN

H.R. 2985 was amended by this Committee to extend and expand title III of Public Law 88-164 that authorizes financial assistance for training teachers of handicapped children and for the conduct of research and demonstrations to improve methods and techniques for educating handicapped children.

During the course of hearings on this legislation it was pointed out that 300,000 teachers of handicapped children are required at the present time. In contrast, we have only 60,000 such teachers at the present time and many of them are inadequately trained.

The committee extended the program for training teachers of mentally retarded and other handicapped children for 5 additional years and authorized an appropriation of $24,500,000 for the fiscal year ending June 30, 1966; $29,500,000 for the fiscal year ending June 30, 1967; $34 million for the fiscal year ending June 30, 1968; $37,500,000 for the fiscal year ending June 30, 1969; $40 million for the fiscal year ending June 30, 1970; and $40 million for the fiscal year ending June 30, 1971.

The committee also extended the program providing for research and demonstration projects in educating handicapped children for 5 additional years and authorized an appropriation of $6 million for the fiscal year ending June 30, 1966; $9 million for the fiscal year ending June 30, 1967; $12 million for the fiscal year ending June 30, 1968; $14 million for the fiscal year ending June 30, 1969; $17 million for the fiscal year ending June 30, 1970; and $22 million for the fiscal year ending June 30, 1971. In addition, these authorizations would permit the Commissioner of Education to make grants to an institution of higher education for the construction, equipping and operation of a facility for research and demonstration in the field of education of handicapped children.

Support for the provisions relating to the education of handicapped children has been received from such organizations as the National Association of Retarded Children, the Council on Exceptional Children, the American Federation of Teachers, the Alexander Graham Bell Association, the American Foundation for the Blind, the Conference of Executives of American Schools for the Deaf, and the American Speech and Hearing Society.

Mr. KENNEDY of Massachusetts. Mr. President, we are again indebted to the work of Senator HILL in advancing the health programs of the Federal Government. So many measures of direct concern to the ill, and to the progress of medicine, and basic research have been developed by this Senator that the usual words of praise are inadequate. I can only express my complete admiration for his accomplishments.

H.R. 2985 is significant in its initial concern with the costs of staffing community mental health centers. The treatment of the mentally ill in their home communities is a major advance in this field. The availability of a community center, adequately staffed, holds out the promise that mental illness can be found and attacked in its earliest stages. We hope to find, and I believe we will find, that these centers will provide the beginning of a new approach to mental health services across the country.

But H.R. 2985 does more—it recognizes the growing needs of handicapped children for education, and people trained especially to meet this need. Current law authorizes $19.5 million for fiscal 1966 to assist in the training of teachers for the mentally retarded and other handicapped children. Nineteen million dollars is hardly adequate in the face of our needs. We need some 300,000 special teachers now, and 20,000 more in the next few years to help these children. We now have only 60,000 teachers and not all are fully trained.

By raising the funds for this program from $19 million to $24.5 million for the next fiscal year, and finally to $40 million by 1971, the Congress will be taking a reasonable step toward educating the exceptional child. In addition, by expanding the program of research and development in education of the handicapped we can be assured of a continued improvement in our special educational programs.

The greater emphasis on education for these children will go hand-in-hand with our growing knowledge of the causes of retardation. I would like to point out that among the most significant findings we have made to date is the relationship between the retarded child and poverty. Poor families suffer from retardation more than the average—in slum areas some 10 to 30 percent of school age children are found to be retarded compared with 1 or 2 percent in more prosperous neighborhoods. While the reasons are yet somewhat obscure, we can look to inadequate care during pregnancy, lead poisoning, lack of attention to problems of imbalance in body chemistry and so forth.

The poor child thus runs a high risk of suffering as a result of his environment, and, in turn, being handicapped for a lifetime. I look to the community health centers to take the lead in preventing a continuation of the increase in mental retardation, especially where it is environmentally caused. And I trust that great emphasis on the research in education for these children will be directed specifically to the problems of the poor in our communities.

Finally, I am encouraged by the construction grants to higher educational institutions for research on education and the establishment of experimental schools. I am sure that these schools will mark a new era in education in an area too long disregarded. Whatever comes of the new programs and increased funds for the mentally ill and exceptional children will be to the benefit of us all. This program will be closely observed and strengthened until our full commitment to these children and adults are met.

Mr. President, I ask unanimous consent to include in the Record a more factual statement on the demands in education of the handicapped.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Additional Statement by Senator Kennedy of Massachusetts on H.R. 2985

It is estimated that if we were to meet the special educational needs of the handicapped boys and girls in this Nation, approximately 300,000 special education teachers would be needed this current school year. In 1970, it will require 320,000 teachers to educate the handicapped. Currently there are approximately 60,000 teachers of handicapped children employed by the public schools in this country.

To help alleviate this shortage, legislation was enacted in October 1963 to support the training of professional personnel in all areas of the handicapped. The overwhelming response to Public Law 85–926 as amended by institutions of higher learning and State education agencies wishing to participate in the program more than indicated the desperate need for new and adequate trained staff.

In a period of less than 12 weeks, 221 institutions of higher learning and 50 State education agencies submitted over 700 applications for teacher training grants. Funds requested exceeded $32 million.

A total of $11.5 million was available to support the program. Obviously the requests far exceeded the authorized and appropriated funds; however, the legislation is supporting programs in 154 institutions and in all 50 State education agencies. More than 5,000 individuals are receiving or will receive training in the education of handicapped children. Approximately 2,400 are full-time students and 2,600 are persons who are either partly trained and who will attend summer sessions to complete their training or individuals who are fully trained but who need instruction in new phases of special education. It is important to note that on the average there were at least four qualified applicants for every fellowship, traineeship, and short-term traineeship.

In addition to the above, this legislation is assisting in the support of 42 new teacher training programs located in geographic areas of the country where needs for such progams exist. An excellent example of the need for program development is in the area of the emotionally disturbed. There are only 15 institutions of higher learning that have the staff and necessary facilities to train teachers for this group of children. In an effort to alleviate the shortage, 13 program development grants were awarded in this area of the handicapped.

The second-year response to the program has also been overwhelming. Over 850 applications for grants have been received from 254 institutions of higher learning and the 50 State education agencies. The total amount of funds requested exceeded $36 million, and these requests do not reflect the true demand for assistance. Many institutions were encouraged to keep their requests to a minimum, keeping in mind the $14.5 million appropriated for the program. In addition, the States were limited by formula in what they could request.

During the second year of the program, 191 institutions of higher learning will participate in the program along with all 50 State education agencies. Over 5,500 individuals will receive training, of which approximately 2,600 will be new teachers.

The achievements to date, impressive though they may be, are only a feeble effort when we examine the unmet needs that still exist in the field of education that affects 10 percent of our Nation's schoolchildren. Approximately one-fourth of the school-aged boys and girls in the Nation are receiving the necessary special educational services required to assist them in becoming contributing members of their communities. Overwhelming research evidence indicates that without such services many will become dependent upon society for their care at a minimum of 10 times the cost of providing an effective special education program in their school communities.

Until recently, the fact that only 25 percent of all handicapped children were receiving special educational services was best explained by the lack of community understanding of the problem and what special education could contribute to its solution. This is no longer true. Local communities across the country have responded to this tremendous need with great enthusiasm and positive action in attempting to initiate and expand as rapidly as possible special educational services to handicapped children.

In view of these rapidly expanding programs, the shortage of trained teachers and other specialists to serve handicapped children has become even more serious. To provide the teachers required to meet this shortage by 1970, it would be necessary to train a minimum of 52,000 of them for the next 5 years. This is a conservative estimate for the figure does not take into account (1) the attrition rate of such personnel and (2) the fact that of the 60,000 teachers currently available, from 30 to 60 percent are essentially untrained and are in the process of acquiring training on a part-time basis. Under Public Law 85–926 as amended, the total program effort is geared to produce a total of 8,600 new teachers, which is far below the national need.

This bill will make it possible to provide a national thrust to the solution of the problem of providing well-trained staff to educate the handicapped children of this country.

Another fact of Public Law 88–164 was the provision for research and demonstration designed to improve the education of handicapped children. In spite of the brief time that was initially given for preparation, 155 applications were submitted for research and demonstration projects for the first year. Although only $1 million had been appropriated for the fiscal year 1964, over $5 million was requested for research and demonstration purposes. Since the duration of many of these studies included a 3-year period, more than $14 million in total costs was requested.

Of these 155 proposals, 34 were selected for funding. The grants-in-aid for 1964 totaled $999,739. Over $2½ million was required for the 3-year total costs.

During the current fiscal year, $2 million was appropriated for research and demonstration projects. Of this amount, continuation costs for projects initiated in 1964 totaled $872,479. This left $1,127,521 with which to initiate new projects. For fiscal year 1965, 188 proposals for grants-in-aid were submitted totaling $8,298,365. The 3-year requests for funds totaled $22,180,130. Grant requests far exceeded the appropriation for the fiscal year 1965.

Here again we can see the need for this program and the readiness of the professional field to move ahead with the job to be done. The legislation before us is a sure step toward our goals.

Mr. YARBOROUGH. Mr. President, I strongly support the bill amending the Mental Retardation Facilities and Community Mental Health Centers Construction Act by authorizing grants for the staffing of the mental health centers being built under the 1963 act. Thus we round out the comprehensive program we sought in the last Congress, a program to build and staff these community health centers close to the homes of those needing care.

The 1963 Mental Retardation Facilities and Community Mental Health Centers Construction Act was the most significant single step in work for mental health that has ever been made. It was signed by the late President John F. Kennedy on October 31, 1963, and was a major achievement of his administration. At that time we were unable to have included in the bill the recommended provisions to staff the new centers, a greatly needed feature of the program. By passage of this bill, H.R. 2985, we will authorize grants for staffing centers built under the 1963 act, so that by 1968, 100 mental health centers may be receiving assistance in paying the staffs needed to run these new facilities. Every State in the Union has expressed an interest in establishing mental health centers under the 1963 Federal law. They need money for staffing. This present bill grants that money for staffing.

The bill also extends the program for training teachers of mentally retarded and other handicapped children, to help meet a great shortage and a great need, and extends the program for research and demonstration projects in education of handicapped children.

There is a shortage now of nearly one-quarter of a million teachers trained to teach mentally retarded and other handicapped children. This bill opens doors of hope to every mentally retarded or physically handicapped child.

Both of these programs are of proven merit, and I strongly support their extension.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill was passed.

The title was amended, so as to read: "An act to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers, and for other purposes."

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HILL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CONSTRUCTION OF HEALTH RESEARCH FACILITIES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 356, H.R. 2984, and that it be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2984 to amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Health Research Facilities Amendments of 1965".

HEALTH RESEARCH FACILITIES CONSTRUCTION GRANTS

Sec. 2 (a) Section 704 of the Public Health Service Act (hereinafter referred to as the "Act") is amended by inserting after "$50,000,000," the following: "and for the fiscal year ending June 30, 1967, and the two succeeding fiscal years, an aggregate of not to exceed $280,000,000,", and by inserting "(other than facilities constructed under section 712)" after "facilities".

(b) Subsection (a) of section 705 of the Act is amended by striking out "June 30, 1965" and inserting in lieu thereof "June 30, 1968".

(c) Part A of title VII of the Act is amended by inserting after section 711 the following new section:

"CONSTRUCTION AND OPERATION OF SPECIALIZED REGIONAL OR NATIONAL FACILITIES

"Sec. 712. (a) When the Surgeon General finds, in accordance with regulations, that the purposes of this part can best be achieved through the construction of research, or research and related purposes, facilities of particular value or significance for the Nation or a region thereof, and that because of the cost of such facilities or their use as a national or regional resource for research or related purposes a grant pursuant to the preceding provisions of this part does not provide an effective or appropriate means of financing the construction of such facilities, he may construct or make arrangements for construction, through contracts for paying (including advance or installment payments) part or all of the cost of construction or otherwise, facilities for the conduct of research, or for research and related purposes, in the sciences related to health. The Surgeon General may, where he deems such action appropriate, make arrangements by contract or otherwise, for the operation of such facilities (for the conduct of such research, or research and related purposes) or may make contributions toward the cost of such operation of facilities of this nature whether or not constructed pursuant to, or with aid provided under, this section. Title to any facility constructed under this section may be transferred by the Surgeon General on behalf of the United States to any public or nonprofit private institution competent to engage in the type of research, or research and related purposes, for which the facility was constructed. Such transfer shall be made subject to the condition that the facility will be operated for the research, or research and related purposes, for which it was constructed and to such other conditions as the Surgeon General deems necessary to carry out the objectives of this part and to protect the interests of the United States. Any laborer or mechanic employed by any contractor or subcontractor in the performance of work on the construction of any facility constructed under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Labor shall have, with respect to labor standards specified in the preceding sentence, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(b) There are hereby authorized to be appropriated not to exceed $5,000,000 for the fiscal year ending June 30, 1966, and not to exceed $10,000,000 each year for the three succeeding fiscal years for carrying out this section; and any sums appropriated for construction pursuant to this section shall remain available until expended."

(d) So much of section 707 of the Act as precedes clause (a) is amended by striking out "funds have been paid" and inserting in lieu thereof "a grant has been made".

CONTRACTS FOR RESEARCH

Sec. 3. Section 301 of this Act is amended by striking out "and" at the end of subsection (g), by redesignating subsection (h) as subsection (i), and by inserting immediately before such subsection the following new subsection:

"(h) Enter into contracts, including contracts for research in accordance with and subject to the provisions of law applicable to contracts entered into by the military departments under title 10, United States Code, sections 2353 and 2354, except that determination, approval, and certification required thereby shall be by the Secretary of Health, Education, and Welfare; and".

ADDITIONAL ASSISTANT SECRETARIES OF HEALTH, EDUCATION, AND WELFARE

Sec. 4. (a) There shall be in the Department of Health, Education, and Welfare, in addition to the Assistant Secretaries now provided for by law, three additional Assistant Secretaries of Health, Education, and Welfare, who shall be appointed by the President, by and with the advice and consent of the Senate. The provisions of section 2 of the Reorganization Plan Numbered 1 of 1953 (67 Stat. 631) shall be applicable to such additional Assistant Secretaries to the same extent as they are applicable to the Assistant Secretaries authorized by that section.

(b) The office of Special Assistant to the Secretary (Health and Medical Affairs), created by section 3 of the Reorganization Plan Numbered 1 of 1953 (67 Stat. 631), is hereby abolished.

(c) Paragraph (17) of section 303(d) of the Federal Executive Salary Act of 1964 (78 Stat. 418) is amended by striking out "(2)" before the period at the end thereof and inserting in lieu thereof "(5)"; and paragraph (95) of section 303(e) of such Act is repealed.

(d) The President may authorize the person who immediately prior to the date of enactment of this Act occupies the office of Special Assistant to the Secretary (Health and Medical Affairs) to act as one of the additional Assistant Secretaries authorized by subsection (a) of this section, until that office is filled by appointment in the manner provided by such section. While so acting, such person shall receive compensation at the rate now or hereafter provided by law for Assistant Secretaries of executive departments.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. HILL. Mr. President, H.R. 2984, a part of the President's health program, was approved by the House of Representatives by a vote of 333 to 4.

As reported by the Committee on Labor and Public Welfare, the legislation would permit the realization of four major objectives:

HEALTH RESEARCH FACILITIES

First, the extension and expansion of the existing Public Health Service authority to award matching grants for the construction of health research facilities for the 3 additional years, fiscal years 1967, 1968, and 1969. An aggregate of $280 million would be authorized for appropriations over the 3 years.

Under this program, that was originally enacted in 1956, facilities for research have been built in every State of the Union. For each Federal dollar awarded the sponsors of facilities have contributed in excess of $1.50. The Federal investment of $320 million under this program, therefore, has yielded research facilities that cost more than $800 million.

Testimony at the hearings on this legislation revealed that there is a backlog of approved and meritorious applications that total $78 million. In addition, new medical and dental schools are being established.

These schools require research facilities and their needs are not being met because of the limited funds that are available under the existing annual appropriation authorization of $50 million. Educators in the health professions recognize that new schools have difficulty in attracting faculty to an institution that does not have facilities and opportunities for research.

NATIONAL OR REGIONAL RESEARCH FACILITIES

Second, the legislation would authorize the establishment of national or regional health research facilities to meet research needs beyond the scope or capability of individual institutions. Among the vital research areas that could be developed are the fields of aging, toxic injuries subject to certain drugs, toxicology and pharmacology, and dental disease. The legislation would authorize a total of $35 million over the 4 fiscal years, 1966–69, to assist in the construction of national or regional health research facilities as well as flexible authority to provide for the effective operation of these facilities.

This new authority for the Public Health Service is the same authority that the Congress has approved in the case of other Federal research-supporting agencies, including the National Science Foundation, the Department of Defense, and the Atomic Energy Commission.

CONTRACT AUTHORITY

Third, the legislation provides authority for the Public Health Service to enter into contracts for research. The research contract authority of the Public Health Service is now provided in "point of order" language in the annual appropriation act.

While the research grant mechanism has been appropriate for projects of nonprofit educational and research institutions, research activities of a developmental or applied research nature can be more effectively financed through research contracts. Contracts allow greater control over the course of technical activity and access to new kinds of engineering and scientific talent.

Examples of research activities which can be most effectively pursued through the use of research contracts are the development of vaccines for respiratory diseases, the furtherance of applied research in the viral causes of cancer, and the design and development of artificial organs such as the mechanical heart and artificial lung, and improved methods of hemodialysis to save lives threatened by diseased kidneys.

The bill also provides the Public Health Service with access to two additional research contract authorities presently available to the Department of Defense. The first of these authorities would permit payment of the costs of construction determined to be necessary in the performance of a research contract. A current example is the special protective facilities required for continued work with dangerous and infectious agents encountered in the important research effort investigating the cancer-virus relationship.

The secondary authority requested would provide for the indemnification of contractors against claims which arise out of direct performance of the contract and which are the result of a risk which the contract defines as unusually hazardous. This type of contract provision is often required if a contractor is to be induced to undertake work which involves the handling of live viruses or the exposure to poisonous compounds. This authority has been available to the Public Health Service for a number of years through temporary point-of-order language in the appropriation act.

ADDITIONAL ASSISTANT SECRETARIES

Fourth, the legislation would authorize the creation of two additional Assistant Secretaries in the Department of Health, Education, and Welfare and the conversion of the Special Assistant to the Secretary for Health and Medical Affairs to an Assistant Secretary.

In the 12 years since the Department of Health, Education, and Welfare was created, it has been the fastest growing Department of the U.S. Government. It has grown from a Department which had appropriations from general funds in 1953, when it was created, of $1.9 billion and from social security trust funds of $3.4 billion to a Department which, in the 1966 budget, call for expenditures from the general funds of over $7 billion and trust fund expenditures of approximately $20 billion. So it has grown from over $5 billion to about $27 billion in total expenditures.

This growth has been accompanied by the creation of a large number of interrelated programs. The 88th Congress added 20 major new programs to the Department. During 83d, 84th, 85th, 86th, and 87th Congresses there were more than 100 public laws enacted that added to the responsibilities of the Department and increased its needs for personnel at top levels.

The new responsibilities have created a pressing need for additional top level personnel to administer and coordinate the activities of the Department. Since its creation in 1953 there has been practically no change in leadership personnel.

The existing top representatives of the Department are currently extremely overburdened. The Secretary feels very strongly the need for two new Assistant Secretaries and the conversion of the Special Assistant to the Secretary for Health and Medical Affairs to an Assistant Secretary.

AMENDMENT

The amendment adopted by the committee would strike out all after the enacting clause and insert new matter.

The differences between H.R. 2984 as passed by the House of Representatives and H.R. 2984 as reported by this committee are as follows:

Section 2 of H.R. 2984 as reported by this committee would add new authority to the Public Health Service Act to provide for the establishment of specialized regional or national research facilities, in accordance with the recommendations of the administration. As passed by the House, H.R. 2984 contained no similar authorization.

Section 3 of H.R. 2984 as passed by the House would specify a 3-year time limitation and an annual appropriation authorization of $43 million with respect to the authority of the Public Health Service to enter contracts for the performance of research and development.

The Department of Health, Education, and Welfare has advised the committee that $79 million will be obligated this year by the Public Health Service through negotiated contracts. In fiscal year 1966 the obligations are expected to increase to $94 million.

A limitation on the use of research contracts by the Public Health Service would have the very serious effect of preventing the most productive pursuit of some of the exciting prospects for the application of scientific knowledge to the reduction of human death and suffering. Specifically, such a limitation would practically eliminate further involvement of industrial firms in the health-related programs which are the responsibility of the Public Health Service. These firms have much to offer in the further evolution of the national medical research effort. Because the contract is the only mechanism appropriate for the financing of certain essential development work, a flexible approach to the use of contracts should be provided for.

For these reasons, the committee eliminated the 3-year time limitation and the $43 million in annual authorization for appropriations.

This legislation is supported by the Department of Health, Education, and Welfare, the American Association of Medical Colleges, the Association of Schools of Public Health, the American Dental Association, and the American Association of Dental Schools.

Mr. YARBOROUGH. Mr. President, this bill provides for the construction of health research facilities by extending the expiration date of the present law and by providing increased support for the program. The advances in the Nation's well being that have been afforded to the people of the United States through the activities of the Public Health Service are many and varied. In large measure they have been possible through the efforts of our "Mr. Health," the chairman of our committee, the distinguished Senator from Alabama [Mr. HILL]. As chairman of the Senate Health Subcommittee he has provided imaginative legislative ideas plus leadership in getting these ideas passed into law. As chairman of the Labor-HEW Appropriations Subcommittee, he has seen that the Public Health Service got the funds to carry out its work.

Truly the people of the United States are better off, almost beyond imagination, because of the presence here of the senior Senator from Alabama.

The legislation before us today, which I strongly support, with a reservation only on the Government patent policy involved, will expand the Public Health Service to enable this agency better to meet future needs. It will extend and expand the existing matching grant program of the Public Health Service for the construction of health research facilities for 3 additional years. This has been an extremely beneficial program.

The bill will also authorize a new program for financing the establishment of regional or national research facilities. This will provide authority for the Health Service in meeting urgent national needs, where the requirements for adequate facilities are beyond the resources of private organizations.

Many research activities in the health field can very effectively be pursued through the use of research contracts. Examples are in the fields of vaccines for respiratory diseases, the furtherance of applied research in the viral etiology of cancer, and development of artificial organs. This bill permits the negotiation of contracts. This is currently provided in "point of order" language in the annual appropriation bill.

The United States is first in public health in the world today. Much of the credit for America's preeminence must go to our Public Health Service and the National Institutes of Health; much of the credit for the creation of the National Institutes of Health must go to Senator Lister Hill. The enactment of this legislation will enable the Public Health Service to continue their fine work.

The **PRESIDING OFFICER**. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. **HILL**. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TRIBUTE TO DAVID O. SELZNICK

Mr. **JAVITS**. Mr. President, a great leader in the American motion picture industry, David Selznick, died the other day.

Magnificent tributes have been paid to Mr. Selznick by the entire motion picture industry, both by artists and producers. This is an indication of the achievement made by this industry in our country. It indicates how critically important the industry is to the culture of the country.

Mr. President, I ask unanimous consent that an article entitled, "Film Stars Speak at Selznick Rites," published in the New York Times of June 26, 1965, may be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

FILM STARS SPEAK AT SELZNICK RITES—HOLLYWOOD FIGURES DELIVER EULOGIES TO PRODUCER.

(By Peter Bart)

Glendale, Calif., June 25.—A memorial service for David O. Selznick was held today at Forest Lawn Cemetery with the type of all-star cast befitting a movie titan.

Katharine Hepburn, Cary Grant, and Joseph Cotten were among those who eulogized the motion picture producer, who died on Tuesday in Beverly Hills of a coronary occlusion. Mr. Selznick, who produced "Gone With the Wind," was 63 years old.

The Hollywood power structure was amply represented among the 200 persons who crowded into the small Church of the Recessional at Forest Lawn this morning. Among the pallbearers were Alfred Hitchcock and William Wyler, directors, Sam Spiegel and Samuel Goldwyn, producers, Christopher Isherwood, writer, and William S. Paley, board chairman of the Columbia Broadcasting System.

Mr. Selznick's widow, Jennifer Jones, the actress, sat with friends at the front of the small chapel.

ACTORS IN AUDIENCE

The audience included the heads of the major Hollywood studios as well as many of the old-time producers and directors of Hollywood, including Billy Wilder, Henry King, George Cukor, William Wellman and Pandro Berman. Performers at the services included Lauren Bacall, Burgess Meredith, Louis Jourdan and Edgar Bergen.

Cary Grant, silver haired and bespectacled, read a short tribute that had been written by Mr. Paley. "The one word that fits David Selznick better than any other is extravagance," the tribute stated. "He was extravagant in every way, in his generosity, friendship, attention to those who sought him out for advice and guidance, and his love for those he loved."

George Cukor, who directed "My Fair Lady," read a eulogy written by Truman Capote. "Among filmmakers David O. Selznick was unique," it said. "He was at once genuinely creative and deeply cultured; he combined down-to-earth acumen and virile ambition with daring and showmanship guided by his sensibility, refinement, and taste."

It continued: "His fantastic vitality was matched only by the profoundness of his sense of integrity, responsibility, honor and loyalty, his good taste by his originality."

Noting that Mr. Selznick was an inveterate writer of memorandums, Mr. Capote in his tribute said that he had even written a memo covering his funeral, which dictated that the services be kept simple and brief. Mr. Selznick doubtless would have relished the prospect of writing a critique of his own funeral, the eulogy noted.

Miss Hepburn, her brown hair tied simply with a black bow, gave a passionate reading of the poem "If" by Kipling.

CROWD OUTSIDE IS SMALL

Despite the all-star turnout, only about 75 spectators gathered outside the small church to watch the celebrities arrive in their black limousines. In the past at funerals of major movie stars Forest Lawn has been overrun by thousands of gawkers.

Among the show business leaders who attended the services were Mike Frankovich, vice president and production chief of Columbia Pictures; Richard D. Zanuck, vice president and studio chief at 20th Century-Fox, Jules Styne, board chairman of M.C.A., Inc., parent company of Universal Pictures, and Robert Bulmofe, vice president for production at United Artists.

The service began with a short prayer by Rabbi Max N. Nussbaum of Temple Israel, Hollywood, of which Mr. Selznick was a member.

PROPOSED REDUCTION OF MARGIN REQUIREMENTS ON STOCK PURCHASES

Mr. **HARTKE**. Mr. President, today the New York Stock Market drove 13¾ points. Volume rose to more than 7½ million shares. This decline, which has become a rout, was initiated in large part by the deflationary open market and open mouth operations of the Chairman of the Federal Reserve Board. Last Friday, June 25, Chairman Martin indicated that the U.S. balance-of-payments position had improved to the point of allowing the Federal Reserve "somewhat more leeway to make day-to-day adjustments in monetary policy than might otherwise have been the case." If this statement is the first leading indicator of a general easing of credit conditions by the Federal Reserve, it has come none too soon. Now is the time for the Federal Reserve to act to expand credit. Now is the time for the Federal Reserve to act to reduce margin requirements on stock purchases—before the stock market collapses and ceases to be "just another indicator" and becomes, instead, the engine of deflation and recession.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 40) authorizing the Secretary of the Senate to make a correction in the enrollment of S. 1229.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 6453) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Natcher, Mr. Giaimo, Mr. Smith of Iowa, Mr. McFall, Mr. Mahon, Mr. Davis of Wisconsin, Mr. McDade, and Mr. Jonas were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7060) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending June 30, 1966, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 10 to the bill, and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a joint resolution (H.J. Res. 553) making continuing appropriations for the fiscal year 1966, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H.R. 3994. An act to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling and paying certain claims arising out of the crash of a United States aircraft at Wichita, Kans.;

H.R. 3996. An act to amend provisions of law relating to the settlement of admiralty claims;

H.R. 6507. An act to make section 1952 of title 18, United States Code, applicable to travel in aid of arson;

H.R. 6848. An act to amend section 35 of title 18 of the United States Code relating to the imparting or conveying of false information; and

H.J. Res. 541. Joint Resolution to extend the Area Redevelopment Act for a period of 2 months.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

On request of Mr. McClellan, and by unanimous consent, the Subcommittee on Permanent Investigations of the Committee on Government Operations was authorized to meet during the session of the Senate tomorrow.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Illinois; to the Committee on the Judiciary:

"House Joint Resolution No. 51

"Whereas the Italian-American War Veterans of the United States is a nonprofit and nonpolitical organization made up wholly and without exception of honorably discharged American War Veterans; and

"Whereas the States of Massachusetts, Rhode Island, New Jersey, Pennsylvania and New York have memorialized the Congress of the United States to grant a congressional charter and national recognition to this most devoted group of American citizens who through their splendid patriotism have contributed so much to the security of our Nation and to the cause of freedom; and

"Whereas the Legislature of the State of Illinois, a State which is so fortunate as to have many citizens of Italian origin who have nobly served our country, would like to join with the legislatures of our sister States in memorializing Congress on behalf of the Italian-American War Veterans of the United States: Therefore be it

"*Resolved, by the House of Representatives of the 74th General Assembly of the State of Illinois (with the Senate concurring herein)*, Respectfully urges the Congress of the United States to enact appropriate legislation to incorporate or charter the organization known as the Italian American War Veterans of the United States; and be it further

"*Resolved*, That a suitable copy of this preamble and resolution be forwarded by the secretary of state to the Presiding Officer and clerk of each House of the Congress of the United States, and to each Member thereof from the State of Illinois; and to John F. Nave, past national commander of the Italian American War Veterans of the United States Inc., and to Filippo Mazzei Post No. 1, Chicago, Ill.

"Adopted by the house, May 3, 1965.

"John P. Touhy,
"*Speaker of the House.*
"Chas. F. Kervin,
"*Clerk of the House.*

"Concurred in by the senate, June 9, 1965.

"Samuel H. Shapiro,
"*President of the Senate.*
"Edward E. Fernandes,
"*Secretary of the Senate.*"

A resolution of the House of Representatives of the State of Illinois; to the Committee on Finance:

"House Resolution No. 198

"Whereas there are 2 million severely handicapped persons in the Nation who could be rehabilitated and become productive and taxpaying citizens, and who are proud and independent; and

"Whereas the orthopedic handicapped have many extraordinary everyday living expenses not encountered by the nondisabled; braces, crutches, wheelchairs, prosthetic appliances; wear and tear on clothing by friction of appliances, special tailoring required due to their misshaped bodies; and transportation expenses to and from work which are far in excess of the nondisabled; and

"Whereas the blind and those over 65 are allowed an additional Federal income tax exemption; and

"Whereas businessmen and salesmen are allowed deduction for transportation; and the orthopedic handicapped have been denied deductions for necessary transportation expenses to and from work, without which they would have to stay at home and become a burden to the State on the relief rolls; and

"Whereas the Keogh bill, H.R. 424 in the Congress of the United States, would allow an additional exemption; and/or deductions for transportation expenses to and from work for disabled taxpayers; therefore, be it

"*Resolved by the House of Representatives of the 74th General Assembly of the State of Illinois*, That this body favors the passage of the Keogh bill and urges the Congress of the United States to adopt the Keogh bill, at this session of Congress; and be it further

"*Resolved*, That a copy of this resolution be sent President Lyndon B. Johnson, and to every sitting Member of the Congress of the United States, by the Secretary of State.

"Adopted by the house, June 4, 1965.

"John P. Touhy,
"*Speaker of the House.*
"Charles F. Kervin,
"*Clerk of the House.*"

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with amendments:

S. 1742. A bill to authorize the U.S. Governor to agree to amendments to the articles of agreement of the International Bank for Reconstruction and Development and the International Finance Corporation, and for other purposes (Rept. No. 372).

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

H.R. 3415. An act to equalize certain penalties in the Intercoastal Shipping Act, 1933 (Rept. No. 374).

By Mr. BARTLETT, from the Committee on Commerce, with amendments:

S. 2069. A bill to broaden the vessel exchange provisions of section 510 (i) of the Merchant Marine Act, 1936, to extend such provisions for an additional 5 years, and for other purposes (Rept. No. 373).

By Mr. KENNEDY of Massachusetts, from the Committe on the Judiciary, with an amendment:

S. 853. A bill for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde (Rept. No. 375).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 8147. An act to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes (Rept. No. 376).

PROTECTION OF CHILDREN THROUGH PUBLIC DAY CARE SERVICES AND FOSTER HOME CARE FOR CERTAIN DEPENDENT CHILDREN—REPORT OF A COMMITTEE (S. REPT. NO. 377)

Mr. MORSE, from the Committee on the District of Columbia, reported an original bill (S. 2212), to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children, and submittd a report thereon; which report was ordered to be printed and the bill to be placed on the calendar.

The bill (S. 2212) was read twice by its title and ordered to be placed on the calendar.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965—REPORT OF A COMMITTEE — INDIVIDUAL AND MINORITY VIEWS (S. REPT. NO. 378)

Mr. SPARKMAN, from the Committee on Banking and Currency, reported an original bill (S. 2213) to assist in the provision of housing for low and moderate-income families, to promote orderly urban dvelopment, to improve living environment in urban areas, to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities, and submitted a report thereon, which report was ordered to be printed and the bill to be placed on the calendar.

The bill (S. 2213) was read twice by its title and ordered to be placed on the calendar.

Mr. SPARKMAN subsequently said: Mr. President, the Senate has already given unanimous consent for the filing of the report on the housing bill, to be filed up to 12 o'clock tonight. I understand there are individual and minority views along with the majority views, and I ask unanimous consent that they be included as part of the report.

The individual views are by Senators Robertson, Tower, and Thurmond, and the minority views are by Senators Bennett, Tower, Thurmond, and Hickenlooper.

The PRESIDING OFFICER (Mr. Harris in the chair). Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCLELLAN (by request):

S. 2207. A bill to amend title 35 of the United States Code, "Patents," and the Trademark Act of July 5, 1946, as amended, with respect to appeals in patent and trademark cases; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 2208. A bill to permit members and former members of the Armed Forces retired on or after October 1, 1963, for physical disabilities incurred as a direct result of armed conflict to have their retirement pay recomputed whenever the rates of basic pay applicable to the grade in which they retired are increased; to the Committee on Armed Services.

S. 2209. A bill for the relief of Maria Louisa Polini Alonzo; to the Committee on the Judiciary.

By Mr. MORSE:

S. 2210. A bill to amend the Fair Labor Standards Act of 1938 to increase to 50 percent of the minimum under section 6 the minimum wage applicable to handicapped workers employed in sheltered workshops and to provide for periodic increases beginning January 1, 1966, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE:

S. 2211. A bill for the relief of Dr. I. Ethem Babacan and his wife, Saadet Gulizar Babacan; to the Committee on the Judiciary.

By Mr. MORSE:

S. 2212. A bill to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children; placed on the calendar.

(See reference to the above bill when reported by Mr. Morse, which appears under the heading "Reports of Committees.")

By Mr. SPARKMAN:

S. 2213. A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities; placed on the calendar.

(See reference to the above bill when reported by Mr. Sparkman, which appears under the heading "Reports of Committees.")

By Mr. ERVIN (by request):

S. 2214. A bill making certain amendments to the District of Columbia Hospitalization of the Mentally Ill Act; to the Committee on the District of Columbia.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION—COMBAT INFANTRYMAN BADGE FOR DOMINICAN REPUBLIC

Mr. HARTKE. Mr. President, we still have a great many of our men in the Armed Forces assisting in the Dominican crisis. During the period since our first activity there, a number of our men there have been killed and a much larger number wounded. Those who have been under fire, of course, comprise a still greater number.

This is an action, I believe, which warrants the award of that coveted recognition which the Nation has given under similar circumstances, and which I understand we do in South Vietnam, the Combat Infantryman Badge. The decision on the matter, of course, must be made in the Pentagon, but it might help to stimulate a favorable decision and give this measure of recognition if the Congress should express its opinion.

I am, therefore, submitting a concurrent resolution which declares it to be the sense of Congress that members of the U.S. Army assigned to duty in the Dominican Republic during the present crisis should be awarded the Combat Infantryman Badge, and that the Secretary of the Army should take the necessary action to do so. I hope it may receive early consideration.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 41) to express sense of Congress on awarding the Combat Infantryman Badge to member of armed services assigned to duty in Dominican Republic, was referred to the Committee on Armed Services, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is hereby declared to be the sense of the Congress that members of the United States Army assigned to duty in the Dominican Republic during the present crisis in that country should be awarded the Combat Infantryman Badge, and that the Secretary of the Army should initiate appropriate action to award such badge to members of the Army, in the grade of colonel and below, for duty performed in such country during such crisis.

AMENDMENT OF TITLE 35, UNITED STATES CODE

Mr. McCLELLAN. Mr. President, by request, I introduce for appropriate reference, a bill to amend title 35 of the United States Code and the Trademark Act of 1946 with respect to appeals in patent and trademark cases.

The purpose of this bill is to abolish the existing statutory requirement for "reasons of appeal." During the 88th Congress, I introduced a somewhat similar bill, S. 1940.

The objectives sought by this bill have been endorsed by the Judicial Conference of the United States and by the American Bar Association.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2207) to amend title 35 of the United States Code, Patents, and the Trademark Act of July 5, 1946, as amended, with respect to appeals in patent and trademark cases, introduced by Mr. McClellan, by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF FAIR LABOR STANDARDS ACT RELATING TO MINIMUM WAGE AND HOUR REGULATIONS IN SO-CALLED SHELTERED WORKSHOPS

Mr. MORSE. Mr. President, I send to the desk a bill that would amend the Fair Labor Standards Act by applying minimum wage and hour regulations to what are commonly referred to as sheltered workshops.

These are the establishments that employ handicapped individuals. Over the years, Congress has accepted the view that if these people had to be paid the legal minimum it would be impossible to employ them altogether.

Yet this is the same argument that Congress has rejected for all other establishments. I think the time has come to recognize that the principle of minimum wage laws applies just as much to the handicapped person who is gainfully employed as it does to anyone else. That principle is that there is a minimum standard of decent living that should be covered in wages paid, and that this standard should be met irrespective of considerations of productivity.

In some ways, the minimum living standards for the handicapped are higher than for others, because with special needs for care or for devices to aid them in getting around, the handicapped have higher living expenses. Yet we find that in a shop where these people are gainfully employed, the handicapped person may be receiving as little as 30 cents an hour in wages, while the nonhandicapped secretary who handles the clerical business and the truckdriver who picks up and distributes the goods are receiving prevailing wages.

This measure, which is similar to one introduced in the House of Representatives by Congressman John Dent, of Pennsylvania, looks to gradual improvement in these conditions. It is not an outright abolition of the present exemption, but it requires that wages paid in most of these establishments be brought up to the prevailing minimum over a period of 3 years. It provides that where special certificates are issued thereafter by the Secretary of Labor for establishments having special circumstances that warrant a continued exemption, the wages paid must be at least 50 percent of the minimum.

Of course, it will be said that jobs will be eliminated for this group of people. That is what is always said when it is proposed to extend minimum-wage coverage to a group of workers. But when one sees that 167 of the certificates issued by the Secretary of Labor for sheltered workshop exemption permitted wages of less than 25 cents an hour, and 8 permitted wages of only 5 cents an hour, one cannot be sure that employment at that level of earned income is worth saving. Who among us could survive on an hourly wage of 25 cents an hour? With the added expenses incurred by those with physical impairment, I wonder if we do not in fact encourage these people to live on public charity rather than work 8 hours a day for $2 or less.

As I have noted, in cases where the productivity of the individual is so small as to be only token, the bill would permit the Secretary of Labor to continue issuing certificates of exemption. But even in these cases I believe the minimum paid should be at least half the legal minimum.

I hope that this measure can be considered along with other proposed changes in the Fair Labor Standards Act so that we can begin applying the same worthwhile principle of minimum wage legislation to the men and women who work in this type of establishment.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 2210) to amend the Fair Labor Standards Act of 1938 to increase to 50 percent of the minimum under section 6 the minimum wage applicable to handicapped workers employed in sheltered workshops and to provide for periodic increases beginning January 1, 1966, and for other purposes, introduced by Mr. Morse, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENTS TO PUBLIC LAW 88-597, TO PROTECT THE RIGHTS OF THE MENTALLY ILL IN THE DISTRICT OF COLUMBIA

Mr. ERVIN. Mr. President, less than a year has elapsed since Public Law 88-597 was enacted to protect the rights of the mentally ill in the District of Columbia. Obviously, this is too short a period to permit a fair commentary on the effectiveness of the new law. Since a comprehensive new system was inaugurated with this legislation, it was to be expected that some time would be necessary to implement it smoothly under new regulations. We did not attempt to close every loophole or deal with every detail by statutory provision, for one of the complaints about the old law was its rigidity, and its complex, involved machinery which had been amended in piecemeal fashion over many years in an attempt to meet every situation which might occur. From reports I have received thus far, however, the new system is working well. Vast numbers of individuals in the medical and legal professions, as well as private citizens, have indicated satisfaction with the new system.

Admission statistics compiled by the staff of St. Elizabeths Hospital illustrate the salutary impact which the new law is having in the treatment of the mentally ill. Dr. Dale Cameron, Superintendent of the hospital, informed me earlier this year that it appears to have changed the composition of admissions to St. Elizabeths. The number of voluntary admissions has increased under the new procedures, while the number of civil commitments has decreased, and the District of Columbia is beginning to compare quite favorably in this respect with other jurisdictions.

These changes were described in some detail in the "Superintendent's Column" of the Saint Elizabeths Reporter of March. It was stated there:

> While the professional staff members in the receiving services of the hospital are well aware that during the last few months something is happening in terms of increased admissions, particularly of voluntary and emergency patients, the magnitude of this happening is perhaps best appreciated by looking at a few statistics. In the year before the enactment of Public Law 88-597, the provisions of which were described in a previous issue of the Reporter, admissions of civil patients averaged 101 per month. Of these, 82 percent were committed and only 18 percent were voluntary. Since that law was passed, such admissions have averaged 122 per month and the number is steadily rising. In January, 145 were admitted. But of even greater importance is the fact that committed patients now constitute only 52 percent of admissions, while voluntary and nonprotesting patients account for 48 percent of all civil admissions.
>
> It is much too soon to predict at what level these figures will stabilize, but certainly they indicate that the new law is having the effect its sponsors and supporters sought. Patients are increasingly availing themselves of needed hospital services without the necessity of being forced to do so.

The measure drafted in subcommittee and passed by Congress dealt with procedures for hospitalization of the mentally ill and the protection of their rights once they are in the hospital. Last fall, just before the passage of the bill, various groups expressed an interest in amending it. Most of the amendments, I felt at the time, were directed to tangential, longstanding problems not directly arising from the provisions of the bill. They relate to residency, liability of relatives, and fiscal arrangements of the District of Columbia and Federal Governments. In order to afford them appropriate consideration and study by committee as to their effect on the policy of the new law, I am introducing them now.

At an early date, I hope to schedule hearings before the Constitutional Rights Subcommittee to review the operation of the new law and the course of its implementation.

I ask unanimous consent that the amendments be printed in the Record at this point.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2214) making certain amendments to the District of Columbia Hospitalization of the Mentally Ill Act, introduced by Mr. Ervin, by request, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the District of Columbia Hospitalization of the Mentally Ill Act is amended to read as follows:

"NONRESIDENTS

"**Sec. 12.** (a) If an individual who is a patient in a public hospital pursuant to section 4, 5, or 7 of this Act is not a resident of the District of Columbia, he shall, upon the ascertainment of such individual's residence in a State, be transferred to that State if an appropriate institution in that State is willing to accept him; except that, if an individual hospitalized under section 4 or 5, or any other person entitled to demand his release thereunder, protests such transfer after receipt of notice of the proposed transfer, such protest shall be deemed to be a demand for such release under section 4(b) or 5(b), as the case may be. Notwithstanding any provisions of the preceding sentence, alternative arrangements for the care and treatment of the patient within or outside the District of Columbia (other than at a public hospital in the District and other than at the expense of the Federal Government or the District of Columbia) may be made at the request of the patient or a responsible person on his behalf. If the person to be transferred is an indigent, the expense of transferring him, including the traveling expenses of necessary attendants, shall be borne by the District of Columbia.

"(b) In any proceeding for hospitalization under court order pursuant to section 7, the Commission shall, subject to review by the court, making a finding as to whether the respondent is a resident of the District of Columbia and, if then known or readily ascertainable, as to his place of residence in any case in which he is not a resident of the District of Columbia. In the case of any individual hospitalized under any section of this Act with respect to whom either of such findings has not been so made, such finding shall be made by the Board of Commissioners of the District of Columbia, or its designee, subject to de novo judicial review upon petition filed by the patient or any other interested person with the court within five days after notice of proposed transfer has been given by such Board or designee to the patient. Notice of the proposed transfer shall also be given, if known, to the patient's attorney, legal guardian, spouse, parents, or other nearest adult relative. Such petition may be referred by the court to the Commission for hearing and report.

"(c) For the purposes of this section, the term 'resident of the District of Columbia' means an individual who has had his principal place of abode in the District of Columbia for more than one year immediately prior to the filing of the application or petition referred to in subsection (a) of section 4, 5, or 7 of this Act, or is domiciled in the District of Columbia."

Sec. 2. The District of Columbia Hospitalization of the Mentally Ill Act is amended by adding at the end thereof the following new sections:

"TRANSFER OF PATIENTS

"Sec. 21. For the purpose of insuring the proper and efficient utilization of the public hospitals owned and operated by the Department of Health, Education, and Welfare and of the District of Columbia, respectively, the Secretary of Health, Education, and Welfare and the Board of Commissioners of the District of Columbia may, notwithstanding any other provision of this Act, provide by agreement for the designation of the specific public hospital or hospitals to which individuals shall be initially admissible under this Act, and for transfer of patients from one such hospital to another.

"LIABILITY FOR COST OF CARE

"Sec. 22. (a) A patient hospitalized under this Act or under the Act of June 8, 1938 (52 Stat. 625), as amended, the Act of August 9, 1939 (53 Stat. 1293), as amended, or the Act of June 22, 1948 (62 Stat. 572), as amended, or his estate if sufficient for that purpose, or the father, mother, spouse, or adult children of such patient, if of sufficient ability, shall be legally responsible for the cost of such hospitalization.

"(b) Where the cost of care of a patient in Saint Elizabeths Hospital is chargeable against funds of the District of Columbia or against Federal funds appropriated to the hospital, the District of Columbia and the

Superintendent of Saint Elizabeths Hospital (or his designee) are, respectively, authorized to make such agreements as they deem necessary with any person legally responsible therefor for payment to the District of Columbia or to the hospital, whichever is chargeable with the cost of the patient's care, of all or a portion of the cost of such care. The District and the Superintendent are, further, respectively authorized to take or cause to be taken appropriate steps, by legal action or otherwise, (1) to enforce such agreements, or (2) in the absence of an agreement, to recover such cost of care or a portion thereof, from any person legally liable therefor.

"(c) Notwithstanding the provisions of section 3 of the Act of August 4, 1947 (61 Stat. 751, 24 U.S.C. 169), the funds collected pursuant to this section for the cost of care chargeable to the hospital shall be deposited in the Treasury to the credit of the then current appropriation for the operation of the hospital.

"AVAILABILITY OF DISTRICT FUNDS

"SEC. 23. (a) The funds of the District of Columbia shall not be available for the care of any patient hospitalized prior to the effective date of this Act for whom the District of Columbia was not responsible prior to the date of this Act; and they shall not be available for the care of any patient hospitalized on or after that date under this Act (except those hospitalized in the District of Columbia General Hospital under section 6 or 7), unless he either (a) has had his principal place of abode in the District for more than one year immediately prior to application for his hospitalization under this Act or the filing of the petition referred to in section 7(a), or (b) was domiciled in the District of Columbia at the time of such application or filing. Nor shall the District of Columbia be liable for the cost of hospitalization of an individual under this Act in any private hospital except pursuant to contract between the District and such hospital. The term 'domicile' shall not include domicile established for the sole or primary purpose of hospitalization.

"(b) Except as otherwise provided in subsection (a), the cost of care of patients hospitalized at Saint Elizabeths Hospital under this Act shall be a charge upon the District of Columbia and shall be paid by the District to the hospital."

SEC. 3. The amendments made by this Act shall become effective on the first day of the first month which follows the date of the enactment of this Act by more than thirty days, except that section 23, as added by this Act, shall be effective on and after September 15, 1964.

SOCIAL SECURITY AMENDMENTS OF 1965—AMENDMENTS

AMENDMENTS NOS. 299, 300, AND 301

Mr. JAVITS. Mr. President, I send to the desk three amendments and ask that they be printed under the rule. The amendments pertain to H.R. 6675, social security amendments.

Mr. President, I recommend these amendments as also providing supplementary medical care for the aged, something for which I have fought, along with the Senator from New Mexico [Mr. ANDERSON], the Senator from California [Mr. KUCHEL], and other Senators for a long time.

Certain provisions in the bill must be worked out.

First. A provision by which prescribed drugs might be made available. Under the new program, I am advised this would cost only 75 cents a month on the part of the Government, on the purchase of the insurance coverage, and yet it represents 25 percent of the health care needs.

Second. The amendment I offer seeks to prevent all non-Federal Kerr-Mills funds from being provided only by the States after July 1, 1970. In my State, and many States, a good deal of the money can come from local sources.

Third. The bill, as reported, would cut off an opportunity to include some reasonable amount of the tips of workers who receive tips under the social security system.

Mr. President, I shall offer an amendment designed to restore the situation to the point at which it was in the House, which is a much fairer and more equitable plan.

Mr. President, I ask unanimous consent, that the amendments be printed.

The PRESIDING OFFICER. The amendments will be received, printed, and will lie on the table.

The amendments (Nos. 299, 300, and 301) were ordered to be printed, and lie on the table.

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of June 14, 1965, the names of Mr. DIRKSEN, Mr. DOUGLAS, Mr. EASTLAND, Mr. FULBRIGHT, Mr. LONG of Missouri, Mr. MILLER, and Mr. SYMINGTON were added as additional cosponsors of the bill (S. 2143) to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road, introduced by Mr. MCCARTHY (for himself and Mr. MONDALE) on June 14, 1965.

NOTICE OF HEARINGS ON UNIFORM RELOCATION BILLS

Mr. MUSKIE. Mr. President, I would like to announce for the information of the Senate and other interested persons that the Senate Subcommittee on Intergovernmental Relations, Committee on Government Operations, has scheduled hearings on S. 1201, a bill to provide for equitable acquisition practices, fair compensation, and effective relocation assistance in real property acquisitions for Federal and federally assisted programs; and S. 1681, to provide for uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs. The hearings will be held on June 30, July 1, and July 13, in room 3302, New Senate Office Building, starting at 10 a.m.

Any Senator or other person wishing to testify at the hearings should notify the subcommittee, room 357, Senate Office Building, extension 4718, in order that he might be scheduled as a witness.

CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Joint Resolution 553.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Presiding Officer laid before the Senate the joint resolution (H.J. Res. 553) making continuing appropriations for the fiscal year 1966, which was read twice by its title.

Mr. HAYDEN. Mr. President, this joint resolution is similar to continuing resolutions which the Senate has agreed to in prior years, and provides, pending the enactment of the regular appropriation bills, for the continuation of appropriations for programs and activities of the Federal Government. All authority under this resolution expires on July 31, 1965.

In those instances where appropriation bills have passed both Houses and the amounts or authority therein differ, the pertinent project or activity shall be continued under the lesser of the two amounts approved or under the more restrictive authority.

Where an appropriation bill has passed only one House, or when an item is included in only one version of a bill that has passed both Houses, the pertinent project or activity shall continue under the appropriation or authority granted by the one House, but at a rate of operation not exceeding the fiscal 1965 rate, or the rate permitted by the one House, whichever is lower.

In those instances where neither House has passed the appropriation bill, authority is granted for the continuation of projects and activities conducted in fiscal year 1965 at a rate not in excess of the fiscal 1965 rate, or at the rate provided for in pending budget estimates for fiscal year 1966, whichever is the lower.

Authority is also included in the resolution for the continuation at the current level of the area redevelopment program and activities authorized by section 105 of the Higher Education Facilities Act of 1963.

Mr. President, for the information of the Senate, I would like to report the status of the various appropriation bills.

Congressional action has been completed on the Department of the Interior and related agencies bill; final action on the conference report on the Treasury-Post Office bill is expected this week; the District of Columbia bill is in conference; the committee expects to report the independent offices, Agriculture, and legislative bills this week; hearings have been completed on the Labor-HEW, and State-Justice-Commerce bills; hearings will be completed in the near future on the public works bill. Hearings will be resumed on the Defense bill shortly.

The military construction and foreign aid bills have not passed the House.

Mr. President, I urge the passage of this resolution.

The PRESIDING OFFICER. The joint resolution is before the Senate and open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 553) was ordered to a third reading, read the third time, and passed.

NO, WASHINGTON IS NOT A ONE-MAN TOWN

Mr. PROXMIRE. Mr. President, an article appeared in last Friday's Washington Post entitled "A One-Man Town" that has disturbed many persons.

This article charges that President Johnson has become the overwhelming, dominant, unchecked, and irresistible force in our national life.

This article and articles like it are sure to reappear throughout the country in coming months.

And I predict that popular reaction will be increasingly worse. My 17-year-old son, Ted, read the article and asked, in deep concern:

> Dad, doesn't this mean Johnson is becoming a dictator?

The author of the piece, Patrick O'Donovan, does not put the blame on the President. In fact, he indicates that the President is doing exactly what every strong President tries to do—only doing it more effectively.

O'Donovan does come down hard and strong on the rest of us who have been elected to positions of great responsibility in this democracy in his final and terrible sentence. Listen:

> Washington, for the only time in its history, has become a one-man city and all the ministers and advisers who surround him are only his servants.

Listen to what Mr. O'Donovan observes of this great body in which we serve:

> And all this time there is this astonishing, ominous silence from the great domed, lawmaking temple that is set above Washington. The liberal Senators and Members of the House of Representatives, Democrat or Republican, simply do not know what to do. Very, very few of them are happy. But a silence has been imposed on Washington.

Mr. President, I disagree with Mr. O'Donovan. Consider the speeches that have been made within the past 2 weeks in this body.

There was the powerful—if little reported speech by the Senator from Alaska [Mr. GRUENING] calling on the President to submit a specific program for peaceful United Nations involvement in Vietnam. The Senator from Alaska called on the President to take the Vietnam controversy to the Security Council or failing that to the U.N. Assembly under the uniting for peace resolution. The President did neither; but the criticism of the Senator from Alaska was vigorously pressed.

Consider the series of speeches attacking the administration's foreign policy in Vietnam and the Dominican Republic by the senior Senator from Oregon [Mr. MORSE]. I doubt whether there have been any speeches in the long history of the Senate that have for a more sustained period—more consistently and vehemently ripped and excoriated any administration than these detailed and vehement criticisms.

Consider the great maiden speech last week of the distinguished junior Senator from New York [Mr. KENNEDY] calling for a big new program of initiatives in the most important peace-war area that confronts mankind; namely, the fight to stop nuclear proliferation.

In analyzing the Kennedy speech, James Reston of the New York Times ended by quoting Churchill's famous observation about another maiden speech—in the British Parliament—in which he said:

> That was no maiden speech, that was a brazen hussy of a speech.

I thought it was a great speech, and said so when the Senator from New York [Mr. KENNEDY] delivered it.

Of course, there was the vigorous call for negotiations including negotiations with the Vietcong made by the Senator from Idaho [Mr. CHURCH] in the past week.

Over the weekend, the majority leader made an independent criticism of the current Saigon government's recklessness.

Also, the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], has called on the Senate floor for a new emphasis in our southeast Asia policy in accents viewed by many as critical of the administration.

Thus, the so-called silence which Mr. O'Donovan detected on Capitol Hill has been a remarkably loud and articulate silence.

If Mr. O'Donovan had argued that the President had won his way with Congress in both foreign and domestic policy, his case might have been stronger. It is this—that the President has prevailed—that gives believability to the contention that the President is surrounded by obsequious servants.

To date, he has won his way with great unanimity in foreign affairs and over diminishing opposition in domestic affairs. But why not?

The President won the biggest victory in American presidential history in 1964. He carried with him a huge Democratic majority. In view of what is happening in the South, the numerical Democratic majority in both Houses has more program and ideological significance than it has had in recent years.

With this kind of margin—yes indeed, the President—who is acknowledged to be the most experienced and successful master of congressional maneuver to occupy the White House—has won his way.

But, I disagree with the O'Donovan implication that there is something ominous about this current domination.

Mr. President, these are the golden days for Lyndon Johnson. It is now or never for his program. If he cannot swiftly and surely move his program through the present Congress in the wake of his sweeping 1964 victory, he never will.

This is President Johnson's honeymoon period. He has reached the peak. Next year—1966—if history is any guide, will see this high tide ebb, and in subsequent years the President will do well to avoid deadlock, especially in the area of domestic politics.

Mr. President, there is another reason for this illusion of omnipotence on the part of the President. This President, perhaps more than any, operates on a consensus, compromise approach. He is not doctrinaire. He has no a priori, dogmatic views. He never goes into any congressional situation absolutely and forever committed to a specific course of action. He knows where and when and how to compromise.

There are weaknesses as well as strengths in this kind of approach. To many it is an unforgivable tragedy to weaken or water principle, even a little. But to President Johnson, politics is nothing if not the art of the possible. The possible means victory, but with a combination, consensus product. Accordingly, when President Johnson prevails, he prevails with a product that has already absorbed much of the opposition. Opposition views have not been crushed or flattened, they have in many cases been written into the legislative product which the President proposes.

In my judgment, this does not make for one-man government, certainly not one-viewpoint government. It makes for a consensus compromise which may be right or wrong, good or bad—but it is the product of a democratic plural process. It is not the ukase of a dictator.

A President of the United States at the peak of his power is, indeed, an awesome thing in this presidential government, when that President is a pastmaster of the uses of power, particularly when he exercises power by consensus. But that presidential power we have given is checked by the courts and by Congress. Above all, time will erode and enfeeble it.

If this seems to be a one-man town today, there is more illusion than truth to the appearance; and within a few months, certainly within a year or two, that power will pass; and the democratic balance will reassert itself.

Mr. President, I ask unanimous consent that the article written by Peter O'Donovan, entitled "A One-Man Town" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 25, 1965]

WASHINGTON UNDER L.B.J.: A ONE-MAN TOWN

(By Patrick O'Donovan)

The pleasure of reporting on this city used to be its complication. American politics is an art form that grows more fascinating the deeper you penetrate. A serious man could spend his life in a delighted study of this most sophisticated and extravagant system.

There was the subtle interplay of White House and Capitol. Occasionally there was a great gun fired from the Supreme Court to put everyone back on the starting line. There were lobbies and pressure groups crowding the executive and the legislature. There were the great figures, Senators, Governors or mayors, playing the role that was given to kingmakers or whitehaired councillors in Europe.

Even when it was boring it was subtle. The interplay of powerful, squalid, great and good men fighting to get their way was a spectacle that commanded a decent attention. The working of a democracy, with all its mechanism—good and bad—exposed, this was a privilege to watch. And suddenly all this hubbub is stilled.

This has become a one-man town. It is partly because President Johnson is so effective, partly because there is no rival on any horizon. There is his brilliant parliamentary performance on the domestic scene, the fact that he has completed a program designed by President Franklin D. Roosevelt that up to now has been blocked by political maneuvering.

And there remains the fact that this man, who is above all a domestic politican, is faced with the foreign problem that is more intimately terrible than any that has faced the United States before. And this is a democracy that is not geared to discuss problems of foreign policy. When these arise, the tradition is that the country speaks with a single voice. And the voice today is Mr. Johnson's.

Washington is like an unwatered lawn that is dying from the roots. You can see it in the newspapers. The great reporters have nothing to report. The columnists have either to ratiocinate or else to write on trivial subjects.

It is true the columnists continue to lay down the law in a manner not seen in the British press. It is also true that they are indulging themselves in a sort of intramural controversy. Joseph Alsop, a perfervid defender of the administration, attacks his enemies as "twaddle merchants," and his opponents talk of the "house-trained" correspondents. It is fun, but it is not the real thing.

And all this time there is this astonishing, ominous silence from the great domed, lawmaking temple that is set above Washington. The liberal Senators and Members of the House of Representatives, Democratic or Republican, simply do not know what to do. Very, very few of them are happy.

But a silence has been imposed upon Washington.

Once upon a time the White House aids were courtiers, were powers and dominions in their own right. They used to talk and gossip and feed the press in the friendly and enthusiastic service of their master. Now it is more than a man's career is worth for any of these men to say anything to a reporter that matters.

All the talk is about the President. And there is little enough of that. Great and good and responsible politicians simply appear to opt out of one aspect of their public life. They are not frightened. This is not McCarthyism, but suddenly the democratic process, under a most democratic President, seems to have shuddered to a halt.

It would be quite unfair to blame President Johnson. He is intolerant, occasionally angry and demanding of agreement. He has at his disposal the greatest and best prepared forces that any free country has ever produced in time of peace, and now, in Washington, it is perfectly plain that he and he alone will make the decision on how these forces will be used.

Washington, for the only time in its history, has become a one-man city and all the ministers and advisers who surround him are only his servants.

THE NEED OF A NEW U.S. POLICY IN SOUTHEAST ASIA

Mr. GRUENING. Mr. President, on June 12, at the Santa Monica Civic Auditorium in Santa Monica, Calif., the distinguished Senator from Oregon [Mr. MORSE] delivered a brief but important address which he began by stating:

> Today, the American people and the world are being told that our foreign policy must be left to the Chief Executive and his small handful of advisers because it is too complicated and too important for the American people to understand.

He goes on to say:

> The consensus on Vietnam sought today is not a consensus of our people, nor even of the community of nations; it is a consensus among the State Department, Defense Department, CIA, and White House staff. Once that is achieved, the questions from the Congress and the people are hushed up with rebukes suggesting that to ask where we are going in southeast Asia and how we are going to get there amounts to giving aid and comfort to the enemy.

The Senator from Oregon goes on to point out how many of our leaders who have been guiding policy have been mistaken. He points out, for example, that on July 8, 1954, the chief of the U.S. military aid mission in Vietnam, Gen. John O'Daniel, declared:

> The war in Indochina can still be won without bringing in one single American soldier to fight. The Vietnamese have ample manpower and even today outnumber the enemy by 100,000 with superior firepower at least in the ratio of 2 to 1, and probably more. And we are ready to assist them in training an adequate national army for the security of their homeland.

The Senator from Oregon goes on to mention more mistaken prophecies; for example, one by Secretary McNamara when he prophesied that in 1965 our military mission would be ended in South Vietnam and we would be withdrawing our troops.

Senator MORSE concludes by saying:

> This is no longer an issue of whether an American protests against the war in Vietnam give aid or encouragement to the Vietcong. It is an issue of whether southeast Asia is going to be saved from war and communism by our present policy, and I say it is not. We are driving Asians by the millions into the arms of communism.

The Senator from Oregon concludes with this statement:

> The American people must demand a new policy in Asia, not only one of legality and humanity, but most important, one that will work.

Mr. President, I ask unanimous consent to have the full text of the remarks of the Senator from Oregon printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR WAYNE MORSE, SANTA MONICA CIVIC AUDITORIUM, SANTA MONICA, CALIF., JUNE 12, 1965

Today, the American people and the world are being told that foreign policy must be left to the Chief Executive and his small handful of advisers because it is too complicated and too important for the American people to understand. The consensus on Vietnam sought today is not a consensus of our people, nor even of the community of nations; it is a consensus among the State Department, Defense Department, CIA, and White House staff. Once that is achieved, the questions from the Congress and the people are hushed up with rebukes suggesting that to ask where we are going in southeast Asia and how we are going to get there amount to giving aid and comfort to an enemy.

Fifty-two years ago it was similarly unpatriotic to ask questions of Kaiser Wilhelm and Von Moltke, Poincare and Joffre, Asquith and Lord Grey. To question national aims and the means employed to pursue them has, throughout modern history, been silenced as a service to an enemy, just as though all wisdom lay with those in office and none with those who must always pay for the achievement of national aims.

And what a river of blood those men caused to flow across Europe. We look back on the events of two World Wars and we wonder how the people who suffered such terrible misery could have allowed themselves to be propelled into World War I by leaders who today are remembered for their utter blindness and folly in thinking that any of their national aims could be achieved by resort to war and violence.

Yet the same ominous signs of an imposed and enforced national unity are being seen in America today. One of the popular exhibits flashed about by foreign policy officials of our Government is a collection of news broadcasts and published stories from Hanoi and Peiping which express the belief of the Communists that America is weak and divided on its Asian policy as evidenced by teach-ins, by the votes in Congress against blank-check war, and by student disturbances and rallies. No doubt the reports of this meeting will be made in the Communist countries of Asia and cited as an indication that if the war lasts long enough, Americans, like the French before us, will tire of the struggle and give up. And there will be newspaper stories here that will try to convince the public that only Communists and promoters of Communist causes could do such a thing as to question the soundness of American foreign policy as handed down by the combined wisdom of the Defense Department, the State Department, the CIA, and the White House staff.

But what is the record of these people in southeast Asia? Their record is one of having been wrong not once but consistently over 11 years.

On July 8, 1954, the chief of the U.S. military aid mission in Vietnam, Gen. John O'Daniel, declared, and I quote:

"The war in Indochina can still be won without bring in one single American soldier to fight.

"The Vietnamese have ample manpower and even today outnumber the enemy by 100,000 with superior firepower at least in a ratio of 2 to 1, and probably more. And we are ready to assist them in training an adequate national army for the security of their homeland."

We banked over $2 billion on President Diem for this purpose. And 8 years later we consented to his assassination as a means of removing him because he was losing more and more of South Vietnam to the Vietcong.

In the last 4 years, the record of administration officials has been even worse. With each mission to South Vietnam, we were told by the Secretary of Defense or of State that one more increment of American funds, or helicopters, or advisers would be the one that would put the war effort over. We even heard the Nation's leading expert on Vietnam, Secretary of Defense McNamara, tell us a little over a year ago that 1965 was the year when the American military could come home from Vietnam. His chief announcements today take the form of revealing new assignments of units to Vietnam, the dispatching of more Navy vessels to Vietnam, and the increase in U.S. air raids in Vietnam.

Yet these are the men to whom Americans are told they must place complete, unquestioning, and uncritical confidence. I say that aside from every other objection to such a resignation from our duties as citizens, these people have been too wrong for too long to justify any confidence at all.

But I predict that they will continue to widen and expand this war unless the American people rise to stop them. The next move is not long off because the impact of the last expansion of the war is wearing off.

We are already being prepared through the press for another escalation. We are already reading that while the air raids on the North gave a great boost to the morale of the South, the "boost" is wearing off, and something more will be needed to bolster Saigon back up again.

In his prize-winning account of our adventure with Ngo Dinh Diem, David Halberstam wrote:

"In the spring and summer of 1962, the arrival of the American helicopters had given the faltering cause in Vietnam a booster shot. It had not altered the nature of the war or the enemy's techniques, but they were caught off guard by the new equipment and the increased firepower of the government troops."

But, he continues:

"A year after the American buildup of weaponry and personnel had reached its peak, it was clear that the government had lost the initiative, that the enemy had benefited more from the weapons than we had, that his capacity had increased more than the Army of South Vietnam in the past year, and that with the failure of the Government civic program the guerrillas' tactical position was also superior.

"The American buildup which had been prompted by a deteriorating situation in late 1961, had lost its edge and momentum; the Communists had learned to react, and thanks to the outposts the enemy had been able to use the Government as a supply store."

The raids on the North by American planes have gone through much the same pattern. Great rejuvenation was reported among the soldiers and politicians of the South. But Sunday (June 6) the New York Times tells us that "in the last 8 days the Vietcong guerrillas have dispelled almost all the optimism that the South Vietnamese Government had been promoting for 3 months. The Communist forces appear to have proved, if there were doubts, that the South Vietnamese Army fared well all spring only by default."

This time the American response has been to move American ground forces in to do the fighting, in addition to the bombing. Sixty thousand troops are now the legacy of General O'Daniel's policy that 600 U.S. military men could train and equip South Vietnam to defend itself.

These people are wrong about Vietnam, and they have been wrong for 10 years. If we have learned anything at all there, it must be that the United States cannot impose alone its own enforcement of the Geneva agreement upon Vietnam. We are sliding ever closer to the abyss of total war in the attempt.

If there is to be peace in Vietnam, and if there is even to be defeat of the Communists in Vietnam, it will have to come through an international peace force. It is still not too late for the United States to seek such an international peace force either through the Southeast Asia Treaty Organization or through the United Nations, or possibly through the Afro-Asian peace force suggested by Indian Prime Minister Shastri. I am not deterred by the objection that China or North Vietnam or the Soviet Union is opposed to an international police force. They are certainly opposed to our bombing of North Vietnam but we are doing it, so it is not opposition from the Communists that determines whether we will follow a given policy.

The difference is that an international peace-keeping mission has some chance of bringing peace to Vietnam. The United States has not brought peace to Vietnam, and we have not saved it from communism, either. The terror tactics of the Communists in the villages of South Vietnam are matched in full measure by the horror visited upon them by American napalm, strafing, and bombing. We read over the weekend that after American planes had bombed the Vietcong retreating into the hills of central South Vietnam, "One estimate was as high as 500 killed by the strikes. The American contention is that they were Vietcong soldiers. But three out of four patients seeking treatment in a Vietnamese hospital afterward for burns from napalm were village women."

The Communists murder and kidnap and maim the villagers; we burn them with jellied gasoline. That is some record of fighting for freedom. It is interesting that the Pentagon Building puts out careful statistics of the number of South Vietnamese killed each month by Vietcong terrorists, but tells me it has no figures on South Vietnamese killed in the military action of American and South Vietnamese soldiers.

This is no longer an issue of whether American protests against the war in Vietnam give aid or encouragement to the Vietcong. It is an issue of whether southeast Asia is going to be saved from war and communism by our present policy, and I say it is not. We are driving Asians by the millions into the arms of communism.

The American people must demand a new policy in Asia, not only one of legality and humanity, but most important, one that will work.

TRIBUTE TO SENATOR SCOTT

Mr. KUCHEL. Mr. President, the June issue of the "Republicans for Progress" singles out the distinguished Senator from Pennsylvania [Mr. SCOTT] for one more indication of his dedicated service to the Republican Party. I ask unanimous consent that this tribute to Senator SCOTT be printed in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

NEW STAR?

Senator HUGH SCOTT, Republican, of Pennsylvania, who has had his share of political honors, both elective by the people and appointive by his party, is donning a new robe. At the recent successful testimonial (ticket-selling) dinner honoring Senator DIRKSEN at $500 a ticket, the champion fund-raiser in the Senate, Senator MORTON of Kentucky, did nothing to lose that position of eminence. But Senator SCOTT, the new vice chairman of the Senate Republican campaign committee, which is headed by MORTON, was not far behind in what, for SCOTT, is a relatively new party role.

REMARKS OF SENATOR KUCHEL IN OPPOSITION TO TITLE III (THE RICE PROGRAM) OF SENATE BILL 1702

Mr. KUCHEL. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my prepared remarks—presented, last week, to the Senate Committee on Agriculture and Forestry—in opposition to title III, the rice program of Senate bill 1702.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KUCHEL IN OPPOSITION TO TITLE III (RICE) PROGRAM OF S. 1702 BEFORE SENATE COMMITTEE ON AGRICULTURE, JUNE 25, 1965

Representatives of our rice industry in California have expressed their grave concern as to title III of S. 1702. I completely agree with their position. Such concern is merited.

In the name of economy, it is proposed to reduce by $50 million agriculture expenditures for foreign aid and rice price support programs. This is to be accomplished by the device of eliminating export subsidies and lowering support for all rice shipped in export to world price levels. With the realization that such prices would be far too low to provide sufficient income for growers, it is then proposed to increase support prices on rice sold in domestic markets, thus compensating growers for the reduced support in export. This expenditure would be financed by a tax on all rice milled for the domestic market. Such a milling tax would be passed on to the consumers directly by millers.

Unfortunately for the consumer, as a result of these proposals, the price of rice would be increased by 5 cents per pound. This amount has been confirmed by officials of the Department of Agriculture. California rice now sells for approximately $9.50 per hundredweight, f.o.b. mill; thus, the increase would be in excess of 50 percent before the imposition of various trade channel markups prior to reaching the consumer.

The largest users of rice in many areas, however, are those who have the lowest per capita income. Consequently, the inflationary aspects of such an increase in rice prices on a commodity which is the basic food for millions of people stands in sharp conflict with the concept and purposes of the antipoverty program. For example, in Puerto Rico, which is the single largest market for California rice, it is estimated that the rice program now proposed by the administration would cost consumers there $15 million annually as compared to an estimated benefit of only $7 million which they will secure from the antipoverty program.

While title III of S. 1702 is advocated on the basis of a national average consumption of 7 pounds per capita, Government economists have failed to give proper weight to the established fact that per capita consumption is in excess of 100 pounds in areas as Puerto Rico, Hawaii, and parts of California and New York. They have also failed to give weight to the loss of essential business with food processors who would find it extremely difficult to pass this increase in cost along to consumers in competition with other cereals using other commodities lower in price than rice. The result surely would be a drastic decline in the consumption of rice and a worsening of the market. I also have grave doubts as to whether programs authorized by Congress on the judgment that they are for the general welfare such as foreign aid programs using rice should be financed by milling taxes levied on those whose historical dietary habits result in a consumption rate of rice 20 times the national average.

I repeat: Approval of this legislation will surely result in a drastic reduction in domestic consumption with the result that even more Government funds will be required to handle surpluses, which will accumulate in the long run, thus nullifying whatever short run Government economies might be temporarily accomplished.

California, in addition to being a leading rice-producing State, is also a leading State in consumption. My State contains in excess of 2 million citizens of Latin American and oriental extraction to whom rice is still a basic food. This proposed program would thus work great hardship on many of our fellow Americans.

I am confident, Mr. Chairman, that the Senate Committee on Agriculture will give thoughtful consideration to the testimony of the rice growing and milling industry which will be presented in opposition to title III. The industry has assured the Secretary of Agriculture of their desire to sit down with him and work out a realistic program which would result in economies under the existing law. I deeply hope that this will be done with the consequent advantage for the taxpayers and consumers of our country.

TRADE UNION SUPPORT FOR PRESIDENT JOHNSON'S POLICY IN DOMINICAN REPUBLIC AND VIETNAM

Mr. DODD. Mr. President, while there has been confusion in certain sectors of the American press and of the American public on the question of the Dominican Republic, I think it important to point out that there was no such confusion in the ranks of the American trade union movement.

The AFL–CIO realized, on the basis of their own information, that the Communists were on the verge of taking over the Dominican Republic, and that they were frustrated only by American intervention.

The AFL–CIO executive council, in its meeting last month, welcomed "the prompt and energetic measures taken by the President to prevent the Communist attempt to seize control of the Dominican democratic revolutionary movement and to foist a Castro-type dictatorship on Santo Domingo."

The statement went on to say that—"Had our Government shown such prompt initiative in 1959, Cuba would today be a free country, and not a Communist slave state."

The Inter-American Regional Organization of Workers—ORIT—an organization which embraces most of the important labor unions in the hemisphere, adopted a resolution, couched in similar terms, supporting American intervention:

> We must point out that the unilateral action of the U.S. Armed Forces in this grave Dominican conflict has, on the one hand, served to save thousands of lives and, at the same time, under the guidance of the OAS Commission, been able to contribute toward making the horrors of civil war less cruel.

The veteran trade union leader, David Dubinsky, who has been in the forefront of every movement for social reform in our country, spoke personally in support of the President's policy, in opening the union's 32d convention in Miami Beach, on May 12. Said Mr. Dubinsky:

> I urge you to rally to the support of the President in his prompt, effective action to halt the enemies of freedom in Vietnam and Santo Domingo. We want the President to know that we go all the way with him when he tells the world: "The American nations cannot, must not, and will not permit the establishment of another Communist government in the Western Hemisphere."

But of all the documents originating in the trade union movement, I believe that the most remarkable document dealing with the situation in Santo Domingo was an article by Andrew C. McLellan, intra-American representative of the AFL–CIO which was published last month in the AFL–CIO Free Trade Union News. Mr. McLellan, who has the broadest possible contacts with the free trade-union movements throughout the Americas, and who has made an intimate study, over a period of many years, of communism in Latin America, suffers from none of the illusions which apparently afflicted some of our correspondents in Santo Domingo. According to Mr. McLellan, there was conclusive evidence of the Communist control of the rebel movement. Let me quote just two paragraphs from this extraordinarily significant article:

> Absent from the list (of names of known Communists made public by the State Department) are the names of many more known pro-Communist elements, including Maximo Lopez Molina, of the MPD; Mario Sanchez Cordoba, the most efficient Communist organizer in the Caribbean; Dr. Jose Estrella Jacobo; Dr. Lupo Hernandez Rueda and a number of young professional terrorists trained by Dato Pagano Perdomo in his Communist institute for training saboteurs, opened in Santo Domingo, January 1, 1962.
>
> Shortly after the revolution started, the offices and headquarters of the Democratic National Confederation of Labor (Cona-Tral) were attacked and sacked. Cona-Tral, since its creation some 3 years ago, has maintained a nonpartisan political posture, resisting attempts by all political parties, including the PRD, to take control of the 200,000-member labor organization. It has also maintained an antitotalitarian posture. Cona-Tral reportedly has chosen not to involve itself in the revolution; and, in spite of the loss of its headquarters, the movement remains intact, and represents, at the moment; the only stable force in the Dominican Republic.

In my opinion, these statements constitute still another proof that more intelligent anticommunism is to be found in the ranks of the trade union movement than in any other sector of our society. This is so because—unlike the sterile anticommunism of the extreme right—the anticommunism of the American trade union movement is wedded to the principles of freedom and social progress.

REALISTIC ECONOMIC POLICIES

Mr. BENNETT. Mr. President, for the past 3 years it has been my great privilege to serve as ranking committee member on the Senate Banking and Currency Committee under the chairmanship of Senator A. WILLIS ROBERTSON, for whom I have come to have a profound respect.

I am also proud and happy when he and I are on the same side of any question that comes before that committee and I generally find myself in complete agreement with statements of economic and banking policy which he makes before various professional groups outside of the Senate.

This describes my reaction to the statement he made before the annual conference of the Virginia Savings & Loan League held at Hot Springs last week on June 26, 1965.

Mr. President, I think this statement contains information that will be valuable to every Member of the Senate and for that reason I ask unanimous consent that it may be printed in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REALISTIC ECONOMIC POLICIES

(Remarks of Senator A. WILLIS ROBERTSON at annual conference of Virginia Savings & Loan League, Hot Springs, Va., June 26, 1965)

We are meeting today in a real beauty spot of the Old Dominion, where the massive peaks of the Blue Ridge Mountains invite the heavens to rest upon their stately columns and where blue grass hills indicate this was to be a new land of Canaan for the Scotch-Irish settlers who came into this area shortly after the Revolutionary War in search of religious, political, and economic freedom.

We are meeting in a critical period of the most vital century of recorded history—a century which has seen man's mastery of the physical sciences give the wings of the morning to the international broadcast of ideas and the development of airplanes of supersonic speed which have brought the nations of the world jostling together. But, it is likewise a critical period because man's advancement in the physical sciences has outstripped his advancement in the social sciences with the result that both we and Russia now have sufficient atomic weapons to destroy civilization, with no positive assurance that they will never be used in another world war. But for the uncertainties that have developed in southeast Asia over the possibility of what has been called a brush war, developing into a major international conflict, we could derive quite a bit of personal satisfaction over the development in the current century of a standard of living so far above the horse and buggy days that few, if any of the present generation have the slightest conception of the limitations and the personal hardships of the average family life of 60 odd years ago. Think of an average produced income of over $500 billion and the production of goods and services during the two decades since World War II which has tripled in terms of current dollars, while reflecting a 60-percent increase in terms of real value. During that brief span, financial assets held by individuals have quadrupled, the activities of all financial institutions have been greatly increased but you members of a great financial institution, known as the Savings & Loan Association, can take pardonable pride in the fact that your growth has outstripped all other savings institutions during the postwar period. The total assets of savings and loan associations have doubled every 5 years since the end of World War II and are now 15 times as large as they were in 1945.

The more rapid growth in savings and loan shares than in other types of financial assets may be attributed to a combination of factors, including (1) aggressiveness in offering facilities which have met the demands of the saving public; (2) the availability of an abundant and growing supply of home mortgages—the special province of these organizations; and (3) the existence of certain restrictions on banks, the principal competing organizations.

Can it be expected that these influences will continue in the future at the same rate as in the past? It is to be hoped, and, if correct fiscal and monetary policies are followed, it may be expected that savings habits will not be materially changed. But will the supply of mortgages continue to grow at the pace of the past two decades? In that period the country has had to cover housing shortages developed during more than a decade of reduced building in the depression and war years, as well as the increased housing demands of an extended period of high prosperity and growing incomes. In addition, various types of governmental aids and stimulants facilitated lending on mortgages at rising proportions of value of properties mortgaged.

This was also a period of rising prices of real estate, stimulated by inflationary fiscal and monetary policies and particularly by the special governmental aids to homeownership. It is often concluded that these policies made possible the large volume of homebuilding which took place. A different conclusion, however, is not unreasonable, namely, that the stimulants merely contributed to raising prices. With fewer credit and price-raising stimulants, we might have had as large a volume of homebuilding, better distributed by income groups. However, a definite answer to this question would be impossible to obtain.

In any event, some of the factors which stimulated homebuilding and borrowing for home ownership in the past 20 years should not be expected in the years ahead. Housing needs will be determined not by filling shortages and even less by replacing substandard housing, but largely by basic factors such as the rate of new family formation, changes in tastes, and shifts in population. I won't venture to predict how these may develop, but anyone operating in the housing field should keep informed on such matters. The growing interest of savings and loan associations in broadening their areas of investing may indicate an awareness of the possible decrease in availability of satisfactory mortgages.

Possibilities for further governmental stimulants to mortgage lending are becoming increasingly limited. At some point, such stimulants may tend to depress markets for existing houses and operate to discourage building. Mortgage loans can now be made—often with Government insurance of guarantees—at closer to 100 percent of appraised value of the underlying property and for longer periods before maturity than heretofore. The proportion of such low margined loans being made has increased over the years.

With the small allowances for depreciation in existing mortgage loans, many of the loans being made would have to be outstanding for a long time before the owner or lender would have an equity cushion. More and more, values and loans include allowances for equipment and other elements which depreciate faster than the house itself. Is adequate allowance being provided in amortization schedules for these features? Lending on such lenient terms makes the mortgage credit structure more vulnerable to any influences that might slow down the growth in incomes. Indeed, such practices could eventually be a cause of a downturn in economic activity and incomes.

A few weeks ago, Mr. William McChesney Martin, the experienced and wise Chairman of the Federal Reserve Board, had the perception and courage to warn the public as to potential dangers in recent financial developments. Although there has been some questioning of Mr. Martin's suggestion of similarities to 1929 developments, knowledgeable people recognize the existence of dangers in the present situation and the wisdom of exercising caution both by Govment and by private sectors of the economy in order to avoid disasters similar in effect, if not in cause, to those of the 1930's.

Sound economic growth and a stable wage and price structure are important, both to our domestic economy and to our balance of payments. In the last 5 years we have had a moderate degree of price stability—we have been far more stable over this period than our European and Japanese competitors—and this has made it possible for us to compete effectively in the world markets. Without this, our balance-of-payments situation would have been far worse, and our gold supply might have been entirely exhausted long ago.

The recent hearings which the Banking and Currency Committee has conducted in connection with the gold reserve requirements bill and the balance-of-payments problem generally have made it abundantly clear that the United States must maintain sound fiscal and monetary policies—sound wage and price policies—in order to preserve our domestic prosperity and international solvency.

While the present boom has been accomplished without any major price increase and has been longer sustained than any other previous boom, I hope I am not speaking treason when I voice the personal viewpoint that our current fiscal policy is not sound. When I entered Congress in 1933, we had 600,000-plus Government employees; now, we have 2½ million plus. Every time we increase their pay as much as 1 percent it costs the taxpayers in excess of $100 million. When I entered Congress, we had a budget of $4 billion and now we have one of approximately $100 billion and when we add expenditures from social security and other trust funds and public enterprise, we have a government that is spending $147 billion per year, all of which proves the wisdom of my grandfather who told me years ago: "The tendency of everything is to be more so."

In spite of the fact that for a number of years, we have enjoyed the highest personal income in our history, which is expected, before the end of the current fiscal year, to go to an alltime high, we have been going into debt at every level at an unprecedented rate. The gross total of public and private debt has reached the astronomical figure of $1.3 trillion, an increase of 30 percent over the past 4 years. With tax income at an alltime high, the Federal Government has been going in debt at the average rate of $6 billion per year and the debt limit had to be raised to $328 billion. But if tax receipts in the new fiscal year fall below present estimates, and expenditures, as I now anticipate, far exceed previous estimates, we could easily wind up the next fiscal year with a large deficit with possible inflationary effects.

While public debt has been rapidly rising, private debt has been rising still faster. Debts incurred by individuals and unincorporated enterprises, have jumped since 1960 from $286.6 billion to $417 billion, an increase of 46 percent, and of course, an increased debt, in which you gentlemen are especially interested, is residential mortgage debt which rose 40 percent in the last 4 years and which now is showing an unpleasant degree of defalcation.

What frankly disturbs me concerning the economic future is that the Congress is planning to superimpose upon what I regard to be a rather unstable financial foundation, namely, a debt structure of over a trillion dollars, a considerable number of new spending schemes. They will start on a modest basis and then rapidly accelerate pushing our budgeted expenditures to $125 billion per year or more.

I can find no intention in the Congress today to balance the budget. If we haven't reached full employment after 51 months of business expansion, plainly we are never going to reach it. And if we have to cut taxes every year to keep the expansion going, meanwhile spending more and more, then plainly we do not intend to balance the budget. And if we do not intend to balance the budget—ever—then do we intend to stop the payments deficit? That, indeed, is not so plain.

Then, there are several factors in the labor market which could have an inflationary effect. If the wages of steelworkers go up to the level granted the aluminum workers, and they are all in the same union, the price of steel will undoubtedly be advanced. And, all other unions will seek to get contracts at the same level. The President's insistence upon raising the minimum wage will be inflationary and I think calculated to decrease rather than to increase employment. If low productivity workers in hotels, motels, restaurants, and laundries to the extent of 4½ million, be covered as proposed, new labor saving devices on the one hand will be installed and the tourist traffic will be diverted from Miami to Bermuda and to other Caribbean resort areas to the great harm of a wonderful resort hotel like The Homestead, which, in my opinion, for beauty, comfort and gracious living has no superior either here or abroad.

I am somewhat concerned over the tendency of administration spokesmen in Washington to exude optimism by dwelling only on the pleasant developments without considering all the factors that lie ahead.

For example, they count on the reduction in excise taxes to expand purchasing power, and it may have that effect for the next 6 months. But they do not talk much about the $4.7 billion increase in payroll taxes on employers and employees next year for social security and medicare.

Of course, this, bill, which I assume will pass, would provide retired persons with increased annuities and hospital insurance. But it also will reduce the take-home pay of the millions still at work, and these are the people who are being encouraged now by the excise tax cuts to buy many new household appliances on the installment plan.

Likewise, these enthusiastic Government economists count on the excise tax cuts to lower prices, without considering that if the steelworkers win a new contract that touches off wage increases in many other industries, the result is likely to be higher prices. In any event you don't cut prices at the height of the Christmas trade.

In a word, my political philosophy has been, and always will be that of the great President Woodrow Wilson, who said: "I don't want a smug lot of experts sitting down behind closed doors in Washington and playing Providence to me." We have grown rich and powerful under a system of private enterprise within the framework of constitutional liberty. We shall abandon that program at our peril.

TWENTIETH ANNIVERSARY OF THE UNITED NATIONS

Mr. BREWSTER. Mr. President, last Friday, the United Nations commemorated its 20th anniversary.

The past 20 years, one of the most eventful periods in the entire history of mankind, have shown us the value of having such an international organization. Crises in the Gaza Strip, the Congo, and Cyprus, among others, have demonstrated the constructive contribution that such a body can make to world peace.

The activities of the United Nations subsidiary organizations—those dealing with food, refugees, and education, to name only three—have also, beyond any doubt, proved their usefulness.

At the same time, we see the United Nations in a state of financial crisis, and crippled in its ability to undertake further peacekeeping efforts. We must recognize not only the achievements, but also the limitations, of this organization. It is of the utmost importance that we take a long, hard look at the United Nations, to see in what areas its potentialities to act may be strengthened, and also to note the areas in which it should not try to act.

Its 20th anniversary is, thus, a time for both appreciation and reappraisal of the role of the United Nations. Editorials published in last Friday's issues of the Washington Post and the Baltimore Sun provide us with the beginning of just such a thoughtful stocktaking.

I ask unanimous approval that these editorials be printed in the Record.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 25, 1965]

OUT OF ITS TEENS

Twenty years ago, in the very same San Francisco War Memorial Opera House in which today's commemoration is being held, 51 nations appended their signatures to the founding charter of the United Nations.

With all the criticism that has been directed at the U.N. since then, one should not lose sight of the fact that it already has lived longer than its predecessor, the League of Nations, and now has more than doubled its original membership to a present total of 114 nations.

The U.N. is as near to a world parliament of man as international law has been able to devise. Its General Assembly, with one vote per nation, regardless of that nation's size or wealth, is in a sense a legislature with equal representation.

But, whatever the idealistic hopes at its inception, the U.N. is not a cure-all and not a court of last resort.

The big powers, particularly the United States and the Soviet Union, have used it to gain international resonance for whatever stand they might be taking. The smaller powers, particularly the newly independent nations of Africa, have used it in a sort of suspender-snapping manner to belabor the fight against an European colonialism which has pretty much disappeared.

But the important fact is that in all of its 20 years only one nation, Indonesia, has become sufficiently annoyed with the U.N. to relinquish membership. The others seem to realize that, despite its unwieldiness, despite its tendency to become the "debating society" Secretary General U Thant recently cautioned about, the U.N. is useful.

It is useful not only because it has served to check wars in such widespread areas as the Congo, the Middle East, Kashmir, and Cyprus, but because it has prevented wars from breaking out in many times that number of areas.

It is useful because it has tackled world health, education and economic problems in a meaningful way.

The U.N. is a magnification of civilized human behavior. Once in the club, nations find it disadvantageous to act too outrageously in the presence of fellow club members and so they succumb, to some extent, to the U.N.'s moderation.

A nation not in the club, and Communist China is the notable example, finds itself under no such restraint and so can play world outlaw with impunity.

Now that it is out of its 'teens, the U.N. should face up to two major steps of maturity:

1. It should become financially self-sufficient. Depending as it has on the United States to bail it out makes the United States both a begrudging and a patronizing partner and the U.N. itself an unhealthy overobligated recipient.

2. It should take steps to implement the one source of strength provided in the U.N. Charter to overcome the shortcomings of the old League: the teeth of enforcement power. A standby U.N. force would be a much more effective and dependable way of providing international police than the current habit of frantically begging noncontroversial nations to rustle up token contributions.

The U.N. is to be congratulated on reaching its 20th year. This is in itself no mean feat. But to justify itself in the future, the U.N. will have to do more than merely survive.

[From the Baltimore (Md.) Sun, June 25, 1965]

AFTER 20 YEARS

It is rather surprising, looking back, to realize that the United Nations is only 20 years old. It seems much older, not because it is feeble now but because it is so firmly established as a fixed part in our foreign policy. And in a sense it began before 1945, because it was brought to life during World War II out of the ashes of the League of Nations, which had been started a quarter century earlier without the participation of the United States and had not been strong enough to deal with the nationalist dictators of the 1930's.

By the time the United Nations was officially formed in 1945 the United States had long since committed itself to membership, which may be a reason why it seems that we have been in the United Nations for more than 20 years. In any case, the hopes of 1945 and the later confidence which developed in the United Nations procedures, as they were devised in practice, are not in evidence now. Long hobbled by the veto which the Soviet Union imposed on its Security Council, which was intended to be its action arm, the United Nations now is beset by a paralysis imposed upon its General Assembly. A strong United Nations, in which the United States and other democratic governments have a majority voice, goes against the Soviet policy of expanding its own influence and power—which includes so-called wars of liberation in which the Chinese Communists claim a share—wherever it can find openings.

Today the United Nations is broke financially, crippled in its ability to help preserve peace and yet grown to almost unmanageable size because of the explosion in the population of new states. In its present condition it is unable to handle such threats to world peace as the war in Vietnam. It has been weakened further by the long argument over paying assessments for its peacekeeping operations—an argument which the smaller nations chose to regard as a big-power clash between the United States and the Soviet Union rather than a basic problem for the General Assembly to meet. A way out of financial bankruptcy is offered now by a plan for voluntary contributions which, if it succeeds, might paper over the crack in the foundation. Questions as to the United Nations powers and functions will remain.

The anniversary observance today in San Francisco will be impressive. But this probably is not the time or the place for major policy speeches about the future of the United Nations. It is a good time, however, to reflect on its many worthwhile accomplishments, to understand the problems it faces and to be thinking about policy questions which must be tackled in the autumn.

LAKE POWELL AND LAKE MEAD

Mr. MOSS. Mr. President, I note with considerable interest and satisfaction a recent announcement by the Secretary of the Interior, Stewart L. Udall, concerning the fact that Lake Mead, in southern Nevada and northern Arizona, has now returned to its rated power head of 1,123 feet above mean sea level.

Many of us will recall that Lake Mead was allowed to drop below the minimum level, and to curtail power generation, so that Lake Powell, the jewel of the Colorado, could be filled to its minimum power head.

The hard decision by Secretary Udall came well over a year ago. He ordered the gates closed at Glen Canyon Dam, so that the first of the new generators could begin to produce power, and also could begin to pay off the cost of the project.

That decision, in retrospect, was a truly wise one. The Lake Meade drop was accentuated by 2 years of far-below-average runoff on the Colorado River. The water picture on the upper Colorado River has now changed completely. Lake Powell now holds about 6.7 million acre-feet of water, and is expected to rise another 24 feet above its present level if the forecasted runoff through July is realized. This forecast has been placed at 11 million acre-feet, above Glen Canyon Dam.

The discharges at Glen Canyon Dam will remain at about 12,000 cubic feet per second, which will continue to generate power at Glen Canyon, and will also help maintain the minimum storage at Lake Mead for power generation.

The past several years have seen a record low runoff in the Colorado River Basin. This year, however, the runoff is higher than for the past dozen years.

In future years, when the runoff is again in the drought category, storage reservoirs at Flaming Gorge, Glen Canyon, and Hoover Dam will be able to supply much of the needed water and power to the growing Mountain West and the Pacific Southwest.

Utah will also benefit, because Congress is in the process of approving, on the central Utah project, construction starts, this year, which will enable my State to utilize some of her share of the Colorado River.

So, Mr. President, I commend Secretary Udall for making, under extreme pressure, what is now obviously the correct decision; and I also commend my colleagues in Congress for their foresight in seeing that vast water storage and power projects are approved for the regions of America where this water might otherwise be wasted to the sea.

The path is clear: we need more water. My wish now is that we were at this time building the projects included in NAWAPA, the North American Water and Power Alliance: the concept of bringing Yukon water into the thirsty regions and river basins of North America. Perhaps this, too, will come as we act to alleviate the critical water situation which sees the Northeast rationing water; the Great Lakes at record-low levels; and many other areas of the Nation dry and nearly in dust-bowl condition. Lack of water is likely to be the most menacing problem facing our country in the next decade.

"MAKING DEMOCRACY WORK"—McGEE SENATE INTERNSHIP ESSAYS

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct, for the graduating high school seniors in my State of Wyoming, the McGee Senate Internship Contest, which brings to Washington one boy and one girl for a week of observation of democracy in action—here in the Senate and elsewhere in Washington, D.C.

As a part of the contest each student is required to complete an essay on "Making Democracy Work"; and each year I am impressed by the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. All show real thought and a thorough knowledge of our system of government.

Of course, it would be impossible for everyone to read all these essays; but I think some of the most outstanding ones, selected by an impartial panel of three judges, should receive wider circulation; therefore, I ask unanimous consent that two of the essays, written by Rose Ann Erck, of Cheyenne, Wyo.; and Wayne Schatz, of Meeteetse, Wyo., which received honorable mention in the McGee Senate Internship Contest, be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

MAKING DEMOCRACY WORK

(By Rose Ann Erck, Cheyenne, Wyo.)

Free men are engaged in the protection, promotion, and perfection of an art, though conceived in centuries past, still waiting for its consummation. The execution of democracy requires a talent gained only by skill and knowledge in handling this growing force in world politics—a talent best developed through intensive study of the effects of democracy on civilization. These effects, viewed in light of the failures recorded in the annals of a free heritage, reveal the characteristics inherent in this ideology which have insured its immortality, and the characteristics inherent in men which have caused its collapse. Study of these precedents can give insight into making democracy work indefinitely in America.

History records that earliest man lived nearly 2,500 years before he developed the desires and abilities necessary for self-government. When one society finally emerged with a definite emphasis on the importance of the individual in the political structure, it was Athens, the Greek city-state. Athens traveled a difficult road through trial, error, reform, mistake, and retrial to establish a rule of the people; then Greek democracy lasted barely 100 years. Why did Athens fall? The answer is fairly obvious to us today. While the leadership of the Athenian Assembly remained honest and competent, the state thrived. But the group yielded easily to demagogs, and the precarious balance between tyranny and democracy was finally upset by a reckless, ambitious leader, and a powerful, threatening enemy. The basic ingredient lacking in Athens government was control. Such a precedent behooves our leaders to insure proper regulation in the administration of our own Government. Indeed, much of this necessary control is built into the checks-and-balance system of the Constitution itself, but a watchful citizenry must be assured that local, State, Federal government management is carefully and prudently regulated. The admonition is written into the history of democracy. The task remains for our own generations to heed the valuable warnings.

With the end of Athenian democracy, this political force lay dormant for several hundred years. Its revival came in a new form, borrowing characteristics from both its Greek parents and its new guardian, Rome. Rome's democratic innovations yielded the first representative democracy. But the reasons for the eventual end of popular rule in the Republic are apparent. The well-defined party system at Rome produced more than healthy competition. Political conflict escalated into civil wars, and military leaders and personalities became more important than ideas. Emphasis on imperialism and the men who extended Roman rule pushed the nation back into the ranks of a monarchy. The extremism of the Roman populace, and their loss of perception of the true value of political factions, offer ready examples for free men who would lose sight of the basic need for self-government. Rome's record should graphically demonstrate the need for wisdom in partisan politics. The intrinsic benefits of our party system in administering democracy almost necessitates its continuation. The existence of opposition stimulates thought and action and definitely has salubrious effect on our government. But when men forget that political parties have been established to achieve the effective organization of people with similar ideals and opinions, and these men allow one personality to dominate their party, their purposes have been defeated, and democracy is vulnerable to destruction.

Once again, following the fall of Rome, the ideas of democratic men receded, this time into the gloom of the Dark Ages. The seeds of freedom remained unsown in the unique nation taking shape. By the 13th century, Englishmen had begun to demand rights from the monarchy, but as late as the 18th century a stubborn king still had power enough to enforce his despotic policies, a fact which cost England her most valuable new resource, America. Perhaps had Englishmen taken an earlier and more active interest in fostering democracy, we might be British rather than American citizens. But the fact remains that at a crucial point in English history, the static nature of their government, and the resistance to change brought a great loss to the nation. Elasticity is an art not always exercised in government, but one which must be kept in mind in considering the effectiveness of our own democratic Republic. If the people of our Nation lose the proper balance between conservatism and liberalism, we are subjected to the possibility of reactionary rigidity and regression in the face of rapidly developing world affairs. By the same token, of course, ultraliberalism has its dangers. But a reasonable balance in policymaking is necessary to insure that our Nation moves at an effective pace toward both immediate and long-range goals. The well-being of our democracy depends largely on the sensitivity of our leaders and their ability to stretch the framework of our Government to fit changing needs.

In the transfer of democratic ideals from our English parent-land to the United States, our system has emerged as the most novel since the very foundings of freedom. We have endured longer as a true republic than any other institution of democracy known. Yet, though we pride ourselves on near consummation of the democratic art, we are still vulnerable to the same pitfalls which have plagued our predecessors in the struggle for freedom. Like the government of Athens, our constitutional functions must be well regulated. When men are dangerously uncontrolled in administering a free government, that government is jeopardized by tyranny and decadence. When free men disregard the purpose of self-government, and think in terms only of a political party, the existence of opposing factions is transformed from a safeguard into a threat. When a government is rigid, and fails to respond even to necessary alterations, democracy cannot span years of inevitable change. History challenges modern man in his pursuit of free government. The prudence of political leaders in assuring the stability, the moderation, and the flexibility necessary for a working democratic system, will decide the role democracy will play in the future of the world.

DEMOCRACY AT WORK

(By Wayne Schatz, Meeteetse, Wyo.)

In the words of Thomas Jefferson, "If a nation expects to be ignorant and free, it expects what never was and never will be." The problems we face today are far more complex than those faced by earlier generations, and we need to know a great deal more than did our ancestors. Fortunately, if we will make the effort to learn, our modern communications media provide us with unprecedented opportunities to be informed.

Why should we be informed of activities that are happening thousands of miles away? We must have at hand and be able to refer to as much pertinent information about our problems as possible. We should evaluate this information and the sources of it, arrive at a conclusion about what can be done, act on that conclusion, and evaluate the effectiveness of the action. This is the democratic way of solving our problems.

When we fail to do these things—when we state the problem fuzzily, ignore, or misuse the available information, accept the words of unreliable sources, and then suffer disappointment or failure, we are apt—unfairly—to blame our brains. What we should blame is our own inability to use the methods of critical thinking, our failure to train our brains sufficiently in that method. For critical thinking is just another name for clear thinking; clear thinking is obviously what we should do to answer questions and resolve our problems democratically.

One of the foundation stones of our Nation is the respect for the worth and dignity of the individual. Through the rights of free speech, voting, and economic choices, our judgments contribute to the making of broad decisions in the political, economic, and social aspects of life in our Nation. The tremendous significance of having our citizens skilled in decisionmaking becomes clear when we look at what is at stake. In a dictatorship, the people are not encouraged, or even permitted to think, learn, and act on important social problems. In a democracy, the Government, the economy and the society is only as strong as its citizens make it.

The critical thinker achieves democracy's goals in many ways. One such way might be by assuring the sharing of power and also the responsibility among citizens. He might achieve democracy's goals in civil rights by insuring respect for the worth and dignity of the individual, in national status by preserving the Nation's prestige among the family of nations, or in resource use by backing the wise administration of the country's natural wealth. These are just a few of the many examples of how democracy works through individuals.

Democracy is founded on the belief that the commonsense of the great majority may be trusted, that most people will recognize the truth when all ideas have been fairly presented. Most Americans sincerely want to be good citizens and are anxious to carry out their responsibilities with competence and integrity. But as society grows more complex, so do the problems with which citizens must deal. Today, more than any time in the past, Americans need to work actively at the job of becoming effective citizens. We must first of all learn to understand and appreciate the rich heritage of freedom that is our birthright. In addition, we must be critical thinkers on the large variety of present-day issues. Only then can we contribute to a well-informed climate of opinion and participate constructively in public affairs at the local, State, and national level.

The successful functioning of democratic government involves much more than just having critical thinkers and then setting appropriate offices and holding elections. History has provided numerous examples of nations whose political systems were nominally democratic but which utterly failed to work and gave way instead to dictatorial government. The German Weimar Republic (1920–33) for example, embodied all the devices of modern democratic government including a written constitution, provisions for universal suffrage, proportional representation, initiative and referendum, a strong executive, and a cabinet responsible to an elected legislature. Yet in 1933 Adolph Hitler was able to come to power and establish his totalitarian Nazi regime. Other examples of still other unsuccessful experiments in democracy can be found in Italy in the 1920's and in some of the republics of Latin America today.

Why is it that democracy may prove a blessing in one country and a dismal failure in another? The answer seems to be that certain basic conditions must exist or must be created in any country if free self-government is to succeed. These conditions include:

A literate populace: Government of and by the people implies a belief that the typical individual is capable of exercising good judgment and making wise decisions. Where there is widespread illiteracy, apathy, or ignorance, free self-government is less likely to work. In the United States, our recognition of this fact has led to compulsory education laws and the establishment of the required citizenship classes in school. Our high level of educational achievement undoubtedly has been a factor in the success of our democratic system.

A reasonable level of economic security: The economy of a country must be developed sufficiently to overcome the perils of extreme poverty. It is difficult for a starving people to make rational, long-range decisions. This does not mean, however, that a country must be wealthy as a prior condition to democracy. To the contrary, some of the most successful democracies (for example, Switzerland and the Scandinavian countries) are relatively poor in terms of natural wealth. They have created high standards of living as a result of making democracy work, rather than the other way around.

A responsible and tolerant citizenry: The quality of its citizens is the ultimate factor in the success of a democratic society. Above all, the democratic citizen must (a) respect human dignity and the rights of others; (b) be actively concerned about the conduct of public affairs; (c) willingly accept civic responsibilities; and (d) learn to tolerate ideas which differ from his own. These qualities are not inborn—they are not transmitted from parent to child through biological inheritance. They must be taught anew to each generation.

ELECTORAL COLLEGE REFORM STILL NEEDED

Mr. MUNDT. Mr. President, America's greatest uncorrected discrimination in the field of civil rights continues to be the manner in which the electoral college votes are cast and counted in our presidential elections.

In all this discussion about one man, one vote, the most glaring violation of this formula is in the electoral-college procedure, through which one man in New York State casts 43 votes for President, while an equally intelligent man in Delaware casts only 3 votes for President. The accident of geographic residence—and nothing else—accounts for this violent injustice.

It is good, therefore, Mr. President, that the courageous Attorney General of the State of Delaware—David P. Buckson—has started in Federal Court a suit questioning the validity of the winner-take-all bloc system of electoral-college voting. In this connection, I call attention to an article entitled "Citizens Challenge Electoral Votes," written by James J. Kilpatrick.

I ask that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star, Nov. 12, 1964]

CITIZENS CHALLENGE ELECTORAL VOTES

(By James J. Kilpatrick)

An audacious group of citizens in the sovereign State of Delaware, cheered on by the American Good Government Society, is headed for the U.S. Supreme Court in a lawsuit that could change the whole course of presidential history. Their bold object is to overthrow the present system, by which presidential electors are chosen from a State at large, and replace it with a system geared to congressional districts.

It sounds complicated. Actually it isn't.

The present system of electing a President operates within each State on a principle of winner-take-all. No matter how close the popular vote may be—and the vote a week ago in such States as Arizona, Florida, Idaho, Oklahoma and Nebraska was reasonably close—the entire electoral vote goes to the winner. It is, of course, the electoral vote that counts in the end.

The Delaware citizens complain that the system is "unfair and unjust" to their States and to the 4 other States having but 3 presidential electors.

The reasoning goes this way:

The Constitution provides that the electoral college shall contain a number of electors equal to the whole number of Senators and Representatives to which the States may be entitled in the Congress. Thus, the theory goes, the electoral college is intended to duplicate a joint session of the Congress of the United States. Each State has two Senators, chosen at large but each State also has a number of Representatives chosen in individual districts. Why shouldn't presidential electors be chosen in the same way?

To get down to specific cases, the citizens of New York have just elected 41 Members of the House of Representatives. Last Tuesday they also elected 41 "representative" presidential electors. The Representatives were chosen in separate districts, and no New Yorker could vote for more than one of them. Thus each of New York's 41 congressional districts was comparable to Delaware's one congressional district. The voters in all of these congressional districts, the Delaware group contends, were at par with each other in the election of Members of the House.

This wasn't true, however, in voting upon the 41 "representative" presidential electors. Under the general ticket system, every New York voter had a chance to vote on all these electors. When it came to choosing a Representative it was one man, one vote. But when it came to choosing the presidential electors, it was one man, 41 votes.

The Delaware group figures that New Yorkers just cast about 280 million excess votes in the presidential election.

To halt this inequity, the group proposes to take a leaf from the city dwellers of Tennessee, Alabama, Virginia, and other States who have sued with such success in the Supreme Court. The organization has in mind a suit against the States that use the general ticket system in presidential elections.

The object would be an order from the Supreme Court, based chiefly on the equal protection clause of the 14th amendment, directing the 45 offenders to adopt a plan by which each State would choose two presidential electors at large (mirroring its senatorial seats), and choose its other electors by separate districts.

Delaware's idea is not new. Michigan had a district system back in the 1890's. Early in the century, the House of Representatives approved a constitutional amendment embodying the district plan. About 15 years ago, New York Representative Frederick R. Coudert, Jr., stirred up considerable national interest in the idea. Senator KARL MUNDT, Republican, of South Dakota, also was active in behalf of the change. Senate hearings on the plan were held as recently as 1956.

The Delaware group's venture into litigation seems a little bizarre; the 14th amendment applies to a State's discrimination against its own inhabitants, not against the inhabitants of other States. The constitutional provision that electors shall be appointed "in such a manner as the legislature of each State may direct" would require some tall construction if the Delaware petition were to be upheld.

The Supreme Court, however, is famed these days for tall constructions, and few persons would have predicted the Court's revolutionary decrees in the State reapportionment cases of 1963 and 1964. Maybe the doctrine of one man, one vote will be extended.

If the Delaware plan had been in effect a week ago, Lyndon Johnson still would have won a large majority of the electoral votes, but the count wouldn't have been nearly so lopsided.

Only once in recent history would the district plan have changed the outcome.

Four years ago, Kennedy had 303 electoral votes, and Nixon 219. Fifteen were unpledged. If "representation" electors had been chosen by districts, Nixon, who carried 27 States and 228 congressional districts, would have had 282 electoral votes. Kennedy, who carried 22 States and 206 congressional districts, would have had 250. Five Alabama electors still would have been in limbo.

It's a sound idea, whatever the merits of the lawsuit may be. After all, in a republican government, should a winner take all? Or only take his share?

Mr. MUNDT. Mr. President, an editorial entitled "Electoral College Reform" was published in the Washington Daily News. I ask unanimous consent that this good editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Feb. 16, 1965]

ELECTORAL COLLEGE REFORM

In one of his recent messages to Congress, President Johnson mentioned "reform of the electoral college system."

But he didn't propose much reform. He proposed to keep the electoral college system as it is. Except that he would legally bind the electors to vote for the candidates for President and Vice President favored by a majority of the State's voters.

The Supreme Court recently laid down a hard rule that in the election of members to both houses of State legislatures the so-called one man, one vote rule must obtain.

The electoral college system works in reverse.

In New York, a citizen actually votes for 43 members of the electoral college. Thus, in effect, he casts 43 votes for President if his candidate carries the State. New Mexico is allocated only four votes in the electoral college, so the ballot of a voter in that State is worth less than one-eleventh of the New Yorker's ballot.

If we are going to make elections absolutely fair to all voters in choosing State legislatures, as the Supreme Court is attempting to do, it is even more important that elections be made absolutely equal in presidential years. The obvious way to accomplish this is to reform the electoral college by dividing each State's electoral votes in direct proportion to the popular votes.

IDAHOAN BRINGS TELEVISION TO AMERICAN SAMOA

Mr. CHURCH. Mr. President, it is many thousands of miles from Rigby, Idaho, to Pago Pago, American Samoa; and the vast distance is cultural, as well as physical. But the fervor for good education, which was so much a part of the culture surrounding Rex Lee when he grew up in Rigby, now helps him to bridge the cultural gap as Governor of American Samoa.

The June 19 issue of the Saturday Review includes a most interesting article about the survey Rex Lee made of the shocking educational system of American Samoa which existed there when he arrived to become Governor, in 1961, and describes his unique and imaginative crash education program to meet the need. The heart of his program was educational television.

Although his was the key role, Rex Lee would be the first to admit that television would not have come to American Samoa had it not been for Secretary of Interior Udall, Representative MICHAEL KIRWAN, the National Association of Educational Broadcasters, and the Samoans, themselves.

I ask unanimous consent that this fascinating article, entitled "Classroom TV Comes to Samoa," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CLASSROOM TV COMES TO SAMOA

(By Tom Kaser)

Last November, a large, elegantly dressed Polynesian stepped before 7,000 people in Pago Pago, American Samoa, and uttered what was probably, for that part of the world, the understatement of the year.

"In ancient times," said Crown Prince Tupou To'a Tungi, premier of the nearby Tonga Islands, "the environment of Samoa and Tonga ended at the seashore of Samoa and Tonga. Today, the world is smaller. Now the whole world is our environment."

The occasion was the dedication of an anachronism: educational television in the south seas. Less than 2 months before that day, engineers sent the first signal of a $1,700,000 educational television system into the steaming jungles of a Pacific paradise which for years had been forgotten by time and, most regrettably, the United States. Now, American Samoa has become the education showplace of the South Pacific, not only because of television but also because of the man who brought it there, Gov. Rex Lee.

Lee was sent to the island territory in May 1961 after serving 11 years in Washington as a high-ranking administrator in the Bureau of Indian Affairs. He didn't particularly want the job, but he did want to oblige any request of the new President and the new Secretary of the Interior, Stewart Udall. The result was an agreement that he would serve as Governor of American Samoa 1 year for the primary purpose of preparing the island territory for the 1962 conference of the six-nation South Pacific Commission.

When Lee arrived in Samoa he was appalled. What he saw was 60 years of neglect from the naval officers who administered the islands from 1900 to 1951, the territorial Governors who came there during the Eisenhower years, and the white merchants and traders who had been there as long as anyone could remember.

The most serious neglect was that of the welfare of the Samoan people. Lee found that although half of the 22,000 natives in the territory were under 18, only 5,000 Samoan children were attending what was loosely called school—remote village huts of the native fale (pronounced "folly") design resembling open, grass-roofed houses. The only high school in the seven islands of the territory admitted only a third of the children of high school age in American Samoa—those who could pass the entrance examination.

But Lee was most shocked by the illiteracy of the Samoan schoolteachers. Although all instruction was supposed to be in English, he couldn't find one native teacher who could speak it fluently. He further discovered that most of the Samoan teachers had attended school only through the ninth grade, equal to about a fifth-grade education in stateside schools.

Lee realized that American Samoa was no place for a gradual improvement in the educational system. "There was no time for waiting, no time for armchair patience—there had been too much of that for 60 years," he says today. "It was obvious that what was needed was a sudden and explosive upgrading."

The answer in Lee's mind was educational television. He submitted the suggestion to the territory's department of education, a lifeless agency which rendered an equally lifeless reaction. Stateside educators assigned to the department belittled the idea as too expensive and not feasible for such a remote outpost.

Lee flew back to Washington and conferred with Udall, who surprisingly turned out to be "one of the few who didn't laugh," as Lee recalls today. With Udall's support, Lee went to Congress and obtained $40,000 for a study to determine whether the idea was feasible.

A four-man study team from the National Association of Educational Broadcasters went to Samoa in late 1961 and returned to Washington a month later to report that educational television was indeed the best potential tool for the task. The NAEB investigators, headed by Vernon Bronson, one of the most vigorous promoters of educational television in the country, cited television as the most likely means of: (1) Training Samoan teachers; (2) providing quality instruction by topflight stateside teachers for every child in every village; (3) establishing, after a high initial investment, a low-cost permanent educational facility complete with a large library of tapes and other visual material. In short, educational television was seen as the fastest, most effective and, in the long run, most economical way of bringing the education system up to reasonable standards.

The alternative was to replace nearly 300 Samoan teachers—some with 30 to 40 years of teaching experience—with 300 stateside teachers. This would have created not only serious sociological problems but several logistical problems, including a massive building program to provide accommodations for the stateside. It would also have involved millions of dollars in transportation costs alone.

When Lee returned to Washington in January 1962 to request general operating funds for the island territory, he was armed with statistics (provided by the NAEB) outlining how an educational television system might be installed. He found a friend in Ohio Congressman MICHAEL J. KIRWAN, chairman of the powerful House Appropriations Subcommittee on Public Works, who also realized American Samoa had been neglected too long.

While KIRWAN, Udall and Bronson exerted influence on Congress to approve the educational television of Samoa's budget request, Lee returned to the Pacific. But for the first time, he began to see more challenge to his job than hosting the South Pacific Commission Conference. With an entire school system to renovate, and the possibility of educational television being approved, he told Udall he would remain in American Samoa because there was a job to be done. And indeed there was.

While the appropriation proceedings in Washington continued, Lee gathered his education officers together and outlined a plan to consolidate all of the territory's more than 50 independent village schools into a cohesive system of 26 new Government-built schools—20 on the main island of Tutuila, 5 in the 3 Manua group islands, and 1 on privately owned Swains Island, 250 miles to the north.

Lee and his education officers agreed on a native design for the now consolidated schools: clusters of buildings resembling the open, grass-roofed Samoan fale or home. Each fale, to be built of concrete, steel, and glass, was to contain two classrooms placed back to back, with television consoles at each end of the building and a blackboard wall forming the partition.

Lee's dream took a giant step toward reality in late 1962 when Congress approved a generous $10 million operating budget for general improvements in the island territory. Included in the appropriation was $1,583,000 for a three channel educational television system to be used in American Samoa's elementary grades (one to eight), and a pledge to appropriate funds for three more channels for high school instruction if the intial system showed promise.

News of the appropriation activated plans which Lee had been holding in abeyance for months. A chief engineer arrived in the islands in January 1963 to study technical problems involved in building the system. In February, seven bids totaling $1,190,000 were let on electronic equipment including a $60,000 contract to Motorola for 300 23-inch TV sets.

The onerous job of consolidating the village schools was started, and by August—1 month after the arrival of Blair MacKenzie, the new director of educational television—Samoan construction crews began work on a two-story, air-conditioned studio building which was later gratefully named the Michael J. Kirwan Broadcasting Center.

The most formidable construction problem was erecting a 226-foot transmitter atop Mount Alava, which climbs 1,603 feet almost vertically from the apex of Pago Pago (pronounced "Pongo Pongo") Harbor. The original plan was that Samoan workers, using modern equipment, could make their way to the top of the mountain. But after three-quarters of a mile of construction, the road idea was abandoned: workers found that Samoa's water-soaked volcanic rock could not support a road on sloping land. Engineers estimated that even if the rock provided a suitable base, it would take 2 years to penetrate the thick jungle to the summit of Mount Alava.

Hope was renewed a few months later when a Navy ship carrying two helicopters stopped in Pago Pago en route to the United States from an Antarctic mission. Lee's engineers suggested that the steel transmitter and supplies to build the transmitter station might be lifted to the top with helicopters, but a survey flight in the Navy helicopters dampened the idea. Navy pilots noted that not only were the crosswinds at the summit too severe, but a job of that sort would require about 800 flights from harbor to mountaintop.

The solution was an aerial tramway, which was installed in the summer of 1964 after a 5,102-foot cable had been strung across Pago Pago Harbor to Mount Alava from a point near the Governor's mansion. The tramway and a few other last minute expenses increased the first-year cost of the television system by about $140,000, but Lee plans to more than justify that amount with revenues reaped from eventual tourist use.

To the surprise of everyone in American Samoa, KZVK-TV worked when engineers beamed the first signal to Mount Alava on Sunday afternoon, October 4, just 4 days after the Samoan school year had begun. By that time, Bronson—now one fo the prime movers of the Samoan educational television idea—had hired 6 educational television teachers and 32 technical personnel. He made it clear that their goal was to eliminate their own jobs by training Samoan understudies who will someday take over the operations.

Samoa's educational television system differs from the more than 100 educational television stations in the United States today in that it provides the core rather than a supplement to the local educational effort. Its purpose is to educate not only children but also teachers and, eventually, adults.

Although television teaching in Samoa totally amounts to only 2 hours a day, all instruction revolves around that teaching. Lessons, developed at the broadcast center by stateside teachers working with Samoan understudies, are sent to each classroom teacher several days before the telecast. Stateside principals who live at each consolidated school advise their classroom teachers how to prepare for the telecast, what to watch for, and how to follow up after the televised portion of the class is over. Samoan vice principals at each school are responsible for paperwork and related administrative details.

Oral English has been the cornerstone of instruction in all of American Samoa's schools since 1962 and especially since the establishment of educational television. Reading and writing in Samoan is taught only in the first and second grades on the principle that Samoan youngsters should become literate in their own language before learning another.

The backbone of the oral English instruction is a series of drills designed to aid the Samoan child in pronouncing sound combinations and speech rhythms unfamiliar to his native language. This is accomplished through a philosophy of linguistics called the Australian method, fostered by George Pittman, a lecturer at New Zealand's Victoria University and now a part-time consultant to the government of American Samoa.

Pittman's philosophy is based on what he calls a reversal of the standard process of teaching language. "Normally, when you start a child in school you are concerned with literacy," he says. "What we're trying to do here is put language into the child's mouth first; literacy comes later."

The Australian method was founded in 1950 when Pittman and his staff of 150 were trying to give European immigrants in Australia a quick, fundamental knowledge of English. Their starting point was extensive oral drill based on easily understood situations which could be created in a classroom.

In Samoa, these exercises have been adapted for television use.

For example, the educational television teachers spend several minutes of each class leading youngsters in responsive drills such as the following:

Teacher: "This is a bottle."
Pupils: "This is a bottle."
Teacher: "This is a bottle."
Pupils: "This is a bottle."
Teacher: "These are bottles."
Pupils: "These are bottles."
Teacher: "This is a bottle."
Pupils: "This is a bottle."
Teacher: "These are bottles."
Pupils: "These are bottles."

Even more basic are twice-daily sound drills in which Samoan children repeat certain English-language sounds which are foreign to them. Examples: "th" as in "the"; "zz" as in "is" or "nose"; and most difficult of all, "i" as in "it" or "is." Educational television teacher David Lommen, one of the drill leaders, found that he became an overnight celebrity among the Samoan school children; whenever he visits a school he is mobbed by giggling youngsters who hop and dance behind him, chanting: "thhh-zzzzz-thhhh-zzzzz."

As of April, 8 of Lee's fale-style school complexes were open and receiving educational television; the rest of the 26 consolidated schools will be open to all of American Samoa's 5,500 elementary school children by this fall. Meanwhile, Lee is already working on an educational television plan for high school use: Congress, impressed with the progress and promise of the initial educational television system, appropriated an additional $985,000 in February of this year for three channels of phase II, which will be started this fall in Pago Pago High School and two new high schools now being built.

The new high schools, designed by San Francisco Architect John Lyon Reid, are as new in design as educational television is to Samoa. One will be located in the Manua group of islands, 60 miles east of Tutuila, and the other is being constructed on Tutuila in the village of Leone, 15 winding miles by road west of Pago Pago.

Movable redwood partitions, suspended from the ceiling, will provide up to six changeable classrooms in the new high schools. A center room, under the loft, will be used for conferences and storage. Television sets with low-level speakers will be placed in each room, enabling the classes to use open space with minimum distraction. Redwood ceiling baffles will help control sound.

So far, no one in the high ranks of the Department of Interior is less than pleased with the progress of Lee's educational television dream. And for the Samoans, the novelty has not worn off even after 8 months of operation: schoolchildren are still just as entranced with the magic box as they were last fall. Meanwhile, Lee is giving careful doses of educational television to adult Samoans as the incipient stage of a planned adult education program. Since last November, travelogs, syndicated educational films, and even occasional feature movies have brought standing-room-only crowds to the school fales at night.

The significance of American Samoa's educational television system is evidenced by the fact that it is being watched closely throughout the world—especially in the South Pacific—as the most practical and effective way of educating people where there is a tragically short supply of good schools and good teachers. The system has been studied by UNESCO, the World Bank, New Guinea, New Zealand, India, Guam, Western Samoa, Tonga, and the trust territories. Tests will soon be made in the Tonga chain, which begins 180 miles to the south, to determine whether the signal can be received there. Reception in Western Samoa, 80 miles to the west, is excellent and Lee has made it clear that the broadcasts are free to anyone who can receive them.

So far educational television in American Samoa seems to be producing the sudden and explosive upgrading in education that it was intended to do. But no experiment is complete without an evaluation, and the NAEB is currently negotiating with educators at the University of Pittsburgh and the University of California at Berkeley to conduct a long-term study—lasting perhaps over a decade—of the island territory's educational system.

Lee claims he will never really know the effectiveness of the television idea until the study is completed—probably not before the present first-graders are in high school. But he is clearly happy about the short-term results: absenteeism has dropped sharply, children are more attentive than ever, and, for the first time, Samoan parents are taking an interest in having their children learn English.

By anyone's standards, that's the most encouraging thing to happen in American Samoa in the last 65 years.

FLAMING GORGE DAM AND RESERVOIR

Mr. McGEE. Mr. President, the New York Times, as the lead article in its Sunday travel section yesterday, painted a compelling word picture of one of America's great new tourist attractions—the Flaming Gorge Dam and Reservoir. This great recreational region, with spectacular scenery, is in an area, as the Times points out, which once was one of the Nation's most inaccessible. But no longer is that true. Today, the dam itself is easily accessible, over paved roads from north or south; and the 91-mile lake forming behind it, chiefly in my own State of Wyoming, is fast becoming a major attraction.

The visitor center at the dam, mentioned in the Times article, is being matched by another at Green River, Wyo., near the northern extremity of the lake. The recreational potential of the Flaming Gorge region, now being developed, presents us with a fine example of what can be accomplished, and what must be accomplished, if we are to fill the needs of an ever-growing, more prosperous society. Recreation is not the sole reason, or even the chief one, for the existence of the Flaming Gorge Dam; but it is a most important byproduct, and one of benefit to millions.

I ask unanimous consent that the article, entitled "Canyon-Country Waterway," and written by Jack Goodman, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Canyon Country Waterway—Flaming Gorge Dam Is Forming 90-Mile Lake in Utah, Wyoming

(By Jack Goodman)

Vernal, Utah.—"At a distance of 20 miles, a brilliant red gorge is seen, the red being surrounded by broad bands of mottled buff and gray at the summit of the cliffs and curving down to the water's edge on the nearer slope of the mountain. This is where the river enters the mountain range—the head of the first canyon we were to explore, or, rather, an introductory canyon to a series made by the river through the range. We have named it 'Flaming Gorge.' "

The explorer-engineer who penned those lines in June 1869, was Maj. John Wesley Powell. The river was the cool and clear Green, flowing southward from its source in Wyoming's Wind River Range to join the Colorado, 730 miles away. Powell's party, descending the river on what would prove to be the first full-scale exploration of the Colorado River system, ran the rapids of the Green and, later, the Colorado in sturdy boats somewhat resembling Marblehead dories.

Today, a concrete dam, 502 feet high and 1,180 feet wide, straddles the Green River at a point just below the "Flaming Gorge." The dam is between, and accessible from, transcontinental highways U.S. 30 in Wyoming and U.S. 40 in Utah. It was completed in 1963, and Flaming Gorge Lake has been slowly forming above it.

Eventually, the lake will be 91 miles long, mostly in Wyoming, with a shoreline of 375 miles and a water surface of 66 square miles. Paved roads have been extended to the dam, which lies about 30 miles north of Vernal and 90 miles south of Green River, Wyo.

DAM BRINGS CHANGE

The spectacular scenery that Major Powell described almost a century ago remains much as it was then. But conditions there, so long one of the Nation's most isolated regions, are changing fast—to the benefit of tourists.

The major had launched his wooden fleet at Green River, after it had been hauled westward aboard flatcars of the new Union Pacific Railroad. Nowadays, hundreds of small craft are being towed behind automobiles to the dam, and vacationists are threading the brilliant red gorge in outboard motors, skiffs, and even catamarans.

Where Powell and his fellow mapmakers ate venison and hardtack, today's visitors to Flaming Gorge are catching quantities of 10-inch trout. In the last three seasons, the Utah State Fish and Game Department and the U.S. Fish and Wildlife Service have stocked the rising lake with trout so heavily that the most casual angler can take them.

Other developments are making the lake a recreational dream. The U.S. Forest Service, the National Park Service, and the Bureau of Reclamation have joined to set up a visitor center at the dam, plus 8 boat-launching ramps, 13 shore campgrounds, 3 other campgrounds accessible only by water, and picnic areas.

To accommodate those seeking comfort in the wilderness, there are several agreeable sites. One is a modest establishment, the property of a Green River veteran. It includes camping cabins, a general store, and a private lake for "those who want to catch fish without bothering with a boat." Another has motel-style units, a restaurant, and even a cocktail lounge.

These amenities would certainly have astonished this region's pioneers, that group of roaring mountainmen among whom Gen. William Ashley, a certain William Sublette, and Jim Bridger remain famous in the local legends. For 6 years, beginning in 1825, these hardy individuals used to gather at a stream called Henry's Fork, and other tributaries of the Green River, for sociable reunions.

At present, the most easily reachable launching, camping, and lodge areas are south of the Utah-Wyoming State line, on arms of the lake being developed by the Forest Service. The easiest approach to them, and the dam, is from Vernal, a modern ranch-country town 330 miles west of Denver and 180 miles east of Salt Lake City.

Vernal has no rail service. However, it can be reached by Frontier Airlines from Salt Lake City, and rental cars can be reserved at the Vernal Airport.

From Vernal, State Route 44 stays well low passes on the rim of the forested Uinta Range. An occasional sheep wagon, ranch-house, or oil-driller's truck are about the only signs of civilization in this region, which has been chiefly known—until lately for its dinosaur tracks, sagebrush, and piñon pine.

SNOW-TIPPED PEAKS

Cedar begins to replace piñon at the boundaries of Ashley National Forest. There, the road reveals views of snow-tipped peaks to the north and west; suddenly, after a righthand fork, the road crosses a 200-foot-high steel bridge over Cart Creek, an arm of the lake.

There are boat-launching and rental facilities at Cedar Springs, downhill to the northwest, but first-time visitors to Flaming Gorge would do well to make their initial stop at the Bureau of Reclamation visitor center. It is within sight of the new dam.

Exhibits there include a 10 by 15 foot relief map of the entire Flaming Gorge Lake area. There is also a montage of "before and after" damsite photographs, and a mural recalling the region's history.

Before the summer season ends, vacationists will also be able to descend by elevator into the dam's powerhouse area. Three generator units there produce 108,000 kilowatt-hours of electricity in this once primitive region.

The construction town of Dutch John, plus campgrounds on the northeast "reach" of the lake, are approached by a two-lane highway across the crest of the graceful dam. From Dutch John, an improved gravel road extends for 6 miles to Antelope Flat Recreation Area. This is a National Park Service unit centering around boat docks, launching ramps, campgrounds, and a beach.

DEEP GORGES

Despite its present water level of nearly 400 feet above the riverbed, Flaming Gorge Lake is walled not only by Flaming Gorge, but also by Red and Hideout Canyons. These are steeply walled gorges well over 1,000 feet deep. Shoreline entry points are few, and attempts to descend to the lake should be made only at designated ramp roads and at roads to campgrounds and beaches.

The route to Flaming Gorge Lake from Green River, Wyo., which lies on the Union Pacific's main line, is a beautiful desert and mountain country drive. It is well paved much of the 90 miles to the dam area.

Unfortunately, from Manila, Utah, just south of the Wyoming line, the pavement worsens because of a construction project currently under way in spectacular Sheep Creek Canyon.

When completed, this portion of State Route 44 will be something of a geologic textbook for visitors, since it climbs and descends through millions of years of geologic time as it follows the Uinta Crest Fault.

The Cedar Springs boat ramp and camp area, 6 miles from Flaming Gorge Lodge, and the Dutch John docks and ramp, just beyond the dam, are now the best spots from which to embark on fishing expeditions or on guided cruises of the new lake. Heading nearly due west from either dock area, boats cruise upstream through Red Canyon and Hideout Canyon, and then on to Flaming Gorge itself, in less than an hour.

CANYON CAMPING

The broader, northerly extension of the new lake, beyond Henry's Fork, Black's Fork and Firehole Canyon, can be reached in another 2 hours in the average outboard-powered craft. However, visitors will want to loaf, and perhaps pitch camp for a while, in the lee of 1,500-foot-high Red Canyon.

As for fishing possibilities, the State fish and game commission recently issued a plea to all anglers to fish in the new lake, "lest the trout crowd themselves and stunt their growth through crowding."

First-time visitors to the lake are reminded that it, unlike Lake Mead or the new Lake Powell, is a "high country" body of water. The dam crest is at an elevation of 6,047 feet above sea level, and the Green River is fed by chill mountain streams. Nights are downright cool, even in midsummer, and water skiers who get doused also get chilled.

Along with fishing tackle and plenty of film, visitors should also have heavy sweaters, waterproof clothes for mountain showers, and insect repellant. In addition to fish and scenery and history, the Flaming Gorge country is famous for its mosquitos.

SOURCES OF INFORMATION

For campground information, prospective visitors can write the National Park Service, Post Office Box 188, Dutch John, Utah, or the U.S. Forest Service, Ashley National Forest, Post Office Box 192, Vernal, Utah.

Information on private lodges, cabins, and guide services is available through A. K. Reynolds, Red Canyon Lodge, Post Office, Vernal, Utah, or Dwight Wetenkamp, Flaming Gorge Lodge, Vernal, Utah.

TITAN 3 AND SOLID-PROPELLENT BOOSTERS

Mr. MOSS. Mr. President, on Friday, June 18, the Air Force successfully launched the Titan 3, and boosted into orbit the heaviest payload ever sent aloft. It was a massive display of both thrust and payload.

The interesting thing about the Titan 3 is that it was propelled into space by a combination of solid-propellent boosters and liquid-propellent boosters. The great workhorse that put into orbit this tremendous 21,000-pound dummy satellite, the heaviest payload ever launched, was composed of the strap-on solid-propellent boosters. With this launch, the United States not only pulled even with the Soviet Union in thrust and ability to launch heavy payloads, but went somewhat into the lead. All of us are encouraged by this great step forward in our relentless drive to explore space; but I wish to point especially to the great success of the solid boosters.

On previous occasions, I have stood on this floor to call for equal research and development work on solids and the fullest exploration of the value of solid-propellent boosters. I am happy to know that the Air Force and the military continue to work in this area; but I am very much disturbed to find that NASA has terminated its research and development work in solids, and now turns all of its attention to liquid propelled boosters.

I do not have sufficient technical capacity to be able to discuss the difference between the two, except to note that solid boosters are wholly reliable, readily storable, develop tremendous thrust, and are standing guard, around the world, in the Minuteman silos where we have our intercontinental ballistic missiles.

I strongly urge that NASA continue its search for improved thrust capability in the field of solids.

To point up the happy marriage between solid boosters and liquid boosters and to set forth the great success of Titan 3, I ask unanimous consent to have printed in the Record several newspaper articles which deal with the event at Cape Kennedy, Fla., on June 18.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 19, 1965]

Air Force Titan Orbits Heaviest Payload Ever

(By Howard Benedict)

CAPE KENNEDY, FLA., June 18.—A mighty Titan 3–C, the most powerful rocket ever fired, scored a thundering success on its maiden test flight today and signaled the Air Force to proceed with plans to establish a military beachhead in space.

The huge triple-barrel rocket developed total thrust of more than 3 million pounds, spewed a tail of flame more than 600 feet long and flung into orbit a 21,000-pound dummy satellite—the heaviest payload ever launched.

This orbiting chunk of lead is the forerunner of manned and unmanned military machines that will patrol and perhaps dominate space, preventing other nations from using it for warlike purposes.

Maj. Gen. Ben I. Funk, commander of the Air Force Space Systems Division, said the flight represented "a great day for the Nation, the Defense Department and the Air Force."

"The success with a combination of solid and liquid fuel rockets," he said, "demonstrates the flexibility of the booster for military as well as other payloads. I feel it will be the catalyst which will kick off many programs which the Air Force has been working on and you have been reading about. The manned orbiting laboratory should get the green light in short order."

Within a few days, the Defense Department is expected to give the Air Force the go-ahead to develop the manned laboratory, which has been under study for several months.

The lab, which will be the size of a house trailer, will keep two or more astronauts in orbit for a month or more to determine what military missions man can effectively perform in space.

Within 3 years, Titan 3–C rockets are expected to establish these unmanned space systems; a network of 24 communications satellites for swiftly relaying military messages around the world; reconnaissance, navigation and satellite interceptor payloads.

With its weightlifting capability, Titan 3–C also will be used for scientific payloads. One project under consideration is to send a package of nine payloads to the moon with a single rocket to determine strength of the lunar surface.

The Titan 3–C actually is three rockets strapped together. Two solid fuel motors ignited on liftoff and generated 2.65 million pounds of thrust to propel the vehicle to an altitude of 24 miles. Then the 127-foot liquid fuel central chamber fired with a 474,000-pounds thrust burst. Second and third stages of the central segment ignited with precision and hurled the lead satellite into orbit 115 miles high.

The Titan success and follow-up shots may fan into flame a smouldering controversy between the Air Force, backer of the Titan, and the National Aeronautics and Space Administration. NASA is putting all its bets on the liquid-fueled Saturn rocket, still in the development stage, as the all-purpose booster for major space missions.

[From the New York (N.Y.) Times, June 9, 1965]

Titan 3–C Passes Its Flight Test—Air Force Is Jubilant Over Rocket, Most Powerful Known

(By Evert Clark)

CAPE KENNEDY, FLA., June 18.—The most powerful rocket ever known to have been launched roared from a man-made island of sand here today, carrying with it the Air Force's hopes for its own man-in-space program.

The 127-foot-tall Titan 3–C, descendant of the Titan nuclear-armed missiles, thundered upward on two tails of bright yellow flame that stretched behind it for 500 feet.

It was the first flight test of the first big military booster designed to send payloads into space rather than nuclear warheads to an enemy.

Turning eastward high above a cloud bank, the 1.5-million-ton rocket kicked away the two 86-foot-long solid-fuel boosters that had launched it from its pad with more than 2.4 million pounds of lifting power, or thrust.

Then the three liquid-fueled stages of the Titan core vehicle—a Titan 2 missile with a special maneuvering stage on top—lighted automatically in the air and propelled 21,000 pounds of test payload into an orbit 100 miles above the earth.

It was the first time that large solid-fuel rockets had been used to lift a huge spacecraft. In the past, liquid-fuel engines have done this job.

But the Air Force won approval 2 years ago to take an existing missile, bolt to its sides two solid-fuel rockets 10 feet in diameter, and make a space truck that could hurl great weights into orbit around the earth or send almost 2 tons to the moon.

The launching came while administration officials were considering whether to give the Air Force a manned space program of its own.

Air Force missiles, test ranges, and astronauts have contributed heavily to the civilian space program. But the lack of a clear mission for military pilots has limited the Air Force to automatic space loads, most of them secret.

"TRANSTAGE" GOES INTO ORBIT

The maneuvering stage of the Titan core is called a "transtage" because it can transfer itself and its payload from one orbit to another.

Four successful launchings of the core preceded the flight today. Because the main goal today was to see if the solid-fuel rockets would light together, lift the core and separate from it properly, no maneuvering was planned.

The transtage put itself and 21,000 pounds of lead ballast into orbit, where it was expected to stay for several days before burning as it reentered the earth's atmosphere. The lead is shaped into blocks that are scored so that they will break apart and burn on reentry.

This 29,300-pound weight-lifting feat was not a record. Two Saturn 1 rockets launched by the National Aeronautics and Space Administration have put their final stages and 19,000-pound ballast payloads into orbit. One flight lifted 38,700 pounds and the other 39,200 pounds. The Saturn develops 1.5 million pounds of thrust but cannot maneuver as the Titan 3–C can.

SOVIET PAYLOADS SMALLER

The heaviest payloads put into space by the Soviet Union have been their 14,000-pound Voskhod manned capsules.

The Voskhod rocket has been rated by American experts at 800,000 to 900,000 pounds of thrust. By contrast, the American rocket used to put the manned spacecraft Gemini 3 and Gemini 4 into orbit produced 430,000 pounds of thrust.

Air Force officials were jubilant over their success today. Brig. Gen. Joseph S. Bleymaier, who has headed the Titan 3–C program since it formally began 2 years ago, was given a Legion of Merit Medal on the spot. He is Deputy Commander for Manned Systems in the Air Force System Command's Space System Division.

Col. David V. Miller, program director under General Bleymaier, and Col. Otto C. Ledford, head of the 655th Aerospace Test Wing, which launched the rocket, received commendation medals.

[From the Washington (D.C.) Star, June 19, 1965]

Mighty Titan Orbits Payload in First Test—Air Force Hopes for Space Role Get Big Boost

(By William Hines)

CAPE KENNEDY, FLA.—A 700-ton Air Force rocket called Titan 3–C was launched with complete success, from pad 40 here this morning. At 2½ million pounds of thrust, it was the most powerful rocket ever to take to the air.

Liftoff came just 4 seconds after the scheduled firing time of 10 a.m., e.d.t.

The launching—which bolstered Air Force hopes for a manned role in space—was by far the most spectacular in the 15-year history of this rocket testing base.

Titan 3–C rose from its launching stand on twin tails of flame 4 or 5 times as long as the 127-foot rocket.

As it rumbled upward through the clear Florida sky, it left behind it a dirty trail of smoke which turned into a magnificent white cloud as moisture in the air condensed around carbon particles in the rocket's wake.

CLOUD REMAINED

Twenty minutes after liftoff—with the upper stage of the rocket firmly in orbit about 115 miles up—traces of the columnar white cloud still remained in the sky.

The rocket boosted into orbit the heaviest "payload" ever launched by either American or Russian spacemen. The payload was actually 21,000 pounds of lead pellets, simulating an equivalent amount of scientific instruments or men and equipment.

The accuracy of the launching was nothing short of phenomenal. Radar indications were that the payload went into orbit at a velocity only 1 foot a second over the planned speed of 25,583 feet a second (roughly 17,500 miles an hour.)

ONLY 6 SECONDS OFF

The orbital period—time required to circle the earth once—was only 6 seconds short of the 88 minutes and 12 seconds that had been planned. The orbit was only slightly under the desired altitude of 115 miles on the average.

This payload was about three times as heavy as the Gemini 4 spacecraft of Astronauts James A. McDivitt and Edward H. White, II, which was launched from here aboard a related Titan 2 rocket 15 days ago.

Titan 3–C is being developed—at a cost of $800 million—to handle a wide variety of space missions including the Manned Orbiting Laboratory. In various configurations, the Titan 3 family of rockets will be able to lift payloads ranging from 5,000 to 40,000 pounds.

The rocket firing today was watched closely by both military and civilian authorities. Its success almost instantly triggered increased rivalry between the Air Force and the civilian National Aeronautics and Space Administration.

Up to now, NASA has had a monopoly on manned space, but within a half hour after Titan 3–C left the pad, a high-ranking Air Force officer, Maj. Gen. Ben I. Funk, publicly predicted that Manned Orbiting Laboratory "should get the green light in short order."

NASA PUSHING SATURN

NASA is pushing its Saturn 1–B as the rocket of the future. The 1–B, which will fly for the first time next year, will be capable of lifting about 35,000 pounds into a low earth orbit. As presently designed, 1–B could not perform high orbit or lunar missions.

The Air Force says the Titan 3 family of rockets can do everything Saturn 1–B can do and more.

BIG BROTHER: FDA

Mr. LONG of Missouri. Mr. President, the recent hearings on "big brotherism" by the Subcommittee on Administrative Practice and Procedure exposed some practices by certain Government agencies which were indeed shocking. Our hearings, for instance, revealed that the Food and Drug Administration was guilty of violating the sanctity of a church here in the Nation's Capital. This small church was raided because the FDA viewed its attempts to improve the mental health of its parishioners as unorthodox. This Government agency took upon itself the task of determining what religious practices should and should not take place within the confines of the church property.

Further subcommittee hearings uncovered instance after instance of FDA raids on small vitamin and food supplement manufacturers. These small, defenseless businesses were guilty of producing products which FDA officials claimed were unnecessary for the average human diet. Here again, we have the same Federal agency setting itself up as the judge of what should and should not be eaten by the general public.

These disturbing revelations stirred a former college professor to write to the subcommittee about still another example or arbitrary bureaucratic judgment on the part of FDA officials. He charged the FDA a few years ago with banning and burning a large number of publications by an internationally recognized psychologist because the agency disagreed with some of his basic assumptions. I could not believe that this had really happened. Correspondence with the American Civil Liberties Union, however, removed all doubt from my mind.

I ask unanimous consent to have the American Civil Liberties Union news release on this disgraceful affair printed at this point in the Record.

There being no objection, the release was ordered to be printed in the Record, as follows:

News Release of American Civil Liberties Union

New York, N.Y., July 11.—The American Civil Liberties Union today called on the Food and Drug Administration not to burn books owned by Dr. Wilhelm Reich which present his theory of orgone energy.

The Government agency 2 years ago obtained an injunction in a Federal district court in Maine enjoining Dr. Reich and his followers from promoting the use of the orgone energy accumulator and ordering the destruction of his books and other scientific writings. The accumulator usually is a metal-coated box which, according to Dr. Reich, harnesses cosmic energy, called by him "orgone." Orgone, he claims, is essential to life functioning and relates to many emotional and physical illnesses.

On May 24, 1956, Dr. Reich was sentenced to 2 years in prison for contempt of court in not obeying the injunction, and the Wilhelm Reich Foundation was fined $10,000. Dr. Reich's colleague, Dr. Michael Silvert, was sentenced to a year and a day in jail. It was learned by the ACLU that FDA representatives have already destroyed Dr. Reich's books found in his headquarters in Rangeley, Maine, and would be in New York City today to seize other copies of the enjoined books in the possession of Dr. Silvert, who lives at 50 Grove Street.

Patrick Murphy Malin, ACLU's executive director, released a letter written on July 9 to George P. Larrick, Commissioner of the Food and Drug Administration, warning that the FDA's action would, in effect, amount to Government censorship and urging the agency on its own initiative to modify the injunction to exclude the books. When the FDA brought suit against Dr. Reich for misrepresentation, it claimed that his books labeled the orgone device and helped to promote its use.

Pointing out that as a civil liberties organization it was not concerned with the validity or invalidity of the accumulator or Dr. Reich's theory, Malin said that the ACLU was concerned with the FDA's action to identify as labeling comprehensive books of serious scientific intent. The ACLU asserted that responsible psychologists, some of whom do not subscribe to Reichian theories, have assured the Union that the books can in no sense be considered mere aids to promote or explain the use of the accumulator.

The ACLU added that the injunction was so broad as to include two books which make no reference at all to the orgone energy theory, "The Sexual Revolution" and "The Mass Psychology of Fascism." "It is ironical," the ACLU said, that at a time when the Government is destroying these two books, "a New York publishing firm, Basic Books Inc., is advertising in the New York Times and elsewhere and distributing a third book named in the injunction, 'Character Analysis.' While other parties are apparently at liberty to publish Dr. Reich's books, he, himself, is not only unable to do this, but is under continuing threat of further contempt proceedings if he permits others to distribute his books.

"It is a serious challenge to the freedom of scientific inquiry and to the freedom of the press, principles of free thought on which our democratic Government is based, for any agency of Government to take advantage of such a dragnet injunction to thwart the dissemination of knowledge—however eccentric or unpopular that knowledge may be. Certainly the Food, Drug, and Cosmetics Act contemplates no such result.

"Because of his recent contempt conviction, Dr. Reich is under the impression that he can take no action either directly or indirectly to cooperate with others who are interested in this matter to modify or vacate the injunction against him. But many students and professors have come or written to us concerning the FDA's action, which they see as a governmental attempt to shut off the circulation of scientific knowledge. The ACLU agrees with their contention and urges that the FDA act immediately to put an end to the destruction of Dr. Reich's books by seeking on its own initiative to modify the injunction which it has obtained."

The ACLU letter pointed out that Dr. Reich and his associates had not appealed the Federal court injunction because they felt Government investigation of Reichian theories was improper or beyond the power of the FDA. "It is unfortunate," the ACLU said, "that FDA's action was not challenged, as we are confident that an injunction as broad as this is would not have been issued if the defense had been properly presented. But whether or not the FDA's authority to burn these books was acquired by lack of a proper legal defense or through a loophole in the law is relatively immaterial. What is of direct concern is that the injunction and the authority given the FDA is so broad that a Government agency can and presumably is destroying books."

Mr. LONG of Missouri. Mr. President, this plea for tolerance apparently fell on deaf ears. Dr. Reich and his chief associate were imprisoned, 10 volumes of his journals were destroyed, and 10 of his books are to my knowledge still banned from distribution. Dr. Reich died in jail.

The major crime of Reich and his associates was to believe in new scientific concepts and techniques which FDA officials questioned. Now I make no claim to being a scientist. I claim no competence in evaluating the validity of a theory on orgone energy. Dr. Reich might have been completely in error in this theory. It seems to me, though, that such a determination should have been made by other experts in the field and by history.

This case would seem to involve the basic issue of intellectual freedom. Are we to entrust the responsibility of passing judgment on the scientific merits of a discovery to Federal bureaucrats? Are we to allow the FDA or any other Government agency to ban or to burn scientific publications at its discretion? The answer to these questions must be in the negative. Man's right to know, to learn, to inquire, to make errors, and to investigate human emotions must by all means be safe if the word freedom is to have any meaning at all.

The banning and destruction of the scientific literature published by Reich and his associates is a completely unnecessary, senseless, shameful, and sickening act of destruction. It demonstrates a lack of tolerance generally associated with an authoritarian mentality. While being characteristic in the age of a Galileo, it is contrary to the spirit of tolerance which we are so proud of in this Nation.

The officials of the Food and Drug Administration who are responsible for this act of destruction are probably convinced that they have protected the minds of the public from being corrupted. Every book burner in history undoubtedly acted from the same conviction. It is the self-righteous desire to protect others from being misled by ideas with which they disagree.

It is difficult to condone the actions of these self-appointed censors from the FDA. If it were my belief that this Nation needed an agency to pass judgment on religious practices, to tell the citizens what they should eat, and to determine what should be thought, I would say so. I do not think we need such an agency. I do not think we want such an agency.

The weight of evidence uncovered by the Subcommittee on Administrative Practice and Procedure has convinced me that someone has got to speak up. Abuses of legitimate power must be stopped. It is past time that the unfettered agents of the Food and Drug Administration had their wings clipped.

DAMAGING EFFECTS OF AIR POLLUTION CITED

Mr. ERVIN. Mr. President, on June 16, 1965, this body passed a bill regulating the labeling of cigarette packages and requiring that words of caution regarding the use of tobacco be printed on every package and carton of cigarettes.

I voted for that bill as the best possible legislation that could be realized at this time for the tobacco industry, and because it was preferable to regulation such as that proposed earlier by the Federal Trade Commission.

It is my conviction that the harmful effects of tobacco are still open to question and that there are other factors attributable to lung cancer.

A blanket indictment on any industry such as the one imposed by the Surgeon General on the tobacco industry and 750,000 farm families should not result in legislation without absolute proof of a causal connection between lung cancer and tobacco.

If the Surgeon General and the Congress really want to know the causes of lung cancer, there are many investigations that should be conducted. For instance, it should be determined to what extent carbon monoxide and other noxious gases, which are released into the atmosphere, contribute to the incidence of lung cancer.

Mr. President, a city council committee for the city of New York has recently been studying measures for controlling air pollution. Among the witnesses at a public hearing conducted by the committee was James M. Quigley, Assistant Secretary of Health, Education, and Welfare. Mr. Quigley suggested that "evidence of the harmful effect of air pollution on health" is mounting. He said that "scientists regarded it as an important factor" in lung cancer and other respiratory illnesses.

Mr. President, I ask unanimous consent that a newspaper article from the New York Times of June 25, 1965, entitled "City Air Pollution Said To Cost $520 Million a Year in Damage," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CITY AIR POLLUTION SAID TO COST $520 MILLION A YEAR IN DAMAGE

(By Charles Grutzner)

The national economic loss caused by dirty air was estimated yesterday at $11 billion or more each year, with $520 million damage in New York City. Both estimates were exclusive of the costs of sickness and death attributable to poisons and irritants in the air.

James M. Quigley, Assistant Secretary of Health, Education, and Welfare, gave the national estimate. The local figure was cited by Arthur J. Benline, the city's commissioner of air pollution control. Both men were among the witnesses at the opening session of 2 days of public hearings in city hall, conducted by a city council committee that is studying measures for controlling air pollution.

Among the identified elements of damage from polluted air have been deterioration of stone building fronts, rusting of metal, increased consumer costs for cleaning of clothing, disintegration of nylon stockings, crop losses, shortened life of coatings of paint, increased taxes for repairs to public buildings, and a variety of other costs for householders and businessmen.

Commissioner Benline, whose yearly departmental budget is $1,337,325, said the fight against pollution was at present only "a holding action, hoping that we can keep things from getting worse."

The department of air pollution control, Mr. Benline declared, made some progress last year against pollution sources within the city. But this was offset, he said, by contaminated air blown here from the New Jersey industrial areas, which have done almost nothing to curb air pollution.

In answer to a question by Councilman Robert A. Low, the committee chairman, Commissioner Benline estimated that "anywhere from 20 to 30 percent" of the pollution here came from sources in New Jersey.

"And we haven't been able to stop any of that," he said.

FEDERAL STUDIES PENDING

Mr. Quigley was questioned closely by several committee members on why the Federal Government had failed so far to exercise its powers to hale Jersey pollution offenders into court. He explained that a time-consuming procedure was involved in interstate cases, before his Department could turn cases over to the Department of Justice.

"Last August," he said, "State and local officials from the areas involved met with representatives of the Department of Health, Education, and Welfare to determine whether further steps would be needed in accordance with the abatement provisions of the Federal Clean Air Act. Since that time agencies in both States have furnished the Department technical information, which we have sifted and analyzed."

But, Mr. Quigley added, the Department felt it necessary to undertake field studies of its own, because "knowledge about the sources, extent and effects of air pollution in this metropolitan area is far from adequate."

When these studies are completed, he said, the Secretary of Health, Education, and Welfare "will be able to determine what, if any, additional action is required." Mr. Quigley said that voluntary cooperation was being sought through conferences and that Federal grants were being made available to communities for air-pollution control.

"BIG STICK" SUGGESTED

"Don't you think the time has come to use the big stick instead of the carrot?" asked Councilman Robert R. Conner, Republican, of Staten Island, where garden crops have been ruined by chemical fumes reportedly wafted from New Jersey.

Mr. Quigley replied that he favored "a balanced approach." He said that the big stick might be needed occasionally but that cooperation and financial assistance to communities were needed more often.

In reporting the $11 billion estimate of the nationwide cost of air pollution, Mr. Quigley remarked that "because the economic burden of air pollution is largely hidden in indirect expenses, which are difficult to pinpoint, it is not unrealistic to suspect that the true figure is even higher."

Declaring that evidence of the harmful effect of air pollution on health is mounting, Mr. Quigley said that scientists regarded it as an important factor in asthma, bronchitis, emphysema, lung cancer, "and perhaps even the common cold."

WAGNER URGES CAUTION

Mayor Wagner, in a brief message read at the hearing by his excutive assistant, Julius C. C. Edelstein, stressed the importance of "a careful and judicious inquiry into the facts" to find out what more can be done locally, regionally, and on a Federal basis. At the same time he cautioned against "incitement to fright and panic."

"The figures which have been cited by medical authorities and which I myself have repeated on a number of occasions need to be viewed soberly and not sensationally," the mayor's message said. "Air pollution must be a field of action and should not become a political football."

Referring to a report made at an air-pollution conference in Toronto earlier this week, of an increase of several hundred deaths in New York City during a 15-day period of atmospheric inversion in 1963, the mayor said it should be noted "that these deaths occurred primarily among old and severely ill patients with longstanding chronic illnesses."

"The fact is," Mr. Wagner's message said, "that these individuals had very brief life expectancies under any circumstances. It is a fact that there was no increase in average mortality in the city during 1963."

CITY PROGRESS NOTED

Asserting that the city had made progress in the control of air pollution in the last 2 years, the mayor said:

"Today, should another inversion episode occur similar to the one which happened in 1963, the city is prepared to take steps on an emergency basis to curtail all sources of pollution and thus prevent a recurrence of what happened in 1963."

Although the message did not spell out the emergency steps it was understood that they would include a temporary shutdown of incinerators and of industries and heating plants that burn coal or heavy fuel, as well as a halt to all but essential motor-vehicle operation.

Councilman Edward L. Sadowsky of Queens drew from Commissioner Benline a statement that his department, in qualifying for a Federal grant of $188,000, had certified that it had a plan for improved control of pollution. Mr. Sadowsky asked Mr. Benline if he would give the committee his proposals for legislative and other measures. Mr. Benline said he was working out the plan but did not have the details ready.

LEGISLATION PROMISED

"This committee hopes to make specific recommendation by the fall," declared Mr. Sadowsky. "You can help us by giving us your proposals."

Commissioner Benline said he would supply the committee with specific proposals in a month. Asserting that the problems of air pollution "do not lend themselves to magical, overnight solutions," Mr. Benline said:

"Most of the suggestions we receive would tend to reduce air pollution, but they would also have the effect of returning us to that unruly, pastoral municipality presided over by Peter Stuyvesant. Under these suggested circumstances, all sources of heat and power would be cut off, automobiles and buses banned from our streets, the incineration of refuse would be halted and manufacturing processes would be stopped. In short, we would have a paradise with little reason for existence.

"As alternatives," he said, "there are innumerable solutions pressed upon us which demand that Rube Goldberg or Buck Rogers devices be utilized forthwith to solve all problems."

LINKED TO DEATHS

Dr. George James, commissioner of health, described the functions his department performed for the department of air pollution control.

"You never find air pollution on a death certificate?" asked Councilman Leonard Fastenberg of the Bronx.

"You can never be sure," was the reply. "What we are looking for is clues, and there are pretty strong clues to air pollution as the cause of many deaths."

The hearing will resume at 10:30 a.m. today, with 10 experts in fields related to air-pollution problems scheduled to testify.

There will be another series of hearings in several weeks, with the public invited to testify. Councilman Low said that those wishing to be heard then should send requests for time to him at city hall.

TRIBUTE TO HON. HAMER H. BUDGE OF SECURITIES AND EXCHANGE COMMISSION

Mr. BENNETT. Mr. President, last year President Johnson appointed as a Republican member of the Securities and Exchange Commission Hon. Hamer H. Budge. At the time of his appointment, Judge Budge was serving on the State court of his native State of Idaho, but for many years prior to that time had served the State with honor and distinction in the House of Representatives.

Many questions were raised about Mr. Budge's qualifications for this particular assignment. Some, I am sure, were politically inspired, others grew out of the fact that Mr. Budge had had no previous direct experience with problems involving the distribution of securities.

I was sure from the beginning that Mr. Budge had the ability and capability to carry the new responsibility that would come to him as a member of the SEC, and my faith in him has never waivered. Therefore, I was delighted to read in the New York Times of June 27 an article by Eileen Shanahan praising the judge's record during his first year in office. The article has a headline "SEC Applauds Once-Controversial Nomination," with the subheading, "Doughty Republican Praised by Democratic Colleagues."

Mr. President, I ask unanimous consent that this article may be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEC APPLAUDS ONCE-CONTROVERSIAL NOMINATION—AFTER A YEAR, JUDGE BUDGE VALUED AS TEAM MEMBER—DOUGHTY REPUBLICAN PRAISED BY DEMOCRATIC COLLEAGUES

(By Eileen Shanahan)

WASHINGTON, June 26.—To the intense surprise of practically everybody at the Securities and Exchange Commission, Hamer H. Budge has turned out to be a valued—and enormously well-liked—member of the team.

A year ago today, when the Senate formally confirmed his nomination to the commission, he was known to his present associates only by reputation and only as the effective and tough partisan Republican infighter that he had proved himself to be during a decade of service in the House of Representatives.

His nomination was interpreted in many quarters as a sign that President Johnson intended to scuttle the SEC in particular and the Government regulatory agencies in general.

The staff of the commission, which runs heavily to New Deal Democrats, with a sprinkling of moderate Republicans, despaired because of the new commissioner's reputation as an arch conservative, an out-and-out antiregulation man.

Commission members themselves feared that they might never again be able to work in harmony.

However, all hands now happily state that they couldn't have been more wrong.

The once-controversial nominee is known universally around the commission as "Judge Budge"—he was a State judge back in Idaho where he comes from—in part, because the rhyming title seems pleasantly amusing, but largely, too, because of the judicial quality of his approach to his commission duties.

"Judicial" is the word that everyone uses to describe him and a word he also uses repeatedly—not to describe himself, but to explain how he believes the commission should act.

Judge Budge's conservatism, as disclosed by his words and actions during his year on the commission, reflects strongly a fear that "little people" can get run over by the Federal juggernaut.

He is haunted by a worry that the commission might sometimes deal more harshly with small securities firms that have violated its rules than with larger ones. He constantly raises the question of whether this might not be the case in commission meetings.

The Commissioner is concerned, too, as many students of Government regulation have been, about the fact that the regulatory agencies perform the function of both prosecutor and judge.

Often he wonders aloud whether some of the commission's judicial duties should not be turned over to the courts.

"We take away people's means of making a living when we find them guilty of something and say they can never work in the securities industry again," he says. "That can be as terrible a thing as taking away their freedom by putting them in jail. We must be very careful—we must be judicial—in the use of our powers."

Nevertheless, Commissioner Budge can be a tough man when sitting at the commission table. He has found that the cases the staff brings are, for the most part, sound ones, and he is full of praise for the staff—as they are for him.

PLEASED WITH STAFF

He finds the staff "well-trained, with a good esprit de corps and—I dislike the word 'dedicated'—interested in their work. As good as any in Government and probably outside as well. The excellence of this staff has been my greatest surprise here."

The staff, in turn, finds Judge Budge "a very able guy—really quick * * * a nice guy with a good sense of humor * * * really good to work with—he never tries to cut you down or make you look bad."

In the broad new areas of regulation into which the commission has been venturing in the past several years, Judge Budge remains essentially untested.

No really major issues involving new approaches to regulation have been resolved by the commission in the past year, although several—including the complex antitrust problems of the stock exchanges and the pattern of future regulation of mutual funds—should land on the commission table shortly.

HARD LINE TAKEN

In what was perhaps the most trailblazing recent Commission case—the complaint against officials of the Texas Gulf Sulphur Co. for alleged misuse of inside information—Judge Budge reportedly took a very hard line.

He went along completely with the novel penalty the Commission is seeking in this case—reimbursement of individual stockholders alleged to have suffered financial loss from the asserted willful withholding of information.

Judge Budge himself judicially refuses to discuss the broad regulatory issues that will be coming before the Commission, but he describes his general outlook toward regulatory change as follows:

"You should look first at what you are throwing away. I am not for change until I am convinced that something else is going to be better."

REASONABLE MAN

Some members of the Commission think he makes himself sound more inflexible than he is with this statement. They have found, in any event, that he is not impossible to convince.

The Commission chairman, Manuel F. Cohen, speaks glowingly of "the judge."

"I'm not exactly an unbiased witness," he says. "I'm very fond of the judge. He's a real member of this Commission and a valuable one."

Mr. Cohen mentions among other things, Judge Budge's knowledge of Congress. This has led the chairman to make of Commissioner Budge a sort of special projects man in dealing with Congress on such matters as a new building for the Commission, whose present roach-infested tumbledown quarters stand, to nobody's sorrow at the Commission, squarely in the way of a proposed freeway.

Mr. Cohen stresses, too, the fact that the Commission has remained completely nonpartisan, in the narrow party sense, with its new personnel lineup.

CONVEYANCES OF ARIZONA AND NEW MEXICO FEDERAL LANDS

Mr. MORSE. Mr. President, on June 16, the Senate passed Senate bill 1285, to provide for the conveyance to Pima and Maricopa Counties, Ariz., and to the city of Albuquerque certain Federal lands required for recreational purposes.

Senate bill 1285 also provides that the acreage limitations on conveyances in any 1 calendar year, set forth in section 1(b) of the act of 1926, as amended—43 U.S.C. 869(b)—shall not apply to these conveyances.

On June 16, I was asked whether this bill conforms to the Morse formula. Upon review of the bill, I was pleased to observe that it does not involve a violation of the formula. A law of uniform applicability to the 50 States, authorizing conveyances of certain types of land, even at reduced rates, does not violate the Morse formula. It is possible, of course, that the lands in this case may be worth in excess of the $2.50 an acre stipulated under the Recreation and Public Purposes Act of 1926, as amended. However, all of the lands in question and all of the recipient States are placed on equal footing under the act.

Senate bill 1285 also presents a problem of acreage limitations; but such limitations involve a subject that does not come within the province of the Morse formula.

THE TRUTH-IN-PACKAGING BILL—TESTIMONY OF GEORGE J. BURGER

Mr. MORSE. Mr. President, on May 18, George J. Burger, of the National Federation of Independent Business, testified before the Senate Commerce Committee on Senate bill S. 387. This is the measure known as truth in packaging. In his statement, Mr. Burger reported that members of his organization polled on the subject of this bill indicated considerable support for it.

I ask unanimous consent that Mr. Burger's testimony be printed in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF GEORGE J. BURGER

I am George J. Burger, vice president, National Federation of Independent Business, home offices at San Mateo, Calif., and legislative offices at the Washington Building, Washington, D.C.

Our positions are determined by direct poll of our membership, which today is comprised of more than 200,000 individual, directly supporting independent, smaller business and professional people throughout all 50 States of our country. I might mention that our membership is a true cross section of all American smaller, independent enterprise.

In connection with your hearings, in our mandate No. 284 we polled our members on S. 387, sponsored by Senator HART in the 88th Congress.

In this mandate our statement of issue was presented as follows:

"S. 387 requires manufacturers of foods, drugs, cosmetics, and other products to mark their packages plainly to inform customers just what and how much they are getting for their money (Senator HART, of Michigan)."

In this same mandate we presented our members with the following statements "for" and "against" to assist them in reaching their voting decisions:

"Argument for S. 387: Consumers have a right to full value for purchasing dollars. Merchants have a right to give them this value. But neither is able to do so fully today because some manufacturers use fancy, misleading packaging that defies ready price, quality, and quantity comparisons. Product information, if any, is in extremely small type. The results: (1) Consumers are losing confidence in our system and merchants; (2) merchants are forced to carry top-heavy inventories; (3) all business suffers because the flow of purchasing power is distorted. This bill would help correct this situation."

"Argument against S. 387: There's no need for Congress to pass any law requiring disclosure of product information on packages. Look closely enough at any package on the shelf of any grocery, drug, or other store and you'll find the facts right there. The facts seem to indicate that sponsors of these bills have a low estimate of the intelligence of consumers, little comprehension of what has to be done these days to move goods, and a strong inclination to change the shape of our business system by adding unnecessary Government regulation. The average American consumer is the best informed in the world."

As reported in mandate No. 285, our members voted as follows on this bill: 79 percent for; 18 percent against; 3 percent no opinion.

On this basis we reported to Senater HART support for his bill during the 88th Congress. Since no later vote has been taken on this issue, our support continues for legislation which involves the basic elements of S. 387.

In this connection, we are happy to furnish to you, attached, a copy of a national press release which the Federation issued at the conclusion of the vote on S. 387, which provides an analysis of the reasoning behind the position taken by our members.

I urge your close consideration to the outcome of this vote. That this is a matter of great import to small business is clearly shown by the overwhelming majority in favor of same. That the needs of small business must be given utmost consideration is clearly shown by the fact that our surveys this year indicate that the Nation must rely heavily on this segment of our economy to provide the new job openings which are needed to provide work for our growing population. In fact, these surveys show that, by their expansions and modernizations during the past 12 months, independents provided many more than 3 million of these new job openings.

We must maintain a climate which will increasingly encourage this trend. Your action on this bill will definitely influence this climate. We urge your approval of the measure.

I thank you.

STATEMENT OF NATIONAL FEDERATION OF INDEPENDENT BUSINESS, INC.

The Nation's independent business proprietors, even though many of them are engaged in retailing and wholesaling, are in favor of regulations ending deceptive practices in packaging.

This is reported by C. Wilson Harder, president of the National Federation of Independent Business, in announcing that, in a just completed nationwide poll of the organization's membership, 79 percent favor the Hart bill, only 18 percent oppose, and 3 percent had no opinion on the matter.

The proposed legislation introduced by Senator PHILIP A. HART, of Michigan, would require packages, especially in food, soap, drug, and cosmetic items, to be plainly marked as to the exact weight of the contents. The proposal would also set up standards as to where this information would be displayed on the package, and the degree of prominence that it must be given. It would also establish standards of size terminology for terms such as "small," "medium," or "large."

It would also prohibit the packer from stating on the package that the product is being offered below the normal retail price, or that a price concession is being made because of the size or quantity of the container.

The measure would also outlaw "trick" packages that deceive the consumer through the use of unusual shapes, sizes, or proportions.

Commenting on the vote among independent businessmen, Mr. Harder said, "When Senator HART introduced this bill, it was considered primarily as protection for the consumer. However, since putting the issue up to a nationwide vote, we find that independent merchants are complaining about the 'loading tactics' that often accompany package changes. In other words, a packer will change his package to contain a part of an ounce, more or less, or redesign the package to give the impression of great contents, and immediately this move obsoletes the merchandise which the independent stores have in inventory."

Independent packers and processors also report that the constant change of packages by some big national concerns is causing them unwarranted competitive problems.

A processor or packer marketing on a regional basis must amortize the cost of package redesign and production over a smaller number of unit sales than a big national operator, who can spread the cost over much higher unit sales.

"Thus," Harder comments, "when a big national marketer changes a package to give an illusion of greater value, or comes out with a 'giant economy' container, in order to stay on the shelves, the regional operator must go to extra expense to try to meet the competition."

This entire practice is resisted by the independent retailers and wholesalers as it requires finding room for new package sizes which only vary slightly from the normal sizes, as well as additional inventory capital, Harder states.

In addition, the independent retailer, because he does meet customers face to face, takes the brunt of criticism from the consumers when they learn that they have been duped into paying more for less value.

"And, above all," Harder commented, "there appears to be a feeling that merchandise should be sold on the basis that a pound is a pound; and the fact that a package contains or does not contain a full pound should be clearly established."

THE PLOT TO STRANGLE ALASKA

Mr. GRUENING. Mr. President, in the May issue of the Atlantic magazine, there was published one of the numerous attacks on the Rampart Dam, proposed for the Yukon River, in Alaska, which are part of an organized campaign to discredit that great and worthwhile enterprise, which is needed by both Alaska and the Nation. The article, running to 6,000 words, was entitled "The Plot To Drown Alaska." It has been reprinted in the CONGRESSIONAL RECORD.

In response to my request, the editor of the Atlantic, Edward Weeks, kindly allowed me 3,000 words in which to reply. I would have preferred, and could have used, more space for a more adequate refutation. I entitled the article "The Plot To Strangle Alaska," which is precisely what the well-organized and widespread campaign against Rampart amounts to.

I ask unanimous consent that the article, from the July issue of the Atlantic, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PLOT TO STRANGLE ALASKA

(By ERNEST GRUENING)

(Speaking from long devotion to Alaska and with high aspirations for its future, ERNEST GRUENING, Alaska's Governor from 1939 to 1953 and its Senator since it became a State, argues in favor of the proposed Rampart Canyon Dam, which Paul Brooks attacked in his article "The Plot To Drown Alaska" in the May Atlantic.)

With Paul Brooks' aspiration to preserve the wonderful wilderness values, the fabulous scenic and other natural resources of Alaska, I am in complete sympathy, as my writings and utterances have long attested. When his "Alaska: Last Frontier" appeared in the September, 1962, Atlantic, I inserted it in the CONGRESSIONAL RECORD for September 7, 1962, with the eulogistic comments I felt it deserved. To those who are Alaskans by deliberate choice, as I am, this priceless natural heritage, unequaled anywhere under the flag, with its togetherness of high mountains and sea, virgin forests, fjords, waterfalls, riotous flora, abundant wildlife—these, and the frontier friendliness of the people—proves irresistibly alluring.

Perhaps at this point I should qualify myself as a conservationist, and a fervent one. When I came to Alaska as Governor in 1939, I found that there was a bounty on the bald eagle. The fishermen's fear of its predation on salmon was reflected in this legislative bounty act. In my first message to the biennial legislature (1941), I urged its repeal, and on my third try, in 1945, I succeeded, securing thereafter that noble bird's protection. In the U.S. Senate I have strongly supported the wilderness bill and the impressive galaxy of national seashores and parks created by the 87th and 88th Congresses. I am a cosponsor of the wild rivers bill.

Where I differ with some of my fellow conservationists is that in their zeal for the preservation of every feathered, furred, or scaled creature, they sometimes overlook the requirements of people. Man, too, requires a habitat, and unless it has an economy that will enable him to subsist, it is not a viable one. Let me amplify by saying, by way of example, that we should not preserve moose (or any other wildlife) for its own sake, but so that man may continue to see moose, photograph moose, hunt moose, always in perpetual supply. Wise utilization, not mere preservation, is the essence of sane conservation.

Rampart Canyon Dam, I believe, is an important, desirable, and needed project and does not merit the active opposition which has been mobilized against it. The alternatives mentioned by its opponents do not remotely meet Alaska's needs. Rampart would bring in the wide diversity of industries which only its low-cost power can attract. In the controversy over Rampart, Mr. Brooks has swallowed the whole extremist conservationist line; we have been hearing these exact figures, the very same laments and alarms, from the same sources which successfully indoctrinated him.

Mr. Brooks is quite correct in reporting that Alaska has economic problems, that gold mining and fisheries have been on the downgrade, that the defense boom has tapered off. In short, Alaska needs a statewide economy to support its present and growing population.

To put Rampart in its proper perspective in relation to Alaska's overshadowing problem, some history is pertinent. Twenty-five years ago, Alaska, with a population of 72,225, was getting along comfortably with its two economic props: fisheries, principally salmon, and mining, principally gold.

World War II measures (Order L-208 of the War Production Board) compelled the Nation's gold miners to shut down their operations, a restriction not adopted by any other of our allied nations engaged in gold mining; and thereafter Federal action compelled the industry—the only instance in our free enterprise economy—to hold to a price established in 1934 and to sell only to the Federal Government. With the rising costs of labor and equipment, these restrictions make continued operation impossible.

In 1940 under a Government reorganization, the Bureau of Commercial Fisheries of the Department of Commerce was merged with the Biological Survey of the Department of Agriculture and transferred to the Interior Department as the Fish and Wildlife Service. Ira N. Gabrielson, who had headed the Biological Survey, became the new agency's director. It had complete control of the management of Alaska's fisheries and wildlife. As a result of the colonialist imposition wrought by Alaska's absentee-owned canning interests and their political power in Washington, the Organic Act of 1912 deprived Alaska—alone among the earlier territories—of the right to manage its own natural resources.

Mr. Gabrielson, though a nationally known conservationist, proved ill equipped for his Alaskan responsibility. An ornithologist, not an ichthyologist, he permitted the principal Alaskan resource and the Nation's greatest fishery resource, the Pacific salmon, to decline steadily. He disregarded the unceasing protests and remedial recommendations of Alaskans, who despairingly watched the salmon, and the dependent livelihood of the coastal communities, shrink steadily. From an annual pack of some 7 million cases production dropped in the 6 years of Gabrielson's incumbency to half that quantity, a decline continued under the sequent management of Albert Day, Gabrielson's assistant, so that in the last year of Federal control, 1959, the pack reached the lowest point in 60 years, some 1,600,000 cases. Meanwhile, in neighboring British Columbia, the same resource, though far less abundant, was adequately conserved.

As Ira N. Gabrielson is the principal factor in Alaska's plight and problem, past, present, and future, it is necessary to follow his activities further. One of his first acts as director of the Fish and Wildlife Service was to persuade Interior's Secretary Harold L. Ickes to withdraw 2 million acres, approximately two-thirds of the Kenai Peninsula not occupied by the Chugach National Forest, to establish the Kenai National Moose Range. Alaskans were denied a hearing. The figures indicated a moose population of 4,000, or 500 acres for each bull, cow, or calf. But along the thin fringe of land left for human habitat, between the Moose Range and the sea, only 160 acres were permitted to the homesteader with wife and children.

With gold mining nearing extinction and the fisheries disappearing—both the result of action by a distant Federal Government—Alaskans in 1957 sought a remedy in oil, which, it was believed, underlay the Kenai Peninsula, and invited some of the leading oil companies to begin exploration.

The proposal was savagely fought by the Wildlife Management Institute, whose director, since his retirement from the public service, was none other than Ira Gabrielson. The institute's bulletins unsparingly denounced the Alaskans—including me—who denied the institute's allegations that oil exploration would destroy the moose. Opposition was likewise voiced on the same grounds by the National Wildlife Federation. Those of us with a concern for Alaska's economic welfare knew that the incidental timber clearing would enhance, not diminish, the moose herd. One conservation society, the Isaak Walton League, dissented from its fellows, and after much hesitation, Secretary of the Interior Fred Seaton opened up a little less than half of the range to oil exploration. The result has been over 60 producing wells, 3 vast gasfields, extensive filings throughout Alaska, an oil refinery, an investment of over $300 million, and substantial revenues to the State. In short, the oil strikes saved Alaska from bankruptcy, a disaster which the extremist conservationists would have wrought had they prevailed.

As for the moose, they have multiplied and spread all over Alaska, becoming a problem in the Matanuska Valley, where they are eating the farmers' crops. They have reached Barrow at Alaska's northern tip and Kotzebue on Bering Strait. In fact, according to the knowledgeable Jim Brooks, head of the game division of the State department of fish and game, they are now too numerous. So the hunting season has been lengthened, and cows as well as bulls may be taken.

Though oil proved a lifesaver, Alaska still needed a statewide economy. For although under the wise management of the State department of fish and game the salmon runs are being slowly rebuilt, and in the 4 years of State control have more than doubled, reaching 3.5 million cases in 1964, the population of Alaska has more than tripled since 1940 and is now estimated at 250,000.

The logical economic prop to which Alaskans could turn was hydro, of which only one-quarter of 1 percent of Alaska's potential is harnessed. As in the exclusion of Alaska under territorialism from the Federal highway aid, so in much else; while the older States have seen extensive hydro development, the only Federal project in Alaska is the 30,000-kilowatt installation at Lake Eklutna, which supplies electricity for Anchorage and a nearby REA cooperative.

The Rampart site on the Yukon in the geographical center of Alaska was long known as a great potential power site, probably the greatest under the American flag, with an installed capacity of 5 million kilowatts, 2½ times that of Grand Coulee. Rampart was estimated to generate electricity at the bus bar at 2 mills, which would at the time of its completion be the lowest cost power on the North American Continent.

In my first term in the Senate in 1959, I sought, and the Public Works Committee, of which I am a member, approved, a $100,000 authorization for the beginning of studies by the Corps of Engineers, U.S. Army. These inevitably must precede any attempt at authorization of such a project—engineering studies, marketability studies, fish and wildlife studies, and so forth. The studies included one let by the corps to the Development and Resources Corp. of New York, nationally and internationally known hydro consultants. The firm was headed by David Lilienthal and others who organized and directed the Tennessee Valley Authority in its earlier days—probably the outstanding authorities in their field. They found that not only would all of Rampart's power be spoken for within Alaska as soon as generated, but that the demand would by 1990 exceed Rampart's capacity and require a whole river development.

While the studies were proceeding routinely, out of the blue came a condemnatory blast by Ira Gabrielson, which ushered in a nationwide campaign against Rampart. Conservation societies' bulletins inveighed against it and solicited funds to fight it. State fish and game commissioners were pressed to pass resolutions against it, and some did. Outdoor and sports magazines sprouted articles such as Paul Brook's. Newspaper editorials repeated the message, all parading the same facts. Fish and Wildlife officials proclaimed their opposition in public addresses.

So it was scarcely a surprise that the Fish and Wildlife Service's report, issued in April 1964, rehearsed, with amplification, the same chorus. The report echoes its concern for the already superabundant moose. Of course, it is conceivable that these intelligent mammals would not wait 18 years till rising lake waters submerged them but would amble out into Alaska's remaining 576,000 square miles. The small furbearers would probably do likewise. There is no certainty that the salmon—never before deemed important—would be destroyed. Indeed, the report expresses the belief that "a portion of the run could be perpetuated." However, in its place, or in addition to it, a great freshwater fishery—commercial and sport, of lake trout, whitefish, and such other species as a truly creative and resourceful agency personnel could implant in the great lake—would far exceed the present subsistence fishery," as the Wildlife report characterizes it. As for the birds, there is ample duck nesting ground in the vast swamps of northern, central, and western Alaska.

"Last, but certainly not least," Mr. Brooks worries about the people who live along the river. "Seven villages in the flats would be drowned," he writes. Part of the campaign against Rampart is a persistent effort to convince the Indian inhabitants that Rampart would uproot them and worsen their fate. Representatives of the opposition have prepared a letter for distribution to the Congress signed by the village residents protesting against Rampart which repeats all the Fish and Wildlife allegations in words not utterable by these natives.

No informed person can sincerely contend that these allegations of injury to the river dwellers if Rampart is built are valid. (Let me say, in passing, that as Governor I sponsored and secured the antidiscrimination legislation needed to protect Alaskan Indians and Eskimos against their previous exclusion from various public places.)

Most of these villages exist on a bare subsistence economy supplemented by relief. Their children do not have a future such as every American child should rightfully expect. Rampart would benefit these villagers more than any other group of Alaskans. It would furnish ample varied employment: in the clearing of the timber from the area to be flooded and its processing in sawmill and manufacturing; in the guiding, boating, and fishing on the lake. Mr. Brooks complains that "no technical training program has been established for the native people." Quite right, and regrettably so. Neither Federal nor State funds have been sufficiently available, and President Johnson's antipoverty program is in its infancy. Rampart should and will supply the funds for the necessary training, but hardly before it has been authorized and the resulting work prospects are foreseeable.

In the relocated villages, at a location of the villagers' choice—either on the edge of the lake or on the river somewhere below the dam—because of the resulting flood control they will be free from the periodic flooding and will have better homes, better community facilities, a decent human habitat, and a livelihood which they have never enjoyed. Mr. Brooks probably does not know that no fewer than 20 native villages have moved voluntarily from their aboriginal location to secure a better environment.

The slanted and biased sensationalism of the Atlantic's presentation and the corresponding unjustified editorial verdict that Rampart is "an ill-conceived project" reflect little credit on the objectivity of Mr. Brooks and of his editor. The announcement in the April issue of the article "The Plot To Drown Alaska" shows a photograph of a cow moose swimming. The implication is clearly that the moose is drowning. There is of course no "plot," and Mr. Brooks is unable to cite any evidence that the approach to the Rampart project differs from that which preceded the Tennessee Valley Authority, Boulder Dam, Grand Coulee, or any of the Nation's other great hydro projects. To create a lake which will occupy less than 2 percent of Alaska's 586,000 square miles is scarcely "drowning." Mr. Brooks should know that the cost of these hydro projects is repayable, both principal and interest, from the revenues of the generated electric current. If there is indeed a plot, it is a "plot to strangle Alaska" economically.

What is needed, and is so lacking in Mr. Brooks' last Atlantic article and in the attitude of Rampart's bitter end opponents, is a sense of proportion between benefits and possible losses. It is pertinent to note that Alaska has done well in the preservation of values that Mr. Brooks and I cherish. Our three superb national parks, Katmai, Glacier Bay, and Mount McKinley, approximate one-third of the total national park area in the rest of the Nation. Each is different, and I rejoice in them. Even more striking is the fact that Alaska's wildlife ranges and refuges occupy an area more than double those of all the other 49 States, while our national forest area is the largest of any State. But the Yukon Flats—a mammoth swamp—from the standpoint of human habitability is about as worthless and useless an area as can be found in the path of any hydroelectric development. Scenically it is zero. In fact, it is one of the few really ugly areas in a land prodigal with sensational beauty. I believe that the great lake which would cover the flats would mark a rare manmade improvement. But in the view of Mr. Brooks and his mentors, its present animal life renders it sacrosanct. The better opportunities for the residents of that area and of all Alaska are of no concern to them. The need and striving of a brave and gallant segment of the American people who have had to face unparalleled obstacles of both natural and manmade origin to work out their destiny are merely sneered at and traduced.

There is the true issue between us conservationists.

ECONOMIC POLICY—THE CLOUDED CRYSTAL BALL

Mr. PROXMIRE. Mr. President, recently I have spoken on the advantage economic policymakers now have in fighting recession in the prompt availability of far more information about what is going on in our economy. We have a knowledge we did not have in 1929 about the Nation's unemployment rate, its production rate—GNP—an up-to-date picture of the price level, and so forth.

This morning's Wall Street Journal carries a piece by that superlative economic analyst George Shea of the feebleness of present day economic forecasting. Mr. Shea writes about economic forecasting from the vantage point of a remarkable study by Victor Zarnowitz for the National Bureau of Economic Research.

Mr. President for the many economic policymakers in and out of the Congress this column is an excellent warning signal.

Mr. President, without taking back a word of what I have said about the vastly improved level of economic information, I must say I am deeply impressed by this warning that the economic crystal ball is indeed cloudy, and that policy should continue to be based on current, factually verifiable developments, never on expectations or predictions regardless of how widely shared.

Mr. Zarnowitz—and Mr. Shea as the responsible reporter—have served economic policymakers well by this reminder.

I ask unanimous consent that this column be printed in the Record at this point.

There being no objection, the column was ordered to be printed in the Record, as follows:

The Outlook: Appraisal of Current Trends in Business and Finance

Continuation of the slide which the stock market began the middle of May is bringing repeated demands for reassurance on general economic prospects. Unfortunately, a new study of economic forecasts of the past reveals so much inaccuracy among them it throws doubt on any reassurance current ones may provide.

The study is presented in the annual report of the nonprofit National Bureau of Economic Research, and is by one of the staff researchers, Victor Zarnowitz. It is part of of a larger project in which various types of 1-year and 2-year forecasts are being analyzed by several researchers. For instance, one analyst is trying to assess the ability of forecasters to detect turning points in business; his material, it is stated by the way, includes mainly qualitative forecasts which, unlike numerical forecasts, "are often difficult to interpret and evaluate because of vagueness or hedging."

The task of Mr. Zarnowitz was somewhat easier. It took mainly the form of matching numerical predictions such as on the Nation's total annual rate of production—the gross national product or GNP—against what the figures turned out to be.

In his current report on this study he presents a tabulation on, the results of eight sets of annual year-end forecasts. Four are products of small professional teams; one is from a small group from various industries, Government and academic institutions; and another is worked out from the predictions of some 50 economists. Including the other two, the table covers groupings of more than 300 individual forecasters.

The errors in these eight sets averaged not quite $10 billion a year, up or down, from actual figures for the 11 years 1953–63 inclusive. As Mr. Zarnowitz says, this average error is quite small—only 2 percent—measured against the average level of GNP itself. But, he adds, it was big enough to make the difference between a good and a bad business year; the average actual year-to-year change in the GNP figure in the same years was $22 billion.

Thus, he notes, the errors were not quite one-half the size of the errors that would have been produced if the forecaster had merely projected each year's GNP at the same level as the year before. Furthermore, he goes on to show, the errors were almost as large as those that would have resulted if the analysts had simply predicted the same gain in GNP for each coming year as the average gain in preceding years. Such a system would have gone wrong by an average of a bit under $12 billion, or only $2 billion worse than the forecasts.

Another failing which the record shows is that forecasts have a tendency to underestimate changes, particularly gains. This is especially true in the first years of recoveries from recessions. The increases in both GNP and the Federal Reserve Board index of industrial production (forecasts for which were also studied) were underestimated to the greatest extent in 1955, the first full year of recovery from the 1953–54 recession. Errors of the same kind were also made in 1961, following the 1960 recession, and in 1963 when business showed unexpected vigor after a slowdown in growth.

On the other hand, in the recession years 1958 and 1960 the predicted levels of GNP and industrial production were too high, either because the changes were underestimated or because no declines were expected. Also the slowdown in growth in 1962 was widely missed, and the 1954 recession turned out to be milder than many forecasters apparently anticipated, particularly in terms of GNP.

Another weakness of the forecasts is that they've been poorer for longer future spans than for shorter. That is, they've been pretty good for one quarter-year ahead, not quite as good two quarters ahead, and progressively less accurate for longer periods ahead.

For instance, Mr. Zarnowitz reports, in a semiannual forecast of GNP for 1955–63 by a fairly large group of business economists the mean errors of change were, for a 6-month span, $6.7 billion; for a 12-month span $12.3 billion. And in quarterly forecasts by a corporate staff the average errors, in billions of dollars were for one quarter 5, for two quarters 8.4, and for three, four, five, and six quarters 11.9, 13.7, 15.5, and 17.1.

This is hardly surprising, of course. In commenting on it, the researcher suggests that generally speaking, in the annual forecasts he has studied, the results would have been about as good if the analysts had merely forecast two quarters ahead and assumed no change beyond that.

In giving consideration to this whole record one must take into account the fact that the U.S. economic system in the years covered has grown quite steadily. Taken in conjunction with the normal optimism of most people, this may explain why the record is about as good as if the forecaster had merely estimated continuation of the average gains of previous years. In other words, the course of business itself has tended to help the forecaster.

Even the recessions have been well timed to help the forecasters, Mr. Zarnowitz notes. They started early enough in the peak business years of 1953, 1957, and 1960 so that the fact that a downturn was underway was in each case known before the end of the year. "This," says Mr. Zarnowitz, "plus the presumption that the contractions would continue to be short, made the task of predicting annual changes relatively easy."

In view of the record, predictions for 1966, most of which project either further economic growth, or a mere leveling off, should be listened to with some skepticism.

George Shea.

L.B.J.'S U.N. PLEA DESERVES COMMUNIST REPLY

Mr. PROXMIRE. Mr. President, the President's decision to appeal to the United Nations individually and collectively to help bring peace to southeast

Asia puts the specifics squarely up to his critics as well as his supporters.

If there is a way to bring the United Nations into the Vietnam tragedy with a specific action program, let us by all means do it.

The President has challenged domestic critics, as well as all U.N. members, to show how that can be done in the face of a Russian veto in the Security Council and the vote paralysis of the assembly which prevents action under the uniting for peace resolution.

As he has repeatedly pleaded for many months, the President once again has taken a big initiative in seeking negotiations.

Is it not time for at least a still, small voice from Moscow, Peiping, or Hanoi?

RESOLUTION OF THE GENERAL ASSEMBLY OF NORTH CAROLINA CONCERNING THE PROPOSAL TO ESTABLISH FEDERAL STANDARDS FOR UNEMPLOYMENT INSURANCE

Mr. ERVIN. Mr. President, the General Assembly of North Carolina has adopted a resolution stating its opposition to the proposal that Federal standards be established for unemployment insurance. I ask unanimous consent that a copy of such resolution be printed at this point in the body of the RECORD.

There being no objection, the copy of the resolution was ordered to be printed in the RECORD, as follows:

S. RES. 592

Joint resolution of the General Assembly of North Carolina concerning certain legislation now pending in the Congress of the United States relating to the establishment of Federal standards with respect to unemployment insurance and employment security programs

Whereas there is now pending in the Congress of the United States unemployment insurance legislation for the enactment of certain Federal standards with reference to the employment security programs of the various States; and

Whereas such Federal standards would make it mandatory that the general assembly of this and each of the other States rewrite the employment security laws of their respective States; and

Whereas such Federal standards would drastically change the conditions of payment, the amount and duration of benefits, the qualification and disqualification of claimants, and the amount of taxes paid by covered employers, including an increase in the wage base from $3,000 to ultimately $6,600; and

Whereas the basic reason set forth by the Federal authorities for such congressional action in this area is that "* * * the system has not kept pace with the times. No major improvements have been made since its original enactment more than 30 years ago * * *"; and

Whereas a general denial should be entered to this sweeping allegation and fictitious justification, since it is a documented fact that the general assembly of this State in past sessions has exercised and fulfilled its responsibility in this field and this general assembly in the current session has by the enactment of appropriate legislation further improved the employment security program; and

Whereas this legislation now pending in the Congress of the United States is unjustified and is coercive upon the legislatures of this and of those of the other States and would deprive the several States of the powers which have been vested in them since the beginning of the employment security program in the late 1930's; and

Whereas the people of North Carolina are firmly dedicated to the proposition that such responsibility in this field should not be taken away from the discretion and authority of the various State legislatures and vested in the Federal Government due to the widely varying economic and other conditions which exist among the States: Now, therefore, be it

Resolved by the Senate, the House of Representatives concurring,

SECTION 1. That the General Assembly of North Carolina do hereby oppose legislation of the type now pending in the Congress of the United States which would establish Federal employment security standards and which would compel this State to take similar action, thus depriving the Legislature of North Carolina of its rightful authority in such matters.

SEC. 2. That a copy of this resolution be sent to each member of the congressional delegation from North Carolina.

SEC. 3. That this resolution shall be in full force and effect from and after its ratification.

In the general assembly read three times and ratified, this the 16th day of June 1965.

ROBERT W. SCOTT,
President of the Senate.
H. P. TAYLOR, Jr.,
Speaker of the House of Representatives.

Examined and found correct:

DENNIS S. COOK,
(For committee.)

APPRAISAL OF CURRENT TRENDS

Mr. ROBERTSON. Mr. President, it is the fashion of the day for both individuals and groups to lift the veil of the future and to predict from an economic standpoint what is going to happen 6 months or a year from now. Some years ago, the then chairman of the Banking and Currency Committee decided that stock prices were too high. Incidentally, at that time the Dow Jones average was about one-half of what it is today. During the course of hearings on the question of whether the college professors who claimed that stock prices were too high were correct, one of the most successful traders on the stock exchange in the 20th century, the Honorable Bernard M. Baruch, who died very recently at the ripe age of 94, said that if they—meaning the college professors—knew what the stock market was going to do, they would have all the money, and we would have none.

In other words, Mr. Baruch, one of the shrewdest guessers of stock market trends of the current century, was of the opinion that no one definitely knew what the stock market was going to do. Of course, Mr. Baruch, who made millions out of the market, never forgot that he guessed wrong after the first break of the stock market in October 1929, and started buying in a big way, to reap a rich harvest on the rebound. He subsequently confided to a friend, who repeated it to me, that after a brief period of stabilization, the market went down and down, and he lost $5 million before he could get out.

In a recent speech in New York, the distinguished Chairman of the Federal Reserve Board indicated the possibility that the current boom would not last as long as some seem to think it will. Shortly thereafter, prices on the stock market declined. Last week, they declined again, and dropped to the lowest level of the current calendar year.

We have assurances from distinguished Members of the Senate, and from a wide assortment of economists and some business leaders, that the only way the gross national product can move is up—all of which gives point to an article entitled "Appraisal of Current Trends in Business and Finance," published today in the Wall Street Journal, in which the National Bureau of Economic Research reports that the gross national product has grown so great that no one can now predict with any real accuracy what is going to happen next.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 28, 1965]

THE OUTLOOK: APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

Continuation of the slide which the stock market began the middle of May is bringing repeated demands for reassurance on general economic prospects. Unfortunately, a new study of economic forecasts of the past reveals so much inaccuracy among them it throws doubt on any reassurance current ones may provide.

The study is presented in the annual report of the nonprofit National Bureau of Economic Research, and is by one of the staff researchers, Victor Zarnowitz. It is part of a larger project in which various types of 1-year and 2-year forecasts are being analyzed by several researchers. For instance, one analyst is trying to assess the ability of forecasters to detect turning points in business; his material, it is stated, by the way, includes mainly qualitative forecasts which, unlike numerical forecasts, "are often difficult to interpret and evaluate because of vagueness or hedging."

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The errors in these eight sets averaged not quite $10 billion a year, up or down, from actual figures for the 11 years 1953–63, inclusive. As Mr. Zarnowitz says, this average error is quite small, only 2 percent, measured against the average level of gross national product itself. But, he adds, it was big enough to make the difference between a good and a bad business year; the average actual year-to-year change in the gross national product figure in the same years was $22 billion.

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On the other hand, in the recession years 1958 and 1960 the predicted levels of GNP and industrial production were too high, either because the changes were underestimated or because no declines were expected. Also the slowdown in growth in 1962 was widely missed, and the 1954 recession turned out to be milder than many forecasters apparently anticipated, particularly in terms of GNP.

Another weakness of the forecasts is that they've been poorer for longer future spans than for shorter. That is, they've been pretty good for one quarter-year ahead, not quite as good two quarters ahead, and progressively less accurate for longer periods ahead.

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GEORGE SHEA.

NEW HORIZONS IN FOREIGN AFFAIRS

Mr. PELL. Mr. President, the other day I read with great interest, in the Foreign Service Journal, a remarkably clear-thinking article written by Ambassador Charles W. Yost, a career diplomat whom I have long known and admired, and for whose intellect, clear-thinking brain, and perspicacity I have the most profound respect. In the article, he points out how four conditions, prevailing at the time when our present foreign policy was cast in its present mold, have changed in the past 18 years.

I believe that his article can be read with profit and enjoyment by all Senators. I particularly like his thought that the bird to imitate is neither the hawk nor the dove, but the owl.

I ask that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Foreign Service Journal, May, 1965]

NEW HORIZONS IN FOREIGN AFFAIRS

(By Charles W. Yost)

I

As every commentator on the state of the world has remarked, never in history has there been such revolutionary change in such a brief span of time as during the last half century. Barbara Ward says the current transformations in the underdeveloped countries are comparable only to man's shift, stretching out over several millennia, from nomadic existence based on hunting to settled existence based on agriculture. The revolution in weapons since Hiroshima, with its appalling potential consequences, troubles and taints the subconscious of almost every human being. Nor is the vertiginous process by any means ended. David Sarnoff predicts that, during the 35 years remaining to us in this century, there will be more change than in the whole of human history heretofore. A thought to give one pause, to say the least.

Naturally, such profound and kaleidoscopic modification in the human condition has had and will have profound and kaleidoscopic effects in international relations and on the foreign policies of all states, not least on that of the world's strongest power. Anyone who has observed U.S. foreign policy over the past 30 years has seen it pass through at least four distinct phases in that short span.

In 1935, when the Neutrality Act designed to keep us retroactively out of World War I was adopted, we were still seemingly in the floodtide of isolationism. Six years later by the time of Pearl Harbor, when the dictators had seized much of Europe and Asia, we had moved from nearly total abstention to nearly total commitment. From 1943 to 1946 we tried to extend and transform our wartime alliances into the main instrument of postwar peacekeeping. From 1947 to 1950, in the face of the ambitions of one former ally and the eclipse of another, we were obliged to reverse our field and mobilize powerful countervailing forces to contain Communist expansion.

This last policy had at least provisionally succeeded as early as 1955. Greece and Turkey had been secured, Western Europe had been revived, West Berlin was intact, Austria was evacuated, and the East-West frontier in central Europe, while still precarious, was no longer in immediate jeopardy. In Asia, Iran was safe, South Korea, Taiwan and even the offshore islands were preserved and southeast Asia, for the moment, tranquilized. Despite frequent alarums and excursions, this remains essentially the situation 10 years later, except in southeast Asia, where the dike has sprung serious leaks, and in Cuba, where it was leapfrogged.

This remarkably successful U.S. foreign policy, now in its 18th year, was at the outset based on four factors: (1) A worldwide recognition of the imminent Communist threat, nakedly exposed by the takeover of Eastern Europe, the Berlin blockade, and the attack on South Korea; (2) a U.S. nuclear monopoly or overwhelming preponderance which set relatively narrow limits to Communist aggression; (3) a U.S. economic and conventional military preponderance among non-Communist states, which conferred on us both the privileges and burdens of uncontested leadership; and (4) relatively stable, or at least manageable, situations outside the area of direct East-West confrontation.

II

During the last few years these four conditions on which our successful postwar foreign policy was based have been undergoing a rapid evolution, new political horizons have been opening up in surprising ways and places, and it is no longer sufficient to do the same things in order to achieve the same results. Some well-tested and unexceptionable American doctrines no longer seem so universally persuasive or pragmatic as they were a short time ago.

All this is naturally frustrating to the American people who thought that they had in the course of 20 years won both the greatest hot war and the greatest cold war in history and now find some of their victories apparently called in question and even in some cases a less clear assurance as to just who is on whose side. In moments of discouragement, it sometimes seems that Vietnam is insoluble, the Congo is unviable, DeGaulle is incomprehensible, Afro-Asians are ungrateful, Arabs are intractable, Europeans are unpredictable, Russians are irreconcilable and Chinese unregenerate. As Justice Oliver Wendell Holmes said: "The logical method and form flatter the longing for certainty and repose which is in every human mind. But certainty generally is illusion and repose is not the destiny of man."

None of this is surprising if we accept new horizons as an almost inevitable consequence of new generations. Even policies which succeed for two decades are not thereby immortal, and at least as many of the changes in the world of the sixties are for the better as are for the worse. Anyway, the status quo is never good enough, even if it were possible.

Fred Hoyle, the astronomer, remarked recently that "the most important factor in our environment is the state of our own minds." What is required of us in foreign affairs, as in any other kind of affairs, is (a) a sober, persistent reassessment of the realities we face, (b) a recognition that while we are intelligent we are not omniscient, and while we are strong we are not omnipotent, and (c) a sense of poise, of proportion, of confidence undiminished but adjusted to our capabilities on the changing scene.

What exactly has happened to those four factors on which our successful foreign policy was at the outset based and to what extent does what has happened close old options and open new ones?

III

Very considerable changes have taken place in the Communist world, which have altered both the geography of the Communist threat and the image of it on which other governments base their reactions and their policies.

As has been repeatedly noted, the Communist world is no longer monolithic, has fallen a prey to what is picturesquely called polycentrism. This is because (a) the nature of Communist society, psychology, and interest differs considerably between states which have lived in that environment for almost 50 years and those which have lived in it for less than 20, (b) historical and national differences and interests, briefly submerged in dogmatic intoxication, are resuming their normal place in the motivation of leaders, and (c) these social and national differences have produced an open and lasting breach between Soviet and Chinese communism and less marked but still important centrifugal tendencies on the part of former satellite states.

The Communist world is at a moment of transition and pause. The people and leaders of the Soviet Union have clearly shown their distaste for the political oppression and the economic austerity of Stalinism; they are beginning to display a certain appetite for affluence and a certain openness toward adjustments in economic organization which would contribute to affluence; there is a real possibility that, while no change in doctrine is likely to occur, these internal preoccupations could reduce revolutionary militancy and open the way for limited but progressive accommodations with non-Communist states.

The leadership of Communist China, on the other hand, uninhibited by any effective public opinion, is still in a stage of extreme militancy deriving from their orthodox doctrinal fervor, their psychological isolation, both past and present, and their nationalist ambitions and cultural arrogance. In the past they have been restrained by the Soviet Union, by their underdevelopment and their administrative failures, and by military weakness. These restraints are being overcome and, unless new external ones are created, the Middle Kingdom, invigorated by its new religion and a national unity unmatched for over a hundred years, may spill out over its frontiers in a way which will make earlier probings in Korea and southeast Asia seem inconsiderable.

How do these developments affect the worldwide recognition of the imminent Communist thrust which was one of the factors on which the policy of containment was based? Obviously, in Western Europe many states, excluding Germany for special and obvious reasons, feel that the threat which directly concerned them has subsided, that military initiatives in Europe are unlikely, and that partial accommodations with the Soviet Union and Eastern Europeans are increasingly possible and desirable. Whether or not we agree, this state of mind creates an entirely different situation inside NATO from that which existed 15 or even 5 years ago. We have already seen some of the consequences of this new state of mind and will see many more. This state of mind will not be affected by U.S. arguments or adjurations, though it of course would be if Soviet aggressive acts or threats should be renewed.

Paradoxically, this tendency to accommodation in Europe, which springs from the soberer behavior of the Soviet Union, has spread to the Far East, where Communist Chinese behavior seems progressively worse and more dangerous as its capabilities increase. The tendency to accommodate Peiping arises from several factors: a mistaken generalization deriving from Europe, the temptation hypothetically offered by the 700 million Chinese consumers, a reluctance to use stronger means of coping with the unpredictable Chinese. Of course, contact and negotiation with an adversary are not bad; they are sometimes more necessary vis-a-vis an adversary than vis-a-vis a friend. In the case of Communist China, however, contact, negotiation and even trade would only be productive in the context of such strong and effective defensive measures, participated in by many states in and out of the Far East, as checked Soviet expansion in Europe in the late forties and as have checked other would-be conquerors throughout history.

In both Europe and Asia, however, the diminution of recognition of the imminence of a Communist threat, whether this diminution is justified or not, affects substantially our traditional postwar foreign policy.

IV

What about the second factor, the U.S. nuclear monopoly or overwhelming preponderance?

Of course, the monopoly has never been complete and is being more and more fractured. However, the overwhelming U.S. preponderance continues and presumably will continue to exist. This preponderance and its resolute political exploitation enabled us to overcome the Cuban missile crisis, preserves us from future hostile blackmail, and by its massive second-strike capability makes any calculated and rational attack upon us extremely unlikely. In that sense it continues to perform its function of setting relatively narrow limits to Communist aggression.

Two important developments in this field have, however, occurred since the 1940's. First, the Soviet Union has also acquired a massive nuclear arsenal, capable, as President Johnson has pointed out, of "wiping out 50 or 100 million of our people, taking half of our land, half of our population in a matter of an hour." This naturally sets some limits to our freedom of maneuver and raises inevitable, even if often inaccurate, questions and presumptions in the minds of our allies and friends. Second, the danger of escalation into this extremely hazardous weaponry raises, at least to a limited extent, an umbrella over less devastating forms of aggression, which are peculiarly adapted to less-developed areas. When efforts are made to fight these forms of aggression more or less with their own weapons, as in Vietnam or the Congo, it is soon found that Westerners are under very serious physical and political handicaps in fighting or helping to fight guerrilla wars in underdeveloped countries. Thus our still intact overwhelming nuclear preponderance is not always as applicable or as useful as it seemed a decade ago.

An even more serious transmutation may have occurred as a result of United States and Soviet progress in the development of nuclear weapons and delivery systems. Traditionally, military systems have been designed to strengthen national security and to a substantial degree have done so. However, in a recent article in the Scientific American, Jerome Wiesner and Herbert York, who are not without qualifications in this field, stated: "Ever since shortly after World War II the military power of the United States has been steadily increasing. Throughout this same period the national security of the United States has been rapidly and inexorably diminishing. * * * Both sides in the arms race are thus confronted by the dilemma of steadily increasing military power and steadily decreasing national security. It is our considered professional judgment that this dilemma has no technical solution."

If this analysis is correct, a rather startling new horizon has certainly opened up. If it is a fact that there is no technical military solution to the extreme and unprecedented national vulnerability to which the President referred in the statement quoted above, then "national security," for us or anyone else, certainly has quite a different meaning from what it ever had in the past. It, of course, remains true, as suggested earlier, that no adversary would seem likely to launch a calculated and rational attack on the United States, which would undoubtedly retain the capability of a retaliatory attack of even greater destructiveness. Unfortunately, however, there have been numerous cases in history of dictators behaving in an irrational manner. Moreover, grave political crises in which deep emotions are involved have a way of escalating in an uncalculated manner, as did the crisis, still unconcluded, which followed the murder of an Austrian archduke in 1914.

In any case, neither the rationality of dictators nor the sobriety of human calculations in moments of crisis would seem to be attractive or reliable foundations for American national security. A question may be raised whether under these circumstances, in which there is said to be no military solution to our vulnerability, our national security is best served by a cautious and skeptical approach to disarmament. If our arms cannot make us secure, perhaps the only realistic, hard-nosed approach to security is a substantial, rapid, and controlled reduction in our adversaries' arms, which obviously would require a parallel and commensurate reduction in our own. This might, moreover prove to be the only effective means of preventing further proliferation of nuclear weapons, which if unchecked, it is generally agreed, would further disastrously diminish everyone's security.

At all events, it is safe to say that recent and future developments in the field of nuclear armament, far from giving grounds for calm and complacency, open in the longer run the broadest and potentially the most apocalyptic of new horizons.

V

The third factor on which our postwar foreign policy was originally based is our economic and conventional military preponderance among non-Communist states. This preponderance still exists but is clearly less marked than it once was.

As has often been noted, this is in many ways heartening. If our allies are revived and strong, and are therefore able to bear more of our common burdens, that is certainly in our interest and the common interest. If at least some of the new or underdeveloped countries have made substantial progress and are better able to stand on their own feet and play a constructive part in world affairs, that, too, is in our interest as well as theirs.

The new problem, however, is that many of the states, allies or nonalined, largely because of their estimate of the two factors discussed earlier, do not have exactly the same conception of "our common burdens," in the case of allies, or of "a constructive part in world affairs," in the case of the nonalined, as we do. The presumptive relaxation of the threat in Europe, the still limited character of the immediate threat in the Far East, the revival of traditional national interests and ambitions as the strength of states revives, on the one hand the umbrella of continued U.S. nuclear predominance and on the other the anxiety that in a critical confrontation it might not be used, on the one hand the U.S. willingness to employ its conventional military predominance where concrete threats take shape and on the other the fear that this predominance might be applied recklessly to the detriment of allies and friends, all these currents and countercurrents have circumscribed the uncontested U.S. leadership of the non-Communist world which characterized the earlier period. In an environment which seems to be one of nuclear deterrence and hence of relative stability, but where at other levels of clashing national interest the United States seems still willing to carry the main load, allies and neutrals alike, which regained the capability, have also regained the appetite to pursue national or regional interest, as they see it, with considerably less regard for the views and admonitions of the United States than in the past.

This, too, is frustrating to the American people. We do not like at all being told "to go jump in the lake," either in so many words or implicitly, whether by allies or by beneficiaries of our aid and support. Once again, however, there is no reason for surprise or discouragement. Our peacetime coalition has held together and still holds together better than any other in history. It was from the beginning a coalition, not an empire; empires in these times do not endure very long. Changes in form and purpose inside our alliances will inevitably be reflected in their character; it will be better in some cases to loosen ties a bit rather than have them torn asunder; in other cases, as in the Far East, alliances may have to be enlarged and reenforced to meet a new situation. Neutrals and nonalined also have and create quite new problems.

The United States is still and will remain immensely powerful, immensely respected, immensely influential. But the effective exercise of its influence will not be as easy as it has been. Some of the old ways of doing so are so fast becoming counterproductive. In his "Challenge to Affluence," Gunnar Myrdal recently wrote: "Influence is an expendable capital, and every time the United States goes strongly in for a policy without having the strength to see it through, its influence will by that outcome become even smaller than it need be. Influence, to be preserved, must be husbanded with utmost prudence." Of course, it is in most cases not a question of "having the strength to see it through," but of recognizing after a certain point in a particular endeavor that it may not be wise and productive, even if possible, to carry it to its planned and logical conclusion. However, the point is the same. A more careful prior assessment of our capabilities in a given situation, taking into account considerations arising from afar as well as at the point of application, will henceforth be more imperative than when other voices were stiller and smaller.

It may prove that one of the most effective things we can do abroad at this time will be to create at home a Great Society which will serve as a reminder everywhere of what America physically can do and politically and morally intends to do, in other words a reminder to us and everyone else of what we stand for. With this might go a somewhat more selective approach to the problems of the world as a whole and our responsibility toward them. We certainly still have, and will have for many years, a responsibility to maintain an equilibrium in the world, a responsibility to see that Communist imperialism is contained and that South America, Asia, and Africa are developed and peacefully assimilated to the modern world. This responsibility is as inescapable and as rigorous as ever. But we may not have as much responsibility as we supposed, or as much capability as we had, to insure that nothing unpleasant happens anywhere or that the natural turbulence of new states and new societies is always and everywhere restrained.

VI

The most revolutionary change has occurred in the underdeveloped world outside the area of direct East-West confrontation, in many parts of which the situation is no longer "relatively stable," and in some parts perhaps no longer even "manageable," either by internal or external forces.

The hand of the former colonial powers, where it gingerly remained, has now been almost wholly withdrawn at the behest of the independent states. The few significant colonial bastions still surviving create so much indignation and agitation among the liberated that they constitute a liability in overall north-south relationships. In many new states the moderate leadership which presided over independence has either been replaced by more radical younger leadership or is under such effective pressure from younger elements that it has felt obliged itself to assume a more radical posture.

Territorial disputes and ambitions among new states, despite a tacit original agreement to stick to old colonial boundaries, are breaking out and assuming in some cases menacing proportions. Western attempts to help some new governments resist Communist or other intervention in their internal affairs evoke outcries of imperialism and neocolonialism, hostile propaganda and planned demonstrations, and often an expansion of intervention. The unabated population explosion, the unassimilable flood of the unskilled into cities, the disjunction between education and opportunity unhinge the plans and bedevil the planners in the new societies. The common and pressing interest of the underdeveloped states of Asia, Africa, and Latin America in much more rapid development and improvement in the terms of trade with the West welds all these states into provisional but gradually tightening alliance to exert effective pressure in pursuit of these ends.

So what seemed a promising and on the whole mutually profitable relationship between "West" and "South" in the fifties, and of course in many places continues to be so, is in others challenged and transformed into curious confrontations in which the West is at the same moment adjured to get out of the way of "progress" and to provide the grease that makes the wheels of progress turn.

This situation of course profits the Communists who in varying degrees encourage the young radicals in underdeveloped countries to bait and eventually throw out "the imperialists," and themselves provide means to expedite the process. This interference inspires the West in its turn to match or outdo Communist aid and to support governments threatened by Communist or radical machinations. In some cases, Western support, as the subversion and violence increases, gradually expands into a larger commitment, which in turn raises fears and resentment in neighboring countries, but from which it sometimes becomes difficult to withdraw.

Communist activity in the underdeveloped world is no doubt designed to bring about instability and disorder but also, they no doubt hope, the ultimate establishment of Communist or pro-Communist regimes. The experience of Cuba shows that it would be rash to overlook this hazard. Radical movements in most underdeveloped countries share with communism a one-party system because this is in some cases the only system by which tribalism can be overcome and nationalism made real, and a garden variety of socialism, because the capital to make capitalism does not exist. But these Africans and Asians are far more profoundly nationalist than either socialist or totalitarian. They will certainly resent and reject domination by Chinese or Russians fully as much as by British, French, or Americans.

Should the Communists make the mistake, as they did in Guinea, of making their presence too conspicuous or of attempting or appearing to dictate instead of merely to assist, the indigenous reaction against them would probably be as strong and effective as it ever was against the West. It would therefore be a mistake to believe that countries remote from the Communist empire are "going Communist" solely because they accept Communist aid and Communist advisers, or because their public denunciations of "imperialism" continue to be directed far more at the West, where imperialism is expiring, than at the East, where it is appearing in new forms.

The "Third World" has become, and is likely increasingly to be for a number of years, more turbulent and more radical. It would be naive to be surprised by this phenomenon and foolish and futile to try to suppress it from outside. A sensible Western posture would seem to be, in areas not adjacent to the Iron or Bamboo Curtain, one of benevolent reserve, a readiness, when asked, to help in a manner which does not involve prestigious commitment and to a degree which seems likely to be assimilable and productive, matched by a cautious appraisal, at the outset and periodically as the situation develops, of all the elements which make help useful or damaging in our own broad interest and those of the recipients.

William McNeill in his masterly survey of history, "The Rise of the West," makes the following comment: "World history since 1500 may be thought of as a race between the West's growing power to molest the rest of the world and the increasingly desperate efforts of other peoples to stave Westerners off." We trust and believe that those days are over but we must remember that though they seem so to us, they have left such deep and painful scars that to those who have suffered them Western "molestation" is still a living thing. Any Western intervention in the rest of the world, therefore, no matter how well-intentioned or indeed how well justified in the interests of the nation and region concerned, risks causing a traumatic reaction apparently unrelated and disproportionate to the action being undertaken. This is an historical handicap which the West must still confront for some time to come and which will condition to a substantial degree the effectiveness of whatever we try to do in Asia and Africa.

So the fourth factor on which our successful foreign policy of the past two decades was based, the relative stability of the area outside that of direct East-West confrontation, has also been profoundly modified. The aspirations, the discontents, and the capabilities of the peoples of this area have been multiplied, their readiness to seek and use help from all quarters has clearly emerged, the acuteness of their internal and intramural problems will more and more project those problems into the center of the world stage, but the capacity of the West to deal with them is now and will for some time remain limited and inconclusive. Generous help they will more and more desperately need, but to a great degree they must henceforth remain both masters and servants of their own fate.

VII

So, in conclusion, without in this brief scope endeavoring further to define the new horizons, new bounds, and new opportunities which confront us in our foreign relations, we perceive that in the past few years they have been subtly and imperceptibly set in a new frame.

The nature of the Communist threat and its principal focus may have substantially shifted; in any case, many of our allies and friends have, rightly or wrongly and not all in the same way, revised their appreciation of it. Our overwhelming nuclear preponderance has been preserved but it has not and will not be able to deny to our adversaries a devastating nuclear capability; this balance of terror is inherently precarious and is further jeopardized by the threat of nuclear proliferation. U.S. economic and conventional military preponderance also persists but is no longer so politically decisive as it once was nor so practically applicable as we had once hoped it would be. Asia and Africa, in their new liberated and national incarnations, are proving less easy to develop from without and to govern from within than had been supposed; more and more their needs, demands and impingement on the world as a whole create obligations for responsible, and temptations for irresponsible, outsiders.

There has never been a time in world history of greater challenge and opportunity for a nation which remains, despite everything, the most powerful and the most disinterested of them all. What is required is that we be as vigilant to change as to danger, that we be alert constantly to reexamine what national security really is under radically new circumstances, that we maintain our confidence and buoyancy in the face of the frustrations which these circumstances entail, that we not feel it incumbent upon us to do something or to save everything wherever disorder breaks out, but that, even more important, we not let our distinctive national generosity and sense of justice shrivel up just when they are most desperately needed in our own interest and in that of the world we lead. As a wise man said, "Nothing wilts faster than laurels that have been rested upon."

And finally, if we must imitate a bird, let it be neither the hawk nor the dove, but the owl.

MR. DEMING'S SPEECH ON INTERNATIONAL BANKING IN RELATION TO THE BALANCE OF PAYMENTS AND TO INTERNATIONAL LIQUIDITY

Mr. PROXMIRE. Mr. Frederick L. Deming, the Under Secretary of the Treasury for Monetary Affairs, gave an important speech in Tacoma on June 22 on the subject, "International Banking in Relation to the Balance of Payments and to International Liquidity." The speech is excellent. In a concise and clear fashion, Mr. Deming discusses capital outflows from the United States in relation to our own balance of payments, the structure of our international investment position, capital markets abroad, domestic interest rate policies, and the problems of the international monetary system.

Mr. Deming's speech is particularly notable for its observations concerning methods of assuring adequate liquidity once the U.S. balance-of-payments deficit is brought to an end. Mr. Deming spells out the prerequisites of any acceptable approach for expanding international liquidity in the future. Mr. Deming states:

> First, additional or new reserve assets should be accepted as such by the major industrial countries. Secondly, they should be held as reserve assets without directly or indirectly leading to a reduction in reserve currencies or other supplements to gold reserves. That is, they should not accentuate demands on gold. Thirdly, the method of providing additional reserves should be in general evolutionary, in the sense of general public acceptance with a minimal disturbance of financial and exchange markets and with especial care to avoid encouragement to gold hoarding and gold speculation. Fourth, a balance would have to be achieved between the fears of some that creation of international reserves becomes too easy, with a general overexpansionary effect on world supplies of money and credit, and those who fear that international decisions would be too cumbersome and too restrictive.

Also of great importance are Mr. Deming's comments concerning domestic interest rate policy. He gives no comfort to those who have urged higher long-term rates on us. Indeed, he notes that "a significantly higher level of rates might well do harm to the domestic economy." Mr. Deming also observes that interest rates in the United States are already at historically high levels.

I call attention to Mr. Deming's penetrating remarks regarding the European countries and their failure to play their proper role as capital exporters. Mr. Deming said:

> As strong surplus and creditor countries, many continental European countries would normally be expected to be net sources of capital to the rest of the world. But instead of becoming capital exporters, they have continued to import capital from the United States, and have, in effect, banked the proceeds with their central banks in the form of reserves.

Mr. Deming gave several reasons for this. He said:

> The tendency to seek U.S. funds may be in part due to the generally high cost of borrowing in foreign countries.
>
> But there are other reasons why some types of borrowers are attracted to the U.S. market. These include the narrowness and high cost of security issue markets in Europe, the favored position of governmental borrowing entities and nationalized industries to some capital markets abroad, and the channeling of savings of the public through savings banks and mortgage banks into Government securities or mortgages, and the tendency in many countries of the large banks to maintain a relatively rigid pattern of lending policies.

Mr. Deming's speech should receive the widespread attention it deserves. Better understanding of international financial problems is a prerequisite to progress in improving the world's monetary system.

I ask unanimous consent to have Mr. Deming's speech printed in the Record.

I also request unanimous consent to include in the Record an editorial from the New York Times on "Choice on Monetary Reform," and the comments of Harold B. Dorsey, of the Washington Post, on "The Fears of Currency Instability." Mr. Dorsey contrasts Mr. Deming's view that the curtailment of capital flows from the United States "could have a considerable effect on international liquidity" with the views of Dr. Roy Reierson, of the Bankers Trust Co., of New York, that "international liquidity is completely adequate to meet current and foreseeable needs."

I ask unanimous consent to print in the Record the column "Should Payment Deficit Be Zero?" by Hobart Rowen, published in the Washington Post of June 28. Mr. Rowen suggests that we should not try to get our balance-of-payments deficit down to zero, but should rather consider it quite normal "to run a balance-of-payments deficit up to perhaps $1 billion a year."

Incidentally, a remarkable omission in Rowen's article is that he does not discuss the Bernstein definition of balance of payments. The Bernstein definition is now being seriously considered by the administration. That definition is based on official transactions. It is far closer than our present definition to the method used by other countries.

It was recently warmly supported by former Secretary of the Treasury Dillon.

The significant point is that this new definition would meet Rowen's objective. It would generally bring our payments into balance at some $½ billion to $1 billion below the level at which we presently balance.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York Times]

CHOICE ON MONETARY REFORM

The U.S. Treasury is playing coy on the issue of international monetary reform. Frederick L. Deming, its Under Secretary for Monetary Affairs, is getting ready to discuss reform with other financial powers but he does not hold much hope of a quick consensus. He prefers to wait until the present surplus of dollars abroad gives way to scarcity before coming to an agreement on improving the international payments mechanism.

It is understandable that the Johnson administration wants to bargain over reform from a position of strength. Yet there is a risk that the ending of the dollar drain will bring on a monetary crisis. Some authorities, including the Bank for International Settlements, argue that there is no immediate danger. They point out that the countries of Western Europe have enough monetary reserves on hand to get by without any additional inflow of dollars. Nevertheless, a serious maldistribution in reserves does exist, with Britain, Japan and many developing countries handicapped by a severe shortage. So while most of Europe may be able to adapt to a growing shortage of dollars, a squeeze could prove intolerable elsewhere.

Given this threat, no time ought to be wasted in considering reform. It may be too early for a permanent solution that would assure a steady increase in the supply of international liquidity—gold, currency and access to credit—required to finance world trade and investment. But it is not too early for the United States and its partners to begin taking steps to prevent either a shrinkage or a further distortion of the liquidity now available. Indeed, there is little prospect of producing the evolutionary reforms sought by the administration unless it can reinforce the present system against potential shocks and strains.

The position of the dollar is now neither weak nor suspect. So the Treasury has little to fear and much to gain from initiating negotiations. The longer it holds back, the greater the prospect of a crisis—and of a need for extraordinary steps to meet it. The Treasury should heed the warning of its former head, Douglas Dillon, who has insisted that "a strengthened monetary system must be installed before it is needed, and not after the crash." The administration has a clear choice between taking preventive medicine or waiting for a drastic cure.

[From the Washington Post, June 28, 1965]

ECONOMIC IMPACT: SHOULD PAYMENT DEFICIT BE ZERO?

(By Hobart Rowen)

With British Chancellor of the Exchequer James Callaghan in Washington this week for high level discussions with American officials, it is appropriate to raise a delicate question: Should the United States strive to get its balance-of-payments deficit down to zero and keep it there?

Slowly but surely, evidence is accumulating that many financial experts, including bankers, are beginning to doubt the wisdom of this single-minded drive.

After our painful experiences with recessions in the postwar period, this country managed to put aside the myth that a balanced national budget every year is essential to our health. We learned, in fact, how to use deficits constructively.

There is a parallel in the international field. American officials are pursuing a determined national policy to wipe out our deficit. They speak in terms of a "swift, sure, and lasting end" to it.

We seem to have slipped into a kind of ritual, a preoccupation that ignores an important fact of life: A bank (and that is one of the key functions of this country in relation to the rest of the world) always has larger liabilities to its depositors than it has reserves in the vault.

If it doesn't, it's not much of a bank.

It ought to be considered quite normal for the United States to run a balance-of-payments deficit up to perhaps $1 billion a year.

The justification for current U.S. policy is that continued deficits permit other nations to acquire too many dollars, draining our own reserves, especially gold. And, of course, it is true that deficits in the $3 and $4 billion range are too high.

But as George H. Chittenden, a Morgan Guaranty Trust Co. vice president, observed in recent congressional testimony, "as leading banker for the world, the United States must be prepared to see its dollar liabilities to foreigners rise over time * * *." To help finance growing world trade, Chittenden thought that annual deficits in our balance of $500 to $800 million would be safe.

"May I stress," he added bluntly, "that the special magic of zero completely eludes me. * * * We have in recent years gotten away from the simplistic notion that there is something peculiarly appropriate about a zero reading in the Federal budget. * * * We must develop an analytical approach to payments evaluation that will help us decide what degree of departure from zero is appropriate at particular times."

Instead of pursuing the single objective of trying to crunch our deficit into nonexistence, therefore, our officials should be looking to other measures—a more sensible gold policy, for example.

Donald C. Cook, president of the American Electric Power Co., and a favorite business confidant of President Johnson, has shown how we could discourage gold hoarding by adopting a flexible buying price for gold. Another and related idea has been put forward by Stanford Professor Emile Despres.

The prudent course at the moment would be the continuance of a moderate deficit—throwing up safeguards to prevent serious runs on the bank. This should not be too difficult to do, because American assets are enormous, and the dollar is strong. There is no economic reason for a run on the dollar.

It is Mr. Callaghan who has the real headache: British reserves are low, and their balance-of-payments problem (unlike ours) is coupled to inflation at home, a loss of export markets, and a labor-industrial machine creaking from disrepair.

The British need help, and we no doubt will give it to them. But we can help ourselves and the rest of the world most by being less defensive about the dollar. With some aggressive and confident steps, our Government can demonstrate that the dollar truly is more valuable than gold.

[From the Washington Post]

INVESTMENT VIEW: THE FEARS OF CURRENCY INSTABILITY

(By Harold B. Dorsey)

Increasing concern about the international currency situation is as good an explanation as any for the weakness in the stock market last week which carried the market down to the lowest level in 6 months.

Unfortunately, the international currency situation is so complex that very few people understand it. Therefore, whenever doubts about currency stability are raised, it conjures up all sorts of fears. In the present instance, for example, some people envisage a devaluation of the pound sterling and a chain reaction on the other currencies that would break down the strength of the international monetary mechanisms that have been developed over the past 20 years.

In my judgment, the current situation is not likely to lead to devaluation of any of the important currencies, for the simple reason that the monetary authorities realize that this would not correct the fundamental maladjustments. Other things remaining unchanged, devaluation of the pound and/or the dollar would not eliminate the international deficit position of either Britain or the United States. Devaluation would probably do much more damage than good.

But, it is argued, these two countries cannot continue in a deficit position forever. Sooner or later they would run out of reserves. If not devaluation, then there must be some other type of adjustment.

As I see it, the adjustment is more likely to be the further use of restraints designed to eliminate the international deficit of the two reserve currency countries, if such action is deemed necessary. Both countries could take additional steps to reduce the outflow of their respective currencies.

Two uncertainties are involved: (1) Will it become necessary to impose further restraints? And (2) if so, what are the probable economic effects? The first question cannot be solved by simple arithmetic. The unpredictable intangibles of national and international politics and confidence are involved.

As for the consequences of possible further restraints imposed by the United States and Great Britain, the judgments of respected authorities vary over a wide range. The Under Secretary of the Treasury for Monetary Affairs, Frederick L. Deming, expressed the opinion last week that the reduction of capital flows from the United States and the associated shrinkage in the U.S. payments deficit "could have a considerable effect on international liquidity."

There was an implication that these restraints would have an adverse effect on the other countries, but that this prospect would make them more willing to cooperate in the development of sources of capital to supplement those provided by Britain and the United States as world bankers.

On the very same day, Dr. Roy K. Reierson, economist of the Bankers Trust Co., of New York, expressed the opinion that the reduced availability of dollars to the other countries would present no major problem for them in the form of a dollar squeeze. And since the prospective lack of dollars is a myth, in his opinion, so also is the specter of a financial collapse in European credit, resulting from a shortage of dollars.

"Leading central bankers unanimously agree," he said "that international liquidity is completely adequate to meet current and foreseeable needs. * * * The fear of a liquidity or credit shortage being triggered by the United States is effectively rebutted both by the specifics of the American program and by the financial resources available to other major countries." I find that some of the respected European economists believe that the inflow of dollars to Western Europe has generated undesirable inflation pressures. It is their opinion that a reduction or elimination of the inflow will not hurt their own economies.

There is other evidence leading to the conclusion that respected authorities do not agree (1) on the need for greater international financial liquidity, and (2) on the economic consequences of further restraints on the outflow of dollars and sterling. Little wonder, then, that investment managers who are less knowledgeable in this particular area feel that they have an uncertainty in their laps. And they don't like uncertainties.

INTERNATIONAL BANKING IN RELATION TO THE BALANCE OF PAYMENTS AND TO INTERNATIONAL LIQUIDITY

(Remarks by the Honorable Frederick L. Deming, Under Secretary of the Treasury for Monetary Affairs, at the annual convention of the Washington State Bankers' Association, Tacoma, Wash., Tuesday, June 22, 1965)

I very much welcome the invitation to cross the country and talk with bankers from the State of Washington. Situated on the Pacific coast, with important maritime and aerial connections with other parts of the world, you are, I am sure, sensitive to and interested in the international aspects of financial and banking matters. I have chosen to discuss some of the aspects of our international payments position that are of a special interest, I believe, to the banking community.

First, I want to mention briefly the U.S. balance-of-payments position, against the background of postwar economic progress. Then I would like to focus attention more specifically on international movements of private U.S. capital, and particularly on those outside the field of direct investments.

Speaking generally, we are in a period in which deep and serious attention is being given to international monetary and payments problems. Within governments, in the financial press, and in the academic community, both here and abroad, there is intense interest in the determinants of the various types of international capital movements, the relationship of these movements to the balance of payments, to domestic monetary and fiscal policies, to the needs for international reserves, and to other aspects of the extremely broad subject of international liquidity.

In a very real sense, the world is searching to find a constructive relationship between capital flows, balance-of-payments adjustment, and the magnitude and composition of growing needs for international liquidity.

Today, I do not wish to attempt any sweeping review of this extremely broad and extremely intricate subject. Rather, I should like to draw your attention to some leading facts, to some conflicting interpretations that are sometimes drawn from them, and to contribute, if I can, to placing these relationships in perspective.

One of the interesting aspects of this period of ferment through which we are passing is the very wide range of opinion on all these questions. Thus, at one end of the spectrum, there is concern that any diminution in the flow of U.S. capital to other developed countries might have a serious and immediate effect upon world prosperity. A somewhat milder view held widely in the United States is that there will be a need to replace the outflow of dollars in recent years with some substitute form of international liquidity, since the U.S. deficit has provided a source of reserves to other countries. At the other end of the spectrum, a view held particularly on the Continent of Europe, it is contended that the outflow of capital from the United States has been excessive, has added unduly to the level of continental European reserves, and has contributed to inflationary pressures in Europe.

We sometimes forget, in our immersion in the problems of today, how much of a positive character has been achieved in the postwar period. During the past decade, world trade has grown at a surprising pace. World exports reached a total of more than $150 billion in 1964, about double the corresponding figure at the beginning of the decade. In the industrial countries, the last 10 years has been a period of rather persistent prosperity. The Organization for Economic Cooperation and Development (OECD) countries have had a total output rise, in real terms, of about 50 percent. In most countries this has been accompanied by full or over full employment, although this, of course, has not been true of the United States. But even the financial strains that have been felt on occasion by the United Kingdom, Japan, Italy, and some other countries have been associated with overheated domestic economies rather than situations of economic recession.

In general, there have been pressures on wages and prices, labor shortages, and a general preoccupation with the need to place brakes on the domestic economies, rather than accelerate them. A different situation has prevailed in the United States, where the economy has required from time to time an assist from fiscal policy rather than public action to restrain an overexuberant business activity. Even so, however, the United States itself has had during the postwar years no prolonged recessions and at the present time has had 52 months of continuing economic advance.

In most industrial countries, balances of payments have been in surplus and international reserves have been rising at an extremely rapid rate. Our own payments position, however, changed markedly after 1957. From 1958 to 1964 our deficits on regular transactions have averaged $3½ billion a year.

PRIVATE CAPITAL MOVEMENTS AND THE U.S. BALANCE OF PAYMENTS

I do not intend to review the policies applied in 1961 and 1962 to correct our balance of payments and at the same time revitalize the domestic economy. We did achieve substantial progress in 1961–64 in enlarging our commercial export surplus, despite a rising total of imports, and in reducing the balance-of-payments impact of our military and aid programs. With a steady increase in our services income, our deficit would have been largely eliminated if the capital accounts had remained constant.

But this was not the case. The outflow of private U.S. capital in all forms had already jumped sharply in 1956 from the moderate levels of 1950–55, and ranged between $2½ and $4 billion in the years 1956–60. In 1964 it reached almost $6½ billion, with a very decided surge in the latter part of the year. Between 1960 and 1964 U.S. security and credit transactions grew from $2.2 to $4.1 billion. In July 1963, the Interest Equalization Tax had been announced when the early manifestations of these latest capital demands on our markets appeared, particularly in the form of potential placements by other industrial countries in our capital market. The further dramatic evidence of the volatile capital accounts in 1964 led President Johnson to propose on February 10, 1965, a comprehensive program calling for the cooperation of the business and financial communities in reducing this drain on the balance of payments.

The response of businessmen and bankers has been most impressive. While the limited data yet available are difficult to evaluate because of special factors, they suggest that this cooperation, upon which the program depends, has begun to have a significant effect. The deficit on regular transactions for the first quarter was reduced to about half the magnitude of the very large figures in the final quarter of 1964. Such indications as we have since the end of March have continued to be even more favorable. But I cannot overemphasize that we need to establish a record of clear and sustained equilibrium, to demonstrate our full recovery from the long continued malady of deficits. We cannot, therefore, contemplate any early relaxation of our efforts.

THE U.S. POSITION AS INTERNATIONAL BANKER

We have all heard much about the U.S. role as an international banker and about our tendency to pile up long-term investments while accumulating short-term liabilities. We have large and competitive money and capital markets, as compared with the narrower and less competitive markets in the other industrial countries. There has been increasing desire for capital investment abroad, arising from the long-continued European prosperity, the Common Market preferences, and the rapidly growing European demand for many products in which American corporations have traditionally been interested. While these latter are factors that are particularly significant in the area of direct investment, they also may account for some movement of banking funds to supply the needs of some U.S. subsidiaries abroad. Finally, there is the differential between interest rates here and abroad, particularly at longer term.

Let us recall briefly the general structure of our international investment position. We do not yet have detailed figures for 1964, but at the close of 1963, private long-term investments abroad were valued at $58 billion, of which $40.6 billion was direct investments, and $17.6 billion represented other types of long-term assets. Foreign long-term investments in the United States amounted to nearly $23 billion, leaving a net balance in our favor on private long-term investment account of about $35 billion. Note that this does not count any of our governmental claims on foreign countries.

At short term, however, the position was rather different. Foreign short-term claims on the United States, both private and official, amounted to $28.7 billion at the end of 1963. This figure includes about $3 billion that are not considered liquid financial liabilities. Nearly half of the total amount was officially held. Agains this, the United States then held $15.6 billion in gold, and other reserve-type assets of $1.2 billion. In addition, our privately held short-term claims on foreigners were about $8 billion.

Moving from the cross section to the changing pattern over time, our net position on private long-term capital account had improved from $27 to $35 billion, from 1960 to 1963, while our net official and private position on short-term account (including gold), worsened by $5 billion.

The major channels through which these capital funds have recently been flowing out, apart from Canadian security issues in New York, are the direct lending operations of the banking system, or the placement of funds with foreign banks, or with foreign branches of American banks, by nonbanking entities. While some of the proceeds in the form of dollars were added to the rising total of foreign private dollar holdings, foreign official dollar balances were built up as well.

While our private investments abroad, both short and long term, are presumably sound and profitable ones in the sense of income-earning assets, they have clearly tended to exceed the net surplus on other accounts. This adds to our liquid liabilities to foreigners, and these liabilities, in turn, may be converted into gold.

Thus, while our balance-of-payments program has consistently aimed at improving both our current accounts and our governmental accounts, increasing attention has had to be devoted since July 1963 to the large flow of capital abroad—particularly to other industrial countries.

Through the interest equalization tax, we have sought to provide a market-type regulator. We have hoped in this way to strengthen the incentive to other industrial countries to utilize their savings more effectively to meet the demands that would otherwise come to the United States. More recently, in the wake of the very sharp deterioration in our capital accounts and in the balance of payments, generally, during the period since July 1964, we have adopted the voluntary credit restraint program on February 10. This program, too, is increasing the awareness of other advanced countries that they should readjust their financing patterns so as to obtain capital resources out of their own savings.

As noted, the tendency to seek U.S. funds may be in part due to the generally high cost of borrowing in foreign countries.

But there are other reasons why some types of borrowers are attracted to the U.S. market. These include the narrowness and high cost of security issue markets in Europe, the favored position of governmental borrowing entities and nationalized industries to some capital markets abroad, the channeling of savings of the public through savings banks and mortgage banks into Government securities or mortgages, and the tendency in many countries of the large banks to maintain a relatively rigid pattern of lending policies.

Efforts are being made to explore these and other structural problems in the European financial system, in the hope of developing more efficient and more competitive capital markets that can meet the types of demands that now fall so heavily upon the United States. Indeed, as strong surplus and creditor countries, many continental European countries would normally be expected to be net sources of capital to the rest of the world. But instead of becoming capital exporters, they have continued to import capital from the United States, and have, in effect, banked the proceeds with their central banks in the form of reserves.

Particularly in Europe, it is frequently suggested that the way to restrain the tendency for capital to flow out of the United States would be to bring about a higher level of long-term interest rates in the United States. But a moment's reflection will indicate the difficulties of applying such a prescription to the situation in which we find ourselves. One very large economic entity, the industrial nations of continental Europe, has a historically high level of interest rates that has prevailed during a period of generally full or over full employment and inflationary pressures on prices and wages. The entire structure of the capital values in these countries has for a long time been geared to a plateau of rates substantially higher than that in our own economy. This European rate structure seems likely to come down slowly, if at all, as inflationary pressures subside.

On the other hand, long-term interest rates in the United States are also at high levels in terms of our own background and history. There are several reasons for doubting that a simple prescription of higher long-term interest rates in the United States is an effective answer. The spread between long-term rates here and in most of Europe is so wide that the possibility of any substantial narrowing of the differential by U.S. action is open to considerable question from a purely technical standpoint, because of the massive volume of savings in the United States. Second, as noted, present levels are not low historically, and a significantly higher level of rates might well do harm to the domestic economy. Thirdly, as noted, the European rates not only are influenced by the pressure of demands from borrowers on savings, but also probably reflect the general tendency for prices to rise, thus reducing considerably the real rate of interest, in terms of purchasing power over goods.

It should be noted that, even today, foreign placements are small in relation to our annual gross private domestic investment of $73 billion, or with respect even to our personal savings of $35 billion a year. Moreover, the capital drawn from the United States represents a small percentage of the total savings and investment in Europe.

All in all, leaving aside direct investment, some $4 billion of U.S. capital moved out last year. About half went to Canada and Japan, less than a quarter directly to Western Europe, and the remainder to Latin America, Asia, and other regions. The reductions we anticipate from the programs now in effect, particularly when the impact is directed toward the other industrial countries, should form a relatively small part of the total investment financed in those countries. In the major countries of Western Europe alone annual investment in all forms probably equals that in the United States. Hence the relationship of this correction of our deficit to world business activity is marginal, and should not be overstressed.

As the world moves farther away from the restrictions and restraints of the earlier postwar period, the stream of financial capital moving between these two great industrial complexes in Europe and the United States might tend to widen. At the same time, the

United States cannot reasonably be expected to continue to supply capital as an international banker if its reserve position is steadily reduced by a continuing deficit. This may well present a challenge to Europe and the United States to find an appropriate set of policies to meet on a continuing basis the capital flows problem. European countries, it is true, made some progress in 1964 in enlarging their capital markets, and in accommodating the needs of some foreign borrowers, particularly Japan; some countries have applied special disincentives to the attraction of foreign capital into their monetary reserves. But there remains the need to reduce European capital imports and to stimulate larger foreign investments, without a corresponding increase in its current account position.

CAPITAL FLOWS AND EUROPEAN RESERVES

A reduction in the flow of financial capital from the United States and an associated shrinkage of the U.S. deficit could have a considerable effect on international liquidity. Without a U.S. deficit, the increase in world reserves would be limited essentially to the amount of new gold production flowing into monetary channels—that is, to about $500 to $700 million per year. Since a number of countries on the continent of Europe have become accustomed to much larger aggregate increases in their reserves year by year, some adjustments could be expected. While the authorities in some of these countries might look with favor upon a position of U.S. equilibrium and somewhat slower growth in their reserves, there are voices here and abroad that express concern about the effect upon these economies of a considerable and rapid tapering off of these customary reserve increases. They would fear that domestic credit might tighten too sharply, and that this might place an additional brake on expansion, already slowing down in several continental countries, and that this could affect the level of activity in the outside world.

It is certainly true that some adjustments will need to be made in these countries for any change in capital flows to the outside world will have its economic effect, through our overall balance-of-payments position. But there are several qualifications to bear in mind. One is that these countries have for some time been facing heavy pressures on savings, on prices, and on labor supplies. Under such conditions it should be possible for these countries to absorb without adverse results a considerable part of the impact of a smaller volume of foreign receipts. Second, as noted, the amount of these receipts is small in relation to total investment and savings of the European economies. Third, the movement of reserves frequently seems to be the dependent variable in the equation. Especially in recent years, persistent reserve increases seem in some cases not to have been the result of policies directed specifically toward the external accounts, but rather a byproduct of action taken to dampen domestic inflationary pressures.

Actually the growth in liquidity in the past 10 years has been concentrated largely in the surplus industrial countries. When we look at the position of international reserves and their recent growth, we are struck at once by the really phenomenal enlargement of reserves in the industrial countries, excluding the United States and the United Kingdom. From the end of 1953 to the end of 1964, the gold and foreign exchange reserves of eight leading industrial countries in the Group of Ten and Switzerland rose from $10.6 to $27.6 billion, or by $17 billion. This amounted to nearly tripling their total reserves.

Moreover, during this period, while these countries increased their reserves in gold and foreign exchange, the rest of the world lost about $3 billion of reserves in this form.

It is especially worthy of note that the demand of these countries for gold to add to their reserves, at $12 billion, was about twice the availability of new monetary gold supplies for the world as a whole. This was made possible only by large-scale transfers of gold to them from U.S. reserves.

I do not attempt today more than to sketch out some of the relationships between international capital flows and our balance-of-payments and liquidity problems. As and when our balance of payments shows continuing strength, some of the uncertainties that have to date surrounded the liquidity problem should begin to clear. We can then see what we face, once the all-embracing screen of the massive U.S. deficit has been lifted and moved aside. The essential questions that will have to be answered are: What will be the reserve needs of the world? How much will the major industrial countries require in the form of gold? and What will they be willing to take into their reserves in addition to gold?

There are a number of technical possibilities for creating additional reserve assets to meet these or other situations in the future. They involve essentially an agreement or understanding among monetary authorities to treat a particular type of credit claim, either on another country or on an institution, as a monetary reserve asset.

One method, frequently mentioned, is the further extension of the technique of reciprocal acquisition of currencies, as in the short-term swaps of the Federal Reserve, but for a long-term. Each country then regards its claim on the other partner as a reserve asset. The countries could also issue special securities to each other, with appropriate provisions as to maturity, interest rates and exchange protection.

Another approach would be a further evolution of the present reserve claims on the International Monetary Fund. These claims are drawing rights that countries have obtained, and can use virtually at will, as a result either of having paid gold subscriptions to the Fund, or from the use of their currencies by the Fund to extend credits to other countries. The Managing Director of the Fund, Mr. Schweitzer, has recently indicated how this might be done, either by increasing the present readily available drawing rights or by creating special claims on the Fund to be used as reserve assets.

Other suggestions have been made involving more restrictive procedures, both as to participation and governing rules. I do not propose to comment in any detail on any of these approaches. However, I would like to underline some of the characteristics of any approach which seem to me especially significant.

First, additional or new reserve assets should be accepted as such by the major industrial countries. Second, they should be held as reserve assets without directly or indirectly leading to a reduction in reserve currencies or other supplements to gold reserves. That is, they should not accentuate demands on gold. Third, the method of providing additional reserves should be in general evolutionary, in the sense of general public acceptance with a minimal disturbance of financial and exchange markets and with especial care to avoid encouragement to gold hoarding and gold speculation. Fourth, a balance would have to be achieved between the fears of some that creation of international reserves becomes too easy, with a general overexpansionary effect on world supplies of money and credit, and those who fear that international decisions would be too cumbersome and too restrictive. There are, of course, many other questions that might divide proponents of this or that technique, or appeal to particular countries, including the always important questions of who participates in the benefits and responsibilities of reserve creation, and how they are shared.

Reserve assets, once created, in a satisfactory way or ways, could be shifted from country to country and earned or borrowed in ways similar to gold, reserve currencies, or existing claims on the Fund. That is, they could make possible the simultaneous existence of surpluses among the major countries, including the United States, in excess of new monetary gold supplies, and without redistribution of existing gold reserves or cancellation of other reserve assets. They would then be true supplements to existing reserves.

A consensus may not emerge easily or quickly. For the world has to date relied essentially on gold and reserve currencies, and the public everywhere tends to be cautious and pragmatic in monetary matters. Money is peculiarly sensitive to public acceptance and public confidence.

We shall not find answers to these questions overnight. Indeed, the answers can probably evolve only as they are shaped and molded by the actual course of monetary history in the making. What we must insure is that the monetary authorities of the world have a common awareness of the type of problem which may arise as dollars become more scarce and have a common objective of shaping the evolving international monetary system in a cooperative way to the benefit of the sound economic aspirations of developed and developing nations alike.

OPERATION FRIENDSHIP

Mr. DODD. Mr. President, on June 18, 20 chapters of the Virginia Jaycees joined in a motorcade to Fort Bragg, N.C.

This cooperative effort, known as Operation Friendship, was worked out so as to make available to the people in the outlying villages of Vietnam, donations of clothing and other supplies that are important to them.

Approximately 35 pickup trucks, vans and station wagons, either owned or borrowed by the Jaycees, brought to the Army Special Welfare Center at Fort Bragg clothing, soap, canned food, simple garden tools, vegetable seeds, blankets, medical items, school, and other supplies that are needed by people in the back country villages of Vietnam.

These items were specifically requested by our forces who are working with the Vietnamese people, so we have assurances that the villagers will receive and use these supplies.

I understand that Operation Friendship is an outgrowth of a pilot project undertaken at Fort Bragg by the wives of men in Vietnam.

These wives had heard from their husbands about the tremendous need of Vietnamese villagers for clothes, for simple garden implements, and other items which we take for granted but they often do not have.

The Vietnamese villagers have shown great appreciation for these donations and I think that the demonstration of American sympathy for these people through projects such as Operation Friendship can have a great and favorable impact on the attitude of the average Vietnamese men and women toward the United States.

The United States is doing more than its share to keep the Communists from taking over South Vietnam.

I know the great majority of the Vietnamese people realize and fully appreciate this.

But I do not think anything can make a better and more lasting impression on these people than the personal approach of helping them with their daily needs and problems.

I am very pleased that this project was a successful one.

I would hope that other private groups in other States would undertake similar projects as a demonstration of the American people's sympathy for the Vietnamese people in their fight to preserve the freedom and the independence of their country.

THE BANK FOR INTERNATIONAL SETTLEMENT'S ANNUAL REPORT—WRONG ON HIGHER INTEREST RATES; RIGHT ON URGENT NEED FOR LIQUIDITY

Mr. PROXMIRE. Mr. President, I want to call attention to the newly released annual report of the Bank for International Settlements, and to comment on certain of its findings.

The Bank for International Settlements makes highly valuable observations concerning the need to find new ways of increasing international reserves, now that the United States is in the process of bringing its balance-of-payments deficits to an end. The report states:

> The continuous deficit of the United States since the early 1950's has provided a cover for other countries; when it is eliminated, the need for an adequate margin for increasing reserves, which would at the same time finance reasonable balance-of-payments swings by acceptable means, is likely to become clearly evident before too long.

The Bank for International Settlements presents a useful listing of the difficulties of restructuring the international monetary system, but, aside from suggesting some highly general guidelines, has disappointingly little to say about the specific improvements that should be made. The report notes:

> While there is no dearth of suggestions, it must be said that a simple, self-evident solution to these problems does not stand out as a shining light. For the time being, the don'ts are more evident than the do's. Thus, to infringe sovereignty is not acceptable; neither is utilizing liquid resources for long-term capital needs; neither is meeting the overall needs of the system by financing persistent deficits; and neither are schemes which upset market confidence or give large reserve-holding countries a needless potential for exporting inflation.
>
> All this does not mean that cooperative means will not be found to meet real needs when they arise. For, without the complication of an excessive U.S. deficit, it should not be impossible to improve existing arrangements and to devise new ones which offer reciprocity, coverage of exchange risks, and flexibility in the terms of the asset-liability relationships, and at the same time incorporate safeguards against abuse. The point is that we are likely to see the system develop by an evolutionary process of concrete and limited steps in several directions, rather than by enactment one bright day of a new model system. It is not in the nature of the case that institutional arrangements can be perfectly logical or that financial problems can be definitely solved. To banish financial difficulties, the only permanent way is barter; and to banish balance-of-payments difficulties, the only permanent way is autarky.

I feel that the time for generalizations and vague allusions to evolutionary developments is rapidly coming to a close, and that we must make tangible progress to put the system on a firmer footing. As Secretary Dillon said in his Middlebury College address:

> A strengthened international monetary system must be installed before it is needed, and not after the crash.

The Bank for International Settlements report contains a significant passage on the constructive role the dollar has played in international finance, which I hope will be studied carefully by the European countries. The Bank for International Settlements finds that the U.S. balance-of-payments deficits "made possible the reestablishment of European reserves in the 1950's. This, in turn, greatly facilitated the rapid reconstruction and economic expansion of Europe and the achievement of high employment levels." And the report notes that in the 1950's "the moderate increase in U.S. liabilities to foreign official holders reflected the initiative of other countries to build up reserves rather than an initiative by the United States to finance its deficit."

However, I am concerned by, and strongly disagree with, the Bank for International Settlement's observations concerning U.S. monetary policy. The report states that our balance-of-payments deficit "is itself prima facie evidence that credit policy has been excessively easy." It further notes:

> In the United States, the active domestic expansion generated by the tax reductions gave the opportunity for tighter monetary policy to help the external position, but little was done along this line.

To my mind, we may have done too much to tighten credit and raise interest rates already. We are now in the 52d month of expansion following the cyclical downturn that ended in February 1961. This is the longest peacetime expansion on record. Already, concern is evident that the economy may falter in the months ahead. We still have excessive unemployment and underutilized plant facilities. We are still not achieving our full economic potential.

I believe that monetary policy can and should be used to sustain our economic expansion, not abort it, and that it should support other policy measures to push our economy to the limits of its potential. Moreover, I believe that this is entirely compatible with controlling our balance of payments.

Our interest rates are high now. Corporate borrowers of the highest standing must now pay the highest interest rates in 30 years on their long-term bonds. Long-term Government bonds are at their highest yield level in 30 years, save for a brief period in late 1959 and early 1960, during the Eisenhower administration, when the Federal Reserve, with its usual Midas touch and unerring sense of bad timing, tightened credit and pulled the country into a recession. Short-term rates are also at or near peak levels. The trend of interest rates has been up since 1961. And, as I stated on the floor several days ago, the indications are that the Federal Reserve is further tightening credit and attempting to push rates even higher. This is unwise. It imperils the economic well-being of our country without contributing appreciably to the solution of our balance of payments problem.

The Joint Economic Committee has carefully examined the interest rate sensitivity of international capital movements. It found no convincing evidence that significant amounts of short-term capital move chiefly because of interest rate differentials. On the contrary, the studies made available to us suggested that interest rates and interest rate changes play a relatively minor role, in and of themselves, and that other considerations, such as speculative fears, are much more important.

The Europeans see things differently. They clearly feel that interest rates are very important for regulating the balance of payments, and they have long criticized us for what they believe is an easy credit policy. But if they feel that interest rates are so important for international equilibrium, why have they tightened credit and raised interest rates at the same time that they are in balance of payments surplus?

The Bank for International Settlements report is critical of these countries. After scoring the deficit countries for their alleged shortcomings, the report observes:

> In the surplus countries, also, appropriate fiscal measures, for example, have often been avoided because of political considerations, while the burden of containing inflation was left to monetary policy—to the detriment of international equilibrium.

In its 1964 report on the U.S. balance of payments, the Joint Economic Committee was critical of the monetary policies of surplus countries. The committee stated:

> The monetary and fiscal policies of the surplus countries should complement those of the deficit countries with respect to the balance of payments * * * it is inconsistent for them to counsel the United States to seek economic growth with a restrictive monetary and expansionary fiscal policy so that incentives for capital outflow will be reduced, while they counter inflation with tight money policies and high interest rates rather than restrictive fiscal policies.

Mr. President, I ask unanimous consent to have printed in the RECORD the Bank for International Settlements comments on the international monetary system and the conclusions of its report. In addition, I ask unanimous consent to include in the RECORD an excellent editorial from the New York Times on the Bank for International Settlements report.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MONETARY DANGER SIGNAL

Another warning that the West faces a possible collapse of its monetary system has been issued—this time, by the authoritative

Bank for International Settlements. Its annual report calls for an international monetary truce; it insists that the major financial powers must agree on reforms of the international monetary system if serious trouble is to be avoided.

The Bank for International Settlements does not agree with those in Europe who fear that a monetary breakdown might come as a result of the chronic deficits being run up by the United States and Britain, the two key currency countries. Instead, it holds that the real danger lies in the shortage of liquidity that is likely to occur once Britain and the United States manage to erase their deficits. This is because the British and American deficits have been largely responsible for the increase in international liquidity—the amount of gold and currency reserves for settling international transactions. If the deficits are wiped out, there may not be enough liquidity to maintain the expansion of trade and economic development.

Yet, even though the disappearance of the U.S. deficit may threaten a liquidity shortage, the Bank for International Settlements believes that Washington must press its campaign to reduce the outflow of dollars. It criticizes the Johnson administration for its predilection for low interest rates which spur an outflow of funds.

At the same time it condemns the European bias in favor of high interest rates, which act as a lure for funds. The Bank for International Settlements thinks that countries in deficit must move faster to correct their imbalances but that countries with a surplus must show greater willingness to make use of the funds that they gain.

In essence, the Bank for International Settlements wants both sides to exercise more responsibility toward each other. It fears that monetary history will repeat itself if they pursue the beggar-thy-neighbor tactics that proved so disastrous in the period between World Wars I and II. The Bank rules out a revival of the gold standard, suggesting that it is preferable to build on the cooperative framework now in existence than to start all over from scratch. But it is clearly concerned that cooperation is less than it should be.

Those who are alarmed about the international monetary system are no longer voices in the wilderness. They have become a mounting chorus. Yet there are still few signs that their warnings are being heeded. In the past, reforms have always followed crisis. Now, the major powers have an opportunity to act before crisis strikes. There is a vital need to increase liquidity over the long term, but first they must see to it that no shrinkage in the liquidity presently available results from a shutting off of the dollar drain.

BANK FOR INTERNATIONAL SETTLEMENTS 35TH ANNUAL REPORT APRIL 1, 1964, MARCH 31, 1965

DEBATE ON THE INTERNATIONAL MONETARY SYSTEM

After a year of intensive study, three reports on the international monetary system were published in the summer of 1964. They have contributed to a deeper understanding of the mechanics of the system, but in clarifying various points of view they have also sharpened the controversy about what is wrong and what ought to be done.

The report of the nonofficial economists is very helpful in searching out the assumptions and value judgments which lie behind the diversity of views in the economics profession. It does not aim, however, at agreed proposals to guide the future of the system.

The study by the IMF concentrates on possible extensions of IMF facilities to supply liquid resources for the overall requirements of the system as well as to countries in need. While the ideas are stimulating, they are not in the form of concrete proposals for immediate action.

The Group of Ten report presents official views on the matter. While it ostensibly deals with more distant quantitative requirements of the system, the background of the U.S. deficit inhibited commitments for the future which might have practical implications for the present. Its negotiated language also reflects differences in attitudes toward the present functioning of the system, differences that have been highlighted by statements at the Tokyo meeting of the IMF and subsequently. Despite affirmation in the report that the system has shown great flexibility and that international liquidity is adequate for present needs, an impression emerges that action to improve matters is required but that there is little agreement about which way to go.

The proposals of the Group of Ten represent a compromise close to stalemate. It was agreed, first, that Working Party No. 3 of the OECD, with the help of information gathered by the Bank for International Settlements and of discussions among the Governors, should exercise multilateral surveillance over the financing of external deficits and surpluses. This may be considered a positive step which should help focus discussion on the essential questions. It recognizes that bilateral financing and liquidity creation affect the system as a whole and are therefore a proper subject for multilateral discussion. While the surveillance does not infringe any country's sovereignty, it is intended to bring international opinion to bear, not just on the means of financing employed, but on the deficits and surpluses that the financing facilitates. It was, in a sense, a counterbalance to the second proposal, namely, that of supporting an increase in IMF quotas. The 25 percent general increase, later agreed upon, was itself a middle course between the much larger and much smaller quota increases that various countries favored. The other two proposals agreed to by the 10 were that studies be undertaken of the process by which deficits and surpluses are adjusted and of possible new reserve assets; these steps in effect postpone questions that could not be resolved during the peceding year and which, under present conditions, are not likely to be resolved by a few months of further discussion.

While more notice has been taken of the impasse on what the future changes in the international monetary system should be, the fundamental debate is on what the real problems of the system are. In the face of disagreement on the problems, it is indeed difficult to agree on their solution. In effect, the various solutions offered move in rather opposite directions, so that the balance of forces tends to result in a standstill.

The issue hinges on the character of the balance-of-payments disequilibria, with the persistent U.S. deficit being the principal casus belli. To oversimplify somewhat, one side believes that balance-of-payments deficits can usually be reversed only over a considerable period of time—especially as there is not an equivalent compulsion on the surplus countries to adjust their surpluses. They consider it inappropriate to use corrective measures that interfere unduly with domestic economic growth—let alone those which would cause internal deflation or unemployment. Furthermore, they have disliked direct controls over capital movements and have all but excluded exchange rate changes as a means of adjustment, especially for reserve currencies. Hence, they consider that international reserves must be amply supplemented by borrowing facilities to give enough time for longer term adjustments in the domestic economy.

For the other side, all this is an excuse for feeble measures. They believe the deficit countries are overcautious in using monetary and fiscal policy to help the adjustment process and that they give excessive priority to the domestic situation. Consequently, this side considers that the surplus countries have been left to make the adjustment through imported inflation. They accept the idea of direct capital controls in case of need and consider that a deficit caused by capital outflows, apart from a sudden flight of funds, should not be financed by international assistance. Although less shocked by the idea of exchange rate adjustments, they naturally hesitate in practice to judge particular cases as fundamental disequilibria. As they see it, borrowing facilities should have rather strict limits, for if the surplus countries continue to finance the deficit countries there will never be an end to it.

The two bones of contention, therefore, are the adjustment process and international liquidity. While appraisal of these questions must be a matter of judgment rather than of definitive proof, the experience of various countries over the past decade throws much light on them.

The adjustment process

With regard to the adjustment process, it is abundantly clear that imbalances cannot simply be left to correct themselves with the passage of time and that effective policy measures must be brought to bear. But it is equally clear that the main impediments to prompt and effective action are not economic but political. In case after case one has seen deficit countries delay action and play around with half measures while reserves were drawn down and liquid reources were borrowed from abroad—to avoid political difficulties. But, as the means of financing became scarce and a crisis developed, the doubts were somehow resolved and the policy measures that were impossible and could not work became possible and did work. In the surplus countries also, appropriate fiscal measures, for example, have often been avoided because of political considerations, while the burden of containing inflation was left to monetary policy—to the detriment of international equilibrium. To see the importance of the political factor vividly, one has only to recall some of the inconsistent policy positions that have blossomed in election years.

There is, to be sure, no possibility of making stabilization policy in a political vacuum. But it should be feasible, nonetheless, to improve on present practice. It is evident, for example, that the whole mechanism of the annual budget, which involves forecasting economic developments a year to 18 months in advance, and which largely freezes fiscal policy over that period, is no longer adapted to the role that fiscal changes have to play in the management of the economy. This inflexibility could be reduced by delegation of circumscribed powers to the stabilization authorities, which would also give a more technical character to current policy action. In present circumstances, however, the political brake on the adjustment process does support the case of the advocates of international hard money—as the liquidity pinch seems so often the only spur to action.

On the other hand, there have been cases of disequilibrium in recent years that, even with prompt action, would have taken a certain time to overcome. Full employment, economic growth and price stability do deserve priority and it is evident that neither deficit nor surplus countries are willing wholly to sacrifice these objectives to external balance. Indeed, the difficulties of reconciling objectives arise because all countries want to maintain a shock-absorbing cushion around the domestic economy to isolate it in some degree from outside forces. But, if there is to be any sort of adjustment process, domestic priorities cannot be absolute; emphasis of policy must be able to be shifted at times to promote correction of external disequilibrium.

So far as the current account is concerned, the difficult situation occurs when the cost and price level has become somewhat out of line and thereby weakened the competitive position of the economy. In such a situation, exports tend to lag and rising imports tend to deteriorate the current external balance. The adjustment process requires that domestic incomes, particularly wages, be held in check for some period of time while the continuous rise in productivity operates to strengthen the competitive position. Both wage policy and some ease in the labor market have been effective in a number of cases in securing this result, though in other cases the standard achieved for wage restraint has been too lax to accomplish much. To correct the disequilibrium of this kind between two large areas, as between the United States and Western Europe a few years ago, some upward movement of prices in the surplus countries also helps the adjustment process.

All this means that an adjustment of cost levels cannot be accomplished overnight, even though signs of improvement should emerge without unreasonable delay. If action produces no results, then either it is not action or the problem is one of an overvalued currency. And, of course, if the price of the currency is to be a matter of prestige, the price of foodstuffs a matter of politics and the price of labor a matter of monopoly—with some cartel pricing thrown in here and there—one may wait a long time indeed for the adjustment process to show itself.

For imbalance due to excessive flows of capital funds, the outstanding case since the restoration of convertibility has been that between the United States and continental Europe, complicated by the rapid growth of the Euro-dollar market. The classic remedy of narrowing interest differentials seemed indicated and some progress was made in this direction by 1963 with regard to short-term rates. But with the United States reluctant to effectively tighten domestic liquidity and Western Europe shifting to monetary restraint to combat inflation, first Europe and now the United States has introduced special techniques to limit excessive capital flows.

In order that the authorities may have a margin of freedom to use monetary policy for domestic purposes, it does seem that they need to be able to have some means of control over flows of capital funds to help manage the balance of payments. At the same time, the use of such measures is a retreat from convertibility which holds dangers of its own. It would be unfortunate if the policymakers in both the deficit and the surplus countries should wholly succumb to this easy way out, instead of experimenting more daringly with the mixture of fiscal and monetary policy that the logic of convertibility calls for. There is a true equilibrium for a market economy, and national policies cannot be considered successful unless they are providing the incentives to market forces to move toward it. It must be recognizd that such a true equilibrium of interest rates and capital flows can likewise be attained only through a relatively slow process of adjustment and structural change, unless other objectives are drastically sacrificed.

To sum up the matter, experience indicates that neither side in the debate on the adjustment process has the whole truth. While perhaps the main difficulty has been that countries have been dilatory in promoting equilibrium, it is also clear that there have been situations of imbalance that could not have been overcome in the short run in the best of circumstances. Access to international credit to finance such swings was essential, even though the swinging could have started earlier and gone faster. To improve the adjustment process it is necessary for the pot to stop calling the kettle black and to get down to realistic appraisal of respective adjustment responsibilities.

It is relative to the adjustment process that a return to the gold standard by the principal countries has recently been advocated. The idea is that the gold exchange standard allows inconspicuous financing of the reserve centers' deficits until a danger point is reached, and that their policy action would be firmer if they had to use gold at an early stage. There is some truth in this argument and indeed it may be said that the relatively lax use of the gold exchange standard has had inflationary consequences, although this is in no way unavoidable. In any event, several considerations limit the appeal of the gold standard.

First, the practice of holding foreign assets in reserves arose not from a formal decision but from the free choice of central banks, motivated by the benefits that they found in doing so. To give up the practice would also be to give up the benefits—which include not only the possibility of holding earning assets in reserves but also having access in case of need to a large international banking center, the flexibility of which would be very much restricted if it were threatened with loss of gold for every large foreign borrowing on its market. For the system as a whole, it is evident that the gold exchange standard made possible the reestablishment of European reserves in the 1950's. This, in turn, greatly facilitated the rapid reconstruction and economic expansion of Europe and the achievement of high employment levels. In this period, when there was widespread discrimination against dollar goods and a general condition of dollar shortage, the moderate increase in U.S. liabilities to foreign official holders reflected the initiative of other countries to build up reserves rather than an initiative by the United States to finance its deficit.

Second, any of the main countries has a combined reserves and credit potential that allows it to exercise a major impact on its trading partners. This would not be greatly different under the gold standard from what it is under the gold exchange standard, unless credit were drastically curtailed in the system. In this context, it can be noted that since the end of 1960, as the rise in official dollar balances was becoming excessive, the policy of the main central banks has limited further increase. Since that time, in spite of continuing U.S. deficits, the accumulation of dollars by the European central banks in the Group of Ten has accounted for only a small part of the U.S. official financing—under a milliard dollars. The bulk has been through gold sales and overt use of credit such as IMF facilities, Roosa bonds and debt prepayment by foreign countries, with swings financed through the swap network.

Of course, with purely mechanical rules and elimination of international credit in the system, the effect of the gold standard would be to give overriding priority to external adjustment over domestic considerations. This, however, would be to reverse the longer-term progress that has been made toward achieving multiple policy objectives and it is not likely that either debtors or creditors would risk it. Few advocates of the gold standard would be in favor of complete automaticity. To attempt to impose such a system on a broad scale would be more apt to lead countries to explore payments systems reducing the role of gold than to insure its exclusive status.

International liquidity

With regard to liquidity, the Group of Ten report concluded that the present amount was fully adequate for overall needs but that a shortage was likely some time in the future, given the limited supply of new gold for reserves and the prospect that dollar holdings would not increase at their former pace.

With a U.S. deficit of large size, the increase in gross reserves in the system has necessarily been large and, indeed, contributed to the inflationary tendency in the surplus countries. Hence, it is easy enough to agree that a better balance in payments, rather than liquidity, is the pressing problem of the system. To say this more forcefully, it is not so much the system that has been at fault as the policies countries have followed in using it.

Behind this, however, is a sharp difference of views. For some countries, the present "adequacy of liquidity" means that there is already enough and that a hardening of international credit is essential if the payments disequilibrium is to be ended. A similar attitude developed in the later stages of the European Payments Union in the face of persistent imbalance. For other countries, however, the present "adequacy of liquidity" means not only the existing size of aggregate reserves but the process by which this aggregate could be increased through use of credit facilities. To them, this use of international credit arrangements is the essential factor which prevents a general liquidity shortage and allows payments swings to be financed.

Because of this difference of opinion about the present situation, no agreed view on the future mechanics of reserve creation has emerged, even though it is accepted that a future problem is likely.

This future problem has two aspects. The aspect on which attention has usually focused concerns the mass of overall reserves With limited increase in new gold and in holdings of reserve currencies, this mass will tend to shrink in relation to the expected rising volume of international transactions. A possible shortage of liquidity arising in this way, however, does not seem particularly pressing for two reasons. First, the functional relationship between the volume of transactions and the volume of reserves cannot be demonstrated and is necessarily rather vague. Secondly, this ratio would be only marginally reduced by the changes in any one year, so that it would take considerable time to affect the system as a whole. From this standpoint, then, there is little force to fears that world monetary liquidity may not keep pace with the demands of expanding trade or to complaints that the process of reserve creation is haphazard.

The other aspect of the problem concerns the norm for the annual increment to reserves. As countries generally would like to stay on the right side of equilibrium, and as it is quite appropriate that they aim normally at a moderate increase in reserves, this aspect of the matter would be likely to be more immediate.

In the system at present, new gold output (or dishoarding) is the only asset which provides increased reserves without some country or other being in deficit. This is because gold is a current-account export for the gold-producing countries, whereas other reserve assets arise from credit transactions which involve liabilities corresponding to increases in reserve assets. But, at the same time, no country is expected to pile up liquid liabilities continuously and no country can be pleased to be in deficit for an extended time. Equilibrium in the system may, therefore, be defined as a situation in which the sum of all countries' surpluses is equal to the annual flow of gold into reserves and no countries are in deficit.

The flow of gold into reserves has been running at under $650 million a year, and, even without unusual private hoarding, it would not be much larger. It is hard to envisage that, at any given time, the sum of surpluses of the Group of Ten—let alone of all convertible currency countries that happened to be in surplus—could normally be limited to the amount of new gold alone, even with the deficit countries pursuing active policies of adjustment. Monetary policy for a sizable group of countries cannot be expected to secure such precise results. To the extent that it did not, the difference would be reflected in deficits of other countries. One might say that deficits in the countries which happen to form the weakest links in the chain are almost a norm of the system. From this standpoint, the continuous deficit of the United States since the early 1950's has provided a cover for other countries; when it is eliminated, the need for an adequate margin for increasing reserves, which would at the same time finance reasonable balance-of-payments swings by acceptable means, is likely to become clearly evident before too long.

While there is no dearth of suggestions, it must be said that a simple, self-evident solution to these problems does not stand out as a shining light. For the time being, the don'ts are more evident than the do's. Thus, to infringe sovereignty is not acceptable; neither is utilizing liquid resources for long-term capital needs; neither is meeting the overall needs of the system by financing persistent deficits; and neither are schemes which upset market confidence or give large reserve-holding countries a needless potential for exporting inflation.

All this does not mean that cooperative means will not be found to meet real needs when they arise. For, without the complication of an excessive U.S. deficit, it should not be impossible to improve existing arrangements and to devise new ones which offer reciprocity, coverage of exchange risks and flexibility in the terms of the asset/liability relationships, and at the same time incorporate safeguards against abuse. The point is that we are likely to see the system develop by an evolutionary process of concrete and limited steps in several directions, rather than by enactment one bright day of a new-model system. It is not in the nature of the case that institutional arrangements can be perfectly logical or that financial problems can be definitively solved. To banish financial difficulties, the only permanent way is barter; and to banish balance-of-payments difficulties, the only permanent way is autarky.

CONCLUSION

While the economic situation in both North America and Western Europe over the past year was generally one of high activity, the problems that policy had to contend with vis-a-vis both the domestic economy and the balance of payments were quite different in the United States, the United Kingdom, and the continental countries.

In the United States, domestic activity was given a strong impulse by a large reduction in taxes, with the result that output continued to expand at a rapid rate. It is noteworthy that the present expansion phase of the business cycle has now lasted for 4½ years, making it the longest peacetime upswing in U.S. history. This record has been made possible not only by well-designed public policy, aimed at stimulating market forces, but by the well-balanced response of the private economy itself. Wage increases have generally remained within the limits of the rise in productivity, and price stability has been maintained. In addition, the increases in the various components of investment and consumption have not shown the kind of distortions that often marked previous business cycles. While unemployment is still a problem, its level has been significantly reduced from that of a year ago. At the present time the outlook is for a continued expansion.

The main problem for the United States in the past year was again with respect to the balance of payments. For most of the year the situation appeared to be much improved, as the current account showed a more favorable balance and as the interest equalization tax on purchases of foreign securities seemed to be keeping the outflow of capital within bounds. But the capital outflow increased substantially in the fourth quarter of 1964, particularly in the form of bank lending, and clearly called for new measures to restore a reasonable balance. The method chosen by the authorities in February 1965 was a program of voluntary restraint covering not only banks but the external activities of other financial institutions and large industrial firms. The initial response to this program has been favorable, but it would be premature to say that its success in solving the persistent balance-of-payments problem is already assured. For one thing, the immediate improvement was achieved in large part by a reflux of funds from abroad which were at high levels after the large outflow of the previous 4 months.

For another, an enduring success for the program implies not only reaching a balance in the external accounts but strengthening the U.S. reserve position. A persistent effort will be needed to insure this result.

In the United Kingdom economic policy over most of the past year was aimed at maintaining an adequate rate of growth of domestic activity, so as to escape from the relative stagnation that had characterized so much of the past decade. In view of the fact that industry was at some disadvantage in international competition, it was recognized that this effort involved a risk to the balance of payments. However, it was hoped that by combining larger gains in productivity with restraint on wage increases the external deficit would be kept within bounds and that it would be overcome by increased competitiveness without too long a delay.

However, the forces of demand proved to be more powerful than anticipated. In particular, there were unusually large increases in both public and private investment, as well as in purchases of durable consumer goods, especially motor cars. This situation led to a large external deficit as imports soared and the export potential was restricted by heavy domestic demand. At the same time, unemployment declined sharply and the pressure on the labor market was shown by a much higher rate of wage increases.

The authorities first tried to deal with the situation by acting primarily on the external deficit through a temporary surcharge on imports—still hoping that the basic position of sterling would be restored by longer term measures. But this approach led to a loss of confidence in sterling and to a large flight of funds from London. Very substantial outside assistance was required to maintain the exchange stability of the currency and Bank rate was raised to 7 percent to help stem the outflow.

With the budget speech of April 1965, it may be said that a policy of restraint to demand became definite and the tax increases in the budget were soon followed up by measures to contain sharply the expansion of bank credit. In addition, very strong assurances were given of the Government's intention to maintain the parity of sterling. In these circumstances the market position of the currency has improved—and indeed the current external deficit is much less than it was a year ago. However, wages have been increasing at a high rate and a deficit in the balance of payments well into 1966 is anticipated. Hence, it is clear that the restrictive policy will have to be maintained in the months ahead, and it may have to be strengthened.

In continental Western Europe the authorities over the past year have generally been maintaining or reinforcing measures to bring inflationary pressures under control. This effort has had some degree of success, although the situation cannot yet be said to be satisfactory. Wholesale prices are much closer to stability than was the case a year ago and the rise in consumer prices is perhaps only half of what it was. For wages, however, the rate of increase is still quite large, despite the rather easier situation in the labor market in some countries. This condition points to the need for all parties to cooperate in an effective income policy to enable all to benefit by adequate growth with financial stability. Many of the countries have reached the point where further deterioration in their competitive position could involve difficult balance-of-payments problems.

For some time now the expansion of production in many continental countries has been much more moderate, partly as a result of steps taken to curb inflation, and it is evident that its increase this year will be less than last year. There are countries such as Italy and, to a lesser extent, France where there is now an unused margin of available resources. Policy steps to stimulate fuller resource utilization have been limited, however, by the danger of setting off a new round of price increases.

In the past few months the payments imbalance between the United States and Europe has been considerably lessened—as a direct result of the voluntary restraint program in the United States as well as of special measures in various continental countries to limit the inflow of capital. While one can see the necessity at times for using such direct steps to keep control over capital flows, one must be concerned about these limitations on free convertibility. It is not only that their effectiveness could weaken after a time but that they imply that capital flows, more so than other elements in the balance of payments, are the appropriate route for adjusting overall imbalances. Hence, there is a danger of growing distortions if the underlying disequilibrium in interest rates and the availability of capital funds is neglected. In the United States the active domestic expansion generated by the tax reductions gave the opportunity for tighter monetary policy to help the external position, but little was done along this line. In Europe, similarly, the need for domestic restraint might well have been met to a greater extent by fiscal and budgetary measures, thereby allowing a higher priority in monetary policy for external considerations. As it happened, however, little correction of the international monetary disequilibrium could be expected from the rising trends of interest rates which occurred.

This point is relevant to the debate that has been going on for several years over the international monetary system—with few signs that opposing points of view are being resolved. As a variety of arrangements have been utilized to finance the deficit countries, it has been abundantly clear that the difficulties were not in any shortage of liquidity but in the process of adjusting the principal deficit and surplus positions. And as the process of adjustment cannot be expected to take place automatically, the weakness has been in the national policy measures directed to this end. Primary responsibility in this matter will always rest on the deficit countries, although surplus countries cannot escape their share of the task if the financial system is to function effectively.

For the first time in some years there is some prospect of a substantial reduction in the payments imbalance between the United States and Europe. If this occurs, the potential problem of inadequate means for increasing reserve assets may come closer to reality. From the standpoint of aggregate reserves, it would be likely to take considerable time before the system as a whole were short of liquidity. But from the standpoint of the annual margin for increasing reserves, various countries might feel themselves adversely affected after a rather shorter time. A situation of balance in the external position of the reserve currencies would provide the conditions for more fruitful discussion of this problem.

Respectfully submitted.

GABRIEL FERRAS,
General Manager.

JUVENILE DELINQUENCY — PRODUCT OF A NEGLECTED CHILDHOOD AND OF UNWANTED CHILDREN

Mr. GRUENING. Mr. President, when the junior Senator from Maryland [Mr. TYDINGS] appeared before the Government Operations Committee's Subcommittee on Foreign Aid Expenditures, to testify on behalf of Senate bill 1676, to coordinate and make available birth-control information, on request, he said:

> In our cities and large suburbs, we all too often see the most costly effect of unwanted children. Juvenile delinquency is the product of a neglected childhood.

The able Senator called to the attention of the Subcommittee on Foreign Aid Expenditures an excellent article on juvenile delinquency, written by J. Edgar Hoover, Director of the Federal Bureau of Investigation, in which Mr. Hoover stated:

> Boys and girls who have known little or no real family life invariably long for the security of a genuine home. Subconsciously aware that they are being cheated, they do not understand exactly how life has failed them. So these youngsters react blindly and compulsively, striking out at society in general. This is the beginning of juvenile delinquency.

Mr. Hoover has called for a "realistic appraisal of local weaknesses which are a detriment to the cause of decency. Inadequate police budgets, lack of playgrounds in crowded residential areas, obsolete juvenile detention facilities, weakness in existing laws, overcrowded schools, and lack of supervised recreation programs are among the many dangerous conditions which prevail in all too many cities across the Nation."

Mr. Hoover pinpointed an appalling and growing problem. The Subcommittee on Foreign Aid Expenditures is hopeful that during the course of hearings on Senate bill 1676, Mr. Hoover will share his knowledge with the subcommittee.

The population explosion is compounding the problems so accurately enumerated by Mr. Hoover in his October 26, 1964, article, published in "This Week" magazine.

I ask unanimous consent that the full text of the June 23 statement by the Senator from Maryland [Mr. TYDINGS] on Senate bill 1676, delivered before the Subcommittee on Foreign Aid Expenditures, of the Senate Committee on Government Operations, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, I ask unanimous consent that there be printed in the RECORD an editorial, entitled "Population Control." The editorial was published on June 26 in the Washington Post.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POPULATION CONTROL

The case for population control has rarely been stated with so much sensibility, temperance, and persuasiveness as in former President Eisenhower's letter to Senator ERNEST GRUENING, made public at the commencement of hearings on Tuesday by the Senator's Government Operations Subcommittee on foreign-aid expenditures. It says a great deal about the progress of public opinion on this delicate subject that for the first time a congressional committee has felt free to discuss it and a former President has forthrightly advocated Federal action to promote worldwide understanding of contraception as a means of limiting population growth.

The change in feeling about this subject was expressed also in Mr. Eisenhower's frank acknowledgment that he had changed his own mind about it. Ten years ago he felt that it was no part of the American Government's function to help other nations achieve "a partial stabilization of their numbers." He soon became convinced, however, he wrote to Senator GRUENING, that foreign aid would be futile without "parallel programs looking to population stabilization." His present position is summed up with deference for the feelings of others, but, nevertheless, with conviction and force in this passage from his letter:

> I realize that in important segments of our people and of other nations this question is regarded as a moral one and therefore scarcely a fit one for Federal legislation. With their feelings I can and do sympathize. But I cannot help believing that the prevention of human degradation and starvation is likewise a moral—as well as a material—obligation resting upon every enlightened government.
>
> If we now ignore the plight of those unborn generations which, because of our unreadiness to take corrective action in controlling population growth, will be denied expectations beyond abject poverty and suffering, then history will rightly condemn us.

Mr. GRUENING. Mr. President, the Washington Post has properly commended former President Eisenhower for his statement to the subcommittee, in which he "forthrightly advocated Federal action to promote worldwide understanding of contraception as a means of limiting population growth."

EXHIBIT 1

STATEMENT BY SENATOR TYDINGS BEFORE SUBCOMMITTEE ON FOREIGN AID EXPENDITURES, OF THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS, CONCERNING S. 1676, JUNE 23, 1965

Mr. Chairman, as a cosponsor of the bill before the subcommittee, I am delighted to be here to express my support.

Let me say at the outset that much of my enthusiasm stems from the nature of the company in which I find myself in this pioneering effort. The chairman of this subcommittee, the distinguished Senator from Alaska, deserves the lion's share of the credit for the formulation of S. 1676 and for the spadework which paved the way for its introduction. His was among the first voices raised in this country in warning against the perils of the soaring birth rate, both here and abroad. In 1963, he and the distinguished senior Senator from Pennsylvania, Mr. CLARK, made history when they introduced their resolution calling for increased Federal population control research and thus became the first Member of the Congress to speak to the issue on the floor of either House.

We in the United States have developed a comfortable attitude to the population explosion. We generally view it as a problem which applies to many other nations of the world but not to us. To be sure, we voice alarm at the staggering and continual increase in the numbers of people on this globe. But we tend to view the problem principally as it affects our efforts to aid in the development of emergent nations.

This is certainly a serious aspect of the problem. Like Alice in Wonderland, running faster and faster to stay in the same place, the underdeveloped countries of the world are caught on the treadmill of rising population. All too often an increase in their gross national product is negated by an even greater increase in population. By providing for the creation of an Office for Population Problems in the Department of State, S. 1676 will make available to the underdeveloped nations information and technical assistance in the area of population control. Hopefully this aid will make a significant contribution toward ending unchecked population growth.

I cannot agree with those domestic optimists who insist we have no cause for alarm here at home. I believe that many of the most pressing problems our country today faces stem from too rapid population growth. It is for this reason that I am especially anxious to see the establishment of the proposed new Office for Population Problems within the Department of Health, Education, and Welfare, as provided in section 3 of S. 1676.

The recent report of the National Academy of Sciences emphasized the fact that the major problem of population control lies in "the condition of high fertility among low income groups." In a key statement, which I believe will become the central issue in the consideration of the bill before the subcommittee, the report concluded:

"The freedom to limit family size to the number of children wanted when they are wanted is, in our view a basic human right. The evidence cited in this report shows clearly that most Americans of higher income and better education exercise this right as a matter of course, but that many of the poor and uneducated are in effect deprived of the right."

I agree with this statement. I think it is essential that we give all segments of our society the opportunity to exercise birth control. And it is clear that in one segment, among the poor and the ill-educated, we are not providing this opportunity.

The cost of overpopulation here at home has been and will continue to be great: poverty, delinquency, overburdening of our educational system, the gradual strangulation of our recreational facilities, and the deterioration of our social services.

In bearing sons and daughters we take the responsibility for their support. In an agricultural society, children are sometimes considered an asset, for they can help to do the work. But in an increasingly urban society, the simple truth is that too many children can become an overwhelming economic burden. Too many children can give birth to poverty.

A study of poverty in America, "In the Midst of Plenty," by Ben H. Bagdikian, notes the case of one woman with a large family, Mrs. Rebecca Franklin. He reports:

"Her husband died of injuries in an automobile accident 6 years ago and left her with 12 children, ages 6 to 27. The youngest eight are still at home.

"Because she cooks for others, Mrs. Franklin assumes that her own food costs nothing. She spends $30 a week for the children's food, or 70 percent of her income. At times she has enough for the 25 cents a day the children need for a hot lunch at their school but usually they are limited to 3 cents a day for milk. If there have been extra expenses during the month, on the last few days before the check, they eat only bread, salt pork, and cane sirup. The children have never been to a doctor or a dentist."

In our cities and large suburbs, we all too often see the most costly effect of unwanted children. Juvenile delinquency is the product of a neglected childhood.

Mr. J. Edgar Hoover, in an article on juvenile delinquency which appeared in the

October 26, 1964, issue of This Week magazine, noted that "boys and girls who have known little or no real family life invariably long for the security of a genuine home. Subconsciously aware that they are being cheated, they do not understand exactly how life has failed them. So these youngsters react blindly and compulsively, striking out at society in general. This is the beginning of juvenile delinquency."

In proposing solutions to the problem of juvenile delinquency, Mr. Hoover suggested "a realistic appraisal of local weaknesses which are a detriment to the cause of decency. Inadequate police budgets, lack of playgrounds in crowded residential areas, obsolete juvenile detention facilities, weakness in existing laws, overcrowded schools, and lack of supervised recreational programs are among the many dangerous conditions which prevail in all too many cities across the Nation."

As a member of the Committee on the District of Columbia, I have been particularly conscious of the effects of too many people living closely together in an urban setting; lack of playgrounds in crowded residential areas; overcrowded schools.

I have listened to much speculation, Mr. Chairman, as to the causes of the delinquency. I have considered many possible ways of attacking this phenomenon. And there are many ways. But I keep returning to one central thought: in our society there is no effective solution to the crime and delinquency problem which does not include prevention of the births of unwanted children.

What we must do, Mr. Chairman, is communicate our knowledge of birth control practices to the poor and uneducated of the world, and to the next generation. Donald Bogue, in his article, "Population Growth in the United States," noted that:

"If this unwanted and excessive growth is to be avoided, the fertility limitations needed to stop it must be accepted by the children of today (who are 10 years of age and under) when they grow to adulthood and by all future generations of children. Fertility levels are greatly influenced by the family values inherited by children from parents and religious leaders. The time to begin the program of education and guidance which these children need in order to live in the demographic world of the 21st century is not the year 2000, but now."

Let me be perfectly clear, Mr. Chairman, that I do not advocate, and this bill does not provide for, making birth control information available to persons who by reason of religious conviction, or otherwise, do not choose to practice family planning. That is their sacred right and privilege, and I respect it. But I feel equally strongly that the available medical information on the subject of human fertility should not be denied the poor, the uneducated or the illiterate family that wishes to limit its growth.

It is encouraging to note the change in the attitudes of the American public and the executive branch of our Government during the past 5 years. We need only look back to 1960, when a report prepared under the auspices of the Center for the Study of Democratic Institutions began by saying: "Americans are hopelessly divided on the subject of birth control." If we look back to that time, we must indeed be gratified by the change we have witnessed in the intervening years.

But we cannot rest upon the advances that have been made. It would indeed be an irony, Mr. Chairman, if, amidst the stunning advances in knowledge which have taken place in this century, we were not able to make available to the people of the United States and the rest of the world what we know about family planning. I believe that S. 1676 is an important first step in our efforts to meet this new challenge, and I urge the subcommittee to report this important bill favorably.

GOV. MARTIN TURNS BLAND: "SOME OBSERVATIONS ON MONETARY MATTERS"

Mr. PROXMIRE. Mr. President, I call attention to Mr. Martin's speech at Rutgers University on June 25 in which he commented discursively on monetary matters. What is most notable about this speech is its bland, almost soothing, timbre in contrast with Mr. Martin's celebrated recent "disquieting similarities" lecture on monetary history.

Mr. Martin develops the theme that central banking is an art rather than a science, and states his belief that "never again will the United States be able to ignore its balance of payments in formulating domestic economic policies."

I find some reassurance in Mr. Martin's statement that:

> I do not know—and neither does anyone else—whether in the period ahead the present posture of monetary policy will prove to be exactly right, or will need some further firming or some easing.

For this suggests that the possibility of easing credit conditions will be pondered by our monetary artists along with the case for tightening money before new decisions are made. From 1963 to date interest rates have been sounder though gently moving one way—up. Meanwhile the President and Congress have driven the other member of the economic policy hopes, fiscal policy, in a precisely opposite direction with a series of tax cuts. So while fiscal policy has been expanding our economy, monetary or interest-rate policy has been contracting it—and the alibi has been our balance of payments.

Mr. Martin had some interesting observations of our balance-of-payments position and the international monetary system. He said, "We do not acccept the view that the U.S. deficit is responsible for inflation in Europe." I am happy to agree with Mr. Martin. But I cannot fully accept the next point he makes, that "we do not accept the view that our balance-of-payments deficits are caused by forces outside the control of the United States." To be sure, we have a major responsibility for the condition of our international accounts. But since our balance of payments involves the entire range of our international economic relations with other countries, what they do is also important in determining whether we are in surplus or deficit. The Joint Economic Committee in its investigations of the U.S. balance of payments found that countries in balance-of-payments surplus resort to numerous policies which contribute to our deficits and aggravate international financial disequilibrium. These policies include quantitative restrictions on imports, control on capital exports, and encouragement or tolerance of conditions in their capital markets which divert the demands for credit of foreign borrowers to the United States, restrictions on tourism, export subsidies, and high-interest-rate policies.

The Joint Economic Committee found, in its 1964 Report on the U.S. Balance of Payments, that "international equilibrium is the responsibility of all nations—surplus as well as deficit countries." It noted that "* * * with some exceptions, deficits and surpluses are not the result of the policies of any single country. Most often, they result from the interaction of the policies of many nations, those in surplus as well as those in deficit." These comments are obviously applicable to the United States. Let us not deceive ourselves and let us not take on ourselves more than our proper burden of responsibility or blame. Other nations, through their policies, have contributed importantly to our international payments difficulties. But I agree with Mr. Martin that we have to restore equilibrium to our balance of payments, despite the actions of other countries which make that objective difficult to attain.

Mr. Martin concluded his speech with some general observations on changing the international monetary system. He said that any proposal for changing this system must respect the reserve and medium of exchange functions performed by the dollar, and "must avoid the introduction of incentives to convert dollar holdings into gold." He cautioned against excessive reliance on gold, and emphasized that the international monetary system must be flexible rather than rigid. He said that:

> Any change in the international payments system must respect the monetary sovereignty of individual countries.

These considerations led him to conclude that:

> If and when the need is felt for additional reserve assets, there is much to be said for adapting the Fund mechanism to this purpose and building upon its tested and respected institutional framework.

I ask unanimous consent to have the full text of Mr. Martin's address printed in the RECORD, along with an excellent review of his earlier speech, "Does Monetary History Repeat Itself" by Professor Samuelson. This review, printed in the Washington Post of June 27, exposed the meager basis in fact and analysis of Mr. Martin's "disquieting similarities between our present prosperity and the fabulous twenties."

Professor Samuelson concluded his remarks by saying:

> Personally, I found detailed study of Martin's text reassuring. It revealed no hidden weaknesses. It produced no convincing evidence of imminent overheating of the economy. On the basis of its evidence, no good case can be made for a shift toward contractionary monetary policy. I hope that all members of the Open Market Committee, Martin not excluded, will reread and ponder its true significance.

I also ask unanimous consent to have printed in the RECORD a New York Times report that the supply of money climbed sharply in June, following a decline in May. I hope that this is an indication that the Federal Reserve will again heed the country's needs for a money supply that expands in pace with the growth of the economy.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SOME OBSERVATIONS ON MONETARY MATTERS

(Address by William McChesney Martin, Jr., Chairman, Board of Governors of the Federal Reserve System, at the 29th annual commencement of the Stonier Graduate School of Banking, Rutgers University, New Brunswick, N.J., June 25, 1965)

No activity is more important than education, and no part of education is more absorbing than that in which all of you here have been engaged: fostering understanding of the world of business and finance and the nature of the economic process—the process by which people make their living.

Those of you who have participated as students and as teachers in the vital undertaking of the Stonier Graduate School of Banking deserve the commendation—and the admiration—of us all. You have mine, without reservation.

I might also say you have my envy for having had so inspiring a setting for your work at this distinguished university in which, over the two centuries since its founding in 1766, many generations have worked in utmost dedication to preserve and advance the cause of the liberal arts.

That, and the fact that Rutgers University is an institution older than the American Republic itself, tempts me to reach back in time and dwell upon the glory that was Greece in the Age of Pericles and the grandeur that was Rome in—and beyond—the Age of Augustus.

But recent experience has taught me to be wary. If I should venture to compare our life and learning today with that of Greece in the fifth century, B.C., or that of Rome in or after the first century B.C. or A.D., I am sure there would be some who—no matter what I said about differences as well as similarities—would interpret my remarks as a prediction that we will be overrun by barbarians—and in a matter of minutes, at that. Nor will I venture comparisons with historic periods in the American past. If I should so much as mention the year 1814, for example, I daresay there would be some to accuse me of advocating that the city of Washington be put to the torch again.

But I am not discouraged by that. Instead, I am heartened by the capacity for sober understanding that has been evidenced to me in recent days by many thoughtful men and women, throughout our country. So I'd like to talk to you today, neither as prophet nor advocate, but simply as one who hopes that some observations by a fellow student may have some value, however small, for the studies that you have been pursuing.

In your careers in this school of banking, I am sure you have discovered, as I too have done, that it is more than merely possible for reasonable men to disagree on the correct course for monetary policy to follow at any given time to best discharge all of its responsibilities.

In monetary policy as in all other matters, judgments must necessarily be based on incomplete information: The data available reflect at best the situation of yesterday, and more frequently of last week, last month, last quarter. Even if our information were completely current, there would always be some uncertainty about its meaning for the future, even with such aids as surveys of spending intentions. Interpretation would be handicapped by our inability to comprehend all pertinent relations among the innumerable elements of our economy—and by the ambiguity of many of those elements themselves. A slight rise in prices may be a momentary flurry that will soon reverse itself in the absence of any action, or it may be the first sign of inflationary pressure that will generate a dangerous spiral unless offset by firm policies.

The practical impossibility of obtaining fully up-to-date or complete information to act upon, of building an operational theory that would incorprate all the variables to be found in a modern economy in all their interrelations, and of excluding errors of evaluation—all these factors help to explain why central banking remains an art rather than a science, although intensive research is advancing our ability to measure and understand economic behavior.

It is doubtful, however, that anyone will ever be able to devise formulas that can provide infallible guides to monetary action. For example, the same data can have very different significance under different circumstances. In 1958, when the United States began to show a large deficit in its international accounts, that deficit should certainly not have been given the same weight as in early 1965, when the persistence of a large deficit over more than 7 years was threatening the maintenance of international confidence in the stability of the dollar. When price fluctuations have for some time been mild and without clear trend, a given rise in the price level is not as ominous as when the increase has been going on for some time and is showing a tendency toward acceleration.

These problems, incidentally, seem to me to show not only that central banking is an art rather than a science but also that, as an art, it is the art of the middle way. At all times, the central banker needs to be aware of the risk that the country might slide into either inflation or deflation. At all times he will be subject to criticism that he is leaning too far to one side or the other, and he will be urged to do the exact opposite of what he is doing at the moment. Hence, he will always be in the middle, in more than one sense of the word.

In the United States, our internal economic activity is so much larger than our international business that—until recently—many observers have tended to regard our balance of international payments as an almost negligible consideration. But those who did not know it earlier have come to know now that even the United States cannot live in isolation from the rest of the world, since the flow of funds to and from foreign countries is inextricably connected with the flow of funds within our economy. In other words, sustained economic growth requires not only domestic financial stability—which means neither an insufficient nor an excessive supply of credit and money—but also international financial stability, which has special requirements of its own.

On the domestic front, the 1960's have thus far been a period of almost continuous progress, and, as I have sought recently to stress, we ought to be bending every effort—and taking every precaution—to keep it that way. But, as I have also sought recently to stress, continuation on our upward course can be assured only if monetary disturbances are avoided in international as well as in domestic accounts. And it has been in the international sector that monetary policy—like U.S. financial policy in general—has recently been faced with its most urgent and difficult problems.

Whatever may have been the case in the past, I suspect that never again will the United States be able to ignore its balance of payments in formulating domestic economic policies. There is no once-for-all solution either to the problem of maintaining balance in our internal economic expansion or to the problem of maintaining balance in our external payments. Constant effort is required.

The Federal Reserve has not been unmindful of these problems. In an effort to discourage capital outflows to other countries, the System began very gradually to lessen monetary ease as soon as recovery from the recession of 1960–61 enabled such action. But the System has continuously proceeded with great care, lest in trying to reduce the spillover of funds abroad, it deprive the domestic economy of funds needed to finance expansion.

Since President Kennedy's balance-of-payments message in July 1963, the general operations of monetary policy have been supplemented by selective actions aimed at curbing flows of capital from the United States to foreign countries. At first, these actions were taken exclusively in the field of taxation, in the form of the interest equalization tax on long-term nonexport credits to residents of developed countries other than Canada. As you know, this tax initially was applied only to lenders other than banks. Then the interest equalization tax was extended to banks under the so-called Gore amendment following President Johnson's balance-of-payments message in February 1965. This message also led to the institution of the voluntary foreign credit restraint efforts for which the Federal Reserve, after consultation with the Treasury, has been issuing guidelines for banks and for other financial institutions.

Compliance with these guidelines has provided the Federal Reserve with somewhat more leeway to make day-to-day adjustments in monetary policy than might otherwise have been the case.

I do not know—and neither does anyone else—whether in the period ahead the present posture of monetary policy will prove to be exactly right, or will need some further firming or some easing; that will depend on the way events develop, for the simple reason that monetary policy must always be adapted to meet changing circumstances. In any event, it should be clear that the use of selective measures to improve our international payments position has not made the prudent use of general monetary policies any less essential for the preservation of stability in our economic system.

It should be equally clear, however, that while our circumstances require a reduction of the recent massive volume of capital outflow they do not require, even now, that we eliminate capital outflows altogether. There are sound reasons for that: as the country with the highest per capital income in the world, the United States is likely to have a larger flow of savings and better developed capital markets than less affluent societies; and as the country with the world's largest stock of capital equipment and most advanced tools of modern technology, the United States is likely to have a less urgent demand for investment than countries that are still trying to catch up with the latest developments. Accordingly, we should be able to maintain payments equilibrium in the face of a capital outflow, and therefore in the face of some lasting differential between credit conditions in this country and most others. Such a differential is, in fact, inherent in the preeminent position of the United States in the world economy.

It now appears that, under the initial impact of the voluntary restraint program and related temporary measures, our international accounts have actually been about in equilibrium for the past 3 or 4 months. Interest rates in some foreign countries, especially in the so-called Euro-dollar market, have been under some upward pressure, but there has been no lack of investment funds abroad. It does not seem unreasonable to expect that, over time, a relation between the levels of interest rates and other credit conditions among the major industrial countries can be established that would hold U.S. capital outflows, even without selective measures, to amounts compatible with international payments balance without any threat to continued expansion of domestic economic activity and of international commerce.

Clearly, the task will be the simpler, and success the surer, the more that central banks of the major countries are willing to cooperate in such an effort. We shall not surrender our ability to follow monetary policies that are appropriate according to our own judgment, and neither will any other country. But we have shown our willingness to consult on the proper aims of balance-of-payments policies so as to avert the danger of mutually inconsistent actions—which were the bane of the interwar period.

The last few years have seen the steady growth of international financial cooperation. The Federal Reserve has initiated a network of mutual currency arrangements under which 11 countries can receive from us, and are willing to make available to us, short-term accommodations in case of need in a total amount of $2.6 billion. The Federal Reserve also participates in periodic meetings with central bankers of the major European countries, and with those of our sister republics in the Western Hemisphere. Together with the consultations within the framework of the International Monetary Fund and the Organization for Economic Cooperation and Development—which Federal Reserve officials attend as members of the U.S. delegations—these meetings provide an unprecedented opportunity for working together in the common interest of the free world.

Most recently, a study group set up by the 10 major members of the International Monetary Fund, in which again Federal Reserve representatives play a part, has been concerned with plans to improve our international payments system. I do not know what will be the final outcome of these endeavors. But it may not be amiss for me to say something now about the broad principles that ought to guide us as we give consideration to proposed changes in international monetary arrangements. This whole question is intimately intertwined with the problem of the U.S. balance of payments and with the results of its improvement.

Change, development, progress are the law of life. There is no reason for any of us to insist on maintenance of the status quo. Although the present international monetary system has served the world very well, it, like all institutions, must evolve and adapt to changing circumstances.

The formal justification for the current intergovernmental examination of proposals to change international monetary arrangements is that a major source of new reserves will disappear as the U.S. balance of payments moves from substantial deficit toward surplus. Ever since the end of World War II, the United States has supplied the rest of the world with more dollars than were needed to make current payments to this country. In the earlier years, this excess supply of dollars—which went out in the form of U.S. purchases abroad, Marshall plan and other aid, military outlays and private capital flows—was a welcome addition to the reserves of other countries. More recently, since the late 1950's, these additions to foreign reserves have been excessive. In other words, our balance of payments deficit has been too large and too long-lasting. It has become the sword of Damocles over both our domestic expansion and the international payments mechanism.

Elimination of the deficit in our balance of payments—an objective to which the entire U.S. Government is firmly committed—will certainly deprive the rest of the world of an automatic supply of reserves. And there has been a widening area of agreement that gold production alone is neither so large nor so predictably available to monetary authorities as to provide for the needed growth in international reserves over time. Thus an end to U.S. deficits may well call for some supplementary means of supplying countries with reserves.

It would be a mistake, however, to think that European initiatives toward the creation of new reserves assets are purely a response to the prospect of an end to U.S. deficits. We must recognize that the motivation runs deeper. If we are to act intelligently and in a spirit of international cooperation we must fully understand the attitudes of other countries, and especially the viewpoints of the large industrial countries. I do not wish to imply that there is a unified view abroad, even in Continental Europe, on the international monetary system. There are broad differences among countries and perhaps even among officials of individual countries. Nevertheless a common thread of opinion runs through the fabric of European monetary thinking and I shall try first to point it up and then to make some comments about it.

First of all, there is a widespread view in Europe that the deficit in the U.S. balance of payments must be curbed. This view is expressed in different ways at different times. Some of our European friends have at times attributed Europe's inflation to the inflow of dollars. Others have complained about excessive U.S. investment in their countries, a process by which Americans are said to acquire factories and other productive facilities in Europe while the monetary authorities of the countries concerned acquire dollars in the form of U.S. Treasury bills or bank accounts. Still others have complained that they hold more dollars than they wish but are not really free to convert dollar receipts into gold for fear of shaking confidence or jeopardizing their relations with us.

Related to these expressions of dissatisfaction with our balance of payments is, in some countries, a deeper dissatisfaction with the existing monetary system in which the U.S. dollar serves not only as a national currency, but also as an international medium of exchange and store of value. The status of the dollar as a reserve currency is regarded by some European observers as a source of special advantage for the United States, since in contrast with other countries, we create new international money when we have a deficit. Others in Europe complain that the amount of new reserves created as a consequence of U.S. deficits does not necessarily correspond to the reserve needs of other countries; what they seek is a more systematic means of creating international reserves.

I turn now to some comments on these European attitudes. Just as there is a range of opinion in Europe on these matters, there is also a diversity of views among Americans. Some of our countrymen believe that in the present system we have the best of all possible worlds; others go so far as to blame most of the ills of our economy in recent years on the international monetary system.

We can all agree with the European view that the U.S. balance of payments must be brought back to equilibrium as soon as possible; indeed, the President's message of February 10 is a clear and unequivocal statement of this agreement.

We do not accept the view that the U.S. deficit is responsible for inflation in Europe. Most Americans who have studied the matter, and many Europeans also, see the causes of European inflation right in Europe. By the same token, we do not accept the view that our balance-of-payments deficits are caused by forces outside the control of the United States. We fully accept our responsibility to demonstrate our ability to manage our own affairs in a way which will justify confidence in our currency.

As to American investment in Europe, I would say that insofar as this is a problem, it is quite independent both of the U.S. balance-of-payments situation and of the nature of the international monetary system. Those who complain about U.S. direct investment would probably complain about it just as loudly if U.S. payments were in balance; those who welcome it, do so regardless of the state of our balance of payments.

Whatever the differing attitudes of countries regarding the composition of their reserves between gold and foreign exchange, it it a fact of financial life that all countries use reserve currencies—especially the dollar—in their exchange markets. Thus countries in balance-of-payments surplus inevitably find their dollar balances increasing; the monetary authorities of countries in deficit must sell dollars in their exchange markets to support their exchange rates. This almost universal use of dollars by monetary authorities is a reflection of the widespread employment of the dollar by private traders and financial institutions, even in transactions that do not involve the United States. The use of the dollar as a reserve is closely related to its function as a medium of exchange, and reflects as well the predominant position of the U.S. economy and the ready convertibility of dollars into gold at the established price of $35 per ounce. Certainly any proposal for changing the international monetary system must respect these functions performed by dollars and must avoid the introduction of incentives to convert dollar holdings into gold.

Whether other countries do or do not wish to continue to use the dollar as a reserve currency is of of course up to them. The United States does not insist that other nations accumulate dollars to meet their reserve needs. Nor does the U.S. claim that the amount of dollars that flow abroad as a result of our balance-of-payments position necessarily or automatically corresponds to the needs of the rest of the world for currency reserves. In this connection we at the Federal Reserve can well understand those who say in effect that international money will not manage itself.

Though we try to understand the attitudes of some of our more critical friends in Europe, and though we do not insist on maintenance of the status quo, we are casting a careful eye on the various proposals for new forms of reserve creation. In their anxiety to curb the ability of the United States to incur balance-of-payments deficits, some of our friends would turn back the clock of monetary history toward an excessive reliance on gold. Such a system, whatever its specific technical form, would impose on the world too restrictive a monetary climate, which could inhibit international trade and economic growth.

The international monetary system must be flexible rather than rigid. It must be adaptable to the differing and, over time, changing needs of the various countries. It would be a great mistake to act as if all countries were alike in their size, structures, policies, and values. Any change in the monetary system must recognize the great diversity that exists among countries, even among the major industrial countries. And any such change must be an evolutionary one, preserving and building upon the valuable elements of the existing system.

In particular, any change in the international payments system must respect the monetary sovereignty of individual countries. I have stressed that monetary policy in the United States cannot be formulated in isolation from the world beyond our borders; we must reconcile domestic and balance-of-payments objectives in pursuing the art of central banking. But as long as nations remain as independent entities, with separate power of decision over economic policies, monetary policy too must remain in national hands. And, within the context of international financial cooperation, the right of each country to make bilateral arrangements should be preserved. It is notable, in all these connections, that membership in the International Monetary Fund, and participation in supplying and using the Fund's resources, is quite consistent with the retention of monetary sovereignty.

The central role that the International Monetary Fund now fills makes it a natural repository for any new monetary functions that may merit consideration. Gold tranche positions in the Fund, which are usable virtually on demand by countries in deficit, are already widely regarded as reserve assets. If and when the need is felt for additional reserve assets, there is much to be said for adapting the Fund mechanism to this purpose and building upon its tested and respected institutional framework. To rely on such an evolution of the International Monetary Fund, rather than to establish a rival center in the international monetary field, would help to assure that any innovations undertaken would contribute to world prosperity without disturbing market processes, violating national sovereignty, or disrupting international cooperation.

[From the Washington Post]

The Cure Came First—Antidote for William McChesney Martin's Gloom Provided 2 Days in Advance

(By Paul A. Samuelson, professor of economics, Massachusetts Institute of Technology)

Last month in this column, I produced a cure looking for a disease. I provided the antidote to William McChesney Martin's gloomy diagnosis for the American economy—2 days before he gave it in his Columbia University speech.

Most speeches before alumni are forgotten by the time the throats of their orators are moist again. But the steady fall of the Dow-Jones averages these past weeks suggests that Martin, head of the Federal Reserve Board, is a man to influence people, even if he loses a few fair-weathered friends in the process.

I should like to examine the text of Martin's address. Headlines properly played up its single most important feature—the parallels to 1929 he discerned in today's economy. What is the verdict of economic analysis upon the Martin marshalling of evidence?

To set the tone, let me hail Martin as a man of considerable experience—in Wall Street, in the executive branch of Government, and as long-time Chairman of the Fed. As Martin goes, so goes the Open-Market Committee of the Reserve System—as a study of the limited number of times he has voted in the minority will make plain.

Let me also stipulate that there is nothing treasonable in pointing out weaknesses in the American economy. In 1953, in 1957, and again in 1960, keen-eyed observers such as Senator Paul Douglas, Democrat, of Illinois, were pilloried as "prophets of gloom" for predicting (correctly, as the event later proved) the onset of recession. I did not then join in throwing stones at the piano player—who was doing the best he could. Nor do I now regard it as a felony or misdemeanor for Martin to be calling the shots as he sees them. Long study of how the American economy works does not bear out the view that prosperity can be destroyed by pessimistic utterance—or for that matter can be maintained by Rotarian sweet talk.

From the standpoint of advancing the gross national product, the worst thing that Dr. Gardner Ackley or President Johnson could do would be to gloss over bad news—when such bad news becomes genuinely available. Herbert Hoover's example taught us that.

But the precise faults—"distortions"—that the economy is now accused of remain ambiguous at best. There is a Kafka-like quality to the indictment. A true bill of particulars is yet to be presented. And that is why detailed scrutiny of Martin's text is manifestly needed.

The piece begins with the trumpet motif "we find disquieting similarities between our present prosperity and the fabulous twenties." An even dozen of similarities follows, each introduced by the portentous preamble "Then as now, * * *"

To be sure, the second movement finds another dozen of "comforting" differences to balance the disquieting similarities. But by that time some of the audience must have left for the nearest brokerage office. Let us put our microscope on the likenesses.

1. Prosperity, now as then, has lasted for a long time. So, like the baseball player who has been hitting well and the client who has been staying out of jail for 40 years, a turn of fortunes must be indicated.

Years ago, Roger Babson purported to find a law of Action and Reaction in economics. It was not his finest hour, and Martin will do well not to fall for any of the simpler versions of the doctrine, "Whatever goes up must come down."

2. Underdeveloped nations, now as then, have had prices turn against them. I know of no school of economics which holds today that longevity of a business cycle depends upon reversing the trend of food and fiber prices relative to those more heavily weighted with labor services.

3. Private debt—mortgage and installment—has long been rising, now as then. Here Martin has a point worth watching—the first so far. The danger is not primarily that of foreclosures and repossessions—which show no alarming growth—but merely that part of the dollar spending that our expansion depends upon has come from growth in these items at a rate that may not continue to be maintained.

4. The money supply, bank credit, and the velocity of money have been growing, (at the same time that gold production shows slower growth than the quantum of trade). All this is true. But what is the implication? Money, credit, and velocity always go up in expansion periods. The National Bureau of Economic Research can provide dozens and dozens of typical expansion patterns like this. Without these patterns, an expansion would not be an expansion.

Does Martin think that the money supply (currency plus demand deposits) has been growing too fast. Unless we include saving deposits in the total—and I think we should give them some weight—the money total shows remarkable moderation in recent years. Bank loans provide a more legitimate concern, because they have been soaring upward. Whether they will contribute to an overheating of the economy in the months ahead is a question I shall return to.

5. and 6. Then, as now, the Federal Reserve meets criticism; then, as now, exchange rates have become stabilized after immediate postwar disruptions. What's disquieting about that? Then, as now, fall follows summer.

7, 8, 9, 10, and 11. Then, as now, international debt rose along with domestic; key reserve currencies, like the pound and (now) the dollar experienced balance-of-payments deficits; other currencies experienced surpluses, and the French remain the French; and, naturally, all this led to some disquiet among investors and academicians. In plain English this adds up to the fact that the equilibrium of the pound sterling is in doubt. And the American balance of payments, while it is improving in terms of our basic surplus on private current account and in terms of our voluntary control programs on private investment, still has not achieved its final solution. This is hardly news to Wall Street.

12. "And most importantly, then as now, many government officials, scholars and businessmen were convinced that a new economic era had opened." Actually, as Martin himself indicates later, the new era thinking in 1929 based itself on the unargued premise that capitalism had somehow transmuted itself into a stable mechanism; whereas the confidence expressed in Washington and elsewhere that the probability of chronic slump can be substantially lowered has been based upon the demonstrated pressures in a democracy to create the new money and the fiscal deficits that can end the cumulative deflations of historic laissez-faire capitalism.

Personally, I found detailed study of Martin's text reassuring. It revealed no hidden weaknesses. It produced no convincing evidence of imminent overheating of the economy. On the basis of its evidence, no good case can be made for a shift toward contradictionary monetary policy. I hope that all the members of the Open Market Committee, Martin not excluded, will reread and ponder its true significance.

[From the New York Times]

Supply of Money Climbs Sharply—Rebounds to $160.5 Billion in the First Half of June After Decline in May

Washington, June 25.—The Nation's money supply rebounded sharply in the first half of June from the decline in May, the Federal Reserve Board reported today.

Seasonally adjusted demand deposits and currency rose to $160.5 billion in the first half of June from the May level of $159.2 billion. Preliminary figures from banks that report weekly indicate a continued large increase in the last half of June, officials said.

In another report today, the Securities and Exchange Commission said individuals continued to save at a high rate in the first quarter of this year, with a growth in financial savings of $7.3 billion. This compares with a growth of $7.2 billion in the first quarter last year and $8.5 billion in the last quarter.

A feature of this year's first 3 months was a sharp shift by individuals from demand deposits to time and savings deposits in commercial banks following the raise in permitted interest rates on these deposits.

CATEGORIES GIVEN

The financial savings tabulated in the SEC report include all types of bank deposits, currency, savings and loan shares, insurance and pension reserves, Government securities, and private stocks and bonds.

Today's money-supply report showed that the stock of currency and demand deposits had risen in early June to the April level after the decline in May. The May total had been no higher than at the end of 1964.

One reason for the May dip, however, was an unusually large increase in Government deposits, which are not counted in the money supply. As these are paid out, they wind up in the privately held money supply, and some of the June rise may have been accounted for by this factor.

The report showed time deposits in the first half of June at $135.2 billion, up from $134.5 billion in the last half of May.

The savings report today showed a growth in time deposits at commercial banks in the first quarter held by individuals of $4.5 billion, partly matched by a drop of $2 billion in demand deposits. The same sort of shift occurred early in 1962 following an increase in time-deposit interest rates, the report said.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY CONSTRUCTION AUTHORIZATION FOR FISCAL YEAR 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 327, H.R. 8439, and that it be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The Legislative Clerk. A bill (H.R. 8439) to authorize certain construction at military installations, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with an amendment, to strike out all after the enacting clause and insert:

TITLE I

Sec. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparations, appurtenances, utilities and equipment for the following projects:

Inside the United States

Continental United States, Less Army Materiel Command

(First Army)

Fort Devens, Massachusetts: Hospital facilities and troop housing, $11,008,000.

Fort Dix, New Jersey: Maintenance facilities, medical facilities, and troop housing, $17,948,000.

Federal Office Building, Brooklyn, New York: Administrative facilities, $636,000.

United States Military Academy, West Point, New York: Hospital facilities, troop housing and community facilities, and utilities, $18,089,000.

(Second Army)

Fort Belvoir, Virginia: Training facilities, and hospital facilities, $2,296,000.

East Coast Radio Transmitter Station, Woodbridge, Virginia: Utilities, $211,000.

Fort Eustis, Virginia: Utilities, $158,000.

Fort Knox, Kentucky: Training facilities, maintenance facilities, troop housing and community facilities, $15,422,000.

Fort Lee, Virginia: Community facilities, $700,000.

Fort Meade, Maryland: Ground improvements, $550,000.

Fort Monroe, Virginia: Administrative facilities, $4,950,000.

Vint Hill Farms, Virginia: Maintenance facilities, troop housing and utilities, $1,029,000.

(Third Army)

Fort Benning, Georgia: Maintenance facilities, troop housing and utilities, $5,325,000.

Fort Bragg, North Carolina: Maintenance facilities, supply facilities, medical facilities, troop housing and community facilities, $4,106,000.

Fort Campbell, Kentucky: Operational and training facilities, maintenance facilities, troop housing and utilities, $1,992,000.

Fort Gordon, Georgia: Training facilities, troop housing and community facilities, $18,485,000.

Fort Jackson, South Carolina: Training facilities, maintenance facilities, medical facilities, and troop housing facilities, $17,281,000.

Fort Rucker, Alabama: Maintenance facilities, and troop housing, $3,137,000.

Fort Stewart, Georgia: Hospital facilities and utilities, $2,317,000.

(Fourth Army)

Fort Bliss, Texas: Operational facilities, administrative facilities, and community facilities, $838,000.

Brooke Army Medical Center, Texas: Training facilities, $8,300,000.

Fort Hood, Texas: Maintenance facilities, medical facilities, troop housing and community facilities, and utilities, $18,081,000.

Fort Sam Houston, Texas: Medical facilities, $1,300,000.

Fort Polk, Louisiana: Training facilities and utilities, $746,000.

Fort Sill, Oklahoma: Operational and training facilities, administrative facilities, troop housing and community facilities, $2,268,000.

(Fifth Army)

Fort Carson, Colorado: Maintenance facilities, $3,463,000.

Fort Benjamin Harrison, Indiana: Hospital facilities, troop housing, and community facilities, $4,017,000.

Fort Leavenworth, Kansas: Operational facilities and medical facilities, $2,893,000.

Fort Riley, Kansas: Maintenance facilities and utilities, $555,000.

Fort Sheridan, Illinois: Utilities, $47,000.

Fort Leonard Wood, Missouri: Operational and training facilities, and troop housing facilities, $16,084,000.

(Sixth Army)

Fort Irwin, California: Operational facilities, maintenance facilities, hospital facilities, community facilities, and utilities, $4,741,000.

Fort Lewis, Washington: Training facilities, troop housing and community facilities, $710,000.

Presidio of Monterey, California: Training facilities and troop housing, $3,046,000.

Fort Ord, California: Maintenance facilities, $974,000.

Presidio of San Francisco, California: Administrative facilities, $1,299,000.

Two Rock Ranch, California: Operational facilities, maintenance facilities, and utilities, $385,000.

West Coast Receiving Station, California: Utilities, $166,000.

Yakima Firing Range, Washington: Troop housing, $56,000.

(Military District of Washington)

Army Map Service, Maryland: Operational facilities, $182,000.

Fort Myer, Virginia: Troop housing and community facilities, and utilities, $5,409,000.

Walter Reed Army Medical Center, District of Columbia: Medical facilities and utilities, $611,000.

Army Materiel Command

Aberdeen Proving Ground, Maryland: Administrative facilities and utilities, $3,419,000.

Aeronautical Maintenance Center, Texas: Maintenance facilities, $1,941,000.

Anniston Army Depot, Alabama: Maintenance facilities, $837,000.

Bayonne Naval Supply Center, Bayonne, New Jersey: Maintenance facilities, supply facilities, administrative facilities, and utilities, $3,658,000.

Blue Grass Army Depot, Kentucky: Operational facilities and maintenance facilities, $779,000.

Cold Regions Research and Engineering Laboratory, New Hampshire: Maintenance facilities, research, development and test facilities, $1,184,000.

Fort Detrick, Maryland: Operational facilities, research, development and test facilities, and utilities, $11,771,000.

Dugway Proving Ground, Utah: Community facilities, $137,000.

Edgewood Arsenal, Maryland: Utilities, $164,000.

Granite City Army Depot, Illinois: Utilities, $56,000.

Fort Huachuca, Arizona: Troop housing, $320,000.

Jefferson Proving Ground, Indiana: Operational facilities, $52,000.

Letterkenny Army Depot, Pennsylvania: Maintenance facilities, and utilities, $2,239,000.

Lexington Army Depot, Kentucky: Administrative facilities, and utilities, $526,000.

Fort Monmouth, New Jersey: Troop housing, $586,000.

Natick Laboratories, Massachusetts: Maintenance facilities, $1,371,000.

Navajo Army Depot, Arizona: Utilities, $56,000.

New Cumberland Army Depot, Pennsylvania: Operational facilities, supply facilities, and administrative facilities, $815,000.

Oakland Army Terminal, California: Community facilities, $912,000.

Picatinny Arsenal, New Jersey: Administrative facilities, $584,000.

Pueblo Army Depot, Colorado: Utilities, $337,000.

Red River Army Depot, Texas: Maintenance facilities and utilities, $465,000.

Redstone Arsenal, Alabama: Training facilities, $1,364,000.

Rock Island Arsenal, Illinois: Administrative facilities, and utilities, $826,000.

Rocky Mountain Arsenal, Colorado: Maintenance facilities, $36,000.

Savanna Army Depot, Illinois: Training facilities, $102,000.

Sierra Army Depot, California: Utilities, $115,000.

Tobyhanna Army Depot, Pennsylvania: Supply facilities, $199,000.

Tooele Army Depot, Utah: Utilities, $340,000.

Watervliet Arsenal, New York: Utilities, $1,713,000.

White Sands Missile Range, New Mexico: Research, development and test facilities, and utilities, $473,000.

United States Army, Hawaii

Schofield Barracks, Hawaii: Maintenance facilities, troop housing and utilities, $3,175,000.

Outside the United States

Okinawa, Various: Community facilities, and utilities, $2,558,000.

Germany, Various: Operational facilities, and troop housing, $2,046,000.

Fort Clayton, Canal Zone: Utilities, $387,000.

Classified Location: Operational facilities, $2,400,000.

Sec. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $36,515,000.

Sec. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 104. (a) Public Law 86–500, as amended, is amended under heading "Inside the United States" in section 101, as follows: (1) Under the subheading "Technical Services Facilities (Ordnance Corps)," with respect to "Watertown Arsenal, Massachusetts," strike out, "$1,849,000" and insert in place thereof "$1,952,000."

(b) Public Law 86–500, as amended, is amended by striking out in clause (1) of section 502, "$80,460,000" and "$147,390,000" and inserting in place thereof "$80,563,000" and "$147,493,000," respectively.

SEC. 105. (a) Public Law 87–554, as amended, is amended under heading "Inside the United States" in section 101, as follows: (1) Under the subheading "Continental Army Command (Fifth Army)", with respect to "Fort Leonard Wood, Missouri," strike out "$8,567,000" and insert in place thereof "$9,066,000".

(b) Public Law 87–554, as amended, is amended by striking out in clause (1) of section 602, "$101,816,000", and "$150,325,000" and inserting in place thereof "102,315,000", and "$150,824,000," respectively.

SEC. 106. (a) Public Law 88–174, as amended, is amended under heading "Inside the United States" in section 101, as follows:

(1) Under the subheading "Continental Army Command (Fifth Army)", with respect to "Fort Leonard Wood, Missouri", strike out $8,163,000" and insert in place thereof "$8,737,000."

(2) Under the subheading "Army Component Commands (Pacific Command Area)", with respect to "Hawaii Defense Area, Hawaii", strike out "$150,000" and insert in place thereof "$279,000".

(b) Public Law 88–174, as amended, is amended by striking out in clause (1) of section 602, "$154,993,000", and "$199,650,000" and inserting in place thereof "$155,696,000" and "$200,353,000", respectively.

SEC. 107. (a) Public Law 88–390 is amended under heading "Inside the United States" in section 101, as follows:

(1) Under the subheading "Continental Army Command (Military District of Washington, District of Columbia)", with respect to "Fort Myer, Virginia" strike out "$4,052,000" and insert in place thereof "4,524,000."

(2) Under the subheading "United States Army Materiel Command (United States Army Weapons Command)" with respect to "Watervliet Arsenal, New York" strike out "$77,000" and insert in place thereof "$161,000".

(3) Under the subheading "United States Military Academy, West Point, New York" strike out "$20,578,000" and insert in place thereof "$27,997,000."

(4) Under the subheading "Army Security Agency" with respect to "Two Rock Ranch Station, California," strike out "$1,014,000" and insert in place thereof "$1,210,000."

(b) Public Law 88–390 is amended by striking out in clause (1) of section 602 "$241,526,000", and "$292,587,000," and inserting "$249,697,000", and "$300,758,000", respectively.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

Inside the United States

Bureau of Ships Facilities

(Naval shipyards)

Naval Shipyard, Boston, Massachusetts: Maintenance facilities, and utilities, $5,105,000.

Naval Shipyard, Bremerton, Washington: Maintenance facilities, troop housing and community facilities, and ground improvements, $1,692,000.

Naval Shipyard, Charleston, South Carolina: Maintenance facilities, $5,917,000.

Naval Shipyard, Long Beach, California: Operational facilities, maintenance facilities, and utilities, $2,931,000.

Naval Shipyard, Mare Island, California: Maintenance facilities, and utilities, $1,129,000.

Naval Shipyard, Norfolk, Virginia: Maintenance facilities, and utilities, $2,703,000.

Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Operational facilities, and maintenance facilities, $3,591,000.

Naval Shipyard, Philadelphia, Pennsylvania: Maintenance facilities and supply facilities, $3,487,000.

Naval Shipyard, Portsmouth, New Hampshire: Maintenance facilities, $998,000.

Naval Shipyard, San Francisco, California: Maintenance facilities, $450,000.

(Fleet support stations)

Headquarters, Commander in Chief, Atlantic Fleet, Norfolk, Virginia: Troop housing, $873,000.

Naval Inshore Undersea Warfare Group, Norfolk, Virginia: Utilities, $216,000.

(Research, development, test and evaluation stations)

Navy Mine Defense Laboratory, Panama City, Florida: Supply facilities, $97,000.

Fleet Base Facilities

Naval Station, Charleston, South Carolina: Operational facilities, and troop housing, $765,000.

Naval Amphibious Base, Coronado, California: Maintenance facilities, $396,000.

Naval Command Systems Support Activity, District of Columbia: Administrative facilities, $643,000.

Naval Station, Key West, Florida: Supply facilities, and medical facilities, $1,293,000.

Naval Station, Long Beach, California: Troop housing, and utilities, $2,319,000.

Naval Submarine Base, New London, Connecticut: Troop housing and community facilities, and utilities, $2,350,000.

Naval Station, Newport, Rhode Island: Maintenance facilities, and troop housing, $2,112,000.

Naval Station, Norfolk, Virginia: Operational facilities, $1,050,000.

Naval Station, Pearl Harbor, Oahu, Hawaii: Administrative facilities, and troop housing, $670,000.

Naval Submarine Base, Pearl Harbor, Oahu, Hawaii: Operational facilities, $271,000.

Naval Station, San Diego, California: Operational facilities, troop housing, and utilities, $4,508,000.

Naval Station, Treasure Island, California: Administrative facilities, medical facilities, troop housing and community facilities, and utilities and ground improvements, $1,856,000.

Naval Weapons Facilities

(Naval air training stations)

Naval Auxiliary Air Station, Chase Field, Texas: Operational facilities, and utilities, $152,000.

Naval Air Station, Corpus Christi, Texas: Real estate, $184,000.

Naval Auxiliary Landing Field, Ellyson Field, Florida: Operational facilities, troop housing, and utilities, $1,530,000.

Naval Air Station, Glynco, Georgia: Operational facilities, and troop housing, $637,000.

Naval Auxiliary Air Station, Kingsville, Texas: Operational facilities, troop housing, and utilities, $557,000.

Naval Air Station, Memphis, Tennessee: Training facilities, and troop housing, $5,792,000.

Naval Air Station, Pensacola, Florida: Maintenance facilities, administrative facilities, and utilities, $2,263,000.

Naval Auxiliary Air Station, Saufley Field, Florida: Training facilities, $664,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Troop housing, and utilities, $1,355,000.

(Field support stations)

Naval Station, Adak, Alaska: Operational facilities, maintenance facilities, administrative facilities, and utilities, $5,000,000.

Naval Air Station, Alameda, California: Operational facilities, and troop housing, $784,000.

Naval Air Station, Barbers Point, Oahu, Hawaii: Troop housing and community facilities, $521,000.

Naval Air Station, Brunswick, Maine: Operational facilities, $161,000.

Naval Air Station, Cecil Field, Florida: Maintenance facilities, and administrative facilites, $1,124,000.

Naval Air Facility, El Centro, California: Operational facilities, $400,000.

Naval Auxiliary Air Station, Fallon, Nevada: Administrative facilities and community facilities, $441,000.

Naval Air Station, Jacksonville, Florida: Operational facilities, maintenance facilities, troop housing, and utilities, $11,595,000.

Pacific Fleet Tactical Range, Kauai, Hawaii: Operational facilities, troop housing, and utilities, $1,878,000.

Naval Air Station, Key West, Florida: Operational facilities, and troop housing, $834,000.

Naval Air Station, Lakehurst, New Jersey: Training facilities, $199,000.

Naval Air Station, Lemoore, California: Training facilities, $990,000.

Naval Station, Mayport, Florida: Operational facilities, and utilities and ground improvements, $892,000.

Naval Air Station, Miramar, California: Operational facilities, maintenance facilities, and administrative facilities, $914,000.

Naval Air Station, Moffett Field, California: Operational facilities, $476,000.

Naval Air Station, Norfolk, Virginia: Maintenance facilities, and troop housing, $2,774,000.

Naval Air Station, North Island, California: Troop housing, and utilities, $853,000.

Naval Air Station, Oceana, Virginia: Operational facilities, maintenance facilities, and troop housing, $5,482,000.

Naval Air Station, Quonset Point, Rhode Island: Operational facilities, and community facilities, $509,000.

Naval Auxiliary Air Station, Ream Field, California: Troop housing, $2,024,000.

Naval Air Station, Sanford, Florida: Operational facilities, troop housing, and utilities, $7,240,000.

Naval Air Station, Whidbey Island, Washington: Operational and training facilities, maintenance facilities, and troop housing, $3,754,000.

(Marine Corps air station)

Marine Corps Air Station, Beaufort, South Carolina: Operational and training facilities, maintenance facilities, and utilities, $2,773,000.

Marine Corps Auxiliary Landing Field, Camp Pendleton, California: Operational facilities, $264,000.

Marine Corps Air Station, Cherry Point, North Carolina: Operational facilities, supply facilities, and troop housing, $4,569,000.

Marine Corps Air Station, El Toro, California: Operational facilities, supply facilities, and utilities, $659,000.

Marine Corps Air Facility, New River, North Carolina: Operational facilities, maintenance facilities, medical facilities, and troop housing, $2,587,000.

Marine Corps Air Facility, Santa Ana, California: Operational facilities, and troop housing, $2,483,000.

Marine Corps Air Station, Yuma, Arizona: Operational facilities, supply facilities, and utilities, $619,000.

(Fleet readiness stations)

Naval Ammunition Depot, Charleston, South Carolina: Medical facilities, administrative facilities, community facilities, and utilites, $1,355,000.

Naval Weapons Station, Concord, California: Maintenance facilities, and utilities, $609,000.

Naval Ammunition Depot, Oahu, Hawaii: Operational facilities, and troop housing, $597,000.

Naval Weapons Station, Seal Beach, California: Maintenance facilities, $100,000.

Naval Weapons Station, Yorktown, Virginia: Real estate, $75,000.

(Research, development, test and evaluation stations)

Naval Ordnance Test Station, China Lake, California: Operational facilities, and research, development and test facilities, $495,000.

Naval Parachute Facility, El Centro, California: Research, development and test facilities, and real estate, $2,300,000.

Naval Air Engineering Center, Philadelphia, Pennsylvania: Utilities, $155,000.

Pacific Missile Range, Point Mugu, California: Maintenance facilities, and research, development and test facilities; and, on San Nicolas Island, operational facilities, and troop housing, $2,480,000.

Supply Facilities

Naval Supply Depot, Newport, Rhode Island: Operational facilities, $726,000.

Naval Supply Center, Oakland, California: Administrative facilities, $590,000.

Marine Corps Facilities

Marine Corps Supply Center, Barstow, California: Supply facilities, $200,000.

Marine Corps Base, Camp Lejeune, North Carolina: Training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing and community facilities, and utilities and ground improvements, $7,126,000.

Marine Corps Base, Camp Pendleton, California: Training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $8,487,000.

Marine Corps Base, Twentynine Palms, California: Training facilities, $2,912,000.

Service School Facilities

Naval Academy, Annapolis, Maryland: Training facilities, and utilities and ground improvements, $9,532,000.

Naval Trainng Center, Great Lakes, Illinois: Training facilities, troop housing and community facilities, $11,457,000.

Naval Schools Command, Mare Island, California: Troop housing, $432,000.

Naval Postgraduate School, Monterey, California: Training facilities, $2,140,000.

Officer Candidate School, Newport, Rhode Island: Training facilities, $3,000,000.

Fleet Training Center, Norfolk, Virginia: Training facilities, $2,221,000.

Naval Schools Command, Norfolk, Virginia: Training facilities, $566,000.

Fleet Anti-Submarine Warfare School, San Diego, California: Troop housing, $1,212,000.

Naval Training Center, San Diego, California: Training facilities, and troop housing, $9,646,000.

Naval Schools Command, Treasure Island, California: Troop housing, $3,302,000.

Medical Facilities

National Naval Medical Center, Bethesda, Maryland: Troop housing, $800,000.

Naval Hospital, Charleston, South Carolina: Troop housing, $353,000.

Naval Hospital Corps School, Great Lakes, Illinois: Troop housing, $1,696,000.

Naval Hospital, Newport, Rhode Island: Hospital and medical facilities, $4,336,000.

Naval Dispensary and Dental Clinic, Pearl Harbor, Oahu, Hawaii: Medical facilities, $2,800,000.

Naval Hospital, Philadelphia, Pennsylvania: Troop housing, $315,000.

Naval Hospital, Saint Albans, New York: Troop housing, $718,000.

Naval Hospital, San Diego, California: Medical facilities, $1,433,000.

Communication Facilities

Naval Communication Station, Adak, Alaska: Operational facilities, and supply facilities, $303,000.

Naval Radio Station, Mount Moffett, Adak, Alaska: Operational facilities, $1,185,000.

Naval Autodin Facility, Albany, Georgia: Operational facilities, $313,000.

Naval Radio Station, Annapolis, Maryland: Troop housing, $86,000.

National Naval Reserve Master Control Radio Station, Arlington, Virginia: Operational facilities, $40,000.

Naval Communications Station, San Francisco (Stockton), California: Administrative facilities, and troop housing, $518,000.

Naval Autodin Facility, Syracuse, New York: Operational facilities, $45,000.

Naval Communication Station, Wahiawa, Oahu, Hawaii: Operational facilities, supply facilities, troop housing, and utilities, $1,248,000.

Various locations: Utilities, $2,000,000.

Office of.Naval Research Facilities

Naval Research Laboratory, District of Columbia: Research, development and test facilities, and utilities, $5,560,000.

Naval Training Device Center, Orlando, Florida: Research, development and test facilities, $851,000.

Yards and Docks Facilities

Naval Construction Battalion Center, Davisville, Rhode Island: Training facilities, community facilities, and real estate, $774,000.

Navy Public Works Center, Newport, Rhode Island: Utilities, $390,000.

Navy Public Works Center, Norfolk, Virginia: Operational facilities, $135,000.

Navy Public Works Center, Pearl Harbor, Oahu, Hawaii: Maintenance facilities, $130,000.

Naval Construction Battalion Center, Port Hueneme, California: Troop housing, $893,000.

OUTSIDE THE UNITED STATES

Fleet Base Facilities

Naval Station, Guantanamo Bay, Cuba: Operational facilities, $187,000.

Fleet Activities, Ryukyus, Okinawa: Troop housing, $1,287,000.

Headquarters Support Activity, Taipei, Republic of China: Administrative facilities, $199,000.

Naval Weapons Facilities

Naval Air Station, Agana, Guam: Maintenance facilities, and medical facilities, $138,000.

Naval Air Station, Atsugi, Japan: Operational facilities, $2,047,000.

Naval Air Station, Cubi Point, Republic of the Philippines: Maintenance facilities, and community facilities, $331,000.

Marine Corps Air Facility, Futema, Okinawa: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities and ground improvements, $1,499,000.

Marine Corps Air Station, Iwakuni, Japan: Operational facilities, and troop housing, $639,000.

Naval Air Facility, Naha, Okinawa: Administrative facilities, and troop housing, $497,000.

Naval Station, Roosevelt Roads, Puerto Rico: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities and ground improvements, $7,589,000.

Naval Station, Rota, Spain: Operational facilities, maintenance facilities, troop housing and community facilities, and utilities, $5,448,000.

Supply Facilities

Naval Supply Depot, Subic Bay, Republic of the Philippines: Administrative facilities, $120,000.

Marine Corps Facilities

Camp Smedley D. Butler, Okinawa: Training facilities, maintenance facilities, administrative facilities, and community facilities, $841,000.

Communication Facilities

Naval Radio Station, Barrigada, Guam: Operational facilities, $526,000.

Naval Communication Station, Finegayan, Guam: Operational facilities, and troop housing, $1,701,000.

Naval Radio Station, Fort Allen, Puerto Rico: Operational facilities, and troop housing, $94,000.

Naval Radio Station, Isabela, Puerto Rico: Operational facilities, and real estate, $1,237,000.

Naval Communication Station, Londonderry, Northern Island: Operational facilities, and troop housing and community facilities, $1,364,000.

Naval Radio Station, Sabana Seca, Puerto Rico: Community facilities, $603,000.

Naval Communication Station, San Miguel, Republic of the Philippines: Operational facilities, $563,000.

Naval Radio Station, Summit, Canal Zone: Operational facilities, and troop housing and community facilities, $383,000.

Various locations: Utilities, $4,500,000.

Yards and Docks Facilities

Navy Public Works Center, Subic Bay, Republic of the Philippines: Utilities, $2,078,000.

SEC. 202. The Secretary of the Navy may establish or develop classified naval installation and facilities by acquiring, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $41,099,000.

SEC. 203. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

Inside the United States

Air Defense Command

Ent Air Force Base, Colorado Springs, Colorado: Operational facilities, maintenance facilities, and troop housing, $1,348,000.

Hamilton Air Force Base, San Rafael, California: Operational facilities and troop housing, $1,297,000.

Kincheloe Air Force Base, Sault Sainte Marie, Michigan: Operational facilities, supply facilities, and community facilities, $189,000.

Kingsley Field, Klamath Falls, Oregon: Operational facilities and maintenance facilities, $258,000.

McChord Air Force Base, Tacoma, Washington: Operational and training facilities, maintenance facilities, medical facilities, and troop housing and community facilities, $3,736,000.

Otis Air Force Base, Falmouth, Massachusetts: Maintenance facilities, $700,000.

Richards-Gebaur Air Force Base, Kansas City, Missouri: Maintenance facilities, $104,000.

Selfridge Air Force Base, Mount Clemens, Michigan: Operational facilities and maintenance facilities, $117,000.

Stewart Air Force Base, Newburgh, New York: Operational facilities, $414,000.

Suffolk County Air Force Base, Westhampton Beach, New York: Operational facilities, $106,000.

Tyndall Air Force Base, Panama City, Florida: Operational and training facilities, supply facilities, and troop housing, $2,991,000.

Air Force Accounting and Finance Center

Air Force Accounting and Finance Center, Denver, Colorado: Administrative facilities and utilities, $225,000.

Air Force Logistics Command

Griffiss Air Force Base, Rome, New York: Operational facilities and research, development, and test facilities, $1,890,000.

Hill Air Force Base, Ogden, Utah: Maintenance facilities, supply facilities, administrative facilities, and community facilities, $6,258,000.

Kelly Air Force Base, San Antonio, Texas: Operational facilities, maintenance facilities, administrative facilities, and troop housing and community facilities, $5,759,000.

McClellan Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, administrative facilities, troop housing and community facilities, and utilities, $4,655,000.

Newark Air Force Station, Newark, Ohio: Utilities, $181,000.

Robins Air Force Base, Macon, Georgia: Operational facilities, maintenance facilities, administrative facilities, troop housing, community facilities, and utilities, $6,983,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Operational facilities, maintenance facilities, administrative facilities, and community facilities, $6,426,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Research, development, and test facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $11,864,000.

Air Force Systems Command

Brooks Air Force Base, San Antonio, Texas: Operational facilities, research, development, and test facilities, and troop housing, $588,000.

Edwards Air Force Base, Muroc, California: Research, development, and test facilities, and utilities, $2,004,000.

Eglin Air Force Base, Valparaiso, Florida: Operational facilities, maintenance facilities, medical facilities, troop housing and community facilities, and utilities, $2,684,000.

Holloman Air Force Base, Alamogordo, New Mexico: Operational facilities, research, development, and test facilities, supply facilities, administrative facilities, and troop housing and community facilities, $2,526,000.

Kirtland Air Force Base, Albuquerque, New Mexico: Research, development, and test facilities and community facilities, $1,517,000.

Patrick Air Force Base, Cocoa, Florida: Administrative facilities, community facilities, and utilities, $431,000.

Various Locations, Eastern Test Range: Troop housing, and utilities, $415,000.

Air Training Command

Buckley Air Force Base, Aurora, Colorado: Operational facilities, medical facilities, and utilities, $106,000.

Chanute Air Force Base, Rantoul, Illinois: Training facilities, troop housing, and utilities, $2,827,000.

Craig Air Force Base, Selma, Alabama: Maintenance facilities, troop housing and community facilities, and utilities, $1,781,000.

Keesler Air Force Base, Biloxi, Mississippi: Training facilities, administrative facilities, and community facilities, $3,567,000.

Lackland Air Force Base, San Antonio, Texas: Training facilities, troop housing and community facilities, and utilities, $5,510,000.

Laredo Air Force Base, Laredo, Texas: Operational facilities and troop housing and community facilities, $1,728,000.

Laughlin Air Force Base, Del Rio, Texas: Troop housing and community facilities, $866,000.

Lowry Air Force Base, Denver, Colorado: Community facilities, $352,000.

Mather Air Force Base, Sacramento, California: Training facilities, maintenance facilities, and troop housing and community facilities, $2,933,000.

Moody Air Force Base, Valdosta, Georgia: Operational and training facilities, supply facilities, troop housing and community facilities, and utilities, $1,782,000.

Randolph Air Force Base, San Antonio, Texas: Maintenance facilities and troop housing, $651,000.

Reese Air Force Base, Lubbock, Texas: Training facilities, troop housing and community facilities, and utilities, $1,533,000.

Sheppard Air Force Base, Wichita Falls, Texas: Training facilities, maintenance facilities, troop housing and community facilities, and utilities, $4,319,000.

Vance Air Force Base, Enid, Oklahoma: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $1,653,000.

Webb Air Force Base, Big Spring, Texas: Training facilities and community facilities, $832,000.

Williams Air Force Base, Chandler, Arizona: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $2,920,000.

Air University

Gunter Air Force Base, Montgomery, Alabama: Troop housing and utilities, $741,000.

Maxwell Air Force Base, Montgomery, Alabama: Troop housing, $770,000.

Alaskan Air Command

Eielson Air Force Base, Fairbanks, Alaska: Operational facilities and supply facilities, $601,000.

Elmendorf Air Force Base, Anchorage, Alaska: Operational facilities, supply facilities, administrative facilities, community facilities, and utilities, $3,640,000.

Galena Airport, Galena, Alaska: Supply facilities, $374,000.

King Salmon Airport, Naknek, Alaska: Community facilities, $288,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing and community facilities, and utilities, $7,837,000.

Headquarters Command

Andrews Air Force Base, Camp Springs, Maryland: Supply facilities, administrative facilities, troop housing, and utilities, $2,468,000.

Military Air Transport Service

Charleston Air Force Base, Charleston, South Carolina: Operational facilities, maintenance facilities, supply facilities, troop housing, and real estate, $3,349,000.

Dover Air Force Base, Dover, Delaware: Training facilities and maintenance facilities, $1,180,000.

McGuire Air Force Base, Wrightstown, New Jersey: Maintenance facilities and utilities, $2,094,000.

Scott Air Force Base, Belleville, Illinois: Administrative facilities, troop housing and utilities, $2,240,000.

Travis Air Force Base, Fairfield, California: Operational and training facilities, maintenance facilities, medical facilities, and community facilities $3,319,000.

Pacific Air Force

Hickam Air Force Base, Honolulu, Hawaii: Operational facilities, maintenance facilities, and troop housing and community facilities, $3,315,000.

Wheeler Air Force Base, Wahiawa, Hawaii: Community facilities, $396,000.

Strategic Air Command

Altus Air Force Base, Altus, Oklahoma: Operational facilities, $46,000.

Barksdale Air Force Base, Shreveport, Louisiana: Operational facilities, maintenance facilities, supply facilities, and troop housing, $3,015,000.

Beale Air Force Base, Marysville, California: Hospital facilities, community facilities, and utilities, $1,839,000.

Blytheville Air Force Base, Blytheville, Arkansas: Operational facilities, maintenance facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $1,792,000.

Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, hospital facilities, and community facilities, $1,785,000.

Carswell Air Force Base, Fort Worth, Texas: Operational facilities and troop housing, $662,000.

Castle Air Force Base, Merced, California: Community facilities, $49,000.

Columbus Air Force Base, Columbus, Mississippi: Operational facilities and community facilities, $306,000.

Davis-Monthan Air Force Base, Tucson, Arizona: Supply facilities, hospital facilities, administrative facilities, troop housing and community facilities, utilities and ground improvements, $4,235,000.

Ellsworth Air Force Base, Rapid City, South Dakota: Community facilities, $426,000.

Fairchild Air Force Base, Spokane, Washington: Community facilities, $187,000.

Francis E. Warren Air Force Base, Cheyenne, Wyoming: Community facilities, $263,000.

Grand Forks Air Force Base, Grand Forks, North Dakota: Troop housing and community facilities, and utilities, $4,453,000.

Homestead Air Force Base, Homestead, Florida: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $1,908,000.

K. I. Sawyer Municipal Airport, Marquette, Michigan: Operational facilities and supply facilities, $148,000.

Little Rock Air Force Base, Little Rock, Arkansas: Operational facilities and troop housing, $1,169,000.

Lockbourne Air Force Base, Columbus, Ohio: Community facilities, $565,000.

Malmstrom Air Force Base, Great Falls, Montana: Troop housing and utilities, $577,000.

March Air Force Base, Riverside, California: Operational facilities, maintenance facilities, and troop housing, $3,051,000.

McCoy Air Force Base, Orlando, Florida: Troop housing, $40,000.

Minot Air Force Base, North Dakota: Operational facilities and maintenance facilities, $109,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Maintenance facilities and troop housing, $171,000.

Offutt Air Force Base, Omaha, Nebraska: Training facilities and utilities, $389,000.

Plattsburgh Air Force Base, Plattsburgh, New York: Maintenance facilities, $126,000.

Turner Air Force Base, Albany, Georgia: Maintenance facilities, hospital facilities, and troop housing and community facilities, $4,643,000.

Vandenberg Air Force Base, Lompoc, California: Operational facilities, supply facilities, community facilities, and utilities, $691,000.

Walker Air Force Base, Roswell, New Mexico: Community facilities, $796,000.

Westover Air Force Base, Chicopee Falls, Massachusetts: Supply facilities, $298,000.

Whiteman Air Force Base, Knob Noster, Missouri: Community facilities, $218,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Operational facilities, $45,000.

Tactical Air Command

Cannon Air Force Base, Clovis, New Mexico: Operational and training facilities, administrative facilities, and troop housing, $1,823,000.

England Air Force Base, Alexandria, Louisiana: Maintenance facilities, supply facilities, and troop housing and community facilities, $1,876,000.

George Air Force Base, Victorville, California: Operational and training facilities, maintenance facilities, administrative facilities, and community facilities, $2,483,000.

Langley Air Force Base, Hampton, Virginia: Operational facilities, administrative facilities, and troop housing and community facilities, $3,696,000.

Luke Air Force Base, Phoenix, Arizona: Maintenance facilities, administrative facilities, and troop housing and community facilities, $774,000.

MacDill Air Force Base, Tampa, Florida: Operational facilities, maintenance facilities, supply facilities, administrative facilities, and troop housing and community facilities, $9,279,000.

McConnell Air Force Base, Wichita, Kansas: Operational facilities, medical facilities, and community facilities, $755,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational and training facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, ground improvements and real estate, $1,639,000.

Nellis Air Force Base, Las Vegas, Nevada: Operational facilities and supply facilities, $1,636,000.

Pope Air Force Base, Fort Bragg, North Carolina: Operational facilities, medical facilities, administrative facilities, and troop housing and community facilities, $2,560,000.

Shaw Air Force Base, Sumter, South Carolina: Operational facilities, maintenance facilities, supply facilities, and troop housing and community facilities, $1,189,000.

United States Air Force Academy

United States Air Force Academy, Colorado Springs, Colorado: Training facilities, $8,872,000.

Aircraft Control and Warning System

Various Locations: Maintenance facilities, troop housing, and utilities, $1,377,000.

Outside the United States

Air Defense Command

Various Locations: Maintenance facilities, troop housing and community facilities, and utilities, $970,000.

Military Air Transport Service

Wake Island Air Force Station, Wake Island: Supply facilities, troop housing and utilities, $1,391,000.

Various Locations: Maintenance facilities, and medical facilities, $953,000.

Pacific Air Force

Various Locations: Maintenance facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $21,935,000.

Strategic Air Command

Various Locations: Utilities, $256,000.

United States Air Forces in Europe

Various Locations: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $10,059,000.

United States Air Force Southern Command

Howard Air Force Base, Canal Zone: Operational facilities, maintenance facilities, supply facilities, and community facilities, $1,686,000.

United States Air Force Security Service

Various Locations: Operational facilities, supply facilities, medical facilities, community facilities, and utilities, $3,411,000.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $71,063,000.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided,* That the Secretary of the Air Force or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 304. (a) Public Law 88–174, as amended, is amended in section 301 under the heading "Inside the United States" as follows:

(1) Under the subheading "Air Force Systems Command", with respect to Sacramento Peak Upper Air Research Site, Alamogordo, New Mexico, by striking out "$2,889,000" and inserting in place thereof "$3,167,000".

(2) Under the subheading "Strategic Air Command", with respect to March Air Force Base, Riverside, California, by striking out "$186,000" and inserting in place thereof "$255,000".

(b) Public Law 88–174, as amended, is amended by striking out in clause (3) of section 602 the amounts of "$161,940,000" and "$491,622,000" and inserting in place thereof "$162,287,000" and "$491,969,000", respectively.

TITLE IV

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for defense agencies for the following projects:

Inside the United States

Defense Atomic Support Agency

Sandia Base, Albuquerque, New Mexico: Utilities, $188,000.

Clarksville Base, Clarksville, Tennessee: Troop housing, $36,000.

Killeen Base, Killeen, Texas: Troop housing, $45,000.

Defense Intelligence Agency

Arlington Hall Station, Arlington, Virginia: Operational and training facilities, $17,900,000.

Defense Supply Agency

Defense Construction Supply Center, Columbus, Ohio: Maintenance facilities and supply facilities, $301,000.

Defense Depot, Memphis, Tennessee: Supply facilities, $266,000.

Defense Depot, Ogden, Utah: Supply facilities, $329,000.

Defense Clothing and Textile Supply Center, Philadelphia, Pennsylvania: Administrative facilities, $950,000.

Defense Industrial Supply Center, Philadelphia, Pennsylvania: Administrative facilities, $255,000.

National Security Agency

Fort Meade, Maryland: Operational facilities and production facilities, $6,075,000.

Office of Secretary of Defense

Armed Force Radio and Television Service, Los Angeles, California: Operational facilities, $18,000.

Outside the United States

Defense Atomic Support Agency

Johnston Island Air Force Base: Research, development and test facilities, $3,688,000.

SEC. 402. The Secretary of Defense may establish or develop installations and facilities required for advanced research projects and in connection therewith may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, in the total amount of $20,000,000.

SEC. 403. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $50,000,000: *Provided,* That the Secretary of Defense, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto.

TITLE V

Military Family Housing

SEC. 501. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and trailer court facilities, in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Administrator, Housing and Home Finance Agency, as to the availability of adequate private housing at such locations. If the Secretary and the Administrator are unable to reach agreement with respect to the availability of adequate private housing at any location, the Secretary shall immediately notify the Committees on Armed Services of the House of Representatives and the Senate, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

(a) Family housing units for—

(1) The Department of the Army, two thousand and fifty units, $39,864,000:

Presidio of San Francisco, California, one hundred and fifty units.

Fort Benning, Georgia, three hundred units.

Fort Leavenworth, Kansas, fifty units.

Fort Meade, Maryland, three hundred and forty units.

Fort Monmouth, New Jersey, one hundred units.

United States Military Academy, West Point, New York, two hundred units.

Fort Jackson, South Carolina, one hundred and eighty units.

Fort Monroe, Virginia, fifty units.

Atlantic Side, Canal Zone, one hundred units.

Pacific Side, Canal Zone, three hundred units.

Fort Buckner, Okinawa, two hundred and eighty units.

(2) The Department of the Navy, four thousand five hundred and forty units, $79,950,000:

Marine Corps Supply Center, Barstow, California, fifty-two units.

Marine Corps Air Station, El Toro, California, two hundred and fifty units.

Naval Complex, Long Beach, California, two hundred units.

Naval Post Graduate School, Monterey, California, two hundred and eight units.

Naval Complex, East Bay, San Francisco, California, four hundred units.

Naval Complex, South Bay, San Francisco, California, three hundred units.

Naval Complex, West Bay, San Francisco, California, three hundred units.

Naval Base, Key West Florida, four hundred units.

Naval Air Station, Pensacola, Florida, two hundred and fifty units.

United States Navy installations, Oahu, Hawaii, three hundred units.

Naval Training Center, Great Lakes, Illinois, two hundred units.

Naval Base, Newport, Rhode Island, two hundred units.

Naval Air Station, Quonset Point, Rhode Island, two hundred units.

Naval Air Station, Corpus Christi, Texas, three hundred and fifty units.

Naval Complex, Norfolk, Virginia, five hundred units.

Marine Corps Schools, Quantico, Virginia, one hundred units.

Naval Station, Keflavik, Iceland, one hundred and fifty units.

Naval Complex, Naha, Okinawa, forty units.

Naval Station, Sangley Point, Republic of Philippines, one hundred and forty units.

(3) The Department of the Air Force, four thousand three hundred and forty units, $81,470,000.

Eielson Air Force Base, Alaska, two hundred units.

Elmendorf Air Force Base, Alaska, two hundred units.

Beale Air Force Base, California, three hundred units.

Vandenberg Air Force Base, California, three hundred units.

Ent Air Force Base, Colorado, forty-nine units.

Eglin Air Force Base, Florida, three hundred units.

United States Air Force installations, Oahu, Hawaii, two hundred and fifty units.

Scott Air Force Base, Illinois, one hundred and fifty units.

England Air Force Base, Louisiana, three hundred and fifty units.

Keesler Air Force Base, Mississippi, one hundred units.

Nellis Air Force Base, Nevada, one unit.

Cannon Air Force Base, New Mexico, one hundred and fifty units.

Langley Air Force Base, Virginia, one hundred units.

F. E. Warren Air Force Base, Wyoming, one hundred units.

Pacific Side, Canal Zone, two hundred and fifty units.

Andersen Air Force Base, Guam, two hundred units.

Goose Air Base, Newfoundland, Canada, one hundred units.

Kadena Air Base, Okinawa, two hundred units.

Naha Air Base, Okinawa, one hundred and seventy units.

Clark Air Base, Republic of Philippines, four hundred units.

Site 4–S, seventy units.

Site 6–S, two hundred units.

Site QC, two hundred units.

(b) Trailer court facilities for:

(1) The Department of the Navy, 200 spaces, $360,000.

(2) The Department of the Air Force, 400 spaces, $720,000.

SEC. 502. Authorizations for the construction of family housing provided in this Act shall be subject to the following limitations on cost, which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures:

(a) The cost per unit of family housing constructed in the United States (other than Hawaii and Alaska) and Puerto Rico, shall not exceed—

$24,000 for general officers or equivalent;

$19,800 for colonels or equivalent;

$17,600 for majors and/or lieutenant colonels or equivalent;

$15,400 for all other commissioned or warrant officer personnel or equivalent, except that four-bedroom housing units authorized by sections 4774(g), 7574(e), and 9774(g) of title 10, United States Code, may be constructed at a cost not to exceed $17,000.

$13,200 for enlisted personnel, except that four-bedroom housing units authorized by sections 4774(f), 7574(d), and 9774(f) of title 10, United States Code, may be constructed at a cost not to exceed $15,000.

(b) When family housing units are constructed in areas other than those listed in subsection (a), the average cost of all such units, in any project of fifty units or more, shall not exceed $32,000, and in no event shall the cost of any unit exceed $40,000.

(c) The cost limitations provided in subsections (a) and (b) shall be applied to the five-foot line.

(d) For all units constructed in the areas listed in subsection (a), exclusive of the project for the United States Military Academy at West Point, the average unit cost for each military department shall not exceed $17,500, including the cost of the family unit and the proportionate cost of land acquisition, site preparation, and installation of utilities.

(e) No family housing unit in the areas listed in subsection (a) shall be constructed at a total cost exceeding $28,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(f) Units constructed at the United States Military Academy, West Point, shall not be subject to the limitations of subsections (a) through (e) of this section, but the average cost of such units shall not exceed $36,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

SEC. 503. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions, or extensions not otherwise authorized by law, to existing public quarters at a cost not to exceed—

(a) For the Department of the Army, $8,000,000.

(b) For the Department of the Navy, $5,000,000.

(c) For the Department of the Air Force, $4,800,000.

(d) For the Defense Agencies, $396,000.

SEC. 504. Section 515 of Public Law 84–161 (69 Stat. 324, 352), as amended, is amended to read as follows:

"SEC. 515. During fiscal years 1966 through and including 1967, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military installations in the United States and Puerto Rico for assignment as public quarters to military personnel and their dependents, if any, without rental charge, upon a determination by the Secretary of Defense, or his designee, that there is a lack of adequate housing facilities at or near such military installations. Such housing facilities may be leased on an individual basis and not more than five thousand of such units may be so leased at any one time. Expenditures for the rental of such housing facilities may not exceed an average of $160 a month for each military department, including the cost of utilities and maintenance and operation."

SEC. 505. Section 507 of Public Law 88–174 (77 Stat. 307, 326) is amended by deleting the figures "1964" and "1965", and inserting in lieu thereof the figures "1966" and "1967".

SEC. 506. The Secretary of Defense or his designee is authorized to relocate 200 units of relocatable housing from Glasgow Air Force Base, Montana, to other military installations where there are housing shortages: *Provided*, That the Secretary of Defense shall notify the Committees on Armed Services of the House of Representatives and the Senate of the proposed new locations and estimated costs, and no contract shall be awarded within thirty days of such notification.

SEC. 507. There is authorized to be appropriated for use by the Secretary of Defense or his designee for military family housing as authorized by law for the following purposes:

(a) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, rental guarantee payments, construction and acquisition of trailer court facilities, and planning, an amount not to exceed $167,475,000 and

(b) for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payments to the Commodity Credit

Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $484,959,000.

Sec. 508. Notwithstanding the authorizations for the construction of family housing contained in section 501(a) of this Act, the total number of units of family housing which may be contracted for under authority of such action shall not exceed eight thousand units.

TITLE VI

General Provisions

Sec. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529) and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

Sec. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed—

(1) for title I: Inside the United States, $242,363,000, outside the United States, $7,391,000, section 102, $36,515,000 section 103, $10,000,000 or a total of $296,269,000.

(2) for title II: Inside the United States, $221,992,000, outside the United States, $33,871,000, section 202, $41,099,000 section 203, $10,000,000 or a total of $306,962,000.

(3) for title III: Inside the United States, $203,599,000, outside the United States, $40,661,000, section 302, $71,063,000, section 303, $10,000,000 or a total of $325,323,000.

(4) for title IV: A total of $100,051,000.

(5) for title V: Military family housing, a total of $652,434,000.

Sec. 603. Any of the amounts named in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular project that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

Sec. 604. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

Sec. 605. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Bureau of Yards and Docks, Department of the Navy, unless the Secretary of Defense determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

Sec. 606. (a) As of October 1, 1966, all authorizations for military public works (other than family housing) to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in Acts approved before August 2, 1964, and not superseded or otherwise modified by a later authorization are repealed except—

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1966, and authorizations for appropriations therefor;

(3) notwithstanding the provisions of section 606 of the Act of August 1, 1964 (78 Stat. 341, 363), the authorization for the following items, which shall remain in effect until October 1, 1967:

(a) operational and training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing and community facilities, utilities and ground improvements in the amount of $611,000 at Fort Benning, Georgia, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of July 27, 1962 (76 Stat. 223).

(b) operational and training facilities, maintenance facilities, administrative facilities, and utilities in the amount of $833,000 at Fort Bragg, North Carolina, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of July 27, 1962 (76 Stat. 223).

(c) operational and training facilities, troop housing and community facilities, and utilities in the amount of $4,241,000 at Fort Dix, New Jersey, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (First Army)" of the Act of November 7, 1963 (77 Stat. 307).

(d) training facilities in the amount of $290,000 at Fort Belvoir, Virginia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(e) operational facilities, maintenance facilities, medical facilities, administrative facilities, and utilities in the amount of $236,000 at Fort Knox, Kentucky, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(f) maintenance facilities in the amount of $449,000 at Fort Story, Virginia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(g) maintenance facilities, medical facilities, community facilities, and utilities in the the amount of $512,000 at Fort Benning, Georgia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(h) training facilities, maintenance facilities, supply facilities, medical facilities, troop housing and utilities in the amount of $1,836,000 at Fort Bragg, North Carolina, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(i) operational facilities, maintenance facilities, supply facilities, medical facilities, and administrative facilities in the amount of $553,000 at Fort Campbell, Kentucky, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(j) training facilities, troop housing and community facilities in the amount of $919,000 at Fort Irwin, California, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Sixth Army)" of the Act of November 7, 1963 (77 Stat. 308).

(k) operational facilities, maintenance facilities, troop housing and utilities in the amount of $719,000 at various locations that is contained in title I, section 101 under heading "Inside the United States" and subheading "Army Component Commands (United States Army Air Defense Command)" of the Act of November 7, 1963 (77 Stat. 309).

(l) maintenance facilities in the amount of $1,498,000 at Fort Richardson, Alaska, that is contained in title I, under the heading "Inside the United States" and subheading "Army Component Commands (Alaska Command Area)" of the Act of November 7, 1963 (77 Stat. 309).

(m) maintenance facilities in the amount of $721,000 at Schofield Barracks, Hawaii, that is contained in title I, under the heading "Inside the United States" and subheading "Army Component Commands (Pacific Command Area)" of the Act of November 7, 1963 (77 Stat. 309).

(n) operational facilities, supply facilities, administrative facilities, troop housing, community facilities and utilities in the amount of $968,000 at various locations that is contained in title I, section 101, under heading "Outside the United States" and subheading "Army Security Agency" of the Act of November 7, 1963 (77 Stat. 310).

(o) operational facilities, maintenance facilities, supply facilities, troop housing and utilities in the amount of $5,995,000 in Germany that is contained in title I, section 101, under the heading "Outside the United States" and subheading "Army Component Commands (European Command Area)" of the Act of November 7, 1963 (77 Stat. 310).

(p) operational facilities in the amount of $6,900,000 at various locations that is contained in title I, section 102 of the Act of November 7, 1963 (77 Stat. 310).

(q) training facilities in the amount of $7,600,000 for the Naval Academy, Annapolis, Maryland, that is contained in title II, section 201, under the heading "Service School Facilities" of the Act of November 7, 1963 (77 Stat. 314).

(r) administrative facilities in the amount of $3,484,000 for the Naval Research Laboratory, District of Columbia, that is contained in title II, section 201, under the heading

"Office of Naval Research Facilities" of the Act of November 7, 1963 (77 Stat. 315).

(s) community facilities in the amount of $550,000 for Camp Smedley D. Butler, Okinawa, that is contained in title II, section 201, under the heading "Outside the United States" and subheading "Marine Corps Facilities" of the Act of November 7, 1963 (77 Stat. 315).

(b) Effective fifteen months from the date of enactment of this Act, all authorizations for construction of family housing which are contained in this Act or any Act approved prior to August 2, 1964, are repealed except (1) the authorization for family housing projects as to which appropriated funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date, (2) the authorization for two hundred family housing units at a classified location contained in the Act of August 1, 1964 (78 Stat. 341, 359), and the authorization for 180 units at Site 4–S contained in the Act of August 1, 1964 (78 Stat. 341, 360).

Sec. 607. None of the authority contained in titles I, II, III, and IV of this Act shall be deemed to authorize any building construction project inside the United States (other than Alaska) at a unit cost in excess of—

(1) $32 per square foot for cold-storage warehousing;

(2) $8 per square foot for regular warehousing;

(3) $1,850 per man for permanent barracks;

(4) $8,500 per man for bachelor officer quarters: unless the Secretary of Defense or his designee determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable.

Sec. 608. The last sentence of section 2674 (a) of title 10, United States Code, as amended, is amended by changing the figure "$10,000" to "$15,000".

Sec. 609. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1966."

TITLE VII

Reserve Forces Facilities

Sec. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) for Department of the Army: Army National Guard of the United States, $9,200,000.

(2) for the Department of the Navy: Naval and Marine Corps Reserves, $8,890,000.

(3) for Department of the Air Force:

(a) Air National Guard of the United States, $9,000,000.

(b) Air Force Reserve, $3,400,000.

Sec. 702. The Secretary of the Navy is authorized to convey to the city of Little Rock, Arkansas, without consideration, all right, title, and interest in so much of the land and improvements comprising the Naval and Marine Corps Reserve Training Center, Little Rock, Arkansas, as is agreed to be required for a right-of-way for construction of a public highway, at such time as that portion of the land and improvements may no longer be required as a part of said training center.

Sec. 703. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

Sec. 704. This title may be cited as the Reserve Forces Facilities Authorization Act, 1966".

Mr. STENNIS. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield 2 minutes to the Senator from Minnesota for a statement.

ELIMINATION OF THE DEFICIT IN THE BALANCE OF PAYMENTS

Mr. McCARTHY. Mr. President, over a month ago, I warned that the elimination of the deficit in the balance of payments would have most serious economic consequences for all of Europe and that, if it were pursued, it would probably force the devaluation of the pound and create great economic imbalance within the Common Market.

The British Chancellor of the Exchequer, James Callaghan, is meeting in Washington this week with U.S. officials. The effect of a balanced-payments situation is one of the problems which will be considered.

A most pressing need is for a solution to the problem of the British pound. To meet the international challenge for real economic growth, for the good of England, and of the world, international cooperation is necessary to maintain the strength of the pound, if the dollar which, with the exception of the pound sterling, is the only major international currency in the world today, is to be kept strong.

Sound investment abroad should not be discouraged, and the expansion of the economy of the United States should be so directed as to give continued strength to the dollar as an instrument of international trade and as a storehouse of values.

Mr. President, the Washington Post this morning published an article on this subject, entitled "Economic Impact—Should Payment Deficit Be Zero?" written by Hobart Rowen. I ask unanimous consent to have it printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Economic Impact: Should Payment Deficit Be Zero?

(By Hobart Rowen)

With British Chancellor of the Exchequer James Callaghan in Washington this week for high level discussions with American officials, it is appropriate to raise a delicate question: Should the United States strive to get its balance-of-payments deficit down to zero and keep it there?

Slowly but surely, evidence is accumulating that many financial experts, including bankers, are beginning to doubt the wisdom of this single-minded drive.

After our painful experiences with recessions in the postwar period, this country managed to put aside the myth that a balanced national budget every year is essential to our health. We learned, in fact, how to use deficits constructively.

There is a parallel in the international field. American officials are pursuing a determined national policy to wipe out our deficit. They speak in terms of a "swift, sure, and lasting end" to it.

We seem to have slipped into a kind of ritual, a preoccupation that ignores an important fact of life: a bank (and that is one of the key functions of this country in relation to the rest of the world) always has larger liabilities to its depositors than it has reserves in the vault.

If it doesn't, it's not much of a bank.

It ought to be considered quite normal for the United States to run a balance-of-payments deficit up to perhaps $1 billion a year.

The justification for current U.S. policy is that continued deficits permit other nations to acquire too many dollars, draining our own reserves, especially gold. And, of course, it is true that deficits in the $3 and $4 billion range are too high.

But as George H. Chittenden, a Morgan Guaranty Trust Co. vice president observed in recent congressional testimony, "as leading banker for the world, the United States must be prepared to see its dollar liabilities to foreigners rise over time * * *." To help finance growing world trade, Chittenden thought that annual deficits in our balance of $500 to $800 million would be safe.

"May I stress," he added bluntly, "that the special magic of zero completely eludes me * * *. We have in recent years gotten away from the simplistic notion that there is something peculiarly appropriate about a zero reading in the Federal budget * * *. We must develop an analytical approach to payments evaluation that will help us decide what degree of departure from zero is appropriate at particular times."

Instead of pursing the single objective of trying to crunch our deficit into nonexistence, therefor, our officials should be looking to other measures—a more sensible gold policy, for example.

Donald C. Cook, president of the American Electric Power Co., and a favorite business confidant of President Johnson, has shown how we could discourage gold hoarding by adopting a flexible buying price for gold. Another and related idea has been put forward by Stanford professor, Emile Despres.

The prudent course at the moment would be the continuance of a moderate deficit—throwing up safeguards to prevent serious runs on the bank. This should not be too difficult to do, because American assets are enormous, and the dollar is strong. There is no economic reason for a run on the dollar.

It is Mr. Callaghan who has the real headache: British reserves are low, and their balance-of-payments problem (unlike ours) is coupled to inflation at home, a loss of export markets, and a labor-industrial machine creaking from disrepair.

The British need help, and we no doubt will give it to them. But we can help ourselves and the rest of the world most by being less defensive about the dollar. With some aggressive and confident steps, our Government can demonstrate that the dollar truly is more valuable than gold.

MILITARY CONSTRUCTION AUTHORIZATION FOR FISCAL YEAR 1966

The Senate resumed the consideration of the bill (H.R. 8439) to authorize certain construction at military installations, and for other purposes.

Mr. STENNIS. Mr. President, H.R. 8439 is what is known as the military construction authorization bill for fiscal year 1966. It is a House bill. The Committee on Armed Services unanimously reported the House bill with a Senate amendment in the nature of a substitute.

The bill before the Senate provides for construction and other related authority for the military departments within and outside the United States, including authority for the construction of facilities for the Reserve components. The sum total of the new authority contained in the bill is $1,711,529,000. In addition thereto approval is granted for an increase in prior years authority of $9,823,000, for a total authorization of $1,721,352,000.

The Army is authorized $296.3 million, the Navy $307 million, the Air Force $325.3 million, the Department of Defense $100.1 million, for military family housing $652.4 million, and $30.5 million for the Reserve components.

As submitted to the Congress this year the bill called for a total authorization of $1,955,681,000. Subsequently many changes were requested by the Department, resulting in a slight decrease in the total requests of about $2.4 million.

The bill was considered by the entire Armed Services Committee. It contains approximately 1,372 line items at 427 military installations throughout the world. Every on of those items was considered by some members of the committee and passed on, and independent judgment was rendered by at least one member of the committee. Then, in the final markup, all the matters were presented, not line by line, but as totals, to the entire committee, and passed on, and finally the bill was unanimously reported to the Senate.

After careful consideration of the individual line items at some 427 military installations throughout the world, the authority finally recommended by the committee is $231,846,000 below the amount requested and $213,575,000 less than the amount approved by the House of Representatives, the House having reduced the amount requested by only $10.5 million. For the purposes of comparison, the authority requested this year exceeds last year's request by approximately $103 million, and the amount granted by about $186 million.

As a major supporting activity military construction is governed by a 5-year programing system of the Department of Defense. The committee was assured the projects included in the Department's request represents the fiscal year 1966 segment of the approved 5-year construction plan and must be in place not later than fiscal year 1968 to coincide with the overall defense objectives for this period. Last year, however, only a few weeks after the construction bill became law, the Secretary of Defense announced a substantial list of actions to consolidate, reduce, or discontinue, Department of Defense activities in the United States and overseas. Surprisingly enough, several construction projects had been requested and included in the recently enacted bill for installations that were contained in the closure announcement. In the bill this year approximtely $50 million was requested for projects at installations believed to be permanent to accommodate functions transferred from those that were closed. This year each witness before the committee was placed on notice that it was his responsibility to advise the committee of any projects proposed for any installation where tenure is in doubt.

In the current program special emphasis is placed on the improvement of the real property inventory, primarily through the replacement of mobilization-type personnel facilities of World War II vintage. Many of these were pressed into service during the Korean conflict and have continued in use since that time, with only limited improvements in maintenance. This has been due in large part to the overriding need for the Defense Establishment to concentrate their construction resources since the Korean episode on the operational support of new weapons systems and the forces necessary to establish the clear nuclear retaliatory capability of the United States in the event of attack. To illustrate—10 years ago emphasis was placed on the buildup of an air base system to support 137 Air Force wings and on the Army Nike missile program. Still later the SAC dispersal, the DEW—distant early warning—line, SAGE—semiautomatic ground environment—and BMEWS—ballistic missile early warning system—and still more recent, the ICBM and Polaris programs. For the first time in several years the bill before you contains no request for additional ICBM sites. Now that these more critical facilities, together with related academic and training facilities, are largely completed, efforts are being directed to the improvement and modernization of the capital plant of the military.

About 35 percent of the construction requested is in support of training and operations. Within this category the committee granted several badly needed training and academic facilities, such as at Fort Knox, Ky.; Redstone Arsenal, Ala.; the three service academies, including a science laboratory at the Naval Academy, the Naval Training Centers at Newport, R.I., and San Diego, Calif., and the Naval Postgraduate School at Monterey, Calif., although some reductions in scope were in order in one or two instances. The principal reduction made in this area was the denial of additional proposed expenditures in connection with the Army Nike-Hercules missile system. The committee's views as to this weapon system, which is rapidly becoming obsolescent, have been made quite clear on several occasions in the past. For the third year now, authority was again denied for tactical aircraft shelters, which are believed to be of a doubtful utility.

Another 25 percent of the program is in support of the troop housing and related items which the committee considers to be of major importance. Many of our military personnel continue to be quartered in temporary substandard structures that must be replaced as rapidly as feasible. Here the committee made few changes. I might state, however, that requests for certain barracks at Fort Bliss, Tex., and the rehabilitation of some at Fort Polk, La., were denied. These requirements were generated only because of the proposed STEP program—special training enlistment program. If in fact this program does become an eventuality, these barracks will become a valid requirement and can be provided through the use of emergency authorization.

Next in the order of magnitude some 20 percent of the construction requirements relate to administrative, medical services, supply, and utilities. Here the committee was called upon to pass judgment on several requests for new headquarters structures and administrative space of various kinds. The committee recognizes the need for adequate working space if efficiency and economy is to be achieved. It appeared to us, however, that this phase of the Department's program has been overemphasized and overdesigned this year. Several deletions and reductions in scope were in order, although new headquarters will be provided for the important CONARC and STRIKE commands at Fort Monroe, Va., and the McDill Field in Florida. The committee granted approval for seven new hospitals, six within the United States, and one in a classified location overseas. Those within the United States will replace deteriorated World War II-type structures. The committee did make some adjustments in the request for enlargement or renovation of some existing facilities which were comparatively new.

Now, Mr. President, we come to the final 20 percent of the bill, which is devoted about equally between the support of maintenance and production activities and research, development, and testing. Within the first category the committee, I feel, was generous in approving most of the requests, denying only one major project, which was for a consolidated field maintenance shop proposed by the Army. The approval of this project would have been the beginning of an expensive program based upon a new concept resulting from a management study, rather than what the committee believes to be a valid field requirement.

In the field of research and development we were again asked to pass upon several rather expensive laboratory structures. Some of these are referred to on page 10 of the committee report. It is recognized that advances in technology and science make some of these requirements essential. For the most part these requests were approved and the committee denied only those where the requirement was not urgent, or where duplication of effort was apparent.

Mr. President, I should now like to take up title V of the bill, which relates to military family housing. Three years ago, under the guidance of the Congress, a family housing management account was created within the Defense Establishment. For the first time, all costs of family housing were brought together in order that the program might be analyzed as a whole. This system has worked very well and seems to be well managed. It permits us to examine the program as a whole, rather than in a piecemeal fashion as was done in past years. This year the Congress was requested to approve a housing program totaling $735.6 million, which would have included the construction of 12,500 new units of housing. The committee has taken a slightly different approach this year in authorizing the number of units that may be constructed. We have authorized 10,930 units of housing, at 53 separate locations, but have limited the number of new units that may be contracted for to 8,000. This is consistent with a formula devised when the Capehart Act was in effect. The committee has therefore authorized $652,434,000 for all costs of military family housing during the coming fiscal year. This is consistent with the funding program of last year.

With respect to family housing, it is well for every Senator to remember that the denial of the total number of houses does not deny any member of the Armed Forces his quarters allowance. The quarters allowances run through the various services—enlisted personnel and officers—and generally cover a sum of money sufficient for the member of the Armed Forces to pay his rent.

That is permanent law. Money is appropriated every year for that purpose. There has been, I believe, a fair apportionment of the money for the purposes of family housing between officers and enlisted men. A quarters allowance is part of the system. That is not withheld or denied from any person under the formula that has been worked out by the Congress.

I now make reference to a section of the House bill. Section 608 of the House-passed bill would in effect prohibit the Secretary of Defense or the Secretary of a military department or their designee from closing, substantially reducing, or consolidating any military camp, post, station, installation, or facility if the proposed action is disapproved by one House of the Congress. The number and size of the bases that the United States should operate and the location of these bases is affected by many considerations, including the nature of the threat we face, changes in strategy and tactics, the development of new weapons, and abandonment of obsolete systems. Therefore it follows that if those circumstances change, base requirements naturally will change.

Present law requires the Secretary of Defense to take appropriate action to provide more effective, efficient and economical administration and operation, and to eliminate duplication in the Department of Defense. Part of such responsibility is to alter the military base structure from time to time.

That is referred to in chapter 3 of title 10, section 125 of the United States Code Annotated, a section relating to Armed Forces and general military law.

I do not speak in relation to anything the Secretary of Defense has or has not done in reference to changes. Many of the changes that have been made do not suit me. But it is the law of the land. Congress in its wisdom established an agency of the Government charged with that direct responsibility. It is an executive function, in my opinion, under strict surveillance of the legislative branch of the Government, which must provide the money.

Our committee fully considered this question. It has been gone into. There has been a great deal of interest in it. By a very substantial majority we voted, respectfully, to take the House amendment out of the bill.

In effect, the House amendment provides that to make a proposed change in a military base, the Secretary of Defense would have to submit the plan or proposal to the committees of Congress, and then either House of Congress—not the Congress through the passage of a law, but either House—could toll the change or alteration or abolition of that base by a mere majority vote of one House alone.

I know that the question of the abolition or change of military bases touches a very tender spot. It has hit in my State twice within the last few years. I have been a member of the Armed Services Committee for approximately 13 years. In that time two bases have been taken out of my State and only one added. So in spite of the expansion program, disbursal, and everything else, on a State basis my State is running behind.

I have great concern about the base at Brookley Field at Mobile being abolished. A great many of the people employed at that base live in my State. They are concerned about the problem.

Many other Senators are concerned about the issue. I point out that I am no exception. I have an interest, but I believe as a fundamental principle of government there should be a strict surveillance over these questions by the legislative branch of the Government.

I have no patronage or anything like that for the Department of Defense. In fact, when the Secretary of Defense called me about this question, I frankly told him that I felt I had the facts in mind, that I was capable of making a judgment on them, and that I would make my conclusion accordingly. I mention that point only to show that the issue is something which is serious and we must reach a conclusion about it.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Massachusetts, who is the senior member of the committee from the other side of the aisle. The Senator from Massachusetts renders most valuable service on our committee year after year and on bill after bill. For that I wish publicly to thank him.

Mr. SALTONSTALL. I appreciate what the Senator has said, because what I do I do under his guidance and with his help. As acting chairman, he is certainly a conscientious and a hard working Senator.

While we thought it would be unwise to retain section 608 for the reasons that the Senator has stated, we should make clear that we included in the report some very strong language as to the notice that the Congress should have. I should like to quote one sentence.

Mr. STENNIS. I should be glad to have the Senator read the language in the report to which he has referred, for it is pertinent to his remarks.

Mr. SALTONSTALL. The language is as follows:

> The committee restates with emphasis its view that these changes should be scheduled and announced as far in advance as it is possible to predict such changes and that adequate notice should be given to the Members of Congress and to the communities affected.

So while we took out the section, in our report we tried to emphasize that decent notice should be given to the Members of Congress involved and to the communities which they represent and which would be affected.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Montana.

Mr. MANSFIELD. I am delighted with the explanation which has been read into the RECORD showing the committee's stand on the question, which I believe was referred to as section 608(b) in the bill passed by the House.

Mr. STENNIS. The Senator is correct.

Mr. MANSFIELD. I should like to ask a question at this time concerning the section as passed by the House. Did that section refer to bases of any kind or nature which already had been ordered closed?

Mr. STENNIS. In the opinion of the Senator from Mississippi—and I have given the question a great deal of thought—the section is directed toward orders or closures or acts that happen in the future. There is no doubt about that in my mind.

Mr. MANSFIELD. The Senator, as chairman of the committee and the Senator in charge of the bill, and with the approval, I am certain, of the committee which joined with him in the examination, has made a statement. I would have to assume that on the basis of the explanation made by the distinguished Senator from Mississippi, section 608(b), as it passed the House, did not apply to an order previously put into force and effect so far as announcements concerning the closures of various defense installations were concerned.

Mr. STENNIS. That is correct. As a further part of my answer, when we entertain any other view or reach any other conclusion on that question, we run directly into the possibility of an ex post facto law on top of the principle of conflict between the division of powers under our Constitution; the executive and the legislative. I believe the court would give the interpretation that I have given to the section in order to avoid declaring the section invalid, because after the executive branch of the Government has acted on a function of this kind, I do not believe that we have any authority to come along then and pass an ex post facto law, after the fact, so to speak, and govern the executive power to that extent. Otherwise, when the President issued an order, Congress could nullify his order and thereby encroach upon his power.

Mr. MANSFIELD. Mr. President, will the Senator further yield?

Mr. STENNIS. I yield.

Mr. MANSFIELD. As I understand, it is the recommendation of the committee that in the future before the closing of any Defense installations may take place, adequate notice must be given to Members of Congress and the towns and communities concerned.

Mr. STENNIS. Yes; to Members of Congress—not only to the committees, but to Congress as a whole and to the communities, which means to the public. This is a serious matter. It is not being taken lightly in any way by the committee; it is of the deepest concern. For our part, we expect to exercise our surveillance rigidly and insist upon following the law.

As to the point the Senator from Montana has raised, to let this section have an interpretation that would permit a rescinding of orders, declarations, or positions taken by the executive branch of the Government would declare the whole section invalid, for the reasons I have given. My mind is clear about that. There are some who argue the other way.

Mr. MANSFIELD. I raised the question on behalf of my distinguished colleague from Montana [Mr. METCALF] and myself, because in January of this year the newest Air Force base in the country was closed. Since the House passed its military construction bill, Senator METCALF and I have received a number of inquiries from Glasgow and vicinity urging our support of section 608(b).

Would I be correct—and this is merely for emphasis—that on the basis of the explanation given by the distinguished Senator from Mississippi [Mr. STENNIS], the acting chairman of the committee and manager of the bill, even had section 608(b) been in the bill it would not have affected the closing order that had been issued previously?

Mr. STENNIS. The Senator is absolutely correct.

Mr. SALTONSTALL. Mr. President, will the Senator yield on the same point?

Mr. STENNIS. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. The language of section 608 states clearly that the Secretary of Defense or the military department concerned may not close, substantially reduce, or consolidate any military camp, base, or station.

Mr. MANSFIELD. In the future.

Mr. SALTONSTALL. In the future. It does not say "in the future," but obviously the interpretation is the future, if one reads into it also the language—

> If during such period a resolution is reported by either of these subcommittees stating that the proposed action with respect to the closure, substantial reduction, or consolidation should be rejected by the resolving House because if carried out it would in the judgment of the said resolving House tend to impair the defense of the United States.

If one takes those words into account, I would agree 100 percent with the interpretation of the acting chairman of the committee. I read from page 49 of the report:

> The Congress must provide the necessary authorization and appropriations before bases can be established and improved, and it has a profound interest in judgments that result in termination of activities established pursuant to its approval. With reasonable and adequate notice the Congress will have an opportunity to express a judgment on base reduction proposals that it disapproves.

Obviously, that is an interpretation for future and clears up any doubt about the interpretation of section 608.

Mr. MANSFIELD. In other words, to emphasize the point, even under section 608(b) as passed by the House there would be no application, to be specific, to the Glasgow Air Force Base in Montana?

Mr. SALTONSTALL. That would be my interpretation.

Mr. HILL. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the distinguished Senator from Alabama.

Mr. HILL. The distinguished Senator from Mississippi, as our neighbor, is familiar with the Brookley Air Force Base at Mobile, is he not?

Mr. STENNIS. I had mentioned Brookley Field as one of concern to the Senator from Alabama and the Senator from Mississippi.

Mr. HILL. That base is close to the Mississippi line. A number of Mississippians are employed at that Air Force base. It is the opinion of the Senator from Mississippi that if section 608, which was in the House bill, were in the bill passed by the Senate, although the decision on the Brookley Air Force Base was made and announced in November 1964, it would have no effect, so far as the decision to close the Brookley Air Force Base is concerned?

Mr. STENNIS. It is the deliberate conclusion of the Senator from Mississippi, based on the fundamental, clear-cut legal principle of our form of government, that orders having already been made, if a statute of this kind were enacted, would be an ex post facto law to the extent of cutting off executive power used under existing operative law. If that interpretation were not given, it seems to me that a court would have to declare the section itself invalid. So I do not believe the language applies to orders that have already been issued or positions taken by the executive branch of the Government.

Mr. HILL. In other words, there is nothing in section 608 of the House-passed bill that would affect the decision made last November to close the Brookley Air Force Base at Mobile, Ala.?

Mr. STENNIS. That is as I understand it, for the reasons already given in my response to a question asked by the Senator from Montana. There are some who argue to the contrary. An amendment was offered in the House expressly covering that point. Representative RIVERS, who was the author of the House provision, argued that he did not believe the amendment was necessary. At the same time, he raised a point about a legal question being involved, which is the one I referred to about the possibility of ex post facto law.

Also, in the mind of the Senator from Mississippi, is the principle of the division of powers between the executive and the legislative branches of the Government. The decision with reference to bases is primarily an executive function. It is the function of the executive branch, even though Congress provides support, to operate the branches of the armed services. The Constitution provides that the President of the United States shall be the Commander in Chief of the Armed Forces. Certainly, the Commander in Chief has a responsibility to make plans with reference to the location of training, for the operation of planes, for the storing of materiel, for the disposition of ships, for the determination of the operation of the Polaris system, and a host of other items of that kind. Also, he has the authority to make changes, and we are dealing with a changing proposition.

Since World War II there have been the B-36, the B-47, the B-52, the B-57, and the B-58, all having progressive differences in construction, navigation, and other attributes.

Mr. HILL. The Brookley Air Force Base was devoted largely to the F-105 plane. I take it from what the Senator from Mississippi has said that his opinion is the opinion of the Committee on Armed Services, that Congress could not act and would in no way negate or deny the order that was made last November to close the Brookley Air Force Base.

Mr. STENNIS. I have already said that I do not believe this amendment would accomplish that purpose. We have control of the money in a negative way. For example, if we so desired, we could stop the use of the B-52's, through the control of the purse strings.

Certainly, we have power in the fields of finance. However, I do not believe that this order would affect the situation at Brookley. That is my opinion.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LAUSCHE. I do not know whether my question will fit into the sequence of what the Senator is discussing. However, on page 59 of the report, there is a tabulation under the heading "Ohio," and that shows the allocation of money for four items.

Is this a full tabulation of the assignments that have been made in the authorization bill?

Mr. STENNIS. The Senator is correct. It is a State-by-State list. Most of that is at Wright-Patterson Air Force Base, which is one of the prized installations in the Nation. I believe that we have approximately $300 million invested there overall.

Mr. LAUSCHE. Mr. President, the report shows that there has been authorized $12,911,000 to be expended in Ohio.

Mr. STENNIS. The Senator is correct. That is construction money only.

Mr. LAUSCHE. Mr. President, I thank the Senator.

Mr. STENNIS. Mr. President, before concluding my presentation, I want to say a few words about title VII of the bill, which relates to the requirements of our Reserve components. New authorization in the amount of $30,490,000 is provided in the bill. As submitted to the Congress no provision is made for the Army Reserve or the Army National Guard because of the pending realinement of the Reserve force structure. The bill did contain a provision, deleted by the House of Representatives, to permit the consolidation of Army Reserve uncommitted construction funds with those of the Army National Guard. This would adequately provide for the needs of the Army National Guard should the proposed realinement be consummated. The committee agrees with the

House action in deleting this provision, since it might more appropriately be included in pending legislation relating to the proposed realinement. Should the realinement not occur, however, the Army Reserve will have sufficient funds to carry it through the coming year, but the Army National Guard would face a deficit of $9.2 million in authority and $10 million in funds. Without committing itself either in favor of or against the pending realinement, the committee has included $9.2 million in new authorization for the Army National Guard to assure an adequate construction program in the event the realinement is not carried out. This will assure the construction programs of both the Guard and the Reserves to be provided for. Should the realinement be favorably acted upon, then this additional authorization for the Army National Guard should be rescinded.

Mr. President, I believe that I have fairly summarized the committee action in regard to the military construction authorization bill for the coming fiscal year. I feel confident that we have adequately provided for the essential requirements as we see them at this time.

This concludes my remarks and I shall be pleased to answer any questions.

Mr. STENNIS. Mr. President I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, the Senator from Arkansas [Mr. McCLELLAN] has very thoughtfully called to my attention section 702 of the bill, H.R. 8439, now under consideration by the Senate. He has asked that I consider this section in light of the so-called Morse formula.

Section 702 would authorize the Secretary of the Navy to convey the Federal Government's leasehold interest in a portion of the Naval and Marine Corps Reserve Training Center, Little Rock, Ark., without consideration, for use as a public highway right-of-way.

In return for this conveyance, the Federal Government would receive from the city of Little Rock, without any compensation to be paid by the Federal Government, a conveyance of 5 acres of land along the nearby Jonesboro Drive, having an estimated value of $100,000.

Obviously, no violation of the Morse formula is involved, because the facts disclose that the Federal Government would be getting at least equal compensation for the leasehold interest it would relinquish from the property it would receive from Little Rock, Ark.

The reason why it does not violate the Morse formula is, first, that the land to be conveyed to the city by the Secretary of the Navy was donated on a long-term lease to the Government. The Navy is willing to release the leasehold interest. Thus, a reversion is implied under the analogy of the Roseburg, Oreg., land transfer case (CONGRESSIONAL RECORD, vol. 102, pt. 7, p. 9323).

The expense of the Government in moving its building from the highway right-of-way will be more than amply reimbursed by the action to be taken by the city in conveying a 5-acre tract to the United States, at a value of $100,000.

Whatever monetary interest, if any, the Government may have had in its gratuitous leasehold is also fully covered by the transfer of the 5 acres mentioned above.

I thank the Senator from Arkansas for his courtesy in bringing this matter to my attention.

If he had not brought it to my attention, I doubt very much that the matter would have been noted.

I also appreciate the never-failing consideration of the Senator from Arkansas in always calling my attention to any possible application of the Morse formula in land transactions in his State.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. SALTONSTALL. Mr. President, I appreciate what the Senator has said. I know that he has been very conscientious in his work on the bill. As I see it, the bill, in substance, would do three or four things.

First, it would cut back the requests for appropriations and authorizations in the House by approximately $200 million.

Mr. STENNIS. It would be more than that. I believe that it would be $213.6 million.

Mr. SALTONSTALL. I thank the Senator. I agree with him, when we went over this originally, first together, and then with the full committee, that today there would be very much more in the way of heavy expenditures involved in the fighting in Vietnam, and that there would be a great deal more equipment required, more manpower, and all that would go with it. We agreed that all construction which might be helpful, but which could be eliminated at this time, should be eliminated in order to place the necessary funds into our effort over there.

The second point concerns what we did to section 608 (a) and (b). We placed strong language in our report.

The third item concerns the Reserves of the National Guard which the Senator has explained so well.

In substance, those are the things that the committee has brought out and that the Senator has explained so thoroughly.

Mr. STENNIS. I thank the Senator. We did defer some meritorious matters because of the very urgency of the extra cost of the effort in Vietnam; and the story has not been half told as yet with reference to the cost of the war in Vietnam.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. JACKSON. Mr. President, I commend the distinguished Senator from Mississippi for the able way in which he has handled this complicated bill. I believe that it is quite clear that the committee has cut the fat from the military construction body without cutting the muscle.

The distinguished acting chairman has gone about this task, which is a very difficult one, in a fair and judicious way, keeping in mind the necessity of cutting where we must cut so that we can take care of the extra expenses that we shall be faced with in connection with the added expenditures in South Vietnam.

I should also like to say, and I am sure I say this with the unanimous consent of the committee, that Gordon Nease, the able staff director for this bill, has done outstanding work.

Those of us who serve on the committees of Congress are aware of the important role of the staff. Gordon Nease has done an outstanding job in calling to the attention of the committee the projects which needed a careful examination.

I commend the chairman for the outstanding way in which he has handled the bill, the way he always handles measures of great importance to the Senate and to the country.

Mr. STENNIS. I thank the Senator. At the same time I thank him especially for his valuable assistance all the way through, the time he has put on the bill, the advice and counsel he has given me as well as other members of the committee, and the use of his vast resources, knowledge, and judgment, on this and related matters.

I heartily commend him for what he said about Mr. Nease, who is one of the most valuable staff members I know of. His willingness to work and his knowledge are invaluable to the country. He spent a great deal of time traveling, searching into the facts, day and night, checking and rechecking, and he has saved literally millions of dollars in the bill itself.

Mr. JACKSON. Mr. President will the Senator yield?

Mr. STENNIS. I yield.

Mr. JACKSON. I also note that for the last couple of years the committee has worked jointly with the Appropriations Committee, saving duplication, and having the assistance of the committee staff. Mr. Mike Rexroad, staff member of the Appropriations Committee, worked with Mr. Nease, and was of tremendous help to him. Mr. Joseph Borda was likewise in this association.

Mr. STENNIS. I thank the Senator.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Nevada, and thank him for the fine work he did on the bill.

Mr. CANNON. I thank the distinguished Senator from Mississippi for yielding to me. He is to be commended for his efficient and expeditious handling of the complex military construction authorization bill. It has been my pleasure and privilege to serve under the distinguished Senator when he was conducting the hearings on the authorization bill. The Senator has earned the high reputation he has as an authority on this bill by his hard work and continued dedication in this field. It is always a pleasure and privilege to work with him, and I commend him for his leadership in this field.

I also commend him for the fact that the bill has been reduced in scope, to a degree that I think is reasonable, without endangering our position from the military standpoint, particularly in view of the situation as it exists in South

Vietnam. We have cut down in a number of instances where we felt fat could be trimmed.

There have been various requests for specific items which were not granted because they are items, the denial of which, in the considered judgment of the committee, will not jeopardize our military posture.

We declined a request for a number of military housing units. We declined to accept the recommendation of the Department to increase the unit limit of rented quarters, which the committee indicated some time ago was a situation which was getting out of hand. It has gone along at the same rate, so far as the higher limit is concerned, but I do not believe the committee thought it was desirous to reopen the Pandora's box by going beyond the 5,000 limit that is in the bill.

Once again I salute the distinguished Senator from Mississippi for his work on this legislation, and recommend its passage to my distinguished colleagues.

Mr. STENNIS. I thank the distinguished Senator. May I address a question to him? The Senator is familiar with the 1,372 items, contained in the bill. I do not mean that he is familiar with each one of them, but he is with many of the important ones.

Let me ask the Senator a question. Considering the $231 million worth of reductions, in his opinion, based on his knowledge of military needs from World War II, in which he was engaged, and his years of experience in the Reserves since that time, has there been any bone and muscle cut out of the program?

Mr. CANNON. In my opinion, there has not been. This is something on which one can only arrive at a considered judgment based upon the testimony presented. For example, there was a request of nearly $6 million for an electrical power laboratory and a combat development command headquarters building at Fort Belvoir, Va. The committee felt it could be done without.

Also, there was a request for a $9 million barracks complex at Fort Riley, Kans,. which had very low priority, even on the priority lists furnished us by the armed services.

Also, there was a request for a $14 million Nike site in the Pacific area, and a request for nearly $4 million in command post facilities in France, which requests were denied.

It was the committee's considered judgment that the Nike site was not good, that it was questionable at best, and it seemed to us more in the nature of finding a place for a Nike site rather than finding a place where it was needed.

Members of Congress are certainly aware of the situation in France. It was the committee's considered judgment that it was a bad time to spread $4 million in command post facilities in France in view of the unsettled conditions or relationships that exist between us and the French Government at the present time.

Also, there was an additional request for 26 line items in Turkey, totaling $11 million, which would in effect start a new Air Force installation. In the judgment of the committee, this was not an item to be accepted.

There was a request for an additional item of $22 million for tactical aircraft shelters at various locations, which have been denied twice previously, and the committee declined to go along with that request at this time.

It is the judgment of this member of the committee that the cutting out of these items is not going to affect the military posture of this country. If I thought it would, I would not vote for the reductions.

Mr. STENNIS. That is a very fine statement. Relevant to this subject, when choices have to be made, I hold in my hand a document that is classified secret. I cannot give it out, but members of the committee are familiar with it. It shows that our inventories of fighting material are not fully up to the top. I am not saying we are in a precarious position, because we are not, but the fighting tools—speaking particularly of helicopters, for example, tanks, rifles, enormous amounts of ammunition that are necessary to any force of fighting men, even trucks—we certainly need to spend hundreds of millions of dollars to have our divisions brought up to real top fighting strength.

The drain on them to support the fighting in Vietnam has been tremendous.

We had all those facts before us. We have heard that some of the services were disappointed that they did not get such items as laboratories. We were disappointed that they had spent money on buildings and neglected some of the shooting needs.

Mr. CANNON. Mr. President, will the Senator yield for a question at that point?

Mr. STENNIS. I am glad to yield.

Mr. CANNON. Is it not a fact that on these items, lest the wrong impression be given on the floor, the procurement is going at a very orderly process, in line with the procurement program based on a long-time projection, at the present time?

Mr. STENNIS. We are in no danger of a shortage. The very opposite is true. The point is that we must have the money to keep the lines going, even to step them up. It takes money to do this. We had to make choices between those.

Mr. President, I have tried to encourage all Senators to take part in the hearings and debate, and I am recognizing members of the committee in the order in which they have risen on the floor.

I now am glad to yield to the Senator from New Hampshire.

Mr. McINTYRE. Mr. President, as the distinguished acting chairman has told the Senate, this bill represents a reduction of some 12 percent from the amounts originally requested. It represents long hours of work, especially by the distinguished Senator from Mississippi, and the distinguished Senators from Nevada [Mr. CANNON] and Hawaii [Mr. INOUYE].

In its review of the requested projects, the committee endeavored to eliminate only those items where there appeared to be a question as to actual need, where duplication and extravagance were apparent, and where existing facilities appeared to be adequate for the present. I am particularly pleased to have included in this bill a substantial number of troop housing projects and supporting facilities including six new hospitals.

However, in my opinion, the bill has one serious deficiency, and I wish to take this opportunity to voice my concern over the action of the Senate Armed Services Committee in deleting from H.R. 8439 the section dealing with base and military installations closures.

I refer specifically to section 608 of the bill which would, in essence, prohibit the Secretary of Defense or the Secretary of a Military Department or their designee, from closing, substantially reducing, or consolidating any military camp, post, installation, or facility if the proposed action were disapproved by one House of the Congress.

While I do not plan to offer an amendment, I believe that the provision as included by the House of Representatives represents a sound approach.

Mr. President, I am in complete sympathy with the position taken by the overwhelming majority of the House Armed Services Committee in insisting upon a more definite working arrangement by the executive branch of the Government and the legislative branch of the Government when it comes to the closing or phasing out of military bases that have been a part of our overall defense system for a century or more.

Since the program began in 1961 to reduce expenditures by closing unnecessary military installations and obtaining maximum economic utilization of the more modern and efficient bases, a total of 669 separate closures or reduction actions have been announced by the Secretary of Defense. We have been informed that when these actions are completed, the results will be the release of 1,480,267 acres of excess real estate, the elimination of 149,881 excess jobs, and an annual operating saving of $1,038 million.

Whenever economies can be effected without impairing the security of the United States, I applaud and encourage the Secretary of Defense in his efforts to close military installations. But economy and security are not wholly subject to mathematical calculations.

The savings announced by the Secretary of Defense reflect only military savings. They in no way reflect governmental savings. For example, a job eliminated by a base closure decision represents the savings on an individual's salary, and is so shown as a savings. But the cost to the Government of an early force retirement of that individual is not taken into consideration when the savings are announced because it becomes the responsibility of another part of the Government to pay those costs.

I am firmly convinced that we cannot permit the Department of Defense or a military department to be considered an entity unto themselves, separate and apart from the rest of the Government.

In considering a base closure action, we must consider the complete effect based upon the total concept of the Federal responsibilities.

The arguments advanced by the Senate Armed Services Committee in deleting this provision of the bill reflect, in my opinion, a lack of confidence in the Members of this great body to make judgments for the benefit of the entire country. They suggest that we are too steeped in our parochialism to permit a broad view of national defense. I believe that nothing could be further from the truth.

Every day, each of us is required to sit in judgment in matters affecting the entire United States. Why should the military be treated in a separate category? I firmly believe that no Member of this great body would desire that a military installation be maintained purely for the sake of providing job opportunities in his State if it were clearly demonstrable that the base served no current or future military purpose.

But I, for one, am not ready to delegate all of the responsibility to one man to make the decisions on what is or is not necessary for the defense of this country. I insist that Congress, as the elected representatives of the people, should be made full partners in the defense efforts of this Nation.

I can think of no better way to let the executive branch know of our determination that to adopt a provision such as section 608 of the bill as passed by the House of Representatives. It is my hope that when this bill gets to conference, section 608 will be restored.

Mr. STENNIS. I thank the Senator from New Hampshire.

Mr. THURMOND. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from South Carolina.

Mr. THURMOND. I thank the distinguished Senator for yielding to me, and I wish to commend him and the members of the committee for the excellent work they have done on the bill.

However, there is one item on which I believe the House bill is preferable.

H.R. 8439, the military construction authorization for fiscal year 1966 is a sound bill and one which deserves the support of the Senate. It is my belief, however, that it would be a far better bill if it included section 608, which is designed to implement the constitutional powers and responsibilities of Congress with regard to maintenance of military installations within the United States and Puerto Rico.

Section 608 would prohibit the Secretary of Defense or the Secretary of a military department from closing, substantially reducing, or consolidating any military facility before the expiration of 30 calendar days of continuous session of the Congress after the day on which the Secretary of Defense notifies the Armed Services Committees of the Senate and the House of Representatives of his intention to take such action.

If, within the 30-day period, the Armed Services Committee of either body reports a resolution to the House or the Senate rejecting the proposed action affecting a military facility, the proposed change cannot be made until the expiration of 40 calendar days of continuous session of the Congress after the date on which the resolution is reported by the committee. If such a resolution is not passed by either the House or the Senate within the 40-day period, then the proposed action affecting a military facility can be implemented.

The proposed procedures by which Congress can exercise its constitutional authority is no innovation. It is patterned on the procedure incorporated in the Reorganization Act. It is the same procedure contained for congressional action on surplus disposals from the stockpile of strategic and critical materials in S. 28, which was passed by the Senate on February 9 of this year without a dissenting vote.

Article I, section 8, of the Constitution provides:

> The Congress shall have power * * *; to raise and support armies * * *; to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces.

Not only does the Constitution vest in Congress these powers, but it also vests in Congress the responsibility to exercise those powers. In recent years, largely through indifference of Congress, coupled with the usurpation of powers by the executive branch, we have virtually abdicated this responsibility.

Thus, section 608 does not represent any attempt by the Congress to seize power, but rather it is an attempt by Congress to exercise constitutional power vested in the Congress.

It is my sincere hope that section 608 will be restored to the bill in conference. Its restoration will serve as a reassertion that the strength of our Government lies in the fact that powers are exercised by elected representatives, not by appointed officials.

The tendency of the Congress to abdicate its responsibility for the defense of our country is becoming more disturbing with each new development on the international scene. This bill, in my opinion, adequately meets the requirements for military construction. I am far less satisfied with the requests of the Department of Defense for general appropriations for fiscal 1966, which the Senate has yet to consider. There is an increasing array of evidence that our inventories of military equipment are inadequate because of too little funding of procurement and maintenance in view of priority demands such as the war in Vietnam. The Senator from Mississippi raised that point last Friday and again today.

Mr. STENNIS. Yes.

Mr. THURMOND. It is most important that our combat-ready divisions be supplied with modern equipment in adequate quantities for immediate readiness.

When equipment and parts are diverted from active divisions for such priority claims as the war in Vietnam, because the Defense Department failed to request funds to meet such requirements, the inventories must be replenished and funds appropriated in sufficient amounts to avoid depleting the inventories of our active divisions in the future. Yet no increase in appropriations has been requested by the Department of Defense to deal with the increasing requirements for materiel for conduct of the escalating war in Vietnam.

The Congress is not relieved of its responsibility to prevent such situations from developing or recurring by the fact that the Department of Defense fails to request all that is needed. The Congress has a constitutional responsibility, and it should take the initiative to correct these deficiencies as the Senator from Mississippi has recommended.

Mr. STENNIS. I thank the Senator for his kind remarks. I now yield to the Senator from Maine, who is a very valued member of the committee.

Mrs. SMITH. Mr. President, I thank the Senator from Mississippi. It has been my pleasure and privilege to serve on the Armed Services Committee and to take part in the discussions of the important matters that come before it.

It is with some reluctance that I support H.R. 8439 as it is being reported by the Senate Armed Services Committee. I say this, not because of the line items that have been eliminated from the House version of the bill but because the Senate Armed Services Committee has eliminated a section, which, in my opinion, is the most important forward step in a number of years that we have had in a military construction bill.

I refer specifically to section 608 of the House bill. In essence, this section would permit action by either the House or the Senate to stop a base closure.

Let my position not be misunderstood in the slightest. I do not take the position that military establishments should be perpetuated solely for the benefit of the local economy once it has been established that there is no longer any national security justification for their existence.

To the contrary, back on March 30, 1961, I was the first Member of Congress to take the floor and publicly support the decision of Defense Secretary McNamara to close a military establishment. I publicly supported his decision to close the Presque Isle Air Force Base in my own State of Maine because it was a Snark missile base and the Snark missile has outlived its usefulness and become obsolete.

The predecessors of Secretary McNamara had given me and the people of the Presque Isle area very adequate advance warning of the growing obsolescence of the Snark and its approaching phasing out of the national security program. We were prepared because we were taken into the confidence of Defense Secretary McNamara's predecessors and Congress had been consulted and advised in advance in the matter.

But such was not the case last year with Defense Secretary McNamara's announcement of the decision to close the Kittery-Portsmouth Naval Shipyard and the Dow Air Force Base. Defense Secretary McNamara, unlike his predecessors, did not see fit to take Congress into his confidence in advance. In fact, I had to learn of his decision when I listened on my car radio to his press conference in which he made the announcement.

I respect the action taken by the House in its adoption of section 608 because the House Armed Services Committee took the trouble to investigate the shipyard closings thoroughly. I tried to get the Senate Armed Services Preparedness Investigating Subcommittee to make such a thorough study and investigation, but my efforts were in vain.

Consequently, it is quite clear that the House Armed Services Committee is better informed on this matter than the Senate Armed Services Committee simply because the House committee took the trouble, time, and effort to go into the matter thoroughly while the Senate committee did not.

I share the sentiment expressed by my colleague, the junior Senator from Maine, who, in his statement to the House Armed Services Committee in its hearings on the shipyard closings, said:

> Your committee has both the knowledge and skill to impartially review the conclusions reached. I believe that such a congressional review would be in the best interest of both our overall national defense policy and the welfare of the many skilled craftsmen.

Section 608 is the result of that impartial review made by the House Armed Services Committee. Not only that, there is ample precedent for it.

Does it make any sense that four committees of the Congress plus action by the two Houses of the Congress and the President, are required to act before any military construction project costing over $25,000 can be authorized and funded, and yet the Secretary of Defense can close installations costing hundreds of millions of dollars without getting the consent of anyone. I, for one, feel this not only is unwise but represents a tool in the hands of one man which is practically tantamount to absolute control over the Military Establishment.

If we are determined to give him that kind of power, would it not be as wise to give him a total amount of money and let him decide where each project should be located? Why should we not determine that we should turn over to him the total amount of this year's military construction bill; namely, $1,721,352,000, rather than expending the hundreds of hours by Members of Congress and the staffs of the committees in going over each one of these line items?

I am positive that Congress would never grant this authority, and I am also positive that it never should.

What is the power of the Congress today in regard to a base closure? In my opinion, we have absolutely none. In essence, we are limited to that provided under the Federal Property Disposal Act—10 U.S.C. 2662. The Secretary of Defense or the military departments must report and cannot act until after they have notified the House and Senate Armed Services Committee that certain property is no longer needed by the military departments. Even there, we are powerless to stop the Secretary from disposing of excess real estate unless he voluntarily agrees to follow the wishes of the Armed Services Committees.

I hope that when this matter goes to conference the Senate conferees will accept the House language and restore section 608 to make the Congress full partners with the executive branch of the Government in providing for the defense structure of our country.

Mr. STENNIS. I now yield to the distinguished Senator from Missouri, who is a valued member of the committee and who has worked very hard on this bill.

Mr. SYMINGTON. Mr. President, I appreciate the kind remarks of the distinguished Senator from Mississippi. I am sorry I was not present during all of the discussion, but I had to attend the markup of the NASA appropriation bill.

I commend the able acting chairman of the committee and in doing so I join the Senator from Washington [Mr. JACKSON] and the Senator from Massachusetts [Mr. SALTONSTALL].

We have heard an outstanding analysis of the problems incident to our defenses. I congratulate the Senator and also the staff for one of the most thorough presentations of a bill to the Senate that I in my experience as a Member of this body have heard.

Mr. STENNIS. I thank the Senator. I thank him for the fine work he has done and always does on the bill.

I now yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I join other Senators in commending the able and distinguished junior Senator from Mississippi for the hard and fine work which he has done as acting chairman of the Senate Committee on Armed Services. I also wish to associate myself with the remarks made by the distinguished junior Senator from New Hampshire [Mr. McINTYRE], the distinguished senior Senator from South Carolina [Mr. THURMOND], and the distinguished senior Senator from Maine [Mrs. SMITH] concerning the deletion of section 608 from the House bill.

The PRESIDING OFFICER. The Senator from North Carolina will suspend until the Senate is in order. The Chair will not be called down any more for not maintaining order in the Chamber. We shall have order in the Chamber. Senators who desire to have conferences and staff members will retire from the Senate Chamber.

The Senator from North Carolina may proceed.

Mr. ERVIN. While I recognize that a plausible case can be made for the proposition that the determination of whether a $1 million installation should be closed is an executive function, I am of an opinion to the contrary. I believe that Congress has a perfect right to adopt a provision such as section 608 of the House bill under the provision of section 8 of Article I of the Constitution, which provides that:

> The Congress shall have the power to make rules for the government and regulation of the land and naval forces.

I join the distinguished Senator from New Hampshire, the distinguished Senator from South Carolina, and the distinguished Senator from Maine in voicing the hope that section 608 of the House bill will be restored in the conference.

I thank my good friend the Senator from Mississippi for yielding to me at this time.

Mr. STENNIS. I thank the Senator from North Carolina.

I now yield to the Senator from Hawaii [Mr. INOUYE], who helped with the hearings and on many occasions conducted the hearings, and did so with skill and ability.

Mr. INOUYE. I thank the Senator from Mississippi for his kind words.

I join my colleagues in commending the able and distinguished Senator from Mississippi for his magnificent leadership in handling this most complicated measure. I am privileged to serve under his leadership.

I commend also the senior Senator from Massachusetts [Mr. SALTONSTALL] for his wise counsel and assistance.

Needless to say, one of the hard working and dedicated participants in the proceedings before the Committee on Armed Services was our staff counsel, Mr. Gordon A. Nease. I take this opportunity to thank Mr. Nease for his priceless assistance, and commend him for a job well done.

I thank the Senator.

Mr. STENNIS. I thank the Senator from Hawaii. I now yield to the Senator from Iowa, who is also a member of our committee and has been active in its deliberations.

The PRESIDING OFFICER (Mr. BAYH in the chair). The Chair recognizes the Senator from Iowa.

Mr. MILLER. I thank the Senator from Mississippi.

Mr. President, I also join my colleagues on the committee in commending the very fine way in which the Senator from Mississippi, the acting chairman of the committee, conducted the hearings and the deliberations of the committee. It is my pleasure to be on the committee for the first time this year.

The judicious manner of the able Senator from Mississippi is deeply appreciated, not only by the Senator from Iowa, but I am sure by all the witnesses who came before the committee. They received an ample opportunity to testify. The questions were always dignified and responsive to the problem.

The work of the committee shows very clearly what kind of leadership has been provided.

It has been pointed out that one of the byproducts of the committee is a reduction in the overall authorization of $231,846,000 from the amount requested by the Department of Defense, and some $213,575,000 under the amount authorized by the House.

Mr. President, the reduction was not accomplished with any meat-ax approach. It was done on a highly selective, refined review of the requests.

I should like to point out one matter which illustrates the type of work which was done by the committee in reducing expenditures. For example, in the area of housing, the Defense Department requested a large item for the construction of new housing. The committee has authorized in the neighborhood of $150 million for new housing. When the Department of Defense submitted its request, for example, it asked for an increase in the cost of general officers' quarters from $24,000 to $26,000. The committee reviewed the request and found that only a year ago the Department of Defense had requested and had been granted an increase of $2,000.

It seemed only natural that within a period of a year, a $2,000 increase in the cost of such housing would be excessive. So the committee's response was to leave it exactly where it was.

A similar request occurred with respect to the total cost limitation on a single unit of housing including the proportionate cost of land, site preparation, and utilities. The committee was asked to increase this limitation from $28,000 to $32,000, whereas this limitation was increased only last year from $26,000 to $28,000.

I do not know of any area nowadays that is causing more difficulty on the part of the general public in increased costs than that of housing. It seems to me that by acquiescing in the request of the Defense Department, the action might have touched off another upward spiral in the cost of housing.

The committee did two things in this respect: first, it kept the housing costs at a reasonable level; second, I would like to think that that action might have a salutary influence on the costs of housing throughout the country.

In conclusion, I wish the chairman to know how much I appreciate working with him on the committee.

Mr. STENNIS. I thank the Senator for his excellent remarks.

Several Senators addressed the Chair.

Mr. STENNIS. Mr. President, I have no desire to try to retain the floor. I always desire to yield to all committee members, which I have tried to do. Several other Senators have asked me to yield. We now have the Senator from Alaska [Mr. BARTLETT]. I now yield to the Senator from Alaska for some brief remarks.

Mr. BARTLETT. I should like to discuss the bill, and particularly one section of it. Before coming to that, I wish to say that I have heard many words of praise uttered today about the able Senator from Mississippi and those associated with him on the committee, and the staff. I join in the expression of such sentiments.

Not only does the bill involve a great amount of money, but the judgment of the committee as it affected the bill has a great bearing upon the security of our Nation. As one looks through the bill and reads the hearings, he will see that the amount of work which has gone into the bill really seems almost incredible.

Mr. STENNIS. I thank the Senator, but the bill was a committee effort, a team effort, and the chairman did only a relatively small percentage of the work.

Mr. BARTLETT. The chairman always does more than his proportionate share.

I should like to discuss the action of the committee in failing to approve an item which had been already voted by the House. It involves $3 million for arctic research work at Barrow. This is an activity in the Office of Naval Research.

A substantial part, a majority part, of all arctic research is conducted from this research laboratory. As I recall, it was started in 1947, and the technicians, employees, and scientists have been occupying a quonset hut that was erected during World War II. The quarters are totally inadequate for the purposes for which they are being used, and the situation was further complicated in October 1963, when a serious flood occurred and water covered the building to a depth of 3 feet or more.

A survey was made, and the Navy concluded that repairs would be so expensive that they would not be worth making.

According to this year's budget, in asking for the inclusion of the $3 million, it was intended to erect a one-story wooden structure.

Construction in the arctic area, as the chairman knows, is most difficult. The Navy had significantly commenced a program of arctic research. It is deemed that there are compelling reasons why there should be more instead of less. We are learning much; much more is to be learned. I dislike making this comparison, because it is very hard to do; nevertheless, on the other side, the Russians are engaged in a tremendous volume of arctic research. They are doing more things than we are.

Scientists from all over are going to Barrow. They remain either a short time or a long time, depending on the individual need. The present facilities are absolutely inadequate if there is to be decent housing.

Only today, I received an explanatory letter from Dr. Max C. Brewer, Director of the Arctic Research Laboratory. I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ARCTIC RESEARCH LABORATORY,
Point Barrow, Alaska, June 24, 1965.

Senator E. L. BARTLETT,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR BARTLETT: We were very disappointed to note in the Fairbanks News-Miner, June 22 issue, that the new Arctic Research Laboratory at Barrow had been "scratched" from the military construction authorization bill by the Senate Armed Services Committee. The elimination of the new laboratory would be a tremendous blow to the U.S. program for research in the Arctic.

The present U.S. research program in the Arctic Basin area is very meager and unfortunately is dependent to an unhealthy degree on the personal dedication of a few individuals who, to date, have been willing to work in outdated facilities (quonset huts erected to provide a base for oil exploration in 1944) and with inadequate equipment and fiscal resources. Many of them have suffered with the inadequate facilities with the hope, since 1959, that new facilities would be provided. The new facilities also are needed to attract other research personnel who can, with new facilities, embark on additional and more sophisticated research.

The Arctic research program has been the responsibility of the Office of Naval Research, initially because of ONR's interest in the Arctic and the Navy having a camp at Barrow, and later because of ONR's continued interest and the Navy's role in Arctic Ocean operations. ONR through its contract operations and unique approach of support to all Federal agencies and their contractors, has developed unusually economical methods of operating in the Arctic something that has eluded others who have tried or shied away from operating in the Arctic. The successful operation of ice island Arlis II for 4 years while it made the trip from 110 miles north of Barrow to the vicinity of the North Pole and thence out the East Greenland Current to a point just west of Iceland can be cited as one accomplishment of national interest. The scientific accomplishments on other ice stations and at the main laboratory, where the feasibility study for the DEW line was accomplished in late 1952, point to other aspects of its productivity.

I believe that the time is rapidly approaching when the United States is going to need to make a decision to either "fish or cut bait" in trying the fill the vacuum of knowledge concerning the Arctic Basin. Our competitors have extensive Arctic programs in existence with tremendous support (the Russians had nine single-engine aircraft and five helicopters on one ice station this spring), started many years earlier, and are rapidly acquiring knowledge of the Arctic.

The new laboratory facility is essential if the United States is to play any really significant role in filling the vacuum of knowledge in the Arctic area. I, therefore, recommend that you endeavor to have this facility reinstated in the military construction authorization bill. I also am urging Senators ERNEST GRUENING and CLINTON P. ANDERSON to do the same.

Sincerely yours,

MAX C. BREWER,
Director.

Mr. BARTLETT. I should like to read excerpts from the letter, but in the interest of saving time I shall not do so. It is a persuasive letter.

I should like to inform the chairman that Dr. William R. Wood, president of the University of Alaska, is deeply concerned about the situation. The university has a main stake in what is done at Barrow. I shall not offer an amendment on this subject; I would not consider doing so. I merely wish to point out that this really is an important item; and I express the hope that when the bill goes to conference further study may be made on the Senate side and that the Senate conferees may find it possible to accept the conclusions of the House in this respect.

Mr. STENNIS. We appreciate the remarks of the Senator from Alaska. He is always considerate and understanding. We are not rejecting totally the idea of an arctic research laboratory. The Navy gave it a low priority by not including it in its original fiscal year 1966 budget, and at the last moment submitted this project because something else had been removed. The Navy is continuing its interest in the project, and will be giving it further study.

Mr. BARTLETT. I understand that the lateness of the submission of the request was one of the factors that resulted in the omission of the item.

Mr. STENNIS. Yes. I thank the Senator from Alaska.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I express my appreciation to the Senator from Kansas [Mr. CARLSON] for allowing me to precede him, although he should have been recognized first.

I wish to join other Senators who have urged the committee to consider sympathetically section 608 of the House bill, relating to congressional review of the closing of military facilities, when the subject comes before the conference. I think it is well known that we did not propose an amendment because we felt that the subject would be fully considered in conference. In view of the varying positions expressed in the Committees on Armed Services of the House and Senate on this section, although some Members felt differently, we believed we were better off in laying the facts before the Senate and urging that the matter be considered in conference.

The Senator from New Hampshire [Mr. MCINTYRE] and the Senator from Maine [Mrs. SMITH] have most eloquently stated the point that while four committees of Congress, in the House and the Senate, consider authorizations and appropriations for the construction of new facilities for the armed services, none of those committees is expressly empowered to consider the closing of some of the multi-million-dollar installations and facilities contributing to the national defense, which review would be expressly permitted by section 608. I believe that the Congress is fully justified in taking the same long, hard, and careful look at military facility closings as it does at the construction of new military facilities. It seems difficult to reconcile that four committees of Congress as well as the membership of both Houses of Congress each year scrutinize in detail the justification which the Department of Defense prepares for the construction of new facilities, but that these committees do not consider in detail the closing of existing multi-million-dollar facilities. The Department of Defense is made to bear the burden of explaining the use of every dollar expended for construction through budget requests, but need not justify the closing of a major military installation.

It is literally impossible for Secretary of Defense McNamara to review in exhaustive detail the justification for closing every military facility. Consequently, decisions to close major facilities are made in the military service departments are frequently never again subjected to detailed review. In contrast, the construction of new facilities receives the most intense review by the Secretary of Defense, four committees of the Congress, and the full membership of both Houses.

As my colleagues know, my State of New York has been affected by a number of ordered closings, the largest of which has been the Brooklyn Navy Yard, which affects an estimated $300 million installation employing some 10,000 employees. After the New York congressional delegation spent many months seeking a review of this decision, a day of hearings on the closing of this huge installation was held by the House Armed Services Committee. A number of meetings have previously been held by myself, Senator KENNEDY, and the New York delegation with Secretary McNamara both at the Pentagon and in New York which included briefings by the Secretary and questioning of this information, but a full detailed examination of the facts in the voluminous report of the Defense Department's Shipyard Policy Board providing the basis for the ordered closing was never undertaken until the House Armed Services Committee recently held its day of hearings.

I wish to mention another precedent as to congressional review of military activity in addition to the one having already been referred to by the Senator from Maine [Mrs. SMITH] with respect to the Committees on Armed Services' consideration of real property transactions under section 2662 of title 10, United States Code. I refer to section 125 of title 10, United States Code, which requires the very same procedure of congressional review contained in section 608 of the House bill, with respect to consolidation or abolition of any function, power, or duty of the Secretary of Defense. The procedure set forth in title 10, United States Code, section 125, concerning congressional review of a consolidation or abolition of a function, power, or duty vested in the Secretary of Defense is exactly as is proposed by section 608 of the House bill. I strongly urge acceptance of this precedent upon Senators and upon the conferees.

I point out the tremendously shattering result of the action of closing facilities in the various communities affected throughout the country, an effect which is just as great as is the boon of construction which is scrutinized carefully by the House and Senate.

In New York, we have the closing, now in progress, of a number of facilities, including a $300 million installation at the Brooklyn Navy Yard, employing 10,000 workers.

The Brooklyn Navy Yard is a military establishment of great experience and ability with a tremendous pool of technical and engineering skills and vast investment of equipment, including seven huge drydocks. It has built the battleships *Arizona, Missouri, Iowa,* and *North Carolina,* and the aircraft carriers *F. D. Roosevelt, Saratoga, Lexington, Constellation, Bennington, Bonhomme Richard,* and *Kearsarge.* This yard, like other naval yards, contains barracks, messhalls, medical, and training facilities, and, together with its basic shipbuilding alteration and repair capacity, provides a basis for immediate mobilization. Its closing would result in the loss of a large investment in available shipbuilding facilities and equipment.

In spite of statements to the contrary, the economic impact of this shipyard on the community of New York City and the workers at the yard and their families is substantial, according to an impartial study of naval shipyards prepared by the Library of Congress:

> Payrolls, purchases, supplies, and other expenditures by the yard amount to $250 million annually, which generates annual business at the local level to somewhere in the vicinity of $1.25 billion. The annual payroll for its 9,634 employees is $80 million. The $250 million in total expenditures constitutes about five-tenths of 1 percent (.480) of the country's past defense budget of $51 billion. The estimated value of the property is somewhere between $300 and $500 million.

On that subject, relating to how section 608 was construed in the other House, I ask unanimous consent to have printed at this point in the RECORD a colloquy which the chairman of the Committee on Armed Services of the other body held on that point which appears at page 13246 of the RECORD of June 10, 1965.

There being no objection, the colloquy was ordered to be printed in the RECORD, as follows:

> Mr. EDWARDS of Alabama. Mr. Chairman, will the chairman yield to me for a question?
>
> Mr. RIVERS of South Carolina. Mr. Chairman, I will yield 1 minute to the distinguished Member from Mobile.
>
> Mr. EDWARDS of Alabama. Mr. Chairman, in referring to section 608, I would like to ask a clarifying question. On November 19, some 95 bases were ordered closed by the Secretary of Defense, and Brookley Air Force Base was one of those to be phased out over a 4-year period. It is my understanding that the first people are to leave Brookley in June, this month 1965, and then continue for the next 4 years. Is it the chairman's interpretation of section 608 that the Congress would have a chance now, if this bill should pass, under section 608, to review the order to close Brookley Air Force Base?
>
> Mr. RIVERS of South Carolina. I had not gone into that subject very thoroughly until it was called to my attention a few moments ago. It is my feeling that once this bill is signed by the President it would apply to any base that is open at that time. This is my curbstone opinion.
>
> Mr. EDWARDS of Alabama. Regardless of whether an order has been issued for it?
>
> Mr. RIVERS of South Carolina. That is my opinion.
>
> Mr. EDWARDS of Alabama. Is that your intention as well as your opinion?
>
> Mr. RIVERS of South Carolina. Well, if I have a belief, I always follow it up with my intent.
>
> Mr. EDWARDS of Alabama. I thank the gentleman.

Mr. JAVITS. Always, people like to have practical cases cited. I should like to present a practical case indicating a situation where review would have been desirable. It was the desire of the Department of Defense to transfer certain functions of the Rome Air Material Area at Griffiss Air Force Base at Rome, N.Y. After we dug into the situation thoroughly, we found, according to the General Accounting Office itself, important differences in estimates of the anticipated savings resulting from the closing.

The General Accounting Office report dated June 25, 1964 which we requested disclosed that of the Air Force estimated savings of $11.8 million for fiscal years 1965 through 1967 and the anticipated annual savings thereafter of about $9.9 million a year, the GAO was able to identify approximately $2 and $2.7 million which respectively did not appear to be savings properly attributable to the transfer. The GAO was unable to determine the reasonableness of the Air Force estimates because in their words "the Air Force has not provided sufficient detailed support for the most important factor affecting the estimates, that is, the number of personnel spaces that can be eliminated from the Logistics Command's authorized personnel strength as a result of the transfer." Most unfortunately, detailed papers supporting this estimate were destroyed by the Air Force. The GAO also found that the estimated cost of $3.6 million for constructing additional facilities of the air material areas receiving the functions of the Rome Air Material Area appeared to be understated by about $1 million.

I am not going to draw a broad generalization as the result of this case. The fact is that the General Accounting Office itself came up with a difference from the Air Force as to estimated savings of approximately 20 percent to one-third of the estimated savings. Notwithstanding the outstanding record of Secretary McNamara's Department, it can, like all human organizations, be in error.

Another situation, in which a difference of opinion as to facts and figures has arisen is the case of the Naval Training Devices Center, located at Sands Point, Long Island, N.Y.

The Naval Training Devices Center is responsible for research and development of training devices for the Navy, the Army, the Marines, and the Coast Guard, and is frequently utilized by the Air Force and certain civilian agencies as well. Its basic task is development and delivery of training devices which simulate operational equipment, permitting the training of large numbers of men without the enormous cost which would be incurred if such large-scale training were carried out using actual equipment. The Center is the only facility of its kind in the Defense Department.

The Navy, which previously planned and obtained funds to transfer the Center from Sands Point to Mitchel Field, N.Y., has now proposed to move the Center to Orlando, Fla. On the basis of evidence which has been presented to me, both by the proponents and by the opponents of the relocation, I believe there are grave questions as to the soundness of the move. Not only would this relocation have serious adverse effects on the economy of the State from which the Center would be moved and on the 800 employees of the Center and their families, but there are also indications that it would be unwise both from the standpoint of the national defense and from the point of view of the American taxpayer.

Because the Center's research and development activities require skilled scientific and technical personnel, as well as research and educational facilities, the location of the Center in an area, like New York City, where these skills and facilities are available in great abundance, is of prime importance. Another advantage the Center enjoys in its present location is proximity to a number of its major contractors, located in the New York area. The benefits accruing to the Center because of its present geographic location and the loss of these benefits which would be incurred by removal of the Center to Florida, are thus one aspect of the proposed move which raises grave doubts as to its wisdom.

Another cause for concern about the proposed transfer is the cost. There are very major differences in the estimated cost of relocation of the Center, maintenance of the Center at Sands Point as opposed to Orlando, rehabilitation of existing facilities as opposed to rehabilitation and construction at Orlando, and other factors. A comparative cost analysis was prepared recently by the Engineers and Scientists Association of the Center, based on cost estimates certified by the association to be as accurate as possible considering the association's inability to obtain access to official information concerning the proposed transfer and within the limits of the association's knowledge of, and experience and familiarity with, the Center's operations. According to this analysis, the following are the estimated figures for the cost of first, keeping the Center at Sands Point; second, moving the Center to Mitchel Field; and third, moving the Center to Orlando:

Item	Sands Point	Mitchel	Orlando
1. Rehabilitation of buildings	None	$1,500,000	$851,000
2. Construction of new buildings and laboratories	$1,200,000	None	2,000,000
3. Annual maintenance costs	530,000	200,000	3,000,000
4. Moving costs	None	50,000	1,500,000
5. Forced early retirement of employees	None	None	700,000
6. Abandonment of new laboratory	None	None	40,000
7. Additional hiring of out-of-State employees	None	None	1,800,000
8. Training of inexperienced engineers and technicians	None	None	2,187,500
9. Built-in travel and communication costs	None	None	500,000
Total	1,730,000	1,750,000	12,578,500

The Navy, however, estimates the comparative costs as follows:

Sands Point, $6,746,600.

Mitchel, $3,800,000.

Orlando, $2,201,000.

On the basis of these two sets of figures alone, a thorough and impartial accounting of all comparative cost factors, including hidden factors, appears justified.

A further subject of controversy which could adversely affect the efficient operation of the Center is the extent to which the present operation would be disrupted during the 2 years over which the move would be carried out. Still another subject of concern—which some say would actually jeopardize the entire program of the Center—is the loss of skilled employees of the Center who would prefer to be separated from their present employment than be relocated and would therefore be lost for the operation of the Center. A very substantial number of engineers have already resigned, and employee polls and other evidence indicates that the loss of experienced engineering talent to the Center might be extremely severe.

Yet despite the serious and substantial nature of this controversy, we had no opportunity for congressional review.

Members of the New York congressional delegation had a number of meetings with the Secretary of Defense—I believe one in Washington and one in New York, following the ordered closing of the New York Naval Shipyard and Brooklyn Army Terminal as well as other facilities on November 19, 1964.

How much better would it be if the procedures for congressional review under the statute on review of surplus property transactions (10 U.S.C. 2662), or the transferring of Defense Department functions (10 U.S.C. 125) could have been followed.

As the Senator from Mississippi knows, the members of the Government Operations Committee have constantly proposed to them for consideration the disposition of surplus property. The questions are decided very quickly. We have no express power to immediately stop dispositions of property declared surplus as the General Services Administration sees fit. Yet, the mere fact that the question is put up to us and the Department must wait until we respond is a worthwhile and satisfying procedure to Members of Congress.

I join with my colleagues in urging the conferees to adopt a sympathetic attitude to the language in section 608 of the House bill. We should be given a regularized procedure by which major decisions affecting the lives and fortunes of thousands of Americans can be reviewed and dealt with in an orderly way.

Mr. STENNIS. Mr. President, I thank the Senator.

Mr. President, I yield to the Senator from Maine.

Mr. MUSKIE. Mr. President, I wish to speak in support of section 608 of the House version of the military construction bill which has the effect of requiring notification to the Congress pertinent to the prospective military base or installation closings, reductions, or consolidations. Such notification would then provide the Congress the opportunity to express its approval or disapproval of these proposed actions.

Much has been made of the base closure issue. I, for one, am fully sympathetic with the needs for economy throughout our military establishments. I am however, cognizant of the economic impact of such closures upon our local domestic economies. In Maine and New Hampshire we have the Portsmouth-Kittery complex of naval facilities which the Department of Defense has scheduled for phaseout. I have seen difficult circumstances arise in similar situations in the past. Along with my New England colleagues, I am working on several approaches to achieve future economic stability for the Portsmouth-Kittery area based upon a revitalized civilian economy. I think this can be done—but it will take time.

Regardless of this economic problem I believe the basic issue involved with the Rivers amendment centers around an interpretation of the constitutional powers of the Congress with regard to raising and supporting our military forces.

On this matter the Constitution is clear:

> The Congress shall have the power to raise and support armies, to provide and

> maintain a Navy, to make rules for the government and regulation of the land and naval forces.

Throughout the years of our history, the delegation of this power to the Congress has been upheld.

In the 1875 edition of Blackstone's "Commentaries," it is noted that:

> Congress can alone raise armies; and may put them down, wherever they choose.

In this separation of powers issued between the executive and legislative branches, I see no corollary between President Johnson's concern in this general area when he vetoed the flood relief bill for the Pacific Northwest and the subject of military base closings under discussion here today.

In supporting this amendment we do not infringe upon the tactical or strategic disposition of military forces. We simply mean that the Congress will review and determine the total effect upon our national security of the proposed closure of a military facility. It is not only commonsense, but clearly constitutional intent that these military installations and facilities authorized and supported by the Congress shall also be disposed of only with congressional approval.

Mr. STENNIS. Mr. President, I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I associate myself with the other Senators who have expressed appreciation and commendation for the outstanding services rendered by the distinguished Senator from Mississippi in handling this large program of expenditure and authorization. However, I would be less than frank if I did not state that I was disappointed in one item which was stricken from the bill. That item had to do with the request of the Department of the Army for some $9 million for its complex at Fort Riley, Kans.

Fort Riley, Kans., is the home of the 1st Division. It is to be expanded in area through the kindness of the chairman of the committee last year, in giving us additional territory to be used to expand the size of the post for the training of this great division. This expansion is badly needed. It was requested by the Army.

The item for the Fort Riley project should be properly considered for inclusion in next year's program. This is an essential, constructive program. It is badly needed at this post.

The distinguished chairman gave me some consolation in the report, which states that this will be considered for next year's program. It certainly should be kept in mind.

Mr. STENNIS. Mr. President, I am delighted that the Senator from Kansas brought the matter up. I recall his great interest last year in Fort Riley and the fight which he made, and which he has always made with reference to his State. The Senator does not come in with a request unless he has a case; and he has a case this time, I believe.

This project was not in the original budget recommendation. It came in later because something else had been canceled out. In other words, it did not have the highest priority. We did not defeat it on its lack of merit. However, we have a fairly solid formula that we use in trying to add these units at the rate of so many a year.

We are delighted that Fort Riley will be included next year, if it is in the budget. The committee has already more or less informally agreed that it will be included then. I greatly appreciate the sentiments of the Senator from Kansas.

Mr. CARLSON. Mr. President, I have such high regard for the chairman and the committee members that I shall not press the matter further now. I am certain that the matter will be given consideration in the hearings next year. In view of what I believe the need to be, I appreciate it very much.

Mr. SALTONSTALL. Mr. President, I join in the statement of the acting chairman of our committee. This was one of the few items that we specifically named in our committee report as coming up next year.

Mr. CARLSON. I thank the Senator.

Mr. STENNIS. Mr. President, I understand that the Senator from Illinois has a matter to bring up.

Mr. DOUGLAS. I have.

Mr. STENNIS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

AMENDMENT NO. 296

Mr. DOUGLAS. Mr. President, I join with my colleagues in the respect which I have for the Senator from Mississippi [Mr. STENNIS].

No Senator has a fairer mind than has the Senator from Mississippi. No Senator is more courteous or more considerate.

I believe that, in general, the work which the committee has done on the bill is excellent. There is one feature of the bill, however, in which I believe they have yielded to pressure and have cut themselves off from economies which could be effected.

Therefore, on behalf of the junior Senator from Iowa [Mr. MILLER], my colleague, the junior Senator from Illinois [Mr. DIRKSEN], and myself, I call up amendment No. 296 and ask that it be read. I shall explain it briefly and then ask for a quorum so that it can be discussed more fully.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> On page 83, strike lines 3 and 4 and insert in lieu thereof the following:
>
> "Rock Island Arsenal, Illinois: Research, development, and test facilities, administrative facilities, and utilities, $4,336,000, of which amount $3,510,000 is authorized subject to the condition that the request for such sum is not withdrawn by the Secretary of Defense or his designee by notice in writing to the Committees on Appropriations of the House of Representatives and the Senate prior to final consideration by both Houses of Congress of the bill appropriating funds for military construction for the fiscal year 1966."
>
> On page 133, lines 11 and 12, strike the figure "$242,363,000" and insert in lieu thereof the figure "$245,873,000".
>
> On page 133, line 14, strike the figure "$296,269,000" and insert in lieu thereof the figure "$299,779,000".

Mr. DOUGLAS. Mr. President, although this amendment, on its face, seems to call for an additional expenditure of $3,510,000, it would in reality, provide economies of $4,600,000 a year, which, over a period of 10 years, would amount to $46 million. So, it is really an economy proposal, and the proposed capital increase is really made to reduce operating costs.

I shall ask for the yeas and nays on the amendment. I would like to make a brief statement, and then ask for a quorum call, so the matter may be discussed before a larger number of the Members of the Senate.

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOUGLAS. Mr. President, now let me make a preliminary statement on this matter. We all know that there is an excessive number of military installations scattered over the country. The naval bases were set up in the days of sailing ships, and we had naval bases at Portsmouth; Charlestown, Mass.; Brooklyn, N.Y.; Philadelphia; Norfolk; and Charleston, S.C.

The military bases were established in the days of the Indian wars, and they are scattered all over the country.

Various supply installations were established, one of which is at Springfield, Mass., another at Rock Island, Ill., and many others.

There was great waste in the maintenance of these installations. There are too many of them and some are very inefficient. They have been "sacred cows," protected by Senators and Representatives from the various districts and States in question. Many hundreds of millions of dollars have been wasted each year.

The present Secretary of Defense, Mr. McNamara, is the first man who has the courage to try to deal with the matter and try to close down the uneconomic installations. When he does so, there is a very natural tendency on the part of Senators and Representatives who come from these districts and States to defend the maintenance of the installations. Behind the language and comments made at that time, the struggle continues, and I predict it will continue for a long time.

I have always taken the position, in defending the legitimate interests of my State, that if economy could be proved in the transfer of facilities from my State to another State, I would not object. I have sat silent in the Senate when such economies have been effected at the expense of my State.

When however I thought that the general situation indicated that economies were not being made by any such transfer of facilities from my State, I have objected, and I felt justified, both on the ground of the national interest and the fact that a State's interests should not be subjected to noneconomic and political forces.

This is an occasion in which I can defend the general interest and at the same time defend the interests of my State because the effect of the action of the Senate Armed Services Committee—and it was also the action of the House—

would be to prevent a transfer of ordnance work from the highly inefficient operation at Springfield, Mass., to the highly efficient installation at Rock Island, which lies on the Mississippi River halfway between the State of Illinois and the State of Iowa, halfway between the cities of Rock Island and Moline, on the Illinois side, and the city of Davenport on the Iowa side.

I will develop this argument in greater detail. It is one of the clearest indications and clearest evidences that political pressure has been used successfully to defeat a proposal which would save $4,600,000 a year, in all probability, at a cost only of an initial, one-time expenditure of $3,510,000, and which therefore would net $1,090,000 in the first year of savings and $4,600,000 every year thereafter.

So in order that we may get down to cases on this matter, I suggest the absence of a quorum——

Mr. STENNIS. Mr. President, will the Senator withhold that request?

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Will the distinguished Senator from Illinois, who has the floor——

Mr. DOUGLAS. Mr. President, I am yielding the floor, but I have the floor at present and I should like to yield to the Senator from Virginia to present a conference report. I serve notice now that immediately after action has been taken on the conference report, I shall again suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, with that understanding, I urge all attachés of the Senate to notify Senators that immediately upon adoption of the conference report the Senator from Illinois [Mr. DOUGLAS] will again obtain the floor and suggest the absence of a quorum—and it will be a live quorum.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1966—CONFERENCE REPORT

Mr. ROBERTSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7060) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1966, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ROBERTSON. Mr. President, I wish to make a relatively brief statement on the conference action on H.R. 7060, the Post Office and Treasury Department appropriation bill for fiscal year 1966.

The conference report contains a total of $7,669,444,000. This is $1,065,040,000 over the House bill, $29,225,000 under the Senate bill, $1,208,039,000 over 1965, but $80,326,000 under the estimate.

The total amount of the bill, $7,669,444,000 consists of $6,634,444,000 of regular 1966 appropriations and a 1965 supplemental of $1,035 million for the International Monetary Fund.

For the Treasury Department, the conference bill contains $1,291,239,000, an increase of $49,584,000 over 1965. The amount allowed is $18,987,000 over the House figure, $21,726,000 under the estimate, and $12,775,000 under the Senate bill.

For the Post Office Department, the conference report contains $5,324,400,000, an increase of $122,400,000 over 1965 and represents a reduction of $58,600,000 in the estimates. The amount allowed is $11 million over the House figure and $16,450,000 under the Senate bill.

For the Executive Office of the President and certain independent agencies, the conference allowed the budget estimate.

I ask unanimous consent that a table showing the 1965 appropriation, the 1966 budget estimate, the House and Senate action, and conference action on the bill be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

[CONFERENCE TABLE]

Treasury-Post Office appropriation bill, H.R. 7060, fiscal year 1966

TITLE I—TREASURY DEPARTMENT

Appropriation title	1965 appropriations (including supplementals to date)	1966 estimates	Bill		Conference allowance	Conference allowance compared with—		
			House	Senate		1966 estimates	House bill	Senate bill
Office of the Secretary	$5,907,000	$5,920,000	$5,875,000	$5,874,000	$5,874,000	−$46,000	−$1,000	
Bureau of Accounts	[1] 32,764,000	33,765,000	33,500,000	33,500,000	33,500,000	−265,000		
Bureau of Customs	78,854,000	82,850,000	82,250,000	82,250,000	82,250,000	−600,000		
Bureau of the Mint, salaries and expenses	[2] 14,659,000	13,350,000	13,350,000	13,350,000	13,350,000			
Construction (land acquisition)	[3] 16,000,000	1,000,000	1,000,000	1,000,000	1,000,000			
Total, Bureau of the Mint	30,659,000	14,350,000	14,350,000	14,350,000	14,350,000			
Bureau of Narcotics	[4] 5,657,000	5,970,000	5,970,000	5,970,000	5,970,000			
Bureau of the Public Debt	[5] 50,237,000	50,330,000	50,330,000	50,330,000	50,330,000			
Coast Guard:								
Operating expenses	273,752,000	285,200,000	284,000,000	284,000,000	284,000,000	−1,200,000		
Acquisition, construction, and improvements	85,000,000	[6] 115,510,000	101,000,000	115,510,000	115,510,000		+14,510,000	
Retired pay	[7] 36,961,000	40,300,000	40,000,000	40,000,000	40,000,000	−300,000		
Reserve training	20,939,000	23,750,000	22,500,000	23,125,000	22,500,000	−1,250,000		−$625,000
Total, Coast Guard	416,652,000	464,760,000	447,500,000	462,635,000	462,010,000	−2,750,000	+14,510,000	−625,000
Internal Revenue Service:								
Salaries and expenses	16,445,000	18,120,000	17,600,000	17,600,000	17,600,000	−520,000		
Revenue accounting and processing	152,100,000	166,000,000	154,600,000	164,500,000	159,600,000	−6,400,000	+5,000,000	−4,900,000
Compliance	429,850,000	453,500,000	439,000,000	446,250,000	439,000,000	−14,500,000		−7,250,000
Total, Internal Revenue Service	598,395,000	637,620,000	611,200,000	628,350,000	616,200,000	−21,420,000	+5,000,000	−12,150,000
Office of the Treasurer	6,175,000	6,350,000	6,350,000	6,350,000	6,350,000			
U.S. Secret Service:								
Salaries and expenses:								
President's budget	[8] 8,310,000	8,750,000	8,750,000	8,750,000	8,750,000			
Secretary's special addendum		(3,887,000)	3,877,000	3,355,000	3,355,000	+3,355,000	−522,000	
Total, salaries and expenses	8,310,000	8,750,000	12,627,000	12,105,000	12,105,000	+3,355,000	−552,000	
White House Police	[9] 1,859,000	1,866,000	1,866,000	1,866,000	1,866,000			
Guard force	436,000	434,000	434,000	434,000	434,000			
Total, U.S. Secret Service	10,605,000	11,050,000	14,927,000	14,405,000	14,405,000	+3,355,000	−522,000	
Total, title I, Treasury Department	1,241,655,000	1,312,965,000	1,272,252,000	1,304,014,000	1,291,239,000	−21,726,000	+18,987,000	−12,775,000

See footnotes at end of table.

Treasury-Post Office appropriation bill, H.R. 7060, fiscal year 1966—Continued

Appropriation title	1965 appropriations (including supplementals to date)	1966 estimates	Bill		Conference allowance	Conference allowance compared with—		
			House	Senate		1966 estimates	House bill	Senate bill
TITLE II—POST OFFICE DEPARTMENT								
Administration and regional operation	[10] $87,441,000	$88,100,000	$86,500,000	$86,500,000	$86,500,000	−$1,600,000		
Research, development, and engineering	12,000,000	13,000,000	12,000,000	12,000,000	12,000,000	−1,000,000		
Operations	[11] 4,224,059,000	4,333,900,000	4,298,900,000	4,321,350,000	4,304,900,000	−29,000,000	+$6,000,000	−$16,450,000
Transportation	596,500,000	598,000,000	595,000,000	595,000,000	595,000,000	−3,000,000		
Building occupancy and postal supplies	199,000,000	226,000,000	226,000,000	216,000,000	221,000,000	−5,000,000	−5,000,000	+5,000,000
Plant and equipment	[12] 83,000,000	124,000,000	95,000,000	110,000,000	105,000,000	−19,000,000	+10,000,000	−5,000,000
Total, title II, Post Office Department	5,202,000,000	5,383,000,000	5,313,400,000	5,340,850,000	5,324,400,000	−58,600,000	+11,000,000	−16,450,000
TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT								
Compensation of the President	$150,000	$150,000	$150,000	$150,000	$150,000			
White House Office	[13] 2,855,000	2,855,000	2,855,000	2,855,000	2,855,000			
Special projects	[14] 1,375,000	1,500,000	1,500,000	1,500,000	1,500,000			
Executive Mansion and Grounds	696,000	694,000	694,000	694,000	694,000			
Bureau of the Budget	7,306,800	7,973,000	7,920,000	7,973,000	7,973,000		+$53,000	
Council of Economic Advisers	697,000	723,000	723,000	723,000	723,000			
National Security Council	626,900	660,000	660,000	660,000	660,000			
Emergency fund for the President	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000			
Management improvement	300,000	250,000	250,000	250,000	250,000			
Total, title III, Executive Office of the President	15,006,700	15,805,000	15,752,000	15,805,000	15,805,000		+53,000	
TITLE IV—INDEPENDENT AGENCIES								
Tax Court of the United States	$2,183,300	$2,190,000	$2,190,000	$2,190,000	$2,190,000			
Administrative Conference of the United States		250,000	250,000	250,000	250,000			
Advisory Commission on Intergovernmental Relations	410,000	410,000	410,000	410,000	410,000			
Committee on Labor-Management Policy	150,000	150,000	150,000	150,000	150,000			
Total, title IV, independent agencies	2,743,300	3,000,000	3,000,000	3,000,000	3,000,000			
TITLE V—FUNDS APPROPRIATED TO THE PRESIDENT								
International Monetary Fund, increase in quota		[15] $1,035,000,000		$1,035,000,000	$1,035,000,000		+$1,035,000,000	
Total, title V, funds appropriated to the President		1,035,000,000		1,035,000,000	1,035,000,000		+1,035,000,000	
Grand total, titles I, II, III, IV, and V	6,461,405,000	7,749,770,000	$6,604,404,000	7,698,669,000	7,669,444,000	−$80,326,000	+1,065,040,000	−$29,225,000
Consisting of—								
1966 appropriations	6,461,405,000	6,714,770,000	6,604,404,000	6,663,669,000	6,634,444,000	−80,326,000	+30,040,000	−29,225,000
1965 supplemental		[15] 1,035,000,000		1,035,000,000	1,035,000,000		+1,035,000,000	

[1] Reduced from $33,000,000 as result of $107,000 transfer to Bureau of Narcotics and $129,000 transfer to "White House Police," Public Law 89-16.

[2] Includes $4,500,000 in Supplemental Appropriation Act, 1965, and $179,000 supplemental, Public Law 89-16.

[3] In addition, $500,000 in Supplemental Appropriation Act, 1965, to be derived by transfer from "Office of the Treasurer," fiscal year 1964 to remain available until expended for construction.

[4] Includes $107,000 by transfer from "Bureau of Accounts" in Public Law 89-16.

[5] Includes $570,000 in Supplemental Appropriation Act, 1965, and $667,000 supplemental, Public Law 89-16.

[6] Original estimate of $109,250,000 increased by $6,260,000 S. Doc. 24, dated May 17, 1965.

[7] Reduced from $37,500,000 as result of $539,000 transfer to "Salaries and expenses, U.S. Secret Service," Public Law 89-16.

[8] Includes $810,000 (of which $539,000 derived by transfer "Retired pay, Coast Guard"). Of the $810,000 supplemental $215,000 is for pay increase and $595,000 to expand force, Public Law 89-16.

[9] Includes $129,000 by transfer from "Bureau of Accounts" in Public Law 89-16.

[10] Includes $1,941,000 by transfer from "Plant and equipment" in Public Law 89-16.

[11] Increased by $204,059,000, of which $4,059,000 is derived by transfer from "Plant and equipment," Public Law 89-16.

[12] Reduced from $89,000,000 as result of $1,941.000 transfer to "Administration and regional operation" and $4,059,000 transfer to "Operations," Public Law 89-16.

[13] Includes $125,000 by transfer from "Special projects" in Public Law 89-16

[14] Reduced from $1,500,000 as result of $125,000 transfer to "White House Office," Public Law 89-16.

[15] Supplemental estimate for 1965 contained in S. Doc. 31 dated June 1, 1965.

Mr. ROBERTSON. Mr. President, I invite the attention of Senators to the fact that the conference report was unanimously agreed upon by both House and Senate conferees, and represents a reduction in the budget estimates. It is our opinion that it provides ample funds for both major agencies handling two vital matters; namely, taxes on the one hand and post office mail on the other.

Mr. President, I move adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 7060, which was read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 10 to the bill (H.R. 7060) entitled "An Act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent Agencies for the fiscal year ending June 30, 1966, and for other purposes", and concur therein with an amendment, as follows:

In lieu of "5 per centum", insert: "2½ per percentum".

Mr. ROBERTSON. Mr. President, I move that the Senate concur in the House amendment to the amendment of the Senate numbered 10.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Virginia.

The amendment was agreed to.

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 155 Leg.]

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ervin
Fannin
Fong
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche

Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, Ga.
Russell, S.C.
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

MILITARY CONSTRUCTION AUTHORIZATION FOR FISCAL YEAR 1966

The Senate resumed the consideration of the bill (H.R. 8439) to authorize certain construction at military installations, and for other purposes.

Mr. STENNIS. Mr. President, I assume that the Senator from Illinois desires the floor.

Mr. DOUGLAS. Mr. President, I should like to explain again the nature of the pending amendment. On the face of it, the amendment would seem to increase the capital expenditures at Rock Island by $3,510,000 a year. In practice, however, it would permit the transfer of work from the Springfield, Mass., Armory to the Rock Island Arsenal which would save $4,600,000 in the first year, and thereafter we believe the transfer would result in continuing savings of approximately the same amount each year. So that the amendment is really a proposal to save money and not to expend additional money. This proposal is recommended by the Department of Defense and the Bureau of the Budget.

A few minutes ago I made a preliminary statement as to the reasons for the amendment. Since then additional Senators have come into the Chamber and I should like to expand upon the subject for their benefit.

As I have said, we all know that there has been an excessive number of naval stations, military posts, and Government ordnance plants in the United States.

Naval stations were established in the days of sailing ships. There were approximately six on the Atlantic coast, a number which we certainly do not need in this modern era. Military posts were scattered all over the country because of colonial and Indian wars, and there have been surplus ordnance installations as well. These have been sacred cows in the past, since Senators and Representatives would naturally fight to the death to hold those installations for their particular States. They did so in obedience to pressure from their constituents, and therefore no blame should be attached to them for their actions.

Secretary McNamara is the first Secretary of Defense who has tried to reduce that waste. He is trying to close down some of the surplus naval stations, some of the surplus airfields, and some of the surplus military posts. As we can see from the discussion this afternoon, he is meeting with considerable resistance.

In addition, he is trying to reduce the waste of having work in high cost, obsolete ordnance plants continue when the work could be transferred to more efficient plants at a lower cost.

The present suggestion grows out of this general background. The Secretary of Defense asked a management consulting firm, Booz, Allen & Hamilton, to study the Springfield Armory and bring in recommendations as to whether it should be closed down or continued. It is well known that this armory although it has a very honorable record going back to the Revolutionary War, and although the Garrand weapons were developed there, has been sadly falling behind the times in the last 25 years. The buildings are old, machinery is obsolete; the unit costs are extremely high.

The management consulting firm, after a thorough survey, recommended that the work at Springfield be gradually closed down within the next 3 years and that small arms research and development work be transferred to a newer and more modern plant at Rock Island, Ill., which though technically in the State of Illinois, is on an island in the center of the Mississippi River, and really draws its working force from both Iowa and Illinois.

The firm estimated that annual savings would be effected by the transfer in the amount of $4,600,000. I repeat that those are annual savings. The cost of adapting the facilities at Rock Island to the new research and development work which would be transferred would be approximately $3,510,000 and the savings for the first year from such a transfer would be $1,090,000. Thereafter the savings would be at the approximate level of $4,600,000 a year; in 10 years, it would be approximately $46 million. At present, in Springfield, the armory has about 2,500 people employed. It was the purpose of the Booz, Allen & Hamilton report to have approximately 800 of those men transferred to Rock Island. There would be, therefore, a reduction of 1,700 men in the total force.

I wish to emphasize that the 1,700 men who would be laid off would receive dismissal wages and the very generous treatment which the Government affords its employees who are dropped because of surplus staffing.

The traveling and moving expenses of the 800 who would go to Rock Island would be met. This would slightly reduce the saving in subsequent years, but there would still be a good round margin of savings.

Everything argued for the acceptance of this study. The Department of Defense had already shown that it was trying to escape from the high costs of Springfield by tapering off the work there. A few years ago only 56 percent of the capacity of the plant was being utilized. At present, I am told, only 37 percent of the facilities are used. So the Department of Defense has already earmarked Springfield as an area of high costs, despite its historic record, and in order to save money has wanted to transfer the work to Rock Island.

As I said earlier, when considerations of bona fide economy have been in effect, I have not protested the transfer of facilities from Illinois to other States. Despite criticism inside my State, I have supported or at least not opposed the transfers, because I believe the national interest should come first. But when a measure to transfer work out of my State is against the national interest, I will defend that national interest, as well as the interests of my State and the Middle West, against unfair attempts to raid them and to deny the opportunity of placing such economies in effect.

If one will read the printed RECORD, he will find some strange and wonderful arguments advanced by Representatives from Massachusetts as to why the work should not be transferred from Springfield to Rock Island. One argument is that the people of Springfield would never go to Rock Island despite the fact that their traveling costs would be met, and that, therefore, Congress should not inflict psychic pain upon them by compelling them to move from where the broad A, as in father is used, to sections of the Middle West, where we speak the American language and not the effete pronunciation of the southern counties of Great Britain.

I have great respect for the State of Massachusetts and for the Connecticut Valley. It so happens, that I was born in Massachusetts. One of my ancestors, William Douglas, came to this country. He jumped overboard in 1700 and swam ashore in order that he might come to this country. He landed in Boston; and if one can swim ashore in November in Boston Harbor, it means he had quite a yearning to get onto dry land in that harried State.

My family has lived in New England for almost 300 years. I was educated in New England. I was born in Salem, Mass., the witchcraft town. A part of my education was obtained in Massachusetts. I lived for 2 years in the beautiful Connecticut Valley. It is a beautiful valley. I love it. But the Mississippi Valley is just as beautiful and also more impressive. The psychic pain inflicted on the good people from Massachusetts who never came West would not be so great. Quite the contrary. It would help them. It is sometimes said that it takes the sight of the foothills to make a man out of a Harvard Ph. D. The sight of the Mississippi is a broadening experience on the general outlook on life of those who have suffered too long from the effortless self-satisfaction of Massachusetts.

Mind you, if these Federal employees come, they will have their expenses paid. Good housing will be provided for them. They can also listen to symphony orchestras, orchestras which play as good music as the Springfield, Mass., orchestra does. If they sigh for the art galleries of Springfield, we can furnish them art galleries in Chicago. We shall be glad to provide excursion rates for them when they go to Chicago. We can give them cultural advantages and, in addition, give them the bracing air of the Midwest. Such a move would save $4,600,000 a year.

If for any irrational reason the people of Massachusetts and Springfield do not wish to move, we can furnish the Government with skilled machinists and skilled laborers in the area of Rock Island and Moline, on the Illinois side, and of Davenport, on the Iowa side in the farm equipment center not only of the United States but of the world. We have a highly skilled working force there. Unfortunately, with the increasing size of farms and a diminution in the farm population, the farmers of the country are not buying as much farm equipment as they did years ago. As a result, employment in the area has fallen off, and a considerable number of unemployed skilled machinists are available to go into the work of the arsenal. In the past year, the employment services have said that they have placed from 200 to 300 machinists in the arsenal in the highly skilled positions of GS–9 or above. This can continue.

So if our Massachusetts friends are not happy away from the Connecticut Valley and miss the sound of the broad "A," and refuse to choose to move, those places can be filled in the Midwest. We shall be glad to welcome the Massachusetts applicants and still give them first claim on the jobs. We do not believe that economy for the taxpayers should be denied because of possible irrational prejudices which they may have. The objections to the transfer are ill founded.

It would be well, perhaps, if I stopped at this point. But I cannot do so. Why, in the face of all these advantages, did the House and the Senate committee refuse to go along? That is extraordinary. I have great respect and affection for the Members of Congress from Massachusetts in both the House and Senate. They are fine men. I have deep affection for the State in which I was born. But something more was involved in this matter than cold reason. I believe political pressure was involved. The Representatives from Massachusetts are persuasive men. The two Senators from Massachusetts are estimable and persuasive men.

We honor the senior Senator from Massachusetts [Mr. SALTONSTALL], gracious in personality, a great oarsman in the Harvard crew of 50 years ago, and a fine gentleman in every respect, and generally a valuable Member of this body, but so imbued with the idea that, at all costs, Massachusetts must be protected, aggrandized, and furthered that at times he loses his perspective.

I have great respect and affection for the junior Senator from Massachusetts [Mr. KENNEDY], who is an adornment to this body, a member of a distinguished family—probably the foremost political family in the country—brother of the man who carried our party to victory in 1960 and who shed tremendous credit on this Nation as President.

We are glad to see his two brothers in the Senate—one representing the State of Massachusetts and the other representing the State of New York. We are delighted to have them here.

However, I deeply regret that the Senators from Massachusetts allowed parochial interest to get the better of national interest. Perhaps they could not do anything better. Perhaps they were so caught in the interest of people who thought Massachusetts was being drained that they had to do something which, in their hearts, they knew was wrong.

I am attempting to save the Senators from their baser elements and enable them to become statesmen once more. I do not expect them to vote for the amendment and hang their heads in, I shall not say "shame", but I hope they will acquiesce and allow this amendment to be agreed to.

Mr. President, Massachusetts has done extremely well at the hands of Congress. Permit me to take up the question of naval stations. As I said, there are naval stations at Portsmouth, N.H.; Charlestown, Mass.; Brooklyn, N.Y.; Philadelphia, Pa.; Norfolk, Va.; and Charleston, S.C. That was in the days of the sailing ships. They are obsolete now. At least two, possibly three, stations should be closed down.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DOUGLAS. Not at this time.

Mr. SALTONSTALL. Not even to say that there is a naval station on the Great Lakes in Chicago?

Mr. DOUGLAS. The Senator is correct. It is a very good training station, too. I believe it is the only training station on the lakes.

Why was it that they closed down Portsmouth and not Charlestown? The States of Maine and New Hampshire have been very forgiving. They may have struggled behind the scene, but they have not leveled any protest in public. I wonder if it should not have been Charlestown that should have been closed down rather than Portsmouth. However, it was Portsmouth. The northern part of New England was sacrificed once again to Boston, as it has been for so many decades, and, indeed, centuries.

Mr. President, in addition, who is it who has recommended the uneconomic Government ropework done in the Charlestown Navy Yard year after year, although it is highly wasteful and should be turned over to private industry? Is it not the advocates of private industry and private enterprise who have gone in year after year to defend state socialism in the making of rope in the Charlestown Navy Yard?

I make no charges. I ask people to look at the record; and they will find out. Every time the proponents of these uneconomic efforts at waste have triumphed and the defenders of economy have lost.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DOUGLAS. Not yet.

There was the Food and Container Institute in Chicago, the center of the food industry of the country, and the center of the container industry in the country. However, Senators and Representatives from Massachusetts insisted that that should be transferred to a place called Natick, in the woods, outside Boston. Massachusetts is not the center of the food industry. The only contribution which Massachusetts has made to food has been codfish cakes and baked beans, and baked beans are not as ubiquitous an item of military diet now as they once were. Nevertheless, this establishment was transferred to Natick. It was a very wasteful proceeding.

The argument was made, and I have heard the Senator from Massachusetts say, that people would like to leave Chicago and go to Natick to live, because people follow their jobs. If people follow their jobs, they can go from Springfield, Mass., to Rock Island, Ill., in a similar way.

We have had the question of the location of the electronics center before us. Many sections of the country wanted that electronics center—the Pacific coast, the Midwest, and the Southwest. We felt, in the Middle West, that we had a good claim for it. After all, we had been the center of the electronics industry. However, Massachusetts was very persuasive. I believe that their arguments included pressure, and not mere logic. They got the electronics center. I voted for it.

I voted for it because I thought that they deserved a chance. I wanted to encourage them to the fullest. I may have been influenced by my affection for the two Senators from Massachusetts. I tried to repress that feeling of affection, but it was so powerful within me that I cannot say that I was fully able to stifle it. However, I draw the line at the present proposal, when something is in the interest of economy—something which may temporarily hurt Massachusetts—and people say, "We are more cultivated. Our people will not leave Massachusetts. The work must be brought to them, even though it is uneconomic to do so."

I protest that with all the strength that I have. I would not object to having work transferred out of Illinois if it were in the national interest. But, I shall fight like a tiger to defend work being kept in Illinois if it is in the national interest.

Mr. President, that is about all I have to say. I hope that there will be no hard feelings caused by what I have said. I am only a plain speaker. I do not have the oratorical powers of either of the Senators from Massachusetts. However, if a case is based on truth and economy, one must rest his case there.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MILLER. Mr. President, I join my very able colleague, the senior Senator from Illinois, in endorsing the amendment.

There is not much that I can add to what the Senator has said in respect to the area he has covered. However I invite attention to the amendment itself and refer to the wording as it is.

I do not believe that the Senate Chamber is a very good place for us to make a determination regarding the amount of cost, savings, or extravagance that might be involved in this particular issue.

Any Senator can make the statement that a proposal would cost the Government something or save the Government something.

I believe that the burden is on those who oppose the amendment to show by figures that the savings which the Senator from Illinois has discussed are not present. However, be that as it may, when I first came across this item, I found that, in the report on the item before the Committee on Armed Services, there was the following explanation:

> The proposed construction is necessary to permit closing Springfield Armory, Mass., and transferring the small arms research and development function from there to Rock Island Arsenal. The Department of Defense remains firmly convinced that the action to close Springfield Armory is sound and that authorization of projects associated with this action should be allowed in order that the annual savings which are expected may accrue. There are, however, no objections to making the authorization contingent on the findings of an independent study of the Springfield Armory closing, now being conducted by the firm of Booz, Allen & Hamilton under contract with the Department of Defense.

That is the way the item was originally reported to the Committee on Armed Services. What happened? After the staff study and consideration of the bill, it went back to the Department of Defense for their reclaimer or contingency.

There was nothing to stop it from coming back and saying it still wanted the item. There is nothing like that in the reclaimer or contingency. In other words, the point of the Defense Department is that it wants this item without any contingency, but we recognize that Booz, Allen, & Hamilton were asked to restudy the proposal. I want to say that, according to my information, the firm was hired by the Department of Defense to come in with findings with respect to the closing of the Springfield Arsenal. It is now making the study. The restudy was initiated by the delegation from Massachusetts personally urging Mr. McNamara that the restudy be made. Mr. McNamara agreed to it.

It seems to me the very least we might do is include the Defense Department's request for this item and then put something in the language which would permit the Defense Department to change its mind.

The amendment provides that the amount is authorized subject to the condition that the request for such sum is not withdrawn by the Secretary of Defense or his designee by notice in writing to the Committees on Appropriations of the House of Representatives and the Senate prior to final consideration by both Houses of Congress of the bill appropriating funds for military construction for the fiscal year 1966.

I believe we have gone as far as we possibly could. The opponents of the amendment would tie the hands of the Appropriations Committee so that, as a result of what Mr. McNamara may find on the basis of the restudy, the Appropriations Committee could not act.

By acting favorably on the amendment, the Senate committee would be left free for any argument to be considered. It should be left open so the Appropriations Committee could do its job.

I believe it is a fair amendment. It would save the Government money to implement the closing of the Springfield Armory, but I am willing to have the Secretary withdraw such a request, if that is what he wants to do, by the time the committee finishes its work.

Mr. STENNIS. Mr. President, let me say a few words, representing the committee viewpoint. Let me emphasize to the Members of the Senate that this item does not call upon them to decide the merits as between the research work to be done at the Springfield Armory and the prospective research work to be done at Rock Island, Ill. It involves an important program of research in small arms, pistols, rifles, grenade launchers, machineguns, and related weapons. It is one of the actions decided by the Secretary of Defense in 1964, wherein he proposed to stop the work in Massachusetts and transfer it to Rock Island.

There was placed in the military construction authorization bill this item of $3.510 million. but thereafter the Secretary of Defense took this matter under advisement for consideration. That is the reason, and the only reason, why the committee proposed to take this item out of the bill. It will be June 1968, before work will start in the Rock Island arsenal, if it is transferred there, which gives plenty of time to authorize the item, appropriate the money, and alter the building in which the research will be accomplished.

This action is in keeping with the policy of the committee. We do not authorize speculative projects that may be 3 years in starting. One year we had an absolute rule that we would not authorize one project unless there was going to be a money request for it. Otherwise, these authorizations accumulate, and the Defense Department can say, "We thought we were going to move to Rock Island, but we changed our minds. Now we want to use the $3.5 million authorization that was originally set aside for Rock Island to build something in Guam."

That is done under what is called reprograming.

By way of explanation, no one from Massachusetts talked with me about this project. No one from the Defense Department talked with me about it. Mr. McNamara did not talk with me about it.

With reference to savings, these are only estimates. Very often they do not materialize into anything like the estimates. Sometimes they even go the other way. But before any of these savings can possibly accrue, we will have time to learn about the Secretary's final decision as to where he is going to put the arsenal, where he wants the money appropriated, and where he wants to have the building.

There are perhaps hundreds of cases that are as routine as the one in the bill, with respect to which, for one reason or another, delays occur, and the matter is postponed. I do not believe there is another item in the bill as to which the Secretary of Defense said he wanted to further study it and decide the matter. I did not rest on that. I wanted to know if the matter was really to be reconsidered. I have a letter in which it is stated that Booz, Allen, and Hamilton were retained to study and analyze the data.

With all deference to the Senators concerned, there is plenty of time for the transfer of the arsenal, if that becomes the decision of the Secretary of Defense.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MILLER. The Senator has been very fine about this matter. I commend him for acting as he has.

I would not want any misinterpretation to be made of this matter, but it was my understanding that this item was requested by the Secretary of Defense and that request still stands. To the best of my knowledge, there has not been any statement from the Secretary of Defense saying he did not wish this item. If I am in error in that statement, I would like the Senator from Mississippi to correct me.

Mr. STENNIS. I approach that by degrees, but first, generally, it is in the budget. Generally, all of the budget was requested. But in effect he withdrew this particular item when he decided to make the study. Therefore, when he decided on the study, we withdrew the authorization. It is as simple as that. I pledge myself now, that so far as I am concerned, if it is decided to go to Rock Island, or wherever it may be, I will accept it, because I do not make the decision.

Technically, however, everything that was in the budget last November was given consideration. Nothing has been withdrawn that I know of, without asking for an equal amount to replace the items withdrawn. They may withdraw requests for projects but they immediately wish to substitute new projects.

Mr. MILLER. The Senator from Mississippi said something to the effect that the Secretary of Defense had withdrawn this item. Perhaps the Senator has later information than I have.

Mr. STENNIS. No.

Mr. MILLER. The information I have before the committee is unclassified, and is simply this:

> The Department of Defense remains firmly convinced that the action to close the Springfield Armory is sound, and that authorization of the projects associated with this action should be allowed in order that the annual savings which are expected may accrue.

It went on to say that there would be no objection to a contingency such as we have contained in our amendment. That, with all due deference to my good friend, the Senator from Mississippi, does not seem to me to be a withdrawal.

Mr. STENNIS. I use the term "withdrawal" in that they withdrew their decision to make the change concerning the arsenal, until a study was completed by Booz, Allen & Hamilton.

It is true that the construction officers and others handling the bill have not withdrawn their language. I did not know this until the Senator called it to my attention. If I had known, I would have insisted on the Secretary of Defense sending the committee a letter explaining the situation. I say there is plenty of time to make this decision, as the move will not be made until 1968.

Mr. MILLER. I know that the Senator from Mississippi would like to have had something to clarify the situation.

Mr. STENNIS. Yes.

Mr. MILLER. But it is difficult to get. When the Secretary of Defense, through his representatives, comes over to the committee and says that the Department of Defense remains firmly convinced that the Springfield Armory should be closed, yet still wishes the authorization of the program so that the saving can go forward——

Mr. STENNIS. Will the Senator pardon me—who said that?

Mr. MILLER. This is the Defense Department's statement.

Mr. STENNIS. I thought the Senator said the Secretary of Defense.

Mr. MILLER. The Secretary of Defense and his assistants made this statement to us. I do not know whether the Secretary of Defense has communicated to the Armed Services Committee his statement that he is withdrawing consideration. So far as I understand, the latest information from the Defense Department is that they wish this added without any contingency at all. It seems to me that in the absence of something further, it is entirely proper for this authorization, to proceed, particularly in light of the contingency which is contained in the amendment which points out that the authorization is subject to a condition that the request for the sum is not withdrawn by the Secretary of Defense. In other words, this item is asked for right now, so far as I know.

Mr. STENNIS. Let me respond to those comments. The sheets which I hold in my hand which come in—and there are literally hundreds of items in the bill—generally explain what is in the bill. But here are the latest remarks which I have from the Department of Defense, representatives of which have come to me in person. It has the item listed, and then contains this sentence, which has just been called to my attention by a member of my staff:

> Deleted by HASC—

That is the House Armed Services Committee—

> the proposed constructon is necessary to permit transferring the small arms research and development function from Springfield Armory to Rock Island Arsenal.

That is an earth shaker, is it not? We have not requested that. Of course, this authorization is necessary if the transfer is to be made, but we are notified that it is taken under advisement. I have no secret information about it. There is under advisement now the fact that it is being reevaluated.

This is the letter of June 18 addressed to me:

> I am writing in response to the request of a member of your staff for information with respect to the status of the study being conducted by the consulting firm of Booz, Allen & Hamilton, in connection with the Department's decision to close the Springfield Armory.

Then it says that they have been engaged in doing that work. Consequently, that is what we acted upon. This matter is in abeyance. That is all. The proposal has not been rejected. It has not been condemned. It is waiting for a decision. Then we shall get the money, whomever the decision favors.

I thank the Senator from Iowa for his comments.

Mr. President, I yield the floor.

Mr. KENNEDY of Massachusetts. Mr. President——

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The Senator from Massachusetts is recognized.

Mr. KENNEDY of Massachusetts. Mr. President, I have the greatest affection for the distinguished Senator from Illinois [Mr. DOUGLAS]. I also have the greatest affection for the people of Illinois. After listening to the eloquent remarks of the Senator from Illinois this afternoon, I know that Illinois' gain is our loss.

I can sympathize with the vigorous remarks of the Senator from Illinois when he mentions that many of the people of Massachusetts could broaden their horizons by coming out and viewing the great heartland of the country, for which I have the greatest respect and the deepest affection.

But, Mr. President, that is not the issue which is before the Senate today. There is only one question. There is only one fundamental issue which is now before the Senate; namely, the question of economy.

Mr. President, I take issue with the statements made by the Senator from Illinois which assert that we in Massachusetts have not suffered from the economy measures of the distinguished Secretary of Defense. When the Department of Defense issued the orders to close the Portsmouth Navy Yard, hundreds of employees living in Massachusetts were affected. There are 2,300 persons who were working at the Watertown Arsenal who will be out of work when the Arsenal is closed. There are many persons in the veterans' hospital, Rutland Heights, today whose future is not bright. There are many persons at the Brighton Marine Hospital who also face unemployment.

Therefore, Mr. President, I take serious issue with the question that those of us in Massachusetts have not suffered from these Government cutbacks. I believe that what the delegation from Massachusetts is attempting to do—my colleague from Massachusetts [Mr. SALTONSTALL], Representative BOLAND, and myself—is to find out where economy can truly be realized.

This is the fundamental question. The Secretary of Defense himself said that the presentation which was made by the Massachusetts delegation and the Springfield technical committee before him, the Secretary of the Army and their experts was the finest such presentation he ever heard.

I feel that I would be remiss in my responsibilities to the people of my State, and in my responsibilities to the people of this Nation, if we were to feel that every time a decision was made in the Defense Department, we were to take it hands down, without questioning it, without bringing to bear the experience and the enlightenment, the facts and the figures, which might not have been considered. That is why we brought our figures to the Secretary of Defense and why he, after hearing our presentation appointed Booz, Allen & Hamilton, Inc. one of the most outstanding management consultant organizations in this country, to completely review and analyze the facts concerning the Springfield Armory.

Inasmuch as we are talking about facts and figures, let me say that it would be a sheer waste of the taxpayers' money to transfer facilities to Rock Island when we already have such facilities at the Springfield Armory, and as long as the final decision regarding the Springfield Armory has not yet been made by the Secretary of Defense.

The Army says it wants $3,510,000 to make the Rock Island Arsenal ready for the research and development currently being done at Springfield. The Springfield Technical Committee and the Massachusetts delegation in its presentation has shown that construction and alteration of facilities at Rock Island would cost at least $5,940,000. The Army claims that the implementation cost of a move to Rock Island would be $8 million. The presentation by the delegation showed an estimated one-time cost of $73 million.

Let us show where we get the $73 million figure. Construction and alteration of facilities at Rock Island, $4,594,000. Personnel move, $135,000. Equipment movement, $38,730,000. Personnel separation, replacement, and forced retirement, $29 million. Other costs, $895,000.

With respect to forced retirement the Comptroller General of the United States and Mr. Charles Brown, who is an actuary for the Civil Service Retirement Commission states that this item ought to be considered in every instance where the Department of Defense is closing out an activity. In computing the savings of a move to Rock Island this was completely overlooked by the Department of Defense, and this figure amounts to $9 million. The Department of Army has estimated only 75 percent of Springfield's personnel would agree to transfer to Rock Island. And skilled personnel will not be easily recruited in that area either.

I read from the Rock Island newspaper the Target, of December 31, on page 12:

> Despite the processing of 4,543 applications for employment through November, some shortages of trained personnel continued at the year's end, the personnel and training office reported.
>
> About 40 openings exist for engineers (mechanical and industrial), despite recruiting trips to Seattle, Wash., Peoria, and Milwaukee, Wis.

I also have before me a list of the vacancies today which existed as of December 24, 1964, of technical people at Rock Island with no personnel to fill the requirements.

If we assume a hundred will transfer to Rock Island, there will be left in Springfield 2,200, 39 percent of which will be eligible for retirement on December 31, 1966. It has been actuarially determined by Mr. Miller, of the Springfield Life Insurance Co., that the cost to retire these people will be $17,800,000. What about the cost of retraining? In its study the Defense Department states that it has taken into consideration no figures with regard to retraining personnel. The Springfield technical committee estimates this figure would be $29 million.

The Department of Defense has not included either the costs for recruiting personnel for Rock Island. We have consulted the Cincinnati Milling Co. and General Electric, and learn it costs $2,000 to recruit a person. Since there would be a requirement at Rock Island for 776 people to handle research and development and since the Government's report points out that only 25 percent of those people will come from Springfield, this would leave 660 technicians that will have to be recruited for the Rock Island facility.

At a $2,000 recruiting cost for each person, this would amount to $1,320,000, which is a part of our employment cost. None of this has been included in the Government's report.

I have the greatest respect for my friends from Illinois, but the fundamental question is the question of economy. That is what we are interested in. Therefore the fundamental question is whether the figures which have been presented to us by the Department of Defense for closing the Springfield Armory are really all inclusive or whether additional facts which we have brought forth—and which the Secretary of Defense is currently reviewing—and should be given consideration. I feel that we deserve consideration, and that we should not authorize funds to duplicate at Rock Island the facilities currently in operation at Springfield until that review is completed.

The elimination of the Rock Island request is not the only request of the Department of Defense which has been eliminated by the Armed Services Committee.

The Armed Services Committee report shows that it denied $88 million for troop housing, denied funds for the construction of a new headquarters building at Fort Belvoir, and denied funds for barracks construction at Fort Bliss. The committee also cut back an additional $31 million from the request made by the Department of Defense.

The committee has reached this determination after careful review and I applaud it for it. The committee in this way is fulfilling the prime responsibility of the legislative branch of the Government.

Once again, I rise with great respect for my colleague and friend from Illinois, but although I realize that the people of Massachusetts, if they were to go out West, would enrich their culture and enjoy the great expanse of the Mississippi River, and breathe deeply of the fresh Illinois air. But we are interested in the fundamental question which is before the committee and before the Senate, and that is that we should let Booz, Allen & Hamilton complete its study, let Secretary McNamara finish his review before we in the Senate take any action to move the research and development facilities to Rock Island.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. MILLER. As I said earlier, I can understand how we can have all kinds of viewpoints on the relative costs involved.

The Senator has given us some figures which are very interesting. They could be persuasive. Let me ask a question. If these figures are indeed valid, does not the Senator have confidence that the Secretary of Defense will ask that this item be rescinded? It would seem to me that he would. That is all that our amendment would do.

Mr. KENNEDY of Massachusetts. As a member of the Armed Services Committee the Senator realizes, first of all, that the committee must fulfill its responsibility in making its judgment, as it has on a number of other occasions, on the requests of the Secretary of Defense, and must make an independent judgment.

Section 103 of the proposed legislation provides:

> SEC. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, * * * (c) new and unforeseen research and development requirements.

If for some reason the Secretary of the Army should feel there was a desperate national interest and he felt the need for the $3.5 million for Rock Island at a later date, section 103 is quite specific in outlining the way that he could do it.

I cannot see why he would not be able to make the adjustments which he would then feel were necessary. I do not feel that there would be any danger to our national security interests.

Mr. MILLER. I hope that the Senator does not think that the amendment is unreasonable when we act on the basis of the recommendations of the Secretary of Defense and the Defense Department. They want the item. They have not said anything about not wanting it. With all deference to the Senator from Mississippi, he read the very latest item from the Defense Department which recited merely that the item had been deleted by the House Armed Services Committee; but the Defense Department still wants the item. There is no language in the evidence that shows they do not want it. We say in the amendment that we will give them the item, but it will be subject to the contingency that the Secretary of Defense himself might decide otherwise. Incidentally, the best information I have is that he will personally make the decision on the item. Then, if he determines that he does not want the item, all he has to do is to inform the Appropriations Committee that he does not want it.

We ought to have enough confidence in the Secretary of Defense that he will withdraw the item if he feels it should be withdrawn. But let us not hamstring the Appropriations Committee. Let us not tie their hands. The amendment would leave the Appropriations Committee free to take action. But if the amendment is defeated, the Appropriations Committee cannot do anything about it. What we are trying to do is to leave it open for the Appropriations Committee.

Mr. KENNEDY of Massachusetts. The Senator from Iowa has asked whether we are attempting to hamstring the Secretary of Defense. Section 103 quite clearly demonstrates that we are not. Adequate procedures have been established. Section 103 of the act, as the Senator, who is a member of the committee, is much more aware than I, provides an opportunity for the Secretary of Defense, if he feels it necessary to take that step, to do so. I would stand by the earlier statements that I have made. I do not feel that the language of the bill would in any way hamstring him. If the Senate were to act otherwise on the proposal, it would amount to a prejudgment of the item. It would be taking sides on the question under current review. The bill would in no way endanger our national security interest by eliminating the item, because there are established in the section I quoted contingencies for any reprograming, and adequate protection is afforded.

Mr. SALTONSTALL. Mr. President, I rise to support the action of the Armed Services Committee with relation to the proposed Springfield Armory transfer. I say to my good friend from Illinois that I do not rise by reason of a stimulus from the baser part of my nature at all but from the most idealistic part of my nature and in the best interests of the U.S. Government.

There are one or two facts that I should like to call to the attention of the Senate.

First, as the Senator from Mississippi has said, the Department does not expect to close the Springfield Armory until April 1968. The building of the $3,510,000 faculty at Rock Island is an addition to the Rock Island Arsenal and is not a new building. There will be ample time in next year's budget, if it is necessary, to make the appropriation and have the extension built by April 1968.

Furthermore, there is much reprograming. The figure I am about to state is reasonably accurate. Somewhere between 18 and 20 percent of military construction each year is reprogramed. If the military believe that it is necessary to make the transfer as a part of an emergency, they can get authorization to do so under the emergency section of the statute.

In addition, they can reprogram the $3,510,000.

My colleague from Massachusetts has spoken about the cost of moving. My own study has indicated that it would cost $8 million, not $3,500,000, to move.

In addition, a year ago we received from our accountants in Springfield a figure of something like $73 million to make the proposed change. The question might be asked as to where the additional expense would come from. A great deal of it would come from retirement.

The Secretary has said that he will make the decision. We have had various meetings with him. My colleague called attention to one or two of them. Mr. McNamara made his decision on November 19, 1964. We met with him in his office on Saturday, February 27. The gentleman from Massachusetts, Representative BOLAND, Mayor Ryan, my colleague [Mr. KENNEDY], and I, and a number of others attended that meeting. At that time, Secretary McNamara said that he never received a more thorough, comprehensive, or thoughtful presentation than he had received that morning. At that time he said that he would hire the management consultant firm of Booz, Allen & Hamilton, which has been mentioned, to make a study of the situation.

Mr. STENNIS. Mr. President, will the Senator yield to me for one question to clear up the point which the Senator from Iowa [Mr. MILLER] raised?

Mr. SALTONSTALL. I yield.

Mr. STENNIS. As I understand, the Senator now states that Secretary McNamara himself said to the Senator from Massachusetts that he would take this matter under advisement, that he would reconsider it, and reach a decision, later. Is that correct?

Mr. SALTONSTALL. There is no question about it.

Mr. STENNIS. Is that correct?

Mr. SALTONSTALL. That is correct.

Mr. STENNIS. He made that statement to the Senator from Massachusetts?

Mr. SALTONSTALL. That is correct. He made it at those two meetings.

I should like to recall some further meetings on March 17 with Mr. McNamara. On March 17 Mr. McNamara personally visited the Springfield Armory. On March 30 our group met with Deputy Secretary of Defense Gibson and others, and subsequently Mr. BOLAND and I met with Mr. McNamara in the office of my colleague [Mr. KENNEDY]. He was engaged in a committee and could not be present. As I indicated, the Secretary said to me several times that he would make a final decision in the near future and that he would base his decision on the important report of Booz, Allen & Hamilton, the consultant firm.

In addition, I have talked with Mr. McNamara several times over the telephone concerning the problem.

Those are the meetings we have had. Mr. McNamara has given us assurance that he will make the decision personally on the basis of the report of the consultant, the Booz, Allen & Hamilton firm, and on the other information that is available to him.

I should like to make one more fact clear. At Springfield there are about 2,500 trained employees. The Springfield Armory has been in existence, I believe, since the War of 1812.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. DOUGLAS. Long before that. The revolution in western Massachusetts in the 1780's known as Shay's Rebellion was staged for the possession of the Springfield Arsenal. Daniel Shay, of Pelham, Mass., was arrested because he was trying to take possession of the arsenal.

It is an old arsenal. It has an honorable record. But it is run down and obsolete. It is inefficient and produces at high cost and it should make way for more efficient work now.

Mr. SALTONSTALL. I believe I visited that armory more recently than has the distinguished Senator from Illinois.

Mr. DOUGLAS. I am merely quoting the history of the arsenal. Furthermore, while it is true that the Rock Island Arsenal has also been in existence for a long time, I hope our southern friends will not object to the Rock Island Arsenal because we did furnish ammunition to the North.

But may I point out that the Springfield Arsenal furnished as many munitions as we did; therefore, we should not be discriminated against by our southern friends, although the Rock Island Arsenal did indeed furnish better munitions at the time of the Civil War than did the Springfield Armory.

Mr. SALTONSTALL. I appreciate the views of the distinguished Senator from Illinois, who was born and educated in New England, and knows the value of New England and its employees and the efficiency and expertness with which they operate.

Mr. DOUGLAS. They are fine people; but we do better in the Middle West.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. KENNEDY of Massachusetts. Is the Senator from Massachusetts familiar with the American Ordnance Association, a group comprised of retired Army personnel, and probably the most distinguished group of its kind concerned with ordnance work in this country?

Mr. SALTONSTALL. There is no question about that.

Mr. KENNEDY of Massachusetts. I feel certain that my colleague is as familiar as I believe I am with the attitude of that great organization, a completely independent organization, which has said that the closing of the Springfield Armory would be the most unbelievable loss of all the closings which have been made by the Secretary of Defense.

As the Senator himself realizes, the American Ordnance Association is a completely independent group. Does the Senator agree with that observation?

Mr. SALTONSTALL. I agree with my colleague 100 percent on that subject. I hope the Senate will vote as soon as possible on the amendment. I am heartily in favor of the statement of my colleague from Massachusetts. When the need for a transfer has been demonstrated, we shall give it consideration; but there is no need for a transfer now, when a final decision has not been made.

Mr. MILLER. Mr. President, will the Senator yield for a question?

Mr. SALTONSTALL. I yield.

Mr. MILLER. I should like to ask the Senator about the commitment from the Secretary of Defense. I understood the Senator from Massachusetts to say, in response to a question asked by the Senator from Mississippi, that the Secretary had stated that he would restudy the matter. Could the Senator from Massachusetts tell the Senate when this statement or commitment by the Secretary of Defense took place?

Mr. SALTONSTALL. The first time was on February 27, as my colleague from Massachusetts and I have stated. On March 7, I personally visited the Secretary of Defense. On March 30, we again visited Secretary McNamara, and he said he would make the decision himself when he got a complete report. He ordered Booz, Allen & Hamilton, Inc., to make further study following their first study, which, for various reasons that I shall not discuss, was not considered thorough.

The Secretary has indicated to me at least twice over the telephone, and also when I have seen him, that he would make the decision himself. That is what I personally asked him to do. If he should make the decision, I would have confidence that he would do the best he could on the basis of the information furnished. That is what he has assured us he would do, and that is how the situation stands as of today.

I believe that the report of the committee is correct for these reasons, and also for the reason that if an emergency arises, it can go forward at once.

Mr. MILLER. But the Senator must recognize that we have received no word from the Department of Defense. This is what troubles me. As I understand, we have nothing from the Department of Defense or the Secretary of Defense saying that this item is not wanted. That is why we have worded our amendment as we have. There has been no formal statement from the Department of Defense.

Mr. SALTONSTALL. I agree with the Senator from Iowa, but there have been personal assurances, and it has become a matter of personal interest and personal responsibility with the Secretary of Defense.

Mr. STENNIS. Mr. President, may I propose a unanimous-consent request on my own responsibility? I believe the debate has covered this subject. I propose that there be——

Mr. LAUSCHE. Mr. President, reserving the right to object, I have tried to obtain the floor for the past 45 minutes.

Mr. STENNIS. I propose a unanimouse-consent request that there be 10 minutes of debate on each side, and that at the conclusion of that time the Senate vote on the bill.

Mr. LAUSCHE. I object.

Mr. DIRKSEN. Mr. President, will the Senator from Ohio yield, to permit me to make an inquiry?

Mr. LAUSCHE. I yield for that purpose.

Mr. DIRKSEN. Is it expected that action on the bill will be completed tonight?

Mr. STENNIS. Yes. There is one other amendment, but it will not require a yea-and-nay vote. A yea-and-nay vote will be requested on final passage.

Mr. DIRKSEN. There will be another amendment.

Mr. STENNIS. That is an additional one that I did not know about.

Mr. LAUSCHE. Mr. President, I should like to ask the Senator from Mississippi whether in the consideration of the items contained in the bill any other situation of a similar nature arose except the one dealing with the Springfield and Rock Island plants.

Mr. STENNIS. Is the Senator from Ohio referring to the reconsideration by the Secretary of Defense of his position?

Mr. LAUSCHE. Yes.

Mr. STENNIS. This is the only instance the Senator from Mississippi knows about. There were many similar situations, but for some reason or other it was necessary to defer them.

Mr. LAUSCHE. But this is the only instance in which the Secretary of Defense is alleged to have changed his judgment or at least asked that there be a delay in taking action, according to the Secretary's recommendation.

Mr. STENNIS. Yes; the Secretary has taken this matter under consideration for possible reconsideration of his decision later.

Mr. LAUSCHE. Mr. President, while Ohio seemingly may have no interest in this matter, I feel obliged to state on behalf of the people of Ohio that a fair disposition of the subject is of vital concern to Ohio and to every other State in the Midwest.

A situation similar to the one about which the Senator from Illinois [Mr. DOUGLAS] is complaining occurred in one of the programs for eliminating bases for economy purposes. It was an installation at Port Clinton, Ohio. The installation was ordered closed in one of the programs of the last 3 years. It was ordered closed because the Department had decided that the work could be more efficiently and economically done by being transferred to Pennsylvania.

The mayor of Port Clinton, a delegation of Ohioans, and I went to the Office of Secretary of War Vance and presented our cause. We showed that 800 people would lose their jobs; and that the impact upon the economy of the little town of Port Clinton would be exceedingly painful.

Secretary Vance listened to us and finally said, "What would you do if you were in my place and it was shown that taxpayers' dollars could be saved by closing the Port Clinton installation and moving the complete operation to Pennsylvania?"

At those hearings, I said, similar to the attitude expressed by the Senator from Illinois: "I am here only to make certain that Ohio will be treated with the same yardstick of justice as all other States in the Nation. I ask no preference, but I do not want Ohio to be treated in a manner differently than we treat Pennsylvania, Massachusetts, California, or any other State in the country."

That is the position I took. That is the position that I intend to continue to take in the matter of closing these institutions. We lost the Port Clinton operation. It has gone to Pennsylvania. Our protest was in vain. However, it is now brought to my attention that a similar situation exists between Springfield and Rock Island.

I have a copy of the letter that was written to Mr. CARL HAYDEN by the Department of the Army. In the letter it is stated:

> This action will eliminate requirements for 9 military and 1,691 civilian personnel situations and produce annual savings of $4.6 million.

Those were the figures quoted by the Senator from Illinois. In the face of that fact, it is now argued that there is error in this judgment, and that the operation in Springfield should be continued and not sent to Rock Island, Ill.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. LAUSCHE. Not at this time.

I point out a paradox. Two years ago there was an operation in Illinois that it was considered advisable to close and send to Massachusetts because money could be saved in making that transfer. Illinois complained vigorously.

That operation was transferred to Massachusetts. If there is validity to the argument that people will not go to another area to take jobs and that the payment of retirement benefits becomes expensive, is that principle not applicable in practically every instance in which the transfer of an operation from one State to another is contemplated?

The Port Clinton operation has been in existence for 25 years. Employees were there for 25 years. When we transferred the installation to Pennsylvania and the employees did not go to Pennsylvania, was not the result that retirement benefits had to be paid to the Ohioans who were working at Port Clinton?

This matter does not concern Massachusetts and Illinois alone. It concerns my State. It concerns every Senator who places the national interest above his local, provincial interest in trying to obtain decent management of our Government.

I do not condemn the Senators from Massachusetts. I hold them in the highest esteem. I love the gentility and the decency of the senior Senator from Massachusetts. I love to listen to him. I admire the delicacy and the deep consideration that he gives to his colleagues. I have told him so personally, and he knows it. I respect the junior Senator from Massachusetts most highly.

However, to remain silent when it appears that one rule of justice is to be applied to the pleas of Massachusetts and a different rule to Ohio, would be an abdication of my responsibility to a duty. It would be inexcusable.

I have one additional word to say about the entire Midwest. The argument is made that there are not enough engineers at Rock Island. If we do not have them, it is because we have trained them and spent the money of the taxpayers of the Midwest in the universities. However, the engineers have been drawn away by the very thing that would happen in this case. We are sending institutions to various places and engineers and scientists are being drawn to those places.

My words in this case are not influenced by the senior Senator from Illinois [Mr. DOUGLAS] and my respect for him. I am trying to view the problem objectively, and I am trying to follow a course that would make it simpler for everyone to face the problem.

I want to be able to go back to Ohio and say to my constituents, "Don't complain because this installation was closed. It was closed on the basis and with the purpose of producing economy in Government. I will not rest content until that happens."

I support the amendment of the Senator from Illinois. I am certain he would never have offered it if he did not feel deep in his heart and conscience that it had to be done.

Mr. President, I yield the floor.

The **PRESIDING OFFICER.** The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, it is an old story—how to get the "me" out of economy. It depends on whose ox is being gored.

I presume that it will be stated that on occasion I have argued on both sides of the question where my State and its people were involved. After all, open confession, as one knows, is good for a man's soul, but there is a little more involved here.

The only testimony that I can find was by General Shuler. General Shuler is the Director of Installations for the Department of Defense. He speaks in the hearings about closing Frankfort, Anniston, Erie, Letterkenny, Red River, and Army depots where some of their missions were moved into this centralized location again in the interest of economy. I believe that economy is becoming a strange bird around these diggings. It depends on whether one can muster enough votes to save the installation.

I say this in the utmost of kindness to my distinguished friend from Massachusetts, whom I revere as no other man, and whom I love with an effection that is higher than the highest star and deeper than the deepest depth of the ocean. But he knows this is in the interest of economy, and that we will save some money.

I do not blame the people of Massachusetts for fighting like Bengal tigers to keep this installation, even though it is an inefficient operation. I suppose if I lived in Springfield I would do the same thing. We have a Springfield in Illinois, too. Our State capitol is located there. There is something beguiling and intriguing about the word "Springfield." I went up there to make a speech in that city's forum. Thousands of people turned up. They even paid me a generous honorarium to go there—far more than I deserved. But I kept it, anyway.

Mr. SALTONSTALL. Mr. President, will the Senator yield on that point?

Mr. DIRKSEN. I yield.

Mr. SALTONSTALL. I am certain the honorarium which the Senator kept was absolutely deserved, even though I cannot agree with some of the statements he makes tonight.

Mr. DIRKSEN. They took me into the armory. They were proud of it.

They boasted about it like the people of Egypt boast about the great Pyramid of Cheops, which has been there for thousands of years. Of course, the armory at Springfield has not been there quite that long.

I heard the people boasting at Springfield. I was too timid to say anything about it, especially with that honorarium I was taking back, but, frankly, I had notions of my own. I thought it was too old to be efficient. These installations have to be renovated, modernized, and centralized, so the benefits and full effects of automation and all the advances in new machinery can be taken advantage of. That is what we have on the Mississippi at Rock Island.

General Shuler says the change is in the interest of economy. The Defense Department wants to do it because it is in the interest of economy. Now it is to have another study by Booz, Allen & Hamilton. They picked out a good consulting firm, because Booz, Allen & Hamilton are located in Chicago and they are, by all odds, one of the best Government consulting firms in the country. But is this fair to General Shuler and all the people at his command who had a good look at the job involved? Was not the building cost taken into consideration? General Shuler went into those facts fully and did what he was supposed to do. I would throw the book at a general with a couple of stars on his shoulders if he had not done his homework before he came before this august body and told us what the Defense Department contemplated. That is what it contemplated.

That is why I think the proposal offered by my colleague from Illinois should get only two votes against it, one Republican and one Democrat from Massachusetts.

I know the situation in which those Senators find themselves. If I were in their shoes and the case were the reverse, I would vote precisely as they will vote. But we must not persist in error. Righteousness will have its way, whether or not, and economy will have its way—assuming, of course, that we want to save a little money in this gargantuan enterprise, in a country in which the gross national product is moving toward the figure of $700 billion, and the budget is moving over $100 billion, and in which the ceiling on the public debt was advanced to $328 billion by this body only the other day.

Even under those adverse situations, with everything against it, we should still keep in mind that economy is a virtue. Frugality is a virtue. Thrift is a virtue. If this country is to remain free, we had better start saving.

The Defense Department says we can save here. Are we going to do it or are we not? It will be rather interesting to take a look at the vote when it comes.

I believe the yeas and nays have been ordered. Then we shall see whether we are able to save something, minuscule as it is as compared with the whole expenditure by this Government. I still want to save a little, because I want to retain the habit.

So, Mr. President, I earnestly hope that General Shuler and the Defense Department will be supported, and that now we shall really rise to the occasion. Lincoln said, "The Nation is piled high with difficulties and we must rise to the occasion. As every occasion is new, we must think anew and act anew. We must first"—and this is the important thing—"disenthrall ourselves and then we shall save unity."

Why do not Senators disenthrall themselves from spending habits that I have been seeing for more than 30 years, and get on the economy side of the ledger and give this amendment their vote? I commit it to their sympathetic—I trust—keeping.

I yield the floor.

Mr. STENNIS. Mr. President, I shall detain the Senate only a minute further by summarizing a statement of the committee's position, which is simple and plain. This matter was deferred by the committee for the sole reason that the decision had not been reached as to whether or not this transfer was to become official.

Furthermore, there is plenty of time, under the proposed schedule, if this change is made, for the Congress to authorize, for the Congress to appropriate, and for the Department of Defense to decide how or if this money shall be spent, because it will be June 1968, 3 years from now, before the work will be transferred to the Rock Island Arsenal. It involves a mere alteration of a building, anyway. So let us get a decision from the Department and then act on it. This item involves $3,510 million. There is talk about saving money. No money will be saved until a study and decision are made. The project involves $3.5 million as compared with approximately $230 million worth of items we have taken out of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. Douglas] for himself and the Senator from Iowa [Mr. Miller].

Mr. MILLER. Mr. President, I wish to make one point along with the Senator from Illinois [Mr. Dirksen], to make absolutely sure that Senators know what the situation is.

Nothing has been received by the Armed Services Committee from the Secretary of Defense indicating that he desires to withdraw the item. This is his request for the item. There is nothing; and if there is anything, I should like to have the chairman of the committee or the Senator from Massachusetts [Mr. Kennedy] produce it, to indicate that the Secretary of Defense has changed his mind.

Mr. STENNIS. If the Senator will yield to me at that point, I challenge his statement. There is evidence which has been given on the floor about what the Secretary of Defense said about his plan and what he proposed to do. It came through one of the most honorable men in the Senate, the Senator from Massachusetts [Mr. Saltonstall].

Mr. MILLER. I am not questioning that the Secretary of Defense had a telephone conversation with the Senator from Massachusetts some time ago concerning this matter but there is nothing which has come to the committee. I find this to be a most unusual situation. That is why we have drawn the amendment in the way we did, so that we can act on the amendment and then, if the Secretary of Defense changes his mind, he can do so in time for the Appropriations Committee to act.

These are the facts. I do not question the telephone conversation with the Senator from Massachusetts, but is it not unusual that the Secretary of Defense does not formally come over to the committee with a letter or a communication to the chairman saying that he is asking us to withdraw or suspend the item? He has not done it.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. Douglas], for himself and the Senator from Iowa [Mr. Miller]. On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONDALE (after having voted in the affirmative). Mr. President, on this vote I have a pair with the Senator from Louisiana [Mr. Ellender]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Pennsylvania [Mr. Clark], the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Arkansas [Mr. McClellan], the Senator from Maine [Mr. Muskie], the Senator from Florida [Mr. Smathers], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I further announce that the Senator from Virginia [Mr. Byrd] and the Senator from Virginia [Mr. Robertson] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. Robertson], the Senator from Florida [Mr. Smathers], the Senator from Maryland [Mr. Tydings], and the Senator from Virginia [Mr. Byrd] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. Cotton] is necessarily absent.

The Senator from North Dakota [Mr. Young] is absent on official business.

The result was announced—yeas 32, nays 56, as follows:

[No. 156 Leg.]

YEAS—32

Bartlett
Bayh
Boggs
Burdick
Curtis
Dirksen
Douglas
Fannin
Gore
Gruening
Hart
Hartke
Hickenlooper
Hruska
Javits
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Long, La.
McCarthy
Metcalf
Miller
Morse
Moss
Mundt
Nelson
Neuberger
Proxmire
Simpson
Williams, N.J.
Williams, Del.

NAYS—56

Aiken
Allott
Anderson
Bass
Bennett
Bible
Brewster
Byrd, W. Va.
Cannon
Carlson
Case
Church

Cooper
Dodd
Dominick
Eastland
Ervin
Fong
Harris
Hayden
Hill
Holland
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Magnuson
Mansfield
McGee
McGovern
McIntyre
McNamara
Monroney
Montoya
Morton
Murphy
Pastore
Pearson
Pell
Prouty
Randolph
Ribicoff
Russell, Ga.
Russell, S.C.
Saltonstall
Scott
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Yarborough
Young, Ohio

NOT VOTING—12

Byrd, Va.
Clark
Cotton
Ellender
Fulbright
McClellan
Mondale
Muskie
Robertson
Smathers
Tydings
Young, N. Dak.

So Mr. Douglas' amendment was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. SALTONSTALL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS subsequently said: Mr. President, in connection with the bill just passed, I ask unanimous consent that there be placed an announcement in the Record, immediately after the vote on the question of the amendment concerning the Rock Island Arsenal, that the Senator from Arkansas [Mr. McClellan] would have voted against that amendment and, at the conclusion of voting on the bill, that he would have voted for passage of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. SPARKMAN. I wish to ask some questions regarding section 608 of the House bill. I have read the committee report, and I note that section 608 was left out of the Senate bill. It has to do with the closing of certain bases, posts, and installations throughout the country. I was particularly concerned with one in my own State, the Brookley Air Force Base. Can the Senator tell me whether, under section 608, which was carried in the House bill, Brookley Field would have been affected?

Mr. STENNIS. Under the language of section 608, which was included by the House but not recommended by the Senate committee, the question arises whether that section could be made to apply to orders and decisions already made by the legislative branch of the Government.

Everything considered, the Senator from Mississippi believes that a retroactive application of that section would not be applicable; that it would be held void by the courts under the general provision of being an ex post facto law, which involves a question of Executive power and legislative power.

Assuming that we have the power to pass such a provision as to future action by the Executive, it is clear to the Senator from Mississippi that we could not make it apply to past actions, because it would be an ex post facto law. For that reason it would not be applicable.

Mr. SPARKMAN. Is the Senator aware of the fact that in the House a presentation was made to make the amendment retroactive?

Mr. STENNIS. Yes; an amendment was presented in the House to make it retroactive, to apply to 95 cases. That amendment was defeated on the floor of the House by a vote. It is fair to say that Chairman Rivers, who handled the bill, made the argument that it was broad enough. In one place he said it was broad enough to cover retroactive action, and in another place he said that if we tried to enact a law and make it apply to past instances, a legal question would be involved.

I do not believe that the section would apply to Brookley. The Senator from Mississippi is familiar with the case. The field is just over the line from Mississippi in Alabama.

Mr. SPARKMAN. A great many of the Senator's constituents are employed there.

Mr. STENNIS. Yes. I have been receiving calls concerning the matter.

Mr. SPARKMAN. It is a matter of great concern to the people in the Mobile area. It spills over into Mississippi. I believe there are about 13,000 employees involved.

Mr. STENNIS. A great number; yes.

Mr. SPARKMAN. It creates a great deal of hardship. I wonder if anything has been done or if any action is contemplated whereby this question of hardship can be taken into consideration in connection with the closing of installations.

Mr. STENNIS. I am sure that those matters are taken into consideration. There is a law which requires the Secretary of Defense constantly to review these military programs, and expressly spells out that there shall be closings and consolidations for the purpose of economy or to strengthen the military posture of our great country.

Mr. SPARKMAN. I hope that the subcommittee, over which the very able Senator from Mississippi presides so well, will have that in mind, because it creates a great deal of trouble and turmoil and unemployment.

Mr. STENNIS. It is a very difficult situation. We have the greatest concern about the Brookley Field, and expect to exercise the utmost in surveillance of this problem. We do not recommend putting into hard law something we think will jeopardize the strength of the military posture of the United States.

Mr. SPARKMAN. I thank the Senator.

Mr. STENNIS. For the information of Senators, so far as I know, there are only two additional amendments to be offered, on neither one of which there will be a yea-and-nay vote. However, there will be a yea-and-nay vote on passage of the bill. Perhaps we can finish consideration of the bill within the next 15 or 20 minutes.

Mr. BASS. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Tennessee will be stated.

The Legislative Clerk. On page 107, between lines 1 and 2, it is proposed to insert the following:

Arnold Engineering Development Center, Tullahoma, Tennessee: Operational facilities, $1,861,000.

Mr. BASS. Mr. President, the amendment which I have offered on behalf of myself and my colleague [Mr. Gore], would merely restore to the act a provision allowing $1,861,000 for the construction of a new airstrip at Arnold Engineering Development Center at Tullahoma, Tenn. The Defense Department and the Bureau of the Budget, both recommended this provision and the House of Representatives included it in the House-passed bill. However, the Armed Services Committee saw fit to delete it.

Mr. President, the Arnold Center is engaged in research and development in such areas of aerospace technology as guidance systems, improved propellants, materials research, secondary power sources, and other work concerning missile and airplane development. It is a vital facility in our national defense network. The center is located at Tullahoma, Tenn., more than 50 miles from the nearest airport of any consequence, Sewart Air Force Base.

The funds this amendment would provide would be used to provide a new airstrip to enable the landing of large cargo aircraft. The existing facility was built by the Army during World War II and is only large enough to allow the landing of small aircraft.

Due to the nature of the Center's mission, it is necessary to bring in large rockets and missiles from other locations. At present, these must be landed at Sewart Air Force Base and transported by truck on public highways the remaining 54 miles to AEDC. This involves, not only excessive time and inconvenience, but is extremely dangerous. The proposed airstrip would alleviate this problem by allowing the missiles and rockets to be landed at the Center. In view of the dangers involved to the civilian population of Tennessee and to other travelers on the highways, I take issue with the statement in the committee report to the effect that this airstrip was "not believed essential." I do this with all due respect to the distinguished Senator from Mississippi whom we all recognize as an expert in matters dealing with armed services and defense.

The need for this airstrip in the future was recognized and incorporated in the AEDC master plan in 1950. The need, however, was not developed until recent years when larger rockets of NASA requiring larger aircraft for transportation made the old airstrip inadequate. An example of how inadequate was demonstrated by an airplane, which broke through the taxiway while delivering a Minuteman rocket last year. So you can see the situation is acute.

Mr. President, I, therefore, strongly urge the adoption of this amendment which would only add an infinitesimal fraction to the overall authorization, but which would result in more efficiency in our national defense research and could result in the saving of human life.

I hope that the distinguished Senator from Mississippi, the chairman of the committee, will accept the amendment.

Mr. STENNIS. Mr. President, the committee went into the question rather fully. I have discussed it with the two Senators from Tennessee [Mr. GORE and Mr. BASS]. I have visited the installation. It is one of the finest we have. It is one of our most essential installations. But it is purely a research center. I believe that we have invested there about $350 million in fine machinery, wind tunnels and other facilities. But at the same time the item is the first installment on what would naturally be a completed airfield there, including fuel oil pumps, operational building, large parking areas, and so forth. The cost would run into many millions of dollars.

We should like to have the Senator to defer his request. If there is any substantial change in the need for it, we can supply it later. The only present need that was shown to the committee was the bringing in of some missiles for testing. But so far the larger missiles are not being brought in, only the smaller ones. There will be plenty of time later to act on the request.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BASS. I yield.

Mr. GORE. The distinguished chairman of the committee has submitted a request that action on the amendment be deferred in view of the circumstances that we have not developed the case as fully as the chairman feels it should be to justify the need for the facilities. If the chairman will afford us the courtesy of submitting to himself and to the subcommittee a full justification for the project, and consider the question in conference, I plead with my distinguished colleague to comply with the request of the chairman.

Mr. BASS. I appreciate the advice of my senior colleague from Tennessee. Knowing the esteem in which the distinguished chairman of the committee is held by all Senators and also his great influence, I realize the futility of requiring a year-and-nay vote on the amendment; so, in appealing for the sympathy of the distinguished chairman of the committee, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The bill is open to further amendment.

Mr. DIRKSEN. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Illinois will be stated.

The LEGISLATIVE CLERK. On page 108, line 5, it is proposed to strike the numeral "$2,827,000" and to insert "$6,242,000".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

Mr. DIRKSEN. Mr. President, reposing in Springdale Cemetery at Peoria, Ill., are the last remains of one Octave Chanute. He was a pioneer in aviation. It was after him that Chanute Field at Rantoul, Ill., about 10 miles from our State university, was located. It was established on a full section of land donated by one or more of the citizens of Rantoul. They built there a training school, so to speak, particularly with respect to airplane motors and to train mechanics in the structure of airplanes.

When I first saw Chanute Field it consisted almost entirely of wooden structures. Then one day in the winter came a fire, and fire went from one structure to another. It was a ghastly business before we were through. It took some doing to get brick structures to replace those destroyed by fire, but we did, and gradually Chanute Field has grown in importance as a part of the Air Force Air Training Command. At one time an endeavor was made to move some of the activities of that field from Rantoul to Denver. It was 7 or 8 years before I found out what the truth was, because I went over and helped to defend that installation when I was still in the House of Representatives. A major whose name I know, but which I shall not disclose in the RECORD, did most of the testifying. Records on temperature, hazy days, dazy haze, mist and winter difficulty were kept. At long last the flying division was sent to Denver, and we kept the function of training.

One day while I was visiting in the Panama Canal Zone I ran into my friend who at that time was a major. Now he was a major general.

We had dinner together. He said, "You know, I can tell you the truth. The reason we wanted to move from out there was that there was no adequate social life for the officers, and we had to put it on pretty thick. So we kept half, and they got half."

But Chanute has gone forward and has become an essential part in the air training commands. I remember sitting in the airport at Haiphong, in Viet Minh, when a youngster in fatigue clothes came up to me.

He asked, "Isn't your name DIRKSEN?"

I said, "It certainly is."

He said, "I voted for you."

I said, "What do you mean—you voted for me?"

He said, "They sent us out here from Chanute to keep these planes in repair, so that the French could fly them."

This, mind you, Mr. President, was before Dienbienphu fell in 1953. So those boys have been well trained and have been sent all over the country and all over the world. We sent some of them to the Soviet Union.

In recent months, the operations have been moved from the Amarillo Air Training Command to Chanute. I presume they will include from 2,000 to 2,500 youngsters. They will need adequate lodging. They want a dormitory. There ought to be an officers' club. There should be additional officers' quarters. There should be a good many things if the efficiency of that training is to be kept at a high level.

The House Committee on Armed Services provided $6,240,000, which is the amount provided in the amendment I have offered. That would provide 600 units for airmen. It would provide 1,600 dormitory units. It would provide 280 units for officers.

But the Senate Committee on Armed Services, in reporting the bill, reduced the amount to $2,287,000. The Senate committee removed the amount the House provided.

I know well that there is no Department of Defense amount for this item. I presume the Bureau of the Budget has not asked for it. But I have discovered, after 17 years of membership on the House and Senate Committees on Appropriations, that the Budget Bureau does not know everything.

So notwithstanding the fact that the Senate committee has omitted the amount for this item, I still offer the amendment, because I believe the units are necessary, especially so since another 2,000 boys will be added to the Air Training Command at Chanute Field, almost in the very heart of Illinois.

I shall not ask for a yea-and-nay vote. I want to be on record, however, as indicating the necessity for the additional units for continued training, because we shall need them before we are through. Good quarters are conducive to the efficiency of the students who are assigned to Chanute Field.

Mr. President, that is where I rest my case.

Mr. STENNIS. Mr. President, I shall be brief in stating the committee's opposition to the amendment.

May we have the clerk read again the amount requested in the amendment?

The PRESIDING OFFICER. The clerk will read.

The LEGISLATIVE CLERK. On page 108, line 5, it is proposed to strike "$2,827,000" and insert in lieu thereof "$6,242,000."

Mr. STENNIS. Mr. President, I ask the Senator from Illinois, who requests $2,615,000 for the dormitory and dining hall, if he makes the additional request at this point.

Mr. DIRKSEN. No. I take the figure of the House Committee on Armed Services.

Mr. STENNIS. The Senator proposes to restore the House figure?

Mr. DIRKSEN. Entirely.

Mr. STENNIS. Mr. President, Chanute Air Force Base, in Illinois, is one of the Nation's fine air-training bases and is performing outstanding service. The very items to which the Senator from Illinois has referred were requested for this year's budget. They included a bachelor officers' quarters for 202 men, a dormitory and dining hall. These projects were deferred, however, from the fiscal year 1966 program—that means this bill—by the Department of Defense, on the basis that the existing facilities could be used for another year.

When the bill reached the House, the House inserted these items.

The Senate, in one of the rare instances in which it included items outside the budget, provided $800,000 for the bachelor officers' quarters, which is what the Department of Defense said it could use for that purpose. In other words, the House figure, by some error in the amendment, was just double what the Department of Defense desired. We did, however, reject the other item on the basis not only that it was outside the budget, but also that it was decided it could be deferred for at least another year.

There were many items, in all, that were requested in the budget but were deferred. Our position is that these items must take their place and wait their time. Many of the items in the bill were deferred perhaps 2 years ago or 1 year ago and are now taking their place by being included in the bill.

I hope we may include this item next year; but it will certainly be contrary to the general pattern of the whole bill to include it at this time. I hope the committee position will be sustained on this item.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. Dirksen].

The amendment was rejected.

Mr. STENNIS. Mr. President, so far as I know, that completes the amendments. May we have the third reading of the bill?

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. STENNIS. Mr. President, on the passage of the bill, I ask for the yeas and nays.

The yeas and nays were ordered.

APPROVAL OF JOURNAL OF JUNE 25

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, June 25, 1965, be approved without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL MONETARY POLICY

Mr. McCARTHY. Mr. President, I invite attention to the remarks made earlier today by the Senator from Indiana [Mr. Hartke] concerning the 13-point decline in the stock market today.

I suggest that Senators begin to examine into the fiscal and monetary policy of the Federal Reserve System and also of the Treasury. Mr. William McChesney Martin, Chairman of the Federal Reserve Board, stated on June 25 that the balance of payments of this country is actually in equilibrium and has been in equilibrium for the last 2 or 3 months.

He went on to say that we may have to follow or advance some supplementary of supplying countries with reserves.

Mr. President, the best way to provide reserves in currency for other countries is through the normal process of investment.

I should hope that the people primarily responsible for the fiscal policy of the country would take another look at the condition of our own economy and the world economy and would evaluate the responsibility of the United States for economic progress, particularly in Western Europe.

Mr. Eliot Janeway has a column in this afternoon's Evening Star entitled "New Depression Seen in Payments Surplus."

He goes on to point out that, as a result of the policies pursued by our country, we are experiencing business failures in Canada and Australia. He points out that there have been business failures in Japan and that the pound in England is in most serious trouble.

I believe that the time has come when we should reexamine this policy which has been unwisely pursued over the last 4 or 5 months.

The policy of restrictive credit and restrictive monetary policy, and the continued announcement that we have a balance-of-payments problem when we do not have a balance-of-payments problem, but, on the contrary, have moved to a point at which the balance of payments is a serious problem. I ask unanimous consent that the article by Eliot Janeway in this afternoon's Evening Star, entitled "New Depression Seen in Payments Surplus," be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

New Depression Seen in Payments Surplus

(By Eliot Janeway)

New York.—"A coming depression" is now more than a warning from the Chairman of the Federal Reserve Board. It is rapidly becoming the big 1965 export which the United States is sending overseas—thanks to the Washington crackdown on foreign investing and lending by U.S. businessmen and banks.

No question about it, the administration's experiment with "voluntary" discipline in curbing the dollar outflow has been a smashing success from the outset. It has turned a U.S. payment deficit rate of over $6 billion a year into a surplus rate of well over $1 billion a year. But this annual difference of over $7 billion adds up to enough to make the difference between world prosperity and depression.

There's an old saying among doctors: "The operation was a success, but the patient died." Lawyers say: "We won the case, but the client went to jail." Generals ask: "Can we afford another such victory?" Politicians can echo them today.

SURPLUS LOOKS GOOD

If the aim of governing is to appease critics who are free from the responsibility of governing, our impressive new payment surplus certainly makes us look good. But can we afford another such victory? For if the rest of governing is how well Washington fulfills its responsibility for world leadership and leads a stable free world economy toward higher levels of prosperity, our new payments surplus will cost us more than our previous payments deficit did.

Let's look at what it has already cost for United States and Canadian citizens alike. An internationally prominent Toronto investment banker writes: "We in Canada are reaping the first fruits of President Johnson's winter sowing program and it is rather a discouraging crop—to wit, the default in payments by the Atlantic Acceptance Corp., Ltd.

"This company was formed about 4 or 5 years ago and now has assets of over $130 million. * * * They early realized that they could borrow at better rates in the United States than they could in Canada, particularly at short term, and as a result when the Washington guidelines came out a few months ago, they found themselves with a lot of short-term paper placed in the U.S. market and apparently with limited banking standby agreements here. * * * Their long-term debt is entirely in U.S. funds.

IT CAN HIT BACK

"It is not so bad that the Government has to support the stock market and financial houses, as the Japanese have. * * * One cannot help but wonder as one views the money markets in Germany and England and Europe in general just how serious the situation is there. * * * You may strengthen the American dollar by the Johnson program, but you are almost certain to bring on a worldwide depression which will hit you on the head also.

"When," asks this influential Canadian financier and monetary expert, "will this program be changed?" Bankruptcy has occurred in Canada, but the losses are being taken in the United States. This is where the bad debts are, and where export customers are being lost by businesses that employ the people, make and ship the goods that Canada, our best market, had been buying. The worried eyes of the financial world overseas are searching for a sign of statesmanship here as well as for the sight of dollars.

TIME TO END IT

Federal Reserve Chairman William McC. Martin scared the country half to death, broke the stock market, and angered the President, when he sounded off about certain "disquieting similarities" with 1929. The adoption by rich countries of tough, nationalistic money policies which are politically plausible but economically shortsighted, and the consequent spread of bankruptcy and depression among their foreign customers and debtors, would be a genuinely "disquieting similarity" with 1929.

The only way Johnson can prove Martin wrong is pronounce his dollar surplus operation a success before the patient dies. President Charles de Gaulle's olive branch payment on France's debt to the United States makes it easy for Johnson to call off the currency war before everyone goes broke.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. LAUSCHE. Mr. President, we are in the position of a man who is running downhill at such speed that, when he finally tries to decelerate his movement, he finds that he cannot do so and finally plunges headon into the bottom below.

Expansion of credit is being urged. The credit of the Nation has been most liberal as it now stands. There are other means that must be followed. I am not one who condemns McChesney Martin. I believe that he has called the attention of the Nation properly to the problem that confronts us.

The means of solving our difficulty do not lie in the extension of credit. It is in the declaration of the principle by Congress that we shall quit trying to stimulate the economy by extravagant spending.

In my judgment, voluntary compliance by investors in foreign bonds and voluntary compliance by American industrialists to the request that they do not establish plants in foreign countries will not work. Firm and severe action must be taken.

I cannot agree with the argument "extend the credit." We have had Appalachia, the war on poverty, area redevelopment, community facilities, and the Peace Corps. Domestically we have had program after program developed supposedly to expand the economy. Where will we stop?

Mr. McCARTHY. Mr. President, the Senator has so little confidence in the private enterprise capital system that he seems to be afraid of our economy, which has demonstrated over the last 4 years that we can go from a high level of production to an even higher level of production without the intervention of recession.

I find myself in the position of being an advocate and believer in the private enterprise capital system in contrast to the pessimistic view expressed by the Senator from Ohio. I am surprised to learn that he has such little confidence in the record that has been made in the past 4 years.

Mr. LAUSCHE. Mr. President, the record of the past 4 years does not disprove the record of history that fantastic ideas separated from realities eventually produce disaster.

Mr. McCARTHY. Mr. President, the Senator from Ohio appears to be in the position of some politicians and businessmen who seem to have a vested interest in cycles of recession and depression in order to advance their own interest. Some economists have a vested interest in the course that they have been teaching for 20 years on cycles of recession and depression. That course might be outmoded.

Mr. LAUSCHE. Mr. President, I had a conversation with the Senator from Minnesota one day in which I expressed my alarm about the gold reserves. The Senator from Minnesota said that gold reserves mean nothing so long as we have enough gold to fill the decaying teeth of the people in our country. I have a different viewpoint about the need for gold reserves.

Mr. McCARTHY. That is not quite what I said. However, the Senator comes very close to expressing my view. I said that, along with the lack of gold, we had great strength in the production of the American economic system. I said that, as far as the real need of the economy of our people is concerned, we would need gold for fillings, and, to a limited extent, for jewelry. I stated that, as long as people had a superstition concerning gold, we could go along with it and exploit that superstition. However, I said that we should not depend upon gold or wampum, that we might have a return to beaver skins—and there has been a great increase in beaver skins in northern Minnesota. I said that we might go back to that medium of exchange. The Senator from Ohio might prefer to go back to that medium of exchange. There would be more stability if we were to use beaver skins than there would be if we were to use gold.

Mr. DIRKSEN. Cheer up. We will not bother with beaver skins as long as we have wampum.

Mr. McCARTHY. What about trading stamps?

Mr. DIRKSEN. Mr. President, what I am about to say is not what I started to say. When we start talking about the use of gold to take care of teeth, and the question of medicare, it reminds one of that old man in England who went to the rector and said that he had been told that when he went to heaven there would be ambrosia, but that he was without teeth. The rector said that teeth would be provided.

Mr. McCARTHY. Gold teeth.

Mr. DIRKSEN. I remind the Senators to read the testimony of John Exter, the senior vice president of the National City Bank of New York, given before the Senate Finance Committee on the question of the imbalance of payments.

There we receive the Gospel, hot off the griddle. He makes it seem that we can put all the rocks in the stream that we want—as in the case of equalization of interest and voluntary efforts among the bankers—but it will not stave off the debacle until the expansion of credit is stopped.

I regard John Exter as one of the greatest students in this field. That is the reason that I asked him to testify. That is the root of the evil. Therefore, I suggest a reading of Mr. Exter's testimony, along with the treatise that the Senator gave.

Mr. McCARTHY. Mr. President, I hope Senators will do that. I hope they will read what Mr. Martin said in a speech on June 25 in which he said that we do not have a definite balance-of-payments problem and did not have one in the last 2 or 3 months.

Mr. LONG of Louisiana. Mr. President, inasmuch as the gold problem has arisen, it might be worthwhile to point out that we are consuming gold in this Nation at the rate of approximately $200 million a year for dentures and other purposes.

I am speaking from the top of my head, but I think the figures are substantially correct. We produce about $70 million worth as against our present gold supply of $15 billion. So we have enough to last about 100 years at the rate we consume the commodity. But what we are talking about is monetary gold. I agree that the tight money policies pushed the previous administration into a recession on the average of once every 3 years. We have gone about as far as we can go to try to maintain prosperity with tax cuts. I helped put the tax cuts through. I agree with what the Senator from Minnesota has said that the time has come to use our monetary weapons.

Mr. McCARTHY. While we are cutting taxes to stimulate the economy, the tightening of money will have an effect opposite to what we have been trying to accomplish.

Mr. LONG of Louisiana. I agree with the Senator.

Several Senators. Vote! Vote!

Mr. LONG of Louisiana. Mr. President, may we have order? If a Senator wants to say something, he has a right to say it. If I want to say something, I have a right to say it. I do not want any Senator to be irritated, but I could have a speech prepared on some other subject and use it.

Mr. McCARTHY. Does not the Senator agree that the question of monetary policy is more important than many of the bills on which we have spent 4 or 5 hours each day? We ought to be more concerned about monetary policy than some of those measures.

MILITARY CONSTRUCTION AUTHORIZATION FOR FISCAL YEAR 1966

The Senate resumed the consideration of the bill (H.R. 8439) to authorize certain construction at military installations, and for other purposes.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Pennsylvania [Mr. Clark], the Senator from Arkansas [Mr. Fulbright], the Senator from Arizona [Mr. Hayden], the Senator from Arkansas [Mr. McClellan], the Senator from Maine [Mr. Muskie], the Senator from Maryland [Mr. Tydings], and the Senator from Florida [Mr. Smathers], are absent on official business.

I further announce that the Senator from Virginia [Mr. Byrd] is necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. Byrd], the Senator from Pennsylvania [Mr. Clark], the Senator from Arkansas [Mr. McClellan], the Senator from Maine [Mr. Muskie], the Senator from Florida [Mr. Smathers], and the Senator from Maryland [Mr. Tydings], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. Cotton] and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from North Dakota [Mr. Young] is absent on official business.

If present and voting the Senator from Texas [Mr. Tower] would vote "yea."

The result was announced—yeas 89, nays 0, as follows:

[No. 157 Leg.]

YEAS—89

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Gruening
Harris
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, Ga.
Russell, S.C.
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—0

NOT VOTING—11

Byrd, Va.
Clark
Cotton
Fulbright
Hayden
McClellan
Muskie
Smathers
Tower
Tydings
Young, N. Dak.

So the bill (H.R. 8439) was passed.

Mr. STENNIS. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I move that the Senate insists upon its amendments and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the presiding officer appointed Mr. STENNIS, of Mississippi, Mr. SYMINGTON, of Missouri, Mr. JACKSON, of Washington, Mr. CANNON, of Nevada, Mr. SALTONSTALL, of Massachusetts, and Mrs. SMITH, of Maine conferees on the part of the Senate.

JUVENILE DELINQUENCY AND YOUTH OFFENSES CONTROL ACT OF 1961

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of calendar No. 306, Senate bill 1566.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1566) to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

Mr. MANSFIELD. Mr. President, may I change that request to Calendar No. 359, House of Representatives bill 8131?

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 8131) to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection the Senate proceeded to consider the bill.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEVEN-DAY SENATOR

Mr. LONG of Louisiana. Mr. President, all Senators can take pride in the article that was published on Sunday, June 20, in the Washington Sunday Star, concerning our colleague, the Senator from West Virginia [Mr. BYRD]. In this article the Senator's endless activities are recounted as they affect his home State of West Virginia and the District of Columbia—the latter arising from his position as chairman of the Senate Appropriations Subcommittee on the District of Columbia. The article justly concludes that he is a "7-day Senator."

I believe that this article gives excellent insight into the great amount of work that must be done by Senators. The Senator from West Virginia exemplifies this role as a conscientious and hard-working Member of this body.

I am pleased to recommend the article to everyone in the country for reading, and ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEVEN-DAY SENATOR

(NOTE.—West Virginia's ROBERT BYRD is a controversial figure in Washington; but nobody denies he is one of the hardest working men on Capitol Hill.)

Senator ROBERT C. BYRD of West Virginia puts in a 7-day week, hasn't had a vacation since 1939, has ulcers, and says he enjoys life hugely.

"If I were to die tomorrow, I would have lived a lifetime," he says. "I just like my work. I enjoy the challenge that comes in serving in the U.S. Senate."

Why the ulcers? "I am an intense, driving person, a perfectionist—who falls far short of perfection. I am always trying to improve myself."

BYRD, a Democrat, is perhaps better known in Washington than he is in his home State. This odd circumstance for a young Senator has come about because BYRD, as chairman of the Senate Appropriations Subcommittee for the District of Columbia, has the controversial job of budgeting money for Washington.

His toughness in handling the welfare end of the post has earned the Senator articulate enemies. The critics focus mainly on his advocacy of the man-in-the-house rule (which bars public assistance to families having an employable male acting as a parent to the children living in the house) and on his repeated efforts to have ineligibles lopped from aid rolls. As administered, his policies work hardship and even suffering, his critics claim. BYRD's own State offers aid to children of the unemployed, it has been pointed out by one critic, who argues: "If it's good enough for West Virginia, it ought to be good enough for the District."

His own best defender, BYRD explains that he took the subcommittee chairmanship only after others with more seniority had rejected it, although he didn't want the post then and doesn't want it now, but accepted it "with determination to do my duty." His welfare philosophy, he concedes, is rigorous, but he argues that his is the moral view for the greater good of the Nation. "Relief has become a way of life for some people," he says, and cites documented cases of three generations of the same family living on public charity. To accept and even encourage this way of life through permissiveness threatens the country, he believes. "The sure retrogression in such a moral climate is from the 'easy way' to decadence, and history is replete with examples of societies which have crumbled from moral decadence."

His manner of speech is calm and his words logical, but an undertone of strong emotion comes through all the same. He is noted for his phenomenal memory. A medium-sized man, BYRD wears his silvery hair long and brushed back, has a tenor voice, dresses in gray and wears his watch on the hinge of the wrist. Careful with words, he is apt to delay as long as a minute before answering a question. There is about him a southern courtliness which might be in some part an echo of two Deep South Senators, RUSSELL, of Georgia, and STENNIS, of Mississippi, whom he greatly admires.

BYRD won't agree with the thesis that poverty in itself creates crime, and he speaks of his own life ("My beginnings were lowly") as an example of the way a man can work his way up the ladder. Orphaned at 10 months he was taken in by a miner and his wife and reared in a coal community.

"Maybe it was only pinto beans and cornbread, but we never existed in hunger," he recalls. "I always worked to put food on the table. My foster father bought pigs every year and I went from house to house to gather scraps to feed them.

"I graduated from high school at 16 as valedictorian. Finally I located work in a service station 3 miles away. That first winter, the weather was bitterly cold, with temperatures below zero. I did not own an overcoat, so I had to borrow one. I had to be up at 4 o'clock each morning to get breakfast and start walking to the service station. I was paid $50 monthly."

BYRD got married, earned an extra $5 a month for a while by painting signs, then obtained a job in a produce market. After 4 years, he advanced to the job of butcher. "It was my ambition to become the best meatcutter in the business," he remembers. When World War II came, he worked as a welder in shipyards in Baltimore and Tampa.

Realizing his need for a college education, BYRD arranged to take a university mail course and this was the start of a long educational grind that was to embrace seven schools. The culmination came 2 years ago when BYRD, at age 45, won a law degree cum laude from American University. President Kennedy personally congratulated him. In a remarkable demonstration of determination and energy, BYRD had achieved his degree while rearing a family and serving, in succession, in the lower and upper legislative chambers of West Virginia and the U.S. House and Senate. That he didn't neglect his political business is attested to by the fact that he led the State ticket in the 1958 election. The degree was worth all the struggle, he says, explaining simply: "I have an intellectual thirst."

BYRD went into politics in 1946. "I put up the $10 filing fee and ran for the house of delegates. Some of my friends said I could not win because I had no money and no connections. I took my violin under my arm and everywhere I went I played two or three tunes to get attention, after which I would make my little speeches. It has been said I fiddled by way in the State legislature. Perhaps so."

BYRD won that first victory at the polls and the one following despite an unusual handicap. "We never had an auto in my family until I campaigned for membership in the West Virginia Senate in 1950, at the time I was 32. It was then that I learned to drive. Generally, to help along my campaign, friends took me around to make contacts and to talk with groups."

BYRD came to Washington as a Representative in 1952, moved up to the Senate 6 years later and last fall easily won a second Senate term, matching President Johnson's sweeping plurality in West Virginia. BYRD has never lost an election and has been chosen for more elective legislative offices than has any other individual in his State's history. As to the violin that got him his start, he says: "I am too busy to play anymore."

BYRD has observed and worked with many key political figures. His evaluations of some of them give interesting hints into his own political philosophy: Truman "had courage, frankness"; Eisenhower, "I'd rather talk about some other Republican"; Kennedy, "I admire him for his intellectual strength and his youth and because of his personal magnetism"; Johnson, "I admire his pragmatism and his dogged determination"; HUMPHREY, "atomic energy in the flesh"; Goldwater, "has honesty of convictions and courage to express them"; MANSFIELD, "does not twist arms; he is a pillar of strength in the Senate."

Of Senators who particularly inspire him, BYRD lists four: RUSSELL, "his parliamentary skill, his reasonableness and reasoned judgment and his earthiness impress me greatly; he is one who has the qualifications of being President"; STENNIS, "has a judicious and at all times a great spiritual awareness, he is a real Christian gentleman"; PASTORE, "fascinates me with his intellectual grasp; the swing of his observation, his articulateness and forcefulness make him a giant"; DIRKSEN, "is one of a kind; his oratorical style, his genuine warmth are very appealing."

BYRD and his wife, Erma (she is my closest friend) live in Arlington with their aged springer spaniel, Billy Byrd. The couple's two daughters, Mona and Marjorie, are married and live elsewhere in the Washington area. The Senator is a student of Shakespeare and likes to listen to both classical and folk music. He is a Baptist. Washington cocktail parties leave him and his wife cold. "I am just as disinterested as anybody could be; I do not drink because it is a waste of time and money," he says. "I have never fired a shotgun, and I went fishing just once in my life. The only program on TV I like is 'Gunsmoke.' Politics is my hobby."

Tedious, workaday, vital politics is what he means. BYRD serves on two of the most powerful committees in the Senate, Armed Forces and Appropriations. Of the latter, he says significantly, "It is not one on which one is likely to be projected into the national limelight, but it provides oil for the Government machinery. I am content to be a workhorse."

As a West Virginian, BYRD has worked hard to help his improverished State and some of the projects he has pushed have implication for Washington area people, such as the development of large-scale recreational facilities. "West Virginia may well be one of the playgrounds of Washington in years to come," comments his press aid, Charles Eischen. BYRD has also been legislatively active in helping the aged, pushing medical research and curbing water pollution.

Over 20 years ago BYRD was a member of the Ku Klux Klan and served as a kleagle, or organizer. ("The Klan was fighting communism," he was quoted as saying in a 1958 interview.) The Senator says now that he has outgrown the Klan, that his former membership in it is wide public knowledge and that whole matter is a closed book as far as he is concerned. But as to the Klan in 1965 he says flatly: "It is an organization that serves no useful purpose." The statement is made only after long thought and it is delivered with a note of finality.

As chairman of the Appropriations subcommittee for the District, BYRD's welfare attitudes have been said by some critics to stem from bias; they cite his vote against the civil rights bill last year as evidence for the claim. The Senator denies having a racial prejudice. He makes the point that he has had a Negro on his staff for many years and says on the touchy subject of relief cheaters, one of his principal targets: "If people, whether black or white, are ineligible, they should be removed from the caseloads. The fact that 95 percent of ADC (aid to dependent children) cases involve Negroes is not of my making. Ineligibles bring discredit to the program. They constitute an undue drain on the taxpayer, which cannot be countenanced."

Home rule for the District is another question which BYRD speaks of in the same terms. He says congressional control of Washington has worked well, it follows the dictates of the Founding Fathers and it suits a city unique for being the home of the President, Congress, Supreme Court, Federal departments, and foreign diplomats. But he emphasizes that in his opinion one of the real objections to home rule is financial. "The city does not have the potential for securing the finances needed to pursue the ever-increasing costs of education, welfare, health, and recreation programs, and other needs," he says. "It is a matter of common knowledge, the emigration of District people to the suburbs. All too often these are people who have a taxpaying capability." Unlike other major cities, he says, the District has not the industrial tax base needed to take up the slack, nor can it obtain one.

As one of several examples of how home rule would misfire, he talks of the police department, which "has the strong backing of Congress in its efforts to combat crime; under home rule, I am afraid the police would be considerably demoralized. The pressures are terrific. I have had those pressures on me."

Public rallies protesting BYRD's welfare policies are becoming one of the rites of spring in Washington. At one this year, a woman displayed a placard reading "BYRD is for the birds." At another, held by the District of Columbia Coalition of Conscience, Bishop Smallwood E. Williams of the Bible Way Baptist Church characterized the Senator as "a little man, hard-hearted, hard-headed, biased, and segregation-oriented." BYRD retorts, "I've been called heartless many times. You should see the letters I receive from people who don't know the facts."

BYRD impatiently argues that the whole thrust of his efforts has been affirmative, not negative, and that he has in fact been of utmost aid to District schools, urging more buildings, more and better-trained teachers, and more librarians. Education, as he sees it, is a key way to help solve poverty and related social problems. But realistically, he adds, "You can only provide the tools of education. We will see the results in 25 years."

He has also acted, he notes, to encourage the hiring of more social workers, to strengthen law enforcement agencies, to expand aid to working mothers, to increase both day-care facilities and foster-home programs, and to add to the special instruction given retarded children.

BYRD feels strongly that society is being made to bear the blame for the misdeeds of young people when it is the parents who are the real culprits. "My own experience leads me to believe that the right kind of parental training will lead to respect for law and order by the youth of America," he says. It is the fostering of just this parental responsibility to which his welfare policies seem to be directed. Make the welfare cheaters go to work and their children will benefit morally, he seems to be saying.

The Senator sums up: "In my years of work and study, there is an important lesson which I feel that I have learned—that a modest beginning need not hold a man down. Hard work, determination, and a normal amount of intelligence can carry one to almost any goal." It is Horatio Alger talk, but coming from the Senator's lips, in his well-appointed office with aids in alert attendance, it does not seem by any means outdated. BYRD's drive has brought him that far. At age 47, his political horizons are not sketched in and could be unlimited.

One Capitol Hill observer speculates on his future: "MANSFIELD and HUMPHREY have openly shown admiration and affection for him. Politically, his sharpest drawback is his home State, a small State not carrying much weight; but it is conceivable that he could be on the national ticket as a vice-presidential candidate. He's a real down-the-line administration man. He does the nasty jobs. There is a good chance that he will end up as chairman of the Senate Appropriations Committee, one of the dozen most powerful jobs in the country. I think that's his ambition; I think that's where he's going."

ORDER OF BUSINESS

The PRESIDING OFFICER. What is the will of the Senate?

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 49 minutes p.m.) the Senate, under the order previously entered, adjourned until tomorrow, Tuesday, June 29, 1965, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

The Polish Uprising

EXTENSION OF REMARKS
OF
HON. DONALD J. IRWIN
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 1965

Mr. IRWIN. Mr. Speaker, the Polish people have endured much suffering under the Communist rule for years. But this has not taken the form of a passive acceptance of their overlords. The heavy hand of the Soviet Union has not diminished the desire of the Poles to live in freedom and dignity.

That the flame of freedom still flickers, and at times burns brightly, was demonstrated on this day 9 years ago when the factory workers in the industrial city of Poznan rebelled against the Communist-controlled regime. Driven to desperation by wages so low they could not even buy sufficient bread with their pay, by complaints that had gone unheeded, the workers in the large steel plant, about 30,000 in all, staged an uprising which the government quickly branded as a revolt. Tanks were rolled in, artillery pounded the workers, and regular army troops mopped up the hapless workers. In a couple of days, when it was all over, more than 100 were dead and several hundred were wounded.

Though the gallant protest was snuffed out before it could spread to other towns, it did have some beneficial effects. The Polish Communist Government took heed and improved working conditions, trimmed the work week and raised pay scales.

But the meaning of this brief uprising was clear far beyond the reaches of this town in western Poland. It showed that despite Soviet oppression, the will, the desire for freedom is still very much alive in Poland. And it is this unquenchable spirit that we honor today on the ninth anniversary of the Poznan uprising.

No Show Shriver

EXTENSION OF REMARKS
OF
HON. PETER H. B. FRELINGHUYSEN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 1965

Mr. FRELINGHUYSEN. Mr. Speaker, in Washington we are all familiar with individuals who say "Yes" when they mean "No," and those who say "No" when the mean "Yes." A classic example of this technique is illustrated in the correspondence I have had recently with Mr. Sargent Shriver, Director of the Office of Economic Opportunity. Because of its interest I am appending the exchange of letters to these remarks:

JUNE 3, 1965.

Hon. ROBERT SARGENT SHRIVER, Jr.,
Director, Peace Corps,
Washington, D.C.

DEAR SARGE: When I expressed the hope during your testimony before the Foreign Affairs Committee yesterday that you testify before the Republican task force on economic opportunity, I had not really expected that you would be willing to do so. I was pleased, however, that you expressed willingness to appear before us and I should like to extend a formal invitation for you to appear either on Wednesday, June 16, or Thursday, June 17.

As you may know, we have scheduled hearings for 3 days this coming week, but we already have made firm commitments to others for those days.

The members of our task force appreciate very much your willingness to discuss your responsibilities as Director of the Office of Economic Opportunity. Our primary purpose in holding these hearings is to see in what way the programs under your jurisdiction may be improved.

With best regards,
Sincerely yours,
PETER H. B. FRELINGHUYSEN.

OFFICE OF ECONOMIC OPPORTUNITY,
EXECUTIVE OFFICE OF THE PRESIDENT,
Washington, D.C., June 7, 1965.

Hon. PETER FRELINGHUYSEN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FRELINGHUYSEN: During the course of the testimony concerning the Peace Corps you brought up the subject of my testifying before the Republican task force on economic opportunity. I assumed that any hearings to which you were referring would be conducted by a duly constituted committee of the Congress.

My acceptance was in keeping with a long-established policy of a willingness and even eagerness to appear and meet with committees of the Congress. And even further, I have always been willing to meet privately with individual Members or groups of Members of the Congress. In fact, only recently I had private meetings with the Democratic membership and the Republican membership of the House Education and Labor Committee concerning the poverty program. And I have always maintained that I should not have a public meeting with the members of one political party without the other party represented.

Consistent with this policy, I must decline your invitation to meet with your task force in any public meeting. Should any individual Members desire to meet with me privately to discuss common problems, I hold myself readily available for such a meeting, as this would be consistent with the policy I have followed for a number of years.

Sincerely,
SARGENT SHRIVER,
Director.

JUNE 10, 1965.

Hon. SARGENT SHRIVER,
Director, Office of Economic Opportunity,
Washington, D.C.

DEAR SARGE: This will acknowledge your recent letter informing me that you are unwilling to appear before the Republican task force on economic opportunity.

Naturally, we were disappointed to learn that you would not be available for a public meeting. I can assure you that we would have no intention of embarrassing you in any way, as our purpose is simply to develop some factual information with respect to the operations of the Office of Economic Opportunity, as a basis for recommendations for strengthening its various programs.

We are very hopeful that you would be willing to meet with us in executive session at your convenience. Perhaps something could be arranged for the latter part of next week.

Sincerely yours,
PETER H. B. FRELINGHUYSEN.

OFFICE OF ECONOMIC OPPORTUNITY,
EXECUTIVE OFFICE OF THE PRESIDENT,
Washington, D.C., June 21, 1965.

Hon. PETER FRELINGHUYSEN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FRELINGHUYSEN: I have read with interest the newspaper reports of the sessions of the Republican task force on economic opportunity.

My position on the matters you covered has already been placed in the hearing record of the House Education and Labor Committee and, thus, it would seem unnecessary to schedule an executive session for the rediscussion of these matters.

As I have stated to you before, I do hold myself ready to meet with individual Members of Congress to discuss any aspect concerning the war on poverty. As you know, this is consistent with the policy I have followed during my years in Government service. And I am always available to the regular committees as frequently as they may wish me to appear.

Sincerely,
SARGENT SHRIVER,
Director.

JUNE 28, 1965.

Hon. R. SARGENT SHRIVER,
Office of Economic Opportunity,
Washington, D.C.

DEAR SARGE: It was a real disappointment to learn that you are unwilling to meet with Republicans, in public or private, to discuss the administration of the Office of Economic Opportunity. Although you profess to welcome discussions with Members of Congress, your continuing refusal to do so is hard to explain.

When first invited to testify before the Republican task force on economic opportunity, you clearly indicated your willingness to talk with us. On second thought you declined, on the odd ground that Democrats would not be present, even though I had clearly indicated that this was a Republican invitation. When invited to appear in executive session, in accordance with your declaration that you were readily available to meet privately with individual Members of Congress, you have now again refused.

How can we interpret your reluctance? Certainly your responsibilities as Director of the Peace Corps have not prevented you from making frequent public statements, and appearances, defending the antipoverty program. It is easy, therefore, to assume that you have the time but not the will.

You comment on the interest with which you have read newspaper accounts of the recent hearings held by the Republican task force on economic opportunity. We are gratified to know this. Just as those hearings interested you, and apparently the public also, so would your testimony—even if not available to the public—interest us Republicans.

Nor does it seem in character for you to resist the opportunity of discussing the programs for which you are responsible simply because you don't cherish an all-Republican audience. What have you to fear? You strongly emphasize your eagerness to appear before congressional committees, which are of course conducted in public, with both Democrats and Republicans, yet you shy away from serious Republican efforts to discuss privately the programs of the OEO. Could it be that we are interested in sensitive subjects which you would rather not discuss, in public or private?

In your opinion, it would "seem unnecessary" to hold an executive session for a "rediscussion" of matters you have already considered with the House Education and Labor Committee. We have not yet spelled out the areas which we should like to discuss, and I can only assure you that every effort would be made to avoid any rediscussion, or repetition, of your earlier testimony. I trust also that you will withhold your judgment as to the necessity of such a meeting until after it has actually taken place.

Since you reiterate your readiness to meet with individual Members of Congress, I can only hope you can still be persuaded to do so. To avoid a confrontation while professing to welcome it somehow smacks of arrogance—or an awareness of the present weakness of some of the antipoverty programs.

Sincerely,
PETER H. B. FRELINGHUYSEN.

Medical Libraries and Medical Research

EXTENSION OF REMARKS
OF
HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 1965

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks I include a speech which I delivered at the John Shaw Billings Centennial, National Library of Medicine, Bethesda, Md., on June 17, 1965:

MEDICAL LIBRARIES AND MEDICAL RESEARCH

(By the Honorable JOHN E. FOGARTY, U.S. Representative from Rhode Island)

Ladies and gentlemen, we are here today to honor an individual whose great life and work helped materially in diverse ways to organize and advance the cause of medicine. The debt to Dr. John Shaw Billings is not a debt only of physicians and others in the health sciences. It is a debt of the entire Nation. Dr. Billings' achievements in helping to consolidate and focus the progress of medicine through its literature have benefited the lives of all of us, even today, 100 years later.

It is most proper for us to recognize also that it was Dr. Billings, who, through the National Board of Health, actually made the first Federal grants for medical research. In the 1880 Annual Report[1] of the Board, Dr. Billings, in his capacity as vice president, writes to the Honorable John Sherman, Secretary of the Treasury, to which the Board was answerable. Dr. Billings' letter speaks to the importance of medical research and cites the commendable work of the British Government in supporting such research. His report points out that the costs of research exceed the funds available to private investigators and emphasizes that the assistance of the Federal Government is therefore necessary. Sounds like 1965.

His report then lists out the types of projects the National Board of Health was supporting. These include:

Studies of the air, a forerunner to our present air pollution research; studies of the adulterations of food and drugs, matters about which we are still concerned; sanitation; yellow fever; disinfectants; diphtheria; and still other fields.

I have been extremely pleased to learn that my own State of Rhode Island was included in the research work financed by the old National Board of Health under Dr. Billings' direction. The annual report of the Board of 1882—83 years ago—contains a report of inspections of health resorts and under that a "Report on Sanitary Conditions in Newport, R.I." It is a very fascinating document including many maps, drawings, and illustrations including these three [unfolds three large illustrations]. One of these is a map of the city of Newport and the other two are graphs showing occupation figures and nationality figures in ward 3 of the city.

Beyond the question of sanitation the report is concerned with the city's water supply; and I believe the remarkable farsightedness of Dr. Billings is illustrated by the fact that the report contains extensive information on different types of analyses carried out on the water.

I am happy to say that the report about Newport was a very good one and I will illustrate this if I may by reading the first sentence of the report: "Newport has always been considered, and unquestionably is, naturally, an exceptionally healthy place."[2] Naturally I believe it still is.

From this particular locale here today it is easy to see and feel the importance of Dr. Billings' work—in the dignity, power, and significance we in America have given to medicine, and which in turn is serving to give us healthier, longer, more productive and happier lives. We stand on the steps of the world's greatest medical library. Next door to our north is the world's finest medical research organization. Across the street is the great National Naval Medical Center, and only a short distance from here is the Walter Reed Army Medical Center and the Armed Forces Institute of Pathology.

If there were a pinnacle of the world of medicine at which we could stand, this would be it.

It is a world as yet unfinished, however. We have not defeated disease, disability, birth defects, and premature death. These problems continue to challenge us to the limit of our abilities. At the same time, we seem to have achieved, at long last, the opportunity at least for almost total victory. It would seem to be within our grasp to attain an entirely new level of mental and physical health for mankind and perhaps witness the eradication of disease entirely.

We are living in the midst of dramatic and far-reaching changes in the concepts of biomedical research, with the employment of new knowledge, new techniques, new ideas, new instrumentation, and, indeed, new types of personnel, such as mathematicians and physicists. The influence and effects of the biomedical research effort are becoming wider and its character is changing. There is ample evidence that the biomedical achievements of the near future may be dramatically more significant than any in the past. I have in mind particularly a new spectrum of work in human reproduction and human development; molecular biology and genetics, and the new light they promise to throw on work in many other biomedical disciplines; and the extensive work in virsuses, in relation to cancer and other diseases. In recent testimony before Congress, Dr. James A. Shannon, the Director of the National Institutes of Health, pointed to new progress in understanding the relationship between psychology and physiology. He said: "The line between the medical sciences and the behavioral sciences is disappearing." This is as it should be.

In this place, on this day, at this particular point in history, it is difficult to avoid a sense of happy anticipation about the new hope being offered us by the health sciences; and it is proper that we again recognize Dr. Billings' work in having begun this great Institution, this library where this new knowledge resides for man's present and future use.

However, let me read something to you:

"Unless major attention is directed to the improvement of our national medical library base, the continued and accelerated generation of scientific knowledge will become increasingly an exercise in futility."[3]

The statement is from a section headed Communications for Research, from volume I of the report by the President's Commission on Heart Disease, Cancer, and Stroke.

Let us consider carefully what this statement means. It is saying that the great potential benefits of medical research which I have just been talking about may not be improving the health of our Nation as they might. It indicates that the financial, human, and institutional investments we are pouring into research, to bring about better health for the American people, may be wasted or lost for the want of better facilities and methods to house, manage, and disseminate the medical literature.

This is indeed a curious commentary on the Nation which leads the world in its concern for health and medicine; and it could be a tragic commentary if the vast sums the Federal Government spends for medical research, education, and practice, were being rendered less effective because we are not willing to spend a few more dollars, relatively, for the medical libraries which serve as the communication centers for health science information.

Just how much money are we talking about?

If we talk only of research, the Federal Government is spending well over $1 billion, and private sources are spending another $600 or $700 million. Last year, out of the $1 billion provided in Federal funds, less than $1 million, under present legislative authorities, could accrue to the benefit of the nongovernment medical libraries. That's about one-tenth of 1 percent. If we try to make a comparison to the total budget of the Department of Health, Education, and Welfare, of $5½ billion, the comparison becomes even more ridiculous. The Federal Government is simply not paying its share of the Nation's costs for medical communications, even though it has helped to intensify the problem by its emphasis on, and support of, medical research.

We must remember that the medical libraries, as the prime storehouses and distributors of health science information, are feeling the pressures of all of our national activities in relation to health and medicine, both private and public. All of the tremendous increases in health and medical activities have an impact on the medical libraries. All research papers, journals, pamphlets, reports, conference proceedings, handbooks—nearly every printed document, in fact, which grows out of our concern for man's health, becomes something the medical libraries must acquire, store, and disseminate to those who need the information. Then these massive health activities generate greater demands on the medical libraries for services.

As a measure of these demands, let us take due notice of the fact that all public and private health and medical expenditures in the Nation today total more than $35 billion.

If this is a measure of our health concerns, we have failed very seriously—I hope not irreparably—to recognize and tend to the fundamental requirements for medical information and particularly medical libraries.

My special concern here today is for the medical libraries in relation to the promise held for us in medical research. Medical research is impossible without an adequate information base, without the resources and services of medical libraries. It has been said—and I believe this must be true—that all medical research begins and ends with the medical literature. If this is so true, then why are we jeopardizing our own purpose by scrimping when it comes to giving the medical scientist the library tools he needs?

Sir William Osler, who was a close friend of Dr. Billings, once said: "To study the phenomena of disease without books is to sail an uncharted sea, while to study books without patients is not to go to sea at all."[4] My friends in medicine tell me that this applies today as it did at the turn of the century.

The literature constitutes an integral part of the process of studying human biology and human diseases. To limit its usefulness is to limit the scientist and to limit man's chance for the new level of health I talked about earlier.

Today it clearly is not enough to say that medical scientists need information. The real question, instead, is just how do we meet their information requirements? We long ago recognized—or we should have recognized—that the production of books and journals was not enough, and that putting these books and journals in libraries was not enough. Dr. Billings saw this 86 years ago. He instituted control and access to the literature by producing the first comprehensive index to medical articles in 1879. This has been acknowledged by many to be America's greatest contribution to medicine in the 19th century.

But the quantity of the literature for some years has so overwhelmed all of our information-handling concepts as to render them obsolete. The worldwide production of biomedical literature is now estimated at more than 250,000 articles or 5 million pages per year. That many pages would constitute a stack higher than the Empire State Building. It obviously is of no help to the medical scientist to expose him to 5 million pages of literature in a year's time or a half-million pages or even 100,000 pages, unless you want him to do nothing but read the literature; and that is not what we want him to do. In fact, it would be impossible for him to read it in the time available. We want him to fulfill, to the most effective level possible, his capacities and opportunities for research, and if he is to do this his own effort to acquire information must be among the less time consuming of his concerns. He must have ready access to those parts of the literature relevant and pertinent to his scientific pursuits.

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[1] House of Representatives, 46th Cong., 3d sess. Ex. Doc. No. 8. Annual Report of the National Board of Health, Government Printing Office, Washington, D.C., 1880.

[2] Bowditch, E. W., report of an inspection of certain health resorts. In: U.S. National Board of Health. Annual Report of 1882. Washington, 1883. App. C, p. 153.

[3] U.S. President's Commission on Heart Disease, Cancer, and Stroke. Report to the President; a national program to conquer heart disease, cancer, and stroke. Washington, 1964, vol. I.

[4] Osler, Sir William: Sir William Osler aphorisms from his bedside teachings and writings. Collected by R. B. Bean; ed. by W. B. Bean. New York, Henry Schuman, 1950. 159 p.

It is interesting to note that the problem is not new. Dr. Vannevar Bush in 1944 said: "The summation of human experience is being expanded at a prodigious rate, but the means we use for threading through the consequent maze to the momentarily important item is the same as was used in the days of square-rigged ships—the modern great library is not generally consulted; it is just nibbled at by a few." Libraries must be made more attractive and more functional so that bigger bites of information are taken by those who need it.

The quantity of the literature, however, is not the only problem. Our achievements have been such that the whole character of biomedical research has changed and out of this change has come a transformation in the structure of the health sciences. The particular classification of the sciences—necessary for their organization in teaching and research—has been outmoded. The divisions between disciplines have faded and new disciplines have been formed. Some, as we have noted earlier, have been found to have significance in nearly all other biomedical disciplines.

In 1962, Dr. Robert R. Wagner had this to say: "In the future, organization of basic science departments as separate disciplines will lose all validity. This eventuality is a natural concomitant of the centralization of biological thought. Even today, a visitor to a medical school can distinguish one department from another only by the lettering on the office doors of the department chairmen." [5]

So the problem of the scientist is not only one of tremendous magnitude in the literature but one also in which the disciplinary guidelines have ceased to have their former meaning. The complex interrelationships of the vast amount of data with which he is confronted may be such as to keep him from knowing just where to look; and certainly these two situations of quantity and complexity conspire not only to consume the time which he should be spending at his bench, but possibly also to bring confusion and frustration into his efforts. Physicians and scientists need information specialists to help them in the same way they need and use laboratory assistants and coworkers. We must begin to train these new types of librarians in abundance, and as soon as possible.

Also we need research in the field of information science. In 1960, Dr. Don R. Swanson said, "The sheer abundance of recorded knowledge and the growth rate thereof seems to foreshadow a crisis in inundation. The implied dearth of scientific information might be forestalled by engineering breakthroughs, but such breakthroughs may depend on first acquiring a deeper understanding of the conceptual nature of the problem itself." [6]

Before we can develop the systems and mechanisms to provide information to the scientists—even before we can conduct truly effective research in this area—we must know what information the scientist must have.

And he very well may not know what it is he wants. Since 70 percent of the medical literature is published in foreign languages, he may not be aware of what is going on elsewhere.

He is not expected to be an information expert; and as a man whose life is devoted to uncovering new knowledge, he cannot be expected to anticipate fully and accurately, if at all, what information he is going to need to relate to his work on a day-to-day or week-to-week basis. However, he should have quick access to all information when he is able to identify his needs.

During World War II there used to be jokes about high-ranking military officers in the Pentagon pounding their desks and saying, and I quote: "I don't know what it is I want, but I know I am not getting it." The biomedical scientists of the Nation today strike me as individuals who can honestly and justifiably cry out in this manner.

NLM has begun to meet this urgent need through the use of computers. Medlars (medical literature analysis and retrieval system) provides a fast method of recovering bibliographic citations in any medical discipline or any combination of disciplines. However, Medlars' tremendous searching power has not yet been decentralized across the Nation as it must be soon. It is the only system of its type in the world and its establishment in a research library is a spectacular achievement.

Still we must learn more about the scientist's habits of using information and his requirements for urgency, variety, and volume. We must know his needs for secondary publication forms, such as indexes, abstracts, data compendia, critical reviews. There are library functions and they need to be supported considerably beyond the current level.

These studies necessarily must be related to concurrent studies in medical terminology and classification, machine indexing and new techniques, systems and equipment for processing, storing, retrieving, and distributing health science information.

In addition, the whole scheme of biomedical librarianship as it is now practiced must be studied and reevaluated—the object being to meet fully the users' needs.

We must immediately begin to develop medical libraries with a new concept of service responsibilities to the medical scientist. These libraries must have the flexibility and versatility to be active—not passive—partners in the research process. They must be staffed with people of imagination, advanced training and special skills necessary to assist the research scientist in every possible way. Certainly these libraries must have the resources in books, journals, equipment, and people necessary for them to fulfill their missions.

Just 2 months ago volume II of the report by the President's Commission on Heart Disease, Cancer, and Stroke was released. It contains a section entitled "A Program for Developing Medical Libraries." It was prepared by the Subcommittee on Facilities of the Commission, and it tells a truly alarming story of the state of disrepair of the Nation's medical libraries. I think I should state frankly that we, the American people, have permitted this unfortunate condition to develop.

Let me read from one part of the report: "The cutting edge of the country's medical research program may be blunted by the growing inability of scientists to gain quick and easy access to biomedical data they need. Teachers and students are hampered in their educational pursuits. Of direct and immediate importance to the health of the Nation are urgent needs of medical practitioners of all types for more ready access to the growing body of new medical information. Inefficiency in the medical library network creates an insidious ignorance which neither science nor the practice of medicine can condone. It results in the unplanned and unnecessary duplication of research efforts. It postpones the application of new knowledge potentially important to the alleviation of human suffering." [7]

It is very difficult for me, indeed, to think of a more serious charge against this Nation.

The report goes on to present hard facts and statistics on the medical library needs. Let me cite some of these. For example, there are 6,000 medical libraries in the United States, but only 3,000 medical librarians—one-half of a librarian for every library. The needs for additional space, so that the libraries can be of a size sufficient to meet minimal standards, total into the millions of square feet. The requirement for books and journals totals into the millions. And in the area of training, despite the tremendous deficit in the number of librarians, only 40 additional professional librarians are being added to the field of medicine every year—while the attrition is 150.

The situation is truly desperate.

So this is our challenge. What is to be done about it?

There is before Congress at this time a bill which would establish the legislative and program foundations for this work. I refer, of course, to the Medical Library Assistance Act of 1965. This bill constitutes formal recognition for the first time in this Nation's history of what have been our failings in the medical information field and of what we must now do to correct our past errors.

I have been tremendously impressed by the reactions of just about all elements of the library and biomedical community to this bill. I will not go into a great amount of detail but I would like to name for you some of the organizations which have formally expressed their wholehearted support of the proposed measure. These include: The American Heart Association, American Dental Association, the American Hospital Association, the American Psychiatric Association, the American College of Physicians, the American Federation for Clinical Research, the Association of American Medical Colleges, the American Society for Biological Chemists, the American Thoracic Society, the New York Academy of Medicine, and others.

Notice that none of these organizations is a library organization.

But in addition, of course, there have been formal indications of very strong support by the Medical Library Association, by the Special Libraries Association and by the Association of Research Libraries.

I can think of few legislative measures which have resulted in such a strong, concerted reaction of support from such a broad segment of the American health science community.

As I have become more and more familiar, as a layman, with the medical information problem, I have become more convinced that the establishment of an extramural program for the National Library of Medicine is essential and urgent. Also I wonder if the Nation should not take further advantage of the great skill and power of this institution and establish within the National Library of Medicine a National Center of Biomedical Communications. This Center, as a carefully coordinated division of the Library, would serve to carry out a number of service activities beyond those presently possible for the National Library of Medicine. I have in mind, for example, the need for improved approaches to the production of abstracts and the coordination of abstracting activities. I have also in mind the fact that the needs for medlars services, and the development of new and advanced medlars systems, will exceed the present capacities of the Library. Beyond these additional service activities, a National Center of Biomedical Communications would be closely and continuously concerned with research and development in the biomedical communications field. As I have tried to indicate in this talk, new additional informational activities are critical to the continued advancement of medical research, but, at the same time, we need a great amount of research in the communications and information processes themselves. This Center would become a national focal point for such work. A complex of regional medical libraries, under NLM's guidance, would be an essential part of this picture. My concern here of course is not to heap further honor on this fine institution, so much as it is to see to it that the Nation makes maximum use of every possible resource to help meet the needs for medical information.

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[5] Wagner, R. R.: The basic medical sciences, the revolution in biology and the future of medical education. Yale J. Biol. Med. 35: 1-1, 1962.

[6] Swanson, D. R.: Searching natural language text by computer. Science 132: 1099-1104, 1960.

[7] U.S. President's Commission on Heart Disease Cancer, and Stroke. Report to the President; a national program to conquer heart disease, cancer, and stroke. Washington, 1965, vol. II.

Let us make no mistake about what our real mission is. It is the realization of the unprecedented research achievements held in the balance for us at this moment in history. It is the fulfillment of the great promises for better health and longer lives for the American people.

Great societies of the past invented libraries to preserve and transmit knowledge. If we are to achieve in this Nation a society of the greatness I consider possible, we must begin immediately not to reinvent the library but to capitalize on this achievement and to fashion it to these medical research and other needs which have overtaken us in recent years. The challenge before us cannot be met by legislation alone or by the National Library of Medicine alone, or by the private sector of the economy alone. The challenge calls for a wholehearted cooperative effort by everyone concerned. What Dr. Billings started in 1865 must be further supported in 1965. The future well-being of this Nation depends on it, literally.

Thank you.

One Man, One Vote

EXTENSION OF REMARKS
OF

HON. JAMES G. O'HARA

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 1965

Mr. O'HARA of Michigan. Mr. Speaker, it is no secret that the distinguished junior Senator from Michigan, [Mr. HART], has been one of the most forceful advocates in the U.S. Senate of the principle of one man, one vote in apportionment of State legislatures. Senator HART took a leading part in the Senate debate on this vital subject last year and is prepared to do so again.

In a recent newsletter, Senator HART very clearly and very emphatically outlined his position on this issue for the benefit of the people of Michigan. I for one could not agree with the Senator more, and since he has stated the case so well, I will insert his newsletter in the CONGRESSIONAL RECORD. I hope all of my colleagues will take a few minutes to read the text of Senator HART's important and very timely newsletter:

SENATOR HART REPORTS: HOW SHALL THE VOTES BE COUNTED

Every citizen, when he leaves the polling booth, is entitled to a little glow of satisfaction at having made his influence felt—at having voted for candidates whom he believes will best represent his views.

It is easy for anyone to assume his vote has been counted as equal to all others. After all, if you have voted once and everyone else has voted once, doesn't that make everyone equal?

The answer: Not necessarily.

But votes can be diluted and the malapportioned vote, like watered whisky, may appear unchanged while actually having its effect significantly reduced.

The U.S. Senate, in which I serve, is a clear example of intentional malapportionment. Michigan, with a population of 8 million, sends 2 Senators. Alaska with a population of 250,000, sends 2 Senators. Not a very good break for the Michigan voter.

But the U.S. Senate was necessary to the formation of the Nation. The Thirteen Colonies were independent units and the smaller ones refused to join any union unless the Constitution assured them of an equal voice in at least one body of Congress.

So it was finally decided that the U.S. Senate system, however undesirable from the viewpoint of pure democracy, had to be accepted if there was to be any Federal system at all.

The question now is whether State legislatures should be allowed to copy this system. Should 200,000 urban and suburban residents, for example, be represented by 1 vote in a State senate while, say 50,000 rural residents get an equal voice?

Last year, the Supreme Court answered "No." It ruled that both houses of a State legislature must be chosen on a one-man, one-vote basis.

Now there is a strong movement in Congress to overturn this ruling. Those who disagree with the Court are proposing a constitutional amendment that would allow one State house to apportion on the basis of land area if the plan were approved in a referendum.

Basically, the issue stems from the rapid growth of the Nation's cities and suburbs and the understandable desire of rural areas to conserve their diminishing political power.

In the North, the Republicans would be the beneficiaries of such an amendment because Republican strength is largely in the countryside. In the South, where Republican strength is centered in the cities, the Democrats would stand to gain most.

Debate on the matter is likely to begin in the Senate shortly and I hope you will follow it closely even though the arguments sometimes seem tedious and easily dismissed as political squabbling. Because the principles are important.

Advocates of a constitutional amendment will argue that the people of each State should be allowed to decide how their legislatures are to be apportioned.

Opponents counter that there are certain constitutional guarantees that should not be tampered with by any majority, should not ever be made the subject of political campaigns.

These include the right to life, liberty and property, to free speech, freedom of worship and the right, under every possible circumstance, to an equal voice at the polls.

They add that the Federal Government's role in urban and suburban affairs can only be diminished if the State governments show a greater concern for this fast growing section of their constituency.

No officeholder who numbers both rural and urban constitutents can take a position on this one without suffering some political damage. Yet, citizens deserve a fair explanation of the issue and an idea of how their representatives stand on it.

In my opinion, the one-man, one-vote principle is a sound one. I think each citizen should have the same voice regardless of what part of the State he moves to. And I believe no majority, even all voters but one, should be permitted to deprive that one remaining citizen of his equal voice.

And while the following statement is bound to bring a small avalanche of disapproving letters, it nevertheless should not be a secret.

When the constitutional amendment proposal comes up for Senate action, I intend to be among those who fight it.

A Tribute to Lance Cpl. Russell Rowe

EXTENSION OF REMARKS
OF

HON. ROBERT McCLORY

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 1965

Mr. McCLORY. Mr. Speaker, on Saturday, June 19, 1965, death came to a young Marine lance corporal, Russell Rowe, of Zion, Ill., one of the first casualties in our military operations in Santo Domingo in behalf of freedom and stability in that country.

Lance Corporal Rowe exemplified the courage and loyalty of the Marine Corps and of our Nation's military men in all the services. On April 30, Corporal Rowe led a fire team of four men in the occupation of an area protecting a group of snipers. Although the operation was successful and Corporal Rowe acquitted himself with exceptional bravery, he suffered grievous wounds from which he failed to recover. Corporal Rowe's experience was the subject of national recognition, and upon his arrival at Walter Reed Army Hospital in Washington he was provided with the most expert medical assistance and support in valiant efforts to save his life.

Corporal Rowe's courage on the battlefield and in his final struggle for life was supported by the devotion and steadfast attention of his loving mother, Mrs. Dorothy Harkness, and his fiance, Miss Dora Compostella, whom he intended to marry in August. Mrs. Harkness and Miss Compostella came to Washington as soon as they received word that Russell was at Walter Reed, and remained with him constantly. They were both at his side when death came. Corporal Rowe was also visited by his brother Richard who is a member of the Marine Corps stationed in California and who was flown to Walter Reed Army Hospital to visit with his brother immediately following his arrival there and again during his final hours.

Corporal Rowe is also survived by a brother, Robert, 14, and two sisters, Anita, 11, and Kathleen, 9, and by his maternal grandparents, Mr. and Mrs. Frank Barcarella of Chicago, and his stepfather, Meryl Harkness of Zion.

Cpl. Russell Rowe graduated from Steinmetz High School, Chicago, in 1961, and had completed his entrance examinations for later admission to Wright Junior College. He enlisted in the Marine Corps in November 1961, and received his recruit training at San Diego. He also served aboard the U.S.S. *Coral Sea* before being sent to the Dominican Republic.

The Marine Corps under its commandant, Gen. Wallace Greene, rendered every possible service in attending to the fatal wounds of Corporal Rowe and the corps extended appropriate honor to this young Marine hero. The award of the Purple Heart and the Bronze Star with the official citations are also to be presented posthumously by the Marine Corps.

Shortly after receiving word of his wounds, an American flag was flown over the Capitol in Washington and also above the Marine Memorial Iwo Jima statue at Arlington. While it was not possible to deliver this flag to Corporal Rowe during his lifetime, it is to be presented to his loving mother and other members of the family in ceremonies which are now being arranged.

Mr. Speaker, it is a sad duty which has befallen me but one about which I want all Members of this House and the people of the Nation to know. While Corporal Rowe is but one young man in the community of Zion in the 12th District of Illinois, a son, grandson, brother, and fiance of one small group, he is in a larger sense representative of all the gallant young men who are serving with our military forces in various parts of the world. His bravery, his sacrifice, his devotion to his country, are significant in that the cause to which our Nation is dedicated is that of freedom and peace for all mankind. The affection and devotion which many persons held for this young man, and particularly the love demonstrated by his devoted mother, cannot help but touch the hearts of all and elicit expressions of profound sympathy on the part of all Americans toward the family which survives him.

Mr. Speaker, I rise to pay tribute and honor to a fallen hero of the U.S. Marine Corps, Lance Cpl. Russell Rowe, and I bow my head in prayer and in the knowledge that Russell Rowe, the spiritual child of God, lives eternally in heaven.

Excise Tax

EXTENSION OF REMARKS
OF
HON. CHARLES A. VANIK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 1965

Mr. VANIK. Mr. Speaker, many consumers have written to me wanting to know exactly which items have been affected by the reduction of excise taxes and by what percentage. Therefore, I am inserting in the CONGRESSIONAL RECORD at this point a complete list of those items which are currently affected by the excise tax reduction, the percentage of reduction, and the base price for determining the percentage reduction. I have also included the effective date of reduction of the excise tax. I would like to note that there are several exceptions to this following list. For example, the tax on automatic clothes washers was removed several years ago. Shampoo floor polishers, while an appliance, have been exempted from excise taxes since 1958. Motor powered, household lawnmowers were previously subject to a 5-percent excise which has now been removed. I wish to emphasize that many of these taxes were levied on the manufacturers' price and not on the retail price. Please note the distinction in the following tables:

Brief summary of major tax provisions of Public Law 89–44, the Excise Tax Reduction Act of 1965

Item	Prior law		Under new law	Effective date
	Base	Rate		
A. RETAILERS				
Furs	Retail price	10 percent	Repealed entirely	June 22, 1965
Jewelry	do	do	do	Do.
Luggage and handbags	do	do	do	Do.
Toilet preparations	do	do	do	Do.
B. MANUFACTURERS				
Passenger automobiles [1] (refunds as to sales after May 14, 1965)	Manufacturer's price	10 percent	Reduced to 7 percent on June 22, 1965, 6 percent on Jan. 1, 1966, 4 percent on Jan. 1, 1967, 2 percent on Jan. 1, 1968, and 1 percent on Jan. 1, 1969.	
Schoolbuses	do	do	Exempted	June 22, 1965
Camper coaches and bodies and self-propelled mobile homes	do	do	do	Do.
Farm feed, seed and fertilizer equipment	do	8 or 10 percent	do	Do.
Small 3-wheeled motor vehicles (also includes household-type power lawnmowers subject to 5 percent tax which is repealed).	do	10 percent	do	Do.
Auto parts and accessories [1] (except parts primarily used for trucks and buses).	do	8 percent	Repealed entirely	Jan. 1, 1966
Refrigerators [1]	do	5 percent	Repealed entirely	June 22, 1965
Freezers [1]	do	do	do	Do.
Air conditioners [1] (refunds as to sales after May 14, 1965)	do	10 percent	do	Do.
Electric, gas, and oil appliances [1] (there was no excise on washing machines).	do	5 percent	do	Do.
Electric light bulbs [1]	do	10 percent	Repealed entirely on Jan. 1, 1966, except tax on bulbs used in previously taxable items repealed on June 22, 1965.	
Radio and phonographs [1]	do	do	Repealed entirely	June 22, 1965
Television sets [1]	do	do	do	Do.
Phonograph records [1]	do	do	do	Do.
Musical instruments [1]	do	do	do	Do.
Sporting goods [1] (except fishing equipment)	do	do	do	Do.
Cameras and film [1]	do	do	do	Do.
Projectors [1]	do	5 percent	do	Do.
Business machines [1]	do	10 percent	do	Do.
Pens and mechanical pencils	do	do	do	Do.
Lighters	Each (but not more than 10 percent of manufacturer's price).	10 cents	do	Do.
Matches:				
Plain	2 cents per 1,000, but not more than 10 percent of manufacturer's price.		do	Do.
Fancy	5½ cents per 1,000		do	Do.
Playing cards [1]	Pack	13 cents	do	Do.

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[1] Provision is made for floor stock refund.

The Full Record

EXTENSION OF REMARKS
OF

HON. F. EDWARD HÉBERT

OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 1965

Mr. HÉBERT. Mr. Speaker, there appeared in the Washington Evening Star of June 20, 1965, an editorial entitled "Subsidizing Waste."

Because of the statements made in the editorial and because of the splendid reputation of the Star as a newspaper of integrity and responsibility, I did something which I very seldom do—write a letter to a newspaper editor.

In replying to the editorial, I kept in character by failing to adhere to the rules and regulations of brevity. I must admit that not among my virtues is my failure to embrace terminal facilities in speaking or writing.

After reading my letter, the Star characteristically rendered the courtesy of contacting me personally, explaining that my letter was too lengthy for full publication under their rules of "Letters to the Editor" and asked my permission to cut down the letter. I readily agreed, fully cognizant that a fair and equitable editing of the lengthy letter would result. My confidence was not misplaced, and on Thursday, June 24, the Star did publish the abbreviated copy of my reply. In doing so, none of the essentials of my letter were deleted and a most fair presentation was made. I do appreciate the position and courtesy of the Star.

In order, however, for the full and complete record to be presented to the Members of this body, I am offering for your information the complete text of the editorial and the complete text of my reply, both of which speak for themselves:

[From the Sunday Star, June 20, 1965]

SUBSIDIZING WASTE

Any nation with an annual $49 billion outlay for defense is going to have trouble with politicians seeking a helping of this gravy for the home district.

Recent approval by the House of a scheme to keep open obsolete military bases offers an example of how Congressmen have become accustomed to this Federal largesse.

By means of a quickie amendment to a $1.9 billion military construction bill, Chairman RIVERS, of the House Armed Services Committee, would hand Congress a veto power over any future base shutdowns.

The Rivers clause would require the Defense Department to give House and Senate advance notice before phasing out any installation. And either body would have up to 70 days to block the closing.

The amendment is nothing short of an outrageous poaching by Congress on the executive branch. Is President Johnson to come to the House Armed Services panel, hat in hand, every time he wants an outmoded depot dropped? And is there a Representative alive who will agree to such a shutdown in his home district when he can quietly prevent it?

In the past 4 years the Defense Department has announced 669 base closings and reductions at an estimated saving which ultimately will total $1 billion annually. Nearly 1.5 million acres of land are being returned to civilian use. It is not within the realm of the possible that this could have been accomplished under the Rivers amendment.

As Representative LUCIEN NEDZI, of Michigan, observed, we should expect the Defense Department as the greatest single employer and spender in the Nation to set an example in economy. It should not subsidize waste. It must not keep open useless bases merely to provide employment.

The House amendment is a parochial, short-sighted, selfish piece of logrolling. The Senate should strike it from the bill.

JUNE 21, 1965.

EDITOR, THE EVENING STAR,
Washington, D.C.

DEAR SIR: It is only because I have the highest respect for the integrity and objectivity of the editorial policy of the Evening Star that I pause to write this letter. After reading the editorial in your Sunday, June 20, edition, entitled "Subsidizing Waste," I cannot remain silent because I believe that had the author of the editorial looked at the other side of the coin, he would have written differently.

Permit me to refer to a pertinent sentence of your June 20 editorial:

"And is there a Representative alive who will agree to such a shutdown in his own district when he can quietly prevent it?"

I can answer that question with a strong affirmative reply because I am just such a Representative, and I think I am very much alive.

For substantiation, I refer to another editorial from the Evening Star published December 13, 1963, and which states:

"Let's strike off a medal of some kind for Louisiana's Congressman HÉBERT. For he is truly a man of distinction.

"The wails of anguish were rising from Capitol Hill after Defense Secretary McNamara had announced that 33 military establishments will be closed or cut back.

"Mr. HÉBERT, whose district will lose two installations, was heard to say: 'I've been preaching economy for all these years, and I'm not going to start screaming now just because they shut down something in my backyard.'"

When Camp Leroy Johnson was ordered closed in my home district (New Orleans, La.), I publicly praised the action of the Department of Defense and proudly declared that I could not and would not fight waste in other sections of the country and defend it in my own backyard. My fight against waste in the military for some 14 years as chairman of the House Armed Services Subcommittee for Special Investigations is a matter of record, and that record shows that I was instrumental in saving billions of dollars in the Defense Department and proposing policies and methods which have been put into effect by Secretary of Defense McNamara, accounting for much of the current savings claimed by the Department of Defense.

When the first list of closures of bases was announced 4 years ago, I not only agreed with the closing of the Algiers Naval Station in my district, but went even further and invited the Department of Defense to go an additional step and make a study with the view of consolidating all military activities in my area in the interest of economy. I finally accomplished that consolidation a week ago, and only on last Sunday, the day that your editorial appeared, I made a television broadcast to my constituency, telling them that they could not expect operation of the military on a wartime basis during peacetime—shaky as that peace is at the moment.

I have vigorously supported any move in the interest of economy, and by the same token I have just as vigorously opposed any action which I did not consider economical or more efficient. However, I do not write this letter to defend my actions, but to express my concern about the broader aspects of the problem of base closures.

The American public is prone to take as fact and dogma any statement appearing in a newspaper, especially when the public is constantly told that authenticity and accuracy are undeniable. The average reader, in no small tribute to your paper, backs up his assertion by saying: "And besides, I read it in the Evening Star!"

Your June 20 editorial makes this statement:

"In the past 4 years, the Defense Department has announced 669 base closings and reductions at an estimated savings of which will ultimately total $1 billion annually."

Where is the proof and documentation to validate such a statement? The Defense Department, through its effective propaganda machine, makes the statement, and the news media pick it up as a fact, without challenge. Now, as a matter of fact, these figures spoonfed to the public through the media are misleading, if not totally false. As an example, much of the savings in the closures are credited to reduction of civilian personnel. This is a bookkeeping device which switches the charge of the civilian employment maintenance to another agency of the Government, with absolutely no savings in fact.

And how much does the Government recover by returning vacated property to civilian use? In the New Orleans area alone, not a red penny has been recovered by the Government from sale of the abandoned land. All vacated land has been given free to State and educational institutions. I approve of the procedure in this, but I do not approve of the legerdemain of the Defense Department in making it appear that the Treasury is being reimbursed.

Your editorial further states: "The amendment is nothing short of an outrageous poaching by Congress on the executive branch."

Have you ever stopped to think of the many outrageous poachings by the executive branch on the constitutional powers of the Congress? It is happening every day, but nowhere have I read a word of objection or heard a voice of the news media protesting against Government by executive directive instead of legislative action and procedure.

Your editorial says: "Nearly 1.8 million acres of land are being returned to civilian use. It is not within the realm of the possible that this could have been accomplished under the Rivers amendment."

Are you not aware of the fact that there is not an inch of real estate under present law and practices that can be disposed of without action by the House and Senate Armed Services Committee? The Rivers amendment which your editorial questioned would merely extend to proposed closures of activities at certain bases and would have nothing to do with the disposal of the real estate which is covered by present practice.

Under present conditions, the only time the public or a Member of Congress knows anything about the contemplated closure of a base is when it is publicly announced by the Defense Department. The decision, in effect, has already been reached, and the Member of Congress, in the legitimate performance of his duties, cannot challenge the logic behind the closing. It is only in rare instances that the Member of Congress can examine the alleged figures either to challenge or justify the alleged savings. Is the Department of Defense so infallible that it has not erred in 669 closings?

All that the House Armed Services Committee is attempting to do is to implement Congress' constitutional duty of "raising and maintaining" an army and a navy. All that the Armed Services Committee is fighting for is to be recognized as a full working partner in the business of national defense and security.

My colleague and chairman, the Honorable L. Mendel Rivers, of South Carolina, does not need me to rise in his defense, but I resent the continued efforts of some people to make him a scapegoat. In this particular instance, the record shows that he has the almost unanimous consent of his committee and the House of Representatives itself, which adopted the bill and the amendment on an overwhelming voice vote.

The House Armed Services Committee and the Nation is fortunate to have such an energetic and dedicated leader as chairman of the committee. His interest is the same interest as the President, the Secretary of Defense, and all other Americans—the defense of this country.

Chairman Rivers faces a challenge from which many others would fade. He follows in the footsteps of the great Carl Vinson, of Georgia, whose name became synonymous with the military, and who was one of the most beloved men ever to serve in the Congress of the United States. Filling his shoes is a tremendous order, but Mendel Rivers in a few short months has left little or no space in those shoes, big as they are.

It is most difficult for those of us who are fighting for something which a great many Americans believe in to get our story across to the public, mainly because we take a different road than the one walked by those equally dedicated patriots who disagree with us. Newspapers have more paper and ink than any of us has, and the air for us is only to breathe, and not to utilize to broadcast our views. Nor do we have millions of dollars and hundreds of experts for propaganda, as does the Department of Defense. We do not have 1 penny appropriated to us to get our story told.

It is only when individuals like myself become so concerned that they write letters like this to the editor of a great and respected newspaper like the Evening Star, in the hope that the words and our views will be printed and that the public will pause to realize that a pancake, no matter how thin, has two sides to it.

Thank you for your indulgence.

Sincerely yours,

F. Edward Hébert.

First Reunion of the "Callaway"

EXTENSION OF REMARKS

OF

HON. GALE SCHISLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 1965

Mr. SCHISLER. Mr. Speaker, the first reunion of the U.S.S. *Callaway* (*APA–35*) is scheduled for August 1–4, 1965, at the Sheraton Park Hotel, Washington, D.C. Reservations are to be made by July 22 with Mr. Wallace Shipp, 5319 Manning Place NW., Washington, D.C., or Mr. Duane E. Bluhm, 633 Stearns Avenue, Washington, D.C.

The *Callaway* was launched October 10, 1942, by Western Pipe & Steel Co. in San Francisco, Calif., under a Maritime Commission contract. The *Callaway* sailed from Norfolk October 23, 1943, for San Diego and began the training of marines in preparation for the first of her five assaults. She landed troops for her initial firing at Kwajalein. She next sailed to Guadalcanal and from there proceeded, with combat troops, for the occupation of Emirau. The *Callaway*'s third assault was the Battle of Saipan, June 15. She then launched her troops September 17 in the Palaus and returned to Manus and New Guinea to prepare for her assignment to the first reinforcement echelon for the northern Leyte landings.

The *Callaway* distinguished herself as a member of the Blue Beach Attack Group in the Lingayen assault. In January of 1945 a suicide plane broke through heavy antiaircraft fire to crash on the *Callaway*'s bridge. Damage was able to be kept to a minimum, but 29 of the *Callaway*'s crew were killed and 22 were wounded. Temporary repairs put her back in action and she carried Marine reinforcements from Guam to Iwo Jima.

She continued to transport men and equipment between the bases and operating areas of the Western Pacific, and then embarked Japanese prisoners of war at Pearl Harbor. Two transpacific voyages carrying homeward bound veterans ended with the *Callaway*'s own return to San Francisco March 12 1946.

A Legislator Looks at the Pharmaceutical Industry

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 1965

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks I include a speech which I delivered at a luncheon of the Pharmaceutical Advertising Club at the Hilton Hotel, New York City, on June 22, 1965:

A Legislator Looks at the Pharmaceutical Industry

(By John E. Fogarty)

I appreciate that kind introduction. I would have thought myself better known to you as one in Congress who provides more money for Government health programs than they need or should have, to do a lot of things you think the Government shouldn't do anyway—judging from some of the comments I have heard.

In any case, it is true that for more than 20 years it has been my privilege, as a Member of the Congress, to serve the people of Rhode Island, the people of the United States, and the people of the free world. And it is true that during this time, in addition to my regular duties. my special field of interest and activity has been in connection with the programs of the Department of Labor and of the Department of Health, Education, and Welfare.

It has been an altogether satisfying experience. I know of nothing that is more important than the health and well-being of people, which is basic to happiness, to productivity, yes even to the capacity to protect and advance the cause of freedom. And I am sure this is a view you share.

It is my understanding that most of you who are here today at this luncheon meeting of the Pharmaceutical Advertising Club are here because you communicate for the pharmaceutical industry. I submit that given the issues confronting that industry today, it is also important that you communicate to its members and particularly to its leaders.

What is there to say to them? In my view, it is simply this: Unless the pharmaceutical industry finds better ways to demonstrate its concern for the public interest to provide more tangible evidence of its ability to be in at least some respects self-regulating, it is destined gradually to be changed in character, by public mandate.

I want to elaborate on that. But first I want to make one point absolutely clear. As a bricklayer (and I am proud that I am still a card-carrying member of the union representing that skilled trade), as a citizen, and as a Member of Congress, I am committed to a belief in private industry and in the values of the free enterprise system. Under that system, this Nation has grown and prospered. The private component is vital to our kind of society and essential to our way of life. Do not count me among those prophets of doom who make a career out of predicting the socialization of all things. Do not count me, either, among those committed as a matter of political and economic philosophy to public ownership and public controls over the operation of all essential industries and functions. My natural inclination is to want to help repair and correct and strengthen, rather than to weaken and destroy private initiative. That is why I was happy to accept the invitation to join you today. I feel I have some things to say, or at least a point of view, that may help you, and hopefully, those you communicate to within the industry.

As far as the general public is concerned, "the industry" begins with the prescription drug manufacturer and ends with the retailer. This is another way of saying that to the consumer, the thing that matters is the immediate availability at a reasonable price of what the doctor has prescribed. Notice that I leave quality out of this. Quality may be readily apparent when the consumer buys a car, a shirt, a radio. He knows what quality consists of, and he makes his own judgment about whether he wants or can afford to pay for a premium product.

But with prescription drugs, as all of you must know, the situation is different. The consumer is a captive—he has—for the most part, no choice either about what he will buy, or what he will pay for what he buys. And yet the product involved—the prescription drug—is, or may be, the difference between life and death, health and sickness, freedom from pain and suffering.

As compared with other industries, there is something different about the prescription drug industry. And there should be something different about the prescription drug industry's performance of its business in terms of the public interest. I am not at all sure that there is.

I understand that there are something like 1,200 companies known to be manufacturing prescription drugs in the United States alone. Literature from the Pharmaceutical Manufacturers Association indicates its membership to be about 140 companies. And I have heard that the top 20 companies do more than 80 percent of the prescription drug business in this country. In addition, the financial world records that profits as a percentage of sales in the prescription drug business are high. It is near the top of all industries in this respect, and apparently continues to improve its position despite the warnings it has been receiving and the controls that have been imposed since Senator Kefauver first threw the spotlight on the industry in 1959.

Now I know that the retail price of prescription drugs has been going down the last 5 or 6 years. According to the Consumer Price Index, there has been a significant decline at the same time that prices for food and other goods have been rising. This is certainly to the drug industry's credit. But the fact remains that the public still has the impression that drug prices—and profits—are too high. And this is a problem which the industry must somehow deal with.

What has its reaction been?

As a Member of Congress, I have been the recipient of some of it. You talk about your investments in research. You emphasize high risks and rapid product obsolescence. You proclaim how essential and expensive it is to inform physicians about new products. You speak of quality control and of the vital importance of product reliability. You point to the retailer and the ways in which his operation of his business affects the price of your products to the consumer.

I am sure each of these factors has a valid bearing on the question of prices and profits. One would think that they would answer the question—particularly when combined with the acknowledged and unparalleled record of the U.S. prescription drug industry in discovering and developing new drugs that have significantly assisted the physician in advancing the public health. But I think the continuing harassment of the industry from many quarters suggests that the question has not been satisfactorily answered for many people.

Certainly research is a most desirable function for the reinvestment of profits made by the pharmaceutical industry. A number of companies have truly outstanding research laboratories, and the industry invests several hundred million dollars in this field. But is this a characteristic across the board? Do all the companies—all 1,200 of them, or even all 140 of them in the Pharmaceutical Manufacturers Association—carry out a share of the research endeavor? I think not.

Moreover, I am sure it is fair to say that the bulk of the industry's research must be invested in what is called developmental research, and quite properly so. Much of the basic research in medicine is done by scientists in university and Government laboratories, and they are supported either by tax funds or voluntary contributions. In this sense, others outside the industry help finance the acquisition of fundamental knowledge which, in turn, helps the industry in the development of new products. And it seems to me that this imposes yet another special responsibility on the industry to keep the public interest in mind in the conduct of its business.

Like research, the high risk and rapid product obsolescence factor is, I am sure, a valid one. It undoubtedly adds to the cost of drugs and it probably means that profit margins must be higher than in some other industries. And yet with the rapid—some would say excessively rapid—introduction of new prescription drugs during the past 20 years, there seems to have been little damage to the financial strength and stability of the industry and its members. And I can't think of how long it has been since I heard of a pharmaceutical company that failed because it was losing money.

The industry has a special challenge and responsibility in connection with the quality of its products. There can be no compromise. They must be as safe, as effective, as uniform in quality as it is possible for man and science to make them. Unfortunately, but understandably, people expect absolutes as far as their health is concerned. They expect the doctor to help them, and the drugs and vaccines the doctor uses to help them, 100 percent of the time. Yet there are no absolutes in the health field; no surgery is sure to cure, no drug is sure to ameliorate. So the dilemma is one you must live with. To compound the dilemma, the measures of quality are not readily apparent. One pill looks very much like another pill to the patient.

I support and applaud the industry's effort to sustain the uniformly high quality of its prescription drugs and vaccines. When a drug fails, in terms of either safety or effectiveness, it is a terrible thing. The initial failure of the Salk polio vaccine and the tragedy of thalidomide are cases in point. There is value in the quality of products related to human health, and people are willing to pay for it. Yet the industry may overstate the case when it talks quality as a factor in price.

To go back to the point about the 1,200 manufacturers for a moment—surely all of them do not build into their products all the quality factors that characterize the products of Eli Lilly, for example, or Upjohn. But their prices seem to be about the same. And if there are variations in the quality of drugs, the people don't seem to hear about it. They have the impression that drugs are all about the same, all checked and approved by the Government.

Right now, for example, you are trying to sell the idea that it is better to prescribe drugs under their brand names rather than their generic description. The implication is that there are real differences in the quality of drugs, and that a brand name helps guide the buyer to the most reliable manufacturer and the highest quality product. But the public has not really been told this. If one drug is less safe, less effective, or less uniform in quality than another, then the people assume it shouldn't be on the market. So it seems to me that you have a problem in product differentiation when those differences are certainly not apparent.

Now as to the distribution system for prescription drugs. I have seen several members of your industry, in effect, shrug their shoulders and throw up their hands, as much as to say that nothing can be done about it. When the question of cost to consumer is raised, the manufacturer looks at the retailer and says, "On the average, he adds 100 percent to our price to him and charges it to the patient, and nobody ever accuses him of profiteering on prescription drugs." And the retailer looks at the manufacturer and says, "Look at his sales and earnings statements. He's making all the money." Did you ever see a retail pharmacist who got rich in the business? I don't know the rights and wrongs of it, but I do know the forgotten man in such a situation is likely to be the patient.

As far as he is concerned, he sees only one thing, the bill, and applies only one measure—whether the drug helps. He is unlikely to love you for what you do. The most you can expect is that he will understand and respect you, and accept your prices and profits as necessary and reasonable in the light of the services you perform.

How can this be achieved? You who are in this audience should know the answers better that I. You are the pharmaceutical advertisers—the communicators for the pharmaceutical industry. Now, with whom do you communicate? The doctors? Yes, abundantly. The pharmacists? Yes, to a limited extent. Anybody else? I'm afraid the answer to that is, not really.

In other words, the industry has grown up believing that it is the doctors, not the people, who are your customers. Perhaps some of you would not even acknowledge that you deal in consumer goods.

Under the circumstances, it is understandable that you would give primary attention to communications with physicians and pharmacists, since they are the ones who prescribe and provide your drugs. But they are special circumstances, and their very special nature requires action and communication that goes beyond narrow commercial expediency. For—and make no mistake about it—the people are looking at you, and it is past time for you to be looking to the people. The physician-pharmacist-pharmaceutical manufacturer team, which may have been thought sufficient unto itself at one time, is no longer protection against public and governmental scrutiny.

How about it, you communicators? Are you prepared to recommend to the managements you represent that they must take their case to the people, as well as to the professions, if they wish to survive and to retain their basic characteristics under our free enterprise system? Are you prepared to recommend that they find new ways to meet the challenges that confront them?

Part of the answer lies in telling people what you do. The other part is in doing better.

In the first instance, one does not have to look very hard to find good things to say. You know what they are better than I do—the products of your research, the care you devote to manufacturing and testing, the value of your services to physicians and others in the health professions, and so on. I have but one suggestion to make in this respect. Don't fail to remember that people care less about what you do than about what you do for them. As a legislator, I can tell you that the case has not been made to me and many of my colleagues, just as it has not to the American people. What are you doing—for them? Tell them, so they will have some basis for judging the merits of your present performance.

I have said that the industry should accommodate itself to the inevitability of essential change.

What do I mean by this? Let me give you just a few illustrations.

1. Are you prepared to adjust profit margins if this is indicated, as drugs are made available under the medicare and other programs that will make health care more widely available to those who need it most?

2. Are you prepared to assume responsibility for an increasing share of the financial needs of medical schools and other health centers—institutions from which you derive many benefits? They are a source of basic knowledge, the primary place for testing your drugs, the primary source of trained manpower for your research, and medical programs, the only source of physicians who later will prescribe your products. And yet, if I am correctly informed, industry has dedicated only relatively small amounts of its profits to these institutions.

3. Isn't there some way you can reduce the price of drugs required for chronic illness? It seems to me that the patient who has to take maintenance doses of the same drug over a period of years could be considered at least as a quantity purchaser, and entitled to a quantity discount?

4. New drugs are becoming more and more complex, and it is therefore more and more difficult to know how they will affect the patient on a long-term basis. Isn't there some way you could devote more of your research to developing new tests and procedures to permit more accurate estimates of the safety?

5. Does the industry, which so strongly protests overregulation, have the capacity to be more self-regulating? Is there in fact any way for the association that represents the industry to insist on the maintenance of certain principles and standards, and to discipline or reject those companies whose performance falls short?

6. Is there a way—assuming the maintenance of the patent system and of some means for company identification with the products it manufactures (and I hope both of these can be protected, since they are fundamental to the free enterprise system)—is there a way to achieve more price competition?

These are some of the challenges, as they appear to a Congressman in Washington and as they appear, I believe, to many of the American people. I have spoken frankly about them because I have come here as a friend. I want to be helpful, and constructive, because I know that you are as dedicated as I am to improving the health of people everywhere.

Indeed, no industry in the world has done more to relieve the sufferings of mankind, to push the frontiers of medicine forward toward healthier and happier living. You lead every other country in the development of new drugs. Nearly two-thirds of all the major new compounds made available since 1941 have been developed in the United States. And 90 percent of these have come from company laboratories.

You have worked conscientiously to improve the quality of your products, to make them as safe and as effective as humanly possible. Although you have received very little credit for it, you have supported measures to strengthen the Food and Drug Administration and, even, to add some new controls over drugs. You have responded willingly and often to the call of public service. And in recent years you have even cut some prescription prices.

For the most part, you have done all these things in the shadow of anonymity. You have worked through physicians and pharmacists, so that the public hasn't recognized the good you have done. And this is too bad, for you have a lot to be proud about. The country has many reasons to be proud of you and grateful.

Now, however, the American people and the Congress are taking notice. They are watching what you are doing, listening to what you say. And you, in turn, are having to listen to them. This requires some adjustments and poses some difficult challenges, I know. But it also presents an extraordinary opportunity.

For a pharmaceutical industry, working in harmony, understanding, and partnership with the American people, would be less vulnerable to outside criticism and interference. It would be an even greater force for the improvement of the Nation's health. And this would be in your interest as well as the public's.

SENATE

TUESDAY, JUNE 29, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of light and truth: From all the baseness that lurks in our own hearts, we turn to the crystal purity of Thy holiness. From the vain deceits of the changing world in which we live, before each day's deliberations we would turn from the tyranny of drab details to the shining splendor of the heavenly vision which haunts us, and to which we dare not be disobedient.

In our hearts we know that the destiny of this Nation is inseparably bound up with loyalty to its national heritage. That heritage is rooted in Thee. All our beginnings proclaim that creed. Apart from faith in spiritual verities, even our loved America has no meaning relevant to today's world situation.

Strengthen our belief that what is best for our Nation under God is best for the whole world. Thou knowest that in our hearts we have no dream of good for men and women and children under our flag, that we do not passionately desire to share with all Thy children of every race and kindred, beyond all the frowning frontiers of this now sadly divided earth.

We ask it in the name of the Christ whose coming kingdom will unite into one fraternity all the sons of men. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 28, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on June 24, 1965, the President had approved and signed the following acts:

S. 856. An act for the relief of the estate of R. M. Clark; and

S. 1000. An act to amend the act of July 29, 1954, as amended, to permit transfer of title to movable property to agencies which assume operation and maintenance responsibility for project works serving municipal and industrial functions.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H.R. 8126. An act to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement; and

H.J. Res. 230. Joint resolution designating the bridge constructed over the Washington Channel of the Potomac River, in the District of Columbia, as the "Francis Case Memorial Bridge."

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 1229. An act to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes;

H.R. 7060. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1966, and for other purposes; and

H.J. Res. 553. Joint resolution making continuing appropriations for the fiscal year 1966, and for other purposes.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 8126. An act to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement; and

H.J. Res. 230. Joint resolution designating the bridge constructed over the Washington Channel of the Potomac River, in the District of Columbia, as the "Francis Case Memorial Bridge."

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Select Subcommittee on Poverty of the Committee on Labor and Public Welfare and the Subcommittee on Constitutional Rights of the Judiciary Committee were authorized to meet during the session of the Senate today.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance, without amendment:

H.R. 4493. An act to continue until the close of June 30, 1967, the existing suspension of duties for metal scrap (Rept. No. 379).

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

H.R. 4525. An act to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs (Rept. No. 380).

HOME RULE FOR DISTRICT OF COLUMBIA—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 381)

Mr. BIBLE. Mr. President, from the Committee on the District of Columbia, I report favorably, with amendments, the bill (S. 1118) to provide an elected mayor, city council, and nonvoting delegate to the House of Representatives for the District of Columbia, and for other purposes, and I submit a report thereon.

I ask unanimous consent that the report be printed, together with the supplemental views of the Senator from Colorado [Mr. Dominick].

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Nevada.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Leroy Collins, of Florida, to be Under Secretary of Commerce;

Gen. William F. McKee, U.S. Air Force, retired, of Virginia, to be Administrator of the Federal Aviation Agency; and

David D. Thomas, of Virginia, to be Deputy Administrator of the Federal Aviation Agency.

By Mr. THURMOND, from the Committee on Armed Services:

David E. McGiffert, of the District of Columbia, to be Under Secretary of the Army.

By Mr. CANNON, from the Committee on Armed Services:

Stanley R. Resor, of Connecticut, to be Secretary of the Army.

By Mr. INOUYE, from the Committee on Armed Services:

Robert H. B. Baldwin, of New Jersey, to be Under Secretary of the Navy.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Executive H, 86th Congress, 1st session, a protocol to amend the Convention for the Unification of Certain Rules Relating to International Carriage by Air, signed at Warsaw on October 12, 1929 (Ex. Rept. No. 3).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 2215. A bill to authorize the establishment of an International Home Loan Bank to assist in the development of mutual and cooperative savings associations and mutual building societies in countries where they do not now exist in order to accomplish improved living standards, to increase employment, and to better social and political conditions through facilities for savings and homeownership for the millions of people of modest but stable earning capacity; to the Committee on Banking and Currency.

(See the remarks of Mr. Dirksen when a introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2216. A bill to provide an increase in the retired pay of certain members of the former Lighthouse Service; and

S. 2217. A bill to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. BARTLETT (for himself, Mr. Magnuson, and Mr. Kennedy of Massachusetts):

S. 2218. A bill to establish a contiguous fishery zone beyond the territorial sea of the United States; to the Committee on Commerce.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 2219. A bill for the relief of Svetko Grdovic; to the Committee on the Judiciary.

By Mr. FONG:

S. 2220. A bill for the relief of Sung Kyn Kim and his wife, Uckang Nam Koong Kim; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia (by request):

S. 2221. A bill for the relief of Miss Patricia Peghini;

S. 2222. A bill for the relief of Susan Jeanne Clynes; and

S. 2223. A bill for the relief of Anatolio G. Francisco; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 2224. A bill for the relief of Georgios Laskaris Tgotgolas; to the Committee on the Judiciary:

By Mr. MAGNUSON:

S. 2225. A bill to establish a contiguous fishery zone beyond the territorial sea of the United States; to the Committee on Commerce.

By Mr. McINTYRE (for himself, Mr. Cotton, Mr. Muskie, and Mrs. Smith):

S.J. Res. 94. Joint resolution to authorize the Secretary of the Army to furnish memorial headstone or markers to commemorate those civilians who lost their lives aboard the submarine U.S.S. *Thresher;* to the Committee on Armed Services.

RESOLUTION

TO PROVIDE FOR INSTALLATION OF MURALS IN SENATE SUBWAYS

Mr. MOSS (for himself and Senators Burdick, Curtis, Dominick, Douglas, Fannin, Gruening, Inouye, Lausche, McGee, Metcalf, Mundt, Randolph, Ribicoff, Scott, Tower, Young of North Dakota, Pastore, Bartlett, and Long of Missouri) submitted a resolution (S. Res. 121) to provide for installation of murals in Senate subways, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Moss, which appears under a separate heading.)

INTERNATIONAL HOME LOAN BANK ACT

Mr. DIRKSEN. Mr. President, for over three centuries individuals and families from all walks of life have come to what is now the United States of America to create and to own their own farms and their own homes. The opportunity for homeownership satisfies one of the most basic urges found among all people. We have learned in the United States of America that homeownership waits on sound and economical credit. We have created a great credit system under which over two-thirds of American families own their own homes. I am introducing a bill entitled "The International Home Loan Bank Act" whose purpose is to spread and finance homeownership in the undeveloped countries of the world and particularly and immediately in Latin America. This bill is proposed by men in the mutual savings and loan and cooperative bank industry. It asks for no Government money, it proposes that the savings and loan associations and their home loan banks furnish the entire capital which is needed at the outset. Additional capital might later come from our capital markets through securities issued under the proper Treasury approval and supervision. The declaration of purpose in the bill states the whole case and I quote it in full:

> The increasing substantial growth of cooperative savings and loan associations and mutual savings banks in the United States of America and the resulting increase in local home ownership through use of the facilities for sound and economical home finance made available by such associations demonstrates the economic desirability of pooling comparatively small separate amounts of savings to form privately and locally managed funds of capital of financing the building and purchase by middle income families of homes. It is highly desirable to introduce and foster this type of mutual thrift and home finance facility in nations that lack adequate long-term capital to construct individual dwelling units and sell them on terms and conditions within the economic reach of all potential homeowners. The Congress declares it to be in the public interest and an aid to the execution of the foreign policy of the United States to establish a cooperative savings and loan type of central bank that can raise some of its capital in the U.S. home loan banks and mutual savings and loan associations, mutual savings banks and Federal and State credit unions and invest its assets in ways that will encourage development of mutual savings and loan, cooperative bank and mutual savings bank type institutions abroad.

Admirable beginnings have been made since 1957. First in Peru, then Chile, in Ecuador, in Venezuela and even Santo Domingo. There are other countries where this program will be of assistance and again it is a business group volunteering to furnish funds and assist the foreign policy of our country as it is now being carried on by AID, the Bank of International Development and other financial agencies in the foreign policy field.

In connection with the report I submit a new draft of the bill and ask that it be referred to the appropriate committee, which would be the Committee on Banking and Currency. I ask also that the bill in its entirety be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record as requested by the Senator from Illinois.

The bill (S. 2215) to authorize the establishment of an International Home Loan Bank to assist in the development of mutual and cooperative savings associations and mutual building societies in countries where they do not now exist in order to accomplish improved living standards, to increase employment, and to better social and political conditions through facilities for savings and homeownership for the millions of people of modest but stable earning capacity, introduced by Mr. Dirksen, was received, read twice by its title, referred to the

Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 2215

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Home Loan Bank Act".

DECLARATION OF PURPOSE

Sec. 2. The increasing substantial growth of cooperative savings and loan associations and mutual savings banks in the United States of America and the resulting increase in local homeownership through use of the facilities for sound and economical home financing made available by such associations demonstrates the economic desirability of pooling comparatively small separate amounts of savings to form privately and locally managed funds of capital capable of financing the building and purchase by modest income families of homes. It is highly desirable to introduce and foster this type of mutual thrift and home finance facility in nations that lack adequate long-term capital to construct individual dwelling units and sell them on terms and conditions within the economic reach of all potential homeowners. The Congress declares it to be in the public interest and an aid to the execution of the foreign policy of the United States to establish a cooperative savings and loan type of central bank that can raise some of its capital in the United States home loan banks and mutual savings and loan associations, mutual savings banks and mutual Federal and State credit unions and invest its assets in ways that will encourage development of mutual savings and loan, cooperative bank and mutual savings bank type institutions abroad.

APPLICATION

Sec. 3. Upon execution and filing with the Board by six responsible local Federal savings and loan and local mutual savings bank executives of the United States of America whom the Board and chairmen of the House and Senate Banking and Currency Committees approve for appointment to the initial Board of Directors of an application for a charter to organize a Federal corporation to be known as the International Home Loan Bank, the Board will issue forthwith a charter for such Bank in the form hereinafter set forth. Each of the applicants shall have had experience in the operation or establishment of mutual savings and loan associations and mutual savings banks within and outside the United States of America and at the time the application is filed shall be an active or retired officer or active or retired director of an organization eligible for membership in the Bank.

INCORPORATION OF BANK AND CORPORATE POWERS

Sec. 4. Upon approval by the Board of an application for a charter for the Bank, the Board shall forthwith issue a charter to the Bank in such form as it may provide, containing the following provisions, among others:

(a) Corporate title.—The full corporate title of the institution hereby chartered is International Home Loan Bank.

(b) Office.—The home office shall be located in the District of Columbia or in any State or city designated by the President of the United States and branch offices may be established at such places throughout the world as may be designated from time to time by the Board of Directors and approved by the State and Treasury Departments.

(c) Objects and powers.—The objects of the Bank are to assist in developing cooperatively owned and operated thrift and home finance facilities outside the United States of America in order to mobilize local private capital to encourage home ownership. To accomplish such objects, it shall have perpetual succession and authority: (1) subject to regularly processed and published rules and regulations of the Board, to invest in intermediate and long-term loans or advances to, or in shares, accounts, deposits, certificates of indebtedness, bonds, debentures or other obligations of mutual thrift and mutual home finance institutions, central home loan banks, savings account insurance institutions and government supervised mortgage insurance or guaranty institutions located outside the United States of America, or in an interest in any of such items, (2) subject to duly processed rules and regulations, to purchase and sell, in whole or in part, any mortgage obligation or other security interest handled in its usual course of business by any such local mutual thrift and mutual home finance institution or central home loan bank, *Provided,* That in the case of mortgage obligations arising in connection with the sale of dwelling units, the Bank may invest therein only if the sales price or formal written appraisal of the dwelling units to the mortgagor or mortgagors does not exceed $35,000 in United States currency or its equivalent, (3) to promote and assist in the establishment and development of cooperative institutions for the receipt of savings and the financing of homes, credit and financing facilities for such institutions, savings account insurance facilities for such institutions and supervised mortgage insurance or guaranty institutions, (4) to make or procure such studies and investigations and such reports as it may deem appropriate to assist in carrying out the purposes and provisions of this Act, (5) to act as fiscal agent of the United States of America when designated for that purpose by the Secretary of the Treasury, under such regulations as he may duly process and prescribe and to act as agent for any other instrumentality of the United States of America when designated for that purpose by any such instrumentality, (6) to sue and be sued, complain and defend in any court of law or equity, (7) to have a corporate seal, which may be affixed by imprint, facsimile or otherwise, (8) to appoint and bond such officers and agents as its business shall require, (9) to adopt bylaws not inconsistent with the Constitution or laws of the United States of America and their laws and rules and regulations adopted thereunder and under this charter, (10) to enter into contracts and incur liabilities, (11) to collect or compromise any obligations assigned to or held by it, and any legal or equitable rights accruing to it, (12) to issue letters of credit and letters of commitment, (13) to raise its capital, which shall be unlimited, by issuing capital stock divided into shares of a par value of $100 each, by accepting demand and time deposits in the Bank upon which it may pay interest, if any, upon such terms and conditions and at such rates as the Board of Directors and representative of the Secretary of the Treasury may from time to time determine, and by issuing debentures to an amount not exceeding 10 times the total amount of its outstanding capital stock and earned or paid in surplus, *Provided further,* That the Bank shall not commence lending or investing operations until its Board of Directors has filed with the Board a certificate under oath that at least $10,000,000 in capital has been raised or subscribed in the manner hereinabove provided, (14) to borrow money in ways other than those provided in paragraph (13) above as long as the procedure does not involve the public offering of any obligation of the investing association, (15) to pledge and otherwise encumber any of its assets to secure its debts, (16) to invest its funds in obligations of the United States of America or of any State or political subdivision thereof, in obligations guaranteed in whole or in part by any agency or instrumentality of the United States of America or in obligations of the International Bank for Reconstruction and Development and of the Inter-American Development Bank, (17) to purchase, hold and convey real and personal estate consistent with its objects, purposes and authority, (18) to acquire and dispose of, upon such terms and conditions as the Board of Directors may determine, any property, real or personal, including any instrument evidencing indebtedness or ownership, (19) to mortgage or lease any real or personal estate and take such property by gift, devise or bequest, (20) to wind up and dissolve, merge, consolidate, convert or reorganize, and (21) to exercise all powers conferred by law. In addition to the foregoing powers expressly enumerated, the Bank shall have power to do all things reasonably incident to the accomplishment of its express objects and the performance of its express powers and authority.

(d) General.

(1) The Bank shall not exercise any of its powers or authority in any particular country outside the United States of America until it has initially notified in writing at least fifteen days prior to the exercise of such powers or authority the Secretary of State or such official within the Department of State as he may from time to time designate and the Secretary of the Treasury or such official within the Department of the Treasury as he may from time to time designate, whereupon the Bank may conduct activities in such country until receipt of written notice to terminate such activities from either of such Secretaries, and thereafter the Bank shall wind up its activities in such country as expeditiously as possible consistent with the economic interests of its members.

(2) Except as otherwise provided in this Act with reference to voting rights, all capital stock shall be of a single class vesting uniform rights, powers, privileges and immunities in the stockholders. Initial capital stock shall be issued at par. Stock issued thereafter shall be issued at such price not less than par as may be fixed by the Board. Stock subscriptions shall be paid for in cash, and shall be paid at the time of application therefor, or, at the election of the subscriber, in installments, but not less than one-fourth of the total amount payable shall be paid at the time of filing application, and a further sum of not less than one-fourth of such total shall have been paid at the end of each succeeding period of four months. Stock may be issued to individuals and institutions and retired in such manner as may be specified by the Board of Directors. All voting power and other incidents of equity ownership shall vest in the stockholders. All capital stock shall be nonassessable. Capital stock shall be registered in the name of the holder on the books of the Bank and may be transferred to any other eligible member or to the Bank. Except as otherwise provided in this Act, no provision of or requirement under any law relating to securities, securities exchanges, investment companies, investment advisers, indentures, agreements or contracts, or proxies or powers with respect to securities, shall be applicable to or with respect to any stocks, bonds, obligations or other securities of the Bank.

(3) The Federal Reserve Banks and the Federal Home Loan Banks are hereby authorized to act as depositaries and fiscal or other agents of the Bank, which is hereby authorized to make use of them as such and to pay compensation therefor.

(4) All obligations issued by the Bank shall expressly state on their face that they do not constitute obligations of the United States of America and are not guaranteed as to either principal or interest by the United States of America.

(5) The Bank is eligible to apply for guarantees of investments made under this Act under the guaranty program authorized by Part I, Chapter 2, Title III of the Foreign Assistance Act of 1961, as amended, or from other public or private sources.

(e) MEMBERS. All holders of capital stock issued by the Bank are members thereof. Only the following shall be eligible to hold such capital stock: (1) any Federal Home Loan Bank, (2) any mutual member of a Federal Home Loan Bank, (3) any mutual State-chartered savings and loan association, mutual building and loan association, mutual cooperative bank authorized by State law to become a member of a Federal Home Loan Bank, (4) any mutual savings bank duly chartered by a State or the Federal Government and (5) individuals subscribing and paying for such stock. Legal authority to be a member of the Bank and to purchase or otherwise acquire and hold its obligations is hereby conferred on all who are eligible to hold capital stock in the Bank. If not specifically prohibited by State law, all State chartered credit unions are authorized; Federally chartered credit unions are hereby authorized to acquire stock and become members. Principally credit unions chartered by the Federal Government or any State government which are authorized by law to make property improvement or home mortgage loans shall be eligible. The par value of the total amount of such stock required to be purchased and owned by such Federal home loan bank, and authorized for any association, or other member would not exceed 3 per centum of the total capital stock, reserves, and surplus of such Federal home loan bank or 2 per centum of the assets of such association or such member. For an individual the maximum shall be 100 shares held jointly or severally or in trust. No member, other than a Federal Home Loan Bank, a mutual insurance company or an individual may acquire shares of stock in the Bank unless its undivided profits, reserves and surplus, if any, equal at least 5 per centum of its savings accounts immediately prior to the time of the transaction involving the acquisition of shares of stock. In the consideration of all questions requiring action by the members of the Bank, each stockholder shall be permitted to cast one vote for each $100 or fraction thereof, of the par value of stock held by such holder, *Provided*, That no member shall be permitted to cast more than 100 votes. Voting may be by proxy or by the accredited representative of any member. Any number of members present at a regular or special meeting of the members shall constitute a quorum. A majority of all votes cast at any meeting of members shall determine any question. The members who shall be entitled to vote at any meeting of the members shall be those holding stock of record on the books of the Bank at the end of the calendar month next preceding the date of such meeting. The number of votes that each member shall be entitled to cast at any meeting of members shall be determined from the books of the Bank as of the end of the calendar month next preceding the date of such meeting. Those who were members at the end of the calendar month next preceding the date of a meeting of members but who shall have ceased to be members prior to such meeting shall not be entitled to vote at the meeting.

(f) DIRECTORS.

(1) The Board of Directors of the Bank shall consist of (1) nineteen persons (19) who, at the time of taking office, are citizens of the United States, and who (except for the initial Directors who shall be appointed by the Board and the charter applicants shall have appropriate experience in the mutual savings business and they shall include at least two officers of mutual savings banks and two officers of a mutual Federal or State chartered credit union) shall be nominated and elected by the members, and (2) two ex officio directors, one to be nominated by the Secretary of the Treasury, and one to be nominated by the Secretary of State, who shall serve as advisers to the Bank concerning matters coming within the interests of the Department of the Treasury or the Department of State. Persons serving on the Board of Directors, as Directors only, shall receive no salary compensation by reason of their service as Directors. The Board may authorize, out of Bank earnings, the payment of travel, lodging, and subsistence for attending meetings of the Board or Executive Committee and a fee for attendance at not more than two meetings per month of the Board or Executive Committee of the Bank, not in excess of $100. Three of the initial Directors appointed to the Board shall be persons who, at the time of taking office, are presidents of Federal home loan banks, with a minimum period of five years service as president of a Federal home loan bank and where bank is formally committed to becoming a stockholder. The Board shall fix the initial terms of persons appointed to the Board of Directors staggered with a maximum of four years, and shall fix, and may, from time to time, alter other terms of appointive members of the Board of Directors, except that no such term shall be fixed for a longer unexpired period than four years. The nomination and the election of Directors shall be in accordance with such provisions, including without limitation such provisions with respect to classification of members and the voting rights of members shall be one vote for each share owned, and the exercise of such rights, as the Board may by regulation prescribe with a maximum of 100 votes per member. Not more than one Director shall have his legal residence in any one State or in the District of Columbia or in Puerto Rico. Voting for Directors may be by mail, by proxy, or by attendance at an annual meeting not excluding those represented by proxy, exercised or cast by the member present or in meetings in the Federal Home Loan Bank district in which the member is legally residing or located.

(2) The Board may provide as to (1) the eligibility and qualifications of persons for the office of Director except they must have experience as an executive officer or manager of a mutual savings bank, or a mutual savings and loan home loan bank member or a credit union, (2) the selection and executive functions of a Chairman and two Vice Chairmen of the Board of Directors, (3) the operating function of a President and Vice Presidents, (4) the exercise, through meetings or otherwise, of functions of the Board of Directors by an Executive Committee or any other committee of said Board or of members of the Bank, (5) the nomination of Directors where members fail to nominate and the appointment of Directors in case of vacancies, (6) and for the adequate bonding of all Directors, officers, employees, or agents. Any function of the Board under this Act may be exercised temporarily by such person or persons as the Board may provide, and, if necessary due to incapacity or unavailability, to such extent as the Board may provide, any function of the Bank or of the Board of Directors or of the Chairman and Vice Chairman thereof may be exercised temporarily by such person or persons as the Bank may provide. Any such function or any function under this Act may be exercised without regard to whether any place at which it is exercised in whole or in part is or is not within the United States or subject to the jurisdiction of the United States.

(g) DEPOSITS. The Bank may accept or decline to accept from one eligible to be a stockholder deposits in the bank upon such terms and conditions as the Board may prescribe.

(h) Borrowing from Federal Home Loan Banks. The Bank is hereby authorized to borrow money from any Federal Home Loan Bank for any purpose, and each Federal Home Loan Bank is authorized to lend money to the Bank upon such terms and conditions as the Federal Home Loan Bank Board may by regulation require.

(i) Reserves, surplus and distribution of earnings. The Bank shall maintain general reserves for the sole purpose of meeting losses in an amount deemed adequate by the Board of Directors. Any losses may be charged against general reserves. Net earnings, after payment of operating expenses, including taxes, and overhead and after allocation, if any, to general reserves, shall be allocated to surplus and undivided profits. As of June 30 and December 31 in each year, the Board of Directors shall determine whether to pay cash or stock dividends on stock. Any dividends so declared shall be paid only from surplus and undivided profits. All stockholders shall participate at the same rate and on the same basis in the payment of dividends. All stockholders shall be entitled to equal distribution of assets, pro rata to the par value of their stockholdings in the event of voluntary or involuntary liquidation, dissolution or winding up of the Bank,

(j) The Bank shall have (1) authority to invest in loans or advances, to, or in shares, accounts, term deposits, or term certificates of indebtedness of, foreign local mutual savings and mutual long-term home financing institutions and foreign central home loan banks which do not exercise direct loan powers of any kind except to mutual savings associations, or in interests in any of the same; (2) all types of securities issued or guaranteed by United States of America or agencies or instrumentalities thereof, and also municipal and housing securities issued by States, counties, cities, or towns or other appropriate instrumentalities thereof, and also municipal and housing securities issued by States, counties, cities, or towns or other appropriate instrumentalities including cooperative housing associations and local housing authorities; (3) funds of the Bank not invested pursuant to the foregoing provisions of this subsection may be invested in such investments as the Board may approve by formal and published resolution; (4) all the powers and authority customary or appropriate to conduct an international banking organization to serve such mutual cooperative institutions and savings banks; (5) authority to promote and assist in the establishment and development in foreign or undeveloped countries receiving technical or financial assistance from any agency of the United States Government or the Inter-American Development Bank for mutual cooperative institutions or mutual housing or cooperative housing associations or corporations having as primary purposes the receipt of savings and the long-term financing of homes and the establishment and development in foreign countries of credit and financing facilities for such mutual institutions; (6) authority to make or procure such studies and investigations and such reports as it may deem to be necessary or appropriate to assist in the carrying out of the purposes or provisions of this Act; and (7) authority to make appropriate regulations prohibiting the writing on direction or coercion of any kind of insurance by institutions and their officers to receive the benefits of this Act; (8) authority to prohibit loans to any officers, Directors, attorneys or agents except on a single home owned and used for their own occupancy; (9) authority to adopt regulations excluding, by regulation, the services on boards of directors under their jurisdiction of any or all persons having a personal financial self-interest or income as speculative builders, land developers, attorneys, insurance agents, commercial bankers, architects, engineers, building owners and lessors or appraisers, public relations, or advertising specialists other than the fees and compensation paid to all other members of the boards of directors. The general manager or chief executive officer or other full-time operating salaried employees may serve on boards of directors and still receive their duly authorized compensations, retirement privileges, and other customary and proper benefits but may not constitute a majority of the Board of Directors; (10) authority to limit the borrowings of foreign mutual savings and home institutions as to term, amount of percentage from the Bank or from any sources other than the Bank, to prohibit excessive borrowings by foreign savings and home financing institutions other than from International Home Loan Bank or the foreign central home loan bank established in the country of the residence of the foreign saving and home financing institution.

(1) In the exercise of the authority conferred by subsection (j), the Bank—

(a) may issue letters of credit and letters of commitment;

(b) may collect or compromise any obligations assigned to or held by it, and any legal or equitable rights accruing to it, and, as may be determined by the Board of Directors of the Bank, refer any such obligation or rights to the Attorney General for suit or collection; and

(c) may acquire and dispose of, upon such terms and conditions as the Board of Directors of the Bank may determine, any property, including any instrument evidencing indebtedness or ownership.

(2) With a view to protecting funds of the Bank against certain risks inherent in foreign investments, the Bank may, to the extent practicable and only when deemed necessary or financially advisable by the Board of Directors of the Bank, seek to obtain guaranties of investments made pursuant to this section under the guaranty program authorized by section 221 of the Act for International Development of 1961 (22 U.S.C. 2181), or, if available, from other appropriate public or private sources. Such guaranties may not be required except in special retention of risk.

(3) The Bank shall be deemed an agency of the United States Government for purposes of section 612 of the Foreign Assistance Act of 1961 (22 U.S.C. 2362), and, subject to the provision of that section, the Bank may, whenever practicable and appropriate, utilize foreign currencies purchased from the Secretary of the Treasury in carrying out its functions under this section.

(k) Amendment of charter. No amendment, addition, alteration, change or repeal of this charter shall be made unless such proposal is made by the Board of Directors and approved by the Board as being consistent with the objectives and purposes of this Act and is thereafter submitted to and approved by the members at a legal meeting. Any amendment, addition, alteration, change or repeal so acted upon and approved shall become effective as of the date of final approval by, or as fixed by, the members.

BORROWINGS AND SECURITIES

SEC. 5. (a) The Bank is hereby authorized, upon such terms and conditions as the Board may provide by regulation, to borrow, to give security, to pay interest or other return, and to issue notes, debentures, bonds, or other obligations, or other securities. The Bank shall not make any public offering of its obligations for sale, or sell any of its obligations otherwise than by private placement, except with the approval of the Secretary of the Treasury or his designee, but the provisions of this sentence shall not be applicable to any offering or sale confined to Federal home loan banks or Federal home loan bank members or International Home Loan Bank stockholders. Any obligation or security of the Bank shall be valid and binding notwithstanding that a person or persons purporting to have executed or attested the same may have died, become under disability, or ceased to hold office or employment before the issuance thereof.

(b) Obligations of the Bank shall be lawful investments, and may be accepted as security, for all fiduciary, trust, and public, private, or other funds the investment of deposit of which shall be under the authority or control of the United States, the District of Columbia, Puerto Rico, Guam, or any territory, mandate, or possession of the United States, any public, private, or other corporation incorporated by or under any law of any of the foregoing, any county or municipality of any of the foregoing, any political subdivision of any of the same, any court or any corporate or other agency or instrumentality of any of the preceding, or any officer or officers, employee or employees, or agent or agents of any of the above. Nothing in the sentence next preceding shall authorize the investment of funds of any Federal Reserve bank in such obligations or securities, and nothing in said sentence shall authorize any national bank, in the exercise of any power vested in it pursuant to subsection (k) of section 11 of the Federal Reserve Act, as amended, to make any investment in contravention of any regulation of the Board of Governors of the Federal Reserve System issued pursuant to said subsection (k).

(c) Except as otherwise provided in this Act, no provision or requirement of or under any law relating to securities, securities exchanges, investment companies, or investment advisers, or consultants, or relating to indentures or agreements, or proxies or powers, with respect to securities, shall be applicable to or with respect to any stock, obligation, or other security of the Bank.

(d) All obligations of the Bank shall plainly state that such obligations are not obligations of the United States and are not guaranteed by the United States.

USE OF FACILITIES OF OTHER AGENCIES

SEC. 6. The Bank, with the consent of and in the discretion of any department, establishment, board, commission, or corporate instrumentality of the United States Government, including any field service, all of which are hereinafter referred to in this subsection as agencies, may utilize and act through any of said agencies and avail itself of the use of information, services, facilities, and personnel of any of said agencies, and may pay compensation therefor, and of all said agencies are hereby authorized, at their discretion, to provide the same to the Bank as it may request. Any expenses of the Board or of the Federal Savings and Loan Insurance Corporation in connection therewith, and any expenses of the Board in connection with the exercise of any function vested in or exercisable by the Board under this Act, shall be considered as nonadministrative expenses. Nothing in this Act or any other provision of law shall be construed to prevent or affect the appointment, employment, or provision for compensation or benefits, as an officer, director, employee, attorney, or agent of the Bank, of any officer, director, employee, attorney, agent, or member of any such agency.

TAXATION

SEC. 7. (a) Section 592(a) of the Internal Revenue Code of 1954 as amended is hereby further amended by inserting a comma after the word "profit" and by adding immediately thereafter the words "and the International Home Loan Bank".

(b) All notes, bonds, debentures or other obligations of the Bank and the interest, dividends or other income therefrom, shall be exempt from all taxation (except estate, income, inheritance and gift taxes) now or hereafter imposed by the United States of America, by any territory, dependency or possession thereof, or by any State, county, municipality, or local taxing authority. The foregoing exemption from taxation, except as to taxation imposed by the United States of America, shall include exemption from taxation measured by such obligations, or by such interest, dividends or other income, and from inclusion of such obligations or such interest, dividends or other income in the measure of any such taxation. The Bank, including its franchise, activities capital, reserves and surplus shall be exempt from all taxation now or hereafter imposed by the United States of America, by any territory, dependency or possession thereof or by any State, county, municipality or local taxing authority, except that any real property of the Bank shall be subject to State, territorial, county, municipal or local taxation to the same extent according to its value as other real property is taxed. Nothing in this subsection shall affect the applicability of the Public Debt Act of 1941, as amended. The provisions of this subsection shall be applicable without regard to any other law, including section 3301 of the Internal Revenue Code of 1954, except pertinent laws hereafter enacted by the Congress.

APPRAISALS

SEC. 8. The formulation, review and annual formal approval of appraisers and appraisal policies shall be a responsibility of the local boards of directors. Day to day action upon mortgage applications based on appraisals, personal credit and other elements of underwriting may be delegated to an executive committee or to an appraisal and loan committee or to a group of not less than three elected officers. Insofar as practical professional appraisers and engineers in independent practice shall be utilized although an association may employ at a salary full time staff appraisers if they are not members of the board of directors. Professional societies such as the International Society of Real Estate Appraisers shall be recognized insofar as practical. All appraisals shall be in written form accompanied by appropriate photographs and supporting data and three copies must be submitted for the use and loan files of the association properly signed by the appraisers, staff or independent whose employment has been approved by the board of directors. In the published annual statement and at annual meetings the names of professional appraisers or appraisal consultants employed full time staff basis or on independent basis shall be included. All compensation paid to directors, officers or staff for appraisal work shall be reported to each annual meeting.

REGULATORY AUTHORITY

SEC. 9. The Board shall have authority to make and publish, as provided in the Administrative Procedure Act, regulations applicable to the Bank implementing this Act. The Board shall also have authority to supervise the Bank and to require that the Bank conform to law and applicable lawful regulations.

CONSERVATORSHIP, RECEIVERSHIP, AND LIQUIDATION

SEC. 10. The grounds for appointment of a conservator or receiver for the Bank shall be one or more of the following: (a) insolvency in that the assets of the Bank are less than its obligations to its members, (b) willful and substantial dissipation of assets or earnings due to a violation or violations of law or regulations, or (c) concealment of books, papers, records, or assets of the Bank, or refusal to submit books, papers, records or affairs of the Bank for inspection to any lawful examiner or agent of the Board. The Board shall have exclusive power and jurisdiction to appointment of a conservator or receiver. Appointment of a conservator or receiver upon any one or more of the grounds set forth in this paragraph shall be made by the Board upon the order of the United States District Court in and for the District of Columbia or in the United States court district in which the Bank is located. In the event the court shall find that one or more of the grounds set forth in this paragraph for the appointment of a conservator or receiver exists and that an emergency exists involving a substantial and continuing dissipation of assets, or in the event the court shall find that the management is unable validly to execise effective control of the Bank, the court, after a record hearing, may order the Board to appoint a conservator or receiver ex perte and without notice to the Bank, except of the hearing, but in the event of such an appointment the Bank may, within thirty days, petition the court for an order rescinding such appointment and the court shall upon the merits and weight of the evidence either affirm the appointment or order the Board to terminate such appointment. Proceedings under this paragraph shall be given precedence over other causes pending in the court and shall be expedited to the greatest possible extent.

A conservator shall have all the powers of the stockholders, the Board of Directors, and the officers of the Bank and shall be authorized to operate the Bank in its own name or to conserve its assets in the manner and to the extent authorized by the Board. The Board may, without any requirement of notice, hearing, or other action, replace a conservator with another conservator or with a receiver, but any such replacement, or a succession of such replacements, shall not affect any right that the Bank may have for review of the original appointment, except that any such removal shall be removal of the conservator or receiver in office at the time of such removal.

The Board, with the approval of the Secretary of the Treasury or his designee, shall have authority to make rules and regulations for the reorganization or liquidation and dissolution of the Bank if it is in conservatorship or receivership and for the conduct of conservatorships and receiverships, and the Board may, by regulation or otherwise, provide for the exercise of functions by members, Directors or officers of the Bank during conservatorship or receivership. Whenever a conservator or receiver appointed by the Board as provided in this section demands possession of the property, business, and assets of the Bank, or any part thereof, the refusal by any Director, officer, employee, or agent of the Bank to comply with the demand shall upon conviction be punishable by fine of not more than $1,000 or imprisonment for not more than one year, or both.

The members, Directors, officers and attorneys of the Bank in office at the time of the initiation of any proceedings under this section are expressly authorized to contest any proceedings as authorized by this section, and shall be reimbursed for reasonable expenses and attorneys' fees by the Bank or from its assets, and the Board in any such proceeding before it or its designees shall allow and order paid reasonable expenses and attorneys' fees for such members, Directors, officers and attorneys. In any proceeding properly brought before it under this section, a court shall have power to hear and determine all questions of law or fact that may be at issue between the parties in the case without being bound by any conclusions of law or fact previously made by the Board. Any action or proceeding authorized under this section may be brought by or on behalf of the Bank without exhausting any alternative administrative steps or remedies that may be available.

All expenses of the Board in connection with this subsection, including without limiting the generality of the foregoing the preparation for or conduct of proceedings under this section, shall be considered as nonadministrative expenses.

The Board of Directors may at any time recommend voluntary liquidation of the Bank, which may become effective upon the affirmative vote of three-fourths of the votes eligible to be cast at a regular or special meeting of the members.

ANNUAL REPORT

SEC. 11. The Board shall submit to the President of the United States for transmission to the Congress an annual report of its operation and accomplishments under this Act.

MISCELLANEOUS

SEC. 12. (a) Section 11(h) of the Federal Home Loan Bank Act as amended is further amended by inserting after the comma following the words "Federal National Mortgage Association" the words "in accounts and obligations of the International Home Loan Bank".

(b) Section 5(c) of the Home Owners' Loan Act of 1933 as amended is further amended by adding at the end thereof a new paragraph reading as follows:

"Without regard to any other provision of this subsection, any such mutual association is authorized to invest in shares of stock issued by and accounts and notes, bonds or other obligations of the International Home Loan Bank: *Provided*, That no such association shall acquire shares of stock in the Bank if the total of the par value of stock it holds exceeds at that time 2 per centum of the assets of the association."

PENAL PROVISIONS

SEC. 13. (a) Except as expressly authorized by the Board of Directors, no individual or organization except the Bank shall use the term "International Home Loan Bank" or any combination of the words in such term, as a name or part thereof under which any individual or organization does any business, but this sentence shall not make unlawful the use of any name under which business is being done on the date of enactment of this Act. No individual or organization shall use or display (1) any sign, device or insigne prescribed or approved by the Board of Directors for use or display by the Bank or by members of the Bank, (2) any copy, reproduction or colorable imitation of any such sign, device or insigne, or (3) any sign, device or insigne reasonably calculated to convey the impression that it is a sign, device, or insigne used by the Bank or prescribed or approved by the Bank, contrary to regulations of the Bank prohibiting or limiting or restricting such use or display by such individual or organization. An organization violating this subsection shall upon conviction for each violation be punished by a fine of not more than $1,000. An officer or member of an organization knowingly participating or knowingly acquiescing in any violation of this subsection shall upon conviction be punished by a fine of not more than one year, or both. An individual violating this subsection shall upon conviction for each violation be punished by a fine of not more than $1,000 or imprisonment for not more than one year, or both.

(b) The provisions of sections 220, 658, 1011 and 1014 of title 18 of the United States Code are hereby extended to apply to and with respect to the Bank, and for the purposes of said section 658 the term "any property mortgaged or pledged" as used therein shall, without limitation on its generality, include any property subject to mortgage, pledge or lien acquired by the Bank by assignment or otherwise. The terms "agency" and "agencies" shall be deemed to include the Bank wherever used with reference to an agency or agencies of the United States of America in sections 201, 202, 216, 283, 286, 287, 371, 506, 595, 602, 641, 654, 701, 872, 1001, 1002, 1016, 1017, 1361, 1505 and 2073 of said title 18. Any officer or employee of the Bank shall be deemed to be a person mentioned in section 602 of said title 18 within the meaning of section 603 of said title, and shall be deemed to be one of the officers or employees mentioned in section 602 of said title within the meaning of section 606 of said title.

(c) The term "bank examiner or assistant examiner" as used in section 655 of said title 18 shall include any examiner, or assistant examiner or appraiser who is an officer or employee of the Bank and any person who makes or participates in the making of any examination of or for the Bank, and the term "Bank" as used in said section 655 shall, without regard to any provision of said section with respect to membership or insurance, include the bank and any institution examined by or for the Bank; and the last sentence of said section 655 shall not be applicable to said section 655 as extended by this sentence. The term "Bank" as used in subsection (f) of section 2113 of said title 18 shall include the Bank and any building used in whole or in part by the Bank shall be deemed to be used in whole or in part as a Bank, within the meaning of said section 2113.

(d) The term "obligation" and "Security," wherever used (with or without the words "of the United States"), whether in the singular or in the plural, in sections 471 to 476, both inclusive, and section 492 of said title 18 are hereby extended to mean and to include any obligation or security of or issued by the Bank. Any reference in sections 474, 494, 495 and 642 of said title 18 to the United States, except in a territorial sense, or the Secretary of the Treasury is hereby extended to include the Bank. Section 477 of said title 18 is hereby extended to apply with respect to section 476 of said title as extended by the first sentence of this subsection (d), and for this purpose the term "United States" as used in said section 476 shall include the Bank.

(e) References in this section to sections of title 18 of the United States Code shall be deemed to be references to said sections as now or hereafter in force.

DEFINITIONS

SEC. 14. As used in this Act—

(a) The term "Bank" means the International Home Loan Bank incorporated under this Act.

(b) The term "Board" means the Federal Home Loan Bank Board.

(c) The term "home" means any dwelling unit, including without limiting the generality of the foregoing, any free standing residence for one to four families, any apartment building, any condominium, any cooperative housing or any mobile home.

(d) The term "home loan bank" used without the adjective "Federal" at the beginning of the term means a central institution organized or incorporated under the laws of any country other than the United States of America, primarily engaged in making loans or advances to mutual or cooperative institutions organized or incorporated under the laws of such country for the purpose of receiving savings and the financing of home construction, alteration, repair or ownership in such country.

(e) The term "United States of America" when used in a geographic sense means the 50 States and any possession or territory of the United States of America.

(f) The term "member", except where used with respect to a member of a Federal Home Loan Bank, means a member of the International Home Loan Bank.

(g) The term "stock" means capital stock of the Bank.

(h) The term "foreign mutual savings and home-financing institution" means an institution as to which there is outstanding a determination by the Bank that such institution (1) is a mutual institution, (2) is primarily engaged in the receipt of savings and the financing of homes to be occupied by their owners and not for rent, nor for immediate resale (except construction loans), and (3) does not have in the United States, or in any place subject to the jurisdiction of the United States, any office, agency, or agent for the receipt of savings or the making of loans unless specifically authorized by the board of the Bank and subject to such qualifications as the Bank by regulation may prescribe.

(i) The term "foreign home loan bank" means an institution as to which there is outstanding a determination by the Bank that such institution (1) is organized or incorporated under the laws of a foreign country, and (2) is primarily engaged in making long-term loans or short-term advances to, or investing in, mutual institutions which are organized or incorporated under the laws of such country for the purpose of receiving savings and term deposits and the financing of homes in such country, (3) and is subject to periodic examinations by the superintendent of banks or other official or office determined by the law of the resident country, and (4) prescribes by regulation that long-term mortgage loans which may be made for periods of not less than five years nor more than twenty-five years and regulates the maximum mortgage interest rates in accordance with the costs and servicing of savings accounts and term deposits, and the rate on savings accounts and term deposits may be at rates equal to or higher than paid by commercial banks in their savings departments, and also the necessary long-term mortgage rates to insure an efficient business operation and a reasonable accumulation of bad debt reserves and reserves against other contingencies, and (5) has power to authorize or require savings and mortgage adjustment clauses and contracts such as those that now exist or are proposed in Chile, Peru and other countries to protect ordinary savers from currency depreciation as measured by a domestic official government price index approved by the Bank.

CONSTRUCTION AND SEPARABILITY

SEC. 15. Except as otherwise provided in this Act or as otherwise provided by laws hereafter enacted by the Congress in limitation of the provisions of this Act, the powers and functions of the Board, the Bank or the Board of Directors of the Bank shall be exercisable and the provisions of this Act shall be applicable and effective without regard to any provision of any other law. Notwithstanding any other evidences of the intention of the Congress, it is hereby declared to be the controlling intent of the Congress that if any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

RIGHT TO AMEND

SEC. 16. The right to alter, amend or repeal this Act is hereby expressly reserved.

INCREASE IN RETIRED PAY OF CERTAIN MEMBERS OF THE FORMER LIGHTHOUSE SERVICE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to increase the retired pay of certain members of the former Lighthouse Service. I ask unanimous consent that the letter from the Secretary of the Treasury, requesting the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER (Mr. BASS in the chair). The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2216) to provide an increase in the retired pay of certain members of the former Lighthouse Service, introduced by the gentleman from Washington [Mr. MAGNUSON], by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF THE TREASURY,
Washington, May 22, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a bill, "To provide an increase in the retired pay of certain members of the former Lighthouse Service."

The purpose of the bill is to increase the retired pay of members of the former Lighthouse Service who retired before January 1, 1963, under section 6 of the act of June 20, 1918, as amended. The increase would amount to 5 percent a year.

The Lighthouse Service retirement rolls show that approximately 600 persons are receiving retired pay under section 6 of the act of June 20, 1918, as amended. On previous occasions, increases in retired pay for this group were enacted at approximately the same time and in about the same amounts as increases provided in annuities of retirees under the Civil Service Retirement Act. As recently as October 11, 1962, an increase of civil service annuities in the amount of 5 percent was enacted. However, there has been no corresponding increase in the retired pay of former Lighthouse Service members since 1959.

The Department believes that enactment of the proposed increase in the pay of Lighthouse Service retirees would remedy an inequitable situation by providing these retirees with an increase in retired pay comparable to that received by other retired Government employees. It is estimated that the bill, as proposed, would result in an immediate annual cost of $70,000, with the annual cost being reduced in succeeding years as the number of former employees of the Lighthouse Service receiving retired pay under section 6 is reduced.

It would be appreciated if you would lay the proposed bill before the Senate. A similar bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely yours,

HENRY H. FOWLER.

CONSERVATION, PROTECTION, AND PROPAGATION OF CERTAIN WILDLIFE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system; and for other purposes. I ask unanimous consent that a letter from the Secretary of the Interior, requesting the proposed legislation, together wtih a section-by-section analysis of the bill, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and section-by-section analysis will be printed in the RECORD.

The bill (S. 2217) to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system; and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and section-by-section analysis presented by Mr. MAGNUSON are as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 5, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill, "To provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system; and for other purposes." Also, enclosed is a section-by-section analysis of the bill.

We recommend that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The principal objective of this proposed legislation is to authorize and direct the Secretary of the Interior to initiate and carry out a comprehensive program to conserve, protect, restore, and, where necessary to establish wild populations, propagate selected species of native fish and wildlife, including game and nongame migratory birds, that are found to be threatened with extinction. These include various species and subspecies of mammals, birds, fish, and other vertebrate animals that have very small populations and that could be quickly wiped out by adverse changes in environmental factors or by man.

A secondary objective of the proposed bill is to consolidate, and, in some cases, expand the authorities of the Secretary relating to the management and administration of the national wildlife refuge system and to provide sanctions and enforcement provisions designed to protect the needs of fish and wildlife conservation in all areas of the system, including areas acquired or reserved for endangered—that is, threatened with extinction—species of fish and wildlife, and to permit other compatible uses through secretarial regulations.

In addition, the bill amends the Migratory Bird Conservation Act for the principal purpose, among others, of removing an ambiguity in the act relating to the authority of the Secretary to acquire sanctuaries for any species of migratory birds, including game or nongame migratory birds. Our treaties with Canada and Mexico are not restricted to the protection of migratory game birds. It is the purpose of the Migratory Bird Conservation Act to conserve all species of treaty protected migratory birds.

One of the unfortunate results of economic growth in the United States has been the extermination of some wildlife. Since the settlement of the 50 States, some 24 birds and 12 mammals native to the United States and Puerto Rico have become extinct. Examples are the passager pigeon, heath hen, Carolina parakeet, spotted Hawaiian rail, eastern elk, Texas and California grizzly bears, and the Badlands bighorn sheep. These animals are gone forever from the face of the earth. They will be joined before very long by some 35 kinds of mammals and 30 to 40 birds unless special conservation efforts to acquire and maintain sufficient habitats for them are initiated.

Island fauna have been most vulnerable to decimating factors. A number of animals have vanished from Hawaii and Puerto Rico and from various islands under American jurisdiction, and other animals are presently endangered there.

This Department has studied the problem of vanishing wildlife for many years to determine the best devices for providing and protecting habitat for species now threatened with extinction so that these animals may be available for future generations. The Department of Agriculture has also been active in this field. Special efforts, accompanied in some cases by special acts of Congress, have been and are continuing to be made by this Department and other Federal agencies, conservation organizations, and some State fish and game departments to save such threatened species or subspecies as the whooping crane, trumpeter swan, prairie chicken, California condor, Kenai moose, Kodiak bear, Key deer, fur seal, and American bison, by providing refuge areas. Similar protection is needed for other threatened species to insure against disturbance, depletion of food and habitat, and other adverse factors.

Our proposal will provide this protection. The Land and Water Conservation Fund Act of 1965 expressly makes the fund available for the acquisition of land for the preservation of species of fish and wildlife that are threatened with extinction when the land acquisition is otherwise authorized by law. Thus, we will be able to use the fund in carrying out our endangered species program under this legislation. Land acquisition could also be financed, in the case of migratory birds, from the migratory bird conservation fund and, in the case of other endangered wildlife, from funds made available pursuant to the Fish and Wildlife Act of 1956. All other expenses that may be incurred in administering a program for the protection and conservation of threatened species of fish and wildlife will be financed through general appropriations and, in some cases, through donations. It will be the policy of this Department to finance land acquisitions for the endangered species program from the land and water conservation fund wherever possible.

The proposed legislation follows one of the recommendations on endangered wildlife of the First World Conference on National Parks, held in Seattle in 1962. The recommendation stated:

"The First World Conference on National Parks recommends that for every kind of animal or plant threatened with extinction an appropriate area of natural habitat be provided in a nationl park, wildlife refuge, wilderness area, or equivalent reserve to maintain an adequate breeding population, and takes the view that any species so threatened which is not accorded such official sanctuary proclaims the failure of the Government concerned to recognize its responsibility to future generations of mankind."

The proposed legislation will also advance the objectives of the Inter-American Treaty on Nature Protection and Wildlife Preservation, 1940, which was proclaimed by the President on April 30, 1942 (56 Stat. 1354). Under this agreement the governments of the American republics agreed on the desirability of protecting in their native habitat representatives of all species of their native flora and fauna, including migratory birds, in sufficient numbers and over areas extensive enough to prevent them from becoming extinct due to any factor within man's control. They further agreed on the need to establish nature reserves for the protection of individual species of flora or fauna.

As required by the act of July 25, 1956 (70 Stat. 652), the enclosed statement has been prepared concerning the estimated additional man-years of civilian employment and expenditures for the first 5 years of the program to which our proposal relates.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

S. L. UDALL,
Secretary of the Interior.

SECTION-BY-SECTION ANALYSIS OF BILL

Bill "To provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system; and for other purposes."

SECTION 1

Subsection (a) contains congressional findings: First, that technological advances of man, among other things, have resulted in the extermination of some native wild animals; second, that a serious depletion of other species of native wild animals is now and has been occurring; and, third, that the United States has certain treaty obligations to protect and conserve our endangered species of fish and wildlife. Congress then declares that the purposes of this act are to initiative and carry out a comprehensive program for the protection, conservation, and propagation of selected species of native fish and wildlife that are endangered—that is, threatened with extinction—and to consolidate, restate, and modify the laws relating to administration of the national wildlife refuge system.

Subsection (b) provides a means for determining the species of fish and wildlife, including migratory birds, that are regarded as threatened with extinction. The Secretary of the Interior must first make specific findings, after consulting with the interested States, as to each species of fish and wildlife that is endangered.

SECTION 2

Subsection (a) directs the Secretary to carry out a program of conserving, protecting, restoring, and propagating selected species of native fish and wildlife that are endangered using the broad authorities of the Migratory Bird Conservation Act, as amended (16 U.S.C. 715 et seq.), the Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742a et seq.), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.). These acts contain broad authorities for, among other things, research, studies, and land acquisition. The Fish and Wildlife Act of 1956 authorizes the acquisition of refuge lands for the conservation and protection of wildlife. The Fish and Wildlife Coordination Act, as amended (16 U.S.C., 661 et seq.), authorizes the Secretary of the Interior to acquire lands in connection with water-resource projects for the conservation and protection of fish and wildlife. This authority is limited, however, to water-resource projects. The costs of such acquisition are project costs and will continue to be so under this bill. The Migratory Bird Conservation Act, as amended (16 U.S.C. 715 et seq.), authorizes the Secretary of the Interior to acquire areas approved for acquisition by the Migratory Bird Conservation Commission for use as inviolate sanctuaries for migratory game birds. All of these acts are sufficiently broad in scope to include endangered species of fish and wildlife.

Subsection (b) provides new authority to acquire lands for the protection and conservation of endangered species of fish, which is not limited to water resources projects.

Subsection (c) specifically authorizes the Secretary of the Interior to use funds made available from the recently enacted Land and Water Conservation Fund Act of 1965 to acquire refuges for threatened species of fish and wildlife, including migratory birds. This provision, however, will not limit the Department's existing authority to purchase lands or interests therein, in the case of migratory birds that are endangered, with funds made available from the migratory bird conservation fund and, in the case of other endangered wildlife, with appropriations made available pursuant to the Fish and Wildlife Act of 1956.

Subsection (d) directs the Secretary to utilize other programs that are administered by him for purposes that include fish and wildlife, in carrying out an endangered species program. He is also directed to encourage other Federal agencies to utilize their authorities for the purpose of this act.

SECTION 3

This section directs the Secretary to cooperate with the States in carrying out the new program authorized by this act. It also authorizes cooperative agreements that provide for the management by the States of areas established to carry out the program where the Secretary finds that such management is desirable. Any revenues derived from the management of such areas will be disposed of in the same manner as other revenues under recently amended refuge sharing legislation.

SECTION 4

This section consolidates and clarifies existing authorities of the Department of the Interior for the administration and management of the various areas that comprise the national wildlife refuge system, and in some cases expands this authority.

Subsection (a) names the five types of areas that now constitute the national wildlife refuge system, and that are named in the Revenue Sharing Act of August 30, 1964 (78 Stat. 701), and adds a sixth type: areas for the protection of threatened species of fish and wildlife. All of the provisions of this section will apply to the System.

Subsection (a) specifically continues the present authority of the Secretary of the Interior to amend, revoke, or modify existing public land withdrawals affecting the System whenever he determines that such action is in the public interest. The Department, through the joint efforts of the Bureau of Land Management and the Fish and Wildlife Service, is reviewing the present status of the public lands which are included in the System to determine whether any of them should be managed on multiple-use principles under the general public land laws that apply to the bulk of the public domain. Due consideration in the study will be given to all pertinent factors, such as ecology, wildlife needs, priorities of use, and the relative values of the various resources in particular areas.

Some of the areas included within the term "national wildlife refuge system" are now jointly administered pursuant to cooperative agreements between this Department and various Federal agencies. The bill does not portend any different policies, practices, or procedures from those now being pursued.

Subsection (b) authorizes the Secretary of the Interior to enter into negotiated contracts for public accommodations. The Department's present authority for concession contracts is derived from section 401 of the act of June 15, 1935, as amended (16 U.S.C. 715s), which provides for the disposition of receipts from various activities, including concession contracts. The bill provides express authority for such contracts and will be helpful in carrying out the provisions of the act of September 28, 1962 (16 U.S.C. 460k–460k–4), which authorizes the Secretary to administer the areas within the system for public recreation.

Subsection (b) also provides new authority for the Secretary to accept donated funds and to use them for acquiring lands for the national wildlife refuge system, or for managing the system. On numerous occasions donations of funds for the purchase of wetlands or other types of land for migratory birds have been received, but adequate authority to accept donations has been lacking. In the case of the Great Swamp area in New Jersey, a group of public-spirited individuals were willing to acquire the needed lands and then to donate them to the United States. Not many persons or organizations are willing or able to assume this chore. It seems only good business and in keeping with the intent of the fish and wildlife acquisition authorities of this Department that clear authority be granted to accept donations of money to buy land.

Subsection (b) authorizes the Secretary to acquire lands or interests therein for the system by exchange (1) for acquired or public lands under his jurisdiction, or (2) for the right to remove products, such as hay or timber, from the acquired or public lands within the system. The exchanges must be of approximately equal value. If they are not of approximately equal value, the bill authorizes the Secretary to receive from, or pay cash to, the grantor to equalize the values of the properties to be exchanged. Similar authority has existed since 1935 under the act of June 15, 1935 (49 Stat. 382), as amended (16 U.S.C. 715d–1 and 715d–2), in connection with the administration of wildlife refuges. The bill broadens the authority to make it available to all areas of the system.

Subsection (c) prohibits activities specified on any area of the system, including but not limited to the destruction or removal of Federal property and the taking of fish and wildlife by any person, unless such activities are permitted either under subsection (d) of this section, or under the express provisions of some other law, proclamation, Executive order, or public land order establishing the area. This latter exception recognizes that in some cases the authority, including any amendments thereto, under which an area of the system was established expressly permits certain otherwise prohibited activities, such as the act of August 5, 1957 (61 Stat. 770), which transferred to this Department certain lands in Illinois known as the Crab Orchard National Wildlife Refuge.

Subsection (c) prohibits from the date of its enactment, subject to the above-mentioned exceptions, a person from entering, using, or otherwise occupying any area of the system for any purpose, including mining or mineral leasing. In the case of the public lands that are withdrawn from all forms of appropriation under the public land laws except the U.S. mining and mineral leasing laws, the proposal continues to make the mining and mineral leasing laws and the regulations issued thereunder applicable to these areas unless, of course, such lands are subsequently withdrawn by the Secretary of the Interior from the operation of these laws. In the case of mining locations, surface use of the land will be governed by regulations issued by the Secretary, subject to valid existing rights. When patents are issued, title to the surface will be reserved to the United States, subject to reasonable use to carry on prospecting and mining.

In the case of mineral leases, the discretionary authority of the Secretary will be exercised only upon a finding that mineral leasing will be compatible with the purposes of the wildlife system. This is the situation both under this subsection and under present policy.

Subsection (d)(1) authorizes the Secretary to permit, in his discretion, the use of any area within the system for public hunting, fishing, trapping, recreation and accommodations, and access, when such activities are found to be compatible with the purposes for which such areas were established, including management thereof. Other multiple uses would be permitted, as is the case under present authority, where such uses are compatible with the purposes for which these areas were established or, if not compatible, are otherwise in the public interest as determined by the Secretary of the Interior.

Section 4(b) of the Migratory Bird Hunting Stamp Act, as amended (16 U.S.C. sec. 718(d)), restricts the present authority of the Secretary to permit hunting of game birds within some parts of the system. The restriction is that not more than 40 percent of the portion of an area reserved as an inviolate sanctuary for migratory birds may be opened to the hunting of migratory game birds or resident species thereof at any time. Subsection (d)(1) limits this restriction to the hunting of migratory game birds, which is consistent with the purpose of the Migratory Bird Conservation Act. That act was not primarily intended to protect resident game birds. Neither the present law nor this revision applies to wild animals other than game birds.

It has long been recognized by the courts that the Federal Government has the authority, by reason of its proprietary interest, to regulate hunting and fishing on all Federal refuges and other areas within the system, and to protect and manage these areas. Hunting and fishing within the system will continue to be regulated within the framework of State regulations.

Subsection (d)(2) authorizes the Secretary to permit, in his discretion, other uses of the areas within the national wildlife refuge system for purposes that he finds are compatible with our management of the system. These uses would be permitted either through the issuance of licenses or permits or the granting of easements, whichever is most appropriate. In either case, the Secretary is authorized to issue regulations necessary to govern such uses. These regulations could include provisions making the grantee or permittee liable for damages and saving the Government harmless from the use of such areas; requiring the payment of the fair market value of any easement or permit; providing for termination or forfeiture on the happening of certain events; providing for the grant of easements or permits with or without limitation as to term; and providing that the grantees or permittees shall comply with all applicable Federal laws and regulations. In specific cases the Secretary could include such other terms and conditions as he finds necessary to manage these uses.

Subsection (e) provides penalties applicable to the entire national wildlife refuge system.

Subsection (f) provides enforcement authority, including authority to make arrests, in protecting the various areas that comprise the system.

Subsection (g) is a technical provision which continues the regulations now applicable to the various areas of the system until modified or rescinded by the Secretary.

SECTION 5

This section defines the various terms used in the bill.

SECTION 6

As indicated above, section 4(d)(1) restates the present limitations on the hunting of migratory birds on areas acquired or reserved as inviolate sanctuaries. Accordingly, section 6 of the proposal is a technical amendment which repeals the provision in the Migratory Bird Hunting Stamp Act (Duck Stamp Act) which now contains these limitations.

SECTION 7

This section amends the Migratory Bird Conservation Act in several respects.

Subsection (a) removes the word "game" from sections 4 and 12 of the Migratory Bird Conservation Act. This is a technical amendment. The word does not appear in any other section of the act, and the act was not intended to restrict the migratory bird acquisition program to game birds. This amendment will permit the program to include all forms of threatened species of migratory birds.

Subsection (b) amends the present section 10 of the Migratory Bird Conservation Act. The revised section 10 directs the Secretary of the Interior to administer the lands acquired or reserved pursuant to that act in a manner that, among other things, will conserve and protect migratory birds and other species of wildlife found thereon. Where the administration of an area that has been acquired or reserved pursuant to the Migratory Bird Conservation Act is prescribed by some other provision of law, such as in the case of those lands within the Klamath Federal reclamation project, which are administered pursuant to the act of September 2, 1964 (78 Stat. 850), this new section 10 will not apply.

Subsection (c) is technical. It amends the Migratory Bird Conservation Act to include in the definition of the term "migratory birds" those birds that are defined in the treaty between the United States and Mexico which was concluded in 1936. Presently, the act refers only to the earlier treaty with Great Britain (for Canada).

Subsection (d) repeals the present sections of the Migratory Bird Conservation Act which provide for the enforcement of said act and for penalties for violations thereof. These enforcements and penalty provisions are now covered by section 4 of the bill.

SECTION 8

Subsection (a) repeals the provisions of law which now authorize the Secretary of the Interior to acquire lands for wildlife refuges by exchange. A broader exchange authority applicable to the entire system is found in section 4 of the bill.

Subsection (b) is a technical amendment to make the provisions of the recently amended Revenue Sharing Act applicable to the areas established to protect and conserve all forms of fish and wildlife that are endangered.

DEPARTMENT OF THE INTERIOR

To protect species of fish and wildlife that are rare or threatened with extinction—Estimated additional man-years of civilian employment and expenditures for the 1st 5 years of proposed new or expanded programs

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Estimated additional man-years of civilian employment:					
Executive direction	0	0	0	0	0
Administrative services and support: Miscellaneous	0	3	4	5	5
Total, administrative services and support	0	3	4	5	5
Substantive (program):					
Biologists [1]	8	15	22	28	33
Engineers [1]	9	24	26	24	24
Negotiators and appraisers [1]	8	20	20	20	20
Maintenance and management [1]		13	30	45	58
Total, substantive	25	72	98	117	135
Total, estimated additional man-years of civilian employment	25	75	102	122	140
Estimated additional expenditures:					
Personal services	$250,000	$780,000	$1,082,000	$1,310,000	$1,515,000
All other	2,994,000	3,170,000	3,170,000	3,035,000	3,005,000
Total, estimated additional expenditures	3,244,000	3,950,000	4,252,000	4,345,000	4,520,000

[1] Includes supporting personnel.

TWELVE-MILE FISHERY ZONE IMPERATIVE FOR UNITED STATES

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, for myself, for the senior Senator from the State of Washington [Mr. MAGNUSON], and for the junior Senator from Massachusetts [Mr. KENNEDY], a bill to establish a contiguous fishery zone beyond the territorial sea of the United States. The territorial sea is an area off the coast of a State measured from either the low-water line of the coast or from baselines. The United States presently recognizes a 3-mile territorial sea. Total sovereignty is maintained over these waters with the right of innocent passage given to ships of other states. A contiguous zone is a band of water outside, or beyond, the territorial sea in which the coastal State may exercise certain controls.

The purpose of this bill is to create a 9-mile zone beyond the present 3-mile territorial sea for the conservation and protection of our coastal fishery resources. The fishery resources within this zone will be reserved for the exclusive use of American fishermen with one exception. That exception, as stated in section 1 of the bill, provides for the continuation of traditional fishing by foreign states within this new zone as may be recognized by the United States. I am advised that only Canada has any historic fishery within this zone off the coast of the United States and that Canada has informally recognized reciprocal historic fisheries by the U.S. fishermen off Canada.

During the past 4 years, foreign vessels fishing immediately off the U.S. coast have substantially increased in number and have broadened their scope of operation. These vessels are not the small wooden-hulled trawlers and trollers of the U.S. fleet, but rather, huge steel-hulled fishing machines. Large factory ships and mother vessels attend catcher boats rigged with electronic navigation and fish-finding devices as well as highly efficient stern trawls.

A few years ago the only foreign vessels operating in our coastal waters were found in the Bering Sea. During the last 3 years substantial numbers of foreign vessels have entered the Gulf of Alaska. The Russians and Japanese have on-the-water oceanographers traveling with their fleets predicting when and where the fish will be. Several large Russian research vessels have been sighted recently within 25 miles of Washington and Oregon.

This summer, for the first time, a substantial foreign fleet has hovered immediately off the coast of southeastern Alaska. I have received information that this week some 250 Russian and 150 Japanese vessels are in the Gulf of Alaska and the Bering Sea, in addition to approximately 400 Japanese salmon vessels operating west of the 175° "abstention line."

While this fishing activity has been occurring on the west coast, foreign fishing operations are being conducted in the Atlantic and in the Gulf of Mexico. I am informed that there are 350 to 400 Russian ships off Cape Cod, and research vessels have been sighted in the gulf and Caribbean area.

Generally these foreign vessels fish along the edge of the Continental Shelf. However, the Coast Guard and Navy, on a number of occasions, have sighted foreign fishing vessels operating not only within 12 miles of the coast, but even within our territorial waters.

This legislation would push back that encroachment. I certainly do not suggest that it would in any way eliminate or possibly even decrease the number of foreign vessels operating off our shores, but it would require that they stay 12 miles off the coast rather than the present 3 miles.

The significance of this measure to the U.S. fisherman is illustrated by the fact that approximately two-thirds of the total value of the U.S. fishing catch in recent years has been taken within 12 miles of the U.S. coast. In addition, the potential for this area in respect to increased fishery catch is tremendous. The best evidence available indicates that the present catch of fish within 12 miles of the coast could be increased threefold to an amount exceeding $600 million annually. I may also point out that the world fisheries have doubled their production in the past 10 years and that their rate of increase is growing. Therefore, I believe that this proposal would strengthen the U.S. conservation efforts and promote the development of the resource potential.

Another advantage of this bill is that it would inject into the fisheries the factor of husbandry in the practice of conservation. Good husbandry means simply economic management. In the U.S. fisheries, with few exceptions, management has been virtually absent. There is an urgent task of insuring that the growing intensity of exploitation is curbed and effectively controlled to maintain fishing yields at commercial levels. This element of management is essential if the United States is to move from merely hunting to cultivating and harvesting the living resources of the sea. This point was made most eloquently by Capt. Jacques Yves Cousteau of the Musee Oceanographique Monaco in his remarks before the Marine Technology Society in Washington last week.

This proposal is particularly important for the protection of fishery resources which remain entirely or during a dominant period close to our coast. Thus, an exclusive 12-mile zone would be of substantial importance for the U.S. shrimp fishermen fishing in our coastal waters and protection for our fishermen engaged in taking menhaden and certain bottom fish.

I would like to emphasize that this proposal is not new, either in terms of U.S. law or with regard to international law. The doctrine of the free seas has been traditionally one of the keystones of American foreign policy. It was implicit in the position taken by Thomas Jefferson as early as 1793, when, as Secretary of State, he put forward the first official American claim for a 3-mile zone as the territorial limits of the United States. That distance represented what was then the maximum range of cannon fire.

However, while adhering to the doctrine of freedom of the seas, maritime nations have generally exercised some authority on the high seas adjacent to their territorial waters. Thus, in 1799, the Congress passed an act directing revenue officers to board vessels bound for an American port when within 12 miles of the coast to determine the nature of the cargo. Special cases of jurisdiction beyond the Nation's territorial waters are but qualified departures from the 3-mile rule, and leave intact the basic tenet of the freedom of the seas doctrine.

Our Federal Government, which has the power to do so, has not taken any action in terms of extending our territorial waters beyond the 3-mile limit to protect our fishery resources. The basis of our inaction could well have been founded on a fear that unilateral action on our part might lead other nations independently to extend their territorial sea claims or to claim wider fishery zones. But while we have been waiting, other nations have acted on their own and have unilaterally extended their fishing waters.

I ask unanimous consent to place in the RECORD at this point a table prepared by the Secretary General of the United Nations on February 8, 1960—U.N. document A/Conf., 19/4—for the Second Geneva Conference on the Law of the Sea.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Claims of nations to breadth of territorial sea (including zones for specialized purposes)

(This table is based on a synoptical table prepared by the Secretary General of the United Nations on Feb. 8, 1960 (U.N. Doc. A/Conf. 19/4), for the Second Geneva Conference on the Law of the Sea. The breadth of the territorial sea is given opposite the name of the country.)

Albania	miles	10
Argentina	do	3
Continental Shelf		(1)
Customs	miles	12
Fishing	do	10
Neutrality	do	3
Sanitary regulations	do	12
Australia	do	3
Continental Shelf		(2)
Customs	miles	3
Bahamas	do	3
Continental Shelf		(2)
Belgium	miles	3
Customs	kilometers	10
Fishing	miles	3
Neutrality	do	3
Brazil	do	3
Continental Shelf		(2)
Fishing	miles	12
Neutrality	do	3
British Guiana	do	3
Continental Shelf		(2)
British Honduras	miles	3
Continental Shelf		(2)
Bulgaria	miles	12
Burma (not specified).		
Cambodia (straight baselines)	miles	5
Continental Shelf	meter depth	[1] 50
Customs	miles	12
Fishing	do	12
Canada	do	3
Customs	do	12
Fishing	do	12
Ceylon	do	6
Continental Shelf		(2)
Customs	miles	6
Fishing	do	6
Neutrality	do	6
Sanitary regulations	do	6
Chile	kilometers	50
Continental Shelf	miles	[1] 200
Customs	kilometers	100
China (Nationalist Government)	miles	3
Customs	do	12
Colombia	do	6
Customs	kilometers	20
Fishing	miles	12
Sanitary regulations	do	12
Costa Rica		(3)
Continental Shelf	miles	[1] 200
Fishing	do	200
Cuba	miles	3
Customs	do	12
Fishing	do	3
Sanitary regulations	do	5
Denmark	do	3
Customs	do	4
Fishing	do	3

Claims of nations to breadth of territorial sea (including zones for specialized purposes)—Continued

Dominican Republic	miles	3
Customs	do	15
Fishing	do	15
Sanitary regulations	do	15
Ecuador	do	12
Continental Shelf	meter depth	200
El Salvador	miles	200
Continental Shelf	do	[1] 200
Fishing	do	200
Ethiopia	do	12
Fishing	do	12
Finland (straight baselines)	do	4
Customs	do	6
France	do	3
Customs	kilometers	20
Fishing	miles	3
Neutrality	do	6
Germany (Federal Republic of)		(3)
Customs	miles	3
Greece	do	6
Neutrality	do	6
Greenland (not specified).		
Fishing	miles	3
Guatemala	do	12
Continental Shelf		(2)
Customs	miles	12
Neutrality	do	12
Honduras (not specified).		
Continental Shelf	meter depth	[2] 200
Customs	miles	6
Iceland (not specified).		
Customs	miles	4
Fishing (straight baselines)	do	12
India	do	6
Continental Shelf		(2)
Customs	miles	12
Fishing	do	100
Sanitary regulation	do	12
Indonesia (straight baselines)	do	12
Iran	do	12
Continental Shelf		(2)
Iraq		(3)
Ireland (straight baselines)	miles	3
Israel	do	6
Continental Shelf		(2)
Fishing	miles	6
Italy	do	6
Customs	do	12
Fishing	do	6
Jamaica	do	3
Continental Shelf		(2)
Japan	miles	3
Neutrality	do	3
Jordan	do	3
Fishing	do	3
Korea (Republic of) (not specified).		
Continental Shelf		(1)
Fishing	miles	20 to 200
Lebanon (not specified).		
Customs	kilometers	20
Fishing	miles	6
Liberia (for all purposes)	do	3
Libya	do	12
Malaya	do	3
Mexico	do	9
Continental Shelf		(2)
Monaco		(3)
Customs	kilometers	20
Morocco (not specified).		
Fishing	miles	6
Netherlands	do	3
Fishing	do	3
Neutrality	do	3
New Zealand		(3)
Customs		(3)
Fishing	miles	3
Sanitary regulation	do	3
Nicaragua (not specified).		
Continental Shelf		(1)
Norway	miles	4
Customs	do	10
Fishing	do	4
Neutrality	do	4
Pakistan	do	3
Continental Shelf	fathom depth	[2] 100
Fishing	miles	3

Claims of nations to breadth of territorial sea (including zones for specialized purposes)—Continued

Panama	miles	12
Continental Shelf		(1)
Fishing (Continental Shelf).		
Peru (not specified).		
Continental Shelf	miles	[1] 200
Fishing	do	200
Philippines (not specified).		
Poland	miles	3
Customs	do	6
Portugal (not specified).		
Continental Shelf	meter depth	[2] 200
Customs	miles	6
Sanitary regulations	do	6
Rumania	do	12
Saudi Arabia	do	12
Customs	do	18
Sanitary Regulations	do	18
Spain	do	6
Customs	do	6
Fishing	do	6
Sweden	do	4
Customs	do	4
Neutrality	do	4
Thailand	do	6
Fishing	do	12
Tunisia	do	3
Fishing	meter depth	50
Turkey (not specified).		
Union of South Africa	miles	3
Customs	do	3
Fishing	do	3
Sanitary regulations	do	3
U.S.S.R.	do	12
United Arab Republic	do	12
United Kingdom	do	3
Customs	do	3
Fishing	do	3
United States	do	3
Continental Shelf		(2)
Customs	do	12
Sanitary regulations	do	3
Uruguay	do	6
Neutrality	do	5
Venezuela (straight baselines)	do	12
Continental Shelf	meter depth	[2] 200
Customs	miles	15
Sanitary regulations	do	15
Vietnam (Republic of) (not specified).		
Fishing	kilometers	20
Yemen (not specified).		
Yugoslavia	miles	6
Customs	do	6
Fishing	do	10

[1] Including sovereignty over superjacent waters.

[2] Not affecting superjacent waters.

[3] In accordance with international law.

Mr. BARTLETT. Mr. President, since the tabulation of the above table, it is my understanding that numerous changes have been made. These are as follows:

Albania	miles	10
Fishing	do	12
Burma	do	12
Chile	kilometers	50
Fishing	miles	200
Colombia	do	12
Ecuador	do	12
Fishing	do	200
Greenland (not specified).		
Fishing	miles	12
Guatemala	do	12
Fishing	do	12
Honduras	kilometers	12
Fishing	miles	200
Iraq	do	12
Jordan	do	12
Lebanon	do	6
Morocco (not specified).		
Fishing	miles	12
Nicaragua	do	200
Fishing	do	200
Norway	do	4
Fishing	do	12

Portugal	miles	3
Saudi Arabia	do	12
Fishing	do	12
Tunisia	do	6
Fishing	do	12
Turkey	do	6
Fishing	do	12
Union of South Africa	do	6
Fishing	do	6
Uruguay	do	6
Fishing	do	12
Yemen	do	12

In addition, the countries of Colombia, Costa Rica, New Zealand, Pakistan, and the Philippines either have considered or are considering an extension of their territorial seas and their fishing limits.

The following countries have made similar claims:

	Miles
Algeria	12
Fishing	12
Byelorussian S.S.R.	12
Fishing	12
Cameroon	12
Fishing	12
China (mainland)	12
Fishing	12
Cyprus	12
Fishing	12
Guinea	130
Fishing	130
Malagasy Republic	12
Fishing	12
Malaysia	3
Fishing	3
Senegal	6
Fishing	6
Sierra Leone	12
Fishing	12
Sudan	12
Fishing	12
Syria	12
Fishing	12
Tanzania	12
Fishing	12
Togo	12
Fishing	12

Finally, it is interesting to note that the signatories of the London Fisheries Conference, 1964, agreed to a 3-mile exclusive fishing zone seaward of the 3-mile territorial sea plus an additional 6-mile fishing zone restricted to the convention nations. Countries attending the conference were Austria, Belgium, Denmark, France, Germany, Iceland, Ireland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, and the United Kingdom.

Mr. President, the United States stands today with only 10 other countries in not extending her jurisdiction over territorial seas or fishing zones more than 3 miles.

The extension of fishing limits would in no way alter our employment of the 3-mile limit for the delineation of our territorial sea. The requirements of national defense suggest that we adhere to the principles of narrow territorial seas and maximum freedom of movement on the high seas. The proposed extension of fishing limits will not affect the precedent we are setting in this respect.

I have heard it argued that an extension of the territorial waters beyond the 3-mile limit for all purposes including that of commerce and navigation would in effect be detrimental to our present defense interests. It is necessary, they say, that our Navy not be blocked by restrictions established by other nations such as the closing of vital straits and passages. However, I have never heard it argued that the extension of our territorial jurisdiction solely to protect our fishery resources without regard to free access for commerce and navigation would have any such dire result. Nor would this legislation in any way compromise our position on national defense.

Furthermore, while there is no internationally accepted width of the territorial sea, the International Law Commission in 1956 stated:

> The Commission considers that international law does not permit an extension of the territorial sea beyond 12 miles.

A narrow territorial sea is as desirable today from the standpoint of trade and navigation in, on, and above the sea as it has been in the past, but the importance of protecting the food resources of the sea requires a totally different approach from that of the days of roundshot and rowboats. I ask unanimous consent at this point to insert a resolution adopted by the House of Delegates of the American Bar Association urging separate consideration of the width of the territorial sea from problems of fishery protection.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED BY HOUSE OF DELEGATES OF THE AMERICAN BAR ASSOCIATION AT ANNUAL MEETING IN NEW YORK, AUGUST 12, 1964

Whereas the community of states has been unable to resolve the problem of uniform breadth for the territorial sea, or the problem of control of fishing in waters adjacent to the territorial sea; and

Considering that the principal obstacle to reaching agreement upon a solution to either, or both, of these problems has been the unwillingness of states to treat with them as separate and unrelated problems to be resolved each upon its own individual merits; and

Noting, on the one hand, that many states recently have taken unilateral actions to establish fishery controls in ways likely to restrict freedom of navigation; and

Noting, on the other hand, that other states, in a spirit of cooperation, have acted to establish mutually acceptable fishery controls while preserving maximum freedom of the seas for navigation; and

Regarding freedom of navigation in, on and above the high seas, and conservation of the living resources of the high seas, as both being in the mutual long-range interest of all states: therefore

Recommend that the American Bar Association strongly urge that the U.S. Government:

1. Publicly proclaim its willingness to join with other states in reaching separate agreements for:

(a) Substantial uniformity of breadth of the territorial sea for the purpose of insuring free and unhampered navigation in, on, and over the maximum expanse of the high seas, and

(b) Fishery controls for sound utilization and conservation of the living resources of the sea, including agreement upon reasonable zones for exclusive fishery rights in coastal states.

2. Take the lead in urging the United Nations to convene a Third United Nations Law of the Sea Conference at which, for the first time, the consideration of freedom of navigation, and fishery controls, as unrelated and separate problems would, hopefully, enable states to agree upon solutions to each of these problems.

3. Immediately constitute an expert study group, with political, military, industrial, scientific, and legal representation, to recommend specific solutions to each of the aforesaid problems which will both serve the individual interests of the United States and gain acceptance in the family of nations.

Mr. BARTLETT. Mr. President, the last 20 years have witnessed radical changes in foreign fishing operations and other international involvements and entanglements have become increasingly intricate. The last 20 years have seen the United States fall from second to fifth place in the world's fishery production and have seen our fishery imports grow to more than 50 percent of our total fishery consumption. Our population is growing and our technology is expanding. The time has come to act with dispatch in the protection of our coastal fishery resources. I urge that my colleagues carefully consider this proposal, and ask unanimous consent that the text of the bill be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2218) to establish a contiguous fishery zone beyond the territorial sea of the United States, introduced by Mr. BARTLETT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2218

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. There is established a fishery zone contiguous to the territorial sea of the United States. The jurisdiction of the United States extends to all waters in the zone and the United States will exercise the same exclusive rights in respect to fisheries in the zone as it has in its territorial sea subject to the continuation of traditional fishing by foreign states within this zone as may be recognized by the United States.

SEC. 2. The fishery zone has as its inner boundary the outer limits of the territorial sea and as its seaward boundary a line drawn so that each point on the line is nine nautical miles from the nearest point in the inner boundary.

SEC. 3. Whenever the President determines that a portion of the fishery zone conflicts with the territorial waters or fishery zone of another country, he may establish a seaward boundary for such portion of the zone in substitution for the seaward boundary described in section 2.

TWELVE-MILE FISHERY ZONE

Mr. MAGNUSON. Mr. President, many Members of the Senate including myself and many American fishermen including those from the Pacific Northwest have for several years awaited executive action to establish a 12-mile fishery zone. Since no initiative has been taken by the executive, the introduction of legislation is necessary to give protection to American fishermen and U.S. coastal fishery resources. This bill would create an exclusive fishery zone for American fishermen out to 12 miles from our coast.

This proposal is particularly important to Washington fishermen because Canada extended its jurisdiction over fisheries out to the 12-mile limit last year. To date, however, Canada has not recognized, formally by treaty, the fact that many American fishermen from Washington and other States have for many, many years fished in the close coastal waters off Canada. It is true that Canada has been willing by informal agreement to recognize our historic fisheries within their 12-mile fishing zone, but nothing official has been accomplished. If the United States extends its jurisdiction over fisheries out to 12 miles, it should be possible to reach some more permanent understanding with Canada since Canadian fishermen have traditionally fished within 12 miles of the U.S. coast, particularly off Alaska and they may want their traditional fisheries officially recognized.

The 12-mile fishery zone should also provide the United States with some means by which the foreign fishing fleets can be required to keep their distance. Very few foreign fishing fleets have been sighted off the Washington coast before this year but the number has accelerated in an alarming way. Last week there were over 12 Russian trawlers off Cape Flattery, and these have remained in the area for extended periods. An established 12-mile fishery zone will provide the United States with some means of protecting fishery resources immediately off our coast. This will not be adequate to do everything that needs to be done, but it is a start in the right direction and should receive the full support of all interested in the conservation of our rich coastal fishery resources.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2225) to establish a contiguous fishery zone beyond the territorial sea of the United States, introduced by Mr. Magnuson, was received, read twice by its title, and referred to the Committee on Commerce.

INSTALLATION OF MURALS IN SENATE SUBWAYS

Mr. MOSS. Mr. President, I submit, for myself and Senators Burdick, Curtis, Dominick, Douglas, Fannin, Gruening, Inouye, Lausche, McGee, Metcalf, Mundt, Randolph, Ribicoff, Scott, Tower, Young of North Dakota, Pastore, Bartlett, and Long of Missouri, a resolution providing for the mural decorations of the Senate subway and adjoining areas.

This resolution would authorize the Senate Rules Committee to negotiate a contract with the Pageant of the United States of America, Inc., for the preparation and installation of murals in the Senate subway to the Old and New Senate Office Buildings, the terminals, the adjacent rotunda room, and the walls of the two cafeterias in the New Senate Office Building. The work would be done without expense to the U.S. Government, and the Rules Committee would be authorized to accept the murals on behalf of the Congress and the American people.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 121) was referred to the Committee on Rules and Administration, as follows:

S. Res. 121

Resolved, That the Committee on Rules and Administration is authorized (1) to negotiate an agreement with "The Pageant of the United States of America", a nonprofit corporation, which shall contain provisions effective to insure that, without cost to the United States Government, the said corporation shall (i) after consultation with interested persons in each State of the United States, submit for the approval of such committee detailed plans for the decoration of the wall space of the subway between the Capitol and the Senate Office Buildings, including terminals and the adjoining rotunda room, and the walls of the cafeterias in the New Senate Office Building, with murals depicting historical events and figures, scenic features, achievements of its citizens, and other distinctive characteristics of each such State, (ii) prepare such murals as are approved by the committee, and (iii) install such murals in a manner satisfactory to such committee, and (2) to accept on behalf of the United States the murals prepared and installed in accordance with the agreement entered into pursuant to this resolution.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965—AMENDMENT

AMENDMENT NO. 302

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities, which was ordered to lie on the table and to be printed.

SENIOR CITIZENS ECONOMIC OPPORTUNITY AMENDMENTS OF 1965—AMENDMENT

AMENDMENT NO. 303

Mr. SMATHERS. Mr. President, I submit an amendment to S. 1759, a bill to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964. The Senate Special Committee on Aging, of which I am chairman, held hearings on June 16 and 17 on the "War on Poverty as It Affects Older Americans." As a result of those hearings and other information compiled by our committee on that subject, several possibilities have been brought to our attention for amending the Economic Opportunity Act of 1964 to make it more effective in combating poverty among the elderly of our Nation. This amendment incorporates the best of those possibilities. It would do much to eliminate poverty in the later years at comparatively small cost. Its annual cost would be less than 2 percent of the annual cost of the entire war on poverty proposed by S. 1759, the administration's bill to extend the Economic Opportunity Act, which my proposal seeks to amend.

Perhaps the greatest single cause of poverty among America's elderly is the heartbreaking difficulty this age group experiences in becoming employed and remaining employed. In theory, social security, pensions, and savings should be an adequate substitute for employment income in old age. But we know that as a matter of hard reality this is not true for the overwhelming majority of America's elderly. It will be many years before this goal is reached, if it is ever reached. For this reason, one of the most effective actions we can take to attack poverty in the later years is to enact programs which make it easier for those of our Nation's elderly to work who are able to work and who want to work.

There are three proposals in this amendment to make it easier for the elderly to find employment. The first of them is a program recommended by the late President Kennedy in his message to Congress in February 1963 on "Elderly Citizens of Our Nation." It is a program of grants for experimental and demonstration projects to stimulate needed employment opportunities for the elderly. It is specifically required that the employment to be provided meet three requirements:

First, that it permit or contribute to a public or community undertaking or service that will not otherwise be provided;

Second, that it will not result in the displacement of regular workers; and

Third, that the rates of pay and other conditions of employment are appropriate and reasonably consistent with the rates and conditions applicable with respect to comparable work in the locality.

This program would employ many older workers in the demonstration projects themselves. But a far more significant result would be the experience and know-how it would provide on opening up employmeent opportunities for older workers to meet needs which would otherwise go unmet.

The second antipoverty program for the benefit of the elderly which this bill proposes is a modest $90,000 a year authorization of matching grants to private nonprofit organizations which supplement governmental programs in placing older workers in employment. Studies and hearings of the Senate Special Committee on Aging have revealed the existence throughout the Nation of many local organizations which operate on very small budgets and which have shown promise for placing many older workers in employment. Perhaps the principal reason why they spend so little is that they rely largely upon the free services of public-spirited citizens. These people donate their services for the priceless satisfaction they receive in helping the elderly to solve their economic problems and to remain "in the mainstream of society."

Small as their expenditures are, some of these organizations are badly handicapped by their inability to raise even the few thousand dollars a year they need for telephones and office equipment and supplies. If this small $90,000 authorization were enacted and this amount or a fraction of it were appropriated, it would be possible to provide the most effective of these organizations the few thousand dollars a year they need to remain alive and to increase their effectiveness in placing older workers.

The third program to employ the elderly which I have included in the proposed new title of the Economic Opportunity Act would be a National Senior Corps into which people over 55 would be recruited to provide all kinds of services in their localities which would not otherwise be provided. To insure that the benefits of this program would go to each of the 50 States, there is a provision that a minimum of 50 senior corpsmen be allotted to each State. Each corpsman would live at home and provide services needed in his own locality. After the minimum of 50 is allotted to each of the 50 States, the remainder of the corpsmen permitted by this authorization would be allotted according to the distribution of the over-55 population and other circumstances indicating the need for allocation of corpsmen.

By investing in this program, we will be making our dollars do double duty. First, we will be getting a dollar's worth of service rendered for each dollar spent. Second, we will be providing a dollar of income for an elderly individual to help him live in dignity and decency.

It would probably be more accurate to say we will be making our dollars do triple duty, because we shall be simultaneously accomplishing a third important objective. We shall be providing the elderly of our Nation the opportunity to engage in useful activity and to remain in the mainstream of society, which will be helpful in maintaining their physical and mental health.

Finally, there are several provisions in the proposed new antipoverty title to insure more adequate consideration of the needs of the elderly poor under existing provisions of the Economic Opportunity Act. First, there would be created a new high-level position in the Office of Economic Opportunity—an Assistant Director—whose sole responsibility would be to insure that the needs of the elderly poor are given adequate attention in the war on poverty.

Second, there would be an unmistakable expression of congressional intent that the elderly poor must be represented on community-level antipoverty committees. Many of those qualified to express opinions on this subject have maintained that these committees have given inadequate attention to the needs of the elderly poor in their respective communities. Some have stated that this is because of inadequate representation for the elderly poor on such groups. While the Economic Opportunity Act requires in general terms that there be "maximum feasible participation of residents of the areas and members of the groups served" in connection with community action programs, there is no clear indication that this should be interpreted to require representation of the elderly poor on local community action committees. My amendment would provide such a clear indication.

In addition, there is a requirement that community action plans include programs to assist the elderly poor, whose needs have too often been slighted in such local plans heretofore.

The last organizational change would be provision of statutory authority for a task force on programs for the older poor. The Director has already appointed such a task force under his general administrative authority, but this provision would give congressional support and the force of law to that group.

Mr. President, I solicit the assistance of all Senators, and especially that of the members of the Committee on Labor and Public Welfare, in adding the new title to the Economic Opportunity Act. By doing so, we shall be correcting a deficiency in the act which has been revealed by the administration of the act thus far. We shall be serving the best interests not only of those who are already elderly but also those of younger Americans who will be elderly some day. We shall be improving the quality of life in the United States.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 303) was referred to the Committee on Labor and Public Welfare.

ADDITIONAL COSPONSOR OF BILL

Mr. BIBLE. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 2161) to extend the operation of the National Wool Act of 1954, as amended, the name of the Senator from Idaho [Mr. JORDAN] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

D. Clive Short, of Nebraska, to be U.S. marshal, district of Nebraska, term of 4 years, vice Jack D. Obbink, resigned;

James E. Byrne, Jr., of New York, to be U.S. marshal, district of New York, term of 4 years—reappointment;

Charles L. Goodson, of Georgia, to be U.S. attorney, northern district of Georgia, term of 4 years—reappointment;

Herman T. F. Lum, of Hawaii, to be U.S. attorney, district of Hawaii, term of 4 years—reappointment;

B. Andrew Potter, of Oklahoma, to be U.S. attorney, western district of Oklahoma, term of 4 years—reappointment;

Harold C. Doyle, of South Dakota, to be U.S. attorney, district of South Dakota, term of 4 years—reappointment; and

Floyd Stevens, of Michigan, to be U.S. marshal, western district of Michigan, term of 4 years—reappointment.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, July 6, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 29, 1965, he presented to the President of the United States the enrolled bill (S. 1229) to provide uniform policies with respect to recreation, and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. RANDOLPH:

Address by Senator ROBERT C. BYRD, Democrat, of West Virginia, delivered at the opening of the 1965 West Virginia National Youth Science Camp, Sunday, June 27, 1965, Camp Pocahontas, W. Va.

SECURITY FLOTATIONS BY THE BANK

Mr. DIRKSEN. Mr. President, on June 14, in connection with the discussion of amendment No. 267 to section 604 of the Foreign Assistance Act, which I introduced and which was ruled to be out of order, I submitted a tabulation of security flotations by the World Bank. I refer to the CONGRESSIONAL RECORD for June 14, page 13532. The information in this tabulation was obtained from the annual report of the World Bank for the fiscal year 1963–64. On page 70 of that annual report, the Bank provided a list of outstanding bonds and notes issued between 1947 and June 30, 1964, payable in U.S. dollars. This list does not indicate where these bonds and notes were sold.

Since then, I have had a further check made and I have more up-to-date information which I would like to submit for the RECORD. This comes from appendix F, page 25, of the World Bank's prospectus on the $200 million issue floated on January 14, 1965. This tabulation shows the amount of outstanding dollar denominated bonds and notes issued by the World Bank as of November 30, 1964, including, however, the $200 million issue. The prospectus also does not state which of the dollar obligations as of November 30, 1964, were sold in the United States, and which abroad. This additional information was also obtained from various sources, and the dollar denominated bonds and notes sold abroad to central banks and governments are designated in the table by asterisks. This corrects the mistaken impression given by the title of my previously submitted table, and updates the information to November 30, 1964, plus the January issue of $200 million.

The correction changes the magnitude of the adverse impact of IBRD bond flotations in the United States on our balance of payments. The new tabulation shows that since 1958 the World Bank has issued $820 million worth of bonds in the U.S. market instead of $1.408 billion mentioned on page 13533 of the RECORD of June 14. On the basis of 35-65 percent division in procurement, this would result, over a period of time, in a deficit of $533 million, instead of $950 million as previously stated on that page. This inference applies solely to financing by bond flotations in the U.S. market, and not to the total effect of all World Bank activities.

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the funded debt of the IBRD payable in U.S. dollars.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—*Funded debt of IBRD payable in U.S. dollars*

[Dollars in millions]

Issue and maturity		Principal outstanding	Interest (percent)	Annual sinking fund requirements
Date	Maturity			
January 1965	25 year bonds	$200	4½	1975, $6; 1980, $7.
January 1964	4 year notes*	60	4½	None.
Do	2 year bonds*	100	4¼	Do.
January 1963	do*	100	4	Do.
January 1962	5 year notes*	5	4	Do.
Do	15 year bonds*	5	4½	1973–77, $1.
Do	20 year bonds	100	4½	1972–81, $5.
January 1961	4 year notes*	73	3½	None.
Do	do*	110	3¾	Do.
January 1960	12 year bonds*	120	4½	Do.
Do	25 year bonds	125	5	1970–79, $3.8; 1980–84, $5.
January 1958	10 year bonds	150	3¾	None.
Do	15 year bonds	95	4½	1965–73, $5.
Do	21 year bonds	150	4¼	1968–77, $7; 1978, $5.
January 1957	20 year bonds	86	4½	1967–76, $5.
Do	21 year bonds	100	4¼	1967–71, $4; 1972–77, $5.
Do	23 year bonds	71	4¾	1968–79, $3; 1980, $1.5.
January 1954	15 year bonds	66	3½	1965, $1.8; 1966, $4; 1967–68, $5.
January 1952	23 year bonds	39	3⅜	1965, $0.3; 1966–74, $1.5.
Do	19 year bonds	43	3½	1965, $1.3; 1966, $2; 1967–70, $2.5.
January 1951	30 year bonds	100	3¼	1966–67, $2; 1968–73, $3; 1974–80, $4.
Do	25 year bonds	45	3	1966, $1.9; 1967–75, $2.
January 1947	do	123	3	1965, $1.7; 1966–67, $4.5; 1968–72, $7.5.
Total		2, 065		

*Placed abroad.

Source: International Bank for Reconstruction and Development, prospectus for $200,000,000 25-year bond issue of Jan. 14, 1965.

THE BALANCE-OF-PAYMENTS PROBLEM

Mr. ROBERTSON. Mr. President, on yesterday, a distinguished Member of the Senate, who is also an outstanding member of the Senate Finance Committee, stated on the floor of the Senate in effect that we have no balance-of-payments problem and what we really need is an expansion of credit both here and abroad. Today, I checked that statement with the Treasury Department, and was told that we still have a serious balance-of-payments problem, as a result of which we have so far this year lost $1,100 million in gold and while the next demand for gold and the countries that will make it are still classified material, I make bold to assert that within the near future, we will be required to pay out another $100 to $200 million of gold and that our former friend and ally, France, will be one of the countries demanding gold for dollars.

With the hope of being able to check this drain upon our rapidly diminishing gold supply, the Treasury Department strongly endorses the bill to restrict tourists to the importation, free of duty, of only $50 worth of goods at retail prices; it is asking our bankers doing international business to curtail their lending overseas, and we are asking domestic corporations to curtail their investments overseas, and we are asking all tourists visiting the European countries which are feverishly exchanging dollars for gold to curtail their expenditures in those countries.

As a matter of fact, Mr. President, the conflicting viewpoint on fiscal policies expressed in the Senate yesterday commencing on page 15025 of the CONGRESSIONAL RECORD of June 28 between Senator MCCARTHY on the one hand and Senator LAUSCHE on the other, points up one of the most vital issues that confronts our Nation today; namely, whether we should take steps to curtail credit or take steps to further expand it.

My answer to that problem was given in the speech that I made to the Virginia Savings & Loan Association at Hot Springs last Saturday, which my good friend and esteemed colleague, the Senator from Utah [Mr. BENNETT] inserted in the CONGRESSIONAL RECORD of yesterday, commencing at page 14962. In that speech, I called attention to the fact that the total of public and private debt is now the astronomical sum of $1.3 trillion and that in our period of greatest prosperity, private debt had increased in the past 4 years from $286.6 billion to $417 billion, an increase of 46 percent. I also mentioned the fact that we had raised the ceiling on the public debt to $328 billion.

In the morning papers, there is a news item to the effect that we raised the ceiling just in time because if we had not raised it, the debt on yesterday would have exceeded the limit authorized by the Congress and that would have meant a defalcation in the payment due some bondholder.

On yesterday, I inserted in the CONGRESSIONAL RECORD—see page 14977—a news item from the Wall Street Journal which quoted a national research agency as saying that the gross national product had gotten so vast that no one could predict the trend for even 6 months within $10 billion of what would actually happen and that was a margin of error sufficient to influence prices and general prosperity. When I was making that statement, I did not know that the stock market was suffering the heaviest loss of the current year and that the Dow Jones average was falling to the lowest point in the past 18 months. Even if I had known about what the stock market was doing, I would still have endorsed the statement of the research agency that no one can pinpoint what the national economy is going to be doing 6 months from now, although that is the basis on which stock market gamblers like to operate. In other words, when the average in-and-out trader sells today, it is on the assumption that the stock he is selling will be worth less 6 months from now that it is when he sells. Since the turnover of 2½ to 3 million shares is a fair day's average when sales exceed 8 million shares in 1 day as they did yesterday, it would, in my opinion, reflect the very general attitude of those who think they can predict the future from an earning standpoint of the corporations whose stocks are listed on the big boards.

Most of what we call blue chips have been selling at a ratio of 17 times earnings and a stock bought on that basis will yield about 2 or 2½ percent. The basis of paying such a price for any stock is the estimated growth potential. So, when over 8 million shares of stocks are traded in 1 day, it reflects a consensus of opinion that the growth potential of many of our corporations is not as bright as had been previously predicted. But, that is a long way from predicting a depression and it need not be even what might be called a temporary recession. In my opinion, it only reflects the title of my Hot Springs speech "Realistic Economic Policies."

We have had a continuous boom for 5 years during which prices have been relatively stable. It is not my belief and it is not the belief of those who are selling stocks on the big boards that the current boom can continue indefinitely.

AGRICULTURE—THE VIEW OF A TRUE EXPERT

Mr. SYMINGTON. Mr. President, in Missouri we are proud of the fact that the president of our largest farm organization, the Missouri Farmers Association—MFA—is recognized as one of the outstanding farm leaders of the Nation. From both his own experience on the farm and his years of study devoted to the problems of agriculture, Mr. Fred V. Heinkel speaks with knowledge and authority.

As an indication of his standing in the farm councils of this country, earlier this spring Fred Heinkel sent invitations to

310 persons to attend a meeting in Kansas City in order to discuss agricultural policy and programs; and in response to that invitation 280 persons from all over the United States, including members of all farm organizations, attended the meeting in Kansas City last April 13.

Reporting on the deliberations at that meeting and expressing his own ideas in representing the more than 150,000 members of the Missouri Farmers Association, on June 17, Mr. Heinkel testified before the Senate Committee on Agriculture and Forestry. Some of his testimony was especially interesting. As an example, the meeting adopted a resolution as follows:

> This meeting has assembled, from California to New York and Texas to Minnesota, the producers of all major food and fiber commodities, their commodity organizations and all national farm organizations.
>
> The expiration at the end of this crop year of the legislation on the books prompts us to the unanimous declaration that the farm programs must be extended, strengthened, and improved.
>
> Since the beginnings of the farm programs 40 years ago, we have heard much talk about the need for parity and equality for the farmer. For the first time, we see and we are heartened by the administration's proposal, in specific legislative form, of a program which will provide a means of obtaining 100 percent of parity.
>
> This bill will provide a basis for assuring that our agricultural commodities are fully competitive in world markets, within the terms of our international agreements.
>
> This group endorses the direction and approach embodied in the Food and Agricultural Act of 1965. We hope that other commodities and other legislative needs will be taken into account by the Congress as the bill is deliberated and moves through the legislative process. To this end we pledge our strong support and urge the Congress to act favorably and promptly.

As to feed grains, Mr. Heinkel's statement was equally interesting, when he said:

> With regard to title II—Feed Grains—we believe that the provisions of this section will provide for the continuation of a successful program and will serve to insure that farmers will continue to receive a reasonable return from their production.
>
> It was my privilege to serve on the original feed grains study committee, and it was our objective under the first emergency program in 1961 to improve farm income and reduce feed grain supplies. It gives me great satisfaction to point out to you today that at the end of the 1964–65 marketing year the corn supply will be the smallest that it has been since 1955. In fact, total feed grains carryover has been reduced from an all-time high of 85 million tons in 1961 to about 56 million tons in 1964, and it is estimated that there will be a further reduction in the 1965 marketing year to approximately 50 million tons which is approaching the point that well-informed people believe to be near the level considered necessary as a safe reserve.
>
> Farmers have signed up to divert more land from feed grains this year than last. The success of this program has been demonstrated. It is estimated that with the rising yields, had the program in effect immediately prior to the 1961 program continued, by this year the carryover would be in the vicinity of 125 million tons, instead of the estimated 50 million. Continuation of the previous program would have meant financial disaster to hundreds of thousands of farmers as well as a staggering storage bill to the Government.
>
> Speaking of cost, some critics have expounded at length on this subject. I do not deny that it has been a costly program, but I do want to point out that the cost per farm and per bushel in the feed grains program has been modest in relation to costs of various other programs. Furthermore, the feed grains program from 1961 to 1964 has increased farm income by nearly $3 billion. In addition to the increased income to farmers, there has been a savings to taxpayers, by eliminating carrying and storage charges, estimated at approximately $2½ billion. May I reiterate that two-thirds of all U.S. farmers are feed grains producers, and further point out that livestock producers have benefited as well. Therefore, it is entirely appropriate to evaluate feed grains program costs against the combined value of livestock and feed grains production. Analyzed in this perspective, the cost has indeed been modest for the great benefit derived.

Mr. President, to thousands of people in Missouri his concern about the cotton program should also be of interest: He stated:

> We are concerned that no mention is made of cotton in the proposed legislation. Cotton is grown in only seven counties in Missouri, but even so it is the State's second largest cash crop. In spite of the great divergence of opinion on what would constitute effective cotton legislation, we feel that an assured future for both cotton and cotton producers requires that a cotton program be developed as part of this overall farm bill. It seems to us that a long-term continuation of the general provisions of the present cotton program, with appropriate modifications, would be a start in the right direction for cotton legislation.

The same is true of his thoughts with respect to the problems of the dairy farmer, of which we have many thousands in Missouri, when he said:

> Dairy legislation, too, is conspicuous by its absence. The members of the Missouri Farmers Association, thousands of whom are dairymen, urge the inclusion of dairy legislation in this farm bill. Some progress is being made in improving the economic position of our dairy farmers, but not enough. We favor the continuation of the present price support program and urge legislation providing for a class I base plan for use by all producers of fluid market milk. We urge the continuation and expansion of the PIK program which would assure the continued removal from the market of price depressing stocks of Government-stored dairy products. We further urge adoption of a program aimed at developing long-term markets for U.S. dairy products in world trade.
>
> We recommend and urge the inclusion of a provision in S. 1702 that will make it possible for dairy farmers who are producing manufacturing milk to choose by referendum to apply the same marketing order techniques of classified use that are now available for fluid milk.

Finally, and perhaps most important, is a short and simple line in his statement in which I fully concur; namely:

> We believe it imperative that agricultural legislation be enacted in this session of Congress if the family farm is to survive.

With the conviction that urban as well as rural members of the Senate and House would be interested in the thinking of this great farm expert about current proposals for farm legislation, I ask unanimous consent that Mr. Fred V. Heinkel's testimony before the Senate Committee on Agriculture and Forestry last June 17 be printed at this point in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY OF MR. FRED V. HEINKEL

Mr. Chairman and members of the committee, my name is Fred Heinkel, and I am president of the Missouri Farmers Association with headquarters at Columbia, Mo. The membership of this association is over 150,000.

It is a privilege for me to have this opportunity to appear before you here today in general support of the provisions of Senate bill 1702. I am familiar with the general consensus of opinion of our members in Missouri, and also have had occasion only recently to hear a forthright expression of opinions of farm leaders from all over the United States.

I refer, Mr. Chairman, to a meeting which was held at the President Hotel in Kansas City, Mo., on April 13 of this year. This meeting was called by me, and invitations went to over 300 people. There was broad representation from the farm organizations and also from commodity groups.

Furthermore, this was not just a Midwest meeting. Registration indicated there were in attendance people from Minnesota to Texas and from California to New York and most of the States in between. They represented wheat, corn, grain sorghum, rice, wool, cotton, milk, soybeans, and livestock. It was indeed gratifying that 280 persons registered at the meeting out of an invitation list of 310.

Another fact needs to be recognized: Although the Secretary of Agriculture and members of his staff appeared on this program, they were there at my invitation and were neither the sponsors nor the promoters of this meeting.

You may ask my authority for calling such a meeting, and I shall be glad to explain that.

Some 3 years ago, at the insistence of a number of farm leaders in various sections of the United States, I was asked to call a similar meeting at St. Louis, Mo. To be exact, this meeting was held on January 31, 1962. President Kennedy had just the day before sent the administration's farm proposal to Congress. There was a unanimity of opinion at this meeting, and the Congress in its judgment enacted the Agricultural Act of 1962. At the conclusion of this meeting a motion was passed which stated in effect that this group would not be considered a formal organization, but instructed me to call another such meeting at any time I deemed it desirable and necessary. This, Mr. Chairman, is the authority by which I called the meeting held in Kansas City.

Very briefly let me report to you that the meeting in Kansas City was successful. We approached the subject of future agricultural legislation on a broad plane and a high level. Spokesmen for virtually every commodity indicated their support for the basic proposals of the administration's program for agriculture. There was no disunity.

After much discussion, the following resolution was unanimously adopted by those in attendance:

"This meeting has assembled, from California to New York and Texas to Minnesota, the producers of all major food and fiber commodities, their commodity organizations, and all national farm organizations.

"The expiration at the end of this crop year of the legislation on the books prompts us to the unanimous declaration that the farm programs must be extended, strengthened, and improved.

"Since the beginnings of the farm programs 40 years ago, we have heard much talk about the need for parity and equality for the farmer. For the first time, we see and we are heartened by the administration's proposal, in specific legislative form, of a program which will provide a means of obtaining 100 percent of parity.

"This bill will provide a basis for assuring that our agricultural commodities are fully competitive in world markets, within the terms of our international agreements.

"This group endorses the direction and approach embodied in the Food and Agricultural Act of 1965. We hope that other commodities and other legislative needs will be taken into account by the Congress as the bill is deliberated and moves through the legislative process. To this end we pledge our strong support and urge the Congress to act favorably and promptly."

Mr. Chairman, I apologize for taking so much of your time and that of the committee on preliminary remarks. However, I wanted you to know that this is not just my statement and my views, but the views of the majority of the MFA members as well as a broad representation of producers in all sections of the United States.

Now, to some of the specifics contained in Senate bill 1702: We in the MFA believe that the provisions contained in title I relating to wheat are very desirable, especially since the present program expires with the 1965 crop. Without new legislation we will revert to old legislation which requires a referendum by August 1, 1965, which will require a vote for or against marketing quotas for the 1966 crop.

Farmers were faced with this dilemma in 1963, and even though they disapproved, the Congress in its wisdom passed voluntary legislation not only for the benefit of wheat producers but to prevent the economic disaster that would have occurred if wheat prices had fallen to between $1 and $1.25 per bushel.

We strongly support the use of certificates of sufficient value to raise the price level of wheat used for domestic consumption to 100 percent of parity. The price, of course, would be based on a loan rate keyed to competitive world prices and the feeding value of wheat plus a domestic certificate. It is estimated that this will increase producer returns by at least $150 million and at the same time substantially reduce export subsidy costs. In addition to maintaining farm income with the present voluntary program, we have made real progress in the reduction of the overall supply. This is a start in the right direction, and we believe the program should be continued.

With regard to title II—feed grains—we believe that the provisions of this section will provide for the continuation of a successful program and will serve to insure that farmers will continue to receive a reasonable return from their production.

It was my privilege to serve on the original feed grains study committee, and it was our objective under the first emergency program in 1961 to improve farm income and reduce feed grain supplies. It gives me great satisfaction to point out to you today that at the end of the 1964–65 marketing year the corn supply will be the smallest that it has been since 1955. In fact, total feed grains carryover has been reduced from an all-time high of 85 million tons in 1961 to about 56 million tons in 1964, and it is estimated that there will be a further reduction in the 1965 marketing year to approximately 50 million tons which is approaching the point that well-informed people believe to be near the level considered necessary as a safe reserve.

Farmers have signed up to divert more land from feed grains this year than last. The success of this program has been demonstrated. It is estimated that with the rising yields, had the program in effect immediately prior to the 1961 program continued, by this year the carryover would be in the vicinity of 125 million tons, instead of the estimated 50 million. Continuation of the previous program would have meant financial disaster to hundreds of thousands of farmers as well as a staggering storage bill to the Government.

Speaking of cost, some critics have expounded at length on this subject. I do not deny that it has been a costly program, but I do want to point out that the cost per farm and per bushel in the feed grains program has been modest in relation to costs of various other programs. Furthermore, the feed grains program from 1961 to 1964 has increased farm income by nearly $3 billion. In addition to the increased income to farmers, there has been a savings to taxpayers, by eliminating carrying and storage charges, estimated at approximately $2½ billion. May I reiterate that two-thirds of all U.S. farmers are feed grains producers, and further point out that livestock producers have benefited as well. Therefore, it is entirely appropriate to evaluate feed grains program costs against the combined value of livestock and feed grains production. Analyzed in this perspective, the cost has indeed been modest for the great benefit derived.

The fact that as of today feed grains prices are about 7 percent higher than they were a year ago and livestock prices are substantially improved, speaks eloquently for the feed grains program and indicates the desirability of its continuation. As to the details of the proposed feed grains program under Senate bill 1702, we concur in principle except that we are opposed to a proposal which would authorize the Secretary of Agriculture to allow production of soybeans on diverted acres. The 1964–65 soybean supply is in close balance with expected disappearance for the year. The law of supply and demand is working quite well with respect to this commodity. We feel that Secretary Freeman would exercise good judgment in the utilization of this provision, but farmers generally are unfavorable to this feature of the bill.

As to title III—rice—Missouri is not a primary rice-producing State. However, from the information available to us, including the successful operation of the wheat program under the certificate plan, we could only assume that such a program would be equally as effective and beneficial for rice.

With respect to title IV—wool—we support the principles contained in this title. Wool growers have benefited materially through the existing program; and it certainly should be continued. Although we are well aware that graduated payments as proposed are controversial, we do feel that the family size farm producer should be given recognition in proportion to larger benefits.

This brings up a subject that I wish to dwell on briefly, Mr. Chairman. History shows that from ancient times up until the present, in every country where landownership and control has become vested in the hands of a few, such a situation has worked to the disadvantage of that country's economy. Any devices that we can use to guard against this hazard will be helpful to the Nation as a whole.

Under title V—cropland adjustment—we believe it is imperative that a long-term cropland adjustment program be made available to farmers who wish to retire and, under certain other circumstances, those who wish to live on the farm and be gainfully employed elsewhere. This can be an effective program. However, there must be a limitation on the percentage of land in a given area to be so utilized in order to avoid total disruption of the local economy.

Under title VI—transfer of allotments—there is considerable apprehension among our membership as to the desirability of this provision. There is a prevailing fear among family farmers that large landowners might "gobble up" basic allotments and stimulate a trend toward corporate farms. If this provision is adopted, we would insist that certain safeguards be incorporated to be sure that this does not happen.

We are concerned that no mention is made of cotton in the proposed legislation. Cotton is grown in only seven counties in Missouri, but even so it is the State's second largest cash crop.

In spite of the great divergence of opinion on what would constitute effective cotton legislation, we feel that an assured future for both cotton and cotton producers requires that a cotton program be developed as part of this overall farm bill. It seems to us that a long-term continuation of the general provisions of the present cotton program, with appropriate modifications, would be a start in the right direction for cotton legislation.

Dairy legislation, too, is conspicuous by its absence. The members of the Missouri Farmers Association, thousands of whom are dairymen, urge the inclusion of dairy legislation in this farm bill. Some progress is being made in improving the economic position of our dairy farmers, but not enough. We favor the continuation of the present price support program and urge legislation providing for a class I base plan for use by all producers of fluid market milk. We urge the continuation and expansion of the PIK program which would assure the continued removal from the market of price depressing stocks of Government-stored dairy products. We further urge adoption of a program aimed at developing long-term markets for U.S. dairy products in world trade.

We recommend and urge the inclusion of a provision in S. 1702 that will make it possible for dairy farmers who are producing manufacturing milk to choose by referendum to apply the same marketing order techniques of classified use that are now available for fluid milk.

In conclusion, I appear here in general support of the proposals as contained in S. 1702, with the exceptions I have indicated. We believe it imperative that agricultural legislation be enacted in this session of Congress if the family farm is to survive.

Obviously, the history of the nations of the world and current events indicate conclusively that the one sure source of a constant, dependable, and adequate food supply in peace or war is the family farm.

Contrariwise, it is also obvious that the combination of landless farmers and ownership of farm lands in too-few hands provides a fertile breeding ground for frustration, unrest, turmoil, and war—Vietnam being a notable example.

Landless farmers or tenants have little to which to look forward unless there be hope and a real opportunity to acquire ownership of land.

The enactment of an expanded S. 1702 is imperative if farmers are to retain ownership or have the opportunity of acquiring ownership.

Passage of this pending legislation will strengthen the income of farmers and will continue the reduction of surplus grain stocks, as well as continue to provide the American people with an abundance of food and fiber at reasonable prices. It will also reduce the cost of farm commodity programs, and in the end enable agriculture to compete more effectively in world markets.

The economy of the Nation in large measure rides with the welfare of the farmer. Without a healthy agriculture and adequate income, farmers cannot continue their high volume of purchases of goods and services. And this is vital to all business from Main Street in the county seat town to the great industrial metropolis.

Thank you very much for extending to me the courtesy to appear before this committee. I urge your prompt, favorable action.

KU KLUXERS

Mr. YOUNG of Ohio. Mr. President, it is startling that the ignorant and bigoted leaders of the Ku Klux Klan recently conducted a 4-day rally near Lebanon, Ohio, complete with cross burnings. Lebanon is a historic and beautiful city in southwestern Ohio. Its citizens are among the finest and most respected in our State. Of course, it is likely, just as there are some times a couple of rotten apples in a bushel, that there are two or three self-appointed vigilantes in that area who joined the Ku Klux Klan.

These low-grade hoodlums, who in some Southern States have terrorized their neighbors with tar and feathers and shotguns, announced an expected attendance of 50,000. At most 300 showed up for the demagogic speeches and cross burnings. These "pillowslip knights" in their ignorance do not seem to know that our Nation was founded and built, in large part, by men and women who came from countries in Europe in search of religious and political liberty.

About 30 years ago, to the shame of Ohio, the Ku Klux Klan was a power, not only in our State but in Indiana, and other Northern States as well. At that time, as apparently in Mississippi and Alabama today, it had the encouragement of some politicians and the protection of bigoted juries and law-enforcement officers. Times have changed. The conscience of our Nation has been aroused. Men and women of good will look for appropriate action to outlaw the Ku Klux Klan.

Citizens throughout our Nation should ask their State legislators to provide appropriate legislation making it an offense to engage in a course of conduct such as has been indulged in by members of the Ku Klux Klan in Mississippi, Alabama, Georgia, and some other Southern States. The Ku Klux Klan should be put out of business in all 50 States. These shabby, extremist hatemongers, with their pillowslips and cross burnings, have no place anywhere in our Nation. They found this out in Ohio when only a small number attended their cross burnings at Lebanon, instead of the predicted thousands. Furthermore, of the 200 or 300, quite a number were FBI agents posing as Klansmen. Ohioans approve of outlawing these slimy demagogs who practice terror, outright subversion and murder. Our people go forward in support of principles so dear to all lovers of liberty. Citizens generally believe in equality before the law for all, regardless of race or creed, and support the Bill of Rights of our Constitution, giving all Americans complete civil rights and civil liberties.

President Johnson has declared war on the Ku Klux Klan. He said that no nation can long endure either in history's judgment or in its own national conscience if hoodlums or bigots can defy the law and get away with it. Anyone in the United States has a right to his own thoughts and prejudices, no matter how idiotic or repugnant. But no one has a right to transgress the rights of others and to resort to violent acts contrary to law and order and decency. The Ku Klux Klan must be exposed and outlawed.

DIVERSION OF FUNDS FROM SECONDARY HIGHWAY SYSTEM FOR HIGHWAY BEAUTIFICATION PROGRAM

Mr. MORTON. Mr. President, Hon. Marlow W. Cook, county judge of Jefferson County, Ky., has expressed to me his concern that the financing proposals for the administration's plan to construct scenic roads and beautify our highways could have an extremely serious impact on the development of the Federal aid secondary highway system.

I feel certain that Senators would be interested in Judge Cook's observations that the diversion of funds from the secondary system would further delay bringing the secondary highways up to modern standards, and that if there is to be a beautification program, the money should come from general revenues.

I ask unanimous consent that Judge Cook's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LOUISVILLE, KY.,
June 14, 1965.

Hon. THRUSTON B. MORTON,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORTON: The President has proposed legislation to the Congress that would provide funds for the construction of scenic roads and beautification of highways throughout the country. This proposal is commendable but includes some provisions which do not appear to be in the public interest.

I am disturbed at the proposal in diverting $100 million or 33⅓ percent of the Federal aid secondary highway appropriation to finance the beautification program. The Federal aid secondary system is already far below modern standards and this proposed diversion of $100 million of annual Federal aid would cause the system to lag further behind.

In Jefferson County alone there are many miles of rural roads designated as a part of the FAS system but on which no State or Federal funds have been spent. This was emphasized during 1964 when disaster funds were requested but were denied because the roads were on the FAS system, even though only local funds had been used for construction and maintenance.

I feel that beautification of roads is a luxury which we cannot as yet afford until all roads have been constructed or reconstructed to an acceptable minimum standard. I might add also that beautification projects although desirable, add sharply to maintenance costs. Experience on the Interstate System has indicated that landscaping and other beautification projects has added very appreciably to maintenance costs which are already extremely high. If maintenance costs are not included in the beautification program, additional local funds would need to be diverted from normal road programs.

I would strongly urge that if a beautification program is to be undertaken, provision be made to finance the program from general funds, not from a diversion of highway funds. I would also emphasize the need for more, not less, funds in the Federal aid secondary highway allocation.

I would be happy to provide you with more detailed justification for not diverting highway funds for beautification program should you desire.

Very truly yours,
MARLOW W. COOK,
Jefferson County Judge.

PARTIAL RELIEF FROM FEDERAL TAX ON ALCOHOLIC LIQUORS

Mr. MORTON. Mr. President, the domestic liquor industry has for many years carried on negotiations with the Treasury Department seeking to induce it to exercise its discretionary power under the law to afford partial relief from the heavy burden of financing the Federal tax on alcoholic liquors.

Treasury Department has appeared favorably inclined to affording some relief by first, granting some additional extension of time after the close of the return period in which the tax must be paid; and, second, starting the running of the time in which the tax must be paid from the date of removal of the finished case goods instead of from the time of removal of the bulk goods from bond.

I understand that at the instigation of the Scotch Whiskey Association, the State Department has filed with the Treasury Department a protest against implementation of the second item. The basis of the protest, I understand, is the contention that institution of such procedure would aggravate or "exacerbate" the wine gallon basis for levying tax on underproof imported distilled spirits. The wine gallon basis for taxing underproof distilled spirits when withdrawn from bond—either internal revenue or customs bond—is a matter of law. The domestic industry and the importing interests have been unable to agree on any change in the wine gallon basis for levying tax which they both could recommend to Congress.

The proposal to relate the time for payment of tax on domestic goods to removal of case goods has no bearing on the time when the tax is to be determined, the amount of the tax, or the method of determining the tax. It relates solely to the time when the tax must be paid. Imported case goods now enjoy this privilege. It does not affect in any way the wine gallon basis for determining tax.

The only basis for opposition by the Scotch whisky interests—apparently supported by the Office of Special Representatives for Trade Negotiations—is that by according this benefit to the domestic industry, some of the pressure on the domestic industry to come to terms with the importing interests on the wine gallon taxing basis would be removed. In short, it boils down to the proposition that the Scotch whisky interests assert the power to block any change in internal regulation of the United States which would afford relief or benefits of whatsoever nature to the domestic liquor industry unless and until it comes to terms with the Scotch whisky interests on a change in the wine gallon basis for levying tax on imported distilled spirits.

TRIBUTE TO HOUSE AND SENATE STAFFS

Mr. LONG of Louisiana. Mr. President, on June 24, 1965, there appeared an article in the Wall Street Journal entitled, "Help on the Hill: House, Senate Staff Men Play Important Behind-Scenes Role." This article was written by Arlen J. Large, one of the best writers on the staff of the Wall Street Journal. The article concerns the contributions that some of our staff members make to the work done on the Hill.

As a member of the Committee on Finance and a member of the Joint Committee on Internal Revenue and Taxation, I was very much pleased to note that the person singled out as the example of an ideal staff worker was Larry Woodworth, who serves on the joint committee and who advises the Committee on Finance with regard to tax legislation.

I ask unanimous consent that this article, "Help on the Hill," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HELP ON THE HILL: HOUSE, SENATE STAFF MEN PLAY IMPORTANT BEHIND-SCENES ROLE

(By Arlen J. Large)

WASHINGTON.—Gallery spectators of recent Senate debate on the excise tax bill might have wondered at the youthful appearance of Senator CARL HAYDEN.

Hunched at the front-row desk assigned to the 87-year-old Arizona patriarch was a pale-cheeked fellow with a moustache and brown-rimmed glasses, evidently in his forties. The occupant in truth was Laurence N. Woodworth, of Ohio, not a Senator at all.

Mr. Woodworth, 47, is quite at home at that desk (Senator HAYDEN rarely sits there), as are other top-ranking staff employees of Congress. During the excise tax bill debate, Mr. Woodworth was assisting at the elbow of Senator RUSSELL LONG of Louisiana, the measure's floor manager.

Such aid can be substantial. Larry Woodworth wrote much of Senator LONG's introductory floor speech. He was available to check for technical accuracy questions from other Senators, and to draft Senator LONG's answers. On occasion the floor manager would bend for whispered coaching.

Mr. Woodworth's work on both House and Senate floors is in plain view, and nobody seems to think the less of the Representative or Senator helped. "Larry does a good job," says Senator LONG. "If a staff man hasn't done his homework and tells you something wrong, he can make you look real bad."

Helping legislators look good is, at least in theory, subordinate to the staffman's main task of getting legislation technically in shape for a vote and helping put laws on the books with some semblance of tidiness. A staffman isn't supposed to decide whether a bill is good or bad. But in the shadows of the big-name politicians who come and go on Capital Hill, staffmen often exert important influence on the drift as well as the detail of the Nation's laws.

CONGRESS' SUPPORT TROOPS

Partly in self-defense against the ballooning growth of the executive branch, Congress in postwar years has recruited more nonelected support troops of its own. All told, some 9,500 congressional employees now work in and around the Capitol—lawyers, economists, foreign affairs specialists, plus typists, janitors, police, chaplains, page boys, and some campaign managers who work in their bosses' offices during off years.

Some became famous, as did Bobby Baker. Others go on to run for election themselves. BOBBY KENNEDY was a Senate committee investigator, chief counsel, and staff director during the 1950's; after a stint in his brother's Cabinet, he's back in the Senate—this time with the right to speak and vote.

And the road can be traveled in reverse. quietly reporting to work each morning as a minority staff member for the Senate Committee on the Aging is ex-Senator Gerald P. Nye, of North Dakota, noted isolationist in the days before World War II. "The staff today gives much more efficient service than in the old days," says the bushy-browed Mr. Nye. "The way the budget has grown, it's just not possible for an individual Member of Congress to keep track of what's going on in the Government departments."

Though a staffman's knowledge of a complicated Government program can give him authority, many are content to wield it in anonymity. "During all my years around here I've managed to keep my name out of the newspapers," says John Barriere, the head staffer for the House subcommittee that handles housing legislation. Though nobody in that protocol-steeped office discusses it with outsiders, the housing subcommittee staff swings greater weight this year with the retirement of its veteran chairman, Representative Albert Rains, of Alabama. The new chairman, Representative WILLIAM BARRETT, of Pennsylvania, leans heavily on his professional experts.

Even well-informed lawmakers are often so busy that staffmen are relied upon to keep a bill's detail straight. This seems especially true in the smaller upper Chamber, because a Senator is assigned to more committees. Not long ago Carl Coan and other experts on the Senate Housing Subcommittee were briefing reporters on changes his Senators had just made in the administration's housing bill. Suddenly somebody noticed in the crowd of newsmen the bald head of Wisconsin's Senator PROXMIRE, who had lingered behind. "I'm just listening," he said. "It's a good way of finding out what we did."

SOME DO OWN DELVING

There are, of course, some in Congress who insist on doing their own delving. Chairman MAHON, of the House Appropriations Committee, is among these, and so is one of his subcommittee chairmen, Representative ALBERT THOMAS, of Texas. "When you work for Mr. THOMAS," says an Appropriations Committee aid, "you sharpen his pencils."

Congressional employees pride themselves on knowing just how far to go in advising their "principals" without seeming to domineer them. Yet clashes on occasion do occur. The Senate Rules Committee's Bobby Baker investigation repeatedly has dragged the panel's general counsel, Lennox McLendon, into partisan crossfires. GOP Senator CURTIS, of Nebraska, objecting last month to a report drafted by Mr. McLendon, declared on the Senate floor: "Is it any wonder that a scurrilous document like this has been circulated, coming from the mind of a man who says, as an employee, that he has a right equal to that of a Senator?"

A mere employee who gained fame and prestige in his specialized field was Colin Stam, who last year retired after 36 years as staff chief of the Joint Committee on Internal Revenue Taxation. Technical shepherd of hundreds of tax bills moving through both the House and Senate, he held an awesome man-to-see reputation among tax lawyers. "He had vast influence on policy questions," says an admiring business lobbyist. "Colin was sometimes too much of an advocate," grumbles a Democratic Senator.

Like many top staff men, Mr. Stam was often exposed to more lobbying pressures than an ordinary Congressman. According to Capitol Hill legend, one industry lobbyist who was having trouble getting an audience during working hours discovered Mr. Stam enjoyed habitual evening strolls with his dog; the lobbyist got a hound of his own in hope of dog-walking encounters.

Larry Woodworth, the staff helper on the excise tax bill, is nearing in relative anonymity the end of his first year as Mr. Stam's $26,000-a-year successor. "Nobody's been up to my neighborhood to see me yet," he smiles. "Actually, people up there are still surprised to learn that I'm a tax man. They think of me as the ex-mayor." For three terms Mr. Woodworth moonlighted as the nonpartisan mayor of suburban Cheverly, Md., voluntarily stepping down this year. Still, "fending off" gifts from lobbyists is a problem for Larry; "I try to follow Senator DOUGLAS' maxim that you should accept only those things you can consume in one sitting," he says.

Mr. Woodworth's joint staff follows revenue legislation through both the House and Senate, but its official boss is Chairman WILBUR MILLS of the House Ways and Means Committee. The joint committee's House and Senate members themselves rarely meet; the panel exists mainly to support its professional staff of lawyers, economists, and revenue estimators.

The staff's job, says Mr. MILLS, is "to bring facts together for our use, to do the spadework for us" This also involves digging into the minds and moods of the Congressmen who will actually do the voting. The way this works can be illustrated by tracing the progress of the biggest bill Larry has worked on—the massive Revenue Act of 1964.

Larry's involvement started in the closing months of 1962, when President Kennedy's tax proposals were still being shaped by the Treasury. Larry and other joint committee staffers met with Treasury tax lawyers to chew over in advance the workability of things like income averaging and new rules for real estate depreciation. At this point, of course, nobody could know whether the embryo proposals would become law—and it would have been professionally unseemly for Larry to care.

The House Ways and Means Committee opened public hearings on Mr. Kennedy's tax message in February 1963. Staff men fed committee members technical questions to ask administration witnesses. The ghostwritten inquiries covered points the staff felt needed clarification.

Mr. Woodworth's workload increased when Ways and Means began the closed-door meetings which ran through the spring and summer of 1963. Treasury technicians and the joint committee staff, sometimes using a blackboard and pointer, would explain the administration proposals and the effect of various modifications. The procedure is tedious but highly important, in Larry's view. "It's our job to make sure the committee sees all sides of an issue," he says. "If I can come away from those meetings knowing that the committee has made its own decisions in the light of this knowledge, then I'm satisfied."

When Ways and Means finished work on the bill in September 1963, it had to prepare the usual explanatory report accompanying the impenetrable language of the bill itself. These reports have an important legal purpose, besides explaining a proposed law to Congressmen and other laymen. In some future lawsuit over a disputed point, a judge will seek out the legislative history of the bill's passage to see what Congress intended. Committee reports can supply enough legislative history to swing a case.

WORKING AS GHOSTS

Reports accompanying a committee's bill ostensibly are written by the lawmakers who voted for the bill; opponents often chime in with a minority report attacking the legislation. The actual chore of report composing usually is left to a staff man, with help sometimes coming from experts in the Internal Revenue Service or other executive branch agency. Staff experts and executive branch officials also are often the ghostwriters of floor speeches to be given by Congressmen or Senators.

"During the lean years of the Eisenhower administration it was tough," recalls a veteran staffer for a busy House committee. "We had to write all the speeches for our Democratic members. Now we can call on the vast resources of the bureaucracy to help out."

On Mr. Woodworth's House-Senate tax staff, however, these ghost writing tasks are soberly nonpartisan. Larry has written reports both for and against the same bill; on occasion he's helped a Senator draft a speech attacking a disputed tax provision after coaching another Senator on the strongest arguments in its defense. "What you try to do is put yourself in the shoes of these men and come up with the best justification of their position, whatever it is," he says.

Mr. MILLS and other tax lawmakers give Mr. Woodworth high marks for his patient explanations of the fine points of tax law; Larry's skill at cutting through the legal murk of the Internal Revenue Code may stem in part from the fact that he's had no formal legal training. Though he says he's been frequently tempted to get a law degree, he feels no handicap in dealing with the industry and Government tax lawyers who swarm around tax bills. "Gradually I've learned their lingo," he says.

Instead of a law degree, Larry holds a doctorate from New York University in public administration. Born in Loundonville, Ohio, the son of a minister, he first put his Government studies at Ohio Northern University and the University of Denver to work by taking a job in 1942 with the Civic Research Institute in Kansas City. The institute was a nonprofit outfit checking the efficiency of the post-Pendergast Kansas City government; Larry poked into the public works department.

After a stint with the Tax Foundation in New York, a rather conservative foe of big Government spending, he came to Washington to work for Mr. Stam's Joint Tax Committee staff in 1944. Larry had been working at odd moments toward his Ph. D. degree in New York and Washington, and in 1959 and 1960 began commuting heavily to the New York University campus. The degree was won, but his pocketbook lost a struggle with his firsthand knowledge of what Congress intended on the deductibility of education expenses.

His airline commuting costs to New York could have been deducted if the Ph. D was acquired only for "maintaining or improving" his skills; no deduction is allowed if the scholar has his eye on a promotion. "I finally decided that's what was in my mind," he said, "so I didn't claim anything."

POVERTY AND TAXES

Mr. LONG of Louisiana. Mr. President, a very interesting editorial entitled "Poverty and Taxes," appeared in the Washington Post of Thursday, June 24, 1965.

The editorial contained some very interesting and novel thinking on a number of suggestions, particularly taxation, and various measures that could be used to improve social security. It also contained a number of new approaches to the question of poverty in the affluent society.

I ask unanimous consent that this editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POVERTY AND TAXES

In signing the bill to reduce excises, President Johnson alluded to a neglected facet of the war on poverty. "When there is again opportunity for tax revision," the President said, "we hope, in particular, to provide further tax relief to those in our Nation who need it most—those taxpayers who now live in the shadow of poverty."

Although the relief that it provided for those in the very highest income brackets drew most of the attention, the Internal Revenue Act of 1964 contained important provisions for lifting the fiscal burden that falls upon the poor. By splitting up the first tax bracket and raising the minimum standard deduction, many families with low income were effectively removed from the tax rolls. For example, a man with a wife and two children who earns only $3,000 a year, all in wages, need not pay a Federal income tax. But he continues to pay nearly $109 in social security taxes and the rate is scheduled to rise next year.

For those in the low-income group who have no dependents, the tax bite continues to be unconscionably large. Consider the case of a single charwoman who is under 65 and earns $3,000 a year. With only one exemption, she pays $327 a year income taxes and $109 in social security taxes. Thus the Federal Government takes $436 or more than 14.5 percent of her income. And in some places she would be subject to State income taxes. Surely an affluent society can devise more equitable and humane ways to apportion the financial burden of government.

The heavy burden of Federal income taxation that falls on single persons in the lower income brackets can and should be lifted in the near future. Other reforms will encounter stiffer resistance and require more time.

Consider, for example, the idea of a negative income tax. A man earning only $3,000 annually with wife and four children is exempted from Federal income taxation, but that fact hardly alleviates the poverty from which the family suffers. Under the present law the family has $4,400 in tax exemptions and deductions, or $1,400 more than it actually receives in income payments. Part of that $1,400 could be paid by the Treasury to the family, hence the negative income tax.

There is a simple and swift means of lifting the growing burden which the social security programs are imposing upon the poor. Instead of continuing to maintain the fiction that the Government is operating an insurance system in which benefits must be matched by premiums, all social security benefits should be paid out of general revenues. Citizens reaching retirement age would apply for benefits by submitting copies of their birth certificates at local post offices, thus making it possible to dispense with most of the social security bureaucracy. But the AFL–CIO and the more conservative Members of Congress are determined to guard the financial virtue of the present system. In view of that rather odd alliance, the best that one can hope for is a sharp increase in the wage base on which the social security taxes are levied. It would have the effect of increasing the benefits paid to the poor without commensurate increases in the taxes that they pay.

President Johnson is not likely to find any ready-made consensus on alleviating poverty through tax reform. But with a determined program of education and persuasion, progress can be made.

TRIBUTE TO HARRISON H. SCHMITT, ARIZONA ASTRONAUT

Mr. HAYDEN. Mr. President, it gives me great pleasure today to read the name of Dr. Harrison H. Schmitt, of Flagstaff, Ariz., among the six civilian scientists chosen to join the ranks of America's astronauts.

It is fitting that this 29-year-old scholar should be in the company of pioneers whose frontier is the stars, for the frontier is Arizona's heritage and her tradition.

I shall not burden you with reminiscence, but I am nonetheless mindful that my years have reached from frontier to frontier. You have heard me recall seeing the Apache signal fires in the days of my youth. Now a new kind of Arizona frontiersman searches the heavens for new achievements and new adventures.

So, I express my heartfelt congratulations to Dr. Schmitt as he carries the traditions of Arizona into a new age; and I congratulate, as well, his companions: Drs. Edward G. Gibson, Owen K. Garriott, F. Curtis Michel, Duane E. Graveline, and Joseph P. Derwin.

THE SENATE CHAPLAIN, DR. HARRIS, SPEAKS AT THE UNIVERSITY OF WYOMING

Mr. SIMPSON. Mr. President, earlier this month I had the great pleasure of helping bring the Senate's beloved chaplain, Frederick Brown Harris, to the University of Wyoming. Together we traveled up to the high plains of Laramie—the university city—where on June 6 the Reverend delivered the commencement address at the baccalaureate services.

In his thoughtfully inspired address entitled "A Bunch of Keys," Dr. Harris pointed up with forcefulness, with clarity, and with conviction the philosophical and ethical union that exists between democracy and Christianity. He reminded all who heard him of the realities of the present and of our need to keep our attention and our energies upon that which we can do rather than that which we might do. He observed, as has Methodist Bishop Gerald Kennedy, that "either Christianity is true or communism is true, but not both."

It was a stirring address delivered by an American beloved by the Senate and by all who know him.

The Univerity of Wyoming also conferred honorary doctor of laws degrees on Dr. Harris as well as on present Gov. Clifford P. Hansen; former Governor Nels Smith; and my capable colleague, Senator MCGEE.

Sharing the speakers platform with Dr. Harris was the University of Wyoming's new president, Dr. John T. Fey, who delivered an address headed "The Mind's Eye." The germanenes of his remarks apply to us as well as to the emerging student. And I would only answer Dr. Fey by way of emphasis with an observation made in a generation past by the great Will Rogers, "A politician is only as narrowminded as he forces himself to be."

I respectfully request, Mr. President, that the words of the Reverend Frederick

Brown Harris and Dr. John Fey, uttered at the University of Wyoming, be printed in the Congressional Record.

There being no objection, the addresses were ordered to be printed in the Record, as follows:

The Mind's Eye

(By Dr. John T. Fey, president, the University of Wyoming, honors banquet, June 4, 1965)

Tonight we are honoring scholarship and I should like to offer my congratulations to all of you who by your personal efforts are being initiated to this community. The community of scholars is an exclusive organization for it is not attained by birth, by inheritance, or by financial contributions—it is earned through personal achievement and through personal qualifications. It requires unique abilities combined with dedicated effort. Robert Browning once described a scholar as a man who decided not to live but to know. And to know implies a never-ending search—for truth—for beauty—for the meaning of life—to know oneself—to relate—to share in the destiny of history.

"The appearance of things to the mind is the standard of every action to man." Spoken by Epictetus in the year A.D. 60 this statement is as true today as it was over 1900 years ago. What we do is influenced by what we believe we see. What we believe we see is the result of our education. The only limitations of man's achievement and of his capacity to resolve the major problems of his age are to be found in the mind's eye. Man is bound by his own prejudices, his own insensitivity, his failure to assimilate the cumulative experience of life. Attitudes and philosophies influence our perception, and human behavior is the result of the stimuli of the external world upon the internal functions of the mind—an inseparable relationship of world, body, and self.

When we reflect upon the expanded knowledge of man's world in recent centuries it is easy to create the illusion of almost complete knowledge. Scientific discoveries since Newton account for more than 95 percent of our knowledge of science and a great part of that knowledge has appeared in the last two decades. All of the law of England could be summarized in 5,000 cases in Blackstone's time, whereas today more than 25,000 leading cases are added annually to the body of American law. It has been said that the time from a new discovery to its obsolescence has been reduced from 20 years to 5 years in the last quarter century. The initial impact of rapid change and new discovery is to create a feeling of well-being and an illusion of accomplishment.

But the mark of the true scholar is an abiding humility. He understands that in many areas of man's knowledge, the fact of knowing is at best illusory or based upon probability—for what has been discovered is an infinite part of the whole. He has an insatiable thirst for knowledge and he knows that his thirst will never be sated for with each new discovery he is confronted with new unknowns. To borrow an equation from Henry Margeneau, Yale's philosophic physicist, who states that the ratio of what we know scientifically to what we do not understand in scientific terms has been, is, and will forever be zero. It is this awareness of the vast quantity of everchanging knowledge and the infinitely greater quantity of undiscovered facts about our world which makes the scholar humble.

There are successful men who insist that education should be confined to some particular and narrow end—that it is meaningless unless it is "useful." These men would ask, What is the market value of a liberal education? I would reply that a liberal education is essential to the development of the mind's eye. The scientist who knows nothing of history, the artist who fails to appreciate science, the doctor or lawyer or agricultural specialist who has no interest in the political and philosophical problems of his age has, at least partially, closed his mind's eye—he has restricted his framework of reference in testing new concepts and in establishing new relationships.

In this modern complex world there is a compelling need for man to reestablish relationships. Our educational system must recognize the need for a humanizing influence in the development of the whole man. In the simple words of Antoine de St. Exupery's Little Prince: "It is only with the heart that one can see rightly; what is essential is invisible to the eye." Educated individuals cannot be insensitive to the countless millions who go to bed hungry at night or to the social injustice of racial discrimination. It is our individual and collective responsibility to seek understanding and resolution of these problems which threaten the peace and security of the world and the welfare of the individual—whether the problem arises in Alabama, Wyoming, Vietnam, the Congo, or the Dominican Republic.

The future of our Nation and of our civilization rests upon the ability of our educated men and women to provide the leadership and philosophy to carry us forward to what could be a great new world. Without such leadership we are doomed.

Some 50 years ago Alfred North Whitehead described the emerging society in clear terms when he said: "In the conditions of modern life the rule is absolute; the race which does not value trained intelligence is doomed. Not all your heroism, not all your social charm, not all your wit, nor all your victories on land and sea, can move back the finger of fate. Today we maintain ourselves. Tomorrow science will have moved forward yet one more step, and there will be no appeal from the judgment which will be pronounced on the uneducated."

The men and women here this evening are in the ranks of the educated. It is herein that man hopes to find the fullness of life. It is through education that the mind's eye provides the basis for understanding and for a meaningful life.

A Bunch of Keys

(Address by the Reverend Frederick Brown Harris at the University of Wyoming baccalaureate services, June 6, 1965)

It is a joyful privilege to come from the white dome of the National Capitol and from the low level of the quiet Potomac to this lofty plateau of a glorious part of America, the beautiful. The opportunity, at the gracious invitation of your splendid and justly popular president, Dr. Fey, to share the 1965 commencement of this great State university is an experience which will be a radiant and cherished memory. Mrs. Harris and I are enamored with your alluring campus with its monumental buildings dressed in native pink tones from your own State quarries. In Washington, we happen to live very close to the campus of American University, an institution with which I have been closely connected for a great many years. That campus is but a few feet above sea level. To spend this weekend on a campus towering skyward more than a mile is an experience to be listed in a unique way under "higher learning." The glorious heights of Wyoming seem to say, "Give me men to match my mountains." May I say that this State has every reason to be proud of its towering representatives in the Senate. Among the legislators in the Capital City are outstanding public servants from the State of Wyoming, Senator Gale McGee, who you are to honor this afternoon and who for fruitful years was a brilliant member of your faculty, and Senator Milward Simpson, who has meant so much to this university. He honors it in his own heart, and across the years it has delighted to honor him.

During the present crisis, I have listened with deep approval to Senator McGee as on the floor of the Senate he has defended the present foreign policy of this administration. His colleague, Senator Simpson, from the viewpoint of the statesman that he is, agrees with this attitude. They sit on different sides of the aisle in the Senate and I do not mean to suggest that they always agree. However, they both agree that to make the wrong decisions now based on a spurious peace in our time would result, as President Johnson declares, in the future cursing us for losing both the peace and the freedom. Negotiation without strength is surrender. Your junior Senator, Senator Simpson, a former honored Governor of this State and who has been so long intimately related to the work of this university, is one of my dearest friends. His ability and integrity is evident in all that he says and does and is. He finds great satisfaction in the decade and a half that he was president of your board of trustees.

In the shrine of each patriot's devotion, where your Senators serve with such distinction, I have gazed often at the statue of a woman. On the base below her figure, in large letters, is the word "Wyoming" and this inscription, "Esther Hobart Morris, proponent of the legislative act of 1869 which gave the distinction to the Territory of Wyoming as the first government of the world to grant women equal rights." No wonder I welcome the invitation to come to such a State.

It is presumed that a commencement baccalaureate occasion should begin with a scriptural text. The great English preacher Spurgeon was accustomed to saying to the classes of young preachers to whom he lectured, "Never take a text with any idea of preaching from it unless that text leaps at you as a tiger from a thicket." With this commencement Sunday in mind, there is a text that leaped at me in some such manner. Shall I tell you how it came about?

In my judgment, the final appraisal of Dr. Syngman Rhee will put him among the greatest men of this century. He lies in Honolulu, exiled from the land to which he has given his life. He is now in age and feebleness extreme and his work is over. He is one of the closest friends I have ever been privileged to have. As now at almost 90 his mortal life is ebbing away, his splendid wife sits daily at his side to comfort and sustain him. She recently wrote us that as she opened the worn Bible, which they have read together in their morning devotions across the stormy years, she found written on the margin of a New Testament page in the handwriting of her distinguished husband, these words: "This is what we read when Dr. and Mrs. Harris were with us in Korea."

It was as I turned to the passage at which he pointed that the tiger leaped from the thicket, for this is what he had marked. It is found in Hebrews 4: 1. "I fear lest having been given a promise any of you should seem to fall short of it." So leaped our commencement text. Certainly for the years that beckon there is no ampler promise than that which is written in invisible ink across the record of college years. The text is a sentence I would covet the privilege of writing on every college diploma. If I can inscribe it on the tablets of your hearts, this hour will not be in vain.

The coveted scroll of parchment to be put into your hands this day is a symbol, not only of an accomplishment, but also of a promise involving all the years to be. And I fear lest having been given a promise any of you should seem to fall short of it. So, once again, as June brings back blue days and fair, academic interests center on an ending which is a beginning called commencement. Across the Nation there is the trek of parents and families and friends to shady campuses and to gray old halls and ivied walls. There is a vital sense in which for a great army in caps and gowns life begins at graduation. Mingled with the call of the present and future there is a nostalgia for the past and for the golden haze of student days. There is the solemn haunting of consciousness of an unknown future whose challenge is found in much superior advice from imported visiting graduation speakers who, as someone rather cynically has put it, believe in life, liberty, and the pursuit of honorary degrees.

You come to a red letter day like this facing the years ahead with official signatures on your diplomas and with names that have been signed to your lives—names of dedicated teachers who are the architects of the promise with which you confront the world. Your thoughts this commencement Sunday are not just of marks teachers have put upon your work leading to graduation, but of enduring signatures some teachers have put upon your very being. Three decades after his college commencement days, a man eminently successful in his chosen vocation and honored for his untarnished integrity as he stood foursquare in all of life's relationships, paid the highest tribute he could bring, as he poured out his profound appreciation for what one of his college professors had done for him. Counting the rosary of those formative years he said of his old teacher, "He threw me a bunch of keys and set me to opening doors for myself."

A real education is not a book of formulas. It is a bunch of keys. Among the beatitudes of the teaching profession the one most to be coveted is, "Blessed is the teacher who throws a student a bunch of keys." To find the doors these keys will unlock is to become a master of arts which you will not even have glimpsed in the textbooks. The symbol of a valid education is not an encyclopedia but a key. And not necessarily a Phi Beta Kappa key at that. The fact is that in every school, including the school of life, the principal things are not taught, they are caught.

In the Capitol a few days ago, I stood with a group of young Americans around the statue of James A. Garfield. He was thinking of education, not as subjects taught, but as keys caught when he gratefully declared that the best university would be his inspiring college president at Williams, Mark Hopkins, on one end of a log and a farm boy on the other. Garfield spoke from experience. He himself had been that farm boy as he went to Williams College and Mark Hopkins its great president had helped to sweep from his mind the cobwebs of false conceptions and narrow prejudices which had blocked inherent greatness. Mark Hopkins did not give the coming President of the United States a formal education. He threw him a bunch of keys and set him opening doors for himself. It was out of an emancipating ministry of that sort that someone wrote these lines:

"Mark Hopkins sat on the end of a log,
And a farm boy sat on the other.
Mark Hopkins came as a pedagogue,
But he taught as an elder brother.
I don't care what Mark Hopkins taught,
If his Greek was poor and his Latin naught,
The farm boy thought, thought he,
All through lecture time and quiz,
The kind of man I would like to be
Is the kind of man Mark Hopkins is."

And speaking of keys, unless a so-called education is woefully deficient, always there must be one key that opens the opulent door of the unseen and eternal which is an escape into eternity. With the key to that door in his hand, one can toil in these fields of time in the sense of the eternal and find that even the common task and the trivial round is edged with crimson and gold. Without that key, one emerging from the classrooms, blackboards, laboratories, and lectures into the busy demanding years that wait with disillusioned eyes will find at last but the ashes of fair hopes and that all is vanity. There is no more testing question on life's examination papers than, "To keep on going in the direction you are now going, where will you finally arrive?"

In my own college days there fell one twilight hour upon my ears, a sentence from the lips of a college professor. They are 10 words that have influenced me more than any others which I heard in my college days. This was the sentence: "What you will one day be, you are now becoming." That reminds us that the goal of a true education is not the loaded mind but the lighted mind. The gleaming candles flame on academic altars when there is offered the perfect commencement prayer framed by a college professor:

"And let those learn who here shall meet,
True wisdom is with reverence crowned,
And science walks with humble feet
To seek the God that faith hath found."

I want to speak to you for a little while about living in such an age. One is tempted to think entirely in terms of the future on such an occasion. On this graduation day I cannot refrain from saying frankly that I am deeply envious of your generation. You will witness and help to fashion a new world of such magnitude as will make our present times and ways as antiquated as the hand plow. It is not only because the last 30 years have seen more progress than in the previous 3,000 years—The amazing thing is that man has done more than make new discoveries. He has perfected the methods of making much greater ones. In the normal span of your life, new and miraculous worlds will open before you. The voices of two astronauts orbiting the earth this very hour are harbingers of what is ahead in your lifetime.

But I want to speak especially of the present, not the future. Any promise which may come to bloom in the tomorrows has its roots in the ground of today. Our field of endeavor is here and now. A long time ago when everybody was talking about evolution, a well-known preacher began a sermon with this sentence. "If we leave it to the evolutionists to tell us where we came from and the theologians to tell us where we're going, the facts still remains that we are here." The prayer for living in such an age is lifted in Dr. Harry Emerson Fosdick's great hymn "God of Grace and God of Glory." Some time ago I heard 10,000 people sing those moving verses as Dr. Fosdick himself stood upon the platform. The petition in that hymn is, give us courage, give us vision, give us wisdom, for the living of these days that we fail not man nor Thee.

And what a day this is to be alive. What a commencement poem that is of Angela Morgan's:

"To be alive in such an age
With every year a lightning page
Turned in the world's great wonder book,
When rail and rod and steel and stone
Become the avenues of God,
A trump to shout His Message through
And crown the work that men may do."

And then later on in those stirring lines she says,

"Rise, Soul, from thy despairing knees,
Give thanks with all thy flaming heart,
Crave but to have in it a part.
Arise and claim thy heritage—
To be alive in such a day."

If facing this day you were asked in just a handful of words to analyze such a time, you would have to say that apart from the fact that it is the day of the split atom with all the dread implications of that, that it is a time of world revolution. Today's headlines announce that. This means that teeming millions under all skies are reaching out, often violently, demanding more of the good things that our modern civilization makes possible. We do not regret that. America at its best has nothing good that it does not desire for the whole earth. What we call the world revolution is largely the harvest of the seed of Christianity and democracy.

But side by side with that in such a day is a heinous system of chains and enslavement which is endeavoring to subvert and utilize that legitimate revolution for its own evil purposes. It is a system like vultures hovering over the misery of the world. I refer, of course, to atheistic communism. It is a diabolical conspiracy that we face and fight, with no belief in God or kindness or fairness or mercy or truth or what we think of as the moral standards. It defies and denies and derides everything that is proclaimed in such an hour as this.

One of my dear friends, Bishop Gerald Kennedy, of the Methodist Church, some time ago came out of Soviet Russia after spending several weeks behind the Iron Curtain. We wondered what he would have to say about that system. He is thought of as a social liberal. We knew, of course, that he would not espouse it, but perhaps he would say some things more favorable than some others. But breathing the air of freedom once more, this is what he said. "The issue is joined at last—either God is or He is not. Either man is of value only as a citizen of the state or he is of value because God created him. Either Christianity is true or communism is true, but not both." Then he added, "Coexistence is a pleasant term, but one of these systems is going down."

But let us admit it. Often even in our own enlightened capitalism futile attempts are being made with legislative bricks to build an altruistic edifice on the sinking sands of unchanged individuals. With the wisdom of the centuries, an adage has come down the long years, "You cannot make a silk purse out of a sow's ears."

This is a time to remember that not in the chanceries of the nations, and I will be in the midst of them again tomorrow in Washington, but in the hearts and minds of individual men and women are the issues of life and death. If our civilization is to be saved, it will be saved, not by fanning fires of hatred for dictators abroad, or by any social panaceas for our ailing social order. It will be saved by individuals, hundreds of them, thousands, tens of thousands, hundreds of thousands of individuals whose attitudes to others across all lines and gulfs make them as the candles of the Lord and as part of the solution rather than a part of the problem.

Many times there has come to my mind a rhyme I heard years ago:

"Yet fear I deeply, too,
That death will seek and find me
Ere I keep life's rendezvous."

There is enough in that to stab our spirits broad awake. We cannot miss the date with death. It will find us. Across the centuries men have tried to find the fountain of perpetual youth. They never have. How true it is that

"The boast of heraldry, the pomp of power,
And all that beauty, all that wealth e'er gave,
Await alike th' inevitable hour:
The paths of glory lead but to the grave."

We cannot miss that, but the solemn and sobering thing is, even as you sit here so quietly on this graduation Sunday, that we may miss the date with life itself. We may go through this big, buzzing confusion that we call life and pertake of its joys and sorrows, its triumphs and defeats, and one day go through that little black door called death, yet having missed life almost completely. Galsworthy said of one of his characters that he had experienced everything else but life itself.

Now, as you go to meet the beckoning years, lest you fall short of the promise, beware of the futility of the negative. Be for something, not against everything. That is a vital key to be sure is in your hand on graduation day. A columnist recently remarked about a certain government official that he seemed to be against everything except children. Well, that was a worthwhile exception. But it left the impression that the one thus labeled was afflicted with the "no" virus as much as are the Russians at so-called conferences they agree to attend and then habitually veto any meaningful attempt at cooperation. Whittaker Chambers, the disillusioned Communist, the key witness in a famous case, wrote in the foreword of his book "Witness," this note to his children. "A man is not primarily a witness against something—that is only incidental to the fact that he is a witness for something and he is a witness disregarding all risks, accepting all consequences."

In these controversial days, from the platform and on the speaking air, and ofttimes from college campuses, there are voices galore telling the Nation and the world what they are against. In this bewildered and baffled day, never were so many against so much. The seat of the scornful is overcrowded by those who only add to the confusion by loudly announcing what they are against. One of the outstanding Members of the U.S. Senate recently was heard to exclaim, after listening to an acrimonious speech freighted with bitter words of opposition, "It would be a poser if someone suddenly confronted those who are so sure of what they are against with the pertinent query, 'what are you for?' " Even the right of criticism, the right to be against, if it is to be used responsibly and honestly, makes no contribution to the solution of vexing problems unless the critic proposes some kind of rational alternative to the policy that is now being followed. In the midst of the shouting and tumult of this volcanic day, when prejudice and passion furnish more heat than light, is it not high time to realize that which the ages make perfectly clear?; namely, that attack is not half as effective as example, and that at last evil can only be overcome by good. Affirmation is 10 times stronger than denunciation. To borrow a phrase from a song once popular, this surely is a good time to "accentuate the positive." No one is ever worth much to a cause unless he has a passion for what he is for.

In reply to a letter from a distant city asking Wendell Phillips for his lecture terms and subjects, he wrote: "I will come and lecture on ancient civilizations for $500 and expenses. I will come and lecture on the abolition of slavery for nothing and pay my own expenses." Slavery was a subject on which he had intolerant convictions. But he was against slavery because he was for freedom. We are ready, and rightly so, to throw all the scornful, biting adjectives in the book against the conspirators of the Kremlin and Peiping and all their lying tricks. But it is not enough to see red any time, anywhere in the world communism shows its blighting hand. The thing that will prevail at last against regimented tyranny with its ball and chain is a vibrant positive democracy in which we believe more strongly and love more deeply than we hate totalitarianism. America will help destroy the foul growth of atheistic communism, not merely by the denunciation of the things she is set to deplore, but with the blazing torch of the things she is for. There is nothing we need more in the Nation and the church and in our personal attitudes than to be aware of the futility of the negative.

Then, I fear, lest having been given a promise any of you should fail in the living of these days because of the tyranny of things. The key unlocking the most wealthy vaults of life is never fashioned of material things. How little human behavior has changed in 20 centuries since the Master Teacher told about the man who thought entirely in terms of bigger crops and bigger barns and who sat back and said to his soul, "I have much laid up for the days to come—many things. Enjoy yourself, take your ease." He talked to his soul as if he could wrap it in a bank account or house it in a barn. But it was later than he thought. Jesus said, "Thou fool. Tomorrow your name will be on the obituary list—then whose shall these things be which you have collected."

With all the glory of our national greatness, let us not forget that the great weakness of America can be spelled out in one word, "materialism"—which in simple terms means that ours is largely a money-minded society. We think we can buy anything we want. Certainly anything we need. Therefore, we must have money. We measure success in material terms like quantity and speed which have nothing to do in the last analysis with the real values of life. The raging passion with half our people is to build barns and bigger barns or corporations and bigger corporations. The raging passion of the other half of our people is to get more and more wages for less and less work. So, we make wealth and security the goals of our personal living and of our national existence. The sad fact facing a secular society like ours is that we often have nothing to promise except more gadgets and an ever higher standard of living.

I get a great many books to review, more than I can ever read. But some time ago one so gripped my attention as I fingered it through, not intending to read it, that I found myself reading every word from the first to the last. It was by a reporter who had gone across the Nation interviewing prominent men in various parts of the country. He wanted to find out what a number of things meant in the lives of these men who are in the public eye—art, literature, music, etc., and especially religion. Oh, he did not want to ascertain if they belonged to a church or perhaps passed a collection plate in some aristocratic congregation on Sunday. He wanted to know what spiritual verities really meant in the lives of these men prominent in the city life. What do you think I found that he had called the chapter in the book in which he summed up his impressions. He called it, "The Tyranny of Things"—for he found that with blinded eyes and hobbled feet many were so often groping down a narrow gorge and calling it life.

I wish it were possible for me to give to every graduate on this commencement Sunday a copy of "The Will," by J. M. Barrie. I do not know how many times I have read it. It's a play, really, in three acts with 20 years between each act. In the first act there comes into a barrister's office, a newly married couple. All was sweetness and light and altruism and unselfishness. They come to make a will. The bride did not want the will to be made. She thought that that was a gruesome thing suggesting inevitable parting. She did not want to think about it. But somebody had left the groom some money and he wanted to provide for that. So finally the bride said that if he was bound to do it, why not make an annuity for two indigent cousins of his, not hers. And so that is what they did. When they left the office the lawyer said, "You are a ridiculous couple," and more seriously he added, "But don't change, especially if you get on in the world." And they waved gayly back in an atmosphere of unselfishness and sweetness, "Never fear, we won't."

Twenty years later they come back to the same office to confront the same lawyer. They are both past middle life now. He had made much more money. He was a highly successful merchant. She was climbing the social ladder. I remember in that part of the story it says of her, "She was not so much dressed as she was richly upholstered." But that was not the trouble. They snapped at each other, "my money, my money." He wanted to put a phrase in the will and she replied, "You might think you were afraid I would marry if you died." "All right," he said, "leave it out." Then he announced his intention of leaving quite a sum for hospitals. She said that was ridiculous but he held his ground. Said he, "I want to make a splash in hospitals." And then at the end of that scene she suggested that it was about time to take the money away from those parasite cousins of his, much older now and needing it all the more. Oh, it's a dreadful chapter. Things are in the saddle. There are broken pieces of ruined rainbows all around. The lawyer had nothing to say when they left the office. Sadly in his heart he knew what had happened.

Twenty years later he comes to the same office alone. She is dead. He is Sir Philip Ross now. He has been knighted because of his success in business. He had given no thought as to whom he would leave the great fortune he had made. As he sat there he mumbled he would not leave a dollar to his son or his daughter. He said, "They are rotters, both of them." Then he took a piece of paper and wrote the names of seven or eight men upon it. He held it for awhile and then gave it to the lawyer and blurted, "Here are the names of the men with whom I fought for wealth and I have won. Now leave the money to them with my respectful curses." Not long ago one of our national magazines said that if someone would arise in America to make that preachment effective, he would be the greatest benefactor America ever had. But someone has long ago. He stood underneath the blue sky of Palestine. He stands today amidst mammon-mad, pleasure-mad America declaring, "A man's life consisteth not in the abundance of things that he possesses."

I fear, lest having been given a promise, any of you should seem to fall short of it. The direst danger is not that any of you will deny the validity of the shining idealistic goals I have been lifting up this commencement day, but that you will fall into the waiting trap of espousing the negative rather than the positive and that you will be engulfed by the allure of mere things and succumb to the material because of the fallacy of the elsewhere. And what is that? It is the fatal tendency of assuming you would carry out your beliefs if you were only somewhere else. It is the failure to use a key you already possess to open nearby vaults of treasure. I like to call it the fallacy of the elsewhere. These hills of home are gray and drab but those hills on the horizon are ablaze with light. If you live in Zenith, shall we say, it seems to have characteristics of Sodom and Gomorrah. But the people who see the spires of your city as they glitter across the valley think they are like the spires of the celestial city. The good book declares, "The eyes of the wise are before him, the eyes of the foolish men are at the ends of the earth." What do you think that means? It means exactly what it says. The eyes of the wise are before him and he sees the possible glory and splendor of the place where he is. The eyes of the foolish man are always scanning the horizon for some signs of a glory he thinks he's missed at home.

Some time ago I had the privilege on a certain Sunday of standing in the Philadelphia pulpit once occupied by Russell Conwell.

I do not know how many people that day asked me if I had ever heard his famous lecture, "Acres of Diamonds." Yes, I heard it—very early in my ministry. I remember going out from that crowded congregation on a moonlight night as if I were walking on air, because I had realized as I never had before that the acres of diamonds for which we all yearn are not half a world away—they are in our own backyard if we will only dig for them. That was the message of "Acres of Diamonds." Russell Conwell gave that lecture thousands of times. He made more than a million dollars from the proceeds of that one preachment. Yet he never kept a dollar for himself. He gave it all to the cause of Christian education.

Some time ago Mrs. Harris and I were in England's green and pleasant land. We rented a little car and rode on the wrong side of streets and roads a hundred miles to the town of Eversley. Why did we go there? Because it was a showplace? No, it's a very ugly place. We went there because Charles Kingsley went there after he had been graduated from Cambridge University, graduated with top honors. He was highly endowed. So much so that people thought he would become Archbishop of Canterbury or something of the kind. He went to Eversley with its little broken down church and its ignorant population. Its indifference to spiritual verities was evidenced perhaps by a moth-eaten cloth on the communion table. They just didn't seem to care. How long did he stay? Long enough for the bishop to find a place adequate for his powers? He stayed 33 years—his entire ministry. He never would go anywhere else. Until the end of his life he was just a humble parish priest visiting from humble home to humble home. He stayed there for the toiling years until the end came. Oh, England wore a pathway to that little church to hear him preach. He wrote books in the rectory next door that were read around the world. He went up and down England as a prophet of social reform. He was chaplain to the Queen. He preached in the cathedrals. But never would he take any honor that would have taken him out of Eversley. Now why do I refer to him on this graduation morning? He does happen to be one of my idols, but I tell you about him because he wrote a verse that gave the secret of his life. The longer I live, the more I touch the lives of people, I believe that it tells the secret of every life—I don't care who you are or where you are or what you're doing. If you forget everything I've tried to say this hour, remember this. Here is the verse he wrote.

"Do the work that's nearest
  Though its dull at whiles,
Helping when you see them
  Lame dogs over stiles,
Finding in each hedgerow
  Marks of angels' feet,
Epics in the pebbles
  Underneath your feet."

But he did not lift himself up to that ethical level by his own bootstraps. Across the beautiful years he waked with that One of whom it is said, "In Him life lay and that life is the light of men." For "in that face the final beauty burns to birth and all the things in heaven and earth are summed and centered in a loveliness beyond compare." This world is not through with Jesus—it is through without Him. Some day when the last cruiser is scrapped as old iron and the last dictator releases his iron hold on regimented people, the words of Jesus will stand unrefuted and irrefutable. The future is with Him.

"Subtlest thought may change
  And learning falter
Churches change, forms perish, systems go,
  But our human needs, they do not alter.
Christ, no after age can e'er outgrow."

On this commencement Sunday shall we here highly resolve that in such an age we will light candles rather than curse the darkness. Let us here vow that we will put into the fugitive fragments of every day such quality of work as shall make us unashamed when the day is over and all the days are done.

God bless you.

B. FRANK HEINTZLEMAN

Mr. BARTLETT. Mr. President, Senators who knew him—and there are many who did—will be saddened to learn of the death last week in Juneau of Gov. B. Frank Heintzleman. Hospitalized after a severe heart attack, he lingered for a few days and died June 24. Funeral services are to be held tomorrow afternoon at Fayetteville, Pa. There the Heintzleman family have roots planted long since; the name is as familiar in the long history of Pennsylvania as it become in Alaska during the last several decades through the presence there of this distinguished public official who reached the peak of his public life when President Eisenhower appointed him as Territorial Governor in 1953. He served in that position for a 4-year term.

Governor Heintzleman was entirely dedicated to Alaska. His retirement after 47 years in public life was such in name only. From the time he left the governorship until he died last week, Frank Heintzleman had one principal purpose in life—to make Alaska a better place in which to live, to develop its resources, to aid in its economic development. This was the overriding purpose in his life. Ever since leaving the governorship he pursued at his own expense these dedicated efforts to help his adopted land.

It was in 1918 that this native Pennsylvanian came to Alaska with the U.S. Forest Service. He was 30 years old then. He would have been 77 years old had be lived until next December 3. In 1937, he was promoted to the position or regional forester. In Alaska the position of regional forester has an unusual importance because of the presence there of two vast national forests, the Tongass and the Chugach. For many years, Governor Heintzleman worked for the establishment of a pulp mill in Tongass National Forest in southeastern Alaska. Today, and certainly in large measure due to his efforts, there are two pulp mills, one at Ketchikan and one at Sitka.

Governor Heintzleman came to Alaska after having been graduated from the Yale University School of Forestry. As time went on he gained national recognition as one of the great foresters of this country, and deservedly so.

A bachelor he was when he came to Alaska and a bachelor he remained throughout his life. His closest surviving relative is his sister, Mrs. Ava Grove, a resident of Fayetteville.

I considered Governor Heintzleman a friend and our association was close. When he came to Washington—and he came quite frequently—we were always together. I enjoyed these visits, and I always learned from the wisdom of this very considerable man. Mrs. Bartlett and I last saw him on May 28. This was on the day at Wrangell the Alaska Pacific Lumber Co.'s new sawmill was dedicated. At the banquet which followed, speakers were abundant in their praise of this man who had done so much for so many in Alaska and I count it as a privilege that I was able on that occasion to be one of those lauding Governor Heintzleman. To Mrs. Grove, his sister, and to the other relatives, Mrs. Bartlett and I extend our heartfelt sympathy.

ECONOMIC INEQUITIES

Mr. HRUSKA. Mr. President, about a year ago I first heard about Mr. William D. Pardridge through our highly esteemed former colleague, the Honorable Ralph E. Flanders, of Vermont. In his letter, Mr. Flanders wrote an excellent recommendation of the achievements and the convictions of Mr. Pardridge. He spoke well of the program in which he is now engaged. In this program, Mr. Pardridge has undertaken to write a series of 50 newspaper articles called "Economic Inequities."

To pursue this work, he left his studies at the University of Chicago last March. At that institution he seeks a degree of doctor of philosophy in economics. He intends to return to his former work next winter.

All profits from this series of 50 articles, I understand, go to the University of Chicago and to our 50 State universities. Profits from any resulting book would also be similarly distributed.

Somebody once called economics "a dismal science." But it need not be so. Mr. Pardridge demonstrates this by making it crackle with wit and worry. He uses no fancy phrases, and he has no use for striped-pants working in the area of economic commonsense.

One readily joins him when he recoils at the current efforts of public policy to create a distinct social class out of the poor people in America. In my State of Nebraska, a man is poor only because he is involuntarily out of work or has very little money. He is not poor because of any class distinction.

Recently I have read several articles in the series by Mr. Pardridge. They are all worthy of consideration by a much larger audience.

Mr. President, I ask unanimous consent that there be printed in the Congressional Record the article which he wrote and which was published in the Omaha World-Herald on June 27, 1965, entitled "Sales Taxes Cause Unemployment and Economists Know It."

There being no objection, the article was ordered to be printed in the Record, as follows:

Sales Taxes Cause Unemployment and Economists Know It

(Mr. Pardridge is the former editor of the Washington publication, Air Affairs. Last March he left the University of Chicago to spend 9 months writing a series of 50 articles on "Economic Inequities." One of those articles appears below.)

(By William D. Pardridge)

Sales taxes cause unemployment. And economists know it.

In fact, the whole tax structure is one huge economic inequity.

Henry Bailey is what economists would call a marginal worker. He is the very first to lose his job if production slackens even a little.

Let's say there is an overnight price rise of 50 percent on shoes. There won't be many shoes sold tomorrow, and Henry Bailey is unemployed.

So are most of his sisters, his aunts, and his cousins—who work in shoe factories and stores.

Well, let's say there's only a 2-percent price rise on shoes. The sisters, aunts, and cousins keep their jobs, but poor Henry gets the boot, as it were.

Nobody in his right mind can say that the 2 cents of sales tax added to a dollar purchase is anything else but a cost of $1.02. And that's a price rise.

A State 3 cents sales tax on the dollar purchase is widespread in the United States. This is much worse than in Henry Bailey's home State. Actually, a 3-percent sales tax is more than it seems, for a penny charged on a quarter purchase amounts to 4 percent.

Henry's Governor sooner or later needs a new this or that—call it a social responsibility—and so his legislature enacts the 3-percent price rise.

Henry's rich uncle, Lloyd Pitchin, has lots of shoes and all the other consumer goods he needs. He couldn't care less what the legislature does. Mr. Pichin, percentagewise, doesn't foot the bill of the particular social responsibility.

Neither does Henry, who as a marginal worker is now unemployed. And there are perhaps millions of these marginal workers in American industry and retail trade.

Income taxes are supposed to be graduated so that, percentagewise, Lloyd Pitchin pays more of governmental costs than does our friend Henry Bailey—when Henry's working.

When Henry isn't working, he gets paid anyway, income tax-free—from another suit in the wardrobe of social responsibilities. That's some wardrobe. It's got a suit for anything.

If some nut suggested, quite logically, a graduated sales tax, he'd be run in.

It just wouldn't work. Imagine a checker in some supermarket asking a beautiful volatile mother of two, "What's your income, honey?"

But Uncle Sam is quick to ask: "What's your income, buster?"

Professional economists know full well that the real—as opposed to inflated, monetary—demand for goods creates employment. Lack of it causes unemployment.

American mass production is very well named. It is for the masses—the general public—that American industry produces, and it is through literally countless retail stores that such production is sold.

American production of goods and services is for the almost 200 million people in our 50 States, not for the Lloyd Pitchins.

If all the rich uncles suddenly went to the moon and ceased buying—withdrew their real demand—American production wouldn't be dented.

But if the general public withdrew—or had stolen—its real demand for goods and services by 3 percent, Henry Bailey would—and does—have a lot of idle company.

Go back to the nut who wanted a graduated sales tax. His wife Dolly Mae fearlessly proposes, quite logically, a Federal sales tax on consumer goods and services. She's locked up, too.

If this were seriously proposed, national retail trade associations would lobby so hard on Capitol Hill that the economic theory of real demand would become a household phrase. We'd have more economists than baseball fans.

Why should one genuine social responsibility be paid for by a graduated income tax, and another genuine social responsibility be paid for by a sales tax that directly and immediately reduces employment by reducing real demand at the economic battlefront—the retail store?

And it is that very store's business that keeps the factories going, keeps Henry Bailey and his more fortunate relatives, who are not marginal workers, on the job.

The public's natural confusion on the economic maleffects of the sales tax is due to the fact that the trouble is uncovered only when a specific tool of economic theory is used.

This tool—or bulldozer, really—is the technique of aggregate analysis of economic activity.

Suppose Henry has 50,000 brothers-in-law. Twice a year each brother-in-law buys a pair of shoes. That's 100,000 pairs of shoes a year.

Along comes a sales tax—price rise—of 3 percent, meaning the 50,000 brothers-in-law get only, say, 97 cents worth of goods for an even dollar spent. That means only 97,000 pairs of shoes will be bought—sold, manufactured—in the coming year.

As a worker, Henry Bailey used to help make a part of those missing 3,000 pairs of shoes a year. Henry becomes unemployed again. This chap really doesn't do well.

Instead of shoes, consider all consumer goods. Instead of just relatives, consider the whole labor force. Real demand for goods and services—and thus total wages in the retail store and at the factory payroll—goes down at least the percent of the rigid sales tax or price rise.

Total real demand and wages actually go down much more because of the reverse of what economists may call a sort of multiplier effect.

All this is aggregate analysis of economic activity, as distinguished from that type of thinking that prevents a citizen from seeing how a 3-percent sales tax could cause him to buy 1.94 pairs of shoes instead of exactly two pairs.

H. Karl Marx called for the workers to rise and defeat the wicked capitalists. Somebody ought to call for the consumers and members of the labor force to rise and defeat the political dogooders.

In a society as highly interdependent as ours, economic meddling is most dangerous. There are laws in economics as well as in physics and astronomy.

If we aimed our moonshots at Mars instead of Venus, we'd lose a lot of astronauts instead of the profits and jobs we are losing right now.

The sales tax is patently an easy political expediency that has become an entrenched economic policy.

It is an economic inequity that's not for us.

BIG BROTHER—INVASION OF PRIVACY

Mr. LONG of Missouri. Mr. President, the "Big Brother" item for today consists of a number of particularly good editorials which have come to my attention recently on the subject of invasions of privacy.

One is from the Kansas City Star; one is from the Minneapolis Star; one is from the New Orleans State; one is from the Trenton, N.J., Times; and one is from the Rapid City, S. Dak., Daily Journal.

I ask unanimous consent that these editorials be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Kansas City (Mo.) Star, June 17, 1965]

MAIL COVERS SHOULD BE USED WITH CARE

The word that the Post Office Department will rigidly control its policy of permits for mail covers is welcome news. Senator EDWARD V. LONG, Democrat, of Missouri, has pursued this issue for many months. The effort was worth while. For now the Postmaster General has said that, in the future, mail covers—the keeping of records of information on the outside of envelopes—will be more difficult to come by.

The theory behind such a practice is that law enforcement people can keep an eye on the messages sent to and from criminals. It's not difficult to see the practical advantages. If John Doe is wanted for bank robbery, the return addresses on letters sent to his family might be worth tracking down.

The trouble is, that sort of thing can lead to abuses and political bird watching that might have little or nothing to do with crime. Over a 2-year period 25,000 covers were placed on mail at the request of numerous officials. It's not difficult to imagine the sheriff of such-and-such county asking for mail covers on potential opponents in the next primary. The whole operation seemed loose enough to make such a situation possible.

We have never subscribed to the belief that the Postmaster General and his Department acted villainously in the matter. It merely was a cooperative effort and accommodation in the interests of law enforcement. But once begun, this sort of thing is difficult to place in bounds. It is not the same as a private citizen's hiring a private detective to keep track of somebody. The people—good and bad—do not pay taxes in order to have their mail checked and cataloged by persons unknown.

There is, in fact, an inherent danger in the procedure: An individual can receive unsolicited, damaging mail from almost any source. He may be entirely innocent; yet the fact that he received such mail could go into the record. Properly handled and strictly used in the pursuit of wanted criminals, the mail-cover practice has its place. But it is up to the Post Office Department to use such a procedure with the greatest of care and only when law enforcement agencies can demonstrate a real necessity.

[From the Minneapolis (Minn.) Star, May 12, 1965]

GUARD YOUR OWN PRIVACY

Anyone concerned with the rapid spread of the unpleasant business of listening-in on other people's conversations will be disappointed by the action of the Minnesota Senate Judiciary Committee Monday in killing S. 915, a bill aimed at controlling the use of these eavesdropping and wiretapping devices.

Surely the time to bring this practice under public regulation is now—before the devices come into really widespread use. The bill would have outlawed the sale or possession of gadgets able to broadcast or record any of our private conversations without our knowledge, and would have provided a basic framework of law and procedure within which law-enforcement officials could—on rare occasions—obtain a warrant authorizing what might be described as an electronic search.

The bill was defeated, we are informed, at the request of Northwestern Bell Telephone Co.—largely on the argument that open and legally sanctioned wiretapping would tend to undermine public confidence in the privacy of the telephone system.

Many persons will have doubts, of course, about allowing even rare, court-supervised wiretapping by law enforcement officials. The trouble, as the telephone company surely knows, is that all kinds of people are free to eavesdrop now, entirely without asking anyone's permission, and the practice shows every sign of growing in the future. Realistically, therefore, the bill seemed a significant step in the public interest.

There seem to have been remarkably few objections to the bill from other interested groups. Certainly there was support from persons who understand how much all of our privacy is now in danger—in our homes, and at our places of work. We hope the authors will try again—and more successfully—next session.

[From the New Orleans States, May 8, 1965]

Controls on Mail Snooping

Similar to wire tapping in respect to invasion of individual privacy, the activity known as the "covering" of mail by the Postal Department is on touchy ground.

Yet in the last 2 years there have been 24,000 instances of it. And that's a lot of mail interception, even if the mail was neither opened nor delayed in delivery.

It was also too much, apparently, for Postmaster General John A. Gronouski announces new controls will be imposed.

"There's no question in my mind," he says, "that mail covers do, to some degree, invade individual rights."

Although the mail isn't opened, the covering operation records the name and address of the sender, the time and place of mailing, and the type of mail.

A Senate judiciary subcommittee under the chairmanship of Senator Edward V. Long, of Missouri, is well launched into a general investigation of not only mail snooping but all manner of Federal spying on the citizenry—everything from mail covers to telephone tapping and use of hidden microphones.

Columnist Holmes Alexander, in sketching the basis of Senator Long's inquiry, said the Missourian is convinced that he has uncovered the beginnings of a police state which is building at lower levels—without knowledge of Presidents or even Cabinet members.

Postmaster Gronouski has taken steps, he says, to reduce mail covers and to make darned sure they are not used frivolously or carelessly.

It would be reassuring to hear similar statements on snooping from other Federal departments. In the warring against poverty, disease, ignorance and injustice there should be room for war against violation of article IV of the Bill of Rights.

[From the Trenton (N.J.) Times, May 16, 1965]

Lie Detection Tricky

The so-called lie detector has received further downgrading in a move by the Pentagon to limit its use. The Government has been oversold on this device and a committee of the House has exposed its shortcomings.

Much of the congressional repugnance to the lie detector, of course, stemmed from indelicate questions put to Federal employees. But the investigation again revealed the emptiness of the claims made for the device. It cannot detect a lie.

At best, it gives an operator some elementary data about an individual's physical reactions to questions, and on the basis of these the operator presumes to say whether questions are being answered honestly or not. This amounts to little more than using mumbo-jumbo to support some more or less shrewd guessing. There is no scientific validity in this.

Because the lie detector is unreliable, its use actually is most questionable in serious cases. In these, bad guessing can have frightening consequences.

[From the Rapid City (S. Dak.) Daily Journal, May 18, 1965]

Snooping Rampant

Publicly disclosed evidence of the many ways of invading privacy through electronic snooping devices has mounted with dramatic swiftness in the past year or so. There is reason to think that some of the more devious devices have not yet been revealed, and that others even more insidious are being developed.

A glimpse of one small but annoying way in which individual privacy may be violated was provided the other day by Joseph A. Beirne, who is president of the Communications Workers of America. Testifying before a Senate Judiciary Subcommittee on administrative practices and procedures, he said that in some cases local telephone companies use concealed monitoring devices for routine eavesdropping on conversation between phone company employees and subscribers. To bolster what he had said, Beirne offered in evidence a desk calendar with a hidden microphone inside.

Now, this may not seem too fiendish. Certainly the subcommittee, under the chairmanship of Senator Long, of Missouri, has heard descriptions of many more subtle devices in the course of its hearings. Also, it might be argued that the company's motivation is to gain knowledge on the basis of which it can offer better service.

We suggest that whenever a commercial firm or anyone else listens in on conversations without letting both parties know about it, there is an invasion of privacy.

A CURE FOR CAMPUS RIOTS

Mr. MURPHY. Mr. President, yesterday, June 28, a municipal judge in Berkeley, Calif., convicted 293 University of California student demonstrators of resisting arrest and trespassing. These guilty verdicts are the result of mass middle-of-the-night sit-ins last December which appalled and horrified the people of California who finance the university. It also embarrassed the tens of thousands of good, dedicated, hardworking students who attend the university for education—not revolution. These riots—and now these arrests—have raised great question among responsible citizens as to just how far troublemakers and agitators have been allowed to go on our campuses. Dr. Max Rafferty, California State superintendent of public instruction, and a nationally known and respected educator, showed exceptional insight and knowledge regarding the serious question of campus riots in an interview with U.S. News & World Report, May 17, 1965. In view of yesterday's convictions, I ask unanimous consent to have Dr. Rafferty's interview printed in the Record, along with the Washington Post article of Tuesday, June 29, reporting the arrests.

There being no objection, the interview and article were ordered to be printed in the Record, as follows:

[From U.S. News & World Report, May 17, 1965]

A Cure for Campus Riots

(Exclusive interview with Dr. Max Rafferty, California State superintendent of public instruction)

(Rampaging students on the University of California campus have raised these questions among school officials, nationwide: What's behind the turmoil? Are students within their rights when they throw a campus into chaos? What role, if any, do Communists play? And what should authorities do about the whole affair—expel troublemakers, or try to reason with them and come to terms? Educators differ. In this exclusive interview with U.S. News & World Report, the head of California's public schools tells where he fixes the blame—and suggests a cure.)

Question. Dr. Rafferty, how do you explain all these disorders among college students in California? Is this something new on American campuses?

Answer. I'd say that at any university where you don't have some highjinks and high spirits—a certain amount of romping around, panty raiding or whatever—you've got a rather peculiar college. We've all had our goldfish swallowers and flagpole sitters.

And when I was in school at UCLA back in the thirties, we used to have staged demonstrations. But they were clearly organized and planted from outside the campus. The young Communist leagues were responsible.

That's different from the situation today at Berkeley.

Question. The majority leader of the State senate recently called it "a state of anarchy." Do you agree?

Answer. It is at Berkeley.

Question. What's behind it?

Answer. You have to distinguish between two groups of students. There are 27,000 good, dedicated, hardworking students who are interested in getting an education. Then you've got a few hundred—a thousand at the most—who are what President Clark Kerr, of the university, has called the hard-core activists. These are the ones who have triggered, organized, and led the so-called demonstrations.

I have observed these people over months and years. In my opinion they are not legitimate, genuine students at all. Many of them are what you might call fugitives, from eastern and midwestern colleges and universities, who have been in trouble before. Now they are at Berkeley to cause trouble.

Question. Would you describe them as misfits in society?

Answer. Some of them are. You see the typical "Peter the Hermit" types with long, lank, greasy hair, the collection of beards and pimples. But these are the exhibitionists, and they're in a decided minority. I do not believe they are a significant part of the problem.

Question. What is the problem? The president of Howard University in Washington said the other day that Communists have moved in on a student group there, and that the Communists established a campus beachhead at Berkeley. Do you think that is the case?

Answer. Communist groups have always established themselves on State university campuses. I'm sure the University of California is no exception.

A UNIVERSITY IS NOT A SANCTUARY FOR VARIOUS ODD BIRDS

I do not believe that the Communists were directly responsible for the convulsion at Berkeley. Underneath the antics of the exhibitionists who triggered the demonstrations, and who are currently demanding the capitulation of the regents, is a very real feeling of creeping facelessness and loss of identity on the part of the serious students caught up in the bureaucratic machinery of an institution which has been allowed to get too big.

Question. How does anybody cope with these disorders?

Answer. One of the problems President Kerr has had in trying to deal with this group is that he made his reputation—and a very fine one—as a labor mediator. He's used to sitting at a conference table between two groups who are equally interested in arriving at a satisfactory compromise.

Question. Yielding to reason?

Answer. Precisely. But in this case, he has had to sit down with people who are determined not to reach an agreement, whose sole purpose is to cause trouble, chaos, and to bring to a grinding halt the orderly machinery of the greatest university in the land.

You see, they have a misconception of the purpose of the university. They think a university is a place where you mount some sort of action to reform social evils. But an institution of higher learning is not designed to create unilaterally a new social order for the Nation, nor is it designed to mount illegal and criminal enterprises, nor is it designed to serve as an ornithological sanctuary for various odd birds.

An institution of higher learning exists to pursue the truth and to develop in its students a respect for logic and for facts. It does not exist to recruit for picket lines nor to manhandle policemen.

Question. What is it that's bothering these people?

Answer. You hear all this talk about freedom of speech. Actually, that's not the issue at all. If there is one thing the last 6 months has evidenced, it is that there's no shortage of free speech in the University of California at Berkeley. They have it coming not only out of their mouths, but out of their ears.

These troublemakers insist they have a right to use and display four-letter words. What really annoys me is that the University of California is too great an institution to be hamstrung by these petty, childish things.

The obscenity is childish, kindergartenish—the sort of thing that little boys write on the back walls of buildings. You don't ordinarily expect a great university to have to concern itself with this sort of thing.

One of the most saddening things I've ever witnessed was a special session of the regents, called to listen to tape records and transcripts and to look at signs with these so-called four-letter words on them. Imagine such successful, outstanding men—leaders of business, labor, and so on—having to be dealing with this sort of trivia. It's heartbreaking.

Question. Can the university discipline these demonstrators—isn't there some sort of hold over the student body?

Answer. It's very simple. The president has the automatic right to expel them just out of hand. He can do it immediately. But the fact is that the board of regents—of which I am a member—has never told Dr. Kerr what it wanted him to do. And he is the agent, in a sense, of the regents.

This body had the positive duty to adopt certain very definite, specific policies, and to say to the president and chancellor, "This is the recipe under which you operate. Now do it—and if you can't, we'll get somebody who can."

This was never done. Do not hold the administration responsible for all this turmoil. I hold the regents and professors who really triggered this whole thing responsible.

GET RID OF THE RINGLEADERS—MAKE ROOM FOR FINE STUDENTS

Question. Professors?

Answer. It seems to me that the professors at Berkeley—not all of them, perhaps not even most of them—but the articulate ones, the ones in the driver's seat, are trying to get the regents to serve in some sort of custodial capacity and as a transmission line for money. Then the faculty would run the show, dictate policy, everything. Well, I do not believe that this is a proper function for the faculty of the University of California.

Question. If all these student demonstrators, or their leaders, were expelled, wouldn't you be in trouble with civil-liberties groups and other organizations?

Answer. I'm not concerned with who gets on my neck. I have a number of people on my neck. I'm concerned with what is right, and what is good for the university.

And I'm simply saying this: There is no judge in any courtroom of the United States who would tolerate for a second the sort of behavior that has been going on at Berkeley. The proof of it was that very recently when the ringleader of this unsavory movement arrived in court, the first thing that happened to him was that he got a sentence for contempt of court slapped on him. Judges won't put up with this nonsense.

Doctors in hospitals and clinics won't put up with it. A minister wouldn't put up with it for a second in his church or his synagogue.

I fail to see why a university which is just as professional has to put up with this sort of thing in the name of "free speech." There are limits to free speech.

The right to cry "Fire" in a crowded theater was evidenced by Justice Holmes years ago as a clear example of how free speech can be carried to excess. And, certainly, no one in the name of free speech has a right to commandeer campus public-address systems and bellow four-letter obscenities to the world at large.

WHY TEACHERS QUIT

Question. There have been reports that action against the troublemakers would bring mass resignations from the faculty.

Answer. I'm a professional teacher, and also a professional school administrator. I'm the only one of the regents who is, with the exception of Dr. Kerr. I know my own kind. And I know why we quit jobs. For one reason only: because we have been offered a better job somewhere else at more money.

We do not quit in order to show our sympathy for a bunch of very cynical and hard-boiled people who are in our midst to cause trouble.

I submit that for every University of California professor we lose because we apply discipline to these people, we're going to lose two if we don't. No instructor in his right mind is going to want to work much longer on a campus which has been so chaotic and strife-torn as the Berkeley campus has become since last fall.

Question. Why was Berkeley singled out? Is it any different from any other campus?

Answer. Far different. It is the only University of California campus of many that is completely surrounded by low-cost rental property. Students can get relatively cheap housing practically next door to the campus. But that also means nonstudents—what we used to call Bohemian hangers-on—can rent there and get over to the campus just by walking across the street. This makes these demonstrations and this sit-in stuff very easy to pull off.

Also, you must remember that Berkeley is a tremendous thing—nearly 28,000 students. There is no question but that we Californians have let that university get much, much too big. I hope we'll never do it again.

Question. Do you feel that students should be permitted to demonstrate against the House Committee on Un-American Activities, or engage in "sit-ins," go off to Selma, Ala., to demonstrate—all these things?

Answer. Shucks, you can't keep kids from going to Selma if they want to. College kids have always done this sort of thing. But, if they are wrong, they've always been punished, which is right and proper.

You can flunk them if they miss an examination. You can cut down their grades if they miss lectures or miss rollcalls. This is right.

I don't think we can forbid the kids from going out and engaging in all these things. But we can certainly forbid their breaking the law and bringing the orderly processes of the university to a halt. The law can handle them when they get off the campus, but university rules apply to the campus, and they've got to be enforced.

WHO CONTROLS THE COLLEGE

Question. Do you subscribe to the view that students should share in fixing the rules under which the student body operates—campus behavior, dormitory hours, and so on?

Answer. A people's university has to be run by the people. There is a process set up in the California constitution which provides for democratic control by the people through their own elected and appointed regents.

Now, you can't have two sets of people making rules for the same institution. Which represents a broader spectrum of the body politic—the relatively few students at a university, or the millions of Californians who support and uphold that university through their regents?

Obviously, the more democratic approach is to have the regents make the rules. They represent the people. The students represent nobody but themselves.

I think the students should be consulted. I think student-body government should be important and meaningful. But I also think that the people of California have to set the rules and the policies for the University of California—and the students are not the people.

Question. What, specifically, would you do with these demonstration leaders on the Berkeley campus?

Answer. I have urged many times that we get rid of the obvious ringleaders—these people who are not serious students—to make more room for the very fine, dedicated, and scholarly students graduating from the high schools who are serious about advancing their education.

Don't get me wrong. I think a university ought to serve as a forum for all kinds of ideas. We need to have debate on every single issue—both controversial and noncontroversial—that there is in the mind of man. This is the great function of an institution of higher learning.

But that debate should not be punctuated by fist fights, by four-letter words, by commandeering public-address systems, by keeping university policemen prisoners for 24 hours, by kidnaping, by assault, by illegal "sit-ins," and things of this sort.

There are limits on free speech—just as there are limits in every one of the Bill of Rights—and the sooner these people realize it, the better off they'll be.

[From the Washington Post, June 29, 1965]

THE 293 IN BERKELEY SIT-IN GUILTY, COULD GET STIFF TERMS, FINES

BERKELEY, CALIF., June 28.—A municipal judge handed down guilty verdicts today for 293 demonstrators arrested last December in a middle-of-the-night sit-in at the administration building on the University of California Berkeley campus.

The judge rapidly read off 155 verdicts at a morning court session and 138 more in the afternoon.

For 287 of the defendants the verdict could mean maximum sentence of 18 months in jail and $1,500 in fines. They were convicted of resisting arrest and trespassing.

For six others convicted only of trespassing the sentence would be lighter.

The day's proceeding posed the possibility of guilty findings for at least 350 more young defendants during the next few days.

All were arrested in the Sproul Hall sit-in of last December 2–3 and agreed to a trial without jury.

The verdicts stemmed from a sit-in by more than 700 students and nonstudents in the administration building of the Berkeley campus.

The sit-in, led by Mario Savio, 22-year-old philosophy major from New York, was the outgrowth of a protest against a university rule banning oncampus advocacy of such matters as collecting funds for civil rights work in the South. The rule has since been eased.

Savio was among those convicted of both charges. He was in New York today with his bride, the former Suzanne Goldberg, also among the 154.

Only 155 actually stood trial before gray-haired municipal Judge Rupert Crittenden over a period of several weeks. Others arrested agreed to stand on the evidence of the hearings.

The 155 included most of the leaders of the free speech movement. In addition to Savio they numbered Bettina Aptheker, whose father, Dr. Herbert Aptheker, teaches at the New York School for Marxist Studies and has spoken frequently of being a Communist for 30 years.

Among the six convicted of the single count of trespassing was Mona Hutchin, 19, who was not dragged out of Sproul Hall but walked out.

THE TWILIGHT OF UGLINESS

Mr. CHURCH. Mr. President, in the day-by-day pressure of earning a living, matters concerned with the preservation of natural beauty in our country ofttimes fail to gain the attention they deserve. President Johnson hopes to give priority treatment to the environment in which we live, through his nationwide beautification program.

We in Idaho are perhaps more acutely aware of the inroads being made on our wonderful scenic splendor by the hotdog stands, the empty beer cans, and the roadside billboards.

An article written by Perry Swisher, and published in the June 10 issue of the Idaho Observer, has gone cuttingly to the heart of the problem, in support of the President's plan.

I ask unanimous consent that the article, entitled "The Twilight of Ugliness," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE TWILIGHT OF UGLINESS

(By Perry Swisher)

Some notes on beauty, prompted by the President's speech on that subject:

Lyndon Johnson is in possession of the court of Solomon, and he knows how he got it and he is struck, like every President of sensibilities before him, by the loneliness there. The power he'd hungered for, if he indulges it now, is merely terrible, not beautiful, and the glitter merely protects him—because he is so political a man the glitter can't have enthralled him for long.

So if he looks to the lilies of the field and away from the glory of Solomon it may be because of what he learned in realizing his ambition to become President. The narrow pursuit of power is invariably destructive of beauty. And both power and beauty are more than inventions of the human intellect: They are ingredients.

Not equal, not similar, but components of the mind, and for some reason a man who has had cause to become introspective about one tends also to become thoughtful about the other. Like Churchill, taking up his easel and brushes. If, in the exercise of power, he has incidentally protected beauty here or there, elsewhere he has deliberately caused it to be destroyed; perhaps it is a form of conscience that makes him want to create a thing of grace by his own hand.

Why have the majesty and comeliness of this continent sustained such a beating? Why the stinking streams, the obscene display at the cities' edges of the dead bodies of yesterday's discarded machines, the crusted slums, the hideous roadside invitations to eat at Greasy Joe's, the studied ugliness of transformers and sky-smearing wires outside our kitchen window, the broken skin on still-new concrete with the gravel innards spilling out, the containers strewn in dirty profusion through trout pools and park lawns, the gashed hills, the culverted creeks, the asphalt schoolgrounds, the treeless sterility of new housing projects, the hard features and bad breath of omnipresent service stations, and the disfiguring atheism of Main Street that screams in orange neon, butcher paper, cinder block, and broken plastic. There is no soul.

What a picture it is. Yet when we look to the whys of it there is reason to believe the worst in uglification is behind us. Mr. Johnson, with his knowledge of timing, made beautification a national cause. The moment has come when something can be done. Enough people care. Not long ago most gave the mess an occasional offended glance, but not a second thought.

How did the American landscape acquire its dirty alley? I can find four sources: (1) Our Puritan beginnings. Puritanism frequently equated concern for beauty with time wasted, with wickedness, and wantonness; (2) The pioneer era when the continent had to be conquered, with no time to worry about the scars inflicted in the process; (3) A system of taxation based on ability to pay, sound in the main but offhandedly imposing a tax on improvements and making slums profitable; (4) The deep impact of the great depression on that generation who now run the country, causing them to give material abundance first priority, to accept garishness as a sign of prosperity, to regard the rubbish cascade as the unavoidable wrappings of their higher standard of living.

If those four things have worked against beauty, we have a right to be optimistic that the war against unsightliness can be won. Frost puritanism is receding. The pioneer's work is largely done; his heirs want to improve the ground he won for them and to save unspoiled the wilderness that adjoins. Tax reform is a preoccupation everywhere, and one of the objectives is to reverse the penalties, to reward attractiveness, and to punish and abate the unsightly. And the depression-reared generation that threw beer cans in the borrow pit and stacked car bodies at the town's edge, even though it spawned litterbug children, is slowly giving way to others in that younger crop who know, out of their wrapper-strewn childhood, that consumption isn't everything, that leisure is good, and that beauty is essential to the enjoyment of leisure.

Given these changes, the same sense of personal and national power that could impose so many blemishes from thoughtlessness can work out the restoration.

"MAKING DEMOCRACY WORK"—ESSAYS IN THE McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for the graduating high school seniors in the State of Wyoming the McGee Senate internship contest, which brings to Washington one boy and one girl, for a week of observation of democracy in action here in the Senate and elsewhere in Washington, D.C.

As a part of the contest, each student is required to complete an essay on "Making Democracy Work"; and each year I am impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. All show real thought and a thorough knowledge of our system of government.

Of course, it would be impossible for everyone to read all the essays; but I think some of the most outstanding ones, as selected by an impartial panel of three judges, should receive wider circulation. Therefore, I ask unanimous consent that two of these essays—written by Suzanne Vines of Sundance, Wyo.; and by Jim Krebs, of Cheyenne, Wyo.—which received honorable mention in the McGee Senate internship contest, be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

MAKING DEMOCRACY WORK

(By Suzanne Vines, Sundance, Wyo.)

What is democracy? MacMillan's Dictionary defines democracy as "government by the people, or one in which supreme power is retained by them, but exercised through representatives." Democracy, to me, is political freedom. The people in a democracy literally govern themselves. This may be done directly or, as in the United States, through representatives. We of the United States have been born into a democratic society, and sometimes we forget that there are certain individual responsibilities that we owe our country. We are the only ones who can make democracy work.

Now that we know what democracy is, how do we make it work? Democracy standing alone is just a word. It is through the people that democracy becomes a living reality. If the people of a country do not take an active interest in their government, democracy will quickly be replaced. Democracy is only an abstraction. It is often the basis of many arguments. However, how many people ever really apply democracy and its high ideals to everyday life? I feel that there are several important factors in making democracy work and will attempt to examine them in the proceeding paragraphs.

Making democracy work has its start in school. A child is taught the basic principles of democracy in grade school. When he enters high school, he can then apply his early knowledge. In school there are many opportunities for a student to help further democracy. He may participate in student government. This provides a good basis for handling problems and making decisions which he must face later in life. This also gives him a sound background in government and the function of democracy.

Making democracy work continues after the school years by taking an active interest in elections. However, you can not simply say that voting in elections will completely fulfill your responsibility. In order to do this, you should have a complete knowledge of the candidates or issues on which you are voting. You must not listen to others when the decision must be made at the polls. Think for yourself. By voting you are fulfilling one of your greatest responsibilities of living in a democracy. You are taking an active interest in your government and the manner in which it is run. I feel that this is an important factor in making a democracy work.

Closely related to voting is taking an active interest in your community. This may be done in several ways. First, you should be well informed as to what the mayor and council members are doing to improve your community. Do not criticize everything they do when you do not completely understand it. Be interested in the social movements or organizations in your community. There are many people who take a negative attitude about their community and yet are not engaged in any activity to improve it. This never accomplishes anything.

If you want to make democracy a working and successful form of government, you must be willing to accept responsibility. You must be willing to give of yourself in order to further the interests of your country. If you are called on to serve your community, State, or National Government in the capacity of a representative of the people, do you accept this responsibility with the desire to do your best, or do you say you are too busy with your own personal life to bother with such trivial matters? This is an important question to which you should give careful thought. Living in a democracy is not only a privilege handed to you on a silver platter; it carries much responsibility with it.

One of the most simple and commonplace methods of making democracy work is simply by obeying and respecting the rules and regulations, however small they may be, of our society. This extends from such small examples as running a red light to the more important ones such as theft and murder. We can further our democratic society by observing these everyday rules and regulations. When we do this, we are saying through our actions that we believe in our country and the laws it puts into force and that we are willing to support it.

I personally feel that democracy rests chiefly on respect for others' rights and property. When a person has respect for others' rights and property, he is less likely to do anything that would bring damage to them. He will, in fact, probably do more to uphold them than a person who does not respect others. To me, this is one of the most important prerequisites of making democracy work.

Another important factor is making democracy work is a knowledge and understanding of the functioning of our Government. Nothing is accomplished when ignorance enters the picture. Only through knowledge are we capable of expressing and completing our ideas and purposes in satisfactory manner. Knowledge opens the doors to many things—one of which is the ability to take on the responsibility of making democracy a living reality. Thus, the first step toward making democracy work is through education and knowledge.

I feel that indifference is the largest single factor that threatens our democratic society. When an individual has no feeling whatsoever for the society in which he lives, it will not be long before the democratic system begins to fail. It is only through interest and a strong love for the democratic way of life that our country has grown to its present position in the world of today. However, when the people of the United States cease to care, our great system will also fail.

Are you doing all you can to make democracy a living reality instead of a mere word? I challenge you to live up to the responsibility that goes hand in hand with the privilege of living in a democracy.

MAKING DEMOCRACY WORK

(By Jim Krebs, Cheyenne, Wyo.)

A government of, by, and for the people—that is democracy. In view of this fact, a democracy depends directly on the people who constitute it. Democracy as we know it needs the people's cooperation in order to operate well. The people must meet four challenges in order to make democracy work and to preserve democracy as an effective form of government.

To make democracy work the people must uphold the principles of good citizenship. Naturally the citizenry, the group which dictates the operation of a democracy, must follow just principles on a personal level before these principles may be effective in an entire nation. People in a democracy must be honest in respect both to other individuals and to the government. Dishonest practices corrupt not only individuals but countries as well. When it becomes widespread, this dishonesty breeds mistrust which can wreck a group or a nation; therefore, honesty occupies an important place in the structure of a working democracy. Along with being honest, citizens must also take an interest in the operation of their government. Before cultivating interest in government, the people must sow the seeds of interest in the affairs of their fellow men. Interest as well as honesty starts on a personal level, and only then does it spread to a nationwide level. If interested individuals do not take an active part in democracy, then this form of government which relies on the people will perish from malnutrition. Once the citizens cultivate honesty and interest, they should work with true effort toward an admirable goal. A democratic nation may be compared to a complex machine which needs effective operation of each individual part to work at top efficiency. In a democracy each person must work conscientiously at his job or in service of the country. The United States relies principally on economic strength for its existence; therefore, each worker doing his job well can create a healthy business climate which insures his nation's prosperity. When called into military service, a citizen should serve willingly instead of trying to dodge the draft. If persons worked as hard when in the service as many work when trying to avoid their military obligation, the United States might be even more powerful than at present. True effort in any field of endeavor, then, goes hand in hand with interest and honesty in meeting the challenge of upholding the principles of good citizenship.

Because of the self-governing feature of a democracy, its citizens must be educated. A democratic citizenry must also meet the challenge of educational responsibility. Citizens bear the responsibility of taking utmost advantage of the opportunities put before them, including the wise choice of a career. If a person doesn't intend to use a college education, he should not take up the place which could be occupied by a student earnestly desiring a college education. This point relates to a careful choice of career training and choice of employment objectives by the individual in question. A citizen should not only take full advantage of educational opportunities, but he should help make these opportunities available to everyone, regardless of race. In short, to make democracy work, people must meet their educational responsibility both in and out of the classroom.

In the effort to attain a working democracy, the populace must meet the responsibilities which democracy places on it in addition to upholding principles of citizenship and education. Voting is a privilege which assumes paramount importance in a democracy; consequently, to insure the effective operation of a democracy, the citizenry must meet the challenge of voting responsibility. In a nation such as ours which allows people a real choice of leadership, one finds it hard to believe that voting booths go begging for occupants. Records show that the United States has one of the lowest voting percentages of any nation which allows its citizens a voice in government. Even if the average man votes, he fulfills only a portion of his duty to his country. He must also elect responsible officials. A voter should carefully investigate each candidate's qualifications, then vote for the man, not the party. Democracy demands that its voters not only go to the polls but elect responsible leaders. Going along with voting, jury duty calls its share of the people every year. Many persons who are "too busy" shun their duty to the judicial branch of our Government. Seldom do citizens get the opportunity to serve on a jury more than once in their lives, yet they balk at the chance to take an active part in the operation of the courts. Serving responsibly on a jury, when called, is as much a part of making democracy work as voting responsibly.

Another part of one's democratic responsibility does not directly relate to the government per se. What would you do if you saw a man trying to steal a car or beat a woman? Would you turn your head or try to rectify the situation? The answers to these questions depend on one's personal convictions, but in order to insure the orderly operation of the democratic system, one must prevent and report crime. Any State which hopes to maintain a stable domestic government has to eliminate the internal decay brought on by crime. Conscientious citizens realize that a democratic society dictates order in that society, and by strict enforcement of laws, they strive to preserve order and the democratic system.

The foregoing duties involved in efficient operation of democracy apply to the people at large; however, those persons who find themselves in a higher position, public office, must meet additional responsibilities. When one serves in a position of public trust, he must forget his private interests and work for the good of the people as a whole. Persons in high places who use their office for personal advancement hinder rather than help the operation of democratic government. An honest concern for national welfare logically accompanies the necessary lack of self-interest. Naturally, public servants must care about the workings of democracy to bring about the orderly operation of government. The Constitution carefully outlines the type of government that should rule our Nation. Democratic government as we know it obligates public officials to uphold the governmental guidelines in our Constitution. Points which were drawn up almost 200 years ago still stand as significant parts of our laws today. Certainly changes must be made periodically, but the government official must advocate only those changes which will improve the government in the eyes of the most people. Such changes also must leave the government in the same form as we know it today, a representative democracy. National welfare and self-sacrifice constitute an additional burden which the public official in a working democracy bears.

All of the responsibilities and challenges cited above aim at the target of a working democracy. Since democracy is, in effect, the people, these people control the operation of the democracy. Practicing the principles of good citizenship, educational responsibility, democratic responsibility, and governmental responsibility, the individual, whether rich or poor, can play a significant role in a working democracy. All citizens, regardless of race, have responsibilities to the government; however, the democratic government, in turn, owes citizens of all races the opportunity for equality. Cooperation between individual and state in addition to cooperation among persons augments the workability of democracy, for democracy relies on cooperation and virtue, two qualities which cannot be legislated. Personal cultivation of democratic responsibility provides the foundation for further efforts to make democracy work. Individual effort is the key to a working democracy.

IDAHO WELCOMES GIRL SCOUTS

Mr. CHURCH. Mr. President, in a little more than 2 weeks from now, nearly 10,000 of the finest girls in the Nation—together with their leaders—will converge upon the northern part of my State of Idaho, for the 1965 Senior Girl Scout Roundup.

We in Idaho have long been noted for the warmth of our welcome to visitors and for the persons of note who take advantage, summer and winter, of Idaho's magnificent north lake country.

But not a single person who has spent time with us in the past, has honored us more with his or her presence than will any of the thousands of Girl Scouts who will pitch their tents at Farragut State Park, beginning July 15.

An article written by Phyllis Lee Levin and published in the June 27 issue of the New York Times magazine tells us something of the general character of these young ladies. The last sentence of her article states the faith I have that the teenager of today is far better than is often believed.

I ask unanimous consent that Miss Levin's article, entitled "Good Scouts All," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOOD SCOUTS ALL

(By Phyllis Lee Levin)

Come July 15, 9,000 teenage girls will pitch 6,000 tents in the rugged hills of Farragut, Idaho, for Roundup, a kind of summit conference of the Girl Scouts of the U.S.A. In preparation for this get-together, most of the girls filled out a comprehensive questionnaire studded with searching queries about their lives and thoughts. One cheerful conclusion may be drawn from their responses—and that is if the future depends on these teenagers in green, then congratulations are in order all around. It may well be that campfire strategy will save the world from going up in smoke.

These Girl Scouts, 15 through 17, if they are to be taken at their word are dedicated to higher education, helping others, serving in the Peace Corps, eradicating prejudice, enjoying folk music, dating without going steady, earning their own spending money, and generally doing good. The teenager who emerges from this survey, a composite of girls from all 50 States and from all types of homes, is serious, purposeful, industrious. To know her is undoubtedly to know the teenager next door—and possibly to help understand the one in the next room.

This teenage girl has a surprising earning capacity and is not afraid to roll up her sleeves and get her hands dirty. She has earned some or all of the cost of attending Roundup. Tutoring math, babysitting, working as a mother's helper, washing cars, mowing lawns, life guarding are just some of the ways she accumulated it.

Her hobbies are varied—from knitting, sewing and cooking to collecting stamps, coins and fossils. She is musical, to put it softly. She and her fellow Scouts will arrive in Farragut laden with 1,375 guitars, 1,156 ukeleles, 211 harmonicas, 199 recorders, 84 bongos plus an armful of banjos, flutes, piccolos, tonettes, kazoos and assorted homemade instruments. Musical tastes run from and to the Beatles and back to folk music and Peter, Paul, and Mary. She dislikes songs about violence and car accidents.

Fashion and its vagaries spurred the girls to outspoken opinions. They loath too tight and too short clothes, think you get to show your knees enough in bathing suits. The pale look, long hair that hangs in your face, heavy mascara and teased hair are intolerable. Mohair and anything madras are the teenage equivalent of white mink and Pucci prints.

Of all the subjects touched on by the survey, dating elicited the most surprising—and comforting—answers. The teenager, at least according to these Girls Scouts, has had her fill of going steady. She likes dating with another couple and observes cheerfully that "more teens are going to chaperoned affairs." She prefers going out strictly for fun, and enjoys teen centers. She obviously is pathetically on the run from serious involvements. Steady dating was almost tediously explored. "I don't think going steady or dating before 14 is good," one said. Another is against going steady but not really meaning it or dating for social prestige. Beach parties and hootenannies are preferred by far to parking or parties with no games or french kissing (you asked for it).

During Girl Scout Senior Roundup 1965, the days and nights from July 15 to July 28 will be filled with logrolling demonstrations and tree-climbing contests, beach picnics, and campfire sessions and tours of the Kaniksu National Forest. Gifts will be exchanged, songs sung, friendships begun. And when the final hamburger is charred and the last tent folded, probably the most memorable aspect of Roundup will have been its forums. These are organized discussions on topics that the girls declared of interest.

And those topics? Very much on the mind of the teenage Scouts who will gather this July are juvenile delinquency, curfews, driving ages, the role of a good wife at home and at the office, and the Negro's problems. Incredibly sophisticated, yet astonishingly naive, these youngsters want forums on the Peace Corps, the situation in Vietnam, the spread of communism. They also want to know what boys are like in different parts of the country. They want to discuss drug addiction, birth control, world peace, the space age and how to achieve a better understanding between teenagers and their parents. They worry about whether they are truly patriotic, are puzzled by movie censorship, want to know how to prepare for college other than scholastically.

If these 9,000 youngsters are united by a single dream, it is to be constructive and to help others. How typical are these girls? How strongly has scouting motivated them? The survey shows that 51.7 percent of these Girl Scouts think it has influenced them in their choice of job or field of work. One girl wrote: "Scouting helped me realize that helping others is not only important, but also fun and beneficial for the helper and the person helped." Another concluded that scouting taught her a deeper patriotism and feeling of responsibility to my country. An earnest teenager wrote that she had chosen medicine as her career, because "I want to do all I can for mankind." And still another: "I'm joining the Peace Corps to help others."

This portrait of the 15-through-17-year-old girl may impress some as being so wholesome as to be unbelievable. With only a single disquieting note—one teenager declares herself not only in favor of whip and chill deserts but also partial to peanut butter milkshakes—one wonders where the teenage problems are.

It is true that the girls are a handpicked lot. Out of every 10 applicant Scouts, only 1 gets to go to roundup. The roundup group is selected on the basis of area representation, camping skills, adjustability and independence. It must not be forgotten, however, that the members of roundup represents all social and economic levels of American society.

How then do we rationalize that contrary to cloudy predictions, today's teenager is tomorrow's moral, sensible and responsible adult? Does this Girl Scout survey hold an ounce of realism? Yes, indeed it does.

Drawing on her 40 years of scouting experience, Margaret Chapman, director of the program department of the Girl Scouts of the U.S.A., explains: "The youngster who continues in scouting is likely to be more serious in purpose and more idealistic. After all, that's what we've been plugging for all these years. But, Scout or not," says Miss Chapman, "the rank-and-file teenager is a better character than he or she is being given credit for—a far better character."

AMISTAD DAM AREA DUE RECREATIONAL FACILITIES

Mr. YARBOROUGH. Mr. President, on Monday, June 21, I introduced a bill to authorize the establishment of a national recreational area in connection with the Amistad Dam, now being constructed on the Rio Grande River, near Del Rio, Tex.

The fact that this area is very conducive to the provision of a needed recreational facility is illustrated by a series of three fine articles ably written by Loretta Overton, and published in the El Paso Herald-Post of June 21, 22, and 23, 1965. In order to illustrate the attractiveness of this area and the need for the Amistad Dam Recreation area, I ask unanimous consent that the three articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

HARD-HATTED CHEFS MIX BIG RECIPE FOR DAM

(By Loretta Overton)

During a tour of the Amistad Dam project I was tempted to tell the engineers about the trouble I have with a tricky nine-step recipe for strawberry cheesecake.

Master chefs in hard hats are mixing up a dandy batch of cement sauce for the dam, 12 miles northwest of Del Rio, Tex.

It occurred to me that anyone who could scrape, sift, stir and reinforce $78 million worth of ingredients and come up with a dam could surely tell me why my cheesecake always turns out to be a great gooey glob.

Amistad (Friendship) Dam is being created jointly by the United States and Mexico through their respective sections of the International Boundary and Water Commission.

The U.S. contract is being administered by Commissioner Joseph F. Friedkin and the Mexican contract by Mexican Commissioner David Herrera Jordan.

Purpose of the project is water conservation, flood control, and generation of hydroelectric energy. It will also bring new recreational opportunities to the surrounding area.

It is within 7 hours driving distance of El Paso and less than 2 hours flying time.

We flew there in a Piper Comanche to Del Rio, then drove to the damsite where we were taken on a tour by L. H. Henderson, main supervising engineer, and L. F. Sherman, construction engineer.

Amistad is the second major international storage dam to be constructed jointly by the United States and Mexico. The first, Falcon Dam, almost 300 miles downstream from Amistad was completed in 1953.

Agreement to build the two dams is in accordance with the provisions of the Water Treaty of 1944, Commissioner Friedkin said. Amistad was authorized by Congress on July 7, 1960.

Construction began in January of this year.

Some of the junior engineers working on the project have built a comprehensive "see-through" model of what it will look like when completed and this is now on display with recorded commentary by Mr. Sherman so that visitors may gain some insight into the magnitude of the project.

There is also a "look-out" point for "sidewalk superintendents" which is open on Sunday.

The recipe for the dam was worked out jointly by the two governments through the IBWC.

Detailed plans and specifications assigned to the U.S. Section were performed under its supervision by the U.S. Army Engineer District, Fort Worth, Corps of Engineers. Those assigned to Mexico were by the Ministry of Hydraulic Resources, Mexico, D. F.

Construction by each country is being performed by contract with each advertising and letting its contract for work assigned to its country in accordance with its own laws and regulations, Mr. Henderson said.

Four U.S. firms are working in a joint venture on it. They are C. H. Leavell & Co., of El Paso, Perini Corporation of Framington, Mass., J. A. Jones Construction Co. of Charlotte, N.C., and Vinnell Corp. of Alhambra, Calif.

Mexico's contractor is La Victoria y Asociados of Mexico City.

Equipment for making the concrete gravity section has been installed. The dam will have a concrete gravity section in the river channel with flanking earth embankments.

Mr. Sherman said principal quantities of work allocated to the United States are 6 million cubic yards of rock excavation; placing about 900,000 cubic yards of concrete and furnishing and installing 10 million pounds of structural steel.

When completed the water surface at conservation pool level will be about 67,000 acres. At maximum level the water surface will cover about 87,500 acres of which 57,000 will be in the United States.

Here are some random bits of information that impressed a nonengineer on the tour.

Rubber tires for "cats"—giant earthmovers, cost about $800 each.

The concrete batching plant resembles a huge Mixmaster. Concrete may crack if it isn't cooled to a certain temperature, so cooling equipment has been installed for that purpose.

Sample "plugs" taken from deep beneath the earth's surface are about the size of a water barrel and contain cretaceous fossils millions of years old. They also tell the engineers valuable facts about the natural rock foundation of the dam.

That two nations, speaking different languages, can work together on such a massive project without friction is impressive.

In the Amistad Dam project, the hard-hatted master chefs are refuting that saying about "too many cooks."

Prehistoric Texan Liked To Doodle in Caves

(By Loretta Overton)

He was quite a guy—an old-fashioned Texan, you might say. Money meant nothing to him. He liked to hunt and fish.

Maybe his wife got tired of looking at bare walls and pestered him to "pretty up" the place a bit. Or maybe he drew them to show her what the huge "beastie" that got away looked like. But that was between 10,000 and 15,000 years * * * ago when he drew them. Anyway, it's fun to wonder.

When the new Amistad Dam is completed, colorful pictographs made by men who roamed what is now Texas thousands of years ago will be made accessible to those who wish to see them. The area will provide interesting exploring.

The Amistad project, already under construction by Mexico and the United States under the supervision of the International Boundary and Water Commission, has as its major purposes water conservation, flood control * * * and hydroelectric energy.

However, its potential as a national recreation area is apparent to even the casual visitor. It is within a few hours' drive from El Paso and the distance may be flown in light aircraft in less than 2 hours.

It is also within 250 miles of 7 U.S. cities, each of which has a population of more than 50,000 people. According to John Robinson, Jr., past president of the Del Rio. Tex., Chamber of Commerce, about 2.5 million people could be served by a recreation area at Amistad.

Located 12 miles from Del Rio, the chamber of commerce there, now under the presidency of Ken Jackman has been working with officials of the IBWC, the National Park Service, and their congressional representatives to secure legislation so that shoreline land on the U.S. side may become a national park.

They feel that without adequate protection and control of the shoreline for public benefit, haphazard private development could result in the area becoming a recreational slum as it has at some other damsites in the country.

Without proper protection the drawings left by ancient man could easily be defaced by his unthinking descendants with such immortal messages as "Kilroy Was Here," and "John Loves Jane."

A tour of the Amistad project was arranged for the Herald-Post by U.S. Commissioner Joseph Friedkin. Technical aspects of the dam were covered in yesterday's article. The tour was led by L. H. Henderson, principal supervising engineer and L. F. Sherman, construction engineer.

From a recreational standpoint, water sports will be the chief attraction but those interested in exploration relating to archeology, anthropology, botany and wildlife—or in photography—will find endless hours of delight and adventure.

Commissioner Friedkin said archeological investigation has only recently begun in the area and is being conducted by the University of Texas before some of the "finds" become inundated. Other sites, high on cliffs, will become more accessible by boat when the reservoir is filled.

Mr. Robinson said rare Folsom points, distinctive because of ribbonlike fluting around the edges have been "kicked-up" by Del Rio residents.

Experts now recognize that man occupied that area, particularly on the U.S. side of the Rio Grande for a very long period thousands of years ago.

The city-weary, nature-starved tourist or the botanist will find much pleasure in the wildflowers that bloom in spring in the area.

We discovered that roots and seeds of the sacred datura which has large white trumpet-shaped flowers which close after the sun rises were used by Indians for narcotic and medicinal purposes.

The dried sap of brilliant yellow brittlebush was used as an incense in early churches and the Mexican wild zinnia from which our garden zinnias were evolved grow on the flats near the Amistad project.

Golden crownbeard, blue lupine and pink sand verbenas decorate roadsides between Del Rio and the dam.

Across the highlands bordering the future reservoir are ocotillo, yucca, beargrass, mescalbean, and the various cacti. Notable were the little pincushion cacti with brilliant blooms and the beavertail cactus which has bright red blooms.

Desert and plateau mix in the Amistad zone. Plants and animals are mostly those of the uplands of the Edwards Plateau but they mingle with those who might call the Chihuahuan desert home.

This intermingling and friendship between species serves as a natural symbol of the amicability existing between the two nations constructing the Amistad (Friendship) Dam.

Coati, small members of the raccoon family native to the desert, travel in bands and the neighbors of the armadillo, peccary, boat-tailed grackle and the ringtail squirrel.

The observer who has the patience to sit quietly for a couple of hours or more in a sheltered spot may be rewarded by a fleeting glimpse of a whitetail deer, mourning doves, or a golden-fronted woodpecker.

Turtles, especially the Western Box turtle (5 to 6 inches long) amble casually across roads in the vicinity. One child told us that they make fine pets, eat insects, and live up to 80 years.

Rockhounds, mineral, and fossil enthusiasts will find large cretaveous fossil shells in many spots of the Georgetown limestone in which caves have been formed by the Rio Grande.

These date back 135 million years ago to the Cretaceous period and the last great spread of the seas.

After legislation is passed so that land may become a national park, it would be supervised by the National Park Service of the Department of the Interior which already has the matter under study.

Completion of the reservoir has been scheduled for March 1969.

Del Rio Prepares for Tourist Increase

(By Loretta Overton)

"The Amistad project is blessed by Del Rio Texans. Its giving them a dam," quipped Del Rio Mayor Conger Jones.

The Amistad (Friendship) Dam being built 12 miles upstream from Del Rio by the United States and Mexico, jointly, will impound a lake up the Rio Grande, the Devils River, Arroyo de la Zorra, Arroyo Caballo, and the Pecos River. The reservoir will extend up the Rio Grande about 74 miles at conservation level.

Although its primary purpose is water conservation, flood control, and generation of hydroelectric energy, it will also provide a major national recreational area.

It is this that makes the Del Rio citizens look to the future with enthusiasm.

Although the project will not be completed until March 1969, present plans call for impoundment of waters in early 1968, U.S. Commissioner Joseph Friedkin of the International Water and Boundary Commission said.

Commissioner Friedkin said Amistad Reservoir will be the largest in or bordering Texas. It will have more than 2.5 times the capacity of Elephant Butte and will be the 11th largest reservoir in the United States.

John Robinson, Jr., past president of the Del Rio Chamber of Commerce said many merchants are already making plans to enlarge their sporting goods departments to be ready to supply demands when the Amistad Reservoir is filled.

U.S. Highways 90 and 277 intersect in Del Rio, providing easy automobile access from all directions—including El Paso. It is only 350 miles away from Houston and only 450 miles from the Dallas-Fort Worth metropolitan center.

One of the major sports the reservoir will provide is sailing.

"Can you imagine someone saying 'I went sailing in West Texas,'" one Del Rioan said.

However, a sailboating expert said that reasonably steady breezes combined with the lack of a high, wind-deflecting shoreline should provide pleasant and relatively safe sailing conditions.

He said facilities are already being considered at Amistad and that areas could be zoned so that sailboat races could be held in waters undisturbed by power craft.

He dreamed of the day when an international regatta would be held on Amistad Lake.

In addition to sailboating, the lake created by the dam will provide waterskiing, motorboating and fishing.

A fishing enthusiast, R. J. Robertson, owner of the Del Rio Airport, said he was looking forward to catching large mouth bass at Amistad when it is completed.

> He said that fishing for large mouth and white bass, and white crappie will be very good for several years after the reservoir is opened.
>
> Hunters will find doves plentiful in the region and it is expected that establishment of the dam will generally benefit wildlife. There are Whitetail deer in the neighborhood.
>
> Picnicking and camping are also expected to be popular.
>
> Del Rio Chamber of Commerce officials have been working with those of the IWBC, National Park Service and their congressmen to secure legislation so that land on the U.S. side may become a national park.
>
> Mayor Jones said that even in the past year, land values in the vicinity of Amistad Dam have risen astronomically. "Land that used to sell for $25 an acre is selling for $125 now—and is still going up," he said.
>
> Del Rio and nearby Eagle Pass are both feeling a slight rise in prosperity as a result of the payroll of workers on the project, and as it goes into full swing, they expect to feel the influx of new money more.
>
> "Almost all of the men working on Amistad are living in Del Rio," Mayor Jones said.
>
> Principal supervising engineer L. H. Henderson estimated that more than 60 percent of the cost of construction went to payrolls. Total cost of the project is estimated at $78 million.
>
> Only a few hours drive from El Paso, it is entirely conceivable that Amistad Lake may give a boost to the sale of water sports equipment here.
>
> I like to fly and I am looking forward to the day when I can fly down to Amistad in the morning, hook a few large mouth bass, then fly back and serve them for supper. With cornbread and coleslaw, that is.

AWARD TO KENNETH P. MAGALLANES OF THE YOUNG AMERICAN MEDAL FOR BRAVERY

Mr. INOUYE. Mr. President, tomorrow will be a memorable day in the life of one of my young constituents in Hawaii. Kenneth P. Magallanes, 13, son of Mr. and Mrs. Arcenio Magallanes, of Pearl City, a suburb of Honolulu, will receive from President Lyndon B. Johnson, at the White House, the Young American Medal for Bravery.

The moment of truth for Kenneth P. Magallanes came more than 2 years ago, when he was but 11 years old. A 2-year-old child had fallen through a narrow opening into an abandoned cesspool in Kenneth's neighborhood. When Kenneth arrived at the scene, the child lay 15 feet below the surface, in a pit filled with noxious fumes.

The father of the child and several firemen and ambulance attendants tried, in vain, to squeeze through the narrow opening. A highway crew, well aware of the risk of collapsing the pit, prepared to dig their way to the child.

At that moment of quiet desperation, as the child lay near death, Kenneth Magallanes volunteered to wriggle through the opening and to attempt a rescue.

An ambulance attendant warned Kenneth that the gas in the pit would kill him. "I still want to go," Kenneth said.

A rope was tied around his waist; and Kenneth squirmed through the small hole, and was lowered to the helpless child. He placed his arms around the infant; but, as he was being lifted out, the deadly gas caused Kenneth to lose consciousness. The child slipped from his grasp.

Kenneth was brought to the surface, and was revived with oxygen. He insisted upon making a second attempt, despite repeated warnings. This time, Kenneth slipped a rope loop around the child; and the two were hoisted to safety.

In a letter dated September 14, 1964, addressed to the Honorable Robert F. Kennedy, then U.S. Attorney General, Gov. John A. Burns, of Hawaii, a former Delegate to Congress, nominated Kenneth P. Magallanes for consideration as a recipient of the Young American Medal for Bravery.

As a U.S. Senator from Hawaii, I am proud to have such a fine young man in my constituency.

LEGISLATIVE REAPPORTIONMENT

Mr. TYDINGS. Mr. President, last Sunday the New York Times came out against the Dirksen amendment.

As is usual for this fine newspaper, it did so for excellent reasons. The Times points out that there are sharply divided views in the country on the need and desirability of an amendment to permit continued malapportionment of our state legislatures. The Times also points out that we do not yet know the consequences of the Supreme Court's reapportionment decisions.

Reynolds against Sims was decided only 1 year ago this month. No one can yet say whether the criticisms of the decision are justified. The Times concludes:

> Considering all the circumstances, Congress would be able to leave the apportionment problem alone for the present.

I wholeheartedly agree. As I said in my maiden speech on the subject of legislative apportionment:

> Let us not amend the Constitution in panic. If, in the future, we find a need for greater flexibility in the composition of our State legislatures we can then take careful and deliberate action to deal with the problem.
>
> To amend the Constitution in haste is to amend it unwisely. Let it not be said that this Congress proposed to the States an ill-considered amendment to the Constitution of the United States.

I ask unanimous consent that the New York Times editorial of June 27 be inserted in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Dirksen Amendment

> The constitutional amendment which Senator Dirksen has sponsored and a Senate Judiciary Subcommittee has now approved to permit one house of a State legislature to be apportioned on a basis other than population raises a troublesome question of public policy.
>
> This newspaper has long recognized that there is merit in the argument of the amendment's backers that a legislature ought in some way to take into account the balance of diverse interests that make up the community it represents. Minority interests and minority values deserve protection; the fear of an ignorant or tyrannical majority is not a baseless concern.
>
> It is also true, however, that the apportionment that existed in most State legislatures before the Supreme Court laid down its strict one-man, one-vote rule last year was scandalously unfair. It went beyond protecting the interests of rural residents to an extent that gave them an absolute veto over all legislation affecting the urban majority. It was the persistent refusal of the legislatures to correct this inequity that compelled the Supreme Court to intervene.
>
> Now that the old system of apportionment has been overthrown, the difficult task is to reconcile, if possible, the values of minority protection in the old with those of majority representation and responsibility in the new. Thus far, no one has suggested a dependable road to such reconciliation. At the very least, the Dirksen amendment provides no persuasive formula for guarding against the old abuses.
>
> If it were adopted, many States would presumably revert to the old method of electing members of one house on the basis of counties or other territorial districts rather than population. As it has in the past, this method would give rural interests control of one chamber and thus a veto over city and suburban needs. A stalemate between the two houses would be the probable result, with an attendant choice between horsetrading and legislative paralysis.
>
> To reduce the danger of a perpetual minority veto, the Senate Judiciary Subcommittee revised the Dirksen proposal to provide that any apportionment plan not based on population would have to be reviewed every 10 years in a popular referendum. Rejection would permit submission of a revised plan for a vote 2 years later. If that, too, were rejected, both houses would then have to be districted according to population. This cumbersome procedure seems likely to produce constant political turmoil and disorder at the very basis of government, where stability and predictability should prevail.
>
> Considering all the circumstances, Congress would be wise to leave the apportionment problem alone for the present. When all the States have finished reapportioning their legislatures and some years of experience have been accumulated, it will be possible to judge better whether the fears for minority values are justified. The delay would also allow useful experimentation with the relative virtues of having one house or two in a legislature where population is the sole test of representation.

ADDRESS BY REPRESENTATIVE CARL ALBERT AT DINNER HONORING REPRESENTATIVE JOHN S. MONAGAN

Mr. RIBICOFF. Mr. President, recently a dinner was given in honor of an outstanding and exceptional Member of the U.S. House of Representatives—John S. Monagan, of the Fifth Congressional District of Connecticut. The dinner was filled to overflowing with friends and admirers of John Monagan. All who were present were privileged to have as the main speaker the Honorable Carl Albert, majority leader of the House of Representatives. His speech was excellent, and was very well received. In order to share the speech with other Senators, I ask unanimous consent that it be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

> It is a great pleasure to be here tonight in Cheshire. I am especially happy to be here with so many of the fighting, unterrified Democrats and responsible Republicans and unaffiliated voters who worked for last year's victory in this Fifth District of Connecticut.

In the 1964 elections, the Fifth District voted the national Democratic ticket by a 2 to 1 margin—2 to 1 for Democratic President Lyndon Johnson, 2 to 1 for Democratic Senator Thomas Dodd, and 2 to 1 for Democratic Congressman John S. Monagan.

Your great Democratic vote reflects not only the appeal of your candidates but a strong and effective Democratic organization from the grassroots to the Capitol. Your recent local elections which brought Newton and Naugatuck, and before that Shelton, into the Democratic column, show the vitality and growth of the Democratic Party in this district.

I am happy to be here with your great Congressman, John S. Monagan. I have known John ever since he came to the Congress in 1959. From the first day, he impressed his colleagues by his extraordinary abilities. He quickly became, and is today, recognized as one of our most brilliant, knowledgeable, conscientious, constructive, and effective Members.

John serves with distinction on two important House committees: the Committee on Foreign Affairs and the Committee on Government Operations. These two committee assignments allow him to cover the waterfront, both at home and abroad. He has a voice in all governmental matters, and this is a mark of the great confidence John Monagan's House colleagues have in his judgment and in his ability to get the job done.

The decisions and responsibilities facing the Committee on Foreign Affairs have never been more difficult or continuous. This committee must initiate the legislative advice, support, and action needed by the President in conducting our foreign policy. The men and women charged with such grave responsibility must have great knowledge, stature, and dedication. Your Congressman qualifies on all these counts; he has earned a reputation as one of the committee's most effective and distinguished members. As chairman of the Europe Subcommittee he presided over the hearings on "Recent Developments in the Soviet Bloc" which compiled the most comprehensive information available on current developments in culture and religion in Eastern Europe.

He has been honored by the Assembly of Captive Nations for his "steadfast support of freedom aspirations of the captive nations."

He has headed many study committees which have dealt with such complex areas of foreign affairs as trade, power struggles in the U.S.S.R., economic failures in the Communist system, and the need to strengthen the NATO organization. The special study mission to Europe which he headed this year made an invaluable contribution to the committee's source material on developments in the U.S.S.R. and has provided guidelines for the committee's consideration of a host of items relating both to Western Europe and Eastern Europe.

President Johnson regards Congressman Monagan as a main source of strength in the committee. John's support of the President's policy in Vietnam and in the Dominican Republic reflects not only the soundness of his own judgment that this is the most feasible course over the long range, but it also reflects the support given the President by the people of the Fifth District of Connecticut. I understand that a recent questionnaire which John distributed showed that his people are four-square behind the President in his handling of the situation in Vietnam.

The foreign aid authorization bill which passed the House this week was perhaps less controversial than any such bill in the history of the foreign aid program and testifies to the soundness of the preliminary judgments and thorough work done in the committee.

John is also chairman of the Subcommittee on Donable Property. He assumed this post in 1962, succeeding Speaker John McCormack who had been elected Speaker of the House.

I need not tell you that John has served his district well. If you want a specific instance in the domestic area, I call to your attention the recent legislation which released 150,000 tons of copper from the national stockpile. Congressman Monagan played a leading and indispensable role in the effort behind the successful enactment of this bill so important to industry and labor in this area. Many tons of stockpile copper are currently coming to Connecticut through the efforts of John Monagan—averting threatened layoffs and shutdowns that could have developed from shortage of supplies.

As a warmup for this achievement, your Congressman was a leader in a successful effort which resulted in 20,000 tons of copper being released from the stockpile by action of the administration. John Monagan is to Connecticut industry and economic growth what Sargent Shriver is to the Job Corps and the Peace Corps.

John Monagan is not a man who concentrates on one town, one tool, one project, or one program. His efforts are as versatile and all encompassing as his talents. He works toward peace and prosperity, he works to build up business and industry, he works to create job opportunities, good schools, flourishing communities with adequate services, and to see that these include protection from devastating floods such as you suffered in 1955. During his tenure, John Monagan has been successful in obtaining an additional $25 million in flood control funds for his district. This is a feat in proportion to the talents of a great man and a great legislator.

I am happy to serve with John. I am happy to serve in the 89th Congress, the most Democratic Congress since the 1930's. This Congress, I can testify, ladies and gentlemen, is on the march. The first 100 days of the 89th Congress were the most productive since the first 100 days of the first Roosevelt Congress. This Congress during its 5 months in session, has passed and has advanced more far-reaching, constructive legislation than any Congress in 30 years. No previous Congress can compete with the legislative zeniths which already have been achieved or brought within view.

This Congress has already passed and the President has already signed into law the first comprehensive elementary and secondary education bill in the history of this country. This was a monumental breakthrough in national legislation to aid our schoolchildren. This bill is America's assurance that the blight of illiteracy will be banished from the American scene. This bill is America's vow to guarantee both the right and the opportunity of every American child to receive a basic education. This bill is America's resolution to put an end to the useless waste of human talent.

Like the Economic Opportunity Act which we passed last year, this bill represents a vital weapon in our assault on poverty. These programs prove the determination of the Federal Government to help all Americans put a new face on futures less promising than the economy of this Nation can afford. Our legislative programs are for people. That is why the Democratic Party supports them. Our goal today as in the past is the betterment of all our people.

The Democratic 89th Congress is not afraid to face up affirmatively to the great problems which confront our country and mankind. We are attacking the problems of the working people and the unemployed of this country. We are attacking the problems of ignorance and disease. We are attacking the problems of discrimination based on race and national origin. We are attacking the problems which ruthless Communist dictators are forcing on the human race. We are attacking them affirmatively. We are meeting them and defeating them with all the resolution which our country—with all its might and power can bring to bear.

They criticize the great President of the United States, one of the most successful legislators in the history of parliamentary government, one of the most dynamic and humanitarian leaders in the history of our land. His program is the program of the Democratic Party and Democrats intend to put it over.

We hear criticisms from some quarters that this is a rubberstamp Congress. The only rubberstamp I have found in the Congress is the rubberstamp that votes "No" where the education of children is concerned, that votes "No" where the health of the people is concerned, that votes "No" where the development of the resources of this Nation are concerned. These negativists are the rubberstamps. These are the do-nothing elements in the Congress of the United States.

President Kennedy campaigned in 1960 on the promise that the Democratic Party would get the country moving again.

The Democratic Party has made good on that promise. It has attacked the problems of young people and of old people, of the uneducated and the untrained, of employer and employee.

The economy of our Nation has reacted buoyantly to the "can-do" policies of Democratic administrations.

The economy has moved upward every single month during the 52 months since January 1961, and it is moving upward today. The wages and salaries of the people are up 22 percent; personal income of Americans is up 27 percent; corporate dividends are up 30 percent; personal savings are up 39 percent; corporate profits after taxes are up 63 percent; 4½ million new jobs have been created and the unemployment rate has decreased from 6½ to 4.9 percent. During this entire 52-month period of expansion, the Wholesale Price Index has remained steady. We have accomplished this surge in the economy with virtually no inflation.

The Democratic Party and the Democratic Congress have dedicated themselves to expanding opportunity for all Americans and these efforts are paying off in the greatest economic prosperity, the most phenomenal gains in human progress and development in the history of this country, or of any country in the world.

The 89th Congress is destined to make some of the most important legislative advances of the 20th century.

Before this Congress adjourns it will pass a new omnibus housing act to help millions of American families to own their own homes and other millions who are poverty stricken to move into decent housing.

Before this Congress adjourns many of the wartime excise taxes will be reduced or eliminated.

Before this Congress adjourns it will expand our program to aid higher education.

Before this Congress adjourns it will make new and major assaults on juvenile delinquency, and it will advance human development on many educational and cultural levels.

Before this Congress adjourns it will act to prevent the denial or abridgment of the constitutional voting rights of any American citizen.

Before this Congress adjourns it will amend the immigration laws to permit the entry of potential new citizens on a generous and fair basis.

This Congress, above all, will provide the funds necessary to meet our commitments

He said that fishing for large mouth and white bass, and white crappie will be very good for several years after the reservoir is opened.

Hunters will find doves plentiful in the region and it is expected that establishment of the dam will generally benefit wildlife. There are Whitetail deer in the neighborhood.

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I like to fly and I am looking forward to the day when I can fly down to Amistad in the morning, hook a few large mouth bass, then fly back and serve them for supper. With cornbread and coleslaw, that is.

AWARD TO KENNETH P. MAGALLANES OF THE YOUNG AMERICAN MEDAL FOR BRAVERY

Mr. INOUYE. Mr. President, tomorrow will be a memorable day in the life of one of my young constituents in Hawaii. Kenneth P. Magallanes, 13, son of Mr. and Mrs. Arcenio Magallanes, of Pearl City, a suburb of Honolulu, will receive from President Lyndon B. Johnson, at the White House, the Young American Medal for Bravery.

The moment of truth for Kenneth P. Magallanes came more than 2 years ago, when he was but 11 years old. A 2-year-old child had fallen through a narrow opening into an abandoned cesspool in Kenneth's neighborhood. When Kenneth arrived at the scene, the child lay 15 feet below the surface, in a pit filled with noxious fumes.

The father of the child and several firemen and ambulance attendants tried, in vain, to squeeze through the narrow opening. A highway crew, well aware of the risk of collapsing the pit, prepared to dig their way to the child.

At that moment of quiet desperation, as the child lay near death, Kenneth Magallanes volunteered to wriggle through the opening and to attempt a rescue.

An ambulance attendant warned Kenneth that the gas in the pit would kill him. "I still want to go," Kenneth said.

A rope was tied around his waist; and Kenneth squirmed through the small hole, and was lowered to the helpless child. He placed his arms around the infant; but, as he was being lifted out, the deadly gas caused Kenneth to lose consciousness. The child slipped from his grasp.

Kenneth was brought to the surface, and was revived with oxygen. He insisted upon making a second attempt, despite repeated warnings. This time, Kenneth slipped a rope loop around the child; and the two were hoisted to safety.

In a letter dated September 14, 1964, addressed to the Honorable ROBERT F. KENNEDY, then U.S. Attorney General, Gov. John A. Burns, of Hawaii, a former Delegate to Congress, nominated Kenneth P. Magallanes for consideration as a recipient of the Young American Medal for Bravery.

As a U.S. Senator from Hawaii, I am proud to have such a fine young man in my constituency.

LEGISLATIVE REAPPORTIONMENT

Mr. TYDINGS. Mr. President, last Sunday the New York Times came out against the Dirksen amendment.

As is usual for this fine newspaper, it did so for excellent reasons. The Times points out that there are sharply divided views in the country on the need and desirability of an amendment to permit continued malapportionment of our state legislatures. The Times also points out that we do not yet know the consequences of the Supreme Court's reapportionment decisions.

Reynolds against Sims was decided only 1 year ago this month. No one can yet say whether the criticisms of the decision are justified. The Times concludes:

> Considering all the circumstances, Congress would be able to leave the apportionment problem alone for the present.

I wholeheartedly agree. As I said in my maiden speech on the subject of legislative apportionment:

> Let us not amend the Constitution in panic. If, in the future, we find a need for greater flexibility in the composition of our State legislatures we can then take careful and deliberate action to deal with the problem.
>
> To amend the Constitution in haste is to amend it unwisely. Let it not be said that this Congress proposed to the States an ill-considered amendment to the Constitution of the United States.

I ask unanimous consent that the New York Times editorial of June 27 be inserted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE DIRKSEN AMENDMENT

The constitutional amendment which Senator DIRKSEN has sponsored and a Senate Judiciary Subcommittee has now approved to permit one house of a State legislature to be apportioned on a basis other than population raises a troublesome question of public policy.

This newspaper has long recognized that there is merit in the argument of the amendment's backers that a legislature ought in some way to take into account the balance of diverse interests that make up the community it represents. Minority interests and minority values deserve protection; the fear of an ignorant or tyrannical majority is not a baseless concern.

It is also true, however, that the apportionment that existed in most State legislatures before the Supreme Court laid down its strict one-man, one-vote rule last year was scandalously unfair. It went beyond protecting the interests of rural residents to an extent that gave them an absolute veto over all legislation affecting the urban majority. It was the persistent refusal of the legislatures to correct this inequity that compelled the Supreme Court to intervene.

Now that the old system of apportionment has been overthrown, the difficult task is to reconcile, if possible, the values of minority protection in the old with those of majority representation and responsibility in the new. Thus far, no one has suggested a dependable road to such reconciliation. At the very least, the Dirksen amendment provides no persuasive formula for guarding against the old abuses.

If it were adopted, many States would presumably revert to the old method of electing members of one house on the basis of counties or other territorial districts rather than population. As it has in the past, this method would give rural interests control of one chamber and thus a veto over city and suburban needs. A stalemate between the two houses would be the probable result, with an attendant choice between horsetrading and legislative paralysis.

To reduce the danger of a perpetual minority veto, the Senate Judiciary Subcommittee revised the Dirksen proposal to provide that any apportionment plan not based on population would have to be reviewed every 10 years in a popular referendum. Rejection would permit submission of a revised plan for a vote 2 years later. If that, too, were rejected, both houses would then have to be districted according to population. This cumbersome procedure seems likely to produce constant political turmoil and disorder at the very basis of government, where stability and predictability should prevail.

Considering all the circumstances, Congress would be wise to leave the apportionment problem alone for the present. When all the States have finished reapportioning their legislatures and some years of experience have been accumulated, it will be possible to judge better whether the fears for minority values are justified. The delay would also allow useful experimentation with the relative virtues of having one house or two in a legislature where population is the sole test of representation.

ADDRESS BY REPRESENTATIVE CARL ALBERT AT DINNER HONORING REPRESENTATIVE JOHN S. MONAGAN

Mr. RIBICOFF. Mr. President, recently a dinner was given in honor of an outstanding and exceptional Member of the U.S. House of Representatives—JOHN S. MONAGAN, of the Fifth Congressional District of Connecticut. The dinner was filled to overflowing with friends and admirers of JOHN MONAGAN. All who were present were privileged to have as the main speaker the Honorable CARL ALBERT, majority leader of the House of Representatives. His speech was excellent, and was very well received. In order to share the speech with other Senators, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

It is a great pleasure to be here tonight in Cheshire. I am especially happy to be here with so many of the fighting, unterrified Democrats and responsible Republicans and unaffiliated voters who worked for last year's victory in this Fifth District of Connecticut.

In the 1964 elections, the Fifth District voted the national Democratic ticket by a 2 to 1 margin—2 to 1 for Democratic President Lyndon Johnson, 2 to 1 for Democratic Senator THOMAS DODD, and 2 to 1 for Democratic Congressman JOHN S. MONAGAN.

Your great Democratic vote reflects not only the appeal of your candidates but a strong and effective Democratic organization from the grassroots to the Capitol. Your recent local elections which brought Newton and Naugatuck, and before that Shelton, into the Democratic column, show the vitality and growth of the Democratic Party in this district.

I am happy to be here with your great Congressman, JOHN S. MONAGAN. I have known JOHN ever since he came to the Congress in 1959. From the first day, he impressed his colleagues by his extraordinary abilities. He quickly became, and is today, recognized as one of our most brilliant, knowledgeable, conscientious, constructive, and effective Members.

JOHN serves with distinction on two important House committees: the Committee on Foreign Affairs and the Committee on Government Operations. These two committee assignments allow him to cover the waterfront, both at home and abroad. He has a voice in all governmental matters, and this is a mark of the great confidence JOHN MONAGAN'S House colleagues have in his judgment and in his ability to get the job done.

The decisions and responsibilities facing the Committee on Foreign Affairs have never been more difficult or continuous. This committee must initiate the legislative advice, support, and action needed by the President in conducting our foreign policy. The men and women charged with such grave responsibility must have great knowledge, stature, and dedication. Your Congressman qualifies on all these counts; he has earned a reputation as one of the committee's most effective and distinguished members. As chairman of the Europe Subcommittee he presided over the hearings on "Recent Developments in the Soviet Bloc" which compiled the most comprehensive information available on current developments in culture and religion in Eastern Europe.

He has been honored by the Assembly of Captive Nations for his "steadfast support of freedom aspirations of the captive nations."

He has headed many study committees which have dealt with such complex areas of foreign affairs as trade, power struggles in the U.S.S.R., economic failures in the Communist system, and the need to strengthen the NATO organization. The special study mission to Europe which he headed this year made an invaluable contribution to the committee's source material on developments in the U.S.S.R. and has provided guidelines for the committee's consideration of a host of items relating both to Western Europe and Eastern Europe.

President Johnson regards Congressman MONAGAN as a main source of strength in the committee. JOHN'S support of the President's policy in Vietnam and in the Dominican Republic reflects not only the soundness of his own judgment that this is the most feasible course over the long range, but it also reflects the support given the President by the people of the Fifth District of Connecticut. I understand that a recent questionnaire which JOHN distributed showed that his people are four-square behind the President in his handling of the situation in Vietnam.

The foreign aid authorization bill which passed the House this week was perhaps less controversial than any such bill in the history of the foreign aid program and testifies to the soundness of the preliminary judgments and thorough work done in the committee.

JOHN is also chairman of the Subcommittee on Donable Property. He assumed this post in 1962, succeeding Speaker JOHN MCCORMACK who had been elected Speaker of the House.

I need not tell you that JOHN has served his district well. If you want a specific instance in the domestic area, I call to your attention the recent legislation which released 150,000 tons of copper from the national stockpile. Congressman MONAGAN played a leading and indispensable role in the effort behind the successful enactment of this bill so important to industry and labor in this area. Many tons of stockpile copper are currently coming to Connecticut through the efforts of JOHN MONAGAN—averting threatened layoffs and shutdowns that could have developed from shortage of supplies.

As a warmup for this achievement, your Congressman was a leader in a successful effort which resulted in 20,000 tons of copper being released from the stockpile by action of the administration. JOHN MONAGAN is to Connecticut industry and economic growth what Sargent Shriver is to the Job Corps and the Peace Corps.

JOHN MONAGAN is not a man who concentrates on one town, one tool, one project, or one program. His efforts are as versatile and all encompassing as his talents. He works toward peace and prosperity, he works to build up business and industry, he works to create job opportunities, good schools, flourishing communities with adequate services, and to see that these include protection from devastating floods such as you suffered in 1955. During his tenure, JOHN MONAGAN has been successful in obtaining an additional $25 million in flood control funds for his district. This is a feat in proportion to the talents of a great man and a great legislator.

I am happy to serve with JOHN. I am happy to serve in the 89th Congress, the most Democratic Congress since the 1930's. This Congress, I can testify, ladies and gentlemen, is on the march. The first 100 days of the 89th Congress were the most productive since the first 100 days of the first Roosevelt Congress. This Congress during its 5 months in session, has passed and has advanced more far-reaching, constructive legislation than any Congress in 30 years. No previous Congress can compete with the legislative zeniths which already have been achieved or brought within view.

This Congress has already passed and the President has already signed into law the first comprehensive elementary and secondary education bill in the history of this country. This was a monumental breakthrough in national legislation to aid our schoolchildren. This bill is America's assurance that the blight of illiteracy will be banished from the American scene. This bill is America's vow to guarantee both the right and the opportunity of every American child to receive a basic education. This bill is America's resolution to put an end to the useless waste of human talent.

Like the Economic Opportunity Act which we passed last year, this bill represents a vital weapon in our assault on poverty. These programs prove the determination of the Federal Government to help all Americans put a new face on futures less promising than the economy of this Nation can afford. Our legislative programs are for people. That is why the Democratic Party supports them. Our goal today as in the past is the betterment of all our people.

The Democratic 89th Congress is not afraid to face up affirmatively to the great problems which confront our country and mankind. We are attacking the problems of the working people and the unemployed of this country. We are attacking the problems of ignorance and disease. We are attacking the problems of discrimination based on race and national origin. We are attacking the problems which ruthless Communist dictators are forcing on the human race. We are attacking them affirmatively. We are meeting them and defeating them with all the resolution which our country—with all its might and power can bring to bear.

They criticize the great President of the United States, one of the most successful legislators in the history of parliamentary government, one of the most dynamic and humanitarian leaders in the history of our land. His program is the program of the Democratic Party and Democrats intend to put it over.

We hear criticisms from some quarters that this is a rubberstamp Congress. The only rubberstamp I have found in the Congress is the rubberstamp that votes "No" where the education of children is concerned, that votes "No" where the health of the people is concerned, that votes "No" where the development of the resources of this Nation are concerned. These negativists are the rubberstamps. These are the do-nothing elements in the Congress of the United States.

President Kennedy campaigned in 1960 on the promise that the Democratic Party would get the country moving again.

The Democratic Party has made good on that promise. It has attacked the problems of young people and of old people, of the uneducated and the untrained, of employer and employee.

The economy of our Nation has reacted buoyantly to the "can-do" policies of Democratic administrations.

The economy has moved upward every single month during the 52 months since January 1961, and it is moving upward today. The wages and salaries of the people are up 22 percent; personal income of Americans is up 27 percent; corporate dividends are up 30 percent; personal savings are up 39 percent; corporate profits after taxes are up 63 percent; 4½ million new jobs have been created and the unemployment rate has decreased from 6½ to 4.9 percent. During this entire 52-month period of expansion, the Wholesale Price Index has remained steady. We have accomplished this surge in the economy with virtually no inflation.

The Democratic Party and the Democratic Congress have dedicated themselves to expanding opportunity for all Americans and these efforts are paying off in the greatest economic prosperity, the most phenomenal gains in human progress and development in the history of this country, or of any country in the world.

The 89th Congress is destined to make some of the most important legislative advances of the 20th century.

Before this Congress adjourns it will pass a new omnibus housing act to help millions of American families to own their own homes and other millions who are poverty stricken to move into decent housing.

Before this Congress adjourns many of the wartime excise taxes will be reduced or eliminated.

Before this Congress adjourns it will expand our program to aid higher education.

Before this Congress adjourns it will make new and major assaults on juvenile delinquency, and it will advance human development on many educational and cultural levels.

Before this Congress adjourns it will act to prevent the denial or abridgment of the constitutional voting rights of any American citizen.

Before this Congress adjourns it will amend the immigration laws to permit the entry of potential new citizens on a generous and fair basis.

This Congress, above all, will provide the funds necessary to meet our commitments around the world to keep the peace and to defend the vanguards of freedom against aggression from any quarter.

We meet tonight to honor one who has been a leader in this upward climb—your Congressman, my friend and colleague, the Honorable JOHN MONAGAN, a Democrat in the Jefferson-Jackson tradition.

We have held fast to our Jefferson-Jackson heritage.

We still feel as did Andrew Jackson in 1832 when he vetoed the renewal of the charter of the Second Bank of the United States and said: "Every man is equally entitled to protection by law, but when the laws undertake * * * to make the rich richer and the powerful more potent, the humble members of society have a right to complain."

After nearly two centuries the Democratic Party continues to seek, in the words of Thomas Jefferson, "The peace of our fellow citizens * * * their prosperity and happiness."

After nearly 200 years the Democratic Party is still the people's party, and the people know it. Because it is the people's party, and because the people know it, and because a great Democratic President, and a great Democratic Congress are serving today the interests of the people, 1966 will be another great Democratic year.

RESOLUTION OF BOARD OF DIRECTORS OF JACKSON COUNTY, TEX., CHAMBER OF COMMERCE

Mr. TOWER. Mr. President, the board of directors of the Jackson County, Tex., Chamber of Commerce has recently approved a most important resolution urging retention of section 14(b) of the Taft-Hartley law.

I fully agree with the views of these distinguished directors, and so that other Senators may share their concern I ask that the resolution be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

RESOLUTION—

Be it resolved, That the board of directors of the Jackson County Chamber of Commerce and Agriculture hereby wishes to go on record as being opposed to the repeal of section 14(b) of the Taft-Hartley law;

Therefore,

This board respectfully requests you to do everything within the power of your office to prevent the repeal of section 14(b) of the Taft-Hartley law;

Whereby, this board feels that section 14(b) of the Taft-Hartley law is very fundamental in the preservation of States rights as well as the rights of the individual, both employer and employee.

JOE BONNOT,
Manager.

PROPOSED COTTON LEGISLATION—RESOLUTION

Mr. TOWER. Mr. President, as this Congress discusses the most pressing problems confronting the Nation's cotton industry, I believe it would be beneficial for Senators to have before them a carefully reasoned resolution of the South Atlantic and Gulf Coast District of the ILA, AFL-CIO, adopted in annual convention June 18 at Galveston.

I ask that the resolution be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

RESOLUTION ON COTTON LEGISLATION UNANIMOUSLY ADOPTED BY 55TH ANNUAL CONVENTION OF SOUTH ATLANTIC AND GULF COAST DISTRICT OF ILA—AFL-CIO, GALVESTON, TEX., JUNE 14-18, 1965

Whereas our own livelihood and the livelihood of the whole area in which we work is in a major degree dependent on sustained agricultural exports; and

Whereas the policy pursued by our Government in supporting the income of the cotton farmers has priced American cotton out of the market and made it impossible for cotton to compete with synthetics and cotton grown in foreign countries; and

Whereas cotton is an important portion of the American exports above referred to and would be much more so if allowed to compete with other growths: Therefore, be it

Resolved, That the South Atlantic and Gulf Coast District of the ILA goes on record as urging the administration and the Congress to enact cotton legislation which will free the price of American cotton from governmental restrictions so that it can meet competition in the marketplaces of the world; further be it

Resolved, That the only way in which the price-market mechanism can be allowed to function and permit our cotton to sell is either to abolish the nonrecourse loan or set a loan figure well below the world market for cotton; further be it

Resolved, That we believe the farmers' income should be sustained and that this can be done by direct payments to the farmer to compensate him for the difference between the price at which they sell their cotton and a level of income predetermined by appropriate authorities; further be it

Resolved, That copies of this resolution be sent to the president of the ILA with the request that Members of Congress and of the Department of Agriculture be informed of our views, and urged to act in accordance therewith.

THE BORAH CENTENNIAL YEAR

Mr. CHURCH. Mr. President, it is a century since the birth of William E. Borah. It is difficult for us to put ourselves back in time to that day when William Nathan Borah returned from serving in the Union Army during the Civil War and welcomed the birth of his seventh child, William Edgar Borah.

Life was not easy growing up in rural Illinois, and William Borah learned early the necessity for hard work. Borah's parents were diligent, religious people, but in terms of wealth accumulated, they had very common holdings. In their son, William Edgar, the Borahs were to contribute uncommon greatness to their country.

Idaho was fortunate that Bill Borah chose, early in life, to settle in our frontier society. Before he entered the Senate, he displayed both ability and courage. In an active and colorful law career, Borah won so envious a reputation that he was chosen as special prosecutor to cross wits with the famous defense attorney, Clarence Darrow, in the celebrated Haywood trial of 1907.

But it is about Borah's Senate career that I wish to speak today. It was during this period that Borah set his stamp on the Nation, especially in the field of foreign policy, and left a profound impression upon those of us who grew up in Idaho.

To this I can testify from my own life. William E. Borah was the hero of my boyhood years. I suppose, in a way, he is still an idol of mine, though I see him now in a different light. It was the towering figure of Borah in the Senate which first attracted my attention to politics. Because he was a Senator, I wanted to become one. And when I did become one, I sought ways to honor Borah's memory.

I nominated him for inclusion among the five outstanding Senators whose portraits were to be featured in the Senate's reception hall. A Select Committee, under the chairmanship of then Senator John F. Kennedy, included Borah in the final listings of the greatest men ever to serve in the Senate. The five eventually chosen—Clay, Webster, Calhoun, La Follette, and Taft, are eminently worthy men; but I still think Borah should have been placed among them.

Later, when I became a member of the Senate Foreign Relations Committee—the first Idahoan to serve on that committee since Borah—I discovered that his picture was not among those of the former chairmen in the committee anteroom. This oversight, I can report, has now been remedied. From his widow, the charming Mary Borah, I secured a handsome portrait of her husband which now hangs in its rightful place in the committee chamber.

So, you see, if sentiment were to dictate my remarks today, I fear I would deliver a eulogy. But this kind of rendition would be a disservice to Borah. While he lived, he was usually making things very uncomfortable for men in high station, both in and out of his party. He was not an organization man. He refused to be a stereotype thinker. He was often a champion of unpopular causes. Though a Republican, he was at odds with most of the Republican Presidents with whom he served, and frequently with the party regulars in his own State. He was splendidly independent, highly controversial, and when he died, his critics were as numerous as his friends. His place in history is not yet settled, but sure it is that he will have one—a distinction that comes to very few.

The people of Idaho took an exceptional pride in Borah; he gave them the opportunity to bask in the reflected glory of his own prominence. They liked to tell the story of the little boy who wandered into the lobby of the Owyhee Hotel in Boise, to find Borah standing there shaking hands with the passersby. The Senator patted the boy on the head and sent him running home to tell his father: "Daddy, guess what, guess what. I have just seen Senator Borah, down at the Owyhee Hotel."

"Don't be ridiculous," replied the father, "What would a big man like Borah be doing way out here in Boise, Idaho."

There can be no question but that Borah's role in the formulation of American foreign policy was extraordinarily large. From the end of the First World War to his death in 1940, I think it does not overstate the case to say that Borah's voice in foreign affairs was the most prominent in the land. Certainly he had no peer in the Senate, and no Member of that body has since exerted so much influence over the course of our foreign policy. The foreign press was well aware of the Idaho Senator's importance. During the Hoover administration, one European agency once cabled its Washington correspondent: "Never mind Hoover statement, rush comment from Borah."

From 1924 to 1933, during the decade that Borah served as chairman of the Foreign Relations Committee, the Republican Presidents, to a considerable degree, defaulted to Borah the role of the country's foremost spokesman in matters of foreign policy.

Even after Franklin D. Roosevelt became President and the Idaho Senator had to surrender his committee chairmanship to Key Pittman, of Nevada, the influence of Borah over our foreign policy remained very great. Roosevelt was preoccupied with the critical domestic problems brought on by the depression, during his early years in office, and he did not really exert his prerogative over foreign policy until the period immediately preceding the Second World War.

In fact, during the New Deal years, Borah enjoyed a closer relationship with President Roosevelt than most Republican Senators. Although they often differed, their personal rapport was ever cordial. Borah frequently visited the President at the White House, and when Roosevelt went to Boise in 1937, he made a special point to be accompanied by Borah, who introduced him to the great throng of people gathered in front of the State Capitol.

One of Borah's great political strengths was that he was able to popularize his causes through skillful oratory. He was judged by many to be the best debater in the Senate. He spoke rather infrequently, so that, when he did take the floor, he drew attention. It was his practice to announce on the previous day his intention to speak on the morrow. The galleries would be packed, and he seldom disappointed his listeners.

Still, it was not the force of Borah's delivery alone which drew the crowds to the Senate galleries, but the anticipation of hearing a thoughtful and thorough discourse. Throughout his long tenure as a Senator, Borah was a noted scholar. His reading was extensive. Some time ago I discussed this aspect of Borah's life with a Senator who served with him in the latter part of his career. He would often go to visit Borah to find the Idaho Senator reading the classics aloud to himself. He attributed much of Borah's success to this kind of disciplined study.

To his studious endeavors, Borah brought a searching intellect. His powers of analysis were impressive, his arguments were relevant. George Bernard Shaw, the great British dramatist, paid Borah lavish tribute, while giving the rest of the country the back of his hand, when he said of him:

> He is the only American whose brains seem properly baked; the others are either crumbs or gruel.

There were other factors, besides these personal attributes, which added to Borah's political strength. The solidity of his support in Idaho was such that he could even neglect making the annual pilgrimage home. There were intervals when he remained away from Idaho for periods of 2 and 3 years at a time. It did not seem to matter to his constituents. They were proud to have him as their Senator; they were in broad agreement with him on his basic premise, where foreign policy was concerned, that the United States should avoid entangling alliances and stay out of foreign wars; and so they gave him their sanction to take whatever position he thought proper on specific issues. Thus Borah was cloaked with an impunity which is given to few men in public office, enabling him to act with extraordinary independence, free from the usual restraints which inhibited his colleagues.

Borah gloried in his freedom of action. He more often rejected than accepted the party line, and never hesitated to take issue with Republican Presidents. He steadfastly refused to become doctrinaire, and so he frequently found himself lined up with widely differing groups on different questions. This, too, contributed to his strength. Even when the most powerful Senators found Borah against them, they realized that on the next matter to come along, he might well be on their side, and the most eloquent advocate of their case. It was unwise to stay angry at Borah for long.

This doughty independence made the Idaho Senator a colorful and attractive figure to the rank-and-file American. He could take a radical position and still avoid being castigated as erratic or wildeyed. He could espouse an unpopular cause and be respected for it. Certainly his patriotism was never called into question, a blessing which derived, in part, from the fact that his times may have been less afflicted with fear and foolishness than our own, but also, in part, from the way he couched his arguments in the rhetoric of American principles: homage to the Constitution, faith in the wisdom of the Founding Fathers, and respect for fundamental American morality.

His emphasis on moral values is typified by the story he once told a friend, the late Ray McKaig of Boise. Borah explained to McKaig that, during his first term in the Senate, he lived in Washington near a man who had been a clerk to Lincoln and a Cabinet officer under President Hayes. Borah asked him why the politically inexperienced Lincoln had always been so shrewd.

> This brilliant old Cabinet officer of President Hayes told me—

Borah related—

> that Lincoln was right because Lincoln always insisted that the proper political move was to do the honorable, the ethical, and the right thing * * * that gave me my inspiration, and I have always earnestly tried to follow that plan of Lincoln.

Connected with Borah's sense of public morality, was the propriety with which he dealt with his fellow men. Borah was unrestrained and assertive in the enunciation of his views, but his strong words were never coupled with personal malice. He argued issues. He did not attack his opponents personally. He exerted influence because of the esteem in which others held him and his opinions. Although he fought in the forward rank of those Senators described by Woodrow Wilson as the "little band of willful men" who blocked our entry into the League of Nations, Wilson was able to say of him, after the fight was over, "There is one irreconcilable I can respect."

Such were the personal traits and political circumstances which made William E. Borah, dean of the Senate Foreign Relations Committee, so formidable a public advocate, while he lived.

Unfortunately, in Washington today, the mention of Borah usually evokes some such knee-jerk reaction as, "He was an isolationist," or "He prevented us from entering the League of Nations."

History, to be sure, is a stern judge. We are not entitled to expect that Borah should be treated with kindness. But we are entitled to ask that he be treated with justice. Apart from the constructive liberal role he played in our domestic politics, his role in our foreign affairs was not so negative as it is sometimes depicted nowadays. Indeed, we could profitably relate some of Borah's venturesome thinking in his time to some of the sterile, stereotyped notions which seem to currently prevail.

For example, it is now accepted doctrine in both parties that the United States should persist unconditionally in its policy of nonrecognition of the Communist Government of China. This is nothing new. For 15 years following the Russian revolution, we refused to recognize the Soviet Government. Borah, however, vigorously dissented from this negative view. I hardly need say that his was not a popular stand; on no other issue did Borah incite so much criticism. But he remained steadfast through the years, until the country finally admitted that the Soviet Government was there to stay, whether we liked it or not, and so had to be dealt with. In 1933, Borah won his point, when the United States extended official recognition to the Government of the Soviet Union.

To Borah, it was simply sensible diplomacy to maintain relations with whatever foreign governments there were. He was not impressed with the argument that the Bolsheviks were untouchable, or that we should have no American Ambassador at the seat of the Red tyranny. He pointed out that many of the foreign governments we traditionally recognized were also tyrannies, and that if we followed the practice of maintaining relations only with those governments we approved, then we would deal with precious few. Besides, although Borah deplored the cruelties and excesses of the Russian revolution, he did not deplore the revolution itself. He felt that it had given the Russian people a new sense of hope, and had released them from the bondage of "the old, dead, hopeless, past" that was the czarist period.

As for Latin America, when I consider our predicament there these days, I wish that this country had heeded the warnings of Borah in earlier years.

Latin America was a main area of concern to Borah. He was the friend and champion of the smaller countries. In the years after the First World War, he deplored our tendency to use military force in our dealings with countries of the Carribbean. In an article entitled "The Fetish of Force," Borah noted:

> We have been impatient. We have not been just at all times * * * we have swiftly and without sufficient cause appealed to force * * *. Possessing great power, we have used it without adequate justification. The invasion of Nicaragua was unnecessary and therefore immoral * * *. Who can contemplate without sorrow and humiliation a great and powerful nation, inexhaustible in wealth and unmeasured in manpower, imperiously invading a perfectly helpless country * * *. I think our conduct toward Santo Domingo and Haiti equally indefensible.

On another occasion he commented:

> We have formed a habit of rushing marines hither and thither in Central America and imperiously dictating to those people.

Nor was he to be a party to the use of the Monroe Doctrine as a moral cover for our forceful intervention in Latin America. As he stated in a letter written in 1928:

> The trouble has been we have construed the Monroe Doctrine out of all relation with its original pronouncement.

Borah was a zealous advocate of courses he felt would promote the cause of peace. He played an important role in initiating the Washington Disarmament Conference of 1921, and was a chief sponsor of the Kellogg-Briand Pact, for the outlawry of war in the latter part of that decade.

In my own study of Borah's life, I have constantly been attracted, not to those views of his which are now irrelevant, but to those premises he held so strongly which still remain applicable to our life and times. I think especially of his reluctance to use force as a method of international diplomacy and his refusal to accept any form of imperialism.

What great validity these premises still have. Who now defends those short-lived attempts to establish an American colonial empire? Who now thinks it was our whiteman's burden to take over the Philippines? And, in today's world, where we have permitted ourselves to become so massively involved that we regard every little country's frontier, no matter how remote, as our responsibility, do we not wonder whether we have extended our commitments beyond our capacity to fulfill? Was there not some wisdom in Borah's attempt to limit the American sphere of responsibility?

Who now would argue that Borah was wrong in attempting to find a substitute for force in the settlement of disputes between nations? His method may have been defective, but his instinct against the folly of war was true. War was bad enough in Borah's time; it has become incalculably worse since the advent of nuclear weapons. Borah was groping for a way to eliminate war. In this, he was not behind his times, but ahead of them.

A new generation had taken over the Federal Government by the time Borah died in 1940. But his death caused a deep sense of loss and shock. An unprecedented crowd flocked to the National Capitol to try and enter the Senate Chamber, where President Roosevelt joined with Borah's colleagues to mourn his passing. Afterward, a locomotive draped in black pulled his funeral train across the broad prairies where Borah had been born and reared, and over the high Rockies back to his beloved Idaho.

On that January day in Boise, I caught no more than a fleeting glimpse of his remains, as I passed his opened coffin set upon its catafalque in the rotunda of the State capitol in Boise. All that morning, an uninterrupted line of people walked slowly past his bier, to take their last look at the man who had represented them for 33 years in the Senate of the United States. An illustrious company of Senators had come from Washington to pay their final respects; the attention of the Nation was focused that day upon the funeral services in Boise. Dean Rhea paid tribute to Borah by imploring God "to grant that some now silent tongue will speak the truth as courageously as he spoke it," and leading citizens in attendance said the sermon was delivered with a force and dignity that Borah himself would have approved.

As to this I cannot personnally testify. For I was barely 16 years of age, and the best vantage point I could secure was on the curbstone of Capitol Boulevard directly below the depot, where the long funeral procession was to pass by. I remember the thick crowds, the unaccustomed feeling of being a part of a larger drama than our city could wholly comprehend or contain. I remember the pack of reporters from afar, and the newsreel cameras, and the flashbulbs. And I remember the people who had come from all parts of the State, from the towns, from the farms, from the mountains. Some, I am sure, came mainly out of curiosity, but many were those who came to grieve. I was one who came to grieve.

Among the moving tributes paid him, none was more inspiring than the eulogy given by his close friend, Senator Arthur Vandenberg, of Michigan, a man who was later to become, in his own right, a distinguished Republican chairman of the Senate Committee on Foreign Relations:

> No mortal words can add to the stature of a great character in human history. They can but acknowledge the vast and eternal debt of lesser men to Olympians whom God occasionally gives to the Republic. It is in this humble spirit that I rise to speak a few simple sentences regarding the greatest man I ever knew. That he was the greatest friend America had in my time and generation is the measure of the Nation's debt to the life and service and the vivid memory of the late U.S. Senator William E. Borah of Idaho.
>
> There was something in him of the rugged strength of the mighty mountains of the West whence he came. There was something in him of the lonely pioneer who dares against all odds for the faith of his objective.
>
> He was one of those few statesmen—I can think of but two or three others in our history—who was greater than any President under whom he served, and for whom the Presidency itself could have added nothing to his stature or laurels—We shall not see his like again.

Mr. JORDAN of Idaho. Mr. President, today marks the centennial of the birth of one of the alltime giants of the Senate, William Edgar Borah, the "lion of Idaho." He was undoubtedly one of the most enigmatic of American statesmen.

> He was the nonconformist par excellence: A Republican by inheritance, a Democrat by inclination; "just plain Bill" to his constituents, an intellectual recluse to his colleagues; a stanch progressive, and an opponent of the New Deal; a relentless enemy of the League of Nations, yet sponsor of the Foundation for the Outlawry of War; an isolationist who fought for the recognition of the Soviet Union; a moralist who opposed the child labor amendment and repeal of the Volsted Act.

These remarks in summary of Senator Borah's career appeared in a commentary of an excellent book on Senator Borah by Prof. Marian C. McKenna. This book provides a colorful and convincing interpretation of his career. He was unmistakably American, filled with the vigor of western frontier life and the rough and tumble of politics, local and national. Borah was that rare flower of an earlier America; the practical man governed by almost mystic loyalties to the American dream.

Few men have been so eminently expressive of their time, yet throughout his six terms in the Senate he preserved an amazing freedom of thought and action. Many of the abuses he fought—monopoly, bureaucracy, secret diplomacy, Federal extravagance—are perennial problems of the Republic, more pervasive now than they were in his day.

Born June 29 in Fairfield, Ill., Borah received his early education there and later entered the University of Kansas to begin his legal training. He did not graduate but left for Idaho in 1890 and was admitted to the bar at Boise in February of 1891.

He wrote of that period:

> The first year in Idaho was the most melancholy of my existence. I battled desperately for a living, and many times was on the point of surrendering. I was an utter stranger in Boise, and the town was full of attorneys, all of whom had plenty of friends and acquaintances. But I kept on; I don't know why or how, and in the second year came brighter days and prospects. Little by little I built a respectable business.

By 1892 Borah was active in State politics. He served as part-time secretary for William J. McConnell. He later married Governor McConnell's daughter Mary who years later was affectionately known in Idaho and Washington D.C. as "Little Borah."

Borah's growing reputation as an outstanding lawyer was recognized by Governor Frank Gooding who appointed him special prosecutor for the State in the trial of those implicated in the assassination of former Governor Frank Steunenberg. Harry Orchard had confessed the slaying and implicated William Haywood, Secretary of the Western Federation of Miners. The federation employed Clarence Darrow, famed Chicago attorney to handle Haywood's defense.

Although Borah had been elected to the U.S. Senate from Idaho a few months previously, he had not yet taken his oath of office. So it can truly be said that although Borah lost the case, "he went into the trial an obscure country attorney and emerged as a national figure."

In Idaho Borah had much experience in the cases involving timber and mining on the public lands. He had become keenly aware of "snares in the law." He urged in the Senate that the Government should establish a rule which at least would not entrap men into wrongful acts as had happened in many of the stone and timber fraud cases that were prevalent at that time. Thus, we followers in the Senate find today that many of the complexities of public land law which we seek to unravel today through the recently created Public Land Law Review Commission were recognized over 50 years ago by William Borah in this same body.

An insight into the oratorical prowess of Borah is to be found in the following paragraph from Professor McKenna's book, "Borah":

> Borah was long the most outstanding speaker in Congress, his oratory being both intellectual and emotional. Although he resembled Bryan in power and persuasiveness, he never allowed his heart to dominate his brain as the Nebraskan did. The Idahoan was adroit in debate; he argued but never quibbled. Always courteous, the fairness of his manner disarmed his adversary. He never stooped to ridicule, sarcasm, or abuse. His compelling logic and sound arguments were couched in the simplest of language. One of the secrets of his success as a debater came from his careful preparation of a rebuttal for the chief objections which might be brought against his position. Seldom did he gesticulate; when he did, a favorite gesture was the outstretched hand, palm upward. Of mannerism there was nothing. He stood quietly behind his desk and directed his sentences and the shafts of his dark glances at his adversary. At other times he faced the front of the Chamber, addressing himself straight to the rostrum. Even his frequent "Mr. President" had a poetic lilt.

Borah's best weapon was his oratorical ability to move public opinion. Often though failing to change the course of events in Congress he ultimately achieved victory for his position through an aroused public opinion. Another paragraph from Professor McKenna's book illustrates that very well:

> Borah's best role was that of advocate. His talents were decidedly on the apostolic side. For him to espouse a cause was half the battle. Others may have stirred the Senate more, but he managed to move both the Senate and its masters who sat around hearth and kitchen stove and the cracker barrel. As Lincoln said, "Whoever can change public opinion can change the Government." A score of lesser men in the Senate possessed the qualities needed to steer a bill through to enactment, but there was only one Borah to arouse public opinion to such an extent that the wheels of legislation ground into action.

He outlined his basic view on foreign policy and illustrated his determination to stand alone if necessary in supporting his convictions. At the Republican national convention in 1916, Borah declared:

> Make our position strong for America first, for the protection of American rights here and abroad, and those who love America abroad above all will be with us; the rest we do not want * * * and a nation which declares itself too proud to fight will soon be regarded by the nations of the earth as too cowardly to live.

Idaho was stunned in April 1917 when Borah made it known that he would not seek another term. Many and varied reasons were put forth by those attempting to find a way to overcome Borah's plans. However, his real reason for wanting to leave the Senate at that time was probably best described in a letter to a confidant in Idaho. He wrote:

> Now I voted for a declaration of war; I did so because I felt that regardless of what had brought us * * * we had arrived at the point where action was * * * essential to protect the rights and honor of our country.

However, he found many of the war measures adopted at variance with the views and convictions of a lifetime—views he could not change.

> I am unwilling—

He said—

> to Prussianize this country in order to de-Prussianize Germany. I do not think it necessary.

In response to an appeal from Idahoans and persons across the Nation, Borah finally consented to accept another term as Senator.

Borah gained the title of the "Original Irreconcilable" for his steadfast opposition to the U.S. participation in the League of Nations. He stated:

> My opposition * * * is based on sincere views as to the peace of the world and the preservation of American institutions.

I am certain that many of us today have pondered Borah's words as we seek solutions to the problems of our day in foreign affairs.

Professor McKenna wrote the following regarding Borah's opposition to the League of Nations treaty:

> The chief reason why he was prepared to record his vote against the treaty was because it imperiled the first principle of the republic, the right of the people to govern themselves, free from all restraint, moral or legal, of foreign powers. Borah could not exchange the doctrine of Washington and Jefferson for the doctrine of Frederick the Great translated into mendacious phrases of peace.

He predicted:

> We shall be a party to the rule of force * * * the maxim of liberty will soon give way to the rule of blood and iron.

Even if the treaty meant peace, Borah would not pay the price—part of our independence.

He told the Democrats—

> But your treaty does not mean peace—far, very far from it * * * it means war.

To the taunts of those who called the irreconcilables "little Americans" he responded:

> Leave us the word American, keep that in your presumptuous impeachment, and no taunt can disturb us * * * leave us the consolation and the pride which the term American * * * still imparts.

Apart from his importance as a leader, Borah was a symbol of the change through which the American mind passed after 1920. As firm as ever in his opposition to political alliances, he had a sound realization of economic interdependence between Europe and the United States. He was far ahead of the administration in urging conferences on disarmament, war debts, reparations, recognition of Russia, and the hopeful though illusory scheme of outlawing war. In 1924 he became chairman of the Foreign Relations Committee.

In the early days of 1932, Borah threw his support behind the La Follette-Costigan bill for direct relief to the unemployed. Borah stated in debate that the opponents charged that if we keep them from starving we will undermine their character. To this charge he replied:

> I denounce that as a libel of American citizenship. Ninety percent of our people would return to work tomorrow. They would scorn your charity. They would refuse your gifts if you would give them the opportunity to work * * *. You may call this a dole but hungry people call it something to eat. A government which does not protect its people is flying a flag which is a dirty rag and contaminates the air.

In these same times, Borah displayed his dislike for demonstrations as an instrument to persuade government decisions. Regarding the veteran bonus marchers he said:

> I will not vote for the soldier's bonus and even if I had been for the passage of such a bill I would be against it now with these veterans in Washington seeking by their bodily presence * * * to compel Congress to pass this legislation. Nor will I vote a dollar for them for any purpose while they remain in the National Capital.

While in 1928 Borah had campaigned the length and breadth of the country for Hoover, in 1932 he won the title, "William the Silent." He felt no purpose could be served by supporting Hoover, since everyone knew that they differed on all important issues. During the campaign, he never even mentioned Hoover's name. On August 9 he left for Idaho, where the campaign turned into a private affair between the ursine Senator and his constituents. The Idaho voters learned all about issues and nothing about candidates from Borah.

In the early days of the Roosevelt administration when Democrats were taking over the chairmanships of committees in the Senate and Borah was replaced as head of the Senate Foreign Relations Committee, columnists began to summarize his opinions on foreign policy. William A. Williams wrote:

> Senator Borah was anything but an isolationist in his concept of the power of economics and ideas. Borah not only favored the recognition of the Soviet Union in order to influence the development of the Bolshevik Revolution, and as a check against Japanese expansion in Asia, but also argued that American economic policies were intimately connected with foreign policy crises.

Regarding senatorial debate, Borah stated:

> A good cause is strengthened by opposition and a weak one justly destroyed by it.

Speaking of allegiance to the administration whether it be of his own Republican Party or the Democratic Party, Borah stated:

> I will back the President when I think he is right and will oppose his program when I believe it to be wrong and not in the national interest.

A Republican maverick, Borah was often at odds with his own party leaders to whom he refused to pay homage, but neither was he willing to join the ranks of the political opposition. In some of the darkest hours of the Republican Party in the 1930's it was the Maverick Borah that gave courage to the cause.

In her book Professor McKenna wrote:

> Borah liked the liberalism of F. D. R. but not the NRA. He wanted the tariff reduced, but he resented the sweeping authority delegated to the Executive in the Hull program. Borah favored changes in the country's monetary policy, but he did not like the administration's methods. He opposed the gradual centralization of power and Government activities in Washington. Slowly he became convinced that the tendencies of the New Deal threatened the form of constitutional government that he understood, and warned that precedents set by capable hands would remain for incapable hands.

He fought with every means to keep the NRA from becoming law and then fought to have it voided. Borah, for these actions, was severely criticized for playing politics with the national recovery.

> It was with considerable satisfaction that he read the decision in the Schechter case, which held the NRA unconstitutional—

Professor McKenna reports. Borah's blast at the New Deal put him back in the national spotlight and gave courage to timid Republicans, many of whom were hypnotized by Roosevelt. He fired them with a will to move up to the line of attack. Republican campaign managers also took comfort in his remarks. "No other legislator so effectively exposed the Roosevelt administration's failure to control big business," it was reported.

Borah pressed the attack against other of F.D.R.'s programs for increasing the power of the executive branch of Government at the expense of the legislative branch. He branded Roosevelt's agricultural policies as fallacious in principle and a failure in practice.

Apart from his defense of free silver, Borah was in the main a lineal descendant from the early American liberals, an individualist who opposed all concentration of power, political or economic. He was against private privilege and private monopoly, political bureaucracy, and centralized government. This was the tradition of Jefferson, Lincoln, Bryan, and Wilson. Borah believed in the principle of the Sherman Act, in widely distributed private property, in competition, in government of limited powers, and in the distinctly American theory that government is under the law and must be held to the law.

Walter Lippmann averred in 1936 that the real key of the future would lie between the kind of liberal individualism which Borah represented and the kind of regulated monopoly in which Roosevelt seemed to believe.

In the elections of 1936, Borah again took his cause to the people of Idaho. He was opposed by a capable, affable Democrat Governor C. Ben Ross and in his own Republican Party many of the leaders were casting doubts about his loyalty and whether or not they should support him. When the ballots were counted, however, Borah had retained his seat in an election that had otherwise seen Democrats control nearly every office.

Republican editors and party regulars charged that Borah had ridden into office on the coattails of a New Deal landslide.

> From the standpoint of the regulars this was a valid statement—

Professor McKenna wrote in her biography of Borah—

> However, he was really an independent with a mystic loyalty to the party which never seemed to live up to the ideals he conceived for it. It took courage for him to wage an unending battle against the old guard in the party which he really loved, even though he scourged it.

As the war clouds began to engulf the United States in 1940, Borah warned against foreign entanglements and sale of arms to foreign nations. This will surely lead us into war, he predicted.

At the time of Borah's death in January 1940, President Roosevelt wrote:

> The Senate and the Nation are sadly bereft. * * * We shall miss him, and mourn him and long remember the superb courage which was his. He dared often to stand alone and even at times to subordinate party interest, when he presumably saw a divergence of party * * * and national interest. Fair minded, firm in principle and shrewd in judgment, he sometimes gave and often received hard blows; but he had a great personal charm and a courteous manner which had its source in a kind heart. He had thought deeply and studied with patience all the great social, political, and economic questions which had so vitally concerned his countrymen during the long period of his public service.

Most eloquent of all was the tribute paid him by William Allen White. Editor White concluded with these words:

> If one sentence would sum up the service of his career, it would be this: here was a righteous man who was wise and unafraid, who followed his star, never lowered his flag, and never lost his self-respect. His greatness was purely personal * * * he was an honest man who dedicated his talents to his country's good, as selfless as ever a man had been in American public life.

And in closing her biography of Borah, Professor McKenna wrote:

> With his massive strength and his sharply marked shortcomings, Borah had the character of a force of nature. Like nature, he was spasmodic, perverse, unexpected—and impressive. * * * His vision might sometimes fail and his course might be erratic, but he could always be counted on for three of the rarest qualities of statesmanship: conscience, courage and passion.

There is a manliness about Borah which commends him to this period of uncertainty and peril, a certain fearless honesty and a spirit of catholic patriotism and devotion to the Constitution and its ideals which are needed in Washington now.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

JUVENILE DELINQUENCY AND YOUTH OFFENSES CONTROL ACT OF 1961

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. An act (H.R. 8131) to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (H.R. 8131) to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

Mr. MANSFIELD. Mr. President, this measure will be in charge of the distinguished Senator from Pennsylvania [Mr. CLARK] who has contributed so much in this particular field toward the betterment of our youth, and has attempted to bring about a betterment in the field of juvenile delinquency and youth offenses.

Mr. President, for the information of the Senate, following the disposition of this bill, the next item of business will be Calendar No. 364, H.R. 8147, a bill to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CLARK. Mr. President, I thank the Senator from Montana for his kind words.

H.R. 8131 was passed by the House last Thursday. It extends the Juvenile Delinquency and Youth Offenses Control Act for 1 year, from its present termination date of June 30, 1966, until June 30, 1967. It authorizes an appropriation of $6.5 million for fiscal year 1966 and $10 million for fiscal year 1967.

The Juvenile Delinquency Act contains three basic provisions:

First. It authorizes programs of Federal assistance to carry out demonstration projects to develop improved methods for the prevention, control, and treatment of juvenile delinquency. Demonstration projects under the act have been of two types: First, comprehensive, communitywide, antidelinquency projects designed to enlist the support of all appropriate elements of the community in a broad-based attack on youth crime and its causes; and second, special demonstration projects, each designed to deal with a specific social problem.

Second. The act authorizes grants and contracts for the training of personnel employed or preparing for employment in programs for the prevention or control of juvenile delinquency.

Third. Provisions are made for the furnishing of technical assistance services such as the dissemination of information developed from demonstration and training projects.

The original act authorized appropriations for 3 years, through fiscal year 1964.

In July 1964 Congress extended the act for an additional 2 years, so that the planning phases of demonstration projects could be completed and the plans put into action.

A further extension is desirable for four reasons:

First. In order that 4 of the 16 comprehensive community demonstration projects, in Boston, New Haven, New York City, and Washington, D.C., may be completed, and the data compiled from them thoroughly evaluated;

Second. So that increasing efforts may be devoted to new, special demonstration projects designed to develop new approaches in specific problem areas for the treatment and prevention of juvenile delinquency.

Third. To assure the continuation and expansion of training programs which help to relieve the critical shortage of youth-serving professional and subprofessional personnel; and

Fourth. So that from each of these activities materials will continue to be developed, collected, published, and disseminated, and new information evaluated and made available to organizations and communities throughout the Nation.

Juvenile delinquency remains a serious problem. The number of youths arrested has continued to increase each year. According to the Federal Bureau of Investigation 575,625 persons under age 18 were arrested in 1962. These arrests increased to 638,671 in 1963 and it is estimated that more than 700,000 youths were arrested in 1964. Moreover, the incidence of youth crime has continued to increase at a more rapid rate than youth population. Thus, for example, while the population of youths between the ages of 10 and 17 increased at an annual rate of about 4 percent in 1962, 1963, and 1964, the number of arrests of children in the same age group increased by 9 percent in 1962, 11 percent in 1963, and 13 percent in 1964.

The lessons learned from the comprehensive and special demonstration projects have led to the development of sound approaches to the problems of delinquency.

Completion of current community and special action programs, the initiation of new special projects and continued emphasis on training are expected to help stimulate additional State and community efforts which will reverse the increasing trend toward delinquent behavior among the Nation's youth.

H.R. 8131 is a companion bill to Senate bill 1566 which was favorably reported by the Committee on Labor and Public Welfare on June 11, 1965, and is slightly different from the House-passed bill.

Neither of the two bills makes any substantive changes in the act. They are both designed to extend the act beyond its present termination date of June 30, 1966, and to authorize appropriations for future fiscal years. The present act contains no appropriation authorization for fiscal year 1966, which begins on July 1—this Thursday.

Both the Senate and House bills authorize $6,500,000 for the coming fiscal year.

The administration has indicated that this $6,500,000 authorization will be allocated among the three types of programs which have been funded under the act, as follows:

Three million, six hundred thousand dollars will be for demonstration programs, of which $1,800,000 is for completion of the comprehensive, community demonstration programs and an equal amount for special demonstration projects—$2 million is allocated to training, and $900,000 will be for technical assistance and administrative expenses—making a total of $6,500,000.

The House and Senate bills are different in the following two respects:

First. The Senate bill extends the act for 2 years, until June 30, 1968, while the House version would extend for only 1 year, to June 30, 1967.

Second. The Senate bill authorizes appropriations of $8.3 million for fiscal years 1967 and 1968, respectively, while the House version authorizes $10 million for fiscal 1967.

The $10 million authorization represents an increase of $3,500,000 over the 1966 authorization of $6,500,000. This increase reflects an expansion, contemplated by the Department of Health, Education, and Welfare, of the training and special demonstration programs under the act.

In fiscal year 1967, no further funds will be required for the community demonstration projects. However, the Department plans to devote increased attention to the special demonstration projects increasing the grants for demonstration programs by $1,400,000 to a total of $5 million. Training project expenditures would be increased by $1,800,000, to a total of $3,800,000 in 1967, and technical assistance and administrative expenses by $300,000 to a total of $1,200,000—thus making up the total authorization of $10 million.

Of these proposed increases from 1966 to 1967, the Committee on Labor and Public Welfare had before it for consideration only the $1.8 million figure for training.

Hence, the total authorization of $8,300,000 for 1967 and 1968 in Senate bill S. 1566.

The following table shows a breakdown by project categories of expenditures under the act for fiscal years 1962, 1963 and 1964, together with estimated expenditures for 1965 and expenditures proposed by the Department of Health, Education, and Welfare for fiscal years 1966 and 1967.

Juvenile Delinquency Act expenditures [1]

	Community demonstration	Special demonstration	Training	Administration and technical assistance	Total
1962	$3,747,586	0	$2,224,000	$393,981	$6,365,567
1963	2,974,554	0	1,955,009	752,153	5,681,716
1964	4,000,000	0	2,000,000	852,000	6,852,000
1965 [2]	5,200,000	$1,800,000	2,000,000	1,000,000	10,000,000
Total	15,922,140	1,800,000	8,179,009	2,998,134	28,899,283
1966 [3]	1,800,000	1,800,000	2,000,000	900,000	6,500,000
1967 [3]	0	5,000,000	3,800,000	1,200,000	10,000,000

[1] The above figures and totals do not include expenditures for the District of Columbia juvenile delinquency demonstration project for which $5,000,000 was separately authorized by the extension of the act during the 88th Cong., Public Law 88-368. Of this amount, the estimated expenditures for fiscal years 1965 and 1966 are $1,500,000 and $1,750,000, respectively.

[2] Estimated.

[3] Proposed.

The 2-year extension provided in the Senate bill was originally requested by the administration, but was rejected by the House Education and Labor Committe in favor of a 1-year extension.

H.R. 8131 has been cleared with the majority leader, the minority leader and the members of the Committee on Labor and Public Welfare.

It has the approval of the Secretary of Health, Education, and Welfare and of the Director of the Office of Juvenile Delinquency in HEW. It has also been endorsed by the President's Committee on Juvenile Delinquency and Youth Crime, which is composed of the Attorney General and the Secretary of Labor, as well as Secretary Celebrezze.

The accomplishments of the Federal Juvenile Delinquency programs are impressive, as the following excerpt from the report of the Committee on Labor and Public Welfare shows:

EXPERIENCE UNDER THE ACT

Hearings conducted by the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare on S. 1566 produced evidence of an impressive record.

The Department of Health, Education, and Welfare reports that over 98,000 youth are presently participating in juvenile delinquency demonstration projects. It is estimated that indirectly more than 270,000 youths in demonstration target areas have been constructively influenced by these programs. In addition, more than 12,500 persons have received training under the act.

COMMUNITY DEMONSTRATION PROJECTS

Sixteen comprehensive demonstration action projects have been developed and implemented with Federal assistance and are currently in progress in the following communities:

Sixteen demonstration action communities

1. Mobilization for Youth, Inc., New York, N.Y.
2. Community Action for Youth, Inc., Cleveland, Ohio.
3. United Community Fund of San Francisco (Committee on Youth), San Francisco, Calif.
4. Community Progress, Inc., New Haven, Conn.[1]

See footnote on page 15076.

5. Youth Opportunities Board of Greater Los Angeles, Los Angeles, Calif.[1]
6. Action for Boston Community Development, Inc., Boston, Mass.[1]
7. Action for Appalachian Youth, Inc., Charleston, W. Va.[1]
8. Lane County Youth Study Board, Inc., Eugene, Oreg.[1]
9. St. Louis Human Development Corp., St. Louis, Mo.[1]
10. Houston Action for Youth, Inc., Houston, Tex.
11. Crusade for Opportunity in Syracuse & Onondaga County Inc., Syracuse, N.Y.[1]
12. Progress for Providence, Inc., Providence, R. I.
13. Community Health & Welfare Council, Minneapolis, Minn.[1]
14. HARYOU–ACT, Inc., New York, N.Y.
15. Joint Youth Development Committee, Chicago, Ill.
16. United Planning Organization, Washington, D.C.[1]

Each project has enlisted the support and participation of educational, employment, health, welfare, law enforcement, correctional, and other agencies concerned with youth problems. In addition, particular attention has been paid to neighborhood development and local residents have served on target area advisory boards and planning committees and as volunteer workers in service programs.

These human resources have been mobilized to provide a coordinated attack on youth crime in such key areas as education, youth employment, courts and corrections, group and family services, legal services, and neighborhood organizations.

In many instances the community projects have provided model organizations and laid the groundwork for antipoverty community action programs. In fact, 9 of the 16 grantee agencies funded under the Juvenile Delinquency Act have been selected by their communities as the "umbrella" community action organizations for antipoverty programs under the Economic Opportunity Act of 1964.

As a result, all but four of the community demonstration projects will be transferred to the Office of Economic Opportunity and financed from antipoverty funds as their current grants under the Juvenile Delinquency Act expire. The transferred projects, beginning in fiscal year 1966, will receive grants on the same annual basis generally applicable to community action program grants and the juvenile delinquency projects will become a regular part of community action programs.

The committee has been assured by the Office of Economic Opportunity that the transferred projects will continue to reflect the policies and objectives of the Juvenile Delinquency Act. The Office of Economic Opportunity will continue to work with the Office of Juvenile Delinquency to assure that the information and materials developed from the transferred projects are analyzed and evaluated in depth and disseminated by the Office of Juvenile Delinquency as contemplated by the Juvenile Delinquency Act.

Three of the remaining four community projects, those in Boston and New Haven, and Mobilization for Youth in New York City will be funded under the Juvenile Delinquency Act for 1 more year. These three projects are being retained because they have been in operation the longest, have developed the most comprehensive programs, and are nearest completion. Thus, they are at a stage when, within the shortest possible time, the most useful information can be extracted from them. Upon their completion, a comprehensive evaluation of the usefulness and results of the community action approach to the prevention and treatment of delinquency will be made.

The committee understands that the Boston, New Haven, and mobilization for youth projects will be completed no later than June 30, 1967, with funds appropriated for fiscal year 1966 and that no funds will be requested to finance these community demonstration projects thereafter.

The fourth project, for the District of Columbia, was separately authorized in section 9 of the act by Congress in July 1964. An additional sum of $5 million was authorized to be appropriated for this one project and remain available until expended. This project will continue to be funded under the Juvenile Delinquency Act beyond fiscal year 1966. The committee believes the District of Columbia project should be completed as expeditiously as possible.

SPECIAL DEMONSTRATION PROJECTS

In the present fiscal year, the Office of Juvenile Delinquency has given increasing attention to small, special demonstration projects to develop new techniques in dealing with specific aspects of juvenile delinquency and help those children who are especially prone to antisocial behavior. These projects experiment in such areas as the treatment of drug addiction and sexual deviance in middle-class youths, the training of indigenous teenage workers as subprofessionals, the motivation and education of potential high school dropouts, and the operation of halfway houses for youths released from correctional institutions to help them readjust to community life.

Grants for 10 special demonstration projects have been awarded or approved thus far in the present fiscal year. These have been 1-year grants, averaging $80,000, to specific agencies and institutions. Five more projects have been recommended for approval and are currently being negotiated, and the Office of Juvenile Delinquency plans to expand its support of such projects during fiscal years 1966 and 1967 to involve child welfare agencies, churches, citizens' and business groups, public housing agencies, and other potential sources for delinquency control. These grants make possible in-depth experimentation in those areas of special concern which heretofore have been largely unexplored.

TRAINING

Complementing the comprehensive and special demonstration projects have been a wide variety of training programs designed to relieve the critical shortage of trained manpower in youth-serving occupations. These projects are also designed to improve the quality of training and develop new methods and materials to make possible a greater participation by lay persons in youth programs.

Training programs have been conducted in three areas:

1. The following 12 university-based training centers, established early in the Federal delinquency program, have continued to provide facilities for the training of all categories of youth personnel:

TRAINING CENTERS ESTABLISHED UNDER PUBLIC LAW 87–274

1. Southern Illinois University.
2. Western Reserve University.
3. Wayne State University.
4. University of Washington.
5. University of Utah.
6. University of North Carolina.
7. University of Texas.
8. Howard University.
9. Boston University.
10. University of Minnesota.
11. University of Hawaii.
12. University of Denver.

These centers provide an interdisciplinary training base for the communities, States, and regions in which they are located. Training has been provided for police, probation and parole officers, juvenile court judges, teachers, guidance and employment counselors, and volunteer youth workers, among others.

2. Curriculum development grants are designed to up-date and provide new training materials and to introduce new knowledge and training techniques resulting from the research findings and information developed from the comprehensive and special demonstration programs.

3. More than 100 grants have been awarded to universities, colleges and nonprofit organizations for workshops, institutes, and seminars for the training of youth workers. These training courses, which last only a few days or weeks, are designed to serve youth workers who cannot leave their jobs for extended periods.

As a result of the work of the training centers, curriculum development, and workshop, institute, and seminar grants, almost 200 published or publishable documents have been produced. As of the end of fiscal year 1964, 12,575 persons had received training under the Juvenile Delinquency Act. The following table indicates the number of trainees in each functional category in which training has been conducted:

Number of trainees, for fiscal years 1962, 1963, and 1964

Functional category:	*Number of trainees*
Community leadership	700
Correctional institutions	800
Education	3,000
Employment	50
Health	300
Judicial-legal-probation	3,000
Parole	150
Police	1,500
Recreation	75
Social welfare	2,000
Miscellaneous (including multiservice organizations, national organizations, organized religion)	1,000
Total	12,575

INFORMATION

As demonstration projects are completed and evaluated the new information gained from them together with the new methods and materials developed from training projects have been made available to other projects, communities, and individuals throughout the Nation. The dissemination of information is conducted in a number of ways. A central information center has been established where all written materals are available and reproduced for interested parties on request. In addition, local, State, and regional conferences and workshops have been held on a number of subjects. These conferences have resulted in the initiation of experimental projects around the country.

In view of the fact that the present act contains no appropriation authorization for this coming fiscal year, which will begin this Thursday; because the House Education and Labor Committee is apparently not willing at this time to extend the act beyond June 30, 1967; and in view of the administration's strong endorsement of the House version, I urge the passage of H.R. 8131.

Mr. DODD. Mr. President, I would like to commend my distinguished colleague from Pennsylvania, Senator CLARK, for the outstanding and diligent work he has done in this field.

He was floor manager of the bill that first established this program in 1961. And this is the second extension of the program that he has brought before the Senate since that time.

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[1] Indicates projects which have been designated by their communities as the agency to develop and implement antipoverty programs.

It has been a successful experiment in combating juvenile delinquency, so successful that the Juvenile Delinquency Control Act can no longer be accurately described as an experiment, and a great deal of this success is due to Senator CLARK's fine work and leadership.

Mr. President, I want to express my strong support of the proposal to extend the Juvenile Delinquency and Youth Offenses Control Act for 2 more years.

This legislation was the first official recognition by the Federal Government that many aspects of the youth crime problem are nationwide in scope and beyond the control of State and local governments.

The passage of this law in 1961 has contributed to a better understanding of delinquency throughout the country, and it is the first concerted attempt to control this social problem through a cooperative effort by Federal and State governments, by private business and industry, and by the American public at large.

This legislation, recommended and requested by the Juvenile Delinquency Subcommittee for a number of years, was designed to develop bold and new measures for fighting crime and juvenile delinquency throughout the Nation.

I think it has met this challenge.

Indeed, I think it has shaken at their very roots the old and established approaches to delinquency control and I believe it is proving to be a historical turning point in our war against crime.

Essentially, the demonstration projects established under the law were designed to cut across traditional services of the specialized delinquency control agencies, so they would pool their resources to get at the broad base of the causes of youth crime. These are causes that cannot be classified in neat categories and thus cannot be eliminated by fragmented services of the type often supplied by these agencies in the past.

For the modest sum of less than $17 million that has been spent for both demonstration and training projects between 1962 and 1964 this legislation has for the first time established an apparatus capable of marshaling local funds, initiative, and other resources into a cooperative effort that was formerly dissipated through hundreds of uncoordinated and often duplicated programs and services.

Even more important, in the 16 projects set up throughout the country, this legislation has forced correctional practitioners and administrators to delve into problems which they could only gloss over in previous times.

It has given us proof that jobs can be found or created in areas where none existed before.

It has given us proof that education and training can be "sold" to people thought indifferent to them, and it has given us an invaluable tool for accumulating knowledge at a central source regarding crime control procedures which are effective and regarding those which fail because of one reason or another.

The value of the structure created by the Juvenile Delinquency Act is best illustrated by the fact that many of its parts now serve as vehicles for the realization and expansion of the antipoverty program.

However, while there is a legitimate relationship between the two measures, and I understand that some 12 of the delinquency projects are being placed under the Office of Economic Opportunity, it remains crucially important to continue the several programs whose basic purpose is the prevention and control of delinquency and the gathering of information and experience in this field.

It is important to draw the full benefit from programs earmarked specifically for studying delinquency because it would be ill advised to assume that our war on poverty can gain complete victory over this problem as well.

While the majority of delinquents do come from backgrounds of insufficient economic opportunities, many of them manifest more serious deviations which require special types of treatment that go beyond the improvement of their social, educational, and economic circumstances.

New Haven, Conn., received the first grant under the act. It has been of great benefit to us and I know that equally important gains have been made in other cities such as New York, Boston, and Washington, D.C.

Mr. President, besides the demonstration projects that seek new ways of combating youth crime, the Delinquency Act also provides for the training of personnel to take advantage of the new findings and to use them in other communities and in other cities that could not benefit from the initial programs established under the act.

I have pointed out earlier that we need to seek ways and means of applying the knowledge acquired from the projects to the rehabilitation of young criminals and delinquents in correctional institutions. I have pointed out that we must find better ways of enabling them to adjust in the free community after release from incarceration. And, I have pointed out that we must establish closer ties between the correctional institutions and between community agencies in order to assure more effective rehabilitation of the most serious young offenders in our society.

I believe that this legislation can help us reach these objectives.

Mr. President, the funds requested for the extension of this act for an additional 2 years are exceedingly small as compared to the benefits we can expect from the full development and completion of the program.

Our young people are responsible for close to 50 percent of the serious crimes committed throughout the Nation and their crimes are increasing in number from year to year.

I believe that the Juvenile Delinquency Act can help us to reverse this trend.

And, I believe we owe it to the American people to continue this legislation and to guarantee a successful outcome of this first large scale Federal attempt to help our local communities overcome the juvenile delinquency menace.

Mr. JAVITS subsequently said: Mr. President, when the Labor and Public Welfare Committee considered the Senate bill, S. 1566, which parallels the bill now being considered, I raised a point which I believe deserves some emphasis at this stage. As the committee report indicates, the purpose of both bills is to extend the Juvenile Delinquency Act of 1961 beyond the end of the next fiscal year. The demonstration projects under this act have served as the basis for the heart of the antipoverty program, the community action program. Most of those demonstration projects are now being shifted to the antipoverty program for funding; four are remaining as sources of research data under the Juvenile Delinquency Act for at least the short run. The agency indicates that these remaining four will soon become antipoverty programs under the jurisdiction of the Office of Economic Opportunity, and this is the result which the committee expects in order to avoid duplication of effort and administration.

However, apart from the remaining four demonstration projects, the main function of the Office of Juvenile Delinquency in the Department of Health, Education, and Welfare will be the continuation of its programs to develop trained personnel who can staff antipoverty and juvenile delinquency projects. The lack of such personnel is becoming more and more acute as the antipoverty effort gets underway, so that this function will become even more central than it has been. To date, the juvenile delinquency program has been funding some 12 training institutes, which have been set up at colleges and universities around the country; it is also financing curriculum development for such training. In the course of our committee's hearings on this measure, it became apparent that many of those most directly concerned with the juvenile delinquency control field believe that these training functions could be expanded to fill a serious need if the funds were available. I received telegrams from a number of academic and social work sources indicating that there was a need for increasing the $2 million training budget which was included in the $6.5 million overall request in S. 1566 as introduced.

Upon inquiry, I was advised that in fact almost twice as much could be used for this purpose effectively. Accordingly, I offered an amendment, adopted by the committee, which increased the amount in the bill for fiscal year 1967 and 1968 to $8.3 million each, with the additional $1.8 million earmarked for the personnel training program.

Since then, the House of Representatives has passed H.R. 8131, which extends the program for only 1 year, rather than the 2 years in the Senate bill, but which increased the authorization for fiscal year 1967 to $10 million. I have been informed by the Office of Juvenile Delinquency that this increase will include the additional $1.8 million earmarked for the training program, which was the subject of my amendment. The increase above that amount is for some additional special demonstration projects.

It is most constructive that the training function will now become a central one for this program and that the juvenile delinquency program, which I have supported actively since its inception, will be continued. I hope that every effort will be made to convert the talent and data resulting from this program to use in the antipoverty program.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 8131) was passed.

Mr. CLARK. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion was agreed to.

Mr. CLARK. Mr. President, I ask unanimous consent that Calendar No. 306, S. 1566, a bill to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961, for which we have just substituted the House bill, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF EXISTING SUSPENSION OF DUTY FOR METAL SCRAP

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 4493.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 4493) to continue until the close of June 30, 1967, the existing suspension of duties for metal scrap.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, this bill would suspend the duty on certain metal scrap for another year.

Under present law, the duty on certain metal scrap is suspended until June 30, 1965. This suspension has been in effect continually since March 1942, for the most part on a year-to-year temporary basis, and is presently scheduled to terminate on June 30.

H.R. 4493 would continue this pattern of suspension for a 2-year period, thereby making the new termination date June 30, 1967. Scrap affected by the bill includes iron and steel, aluminum, magnesium, nickel, and nickel alloys.

In 1962 imports of iron and steel scrap amounted to about 240,817 short tons valued at $5.7 million. Our 1963 imports of this scrap were 216,678 short tons and were valued at $6,078,000. In 1964 imports totaled 281,636 tons valued at $8,251,000.

Imported aluminum scrap totaled 6,500 tons in 1962, valued at $1,864,000; and 9,306 tons in 1963, valued at $2,307,000. During 1964 imports were 8,152 tons, valued at $2,038,000.

Prior to August 31, 1963, there was no duty on copper scrap, but there was an import tax under the Internal Revenue Code and it was not suspended. Although this import tax is now a duty—under the Tariff Classification Act of 1962—H.R. 4493 treats copper scrap and articles of copper just as if the import tax continued to apply.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 4493) was passed.

EXEMPTION FROM DUTY FOR RETURNING RESIDENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar Order No. 364, H.R. 8147.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. An act (H.R. 8147) to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

The PRESIDING OFFICER. The first amendment will be stated.

The legislative clerk read as follows:

On page 1, line 8, after the word "over", to strike out "$100" and insert "$50"; in line 10, after the word "than" to strike out "$100", and insert "$50".

Mr. ALLOTT. Mr. President——

Mr. LONG of Louisiana. Mr. President——

The PRESIDING OFFICER (Mr. BASS in the chair). The Senator from Colorado is recognized.

The clerk will state the next committee amendment.

The LEGISLATIVE CLERK. On page 2, line 14, after the word "thereof", insert "accompanying such person", in line 17, after the word "beverages", strike out "(or 1 wine gallon of such beverages if such individual arrives directly or indirectly from American Samoa, Guam, or the Virgin Islands of the United States not more than 1 quart of which shall have been acquired elsewhere than in such insular possessions, if the remainder is brought or shipped from such possessions)".

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. ALLOTT. Mr. President——

Mr. LONG of Louisiana. Mr. President——

The PRESIDING OFFICER. The Chair has recognized the Senator from Colorado.

Mr. WILLIAMS of Delaware. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. WILLIAMS of Delaware. The Chair has ordered the committee amendments reported, and the distinguished Senator from Colorado is entitled to be recognized while they are being considered. Likewise, any other Member has a right, if he so desires, to be recognized before they are approved.

The PRESIDING OFFICER. Just a moment. This Presiding Officer will say who is recognized and when. The Chair recognizes the Senator from Colorado.

Mr. ALLOTT. I thank the Chair.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MANSFIELD. There was a misunderstanding. It was really my fault. I can understand the confusion which existed. I am sure the Senator will yield to the Senator in charge of the bill for the purpose which the Senator from Delaware has suggested.

Mr. ALLOTT. I will yield to the Senator from Louisiana. The point I wish to make is that I have a few remarks to make. I have yielded for the transaction of several pieces of business when I was on my feet trying to obtain recognition.

The PRESIDING OFFICER. The Presiding Officer will protect the Senator's rights.

Mr. ALLOTT. I thank the Chair.

Mr. LONG of Louisiana. I wished to refer to the committee amendments. I had hoped to make an opening statement on the bill, but I could not obtain recognition. Therefore, I ask unanimous consent that the Senate amendments be considered and agreed to en bloc, and that the bill be regarded as original text for the purpose of amendment.

The PRESIDING OFFICER. Is the Senator making that as a unanimous-consent request?

Mr. LONG of Louisiana. Yes.

The PRESIDING OFFICER. Is there objection?

Mr. CLARK. Reserving the right to object, I would like to have a colloquy on some of the amendments.

Mr. ALLOTT. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. ALLOTT. I was about to state that I was glad to yield to the Senator from Louisiana without losing my right to the floor, but now other objections seem to have come up, and I would like to make my statement now.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

ECONOMIC OPPORTUNITY ADMINISTRATION TELECAST

Mr. ALLOTT. Mr. President, last night, at approximately 9:30 p.m., I saw one of the most shameful and disagraceful exhibitions I have ever witnessed in the United States. One of our TV broadcasting systems, as a public service, or so-called public service, broadcasted a program which was instituted by the economic opportunity group, or whatever they call themselves, in behalf of the Job Corps.

For an hour and a half the intelligence of the people of this country was insulted and degraded by the kind of program put on by Sargent Shriver and his group. I called the president of the broadcasting company in New York and was told it was not a paid program. It was a so-called public service program.

There was a total absence of talent on the program, with the exception of two or three people, and I must particularly except one of them, Johnny Mathis. He was one of the two or three individuals who did have some talent and who, I am sure, is making every effort to become a real artist. Except for that, the whole program was tuned to the lowest beatnik type of appeal I have ever seen in the United States, and I have seen quite a bit.

To think our administration people, got these people together, paid for the production, paid for the so-called artists, if that is what they can be called—and they cannot be—and then to charge the taxpayers for this program for the purpose of promoting the "poverty corps" is almost beyond my comprehension and, I am sure, the comprehension of the people of the United States.

If I were a Communist, I would ask nothing better than to use this film as a propaganda tool by having it sent to every country in Africa and the Far East. I cannot think of a film that could possibly show our lives and our art in a worse light. All a Communist would have to do would be to show the film there and then say, "Do you want to be like those Americans?"

I must not forget, either, the so-called M.C., or whatever he was. I remember, too, his remarks, almost verbatim: "Tell us how to spend our money." He was saying to the American people, "Tell us how to spend our money"—in other words, "We have so much we do not know what to do with it." Toward the end of the program he said, "Tell us what you want. Tell us what you want."

I wonder how decadent we Americans have become. I wonder how utterly foolish we have become.

If I were to wish for anything, I would wish that every Member of the Senate be required to sit the hour and a half—which I did; I forced myself to sit for every minute of that hour and a half—and watch the program and see how far our Government and its relations with the people have slipped.

One of the articles in the Wall Street Journal this morning stated that our poverty program was losing people at the rate of 2 percent a week in some areas. It is no wonder.

There is an old saying that "You can lead a horse to water, but you cannot make him drink; you can lead a boy to school, but you cannot make him think."

I have never been opposed to bills legitimately designed to help the poor help themselves. I voted against the poverty bill because it was ill-conceived and hastily drawn. The telecast of last night shows that they do not have the quality or caliber of sound sense, horse sense, or intelligence to conduct the program. The statement was made on that telecast, "Tell us how to spend our money"—in other words, "we have so much we do not know how to spend it ourselves."

Every American who saw the telecast must be sick. I called up the TV station. I suppose they were having a few other calls. They would not tell me the name of the manager even after I identified myself.

I guess they were ashamed of it, too. I cannot blame the particular broadcasting company, because there are in effect many foolish rules by the Federal Communications Commission. Since 1961—for the past 5 years—the FCC has had a concept that the Commission with advice of a few eggheads could decide in its great wisdom the kind of programs the American people "needed," and that the Commission knew better what the American people needed than the people themselves knew. They seem to feel there must be broadcasted a certain amount of so-called public service programs that have no appeal to any taste except the lowest. The program was a failure. I was dismayed. It was decadent in the extreme. I would say the program was even debauched.

I wish that every Member of the Senate could have an opportunity to watch that hour and a half "show."

Mr. President, last night, I had called to my attention an article entitled "What Happened to the Men Who Signed the Declaration of Independence?" written by T. R. Fehrenbach, and published in the American Legion magazine for July 1965.

When I finished reading the article, I could not help comparing what Americans were then and the kind of Americans to whom a program would appeal such as I witnessed last night.

John Hart, of Trenton, one of the signers of the Declaration of Independence, escaped from the British into the woods as his wife was lying on her deathbed. He slept in caves accompanied only by his dog. When he returned to his home, his 13 children had been taken away, his wife had been buried, and he never saw his family again.

We can go down the list of each of the signers of the Declaration of Independence and find a similar tale of sacrifice and valor.

Philip Livingston's family were driven from their home. His land and buildings were razed, and they were left homeless refugees.

The two sons of another signer of the Declaration of Independence, Abraham Clark, were captured by the British and punished severely—physically tortured. The father was told that if he would relent they would release his two sons. He never could bring himself to make that decision.

I am not above thinking that there are good qualities in the principles for which these men stood. I do not know why it has become unfashionable to believe in the principles of patriotism these days, but when I compare the documentation in the article written by Mr. Fehrenbach with the thing I saw last night on television—"Tell us how to spend your money"; "Help us spend your money"; "Tell us what we can do for you"—I wonder what has happened to the thinking of the men in Government who would even consider permitting a show like that to be seen by the American people.

Mr. President, because the contrast is so great and so extreme, I can think of no more appropriate place for the article than to have it placed in the RECORD, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT HAPPENED TO THE MEN WHO SIGNED THE DECLARATION OF INDEPENDENCE?

(By T. R. Fehrenbach)

On the 7th of June 1776, a slender, keen-eyed Virginia aristocrat named Richard Henry Lee rose to place a resolution before the Second Continental Congress of the United Colonies of North America, meeting in State House off Chestnut Street, in Philadelphia. Lee had his instructions from the Virginia Assembly, and he would fulfill them, but this was one of the hardest days of his life. The 13 British colonies of America were already far gone in rebellion against what they considered the tyranny of the English Parliament. The shots heard round the world had been fired at Lexington and Concord; blood had flowed at Breed's Hill in Boston.

Lee still believed there was time to compromise with the British Government. But, acting on instructions of his State, he stood and proposed: "That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved.

This was no longer opposition to Parliament. It was revolution against the Crown.

American histories sometimes gloss over the fact that passage of the Declaration of Independence was by no means assured. Many of the men assembled in Philadelphia were at best reluctant rebels. There were many moderates among them, men desperately aware of, and fearful of, the fruits of war. Immediately after Lee made his proposal, a majority of the Congress stood against it. It took 4 days of the passion and brilliance of the Adamses of Massachusetts and other patriots such as Virginian Thomas Jefferson to secure a bare majority of one—and then, on a South Carolina resolution, the matter was postponed until the 1st of July.

Many men hoped it had been postponed forever. But John Adams shrewdly gave Thomas Jefferson—unquestionably the best writer in Congress and perhaps the man with the fewest political enemies—the task of drafting a Declaration of Independence, and, meanwhile, with his fellow Massachusetts man, John Hancock, set to work. What happened between then and the evening of July 4, 1776, when a vote for adoption of one of the world's great documents was carried unanimously, has filled many books. Some of the story—the quarrels, compromises, controversies, and back-room conferences—as Adams admitted, would never be told.

What happened was that in the course of human events the hour had grown later than many of the gentlemen sitting in Philadelphia had realized. State after State instructed delegates to stand for independence, even though some States held back to the last, and finally four delegates resigned rather than approve such a move.

After 4 world-shaking days in July, Thomas Jefferson's shining document was adopted without a dissenting vote and, on July 4, John Hancock signed it as President of Congress, Charles Thomson, Secretary, attesting. Four days later, July 8, "freedom was proclaimed throughout the land."

The Declaration of Independence was ordered engrossed on parchment, and August 2, 1776, was set for its formal signing by the 56 Members of Congress. The actual signing of such a document, under British or any other law of the time, was a formal act of treason against the Crown. But every Member eventually—some were absent on August 2—signed.

What sort of men were these who pledged their "lives, fortunes, and sacred honor," with a British fleet already at anchor in New York Harbor?

For rebels, they were a strange breed. Almost all of them had a great deal of all three things they pledged. Ben Franklin was the only really old man among them; 18 were still under 40, and 3 still in their 20's. Twenty-four were jurists or lawyers. Eleven were merchants, and nine were landowners or rich farmers. The rest were doctors, ministers, or politicians. With only a very few exceptions, like Samuel Adams of Massachusetts, whom well-wishers furnished a new suit so he might be presentable in Congress, they were men of substantial property. All but two had families, and the vast majority were men of education and standing. In general, each came from what would now be called the "power structure" of his home State. They had security as few men had it in the 18th century.

Each man had far more to lose from revolution than he had to gain from it—except where principle and honor were concerned. It was principle, not property, that brought these men to Philadelphia. In no other light can the American Revolution be understood.

John Hancock, who had inherited a great fortune and who already had a price of 500 pounds on his head, signed in enormous letters, so "that His Majesty could now read his name without glasses, and could now double the reward." There was more than one reference to gallows humor that day in August.

Ben Franklin said, "Indeed we must all hang together. Otherwise we shall most assuredly hang separately."

And fat Benjamin Harrison, of Virginia, told tiny Elbridge Gerry, of Massachusetts, "With me it will all be over in a minute. But you, you'll be dancing on air an hour after I'm gone." These men knew what they risked. The penalty for treason was death by hanging.

William Ellery, of Rhode Island, was curious to see the signers' faces as they committed this supreme act of courage. He inched his way close to the secretary who held the parchment and watched intently. He saw some men sign quickly, to get it done with, and others dramatically draw the moment out. But in no face, as he said, was he able to discern real fear. Stephen Hopkins, Ellery's colleague from Rhode Island, was a man past 60 and signed with a shaking hand. But he snapped, "My hand trembles, but my heart does not."

These men were all human, and therefore fallible. The regionalism, backbiting, worries, nepotism, and controversies among this Congress have all had their chroniclers. Perhaps, as Charles Thomson once admitted, the new Nation was "wholly indebted to the agency of providence for its successful issue." But whether America was made by providence or men, these 56, each in his own way, represented the genius of the American people, already making something new upon this continent.

Whatever else they did, they formalized what had been a brush-popping revolt and gave it life and meaning, and created a new Nation, through one supreme act of courage. Everyone knows what came of the Nation they set in motion that day. Ironically, not many Americans know what became of these men, or even who they were.

Some prospered. Thomas Jefferson and John Adams went on to become Presidents. Samuel Adams, John Hancock, Josiah Bartlett, Oliver Wolcott, Edward Rutledge, Benjamin Harrison, and Elbridge Gerry lived to become State Governors. Gerry died in office as Monroe's Vice President. Charles Carroll, of Carrollton, Md., who was the richest man in Congress in 1776, and who risked the most, founded the Baltimore & Ohio Railroad in 1828. Most Americans have heard these names.

Other signers were not so fortunate.

The British, even before the list was published, marked down all Members of Congress suspected of having put their names to treason. They all became the objects of vicious manhunts. Some were taken; some, like Jefferson, had narrow escapes. All of those who had families or property in areas where British power flowed during the war which followed, suffered.

None actually was hanged. There were too many Britons, like William Pitt, the old Earl of Chatham, who even during a vicious and brutal war would not have stood for that. But in 1776, the war had almost 8 grueling years to run, and the signers suffered. Their fortunes were caught up in the fortunes of war.

The four delegates from New York State were all men of vast property, and they signed the Declaration with a British fleet standing only miles from their homes. By August 2, 1776, the government of New York had already evacuated New York City for White Plains. When they put their names to the Declaration, the four from New York must have known that they were in effect signing their property away.

The British landed three divisions on Long Island on August 27. In a bloody battle, Washington's untrained militia was driven back to Harlem Heights. British and Hessian soldiers now plundered the mansion of signer Francis Lewis at Whitestone; they set it afire and carried his wife away. Mrs. Lewis was treated with great brutality. Though she was exchanged for two British prisoners through the efforts of Congress, she died from the effects of what had been done to her.

British troops next occupied the extensive estate of William Floyd, though his wife and children were able to escape across Long Island Sound to Connecticut. Here they lived as refugees for 7 years, without income, and eventually came home to find a devastated ruin, "despoiled of almost everything but the naked soil."

Signer Philip Livingston came from a baronial New York family, and Livingston himself had built up an immensely lucrative import business. All his business property in New York City was seized as Washington retreated south to Jersey, and Livingston's town house on Duke Street and his country estate on Brooklyn Heights were confiscated. Livingston's family was driven out, becoming homeless refugees, while he himself continued to sell off his remaining property in an effort to maintain the United States' credit. Livingston died in 1778, still working in Congress for the cause.

The fourth New Yorker, Lewis Morris of Westchester County, saw all his timber, crops, and livestock taken, and he was barred from his home for 7 years. He continued fighting as a brigadier general in the New York militia.

As Washington's men commenced their painful retreat across New Jersey, it began to seem that the Revolution would fail. Now American Tories or Loyalists to the Crown began to make themselves known, helping the advancing British and Hessians to ferret out the property and families of the Jersey signers. When John Hart, of Trenton, risked coming to the bedside of his dying wife, he was betrayed.

Hessians rode after Hart. He escaped into the woods, but the soldiers rampaged over his large farm, tearing down his grist mills, wrecking his house, while Mrs. Hart lay on her deathbed. Hart, a man of 65 was hunted down across the countryside and slept in caves and woods, accompanied only by a dog.

At last, emaciated by hardship and worry, he was able to sneak home. He found his wife long buried. His 13 children had been taken away. A broken man, John Hart died in 1779 without ever finding his family.

Another New Jersey signer, Abraham Clark, a self-made man, gave two officer sons to the Revolutionary Army. They were captured and sent to the British prison hulk in New York harbor—the hellship *Jersey*, where 11,000 American captives were to die. The younger Clarks were treated with especial brutality because of their father. One was put in solitary and given no food. The British authorities offered the elder Clark their lives if he would recant and come out for King and Parliament. Over the dry dust of two centuries, Abraham Clark's anguish can only be guessed at as he refused.

When they occupied Princeton, N.J., the British billeted troops in the College of New Jersey's Nassau Hall. Signer Dr. John Witherspoon was president of the college, later called Princeton. The soldiers trampled and burned Witherspoon's fine college library, much of which had been brought from Scotland.

But Witherspoon's good friend, signer Richard Stockton, suffered far worse. Stockton, a State supreme court justice, had rushed back to his estate, Morven, near Princeton, in an effort to evacuate his wife and children. The Stockton family found refuge with friends—but a Tory sympathizer betrayed them. Judge Stockton was pulled from bed in the night and brutally beaten by the arresting soldiers. Then he was thrown into a common jail, where he was deliberately starved.

A horrified Congress finally arranged for Stockton's parole, but not before his health was ruined. Finally the judge was released as an invalid who could no longer harm the British cause. He went back to Morven. He found the estate looted, his furniture and all his personal possessions burned; his library, the finest private library in America, destroyed. His horses had been stolen, and even the hiding place of the family silver had been bullied out of the servants. The house itself still stood; eventually it was to become the official residence of New Jersey's Governors.

Richard Stockton did not live to see the triumph of the Revolution. He soon died, and his family was forced to live off charity.

About this same time, the British sent a party to the home of New Jersey signer Francis Hopkinson at Bordentown, and looted it, also.

By December 1776, Washington's dwindling band of patriots had been pushed across the Delaware, into Pennsylvania. The Revolution had entered its first great period of crisis. One by one, the important people of Philadelphia were mouthing Loyalist sentiments, or concocting private ways of making their peace with the Crown. But signer Robert Morris, the merchant prince of Philadelphia, was not among these. Morris, who had honestly and sincerely opposed the Declaration of Independence because he felt the Colonies were unready but who had signed in the end, was working his heart and his credit out for the Revolution. Washington's troops were unprovisioned and unpaid; the United Colonies' credit, such as it was, had collapsed.

Morris used all his great personal wealth and prestige to keep the finances of the Revolution going. More than once he was to be almost solely responsible for keeping Washington in the field, and in December 1776, Morris raised the arms and provisions which made it possible for Washington to cross the Delaware and surprise the Hessian Colonel Rall at Trenton. This first victory, and Washington's subsequent success at Princeton, were probably all that kept the Colonies in business.

Morris was to meet Washington's appeals and pleas year after year. In the process, he was to lose 150 ships at sea, and bleed his own fortune and credit almost dry.

In the summer of 1777 the British, who were seemingly always near the point of victory and yet were seemingly always dilatory, landed troops south of Philadelphia, on Chesapeake Bay. These marched north, to defeat Washington at Brandywine and again at Germantown. Congress fled to Baltimore, and Lord Howe took Philadelphia on September 27. On the way, his men despoiled the home of Pennsylvania signer George Clymer in Chester County. Clymer and his family, however, made good their escape.

The family of another signer, Dr. Benjamin Rush, was also forced to flee to Maryland, though Rush himself stayed on as a surgeon with the Army. Rush had several narrow escapes.

Signer John Morton, who had long been a Tory in his views, lived in a strongly Loyalist area of the State. When Morton had come out for independence, it turned his neighbors, most of his friends, and even his relatives against him, and these people, who were closest to Morton, ostracized him. He was a sensitive, troubled man, and many observers believed this action killed him. John Morton died in 1777. His last words to his tormentors were, "Tell them that they will live to see the hour when they shall acknowledge it [the signing] to have been the most glorious service that I ever rendered to my country."

On the same day Washington retook Trenton, the British captured Newport, R.I. Here, they wantonly destroyed all of Signer William Ellery's property and burned his fine home to the ground.

The grand scheme to separate New England by General Burgoyne's march from Canada was foiled at Saratoga in 1777; this victory eventually brought the French into the war on the American side. But after desultory fighting here and there, by 1779 the British seemed to have the war well in hand. Washington had held a small, professional Continental Army intact, and with European instructors like von Steuben and Lafayette it was being drilled into a compact, disciplined force. Washington was seemingly too weak, however, openly to challenge the heavily armed British forces again. The seaports were captured or blockaded, and American shipping driven from the seas. The northern colonies seemed neutralized, and the British turned their main effort south.

Like the men from New York, the South Carolina signers were all landed aristocrats. They had, as a body, reflected Carolina's lukewarm attitude toward independence. The Carolinians were all young—average age, 29—and all had studied in England. But in the end they had joined the majority in the interest of solidarity, and after signing they had all entered military service.

While serving as a company commander, Thomas Lynch, Jr.'s health broke from privation and exposure. His doctors ordered him to seek a cure in Europe, and on the voyage he and his young wife were drowned at sea.

The other three South Carolina signers, Edward Rutledge, Arthur Middleton, and Thomas Heyward, Jr., were taken by the British in the siege of Charleston. They were carried as prisoners of war to St. Augustine, Fla., and here they were singled out for indignities until they were exchanged at the end of the war. Meanwhile, the British roaming through the southern countryside had made a point of devasting the vast properties and plantations of the Rutledge and Middleton families.

The 2 years beginning in 1779 were the ugliest period of the war. There was sharp fighting in the South, which sometimes devolved into skirmishes and mutual atrocities between Americans for independence and Americans who still stood with the Crown. There had always been strong Loyalist sentiment in the South, as in the Middle Atlantic States; plantations and homes on either side were raided and burned, and women, children, and even slaves were driven into the woods or swamps to die.

The British soon conquered all the thin coastal strip which was 18th century Georgia. Signer Button Gwinnett was killed in a duel in 1777, and Col. George Walton, fighting for Savannah, was severely wounded and captured when that city fell. The home of the third Georgia signer, Lyman Hall, was burned and his rice plantation confiscated in the name of the Crown.

One of the North Carolina signers, Joseph Hewes, died in Philadelphia while still in Congress, some said from worry and overwork. The home of another, William Hooper, was occupied by the enemy, and his family was driven into hiding.

By 1780, the fortunes of war had begun to change. Local American militia forces defeated the King's men at King's Mountain. Realizing that the war was to be decided in the South, Washington sent Nathanael Greene to dance, as the saying went, with Lt. Gen. Lord Cornwallis, the British commander. Cornwallis did not like the dance at all, and slowly retreated northward toward the Chesapeake. At Yorktown, a Virginia village surrounded on three sides by water, Cornwallis established what he thought was an impregnable base. No matter what happened on land, Cornwallis felt he could always be supplied, and rescued, if need be, by sea. It never occurred to the British staff that Britannia might not always rule the waves.

Now began the crucial action of the war, the time Washington had been waiting for with exquisite patience. A powerful French squadron under Admiral de Grasse arrived at the mouth of the Chesapeake from Haiti and gained temporary naval superiority off the Virginia coast. Under carefully coordinated plans, Washington and the French General Rochambeau marched south from New York to Annapolis, where De Grasse transported the allied army across Chesapeake Bay. At the same time, General the Marquis de Lafayette was ordered to march upon Yorktown from his position at Richmond.

By September 1781, Cornwallis and the main British forces in North America found themselves in a trap. French warships were at their rear. Regular forces—not the badly armed and untrained militia the British had pushed around on the battlefield for years—closed in on them from the front. By October 9, Washington's and Rochambeau's armies had dug extensive siege works all around Yorktown, so there could be no escape. Now the bombardment began. The greatest guerrilla war in history was coming to a classic close.

Murderous fire from 70 heavy guns began to destroy Yorktown, piece by piece.

As the bombardment commenced, signer Thomas Nelson, of Virginia, was at the front in command of the Virginia militia forces. In 1776 Nelson had been an immensely wealthy tobacco planter and merchant in partnership with a man named "Reynolds." His home, a stately Georgian mansion, was in Yorktown. As the Revolution began, Nelson said, "I am a merchant of Yorktown, but I am a Virginian first. Let my trade perish. I call God to witness that if any British troops are landed in the county of York, of which I am lieutenant, I will wait for no orders, but will summon the militia and drive the invaders into the sea." Nelson succeeded Thomas Jefferson as Governor of Virginia, and was still Governor in 1781.

Lord Cornwallis and his staff had moved their headquarters into Nelson's home. This was reported by a relative who was allowed to pass through the lines. And while American cannon balls were making a shambles of the town, leaving the mangled bodies of British grenadiers and horses lying bleeding in the streets, the house of Governor Nelson remained untouched.

Nelson asked the gunners: "Why do you spare my house?"

"Sir, out of respect to you," a gunner replied.

"Give me the cannon," Nelson roared. At his insistence, the cannon fired on his magnificent house and smashed it.

After 8 days of horrendous bombardment, a British drummer boy and an officer in scarlet coats appeared behind a flag of truce on the British breastworks. The drum began to beat "The Parley."

Cornwallis was asking General Washington's terms.

On October 19, the British Regulars marched out of Yorktown, their fifes wailing "The World Turned Upside Down." They marched through a mile-long column of French and Americans, stacked their arms, and marched on. It was, as Lord North was to say in England when he heard the news, all over.

But for Thomas Nelson the sacrifice was not quite over. He had raised $2 million for the Revolutionary cause by pledging his own estates. The loans came due; a newer peacetime Congress refused to honor them, and Nelson's property was forfeit. He was never reimbursed.

He died a few years later at the age of 50, living with his large family in a small and modest house.

Another Virginia signer, Carter Braxton, was also ruined. His property, mainly consisting of sailing ships, was seized and never recovered.

These were the men who were later to be called "reluctant" rebels. Most of them had not wanted trouble with the Crown. But when they were caught up in it, they had willingly pledged their lives, their fortunes, and their sacred honor for the sake of their country.

It was no idle pledge. Of the 56 who signed the Declaration of Indeependence, 9 died of wounds or hardships during the war.

Five were captured and imprisoned, in each case with brutal treatment.

Several lost wives, sons or family. One lost his 13 children. All were, at one time or another, the victims of manhunts, and driven from their homes.

Twelve signers had their houses burned. Seventeen lost everything they owned.

Not one defected or went back on his pledged word.

Their honor and the Nation, they did so much to create, is still intact.

But freedom, on that first Fourth of July, came high.

Mr. ALLOTT. Mr. President, I have inserted this article in the Record so that those who read my remarks and perhaps have an opportunity to peruse other remarks made concerning the television program last night, can compare it with the dedication, the principles, and the courage of the men who signed the Declaration of Independence.

Mr. President, I yield the floor.

EXEMPTION FROM DUTY FOR RETURNING RESIDENTS

The Senate resumed the consideration of the bill (H.R. 8147) to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to rescind the votes by which certain amendments have already been approved.

The PRESIDING OFFICER. Without objection it is so ordered. The action will be rescinded and the amendments will be restated.

Mr. LONG of Louisiana. Mr. President, the bill, H.R. 8147, relates to the exemption from customs duty for residents of this country who are returning from travels abroad.

This bill, particularly as it has been amended by the Finance Committee, carries out an important and significant part of President Johnson's program to stop the outflow of gold and reverse our unfavorable balance of payments.

Though its terms are modest, as compared to some proposals which have been voiced for closing the tourist gap, this bill shall let the whole world know that we mean business when we say that the gold drain will be stopped, and that our balance of payments will be restored to its equilibrium.

Mr. President, we had a deficit in our balance of payments last year of $3.1 billion. While this was an improvement over the $3.3 billion deficit in 1963, and considerably better than the $3.6 billion deficit of 1962, it obviously is not a sufficient improvement that we can let our guard down. We cannot afford to be complacent with a payments deficit of this magnitude.

Mr. CLARK. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I am glad to yield to the Senator from Pennsylvania.

Mr. CLARK. I am anxious that this bill should not be passed without an opportunity to speak on it, and I wish to make sure that the Senator from Louisiana does not intend to put anything in the bill in a hurry.

Mr. LONG of Louisiana. Let me assure the Senator that I will see that nothing goes in the bill that he does not know about, and nothing will be reversed while the Senator is off the floor, if that is what he proposes to do. If he will leave word in the cloakroom where he is, I will see to it that he is protected.

Let me also say to the Senator from Pennsylvania that when I conclude my remarks, I should like to ask unanimous consent that the committee amendments be regarded as original text. I would hope that the Senator, if he wishes to differ with anything, would offer an amendment as though he were seeking to amend the bill, but if he wishes to object to that request, I will not make it to begin with.

Mr. CLARK. What I should like to suggest to the Senator from Louisiana, in order to handle the bill in an orderly way and as promptly as possible, is that the Senator move that all committee amendments except the one to reduce the customs allowance from $100 to $50 be considered as original text and that the amendments be agreed to en bloc. I would have no objection to that; but I should like to oppose that particular committee amendment.

Mr. LONG of Louisiana. Then I move that the——

Mr. SMATHERS. Mr. President——

Mr. LONG of Louisiana. I move that all committee amendments except the one appearing on page 1, line 8——

The PRESIDING OFFICER. The Chair advises the Senator that he should ask unanimous consent instead of making a motion.

Mr. LONG of Louisiana. I ask unanimous consent that all amendments except the one appearing on line 8 and line 10 on page 1 be regarded as original text and subject to amendment as though in the first and second degrees, and that items on line 8 and line 10 on page 1 be regarded as committee amendments subject to a vote of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. CLARK. Mr. President, reserving the right to object, I wish to be sure that the Senator——

Mr. LONG of Louisiana. I am talking about the amendment that strikes $100 and inserts $50 on page 1, line 8 and line 10. That is what the Senator has in mind, I believe?

Mr. CLARK. The Senator is correct.

Mr. CARLSON. Mr. President, reserving the right to object, I also wish to be sure that the amendments, if approved as requested by the distinguished Senator from Louisiana, will be subject to amendment and open to debate.

Mr. LONG of Louisiana. Yes.

The PRESIDING OFFICER. The Chair understands that that was a part of the original request of the Senator from Louisiana.

Mr. LONG of Louisiana. The rest of the bill will be regarded as original text. The Senator from Pennsylvania is opposed to only one of the committee amendments.

The PRESIDING OFFICER. Is there objection?

Mr. SMATHERS. Mr. President, reserving the right to object—and I do not believe that I shall object—I should like to ask the Chair a question.

If we accede to the request of the Senator from Louisiana, would that preclude my right to offer an amendment to ignore this particular action of the Finance Committee and continue the present law for 1 additional year?

The PRESIDING OFFICER. Under the request, all of the bill would then be open to amendment.

Mr. SMATHERS. I have no objection.

Mr. LONG of Louisiana. I thank the Chair.

Mr. President, included in this $3.1 billion deficit is a tourist gap of $1.6 billion. Our tourists abroad spent $2.8 billion last year, while foreign tourists spent only $1.2 billion here. This made it pretty clear to the President that foreign travel was one item where we should—and could—do a little belt tightening. The House agreed with him. The Finance Committee agrees with him. I believe the Senate should agree with him.

Before turning to the terms of the bill, as the committee has reported it, let me outline briefly the present law and indicate the urgent need for prompt approval of this bill. Under existing law, tourists returning from abroad may bring back with them—or have shipped back—on a tax- and duty-free basis $100 worth of foreign goods or souvenirs. At present this $100 is calculated on the wholesale value of the foreign merchandise, so that it actually is equivalent to $167 of retail purchases.

This $100 limit is temporary. It expires Wednesday. Unless this bill is enacted today or tomorrow, the tourist exemption immediately balloons to $500 wholesale—and that is $835 of retail purchases. If that happens there will be trouble at the border as the exemption goes up in accordance with existing law and then comes back down again when we do act. Some tourists will get a windfall; later arrivals will feel they are discriminated against. But if we act swiftly and decisively on this bill we can have a simple transition to the new limitations.

Tourists returning from abroad, even those that are minors, presently are allowed to bring back either with them or separately, 1 gallon of alcoholic beverages and claim tax and duty exemption for it as part of their $100 limit.

The bill as reported by the committee makes a number of changes in the tourist's exemption. First, the dollar limitation is reduced to $50 retail value. Since the present $100 limit is based on wholesale value, this represents, in fact, a lowering of the exemption from $167 to $50. Under the bill, a special exemption of $200 is provided for tourists returning from or through the Virgin Islands, American Samoa, or Guam. These islands are U.S. possessions. They are located outside our customs territory. In the interests of aiding the economic development of our own areas, the administration felt this sort of preference was warranted. The House agreed and so did the Finance Committee.

The second important change made by the bill reduces the quantity of liquor which can be imported tax and duty free by returning residents from 1 gallon to 1 quart, regardless of where their travels take them. This 1-gallon limit originated in 1936 and was designed to protect the revenues. Under the bill, this 1-quart privilege is going to be allowed only if the tourist is age 21. This is a substantial improvement over existing law where even infants could take advantage of the 1-gallon provision.

A third important amendment—one added to the bill by the Finance Committee—eliminates the so-called "articles to follow" privilege. At present, a returning tourist can arrange to have countless articles acquired abroad shipped back to his home after he returns. For each of these articles a special customs clearance has to be provided. Later, as the parcels come in, their duty-free status must be verified. This involves time-consuming and costly work by customs. It also delays customs clearances of returning tourists. Moreover, this privilege, which is rather extraordinary to our law—most other countries do not permit it—is subject to considerable abuse. For these reasons, and because of the considerable effect the change will have on our balance of payments, the committee concluded that tourists should be required to bring with them those articles they plan to claim under their personal exemption.

Mr. President, these changes will help our balance of payments by at least $100 million each year. This is no idle gesture. Taken in conjunction with other steps we have already taken and are taking now, this bill will let the world know that we are fighting the balance-of-payments battle on many fronts. It will let the world know that we mean business—that we are going to stop the gold outflow—that we are going to put our balance of payments back in equilibrium.

I urge adoption of H.R. 8147 as the committee has reported it.

The **PRESIDING OFFICER**. The clerk will state the first committee amendment not agreed to.

The LEGISLATIVE CLERK. On page 1, line 8, it is proposed to strike out "$100" and insert in lieu thereof "$50".

Mr. **CLARK**. Mr. President, I object quite strongly to the action of the Finance Committee in changing the House bill so as to reduce the duty-free allowance of goods purchased abroad by tourists from $100 to $50.

When the $500 allowance was substantially cut down, not too long ago, I also opposed that action. I should like to ask the Senator from Louisiana a question, if I may.

What does the House bill provide with respect to the duty-free allowance for goods brought from abroad by tourists?

Mr. **LONG** of Louisiana. The House provides $100, at retail value, that can be brought in by each tourist. The House also provides that included in that allowance may be 1 quart of alcoholic beverage; 1 gallon of alcoholic beverages if the tourist is returning from the Virgin Islands, American Samoa, or Guam.

Mr. **CLARK**. I shall leave the whisky part of the amendment to my friend from Florida, whom I strongly support. I shall confine my remarks to the overall cut in the tourist allowance from $100 to $50.

Mr. **LONG** of Louisiana. Mr. President, I strongly supported the Senator from Florida in committee. However, the committee voted otherwise, and I expect to support the committee's action.

Mr. **SMATHERS**. I should like to have it understood that whisky is involved in this bill today simply because there are some offshore islands where the biggest income producer is whisky. For example, in the Bahamas, a large part of the gross national product of the island is represented by the sale of alcoholic beverages to American tourists.

Mr. **CLARK**. I am opposed to the committee amendments which appear at page 1, lines 8 to 10, which would decrease the duty free allowance for tourists coming back from overseas from $100 to $50. I can see no excuse for what is in effect penalizing low-income tourists, like schoolteachers and others, who for years have been saving their money for a vacation abroad. These are the people who will be hurt by cutting the allowance from $100 to $50.

I should like to ask the Senator from Louisiana one more question. Is it not true that a person who is an international traveler, or salesman or executive of a corporation, who is required to travel abroad quite frequently, can presently get the $100 allowance every time he goes abroad?

Mr. **LONG** of Louisiana. Every 30 days. It could happen 12 times a year. Under the bill as reported it would be $50 each time.

Mr. **CLARK**. An individual who is accustomed to travel abroad frequently, under the present law could bring back $1,200 worth of purchases every year, and under the bill he would be able to bring back $600 in purchases every year. However, a schoolteacher who goes abroad once in 15 years, to some of the magnificent cultural centers in Europe and in the Far East, has only one opportunity to bring something back. Now it is proposed to cut that free allowance in half, from $100 to $50.

Mr. **LONG** of Louisiana. If I might answer the Senator's question; under present law a person who did a great deal of traveling would be able to bring back the equivalent of $167 in retail value, 12 times a year. That works out to $2,004. The bill would cut that down to $600 in retail value.

Mr. **CLARK**. The people in whom I am interested do not go abroad 12 times a year. I did not think that we should have cut the $500 allowance. I am interested in the little people, who go once, and never again, and who like to bring back some gifts for their families, some souvenirs, something to remind them of the wonderful trip they had in Europe, for example. These committee amendments represent discriminatory legislation. I am opposed to the committee's action.

Mr. **LONG** of Louisiana. I may say to the Senator from Pennsylvania that every time I have taken my family outside the country, one of the biggest problems that I have experienced has been in trying to restrain the buying instincts of my wife and two daughters. Insofar as the bill would cause people to do less buying, I am in favor of it. If we could encourage our wives and daughters to do less shopping overseas, on the basis that it was not as economical as it would seem, I think perhaps we would be doing more traveling and less shopping.

Mr. **CLARK**. The Senator from Louisiana states his problem candidly. I happen to be in complete disagreement. I like to encourage my wife, son, and daughter. My son and daughter happen to be over 21 years of age and are married; so they would not come in on my exemption anyway. I like to encourage my wife to pick up some things in Europe that she might desire. I do not believe that Uncle Sam should tax them.

Mr. President, the inequity and injustice that would be done to people of moderate income in our country under the committee amendment is supposed to be justified on the alleged ground that it would help in restoring our balance of payments. In my book, the committee's proposal is really the most illogical approach to a serious problem that I have ever heard.

First, for the months of March, April, and May our payments were in balance. We were in surplus. Unless things have drastically changed, the balance-of-payments problem is solved, and we do not need this proposed inequitable and unjust curtailment of the rights of every person of modest means who goes abroad.

Second, the Department of the Treasury has not been able to satisfy the committee, as I understand, on the basis of any statistics whatever, as to how much money the proposal would save the Treasury in terms of our balance of payments. So my point is that we are doing an inequitable and an unjust thing, damaging to the legitimate interests of the overwhelming majority of American tourists who are not rich, for the purpose of helping to wipe out a deficiency in the balance of payments which no longer exists, and in order to get a little more surplus—how much no one knows—for the purpose of helping our balance of payments.

I believe it was an unfortunate thing that the Finance Committee was willing to accept what I understand was the quite inadequate case presented by the Treasury. I hope very much that the committee amendment will be defeated.

I yield to my colleague from Pennsylvania.

Mr. **SCOTT**. Mr. President, I thank my senior colleague for yielding. I am in entire agreement with his position. I should like to point out a couple of other factors.

First, it seems to me that the Treasury is straining at a gnat and swallowing a camel. The proposal is one of the smallest items of savings possible and available to the Treasury. Our balance-of-payments problem is due almost entirely to foreign aid expenditures and to the expense of maintaining our military forces and installations overseas. We want to do that, of course. But I point out, first, the great amount of extra paperwork that will be involved. It is a common experience now for travelers from abroad, certifying their purchases, to find that they have returned with $103 or $105 of goods; whereupon the Customs inspector says to them, "Can't you get that down to $99, because if you don't, I have to fill out a bunch of forms, and you have to tell us whether you are paying duty on the $3."

It ends up by the person owing the Government 50 cents; and the transaction involves much paperwork.

Mr. **CLARK**. In the meantime, the person does not get off the dock for 5 hours.

Mr. SCOTT. Yes; the travelers would be tied up. They would be extremely irritated at their government. We can be sure of that. They would either proceed in the way in which I have outlined, or they would reduce the value of their purchases below $100.

I agree with what the Senator has said, especially about people who make very few trips abroad. I do not believe that we should be too smug about it, because everybody knows that Members of Congress do not seem to have too much trouble in what they buy abroad and bring in with one thing and another, including "statutes."

But a schoolteacher, let us say, who goes abroad, and takes a 30-day tour of the Mediterranean, might like to visit 12 glamorous places. She goes to Venice and desires a piece of Venetian glass, which costs her $25. She goes to Spain and buys some kind of Toledo steelware, which costs $25. She has been abroad for 30 days. She has visited 12 places. She has been allowed to buy two items. Perhaps she buys a dress for $25.

If she buys three items in 30 days she must fill out a series of customs forms and remain on the dock 4 or 5 hours and be prepared to pay a duty on $25. Generally she would be as sore at her Government as she could be.

The proposal runs contrary to our travel laws. It runs contrary to the incentive system in our colleges, high schools, and universities, where various ways are found to make it possible for people in our country to visit abroad.

The paperwork alone will eat up in expenses, through new clerical help, much of the savings that would be made by reason of the difference between $50 and $100.

We shall virtually say to one-trippers, "You cannot bring anything home." We shall destroy for them a good deal of pleasure in travel. The amount of duty which the Government would get on purchases between $50 and $100 would be minimal.

We also know the practice of foreign merchants. Instead of certifying an item to be sold at $50, the custom will be that merchants will certify the item as having been sold at $2,500, and there will be a great deal of petty chiseling going on on that account.

I cannot see why the Treasury wishes to put a burden on its citizens which is unnecessary and a burden on the Customs Bureau through extra paperwork and extra clerical help.

Mr. CLARK. And who knows how much money would be realized?

Mr. SCOTT. There is no assurance of their getting any net money out of it after they hire the necessary additional clerks to keep all the additional forms which no one will look at. No one ever looks at Government forms. Forms are meant to be filled out by clerks who are hired through the use of Federal money, which is meant to be spent. None of the forms are read.

The proposal is one of the most ridiculous, unwarranted, and stupid ideas which has ever been proposed by the Treasury. I join the Senator heartily in opposing the action of the Senate committee in further reducing the exemption which the House has already partly reduced.

Mr. CLARK. Mr. President, before I yield the floor, I should like to ask the Senator from Louisiana one more question. In view of what seems to be rather substantial opposition to this particular committee amendment, I wonder if my friend, the Senator from Louisiana, would consider amending it further by providing that any American taxpayer, by producing a certified copy of his or her income tax showing net taxable income of less than $10,000 a year, might not be exempted from this particular reduction in customs duty.

Mr. LONG of Louisiana. Mr. President, the average person coming in from abroad brings in between $50 and $55 of commodities purchased overseas. We are seeking to restrict those who bring in more than the average person brings in. We would like to restrain the "jet set" from spending so much money abroad.

Mr. CLARK. Some jet set.

[Laughter.]

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. SCOTT. It should be pointed out to the Senator that we can do anything in the world with figures and averages. I know exactly what is being done with the figures which the Senator has presented. The figures are averaged by including all the 1- and 2-day travelers to Canada. The 3- or 4-day visitors to the Caribbean for brief visits are also being included. So an average of $55 is arrived at. I do not believe that that figure is realistic. We all know the common saying that figures do not lie. And we all know that there are ways by which figures can be made to prevaricate outrageously. I do not believe that the average which the Senator has stated is pertinent.

Mr. CLARK. If the Senator is talking about a poor man, a poor man will spend a great deal less money overseas than will a rich man.

Mr. SCOTT. I am not talking about the poverty program. I am talking about people who can afford a trip. When a person has been urged by our Government for years to go overseas and has planned for 15 years to go overseas and, when he does so, he is told that he can buy only one piece of Venetian glass in Italy or one piece of silver in Spain, I say that is ridiculous.

Mr. CARLSON obtained the floor.

Mr. LONG of Louisiana. Mr. President, will the Senator yield briefly?

Mr. CARLSON. I yield to the Senator from Louisiana without losing my right to the floor.

Mr. LONG of Louisiana. The problem of the balance of payments is serious for this country. We shall have to adjust our balance of payments in order to maintain confidence in the American dollar and maintain the confidence of the Nation in its international affairs. It is estimated that this part of the House bill, with a $100 limit, would improve the balance of payments by $15 million. The Committee on Finance accepted the administration's recommendation, which is estimated to help our balance of payments by $60 million. I should like to see other methods adopted. I should like to see a large reduction of imports into the United States, but the Senator from Illinois [Mr. DOUGLAS], I feel certain, would violently oppose that. At least, some of the eastern seaboard Senators would.

I should like to see more commodities that are being sent abroad under the Foreign Aid program shipped in American bottoms. I should like to see the American merchant marine used in many other ways.

But, this bill is a step in the right direction. It shows the world that we are serious about bringing our balance of payments into order. We are asking companies that trade overseas to restrain themselves voluntarily and to limit themselves in the amounts they invest overseas from borrowings over here. We are asking banks to cooperate.

When we ask American companies to make decisions that cost them hundreds of millions of dollars, it is proper to ask American tourists to try to restrain themselves when they go overseas.

How is the problem handled in other countries? England does not allow its citizens to bring anything back without paying a duty. Consider France, Germany, and Belgium. Belgium will let a citizen bring in $12 worth of commodities tax exempt; that is all. Canada will allow a tourist to bring in articles of the value of $25; $75 worth if he has been out of North America for 14 days but he can claim the larger exemption only once a year. Germany, where many of our own citizens travel, allows a value of $12.50; France, $12. West Germany has a surplus with respect to its balance of payments.

When we consider the countries where our citizens travel and spend their money, we should realize that no other country in the world is as generous to its citizens as we are to our citizens when they return from visits to foreign countries. And that will continue to be true after this bill passes.

So we can in good faith and conscience ask U.S. citizens to restrain their purchases while overseas. That is what the bill seeks to do. It tends to show our allies, friends, and neighbors that we are serious in trying to adjust our balance, as they are pressing us to do.

Mr. JAVITS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BASS in the chair). The Senator from Kansas has the floor.

Mr. JAVITS. I wish to ask the Senator from Louisiana a question.

Mr. CARLSON. I yielded to the Senator from Louisiana as a courtesy; I shall be glad to yield to the Senator from New York as a courtesy.

Mr. JAVITS. I thank the Senator from Kansas.

I am strongly opposed to the committee bill. I join in the Smathers amendment, and shall offer others of my own.

What proof can the Senator from Louisiana give that when the exemption or duty was reduced from $500 to $100 in

1961, a saving was made in the balance of payments?

Mr. LONG of Louisiana. The Treasury estimated that there was a reduction of $600 million in foreign spending under the 1961 amendment.

Mr. JAVITS. What facts do they give to back up such a statement?

Mr. LONG of Louisiana. I shall read a statement from page 20 of the hearings of the House Ways and Means Committee:

> In 1960, prior to reduction of the exemption to $100 when the $500 figure was current, the average foreign acquisition per returning resident was $84. Since 1962 (after the reduction) the average foreign acquisition has ranged between $50 and $55. Based on the average reduction in foreign acquisitions and the number of Americans traveling abroad, it is estimated that the reduced exemption has resulted in discouraging foreign purchases by more than $600 million since 1961.

Mr. JAVITS. But is it not true that that does not deal with overall spending? In other words, if a tourist were not buying articles overseas, he could spend his dollars for food and drink, and other items; and the only way to ascertain whether anything was saved in the balance of payments is to determine whether the tourist spent less. My figures demonstrate that tourists did not spend less at all; on the contrary, they spent more.

Two million American tourists are overseas now. I do not see how the Senator can contend that we would save on our balance of payments unless he shows that overall, because of the reduction, tourists would spend less.

Mr. LONG of Louisiana. I have not heard the testimony of the Senator from New York. I am merely quoting the Secretary of the Treasury. It is his responsibility to procure the facts and figures. He has available to him a wealth of material and a large number of Federal employees who have the responsibility to help him compile the figures.

If the Senator from New York believes he has a better informant—perhaps he has—I should be glad to listen to his testimony. But this is the best Government estimate, on which the Treasury based its decision.

Mr. JAVITS. I shall deal with the subject later, after the Senator from Kansas has spoken.

Mr. CARLSON. Mr. President, I associate myself with the remarks of Senators who have spoken about the balance of payments and the problem resulting from expenditures for tourist travel. There is not a Member of the Senate who is not and has not been concerned about the balance of payments. It is one of the most difficult problems we have to deal with. At present, I think it is generally agreed, although it is difficult to get some of the top administration officials to admit it, that the Government is in a surplus position in its balance of payments. That can have a disastrous effect on the economies of many nations. Actually, I believe we are experiencing this right now.

Some countries that are having serious financial difficulties have a surplus of payments deficit; for instance, Japan, the countries of Europe, and Australia. Yet the Senate today is wrestling with a $50 item, which would, as has been stated, probably involve $60 million.

I agree with the Senator from New York [Mr. JAVITS] that a $50 or a $100 item that a man or woman who travels in Europe can bring back does not take into account the total amount of money they will spend overseas by these same tourists. They are going overseas to see the sights and to spend their dollars, and they will spend them in the countries of Europe or any other country where they may travel.

The time has come when we had better consider the problem seriously and realize that it is an international problem. It is a U.S. problem, that is true. We have had deficits of $3.5 billion for the past 2 years but, at the present time, we have a surplus of probably $1 billion, which has occurred in the last 2 months. Presently, I believe we can see some of the effects in the international monetary programs and in the markets of the world. We are seeing some of the effects in the financial world at the present time in the United States. If this continues, we shall witness a depression in some of the foreign countries because of the deficit of dollars in those countries.

An excellent statement was made yesterday in the House of Representatives by the distinguished and able Representative, ROBERT F. ELLSWORTH, of the Third Congressional District of Kansas. I shall not discuss his speech at length. It is worthy of reading by everyone who is interested in the national monetary program and problem.

I do want to read some of the recommendations that were made in his speech:

> 1. The primary emphasis in U.S. policy must be placed on achieving early and long-term balance in our international payments. Balance should rely on more long-term policies than the current artificial "voluntary" and "temporary" control on U.S. investment abroad.

Personally, I think that we have been dealing too much with temporary expedients in order to have a program that needs long-term study and must be a long-range program. Here, today, we are dealing with a $50 item.

The other recommendations in his speech are:

> 2. As the U.S. payments come into balance, the administration should implement its declared intention of holding a substantial percentage of its international reserves in foreign currencies. Such a policy would promote acceptance of new international reserves in addition to the dollar.
>
> 3. The President should declare the U.S. willingness to attend an international monetary conference to resolve the "liquidity crisis."
>
> 4. The administration should immediately call for the creation of a permanent preparatory commission which can meet now to lay the groundwork for such a conference.

Mr. President, I think that there is sufficient evidence in the financial world today from those who are in the banking field and from those who are studying our monetary problem, to the effect that we are approaching a very dangerous situation in this financial crisis.

I ask unanimous consent that an article which appeared in yesterday morning's Washington Post, written by Hobart Rowen, entitled "Economic Impact—Should Payment Deficit Be Zero?" be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 28, 1965]

ECONOMIC IMPACT: SHOULD PAYMENT DEFICIT BE ZERO?

(By Hobart Rowen)

With British Chancellor of the Exchequer James Callaghan in Washington this week for high-level discussions with American officials, it is appropriate to raise a delicate question: Should the United States strive to get its balance-of-payments deficit down to zero and keep it there?

Slowly but surely, evidence is accumulating that many financial experts, including bankers, are beginning to doubt the wisdom of this single-minded drive.

After our painful experiences with recessions in the postwar period, this country managed to put aside the myth that a balanced national budget every year is essential to our health. We learned, in fact, how to use deficits constructively.

There is a parallel in the international field. American officials are pursuing a determined national policy to wipe out our deficit. They speak in terms of a "swift, sure, and lasting end" to it.

We seem to have slipped into a kind of ritual, a preoccupation that ignores an important fact of life: a bank (and that is one of the key functions of this country in relation to the rest of the world) always has larger liabilities to its depositors than it has reserves in the vault.

If it doesn't, it's not much of a bank.

It ought to be considered quite normal for the United States to run a balance-of-payments deficit up to perhaps $1 billion a year.

The justification for current U.S. policy is that continued deficits permit other nations to acquire too many dollars, draining our own reserves, especially gold. And, of course, it is true that deficits in the $3 and $4 billion range are too high.

But as George H. Chittenden, a Morgan Guaranty Trust Co. vice president observed in recent congressional testimony, "as leading banker for the world, the United States must be prepared to see its dollar liabilities to foreigners rise over time. * * *" To help finance growing world trade, Chittenden thought that annual deficits in our balance of $500 to $800 million would be safe.

"May I stress," he added bluntly, "that the special magic of zero completely eludes me. * * * We have in recent years gotten away from the simplistic notion that there is something peculiarly appropriate about a zero reading in the Federal budget. * * * We must develop an analytical approach to payments evaluation that will help us decide what degree of departure from zero is appropriate at particular times."

Instead of pursuing the single objective of trying to crunch our deficit into nonexistence, therefore, our officials should be looking to other measures—a more sensible gold policy, for example.

Donald C. Cook, president of the American Electric Power Co., and a favorite business confidant of President Johnson, has shown how we could discourage gold hoarding by adopting a flexible buying price for gold. Another and related idea has been put forward by Stanford Professor Emile Despres.

The prudent course at the moment would be the continuance of a moderate deficit—throwing up safeguards to prevent serious runs on the bank. This should not be too difficult to do, because American assets are enormous, and the dollar is strong. There is no economic reason for a run on the dollar.

It is Mr. Callaghan who has the real headache: British reserves are low, and their balance-of-payments problem (unlike ours) is coupled to inflation at home, a loss of export markets, and a labor-industrial machine creaking from disrepair.

The British need help, and we no doubt will give it to them. But we can help ourselves and the rest of the world most by being less defensive about the dollar. With some aggressive and confident steps, our Government can demonstrate that the dollar truly is more valuable than gold.

Mr. JAVITS. Mr. President, I join many of my colleagues in opposing the pending bill, which goes further than the House of Representatives did. It would cut in half the amount which the House provided.

Mr. President, for some time the allowance for travelers has been whittled down. Many of us have stood by and allowed it to happen without too much protest, on the theory that perhaps it would do some good. However, it does not do any good.

It is now shown up for what it is: a rather picayune enterprise in terms of the hundreds of thousands of Americans who travel abroad. They would be penalized unduly without any commensurate benefit to the United States in terms of balance of payments.

There is enough doubt by now as to many of the other measures which we have tried to utilize with regard to the balance of payments, so that we ought to become a little cynical about such things.

The interest equalization tax was supposed to be a great tax. It was supposed to correct the balance of payments. Instead of that, it has eroded world confidence in the U.S. financial market. It has limited the utilization of the United States capital market, and thereby limited the role of the United States dollar as the principal source of private capital to the world.

This would impose a restriction upon the 2 million Americans who are now abroad. They went abroad with the understanding that upon their return they would have a $100 exemption on purchases made abroad. This exemption has been provided by law. This would be cut down by means of this bill to a $50 exemption at a time when they are already abroad.

I assure Senators that many of us will hear about this proposal from people who will be greatly dissatisfied. For that reason, I join the Senator from Florida in his proposal. It is a perfectly sound proposal.

Quite apart from that, I have some figures which show exactly what tourist expenditures have been since 1961, the year in which the exemption was reduced from $500 to $100. That was an 80-percent cut. It did not have any material effect upon tourist expenditures.

There are two main areas for outgoing tourists. These are Canada and Europe—and, of course, the Mediterranean.

In Canada, the average tourist expenditure has remained fairly constant from 1960 to 1963. It moved up from $36.79 average tourist expenditure in 1960 to $48.54 average tourist expenditure in 1963.

As to both the Mediterranean and European tourists—and the source of the figures is the Department of Commerce—in 1960 the figure was $704. In 1961 it was $630. In 1962 it was $660. In 1963 it was $735.

The reason for the decrease in 1961 which is shown by the figures—though it has been far exceeded by now—was not the reduction from $500 to $100, but the fact that in 1961 the Department of Commerce began to deduct 30 percent from the spending of any tourist who bought a tour package through a travel agency on the theory that the 30 percent would remain in the United States in the hands of the U.S. travel agent.

If that 30 percent were to be restored, the figure would be far greater. With relation to the balance of payments insofar as the tourist expenditures are concerned, I shall not duplicate the arguments which have been made by my colleagues. It is a very nettling thing which has been materially reduced from the tradition which was followed over quite a period of years.

After all, we travel more than the people of any other nation in the world. Some 2 million Americans are abroad now. This has a marked effect upon our own export market, which market is stimulated in the country in which many Americans travel, with many beneficial effects upon our own airline business, with vast effects upon our own travel business.

As the richest nation on earth, what is wrong with letting Americans enjoy life a little and not being quite so penurious about how we treat them when they come home?

We must deal with the balance-of-payments problem which has a far bigger function than this nettling little thing, which would not help at all. It would just be an annoyance to citizens who travel abroad.

One of the changes that would be made by the bill would even deny the exemption to those who return with excess baggage. The dutiable items may be sent after them. That is very discriminatory against the tourists of modest income. It would discriminate between a first-class traveler and a tourist traveler. A first-class traveler has a 66-pound baggage allowance. The tourist traveler has a 44-pound baggage allowance. It would discriminate between travelers who traveled by ship and those who traveled by plane. It would discriminate in favor of wealthy people, who do not mind paying excess baggage, as against people who are less able to pay for this and who do mind it greatly.

We are down to what the lawyers call de minimis; $100 is about a fair figure, considering the problems that we are trying to solve. Even if we do not do anything about the problems, at least our motives are correct.

Nobody complained unduly when the former reduction was made. However, we seem to have hit a point of hard resistance.

It is a nettling, picayune effort which we appear to be making now, with no promise that it will be of any help in the balance-of-payments problem, which completely overshadows a nettling thing of this character.

It is upon those grounds that I feel very strongly that we have reached a point of no return in this matter, and that we have the exemption fixed at approximately where it ought to be in fairness to the American travelers who are now abroad. Let us remember that the bill which has been brought in by the Committee on Finance takes effect the day after the President signs it. I do not believe that that is fair to people who went abroad under the law which existed then.

I believe that on a measure of this importance there should be a rollcall on the amendment offered by the Senator from Florida. We should ascertain whether the Senate feels that we have at last reached the point of de minimis and that there would be no use in squeezing this allowance any further without demeaning ourselves and being very unfair to our own citizens.

Mr. TOWER. Mr. President, the flow of commerce and the tide of tourism between our Nation and Mexico goes both directions. And it benefits both nations.

Therefore, I hope the Senate will reject the proposal to penalize Mexico by limiting to $50 the amount of duty-free merchandise imports from our neighbor Republic. I believe the present $100 limitation is much more desirable.

I recognize the need of our Nation to curtail the unfavorable flow of gold from our shores to foreign nations, but I believe this duty cut from $100 to $50 would represent a gold saving that is but a drop in the bucket.

Indeed, in the case of Mexico, the curtailment likely would result in a similar Mexican restriction on our trade and tourism. And, since we sell more to Mexico than we buy from her, the United States would lose gold, not save it, should Mexico feel compelled to tighten her duty barriers.

I believe Mexico and the United States have shown the world how nations can live as good neighbors. I hope this Senate will uphold the wisdom of its committee and of the House of Representatives in granting Mexico the status she deserves and exempting her from any new U.S. duty limitations.

Never in history has the feeling of good will and mutual respect been so high along the international border of my State. A few months ago, Texas Governor John Connally was received with great enthusiasm in many northern Mexican cities. Subsequently, that visit was returned by Governor Praxedis Balboa of Tamaulipas, and he was similarly honored by Texans.

Mr. President, legislation that is abrasive to our neighborly relations, and a law that will be detrimental to the commerce of both the United States and Mexico, would be shortsighted and damaging legislation. It might well accomplish the opposite of its intentions.

To place upon Mexico a duty restriction of this sort seems to me a wrong idea, in the wrong place, at the wrong time.

I urge the Senate to approve the pending amendment, and to retain the present fair and equitable $100 import limitation.

Let me emphasize that tourism is Mexico's biggest source of dollars. Mexico purchases more from the United States than the United States purchases from Mexico. We have a favorable balance of trade with Mexico.

Mr. JAVITS. Mr. President, will the Senator yield for a figure on that point?

Mr. TOWER. I yield.

Mr. JAVITS. In 1964 Mexico secured total earnings on her exports of $1,024 million, of which 99.29 percent, or $1,022 million, was spent for imports from the United States.

Mr. TOWER. The Senator is correct. About 90 cents of every American tourist dollar is spent on American border towns for American goods. This provision would be very harmful to our good relations with Mexico—I believe the best relations we have had with Mexico in our history.

I am hopeful that this picayunish exemption will not be required.

Mr. JAVITS. Does not the Senator agree that every once in a while a group of Senators like us must rebel, that we must not swallow something like this. We have swallowed it in the past and we have let it go by, but the time has come for us to stop this kind of thing.

Mr. TOWER. I agree. It is plain good sense to keep the exemption at $100. If the proposal were really designed to stanch the flow of gold from the United States, I would support it. I have been concerned about the gold outflow. But this provision would not stop the outflow of gold. This is merely window dressing. I do not believe we should deceive ourselves into believing that something like this is going to stanch the flow of gold from the United States.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mr. WILLIAMS of Delaware. I join the Senator in hoping that the Senate will reject the committee amendment. When the vote was first taken in committee, the $50 proposal was defeated by a vote of 7 to 6. Later, on reconsideration, the amendment changing the exemption from $100 to $50 carried.

However, I point out that, even if we reject the committee amendment and restore the $100 exemption as provided in the House, there will still be a cut as compared to existing law. The House changed the definition as to the $100 from wholesale to retail value. This means that the House, in continuing the $100 figure, with the new definition, has reduced the exemption to the equivalent of $65 or $66, based on information furnished by the Department. If we change it to the figure recommended by the Senate Committee, $50, in reality we shall have reduced the exemption to $30 or $35.

As the Senator from Texas said, this is window dressing. It does not begin to touch the problem of the balance of payments. That problem should be met head on and sometime we may have to do it. But we are not going to do it by shadow boxing with a picayunish proposal like this.

I therefore hope the Senate will reject the committee amendment and at least restore the figure the House provided.

Mr. TOWER. I agree. The Senator from Delaware is usually correct, and he certainly is right in this particular instance. If we really want to solve the imbalance-of-payments problem, let us accomplish that laudable goal by being hardheaded in the interest of the American economy and stop spending so much money abroad. Then we can get at the problem.

Mr. WILLIAMS of Delaware. The Comptroller General pointed out an additional place where we can save, and that is by utilizing some of the foreign currencies. I am not speaking of counterpart foreign currencies, but other foreign currencies that we could use instead of dollars.

Some of our agencies are using foreign flag ships and foreign air service for travel, rather than American lines. If the Defense Department and the various other agencies of the Government start practicing what they preach, that is, utilize American systems, they would save far more than what is embraced in this proposal.

Mr. TOWER. The Senator is correct. I hope we will have a full-blown debate on the balance-of-payments problem. It is time the whole problem was aired.

The PRESIDING OFFICER. The question is on the agreeing to the committee amendment on page 1, line 8.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask for the yeas and nays on the committee amendment.

The yeas and nays were ordered.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. What is the question now before this body?

The PRESIDING OFFICER. The question before the Senate at this time is committee amendment No. 1, on page 1, line 8.

Mr. DOUGLAS. Does that include line 10?

The PRESIDING OFFICER. Only the one amendment, which strikes out $100.

Mr. DOUGLAS. I suggest that the question be broadened to include the first two amendments.

The PRESIDING OFFICER. That would require unanimous consent.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the question before the Senate cover both committee amendments, in lines 8 and 10. I had understood that that was the case. They are substantially identical.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, reserving the right to object, may we know what these two amendments are, for which unanimous consent is asked?

The PRESIDING OFFICER. Both amendments would be to strike $100 and insert $50. The first one is on line 8 and the second one is on line 10.

Mr. JAVITS. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, I ask for the yeas and nays on both amendments.

The PRESIDING OFFICER. Both yeas and nays are on the same amendment. Unanimous consent put them together.

Mr. DOUGLAS. Mr. President, I cannot let the yea-and-nay vote come without making some reply to the arguments which have been made by Senators opposing the administration's proposal. It is true that the customs duty exemption for returning tourists is a relatively small matter, but the balance-of-payments problem, to which this proposal is directed is a very large matter. We have to attack the balance-of-payments problem from a number of directions. We have a favorable balance of trade, but we lose in tourist traffic each year approximately $1¼ billion.

When we add this to foreign aid, military aid, investments abroad and the other public and private foreign expenditures of this country, we have been running at an unfavorable balance of around $3 billion a year.

The United States is strong enough to resist this pressure, but we do suffer a peculiar danger because we have one of the two key currencies of the world. The other key currency, of course, is Great Britain's. Claims are held against the United States as well as against Great Britain. The United States is obligated to meet claims against the dollar with gold, of which we have about $14 billion in reserve for this purpose. At present there is approximately $13 billion of foreign exchange held against us by the central banks of the world. In addition, there is approximately $12 billion held against us by private individuals, which can at any moment be deposited in banks in foreign countries and become claims against the United States.

Therefore, at a minimum, the claims against us amount to $25 billion. If, in addition, foreigners were to sell American securities on the New York Stock Exchange and deposit those sums in American banks, and then demand that the claims be met with gold, the total claims against us would be much more than $25 billion.

In other words, there would be $25 billion of claims plus, which could be made against us, and we would have approximately $14 billion with which to meet those claims. That is a ratio of gold claims against us of approximately 2 to 1.

This ratio would ordinarily be enough protection, but if, for instance, France continued the tactics which it followed up to a few weeks ago, and insisted that its current claims against us should be met in gold and that part of the $1,300 million which they hold against us should also be met in gold, and if she were to induce the central banks of Europe and private financiers in Europe and the Swiss to start a run on the American dollar, we would indeed be in trouble.

Great Britain is in trouble today, and we may be called upon in the fall to help Great Britain. If we are, we will respond, and we should respond.

Therefore, I wish to say that although this seems to be a small matter, it is a part of a real danger. To meet the problem, we are trying to reduce the volume of such claims.

Complaint has been made by the Senator from New York that this is a very small amount, that it is a matter of only about $60 million. It may seem small to Wall Street, but I assure the Senate that it is not small, and that we cannot begin to deal with this problem unless we start somewhere.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PASTORE. Do we know the position of the administration on the figure of $100 as against $50?

Mr. DOUGLAS. The administration is in favor of the $50 figure.

Mr. PASTORE. It is in favor of $50?

Mr. DOUGLAS. Yes.

Mr. PASTORE. That is the committee amendment.

Mr. DOUGLAS. The Senator is correct.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CLARK. The Senator knows the high regard in which I hold him and the deep respect I have for his economic views. Much of what he has said this afternoon I agree with. Is it not correct to say that during the past months our balance of payments was in surplus and not in deficit?

Mr. DOUGLAS. That is true, because of the fact that the President invoked the Gore amendment, imposing a differential tax on bank loans, and also because he was able to get American business to agree to refrain from investments in companies abroad. This helped.

But it is not at all certain that this voluntary campaign can be maintained. If I may address my friend the Senator from New York, this voluntary program has been a most important factor in helping to redress the condition. Now New Yorkers are shooting at this proposal. They say we should not make big economies, and they do not want us to make small economies. They end by saying that they do not want to make any economies.

Mr. President, for the time being it seems to me that we must try to ballast the ship, we must try to reduce the obligations upon the dollar to be redeemed in gold, because we may not have enough gold.

Mr. CLARK. It is very difficult to find myself in opposition to the views of the Senator from Illinois, and I hesitate to put myself in that position. However, as wise and as experienced an expert in this field as Douglas Dillon said in his speech at Middlebury College that the future will look brighter if we can maintain the equalization tax and continue the voluntary ban on the export of capital abroad.

It seems to me that by reducing the duty-free tourist exemption from $100 to $50, we are really penalizing the schoolteachers and the other little people who have saved their money for years to make one trip to Europe. It would seem to me to be far better to stick with the big items, such as the ban on the export of capital, than to indulge in this kind of nit picking.

Mr. DOUGLAS. It is always easy to dismiss economies in a grudging fashion as being minute. There is an old Scotch saying that many a mickle makes a muckle. There is a similar American colloquial saying that every little bit added to what you have makes a little bit more.

To continue in this colloquial fashion, every little deficit added to another little deficit makes a greater deficit.

Mr. CLARK. I hesitate to set my judgment against the judgment of the Senator from Illinois, but to use another colloquial expression, it seems to me that what we are doing here is throwing the baby out with the bath water.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DOUGLAS. I should like to finish my remarks first.

I have watched with great interest and commiseration the tears shed by my friend from Pennsylvania and by my friend from New York about the Kansas schoolteacher who goes abroad and comes home to be confronted with a duty on her photographs of the Colosseum, because the total amount of those photographs comes to more than $50. But may I point out that the average duty of anyone who goes abroad—and I am dismissing for the moment the whisky situation—is about 15 percent. So if a tourist were to bring back $100 worth of goods, instead of $50, under the committee amendment the duty would amount to $7.50, or 15 percent of $50. That is something, just as $60 million is something.

I do believe the hardships have been played up out of all proportion to the actual situation.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CLARK. I should like to ask the Senator's view on an argument that has great appeal to me. The average schoolteacher—and I like to speak of Pennsylvania schoolteachers, although I am equally interested in schoolteachers from Kansas or anywhere else—who goes abroad, has a certain amount of money to spend. She will spend that amount of money while she is overseas.

If she cannot spend it on duty-free goods, she will spend it for meals in Paris. In the end, she will spend her money, and thus we shall not really reduce the amount of money the Treasury suspects—without having statistics available which would be helpful—is being spent abroad.

Mr. DOUGLAS. When $500 was the limit, which was the limit that I believe the Senator from Pennsylvania defended, the average value of goods brought in by tourists was $84. In 1964 the average value of goods brought in was $55. So there was a saving of approximately $30 per tourist. With 2 million tourists the saving was approximately $60 million. We did not have members of the FBI following tourists abroad to see whether they increased their expenditures above what they otherwise would have been. We cannot make that determination. We can say that, as a tangible thing, the average amount of goods imported was approximately $60 million less than it otherwise would have been.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CLARK. But is not the basic problem how many American dollars will be spent abroad? Whether or not a traveler brings things in is a sort of corollary of that question. If the money is going to be spent abroad anyway—and I suspect that most of it will be—then it seems to me that what we are really doing is irritating a great many people who have small incomes without helping our balance-of-payments problem significantly.

Mr. DOUGLAS. That is a point. That is true.

I do not wish to prolong the debate unduly. I am not at all certain, in view of the rising opposition of Wall Street, that we can maintain an embargo on the export of capital. If the embargo were to be swept away or seriously modified, we would be put in a deficit position. We always have to deal with an overhanging balance of foreign claims against the American dollar, now amounting to at least $25 billion and possibly a greater amount.

What I believe the administration is trying to achieve is to restore the balance of payments so that we shall not be in deficit. Then the European countries will find themselves in a very interesting position. They have depended upon the payments deficit of the United States to enable the international monetary system to expand as trade expands.

By running deficits we have furnished the foreign exchange which has enabled the world's monetary system to move forward as the volume of world trade is moving. Therefore, the Europeans, while saying that we must eliminate the unfavorable balance of payments, have themselves refused to take up the burden of supplying the world with the additional monetary purchasing power which would be needed. Once we bring our balance of payments into balance there will be pressure for an international monetary system which will expand with the volume of world trade and, in my judgment, we shall have to make serious changes in the international monetary system. We cannot permanently continue to have the monetary system part gold and part British and American foreign exchange when this puts the currencies of the two key currency countries in constant jeopardy because of the fact that the claims against them are vastly in excess of the amount of gold which they could use to redeem those claims upon demand.

In my judgment, we must establish a new international monetary system. But at present France is unwilling to come to the table. Until recently President de Gaulle was saying that we must return to gold, which meant that, if carried out, we would shrink the total volume of international currency from $65 billion to $40 billion and bring on a depression; and any attempt to compensate for this by increasing the price of gold would be very difficult.

So while the issue may seem small in magnitude, it is a part of the big problem.

I urge the Senate to take a stand in favor of the administration proposal so that the duty-free allowance for American tourists returning from abroad will be reduced to $50.

Mr. President, I shall suggest the absence of a quorum——

Mr. MORSE. Mr. President, will the Senator withhold his request?

Mr. DOUGLAS. I withhold the request.

Mr. MORSE. I wish to take the floor in my own right for 2 or 3 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. As the Senator from Illinois knows, he has a great influence on me when it comes to economic questions. I always find it difficult not to join with him. But on the present occasion I shall not join him because I think that the better of the argument is to be found in the position which the Senator from Florida [Mr. SMATHERS] has taken, although that does not mean that I would not like to see that proposal qualified somewhat. As between the two approaches—the administration approach and the SMATHERS approach—I shall support the SMATHERS approach.

I should like to have the attention of the Senator from Florida briefly because it is necessary for me to catch a plane and leave. I wish to make a statement for the RECORD before I go.

It is my understanding that the Senator from Florida [Mr. SMATHERS] might propose to continue the present law for another year. That plan would permit the bringing in on the part of tourists, of $100 and some other articles if they care to do so. Or the Senator might offer an amendment—which is the approach that I really came to the Senate Chamber to discuss briefly—which would exempt Canada, Mexico, the Bahamas, and Bermuda from the reduced limits on what can be brought into the United States duty free.

It is that approach that I have made up my mind I would support. However, if the Senator takes the other route, I shall be inclined to support it, too.

The reason I have come to that conclusion is that it seems to me that to attack the balance-of-payments problem calls for an attack where the problem exists, and not a shotgun approach that hits all countries alike. They simply are not all alike in terms of our balance-of-payments problem. I believe that is a shortcoming of the administration approach. To apply this restriction to Canada and Mexico, in particular, I think would be a diplomatic affront, since they are not only our good neighbors, but are also outstandingly good customers. They buy more from us than they sell. Their goodwill is too important to jeopardize by what I consider to be the indiscriminate features of the administration's measure. I do not believe that we would gain enough by including them in what I call the shotgun approach, which is the administration's proposal.

I would like to see those good neighbors—including their being good neighbors economically speaking, because they do not contribute to our balance-of-payments problem, namely, Canada, Mexico, Bermuda, and the Bahamas—exempted from the program recommended by the administration.

I also wish to make very clear to my friend from Florida that if he decides on another route, namely, to extend the present law for another year, allowing for the $100 amount that the tourists can bring in from abroad plus, as I understand, certain specific articles that he might include, I shall support that route.

It is very easy in a situation such as this to overlook the question of international good will. The proposal, particularly in relation to Latin America, to limit tourists in bringing in only $50 of purchases from abroad would cause a great deal of resentment among a great many of our neighbors in Latin America. I do not believe that the seeming economic advantage, immediate in nature, that that might bring about could possibly defray some very intangible losses by way of good will which can be translated very quickly into economic losses in international relations with Latin America.

I do not believe it is worth the price; therefore, I shall support the Smathers program.

Mr. MILLER. Mr. President, I oppose the committee amendment to reduce from $100 to $50 the duty-free limitation for our tourists. In amplification of the argument of the Senator from Oregon [Mr. MORSE], I invite attention to the minority recommendations of the Joint Economic Committee, issued earlier this year; namely, the sections entitled "The Balance of Payments" and "Balance-of-Payments Recommendations." The minority views recommended insuring cost and price stability; expanding imports; reviewing overseas military expenditures; reviewing foreign aid expenditures; returning to a flexible monetary policy; and promoting increased foreign investment in the United States.

This program was unanimously agreed to by the Republican members of the Joint Economic Committee. There is absolutely nothing in our recommendations relating to a further reduction in the limitation on duty-free imports by American tourists. It seems to me that proposals such as those we made are the ones that should be presented to the Senate. I hope that the committee amendment will be rejected.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD that portion of the Joint Economic Committee report on this subject, beginning on page 71 and continuing through the top of page 75.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

THE BALANCE OF PAYMENTS

As the emphasis at the committee's hearings made clear, the chronic deficit in the U.S. balance of payments is the outstanding economic problem before the country.[1] For the past 4 years the administration has tried, but failed, to solve the problem with a variety of temporizing and defensive measures. This bought time, but the fundamentals of the problem were virtually untouched. This was vividly demonstrated by the administration's attention to reducing the gold outflow, while the "time bomb" of foreign dollar holdings continued to grow.

At the same time, the administration has sought to induce a false sense of confidence about our balance-of-payments position. Only a week before last November's election, President Johnson issued a statement, taking credit for a sharp cut in the annual deficit to $1.7 billion. The report was made public at the very moment the deficit for the quarter was soaring to an annual rate of $6 billion.

In that same message, President Johnson also took credit for not seeking "easy" and fast solutions "through damaging controls and restrictions that would have curbed economic freedom. * * *" He has now—4 months later—moved farther down the road of restrictions and controls by invoking the Gore amendment, asking for an extension and broadening of the interest-equalization tax and by establishing a "voluntary" program to stem the flow of U.S. investment funds overseas.

We already have commented generally on the President's latest balance-of-payments program. While we agree with a number of the steps being taken, such as removing tax deterrents to foreign investment in U.S. corporate securities, we feel the program as a whole will damage longrun U.S. and free world interests without doing the job intended.

It baffles us how the President's pledge in the Economic Report and in the balance-of-payments message to continue and strengthen measures to promote U.S. exports is served by curbing U.S. loans and investments abroad. In his testimony before the committee, Prof. Raymond Saulnier estimated a "net induced [favorable] trade effect for 1964 of U.S. private direct investment abroad" of $1.8 billion in addition to the $4.8 billion of private foreign investment income last year.

A new annual survey made by the Department of Commerce shows that on the basis of reports from a sample group of U.S. industrial companies, foreign affiliates of all such firms purchased from the United States at least $5 billion of U.S. goods in 1963. The Department noted that this figure, which by itself represents about 23 percent of all

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[1] See Senator JAVITS' views, footnote 1, p. 61.

U.S. exports, does not even represent total imports of foreign affiliates from the United States.

The study also showed that the direct reflection in the balance of payments of the activities of foreign manufacturing affiliates of U.S. firms is "a sizable surplus." Although gaps in our knowledge about indirect effects still exist, the Department said that "receipts in the balance of payments from foreign manufacturing affiliates exceeded payments in 1963 by $3.4 billion."

The recent Government-sponsored Brookings Institution study on "The U.S. Balance of Payments in 1968" noted that "the long-run evolution of the U.S. balance of payments may well require that a higher percentage of U.S. receipts be earned by investments abroad." If this is true, the administration's shortsighted efforts to reduce deficits today may only lead to larger deficits tomorrow. The Brookings study showed, for example, the new direct foreign investment is fully offset in 5 years by the dollar inflow which it produces and that it becomes a plus in the 6th year.

Aside from reducing exports and investment incomes, the President's program has created fears that White House requests for voluntary restraint will lead to compulsory controls should compliance not be forthcoming. As the Chase Manhattan Bank recently noted, considerable balance-of-payments improvement might be made if large U.S. corporate liquid holdings overseas could be drawn back. This is one goal of the President's program. However, liquid funds overseas are often held until needed for investment in fixed capital. Faced with the possibility of direct controls in the future, the corporate manager may be reluctant to send funds back home if he expects that they ultimately will be needed for investment overseas upon which the future competitive position of his company will depend.

In order to dispel these fears, the administration should make clear that if the voluntary approach does not work, it will pursue the use of incentives rather than controls over foreign investment.

The whole approach of controls, whether voluntary or not, over U.S. loans and investments is wrong because it tends to subvert actions dictated naturally by market conditions. Rather than working against the market, the administration should try to work with it. It should be trying to do more to create a better climate for investment in this country. This would induce U.S. capital to remain at home and foreign capital to come in. The 1964 tax cut and other tax measures were steps in the right direction. But more can and should be done in this area.

Even if the administration's program temporarily eliminates the deficit, it would not restore basic equilibrium in the balance of payments. Artificial controls over trade and payments, voluntary or otherwise, do not restore equilibrium. They only paper over temporarily the underlying disequilibrium. They do this at a high cost in terms of loss of economic freedom, misallocation of resources and reduced levels of international trade and investment.

What will happen when the President's investment curbing program is withdrawn? Is there really any doubt that the backlog of investment projects and foreign demand for U.S. capital would lead to a renewed surge of capital outflows? In the absence of further attention to the fundamentals of the U.S. investment climate, this will be the inevitable result.

BALANCE-OF-PAYMENTS RECOMMENDATIONS

Besides improving the investment climate at home, what other actions should be taken to correct the balance-of-payments deficit?

(1) Insure cost and price stability: Nothing is as important to the restoration of balance-of-payments equilibrium as the maintenance of domestic cost and price stability. Cost and price stability will insure the competitive position of U.S. products overseas as well as in our own domestic market. Recent signs of inflationary pressures should serve a a warning that reliance on the wage-price guideposts at home and inflation risks abroad is a poor substitute for responsible fiscal and monetary policies by Government. While noninflationary wage and price decisions by business and labor also are clearly required, as the President stated in his balance-of-payments message, we deplore the implication that Government itself may have no part in generating inflation, through its own policies. In this connection, we applaud the President's promise to oppose legislative enactments that threatment to raise costs and prices and shall watch with interest to see how this pledge is implemented.

(2) Expand exports: Aside from improving our competitive position in foreign markets by insuring cost and price stability, vigorous efforts are required to increase exports by bargaining down foreign tariffs and nontariff barriers to trade, providing better insurance for credit risks run by exporters, pressing for the removal of discriminatory ocean-freight rate differentials, stepping up trade promotion activities of the Department of Commerce, and by exploring ways in which corporate tax payments could be rebated to exporters. Many foreign countries now rebate to their own exporters the purchase and turnover taxes which they impose. We think this discrepancy in tax treatment should be a subject for negotiation in the Kennedy round.

(3) Review overseas military expenditures: While balance-of-payments considerations should not dictate the size and deployment of U.S. forces overseas, the strength of the dollar is clearly an important element in our overall national strategy. In view of the large dollar outflows (over $2 billion) for military expenditures, we believe the entire area of foreign military outlays requires critical review. A number of witnesses befor the committee spoke particularly of the need for a reassessment of the need for the large deployment of U.S. military forces now in Europe. It was felt that the United States might be able to honor its NATO commitments, as well with smaller forces in Europe, particularly in view of today's enlarged airlift capacity. In the same connection, we urge the administration to press for an increase in offset agreements under which our allies purchase American military equipment as well as for a larger sharing of the common defense burden.

(4) Review foreign aid expenditures: While we support the concept of Government economic aid to the underdeveloped nations, we disagree emphatically with the administration's implied position that such expenditures create virtually no balance-of-payments drain while private investment abroad does.[2]

The administration claims that 85 percent of U.S. aid is tied to U.S. exports. However, Secretary Dillon admitted recently before the House Banking and Currency Committee that the amount of U.S. aid to Latin America that was tied was "well over 50 percent, but we cannot tell you whether it is 65 or 80, or whatever it is." The Secretary also said that there is an unknown amount of indirect substitution of U.S. exports by aid recipients as a result of tying requirements. In any event, economic aid represents a large balance-of-payments drain, in spite of efforts to tie such aid.

We believe that aid programs need reexamination, particularly along the lines of the 1963 Clay committee report. Aid should be limited to countries that support their development with their own capital resources, that create a hospitable climate for badly needed private investment capital and where the aid is likely to have a lasting impact in promoting economic and political stability.

(5) Return to a flexible monetary policy: The administration's doctrinaire insistence on a continued easy money policy removes one of the most effective weapons from the balance-of-payments arsenal. In his balance-of-payments message the President said that he "expects" the continuation of essential stability in interest rates. This statement was generally interpreted as more of a directive than merely an expression of hope. As such, it is hardly calculated to inspire confidence abroad in our determination to eliminate the deficit. While only technical analysis would reveal whether higher interest rates are now needed for balance-of-payments purposes, we believe that the administration must give more than lipservice to the position that less monetary ease may be a feasible and appropriate addition or alternative to present policies.

Market-determined interest rates may be necessary medicine. If used in a timely and flexible manner, they serve well as a double-edged sword: first, they reduce U.S. money flows overseas and draw money from abroad; second, they may restrain an overexuberant economy and thus nip damaging inflationary pressure in the bud before they further erode the value of the dollar and impair the competitive position of U.S. exports. As Chairman MARTIN warned the committee, we are already "sailing very close to the edge" of inflation and that "we could find ourselves caught up very quickly in an inflationary spiral." For both domestic and international reasons every effort must be made to avoid an acceleration of the inflation of recent years.

(6) Promoting increased foreign investment in the United States: We urge that the administration give greater attention to the recommendations of the Fowler Committee on promoting increased foreign investment in U.S. corporate securities and increased foreign financing of U.S. corporations operating abroad. We regret that the administration saw fit to follow only one major recommendation from this report.

Mr. TOWER. Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated June 14, 1965, from William J. Underwood, President of the American Chamber of Commerce of Mexico, to Hon. ELIGIO DE LA GARZA, a Member of the House of Representatives from Texas, in support of our position on this subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN CHAMBER OF
COMMERCE OF MEXICO,
Lucerna, Mexico, June 14, 1965.

Hon. ELIGIO DE LA GARZA,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE DE LA GARZA: We are aware of the pending legislation contained in

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[2] While Senator JAVITS agrees that the balance-of-payments effects of foreign aid should be minimized and that a new approach is required to foreign aid today, he firmly believes that the success of the Marshall plan in Europe and the progress achieved by the Alliance for Progress in Latin America underscores the soundness of the principle of economic aid to friendly nations. The real problem is that the $8 billion is private and public capital which the United States and its allies are putting up to help newly developing nations and is just about half of what is needed for a satisfactory economic rate of growth of developing nations.

H.R. 8147 to be presented to the 1st session of the 89th U.S. Congress. This bill deals with the balance-of-payments program as related to a reduction of the duty-free franchise from $100 to $50 now enjoyed by returning U.S. tourists.

The American Chamber of Commerce of Mexico feels this bill is harmful to the best interests of the United States, as it relates to Mexico. The relatively minor benefits to be obtained from this bill by the United States with regard to Mexico will not compensate for the very possible and real harm it will cause United States-Mexican trade, not only in the purchase of capital goods but also the border trade that now exists between the two countries. Secondly, friendly international relations between the two countries are at an unprecedented level, and nothing should be done to damage them if at all avoidable. We think this bill will unnecessarily jeopardize these friendly relations.

We are also aware that the Mexican Confederation of Chambers of Commerce as well as the National Chamber of Industrial Transformation have already protested to their Government concerning the provisions in H.R. 8147.

Our protests against H.R. 8147 are based on the full knowledge of the importance of the U.S. balance-of-payments program and are in no way protests directed against this noble cause.

The apparent success thus far enjoyed by the United States in placing in balance the U.S. balance of payments is due in a large measure to the voluntary cooperation of the U.S. free enterprise sector. The "See the U.S.A." program under the direction of Vice President HUBERT HUMPHREY is also based on voluntary cooperation. The request to U.S. tourists not to travel overseas is in harmony with the spirit of voluntary cooperation, and if this program is successful, there should be no further need to legislate and/or restrict travel. We feel the "See the U.S.A." program will accomplish the purpose intended in H.R. 8147.

We also feel that a portion of H.R. 8147 is particularly harmful to Mexico in that it limits the duty-free entrance of alcoholic beverages from 1 wine gallon to 1 quart.

We feel this portion of H.R. 8147 is not within the spirit of the balance-of-payments program. This restriction of alcoholic beverages will not in any way positively influence the balance of payments. On the contrary, it will injure Mexico's ability to maintain high border receipts as the result of border tourist trade. These border receipts are one of the main factors in allowing Mexico to maintain a favorable balance of payments and at the same time endure an unfavorable balance of trade with the United States. In 1964 Mexico purchased over $1 billion from the United States, thus demonstrating that the tourist dollar to Mexico immediately reverts to the United States in the form of trade. Figures from the Banco de Mexico indicate that every dollar invested or spent in Mexico is returned with a 4-percent dividend. This trade which is made possible as the result of tourist border receipts, largely as a consequence of purchases by U.S. residents in border cities of Mexican alcoholic beverages, does represent to Mexico an extremely important item. Whereas to the U.S. producer of alcoholic beverages it represents less than 1 percent of total consumption. Mexico's native alcoholic beverages are rum and tequila, neither of which is produced in the United States and, therefore, do not compete with the traditional alcoholic beverages distilled in the United States.

The alcohol used in Mexican alcoholic beverages is derived from sugar. The alcohol tax derived from the sale of sugar alcohol is used to subsidize the price of sugar to the consumer in Mexico. Sugar is a vital component of the minimum basic diet now available to the Mexican masses.

In 1964 there were 324,698 tourists that traveled to the United States from Mexico City alone. The vast majority of these tourists do so for the sole purpose of making very generous purchases in such cities as San Antonio, Dallas, Brownsville, Laredo, and El Paso in Texas; Tucson and Nogales in Arizona, and Calexico in California, as well as New Orleans and Miami, etc. Many U.S. border cities live exclusively from consumers in the adjoining Mexican border cities. To place in jeopardy this important U.S. border trade with its subsequent effect on thousands of U.S. jobholders in these areas as well as the revenue from municipal and State taxes, will not contribute to the balance-of-payments program.

Mexico's franchise to tourists through any airport open to international traffic is as follows:

Female passengers: 18 pieces of underwear; 3 nightgowns; 6 pairs of stockings; 12 handkerchiefs; 1 pair of bathing slippers; 1 pair of house slippers; 1 bathing cap; 1 bathrobe; 2 bathing suits; 6 pairs of shoes; 1 pair of riding boots; 1 overcoat; 1 raincoat; 3 sweaters; 3 scarves; 6 pairs of gloves; 1 pair of rubber overshoes; 1 dressing robe; 2 belts; 8 dresses; 3 skirts; 3 blouses; 2 petticoats; 1 umbrella; 5 hats; 4 handbags; 2 pairs of fine earrings; and 6 pairs of inexpensive (costume) earrings; 1 fine brooch and 3 inexpensive (costume) brooches; 1 fine necklace and 3 inexpensive (costume) necklaces; 2 fine bracelets and 3 inexpensive (costume) bracelets; 3 fine rings and 3 inexpensive (costume) rings; 2 watches or clocks for personal use.

Male passengers: 18 pieces of underwear; 12 shirts; 15 pairs of socks; 3 pajamas; 6 pairs of shoes; 1 pair of riding boots; 1 pair of rubber overshoes; 1 pair of bathing slippers; 1 pair of house slippers; 1 bathrobe; 2 bathing shorts; 1 house robe; 24 handkerchiefs; 2 silk scarves; 6 neckties; 2 scarves; 3 sweaters; 2 pairs of suspenders; 3 pairs of gloves; 2 belts; 3 pairs of trousers; 2 hats; 1 umbrella; 6 suits; 1 suit of evening clothes and accessories; 1 sport coat or jacket; 1 overcoat; 1 raincoat; 2 pairs of fine cuff links and 3 pairs of inexpensive cuff links; 2 fine tie clips and 2 inexpensive tie clips; 3 fine rings and 3 inexpensive rings; 2 watches or clocks for personal use.

Besides the articles of personal use set forth above, passengers may import free of duty:

(a) Up to 12 toilet articles for personal use.

(b) Up to 40 packs of cigarettes and up to 50 cigars per adult passenger.

(c) Up to 50 books. A duty shall be charged on such books in excess of 50, printed in Spain and in the Spanish language.

(d) Scientific instruments and other tools of passengers who are scientists, workmen, or craftsmen.

(e) A still camera and a portable motion picture camera plus six rolls of unused film for each.

(f) Sporting goods for the passenger's personal use.

(g) Up to three toys for children.

(h) Trunks, bags, valises, and other packages in which items are imported.

(i) One pair of binoculars.

(j) Medicines for the use of the passenger.

The articles listed may be used or new.

GIFTS

Passengers may also bring into Mexico, without paying duty, six gifts the total value of which does not exceed $1,000 (Mexican pesos) or US$80.

Approximately 40 percent of tourism to Mexico arrives by air. This means that approximately 400,000 tourists, of which nearly 90 percent are United States avail themselves of this Mexican tourist franchise, and then also to consider that the tourist dollar returns in the form of direct purchases in the United States, this implies that H.R. 8147 will not correct a U.S. balance-of-payments program with regard to trade with Mexico.

Mexican chambers of commerce and industry, already aware of the impending legislation, will not allow such an opportunity to escape to bring pressure on their government to also restrict duty-free purchase from the United States by Mexican tourists. This problem is already a thorny one under present legislation and will become far more acute if H.R. 8147, under its present form, is passed.

The American Chamber of Commerce of Mexico takes the following position in H.R. 8147 in relation to Mexico:

That the passage in its present form would jeopardize the now favorable trade and diplomatic relations existing between our two countries and, therefore, not in the best interests of the United States.

That the American Chamber of Commerce of Mexico will increase its efforts to stimulate travel by Mexican nationals to the United States by working with the U.S. Travel Service and will continue to develop trade between the United States and Mexico through every means possible, including the organization of trade missions to the United States and the newly formed Export Expansion Council of the American Chamber of Commerce of Mexico.

Sincerely yours,

WILLIAM J. UNDERWOOD,
President.

Mr. TOWER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by Mr. Philip A. Kazen, of Laredo, Tex., in opposition to the reduction in customs exemptions from $150.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF PHILIP A. KAZEN ON H.R. 7368

H.R. 7368 is designed, as I understand it, to cut the flight of dollars in stemming the tide of gold outflow from the United States. The bill is a commendable one, and the principle of reducing the amount of duty-free goods which a tourist may bring into the United States from foreign countries may be sound. It may, in general, have the desired effect.

I think, however, that one very significant point is being overlooked in this bill. It is drafted to include all foreign countries. I think it should exclude Mexico.

I think I can show you that the inclusion of Mexico will have exactly the opposite effect that the bill is designed to have so far as Mexico is concerned.

Why? Because Mexicans spend some $495 million along the border and nearby cities of the United States, and this statistic is nowhere recorded in the figures of foreign trade.

I think that inclusion of Mexico in the restriction of duty-free goods tourists can bring back, will seriously jeopardize this tremendous trade. You may cut the outflow of dollars spent by tourists by reducing the duty-free goods they can bring back from $100 to $50. Mexico's Tourist Department (Departamento de Turismo) reports 980,000 U.S. tourists visited that country's interior in 1964. This would mean then, that at a maximum, you would cut the flow of dollars on this duty-free item by $50 million.

That would be a mere drop in the tub compared to the faucet of flow in dollars coming in from Mexico in retail trade to border cities alone.

Recrimination brings recrimination, and I have spent my entire life on the Mexican border, have intimate and close personal and professional associations with thousands of Mexican citizens of all walks of life. I think I understand something about Mexico. And I think this measure would bring countermeasures, because tourism is recognized as the balance wheel of Mexico's economy.

You are then, offering to stop the outflow of $50 million in duty-free goods tourists can bring in, while jeopardizing an inflow of dollars 10 times that much. I do not say that the measure will bring countermeasures to completely cut off this trade, but we have seen, time after time, that when some U.S. restriction is set that is harmful to the tourism and trade in Mexico, we immediately feel the effects in Laredo, and all up and down the border. Mexico could, simply by an order from a Cabinet minister, cut off completely the almost $500 million in retail trade.

Already, Mexico is considering countermeasures to this bill. Let me cite you an associated press story, of May 10, 1965—and I say it does not tell the entire discussion which went on concerning this bill. One of the leaders of that conference pointedly said that the bill to cut duty-free goods would provide the reason to press for measures to cut the retail trade to border cities.

The Associated Press story follows:

"MEXICANS URGE CUT IN SPENDING IN U.S. TO STOP 'PESO PARADE'

"Mexico City.—The National Federation of Chambers of Commerce has called for the economic integration of Mexico's border areas, in order to eliminate an annual 'capital flight' along Mexico's U.S. border of some $320 million a year.

"This, says the federation, is what Mexicans in cities such as Mexicali, Tijuana, Matamoros, Nuevo Laredo, Monterrey, and Ciudad Juarez spends per year 'on the other side,' adding that this is having, and will continue to have, 'an abnormal and adverse effect on our national development.'

"Mexico, says the federation, 'cannot afford the luxury of spending $320 million a year mostly on clothing, shoes, and luxury items which could be obtained in Mexico, and furthermore contribute nothing to increasing our productivity.'

"This enormous spending 'on the other side,' said the National Chamber Organization, hamstrings the region's economic and industrial progress.

"This sum would be a 'significant investment for the development of our own Nation if these people would only realize the true value to Mexico of this money which is now being put to no real constructive use.' "

(Note.—From Laredo Chamber of Commerce, Manager Sam Quay: "The above news release came from Mexico City after a meeting of the National Federation of Mexican Chambers of Commerce. We honestly and sincerely feel that if H.R. 7368 passes in its present form without the omission of Mexico and/or Canada, then we will see more and more trade restrictions and strict laws enforced by the Mexican State and Federal Government agencies. This will hold true with through billing, retail and wholesale trade, and overall business activity. We should give very careful consideration to this legislation as it affects our good neighbors to the north and south, and we should also realize that we now have a favorable balance of payments, but it could reverse itself very easily.")

Let me go back and substantiate the figures I have used—that $495 million in retail sales that is not part of the official statistics. I know it may sound fantastic to those who don't know the border. I will use my home, Laredo, which I know most intimately and because it ranks as the No. 1 port of entry for tourists from the United States southward and from Mexico northward; and here I might mention that Texas figures Mexican tourists spent $32 million in our State alone in 1964, and this is a growing trend, as Mexico's middle class grows, more and more take vacations in the United States. Laredo is also the No. 1 port for recorded commercial exchange, and ranks as the Nation's first land port in foreign trade. It is also the No. 1 retail shopping center along the entire border.

All the statistics of usual foreign commerce are available, have been presented on this bill, and I'm sure you are much better informed on these than myself. These show the United States still has a favorable balance of trade with Mexico, that we sell more in dollars than we buy.

The important thing these statistics do not show is this $495 million in retail trade to individual Mexican shoppers we are talking about. These Mexican citizens travel to the United States mostly to border cities but to a growing extent to San Antonio, Corpus Christi, and even Dallas and Houston. One of San Antonio's major department stores figures 20 percent of its 1964 sales were to Mexican citizens.

These Mexican citizens buy clothes, drygoods, appliances, furniture, toys, and groceries. One of the busiest grocers in Laredo is located at the entrance of the International Bridge; it's small as supermarkets go, about 25-foot front. Its sales volume in 1964 was admitted $1,100,000. This grocer sold more Pet Milk than any other outlet in the entire United States. And 95 percent of those sales were to Mexican citizens, who took the groceries home to Nuevo Laredo and Monterrey. The export statistics don't show that, either.

In Laredo alone, retail sales totaled $85.5 million in 1964, and the chamber of commerce estimates a 20-percent increase in sales in the first 4 months of this year over last year. Of that total of retail sales, a survey of merchants reflects that 85 percent were to Mexican shoppers.

Those statistics do not show in the Department of Commerce export figures, either.

Laredo, economically, is a very poor town. We have a population of 65,000 people. However, if we figure on economic import of our local citizens, we figure the city compares in buying power to an average Texas city of only 25,000. That's because so many of our citizens are in the very low income group, or are welfare recipients. For instance, almost half of the families in Laredo—48.7 percent, to be exact, have income below $2,500, the U.S. Bureau of Census figures show. From these figures, one must conclude that the retail sales and purchasing power in Laredo is low, and the tremendous volume of sales can't be to local citizens. They aren't; they are to Mexican citizens.

Let me quote you a paragraph from the United Gas Log, a publication of United Gas Co., whose economists are interested in the business of Laredo and Nuevo Laredo, where it sells gas. The paragraph follows:

"There is heavy traffic, too, from the other direction, from which the city's many fine retail establishments benefit handsomely. Laredo ranks 20th in size among Texas cities, but in terms of net retail sales, is now third, behind only Houston and Dallas."

This means that net retail sales in Laredo are greater than some cities in Texas 10 times its size.

Why is this? Again, the reason is the Mexican shopper, who isn't counted in usual statistics. We have thousands of citizens from Monterrey—just 2½ hours drive from Laredo—and from Saltillo, San Luis Potosi, Potosi, Zacatecas, Torreon—and even Mexico City and Guadalajara, who come to Laredo to shop.

You cannot even imagine the tremendous sales of Laredo's retail establishments until you see it with your own eyes. Come to my town any Saturday, on some Mexican holiday period when Mexican workers have a holiday, and you'll see what I mean.

Laredo merchants have two Christmas shopping seasons—the usual Yule season and the Easter season sales. The Easter season sales equal, and this year in many instances surpassed, Christmas season sales. Why? Because, Holy Week is a week-long holiday for all government employees and practically all industrial and commercial establishments in Mexico, and Mexicans take advantage to travel to United States.

Because of these thousands of Mexican shoppers, Laredo is America's second per capita apparel market, exceeded only by Tallahassee, Fla., according to Standard Rate & Date. Laredo is the United States only market where apparel sales exceed auto sales.

Laredo has a work force of 24,000, approximately 14 percent unemployed, the highest in the United States. Of that work force who hold jobs, 3,800—or almost 20 percent of the work force holding jobs—are employed in the retail sales field. Add to this number holding jobs in customs, forwarding agencies, transportation firms, warehousing, import and export agencies, and related fields, and we figure that probably more than half the work force are employed in some field related to trade with Mexico.

Unfortunately, because of the economic depression and high unemployment, many of these workers are paid low wages. But, without that trade, we would have no jobs at all for thousands of them.

Let me cite one other figure, included in the Associated Press dispatch cited earlier. The National Chambers of Commerce Federation of Mexico figures that residents of the Mexican border cities of Mexicali, Tijuana, Matamoros, Nuevo Laredo, Piedras Negras, and Ciudad Juarez spends $320 million on the "other side" on goods which can be obtained in Mexico. That statistic, too, is not one included in the figures of the Department of Commerce in figuring the dollar outflow. That $320 is incoming, and is part of the $495 million of which I spoke earlier. The additional, as estimated by trade sources, including bank reports and reported retail sales, come from the tremendous sales from citizens of cities other than those along the border.

One other aspect—and a very important aspect, I think—is what such recrimination means in our relationship with Mexico. Laredo is the cradle of the good neighbor policy. We don't talk about good neighborliness, we live it. Its our bread and butter—an essential ingredient of our economy. We have come to consider Laredo and our sister city of Nuevo Laredo, across the river where 100,000 Mexican citizens live, as one city, one economic unit. This inclusion of Mexico in the bill will not only mean a threatened loss of this tremendous volume of retail sales to Mexican citizens, which is a direct threat to the economy of Laredo and all border cities—we are already economically depressed—but could tear asunder all the warm international relations we have so carefully cultivated over many, many years.

I have spoken from the viewpoint of the businessman, the Laredo economy and problem of dollar outflow, and I hope to have pointed out that the bill will have the opposite effect intended so far as Mexico is concerned.

Now let me speak of our neighbor to the south from the viewpoint of a friend, from the viewpoint of that of a neighbor whose children may be grown and is interested in the struggles and the progress of a younger man next door, who is beginning to educate his children and improve his house.

We North Americans, and I say North Americans—because all other people of the Americas rightly consider themselves Americans, whether it be Laredo or Mexico, have much the same position with relationship to the countries south of us as the man whom I just mentioned. We need some tolerance with the children when they play in our yard and trample down our flowers. Sometimes their dog may bark a little loudly, or they may have a late party—but they are friends, and they are good neighbors. We need to be patient in such a case, and realize that we could have been just as much bother to our neighbors when we were bringing up our children.

We who know Mexico and Latin America well like the foreign policy of this administration. We are delighted with the work of the Bureau for Latin American of the Agency for International Development and the Bureau of Inter-American Affairs of the Department of State who are coordinated, and are showing a firm, practical approach.

A task force appointed by President Kennedy on October 2, 1963, and reaffirmed by President Johnson, was charged with the development of programs to reduce the deficit in the U.S. balance of payments. Mr. Henry Fowler was chairman, and Robert M. McKinney the executive officer. It dealt in a report, primarily with the monetary system. Let me quote a paragraph:

"The increased freedom of capital movement and increased participation by foreign citizens and financial institutes in the ownership and financing of U.S. business will serve to strengthen the economic and political ties of the free world as well as its monetary system. Therefore, we attach special importance to our recommendation concerning possible reduction or elimination of obstacles to the international flow of capital."

This bill does the contrary; it restricts that flow. The Mexican peso is strong, recognized worldwide for its strength as a monetary exchange.

Thus, we see this bill as very damaging to the economy of Texas and the Nation, and especially to the border area where the President's antipoverty program is just beginning to see the light of day and show results. It would mean, I think, greater unemployment in areas where unemployment is high.

We also see this bill as having a detrimental effect on the balance of payments, the opposite effect intended. We think that by trying to save a $50 million outflow—and that's the maximum figure which certainly is on the high side if looked at realistically because the duty may not stop the purchases—we threaten the inflow of 10 times that much. In the balance, the United States is much better off in the area of dollar exchange in the trade along the border areas.

Thirdly, and importantly, it would have a very detrimental effect on the relations with Mexico, despite some small friction occasionally. We look at these as arguments between friends. By inviting recrimination, we also invite reasons and excuses for more such problems. We have programs to aid these countries, and the outflow of dollars on such programs is most certainly much, much larger than the dollars spent on goods allowed in duty free by tourists.

I think if there is a sound look at this bill in relation to Mexico, there can be no logical conclusion but to agree that Mexico—for the good of all concerned—must be excluded.

Mr. MURPHY. Mr. President, I should like to join the Senator from Texas [Mr. Tower] and the Senator from Oregon [Mr. Morse]. My State enjoys friendly relations with our neighbor to the south, the great Republic of Mexico. This year Mexico has experienced the unfortunate occurrence of having its second chief source of income cut off. The action of the Secretary of Labor in removing the bracero program has worked an extra hardship on Mexico.

I agree with the Senator from Illinois that our balance of payments is of great concern. But in this particular instance we are talking about going after an elephant with a fly swatter. We should be concerned with the good will of our neighbors to the north and the south, people with whom we live constantly and with whom we interchange commerce.

Therefore, I join in the position of the Senator from Texas and the Senator from Oregon, although I have great respect for the judgment and reasoning of the Senator from Illinois.

Mr. SMATHERS. Mr. President, I wish to state my position with respect to the committee amendment now before the Senate.

Much confusion has resulted from the consideration of this particular piece of legislation. The Senate Committee on Finance has reversed itself on one occasion; the House Committee on Ways and Means has reversed itself on one occasion; and the Secretary of the Treasury admitted he was not quite certain of his position. Given this confusion, it seemed to me that the proper and sensible thing would be to return to the present law and let the situation remain as it is for at least another year. During that time we could attempt to determine what procedure should be followed.

Would the amendment help us to eliminate our balance-of-payments deficit? It would not. No one knows what it would do. Obviously, one thing is true, as the Senator from Oregon said: This is a shotgun approach. There is no doubt that we have a surplus in our balance of payments with Canada, Mexico, the Bahamas, and Bermuda. For every dollar that is spent in the Bahama Islands, $1.60 is returned to us. Much the same is true of Bermuda. The United States has a $443 million balance-of-trade surplus with Mexico. The amount of surplus with Canada is $560 million.

So a broad-scale proposal would hurt us in countries where we have a favorable balance of trade. Obviously, such an approach could not improve our balance-of-payments deficit. So it seems to me that the simplest way to proceed is to continue the present law for another year.

I expect to support the position of the Senator from Pennsylvania. Thereafter, I propose to offer additional amendments, because what he is offering, in effect, is a return to last year's law. I agree with him that we should never have enacted the limitation, which came down from $500 to $100, because I do not believe this is the way to correct the balance-of-payments deficit, which the Secretary of the Treasury testified is some $3.1 billion. The bill, if it achieved the most optimistic results he predicted, would bring in in the neighborhood of only $75 to $100 million.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. CLARK. The parliamentary situation is a little different from what the Senator from Florida stated. Although the effect is the same, I am dealing with a committee amendment; I am not offering an amendment of my own. I propose to vote "nay" on the pending amendment, on which the yeas and nays have been ordered. The amendment would decrease the allowance from $100 to $50. So I am not offering anything; I am objecting to the committee amendment.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. BARTLETT. I, too, had thought that an amendment offered by the Senator from Pennsylvania was pending. I am glad such an amendment is not pending, because although I should have supported that proposal, it would give me much more pleasure to support an amendment which I hope the Senator from Florida will offer.

It seems to me that this is no manner of approach to try to solve a dollar program. It is a move that is calculated to save very little money and to give considerable offense to our neighbors. We claim to be citizens of the greatest Nation in the world; yet we are acting in a small, petty, demeaning manner.

If I could have my way, and I hope that I can, I should restore the amount to $500. I do not believe that it ever should have been reduced.

I hope that there will be an opportunity for me, by my vote today, to endorse the proposal of the Senator from Florida and leave the situation unchanged.

Mr. SMATHERS. Mr. President, I thank the Senator from Alaska. In a moment, I expect to offer, on behalf of myself, the Senator from Pennsylvania [Mr. Clark], the Senator from Minnesota [Mr. McCarthy], the Senator from New York [Mr. Javits], and the Senator from Hawaii [Mr. Inouye] an amendment which would retain the present law for another year.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. JAVITS. Mr. President, does the Senator know, in his experience, of a previous occasion when we really stood on the floor and fought this measure? Have we not heretofore let the matter slide? We did not fight the reduction from $500 to $100.

Mr. SMATHERS. The Senator is correct.

Mr. JAVITS. This is the first time that we have really stood on the floor and fought the proposal.

Mr. SMATHERS. The Senator is correct.

Mr. JAVITS. Is not the travel gap—that is, money spent by tourists out of the United States—as compared with what tourists spend in the United States, $1,600 million a year?

Mr. SMATHERS. The Senator is correct.

Mr. JAVITS. Does that not justify calling this measure nettling and minuscule?

Mr. SMATHERS. The Senator is correct. I have here two editorials from newspapers that are normally at opposite ends of the political spectrum. But in this instance, they agree completely. One is from the Washington Post of Friday, May 14, 1965. In this editorial it is stated that this whole program recommended by the Treasury is nitpicking. The other is from the Wall Street Journal and is headlined, "An Indigestible Remedy."

Mr. JAVITS. Mr. President, the $60 million figure is, I believe, what we called in the Army, extrapolation. It is said that tourists returning from abroad, when the exemption was $100, returned with a certain dollar amount of goods duty free. It is said that with a $50 exemption, people would return with a corresponding lesser amount of goods duty free. This is the amount which would make up the $60 million a year.

I ask the Senator if that is not what spells the difference in the balance of payments; or is it what the tourist spends abroad in toto, concerning which we have no figure except the figure which I gave?

Mr. SMATHERS. I agree.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. CURTIS. I thank the Senator from Florida. I voted against reporting the bill from committee. I voted against reducing the exemption to $50. On the basis of the $60 million that is involved, we are to make a calculation of an amount that would be less than 2 percent of the expenditure for foreign aid.

There was a time when we talked about trade, not aid. For less than 2 percent of the amount involved in our foreign aid expenditure, we are at least inviting the displeasure of many of our neighbors. We are discouraging a practice that has been regarded through the years as a wholesome practice, one which promotes good will and renders assistance to nearby countries, and particularly to island countries in the maintenance of their local economy. It constitutes an encouragement for tourists to buy.

The articles that tourists buy are usually in a category which are not too much in conflict with many of the things that they would buy at home, because they are extra purchases. Therefore, without hurting our economy in any material way, we have helped the economy of many of our neighbors, particularly those in the Western Hemisphere.

We are jeopardizing that at this time for a matter of less than 2 percent of the amount involved in foreign aid. We are tampering with something that creates jobs and business activity for our neighbors, and we need them, particularly in the Caribbean.

I thank the distinguished Senator for yielding.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. DOMINICK. Mr. President, I wish to clarify this matter in my own mind. As I understand the committee amendment, it is designed only to say that we would reduce this exemption from a $100 wholesale value to a $50 retail value. Is that correct?

Mr. SMATHERS. It would reduce it to $50 retail from $100 retail as the House bill provided.

Mr. DOMINICK. Retail in both cases. Is that correct?

Mr. SMATHERS. No. The present law provides for a $100 exemption on a wholesale basis which figures out to $166 retail. So, it is $100 wholesale value at present.

Mr. DOMINICK. That is what I thought.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MORTON. Mr. President, the committee amendment is to the House bill. The House wrote in a provision to exempt $100 at a fair retail value. So the proposal before us, in both cases, involves fair retail value. The committee amendment reduced to $50.

Mr. DOMINICK. We are trying to say that we do not want the $50 exemption. It is planned to provide that we retain the $100 exemption contained in the House bill.

Mr. SMATHERS. Mr. President, I propose to offer an amendment which would maintain the present law, which, in effect, provides for $100 wholesale value, which the customs officials have computed to be $166 retail.

Mr. DOMINICK. Mr. President, I wish to support the bill, but I want to know how to vote.

Mr. MORTON. Mr. President, the first vote will come on the committee amendment. The Senator's position should be "no." Then, the Senator from Florida, I understand, regardless of whether the committee amendment is agreed to or not, will offer an amendment in the nature of a substitute when we are through dealing with all the perfecting amendments to the bill.

Mr. DOMINICK. This would not take into account any change that may have been made in the alcoholic beverage portion of the law?

Mr. MORTON. No.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. BURDICK. Mr. President, the northern part of my State borders Canada. There is a good deal of trade with Canada. Has the Senator from Florida any idea of what the Canadian Government might do in retaliation if this amendment were agreed to?

Mr. SMATHERS. I do not know what would be done in retaliation. However, Canada now has a restriction on the amount of goods which Canadians can bring back from the United States. This amount is $25.

The Senator from Illinois will touch upon that matter a little later. However, we are about to enter into a separate duty-free treaty with the Canadians whereby we can interchangeably swap new automobiles. We will possibly enter into additional trade agreements with them which would have the effect of breaking down the barrier. So, the step that we are taking in the Committee on Finance, insofar as I can see, would make it more difficult for us to bring about good relations with Canada, with which country we have a favorable balance of trade.

The State of North Dakota would be interested in maintaining that good will and trade back and forth between North Dakota and Canada. The Senator would be opposed to what has been recommended.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. SCOTT. Mr. President, the Senate might be interested in an occurrence of last January, when a number of Senators were in legislative conference in Great Britain with Members of the British Parliament, Members of all three bodies, including some past members of the Board of Trade who have a direct interest in this sort of thing.

At that time, I raised the question of what would happen if our Treasury were to reduce this import exemption to $100 retail. It never occurred to me that it would be reduced to $50. The immediate answer, concurred in by the British Members present, was, "We, in the United Kingdom, will immediately retaliate."

It would therefore follow that the commonwealth of nations would be expected immediately to retaliate. Our relations with Mexico and Canada would certainly deteriorate.

The thrust of what we are trying to do is to save a small amount of money in the worst possible way, at maximum inconvenience to people who are neither poor nor rich, but who are able to make a long deferred trip abroad now and then, who may make 18 stops in an economy 30-day cruise, who, under the committee amendment, could not buy more than 2 or 3 articles in the 18 places where they stopped. It would therefore cause a considerable amount of ill will on the part of the American traveler against his own Government. There is enough ill will against our Government already without having to incur the ill will of our own people.

I therefore hope the committee amendment will be voted down, and that the amendment of the Senator from Florida will be adopted.

Mr. LONG of Louisiana. Mr. President, we are having to tighten our belts so that we may carry the heavy burden this country has assumed. We have assumed the burden of keeping American troops on foreign soil at great sacrifice. I would like to have them home, but all sorts of defense problems are involved. The Germans feel that if we pull our troops out of Germany we leave them unprotected against possible Soviet aggression on their territory, and it scares them to death every time we pull another American division out of Europe.

We enacted the interest-equalization tax. We told the businessmen and the bankers, "We hope we are not going to be compelled to pass a law so that you will not be able to engage in activities overseas without the Federal Government's keeping an eye on everything you do overseas. We hope you will cooperate in a voluntary effort to bring this Nation's balance of payments into line."

We called upon businessmen, when they borrowed as much as $100 million at a time for use abroad, to borrow that money at higher interest rates and borrow it over there, even though the interest will cost millions of dollars a year on a single business decision.

They cooperated and responded to our effort to tighten our belts in an effort to bring our balance of payments into line.

What are we asking American tourists to do? If they want to go overseas to the extent that they do, and spend $2.8 billion there, putting our balance of payments out of line to the extent of $1.6 billion, because foreign tourists spend only $1.2 billion in this country, we tell them that "when you go over there please do not spend so much, or, if you are going to spend it, at least we are going to have you pay a little tariff on it."

If we are going to ask businessmen to accept additional millions of dollars of interest costs, why can we not ask tourists to pay a tariff on goods they bring into this country? This Nation is in trouble. We have been aiding foreigners to the tune of more than $100 billion. I voted against much of that. But we must think of the stability of this country, the value of its currency, and the position of the Nation in the world; and we are asking the American people to cooperate. We want them to be able to go abroad. We do not want to discourage them from going there. The information discloses that they are bringing back goods worth between $50 and $55 a person. We would like to be able to have them bring in goods up to $50 worth without paying any tariff, but if they bring in goods valued at more than $50, they will have to pay a little tariff on anything above that amount. Is it not reasonable enough to ask the people to do that when we are asking American businesses, at great financial sacrifice, to cooperate in helping to solve this problem?

Mr. PASTORE. Mr. President, will the Senator yield.

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. I could not agree more with the Senator from Louisiana. All we are saying to the American tourists who are spending $2.3 billion abroad—which is a fair approach to the deficit in payments—is "Please do your Christmas shopping at home. It is nice for you to take a trip. It is nice for you to enjoy the French cuisine in Paris, and Italian cookery in Rome, and taste of the exotic atmosphere in Tokyo, but when you start to buy Christmas presents, please do the buying in your own country."

It would have a salutary effect in bringing to the attention of the rest of the world the fact that once in a while the American people are faced with problems. The amount involved may be only $60 million a year, but it will have a good psychological effect. It means that a tourist can spend as much as $50 on imports and take them in free, but if a tourist brings more than that amount of goods into this country, he has to pay a tariff on it, as is true of all other goods that are imported.

All other countries protect themselves. They pass their own laws. We who are concerned with the American textile industry have been striving for the longest time to reach a bilateral import and export agreement with Japan with respect to woolens and worsteds. The Japanese have refused to talk about it. Yet the Japanese have an agreement with Great Britain, Italy, and other countries.

Every time we suggest a limitation, we are faced with the argument that we are going to hurt our relations with Mexico, Canada, Great Britain, France, Italy, and other countries. It is said that our relations with those countries will deteriorate. I do not believe so. All we are saying to the rest of the world is that we have a balance-of-payments problem. Our tourists spend $2.3 billion abroad. What tourists spend in this country is only a paltry sum. We are saying, in order to stabilize our economy, in order to get the American economy from being in the red again, "Let us make the exemption $50. If tourists bring back to this country more than that, they will have to pay a tariff on it."

What is wrong with that? Why is the world going to fall apart if we do that? The time has come when we must show to the rest of the world that even an affluent nation like the United States has problems. With stocks going down—they dropped 13 points yesterday—with the balance of payments as it is, we must tighten our own belts. If it means only one notch, it means one notch in the right direction.

We made these generous import allowances to help foreign countries faced with a dollar shortage. We lifted these nations up to prosperity. So these exemptions were to encourage American expenditures abroad. The exemptions are no longer warranted.

I shall support the committee.

Mr. LONG of Louisiana. What would make the stockmarket drop more than to have the opinion go around the world that the American dollar is no good, that we are not willing to put our own house in order, and that the American dollar does not have good backing?

If a Frenchman comes to this country and buys goods here and goes back to France, how much is he allowed to take back with him duty free? Twelve dollars' worth.

How much does England allow an English tourist to bring back into his country without paying a duty? Zero. Not a red copper cent's worth of goods is he allowed to take back with an exemption on the duty.

Those people are pressing us to put our own house in order.

What does West Germany do? Remember, West Germany has no problem. It has a surplus. West Germany is trying to help us out. What does West Germany allow its citizens to take back into West Germany without duties? Twelve and one-half dollars' worth.

That is how they protect their balance-of-payments situation. Why should we not do something like that?

Mr. DIRKSEN. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Does the Senator from Louisiana yield to the Senator from Illinois?

Mr. LONG of Louisiana. I am glad to yield to the Senator from Illinois.

Mr. DIRKSEN. If the committee position should prevail, would the Senator be willing to accept an amendment that I am afraid we did not clarify in committee, that the effective date should be October 1, 1965; first, because there are Americans in Europe now who probably will not be coming back soon and who are complying with the old law; and second, they probably have goods already in transit which would be complying with the old law and they would be helpless in that matter. Then, of course, there are persons who will be arriving in the United States after the effective date of the act.

I make that suggestion because it has the concurrence of the Treasury Department and clarifies something that we failed to clarify in the committee.

Therefore, will the Senator from Louisiana accept that amendment?

Mr. LONG of Louisiana. The Senator from Illinois has a good point. It is a point which was not discussed in committee. Basically, the Senator is talking about those who are overseas now and who are, perhaps, relying upon existing law and who would come home and find that the law had been changed while they were overseas.

I regret that it was not offered in committee, but the committee members with whom I discussed the problem seemed to believe there was merit in the position. Therefore, if the committee position prevails, I would hope that the Senate would take the amendment of the Senator from Illinois, to clarify the situation. Subsequently, after the tourist season is over, they would then be subject to the new law.

Mr. DIRKSEN. At the proper time, Mr. President, I shall offer the amendment.

Mr. McCARTHY. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I am glad to yield to the Senator from Minnesota.

Mr. McCARTHY. Mr. President, I know that the Senate is close to voting on whether the committee amendment should be accepted, but I believe that the RECORD should be cleared up at this point with reference to the so-called balance-of-payments problem.

William McChesney Martin, Chairman of the Federal Reserve Board, in a speech on the 25th of this month, said that the balance of payments has been in surplus for the last 2 or 3 months; that we do do not have a balance-of-payments deficit today, that we are on the way to having a balance-of-payments surplus.

Mr. President, the dollar is not in trouble. The dollar is in better shape today than it has ever been in the history of the country. Why should it not be? We have the largest stock of gold, if we wish to go back to that superstition as a basis for the dollar. We have the most productive economy in the world—the most productive economy America has ever known.

The dollar is not in trouble. We are in the strongest creditor position of any country in history—including the history of the United States.

Yet, Senator after Senator rises on the floor of the Senate and asserts that the dollar is in trouble. The dollar has never been stronger than it is today.

The balance of payments is not a problem. It is in balance. Anything that is in balance is in a delicate condition. We have trouble when we have a surplus balance of payments and we have trouble when we have a deficit balance of payments. We have neither at the present time. Our balance-of-payments problem is in perfect condition.

Mr. President, Senators can vote on the question of the tourist allowance any way they wish, but not to justify it on the basis of the balance-of-payments problem, as an action which will strengthen the dollar, because it will have no such effect. We do not have a balance-of-payments problem today. It will not be strengthened, any way, by action taken here. If we wish to vote against bringing in good whisky, that is a moral issue; but do not take any action in the name of the balance of payments strengthening the dollar.

If we wish to vote in the name of equity, as suggested by the Senator from Rhode Island [Mr. PASTORE], why should these people be given special treatment? There is no argument against taking a position in the name of equity. If we wish to do it on that basis, we can do so, but do not talk about the balance of payments or the stability of the dollar because they are not related. It is the $25 to $50 million in savings which may be involved in action taken by the Senate today which is the issue to be considered.

Mr. HARTKE. Will the Senator from Louisiana yield to me, in order that I may ask the Senator from Minnesota a question?

Mr. LONG of Louisiana. I am glad to yield to the Senator from Indiana for that purpose.

Mr. HARTKE. I wish to ask the Senator from Minnesota, if it is not true that the Finance Committee pursued this point with the Secretary of the Treasury as to whether we had a deficit in our balance of payments at the present time?

Mr. McCARTHY. The Senator is correct.

Mr. HARTKE. What was his answer?

Mr. McCARTHY. He said that he would not give us a firm figure, as I recall it, that he wanted to wait until August to give it. He demurred, but a few days ago, William McChesney Martin, who is not nearly so reserved and hesitant, said that we have had a balance-of-payments surplus for the last 2 or 3 months.

Mr. HARTKE. Is it not true that at that time the Senator from Illinois pursued the matter when it was raised—and the Senator is now in the Chamber—and he asked the Secretary of the Treasury whether it was true that we had been in a surplus position for approximately 2 months, and when asked as to the amount, the Secretary agreed that it was a substantial surplus.

Mr. McCARTHY. The Senator is correct.

Mr. HARTKE. And when the amount was mentioned to him as being in excess of $1 billion, the Secretary of the Treasury said that he would not deny or affirm that statement.

Mr. McCARTHY. The Senator is correct.

Mr. PASTORE. Mr. President, will the Senator from Louisiana yield on that point?

Mr. LONG of Louisiana. Mr. President, I have the floor.

Mr. President, we have been making progress in our balance-of-payments problem along the line. It has been out of line for a long time. In this particular quarter we may be doing very well, but as the Secretary of the Treasury so well stated, it has been stable for only 1 or 2 months. We have been calling upon American business to make a big sacrifice to bring the balance of payments into line and we must have several months of a favorable balance of payments to show that we have corrected the adverse situation.

I am glad now to yield to the Senator from Rhode Island.

Mr. PASTORE. I should like to get this matter straightened out. About a week or so ago, I had reason to make inquiry of the Joint Economic Committee with reference to the question of the balance of payments. The staff director came to my office; and he told me that on commodities we export, the figure was approximately $24½ billion; and we import approximately $18 billion. Those are the figures he gave me. But if we go to goods and services as well, I understand that imports are $41 billion, and that exports are approximately $39½ billion.

Those are not the figures we hear today. A rosy picture is presented to us of the balance-of-payments situation. I am refreshed to hear it, because it comes from the members of the Finance Committee.

Frankly, however, that is not the way I heard it. If anyone has the figures, I should like to have them. I had always been told that one of the biggest problems America faces today is that of the balance of payments.

This afternoon, for the first time, on this 29th day of June in 1965, comes the information that we no longer have a balance-of-payments problem.

Mr. McCARTHY. Mr. President, if the Senator from Louisiana would refer——

Mr. LONG of Louisiana. Mr. President, the point is that——

Mr. President, I have the floor——

Mr. PASTORE. May I just say this——

Mr. McCARTHY. If the Senator will refer to my comments on March 29, he will find that I said then that we did not have a balance-of-payments problem.

Mr. PASTORE. I am talking about the staff director on the Joint Economic Committee.

Mr. LONG of Louisiana. The point is that our balance-of-payments problem last year was out of line by $3.1 billion.

The balance of payments for 1963 was out of line by $3.3 billion. President Johnson has made the point that up to the close of last year, he thought we were going to be in good shape last year, but at the last moment many Americans began making loans and investing money overseas, so that the balance of payments was almost as badly out of line last year as it was the year before.

Merely because a patient has less of a temperature than he had the month before does not mean that the patient has been cured. At the moment, we are doing better, but we must have more than one or two good months. We must get our payments back in line over a period of time to feel we have corrected the problem.

Mr. PASTORE. Can the Senator from Louisiana give us the figure as of the first of this month, or as of the first of last month?

Mr. LONG of Louisiana. The Secretary of the Treasury tells us that he will not have those figures until after the first of August. At the moment, the indications look favorable, but we will not know until the first of August.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. We have had a good quarter. That does not mean that we will solve the problem. We do not have the figures available.

Mr. PASTORE. If we do not have the figures, how do we know whether we are in a good or bad position?

Mr. LONG of Louisiana. All I can say——

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. The Senator from Rhode Island has asked how we know whether the figure is good or bad. The last figure which we relied upon was bad.

Mr. PASTORE. What was the figure?

Mr. LONG of Louisiana. The indications are that the next set of figures will probably show that we are in a favorable position. However, we do not have those figures yet.

Mr. SMATHERS. May I ask a question?

Mr. LONG of Louisiana. I would rather yield for a statement instead of a question; so I shall yield now to the Senator from Minnesota.

Mr. McCARTHY. Mr. President, will the Senator yield to me?

Mr. LONG of Louisiana. I yield.

Mr. McCARTHY. We have a statement from two of the leading fiscal officers of the country. William McChesney Martin, on June 25, said that for the past 2 or 3 months the balance of payments has been in equlibrium and on the surplus side.

Mr. LONG of Louisiana. I hope the Senator does not rely on that statement, because it created a great deal of trouble.

Mr. McCARTHY. The Secretary of the Treasury, when questioned, said he would not say yes or no to a billion-dollar-surplus situation as of last month.

Mr. SMATHERS. Will the Senator yield to me for a brief statement or for a question?

Mr. LONG of Louisiana. The latest figure I have, for the last two quarters of 1964, shows that in one quarter the deficit was $1,012 million and in the other quarter the deficit was $1,340 million. We hope it will be better in the future. We have some indications that we are making some headway. The reason why the situation appears to be improving is that we have invoked the amendment that I supported, the Gore amendment, on the equalization of bank loans. We have also called upon American industry to cooperate with us with respect to capital investments abroad.

Mr. HARTKE. Although I agree with the Senator from Louisiana, my sympathies are with the Senator from Minnesota.

Mr. LONG of Louisiana. This situation has been out of line for a long time. It has been running not for 1 year, but for several years. We need to put our house in order. Even before we see a marked improvement, someone wants to turn the whole thing upside down and start all over again in a profligate fashion. All I am urging the Senate to do is to follow the President's program. It is having some success. The recommendation of the President is to do this from the top to the bottom and from the bottom to the top, and to include the poorest and the richest, to include everyone, to ask everyone to make a contribution toward bringing this Nation's balance of payments in order, so that in the financial world, where we are a leader, we can present a proper example.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HARTKE. What the Senator is saying is that the past record was bad. The President said it was bad. He took some action. He asked for voluntary controls on capital investments abroad, and he also asked for credit controls. The program has worked.

Mr. LONG of Louisiana. He also asked for this bill.

Mr. HARTKE. Yes; but the bill has not been passed. The voluntary program did work, and it is working.

Mr. LONG of Louisiana. So far; yes.

Mr. HARTKE. So far. What the Senator is saying at this time is that the mere fact that the President has been successful in connection with this program is no reason to turn him down on another program.

Mr. LONG of Louisiana. This might be successful, too.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. The Senator said that everyone has agreed that our balance-of-payments position has improved during the past few months, and that we no longer, during this short period of time, had any deficit. This has been accomplished without the benefit of the proposed legislation. That is why I propose to offer an amendment which would put us back in the situation under which we have operated during the past year, which has put us in a surplus position for the first time.

Mr. LONG of Louisiana. We cannot expect business to cooperate with us to the extent that it has, costing business hundreds of millions of dollars, if we do not ask individual Americans to cooperate to the extent of a few million dollars. We are talking about helping the balance-of-payments position by $60 million. We are asking Americans, if they want to bring back purchases made abroad, to pay a little duty on them. We are asking American business to "take it on the chin" on a voluntary basis to the tune of hundreds of millions of dollars. How can we expect business to do this on a voluntary basis under pressure from the administration when we will not ask individuals either to reduce their spending abroad or to pay a little duty when they bring their purchases back?

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. The Senator from Rhode Island is not too clear about precisely what the balance-of-payments situation is now or is likely to be in the near future. But even taking it at the face value of the Senator from Minnesota and the Senator from Florida and the Senator from Indiana, the conclusion we reach this afternoon is that the balance of payments became better only after we took certain measures. The pending bill is another peg on the board. It is another part of the whole program. It adds another equitable measure to our balance-of-payments moves.

No one would suffer too much because of the enactment of this bill. All the fear and apprehension about what it would do about our relationship with other countries is so much poppycock in the opinion of the Senator from Rhode Island.

When we took salutary measures on a voluntary basis, there were no repercussions. We ameliorated the balance-of-payments situation. We have before us another step in the program. I do not believe that any American who has the money and inclination and opportunity to go abroad and spend money in other countries of the world would be hurt too much if we said to him, "After you have spent all you please over there—and still make purchases to bring home we expect you to pay a tariff charge on the value over $50. There is nothing wrong about that.

Mr. LONG of Louisiana. Congress has already voted, under the present administration, $18 billion worth of tax cuts for the American people. Under this bill all we are asking the American people to do is pay a little duty on their foreign purchases and help put our international house in order.

We have voted $18 billion in tax cuts. We have voted 2,000 times as much in tax cuts under this administration as we could hope to get by being a responsible Nation in international finance in trying to bring our balance of payments in order. We are asking people to pay duty at an average rate of 15 percent on their purchases abroad amounting to more than $50. Why are Senators so timorous? We have a problem. We must meet it. If we are a responsible Nation, we will meet it. After $18 billion in tax cuts have been given to the American people, can we not say, on the balance of payments, that we would like to have them make a small contribution, when business is making a fantastic contribution?

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. AIKEN. Mr. President, for the past half hour or so I have been listening and thinking. I have been entertained by some of the listening and considerably influenced by the thinking. I get the feeling from all this because of the committee assignments that I hold. I am a member of the Committee on Agriculture and Forestry, which will recommend an authorization of $5 billion or so for the coming year. The Joint Atomic Energy Committee is authorized an appropriation in the neighborhood of $2.5 billion. The Space Committee has authorized $5.25 billion. As to foreign aid, counting Public Law 480, but not counting the costs of our Army, Navy, and Air Force, which are used for the defense of other countries, it amounts to about $6 billion. We will pay to investors in U.S. securities in interest, in the neighborhood of $11 billion. Some of those holders of U.S. bonds will turn around and invest several times $50 million in foreign countries. Of that we can be sure. These authorizations make $50 million seem like a rather small amount.

I am also thinking of the thousands of schoolchildren who are overseas this summer. A great many of them are from my own community. I know that they do not have so much money. Many of them have gone overseas on funds raised by the communities to send them overseas as a reward for being good in school or in community work.

When the tourists return they will bring back with them articles which will probably aggregate more than $50 in value. Let us say that in value they average $69 apiece. They will have spent all their money buying that material and they will not have anything with which to pay the customs.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. AIKEN. I should like to finish my thought. The least we could do would be to give those people time to return before the new provisions take effect.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. LONG of Louisiana. Perhaps the Senator was not in the Chamber to hear the statement, but the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], suggested that the Senate might agree to an amendment which would provide that such people as those to whom the Senator refers would come back to the United States under existing law, and existing law would be extended until October 1, at which time the proposed legislation would go into effect. As a member of the committee, I agreed that I would take the amendment to conference if it were agreed to by the Senate.

Mr. AIKEN. That is the least we should do under the circumstances.

I have one other question. It is said that the bill would save us $50 to $60 million. That is not so much money as it used to be. Last fall I went with the President to British Columbia. While there the President handed to the Prime Minister of British Columbia a check for $252 million. It was an excellent investment; I was in favor of it . Nevertheless, it did not bother the President at all to hand over a check for $252 million. It does seem to bother him if we do not enact a law which would produce $50 to $60 million additional revenue on goods brought back to this country. As I have said, the least we should do is to extend the time in which youngsters now overseas could bring back articles under the present law. Thousands and thousands of them should be enabled to return without getting caught by the customs.

But more than that, I would rather see some additional time granted. It seems to me that $50 million is a pretty small amount to pay for having good neighbors to the north and to the south of us when we are spending more than that every 2 weeks on foreign military operations without making many friends.

Mr. JAVITS. Mr. President, the major fallacy in the whole discussion is the assumption that the proposal will save $60 million in our balance of payments. There is no proof of that whatever. On the contrary, the proof is the other way.

The reason that the Senate is gagging is that it seems to most of us—and I believe it is most of us—that we are getting pretty picayune, especially without proof of any real saving in the balance of payments, when we consider such a proposal.

The only evidence upon which the proposed $60 million saving is based is contained in the Secretary of the Treasury's statement at page 21 of the hearings before the House Ways and Means Committee. I shall read an excerpt of about four sentences:

> The Bureau of Customs estimates that during calendar 1964 articles acquired in foreign countries and brought or sent back to this country by returning residents totaled approximately $400 million in declared or retail value.
>
> If the duty exemption had been limited to $50 fair retail value (rather than $100 wholesale value, as was the case), approximately $90 million of such acquisitions which were duty free would have been dutiable. But we believe—

He continues—

> that if the exemption were at the lower figure a large part, perhaps as much as $60 million of that $90 million worth of articles, would not have been purchased at all. Our experience has shown that the fact that articles for sale abroad will be subject to duty when imported tends to discourage tourists from acquiring them.

But there is no proof whatsoever that the tourist who does not acquire the articles, as the Senator from Pennsylvania [Mr. CLARK] said, will not have a better meal in Paris or have a ride down the Seine or do something else with his money. The figures show exactly that result. The figures show that expenditures in Canada, expenditures in Mexico, and expenditures in Europe and the Mediterranean throughout the years are carrying on at an even level, and even the reduction of duty-free tourist purchases from $500 down to $100 did not have a material effect.

On the second point that I make, as to why the Senate is gagging at the proposal, for the first time—and it is high time, as the Senator from Vermont [Mr. AIKEN] has so sagely pointed out with wit and good sense—we have a $1,600 million gap in the whole tourist expenditure. I repeat, $1,600 million. We have well over 2 million tourists who are traveling abroad. If we really want to do something about belt tightening in respect to tourists, I suggest that we restrict them from spending more than $100 when they go abroad. Many countries have done the same thing. We would consider such a step ridiculous and invidious to the policy of the United States.

We have reached a point of no return in this business. The Senate has not gagged at the proposal before. It is gagging at it now. The other argument about what would be saved in relation to our balance of payments, and so forth, is de minimis. In the first place, there is no proof; second, there is involved an argument about considering the benefit to people of modest means who go abroad and, yes, attempt to beautify their homes and their lives with a few articles they might acquire abroad. What is wrong about that?

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. AIKEN. I should like to point out that the two countries, Canada and Mexico, which would suffer the most are among those countries with which we have our largest favorable balance of trade.

Mr. JAVITS. The Senator has so properly said that Mexico and Canada are our two best friends and neighbors, and while we might receive a small benefit, the proposed legislation might result in their gagging. We are gagging. The proposal might be the very thing that will make those countries gag, too.

The way to reduce the $1.6 billion gap is to bring people into the United States, to make it attractive to travel here, and to make the United States a great area for domestic travel. We have not begun to exploit those possibilities. That is the real target at which to shoot. As the proposal has been described in editorials and in other attacks, it is a minuscule, niggling thing. There is no proof whatever that it will help the balance-of-payments problem.

Even if there was such proof, considering the other drains which infinitely outshine the one about which we are speaking, it is not worth, in terms of the hundreds of thousands of American people who are going abroad, the imposition of the additional duty.

I hope the Senate shows itself to be above this pettiness by voting down the committee amendment.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. AIKEN. Does not the Senator believe that if the amendment is adopted, we should exempt the hundreds of thousands of members of our Military Establishment who serve overseas and who would like to bring things back to our country with them?

Mr. JAVITS. Certainly

Mr. AIKEN. Should we not exempt them? Would not the Senator from Louisiana agree to exempt returning members of the armed services from the terms of the committee amendment?

Mr. LONG of Louisiana. Mr. President, I have not seen the amendment which the Senator from Vermont has in mind. If he has a copy of it, I should be glad to examine it and discuss it with him. However, without the amendment, I am not prepared to discuss it.

Mr. President, may we have an agreement to limit time on the amendment so that Senators might make their plans? May we have a 20-minute limitation on debate, the time to be equally divided?

Mr. SMATHERS. I think the statement which the Senator from Minnesota [Mr. MCCARTHY] desires to make will be the last statement.

Might we have an agreement on the additional amendment about which I have spoken?

Mr. LONG of Louisiana. Might we have a time limitation on the present amendment? If the Senator wishes to oppose the amendment, he could have time in opposition to the committee amendment. May we have a time limitation on the amendment of 30 minutes, 15 minutes to a side?

Mr. McCARTHY. Mr. President, I intend to support the committee position on the amendment, and then I intend to support the proposal of the Senator from Florida [Mr. SMATHERS] to extend existing law for 1 year.

Mr. LONG of Louisiana. May we have an agreement to limit time on the present amendment, one-half of the time to be under the control of the Senator from Louisiana and one-half of the time to be under the control of the Senator from New York [Mr. JAVITS]?

The PRESIDING OFFICER. Is there objection?

Mr. THURMOND. I object to a time limitation unless I can get 6 minutes.

Mr. LONG of Louisiana. The Senator from South Carolina may have 6 minutes of the time under my control.

Mr. McCARTHY. Mr. President, I was seeking to be recognized.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that there be the time limitation that I have proposed.

The PRESIDING OFFICER. Is there objection?

Mr. THURMOND. With the understanding that I shall have 6 minutes.

The PRESIDING OFFICER. There being no objection, it is so ordered.

Mr. SMATHERS. The time limitation has nothing to do with the amendment which I intend to propose.

Mr. McCARTHY. Mr. President, how much time will the Senator yield to me?

Mr. LONG of Louisiana. How much time does the Senator from Minnesota desire?

Mr. McCARTHY. Not over 10 minutes.

Mr. LONG of Louisiana. I yield to the Senator from Minnesota 5 minutes. If he needs additional time, I shall yield more time to him.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. McCARTHY. The Senator from New York has said that the proposal before the Senate would be of no substantial help in relation to our balance-of-payments problem. I should like to point out that the testimony of men who are supposed to be most expert on the subject showed that we do not have a balance-of-payments problem today. What we have is probably a situation on the surplus side, and therefore we also have dangers. It is rather hard for me to understand the statements of Senators who say that payments are in balance and that we must get them more in balance.

How does one get something which is in balance more in balance? It is as though one who had righted a canoe would attempt to tip it over on the other side and then say, "Now the canoe is really balanced."

This is the situation in which we find ourselves today—a proper kind of equilibrium in the balance-of-payments situation. Since I hope this may be a time when Senators are concerned about international monetary problems, I should like to read, with some comments, an article written by Mr. Hobart Rowen and published in the Washington Post of yesterday. Mr. Rowen opens his article with the question:

> Should the United States strive to get its balance-of-payments deficit down to zero and keep it there?

We cannot have a deficit that is zero; but in effect, what he is asking is, should our balance of payments be in some kind of absolute balance? He goes on to discuss this particular question:

> With British Chancellor of the Exchequer James Callaghan in Washington this week for high level discussions with American officials, it is appropriate to raise a delicate question: Should the United States strive to get its balance-of-payments deficit down to zero and keep it there?

That is the question Senators ought to be asking themselves today, instead of worrying about $25 million on one side or the other of the balance-of-payments situation. Mr. Rowen continues:

> Slowly but surely, evidence is accumulating that many financial experts, including bankers, are beginning to doubt the wisdom of this single-minded drive.

He might have added: And the oversimplification of the international monetary problem.

> After our painful experiences with recessions in the postwar period, this country managed to put aside the myth that a balanced national budget every year is essential to our health.

We are now talking about how we must have a balance of international payments not once a year but, we gather, a surplus in every month of the year.

> We learned, in fact, how to use deficits constructively.
>
> There is a parallel in the international field. American officials are pursuing a determined national policy to wipe out our deficit. They speak in terms of a "swift, sure, and lasting end" to it.

We have heard such phrases during the debate today.

> We seem to have slipped into a kind of ritual, a preoccupation that ignores an important fact of life: A bank (and that is one of the key functions of this country in relation to the rest of the world) always has larger liabilities to its depositors than it has reserves in the vault. If it doesn't, it's not much of a bank.
>
> It ought to be considered quite normal for the United States to run a balance-of-payments deficit up to perhaps $1 billion a year.
>
> The justification for current U.S. policy is that continued deficits permit other nations to acquire too many dollars, draining our own reserves, especially gold. And, of course, it is true that deficits in the $3 and $4 billion range are too high.
>
> But as George H. Chittenden, a Morgan Guaranty Trust Co. vice president observed in recent congressional testimony, "as leading banker for the world, the United States must be prepared to see its dollar liabilities to foreigners rise over time * * *." To help finance growing world trade, Chittenden thought that annual deficits in our balance of $500 to $800 million would be safe.
>
> "May I stress," he said bluntly, "that the special magic of zero completely eludes me."

I might add that it completely eludes me, too.

> "We have in recent years gotten away from the simplistic notion that there is something peculiarly appropriate about a zero reading in the Federal budget."

Mr. Rowen suggests that we apply the same reasoned judgment to our international fiscal affairs that we have begun to apply to domestic economic monetary policies.

I suggest that the Senate might make this really unimportant debate about a matter of some $25 million of possible duty income, about possible limitation upon the amount of goods purchased overseas, the occasion for some profound reflection upon money and credit policy in the year 1965.

I thank the Senator from Louisiana for yielding time to me.

Mr. MILLER. Mr. President, the Senator from New York agreed to yield time to me.

The PRESIDING OFFICER. How much time does the Senator from Iowa yield himself?

Mr. MILLER. I yield myself 4 minutes.

First, the Senator from Minnesota asked what the balance-of-payments situation is. I can give the best figures available. They are figures published in the May issue of Economic Indicators. As the Senator knows, these figures come to the Joint Economic Committee from the President's Council of Economic Advisers. The figures for the first quarter of 1965 show an annual rate of deficit of more than $3 billion. In other words, if the rate of deficit continues in this way, there will be a $750 million deficit for the first quarter.

Mr. PASTORE. Mr. President, will the Senator say that again? I did not hear it. I do not know whether it is in agreement with me or the other view.

Mr. MILLER. The figures show a deficit at an annual rate of more than $3 billion, which would mean, roughly, a $750 million deficit for the first quarter.

I grant that there were indications during April and May that we might do fairly well during the remainder of the second quarter. However, there is nothing firm on that question now, so the best data available indicates that we have been suffering along with a bad balance-of-payments deficit thus far this year. However, notwithstanding that, the arguments of the Senator from New York [Mr. JAVITS] are irrefutable. This is nit picking. It is not getting at the problem in a sensible, calculated fashion.

If there are to be changes in tourist exemptions, it seems to me we ought to consider the countries that are concerned. For example, with Mexico and Canada we have favorable surpluses. It seems to me that we ought to revise the bill to provide that there will be a high tourist exemption for those countries.

Furthermore, the Senator from New York has stated that there are no figures to substantiate the claim of a $60 million saving in the balance of payments as a result of the implementation of the bill.

Mr. PASTORE. Mr. President, will the Senator yield.

Mr. MILLER. I yield.

Mr. PASTORE. I realize that an enormous amount of money is not involved. I do not believe that any Senator on this side of the aisle pretents that there is. That is not the point.

I have been told that Canada restricts the purchases of her citizens to $12; Great Britain, to $12.50; West Germany, which is quite affluent, has a $12.50 exemption.

The Senator from Rhode Island says that this is a good lesson for our tourists. We encourage them to go abroad and have a good time, but we would like to have them buy at home, as citizens of other countries would like to have their citizens buy at home. This is a good lesson, because if we are to meet the balance-of-payments problems, it naturally means that we would like Americans to spend no more abroad than people from abroad spend here—at least, to keep the spending at an even balance. I realize that the figures would never match to the decimal point every single time; but this is a good lesson to all citizens.

The PRESIDING OFFICER. The 4 minutes yielded to himself by the Senator from Iowa have expired.

Mr. PASTORE. May I have 2 minutes from our side?

Mr. LONG of Louisiana. I yield 2 minutes to the Senator from Rhode Island.

Mr. PASTORE. That is a good lesson for our citizens who go abroad to have a good time and spend whatever they want to spend for their enjoyment away from home. But when it comes to buying to bring home, they should do their Christmas buying at home. There is nothing wrong with that. I do not believe the world will fall apart. I do not believe that the proposal will be the entire answer to the question of the balance of payments. But psychologically, it would be a good lesson for Americans to learn.

Mr. MILLER. Psychologically, that falls short. If the Senator wants to be psychological, let us have a limitation on the amount of money that tourists may take out of the country and spend overseas for all kinds of things, quite apart from buying a few small items.

Mr. PASTORE. No, because that would be an absolute limitation. There is a difference. We are not saying that they cannot spend $5 million overseas. But on articles having a value of more than $50 that they bring home, they must pay the tariff, just as persons who go downtown and buy foreign-made goods must pay the tariff that has already been added to the price of the goods.

This is equality of opportunity. That is all that it amounts to. One can go downtown in the city of Providence or in any city of the Senator's State of Iowa and buy a foreign-made article; but to the price of that article a tariff has been added. All we are saying is that if one goes abroad, he may spend, and spend to his heart's content for his pleasure over there, and then he can still spend up to $50, on articles he may bring into this country tariff-free. But beyond $50, he must pay a tariff, just as everyone else on imports does. Other countries impose such a tariff; so can we.

I think it is pretty good doing.

Mr. MILLER. Mr. President, the only trouble would be that we say to this person, "Bring in $50 or $100, but we will treat it in the same way as somebody here. However, you can spent $5,000 overseas for anything you want."

This will not get at the root of the balance-of-payments deficit.

That is the point of the Senator from New York.

The Senator from Minnesota [Mr. McCarthy], and I am sorry that he is not in the Chamber now—said that the dollar has never been as sound as it is. Let us not go off on this amendment on the basis of the assumption that the dollar is in good shape.

The dollar has never been in as bad shape as it is today. Here again we can find that by looking at the economic indicators to which I have referred. From those, we find that——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MILLER. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 1 minute.

Mr. MILLER. Mr. President, we find that the consumer retail price index as of the end of March was up to 109, the highest that it has ever been in the history of this country.

The correlative to this is that the purchasing price of the dollar is 44.2 cents. It has never been so low. These figures are not my figures. They are figures from the President's Council of Economic Advisers and from the Secretary of the Treasury.

Mr. SMATHERS. Mr. President, I yield 2 minutes to the Senator from Alaska.

Mr. GRUENING. Mr. President, I am voting against the committee amendment to reduce the exemption from duty for returning residents from $100 to $50.

In the first place the amendment is highly discriminatory. It is effective immediately working unfairly against those U.S. travelers who went abroad before the enactment of this amendment and in all good faith made purchases up to the then legal limit—$100. These people on their return will be faced with a retroactive law which will levy a duty on the portion of their imports above $50.

The reduction to $50 will hurt not only our image abroad but will also do inestimable damage to our economic assistance program abroad. In many of the nations we have aided, tourism is big business; in some countries a basic source of income. As a matter of fact, in some of these countries our foreign economic assistance has been expended directly on studies as to how their tourist business could be built up. Considerable foreign economic assistance dollars have gone into building up tourist attractions. These are the very attractions we will damage by the committee amendment to cut the amount of exemption from $100 to $50.

And finally, we invite retaliation. At a time when we should be building up foreign trade, we are asked to take action designed to cut down tourism abroad and the amount which tourists can spend abroad duty free.

On June 23, 1965, in the Senate, I pointed out that Egypt's violations of Public Law 480 was not only aiding Cuba—despite our attempted boycott of Cuba—but was also hurting our balance of payments. I showed at that time, for example, that from an average of 295,000 metric tons of wheat sold commercially to Egypt before the advent of the Public Law 480 program, such commercial purchases dropped to 23,000 metric tons in 1955. That is a large loophole in our balance of payments that should be closed long before we come so petty as to hit at our returning travelers with a cut in exempted imports from $100 to $50.

I shall vote against the committee amendment to do that.

Mr. SMATHERS. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I am ready to yield back the remainder of my time. However, I understand that the Senator from South Carolina would like to have 6 minutes.

Mr. THURMOND. Mr. President, in order to permit the vote to be had now, I shall take my 6 minutes immediately after the vote is concluded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I wonder if the presiding officer would state the issue.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing, under a previous unanimous consent order, to certain committee amendments which will be stated by the clerk.

The legislative clerk read as follows:

> On page 1, line 8, after the word "over", to strike out "$100" and insert "$50"; in line 10, after the word "than", to strike out "$100" and insert "$50".

Mr. LONG of Louisiana. Mr. President, may I ask unanimous consent to state the question?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, the question is whether people coming back from overseas shall be limited to a $50 duty-free exemption on purchases made abroad.

The PRESIDING OFFICER. All time has been yielded back. Under a previous unanimous consent agreement, the question is on agreeing to the committee amendments as read.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Arkansas [Mr. Fulbright], the Senator from Wyoming [Mr. McGee], the Senator from Arkansas [Mr. McClellan] are absent on official business.

I further announce that the Senator from Virginia [Mr. Byrd] and the Senator from Ohio [Mr. Lausche], are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. Boggs] and the Senator from New Hampshire [Mr. Cotton] are necessarily absent.

The Senator from North Dakota [Mr. Young] is absent on official business.

If present and voting the Senator from Delaware [Mr. Boggs] would vote "nay."

The result was announced—yeas 31, nays 61, as follows:

[No. 158 Leg.]

YEAS—31

Anderson
Bass
Bayh
Bennett
Bible
Burdick
Dirksen
Douglas
Eastland
Ervin
Hart
Hartke
Jordan, N.C.
Long, Mo.
Long, La.
McCarthy
McGovern
Metcalf
Mondale
Monroney
Morton
Moss
Neuberger
Pastore
Pell
Robertson
Russell, S.C.
Saltonstall
Sparkman
Stennis
Symington

NAYS—61

Aiken
Allott
Bartlett
Brewster
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Curtis
Dodd
Dominick
Ellender
Fannin
Fong
Gore
Gruening
Harris
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Magnuson
Mansfield
McIntyre
McNamara
Miller
Montoya
Morse
Mundt
Murphy
Muskie
Nelson
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Russell, Ga.
Scott
Simpson
Smathers
Smith
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—8

Boggs
Byrd, Va.
Cotton
Fulbright
Lausche
McClellan
McGee
Young, N. Dak.

So the two committee amendments considered en bloc were rejected.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. TOWER. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous understanding, the Senator from South Carolina [Mr. Thurmond] is recognized.

INCREASING CRIME RATE IN AMERICA

Mr. THURMOND. Mr. President, crime in this country has continued in recent years to soar to new heights. Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, has continually warned about increased criminal activities in reports, speeches, and testimony before the Congress. A recent report from the FBI states that the chances of an individual citizen becoming a victim of a serious crime are increasing five to six times faster than the population is growing. FBI statistics show that during the period 1958–64 the population of the country moved up 10 percent, while the crime index jumped by 58 percent. Property crime rose 62 percent, and violent crime went up 40 percent.

In recent testimony before the House Appropriations Committee, Mr. Hoover attributed the rise in criminal activities in part to court decisions which put the rights of criminals above those of society and also to riots and demonstrations which promote the idea of disrespect for authority, such as at the University of California at Berkeley. In addressing himself to the first point, Mr. Hoover made these important comments to the Appropriations Committee:

> I have often said there is too much concern on the part of our Federal, State, and local courts for the rights of the individual charged with a crime. I think he is entitled to his civil rights, but I think the citizens of this country ought to be able to walk all of the streets of our cities without being mugged, raped, or robbed.
>
> You cannot walk the streets of New York with safety, you cannot do it in Washington, D.C., and you cannot do it in Chicago. All through the country, almost without exception, that condition prevails. The rights of law-abiding citizens are not being given sufficient consideration.

Mr. President, law enforcement officers all over the country are concerned that their hands are being tied more and more each day by court decisions, such as the Mallory decision, which rules out confessions not given in the presence of an attorney for the defendant. The U.S. Supreme Court has even gone so far as to rule, on June 22, 1964, in an Illinois case, that, as soon as police start questioning a suspect, he must be permitted to see a lawyer and warned that his answers may be used against him. Otherwise, the suspect's confession is not admissible in evidence.

Mr. Justice Byron White made this pertinent observation in a dissenting opinion in that case:

> Under this new approach, one might just as well argue that a potential defendant is constitutionally entitled to a lawyer before, not after, he commits a crime. His right to counsel attaches a rule wholly unworkable and impossible to administer unless police cars are equipped with public defenders, and undercover agents and police informants have defense counsel at their side.

Mr. President, I ask unanimous consent to have printed in the Record at the conclusion of these remarks an article from a recent issue of the Evening Star reporting on a Federal district judge in the District of Columbia having to "reluctantly" dismiss a rape charge because of recent Court decisions which give too much leeway to the rights of criminals. In his comments on this case, Judge George L. Hart, Jr., challenged the idea that "decisions of the courts in our jurisdiction have nothing to do with the crime rate" in Washington.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, I also invite the attention of Senators to an outstanding address delivered by a former member of the U.S. Supreme Court before the Tennessee Bar Association on June 17, 1965. This address by Mr. Justice Charles E. Whittaker issues a solemn warning to the American public that lawlessness in America is getting out of hand. Mr. Whittaker places particular stress on the notion made popular by lawless riots and demonstrations that an individual does not have to obey a law which he does not like. He warns against such fallacious thinking and calls for a swift and vigorous enforcement of all criminal laws with real punishment of all offenders.

I ask unanimous consent, Mr. President, to have Mr. Justice Whittaker's address printed in the Record at the conclusion of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. THURMOND. Mr. President, I trust that every Member of the House and Senate will study his address and heed his warnings and those of Mr. Hoover. Law enforcement is the responsibility of State and local governments, but the Congress must act to reverse U.S. Supreme Court decisions which hamper local law enforcement officers in carrying out their duties to protect the public. Congress also has a responsibility to encourage law obedience and respect for law and order, rather than giving sanction to actions of political pressure groups which seek to put themselves above the law.

I also ask unanimous consent, Mr. President, to have printed in the Record at the conclusion of these remarks a two-part series of articles by the American Security Council entitled "Teach-ins and Psy War" and "The Anarcho-Communist Coalition." This last article gives particular emphasis to subversive efforts to undermine our national politcies and law and order.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Exhibit 1

[From the Washington (D.C.) Star]

Rape Case Suspect Freed "Reluctantly"

Judge George L. Hart, Jr., of the U.S. district court yesterday "reluctantly" dismissed a rape charge against a District man and challenged the idea that decisions of the courts in our jurisdiction have nothing to do with the crime rate in Washington.

The man Hart released before trial was Thomas H. Washington, Jr., 22, listed in the 200 block of Kentucky Avenue SE. The alleged victim was a 17-year-old girl. The basis for dismissal of the indictment was failure of police to obtain a search warrant, and conducting an illegal arrest.

Another rape indictment charging Washington and three other men with rape last November 19 was dismissed a week before the scheduled trial because the 30-year-old victim committed suicide, according to the prosecutor, Assistant U.S. Attorney Joel D. Blackwell, who also handled yesterday's case.

The victim in yesterday's case told police that Washington and five unidentified men raped her at knifepoint during the early hours of last February 7 near her home in Southeast Washington.

She joined police in a search for the defendant's home after she reported the attack and they eventually located the rooming house. They entered without permission and arrested Washington.

Police recovered the girl's skirt and sweater from a car parked in the backyard of the house. This was done without a search warrant.

Blackwell told Hart that he doubted police could conveniently reach a judge for a warrant that early in the morning. After the judge suppressed the Government's evidence for lack of a warrant, Blackwell said "We have only the identity (of Washington) by the complaining witness * * * so the Government moves to dismiss the case."

Hart said police could have surrounded the house and then should have tried to contact a judge, and added:

"The U.S. Court of Appeals sets the law. This court has to follow it * * * this man has not been found guilty, but certainly justice seems to cry out that he should face a jury of his peers."

The judge talked of the danger posed to our citizens who try to walk our streets and noted that in the Supreme Court, itself, a notice is posted, so I am told, that no woman will leave the Supreme Court Building after dusk without a police escort.

Hart said yesterday's case has evidence reliably obtained even though it may violate some of the extreme technical rules that have been involved in this jurisdiction with regard to search and seizure and arrest.

Exhibit 2

[From the U.S. News & World Report]

Lawlessness in United States—Warning From a Top Jurist

(Behind the spread of crime and violence—

(A retired Supreme Court Justice sees danger of a complete breakdown of law and order—a tendency, often officially encouraged, for people to take the law into their own hands.

(What is this—a nationwide revolt against authority? Is the idea taking hold that it is all right for "demonstrators" and others to violate any law they don't happen to like?

(Where is it leading? What is at stake?

(The survival of the Nation, says Justice Charles E. Whittaker. He calls for swift and vigorous enforcement of all criminal laws, with real punishment of all offenders.)

(By Charles E. Whittaker)

No doubt you, just as I, have noticed in the news media an ever-increasing number of items and articles that show with unmistakable clarity a rapid spread of lawlessness in our land that seems to be thoroughly planned, and also to be designed to destroy, and that seriously threatens to destroy, law, order, and all vestiges of decency in our land.

Recently, while sitting in my library meditating upon that subject and upon appropriate remarks here today, and also listening to the beautiful music of "My Fair Lady"—and being, perhaps, thereby lulled into a satirical mood—it occurred to me: Why not speak on "Old-fashioned Law and Order—Wouldn't That Be Loverley?"

One of the recent articles that had deeply impressed me was by a husband-and-wife team of eminent criminologists of the Harvard Law School. It dealt with the rapid increase and spread of crime, and concluded with the statement that "unless much is done to check [current] vicious cycles, we are in for a period of violence beyond anything we have yet seen."

Another recent and impressive article contained the theme—which I think is fundamental—of the recent Presidentially proclaimed Law Day, 1965, which was "Uphold the law—a citizen's first duty."

Believing that this theme states an indisputable truth, yet, having read and heard many recent open and direct preachments of disrespect for and disobedience of our laws, and, also having seen the destructive effects of those preachments upon the good order and morality of our society, I am moved to speak out in demand for an immediate end to such conduct by the vigorous and even-handed enforcement of our laws.

While I do not claim that all of our crime is due to any one cause, it seems rather clear that a large part of the current rash and rapid spread of lawlessness in our land has been, at least, fostered and inflamed by the preachments of self-appointed leaders of minority groups to "obey the good laws, but to violate the bad ones"—which, of course, simply advocates violation of the laws they do not like, or, in other words, the taking of the law into their own hands.

And this is precisely what their followers have done and are doing—all under the banner of "peaceable civil disobedience," which they have claimed to be protected by the peaceable-assembly-and-petition provision of the first amendment of the U.S. Constitution.

Although such preachments and practices have become far more vocal and widespread in our recent racial strife, they did not have their origin in that strife, but, rather, in the labor strife, sit-ins and lie-downs of an earlier era.

More recently, certain self-appointed racial leaders, doubtless recalling the appeasements and, hence, successes of that earlier conduct, have simply adopted and used those techniques in fomenting and waging their lawless campaigns which they have called "demonstrations."

They have recently used these techniques to incite their followers to assemble, from far and wide—often, unfortunately, with the encouragement and at the expense of well-meaning but misguided church organizations—into large and loosely assembled groups, which many have regarded as mobs, to wage what they have called "demonstrations" to force the grant of "rights" in defiance of the law, the courts, and all constituted authority.

At the beginning, those "demonstrations" consisted of episodic group invasions and appropriation of private stores, first by sitting down and later by lying down therein, and, eventually, by blocking the entrances thereto with their bodies.

Seeing that those trespasses were often applauded in high places, were generally not punished, but, rather, were compelled to be appeased and rewarded, those racial leaders and their groups quickly enlarged the scope of their activities by massing and marching their followers on the sidewalks, streets, and highways—frequently blocking and appropriating them to a degree that precluded their intended public uses.

And that conduct, too, being nearly always appeased, the process spread areawise, as might have been expected, from one southern city to another, and then into many northern cities, including St. Louis, Chicago, Pittsburgh, Philadelphia, Washington, New York, Brooklyn, Syracuse, and Rochester, and eventually, pretty generally throughout the land.

"Crime," says Webster, means "an act or omission forbidden by law and punishable upon conviction." It cannot be denied that each of those trespasses violated, at least, the criminal-trespass laws of the local jurisdiction involved, nor that those laws impose penalties for their violation, nor, hence, that those trespasses constituted crimes.

In the first place, that conduct cannot properly be termed "peaceable," for we all know from experience that the assembly of large groups for the avowed purpose of forcing direct action outside the law amounts to the creation of a mob bent on lawlessness, and inherently disturbs the peace of all others.

One could hardly deny the tuth of the statement written by Mr. Justice Black, joined by two other Justices, in June 1964, that "force leads to violence, violence to mob conflicts, and these to rule by the strongest groups with control of the most deadly weapons."

Nor can this conduct even be termed "civil disobedience," for conduct violating criminal laws is not "civil" but "criminal" disobedience. And, lastly, that conduct is not protected by the peaceable-assembly-and-petition provision of the first amendment.

That provision says: "Congress shall make no law * * * abriding * * * the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

Nothing in that language grants a license to any man, acting either singly or in a group, to violate State criminal laws—including those laws which prohibit trespass upon, and appropriation of, private property, and those laws prohibiting the willful obstruction of the public walks, streets, and highways.

Rather, as Mr. Justice Roberts wrote upon the subject in 1939, "The privilege of a citizen of the United States to use the streets and parks for communication of views on national questions must be regulated in the interest of all; it is not absolute, but is relative, and must be exercised in subordination to the general comfort and convenience, and in consonance with peace and good order."

Surely, no thoughtful person will disagree with that statement, nor with the statement made very recently by the president of Yale University in a speech at Detroit, that the current rash of "demonstrations" make "a ludicrous mockery of the democratic debating process."

The philosophy of "obeying only the laws you like," and of openly defying and breaking the ones you do not like, has given rise to mobs and mob actions that have proven—as certainly we should have expected—to be tailormade for infiltration, takeover, and use by rabble-rousers and Communists who are avowedly bent on the breakdown of law, order, and morality in our society and, hence, in its destruction.

And even though those results may not have been contemplated, and surely weren't wished by those Americans who so advocated disobedience of our laws, nevertheless, they did advocate that philosophy and they did put its process into action, and cannot now escape responsibility for its results.

The process has now spread even into the campuses of many, indeed most, of our great universities. A fair example of what is there happening was recently related by the California State superintendent of public instruction, who, in commenting about conditions on the campus at Berkeley, said:

"Demonstrations there provided a vehicle for infiltration by rabble-rousers, red hots, and Communists and resulted in assaults, kidnapings, and imprisonment of police officers, the commandeering of public-address systems, and their use in spewing over the campus the most filthy four-letter words, and the general breakdown of law and order."

A recent national magazine contained an interview with Dr. James M. Nabrit, president of Howard University—the largest Negro university in our country—who finds on his campus "open definance of law and order," which he characterized as part of a campaign "to bring the university into general disrepute."

"FRAUDS" IN RIGHTS MOVEMENT

Dr. Nabrit cautioned: "We must beware of some people who come to us like the Greeks bearing gifts. They do not believe in civil rights for anyone. They are children of lawlessness and disciples of destruction. They are people who cloak themselves in the roles of civil righters but plot and plan in secret to disrupt our fight for justice and full citizenship. They must be unmasked for the frauds that they are, they must be fought in every arena."

He stated that he had seen known Communists passing out throwaways and helping to deliver placards to pickets on and about his campus.

The Kansas City Times of Wednesday, May 19, published an Associated Press dispatch about the lawless demonstrations in progress on the campus of the University of Wisconsin. It said that one of the leaders openly espoused, from a public rostrum on the campus, that the students should band together to bring down the Government by any means.

It also said that the demonstrations there had now been infiltrated and were being led by eight to a dozen ringleaders who are operating under pretty good cover; that at least some of them are known members of the DuBois clubs of America, which Senator Dodd and J. Edgar Hoover have recently described as a new Communist-oriented youth organization dominated and controlled by the Communists.

These lawless activities, nauseating as they are, can hardly be surprising, for they are, purely and simply, some of the results that we should have known would inevitably come from tolerating open and direct preachments to defy and violate the law.

A very recent issue of U.S. News & World Report (May 17, 1965) contains two pertinent articles. One saying that "increased Communist penetration and influence inside some sections of the Negro movement in the United States is a subject of growing concern to the FBI and White House." The other saying, "J. Edgar Hoover, FBI Director, and President Johnson both are increasingly concerned by the growing activity of known Communists on the campuses of colleges around the country. They would like to alert the country to the situation but are concerned about being considered 'Red baiters' if they do."

I, for one, would like to lend a voice of encouragement to them to forget those fears and to alert the country fully about the facts, for surely that is their duty, and no odium can result from exposing those who are preaching and practicing defiance of our law and, hence, the destruction of our society.

There are, of course, first duties of citizenship, but there are also first duties of government. It is undoubtedly true, as recited in the theme of the Presidentially proclaimed Law Day, 1965, that "a citizen's first duty is to uphold the law," but it is also a first duty of government to enforce the law—to do so by prosecuting and punishing those who violate our criminal laws.

In no other way can our people be secure from assaults and trespasses upon their persons and property, or maintain an ordered and moral society.

Because some of our citizens will not voluntarily perform their "first duty" to uphold the law, our governments, State and Federal, have the paramount duty of, at least, making them obey it.

We have all along been told, and many of us have preached, that crime does not pay, but the recent rash and spread of law defiance, and the successes—however tenuous and temporary—of that philosophy in attaining goals, seems to compel a reappraisal of that concept, for, from what we see currently happening, one could reasonably believe that certain types of crimes are being permitted to pay.

PUBLIC APATHY AND LAWLESSNESS

Probably because of a rather widespread recognition that, at times and in certain sectors, some of our colored brethren have suffered unconstitutional discriminations, and because many of us have been sympathetic to the ends they seek—and have not, therefore, thought very much about the destructive means they have embarked upon to attain those ends—there has been a rather general public apathy toward their preachments to violate, and their practices in violating, our laws.

Indeed, one of those who first advised, and was most successful in inducing, his followers to take the law into their own hands—and who, now that their conduct has led to widespread disorder, attempts to excuse his responsibility for it with the doubtless-true statement: "I cannot control them"—parenthetically, an excuse quite reminiscent of the one given by the man who lighted the squib and threw it into the crowd—was rather recently twice honored. Once by an old and respected American university by conferring upon him an honorary degree—not in some new political science—but in law, and, second, by an honored foreign cultural group by awarding him a prize for, of all things, his contributions to peace.

What, I would like to ask, has happened to our sense of values?

But a recent article in the May 3, 1965, issue of "U.S. News & World Report" hints at a new and different appraisal of this conduct, and indicates some official impatience with this gentleman's apparent insatiable appetite for power, and some displeasure at his recently voiced criticism of the administration's foreign policies in Vietnam and elsewhere—concluding with the statement that "some Washington observers profess to see an attempt [by this gentleman] to 'escalate' his status as a national figure—perhaps with political goals in view."

This is heartening, as it indicates a new awareness of the inevitable destruction of ordered liberty that must be expected if we continue to allow any of our citizens to incite others to disobey the law—to take it into their own hands, and to get away with it.

Whatever may have been the provocations—and, doubtless, there have been some—no man, or any group or race of men, can be permitted, in a government of laws, to take the law, or what they think ought to be the law, into their own hands, for that is anarchy, and sure to result in chaos.

The fact that the provocations may have been themselves constitutionally unlawful cannot justify unlawful means for their resolution.

Both types of conduct are wrong—constitutionally wrong, the one as much as the other. And, obviously, two wrongs cannot make a right.

All discriminations that violate the Constitution and laws of the United States are readily redressable in our courts, which have always been open to all citizens. And no one has any room to doubt that, if he will resort to those courts, and have the patience to await their processes—as we all must do in an ordered society—all his constitutional and legal rights will be vouchsafed to him, whatever his creed or color.

But there has been impatience with the judicial processes, manifested by the recent hue and cry for "action now—not the delays of the law."

Certainly this cliche, too, advocates such direct action as amounts to a clear call for disobedience of the laws, the judgments of the courts and of all constituted authority and lawful processes.

It is true that legal processes, being refined and deliberative processes, are slow. But like the mills of the gods, though they grind slowly, they grind exceedingly fine, and their judgments are most likely to be just.

In all events, there is no other fair and orderly way to decide the issues that arise among us, and to have an ordered liberty.

Every ordered society in history has found it necessary to establish laws, and courts fairly to interpret and enforce them; and the same history makes clear, too, that the first evidences of a society's decay may be seen in its toleration of disrespect for, and disobedience of, its laws and the judgments of its courts.

HOW MINORITY GROUPS CAN LOSE OUT

The great pity here is that these minority groups, in preaching and practicing defiance of the law, are, in fact, advocating erosion and destruction of the only structure that can ever assure to them, or permanently maintain for them, due process of law and the equal protection of the laws, and that can, thus, protect them from discriminations and abuses by majorities.

In May 1965, Mr. Lewis F. Powell, president of the American Bar Association, in a speech dedicating the new Missouri Bar Center at Jefferson City, said, "Many centuries of human misery show that once a society departs from the rule of law, and every man becomes the judge of which laws he will obey, only the strongest remain free," and also that "those who break the great tradition of respect and tolerance for the differing views of others by resorting to coercion, whether 'violent' or 'nonviolent,' menace the spirit of responsible inquiry essential to [our] institutions." "No 'end,'" he said, "however worthy [can ever] justify resort to unlawful means."

He concluded with the statement that "America needs a genuine revival of respect for law and orderly processes, a reawakening of individual responsibility, a new impatience with those who violate and circumvent laws, and a determined insistence that laws be enforced, courts respected, and due process followed." To this, I say amen.

Surely we must always strive to eliminate injustice and discrimination, but we must do so by orderly processes in the legislatures and the courts, and not by defying their processes and actions, nor by taking the laws into our own hands.

We must take the laws into our hearts rather than into our hands, and seek redress in the courts rather than in the streets.

A very recent issue of the Kansas City Star contained several articles about the general breakdown of law and order on our college campuses.

One of them fairly puts the finger on the cause. It did so through quoting one of the "demonstrating" students. He was asked why some students had abandoned historical "panty raids" and similar college pranks for open and riotous rebellion. "Why," he said, "you could get kicked out of school for conducting a panty raid and things of that kind, but no one is ever kicked out or punished for demonstrating for something like civil rights."

It is thus plain that the students, knowing just as everyone else knows, that open and riotous rebellion in the name of "civil rights" is not being punished, but is being tolerated, have been thus encouraged to wage and spread rebellion.

Another of these articles quoted some comments of J. Edgar Hoover about the effects of spreading crime upon the peace and safety of our citizens. He said: "There is too much concern in this country * * * for the rights of an individual who commits a crime.

"I think he is entitled to his [legal rights], but I think the citizens of this country ought to be able to walk all the streets of our cities without being mugged, raped, or robbed." But, he said, we can't do so today, and he added: "All through the country, almost without exception, this condition prevails."

The April 10, 1965, issue of the magazine America contained an article on the imperative need for certain and severe punishment of crime, which made many pertinent observations, including this one:

"[Government] has no right to turn the cheek of its citizens. Instead, it is gravely obligated—by the very purpose of its existence—to see to their protection.

"Sure and swift punishment [is our only way] to guarantee that protection. * * * We stand in need of sure, swift, tough punishment if we expect to decrease the crime rate, and to protect the great mass of our upright citizens."

To this, too, I can only say, "Amen."

The causes are plain. We have, in high places, tolerated and even encouraged preachments to break the law—such as: "Obey the good laws but break the bad ones," which, of course, means to obey only the laws you like; and such as: "Action now, not the delays of the law," which is, of course, a call for direct action outside the law and the courts.

And we have also tolerated and in some high places have even encouraged, the actual defiances of the law which those preachments have advocated and brought into existence, and which have now spread to all areas of the Nation, and seriously threaten the breakdown of law, order, and morality.

REMEDY: DEMAND RESPECT FOR LAW

The remedy is equally plain. It is simply to insist that our governments, State and Federal, reassume and discharge their first duty of protecting the people against lawless invasions of their persons and property and from assaults upon their liberties by demanding and commanding respect for law and legal processes through the impartial, evenhanded, vigorous, swift and certain enforcement of our criminal laws, and the real and substantial punishment thereunder of all conduct that violates those laws.

These are not platitudes, but are fundamentals and vital, as every thinking man should see, to the survival of our Nation.

In no other way can we orderly resolve the issues that confront and divide us, or live together in peace and harmony as a civilized Nation of brothers under the fatherhood of God.

EXHIBIT 3

[From Washington Report, June 21, 1965]

TEACH-INS AND PSY WAR

Events of recent weeks should have awakened thoughtful Americans to a realization that wars no longer necessarily involve the crossing of physical frontiers. Today, wars are waged within nations. The frontiers that are crossed, after hard-fought campaigns, often are frontiers of the mind. Victory can be achieved as much by psychological warfare as by struggle on traditional battlefields.

It is in this context that the U.S. public would do well to analyze the nationwide campaign to bring about a withdrawal of American forces from South Vietnam and to turn the initial U.S. intervention in the Dominican Republic, which was aimed at preventing a Communist takeover, into a drive to place the Dominicans under a coalition regime dominated by hard-core leftists.

On conventional battlefields, Americans are alert and vigorous in their responses. In terms of war material, tactics, and readiness, U.S. forces are highly efficient and the nature of a direct military threat is well understood by the public. But the war from within finds many Americans psychologically unprepared. Though Communists have conducted combat operations in the world for decades, Americans have difficulty recognizing a subversive war campaign. Even at this late date Americans should read V. I. Lenin to comprehend the methods of the foe.

The vast agitation, employing new and unusual propaganda devices, can be understood in terms of Lenin's statement on "Partisan Warfare" in volume X of his works.

"Marxism," said Lenin, "does not limit itself to those types of struggle which, at a given moment, are both practical and traditional. It holds that, due to changes in social conditions, new forms of battle will rise inevitably, although no one can foresee what the character of these future encounters will be."

It may be argued that one of these new forms is the teach-in which is being used to persuade Americans that victory over the Vietcong is impossible. The term is misleading, of course, for the aim of the teach-in is not to teach, but to indoctrinate the public in defeatism and to subject the U.S. Government to moral condemnation.

In many instances the supporters as well as those who condemn the administration's policy in Vietnam have been allowed to speak. However, all too frequently the teach-in had less resemblance to a debate or a course of university lectures than to the kind of public trial often used by Communist states to destroy individuals and ideas inimical to their revolutionary societies.

While many sincere people have been drawn into the teach-ins, marches, and like protests, not all of the participants can be excused as well-meaning or simple-minded innocents. The root source of the entire Vietnam protest campaign is the new left, a coalition of Communists, Maoists, and militant Marxists of various shades.

Internal psychological warfare on the Vietnam issue may have begun June 27, 1963, when a full-page advertisement appeared in the New York Times protesting assistance rendered South Vietnam. In that advertisement, the United States was accused of operating "concentration camps" and of waging "immoral" warfare.

U.S. Representative H. ALLEN SMITH, Republican, of California, has correctly pointed out that "the incident which moved the Communist campaign into high gear was the action in the Gulf of Tonkin in early August 1964." He noted that "the Communist Party, U.S.A. quickly came to the support of the North Vietnamese Communists." Since that time, leftist movements, operating on a broad front, have endeavored to convince the American people that they must seek the kind of peace in Vietnam which is tantamount to surrender. Among the leftwing organizations taking part in the psychological warfare campaign, in addition to the regular Communist Party channels, are the Socialist Workers Party, the Young Socialist Alliance, Workers World Party, Youth Against War and Fascism, Progressive Labor Movement, and the May 2 movement. In a space of months, a vast network of new front groups has been created. Manipulated by a core group of veteran signers of front petitions, many hundreds of university professors have attached their names to statements aimed at taking pressure off the Vietcong.

The form and content of the teach-ins were such that serious questions were immediately raised about them by professors who had a sincere concern for standards of academic excellence. The atmosphere of the teach-ins was that of a camp meeting revival, not that of a university forum. Many were all-night affairs, with students and faculty drifting in and out of the meetings. Ironically, when the Columbia University valedictorian suggested that students might better spend their time studying than engaging in emotional anti-U.S. demonstrations, he was lustily booed by his fellow students. Although ostensibly attending a convocation for peace, many audiences were subjected to anti-U.S. harangues, vehement espousals of Marxism and communism and calls for revolution in the United States.

Clearly, the United States cannot make or unmake national policy on the basis of political revival meetings. Nor have Government officials any obligation to participate in such meetings. Officials are answerable to their superiors, to the Congress, and to the American people as a whole. They are not answerable to every ad hoc committee that hires a hall in Washington and demands the presence of senior officers of the U.S. Government.

In seeking respectability, many of the "teach-in participants have characterized themselves as pacifists. They are nothing of the sort. One can respect a genuine pacifist, even if one disagrees with him, for he is against all wars. But those who are saying that the United States can't win in South Vietnam are not against war in general. They do not carry placards protesting the Vietcong attacks on U.S. bases. They do not go limp in protest against Red China's explosion of an atomic bomb. Nor do they oppose military action elsewhere in the world when it is in support of causes they favor, such as the rebel attacks against the Portuguese in Angola and Mozambique. They appear to oppose military action only when it is conducted by the United States in defense of U.S. strategic interests.

A majority of the participants in the teach-ins seem to be defeatists, rather than true pacifists. Their central theme is that the United States cannot win in southeast Asia because Peiping represents the wave of the future in Asia. This is what the apologists for Nazism said about Europe in the 1930's. This is what the Japanese said about their ambitions a generation ago. The people of Malaysia, Thailand, and the Philippines, for example, certainly do not accept such a determinist view of Asian history.

The realities of American power actually make plain that Communist China is immensely vulnerable to pressure and retaliation by the United States. Firm resistance by free Asian states, supported by the United States, can effectively arrest Peiping's power drives. The Chinese Communists undoubtedly know that they could be enormously damaged by American strikes, whether with conventional or nuclear ordnance or with the weapons of chemical warfare. This is why they are hopeful that their war can be won from within the United States.

The teach-ins should receive close attention because they are a powerful instrument of psychological warfare. It is alarming to note the speed and efficiency of the organizational effort responsible for placing the chief Washington teach-in on nationwide television and radio. The piped-in programs were shrewdly linked with local teach-ins at a number of colleges and universities. This performance emphasizes the skillful use of the organizational weapon by those who want the United States to surrender in Asia.

Those professors who encouraged the teach-ins were pandering to the least intellectual tendencies among students. There was a kind of "panty raid" atmosphere to many of the teach-ins, as press reports made clear. For youngsters tired of beer parties on the sands at Fort Lauderdale, a teach-in is a novel, exciting form of group activity. It gives the irresponsibles on college campuses the thrill of participating in big events without assuming any of the responsibility for the dreadful human consequences of a surrender to communism in Asia.

In essence it would appear that teach-ins are destructive of true education. They are exercises in emotionalism, hysteria, and smear; such exercises have a propaganda value, but are inimical to the educative process. Students of psychological warfare will be interested in the concept of holding teach-ins at night as has often been the case. It is in the night and in the early hours of the morning that mental fatigue sets in, realism is diminished by the requirements for sleep, and hard facts have but a limited possibility of coping with propaganda.

The aim of the teach-ins seems to have been—and, in future, will be—not so much to promote learning as to disorient the student and faculty participants. And not these alone but beyond them the American people. The ultimate aim seems to be to disorient the American public and to make the American people lose faith in their Government and in the correctness of our policy in southeast Asia and Latin America.

Above all, the American people—and their Government—need to be alerted to the fact that the teach-ins do not speak for the vast majority of the faculties and student bodies of our great American universities and colleges. The overwhelming majority of university professors in the United States are devoted to the pursuit of academic excellence. They reject the lunatic fringe of the academic profession which attempts to lecture the President of the United States, the Congress, and, indeed, the American people through the perversion of the educative process called the teach-in. It is imperative that this new weapon of psychological warfare be identified as part of the campaign presently being waged against the United States.

[From the Washington Report, June 28, 1965]

THE ANARCHO-COMMUNIST COALITION

Looking beyond its psychological warfare aimed at destroying the American will to win in southeast Asia, international communism is attempting to build a power base inside the United States itself. The objective is to establish such a base on college campuses and to build a bridge that will link the leftwing intelligentsia found there with the revolutionary groups now organizing in some urban areas of the Nation.

This poses a new threat to the United States. Communist boring from within has been a familiar conspiratorial tactic from the foundation of the Soviet state, but something new has been added in the 1960's: exploitation of the domestic anarchism which has recently sprung to life in this country. The decision to build from within colleges and universities arises from the fact that some educational institutions have become a privileged sanctuary for those who condemn the values of our society—even the values of education itself.

Because the virtue of tolerance in recent years has been assigned a value above and beyond almost every other public virtue, some college and university administrations have all but lost control of the student body privileged to attend courses. Revolutionary elements, taking note of the loss of effective administrative control, have invaded certain campuses and, in effect, seized power from the educational authorities.

The now classic case of this is the Berkeley campus of the University of California which was paralyzed by student and nonstudent anarchists on a number of occasions during the last academic year. Those who tried out their revolutionary tactics at Berkeley are hopeful of using the same methods at other educational institutions. They aim at nothing less than a strong and, if possible, a controlling voice in the administration of colleges and universities. In short, if the campus anarchists have their way, college administrators will have to share power with militant student groups. This means that the United States would have a situation analogous in some respects with Latin universities which are traditional centers of political strife and revolutionary activity.

Can the campus anarchists achieve their goal? The answer depends upon whether the U.S. public is informed and aroused regarding what is taking place. Disturbing evidence exists that indicates the weakness of universities when faced by revolutionaries on the campus. For example, a mere 200 "peaceniks" were successful in late May in forcing Columbia University in New York to cancel its annual awards ceremony for the Naval Reserve Officers Training Corps. Demonstrators from Communist-alined groups, including Youth Against War and Fascism, the Progressive Labor Movement, and the May 2 movement, locked arms, fought with police, and harried university officials who finally canceled the ceremony, saying: "We don't want another Berkeley."

The fears of the Columbia officials are understandable. But appeasement of rioters, nihilists and anarcho-Communists on the campus is no more successful than appeasement of Communists overseas. If the revolutionaries are not defeated on the campuses, they will control the Nation's colleges and universities within a few years.

The word "anarchist" is used because by no means all of the demonstrators are Communist Party members. Some of the revolutionary leaders are Communist Party members, to be sure, as FBI Director J. Edgar Hoover has reported. However, in the 1960's the international Communist movement does not fully depend on Marxist-Leninists. Communism today is operating on a front basis, taking advantage of a loose coalition of groups opposed to capitalist society. In the Eastern Congo, for instance, the rebel units that sought to topple the Tshombe government were far from being models of classic communism. Some were influenced by Moscow, others by Peiping, and still others by the Algerian regime. Nevertheless, they worked side by side in an effort to shatter a government friendly to the West. The methods used in the Congo also are being used in the United States. The factions that blocked the NROTC ceremony at Columbia did the same job that a single, monolithic Communist organization might have accomplished.

Today, the anarcho-Communist coalition is far more candid than the Communist movement was in the 1930's. The student revolt leaders are openly peddling their anarchist and defeatist philosophy.

In recent talks at Vanderbilt University in Nashville, Tenn., Steve Weissman, one of the leaders of the Berkeley revolt, urged risings on other campuses. In a statement of his basic attitude, he said: "I am not responsible morally in observing a law in the making of which I had no decision." On the basis of this theory, he would not have to respect laws against assault or even murder. Obviously, a country is in danger when militant groups believe that they are above the law.

If anarchism is to be nullified, its influence will have to be eliminated at the college and university level. This means that administrators will have to insist that the one kind of freedom which properly belongs to an educational institution is the freedom to learn. No one in a college or university has a writ for revolution. The process of education can be carried on only under the rule of law and an understanding of this is the only possible basis for campus peace and order.

The anarcho-Communist alliance intends to move out from those campuses where it is free to operate. Students for a Democratic Society, which directed the anti-Vietnam protest in Washington this April, has indicated the next target: manufacturing plants which produce military material. A spokesman for Students for a Democratic Society declared that letters have been sent to each chapter, urging sit-ins at such factories. Specific targets include plants which produce helicopters, jets, and nonlethal gas.

In dealing with this new breed of nihilist, the U.S. Government should enforce applicable laws. For example, the Committee for Nonviolent Action has issued a "declaration of conscience" which states: "We encourage those who can conscientiously do so to refuse to serve in the armed forces." The committee also stated: "We shall encourage the development of other nonviolent acts, including acts which involve civil disobedience, in order to stop the flow of American soldiers and munitions to Vietnam." It would seem that such statements constitute violations of the Universal Military Training and Service Act, which prohibits advising persons facing the draft from refusing to serve their country. Prosecutions under this act are rare, but the time is at hand when the Department of Justice should take action.

It would be a mistake for Americans to dismiss the campus anarchists as a new species of crank. Anyone familiar with Russian history knows that the Communists reap what the nihilists and anarchists sow. These latter had prepared the ground in Russia by destroying public values and introducing lawlessness, agitation, and terror. It was on this foundation that the disciplined bolsheviks were able to build their regime of totalitarian control. The rioters of the 1960's cannot be dismissed as being in the same class as the goldfish swallowers or other pranksters of the 1920's and 1930's.

The underlying philosophy of the anarcho-Communist coalition bears a resemblance to the philosophy enunciated by the Chinese Communists. Many of the campus strategists of the revolutionary coalition in this country have a hard-line outlook and, like the Chi-Coms, they seek the psychological stimulation of various key groups to more militant action.

In this connection, one of their prime objectives seems to be to build an axis from campus centers to the depressed areas of our great urban complexes. This summer undoubtedly will find many of the campus revolutionaries at work in extreme leftist groups in the Nation's big cities. A number of organizations already have been created for giving support to those who take part in riots. In New York, the Progressive Labor Movement, which follows the Peiping line, has a suborganization in the Committee To Defend Resistance to Ghetto Life. The chairman of this committee has been convicted of criminal contempt for refusing to testify before the grand jury investigating the Harlem riots.

In South Vietnam, the Communist Vietcong specialize in development of what they call combat hamlets—local centers of resistance to regular government administration. The same pattern seems to be emerging in the United States: An attempt is being made to form combat hamlets, as it were, in the depressed areas of big cities. The aim is to neutralize the local police and to force them to abandon attempts to maintain lawful authority in an urban area. Indeed the plan in the United States seems to be to create in the big cities a network of interlocking political action groups staffed by revolutionaries trained on our college campuses. The end in view is the substitution of a new, synthetic, anarcho-Communist political authority for the legitimate authority of city and State. Observers with vision and understanding of Communist methods in other countries grasp the overall trend of this development—the step-by-step establishment of a Communist state within a State inside this Nation. It is to this end that the revolutionaries seek initial power bases on the campuses and from these to build a bridge to the urban centers.

Mr. THURMOND. Mr. President, I yield the floor.

EXEMPTION FROM DUTY FOR RETURNING RESIDENTS

The Senate resumed the consideration of the bill (H.R. 8147) to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

Mr. DIRKSEN. Mr. President, I offer an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 3, after line 14, insert the following:

> SEC. 3. (a) Item 915.30 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 Fed. Reg., part II, Aug. 17, 1963; 19 U.S.C. sec. 1202) is amended by striking out "July 1, 1965" and inserting "October 1, 1965".

On page 3, strike out lines 15 through 21 and insert the following:

> SEC. 4. The amendments made by the first section of this Act shall apply with respect to persons arriving in the United States on or after October 1, 1965. The amendments made by section 2 shall apply with respect to articles arriving in the United States on or after October 1, 1965. The amendment made by section 3 shall apply with respect to persons arriving in the United States after the date of the enactment of this Act.

Mr. DIRKSEN. Mr. President, as I explained earlier, the purpose of the amendment is to take care of the hiatus during which Americans now abroad will be coming back after the law becomes effective. If we preserve the text of the bill that is before us, that would apply equally to articles that come back. That would also comply with existing law while Americans are overseas, and they would be in noncompliance when they came back.

This is done with the concurrence of the Treasury in the interests of better administration.

The acting chairman of the committee has indicated that he would accept the amendment, and I see no point in laboring the issue further.

Mr. LONG of Louisiana. Mr. President, I have said previously in debate that when the Senator's amendment was offered I would urge the Senate to go along with it.

I believe that the amendment has merit. We will take it to conference, and it will definitely be considered by the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN].

The amendment was agreed to.

Mr. SMATHERS. Mr. President, I call up my amendment in the nature of a substitute and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. Strike out all after the enacting clause and insert the following:

> That (a) item 915.30 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 Fed. Reg., part II, Aug. 17,

1963 19 U.S.C. sec. 1202) is amended by striking out "July 1, 1965" and inserting "July 1, 1966".

(b) The amendment made by subsection (a) shall apply with respect to persons arriving in the United States after the date of the enactment of this Act.

Mr. SMATHERS. Mr. President, I should like to have colloquy with the Senator from Louisiana——

Mr. LONG of Louisiana. Would the Senator from Florida be willing to limit time on his amendment to one-half hour, to be divided 15 minutes to each side?

Mr. SMATHERS. That would be perfectly agreeable to me.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, what is the time limitation?

Mr. SMATHERS. Fifteen minutes to a side?

Mr. JAVITS. Is that enough time?

Mr. SMATHERS. That will be enough time.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMATHERS. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. SMATHERS. Mr. President, my amendment would retain existing law. The mere fact that the Senator from Louisiana accepted the amendment of the Senator from Illinois, the distinguished minority leader, shows the need to postpone the effective date of this committee action for 3 months. It demonstrates the need to postpone it for 1 year.

There are several reasons why we need to retain existing law and principles. For one thing, we do not know where we stand regarding the balance-of-payments deficit. We have heard all kinds of conflicting testimony with respect to whether or not we have a deficit. The latest indication—the best information we could get from the Secretary of the Treasury—is that in the past few months we had a surplus for the first time.

If it is true that we now have a surplus, we do not need this restrictive committee recommendation.

That is one of the principal reasons why we should take more time, not just the 3 months recommended by the Senator from Illinois, but an entire year, and look into the problem early next year, and find out where we are headed.

Furthermore, the committee amendment, as it now stands, would hurt our friends, and in some respects help our enemies. What we are talking about—and some people do not like to talk about it—is alcoholic beverages. Existing law allows a tourist to bring in duty-free $100 worth of goods, wholesale value. That figures out to $166, retail value.

As part of his exemption, a tourist today is allowed to bring in 1 gallon of liquor. When a tourist travels into Mexico or Canada or the Bahama Islands or Bermuda or Jamaica, one thing he likes to bring back is inexpensive alcohol. In the United States there is a domestic consumption of alcohol each year of 275 million gallons.

We are discussing what is brought in by tourists returning from travel out of the country. According to the best estimates available it is less than one-half of 1 percent of that amount. Even if we keep the law as it is, we do not take anything away from the liquor industry. The liquor industry does not need any protection.

I have before me—and I shall not take the time to read them—the financial statements of the liquor industry over the past 5 years. Some of these manufacturers have increased their earnings by as much as 130 percent in the past 5 years. They do not need any protection.

However, in a great many places, as in the Bahama Islands, for instance, a large part of the gross national product of the country comes from the sale of whisky.

If any State in the Union wishes to prohibit the importation of duty-free liquor, it can do so. But Kentucky, which is the largest bourbon-producing State in the world, voted in its legislature to allow its citizens to bring in 1 gallon of alcoholic beverage duty-free. A State may go either way.

In any event, this is a vital tourist attraction in Mexico, Bermuda, the Bahamas, Canada, and other places where tourists like to travel.

If we do not change the law, we will say to the tourist, "We will let you buy $100 worth of goods in Europe duty-free including French perfume."

Which country has been our great friend? Great Britain. Great Britain would be hurt under the committee bill to a greater extent than France would, even though Great Britain has not put us in the position of financial embarrassment to the extent that France has.

If we do not retain present law, we force people, in effect, to take money they would have spent elsewhere and buy perfume with it in an unfriendly nation.

That is why I have objected to this bill from the start.

As the Senator from Oregon has said, it is a scattergun approach. It hits both friend and enemy.

Mr. President, I wish to read the names of the cosponsors of the amendment. They are Senators CLARK, JAVITS, McCARTHY, BARTLETT, INOUYE, FONG, MILLER, TOWER, HAYDEN, MAGNUSON, and RIBICOFF. I believe almost every other Senator is in favor of it.

With that presentation, I reserve the remainder of my time.

Mr. DOUGLAS. Mr. President, I yield myself 7 minutes.

I believe it is best to take stock of what has been proposed and what has been done. The bill of the administration and of the Finance Committee proposed to reduce the value of duty-free goods that returning tourists can bring into the country from $100 worth wholesale to $50 worth retail, and from 1 gallon of whisky to 1 quart of whisky.

This would have saved approximately $100 million in our balance of payments. The defeat of the first part of the administration proposal meant that we went back to the House limit of $100 retail. This took away $45 million in balance-of-payments improvements which would otherwise have been made.

Now the Senator from Florida comes forward with a proposal that we transform the $100 retail amount into $100 wholesale, which would be roughly the equivalent of $167 at retail. This would lose, in our balance of payments, approximately $15 million.

He also proposes to raise the amount of whisky which can be brought in from abroad to 1 gallon. This would lose $10 million. Revoking the articles to follow the amendment loses another $30 million.

So what he is doing is wiping out any savings whatsoever, and affecting our balance of payments adversely by a total of $100 million in all, or by $55 million over the last vote.

I believe this is an indulgent amendment. For the past 7 years we have been in great difficulty in our balance of payments.

We were in great difficulty during the first quarter of this year due to the heavy investment by American business in January and in the first part of February. We made up a little ground in March, but probably not enough to balance the losses in January and February, before the President got industry to agree to reduce investments overseas.

We have had some luck in April and May. How much is not known. There is no indication that this will necessarily continue, and at any time the props can be knocked out from under us. Business could go back on its voluntary agreement not to invest abroad, or there could be a run on the dollar by European countries.

The dollar is, on the face of it, strong. We are the most prosperous Nation in the world. We have $14 billion in gold, but we have $25 billion of claims against the dollar, which we guarantee to redeem in gold if demanded. If France were to continue in the policies which she was apparently following up to a few days ago, and if she were joined by other European countries, this could turn into a raid on the dollar.

I submit that the prudent thing to do is to try to reduce our unfavorable balance of payments as much as possible. Once we bring it into balance, we should then try to get a better international monetary system, because the present monetary system is one in which Great Britain and the United States are exposed to a grave danger when they are asked to meet claims against them in gold, just as our internal monetary system was in grave danger up to 1933.

I submit that it is prudent to vote down the amendment of the Senator from Florida.

I yield 3 minutes to the Senator from Kentucky.

Mr. MORTON. So that we may know what we are talking about in connection with the importation of alcoholic beverages, let us review the situation. Under present law, anyone can bring in a gallon of whisky, and that applies a babe in arms. If I take my four grandchildren to the Bahamas, along with my wife and my son and my son-in-law, I can come back with 8 gallons. I do not even have to carry it. I do not have to go into the store in Nassau to buy it. I get a card from the travel agency saying that I am making this trip to Nassau, and the whisky will be delivered to me in Kentucky. It will be sold to me on credit.

The House-passed bill cut the quantity from 1 gallon to 1 quart, and proposed to confine the privilege to adults 21 years of age and over. However, we would permit 1 gallon to come from American-flag possessions where there are free ports; namely, the Virgin Islands, American Samoa, and Guam.

The Senate-passed bill would cut the quantity to 1 quart per adult across the board.

The Senator from Florida [Mr. SMATHERS] prevailed in his motion against the proposal of the administration to make the limitation $50 instead of $100. The difference between the provision in the bill and the amendment which the Senate has adopted is the fact that it would be $100 at wholesale against $100 at retail. But the big loophole is obviously in the alcoholic beverage field. As I pointed out—and I do not quarrel with the fact—the distilling industry has been prosperous. The other day the Senate passed an excise tax cut, but we did not touch the extra $1.50 Korean excise tax which was imposed on the distilling industry. I offered no amendment to cut that tax, nor did the Senate vote to cut the extra tax on tobacco products.

But the so-called mail-order business is getting going in this country.

Travel agencies sell transportation. I do not care whether it is to Europe, the Bahamas, or elsewhere. Then those companies follow up on the situation. Perhaps the 322,000 gallons of spirits that were brought into the country last year were a small item compared to our overall production. But the tax on that quantity was $3,800,000 to the Federal Government alone.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. DOUGLAS. Mr. President, I yield 2 additional minutes to the Senator from Kentucky.

Mr. MORTON. I could be sympathetic to extending the law, as the Senator from Florida desires to do, for 1 year, if we corrected that item, which I think is an inequity in the case of the free importation of alcoholic beverages. I do not see why a man, his wife, and his babes in arms—perhaps he has quintuplets; that would be a good business to be in—should be permitted to bring in 5 gallons at a time. Not only is the result a loss of revenue to the States and to the Federal Government, but also I point out that the law really does not help the Bahamas too much when a person in New York or somewhere else makes a profit by selling the product to me, a visitor to the Bahamas, to Jamaica, or elsewhere.

Mr. SMATHERS. Mr. President, will the Senator from Kentucky yield on my time?

Mr. MORTON. I yield.

Mr. SMATHERS. I believe that the Senator knows that we have already agreed that we would eliminate the provision—and we could do it in conference—with respect to the sale of alcoholic beverages to nonadults or anyone below the age of 21.

Mr. MORTON. I should like to see the proposal agreed to now. I do not know what will happen in conference. It seems to me that enough has happened to the bill on the floor of the Senate for 1 day. Senate action would be the best way to be absolutely sure that we tighten up the law with relation to limiting the permission to adults. I do not see why 1 quart is not enough. Other countries will not let us bring in any alcohol. One of them—I believe Bolivia—has stated that a person can bring in a bottle of wine or spirits if it is open at the time he arrives in the country. In other words, if a person approaching Bolivia is sipping on this bottle through a straw when his plane lands, he can bring that bottle into the country, but that is all he can bring in. I would have no objection to the law being changed to bring it from wholesale to retail. I am not too concerned about the difference between $50, $100, and $150 as to the impact on our balance of payments. But this is one of the big leagues. I hope that the substitute offered by the Senator from Florida will be rejected. I reserve for the Senator from Illinois the remainder of my time.

Mr. SMATHERS. Mr. President, I yield 3 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, we always try to operate in the Senate, in a way which represents the purpose of the Senate. It seems to me that the mood of the Senate is now that if we have to make some minor cutting and trimming of provisions already in the law, we will do so. But the fundamental approach of the committee, which overhauls and changes the basis for duty-free allowances to tourists, is something that the Senate does not agree with. Therefore, the only way to go about what the Senator desires is to bring us back to the present law, which the substitute of the Senator from Florida would do. Then if equity requires some changes, as the Senator from Kentucky [Mr. MORTON] has said, with relation to adults, and so forth, we shall operate on a basic structure which represents the purpose and the majority view of the Senate.

Therefore, in order to bring the situation back to where we want it, as expressed by the intent, as I see it, of the vote which the Senate cast, the substitute has to be adopted. Then if we wish to shape the law—if particular things need to be dealt with or cared for—it can be done. But the fundamental substructure which the Senate, in my judgment, had in mind when it voted as it did upon the last amendment will be restored by agreeing to the substitute of the Senator from Florida, and I hope that that is done.

Mr. SMATHERS. Mr. President, one brief statement and I shall be prepared to yield back the remainder of my time.

The argument is made that the reason we have to have the proposal is because of our balance-of-payments deficit.

In the committee I said that if we really had a $3.1 billion balance-of-payments deficit, we ought to meet it head on. So I offered a head tax of $100 on all people who travel out of the country. I asked the Secretary of the Treasury the following question: "Mr. Secretary, the proposal would save us $2 billion. Would you be for it?"

He said, "We are not in that bad shape." We are getting in pretty good shape fast—certainly in the last couple of quarters—without benefit of the committee proposals which we are now discussing.

The thing I have never understood is why we would want to penalize areas where we have favorable trade balances. American tourists spend $53 million in the Bahama Islands. The Bahama Islands spend in the United States $93.5 million. We have over a $40 million trade surplus with the Bahama Islands. We have a similar trade surplus with Bermuda.

We have a $443 million trade surplus with Mexico. We have a much larger trade surplus with Canada. How in heaven's name are they to be able to trade with us unless we give them some dollars, unless we trade with them? How in the world do we increase or improve our balance-of-payments position by eliminating good business? It is like saying, "I have money in the bank which is drawing 6 percent interest. I am going to cure my difficult problem by taking my money out of that bank and putting it into a bank which would pay me only 2 percent."

The argument makes no sense at all. That is what has been wrong with the bill. As the Senator from Oregon [Mr. MORSE] said, it was a scattergun approach. It did not consider the countries with which we have favorable balances of trade and unfavorable balances of trade. So, instead of helping ourselves, we would hurt ourselves.

Mr. President, I reserve the remainder of my time.

Mr. DOUGLAS. Mr. President, I yield 1 minute to the Senator from Kentucky.

Mr. MORTON. Mr. President, when the Senator from Florida made his proposal in relation to the head tax, I asked the representative of the chamber of commerce here, some quasi-official group from Nassau and its opposite number from Bermuda, which they would rather have, a measure which would limit the importation on whisky or the $100 head tax. They said that they would rather have the quart limitation on whisky importation.

What we are down to now is the difference between a quart and a gallon.

In Kentucky there is an old saying that "If the quart don't get you, the gallon do."

It is that simple. It is the difference between a quart and a gallon.

A 17½- or 18-year-old kid from the Navy, Army, or Air Force returning from Guam or somewhere else cannot buy a bottle of whisky in most places in this country, but he can bring it into the country when he comes in.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The time of the Senator has expired.

Mr. SMATHERS. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Florida has 6 minutes remaining; the Senator from Illinois has 4 minutes remaining.

Mr. McCARTHY. Mr. President, will the Senator yield me 2 minutes?

Mr. SMATHERS. I yield 2 minutes to the Senator from Minnesota.

Mr. McCARTHY. If the amendment of the Senator from Florida is adopted, as I hope it will be, the bill as amended will go to conference. There are two or three points of difference. Some of them have been cited by the Senator from Kentucky with reference to the right to bring in a gallon of liquor for each person who is in the tourist party. That issue will clearly be in conference. I would suggest that it could very well be the first item on which the Senate could concede to the House in conference.

On the basis of the record, we know that the conferees from the Committee on Ways and Means stand very firmly by the House provision on even minor items. I would expect there would be no difficulty in persuading the Senate conferees to make a concession on this particular point.

Mr. DOUGLAS. Mr. President, the amendment of the Senator from Florida is a do-nothing amendment. It would continue the present situation and cause the loss of $100 million a year in our foreign payments. By adopting this amendment, we would be turning our back on gold flow problems.

I wish to reemphasize what the Senator from Louisiana [Mr. LONG] has already said. We could hardly expect American businessmen voluntarily to continue to reduce foreign spending if action is not taken to reduce the amount of foreign goods which American citizens bring home duty-free from the countries which they have visited.

Finally, I remind the Senate that the President in his message of February 10, the second part, the eighth point, declared:

> I request legislation further to limit the duty-free exemptions of American tourists returning to the United States.

The amendment of the Senator from Florida would completely repudiate that recommendation and continue the present practice.

Mr. SMATHERS. Mr. President, I yield back the remainder of my time.

Mr. DOUGLAS. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Florida.

Mr. SMATHERS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Idaho [Mr. CHURCH], the Senator form Arkansas [Mr. FULBRIGHT], the Senator from Georgia [Mr. TALMADGE], and the Senator from Arkansas [Mr. McCLELLAN] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] and the Senator from Ohio [Mr. LAUSCHE] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS] and the Senator from New Hampshire [Mr. COTTON] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is absent on official business.

If present and voting, the Senator from Delaware [Mr. BOGGS] would vote "nay."

The result was announced—yeas 39, nays 51, as follows:

[No. 159 Leg.]

YEAS—39

Bartlett
Brewster
Byrd, W. Va.
Cannon
Clark
Dodd
Eastland
Fannin
Fong
Gruening
Harris
Hart
Hartke
Hayden
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Magnuson
McCarthy
McGee
McIntyre
Miller
Montoya
Morse
Murphy
Proxmire
Randolph
Ribicoff
Scott
Smathers
Stennis
Tower
Tydings
Williams, N.J.
Yarborough

NAYS—51

Aiken
Allott
Anderson
Bass
Bennett
Bible
Burdick
Carlson
Case
Cooper
Curtis
Dirksen
Dominick
Douglas
Ellender
Ervin
Gore
Hickenlooper
Hill
Hruska
Jordan, N.C.
Jordan, Idaho
Long, Mo.
Long, La.
Mansfield
McGovern
McNamara
Metcalf
Mondale
Monroney
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smith
Sparkman
Symington
Thurmond
Williams, Del.
Young, Ohio

NOT VOTING—10

Bayh
Boggs
Byrd, Va.
Church
Cotton
Fulbright
Lausche
McClellan
Talmadge
Young, N. Dak.

So Mr. SMATHERS' amendment was rejected.

Mr. JAVITS. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

Mr. DIRKSEN. Mr. President, I move to reconsider——

The LEGISLATIVE CLERK. It is proposed on page 2, lines 14 and 15, strike out "accompanying such persons".

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment of the Senator from Florida [Mr. SMATHERS] was rejected.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER (Mr. KENNEDY of Massachusetts in the chair). Does the Senator ask unanimous consent?

Mr. DIRKSEN. Mr. President, I was on my feet and addressing the Chair before other business intervened.

The PRESIDING OFFICER. Unfortunately, other business intervened.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that I may move to reconsider the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the Smathers amendment was rejected.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion was agreed to.

Mr. JAVITS. Mr. President, my amendment is the kind of amendment which the Senator in charge of the bill may agree to.

Mr. LONG of Louisiana. Mr. President, will the Senator agree on a limitation of time of one-half hour, the time to be divided equally between the opponents and proponents?

Mr. JAVITS. Perhaps we can agree on this amendment. The purpose of the amendment is to remove that provision of the bill. The Senate has pretty clearly manifested its intention as it relates to "accompanying the persons." That would mean whether the individual must actually carry the duty-free goods with him. We have dealt with the liquor amendment. That was the fundamental purpose of the preceding vote.

We have settled the amount. Does it not seem burdensome to provide that a tourist passenger must carry the goods with him in view of the weight limitations? I do not know of any other reason for this provision, other than to again discourage, perhaps a little more, the purchase of goods abroad. This seems to be a petty means to use to discourage individuals. Perhaps the Senator from Louisiana could give some other reason.

Mr. LONG of Louisiana. Mr. President, this articles-to-follow privilege is subject to all kinds of abuse. People go to Canada. They pick up a mail order blank and order goods from England, France, India, Japan, and all over the world, to be sent in here under the so-called "to follow" privilege. Those goods are not subject to a tax in the foreign country. It is not as if the persons were in the country from which the goods were to be sent. They take advantage of the provision in the law. They say, "All right. Have it sent to me."

We are not trying to curtail the purchase of goods which are brought in by people. I hope that Senators will do their part in bringing the balance of payments in line. The President is doing everything in his power. The President has a right to expect us to do something to bring the balance of payments in line.

This "to follow" privilege has been subject to a good deal of abuse. It has made it possible for people to acquire goods from a country they never visited. That was not the idea of the tourist exemption.

The idea was that they would buy goods in the countries to which they went, under the conditions in existence there.

Some countries have set up free trade zones. These zones are not available to the citizens of such countries. However, they are available to tourists from our country. It is a means of evading the law and permitting our citizens to bring goods in here. We can take advantage of the tariff law.

For example, someone went to Tokyo on an international convention. There are tailors there who will measure a person for a coat, which will be made in Hong Kong. The tailor measures a person in Tokyo, and the clothes are delivered from Hong Kong and not Japan at all.

One can go up to Canada. Orders are taken there, and, because that person has crossed the boundary, articles made in France, Mexico, Japan, Hong Kong, from all over the world, can be shipped into this country under the so-called to follow privilege. That is an avoidance of the tariff law that was never intended. We believe that, by preventing people from bringing in various and sundry articles in that way, we can help bring our balance of payments in order.

Very few Americans are engaged in doing that. It involves the question of taking advantage of the laws that not even the foreign countries intended. It is something we should prohibit. Those goods that come into our country are competitive with American products. It was never intended that the law should be subject to the kind of abuse which is practiced.

Furthermore, if we want to restrict the kind of articles coming into the country, it is well to provide that the tourists must bring them in with them. The only problem I can see is with respect to the Virgin Islands, which is American territory, and in which islands many people buy foreign articles. Perhaps they should be permitted to buy it there and have them follow rather than have to take them on the airplanes with them.

We estimate that this measure in its present form will help our balance of payments to the extent of $55 million. By their previous vote, Senators have reduced the effect of this bill by $45 million. If this amendment is voted for, they will take another $40 million out of it, so the bill will be merely a shell in our efforts to try to balance our payments.

Mr. JAVITS. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Is the Senator willing to divide the time on the amendment?

Mr. JAVITS. Yes.

Mr. President, I ask unanimous consent that there be a half hour allowed on the amendment, 15 minutes to be controlled by the Senator from Louisiana and 15 minutes by me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

Everything the Senator from Louisiana has said, with all due respect, is completely irrelevant. Every article that the Senator has said can be bought in free zones, from Hong Kong, can be brought in on one's person. That is what the law provides.

If a person buys them, he can bring them in on his person or have them shipped to him, but he is given another vexation on his return from Europe, for example. The Senator from Colorado referred to the fact that when one buys a Wedgewood article in England he can take it with him. As I understand, the $100 provision continues. I do not want the traveler to be inconvenienced, but want him to be given some modest break in this situation.

The requirement that a person must take the goods with him, rather than let them go by ship, is an arbitrary difference, without a distinction, made for discouraging people, which it seems to me the Senate indicated it did not want to do.

If the Senate is to do what it plans to do; namely, limit the exemption to $100, my amendment is reasonable.

Another colleague has suggested that this "accompany" provision might be construed to mean if the goods had its manufacturing origin in the country from which the traveler came. I would be willing to take that provision, but administratively the returning traveler would have to prove that the product had its manufacturing origin in that country. If a component part came from another country, he would have difficulty proving it.

If a person can bring something in on his person, he ought to be able to have it follow him, under the same $100 limitation.

The traveler should not be put to the vexatious problem and irritation of being discouraged from buying articles because he cannot carry them. It is nothing but irritating and vexatious. To enable him to have the goods follow him would be fully complying with the intent of the law.

As was said in the argument with respect to the $50 and the $100 limitation, let us not be small about this, if we are going to do it on the basis of the retail value.

With respect to the alcohol provision, the argument was brought out that some would provide that the person could not take it unless he could drag it with him or carry it on his back. It seems to me we would look ridiculous if we made such a limitation.

If the Senator from Louisiana can show any distinction between what a person can carry and what can be shipped to him later, I would like to know it. I do not understand the legal argument made, because anything a person is allowed to carry with him he ought to be able to ship. It is the same allowance involved, $100, at retail value. At least let us allow the traveler to be convenienced and not be vexed by the necessity of having to carry the article in his arms or be prevented from buying it.

I hope this simple amendment may be adopted. I hope the Senator from Louisiana will accept it. Obviously that is not his intention. If that is the Senate's will, the only way to do is to vote on it. I am willing to yield back the remainder of my time.

Mr. DIRKSEN. Mr. President, will the Senator yield me some time?

Mr. LONG of Louisiana. I yield 5 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, let me say to my distinguished and beloved friend from New York that there is something more than irritation and vexation involved. The United States is not an international mail-order house. It is not a worldwide Sears Roebuck or Montgomery Ward. Yet the fact is that people can lug things in and then, in addition, they send them.

It is quite possible for a person to get Danish crystal, for example, and never set foot in Denmark. One probably can get Swedish glassware and never set foot in Sweden. He can buy cuff links from Yugoslavia, and never set foot in Yugoslavia to see what the country looks like.

I do not believe the law was established for that purpose.

If people want to spend money and bring in articles from countries around the world, they can do it, but let them do it and use shipping facilities, and not permit them to bring in much more without paying the duty. We are not operating a mail-order house in what is known as the Government of the United States. So the question goes far beyond that of irritation and inconvenience.

I wish to implement what the acting chairman of the committee said. When the Secretary of the Treasury appeared before the committee it was his estimate that this provision would make a difference of somewhere between $75 and $125 million in the balance of payments.

I have no way to dispute it. I must fairly assume that the Treasury Department's experts know what they are talking about. Therefore, I am willing to accept the figure. However, by the action which we have taken, we have reduced that figure somewhat. I do not wish to have the onus and the burden of having something happen to the American dollar and then, at some subsequent time, have someone say to me, "You did not help the cause. You went around mouthing the fact that the dollar had to be defended and protected against every inimical force which would destroy its value, but when you had the opportunity to reduce the imbalance by $75 million or $100 million, what did you do? You did not even avail yourself of the opportunity to do it."

Mr. President, I am going to help the best I can. If they fail, we will be able to take the administration apart and say, "We did what you wanted us to do with the interest equalization, and the voluntary efforts on the part of the bankers, and we did everything else we could do to reduce the balance, but you did not help where the $75 million or $100 million were involved."

Believe me, if I have to say it, that becomes something of a political argument, when the time comes. Therefore, I wish to be in the clear and say that no act of mine made it impossible to bring about the curing of the imbalance of payments.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The Senator from New York is recognized.

Mr. JAVITS. I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 3 minutes.

Mr. JAVITS. Mr. President, with the deepest respect for the minority leader, I should like to say to him that we have already argued out the balance-of-payments question. The Senate has decided that $100 will be the figure. That was the issue raised in respect to the balance of payments. I do not accept the Secretary of the Treasury as having said any such thing as to $60 million or $75 million.

I read his testimony before the Ways and Means Committee. All he did was to estimate and extrapolate as to what would be the $60 million figure, based upon the lower amount that persons bring in, not what they would spend. That is the issue on which the Senate decided that it would go to the $100 instead of to the $50. That is not the issue. The issue still is: Will we vex the traveler?

As the Senator from Illinois has said, the traveler can buy articles made in Yugoslavia or in any other country. He can also buy them in the United States. He does not have to go to Canada, Mexico, or to any other country. We are not stopping any of that at all. That depends upon what the laws are in our own country, in terms of whether he can buy the imports here.

The United States is not a mail-order house, of course. But what is the experience in this country? Nearly everything that is delivered to the home is delivered. It is not dragged around in buses. Even supermarkets today are delivering their merchandise. That is one of our modern conveniences. All we will be doing is to deny the traveler. We are allowing him the $100, but will hold back what he can realize on $100, duty free, and, in my judgment, defeating to some extent the very intentions which we have in giving him the $100 allowability, because we are making it inconvenient—that is all we are doing—for him to avail himself of it.

Indeed, he is likely to use his $100 to buy far less desirable souvenirs which he can find in the shops and drag around with him, rather than having something made and delivered later.

Therefore, I repeat that this is nothing but a vexation. We are placing a barrier in the road of the tourist to whom we have given a modest, limited amount. If the Senate is going to do this, I hope that it will do so with a full heart and a full hand. That means permitting him to bring it in himself or having it follow—which is the same result—following the same kind of appraisal, and the same kind of merchandise, and the same restrictions. It involves convenience of delivery. Or, must he hang it around his neck or keep it in his pockets, in order to try to get it delivered? There are many things we can purchase that way. It is a vexation and I believe the Senate should strike it down.

Mr. DIRKSEN. Mr. President, will the Senator from Louisiana yield me 30 seconds?

Mr. LONG of Louisiana. I yield 30 seconds to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 30 seconds.

Mr. DIRKSEN. Let me say to my esteemed and distinguished friend from New York that I am sure my hearing is fairly good. I was in the committee when the Secretary of the Treasury testified, and I believe that other members of the committee will bear me out when I say that he used the figure of from $75 million to $125 million as the impact of the administration bill upon the balance of payments. Now if I am incorrect—but I see my distinguished colleague from Kentucky who sits next to me in committee is shaking his head. I am pretty sure I was not in error.

Mr. JAVITS. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. Let me read the Senate action, as referred to by the Senator from Louisiana. I am a lawyer. I can rely only on the evidence. I was not in committee. The evidence reads as follows. The Senator cited it. It comes from the testimony before the Ways and Means Committee. It says:

> The Bureau of Customs estimates that during calendar year 1964 articles acquired in foreign countries and brought or sent back to this country by returning residents totaled approximately $400 million in declared or retail value.
>
> If the duty exemption had been limited to $50 fair retail value (rather than to $100 wholesale value, as was the case), approximately, $90 million of such acquisitions which were duty free would have been dutiable.
>
> But we believe that if the exemption had been at the lower figure a large part, perhaps as much as $60 million, of that $90 million worth of articles would not have been purchased at all. Our experience has shown that the fact that articles for sale abroad will be subject to duty when imported tends to discourage tourists from acquiring them.

Mr. President, the only thing I argue is that it does not represent any conclusive saving for the balance of payments, unless we show that the average tourist spending was reduced. That is not shown. That is the only basis for my argument. I have no idea what was said or what was not said, on or off the record, in the committee. I can go only by the facts which are before me, which I have submitted to the Senate, and upon which I believe the Senate acted when it sustained the $100 figure. But I do not consider this question to be germane. It is a question of whether we are doing this with a full heart or are going to throw a roadblock into the path of the returning tourist. That is all we will be doing by this question of having him carry it, or having him send it later.

Mr. DIRKSEN. Mr. President, will the Senator from Louisiana yield me 30 seconds?

Mr. LONG of Louisiana. I yield 30 seconds to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 30 seconds.

Mr. DIRKSEN. I must say to my good friend the Senator from New York that I am always distressed when a statistic flies up and hits me in the eye. I try to be circumspect when I use a figure. I read from page 9 of the hearings before the Senate Finance Committee. This is Senator Long speaking now to the Secretary of the Treasury:

> Will you tell me, Mr. Secretary, I am interested in your statement, how much you expect to improve your balance of payments with the introduction of this bill?
>
> Secretary Fowler. The estimate has ranged from $75 to $125 million if the administration proposals were adopted.

Now I know that they kicked over the playhouse here, but there is still a saving so far as the balance of payments is concerned.

Mr. JAVITS. The only thing I argue is that the basis of the Treasury estimate was stated in debate as being what I read, and I challenge that as the basis of the estimate. That is all I am arguing. I do not mean to challenge the purpose. It has not been shown that such savings can be realized on the balance of payments. I believe that what has been read on both sides sustains that point of view.

I conclude as follows—that it is not germane to the issue. We have settled the question of the $100 and the $50. The question now is, Are we going to make it more inconvenient for the returning traveler? I do not believe that is the generous way to deal with the American tourist. That is the only reason I offer my amendment.

Mr. SMATHERS. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. SMATHERS. Is it not a fact that if we do not accept an amendment somewhat like that of the Senator from New York, a serviceman who goes to Europe and may be on a ship cannot bring back anything on a ship because it is so crowded. He goes to Hong Kong and wishes to purchase some antlers or a gun, or whatever it might be, but he cannot bring it into this country unless we have this kind of provision. He cannot get it back into the country; is that not correct?

Mr. JAVITS. The Senator is exactly correct. The Senator has made an excellent argument for the amendment. The House did not have it in its bill. As we took the previous vote we were certain of our approach to the problem. I deeply feel it should not be here. The Senator has helped me immeasurably by his argument.

Mr. LONG of Louisiana. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 8 minutes remaining.

Mr. LONG of Louisiana. I yield myself 4 minutes.

This "to follow" privilege is subject to a great deal of abuse. The Secretary of the Treasury testified:

> They have, for example, been able to go to Canada and, by this mail order device, arrange to have French perfume sent to their homes in the United States free and clear of all duties and taxes. What is notable is that these U.S. travelers could not have walked into a store in Canada and bought the same perfume free of Canadian taxes and duties. In other words, the "to follow" privilege has been taken advantage of in a way that was never intended.

We started out with a bill with which we hoped to improve the balance-of-payments situation by $100 million. The Senate has already eliminated $45 million of the proposed saving. We have tried to improve it by $55 million, and now the Javits amendment would knock out $40 million of that.

Mr. President, the "to follow" privilege impedes people coming into the country. People have to stand in line with their baggage. They stand there while some people fill out forms and declarations, so that they can have the goods follow on. Twenty-two percent of these people cheat on their declarations, because they misstate the value of the articles shipped in. It entails endless confusion and waiting in line and the checking on people who abuse this privilege.

We would save $40 million by making it a simple proposition that these commodities must be brought in by the tourists. We do not change the existing law with respect to the $10 provision, under which a person can bring in such goods as a gift and give it to anyone he pleases. That comes in duty free. Nothing is done about that provision.

However, the "to follow" privilege is an administrative monstrosity. It requires all sorts of investigations and standing in line and filling out forms and declarations.

Our proposal would greatly improve our balance-of-payments situation. If the amendment is agreed to, all we shall have left in the bill will be a mere gesture compared with existing law, whereby we try to improve our situation by little more than $15 million a year.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Incidentally, the only ones who would really be helped would be the shipping interests, by having them bring the stuff into the country in their ships.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. Can the Senator tell me where he gets the figures with reference to the amount by which the balance-of-payments situation would be helped? The impression I have gained from the debate has been that the Treasury Department does not have any idea how much money would be saved.

Mr. LONG of Louisiana. The Treasury Department computes these figures. They can tell how many people come in.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 2 more minutes; 1.2 million people claimed articles "to follow" last year. It is necessary to investigate those people, because people cheat on this privilege. A large part of the cheating appears to be in the form of whisky. The Treasury has all kinds of figures. The Secretary of the Treasury said that this practice involves $40 million. The Senator from New York has his own figures. I do not know how he arrived at his figures. The Secretary of the Treasury has the responsibility of giving us correct figures.

Mr. CLARK. I thought that when, much to my chagrin, the Smathers amendment was defeated, we had solved the problem. Now it is possible to bring in only 1 quart. What has this amendment to do with whisky?

Mr. LONG of Louisiana. Ten million dollars worth or more of the goods under the "to follow" privilege is represented by whisky.

Mr. CLARK. But that was when it was possible to bring in a gallon of whisky. Now it will be possible to bring in only a quart.

Mr. LONG of Louisana. Eliminating the "to follow" privilege should improve our balance of payments by $40 million annually. The pending amendment would knock out three-fourths of what is left in the bill.

Mr. JAVITS. Mr. President, I yield myself 1 minute. We have seen a progression of the argument from extrapolated figures of the Secretary of the Treasury to extrapolated figures of the Senator in charge of the bill. Now it is possible to say anything on the floor of the Senate. There is no basis for these estimates.

Mr. LONG of Louisiana. If the Senator will yield on my own time, I am reading from hearings. I am quoting from page 7 of the hearings. The Secretary of the Treasury said that this proposal involves $40 million.

Mr. JAVITS. The Secretary has given us the basis for his figures. We are arguing about the balance of payments and what is involved in terms of balance of payments.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself 1 more minute.

Mr. LONG of Louisiana. Mr. President, if the Senator will yield on my time again, if the Secretary had not taken into account the factor that the Senator is talking about, the Secretary would have estimated that we would improve our balance-of-payments situation by $145 million. But he did take it into account. That is why he is talking about $40 million being involved in this feature.

Mr. JAVITS. I have read from the record the basis for the Secretary's computation, which the Senator from Louisiana himself put before the Senate. It does not relate to how much we save in favor of the balance of payments. It has been read and reread time and again. The end point is that we now move to the argument about how difficult all this is, and how people must stand in line. Mr. President, we have been doing that since time immemorial, because the "to follow" privilege has been in the law constantly. Are we going to reform it in this bill, too?

Mr. President, it seems to me very clear that this is a vexation to the returning traveler.

We treat the servicemen, who cannot take their goods with them, differently from the way we treat people who can take the stuff with them. It does not make any sense to me. It seems to me that it would make sense to let the returning traveler bring it into the country in the most convenient form, just as he is doing it today and has been doing for years. No reason has been shown in the debate why we should change something that has been in effect for a long time. I hope the Senate will adopt the amendment.

Mr. LONG of Louisiana. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. LONG of Louisiana. I yield myself such time as I may need.

I regret that I cannot convince my friend the Senator from New York on this subject. The senior Senator from New York has been against every measure to help the balance of payments. He was against the interest equalization tax, which we thought was a great stride in that direction. He was against the Gore amendment relating to bank loans. He was in favor of striking out half of what is in this bill. Now he would strike out three-fourths of what is left in the bill. I have not found any way to meet the problem that meets with the approval of the Senator.

Mr. President, we have a responsibility in this matter. This is the only thing that Congress has been asked to do thus far in this Congress to help improve the balance-of-payments problem. I hope the Senate will agree to the amendment.

I yield back the remainder of my time.

Mr. JAVITS. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Oregon [Mr. MORSE], the Senator from Virginia [Mr. ROBERTSON], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD], and the Senator from Ohio [Mr. LAUSCHE] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from Oregon [Mr. MORSE], and the Senator from Virginia [Mr. ROBERTSON] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS] and the Senator from New Hampshire [Mr. COTTON] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is absent on official business.

If present and voting, the Senator from Delaware [Mr. BOGGS] would vote "nay"

The result was announced—yeas 18, nays 70, as follows:

[No. 160 Leg.]

YEAS—18

Bartlett
Case
Clark
Cooper
Dodd
Dominick
Fong
Holland
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Monroney
Prouty
Ribicoff
Scott
Smathers
Tower

NAYS—70

Aiken
Allott
Anderson
Bass
Bennett
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Church

Curtis
Dirksen
Douglas
Eastland
Ellender
Ervin
Fannin
Gore
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Hruska
Inouye
Jordan, N.C.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Proxmire
Randolph
Russell, Ga.
Russell, S.C.
Saltonstall
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tydings
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—12

Bayh
Boggs
Byrd, Va.
Cotton
Fulbright
Gruening
Lausche
McClellan
Morse
Robertson
Williams, N.J.
Young, N. Dak.

So Mr. JAVITS' amendment was rejected.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. LONG of Louisiana. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. TOWER obtained the floor.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. TOWER. I yield to the minority leader.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I ask the distinguished majority leader what the program will be for the remainder of the day and what is proposed for tomorrow.

Mr. MANSFIELD. When the pending bill is disposed of today—and we shall dispose of it—that will complete the business for today.

Tomorrow, it is anticipated, after consultation with the distinguished minority leader, that the Senate take up Calendar No. 293, H.R. 5283, relating to judges in Alaska; Calendar No. 291, S. 1666, to provide for the appointment of additional circuit and district judges; Calendar No. 360, S. 1742, relating to the International Bank for Reconstruction and Development and the International Finance Corporation; Calendar No. 361, S. 2069, to broaden the vessel exchange provisions of section 510(i) of the Merchant Marine Act of 1936, to extend such provision for an additional 5 years; Calendar No. 362, H.R. 3415, to equalize certain penalties in the Intercoastal Shipping Act of 1933; Calendar No. 363, S. 853, for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde; Calendar No. 365, S. 2212, to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children; and perhaps the conference report on the Presidential inability amendment. Whether the McKee nomination will be taken up tomorrow or the next day or next week remains to be seen.

Mr. SMATHERS. And the conference report on the bill now under consideration.

Mr. MANSFIELD. And the conference report on this bill.

EXEMPTION FROM DUTY FOR RETURNING RESIDENTS

The Senate resumed the consideration of the bill (H.R. 8147) to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

Mr. TOWER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 2, and on page 3, line 10, it is proposed to strike out "retail" and insert in lieu thereof "wholesale."

Mr. TOWER. Mr. President, on the amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, would the Senator from Texas be willing to agree to a limitation of debate, for the convenience of the Senate, of 10 minutes, the time to be divided equally between the Senator from Texas and the Senator in charge of the bill?

Mr. TOWER. Let us make it 7 minutes to a side.

Mr. LONG of Louisiana. Very well; 7 minutes to a side; a total of 14 minutes to be equally divided.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. TOWER. Mr. President, the effect of my amendment would be to calculate the value of goods brought into the United States under the customs immunity on a wholesale rather than a retail basis. The wholesale basis has been the historic, accepted, and practiced method of operating. It would be highly beneficial so far as trade relations with our best neighbors, Mexico and Canada, are concerned.

I reiterate what has been said so often today, namely, that we enjoy a healthy, favorable balance of trade with both countries. To restore the historic means of calculating the value of goods that are brought in to the United States by tourists would promote good relations with Canada and Mexico and would perpetuate the friendly atmosphere that has always existed between the two countries.

Mr. LONG of Louisiana. Mr. President, one of the principal gains in the bill in helping our balance of payments is that we would change from a wholesale to a retail basis. The practical effect of the Senator's amendment would be to increase the tourist exemption from $100 retail to $167 retail. Although I have not been able to calculate precisely what would be the balance-of-payment consequence of the amendment, it would be substantial. The Secretary of the Treasury estimated before the House committee that the difference would be $36 million as it affected our balance of payments. So Senators can see that the amendment would greatly reduce the effect of the bill and would cut by more than half the amount of the gain we hope to derive from the bill.

The record shows that the average person who comes into the country brings with him commodities having a value of only $50 or $55. So the average person would not benefit by the amendment.

I hope the Senate will insist on the economy recommended in the balance of payments by the House and also by the Senate Committee on Finance, so as to obtain what the bill provides.

The Senator from Texas spoke of our situation with respect to Mexico. What he is doing is advocating $167 at retail value, 12 times a year, for the people who cross the Mexican border from a nearby area. By adopting the amendment, we would drastically defeat what was hoped to be achieved by the bill.

Mr. TOWER. Mr. President, I yield 2 minutes to the distinguished Senator from Iowa.

Mr. MILLER. Mr. President, I join the Senator from Texas on the amendment because I believe it reflects what the Senate intended to do at the time it rejected the committee amendment. If I correctly detected the temper of the Senate the Smathers amendment was defeated primarily because of the liquor angle, which was present in an attempt to preserve the present law.

This amendment has nothing to do with the liquor problem. It relates only to whether the exception is to be on a retail or a wholesale basis. The present law is on a wholesale basis. The amendment would retain the wholesale basis.

I point out to the Senator in charge of the bill that for a long time the customs officers have used methods of computing the wholesale value of articles. I invite attention to the difficulty of providing a uniform method of determining retail value.

It is easy, of course, to ask, "How much did you pay for it?" But we who have traveled in other countries know that retail prices are subject to great fluctuation. The wholesale price as determined by customs officials would be uniform. If retail prices are used, there will be no uniformity. I hope the amendment will be accepted.

Mr. LONG of Louisiana. Mr. President, I have before me a customs form for declaration. It reads, in part:

> What was the amount you actually paid?

This is the information called for today, despite the fact that the limit is computed on wholesale values. Retail value is the best and most convenient way to determine what should be exempt and the amount of duty that should be paid.

Both for simplicity and for an improvement in the balance of payments, it would be better to remain with the retail value which was adopted by the House and which is recommended here today by the Committee on Finance.

Mr. MILLER. Mr. President, the answer to the argument made by the manager of the bill is that if he wants to use the amount that is paid, that should be written into the bill. The bill does not provide for exemptions on the basis of what is paid. It provides for exemptions on the basis of the retail price that was paid.

We who favor the amendment want to return to the wholesale price, which is what the law has provided for a long time.

Mr. TOWER. Mr. President, I yield myself 1 minute. I think the $1.67 figure is a little high. It does not seem realistic to me. It does not appear to be mathematically correct. I believe the consensus of the House was that the amount was closer to $1.30. So I do not believe we could act on the basis of $1.67.

I reiterate the statement of the Senator from Iowa that this amendment does not affect the liquor provision, which I think was to many Senators the most objectionable feature of the amendment of the Senator from Florida [Mr. Smathers] a while ago. This is an amendment that the Senate can accept.

Mr. President, I believe that the balance-of-payments argument is a little shallow because it has been proved in the past that lowering the customs immunity does not lower the amount of tourist dollars sent abroad.

If we want to address ourselves to the balance-of-payments problem, let us be hardnosed around the conference table. Let us quit sending billions of dollars abroad. Then we could do something about the balance-of-payments problem. However, under this bill, we would be offending our friends in Mexico, Canada, and other friendly countries with which we have done so much trade.

I reserve the remainder of my time.

Mr. LONG of Louisiana. Mr. President, in response to the Senator from Iowa, refer to page 3 of the committee report where, in discussing the amount actually paid, it is stated:

> In describing this provision to the committee during its hearing, the Secretary stated that in general, the price the returning resident states he paid for his foreign merchandise will be accepted by the Customs Service unless it should be substantially different from fair retail value in the country where the article was purchased.

In effect the fair retail value means the amount actually paid.

Mr. JAVITS. Mr. President, with reference to the statement of the distinguished minority leader [Mr. Dirksen] on the amendment, I ask unanimous consent that a colloquy which Representative Byrnes had in the House of Representatives, showing the attitude of the Republicans in that body on the House passed version of this bill, which did not contain the Finance Committee's provision relating to unaccompanied baggage, may be printed at this point in the Record.

There being no objection, the colloquy was ordered to be printed in the Record, as follows:

Mr. Byrnes of Wisconsin. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, while the bill as originally reported by the committee did have some element of controversy as far as concerned some of us, the committee amendment adopted this morning removes the objections. There is no objection in the committee, as I understand, to the bill in its present form or the bill as it will be amended by the committee amendment.

Mr. Speaker, I yield to the gentleman from Illinois [Mr. Derwinski].

Mr. Derwinski. Mr. Speaker, I would like to have the gentleman clarify his explanation a bit. Do I understand that in effect this committee amendment that will be accepted embodies the suggestions made by the minority in its minority views?

Mr. Byrnes of Wisconsin. Yes, probably the two principal ones; one was that we should continue the present $100 limitation rather than lowering it to $50. The other suggestion we made in the minority report was that we felt this should be permanent rather than having the Congress constantly facing a periodic renewal and the possibility of returning to the $500 duty-free limitation.

Mr. Gross. Mr. Speaker, will the gentleman yield?

Mr. Byrnes of Wisconsin. I yield.

Mr. Gross. What is the best guess as to how much this will affect the deficit in balance of payments?

Mr. Byrnes of Wilsconsin. Let me say this to the gentleman. Although the Treasury Department does have some calculations as to what they think might transpire under their recommendations, I think there is a very serious question we have with respect to this legislation; namely, whether it will have any effect on the balance of payments. What the committee is doing here is to adopt a proper basis for an exemption for returning tourists. We are amending the law to provide a more reasonable method of determining the value of duty-free merchandise that a tourist can bring in. I do not support the bill with the idea that it is going to have any significant effect on our balance-of-payments problem, because there is nothing in this bill that limits how much money an individual can spend abroad.

I think there is a lack of evidence before the committee that this bill will have anything more than a psychological effect, and as far as I am concerned, I do not think we are going to be fooling anybody as to how much effect this will have on the balance of payments. I do think that the changes made by the bill as it comes to us, with the amendment to be offered, is a reasonable improvement of the basic law.

Mr. Gross. So far as it will curtail the bringing into this country of products made by low-cost labor in foreign countries, I am for this bill. But what this Congress ought to do is to get busy and amend the Trade Agreements Act to increase the tariffs to restrict the importation of foreign products coming into this country where such products are already in adequate or surplus supply. This bill is in a sense really nit-picking in the area of stopping imports.

Mr. Byrnes of Wisconsin. Mr. Speaker, I appreciate the gentleman's views.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Texas. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the the Senator from Oregon [Mr. Morse], the Senator from Georgia [Mr. Russell], and the Senator from Missouri [Mr. Symington] are absent on official business.

I further announce that the Senator from Virginia [Mr. Byrd] and the Senator from Ohio [Mr. Lausche] are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mr. Morse] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. Boggs] and the Senator from New Hampshire [Mr. Cotton] are necessarily absent.

The Senator from North Dakota [Mr. Young] is absent on official business.

The Senator from Wyoming [Mr. Simpson] is detained on official business.

On this vote, the Senator from Wyoming [Mr. Simpson] is paired with the Senator from Delaware [Mr. Boggs]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Delaware would vote "nay."

The result was announced—yeas 33, nays 53, as follows:

[No. 161 Leg.]

YEAS—33

Aiken
Allott
Bartlett
Brewster
Case
Clark
Curtis
Dominick
Eastland
Fannin
Fong
Gruening
Harris
Hickenlooper
Holland
Hruska
Inouye
Javits
Jordan, Idaho
Kennedy, Mass.
Kuchel
Miller
Montoya
Murphy
Pearson
Prouty
Proxmire
Ribicoff
Scott
Smathers
Thurmond
Tower
Tydings

NAYS—53

Anderson
Bass
Bennett
Bible
Burdick
Byrd, W. Va.
Cannon
Carlson
Church
Cooper
Dirksen
Dodd
Douglas
Ervin
Gore
Hart
Hartke
Hayden
Hill
Jackson
Jordan, N.C.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Randolph
Robertson
Russell, S.C.
Saltonstall
Smith
Sparkman
Stennis
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—14

Bayh
Boggs
Byrd, Va.
Cotton
Ellender
Fulbright
Lausche
McCarthy
McClellan
Morse
Russell, Ga.
Simpson
Symington
Young, N. Dak.

So Mr. Tower's amendment was rejected.

Mr. ANDERSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MOSS and Mr. DOUGLAS moved to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. SMATHERS. Mr. President, I call up my amendment, which can be known as the Western Hemisphere amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk proceeded to read the amendment.

Mr. SMATHERS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, so that I may explain it.

Mr. GORE. Mr. President, I want to hear the Western Hemisphere amendment read.

Mr. ANDERSON. Mr. President, I do, too.

The PRESIDING OFFICER. The clerk will read.

Mr. SMATHERS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The amendment will have to be read first.

The legislative clerk read Mr. SMATHERS' amendment, as follows:

On page 1, beginning with line 3, strike out all through line 23 on page 2 and insert the following:

"That (a) the article description for item 813.31 (77A Stat. 413) of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 Fed. Reg., part II, Aug. 17, 1963; 19 U.S.C. sec. 1202) is amended to read as follows:

"'In the case of a person arriving from American Samoa, Guam, or the Virgin Islands of the United States, or from Canada, Mexico, the Bahama Islands, or the Bermuda Islands, articles not over $100 in aggregate value (or $200 in aggregate value in the case of persons arriving directly or indirectly from American Samoa, Guam, or the Virgin Islands of the United States, not more than $100 of which shall have been acquired elsewhere than in such insular possessions), or, in the case of a person arriving from any other country, articles not over $100 in aggregate fair retail value in the country of acquisition, in either case if such person arrives from the Virgin Islands of the United States or from a contiguous country which maintains a free zone or free port, or arrives from any other country after having remained beyond the territorial limits of the United States for a period of not less than 48 hours, and has not claimed an exemption under this item (813.31) or under item 915.30 within the 30 days immediately preceding his arrival'.

"(b) The article description for item 813.30 (77A Stat. 413) of such title I is amended to read as follows:

"'If such person arrives from American Samoa, Guam, or the Virgin Islands of the United States, or from Canada, Mexico, the Bahama Islands, or the Bermuda Islands, other articles, including (but only in the case of a person who has attained the age of 21) not more than 1 wine gallon of alcoholic beverages and including not more than 100 cigars, or, if such person arrives from any other country, other articles accompanying such person, including (but only in the case of a person who has attained the age of 21) not more than 1 quart of alcoholic beverages and including not more than 100 cigars, in either case if such articles are acquired abroad as an incident of the journey from which he is returning, for his personal or household use, but are not imported for the account of any other person nor intended for sale, and if such articles are declared in accordance with regulations of the Secretary of the Treasury:'."

Mr. DOUGLAS. Mr. President, will the Senator explain the amendment? It is completely incomprehensible to me.

Mr. SMATHERS. I wanted to do that, but our friend from Tennessee insisted on having the amendment read.

I am willing to enter into a unanimous consent agreement on the amendment with the Senator from New Mexico [Mr. ANDERSON].

Mr. ANDERSON. Will 7 or 10 minutes on a side be sufficient?

Mr. SMATHERS. Yes.

Mr. ANDERSON. Mr. President, I ask unanimous consent that there be a limitation of 10 minutes, to be controlled by the Senator from Florida and 10 minutes to be controlled by me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMATHERS. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. SMATHERS. Mr. President, I would like as many Senators as possible remain in the Chamber to hear this explanation. The amendment does not include all the Western Hemipshere. It has to do with Canada, Mexico, the Bahama Islands, Bermuda, the Virgin Islands, and American Samoa.

We have heard a great deal of talk to the effect that the committee bill is needed for the purpose of improving our balance-of-payments deficit. It is true that in some areas of the world we have a balance-of-payments deficit. Travel in France, I presume, would be discouraged because of our deficits with them.

In 1963—the latest year for which figures are available—we had an unfavorable balance in goods and services with France of $180 million.

Travel under the bill as it is presently written is also discouraged to Canada, but we had a favorable balance of trade with Canada of $560 million.

Under the bill as it is now written, it discourages travel to Mexico, with respect to which we had a surplus of trade of $443 million.

Travel would be discouraged to Bermuda, where we had a surplus of trade of $13 million.

Mr. DOUGLAS. Mr. President, if the Senator will yield, he keeps cautiously referring to a surplus balance of trade. Does the Senator mean a balance of trade or a balance of payments?

Mr. SMATHERS. I mean a balance of payments and a balance of trade, because there is no aid program that I know of that applies to Bermuda. There is no aid program that I know of that applies to the Bahama Islands.

There is no aid program. I do not know exactly what we are doing with Canada. Perhaps the Senator from Vermont [Mr. AIKEN] can tell us.

Mr. AIKEN. They do not need aid.

Mr. SMATHERS. There is no military aid going to Mexico. Perhaps the Senator from Alaska [Mr. GRUENING] could tell us about that.

Mr. GRUENING. Very little to Mexico. Almost none.

Mr. SMATHERS. We are discussing the balance of trade and the balance of payments.

Mr. DOUGLAS. Does the Senator include travel and services in trade?

Mr. SMATHERS. Everything. I have listened to Senators and certain other economists for several days trying to explain how we can help the balance-of-payments deficit which we have over all the world by, in effect, cutting off business with the areas in which we are making money. Obviously it does not improve our balance of payments but, on the contrary, hurts our balance of payments especially in our own hemisphere, where we have an Alliance for Progress and other kinds of programs. We talk about the things we need to do to help our neighbors, and which we are ready to do. But, this particular bill would apply to them and would affect them, just as much as it would affect some of the more wealthy countries of Western Europe where American tourists travel and spend large sums of money.

Mr. President, the Under Secretary of State said to me one day, when I brought this up to him, "It worries me greatly."

I asked him if he would not put that in a letter, but I have not been able to get one from him yet. We have a letter from Douglas MacArthur II, the Assistant Secretary of State for Congressional Relations, to the effect that we are greatly worried about the tranquility of this area of the world—the Caribbean area particularly. Everyone knows that Communism rules Cuba today. Everyone knows what is happening in Santo Domingo. We are probably not going to be able to visit the Dominican Republic for quite some time to come.

Few people go to Haiti. About the only areas remaining where people of modest means can go for some kind of foreign vacation is in the Caribbean, the South Atlantic islands, Mexico, or Canada. When they go to these places, they like to be able to return with some mementos of their travels.

In Bermuda and the Bahamas, the only native products they sell are sunshine and climate. They grow hardly anything. They import their ice cream. They even get their water from the United States. In addition, in the Bahama Islands, we have 152 military and NASA installations, for which we are not charged a single penny.

The space station in Bermuda is a major component of our manned space flight network. Ten percent of the Island of Bermuda is operated by the U.S. military government—either the Navy or the NASA program.

For every dollar that is spent by an American tourist in the Bahama Islands, $1.60 comes back to the United States.

How, then, can we help our balance-of-payments deficit by stopping that kind of profitable business?

I challenge anyone to try to show logically how that would help us.

In Bermuda, for every dollar spent—and we are talking about 43,000 people—$1.27 comes back to the United States. Can we possibly want to stop this favorable trade?

As I said, we have $560 million balance of trade surplus with Canada. With Mexico it is $443 million.

I have heard a great deal in this Chamber to the effect that we wish to get people on their feet, that we do not wish to give them something for nothing, that we wish to trade with them, and that we wish to bring about better relations with them.

I can think of no better way to bring about better relations with the people of Canada, Mexico, the Bahama Islands, Bermuda, the Virgin Islands, and the other islands in the Caribbean, than by having our people trade with them.

For the life of me, I cannot see how in any way we could do anything but improve our balance-of-payments posture by continuing under the law as it exists today with respect to areas, where the balance of payments is all in our favor.

Mr. HICKENLOOPER. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I yield.

Mr. HICKENLOOPER. Under the Senator's amendment, how much duty-free value could be brought in?

Mr. SMATHERS. Under last year's law, $100 wholesale value could be brought in.

Mr. HICKENLOOPER. That is what the Senator's amendment would provide?

Mr. SMATHERS. The Senator is correct.

Mr. HICKENLOOPER. I thank the Senator.

Mr. SMATHERS. This would go back to last year's law.

Mr. MILLER. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I yield.

Mr. MILLER. Can the Senator tell us the significance of the $50 item which is mentioned in his amendment?

Mr. AIKEN. Mr. President, the $50 applies to other parts of the world as well as to Canada, Mexico, and certain offshore islands. Therefore, it seems to me that the adoption of the Senator's amendment would help strengthen our economic, political, social, and military ties with North America.

Mr. SMATHERS. I thank the Senator. I totally agree with his statement.

Mr. MILLER. Mr. President, will the Senator from Florida yield?

The PRESIDING OFFICER. The 10 minutes of the Senator from Florida have expired.

Mr. ANDERSON. Mr. President, this amendment looks to me as though someone was not able to make up his mind. This has all been voted on before. This proposal refers to the Western Hemisphere, but the new preferences go to a privileged group—Mexico, Canada, Bermuda, the Bahamas, and American Samoa. You call it the Western Hemisphere, but I do not know when American Samoa moved into the Western Hemisphere. It must have been quite a while back.

There are three rules for the dollar limit. First is the $100, the second is $200, for the Virgin Islands, and then we have the $100 wholesale provision.

If a man started out on a trip and visited Brazil, first with the $100, and then went to the Virgin Islands, and came back through Canada, how would we know which one of the three kinds of duties should be imposed? Would it be under the $100 rule, the $200, or what? The thing I worry about is the same old fight we had on whisky. We can bring back 12 gallons of whisky from Mexico or Canada into the United States duty free. With the $100, I do not know how much whisky we could bring in. Probably quite a little.

Mr. AIKEN. Are not duty free and tax free two different situations?

Mr. ANDERSON. They are.

Mr. SMATHERS. I am sure the Senator would agree that they could bring in any amount they wished.

Mr. ANDERSON. The Senator from Florida has had his 10 minutes.

I notice also that this provision would apply to perfume. Something was said about products made of straw. Perfume is not made of straw. Many other things are made in exactly the same fashion.

It is extremely unfortunate that we have to go into this situation all over again. Can we never decide what the Senate wishes to do? We have acted two or three times before. Is that not enough? I believe that we have had enough of it. I believe that the Senator's amendment should be rejected.

Mr. LONG of Louisiana. Mr. President, the Senator from Florida should keep in mind that it costs 90 cents to manufacture a gallon of whisky. That gallon of whisky would be taxed at $10.50. The tax exceeds the cost of production by more than 10 to 1.

In addition, Mr. President, it costs 90 cents to manufacture the whisky, and to keep it in bond would cost as much as it does to manufacture it. A person can go into Mexico or Canada 12 times a year and in doing so he can deny the Government $144 in taxes for himself, by crossing the border 12 times a year. If he takes his wife along, they can deny the Government $288 a year in taxes. They could go back and forth across the border 12 times a year. Of course he would get even a greater advantage by taking a son or daughter along, or some friends.

A person can pick up whisky, go through the tunnel and come back across the bridge and pay no Canadian or United States taxes. This sort of thing would be a wide open opportunity for people who want to buy whisky to evade the tax law.

While I have much sympathy with what the Senator has said about helping the Bahamas and Bermuda, this question has been voted on by the Senate. The Senate has taken a position on it. I believe the Senate wishes to stay with the one quart limitation. The House, I am sure, would insist on it.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MORTON. The Senator has read advertisements about nine-passenger station wagons, I am sure.

A person could take a nine-passenger station wagon across the border and he could come in with the whisky. If he took his wife and some friends along, each could bring back the same amount of whisky.

Mr. SMATHERS. Mr. President, the $100 exemption has been the law for the past 4 years. The abuse the Senator is talking about is ridiculous. He knows that the law is not abused in this particular amendment. The amendment provides that the privilege of bringing back the liquor duty and tax free would be restricted to persons over 21 years of age. If anyone is interested——

Mr. LONG of Louisiana. Mr. President, the Senator has no time remaining. How much time have I remaining?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. LONG of Louisiana. I yield the Senator from Florida 1 minute of my time.

Mr. SMATHERS. Mr. President, I do not believe that the liquor industry is suffering. An attempt is made to defeat this sensible and, I believe, logical amendment, by talking about whisky. I believe it is important for us to keep the friendship of Canada and Mexico, the Bahamas, and Bermuda. It is much more important to do that than to talk about whisky. Seagrams has tremendously increased its sales. Hiram Walker has increased its sales 59 percent in the last 10 years.

Mr. MORTON. Those are both Canadian companies.

Mr. SMATHERS. Yes; but they operate here. Brown-Forman, in Kentucky, has increased its dollar earnings by 137 percent in the last 5 years. The domestic liquor industry makes all kinds of money. I do not believe it needs very much protection. Our neighbors do need a little protection.

Mr. MORTON. What we are talking about is protecting the Treasury of the United States and protecting our balance of payments. The distinguished Senator from Louisiana is referring to some figures to show what we would deny the Treasury by permitting this traffic back and forth across the borders.

Mr. SMATHERS. We make $1.62 for every dollar that is spent by American tourists in those places.

Mr. LONG of Louisiana. The amendment is an administrative monstrosity. The Senator would set up three different rules. He would set up a $200 wholesale rule for the Virgin Islands, a $100 wholesale rule for Mexico, Canada, Bermuda, and the Bahamas. Then it is not clear——

Mr. SMATHERS. That is the present law.

Mr. LONG of Louisiana. That is what the Senator wants for Mexico and Canada and Bermuda and the Bahamas. It is not clear whether he wants $100 or $50 as far as the rest of the world is concerned. He has two rules on whisky—1 quart for most of the world, and 1 gallon for Mexico, the Virgin Islands, Canada, Bermuda, and the Bahamas. That would be a very difficult system to administer. Much as I sympathize with what the Senator wants to accomplish, I hope the Senate will reject the amendment.

Mr. SMATHERS. The amendment has nothing to do with any other parts of the world, except the ones I have named.

Mr. LONG of Louisiana. We are concerned about the impact it would have on the Treasury and on our balance of payments. I hope the Senate will reject the amendment.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MURPHY. How long has this monstrosity been in effect? How long has the rule been in effect?

Mr. LONG of Louisiana. The only rule we have today is the $100 wholesale value rule. That is our rule. The Senator from Florida would change that. He wants to make a $200 rule, wholesale, apply to the Virgin Islands. That is not the rule now. We cannot tell what he wants to do with the rest of the world, whether he wants it to be $50 or $100. We do not understand that. It does appear that he wants a $100 wholesale rule for Canada, Mexico, Bermuda, and the Bahamas.

Mr. SMATHERS. As the Senator knows, a tourist could bring back 1 gallon under present law. That is the law as it has existed since 1936. The Senator knows that. I want to keep this time-tested law in effect for these friendly countries.

Mr. LONG of Louisiana. Suppose a person did not go to one of those countries, and went through Brazil.

Mr. MURPHY. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. All time for debate has expired.

The question is on agreeing to the amendment offered by the Senator from Florida. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Oregon [Mr. Morse], the Senator from Arkansas [Mr. McClellan], the Senator from Georgia [Mr. Russell], the Senator from Missouri [Mr. Symington], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I further announce that the Senator from Virginia [Mr. Byrd] and the Senator from Ohio [Mr. Lausche] are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mr. Morse] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. Boggs] and the Senator from New Hampshire [Mr. Cotton] are necessarily absent.

The Senator from North Dakota [Mr. Young] is absent on official business.

The Senator from Wyoming [Mr. Simpson] is detained on official business.

If present and voting, the Senator from Delaware [Mr. Boggs] and the Senator from Wyoming [Mr. Simpson] would each vote "nay."

The result was announced—yeas 41, nays 45, as follows:

[No. 162 Leg.]

YEAS—41

Aiken
Bartlett
Byrd, W. Va.
Clark
Curtis
Dodd
Eastland
Fannin
Fong
Gruening
Harris
Hart
Hartke
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kuchel
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
Montoya
Mundt
Murphy
Prouty
Randolph
Ribicoff
Scott
Smathers
Stennis
Tower
Tydings
Williams, N.J.
Young, Ohio

NAYS—45

Allott
Anderson
Bass
Bennett
Bible
Brewster
Burdick
Cannon
Carlson
Case
Church
Cooper
Dirksen
Dominick
Douglas
Ervin
Gore
Hickenlooper
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
McGee
McNamara
Metcalf
Miller
Monroney
Morton
Moss
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Proxmire
Robertson
Russell, S.C.
Saltonstall
Smith
Sparkman
Thurmond
Williams, Del.
Yarborough

NOT VOTING—14

Bayh
Boggs
Byrd, Va.
Cotton
Ellender
Fulbright
Lausche
McClellan
Morse
Russell, Ga.
Simpson
Symington
Talmadge
Young, N. Dak.

So Mr. Smathers' amendment was rejected.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MEXICO-UNITED STATES TRADE BALANCE

Mr. YARBOROUGH. Mr. President, the United States is Mexico's leading supplier, and also is Mexico's principal customer. Since 1962, Mexico has ranked fifth in the world, and first in Latin America, as a market for U.S. products.

According to preliminary statistics of Mexico's 1964 foreign trade, recently released by the Ministry of Industry and Commerce, jointly with the Department of Economic Studies of the Bank of Mexico, Mexico's imports from the United States in 1964 were valued at $1,022,334,240, as compared with $849,133,920 in 1963, or an increase of 20 percent in 1964 over those in 1963. In 1964, the U.S. share of the Mexico market was 68.5 percent of Mexico's total import trade. In 1963, the U.S. share was 68.6 percent.

Mexico's exports to the United States in 1964 had a value of $608,837,840, as compared with $662,009,360 in 1963, or a decline of 8 percent in 1964 below the exports in 1963. Mexico's exports to the United States in 1964 represented 58 percent of its total exports; according to U.S. trade statistics, U.S. exports to Mexico in 1964 had a value of $1,076 million and of $858 million in 1963; and U.S. imports from Mexico in 1964 had a value of $643 million as compared with $594 million for those in 1963.

The sharp discrepancy between Mexican data on exports to the United States and U.S. data on imports from Mexico is due to Mexican statistical practices, whereby some exports which merely transit the United States are shown as destined for the United States—as for example, cotton. The port of Brownsville, Tex., transships thousands and thousands of bales of cotton, from Mexico, to other parts of the world.

I ask that telegrams sent to me by Donald W. Holmberg, director of the El Paso Chamber of Commerce, and by Charles F. Feeney, chairman of the American Tourist and Trade Association, be printed at this point in the Record.

There being no objection, the telegrams were ordered to be printed in the Record, as follows:

El Paso, Tex., *June 26, 1965.*

Senator Ralph Yarborough,
U.S. Senate,
Washington, D.C.:

Had El Paso been informed that Senate Finance Committee hearings on H.R. 8147 were underway, we and Ciudad Juarez, Mexico, would have been on hand to testify to the disastrous effect this bill will have on the economy of more than 700,000 people in this area. We confirm Nogales, Ariz., testimony concerning our border economy. On behalf of all similar border economies and very strongly on behalf of the 355,000 residents of El Paso County, we urge no change of existing legislation on tourist imports from Mexico. This message sent to all members, Senate Finance Committee.

Donald W. Holmberg,
Executive Director, El Paso Chamber of Commerce.

Washington, D.C., *June 29,1965.*

Senator Ralph W. Yarborough: Today you will be voting on a bill which will have a drastic impact on your constituents and several million U.S. citizens. Effective at midnight tomorrow this bill will reduce the duty-free allowance of returning tourists from $167 retail ($100 wholesale) to $50 retail, reduce the liquor allowance from 5 fifths to 1 quart and deny the privilege of including unaccompanied baggage within the duty-free allowance. The tourist who is abroad today has already made and will continue to make purchases as if the present allowance were in force. These millions have had no chance to learn of the impending legislation. They will be forced to pay duties on all purchases in excess of $50, on any articles which do not accompany them and on all liquor in excess of 1 quart. The confusion and delay at customs reentry ports will be immense. Many of these travelers are students, teachers, and military personnel who will be without funds to pay the customs charges, and will be forced to forfeit their purchases. In all fairness to our citizens the proposed law should not become effective for a minimum period of 90 days, so as to allow a reasonable period for dissemination of proper information thereon.

Charles F. Feeney,
Chairman, The American Tourist & Trade Association.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 8147) was passed.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives on the disagreeing votes thereon, and that the

Chair be authorized to appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to; and the Presiding Officer appointed Mr. Byrd of Virginia, Mr. Long of Louisiana, Mr. Smathers, Mr. Carlson, and Mr. Morton conferees on the part of the Senate.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

Mr. HOLLAND obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Florida yield to me without losing his right to the floor?

Mr. HOLLAND. I yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 291, Senate bill 1666.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments on page 2, line 13, after the word "Florida,", to strike out "one additional district judge for the southern district of Georgia,"; in line 20, after the word "Mississippi,", to insert "one additional district judge for the southern district of Mississippi,"; on page 5, line 4, after the word "the", where it appears the second time, to strike out "date of enactment of this Act" and insert "effective date of this section"; in line 9, after the word "the", where it appears the second time, to strike out "date of enactment of this Act" and insert "effective date of this section"; in line 14 after the word "the", where it appears the second time, to strike out "date of enactment of this Act" and insert "effective date of this section"; in line 18, after the word "the", where it appears the second time, to strike out "date of enactment of this Act" and insert "effective date of his section"; in line 23, after the word "the", where it appears the second time, to strike out "date of enactment of this Act" and insert "effective date of this section"; on page 6, line 6, after the word "the", to strike out "date of enactment of this Act" and insert "effective date of this section"; in line 13, after the word "the", to strike out "date of enactment of this Act" and insert "effective date of this section"; on page 7, after line 2, to insert:

(i) The provisions of this section shall become effective one hundred and twenty days after the date of enactment of this Act.

In the matter after line 10, after the 12th line thereof, to strike out: "Georgia:".

After the amendment just above stated, to strike out:

"Southern____________________________ 2".

On page 8, after the fifth line from the top of the page, to insert:

"Southern____________________________ 3".

In line 1, after "Sec. 5.", to strike out:

(a) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the district of Alaska. The first vacancy occurring in the office of district judge in said district shall not be filled.

At the beginning of line 6, to strike out "(b)" and insert "(a)"; after line 9, to strike out:

(c) The President shall appoint, by and with the advice and consent of the Senate, three additional district judges for the eastern district of Pennsylvania. The first three vacancies occurring in the office of district judge in said district shall not be filled.

And, on page 9, at the beginning of line 5, to strike out "(d)" and insert "(b)"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the President shall appoint, by and with the advice and consent of the Senate, one additional circuit judge for the fourth circuit, one additional circuit judge for the sixth circuit, and one additional circuit judge for the seventh circuit.

(b) In order that the table contained in section 44(a) of title 28 of the United States Code will reflect the changes made by subsection (a) of this section in the number of circuit judges for said circuits, such table is amended to read as follows with respect to said circuits:

"Circuits	Number of judges
* * * *	*
Fourth	6
* * * *	*
Sixth	7
Seventh	8
* * * *	*".

(c) The President shall appoint, by and with the advice and consent of the Senate, four additional circuit judges for the fifth circuit. The first four vacancies occurring in the office of circuit judge in said circuit shall not be filled.

Sec. 2 (a) The President shall appoint, by and with the advice and consent of the Senate, one district judge for the middle and southern districts of Alabama, one additional district judge for the district of Arizona, one additional district judge for the northern district of Florida, one additional district judge for the middle district of Florida, two additional district judges for the southern district of Florida, one additional district judge for the northern district of Illinois, one additional district judge for the southern district of Indiana, four additional district judges for the eastern district of Louisiana, one additional district judge for the district of Maryland, one additional district judge for the northern district of Mississippi, one additional district judge for the southern district of Mississippi, one additional district judge for the western district of New York, one additional district judge for the northern district of Ohio, one additional district judge for the southern district of Ohio, one additional district judge for the district of Rhode Island, two additional district judges for the southern district of Texas, one additional district judge for the western district of Texas, two additional district judges for the eastern district of Virginia, and one additional district judge for the district of Vermont.

(b) The existing district judgeship for the northern, middle and southern districts of Florida heretofore provided for by section 133 of title 28, United States Code, shall hereafter be a district judgeship for the middle district of Florida only, and the present incumbent of such judgeship shall henceforth hold his office under section 133, as amended by this Act.

Sec. 3. (a) Section 84 of title 28, United States Code, is amended to read as follows:

"§ 84. California

"California is divided into four judicial districts to be known as the Northern, Eastern, Central, and Southern Districts of California.

"NORTHERN DISTRICT

"(a) The Northern District comprises the countries of Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, and Sonoma.

"Court for the Northern District shall be held at Eureka, Oakland, San Francisco, and San Jose.

"EASTERN DISTRICT

"(b) The Eastern District comprises the counties of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Glenn, Inyo, Kern, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.

"Court for the Eastern District shall be held at Fresno, Redding, and Sacramento.

"CENTRAL DISTRICT

"(c) The Central District comprises the counties of Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura.

"Court for the Central District shall be held at Los Angeles.

"SOUTHERN DISTRICT

"(d) The Southern District comprises the counties of Imperial and San Diego.

"Court for the Southern District shall be held at San Diego."

(b) The two district judges for the northern district of California holding office on the day before the effective date of this section and whose official station is Sacramento shall, on and after such date, be district judges for the eastern district of California. All other district judges for the northern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the northern district of California.

(c) The district judge for the southern district of California, residing in the northern division thereof and holding office on the day before the effective date of this section, shall, on and after such date, be a district judge for the eastern district of California. The two district judges for the southern district of California holding office on the day before the effective date of this section and whose official station is San Diego shall, on and after such date, be the district judges for the southern district of California. All other district judges for the southern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the central district of California.

(d) Nothing in this Act shall in any manner affect the tenure of office of the United States attorney and the United States marshal for the northern district of California who are in office on the effective date of this section, and who shall be during the remainder of their present terms of office the United States attorney and marshal for such district as constituted by this Act.

(e) Nothing in this Act shall in any manner affect the tenure of office of the United States attorney and the United States marshal for the southern district of California who are in office on the effective date of this section, and who shall be during the remainder of their present terms of office the United States attorney and marshal for the central district of California.

(f) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the southern district of California.

(g) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the eastern district of California.

(h) The President shall appoint, by and with the advice and consent of the Senate, two additional district judges for the central district of California, and two additional district judges for the northern district of California.

(i) The provisions of this section shall become effective one hundred and twenty days after the date of enactment of this Act.

SEC. 4. In order that the table contained in section 133 of title 28, of the United States Code will reflect the changes made by sections 2 and 3 of this Act in the number of permanent judgeships for certain districts, such table is amended to read as follows with respect to said districts:

"Districts	Judges
Alabama:	
* * * * *	
Middle and Southern	1
* * * * *	
Arizona	4
* * * * *	
California:	
Northern	9
Eastern	3
Central	12
Southern	2
* * * * *	
Florida:	
Northern	2
Middle	5
Southern	5
* * * * *	
Illinois:	
Northern	11
* * * * *	
Indiana:	
* * * * *	
Southern	4
* * * * *	
Louisiana:	
Eastern	8
* * * * *	
Maryland	5
* * * * *	
Mississippi:	
Northern	2
Southern	3
New York:	
* * * * *	
Western	4
* * * * *	
Ohio:	
Northern	7
Southern	4
* * * * *	
Rhode Island	2
* * * * *	
Texas:	
* * * * *	
Southern	7
* * * * *	
"Districts—Continued	
Texas:	Judges
Western	4
* * * * *	
Vermont	2
* * * * *	
Virginia:	
Eastern	5."

SEC. 5. (a) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the district of Kansas. The first vacancy occurring in the office of district judge in said district shall not be filled.

(b) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the eastern district of Wisconsin. The first vacancy occurring in the office of district judge in said district shall not be filled.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight that it stand in recess until 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR TIME TO BE ALLOTTED TO SENATOR DODD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time between 11 a.m. and 11:30 a.m. tomorrow be taken up by the distinguished Senator from Connecticut [Mr. DODD] for the purpose of delivering a speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES—ORDER FOR DEBATE TO START AT 11:30 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that debate on Senate bill 1666, the pending business, begin at not later than 11:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

MIGRANT FARM LABOR

Mr. HOLLAND. Mr. President, the distinguished Senator from California [Mr. MURPHY], the distinguished Senator from West Virginia [Mr. RANDOLPH], and other Senators and I had expected to speak today with reference to the agricultural labor problem, concerning which the distressing rulings of the Secretary of Labor have brought great uncertainty and distress to many producers, particularly producers of perishable crops.

The hour is late. The distinguished majority leader has indicated that by mid-afternoon tomorrow there will perhaps be a good opportunity for us to be heard. Therefore, we who can be present tomorrow will expect to be heard at that time. However, I am advised that the distinguished Senator from West Virginia [Mr. RANDOLPH], due to other official commitments may not be here tomorrow during the discussion of this important problem, so I ask leave at this time to yield to him, so that he may be heard on this subject, after which I shall yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, I have been following with intense interest and considerable concern the continuing debate on the complex problem of supplemental farm labor. These discussions have been conducted under the able leadership of our esteemed colleague from Florida [Mr. HOLLAND], and he has been joined by the capable Senator from California [Mr. MURPHY]. Both Senators have an intimate knowledge of the situation, not only as it affects the economic strength of their respective States, but also in its implications and relationships to the Nation as a whole.

I have been privileged to address remarks on this subject to the Senate on previous occasions. There is little I can add this evening to the details—and it is necessarily a detailed subject—of the enlightened discussion by Senators who have participated.

However, I desire to have the RECORD reflect that West Virginia has growers who have found it necessary to employ supplemental farm labor.

The labor problem faced by West Virginia in terms of numbers is not of the magnitude of that faced by producers in other States. The employment of migrant workers in our State is small, for example, compared with the number employed in the States of Florida and California. Nevertheless, to those producers who must have labor, and have it at certain times, and in areas dependent in large degree on the economy generated by our fruitgrowers, the problem looms as large in West Virginia as it looms elsewhere in the United States.

For example, the apple industry, based for the most part in the Eastern Panhandle of West Virginia, accounts for approximately 6 million bushels of apples and is worth $20 million annually to the Mountain State. That is a considerable and substantial contribution to our economy.

West Virginia farmers generally have small operations. They cannot afford a fruitless chase—and it has been that—all over the country to obtain possible workers. It should not be necessary—and I speak firmly now—to consistently remind the Secretary of Labor that the farmers of West Virginia have been faithful in their attempts to hire domestic workers before the recruitment of foreign nationals. Our growers do recruit, and recruit actively, to the limit of their abilities and resources; but the fact is that extensive recruitment programs, as applied in West Virginia, have not yielded practical results.

According to the testimony—and I believe it to be valid testimony—of the apple growers in the Eastern Panhandle of West Virginia, the employment of workers from the Bahamas has been mandatory in order to insure the profitable and efficient harvesting of the West Virginia apple crop. The offshore workers were not requested, nor were they certified, until every effort had been made to obtain domestic help from as far south as Florida, and as far north as Delaware and New York.

In 1964 the Tri-County Labor Camp in Martinsburg, W. Va., which provides housing for migrant workers for 26 growers, attempted to recruit workers in 14 States and the District of Columbia. As a result of their endeavors, 160 persons agreed to accept employment for the harvest period. At the end of the season, only six domestic workers remained.

Equally disappointing were the circumstances encountered in 1961, 1962, and 1963. After the extensive search for domestic workers last year, 378 foreign nationals were employed in the Eastern Panhandle orchards of West Virginia. Those laborers, who came from the outside—and the figures I have just given prove that it was necessary to employ laborers from the outside—picked 1.1 million bushels of apples, the loss of which well could have meant a deficit year for the growers of that area of West Virginia.

The results of recruiting this year, I say with all the strength of my command, have been disheartening. Initial information available to me—and I have asked that a search be made for this information—indicates that the recruitment of domestic workers is falling short of the goal of an adequate labor force for the harvesting of our fruit crop.

Approximately 1,351 job openings are available for the coming peach and apple seasons in West Virginia. These openings do not include jobs that will be filled by local laborers. The outcome of recent recruiting activities by the U.S. Employment Service in the southern part of the United States was discouraging. The Senator from Florida [Mr. HOLLAND] may comment on this point later.

I have made a factual statement. However, more important, there is no certainty that those crews who have consented to come and work in West Virginia will, in fact, honor their promise.

It is my understanding that no contracts are signed until the crews are on the job. This appears to work an additional hardship on the grower.

Knowing the existing situation, I have again communicated with Secretary Wirtz. I ask unanimous consent that my telegram of June 17, 1965, be printed at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

JUNE 17, 1965.

HON. W. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.:

Information from West Virginia growers indicates that recruitment of domestic workers is falling short of the goal of an adequate labor force for harvesting. The growers of the Eastern Panhandle are a vital segment of the economy of our State. I remind you that in 1964, 26 growers recruited in 14 States and 6 domestics remained at end of season; that not every unemployed person is willing or capable of performing these tasks; that we agree employment for Americans comes first, but good theory is not always practicable in light of hard facts. Urge your action to effect a more viable ruling on the employment of supplementary farm labor.

JENNINGS RANDOLPH,
U.S. Senator.

Mr. RANDOLPH. Mr. President, I should stress the fact that we do not wish to hire foreign help if there is an adequate supply of domestic labor to do these agricultural jobs.

Our first concern, and I am sure it is the concern of every Senator, is for the workers of the United States. No loyal citizen would disagree with the objectives of Secretary Wirtz in attempting to engage every willing and qualified person before resorting to the hiring of foreign nationals.

The West Virginia growers have pursued this course of action to the maximum extent possible. However, their experiences have indicated that a sufficient number of competent, home-based workers cannot be found.

The fact of the matter seems to be that there is a shortage of qualified domestic farmworkers. This, in no way, is said to disparage our native farmworkers. I do just the opposite. I pay tribute to those who labor. I state this to point out that there are too few of them.

What I have indicated as facts bear out that statement. This is proved by the fact that the Secretary of Labor has expended a considerable amount of time and money in efforts to obtain American farmworkers to work on the program which has been designated as the A team.

However, the A teams will not help States such as West Virginia, in which the harvest season starts and reaches its peak after the beginning of the school year.

I ask Senators to remember that. The best A teams are only a stopgap measure.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. HOLLAND. I congratulate the Senator from West Virginia on his fine statement. I particularly commend him for mentioning the inadequacy of A teams, no matter how patriotic the members, no matter how fine a job they may do in the few weeks in which they are available.

However, they are available only from the end of the school year, in the spring, let us say June 1, to the time when the prefootball season work starts in the fall. That does not meet the need, as the Senator has so well stated, of the applegrowers in West Virginia, Virginia, Maryland, and Pennsylvania.

It would not meet the needs of the citrus, vegetable, berry, and sugarcane producers of Florida. The harvest season is from the fall to the time just before the schools are out.

The A team idea, no matter how well it may pay off—and we all hope that it may do a good service—cannot possibly meet the problem of a large part of this Nation, including the part which the Senator from West Virginia represents so well, and the part which the Senator from Florida attempts to represent well.

The Senator from West Virginia has made a wonderful point in pointing out the inadequacy of the A team to deal, other than in a most sketchy way and for a short period of time, with only a portion of the problem which confronts the Nation.

I thank the Senator for his very fine address.

Mr. RANDOLPH. Mr. President, I am grateful for the comments of the distinguished Senator from Florida concerning the A team program.

The very fact that there is such a program indicates that there is a farm labor shortage. That is the reason the program was brought into existence.

When would the A teams be available for West Virginia? They would be available during the summer vacation. When is the harvest season for apples in West Virginia? It is in the fall, after the boys have gone back to their institutions of learning.

I am grateful for the reference of the Senator from Florida to my participation in bringing these matters to the attention of the Senate.

Mr. President, we agree that the approximately 4 million unemployed persons should be able to fill the agricultural jobs in this country. However, as I have told the Secretary of Labor on several occasions, not every person is willing or capable of performing these tasks, and good theory is not always practicable in the light of hard facts. The whole fabric of our economic structure does not foster a mobile labor force. Migration is discouraged. Instead we have been concerned with providing the means through which the workingman can take roots, secure a permanent job, and afford himself and his family a stable homelife. Now we are expected to turn and attempt to create this mobile labor force.

I yield to the Senator from California.

Mr. MURPHY. Mr. President, I congratulate the Senator. I am sorry to hear that the results of Secretary Wirtz' experiment in the State of West Virginia are the same as they have been in the State of California.

As the Senator knows, we have been concerned about this problem for well over a year. We anticipated it. Not one new idea has been advanced. Nothing has been advanced that has not been tried before.

I wish that we could report today that the domestic recruitments have handled the problem.

Mr. RANDOLPH. I agree.

Mr. MURPHY. Mr. President, I would be pleased if we were able to say that the job is being done, but the facts deny the truth of such a statement. I would be pleased if we could say that the A teams were doing the job. Unfortunately, the facts from the State of California, and perhaps other States, deny the truth of that statement.

I am saddened to hear these reports. However, I am pleased that the Senator has presented for the RECORD a series of facts and reports and personal experiences, so that, hopefully, at one point we may make the Secretary of Labor understand that there is a necessity, that there is a crisis, and that he must change his position because the public welfare must come first, rather than the idea which he has adopted.

I commend the Senator.

Mr. RANDOLPH. Mr. President, I appreciate the statement of the Senator from California.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. HOLLAND. I emphasize the fact that there are many people who are out of work and want to work. The trouble is that so many of them are not willing to do the kind of work that is required, such as ladder work in the picking of apples or citrus fruit, and, even more difficult, in the picking of dates in the State of California.

Many people will not do that kind of work. This is entirely aside from the fact that so many of them are rather remote from where the work must be done. Many of them are drawing unemployment compensation. Many of them are drawing welfare payments. Many of them are hoping for a return to the jobs which they have lost. Many of them are waiting for opportunities to go back to the kind of work which they know how to do. They will not travel the long distances which are required.

Recently, the Florida growers recruited workers from the city of Philadelphia for the State of Florida in the hopes of getting some work done for a few weeks. The workers do not want to go to a distant place when they have their eyes on some work that they hope to get in their own State.

So there is an abundance of human nature involved in this kind of thing. We cannot call out people who do not want to climb ladders into tall trees and who do not feel it is safe for them to do so, people who are holding on to the hope that they will be employed again in coal mines or factories where they are accustomed to being employed.

We have to do the best we can to attract them, but when they do come, they do not want to do the hard and necessary work, and when they come and are unwilling to stay, as was cited by my friend from West Virginia, the grower is left with a crop that must be handled quickly, without dependable labor.

It is a cruel problem that is forced on growers who may have placed their whole life's investment in a grove of apple trees or citrus trees or date trees in the Coachella Valley, and who are forced to the necessity, under the present situation, of being uncertain, up to the moment when they conclude the picking of their crop, whether they are going to be able to realize on the fruits of their investments and the fruits of their labor all year round. It is a problem which calls for effective and affirmative action.

I am glad my friend from West Virginia is calling attention to that aspect of the problem which arises in the valleys and mountains of his good State and the apple orchards which are a part of the area of the State to which he has reference.

Mr. RANDOLPH. Reference has been made to the example I gave. I wish to repeat it. We have a tricounty labor camp at Martinsburg, W. Va. In 1964 a group of 26 growers made earnest attempts to recruit workers in 14 States and the District of Columbia—160 persons agreed to accept employment for the period of the harvest. At the end of the season there were six workers who remained.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to my very capable colleague from New Jersey.

Mr. WILLIAMS of New Jersey. I appreciate that statement. Perhaps one or two questions might help us understand the situation as it particularly affects the State of West Virginia. The first question is, Does the Senator know the wage rate currently offered, in what he has described as an active recruitment program of domestic workers?

Mr. RANDOLPH. I do not know the exact wage rate. I shall be glad to supply it for the RECORD.

Mr. WILLIAMS of New Jersey. I understood there was to be only a brief discussion tonight. I understand that tomorrow there will be a lengthier discussion of this subject by the Senator from Florida and the Senator from California.

Does the Senator know what the percentage of unemployment is in West Virginia?

Mr. RANDOLPH. The present percentage of unemployment is approximately 6 percent.

Mr. WILLIAMS of New Jersey. Does that put his State in an area of distress? Is this one of the areas placed in what is known as the Appalachia program?

Mr. RANDOLPH. Yes; it is in that program. Unemployment in our State has been coming down, and I am happy to report that fact. Of course, we have counties that still have a high unemployment rate, 15 to 18 percent.

Mr. WILLIAMS of New Jersey. I would like to make an observation. I am sure there are areas of harvest in which particular skills are needed, such as for dates, but I have heard the senior Senator from Vermont [Mr. AIKEN] state that during the apple harvest in his State, it is the practice for Boston letter carriers and post office clerks to take their vacations and go to Vermont and pick apples. This evidently is one crop which does not require hereditary skill to pick.

Mr. RANDOLPH. The trouble is with the harvest.

Mr. WILLIAMS of New Jersey. We have not come to the harvest yet. Last year we had in effect the offshore labor program.

Mr. RANDOLPH. If we had not had it, we would not have been able to harvest the apples last year.

Mr. WILLIAMS of New Jersey. Is the Senator speaking about last year?

Mr. RANDOLPH. I am telling the Senator what happened last year, and in 1961, 1962, and 1963, when we made a sincere effort to recruit workers.

Mr. WILLIAMS of New Jersey. Could the Senator supply for the RECORD what areas and what growers have applied for certificates for offshore workers? I am sure the Secretary of Labor has that information.

Mr. RANDOLPH. I am sure it is available.

Mr. WILLIAMS of New Jersey. I do not want to prolong the discussion tonight.

Mr. RANDOLPH. I think it is an appropriate question. I do not want to curtail this discussion.

Mr. WILLIAMS of New Jersey. I refer to the applications that have been presented to the Secretary of Labor for accreditation for the importation of foreign workers.

Mr. RANDOLPH. And also the prevailing wage rates.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. HOLLAND. While the Senator from New Jersey is here, I invite attention to the fact that the Senator from Vermont [Mr. AIKEN] has in previous appearances on the floor in speaking about this matter, advised the Senate that the commercial growers of apples have relied on workers from Florida to do the apple picking. They get local people, but they have had to rely on Florida pickers who were up there for the time being and who, he said, did a satisfactory job, and who are expected to come up there annually.

Mr. WILLIAMS of New Jersey. Are they natives of Florida?

Mr. HOLLAND. I believe these particular ones are natives. Of the 20,000 to 22,000 pickers that we have had, the majority have been from Florida and adjoining States. I believe the largest number employed from offshore areas for citrus picking has been 5,000 to 6,000 out of the 20,000 to 22,000.

The fact that the letter carriers and other people of sound mind and limb are willing to pick apples in Vermont does not mean that the problem of apple picking is solved. The Senator from Vermont has stated twice, as the Senator will find from the RECORD, that they have had to rely on seasonal employment of Florida citrus pickers. Without them they would be unable to pick the crop.

Mr. WILLIAMS of New Jersey. I thank the Senator. That simplifies the problem. As I have previously pointed out, with adequate wages, simple but wholesome homes, some care for the tots, and education for the children, the Senator has proven that American workers can do the job. By giving them the right conditions, people will do the job, and they will not be unemployed. They will not need relief and unemployment programs and human disaster programs, such as is called for by the Appalachia program.

Mr. HOLLAND. If the Senator will yield, my distinguished friend is correct when he says that there are many domestic workers who work in the fields picking oranges and apples and doing work that is arduous and dangerous in the agricultural field, but we still need a supply of supplemental workers who will make it possible to complete the harvest.

In my State we produce twice as much citrus fruit as the number of apples produced all over the Nation. Those who are willing to pick the fruit can make $18 to $20 a day. They are glad to make the money. The trouble is that not 1 out of 50 wants to climb the high ladders and pick the fruit. It is an arduous and strenuous job.

It is just unsound to think that an unemployed coal miner from West Virginia, in Cabincreek, or various places where unemployment exists—and it is serious—because he is used to working underground in a coal mine, is willing or able to climb a 30- or a 40-foot ladder and pick citrus or apples. It is ridiculous to think that because there are unemployed persons whom we zealously try to get to do our necessary agricultural work, they are all equipped or willing or able to do the work. They are not able to do so. This applies, of course, to the apple orchards in West Virginia, a lovely place in which to be. There is every inducement in the world for people to go there, if they are able to do this kind of work. However, very few people are willing—still fewer are able to do that kind of work.

Mr. WILLIAMS of New Jersey. I should like to wager a good product of New Jersey against a crate of citrus fruit from Florida that any apple tree which is 50-feet high is quite an apple tree.

In the pruning—which is something which the Senator from West Virginia might know—the purpose of the pruning is to round off the apples and have them grow more laterally than horizontally; is that not correct?

Mr. RANDOLPH. The Senator is correct.

Mr. WILLIAMS of New Jersey. In other words the ladders are relatively close to the ground. Dates, I believe, are an exception.

Mr. RANDOLPH. They are not close to the ground.

Mr. MURPHY. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. MONDALE in the chair). Does the Senator from West Virginia yield to the Senator from California?

Mr. RANDOLPH. I yield.

Mr. MURPHY. If I may interrupt for a moment, I believe that the lateness of the evening is confusing the colloquy. We are speaking about apples in one case. We are going to be talking about peaches. I can talk about grapes. Tomorrow I shall discuss tomatoes. I shall talk about stoop labor.

Mr. HOLLAND. Tell the Senate about dates.

Mr. MURPHY. The son of a very dear friend of mine, Gene Tunney, the former world's heavyweight champion, is about the same size as his father. He went down the Coachella Valley to see for himself. He told me that he would not get up on one of those ladders. He said, he had great difficulty when he tried even to move one—and he is as big as I am and weighs even more. This is not work that someone picked up from the street could do. It is expert work. The same is true of a man who is a tool or diemaker, or a carpenter. It is unfair to tell someone, "You get up on that ladder," or "You stoop off that road." I placed in the RECORD, when I previously spoke on this subject, concerning a one-armed worker who picked strawberries in the Salinas Valley, and who was making $25 to $27 a day with one withered arm, but he was working to beat the band. Another worker was doing quite well, but there was another group of workers who had worked only half a day and they had "had" it.

This is tough work—work in which one stoops along and looks up at the farmer. If the farmer uses novices, and the farmer goes through the crop and finds that only half of the crop has been picked, he cannot afford to lose that much of his crop. Perhaps for 1 year he could stand the loss, but the loss has to be made up somewhere.

Where? At the expense of the housewife.

Increased prices are being reflected in the markets around the country. This is only the beginning. The real reflection will come in October and November. These are considerations involved in the pruning of trees. Pruning is done differently in the State of Oregon because the trees are larger there. No doubt the Senator from Oregon [Mr. MORSE] will have something to say on that subject tomorrow.

The Senator from West Virginia has made the point which my good friend the Senator from Florida has made, and which I have tried to make, namely, that various programs of recruitment have been tried.

They are not new. The Secretary of Labor did not think it up. It has been going on for years. It has been ineffective. It has not worked. The Secretary of Labor wrote certain criteria at the outset. He said, "If you wish to do this and it does not work, you will get some supplemental labor."

Braceros from Mexico have historically come in. They have qualified for the work. They have done everything asked of them. Now the Secretary of Labor says that a new set of rules will be set up, and that we are to take the A teams.

Tomorrow I shall discuss that subject. I have all the records as to how much they work, how many are on the job, and how much it costs to bring them in. All these costs must be passed on to the housewife. Tomorrow, when I go into the subject fully, I believe that Senators will find answers to nearly all their questions.

Mr. WILLIAMS of New Jersey. May I ask, in anticipation of tomorrow's debate, whether I could be supplied with the percentage of farm laborers which are Americans, and the percentage which are imported from outside the United States? Also the percentages in past years and for this year in California and Florida? We cannot get these figures from the Senator from West Virginia because the harvest season in his State has not yet arrived.

I agree with Senators that it is rather late in the evening to debate, and although we are having a pleasant conversation here, it is important for us to know the facts.

Mr. RANDOLPH. I believe that we present the facts here as to the West Virginia situation and other States.

Mr. WILLIAMS of New Jersey. We should have tables, charts, and graphs, as was the case in the House of Representatives yesterday.

Mr. MURPHY. I shall bring everything in and explain it fully.

Mr. RANDOLPH. I am glad that my colleague knows that we were dealing in facts.

Mr. WILLIAMS of New Jersey. That is why I asked for the wages offered to apple workers in West Virginia.

Mr. RANDOLPH. I have the information in answer to the Senator's questions. I had no clerk from the committee with me today, as does the Senator from New Jersey, who has with him his staff member from the Migratory Labor Subcommittee. I did not have anyone with me to assist me, but the information has been received from my office.

The wage rate being offered during the recruiting is $1.15 an hour. This, I believe, was the rate established by the Labor Department for West Virginia. Also, there have been no applications for accreditation of foreign workers. This is because it is too early to apply under the standards set, again, by the Labor Department. In good humor, let me say that we all share concern for the American worker. Let us not forget that. We all share this concern. To those talking about the situation let me say frankly that good theory is not always practicable in the light of the hard facts which the Senator from New Jersey stresses.

Mr. WILLIAMS of New Jersey. Will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. MURPHY in the chair). Does the Senator from West Virginia yield to the Senator from New Jersey?

Mr. RANDOLPH. I yield.

Mr. WILLIAMS of New Jersey. I agree that what we are concerned with here is the American worker.

Mr. RANDOLPH. I have said so repeatedly.

Mr. MURPHY. There is no controversy on that point.

Mr. WILLIAMS of New Jersey. I shall be in the Chamber tomorrow.

Mr. RANDOLPH. I thank the Senator very much for being with us.

TIGHT MONEY POLICY OF FEDERAL RESERVE BOARD

Mr. HARTKE. Mr. President, today the New York stock market once again attempted to rally. Throughout the day it has moved widely both up and down, on very heavy volume. The stock market's behavior ever more clearly reflects the great question which now confronts everyone who participates in the American economy. For investors will not buy stocks and hold them unless and until they can be certain that Government policies will not artificially choke off the great and growing prosperity we enjoy. On Friday, June 25, and on Monday, June 28, I called for reversal of the current tight money policy of the Federal Reserve Board and immediate liberalization of stock market margin requirements—not as signs of fear on the part of the administration, but rather as ways to demonstrate the determination of the administration that our record-breaking economic expansion will not grind to a halt. For the danger is not that the American economy will run out of gas. Nor is it that it will use up the gasoline too fast through overheating. The clear and present danger is that the supply of gas—the money supply which the Federal Reserve Board controls—is being cut off. This is the third time I have appealed for determined administration action to affirm the underlying strength of the American economy. I will continue that appeal tomorrow.

THAT MARTIN SPEECH—"BUST" DOES NOT NECESSARILY FOLLOW "BOOM"

Mr. PROXMIRE. Mr. President, the now famous speech by Federal Reserve Chairman William McChesney Martin in which he pointed to disquieting similarities between the present and the 1920's, had overtones which the newspapers and observers perforce interpreted as a warning of boom-bust perils. Perhaps this domestic boom and bust aspect was overstressed in the headline reporting and later discussions of a speech intended by its author to focus attention upon the international monetary situation. It was taken, nevertheless, to support a widespread fear that current economic policies, if pursued, are likely to lead to some "overheating" of the economy and that overheating, inflation, or boom inevitably mean collapse. While Mr. Martin at Columbia University was emphasizing the dangers of the current international monetary situation, he has at times in the past seemed to defend tight money on the ground of fending off a subsequent bust.

I think economists and noneconomists alike will find much food for thought on this score in a quotation from a staff report of the Joint Economic Committee on the January 1948 Economic Report of the President. This staff report was prepared by the late Dr. Charles O. Hardy who was then staff director. Dr Hardy was an internationally known and distinguished economist. The words which he wrote long ago were, it must be remembered, written at a time when inflation was indeed a real threat. In contrast to the immediate postwar period, the tendency of the monetary authorities today is to view inflation as inevitable.

Dr. Hardy's analysis is of interest today in lending historical perspective to the pessimistic observation one often hears which asserts that downswings are fated throughout eternity to come after upswings and upswings are equally eternal after downswings. Frankly I have felt for a long time that in a free economic society there is an inherent tendency, suggested historically, for economic growth to fluctuate. However, that is far from saying that all periods of economic growth—nonspeculative as well as speculative research and equipment expansion or inventory expansion, must end in a hair-curling depression.

I ask unanimous consent that Dr. Hardy's still timely observations of 1948 from the joint committee's report be printed in the RECORD at this point.

There being no objection, the excerpts from the report were ordered to be printed in the RECORD, as follows:

DANGER OF BAD EFFECTS IN FUTURE

The main reason given in the report for immediate adoption of an anti-inflationary program is that price inflation is creating great danger of a future collapse of prices and production: "* * * what most fully justifies every effort to halt an inflation is the certainty that, if it runs its course unimpeded, it will spread in its wake the disaster of falling markets, unemployment, and business losses.

"One can only be certain that, if permitted to run its own course, it [the inflation] will break with destructive force".

This is one of the most popular current doctrines about the causes of panics and depressions. It is constantly brought forward as a reason for controlling prices or for other anti-inflationary programs. Only rarely, however, is anything said about the reasons why an inflationary boom should be expected to generate a depression. It is generally stated either as a logical truism or an historical observation. As a truism it has no more serious basis than an analogy with the laws of gravitation—the higher a rocket goes the farther it falls. Historical observation does not of itself tell us more than the obvious fact that downswings must come after upswings, just as upswings must come after downswings; it does not tell us whether upswings generate downswings, or downswings upswings, or whether the doctrine that inflation directly generates depression is to be taken seriously it must be for more cogent reasons than these.

The report does not offer a complete analysis of the causal relations underlying the sweeping statements quoted in the preceding paragraph, but it does contain two brief statements which suggest possible explanations of the connection between a price inflation dated today and a collapse of production dated tomorrow. One has to do with excessive investment, the other with adequacy of purchasing power. Immediately following the first passage quoted above, occurs the following statement:

"A rapid general rise in prices has the effect of unduly bunching investment in inventories and equipment at early dates and according to distorted calculations of possible profit" (p. 44).

This is, we believe, a correct statement of what has sometimes happened and may happen again. But the bunching of investment in inventories is quite a different thing from the bunching of equipment orders. With reference to inventories, accelerated buying may be stimulated either by the hope of making a speculative profit, or by fear that as demanded increases it may become more difficult to get deliveries of inventory goods. With regard to speculation, the report goes on to say (p. 44):

"Rising prices breed upon easy access to credit, which supports the trend. They introduce speculative activities which also support the trend. They produce a price structure which is increasingly sensitive and precarious and vulnerable to changes in business and consumer expectations, spending, and investment.

"At whatever point these developments induce a reversal of business sentiment or a withholding of consumer demand, some markets weaken, with a spreading impact. Caution dictates the withholding of demand. Buying for inventory, capital expansion, and consumption decline. A decline of production necessarily follows, spreading unemployment and loss of income from point to point in a widening and deepening downward spiral."

We agree that a speculative price level is highly vulnerable to disturbing factors. In fact, it is not just advances in prices, but speculative booms, in which prices are made on the basis of expectations of further advance, that bring on disastrous liquidations of inventories. A recent Federal Reserve System study describes this type of inflation as follows:

"The speculative type of inflation often occurs in an advanced stage of expansion when prices have risen long enough to create a general belief that they will keep on rising. The value of the total stock of money falls, while its nominal quantity remains inflammatory because the rise in prices, instead of curtailing the demand, stimulates it. This is the kind of inflation which has given rise to the false maxim that a boom is inevitably followed by a collapse. The maxim is true only if many prices have reached a level which people pay only because they think they can sell before the boom is over. When this stage is reached, it is only a question of time till prices collapse. The boom cannot level off, because too many holders are in the market only as in-and-out traders. Any price is too high from such a trader's standpoint unless he thinks it is going higher. The booms of early 1917 and early 1920 are familiar cases of this type of inflation." [1]

The Florida land boom of 1926 and the stock market boom of 1928–29 were precisely of this character. The same was true in a less extreme form of the commodity boom of 1920. We question, however, the statement on page 42 of the report that in the last half of 1947 there was a great upsurge of speculative activity. We do not believe that speculation for a further rise was a major factor in recent price advances. However, this is not an easy matter to determine. Speculation is often more obvious in retrospect than at the time of its greatest price influence.

With respect to bunching of investment in equipment, the bad results attributed to rapidly rising prices seem to us more doubtful than in the case of inventory accumulation, though potentially much more important. Presumably the assumption underlying the report is that high or rising prices widen the profit margins of producers so much that considerable numbers of them simultaneously expand their productive investment until overcapacity develops, orders for new equipment fall off, and the equipment industries suffer depression.

It cannot be questioned that a burst of investment in equipment sometimes occurs, and that the ensuing deficiency of demand for equipment, because of the durability of equipment, may last for a long time. Such a deficiency of demand for equipment may appear even when the demand for consumer goods has not fallen off, but has stopped expanding at the rate which generated the equipment boom. The machine tool industry, for example, is notoriously a feast-or-famine industry; indeed it is now operating far below capacity in spite of a general boom.

The statements quoted from the report, however, seem to us to exaggerate the role played by price inflation in this process. The bunching of investment in equipment during a boom is not initiated primarily by the price rise as such, but by the high volume of sales, which taxes the capacity of existing equipment and would tax it even more if prices were prevented from rising—because demand would be still greater. When orders are outrunning capacity, price control, at a level high enough to yield a profit, does not destroy the incentive to expansion. In fact, a general price rise usually does not of itself make investment more attractive, since the prices of equipment are apt to go up even more than the prices of the final goods which they help to produce. Aside from nominal profits of inventory appreciation, it is high volume rather than high profit margins that gives high total profit to manufacturers in boom times.

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[1] "Prospects of Inflation in the Transition Period" (Charles O. Hardy), in "Postwar Economic Studies," Board of Governors of the Federal Reserve System, No. 4, "Prices, Wages, and Employment, 1946," p. 6.

From a later statement we infer that the report does not intend to suggest that during the present boom purchases of equipment have been excessive.

"We are now in the stage where the improvement and modernization of our national productive plant has a high priority claim on our resources. Nonetheless, after the most urgent deficiences in our national plant have been overcome, and the extraordinary export surplus has been reduced, a very substantial increase, both absolute and relative, in individual consumption will be possible and necessary" (p. 79).

The doctrine that price booms generate excessive investment in equipment seems out of harmony with certain principles laid down in the 1947 Annual Report of the Council of Economic Advisers, which says:

"Aside from certain temporary shortages of materials, the main obstacle (to adequate capital provision for sustaining maximum production) is the concern—well founded or ill founded—on the part of business managers that the maximum development of capacity and production will lead at some time in the foreseeable future to overexpansion or overproduction with consequent business losses of a serious or even catastrophic character."[3]

The President's report expresses concern lest the inflation lead to excessive bunching of investment, while the council fears that businessmen will check investment in anticipation of such an excess. The fact is that errors of both kinds are constantly being made. Some businessmen are induced to invest freely by a high volume of demand, accompanied by the low credit losses which characterize an inflationary boom. This tendency is accentuated when interest rates are prevented by credit policy from rising as the demand for credit rises. Other businessmen however, view the cost level of the boom with alarm and postpone the purchase of equipment. Neither attitude is reprehensible; and no trouble occurs if the expansion programs of some are balanced by the precautionary restrictions of others. Excessive booms and depressions occur when there is too much unanimity either of optimism or of pessimism.

LINCOLNTON, N.C.—AN SBA SUCCESS STORY

Mr. PROXMIRE. Mr. President, 1 day last week a community in the South had a celebration which has a special meaning for every community in America. It shows what is possible when local initiative combines with what President Johnson has called the partnership of business and government—Federal, State, and local.

The community is Lincolnton in the county of Lincoln, N.C. The celebration was on June 17. Citizens dedicated the occasion as Small Business Administration Day.

They recognized the assistance SBA's local development company program had given the citizens of Lincolnton in rebuilding their economy.

The story of Lincolnton is the legend of the mustard seed and bears repeating.

Two and one-half years ago Lincolnton, a town of some 6,000, and the County of Lincoln, had an unemployment rate of 12.1 percent and prospects for the future were dim.

Jobs were scarce and growing scarcer. Young people were leaving home to find work elsewhere. Stores were closing and real estate values were falling. The schools badly needed help, but selling bonds to revitalize the school system was out of the question. Lincoln and Lincolnton were too poor.

It was at this point that some of the townspeople heard about SBA's local development company program, and how it helped communities that helped themselves. A group of citizens took the initiative. They formed a private community development corporation known as Lincoln Industries.

Their purpose was to build a new economy, and create the jobs that were so badly needed. Profits were secondary. Before long, opportunity struck and right in Lincolnton's own backyard.

One of their few businesses, a manufacturer of upholstered furniture, wanted to expand. He needed $375,000. He could not get it.

The community development corporation, Lincoln Industries, took a look at the project and decided this was the sort of business that would help strengthen their economy, and provide some of the new jobs they needed.

Lincoln Industries turned to SBA's local development company program—sometimes called the 502 program for assistance. The credit of the project was checked, its feasibility reviewed, and management capability looked into.

The project was sound. Lincoln Industries then turned to the citizens of Lincolnton and Lincoln County to raise 20 percent of the funds required. Response was overwhelming. In almost no time at all, Lincoln Industries had sold $75,000 stock to cover its 20-percent investment in the project. Said one citizen "These dollars are our commitment to the future of Lincolnton."

The Small Business Administration loaned Lincoln Industries the other 80 percent, or $300,000, that was needed at terms of 25 years and 4-percent interest. Lincoln Industries in turn loaned the total amount of $375,000 to the small business. The expansion was completed, and 132 more citizens in Lincolnton went to work.

This was only the beginning. In the next 30 months Lincoln Industries, assisted by SBA's local development company program, completed 16 additional projects. Ten are industrial plants of textiles, hosiery, furniture, and warehousing. Six are commercial enterprises. And Lincoln Industries with the assistance of Area Redevelopment Administration established another manufacturing plant.

The results are dramatic. For an investment by local citizens of $744,000, assisted by local banks with $147,000 and SBA with $3,030,000, Lincoln Industries had 17 new or expanded businesses which created 833 new direct jobs. What is the economic impact of SBA's local development company program on Lincoln County?

First. Unemployment dropped from 12.1 to 4.3 percent.

Second. While the 17 businesses made possible by SBA's local development company created 833 jobs, these direct jobs created indirectly an additional 2,200 new jobs.

Third. With the creation of these jobs, the outward migration of young people has stopped.

Fourth. Retail sales in Lincolnton increased $5 million from 1963 to 1964.

Fifth. The citizens, feeling the results of the new prosperity, voted a $2½ million bond issue to improve their schools.

Sixth. Impressed with the Lincoln County's new prosperity, two new manufacturing firms have established plants in Lincolnton for which no financial assistance was required.

Seventh. The State and county have established a new 2-year technical training school.

Eighth. The State has established a new 4-year college in the county.

This story of Lincolnton came out in hearings held last Friday by the Senate Banking and Currency Subcommittee on Small Business of which I am chairman.

I was most impressed, not only because it shows what the local development program can do to help a community that helps itself, but it also showed that the local development program has finally gotten underway.

Many of us have been convinced of the value of this program, based as it is on the principle that each community bears a major responsibility for its own economic health and growth. This 502 program not only puts decisions at the local level, it gives economic development muscle to the efforts of local citizens.

My subcommittee has been concerned that more results were not shown by this program.

I take this opportunity to commend the SBA Administrator Gene Foley for the results his emphasis on 502 has brought about.

In the last 18 months under Mr. Foley, this program has made more loans than were made in the previous 5-year period. In fact, as our hearings brought out, in the current fiscal year the 502 program has made 246 loans with 20 additional approvals expected by June 30.

This compares with a total of 265 loans made from the inception of the program in 1958 through fiscal year 1963.

Beyond this, a year ago the program had operated in only 35 States, whereas today it operates in 47.

The results of this dramatic increase in SBA's local development company activity is evident throughout the country. Alaska has used the 502 program as one of the principal means for rebuilding its economy since the earthquake. Illinois has used it to reestablish small business in an urban renewal area. This program is not limited to redevelopment areas. It provides a valuable economic development tool to help the economically healthy community as well.

Within the week I will send each Member of the Senate a brief report on what SBA's local development company program has done to date in your State, along with information about the program so that you see how best it might assist in the further development of your State.

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[3] P. 11. Compare also pp. 17–18.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL BILLS INTRODUCED

Additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FANNIN:

S. 2226. A bill to amend the National Labor Relations Act so as to require a Board-conducted election in representation cases unless the employer has engaged in a course of conduct in violation of section 8 of such act; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Fannin when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 2227. A bill to make bedding subject to the provisions of the Flammable Fabrics Act; to the Committee on Commerce.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF NATIONAL LABOR RELATIONS ACT

Mr. FANNIN. Mr. President, I introduce for appropriate reference a bill to amend the election procedures of the National Labor Relations Act. The testimony given last week before the Labor Subcommittee on S. 256 to repeal section 14(b) of the Taft-Hartley Act has strengthened my convictions about the principle of right to work and the need to preserve the States authority to act in this field. There is no justification, legal, economic, or moral for sanctioning a law which requires a man to join a union in order to earn a living. I shall present my arguments on this issue in detail at the appropriate time. But the testimony at the hearing points up a number of areas where remedial legislation is needed to protect the rights of individual employees. One such area relates to the matter of selecting bargaining representatives and to the growing evils of requiring bargaining on the basis of card checks rather than elections.

Reliance on card checks instead of secret ballot elections by the National Labor Relations Board is increasing. If it is not slowed down, sections 9—election machinery—and 8(c)—free speech—may as well be repealed. While Congress is struggling to secure the right to vote for all Americans, the National Labor Relations Board is eliminating such right for the American workingman in determining union representation. The card check once regarded as the preliminary to "sweetheart" contracts has in the Board's opinion become most respectable. The Board's recent thinking seems to be that authorization cards are a true and valid indication of employee desires. This is not so. An employee at all times should be entitled to the right to vote for or against a labor organization, especially where a majority of employees can by that action initiate collective bargaining which can provide for a union shop. Most employees when they sign authorization cards today expect that they will at some later time be able to exercise their right to vote, but the National Labor Relations Board has taken that right away by requiring that an employer bargain without an election if the union has presented him with 51 percent of the authorization cards.

The proposal I am introducing today, which I refer to as a right-to-vote bill, is a moderate one and, in fact, writes into legislation what the National Labor Relations Board states is the law. This bill would require an election but would limit the requirement by the words, "unless the employer shall have engaged in a course of conduct in violation" of the unfair labor practice provisions of the act. Under this bill the National Labor Relations Board would have to prove that the employer undertook a course of conduct which violated the law with the intent of undermining the majority secured by the union.

Under this bill an employer could be ordered to bargain by the National Labor Relations Board upon the basis of a card check. However, this would be so only where the union had a majority secured without coercion or misrepresentation and the employer had violated the law by committing unfair labor practices with the intent of destroying the majority. There could not be a "sweetheart" contract.

This bill is somewhat similar to other legislation recently introduced in this area but with important differences. I am hopeful that the Senate Labor Committee will consider this proposal at an early date.

I ask unanimous consent to have the text of the bill printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2226) to amend the National Labor Relations Act so as to require a Board-conducted election in representation cases unless the employer has engaged in a course of conduct in violation of section 8 of such act, introduced by Mr. Fannin, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2226

A bill to amend the National Labor Relations Act so as to require a Board-conducted election in representation cases unless the employer has engaged in a course of conduct in violation of section 8 of such Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9(a) of the National Labor Relations Act, as amended, is amended by inserting before the first proviso therein the following: "*Provided further,* That such bargaining representatives shall have been certified by the Board as the result of an election conducted in accordance with section 9(c), unless the employer shall have engaged in a course of conduct in violation of section 8 with intent to undermine a majority secured without coercion or misrepresentation by the labor organization or organizations seeking recognition in accordance with section 9(c):".

Sec. 2. Section 10(c) of such Act is amended by inserting before the period at the end of the third sentence thereof a colon and the following: "*Provided further,* That the Board shall not issue an order to bargain in any case in which the bargaining representative shall not have been certified as a result of an election conducted in accordance with section 9(c), unless the employer shall have engaged in a course of conduct in violation of section 8 with intent to undermine a majority secured without coercion or misrepresentation by the labor organization or organizations seeking recognition in accordance with section 9(c)".

ADDITIONAL COSPONSORS OF BILL

Mr. MAGNUSON. Mr. President, at its next printing, I ask unanimous consent that the names of the senior Senator from Ohio [Mr. Lausche], the senior Senator from Rhode Island [Mr. Pastore], the senior Senator from Maryland [Mr. Brewster], the junior Senator from Oregon [Mrs. Neuberger], and the junior Senator from Kentucky [Mr. Morton] be added as cosponsors of the bill—S. 1727—to provide for strengthening and improving the national transportation system, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE FLAMMABLE FABRICS ACT OF 1954

Mr. MONDALE. Mr. President, I introduce, for appropriate reference, a bill designed to amend the 1954 Flammable Fabrics Act.

That act was the product of public and congressional reaction to a tragic spate of deaths and serious burnings resulting from the merchandising of highly flammable cowboy suits and rayon pile sweaters. The amendment I offer today would strengthen the 1954 act by including dangerously flammable bedding products within the protective scope and safety requirements of the act.

I believe, Mr. President, that the attention given the menace of highly flammable clothing over a decade ago must now be revived and focused on highly flammable bedding. As Vice President Humphrey pointed out when introducing similar legislation during the last session, the same highly flammable material prohibited in the manufacture of "explosive sweaters" can now be found in blankets used with unknowing confidence in millions of American homes. Only quick, concerted congressional action can eliminate this unconscionable hazard to the health and well-being of our Nation.

As a protection to the consumer, this bill requires little justification. Because of the intensity and speed with which certain fabrics burn and the relative ease with which they ignite, they pose a particularly immeasurable threat to the sleeping user. Our concern with bedding—mattresses, sheets, and blankets—is accordingly most acute; for the user of a highly flammable quilt, pillow, or mattress has little or no chance of escaping or extinguishing a fire before he has sustained serious, even fatal burns.

Mr. President, rigorous scientific research has demonstrated that exposure of certain bedding to a burning cigarette, even for a single moment, can initiate a process of flameless combustion producing quantities of poisonous gases sufficient to suffocate a sleeping user without arousing him to consciousness. Various studies of fire casualties have underscored the role of flammable fabrics as a causative factor. The Metropolitan Life Insurance Co. has estimated that 13 percent of the fire fatalities among its insurees were traceable to items such as bedding, upholstery, curtains, and draperies. Another study revealed that between 1959 and 1962, 42 percent of fire fatalities in the Cleveland area were directly attributable to ignition of clothing, bedding, or fabrics on furniture. A similar study from Colorado attributed fully 50 percent of fatalities to this same cause, and reports from other States carry the same sad message.

Within the general category of highly flammable bedding are those items designated as "infant receiving blankets." My distinguished colleague from Oregon, Senator NEUBERGER, sought to have these baby blankets included under the coverage of the original act during the last session. The happy fact that not a single case of infant fatality resulting from ignited receiving blankets was uncovered during last year's discussion does not dissuade me from recognizing the tremendous threat which such blankets pose. With or without recorded fatalities, the fact remains that not every mother knows that certain unlaundered receiving blankets take less than a second to ignite when exposed to flame.

The real tragedy of those grim statistics cited earlier is that they represent deaths which could have been prevented. Chemical processes have been developed which considerably retard the combustibility of fabrics thusly treated. Consumer awareness of the highly flammable character of certain blankets might have sharply reduced their purchase, thereby causing manufacturers either to label such blankets clearly or to treat them with certified flameproofing methods. Unfortunately, consumer awareness of this lingering hazard has been largely dormant and producers have rejected the chemical treatment process, contending that the public would refuse to absorb the additional cost involved.

Today, 11 years after the enactment of the Flammable Fabrics Act, two developments have taken place. On the one hand, we now possess adequate documentation of the dangers posed by "explosive bedding." On the other, we now possess methods of manufacturing safe, "nonexplosive" bedding. It now remains for us to relate these two developments—to prevent the one by encouraging the other.

Mr. President, this bill will prevent the interstate marketing of bedding which fails to meet even present safety requirements. It will remove certain blankets from the interstate market immediately. It will focus public attention upon the whole problem of flammable fabrics, and encourage discussion of methods we now have for retarding flammability by chemical treatment. It will also educate consumers to purchase bedding with an eye to safety as well as appearance and price. Above all, this amendment to the Flammable Fabrics Act of 1954 will save lives.

This bill embodies an urgent and necessary program of action which we can neglect only at the peril of further loss of lives. Both logic and rational consistency demand that if clothing produced of highly flammable materials is prohibited as a menace to the public welfare, then bedding made from the same materials must be banned as well.

President Kennedy asserted and President Johnson reaffirmed in his message on the American consumer, that each American has certain basic consumer rights. It was by no accident, Mr. President, that the first of those basic rights, set forth on March 15, 1962, and reaffirmed before the 89th Congress, is the fundamental right to safety.

Our responsibility for the early enactment of this legislation, Mr. President, is clear and compelling. I ask unanimous consent that this bill be left on the table for 10 days for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 2227) to make bedding subject to the provisions of the Flammable Fabrics Act, introduced by Mr. MONDALE, was received, read twice by its title, and referred to the Committee on Commerce.

RECESS

Mr. HOLLAND. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate stand in recess until 11 o'clock a.m., tomorrow.

The motion was agreed to; and (at 6 o'clock and 49 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Wednesday, June 30, 1965, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate June 29, 1965.

U.S. MARSHAL

Harry C. George, of Illinois, to be U.S. marshal for the eastern district of Illinois for the term of 4 years. (Reappointment.)

James H. Dillon, of Wisconsin, to be U.S. marshal for the eastern district of Wisconsin for the term of 4 years. (Reappointment.)

Adam J. Walsh, of Maine, to be U.S. marshal for the district of Maine for the term of 4 years. (Reappointment.)

U.S. ATTORNEY

John O. Garaas, of North Dakota, to be U.S. attorney for the district of North Dakota for the term of 4 years. (Reappointment.)

Claude Vernon Spratley, Jr., of Virginia, to be U.S. attorney for the eastern district of Virginia for the term of 4 years. (Reappointment.)

U.S. MARSHAL

Robert F. Morey, of Massachusetts, to be U.S. marshal for the district of Massachusetts for the term of 4 years. (Reappointment.)

Orville H. Trotter, of Michigan, to be U.S. marshal for the eastern district of Michigan for the term of 4 years. (Reappointment.)

Hugh Salter, of North Carolina, to be U.S. marshal for the eastern district of North Carolina for the term of 4 years. (Reappointment.)

Frank W. Cotner, of Pennsylvania, to be U.S. marshal for the middle district of Pennsylvania for the term of 4 years. (Reappointment.)

Charles N. Bordwine, of Virginia, to be U.S. marshal for the western district of Virginia for the term of 4 years. (Reappointment.)

IN THE ARMY

I nominate the following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. John Arnold Heintges, 020281, Army of the United States (brigadier general, U.S. Army) in the grade of lieutenant general.

IN THE NAVY

Rear Adm. Robert Goldthwaite, U.S. Navy, when retired, for appointment to the grade of vice admiral pursuant to title 10, United States Code, section 5233.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 29, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Mark 12: 32: *The Lord our God is one.*

Almighty God, who art the Fountain of life, and the goal of all our aspirations, wilt Thou fill our hearts with Thy presence and may we feel that Thou livest in us and that we have our joy and peace in Thee.

We humbly acknowledge that we often try to make our universe a home for ourselves alone. Help us to find our true citizenship in our sense of a common oneness with Thee and a common fellowship with one another.

May we realize that we will never lay our heads down in security and peace until we have learned to live in peace with our fellow men and have put away all the injustice, cruelty, and brutality, and those inhuman relationships which make us homeless wanderers in our universe.

Help us then to live in a generous, brotherly, and neighborly spirit that we may know God and also be citizens of the Great Society, that is at home with one another in a universe that will be from everlasting to everlasting.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced

that the Senate had passed without amendment bills of the House of the following titles:

H.R. 4493. An act to continue until the close of June 30, 1967, the existing suspension of duties for metal scrap; and

H.R. 8131. An act to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2984. An act to amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and providing increased support for the program, to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare, and for other purposes; and

H.R. 2985. An act to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8439. An act to authorize certain construction at military installations, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mr. CANNON, Mr. SALTONSTALL, and Mrs. SMITH to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 596. An act to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases; and

S. 2154. An act to amend the act establishing the United States-Puerto Rico Commission on the status of Puerto Rico.

THE LATE SAMUEL LAFORT COLLINS

Mr. UTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, I have the sad task this morning of announcing to the Members of the House the passing of a former Member of this body, Mr. Samuel L. Collins, who served here from 1933 to 1937. Mr. Collins then was elected to the Assembly of the State of California where he served as speaker.

Mr. Collins passed away last Saturday, June 26.

I express to his family the regrets of myself and my family at the passing of Mr. Collins, and I hope that Mrs. Collins and the children will carry on with the same faith with which they have always carried on.

The biography of Mr. Collins follows:

BIOGRAPHY

Samuel LaFort Collins, a Representative from California; born in Fortville, Hancock County, Ind., on August 6, 1895; attended the public schools of Indiana and California and was graduated from Chaffey Union High School of Ontario, Calif. in 1915; enlisted as a private in the Hospital Corps. 75th Infantry, California National Guard, on June 21, 1916, served on the Mexican border, and was discharged on November 11, 1916; during the First World War served in the U.S. Army from September 18, 1917, until discharged on April 29, 1919, being overseas as a sergeant in Company C, 364th Infantry, 91st Division; studied law, was admitted to the bar in 1921 and commenced practice in Fullerton, Calif.; assistant district attorney of Orange County, Calif., 1926–30, and district attorney 1930–32; elected as a Republican to the 73d and 74th Congresses (March 4, 1933–January 3, 1937); unsuccessful candidate for reelection in 1936 to the 75th Congress; member of the State assembly 1940–52, serving as speaker 1947–52; resumed the practice of law; was a resident of Fullerton, Calif.

Mr. UTT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a biography of the life of Sam L. Collins.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, will the gentleman yield?

Mr. UTT. I yield to the gentleman from California.

Mr. HANNA. Mr. Speaker, I thank the gentleman for yielding. I should like to take this opportunity to express my deep feeling of regret and to extend my condolences to the family of the late Samuel L. Collins.

It was surprising news to me to learn of his untimely passing.

I, too, have known Sam L. Collins very well. He was a fellow resident of the city of Fullerton, Calif. Although I did not serve in the State legislature with Sam, I did follow him very closely in service in that body and have been very well acquainted with him over the years.

Sam was a lawyer of long practice; a legislator of notability having served as speaker of the house in the State legislature as well as a Member of Congress; a citizen of his community in a very active and meaningful respect; a church man of practice and a father of a fine family. He will be missed by many.

FILING OF CONFERENCE REPORT ON H.R. 6453, DISTRICT OF COLUMBIA APPROPRIATIONS, FISCAL YEAR 1966

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tomorrow night to file a conference report on the bill, H.R. 6453, making appropriations for the government of the District of Columbia for the fiscal year ending June 30, 1966, and for other purposes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Wednesday, July 7, 1965, to file a report on the bill H.R. 4750, to provide a 2-year extension of the interest equalization tax and for other purposes, as amended.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PRESIDENTIAL INABILITY AND VACANCIES IN THE OFFICE OF THE VICE PRESIDENT

Mr. CELLER submitted the following conference report and statement on the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office:

CONFERENCE REPORT (H. REPT. No. 554)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"ARTICLE —

"SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"SEC. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

"SEC. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as acting President; otherwise, the President shall resume the powers and duties of his office."

And the House agree to the same.

EMANUEL CELLER,
BYRON G. ROGERS,
JAMES C. CORMAN,
WILLIAM M. MCCULLOCH,
RICHARD H. POFF,
Managers on the Part of the House.

BIRCH E. BAYH, JR.,
JAMES O. EASTLAND,
SAM J. ERVIN, JR.,
EVERETT M. DIRKSEN,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House passed House Joint Resolution 1 and then substituted the provisions it had adopted by striking out all after the enacting clause and inserting all of its provisions in Senate Joint Resolution 1. The Senate insisted upon its version and requested a conference; the House then agreed to the conference. The conference report recommends that the Senate recede from its disagreement to the House amendment and agree to the same with an amendment, the amendment being to insert in lieu of the matter inserted by the House amendment the matter agreed to by the conferees and that the House agree thereto.

In substance, the conference report contains substantially the language of the House amendment with a few exceptions.

Sections 1 and 2 of the proposed constitutional amendment were not in disagreement. However, in sections 3 and 4, the Senate provided that the transmittal of the notification of a President's inability be to the President of the Senate and the Speaker of the House of Representatives. The House version provided that the transmittal be to the President pro tempore of the Senate and the Speaker of the House of Representatives. The conference report provides that the transmittal be to the President pro tempore of the Senate and the Speaker of the House of Representatives.

In section 3, the Senate provided that after receipt of the President's written declaration of his inability that such powers and duties would then be discharged by the Vice President as Acting President. The House version provided the same provision except it added the clause "and until he transmits a written declaration to the contrary." The conference report adopts the House language with one minor change for purposes of clarification by adding the phrase "to them," meaning the President pro tempore of the Senate and the Speaker of the House.

The first paragraph of section 4, outside of adopting the language of the House designating the recipient of the letter of transmittal be the President pro tempore of the Senate and the Speaker of the House of Representatives, minor change in language was made for purposes of clarification.

In the Senate version there was a specific section—namely, section 5—dealing with the procedure that, when the President sent to the Congress his written declaration that he was no longer disabled, he could resume the powers and duties of his office unless the Vice President and a majority of the principal officers of the executive departments, or such other body as the Congress might by law provide, transmit within 7 days to the designated officers of the Congress their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon, the Congress would immediately proceed to decide the issue. It further provided that, if the Congress determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President would continue to discharge the same as Acting President; otherwise, the President would resume the powers and duties of his office.

The House version combined sections 4 and 5 into one section, now section 4. Under the House version, the Vice President had 2 days in which to decide whether or not to send a letter stating that he and a majority of the officers of the executive departments, or such other body as Congress may by law provide, that the President is unable to discharge the powers and duties of his office. The conference report provides that the period of time for the transmittal of the letter must be within 4 days.

The Senate provision did not provide for the convening of the Congress to decide this issue if it was not in session; the House provided that the Congress must convene for this specific purpose of deciding the issue within 48 hours after the receipt of the written declaration that the President is still disabled. The conference report adopts the language of the House.

The Senate provision placed no time limitation on the Congress for determining whether or not the President was still disabled. The House version provided that determination by the Congress must be made within 10 days after the receipt of the written declaration of the Vice President and a majority of the principal officers of the executive departments, or such other body as Congress may by law provide. The conference report adopts the principle of limiting the period of time within which the Congress must determine the issue, and while the House original version was 10 days and the Senate version an unlimited period of time, the report requires a final determination within 21 days. The 21-day period, if the Congress is in session, runs from the date of receipt of the letter. It further provides that if the Congress is not in session the 21-day period runs from the time that the Congress convenes.

A vote of less than two-thirds by either House would immediately authorize the President to assume the powers and duties of his office.

EMANUEL CELLER,
BYRON G. ROGERS,
JAMES C. CORMAN,
WILLIAM M. MCCULLOCH,
RICHARD H. POFF,
Managers on the Part of the House.

SUBCOMMITTEE ON LABOR, COMMITTEE ON EDUCATION AND LABOR

Mr. ALBERT. Mr. Speaker, I have three unanimous-consent requests. First I ask unanimous consent that the Subcommittee on Labor of the Committee on Education and Labor may sit while the House is in session today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, has this been cleared with the subcommittee ranking minority member?

Mr. ALBERT. I have been advised that it has been cleared with the gentleman from Ohio [Mr. AYRES] and the gentleman from California [Mr. LEGGETT].

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUBCOMMITTEE ON IMMIGRATION, COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Immigration of the Committee on the Judiciary may sit while the House is in session today during general debate. I have been advised it has been cleared with the gentleman from Ohio [Mr. MCCULLOCH].

Mr. HALL. Mr. Speaker, I object.

SUBCOMMITTEE NO. 3 ON COPYRIGHTS, COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 3 on Copyrights of the Committee on the Judiciary may sit while the House is in session during general debate on Wednesday, June 30, I understand this has been cleared.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TRANSFERRING CALL OF CONSENT CALENDAR, MOTIONS TO SUSPEND RULES AND CALL OF PRIVATE CALENDAR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar and the authority for the Speaker to recognize for motions to suspend the rules, in order on July 5, 1965, may be transferred to Monday, July 12, 1965; and that the call of the Private Calendar, in order on Tuesday, July 6, 1965, may be transferred to Tuesday, July 13, 1965.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 159]

Ashley
Baring
Bonner
Bow
Brown, Ohio
Broyhill, Va.
Dent
Evins, Tenn.
Green, Oreg.
Harvey, Ind.
Hays
Holifield
Holland
Keogh
King, Calif.
Lindsay
Long, Md.
Martin, Mass.
Miller
Morse
Morton
Moss
Powell
Reinecke
Resnick
Roosevelt
Scheuer
Springer
Teague, Tex.
Thomas
Toll
Tupper
Utt
Willis

The SPEAKER. On this rollcall 399 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend or to revise their remarks on the housing bill and to include any germane extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7984) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 7984, with Mr. Flood in the chair.

The CHAIRMAN. When the Committee rose on yesterday the gentleman from Texas [Mr. Patman] had 1 hour and 39 minutes remaining. The gentleman from New Jersey [Mr. Widnall] had 2 hours and 4 minutes remaining.

Mr. PATMAN. Mr. Chairman, I yield 15 minutes to the gentlewoman from Missouri [Mrs. Sullivan].

MEETING NEW PROBLEMS IN AMERICAN HOUSING

Mrs. SULLIVAN. Mr. Chairman, as the ranking member of the Subcommittee on Housing of the Committee on Banking and Currency, I am proud of the hard work which has gone into this legislation, and I am going to support the bill. For many years, we had Representative Albert Rains, of Alabama, as the chairman of our subcommittee, painstakingly developing the concepts of our steadily widening and improving housing legislation, and when he decided last year not to run for reelection, we all felt keenly disappointed that we would no longer have his excellent leadership on housing legislation. But it is the strength of our system of Government that when the mantle of responsibility is passed, we characteristically build on what is already there, not tear down and try to start over. In that spirit, the gentleman from Pennsylvania, Mr. Barrett, has succeeded to the chairmanship of the subcommittee and has done an outstanding job of building on the foundations of the accomplishments and achievements of this subcommittee during the years which went before. I salute him, Mr. Chairman, for his energy and devotion on this legislation.

Mr. Chairman, this is a good bill. It is a big bill, with many important provisions, but like most of our housing legislation of the past, it only succeeds in doing part of the job. For the job is a constantly expanding one. It is never finished. We do not have a static population and we do not have static communities. No housing bill, no matter how comprehensive, can possibly solve all of the problems involved in the housing of our people. We must meet new problems as they arise. This bill tackles some of those new problems, and also improves our handling of some of the older problems we've been trying to cope with in this field.

My great concern during the hearings on this bill, and a continuing interest of mine for years, has been the urgent necessity of assuring adequate housing for low- and medium-income families, and for the elderly. A major test of a good housing bill, to my mind, is how well it meets these problems.

CITIES HAVE LARGER PERCENTAGES OF LOW-INCOME FAMILIES

There are good reasons for this concern.

We have become acutely aware during the past few years that, in spite of a booming national economy, one out of every six families in our country still lives in substandard housing. Three-fourths of these families have incomes of less than $4,000 a year. This is a national figure.

But in many of our large central cities the problem is even more acute. As higher income families move to the open spaces of the suburbs, an increasing number of the poor and the disadvantaged come from rural areas to the central city. The city of St. Louis has been particularly effected by this changing population pattern. Almost 40 percent of the households in my city—about 100,000 families out of 238,000—have a net income of less than $4,000 annually and over 21 percent of the households have a net income of less than $2,500 a year. That is one family out of five in St. Louis, with incomes of less than $50 a week, and two out of five with incomes of less than $80 a week. Too many of them live in very bad housing.

I am particularly concerned about decent housing for larger families. We have at present 6,776 units of public housing in St. Louis and that has helped considerably. There is a possibility that three more projects of 2,313 units will be constructed in the future. We have the authorization for them.

But I have always opposed high-rise public housing as a place to rear a family of children, yet, this is about the only kind of public housing we can build in a big city where land costs are so high. This bill would give local housing authorities the authority to buy or lease good but old existing housing and rehabilitate it, if necessary. I think this is a very good proposal. It would upgrade the existing inventory of housing and would be particularly advantageous for families with a large number of children. My interest in this is understandable. I grew up in a family of nine children. On a low income, housing for large families has always been difficult to find. These problems are particularly acute in the large cities. I know that from painful personal experience as a youngster.

AN OPPORTUNITY FOR PRIVATE ENTERPRISE

Another solution to help meet the need for housing for lower income families is included in the rent supplement program, the most discussed new proposal in this bill. In the manner in which we amended the bill in committee to limit it to those needing help the most, I favor it because it would for the first time bring private resources into the lower income housing market on a mass scale. Private enterprise has been asking for such an opportunity for years. This bill provides this opportunity—and gives them a chance to make the plan work. I am pleased that this legislation can help families to be housed in rehabilitated existing housing as well as new housing.

You may notice that I place particular emphasis in my remarks on the importance of rehabilitation of existing housing. There has been a good deal of clearance through federally assisted urban renewal projects in St. Louis. The Land Clearance Authority has six projects in various stages of development, and has received $53,673,000 in Federal funds for this purpose. Some very bad slums have been razed in St. Louis, and this is good. But I believe we should put more emphasis now on rehabilitating our basically sound older housing. For this reason, I strongly favor the provision in the bill that would authorize direct grants to low-income families in urban renewal areas for the purpose of rehabilitating the homes they now own and occupy.

I am certainly in favor of continuing the urban renewal program at the level proposed in this bill. This program has enabled our great cities to make a good start in attacking the massive problems of blight and decay. But we have only started. It is essential that we press onward with this attack. I would like to make the observation that this program is being used by more than the large cities. It has had a considerable impact in many smaller communities throughout the country. I am glad to have had a role in helping smaller cities and towns to share in this program.

HOUSING NEEDS OF THE ELDERLY

I must make reference to a group which is of special concern to me—the elderly citizen. Figures given us in testimony indicate that income levels for this group are much lower than for other categories.

The public housing program has been particularly successful in meeting the needs of the elderly in my city, and has made a real contribution to the well-being and peace of mind of these deserving people. I believe that at least 27 percent of existing public housing in St. Louis is occupied by elderly, and there is a long waiting list. High-rise public housing seems to be most successful where it is used by the elderly. It was my amendment several years ago which made it possible for single or widowed persons to qualify for such housing. I shall always be proud of that.

The direct loan program for nonprofit groups providing housing for the elderly has not flourished as it might because of lack of participation by organizations which could qualify. However, during our hearings we were informed that churches, particularly, are moving into this program and it therefore shows signs of attaining considerably more momentum. The bill as reported should make this program more effective by lowering the interest rate a bit more.

I hope that we can continue to increase the units for the elderly because the demand is there, the need is there, and we must do all in our power to meet it. I am pleased also that the language of the rent supplement proposal pays particular attention to the elderly.

MOST BENEFICIARIES OF HOUSING PROGRAMS PAY THEIR OWN WAY

I would like to reiterate my longstanding support for the college housing loan program. It has resulted in good dormitory housing in colleges throughout the Nation, and Missouri colleges have made very good use of the program. I received a complaint from an investment banker on the low interest rate on this program, but when I discussed the scope of this program with him, he acknowledged its great need.

Primarily, in all of our housing legislation we have put great emphasis on highly successful programs which help those of our people who are able to pay for their own good housing on the private market. Of more than 16 million homes and apartments built or financed with Federal financial assistance, 95 percent have been bought or rented by families able to meet the full costs of housing on the private market. Without FHA and other Federal programs, this record could not have been achieved. Because of them, our people are the best housed in the world and I am proud of that fact.

But let us keep in perspective the fact that only 5 percent of federally assisted housing has been made available to meet the urgent needs of low- and medium-income families, who cannot afford the full cost of private housing.

Mr. Chairman, we have come a long way in our housing legislation since the first housing bills of the New Deal—the Home Owners Loan Corporation Act and the Federal Housing Act. All of the housing laws since then have opened up new avenues of home ownership, or of housing opportunity, for our citizens.

REHABILITATION OF OLDER HOUSING

I believe more emphasis, in future years has to be in the direction of restoring, modernizing, and improving older housing on a vast scale. Georgetown has shown us what can be done with good basic housing in older neighborhoods. But we are not looking toward making every older area of our cities into a Georgetown—for those Georgetown houses, of course, are no longer for the moderate income family.

But I feel we can save our neighborhoods from blight, and rehabilitate our low-income families more effectively, if church groups and other nonprofit groups can be encouraged—through low-interest loans—to help poorer families to help themselves, by turning over to them the reconstructed structure of an older house and then letting the low-income family finish the interior, the painting, and so on. Some excellent results along this line have been achieved by some of the church groups already. But it is only a tiny fraction of the need.

Interest rates and the availability of credit are the main factors limiting the spread of this idea. All of our lending institutions should join in setting aside some of their resources for this form of upgrading of the existing housing market, and of the people who live in neighborhoods whose future is in the balance—which can go either down or up. The objective must be to help the neighborhoods which are good, stable communities to survive the march of urban progress and change. I intend to work toward that objective in future housing bills as I have in the past.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I am happy to yield to the gentleman.

Mr. HARVEY of Michigan. I would like to tell my friend, the gentlewoman from Missouri, how much I have enjoyed serving with her on the Subcommittee on Housing and to say what a worthy member of the committee she is. I have asked the gentlewoman if she would yield to express my surprise at her support of this program in view of her questions on March 25, the first day of our hearings. I would remind the gentlewoman from Missouri, and I would like to read just this one question if I could and the answer she received, and I am reading from page 235 of the hearings, as follows:

> Mrs. SULLIVAN. One other thing that bothers me, Dr. Weaver, about the new proposed rent supplement program is the emphasis upon Government controls and supervision. I can understand that you need to have some reliable check for purposes of initial eligibility, for example, to determine income or whether the family was an elderly family or whether it was a displaced family, or whether it was a family living in substandard housing. But I am worried about what will undoubtedly be called Federal policing, for example, the review at least every 2 years of the tenants' income. Since the sponsoring organization in this new program you propose would be bona fide nonprofit organizations, do you not think you could change your regulations, and we could change the bill if necessary, to allow more discretion and more "self-policing" in these matters for the sponsoring nonprofit corporation?

That is the end of the question. Then Dr. Weaver's answer was as follows:

> Mr. WEAVER. I think the degree of surveillance would be much less than would be assumed.

Then he goes on at quite some length and I will not read his answer further.

But I would point out that what bothers me, and I can just say it in one sentence here, is the fact that this requirement still requires for the first time the use of W-2 forms to determine a tenant's income, as I understand it. As Dr. Weaver testified, it requires then that the agency on public housing write to the employer to find out what the tenant's income would be; and if the bill provides this, this can be done by either a public or private agency. Still it has not been changed so far as I know, so I was astonished at what my good friend is endorsing so wholeheartedly on this rent support program, and these, it would seem to me, very harsh provisions providing for a means test and nothing less than a means test.

Mrs. SULLIVAN. In reply to the gentleman, may I say that perhaps I did not do my homework as thoroughly as one would like to do before coming to the first day of the hearings back in March, because I did not at that time know the way in which the nonprofit groups were to investigate and pass on the applicants. Of course, the purpose of hearings is to raise critical questions in order to get all of the facts. Since then it has been explained and I think adequately explained, that any nonprofit group that applies and is granted permission to build this housing will give the rental contract to the prospective tenant if they meet the eligibility requirements that have been set up under the bill and under the regulations that will have to be established by the agency. Of course, also, there has to be adequate information obtained before these apartments are rented. If the tenants do not give adequate information, they cannot have a lease for the housing unit that they want to occupy and they would not be able to get the rent supplement. After all, we are dealing with Federal funds, and, as in public housing, we have to be certain there is no fraud or cheating.

Mr. HARVEY of Michigan. Well, I concur in that, if the gentlewoman will yield further just for a comment, we do not mean to limit this to nonprofit corporations because, of course, limited dividend corporations are not too different from the nonprofit corporations, and I am sure they probably are provided for here as well. I understand that certainly. But they still require the use of a W-2 form and they still require the ascertaining of what a person's salary or income is.

Mrs. SULLIVAN. I ask the gentleman if it is wrong to require proof of income and proof that their assets are not excessive when these people make application?

Mr. HARVEY of Michigan. I would answer the gentlewoman by saying that

I talked to a staff member of the Internal Revenue Service the other day and he said that to the best of his knowledge this was the first time W–2 forms had been required in a comparable situation to this.

The CHAIRMAN. The time of the gentlewoman from Missouri has again expired.

Mr. BARRETT. Mr. Chairman, I yield the gentlewoman 5 additional minutes.

Mrs. SULLIVAN. Such information is required when people go to the welfare office for welfare or for food stamps. If they have some sort of earnings form—and what is better than a W–2 form—they can be qualified and passed on much faster than if they have no proof at all.

Mr. HARVEY of Michigan. It seems to me that there is a vast difference between using such checks to ascertain the income or the wealth of any person on welfare and determining this, for example, for people who are going to get rent supplements, as Mrs. McGuire testified, in New York City receiving salaries up to $8,100. We are talking about entirely different income categories. That is where we differ.

Mrs. SULLIVAN. I believe we differ, also, in our estimate of what the limit is going to be. We have been pretty well convinced that this limit not be up to $8,000. The maximum income would be substantially below that figure, even for very large families.

Mr. BARRETT. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Is it not true that we now have the relocation service to check on families living in substandard housing or who are displaced? Is it not also true that in last year's housing bill we voted a rent supplement program for displaced families? And was not the final vote 308 to 68?

Mrs. SULLIVAN. Yes, that is true, and I thank the gentleman for bringing out that important fact.

Mr. FINO. Mr. Chairman, will the gentlewoman yield ?

Mrs. SULLIVAN. I yield to the gentleman from New York.

Mr. FINO. First, I wish to compliment the gentlewoman from Missouri for supporting this bill. The only area as to which we disagree is section 101. I appreciate the gentlewoman's expression of great concern for families with incomes of $4,000 or less in need of housing. That is fine.

Is the gentlewoman aware of the fact that under section 101 there will be no low-cost housing units built?

Mrs. SULLIVAN. No, I am not aware of that, because I do not believe that is true. The whole purpose of the program is to provide low-cost housing for low-income families.

Mr. FINO. The Administrator, Mr. Weaver, did say that those builders who would build low-income housing units would have to have hearts of gold and heads of lead.

Mrs. SULLIVAN. I ask the gentleman this question: I wonder if, over these years, the gentleman has not had the same discussions I have had with builders, real estate groups, and others who have always opposed public housing. Their whole cry has been, "Help us to find some way we can provide housing for low-income families in private housing."

I believe this is their opportunity. I do not know if it is going to be the entire answer, or the best answer, but I am willing to give it a chance.

Mr. FINO. But, as I said, there will be no low-cost housing project built under section 101.

Mrs. SULLIVAN. Can the gentleman tell me what is the limit in building a public housing unit?

Mr. FINO. What is the limit? I understand there is no limit.

Mrs. SULLIVAN. There is a dwelling unit cost limitation, taking the land costs and other things into consideration. Otherwise we would not have these high-rise apartments in cities. I think the limit is $20,000 per unit.

Mr. BARRETT. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. The gentleman from New York knows that Mr. WIDNALL's amendment would give a rent certificate under section 103. Also under section 104 there would be built 240,000 low-rent housing units under the public housing program over the next 4 years. The gentleman knows that as well as I and everybody else on the committee.

Mr. FINO. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I am happy to yield to the gentleman from New York.

Mr. FINO. Directing my remarks to the gentleman from Pennsylvania, the chairman of the subcommittee, I should like to apprise him of the fact that the Widnall amendment affects existing structures.

The Widnall amendment affects existing structures, not new buildings. It affects existing structures, whereas 101 confines itself to new buildings primarily.

Mr. BARRETT. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. The gentleman from New York is putting his question to the gentlewoman on the basis of section 101. The gentleman from New York knows the low-rent public housing program is in section 104.

Mr. FINO. I am just trying to make the point that under section 101 there will be no low-cost housing units built. This does not come from me but from the Administrator himself.

Mr. ASHLEY. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman from Ohio.

Mr. ASHLEY. The Administrator did not so testify.

Mr. FINO. He did not testify, but 2 days after he did testify before the committee he appeared before a Pittsburgh civic audience and told them that there would be no low-cost housing built under section 101.

Mr. ASHLEY. And it was subsequent to his trip to Pittsburgh, at which time he made that statement, that we amended the bill. I would like to point that out.

Mr. FINO. In what respect, may I ask the gentleman, was the bill amended?

Mr. ASHLEY. If the gentlewoman will yield further, the gentleman from New York states that there will be no low-cost housing under section 101. I would like to point out that under essentially the same vehicle, the 221(d)(3) program, there have been constructed some 109 projects by nonprofit corporations, 174 projects by limited-dividend corporations, and 142 by cooperatives.

The CHAIRMAN. The time of the gentlewoman has again expired.

Mr. BARRETT. I yield to the gentlewoman 1 additional minute.

Mr. ASHLEY. If the gentlewoman will yield further, for these 3 categories the total units involved are 18,531 for the 109 projects supported by nonprofit organizations, 26,000 units in the 174 projects by the limited-dividend groups, and 14,681 units in the 142 cooperative ventures. If the gentleman from New York wants to say that these types of sponsors, the church groups and the union groups and others, will cease their interest that they have in this, I say the experience has been exactly contrary to that.

Mr. FINO. I say to the gentleman from Ohio that they have not built low-cost housing units under section 221(d)(3).

Mr. ASHLEY. What do those units rent for?

Mr. FINO. A little higher, much higher, than public housing projects.

Mr. ASHLEY. Ninety-seven dollars a month. That is why we need this new program.

Mrs. SULLIVAN. Mr. Chairman, before my time again expires, I want to make a final comment. We have been arguing back and forth here in the House for 2 days over the rent supplement idea; before that, we argued over it in the subcommittee and in the full committee. It has been thoroughly and comprehensively examined, debated, analyzed, dissected, and evaluated. It is a different approach from that we have followed generally for low-income families up to now, although, as the subcommittee chairman, Mr. BARRETT, pointed out a moment ago, we voted for something of this nature last year for displaced families and the House approved it then 308 to 68. But it is new; it is another type of approach from that we have followed before. That does not automatically make it either good or bad. We will watch this program carefully as it progresses. That is what our subcommittee traditionally has done on every new type of program. I think our record of surveillance is a good one. And, I might add, we have more often than not had bipartisan harmony in our investigations into the various programs.

The rent supplement is not by any means the only important provision of this bill and I stress the fact that this House, through the Housing Subcommittee, has a conscientious group, armed with a very competent staff, devoting endless hours of effort and study year-round to the housing problems of our country and to the operation of the many complex housing laws. I think our work speaks for itself. I am proud of my membership on the Housing Subcommittee, proud of the caliber of leadership we have enjoyed in the subcommittee, proud of the staff, and proud of the results of our labors since the subcommittee was formed in 1955. We can argue endlessly over what might or could happen under this new type of program. But, believe me, the Housing Subcommittee will be first to recognize any shortcomings which might develop, and any provisions which would require changes. I am willing to see the idea put to the test, just as we had to test urban renewal, college housing loans, and all other new ideas which turned out to be successful housing programs.

Mr. WIDNALL. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. HARVEY].

Mr. HARVEY of Michigan. Mr. Chairman, I want to use the time I have today to talk about some of the things that I think are in disagreement on both sides of the aisle and both sides of the committee as I have heard the statements yesterday and today as well.

I want to say something first of all about the ceilings on rent supplements. I served as a member of the Housing Subcommittee along with my good friends on the other side of the aisle, and I can remember sitting in executive session on this particular bill. I remember a member of our committee in executive session asking the question, and I will quote, "What is the maximum income limit for eligibility of the rent supplement program?" I can recall the answer provided by the majority staff member who was there that day. After reference to a memorandum or a table which he held in his hand, his answer was very simple, and I will quote again, "$8,900 for a seven-or-more-person family in New York City."

This was the answer. After the subcommittee completed its deliberations that afternoon a press conference was held by the majority staff. I recall that press conference because I was there. I went outside the door for a little while but then came back and I heard the statements that were made. From the aforementioned memorandum or table referred to, you can refer to press stories that appeared in the papers on the following day, in several papers, and you can find the same figures that appeared on that memorandum a copy of which I hold in my hand at the present time and which I shall put in the RECORD when I obtain permission after we go back into the House, so that it will be available to everybody. But it is the same memorandum from which these figures on maximum income limits for a large family were taken, that were used as shown on page 179 of our minority views.

The matter alluded to as memorandum or table is as follows:

The following table shows the present income ceiling under the section 221(d)(3) below-market interest rate program and the ceiling under the proposed rent supplement program if an amendment is adopted to base it on 25 percent of income for housing:

City	1 person	3 and 4 persons	7 or more persons
Philadelphia:			
Below market	$4,600	$6,600	$8,600
Rent supplement	3,700	5,300	6,900
Toledo:			
Below market	5,540	7,750	10,100
Rent supplement	4,350	6,200	8,050
Pittsburgh:			
Below market	4,850	6,900	8,950
Rent supplement	3,900	6,500	7,150
Macon, Ga.:			
Below market	4,450	6,350	8,250
Rent supplement	3,550	5,050	6,600
Providence:			
Below market	5,000	7,150	8,300
Rent supplement	4,000	5,700	6,650
San Antonio:			
Below market	4,350	6,200	8,050
Rent supplement	3,500	4,950	6,450
Milwaukee:			
Below market	5,600	8,000	10,400
Rent supplement	4,500	6,400	8,300
Paterson, N.J.:			
Below market	5,450	7,800	10,150
Rent supplement	4,350	6,250	8,100
New York City:			
Below market	6,000	8,550	11,100
Rent supplement	4,800	6,850	8,900
Newark:			
Below market	5,900	8,400	10,900
Rent supplement	4,700	6,700	8,750
Saginaw:			
Below market	5,300	7,550	9,800
Rent supplement	4,250	6,050	7,850
Hearne, Tex.:[1]			
Below market	3,150	4,500	5,800
Rent supplement	2,500	3,600	4,700

[1] Lowest ceiling established under (d)(3).

NOTE.—There are no 221(d)(3) projects in the districts of Mr. STEPHENS, Mr. WIDNALL, or Mrs. DWYER.

Mr. Chairman, let me call your attention first of all to what this memorandum says. Just look at the top of it. What does it say? It purports to show—and it is dated April 21, 1965—"the income ceiling under section 221(d)(3) below-market interest rate programs and the ceiling under the proposed rent supplement program if an amendment is adopted to base it on 25 percent of income for housing."

Obviously the Housing Administrator is the only one who has this sort of information, who could put out the memorandum and a table such as this, so it had to come from the agency. Either that or a member of the majority staff misled the members of the subcommittee when he gave that answer, and misled the members of the press as well.

The table, or the memorandum, whichever you want to call it, also shows income limits for the 221(d)(3) below-market interest program. Who sets these limits? The Housing Administrator and the housing agency set these limits. This information could come from no other source. It goes on, for example, to point out that the town of Hearne, Tex.—I never heard of Hearne, Tex.—has the lowest ceilings established under the 221(d)(3) program. Who but the housing agency has the information about the lowest ceiling under the housing program?

I might point out that in the memorandum there is a footnote and I would like to read the footnote:

> There are no 221(d)(3) projects in the districts of Mr. STEPHENS, Mr. WIDNALL, or Mrs. DWYER.

Who other than the Housing Agency would have this particular information so peculiarly relevant to the members of our special subcommittee on which I serve? Who but the Housing Agency would have that?

Mr. Chairman, I submit on the record that the memorandum itself leaves no question but that the Housing Agency provided this information. Reference to this memorandum will show the figures used in the minority report are identical on page 179.

I would like to make one other observation on this subject. On June 21, 1965, the distinguished gentleman from Pennsylvania, who is the chairman of our subcommittee, put in the RECORD—put in the CONGRESSIONAL RECORD, that is—a table of income limits for the rent supplement program, showing a top of $6,500 that could be paid out under the rent supplement program, supposedly for a seven- or eight-person family, and a top of $5,000 for a four-person family. That is according to the table put in by the gentleman from Pennsylvania [Mr. BARRETT]. We do not have anything comparable in our hearings, of course, because we had a dickens of a time getting this information out of Dr. Weaver. But I would point out one very relevant question, on page 237, which was asked of Mrs. McGuire, our Housing Administrator.

I quote here from page 237 of the hearings when the question was put by the gentlewoman from New Jersey [Mrs. DWYER], as follows:

> What is the present highest income that is being serviced in the public housing program today?
>
> Mrs. MCGUIRE. The possible top for admittance of a four-person family with many exemptions is $8,100.

Mr. Chairman, I believe you have here a ridiculous impression that is being created by the Housing Administrator, that $5,000 is the upper limit for the rent supplement program for a four-person family and that this limit is somehow $3,100 less than would be possible under the public housing program.

Mr. Chairman, this does not make the least bit of sense to me whatsoever.

What are the true figures? I would suggest again that you might look at page—I would say by the way that just recently, in the last week, we have all received a letter from the representative of the AFL–CIO in support of this rent supplement program—I would suggest for that reason you might want to look at page 503 where Mr. Shishkin testified for the AFL–CIO as to what he thought the limit should realistically be.

I asked this question of Mr. Shishkin:

> If I understand you correctly, your statement is, citing two areas, either San Francisco or New York City, that it is entirely realistic for a person earning between $10,000 or $11,000 a year to still be receiving rent supplements under this program?
>
> Mr. SHISHKIN. I would say so; yes.

That is his view as to what he thinks it realistically should be.

Now, Mr. Chairman, I heard the distinguished chairman of our committee, the gentleman from Texas [Mr. PATMAN] speak yesterday in his opening statement of how much less this particular program was going to cost, this rent supplement program about which I am speaking now, as compared to a comparable public housing program. This had a peculiar ring to me because it just did not sound right at all. Further, I can remember serving on this subcommittee on March 4, 1965, when the distinguished gentleman from Texas, our chairman, introduced his bill. The peculiar thing about the cost—the peculiar thing about his bill when he introduced it originally on March 4, is that it had in it a limitation on the amount of rent supplements. It had a limitation so that we could not pay any more under rent supplements than we pay under public housing.

Now, Mr. Chairman, I refer the members of the Committee to that particular bill, H.R. 5840, introduced on March 4, 1965, page 4, section 101(d)(2):

> Amount of payment: The amount of annual payment with respect to any dwelling unit shall not exceed (2) the estimated amount of subsidy contracted for under the U.S. Housing Act of 1937 with respect to a dwelling unit of a comparable size and type, in the same or comparable locality.

Mr. Chairman, if this program is going to be so much less than public housing, then why did we take this limitation out? Why is it not found in the present bill?

I suggest to the members of the Committee that they look at section 101(d), and you will not find it in the present bill, because it has been taken out. And yet the gentleman from Texas would have you believe that this program is going to cost less. I just cannot believe that, Mr. Chairman.

I want to say something, also, about a subject that came up yesterday involving the cost of these particular units when I had a colloquy with my good friend and distinguished chairman of the subcommittee, the gentleman from Pennsylvania [Mr. BARRETT]. Then we were talking about how much these individual units under the rent supplement program were going to cost.

The figure that stood out in my mind was that the maximum they could cost was the sum of $32,900. I brought up this matter yesterday afternoon. I would refer you to pages 30 and 31 of the bill where we are talking about the costs of section 221(d)(3) either at the interest rate or below the interest rate, and where we are requested to increase the cost to families of four so they are permitted to go to $22,750 for a four-person family or more. I suggest that you look at page 90 of the report where it speaks of existing law. Existing law permits the Administrator to increase this limit of $22,750 by 45 percent. If we are going to believe the Housing Administrator, who says he only wants to build $12,500 apartments, why in the world is he trying to increase these up to possibly $32,900? When you multiply $22,750 by 45 percent, the figure you get is $10,237.50, and when you add that to the $22,750 which they are allowed to cost, your maximum is $32,987.50, which is the maximum cost of one of these rent supplemental units.

You might consider this to be a modest construction unit. I do not think so. I do not think when we are paying out a rent supplemental this qualifies as a modest unit. Up in Michigan where I come from it would not.

Why are they increasing the limits of the bill? I want to refer to my good friend, the distinguished chairman of the subcommittee. I say sincerely that he has been a good chairman, though we might have had our differences. He has been a fine chairman. At that time when he spoke of the bill, and the gentleman from Texas as well, they spoke in glowing terms about free enterprise and what this bill was going to do for free enterprise in America. They tell you they are privately built, privately owned, privately financed apartments. Even our beloved Speaker himself made some comment in this regard.

I would like to make a few comments on this because, as was pointed out in the hearings, this program does differ from public housing. At the end of 40 years these apartments are not owned by the United States; they are owned by private owners, so the money we spend is not reflected as an asset on the books of the U.S. Government. It has been paid out in the form of rent. These 5,000 apartment units that we are talking about are going to be built by big contractors, they are going to be operated by big landlords as well. You talk about private enterprise. These landlords never had it so good. For 40 years they can carry on without any risk whatsoever. They have no chance of default. They do not have to worry because their apartment rentals are guaranteed. They have no chance of decreased rentals because these apartments are guaranteed by a 40-year contract. Show me any other landlord in this country who has it so good.

The closest thing in this to free enterprise, or as close as this bill comes to free enterprise, is about as close as our farm subsidy program comes to free enterprise. You may take your choice.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Michigan. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I think the gentleman deserves a commendation from the gentleman from Pennsylvania. He is really respected as a member of our committee, and certainly he is very highly respected by me. I think we ought to look at the thing sensibly. The structure of incomes is going to be comparable to the public housing structure. I think the gentleman knows that in this the individual units will cost an average of $12,500. The gentleman knows you cannot get a $30,000 apartment in a structure of this type with that kind of expenditure for construction.

Mr. HARVEY of Michigan. Well, just a minute now, on that point, would the gentleman point out to me anywhere in the bill that this is limited? Because the way I have read this bill, and my interpretation is that you can build up to $32,900 apartments—and that is not a modest apartment by any means.

Mr. BARRETT. I am glad the gentleman has brought up that point. I say to you very honestly, if the gentleman can show anybody where they can get a $30,000 or a $38,000 or a $39,000 apartment in a structure that is limited to $12,500——

Mr. HARVEY of Michigan. Where is the limit of $12,500?

Mr. BARRETT. I will indicate to you where we have answered your criticism and misunderstanding in our report. If the gentleman will get the report that we used; namely, the committee print, we show the facts there where they were distorted, as we claim they were.

Mr. HARVEY of Michigan. Now, now, I refuse to yield further. The gentleman is referring here to an unauthorized committee print. The gentleman stated himself before the Rules Committee that this report was prepared by the Housing and Home Finance Agency and that he brushed it up a little bit. I will quote to the gentleman here and read—and this is covered by the newspapers, about his appearance before the Rules Committee. I will quote from the Newark Evening News of Wednesday, June 16, 1965. I will quote here and this is from their Washington Bureau:

> Under questioning by Representative HOWARD W. SMITH, Democrat of Virginia, Rules Committee Chairman BARRETT said the information for the document had been prepared by the Housing and Home Finance Agency, which would administer the rent subsidy, and that he "brushed it up." Then he went on to take full responsibility for it.

You point out to me where any committee met and considered that document. Point out to me where any committee member signed it. I cannot believe my good friend from Pennsylvania—let alone my other good friends on that committee would accuse me as a member of the committtee of making false or misleading or intentionally calculated statements to deceive. I cannot believe my friend from Pennsylvania would make those statements and I am sure other Members of this House or Committee would not. Only somebody in the Housing and Home Finance Agency would make statements such as that and that is precisely what the gentleman from Pennsylvania told the Rules Committee as it was reported in the Newark Evening News.

Mr. BARRETT. Now will the gentleman yield to me again.

Mr. HARVEY of Michigan. Yes, I am delighted to yield to the gentleman again.

Mr. BARRETT. I just want to tell the gentleman I have taken the responsibility for the report. I told the House, as I have told the Committee on Rules, and the gentleman knows that, he sat there when I said this and I was speaking to the chairman of the Committee on Rules, it is true that I asked for the staff to help me on this and it is true that when I felt I needed some assistance, I went to the Agency and I said, "What would be your answer to this?" And the only reason the gentleman from Michigan is in the well today making these remarks apparently is because they failed to come and ask the committee, "What about this section—and if there is anything wrong, will you put us straight?"

This is the only thing we asked them to do or asked anybody else to do.

Mr. HARVEY of Michigan. Right there I would say to the gentleman this, that I asked the Housing Administrator before our committee what were the limits on this program and the gentlewoman from New Jersey [Mrs. Dwyer] asked what the limits on this program were. I tried to get information, but I am not going to stand here and let the gentleman quote from a report that is now submitted by the Housing and Home Finance Agency, handed to him, and which he has given some form of authenticity, when the committee never issued that in a committee print. No, sir, I refuse to acknowledge that. I submit that it is possible to build $32,900 housing units which he is asking authority for. Look at page 30 and page 31 of the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WIDNALL. Mr. Chairman, I yield myself 5 additional minutes.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Michigan. I yield to my chairman.

Mr. BARRETT. Now the gentleman knows, as I pointed out before, you cannot get luxurious apartments in this type of program. It is just utterly impossible.

Mr. HARVEY of Michigan. Where does it say that in the bill? Where does it say that in the bill? I ask my chairman to show me where it says that in the bill?

Mr. BARRETT. This is modest construction comparable to the public housing construction.

Mr. HARVEY of Michigan. No, no, I refuse to yield until my chairman points out in the bill to me where it says that they cannot get a $32,900 apartment because I am telling my chairman that on page 31 of the bill it says that you can construct apartments which will be used in the rent supplement program that will cost $32,900. The bill says differently—than the committee print—which Dr. Weaver said a little bit later on in reflection.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Michigan. I yield to the gentleman from Ohio.

Mr. ASHLEY. The gentleman is correct: there is nothing in the law that puts on a ceiling.

Mr. HARVEY of Michigan. The gentleman would agree that pages 30 and 31 of the bill before us would permit construction of apartments costing $32,000, as this would be used in the program; is that correct?

Mr. ASHLEY. What I am saying is different.

Mr. HARVEY of Michigan. If I am wrong I hope my good friend will tell me where I am wrong.

Mr. ASHLEY. I beg the gentleman's pardon.

Mr. HARVEY of Michigan. If I am wrong, I hope my good friend will tell me where I am wrong.

Mr. ASHLEY. That is what I am trying to suggest. Under the 221(d)(3) program, the average cost per unit has been $12,500.

Mr. HARVEY of Michigan. Now we are talking about average cost. I am talking about what apartments can be built for. I do not know where the average costs came into this, other than Dr. Weaver's reflections, again.

Mr. ASHLEY. I should like to say to the gentleman that no evidence has been adduced in the hearings or otherwise to indicate that under the 221(d)(3) program units costing $32,000 have been constructed.

Mr. HARVEY of Michigan. Let me ask my friend a question. Why are you asking for that authority on pages 30 and 31? You are asking for authority to build apartments costing $32,900. You are asking for authority to use these in that rent-supplement program.

Mr. ASHLEY. No. What the gentleman is doing——

Mr. HARVEY of Michigan. Wait a minute. Is my friend saying that it is not requested on page 31? I ask the gentleman to pick up a copy of the bill and look at it.

Mr. ASHLEY. I say to the gentleman the authority is there because of the limit the Congress set with respect to the 221 program generally, which up to now have caused no argument, even from the gentleman from Michigan. I might add that nothing could be more clear than the fact that the program in question is intended to produce modest priced housing.

Mr. HARVEY of Michigan. I am glad to hear someone on that side of the aisle finally admit the authority is there to build $32,900 apartments under this program, because I have had a difficult time getting that out.

Mr. ASHLEY. I would say to the gentleman—and he knows this, because he is a very able legislator—that we do not write into each and every bill each and every detail. One might say, "but this is no detail when we are talking about the possibility of a unit costing $32,000." Is it not true that in the report we make it abundantly clear that what is intended is moderate cost or modest-cost housing and not the $32,000 unit which theoretically somehow is possible under the authority that does exist?

Mr. HARVEY of Michigan. I would say to my friend, I am not nearly so concerned with what is put in the report as with what is put in the bill. All I know is that on page 31 you ask for authority to build that sort of apartment. It seems to me we can only place that interpretation upon it.

Mr. ASHLEY. The gentleman is very perceptive and he is also aggressive. I believe this is a very interesting combination.

But let me ask the gentleman: Is there any evidence that he has come upon which would indicate, under the 221(d)(3) program, which is credited with being a very successful program, that this type of construction has taken place?

Mr. HARVEY of Michigan. I should like to answer the gentleman by repeating what I said in my remarks yesterday. I believe we could summarize all of section 101 with the one statement found on page 4, line 3, where they talk about the definition of the amount of the annual payment and so forth, and they conclude with these words: "as determined by the Administrator pursuant to procedures and regulations established by him."

This is the story of this whole rent-supplement program. It is the story of section 101, for that matter, because we would turn over our entire authority to the Housing Administrator. I do not like to draft legislation in that way. If you want $12,500 units, then I should like to write the $12,500 units into the bill.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Michigan. I yield to the gentleman from New York [Mr. Fino].

Mr. FINO. I thank the gentleman from Michigan for yielding to me.

I should like to clarify the picture a little in regard to the $12,500 per unit. I should like to bring this up to date. I do not know when the figures were promulgated, or what figures we are talking about, concerning the $12,500.

In the April 26 edition of the Evening Star, an article was written by Robert J. Lewis.

Speaking of public housing projects, he said:

> But before some new projects can go ahead, a $20,000 limitation on the cost of public housing per unit will have to be scrapped, officials indicated.

Then he goes on to say:

> Recent low bids pushed total estimates on one project, for which contracts have not yet been let, to more than $21,000 per dwelling unit.

Mr. HARVEY of Michigan. I do not yield any further. I want to say to my good friend from New York [Mr. Fino], in response to his statement that he does not know where this $12,500 figure comes from. As far as I know, the only reference to that came long after the hearings were held and just before we were to go into the Committee on Rules when a very scurrilous document was issued accusing minority members of false and misleading statements where there is discussion that housing must be of modest standards and the intent of the Housing Administrator is mentioned, and that is where he speaks of $12,500. That is where that is used. But as I heard the gentleman from Pennsylvania [Mr. Barrett] say before the Committee on Rules and I quoted before, he told the Committee on Rules that this document was apparently prepared, as we suspect, by the Housing and Home Finance Agency.

Mr. BARRETT. The gentleman has used my name. Will he yield to me?

Mr. HARVEY of Michigan. Yes. I will yield to my good friend and our chairman because I did use his name.

Mr. BARRETT. I am sure the gentleman does not want to give any implication of doubting my honesty?

Mr. HARVEY of Michigan. My good friend knows I would never doubt his honesty and veracity.

Mr. BARRETT. Will you take the article published in the paper in place of my statement?

Mr. HARVEY of Michigan. No, no. I sat there and heard the gentleman make the statement himself.

Mr. BARRETT. I said to the gentlemen on the Rules Committee and I said to you that I was responsible for this because I needed a fact sheet, because the minority report you people put out distorted the facts.

Mr. HARVEY of Michigan. I refuse to yield further. I will say to my good friend, whose friendship I value highly and who has been a good chairman, that I sat in the same Committee on Rules and we apparently had a disagreement because I drew evidently the same conclusion from what my friend from Pennsylvania told the members of the Committee on Rules, and specifically the chairman, Judge Smith, as the reporter from the Newark Evening News that I quoted did. I understood him to say exactly the same thing, that this document had been prepared in this way.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PATMAN. Mr. Chairman, I would like to yield to the gentleman from New York [Mr. Multer] for 5 minutes.

Mr. MULTER. Mr. Chairman, I will give the opponents of section 101 credit for not having deliberately misled anybody. I will give them credit for not having intentionally distorted anything. But I want to assure you, Mr. Chairman, that they certainly succeeded in confusing the entire issue. We have talked about the evidence adduced before the subcommittee and the facts submitted to us by the agency which is responsible for giving us the true facts. Nobody has controverted those facts. Nobody controverted what was adduced as evidence before the subcommittee. But you have heard a lot of reading from newspapers. Most of the items against section 101 were inspired by opponents of the section. Instead of sticking to the facts, we get all of this confusion. We have very patiently listened to the gentleman from Michigan [Mr. Harvey] attacking section 101. I will yield to him now to tell us and to tell this committee, Mr. Chairman, how he would improve section 101, or is it not a fact that no matter how we improve it he will still vote to strike it out and vote against the bill if it is in the bill? I yield to the gentleman for an answer.

Mr. HARVEY of Michigan. I thank the gentleman for yielding.

I thought I had made clear yesterday my own position on this exactly, or at least I tried to make it clear exactly, but I will state now, first, I support the concept of urban renewal; and, second, I support the concept of urban housing and point out that I served as a mayor of a substantial community.

Mr. MULTER. I will not yield further unless you answer that one question. I refuse to yield to you unless you tell this committee whether or not you will support section 101 if we put in the limitations that you say are missing. Will you or will you not support section 101 if we put in the limitations you say are not in the bill? Yes or no. I yield only for that. Yes or no, please.

Mr. HARVEY of Michigan. What are the limitations?

Mr. MULTER. Your limitations. Yes or no.

Mr. HARVEY of Michigan. What limitations is my friend talking about?

Mr. MULTER. The limitations you were talking about. If we put the limitations in that you say are missing from section 101—if we put them in, will you or will you not support 101? Yes or no, please.

Mr. HARVEY of Michigan. I do not know what limitations my friend is talking about.

Mr. MULTER. That is enough.

Mr. HARVEY of Michigan. Wait a minute.

Mr. MULTER. I refuse to yield further, Mr. Chairman.

Mr. FINO. Mr. Chairman, will the gentleman from New York yield?

Mr. MULTER. I will yield in a moment; not just now.

Mr. HARVEY of Michigan. Mr. Chairman, the gentleman does not want an answer.

Mr. MULTER. Mr. Chairman, I want an answer, but I do not want the gentleman to confuse the answer instead of meeting the issue. I am willing to yield to him again, if he will give this Committee an answer to this question: Will you or will you not support section 101 if we write into section 101 the limitations that you say are missing?

Mr. HARVEY of Michigan. The gentleman asked me that before, and he asked me if I would support the bill.

Mr. MULTER. Mr. Chairman, I decline to yield further; I yield only for a "yes" or "no" answer.

Mr. HARVEY of Michigan. Now the gentleman is changing the question. The gentleman asked me if I would support the bill——

Mr. MULTER. Mr. Chairman, I decline to yield further. Obviously the gentleman does not intend to answer the question.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman let me answer the question?

Mr. MULTER. Mr. Chairman, I will yield for a "yes" or "no" answer.

The CHAIRMAN. The gentleman will suspend. Does the gentleman yield, and if so, to whom?

Mr. MULTER. Mr. Chairman, I yield to the gentleman for only one purpose, and that is for him to answer "yes" or "no," whether he will support section 101 if we write into section 101 the limitations which he says are missing from section 101.

Mr. HARVEY of Michigan. The question cannot be answered "yes" or "no."

Mr. MULTER. Mr. Chairman, I refuse to yield further.

Mr. HARVEY of Michigan. Mr. Chairman, I shall make my statement in my own time.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I shall yield in a moment. I think it is perfectly evident that the talk about missing limitations in this bill is given to this committee merely to confuse the issue. Those who are supporting section 101 say that the bill has the limitations. We have explained them in the report. We have explained them in the debate. I think it should be perfectly clear that those who do not want section 101 will raise a lot of fog and spread a lot of camouflage to hide the real issue. The fact still remains that section 101 is a good provision. If you can improve it, we are willing to improve it.

Now, Mr. Chairman, I yield to the gentleman from New York [Mr. Fino].

Mr. FINO. Mr. Chairman, I thank the gentleman for yielding to me. I am sorry that he has picked on the press for confusing the issue. I do not think the press has confused the issue.

Mr. MULTER. I have gone beyond the press. I said that the gentlemen who are opposing section 101 have confused the issue.

Mr. FINO. If I recall correctly—and we can go back and check the record—the gentleman mentioned that the press had confused the issue.

Mr. MULTER. No; I did not. I said that the gentlemen who oppose section 101 had confused the issue.

Mr. FINO. The gentleman who is a very respected member of the Committee on Banking and Currency tried to create that impression.

Mr. MULTER. The record will disclose what I did say. But let no one think that all of the press is opposed to section 101. Much of the responsible press have supported it. Your attention has been called to it. Another item is the editorial from today's New York Times as follows:

Rent Subsidy

The rent subsidy, a key provision of the administration's housing bill, is expected to come under sharp attack in a House vote today. If it is rejected, the action will be a triumph for semantics and a defeat for logic.

Almost every kind of housing now receives a Federal subsidy, direct or indirect. Housing for veterans, for old people and for farmers is subsidized.

There are public housing programs for the very poor; the Federal Housing Administration provides mortgage insurance for one-family dwellings for the middle class; even luxury apartments for upper-income citizens often get an indirect subsidy under the urban renewal program.

Under these circumstances, the opposition that has flared up against the rent subsidy idea seems almost bizarre. The administration's proposal would simply enable the Government to pay the difference in rent between one-quarter of an impoverished family's income and the fair rental value of its apartment. This subsidy would be paid on housing constructed or rehabilitated by limited-dividend corporations. Since there are 500,000 families already on the waiting list for admission to public housing, a supplementary approach is badly needed. The rent subsidy provides that approach.

The plan has the great advantage that it would enable low-income families to continue living in buildings that have been made fit for living. Up to now, the renovation of a slum has usually meant that a sizable number of tenants who could not pay the new rents had to move elsewhere, often to even worse quarters.

The rent subsidy can become a critical component in the war against poverty. According to the 1960 census, three-fourths of families with an income of less than $2,000

> paid 35 percent or more of their incomes for rent. Among families earning $2,000 to $3,000 a year, one-third paid 35 percent or more for rent.
>
> The old guard administrators of public housing who oppose this rent subsidy program because it intrudes upon their longstanding monopoly have scarcely displayed the compassion and disinterestedness appropriate to those dedicated to aiding low-income families. The Republicans in the House have likewise proved more partisan than constructive in making an issue out of this program. They have gone counter to the leadership of Representtive WILLIAM B. WIDNALL, of New Jersey, the ranking minority member on the Housing Subcommittee and the GOP's foremost housing expert.
>
> A vote against the rent subsidy program would be a vote against some of the most defenseless members of society. The House ought not place this black mark against the good record of the 89th Congress.

Let us not overlook the following from the Washington Post June 28, 1965:

> PUBLIC HOUSING STAND
>
> The June 23 "Inside Report," by Rowland Evans and Robert Novak, contains the statement that the public housing lobby is opposing the rent supplement proposal in President Johnson's housing and urban development program and has made an "alliance with old enemies on the right" to fight this proposal.
>
> While the column did not identify the public housing lobby by name, this statement has evidently caused some confusion as to the position of the National Housing Conference on this issue, since the conference is the only overall lobbying organization which over the years has supported the liberal position on housing, urban renewal and community development legislation.
>
> The President's proposal for rent supplements was carefully considered by the National Housing Conference at its annual convention in Washington in mid-March this year. The recommendation of our resolutions committee, which was ratified by our membership, was to support the rent supplement proposal as an experimental program, in no sense as a substitute for the public housing program, but as a promising additional tool for meeting the housing needs of families and individuals of low and moderate income.
>
> In testifying before the Housing Subcommittee of the House and Senate Banking and Currency Committee in general support of the proposed Housing and Urban Development Act of 1965, I presented the position of the National Housing Conference on the rent supplement proposal. I can also state from personal knowledge that the conference's support for rent supplements is shared by a broad consensus of the other public interest organizations which cooperate with us.
>
> Admittedly the rent supplement proposal is opposed by some persons active in public housing at the local level. However, I know of no "public housing lobby" other than the National Housing Conference and I believe the record should show that the conference is strongly supporting this and other provisions of the pending housing and urban development legislation.
>
> NATHANIEL S. KEITH,
> *President, National Housing Conference.*
> WASHINGTON.

Section 101 is a good program. We should try it. The sooner, the better.

The CHAIRMAN. The time of the gentleman from New York [Mr. MULTER] has expired.

Mr. PATMAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, a number of comments and accusations have been made concerning the publication of a document which sets the record straight on the rent supplements section 101 of the Housing and Urban Development Act of 1965. Due to the severity of the comments made about this document and their overall caustic, if not disrespectful tone, I feel obligated to make these remarks.

Your Banking and Currency Committee filed its report, No. 365, on the Housing and Urban Development Act of May 21. This report included the report of the majority, minority views signed by eight members of the minority party, and additional individual views filed by a total of five other members of the minority party.

The main thrust of the minority views was to attempt to condemn that portion of the Housing and Urban Development Act of 1965 which establishes the rent supplements program. The attack upon the rent supplements program can only be characterized as disrespectful to the Members of this body and vitriolic. As has been true so many times in the past, some members of the minority party desire to oppose every social program that ever comes before this body. The opposition to such proposals, and namely the rent supplements program under consideration in this bill, would deserve consideration if couched in unemotional terms and if based upon valid assumptions and facts. However, as has been the case in the past, and as is true in their criticism of the rent supplement proposal, the entire approach of the minority is one which attempts to appeal only to emotional fear and not to fact and logic.

It has been charged that the rebuttal to these emotional charges was strong. This is a correct statement. Why, Mr. Chairman, was it necessary for the rebuttal to be couched in strong terms? I believe a reading of the minority views on this matter will make the answer to this question unavoidably obvious and plain. Let me just read some excerpts from the minority views and some of the chosen emotional phrases which they insisted upon using.

In the introduction to their minority views they state that the rent supplement proposal is "foreign to American concepts." The minority states that the proposal "kills the incentive of American families," that it "makes renters wards of the Government."

These emotional scare words are bad enough, Mr. Chairman, but they do not begin to approach the scare words used in subsequent parts of the report.

Let me further quote from the verbage used by those signing the minority report.

The minority state that the rent supplements proposal "is the way of the socialist state." The minority further say that the proposal is a "threat to homeownership." The minority charge those approving the majority report, which includes members of the minority party, that we have proposed an "absurd formula." The minority state in their report that the results of the formula are "fantastic." That they are ridiculous" and they repeat that the formula proposed by the majority of the members of the committee is a "wide open, socialistic subsidy formula."

Let no one believe, Mr. Chairman, that this is the end of the emotion-laden vitriolic language used by the signers of the minority in their report. Those signing the minority report, Mr. Chairman, are saying to those of us who support this proposal that we, the majority members, are absurd, that we are ridiculous, and that we support and foster socialism.

The minority report states, and I quote:

> Under date of April 21, 1965, the Housing Agency submitted to the subcommittee a table showing income ceilings which would be set for individual cities in administering the rent supplements program.

The minority report then goes on to list the income limits for various cities in the United States. In my opinion, if there is any attempt at unemotional, logical presentation in the minority report it is contained in this section. The case for the charges made that this is an "absurd and ridiculous formula" rests or falls on the accuracy of these figures used.

But what are the facts in the case, Mr. Chairman? The simple fact is this. The Housing Agency categorically denies that it prepared the data contained in the statement of the minority views on page 179 of the housing report. To my knowledge there is no document in existence written on the letterhead of any housing agency or signed by any responsible official of any housing agency which contains any such figures as those presented in the minority report. This, Mr. Chairman, is a fact.

This is not the end of the emotion-laden verbiage which the minority hurls at the majority in their report. Let me just quote a few more of their phrases. One reads as follows: "Who is hoodwinking whom?" as if we of the majority are trying to deceive everyone. And perhaps the most indefensible of all is contained in the following quote from the minority report:

> In our opinion the President has been sold a bill of goods. We cannot believe that he would "buy" such an incredibly wide-open subsidy proposal had he been fully advised as to the potential evils of the program. We are certain the American people will not "buy" such nonsense as is contained in this proposal.

Mr. Chairman, those who agreed with the majority report, to sum it all up, have been accused of being absurd, have been accused of being ridiculous, have been accused of proposing nonsense formulas and attempting to hoodwink the American public. We have been accused of trying to take the American public down the path of socialism, that we are making a proposal that is a threat to homeownership. And finally those who agree with the majority position are condemned for proposing all of this based on a letter concocted out of the whole cloth.

Mr. Chairman, the language contained in the rebuttal report to the minority views is accurate and unemotional. The language is factual and correct. The words chosen in the rebuttal report are clear and unequivocal.

It has been stated that the integrity and veracity of the members of the minority signing the minority report has been questioned in the rebuttal report. There is no truth to this statement. No one questions the honesty and integrity of any Member of this body.

The rebuttal report attempts and succeeds in this attempt to do nothing more than point out statements which cannot be supported by concrete facts or reasonable observable assumptions.

The rent supplements program is a good one. One which I am convinced will work. It is one which every Member who desires to assist in providing every American with a decent home must support.

Mr. WIDNALL. Mr. Chairman, at this time I yield 10 minutes to the gentleman from Tennessee [Mr. BROCK].

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. I would like to address my comment to the gentleman from Texas so far as concerns his remarks about the committee print that was issued.

I would point out in my judgment there are a couple of items which distinguish this document from any other document. First of all, even though we on the minority side may be accused of being ridiculous, which he would like to have anyone conclude, nevertheless we had the courage of our convictions to sign our minority report. Each one of us has put our name below the statement. We read that over before we signed it. We did not put out on the floor a scurrilous document unsigned by anyone. That is what appears in the committee print. Certainly this is something that should be fair on the face of it to every lawyer in this body and all of those in the Home Finance Agency who wrote this document. There is a tremendous difference between accusing someone of ridiculous acts or absurd acts, yet putting in a document that the minority members are guilty of false statements. That is a connotation so far as the lawyers are concerned. I have never been accused of putting out a false statement, and I have never been accused of putting out a misleading statement as a minority member.

Aside from accusing people of false statements and misleading statements and those who are in the Housing and Home Finance Agency, you accuse them of making a complete and possibly calculated misunderstanding of the provision. I have never been accused before of attempting to create a calculated misunderstanding. All of you who are lawyers know that there is a big difference. Besides that, we are willing to sign our names to the report.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I want to say to the gentleman I have never been used to being accused of using anything falsely.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from New York.

Mr. MULTER. This may not be in order to comment on the document and talk about misunderstandings, and the like. I do hope somebody will tell us if they want to improve section 101 and how we can improve it.

Let us go to work on the bill instead of talking about documents, and whether they are good, bad, or indifferent.

Mr. BROCK. I thank the gentleman.

I would like to state that the way I would improve section 101 is to take it out of the Housing Act altogether.

Mr. MULTER. I would like to compliment the gentleman for his frankness.

Mr. BROCK. I thank the gentleman. I want to make it clear I am opposed to section 101, and everything it stands for. It is a new concept in legislation. Let us be honest about it. In the past we have in Federal programs endeavored to help those people who cannot help themselves, the handicapped, the unemployed, the widows.

What are we doing in this bill? We are coming out with a program which is specifically for the benefit of the middle-income citizens of this country. The thing that disturbs me is we are going to subsidize the middle-income taxpayers with a Federal program without talking about who is going to pay the bill.

A cursory examination of our tax structure will show you that of all the income tax taken in by the United States in any given year over 75 percent of that money is paid by people whose income fell in the less-than-$10,000-per-year category.

These are the very people that this bill purports to help with a direct Federal subsidy. In other words, the middle income citizen pays the taxes so we can subsidize him with his own dollars.

In the area of need, you can go into statistics which show that with families of all types in urbanized areas, over 97.6 percent of the owners and 91.5 percent of the renters occupy standard housing or better.

I do not want to take up much time on the need. I think it is fairly obvious that the middle-income citizen of this country does not need a Federal handout.

I think the thing that disturbs me more than any other single feature about this bill is the fact that invariably and without any question, it must of its own weight kill the basic incentive of the average American citizen to own his own home and to exert his greatest effort to improve his standard of living. The average median family income in the United States today is $6,249 per family. Could they, if they are in this average family category receive a Federal subsidy? Absolutely. Let us take a family with five children earning a $6,250 income in San Antonio, Tex. If they are in an apartment that costs $200 per month they would receive $70 a month or $840 a year on a Federal subsidy. Of course, if the income goes up $200 a year, they are thrown out unless the administration allows some exemptions from income such as union dues and so forth. What is the incentive to improve their income?

We have also heard a great deal of debate about the strict regulations in this law such as the supposed limit of $12,500 on construction. There is no such limit. It is not in the bill.

What is the limit on family income? There is not any limit that we can find in specific terms. It is up to the administrator to determine the income. In the bill the only words are "tenant's income as determined by the administrator pursuant to procedures and regulations established by him. It is also up to the administrator to determine those items which would be deductible from income. If we apply the same standards that are applied by the public housing officials in New York City, maximum exemptions from gross income figures could be as much as $2,400. That is the maximum amount of exemptions you can get in New York City. These standards are left up to the administrator. This House is evading its responsibilities when it leaves this latitude up to the administrator—to set any standards that he wishes within these broad ranges.

We are not meeting our legislative responsibility when we do not apply detailed standards in a program of this type.

This bill concerns me because in essence, it is a one-lobby bill. It is a big-builders bill. There is not any question about that. I am getting a little bit tired of these people who hypocritically come in and say, "I am for free enterprise but I want to get a piece of the pie."

Finally, I was delighted that the chairman read our minority views. I will make no apologies for them. This bill is foreign to American concepts. It does kill the incentive of the American family to improve its living accommodations by their own efforts. It does kill the incentive for homeownership. It does make renters the wards of the Government. It is a system of economic integration of housing through Government subsidy. It is the way of the socialistic state. In sum I am flatly opposed to section 101 and everything it stands for.

Mr. WIDNALL. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. TALCOTT].

Mr. TALCOTT. Mr. Chairman, I will take just a few minutes to discuss a very limited part of the Housing Act, namely section 101, the rent-supplement program.

My views are based on two beliefs. The United States, through the free enterprise system, and individual pride and self-respect also, has produced the best housing of any nation on earth, developing from primitive to very superior in 200 years. Nevertheless, there are some families who live in substandard homes, and I do favor Federal assistance for housing for families with low incomes.

Having said that, I believe that governmental housing should not be a vehicle for irrelevant purposes—to force integration, whether it is racial or economic; to depress private home values; to promote a new Cabinet position; to buy votes; or to provide a temporary "shot in the arm" for the big builders.

Mr. Chairman, I rise to bring out only a few of several dozen objections to the ill-considered and ill-advised rent supplement proposal.

Firstly, a number of us oppose the rent supplement proposal because there is absolutely no provision in the bill for including family assets in the formula for determining eligibility. According to the bill, annual income is the sole determining factor.

During the hearings, in response to questions, the administrator suggested that family assets would be a factor limiting eligibility to be spelled out in regulation. Administrators and regulations can and do change. This question is too important to be left to regulation. We should know and set out in the bill the policy in regard to assets and eligibility.

Secondly, the language in section 101(e) is very clear that the administrator may delegate his authority to certify persons eligible for the benefits of the rent supplement program to private agencies. The private agency could be any type of agency, including debt collection agencies. This is an unprecedented and unwarranted delegation of governmental function to private agencies and is an infringement of an individual's right to keep personal income information between himself and his Government.

Another major defect of the rent supplement proposal is the request that only new projects may participate. The majority claims that some existing housing may qualify if it is rehabilitated, but the possibility is quite remote.

With a housing vacancy rate of over 7 percent, private housing available within the rent limits which will be subsidized under section 101, should be eligible for rent supplements. If the purpose of the new program is to provide adequate housing for lower and middle income families, it should be done as economically as possible. Use of existing housing is more economical than subsidizing new. The Federal Government should not encourage the construction of new housing, if adequate, vacant, private, taxpaying housing is available. The discrimination against existing vacant housing does not square with the avowed purpose of the rent supplement program.

My colleagues are detailing other reasons for defeating this section; therefore, I am restricting my comments to three objections to the rent supplement program, any one of which would be sufficient for striking this proposal from the bill.

Mr. Chairman, in my individual minority views on this bill, beginning on page 188 of the House report, I listed 20 reasons why I believed the rent supplement program should be rejected by the Congress. I will not reiterate all now. Reason No. 20 states that this rent supplement program "provides the mechanism for extending rent doles to more than half of the families of America."

On page 8 of the document, erroneously labeled as a "committee print," the author—whoever he or they may be—said that the minority contention that the rent supplement program payments could be made for more than 50 percent of the Nation's families represents a false allegation. This was not the minority view, but my view. I want to explain.

I would like to remind the author or authors of this so-called committee print that my individual views expressed the belief that the program provided a mechanism for extending these rent doles to more than half of the families of America.

The committee print in reply states that the rent supplement program would benefit only 10 percent of the Nation's families. Nevertheless, I contend that it provides the mechanism for extending these rent doles to more than half of the Nation's families. Let me explain. The national median family income, according to the 1960 census, is $6,249.

On April 21, 1965, the Housing Agency submitted to the Subcommittee on Housing a table showing income ceilings for the rent supplement program in 11 large cities as ranging from $6,450 to $8,900, clearly above the national median income.

The supporters of this fantastic scheme will reply that, nevertheless, the program will be limited to the elderly, handicapped, displaced families, and those who live in substandard housing, and that this would prevent extension of the program to families whose incomes are above the national median.

However, I suggest that, once the United States pays a rent dole to a family earning $6,600 or $8,000 who happens to be living in substandard housing, then surely as night follows day the Congress will be called upon to do something for the families earning $6,000 to $8,000 who through personal sacrifice are occupying standard housing. That is why I contend that this program provides a mechanism—a politically impressive mechanism—which will manifest itself in a few years in pressures to take care of the presently ineligible family—with the same income—who, according to the Housing and Home Finance Agency, may be paying too much for his shelter.

The committee print states that my prediction is exaggerated and inaccurate. On the contrary, it is an inevitable result which will flow from this program.

Also, there is ample basis for the opinion of the opponents of this rent subsidy program that the incomes of those eligible may very likely be higher than those mentioned by both the majority and the minority.

Section 101 does not define "income." Neither does the basic public housing statute. Here is what the Public Housing Agency did by regulation to tailor "family income" to the "income eligibility" requirements. There are seven deductions for determining eligibility for admission, and four additional deductions from net income in determining eligibility for continued occupancy. These deductions are:

First, expenses for special tools, uniforms, and transportation in excess of that normal to employment in the locality; second, deductions for social security, pensions, retirement, occupational taxes, and union dues; third, amounts payable for the support of dependents residing elsewhere where there is a legal or moral responsibility for such payments; fourth, amounts payable for care of children or aged or incapacitated family members; fifth, amounts payable for medical care of family members with continuing illnesses; sixth, personal expenses of heads of families who are in the armed services and stationed away from home; seventh, personal expenses of heads of families who are veterans attending school away from home and are receiving Government allowances for education and training.

Some of these deductions are limited, others are completely without limit.

In addition, there are deductions of $100 for each minor child or adult member having no income, and from $600 to $1,000 deductions from the incomes of adult members who are not principal income recipients.

I am quoting from a GAO report dated April 1963. The report concluded that these deductions were permitting families to live in public housing who earned in excess of the national median income.

Page 23 of the report gives an example of a family consisting of two employed adults with combined income of $8,841, yet the computed income for continued occupancy in public housing, after deductions was $3,893—less than one-half.

On the same page the GAO cites tenant families with incomes in excess of $12,000 who were occupying public housing because of these deductions and exemptions.

Just think what a monstrosity we have here in section 101 if the Administrator, who acquiesces in these deductions and exemptions for public housing tenants, extends the same principle to "rent supplement" families. No small wonder that the bill contains no limit on the annual subsidy per unit under the rent supplement program.

I take the time of the House to underscore the absence in this section 101 of any restriction on the Administrator in determining what is family income.

If these deductions are valid for public housing, then they are valid for rent supplements. These are expenses which are the life of all families of low and moderate income.

The point I want to make is that the Administrator under this bill would have the authority to extend these same deductions in determining the size of the rent subsidy. Indeed it would be highly unusual, if not discriminatory, to apply these deductions to a public housing family whose gross income is $5,000 and not to the family of the same income applying for a rent supplement.

This is why I contend that it would be naive in the extreme to accept the majority position that we are talking about rent supplements for 10 percent of the Nation's families.

The most modest acceptance of political reality leads inescapably to the conclusion that we are soon to make a decision on a program of rent subsidies which provides a mechanism for subsidizing the rents of more than half of the Nation's families.

Mr. Chairman, if I may, I would like to ask the chairman of the subcommittee [Mr. BARRETT] if he can explain to me what the word "handicapped" in section 101 means.

Mr. BARRETT. Yes. I am glad that the gentleman asked that question, because it is a very good question.

Mr. TALCOTT. May I interrupt for just a moment?

I am certain the definition would include people with no arms, for instance. That would be considered a handicapped person, would it not?

Mr. BARRETT. Well, we considered "handicapped" in the language of the bill to mean that person who is unable to obtain decent, safe, and sanitary housing at up to one-fourth of his monthly income. It does not make any difference how he is handicapped.

Mr. TALCOTT. Then, that would include everyone without reference to any handicap.

Mr. BARRETT. Only those who are not able to obtain standard housing with one-fourth of their income and are handicapped.

Mr. TALCOTT. But what is the purpose of having four definitions: those who are elderly, handicapped, displaced, and those in substandard housing?

Mr. BARRETT. For this reason, not everyone who is elderly is eligible.

Mr. TALCOTT. I am not talking about elderly. I am talking about handicapped. I am seeking a definition of handicapped.

Mr. BARRETT. Everyone who is handicapped is not eligible. It is only that person who is handicapped in that category.

Mr. TALCOTT. Who are the handicapped persons who are eligible?

Mr. BARRETT. Well, of course "handicapped" means just that—unfortunate people whose physical disability reduces their earning power.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WIDNALL. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. DEL CLAWSON].

Mr. DEL CLAWSON. Mr. Chairman, some weeks ago, together with the majority of the minority members of the Banking and Currency Committee, I signed a report containing the view we held with respect to section 101 of H.R. 7984, the measure now before us.

Subsequently, in my absence from the city on official business, a committee print, unsigned and without notice to the members of the minority, was issued in an attempt to discredit those views. The language of this committee print was, to say the least, intemperate. The views of the minority were said to be misleading and false.

In the short time that I have, I want to speak to that very point. Very simply, rather than the minority views being misleading and false, the committee print is misleading and false and is proved so by its very language.

The committee print was issued by the chairman of the Banking and Currency Committee together with a press release that was placed in the House press gallery the Friday before the Monday when it was sent to members of the minority. I know the honorable gentleman from Texas takes a great interest in housing matters, almost as much interest as he does in banking matters. I also know that the housing subcommittee chairman, the honorable gentleman from Pennsylvania, has taken complete responsibility for the contents of the committee print. But it comes to me as a complete surprise that either of the honorable gentlemen could be so misled after their long service in this honorable body to rely on the misleading statements contained in the committee print.

On page 2, the committee print refers to the 70,000 families who are displaced annually by federally assisted public improvement programs. On page 9, the same "document," if the House will excuse the term, refers to the 80,000 families displaced by governmental action. This is a discrepancy of 10,000 families. The information conveyed by the committee print is misleading, if not false.

On page 15 of this thin document, it says that the housing programs have been able to provide less than 30,000 units designed for the elderly. Now this supposed fact counts none of the elderly living in normal FHA insured dwellings. It deals only with those units especially designed for the elderly. But even so, the arithmetic is faulty. There are 55,405 units available for the elderly that are especially designed for that purpose. There are 109,000 more especially designed and programed units for the elderly. And by conservative estimates there are more than 270,000 elderly persons living in public housing, and the FHA and CFA housing programs for the elderly. These figures differ considerably from the impression conveyed by the committee print. They are factual.

Once again, the information conveyed by the committee print is misleading, if not false.

On page 6 of this thin document, it says, "The argument that Federal subsidies under the rent supplement program would be greater than those under public housing is completely unfounded." On page 10, it emphasizes this statement, saying:

> The maximum subsidy needed for a particular family would never be greater in the rent supplement program than under the public housing program.

When the honorable chairman of the committee and the honorable chairman of the subcommittee introduced their original bills, H.R. 5840 and H.R. 5841, it was specifically stated:

> The amount of the annual payment with respect to a dwelling unit shall not exceed the estimated amount of subsidy contracted for under the U.S. Housing Act of 1937 with respect to a dwelling unit of comparable size and type in the same or a comparable community.

This language, which can be found on page 4, lines 5 through 16, of the bills mentioned, was not retained when H.R. 7984 was introduced. On pages 3 and 4 of H.R. 7984, it says as to the payment to be made:

> (d) The amount of the annual payment with respect to any dwelling unit shall not exceed the amount by which the fair market rental for such unit exceeds one-fourth of the tenant's income as determined by the Administrator pursuant to procedures and regulations established by him.

Note carefully the last words "as determined by the Administrator pursuant to procedures and regulations established by him." This means that the Administrator is free to pay in any manner and in any amounts he sees fit. If there was not an intent to enable the Administrator to pay above the public housing subsidy, then why was the language of the original bills changed?

I have checked with the honorable gentleman from New Jersey, the ranking minority member of the Banking and Currency Committee. He tells me he did not propose this change, although it was included in the companion bill that he introduced. The honorable chairman of the committee, and the honorable chairman of the subcommittee must, therefore, have proposed it, unless we are going to fall back on the fact that this was an agency proposal which they were persuaded to adopt as their own.

There is only one unmistakable conclusion—there is intent to be free from any tie to the amount of subsidy paid under the public housing program. There is intent to leave the Administrator free to pay more than the public housing subsidy. At what cost to the Government, may we ask?

For the third time, the information conveyed by the "committee print," this "thin document," is misleading, if not false.

The "committee print" also quarrels with the minority as to the range of incomes that would be subsidized. Information has been made available as to the agency's intentions. They indicate, as does the "committee print," that payments would not be made to families earning much in excess of $6,000. The committee print labels as false a statement they attribute to the minority that "the Administrator can decide, for example, that a family with four children making $8,000 ought to be eligible."

Mr. Chairman, the Administrator originally proposed a rent supplement program for families above the public housing level. He excluded all those in the communities eligible for public housing. The committee, led by the honorable gentleman from New Jersey, moved the eligibility floor for the program down to include those eligible for public housing. Testifying for the revised bill, the Administrator said it would still include families above the public housing level.

What is the top range of public housing eligibility? Mrs. McGuire, the Public Housing Commissioner, answered—and you will find her statement on page 237 of part 1 of the published hearings of the Subcommittee on Housing for March 25, 1965.

Mr. CABELL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and two Members are present, a quorum.

Mr. DEL CLAWSON. Mr. Chairman, to resume the quotation to which I referred, I read as follows:

> The possible top for admittance of a four-person family with many exemptions is $8,100.

So if the Administrator is going to pay above the public housing level, he is going to be able to pay above $8,100. Further, in the locality where this income limit applies, the $8,100 is complemented by permission granted by the local housing authority for deductions up to $2,400 to be allowed before income is counted. There is also an extra $700 that the family may add to its income before it loses its eligibility. It is conceivable, therefore, that a family could be living in public housing and earning $11,200.

Consequently, it follows that the minority erred, but on the side of understatement when it placed rent supplement payments as possible to families earning as much as $8,000. As a matter of fact, its original estimates were based on figures released to the press by the subcommittee staff of the majority. These figures have appeared in print. The administration may wish to revise its calculations. They have been generally faulty in concept and execution. The statements of the HHFA Administrator and the PHA Commissioner stand in the record. So do the income limits of public housing of which documentary proof is available.

For the fourth time, therefore, the information conveyed in the "committee print," this thin document, is misleading, if not false.

During the hearings on the housing bill, the administration witnesses very carefully shied away from putting an estimate on the total costs of the rent supplement program. Nowhere in the hearings was any mention made of the total dollars that would be required during the 40 years that the Government would be obligated to pay rent supplements under the plan. The fact that within 4 years, the agency would be able to pay out $200 million annually was carefully concealed. The language of the bill on page 2, however, authorizes that amount beginning July 1, 1968.

The minority views in which I participated applied simple arithmetic to the $200 million and multiplied that amount by 40, the number of years that the program was to run. That gave us a simple figure of $8 billion. Not million—billion.

The Housing Administrator is said by the "committee print" to now admit to a cost of $4.7 billion. The "committee print" claims this is realistic, that the average annual cost of the program will be only $117 million. It has used an adjective, not facts. If the program will average only $117 million in subsidy rent payments annually, why is the administration seeking an authorization after only 4 years of $200 million annually?

There can be only one reason. The administration knows it is going to cost at least that much if it accomplishes its program.

How does it know? It knows because it has the experience of the public housing program at hand. In 1949, when both the honorable chairman of the Banking and Currency Committee and the chairman of the Housing Subcommittee were in this House, the Housing Act of 1949 was enacted. They were told then that $308 million in subsidy payments would be sufficient to support 810,000 public housing units. They were told we would have the units in 6 years.

We do not have half of those 810,000 public housing units completed for use. We have perhaps 170,000 awaiting action—action that has been a long time in coming. We are authorizing another 240,000 in this bill under section 104. When we get those built we will be paying not the $308 million that the Housing Act of 1949 contemplated, but $526 million, a 70-percent increase. Inflation, rising construction costs, and dilatory action have produced this increase in costs. And there is nothing in the record to indicate that inflation, rising construction costs, and dilatory action in this field will not also be the portion of the rent supplement program if it is enacted.

So the $117 million average annual cost mentioned on page 12 of the committee print is misleading, if not false, which is what we have, for the fifth time, come to expect of this "thin document."

The committee print also rails at the minority for revealing the fact that construction costs would be possible up to a level of $29,000 for a three-bedroom unit under present law and up to $32,987.50 under raises which this bill contemplates. It says the average cost will only be $12,500.

The construction costs given by the minority are perfectly possible. On page 31 of H.R. 7984, construction costs for the 221(d)(3) program which will be used in the rent supplement program are allowed to rise to a high of $22,750. Added to this can be another 45 percent in costs allowed by the FHA Commissioner or the HHFA Administrator, if the urban affairs bill becomes law. This is possible under legislation enacted in the Housing Act of 1964 where it was enacted "that the FHA Commissioner may, by regulation, increase any of the foregoing total amount limitations contained in this paragraph but not to exceed 45 per centum in any geographical area where he finds that cost levels so require."

But let us, for the moment, take the majority at its word that the average costs of these units will be $12,500. I think I have proved to the honorable Members that the 40-year cost of this program under the policy of inflation and delay will be $8 billion. I would suggest at this point a simple arithmetic problem. Divide the alleged $12,500 cost into the $8 billion. That will give you 660,000 homes which can be given away free and clear to those needing them. That is 160,000 more units of housing than will result from the majority's proposal.

Mr. PATMAN. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Chairman, this is an excellent housing bill and I have great praise for the constructive labors of the subcommittee and particularly for its great chairman, the gentleman from Pennsylvania [Mr. BARRETT] and the equally outstanding minority Member, the gentleman from New Jersey [Mr. WIDNALL].

Mr. Chairman, I wish I had the time to discuss the many forward-looking features of this bill, the lowered interest rate on college housing and cooperative housing, the fine additions to the open-space program, but since most of the heat this afternoon seems to have been generated in connection with the rent supplement program that is what I will address myself to.

What is this rent supplement program all about? Well, very simply it is designed to meet the needs of the people who can now afford to live only in substandard or slum housing and to give them a decent but modest place in which to live using private enterprise to the maximum possible extent.

Public housing alone cannot begin to do the job of taking care of the millions and millions of Americans who are now condemned to live in substandard slums, crummy, rundown, dilapidated housing.

In 1964 only 24,000 public housing units were constructed in the entire country and in 21 of 25 of our largest cities, none at all were constructed. The reason is very largely because it is no longer possible to find good sites for public housing projects and because of local opposition in many communities.

Here is how the rent supplement program would work. The supplements would be payable only to cooperatives and nonprofit organizations. To be eligible, a family would have to be a low-income family—a family which, under its income, could not find housing that was not a slum house. In addition to that, they would have to be elderly, handicapped, displaced, or now living in slum housing.

The supplement would be the difference between one-quarter of their income and the rent of the new cooperative unit.

Let us take a look at some of the figures, to see how this would work.

Mr. WAGGONNER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-one Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 160]

Baring
Bonner
Bow
Brown, Ohio
Dent
Evins, Tenn.
Gibbons
Greigg
Harvey, Ind.
Hays
Holifield
Holland
Jacobs
Keogh
Lindsay
Mackay
Martin, Mass.
Morse
Morton
Passman
Powell
Reid, N.Y.
Rivers, Alaska
Roosevelt
Springer
Steed
Thomas
Toll
Tupper

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. FLOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 7984, and finding itself without a quorum, he had directed the roll to be called, when 404 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Wisconsin has 12½ minutes remaining.

Mr. REUSS. Mr. Chairman, I was proceeding, in a low pressure and uncontroversial manner, to explain the rent-supplement program when the quorum was called, not by me, but I am very grateful for the attendance and the attention both, because this is an important matter.

This is a comprehensive bill. It contains three features which particularly strengthen it.

By insuring an interest rate of 3 percent on cooperative, college, and elderly housing, it will give a much-needed boost to the middle-income housing market.

It greatly improves our existing open space law, by permitting open space grants for areas that contain buildings which need to be torn down for parks or plazas, and by grants for beautification of open areas, as by providing garden plots for senior citizens.

Thirdly, there is the rent supplement program of section 101—what President Johnson has called the most crucial new instrument in our effort to improve the American city. It was approved by the Housing Subcommittee by a bipartisan 10-to-1 vote. The rent supplement program is designed to provide a program, additional to public housing, for meeting the needs of those who now live in slums.

Public housing cannot do the job alone. In 1964, only 24,000 public housing units were constructed—which is the average for the last 5 years—and 15,000 of these were for the elderly. In 21 of the 25 largest northern cities, no public housing units were constructed in 1964. In Baltimore, Cleveland, Detroit, and Boston no public housing projects for families at all have been constructed in the last 3 years.

Public housing can do only a limited part of the job of meeting the needs of the 500,000 families now on its waiting lists. This is because sites are difficult to find, and because of opposition in many areas to public housing.

Likewise, the subsidized cooperative housing program last year produced only 14,000 new units. And even these were for moderate, rather than low-income families. A typical rent under this program for a two-bedroom unit is $100 a month. For a regular FHA unit, it is close to $200.

Here is how rent supplements would work. They can be payable only to privately sponsored, financed, and built cooperatives, limited dividend and nonprofit corporations. To be eligible, a family must be in the low-income public housing range—four times the minimum rent in the community for a nonslum unit; in addition, they must be elderly, handicapped, displaced, or now living in slum housing. The supplement will be the difference between one-fourth of the family's income and the fair market rental of the cooperative unit. These units must be modest in design.

Suppose the minimum rent in the community for a nonslum two-bedroom unit is $110 a month. A family making $400 a month, or $4,800 a year, would be eligible for a rent supplement in a 221 (b)(3) project renting for $120 a month. The rent supplement would be $20 monthly—the difference between one-fourth of the family's income and the market rental.

There are today more than 5 million families with incomes too low to afford decent housing, and are elderly, handicapped, displaced, or living in slums. We hope to take care of 500,000 of these over the next 4 years. They would not be built without the rental supplement program. When built, they will provide good housing for many times the number of rent supplement recipients.

SUPPORT FOR THE RENT SUPPLEMENT PROGRAM

Mr. Chairman, the rent supplement program has been the most widely discussed and seriously considered of all the proposals in this bill.

The rent supplement program was endorsed by housing spokesmen for the AFL–CIO. It was endorsed by the spokesmen for America's homebuilders, the National Association of Home Builders. It was endorsed by the spokesmen for those largely responsible for investing private capital in the homebuilding industry, the Mortgage Bankers Association of America, the American Bankers Association, and the National Association of Mutual Savings Banks.

The rent supplement program was favored by a number of groups representing the elderly, including the American Association of Homes for the Aging, the National Council on the Aging, and the National Council of Senior Citizens.

The cooperative movement supported the program with the strong endorsement of the Cooperative League of the U.S.A.

Social service people who know the problems of the poor supported the program through the favorable testimony of the National Federation of Settlements, the National Conference of Catholic Charities, the Community Service Society, and others.

Many of the mayors of our cities who know at first hand the need for additional housing for low-income people endorsed the rent supplement program. It was recommended to the Committee by housing experts of the National Housing Conference and the Joint Center for Urban Studies of MIT and Harvard University.

These groups support the rent supplement program because they recognize the need for new and additional tools to stimulate the construction of decent housing for people who now live in slums.

OPPOSITION TO RENT SUPPLEMENT PROGRAM

Of course, there is opposition to the rent supplement program. Most of it comes from those who have, over the years, fought every program to provide additional decent housing—from the creation of the FHA, through public housing, and the 221(d)(3) program.

Many of the arguments used against the rent supplement program have an old familiar ring. We have heard them every time Congress has voted on enactment of a new program to help the poor.

Let me quote to you, Mr. Chairman, from the statement of minority views in the report of the Committee on Banking and Currency, the words we have heard so often and have come to know so well.

The rent supplement program they say is, and I quote, "Foreign to American concepts." They say it is, and again I quote, "The way of the socialistic state."

These are the same words—"un-American" and "socialistic"—that the Republican Party has applied to the social security program, minimum wage legislation, the Agricultural Adjustment Act, the Wagner Act, the unemployment insurance program, and just about every other piece of legislation designed to benefit the American people enacted by this House in the last 32 years.

The American Bankers Association is for rent supplements. Bankers are Socialists?

The Catholic Charities support rent supplements. Catholics are un-American?

Let me say to my friends who have seen the wonderful things that public housing has done and can do that the public housing program has nothing to fear from the rent supplement program. There is no shortage of poor families who need standard housing. This bill has more in it for public housing than any bill enacted by this Congress in the last 16 years. And it is needed. And the rent supplement program is needed. Both are needed to provide decent housing at rentals that poor people can afford.

Mr. Chairman, I say to my friends that those poor families who now live in slum housing, and cannot afford decent housing, are not concerned with the name we give to the program which can provide decent housing for them. They do not care whether the decent housing they need will be constructed under the public housing program or the rent supplement program.

The poor cannot afford to be doctrinaire. They are not interested in jurisdictional disputes among bureaucrats.

The slum housing they now occupy does not cease to grind and oppress them because their names are on a waiting list for a public housing unit. They are no longer patient with the very real problems of selecting a site for a public housing unit.

To provide decent housing for the poor, we need both the expanded and improved public housing program this bill would provide and the rent supplemental program.

DISTORTIONS AND ERRONEOUS STATEMENTS OF FACT

Erroneous data and distortions are being used to confuse the Congress and the American people on the facts of the rent supplement program.

With a straight face, the opponents of the rent supplement program have alleged that under this program there will be built three-bedroom units that cost $29,000; four-bedroom units that will cost $32,987; and penthouses that will cost $100,000.

They have drawn for us the specter of the Federal Government paying subsidies of $252 a month for families living in four-bedroom units which rent for $315 a month. They have painted a picture of a family with no income, which is on relief, living in a $100,000 penthouse for which the Government will pay $800 a month in rent.

Such wild distortions may amuse those who dream them up. But they are not true.

The rent supplement payments authorized by the bill could be made only with respect to housing of modest design. Under the bill, rent supplement payments can be made only with respect to housing constructed in accordance with the standards that have been set for the existing 221(d)(3) moderate-income housing program. Under that program, the Federal Housing Administration cannot insure a mortgage if the rentals required to amortize the mortgage are greater than the rent that can be paid by a family whose income is less than the median income in the area.

In the 4 years that the 221(d)(3) program has been in operation, the average amount of a mortgage per unit under that program has been approximately $12,500. If the rent supplement program had been in operation during this 4-year period, the average amount of a mortgage per unit under the program would have been just about the same amount.

These are the facts the opponents of the rent supplement program want to avoid. No hundred-thousand-dollar penthouses—no four-bedroom units renting for $315 a month—just modestly designed, decent housing that families in the community who make less than the median income in the community can afford to rent.

Mr. Chairman, the facts are not as amusing as the tale told by the opponents of the program—they do not make for catchy headlines—but they have the virtue of truth.

The opponents of the rent supplement program have alleged that this program will serve upper middle income families. They have alleged that the setting of income ceilings for families for whom rent supplement payments may be made will be purely discretionary with the Housing Administrator—and, at the same time, they have published a table—which, Mr. Chairman, you will find in the statement of minority views, on page 179 of the committee report—that purports to show the income ceilings to be set for families in a number of cities. To lend credence to this table, the opponents of the rent supplement program allege it was submitted by the Housing and Home Finance Agency.

Here is the truth of the matter. The Housing Agency submitted no such table. Further, data in the table are completely inaccurate.

Let us examine the facts as they actually are with respect to several of the cities covered by this phony table.

In Milwaukee, the table indicates a large family with an income of $8,300 may have a rent supplement payment made on its behalf.

Mr. Chairman, the Housing Agency has informed me that at present no family in Milwaukee—no matter how large—could have a rent supplement payment made on its behalf if its income exceeded $6,000. And, Mr. Chairman, the Housing Agency has informed me, that in Milwaukee, at present:

No family requiring a three-bedroom unit could have a rent supplement payment made on its behalf if its income exceeded $4,560 a year.

No family which required a two-bedroom unit could have a rent supplement payment made on its behalf if its income exceeded $4,080 a year.

And no family which required only a one-bedroom unit could have a rent supplement payment made on its behalf if its income exceeded $3,600 a year.

The same phony table indicates that in Newark, N.J., a large family with an income of $8,750 may have a rent supplement payment made on its behalf.

The Housing Agency has informed me that at present no family in Newark could have a rent supplement payment made on its behalf if its income exceeded $6,000. And, Mr. Chairman, the Housing Agency has informed me, that in Newark, today:

No family requiring a three-bedroom unit could have a rent supplement payment made on its behalf if its income exceeded $5,520 a year;

No family which required a two-bedroom unit could have a rent supplement payment made on its behalf if its income exceeded $5,040 a year; and

No family which required only a one-bedroom unit could have a rent supplement payment made on its behalf if its income exceeded $4,560 a year.

I could go on through each of these cities listed in the table and show how the data set forth in the table overstates by very substantial amounts the maximum income a family may have and still have a rent supplement payment made on its behalf.

Mr. Chairman, the opponents of the rent supplement program have also completely misstated the manner in which income ceilings in the various communities will be established. They have alleged that the setting of such ceilings is purely discretionary with the Housing Administrator.

This is not true. The bill is very precise as to the amount of income a family may have and still be eligible to have a rent supplement payment made on its behalf.

Under the bill, the Administator, as we have seen, would be required to determine the lowest rent required, in different areas of the country, to obtain a standard one-bedroom, two-bedroom, three-bedroom, or four-bedroom unit. This type of finding is not new. It is a purely factual finding which must be made administratively and cannot be prescribed in the statute, simply because the facts vary from time to time and from place to place. Similar findings now have to be made in other Federal housing programs.

If in a community a standard one-bedroom unit can be rented for, say $75 a month, a family which needs a one-bedroom unit can have a rent supplement payment made on its behalf only if its income is less than $3,600. In other words, any family which, in its own community, can with 25 percent of its monthly income obtain standard housing is not eligible to participate in the rent supplement program.

The Housing Administator has no authority to make any rent supplement payment on behalf of a family which, with one-fourth of its monthly income, can pay the monthly rental required for standard housing in the area.

As I said a moment ago, there simply is no document issued by the Housing Agency, as set forth on page 179 of the minority report, which in any way gives higher figures. These are the proper figures. These are the figures issued by the Housing Agency. But because there has been mention of such a document, I would like to call on anyone here right now and particularly some of the members of the minority to produce this Housing Agency document so I can see what it says, because I have never been privileged to see that document.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I will be glad to yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. I hand the gentleman the document I described on the floor and which I intend to get permission from the Speaker to introduce and put in the RECORD.

Mr. REUSS. I now look at the document which I see for the first time and I note that it is a carbon copy of a typewritten document with the date April 21, 1965, at the top and no indication whatever of who prepared this document; no indication whatever that it was prepared by the Housing Agency. Indeed, I have the assurance of the Housing Agency that they had nothing to do with this document and have never seen it.

I ask the gentleman from Michigan where he gets this information that the Housing Agency prepared this document.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman.

Mr. HARVEY of Michigan. I thank the gentleman for yielding. I would point out to the gentleman, as I pointed out in my original remarks describing this document, that it was first used by a majority staff member. I think the gentleman would agree that we on the minority cannot be expected to have the original of a document. After all, we are the minority. We do well to get copies.

I would point out to the gentleman further that I pointed out the peculiar information contained in this document, the peculiar information relative only to members of the Subcommittee on Housing itself. Then I pointed out the peculiar comparison of figures contained in this particular memorandum. I would cite to the gentleman, showing the authenticity of this and showing that it was used at the press conference held by the majority on the day that this housing bill was reported out of our subcommittee, the article which appeared in the Wall Street Journal of Friday, May 7, 1965, wherein appeared the identical figures for rent supplement areas in Philadelphia, Toledo, Pittsburgh, Macon, Providence, San Antonio, Milwaukee, Paterson, New York, Newark, and even Saginaw, Mich., where I come from—it so happens the Housing Director knows that I come from Saginaw, Mich., and I thank him for that.

Mr. REUSS. I thank the gentleman, but I defy the gentleman to point out any word or designation on the piece of paper which he has just shown me—and this is the first time I have seen it—which indicates that the Housing Agency had anything to do with it.

Let me say to the gentleman that I have been reading in the press recently about various activities carried on in the home office of the Republican National Committee, consisting largely of the pilfering and filching of documents and papers from various desks in that establishment. I would like some assurance, if anyone can give it, that this paper was not among those that were carted away from that place.

Mr. HARVEY of Michigan. I can assure the gentleman that this was not pilfered or filched from any place.

Mr. REUSS. I am glad to have that assurance. That makes the document, so far as I am concerned, worth about 1 plug nickel, because it was not issued by the Housing Agency as alleged. I am glad to have the assurance that it was not taken from the Republican National Committee headquarters.

Mr. HARVEY of Michigan. Mr. Chairman, if the gentleman will yield further, as long as the term "filching" has been brought into this, it seems to me that it makes no difference whether this document was prepared by the Housing and Home Finance Agency itself, as another scurrilous document was, which was admitted, or whether it was prepared by the majority staff; regardless of that fact, I sat at the press conference when this document and these figures were used, and these figures appeared in the Wall Street Journal of the next day.

Mr. REUSS. Mr. Chairman, the Members of this House will shortly have an opportunity to be recorded for or against the rent supplement program. The issues are very clear. The Members will be indicating whether they are for or against more decent housing for low-income people; for or against harnessing the energies and abilities of private enterprise to provide this housing; for or against the poor.

I urge Members to heed the call of their minds and their hearts and their conscience and support the rent supplement program.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman.

Mr. FEIGHAN. In estimating the family income, will the income of all adult members of the family be included?

Mr. REUSS. Yes, the income of all adult members of the family will be included.

And, there also will be included in that any public payments, relief, or social security which they receive, the purpose of the law and regulations being to see that only genuinely low-income people can benefit from this program, because that is exactly what it is for.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from New York.

Mr. FINO. The gentleman has made reference to section 101 and has devoted a great deal of time to that section.

Would the gentleman show me where in that section there is any reference to low-income families?

Mr. REUSS. Yes; the gentleman from Wisconsin will be delighted to do that. There are references to this throughout the bill and, specifically, on page 5 of the report.

Mr. FINO. Not the report.

Mr. REUSS. This is the legislative intent and it is just as binding as if it were written in the bill. If the gentleman will move to put these words in the report which I am about to read into the RECORD and put them in the bill, I shall be the first to vote for them. These words are——

Mr. FINO. Mr. Chairman, will the gentleman yield further?

Mr. REUSS. The gentleman from New York will have to listen to me, and I read as follows:

> In order to help achieve low rents, projects containing units for which rent supplement payments could be made would be of modest design, constructed to the standards prescribed for the FHA section 221(d)(3) below-market interest rate insured loan program.

These words specify that this is not luxury housing, but spare, austere housing designed to help the low-income people of this country.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, I do not very often trouble the Members of this House with my words but today I am impelled to do so.

Mr. Chairman, I feel that this bill instead of just dealing with superficial things, serious as they may be—the housing of our people—deals with something infinitely deeper and more serious.

Mr. Chairman, during the war there were paragraphs or phrases and sentences in some of the high school books, particularly those that went to our soldiers that said in effect:

> Don't be troubled about your homes. It is no longer necessary for you to save money to buy your own home, because if you don't have a home the Government will give it to you.

Mr. Chairman, at that time feeling ran high about the Government doing everything for everybody. However, a group of men and women were able to have that expunged. Now here it is again in full force.

What does it do? Well, I have watched the march from the limbo into which we hoped we had thrown it, coming up bit by bit closer to achievement. Has the American man become so spineless that he can no longer provide a home for his family?

Mr. Chairman, I am not ignorant of poverty. I know what it is. I have worked in the thick of it. It is not a matter of which I am ignorant.

Mr. Chairman, I am not speaking against the people who have been unable to have a happy, carefree life. I work constantly to build their weaknesses into strength. But I am speaking of those who are in danger of losing the morale that means life to the country and to themselves as well.

Mr. Chairman, if a man is not interested in building his own home how can we expect to have him interested in building his country? What is he willing to do for his country?

Mr. Chairman, the home is the center of life in our country. It has been and I certainly hope it will be again. It really is now.

It is very difficult for me to believe, even with the 2-to-1 majority, that you Members across the aisle have—that you are so deeply absorbed in this doctrine, this new doctrine, of "let George do it, and do not bother," that you are ready to take from free men the very basic fundamental desire to be responsible for their homes.

Away back when we came over from the Old Country, if a man had an ax to put in his belt he could start out. He would build a home. Out in Cleveland our men built cabins of three sides with the fire on the fourth side. We did not have any schools, we did not have things like that. My great-grandmother took her two children, one in front and one behind her on a horse over the Indian trails back to New Haven where there were schools. I do not know whether we could do that today even if there were Indian trails available. But those were the times when men respected each other and themselves, and they knew something about what real life was all about.

I am wondering if you are at all aware of the dangers of this new doctrine. Are you quite certain that when you make it possible for a man to feel little if any responsibility for his home, you are not endangering the very foundation stones of our free land?

I am wondering also whether such an attitude can hold a real woman's love and earn the respect of children.

I urge you to think well before you vote.

Mr. BARRETT. Mr. Chairman, I yield 8 minutes to the gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Chairman, I rise not only to support this housing legislation but also to pay tribute to your Housing Subcommittee, especially to the chairman and ranking minority member of the Housing Subcommittee. All of the members of the subcommittee, but especially these two gentlemen, worked manfully to bring out a bill that could be supported on a bipartisan basis.

In view of the heated debate today, this proposition may be hard to believe but, Mr. Chairman, I submit I can prove it to you. A measure of the success of these two gentlemen was the fact that the members of your Housing Subcommittee, the members who heard the witnesses, and the members who marked up the bill, voted for the bill by a vote of 10 to 1.

Another measure of the success of this bipartisan approach is that there are some 70 sections in this 107-page bill and there is serious controversy over only one section of the bill.

Now this success was accomplished by combining portions of the administration bill, as it was amended, with portions of H.R. 6501. Sometimes similar programs from each bill were adopted even though they differed more in name than in basic philosophy.

Mr. Chairman, more than 300 years ago William Shakespeare said:

> What's in a name? That which we call a rose by any other name would smell as sweet.

If Mr. William Shakespeare could attend our debate here today, he would doubt his prowess as a prophet.

Today we are told that the administration's section 101, rent subsidy program, does not smell as sweet as the Republican section 103, the rent subsidy program. On page 185 of the committee report the gentlewoman from New Jersey [Mrs. DWYER] points with justifiable Republican pride to the rent certificate program saying:

> We incorporated our own rent certificate plan as a less expensive substitute for a portion of the conventional public housing program.

In another minority report, not signed, I might add, by the gentlewoman from New Jersey, there is an attack on the philosophy of that very same rent certificate program.

Now if someone would propose to amend section 101 by substituting the word "supplement" with the word "certificate" I would urge our chairman to accept it because, Mr. Chairman, I believe that Gertrude Stein echoed William Shakespeare's sentiments when she said, "A rose is a rose is a rose."

Mr. Chairman, your Subcommittee on Housing unanimously agreed that there was a need for something—some program in addition to the public housing program to meet the needs of low-income families. To meet these needs the Republicans on the housing subcommittee proposed a "rose" which they call rent certificates. To meet these same needs, the Democratic members proposed a "rose" which they call rent supplements.

Both of these programs are new programs. None of us, Mr. Chairman, on your Subcommittee on Housing can guarantee that either the rent certificate or the rent supplement program will work, but, Mr. Chairman, the members of your Subcommittee on Housing decided that the housing needs in America should be met in a bipartisan way.

Mr. Chairman, what your Subcommittee on Housing by a nearly unanimous vote decided was to try both the rent supplement and the rent certificate program.

After a few years the Congress can review the administration of both these programs, and then in the light of actual experience, determine whether one or the other or both of these programs should be continued or discontinued or modified.

I stand here in the well of this House in support of the bipartisan accord that was reached in the Subcommittee on Housing. I must confess, however, Mr. Chairman, that when this legislation reached your full Committee on Banking and Currency, the bipartisan accord began to come apart at the seams. Some of the Republican members mounted an attack on the rose named "rent supplement" although they maintained a discreet silence insofar as its twin brother called rent certificate was concerned.

Mr. Chairman, there are some 70 sections in this bill and on all of these sections except for section 101 there is almost unanimous bipartisan support.

I recognize the partisan political problems of the minority party here today. They feel the necessity of finding something that they can oppose.

But I say to my friends on this side of the aisle, let us recognize that this is the attack that we are facing—it is a partisan, political attack.

And I say to my friends on the other side of the aisle, reconsider your opposition. I think that the American people are firmly committed to the bipartisan principle of the Taft-Ellender-Wagner Housing Act of 1949 of a "decent home and suitable living environment for every American family."

Both section 101, rent supplements, and section 103, the rent certificate programs, are designed to accomplish this objective.

As the New York Times said in its editorial published today:

> The rent subsidy, a key provision of the administration's housing bill, is expected to come under sharp attack in a House vote today.

The Times continued:

> If it is rejected, the action will be a triumph for semantics and a defeat for logic.

The New York Times continued:

> The Republicans in the House have likewise proved more partisan than constructive in making an issue out of this program. They have gone counter to the leadership of Representative WILLIAM B. WIDNALL, of New Jersey, the ranking minority member on the Housing Subcommittee and the GOP's foremost housing expert.

The New York Times continued:

> A vote against the rent subsidy program would be a vote against some of the most defenseless members of society. The House ought not to place this black mark against the good record of the 89th Congress.

Mr. Chairman, we on the Democratic side are willing to give bipartisan support to the Republican rent certificate program. I ask you to consider whether you are making a political mistake by refusing to give bipartisan support to the section 101 rent-supplement program.

Mr. Chairman, under previous consent obtained in the House, I will extend the full New York Times editorial in the Record following my remarks.

Rent Subsidy

> The rent subsidy, a key provision of the administration's housing bill, is expected to come under sharp attack in a House vote today. If it is rejected, the action will be a triumph for semantics and a defeat for logic.
>
> Almost every kind of housing now receives a Federal subsidy, direct or indirect. Housing for veterans, for old people, and for farmers is subsidized. There are public housing programs for the very poor; the Federal Housing Administration provides mortgage insurance for one-family dwellings for the middle class; even luxury apartments for upper-income citizens often get an indirect subsidy under the urban renewal program.
>
> Under these circumstances, the opposition that has flared up against the rent subsidy idea seems almost bizarre. The administration's proposal would simply enable the Government to pay the difference in rent between one-quarter of an impoverished family's income and the fair rental value of its apartment. This subsidy would be paid on housing constructed or rehabilitated by limited-dividend corporations. Since there are 500,000 families already on the waiting list for admission to public housing, a supplementary approach is badly needed. The rent subsidy provides that approach.
>
> The plan has the great advantage that it would enable low-income families to continue living in buildings that have been made fit for living. Up to now, the renovation of a slum has usually meant that a sizable number of tenants who could not pay the new rents had to move elsewhere, often to even worse quarters.
>
> The rent subsidy can become a critical component in the war against poverty. According to the 1960 census, three-fourths of families with an income of less than $2,000 paid 35 percent or more of their incomes for rent. Of families earning $2,000 to $3,000 a year, one-third paid 35 percent or more for rent.
>
> The old guard administrators of public housing who oppose this rent subsidy program because it intrudes upon their long-standing monopoly have scarcely displayed the compassion and disinterestedness appropriate to those dedicated to aiding low-income families. The Republicans in the House have likewise proved more partisan than constructive in making an issue out of this program. They have gone counter to the leadership of Representative WILLIAM B. WIDNALL, of New Jersey, the ranking minority member on the Housing Subcommittee and the GOP's foremost housing expert.
>
> A vote against the rent subsidy program would be a vote against some of the most defenseless members of society. The House ought not place this black mark against the good record of the 89th Congress.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. The gentleman created two impressions which I believe are erroneous.

I served with the distinguished gentleman from Pennsylvania, whom I regard very highly, on the subcommittee.

Mr. MOORHEAD. I thank my friend from Michigan, and I wish to say that I have a very high regard for him, too.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BARRETT. Mr. Chairman, I wonder if the gentleman from New Jersey would be willing to allocate some time to the gentleman in the well?

Mr. WIDNALL. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I am glad to yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. The impression created was that we are opposed to all this housing bill.

Mr. MOORHEAD. I did not mean to leave that impression.

Mr. HARVEY of Michigan. Let me say, about that, I stood up yesterday and I thought I made clear that we were very grateful for the more than 20 minority proposals in this bill.

Mr. MOORHEAD. I said there was bipartisan support for all of the bill except the one section.

Mr. HARVEY of Michigan. As the gentleman knows, I support all of the bill except one section.

Mr. MOORHEAD. If I left the impression, I certainly retract it. There is bipartisan support, except for one section.

Mr. HARVEY of Michigan. The other erroneous impression was that the rent-supplement program in section 101 and the rent certificate program in section 103 are the same. I would point out to the gentleman that as he was talking I started looking over section 103 again, and I noted at least eight places where the words "low income" and "low rent" appear. They do not appear anywhere in section 101, because that is a program not designed for low-income people, as Dr. Weaver said.

Mr. MOORHEAD. I decline to yield further, until I have an opportunity to answer the contention about low income.

The words "low income" appear first in the title of the bill. Then they appear in the title of title I. Then there is a computation on page 3, lines 12 through 15. This computation on page 3, lines 12 through 15, says that rent supplements shall go only to people who have to live in slums unless they pay more than one-quarter of their income for rent. That to me is a computation of lower income, and follows the title of the section.

Mr. HARVEY of Michigan. The gentleman has not pointed out one place where the words "low income" appear in the bill.

Mr. MOORHEAD. Page 2, line 4.

Mr. HARVEY of Michigan. The gentleman is talking about "lower" income. Lower than what?

The gentleman from Wisconsin referred to families on Park Avenue, which I wanted to discuss with him. In the hearings he said that everybody even living on Park Avenue would be getting a supplement.

I should like to point out one other big difference between section 101 and section 103; that is, the contracts under section 103 would run only 12 to 36 months.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. WIDNALL. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. Harvey].

Mr. HARVEY of Michigan. Mr. Chairman, continuing my colloquy with the gentleman from Pennsylvania, who had the floor, the length of the contract is a very significant difference indeed. The rent certificates under the proposal of the gentleman from New Jersey [Mr. Widnall] are to be used for existing dwellings, of which we have a surplus in this country—a tremendous surplus—and the contracts will run for 12 to 36 months.

Now, one of our basic objections to your rent supplement program in section 101 is that you have contracts running for 40 years; $200 million for 40 years. You are talking about expenditures of $8 billion. That is one of the differences we object to right there.

Mr. MOORHEAD. Does the gentleman yield?

Mr. HARVEY of Michigan. No, I do not yield. You refused to yield to me.

Mr. MOORHEAD. I did not refuse to yield to you.

Mr. HARVEY of Michigan. I decline to yield.

I refer you to another difference found on page 11, if you have it, where the duties of the landlord are spelled out. I suggest you contrast those duties of the landlord as he is permitted to select his own tenants to those of the housing administrator as we know it today. You will find there is a tremendous difference indeed between the rent certificates under section 103 and the rent supplements under section 101.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BARRETT. Mr. Chairman, I yield the gentleman from Pennsylvania [Mr. Moorhead], .1 additional minute.

Mr. MOORHEAD. Mr. Chairman, I thank the chairman of the subcommittee for yielding me this additional time.

I would like to explain to the gentleman that what I said was this: both sides of the aisle in the Housing Subcommittee recognized there was a need and the two programs were both designed to meet this identical need. Naturally there is a difference in detail. The section 103 program is not a free enterprise program but run by the public housing authorities across the country.

Mr. HARVEY of Michigan. But it usually——

Mr. MOORHEAD. I decline to yield to the gentleman.

There have been claims made about the leeway in the income limitation under the two programs. Under the 103 program the public housing administrators can have these exemptions from income and additional expenses, because nothing is said in the report about that under section 103. But under 101, it is said that we must consider all of the income of all adult members of the family. The section 103 program—and I think it is a good program—has some difficulties. It is centralizing control in the local public housing authorities.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I decline to yield.

The section 101 program is the decentralizing of control in private agencies and private charities and nonprofit and private limited dividend groups.

Mr. ST GERMAIN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Chairman, I rise in support of H.R. 7984—the Housing and Urban Development Act of 1965—a bill which merits the support of all concerned with the future of our communities.

We are growing at an unprecedented rate. Five years ago, some 125 million people were living in our urban areas. Five years from now the total will reach 150 million. By the year 2000, our urban population will near the 300 million mark.

All of us who, like myself, represent rapidly growing urban areas and communities are acutely aware of the pressures for housing, public works, schools, business and industrial facilities, transportation, and recreational needs that confront the local and State governments—and we know that without national support and resources this national growth cannot be effectively met or efficiently served.

We cannot afford to ignore these basic needs—we must plan ahead. And this is precisely what H.R. 7984 will do. Its primary objective is to keep up with the housing needs and the growth of cities and communities of all sizes. It also recognizes that Federal assistance is essential to reaching effective solutions to the problems of urban blight, and the improvement of the Nation's housing supply.

The bill launches a major assault on the problems faced by low-income families unable to afford anything but substandard housing. It establishes a new program of rent supplements for low-income families who are elderly or handicapped, who are displaced from their homes by public action, or who live in substandard housing. With such rent supplements some half million such families will be able to live in decent, safe, and sanitary privately built housing.

The housing needs of low- and moderate-income families would be further met by an extension of the Federal Housing Administration's mortgage insurance programs covering low-downpayment sales housing, and the below market and market interest rate programs for rental and cooperative housing.

The long-established low-rent public housing program, created by the Housing Act of 1937 would be extended and strengthened by permitting local housing authorities to lease existing privately owned structures—an authorization that would enable them to absorb vacant housing into their existing programs. This would also permit them to serve large low-income families who cannot pay the economic rents charged for larger accommodations on the private market. Think of the sociological impact here—I look upon this as having the potential of uplifting way of these people.

The existing urban renewal program, which over the past 16 years has been an effective deterrent to the spread of slums and blight in hundreds of American communities throughout the Nation, has been extended for 4 years at an increased rate of Federal aid. This bill authorizes more effective help for businesses and people displaced by redevelopment. The record of the federally aided urban renewal program over the years is a bright one—and it shows promise of continuing so.

The bill also includes various Federal aids to help communities meet the needs of a growing America, and provides special help for those faced with economic and unemployment problems. It calls for Federal grants to communities to provide adequate basic sewer and water facilities, as well as health, recreation, or similar community services.

The proposed legislation continues the open space land program of Federal grants under which urban communities are acquiring and developing land for parks and recreation facilities, while a related program would provide partial Federal grants to assist in carrying out local programs of beautification and improvement of open space and other public land in urban areas.

Finally, the problems faced by urban communities in planning for future growth and development are also recognized by the continuation of the existing programs of urban planning assistance grants, and by providing new aids to develop land for housing under FHA and to provide help to urban areas in meeting the need for expanded sewer, water, and other public facilities.

Mr. Chairman, in this brief sketch, I have tried to indicate the bill's importance to a rapidly growing America. These measures represent what this Congress must do now to serve that growth.

Mr. WIDNALL. Mr. Chairman, at this time I yield 5 minutes to the gentleman from Ohio [Mr. STANTON].

Mr. STANTON. Mr. Chairman, I rise in the well of this House to speak to my colleagues about an aspect of the 1965 housing bill which they might not have had time to study or to have brought to their attention before. I think it is my duty as a member of the Committee on Banking and Currency to do this.

I simply rise to point out to them a dangerous facet of this particular bill. I was always brought up to believe that the Constitution of the United States clearly left to the authority of Congress the purpose of legislating and the purpose of providing the money and the appropriation of money. My first doubts about this particular bill came when the Administrator appeared before our committee and seemed to have very little backup material suggesting how this bill would be carried out in its provisions and how it would be administered. His often-used remark was, "That will have to be determined." My colleagues, this statement from the Administrator led me to take a very close look at this bill. I have read it over a dozen times. It is 107 pages in length. In these 107 pages you will find over 50 times in which this House delegates to the administrative branch of the Government an authority that I believe belongs in this room. To be very specific, there are 58 times in these 107 pages in which we find such remarks as the following: "pursuant to criteria or procedures established by the Administrator" or "where the Administrator may deem it desirable" or "as the Administrator considers appropriate."

Mr. Chairman, I think we have to realize that in many types of legislation—especially in housing legislation and in urban renewal—we do have to delegate our authority, and to this I do not see much objection.

But I do object to the new section 101, a section which in reality consists of 5½ pages. In these 5½ pages we find discretionary language eight times. First of all, we have heard considerable debate on the subject of what is called a qualified tenant. The great distinguished Member from the State of Ohio, the ranking majority member of the Subcommittee on Immigration, asked the question, and the only place that I could find the answer in the bill, concerning a qualified tenant, is where it says it might mean any individual or tenant who qualifies "pursuant to criteria and procedures established by the Administrator."

On page 4 you find such statements in section 101—"as determined by the Administrator pursuant to procedures and regulations established by him."

Further on you see the statement:

> The Administrator shall establish criteria and procedures for determining the eligibility of occupants and rental charges, including criteria and procedures with respect to periodic review of tenant incomes and periodic adjustment of rental charges.

I believe in the 4 hours that have been consumed in this debate thus far, 3½ hours have been spent on the one subject of section 101. We heard testimony which I was quite surprised to hear, that the committee report is in many ways equal to the bill itself. The debate I think could be very definitely limited if we considered one further statement. I believe it would be very clear to whom we were delegating authority.

On page 6, in section 101, we find the following:

> The Administrator is authorized to make such rules and regulations, to enter into such agreements, and to adopt such procedures as he may deem necessary or desirable to carry out the provisions of this section.

Mr. Chairman, I think what we have in section 101 is an idea. Forgetting about the principle, which I am against, let us accept the premise for a minute and assume that it is a great idea. All we have is an idea and we are asked to delegate the authority of the Congress of the United States to the Administrator of a Federal branch of the Government, and I ask the gentlemen on both sides of the aisle, whether or not they are for or against rent supplements, what they think of that. I point this out as a great principle.

I say to you at this time that we ought to stop and think for just a minute before we delegate our authority away in a bill that contains 107 pages, and in that bill 58 times we give our authority away.

Mr. WIDNALL. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. MIZE].

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. MIZE. I would be happy to yield to the gentleman from New York.

Mr. PIRNIE. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to H.R. 7984.

Mr. Chairman, today I find myself in opposition to a measure that in name and objective I would gladly support. I speak, of course, of the housing bill that is now before us.

Shortly after coming to Congress, I was among those who helped to pass the Housing Act of 1959 and, on last August 13, I again voted for a major housing measure that was passed in this Chamber.

Throughout my years in Congress, I have been an advocate of limited Federal housing programs because of my sincere belief that one of our main tasks is to develop sensible and realistic programs to aid those who cannot help themselves and to give assistance and encouragement to those who need a helping hand, not a handout, as they attempt to improve their living conditions.

The bill before us represents a startling departure from the theory of the housing measures which have preceded it. The area of the measure that has been the subject of the widest criticism—criticism that, in my opinion, is justified—is that section dealing with the proposed program of rent subsidies for middle income housing.

Personal conviction about the role of the Federal Government, combined with a deep sense of responsibility to those I have been elected to represent, prompts me to vigorously oppose this rent supplement proposal.

I would like my colleagues to know that the people of New York State have already spoken on this issue. In 1962, a proposal to provide rent subsidies for middle-income housing was passed by the State legislature and placed on the ballot, for voter decision, in the November election. That proposal was defeated by the voters of New York State in every county outside of New York City and in four of the five counties that comprise New York City.

Closer to home, for me, the voters in my 32d Congressional District, comprised of Herkimer, Madison, and Oneida Counties, were overwhelming in their opposition to the proposal. In Herkimer County, the vote was 8,371 to 2,180, in Madison County, 9,075 to 1,488 and in Oneida County 33,762 to 10,105—all against. The people of my district and my State have spoken and I believe their decision to be soundly based.

To me, we have come to a crossroad. Shall we continue in the same direction that has served us so well in the past, or shall we turn sharply to the left and proceed down an avenue that most likely will lead to a program of direct Federal control over all housing programs. I see this latter choice as a dangerous one indeed.

Mr. Chairman, the idea of Federal subsidization of rents is not new, but up until the present, it has been limited to the low income families residing in public housing. I have supported such a program as a means of preventing slums and as a way to promote healthier community life. This approach has proven effective and should be continued. There is no valid reason to do otherwise.

Mr. MIZE. Mr. Chairman, in this bill there is a great deal to support. For example, the whole of title IX dealing with farm and rural housing. Howard Bertsch, Administrator of the Farmer's Home Administration, U.S. Department of Agriculture, pointed out in his testimony before the subcommittee that rural housing has been and still is inferior to city housing. Nearly half of the families who live in substandard housing are on farms, in the open country, or in small towns and villages although only one third of our population is there. Thus, the percentage of rural families living in substandard housing is twice as great as city families. He pointed out that in 1960, there were close to 15 million families living on farms, in the open country and in small towns and villages. Almost 3 million of them lived in deteriorating homes that needed more repairs than could be provided in the course of regular maintenance. One of three homes in rural areas did not have bath facilities. One out of five did not have water piped into the house. Three out of five did not have central heat. About a third of the Nation's elderly men and women live on farms and in small towns and villages. Yet—this deplorable housing in which millions of rural people live has received considerably less attention than the slums in cities. Less has been done to give rural families an opportunity to live in a decent home. Since 1949, when the rural housing program started, only about 90,000 loans have been made to repair or build homes. During the same period, more than 3 million homes have been financed with FHA insured loans. Another major handicap rural families face is the adequacy of housing credit to rural areas and the terms of such credit when it is available. Here equality of opportunity does not exist and this bill will help bridge the housing credit gap. I feel the role of the Farmers Home Administration should be expanded in this area—because while we are completely sympathetic with housing problems in urban areas if more attention was paid to the rural areas and smaller communities, more people would stay there and not flock to the cities and compound the already serious problem in many cities.

Title V, dealing with college housing which will be largely concerned with providing dormitories is worthy of full support.

Title IV, which will considerably ease the problems inherent in condemnation proceedings in connection with land acquisition—for federally assisted development programs under the act.

Title III, dealing with urban renewal and many other sections dealing with programs of the Federal Housing Administration are desirable proposals and extentions of programs which can be supported by this Congress.

Unfortunately, all that I have listed and more besides is dwarfed by the expenditures and philosophy of section 101—the rent supplement concept. In my individual views to the committee report I pointed out—and I quote:

> The costs of section 101 alone, however, which commits the Federal taxpayer to payments of $200 million annually for 40 years, if the plans expressed in the bill are enacted into law and carried out, will amount to $8 billion.

Further I said in my individual views, and I quote:

> Another factor not considered in our deliberations, is the rising cost of construction—we are no longer committed to units for low income and disabled—we are committed to dollars.

In answer to these contentions—in paragraph 13 of the so-called committee print, dated June 11, 1965, titled "Correction of Misleading and False Statements Concerning Rent Supplement Program," the administration admits, and I quote:

> The bill provides a definite dollar limit to which the Federal Government can be committed—that is, $50 million annually during the first year and an additional $50 million authorized for each of the next 3 years—a total of $200 million annually. The cost of this program over the 40 years could hardly be $8 billion suggested by some, unless of course, we accept their total lack of confidence in the potential of the American economy to increase incomes and reduce the need for rent supplements.

Please note that even their response to my contention that the cost of the program can be $8 billion—does not deny that contention—and does not refute the simple arithmetic problem that 40 years times $200 million per year adds up to $8 billion. And Mr. Chairman, may I ask if they do not intend to use $200 million annually—why do they ask for it?

Now as to their implication that I lack confidence that the need will be reduced in time—I have only the obvious comment that the entire Federal housing program has grown in size and cost ever since it was started in 1937. Why anyone has any illusions it will reduce in size is whistling in the dark in my modest opinion. In this bill alone there are increases in the entire program included in 34 of the some 70 sections. Costs of construction are bound to increase as years go by, as they have in the past. Thus the money being stated as needed presently—$200 million annually—simply will not accomplish what the administration says they want accomplished. The recognition of increased building costs is evidenced in this bill in the following sections.

Section 203: FHA's multifamily housing mortgage limits have been increased.

Section 206: Increase in maximum of mortgage limit for GI's $20,000 to $30,000.

Section 212: Mortgage limit for homes in outlying areas increase $11,000 to $12,500.

Section 702: Increases limitation on mortgages for dwelling units having four or more bedrooms from $17,500 to $20,000.

Yes, Mr. Chairman, the experience of the public housing program indicates that rising costs alone might very easily render the estimates of 1965 wrong within a matter of a decade. Also—if we now accept this new concept of rent supplements for those which the administrator determines are living in substandard housing—we must be prepared to eventually extend rent supplements to treat equitably all families whose housing costs exceed 25 percent of their income. Wow. What an exciting and costly prospect.

I would like to ask the distinguished chairman of the Subcommittee on Housing a couple of questions merely to clarify some things in my own mind.

To qualify for rent supplement in a community, do the communities—the towns and the cities—have to have an urban renewal program underway, or a public housing authority?

Mr. BARRETT. No. He qualifies on the basis of his being able to pay more than one-fourth of his income. He does not have to be in an urban renewal area.

Mr. MIZE. And people in communities, regardless of size, all over the country, when they read in the newspapers tomorrow of the passage of this bill, can start looking for a place to apply for rent supplement, whether it is Podunk, Okla., Oklahoma City, Chicago, or wherever it is.

Mr. BARRETT. They must meet all the requirements provided in the bill in order to qualify.

Mr. MIZE. Assuming they meet all of the requirements—I am talking about location—whether they live in Sharon Springs, Kans., Podunk, Okla., or Chicago, Ill.

Mr. BARRETT. This will be a choice made by the agency on the basis of the greater need of the area.

Mr. MIZE. I thank the gentleman.

Under section 106, which is a section that has not been alluded to in the debate thus far, the HHFA may make outright grants of $1,500 to people whose incomes are less than $2,000 to fix up their home. They can put a new toilet in, they can put on a new roof, and so forth. That is basically what is involved in section 106?

Mr. BARRETT. Yes.

Mr. MIZE. It says:

> The Administrator may authorize a local public agency to make grants. Any such grant may be made only to an individual or family who owns and occupies a structure in an urban renewal area.

Will the gentleman tell me that to be eligible for one of these grants must he live in a community where they have an urban renewal project?

Mr. BARRETT. That is correct.

Mr. MIZE. I live in a town called Atchison, Kans. We have an urban renewal project, one of only four in the entire State of Kansas. Some person can come to our local urban renewal agency and make application for this loan. Can he get it if he qualifies?

Mr. BARRETT. If he lives in the urban renewal area.

Mr. MIZE. Down the river is Leavenworth, Kans. They do not have urban renewal projects and they do not have a public housing authority either. Some of the friends of the individual who are going to make an application and get a grant up in Atchison come from Leavenworth and ask his Atchison friend "Where do I have to go to get my grant to fix up my home?" He lives in equally unpleasant surroundings.

Mr. **BARRETT**. We would have to say, if he lives in an urban renewal area and the income does not exceed $2,000 he is entitled to a grant up to a maximum of $1,500.

Mr. **MIZE**. But a person living in Leavenworth would not be eligible for these grants because he does not live within a community having an urban renewal agency. Is that correct? I just want to be able to answer my constituents when they ask these kinds of questions.

The **CHAIRMAN**. The time of the gentleman has expired.

Mr. **PATMAN**. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. STEPHENS].

Mr. **MULTER**. Mr. Chairman, will the gentleman yield?

Mr. **STEPHENS**. I yield to the gentleman.

Mr. **MULTER**. I have asked the gentleman to yield so that I may comment on one point not mentioned by the last speaker. The gentleman did not mention that in order to get these grants, the person must meet all of the requirements—not some of them—but all of the requirements set forth in this bill, one of which is that he must have an income which would not permit to bring up the home to the standards of a decent house.

Mr. **STEPHENS**. Mr. Chairman, as a member of the Housing Subcommittee, I have enjoyed very much the opportunity to go into the details of the bill. I feel I have learned a great deal.

The housing bill for 1965, as now proposed, is comprised of a great number of compromises between the Democratic leadership on the committee and the Republican leadership on that committee. There are not portions of the bill which constitute great departures from the housing programs that we have developed in the past.

In only four particulars out of the many sections are there any really new ideas. The ideas themselves are not necessarily new but there is an expansion or an extension of ideas already in the housing bill. The first of the more or less "new" ideas is to provide machinery for a rent supplement to other than displaced persons who have been in urban renewal projects. In other words, the idea of a rent supplement was in the 1964 housing bill.

The second departure, is not a new procedure for the Government to employ. It is to allow Federal participation in rehabilitating existing housing whereas heretofore it was limited to new construction except for the elderly. We had that in the 1964 bill too.

The third program is the farm program. The need for assistance in our farm areas has been ably described by my colleague from Kansas who just preceded me. That has been the program that will move the farm loan program, under the Farmers' Home Administration, into a lending program that will be backed up by the same type of insurance that has been utilized in the Federal housing program all along.

There is $300 million authorized in the bill for the purpose of financing, on an insurance basis, farm loans. As Members realize, these are vitally and badly needed in the sections of the country I represent, in my district and in my State.

I might mention a few things with respect to title IX, which deals with the farm program, because Members will find that on the housing subcommittee I am the only Member who has a blade of grass in his district. The other Members are primarily from urban districts.

I am addressing myself to this because so much has been said about the rent subsidy. I intend to get around to my ideas on that, also, but I feel a little more should be told about the farm program than has been told.

One of my children at one time was being bragged about by me, and I heard my other little child say, "Daddy, tell them about me." I believe the other parts of this bill are persuasive. They are good parts. If we must take some not so good with the great parts of this bill, then I say to take some of the things we might not be able to like as much as we like the other things.

The fourth point of difference is that this bill will provide direct loans for water and sewer grants in other than depressed areas on a basis we have had only under the accelerated public works program.

As has been pointed out, about two-thirds of the Nation's people live in urban areas, but about 50 percent of the substandard housing is in the country. The money expended in housing, as shown from the hearings, by insurance investors only is almost $58 million. Of that, only 12 percent of the total has been put in rural housing.

We have here a bill that will only help to break down what has happened in our rural communities. There has been only 1 rural loan for every 34 in the urban communities.

I want the people in the urban communities to help me on this, and I want to help them on what they need in the cities. If you help to make the farm a fine place to live, the city problems will not be as great, because people will not come to the city to crowd you and make further demands for housing.

But there is another thing I must be candid in admitting. As a Representative from a district which has only one county in it of over 100,000 and no town in it of over 75,000 people I am called upon to support farm programs, and I am happy and glad and willing to vote for cotton subsidies and for peanut and tobacco subsidies. But, how can I ask my friends from the city to help me with my subsidies unless I help on a subsidy that is needed, and badly needed, in the urban communities?

It is estimated by the U.S. Census Bureau that at least 1 million homes in rural areas, now occupied, are unfit to live in and should be condemned as hazards to the health and safety of the people living in them and to the communities where these houses stand.

Another 3 million rural homes are in need of major repairs and have no water or sewage facilities.

While it is true that there has been a rural housing program in existence since 1949, the original program was limited solely to farm families. During the first 4 years of that program, it made modest but encouraging progress—more than 16,000 homes were financed for farm families.

Then, in 1955, during the previous administration, the program was completely abandoned for 1 year and thereafter until 1961 it amounted to very little.

Upon administration recommendation in 1961 and by subsequent congressional action, the rural housing program was greatly expanded to include financing of homes for rural nonfarm people as well as farm families. It also included provisions for rural senior citizens, low-rent housing units for elderly people, and loans for construction of housing for domestic farm labor.

Since fiscal 1962 to the present time, Farmers Home Administration has made nearly 57,000 loans to rural people—or more than double the number of loans made between 1949 and 1961.

While this must be considered as encouraging progress in improving rural housing as compared to previous years, this progress as compared to the magnitude of the existing problem is distressingly slow. At the present rate of rural home building under this program, it will take more than 60 years just to replace the 1 million rural slum homes now in existence and now being occupied. And what about the 3 million rural homes that are now in need of major repairs, many of which rapidly deteriorate into the condemned condition each year?

I would also like to point out again that during the 16 years we have had a rural housing program, for every rural home built by Farmers Home Administration financing, some 34 urban homes have been built by Federal Housing Administration loans. At this point, I would again remind you that rural America has almost as many substandard homes as urban America—yet the ratio of progress is 1 to 34. This is not to say that I object to the progress being made in raising the standard of housing in our cities and suburbs—it should be greatly accelerated and it will be under this new housing program. The point I am making is that similar progress should be made in our rural areas.

The President recognized this disparity of housing opportunity in rural areas, and now, so has our committee. On February 4, of this year, the President recommended in his farm message that Congress:

> Enact legislation to equalize the availability of home mortgage credit in rural areas. This can be done by supplementing the mortgage insurance progress of the Federal Housing Administration with a rural mortgage insurance program to be administered by the Department of Agriculture. The Department has administered a direct housing loan program since 1949. But an insurance program will enable the Government to assist effectively a far greater volume of home building with a minimum of budget costs.

> We have the opportunity now to provide the means by which people in rural towns and on inadequate farms can join the march toward a better life. We must seize this opportunity.

Title IX of this new housing program was drafted to try to carry out the President's recommendation and the majority of our committee believes it will. The principal objection to title IX voiced during the hearings was that the $300 million authorization for low- and moderate-income rural people was too modest—that it was not adequate to meet the needs and demands of rural people. They pointed out repeatedly that Farmers Home Administration has been ending up in recent years with a backlog of more than 10,000 loan applications which they could not handle because of lack of funds. With new emphasis by the President for the revitalization of rural America, this backlog will grow even larger.

There was overwhelming consensus among the committee members and those that testified that the Farmers Home Administration was admirably qualified to handle this expanded rural housing program. It has had years of experience handling insured loans and its record has been little short of phenomenal.

That improvements in title IX of this bill can and should be made, I have no doubt. But this program is a great step forward and after a year or two of experience we shall be in a sound position to enact necessary improvements to meet the great housing gap which plagues rural America.

Except for title I, which deals with the rent-supplement features, there is no real opposition to the bill. As Members have seen from the debate, there has been a great deal of misunderstanding about the rent-supplement proposal.

The purpose of the legislation should be remembered. The entire purpose of the subsidy legislation is to provide better housing for a class of citizens who have been in a gap between public housing and private low-rent housing. That is the purpose of the rent subsidy. Do not forget the purpose.

It has been said that the legislation would pay a rent subsidy to people in this general class and would be a windfall to landlords of various types and classes of housing, including the so-called luxury housing. This is not true. There are detailed restrictions which must be understood.

First, as to who may be a beneficiary of rent supplements; second, restrictions on income of beneficiaries; third, restrictions on who may be the landlord of the housing unit.

The first of these restrictions limits beneficiaries of the rent supplement further by saying only four categories may be involved—the elderly, the handicapped, and those displaced by governmental action. The intent of the committee, I am sure, when they said displaced by governmental action was those displaced under urban renewal programs and under the Federal highway program. That is the intent when you use that terminology. The fourth category, which is the category, of course, that creates the most controversy, is the fact that it applies to people who are currently living in substandard housing.

There is in the philosophy of housing a justification for the Federal Government assisting all of these categories of persons. The general justification is the ambition of all of us to assist by providing Americans with a good place in which to live and to rear their children. As far as aiding people displaced in urban renewal projects is concerned, the Housing Act of 1964 recognizes the justice of giving a rent supplement because these people were disclocated by action of the Federal Government. Our humanitarian interests impel us to recognize the elderly and disabled persons and it justifies assistance here. The next justification is in the rent supplement section with the income limitation. Before any persons in the category of eligibility can participate they must be making less annually than would enable them to live in standard housing in a local community.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I will yield for a question.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. PATMAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. BROCK. If the gentleman will yield, I appreciate this opportunity of asking him this question.

Did I understand the statement of the gentleman correctly when he said that a person would receive a supplement if they were unable to live in standard housing?

Mr. STEPHENS. That is exactly my understanding.

Mr. BROCK. I would like to see one section in this bill that relates to that subject. Anywhere in the bill.

Mr. STEPHENS. It says a person cannot be eligible unless he is living in substandard housing.

Mr. BROCK. That is an entirely different thing. There is nothing in this bill that says whether he is able to live in standard housing or not, but the only criterion in the bill is if he is in substandard housing and if better housing is available in excess of 25 percent.

Mr. STEPHENS. I think the answer to your question is the person who would move into substandard housing should be made subject to penalties under regulation just as they do in the social security system where, when they tell you a lie, they lose their social security.

Mr. BROCK. Mr. Chairman, will the gentleman yield further?

Mr. STEPHENS. Let me finish my statement. I have a little more time, and I do not want to get left here without finishing what I have to say.

The cost of living may vary from place to place in America in respect to the formula that is used. The cost of rentals may vary, also. A percentage formula is the only feasible way to make a rent supplement plan function. The formula is a simple one. You know, you have heard economists, domestic advisers, and people in family relations squabbles tell people, "You live beyond your means." They have always said that you should never spend more than 20 to 25 percent of your income for living purposes. If you go beyond that, you may be in difficulty. I say that there are sufficient information collection agencies of the local, State, and Federal Government where exact cost of living and rent standards in a housing situation can be specifically ascertained. There are also present methods in the public housing authorities and welfare departments for ascertaining the true income of applicants for assistance. So the ascertainment by a formula is not uncertain and indefinite.

The final restriction is one that should appeal to all of us, because the method for financing the housing that would be eligible for the rent supplement assistance is by private enterprise. There is a requirement, however, that the legal entity constructing the housing for rent supplement benefits or acquiring such housing shall be a nonprofit corporation, a cooperative association, or a limited dividend corporation.

All of the legal entities and their objectives shall be approved by the Administrator of Housing and Home Finance to assure conformity with these requirements. The proposal will not only be constructed with private capital, but it will remain on the tax digest to be subject to local government ad valorem taxes just as any other private enterprise. The construction will be privately owned, privately run, privately built, and privately financed.

The assistance to people who fell largely in this gap between public housing and standard low-rent private housing could be done by an expansion of public housing. This, of course, would be at public expense and with no possibility of local ad valorem tax revenue.

The other alternative is chosen. The choice of private enterprise. Providing this assistance in this way to the people in need of standard housing is a step away from public housing and should be acceptable and hailed by people who would like to see no further expansion at public expense.

There is one other thing I would like to mention at this time. There will be offered by my colleague, the gentleman from Georgia [Mr. FLYNT], a perfecting amendment. It will deal with the city of Macon, Ga. It is the same thing that we had in Philadelphia last year. It will provide authority for Urban Renewal and the Housing Authority together to swap lands that they could not do unless we gave them that authority. No money is involved.

Mr. TALCOTT. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman.

Mr. TALCOTT. I thank the gentleman for yielding. I commend the gentleman for his interest in rural and farm people. I have heard and I believe that the migrant farmworker probably enjoys the worst housing in America. I am wondering if there is anything in this bill that would help the migrant farmworker.

Mr. STEPHENS. There is. There is a provision in this bill that does that, that takes care of that type of housing.

Mr. TALCOTT. Where is it in the bill?

Mr. STEPHENS. It is in title IX; I do not know the exact section offhand.

Mr. TALCOTT. I thank the gentleman. I am anxious to see what provision is made for the migrant farmworker who needs assistance badly.

Mr. WIDNALL. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Chairman, as written I oppose H.R. 7984 due primarily to section 101, the so-called middle income rental subsidy; or "supplement" to landowner of taxpayers' expense for families earning up to nearly $10,000 per year. This is in my opinion nonprudent use of such moneys; it will deter homeownership in the United States and I feel it will destroy incentive and moral fiber while emulating experiments in social concepts which have failed elsewhere. I do not believe in one-man control of formulas or centralized government. I believe it is our duty to legislate such detailed uses of the taxpayers' moneys, or leave it to the various States or communities.

Second, I oppose the bill because it was my privilege to spend a summer late in the last decade in a northern European nation where they underwent a national housing scandal and indeed floated debentures yielding income greater than legally allowed incomes from stocks and bonds—resulting in a closure of the Bourse for a time. Such housing was predicated in turn on required certificates for housing, premarital requirements, abortion notes and illegitimacy. When one, such as collectivized and centralized government, assumes all prerogatives of the individual, the personal and national character perishes. The nation I visited solved its problem. Why should we invite it?

I believe H.R. 7984 to be the most "extreme" proposal to come before the 89th Congress. The bill would authorize a new housing subsidy, which has a future annual cost potential greater than the current cost of all existing Federal housing programs. But even far more serious than the cost, is the new philosophy—socialized housing. The bill—sponsored by the administration—would extend Federal rent subsidies to private housing for middle, not low but middle, income families.

While Federal subsidization of rents is not new, it has heretofore been limited to aid for those without adequate income to secure even low-rent housing for themselves, or for special circumstances, such as military.

But the proposal now advanced to the Congress, for the first time would establish the principles of direct rent subsidies to families with middle incomes ranging as high as $10,000 a year.

The authorization proposed for this fiscal year is $200 million. But the subsidy measure would authorize expenditure commitments of up to $8 billion over the next 40 years for this new "experiment in socializing rents."

The last Federal census revealed that a large majority of families in our Seventh Congressional District own the homes in which they live. Most citizens agree that homeownership is a desirable family goal. But this proposal would tend to discourage homeownership; and, instead, encourage families to seek rented living accommodations, subsidized by the general public as in most European countries, including those who are attempting to buy their homes.

According to the plan, if you earn too much to qualify for the low-rent public housing, the Nation's taxpayers will pay part of your rent bill; provided you can convince the Government that you do not earn enough to afford what the Government determines is "decent private" housing. The bureaucrats figure about 4 million families fall into this category, and they have asked for $500 million for cash payments to landlords for the first 4 years of the 40-year program.

Federal Housing Administrator Robert Weaver has said that, although there would be a ceiling on the income of families to be eligible, the ceiling could exceed $8,000 a year, and in some cases this could go as high as $10,000 a year. He has sole authority, in the bill, to establish the "formulas."

I cannot believe that our citizens go along with the idea that citizens who are making an effort to buy their own homes should—under Government compulsion—help finance the personal housing of other middle-income citizens. In simple terms, this proposal in the housing bill is a way of "keeping up with the Joneses" via Federal subsidies, and would lead to discrimination against citizens who are trying to make their own way. It even discriminates against sections. Ozark taxpayers would be subsidizing New York and Detroit.

With present housing and urban renewal costs already headed for $1.5 billion annual rate, it is time to ask: Where does the Federal housing responsibility end? Should it include subsidizing rents of middle-income families? And, if rents of those of moderate income are to be subsidized, how could Congress justify not subsidizing the rents of 9 million families with less than $3,000 per year incomes? In this sense it is a crash "squeeze" play. If, we should also place them under subsidy, the cost would go up to $5 billion a year. That is where Congress will be headed, if it once opens the door with enactment of the "rent supplement plan."

Whether the administration can muster the votes necessary to get the proposal through Congress is the $8 billion question. The issue is still in doubt, but depends on the middle-income supplemental rental section removal by amendment. I strongly advocate its removal.

Mr. WIDNALL. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I regret that the distinguished author of the bill, the chairman of the great Committee on Banking and Currency, is not in his seat. I had intended to ask him some questions about a section in this bill which, although I have listened to the debate as carefully as I could consistent with my responsibilities on certain committees which are holding conferences today with the Senate, I have not heard even referred to during the debate, and it strikes me that it needs some consideration.

Mr. Chairman, I have elected to ask for this time in order to raise these questions while we are in general debate so as not to take anyone by surprise when the bill is being read under the 5-minute rule. The Clerk has a habit occasionally of reading these sections rather fast and I would suspect that if my interpretation of this section is correct the author of the bill will want to offer an amendment to either strike it or modify it substantially. Of course I could be wrong in my interpretation. I do not have the privilege of serving on this important and distinguished committee. However, I can read the English language and I hope I can interpret it. If I am misinterpreting this particular section, I hope a member of the committee will correct me. I feel that the record should be clear and we should know whether there is a sleeper in this bill which should be eliminated.

Mr. Chairman, I refer to section 102 which deals with FNMA. This section purports to authorize appropriations to FNMA, the Federal National Mortgage Association, to reimburse that agency for the difference between what FNMA receives in the way of interest on submarket-interest-rate mortgages pledged for participating certificates sold to the public and the interest rate that has to be paid on those participating certificates.

So far, so good, Mr. Chairman. I do not have any objection to investment bankers making a reasonable profit or receiving a fair return on their money. But it just so happens that the last issue of participating certificates issued by FNMA a few weeks ago were sold at discounts amounting to $1.5 million.

Mr. Chairman, as I interpret this section it would not apply to that transaction because the section is prospective in effect. However, it would provide in the future that Congress would be authorized to appropriate the taxpayers' money in order to make up these subsidies or discounts which are allowed by FNMA in selling participating certificates secured by mortgages placed in the trust.

Mr. Chairman, I have a clipping in my hand which came from the Wall Street Journal on the day after this $525 million issue of participating certificates were marketed. I would like to read what this article says:

> Sales of $525 million in mortgage certificates—transactions which will have a favorable impact on the Federal budget—

And the "favorable impact" will be to reduce the deficit next year by $525 million—

> were announced today by the Federal National Mortgage Association.
>
> The certificates were sold in New York at discounts which will make the yields range from 4.35 percent on 1-year securities to 4.5 percent on those running 15 years.

This was a substantial increase in interest return on this series of certificates over those that were sold last fall, the $300 million issue of certificates.

Last fall FNMA sold $300 million of similar securities at yields of only 4.10 to 4.375 percent.

Now, Mr. Chairman, the thing that worries me about the language contained in this section, if the Chairman will bear with me, is this. The language in the section authorizes appropriations to make this differential between what FNMA receives in the way of interest on mortgages held by it and placed in the trust and the interest it will have to pay on the participating certificates, but the language goes far beyond that and covers any differential in principal.

I will explain why that is important. These participating certificates run for only 15 years, but the security pledged for them are 40-year mortgages. Obviously Fannie Mae will not receive in principal and interest payments on mortgages that run for 40 years a sufficient amount to pay off these certificates in 15 years unless Fannie Mae does one of two things: Puts into the trust a very substantially larger number or amount of face value mortgages than the certificates amount to, or comes back to us and asks the Congress, under the authority of this section, to appropriate money to make up the differentials in both interest and principal.

Do I properly interpret this section?

Mr. PATMAN. Yes. The money will have to be appropriated to make up that fund. I would like to state to the gentleman that of course we are accepting the financing as we have it now. I do not think any of us are too pleased with this method of financing at all.

Mr. JONAS. I would be surprised if the distinguished chairman of this committee is pleased with it, because of the speeches I have heard him make on this floor in which he has opposed this sort of financing.

Mr. PATMAN. We have the question of these home mortgages not being permitted to sell at below par. The homeowners have lost billions of dollars in the practice that has grown up of selling below par.

Mr. JONAS. The homeowners are not going to lose any money here because the mortgages are in the hands of Fannie Mae. Fannie Mae is going to lose the money in the discount, and the taxpayers are going to have to make it up.

Mr. PATMAN. We are going to take a new look at Fannie Mae.

Mr. JONAS. Is there any reason under the sun why Fannie Mae could not absorb this itself?

Mr. PATMAN. I cannot say that.

Mr. JONAS. The gentleman knows that Fannie Mae operates at a big profit.

Mr. PATMAN. That is my understanding.

Mr. JONAS. Here is a million and a half dollars of discount. There will be other discounts in the future if Fannie Mae continues this practice. I think they have sufficient earnings to absorb these discounts without asking us to appropriate taxpayers' money to reimburse Fannie Mae for these discounts. The objection I have to this section is that it not only covers any interest differential but it actually goes so far as to cover differentials in principal.

Mr. PATMAN. They do not make money on this. They make money on the secondary market if Fannie Mae is able to stand this cost. We could do it according to present contracts and conditions.

Mr. JONAS. I am surprised there has been no discussion of this section, because this is a very important provision. There is no way for anyone to tell how much this section may cost the taxpayers but the potential cost is substantial. This is an additional guarantee, superimposed on the guarantee that already exists by virtue of FHA insurance of these mortgages, and VA guarantees.

And this one will come out of the taxpayer's pockets to make up any discounts allowed by Fannie Mae in its sales of participating certificates and any differences between flow of funds from the mortgages on account of principal and the funds required to discharge the certificates when they come due.

I urge the committee to give the language in this section very close consideration because there is a potential heavy liability on the taxpayers.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HANNA].

Mr. HANNA. Mr. Chairman, I should like to emphasize in the short time allotted to me that I think it was implicit in the statements of the gentleman from Georgia, and which I think have been entirely missed in this House up to this point, that this legislation, as is true in all legislation passed by this body, does not happen in a vacuum. It did not arise out of a vacuum. It arose out of the experiences with previous legislation passed by this House and the experiences of the people who live under this Government.

We have been talking about section 101. I do not want to bring into my discussion the talk about semantics because I am somewhat limited in linguistics. I do not want to talk about the battle of the documents as I am a poor scrivener. But I do know the commonsense facts of life, and that we have had experiences in exactly this kind of program for a long period of time. We have been trying to respond to a great need in our society in our times. There are hundreds of thousands of persons who are being denied decent housing in America today. Those people expect us to do something about it.

The programs that we have had have not developed to the point where they meet their needs. This bill carries in section 101 the only innovation in the total housing picture. Each of the sections is an extension of or an amendment to an existing program. Section 101 brings us what amounts to the only innovation. Yet it is not a complete innovation for, as has been pointed out by the gentleman from Georgia, in 1964 we placed ourselves into a rent supplement program. As was pointed out by the gentleman from Pennsylvania, we have previously seen that step advocated in the Republican rent certificate program. So this is nothing that is absolutely new. It is simply an innovation in a program that has already shown some promise.

Now where do we stand today? Today the people to whom we are addressing ourselves have only been barely reached by the program under section 221(d)3. Right?

There are right now private enterprise people who are trying to help us with this need for housing of the people of America. Is this new? Is this new, I ask the gentlemen on the other side of the aisle? Think for a moment what we have done in the field of public utilities. Have we had any advantage by having a public arm in public utilities along with the private arm in public utilities? We have. I have defended in the State Legislature of California, and I will here in the Congress of the United States, the great partnership of public and private enterprise in trying to meet the needs of the people for public utilities. How has this dual system worked? Have we helped the people in the private enterprise section in the electrical field of utilities, for instance? Certainly, we have. We have asked our people to build great dams and to attach public utilities to those great dams to deliver electricity through public agencies and private companies because we felt there was a great need to put up public money to get that job done which the private profit-seeking business could not do without this help. Furthermore, we have supported with our taxes the building of facilities and we have assured the private people in the utility business that we will protect their investment by an assured profit set by public utilities commissions.

I ask you, what is the difference to the citizens whether they are supporting the one out of their taxes or the other out of the rate system? It is all based upon the law. The money comes out of the same pocket.

We have been for years laboriously attempting to work out a program which will allow private interests of a selective nature to assist our national effort to provide decent housing for low- and moderate-income families. Originally these efforts were financed solely by charitable foundations and organizations such as churches and unions which used their own funds to subsidize their projects. Gradually Government assistance has been given to encourage the expansion of their abilities—first through tax benefits then through low-interest loans under section 221(d)(3) of the Housing Act.

Now those experienced in the program in both the private and public sectors of our society have convinced our Housing Subcommittee that the rent supplement approach is really the vital, meaningful tool that will allow them to do the job and make the contribution we expect of them. The program is not the creature of a group of socialistic kooks. The committee report shows it has the backing of the National Home Builders Association; the American Bankers Association; the National Association of Housing and Renewal Agencies; the HHFA; countless mayors and Governor's, including my own Governor from California, and agencies and organizations within churches, foundations, and unions long experienced in housing.

May I say to the gentlemen who fear the language of the bill that the terms used have long been defined and understood by the people who will be guided by them. May I suggest that we have supported the endeavors of these private citizens and private organizations precisely for the same reason we have supported private operators of public utilities. They provide a source of innovation, and a constant challenge to the quality and the cost of services and products being created and operated by a purely public agency.

The proponents of this measure base their case on the proposition that given the cover of the rent supplement program they can do better and cheaper under private building, private ownership and private management the job all of us agree America in the 1960's should be doing in creating a decent environment, that is, a decent home for every American.

The other point I would like to make here is that we have a great need for housing in the United States for a group of people who are stuck between what we have provided in public housing and what is now available in private housing and who cannot really qualify for either. They are thus consigned to the slums. Estimates are that some 600,000 to 750,000 families are involved in this group across this great land.

I suggest to you that we have built into public housing that thing which always happens where you have only public agencies in the field. It becomes too stereotyped. It becomes too strict. It causes burdens that cannot be overcome because innovation will not come when there is not some one challenging the establishment.

In public housing what do we have? Look at Los Angeles. In public housing they can get a public unit for $30 less than the average price for the same quality private housing. What happens to the fellow who is working with an income that will permit him to be in public housing? If he gets a $10 raise, can he afford to take it? The $10 raise would put him out of public housing. Then he would have to pay $20 extra for private housing. He will say, "do not give me a $10 raise. That will cost me $20, and I can only pay that by taking food from the mouths of my children."

Section 101 is a flexible program. It allows people to take economic advances a step at a time. A man is not evicted from the project because he has improved himself.

We talk about building a better environment for the people of the United States. We have here a great tool we can use to do this.

Poverty is a state of mind; an attitude created by environment. Public housing has not provided the proper ladder for social advancement because it is predicated on a limited income. This means that the very factors you are trying to correct tend to dominate the environment. This bill before us offers an opportunity to mix persons of varying income and at the same time it removes the lid on economic advancement. I do not agree, Mr. Chairman, that all the poor and lower income Americans are alike. They have the same percentage of thinkers, drinkers, and stinkers as any other segment of society and after the passage of this or any other bill seeking to assist them, the thinkers will continue to think, the drinkers to drink, and the stinkers to stink.

I do not agree, Mr. Chairman, that life is getting any easier for the poor of our land. On the contrary, it is getting tougher; tougher in a mean hard way. But there are strivers and there are deadbeats. After the passage of this bill the strivers will have new hope and that is a gain. The deadbeats will still be on their collective duffs and that is no loss.

We do not have much support from certain gentlemen over on the other side of the House. The people who are going to operate, the people who are going to build, the people who are going to control this particular program from private enterprise assure us the program will work. The FHA, who have been in business some 30-odd years, have given us the assurances that this is the program which will take their agency from where they are to where they want to be in carrying out our great policies for housing in America.

I do not believe we need stand here and raise "bugaboos." We need to use commonsense. This is not happening in a vacuum.

We have confidence in the FHA. We have confidence in the builders. We have confidence in the bankers. We have confidence in the people who are going to own and operate these projects. And we have confidence in ourselves. We can change this program if it does not work out right.

Gentleman, we here are in the position of the young lad whose grandfather took him out to the back lot in the days of wood-burning stoves. There they faced a formidable pile of logs in need of splitting. The grandfather said, "Son, that pile is high and the day is short. I do not expect you to get the job done on the first day, but neither will I expect you to stop hacking away at it."

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. MICHEL].

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I gladly yield to the gentleman from Iowa.

Mr. GROSS. I wonder when it is proposed to quit tonight. I have noticed some very strenuous White House lobbying activity outside the Chamber this afternoon, apparently in an effort to pressure this bill through. If this goes on much longer there may be too many Members with too many strained armpits and twisted arms to do business tomorrow. Perhaps we ought to get out of here quickly this evening.

Mr. MICHEL. I will try not to detain the gentleman too long.

Mr. GROSS. Do not worry about the gentleman from Iowa. His arm has not yet been twisted by the White House lobbyists.

Mr. MICHEL. I hope it never will be.

Mr. Chairman, of course, in an omnibus housing bill of this magnitude there are as many good provisions as there are bad. I should like to address my remarks to section 101 of this bill.

Mr. Chairman, section 101 of this bill poses a simple question: Is the United States ready for socialism? No other interpretation can be placed on this section, which proposes to subsidize some at the expense of the many. It seeks to make an American who has practiced ambition, frugality, and initiative, pay for an expensive experiment in federalized housing. Not only must he pay for his own home, taxes, and maintenance, but he must also pay taxes so that his neighbor can live in a bigger house, and pay much less for his housing. This is socialism. It penalizes thrift. It threatens to create a class of professional federalized tenants. It will foster concealment of income, and, of course, a monstrous bureaucracy to supervise and investigate the incomes of those living in Government-subsidized housing.

This bill is not progressive. It is a throwback to one of the most often-tried and always-found-wanting types of social experimentation. It is a thinly disguised revival of a socialistic scheme tried a century ago.

I propose that we change the name of part of this bill to the Brook Farm Act of 1965. Its modern trappings, the Housing and Urban Development Act of 1965, do not tell a true story. Let us look at Brook Farm. More than 100 years ago, Francois Fourier, a French social reformer, proposed to mass people into what he called phalanges. These were to be subdivided into beautiful tracts. The idea was that the members would derive their support from the labors of all. The project got underway in 1846. The Encyclopedia Americana reports that the first unit burned, and the venture into communal living failed. Luckily the group did not have access to tax funds.

Section 101(d), the rent subsidy section of the bill before us, is merely a revival of the Brook Farm principle. Separated from its utopian concept, it provides that people making up to $8,900 could move into bigger houses with their taxpaying neighbors picking up part of the tab. Statistics show that the costs could be astronomical. There are 190 million people in the United States. At an average of 4 per family, this creates a potential of 47 million families. Some 40 percent of them, or more than 18 million families, could qualify under the formula of eligibility concocted by Housing and Home Finance Director Robert Weaver. Should a family with earnings of $8,000 choose to live in a $220 per month home—maximum under the bill—their annual housing cost would be $2,640. The Federal Government would pick up the difference between the costs and one-fourth of their income, or $640 per year.

Aside from the home dwellers, how about the homebuilders and the home promoters and the apartment builders? I jog your memories to the immediate postwar years when we had the famed 608 projects. I used to live in an apartment building in Washington constructed under that program with a limitation of $5 million per unit. Today it is double the size. They built two buildings 1 inch apart with $5 million for each one, and it is known as the Woodner apartment building in Washington. There have been all kinds of windfall profits to builders under the old 608. What you have in this program is just one on a broader and grander scale.

Some time ago when we were considering the agricultural appropriation bill I think I made reference to the soil bank program and the land retirement program and said if we would be smart, we would go out and mortgage ourselves up to the hilt and buy all of the farmland we could and put it in a soil bank and have the Government pay us for keeping it idle. I submit under the rent housing proposition you might do the same thing here. I am thinking seriously, if this legislation is enacted, to sell everything we have and go into the apartment unit building business and make yourself a killing. You cannot help but do it.

It is obvious that this utopian plan would discourage homeownership. Why sacrifice and save, why build up an equity when the Federal Government stands ready to provide a dole of thousands of dollars per family over the course of 40 years? This bill would pyramid in cost as more and more families abandoned ownership in favor of subsidized rental.

This bill is clearly intended to make Uncle Sam the Nation's landlord. It, of course, is designed as a politically motivated effort to bring more people under the umbrella of paternalism. Behind the proposal, cloaked in the high-sounding phrases that the bill is aimed at the elderly, disadvantaged, and the poor, is a provision that it applies to those living in substandard housing. What is substandard is a matter of interpretation.

The slogan for this new excursion into mass dependency might well be "A check in every mailbox means a vote in every ballot box." Once relieved of the basic responsibility to provide housing by their own initiative, the desire of beneficiaries to continue this domiciliary dole would be automatic—as, hopefully, would be the tenure in office of those who supply it.

This legislation would be a giant step backward. It would be the antithesis of the American spirit. It penalizes thrift, narrows ambition, destroys initiative and the pride of self-sufficiency. It is bad legislation.

Columnist Arthur Krock put it this way:

> It is merely the latest, though the most extreme, expression of the political philosophy which would create an egalitarian socioeconomy, irrespective of individual merit, with subsidies financed by the ambitious, the industrious, and the worthy * * * the real issue is whether the Federal Union is to undergo its greatest transformation thus far into a collectivist state.

The House today could do yeoman service to the American system by striking down this radical departure from our national heritage. Every American family that owns, or is buying, a home will be penalized by this ill-founded section of the bill. I would warn those zealots whose arms have been twisted to cast a vote for this fiscal fiasco that robbing Peter to pay Paul may not be good politics at all—there has been no groundswell of public demand for our Nation to go back 100 years in the housing field.

Mr. WIDNALL. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, I should like to ask a question with reference to the rent supplement provided in this bill where an individual's income falls below a certain level. Now I refer to the rural housing section of the bill. Is there any provision in this bill, for example, if a farmer's income falls below this level, that provides a rent supplement for that farm population?

Mr. BARRETT. We have a subsidy under the farm program, that comes under the Farm Home Administration.

Mr. NELSEN. The question I ask is, Is there a rental subsidy for a farmer whose income falls below the level as specified for other people in the country?

Mr. BARRETT. No, although on farm improvement there is a subsidy.

Mr. NELSEN. In what manner?

Mr. BARRETT. Under sections 503 and 504 of the Housing Act of 1949 there are loans and grants for marginal farms. Under the rent supplement program, a project would have to be built in the area under section 221(d)(3) to make the benefits available.

Mr. NELSEN. Suppose his income falls below the specified level which is set out in your large city; what happens in the rural communities?

Mr. BARRETT. The income ceilings would be set city by city to reflect differing cost of living and housing cost levels.

Mr. FARBSTEIN. Mr. Chairman, I would like to say a few words in favor of H.R. 7984, and urge my colleagues on both sides of the aisle to support it.

Legislation to provide housing for the inhabitants of our cities has in the past been fragmented and piecemeal at best. There have been definite advances; there is no question about that. But today, with the passage of this housing bill, we have an opportunity to strike a sweeping blow for the revitalization of our cities, an opportunity to provide decent housing for millions of our citizens, many of whom have never had a wholesome place to live in their entire lives.

The most advanced and farsighted proposal in this bill is the provision in section 101 for rent supplements to needy families. President Johnson has called the rent supplement "The most crucial new instrument in our effort to improve the American city."

Mr. Chairman, there is not enough public housing provided in the United States today. And much of what is provided is austere and cold and inadequate—not the kind of home we all would like to see for every American.

The wonderful thing about rent supplements is that they permit us to aid a broad spectrum of the population to find comfortable homes in moderate-income, privately operated housing. No longer will there be segregation of low-income families in ghettos of public housing. Instead, there will be a healthy mixing of people from different environments and age groups which will help, as President Johnson said, preserve "the variety and quality of urban life."

As all my colleagues are aware, the main purpose of section 101 of this bill is to make it possible for limited dividend corporations and community-sponsored cooperatives, and rental projects, to admit families who currently could not afford the carrying charges or monthly rental of a typical middle-income apartment. For example, many large families cannot afford the monthly carrying charge of about $200 for a typical four-bedroom middle-income apartment in New York; the rent supplement plan would enable them to have such an apartment for $120 a month.

Similarly, many old people cannot afford $80 or $85 for an efficiency apartment in a middle-income project. The rent supplement plan would enable them to pay approximately $40 or $50 a month for such an apartment.

And, of course, if a family becomes, by virtue of a rise in income, better able to pay for its apartment, this bill provides that the amount of rent supplement can be adjusted accordingly.

I have heard objections to this program from various quarters, from persons who are under the impression that rent supplements somehow will be used to aid families not truly in need of assistance. I cannot believe these persons have acquainted themselves with the facts.

I will introduce into the RECORD at the end of this statement a table I received from the Honorable Robert C. Weaver, Administrator of the Housing and Home Finance Agency. It shows preliminary estimates of maximum income limits for families of different sizes under this proposed program in 25 selected cities.

For example, the table shows that a family of three or four persons will be permitted to have an income of no more than $3,700 per year in cities like Waco, Tex.; Utica, N.Y.; or Columbia, S.C., to qualify for assistance under the rent supplement program. The maximum income permitted to a three- or four-person family, $5,000, is only applicable to such urban concentrations as Chicago, Ill., and Newark, N.J., where the cost of living is, of course, much higher than elsewhere.

I think this chart gives the lie to any of the perorations which have been forthcoming lately as to how the rent supplement program will dole out money to people who are getting along fine by themselves. Anyone who thinks that $5,000 for a family of four goes very far in a city like Chicago ought to try it some time. The experience would no doubt be educational.

Mr. Chairman, there are gentlemen who are horrified by the prospect of rent supplements. They somehow see in this farsighted program the specter of creeping socialism. They view direct payment of rent supplements to needy families as somehow immoral or un-American.

Mr. Chairman, how can this be? Is it socialism to make it possible for more people to live in privately operated housing rather than in public projects? Is it socialism to provide a sliding scale of rent supplements in order that people may pay as much toward their own support as they possibly can? Mr. Chairman, rent supplements will benefit private builders, not harm them. Anyone who has taken the trouble to find out knows that this program involves housing which is privately owned, privately constructed, and privately financed under FHA market interest rate mortgage provided for by section 221(d)(3) of the National Housing Act. We have here a prime example of the enlistment of private enterprise and private resources to help achieve national objectives. Rent supplements will induce tenants to live in private housing when they might otherwise be forced into public projects—if public projects are available, which as this House knows, they often are not. New York City alone, Mr. Chairman, receives 100,000 applications for public housing a year. And there are waiting lists in every city. The truth is, Mr. Chairman, that many builders oppose this bill because they fear any Federal involvement in the low-income housing field. But I have no patience with those who cry out "socialism" from their FHA-insured homes, nor those guardians of the public integrity who see the poor as millions of cases of individual failure.

The Nation needs housing, Mr. Chairman. Low-income families all over the land are asking that we make good the promise of 1949 to house Americans decently. Today we have the opportunity to fulfill that promise by passing H.R. 7984. I intend to vote for this measure and I urge all my honorable colleagues in this Chamber to do the same.

The table referred to follows:

Preliminary estimates of income limits for families of different sizes under proposed rent supplement program in 25 cities

Cities	2 persons (1 bedroom)	3 or 4 persons (2 bedrooms)	5 or 6 persons (3 bedrooms)	7 or 8 persons (4 bedrooms)
Atlanta, Ga	$3,100	$3,800	$4,900	$5,500
Bangor, Maine	3,400	4,300	4,800	5,700
Batavia, N.Y	3,400	4,100	4,800	6,000
Boston, Mass	4,400	4,800	5,300	6,000
Bridgeport, Conn	4,100	4,600	4,800	5,300
Chicago, Ill	4,300	5,000	5,800	6,500
Columbia, S.C	3,400	3,700	4,600	5,000
Columbus, Ohio	3,700	3,900	4,500	4,900
Fresno, Calif	3,900	4,400	5,100	6,100
Huntington, W. Va	3,200	3,700	4,200	4,700
Jefferson City, Mo	3,600	4,100	4,600	5,500
Kansas City, Mo	3,600	4,100	4,800	5,500
Louisville, Ky	3,700	4,300	5,600	6,200
Milwaukee, Wis	3,600	4,100	4,600	6,000
Newark, N.J	4,600	5,000	5,500	6,000
Providence, R.I	3,200	3,700	4,300	4,800
Paterson, N.J	4,300	4,800	5,300	5,800
Pittsburgh, Pa	4,200	4,600	5,000	5,600
Port Arthur, Tex	2,400	3,700	4,300	5,800
San Antonio, Tex	3,300	3,700	4,400	4,800
St. Louis, Mo	4,000	4,500	5,500	6,300
Terre Haute, Ind	3,600	3,900	4,300	4,900
Toledo, Ohio	4,000	4,500	5,500	6,000
Waco, Tex	3,400	3,700	4,600	5,880
Utica, N.Y	2,900	3,700	4,500	5,300

Mr. ROOSEVELT. Mr. Chairman, I rise in support of H.R. 7984, the Housing and Urban Development Bill of 1965, for I am firmly convinced that this legislation is essential to our future and to fulfilling the urgent needs of our people.

Much of the legislation proposed continues and expands unquestioned commitments long since made to the housing and growth of our urban society—the programs of FHA mortgage insurance, of urban renewal and planning, of community facilities, college housing, and so forth. In fact, we must enact this bill merely to stand still.

But to merely stand still is to move backward. The newer measures and provisions for enlarging those already existing are essential to enable use to move ahead.

We are in a crucial period in our history, a period when we must, as indeed we can, fulfill the promise of opportunity to all Americans. We have not done that for millions of people left in substandard housing, for ever-growing numbers of our elderly, and for submerged minorities only beginning to share in the common benefits of a democratic society.

The effect of this legislative proposal will help us to achieve the goal envisioned by the President in his dream of a Great Society. But that Great Society cannot be an exclusive one which excludes large groups from its benefits. Poverty is a dangerous virus, but it is no longer an incurable one. H.R. 7984 is a vital measure to expedite the reality of the Great Society, and to win the war on poverty, for it not only speeds up the improvement and growth of our urban communities, but it launches the first mass attack on the housing problems of the elderly, the displaced, and the ill-housed of low income.

My own State of California has a great stake in this bill. We carry a larger share of national responsibility for the housing and urban needs of our growing population. We are the hope and destination for large numbers of older people who migrate from all over this country, seeking a good life in their later years, and for even greater numbers of young people seeking new and growing opportunity. For many years California has been the leading State in homebuilding and community growth, accounting for a large percentage of our expanding housing economy and investment. We have made extensive use of both regular and special programs to provide better housing and better communities. But the benefits of these programs have sometimes been seriously out of balance.

In California, for example, we have built or improved more than 3½ million homes and apartments under Federal programs, involving more than $13 billion of investment. But despite our large demands, only 10,000 of those units have been especially for the elderly, and only 30,000 for low income families. This is merely nibbling at the edges. We must now move much faster to meet the needs of the ill-housed, the elderly, the displaced, the disadvantaged, and the poor, and this bill provides some of the means to do so.

It gives us a program of public housing that increases from 35,000 to 60,000 units a year for the next 4 years which is far more adaptable and usable in that it applies to all types of suitable housing, new and old, publicly and privately owned. Public housing continues to be recognized as the indispensable tool it has long been and will continue to be for the urban poor.

The bill also offers us a bold new proposal to supplement the rents of the much larger number of elderly, displaced, and badly housed who cannot find decent housing they can afford. Such supplements would enable private capital to invest in this market and generate decent housing for half a million families in the next 4 years. This is one of the most meaningful proposals to come before the Congress in some years, and I applaud its innovation.

Of significance to many thousands of my constituents are the provisions of title III which authorizes an additional $2.9 billion over 4 years for urban renewal grants, and requires HHFA to conduct a study of building codes, zoning, tax policies, and development standards. Although falling within the urban renewal program, it permits inclusion of areas which are not so blighted as to require urban renewal treatment, and thus will cover the so-called gray areas to permit many to retain and rehabilitate their homes. The humanitarian aspect, while not measured in dollars and cents, is considerable, for these are in many instances years-long home owners who are eager to remain in the community they know and like but who for one economic reason or another, are precluded from making capital investments in older homes.

I am particularly pleased to note this bill embodies a proposal which is contained in H.R. 1573 which I introduced at the opening of this Congress. This same proposal was also contained in bills introduced by me in the past two Congresses. H.R. 1573 provided that qualified small business concerns could obtain from the Small Business Administration guarantees for the payment of rental under leasing of commercial and industrial property in those instances where stringent credit requirements make it impossible for well-established, sound small businessmen to obtain leases. The bill before us limits this assistance to only those small businesses displaced by urban renewal. I am pleased to support this provision. Hearings by my Small Business Subcommittee during the last Congress and by the newly formed Subcommittee on Urban Small Business Problems chaired by my good friend Congressman JOHN C. KLUCZYNSKI during the current Congress have revealed an acute need for legislation providing this assistance. It is my hope, however, that in the near future the Congress will see fit to make lease guarantees available to all small businessmen regardless of reason for seeking entry into shopping centers or similar spaces.

Let me point out that if we fail to enact this legislation, more than three quarters of a million families will have no hope of leaving the slums for decent homes. Our communities will be blocked in their efforts to build and rebuild a better environment. This is a national problem, and it is the result of large population movements to urban centers. This is especially evident in my State of California, but the condition is identical in all urban areas of the country.

Let me urge you to give this legislation your affirmative vote. You will thereby replace ugliness with beauty, despair with hope, and make the Great Society a fact instead of a phrase.

Mr. WALKER of Mississippi. Mr. Chairman, as I view title I of the omnibus housing bill, I find it most objectionable. To me, the entire idea of rent subsidization by the Federal Government is one not worthy of adoption. I would like to remind my colleagues that this great Nation of ours was built on individual incentive, and not on the Federal handout. Title I of H.R. 7984 is not merely rent subsidation, but I am sure that if viewed in the proper prospective, most anyone would admit that it is income subsidation.

As has been stated previously, by my colleagues who oppose this section of the bill, the proposed rent subsidization will kill the incentive of the individual who participates in this Government handout, the very same individual that the bill is designed to help.

For years now, our great country has been fighting not only the Communist Party, but the entire philosophy of communism. Mr. Speaker, while we condemn this ideology on one hand, some of my colleagues on the other hand are, in my opinion, encouraging it by legislating some of the same socialistic principles that are advocated by the Communist doctrine. Let me point out just a few of the frightening pieces of legislation that are leading us down the road to socialism and ultimately to communism.

First, there is the Federal aid to education bill which opens the door to Federal control of our longstanding system of public education. Next is the proposed medicare bill which is the first step toward socialized medicine. The voting rights legislation, already passed by the Senate and soon to come before this House, will again move us a little closer to the Communist's doctrines through its discriminatory application, and now, this proposed rent supplement program that may destroy the individuals desire for self-improvement.

Mr. Chairman, in each of the above mentioned pieces of legislation, more authority is taken away from the individual; whether he be a doctor, a voter, a property owner, or an educator—and more power placed into the hands of a strong, centralized, bureaucratic government. In the case of the rent subsidization program, the bureaucratic enforcer is the Housing Administrator, who will have discretionary powers to approve or reject petitions of the individual.

As a newcomer to this great legislative body, I am shocked at the great risks Congress is taking—the risk of abolishing individual incentive in the name of helping the poor, and, I might add, it does not take a great deal of seniority to see the immense dangers that legislation of this nature poses to our way of life.

How long must our country travel down the road toward collectivism and welfareism before it is awakened to the dangers that lie ahead? President Johnson recently made a statement to the effect that the 89th Congress would go down in history as the most effective Congress our country has ever had. I fear that instead, history may well record the 89th Congress as the most destructive to the American way of life.

As a Representative of the people of my district, I cannot, in good faith, bring myself to support this Great Society handout.

Mr. EDWARDS of Alabama. Mr. Chairman, we need in this country today not so much in new housing schemes of various kinds but rather a clarification and coordination of existing housing programs.

We are building the Washington bureaucracy into a gigantic and uncontrollable monster where housing and various urban programs are concerned. Already the right hand cannot and does not know what the left hand is doing, and for us to continue today in this same direction is a tragedy for all Americans.

I have to oppose the establishment of a 3-percent interest rate for three of the housing programs in this bill. The Government should not borrow money at an interest rate higher than that at which it lends.

Even in times of fiscal solvency this practice adds unnecessarily to the taxpayers' burdens and complicates the Government's monetary problems. It is pure folly at a time when we are operating with huge deficits and in the face of a serious balance-of-payments problem.

The bill involves spending of anywhere from $6 to $13 billion and commitments of up to 40 years in time whether housing needs over that period warrant further action or not.

Experience in recent years has shown that public housing authorizations have not been fully utilized by local authorities. Why, then, are we asked today to authorize 140,000 additional units?

The rent supplement plan as proposed by the President is especially objectionable. Shortly after it was first proposed I included the following question in a questionnaire sent to homes in the First Congressional District of Alabama: "Would you support a program of Federal rent subsidies to low and middle income families?"

Of the many thousands who responded 82 percent indicated they would not support the program. Several respondents wrote in comments asking if the question was some kind of joke.

We are told this rent supplement plan would be an experiment. But what kind of experiment is it that calls for 40 years of trial at a cost of $8 billion?

The rent plan would not provide the housing help where it is needed most crucially. The greater part of the assistance would go to those who least need it. This kind of Federal aid without regard to valid need characterizes several administration programs of these past 4 years, and I wonder if some of us will not encounter some difficulties in making explanations to citizens who will some day learn what is happening.

The rent supplement plan would kill the incentive of American families to improve their living conditions through their own efforts. It would discriminate against people who do not want this kind of handout.

And there is considerable cause for concern in the methods which might have to be used to enforce provisions of the system. Intrusion of Federal agents into the private lives of American citizens has already progressed to an alarming point. All of those who, like myself, are concerned with individual liberties and freedom from an oppressive Government tyranny, should be alert to the new growth of Federal Government power which is wrapped up in this bill.

The bill takes another giant step toward putting the Federal Government in charge of local housing development and individual enterprise.

It is a step which each one of us ought to consider very carefully.

Mr. BETTS. Mr. Chairman, of all the New Frontier and Great Society programs, few have disturbed me more than the rent-supplement provisions of the Housing Act of 1965. This subsidy scheme is one of the most far-reaching and dangerous plans to come before the House in a generation. I believe it has been rightly described as foreign to American concepts. It goes to the root of private ownership—killing the incentive of the American family to improve its living accommodations by its own efforts. This cynical device virtually destroys the normal desire for homeownership; it makes renters wards of the Government. My Republican colleagues on the Banking and Currency Committee, on which I served for 8 years, have referred to this proposal as "the way of the socialistic state."

Many of my distinguished colleagues on both sides of the aisle have presented an analysis and salient comments on the rent subsidy plan. I leave the intricate line-by-line examination to them. My purpose in presenting these remarks is to firmly establish my opposition to what Housing Administrator Weaver has termed "a vital part of the proposed administration bill."

Some of the best reasons for the defeat of this provision have been discussed by my friend and colleague from Ohio [Mr. STANTON]. At the risk of repetition I would like to review them as he has presented them.

> It is a new program ostensibly directed at providing housing assistance for low-income families. Yet the same bill provides 60,000 additional public housing units for each of the next 4 years—almost twice the public housing rate for the past several years.
>
> It holds out a false hope to 8 million low-income families—presently living in adequate shelter—that they, too, are entitled to have part of their shelter costs paid by the American taxpayers.
>
> The upper income limits for determining eligibility for rent supplements are vague and subject to arbitrary decision by government officials as to the ability or inability of a family or individual to obtain standard shelter with 25 percent of income. The bill contains no maximum rent supplement for any one family or individual.
>
> It would propose a "means test" on low-income families and cause Government employees and neighbors (according to HHFA Administrator Weaver's testimony) to pry into family income sources to make sure that the rent supplement is of proper amount.
>
> It was advocated by the Administration to permit the phasing out of the FHA section 221(d)(3) below-market interest rate program (presently 3⅞ percent)—an objective sought by the Budget Bureau because of the impact of the latter program on the budget. Yet the committee has approved a 4-year extension of the program with a 3-percent rate, thereby removing the primary motivation for the rent supplement program.
>
> It would authorize the Housing Administrator to contract with private agencies for services in the selection of tenants and delegate to such private agencies the authority to issue certificates of eligibility to receive Federal rent supplements. This delegation of Government responsibility to non-Government entities in selecting the beneficiaries and the amount of a Federal rent dole is without precedent.
>
> It would provide rent supplements for elderly and handicapped persons, yet there are three Federal housing programs for such persons already in existence, i.e., (1) public housing, (2) direct submarket interest rate loans, and (3) FHA section 231 housing.
>
> It would provide rent supplements for persons displaced by Government action notwithstanding the existence at present of a variety of housing programs and other benefits for these people, i.e., public housing, FHA section 221 (d) (2), (d) (3), and (d) (4), and relocation allowances.
>
> In its inception the rent supplement program was not intended for low-income families. To insist now on the program as one limited to low-income families is to cling to the form when the objective is no longer in sight. A new multi-billion-dollar housing program, committing the American taxpayers to 40 years of disbursing a rent dole, should rest on firmer foundation and be the product of more thorough staff preparation.
>
> By making rent supplements a permanent long-range (40 years) housing program to neutralize high rent levels flowing from high interest rates, the Congress would materially impair the many years' effort by some industry and public interest groups to bring about a reduction in interest rate levels. The proposed rent supplement program reflects a surrender to high mortgage interest rates.
>
> It is limited to new construction, yet the largest source of housing for low-income families is the existing housing inventory. The rent supplement program is premised on the mistaken belief that this group must have new dwellings.

With these arguments in mind, it seems incredible that this subsidy scheme should be approved by this House.

Mr. McDOWELL. Mr. Chairman, it is my intention to vote for H.R. 7984, for I firmly believe that its many advantages far outweigh those few areas where it may need further improvement. This bill merits the prediction the President made some weeks ago, at the convention of the National Association of Home Builders in Washington, that it will be one of the finest housing bills ever developed.

This bill includes a number of suggestions put forward by leaders in our home building industry. Some of these suggestions were included in the bill which President Johnson sent to Congress, and more of their suggestions were included by the Housing Subcommittee after extensive hearings, at which industry leaders testified.

Perry E. Willits, president of the National Association of Home Builders, sees the need for preserving old neighborhoods as centers of modern urban life and activity, and he calls for the retention of the inherent individuality and character of neighborhoods, with the emphasis on rehabilitation instead of the bulldozer and clearance. This is in line with President Johnson's views, and the intent of the Congress, for, in signing the Housing Act of 1964, the President declared that:

> The plight of property owners in urban renewal areas is recognized in this measure. Provision is made so that they can rehabilitate their homes and businesses instead of having to move from the path of the bulldozer. Looking ahead, this measure assists local communities in enforcing housing codes so blight does not develop or persist in the future.

It would be helpful to recall President Johnson's view of the goals of this bill we are considering here today, as set out in his message to the Congress on March 2 of this year, on the Problems and Future of the Central City. In that great message he said:

> We hope to achieve a large increase of homes for low- and moderate-income families—those in greatest need of assistance—through an array of old and new instruments designed to work together toward a single goal—to insist on stricter enforcement of housing codes by communities receiving Federal aid, thus mounting an intensified attack on slums. Using both urban renewal funds and public housing funds to rehabilitate existing housing and make it available to low- and moderate-income families. There is no reason to tear down and rebuild if existing housing can be improved and made desirable.
>
> We have concentrated almost all our past effort on building new units, when it is often possible to improve, rebuild, and rehabilitate existing homes with less cost and less human dislocation. Even some areas now classed as slums can be made decent places to live with intensive rehabilitation. In this way it may often be possible to meet our housing objectives without tearing people away from their familiar neighborhoods and friends.

I am deeply impressed not only by the tools provided by this administration and by Congress in the Housing Act of 1964 and in the present bill, H.R. 7984, but by the support which the homebuilding industry as a whole is giving the President and our Democratic administration in the development of a new, more realistic, and more humane approach to the housing problem. In fact, the Housing Act of 1964 was so good that it was supported by an overwhelming bipartisan majority of 5 to 1 in the House last year. The present bill will also have overwhelming support in the House because it, too, is a good bill.

Before I leave the subject I would like to point out the similarity of approach of President Johnson and the homebuilding industry to the problems of housing with a reference to the testimony given by Perry E. Willits before the Subcommittee on Urban Small Business Problems of the House Select Committee on Small Business on June 8 this year. He told the subcommittee members that:

> It is increasingly believed that complete redevelopment through removal of existing structures and the building of huge new projects should be reserved only for those areas so hopelessly blighted as to be beyond the possibility of restoration.
>
> Not only does the "bulldozer approach" require vast expenditures, but in the process small businesses—the corner pharmacy and the tobacco shop, the neighborhood restaurant, perhaps in business for a generation or more—are uprooted and destroyed.
>
> Their successors will most necessarily be units of farflung chainstore operations, since satisfactory mortgage financing for the new redevelopment commercial project can only be obtained on the basis of long-term leases with national, triple-A rated tenants.
>
> Complete renewal of our cities, of course, is not the answer. In fact, the cost, which is estimated at $1 trillion, is so staggering as to immobilize us, preventing any kind of action.
>
> We might well study, investigate, and research these problems on at least some modest scale in contrast to the almost nonexistent scale to which we have become accustomed. If we can afford billions for space research, we can certainly afford millions for urban research.

The present bill, H.R. 7984, builds on these views of President Johnson's administration and leaders in the homebuilding industry, and emphasizes rehabilitation, code enforcement, relocation assistance, and provides a new concept of fair and just compensation for businessmen and homeowners whose property is taken in urban renewal projects. A number of the provisions of H.R. 7984 are similar to provisions in my own housing bill, H.R. 7041. The need for such provisions to advance the rehabilitation process is widely recognized, and the failure of the present system to provide fair, just, and evenhanded compensation for property taken in Federal and federally aided programs has been shown by a number of studies; such as, for instance, that by the Select Subcommittee on Real Property Acquisition of the House Public Works Committee. This study of compensation and assistance for persons affected by real property acquisition covered a 2-year period and hearings were held throughout the country. Significant work, as in this area, was also done by the Advisory Commission on Intergovernmental Relations, which showed that in the next 4 to 8 years Federal and federally aided programs, including housing and urban renewal, will displace annually an average of 111,000 families and individuals, 18,000 businesses, and

4,000 farm operators. Eugene F. Foley, Administrator of the Small Business Administration, told the House Select Committee on Small Business that studies by the Select Subcommittee on Real Property Acquisition of the House Public Works Committee showed that nearly 35 percent of the businesses displaced by urban renewal fail to reopen their doors. Mr. Foley and Mr. Willits are to be commended for calling the attention of the Nation to these problems faced by small business.

President Johnson in his message to Congress has urged us to take steps to meet the needs of those millions of families in our cities, towns, on farms, and in rural areas who live in substandard housing. The Housing and Home Finance Agency has declared that "our existing housing programs cannot fully cope with the problem" of the 13 million substandard homes in our country. I confidently believe that this bill, H.R. 7984, and the earlier bill, H.R. 6927, to establish a new Department of Housing and Urban Development, are long steps forward and do provide the means to enable us to cope with the problems of blighted and slum housing.

In conclusion, I would express the hope, as I did last year, that the best features of both the Senate and House bills will be retained by the House and Senate conferees, as they did last year, which made the Housing Act of 1964 such a great legislative enactment. The spectacular success of our national homebuilding industry to provide homeownership to millions of our citizens is one in which we can all take pride. We have failed, however, to solve the problem of providing homes within the reach of the poorer families. Public housing has failed to meet this need; new tools must be forged, tested, and perfected, so that in our time and for the future, we as a Nation can house all of our people in safe, sanitary, decent housing.

I commend Chairman BARRETT and all of the members of the great Subcommittee on Housing of the Committee on Banking and Currency who have developed such an effective housing bill, and I am glad to give my wholehearted support of this legislation contained in H.R. 7984.

Mr. O'NEAL of Georgia. Mr. Chairman, I would like to go on record as being opposed to the Housing and Urban Development Act of 1965. Any merits contained in the proposal do not justify passage of this unsound piece of legislation.

In the interest of time, I will restrict my objections to the most diabolical section—the rent supplement proposal.

The formula for providing rent supplements would allow a low- to moderate-income family to occupy the same accommodations as it could if its income increased substantially. Yet, the Government subsidy would be taken away if the family income should reach a certain level. It is therefore apparent that the tenant would not be encouraged to work hard only to lose his Federal dole. In fact, the rent supplement would be decreased in proportion to an increase in family income.

Also to be considered is the family of adequate means whose neighbors are receiving the dole. The rent supplement proposal would provide reverse incentive for such a family to earn less but get more from the Federal Government. Why should that family be forced to pay taxes which in effect are applied to the neighbor's rent bill?

This absurd proposal not only kills family incentive to improve rental accommodations by its own efforts, but it also destroys the cherished goal of homeownership. Commonsense will tell you that high rent cost is a stimulant to homeownership. The average American family realizes that the rent dollar can be applied to mortgage payments as an investment for the future. However, a family receiving rent supplement would not be encouraged to purchase a reasonably priced house when it can live in a more expensive apartment. The rent subsidy, of course, could not be applied to house payments.

The reasons I have briefly outlined provide sufficient justification for my opposition to the housing bill under consideration. But I should add that inestimable amounts of money obligated for up to 40 years to implement the rent subsidy scheme is equally distasteful and disturbing.

Mr. ANNUNZIO. Mr. Chairman, I rise in support of the Housing and Urban Development Act of 1965, H.R. 7984.

As a member of the Banking and Currency Committee which reported the bill, I wish to express my unqualified support for the measure. I also want to extend my congratulations to the chairman of the Subcommittee on Housing, my distinguished colleague from Pennsylvania, the Honorable WILLIAM A. BARRETT, for the outstanding job done by him and the members of his Housing Subcommittee.

I want also to compliment the distinguished chairman of the full committee, the Honorable WRIGHT PATMAN of Texas, for the fair manner in which this bill was handled in executive session. All members of the full committee were given an opportunity by the chairman to participate in the hearings and to fully discuss the bill.

I am proud to have participated in the deliberations which produced a measure of such vision and understanding.

Not since the landmark Housing Act of 1949 has the Congress had before it housing legislation with such great potential for improving the physical environment of the American people.

It is above all, a realistic bill—one that recognizes the housing problems of the American people as they are, and comes to grips with them in a bold and meaningful way.

It recognizes, first of all, that building more and more brand new housing units—essential though that is—cannot be the sole answer to the problems posed by the deterioration of existing housing. The bulldozer and the luxury high rise cannot be the only response to urban decay.

Like most other American cities, my own city of Chicago has been confronted with all the problems of urban blight. Our past programs combined with the unstinting efforts of civic leaders and private enterprise have succeeded in the rehabilitation of large areas of our central cities as shown by Chicago and other cities.

All across the country, millions of dollars of private capital have been poured into the task of rebuilding the core business districts of the Nation's cities; and today we can see magnificent structures housing thousands of office workers and business establishments in every major urban area. From New York to Pittsburgh to Cleveland to Chicago to Los Angeles, the central core of the city has undergone a remarkable renaissance.

But our responsibility and our concern must extend beyond the business district of the core city. Grave housing problems remain in both the core and fringe areas of our cities with over 4 million substandard housing units throughout the Nation's urban areas. If we are to attain our goal of a decent home for every American family, we need to press the attack on the slums with a whole new arsenal of weapons.

It is not enough—and this bill recognizes that it is not enough—simply to barge in with a bulldozer and level entire neighborhoods. We must have a housing policy that is sufficiently flexible to discriminate between those areas where there are growing spots of decay and those which are irreparably blighted.

The measure before us directs the urban renewal program into a greater emphasis on conservation and rehabilitation. It provides for greater housing code enforcement, for a program of low-interest loans to improve property, and one of grants to finance needed repairs.

In short, this bill throws up a whole series of new barriers to the galloping process of urban decay. And in so doing, it seeks to avoid the waste of material resources and the personal tragedies that are sometimes involved in the displacement of whole communities from dearly loved neighborhoods.

The bill also recognizes the critical housing shortages that exist on the campuses of American colleges and universities. Action in this area is an integral part of the overall effort we must make to meet the Nation's educational needs if we are to keep faith with the youth of America.

College enrollment over the last 25 years has more than tripled—to better than 5 million this year. By 1975, it will have increased to 8.6 million. All of these students must be housed while they are acquiring their education. And the institutions of higher learning which are struggling so valiantly to meet this challenge must have assistance.

Consequently, the college housing program which has already served the Nation so well for 15 years receives a deserved reaffirmation under this bill. It provides for increases of $300 million in the college housing loan program for each of the next 4 years, and it lowers the interest rate on these loans to 3 percent.

Finally, the bill also expands the program so as to permit loans to provide parking facilities for students and faculty.

Most importantly, the bill recognizes that while there has been a gratifying increase in housing production over the years, the needs of low- and moderate-income families have been largely overlooked. The bill faces up to this problem squarely and, for the first time, undertakes a massive program to meet these needs.

For example, the public housing program, which, for so many years, has been the sole instrument for providing housing for low-income families, is extended with a substantially increased authorization of funds. Over the next 4 years, an additional 240,000 low-rent public housing units will be built.

The bill would also harness the energies and genius of American private enterprise by initiating a rent supplement program to help meet the housing needs of low- and moderate-income families. The essence of the rent supplement program is housing that is privately constructed, privately financed, and privately owned, with Government assistance in the form of FHA mortgage insurance and rent supplements to help families which cannot find standard housing, even with 25 percent of its income.

This program is, beyond question, the most significant feature of this outstanding bill. I can well understand why the President has called rent supplements "the most crucial new instrument to improve the American city."

I said earlier that this bill expresses vision and understanding. It is one of the finest bills that I have been priviledged to support. It encourages vigorous housing production; it comes to grips with the need for conservation and rehabilitation of our urban resources; it provides needed assistance to our institutions of higher learning; and it faces up to the housing needs of low- and moderate-income families in a compassionate and effective way.

I urge that the Congress enact this bill into law.

Mr. MINISH. Mr. Chairman, I rise in support of H.R. 7984, the Housing and Urban Development Act of 1965.

This bill will continue vitally needed assistance to our cities for housing and urban development and authorize important new programs to increase the supply of housing, particularly for low-income groups.

I support this bill because of what it will do to help the cities meet the enormous problems they are facing as a result of urban growth and the move to the suburbs, and the decay of central cities.

As a member of the Banking and Currency Committee I am proud that we have reported such a far-reaching bill which will stand as a landmark in the history of housing and urban legislation.

The prevention of slums, the clearance of slums, the provision of housing for our lower income families, and the provision of community facilities are essential to the growth and prosperity of our cities and to the well being of our people.

The bill will help to do all these things. Without it, they simply cannot be accomplished.

The bill would continue a high level of Federal assistance to urban renewal for another 4 years. It would amend the law providing this assistance so that more emphasis will be placed on rehabilitation and conservation. This will help prevent the future growth of slums. It will also help avoid the displacement of families and businesses that occurs when slums have to be cleared. Nevertheless, where cities have to clear slums, the bill will help them to do so by continuing the availability of capital grants for urban renewal.

More generous assistance will be provided under the bill to those who are displaced by slum clearance. For example, small businesses who are forced to move could be given lease guarantees. This will help them find another place in which to carry on their businesses and reestablish themselves. The amount of readjustment payment that can be made to these small businesses by the Federal Government will also be increased from $1,500 to $2,500, and the amount they can receive for moving expenses will be much more realistic than it is now. These provisions will do a great deal to preserve the small businesses that make up a large portion of the commercial activities of our cities.

Under a new program authorized by the bill, a homeowner in an urban renewal area, who cannot afford to do the repair work necessary to bring his home up to the urban renewal requirements, could be given a grant to finance the cost of these improvements. This should prove of special benefit to elderly homeowners. The 3-percent rehabilitation loan program for both business and residential properties in urban renewal areas will also be continued with an increased authorization. These aids will help prevent displacement and the growth of slums.

The rent supplement program in the bill will provide a new and important tool for helping lower income families find decent housing that they can afford. The housing will be privately built, privately owned, privately managed, and privately financed. This provision has received much discussion here and I need not go into it further, except to say that I thoroughly support it.

The changes made in the low-rent public housing program will make it easier for cities to provide low rental housing for low-income families. Under the bill, existing housing in the community, which is suitable for public housing, could be utilized for this purpose rather than building large new projects. This means that low-income housing can be provided much more quickly. In many cases, existing housing can be better suited for large families. Additional new public housing would also be authorized.

The provision of community facilities, and health, recreation, and community centers continues to be a grave problem for our cities. This bill would authorize new programs of grants to help them provide these facilities which are so essential to complete urban living.

New grant assistance would also be provided to help cities acquire and preserve open space land, and to beautify their streets and public places. Because open space land is so scarce in the cities, grants could also be made available for the acquisition for land that has to be cleared in order to make it suitable for use as parks, playgrounds, and other open space purposes.

Because I come from a big city and know firsthand of the great need of the cities for the help provided by this bill, I am an enthusiastic supporter of this bill. I hope it will receive the overwhelming support of the House of Representatives.

Mr. BENNETT. Mr. Chairman, the legislation before the House today includes a provision subject to grave question, and one which I believe needs further study. This is the recommendation for a new program of rent supplements for moderate-income families.

Federal subsidies for rent are not new, but prior to this legislation, it was limited to low-rent public housing for the poor and to military and other Federal personnel in special circumstances.

This bill today provides a comprehensive program in the new, moderate-income field for the next 4 years. The provision for rent subsidies seems to me to be a program which demands more concrete study by the Congress, mainly because of the question of who will be helped and who will be discriminated against by this program, and because of the estimated cost to the taxpayer.

The cost to the taxpayer ranges from the Housing Administrator's conservative estimate of $4.7 billion as the 40-year cost, to the estimate by a more conservative element to $8 billion for the entire 40-year period. The Council of State Chambers of Commerce views the program as one of doles, costing ultimately $5 billion annually.

These are shocking figures to me, especially when we realize we have a planned deficit of $5 billion this year and a national debt reaching $318 billion. Although many causes for the current adverse fluctuations in the stock market have been stated; personally, I feel that this may in fact be because of a lack of public confidence in the ability of Congress to say "No" to unrealistic, fiscally unsound proposals which may appear politically attractive. If this be the fact, the strength of our economy might well be served by negative action on this proposal, at least until its limits are more definitely ascertained.

I believe we may have rushed into this program too fast, offering in some areas too much, and in others perhaps not enough.

A more realistic approach to the problem would be to provide assistance to individuals with low incomes by reducing the amount of income tax they pay to the Federal Government.

A tax reduction to a bare minimum for low-income families is the basic tenet of my bill, H.R. 6872, introduced earlier this year, which would reduce the income tax to $5 for those citizens classed in the poverty status to eliminate the need for handouts from the Federal Government, such as the proposed rent supplement program.

This legislation of mine is designed to halt the tendency of Government to tax low-income groups while keeping them in the subsidy and welfare class. It could take the place of a major spending program, such as the one before the House today.

I hope the Congress will seriously consider this tax reduction idea, and I also hope further study and attention will be given to the rent supplement plan—a program, which at the least, makes the individual more dependent on a paternal Federal Government.

Mr. GILBERT. Mr. Chairman, the growth and decay of our cities, the rising population, and the health and welfare of the people of our Nation require the vastly expanded program of housing provided in H.R. 7984, the Housing and Urban Development Act of 1965. We must eliminate the critical housing shortage and eradicate substandard housing through clearance of slums and blighted areas.

The bill before us is vitally important to the people of my 22d Congressional District of New York, as it is to every densely populated area. Eight million American families now live in substandard housing, many of whom cannot afford decent housing. One-half of these are either elderly or handicapped.

In New York we still have a very critical shortage of housing in spite of many new units in recent years, one-third of which have been low-rent housing projects. New York has about 250,000 units of substandard housing, a large portion of which is slum housing. We have had a substantial amount of construction, repairs, and rehabilitation. Much remains to be done, however. We need to convert neighborhoods where the poor live into better places for them—making them more livable with small parks, health centers, shops, and social facilities. The housing need is most urgent in areas where the poor live. The competition for housing they can afford is too great, and the housing they do get is the very worst.

I receive letters almost daily from families in my congressional district, requesting assistance in locating better housing because of crowded conditions and rents they cannot afford, but are forced to pay, for very inadequate and substandard living quarters. In New York City, we now have over 650,000 on the New York City Housing Authority waiting lists. Some 1.25 million live in substandard housing. They feel trapped with little or no hope of improving their housing conditions. It is no exaggeration to say the lives of the children of these families are being ruined and they will pay dearly for this neglect of their plight.

Mr. Chairman, public housing remains the only means by which families of low income can obtain suitable housing and at rents they can afford. Although we have made progress, there still exists a grave shortage. Any investment our Federal Government makes in providing good, low-rent housing will be amply repaid in many ways; it will provide needed improvement in the morale of our citizens and will lessen the many serious problems created by substandard housing. Suitable housing, as we all know, is an extremely important factor in combating juvenile delinquency, crime, and disease.

Mr. Chairman, I support section 101, the rent supplements program, which would complement the existing public housing program and offer low-income families another alternative to the choice between slums and regular public housing. The rent supplement payments would be made in behalf of a family unable to obtain standard privately owned housing in his community at a monthly rental which is equal to or less than one-fourth of his monthly income. Low-income families spend more proportionately per unit for housing than other families; often a family with a low income is forced to spend as much as 35 percent of its income on housing. The rent supplements program would be made with respect to privately built, privately financed, and privately owned housing. In addition to being low income, the family would have to be either elderly or handicapped, displaced by government action, or now living in substandard housing.

Other desirable features of H.R. 7984 are the continuation of public housing and urban renewal, the highly successful college housing program, housing for the elderly, the continuation of the below-market-rate loan insurance program for middle-income housing and rural housing.

With regard to middle-income housing, I have felt that we have neglected those people in moderate income brackets who earn too much for public housing and yet cannot afford privately built, nonassisted housing.

Mr. Chairman, the urban renewal program continued by this legislation is of utmost importance. It will assist housing authorities in providing housing for very low income displacees at below average rentals; it will continue to make low-income displaced single persons eligible for public housing, will assist small businesses displaced by urban renewal, and will authorize the FHA to continue to insure below-market interest rate loans for moderate-income elderly persons who own homes in urban renewal areas, to enable them to rehabilitate instead of being forced to sell. President Johnson said, in his Housing Message:

> We must continue to use urban renewal to help revitalize the business and industrial districts which are the economic base of the city * * * but this program should be more and more concentrated on the development of residential areas.

In New York there are many thousands of elderly of low incomes who need housing desperately. The provisions of this bill which will help our elderly are sorely needed.

I am pleased the bill contains a provision which I recommended for insurance mutuality for 213-management-type housing cooperatives. This would be done by the creation of a separate mortgage insurance fund for this type of housing.

I had hoped the bill would contain a provision that would allow New York State to participate in the public housing program with greater references to need than in the present formula which limits each State to no more than 15 percent of the annual contribution contracts a year. Our present need for public housing in New York City alone is estimated to be more than 250,000 units.

H.R. 7984 has a new program for matching grants to local public bodies for the construction of water and sewer facilities, and new programs for grants to build community centers to provide urban parks and beautification. I am glad that priority here is to be given to projects that would benefit low-income areas. The provision of adequate community services will make economic and social contributions toward communities by reducing the heavy costs of ill health and juvenile delinquency.

Mr. Chairman, aside from the many important provisions of this bill, another benefit will be the boost it will give to employment. Unemployment still is a serious problem, and the construction this legislation will provide will give jobs and incomes to many, thereby helping our entire economy.

I commend Chairman PATMAN of the Banking and Currency Committee and Chairman BARRETT of the Housing Subcommittee and other members of the committee for their untiring efforts and accomplishments in reporting what I consider a practical and workable housing bill.

Mr. Chairman, I support H.R. 7984, the Housing and Urban Development Act of 1965, and urge approval by the House. We must make every effort to remedy the serious housing shortage and eliminate substandard housing through slum clearance; we must work toward the goal of a decent home and suitable living environment for every American family.

Mr. RYAN. Mr. Chairman, during my three terms in Congress, I have spoken many times in support of progressive housing legislation. I have introduced a number of bills to improve our present programs and to create new ones. Throughout the years, I have testified before the Housing Subcommittee of the Banking and Currency Committee. This year I testified in regard to the bill before us. I am pleased to say that many of the concepts that I have proposed have been incorporated.

However, Mr. Chairman, although far more has been accomplished during the past 5 years than in the previous 10, I cannot in good conscience view either the Housing Acts of 1961, 1962, or 1964 as adequate to meet our housing needs. While I support the Housing Act of 1965, H.R. 7984, I must reflect on the apparent lack of congressional responsibility in meeting the housing needs of the Nation.

Mr. Chairman, we face a critical housing shortage today just as we did in 1937 when Congress passed the landmark bill that created our present public housing program. Congress passed the Housing Act of 1949, which was intended to guarantee a decent home and living environment for every American. But the full support of the Federal Government has not been placed behind our Nation's housing efforts. We have failed to admit and act upon the fact that the housing problem is one of severe housing shortage.

Mr. Chairman, I do not hesitate to say that New York City needs Federal help in its housing problems and needs it desperately.

I know the housing problems of New York City firsthand. They will not be met by H.R. 7984. It is more a palliative for our consciences than a fulfillment of our promises.

Although I speak of New York City, my comments apply to all cities. Urbanization and migration have not been absent from Atlanta or Detroit, Cleveland, or Los Angeles. The primary force of growth is common to all cities—large and small. Decay is also found in all urban areas, but it is a major problem in a large metropolis.

The answer to the problem of housing in relation to urban growth is simple. We need more housing and lots of it. We need millions of units more than are now being built.

Current data indicate that housing starts are running at 1.5 million annually. This is far too few. Even the most conservative estimates indicate that at least 1.7 million units are needed in 1965. Some sources estimate a need of 2 million units in 1965 and an average of 2.2 million by 1970.

Actually, new housing production is down 100,000 units a year from its average of 1.6 million in 1963 and 1964.

The Dodge Corp., Dun & Bradstreet, and the McGraw-Hill Publishing Co. all agree that we must be averaging 1.8 million new units of housing annually by 1970 if we are just to keep pace with new household formation and normal housing removal. If we are to substantially upgrade our housing stock, we will have to do much better than that. The HHFA estimates that we will need at least 2 million new housing units a year by 1970 and the Committee for Economic Progress says that we must have 2.2 million a year if we are to provide a modicum of decent housing to all Americans.

Housing starts are now ranging around 1.5 million annually—half a million less than the HHFA estimated annual need in 1970—and industry spokesmen are talking about a possible downturn. Moreover far too many of these new units are in luxury apartments that do not meet present needs.

It is generally accepted that there has been some overbuilding in the high-income housing market and there is reason to believe that New York City has experienced this trend.

Fortune magazine, after mentioning that some New York City developers were offering 4 months' free rent in order to reduce vacancies, recently stated that the "most serious problems of oversupply in apartments are concentrated in one price range, in the so-called luxury buildings."

The New York Times commented early last year:

> All are looking for better housing, but very few can find it. Private developers no longer build apartments within the reach of the poor because they would be unprofitable.

Thus the aggregate new housing construction in the Nation is short of the minimum amount needed, and, furthermore, the portion of that already inadequate supply available to low- and middle-income groups is grossly insufficient.

There is but one solution. The Federal Government must make good on its long-outstanding obligation by adopting policies that will drastically increase our housing stock by 1975.

We must start by enacting the Housing Act of 1965. The provisions of this act, which extend present programs, enlarge some authorizations, and provide for new programs of rent supplements, public facilities grants, and land development insurance, can be used as the framework on which to build a comprehensive Federal housing program that can realistically deal with our housing responsibilities.

Under H.R. 7984, the public housing program will be expanded—but not enough. Congress must recognize that the public housing program is, and has been since 1937, the heart of the Federal housing program.

We cannot turn our backs on the poor.

There is a desperate shortage of housing in some areas of our Nation and those most disadvantaged by this shortage are our poor.

Dr. Robert Weaver, HHFA Administrator, has stated that a principal tool in the new program will "continue to be the public housing program." H.R. 7984 proposes 60,000 units per year for the next 4 years—or 240,000 units over that period.

Let us put those figures in proper perspective. Under this new program there would be—for the whole Nation—60,000 units of public housing a year. But only 35,000 of those would be new units. For 100,000 of the total 4-year program, or 25,000 a year, is to be in existing housing. This is important for the flexibility of the program, and I favor this approach. But what is the value of this concept in areas that already have an acute housing shortage? How will 35,000 new units a year for 4 years make a dent in the need for new housing?

There are millions of families with incomes below $3,000 that are living in substandard housing. It has been estimated that four out of every five consumer units with incomes under $2,000 are living in substandard housing.

For example, in New York City, out of 222,000 substandard renter-occupied housing units in 1960, 126,000 units were occupied by families or individuals with a 1959 income of less than $3,000.

These families will find no immediate relief in the proposed rent subsidy program—they need public housing, and they need it now.

There is an effort to make the public believe that there is presently a massive public housing program underway.

U.S. News & World Report of a few weeks back stated that New York City's "public housing program—although massive—has come nowhere near solving housing problems."

I would like to point out that this massive effort which has failed to solve our housing problem in New York City had, as of the end of 1963, produced 124,700 units of public housing—4.3 percent of the 2,896,000 housing units in the city of New York.

In its own words, U.S. News points out that at the present rate of construction—roughly 6,000 units a year "a family applying now would have to wait 10 years for quarters in a public-housing project."

This is hardly a massive effort. It appears to me that we are deluding ourselves, and believing our critics, when we extol present and past efforts at housing the poor. Actually the performance is shameful.

New York City alone could use the entire authorization for public housing in this bill. As I pointed out in my testimony before the Housing Subcommittee, New York State can expect no more than 5,250 new public housing units a year under the present proposal while the New York City Housing Authority alone receives 100,000 applications a year for public housing.

New York City has over 1½ million residents living in substandard housing. Most of these are children. The adults are Negroes; they are Puerto Ricans; they are old; they are sick; they are unemployed; sometimes they are a combination of these. These are the people that must have public housing. Mr. Chairman, H.R. 7984, as it now stands, will not give it to them. Part of the reason is the statutory provision that no State may receive more than 15 percent of the amount of Federal assistance available for low-income public housing. I have introduced H.R. 3968 to repeal this provision, and I strongly urge its consideration in the near future by the Housing Subcommittee.

Mr. Chairman, I do recognize that the limited expansion of the present program is a step forward from the persistent inertia that restricts Federal activity in housing the citizens of this Nation.

The bill before us provides something that I have advocated for many years—an increase in payments to small businesses relocated from urban renewal projects. This bill increases relocation adjustment payments to businesses which net less than $10,000 a year by increasing such payments from $1,500 to $2,500. I welcome this increase but must point out that it is far from adequate.

I have introduced H.R. 3967 which recognizes the real loss a businessman suffers in relocating. The bill provides for compensation for loss of good will. It also increases compensation to relocated tenants. I hope the Housing Subcommittee will consider this bill in the near future.

Another step in the right direction in H.R. 7984 is the provision for matching grants for public facilities, and still another is the increase of the Federal share of the open space land grant from 20 percent to 30 or 40 percent.

In fact, Mr. Chairman, if this were the 79th Congress instead of the 89th Congress, this would be a fine display of congressional responsibility in the area of housing. This bill is just about 20 years behind the needs of the American people. I want to see it passed, and I am sure that it will pass, but I see no reason to continue the myth that we are fulfilling our responsibilities to the people of this Nation.

Mr. Chairman, the President has called the rent supplement the most crucial new instrument in our effort to improve the American city. With proper application, it could become an important weapon in combating our present housing need.

Although criticism has arisen against the proposal, a careful consideration of the facts will show its advantages. The FHA will, under section 221(d)(3) of the National Housing Act, insure mortgages for nonprofit and limited dividend sponsors on privately financed and built housing.

The Federal Government would then supplement the incomes of certain groups of persons—the low-income elderly and handicapped, low-income families displaced by public action, and low-income families unable to get into decent housing in the existing private market—so that they could afford to live in this newly built or rehabilitated 221 (d)(3) housing. The supplement would be equal to the difference between their rents and 25 percent of their earnings.

Mr. Chairman, I support this proposal. In many areas it will be useful. But I am concerned that it may not be administered to help alleviate the housing shortage in New York.

Despite the promise of the Housing Act or 1961, the 221(d)(3) housing program has not been implemented in New York City. No 221(d)(3) housing has been built. FHA regulations are drawn so as to prevent it. Unless the Agency adopts realistic administrative rules, the supplement plan will not be available for New York City individuals and families.

There is another point I want to make. It concerns the method of tenant selection. The commitment of this Congress and of the President to an America in which equal opportunity for all is a way of life has become increasingly apparent. Discrimination in housing is as insidious and obnoxious as discrimination in voting. It perpetuates racial ghettos; it perpetuates de facto segregation in public education. It denies the promise of America. The authority for Federal action to eliminate discrimination in federally supported housing is as clear as the authority to eliminate racial disenfranchisement. The tenant selection process under the Federal rent supplement program should not only be free from racial discrimination, but it should promote integrated housing. Dr. Weaver has said that discrimination on the basis of race, color, or creed will be barred, but it is with deep regret that I note that the rent supplement plan will not be a tool for positive action for racial integration.

And now, Mr. Chairman, I would like to turn to the urban renewal section in H.R. 7984.

Section 303 of title III increases the authorization for capital grants to an aggregate of $2.9 billion, released over the next 4 years at the rate of $675 million on enactment; $725 million on July 1, 1966; $750 million on July 1, 1967, and another $750 million on July 1, 1968.

There is no question of the importance of the urban renewal program to the future of our cities, and Congress must insure that the program benefits the people that Congress intended to help.

Every effort should be made to encourage families to remain in the inner city. Greater flexibility in the urban renewal insurance program for small rehabilitation projects would be of tremendous assistance.

The Federal urban renewal program has a role to play in the development of our cities. No one could have stated this better than the President when he stated:

> Whatever the scale of its programs, the Federal Government will only be able to do a small part of what is required. The vast bulk of resources and energy, of talent and toil, will have to come from State and local governments, private interests, and individual citizens. But the Federal Government does have a responsibility.

As the President later pointed out, the role of the Federal Government is to serve as a catalyst for local action. In large part that role requires the expenditure of Federal funds to local communities that have the will to develop, but lack the wherewithal.

Our urban renewal program is a fine example of this principle, but I regret to say that it has not always achieved its objective.

I am particularly distressed over the continued reports of land reuse in the form of luxury housing and inadequate relocation practices.

As I pointed out earlier in my remarks, luxury housing has been overbuilt in New York City. The reason for this is the obvious high cost of land inside the central city. But what is less obvious is why luxury apartments have been constructed on urban renewal land that was cleared with a significant Federal writedown. It is one thing to build luxury apartments on private market land; it is something else again to build a luxury apartment on subsidized land that was formerly occupied by our less fortunate citizens.

I would like to point out that slum clearance and public housing were at one time intimately related. They worked together for the betterment of the low-income family.

In a 1937 pamphlet published by the Housing Division of the Federal Emergency Administration of Public Works, we find it clearly stated that "in any big slum clearance movement, homes must be provided for workers before the slums are wrecked."

It was the policy of the first Government housing authority to build public housing for slum dwellers on vacant land or on the land that was cleared. The whole operation was geared to the resettlement of slum dwellers in decent public housing.

However, there has been a departure from this practice. During the 1950's land was cleared for luxury housing, while a holding action against the construction of public housing was taking place. This distorted the intentions of the original slum clearance program, which was to rehouse the former slum dwellers in public housing. Although massive clearances is no longer the policy of the HHFA, we are still faced with the problems wrought by the practices of the 1950's. The emphasis should be placed, once again, on the close relationship between the urban renewal program and the provision of low-income housing.

Mr. Chairman, while this bill does not go far enough to meet the Nation's housing requirements, I support H.R. 7984 for two reasons. First, it will provide many services that are needed and many communities, especially middle-sized ones will benefit greatly from its passage. Second, I can support H.R. 7984 because it commits the Federal Government to an expanded program. It is a step in the right direction. Each time that a housing bill passes, no matter how inadequate, it brings nearer the day when Congress will pass housing legislation that is of a magnitude sufficient to do the job.

I am squarely behind this bill. It is a building block, as were the Housing Acts of 1961, 1962, and 1964. This year we are pushing the forces of reaction a little further into the oblivion that they so rightly deserve. Next year, who knows, we might get a housing bill equal to the responsibilities of a modern government to its constituents.

Mr. **ASHLEY**. Mr. Chairman, the present college housing loan program authorizes the HHFA to make loans to finance college dormitories and related facilities at an interest rate—presently 3¾ percent—determined annually under a formula in the law—the average market yield on all interest-bearing obligations of the United States, adjusted to the nearest one-eighth of 1 percent, plus one-fourth of 1 percent—if the financing is not available from other sources on equally favorable terms. President Johnson requested $300 million additional authorization for such loans in each of the next 4 years but he did not request any change in the interest rate for such loans. Section 502 of H.R. 7984, the proposed Housing and Urban Development Act of 1965 as reported in the House, would reduce the interest rate on such loans to 3 percent.

College housing bonds sold to non-Government purchasers in 1964 aggregated over $222 million. College housing bonds sold to non-Government purchasers from February to May 1965 aggregated almost $100 million. All of these bonds were sold at interest rates above 3 percent but below 4 percent. If the proposed 3-percent rate had been in effect all of these bonds would have been eligible for purchase by the Federal Government, although the fact that they were sold in the private market demonstrates that there was no need for Government purchase of them at a 3-percent rate.

The present 3¾-percent rate under the program is so low, compared to the yield of about 4.2 percent on obligations of the U.S. Government of comparable maturities or 4.5 to 4.6 percent on top-quality corporate bonds, that practically all college dormitory financing by private institutions is eligible at the present rate and part of the dormitory financing by public institutions through tax-exempt bonds is also eligible at the present rate.

The committee report on H.R. 7984 suggests as the only reasons for the proposed reduction in the rate that, first, the assistance intended by Congress has been greatly reduced and, second, typical dormitory quarters financed with money at 3 percent can be rented to a student at $380 a year while the same quarters financed with money borrowed at 4 percent must be rented for $430 a year. Available data suggests that neither reason is a correct basis for reducing the interest rate.

First, the rate under the program has fluctuated with the yield on U.S. obligations and as of March 31, 1965, funds had been reserved for a total commitment of $2.849 billion from an authorized aggregate of $2.875 billion—with an additional $147 million available through repayments, bond sales, and net income. The program has provided substantially all of the dormitory financing by private institutions and a large part of the financing through tax-exempt bonds by public institutions.

Second, the example of an annual dormitory rental fee of $380 a year at 3 percent or $430 a year at 4 percent is based on a false premise because many bond issues sold to non-Government purchasers at rates close to 3¾ percent have financed dormitories where the rental fee will be substantially less than $300 per year. For example, annual dormitory rental fees will be as follows:

First, $208 for men and $248 for women in dormitories financed by the $4,750,000 issue by Louisiana Polytechnical on May 20, 1965, at a net interest cost of 3.68 percent.

Second, $192 in dormitories financed by the $2,544,000 issue by the University of North Carolina on May 14, 1965, at a net interest cost of 3.458 percent.

Third, $240 in dormitories financed by the $1,520,000 issue by Central State College of Oklahoma on April 18, 1965, at a net interest cost of 3.67 percent.

Fourth, $216 for dormitories financed by the $645,000 issue by Glenville State College, W. Va., on June 11, 1964, at a net interest cost of 3.711 percent.

Fifth, $290 for dormitories financed by the $9.6 million issue by Wyoming University on May 26, 1965, at a net interest cost of 3.78 percent.

I urge support of an amendment to strike section 502 of H.R. 7984, thereby eliminating the provision to reduce the interest rate under the college housing program to 3 percent and leaving the rate as determined under the present formula because:

The proposed 3-percent rate would actually delay construction of needed college dormitories because many institutions which would otherwise obtain financing immediately in the private market will wait to obtain 3-percent funds and the proposed authorization would not satisfy this increased demand.

The proposed 3-percent rate would simply substitute Federal financing for private financing for a large volume of dormitory issues which could be sold in the private market at reasonable rates which would permit reasonable rental fees.

The proposed 3-percent rate would be less than the average yield of interest-bearing obligations of the U.S. Government.

The proposed 3-percent rate would effect complete preemption of college dormitory financing by the Federal Government so that there would be little investor interest in such financing and this would impair the acceptance of such bonds in the private market whenever an institution found it necessary to resort to the private market.

Mr. MARTIN of Alabama. Mr. Chairman, I am completely opposed to H.R. 7984. The entire measure is filled with gimmicks for the expansion of Federal participation in the housing field. It will increase Federal spending for bigger welfare programs. It will place dictatorial power in the hands of an administrator and further take away freedom from the people.

Although most of the bill is unacceptable, I am most concerned with section 101(d), the rent subsidy program. I commend the members of the committee who prepared the minority views and who so ably pointed out that this proposal will kill the incentive of the American family to improve its living accommodations by its own efforts; it kills the incentive for homeownership and makes renters wards of the Government; it is a system of economic integration of housing through Government subsidy, and it is a sure way to a socialistic state.

The minority views show the absurdity of the formula which could permit a welfare family, not earning a dime, to move into an $800-a-month penthouse, or help pay the rent for an individual making over $10,000 a year.

To finance such a wild experiment, we are going to charge the American taxpayer $8 billion over the next 40 years. It is bad enough to authorize such stupid waste of our own money, but we have no moral right to thrust such a burden on the backs of our children.

The real purpose behind this scheme has never been fully exposed and that is a plan to force integration into every neighborhood in America which a Federal Administrator decides he wants integrated. When you couple this bill with the proposal to set up a Department of Urban Affairs and the probable head of that Department will be the present Administrator of the Housing and Home Finance Agency who has made no secret of his belief in complete Federal planning in the field of housing, I dread to contemplate the consequences to the private construction industry in this Nation. I am fearful of what this provision will do to hundreds of thousands of hard-working, industrious, Americans who have struggled to invest in a home for their families in neighborhoods of their own choosing. This measure will open up fine residential areas to what amounts to public housing when the Government uses its economic power, through rent subsidies, to force integration and attempt to raise the level of many who have no other ambition than to be taken care of by the rest of us. This is wrong. It is immoral. It is a betrayal of the whole concept of private enterprise and individual initiative.

The President and his social planners should not use this subterfuge to pay off political debts to minority groups or to supplant our private enterprise system with a planned economy designed to take care of the social welfare of all the people.

I hope section 101(d) and the entire bill is defeated so that we can at least slow down the headlong rush toward socialism where America is being led by the enactment of such proposals.

Mr. CALLAWAY. Mr. Chairman, where do we stop? We all know that the Federal Government at this moment has its hand in every facet of American life. Citizens can farm—or not farm, eat, retire, get sick, be educated, buy houses—you name it—all on Uncle Sam.

But, Mr. Chairman, where do we stop? Is all this not enough, or must the Federal Government now also pay the rent? I suggest that we stop right here, with the administration's housing and urban development bill.

First, I am alarmed with the widespread expansion of public housing contained in this bill—the building of new units and the buying and leasing of existing units. I question the need, and I certainly question the principle.

Further, I object to that part of the bill which allows public housing units to be built anywhere, without any location veto by local governments. I suppose that I am among that old-fashioned group who still believe that local housing problems should be handled locally.

But most of all, Mr. Speaker, I object to section 101 of the administration's housing program—that section which provides rent subsidies to middle-income families.

Let us look at what is involved here. According to the last census 8 percent of the families with incomes between $4,000 and $8,000 live in substandard housing. The other 92 percent, plus 72 percent of the families in the $4,000 and less income bracket, have managed to secure their own "standard" housing without Federal help. Must we now ask this group to pay not only their own rent, but to help pay the other fellow's rent as well? Shall we legislate that the beneficiary's rent dollar be worth double or more than that of the self-sufficient citizen? Shall we pass laws to kill a man's incentive to improve his living accommodations by his own efforts?

Well, Mr. Chairman, if this is what we propose to do, let us at least not cloak it in a shroud of benevolence and grand phrases. To ourselves and to the American people, let us at least call it what it is—a national socialized rent subsidy program—a program that I firmly feel has no place in the American way of life.

Mr. WIDNALL. Mr. Chairman, I ask unanimous consent that Members who have spoken today have permission to revise and extend their remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Chairman, permission was granted in the House for all Members to extend their remarks and to include extraneous matter if germane.

Mr. WIDNALL. Mr. Chairman, I yield back the balance of my time.

Mr. PATMAN. Mr. Chairman, I ask the Clerk to read.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing and Urban Development Act of 1965".

TITLE I—HOUSING FOR DISADVANTAGED PERSONS

Financial assistance to enable certain private housing to be available for lower income families who are elderly, handicapped, displaced, or occupants of substandard housing

SEC. 101. (a) The Housing and Home Finance Administrator (hereinafter referred to as the "Administrator") is authorized to make, and contract to make, annual payments to a "housing owner" on behalf of "qualified tenants," as those terms are defined herein, in such amounts and under such circumstances as are prescribed in or pursuant to this section. In no case shall a contract provide for such payments with respect to any housing for a period exceeding forty years. The aggregate amount of the contracts to make such payments shall not exceed amounts approved in appropriation acts and shall not exceed $50,000,000 per annum prior to July 1, 1966, which maximum dollar amount shall be increased by $50,000,000 on July 1, in each of the years 1966, 1967, and 1968.

(b) As used in this section, the term "housing owner" means a private nonprofit corporation or other entity, a limited dividend corporation or other entity, or a cooperative housing corporation, which is a mortgagor under section 221(d)(3) of the National Housing Act and which, after the enactment of this section, has been approved for mortgage insurance thereunder and has been approved for receiving the benefits of this section: *Provided,* That no payments under this section may be made with respect to any property financed with a mortgage receiving the benefits of the interest rate provided for in the proviso in section 221(d)(5) of that Act.

(c) As used in this section, the term "qualified tenant" means any individual or family who has, pursuant to criteria and procedures established by the Administrator, been determined—

(1) to be unable to obtain standard privately owned housing in the area at a rental which is equal to or less than one-fourth of the income of such individual or family; and

(2) to be one of the following—

(A) displaced by governmental action;

(B) sixty-two years of age or older (or, in the case of a family, to have a head who is, or whose spouse is, sixty-two years of age or over);

(C) physically handicapped (or, in the case of a family, to have a head who is, or whose spouse is, physically handicapped); or

(D) occupying substandard housing.

(d) The amount of the annual payment with respect to any dwelling unit shall not exceed the amount by which the fair market rental for such unit exceeds one-fourth of the tenant's income as determined by the Administrator pursuant to procedures and regulations established by him.

(e)(1) For purposes of carrying out the provisions of this section, the Administrator shall establish criteria and procedures for determining the eligibility of occupants and rental charges, including criteria and procedures with respect to periodic review of tenant incomes and periodic adjustment of rental charges. The Administrator shall issue, upon the request of a housing owner, certificates as to the following facts concerning the individuals and families applying for admission to, or residing in, dwellings of such owner:

(A) the income of the individual or family; and

(B) whether the individual or family was displaced by governmental action, is elderly, is physically handicapped, or is (or was) occupying substandard housing.

(2) Procedures adopted by the Administrator hereunder shall provide for recertifications of the incomes of occupants, except the elderly, at intervals of two years (or at shorter intervals in cases where the Administrator may deem it desirable) for the purpose of adjusting rental charges and annual payments on the basis of occupants' incomes, but in no event shall rental charges adjusted under this section for any dwelling exceed the fair market rental of the dwelling.

(3) The Administrator may enter into agreements, or authorize housing owners to enter into agreements, with public or private agencies for services required in the selection of qualified tenants, including those who may be approved, on the basis of the probability of future increases in their incomes, as lessees under an option to purchase dwellings or cooperative ownership interests therein, and in the establishment of rentals. The Administrator is authorized (without limiting his authority under any other provision of law) to delegate to any such public or private agency his authority to issue certificates pursuant to this subsection.

(f) Section 101(c) of the Housing Act of 1949 is amended by inserting "(i)" after "a mortgage under" in the first proviso and by inserting immediately before the colon at the end of such proviso the following: ", or (ii) section 221(d)(3) of the National Housing Act if payments with respect to the mortgaged property are made or are to be made under section 101 of the Housing and Urban Development Act of 1965, except that no such mortgage shall be insured, and no commitment to insure such a mortgage shall be issued, with respect to property in any community for which a workable program for community improvement was required and in effect at the time a contract for a loan or capital grant was entered into under this title, or a contract for annual contributions or capital grants was entered into pursuant to the United States Housing Act of 1937, unless there is a workable program for community improvement which meets the requirements of this subsection in effect in such community at the time of such insurance or commitment".

(g) The Administrator is authorized to make such rules and regulations, to enter into such agreements, and to adopt such procedures as he may deem necessary or desirable to carry out the provisions of this section. Nothing contained in this section shall affect the authority of the Federal Housing Commissioner with respect to any housing assisted under this section and under section 221(d)(3) of the National Housing Act, including his authority to prescribe occupancy requirements under other provisions of law or to determine the portion of any such housing which may be occupied by qualified tenants.

(h) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including, but not limited to, such sums as may be necessary to make annual payments, pay for services provided under (or pursuant to agreements entered into under) subsection (e), and provide administrative expenses.

(i) Section 114(c)(2) of the Housing Act of 1949 is amended by inserting before the colon at the end of the first proviso the following: ", or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965".

(j) On or before January 1, 1968, the Administrator shall submit to the Congress a full report of operations under this section, together with his recommendations with respect thereto.

Mr. WIDNALL (interrupting the reading of the bill). Mr. Chairman, I understood we were going to read just the title and then rise and go over.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that the first section be considered as read.

Mr. WIDNALL. Mr. Chairman, I should have to object to that unanimous-consent request. I think the section should be read.

Mr. PATMAN. We expect to read the first section and then move that the Committee rise.

Mr. WIDNALL. I had understood that we were going to read the title and then rise.

Mr. PATMAN. I am sorry there was a misunderstanding.

Mr. Chairman, I move that the Committee do now rise.

Mr. WIDNALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Will the gentleman from Texas withhold the motion until we have the parliamentary inquiry?

Mr. PATMAN. I will, Mr. Chairman.

Mr. WIDNALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WIDNALL. With the reading of this section, does that mean that if we adjourn over until tomorrow at this time there will still be the possibility of amendment of this section?

The CHAIRMAN. Section 101 will be subject to amendment.

Mr. PATMAN. Mr. Chairman, I now move that the Committee do rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore, Mr. ALBERT, having assumed the chair, Mr. FLOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7984) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities, had come to no resolution thereon.

THE IMPORTANT WORK OF KEN BELIEU

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for

1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, it is with great regret that I note the resignation of the Honorable Kenneth BeLieu, Under Secretary of the Navy. I consider him one of the ablest members of the Defense secretariat. He possesses a knowledge of the workings of Congress and the knack of obtaining the cooperation of congressional leaders which I do not think is matched by anyone else in the secretariat. The Department of Defense and indeed all agencies of Government sorely needs men who have the knack of leadership and the understanding of the importance of team effort between the Congress and the administration.

Secretary BeLieu's distinguished record of service to our Nation's Government is a broad one, covering many years of important contributions. Significantly he has consistently moved upward in fields of responsibility throughout this period of service. His progress in other fields will be watched with close and friendly interest. Few who leave the Government are so well regarded on Capitol Hill. His friendly and constant helpfulness, his steadfast dedication to the ideals of our Nation, and his devotion to duty are indeed inspiring.

RENT SUPPLEMENT PROGRAM

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, today the New York Times published an editorial on the subject of the rent supplement program of the housing bill now under consideration by this House. In this editorial the New York Times said:

> The rent subsidy, a key provision of the administration's housing bill, is expected to come under sharp attack in the House today. If it is rejected, the action will be a triumph for semantics and a defeat for logic.

The New York Times continued:

> A vote against the rent subsidy program would be a vote against some of the most defenseless members of society. The House ought not place this black mark against the good record of the 89th Congress.

Mr. Speaker, I ask unanimous consent that the editorial to which I have referred may be included with my remarks made in Committee of the Whole today.

The SPEAKER. Without objection it is so ordered.

There was no objection.

TWELVE-MILE LIMIT FOR FISHING JURISDICTION

Mr. MEEDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MEEDS. Mr. Speaker, I am today introducing a bill to create an exclusive fishery zone for American fishermen extending 12 miles from our coasts. I believe that this legislation will give essential protection to both American fishermen and our fisheries resources. It is a privilege to join in introducing this legislation with some of my colleagues from the other body, Washington's senior Senator WARREN MAGNUSON, Senator E. L. BARTLETT, of Alaska, and Senator EDWARD KENNEDY, of Massachusetts.

There are a number of reasons why this legislation is of great importance to fisheries. The U.S. Coast Guard reported this week that within the last 7 days over 700 foreign fishing vessels were operating in the waters immediately off the coast of Alaska. This is a threat to this important natural resource and to an important segment of our economy. This type of threat will continue and grow if something is not done about it.

Not long ago very few foreign fishing vessels were sighted off the coast of my State of Washington, but this year the number has accelerated to a degree that must be cause for concern. More than 12 Russians trollers were sighted last week off Cape Flattery and we know that it is their practice to remain in the area for extended periods.

The proposal contained in this legislation is especially significant to Washington fishermen because Canada has already extended its jurisdiction over fisheries out to the 12-mile limit. But, so far, Canada has made no formal agreement with this country recognizing the historical right of American fishermen from Washington State and other States to fish in coastal waters off Canada. They have been willing to allow the U.S. fishermen within their fishing zone on an informal basis. However, that leaves us in a tenuous position without any official assurances that we can continue to fish in areas that we have fished for years.

However, with the passage of this bill, the United States will extend its jurisdiction over fisheries out to 12 miles from shore. This will most certainly be a significant factor in helping us obtain a more permanent understanding with the Canadian Government because their fishermen have traditionally fished well within 12 miles of our coast. I am sure the Canadian fishermen will want their traditional fisheries recognized just as much as our fishermen want official recognition of their rights within 12 miles of the Canadian shore.

Most importantly, this 12-mile fishing zone will give the United States a way of protecting this important natural resource in the waters immediately off our coast. This is not the whole answer to problems plaguing our fishermen today. Their problems are many and varied. The solutions must also be flexible and numerous. This bill provides one solution to one problem; a solution that should go a long way in helping us conserve a valuable resource and strengthen an important industry.

FAR-OUT LIBERALS

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, the following article by William S. White speaks a truth seldom heard around Washington these days. In my opinion, it is an honest appraisal of conditions we are all bound to see and realize if we but look around us.

The vast majority of the legislation this Congress has passed in this session, and a very large percentage of that still to come, amounts to a grand bribe of the American people.

Practically every piece of legislation carries something for everybody. When there is a little something for everyone, they are willing to take the remainder that they might get theirs. The legislation before us today is a perfect example.

Surely we must ask ourselves the question of how long we can continue to hand out all these good things from Washington by mortgaging the future of generations to come. The billions of dollars being spent for the many programs which seem popular are not to be paid for with money of present taxpayers, but with money the Government does not have and could not possibly get. If it is ever paid for it will be in the dim distant future after the "goodies" now provided have long been dissipated.

Mr. White's column follows:

FAR-OUT LIBERALS—PUSHY GROUP GROWING INTOLERABLE

(By William S. White)

> This country's far-out liberals, who are roughly 90-percent Democratic and 10-percent un-Republican Republicans, are beginning to push well past the limits of tolerance to the vital American center.
>
> Already they have obtained from President Johnson and Congress the most massive and the most far-reaching range of reformist domestic legislation ever accomplished here.
>
> But they are not content. They go on "demanding" and "demanding" yet more and more. And then, even so, they can know no content. They have no cutoff point. Having had their way everywhere so far in the area of the domestic issues—antipoverty, Federal aid to education and medicine, a revolutionary voting rights act et cetera—they must have yet more.
>
> They must have positive assurances that Supreme Court decisions tending in sheer defiance of the Constitution to destroy the last of the power of rural and smalltown people in the legislatures and in Congress will never be critically touched by Congress itself.
>
> They must have a new Federal cabinet department, for further housing and further to reward the already politically overprivileged city masses at the expense of that new largely forgotten minority which is not urban. Congress must strike down the authority of the States to maintain, if they wish, right to work laws which in plain truth only forbid compulsory unionism just as "yellow dog" compulsory non-unionism practices by management were outlawed long ago. And so on. And so on and on.
>
> In short, they must have everything, and have it all at once. But even all of it will never be enough. For while they endlessly prod President and Congress to materialize

every one of their economic and social ideas, with no nonsense about giving the other side a real hearing, what else do they do? They demand the right to control not simply the domestic but also to veto the foreign policy of this Nation.

The very men in Congress to whom the President has given an unbroken—and in this columnist's opinion sometimes a most regrettable—series of yes responses on domestic issues shriek an unbroken series of noes at him when he takes a rationally hard line against Communist encroachment anywhere abroad.

Wherever it may be, in Vietnam or in the Dominican Republic, they wish to paralyze him and the country in their curious conviction that they are appointed to run everything, everywhere.

So, the far-out liberals are now more than impossibly demanding. They are also now too demanding for their own good. Congress has not passed all these things because it agrees that the far-outs know all the answers and that to reject them, any time, is, say, simply Goldwater republicanism.

In many instances the controlling moderates have gone along only in the notion that perhaps the parochial urges of the far liberals would then be satiated. At least, so it was assumed, they would allow the President's more conservative side some freedom and help on the grand issues of national honor and national survival.

What the far-outs never understand is that free government proceeds at last upon consent, in a politics of civility and of a decent willingness to allow something, sometimes, to the fellow. Their total disrespect for this great reality is going to put a rude brake upon them soon. For their actual power in Congress or country is not one-half what they suppose it to be. The true national majority is becoming fed to the teeth with the assumption of the far-outs that whatever these Lolas want, these Lolas must and infallibly will always get.

DIVERTING CONSTRUCTION OF U.S. VESSELS TO BRITISH SHIPYARDS

Mr. BURKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE. Mr. Speaker, I am greatly alarmed by recent press accounts which report that plans have been formulated to divert the construction of the U.S. Navy vessels from American shipyards to British shipyards. According to these published reports, the plan is the brain child of our Department of Defense which proposed it with "the aim of keeping defense industry's in major allied countries in a condition of readiness for expansion in an emergency."

I have given this development considerable thought during the past several days and have attempted to assess it in the most objective manner.

First let me say, I fully recognize that it is in our national interest to encourage and, in some instances, to assist our allies to maintain in a state of readiness those basic industries which will be needed in the event of an East-West conflict. However, I cannot accept the proposition that the strengthening of the British shipyard industry is desirable if it is done at the expense of our own shipyard industry.

I might point out that this Nation in the postwar years, channeled over $1 billion of public funds into the reconstruction of the foreign shipyard industries of a score of nations. As a consequence, many of these countries today boast modern shipbuilding facilities incorporating up-to-date machine tools and improved material handling and fabrication equipment, and I suspect that the ability of many foreign shipyards to build ships at less cost than American shipyards can be attributed to these handouts.

In my opinion the key point that must be recognized in this proposal is that the diversion of U.S. Navy shipbuilding contracts to British shipyards will have an immediate and, I believe, lasting detrimental effect on the American shipyard industry. To the degree that these naval orders increase the activity of the British shipyards, a decline in activity will be experienced in our domestic yards. This point cannot be refuted. Or said another way, our Defense Department wishes to embark on a course of action to increase the wartime readiness of the British shipyards while at the same time reducing the shipyard mobilization potential of our own shipyards.

Much has been said of Secretary of Defense McNamara's reliance upon computers and "whiz kids" to arrive at decisions affecting the size and capabilities of our Defense Establishment. I cannot but think that this proposal is the product of a computer which has a faulty transistor or a short in its wiring.

There has never been any question in my mind that it is in the Nation's best interest to rely upon and to sustain its own shipbuilding capabilities rather than making the United States dependent upon shipyards 3,000 miles across the sea. I can speak with some measure of knowledge on this point for my constituency includes one of the Nation's major shipyards—a yard which was one of the most prolific producers of both naval and merchant vessels in World War II and which currently is engaged in the production of nuclear-powered submarines and naval auxiliaries. And I think I am qualified to express a judgment on the logic inherent in this proposal to provide additional employment for British shipyard workers while putting American shipyard workers on the unemployment rolls. This is a ludicrous scheme. It transcends even the well-known generosity of Uncle Sam. It is incompatible with the President's efforts to reduce unemployment and eradicate poverty in this country. It shows a complete lack of awareness of the present plight of American shipyards—both the Government-owned naval yards and the privately owned shipyards—both segments of which are in a distressed condition. Eighteen privately owned shipyards in this country have been forced to close their doors permanently during the past 10 years, because of the lack of sufficient work. And it is common knowledge that the largest naval shipyard, the Brooklyn Navy Yard, will close its gates in June 1966. And the Portsmouth Naval Shipyard in New Hampshire is in the process of being phased out.

How then can we justify the transfer of work to a foreign shipyard? Navy work is the mainstay of both the public and private shipyards of our country. Currently, only 38 merchant vessels are under construction in U.S. shipyards. Great Britain on the other hand has a tremendous amount of merchant shipbuilding underway. At the beginning of this year, British yards had 179 merchant vessels under construction or on order. This is more than four times the number of ships building or on order in American shipyards.

In my mind, the efforts of our Government should be directed toward the strengthening of our shipyard industry rather than advancing schemes to undermine it.

DEVELOPMENT PROGRAM FOR THE USA SUPERSONIC TRANSPORT

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, as the ranking minority member of the Subcommittee on Transportation and Aeronautics, I attended the International Air Show at Le Bourget field in France earlier this month.

One of the most important phases of our meeting was the briefing conducted by the French and British officials as it related to their work on the Concorde, their supersonic transport. The evidence indicates they are about 3 years ahead of the United States in this project, although we in this country have great "catchup" capabilities.

The primary objective of the U.S. supersonic transport development program should be the achievement of an air vehicle having superior utility, economics and safety. Thereby our continuing leadership in the field of civil air transportation can be assured. The supersonic transport development program may therefore be one of the most important endeavors we can undertake to safeguard and advance our place of industrial preeminence in the world market. The supersonic transport can be an important tool to help us further our social ideals and political tenets throughout the whole world.

The chief benefactor of the supersonic transport program will be the American public and economy. Gains in international harmony, future security and national prestige will have value beyond comprehension. To be sure, the program is of great monetary significance for the manufacturer and airlines, but the profits which they achieve thereby will be insignificant in comparison with the benefits which will accrue to the United States and the free world.

The achievement of these objectives can only come about through the active, serious, and equally responsible participation by Government, manufacturers and airline operators. In order to insure the safest and most economical civil aircraft, the national effort should make certain that the element of competition is maintained throughout the endeavor. The United States is the only nation that can afford such competitive effort. Optimum aircraft cannot be assured without it. This is an advantage which the free enterprise system gives us, and must not be overlooked.

The monetary expenditures necessary to insure a successful supersonic transport will be much greater than have heretofore been necessary for current and previous civil aircraft. However, these represent a modest price to pay for leadership in global air transportation.

Upon receipt of the supersonic transport aircraft, the airlines will be placed in a position of accepting major responsibilities to the public and the financial community, to make good with an aircraft that has been developed for them under a national program. Up to the present time the airlines have been given only a minor role in the development of the supersonic airplane, the major initiatives having been taken by the Government and the manufacturers. The airlines have had limited opportunities to act in advisory capacities to both Government and manufacturers. They will surely have a more important place in the program as time goes on.

There appears to be unanimous agreement among the major U.S. airlines that a U.S. supersonic aircraft should be designed and built even though the program will be very costly and will require some years for accomplishment. This in spite of the fact that aircraft manufacturers have been analyzing the potential of the supersonic transport in depth since the midfifties. NASA and other research agencies have likewise been carrying on extensive research and testing for a like period of time.

The program to date has demonstrated to the airlines that the state of the art for both the aircraft and its powerplants is quite fluid. Great progress is currently being made in aerodynamics, advanced turbine engine design, and in the fabrication of new structural materials. However, the optimization of configurations, systems, and controls is a long way from resolution. Perhaps the one common agreement between the manufacturers is that titanium is the best basic airframe material for the U.S. vehicle.

Continuing competition between vendors has been a primary factor in achieving the outstanding safety, economy, and operational performance and reliability of our present jet aircraft. If the civil jets had been developed on the plan originally proposed for the supersonic transport, that is, first, picking a single design from initial competitive proposals; second, writing detailed contract specifications; and third, proceedings directly with a firm development and production program, the resulting aircraft would have been handicapped with inferior operational and safety characteristics and poorer economic potentials than are available in current aircraft. This would have been true even though the original contract specifications had been met, since these would have been developed and agreed upon when there was no certainty in most of the essential parameters.

Without other directly competitive aircraft becoming available for comparison it would have been impossible to prove to a "single source" manufacturer, or to the Government, that higher degrees of perfection were possible than those minimal performance and operational criteria which he was willing to guarantee before the fact.

Further, there is no stimulus equal to that of direct competition for the attainment of design perfection in every technical area. Engineers work harder and with greater efficiency when they realize that their efforts are to be compared, component by component, with those of other competent designers in their own field. Such competitive incentive represents an economic gain that cannot be otherwise gained. It has real monetary value and is a direct benefit accruing from the free enterprise system.

As a specific example of the value of competition in the development of civil aircraft, it will be recalled that while the Boeing model 80—prototype—was very instrumental in demonstrating the reasonableness and potentials of the large jet airplane to the airlines, its configuration was significantly altered in the production model 707, primarily as the result of the competitive Douglas DC-8 design and airline criticism. Both aircraft types have had a continuing experience of design changes to make them more useful and economical. Safety has been a consideration in some of these. Major revisions have been made in performance, powerplants, high-lift devices, and controls. Each improvement has been stimulated by the continuing competition between these very alert, aggressive, and competent companies, and aided by the active cooperation of major airline engineering organizations. The military counterpart, the KC-135, has essentially maintained its original configuration and performance.

To establish such a competitive atmosphere it is necessary that at least two competent, relatively equal potential sources of supply be available and eager to participate. Fortunately this condition is satisfactory in the present supersonic transport program.

A further requirement is that the competitors be permitted freedom in the modification of design details for the purpose of improvement so as to make the vehicle more useful and attractive to the potential customers, yet meet the basic minimal contract provisions.

The safe and economic propulsion of the supersonic transport is such a significant factor that the airlines generally agree that as of now the development of a satisfactory powerplant requires more extensive development and testing than does the airframe. There has been no adequate military engine development to pave the way for the civil powerplant as has been true in the past. Most airlines will urge that both Pratt & Whitney and General Electric be permitted to extend their research and development efforts, since neither have yet built engines with demonstrated capabilities for longtime exposure to the temperatures and stresses associated with civil supersonic transport operations. The element of competition between the two further insures the achievement of an acceptable powerplant sooner. Beyond that initial step for "prototype" and "first production" aircraft, the engines will require continuing development and refinement. The competitive incentive is very important for this latter phase also.

Most airlines are very conscious of the need for having competitive supersonic transport aircraft in the prototype stages, and also in the production program. It seems certain that the supersonic transport, as with past civil transport aircraft, will require various configurations to satisfy the needs of various services—for example, "domestic versus international." It would be extremely shortsighted to assume that there will be only one U.S. supersonic transport. At this time, it appears that the Boeing design may be preferable in some applications, while the Lockheed will be best for others. These are matters that cannot be proven on paper or by computers. Prototypes of each are essential to the making of good airline judgments.

Any particular configuration of the supersonic transport will develop most advantageously when the prime manufacturer seeks and utilizes the continuing advice of the purchaser's—airlines—engineering talent, with the manufacturer retaining the responsibility of final design decisions. He must eventually demonstrate and guarantee minimum safety and performance to the Government—FAA—and insure his eventual customers—the airlines—of satisfactory safety, performance, and economical potentials. These will all need to be substantiated to the customer by means of adequate operational guarantees and warranties.

This is a drastically different situation from the usual military contracts where Government representatives often make design change decisions and thereby accept, for the Government, certain responsibilities for performance and delays occasioned by such changes. With military aircraft minimum performance to accomplish a given mission is the primary objective. Operational costs and efficiency are secondary. In airline operations the order is reversed. This represents an important difference in approach, and relationship between the manufacturer and his purchasers, military and civil.

Minimum performance, operational and safety standards are reasonably well outlined in the original FAA request for proposals dated August 15, 1963. They relate primarily to definitely measurable quantities such as minimum payload to be carried over a given distance at a given speed, airport performance, certain limitations as to sonic boom, minimum operational fuel reserves and safety requirements, plus stipulation of minimums for passenger seat spacing and cargo accommodations. True, many other desirable characteristics are discussed in a general way in the RFP, but are intended primarily for guidance rather than being exact specifications.

The FAA request for proposal requirements were quite adequate for the initial phase I bids and with modifications are serving satisfactorily for the competitive phase II-A and II-B studies and bids. Great technical progress has been demonstrated since January 15, 1964, largely as the result of advances in the state of the art and the incentives provided by competition between the two major airframe bidders and the two major engine producers.

As stated earlier, it seems essential that direct competition between the present airframe and engine builders be continued into phase III and to the building of competitive flying prototypes to insure earlier optimization of those factors and features which exercise great leverage on the profit—or loss— potentials. From these, the airlines can then make their decisions and execute contracts with the manufacturers with some degree of assurance that safe, efficient and economical aircraft can be presented to the public.

Competition provides a continuing leverage to further improve the product, whereas freezing of design and performance requirements prevents taking advantage of later developments. Therefore the contracts should be kept reasonably flexible so that when both parties agree that changes are desirable, such can be incorporated.

It is believed that the bigger the stakes and the more costly the enterprise, the more essential it is that direct competition be employed in order to attain the highest possible refinements at reasonable costs. It has been calculated that a difference in payload break-even point of 5 percent—50 percent versus 55 percent—represents a probable $2.4 billion differential in profit for a fleet of 100 supersonic transport aircraft operating over a period of 10 years. Continuing competition can represent potential differences in the ultimate break-even load factor of the supersonic transport aircraft considerably in excess of the 5-percent example represented above.

Out of the supersonic transport effort there will come many benefits which cannot be anticipated or evaluated at this time. This was true for every advance which has been made in air transportation during the past 35 years. Therefore we must proceed with the supersonic transport at this time. But in doing so there must be an understanding that the development of these craft will be evolutionary rather than revolutionary. Every step of the way will be accomplished as the result of a series of cut and try approximations, even though each of these will have the benefit of the latest computer techniques, applying the most precise and sophisticated test information.

The eventual cost and value of achieving the ultimate in this next big step in air transportation cannot be determined at this time with great accuracy, but this should not deter us in our understanding that the eventual accomplishment will be a valid contribution to a better world. We must go ahead to see ahead.

AID PROGRAM TO SEND COLLEGE GRADUATES TO SOUTH VIETNAM AS "INTERNS"

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, in Vietnam today we are facing a foe with many years of experience in guerrilla war. This so-called war of national liberation is even now reaching a new high in intensity. Therefore, it was with amazement that I learned last week that the Agency for International Development is sending approximately 20 college graduates to South Vietnam for the summer as interns.

I seriously question the desirability of throwing these untrained students into Vietnam during the rainy season at the height of Vietcong activity. AID informs me that these people are to go to provincial centers as some sort of assistants. Now we do not have members of the Peace Corps in Vietnam due to the danger there. They were withdrawn from Indonesia due to the tense relations with that nation. Why, I ask you, should untrained people be now sent into what is a combat situation? What can these students accomplish that others could not? Why needlessly risk their lives? This is the equivalent of sending soldiers with a week's basic training into combat.

Now, if you think this picture is somewhat overdrawn, let me assure you that this is not the case. This idea was hatched just this month in AID. In fact, it was done in such a hasty manner that the organization that obtained the contract to recruit these students didn't know exactly what to tell the college students they were interviewing. Students indicating an interest in going to Vietnam were flown to Washington for hasty processing. As I speak now, some of them may be already on their way to Vietnam.

How did AID accomplish this? They awarded an $85,000 contract to the Institute of International Education in New York. It is of more than passing interest to note that this institute received some $5 million in 1964 from the State Department to aid in their operations for the next 2 years. Their contract is to cover the cost of recruiting and processing these students. Incident to this contract some 60 students were flown to Washington for interviews.

Now there are other costs. Each student will cost the taxpayer about $2,000 for the summer. For pay, they will receive $12 per diem in Vietnam and $16 a day while in the United States. This is considerably better pay than our infantrymen receive in Vietnam, I might add. The amount of money spent on this program, I believe, could better be applied to the training of AID personnel who have accepted long-term contracts. One trained person in the field is worth many students, however highly motivated they may be.

When I asked AID about this program they told me that they hoped that some of the people who go there this summer will become enthusiastic enough about the program that at some future date they will sign up for permanent contracts when their schooling is completed.

My primary concern is that they live to complete their schooling. AID is extremely vague concerning the safety of these people. In a Washington briefing for these students, run jointly by AID and the Institute of International Education, the thought was expressed that the Vietcong usually do not attack the AID people. However, recall that President Johnson said on May 13 of this year:

> Communist terrorists have made AID programs that we administer a very special target of their attack. They fear them because agricultural stations are being destroyed and medical centers are being burned. More than 100 Vietnamese malaria fighters are dead. Our own AID (Agency for International Development) officials have been wounded and kidnaped. These are not just the accidents of war. They are a part of a deliberate campaign in the words of the Communists "to cut the fingers off the hands of the Government."

AID has further said that they hope to secure insurance for these students. One can only wonder what insurance company will cover this sort of risk at what rate?

This is one of the most questionable programs that has come to my attention in many years. Like so many other things connected with our foreign aid program it smacks of hasty planning and poor judgment. It ought not to be allowed to continue.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I compliment the gentleman for calling this to the attention of the House. I believe it is most unfortunate that the administration would even consider the proposal to which the gentleman has alluded today.

Mr. ADAIR. I thank the gentleman.

AMERICA'S ROLE IN AIRCRAFT DEVELOPMENT

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, I have recently returned from representing the United States at the International Air Space Exhibition. I went to the exhibition as a member of the House of Representatives Space Committee, and what I learned there has impressed upon me once again that America cannot afford to falter in the development of new air and spacecraft.

The Russians once again attempted to grab the propaganda advantage from us with their giant 700-passenger transport, the globe-circling Vostok spacecraft, and a huge vertical takeoff plane capable of lifting a fully loaded bus.

Other European countries showed tremendous progress in the development of a whole range of advanced craft from a supersonic jet that takes off vertically to sleek, well-designed airliners which will pose an increasing threat to the sale of airplanes of American manufacture.

The United States cannot afford to lose the space race, but we also cannot afford to lose the aeronautical race that we have so long led. Foreign aircraft manufacturers have shown a vitality and ingenuity in their designs that we must match if we are to maintain our international standing and our leading position in the world aircraft market.

These hard facts of life were deeply impressed upon all of us who attended the exhibition at Le Bourget.

New aircraft designs such as the supersonic transport, V/TOL and jet helicopters must match our achievements in space. We must explore every possibility in the design and development of advanced types of aircraft. The know-how and equipment to develop these planes are already available in areas like Long Island which has been producing first-line aircraft for many years.

As a member of the Science and Astronautics Committee, I intend to redouble my efforts to see that America maintains her place of world leadership in aeronautical progress.

IMPOSING APARTHEID POLICY ON AMERICAN INSTALLATIONS

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I would like to call the attention of the House to an item that appeared in yesterday's press. The Prime Minister of the Republic of South Africa, Mr. Verwoerd, reportedly announced in a speech that hereafter no American Negroes would be permitted to serve in the tracking stations that we have in that country. I understand that no formal communication to this effect has yet been received. However, if the report of Verwoerd's speech is accurate, it represents an insult not only to our American Negroes but to all of us.

Mr. Speaker, we cannot, it seems to me, stand for any attempt to impose the policy of apartheid on American installations. I hope that the State Department and NASA will firmly reject any such conditions. If necessary, the tracking stations should be moved elsewhere.

More importantly, Mr. Speaker, I submit the incident raises a sharp question of whether we can or should attempt to work with a nation whose oppressive racial policies are so hated by all of the rest of the world and are a threat to the peace of all of southern Africa.

SOUTH AFRICA WILL NOT ACCEPT AMERICAN NEGROES

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, yesterday's New York Times reported a shocking demand made by the South African Prime Minister Hendrik F. Verwoerd. According to the New York Times, Prime Minister Verwoerd has served notice upon the United States that his Government will not admit American Negroes if they are assigned to the satellite tracking stations operated by the United States in that country.

This is not the first time that the South African Government has made a request concerning the exclusion of Negroes. Last month the United States asked South Africa for permission to have planes from the carrier *Independence* land at airports when the ship was scheduled to dock at Capetown. The Government gave permission but only on condition that the planes' crews were all white. As a result the *Independence* bypassed Capetown.

As in the case of the *Independence*, we must not allow our fundamental principles to be compromised by the racist government of South Africa. The United States must stand for equality. The apartheid policy of South Africa is a fundamental assault upon human rights and should not in any way be condoned by the United States.

Yesterday, as a member of the House Science and Astronautics Committee, I wrote to James E. Webb, Administrator of the National Aeronautics and Space Administration, urging him not to comply with the request of the South African Government. I wish to bring this letter to the attention of my colleagues:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 28, 1965.

Hon. JAMES E. WEBB,
Administrator, National Aeronautics and Space Administration, Washington, D.C.

DEAR MR. WEBB: Today's New York Times carries a report that Prime Minister Hendrik F. Verwoerd of South Africa has said that the Government of South Africa would not admit U.S. citizens who are Negroes to work on assignment at the U.S. satellite tracking stations in South Africa. If the statement attributed to the Prime Minister is true, it is shocking, and certainly the United States cannot submit to any such conditions. The apartheid policy of South Africa violates fundamental human rights and must be totally disregarded in the assignment of personnel to that country.

I call upon you as Administrator of NASA to make a public statement that employees of NASA will be assigned at all times in any part of the world regardless of race, creed, or color.

Sincerely,

WILLIAM F. RYAN,
Member of Congress.

B-52 OBSERVES DECADE OF SERVICE

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHRIVER. Mr. Speaker, 10 years ago today the first B-52 jet bomber was delivered to the Strategic Air Command of the U.S. Air Force by the Boeing Co. at Castle Air Force Base, Calif.

No other bomber in U.S. history has ever been called upon to remain operational for the span of years expected of the B-52 weapons system.

More than 600 of these stratofortresses are operational with SAC today. They have met the requirements of changing missions in helping to preserve world peace, establish a series of world records, record a remarkable safety mark, and have been described as one of the most formidable weapons systems ever designed by man.

In my congressional district in Kansas, we are particularly proud of the mighty contributions made to the freedom and security of our Nation and the world by the men and women of the Boeing Airplane Division in times of war and peace. Most of the B-52 models were built in Wichita.

The last of 742 of the B-52's came off the Wichita production line in October of 1962. However, a program of extensive modification and modernization continues there in order to keep this long-range SAC bomber operational into the mid-seventies.

It has been said many times that the SAC force of B-52 bombers over the past decade has served as the No. 1 deterrent to nuclear war. Today the B-52 continues to fill a vital role in an age of missiles.

During the 1962 confrontation with the Soviet Union in Cuba and now in Vietnam we have had demonstrated the importance of a mixture of weapons in our arsenal. Propeller aircraft and the 650-mile-per-hour B-52 jet bomber have seen service in the Vietnam conflict.

On this 10th anniversary of the B-52 manned flying fortress we proudly take note of its valiant contributions to the strength and security of the United States. This is a time to accelerate the Nation's planning for a follow-on manned strategic aircraft system to serve our Nation in the 1970's.

Under leave to extend my remarks and include extraneous matter, I insert the following statements of praise from Air Force officials regarding a decade of performance by the B-52 which were published on Thursday, June 24, 1965, in the Boeing Plane Talk, employee publication of Boeing-Wichita:

DURABLE B-52 LAUDED IN AIR FORCE COMMENTS

The B-52's decade of performance, from June 1955 to the present, brought high praise from Air Force officials. A variety of comment came from those familiar with the early development of the airplane, and from those who have had firsthand experience with the bomber as it served the Strategic Air Command through the years. Among the comments were the following:

Gen. John D. Ryan, SAC commander in chief: "The Boeing B–52 Stratofortress is one of the most formidable weapon systems designed by man. Equipped with the Hound Dog air-to-ground missile, electronic countermeasures (ECM), the Quail decoy missile, and almost unlimited destructive power in its bomb bays, the B–52 is capable of hitting any target on earth in a matter of hours. The more than 2 million flying hours accomplished over the past 10 years attests to its durability and an overall accident rate of just over 1.5 per 100,000 flying hours is testimony to its reliability. Currently the mainstay of the Strategic Air Command's bomber fleet, the B–52 is a major portion of the command's mixed force of bombers and missiles."

Gen. H. E. Humfeld, SAC director of operations (in a letter to Boeing President William M. Allen): "It, indeed, gives me great pleasure to join you and members of the Boeing organization in celebrating the 10th anniversary of the B–52 in SAC's inventory. Having been closely associated with this outstanding weapons system for the entire period, I can personally appreciate the tremendous role this aircraft has played in our Nation's defense.

"As commander of the 40th Air Division, it was my good fortune to receive the first B–52H's in SAC. I say 'good fortune' because we had to equip and train combat crews in three wings located in the State of Michigan. This upgrading program occurred in the worst of winter conditions. Despite these hazards, the exemplary performance of this aircraft assisted us immeasurably in achieving combat-ready status in a minimum of time.

"So you can readily understand why I am most happy to join you and the personnel of your organization on this 10th anniversary commemoration of the B–52 aircraft. Along with your Minuteman ICBM missiles, it stands today as the major bulwark against aggression."

Col. Gerald W. Johnson, commander, 95th Bomb Wing, Biggs AFB, Tex.: "The value of the B–52 has been amply proved throughout the years of their service to SAC. The 95th Bomb Wing employs the B–52B model, among the oldest in the command. These aircraft have lost none of their dependability through the aging process and are still reliable and effective weapon systems."

Brig. Gen. William B. Kyes, 47th Air Division commander, Castle AFB, Calif. (where the first B–52 was delivered 10 years ago): "The Boeing Co. can be extremely proud of its contribution to military aviation. The 10th anniversary of the first delivery of the B–52 to SAC is an event of which every American citizen should be aware. The B–52, for the past 10 years, has been instrumental in making SAC the powerful deterrent force it is today. That this aircraft has endured so well and for so long a time is a significant accomplishment by the engineering and production skills of the Boeing Co."

Lt. Col. Herbert A. Mailander, commander, 764th Bomb Squadron, 461st Bomb Wing, Amarillo AFB, Tex. (SAC pilot with the top number of B–52 flying hours): "About the easiest, most accurate and shortest comment I can make on the B–52 is, it's terrific."

Col. Harold A. Radetsky, commander, 96th Strategic Aerospace Wing, Dyess AFB, Tex.: "There is no doubt the peace of this Nation during the past 10 years is in large measure due to the deterrent power of the B–52."

Col. Guy M. Townsend, one of the best known test pilots in the Air Force, was aboard the first flight of the B–52 on April 15, 1952. This was the YB–52; he later made tests with the XZ–52, before the first B–52A rolled out in 1954. Now the director of systems test of the Air Force Flight Test Center at Edwards AFB, Calif., Colonel Townsend frequently flies one of the remaining two A models, one of the X–15 mother ships. It is interesting to note that 003 was the phase IV aircraft from which the original handbook data was obtained. Colonel Townsend put the first 400 hours on this aircraft during the course of this program.

During the 13 years since his first B–52 flight, Colonel Townsend has flown all eight models of the Stratofortress. Today, he calls the airplane "the backbone of the SAC fleet." He says his respect for this airplane dates back to the B–52 development years, when he worked with Boeing program managers and designers at Seattle in helping to make the Stratofort a genuinely efficient weapon system.

HOW THE INTEREST EQUALIZATION TAX HURTS OUR BALANCE OF PAYMENTS

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, solving our chronic balance-of-payments deficit is an economic problem of the highest priority and, as experience has shown, admits no easy solution. Last September, the interest equalization tax was enacted to curb the flow of money out of the country into foreign investments by making these investments less attractive to American businessmen. Now, Keith Funston, president of the New York Stock Exchange, suggests that in at least one way this measure has actually aggravated our international deficit.

In a speech at the University of New Hampshire, reported in the June 14 Wall Street Journal, Mr. Funston proposed that the tax be amended to make outstanding issues of foreign securities exempt and to include only new issues sold in this country. He notes that an unintended effect of the tax measure has been to cause foreigners to sharply cut back on buying U.S. securities, a plus item in this Nation's balance-of-payments account. Last year, for the first time in 15 years, foreigners on balance sold more U.S. securities than they bought. The reason, Mr. Funston believes, is that securities dealers overseas have become less aggressive in promoting sales of U.S. securities because of the tax-induced cutback in American purchases of foreign securities abroad.

Mr. Funston's remarks emphasize the importance of a careful economic analysis of the effects of the interest equalization tax on the Nation's international accounts before it is renewed. The severity of our balance-of-payments problem dictates that we cannot afford to take any measures that ostensibly help to solve, but actually hinder, any effective solution.

Under unanimous consent I insert the Wall Street Journal article in the RECORD at this point:

[From the Wall Street Journal,
June 14, 1965]

FUNSTON ASKS REPEAL OF U.S. TAX ON FOREIGN SECURITIES OUTSTANDING—HE WOULD APPLY EQUALIZATION LEVY ONLY TO NEW ISSUES SOLD HERE—A DROP IN DOLLAR INFLOW CITED

NEW YORK.—Keith Funston, president of the New York Stock Exchange, called for repeal of the interest equalization tax on all outstanding foreign securities traded in the United States, allowing it to apply only on new issues by foreigners in this country.

The tax is imposed on Americans' purchases of foreign securities from foreigners. It was enacted into law last September, retroactive to July 1963, to help check the flow of dollars from the United States to foreigners and any consequent widening of the U.S. balance-of-payments deficit. President Johnson has asked for a 2-year extension of the tax after its scheduled expiration at the end of 1965; the House Ways and Means Committee is slated to hold hearings on this bill this week.

A limited number of foreign securities outstanding are already exempt from the tax. Exemption was granted for companies in less developed countries enumerated under the law as well as in cases where foreign stocks are principally owned by Americans.

Mr. Funston said an "unintended effect" of the tax has been that foreigners have sharply cut back on buying U.S. securities. Purchases of U.S. securities by foreigners bring dollars into the United States and aren't subject to the interest equalization tax. Mr. Funston explained that securities dealers overseas have become less aggressive in promoting sales of U.S. securities because of the tax-exempted cutback in Americans' purchases of foreign securities abroad.

The stock exchange president said that, as a result of this development, last year for the first time in 15 years foreigners on balance sold more U.S. securities than they bought.

In 1963, for example, foreigners made some $282 million net purchases of outstanding U.S. securities, according to U.S. Department of Commerce statistics. But in 1964, foreigners showed $89 million in net sales of such U.S. securities.

"In decreasing the dollar inflow from foreign purchase of existing U.S. securities, the interest equalization tax indirectly has hindered rather than aided our balance of payments," Mr. Funston said. He made his remarks in a commencement address at the University of New Hampshire in Durham, N.H.

The exchange president also urged that any extension of the tax be limited to 1 year. He argued that "if outstanding securities are made exempt from the tax * * * before a year is up, results would be sufficiently impressive so that further extension of the levy will prove unnecessary."

MINIMUM WAGE INCREASE AFFECTS EMPLOYMENT

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, a recent study has provided persuasive evidence that increases in the minimum wage reduce employment opportunities. The study was conducted by the New York State Department of Labor in order to determine the effects of an increase in the minimum wage in retail trade that was put into effect in 1957. The results of that study are described in the May 1965 issue of the Monthly Labor Review, published by the U.S. Department of Labor.

The wages of over 73,000 employees—or 12 percent of total retail employees in the State—were increased as a result of the new minimum. Following the increase, a number of offsets and adaptations took place. These included a reduction in payroll costs through changes in workers' weekly hours, layoffs and failures to replace workers. Adaptations to higher costs included economies in store operation, reduction in customer services, price increases, and other payroll savings.

The study showed that because of the new minimum, 951 workers were laid off and 517 were not replaced when they quit. In addition, some 55,000 paid man-hours per week were dispensed with by a reduction in employee hours.

The study clearly demonstrated a strong correlation between minimum wage costs and offsets and provided some basis for determining how great offsets are likely to be for future increases in the minimum wage in retail trade. One lesson seems to be that an industry whose ratio of payroll to sales is relatively large will be under relatively great pressure to compensate for minimum wage costs by making offsets.

Under unanimous consent I insert a copy of the article from the May Monthly Labor Review, which describes this study, in the RECORD:

EFFECTS OF MINIMUM WAGE ON EMPLOYMENT AND BUSINESS

The New York State retail trade order of 1957 established a minimum of $1 an hour for stores in New York City, Nassau, Suffolk, and Westchester Counties, and upstate communities with 10,000 or more inhabitants (zone 1). Previously, the minimums of these stores had been 75, 70, or 65 cents, depending on their locations. For small upstate communities (zone 2) the order provided a rise in two steps: a minimum of 90 cents effective February 15, 1957, and a minimum of $1 effective January 1, 1958. The previous minimum in zone 2 had been 65 cents. Retail trade is by far the largest of the industries covered by the State's Minimum Wage Act. The effects of the retail trade order of 1957 are described in a recent report.[1]

EFFECT ON WAGES

Almost three-fourths of the stores in the State were unaffected by the order because they had no employees with wages below the minimum. The proportion was greater in zone 1 than in zone 2. Most large stores were affected; the more employees a store had, the more likely it was to have at least one employee whose wages were affected by the new minimum wage. Pay increases had to be made by over 88 percent of all variety stores and 60 percent of all department stores. At the other end of the scale, only 18 percent of the stores selling furniture and home furnishings had to increase wages.

The wages of 73,149 employees (12 percent of the total of 622,300 retail employees in the State) were increased as a result of the new minimum. These employees were about 36 percent of all employees in stores with minimum wage costs. Sixty percent of department stores had minimum wage costs, but only 25 percent of their employees were affected (See table 1.)

The new minimum wage order increased the retail industry's payroll by less than 1 percent. In aggregate, this amounted to $328,000 weekly—$3.80 per store per week when averaged over all stores in the industry. It was $14.12 when averaged over stores with minimum wage costs; for these stores the wage increases amounted to 3.12 percent of payroll.

INCREASES ABOVE THE MINIMUM

Hourly rate increases above the new hourly minimum were reported by 10.3 percent of the 23,220 stores with any mimimum wage cost. Of all the workers affected by the order, 15.2 percent received increases above the minimum. These increases, or "indirect" minimum wage costs,[2] constitute 9.3 percent of the industry's total minimum wage cost. For every $1 of direct costs there were 14 cents of indirect; for every $1 of direct plus fringe costs required by the order there were 11 cents of indirect costs.

Most increases above the minimum were made in order to maintain previous wage rate relationships within a store, when low-paid employees were raised to the new hourly minimum. A few were made in order to preserve a relation with new wage levels of other stores in the community; and some were the result of continuing a worker's weekly pay when his weekly schedule of hours was reduced because of the order (sometimes as part of a storewide reduction of hours). These less frequent reasons were sometimes found in stores where no employees had been receiving less than the new hourly minimum.

OFFSETS AND ADJUSTMENTS

When one element in a business firm's cost rises noticeably, the threat to profits may stimulate management to try to save money in some way, or to consider raising sales prices. Some of these measures may have been under consideration before, the cost-rise merely providing the final stimulus. In the case of the 1957-58 rise in the retail minimum, the following adaptations took place:

Offsets, i.e., reductions in payroll costs through changes in workers' weekly hours, including cases of avoiding premium-pay hours; layoffs; and failure to replace workers who quit or retired. There were some other types of payroll savings, but they could not be measured and are included under "adjustments." (For kinds of offset and pertinent statistics, see table 2.)

Adjustments, or other adaptations, including economies in store operation, reduction in services to customers, price increases, and payroll savings that could not be measured, such as use of fewer extras in peak periods.

About 72 percent of the stores that had minimum wage costs reported that they had taken no action to lessen these costs. About 23 percent made offsets (two-fifths of these also made adjustments); 15 percent made adjustments (two-thirds of these also made offsets). The vast majority of offsets were made close to the date the minimum was increased.

While the savings resulting from adjustments could not readily be estimated in dollars, it was found that offsets saved about $79,200 a week, or almost a quarter (24.1 percent) of the weekly gross minimum wage cost of $328,000.

The new minimum was one of a number of factors leading managements to make operational changes. Of the stores reducing workers' hours because of the minimum, 21 percent said that this was only one of the reasons for the reduction. Of those making layoffs, 33 percent reported other factors. Factors other than the minimum wage were reported as being involved in the majority of decisions to raise prices.

A special survey of a sample of the stores that closed between 1955 and 1957 did not uncover any that had closed because of the minimum. But there may have been some outside of the sample that closed for this reason. A few of the store owners who had entirely stopped using hired help stated that the minimum was a factor in their decision to do this.

TABLE 1.—*Percent of New York stores with minimum wage cost and percent of workers affected, by type of retailing, 1957–58*

Type of retailing	Total number of—		Stores with minimum wage costs		Workers affected	
	Stores	Workers	Number	Percent [1]	Number	Percent [1]
All types	86, 263	622, 287	23, 220	26.9	73, 149	11.8
Apparel	13, 338	105, 561	3, 250	24.4	11, 680	11.1
Food	29, 145	172, 164	8, 702	29.9	16, 779	9.7
Department	285	76, 365	172	60.4	8, 804	11.5
Variety	1, 010	30, 777	389	88.4	16, 557	53.8
Other general merchandise	2, 540	11, 993	901	35.5	2, 705	22.6
Drug	4, 888	22, 101	1, 543	31.6	3, 225	14.6
Automotive [2]	12, 136	80, 142	2, 429	20.0	3, 879	4.8
Furniture [3]	6, 726	38, 698	1, 181	17.6	1, 988	5.1
Other	16, 195	84, 486	4, 149	25.6	7, 532	8.9

[1] Percent of total in the industry (stores with workers).
[2] Includes filling stations.
[3] Includes home furnishings.

The 16,600 workers affected by hours cuts and other offsets were one-fourth of all workers in the approximately 5,500 stores with offsets. Offsets made up for half of the minimum wage costs of these stores.

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[1] This article is an excerpt, with minor editorial modifications, from "Economic Effects of Minimum Wages," a New York State Department of Labor's study of the effects of the State's retail trade minimum wage order of 1957.

[2] The wage increases resulting from the minimum, called minimum wage costs in this report, include "direct" costs, the result of increasing hourly rates to the minimum; "fringe" costs, required by the supplementary provisions of the order (weekly and daily guarantees, and premiums for overtime, for split shift, and for schedules extending more than 10 clock hours in 1 day); and "indirect" costs, brought about by increases in hourly rates above the hourly minimum, usually made to preserve wage relationships with workers who were raised to the minimum.

Large stores with minimum wage cost were more likely to have offsets than were small stores. But among the stores that made some offsets, the small stores offset a higher proportion of minimum wage cost that did larger ones, a result of the fact that any layoff or cut in hours was likely to be larger in relation to payroll in small stores than in larger ones.

Of the $79,200 of weekly offsets, reduced hours accounted for $47,400 (about 60 percent of the weekly total), layoffs for about $18,500 (23.5 percent of the total), and quits not replaced about $13,300 (16.5 percent of the total).

When stores with minimum wage cost are classified into groups according to the size of this cost, stated as a percent of payroll, groups at higher levels have larger offsets—also stated as a percent of payroll.[3]

The most frequent adjustment to minimum wage costs, other than reduction of hours, layoffs, and failure to replace quits (the offsets just discussed), was reduction in the hiring of extras; it was reported by 5 percent of the stores with minimum wage cost, and was especially prominent in small stores. About 2 percent of the stores with minimum wage costs reported cutting down employee-days of more than 10 clock hours, so as to avoid the order's $1 daily premium; and another 2 percent similarly avoided calling in a worker for less than 4 hours. A few stores eliminated yearend bonuses or other fringe benefits, tightened the basis on which commissions were paid, shortened the lunch period, or eliminated a coffee break.

OTHER ADJUSTMENTS

These were payroll savings. Other adjustments affected payroll indirectly, if at all. Between 1 and 2 percent of stores with minimum wage costs increased prices. Others made economies in store operation; some curtailed services to customers. The most frequent change was a reduction in store hours, made by 3 percent (often related to the "offset" of reducing workers' hours). About 2 percent abolished free delivery or free alterations, reduced elevator service, tightened the store's charge-account policy, or the like. Between 1 and 2 percent changed work assignments. About 1 percent reduced advertising or economized on other specific operations. The new minimum helped along the trend toward self-service; this adjustment was reported by about 1 percent of the minimum-wage-cost stores.[4]

About a quarter of 1 percent of all retail jobs were lost, at least temporarily, because of the new minimum; 951 workers were laid off and 517 were not replaced when they quit. Part-time workers, including a good many students, were prominent among the layoffs. In addition, some 55,000 paid man-hours per week were dispensed with by reduction of employees' hours.

TABLE 2.—*Percent of stores with minimum-wage costs and of workers affected by various offsets, and average offsets per store and worker*

Kind of offset	Stores with offsets		Workers affected		Total offsets per week	Average offset per store		Average offset per worker [5]
	Number	Percent [1]	Number	Percent [2]		Overall [3]	Specific [4]	
All offsets [6]	5,409	100.0	16,570	100.0	$76,538	$14.15	$14.15	$4.62
Changes in weekly work-hour schedules:								
Within 30 or less	1,052	19.4	1,786	10.8	6,148	1.14	5.84	3.44
From over 30 and under 37½ to 30 or less	492	9.1	676	4.1	2,961	.55	6.02	4.38
Within 37½ to 40	1,049	19.4	7,153	43.2	14,812	2.74	14.12	2.07
From 37½ to 40 to over 30 and under 37½	192	3.5	412	2.5	787	.15	4.10	1.91
From 37½ to 40 to 30 or less	343	6.3	457	2.8	3,767	.70	10.98	8.24
Within over 40	1,403	25.9	1,980	11.9	7,042	1.30	5.02	3.56
From over 40 to 37½ to 40	1,140	21.1	2,622	15.8	10,086	1.86	8.85	3.85
From over 40 to over 30 and under 37½	57	1.1	142	.9	690	.13	12.11	4.86
From over 40 to 30 or less	35	.6	49	.3	631	.12	18.03	12.88
Layoffs	596	11.0	834	5.0	16,282	3.00	27.32	19.52
Quits not replaced	408	7.5	517	3.1	13,332	2.46	32.68	25.79

[1] Items add to more than 100 because some stores reported more than one kind of offset.

[2] Items add to more than 100 because some workers in zone 2 were affected by one kind of offset in the first stage and by another kind in the second stage.

[3] Averaged over all stores with offsets; dollars per week; average is arithmetic mean.

[4] Averaged over stores with specific offset; dollars per week; average is arithmetic mean.

[5] Average per worker affected by specific offset; dollars per week; average is arithmetic mean.

[6] Excludes 146 stores with offsets but no minimum wage cost; their weekly offsets were $2,627.

The stores with offsets had to operate with less help. One out of four reported curtailment of customer services or economies in store operation. A number of small-store owners said that they, or family members, had to do more work. Others indicated that they expected existing employees somehow to take up the slack by working harder or expected customers to get along with service that was less prompt or less personal. Although this sort of unsystematic adjustment was believed to have taken place in a substantial number of small- and medium-size stores, it was not reported in many cases to survey interviewers. Large stores were more likely to label this kind of adjustment in some fashion and to report it.

Of the stores with minimum wage costs that reported making neither offsets nor adjustments, many were under little pressure to do so because their minimum wage costs were small.

Because there is a significant correlation between minimum wage costs and offsets, a good basis exists for estimating how great offsets are likely to be, whenever a proposal for increasing minimum wages in retail trade is made in the future. In the present study, offsets were 24 percent of the industry's total minimum wage cost. However, because offsets, expressed as a percent of minimum wage cost, are not the same at all levels of minimum wage cost (expressed as a percent of the store's payroll) but tend to rise as minimum wage cost rises, a more precise estimate can be made by taking into account the difference between the levels. It may be conjectured that an industry whose ratio of payroll to sales is relatively large will be under relatively great pressure to compensate for minimum wage costs by making offsets, although a comparison of the 1957–58 experience of the nine types of retailing is inconclusive on this point. Most industries have payroll-sales ratios that are substantially larger than those in retailing.

POZNAN REVOLT

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, today marks the 9th anniversary of the Poznan revolt in Poland, when the civilian population of that city, sparked by employees in various Communist-run factories, protested harsh working conditions and oppressive governmental controls.

The revolt was suppressed, but the repercussions from it were given credit for producing a liberalized Communist Government in Poland.

Nine years have passed since that event, and the self-styled liberalized Communist Government of Poland is as dictatorial and oppressive as ever in its control of the people of Poland.

The Polish Communist Government is directly aiding the North Vietnamese Communist aggressors. It is subsidizing the Castro regime in Cuba. The Polish Communist Government is directly participating in all the maneuvers of the international Communist apparatus, and its officials loyally support Soviet political and propaganda positions.

We recognize that permanent and legitimate relief from oppression can never come to the Polish people or any other captives of communism until they are free from a government dedicated to the ideology of Marx and Lenin.

The U.S. foreign policy should not be based on appeasement of Communist governments but should have as its long-term goal the application of the principle of self-determination to all presently enslaved victims of Communist misrule.

The memory of the Poznan revolt dramatizes the unchanging, unyielding nature of communism. We note this occasion as reaffirmation of our determination to produce a world of peace and freedom based on sound principles of government as advanced in the free world, rather than to submit any people to permanent Communist rule.

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[3] This relationship is a result of two elements: the proportion of stores making offsets, and the percent-of-payroll size of the offsets in those stores that did make offsets.

[4] These percentages overlap, since one-tenth made three or more types of adjustment. Large stores were especially likely to have more than one type.

ANIMAL DRUG AMENDMENTS OF 1965

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. NELSEN. Mr. Speaker, I am introducing today a bill to amend the Federal Food, Drug, and Cosmetic Act so as to consolidate certain provisions governing the premarketing clearance of animal drugs.

I include in my remarks at this point a summary of the provisions of the enclosed copy of the Animal Drug Amendments of 1965, as well as a brief section-by-section analysis of the bill.

Brief Summary of Animal Drug Amendments of 1965 to the Federal Food, Drug, and Cosmetic Act

These amendments consolidate the provisions of the Federal Food, Drug, and Cosmetic Act, as amended, governing the premarketing clearance of animal drugs. These amendments add to the basic statute a new section 511, which establishes the requirements of safety and effectiveness applicable to new animal drugs, including animal feeds bearing or containing such drugs. Proposed section 511 replaces the application to animal drugs of the three separate premarketing section clearance procedures contained in existing law: Section 409 (food additives), section 505 (new drugs), and section 507 (antibiotic drugs). Any new animal drug, or any animal feed bearing or containing such a drug, is considered adulterated unless it meets the requirements of proposed section 511.

Under the new section 511, an application is filed with respect to each intended use of a new animal drug whether the drug is to be used in a finished pharmaceutical, in an animal feed, or as a component of such feed. Such application contains information necessary to demonstrate the safety and effectiveness of the proposed use, including practicable methods for determining residues in or on food, as well as a full description of the manufacturing and control procedures employed with other required data. Upon approval of the application, notice of the approval is published in the Federal Register. If the drug is to be used in animal feed, applicable purposes and conditions of use of the drug in animal feed are also published. The use of any new animal drug in animal feed is governed by the published purposes and conditions of use. Consequently, an application for an animal feed containing a drug component is approvable if its labeling conforms to the published purposes and conditions of use and if current good manufacturing practices are utilized.

Procedures are set forth in proposed section 511 for the granting or withdrawing of approvals of new animal drugs and of animal feed bearing or containing such drugs, and for judicial review, including summary suspension of applications in the event of imminent hazard to health. This section also provides for the issuance of regulations governing investigational use of new animal drugs and the keeping of records and the making of reports with respect to the use of new animal drugs. In addition, this section continues batch certification of the five antibiotics for animal use currently subject to batch certification.

The remainder of the bill contains technical and conforming amendments and transitional provisions. These provisions carry out the purpose of the bill to consolidate existing provisions in the basic law. They also provide for the continuation of existing approvals granted under the present law.

Analysis of the Sections of the "Animal Drug Amendments of 1965" to the Federal Food, Drug, and Cosmetic Act

The first section of the bill would provide that the act may be cited as the "Animal Drug Amendments of 1965."

Section 101(a) of the bill would amend section 501(a) of the Federal Food, Drug, and Cosmetic Act (hereinafter referred to as the "basic act") to deem any new animal drug, or animal feed bearing or containing a new animal drug, to be adulterated if it is unsafe within the meaning of section 511(a) as added to the basic act by section 101(b) of the bill. Thus, the provisions of chapter III of the basic act, entitled "Prohibited Acts and Penalties," would apply to a new animal drug, or animal feed bearing or containing a new animal drug, in interstate commerce to the same extent as any other adulterated article unless an approval of an application filed pursuant to new sections 511(b) or 511(m), respectively, is effective with respect to that drug or animal feed.

Section 101(b) of the bill would add to the basic act new section 511, entitled "New Animal Drugs." New section 511 provides for the approval or refusal and withdrawal of approval of new animal drug applications by the Secretary and requires the sponsor of a new animal drug to demonstrate the safety and effectiveness of the proposed use or uses of that drug. Similar provisions are made for animal feeds bearing or containing new animal drugs. Section 511 is patterned after the new-drug section of the basic act (sec. 505) as amended by the drug amendments of 1962, and it consolidates the preclearance provisions applicable to new animal drugs and animal feeds bearing or containing new animal drugs presently contained in the food additive section (sec. 409) and the antibiotic section (sec. 507) as well as section 505. Thus, uniform administration of preclearance requirements is assured.

New section 511(a)(1) would deem a new animal drug to be unsafe unless an approval of an application is effective with respect to such drug. New section 511(a)(2) would make similar provision for an animal feed bearing or containing a new animal drug.

New section 511(b) would replace section 505(b) of the basic act for new animal drugs by specifying the information to be included in a new animal drug application. Clauses (1) through (6) would require the same information presently required in section 505(b). Clauses (7) and (8) are added to replace for new animal drugs section 409(b)(2)(D) and 409(c)(4) of the basic act. The latter two clauses are desirable in the event residues of the drug remain in the tissues of the animals used for food production and a tolerance or withdrawal period is proposed.

New section 511(c) is substantially identical with section 505(c) of the basic act in setting forth the procedure for action by the Secretary upon a new animal drug application.

New section 511(d) would replace section 505(d) of the basic act for new animal drugs by setting forth the grounds upon which the Secretary may refuse to approve a new animal drug application. Clauses (A), (B), (C), (D), (E), and (G) of new section 511(d)(1) are identical to clauses (1) through (6) of section 505(d). Clause (F) of new section 511(d)(1) would replace for new animal drugs section 409(c)(4) of the basic act, relating to tolerance limitations, but would not modify the Secretary's existing authority. Clause (H) of new section 511(d)(1) would replace for new animal drugs section 409(c)(3)(A) of the basic act by requiring the Secretary to refuse approval of an application for a new animal drug which induces cancer when ingested by man or animal. This clause is substantially identical with the proviso in section 409(c)(3)(A) as amended by the Drug Amendments of 1962.

Clauses (A), (B) and (C) of new section 511(d)(2), in specifying certain factors to be considered by the Secretary in determining whether a new animal drug is safe, would replace section 409(c)(5) of the basic act. Clause (D) of new section 511(d)(2) is intended to give the Secretary added authority to consider safety questions in those instances where the prescribed conditions of use will not be followed.

New section 511(d)(3) would incorporate the definition of substantial evidence of effectiveness inserted in section 505(d) of the basic act by the Drug Amendments of 1962.

New section 511(e) is based upon and is substantially identical to section 505(e) of the basic act. As in the case of section 505(e), the new section 511(e) would give the Secretary summary powers to act if he finds that there is an imminent hazard to the health of man or of the animals for which the drug is intended.

New section 511(f) is substantially identical to and, for new animal drugs, would replace section 505(f) of the basic act, relating to the reinstatement of applications. Such provisions would also be applicable to orders concerning applications for animal feeds bearing or containing new animal drugs.

New section 511(g) is substantially identical to and, for new animal drugs, would replace section 505(g) of the basic act, relating to service of orders.

New section 511(h) adopts, for applications relating to new animal drugs and to animal feeds bearing or containing new animal drugs, the appeal procedures set forth in section 505(h) of the basic act.

New section 511(i) would require the Secretary to publish the conditions of use and the name of the applicant for every new animal drug application which is approved. This is new, inasmuch as there is no provision for such publication in section 505 of the basic Act. However, in view of the practice of mixing two or more drugs, which may be purchased from different sources, in animal feeds, this provision has been included so as to enable feed manufacturers to ascertain those combinations of drugs which have been approved for use in animal feeds. This is necessary because the labeling for a particular drug may not indicate such combinations.

New section 511(j) provides for the promulgation by the Secretary of regulations for exempting from section 511 new animal drugs, and animal feeds bearing or containing new animal drugs, intended solely for investigational use by qualified experts. This section is based upon and would replace sections 409(i) and 505(i) insofar as these sections are pertinent to the investigation of such drugs and animal feeds. Of particular importance, the last sentence authorizes the Secretary to set forth the conditions upon which animals treated with such drugs may be marketed. The amendments made to section 505(i) of the basic act by the Drug Amendments of 1962 relate to the clinical testing of new drugs for human use and are not pertinent to the investigation of new animal drugs. Therefore, they have not been included in new section 511(j).

New section 511(k) is based upon and would replace, for new animal drugs, the last sentence of section 409(a) of the basic act relating to adulterated foods. The purpose of this section is to provide for an appropriate exemption from section 402(a)

(1) of the basic act for approved uses for new animal drugs.

New section 511(l) is based upon and would replace, for new animal drugs, section 505(j) of the basic act, relating to recordkeeping and reporting requirements.

New section 511(m) would provide for appropriate premarketing approval procedures for animal feeds bearing or containing new animal drugs consistent with the provisions of new section 511(b) relating to approvals for new animal drugs. Only 90 days are provided in new section 511(m) for review of an application for an animal feed. A longer period is not necessary since the Secretary under new section 511(c) is permitted 180 days for review of basic information relating to the safety and effectiveness of the drug component of such animal feed. The other provisions of new section 511(m) with respect to approvals, records, and reports are substantially the same as those applicable to new animal drugs.

Consistent with the Drug Amendments of 1962, new section 511(n) would provide for the certification of batches of new animal drugs composed wholly or partly of penicillin, streptomycin, chlortetracycline, chloramphenicol, and bacitracin and derivatives thereof except where such drugs are intended for use in animal feeds.

Section 102 (a) and (b) of the bill would amend section 201(p) of the basic act to remove new animal drugs from section 505 of the basic act. Henceforth the regulation of new animal drugs would be covered exclusively by new section 511.

Section 102(c) of the bill would amend section 201(s) of the basic act to remove new animal drugs from section 409 of the basic act. The reason for this provision is that new section 511 would provide for the exclusive regulation of new animal drugs.

Section 102(d) contains a conforming amendment to the definition of the term "safe" in section 201(u) of the basic act.

Section 102(e) of the bill would add new paragraphs (v) and (w) to section 201 of the basic act defining the terms "new animal drug" and "animal feed." The definition "new animal drug" is patterned after the term "new drug" contained in section 201(p) of the basic act. Henceforth, these terms would be mutually exclusive.

Section 103 of the bill would amend section 301(e) and 301(j) of the basic act. The effect of these amendments would permit the Secretary access to certain records and provide for the confidentiality of certain information contained in new animal drug applications.

Section 104 of the bill would amend section 402(a)(2) of the basic act relating to adulterated food to provide for appropriate exemptions for approved uses of new animal drugs.

Section 105 of the bill would amend sections 502(1) and 507(a) of the basic act by exempting therefrom animal drugs. The effect of these amendments is to require the certification of antibiotics listed in new section 511(n) in accordance with the provisions of such section.

Section 106 of the bill would amend section 801(d) of the basic act to prohibit the export of "unsafe" new animal drugs or animal feeds bearing or containing new animal drugs.

Section 107 of the bill contains effective date and transitional provisions. Under this section, the bill would take effect on the first day of the seventh calendar month following enactment. This section also contains provisions under which regulations in effect under sections 409 and 507 of the basic act on the enactment date, and effective or approved new drug applications on the enactment date, are deemed to be approved applications under section 511. Furthermore, this section provides that applications or petitions pending on the enactment date shall be deemed to be applications pending under section 511, and the filing date shall be deemed to be the date on which the petition or application was actually filed. Proof of effectiveness would not be required for any animal drug which was commercially sold, was not a new drug, and was not covered by an effective application on October 9, 1962, provided the conditions of use stated in the labeling of such drug are not changed. Animal drugs in commercial use prior to the enactment date and which had never been the subject of a new drug application are also not subject to proof of effectiveness so long as the labeling for such drugs contains the some recommendations for use.

SPEECH BY HON. JOE E. POOL

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I have been very privileged to serve on the House Committee on Un-American Activities with the gentleman from Texas [Mr. POOL]. He has been one of our most faithful members and has a thorough knowledge of the strategy and philosophy of world communism. He is an ardent spokesman for Americanism and is constantly endeavoring to alert our countrymen to the dangers of Communist subversion at home and Communist imperialism throughout the world.

My good friend and colleague, Congressman POOL, made an outstanding speech to the Oak Cliff Lions Club at Dallas, Tex., last week and gave a fine presentation on the work of our important committee. It is the type of speech which every American should read and I want to have it included with these remarks. We all know that there are many Americans who unwittingly do the devil's work in blindly following the line that the House Committee on Un-American Activities should be abolished. Rarely do they cite good reasons or accurate details, they merely want this important committee abolished. I always think of the words of another fine Democrat, our late chairman, Francis Walter, who said that he could understand why the Communists wanted to get rid of the House Committee on Un-American Activities but he could not understand why the so-called liberals were making the same demand.

I commend the speech of Representative POOL to all of the Members of this body and commend him for the clarity with which he presents his fine exposure of the Communist threat to this Nation.

HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES AND THE THREAT OF COMMUNISM TO OUR NATION

(Speech delivered by Congressman-At-Large JOE POOL to the Oak Cliff Lions Club, Dallas, Tex., and to the Grand Prairie Lions Club, Grand Prairie, Tex., June 23–24, 1965)

Fellow Lions, it's good to be back among you again. From my experience in the Oak Cliff Lions Club, I know that your interests and vocations are varied. That makes the job of speech writing extra hard, and I put a good deal of thought into my topic for today. Then it occurred to me that the solution was obvious—in my capacity as second ranking Democrat on the House Committee on Un-American Activities—I have at my fingertips a wealth of information which is of vital interest to every American today—regarding the menacing threat of communism.

The Committee on Un-American Activities is one of the most controversial committees that has ever stood in Congress. Yet year after year, Congress has indicated its confidence in the committee by voting a generous appropriation to enable the committee to carry on its work. As a member of the committee, I am more than ever convinced that it is a body vital to the defense and preservation of our Nation. Because of the work accomplished by the Committee on Un-American Activities, the Communists have pinpointed it as a target for destruction.

The legislative record of the committee is strong. In the past 25 years, almost half of the legislative recommendations of the committee have been translated into public law. Fifty percent may not seem like much, but it is when you consider how many proposals for legislation are formulated every year. In addition, the executive branch has put into practice a number of our policy recommendations. The Committee on Un-American Activities has become a pace setter for other congressional committees in that it has greatly refined and improved committee procedures and techniques on investigations.

The Communist Party, of course, claims that the Committee on Un-American Activities has engaged in smear campaigns. That, however, is just a part of their plan to undermine the committee. Whenever we offer to hear a Communist witness in closed session, demonstrators demand public hearings. But when the hearings are public, as they were in Chicago several weeks ago, the witnesses complain that the sessions should be closed. You cannot please everyone, and the Communists make it their policy to take a stand counter to the committee position in every case.

The purpose of a congressional investigation is to provide the Congress—and oftentimes the public—with information necessary to the public welfare and national security. I don't know of anyone here who would deny that communism is a leading threat to the well-being of the Nation. Communist techniques are foreign to us—those who uphold democratic principles are unfamiliar with the insidious methods and sneaky ways of the Communists. To take an oath, for example, is meaningless to a Communist, since they often withhold their rightful names from their comrades in their underground cell meetings. "Trust" is a word that does not occur in the Communist vocabulary. Their code of ethics—if you can call it "ethics"—is based on deceit—and yet they complain about the methods of the Committee on Un-American Activities.

For any of you who have any doubts, I would like to establish right here and now that the courts of the United States have time and again tested and reestablished the constitutionality of the Committee on Un-American Activities. In an official report, the American Bar Association affirmed that the committee adheres to the basic rights of the individual in conducting our hearings. Here is what they said:

"We are satisfied that the witnesses called to testify before the committee are being treated fairly and properly in all respects, and we also feel that each witness is afforded full protection so far as his constitutional and other rights are involved."

(Now whether the committee is treated fairly by unfriendly witnesses and their demonstrating supporters is a different matter. You have probably read a good deal about the demonstrations that are carried on during some of our hearings. In Chicago several weeks back, we members of the subcommittee had to be escorted back and forth from the hearing room by a heavy police guard. There were reputedly a thousand demonstrators milling about outside the building. The threat of physical violence to the members of the committee is always present, and it is quite a strain to operate under such conditions, I can tell you. * * *)

The American Bar Association further stated in the report: "The record of the House Committee on Un-American Activities * * * is one of accomplishments and achievements despite the fact that they have been the targets of inspired propaganda attacks designed to curb their effectiveness."

Propaganda is a specialty of the Communists, and I would be the first to admit that they often go about their propaganda activities in an effective manner. Take the student trips to Cuba, for example. This is a topic we have all noticed in the news.

These so-called students violated a State Department order banning travel to Cuba without specific passport authorization. Now in the first place, one Barry Hoffman, who went on the trip as an observer for the FBI, testified before the committee that his travel companions were no typical American students. Their ages ranged from 18 to 33, and some of them were not students at all. Many were members of the Progressive Labor Movement, an ultrarevolutionary Communist splinter group. Most of these persons had made up their minds favorably about Communist Cuba long before they visited there, anyway. Then why did the Cuban Government finance such an expensive excursion, you may ask. (And I add here that it was definitely expensive because the group went by way of London, Paris, and Prague—and came back by Madrid and Bermuda—since neither Canada nor the United States would permit airliners to go directly to Cuba.

From our Committee on Un-American Activities hearings, however, the answers to this question become obvious. First of all, the trip was part of an effort by the Cuban Government to avoid having travel restrictions imposed by other countries. Their reasoning was that if the American students were successful in avoiding prosecution, then other nations would have difficulty in issuing such a ban. This was the cause for which the students carried their flag.

Witness Hoffman considers that the trip was a great propaganda victory for the Castro regime. It naturally received much publicity in the Cuban press, and in much of Latin America. Upon their return, the students, regardless of what they had actually been permitted to see and do in Cuba, were in a perfect position to acclaim the wonders that the Castro regime was bringing about in Cuba.

A couple of weeks ago, the committee heard further testimony concerning propaganda about the students trips to Cuba. This witness—and I was a member of the subcommittee who heard her—was none other than Juanita Castro, sister of the leader of the Cuban revolution.

Miss Castro gave a moving statement about the humanitarian ideals and Christian principles which led her to flee her homeland and speak out against her brother's reign. At the beginning of Fidel's revolutionary efforts, Miss Castro devoted herself to helping him in the belief that he would bring social reform to the island of Cuba. She testified that all the people who were initially devoted to Castro's revolution believed his promise that there would be free elections within 18 months after the revolution. Now Miss Castro was in a prime position to enjoy the high position of her brother. The Communist minority in Cuba, she tells us, has available to it all the luxuries they desire. But she was also in a perfect spot to learn the confidential plans of the regime. It became evident to her that the press was strictly censored—that political enemies were jailed or murdered without reason. Communist leaders were taking over the army; the clergy was being expelled and imprisoned. The schools had become instruments for spreading government propaganda. Miss Castro could not reconcile what she saw to be the truth with her brother's promises and reassurances to the people. Therefore, she decided to share her first-hand knowledge of the situation in Cuba with the rest of the world.

We on the subcommittee questioned Miss Castro in some detail about actual conditions in Cuba. Chairman WILLIS was careful to point out that we were not inquiring about the living conditions and the standard of living in Cuba to focus an unfavorable light on the island. Our purpose in having Miss Castro speak to the committee was to put on public record reliable information refuting the propaganda spread by the Cuban Government and by the American students who had visited there since the revolution. I certainly must agree with our chairman who closed the hearing by saying that Miss Castro has done more than anyone we know toward penetrating the propaganda image projected by Cuba.

If the Communist campaign against freedom were limited to a propaganda effort, we as a Democratic nation might have to concede that freedom of speech must be allowed. But there is a great difference in freedom to utter diverse opinions, and genuine subversive activity. Webster's dictionary defines the verb "to subvert" as meaning "to overthrow or destroy, to undermine or corrupt." The Communists have pledged themselves to subvert the free processes of our Government. Now even in a democracy, you have to draw the line somewhere. If the Communists were allowed to plot against us without any check on them at all, pretty soon we would wake up to find that we no longer had the freedom we so cherish. The subversive activities of the Communists should be a primary concern of the American people, and we on the committee consider it our main duty and responsibility to keep the public informed by focusing attention on Communist activities endangering the welfare of our Nation.

Some of the testimony which I have had the opportunity to hear is really astonishing in revealing how well the Communist Party is entrenched in our Nation. The labor movement seems to be particularly fertile ground for their activities. The turbulent hearings in Buffalo, N.Y. * * * and I presided over these hearings * * * established beyond doubt the favorite method of Communist infiltration into the American labor force. What they do is this: * * * Well-educated, highly intelligent persons are selected from Communist ranks. They apply for jobs as industrial workers without revealing the extent of their educational background. In other words, they falsify their application blanks and pose as ordinary blue collar workers. These persons are known as "colonizers," and this position is considered to be of highest merit and honor among Communists. You have all some acquaintance with the experiences of Herbert Philbrick through the television program, "I Led Three Lives." This is his definition of a "colonizer": "The party colonizer is a devoted member who can be assigned party tasks in an important plant; or, if not already strategically placed, he will willingly give up his job in a nonessential industry or profession and move into one of the decisive industries. The colonizer will be elevated to a position of highest honor in the ranks of the Communist Party."

The Communists select their targets for organizational activities from the industries most vital to the American economy—the metal industries, for example. The Buffalo and Chicago areas have been vulnerable as the hearings held in these cities have proven, because of the extensive industrial development there. A worker may have difficulty determining whether the organization he is urged to join is a bona fide union representing the interests of his trade, or whether it is a vehicle of the Communist Party.

The civil rights issue is another weapon taken up by the Communist fanatics. Miss Lola Bell Holmes, a devoted civil rights worker, herself a Negro, worked in cooperation with the FBI for some time. It is Miss Holmes' experience that the Communists care nothing for the principles behind civil rights movements. They take up the cause because it draws to them the attention of innumerable minority groups, who are eagerly seeking what they consider a necessary reform.

I don't want to give you the idea that the Communist infiltration is limited to blue-collar workers and intellectuals who take up the banner of Communist philosophy. The headway that has been made among certain professional persons is fantastic. These people are generally grouped into special cells. For ultimate protection, the rank and file Communists often do not even know the true identity of these persons. Moreover, they work as individuals rather than in groups. And it is amazing where these persons turn up.

Testimony was given in Chicago that the Illinois Communists have infiltrated high professional positions. Communists are even being financed by you, the taxpayers. Federal moneys are financing jobs which are being filled by known Communists.

There are those who say that communism presents no problem, and no danger, to the United States. I believe the facts which have been presented to the Committee on Un-American Activities prove to the contrary. I am not saying that the only threat to American peace and security is posed by Communist activities. There are un-American actions stemming from a variety of philosophies going on every day. But the strength of the Communists is in their exclusiveness—in the tightknit nature of their organization. This is what makes them so formidable. They are professional and cold-blooded in their techniques, and our traditions of freedom and liberty often work to their advantage. All the more reason that we must not let down our guard for a minute if we are to preserve the American heritage of which we are so proud. The job of the House Committee on Un-American Activities is to combat threats to American peace and security. The committee is plagued by enemies on both sides—the vicious and calculating Communist organization on the one side and on the other side, misguided idealists who find communism acceptable, progressive, or even fashionable in some circles. We refuse to be intimidated by unfavorable press reports or subtle threats. We are determined to withstand the onslaught of the Communist campaign—through increased legislative and investigative activity.

We will need the support of Americans everywhere, and I hope that we will continue to have this support. This is not just the committee's fight. It is the fight of everyone who loves America.

PRESIDENT JOHNSON'S REQUEST TO INCREASE BREAD TAX SHOULD BE DEFEATED

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it is appalling to see the quiet maneuvering which is going on here to perpetrate a tax hike on the American consumer. With all of the public utterances about the cut in excise taxes, little is said to explain the details of the administration's proposal which would increase the price of bread and other products. You will recall that a bread tax was imposed as a part of the farm bill which was rammed down the throats of the farmer last year. A majority had opposed the wheat program in the May 1963 referendum but the administration succeeded in getting through Congress a program which in many respects was even worse than the one which was vetoed by farmers.

Millers and bakers will now be faced with an increase in what is officially called a processors' tax from 75 cents to $1.25 a bushel and this in turn would raise bread prices by as much as 2 or 3 cents a loaf. Pastries, macaroni and other wheat derivative items would also reflect this increased levy on food staples. Coming at a time where we are eliminating many excise taxes on luxuries, it must be a source of wonderment to the average housewife and consumer and make them a little suspect. This new tax would hit the poor and those living on a fixed income with a real vengeance.

This proposal is one of the cruelest forms of taxation. The President makes much out of the affect on the economy of the excise tax cut. I supported this cut and oppose all hidden, unnecessary taxes which are regressive on the consumer. This bread tax is far worse than any of the taxes we voted to repeal and will add from $300 to $400 million to the grocery bills of American consumers. Not only will this have a further inflationary effect but it will be damaging to the farmer. Food prices will go up by Government fiat with no benefit to the farmer, already apparently on the outside of the Great Society's protective cover.

At the same time this tax is to be hiked, a new processing tax on rice is proposed which would hike retail prices by as much as 5 cents a pound. I certainly hope that this rubberstamp Congress will rise in support of those of us who will oppose this insidious tax. It surely is unfair, unnecessary, and without logic.

Mr. Speaker, the Zanesville Times-Recorder ran an excellent editorial in its June 25, 1965, edition which I include at this point:

WHEAT TAX: CONSUMER GOUGE

> Two cents is a paltry sum.
>
> But it adds up to $400 million annually for the American consumer.
>
> We are referring to the proposed 10-percent bread tax now pending in Congress.
>
> The plan has been developed for the purported purpose of reducing the costs of the national wheat subsidy program.
>
> Actually, it is a gimmick designed to show a reduction in the Federal budget.
>
> Millers and bakers would pay a processors' tax of from 75 cents to $1.25 a bushel. This in turn would raise the price of bread from 2 to 3 cents a loaf as well as bring an increase in the cost of pastries, macaroni, and other foods made from wheat.
>
> In other words, the consumer will pick up the tab.
>
> Secretary of Agriculture Freeman claims the bill is aimed at boosting the income of wheat farmers, yet the bulk of the benefits would go to the big wheat farmer. The top 15 percent of all wheat growers—already the most heavily subsidized—would collect 75 percent of the increased payments. The other wheat farmers, 85 percent, would average about $25 each in increased income.
>
> Ironically, under Freeman's proposal, the U.S. wheat farmer would get the full proposed $2.50 per bushel only on the wheat sold in the United States. He receives only $1.25 for wheat sold abroad. In reality, the U.S. consumer would be forced to subsidize foreign wheat exports.
>
> The biggest fallacy: low-income groups would be hit the hardest—including those covered under the antipoverty program.
>
> Finally, major farm organizations are opposed to the current bill. It is very similar to a plan defeated by the Nation's wheat farmers at a national referendum just 2 years ago.
>
> The wheat tax proposal should be defeated.
>
> It is simply a means of glossing over the Nation's agricultural program at the expense of American breadwinners.

ANNIVERSARY OF FIRST RELIGIOUS TOLERANCE LEGISLATION IN TRANSYLVANIA—JUNE 1557

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CRAMER. Mr. Speaker, 408 years ago in a small principality that still was regarded as part of the Hungarian Kingdom, the Diet asked the Mother Queen reigning in the name of her minor son to establish freedom of conscience and to create religious toleration. Their bill was signed into law by Queen Isabella and thus Transylvania became the first state in Europe to practice religious freedom in Europe in 1557 just 36 years after the Diet of Worms added state power to the papal excommunication against Luther and his followers.

In doing the Diet of Torda, Transylvania, preceded by long decades the other states of Europe in realizing that religious conviction should be left to be decided by individuals and that peoples of different faiths can live together and work for the common good of the state and nation.

The Pentecost Meeting of the Diet in 1557 was attended by the three historical "nations" of Transylvania, the Magyars, at that the most numerous nationality, their eastern cousins the Szekelys, who were ethnically and linguistically also Magyar and the German Saxons. The Rumanians, at that time a minority were not represented as a group.

The Act of Religious Toleration of 1557 was amended by later Diets and by 1571 a full code was established regarding religious freedom which was retained in Transylvania and after 1691 in Hungarian law until 1948. It is worthwhile to quote the language of the 1557 and 1571 acts:

> The act of 1557: Each person may hold whatever religious faith he wishes, with old or new rites, while we at the same time leave it to their judgment to do as they please in the matter of their faith, just so long, however, as they bring no harm to bear on anyone at all, lest the followers of a new faith be a source of irritation to the old profession of faith or become in some way injurious to its followers.
>
> The act of 1571: Our Lord Jesus Christ orders us to seek first the Kingdom of God and its righteousness, therefore, it was resolved in the matter of preaching and hearing the word of God, that—as Your Highness with the Diet has resolved in the past—the word of God shall be preached freely everywhere; no one shall be harmed for any creed, neither preachers nor listeners; if, however, any minister would go to criminal extremes, the Superintendent shall be permitted to judge and suspend him.

The action of the Transylvanian Diet was a sign of wisdom and belief in individual rights at a time when neither were very frequent and present in Europe. As the descendants of people who fled Europe mainly in the search of religious and political freedom, we Americans have a soft spot in our hearts for the courageous people in Europe who tried to establish religious freedom and tolerance in their own countries.

Whatever happened to these courageous and wise people of Transylvania? Today Transylvania as part of Rumania—since 1947—bears the oppressive burden of Communist domination. Gone are religious freedoms. In 1948 the Greek rite Catholic church was physically forced to reunite with the Greek Orthodox Church. There are a few Protestant bishops, but some of their ministers, especially those of Hungarian origin, still linger in jails. Only one Catholic see is filled and even there the bishop cannot without undue restrictions exercise his ecclesiastical functions, and there is only freedom of atheistic propaganda while as one Hungarian from Transylvania put it in his letter: going to church is a sin against the Government.

Not only religious liberty is absent. Political and economic freedoms are absent as well. Besides the general oppression, since 1957 the Hungarians, the drafters of the acts of 1557 and 1571, are particularly singled out for persecution by the Rumanian Communist Government. On March 24, 1965, I spoke on this subject, joining my colleagues on the floor of the House and introduced a resolution to the effect of condemning the discriminatory practices of the Communist Rumanian Government against the 1.75 million Hungarian minority in Transylvania.

I am hopeful the Subcommittee on Europe will favorably report out the resolution so that the entire House membership will be given an opportunity to express themselves on this important subject.

AN OKLAHOMA WELCOME TO AMERICA'S NEW RECREATIONAL HEARTLAND

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the

House, the gentleman from Oklahoma [Mr. Edmondson] is recognized for 10 minutes.

Mr. EDMONDSON. Mr. Speaker, America's newest and finest recreational wonderland is located today in Oklahoma, and nowhere in the country will the traveler find a warmer welcome.

Nearly 6 years ago, on September 11, 1959, I addressed an invitation to my colleagues in the House of Representatives urging all who were interested in a wonderful vacation to "go west to Oklahoma."

In that speech I called attention to the statement of the then Chief of Army Engineers, Maj. Gen. Emerson Itschner, that Oklahoma "among all of the States has taken the No. 1 spot in developing reservoirs for recreational use."

The 1959 invitation called special attention to our State's outstanding park system, which at that time was drawing more visitors than State parks in such noted vacation areas as Colorado, Florida, Minnesota, and Wisconsin.

Today, Oklahoma's outdoor recreation opportunities are many times greater than in 1959, thanks to continued lake development and a series of splendid new parks and lodges.

Within the past 2 weeks, formal dedication ceremonies have been held at Fountainhead and Arrowhead, beautiful new lodges on scenic Lake Eufaula which are designed and equipped to compete successfully with the finest vacation accommodations at Miami Beach, Palm Springs, or Acapulco.

Last year, another dedication ceremony marked the opening of Shangri-La, another handsome new recreational complex on Grand Lake, also designed to place Oklahoma in the big leagues in tourist drawing power.

Western Hills Lodge, on picturesque Fort Gibson Reservoir, has added outstanding convention facilities since my 1959 speech and draws additional thousands each year from all over the country.

New parks, lodges, motels, and marinas are being added at a rapid pace at Keystone Reservoir, Grand Lake, Oologah, Tenkiller, Eufaula, and other water areas, combining to provide unparalleled outdoor recreational opportunity and tourist comfort for additional millions of Americans.

With nearly 50 million people within a 500-mile radius of its center, Oklahoma stands ready to supply better bargains in outdoor recreation to more people than any State in the Union.

These recreational opportunities are by no means confined to a few major lakes, however.

In every part of the State of Oklahoma there are colorful attractions and tourist delights to charm the most sophisticated traveler.

Nowhere in Oklahoma is this more true than in the 16 counties which comprise the Second Congressional District, in the northeastern section of the Sooner State.

The purpose of these remarks is to call to the attention of my colleagues, and to the attention of travelers everywhere, a few of the many delights and attractions to be found in each of these 16 counties.

By calling attention also to the principal U.S. highways serving each county, I hope these remarks will help to make abundantly clear the many fine approaches which are available to some of the Nation's most interesting and delightful vacation areas.

ADAIR

Adair County, bordering the State of Arkansas on its eastern side, can be entered from the east or west on U.S. Highway 62, and from the north or south on U.S. 59. Feature attractions include beautiful Lake Frances, the well-managed Cookson Hills Wildlife Refuge, and some of the Southwest's finest clear water streams. Tours are available through the uniquely beautiful dogwood country in the Cookson Hills, where the traveler finds forests of dogwood in full bloom in an area swarming with whitetail deer, bobwhite quail, gray and red foxes and a multitude of songbirds. Many picturesque and colorful Indian customs can still be observed in this early home of the Cherokees, and thousands gather for Stilwell's annual Strawberry Festival as the strawberry crop is gathered. In July, Cherokee stomp dances are traditional, and nowhere will the student of Indian lore find richer treasure than Adair County.

CHEROKEE

Cherokee County, where the powerful tribe's capitol still stands in Tahlequah, is situated in the rolling and often rocky hills to the west of Adair County.

Its many historic sites are easily accessible by U.S. Highway 62. Here the Cherokee constitution was drawn nearly a century and a half ago, providing law and order for the tribe for generations before Oklahoma statehood. The sparkling Illinois River, ideal for float trips, fishing, and campouts, is a major outdoor attraction. The stately old Murrell home and the columns of the old Cherokee Seminary, at Park Hill, are enduring landmarks of early culture. Today the tree-shaded campus of Northeastern State College continues and enriches that culture. The boating enthusiast will enjoy beautiful Lake Tenkiller, which drew more than 40,000 people during the first week of June in 1965, to find not only fine fishing but every water sport in the book.

CRAIG

Centrally located between Oologah Reservoir and Grand Lake, Craig County is a highly productive agricultural area noted for its fine ranches, cattle, quarterhorses, and thoroughbreds. U.S. Highways 66, 69, 60, and 59 run through the county, along with the Will Rogers Turnpike—Interstate 44. The turnpike's remarkable Glass House Restaurant, forming an arch over the four-lane highway, is a feature millions of motorists have admired and enjoyed. The annual RCA Will Rogers Memorial Rodeo held in Vinita in August is one of the largest and finest rodeos in the Nation. The county is justly famous for good fishing, its White Oak Indian ceremonies held each year, and some of the finest eating places in the Southwest.

DELAWARE

Delaware County, on U.S. 59 and within easy reach of U.S. 69, 60, 66 and the Will Rogers Turnpike, is loaded with water recreational resources like Grand Lake, Upper Spavinaw, and Lake Eucha. All lakes feature excellent tourist accommodations, with Shangri-La one of the State's newest and finest resort hotels. Abundant deer, fox, geese, and ducks, coupled with splendid lake and stream fishing, insure a good time for sportsmen and information is readily available in both Grove and Jay. This, too, is Indian country, with many historical attractions of interest to the student of Indian lore. The home of the Confederate Indian General Stand Watie, his family burial plot, the Stand Watie Monument, and the final resting places of General Watie and Major Ridge are among the major historical attractions in Delaware County.

HASKELL

Haskell County, home of the majestic Eufaula Dam dedicated by President Johnson in 1964, is situated in the hilly San Bois Mountains south of the South Canadian. State Highway 9 connects east of the county with U.S. Highway 59, proceeding across the county west through Keota, Stigler, Whitfield, and Enterprise. The many attractions of Lake Eufaula—featuring Arrowhead State Park and picturesque Arrowhead to the south and Fountainhead State Park and Fountainhead itself to the north—are both within easy driving distance of all points in Haskell County. Lake McCurtain is also an attraction, with a fine park offering good fishing and swimming. The Belle Starr Cave country, noted for its attractive bluffs, is an added scenic attraction.

MAYES

Mayes County, typical of northeastern Oklahoma with its gently rolling farmlands and excellent ranches, contains the Pensacola Dam area of the Grand Lake of the Cherokees, the glistening new Markham Ferry—Robert S. Kerr—Dam containing Lake Hudson, and the upper waters of Fort Gibson Reservoir. U.S. Highway 69 makes its way through the county running north and south and bisects Pryor, the county seat, and Adair and Chouteau. Mayes County has the first permanent settlement in Oklahoma, and both Chouteau and Salina are rich in history. The Statewide Historical Day ceremonies in Salina in October are a colorful occasion drawing thousands. General Stand Watie's greatest Civil War success came in this area, and is appropriately marked. The adventurous will enjoy Black Hollow Cave on Lake Spavinaw, with passages miles in length reached only by boat, and special guided boat trips for travelers.

M'INTOSH

McIntosh County, with both Eufaula and Checotah on U.S. Highway 69, contains a major part of Oklahoma's newest water spectacular, gigantic Lake Eufaula. Both U.S. 69 and U.S. 266 provide easy access to this inland sea, and a completed Interstate 40 will soon cross it running east and west. The magnificent Fountainhead, jewel of Fountainhead

State Park, offers every tourist comfort and has already hosted major conventions. Water sport fans will find nothing lacking in the area, and students of history will relish a visit to Honey Springs Battlefield, scene of a major Union victory in Indian territory during the Civil War. The famous Creek Indian poet, Alexander Posey, made his home in McIntosh County, and the area is rich in Indian history and legend.

MUSKOGEE

Easily reached by U.S. Highways 69, 64, 62, and 266—with Interstate 40 to cross in the south—Muskogee County is the home of the old Five Civilized Tribes Agency and a major port on the coming Arkansas River navigation system. Greenleaf State Park, near Braggs and southeast of Muskogee, is one of the State's most beautiful and a genuine fisherman's delight, where water skiing is banned and fishermen preferred. Historical features in the county include one of the Nation's largest and finest reconstructed western forts at Fort Gibson and the Five Civilized Tribes Museum in the old Union agency at Muskogee. Muskogee's stately Bacone College and Conners State College at Warner both feature handsome campus grounds and outstanding Indian art collections. Fort Gibson Reservoir is close by to the north, and a major new reservoir at Webbers Falls is under construction.

NOWATA

Nowata County reached from north and south by U.S. 169 and from east and west by U.S. 60, features scenic terrain with limestone bluffs, forested hills, and clear streams. The tourist in Nowata County can taste the flavor of the old west at Lenapah's RCA Fred Lowry Memorial Rodeo and can find abundant evidence of Cherokee and Delaware Indian culture. The county's 100-mile horse race is one of Oklahoma's unique attractions. A major outdoor feature is Oologah Reservoir, with boating, fishing, water skiing, and all other water sports. U.S. Highway 169 provides a beautiful route along the western shoreline of the entire reservoir, passing through the Will Rogers Recreation area. Fine ranches and excellent cattle are also Nowata County trademarks.

OKMULGEE

Centrally located in eastern Oklahoma is Okmulgee County, with the traditional capitol of the Creek Nation at Okmulgee. U.S. Highways 62, 75, 169, and 266 provide access, and Interstate 40 will soon cross the southern section by Henryetta and Dewar. The old Creek Council House in Okmulgee is a tourist must, with its House of Warriors and House of Kings still in use for Creek tribal business. Okmulgee is also justly proud of Oklahoma State Tech, one of the Nation's leading residential vocational training schools. Water sports of all kinds are close at hand at Lake Okmulgee and on far-reaching Lake Eufaula, which will one day provide a navigation channel into the county.

OSAGE

Osage County, Oklahoma's largest county and home of the Osage Indians, is a scenic grassland area with a wide range of attractions for visitors. The traveler on U.S. Highway 60 will pass the main entrance of beautiful Osage Hills State Park and within a few blocks of the Osage Indian Council House in Pawhuska. A side trip of only 10 miles will reach fabulous Woolaroc Museum, with over 55,000 eye-filling exhibits, called by many the best of its kind in the Nation. From its wild animals to its Indian artifacts and art, Woolaroc is another Oklahoma must for tourists. Outdoor recreation is featured at Keystone Reservoir and Lakes Hulah and Bluestem, all with excellent boating, fishing, and tourist accommodations. Spectacular oilfields and the million dollar elm tree on Osage Agency grounds, where a single oil lease sold for over $1 million, are other tourist attractions.

OTTAWA

Ottawa County, bordering Kansas on the north and Missouri on the east, is bisected by the Will Rogers Turnpike—Interstate 44—and can also be entered via U.S. 69, 66, and 60. The county seat of Miami is the home of fast-growing, colorful Northeastern A. & M. College, whose bowl champion football teams and pep squads have won national acclaim. Containing the upper end of spectacular Grand Lake, or Lake O' the Cherokees, the area provides picturesque river and lake boating and fishing opportunities. The cultural heritage of more than a dozen Indian tribes who made their homes there, plus many fine hotels, motels, and lodges for tourists, make Ottawa County highly attractive as a vacation spot. The Seneca Indian School and Buffalo Ranch near Afton are among the area's genuine tourist attractions.

ROGERS

Rogers County, birthplace of Will Rogers and home of Oologah Dam and Reservoir, is crossed by U.S. 66, U.S. 169 and the Will Rogers Turnpike—I–44. The J. M. Davis gun collection in Claremore, with more than 30,000 guns, is a national drawing card for thousands. Picturesque Oklahoma Military Academy and the impressive Will Rogers Memorial are also located in Claremore, with Jo Davidson's famous statue of the Oklahoma humorist a memorial feature. The world's largest totem pole is in Rogers County, along with an unusual violin collection. World-renowned cowboys ride each year at the Claremore rodeo and provide outstanding entertainment. The port of Catoosa, head of navigation on the Arkansas River, is also located in Rogers County, near Tulsa.

SEQUOYAH

Sequoyah County, named for the famed Cherokee scholar and teacher, is bordered on the east by Arkansas and on the south by the Arkansas River. U.S. Highways 59 and 64 and newly opened Interstate 40 near Fort Smith make it easily accessible. The home of Sequoyah, erected in 1830, and other historical treasures of the Cherokees offer much to the traveler with an eye for history.

Beautiful Tenkiller State Park, located on the lower reaches of Tenkiller Ferry Reservoir, provides excellent tourist facilities and access to one of the clearest, most sparkling lakes in the country. The northern section of the county is noted for the scenic Cookson Hills area of the Ozark Mountains, one of the Nation's beauty spots. The Arkansas River itself, soon to bring navigation to the county, is also a major feature.

WAGONER

Wagoner County contains a major part of the beautiful Fort Gibson Reservoir, known as Lake Wagoner to many Oklahomans. U.S. Highway 69 and U.S. 64 cross the county. On a beautiful peninsula extending into Fort Gibson Reservoir is Sequoyah State Park, one of the Nation's finest vacation spots, featuring handsome and modern Western Hills Lodge. A fine golf course, lighted landing strip and swimming beach are among Sequoyah State Park's many attractions.

Many other fine fishing and boating concessions are located on Fort Gibson Reservoir, helping to account for nearly 50,000 visitors in the first week of June 1965. Wagoner County was the site of Sam Houston's trading post and home, "Wigwam Neosho," in the 1830's. Information on the lake and historical points is available at Coweta, Wagoner, and Okay.

WASHINGTON

Washington County, crossed by U.S. Highway 75 and U.S. 60, is the home of Oklahoma's first commercial oil well and is a major oil center in its own right. Here are located several of the Nation's leading oil companies, and the handsome new Phillips Building in Bartlesville is a highlight on a modern skyline which also features the Frank Lloyd Wright-designed Price Tower. With both Hulah Lake and Oologah Reservoir nearby, the county is well supplied with water sport opportunities. The international micro-midget speed races are a sporting attraction, and the county's fine ranchland proudly exhibits one of the country's outstanding watershed development projects. Sooner Park, in Bartlesville, is an outdoor feature of this 1963 All-America City.

THE 16 COUNTIES

Summing up the 16-county picture, there are hundreds of other attractions in northeastern Oklahoma which time has not permitted listing. Home of most of the five civilized tribes and of scores of other Indian nations, it is an area unbelievably rich in the history and culture of our first Americans. It is also an area blessed with clear and beautiful streams, pleasantly rolling hills, and some of the Nation's newest and most picturesque lakes—most of them man made.

Oklahomans have added to these attractions some of our country's finest facilities to make their neighbors comfortable and happy during their vacations. We hope you will soon give us the chance to welcome you to Oklahoma.

POLICE AND "CIVIL DISOBEDIENCE"

The SPEAKER pro tempore (Mr. MILLS in the chair). Under a previous order of the House, the gentleman from

Mississippi [Mr. WILLIAMS] is recognized for 20 minutes.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, during the current wave of so-called civil disobedience being generated by professional troublemakers in the city of Jackson, Miss., the usual stories of alleged police brutality are being heralded throughout the country by the various news mediums.

Last week, at the ad hoc committee meeting organized by Representative RYAN, of New York, a number of agitators recited some carefully rehearsed fictions charging numerous atrocities to the Jackson, Miss., Police Department.

One woman, Maggie Lee Gordon, who admits to being a paid professional agitator, made charges of police brutality against her, claiming to have been beaten. In checking this alleged incident out with authorities in Jackson, lo and behold, I found that instead of being beaten, Maggie, a giant of a woman, had started a fight by deliberately kicking a policeman in the stomach and had inflicted such injuries on him as to put him in the hospital. It took four policemen to subdue her, but the press did not tell that side of the story. Insofar as the rest of the country knows, Maggie is a pitiful helpless martyr to the cause of civil rights.

Mr. Speaker, the city of Jackson, Miss., boasts a police department which is second to none in the United States. These men are well trained, and indoctrinated against the use of force except in instances where force becomes necessary in order to protect themselves and to preserve the peace and order of the community and the public. In the cases at Jackson, no charges of use of excessive force have been made except by the professionals whose business is defamation of police authority everywhere. The Jackson demonstrations were fully covered by the press, and not even one of the many northern reporters present could—or did—report having witnessed any of these cases of so-called brutality.

Mr. Speaker, the fact is that the current wave of lawless demonstrations in Jackson is utterly senseless. The so-called Freedom Democratic Party, composed mainly of out-of-State agitating groups making up the Council of Federated Organizations, through these demonstrations tried to instigate riots in protest against the meeting of the State legislature called to relax our present voter requirements. Our people wonder why the picketing and demonstrations, when the legislature is meeting for the very purpose of doing what these same people have claimed they wanted for a decade: a relaxing of voter qualifications. Could it be that these people, heavily infiltrated with Red sympathizers and, perhaps, even, Communists, are more interested in creating dissension and strife than in accomplishing their stated aims? Indeed, it would seem so.

These people were warned in advance of trying to parade without a permit, and were told they would have to abide by the law just as everyone else is expected to do. Instead, they showed their contempt for law by refraining, even, from seeking a permit to parade. What could they expect but arrest, when they deliberately flouted the law and dared the duly constituted authorities to enforce the law? Certainly, they have no license to tie up city traffic, disturb the peace, and disrupt the orderly transaction of business in a busy city for no purpose than to stir up trouble.

Mr. Speaker, instead of making reckless charges against Jackson's Mayor Allen Thompson and his fine and dedicated police force for upholding law and order, they should be praised highly for the remarkable restraint exercised in handling a most difficult and explosive situation. I have seen these demonstrations, and I am always amazed by the splendid manner in which these policemen conduct themselves in the face of insults, assaults, and the like provocations that are constantly being hurled at them. It is not remarkable that isolated incidents of violence may have occurred over a long period of constant provocation by these agitators: what is remarkable—and certainly a tribute to Jacksonians and Mississippians—is that wholesale violence did not occur.

Last week, following wide publication of these unsupported and fictitious allegations of police brutality in Jackson, Mayor Thompson wired President Johnson an invitation to send a personal representative to Jackson as an observer to see for himself whether these stories were, in fact, true. More than that, the FBI has maintained constant surveillance of the situation, and thus far no Jackson police officer has been charged with any wrongdoing, or with violating anyone's civil rights while acting under color of law or otherwise.

Mr. Speaker, we in Mississippi are wearying of these constant propaganda harassments being conducted against our people. Sooner or later, we hope to be able to penetrate the paper curtain thrown up against us and get the truth to the world. Until that happens, Mr. Speaker, we will just do the best we can, but we also serve notice to these agitators and everyone else concerned that we do not intend to permit our laws to be flouted, our people run over by crusading card carrying invaders, our peace disturbed, nor our spirits broken.

Mr. Speaker, the police in Jackson, Mississippi, are doing nothing more than discharging their duty to enforce the laws and preserve the peace of the community, the same as the police in Chicago, Philadelphia, New York, and Washington have had to do in recent months when confronted with the same situations.

Mayor Thompson and the police of Jackson do not want their city turned into a lawless jungle. They are simply attempting to perpetuate a climate of lawfulness. They do not want criminals running rampant in the streets as they do in some cities. As a part of my remarks, I include an Associated Press story from New York City relating to an incident on a subway train Friday night, June 25. I also include an article by UPI from New York dated June 28 relative to the senseless killing by a roving gang in the Bronx.

MAN STABBED BY TRIO WHILE HELPING COUPLE

NEW YORK.—A passenger who tried to intervene in a fight on a subway train was stabbed Friday night. Police took three Negroes into custody, and said the brawl began when they shouted insults at a white woman.

The woman's husband, Thomas Oliver, 34, came to her defense, police said, and began fighting with the three.

A passenger, identified as Joseph Juhasz, 42, of Manhattan, was stabbed when he tried to help Oliver, police said. Juhasz was reported in fair condition with a stab wound in the right side. Oliver has face injuries. Police withheld the address of the couple, and the wife's name.

The three suspects were identified as Lloyd McQuillan, 17; Lorenzo Knox, 16, both of Brooklyn; and Sylvester McRae, 26, of Manhattan. The fight took place in a Lexington Avenue subway car beneath Grand Central Terminal.

Oliver told police he and his wife boarded the train at 59th Street and had to endure the rude remarks throughout the 17-block ride. The brawl began, Oliver said, when he and his wife got up to leave the train and one of the three yelled a final remark.

He told police the trio fled when trainmen used the trains distress whistle and public address system to summon police; the three suspects were caught on the mezzanine level of the station after a short chase.

Police said all three fought their pursuers before being taken in for questioning.

TOUGHS KILL BOY DEFENDING DAD

NEW YORK, June 28.—Police today hunted for members of a roving gang of Negro toughs who taunted a father and son, then knifed the son to death. Detectives fanned out in the Bathgate section of the Bronx, searching for the killer of Ivan Terach, 16.

Stabbed in the throat and bleeding badly, he died en route to a hospital moments after the attack by 8 or 10 young hoodlums described by police as a "pack of mad dogs."

Police reconstructed the crime this way:

About 11:45 p.m., Max Terach, 55, a house painter, and Ivan were approached by the gang outside the Sugar Bowl, a candy shop near their home. One of the gang demanded a dime from the elder Mr. Terach. He sent his son into the store and refused to hand over the money. He was struck on the head. Ivan ran out of the store to help his father, but one of the young toughs pulled a knife and plunged it into Ivan's jugular vein. The gang then scattered.

Mr. Speaker, these kinds of crimes just do not occur in the State of Mississippi, although they appear to be more or less commonplace in the areas whose Representatives are most critical of conditions in Mississippi. I would think that these Representatives might do well to take a look at crimes within their own jurisdictions before they presume to dictate to us how we shall conduct our own affairs.

As I said a moment ago, Mr. Speaker, constant provocations are being thrown at the Jackson policemen, apparently in the hope of precipitating violence. One of many examples of this kind of activity was reported in an Associated Press item which appeared in the Vicksburg Evening Post on June 25, 1965, which I include as part of my remarks:

Jackson Police Taunted

> Jackson, Miss.—Integration leaders mapping plans for continued demonstrations here swarmed around a police car carrying two Negro officers today, taunting them with acts of mock brutality.
>
> The demonstrators were meeting at the Morning Star Baptist Church when two Negro policemen assigned to the area were forced to radio for superior officers.
>
> The demonstrators pantomimed acts of alleged brutality, clubbings, and beatings, and jeered at the officers. Deputy Chief J. L. Ray arrived and arrested one demonstrator for using abusive language.
>
> The leaders had been meeting at the church to plan more demonstrations against alleged police brutality and a special legislative session. Ray ordered the demonstrators to move back into the church, where the group then reconvened and continued the taunting.
>
> The demonstrators barred newsmen from the church.
>
> The civil rights drive here has shifted emphasis over the past few days, focusing on the city's jail compound at the fairgrounds, where most civil rights prisoners are kept.
>
> The special legislative session on Mississippi voting laws was still a target—but the legislators were in weekend recess, having put off a crucial vote on voter registration reform.

I repeat, the people of Jackson are determined that their city will not become a jungle where decent law-abiding citizens are unable to ride public conveyances or walk the streets in daylight or darkness without being attacked, stabbed, and killed.

Because of the success of the constant propaganda barrage thrown at our State, many unsuspecting people throughout the country picture the State of Mississippi as a lawless society in which lives are cheap and murder runs rampant. The fact is, Mr. Speaker, that the Department of Justice's own crime statistics prove that Mississippi is actually the most law-abiding State in the Union. Our per capita crime rate is the lowest in the entire country, and is a fact in which all Mississippians, white and Negro, take justifiable pride.

We in Mississippi have long since grown accustomed to being the target of leftwing abuse. In spite of the unfounded and wholly frivolous charges that have been made, and undoubtedly will be made, against police and other officials of the city of Jackson, I can assure the House that law and order will be maintained there. Organized mobs will not be permitted to obstruct the proper enforcement of laws nor will they be permitted to disrupt the peace of the community.

Anarchy will not take over Mississippi.

IS THE BUREAU OF RECLAMATION GUILTY OF ILLEGAL ACTIVITIES?—ACT II

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. Saylor] is recognized for 30 minutes.

Mr. SAYLOR. Mr. Speaker, on June 7 I called to the attention of the House a surprising activity of the Bureau of Reclamation in publishing a booklet entitled, "Lake Powell—Jewel of the Colorado." At that time, I promised to keep the House informed of further actions taken by the Department of Justice and the Comptroller General on my request to look into this matter from the point of view of whether provisions of 18 U.S.C. 1913 had been violated. The purpose of this statement is to fulfill that promise in part.

However, before I do this, there is another brief matter which must be disposed of concerning several questionable remarks made by the junior Senator from Utah [Mr. Moss] on the floor of the other body last Thursday—June 24—about the Representative of the 22d Congressional District of Pennsylvania.

The junior Senator said he read "with considerable astonishment" my statement of June 7. At least I am gratified he took the time to read my remarks. It is too bad that he did not take time to read his own. I cannot understand how any thoughtful and considerate legislator could read my questioning statement and come to the conclusion he did. It is true I expressed considerable concern about this activity of the Bureau of Reclamation and asked the appropriate governmental agencies with the responsibility to investigate possible violations of the law to look into the problem.

The junior Senator questioned my consistency and motives when he made an innuendo such as:

> In view of the strong language Representative Saylor used on June 7 in criticizing the Lake Powell booklet and its publication by a bureau of the Department of the Interior, I did a double take when, some 5 days later, on June 12, I was handed a very attractive and artistic booklet on the proposal to establish Tocks Island National Recreation Area in Representative Saylor's State of Pennsylvania and the neighboring State of New Jersey.

The junior Senator should have had more than a double take; he should have also had some second thoughts before he attempted to associate me with that Tocks Island booklet. In fact, the junior Senator's remarks revealed an unfortunate lack of knowledge on the booklet or on the basic issue involved in my inquiry concerning the Bureau of Reclamation's publication of Lake Powell. He said:

> The Tocks Island booklet was likewise published by one of the bureaus of the Department of the Interior.

This is just not a statement of fact.

The question of the Tocks Island booklet and its comparability to the Lake Powell booklet was previously called to by attention in a joking way by my very good friend from Arizona—Representative John Rhodes. The distinguished gentleman from Arizona, however, questioned the booklet in a letter to me dated June 18 rather than showing his lack of information by spreading it on the pages of the Congressional Record.

I wrote a reply to my good friend on June 22—2 full days before the junior Senator from Utah made his statement—clearly stating my position in unequivocal terms. I will make the same statement openly and for the record so that the junior Senator and all others may fully realize my position in this matter. I said:

> I assure you I am unalterably opposed to any Federal agency violating the criminal statutes of the United States by lobbying with appropriated funds, whether it is for a proposal I support or not.
>
> If the prohibitions of 18 U.S.C. 1913 are to have any real meaning at all, then they must apply to all situations whether we, individually, like them or not.

Also in my reply to Representative Rhodes, I outlined the facts concerning the Tocks Island booklet as I had ascertained them. Since the junior Senator from Utah seems interested and perhaps others, I will insert the full text of my letter of June 22 at this point in my statement:

> Congress of the United States,
> House of Representatives,
> *Washington, D.C., June 22, 1965.*
>
> Hon. John J. Rhodes,
> *House of Representatives,*
> *Washington, D.C.*
>
> Dear Representative Rhodes: Thank you for your letter of June 18 wishing me good fortune in getting H.R. 89—to establish the Tocks Island National Recreation Area—enacted. You also asked whether I would approve the expenditure of public funds for the production of "Tocks Island National Recreation Area—A Proposal" more than I did "Lake Powell—Jewel of the Colorado." I am very gratified that other Members of Congress recognize the threat to our system of Government which extensive and expensive lobbying by Federal agencies can pose.
>
> I assure you I am unalterably opposed to any Federal agency violating the criminal statutes of the United States by lobbying with appropriated funds whether it is for a proposal I support or not. If the prohibitions of 18 U.S.C. 1913 are to have any real meaning at all, then they must apply to all situations whether we, individually, like them or not. If it can be reliably demonstrated that the Tocks Island booklet falls into the same category of blatant lobbying as the Lake Powell one does, then I would be opposed to the expenditure of public funds for its preparation, production, promotion, and distribution.
>
> However, my informal investigation of the Tocks Island booklet indicates the following facts:
>
> The booklet was prepared, at least in part, by the Department of the Interior in cooperation with other interested parties as a partial fulfillment of the requirement to report on H.R. 89 to the Interior and Insular Affairs Committees of the Congress.
>
> The booklet was not printed by the Government Printing Office at Government expense, as indicated by the presence of the union label on the back cover. However, the Interior Department gave its endorsement, as evidenced by the official imprinture of the Department on the back cover.
>
> The booklet was also financed by the Water Resources Association of the Deleware River Basin (a privately financed organization), and the city parks of Philadelphia. Most of the copies of the booklet were supplied to either the WRA/DRB or the city parks.
>
> The National Park Service also received some copies of the booklet presumably purchased with appropriated funds
>
> On the whole, the booklet seems to be designed to describe the Tocks Island proposal. It may, perhaps, indirectly encourage passage of the pending legislation.
>
> Given these facts, I am frankly uncertain whether appropriated funds, within the meaning of 18 U.S.C. 1913 were used to de-

fray part of the costs of the booklet; and, if so, whether the booklet is covered by the exemption in that statute. My personal opinion is, assuming appropriated funds were used, the Interior Department would have been well advised to use the approach it followed in the booklets on the proposed Wild Rivers system. I am enclosing one of these booklets to show that it is possible for executive departments to publish a booklet describing a legislative proposal without lobbying with appropriated funds for its passage.

Since I already have one case pending before the Department of Justice and the General Accounting Office, I am hesitant to refer the Tocks Island booklet to them for investigation. However, you may wish to consider pursuing this matter with them yourself. I hope you will continue to be alert to other examples of Federal agencies violating the criminal code of the United States and call to my attention all material which appears to be in violation of this important statute.

Sincerely,

John P. Saylor,
Member of Congress.

The junior Senator also said:

I have no objection, as Representative Saylor does, if the publications of the Department of the Interior explain the merits of an area before it is established, or after it is ready for visitors.

Surely, this cannot—it must not—mean that the junior Senator would condone the open violation of the criminal statutes by the Department of the Interior or any other agency. Whether such a violation has occurred or not is still the subject of investigation by the Department of Justice. Perhaps, the junior Senator should wait as I am doing before saying what he would or would not do.

In partial fulfillment of my promise to keep the House informed on developments in this matter and to call it to the attention of the junior Senator, I am including in my statement at this point a letter from the Department of Justice, dated June 17, informing me that the Criminal Division of Justice is studying the case I have raised:

Department of Justice,
Washington, June 17, 1965.

Hon. John P. Saylor,
House of Representatives,
Washington, D.C.

Dear Congressman: The Attorney General has referred your letter dated June 4, 1965, concerning Lake Powell to the Criminal Division for reply.

The questions which you raise are being studied and we will advise you of our conclusions in the near future.

Sincerely,

Fred M. Vinson, Jr.,
Assistant Attorney General.

The Comptroller General informed me on June 21 that appropriated funds were utilized in the preparation and distribution of the Lake Powell booklet and, therefore, a full report has been requested from the Secretary of the Interior. The Comptroller General also pointed out that in addition to the provisions of 18 U.S.C. 1913, at issue in this case are the antipropaganda provisions of section 509 of the Public Works Appropriations Act of 1965, Public Law 88–511, approved August 30, 1964. This is a very interesting provision which all of us should have thought of in this regard. Let me quote it for the benefit of all of us:

Sec. 509. No part of any appropriation contained in this or any other act, or of the funds available for expenditure by any corporation or agency, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

This section of law seems quite clear. The full text of the Comptroller General's letter to me and to the Secretary of the Interior are inserted in my statement to round out the issue as of this moment.

Comptroller General
of the United States,
Washington, June 21, 1965.

The Honorable John P. Saylor,
House of Representatives.

Dear Mr. Saylor: Preliminary inquiry concerning your letter of June 4, 1965, in the matter of preparation and distribution by the Bureau of Reclamation of its booklet entitled "Lake Powell, Jewel of the Colorado" disclosed that appropriated funds were utilized. We, therefore, have requested the Secretary of the Interior to furnish us a report in the matter as set forth in the enclosed letter.

We shall advise you of our determination promptly upon receipt of the Secretary's reply.

Sincerely yours,

Frank H. Weitzel,
Assistant Comptroller General
of the United States.

Enclosure.

Comptroller General
of the United States,
Washington, D.C., June 21, 1965.

The Honorable the Secretary of the Interior.

Dear Mr. Secretary: We have received a congressional inquiry concerning the preparation and distribution of the Bureau of Reclamation booklet and related "dodger" entitled "Lake Powell, Jewel of the Colorado."

Specifically, the inquiry raises question as to the applicability of the antilobbying provisions of section 1913, title 18, United States Code, in light of what is alleged to be a blatant lobbying attempt by the Bureau of Reclamation to try to get public and congressional support for pending legislation authorizing construction of the proposed Bridge and Marble Canyon Dams. Also for consideration are the antipropaganda provisions of section 509 of the Public Works Appropriation Act, 1965, Public Law 88–511, approved August 30, 1964, 78 Stat. 682, 695.

In order to assist us in our consideration of the matter we would appreciate your furnishing us a full report covering the authorities under which the booklet and "dodger" were prepared and distributed; the nature and extent of distribution made: the amount of appropriated funds involved and the appropriation accounts charged; and your views as to the applicability of the cited provisions of law.

An early response will be appreciated.

Sincerely yours,

Frank H. Weitzel,
Assistant Comptroller General
of the United States.

Since I assume the junior Senator from Utah voted in support of the Public Works Appropriation Act of 1965 he must be in support of the antipropaganda provisions contained therein. I cannot help but wonder whether he would be as enthusiastic in his support of the Bureau of Reclamation spending appropriated funds for a slick paper beautifully colored booklet if that booklet emphasized the irreparable damage construction of Bridge Canyon Dam would have on the glories of the Grand Canyon. After all, this is the position taken by the President and the Bureau of the Budget when it was admitted that Bridge Canyon Dam would impair the wilderness nature of the Grand Canyon.

Mr. Speaker, I will continue to keep the House informed of further developments on this question.

NATIONAL SAFE BOATING WEEK

The SPEAKER pro tempore (Mr. Mills). Under previous order of the House, the gentleman from Michigan [Mr. Chamberlain] is recognized for 30 minutes.

Mr. CHAMBERLAIN. Mr. Speaker, once again it is nearing that time of the year for all Americans to place special effort in the observance of the week of July Fourth as National Safe Boating Week. This week is expressly dedicated to the safety of those Americans who spend much of their leisure time using the waterways of this great Nation.

The cause of National Safe Boating Week is worthy enough that the President of the United States issued the following proclamation in accordance with Public Law 85–445, which I sponsored in the 85th Congress:

Whereas many millions of Americans have the opportunity in this great Nation to enjoy the healthful sport of boating in their leisure hours; and

Whereas the importance of boating safety should be impressed upon every individual who pursues this outdoor pastime so that the useless waste of lives and property may be avoided; and

Whereas a continued awareness by the public of the need for safety on the waterways can only be assured by recurring emphasis by the boating industry, boating organizations, Federal and State agencies, and boating enthusiasts on the critical necessity for compliance with safe boating principles; and

Whereas the Congress of the United States, in seeking to focus national attention on the importance of safe boating practices, by a joint resolution, approved June 4, 1958 (72 Stat. 179), has requested the President to proclaim annually the week which includes July Fourth as National Safe Boating Week:

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby designate the week beginning July 4, 1965, as National Safe Boating Week.

I strongly urge all Americans to do their utmost during this week and throughout the year to unite in the pursuit of making boating one of the safest and most enjoyable of all recreational activities.

I also invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States of America to join in this observance in order to provide impetus in stressing recreational boating safety during the week and entire year.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 2d day of April in the year of our Lord nineteen hundred and sixty-five, and of the independence of the United States of America the one hundred and eighty-ninth.

Lyndon B. Johnson.

This proclamation is clearly indicative of the importance that the President attaches to recreational boating safety and National Safe Boating Week.

INCREASE IN RECREATIONAL BOATING

To make the ideals of safe boating interesting as well as vital to the entire boating industry and the boating public, the U.S. Coast Guard enlists the continual assistance and cooperation of organizations such as the Coast Guard Auxiliary, the U.S. Power Squadrons, the National Safety Council as well as boatmen everywhere.

Safe boating is an enormously big project when it is considered there will be over 40 million Americans in 7½ million boats of all kinds plying the waters from the far reaches of Guam to the Virgin Islands and from Alaska to Puerto Rico. Every river, lake inlet, and bay where navigation by any kind of craft is possible will see that influx of the American boating public.

The boating industry reports that overall recreational expenditures have risen some 40 percent since 1958, and net sales of boats have increased over 50 percent during the same period. Dollar shipments of marine products other than boats and motors posted an alltime high monthly average for 1964. For the third year in a row, Americans increased their retail spending on boats and boating equipment. The 1964 estimate—a new record—was over $2⅔ billion. This is an increase of almost 1 percent over 1963. The $2⅔ billion was spent for new and used boats, motors, accessories, safety equipment, fuel, insurance, docking fees, maintenance, club dues, storage, repairs, and club memberships.

The Coast Guard released its annual recreational boating report, as is required by the Federal Boating Act of 1958, May 3 of this year. The Federal Boating Act of 1958 provides for a standardized system for the numbering and identification of undocumented vessels, including the pleasure boats of more than 10 horsepower, and for participation in this program by the several States. Since the effective day of this legislation, April 1, 1960, 45 States have enacted into law numbering systems which have been approved by the U.S. Coast Guard as meeting the standards set forth in this act.

The safety aspect of the tremendous explosive growth in recreational boating is of increasing concern to the Coast Guard. Compare 1964's 3,700,000 registered boats with the 15,000 in 1904, or even the 2½ million in 1947, and the need for boating safety being a full-time operation is quite apparent. More boats and more people naturally equal more chances for boating accidents. Although the number of boats is constantly increasing, the number of deaths caused by boating accidents has remained at slightly over 1,000 a year. Progress is being made but improvement still is necessary. This is why boating safety has reached the attention of the Congress, the legislature of every State, the press, as well as the boating industry and right down to the individual who constitutes one part of the entire boating pubic. The real last-resort safety measure lies with the individual.

ACCIDENT RATE HELD CONSTANT

In its annual report, the Coast Guard revealed that 40 percent, or 476 of the 1,192 deaths due to boating accidents last year, were from vessels outside the numbering provisions of this act. The 476 deaths were from 392 vessels, generally rowboats, canoes, sailboats, rafts, and other small craft. Overall, 88 more people died in boating accidents in 1964 than in 1963. During the same period, the numbering of boats in all States and territorial possessions of the United States rose to an alltime high of over 3¾ million. This is an increase of more than one quarter of a million boats over the previous year.

Capsizings, as in past years, still remain as the largest type of casualty in the recorded deaths. In 1964, capsizings took 43 percent of the total number of lives lost in boating accidents. This figure is exactly the same as the 1963 percentage. Injuries increased 2.5 percent, while boat numbering rose 8 percent. Of the 1,772 persons in peril because of boating accidents, drowning accounted for 1,051 victims. One thousand and thirty-four of the drowned were found with no life saving devices.

Last year a total of 5,036 vessels were involved in 3,912 reported boating accidents, involving at least $100 dollars property damage or injury or death. This figure shows that almost 700 more vessels were involved in 1964 than the previous year. A total of 957 of these vessels were involved in fatal accidents while 1,038 were in accidents resulting in injuries. Three thousand forty-one of the boats involved in accidents received only property damage. Speaking in millions, the amount of property damage reached over the $5 million mark.

The recreational boating report offers evidence that the Coast Guard and the Coast Guard Auxiliary efforts to educate the public and promote recreational boating safety are paying great dividends. The report reflects the growing acceptance of the role the public itself plays in making the Nation's waterways an ever safer area to enjoy recreational boating activities. For instance, while the accident rate per 1,000 boats increased from .997 in 1963 to 1.039 in 1964, the fatality rate per 1,000 boats remained constant—at .317 for both years. The injury rate per 1,000 boats decreased from .334 in 1963 to .317 in 1964.

NEW COAST GUARD PROGRAM

To more adequately handle the recreational boating problems, Coast Guard district headquarters are setting up district recreational boating sections to supervise boarding programs more effectively and to administer the assessment of penalties on the local level. They will also coordinate public education and information programs pertaining to safe boating. The district offices provide for the district liaison with the State boating law administrators on boat numbering, aids to navigation, rules and regulations.

Boarding officers from each district are receiving additional training, the boarding manual is being updated, and penalty procedures are being revised and standardized.

In order to have really safe boating in American waters, the Coast Guard and assisting organizations must get right to the roots of the problem. Therefore, they must reach the group of individuals that constitutes the millions that are the boating public. In an attempt to reach these people the Coast Guard has inaugurated its education and persuasion program. Through its boating films, safety publications, auxiliary programs, and utilization of the personnel assigned to the mobile boarding detachments in public education activities, the Coast Guard takes advantage of every opportunity to stress boating safety. The Coast Guard also has close coordination with the boating industry, the National Safety Council, and other such vital organizations. The safety patrol concept in recreational boating is a new idea and will be stressed on all waterfronts this year. Using the mobile boarding detachments, the Coast Guard will have an on-the-move safety patrol which will make unpublished stops at every navigable lake, river, or ocean front possible where boating activities are conducted. The safety patrol is a roving waterborne patrol of boating areas for the purpose of deterring, detecting, and reporting unsafe practices. At the present time, there are 36 mobile boarding detachments which form the backbone of the safety patrol. These units are effective because of their mobility, thus preserving flexibility so a broader impact is envisioned. The primary mission of these units is to minimize unsafe practices such as speed, overloading, improper loading, operating while under the influence of liquor, operating in swimming areas, operating in posted dangerous waters, and heading out into stormy conditions when they should be heading for shelter. This year the Coast Guard's goal is to be seen by at least half of the boating public. The effectiveness of the mobile units is not to be measured in the number of boardings reported. The measurement of their effectiveness will be whether or not our waterways will be any safer; whether the boating public is educated in safe boating procedures, by the apprehension of the careless and negligent operator, and finally whether the accident rate decreases. The Coast Guard will educate, then persuade, and if necessary, enforce with law. The boating accident fatality rate must be cut down.

BOATING SAFETY A JOINT EFFORT

The Coast Guard Auxiliary is also extremely active in the education of the boating public as to safe boating practices. As a voluntary, nonmilitary organization, the auxiliarists purpose is to promote safety in recreational boating. Its more than 22,000 members are experienced boatmen, amateur radio operators, or licensed aircraft pilots. The three basic programs carried out by the auxiliary are the courtesy motorboat examination, public instruction, and operations.

As a regulatory and enforcement agency of the U.S. Government, the Coast Guard encourages State activity in law enforcement procedures. Sometimes when the positive approach of education and persuasion fails, the negative of punitive approach gets the message across. Up to this year the Coast Guard has tried to enforce the equipment rules for boats as required by Federal law. A stronger approach was needed, resulting in the new policies. The number of boardings will be reduced in number, but those people found in violation will come under more careful scrutiny. The penalties are to correct the ways of the individual and to influence the behavior of the group. A table of suggested penalties has been set up but the actual penalty assessed will be up to each Coast Guard district commander.

During 1964, the Coast Guard in conjunction with its law enforcement duties, boarded more than 178,000 vessels for equipment checks. Of this total, almost 96,000 of the boardings were performed by mobile detachments. Over 28,000 vessels were found in violation by the mobile units. Approximately one-third of almost 96,000 boats were in violation of the Federal laws which require only the minimum items of equipment for the protection and safety of the boat operator, its occupants, and those others of the boating public. In actual figures, 29.3 percent of the total number of boats boarded by mobile units were found deficient in some manner. A total of nearly 8,500 man-hours were engaged by the Coast Guard in recreational boating safety during 1964.

NATIONAL SAFE BOATING WEEK

National Safe Boating Week—focusing attention upon the need of pleasure boatmen to know and comply with safe boating practices and regulations—will begin July 4 this year as stated in the proclamation. Its objective is to urge the 40 million people constituting the boating public to help "keep boating safe"—to teach important fundamentals of safe boating to the newcomers, and to remind experienced skippers to practice commonsense and courtesy afloat. The basic theme for this year's observance of the week is "Safe Boating Is Fun."

National Safe Boating Week also pays tribute to the many persons and organizations who have contributed toward maintaining boating's fine safety record. This year more than 750 Coast Guard Auxiliary flotillas, 350 U.S. power squadrons, 350 boating clubs, and scores of other boating and safety organizations will participate in National Safe Boating Week observances in communities throughout the country.

This year the National Safe Boating Week Committee has done an excellent job of promoting and coordinating this event. This committee includes representatives from the U.S. Coast Guard, the U.S. Coast Guard Auxiliary, the American Boat and Yacht Council, the American National Red Cross, the American Power Boat Association, the American Water Ski Association, the Boy Scouts of America, the Corps of Engineers, Department of the Army, the Girl Scouts of the United States of America, the National Association of Engine and Boat Manufacturers, the National Association of State Boating Law Administrators, the National Safe Boating Association, the National Safety Council, the Outboard Boating Club of America, the U.S. Power Squadrons, the Yacht Safety Bureau, and the Young Men's Christian Association. To all of these organizations safety in pleasure boating is as important as it is to the individual and his family.

To all those national and local committees actively participating in National Safe Boating Week, I extend my congratulations. I urge all others interested in boating safety to join in making this an even more effective National Safe Boating Week than the successful ones in the past.

OUR POLICY IN VIETNAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the use of terror against innocent persons is condemned by this country and by all civilized people. Although there is no proof that Sergeant Bennett was executed as claimed—he may well have been dead for months—the announcement of his having been executed in violation of human ethics is a blatant attempt to terrorize the American people. The bombing of a restaurant in Saigon is likewise an indication of the extent to which North Vietnam is going in order to impose its undesired rule in South Vietnam. As Secretary Rusk suggested last week, this is going to be a long monsoon season and there will be many casualties. We must be prepared for them, including assaults upon the innocent who are the stated targets of the Vietcong.

The Vietcong is strengthened by the direction and material support it receives from the Communist regime in Hanoi which now has infiltrated at least 40,000 men into the Republic of Vietnam. Recent intelligence reports confirm the presence of a minimum of one regular battalion of the North Vietnamese Army and there is now possibly a full division of North Vietnamese regulars in South Vietnam. This stepped-up activity has created an imbalance between the South Vietnamese Army and the Vietcong, with the result that the South Vietnamese people could not be provided sufficient security against Vietcong terror.

But these tactics will not cause us to weaken our resistance to the takeover of South Vietnam. Nor will they incite us to reprisals for acts of terror. We shall stand firm. There is no doubt that our air forces will continue to apply pressures and perhaps increased pressures, against North Vietnam against legitimate military targets. The choice of targets, forces the question of a naval quarantine, are military judgments to which our best experts are applying themselves. We might be justified in imposing a naval blockade or in extending our air strikes. But if we do undertake these steps, our decision will rest upon sound, rational military and political judgments. We will not act in anger, or wantonly retaliate in the Communist manner against innocent civilian population centers. And we will act within the framework of the President's repeated assertion that we seek no wider war. The guidelines laid down by the President must be taken into account in deciding all questions of tactics and particularly whether to internationalize the effect of our naval operations by imposing any kind of blockade.

The United States and other allies have augmented the free world's strength in South Vietnam by furnishing combat troops who undertake carefully selected operations in certain zones so that the South Vietnamese Army is thereby better able to provide security for the populace. Our troops are engaging the Vietcong only in certain delineated situations such as base security by static defense or patrolling, or where Vietnamese forces are inadequate to accomplish a vital task. This is not a commitment to a massive land war, but rather the judicious employment of our forces in areas where our men and their firepower are most effective. Our objective is to deter aggression from Hanoi in two ways; first, by convincing her that the game is not worth the candle, and secondly, by convincing her that even increased infiltration and terror cannot snatch South Vietnam from its place in the ranks of independent nations.

The Government of South Vietnam continues to take casualties in order to stave off the vicious drive being mounted against their independence. Our troops are there to assist them and they are needed. Neither air nor naval power, necessary though they are, can totally replace these men. The fighting is going to be hard and we cannot hope for instant cessation of terrorist activities. The difficulty of the undertaking is outweighed by the profound significance of the issue. Our President has said that we stand ready to talk without any prior conditions—yet we will not yield and we will prevail.

RHODE ISLAND LITHUANIAN RESOLUTION

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FOGARTY. Mr. Speaker, just a short time ago it was my privilege to join in the commemoration of the 25th anniversary of the occupation of the Baltic States. At that time a number of us expressed our sentiment here on the floor of the U.S. House of Representatives. It was an attempt, Mr. Speaker, to bring to the attention of the world the sad plight of the freedom-loving Lithuanians, Latvians, and Estonians.

With this same purpose in mind I include in my remarks a resolution of the Providence chapter of the American Lithuanian Council of Providence, R.I., which was sent to me by the Reverend Vaclovas Martinkus, chairman, and

John A. Stoskus, secretary of that organization.

PROVIDENCE CHAPTER,
AMERICAN LITHUANIAN COUNCIL,
Providence, R.I.

DEAR CONGRESSMAN FOGARTY: Rhode Islanders of Lithuanian extraction gathered on June 20, 1965, at St. Casimir's Auditorium in the city of Providence in solemn commemoration of the 25th anniversary of the occupation of Lithuania by Soviet Russia, unanimously passed the following resolution:

Whereas Soviet communism has demonstrated by principle and by act that its whole purpose is the domination of the world by the proletariate through the ruthless destruction and annihilation of all existing forms of government; and

Whereas the Soviet Union took Lithuania, Estonia, and Latvia by force of arms; and

Whereas Soviet communism is bent on only one purpose, its victory and experience has shown that the victory of Soviet communism means very concretely the enslavement of all other peoples; and

Whereas Soviet Russia has deported nearly 400,000 Lithuanian citizens to concentration camps in Siberia and other areas of Soviet Russia for slave labor and death; and

Whereas Lithuanians, Estonians, and Latvians sincerely desire, fight and die for their national independence and liberation; and

Whereas Lithuania has been for over 20 years unjustly subjugated by Soviet Russia which has to this date steadfastly refused to permit the people of Lithuania to hold free elections: Now be it

Resolved, That we thank the President of the United States, Members of the U.S. Senate, and Members of the U.S. House of Representatives for their many kindnesses shown the Lithuanian cause, which caused the free world to recall and keep in mind the atrocities committed upon Lithuania and other Baltic nations by Soviet Russia; and be it

Resolved, That our Government take immediate and concrete steps to compel Soviet Russia to leave the territory of Lithuania, to return free elections in Lithuania under the supervision of the United Nations; and be it further

Resolved, That the representatives of free Lithuania be given a full-fledged seat in the United Nations which would permit her to state her righteous case to the world.

REV. VACLOVAS MARTINKUS,
Chairman.

JOHN A. STOSKUS,
Secretary.

A WORTHWHILE HOUSING PROGRAM

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the legislation before us today—the Housing and Urban Development Act of 1965—is not perfect. No legislation is. But this is a good bill, containing many worthwhile and necessary programs, and it certainly deserves our support.

As a member of the Committee on Banking and Currency, I know how much time and bipartisan effort went into making this bill as good as it is. I want to particularly commend the chairman of the committee [Mr. PATMAN], the chairman of the Subcommittee on Housing [Mr. BARRETT] and the ranking minority member of the committee [Mr. WIDNALL] for their leadership in working out an effective, comprehensive program.

There has been considerable controversy, both in and out of Congress, over section 101 of this bill, the rent subsidy provision. When this provision was discussed in committee, I voiced reservations about it, mainly because I felt at that time the legislation did not contain adequate safeguards against the subsidy program being applied too broadly. We just do not have money enough to subsidize housing for everyone in this country, and while I can support assistance to provide housing for the very poor, I did not think, with hundreds of thousands of impoverished people still in slum housing, we should go further.

In response to my reservations and those of other Congressmen, the administration has revised the bill so that now only those persons who qualify for public housing will be eligible for rent supplements. This satisfies my objections and makes this section a very worthy experiment to better deal with the housing needs of the poor.

It is important to note that the present public housing program simply has failed to do the job of providing decent, safe and sanitary housing for American families afflicted with poverty. Today in the United States there are more than 3 million families living in substandard housing who have incomes too low for decent private housing in their communities.

In addition, there are more than 2 million elderly or handicapped lacking decent housing, and each year 80,000 families are displaced by some kind of Government action.

Since the public housing program started, only 580,000 units have been built. Today, 500,000 families are on waiting lists for public housing units. The rent supplement program gives us another tool to meet the need for housing without getting us into a federally operated housing program of incredible proportions. The rent supplement program enables us to meet the housing needs of low-income families through the private sector of the economy, and this is certainly a laudable approach.

Despite the fact that Westchester County, N.Y., which I represent, is one of the Nation's three most affluent counties on a per capita basis, for many years it has been confronted with the problem of slums and decay and poverty in the midst of gracious, attractive communities. The 1960 census revealed that 6.5 percent of the dwellings in the county, housing some 50,000 persons, were substandard. It also revealed an unfortunate connection between substandard housing, old housing, rental housing, nonwhite occupancy, and low income. In the three largest cities of Westchester—Yonkers, Mount Vernon, and New Rochelle—32 percent of the nonwhite rental units were classified as substandard and 7½ percent of the rental units occupied by whites were substandard.

Mr. Speaker, a program which provides housing that is privately sponsored, privately built, and privately financed under FHA will meet important needs in New York's 25th Congressional District, as I am sure it will in many areas of the Nation.

A vote for this program is a vote for breaking the vicious, continuing cycle of poverty in the world's richest nation.

THE NEW LOOK IN FOREIGN AID

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. JOELSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. JOELSON. Mr. Speaker, one of the most persistent cries we hear about foreign aid is that it is always the same. We keep giving the same people the same huge amounts of money with the same lack of results. The program is fine in principle, but it needs a new look. We need some way to make those so and so's who administer it stop being so softhearted and do the job right.

These cries almost entirely ignore the significant changes in direction that the foreign aid program has made in the past. In 1948 the Marshall plan was created to assist in the reconstruction of Europe. In the 1950's the program changed to build up, largely with military aid and supporting assistance, free world defenses against direct aggression such as that in Korea. In the last few years the program has changed its focus again—to meet the long-term challenge of building nations that can stand on their own feet.

It is not surprising that these changes have gone unnoticed because so much of the public discussions of aid is so uninformative and because the changes are much more noticeable over a period of years than they are from year to year.

The important point, however, is that there is a new look to foreign aid. We are today devoting a much higher percentage of our funds and energies to the basic job of development than ever before and we are beginning to see the kind of results that make this kind of aid worthwhile. One significant indicator of this change in direction is that despite Vietnam we are today spending $1 billion less for military and supporting assistance than we did in 1960 and 1961.

This is not the only change that has taken place in the past 3 years. Foreign aid today is better planned and better managed than it has ever been before.

Perhaps the most important single aspect of the new look in foreign aid is the emphasis on self-help. This is not just a slogan but a recognition of the practical fact that what a country does with its own resources has a greater impact on its development than what is done with the resources we are able to provide. These countries themselves provide $6 toward development for every $1 which we provide. In order to make as rapid progress as possible we have been paying more and more attention to the total economy of the country and using our aid in increasingly sophisticated ways to insure that the countries themselves are doing the right things. Last year we used the leverage of our large program loans to Brazil, Chile, and Pakistan to secure commitments to needed basic reforms—in Pakistan to a free import system for raw materials for private industry, in Brazil and Chile to specific measures for holding down inflation. This emphasis on self-help is beginning to pay off and we expect to get better at it as time goes on.

The emphasis on self-help has lead directly to another new emphasis—concentration. Today more than ever before we are seeking to concentrate our aid—to concentrate it on the countries which are doing the most to help themselves and within those countries to concentrate our aid on the critical sectors. Two-thirds of all development assistance today goes to just seven countries.

Another important aspect of the new look in foreign aid is the emphasis now being made on private enterprise. The range of incentives to private enterprise, such as guarantees, loans, and other forms of assistance, is much broader than it was just a few years ago. This is perhaps seen most dramatically in the increasingly rapid rate at which specific risk investment guarantees are being issued. Last year—calendar 1964—AID issued $707.8 million of these guarantees as opposed to just $63.7 million in 1960.

In the past few years there has also been a significant increase in the amount of free world cooperation on aid matters. We have put a great deal of pressure on our allies to contribute more aid and to contribute their aid on better terms. We still have not done all we would like on this but have met with considerable success. We have taken the lead in increasing the resources directly administered by the World Bank, IDA, and similar institutions and in organizing the major international groups concerned with aid matters, the DAC, the Alliance for Progress, CIAP, the international consortia to coordinate aid to India and Pakistan, and elsewhere. All of these efforts are improving the effectiveness with which our aid and that of our allies is being used and we hope to be able to continue the leadership we have been supplying in this field.

The new look in AID also includes an increased emphasis on strict management. Better quality people are being sought through increased use of contracting out and through an upgrading of personnel. The total number of personnel has been reduced by nearly 1,100 in the past year. Significant cost reductions have been made in a number of areas. ICA and DLF procedures have been brought together and improved. And a significant amount of decentralization has been effected. There are still improvements to be made in this area. One which is being worked on now is an improvement in the management reporting system.

The new look also includes a number of measures taken in the past few years which reduce the cost of the program to the United States.

Today the program is more than two-thirds loans repayable in dollars as opposed to two-thirds grants in 1959. Last year loan repayments totaled $196 million—fiscal year 1964.

Today procurement is tied so that 85 percent of all AID money is spent in the United States as opposed to less than half 5 years ago.

The new look also includes a continuity in top management that has been all too infrequent in the past. There is today in the top management of the Agency a wider experience in aid matters than at any time in the past history of the program

David Bell has served longer than any of the previous administrators of the program.

BILLS DESIGNED TO HELP IMPLEMENT HIGHWAY BEAUTIFICATION PROGRAM

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HOWARD. Mr. Speaker, four administration bills designed to help implement President Johnson's highway beautification program are now in the hands of Congress.

The measures provide for tightening control of outdoor advertising; regulation of junkyards; use of Federal-aid highway funds for restoration, preservation and enhancement of natural beauty adjacent to rights-of-way; and use of Federal-aid secondary road funds for scenic purposes.

The present law controlling outdoor advertising along the Interstate Highway System has proved ineffective. Although the law was enacted in 1958, only 20 States are participating in the voluntary program that offers a bonus of one-half percent of the cost of construction to States agreeing to regulate billboards. Of the 20 States, only 8 have carried out the agreements and have received bonus payments.

Weaknesses and loopholes in the existing law are eliminated in the proposed legislation which would make control mandatory. Billboards would be prohibited within 1,000 feet of the edge of the interstate pavement, instead of within 660 feet of the right-of-way, as at present. Only two types of signs would be permitted—directional or other official signs, and on-premise signs advertising the sale or lease of property. Billboard control would also be extended to the Federal-aid primary system.

The junkyard-regulation bill would provide for the screening or removal of junkyards within 1,000 feet of the pavement edge of the interstate and primary systems. Junkyards in existence now but which cannot be screened would not have to be removed until July 1, 1972. If a State is unable to provide effective control under its police powers, the Federal Government would pay a pro rata share of the cost of obtaining control either by screening, purchase, or condemnation.

One of the bills would require States to use 3 percent of their Federal-aid funds, without matching, to acquire either by purchase or easements strips of land adjacent to rights-of-way to restore, preserve, and enhance scenic beauty. At present, States may use up to 3 percent of their annual apportionments without matching funds, but only to preserve existing natural beauty.

The fourth measure sets aside a portion of funds now used for secondary roads to provide scenic and recreational opportunities. It would require each State to spend at least one-third of its secondary funds for construction of scenic roads, roads leading to recreational or scenic areas, and the acquisition and improvement of such recreational or scenic areas as approved by the Secretary of Commerce.

If these proposals win congressional approval, they will go a long way toward aiding President Johnson achieve his objective of restoring America to the beautiful country it once was, and preserving its beauty for the enjoyment of future generations. I approve of his aims and I intend to vote for the bills.

Mr. Speaker, editorial support for the President's recommended programs is widespread. As an indication of this report, I include the following editorials:

[From the Asbury Park Evening Press, June 5, 1965]

"HONKY-TONK" BILLBOARDS

Outdoor advertising signs have drawn the wrath of President Johnson. He proposes that Federal funds be denied States that do not take steps to regulate billboards along highways built in part with Federal moneys.

The same issue has aroused Mayor August Kofoet of Lacey Township in Ocean County. In a letter to the township planning board Mayor Kofoet says "commercial billboards in an unreasonable manner along the main roads in the township are taking on the air of a honky-tonk." He appeals to the township to act now before it's too late.

We have been a neglectful generation with respect to our treatment of highways and roadsides. Billboards are not the only offenders. Unsightly junkyards, litter of all sorts, and property owners who in diverse ways are indifferent to the welfare of their neighbors and their communities, have combined to inflict scars on the countryside.

One remedy is available under New Jersey court decisions. A community may restrict the use of billboards to those erected on the business sites to which they apply. It can also regulate size and it can require that they be a reasonable distance from a public highway. In the case of the Interstate Highway System President Johnson wants Congress to prohibit commercial signs within 1,000 feet of the pavement.

Some may view local or Federal controls over outdoor advertising as an invasion of property rights. Yet when 1,000 delegates gathered in Washington recently to confer on steps to protect the natural beauty of the Nation they agreed that the rights of American citizens to enjoy their own land have been infringed by the obsession of some to deface the landscape with countless signs.

In some commercial districts signs are essential for legitimate business purposes. Even here, however, when they create the honky-tonk atmosphere decried by Mayor Kofoet, it is the responsibility of Government to step in and impose stringent regulations.

[From the Asbury Park Evening Press, June 1, 1965]

Improved Junkyards

The Press is in thorough accord with President Johnson's campaign to beautify the U.S. roadside and to eliminate billboards and junkyards from busy highways. Unless this campaign receives wide support spreading highway blight will engulf us and depreciate the value of all property.

In an effort to assist in this project to make America more beautiful the Press will publish, commencing today, a series of three articles surveying the local scene as relative to junkyards. Junkyards are a necessary part of an automobile-oriented civilization; but necessity and ugliness need not go hand in hand. A few ornamental fences and some shrubbery can make even a junkyard acceptable. We recommend such a beautification program to the yards' proprietors.

[From the Daily Observer, June 24, 1965]

A Beautiful America

The desire to create a more beautiful America is not just another lofty ideal, it is a downright necessity. Unless we are to become one vast development from border to border, interspersed with junkyards, connected by marred highways, we should all try to match the President's zeal to beautify our once-beautiful country.

Those who laugh at such efforts as planting trees and flowers are probably either too lazy to get out and mow the lawn or else have never in their lives really seen a tree or a blossom.

However, the recommendations for citizen action and education made by the White House Conference on Natural Beauty has no connection with ugly misuses of land. That is a governmental task and it has been shirked through the years.

Mr. and Mrs. Average Citizen, for all their zeal, cannot do much more than plant trees and flowers and no doubt most of them wish they had the power to remove every unsightly scene and prevent the addition of new ones.

In fact, residents of some areas have been picketing in protest against a parkway widening project which is leveling all trees in its path.

At least the President's concern has opened the door for industry to show that it can do to help the present population enjoy a better looking country and try to leave something more than a legacy of rubbish and filth to future generations. Contests and awards would inspire many companies to compete in the crusade. One major gasoline company has already announced plans to improve the appearance of their gas stations. Good.

There can be no justifying an ugly America with the excuse that progress is responsible. The anything-for-a-buck club, abetted by lax Government agencies, are the culprits—along with just plain slobs.

[From the Long Branch Daily Record, June 10, 1965]

More to Beauty Than Meets Eye

Most people will support President Johnson's plan to beautify and protect the scenic corridor—the area within the line of sight of the Nation's highways.

More and more Americans will be using the new interstate freeways in coming years, driving quickly and conveniently to part of the country they might not otherwise have visited, seeing new landscapes and works of nature they might not otherwise have had the opportunity to enjoy.

The dumps, the junkyards, the blatant billboards will be banned from the purview of the traveling motorist. None of the ugly artifacts and discards and byproducts of an industrialized and urbanized civilization will be allowed to mar the esthetic quality of the passing scene.

But out of sight should not be allowed to mean out of mind, for it will not necessarily mean out of existence. The ugliness will not be so visible, but it will, too often, remain.

It is easy today to drive into our large cities on the broad backs of throughways that slice with surgical directness through congested, rundown sections—and forget that the slums still fester beyond the antiseptic right-of-way.

It is easy to cruise a modern freeway that arcs with engineered effortlessness across the green countryside—and forget that the quiet stream in the distance may be fetid with the effluvia of town and factory or that the pleasant grove of trees may screen the raw wounds of land raped for its minerals and then abandoned.

Beautification of the highway vista is important because it is along the roads that so much of our 20th-century ugliness springs up, but it is only one skirmish in the administration's war on ugliness.

Other fronts involve the preservation and protection of untouched green spaces and waterlands and the restoration of those that have become derelict, ending stream and river and air pollution, finding some new use or method of disposal for the mountains of scrapped automobiles whose metal new steelmaking processes have rendered surplus.

Americans must care not only for the quality of the land they can see from the highways but also that which they may never see or visit or reside upon.

"Beauty was here and man has destroyed it to a great extent," says Anthony Celebrezze, Secretary of Health, Education, and Welfare.

"The question is, How we can change man's behavior to restore beauty?"

[From the Washington Daily News, May 27, 1965]

L.B.J. Leads Fight

Reporting the findings of the White House Conference on Natural Beauty to President Johnson, Fred Farr, California State senator, said:

"The average American spends about 2 months of his life each year behind the steering wheel between home and job, not to mention leisure time driving. Overcrowded streets, the constant viewing of auto junkyards, and ugly billboards makes driving a nerve-wracking experience. It's time to give the American motorist a better break."

President Johnson has asked Congress to give the motorist that better break. He has sent Congress four bills to make our Nation's roads "highways to the enjoyment of nature and beauty."

Chief of these is the bill which provides that States, as a condition of receiving Federal-aid highway grants after January 1, 1968, exert control over outdoor advertising along interstate or primary systems except where zoned or used predominantly for commercial or industrial purposes. The bill would ban billboards within 1,000 feet of the pavement and visible to the motorist. Existing signs would have to be removed by July 1, 1970.

The President points out that in 1958 Congress authorized a bonus payment to the States which agreed to regulate outdoor advertising along the interstate roads. But only eight States actually have become eligible for the bonus. The carrot was ignored; now the Nation must use the stick.

We warmly welcome the President's leadership in this field. We would like it even better if the bill would do what the President suggested to the White House Conference—"eliminate outdoor advertising signs * * * from the sight" of the motorist. We fear what towering neon monstrosity might be erected just beyond the 1,000-foot limit.

Equally welcome are Mr. Johnson's other proposals on highways. One would require States, on condition of receiving Federal aid, to control junkyards. Another would require, instead of merely permitting, States to use 3 percent of their Federal-aid funds, without matching, to acquire land alongside highways and make that land a source of scenic beauty. The fourth bill proposes that each State use one-third of the Federal aid it now receives for secondary roads to construct scenic roads, some of them leading to scenic and recreational areas, and to provide landscape and roadside developments.

L.B.J. commented: "A highway is not just a ribbon of concrete. Its purpose is not just to get people from one place to another. It is to enrich the journey."

Right, Mr. President.

[From the Topeka Daily Capital, May 29, 1965]

L.B.J. Calls for Beauty

President Johnson has left no doubt that he will continue to press for approval of his roadside cleanup program. When he asked Congress this week for potent new laws to prod States into banishing encroaching billboards and auto junkyards from the Nation's main highways, he declared that efforts to get the States to act voluntarily have failed and that the four separate bills he proposed were "evidence of our determination not to be such a neglectful generation."

The President proposes to deny Federal highway aid to States which do not cooperate in keeping new junkyards away from major highways and effectively screening existing junkyards or removing them by 1970.

Also sought by President Johnson is strict regulation of advertising signs, banning those "within 1,000 feet of the pavement and visible to the passing motorist."

The control would apply to those sections of the interstate and primary highway systems not zoned or used predominantly for commercial or industrial purposes.

It's the President's idea that the Federal Government should be ready to help States bear the condemnation costs of existing properties which now mar the landscape.

The views of President Johnson are ambitious and have the laudable goal of keeping the country's highways from being bordered by unsightly accumulations of junk and signs.

There will be opposition from some of those affected but there is also a willingness to cooperate by responsible members of the salvage industry who have already embarked on voluntary beautification programs.

For example, Mr. and Mrs. James Finnell, of Topeka, have attended White House Conferences on Natural Beauty and have been recognized for their efforts to fence and beautify their own salvage yard while encouraging others in the industry to do the same.

Another such effort that comes to mind was the case of a 14-year-old boy in Albuquerque, son of a junkyard operator. He has made a personal project of beautifying his father's place of business by planting shrubs and vines to hide ugliness.

We hope Congress will devise a workable program whereby the face of America will be freer of blight and that legislation will make roadside beauty possible for the generations of Americans to come.

[From the Washington (D.C.) Post, May 27, 1965]

Conference on Beauty

Beauty is as beauty does. The value of the White House Conference on Natural

Beauty will be measured in large part by the bills that, over the next several years, are sent from the White House to the Capitol, and the bills that are sent from the Capitol back to the White House. No new ideas came out of the conference, but the old ideas received a new impetus and doubtless reached a wider audience than ever before.

The conference did not, unfortunately, devote a great deal of attention to the truly crucial question of methods to enforce high esthetic standards. The purpose of the conference apparently lay in demonstrating a national consensus (to use a familiar phrase) in favor of good urban design, a green countryside, and clean air to breathe. To achieve the conference's hopes will require powerful legal and, in particular economic mechanisms devised to take the profit out of the eyesores. The conference's values are undisputed, but the job of carrying them out is left to the Johnson administration, the States and a vast number of interested organizations and individuals.

Mr. Johnson, for his part, responded immediately with four very commendable bills to protect roadsides and encourage scenic highways. But the compromises in the bill to control billboards suggest the extraordinary difficulties in enforcing beauty on heavily lobbied special interests. The bill, of course, represents a very great improvement over the present law, which is composed mostly of exceptions. It would prohibit billboards within 100 feet of interstate highways, except in industrial or commercial zones. Precautions will be needed to prevent narrow strips of commercial zoning across many a farmer's fields. Congress has the opportunity to demonstrate its own concern for natural beauty by closing this last loophole.

[From the Chicago (Ill.) Tribune, May 27, 1965]

Billboards' Doom?

As a veteran campaigner against billboard blight, the Tribune welcomes President Johnson's message to Congress advocating legislation to conserve natural beauty. First on his program of proposed action is strengthened control of outdoor advertising. The President suggests that compliance with Federal standards of billboard limitation become a condition for receiving Federal-aid highway grants after 1967, as the present bonus for voluntary compliance has been largely ineffectual.

Exhortation and existing inducements truly have not been enough. We know. For decades the Tribune has been among those making the case against the billboard abuse. In 1950, we observed hopefully that the movement to restrict the size of advertising signboards in the country was growing and deserves encouragement. In 1931 we deplored the way billboards defaced the lovely roadsides and valleys of America; yet another editorial was entitled "Abolish Billboards in Illinois." In 1910 we pointed out that petty interests should not make money out of ugliness, and said that becoming a city hideous meant loss of tourist trade as well as of intangible values.

In 1901, in a piece entitled "Modern Goths and Vandals," we spoke out against a proposed huge advertising sign at Niagara Falls. And as recently as May 21, 1965, we reminded our readers how billboards distract attention from the road and from traffic, and again (as in 1931) called on the State legislature to act.

The case against billboards has been made again and again; making it is not enough to abate the nuisance, the eyesore, the danger. Session after session, legislatures have forfeited opportunities to strike down at State level billboards along high-speed highways. But Federal-aid highway grants have become too large a part of highway construction costs for any conceivable State legislature to forgo them. And the President proposes making such grants conditional on effective control of outdoor advertising along the highways.

We agree that the time has come for the Government of the United States to cease to allow private interests to exploit the major highways of this country and the people who use them and pay for them. For too long, such exploitation has cost the public too much in lost lives and lost beauty.

NEW YORK CITY IN CRISIS—PART CXX

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns the fight against drug addiction in New York and is part of the series on "New York City in Crisis."

The article appeared in the New York Herald Tribune on May 7, 1965, and follows:

New York City in Crisis: Haryou-ACT Maps Dope Fight—But Where's Money?

(By Alfonso Narvaez)

Haryou-ACT, the controversial antipoverty program in central Harlem, announced yesterday a sweeping $7.7 million 5-year program to combat narcotics addiction.

Livingston Wingate, executive director of Haryou-ACT, said that the program would be operational "within 30 days" and that $125,000 of Haryou-ACT's present budget had been earmarked to implement the program.

This action by the Harlem poverty group comes into direct conflict with the city administration's plans. Last week, Paul Screvane, head of the city's antipoverty operation and chairman of the Gracie Mansion Temporary Committee on Narcotics, said that he had asked all Government agencies not to give money for any narcotics programs for the city until his committee came up with an overall narcotics program for New York.

However, Mr. Wingate said he expected no trouble from the city in getting his program implemented immediately.

Mr. Wingate said that $1.5 million for the next year would come from the Office of Economic Opportunity.

The Herald Tribune learned yesterday, however, that although the proposal had been received by OEO and was under study, there was "no guarantee" that the review would be completed within a month or that it would even be approved.

"We are studying the quality of the proposal," a spokesman for the OEO said. "This announcement will in no way affect the outcome of our review. This is the first time, to my knowledge, that any poverty group has announced a program before it had been approved."

There is even some doubt as to whether Haryou-ACT can use the $125,000 from its present budget to get the program underway.

A spokesman for Haryou-ACT said that the money would be shifted from present items in the budget and reallocated for the narcotics program.

However, Anne Roberts, executive director of the Antipoverty Operations Board, which handles all of the Haryou-ACT's present budget requests, said that unless the narcotics proposal was already in the present budget, Mr. Wingate would have to ask the city for permission to reallocate the funds.

The city is expected to be reluctant to grant them this permission until Mr. Screvane's narcotics committee announces its program.

A spokesman for Mr. Screvane said that the committee's report was not yet ready but that an announcement would be made soon.

"We have not approved any narcotics program for Haryou-ACT, Mr. Screvane said.

The narcotics proposal announced at a press conference at the Hotel Theresa by Haryou-ACT calls for a full range of treatment and rehabilitation for the thousands of addicts in Harlem.

Additionally, Hulan Jack, former Manhattan borough president, said yesterday that the United Council of Harlem Organizations, which he heads, is working with Representative Adam Clayton Powell to set up a second, major antipoverty agency in Harlem.

The council, which Mr. Jack says includes about 80 organizations in Harlem, is "not in competition with Haryou-Act * * * but is merely trying to supplement what is to be done for Harlem."

The council is a "grassroots organization," Mr. Jack said. Members of its steering committee, he said, approached Representative Powell April 27 to see how the council could serve the antipoverty program and the Congressman reportedly asked for a plan.

Those who are investigating a plan, he said, include Arnold Johnson, president of the Small Business Chamber of Commerce in Harlem; James Lawson, president of the Harlem Council for Economic Development, and L. Joseph Overton, labor leader and a founder of the council.

The organization grew out of last summer's Harlem riots. Mr. Jack resigned as borough president after being convicted in 1961 on conflict-of-interest charges and conspiracy to obstruct justice.

The program, to be directed by Dr. Lonnie MacDonald, director of community psychiatry at Harlem Hospital, will provide complete medical care for the addicts as well as halfway houses, supervised residences, out-of-area ranches and inpatient and home withdrawal from addiction.

Dr. MacDonald said psychiatric treatment would be an integral part of the rehabilitation of the addicts.

The day-to-day operation of the program will be handled by Sherman Patrick, former director of the West Side Rehabilitation Center. He announced that the program would be conducted in four phases: research, training, community action, and the service program itself.

"This is not a job which can be done by any one agency or any small group of agencies," he said. "We cannot only deal with the people that have the problem, we have to deal with all the people concerned."

NEW YORK CITY IN CRISIS—PART CXXI

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns New York City's budget problems and appeared in the New York Herald Tribune of May 8, 1965, as part of the series on "New York City in Crisis."

The article follows:

New York City in Crisis: Public To See City Budget Thursday—Higher Real Estate Tax in Prospect

Next Thursday, the mayor makes public his budget. And yesterday, for the first time, he gave his own estimate of the prospective gap between what the city takes in and what it must spend.

"It will be roughly around that figure"—of $250 million—said Mayor Wagner. This amount coincides with the predictions by other city officials and citizens' groups.

But the mayor, speaking with reporters at City Hall, refused to say how he plans to raise the money to close the expected gap. However, he did repeat his total opposition to a payroll tax, authority for which is now on the books but has never been invoked.

Any new taxes, the mayor said, would have an adverse effect on the city's economy, and so "we have to weigh which would have the least adverse effect."

MEETING

For help in the weighing process, the mayor last night convened at Gracie Mansion a meeting with State Senate Majority Leader Joseph Zaretzki, Assembly Speaker Anthony J. Travia, Budget Director William F. Shea, and other officials and aids.

The likeliest source of additional income appears to be by means of higher real estate taxes, produced in accordance with a formula drawn up by Mr. Shea in March.

Under his proposal, the constitutional limit on real estate taxation for local purposes would be raised from 2.5 to 3 percent of assessed valuation. At the same time, the base period governing the city's borrowing power would be shortened from 5 to 3 years.

These changes would require approval by two successive legislatures, and then a public referendum, a procedure that would take at least 2 years. In the meantime, it has been proposed that the city raise the needed money by selling 3- or 5-year bonds. That also would require the legislature's approval.

In the case of dire need, alternative proposals have been in the works.

One is a change in the unused payroll tax law, which now allows the city to tax employees and employers each one-quarter of 1 percent of an employee's salary. The change would double this. The measure then could raise an estimated $200 million. But the mayor has all but ruled out this tax, on the ground that it would be a burden shouldered only by wage and salary earners.

The other proposal is a 50-percent city surcharge on the State income tax. Among lawmakers who recently voted a State sales tax, this idea is about as popular as getting their teeth drilled.

While the city was struggling with its fundraising problem, there was evidence yesterday that its residents were succeeding to some degree in solving theirs.

The State commerce department reported that personal income in New York State rose $2 billion to $53.4 billion in 1963, and the bulk of this increase occurred in the metropolitan area. The year 1963 is the latest one for which there are figures available.

Almost half of the $53.4 billion income in this State—$26.2 billion—went to the 8,017,889 residents of New York City, who are somewhat less than half of the State's total population of 17,710,256.

INCOME

Personal income per capita in the State rose to $3,013, compared with $2,929 the previous year, giving New York the fourth highest income per capita among the States. Only Nevada, Delaware, Connecticut, and the District of Columbia, have higher per capita incomes.

New York City, which did better than the State as a whole with a per capita income of $3,272, was exceeded only by two counties. Westchester, with $4,621, and Nassau, with $3,786.

Not as lucky is St. Lawrence County, where the per capita income was $1,589, lowest in the State. Yesterday, Governor Rockefeller asked the Federal Government to study the eligibility of 13 upstate counties for inclusion in the $1.1 billion program of aid to the Appalachia area.

MAJORITY OF PEOPLE OF FLORIDA, THROUGH THEIR ELECTED REPRESENTATIVES, SUPPORT ONE-MAN, ONE-VOTE CONCEPT

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FASCELL. Mr. Speaker, I wish to call to your attention a resolution of certain State representatives and senators of the State of Florida, representing a majority of the people of the State of Florida, urging the Congress to oppose any constitutional amendment authorizing a State with a bicameral legislature to utilize factors other than population in apportioning either house of a bicameral legislature. Because this resolution is important, I call the attention of our colleagues to the full text of said resolution inserted in the Congressional Record today by our distinguished colleague, the gentleman from Florida, the Honorable Claude Pepper, who has also been a stanch supporter of the one-man, one-vote concept.

Legislative reapportionment has been a subject of great concern in the State of Florida for many years. In metropolitan areas, such as the ones represented in the Congress by my distinguished colleagues, the gentlemen from Florida the Honorable Sam Gibbons, of Tampa, and the Honorable Claude Pepper, of Miami, and that area which I have the honor to represent, denial of fair legislative apportionment has brought about strong public sentiment for correction.

The fact is that rural areas have long been overrepresented in the unfairly apportioned legislature of the State of Florida, as well as many other States of the Union. The result has been that State governments have not responded adequately or promptly to the problems of our urban and suburban areas.

Long frustration gave way to some hope with the Supreme Court decisions of June 15, 1964, when the Court stated that the 14th amendment to the United States Constitution requires that membership in both houses of a bicameral legislature must be apportioned according to population.

The irony of the situation in Florida is highlighted by the recent passage in the Florida Legislature of House Memorial 2433, memorializing the Congress to submit a constitutional amendment to authorize any State with a bicameral legislature to use factors other than population in apportioning one house of its legislature and permitting any State to determine how governing bodies of its subordinate units should be apportioned.

The Florida Legislature was even then, and still is, manfully struggling to reapportion itself pursuant to the Supreme Court decision.

The memorial, however, Mr. Speaker, was opposed in the legislature by 33 representatives and 5 senators of the State of Florida, who represent 58.8 percent of the total population of Florida. These representatives and senators are the signatories to the resolution I have referred to.

In forwarding a copy of the resolution, the able, forthright, and dedicated State representative of Dade County, the Honorable Richard A. Pettigrew, said:

> This resolution is regarded by the signers as a very important public statement.

It is all of that, Mr. Speaker, particularly since the signers represent the majority of the people of the State of Florida.

The resolution urging the Congress to oppose any constitutional amendment authorizing a diluting modification of the one-man, one-vote rule is one which is fully supported by the Honorable Sam Gibbons, of Tampa, and myself.

JUDICIAL PERFORMANCE IN THE FIFTH CIRCUIT

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Conyers] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. CONYERS. Mr. Speaker, the House of Representatives will soon consider the voting rights bill of 1965 which will have special application to the States in the Fifth Judicial Circuit. Since no law we could pass will be effective unless faithfully enforced by the courts, I think it is particularly important for the House of Representatives to be concerned at this time about the administration of justice in the Fifth Circuit.

An article in the Yale Law School Journal of November 1963, "Judicial Performance in the Fifth Circuit," presents an exhaustive study of the administration of justice in the Fifth Circuit. This thorough legal study demonstrates the crucial role of the Fifth Circuit Court of Appeals in establishing the standards of justice to be applied in cases involving Negro Americans in the various district courts in the circuit. I highly recommend this article to my colleagues and include in the Record immediately following my remarks.

Let me say that a reading of this article has reinforced my concern that judges be appointed to both the district courts and the Court of Appeals of the Fifth Circuit who have shown their consistent concern to uphold the Constitution of the United States and to provide equal justice for all.

As the conclusion of the article states:

> The chief difficulty arises not from behavior of judges but from the appointment of men who in important areas will not observe the self-discipline upon which an appellate system is premised. The principal cure must be found in the appointment of judges who will disinterestedly comply with decisions of higher courts.

The text of the article is as follows:

[From the Yale Law Journal, November 1963]

JUDICIAL PERFORMANCE IN THE FIFTH CIRCUIT

(Research for this comment included interviews with Federal judges, lawyers, professors, and officials of the Federal Government. Since most of the individuals requested that their identity not be disclosed, however, the footnotes simply refer to the information they provided as "interview.")

James Meredith's odyssey in the Federal courts began in late May 1961, soon after the University of Mississippi rejected his application for admission. On May 31, 1961, claiming that the university blocked his admission and admission of others in his class solely because of race, Meredith filed a complaint against university officials in the Southern District of Mississippi.[1] For himself, Meredith sought the right to attend the university that summer; for his class, he sought undifferentiated treatment in future consideration of applications for admission. District Judge Mize set June 12 for the hearing on his motion for preliminary injunction, even though the first summer session was to begin 4 days before.[2] That first hearing was stopped in midstream when, as Judge Mize stated, other court business required his attention.[3] And on July 11, 1961, when hearings resumed, he continued the case for 30 days at the request of defendants because one of their attorneys, an assistant attorney general of Mississippi, had become ill.[4] Judge Mize did not attach importance to the strong possibility, later noted by the Court of Appeals for the Fifth Circuit, that the attorney general's office was sufficiently staffed to handle the case despite the illness of one of its members.[5] Six days later, the university's second summer session started. The hearing on plaintiff's motion for a preliminary injunction resumed on August 10, then recessed for 4 days, and finally concluded on August 16.[6] Although the last day of registration for the fall semester was September 28, Judge Mize took almost 4 months—until December 12, 1961—to render a decision which denied plaintiff's motion.[7]

Meredith successfully expedited his appeal, with the result that a hearing was held on January 9, 1962.[8] Three days later the Fifth Circuit affirmed the district court's denial of the motion for a preliminary injunction on the ground that the "muddy record" made it "impossible to determine whether there were valid nondiscriminatory grounds for the university's refusing Meredith's admission."[9] But the Fifth Circuit suggested that the district court proceed promptly with a trial on the merits[10] so that the issue might be resolved before February 15, 1962,[11] the last date for registration for the spring semester. Reacting to Judge Mize's handling of the hearings on the preliminary injunction, the Court of Appeals took pains to indicate how it wished the lower court to proceed.[12] The trial started on January 16, and was later continued until January 24; Judge Mize's decision was handed down on February 5, 1962. While his speed was not objectionable this time, his disposition was. His decree dismissed the complaint,[13] on the grounds that Meredith's admission had been denied for reasons other than race. Meredith immediately made a motion to the Fifth Circuit for an injunction pending appeal. He feared that further delay would moot his cause, since he was quickly approaching graduation at the Negro college he was then attending The Court of Appeals denied the motion, suggesting instead that in order to postpone graduation, Meredith either drop out of school or take courses not leading to graduation.[14] The Court of Appeals did, however, expedite his appeal,[15] and on June 25, 1962, reversed the district court, finding that Meredith had been denied admission solely because of his race; it remanded with directions to grant the relief sought.[16] Circuit Judge Wisdom, speaking for the majority, chided the district court for its plodding performance:

> The net effect of all these delays was that the February 1961 term, the two summer terms of 1961, and the two regular terms of 1961–62 slipped by before the parties litigant actually came to a showdown fight. Some of these delays, as in any litigation, were inevitable. Some are attributable to continuances of doubtful propriety and to unreasonably long delays by the trial judge. We refer, for example, to the delay between the end of the trial, August 16, and the entry of the district court's order, December 14 * * *.[17]

The odyssey had not quite ended; during the summer of 1962, Circuit Judge Cameron four times stayed the remand directive.[18] Three times his stay was vacated by his brethren;[19] finally, Mr. Justice Black invoked his power to set aside the fourth stay order and thus effectuate the remand.[20] And once Judge Cameron's efforts to stay had been overcome, Judge Mize issued an injunction framed in terms narrower than the complaint to which he had been ordered to adhere: Rather than affording relief as sought, to the class, he granted it only to Meredith.[21]

The delay characteristic of the Meredith case is not unique. Others have had similar encounters, one of the most shocking of which is that experienced by the Attorney General of the United States in *Kennedy* v. *Lynd*.[22] On January 19, 1961, after a written demand for voting records upon the registrar of Forrest County, Miss., proved unsuccessful, the Attorney General sought an order in the Southern District of Mississippi requiring the registrar to make the records available for inspection and copying. Then followed what the Fifth Circuit described as an "interminable proceeding."[23] After 6 months had passed, the district court had not acted on the Attorney General's request.[24] On July 6, 1961, the Attorney General, taking another tack, brought an action, *United States* v. *Lynd*,[25] against the Forrest County registrar, seeking both temporary and permanent injunctive relief against alleged discriminatory registration practices; he soon moved for discovery of the voting records under rule 34 of the Federal Rules.[26] However, this litigation, in the words of the Fifth Circuit: "Was delayed from time to time by dilatory motions, including motions to quash the rule 34 motion, and including motions to make more definite statement, none of which, of course, should stand in the way of a prompt disposition of a motion for a temporary injunction.[27]

The burden imposed on the Government by the trial court's action is typified by the effect of its sustaining of defendant's motion for more definitive statements: the court required the Government to allege the name of each unsuccessful applicant for registration and date of each vain attempt to register while it simultaneously refused access to the records where this information could be most conveniently obtained. The trial on the motion for a preliminary injunction began on March 5, 1962, 8 months after filing.[28] When the Government finished presenting its case, District Judge Cox, who had taken over voting registration suits in the Southern District soon after his appointment by President Kennedy in late June 1961,[29] granted a 30-day recess in order to enable the defendant to prepare his case further and to file answers to the Government's amended complaint.[30] Before granting the recess he declined either to grant or deny the Government's motion that the court issue the preliminary injunction.[31] The Attorney General then sought an injunction pending appeal from the Fifth

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[1] *Meredith* v. *Fair*, 199 F. Supp., 754 (S.D. Miss., 1961), aff'd, 298 F. 2d 696 (5th Cir.), petition for rehearing dismissed, 298 F. 2d 703 (5th Cir.), 202 F. Supp. 224 (S.D. Miss.), motion for injunction pending appeal denied per curiam, 305 F. 2d 341 (5th Cir.), rev'd 305 F. 2d 343 (5th Cir.), cert. denied, 371 U.S. 828 (1962).

[2] *Meredith* v. *Fair*, 199 F. Supp. 754, 755 (S.D. Miss., 1961).

[3] Ibid.

[4] Ibid.

[5] *Meredith* v. *Fair*, 305 F. 2d 343, 352 n. 9 (5th Cir., 1962).

[6] Id. at 350.

[7] Id. at 350–51.

[8] *Meredith* v. *Fair*, 298 F. 2d 696, 700–01 (5th Cir., 1962).

[9] 298 F. 2d at 702–03.

[10] Id., at 703.

[11] *Meredith* v. *Fair*, 305 F. 2d 341, 343 (5th Cir., 1962) (Tuttle, C.J., dissenting).

[12] Judge Wisdom, speaking for the Fifth Circuit, mentioned 5 problems in the previous trial which District Judge Mize was to avoid in his handling of the forthcoming trial on the merits: (1) The court's circumscribing of the plaintiff's examination of witnesses, argument and introduction of evidence, and allowance of wide latitude to the defendants resulted in an omission of helpful evidence; (2) the court's limitation of evidence solely to the 1961 summer session was "clearly erroneous"; (3) the recent accreditation given to the Negro college Meredith was attending had a "material bearing" on the case; (4) the record was "not clear" as to whether the university gave Meredith any transfer credits; and (5) the record was "not clear" as to the significance attached by the University of Mississippi to the Negro college Meredith was attending, 298 F. 2d at 702–03.

But these guidelines set forth by the Court of Appeals were not entirely respected on the remand. District Judge Mize disregarded the Fifth Circuit's observation that the limitation of evidence to the 1961 summer term was "erroneous"; he quashed "that part of a subpena requiring the registrar [of the university] to produce admission records for the February 1961 term." *Meredith* v. *Fair*, 305 F. 2d 343, 351 (5th Cir., 1962).

[13] *Meredith* v. *Fair*, 202 F. Supp. 224 (S.D. Miss. 1962).

[14] *Meredith* v. *Fair*, 305 F. 2d 341, 352 (5th Cir., 1962).

[15] Ibid.

[16] *Meredith* v. *Fair*, 305 F. 2d 343 (5th Cir.), cert. denied, 371 U.S. 828 (1962).

[17] Id. at 351–52.

[18] *Meredith* v. *Fair*, 7 Race Rel. L. Rep. 741, 742–45 (5th Cir., July–Aug. 1932) (issuance of stay orders by Judge Cameron on July 18, 28, 31, and Aug. 6, 1962).

[19] Id. at 742–45.

[20] See *Meredith* v. *Fair*, 83 Sup. Ct. 10 (1962) (vacating of Judge Cameron's stay orders by Justice Black).

[21] See *Meredith* v. *Fair*, 305 F. 2d 343, 348, 361 (5th Cir.), on remand, 7 Race Rel., L. Rep. 746, 747 (S.D., Miss., Sept. 13, 1962).

[22] 306 F. 2d 222 (5th Cir., 1962), cert. denied, 371 U.S. 952 (1963).

[23] 306 F. 2d at 227.

[24] *United States* v. *Lynd*, 301 F. 2d 818, 820 (5th Cir.), cert. denied, 371 U.S. 893 (1962).

[25] Ibid.

[26] 30 F. 2d at 820.

[27] Ibid.

[28] Ibid.

[29] Interview. For date of appointment of Judge Cox, see Register, Department of Justice and the Courts of the United States 71 (1962).

[30] *United States* v. *Lynd*, 301 F. 2d 818, 821 (5th Cir., 1962).

[31] Ibid.

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Circuit, because of the imminence of the approaching election.[32] The motion was granted April 18, 1962, the Fifth Circuit issuing its own temporary injunction;[33] when appeal was heard, Judge Cox was reversed.[34] The hearing on the merits, at which he is presiding, has not yet concluded.[35]

THE PROBLEM OF DELAY IN THE FIFTH CIRCUIT

The delays occasioned in Meredith and Lynd, and caustically noted by the appellate court, do not appear to be accidental or limited; they are a generic feature of civil rights litigation in the deepest south—Georgia,[36] Alabama,[37] Mississippi,[38] and Louisiana.[39] It is true that in many cases the fact of undue delay can only be ascertained by surmise. But the frequent reaction of commentators[40] and appellate courts[41] as well as actions taken by these courts to alleviate its effect,[42] testify not only to the delay, but to its source—the reluctance of district court judges to grant timely or compliant enforcement of civil rights. At pretrial, preverdict and postappellate verdict stages, a district judge's considerable freedom to schedule and dispose of his calendar provides ample opportunity for subjecting plaintiffs to the passage of time, which, as in Meredith, may threaten to moot or, as in Lynd, to frustrate. The prevalence of delay tactics in civil rights cases, and their impact on the constitutional rights of litigants, warrants inquiry into the methods judges may use to achieve delay, and the instruments available to force greater adherence to traditional norms of impartial performance by the judiciary.

The opportunities for delay

District courts in the fifth circuit have delayed the ultimate disposition of civil rights litigation during pretrial stages through unusual and perhaps unwarranted employment of various doctrines designed to enable courts to render informed decisions—doctrines which result in the case being temporarily dismissed. For example, several civil rights actions have been dismissed on the grounds that they were not properly class actions, or that the complaint was formally deficient.[43] The effect of such dismissals is not, of course, to deny permanently the plaintiff's requested relief. The dismissals may be reversed on appeal. In other instances the plaintiff may be able to file new complaints which comply with the wishes of the district court. More substantial delay may be obtained, as occurred in *Bailey* v. *Patterson*,[44] if the court is able to utilize the abstention doctrine, which postpones litigation in three-judge district courts until potentially controlling questions of State law have been answered by the State judiciary.[45] It typically takes many years to get a final ruling in the State courts, since appeal to the State's highest court is usually taken. In the Bailey case, Mississippi District Judges Mize and Clayton, over the dissent of Circuit Judge Rives, sustained defendants' motion to abstain from passing on the issues raised until the Mississippi courts had determined as a matter of State law the scope of the statutes whose constitutionality was being challenged.[46] On appeal to the Supreme Court, a unanimous bench vacated the lower court's decision per curiam, finding the use of abstention patently frivolous,[47] since the issue raised was so well settled as a matter of necessarily applicable Federal law as to be "wholly insubstantial, legally speaking nonexistent."[48] The vacation might well have been predicted; the delay resulting from appeal was nonetheless irremediable.

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[32] Id. at 823.

[33] Ibid. The court of appeals construed the lower court's nonaction as an effective denial of preliminary relief, found that the plaintiff made a "clear showing" that the rights it sought to vindicate were being violated by the registrar, and concluded that the likelihood that the court's refusal to grant the temporary injunction will be reversed as an abuse of discretion is sufficiently great that we are warranted in protecting the rights of the Negro registrants pending a decision on this issue by this court.

Ibid. The imminence of the end of registration proceedings prior to the holding of an early election prompted the court of appeals to issue the injunction itself, rather than to send the remand directive to the trial court for issuance. Ibid.

[34] *United States* v. *Lynd*, No. 19576, 5th Cir., July 15. 1963.

[35] Id. at 3. Somewhat earlier, on Feb. 15, 1962, Judge Cox dismissed the Attorney General's application for an order for production of county voting records on the ground that it had been "abandoned." *Kennedy* v. *Lynd*, 306 F. 2d 222, 228 (5th Cir.), cert. denied, 371 U.S. 952 (1963). On July 7, 1962, the Fifth Circuit vacated this order and directed that the application be granted. Id. at 229. As noted by the court on appeal, Judge Cox's action ran directly against the grain of *Kennedy* v. *Bruce*, 298 F. 2d 860 (5th Cir., 1962), a precedent established by the Fifth Circuit in the weeks immediately preceding.

[36] See, *e.g.*, *Stell* v. *Savannah-Chatham County Bd. of Educ.*, 318 F. 2d 425 (5th Cir., 1963) (suit filed in Jan. 1962); *Anderson* v. *City of Albany*, Civil Action No. 731 (M.D. Ga., 1963) (hearing in Sept. 1962; dismissal of action 9 months later); *Kelley* v. *Page*, Civil Action No. 727 (M.D. Ga., 1963) (hearing in Sept. 1962; dismissal 9 months later); *Bell* v. *Fulton DeKalb Hosp. Authority*, Civil Action No. 7966 (N.D. Ga.) (action filed in June 1962, but is pending as of June 1963). Part of this information was supplied by The Administrative Office of the United States Courts. See letter from Administrative Office of the United States Courts to the Yale Law Journal, Oct. 8, 1963, on file in Yale Law Library (hereinafter cited as Letter).

[37] See, *e.g.*, *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963, p. 11 (passage of 2 years before trial; trial completed Oct. 25, 1962; trial court denied injunction May 28, 1963); *Nelson* v. *Grooms*, 307 F. 2d 76, 79 (5th Cir., 1962) (concurring opinion); *Kennedy* v. *Bruce*, 298 F. 2d 860 (5th Cir., 1962) (passage of 1 year from date of filing of one motion until its hearing); *United States* v. *Doggett*, Civil Action No. 2829 (S.D. Ala.) (action filed June 1962 but is pending as of June 30, 1963); *United States* v. *Atkins*, 210 F. Supp. 441 (S.D. Ala. 1962) (action filed in April 1961; trial held in May 1962; decision entered in November 1962). See also Letter.

[38] See, *e.g.*, *United States* v. *Ramsey*, 8 Race Rel., L. Rep. 156 (S.D. Miss., Feb. 5, 1963) (action filed July 1961); *United States* v. *Daniel*, 8 Race Rel., L. Rev. 154 (S.D. Miss., Jan. 4, 1963) (action filed on Aug. 3, 1961); *United States* v. *Duke*, Civil Action No. 610045 (N.D. Miss., 1963) (action filed in October 1961; trial held in March 1963; decision handed down in June 1963); in re Coleman, 208 F. Supp. 199 (S.D. Miss., 1962), aff'd per curiam, *Coleman* v. *Kennedy*, 313 F. 2d 867 (5th Cir.), cert. denied, 373 U.S. 950 (1963). See also Letter.

[39] See, *e.g.*, *United States* v. *Lucky*, Civil Action No. 8366 (W.D. La.) (action filed in July 1961; hearing held in March 1963); *United States* v. *Ward*, Civil Action No. 8547 (W.D. La.) (action filed in October 1961; trial held in December 1962). See also Letter.

[40] See Bickel, "Civil Rights: The Kennedy Record." The New Republic, Dec. 15, 1962, p. 16; Wash. Post, Mar. 7, 1963, p. A20, col. 3; N.Y. Times, July 19, 1963, p. 8, col. 3; N.Y. Times, June 9, 1963, § 6 (magazine), p. 80, col. 4; Bickel, Civil Rights Boil-Up, The New Republic, June 8, 1963, pp. 11–12; N.Y. Times, June 24, 1963, p. 19, col. 2; N.Y. Times, June 27, 1963, p. 18, col. 6; Peltason, Fifty-eight Lonely Men, 93–134 (1961); Interviews. See also Att'y Gen. Report on Progress in the Field of Civil Rights, Jan. 24, 1963, p. 4.

[41] See, e.g., *Davis* v. *Board of School Comm're of Mobile County*, 318 F. 2d 63, 64 (5th Cir., 1963); *Nelson* v. *Grooms*, 307 F. 2d 76, 79 (5th Cir., 1962) (concurring opinion); *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963, p. 14; *Meredith* v. *Fair*, 305 F. 2d 343, 351–52 (5th Cir.), cert. denied, 371 U.S. 828 (1962); *Kennedy* v. *Lynd*, 306 F. 2d 222, 227 (5th Cir., 1962), cert. denied, 371 U.S. 952 (1963); *Watson* v. *City of Memphis*, 373 U.S. 526, 530 (1963).

[42] See e.g., *Anderson* v. *City of Albany*, No. 20501, 5th Cir., July 26, 1963, p. 21 (issuance of remand directive effective immediately); *United States* v. *Dogan*, 314 F. 2d 767, 775 (6th Cir., 1963) (issuance of remand directive effective immediately); *Kennedy* v. *Bruce*, 298 F. 2d 860, 862 (5th Cir., 1962) (Fifth Circuit expedited the appeal by the U.S. Attorney General); *Meredith* v. *Fair*, 305 F. 2d 341, 342 (5th Cir., 1962) (Fifth Circuit expedited Meredith's appeal); *Stell* v. *Savannah-Chatham County Bd. of Educ.*, 318 F. 2d 425, 426, 428 (5th Cir., 1963) (issuance of an injunction pending appeal 11 days after the district court denied injunctive relief); *Bailey* v. *Patterson*, 369 U.S. 31, 34 (1962) (order of abstention of Mississippi three-judge district court vacated and case remanded to a single judge "for expeditious disposition").

[43] In *Baldwin* v. *Morgan*, 149 F. Supp. 224 (N.D., Ala.), rev'd 251 F. 2d 780 (5th Cir., 1958), District Judge Lynne dismissed a complaint for injunctive and declaratory relief filed by Negroes against discriminatory segregation in the Birmingham Railroad Station on the ground that it failed to state a cause of action: "No Federal court has a right to adjudicate a difference or dispute of a hypothetical or abstract character." Id. at 225. But the lower court's ruling on the insufficiency of the pleadings contravened repeated Fifth Circuit's decisions on the test required for the sufficiency of a complaint. E.g., *Des Isles* v. *Evans*, 200 F. 2d 614, 615 (5th Cir., 1952); *Millet* v. *Godchaux Sugars, Inc.*, 241 F. 2d 264, 265 (5th Cir., 1957). In the latter two cases, the test adopted by the Court of Appeals provided that a "motion to dismiss for failure to state a claim should not be granted unless it appears to a certainty that the plaintiff would be entitled to no relief under any state of facts which could be proved in support of his claim. * * *" Ibid. Moreover, the district judge apparently did not take cognizance of the underlying theory of the Federal rules that pleadings merely serve a "notice" function since more detailed factual development of the facts of the case can be obtained through use of the liberal discovery rules. 2 MOORE, FEDERAL PRACTICE, pars. 8.02–8.03, at 1612–13 (2d ed. 1962). Cf. *Kennedy* v. *Owen*, No. 20634, 5th Cir., July 3, 1963.

See also, on question of class actions, *Anderson* v. *City of Albany*, No. 20501, 5th Cir., July 26, 1963; *Bailey* v. *Patterson*, 206 F. Supp. 67 (S.D. Miss.), rev'd in part and aff'd in part, No. 20372, 5th Cir., Sept. 24, 1963.

[44] 199 F. Supp. 595 (S.D. Miss.), vacated per curiam, 369 U.S. 31 (1962).

[45] See, *e.g.*, *Clay* v. *Sun Ins. Office Ltd.*, 363 U.S. 207, 224, n. 20 (1960) (Black, J., dissenting); Note, Judicial Abstention from the Exercise of Federal Jurisdiction, 59 Colum. L. Rev. 749, 779 (1959); *Louisiana Power & Light Co.* v. *City of Thibodaux*, 360 U.S. 25, 42 (1959) (dissenting opinion). See also note, Consequences of Abstention by a Federal Court, 73 Harv. L. Rev. 1358 (1960).

[46] *Bailey* v. *Patterson*, 199 F. Supp. 595, 598 (S.D. Miss.), vacated per curiam, 369 U.S. 31 (1962); compare *United States* v. *Lassiter*, 203 F. Supp. 20 (W.D. La., 1962), and *United States* v. *Pitcher*, 7 Race Rel. L. Rep. 223 (E.D. La., 1962), with *Bailey* v. *Patterson*, *supra*.

[47] 369 U.S. 31, 34 (1962).

Substantial possibilities for delay arise not only from postponements prior to and during trial, but also from the district judge's control over the period of time between completion of a trial or hearing and the rendering of his decision.[49] A contemporary example is the handling by Kennedy-appointed District Judge Elliott[50] of the three cases arising out of the "Albany Movement in Albany, Ga.,[51] Judge Elliott did not render decisions in two of the cases until nine months[52] after the consolidated hearing.[53] Delay in rendering a decision is compounded when a decision is entered which fails to follow binding authority, necessitating appeal, reversal, and remand. Such an occurrence in a lower Federal court is regrettable for it represents an abdication of a district judge's duty to abide by the limiting directives of higher courts. But examples of disobedience of higher courts by a southern district judge in civil rights litigation are numerous.[54] In *Kennedy* v. *Bruce,* an action to require the production of county voting records, District Judge Thomas of the Southern District of Alabama rendered decisions, unaccompanied by opinions, denying the request some 16 months after it was made.[55] The Fifth Circuit expedited the Attorney General's appeal and reversed the district court; prior Fifth Circuit decisions supporting the Attorney General's position, as the court noted, clearly controlled the outcomes of these motions.[56] In *Stell* v. *Savannah-Chatham County Board of Education.* a suit brought by Negroes to end school segregation, District Judge Scarlett denied the requested injunctive relief "solely on the basis" of a factual finding that although segregation existed, integrated schools were harmful to both races.[57] Responding to Judge Scarlett's clear abuse of discretion in failing to follow the Supreme Court decision in the Brown decision of 1954,[58] the Fifth Circuit shortly thereafter granted the Negroes an injunction pending appeal; unless it had taken such action, another school term would have passed without desegregation.

Once the appellate court has returned a case to the originating district, further opportunities for delay present themselves. The presence on the circuit court of some judges sympathetic to segregation has made possible substantial delays through staying of the effectiveness of injunctive remedy;[59] district judges may have similar power to enter a stay. Or, prior to framing an injunction after remand, the district judge may extend the period of several weeks which normally intervenes between circuit court decision and entry of an order in his court.[60] Finally, as did Judge Mize in the Meredith case, he may enter a decree which "misinterprets" the court's opinion,[61] either delaying full relief while modification is sought above, or avoiding grant of it altogether if weariness or inertia prevent an appeal. Such behavior, difficult to assess because proceedings on remand are rarely reported, may be inferred from recent, unusual behavior by the Fifth Circuit: rendering of decrees to be "effective immediately"[62] and, on occasion, framing the terms of the injunction to be entered by the district court.[63]

The need for discipline

That delay should occur in the trial of a civil suit is not an unusual characteristic of the American judicial system. Recently, commentators have voiced their concern at the lengthy proceedings attendant to antitrust actions; the delay in processing personal injury actions has weighed heavily on the judicial conscience.[64] In itself, it may be that delay cannot be attacked without a broad charge against the entire judicial system. An essential distinction can be made, however. Delay in the antitrust context occurs in spite of the judge's efforts for expedition. But in the district courts of the Fifth Circuit, delay appears as a purposeful technique to postpone and perhaps moot the resolution of controversies over constitutional right. And given the Fifth Circuit's history of reversing decisions of particular judges in the civil rights area,[65] avoiding a final (and thus appealable) decision may be the most effective technique for achieving these results.

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[48] *Id.* at 33.

[49] See, *e.g., United States* v. *Lynd,* 301 F. 2d 818, 821 (5th Cir., 1962); *Bailey* v. *Patterson,* supra note 46 (continuance of doubtful propriety); *Anderson* v. *City of Albany,* No. 20501, 5th Cir., July 26, 1963, pp. 9, 19; in re Coleman, 208 F. Supp. 199 (S.D. Miss), aff'd per curiam, *Coleman* v. *Kennedy,* 313 F. 2d 867 (5th Cir.), *cert. denied,* 373 U.S. 950 (1963) ("a demand stalled for more than a year by judicial delays and stays," N.Y. Times, June 4, 1963, p. 25, col. 2); *Armstrong* v. *Board of Educ. of the City of Birmingham,* No. 20595, 5th Cir., July 12, 1963, p. 11 (passage of 2 years before trial; trial completed Oct. 25, 1962; trial court denied injunction, May 28, 1963); *Nelson* v. *Grooms,* 307 F. 2d 76, 79 (5th Cir. 1962) (concurring opinion); *United States* v. *Ramsey,* 8 Race Rel. L. Rep. 156 (S.D. Miss., Feb. 5, 1963) (action filed July 6, 1961); *Davis* v. *Board of School Comm'rs of Mobile County,* 318 F. 2d 63, 64 (5th Cir., 1963) (hearing on motion for preliminary injunction held on Apr. 25, 1962; no decision on the motion by time of this Fifth Circuit decision on May 24, 1963); *Kennedy* v. *Bruce,* 298 F. 2d 860 (5th Cir., 1962); *United States* v. *Atkins,* 210 F. Supp. 441 (S.D. Ala., 1962); *United States* v. *Daniel,* 8 Race Rel. L. Rep. 154 (S.D. Miss., Jan 4, 1963) (action filed on Aug. 3, 1961); see also Att'y Gen. Report of Progress in the Field of Civil Rights, Jan. 24, 1963, p. 4; *United States* v. *Raines,* 189 F. Supp. 121 (M.D. Ga., 1960); *Meredith* v. *Fair,* 199 F. Supp. 754, 755 (S.D. Miss., 1961) (postponement and continuance prior to trial).

[50] For date of appointment, see Register, Dep't of Justice and the Courts of the United States 48 (1962).

[51] *Anderson* v. *City of Albany,* No. 20501, 5th Cir., July 26, 1963 (where the Court of Appeals reversed Judge Elliott's dismissal of plaintiffs' complaint and consequent denial of injuctive relief); id. at 19–20; Interview. For obejectives of the "Albany Movement," see *Anderson* v. *City of Albany,* supra at 4 n. 2.

[52] Interview.

[53] *Anderson* v. *Kelley,* Civil No. 730, M.D. Ga., Feb. 14, 1963.

[54] See *Baldwin* v. *Morgan,* 149 F. Supp. 224 (N.D. Ala., 1957), rev'd, 251 F. 2d 780, 785 (5th Cir., 1958); *Stell* v. *Savannah-Chatham County Bd. of Educ.,* 318 F. 2d 425, 426 (5th Cir., 1963); *Armstrong* v. *Board of Educ. of City of Birmingham,* No. 20595, 5th Cir., July 12, 1963, pp. 4–6; *Kennedy* v. *Lynd,* 306 F. 2d 222 (5th Cir.), cert. denied, 371 U.S. 952 (1963) (10 days before district judge dismissed Attorney General's enforcement proceeding as abandoned Firth Circuit handed down *Kennedy* v. *Bruce,* 298 F. 2d 860 (5th Cir., 1962)); *Woods* v. *Wright* (N.D. Ala., May 22, 1963), in N.Y. Times, May 23, 1963, p. 1, col. 7, and Bickel, Civil Rights Boil-Up, The New Republic, June 8, 1963, pp. 11–12 (failure to follow *Dixon* v. *Alabama State Bd. of Educ.,* 294 F. 2d 150 [5th Cir., 1961]); *United States* v. *Dogan,* 314 F. 2d 767, 771 (5th Cir., 1963), reversing 206 F. Supp. 446 (N.D. Miss., 1962); *Kennedy* v. *Bruce,* 298 F. 2d 860, 862–863 (5th Cir., 1962).

[55] 298 F. 2d 860, 862 (5th Cir., 1962).

[56] The Board of Registrars of Wilcox County, Ala., had brought an action in an Alabama State court to enjoin the United States Attorney General from attempting to enforce a demand for the Wilcox County voting records. *Kennedy* v. *Bruce,* supra note 55, at 862. After the State court granted a temporary injunction as prayed, the Attorney General removed the case to the Southern District of Alabama, and then moved to dismiss the State court action on June 7, 1960. Ibid. On Aug. 30, 1960, the Attorney General also applied for an order requiring the Wilcox County registrars to permit the Attorney General to inspect the county's voting records, whereupon the registrars moved to dismiss. Ibid. In rendering decisions adverse to the Attorney General District Judge Thomas failed to abide by controlling Fifth Circuit precedent or else displayed a blatant ignorance of the law. As the Court of Appeals for the Fifth Circuit said in reversing the district court's actions:

"First, as to the refusal of the trial court to dismiss the complaint against the Attorney General filed in the State Court, we are unable to find any conceivable justification supporting the trial court's action. Nine months prior to the entry by the trial court of this order denying dismissal, this Court in the State of Alabama ex rel. *Gallion* v. *Rogers* * * * expressly * * * decided that the State of Alabama had no power to entertain a suit seeking to review the discretion of or enjoin the acts of the Attorney General of the United States."

Ibid. In disposing of the trial court's dismissal of the Attorney General's applications for an enforcement order, the Fifth Circuit concluded that:

"What was decided in the earlier case of *Dinkens et al.* v. *Attorney General of the United States* * * * affirmed * * * by this Court * * * clearly controls the disposition of this case."

Id. at 863.

[57] 318 F. 2d 425, 427 (5th Cir., 1963).

[58] Ibid.

[59] For a review of Circuit Judge Cameron's issuance of 4 successive stay orders in the Meredith case, note 18 supra.

[60] Or a district judge may permit the suspension of a desegregation order even after desegregation has commenced. *Aaron* v. *Cooper,* 163 F. Supp. 13 (E.D. Ark., 1958) (Lemley, J.).

[61] See note 21 supra.

[62] E.G., *Meredith* v. *Fair,* 305 F. 2d 341, 342 (5th Cir., 1962); *Kennedy* v. *Bruce,* 298 F. 2d 860, 864 (5th Cir., 1962); *Kennedy* v. *Owen,* No. 20634, 5th Cir., July 9, 1963, p. 4; *Anderson* v. *City of Albany,* 321 F. 2d 649, 658 (5th Cir., 1963); *United States* v. *Dogan,* 314 F. 2d 767, 775 (5th Cir., 1963), reversing 206 F. Supp. 446 (N.D. Miss., 1962).

[63] *Stell* v. *Savannah-Chatham County Bd. of Educ.,* 318 F. 2d 425, 428 (5th Cir., 1963); *Davis* v. *Board of School Comm'rs,* No. 20657, 5th Cir., July 9, 1963, modified July 18, 1963, pp. 3–4; *Armstrong* v. *Board of Educ.,* No. 20595, 5th Cir., July 12, 1963, pp. 13–14.

[64] See Olney, An Analysis of Docket Congestion in the U.S. District Courts in the Light of the Enactment of the Omnibus Judgeship Bill, 29 F.R.D. 217 (1962); McLaren, Streamlining the Big Case—A Report by the Section of Anti-trust Law of the American Bar Association, 23 F.R.D. 584 (1959); see generally Handbook of Recommended Procedures for the Trial of Protracted Cases, 25 F.R.D. 351 (1960).

[65] See, e.g., note 87 infra (reversals of orders and decisions of Mississippi District Judge Cox); *Bailey* v. *Patterson,* 206 F. Supp. 67 (S.D. Miss., 1962) (Mize, J.), rev'd, No. 20372, 5th Cir., Sept. 24, 1963; *Meredith* v. *Fair,* 202 F. Supp. 224 (S.D. Miss.) (Mize, J.), rev'd, 305 F. 343 (5th Cir.), cert. denied, 371 U.S. 828 (1962); *United States* v. *City of Jackson,* 206 F. Supp. 45 (S.D. Miss., 1962) (Mize, J.), rev'd, 318 F. 2d (5th Cir., 1963).

When delay is the manifestation of an underlying bias against the established rules for resolving the principal issues between litigants it cannot be tolerated. This seems especially true where the rules have constitutional dimension. Many of these civil rights suits are class actions involving the rights not just of the plaintiffs but of many thousands of Negroes.[66] Delay in the bringing of a suit seeking to end segregation in schools to the trial stage will be accompanied by the passage of another school semester, thereby resulting in lost opportunities to attend an integrated high school or university. Similarly, delay in the granting of the U.S. Attorney General's application for an order for county voting records or in the handing down of a decision following a trial on a motion for an injunction to end discriminatory registration practices invariably postpones the enjoyment by many Negroes of their constitutional right to vote; an election may have occurred during the judicial delay, in which continued disenfranchisement helped segregationist forces to maintain their political dominance. The frustration undergone by Negro litigants now battling through the district courts probably inhibits the initiation of other suits by Negroes being denied their civil rights. Aggravating the problem of delay is its inherent irremediability; time once lost cannot be regained. Furthermore, appellate courts' inability readily to review district court action occasioning delay may prevent them from cutting short the losses thus occasioned. For an appellate court's jurisdiction is essentially limited to hearing appeals from final decisions of district courts and to district court orders denying or granting injunctive relief.[67] Delay, and the ability of district courts successfully to administer it, is at the heart of the problem of the Fifth Circuit.

It might be contended that the judicial performance in civil rights litigation by some Federal district judges in the Fifth Circuit does not warrant correction. By their dilatoriness, the argument might run, these members of the lower Federal bench merely reflect the politically dominant ethos of the region. Although the national ethos endorses such changes, in the schoolroom, in public accommodations and at the ballot box, lower court judges, operating within the narrow confines of a local community, properly reflect that community's attitudes in interpreting and applying national law.[68] If unable to satisfy dominant local sentiment, the Federal courts will only engender hostility toward themselves as well as disrespect for the national law. By temporizing, and thus paying heed to and reflecting the community's resistance to nationally imposed doctrine, the judges will be able to educate the resisting citizenry into gradual acceptance of these doctrines and thus assure that ultimate respect for the evolving law which can arise only from its incorporation into the local ethos. If some Negroes lose their rights—to attend an integrated school or to vote—such is an inevitable price of a judicial system. For the bench is not obliged to ride roughshod over the dominant local consensus for the sake of immediate implementation of the constitutional rights of a minority. Only if the lower Federal bench indulges in high pressure enforcement of higher court mandates distasteful to ruling sentiments of the community at large can such rights be protected immediately. And such action will destroy public confidence in the judiciary.

It may be further contended that objections to present handling of civil rights matters are particularly improper since what the critics seek is expedition. But the dockets of the Fifth Circuit and, presumably, of its districts are already the most congested of any of the Nation's courts.[69] Given this pileup, should civil rights litigation be handled expeditiously, to the detriment of litigants whose suits in the fields of tax, tort, contract, and admiralty have long been pending? Postponement of trials or decision days in non-civil-rights actions invariably inconveniences non-civil-rights litigants who have been awaiting the outcome in matters personally important to them, just as postponement may inconvenience civil rights litigants. There is not a prior reason for choice of one class of litigation or litigants over another. Calendar control rests within the discretion of the lower Federal bench,[70] which is in fact best able to determine the preparedness of the litigants and to administer its caseload. Although a trial judge may give preferential calendar treatment to particular types of litigation, such preferences will reflect his knowledge of the communities he serves, and ought not be disturbed. Even if some district judges permit personal bias on the racial issue to influence their handling of civil rights suits,[71] respect for the ordinary and necessary independence of the lower bench in matters essential to the smooth administration of a complex and crowded docket should engender reluctance to interfere.

See also note 71 infra (reversals of injunctive orders issued by Louisiana District Judge West); *Baldwin* v. *Morgan,* 149 F. Supp. 224 (N.D. Ala., 1957) (Lynne, J.), rev'd, 251 F. 2d 780 (5th Cir., 1958), 6 Race Rel. L. Rep. 566 (N.D. Ala., Nov. 23, 1959), rev'd, 287 F. 2d 750 (5th Cir., 1951); *Armstrong* v. *Board of Educ. of City of Birmingham,* No. 20595, 5th Cir., July 12, 1963 (plaintiff's motion for injunction pending appeal granted after Judge Lynne denied injunctive relief to end segregation in public school system).

[66] E.g., *Boman* v. *Morgan,* 4 Race Rel. L. Rep. 1027 (N.D. Ala., Nov. 23, 1959), rev's sub nom. *Boman* v. *Birmingham Transit Co.,* 280 F. 2d 531 (5th Cir., 1960); *Sawyer* v. *City of Mobile,* 208 F. Supp. 548 (S.D. Ala., 1961); *Cobb.* v. *Montgomery Library Bd.,* 207 F. Supp. 880 (M.D. Ala., 1962); *Jemison* v. *Christian,* 6 Race Rel. L. Rep. 522 (E.D. La., Mar. 31, 1961), aff'd, 303 F. 2d 52 (5th Cir.), cert. denied, 371 U.S. 920 (1962); *Anderson* v. *Courson,* 203 F. Supp. 806 (M.D. Ga., 1962); *Taylor* v. *City Council,* 7 Race Rel. L. Rep. 227 (S.D. Ga., Feb. 9, 1962); *Bailey* v. *Patterson,* 295 F. 2d 452 (S.D. Miss., 1961), vacated per curiam, 369 U.S. 31 (1962). Moreover, when the U.S. Attorney General brings a voting registration suit seeking to end discriminatory practices within a particular county, the decision handed down by the district court will usually have a substantial influence on the extent to which thousands of Negroes may register for future elections.

[67] 28 U.S.C. 1291–92 (1958).

[68] For examples of pressures brought against the Federal bench in the South in an attempt to influence decisionmaking—withholding of invitations to important social gatherings, adverse press comment, and the making of anonymous obscene telephone calls—see Peltason, "Fifty-Eight Lonely Men" 9–10, 43 (1961).

[69] *Armstrong* v. *Board of Educ.,* No. 20595, 5th Cir., July 12, 1963, p. 46; see Annual Report of the Director of the Administrative Office of the U.S. Courts, 1962, 209–10 (1963).

[70] 28 U.S.C. 137 (1958): Interviews.

[71] Attention has recently been directed at some of President Kennedy's appointees to the lower Federal bench in the Fifth Circuit, who are claimed to have segregationist leanings. For example, an article in the New York Times stated that: "The delay engaged in by the courts in handling * * * civil rights issues is hardly surprising when one considers that a number of Federal district judge are segregationists. What is surprising to many Negroes who supported President Kennedy in the 1960 election is that some of his appointments to the judiciary are men of this type." N.Y. Times, June 9, 1963, sec. 6 (magazine), p. 80, col. 4. Indeed, some of the recent appointees have been quite forthright in vocalizing their posture both on or off the bench. Appointed in February 1962 to sit in the Middle District of Georgia, Judge Elliott gave this explanation a number of years ago for his opposition to steps to end rural domination of Georgia politics: "I don't want these pinks, radicals and black voters to outvote those who are trying to preserve our segregation laws and other traditions," N.Y. Times, July 19, 1963, p. 8, col. 3; District Judge Elliott has delayed the disposition of civil rights cases concerning the "Albany Movement" in Albany, Ga., Ibid.; see notes 50–53 supra and accompanying text.

Appointed in June 1961, District Judge Cox, a close friend of Senator Eastland, has expressed prosegregationist views while sitting in the Southern District of Mississippi. N.Y. Times, July 19, 1963, p. 8, col. 3; Judge Cox's opinions in *Brown* v. *State,* 6 Race Rel. L. Rep. 780 (S.D. Miss., Aug. 26, 1961), in which, in refusing to remove the cases of 6 "freedom riders" from a State court to a Federal district court, he characterized the petitioners in the following terms: "This Court may not be regarded as any haven for any such counterfeit citizens from other States deliberately seeking to cause trouble here among its people." Ibid. The Court of Appeals for the Fifth Circuit has not been unaware of Judge Cox's dilatory handling of proceedings brought by the U.S. Attorney General. See *Kennedy* v. *Lynd,* 306 F. 2d 222 (5th Cir., 1962), cert. denied, 371 U.S. 952 (1963); *United States* v. *Lynd,* 301 F. 2d 818 (5th Cir.), cert. denied, 371 U.S. 893 (1962). For Judge Cox's record in civil rights litigation, see note 87 infra.

Perhaps one of the most unsympathetic views toward prevailing legal doctrines in the civil rights area as well as toward the agitation of civil rights groups emanated from Kennedy-appointed District Judge West, who, in an opinion in which he ordered the East Baton Rouge School Board to produce a desegregation plan, stated:

"I could not, in good conscience, pass upon this matter today without first making it clear, for the record, that I personally regard the 1954 holding of the United States Supreme Court in the now famous Brown case as one of the truly regrettable decisions of all times. Its substitution of so-called "sociological principles" for sound legal reasoning was almost unbelievable. As far as I can determine, its only real accomplishment to date has been to bring discontent and chaos to many previously peaceful communities, without bringing any real attendant benefits to anyone.

"And even more regrettable to me is the fact that almost without exception the trouble that has directly resulted from this decision in other communities has been brought about not by the citizens and residents of the community involved, but by the agitation of outsiders, from far distant States, who, after having created turmoil and strife in one locality, are ready to move on to meddle in the affairs of others elsewhere." (*Davis* v. *East Baton Rouge Parish School Bd.,* 214 F. Supp. 624, 625 (E.D. La., 1963).)

Judge West has enjoined demonstrations by the Congress of Racial Equality—presumably part of the outside agitators—at least on two occasions; he was reversed by the Court of Appeals for the Fifth Circuit on both occasions, however. N.Y. Times, Aug. 23, 1963, p. 12, col. 2 (Judge West's injunction called a "blow to the Negroes' campaign for equal political and employment rights" in Plaquemines, Louisiana); N.Y. Times, Aug. 30, 1963, p. 11, col. 1 (Fifth

Furthermore, even some advocates of expedition in civil rights enforcement might find district court dilatoriness unobjectionable, insofar as it contributed to an understanding of the problem of enforcement as a political one and prompted consideration of its solution by political means. Recognizing the need for implementation of the national consensus, these persons might urge that the judiciary can prompt the proper expression of this national consensus only through a refusal to impose the dictates of Brown[72] and its progeny[73] rapidly. Dissatisfaction with judicial performance in this area or in the handling of voter registration issues, according to this line of reasoning, would not only underscore the impropriety of courts handling such volatile political issues, but, more significantly, might trigger congressional responses—such as creation of an administrative agency—made less likely when judicial activity is of sufficient effectiveness to reduce the pressure to change the status quo on those who might support such measures.[74] Such a political solution, putting enforcement of civil rights in the hands of a body designed for sensitivity to the national consensus, would avoid many of the problems associated with enforcement through the Federal judiciary.[75] Judicial administration which vividly betrays its flaws of performance is all the more likely to prompt necessary change.

But all of these arguments ignore a fundamental postulate upon which a judicial system is grounded. Corresponding to the existence of courts as institutions for the protection and adjudication of rights is the duty of the judge to refrain from action postponing indefinitely the bringing of these rights to fruition; the trial judge, in particular, must in good faith decide cases by seeking out and effectuating doctrine established by higher judicial authority. The district judge's considerable freedom to innovate within the framework of the law is diminished to the extent that resolution of relevant issues by appellate authority to which he is subordinated is clear and recent. For an appellate court to affirm a court-enforcible right would be farcical if a trial judge were free to destroy the right through inaction or disregard. The judicial process ultimately "rests upon unreserved acceptance of and compliance with the decisions of the Court of last resort."[76] For an inferior court judge to defy the law as declared is for him to undermine the foundation of the very structure entrusted to his care; such conduct may well lead to more basic disrespect of the law as an institution than any momentary acquiescence to "public feelings" can prevent. Since recognition of the importance of the rights lost by delay in civil rights matters has frequently been expressed by both the Fifth Circuit and the Supreme Court, judicial temporizing as well as refusal to follow clearly applicable precedent must be considered such defiance. While the speed with which civil rights are obtained will often depend upon plaintiffs' willingness and ability to bring lawsuits, once such suits are brought, the clear mandate of appellate court decision is that they must be processed without unnecessary delay.[77] They have stated in explicit terms that the sentiments of the white community are not to be given dispositive weight in formulating the judicial remedies which are to end public segregation with "all deliberate speed."[78]

The right to orderly disposition of suits exists whether or not judicial enforcement of civil rights and, in particular, judicial formulation of anti-segregation policies and plans, is not the optimum means of treating the pressing national problem of race relations. It is not only that congressional creation of an administrative agency to formulate such policy, however much sounder as a means of dealing with the problem, is but a remote possibility. The courts having entered the field, the necessary discipline of the judiciary requires that lower court judges cooperate in the enforcement of the law as interpreted by appellate judges. So long as some district judges refuse to do so or do so dilatorily, reforms must focus upon improving methods of enforcement of higher court directives. And such solutions, if they go no further than to seek compliance with the spirit and rulings of higher court decisions, need not give rise to the countervailing objection that defendants' rights or the rights of other litigants in the Federal courts will be prejudiced.

In devising such solutions, an important cautionary principle is that which calls for preservation of judicial independence. Independence of the judiciary has frequently been defined in terms of the freedom of the individual judge from the threat of penalty—whether loss of job, reduction of salary, or criminal sanction—for politically unpopular decisions.[79] Thus, constitutional requirements of life tenure and fixed salaries are defended for their contribution to a judiciary independent of monetary political disapproval.[80] "Reforms" to correct delay might be rejected if they occasion rash interference with judicial processes, decisions, or personnel. But this principle is not without its limitations. American political history reveals a continuous process of interaction between the judiciary and other branches of Government, particularly on matters of political import[81] Use of the appointment power, procedural reforms, and other means of shaping judicial response to

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Circuit's setting aside of Judge West's order); *Clemmons* v. *Congress of Racial Equality*, No. 19703, 5th Cir., Sept. 12, 1963, reversing 201 F. Supp. 737 (E.D. La., 1962).

See also N.Y. Times, Oct. 6, 1963, sec. 1, p. 75, col. 1.

[72] *Brown* v. *Board of Educ.*, 347 U.S. 483 (1954).

[73] See, e.g., *Boynton* v. *Virginia*, 364 U.S. 454 (1960) (eating facilities connected with interstate transportation); *Bailey* v. *Patterson*, 369 U.S. 31 (1962) (transportation); *New Orleans City Park Improvement Ass'n* v. *Detiege*, 252 F. 2d 122 (5th Cir.), aff'd, 358 U.S. 54 (1968) (golf courses and other facilities); *Dawson* v. *Mayor and City Council*, 220 F. 2d 386 (4th Cir.), aff'd per curiam, 350 U.S. 877 (1955) (beaches and bathhouses); *Tate* v. *Department of Conservation and Dev.*, 133 F. Supp. 53 (E.D. Va. 1955), aff'd per curiam, 231 F. 2d 615 (4th Cir.), cert. denied, 352 U.S. 838 (1956) (parks); *City of St. Petersburg* v. *Alsup*, 238 F. 2d 830 (5th Cir., 1956) (beaches and swimming pools).

[74] Cf. Winters, "Collective Bargaining and Competition: The Application of Antitrust Standards to Union Activities," 73 Yale, L.J. 14 (1963).

[75] Amply staffed to conduct hearings on civil rights matters and supervise the enforcement of agency orders, a National Civil Rights Board, composed of members with 3- or 5-year terms, would enable the Senate periodically to review and evaluate the policies of the Board's members during the reappointment phases of the Board's existence. If dissatisfied with the policies formulated, the Senate would then be able to remove the members of the Board who were responsible for their formulation and implementation. The Senate lacks, of course, such a method of review over the Federal judiciary, whose members serve for life "during good behavior." U.S. Const. art. III, sec. 1.

[76] N.Y. Times, Aug. 8, 1963, p. 1, col. 8 (speech by Justice Goldberg at the annual meeting of the American Bar Association).

[77] This mandate not only emerges from the recognition of the rights lost by delay in civil rights matters that has frequently been expressed by the fifth circuit; e.g., *Stell* v. *Savannah-Chatham County Bd. of Educ.*, 318 F. 2d 425, 427 (5th cir. 1963); *Meredith* v. *Fair*, 305 F. 2d 341, 342 (5th cir. 1962) (suggestion made by court of appeals to plaintiff to prevent mootness of his cause), but also from the fifth circuit's strong criticism of unnecessary delay in the district courts; e.g., *Meredith* v. *Fair*, 305 F. 2d 343, 351–352 (5th cir.), cert. denied, 371 U.S. 828 (1962); *Kennedy* v. *Lynd*, 306 F. 2d 222, 227 (5th cir. 1962), cert. denied, 371 U.S. 952 (1963); *Davis* v. *Board of School Comm'rs*, 318 F. 2d 63, 64 (5th cir. 1963), its recurring issuance of remand directives whose mandates are effective immediately rather than weeks later, e.g., *United States* v. *Dogan*, 314 F. 2d 767, 775 (5th cir. 1963), reversing 206 F. Supp. 446 (N.D., Miss. 1962); *Anderson* v. *City of Albany, No. 20501*, 5th Cir. July 26, 1963, and its expediting of appeals in civil rights litigation, e.g., ibid.; *Meredith* v. *Fair*, supra.

Moreover, a clear mandate to speed up the pace of desegregation emanated from the recent Supreme Court decision of *Watson* v. *City of Memphis*, 373 U.S. 526 (1963), in which the Court stated that the lower courts' pace in administering desegregation was in many instances not consistent with the speed contemplated by the Court when it handed down the "all deliberate speed" formula. Id. at 530.

[78] *Aaron* v. *Cooper*, 358 U.S. 1, 16, 22 (1958).

[79] U.S. Const. art. III, sec. 1: "The Judges * * * shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office."

[80] The Federalist Nos. 78–79 (Hamilton).

[81] For instance, the hostility aroused in many States following the Supreme Court decision in *Ex parte* Young, 209 U.S. 123 (1908), prompted congressional enactment of a statute prohibiting a district court's granting of injunctive relief against the enforcement by a State official of a State statute alleged to be unconstitutional unless the application for such relief was heard by a three-judge district court. 28 U.S.C. § 2281 (1958). See also 42 CONGRESSIONAL RECORD 4847 (1908) (remarks of Senator Overman); id. at 4853 (remarks of Senator Bacon). The congressional response to the political matter aimed by means of procedural reform to prevent the improvident issuance of such injunctions by a single judge and the concommitant unnecessary friction between State and Federal authorities; Congress, it must be noted, did not intend to—nor could it—punish those judges who rendered the unpopular decision.

Another instance of interaction between Congress and the courts arose when the Nation was troubled over the case with which some Federal judges issued labor injunctions in the first few decades of this century. Rayback "A History of American Labor," 295, 319 (1959). The response of Congress was the enactment of the Norris-La Guardia Act, 47 Stat. 70 (1932), 29 U.S.C. § 101 (1958), depriving the district courts of jurisdiction to enter such injunctions except in specified instances:

"No court of the United States, as defined in this chapter, shall have jurisdiction to issue any restraining order or temporary or permanent injunction in a case involving or growing out of a labor dispute, except in a strict conformity with the provisions of this chapter: nor shall any such restraining order or temporary or permanent injunction be issued contrary to the public policy declared in this chapter. (See also Norris-La Guardia Act, 47 Stat. 70 (1932), 29 U.S.C. 102–04 (1958); 47 Stat. 71 (1932), 29 U.S.C. 105–06 (1958).)

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these issues has long been thought appropriate, so long as it does not focus upon the person or decisions of a particular judge.[82] There is, moreover, a recognized need for internal discipline of the judiciary; the concept of judicial independence is to a large degree one of relationship with other branches of Government. While, for the efficient performance of its duties, each level of the judiciary doubtless requires independence and discretion, internal discipline is not a matter merely of administration at each level. Discipline consonant with hallowed attitudes toward "independence of the judiciary" inheres in the structure of an appellate system through lower court acceptance of the law as declared and interpreted by higher courts. Judicially imposed discipline many go further than "houskeeping" or assuring compliance with the mandates of the law in individual cases, however, to "punish" or restrict a judge on account of an overall pattern of behavior on his part—as by removing a particular class of cases from his docket. In this case, the judicial action may constitute a substantial although less frequently noticed abridgment of judicial independence.

MEANS FOR CONTROLLING JUDICIAL PERFORMANCE

With the problem thus limited to that of obtaining good faith treatment of civil rights actions compliant with appellate directives, approaches to solution fall into two broad classifications. On the one hand, responsible officials—in this case, chiefly the President and the Congress—might seek either to avoid elevation to judicial office of men unwilling to follow judicial discipline or to remove or neutralize those judges who, after their appointment, showed a tendency to questionable decision or to delay. On the other hand, the appellate courts or some other body willing to follow the spirit and letter of their decisions might provide controls in particular cases, seeking to counterbalance the efforts of the reluctant district judge by their own willingness to take curative action against wrong decision or undue delay in those cases.

Control over the judge who decides

A. Appointment

It would seem that the easiest way to keep judges unwilling to submit to judicial discipline from the bench would be not to appoint them—to keep them off the bench in the first place. Yet this has not been done.[83] Of President Kennedy's eight appointments to district courts in Georgia, Alabama, Louisiana, and Mississippi, for example, four have indicated a considerable reluctance to follow the letter and spirit of the prevailing law in the civil rights area.[84]

Part of the reason for their appointment may be ignorance of their views. A potential judge may comport himself in a manner generally consonant with the office of a trial court judge, but feel so strongly about one issue that when cases involving it come before him, he will be unable to submit to the authority of higher court doctrine. Certainly this is likely to be the case with southern whites, whose strong feelings on the race issue need not color their views on other constitutional questions, labor policy, contracts, or torts. Yet the principal preappointment examinations into professional competence and personal background, made by the American Bar Association's Standing Committee on the Federal Judiciary[85] and the FBI,[86] respectively, are likely to take an overview. Thus, while Mississippi District Judge Cox's difficulties in dealing with the race issue are made abundantly clear by his record in civil right cases,[87] the ABA committee rated him as "exceptionally well qualified"[88]—its highest recommendations[89]—when his name was proposed to them. Apparently, the committee makes no effort to determine whether on particular issues a nominee would view his judicial duty as being to decide cases in a disinterested manner—whether he would permit personal or community biases to influence his conformity to established doctrine or his treatment of litigants in cases pending before him.[90] Of course, it can be argued that an attitude which hinders judicial performance in only a small proportion of cases is relatively unimportant, and need not—even should not, if the independence of the judiciary is to be preserved—be considered. But where a judge is to be appointed to a southern district judgeship, race matters will not likely prove an insignificant part of his docket, in either a numerical or a doctrinal sense. And where a point of view is as politically significant to the Nation and the incumbent administration as that here involved,[91] it would seem that the President would find it to his advantage to take account of this factor in making his choices.

The most plausible impetus to such use of a Presidential appointment power is founded in the necessity to placate important legislators from the State of the appointment.[92] Using the institution of senatorial courtesy, a Senator from the State in which a district judgeship is to be filled can usually block nomination by voicing the magic words that the nominee is "personally obnoxious to me."[93] Another feature of this custom is the submission by the same Senator to the Chief Executive of a list of political nominees acceptable to him from which the President normally makes his appointment.[94] Since Senators from the Southern States are almost unanimously both segregationist in sentiment and Democrat in name, these practices will create the strongest pressure for the appointment of judges with segregationist leaning when there is a Democratic President.[95]

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[82] Proposals for judicial recall posed a severe threat to judicial independence by opening the possibility that a member of the bench might be removed by the populace following the rendering of an unpopular decision. The gravity of this proposal prompted severe attacks against its adoption in various States. See, e.g., Hornblower, "The Independence of the Judiciary; The Safeguard of Free Institutions," S. Doc. No. 1052, 62d Cong., 3d sess. (1913); Brown, "The Judicial Recall—A Fallacy Repugnant to Constitutional Government," S. Doc. No. 892, 62d Cong., 2d sess. (1912); Report of American Bar Association Judicial Recall Committee 1912–1917, in 1 Constitutional Government 579 (Brown ed. 1917).

[83] See note 84 infra and accompanying text. But, interestingly enough, of the 16 Negroes that have ever been named to the Federal bench, President Kennedy has appointed 8. N.Y. Times, Oct. 6, 1963, sec. 1, p. 75, col. 1.

[84] President Kennedy appointed Judges West, Ellis, Ainsworth, and Putnam to the lower Federal bench in Louisiana, Register, Dep't of Justice and the Courts of the United States 62–63 (1962); Judges Elliott and Morgan in Georgia, id. at 48; Judge Allgood in Alabama, 293 F. 2d XII (1961); and Judge Cox in Mississippi, Register, supra at 71. Criticism by civil rights supporters has been particularly directed at Judges West, Cox, Elliott, and Allgood. For the record compiled by Judge Cox in civil rights litigation, see note 87 infra. For Judge Elliott's dilatory handling of such litigation, see notes 51–53 supra and accompanying text; see also note 71 supra. For Judge West's treatment of particular civil rights cases, see note 71 supra; *Anderson* v. *Martin*, 206 F. Supp. 700 (E.D. La. 1962) (three-judge district court case); *McCain* v. *Davis*, 217 F. Supp. 661, 669–671 (E.D. La. 1963) (concurring opinion). For Judge Allgood's handling of the reinstatement of expelled Birmingham schoolchildren case, see *Woods* v. *Wright* (N.D. Ala. May 22, 1963), in N.Y. Times, May 23, 1963, p. 1, col. 7, and Bickel, "Civil Rights Boil-Up," the New Republic, June 8, 1963, pp. 11–12. The remaining four appointees have not sat on enough civil rights matters to show any clearly discernable trends.

[85] Proceedings of the House of Delegates: Midyear Meeting, Chicago, Feb. 23–24, 45 A.B.A.J. 360, 364–365 (1959); 17 Cong. Q. Almanac 372, 375 (1961); Walsh, Two Basic Steps Toward the Better Selection of Federal Judges, 12 Am. Univ. L. Rev. 14, 20 (1963).

[86] This practice has been a longstanding one. See Mitchell, Appointment of Federal Judges, 17 A.B.A.J. 569, 573 (1931); Walsh, Two Basic Steps Toward the Better Selection of Federal Judges, 12 Am. Univ. L. Rev. 14, 20 (1963).

[87] See *United States* v. *Wood*, 295 F. 2d 772 (5th Cir.), reversing 6 Race Rel. L. Rep. 1069 (S.D. Miss. Sept. 21, 1961) (Cox, J.); *Congress of Racial Equality* v. *Douglas*, 318 F. 2d 95 (5th Cir.) reversing 6 Race Rel. L. Rep. 1161 (S.D. Miss. Dec. 22, 1961) (Cox, J.); *Kennedy* v. *Lynd*, 306 F. 2d 222 (5th Cir. 1962), cert denied, 371 U.S. 952 (1963) (Fifth Circuit vacated Judge Cox's order which denied in effect the U.S. Attorney General's application for an order for county voting records); *United States* v. *Lynd*, No. 19576, 5th Cir., July 15, 1963 (reversal of Judge Cox's denial in effect of the Government's motion for a preliminary injunction against alleged discriminatory voting registration practices); *Kennedy* v. *Owen*, No. 20634, 5th Cir., July 3, 1963 (reversal of Judge Cox's order denying production of county voting records). Judge Cox has been affirmed only once in a reported civil rights case. In re *Coleman*, 208 F. Supp. 199 (S.D. Miss. 1962), aff'd per curiam, 313 F. 2d 867 (5th Cir.), cert denied, 373 U.S. 950 (1963). Yet this application by the U.S. Attorney General for an order for county voting records was "stalled for more than a year by judicial delays and stays." N.Y. Times, June 4, 1963, p. 25, col. 2. The ultimate disposition of two voting registration cases which Judge Cox has handled cannot be ascertained since there is no reported appeal in either of them at this time. For the district judge's disposition of these two cases, see *United States* v. *Daniel*, 8 Race Rel. L. Rep. 154 (S.D. Miss. Jan. 4, 1963); *United States* v. *Ramsey*, 8 Race Rel. L. Rep 156 (S.D. Miss. Feb. 5, 1963).

[88] 17 Cong. Q. Almanac 376 (1961).

[89] Proceedings of the House of Delegates: Midyear Meeting, Chicago, Feb. 23–24, 1959, 45 A.B.A.J. 360, 364 (1962).

[90] Interview; Bickel, Civil Rights Boil-Up, The New Republic; June 8, 1963, p. 12; 17 Cong. Q. Almanac 375 (1959).

[91] See Message from the President of the United States Relative to Civil Rights, H.R. Doc. No. 75, 88th Cong., 1st sess. (1963); Atty. Gen. Report on Progress in the Field of Civil Rights Jan. 24, 1963. The present administration has also introduced a broad omnibus civil rights bill, H.R. 7152, 88th Cong., 1st sess. (1963).

That the appointment power can be used to promote the policies favored by a President emerges from a glance at Theodore Roosevelt's statements concerning his views on appointments to the Supreme Court. When debating whether to appoint Oliver Wendell Holmes to the Court, President Roosevelt remarked that: "A judge of the Supreme Court is not in my judgment fitted for the position unless he is a party man, a constructive statesman keeping in mind his relations with his fellow statesmen in other branches of the Government. Now I should like to know that Judge Holmes was in entire sympathy with our views, that is with your views [those of Cabot Lodge] and mine before I would feel justified in appointing him." Pringle, "Theodore Roosevelt—A Biography," 184 (1956).) President Roosevelt also thought of naming Justice Horace H. Lupton of Tennessee who was "'right on the Negro question, right on the power of the Federal Government, right on the insular business, right about corporations, right about labor.'" Id. at 183.

[92] E.g., Haynes, "The Selection and Tenure of Judges," 23 (1944); Harris, "The Advice and Consent of the Senate," 314 (1953); Comment, "The President Shall Nominate," 33 Ill. L. Rev. 809–10, 817–18 (1939); Sears, "The Appointment of Federal District Judges," 25 Ill. L. Rev. 54–55, 72–73 (1930). Federal district judgeships have long been considered objects of political patronage. Haynes, op. cit, supra at 20–21; Harris, op.

At stake is the Executive's chief instrument for shaping future judicial performance as well as the conformity of courts to their role in a judicial structure. A President who felt a responsibility for the proper enforcement of national law, particularly where the policies underlying such law form an important part of his program,[96] might not find himself powerless to overcome the stringencies of senatorial courtesy. For the Chief Executive has at his disposal a variety of weapons—among them, the threat to divert Federal pork-barrel legislation or defense contracts, to veto a Senator's pet proposal, or to deny him a voice in other patronage appointments. In presenting his candidate, the President might attempt to frame the issue of whether he should be ratified over the objection of a Senator from his home State as a civil rights issue, not an issue of senatorial courtesy alone. Such an attempt might convince northern and western Senators to ignore senatorial courtesy and vote for the confirmation of that particular nominee. In using these weapons, a President will probably alienate Senators and Representatives whose votes may be needed to pass proposed administration legislation. Thus, he usually must balance the risks of losing needed congressional support against the benefits to be derived—such as reduced friction in the judiciary and implementation of the Brown decision conforming to judicial and national expectations—from the appointment of judges fully willing to take their station in the Federal judiciary. Recently, the balance has apparently been struck in favor of desirable administration legislative goals.[97]

B. Removal or Assignment

As a result, the Nation is faced with increasing urgency with the question: What, if anything, ought to be done to reform the performance of a Federal judge with life tenure who appears to be disregarding the mandate of his appellate court and the rights of litigants in his court both through delay and noncompliant decision? Possible answers may be separated, for analytic purposes, into three groups: those which remove the judge from office altogether; those which remove the judge from proximity to civil rights litigation; and those which control the flow of cases in his district so as to avoid or minimize the influence of his attitudes upon them. As a rough generalization, those controls are least effective which are most easily realizable. And those controls more easily realizable require greater involvement of the judiciary in the correction process.

Thus, impeachment,[98] the most obvious way to control judges reluctant to enforce the law they have sworn to uphold, is at once the least practical and probably least desirable route. A majority vote of the House to bring charges,[99] plus conviction by a two-thirds vote of those Senators present,[100] is necessary to effect removal;[1] only four times have the requisite votes been mustered.[2] It is dubious whether conduct relating to such a politically sensitive issue could ever secure them.[3] Further, such actions as failure to follow previous higher court mandates or dilatoriness in bringing a case to trial or in rendering decision are not within the usual ambit of impeachable behavior;[4] congressional inquiry here seems to trespass somewhat on judicial independence, by giving the appearance of penalizing for substantively wrong decision.[5] And provision for removal of judges from the Federal bench by some means other than impeachment[6] is not only unlikely to be made, as a matter of political practicality, but is also rendered constitutionally dubious by the provision in article III that Federal "judges shall hold their offices during good behavior."[7] Congress might achieve the same effect as it would obtain by removal of the judge from the court system if it removed the trial of civil rights causes from the Federal courts—say, by the creation of a national agency to handle such issues.[8] But the political difficulties and the fundamental nature of this change render it both unlikely and a subject beyond the scope of this comment.

A judge might nonetheless be removed from proximity to civil rights litigation, either by revising his assignment or, possibly, by redrawing the lines of the district in which he sits. The latter would involve congressional creation of new district lines which would diminish the area from which litigation to be heard by present judges arose and create new districts to which suitable appointments might be made; this technique is of limited effectiveness and dubious political practicality.[9] But the possibility of

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cit. supra at 315–17. A President thus will often his use his appointment power to strengthen his political position in a locality, or to repay an old political debt. If he were to make an appointment to the lower Federal bench which is locally unpopular, he would probably alienate some of his one-time supporters.

[93] Harris, op. cit. supra note 92, at 217; Walsh, "Two Basic Steps Toward the Better Selection of Federal Judges," 12 Am. Univ. L. Rev. 14, 19 (1963).

[94] Proceedings of the House of Delegates: Midyear Meeting, Chicago, Feb. 23–24, 1959, 45 A.B.A.J. 360, 364–65 (1959).

[95] Cf. note 84 supra.

[96] See note 91 supra.

[97] See notes 71, 84 supra.

[98] U.S. Const. art. II, sec. 4.

[99] Borkin, "The Corrupt Judge" 192 (1962).

[100] U.S. Const. art I, sec. 3, cl. 6

[1] U.S. Const. art. I, sec. 3, cl. 7.

[2] Since 1789 the Senate has tried only eight judges, convicting four and acquiting the other four. Borkin, op. cit. supra note 99, at 195.

Even if congressional scrutiny of the charges against a judge does not result in an impeachment trial, a judge may resign to avoid further embarrassment; since 1789, 17 of the 55 judges under congressional investigation have done just that. Id. at 204. But to a judge of more unyielding bent, impeachment is a ragged "scarecrow" indeed.

[3] For intimation of a possible triggering of the impeachment power, see remarks by Rep. CELLER, House Judiciary Committee chairman, N.Y. Times, June 24, 1963, p. 19, col. 2.

[4] Historically, in impeachment proceedings, Congress has usually focused on conduct outside the framework of decisionmaking in particular cases. Thus, impeachment charges have included: (1) commission of treasonous acts against the United States during the Civil War, 3 Hinds, Precedents of the House of Representatives §§ 2385–97, at 805–20 (1907) (impeachment of District Judge West Humphreys); (2) intoxication on the bench, id. at 681–710 (impeachment of District Judge John Pickering); (3) personal use of a private railroad car belonging to a railroad in receivership under supervision of the judge's court, id. at 948–80 (impeachment of District Judge Charles Swayne); (4) use of the judicial office to secure favors from litigants before the court, 6 Cannon, Precedents of the House of Representatives §§ 498–512, at 684–708 (1935) (impeachment of United States Commerce Court Judge Robert Archibald). At times, however, the House has voted articles of impeachment for a judge's handling of a trial or his disobedience to statutory dictates. 3 Hinds, op. cit. supra at 711–71 (impeachment of Associate Justice Samuel, Chase); id. at 681–70 (impeachment of District Judge John Pickering).

[5] A danger exists in impeaching judges for rendering decisions contrary to binding authority. For what appears a failure by a district judge to follow higher court precedent may actually be an attempt to initiate a new approach to an old problem, but an approach unacceptable to an appellate court.

[6] One proposal might incorporate the following plan. The Sumners' bill, H.R. 146, 77th Cong., 1st Sess. (1941), which passed the House in 1941, 87 CONG. REC. 8168–69 (1941), but died in the Senate Judiciary Committee, provided that when the House of Representatives passes a resolution stating that it is of the opinion that there is reasonable ground for its belief that the behavior of any Federal judge, except a Justice of the Supreme Court, has been other than good behavior within the meaning of that term as used in sec. 1 of article III of the Constitution, the Chief Justice has a duty to convene in special term a specially constituted circuit court of appeals of the circuit in which the allegedly misbehaving judge resides. The court is to be made up of three judges to be designated by the Chief Justice from within or without the circuit (except if a circuit judge is to be tried, no judge from the same circuit can serve). Thereupon, the United States Attorney General brings a civil action before the court to determine whether the accused judge should remain in office. The rules of procedure are to be set forth by the Supreme Court, but the trial is without a jury. If the circuit court finds that the judge's behavior falls outside the good behavior clause of sec. 1 of article III of the Constitution, it must enter a judgment of removal from office. Within 30 days after the entry of the judgment either the Attorney General or the defendant judge has a right to appeal to the Supreme Court on both the facts and the law.

For another example of a judicial method of removal as an alternative to impeachment, see New York's Court on the Judiciary. N.Y. Const. art. 6, sec. 9a.

[7] See note 117 infra.

[8] See note 75 supra.

[9] The creation of a new district, say, a Western District of Mississippi, would not prevent the bringing, and subsequent decision, of much civil rights litigation in other districts within the state. Although service of process runs statewide, particular civil rights proceedings may be brought only in specific districts. For example, enforcement proceedings to obtain county voting records can be brought, according to statutory dictates, only in the district where the registrar is located or where the records are. 74 Stat. 88 (1960), 42 U.S.C. 1974(d) (Supp. IV, 1962). Since certain counties would not lie within the newly created Western District, that district would not have jurisdiction over the proceeding. A more fundamental difficulty associated with the creation of a new district is that the carved-out jurisdiction would be the improper venue for civil rights causes arising outside that new district but within the state. The applicable venue statute provides that, in the absence of a specific venue statute, suits based on a federal statute "may be brought only in the judicial district where all defendants reside. * * *" 28 U.S.C. § 1391(b) (1958). Thus, a suit seeking injunctive relief against alleged discriminatory registration practices in a county in the eastern part of Mississippi, if brought outside the

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reassigning judges to districts where they will not be confronted by segregation problems merits closer investigation.

The President has clear authority to accomplish such a transfer by reappointment—whether to another district or to a circuit court of appeals—to a circuit where civil rights issues will not arise in such great number.[10] But such reappointment would require the consent of both the Senate [11] and the affected judge, who might well be enjoying his role as a judicial Horatius.[12] The more interesting question is whether the President could avoid constitutional restrictions on his removal powers while effecting a permanent transfer of judicial district, by arguing that he had not interfered with the judge's constitutionally protected office [13] but was merely exercising executive prerogatives in assuring the efficient operation of the government.[14] Thus, the President might attempt to transfer a recalcitrant district judge from Mississippi to a vacant district judgeship in, say, Montana without seeking his acquiescence or prior Senate approval.[15] This would then give him the opportunity to make a new appointment to Mississippi, presumably one who would view his judicial duty in a more disinterested manner than his transferred predecessor. Should the term "office" be interpreted as referring to the position of district judgeship generally, there would appear to be no constitutional difficulty in effecting such a transfer. There would be no removal from an office. But if "office" were interpreted as meaning the district judgeship of a particular district, the transfer would constitute a removal of the judge from his office by the President. And the latter interpretation seems more reasonable. When the Senate confirms a district judge's appointment, it specifies the appointment as being "for [a particular district]." [16] A similar phrase is used when the House votes articles of impeachment against a district judge.[17] A conception of office which has reference to a particular locale is also more consonant with accepted notions of judicial independence; it makes unlikely the creation of a judicial Siberia—say, the northern district of Alaska—to which judges with whom a present administration disagrees may be dispatched. Certainly, without statutory authorization such action by the President would be untenable; even if such a statute were enacted, it would seem highly unsound from a constitutional perspective.

Although permanent reassignment, which would remove a judge from his district, is constitutionally dubious, temporary assignments of other judges to his district, both intracircuit and intercircuit,[18] may readily be justified on grounds of expediency in the administration of the business of the Federal courts. A chief judge of a circuit is in fact empowered by statute to make temporary assignments of judges within the circuit to serve in other districts within the circuit.[19] Moreover, a chief judge of a circuit may, with the approval of the Chief Justice of the Supreme Court, obtain a temporary assignment to his circuit of a district [20] or circuit judge [21] from another circuit. Normally both kinds of temporary assignments are made for the sole purpose of reducing docket congestion. But even if this congestion arises only from the manner in which particular classes of suits are handled, intercircuit assignment of judges to handle that class of suit would seem to come within the statutory criterion of "necessity," [22] and intracircuit assignments for the same purpose would seem to satisfy the statutory criterion of "public interest." [23] In effect, the decision as to both criteria is made by the circuit's chief judge alone, for the available evidence indicates that the Chief Justice of the Supreme Court rarely disapproves a request for an intercircuit assignment.[24] Thus, the Fifth Circuit could use either an intercircuit or intracircuit assignment of judges willing to dispose expeditiously of civil rights suits, to districts where such actions have arisen, as a means of reducing delay in the handling of civil rights suits.

A number of considerations militate against arranging assignments for this purpose, however. Perhaps the major objection arises from the difficulty of assuring that the transferred judge will sit in the litigation where his presence would be most helpful in avoiding delay. Control over division of business in a district is exercised by its chief judge [25] and if he is among those responsible for delay in the district, his use of assigned help will probably not remedy the situation.[26] The judicial council of the circuit, acting formally or through the chief judge of the circuit, might freeze the permanent judges of the district to the cases then before them, until such time as they have been disposed of.[27] This would leave a simultaneously assigned judge from without the district free to hear all causes filed during the weeks following, including such civil rights litigation as might arise. This remedy, however, is objectionable because of its extraordinary potential for aggravating frictions within the circuit. Furthermore, whatever benefits might be gained would not be secure. Since civil rights litigants usually seek equitable relief, a verdict favorable to plaintiffs will mark the beginning of their association with the court; continuous supervision of compliance to the decree and other long-term court involvement is commonplace.[28] Once the assigned judge has

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judicial district wherein the county is located, would have to be dismissed where the defendants made a timely objection to improper venue. Fed. R. Civ. P. 12(b).

[10] For example, President Kennedy made use of his power to reappoint judges when he appointed Judge J. Skelly Wright, though not for the purpose indicated in the text, to the Court of Appeals for the District of Columbia after the latter's resignation from his district judgeship in the Eastern District of Louisiana, 298 F. 2d VII (1962).

[11] U.S. Const. art. II, § 2, cl. 2.

[12] Baldwin, Fifty Famous Stories Retold 76 (1933).

[13] U.S. Const. art. III, § 1.

[14] Though the Supreme Court in *Myers* v. *United States*, 272 U.S. 52 (1926), upheld the power of a President to remove a postmaster from office, this precedent does not seem applicable here, since the Constitution sets forth both the term of the judicial office and the condition (lapse from good behavior) upon which removal may be effected. U.S. Const. art. III, § 1.

[15] Obviously, this move could be politically difficult with respect to both states involved.

[16] E.g., 107 Congressional Record 5843, 18810, 19489 (1961) (confirmation of federal district judges for particular districts).

[17] See, eg., 6 Cannon, Precedents of the House of Representatives 713 (1935) ("Articles of impeachment of the House of Representatives * * * against Harold Louderback, who was appointed, duly qualified, and commissioned to serve during good behavior in office, as United States district judge for the northern district of California, on April 17, 1928"); 3 Hinds, Precedents of the House of Representatives 786 (1907) ("Article exhibited by the House of Representatives * * * (against James H. Peck, judge of the district court of the United States for the district of Missouri.") id. at 960 ("Articles exhibited by the House of Representatives * * * (against Charles Swayne, a judge of the United States, in and for the northern district of Florida"). Cf. the Judiciary Act of 1789, ch. 20, § 3, 1 Stat. 73 (1789):

And be it further enacted, that there be a court called a District Court, in each of the aforementioned districts, to consist of one judge, who shall reside in the district for which he is appointed.

[18] 28 U.S.C. §§ 291, 292, 294 (1958).

[19] 28 U.S.C. § 292 (1958)

[20] 28 U.S.C. § 292(c) (1958).

[21] 28 U.S.C. § 291(a) (1958). In addition, a circuit's chief judge may avail himself of the services willingly provided by those retired district or circuit judges of the circuit. 28 U.S.C. § 294(b) (1958).

[22] 28 U.S.C. §§ 291(a), 292(c) (1958).

[23] "In the public interest," which he alone apparently determines, 28 U.S.C. 291(c), 292(b) (1958), a chief judge may temporarily assign a circuit or district or retired judge in his circuit to "discharge during the period of his designation and assignment, all judicial duties for which he is designated and assigned." 28 U.S.C. 296 (1958). Thus if a chief judge felt that the "public interest" called for action—because of the delay in the disposition of civil rights suits by some district judges, the attendant harm suffered by litigants, and the increased number of appeals and reversals in these suits—he might be able to designate an available judge to hear civil rights litigation pending within the circuit.

[24] See Reports of the Proceedings of the Judicial Conference of the United States, 1961, 48 (1962) [hereinafter cited as Reports with a particular date]; Reports, 1962, 80 (1963); Reports, March 1963, 36 (1963). But see id. at 36–37, where the Advisory Committee on Intercircuit Assignments of the Judicial Conference of the United States stated that before an intercircuit assignment of an active judge will be recommended, assistance should first be secured, if possible, from within the circuit or from the services of a senior circuit judge from without the circuit.

In arranging an intercircuit assignment normally the chief judge of the short-handed circuit makes a request to the chief judge of a circuit from which help is sought. Interviews. Thereafter, the chief judge of the short-handed circuit addresses his request to the chief justice, who, in turn, sends it to the Advisory Committee on Intercircuit Assignments for their recommendation. Interviews.

[25] Interviews. Thus, the chief judge of a multidistrict court is in a position to determine the particular cases which a visiting judge might hear. And if assigned to a single-judge district, the visiting judge's caseload would be determined by the resident judge.

[26] The chief judge of the multijudge southern district of Mississippi, for example, is Judge Cox, 317 F. 2d XII (1963), who not only has been reversed regularly, in civil rights suits, but also has been leadenfooted in his disposition of these cases. See notes 25–32, 87 supra and accompanying text. In the multijudge northern district of Alabama, Judge Lynne, who has failed to follow binding higher court mandates on a few occasions, see note 65 supra and Peltason, *Fifty-eight Lonely Men* 84 (1962), presides as chief judge, 317 F. 2d XII (1963). On the other hand, Chief Judge Christenberry of the eastern district of Louisiana, 317 F. 2d XII (1963), is of liberal bent. Peltason, op. cit. supra at 19 n. 17; see, e.g., *Christian* v. *Jemison*, 303 F. 2d 52 (5th Cir. 1962) (affirmance of Judge Christenberry's granting of summary judgment for an injunction against the enforcement of a Baton Rouge segregation ordinance).

[27] See notes 145, 148–51, 153 infra and accompanying text.

[28] E.g., *City of Montgomery* v. *Gilmore*, 277 F.2d 364, 368 (5th Cir. 1960); *United States* v. *Mayton*, 7 Race Rel. L. Rep. 1136–37 (S.D. Ala. Nov. 15, 1962); *United States* v. *Fox*, 211 F. Supp. 25, 36 (E.D. La. 1962); *Bush* v. *Orleans Parish School Bd.*, 205 F. Supp. 893, 895 (S.D. La. 1962). Detailed voting registrar reports and registration papers or school

returned whence he came, the resident judges may enjoy considerable freedom to vacate, modify, or otherwise disrupt the enforcement of the decree.[29] If, on the other hand, the temporary judge seeks to exercise his statutory powers to supervise the continued enforcement of the decrees which he entered [30] high costs of inefficiency may yet be posed in the form of travel expenses and calendar disruptions in his home district. Furthermore, community resentment at decisions imposing segregation could only be heightened were such decisions rendered by an outsider, or carpetbagger, thereby enhancing the difficulties of the enforcement process.[31]

Similar to the power to make these extraordinary assignments is the ordinary power of the circuit's chief judge to determine the constitution of an appellate panel [32] and two-thirds of the personnel of a three-judge district courts.[33] And a chief judge of a multi-judge district court has the power to determine which district judge will hear a particular case brought in that district.[34] This power could be used much as the President's appointment power may be used, to insure that only judges willing to dispose of civil rights cases expeditiously and consistent with prevailing doctrine will hear them. Even then, of course, it would have to be exercised on a case-by-case basis, and would depend upon the sympathies of the assigning judge. Moreover, use of the administrative power in a manner related to the judge's attitude toward the case smacks of partiality and violates a sense of propriety prevalent within the judiciary. It probably would create resentment in the judges not permitted to hear the cases. There is some evidence that this preventive control is being used in the Fifth circuits.[34a]

C. Administrative Supervision

If appointment and assignment techniques fail to prevent a judge with an established penchant for delay or disregard of precedent from sitting on civil rights cases, the executive, the Congress and the judiciary may nonetheless each be able to influence the degree to which his influence is felt. The President's ability to control judicial performance after appointment is probably limited to the influence of his reappointment power;[35] judges interested in promotion in the federal courts might be influenced considerably by an expression of presidential displeasure at their dilatory actions. The Congress has at least two alternatives: by providing, say, for three-judge courts in some or all forms of civil rights litigation it would give the chief judge of the circuit the power to flank a dissident forum judge with two more compliant brethren;[36] by establishing statutory preferences or other expediting procedures, Congress might be able to combat at least the problem of delay. But extension of the three-judge principle seems unlikely in view of the attendant costs in judicial efficiency,[37] even though it may appear that they are more appropriately paid in these circumstances than others.[38] Furthermore, civil rights litigants may be reluctant to rest the opportunity for enforcement of their constitutional rights on the attitude of any one judge, who may well be replaced by a judge of opposite bent.[39]

On the other hand, regulation of procedure encouraging expedition is more likely to be a part of future civil rights legislation. Thus, the House Judiciary Committee presently has under consideration a proposal to expedite the handling of voting registration suits brought by the Attorney General.[40] It

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desegregation are often filed. See, e.g., *Alabama* v. *United States*, 304 F. 2d 583, 585 (5th Cir. 1962) (voting); *United States* v. *Fox*, 211 F. Supp. 25 (E.D. La. 1962) (voting); *Augustus* v. *Board of Public Instruction of Escambia County*, 8 Race Rel. L. Rep. 58 (N.D. Fla. Nov. 29, 1962) (school desegregation). Sometimes the parties file additional motions with the court requesting supplemental relief or modification of the court's decree. See e.g., *Kennedy* v. *Bruce*, 7 Race Rel. Rep. 1132 (S.D. Ala. Oct. 15, 1962); *Calhoun* v. *Latimer*, 188 F. Supp. 412 (N.D. Ga. 1960).

[29] Cf. *Guillory* v. *Administrators of the Tulane Univ. of La.*, 203 F. Supp. 855 (E.D. La.), vacated, 207 F. Supp. 554 (E.D. La. 1962) (vacation of Judge Skelley Wright's order of summary judgment by Kennedy-appointed District Judge Ellis).

[30] 28 U.S.C. § 296 (1958).

[31] Furthermore, in the case of a judge assigned from another circuit, the irritation which the permanent judge of a district may feel at being "displaced" may be matched by the outsider's unwillingness to serve in an assigned capacity, stemming from an "I-do-not-want-to-handle-the-dirty- laundry - of - another-circuit" feeling. Interview. This is particularly likely to be the case if the political tenderness of the issues involved is supplemented by complexity in either factual determination or rendition of decree.

[32] Interview.

[33] 28 U.S.C. 2284(1) (Supp. IV, 1960).

[34] Interview.

[34a] Since *Bailey* v. *Patterson*, 199 F. Supp. 595 (S.D. Miss. 1961), vacated per curiam, 369 U.S. 31 (1962), where the two sitting Mississippi district judges frivolously invoked the doctrine of equitable abstention to the detriment of Negro plaintiffs, three three-judge district courts—two of whose judges are designated by the circuit's chief judge—convened in Mississippi have consisted of two circuit judges who fairly regularly have upheld Negroes' constitutional rights. And in two of those cases the Negro plaintiffs did obtain their sought-for preliminary injunction; in the other case, the three-judge court dissolved itself. See *United States* v. *City of McComb*, 6 Race Rel. L. Rev. 1169 (S.D. Miss., Nov. 27, 1961) (Judges Tuttle, Rives, and Mize sat, but Judge Mize did not sign the order granting injunctive relief); *United States* v. *Fraiser*, 6 Race Rel. L. Rev. 1167 (N.D. Miss., Dec. 5, 1962) (Judges Tuttle, Rives, and Clayton sat); *Clark* v. *Thompson*, 204 F. Supp. 30 (S.D. Miss. 1962) (Judges Rives, Brown, and Mize sat, but the court dissolved itself).

However, in *United States* v. *Mississippi*, Civil Action No. C–3312, S.D. Miss., a case now before a three-judge district court in Mississippi, the composition of the original panel—Circuit Judges Brown and Wisdom and District Judge Cox—recently has been changed. After Judge Wisdom stepped down from the panel, Judge Cameron, who has consistently voted against Negro plaintiffs, was designated to fill the panel. Interview. Thus, it appears that a consistent pattern of appointment of particular circuit judges to three-judge district courts in Mississippi is absent. Moreover, when one considers the variety of factors—such as health, availability for service, travel necessary—which are involved in the designation of judges by a circuit's chief judge, it seems impossible to document with exactness the reasons for a particular appointment.

For the record of the judicial performance of the judges on the Court of Appeals for the Fifth Circuit, see note 156 infra.

Judge Cameron has stated that the consistent liberal composition of the appellate panels found in 22 of 25 recent race cases indicates that "panel rigging" exists on the Court of Appeals. *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 30, 1963, p. 15. But the statistical compilation prepared by Judge Cameron, though suggestive, is far from conclusive. For instance, he does not reveal whether the initial composition of a panel that was scheduled to hear a particular case assigned to that panel was changed by the time that case came on for a hearing. Moreover, even if he could demonstrate that a particular panel was changed, any one of a number of considerations, such as ill health, may have accounted for the change. In addition, the recurring liberal bent of the panels may well be due to coincidence, since cases are assigned only by "pure chance," according to Judge Wisdom. N.Y. Times, July 31, 1963, p. 12, col. 4.

[35] A President can, of course, selectively enforce court orders. Such a possibility seems more fanciful than real, however. See, e.g., Neustadt, Presidential Power 17 (1961) (Ex-President Eisenhower's enforcement of Little Rock., Ark., integration order); N.Y. Times, Sept. 30, 1962, p. 1, col. 8 (President Kennedy's calling of Mississippi National Guard into federal service in enforcement of Meredith's admission order to the University of Mississippi); N.Y. Times, June 12, 1963, p. 1, col. 8 (President Kennedy's federalization of Alabama National Guard in order to enforce court order integrating University of Alabama). But see President Jackson's famous response to Chief Justice Marshall's decision in *Worcester* v. *Georgia*, 31 U.S. (6 Pet) 515 (1832): "John Marshall has made his decision; now let him enforce it.' " Cohen, "Indian Rights and the Federal Courts," 24 Minn. L. Rev. 145, 149 (1940).

[36] The compromise civil rights bill which was recently passed by the House Judiciary Committee provides that three-judge district courts shall have jurisdiction over voting registration suits. N.Y. Times, October 30, 1963, p. 22, col. 3.

[37] The argument against conferring additional jurisdiction upon three-judge district courts, say, in the voting registration area, rests essentially on the increased flow of litigation to the Supreme Court's obligatory docket that would accompany enactment of such a proposal, thereby reducing the amount of cases which the Court could hear on a discretionary basis through the granting of certiorari. This consideration, it might be contended, is peculiarly significant at this time because of the increased number of three-judge district court cases on apportionment following the Court's decision in *Baker* v. *Carr*, 369 U.S. 186 (1962). Moreover, since almost all of the voting registration cases arise within the Fifth Circuit, the argument might continue to run, the increased burden that would be placed on the circuit judges—who would compose at least one-third of the special panel, 28 U.S.C. 2284(1) (Supp. IV, 1960)—in the Fifth Circuit would be extremely costly when viewed against the fact that it has the most congested dockets in the country. *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963, p. 46. But these considerations might pale to some extent if the Fifth Circuit obtained additional judges. And account should be taken of the fact that three-judge district court cases are "given precedence and assigned for hearing at the earliest practicable day," 28 U.S.C. 2284(4) (Supp. IV 1960); thus, enactment of the proposal would promote the expedition of voting registration cases.

[38] Note, The Three-Judge Court Reassessed: Changing Roles in Federal-State Relationships, 72 Yale L.J. 1646, 1660 (1963).

[39] But it appears that both Chief Judge Tuttle of the Fifth Circuit and Judge Brown, who is next in line for the chief judgeship of the circuit, 28 U.S.C. 45(a) (1958), are of liberal bent and thus might, in the exercise of their discretion, designate judges to sit on the three-judge district courts who are prone to follow prevailing legal doctrines in the civil rights area. Assuming he does not retire, Judge Brown will be able to act as chief judge of the circuit until he reaches 70 in 1979. "Who's Who in America" 396 (1962).

[40] H.R. 7152, 88th Cong., 1st sess., sec. 101(d) (1963).

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would confer a duty upon the chief judge of the forum district "immediately to designate a judge in such district to hear and determine the case" following its filing, and then require the designated judge "to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited." [41] Though such legislation might have the beneficial effect of encouraging the Fifth Circuit to police more closely a district court's dilatoriness in assigning civil rights cases for trial,[42] the general language of the statute leaves the district court with continuing reservoirs of discretion in such determinations as, for example, what is "the earliest practicable date."

Given the weaknesses of controls thus far discussed, the most substantial influence over the performance of district court judges may rest in the judicial council of each circuit. In 1939, aiming to improve the supervision of courtwork through a judicially controlled organization, Congress created in each circuit judicial councils consisting of its active circuit judges,[43] and endowed with broad power:

"Each judicial council shall make all necessary orders for the effective and expeditious administration of the business of the courts within its circuit. The district judges shall promptly carry into effect all orders of the judicial council.[44]

If the circuit's judges do decide to act, they may issue an order designed to remedy the troublesome situation, say, directing a dilatory district judge to decide delayed cases before hearing any other cases.[45] But judicial councils, despite their broad statutory mandate, have acted in this manner infrequently.[46] This lack of use is largely due to a reluctance exhibited by most judges to issue formal orders probably embarrassing to their brethren. Many circuit judges, moreover, dislike involvement in the intricacies of court administration.[47] As a result, in most instances where a circuit has been faced with a problem for which judicial council action seems approriate, it has chosen instead to act informally through the person of the chief judge.[48] The chief judge will contact the district judge concerned in a manner designed least to arouse the latter's resentment or create a commotion within the circuit.[49] Thus, if the district judge happens to be a member of a multijudge district court, the chief judge of the circuit will normally contact the chief judge of the multijudge court, who will then take some corrective action, such as discussing the matter with the individual or withholding new cases until the cases then under advisement have been disposed of.[50] Or should the district judge be the only member of the district court, the circuit's chief judge will typically contact him directly.[51]

The Fifth Circuit, if so inclined, might effectively use its judicial council to expedite the disposition of civil rights litigation in its district courts and control the bench's refusal both to respect litigants' rights to timely adjudication and to abide by higher court mandates. The judiciary apparently feels that such use of the judicial council would be appropriate. The Judicial Conference of the United States in adopting in 1961 a report on the powers and responsibilities of judicial councils concluded: "The responsibility of the councils 'for the effective and expeditious administration of the business of the courts within its circuit' extends not merely to the business of the courts in its technical sense (judicial administration), such as the handling and dispatching of cases, but also to the business of the judiciary in its institutional sense (administration of justice), such as the avoiding of any stigma, disrepute, or other element of loss of public esteem and confidence in respect to the court system, from the actions of a judge or other person attached to the courts. The councils have the responsibility and owe the duty of taking such action as may be necessary, including the issuance of "all necessary orders," to accomplish these ends.[52]

Moreover, there are techniques available to the Fifth Circuit's judicial council for dealing with the problems stemming from the performance of some of its district courts. A district judge can be prevented from hearing additional cases until he has disposed of those already pending.[53] Intracircuit assignments may be made assigning an available judge from a nearby district court to handle the cases normally assigned to the sidetracked judge. Further, where a district judge has compiled a record of reversals on appeal or abuses of discretion in disposing of civil rights suits, the council might order the questionably performing judge not to handle that type of litigation in the future, and then assign those cases to other available judges within the circuit. This last type of council action is not unprecedented. Acting through the person of its chief judge, another circuit directed a district judge not to handle a case in which he had been twice reversed; another judge was assigned to dispose of further proceedings.[54]

It is clear, however, why these steps are not taken in the Fifth Circuit. The active circuit judges are themselves deadlocked over the question of the proper disposition of civil rights litigation, and thus would probably be divided over the desirability of using the judicial council to control the performance of some of its district courts.[55] Of the nine judges on the bench, four have fairly regularly upheld Negroes' constitutional rights, two judges have quite consistently dissented from these decisions, and three judges have voted inconsistently.[56]

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[41] Ibid.

[42] See notes 144–145, 150 infra and accompanying text. Moreover, if there is no available judge in the forum district to hear the voting case, the chief judge of the forum district then, under the proposed statute, H.R., 7152, 8th Cong., 1st sess., sec. 101(d) (1963), must notify the chief judge of the circuit, who "shall then designate a district or circuit judge" to dispose of the case. Ibid. Thus, if the triggering contingency were to occur, the chief judge would then have the opportunity to designate a judge who is prone to dispatching civil rights litigation expeditiously.

[43] 28 U.S.C. sec. 332 (1958).

[44] Ibid. To aid its supervisory role, Congress conferred upon the chief judge of a circuit the duty to submit to the council quarterly reports on current docket conditions prepared by the Administrative Office of the United States. Ibid. These reports include, among other things, reports from the district judges as to cases held under advisement over a 30-day period. Shafroth, *Modern Developments in Judicial Administration.* 12 Am. U.L. Rev. 150, 160 (1963). Thus, through their own contacts with the district courts and the statistical reports gathered or compiled by the Administration Office, the circuit judges become apprised to some extent of lagging performance and other causes for complaint directed against the lower Federal bench.

[45] Interviews.

[46] Speech by Chief Judge Lumbard of the Second Circuit before the National Conference of Judicial Councils, May 19, 1960, at pp. 5, 9–10.

[47] Id. at 8, 13.

[48] Interviews; Judicial Conference of the United States, "Report on the Powers and Responsibilities of the Judicial Councils," H.R. Doc. No. 201, 87th Cong., 1st sess. 7 (1961) (hereinafter cited as Report on Judicial Councils).

[49] Speech by Chief Judge Lumbard, supra note 146, at 10; interviews.

[50] Interviews.

[51] Interviews.

[52] Report on Judicial Councils 8–9.

[53] The Third Circuit's judicial council entered such an order. Speech by Chief Judge Lumbard, supra note 146, at 5–6.

[54] Interview.

[55] Further, the time required to hold judicial council meetings may make frequent holding of them in order to deal with questionable performances in district courts somewhat impractical, particularly in view of the Fifth Circuit's congested docket. Since the minutes of judicial council meetings are confidential, it is impossible to estimate the amount of time needed for the holding of these meetings. Interview. But if these meetings, which each circuit judge in active service must attend, 28 U.S.C. 332 (1958), are held following en banc hearings of the Fifth Circuit, the amount of time needed to travel to a particular city for the holding of a council meeting would be obviated.

[56] This analysis of the position of the circuit judge is perhaps borne out by Judge Cameron's characterization in a dissenting opinion of the four circuit judges who have sat on most race cases in recent years and who have rendered decisions favorable to civil rights plaintiffs as "The Four." *Armstrong* v. *Board of Educ.*, No. 20595, 5th Cir., July 30, 1963, p. 15.

The regular upholding of Negroes' constitutional rights by Circuit Judges Tuttle, Brown, Wisdom, and Rives is evident from, e.g., *Meredith* v. *Fair*, 305 F. 2d 343 (5th Cir. 1962); *Bush* v. *Orleans Parish School Bd.*, 308 F. 2d 491 (5th Cir. 1962); *Augustus* v. *Board of Public Instruction*, 306 F. 2d 862 (5th Cir. 1962); *City of Shreveport* v. *United States*, 316 F. 2d 928 (5th Cir. 1963); *Christian* v. *Jemison*, 303 F. 2d 52 (5th Cir. 1962); *City of Montgomery* v. *Gilmore*, 277 F. 2d 364 (5th Cir. 1960); *Congress of Racial Equality* v. *Douglas*, 318 F. 2d 95 (5th Cir. 1963); *Congress of Racial Equality* v. *Clemmons*, No. 19703, 5th Cir., Sept. 12, 1963; *Anderson* v. *City of Albany*, No. 20501, 5th Cir., July 26, 1963; *Stell* v. *Savannah-Chatham County Bd. of Educ.*, 318 F. 2d 425 (5th Cir. 1963); *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963; *Kennedy* v. *Bruce*, 298 F. 2d 860 (5th Cir. 1962); *United States* v. *Wood*, 295 F. 2d 772 (5th Cir. 1961); *United States* v. *Lynd*, 301 F. 2d 818 (5th Cir. 1962); *Dixon* v. *Alabama St. Bd. of Educ.*, 294 F. 2d 150 (5th Cir. 1961); *United States* v. *Dogan*, 314 F. 2d 767 (5th Cir. 1963); *Baldwin* v. *Morgan*, 287 F. 2d 750 (5th Cir. 1961). But see *Meredith* v. *Fair*, 298 F. 2d 696 (5th Cir. 1962); *Nelson* v. *Grooms*, 307 F. 2d 76 (5th Cir. 1962).

Judge Cameron is, by far, the most consistent dissenter from decisions in which his brethren grant civil rights plaintiffs their requested relief. See *United States* v. *Wood*, 295 F. 2d 772 (5th Cir. 1961); *Dixon* v. *Alabama St. Bd. of Educ.*, 294 F. 2d 150 (5th Cir. 1961); *Alabama* v. *United States*, 304 F. 2d 583 (5th Cir. 1962); *Boman* v. *Birmingham Transit Co.*, 280 F. 2d 531 (5th Cir. 1960); *Bailey* v. *Patterson*, No. 20372, 5th Cir., Sept. 24, 1963. Judge Gewin, a Kennedy appointee, N.Y. Times, Oct. 6, 1963, sec. 1, p. 75, col. 1, ranks as the second most consistent dissenter. See, e.g., *Anderson* v. *City of Albany*, No. 20501, 5th Cir., July 26, 1963; *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963; *Congress of Racial Equality* v. *Douglas*, 318 F. 2d 95 (5th Cir. 1963). But see *Congress of Racial Equality* v. *Clemmons*, No. 19703, 5th Cir., Sept. 12, 1963; *Kennedy* v. *Owens*, No. 20634, 5th cir., July 3, 1963.

Judge Bell, another Kennedy appointee, N.Y. Times, July 19, 1963, p. 8, col. 3, usually concurs with or joins the majority in granting civil rights plaintiffs their requested relief. See, e.g., *Stell* v. *Savannah-Chatham*

Should the Fifth Circuit resolve its apparent division, the judicial council would seem to be an effective tool for enforcing discipline upon the reluctant district judges.

Use of the judicial council, for at least some of the purposes suggested above, however, seems objectionable on grounds of its interference with judicial independence. If the meaures taken by the council can fairly be identified as a sanction imposed for past behavior, rather than as a measure taken for administrative purposes (e.g., the clearing of crowded dockets), it does not seem overly relevant that it is the judiciary rather than Congress or the Executive which is imposing the sanction. True, it may be maintained that the notion of "judicial independence" depends upon the possibility of self-discipline administered—as by mandamus—through the judicial hierarchy. But considerably less cogent is the argument that judges are justified in imposing sanctions which extend beyond the periphery of a single cause of action, even if these sanctions will save the cost to litigants and the judiciary of incessant appeals, thus serving an institutional, nonpolitical function. The root of the principle of judicial independence seems to be the individual judge's ability to decide cases free from fear of reprisal save that, such as reversal, which serves to correct his disposition of the particular cause before him. Except in the rare case of impeachment—the formal statement of "not good behavior"—there will be no assessment of his work collectively, with rewards of sanctions conditioned on his accommodation to a given standard. If this is the value involved, then debilitating sanctions must be avoided regardless of their source. The threat of depriving a judge of his caseload—either in whole or in part—has the same impact on the judge's capacity to decide whether it stems from the judicial council or another body. And that salary may still be paid to a judge so restricted does not alter the fact that, in any fundamental sense, he has been removed from his office to the same extent as cases are kept from his docket. While temporary assignments to crowded dockets or an order to hear no new cases until a present calendar has been disposed of could be justified as administrative orders, action such as suspenion of a judge from the hearing of particular classes of cases is in effect a partial removal.[57] As council action shades more clearly from "housekeeping" into "penal," then, it should be undertaken with increasing caution.[58]

D. Review

It must, unfortunately, be concluded that few of these controls promise substantial improvement in judicial discipline. All that can be said is that informal pressures, such as those generated by an interest in appointment to higher posts within the judiciary or by the moral suasion of fellow judges operating through the circuit's judicial council, may well be more effective than formal devices which may exacerbate already strained relations and impinge substantially on the judiciary's salutary sense of independence. Formal solutions to the problem through congressional action or judicial assignment tend to put all the weight of disciplining upon one man, the chief judge of the circuit, and may often be circumvented by a district judge, whose reluctance in race matters could be sharpened into active resistance by an attempt to discipline him. The ability of a judge to resist discipline, limited only by the near-impossibilities of impeachment or contempt,[59] is profound testimony to the importance of selecting judges who will comply in the first instance. But if discipline is to be imposed upon a single judge, then perhaps it should come from within the judiciary itself. The most effective means of securing this discipline, although limited by the impact of the principle of judicial independence, would seem to be the judicial council of the circuit. And if such discipline cannot be achieved through the imposition of administrative controls, it is necessary to look to the sanctions available through review procedure, involving the litigation itself.

Control over the judge's decision process

It is, in fact, at the behest of litigants seeking relief from indiscretion below in particular causes that the judiciary's more traditional weapons of internal discipline are found. The very structure of appeal and reversal is part of this disciplinary structure; as a frontline defense against trial court misunderstanding of higher court directives binding upon him, reversal on appeal serves not only as a method of growth for the law but also as a means of instructing trial judges in the doctrines which ought to be applied. An appeal, as such, however, bears no formal consequence for the judge himself, save as he may be required to hear the cause again. And the disciplinary aspect of appeal depends for its success upon the validity of its underlying assumption—that trial judges will be seeking to apply the law in accordance with the directives of higher courts. If this assumption fails, and unless the judge can be made to obey high court mandates, both the administration of justice and the workability of a pyramidal judicial structure will be threatened by the flood of wrong decisions and appeals. For where a judge persists in misunderstanding or delay despite repeated corrections, reversal on appeal will not be a disciplinary step adequate to assure correct justice to potential litigants in the offending court.

Appeal may also be inadequate for the protection of the rights of the present litigant before the dissident judge. An appellate court's power to review on appeal is for most purposes limited to final judgments and interlocutory orders granting or denying injunctive relief entered by the district courts.[60] Often, however, this control has proved inadequate in the fifth circuit as a means of coping with the harmful effects of delay arising out of slow-footed handling of civil rights cases in southern district courts. For, as seen above, that delay may cause irreparable injury to a litigant's rights before a district court enters a final judgment or in the interim between the entry of the final order below and the rendering of the appellate decision. Reversal cannot undo the harm wrought by the passage of time, such as loss of the chance to vote at a rapidly approaching election. And delay itself, however counter to the suggestions of statute or appellate courts,[61] is not appealable error, but merely an "unfortunate incident" of litigation which the reviewing court may comment upon in a caustic or precatory way when the cause is brought before it on other grounds.[62] Unless orders or inaction occasioning delay at the preverdict stages can be reviewed immediately, they cannot be reviewed at all.

Review of apparent preverdict delay will necessarily be limited by the traditionally broad discretion of the trial judge to order his business.[63] The party complaining to the appellate court would necessarily bear a heavy burden of showing that the delay was not reasonably a product of this traditional discretion. But if a trial judge has shown an apparent penchant for delay, this burden might be more easily met. And since the complaining litigant would necessarily be seeking an injunction-like form of remedy—one directing personal force against the judge—to prevent further delay, he may have achieved a result of higher disciplinary value than mere reversal on appeal.

The All Writs Statute [64] provides the circuit court with authority to intervene at preverdict stages. Section 1651 of the Judicial Code, derived from the Judiciary Act of 1789, presently provides, in part, that "The Supreme Court and all courts established by act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law." [65]

Under a settled construction of this section, a court of appeals has the discretionary power to issue writs of mandamus and prohibition and common law certiorari not only to aid its exercised or existing jurisdiction but also in aid of its prospective jurisdiction.[66] Thus, a court of appeals has the power—available as an auxiliary check over the disposition of orders in the lower courts in order to promote "justice" [67]—to review either a nonappealable interlocutory order of a district court or a failure by a court to

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County Bd. of Educ., 318 F. 2d 425 (5th Cir. 1963); *Hanes* v. *Shuttlesworth,* 310 F. 2d 303 (5th Cir. 1962); *United States* v. *Lynd,* No. 19576, 5th Cir., July 15, 1963. Nevertheless, he has dissented from decisions favorable to Negro plaintiffs, *Davis* v. *Board of School Comm'rs of Mobile County,* No. 20657, 5th Cir., July 18, 1963, and from that part of a judgment of contempt imposing a fine on ex-Gov. Ross Barnett, *Meredith* v. *Fair,* 7 Race Rel. L. Rep. 761 (5th Cir., Sept. 28, 1962). Judge Jones has also been inconsistent in his decisions in the civil rights area. See *Shuttlesworth* v. *Connor,* 291 F. 2d 217 (5th Cir. 1961); *Hanes* v. *Shuttlesworth,* 310 F. 2d 303 (5th Cir., 1962); *Meredith* v. *Fair,* 7 Race. Rel. L. Rep. 761 (5th Cir., Sept. 28, 1962); *East Baton Rouge Parish School Bd. v. Davis,* 287 F. 2d 380 (5th Cir. 1961). Judge Hutcheson, onetime chief judge of the Fifth Circuit, has compiled a record similar to Judge Jones' in recent civil rights cases. Compare *Clark* v. *Thompson,* 313 F. 2d 637 (5th Cir. 1963), with *United States* v. *Lynd,* 301 F. 2d 818 (5th Cir. 1962), and *Ross* v. *Dyer,* 318 F. 2d 191 (5th Cir. 1962).

[57] As additional judges are appointed, moreover, the political character of the majority in a given judicial council may alter: those who advocate that serious disciplinary functions be given the majority must be prepared to accept the consequence of a change in its tenor.

[58] The judges on the council, when administering sanctions, are in the curious position of (a) setting the standard whose violation brings punishment, (b) bringing the charge of violation, and (c) deciding the case and the penalty to be attached. Such behavior seems unjudicial. But cf., *Friedman* v. *Court on the Judiciary,* in N.Y. Times, Oct. 15, 1963, p. 30, col. 4, cert. denied, 32 U.S.L. Week 3134 (U.S. Oct. 15, 1963).

[59] It is possible that a district judge could be held in contempt by a court of appeals for violating the terms of a writ of mandamus or formal judicial council order directed against him. See note 144 supra and accompanying text.

[60] 28 U.S.C. §§ 1281, 1292(1) (1958).

[61] See notes 77, 140–41 supra and accompanying text.

[62] See *Meredith* v. *Fair,* 305 F. 2d 343, 351–52 (5th Cir.) cert. denied, 371 U.S. 828 (1962).

[63] See, e.g., *Nelson* v. *Grooms,* 307 F. 2d 76, 78 (5th Cir. 1962); Fed. R. Civ. p. 42.

[64] 28 U.S.C. § 1651 (1958).

[65] Ibid.

[66] Moore, Judicial Code par. 0.03(51), at 468 (1949).

[67] 6 Moore Federal Practice par. 54.10[4] at 104 (2d ed. 1953); Interview; see also *Czuczka* v. *Rifkind,* 160 F. 2d 308, 309 (2d Cir. 1947); *William Goldman Theatres, Inc.* v. *Kirkpatrick,* 154 F. 2d 66, 69–70 (3d Cir. 1946); *Nelson* v. *Grooms,* 307 F. 2d 76 (5th Cir. 1962).

act within a reasonable time in a proceeding to determine whether it should issue an extraordinary writ.[68]

The theory on which such review proceeds is that postponement of review of a particular interlocutory order or failure to act until the district court hands down a final decision or denies an interlocutory injunction would be improper because of the irreparable injury which litigants would suffer absent the opportunity to obtain review and relief promptly. The effect of such review could be to permit an appellate court to scrutinize those procedural orders or omissions which can cause delay but have little bearing on the ultimate disposition of the merits of the case. Thus, on petition for writ of mandamus the Fifth Circuit reviewed a district court's order postponing a hearing on a motion for preliminary injunction seeking an end to racial segregation in the Birmingham, Ala., public school system.[69] Ordinarily an order postponing such a hearing would never be reviewed, for on an appeal from a final judgment the issue whether or not that postponement was an abuse of discretion would rarely be dispositive of the merits of the case. Yet the delays occasioned by such postponement, as discussed earlier, can have detrimental effects on the plaintiff's rights, if, for example, a new school term were to begin in the near future.

Similarly, the All Writs Statute could also be used to review an allegedly unreasonable delay by a district judge in the issuance of a decision following a hearing on the merits. Although the Fifth Circuit has not done so in recent civil rights litigation,[70] it might decide that such a delay was an abuse of discretion and order the district judge to render a decision within a specified time.[71] It is true that the language of decisions and court rules has emphasized that review by prerogative writs is subject to stringent limitations: that the writs are not issued as a matter of right, and that they are not to be used "as a mere shortcut for an appeal." [72] But these limitations are largely irrelevant to the case where unreasonable delay is urged as the reason for issuing the writ. Such delay is not subject to "appeal" at any stage in the trial proceedings. The limitation which will have principal effect, if a writ is sought, will be the appellate court's respect for the necessary discretion given district judges in managing their trial calendars and in determining the time needed to issue opinions.[73] But even if the appellate court feels the writ must be denied, it has the opportunity to apply the force of moral suasion—a force all the more strong for its implication that renewed attempt to seek the writ might not fail.[74]

If, as may often be the case, a litigant is unwilling to involve the judge who is trying his cause in the formal, courtroom process involved in procuring a writ under the All Writs Statute,[75] he might find it less objectionable to seek the aid of the judicial council of the circuit—whether acting informally through the person of its chief judge or formally through the issuance of an order—in resolving delay.[76] While the council's interests are chiefly administrative rather than appellate, so that they may be reluctant to hear complaints pertaining to particular actions, a litigant who could call attention to a judge's course of delay might also obtain immediate relief in his own cause. If a district judge has not scheduled a hearing on a case for an unreasonable amount of time, or has not dealt expeditiously with the preliminary motions in a case, it seems within the council's power to order its plodding brethren to cease handling the case. The council could then transfer the case to another judge for further disposition. Although such a transfer after trial appears to lead to a great waste in judicial energy, a transfer before a substantial amount of litigation has occurred, especially when in the pleading or preliminary motion stage, would not seem to be an excessive waste of judicial man-hours. In the alternative, the council could direct the slow-footed judge to schedule a date for a hearing, perhaps even setting the date itself, or to decide on a preliminary motion at an early practicable time. And the council might order a district judge who, it believed, was considering a case which had been tried for an unreasonable amount of time, to render a decision within a specified period. To a lesser degree, the chief judge of the circuit, acting independently of the council, might also be able to achieve some expedition through application of informal pressures, if informed of the problem.

Application of the "offshoot" exception to the final judgment rule [77] provides another means for prompt scrutiny of a normally nonreviewable interlocutory order. The offshoot rule permits the immediate appeal of certain orders entered by district courts which do not by a technical construction satisfy the final judgment rule.[78] Among these are an order vacating an attachment of a ship under an admiralty libel [79] and a denial of defendant's motion for an order demanding that the plaintiff put a security bond prior to court action in a stockholder's derivative suit.[80] The 1949 Supreme Court decision in *Cohen* v. *Beneficial Industrial Loan Corporation* [81] set out the two-part rationale underlying appellate review of the so-called "collateral orders," offshoots from the main ingredient of the cause of action. First, since the order neither is a step toward final disposition of a case on the merits nor will be merged in final judgment, it is "too independent of the cause itself to require that appellate consideration be deferred until the whole case is adjudicated." [82] Second, postponement of review of the order until final judgment would preclude effective review and cause irreparable damage to the litigant's right.[83] When these two conditions are met, the Court reasoned, a collateral order becomes for all effects and purposes a final judgment, and therefore comes within the spirit of the final judgment rule.

The Fifth Circuit has made use of the offshoot exception to review immediately a district court's disposition of a motion for a temporary restraining order. In the 1961 case of *United States* v. *Wood* [84] the United States filed suit under the Civil Rights Act of 1957, seeking inter alia to enjoin the criminal prosecution of John Hardy, a Negro voter registration worker, by the sheriff and registrar of Walthall County, Miss., on the theory that the State criminal suit was intended to "intimidate qualified Negro voters of the county from trying to register to vote." [85] Since the criminal suit was to begin 2 days after the Government filed this action, it sought a temporary restraining order, which the district court denied.[86] The Government then took an immediate appeal to the Fifth Circuit, during which the Mississippi Assistant Attorney General agreed to abate Hardy's prosecution. The United States argued that the denial of the temporary restraining order came within the "offshoot" exception to the final judgment rule. The Government maintained that merely bringing Hardy to trial, regardless of the outcome, would intimidate Negro voters; therefore, to preclude review of the district court's denial of the temporary order—thereby effectuating the denial and allowing the criminal prosecution to go to trial—was to moot its case.[87] The Fifth Circuit in a 2-to-1 decision agreed with the Government's contention.[88] The majority interpreted the Supreme Court decision in the Cohen case as approving "a practical construction" of the final judgment rule and held that, because postponement of review of this order before them would cause irreparable damage to the substantial rights of the party seeking prompt review, it was within the rule.[89]

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[68] Moore. op. cit. supra note 166, par 0.03 (51) at 469.

[69] *Nelson* v. *Grooms*, 307 F. 2d 76 (5th Cir. 1962). The Fifth Circuit denied the petition for writ of mandamus, finding that it was within the district judge's discretion to stay the proceedings in one suit pending the outcome of a similar suit seeking school desegregation that was to be tried before another district judge of the same district in the near future. Id. at 78.

[70] But the Fifth Circuit has considered a petition "in the nature of a writ of mandamus" which sought in part an appellate court order directing the trial court to make a prompt determination of plaintiff's motion for a preliminary injunction which was under submission before Alabama District Judge Thomas. *Davis* v. *Board of School Comm'rs*, 318 F. 2d 63, 64 (5th Cir. 1963). Although the Court of Appeals on May 24, 1963, denied the requested order on the ground that the district judge did not abuse his discretion, it nevertheless stressed that it was Judge Thomas' "duty * * * to promptly rule on this motion for preliminary injunction." Ibid. The district judge entered an order shortly thereafter, and thus the effect of an issuance of a writ of mandamus was achieved.

The Fifth Circuit's recent adoption of a rule governing the issuance of extraordinary writs, 5th Cir. R. 13(a), on May 31, 1963, may presage greater use of this reviewing method.

[71] This proposed use of the All Writs Statute is not unprecedented. See *Steccone* v. *Morse-Starrett Products Co.*, 191 F. 2d 197 (9th Cir. 1951); In re *Watts*, 214 F. 80 (2d Cir. 1914); cf. *Czuczka* v. *Rifkind*, 160 F. 2d 308, 309 (2d Cir. 1947); see also 6 *Moore*, op. cit. supra note 167, par. 54.10[4], at 92.

[72] See, e.g., Ex parte *Fahey*, 332 U.S. 258, 259–60 (1947) ("Mandamus, prohibition, and injunctions against judges are drastic and extraordinary remedies. We are unwilling to use them as substitutes for appeal."); *Roche* v. *Evaporated Milk Ass'n*, 319 U.S. 21, 31 (1943) ("there are in this case no special circumstances which would justify the issuance of the writ. * * *"); In re *Grossmayer*, 177 U.S. 48, 49 (1900) ("A writ of mandamus * * * cannot be used to perform the office of an appeal or writ of error, to review the judicial action of an inferior court"); *Moore*, op. cit. supra note 166, par. 0.03(51), at 469. See also 5th Cir. R. 13(a): "The petition shall contain * * * a statement of the reasons why the extraordinary writ of mandamus or prohibition should issue. * * *"

[73] Another reason which partially explains an appellate court's reluctance to use the extraordinary writs is that in the reviewing procedure the judge is compelled to defend the action as a respondent. See 5th Cir. R. 13(a)(b). For an expression of a circuit judge's reluctance to compel one of his brethren to act as a result of this form of adversary proceeding, see Circuit Judge Brown's concurring opinion in *Nelson* v. *Grooms*, 307 F. 2d 76 (5th Cir. 1962).

[74] Cf. *Davis* v. *Board of School Comm'rs of Mobile Co.*, 318 F. 2d 63, 64 (5th Cir. 1963).

[75] Interviews.

[76] The lack of indication that such a course of action has ever been undertaken does not mean that this path is unavailable to an aggrieved litigant.

[77] 6 Moore, Federal Practice par. 54.13 (2d ed. 1953).

[78] See *Cohen* v. *Beneficial Industrial Loan Corp.*, 337 U.S. 541 (1949); cf. *Forgay* v. *Conrad*, 47 U.S. (6 How.) 201 (1948).

[79] *Swift & Co. Packers* v. *Compania Colombiana Del Caribe*, 339 U.S. 684 (1950).

[80] *Cohen* v. *Beneficial Industrial Loan Corp.*, 337 U.S. 541 (1949).

[81] Ibid.

[82] Id., at 546–57.

[83] Ibid.

[84] 295 F. 2d 772 (5th Cir.), reversing 6 Race Rel. L. Rep. 1069 (S.D. Miss. Sept. 21, 1961).

[85] 295 F. 2d at 774.

[86] Ibid.

[87] Id. at 777.

[88] Id. at 778.

In so doing, however, the majority recognized that it was extending the "offshoot" exception to orders never before held to be within its ambit.[90] Indeed, the rationale of the majority in *United States* v. *Wood* would logically apply to all denials of temporary restraining orders which are sought under allegations that maintenance of the status quo is necessary to preserve the effectiveness of subsequent relief. In all such cases the temporary restraining order has little, if any, bearing on the merits of the underlying cause; yet its denial, by hypothesis, will essentially moot the plaintiff's case by making impossible the subsequent granting of effective relief. Permitting appeals from denials of temporary restraining orders, given the results such appeals may often effectuate in civil rights cases, may be desirable. But it would not be without potentially regrettable consequences, such as an increase in congestion on the Fifth Circuit's overcrowded docket.[91]

In addition to enabling it to respond to preverdict delays in the district court, the all writs statute also permits an appellate court to grant requested equitable relief during the pendency of an appeal from a final judgment of a district court or from a denial or issuance of an interlocutory injunction by a district court.[92] By using this interim remedy, the Fifth Circuit has been able in some circumstances to mitigate the harm caused to litigants' constitutionally protected rights by dilatory district judges.[93] In requesting such extraordinary relief, an appellate may rely upon various theories, all of which at one time or another have been entertained by the Fifth Circuit. The appellant may assert that injunctive relief is necessary in aid of the existing jurisdiction of the court of appeals which would "otherwise be defeated through mootness" of his appeal.[94] Or, he may assert that immediate injunctive relief is necessary to offset a clear abuse of discretion below and to avert irreparable damage to his right.[95] Finally, he may allege that injunctive relief is necessary in order to effectuate a previous judgment of the appellate court.[96] But in addition to finding that injunctive relief is necessary for one of these reasons, the appellate court, before granting an injunction pending appeal, must also decide that the likelihood is great that the appellant will ultimately prevail on the merits of his cause—that the factual and legal issues presented by the record are likely to be resolved in his favor.[97] And this requires the court to make at least a preliminary review of the record and the issues it presents.[98] With attendant costs in judicial time and energy. Where such a showing can be made, however, the appellant is able to obtain a quick and efficacious remedy—one which may have the effect of essentially disposing of the case on the merits and which can compensate for delays below by cutting as much as a year off the time effectively required for processing of the appeal.[99]

The Fifth Circuit has been very prompt in issuing injunctions pending appeal where it has felt them to be justified, and it has framed the terms of those injunctions so that they award the appellant meaningful relief.[100] For example, in *Stell* v. *Savannah-Chatham County Board of Education*,[1] where plaintiffs sought an injunction against continued school segregation, the fifth circuit after finding that the district judge clearly abused his discretion and that any "further delay might prevent the enjoyment by the appellant of their clear rights as of the beginning of a new school year,"[2] granted an injunction pending appeal which ordered the School Board to submit a desegregation plan to the district court in about a month.[3] And the appellate court directed the entry of the injunction only 11 days after the district court denied the plaintiffs' request for injunctive relief.[4] It must be stressed, however, that this is an extraordinary remedy,[5] which will often be denied as unjustified. When denial occurs, the ordinary delay preceding hearing and decision on appeal, added to the delay occasioned below, may prevent the timely realization of constitutional rights.

Where an injunction pending appeal is not granted, similar if less dramatic reduction in the delay usually intervening between trial and appellate verdicts can be achieved by expediting the appeal—moving the case forward on the appellate court's calendar. Since cases on appeal are usually assigned for hearing in the chronological order of docketing,[6] a party taking an appeal ordinarily has to wait many months, even years, before having his case heard and decided. If a litigant is able to have the circuit court of appeals expedite his appeal, the date the court will review his case is advanced, often to as soon as a few weeks after the district court decision,[7] possibly preventing mootness of his cause or limiting the prejudice to his rights. For instance, in a proceeding brought by the Attorney General in August 1960, to obtain a district court order permitting inspection of the voting records held by the Board of Registrars of Wilcox County, Ala., the district judge, rather than granting the motion summarily as was intended by the statute's framers, waited a year, and then granted the registrars' motion to dismiss.[8] By expediting the appeal, which led to reversal,[9] the Fifth Circuit enabled the Attorney General to proceed more quickly with his investigation for discriminatory registration practices in Wilcox County. And should this search bear fruit, the Attorney General will have been able to end such practices at an earlier time and thus, possibly, to have increased the number of Negro voters at the next election.

As in the case of the injunction pending appeal, strong pressures tend to inhibit use of the expedited appeal. The expediting of an appeal inevitably results in the postponement of decision days for cases previously pending, and thus inconveniences litigants who have been patiently awaiting decisions in their causes.[10] Therefore, a litigant must present to an appellate court reasons sufficiently weighty to justify this action.[11] A litigant's usual inability to do so partially explains the infrequent use of this device. Another reason perhaps accounting for judicial reluctance to grant leap-frog-like appeals is the disruption in calendar assignment of cases that may accompany a more rapid hearing of an appeal.[12] This disruptive effect may be aggravated in a circuit covering as large an area as the Fifth Circuit, for available circuit judges might be forced to travel long distances in order to fill a panel hearing an expedited appeal.[13] For these practical reasons, expediting appeals in the Fifth Circuit has its drawbacks; where it has been used, however, it has been an effective means of correcting questionable performance by district courts.

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[89] The Fifth Circuit's decision, extending the scope of court of appeals review over district court orders under 28 U.S.C. 1291 (1958), was later paralleled by two Supreme Court decisions which broadened the statutory requirement of finality limiting the Court's jurisdiction to review State court judgments under 28 U.S.C. § 1257 (1958). See *Local No. 438* v. *Curry*, 371 U.S. 542 (1963); *Mercantile Nat'l Bank* v. *Langdeau*, 371 U.S. 555 (1963).

[90] 295 F. 2d at 777.

[91] *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963, p. 46.

[92] See, e.g., *Aaron* v. *Cooper*, 261 F. 2d 97, 101 (8th Cir., 1958); *Stell* v. *Savannah-Chatham County Bd. of Educ.*, 318 F. 2d 425 (5th Cir. 1963).

[93] See, e.g., *Stell* v. *Savannah-Chatham County Bd. of Educ.*, 318 F. 2d 425, 427; *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 30, 1963, pp. 4–6, 12–13.

[94] *Meredith* v. *Fair*, 305 F. 2d 341 (5th Cir. 1962) (denial of motion for injunction pending appeal). Over the dissent of Chief Judge Tuttle, the majority denied the injunction pending appeal on the ground that the hardship imposed on Meredith by nonattendance, when "balanced against other irreparable damages" which the parties to the suit could suffer if the district court's judgment was affirmed on appeal, was insufficient to warrant the issuance of an injunction, absent the opportunity "to study the full record and testimony on the hearing before the district court." Id. at 342. The majority apparently felt that on the scanty record before the appellate court (the record submitted did not include the testimony in the trial on the merits) there was not a sufficient likelihood that the district court's judgment would be reversed.

[95] See *Stell* v. *Savannah-Chatham County Bd. of Educ.*, 318 F. 2d 425, 427 (5th Cir., 1963) (granting of injunction pending appeal); *United States* v. *Lynd*, 301 F. 2d 818 (5th Cir.), cert. denied, 371 U.S. 893 (1962) (granting of injunction pending appeal).

[96] *Greene* v. *Fair*, 314 F. 2d 200 (5th Cir. 1963) (denial of motion for injunction pending appeal). A unanimous court denied the injunction because the appellant Greene failed to demonstrate the almost certain likelihood that the lower court's ruling would be reversed when his case was heard on the merits by the appellate court on a later date. Id. at 202.

[97] 314 F. 2d at 202.

[98] Ibid. See also *United States* v. *Lynd*, No. 19576, 5th Cir., July 15, 1963, p. 1; *Meredith* v. *Fair*, 305 F. 2d 341, 342 (5th Cir. 1962).

[99] In the Lynd case, where the U.S. Attorney General unsuccessfully sought injunctive relief against alleged discriminatory practices in the district court, the Fifth Circuit granted an injunction pending appeal on April 10, 1962. *United States* v. *Lynd*, 301 F. 2d 818 (5th Cir.), cert. denied, 371 U.S. 893 (1962). Over a year later, on July 15, 1963, the Fifth Circuit reversed the district court's effectual denial of an application for the preliminary injunction. *United States* v. *Lynd*, No. 19576, 5th Cir., July 15, 1963.

[100] *Stell* v. *Savannah-Chatham County Bd. of Educ.*, supra note 195, at 428; *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963, p. 40 (case decided in district court on May 28, 1963); *Davis* v. *Board of School Comm'rs of Mobile County*, No. 20657, 5th Cir., July 12, 1963, modified, 5th Cir., July 18, 1963 (case decided in district court after May 23, 1963).

[1] 318 F. 2d 425 (5th Cir. 1964).

[2] Id. at 427.

[3] Id. at 428.

[4] Id. at 425.

[5] Id. at 426–27; see also *Greene* v. *Fair*, 314 F. 2d 200, 202 (5th Cir. 1963).

[6] See Note, Second Circuit: Federal Judicial Administration in Microcosm, 63 Colum. L. Rev. 874, 883 (1963); 5th Cir. R. 17.

[7] See *United States* v. *Wood*, 295 F. 2d 772 (5th Cir.), reversing 6 Race Rel. L. Rep. 1069 (S.D. Miss. Sept. 21, 1961); *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963, pp. 40, 43 (indicates expediting of appeals in *Anderson* v. *City of Albany*, No. 20501, 5th Cir., July 26, 1963, and *Kennedy* v. *Owen*, No. 20634, 5th Cir., July 3, 1963); *Meredith* v. *Fair*, 305 F. 2d 341, 342 (5th Cir. 1962).

In addition, the Court of Appeals has issued injunctions pending appeal on a number of occasions shortly after a decision has been made at the district court level. See *Stell* v. *Savannah-Chatham County Bd. of Educ.*, 318 F. 2d 425 (5th Cir. 1963); *United States* v. *Lynd*, 301 F. 2d 818 (5th Cir.), cert. denied, 371 U.S. 893 (1962); *Davis* v. *Board of School Comm'rs of Mobile County*, No. 20657, 5th Cir., July 9, 1963, modified, July 18, 1963; *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963.

[8] *Kennedy* v. *Bruce*, 298 F. 2d 860, 862 (5th Cir. 1962).

[9] Id. at 862.

In considering the advantages of both expedited appeals and injunctions pending appeal, it must be recognized that neither remedy serves any disciplinary function with respect to the judge who has created the situation which now seems to require speed. Rather, each serves only to ameliorate harm already done by removing further delay which ordinarily would have been experienced. Both require showings which in most civil cases may be hard to make—probability of success and hardship in the case of the injunction pending appeal,[14] and substantial hardship for expediting appeals.[15] These burdens may be substantially lessened in the case of civil rights plaintiffs in the Fifth Circuit, however. That a denial of injunctive relief was made by a judge who is consistently reluctant to administer the desegregation decisions may be a substantial factor pointing toward likelihood of appellant success; that lengthy delays have already occurred, and swift-passing civil rights are involved, may make it much easier to show the requisite hardship. While inspection of the record and consideration of the motion to expedite or enjoin will still be requisite, the presumption might almost be entertained that reason for the requested relief exists, subject to rebuttal by appellees.

Once its decision has been entered, an appellate court may wish to avoid the likelihood of further delay or misinterpretation of its decision. The delay, as seen above, may result either normally—a time lag of several weeks usually intervenes between decision day and forwarding of the remand directive [16]—or, possibly, from renewed "sluggishness" on the part of the district judge once the remand is received. The delay before the relief intended by the appellate court is effectuated may, as with all forms of delay, render additional hardship to civil rights plaintiffs seemingly already successful in obtaining their requested relief. To combat this unnecessary hardship the Fifth Circuit frequently sends the remand directive to the district court immediately upon decision; [17] corresponding to the speed on their part is doubtless a greater inclination to expect speedy entrance of the order by the court below. This procedure is not without its drawbacks—the short delay before a remand directive is sent to the district court permits litigants to adduce reasons for its stay or for a rehearing. Less frequently than it remands immediately upon decision, the court—perhaps fearing "misinterpretation" of its mandate below as well as delay—has actually framed the terms of the injunction which is to effectuate the opinion and then ordered its immediate transmission to the clerk of the district court for issuance.[18] When such action is taken, an additional advantage of normal procedure is lost. Injunctions are ordinarily framed by a district court in order to take advantage of that court's greater familiarity with the facts and setting of the case and consequent superior ability to include details better adapted to the circumstances.[19] In recognition of these advantages in using normal procedures, the Fifth Circuit has intimated that normal procedures are to be deviated from only in occasional instances.[20] At times, however, that court has concluded that the equities of the case before it dictate deviation.[21] In at least one case it has even gone so far as to enter its own injunction, bypassing the district court altogether.[22]

Use of each of the controls within the decision process, as here discussed, has been effective in restricting some of the harmful effects caused to litigants by dilatoriness and failure to follow prevailing legal doctrines. But each is available only during litigation and for a particular case—often, after much of the damage wrought by delay has been done. Except for the remedies arising out of the All Writs Statute, none has any disciplinary force on the offending judge. Even under the All Writs Statute, it is doubtful whether the discipline imposed by, say, a writ of mandamus issued in response to dilatoriness in one cause could ever extend to the judge's treatment of another case. The wheels turn, a new plaintiff comes into court, and the trial judge is free to proceed again until corrected. And even correction, it must be noted, will often be a difficult task, complicated by the discretion given district judges, in equity matters. Patterns of judicial differentiation in dealing with evidentiary requirements or the question of the need for injunctive relief will be difficult to discover.

CONCLUSION

If the assumption of "good will effort" by the trial judge to comply with the spirit and letter of higher court directives breaks down, then, the traditional tools by which the judiciary secures its internal discipline may be unequal to the task—or involve such cost as to touch the administration of justice in the entire circuit. The judicial council, if developed, may offer the greatest potential for dealing with problems of continuing judicial unwillingness to follow appellate decisions. Its largely untested ability to discipline judges directly has greater breadth than the one-case diameter of mandamus. Congress, perhaps, could facilitate the judiciary's task of self-discipline by assigning greater scope and range of control over the course of trial proceedings to the appellate courts. But corresponding to increased breadth of discipline, even within the judiciary, is an increased danger of interference with judicial independence—a danger which may well dissuade the councils and Congress from action. (The chief difficulty arises not from behavior of judges but from the appointment of men who in important areas will not observe the self-discipline upon which an appellate system is premised. The principal cure must be found in the appointment of judges who will disinterestedly comply with decisions of higher courts.)

CONSTITUTIONAL AMENDMENT—ONE MAN-ONE VOTE RULE

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PEPPER. Mr. Speaker, I recently transmitted to the Congress at the request of the Florida Legislature a memorial urging the submission of a constitutional amendment which would override the "one man-one vote" rule in the apportionment of our State legislatures.

This memorial did not represent the wishes of a majority of the people of my State, and this fact is pointed out in a resolution adopted by the legislative representatives of those areas of Florida which contain a majority of the population of the State.

I have transmitted this expression of the majority opinion in Florida to the Congress as a petition and I wish now to insert the text in the body of the Record so that my colleagues may have the benefit of these views of the majority of the people of Florida on this vital issue.

Our Florida Legislature has been perhaps the most malapportioned State legislature in the United States. Until recently a majority of the members of both houses of our legislature were elected by less than 15 percent of the people of the State. The situation has been only slightly improved by a recent effort at legislative reapportionment: 27 percent of our people now elect a majority of the Florida House of Representatives and only 14 percent elect a majority of the Florida Senate.

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[10] See *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963, p. 46 (dissenting opinion).

[11] See *Greene* v. *Fair*, 314 F. 2d 200, 202 (5th Cir. 1963): "The rules [of this court] provide for accelerated hearings in cases in which cause therefor is shown." In at least 1 instance, the Court of Appeals for the Fifth Circuit expedited a litigant's appeal apparently on its own motion. See *Meredith* v. *Fair*, 305 F. 2d 341, 342 (5th Cir. 1962).

[12] See, e.g., *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963, pp. 45–46 (dissenting opinion).

[13] The Fifth Circuit ranges from Texas to Florida, including Mississippi, Louisiana, Alabama, and Georgia.

[14] See note 197 supra and accompanying text.

[15] See note 211 supra and accompanying text.

[16] 5th Cir. R. 32 (adopted May 31, 1963).

[17] E.g., *Meredith* v. *Fair*, 305 F. 2d 341, 342 (5th Cir. 1962); *Kennedy* v. *Bruce*, 298 F. 2d 860, 864 (5th Cir. 1962); *Kennedy* v. *Owen*, No. 20634, 5th Cir., July 3, 1963, p. 4; *Anderson* v. *City of Albany*, No. 20501, 5th Cir., July 26, 1963, p. 21; *United States* v. *Dogan*, 314 F. 2d 767, 775 (5th Cir. 1963).

[18] *Stell* v. *Savannah-Chatham County Bd. of Educ.*, 318 F. 2d 425, 428 (5th Cir., 1963); *Davis* v. *Board of School Comm'rs of Mobile County*, No. 20657, 5th Cir., July 9, 1963, modified, July 18, 1963, pp. 3–4; *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963, pp. 13–14.

[19] The Fifth Circuit's recognition of the district court's superior ability to provide for the details of an order is evidenced by the following phrase which appears at the end of some of its decisions: "During the pendency of this order the trial court is further directed to enter such other and further orders as may be appropriate or necessary in carrying out the expressed terms of this order." E.g., *Armstrong* v. *Board of Educ. of City of Birmingham*, No. 20595, 5th Cir., July 12, 1963, p. 14; *Stell* v. *Savannah-Chatham County Bd. of Educ.*, 318 F. 2d 425, 428 (5th Cir. 1963).

[20] See 318 F. 2d at 428; *United States* v. *Lynd*, No. 19576, 5th Cir., July 15, 1963, p. 3.

[21] See, e.g., *Anderson* v. *City of Albany*, No. 20501, 5th Cir., July 26, 1963, p. 21; *United States* v. *Dogan*, 206 F. Supp. 446 (N.D. Miss. 1961), rev'd, 314 F. 2d 767, 775 (5th Cir. 1962).

[22] *United States v. Lynd*, 301 F. 2d 818 (5th Cir.), cert. denied, 371 U.S. 893 (1962).

The malapportionment makes the Florida Legislature unrepresentative of the people of Florida and deprives our people of the right to have their laws made with the consent of the governed. This is a flouting of the most fundamental principle of our democratic system, and I urge the Congress not to take any action which would sanction the continued violation of this vital democratic right to equality before the law and in the making of the law.

I present in cooperation with my colleague from the Fourth District of Florida the text of the following resolution:

Resolution by Certain State Representatives and Senators of the State of Florida, Representing a Majority of the People of the State of Florida, Urging the Congress To Oppose Any Constitutional Amendment Authorizing a State With a Bicameral Legislature To Utilize Factors Other Than Population in Apportioning Either House of a Bicameral Legislature

Whereas the Supreme Court of the United States has ruled that the 14th amendment to the U.S. Constitution requires that membership in both houses of a bicameral State legislature must be apportioned according to population in order to protect the citizens of the States against invidiously discriminatory apportionment of legislative districts; and

Whereas this ruling insures to equal numbers of people the right to equal representation in their legislatures and precludes taxation without effective representation; and

Whereas this ruling by the U.S. Supreme Court provides a Federal judicial remedy for wrongs that have been perpetrated upon the people in legislative bodies and other governmental bodies in subordinate governmental units in this State due to violations of the population principle; and

Whereas the population principle is firmly rooted in American history, having been the determinative factor in the composition of both houses of bicameral State legislatures during the 18th and 19th centuries; and

Whereas the State of Florida, upon its admission to the Union in 1845 based its legislative representation primarily upon the population principle in both houses of its legislature with 40 percent of the people able to elect a majority of the members of each house; and

Whereas today only 27 percent of the people of Florida elect a majority of the house of representatives and only 14 percent elect a majority of the senate; and

Whereas the Florida Legislature recently passed House Memorial 2433 by a vote of 77 to 33 in the house of representatives and by a vote of 38 to 5 in the senate, urging Congress to submit a constitutional amendment to authorize any State with a bicameral legislature to utilize factors other than population in apportioning one house of its legislature; and permitting any State to determine how governing bodies of its subordinate units should be apportioned; and

Whereas the 33 representatives and 5 senators who opposed House Memorial 2433 represent constituencies comprising 58.83 percent of the total population of the State of Florida as of the 1960 Federal census and an even greater percentage as of this date: Now, therefore, be it

Resolved, That the undersigned members of the House of Representatives and of the Senate of the State of Florida, representing a large majority of the people of this State, do hereby declare their support of the ruling of the U.S. Supreme Court requiring legislative apportionment based solely upon population and urge Congress to consider House Memorial 2433 in light of the gross malapportionment of the current Florida legislature, which is under Federal court order to reapportion by July 1, 1965; and be it further

Resolved, That the undersigned oppose the proposed constitutional amendment contained in House Memorial 2433, or any similar constitutional amendment, on the following grounds:

1. Section 1 of the proposed article fails to limit or specify what factors might be utilized by a State to give greater weight to the votes of one group of citizens as compared to the votes of another group of citizens in its legislature.

2. Section 1 of the proposed article provides that a plan of apportionment diluting the population criterion in one house be submitted to a vote of the electorate of a State one time and provides no subsequent remedy to the people in the event such discrimination became invidious because of future shifts of population or of other changes in conditions not contemplated by the initial plan.

3. Section 2 of the proposed article would deprive the citizens of the United States of any remedy against future malapportionment under the 14th amendment to the Constitution.

4. Section 2 of the proposed article makes an exception to article IV, section 4, of the Constitution of the United States which guarantees to the citizens of every State in this Union a republican form of State government and under such exception, a State could in the future predicate the composition of one house of its legislature upon factors inherently obnoxious to the principles of democratic government; be it further

Resolved, That copies of this resolution be transmitted forthwith to the President of the United States, the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives of the Congress of the United States, the congressional delegates from Florida in the U.S. Congress, and to each Governor, secretary of state, and attorney general of the several States.

Richard A. Pettigrew, Kenneth M. Myers, W. Thomas Spencer, Maxine E. Baker, Edmond J. Gong, Robert L. Shevin, Lee Weissenborn, Woodie A. Liles, Terrell Sessums, Louis de la Parte, Richard L. Brown, Jesse H. Yarborough, Daniel G. McMullen, Jr., Joel T. Daves III, John J. Savage, John T. Ware, William H. Roundtree, John Hasson, Clyde W. Simpson, Robert H. Mann, Tom McPherson, Emerson Allsworth, Lynwood Arnold, Charles E. Rainey, Dick Fincher, Carey Matthews, Mary Ann MacKenzie, Murray H. Dubbin, Ray C. Knopke, René A. Zacchini, Emmett S. Roberts.

Members of the House.

George A. Hollahan, Jr., Robert M. Haversfield, A. J. Ryan, Jr., Ed H. Price, Jr.

Members of the Senate.

THE HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I believe that the debate of the Housing and Urban Development Act of 1965, H.R. 7984, yesterday and today has completely exposed the bankruptcy of ideas and ideals of those individuals and interests who have tried to use the rent supplement proposal as a vehicle for their opposition and hostility to the Federal housing program generally. It is ironic that the rent supplement plan should have been singled out for attack on the dual grounds that "it is the way of the socialistic state," and that it will harm the public housing program.

Of course, anyone interested enough to read the bill can understand that the rent supplement program is essentially a private enterprise program, and that the Federal participation is designed to assist families from the lower income groups. It has been charged that under this program we would be subsidizing middle income groups. This is nonsense. The table prepared by the Housing and Home Finance Administration estimating the income limits for eligibility that would be established under the rent supplement program in 25 cities has already been placed in the RECORD. It may be noted, for example, that the income limit for a family of two persons in San Antonio, Tex., in my home district, for a one-bedroom apartment would be $3,300; the income limit for a family of three or four persons for a two-bedroom apartment would be $3,700. Thus it is estimated that for families of three or four only those earning less than $4,000 would be eligible to live in housing units under the rent supplement plan. Does this constitute subsidizing middle income group families?

It has been said that the rent supplement program would harm the public housing program. This also is false, in my opinion. The public housing program stands on its own merits as one of the greatest social advances of the 20th century. I say this not only as an elected Representative but as a former public housing employee who had the honor of serving under possibly the finest and most effective public housing administrator this country has had, Marie Maguire.

With unanimous consent, I am inserting in the RECORD a copy of the letter from Nathaniel S. Keith, president of the National Housing Conference, which appeared in the Washington Post, June 28, 1965; and an editorial from the New York Times which appeared this morning, June 29, 1965. Every Member of Congress ought to read the following sentence from the last paragraph of the Times editorial:

> A vote against the rent subsidy program would be a vote against some of the most defenseless members of society.

I call the attention of my colleagues to that thought.

[From the New York Times, June 29, 1965]

Rent Subsidy

The rent subsidy, a key provision of the administration's housing bill, is expected to come under sharp attack in a House vote today. If it is rejected, the action will be a triumph for semantics and a defeat for logic.

Almost every kind of housing now receives a Federal subsidy, direct or indirect. Housing for veterans, for old people and for farmers is subsidized. There are public housing programs for the very poor; the Federal Housing Administration provides mortgage insurance for one-family dwellings for the middle class; even luxury apartments for upper-income citizens often get an indirect subsidy under the urban renewal program.

Under these circumstances, the opposition that has flared up against the rent subsidy idea seems almost bizarre. The administration's proposal would simply enable the Government to pay the difference in rent between one-quarter of an impoverished family's income and the fair rental value of its apartment. This subsidy would be paid on housing constructed or rehabilitated by limited-dividend corporations. Since there are 500,000 families already on the waiting list for admission to public housing, a supplementary approach is badly needed. The rent subsidy provides that approach.

The plan has the great advantage that it would enable low-income families to continue living in buildings that have been made fit for living. Up to now, the renovation of a slum has usually meant that a sizable number of tenants who could not pay the new rents had to move elsewhere, often to even worse quarters.

The rent subsidy can become a critical component in the war against poverty. According to the 1960 census, three-fourths of families with an income of less than $2,000 paid 35 percent or more of their incomes for rent. Of families earning $2,000 to $3,000 a year, one-third paid 35 percent or more for rent.

The old guard administrators of public housing who oppose this rent subsidy program because it intrudes upon their longstanding monopoly have scarcely displayed the compassion and disinterestedness appropriate to those dedicated to aiding low-income families. The Republicans in the House have likewise proved more partisan than constructive in making an issue out of this program. They have gone counter to the leadership of Representative WILLIAM B. WIDNALL, of New Jersey, the ranking minority member of the Housing Subcommittee and the GOP's foremost housing expert.

A vote against the rent subsidy program would be a vote against some of the most defenseless members of society. The House ought not place this black mark against the good record of the 89th Congress.

[From the Washington Post, June 26, 1965]

PUBLIC HOUSING STAND

The June 23 "Inside Report," by Rowland Evans and Robert Novak, contains the statement that the public housing lobby is opposing the rent supplement proposal in President Johnson's housing and urban development program and has made an "alliance with old enemies on the right" to fight this proposal.

While the column did not identify the public housing lobby by name, this statement has evidently caused some confusion as to the position of the National Housing Conference on this issue, since the conference is the only overall lobbying organization which over the years has supported the liberal position on housing, urban renewal, and community development legislation.

The President's proposal for rent supplements was carefully considered by the National Housing Conference at its annual convention in Washington in mid-March this year. The recommendation of our resolutions committee, which was ratified by our membership, was to support the rent supplement proposal as an experimental program, in no sense as a substitute for the public housing program, but as a promising additional tool for meeting the housing needs of families and individuals of low and moderate income.

In testifying before the Housing Subcommittees of the House and Senate Banking and Currency Committees in general support of the proposed Housing and Urban Development Act of 1965, I presented the position of the National Housing Conference on the rent supplement proposal I can also state from personal knowledge that the conference's support for rent supplements is shared by a broad consensus of the other public interest organizations which cooperate with us.

Admittedly the rent supplement proposal is opposed by some persons active in public housing at the local level. However, I know of no "public housing lobby" other than the National Housing Conference and I believe the record should show that the conference is strongly supporting this and other provisions of the pending housing and urban development legislation.

NATHANIEL S. KEITH,
President,
National Housing Conference.

WASHINGTON.

BEAVER PELTS AS SUBSIDIARY COIN

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, it is a terribly serious and grave decision to vote on the question of the elimination of silver from our currency. When money was scarce and before the extensive silver coinage, we saw the time of barter. At an earlier date, beaver pelts were the accepted legal tender.

It is far from satisfactory to have coins with no real value. Coins of a real value are meaningful to everybody. Coins with only one-half the silver value of the present coins are more meaningful and better currency than coins of less valuable metal.

Mr. Speaker, I include a brief article on the use of beaver pelts as the legal tender in Montana in the RECORD. This article describes a book by Albert J. Partoll, of Missoula, Mont., which tells of the early financial structure of the Rocky Mountain West:

WHEN BEAVER PELTS WERE LEGAL TENDER IN MONTANA—AN ADVENTURE IN FRONTIER FINANCE

(By Albert J. Partoll, Missoula, Mont.)

MONTANA'S FIRST INDUSTRY

Today in 1964, in the generation of ultramodern banking facilities, it is interesting to note that there was a period of history when the area presently known as Montana did not have financial institutions, and furthermore "minted" its own frontier currency. This was even before the gold rush days of the 1860's. The narrative of this interesting venture, "when beaver pelts were legal tender in Montana," reflects cherished highlights of Montana's first industry, the fur trade.

The fur trade was concerned with the "harvesting" of the pelts of fur-bearing animals chief among which was the beaver, which flourished along the mighty waterways of the upper Missouri and the upper Columbia Rivers and their tributaries. Both rivers originated in the area that was to become the Territory of Montana in 1864, and which quite obviously bore other territorial names before that date.

The eastern portion previously had been part of the Territories of Louisiana, Missouri, Nebraska, and Dakota, the western portion had been part of the Territories of Oregon, Washington, and Idaho, respectively before that date. The lure of profits from the fur trade induced enterprising individuals and companies to explore the wilderness of the future Montana, thereby creating incidents that constitute a segment of the historical heritage encompassed within its present boundaries.

WILDERNESS TRADERS

Among the competitors in Montana's preterritorial fur trade was the Hudson's Bay Co. of London (which had absorbed the Northwest Co. of Canada in 1821), the American Fur Co. of St. Louis, the Rocky Mountain Fur Co., and others. The Hudson's Bay Co. maintained a series of trading posts in the district of the Columbia River, while the American Fur Co. assumed jurisdiction of the upper Missouri River.

Some trading was done at established posts, some in the field, and some at a preannounced meeting place, generally called a rendezvous. Here the mountain men and Indians of the various western tribes, met with the traders and disposed of their furs, and in return received such items as necessity, whim and fancy might dictate. Out of the competition and adventure of the fur trade emerged names that became famous; among these are Alexander Culbertson, Jim Bridger, and Thomas Fitzpatrick (Americans), Pete Skene Ogden and Angus Mcdonald (Hudson's Bay Co. men), and many others for the hall of fame of Montana's early citizens.

BEAVER PELT CURRENCY

Men braved the perils and loneliness of the wilderness to obtain furs, and investors risked fortunes in outfitting trading expeditions. Wanted by the trappers were furs especially the beaver pelt which they stretched and dried in a hoop, generally shaped from the branches of a tree, and which represented trading power. Trappers were of many nationalities, some literate, others unable to either read or write. To most of them and to the Indians money values were puzzling. Monetary systems based on dollars and cents, English pounds sterling and pence, francs and fractions thereof, pessos of the Spanish, meant little to most of them in determining fur prices or trade values. Gradually there developed the recognition that the beaver pelt had an understandable value for exchange and barter. A gun priced at 20 beaver pelts meant a definite price; the same gun priced at $50 meant confusion.

The dried beaver pelt, sometimes called the beaver parchment, became the standard of value in the 1820's and 1830's. The Hudson Bay Co., as did other traders, adopted a value that applied to all furs and items of merchandise. Pelts other than beaver could be valued in terms of "made beaver." A large prime mink might equal one made-beaver, a marten, sometimes called the Rocky Mountain sable, might be valued at two made-beaver; weasel pelts, sometimes called ermine when white, might be valued at 8 or 10 to 1 made-beaver, with muskrats running about the same; otter pelts might go for two made-beaver, and a black or silver fox for four made-beaver, and other furs accordingly in terms of "made beaver."

ACCEPTED AS LEGAL TENDER

This recognizable currency, which could not be counterfeited, was acceptable to the trappers and Indians, who bartered their "made beaver" credits for the many items of merchandise priced in the same terms. Credit or debt, and payment for services or supplies, could be noted in pelt currency figures. Trade goods might be priced at five beaver for an ax, one beaver for a pound of gunpower, one beaver for a knife, four beaver for a steel trap, one-fourth beaver for a string of beads, and one beaver for a hand mirror. One-eighth beaver was the smallest denomination recognized.

Beaver and "made beaver" became the monetary system of the Montana frontier. The impact of beaver pelt currency appeared in the Flathead-Salish Indian language when the word "ska-le-oo" originally meaning beaver, became the term for money. The term "pleu" of the French-Canadian trappers meant pelt value; namely, beaver. Beaver pelts and furs "made beaver" were put up in bales of about 50 pounds each for easy handling, and for loading on pack horses. The risk of having the "currency" damaged by vermin was great. Fur trading caravans, fabulously rich in beaver pelts, were bound to have covetous eyes watching them, so many armed men were needed for protection on long trips especially when the horses were unloaded for the night. Sometimes a "cache" pit was used as a temporary "deposit box" for the furs for better protection and vigilance; but this "hole in the ground" was poor insurance against theft and damage from the elements.

HISTORIC ERA IN MONTANA

There has always been a touch of romantic interest in furs and the persons who wore the greatcoats of plucked beaver, mink, otter, ermine, silver fox, marten, and a few other furs. These better pelts when processed brought luxury prices. At one time in Europe and populated centers of North America, the furs worn revealed the financial and social position of the wearer. The beaver felt hat carried a mark of style for the times.

Montanans can well rate the frontier fur traders among the pioneer bankers of the State, for they also blazed the trail of commerce and thereby enriched Montana's historic heritage. Modern banking in 1964 may smile as may its patrons in reviewing the past, and be thankful that the days "when beaver pelts were legal tender in Montana" have for convenience sake slipped into history.

(NOTE.—Montana is rich in historic memories and personalities who helped carve our modern State out of the western wilderness. The fur trade was dominant and at its greatest intensity from 1810 to about 1850, and left its imprint on the pages of western history. This vignette on the beaver pelt presents a mere glimpse of a fascinating movement in frontier events.)

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WILLIAMS, for 20 minutes, today.

Mr. SAYLOR, for 30 minutes, today; and to revise and extend his remarks.

(The following Members (at the request of Mr. HALL) to revise and extend their remarks and to include extraneous matter:)

Mr. CHAMBERLAIN, for 30 minutes, today.

Mrs. DWYER, for 10 minutes, Wednesday, June 30.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MOORHEAD to revise and extend his remarks made in Committee of the Whole and to include extraneous matter.

Mrs. SULLIVAN and to include extraneous matter.

Mr. HANSEN of Idaho.

Mr. MULTER to revise and extend his remarks to be made in Committee of the Whole today on the housing bill and to include extraneous matter.

Mr. FINO.

(The following Member (at the request of Mr. HALL) and to include extraneous matter:)

Mr. MATHIAS.

(The following Members (at the request of Mr. HICKS) and to include extraneous matter:)

Mr. FOGARTY.

Mr. RODINO.

Mr. FASCELL.

Mr. LOVE.

Mr. MACHEN.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 596. An act to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases; to the Committee on Interstate and Foreign Commerce.

S. 2154. An act to amend the act establishing the United States-Puerto Rico Commission on the status of Puerto Rico; to the Committee on Interior and Insular Affairs.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On June 28, 1965:

H.R. 3994. An act to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling and paying certain claims arising out of the crash of a U.S. aircraft at Wichita, Kans.;

H.R. 3996. An act to amend provisions of law relating to the settlement of admiralty claims;

H.R. 6507. An act to make section 1952 of title 18, United States Code, applicable to travel in aid of arson;

H.R. 6848. An act to amend section 35 of title 18 of the United States Code relating to the imparting or conveying of false information; and

H.J. Res. 541. Joint resolution to extend the Area Redevelopment Act for a period of 2 months.

On June 29, 1965:

H.R. 7060. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1966, and for other purposes; and

H.J. Res. 553. Joint resolution making continuing appropriations for the fiscal year 1966, and for other purposes.

ADJOURNMENT

Mr. HICKS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 30, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1289. A letter from the General Manager, U.S. Atomic Energy Commission, transmitting a list of the nonprofit educational institutions and other nonprofit organizations in which title to equipment was vested by the Atomic Energy Commission, for calendar year 1964, pursuant to section 2 of Public Law 85-934; to the Committee on Science and Astronautics.

1290. A letter from the Comptroller General of the United States, transmitting a report of an audit of Southeastern Power System and related activities for fiscal years 1961, 1962, and 1963, Corps of Engineers (Civil Functions), Department of the Army and Southeastern Power Administration, Department of the Interior; to the Committee on Government Operations.

1291. A letter from the treasurer, American Chemical Society, transmitting annual report of the American Chemical Society for the calendar year 1964, pursuant to section 8 of Public Law 75-358; to the Committee on the Judiciary.

REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee of conference. Senate Joint Resolution 1. Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office (Rept. No. 554). Ordered to be printed.

Mr. DAWSON: Committee on Government Operations. Fifteenth report of the Committee on Government Operations on disposal of sewage and industrial wastes by Federal installations (Water pollution control and abatement); (Rept. No. 555). Referred to the Committee of the Whole House on the State of the Union.

Mr. ULLMAN: Committee on Ways and Means. HR. 7502. A bill relating to the income tax treatment of certain casualty losses attributable to major disasters; with an amendment (Rept. No. 556). Referred to the Committee of the Whole House on the State of the Union.

Mr. FISHER: Committee on Armed Services. H.R. 3037. A bill to amend section 1485 of title 10, United States Code, relating to the transportation of remains of deceased dependents of members of the Armed Forces, and for other purposes; without amendment (Rept. No. 557). Referred to the Committee of the Whole House on the State of the Union.

Mr. FISHER: Committee on Armed Services. H.R. 546. A bill to retrocede to the State of Wisconsin concurrent jurisdiction over the rights-of-way for U.S. Highway 16 and Wisconsin State Highway No. 21 within Camp McCoy, Wis., and for other purposes; with amendment (Rept. No. 558). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 8484. A bill to amend section 2634 of title 10, United States Code, relating to the transportation of privately owned motor vehicles of members of the Armed Forces on a change of permanent station; with amendment (Rept. No. 559). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 5034. A bill to amend section 2575(a) of title 10, United States Code, to authorize the disposition of lost, abandoned, or unclaimed personal property under certain conditions; without amendment (Rept. No. 560). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 7595. A bill to amend title 10, United States Code, to authorize transportation at Government expense for dependents, accompanying members of the uniformed services at their posts of duty outside the United States, who require medical care not locally available; without amendment (Rept. No. 561). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 8095. A bill to authorize travel and transportation allowances under certain circumstances for members of the uniformed services when ordered to make changes of permanent station while away from their permanent stations under orders, and for other purposes; without amendment (Rept. No. 562). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARDY: Committee on Armed Services. H.R. 1044. A bill to authorize the Secretary of the Navy to convey to the city of Norfolk, Va., certain lands in the city of Norfolk, Va., in exchange for certain other lands; with amendment (Rept. No. 563). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOW:

H.R. 9528. A bill to amend the Internal Revenue Code of 1954 to allow percentage depletion on certain clays at the same rate as allowed on calcium carbonates and limestone used in the manufacture of cement; to the Committee on Ways and Means.

By Mr. DENTON:

H.R. 9529. A bill to provide for the establishment and administration of the Ohio River National Parkway in the State of Indiana; to the Committee on Interior and Insular Affairs.

By Mr. DOWNING:

H.R. 9530. A bill to protect coastal fishery and other resources by implementing the Convention on the Territorial Sea and the Contiguous Zone; to the Committee on Merchant Marine and Fisheries.

H.R. 9531. A bill to establish a contiguous fisheries zone beyond the territorial sea of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 9532. A bill to provide that certain overtime, night, holiday, and similar duty performed by civil service employees of the United States shall constitute covered employment for old-age, survivors, and disability insurance purposes; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 9533. A bill to provide for participation of the United States in the HemisFair 1968 exposition to be held at San Antonio, Tex., in 1968, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FULTON of Pennsylvania:

H.R. 9534. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. FULTON of Tennessee:

H.R. 9535. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon", approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 9536. A bill to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and other major diseases; to the Committee on Interstate and Foreign Commerce.

H.R. 9537. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 9538. A bill to provide for increases in the uniform allowances of Government employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9539. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 9540. A bill to establish a contiguous fishery zone beyond the territorial sea of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. MONAGAN:

H.R. 9541. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. NELSEN:

H.R. 9542. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEAL of Georgia:

H.R. 9543. A bill to authorize the Secretary of the Army to modify certain leases entered into for the provision of recreational facilities at Lake Seminole created by the Jim Woodruff Dam; to the Committee on Public Works.

By Mr. PHILBIN:

H.R. 9544. A bill to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 620,000 long tons of natural rubber from the national stockpile; to the Committee on Armed Services.

By Mr. ROGERS of Colorado:

H.R. 9545. A bill providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 9546. A bill to amend title 38 of the United States Code to provide for the furnishing of needed services of podiatrists to veterans having service-connected disabilities requiring such services; to the Committee on Veterans' Affairs.

By Mr. BELL:

H.R. 9547. A bill to establish a procedure for the review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROYHILL of Virginia:

H.R. 9548. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CORBETT:

H.R. 9549. A bill to amend the act of March 3, 1931, with respect to the distribution of books, recordings, reproducers, musical scores, instructional texts, and other specialized materials to blind persons, and for other purposes; to the Committee on House Administration.

H.R. 9550. A bill relating to the rates of postage on certain materials for blind persons; to the Committee on Post Office and Civil Service.

By Mr. OLSEN of Montana:

H.R. 9551. A bill to amend title 39, United States Code, with respect to the establishment and use of a digit coding system for mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PIRNIE:

H.R. 9552. A bill to extend certain benefits to persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning May 9, 1916, and ending April 6, 1917, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. POWELL:

H.R. 9553. A bill for the better assurance of the protection of citizens of the United States and other persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 9554. A bill to amend the Federal Property and Administration Services Act of 1949, as amended, to authorize reimbursement to a State or political subdivision thereof for sidewalk repair and replacement or to make other arrangements therefor; to the Committee on Government Operations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

330. By Mr. ULLMAN: Senate Joint Memorial 7 of the 53d Legislative Assembly of the State of Oregon requesting the Congress of the United States to give immediate and favorable consideration to passage of special legislation reimbursing the city of Umatilla for sums to which it is equitably entitled in order to avert damage to its fiscal system as a result of the loss by such city of revenues by reason of the inundation of, or other adverse effect upon, facilities and properties within the city in connection with the John Day lock and dam project of the Department of the Army; to the Committee on the Judiciary.

331. Also, Senate Joint Memorial 8 of the 53d Legislative Assembly of the State of Oregon relative to repealing section 7 of the act of August 9, 1956 (60 Stat. 969, 25 U.S.C. 607), or that legislation be enacted to provide that no enrolled members of the Yakima Tribes shall take by inheritance or by will any interest in an individual allotment on the Umatilla Indian Reservation which at the time is held in restricted or trust status by the United States of America, so long as members of the Confederated Tribes of the Umatilla Indian Reservation are precluded from taking by inheritance or will similar interests in lands on the Yakima Reservation; to the Committee on Interior and Insular Affairs.

332. By the SPEAKER: Memorial of the Legislature of the State of California, relative to the Federal-aid highway emergency fund; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BINGHAM:

H.R. 9555. A bill for the relief of Eli and Yaffa Tchorsh; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 9556. A bill for the relief of Michael and Elias Abeid; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 9557. A bill for the relief of Mrs. Amparo M. Fernandez Corteguerra; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 9558. A bill for the relief of Konstantinos Tsonatos; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 9559. A bill for the relief of Mrs. Mitsuko Sugisaka; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 9560. A bill for the relief of Dr. Crimilda O. Pajarillo; to the Committee on the Judiciary.

H.R. 9561. A bill for the relief of Dr. Levita H. Villalobos; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 9562. A bill for the relief of Angelina Cametti de Vignale; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Federal Government and Louisiana—Partners in Crime

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 29, 1965

Mr. FINO. Mr. Speaker, today I would like to tell the Members of this House about the unfortunate partnership of the Federal Government and the State of Louisiana in financing Louisiana crime. What I mean to say is this—by their refusal to legalize gambling, the two governments have made gambling a mob monopoly so that gambling revenues bankroll every known shade of vice in the Bayou State.

Gambling has long been a profitable pastime in the New Orleans section, so much so that some of the counties—parishes—around New Orleans are known as real gambler's dens. Last year's parimutuel turnover in Louisiana came to $49 million, and this is just scratching the surface of Louisiana gambling. Testimony before the McClellan committee put off-track betting at $50 billion a year nationwide, and other testimony pegged off-track betting at only 42 percent of the illegal gambling total, which would have the national illegal gambling total climbing near to $120 billion a year. Louisiana's share of this total, computed on a population basis, would come to about $2.2 billion a year. The crime rings who run America's gambling operations get to keep about 10 percent of the take as profit—this would put their Louisiana haul in the vicinity of $220 million a year. This money goes to subsidize a lot of murder, dope, and prostitution in Louisiana each year, and it also goes to corrupt the political process so that gambling can stay both illegal—thus far for the mob—and operational.

If the two governments in Baton Rouge and Washington were mature enough to realize the need to regulate and control the gambling urge with Government-operated gambling, we would not see the cruel paradox of the two governments being silent partners in every depth and shade of crime financed by illegal gambling profits. What this country needs—and what Louisiana needs—is Government-controlled gambling so that the gambling urge works for the public good rather than against the public good. I recommend National and State lotteries to get gambling moneys flowing into the public treasury. I believe that Government-controlled gambling would stop Louisiana's being a steaming swamp of syndicate gambling.

Tribute to Mrs. Alice Wainwright, Vice Mayor, Miami, Fla.

EXTENSION OF REMARKS
OF
HON. DANTE B. FASCELL
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 29, 1965

Mr. FASCELL. Mr. Speaker, it was once a tradition that a woman's name should appear in print only twice—when she married and when she died. Today, this custom is merely a remembrance of the past. In this Chamber and in legislative halls across the country, we have come to recognize the dedication, accomplishment, and the political acumen of talented American women.

One of the most energetic and effective public servants whom I have known serves as vice mayor of Miami. Mrs. Alice Wainwright is the first woman commissioner in the city's history and has played a leading role in that post.

Mrs. Wainwright, a respected attorney, has become a leading figure in the campaign for a more beautiful Miami. She has been persistent in her efforts to secure the attractive and novel landscaping that characterizes our city and which is essential to a tourist- and resident-oriented community.

Among her many significant legislative accomplishments, her successful efforts for the commission to hire a professional city planner and create a separate planning department stand out. She also was instrumental in changing the charter to make surface drainage improvements a citywide obligation and remove this financial burden from individual property owners. Her efforts to change the State inventory tax will be put to test this November, as voters express their opinion on a constitutional amendment to this effect.

Mrs. Wainwright's name has become familiar to all the citizens of Miami, for the area's news media have oftentimes elaborated on her important activities. While her concrete accomplishments have been many, Mrs. Wainwright has been most appreciated for her personal contributions to the commission's work. Her efficient and dedicated service has never lacked the personal charm that has marked her public career.

All of us in Miami were greatly concerned when, in December 1963, Mrs. Wainwright was hospitalized. Although her condition has greatly improved, she has decided not to seek reelection. While we understand her decision, it comes as a great loss to the government of our community.

The commission has agreed to build a park in the city and name it in Mrs. Wainwright's honor. This is a suitable tribute to a most worthy citizen and public servant.

I join the many citizens of Miami, Fla., who say, "Thank you, Alice Wainwright, for a job well done, and for your continuing interest in civic affairs."

William E. Borah Centennial

EXTENSION OF REMARKS
OF
HON. GEORGE HANSEN
OF IDAHO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 29 1965

Mr. HANSEN of Idaho. Mr. Speaker, today Idahoans are celebrating the centennial of William E. Borah, a ruggedly individualistic man from a ruggedly individualistic State. It is proper that we do so.

William Edgar Borah was a man of intensive convictions. He was a man of indomitable will in pursuing those convictions to their fruition. He was an independent force.

William E. Borah played a large part in many movements, but he stood apart from the event. He initiated some movements, he popularized more, he gave color to many; but he was seldom a member of the inner circle of organizers and promoters. He thrived on controversy. His part was that of molding and expressing public opinion; and his part was, through sheer forensic power, changing votes in the Senate Chamber.

William E. Borah displayed attributes which belong to the ages. He was frank, just, and well meaning, and he possessed a high degree of common decency.

As to his place in history, I believe he, himself, summed it up best. In one of his most memorable addresses, given on November 19, 1919, Borah said:

> Time, and time alone, unerring and remorseless, will give us each our proper place in the affections of our countrymen and in the esteem and commendation of those who come after us.

It is a pleasure and a privilege, Mr. Speaker, in joining this centennial honoring William E. Borah.

A Balanced Budget in a Balanced Economy

EXTENSION OF REMARKS

OF

HON. RODNEY M. LOVE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 1965

Mr. LOVE. Mr. Speaker, yesterday the President signed into law the bill setting a new temporary national debt limit of $328 billion. This new limit is $4 billion above the ceiling that expires tomorrow, June 30, reflecting continuing deficit operations by the Government.

I regret that I could not support this measure with a clear conscience. I felt the necessity of making a strong protest and the only way to do so was to vote against the bill when it was before the House.

I am dedicated to fiscal responsibility and to the prospect of a balanced budget in a balanced economy, as is the administration. The fact is that the Democratic platform, adopted by the Democratic National Committee for 1964, reads as follows:

> It is the national purpose, and our commitment, to continue this expansion of the American economy toward its potential, without a recession, with continued stability, and with an extension of the benefits of this growth and prosperity to those who have not fully shared in them.
>
> This will require continuation of flexible and innovative fiscal, monetary and debt management policies, recognizing the importance of low interest rates.
>
> Every penny of Federal spending must be accounted for in terms of the strictest economy, efficiency and integrity. We pledge to continue a frugal government, getting a dollar's value for a dollar spent and a government worthy of the citizen's confidence.
>
> Our goal is a balanced budget in a balanced economy.

The administration has been showing great responsibility in this area. A former Secretary of the Treasury stated that the Department's goal of a balanced budget may be reached by fiscal year 1968. However, enough has not been done and the constant raising of the debt ceiling is not in line with the philosophy expressed in the Democratic Party platform.

While I was very much aware of the problems facing the Treasury Department by reason of Government spending in fiscal year 1965, I used this occasion to hoist the red flag for the benefit of any of my colleagues or constituents who were interested in showing that this constant spending beyond our estimated receipts must be halted sometime within the near future if our party is to fulfill its promises of sound fiscal policies in the operation of the Government.

For some time I have felt very much like many of my constituents—that repeated raises in the debt ceiling avoid the question. We are postponing the inevitable. A balanced budget is a must, sometimes. I am for making a beginning.

In conclusion, it might be considered apropos today to repeat the thoughts of Thomas Jefferson on this subject:

> I place economy among the most important virtues and public debt as the greatest of dangers to be feared. To preserve our independence, we must not let our rulers load us up with perpetual debt. We must make our choice between economy and liberty, or profusion and servitude.

Although we are living in an urbanized economy, in a period of our country's growth much more complicated than the early one of Jefferson, I believe his words are worthy of some reflection, even today.

Senator Robert C. Byrd Brings Inspiring Message to Delegates at Opening Ceremonies of West Virginia's National Youth Science Camp—50 States Represented

EXTENSION OF REMARKS

OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 29, 1965

Mr. RANDOLPH. Mr. President, the National Youth Science Camp was instituted as a part of the State of West Virginia's centennial 1963 celebration, and has been so well received that it continues as an annual event. Again in 1965 the Mountain State, in cooperation with West Virginia University, is sponsoring this worthwhile endeavor.

The National Youth Science Camp is attended by two young men from each State selected for their qualities of leadership and citizenship and their excellence in areas of scientific study. For 3 weeks, June 27 through July 17, they participate in a unique recreational and academic experience in the heart of our Monongahela National Forest, at Camp Pocahontas. They will be informed by lectures, engage in field trips, and discuss with noted figures in various disciplines of scientific inquiry.

Governmental and private agencies have cooperated in making the camp more meaningful. The boys will be privileged to visit the National Radio Astronomy Observatory, at Green Bank; they will be using an IBM electronic digital computer during the camp; Col. Chuck Yeager, the West Virginian who was the first man to fly faster than sound, will be a visitor. Colonel Yeager now heads the U.S. Aerospace Research Pilot School at Edwards Air Force Base, Calif.

On July 7 and 8 the delegates will travel to Washington, D.C. In the Nation's Capital they will tour the White House, visit the House and Senate Chambers, receive a briefing at the Goddard Space Flight Center, and enjoy the historic and cultural attractions of Washington, D.C.

On Thursday, July 8, it will be my privilege to host a luncheon honoring the delegates to the National Youth Science Camp, in room 1202 of the New Senate Office Building. Is is my hope that every Member of the Senate will attend. Principal speaker will be Gen. Bernard A. Schriever, chief of the Air Force Systems Command, and respected members of our national scientific community are invited guests.

Mr. President, my esteemed and able West Virginia colleague, Senator ROBERT C. BYRD, gave the address at the opening ceremonies of the National Youth Science Camp, Sunday, June 27, 1965, at Camp Pocahontas. It was a stimulating speech.

Representatives HARLEY O. STAGGERS and KEN HECHLER—both Democrats of West Virginia; Charles N. Cochran, camp director and a professor of mathematics at West Virginia University; Dr. Roman Verhaalen, of the WVU School of Appalachian Studies; Joseph M. Hutchison, Jr., and R. D. Slonneger, assistant directors of the camp, were also heard.

A striking part of the program was the unfurling of the flags of the 50 States by the young delegates.

In welcoming the 100 campers and more than 350 guests, Senator BYRD emphasized the vital role of scientific research in achieving a more prosperous and productive life for all Americans. He said that:

> I am confident that if you are diligent and alert you young students will emerge as leaders in your scientific fields and will have myriad opportunities to answer fully and constructively the challenges which our American society will pose to our scientific community."

Mr. President, I request unanimous consent that the text of Senator BYRD's address at the opening ceremonies of the 1965 National Youth Science Camp be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CHALLENGE OF SCIENCE

(Address by Senator BYRD of West Virginia)

I am very happy to be here today to welcome you to West Virginia and to congratulate each of you on being selected to attend the National Youth Science Camp as a representative of your State. This is a significant recognition of our Nation's emerging science talent, and we, in West Virginia, are proud to be the sponsors of this annual project and to serve as your hosts and interim mentors.

In my position as a U.S. Senator my observations increasingly convince me that the challenges of careers in research and development are so varied and important that you are to be greatly envied as you prepare yourselves for this work.

Evidence of our present era makes it quite clear that science has fully come of age and has taken its place as a body of knowledge, a determining force, and a community of scholars in effecting much of our national policy. As a member of the Senate Appropriations Committee, I see in much detail a Federal research and development budget aggregating approximately $15.5 billion per year, and I consider it as striking evidence of the penetration of science and engineering into all parts of our lives. In our complex world, the skilled mind is playing a role more vital than ever before. And the world of tomorrow—the immediate tomorrow—will be one of great, astounding, and rapid change, which is certain to render this world—our world of today—prosaic by comparison.

Gen. David Sarnoff, chairman of the board for the Radio Corp. of America, recently observed that "there is no element of material progress we know today—in the biological and chemical fields, in atomics and electronics, in engineering and physics—that will not seem, from the vantage point of 1980, a fumbling prelude."

This, I believe, is an excellent prediction. Ironically, however, in the year 1844, the U.S. Commissioner of Patents reported to Congress that so much already had been invented that the day surely was dawning "when further improvements must end." The Members of Congress have good reasons to know that the 1844 prediction failed of accuracy, for the business of the Congress itself has an increasing technical content. Many of our public policy issues hinge on the technical capability to accomplish a particular project. With increasing frequency, our laws have to be changed and new legislation passed, because of advancements of science and engineering. More Senators and Congressmen with background training and experience in technical fields are being elected. To give us better access to scientific advice, we recently added a Science Policy Research Division in the Library of Congress. Our Federal involvement in education, particularly in institutions of higher learning, is closely associated with the importance of science to our national goals. Some years ago, Alfred North Whitehead said, "In the conditions of modern life the rule is absolute: The race which does not value trained intelligence is doomed." Education, science, and government are cooperating in meeting this challenge today in a combined effort of which we may all be proud.

Many of the tools with which the Federal Government serves the people are technical in nature. We are well aware of the role of science in warfare, atomic energy, and public health. The relatively new arena for the struggle for international power and prestige is the exploration of space, an effort which in the United States calls on all of our technical skills. Besides these Federal programs, satisfaction of other public interests and needs will require the products of basic research (and its application by technology) to serve in transportation, pollution abatement, desalination, and environmental management.

Thus, science and engineering will continue to shape the world in which you are beginning your college careers. And when you have completed your training, if you follow your present scientific interest, you will participate as vital contributors to new advances, for the challenge of science is increasing rather than reaching a plateau. There are many important discoveries to be made. For example, a breakthrough in the control of nuclear fusion could bring the cost of electric power down to little more than the expense of transmission. Oceanography may open the way to new food supplies and lift the threat of near starvation from countries which are struggling to take their place in a technological society of nations. Our space program could lead to major changes in transportation, communications, weather modification, and forecasting. The conquest of heart disease and cancer could increase that part of our population which is over 65 years of age and thus lead to a whole new concept of adult life.

The challenge of science in the future will be to find ways to apply the enormous reservoir of technical facts to the solution of the new problems of society, brought about by urbanization, automation, and population growth. We have seen science contribute to our industrialization to raise our standard of living, but there have also been undesirable consequences such as pollution. Science must now accept responsibility for these problems and come up with solutions which are economically attractive and which can be implemented in a practical and timely manner. Research and development must be channeled into socially constructive courses. The amelioration of the problems of society, such as pollution abatement, fresh water from the sea, ecological management, transportation, and improved housing, can only be expected through massive research efforts.

As the President's Science Advisory Committee has said:

"What this country spends on excellence in the sciences is not money gone with the wind. It is money that brings us handsome returns, and of many kinds.

"But we should not emphasize only the material returns of scientific investment. Science yields a return also in the quality and humanity of our civilization. Science is not merely an inducement to progress; it is an affirmation of man's respect for nature and a way to the fulfillment of some of his highest capacities."

You, as budding scientists, must take special care that your education is well rounded, so that you will understand the relationship of your special field to the whole progress of society. The problems of the future will be complicated indeed, and the challenge to science in the 1970's, the 1980's, and the 1990's—into the next century—will be how best to serve society.

I am confident that, if you are diligent and alert, you young students will emerge as leaders in your scientific fields and will have myriad opportunities to answer fully, and constructively, the challenges which our American society will pose to our scientific community.

Treasury Department and Esther Peterson's Office Join To Issue Excellent Little Pamphlet on Excise Tax Changes

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 1965

Mrs. SULLIVAN. Mr. Speaker, I try hard to study all of the provisions of the legislation we pass, as I know my colleagues also do, but it is almost impossible to remember every detail of any bill. Thus, last weekend, when I took a plane to visit some members of my family in southern Virginia, I was sure I was overcharged for my ticket, because the receipt showed payment of a Federal excise tax.

"Didn't we just repeal that tax?" I asked. If I had thought about it a bit more, I would have remembered that the 5-percent tax on airline fares was actually reenacted by the bill we passed cutting or repealing other excises. But at the moment of buying my ticket, I was sure the salesman was making a mistake by charging me this tax. Similarly, I am sure countless consumers will be complaining to sales clerks about the charges on merchandise or services on which excise taxes have been reduced or eliminated.

A HANDY GUIDE TO THE TAX REDUCTIONS

Hence, Mr. Speaker, I am indeed gratified that the Treasury Department, at the request of Mrs. Esther Peterson, Special Assistant to the President for Consumer Affairs, has prepared and made available to the public an excellent little handy guide to the various changes in the excise tax laws, explaining clearly—in question-and-answer form—what items are affected and in what way.

Assistant Secretary of Labor Esther Peterson, who also serves as Chairman of the President's Committee on Consumer Interests as well as the President's White House Special Assistant on Consumer Affairs, has demonstrated once again in this situation her alert awareness of the problems of the average family and consumer, and her initiative in doing something effective and affirmative in helping to solve them. Under unanimous consent, I am placing this excellent little excise tax guide in the CONGRESSIONAL RECORD.

TREASURY POSITION ON "USER CHARGES" NOT SHARED BY CONGRESS

In placing this pamphlet in the RECORD, Mr. Speaker, I think I should make clear that the Congress does not fully concur with the discussion on the need for or the merits of "user charges" in all situations. For instance, the Bureau of the Budget, ever since the second Hoover Commission report, has been urging that the costs of Federal meat and poultry inspection, and the costs of maintenance and operation of waterways commerce, among other things, be passed on to the public through "user charges." I have made clear my position on this issue many times. It is not a partisan issue, since the Budget Bureau has won endorsement of its position on this matter from both Republican and Democratic Presidents, who have made these proposals in their budget messages. I intend to continue to fight the imposition of user charges for meat inspection because meat inspection is not a service to the meat processor—it is a public health necessity, and thus a legitimate expenditure by the Federal Government. My reasons for opposing such user charges are rather complex, and have been stated on other occasions here in the House, so do not have to be repeated here. But in view of the comments on user charges in the little pamphlet on excise tax changes which I am placing in the RECORD, I felt I should make it clear that I am not completely endorsing this particular section of the pamphlet or changing previous positions I have taken.

Incidentally, while Congress has not agreed with all of the suggestions of the Budget Bureau for user charges, we have enacted several such taxes or charges, including highway taxes, and fees for using the national parks, to name a few. The main point to keep in mind is that each such tax or charge must stand on its own merits, rather than on strict budgetary considerations.

Other than this reservation about one little section of the excellent excise tax pamphlet, Mr. Speaker, I am happy to take this opportunity to make available the full text of the consumer publication on excise taxes, as follows:

THE EXCISE TAX REDUCTION: SOME QUESTIONS AND ANSWERS FOR CONSUMERS

"This is not our first tax cut. It will not be our last. But in consolidating our prosperity and advancing the cause of fairness and balance in our tax system, it will surely rank as one of the most important."

LYNDON B. JOHNSON.

MAY 17, 1965.

What does the excise tax cut mean to consumers?

It means lower prices on hundreds of items. It eliminates immediately the 10 percent retailer's excise tax on such items as toilet articles, wallets and pocketbooks, jewelry, and furs. In addition, manufacturers excise taxes on many other items are also eliminated or reduced immediately, with later reductions scheduled on January 1, 1966, January 1, 1967, January 1, 1968, and January 1, 1969.

What are some typical savings on purchases consumers can expect from the immediate elimination of the retail excise taxes?

Typical savings are shown below in the following table:

	Retail price	Tax saving
Cosmetics	$10	$1
Women's handbag	10	1
Suitcase	40	4
Watch	50	5
Engagement ring	250	25
Fur coat	750	75

What are the price savings consumers can expect, typically, from the manufacturers' excise tax cuts going into effect in 1965–66?

This is difficult to estimate because retail prices vary considerably in comparison to manufacturers' prices. If retailers and wholesale distributors continue to apply the same percentage markup as they did before the tax reduction, the price savings to consumers will be larger than the tax reduction itself. This happened in many cases when some manufacturers' taxes were reduced in 1954. The following table shows a range of possible price changes following the 1965–66 excise tax cuts. The lower figure in each case is a typical manufacturer's tax consistent with the indicated retail price. The higher figure is the reduction that would occur if the existing percentage markups are unchanged.

	Retail price	Saving
Camera	$75	$3– $7
Power mower	75	2– 4
TV set	175	9– 17
Refrigerator	200	6– 10
Room air conditioner	200	10– 20
Automobile	[1] 3,000	[2] 80– 110

[1] List price.

[2] Immediate and Jan. 1, 1966, cuts.

What are some typical tax savings consumers could expect from the elimination of miscellaneous excise taxes?

Consumers can expect tax savings such as those shown in the table below:

	Charge	Tax saving
Monthly telephone bill	$15	[1] $1
2 tickets for sporting event	12	[2] 1
Nightclub check	20	[2] 2

[1] Jan. 1, 1966, cut.

[2] Dec. 31, 1965, cut.

What is the total amount of tax reduction and when does it become effective?

The total amount of tax reduction is roughly $4.7 billion. About $1.75 billion becomes effective immediately. Almost that much additional tax reduction goes into effect January 1, 1966. This means that the tax reduction for 1966 will total about $3.4 billion. The additional tax reduction will go into effect in three stages: January 1 of 1967, 1968, and 1969.

How much will the tax cut reduce the average cost of the annual family budget?

Assuming that the precise amount of tax reduction is passed along to the approximately 60 million U.S. families, families would save on the cost of their annual budget an average of about $57 from the $3.4 billion tax cut in 1966. This figure would be lower if some reductions are not passed through. It is more likely, however, based on the 1954 experience, that the budget savings would be higher than this because retailers would often apply the same percentage markup to the lower manufacturers' price.

How will the excise tax cut help the economy?

Lower prices will mean increased purchasing power, greater consumer demand, higher production and employment, and a total increase in national output (gross national product) which will eventually amount to several times the total amount of the tax cut.

How will the excise tax cut help create jobs?

As prices are reduced, consumer purchasing power will increase, raising demand for consumer goods. This will stimulate production and create more jobs.

Will the tax cut help lower income families?

The excise tax reduction as a percent of income will be highest for families earning under $5,000 because the cut includes reduction of many highly regressive taxes—those which fall heaviest on the poor. These include taxes on telephones, automobile parts, household appliances, and toilet preparations.

Why weren't the taxes cut all at once instead of in stages?

The reduction were made in stages to minimize the impact they would have on the Federal budget. If they had all been enacted at once, the budget deficit would have been substantially increased. The sudden impact of such a large tax cut might have created inflationary pressure on the economy.

On what items will the tax be eliminated?

The law immediately eliminates the tax on handbags, wallets, cosmetics, luggage, jewelry, sterling silverware, furs, sporting goods (except fishing equipment), phonograph records, radios, and phonographs, television sets, musical instruments, cameras, film and other photographic equipment, refrigerators, freezers, room air conditioners, household appliances, pens, lighters, matches, playing cards, camper coaches, business and store machines, safe deposit boxes, and coin-operated amusement devices.

Starting in 1966, the law eliminates the tax on general admissions and night clubs (effective December 31, 1965); club dues, automobile parts and accessories (except truck parts), lubricating oil (other than for highway vehicles), telegrams, pipe tobacco, chewing tobacco, and snuff.

On what items is the tax reduced or eliminated in stages?

The 10-percent tax on passenger cars will be reduced in stages until it reaches 1 percent in 1969. It drops to 7 percent immediately; 6 percent on January 1, 1966; 4 percent on January 1, 1967; 2 percent on January 1, 1968; and 1 percent on January 1, 1969—where it will remain.

The telephone tax will be reduced in stages starting January 1, 1966, when it will drop from 10 to 3 percent. It is eliminated in three more stages of 1 percent each on January 1, 1967, 1968, and 1969.

What should consumers do about seeking refunds if they bought automobiles or room air conditioners between May 15, 1965, and the date the bill became law?

If they had not already made arrangements with the dealers from whom they purchased the article, they should contact the dealer to find out how he and his manufacturer intend to handle the refunds.

Why were the tax cuts made retroactive only for autos and air conditioners?

Generally, retroactive tax cuts were not made because of the complex procedures they would involve. Automobiles and air conditioners, however, present unique problems. May and June are the peak months for the sale of air conditoners—almost 40 percent of their yearly sales are during this period. In addition, many of the sales, if not made at this time, will be deferred until the next season. Therefore, unless the tax cut were made retroactive, many people would have delayed buying air conditioners and in many cases put off their purchases until next year. In the case of automobiles, the 3-percent tax reduction scheduled for this summer represents a sizable price factor—approximately $70 in the case of the average automobile. Unless the tax cut were made retroactive, many people would have delayed their purchases of new automobiles, disrupting an industry whose sales are important to our national economy.

Will the tax reductions automatically be passed on to consumers?

There is nothing in the Excise Tax Reduction Act which requires manufacturers and retailers to pass the tax cut on to consumers. However, for several reasons it can be expected that most of the tax cuts will be passed on. Many manufacturers and retailers will be able to substantially increase their sales volume because of the lower prices resulting from the tax cut. Moreover, because of competition, many or most manufacturers and retailers will pass the tax cut on to meet similar action by their competitors.

What are user taxes?

These are taxes imposed on those who benefit from special services provided by the Government. In this regard they are in the nature of a charge for the use of special services. The most widely known examples of user taxes are those imposed on gasoline, tires, sale and use of trucks, and on other items relating to the use of the Nation's highways. These taxes are placed in a special trust fund and are used to pay the Federal Government's share of the Interstate Highway System. Another important user tax is the 5-percent tax on airline tickets.

Are user taxes affected by the new law?

The new law does not impose any new or additional user taxes. It does, however, continue the existing 5-percent tax on fares for air travel. This tax was scheduled to expire on July 1, 1965. The President in his excise tax message recommended new and increased taxes on users of the highways, airways, and inland waterways. The Congress decided to separate action on these recommendations from the excise tax reduction.

Is there any tax reduction for central air-conditioning units?

No, there is no excise tax on central air-conditioning units. The only air conditioners that were taxed are room air conditioners, and the 10-percent excise tax on these is eliminated effective May 15, 1965.

Why wasn't the tax taken off fishing equipment?

The tax on fishing equipment is really in the nature of a user charge in that it is earmarked for use in a program to stock lakes and ponds and for similar purposes.

Does the cabaret or nightclub tax apply on New Year's Eve, 1965?

No, it is eliminated effective December 31, 1965.

Why does the Government want to increase user taxes?

In those cases where user taxes are already imposed—for example, on users of the highways and of airways—the users do not reimburse the Federal Government for its full investment. Users of highways come closer to reimbursing the Government for its investment, but inequities remain among the various classes of highway users. The airlines and their passengers make substantial, but still insuficient, contributions toward the development and operation of the Federal airways. In other cases there is presently no tax. For example, users of the inland waterways pay nothing toward the cost either of the initial improvements or of the operation and maintenance of the waterways.

The absence of a fair system of user charges strongly affects the ability of various segments of the transportation industry to compete and obscures the inherent advantages of some kinds of transportation.

For what items will the tax remain unchanged?

The tax will remain unchanged for three general categories of items: (1) Alcohol and tobacco taxes; (2) user taxes and other taxes relating to expenditure programs such as those for highways, and (3) regulatory and similar taxes.

On what items does the law itself provide for retroactive refunds to the consumer?

The tax cut will be retroactive for automobiles and room air conditioners purchased by consumers beginning on Saturday, May 15.

Address by Congressman John V. Lindsay, of New York, Prepared for Delivery at the Commencement Exercises of Stuyvesant High School, Carnegie Hall, Manhattan, June 28, 1965

EXTENSION OF REMARKS
OF
HON. CHARLES McC. MATHIAS, JR.
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 29, 1965

Mr. MATHIAS. Mr. Speaker, the management of our metropolitan areas is a challenge which increasingly demands our attention. Recently our colleague, the gentleman from New York [Mr. LINDSAY], discussed the dimensions of this challenge in an address at the commencement exercises of Stuyvesant High School in Manhattan. Mr. LINDSAY's speech emphasized the need for imagination and enlightenment in public service, and for the active cooperation of private and public abilities. I would like to bring this thoughtful address to the attention of the Congress:

There were moments while I was thinking about brief remarks for these graduation exercises when I felt a little like the printer's devil who was left alone to set the final type for the Farmers' Almanac. Suddenly he discovered that one of the most important weather predictions for the year was missing; the weather for the Fourth of July. In something of a panic he inserted the words "snow and hail" and sat back and prayed. But that year it did snow and hail on the Fourth of July for the first time and overnight the young printer's devil, who had acted decisively, even if impulsively, was lionized as the greatest of forecasters.

The burden of my remarks this morning is not with forecasting. Yet there are few moments of life like a graduation exercise when all eyes are focused on a single thought: Where are we going? What lies ahead? It is with this spirit that I would like to explore how the past may instruct the present and add a few observations about the future.

We have long believed in enthroning the experts. But the experts can be thumpingly wrong and expertise alone is no substitute for imagination. Some time before I entered high school, back in the 1930's, a book was published called "The Airship." The conclusion reached was that commercial airplanes would never be developed that could fly the Atlantic because they would be too costly and could never safely accommodate a sufficient passenger load to make them pay. The same year, the National Commission on Social Trends, a body composed of the most distinguished social scientists of the day, concluded that the U.S. population had peaked at 130 million and would henceforth begin to decline.

Looking again at history's clock, let me now turn to an area which has greater relevance for your generation than any other issue except that of war or peace. It is now just 77 years since Lord Brice penned the omniscient judgment in his "American Commonwealth" that "the Government of American cities is the one conspicuous failure of the United States." Actually there has never been a time since the publication of Lord Brice's classic, that this judgment has such urgency for so many Americans. Somehow we have never found a viable partnership between the art of politics and the science of administration that has produced effective, bold, innovative, imaginative methods of governing our cities. The city in America has oscillated between excesses of politics and excessive administration.

Historically we have long known the reasons for the neglect of the American cities in the total pattern of American federalism. Jefferson, in many of his writings, spoke of the "pestilential city" and rejected it, as so many other Americans did likewise, as a cancerous growth upon the healthy tissue of rural democracy. The lurking suspicion and hostility against the city also influenced the South where it was used to reinforce southern arguments against northern industrialism. Elsewhere the enduring hostility to the American city was embodied in many familiar practices, such as the refusal to grant cities their rightful share of representation in State legislatures and in the comparative disregard of urban interests in the framing of national policy.

But hopefully that era is finally beginning to be behind us. America has entered a new stage of its existence and your generation is very likely the first to be able to see real light at the end of the tunnel. Yet, as I am sure you are well aware, the problems are staggering.

The needs of public service everywhere are much more than simply improving technical skills. Far more serious is the lack of imagination at all levels of government. On the drawing boards at the moment are plans to establish 51 national water resources institutes. Yet we are told by competent authorities that to this date there are not 25 qualified men in the Nation to lead them. When we look at the manpower resource problem for our cities the situation is even more disquieting. One projection indicates that State and local employment for the years 1964 through 1968 will increase about 100 percent. For the Federal Government in the same period the anticipated increase in employment is about 2 percent.

Clearly this means that we are going to have to stretch ourselves to meet this challenging demand from our cities. But it also means far more. What it really means is that the great social battlefield of our society lies within the rims of our exploding urban areas and that we must recruit and enlist the finest talent we can produce to meet the crisis before us.

How can this be done? And what will your role be? Here I have no hesitancy in giving my testimony according to the lights that I follow. I am convinced that in the years ahead almost all of you will be spending some part of your lives in some form of public service. We need greater flexibility in phasing talented people in and out of public service. Why not bring creative people from business, industry, commerce, and the academic community into the service of our cities for specific periods and transfer some of our career people in Government to the private sector of our society for similar stints of service. In our cities the problem of middle management talents is critical and the shortage of top level managerial persons is equally severe. For my own part, all of these symptoms point to one inescapable conclusion: We must put the resources of the private sector of the Nation into a meaningful partnership with our cities if we are going to erase urban blight and decay.

Of course, in all of our hopes, aspirations, and plans to enjoy great reform and eliminate the nagging urban disorder, like taking deadly hydrocarbons out of the air, finding solutions to the transportation, housing, schools, and minority problems, and a vast catalog of other issues, we need to bear in mind that the central key to progress is in the political process. But the solution is not with brittle politics or brittle partisans. An old friend once told me of an experience in attending a political rally where the speaker spoke for almost 2 hours on the difference between the Democrats and the Republicans. When the man finally finished, an elderly gentleman seated in front of my friend turned to his companion and said in a loud voice. "I forgot my darn hearing aid. What did he talk about?" "I don't know," shouted his companion, "he didn't say."

And so it is, I am afraid, with so much of the tireless aimless political dialog about the plight of our cities. The condition we are in is like a swinging firebrand in a powder mill. Under such circumstances as we seek solutions it is well to remind ourselves of Dorothy Parker's admonition that "there are not just two sides to every question or issue, but three; your side, my side, and the right side."

We seek the right side to the diverse disorders that beset us and the times call for new formulas for a new age. The old empty war whoops of partisan politics is nothing but a mockery of the grave urban problems we face. Party labels as the answers to restoring our cities are old husks devoid of any real meaning.

We need to develop some new strategic concepts and move out of the trackless wasteland we have wandered about in for so many years while one urban disease is piled on to another. So far we have only played around the edges in a fitful, faltering approach to governing our cities. We seem to be stalled on dead center. It is to you we look for a fresh start and hold out the persistent hope that you are ready to enlist for the duration.

Ahead the problems to be encountered can only be described as awesome. To take just one phase of education, it is now estimated that very shortly we will be building new community colleges at the rate of about 100 new institutions a year. In another area extremely crucial to the health of urban life, we now have upward to 70,000 special districts. No one really knows exactly how many of these governing bodies there are and yet they comprise one of the Nation's dark unexplored continents of local government.

All this means that your generation is committed irrevocably, and I know not indifferently, to an urban society. But side by side with this commitment runs the overriding responsibility upon you to bring about greater understanding if we are to succeed in revitalizing urban life. A long time ago when Thorsten Veblen, one of America's celebrated social reformers, was a student in college, he was asked by his teacher to prepare an essay on the drunkard. When he read it to his class his teacher, John Bates Clark, a leading economist, tore him to shreds. "If that's your case against the drunkard," he snapped, "you failed completely." That was not my purpose," answered Veblen. "Well," said his teacher with a rising note of sarcasm, "if your purpose was to present your case for the drunkard, then you failed too." "My purpose," said Veblen, "was not to present the case for or against the drunkard. My purpose was to understand him."

Surely understanding is central to all plans to upgrade urban life, and it is precisely for this reason that I believe those of you graduating today hold the key to a new transition in American society—the transition that will one day make our cities the shining example of civilization that lies within our grasp. The whole world shivers anxiously as we grope our way and we dare not fail. We must not pause or postpone. That we will succeed is not just a towering hope, but a deep belief borne in the conviction that in the domain of the mind and spirit you have the equipment to do the job. That you will redeem the pledge to rebuild our cities, I have no doubt. Speed the day and my heartiest congratulations to you, both on your scholastic distinction and the very special place in our lifeline that graduation from high school signifies.

Tribute to Brig. Gen. John R. Jannarone

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 1965

Mr. RODINO. Mr. Speaker, on June 19 I had the honor of joining 500 fellow New Jerseyites at a testimonial dinner for a distinguished constituent, Brig. Gen. John R. Jannarone, newly appointed dean of the U.S. Military Academy at West Point.

As Lt. Gen. Leslie R. Groves has so aptly remarked, General Jannarone exemplifies the "rarest of individuals who combines high intelligence, wisdom, and judgment with force and determination."

He was chosen over nearly a thousand other colonels for Presidential appointment to the deanship and for promotion to the rank of brigadier general—certainly military escalation of a noncontroversial variety. These twin honors have been well earned.

His outstanding Army career dates back to 1938, when he stood first in his West Point graduating class, having compiled a distinguished record identical to that of the late Gen. Douglas MacArthur. He achieved the rare honor of graduating from the Academy as a cadet captain. A leader in campus politics and a three-letter man in athletics, he is remembered as a "regular guy," proficient in poker and—notes the Nutley Sun—"as willing to tutor less successful students as he was competitive on the playing fields."

Decorated more than a dozen times during his Army service, General Jannarone held command assignments during World War II in New Guinea, the Philippines, and Japan. After the war the scientist-administrator contributed his talents to the Manhattan project, which pioneered American research in atomic energy. In 1947 he returned to the Point to teach physics and chemistry, and served as professor and chairman of both departments since 1957. From 1950 to 1957, during a leave of absence from the faculty, his administrative work as scientist and engineer covered the areas of aerospace research, flood control and river basin development projects, and modernization of the Nation's military capacities.

West Point has become a way of life for the Jannarone family. The general assumed his duties as dean on the 1st of June, just in time to officiate at the graduation of his eldest son, Jack, himself a winner of the Point's coveted Academic Star. And recently I received the good news that a second Jannarone son, Robert, whom I was pleased to nominate for an Academy appointment, has been officially accepted and will enter the ranks of the cadets this year. Indeed, excellence has long been a family trait; the general's mother, Mrs. Concetta Jannarone, of Belleville, N.J., was honored at the dinner by the Daughters of the American Revolution as one of the area's most outstanding naturalized citizens. Mrs. Jannarone received the DAR's Americanism Medal and certificate for trustworthiness, service, leadership, and patriotism, an award "well deserved because of her influence in seeing that her son received the education necessary to reach the post he has achieved."

Citing the Academy's "major contributions to the leadership of the military forces which are defending the liberties of democratic governments and free people throughout the world," and noting our State's pride in the honors bestowed upon a native son, Gov. Richard J. Hughes proclaimed June 1, 1965, as John Jannarone Day in New Jersey.

It is fitting that we pause here to reflect on the crucial role played today by men of the caliber of John Jannarone. The escalation of the bitter strife in Vietnam, and the intervention of American troops in the Dominican Republic to prevent another Cuba, are fresh reminders of the Nation's reliance upon military preparedness.

To General Jannarone, I offer my sincere congratulations. And I share the well-merited confidence of Academy Superintendent, Maj. Gen. James B. Lambert, that "the future of our country, largely dependent upon the training of our young military leaders, is in good hands in the safe hands of John Jannarone." Certainly, under his eminently qualified supervision, tomorrow's officers will receive the best education and the best training possible to prepare them to carry out our Nation's program of peace through preparedness and strength.

The 20th Anniversary of the United Nations

EXTENSION OF REMARKS

OF

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 1965

Mr. MACHEN. Mr. Speaker, on June 26, 1965, the United Nations observed the 20th anniversary of the signing of its charter in San Francisco. On this occasion, I should like to add my voice to those of my colleagues in calling for support of this international Organization. A recent survey revealed that less than 10 percent of American citizens have any extensive knowledge of the United Nations and its work. This is, to say the least, disturbing. The United Nations needs wide public understanding of its activities if it is to have the backing it requires. As a contribution to a better public understanding of the United Nations I discussed the work of this world body in my weekly report to constituents which is being broadcast this week over radio stations throughout Maryland's Fifth District. The following are excerpts of this report:

EXCERPTS OF REPORT TO CONSTITUENTS BY REPRESENTATIVE HERVEY G. MACHEN FOR BROADCAST DURING WEEK OF JUNE 21 TO JULY 2, 1965

It seems to me that before we can intelligently assess the work of the United Nations during the past 20 years, we must recall the purposes for which it was formed. Broadly, these purposes fall into two categories. First, political and diplomatic work aimed directly at the maintenance of peace; and, second, social and economic activities that indirectly promote stable, lasting peace by helping to eliminate the underlying causes of conflict.

The U.N. record of action in both those categories is impressive. In carrying out its peacekeeping function, the United Nations has scored many notabe successes.

The U.N. has helped to deter or to terminate warfare in Iran and Greece, in Kashmir and Korea, in the Congo and the Caribbean, and twice in the Middle East and twice in the Western Pacific.

It has settled disputes between countries which could have escalated into world war III.

In the tense moments of the great powers' confrontation over Cuba in 1962, the U.N. provided a worldwide forum for presenting the U.S. case and for mustering world opinion—an important factor in initiating Russia's withdrawal of troops and missiles from Cuba. Although the issue was resolved by the powers concerned, the U.N. discussions provided the necessary "cooling off" period.

But many of the U.N.'s greatest successes in peacekeeping have come about as a result of quiet diplomacy by its Secretariat. No publicity has been given to these activities because of a fear that it might embarrass the countries concerned and cause other nations to hesitate before seeking the good offices of the U.N.

Just as has been the case with many of the U.N.'s peacekeeping achievements, little publicity has been given to the constructive social and economic work of the U.N. Many otherwise well-informed Americans are surprised to learn that over 20,000 of the 25,000 staff members employed by the U.N. and its related agencies are exclusively engaged in promoting social and economic welfare. The point can be driven home with other significant—yet little known—statistics. Since 1949, for example, no less than $6 billion flowed from the three capital supplying institutions associated with the U.N. to help meet urgent capital requirements of developing countries. In addition, 18,000 international experts have been sent to those countries under U.N. auspices to impart their skills.

The economic help and technical assistance which the U.N. provides low-income and developing countries is an important weapon to combat the basic causes of war: hunger, poverty, illiteracy, and ill health. These activities have an essential role to play in the epic struggle currently being waged by almost two-thirds of humanity to raise living standards. Future historians may see the outcome of this struggle as the pivotal event of this century.

We all know that the U.N. has its limitations. After all, it is a human institution, one which reflects the idealism and the weaknesses of the people it represents. But with all its weaknesses, the U.N. has served well the cause of world peace and progress and therefore has served well the interest of the United States and each of its citizens.

In this world which now can be spanned in hours, where science can bring about either undreamed-of progress or complete devastation, the U.N. must continue its work. We can improve and strengthen it, and this we must do. But until a better way to keep the peace comes along, we must have the U.N. It is, as President Johnson once said, the best instrument yet devised to promote the peace of the world and to promote the well-being of mankind.

The 89th—The Medical Care Congress

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 1965

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I include an address which I was privileged to deliver at the fifth annual president's dinner at Stonehill College, North Easton, Mass., on April 29, 1965:

THE 89TH—THE MEDICAL CARE CONGRESS

(Address of the Honorable JOHN E. FOGARTY, Member of Congress, at Stonehill College's fifth annual president's dinner on Apr. 29, 1965)

It is very pleasant to come back to Stonehill College for this fifth annual president's dinner. I am grateful to Father Corr and to the Century Club for inviting me to be with you tonight.

As some of you know, I haven't had an opportunity to visit Stonehill since I made the retreats here with John McLaughlin and his friends, and I am naturally interested in seeing and hearing about all the changes that have taken place since then. But to me one of the most agreeable things about Stonehill is its liberal arts atmosphere. Here on this 500 acres so close to Boston and the busy world outside, Stonehill continues year after year to provide a liberal education to a new generation, by giving instruction in English, the languages, philosophy, science, the social sciences and theology. In an age of ever-increasing specialization, I am glad to see this broad instruction.

During my 24 years in Congress I have had the opportunity to talk with many of the leading specialists in many fields. Tonight I would like to do a little more of this—because—at one point in my remarks—I am going to seek some advice from you about how we in the Congress can strengthen one part of the Nation's health care for the benefit of all who are going to be living in the Great Society the President has outlined.

I cannot emphasize too strongly tonight that this—the 89th Congress—has an opportunity—and a responsibility—for this Nation's health care which is entirely without precedent. This 89th Congress can—and must—become "the medical care Congress." Please note that I did not say "medicare" Congress—proper medical care for the aged is but one aspect of the comprehensive medical care we must provide to our citizens if the results achieved by our magnificent research effort—largely supported by our tax dollars—over the past 15 years and more, is to pay off in lives saved and tragedies averted.

Since I became chairman of the House subcommittee concerned with medical research and health-related matters in 1949, I have taken every opportunity to urge my colleagues in Congress to mount and carry out a national medical research effort. I am well aware that we do not yet have all the answers we are seeking as to the causes of the chronic diseases—heart disease, cancer, mental health, and the neurological and metabolic diseases. I am well aware that we must continue—and even put greater efforts into—the conquest of these diseases. But at this time we have to give full attention to another, equally urgent problem—the application of the research results we have achieved.

I wonder if all of you here tonight realize that this is why the President chose to emphasize heart disease, cancer, and stroke in his health message to the 89th Congress. I wonder how many of you have read the President's Commission report, with its strong, hopeful words, "Every available fact points to the same conclusion—that the toll of heart disease, cancer, and stroke can be sharply reduced, now in this Nation, at this time."

At a time when 48 million American citizens will fall victim to cancer.

At a time when nearly 15 million people suffer from heart disease and this, together with strokes, accounts for more than half of the deaths in the United States each year.

At this same time, most forms of congenital heart disease are within our powers of correction.

At this same time, many strokes can be foreseen and prevented.

At this same time, cancer of the cervix and uterus can be brought to the vanishing point, and chances are greatly improved for the cure of cancer in other accessible sites, comprising more than 70 percent of all cancer patients.

These things can be done—now—without further scientific advances.

These great goals can be reached but not without a great national effort.

This means congressional action on a number of bills now pending. It means long-range planning and public support. It means cooperation and supplementary action by the nongovernmental sectors of our society—industry, education, the voluntary health agencies, and many, many others.

The American people must be made to realize that the lives of men, women, and children can be saved—that many, many deaths can be prevented. Even this is not enough—positive, practical steps must be taken if our goal is to be achieved.

Early in March I introduced several bills which, if approved by this 89th Congress, will do much to implement the suggestions of the President's health message.

The first of these bills would aid the establishment of regional medical complexes for research and treatment in heart disease, cancer, and stroke. This step is essential if the medical profession and our medical institutions are to provide their patients with the latest advances in diagnosis and treatment of these diseases. These complexes—consisting of one or more medical centers, one or more categorical research centers, and one or more diagnostic and treatment stations—could offer open-heart surgery, advanced and very high voltage radiation thereapy for cancer, and advanced disease detection methods. By serving a whole region of the United States, they would enable many more patients requiring such treatment procedures to have access to them. The centers would help the practicing physician keep in touch with the latest medical knowledge and techniques and the most efficient, up-to-date methods of treatment.

Another bill which I introduced into the House early last month comes to grips with another vital problem we face in meeting the health needs of our people—where are the physicians coming from to apply the research results? At the present time the United States has 290,000 physicians, and by 1975 it will need 346,000—this means that the number of new physicians graduated each year must increase at least 50 percent during this decade. The situation is even more serious with our dentists—so badly has population growth outpaced the increase in the number of dentists that our current shortage is acute and we must double our number of dentists graduated each year for the next decade if we are to meet the demands in this area of health care.

In the past three Congresses I introduced bills to provide Federal assistance to the States in awarding scholarships to students of medicine and dentistry. The scholarship provision was stricken from these bills. This Congress must not take similar action because the need for qualified, well-trained physicians and dentists is steadily worsening. Previous measures—such as the Health Professions Education Assistance Act—were helpful, but were not enough.

Now, at least since 1959, we have had pretty clear guidance on the number of physicians and dentists we need in this country. Ever since the pioneering study by Frank Bane, Physicians for a Growing America, we have had realistic goals. This knowledge has been indispensible to the Congress in drafting legislation, to medical schools in their planning, and to the young people of America in choosing a career.

But as the President's Commission report pointed out, the limitations on the national supply of physicians is not the only limiting factor in the mounting of a nationwide attack on heart disease, cancer, and stroke. You can't have widespread use of the "Pap" smear for detecting cancer of the uterus unless you have someone capable of performing cytological procedures. You can't identify the organism that leads to rheumatic fever unless you have laboratory personnel trained in its identification. The key persons in hundreds of technical and time-consuming tasks that are absolutely essential to the diagnosis and treatment to be given by our overworked physicians are the medical technologists—and they are the almost but not quite forgotten men and women of the health professions.

The President's Commission report, recognizing the need, recommended that the Federal Government should do more within the various authorities it has to add to the pool of technologists; that a new program of stimulation grants should be started; and that the cancer control program increase its support from a level of $1.5 million per year to $2.5 million, with additional increments thereafter. The President's health message, however, specifically endorsed only the first of these recommendations.

Probably one of the reasons for this conservative approach was that it is difficult to get the facts on how many technologists are going to be needed—in part because the need is going to depend upon the scope of the programs that finally result from the President's recommendations concerning heart disease, cancer, and stroke. I noticed last month an article in a national magazine which dealt with the problem of clinical laboratory testing and the lack of well-trained medical technologists. It stated that, in addition to the 35,000 employed today, some observers say 50,000 more are needed. If these are reliable figures, we have an idea of the dimensions of the problem.

Perhaps, after I have finished speaking, you can give me some advice on this point. I know that Stonehill has a recognized program for the training of medical technologists which has worked in association with St. Joseph's Hospital in Providence, R.I.; and when I began to think about what I might say to you tonight, it seemed to me that it might be mutually worthwhile if you would tell me whether Federal assistance is needed to assure an adequate supply of these vital workers. Reliable statistics on the dimensions of the need—for example—is one of the first considerations in the drafting of legislation.

I am in sympathy with the problems of the medical technologists. Three or four years ago I addressed the American Society of Medical Technologists, and at that time considered with them the problems facing their very young profession. It is ironic that it is so hard to get the facts concerning this element of the health team that is dedicated to getting the information on which doctors and pathologists rely. But, with the advice of such schools as this, I am prepared to urge the Congress to take whatever action seems appropriate.

Finally, among the necessary legislative measures now before the Congress designed to help build a bridge between the worlds of medical research and medical practice is one left over from the 88th Congress, which must not be postponed again. This measure would authorize assistance in meeting the initial cost of staffing community mental health centers.

When John F. Kennedy suggested to the last Congress the measures that needed to be taken to meet the problems of mental illness and mental retardation—a subject very near to his heart, as you know—he proposed a three-part program. Two parts of this program were enacted by the Congress—grants to the States for the construction of community mental health centers, and grants for preliminary planning of these centers.

The third part of this program—support for the staffing of these centers—was not provided by the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963. This provision was intended as part of the act and I supported the provision, but, unfortunately, it was deleted in the final version. It is imperative that an amendment to the act pass this Congress, and it must do so quickly, or the entire community mental health centers movement will be placed in jeopardy.

My remarks have not touched upon other matters of interest to this group and to me—for example, my bill to create a new Cabinet-level department of education. But tonight I have chosen to emphasize the 89th Congress and health care because of the extraordinary way in which events have conspired to place us in a position to capitalize on the gains we have made in research in medicine over the past 15 years or more. In the field of medical and health-related care there is no need to wait for opportunity to knock—it is knocking now, on the doors of Congress—and I hope that you will join me in urging passage of the health-related measures I have mentioned tonight. Opportunity is also knocking on the doors of our collective conscience—lives are being lost, while we wait to answer the doors.

Let me urge all of you—as I am urging all Americans—to do everything in your power to assure that this Congress does not miss this opportunity—an opportunity to be known in history as the "medical care" Congress.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 30, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Thessalonians 5: 21: *Prove all things; hold fast that which is good.*

Most merciful and gracious God, may Thy servants daily sense Thy presence and power in this Chamber as they seek to discharge their duties and responsibilities with wisdom and understanding, with fidelity and fortitude.

We humbly beseech Thee that when moods of anxiety and doubt lay hold upon us we may be assured that Thou wilt strengthen and guide us in our efforts and endeavors to safeguard our heritage of freedom and share it with all mankind.

Show us how we may be channels of inspiration and instruments of help and hope to all who are longing and laboring for the dawning of that brighter and better day when a nobler and more magnanimous spirit shall rule the mind of man and all nations shall follow the ways of reason and righteousness.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8147. An act to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. CARLSON, and Mr. MORTON to be the conferees on the part of the Senate.

REREFERRAL OF SENATE JOINT RESOLUTION 1 TO COMMITTEE ON CONFERENCE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the conference report on Senate Joint Resolution 1, concerning the amendment involving Presidential inability, be referred to the committee on conference because of a technical error in copying.

The SPEAKER. The gentleman from New York requests unanimous consent that Senate Joint Resolution 1 be recommitted to the committee on conference.

Mr. POFF. Mr. Speaker, reserving the right to object, and I shall not object, I am familiar with the reason for the request and join in the request.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

TO AMEND TARIFF SCHEDULES OF THE UNITED STATES WITH RESPECT TO THE EXEMPTION FROM DUTY FOR RETURNING RESIDENTS AND FOR OTHER PURPOSES

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8147) to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

The Chair hears none, and appoints the following conferees: Messrs. MILLS, KING of California, BOGGS, BYRNES of Wisconsin, and CURTIS.

PRESIDENTIAL INABILITY AND VACANCIES IN THE OFFICE OF THE VICE PRESIDENT

Mr. CELLER submitted the following conference report and statement on the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

CONFERENCE REPORT (REPORT NO. 564)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That the following article is proposed as an amendment to the Constitution of the

United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

" 'ARTICLE —

" 'SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

" 'SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

" 'SEC. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

" 'SEC. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

" 'Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.' "

And the House agree to the same.

EMANUEL CELLER,
BYRON G. ROGERS,
JAMES C. CORMAN,
WILLIAM M. MCCULLOCH,
RICHARD H. POFF,
Managers on the Part of the House.

BIRCH E. BAYH, Jr.,
JAMES O. EASTLAND,
SAM J. ERVIN, Jr.,
EVERETT M. DIRKSEN,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House passed House Joint Resolution 1 and then substituted the provisions it had adopted by striking out all after the enacting clause and inserting all of its provisions in Senate Joint Resolution 1. The Senate insisted upon its version and requested a conference; the House then agreed to the conference. The conference report recommends that the Senate recede from its disagreement to the House amendment and agree to the same with an amendment, the amendment being to insert in lieu of the matter inserted by the House amendment the matter agreed to by the conferees and that the House agree thereto.

In substance, the conference report contains substantially the language of the House amendment with a few exceptions.

Sections 1 and 2 of the proposed constitutional amendment were not in disagreement. However, in sections 3 and 4, the Senate provided that the transmittal of the notification of a President's inability be to the President of the Senate and the Speaker of the House of Representatives. The House version provided that the transmittal be to the President pro tempore of the Senate and the Speaker of the House of Representatives. The conference report provides that the transmittal be to the President pro tempore of the Senate and the Speaker of the House of Representatives.

In section 3, the Senate provided that after receipt of the President's written declaration of his inability that such powers and duties would then be discharged by the Vice President as Acting President. The House version provided the same provision except it added the clause "and until he transmits a written declaration to the contrary". The conference report adopts the House language with one minor change for purposes of clarification by adding the phrase "to them", meaning the President pro tempore of the Senate and the Speaker of the House.

The first paragraph of section 4, outside of adopting the language of the House designating the recipient of the letter of transmittal be the President pro tempore of the Senate and the Speaker of the House of Representatives, minor change in language was made for purposes of clarification.

In the Senate version there was a specific section; namely, section 5, dealing with the procedure that when the President sent to the Congress his written declaration that he was no longer disabled he could resume the powers and duties of his office unless the Vice President and a majority of the principal officers of the executive departments, or such other body as the Congress might by law provide, transmit within 7 days to the designated officers of the Congress their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon, the Congress would immediately proceed to decide the issue. It further provided that if the Congress determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President would continue to discharge the same as Acting President; otherwise, the President would resume the powers and duties of his office.

The House version combined sections 4 and 5 into one section, now section 4. Under the House version, the Vice President had 2 days in which to decide whether or not to send a letter stating that he and a majority of the officers of the executive departments, or such other body as Congress may by law provide that the President is unable to discharge the powers and duties of his office. The conference report provides that the period of time for the transmittal of the letter must be within 4 days.

The Senate provision did not provide for the convening of the Congress to decide this issue if it was not in session; the House provided that the Congress must convene for this specific purpose of deciding the issue within 48 hours after the receipt of the written declaration that the President is still disabled. The conference report adopts the language of the House.

The Senate provision placed no time limitation on the Congress for determining whether or not the President was still disabled. The House version provided that determination by the Congress must be made within 10 days after the receipt of the written declaration of the Vice President and a majority of the principal officers of the executive departments, or such other body as Congress may by law provide. The conference report adopts the principle of limiting the period of time within which the Congress must determine the issue, and while the House original version was 10 days and the Senate version an unlimited period of time, the report requires a final determination within 21 days. The 21-day period, if the Congress is in session, runs from the date of receipt of the letter. It further provides that if the Congress is not in session, the 21-day period runs from the time that the Congress convenes.

A vote of less than two-thirds by either House would immediately authorize the President to assume the powers and duties of his office.

EMANUEL CELLER,
BYRON G. ROGERS,
JAMES C. CORMAN,
WILLIAM M. MCCULLOCH,
RICHARD H. POFF,
Managers on the Part of the House.

Mr. CELLER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the joint resolution.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

Mr. CELLER. Mr. Speaker, today we write on the tablets of history. We amend the Constitution, which Gladstone, speaking in 1898, hailed as the most wonderful work struck off at a given time by the brain and purpose of man.

The United States has two great symbols of her freedom and liberty. One is the Declaration of Independence and the other is the Constitution. The Declaration is the profession of faith, while the Constitution is its working instrument. It gives action to that faith.

There is no document in any country that can compare with our Constitution. It is the touchstone of our prowess and progress as a nation. Most countries envy us our Constitution.

The Constitution has such elasticity that it remains vital throughout the decades, but it is not immutable. It is not written in stone on Mount Sinai.

Associate Supreme Court Justice Oliver Wendell Holmes once said:

> The Constitution is an experiment, as all life is an experiment. If new contingencies arise the Constitution must be made to fit them either by interpretation of fearless judges aware of historical perspective or by amendment.

Jefferson called the Constitution "the ark of our safety and grand palladium of our peace and happiness." He also said:

> We must be content to accept of its good and to cure what is evil in it, hereafter (1788).

Years later, in 1823, he said:

> The States are now so numerous that I despair of ever seeing another amendment to the Constitution; although innovations of time will certainly call and now already call for some.

Note his prescience.

Let it be emphasized; we never should amend this charter for light or transient reasons. Only for just cause shown should we attempt any change. What we do today is epoch making. We offer an amendment for an overriding reason.

I would like to remind the Members that the House Committee on the Judiciary has been studying this problem since 1955 and has examined it from every conceivable angle. We have had the benefit of the testimony of political scientists, constitutional experts, the American Bar Association, and other groups who had no motive other than to serve this country by closing a gap which had existed since the adoption of the Constitution.

The Constitution was silent, too silent concerning presidential inability. Tragic events had cast ominous shadows which we dared no longer disregard. The assassin's bullet and possible nuclear holocaust forced action.

We, the conferees worked dispassionately and with searching inquiry after both Houses had responded to the call for action. We met in numerous conclaves and finally rounded out differences. We labored hard and patiently. We accepted the pace of Nature, for is not patience her secret? We examined all contingencies and possibilities. We present a solution that is ample, wise, and practicable.

May I at this time pay tribute to the gentleman from Ohio [Mr. McCulloch] and the gentleman from Virginia [Mr. Poff], both on the Republican side, and to the gentleman from Colorado [Mr. Rogers] and the gentleman from California [Mr. Corman] on the Democratic side—all conferees—who rendered painstaking and dedicated and wise services in the conference. They were of immeasurable help in the conference with the Senators. I am deeply grateful to them.

Mr. POFF. Mr. Speaker, the conference report represents a compromise. That word should be understood not as an apology for a concession but as a justification for an achievement, an achievement in the highest traditions of legislative and constitutional craftsmanship. It is an accommodation and an accord of viewpoints which once were widely divergent and now, happily, are concordant. The business of the Nation, left unattended for a century because too controversial, has been performed and the controversy has been resolved.

Aside from minor, relatively inconsequential language differences, the House version and the Senate version were substantially equivalent in all but four major particulars.

The first major difference was in section 3. That is the section under which the President can voluntarily vacate his office and vest the Vice President as Acting President with the powers and duties of his office. The difference was in the mechanics of resumption of power by the President. Under the Senate version, the mechanics outlined in sections 4 and 5 would apply. Those mechanics involved first, a declaration of restoration by the President; second, an opportunity for a challenge by the Vice President transmitted to the Congress; and third, the possibility of congressional approval of the Vice President's challenge. The House version did not acuate the mechanics of sections 4 and 5. Rather, it was felt that a distinction should be made between section 3 authorizing voluntary withdrawal of the President and section 4 authorizing involuntary removal of the President by the Vice President. The House felt that the President would be reluctant to utilize section 3 if to do so exposed himself to the possibility of the Vice Presidential challenge and congressional action when he decided to resume the office. Accordingly, section 3 of the House version provided that the President who used the provisions of section 3 could promptly restore himself to his office simply by transmitting a written declaration to the two Houses of Congress.

The conference report—after adding two words of clarification—accepted the House version.

The second major difference between the two versions was in the mechanics of restoration in sections 4 and 5. In the Senate version, the Vice President as Acting President, was allowed 7 days in which to make a decision about challenging the President's declaration of restoration. The House version was 2 days. By way of compromise, the conference report recommends 4 days. The conferees intend that the 4-day period be interpreted as an outside limitation on the time in which the Vice President may consider making a challenge; it is not necessary that the President wait 4 days to resume his office if he and the Vice President mutually agree that he do so earlier.

The third major difference involves a procedural uncertainty which Speaker McCormack during House debate recognized might cause calamitous consequences. Under the Senate version, the Vice President's challenge of the President's declaration of restoration had the effect of submitting the dispute between the two men to the Congress for settlement. However, it simply instructed Congress "to immediately proceed to decide the issue." This left unclear what delay might occur in the event the Congress was in recess when it received the Vice President's challenge. Under the House version, the Congress, if not in session, is required to assemble "within 48 hours" to decide the issue.

The conference report accepts the House version.

The fourth major difference is a conceptual difference. Under the Senate version, the Congress having received the Vice President's challenge was empowered to act upon it and if it upheld the challenge by a two-thirds vote, the Vice President would continue to hold office as Acting President; otherwise, the President would resume his office. The House version was essentially the same except that it imposed a 10-day limitation upon congressional action. It said that if the Congress did challenge within 10 days after receipt, then the President would resume his office. The House approach guaranteed that any delay on the part of Congress, whether accidental and unavoidable or intentional and purposeful, would operate in favor of the President elected by the people.

The conference report adopts the concept of a time limitation but increases the time limit from 10 days to 21 days, and if the Congress is in recess when the Vice President's challenge is received, then the 21 days begin to run from the day Congress reconvenes.

No one should assume that House insistence upon a time limit was a criticism of the Senate. It is true that the rules of the other body permit unlimited debate and a small minority of Senators hostile to the President and loyal to the Vice President as Acting President could, in the absence of a time limit, make a great deal of public mischief at a most critical time in the life of the Nation. It is no less true that such mischief could be wrought by a small dedicated band of enemies of the President in the House. By tedious invocation of the technical rules of procedure, that little band could frustrate action on the Vice President's challenge for a protracted period of time, during which the Vice President would continue to serve as Acting President and the President, knocking on his own door for readmission, would be kept standing outside. If this little band happened to be one more than half the membership of the House, their task would be much easier, because they could simply meet and adjourn every third day without any action at all. Thus, more than half but less than two-thirds could effectively accomplish by inaction the same thing it would take two-thirds to accomplish by vote if there is no time limit in the Constitution. The conference committee understood this danger, and that is why the 21-day provision is in the conference report.

Several matters need to be clearly established by legislative history. First of all, the conferees unanimously intend that the 21-day period be considered an outside limitation and should in no wise be interpreted to encourage a delay longer than necessary. Indeed, in the face of such a crisis as the Nation would face at a time when section 4 would become operable, the conferees feel that both Houses of Congress should act with the least possible delay.

Secondly, the conferees unanimously intend that should one House of the Congress proceed to a vote on the Vice President's challenge and less than two-thirds of its Members vote to uphold the challenge, this action shall have the effect of restoring the President immediately to his office, even though the other House has not yet acted.

Mr. Speaker, I have no fear but that this conference report will be adopted by a two-thirds vote. But I am prompted to express the hope and the plea that it will be adopted by a unanimous vote, and with such a congressional blessing, the proposal would, I am confident, be ratified by three-fourths of the States before the end of next year.

Mr. BOLAND. Mr. Speaker, I would like to take this opportunity to associate myself with the distinguished majority leader and minority whip in expressing my gratitude and admiration for the chairman of the Committee on the Judiciary and the dean of the House, the gentleman from New York [Mr. CELLER].

Today is a very suitable occasion: for we have just given final House approval to a proposed constitutional amendment making necessary provisions for the continuance of orderly government and Executive responsibility in the case of Presidential disability or a vacancy in the Vice-Presidency. This legislation exhibits the genius and diligence which have been characteristic of all the undertakings of Mr. CELLER in his many years of service to the Nation and to this House.

His decades of service in the National Congress, his noteworthy legal career, and a sound understanding of the necessities and needs of the American Constitution have all contributed to make our dean of the House a recognized leader in legal and constitutional matters, and a spokesman who must be heard. This House has heard Mr. CELLER and his Judiciary Committee in approving this legislation today. This is a great tribute to the chairman and his committee who have gone a long way toward effecting eventual incorporation of this greatly needed provision into our Constitution.

Mr. Speaker, I include with my remarks at this point in the RECORD an editorial taken from the Springfield, Mass., Daily News of June 29, 1965, entitled "When the President Is Disabled":

WHEN THE PRESIDENT IS DISABLED

A compromise formula for correcting a major flaw in the Constitution of the United States; namely, the lack of a provision for filling the Vice-Presidency when the office becomes vacant or for making the Vice President a temporary Acting President in case the President of the United States should become disabled, has been reached by Senate and House conferees. It will now go before Congress for approval and then to the States for ratification.

The way the plan would operate is that if the President felt himself unable to perform his duties he would simply notify the Speaker of the House of Representatives and the President pro tempore of the Senate of his disability. The Vice President would then take over immediately as Acting President. In the event of a President so disabled as to be unable to notify Congress of his disability or if he should refuse to admit he is disabled, the situation would be handled this way. The Vice President and a majority of the members of the President's Cabinet would sign a written declaration that the President was disabled and send the declaration to Congress. The Vice President would then become Acting President, just as though the President himself had declared his own disability.

The need for this constitutional amendment is generally accepted. On at least two occasions, because there was no such provision, the executive branch of the Federal Government has been virtually paralyzed because of this constitutional lack. President James A. Garfield lived for 80 days after being shot in 1881, but his Vice President felt he had not the right to take over. President Woodrow Wilson served for 18 months while paralyzed with a stroke, but many believe that his wife and the Cabinet really governed. There are also the cases of two other Presidents who were disabled. President William McKinley survived for 8 days after being shot in 1901, and the business of Government came to a halt. Most recently, President Dwight D. Eisenhower suffered a coronary thrombosis in 1955 and was almost completely isolated for a week and hospitalized for 6 weeks.

The proposed amendment to the Constitution also covers a vacancy in the Vice-Presidency. It provides that the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress. This is the first provision ever made for filling such a gap, which has existed often in this country. Not many, probably, realize it, but in the 176 years since John Adams became the first Vice President of the United States, the Nation has functioned without a Vice President on 16 occasions for a total of 37 years, which is roughly one-fifth of the time the Federal Government has been in operation.

Here is what happened to Vice Presidents who failed to complete their terms: George Clinton died April 20, 1812, 10 months before his term expired; Elbridge Gerry died November 23, 1814, 2 years before his term expired; John C. Calhoun resigned December 28, 1832, with 2 months to serve, to become a U.S. Senator; John Tyler became President April 6, 1841, almost 4 years before his term expired, replacing President William H. Harrison, who died; Millard Fillmore became President July 10, 1850, 2 years and 8 months before his term expired, succeeding President Zachary Taylor, who died; William R. King died April 19, 1853, with almost 4 years to serve; Andrew Johnson became President April 15, 1865, with 3 years and 11 months to serve, replacing President Abraham Lincoln, who was assassinated; Henry Wilson died in office November 22, 1875, a year and 3 months before the end of his term; Chester A. Arthur became President September 20, 1881, with 3 years and 5 months to serve, succeeding President James A. Garfield, who was assassinated; Thomas A. Hendricks died November 25, 1885, with 3 years and 3 months to serve; Garret A. Hobart died November 21, 1899, a year and 3 months before his term expired; Theodore Roosevelt became President September 14, 1901, with 3 years and 6 months to serve, when President William McKinley was murdered; James A. Sherman died October 30, 1912, 4 months before his term expired; Calvin Coolidge became President August 3, 1923, with a year and 7 months to serve, when President Warren G. Harding died; Harry S. Truman became President April 12, 1945, with 3 years and 9 months to serve, when President Franklin D. Roosevelt died; and Lyndon B. Johnson became President November 23, 1963, with a year and 2 months to serve, when President John F. Kennedy was assassinated.

A way has now been found to overcome a serious constitutional weakness. It may not be ideal, but it is far preferable to the present void. It deserves prompt approval by Congress and ratification by the States.

Mr. ROYBAL. Mr. Speaker, I rise to urge prompt ratification by the legislatures of the several States of the proposed 25th amendment to the Constitution relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

This proposed amendment, overwhelmingly adopted by both House and Senate, can be of vital importance in helping clear up some 175 years of constitutional uncertainty and in assuring the continuity of the legal Government of the United States whenever the questions of Presidential disability or succession arise, or a vacancy in the office of the Vice President occurs.

As cosponsor of the joint congressional resolution which proposed the amendment, I believe we have come to realize more fully than ever before, especially since the tragic assassination of our late beloved President John F. Kennedy, that we can no longer afford, in this nuclear space age, to gamble with the future stability of our Government by leaving its fate to the uncertain whims of chance.

Nothing less than the safe and sure continuity of the legal Government of the United States is at stake. This essential continuity has been endangered many times in the past, and in some instances, only good fortune has prevented possible disaster.

For more than a year after Lyndon Johnson became President, our national luck held out, and we were all witnesses to an impressive demonstration of the true inner strength of America's democratic traditions.

The new President firmly and quickly took up the reins of leadership, to assure continuity of the Government in the midst of a great constitutional crisis, to begin to heal the Nation's wounds, and to reinstill in our people a sense of unity and brotherhood and faith in the future.

This experience has again focused public attention on the critical issue of Presidential and Vice-Presidential succession, as well as the related, and in some ways more difficult, problem of Presidential disability.

As a result, there has developed a strong national consensus in favor of resolving these issues in a positive way, so that there will be no doubt concerning the constitutional provisions for handling such problems in the future.

As an affirmative response to the need for a solution to these problems, the joint congressional resolution proposes to amend the Constitution in three respects: first, it confirms the established custom that a Vice President, succeeding to a vacancy in the office of the President, becomes President in his own right instead of merely Acting President; second, it establishes a procedure for filling a vacancy in the office of Vice President; and third, it deals with the problem of Presidential disability.

Section 1 of the proposed amendment provides that in the case of the removal of the President from office, or of his death or resignation, the Vice President shall become President.

Section 2 provides that in the event of a Vice-Presidential vacancy, the President can nominate a new Vice President, who will take office when he has been confirmed by a majority vote of both Houses of Congress.

Section 3 enables a President to declare his own disability to exercise the powers and duties of his office, thus voluntarily turning over those powers and duties, but not the office, to the Vice President who then becomes Acting President, until such time as the President declares that the disability no longer exists, and he resumes the powers and duties of his office.

In the absence of a Presidential declaration of disability, section 4 permits the Vice President, with the approval of a majority of the Cabinet, or such other body as Congress may stipulate, to make such a declaration, and to assume the presidential responsibilities as Acting President. It also provides for quick and orderly congressional resolution of any dispute over the President's ability, by authorizing him to resume discharging the powers and duties of his office unless two-thirds of both House and Senate agree with the Vice President and a majority of the Cabinet—or such other body as Congress has stipulated—that the President is unable to perform those duties.

This proposed amendment, though not perfect, represents a sincere effort on the part of many persons who have studied the admittedly complicated issues involved to offer a workable means of solving difficult and delicate problems affecting the continuity and perhaps even the life of our Government.

A variety of suggestions have been made to improve this proposed amendment, and Congress has given full and thorough consideration to all these suggestions, and, in fact, has incorporated several of them into the joint resolution.

For these reasons, Mr. Speaker, I strongly urge our State legislatures to act without unnecessary delay, for the subject is important to the future stability and peace of this Nation, and we cannot afford the risk that further delay would entail in this vital matter.

As President Johnson stated in his message to Congress:

> Favorable action * * * will, I believe, assure the orderly continuity in the Presidency that is imperative to the success and stability of our system.
>
> Action * * * now will allay future anxiety among our people—and among the peoples of the world—in the event senseless tragedy or unforeseeable disability should strike again at either or both of the principal offices of our constitutional system.
>
> If we act now, without undue delay, we shall have moved closer to achieving perfection of the great constitutional document on which the strength and success of our system have rested for nearly two centuries.

Mr. CELLER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken; and (two-thirds having voted in favor thereof) the conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in the RECORD on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

TRIBUTE TO HONORABLE H. R. GROSS

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, may I have the attention of the House?

I rise today to ask all of you to pay honor to a man whom I have grown to admire very much. He is one of the hornets in the House. He is one of the most hard working men, if not the most hard working man, in the House. He is very much beloved by many people and he is just not liked too much by others. But he is a wonderful person and he is a marvelous Member. He is an example to all of us about doing our homework.

This is his birthday. I hope very much that you will join me in wishing him many more years of the service he has been rendering, assuring him of our appreciation of his amazing capacity, his loyalty, and his patriotism.

I give you the distinguished gentleman from Iowa, H. R. GROSS.

A MEMORABLE DAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, this is a memorable day in the history of the House and in the life of one of the most distinguished men ever to serve in the House. The House has just adopted the conference report on the constitutional amendment dealing with Presidential disability and succession, which has been managed from its beginning by the distinguished dean of the House, the gentleman from New York [Mr. CELLER].

Also of historical significance is the fact that this is the third constitutional amendment which has been shepherded through the House by our distinguished friend from New York. He also authored and brought out of his committee and through the House the constitutional amendment dealing with poll taxes and the constitutional amendment dealing with the right of citizens of the District of Columbia to vote in presidential elections. This is a great milestone in the legislative career of one of our Members.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I will be glad to yield to the gentleman.

Mr. BOGGS. I would like to join in the tribute that our distinguished majority leader is paying to the dean of the House of Representatives. In the first place, this is a most significant amendment to our Constitution. I had the responsibility of serving on the Assassination Commission. One of the alarming things about that sad duty was the fact that we had not adequately provided for the succession of the Chief of State of the United States of America.

The distinguished gentleman has done an outstanding job. I think there is no Member more beloved than MANNY CELLER of New York. Some may disagree with him on occasion, as all of us are inclined to disagree with one another. But no person could conceivably question his fairness and his great love for the House of Representatives.

So I am proud, indeed, to join in this tribute.

Mr. ALBERT. Mr. Speaker, I thank the gentleman.

Mr. Speaker, along with commending our great chairman, I should also like to commend all members of the Committee on the Judiciary on both sides of the House who have performed a great service to the Congress and to the country.

HAPPY BIRTHDAY, MR. GROSS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, when one addresses his remarks to the 10th birthday of the Republic of the Congo, such remarks might well "scoop me" on the subject of the birthday of a great Republican in the Congress. However, quite properly the gentlewoman from Ohio [Mrs. BOLTON] did "scoop me" in my remarks about the great Iowan's [Mr. GROSS] natal date; in which all have so enthusiastically responded to the arrival of his 66th year, which is over and above the call of service and the age of retirement. This droll gentleman, this watchdog of the Treasury, this radio reporter of early and extraordinary vintage, this stanch advocate, considered irascible by some but loved by all, and particularly his lovely wife and fine sons, son of the soil from the great farm State of Iowa, trained in Missouri, this friendly statesman, leads me to honor his birthday, by further leave of the Speaker, to make a point of order that there is no quorum present.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Missouri yield to me?

Mr. HALL. I am glad to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, unfortunately, because of minority business I was not present when remarks were made by many Members on the floor concerning the birthday anniversary of our colleague, H. R. GROSS, from the State of Iowa. I should like to join with all who have spoken on his behalf. I wish him well for many, many more years both in the House and otherwise.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point or order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 161]

Addabbo
Bonner
Bow
Brown, Ohio
Cahill
Chelf
Dent
Evins, Tenn.
Harvey, Ind.
Holland
Keogh
Long, La.
Martin, Mass.
Morrison
Morton
Passman
Pool
Powell
Rostenkowski
Shipley
Springer
Steed
Thomas
Toll
Tupper
Willis

The SPEAKER. On this rollcall 406 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7984) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7984), with Mr. FLOOD in the chair.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read through section 101, ending on line 7, page 7 of the bill.

AMENDMENT OFFERED BY MR. STEPHENS

Mr. STEPHENS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEPHENS: Strike out section 101 (beginning on page 2, line 3, and ending page 7, line 7) and insert the following:

"FINANCIAL ASSISTANCE TO ENABLE CERTAIN PRIVATE HOUSING TO BE AVAILABLE FOR LOWER INCOME FAMILIES WHO ARE ELDERLY, HANDICAPPED, DISPLACED, OR OCCUPANTS OF SUBSTANDARD HOUSING

"SEC. 101. (a) The Housing and Home Finance Administrator (hereinafter referred to as the 'Administrator' is authorized to make, and contract to make, annual payments to a 'housing owner' on behalf of 'qualified tenants', as those terms are defined herein, in such amounts and under such circumstances as are prescribed in or pursuant to this section. In no case shall a contract provide for such payments with respect to any housing for a period exceeding forty years. The aggregate amount of the contracts to make such payments shall not exceed amounts approved in appropriation acts and shall not exceed $30,000,000 per annum prior to July 1, 1966, which maximum dollar amount shall be increased by $35,000,000 on July 1, 1966, by $40,000,000 on July 1, 1967, and by $45,000,000 on July 1, 1968.

"(b) As used in this section, the term 'housing owner' means a private nonprofit corporation or other private nonprofit legal entity, a limited dividend corporation or other limited dividend legal entity, or a cooperative housing corporation, which is a mortgagor under section 221(d)(3) of the National Housing Act and which, after the enactment of this section, has been approved for mortgage insurance thereunder and has been approved for receiving the benefits of this section: *Provided,* That no payments under this section may be made with respect to any property financed with a mortgage receiving the benefits of the interest rate provided for in the proviso in section 221(d)(5) of that Act.

"(c) As used in this section, the term 'qualified tenant' means any individual or family who has, pursuant to criteria and procedures established by the Administrator, been determined—

"(1) to have an income below the maximum amount which can be established in the area, pursuant to the limitations prescribed in section 2(2) of the United States Housing Act of 1937, for occupancy in public housing dwellings; and

"(2) to be one of the following—

"(A) displaced by governmental action;

"(B) sixty-two years of age or older (or, in the case of a family, to have a head who is, or whose spouse is, sixty-two years of age or over);

"(C) physically handicapped (or, in the case of a family, to have a head who is, or whose spouse is, physically handicapped); or

"(D) occupying substandard housing.

"(d) The amount of the annual payment with respect to any dwelling unit shall not exceed the amount by which the fair market rental for such unit exceeds one-fourth of the tenant's income as determined by the Administrator pursuant to procedures and regulations established by him.

"(e)(1) For purposes of carrying out the provisions of this section, the Administrator shall establish criteria and procedures for determining the eligibility of occupants and rental charges, including criteria and procedures with respect to periodic review of tenant incomes and periodic adjustment of rental charges. The Administrator shall issue, upon the request of a housing owner, certificates as to the following facts concerning the individuals and families applying for admission to, or residing in, dwellings of such owner:

"(A) the income of the individual or family; and

"(B) whether the individual or family was displaced by governmental action, is elderly, is physically handcapped, or is (or was) occupying substandard housing.

"(2) Procedures adopted by the Administrator hereunder shall provide for recertifications of the incomes of occupants, except the elderly, at intervals of two years (or at shorter intervals in cases where the Administrator may deem it desirable) for the purpose of adjusting rental charges and annual payments on the basis of occupants' incomes, but in no event shall rental charges adjusted under this section for any dwelling exceed the fair market rental of the dwelling.

"(3) The Administrator may enter into agreements, or authorize housing owners to enter into agreements, with public or private agencies for services required in the selection of qualified tenants, including those who may be approved, on the basis of the probability of future increases in their incomes, as lessees under an option to purchase (which will give such approved qualified tenants an exclusive right to purchase at a price established or determined as provided in the option) dwellings or cooperative ownership interests therein, and in the establishment of rentals. The Administrator is authorized (without limiting his authority under any other provision of law) to delegate to any such public or private agency his authority to issue certificates pursuant to this subsection.

"(f) Section 101(c) of the Housing Act of 1949 is amended by inserting '(i)' after 'a mortgage under' in the first proviso and by inserting immediately before the colon at the end of such proviso the following: ', or (ii) section 221(d)(3) of the National Housing Act if payments with respect to the mortgaged property are made or are to be made under section 101 of the Housing and Urban Development Act of 1965, except that no such mortgage shall be insured, and no commitment to insure such a mortgage shall be issued, with respect to property in any community for which a workable program for community improvement was required and in effect at the time a contract for a loan or capital grant was entered into under this title, or a contract for annual contributions or capital grants was entered into pursuant to the United States Housing Act of 1937, unless there is a workable program for community improvement which meets the requirements of this subsection in effect in such community at the time of such insurance or commitment'.

"(g) The Administrator is authorized to make such rules and regulations, to enter into such agreements, and to adopt such procedures as he may deem necessary or desirable to carry out the provisions of this section. Nothing contained in this section shall affect the authority of the Federal Housing Commissioner with respect to any housing assisted under this section and under section 221(d)(3) of the National Housing Act, including his authority to prescribe occupancy requirements under other provisions of law or to determine the portion of any such housing which may be occupied by qualified tenants.

"(h) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including, but not limited to, such sums as may be necessary to make annual payments as prescribed in this section, pay for services provided under (or pursuant to agreements entered into under) subsection (e), and provide administrative expenses.

"(i) Section 114(c)(2) of the Housing Act of 1949 is amended by inserting before the colon at the end of the first proviso the following: ', or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965.'

"(j) On or before January 1, 1968, the Administrator shall submit to the Congress a full report of operations under this section, together with his recommendations with respect thereto."

Mr. STEPHENS. Mr. Chairman, I ask unanimous consent to have an additional 5 minutes to explain my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. STEPHENS. Mr. Chairman, for the 5 years I have been here I have had people come up here many times and ask of me: "What good does debate do on the floor of the House?"

Many times they find people not here or not listening. These are during periods of unimportance. But I think we have an example today in this amendment of what good debate does accomplish on the floor of the House in a discussion and a thorough airing before the Members of the House on a bill which was voted out of committee by 10 to 1. We thought we had a good bill.

This was a bill we thought we had perfected. What my amendment does is to establish five points. Those five points are points that have been brought to my attention and to the attention of the Members in debate on this side, and by Members on the other side. These are not necessarily in the order in which they appear in the amendment.

The first point is that we are offering a reduction of the cost of the subsidy in section 101 by reducing by an average of $50 million per year, or a reduction of $200 million during the life of the bill.

The second thing we are proposing is to limit the eligibilty of people who need a rent subsidy to people who are eligible for public housing.

There is no change so far as the other provisions are concerned which are still in the bill that requires them to have a 25-percent income level which makes them eligible. They have to be elderly, they have to be handicapped, they have to be in substandard housing or in the category of one who has been displaced by public action.

The third proposal is the proposal that was made in the Rules Committee. There was discussion there and objection made by others. The proposal was made by the gentleman from California [Mr. SISK]. He wanted put in the bill, which the amendment will put in, terminology that would give the person who goes in under a subsidy the right and encouragement to buy that house by having an option to buy the house at a specified price.

The fourth point meets an objection that was made. It is a point that is important. It is a definition further of what is a legal entity. We have provided in the main part of the bill, in the original part of section 101, that a nonprofit corporation or a limited dividend corporation would be the sponsor. But it was not quite clear what was meant by a legal entity because some people thought that might include a partnership or something of that nature.

The language that we propose in this amendment, and the majority of the committee are proposing in this amendment, is that if it is a partnership or other legal entity it also must be a nonprofit partnership.

The fifth is to clarify another point made on the floor of the House, a point that was made when we discussed this in the Rules Committee. The point made was that it seemed in another section of the bill that the subsidy had no top to it. The doubt was expressed that the money could be utilized for the rent subsidy over what was authorized in section 101 of the bill.

We are putting language in by this amendment that clarifies that. It says that the authorization of the $150 million annually is the amount and it will not be more than that and the other sections of the bill do not pertain to this at all. It is clearly put in that language.

We think by bringing this amendment to the floor of the House and looking at it in the light of the debate that you have heard, it will correct many of the misinterpretations and misunderstandings with reference to this.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman.

Mr. PATMAN. Is it not a fact that the principal changes are the Muskie amendment, as passed by the Senate committee?

Mr. STEPHENS. That is correct.

Mr. PATMAN. And the substantial reductions in the amount of money involved?

Mr. STEPHENS. Those are the two major amendments. But I will say this also, Mr. Chairman, the other three are highly important. They are important because they meet the questions that other Members of the House have had. But those, as our chairman has pointed out, are the two main and important parts of the amendment here. The other three correct some of the more or less minor parts of the bill.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman.

Mr. BARRETT. Mr. Chairman, frankly I do not see any real basis for the misunderstanding since we are convinced that the bill and the committee report made it clear that eligible families and individuals would be in the lowest income category.

But I do think your amendment pours oil on these troubled waters by clearly specifying the eligible families and individuals could not have incomes higher than those permitted in low-rent public housing under the public housing program.

With this amendment I hope we can resolve the lingering doubts that apparently exist in the minds of some of the Members and make it perfectly clear that this body intends that the benefits of the rent supplement program would go to families and individuals in the public housing range.

I certainly support the gentleman's amendment.

Mr. STEPHENS. I thank the gentleman.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the distinguished minority leader of the Subcommittee on Housing.

Mr. WIDNALL. I think the distinguished chairman of our full committee made the statement that the second part of this was the Muskie amendment that was passed by the Senate Committee on Banking and Currency. I have the Senate bill in front of me and I think there are very many major distinctions between the Muskie amendment and what you are offering today. I might say I do not think this is the way to legislate—what is taking place at the present time. It seems to me you are presenting something of very major importance in the housing field, something that is supposed to take care of the low-income groups and give them a better deal than they have had in the past. Yet, there are three copies of your proposal on this side which we have just received and I venture to say that not more than three or four have read it on your own side—and this should be a subject of major hearings before our committee.

Mr. STEPHENS. Let me answer what you have to say in this way. The amendment has been read in its entirety on the floor of the House. The amendment is not new to any of you on this side because these proposals—not as an amendment—but these proposals, as individual propositions, are propositions that you have made, or which have been here in cloakroom discussion or made on the floor of the House yesterday as proposals for perfecting this bill. So you are just as familiar with it as I am so far as the intent of the language and the text of the amendment is concerned.

Mr. WIDNALL. I will admit I am as familiar with it as you are. That is how new it is.

Mr. STEPHENS. Good. I am familiar with the principles involved in it regardless of the language you are talking about. Now what we are saying so far as this being the Muskie amendment is concerned is this: My amendment provides that those who are qualified as tenants must be qualified in addition to all the other things pursuant to the limitations prescribed in section 2, subparagraph 2, U.S. Housing Act of 1937, for occupancy in public housing dwellings.

Now we are limiting this to the point where we have received criticism, not that we deserve it, but criticism that we are trying to help people who have high incomes and we are saying that this meets the argument that we should help poor people.

If we are going to pass this bill, that is the objective: To help the poor people in America.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield for a question.

Mr. BROCK. I believe we all share the objective of helping poor people. Let me ask the gentleman a question. Under the amendment would not tenants be eligible to receive rent supplements in this type of program, under section 101, having incomes as high as $10,500 a year?

Mr. STEPHENS. I cannot answer that specifically. My first thought would be "no," because I do not believe we will find that to be true in public housing anywhere. As I say, from my own information the average income in public housing is an income of around $4,000. It will vary from community to community according to the standard of living and the cost of living in those communities.

Mr. BROCK. If the gentleman will yield further, he knows full well we are not talking about averages. I asked him if it could not be as high as $10,500.

Mr. STEPHENS. I believe I answered that.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. FINO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. FINO. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OTTINGER. Mr. Chairman, the legislation before us today—the Housing and Urban Development Act of 1965—is not perfect. No legislation is. But this is a good bill, containing many worthwhile and necessary programs, and it certainly deserves our support.

As a member of the Committee on Banking and Currency, I know how much time and bipartisan effort went into making this bill as good as it is. I want to particularly commend the chairman of the committee, the gentleman from Texas [Mr. Patman], the chairman of the Subcommittee on Housing, the gentleman from Pennsylvania [Mr. Barrett], and the ranking minority member of the committee, the gentleman from New Jersey [Mr. Widnall], for their leadership in working out an effective, comprehensive program.

There has been considerable controversy, both in and out of Congress, over section 101 of this bill, the rent subsidy provision. When this provision was discussed in committee, I voiced reservations about it, mainly because I felt at that time the legislation did not contain adequate safeguards against the subsidy program being applied too broadly. We just do not have money enough to subsidize housing for everyone in this country, and while I can support assistance to provide housing for the very poor, I did not think, with hundreds of thousands of impoverished people still in slum housing, we should go further.

In response to my reservations and those of other Congressmen, the administration has revised the bill so that now only those persons who qualify for public housing will be eligible for rent supplements. This satisfies my objections and makes this section a very worthy experiment to better deal with the housing needs of the poor.

It is important to note that the present public housing program simply has failed to do the job of providing decent, safe, and sanitary housing for American families afflicted with poverty. Today in the United States there are more than 3 million families living in substandard housing who have incomes too low for decent private housing in their communities.

In addition, there are more than 2 million elderly or handicapped lacking decent housing, and each year 80,000 families are displaced by some kind of Government action.

Since the public housing program started, only 580,000 units have been built. Today, 500,000 families are on waiting lists for public housing units. The rent supplement program gives us another tool to meet the need for housing without getting us into a federally operated housing program of incredible proportions. The rent supplement program enables us to meet the housing needs of low-income families through the private sector of the economy, and this is certainly a laudable approach.

Despite the fact that Westchester County, N.Y., which I represent, is one of the Nation's three most affluent counties on a per capita basis, for many years it has been confronted with the problem of slums and decay and poverty in the midst of gracious, attractive communities. The 1960 census revealed that 6.5 percent of the dwellings in the county, housing some 50,000 persons, were substandard. It also revealed an unfortunate connection between substandard housing, old housing, rental housing, nonwhite occupancy, and low income. In the three largest cities of Westchester—Yonkers, Mount Vernon, and New Rochelle—32 percent of the nonwhite rental units were classified as substandard and 7½ percent of the rental units occupied by whites were substandard.

Mr. Chairman, a program which provides housing that is privately sponsored, privately built, and privately financed under FHA will meet important needs in New York's 25th Congressional District, as I am sure it will in many areas of the Nation.

A vote for this program is a vote for breaking the vicious, continuing cycle of poverty in the world's richest nation.

Mr. FINO. Mr. Chairman and Members of the Committee I rise in opposition to this amendment. I am very sorry to see an amendment of this great importance, of this great magnitude, offered at the last minute without any consultation with the minority. We learned for the first time the contents of this amendment 5 minutes ago.

This section 101 is the crux of the whole argument on the housing bill, and the amendment is a 6-page amendment, yet we are expected to legislate within 5 minutes and determine the substance of the amendment, the value of the amendment, and what it would do or propose to do.

I say that this amendment offered by the majority is a meaningless, do-nothing, red herring amendment offered at this time. So far as I am concerned, it shows that fear of defeat has gripped the majority. They are disturbed about this section 101. They are so disturbed about it that they have come in with an amendment to try to camouflage the whole picture, to try to deceive the Members. If anything, it is an exercise in deceit of the type we have become used to during general debate of this section.

This is an amendment which is another trick from the Housing Administrator's big bag of tricks.

This amendment purports to limit rent-supplement payments to persons with incomes falling below the public housing maximum under the Federal public housing laws. This is a very clever way to try to deceive the Members of this House.

The bill as originally written, the bill we have discussed here for 2 days, talked of $50 million now, $50 million in 1966, in 1967, in 1968. So what they did was to come in and chop off $20 million the first year, $15 million the second year, $10 the third year, and $5 million the the fourth year, so that instead of having $200 million, the figure would be $150 million. This is supposed to be the bait for you people to swallow.

So, instead of trying to sell the Congress of the United States an $8 billion program, we are trying to soft-soap the whole deal and say, "Well, we will accept a $6 billion program." No matter how you slice it and twist it and turn it, it will turn out to be a $6 billion program, because I notice under the amendment we still have a 40-year program here. We bind and obligate the U.S. Government for 40 years. Multiplication of 40 times $150 million comes to $6 billion.

The Housing Administrator has said time and time again that he is not concerned merely with the opening of new housing avenues to families eligible for public housing, but what he wants to do is to experiment with a larger group of our population so as to keep open his opportunities—I repeat that—so that he can keep open his opportunities for so-called economic integration.

Anyone who thinks this amendment has any substance as a safeguard of the income ceiling has another look coming. The rent subsidy proposal, as offered by this proposed amendment, would still leave section 101 wide open for abuse, and there will be plenty of abuses. If this amendment is adopted, it would still qualify for rent subsidies many families of unduly high- and middle-income levels. Low-income families could still be placed in semiluxury housing and subsidies could still be used to pay 99 percent of the family rent. There is still no limit as to the amount of the rent subsidy a family can receive. This is one of the main objections I have to this rent subsidy program.

Equally important under this proposed amendment is the definition of "income." Let us make no mistake about it. The definition of "income" is still left to the discretion of the Housing Administrator. If you look at the bill, this amendment is just like a rent subsidy program. It is a trap for the unwary. It does not and it will not do what the proponents would like you to think it will do. It is simply designed to trick the Members of this House who have expressed some misgivings about this program and who have expressed some deep concern about this type of program into thinking all or most of the loopholes in section 101 are being plugged. Let us not be confused and let us not be misled. No loopholes are being plugged. The Housing Administrator wants every loophole, every loophole he can get. That is how he gets to experiment. The whole reason for this program is so that he can experiment. I repeat, the whole reason behind section 101 is so that the Housing Administrator can experiment with American residential patterns.

This is a sucker bait amendment. It will not remove the serious objections to this program. It still leaves the amount of rent subsidy without any limitation. I might point out in my attempt to have a discussion of this particular point with the gentleman from New York, who is not a member of the Subcommittee on Housing, I wanted to point out that in subcommittee I offered an amendment to limit the amount of the subsidy and I got nowhere with it. So I say it will not remove the serious objection to it. It still leaves the amount of rent subsidy without limitation and it still leaves the determination of the income ceiling, notwithstanding this amendment that has been offered, to the Administrator. It still remains a 40-year program. So instead of having a 40-year program at $8 billion, it will be a 40-year program at $6 billion. And let us make no mistake about it. We are binding ourselves in this Congress and in the Congress to follow and in the next Congress up until the 21st century on this program.

I urge those of you who have serious doubts about this rent subsidy program to stick to your guns. Do not be influenced, do not be pressured, and oppose this do nothing, red herring amendment that has been offered at this time.

Mr. ALBERT. Mr. Chairman, I rise in support of this amendment which would rewrite the rent supplement provisions of the bill to meet a number of objections which were heard in the arguments on yesterday and the day before. Before proceeding, I cannot pass up the opportunity to congratulate my distinguished colleague who has just addressed the House. He is an able legislator. He has stated that he has just received a copy of this amendment a few minutes ago, and, yet he has come up with one of the best prepared speeches in speaking against it that I have heard in a long time.

I was in hopes that our distinguished friend, after this amendment was offered, would support it, and that he would not support a motion to recommit which would undertake to strike this very important section from the bill. The most important part of the amendment would change the income formula in the reported bill and set the ceiling at whatever level is established in the community for public housing.

This provision cuts through all the uncertainty raised by the new formula proposed for this program. It makes it abundantly clear that only the lowest income families would benefit from the rent supplement program. This has been our intention and this amendment should still any lingering doubts about this fact.

This program, Mr. Chairman, enables private enterprise and private capital to work with the Government, really to come to grips with the problem of providing decent housing for low-income families in the cities and towns of this country. We all know that the low-rent public housing program, while it has done a tremendous job, has not provided a sufficient number of units to house our low-income families.

Repeatedly during the debate we have heard that some 500,000 applications are now on file with various public housing authorities to try to obtain apartments or quarters or units in public housing projects. No one has suggested that these applicants are not just as qualified, are not just as much in need as those who already occupy such units. Nor has anyone suggested that this Congress would provide the necessary funds to implement the public housing program sufficiently to take care of these 500,000 applications.

The President's proposal for the new rent supplement program has the highest potential for a break-through in harnessing the energies of private enterprise to produce low-cost housing in large quantities. The critics of the new proposal have tried to imply that the public housing lobby is opposed to it. This is not the case. It recognizes, as we recognize, that this new program will provide not a substitute for public housing; it will supplement public housing instead.

Mr. Chairman, as I listened to the debate over the last few days there was one aspect that I felt was not given specific emphasis. This came to my mind when I heard almost incredulously the words "socialistic" and "foreign to American concepts."

Mr. Chairman, everyone who has been here as long as I have knows that these terms have been used with respect to public housing, social security and other progressive legislation which we have undertaken to pass for the benefit of the people of our country, particularly the poor people of our country.

Mr. Chairman, I want to remind my colleagues on both sides of the aisle that this rent supplement proposal has been called the most crucial new instrument in our fight to provide better housing by the President of the United States.

Mr. Chairman, I want to remind my colleagues in both sides of the aisle of that fact, that this is the most important factor. I hope sincerely that the changes which have been made will increase the support of the President's rent supplement program, because if we fail to enact it into law, the real victims will not be the President of the United States or his prestige. The real victims will be the several hundred thousand families of lowest incomes who are the elderly, the handicapped, the displaced by Government activities, and those who are living in slums.

Mr. HARVEY of Michigan. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HARVEY of Michigan. Mr. Chairman and Members of the House, I have been sitting here astounded to hear the very distinguished majority leader of this House of Representatives, the gentleman from Oklahoma [Mr. ALBERT] who has behind him such an illustrious career of which we on both sides of the aisle are tremendously proud, as we are of both the majority and minority leaders, to hear him stand up here and recommend this type of legislation.

Mr. Chairman, I serve as a member of the very Select Subcommittee on Housing of the Committee on Banking and Currency. I have been proud to do it. We have had days of laborious hearings on this matter.

Mr. Chairman, I know I do not have to tell anyone who serves on that subcommittee that housing legislation is just as complicated, if not more so, than any legislation to come before this body.

I do not have to tell them that in an authorization bill, whether it be for $6 billion now as they have reduced it, or the original $8 billion as it was yesterday, it is still one of the largest domestic authorization bills to come before this House in many years; and, that is only the section pertaining to rent supplements.

Mr. Chairman, if we added the public housing costs and other estimates contained in the bill, the cost of this bill is now $19 billion rather than $21 billion.

Mr. Chairman, also I listened with considerable interest as the distinguishd majority leader stood up here and expressed the fact that this was now a very low income bill.

I wonder if the Members of the Committee know what the public housing limit in the city of New York is?

How many in this body know what the housing limit in the city of New York is right now? We would call that low income. I have here a letter from Marie McGuire, Commissioner of the Public Housing Authority, in which she sets this matter up. She signs that letter. This has been signed by her.

I would point out to the distinguished majority leader that a person earning $11,200 per year can now live in this supposedly low-income housing that we are now authorizing in the city of New York. If you do not believe me I hold up to you this letter, and I will submit it to anybody for examination. This is a statement of Marie McGuire, the Housing Commissioner, where she points out where the limit is $8,800 per year at the present time, and of course with the permissible exemption—that is, income which is not included—could go up $2,400 more, making a total of $11,200 per year.

I submit to you that is not low-income housing, at least, not where I come from. What does this mean, this amendment of four pages? We have had only a few minutes to look over the amendment, but notwithstanding that we sat down and looked it over, and I quickly figured out what this means to public housing at the present time.

In the last 28 years, since 1937, in this country we have built a total of 580,000 units of completed public housing. If you reduce the original 500,000 by 25 percent in the same proportion you are reducing the amount of the authorization, it would provide for an additional 375,000 units under the rent supplement program in addition to 240,000 units under the public housing section.

So what are we doing? Over the next 4 years we are providing for public housing, 615,000 over the 4 years, or at the rate of 153,000 per year, which is 5 times as fast as we have provided public housing since 1961 when I came to the Congress. And we still cannot complete the public housing units we have authorized up to now.

So I would point out to the majority leader this does not make the least bit of sense to me. In addition to what this means to public housing, I would point out to my friends on the other side of the aisle, particularly the chairman of our distinguished Committee on Banking and Currency, who has so often been the champion of low interest rates, just what this amendment means in terms of interest rates as compared to public housing. Those of you even with the most scant knowledge realize we finance public housing today with 40-year bonds that carry an interest rate of 3¼ percent. How are you going to finance these additional 375,000 units of rent supplement for the same low-rent income category?

You are going to finance them not with 3¼-percent interest. You are going to finance them with a 40-year—and just coincidentally the same period of time the FHA mortgages bearing an interest rate of 5¼ percent, together with an insurance premium of one-half of 1 percent, for the astounding rate of 5¾ percent—in contrast to 3¼ percent.

You say, Oh, that does not matter. Uncle Sam has all the money in the world to burn. What difference does it make whether it is 5¾ percent or 3¼ percent? Do you know what the difference is, my friends, in relation to the cost of a $20.000 unit? I just stopped to figure out what it would cost in relation to a $20,000 unit. It is a difference of $32 per month in rent. You talk about rent supplements being for the low-income group. Do not kid me, my friends. I cannot believe that for 1 minute. You can see that this should properly be called a bankers' amendment. That is what this is—a contractors' windfall. That is what it is, to build not 100,000 units but to build 375,000 brand-new sparkling homes at 5¾ percent interest.

The majority members of the committee talk about private enterprise—with the rent guaranteed and no defaults possible. This is about as much private enterprise as the farm subsidy program. That is the kind of private enterprise that this is.

Now let us look for a moment at how this is going to work. My friends on the other side of the aisle are so disturbed about this reaching into the high-income categories, the way Mr. Weaver said, and apparently they have ignored Mr. Weaver's testimony itself. For Mr. Weaver has said:

> This just will not work when you limit it to low-income groups.

I do not have the Pittsburgh quote here with me where he said that you would have to have a heart of gold and a head of lead to be a businessman and support this rent-supplement program for low-income groups. But I have it here at my desk if any of you care to examine it.

Then I would refer you to, I believe it is page 183 of our testimony where Mr. Weaver just said, "This just will not work"—in so many words for the low-income, low-rent public housing units. That is all there is to it.

Now my friend, the gentleman from Georgia, brings out a six-page amendment which we are supposed to consider here in just a few minutes and he brags about the fact that it solves the problem of confusion and that for once we have defined the words "legal entity" and what a legal entity is. Because now we know, of course, what a nonprofit corporation is and we know what a legal entity is.

This sort of astounds me, too, because the chairman of our committee, you know, has been a real crusader against the tax exempt foundations. Well, I would refer you, if you will kindly look at title II, section 202(d) where they happen to define the word "corporation." Now what do you suppose that this nasty word "corporation" includes? Why it includes tax exempt foundations. Can you believe the chairman of our committee would have this committee come in with an amendment that is going to approve rent supplement buildings—375,000 of them at 5¾-percent interest being built by these evil, tax exempt corporations and tax exempt foundations?

Look at section 202—look at section 202—that is what the law says. This amendment is a sham. It is a sham because those on this side of the aisle handling this argument knew that there were fallacies in their argument and they knew that it could not work. They knew that it could not take the place of public housing because they listened to their own people.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. ALBERT. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan may proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HARVEY of Michigan. I am delighted at the fairmindedness of the distinguished majority leader.

Mr. MULTER. Mr. Chairman, will the gentleman now yield for some questions?

Mr. HARVEY of Michigan. I am happy to yield to the gentleman, yes.

Mr. MULTER. Will the gentleman tell us what limitations you would put into this amendment so that it will cover the low-income groups that you believe should be covered by this bill?

Mr. HARVEY of Michigan. I thought I made that clear to the gentleman from New York when I stood up on Monday, which seems like an awfully long time ago now. I explained my attitude toward public housing then. I said that as a former mayor—I am controlling the time now.

Mr. MULTER. I know you are.

Mr. HARVEY of Michigan. I am going to tell the gentleman this, so that he will remember it. He would not give me an opportunity yesterday.

Mr. MULTER. I gave you every opportunity.

Mr. HARVEY of Michigan. I decline to yield further, until I answer the gentleman's question.

I want to tell the gentleman that I have a high regard for public housing. I intend to support this bill if, as I hope will be the case, this section on rent supplements, including this amendment, is eliminated.

I would tell the gentleman quite frankly, I do not believe in the rent-supplement program. I do not believe it is a good deal for America. I believe it is a good deal for the big bankers, with whom the gentleman is very familiar. I believe it is a good deal for the savings and loan institutions. I believe it is a good deal for the big builders.

I believe that we are talking about big contractors and big landlords. When we are considering up to 375,000 new apartments being built by big builders, we are not talking about the little man. When we are considering increasing rent $32 a month, we are not talking about the little man.

Do not try to kid those of us on this side of the aisle. This is a big bankers' bill. That is what it is. It is a big contractors' bill.

If you did not believe that—if you were truly sincere in wanting to experiment with this program—then I suggest to the gentleman, why not try to use section 103? Section 103 pertains to existing housing.

Mr. MULTER. I thought we were talking about section 101.

Mr. HARVEY of Michigan. We are.

Mr. MULTER. I respect the gentleman's opinion, when he says, "I am opposed to section 101," but he should not come to this floor and tell us that section 101 can be improved, or lacks this, that, or the other thing, when he does not intend to support it no matter how good we make it.

Mr. STEPHENS. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Michigan. I am happy to yield to the gentleman from Georgia.

Mr. STEPHENS. I should like to get a better definition than I seem to have of "private enterprise."

Mr. HARVEY of Michigan. I would agree with the gentleman that this is the furthest thing from private enterprise he could get into.

Mr. STEPHENS. At home the bankers and contractors and real estate people are all in private enterprise. If it is to benefit them only, then certainly we would be benefiting private enterprise. I have no objection to benefiting private enterprise while we are also benefiting the poor.

Mr. HARVEY of Michigan. Will the gentleman answer a question? Does the gentleman believe it is private enterprise when we guarantee that the landlord will receive his rent over a 40-year period? Is it private enterprise to guarantee against the possibility of default?

That is not the private enterprise of which I know. That is an outright subsidy.

I think this is a pretty good "risk."

That is why Ira Robbins, whose testimony is shown on page 425 of the hearings, told the committee this just would not work. He said that this program of rent supplements would be much more expensive than the program of public housing ever could be.

Look, my friends—I have lived with public housing as a mayor. I am for it. I support it. I think that is a good program. I do not think this rent supplement is.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Michigan. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I thank the gentleman for yielding.

Very adroitly here today, yesterday, and the day before, the gentleman has been demonstrating his outstanding ability for muddying the waters.

Mr. HARVEY of Michigan. Well, now, I decline to yield right now.

If the gentleman contends that I am muddying up the waters, I submit to the House: Who is it who comes in with a six-page amendment in the final and closing hours, after the subcommittee sat for weeks hearing testimony? Who is it that is coming in with a clarifying amendment for corporations, which puts in tax exempt foundations, if you can imagine that? Who is muddying the waters?

I submit to the gentleman, it is not this side of the aisle.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Michigan. I am glad to yield to the gentleman from Pennsylvania.

Mr. BARRETT. The gentleman said he was interested in public housing. The gentleman said he wants to help people get decent, safe, and sanitary housing. I agree with him on that score.

Let me point out who gets the benefit of these public housing subsidies. Let me point out a mother and one child in New York, who get $149.50—and this is called the basic standard. Please do not muddy the waters on this.

Mr. HARVEY of Michigan. Mr. Chairman, I decline to yield at this point to my friend, because he is making a real case for poverty here, which I hope the President's program is going to take care of.

I decline to yield. I will tell my friend that is why we have public housing in New York. It is precisely why we have an income level of $11,200 where a person is still eligible for public housing in New York.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. PATMAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, every time we bring a bill to the floor of the House providing for public housing, arguments are made by those who are really against any kind of housing for the poor that we should have another kind—we should have an alternative—we should have a private enterprise system to help the poor. We have before us a bill to help the poor.

The distinguished gentleman from Michigan says that he favors public housing over rent supplements because of the interest rate factor. Well, he is all wrong about that. That argument is not sound. If you use a 3¼-percent rate in public housing, to the average investor that is an income of about 7 percent. Yet here he is fighting 5¾ percent, saying it is too high, too high. He wants a 3¼-percent rate. A 3¼-percent rate. The 3¼-percent rate is a tax-exempt rate and, therefore, it is the equivalent to the average investor of a return of some 7 percent. So his argument is very illogical.

Mr. Chairman, I rise to speak in favor of the Stephens amendment—the rent supplement program.

Mr. Chairman, the rent supplement program is the key provision of this bill. No other provision of the bill offers as much to the poor people of this country who cannot afford decent housing.

President Johnson has said this program for rent supplements "in the long run may prove the most effective instrument of our new housing policy." It is a program of enormous importance. It constitutes a major breakthrough toward the national goal established many years ago—a decent home in a suitable environment for all Americans.

In public hearings, the rent supplement program was thoroughly examined by the Housing Subcommittee of the Banking and Currency Committee, and again by the full committee. Over the last 30 years and longer that I have been a Member of this body, no major new housing program considered by the Congress, has received wider and more enthusiastic support than this program.

The homebuilding industry supports the rent supplement program. Labor supports this proposal. The spokesmen for the members of the financial community who invest the Nation's savings in homebuilding support this proposal. Those who work with and know the needs of the elderly support this proposal, as do those who work with and understand the great need for additional housing among the poor.

The hearings and the general debate here on the bill have established the great need for additional housing for our low-income families. I believe that the great strength of the rent supplement program is that it will enable the American private enterprise system to meet this need.

The rent supplement program is a private enterprise program. The housing constructed under the program will be privately owned, privately constructed, privately financed, and privately operated.

Mr. Chairman, the hearings and the debate have shown that the rent supplement program can, over the next 4 years, enable American private enterprise to provide 500,000 units—units of modest design, geared to the needs of low-income families, and available to these families.

The poor people in this country living in slums need this housing. The entire country will benefit from the jobs that the construction of these units will create.

Mr. Chairman, I have followed the debate and I have heard the arguments made against the rent supplement program. I do not understand why the opponents of this bill have chosen to single out this proposal as the focal point of their attack on the bill and certainly they should support the Stephens amendment. The poor people in this country living in slum housing are the ones who would gain most from the rent supplement program, and the program is fully, completely, and exclusively a private enterprise program.

I am amazed at the bitterness and the inconsistency of some of the arguments made against this program. In one breath we are told that it will provide rent supplements for upper-middle-income families, and in the next breath that the program will put public housing out of business.

In one breath we are told that the program is "foreign to American concepts" and "the way of the socialistic state" and in the next breath we are told that the program is a "sell out" to the builders. In one breath we are told that the program will permit people with substantial assets to have rent supplements paid on their behalf, and in the next breath we hear objection that the program will establish a means test for determining whether or not one needs rent supplements.

Mr. Chairman, I believe that the debate here today has convincingly refuted the arguments of the opponents of the rent supplement program. It has been established:

First. That the program will provide modest—not luxury housing.

Second. That it will authorize rent supplements only for those in the lowest income groups.

Third. That the rent supplement payment will be keyed to the need of the family, with the amount of the payment being reduced as family income rises.

I urge my friends to vote for this amendment. A vote for this amendment is a vote for the President—for the committee which adopted this proposal with bipartisan support after long and extensive hearings—and it is a vote to assist the poor who need the housing that would be constructed under this program.

I hope all Members from both sides of the aisle will cast their votes in favor of assisting poor people to acquire decent and sanitary housing.

Mr. WIDNALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I came to the House today prepared to support the rent supplement program as originally offered in similar bills that were proposed by the gentleman from Texas, Congressman PATMAN, the gentleman from Pennsylvania, Congressman BARRETT, and myself. They are exactly alike. I was prepared to vote for that measure.

We are now being asked to consider something that is a very major change from the original rent supplement program. I think it is most unwise. This is the craziest way to legislate that I can think of when, on the floor of the House, after no opportunity for examination either by the minority or the majority Members, we are asked to substitute for the rent supplement proposal an entirely new section which changes many things as contrasted to the original rent supplement proposal.

Our distinguished chairman, the gentleman from Texas [Mr. PATMAN] cited the support of various organizations for the rent supplement proposal. I would like to ask my chairman, do all these organizations know about the Stephens amendment? Do they approve the Stephens amendment? Because that is what we are legislating on today and not the original rent supplement proposal.

Mr. PATMAN. All I can say is that they will not disapprove it.

Mr. WIDNALL. I just want to call the attention of the chairman to this.

Mr. Chairman, if they have had the same kind of notice that we have had, they have not the faintest idea what will be going into the bill today and you certainly cannot take as approval what their testimony might have been at the time the subcommittee had hearings.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Texas.

Mr. PATMAN. There are only five changes. Read this entire amendment and go back and notice the ones which I have checked with red. There are only five small changes. It would not take the gentleman from New Jersey long to acquaint himself with them. They represent the only changes in it.

Mr. WIDNALL. Mr. Chairman, I have now had the opportunity to read through it, thanks to the fact that we have been in session long enough so that I have had that opportunity.

Mr. Chairman, I have noted that this amendment is being offered to the House with the representation that it is the same as the Muskie amendment in the Senate bill. There are some very substantial differences between the two. If the Members on the majority side of the aisle are being told that they are voting for the Muskie amendment, that is not a fact. There are substantial differences. If this amendment is adopted, of course we would go to conference with what is in the Muskie amendment, which substantially changes a great deal of the rent supplement proposal, as would this amendment, but in a different direction.

Mr. Chairman, I have always been very proud of being a Member of the House of Representatives. For 16 years the people of my district have been pretty good to me in affording me the opportunity to be here in Congress to represent them and to try to do what I felt was best for the Nation's welfare, as well as my own congressional district.

However, Mr. Chairman, I do not believe they sent me down here to legislate on major proposals on the floor of the House with no examination—no true examination—as to what is contained in a major substitute proposal.

Mr. Chairman, this will, as has been pointed out already by the gentleman from Michigan [Mr. HARVEY], set as a ceiling $11,200 income, a far cry—a very far cry—from trying to take care of those who are now ill-housed, low-income people, as originally we were told this legislation would attempt to do.

Mr. Chairman, I urge the Members of this House to defeat this amendment if for no other reason than that you cannot properly consider an amendment of this nature without even having an opportunity to examine the same and relate it to other programs.

Mr. Chairman, I venture to say without fear of contradiction that there are very few on the majority side of the House who have had an opportunity to look at this amendment.

Mr. Chairman, I concur completely in what the gentleman from Georgia [Mr. STEPHENS] has said with reference to both of us being rather ignorant about what is contained in the amendment. There certainly has been no opportunity for the majority members of the subcommittee to look this over, to have a meeting to decide what was best.

Mr. Chairman, I hope this does not mean that this just represents a confession of failure as far as the majority is concerned as to their own rent supplement proposal to which I agreed and offered my support and have been supporting and would have voted for if given the opportunity.

Mr. ASHLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there are today in the United States some 6 million families living in substandard housing because they have incomes that are not sufficient to allow them to live in decent standard housing supplied by the private market.

Now, Mr. Chairman, the postion of the opponents of this bill becomes clear that these 6 million families must continue to live in slums and in substandard housing until such time as they can get into public housing. That is the position that they have taken, and let there be no question about it.

We have a whole range of programs that have been passed upon by Congress to achieve a national goal of decent, safe and sanitary housing for all American families. The fact is, however, that the vast majority of these programs are designed exclusively for the well-to-do, for those people who can afford housing at the going rates on the private market. There is only one program of all of the programs that we have adopted which is designed to meet the needs of the poor and distressed families that do not have income sufficient to participate in the private market. That is the public housing program.

It is too bad, Mr. Chairman, but the fact is that the public housing program has not met the need. We all recognize that. The fact is, too, there is no chance, no possibility, that the public housing program will meet the needs that face this country today or in days ahead, and I say that they cannot be expected to meet these needs, because there is today a backlog of 500,000 applicants for public housing. These 500,000 families today are living in slums, waiting for decent housing they can afford or for a vacancy in one of the 580,000 public housing units built since inception of the program in 1937.

Are we kidding ourselves that public housing can do the job? I say, Mr. Chairman, let us be honest. If we have any intention of upgrading the environment of these families we have no alternative but to explore new ideas and new programs. That is what we are doing today.

I might say to those on the Republican side who have attacked the rent supplement so vigorously that while I respect their honest difference of opinion I do regret their criticism has been so destructive and not in any sense constructive. We have heard the gentleman from New York [Mr. FINO] assert that the program offers no inducement to private sponsors. We have heard from the gentleman from Illinois [Mr. MICHEL] that it will result in the biggest building bonanza of modern times. The truth of the matter is it will attract public-spirited sponsors just as the 221(d)(3) program has attracted private funds. There will be no bonanza because the bill specifically provides the sponsors can only be nonprofit, limited dividend or cooperative groups.

Mr. Chairman, the time has come to decide whether private enterprise is going to be allowed to assist in supplying low-cost housing for the millions of American families whose incomes do not enable them to obtain decent shelter on the private market.

For many years, Mr. Chairman, public housing has been attacked as a Federal intrusion into private enterprise. Now we find these same people, the very same individuals who have made this charge in the past, asserting that the rent supplement program is contrary to the American way of doing things; that it is foreign oriented, and so forth. I submit that they are wrong on both counts.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. ASHLEY. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Chairman, nothing could really be more clear than that an enormous need exists and that that need must be met by the combined efforts of public housing and the private market. In the final analysis the vote today on section 101 will be an accurate measure of the extent to which this Congress cares about the physical environment of the 5 to 6 million American families who need this help so badly. No one voting against this program can say that public housing is doing the job. We know better than that. If we vote against this program it is simply because we are not willing to provide the new tools that are necessary.

I say we must, as a matter of conscience, make a commitment and that commitment must be to the 5 to 6 million American families who today need our help.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman.

Mr. FINO. I agree with the gentleman from Ohio that the poor, needy families with low incomes are deserving of and need adequate and decent houses. But you know, I know, and the Housing Administrator knows that under section 101 you cannot build low-cost housing. That is the point I want to make.

Mr. ASHLEY. I will only say this to the gentleman with respect to that point. The gentleman should retire to the cloakroom with the gentleman from Illinois [Mr. MICHEL]. He says this will result in the biggest building bonanza of all time. I think both gentlemen are wrong. I say that under this program there will be no building bonanza for the very reason that it is limited to sponsors that are nonprofit, limited dividend or cooperative groups.

Mr. FINO. The gentleman knows that in addition to public housing, which is trying to do a job although it is not doing it fully and not completely——

Mr. ASHLEY. The gentleman will agree that public housing has not done the job and cannot be expected to do the whole job. Will the gentleman not admit that?

Mr. FINO. I say that public housing has made a very good attempt to solve this problem.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROCK. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. HARVEY of Michigan. The gentleman from Ohio has just pointed out in theory what this program is going to do for the lower income groups in America. I would just call his attention to what Dr. Weaver, the head of the Home and Housing Finance Agency had to say to the Senate subcommittee about this precise subject and how this program would work for the low-rental program and I quote this one sentence:

> You are not going to get the limited dividend companies building and adequately managing houses in the low-income segment.

Mr. BROCK. I thank the gentleman. Mr. Chairman, I want to compliment the gentleman from Michigan for the presentation he has made on the floor of this House. It represents one of the finer efforts I have seen, and it is something that I would be proud to associate myself with.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. BARRETT. I want to call the attention of the House to the fact that public housing has now been in existence for 3 decades and over the last 30 years 718,000 units have been built. We now have, after 30 years, 500,000 families waiting to get into public housing. New York has 100,000 people waiting to be admitted to public housing.

The State of the gentleman now in the well has 10,800 families waiting to get into public housing

Mr. FINO. Mr. Chairman, will the gentleman yield for a question?

Mr. BROCK. I yield to the gentleman from New York.

Mr. FINO. I should like to ask the gentleman from Pennsylvania a question.

The gentleman from Pennsylvania expressed great concern about low-cost housing, housing for needy people, and so forth and so on. There is a committee print, which the gentleman took full credit for, in which he accused the minority of having made misleading and false statements. On page 6 of the committee print, which is attributed to the gentleman from Pennsylvania, it is stated:

> The type of construction that would be permitted under the rent-supplement program would be restricted to that which is appropriate for a moderate income family.

It does not say "low," but it says "moderate-income family."

Mr. BROCK. Mr. Chairman, let me bring the issue back to the amendment itself, if I may, for a moment.

The argument was made by the gentleman from Georgia that his amendment is designed to resolve the objections those of us who are opposed to section 101 have made.

Let us take the objections we have had point by point.

The first objection is that the income limit is far beyond what is necessary to solve the housing problem for low-income people. Under this amendment, regardless of what the gentleman said, the limit is still $10,500 for a family. A family can have an income up to $10,500 per year and still receive a subsidy under the Housing Act as amended. That is $4,000 per year more than the median average income for the average American family. The amendment offers no change from the bill as proposed.

The second objection we had was the fact that there was virtually no limit on construction costs. This amendment does not pertain to construction costs. This amendment offers no change from the bill as proposed.

The third objection we had is that we feel the House is being asked to abdicate its responsibility and to let the Administrator virtually write the total law.

The bill, on lines 3 and 4 of page 4, defines income solely as "income as determined by the Administrator pursuant to procedures and regulations established by him."

There is no change in that. The Administrator still will have total authority to make his own law. Thus the amendment offers no change from the bill as proposed.

This is not just a dollars and cents bill. We do not care whether you cut this program from $50 million to $30 million or $20 million or $10 million. There is a principle involved. I do not appreciate being thrown a bone from the administration's table in an effort to purchase my vote, when I disagree totally with the principle involved.

I believe we have an obligation to vote down this amendment just as we must strike the entire rent supplement section.

Mr. MULTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to address my remarks now to the country club set who, for the first time in the history of public housing, have joined with the advocates of public housing.

I remember, some 15 years ago, when we were considering a public housing provision of a bill, I offered to supply them with crying towels when they were crying so bitterly for the poor, whom they would not help except by their empty words. I am glad to see that today they are not only crying but trying to help the poor and the distressed who need help. But again they will only go part of the way. Now they say give them public housing but nothing to keep them out of it by supplying a good alternative. Let us see who is supporting this big banker, big business bill. Yes, the builders are supporting it. The homebuilders are advocating it.

The bankers are advocating it, but I also have a few telegrams in my hand from nonbankers and nonbuilders. One is from Rabbi Soloff, secretary of the East Midtown Conservation & Development Corp. Another is from Althea Gould, president of the Presbyterian Senior Services of New York City. The third is from Msgr. Harry J. Byrne, office of housing and urban renewal, archdiocese of New York. These clergymen are genuinely interested in helping to solve this problem and in doing something for these people who need some help and who cannot help themselves.

I asked that the distinguished gentleman from Michigan [Mr. HARVEY] send to our committee table the paper that he waved at us and did not offer to put in the RECORD with his figures. He did not do so. But if you will look at the printed record, you will find table after table showing the very little income that is the maximum that is earned by the people who will be served by this program when we enact it. They are the elderly, the physically handicapped, those living in substandard housing, and those who are displaced from the slums as we clear them. You will find that the maximum income of these poor people, who will be the only ones who can get into this program, providing that they meet all of the other criteria set up in the bill—the maximum income of these people, these families, is $2,500 to $3,000 a year, depending on the area they live in.

If you look at the printed record of the hearings and the Congressional Record both of which already contain the tables, you will find the figures and you will find also a table of the 20 largest cities in the country in which we give the maximum income of a family that may be admitted or that can qualify for public housing. The lowest amount is in Houston, Tex. The maximum there is $2,720. The largest of these 20 largest cities of the country is New York City. The largest family income—not individual income but family income, and that means everybody working in the family—for admission to public housing in New York City is $5,760. It is true that after they move in, this family that had $5,760 of annual income for all of the earners of the family, may have an increase in their income. If the income increases too much, they must get out, but in the meantime, while living there, they must pay an increased rent based on their increased earnings.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman.

Mr. COHELAN. And elaborate on the point about the $10,500.

Mr. MULTER. I cannot elaborate on a figure that has not been submitted to me.

Mr. COHELAN. Where did the figure come from?

Mr. MULTER. He said he got it from somebody in the city of New York, and probably he did.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I will extend the same courtesy to the gentleman that he extended to me. When you raised that point I wanted to ask you some questions about it. You refused to yield for that purpose. Now you get your own time to answer it.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I want to call the attention of the House to the figures, which I tried to do on the time of the gentleman from Michigan. Here is a mother and one child who gets $149.50 as a basic standard. They get $60 rent added to it, which brings it to a total of $209.50. A mother and three children in New York gets $249.50. Their rent is $80, and it brings it up to a total of $329.50. Here is a father and mother and two children in New York. For their basic standard they get $242.90 and get $80 for their rent, which brings it up to $322.90. This is what we are trying to do, to put these 5 million people into decent, safe, and sanitary housing. I do not think there is any other approach that is going to accomplish this than the program we have established in section 101.

This is a sensible way to approach this problem. All this talk is merely a method to muddy the waters.

Mr. MULTER. I am very proud that in the largest and wealthiest city in the country we are trying to do something for our poor and our less fortunate. I beg my colleagues to do as much for theirs.

Mr. GURNEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I had not intended to talk on this bill because I am not a housing expert. Certainly the debate that has been had on this bill in the last 2 days and today, is some of the best debate we have had in the House this year on both sides of the aisle.

We have heard a good deal about what this is going to do for low-income families and medium-income families and whether it is going to build a lot of units or whether it is not going to build many units. But the reason I am taking the well is this alone; what the issue before this House is, on section 101, as I see it. To many of my colleagues in the House and also to a whole lot of people back home, at least where I come from, and I think where all of us come from, the issue looks like this.

The majority call it a rent-supplement bill. That is the issue they argue. They also say that the reason for section 101 is to provide more housing.

I spent all last weekend back home and I talked to a lot of people. I did not go back home to talk about politics actually. These were nonpolitical gatherings. But do you know what was on every person's tongue in asking what was going on in Congress? "What in the world are you people doing up there with this screwy rent-supplement idea?"

I will say to the distinguished majority leader that they used the word socialism. That is exactly what they used. I am not saying that is what it is, although after the majority leader finished saying it was not, I did go over to the dictionary and I looked at the definitions of the word, and here is one of them:

> To distribute income and social opportunity more equitably than they are believed to be distributed now.

That is one of the definitions of socialism. I do not call the rent supplement that, but I will say to you, Mr. Majority Leader, that this is exactly what the people back home are calling it.

I would like to say two other things. Two points that they are talking about are these. One, that this is going to destroy homeownership and the initiative to build a home. This is also the issue as I see it. I wish all of the Members of the House could have heard the presentation made on the floor of the House yesterday by the gentlewoman from Ohio, because this was the point she made, and a very telling point and an able presentation. And this is precisely what the people back home are thinking we are up to doing.

The other thing they say is this—and this is also the issue to me. That is, that it is going to destroy a good deal of initiative. On the majority side they say, Sure, it is private enterprise, and so it is as far as the building of the houses is concerned and the rental of the houses. But as far as the incentive of the people who get the rent supplement, it strikes at the very heart of their incentive and it strikes at the very heart of what makes this Nation tick. The desire to get ahead, to better oneself, to do for oneself, all these terribly important motives are being struck down by their fantastic rent supplement idea. That is what the people back home are thinking about, and that is why they ask, "What in the world are you people doing in Congress?"

I should hope this section 101 will be rejected out of hand, the way it ought to be.

Mr. BOGGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman and Members of the Committee, I rise in support of the Stephens amendment.

Mr. Chairman and Members of the Committee, some years ago I had the great privilege of serving on the Committee on Banking and Currency of the House of Representatives. As I look about this Chamber I see that there are not too many Members here who were on the committee when I served on it. As a matter of fact, on the minority side I do not believe there are any.

Mr. Chairman, one of the great debates that we had on that committee when I served there involved the subject of housing. We had concluded World War II and all over our Nation we had suspended the building of all kinds of housing, private housing and rental housing. We had practically no public housing program.

Mr. Chairman, the late great Senator from Ohio, Senator Taft, sponsored along with the late Senator from New York, Mr. Wagner, and the present senior Senator from my own State, Senator Ellender, what was called the Taft-Ellender-Wagner bill. As a matter of fact its name varied as to who happened to be in charge of the Congress. At one time it was the Taft-Ellender-Wagner bill, but when the Democrats came back in, it was the Wagner-Ellender-Taft bill.

In the 80th Congress, which was Republican, and to which my distinguished friend, the gentleman from Indiana gave very great leadership, the former distinguished Member from Michigan, Mr. Walcott, was chairman of the Committee on Banking and Currency. The Democrats on that committee attempted to report out the Taft-Ellender-Wagner bill, but we were not able to do so. At one point we had a one-vote majority because a former Member of this body from the great city of Philadelphia—incidentally named Scott, but not the present Senator Scott—shifted his vote because the then Republican mayor of Philadelphia called this Member and told him that he was very much interested in that bill.

Mr. Chairman, the reason we could not report that bill was because of the public housing provisions contained in the bill. My good friends on the Republican side said that this was pure socialism and said that despite the fact that the senior Senator from Ohio, who as everybody knows had what one might call a liberal record on housing and education and health matters and many other matters, but despite his support of that measure we were unable to report that bill in that Congress. We did pass a housing bill but it did not include any phase of public housing.

We came back in the 81st Congress with the Democrats back in control and we passed that bill. As a matter of fact, the Taft-Ellender-Wagner bill, if my memory is correct, was H.R. 1. That year it had the title of "H.R. 1." It was hailed as a historic housing bill. It is still the basic housing legislation in this country.

But, Mr. Chairman, even then our Republican colleagues opposed, by and large, with some exceptions, of course, the public housing provisions of the bill and they said it was "socialism."

Today we hear from our Republican friends in connection with the new provisions of the bill that what we are doing is some radical departure from public housing. It is in that it moves to private enterprise.

I have great respect and great admiration for my Republican colleagues, but by and large—and I direct my remarks principally to my fellow Democrats—they have opposed these programs. They opposed in 1935, by and large, the social security program. Today most Members of this body support the program, although every time we make an innovation in it they say the same thing. Medicare is one example, education is another example, and there are countless others.

This week here in Washington there was a meeting of the Republican National Committee, in which the distinguished gentleman from Ohio, chairman of the Republican National Committee, made the point that the Republican Party had to broaden its base, it had to have appeal to people all over the United States. Maybe he is right, maybe he is wrong.

But the point is, as I see it, the Democratic Party has been the party that has been willing to look at problems and seek a solution.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. BOGGS. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Chairman, as I see it, what we are trying to do here is to follow in the traditions of the Democratic Party. I would ask my fellow Democrats not to be deceived by the arguments, sincere though they may be, coming from the Republican side of the aisle, because they are arguments that have been heard ever since there has been a division in this aisle, ever since there has been a division between these two parties.

I hope when the vote comes on this amendment the Democratic Party, the traditional party of progress and growth will be for this program and not against it.

Mr. DEL CLAWSON. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. DEL CLAWSON. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. I thank the gentleman. We have just heard the very distinguished majority whip on the subject of the Ellender-Wagner-Taft proposal. Of course, there are many Members of this House who did not have the opportunity of serving at that time. Being one of those, I sent to the Library of Congress. I was curious as to what one whom I admired had to say about this particular program.

I would like to call to the attention of the House and to the gentleman from California a remark and conditions that the late and distinguished Senator from Ohio said as he proposed this particular bill, and then you can draw your own conclusions as to what he would think today about the rent supplement program.

This is what he said and I quote:

> If we adopt this theory—

And there he was referring to the Government's responsibility in the field of public housing—with which I totally agree—he said:

> If we adopt this theory and wish to avoid a complete centralization of authority in Washington, there must be certain, definite limitations.

Then he went on to list those—one, two, and three and he came to No. 2 and said—this was his second limitation, I would point to my friend, the gentleman from Louisiana:

> The man who is aided must not be better off than the man who earns his own way.

Then his fourth limitation was this:

> The cost must not be so great as to bear too heavily on the other four-fifths who have to work harder to pay the bill.

I submit this to you as qualifications to those of you who advocate rent supplements in contrast to public housing.

Mr. Chairman, I thank the gentleman for yielding.

Mr. DEL CLAWSON. Mr. Chairman, we have heard a number of comments today about the difference of opinion as to the meaning of free enterprise. Some have questioned whether or not this section 101 is a free enterprise provision in the housing act.

Free enterprise to me implies a number of things besides just the building of housing units by men who are contractors and the financing by big bankers. It implies, I think, the risk that is involved when men are competing—business and corporations competing with each other. There is a financial risk and their risk of capital as well as the competition among contractors and businessmen is part of the free enterprise system. May I add this. We use the term private and free enterprise because freedom to me means the removal of some of the shackles that are binding our private enterprise system today and giving it increased freedom, rather than tying its existence to the patronage of the Federal Government.

In view of the statements that have been made, some factual statistics, I think, might be enlightening, particularly with reference to those families now in need of housing who are housed in slums or blighted areas and who need decent, safe, and sanitary housing. There has been used the statistic of 500,000 who are on the public housing waiting list for admission.

During the course of the hearings, the figure was used of 550,000 families who are waiting for this kind of housing.

Let us examine the statistics just for a moment and see what this bill and the existing program might do in connection with these waiting families. There is an average turnover in public housing, existing public housing today, of 125,000 units. These are on the public housing availability list as the turnover takes place because of normal vacancies or because of increased income limits making families ineligible to continue occupancy. To this can be added 240,000 units which the present bill authorizes and 170,000 units which the public housing administration has in its various stages of readiness today.

Now over a 4-year period covered by this bill, this means there would be available for use 410,000 new units—new units available to low-income families—under the public housing program. That is 410,000 new units. Added to these 410,000 new units provided in this bill, separate and apart from the rent supplement section, would be the 500,000 vacated units in public housing according to the statistics we have available to us. Surely, this total of 910,000 available units in the time allowed makes doubtful the pressing need for the 375,000 units that the amendment would provide in the rent supplement program so far as our public housing is concerned.

I see no reason for adding this kind of program to that which is already in existence and which would provide the housing if we move along without the dilatory practices that have caused the delay up to this point in the public housing program.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORHEAD. Mr. Chairman, I move to strike the requisite number of words.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I am delighted to yield to the chairman of the committee.

Mr. PATMAN. I should like to determine whether we can agree on a time limit. The gentleman from Pennsylvania [Mr. MOORHEAD] wishes to speak, in answer to the gentleman from California [Mr. DEL CLAWSON]. I understand there is a Member on the other side wishes to speak, and we have one other. That would require 15 minutes. How many other Members wish to speak?

Mr. GERALD R. FORD. Mr. Chairman, would the chairman of the Committee on Banking and Currency defer requesting any limitation on time for 5 or 10 minutes?

Mr. PATMAN. I shall be glad to.

Mr. MOORHEAD. Mr. Chairman, throughout the development of this legislation in the Housing Subcommittee there was an almost unanimous bipartisan support of 68 of the 69 sections of this legislation. This has been accomplished by a very healthy process of give and take and a mutual respect for the ideas of members of the opposite party.

Mr. Chairman, it is in that spirit the Stephens amendment was offered.

Under the bill as reported by the committee, the Administrator could have provided rent supplements to families with incomes above the level for qualifying for public housing, and fear was expressed that the Administrator would use his discretionary authority to assist those only in the level above public housing and completely disregard those in the public housing level of income.

Now, I do not believe he would have done so, but whether he would have or not, it is clear that if the Stephens amendment is adopted rent supplements will go exclusively to the lowest income levels, to those people who are eligible for public housing.

As the chairman of the full committee said, this amendment answers many of the objections made in the debate. It is in the spirit of the accord with and respect which we have for the Members across the aisle.

I believe that it answers the objection of the gentleman from Michigan [Mr. HARVEY] who said of section 101:

> It is intended to benefit not the low-income group but the moderate income group.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I am glad to yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. I submit to the gentleman that I still have before me the statement of Mrs. McGuire, which shows that persons earning $11,200 a year in New York will be eligible for this rent supplement program, at 5¾ percent interest. I still do not believe those to be low-income persons, at least not in Saginaw, Mich., where I come from.

Mr. MOORHEAD. I suggest to the gentleman, who supports public housing, that when we get to that section of the bill, if the gentleman has an amendment to offer to correct any abuses, I am sure we will be glad to entertain it.

That is where the amendment should be offered, rather than to section 101.

If I may, I will proceed.

The gentleman from New York [Mr. FINO] said in debate about the unamended section 101:

> It does not aim at building low-income housing.

If the Stephens amendment is adopted, that is exactly what section 101 would do.

The gentleman from Tennessee [Mr. BROCK] said:

> We are going to subsidize the middle-income group.

If the Stephens amendment is adopted, that is exactly what we will not do.

The gentleman from California [Mr. TALCOTT] said:

> I do favor Federal assistance for families with low incomes.

If the Stephens amendment is adopted, that is exactly what section 101 will provide.

The major objections which have been made to section 101, in a spirit of give and take on this side of the aisle, have been met. I hope it will be successful and that we may have bipartisan support for section 101 and the Stephens amendment.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I am glad to yield to the distinguished majority leader.

Mr. ALBERT. Are we not tying the rent supplement to public housing? If the rent supplement in the bill is too high, then public housing, which the gentleman from Michigan is supporting, is too high, also?

Mr. MOORHEAD. Yes. That is where any amendment should be made. We have no other criterion with respect to income level in housing than the public housing level. That is why the public housing level was used in the Stephens amendment.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I am delighted to yield to my colleague on the Housing Subcommittee.

Mr. BROCK. The gentleman referred to section 101, and stated I had said it was written primarily for middle-income people. I should like for the gentleman to show me where the Stephens amendment would eliminate the subsidy for middle-income people.

Under his amendment the limit is still $10,500 a year. I do not consider that to be low income and neither does anyone else.

Mr. MOORHEAD. I will say to the gentleman from Tennessee that 99 percent, if not more, of the people occupying public housing are at the lowest income level. If there are abuses under the public housing law, then we should amend it to correct those abuses, because we are using a standard here which is successful at least in 99 percent of the cases. If there is some unusual aberration or some quirk, then there is where we should amend the law. Let us not defeat this supplemental program, this good program which will supplement public housing which may, if it works very well, eliminate the need for some of the public housing. If there are flaws and abuses, let us amend the public housing law.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, for the last hour or so we have heard many soothing observations and recommendations from the other side of the aisle trying to gloss over the fundamental weakness in the rent supplement program.

For example, my good friend, the gentleman from Pennsylvania [Mr. BARRETT], in his remarks, as I recall them, said that the substitute offered at this late date pours oil on troubled waters. Anyone who has had any experience with troubled waters at sea knows that the pouring of oil on the troubled water does not get to the basic root of the difficulty. It does not calm the storm which the ship faces. You do not dissolve the storm with surface oil. You do not eradicate the fundamental cancer by pouring oil on troubled waters.

The gentleman from Texas [Mr. PATMAN], in his very subtle and smooth way, said this substitute corrects many—and I underline "many"—of the abuses and many of the deficiencies. I think it is well to emphasize that by the careful words that he used he admitted it did not cure all of the deficiencies, far from it.

Again the gentleman from Pennsylvania, my friend [Mr. BARRETT], in his remarks emphasized that there were some changes from the original version of section 101 but that there was no basic abandonment of the fundamental concept with which many of us disagree.

Then my very close friend, the distinguished majority leader, as I recall his observation, said, "This proposed substitute rewrites the original version of section 101."

Well, ladies and gentlemen, there can be no rewriting of section 101 that eradicates the basic evil of the concept. The facts are that this substitute makes very minor adjustments. The facts are that the changes are minimal. The facts are that the intent, the purpose, of the original section 101 is included in the substitute. Make no mistake about that. Have no doubts about that.

Those who oppose section 101 in its original form were aiming at a $8 billion contract. To substitute a $6 billion contract does not make it a better deal. It is still a $6 billion program that is basically unsound.

We who objected to the original section 101 had bona fide reservations about the long-term commitments that this Congress was making—40 years. The Congress today should not take that step. If we do we are obligating a great many Congresses in the years ahead that deserve better consideration from us. We will be freezing in those Congresses that succeed us. I do not think with an experimental program such as this that we ought to freeze the Treasury of the United States, our taxpayers, and subsequent Congresses to the extent of the next 40 years.

Let me make this crystal clear. This is a palliative that is being offered to us at this late date. To my friend, the gentleman from Pennsylvania [Mr. MOORHEAD], if this was a bona fide gesture to gain the support of the minority Members of this body as he alleged, I should have thought there would have been consultation by the proponents with those on the minority side. To my knowledge no such effort was made to consult anybody on the minority side.

So, in effect, this is an attempt to have the intents and purposes of the original section 101 rammed through this body.

I would like to point out what we think should be done on this occasion. I feel that all people who basically oppose section 101 in the first instance ought to oppose this minor modification. We ought to vote down the substitute categorically. And I can assure those who do this that later in this debate, for certain when we have the motion to recommit, there will be a clear-cut issue to strike section 101 from the bill. I assure everybody here that if we defeat this phony substitute, this palliative, there will be a clear-cut opportunity later to vote on the original section 101.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. Gerald R. Ford] has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan have permission to proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. GERALD R. FORD. I thank the distinguished Speaker.

I wish to repeat, if this substitute is defeated, as I hope it will be, then there will be an opportunity for us to vote solely on whether or not the original section 101 with all its evils will be retained in the bill.

Let me conclude with this observation. This 5-page substitute is a pure camouflage, and not a very good one.

It is very transparent in its aim and objective. This 5-page, lately born substitute is a pure and simple subterfuge. It will not fool anybody who has written any one of us saying, "We urge you to vote against this rent supplement proposal." Yes, it is obvious to me, and I am sure to everyone, that the attempt here is to do indirectly what could not be done directly. The facts are that section 101 in a straight test would be defeated.

One of the proponents of this bill said earlier in this debate that this substitute was an attempt to plug some of the obvious loopholes.

Mr. Chairman, I conclude by saying that if this substitute is approved, the net result will be that this will open the floodgates to rent-supplement legislation from now on.

Therefore, Mr. Chairman, I hope it is defeated.

Mr. McCORMACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McCORMACK. Mr. Chairman, I rise in support of the amendment which has been offered by the gentleman from Georgia [Mr. Stephens].

Now, Mr. Chairman, my distinguished friend, the minority leader, the gentleman from Michigan [Mr. Gerald R. Ford] has definitely placed himself—and that means, I assume, the great majority of his party, but I hope not all of his party—in the position of opposition to any efforts being made along the lines outlined in the amendment offered by the distinguished gentleman from Georgia [Mr. Stephens]. He makes it a clear-cut issue.

The gentleman from New York [Mr. Fino] also takes the same position, that he is absolutely and unconditionally opposed to legislation of this kind.

The gentleman from Michigan [Mr. Harvey] made a most ingenious observation, the first time I had ever heard it made by a Republican Member in my 38 years of membership in the House of Representatives, when he said it would be a "big bankers' project" and "a big bankers' dream."

Mr. Chairman, I never thought I would see the day when I would hear a Republican Member directly or indirectly attack big bankers in any respect. And, might I say for the benefit of the gentleman from Michigan, that I defend the big bankers. I believe it is wrong to indict and convict any economic group of our citizens, whether they are big or little or medium sized. I am for big banks. I am for big business. I am for small business. I am for small banks.

Mr. HALLECK. Mr. Chairman, will the distinguished gentleman from Massachusetts yield?

Mr. McCORMACK. In just a minute.

I am for the big businessman when he is right. So, when my friend from Michigan talks about a big bankers' project and that the program of rental supplement is a good deal for the big bankers—there cannot be any big bankers in his district or he would have thrown in some others—I was amazed and surprised, coming from a Republican Member of the House.

Mr. Chairman, again I say I have got to rise in defense of our big bankers against this Republican attack as a Democratic Member of the House.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. And, by the way, I am trying to help you out in your deal, too.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I have already yielded.

Mr. HALLECK. Well, I thank the gentleman.

I might say to the gentleman first of all that I appreciate his solicitude for me and the solicitude that he has always expressed through the years. I really appreciate it.

Now, Mr. Chairman, the gentleman from Massachusetts has spoken of the people. He is right, but he has mentioned the big bankers and small bankers, the big business people and the small business people——

Mr. McCORMACK. When they are right.

Mr. HALLECK. But, he forgot to mention the taxpayers. Now, is he the forgotten man in this thing?

Mr. McCORMACK. Well, I think we remember the taxpayers, for the Democratic administration has given to the taxpayers the biggest tax-reduction bill in the history of our country.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. McCORMACK. And just recently this year there has been signed into law an approximately $5 billion reduction in excise taxes. And, so my friend, you speak words. We Democrats give action.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I am happy to yield to the gentleman from Louisiana.

Mr. BOGGS. As the gentleman has already pointed out, it is a fact in the past 3 years there has been a total tax reduction of $17 billion.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. I want the gentleman to know I am also for both the big bankers and little bankers.

Mr. McCORMACK. The gentleman is apologizing now.

Mr. HARVEY of Michigan. The gentleman will permit me to continue?

Mr. McCORMACK. Not for too long, though.

Mr. HARVEY of Michigan. I am not certain that the gentleman was in the room when I made the distinction between the 5¾-interest rate and the 3¼-interest rate.

Mr. McCORMACK. The gentleman is very adroit, but I have had enough experience to know when I see adroitness. I was simply defending the big bankers that my friend from Michigan apparently attacked when he said this is a big bankers' dream.

Now, let us come to the amendment. There are about 6 million families in this country, as has been stated, who live under substandard conditions. Many Members of this House when they were youngsters, like myself, lived under substandard conditions, some of us under sub-substandard conditions. There is no monopoly on that as far as parties are concerned.

We are dealing with human beings. Those of us who started as youngsters under adverse economic conditions took advantage of the opportunities of our country and have made progress. But there are 6 million families in America who are faced with economic distress and economic adversity.

The rental question is a very vital one. A large percentage of our families with $2,000 a year or less income pay 35 percent or more of their income for rent. Those getting between $2,000 and $3,000, another large percentage of the families of America, pay 35 percent or more for rent out of their income.

We are faced with and we are considering a problem dealing with human beings. I like to think of the conduct of our Government in connection with human beings, whether they are in the city or on the farm. That is why I always vote for farm legislation, because I want to try and cooperate in every way I can in connection with meeting the problems that confront the agricultural communities of our country.

We have to bear in mind that we have subsidies, direct and indirect, now, in various ways. Yes, this is a subsidy, but it is a subsidy for human beings who have been forgotten to a great extent, yet they are human beings who are Americans, our own American citizens. I support people abroad in the cause of humanity. Certainly I do not have to make this argument to Republicans or Democrats. I am talking to your mind—the human mind and the human heart. We are dealing with Americans. We are faced with a condition, not a theory. The Public Housing Law was incapable of meeting the problem. This is the natural and logical manner in which to do it; that is, as between having it financed and carried on in all aspects by private enterprise.

I think it is a very wise policy. I think it is a necessary policy in this year, 1965, and in the years ahead.

We are not talking about conditions as they existed 50 years ago and 100 years ago. We are talking about conditions as they exist today and tomorrow. The economic conditions confronting all of us are intense and those conditions bear particularly heavily on those who from an economic angle are not blessed with much of the world's goods. I know that my colleagues in this legislative body will think of those people who need help and will want to help them just as I do—I understand that.

The question obviously is to put into practical operation a program that will enable us to the best of our ability to do what we can among the segment of our people who are possessed of deep faith—and I find that the poor do have that strong loyalty to our country. There is no question of any lack of faith or lack of loyalty among the underprivileged and poor families of our country.

From another angle, may I say, and when anyone disagrees with me I respect them in disagreement—but when I do anything—when a condition exists that requires consideration, when I as a legislator can do anything that will strengthen the family life of our country I feel I am strengthening our country itself. Because the very basis of society and the strength of any nation is the collective strength of the families of the Nation and the more we strengthen the families of our Nation economically, the more we strengthen our country itself.

So, without going into politics—and my opening remarks were more or less facetious—pointed but facetious—but as I say without going into politics, I am making an appeal on the level of one human being to another.

The CHAIRMAN. The time of the distinguished Speaker, the gentleman from Massachusetts, has expired.

Mr. PATMAN. Mr. Chairman, if it is agreeable to my colleague, the gentleman from New Jersey [Mr. WIDNALL], I ask unanimous consent that all debate on section 101, and all amendments thereto, close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. RYAN. Mr. Chairman, I object.

Mr. PATMAN. Mr. Chairman, I move that all debate on section 101, and all amendments thereto, close in 20 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, I wish time only to say that I have a deep and abiding affection for my native State of Michigan.

Public housing was part and parcel of the Michigan of my boyhood. When I was a boy years ago in Michigan the largest house in Berrien County, located between the county seat at Berrien Springs and the railroad at Berrien Center, was the poorhouse. That was true in almost every county in Michigan. The poorhouse was the largest house in the county and the poorhouse was public housing in its finest human expression.

But a few counties in Michigan did not have enough money to build a poorhouse, so the county officials got together and said to the poor people,"we will chip in a little bit to help pay your rent."

I am sure that the distinguished minority leader will be happy to know that the rent subsidy or settlement feature of the bill before us, which some rash souls on this side have called both rank socialism and big bankerism on rampage, is really a native of Michigan, something that the good people of Michigan with slender purses but big hearts, tried out in the dying years of the 19th century and found out that it worked in relieving human suffering. Mr. Speaker, the urges of good hearts and the vehicles for their delivery are ageless. The housing bill before us is such a vehicle.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman and Members of the Committee, I regret we are confronted with this compromise amendment. I prefer the bill in its present form as it has been brought to the floor of the House. It may be that the realities of the legislative situation and the count of the House have convinced the Committee to support this compromise. Nevertheless, I must express my disappointment and my concern about the various changes in the rent supplement concept since it was originally proposed by the administration.

This rent supplement concept is a bold new idea. It should be used to reach those families whose incomes are above the public housing limit yet who cannot, because of the cost of housing, obtain decent housing at one-fifth of their income. That was the original intent of the program.

As proposed by the administration, it did not cover those who are eligible for public housing.

H.R. 7984, as reported out by the committee, changed the program. It provides that the rent supplement payment may not exceed the difference between 25 percent of the tenant's income and the rent—instead of 20 percent. It also includes low- and moderate-income people. According to the committee report—report No. 365:

> Rent supplement payments could not be made on behalf of anyone whose income was more than four times the minimum rent required to obtain standard private housing in the area.

Now the pending amendment requires that the income be below the income limitations for occupancy in public housing dwellings in the area.

What is happening is that the original intent is being compromised, and we are now asked to say this program shall only be tied to public housing. Let me point out that this is also tied to a program called the section 221(d)(3) program. That program was adopted in 1961, and to date no housing has been built under that program in the city of New York. It has not been implemented. FHA regulations are so drawn as to prevent it. Construction costs are too high.

I suspect very strongly, although I will reluctantly support this amendment, that the program will not build the housing which is needed in the big cities. We really need a massive public housing program, a program which will build hundreds of thousands of units. In New York City today there are 100,000 applications pending for public housing. There are 500,000 substandard housing units in the city of New York today. We need a crash public housing program.

This bill will not meet the need. Under the statute, there is a 15-percent limitation on the amount of public housing which can be allocated to any State. In the State of New York this means under the bill only 5,250 new units, and the city of New York will get even less than that. For H.R. 7984 provides for only 35,000 units of new construction per year.

I fear we are being misled. This rent supplement program is being tied to a program which has not been effective in the city of New York. It is doubtful that it will provide the housing we need. It is time we faced the realities of the situation and recognized that we need a bold and imaginative program of public housing.

The National Housing Conference recommended 125,000 units of public housing per year.

We should also provide a rent supplement program along the line originally proposed by the administration, under which people whose incomes are higher than the limits for public housing would be reached.

Mr. Chairman, there are too many individuals and families who cannot obtain decent housing for one-fifth of their income, to say nothing of one-quarter of their income.

Under the original rent supplement concept, a tenant would remain as his income increased, and the rent subsidy would be reduced. This was important in helping to stabilize communities. Under the proposed amendment, when a tenant's income goes above public housing eligibility limits, what will happen to him?

Mr. Chairman, when I appeared before the Housing Subcommittee, I urged that rent supplements should be provided for

State and city subsidized middle-income housing, such as the Mitchell-Lama limited profit programs in New York State and New York City. This would enable localities to expand middle-income housing plans, something that is sorely needed in New York and elsewhere. Tax abatement subsidy programs should have the benefit of the rent supplement concept.

I also proposed that the tenant selection process under the rent supplement program should not only be free from racial discrimination, but it should promote integrated housing. If tenant selection is put in the hands of private sponsors, as the bill proposes, the new housing will not be racially integrated. Either the HHFA should retain control of tenant selection or it should be done by a local public agency under HHFA supervision.

Mr. Chairman, while I do not believe we are being sufficiently imaginative in formulating this program, it is a new step which should be taken in the interests of housing the people of America.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Farbstein].

AMENDMENT OFFERED BY MR. FARBSTEIN

Mr. FARBSTEIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Farbstein as an amendment to the amendment offered by Mr. Stephens:

In section 101(b) of the matter proposed to be inserted, after "corporation, which" insert "(1)".

In such section 101(b), before the colon, insert the following: "or (2) is a mortgagor under section 231 of such Act, or a borrower under section 202 of the Housing Act of 1959, which has been approved after the enactment of this section (with respect to any project the construction of which has not been completed on the date of such enactment) for receiving the benefits of this section".

Mr. FARBSTEIN. Mr. Chairman, this is a very simple amendment. All I seek to do is to provide rent supplements, if it is eventually adopted, to developers specifically engaged in providing housing for the aged. That is all it does, and I hope that the committee will accept the amendment.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman.

Mr. BARRETT. I very much sympathize with the amendment of the gentleman from New York, but this is a situation where it would be a double subsidy. As much as the committee would like to take it, we are unable to take it, because it is a further subsidy on the rent subsidy which we are now discussing.

Mr. FARBSTEIN. If the gentleman will read section 101, subdivision B, he will see that it refers to section 221(d)(3). Section 221 (d)(3) of the National Housing Act applies to supplements dealing with everything except housing for the aged. Section 231 of such act deals with the aged. All I seek to do is incorporate that section which applies to the aged so that the building for the aged will be entitled to a supplement just like everyone else.

I cannot understand why there should be any objection to this amendment. I do hope that the chairman of the subcommittee will reconsider and accept it.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment to the amendment.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Pennsylvania [Mr. Barrett].

Mr. BARRETT. Mr. Chairman, we have already covered the substitute for the elderly in the bill. Therefore I ask for an immediate vote against the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York to the amendment of the gentleman from Georgia [Mr. Stephens].

The amendment to the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. Joelson].

Mr. JOELSON. Mr. Chairman, I intend to support H.R. 7984 in its entirety, including the hotly disputed section 101.

I was perplexed yesterday to hear one of my colleagues warn that the rent supplement provision would destroy morale. I would like to know what is more destructive to a man's morale than to have him and his family live in a stinking, rat-infested slum.

It is all very well to talk, as my colleague did yesterday, about how her grandparents took their children on horseback over Indian trails. It so happens there are no Indian trails in the district which I represent, and I have not even seen a horse there lately. Unfortunately, however, there are people required to live in hell-holes that are an insult to the human spirit.

If we really want to help boost morale, we had better stop talking in meaningless platitudes and do something to help disadvantaged people live in decent surroundings. To state, as my colleague did yesterday, that people should build their own homes is to be completely out of touch with reality.

How can a man who earns so little as to be qualified for public housing, and is otherwise disabled or disadvantaged possibly build his own home? To suggest, as my colleague did yesterday, that the person who fails to do so is spineless is as unkind as it is unrealistic.

Let us stop mouthing empty phrases about the good old days and let us legislate for the present and the future so that American men and women can be helped to help themselves live in self-respect and decency.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Herlong].

MOTION OFFERED BY MR. HERLONG

Mr. HERLONG. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. Herlong moves that the Committee rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. HERLONG. Mr. Chairman, this whole business of attempting to embark on a program of rent subsidies or supplements has caused me to ponder just what comes next. If a man has substandard clothing, would we not have to give him a subsidy so that he can wear as expensive clothes as others? Recreation has become an integral part of our lives—would we not have to subsidize recreation to keep a man from feeling frustrated because he cannot afford the same recreational activities and clubs that his neighbor enjoys?

Speaking of recreation, a couple of months ago James J. Kilpatrick, writing in the Washington Star, satirically envisioned just what might happen when the Government, for example, invaded the recreational field of our national game—baseball. Because it so appropriately points up the ludicrousness of what is being attempted in this rent subsidy I would like to abridge and quote a bit of it.

It was opening day of the season, the Mets were playing the Dodgers at Shea Stadium. The usual pregame conference with the managers was held along the left field foul line.

Most of the new rules since the Government had taken over had been explained in spring training many times, but Casey Stengel, the manager of the Mets, could not get it straight.

"It is assumed," said the umpire with great patience, "that any team that wins fewer than 50 percent of its games is the victim of insidious discrimination which is a blatant affront to the conscience of this generation of Americans."

"Quite so," said Casey. "Last season we won 53 and lost 109."

"The new rules," the umpire said, "will not permit this. The acid of the Cards shall not be allowed to corrode the soul of the Mets. Neither can a prosperous nation tolerate islands of poverty in a sea of plenty. The Mets therefore begin the season with 15 games in the win column—and each of their hitters gets one extra strike."

After some argument the teams took the field. In the first inning the Dodgers loaded the bases and Willie Davis clobbered one into the stands. As he came trotting around third base the umpire came out and stopped him. "The challenge before us is clear and immediate," the umpire said. "You are flouting the Constitution. You are frustrating the intent of the Mets. The hymns of the oppressed have summoned us to justice. You are out."

Of course, this caused quite an argument but the umpire won it by putting Dodger manager, Walt Alston, out of the game.

By the end of the fifth inning the score was the Mets 3 and the Dodgers 8. It would have been much more one-sided but for the fact that, in the interest of social justice, the umpire had cut the Dodgers down to seven men. Willie Davis was playing the entire outfield by himself—but even with four strikes to the batter, the Mets were not making any progress. So the umpire summoned Stengel to discuss appropriate legislation.

"Unless we act anew," said the umpire, "with dispatch and resolution, we shall sanction a sad and sorrowful course for the future."

"What we need," said Casey, "is a few runs."

"The most crucial new instrument in our effort to improve the American pastime is the run supplement," said the umpire. "It now proposes to add to the rules through direct payment of a portion of the score of needy individuals and ball clubs."

So the umpire took two runs away from the Dodgers and gave them to the Mets. This made the score 6 to 5 in favor of the Dodgers. Then, in the bottom of the eighth, the Mets tied it up on a home run into short center field. It would have been a single in any other game, but the umpire ruled that inasmuch as the hitter had a batting average of less than .250 he was entitled to special benefits under the poverty program.

The game finally ended 6 hours after it began, with the score, Mets, 44; Dodgers, 41, but it would not have ended then if the umpire had not decided that all managers over 65 were entitled to a bonus.

Yes, this is ridiculous—and this whole rent supplement idea is just as ridiculous when you think about it. And that is why I cannot vote for it. The image that Congress, in the eyes of many people, already has of yielding to whatever comes up here just because some arms are twisted is already bad enough.

Mr. Chairman, I ask unanimous consent to withdraw my preferential motion.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALLECK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HALLECK. Was unanimous consent granted for the withdrawal of that motion?

The CHAIRMAN. I am sure it was.

Mr. HALLECK. Then it would be in order to offer it again, would it not?

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Chairman, those of us who have not had the privilege of serving on the Committee on Banking and Currency and who have not had the privilege of analyzing this amendment that was just brought in today are somewhat confused as to just what the amendment proposes to do regarding those people who qualify for public housing but who cannot find a unit available.

I would like to ask the gentleman from Pennsylvania [Mr. BARRETT] a question. Assuming the head of a family here in the District of Columbia has a gross income of $300, they would qualify for a $75, or 25 percent of $300, public housing unit. The unit is not available. No unit is available. So, they rent a winterized cottage on Chesapeake Bay and they buy a dozen pullets, a hog, and plant a garden. But they have to pay $150 a month for this. How much would the Government pay them for not being able to get a public housing unit out on East Capital Street?

Mr. BARRETT. The necessary payment.

Mr. AYRES. Even though he is paying $150, half of his income in rent?

Mr. BARRETT. That is right.

Mr. AYRES. Well, then, who does this program help?

Mr. BARRETT. It helps the people in four groups. It helps the handicapped, the displaced people, the elderly, and those people who are living in slums, a term we have sophisticated and now say "substandard" housing. But we are talking about those who are living in filth and in slums. It is those people.

And the bill also limits the program to new or rehabilitated housing financed under FHA section 221(d)(3).

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. ICHORD].

Mr. ICHORD. Mr. Chairman, I take this time to inquire of the subcommittee chairman as to section 101.

As I understand it, if the amendment is adopted the eligibility standards of public housing will become the standards of rental supplements.

Let me put a hypothetical question to the gentleman from Pennsylvania. Assuming a man is earning $6,200 a year, and he qualifies and receives a rent supplement. He later gets a better job, making $9,000 a year.

Would his rent supplement be reduced?

Mr. BARRETT. This is a very good point, and I am glad the gentleman brought this point up. This is the simplicity of the legislation which has been neglected in the discussion for the last couple of days. If that party were eligible in the beginning for rent supplementation, and if his family increased its earnings, his supplementation would go down. The best practical answer that I can give this House is to look at the two escalators contained herein. As the family income rises, the rent supplement would go down. When he reaches a point that he is financially capable of paying the economic rent, he can stay in the apartment, and he is not evicted as he would be in public housing.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Chairman, I think we have made just a little bit of progress here today when the gentleman from New York offered an amendment and it was opposed by the gentleman from Pennsylvania, on the grounds that it represented a double subsidy.

Certainly I believe we can only stand with one subsidy of this kind in a day and I am glad that the gentleman did not accept it.

Mr. Chairman, this represents the very worst program that has been presented to the Congress in the time I have served here.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. Mr. Chairman, I want to take this time to point out to the Members of the House that there is another program in this housing bill, and if this section 101 and this amendment is defeated—because we know now it was hastily conceived in the last minute, a six-page amendment, after days of laborious hearings were held on the general legislation—we know it will not work—there is another section, section 103, that is a good substitute for it that is already in the bill. It is a much cheaper section where you are dealing with the rent situation for a period of 12 to 36 months instead of 40 years. You are dealing with existing dwellings of which there is a surplus, instead of going out and constructing new ones at this immense cost and at an interest rate of 5¼ percent.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. STANTON].

Mr. STANTON. Mr. Chairman, I yield to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, a few moments ago the majority Whip made reference to the social security issue. I have heard this dead horse beaten many times, and I think the RECORD ought to be absolutely clear that the Republicans did not oppose social security. The vote on April 19, 1935, in the House was 77 Republicans voting for it, and 18 opposed to it. Some people seem to enjoy rewriting history, but let us stick to the facts.

Mr. PATMAN. What about the motion to recommit?

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. BROCK].

Mr. BROCK. Mr. Chairman, just one further comment on the comparison between sections 101 and 103 that the gentleman from Michigan [Mr. HARVEY] has made.

We should point out 103 has a cost of $500 million instead of $6 billion. In addition section 103 goes into immediate effect. Existing houses are available now instead of having to wait for 2 or 3 years.

Finally, we have been talking a lot about human beings, but you can never strengthen a family by destroying its incentive to own its own home.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I listened with great interest to the sterling words of the Speaker when he told of his desire to help human beings. We all agree and are sincere in that desire. But I wonder, perhaps, with the great surplus of programs which are being enacted these days for that purpose, if we are not choking the poor to death with legislation.

In my time we have enacted hundreds of laws to benefit the economically underprivileged. We have enacted unemployment insurance, social security, WPA, PWA, NYA, public housing, urban redevelopment, slum clearance, manpower training and development, aid to needy children, welfare programs, Appalachia, the food stamp bill, the poverty bill, accelerated public works, area redevelopment, vocational education, the Job Corps which spends $7,000 annually on each of the underprivileged and hundreds of other programs.

Yet in spite of this endless stream of legislation each of which was billed as the millenium for the poor each year we hear someone come before us citing figures showing that poverty is on the increase; unemployment figures remain immune to Government programs designed to lower them, and new slums are being created each day.

In view of this dismal record perhaps we had better unlegislate for poverty instead of legislating for it.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I would just like to reiterate what I said before in the well of the House. I urge defeat of this amendment. The original proposition that was criticized so severely by so many, I supported, and will support it again if the pending amendment is defeated.

Before closing, I would like to compliment the very able chairman Mr. FLOOD for the very able way he has handled the debate today and for the good humor he has shown and fair treatment he has accorded to both the majority and minority Members. Believe me, we need some good laughs in Washington many times, and we are doubly grateful for your contribution to consideration of this bill.

The CHAIRMAN. All time on the pending amendment has expired.

The question is on the amendment offered by the gentleman from Georgia [Mr. STEPHENS].

Mr. FINO. Mr. Chairman, I ask for a teller vote on this amendment.

Tellers were ordered, and the Chairman appointed as tellers Mr. WIDNALL and Mr. PATMAN.

The Committee divided and the tellers reported that there were—ayes 190, noes 159.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Extension of FHA secion 221 programs; modification of interest rate; pooling of mortgages for sale

SEC. 102. (a) The fifth sentence of section 221(f) of the National Housing Act is amended by striking out "subsection (d)(2) or (d)(4) after September 30, 1965, or under subsection (d)(3) after September 30, 1965," and inserting in lieu thereof "this section after October 1, 1969,".

(b) The proviso in section 221(d)(5) of such Act is amended by striking out "not less than the annual rate of interest determined" and inserting in lieu thereof "not less than the lower of (A) 3 per centum per annum, or (B) the annual rate of interest determined".

(c) Section 302(c) of such Act is amended by inserting before the last sentence thereof the following: "If there shall be included within one or more of the trusts or other agencies created pursuant to the authority of this subsection any mortgages bearing a below-market interest rate and insured under section 221(d)(3) after the date of the enactment of the Housing and Urban Development Act of 1965, there are authorized to be appropriated from time to time such amounts as may be necessary to reimburse the Association for the amount of the differential (including interest, other costs, and a fair proportion of administrative expense) between (1) the total outlay with respect to outstanding participations or other instruments in an amount not to exceed the dollar amount of such below-market interest rate mortgages, and (2) the total receipts from such mortgages."

Low-rent housing in private accommodations

SEC. 103. (a) The United States Housing Act of 1937 is amended by redesignating section 23 as section 24, and by adding after section 22 the following new section:

"Low-rent housing in private accommodations

"SEC. 23. (a) For the purpose of providing a supplementary form of low-rent housing which will aid in assuring a decent place to live for every citizen and promote efficiency and economy in the program under this Act by taking full advantage of vacancies or potential vacancies in the private housing market, each public housing agency shall, to the maximum extent consistent with the achievement of the objectives of this Act, provide low-rent housing under this Act in the form of low-rent housing in private accommodations in accordance with this section where such housing in private accommodations can be provided at a cost equal to or less than housing in projects assisted under other provisions of this Act. As used in this section the term 'low-rent housing in private accommodations' means dwelling units in an existing structure, leased from a private owner, which provide decent, safe, and sanitary dwelling accommodations and related facilities effectively supplementing the accommodations and facilities in low-rent housing assisted under the other provisions of this Act in a manner calculated to meet the total housing needs of the community in which they are located. As used in this section, the term 'owner' means any person or entity having the legal right to lease or sublease property containing one or more dwelling units as described in this section.

"(b) Beginning as soon as practicable after the date of the enactment of this section, each public housing agency shall conduct a continuing survey and listing of the available dwelling units within the community or communities under its jurisdiction which provide decent, safe, and sanitary dwelling accommodations and related facilities and are, or may be made, suitable for use as low-rent housing in private accommodations under this section.

"(c) Each public housing agency, by notification to the owners of housing listed under subsection (b), or by publication or advertisement, or otherwise, shall from time to time make known to the public in the community or communities under its jurisdiction the anticipated need for dwelling units in such community or communities to be used as low-rent housing in private accommodations under this section, inviting the owners of such dwelling units to make available for purposes of this section one or more of such units (not exceeding 10 per centum of the units in any single structure except to the extent that the agency, because of the limited number of units in the structure or for any other reason, determines that such limit should not be applied). The public housing agency shall conduct appropriate inspections of the units offered to be made available in any residential structure by the owner thereof in response to such invitation, and if—

"(1) it finds that such units are, or may be made, suitable for use as low-rent housing in private accommodations within the meaning of subsection (a), and

"(2) the rentals to be charged for such units, as negotiated and agreed to by the agency and the owner of the structure in a manner consistent with subsection (d)(2), are within the financial range of families of low income,

such agency may approve such units for use as low-rent housing in private accommodations in accordance with (and subject to the applicable limitations contained in) this section. Each public housing agency shall maintain and keep current a list of units approved by it under this subsection, including such information with respect to each such unit as it may consider necessary or appropriate.

"(d) To the extent of contracts for annual contributions entered into by the Authority with a public housing agency under section 10(e), such agency may enter into contracts with the owners of structures containing dwelling units approved under subsection (c) for the use of such units in accordance with this section. Each such contract with an owner shall provide (with respect to any unit) that—

"(1) the selection of tenants for such unit shall be the function of the owner, subject to the provisions of the contract between the Authority and the agency;

"(2) the rental and other charges to be received by the owner shall be negotiated and agreed to by the agency and the owner, and the rental and other charges to be paid by the tenant shall be determined in accordance with the standards applicable to units in low-rent housing projects assisted under the other provisions of this Act;

"(3) the agency shall have the sole right to give notice to vacate, with the owner having the right to make representations to the agency for termination of a tenancy;

"(4) maintenance and replacements (including redecoration) shall be in accordance with the standard practice for the building concerned, as established by the owner and agreed to by the agency; and

"(5) the agency and the owner shall carry out such other appropriate terms and conditions as may be mutually agreed to by them.

Each contract between a public housing agency and an owner entered into under this subsection shall be for a term of not less than twelve months nor more than thirty-six months, and shall be renewable by such agency and owner at the expiration of such term.

"(e) The annual contribution under this Act for a project of a public housing agency for low-rent housing in private accommodations under this section in lieu of any other guaranteed contribution authorized by section 10 shall not exceed the amount of the fixed annual contribution which would be established under this Act for a newly constructed project by such public housing agency designed to accommodate the comparable number, sizes, and kinds of families. The period over which payments will be made to a public housing agency for a project of low-rent housing in private accommodations under this section, and the aggregate amount of such payments, under a contract for annual contributions, shall be determined on the basis of the number of units in the community or communities under the jurisdiction of such agency which are in use (or can reasonably be expected to be placed in use) as low-rent housing in private accommodations under this section, taking into account the terms of the leases under which such units are (or will be) so used. In addition, contracts for financial assistance entered into by the Authority with a public housing agency pursuant to this section shall provide for reimbursement of reasonable and necessary expenses incurred by such agency in conducting surveys, listings, and inspections described in subsections (b) and (c).

"(f) On or before January 1, 1968, the Authority shall submit to the Congress a full report of operations under this section, together with its recommendations with respect thereto."

(b) The last sentence of section 2(1) of such Act is amended by striking out "Income limits for occupancy and rents" and inserting in lieu thereof "Except as otherwise provided in section 23, income limits for occupancy and rents".

(c) The provisions of sections 10(h) and 15(7) of the United States Housing Act of 1937, and the workable program requirement in section 10(e) of such Act and section 101(c) of the Housing Act of 1949, shall not apply to low-rent housing in private accommodations provided under section 23 of the United States Housing Act of 1937.

Low-rent public housing

SEC. 104. (a) Section 10(e) of the United States Housing Act of 1937 is amended by inserting after "per annum," the following: "which limit shall be increased by $47,000,000 on the date of the enactment of the Housing and Urban Development Act of 1965, and by further amounts of $47,000,000 on July 1 in each of the years 1966, 1967, and 1968, respectively,".

(b) Section 10(c) of such Act is amended by striking out "*And provided further*" and inserting in lieu thereof "*Provided further*", and by inserting before the period at the end thereof the following: ": *And provided further*, That the amount of the fixed annual contribution which would be established under this Act for a newly constructed project by a public housing agency designed to accommodate a number of families of a given size and kind may be established, as a maximum annual contribution in lieu of any other guaranteed contribution authorized under this section, for a project by such public housing agency which would provide housing for the comparable number, sizes, and kinds of families through the acquisition, acquisition and rehabilitation, or use under lease of existing structures which are suitable for low-rent housing use and obtainable in the local market".

(c) Section 2(2) of such Act is amended to read as follows:

"(2) The term 'families of low income' means families (including elderly and displaced families) who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings for their use. The term 'families' includes families consisting of a single person in the case of elderly families and displaced families, and includes the remaining member of a tenant family. The term 'elderly families' means families whose heads (or their spouses), or whose sole members, have attained the age at which an individual may elect to receive an old-age benefit under title II of the Social Security Act, or are under a disability as defined in section 223 of that Act, or are handicapped within the meaning of section 202 of the Housing Act of 1959. The term 'displaced families' means families displaced by urban renewal or other governmental action."

(d) Section 15(7)(b) of such Act is amended by striking out "(ii)" and all that follows down through "and (iii)", and by inserting in lieu thereof "and (ii)".

Direct loans to provide housing for the elderly or handicapped

SEC. 105. (a) Section 202(a)(4) of the Housing Act of 1959 is amended by striking out "not to exceed $350,000,000" and inserting in lieu thereof "such sums as may be necessary for purposes of this section,".

(b) Effective with respect to loans made on or after the date of the enactment of this Act, section 202(a)(3) of such Act is amended by striking out "the higher of (A) 2¾ per centum per annum, or" and inserting in lieu thereof "the lower of (A) 3 per centum per annum, or".

(c) Section (202)a of such Act is further amended by adding at the end thereof the following new paragraph:

"(5) No loan shall be made under this section after October 1, 1969, except pursuant to a commitment entered into on or before such date."

Rehabilitation grants to homeowners in urban renewal areas

SEC. 106. (a) Title I of the Housing Act of 1949 is amended by adding at the end thereof the following new section:

"Rehabilitation grants

"SEC. 115. (a) Notwithstanding any other provision of this title, the Administrator may authorize a local public agency to make grants (and the urban renewal project may include the making of such grants) as prescribed in this section. Any such grant may be made only to an individual or family, as described in subsection (b), who owns and occupies a structure in an urban renewal area, and only for the purpose of covering the cost of repairs and improvements necessary to make such structure conform to public standards for decent, safe, and sanitary housing as required by applicable codes or other requirements of the urban renewal plan for the area. Any contract for financial assistance under this title shall provide that the capital grant otherwise payable for the project shall be increased by an amount equal to the total amount of the grants under this section and that no part of the total amount of such grants shall be required to be contributed as part of the local grant-in-aid.

"(b) A grant authorized by this section may be made to an individual or family whose income does not exceed $2,000 a year, and such grant may be in an amount which does not exceed the lesser of (1) the actual (and approved) cost of the repairs and improvements involved, or (2) $1,500. In case the income of the individual or family exceeds $2,000 a year, a grant may be made under this section, subject to the limitations specified in clauses (1) and (2) of the preceding sentence, but only in an amount not to exceed that portion of the cost of the repairs and improvements which cannot be paid for with any available loan that can be amortized as part of such individual's or family's monthly housing expense without requiring such monthly housing expense to exceed 25 per centum of such individual's or family's monthly income."

(b) Any contract with a local public agency which was executed under title I of the Housing Act of 1949 before the date of enactment of this Act may be amended to provide for grants authorized by section 115 of the Housing Act of 1949.

TITLE II—FHA INSURANCE OPERATIONS

Land development

SEC. 201. (a) The National Housing Act is amended by adding at the end thereof the following new title:

"TITLE X—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

"Definitions

"SEC. 1001. As used in this title—

"(a) the term 'mortgage' means a lien or liens on real estate in fee simple, or on a leasehold (1) under a lease for not less than ninety-nine years which is renewable or (2) under a lease having a period of not less than fifty years to run from the date the mortgage was executed;

"(b) the term 'first mortgage' includes such classes of first liens as are commonly given to secure advances (including but not limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and may be in the form of trust mortgages or mortgage indentures or deeds of trusts securing notes, bonds, or other credit instruments;

"(c) the terms 'mortgagee', 'mortgagor', and 'State' have the same meaning as in section 207 of this Act;

"(d) the term 'improvements' means waterlines and water supply installations, sewerlines and sewage disposal installations, roads, streets, curbs, gutters, sidewalks, storm drainage facilities, and other installations or work, whether on or off the site, which the Commissioner deems necessary or desirable to prepare land primarily for residential and related uses or to provide, for public or common use, facilities which (1) shall include only such buildings as are needed in connection with water supply or sewage disposal installations and such buildings, other than schools, as the Commissioner considers appropriate, and (2) are to be owned and maintained jointly by the property owners; and

"(e) the term 'land development' means the process of making, installing, or constructing improvements.

"Basic conditions for insurance

"SEC. 1002. The Commissioner is authorized (1) to insure, upon such terms and conditions as he may prescribe, any first mortgage (including advances on such mortgage) in accordance with the provisions of this title and (2) to make a commitment for the insurance of such mortgage prior to the date of execution of such mortgage or prior to the date of disbursement of the mortgage proceeds. No mortgage shall be insured under this title after October 1, 1969, except pursuant to a commitment to insure issued before such date.

"SEC. 1003. The mortgage shall—

"(a) be executed by a mortgagor, other than a public body, approved by the Commissioner;

"(b) be made to and held by a mortgagee approved by the Commissioner; and

"(c) cover the land to be developed and the improvements to be made with the assistance of the mortgage insurance under this title, except facilities intended for public use and in public ownership.

"SEC. 1004. The principal obligation of the mortgage shall (1) not exceed 75 per centum of the Commissioner's estimate of the value of the property upon completion of the land development, and (2) not exceed the sum of 50 per centum of the Commissioner's estimate of the value of the land before development and 90 per centum of his estimate of the cost of such development. The outstanding principal obligations of mortgages involving a single land development undertaking, as defined by the Commissioner, shall at no time exceed $12,500,000.

"SEC. 1005. The mortgage shall—

"(a) have a maturity, not to exceed seven years, and contain repayment provisions satisfactory to the Commissioner;

"(b) bear interest at a rate satisfactory to the Commissioner, and such interest shall be exclusive of premium charges for mortgage insurance and such service charges and fees as may be approved by the Commissioner; and

"(c) contain such terms and provisions with respect to protection of the security, payment of taxes, delinquency charges, prepayment, additional and secondary liens, and other matters as the Commissioner may in his discretion prescribe.

"SEC. 1006. A property or project to be financed by a mortgage insured under this title shall—

"(a) represent a good mortgage insurance risk; and

"(b) involve improvements that comply with all applicable State and local governmental requirements and with minimum standards approved by the Commissioner.

"Land planning

"SEC. 1007. (a) The land development covered by a mortgage insured under this title shall be undertaken pursuant to a schedule, conforming to such requirements and procedures as the Commissioner may prescribe, that will assure the use of the land for the purposes for which it is to be developed within the shortest reasonable period consistent with the objectives of sound and economic community growth or urban development.

"(b) The land development shall be undertaken in accordance with an overall development plan, appropriate to the scope and character of the undertaking, which—

"(1) has received all governmental approvals required by State or local law or by the Commissioner;

"(2) is acceptable to the Commissioner as providing reasonable assurance that the land development will contribute to good living conditions in the area being developed, which area (i) will have a sound economic base and a long economic life, (ii) will be characterized by sound land-use patterns, and (iii) will include or be served by such shopping, school, recreational, transportation, and other facilities as the Commissioner deems adequate or necessary; and

"(3) is consistent with a comprehensive plan which covers, or with comprehensive planning being carried on for, the area in which the land is situated, and which meets criteria established by the Housing and Home Finance Administrator for such plans or planning.

"Encouragement of small builders and moderate cost housing

"SEC. 1008. The Commissioner shall adopt such requirements as he deems necessary in land development covered by mortgages insured under this title to encourage the maintenance of a diversified local homebuilding industry, broad participation by builders, and the inclusion of a proper balance of housing for families of moderate or low income.

"Water and sewerage facilities

"SEC. 1009. After development of the land it shall be served by public systems for water and sewerage which are consistent with other existing or prospective systems within the area. If the Commissioner determines that public ownership of such a system is not feasible, he may approve an adequate privately or cooperatively owned system which will be regulated, during the period of such ownership, in a manner acceptable to him with respect to user rates and charges, capital structure, methods of operation, and rate of return. Approval of such system shall be given only where the Commissioner receives assurances, satisfactory to him, with respect to eventual public ownership and operation of the system and with respect to the conditions and terms of any sale or transfer.

"Releases

"SEC. 1010. The Commissioner may, on such terms and conditions as he may prescribe, consent to the release or subordination of a part or parts of the mortgaged property from the lien of the mortgage.

"Premiums and fees

"Sec. 1011. The Commissioner shall collect reasonable premiums for the insurance of any mortgage under this title and make such charges as he determines are reasonable for the analysis of the land development plan and the appraisal and inspection of the property and improvements. On or before January 1, 1967, the Commissioner shall make a report to the Congress concerning the premium rates and other charges under this title that he estimates will be adequate to provide income sufficient for a self-supporting program.

"Insurance benefits

"SEC. 1012. The provisions of subsections (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of this Act shall be applicable to mortgages insured under this title, except that as applied to such mortgages (1) any reference therein to section 207 shall be deemed to refer to this title, and (2) any reference to an annual premium shall be deemed to refer to such premiums as the Commissioner may designate under this title.

"Incontestability provisions

"SEC. 1013. Any contract of insurance executed by the Commissioner under this title shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract of insurance so executed shall be incontestable in the hands of an approved mortgagee from the date of the execution of such contract, except for fraud or material misrepresentation on the part of such approved mortgagee.

"Rules and regulations

"SEC. 1014. The Commissioner is authorized to make such rules and regulations and to require such agreements as he may deem necessary or desirable to carry out the provisions of this title.

"Taxation provisions

"SEC. 1015. Nothing in this title shall be construed to exempt any real property acquired and held by the Commissioner under this title from taxation by any State or political subdivision thereof to the same extent, according to its value, as other real property is taxed.

"Cost certification

"SEC. 1016. (a) The Commissioner shall adopt such requirements as he determines necessary or desirable to assure, at reasonable intervals of time during land development and upon completion of such development, that the amount of the mortgage loan outstanding at each such interval does not exceed with respect to that portion of the land remaining under the lien of the mortgage (1) 50 per centum of the Commissioner's estimate of the value of such remaining land before development, plus (2) 90 per centum of the actual costs of the development allocated by the Commissioner to such remaining land.

"(b) From time to time during, and upon completion of, the development, the Commissioner shall require the mortgagor to certify as to the actual costs of development of the land.

"(c) Certifications required pursuant to this section shall be accompanied by such data and records as the Commissioner shall prescribe.

"(d) A mortgagor's certification approved by the Commissioner shall be final and incontestable except for fraud or material misrepresentation on the part of the mortgagor.

"(e) As used in this section, the term 'actual costs' means the costs (exclusive of kickbacks, rebates, or trade discounts) to the mortgagor of the improvements involved. These costs may include amounts paid for labor, materials, construction contracts, land planning, engineers' and architects' fees, surveys, taxes, and interest during development, organizational and legal expenses, such allocation of general overhead expenses as are acceptable to the Commissioner, and other items of expense incidental to development which may be approved by the Commissioner. If the Commissioner determines there is an identity of interest between the mortgagor and the contractor, there may be included an allowance for contractor's profit in an amount deemed reasonable by the Commissioner."

(b)(1) Section 302(b) of the National Housing Act is amended by striking out "the term 'mortgages'" in the last sentence and inserting in lieu thereof "the terms 'mortgages' and 'home mortgages'".

(2) The first paragraph of section 24 of the Federal Reserve Act is amended by inserting before the next to last sentence the following new sentence: "Notwithstanding the foregoing limitations and restrictions in this section, any national banking association may make loans for land development which are secured by mortgages insured under title X of the National Housing Act."

(3) Section 5(c) of the Home Owners Loan Act of 1933 is amended by adding at the end thereof the following new paragraph:

"Without regard to any other provision of this subsection, any such association may, to such extent as the Federal Home Loan Bank Board may by regulation permit, invest in loans, and interests in loans, secured by mortgages as to which the association has the benefit of insurance under title X of the National Housing Act or of a commitment or agreement for such insurance, and investments under this sentence shall not be included in any percentage of assets or other percentage referred to in this subsection."

Extension of insurance authorizations

SEC. 202. (a) Section 2(a) of the National Housing Act is amended by striking out "October 1, 1965" and inserting in lieu thereof "October 1, 1969".

(b) Section 217 of such Act is amended—

(1) by striking out "title VIII" and inserting in lieu thereof "title VIII, or title X", and

(2) by striking out "October 1, 1965" and inserting in lieu thereof "October 1, 1969".

(c) The second sentences of sections 809 (f) and 810(k) of such Act are each amended by striking out "October 1, 1965" and inserting in lieu thereof "October 1, 1969".

Multifamily mortgage limits for four or more bedroom units

SEC. 203. (a) Section 207(c)(3) of the National Housing Act is amended—

(1) by striking out "and $18,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$18,500 per family unit with three bedrooms, and $21,000 per family unit with four or more bedrooms,"; and

(2) by striking out "and $22,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms".

(b)(1) Section 213(b)(2) of such Act is amended—

(A) by striking out "and $18,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$18,500 per family unit with three bedrooms, and $21,000 per family unit with four or more bedrooms"; and

(B) by striking out "and $22,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms".

(2) Section 213(c) of such Act is amended by striking out "and not to exceed" and all that follows and inserting in lieu thereof the following: "and not to exceed a sum computed on the basis of a separate mortgage for each single-family dwelling (irrespective of whether such dwelling has a party wall or is otherwise physically connected with another dwelling or dwellings) comprising the property or project, equal to the total of each of the maximum principal obligations of such mortgages which would meet the requirements of section 203(b)(2) if the mortgagor were the owner and occupant who had made any required payment on account of the property prescribed in such paragraph."

(c) Section 220(d)(3)(B)(iii) of such Act is amended—

(1) by striking out "and $18,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$18,500 per family

unit with three bedrooms, and $21,000 per family unit with four or more bedrooms"; and

(2) by striking out "and $22,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms".

(d) Section 221(d) of such Act is amended—

(1) by striking out "and $17,000 per family unit with three or more bedrooms" in paragraphs (3)(ii) and (4)(ii) and inserting in lieu thereof "$17,000 per family unit with three bedrooms, and $19,250 per family unit with four or more bedrooms"; and

(2) by striking out "and $20,000 per family unit with three or more bedrooms" in paragraphs (3)(ii) and (4)(ii) and inserting in lieu thereof "$20,000 per family unit with three bedrooms, and $22,750 per family unit with four or more bedrooms".

(e) Section 231(c)(2) of such Act is amended—

(1) by striking out "and $17,000 per family unit with three or more bedrooms" and inserting in lieu thereof "$17,000 per family unit with three bedrooms, and $19,250 per family unit with four or more bedrooms"; and

(2) by striking out "and $20,000 per family unit with three or more bedrooms" and inserting in lieu thereof "$20,000 per family unit with three bedrooms, and $22,750 per family unit with four or more bedrooms".

(f) Section 234(e)(3) of such Act is amended—

(1) by striking out "and $18,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$18,500 per family unit with three bedrooms, and $21,000 per family unit with four or more bedrooms"; and

(2) by striking out "and $22,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms".

Rehabilitation in urban renewal areas

Sec. 204. Section 220(d)(3)(A) of the National Housing Act is amended—

(1) by striking out the second proviso in clause (i); and

(2) by striking out clause (ii) and inserting in lieu thereof the following:

"(ii) in a case where the mortgagor is not the occupant of the property and intends to hold the property for rental purposes, have a principal obligation in an amount not to exceed 93 per centum of the amount computed under the provisions of clause (i);

"(iii) in a case where the mortgagor is not the occupant of the property and intends to hold the property for the purpose of sale, have a principal obligation in an amount not to exceed 85 per centum of the amount computed under the provisions of clause (i), or in the alternative, in an amount equal to the amount computed under the provisions of clause (f) if the mortgagor and mortgagee assume responsibility in a manner satisfactory to the Commissioner for the reduction of the mortgage by an amount not less than 15 per centum of the outstanding principal amount thereof, or by such greater amount as may be required to meet the limitations of clause (iv), in the event the mortgaged property is not, prior to the due date of the eighteenth amortization payment of the mortgage, sold to a purchaser acceptable to the Commissioner who is the occupant of the property and who assumes and agrees to pay the mortgage indebtedness; and

"(iv) in no case involving refinancing (except as provided in clause (iii)) have a principal obligation in an amount exceeding the sum of the estimated cost of repair and rehabilitation and the amount (as determined by the Commissioner) required to refinance existing indebtedness secured by the property or project, plus any existing indebtedness incurred in connection with improving, repairing, or rehabilitating the property; or".

Nondwelling facilities for urban renewal housing

Sec. 205. Section 220(d)(3)(B) of the National Housing Act is amended by striking out clause (iv) and inserting in lieu thereof the following:

"(iv) include such nondwelling facilities as the Commissioner deems desirable and consistent with the urban renewal plan: *Provided*, That the project shall be predominantly residential and any nondwelling facility included in the mortgage shall be found by the Commissioner to contribute to the economic feasibility of the project."

Larger insured mortgages for servicemen

Sec. 206. Section 222(b) of the National Housing Act is amended—

(1) by striking out "$20,000" in paragraph (2) and inserting in lieu thereof "$30,000"; and

(2) by striking out paragraph (3) and inserting in lieu thereof the following:

"(3) have a principal obligation not in excess of the amount derived by applying the maximum ratio of loan to value prescribed in the first sentence of section 203 (b)(2); and".

Refinancing of insured mortgages

Sec. 207. Section 223(a)(7) of the National Housing Act is amended by striking out "section 608 of title VI prior to the effective date of the Housing Act of 1954 or under section 220, 221, 903, or section 908" and inserting in lieu thereof "this Act".

Consolidation of FHA insurance funds

Sec. 208. Title V of the National Housing Act is amended by adding at the end thereof the following new section:

"Establishment of general insurance fund

"Sec. 519. (a) There is hereby created a General Insurance Fund which shall be used by the Commissioner, on and after the date of the enactment of the Housing and Urban Development Act of 1965, as a revolving fund for carrying out all the insurance provisions of this Act with the exception of those specified in subsection (e). All mortgages or loans insured under this Act pursuant to commitments issued on or after the date of the enactment of the Housing and Urban Development Act of 1965, except those specified in subsection (e), and all loans reported for insurance under section 2 on or after the date of the enactment of the Housing and Urban Development Act of 1965, shall be insured under the General Insurance Fund. The Commissioner shall transfer to the General Insurance Fund—

"(1) the assets and liabilities of all insurance accounts and funds, except the Mutual Mortgage Insurance Fund, existing under this Act immediately prior to the enactment of the Housing and Urban Development Act of 1965;

"(2) all outstanding commitments for insurance issued prior to the date of the enactment of the Housing and Urban Development Act of 1965, except those specified in subsection (e);

"(3) the insurance on all mortgages and loans insured prior to the date of the enactment of the Housing and Urban Development Act of 1965, except insurance specified in subsection (e); and

"(4) the insurance of all loans made by approved financial institutions pursuant to section 2 prior to the date of the enactment of the Housing and Urban Development Act of 1965.

"(b) The general expenses of the operations of the Federal Housing Administration relating to mortgages and loans which are the obligation of the General Insurance Fund may be charged to the General Insurance Fund.

"(c) Moneys in the General Insurance Fund not needed for the current operations of the Federal Housing Administration with respect to mortgages and loans which are the obligation of the General Insurance Fund shall be deposited with the Treasurer of the United States to the credit of such Fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Commissioner may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued as obligations of the General Insurance Fund or issued prior to the enactment of the Housing and Urban Development Act of 1965 under other provisions of this Act, except debentures issued under the Mutual Mortgage Insurance Fund. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

"(d) Premium charges, adjusted premium charges, and appraisal and other fees received on account of the insurance of any mortage or loan which is the obligation of the General Insurance Fund, the receipts derived from the property covered by such mortgages and loans and from the claims, debts, contracts, property, and security assigned to the Commissioner in connection therewith, and all earnings on the assets of the Fund shall be credited to the General Insurance Fund. The principal of, and interest paid and to be paid on, debentures which are the obligation of such Fund, and cash insurance payments and adjustments, and expenses incurred in the handling, management, renovation, and disposal of properties acquired, in connection with mortgages and loans which are the obligation of such Fund, shall be charged to such Fund.

"(e) The General Insurance Fund shall not be used for carrying out the provisions of sections 203(b), 203(h), and 203(i), or the provisions of section 213 to the extent that they involve mortgages the insurance for which is the obligation of the Cooperative Management Housing Insurance Fund created by section 213(k); and nothing in this section shall apply to or affect any mortgages, loans, commitments, or insurance under such provisions."

Mutuality for management-type cooperatives

Sec. 209. (a) Section 213 of the National Housing Act is amended by adding at the end thereof the following new subsections:

"(k) There is hereby created a Cooperative Management Housing Insurance Fund (hereinafter referred to as the 'Management Fund'). The Management Fund shall be used by the Commissioner as a revolving fund for carrying out the provisions of this section with respect to mortgages or loans insured, on or after the date of the enactment of this subsection, under subsections (a)(1), (a)(3) (if the project is acquired by a cooperative corporation), (i), and (j). The Management Fund shall also be used as a revolving fund for mortgages, loans, and commitments transferred to it pursuant to subsection (m). The Commissioner is directed to transfer to the Management Fund from the General Insurance Fund established pursuant to section 519 such amount as the Commissioner determines to be necessary and appropriate. General expenses of operation of the Federal Housing Administration relating to mortgages or loans which are the obligation of the Management Fund may be charged to the Management Fund.

"(l) The Commissioner shall establish in the Management Fund, as of the date of the enactment of this subsection, a General

Surplus Account and a Participating Reserve Account. The aggregate net income thereafter received or any net loss thereafter sustained by the Management Fund, in any semiannual period, shall be credited or charged to the General Surplus Account or the Participating Reserve Account or both in such manner and amounts as the Commissioner may determine to be in accord with sound actuarial and accounting practice. Upon termination of the insurance obligation of the Management Fund by payment of any mortgage or loan insured under this section, and at such time or times prior to such termination as the Commissioner may determine, the Commissioner is authorized to distribute to the mortgagor or borrower a share of the Participating Reserve Account in such manner and amount as the Commissioner shall determine to be equitable and in accordance with sound actuarial and accounting practice: *Provided*, That in no event shall the amount of the distributable share exceed the aggregate scheduled annual premiums of the mortgagor or borrower to the year of payment of the share less the total amount of any share or shares previously distributed by the Commissioner to the mortgagor or borrower: *And provided further*, That in no event may a distributable share be distributed until any funds transferred from the General Insurance Fund to the Management Fund pursuant to subsection (k) or (o) have been repaid in full to the General Insurance Fund. No mortgagor, mortgagee, borrower, or lender shall have any vested right in a credit balance in any such account or be subject to any liability arising out of the mutuality of the Management Fund. The determination of the Commissioner as to the amounts to be paid by him to any mortgagor or borrower shall be final and conclusive.

"(m) The Commissioner is authorized to transfer to the Management Fund commitments for insurance issued under subsections (a)(1), (i), and (j) prior to the date of the enactment of this subsection, and to transfer to the Management Fund the insurance of any mortgage or loan insured prior to the date of the enactment of this subsection under subsection (a)(1), (a)(3) (if the project is acquired by a cooperative corporation), (i), or (j), but only in cases where the consent of the mortgagee or lender to the transfer is obtained or a request by the mortgagee or lender for the transfer is received by the Commissioner within such period of time after the date of the enactment of this subsection as the Commissioner shall prescribe: *Provided*, That the insurance of any mortgage or loan shall not be transferred under the provisions of this subsection if on the date of the enactment of this subsection the mortgage or loan is in default and the mortgagee or lender has notified the Commissioner in writing of its intention to file an insurance claim. Any insurance or commitment not so transferred shall continue to be an obligation of the General Insurance Fund.

"(n) Notwithstanding the limitations contained in other provisions of this Act, premium charges for mortgages or loans insured under this section and sections 207, 231, and 232 may be payable in debentures issued in connection with mortgages or loans transferred to the Management Fund or in connection with mortgages or loans insured pursuant to commitments transferred to the Management Fund, as provided in subsection (m) of this section.

"(o) Notwithstanding any other provision of this Act, the Commissioner is authorized to transfer funds between the Cooperative Management Housing Insurance Fund and the General Insurance Fund in such amounts and at such times as he may determine, taking into consideration the requirements of each such Fund, to assist in carrying out effectively the insurance programs for which such Funds were respectively established."

(b) Section 213 of such Act is further amended—

(1) by inserting before the period at the end of subsection (a) the following: ": *Provided*, That as applied to mortgages the mortgage insurance for which is the obligation of the Management Fund, the reference to the General Insurance Fund in section 207 (b)(2) shall be construed to refer to the Management Fund"; and

(2) by inserting before the period at the end of subsection (e) the following: ": *Provided*, That as applied to mortgages or loans the insurance for which is the obligation of the Management Fund (1) all references to the General Insurance Fund shall be construed to refer to the Management Fund, and (2) all references to section 207 shall be construed to refer to subsections (a)(1), (a)(3) (if the project involved is acquired by a cooperative corporation), (i), and (j) of this section".

Optional cash payment of insurance benefits

SEC. 210. Title V of the National Housing Act is amended by adding at the end thereof (after the new section added by section 208 of this Act) the following new section:

"Optional cash payment of insurance benefits

"SEC. 520. (a) Notwithstanding any other provisions of this Act with respect to the payment of insurance benefits, the Commissioner is authorized, in his discretion, to pay in cash or in debentures any insurance claim or part thereof which is paid on or after the date of the enactment of the Housing and Urban Development Act of 1965 on a mortgage or a loan which was insured under any section of this Act either before or after such date. If payment is made in cash, it shall be in an amount equivalent to the face amount of the debentures that would otherwise be issued plus an amount equivalent to the interest which the debentures would have earned, computed to a date to be established pursuant to regulations issued by the Commissioner.

"(b) The Commissioner is authorized to borrow from the Treasury from time to time such amounts as the Commissioner shall determine are necessary to make payments in cash (in lieu of issuing debentures guaranteed by the United States, as provided in this Act) pursuant to the provisions of this section. Notes or other obligations issued by the Commissioner in borrowing under this subsection shall be subject to such terms and conditions as the Secretary of the Treasury may prescribe. Each sum borrowed pursuant to this subsection shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of such notes or other obligations."

FHA mortgage financing for veterans

SEC. 211. Section 203(b)(2) of the National Housing Act is amended—

(1) by striking out "and not to exceed" and inserting in lieu therof "and (except as provided in the last sentence of this paragraph) not to exceed"; and

(2) by adding at the end thereof the following new sentence: "If the mortgagor is a veteran (as defined in section 101(2) of title 38, United States Code) who has not received any direct, guaranteed, or insured loan under laws administered by the Veterans' Administration for the purchase, construction, or repair of a dwelling (including a farm dwelling) which was to be owned and occupied by him as his home, and the mortgage to be insured under this section covers property upon which there is located a dwelling designed principally for a one-family residence, the principal obligation may be in an amount equal to the sum of (i) 100 per centum of $20,000 of the appraised value of the property as of the date the mortgage is accepted for insurance, and (ii) 85 per centum of such value in excess of $20,000."

Mortgage limit for homes in outlying areas under FHA section 203(i) program

SEC. 212. Section 203(i) of the National Housing Act is amended by striking out "$11,000" and inserting in lieu thereof "$12,500".

TITLE III—URBAN RENEWAL

Study of housing and building codes, zoning, tax policies, and development standards

SEC. 301. (a) The Congress finds that the general welfare of the Nation requires that local authorities be encouraged and aided to prevent slums, blight, and sprawl, preserve natural beauty, and provide for decent, durable housing so that the goal of a decent home and a suitable living environment for every American family may be realized as soon as feasible. The Congress further finds that there is a need to study housing and building codes, zoning, tax policies, and development standards in order to determine how (1) local property owners and private enterprise can be encouraged to serve as large a part as they can of the total housing and building need, and (2) Federal, State, and local governmental assistance can be so directed as to place greater reliance on local property owners and private enterprise and enable them to serve a greater share of the total housing and building need. The Housing and Home Finance Administrator is therefore directed to study the structure of (1) State and local urban and suburban housing and building laws, standards, codes, and regulations and their impact on housing and building costs, how they can be simplified, improved, and enforced, at the local level, and what methods might be adopted to promote more uniform building codes and the acceptance of technical innovations including new building practices and materials; (2) State and local zoning and land use laws, codes, and regulations, to find ways by which States and localities may improve and utilize them in order to obtain further growth and development; and (3) Federal, State, and local tax policies with respect to their effect on land and property cost and on incentives to build housing and make improvements in existing structures.

(b) The Administrator shall submit a report based on such study to the President and to the Congress within 18 months after the enactment of the Housing and Urban Development Act of 1965 or the appropriation of funds for the study, whichever is later.

(c) There are authorized to be appropriated such funds as may be necessary to carry out the purposes of this section. Any funds so appropriated shall remain available until expended.

General neighborhood renewal plans

SEC. 302. Section 102(d) of the Housing Act of 1949 is amended—

(1) by striking out the fifth sentence and inserting in lieu thereof the following:

"In order to facilitate proper preliminary planning for the attainment of the urban renewal objectives of this title, the Administrator may also make advances of funds (in addition to those authorized above) to local public agencies for the preparation of General Neighborhood Renewal Plans (as herein defined). A General Neighborhood Renewal Plan may be prepared for an area which consists of an urban renewal area or areas together with any adjoining areas, and which is of such size that the urban renewal activities in the urban renewal area or areas may have to be carried out in stages, consistent with the capacity and resources of the respective local public agency or agencies, over an estimated period of not more than ten years."; and

(2) by striking out clause (1) of the sixth sentence and inserting in lieu thereof the following:

"(1) in the interest of sound community planning it is desirable that the urban renewal activities proposed for the area be planned in their entirety;".

Increase in authorization for capital grants

Sec. 303. (a) The first sentence of section 103(b) of the Housing Act of 1949 is amended by striking out "$4,725,000,000" and inserting in lieu thereof "$4,700,000,000, which amount shall be increased by $675,000,000 on the date of the enactment of the Housing and Urban Development Act of 1965, by $725,000,000 on July 1, 1966, and by $750,000,000 on July 1, in each of the years 1967 and 1968".

(b) The proviso in the first sentence of section 103(b) of such Act, and the second sentence of section 6(b) of the Urban Mass Transportation Act of 1964, are repealed.

Use of grant or loan funds in code enforcement and rehabilitation projects

Sec. 304. The unnumbered paragraph immediately following clause (8) in section 110(c) of the Housing Act of 1949 is amended—

(1) by inserting "(A)" before "no contract"; and

(2) by inserting before the period at the end of the paragraph the following: ", and (B) not less than 10 per centum of the aggregate amount of (i) grants authorized to be contracted for under this title by the Housing and Urban Development Act of 1965 and subsequent Acts, and (ii) loans authorized to be made under section 312 of the Housing Act of 1964, shall be available for projects assisted with such grants or loans which involve primarily code enforcement and rehabilitation".

Strengthened workable program requirement

Sec. 305. Section 101 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(e) No loan or grant contract may be entered into by the Administrator for an urban renewal project unless he determines that (A) the workable program for community improvement presented by the locality pursuant to subsection (c) is of sufficient scope and content to furnish a basis for evaluation of the need for the urban renewal project; and (B) such project is in accord with the program."

Rehabilitation loans

Sec. 306. (a) Section 312(d) of the Housing Act of 1964 is amended to read as follows:

"(d) In order to provide moneys for loans in accordance with this section, the Administrator is authorized to establish a revolving fund which shall comprise all moneys heretofore or hereafter appropriated pursuant to this section, together with all repayments and other receipts heretofore or hereafter received in connection with loans made under this section. There are authorized to be appropriated to such revolving fund, in addition to amounts authorized for the purposes of this section prior to the date of the enactment of the Housing and Urban Development Act of 1965, such funds as may be necessary to carry out the purposes of this section. All funds so appropriated shall remain available until expended."

(b) Section 312 of such Act is further amended by adding at the end thereof the following new subsection:

"(h) No loan shall be made under the authority of this section after October 1, 1969, except pursuant to a contract, commitment, or other obligation entered into pursuant to this section before that date."

Lease guaranties for small-business concerns displaced by urban renewal projects

Sec. 307. (a) Section 7 of the Small Business Act is amended by adding at the end thereof the following new subsection:

"(e)(1) The Administration also is empowered, in order to assist small-business concerns which have been displaced by urban renewal projects in obtaining leases of property for use in the conduct of their business operations, to insure the owner or lessor of any such property, or the lending institution financing the construction thereof, against losses which such owner, lessor, or institution might sustain as a result of the failure of the small-business concern to perform the lease in accordance with its terms.

"(2) No insurance under this subsection shall be granted by the Administration with respect to any lease unless—

"(A) the lease is for a period of not more than ten years and contains or is subject to such other terms and conditions as the Administration may require in order to protect the interests of the small-business concern and to insure that the lease will assist in carrying out the purpose of this Act; and

"(B) the small-business concern is financially sound and efficiently managed, and has provided satisfactory assurances that it will comply with the terms of the lease and any related documents and with such additional terms and conditions as the Administration may specify.

"(3) There is hereby established an insurance fund for use by the Administration in carrying out this subsection. Each person granted insurance under this subsection shall be required to pay premiums for such insurance, at such times and in such manner as may be prescribed by the Administration, in amounts which shall be fixed by the Administration but which shall not exceed, in the case of any lease, an amount equivalent to 1 per centum of the annual rental (or minimum rental) payable under such lease. Such premiums, together with any other receipts under the insurance program established by this subsection, shall be placed in the insurance fund. Moneys in such fund not needed for the payment of current operating expenses of the insurance program or for the payment of claims arising thereunder may be invested in bonds or other obligations of, or bonds or other obligations guaranteed as to principal and interest by, the United States; except that moneys made available to provide initial capital for such fund under the sixth sentence of section 4(c) shall be returned to the revolving fund established by such section, in such amounts and at such times as the Administration determines to be appropriate, whenever the level of such insurance fund (by reason of premiums and receipts from other sources) is sufficiently high to permit the return of such moneys without danger to the solvency of the insurance program under this subsection.

"(4) The Administration is authorized and directed to prescribe such rules and regulations as may be necessary to carry out this subsection."

(b) Section 4(c) of such Act is amended—

(1) by inserting "7(e)," after "7(b)," in the first sentence; and

(2) by inserting after the fifth sentence the following new sentence: "Not to exceed $5,000,000 shall be made available to provide initial capital for the insurance fund established by section 7(e)(3)."

(c) Section 5(b) of such Act is amended—

(1) by inserting after "loans granted" in paragraphs (2) and (3) the following: "or the performance of leases insured";

(2) by striking out "loans made" each place it appears in paragraphs (4) and (7) and inserting in lieu thereof "loans made or leases insured"; and

(3) by striking out "and 7(b)" in paragraph (5) and inserting in lieu thereof ", 7(b), and 7(e)".

Relocation of displacees from urban renewal areas

Sec. 308. (a) Section 105(c) of the Housing Act of 1949 is amended to read as follows:

"(c) There shall be a feasible method for the temporary relocation of individuals and families displaced from the urban renewal area, and there are or are being provided, in the urban renewal area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the individuals and families displaced from the urban renewal area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced individuals and families and reasonably accessible to their places of employment. The Administrator shall issue rules and regulations to aid in implementing the requirements of this subsection and in otherwise achieving the objectives of this title. Such rules and regulations shall require that there be established, at the earliest practicable time, for each urban renewal project involving the displacement of individuals, families, and business concerns occupying property in the urban renewal area, a relocation assistance program which shall include such measures, facilities, and services as may be necessary or appropriate in order (A) to determine the needs of such individuals, families, and business concerns for relocation assistance; (B) to provide information and assistance to aid in relocation and otherwise minimize the hardships of displacement, including information as to real estate agencies, brokers, and boards in or near the urban renewal area which deal in residential or business property that might be appropriate for the relocating of displaced individuals, families, and business concerns; and (C) to assure the necessary coordination of relocation activities with other project activities and other planned or proposed governmental actions in the community which may affect the carrying out of the relocation program, particularly planned or proposed low-rent housing projects to be constructed in or near the urban renewal area. As a condition to further assistance after the enactment of this sentence with respect to each urban renewal project involving the displacement of individuals and families, the Administrator shall require, within a reasonable time prior to actual displacement, satisfactory assurance by the local public agency that decent, safe, and sanitary dwellings as required by the first sentence of this subsection are available for the relocation of each such individual or family."

(b) The requirements imposed by the amendment made by subsection (a) of this section shall not be applicable to any project receiving Federal recognition prior to the date of the enactment of this Act.

Redevelopment in accordance with urban renewal plan

Sec. 309. Section 106 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(h) Notwithstanding any other provision of this title, no contract shall be entered into for any loan or capital grant under this title with any local public agency unless the local public agency establishes, by evidence satisfactory to the Administrator, that any urban renewal project with respect to which such local public agency has received a loan or capital grant under this title has been, or will be, undertaken and carried out in substantial accordance with the urban renewal plan, and any amendments thereto, approved with respect to such project, and the terms of the contract for loan or capital grant covering such project."

Limitation on noncash grant-in-aid credit allowed for publicly owned parking facilities

Sec. 310. The parenthetical phrase in clause (3) of the first sentence of section 110(d) of the Housing Act of 1949 is amended by striking out "and" and inserting in lieu thereof a comma, and by inserting at the end thereof (within the parentheses) the following: ", and publicly owned parking facilities to the extent that the cost thereof is anticipated to be recovered from revenues".

Eligibility of communities in depressed areas for urban renewal assistance

Sec. 311. (a) Subparagraph (B) of section 103(a)(2) of the Housing Act of 1949 is amended to read as follows:

"(B) three-fourths of the aggregate net project costs of any such projects which are located in (i) a municipality having a population of fifty thousand or less according to the most recent decennial census, or (ii) a municipality situated in a labor market area which, at the time the contract or contracts involved are entered into or at such earlier time as the Administrator may specify in order to avoid hardship, is designated as a redevelopment area under the second sentence of section 5(a) of the Area Redevelopment Act or any other legislation enacted after the date of the enactment of the Housing and Urban Development Act of 1965 containing standards for designation as a redevelopment area generally comparable to those set forth in the second sentence of section 5(a) of the Area Redevelopment Act, and".

(b) The amendment made by subsection (a) shall apply only with respect to urban renewal projects placed under contract for capital grant on or after the date of the enactment of this Act; except that such amendment shall apply with respect to all urban renewal projects in the city of Providence, Rhode Island, placed under contract for capital grant during the period Providence was designated as a redevelopment area under section 5(a) of the Area Redevelopment Act (or at such earlier time as the Administrator may specify in order to avoid hardship) and not completed prior to the date of the enactment of this Act.

Local grants-in-aid for urban renewal project in Philadelphia

Sec. 312. Notwithstanding any other provision of law, moneys heretofore expended by the University of Pennsylvania for land included in the overall development plan proposed by the university and utilized, or to be utilized, in connection with new university facilities within one mile of urban renewal project Pennsylvania 5-3 (University City) shall (if otherwise eligible) be allowed as local grants-in-aid for such project.

TITLE IV—COMPENSATION OF CONDEMNEES

Declaration of policy

Sec. 401. In order to encourage the acquisition of real property in a manner which affords fair and equitable treatment to owners and tenants of such property and on as nearly uniform a basis as practicable, the Congress hereby establishes a Federal policy of uniform land acquisition procedures for real property to be acquired in the course of Federally assisted development programs.

Definitions

Sec. 402. For the purposes of this title—

(1) the term "development program" means any program established by or conducted under any of the following provisions of law:

(A) the United States Housing Act of 1937;

(B) title I of the Housing Act of 1949;

(C) title IV of the Housing Act of 1950;

(D) title II of the Housing Amendments of 1955;

(E) section 202 of the Housing Act of 1959; and

(F) title VII of the Housing Act of 1961;

(2) the term "Federal assistance" means a grant, loan, contract of guaranty, annual contribution, or other assistance provided by the United States;

(3) the term "applicant" means any public body or other agency or nonprofit institution authorized to receive Federal assistance under a development program;

(4) the term "interest" means any interest in real property and includes future, nonpossessory, and lease-hold interests;

(5) the term "real property" means any land, or any interest in land, and (A) any building, structure, or other improvements embedded in or affixed to land, and any article so affixed or attached to such building, structure, or improvement as to be an essential or integral part thereof; (B) any article affixed or attached to such real property in such manner that it cannot be removed without material injury to itself or the real property; and (C) any article so designed, constructed, or specially adapted to the purpose for which such real property is used that (i) it is an essential accessory or part of such real property, (ii) it is not capable of use elsewhere, and (iii) it would lose substantially all its value if removed from the real property; and

(6) the term "Administrator" means the Housing and Home Finance Administrator.

Land acquisition policy

Sec. 403. (a) As a condition of eligibility for Federal assistance pursuant to a development program, each applicant for such assistance shall satisfy the Administrator that the following policies will be followed in connection with the acquisition of real property by eminent domain in the course of such program—

(1) the applicant shall make every reasonable effort to acquire the real property by negotiated purchase;

(2) the real property shall be appraised before the initiation of negotiations, and the owner or his designated representative shall be given an opportunity to accompany the appraiser during his inspection of the property;

(3) before the initiation of negotiations for acquisition of real property, the applicant shall establish a price believed to be fair and reasonable and shall offer to acquire the property for the price so established;

(4) if only a part of or an interest less than a fee title to real property is to be acquired, the applicant shall provide the owner with a statement of its estimate of—

(A) the fair value of the entire property immediately before the acquisition,

(B) the fair value of the property remaining immediately after the acquisition,

(C) the fair value of the part of or interest in the property actually acquired,

(D) the damages, if any, resulting to the remaining property (or interest therein), and

(E) the benefits, if any, accruing to the remaining property (or interest therein);

(5) no owner shall be required to surrender possession of real property before the applicant pays to the owner (A) the agreed purchase price arrived at by negotiation, or (B) in any case where only the amount of the payment to the owner is in dispute, not less than 75 per centum of the most recent fair and reasonable price established under paragraph (3);

(6) the construction or development of any public improvements shall be so scheduled that no person lawfully occupying the real property shall be required to surrender possession on account of such construction or development without at least 90 days' written notice from the applicant of the date on which such construction or development is scheduled to begin;

(7) if the applicant does not require the use of a building, structure, or other improvement on the real property to be acquired, the applicant shall offer to permit its owner to remove it upon agreement that the fair value of the building, structure, or other improvement to be removed from the real property, as determined by the applicant, will be deducted from the compensation otherwise to be paid for the real property, or will be paid to the applicant by the owner;

(8) if the applicant permits an owner or tenant to rent acquired real property for a short term or for a period subject to termination by the applicant on short notice, the amount of rent required shall not exceed the fair rental value of the property to the owner or tenant for such term or period, as determined by the applicant;

(9) the applicant shall not advance the time of eminent domain, nor defer eminent domain or the deposit of funds in court for the benefit of the owner, in order to compel an agreement on the price to be paid for the real property;

(10) if the acquisition of only a part of any real property would leave its owner with an uneconomic remnant, the applicant shall acquire the entire property; and

(11) in determining the boundaries of a proposed public improvement, the applicant shall take into account human considerations, including the economic and social effects of the proposed public improvement on owners and tenants of real property in the area, in addition to engineering and other factors.

(b) Nothing in this section shall be construed as superseding or otherwise affecting the provisions of any State or local law, or as affecting the validity of any property acquisition by purchase or eminent domain.

Relocation payments under federally assisted development programs

Sec. 404. (a) To the extent not otherwise authorized under any Federal law, financial assistance extended to an applicant under any federally assisted development program may include grants for relocation payments, as herein defined. Such grants may be in addition to other financial assistance under such federally assisted development programs, and may cover the full amount of such relocation payments. The term "relocation payments" means payments by the applicant which are (1) made to an individual, family, business concern, or nonprofit organization displaced by a project on or after the date of the enactment of the Housing and Urban Development Act of 1965, and (2) made on such terms and conditions and subject to such limitations (to the extent applicable, but not including the date of displacement) as are provided for relocation payments, at the time such payments are approved, by sections 114 (b), (c), and (d) of the Housing Act of 1949 with respect to projects assisted under title I thereof. Relocation payments authorized by this subsection shall be made subject to such rules and regulations as may be prescribed by the Administrator.

(b) Section 114(b)(2) of the Housing Act of 1949 is amended by striking out "$1,500" and inserting in lieu thereof "$2,500".

(c)(1) Section 114 of such Act is further amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

"(d) In addition to payments authorized to be made under subsections (b) and (c), a local public agency may pay to any displaced individual, family, business concern, or nonprofit organization reasonable and necessary expenses incurred for (1) recording fees, transfer taxes, and similar expenses incidental to conveying real property to a project assisted under this title, (2) penalty costs for prepayment of any mortgage encumbering such real property, and (3) the pro rata portion of real property taxes allocable to a period subsequent to the date of vesting of title or the effective date of the acquisition of such real property by such agency, whichever is earlier."

(2) Section 15(8) of the United States Housing Act of 1937 is amended by striking out "section 114 (b) or (c)" and inserting in lieu thereof "section 114 (b), (c), and (d)".

(d) Subsection (a) shall not be applicable to any project receiving financial assistance under a development program prior to the date of the enactment of this Act.

Funds for certain payments in eminent domain

SEC. 405. Notwithstanding any other provision of law, financial assistance under any federally assisted development program may include amounts necessary for financing, in the same manner that other costs of a project assisted under such program are financed, the payments described in paragraph (5)(B) of section 403(a) of this Act.

TITLE V—COLLEGE HOUSING

Increase in authorization for college housing loans

SEC. 501. Section 401(d) of the Housing Act of 1950 is amended by striking out "through 1965" each place it appears and inserting in lieu thereof "through 1968".

Interest rate on college housing loans

SEC. 502. (a) Effective with respect to loan contracts entered into after the date of the enactment of this Act, section 401(c) of the Housing Act of 1950 is amended by striking out "the higher of (1) 2¾ per centum per annum, or" and inserting in lieu thereof "the lower of (1) 3 per centum per annum, or".

(b) Effective with respect to notes or other obligations financing loan contracts entered into after the date of the enactment of this Act, section 401(e) of such Act is amended by striking out "the higher of (1) 2½ per centum per annum, or" and inserting in lieu thereof "the lower of (1) 2¾ per centum per annum, or".

Parking facilities for colleges and universities

SEC. 503. Section 404(h) of the Housing Act of 1950 is amended by adding at the end thereof the following new sentence: "In addition, such term includes parking facilities primarily to serve the needs of students and faculty."

TITLE VI—COMMUNITY FACILITIES

Purpose

SEC. 601. The purpose of this title is to assist and encourage the communities of the Nation fully to meet the needs of their citizens by making it possible, with Federal grant assistance, for their governmental bodies (1) to construct adequate basic water and sewer facilities needed to promote the efficient and orderly growth and development of the communities; and (2) to construct neighborhood facilities needed to enable them to carry on programs of necessary social services.

Grants for basic water and sewer facilities

SEC. 602. (a) The Housing and Home Finance Administrator (hereinafter in this title referred to as the "Administrator") is authorized to make grants to local public bodies and agencies to finance specific projects for basic public water and sewer facilities (including works for the storage, treatment, purification, and distribution of water.)

(b) The amount of any grant made under the authority of this section shall not exceed 50 per centum of the development cost of the project.

(c) No grant shall be made under this section in connection with any project unless the Administrator determines that the project is necessary to provide adequate water or sewer facilities for, and will contribute to the improvement of the health or living standards of, the people in the community to be served, and that the project is (1) designed so that an adequate capacity will be available to serve the reasonably foreseeable growth needs of the area, (2) consistent with a program meeting criteria, established by the Administrator, for a unified or officially coordinated areawide water or sewer facilities system as part of the comprehensively planned development of the area, except that prior to July 1, 1968, grants may, in the discretion of the Administrator, be made under this section when such a program for an areawide water and sewer facilities system is under active preparation, although not yet completed, if the facility or facilities for which assistance is sought can reasonably be expected to be required as a part of such program, and there is urgent need for the facility or facilities, and (3) necessary to orderly community development.

Grants for neighborhood facilities

SEC. 603. (a) The Administrator is authorized to make grants, in accordance with the provisions of this section, to local public bodies and agencies to finance specific projects for neighborhood facilities.

(b) The amount of any grant made under the authority of this section shall not exceed 66⅔ per centum of the development cost of the project for which the grant is made (or 75 per centum of such cost in the case of a project located in an area which at the time the grant is made is designated as a redevelopment area under section 5 of the Area Redevelopment Act or under any other legislation enacted after the date of the enactment of this Act containing standards for designation as a redevelopment area generally comparable to those set forth in section 5 of the Area Redevelopment Act).

(c) No grant shall be made under this section for any project unless the Administrator determines that the project will provide a neighborhood facility which is (1) necessary for carrying out a program of health, recreational, social, or similar community service (including a community action program approved under title II of the Economic Opportunity Act of 1964) in the area, (2) consistent with comprehensive planning for the development of the community, and (3) so located as to be available for use by a significant portion (or number in the case of large urban places) of the area's low- or moderate-income residents.

(d) For a period of twenty years after a grant has been made under this section for a neighborhood facility, such facility shall not, without the approval of the Administrator, be converted to uses other than those proposed by the applicant in its application for the grant. The Administrator shall not approve any conversion in the use of such a neighborhood facility during such twenty-year period unless he finds that such conversion is in accord with the then applicable program of health, recreational, social, or similar community sevices in the area and consistent with comprehensive planning for the development of the community in which the facility is located. In approving any such conversion, the Administrator may impose such additional conditions and requirements as he deems necessary.

(e) The Administrator shall give priority to applications for projects designed primarily to benefit members of low-income families or otherwise substantially further the objectives of a community action program approved under title II of the Economic Opportunity Act of 1964.

General provisions

SEC. 604. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Administrator shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in section 402, except subsections (a), (c) (2), and (f) of the Housing Act of 1950.

(b) The Administrator is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, to make advance or progress payments on account of any grant made pursuant to this title. No part of any grant authorized to be made by the provisions of this title shall be used for the payment of ordinary governmental operating expenses.

Definitions

SEC. 605. As used in this title—

(a) The term "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

(b) The term "local public bodies and agencies" includes public corporate bodies and political subdivisions; public agencies or instrumentalities of one or more States, municipalities, or political subdivisions of one or more States (including public agencies and instrumentalities of one or more municipalities or other political subdivisions of one or more States); Indian tribes; and boards or commissions established under the laws of any State to finance specific capital improvement projects.

(c) The term "development cost", with respect to any facility, means costs of the construction of the facility and the land on which it is located, including necessary site improvements to permit its use as a site for the facility.

Labor standards

SEC. 606. All laborers and mechanics employed by contractors or subcontractors on projects assisted under sections 602 and 603 shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). No such project shall be approved without first obtaining adequate assurance that these labor standards will be maintained upon the construction work. The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

Appropriations; termination of program

SEC. 607. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title. All funds so appropriated shall remain available until expended.

(b) No grant shall be made under this title after October 1, 1969, except pursuant to a contract or commitment entered into on or before such date.

TITLE VII—FEDERAL NATIONAL MORTGAGE ASSOCIATION

Increase in FNMA special assistance authority

SEC. 701. (a) Section 305(c) of the National Housing Act is amended by inserting before the period at the end thereof the following: ", which limit shall be increased by $100,000,000 on the date of the enactment of the Housing and Urban Development Act of 1965, by $450,000,000 on July 1, 1966, by $550,000,000 on July 1, 1967, and by $525,000,000 on July 1, 1968".

(b) Section 305(f) of such Act is amended by inserting before the period at the end thereof the following: ": *Provided further*, That any portion of the total amount of authority set forth in the first proviso of this subsection which, on the date of the enactment of the Housing and Urban Development Act of 1965 and on each July 1 thereafter, would otherwise be available for making purchases and commitments pursuant to this subsection, shall be transferred to and merged with the authority granted by subsection (a) and added to the amount of such authority as set forth in subsection (c); and the total amount of authority set forth in the first proviso of this subsection shall progressively be reduced by the amount of each such transfer".

Increase in limitation on mortgages for dwelling units having four or more bedrooms

Sec. 702. Section 302(b) of the National Housing Act is amended by inserting before the period at the end of the first sentence the following: "(plus an additional $2,500 for each such family residence or dwelling unit which has four or more bedrooms)"

TITLE VIII—OPEN-SPACE LAND AND URBAN BEAUTIFICATION AND IMPROVEMENT

Change in name of program; findings and purpose

Sec. 801. (a) The heading of title VII of the Housing Act of 1961 is amended to read as follows: "Title VII—Open-Space Land and Urban Beautification and Improvement".

(b) Section 701 of such Act is amended by redesignating subsection (b) as subsection (c) and by inserting after subsection (a) the following new subsection:

"(b) The Congress further finds that there is an urgent need both for the additional provision of parks and other open-space areas in the developed portions of the Nation's urban areas and for greater and better coordinated local efforts to beautify and improve open space and other public land throughout urban areas, to facilitate their increased use and enjoyment by the Nation's urban population."

(c) The subsection of section 701 of such Act redesignated as subsection (c) by subsection (b) of this section is amended—

(1) by inserting "(1) provide and" before "preserve open-space land", and

(2) by inserting before the period at the end thereof the following: ", and (2) beautify and improve open-space and other public urban land, in accordance with programs to encourage and coordinate local public and private efforts toward this end".

Increased grant level for preservation of open-space land

Sec. 802. Section 702(a) of the Housing Act of 1961 is amended by striking out "20 per centum" and "30 per centum" and inserting in lieu thereof "30 per centum" and "40 per centum", respectively.

Substitution of appropriation authority for grant contract authority

Sec. 803. (a) Section 702(a) of the Housing Act of 1961 is amended—

(1) by striking out "enter into contracts to" in the first sentence, and

(2) by striking out all of the third sentence.

(b) Section 702(b) of such Act is amended by striking out the first two sentences and inserting in lieu thereof the following: "There are hereby authorized to be appropriated such amounts as may be necessary to carry out the purposes of this title."

(c) Section 702 of such Act is further amended by adding at the end thereof the following new subsection:

"(f) No grant shall be made under this title after October 1, 1969, except pursuant to a contract or commitment entered into on or before such date."

(d) Section 703(a) of such Act is amended by striking out "enter into contracts to".

Grants for provision of open-space land in built-up urban areas

Sec. 804. Title VII of the Housing Act of 1961 is amended by redesignating sections 705 and 706 as sections 708 and 709 respectively, and by inserting after section 704 the following new section:

"Grants for provision of open-space land in built-up urban areas

"Sec. 705. (a) The Administrator is further authorized to make grants to States and local public bodies to help finance the acquisition of title to, or other permanent interests in, developed land in built-up portions of urban areas to be cleared and used as permanent open-space land, as defined herein. The Administrator shall make such grants only where the local governing body determines that adequate open-space land cannot effectively be provided through the use of existing undeveloped or predominantly undeveloped land and the Administrator determines that the proposed acquisition is important to the comprehensively planned development of the locality. Grants under this section shall not exceed the lesser of (1) $500,000 or (2) 40 per centum of the cost of acquiring such title or other interests and of necessary demolition and removal of improvements.

"(b) Financial assistance extended to any project under this title may include grants for relocation payments, as herein defined. Such grants may be in addition to other financial assistance under this title, and no part of the amount of such relocation payments shall be required to be contributed as a local grant. The term 'relocation payments' means payments by the applicant which are (1) made to an individual, family, business concern, or nonprofit organization displaced, after March 4, 1965, by a project assisted under this title, (2) not otherwise authorized under any Federal law, and (3) made only on such terms and conditions and subject to such limitations (to the extent applicable, but not including the date of displacement) as are provided for relocation payments, at the time such payments are approved, by sections 114 (b), (c), and (d) of the Housing Act of 1949. Relocation payments authorized by this subsection shall be made subject to such rules and regulations as may be prescribed by the Administrator."

Grants for urban beautification and improvement

Sec. 850. (a) Title VII of the Housing Act of 1961 is further amended by inserting after section 705 (as added by section 804 of this Act) the following new section:

"Grants for urban beautification and improvement

"Sec. 706. The Administrator is authorized to make grants, as herein provided, to States and local public bodies to assist in carrying out local programs for the greater use and enjoyment of open-space and other public land in urban areas. The Administrator shall establish criteria for such programs to assure that each (1) represents significant and effective efforts, involving all available public and private resources, for the beautification of such land and its improvement for open-space uses, and (2) is important to the comprehensively planned development of the locality. Grants made under this section shall not exceed 40 per centum of the amount by which the cost of the activities carried on by an applicant during a fiscal year under an approved program exceeds its usual expenditures for comparable activities: *Provided,* That, notwithstanding any other provision of this section, the Administrator may use not to exceed $5,000,000 of the funds available for grants under this section to make grants in amounts up to the full cost of activities which he determines to have special value in developing and demonstrating new and improved methods and materials for use in carrying out the purposes of this section."

(b) Section 702(c) of such Act is amended by inserting after "development costs" the following: "(except as authorized under section 706), or the additional price which is attributable to improvements to be retained on open-space land which are not incidental to the proposed open-space uses,".

Labor standards

Sec. 806. Title VII of the Housing Act of 1961 is further amended by inserting after section 706 (as added by section 805 of this Act) the following new section:

"Labor standards

"Sec. 707. (a) The Administrator shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of grants under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Administrator shall not approve any such grant without first obtaining adequate assurance that these labor standards will be maintained upon the construction work.

"(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c)."

Use of funds for studies and publication

Sec. 807. The second sentence of the section of the Housing Act of 1961 redesignated as section 708 by section 804 of this Act is amended to read as follows: "The Administrator is authorized to use during any fiscal year not to exceed $100,000 of the funds available for grants under this title to undertake such studies and publish such information."

Conforming amendments

Sec. 808. (a) The heading of section 702 of the Housing Act of 1961 is amended to read as follows: "GRANTS FOR PRESERVATION OF OPEN-SPACE LAND".

(b) Section 702(a) of such Act is amended by striking out "provisions of this title" and "purposes of this title" and inserting in lieu thereof "provisions of this section" and "purposes of this section", respectively.

(c) Section 702(e) of such Act is amended by striking out "served by the open-space land acquired" in the second sentence and inserting in lieu thereof "assisted".

(d) Section 703(a) of such Act is amended by striking out "this title" and inserting in lieu thereof "section 702(a)".

(e) Section 704 of such Act is amended by striking out "for which" in the first sentence and inserting in lieu thereof "for the acquisition of which".

TITLE IX—RURAL HOUSING

Loans for previously occupied buildings and minimum site acquisition

Sec. 901. (a) Section 501(a) of the Housing Act of 1949 is amended—

(1) by inserting after "their farms," in clause (1) the following: "and to purchase previously occupied buildings and land constituting a minimum adequate site, in order"; and

(2) by inserting after "rural areas" in clause (2) the following: "for the construction, improvement, alteration, or repair of dwellings, related facilities, and farm buildings and to rural residents for such purposes and for the purchase of previously occupied buildings and the purchase of land constituting a minimum adequate site, in order".

(b) Section 501(c) of such Act is amended by inserting "or a rural resident" in clause (1) after "or that he is the owner of other real estate in a rural area.

Interest rate on direct rural housing loans

SEC. 902. Section 502(a) of the Housing Act of 1949 is amended by striking out "with interest at a rate not to exceed 4 per centum per annum on the unpaid balance of principal." and inserting in lieu thereof the following: "with interest in the case of loans under this section pursuant to clauses (1) and (2) of section 501(a) at a rate not to exceed 5 percentum per annum on the unpaid balance of principal and in the case of loans under this section pursuant to clause (3) of section 501(a) and under sections 503 and 504 at a rate not to exceed 4 percentum per annum on such unpaid balance. Borrowers with loans made or insured under this title shall pay such fees and other charges as the Secretary may require."

Insured rural housing loans

SEC. 903. (a) Title V of the Housing Act of 1949 is amended by adding at the end thereof the following new sections:

"Insurance of loans

"SEC. 517. (a) The Secretary is authorized to insure and to make loans to be sold and insured in accordance with the provisions of sections 501, 502, 514, and 515, and this section, other than the provisions of section 514(a) (3) and (5) and (b) and section 515 (a) and (b)(4), except that such loans in accordance with sections 501 and 502—

"(1) to persons of low or moderate income as defined by the Secretary shall not exceed amounts necessary to provide adequate housing modest in size, design, and cost, as determined by the Secretary, and shall bear interest at a rate not to exceed 5 per centum per annum; and the aggregate of such loans made and insured in any one fiscal year shall not exceed $300,000,000; and

"(2) to persons other than those of low or moderate income shall bear interest and provide for insurance or service charges (at rates determined by the Secretary) comparable to the combined rate of interest and premium charges then in effect under section 203 of the National Housing Act.

"(b) The Secretary may use the Rural Housing Insurance Fund created by this section for the purpose of making loans to be sold and insured under this section, provided that the aggregate of such loans made and not disposed of at any one time shall not exceed $100,000,000.

"(c) The Secretary may insure loans advanced by lenders other than the United States, and may sell and insure loans made from or held in the Rural Housing Insurance Fund by the Secretary, for the payment of principal and interest thereon as it becomes due. The Secretary is authorized to make agreements with respect to servicing loans held by or insured by the Secretary under this section and purchasing such insured loans on such terms and conditions as he may prescribe: *Provided*, That no purchase agreement shall obligate the Secretary to purchase such an insured loan before the expiration of an initial period of five years from the date of the note. Any contract of insurance executed by the Secretary shall be an obligation supported by the full faith and credit of the United States and incontestable except for fraud or material misrepresentation of which the holder has actual knowledge. In connection with loans insured under this section the Secretary may take liens running to the United States notwithstanding the fact that the notes evidencing such loans may be held by lenders other than the United States. Notes evidencing such loans shall be freely assignable but the Secretary shall not be bound by any assignment until notice thereof is given to and acknowledged by the Secretary.

"(d) After ninety days after the original capitalization of the Rural Housing Insurance Fund, no loans, other than loans then held or insured by the Secretary pursuant to section 514 or 515(b), shall be made or insured under section 514 or 515(b) except in accordance with this section.

"(e) There is hereby created the Rural Housing Insurance Fund (hereinafter in this section referred to as the 'Fund') which shall be used by the Secretary as a revolving fund for carrying out the provisions of this section. There are authorized to be appropriated to the Secretary such sums as may be necessary for the purposes of the Fund.

"(f) Money in the Fund not needed for current operations shall be invested in direct obligations of the United States or obligations guaranteed by the United States.

"(g) All funds, claims, notes, mortgages, contracts, and property acquired by the Secretary under this section, and all collections and proceeds therefrom, shall constitute assets of the Fund; and all liabilities and obligations of such assets shall be liabilities and obligations of the Fund. Loans may be held in the Fund and collected in accordance with their terms or may be sold by the Secretary with or without agreements for insurance thereof. Loans may be sold by the Secretary at prices within the range of market prices for the particular class or classes of loans involved, as determined by the Secretary from time to time. The aggregate of (1) any amount by which the balance outstanding on loans at the time of sale exceeds the price at which the loans are sold and (2) the amount of any fees and charges paid in connection with any sales of loans shall be reimbursed to the Fund by annual appropriations.

"(h) The Secretary is authorized to issue notes to the Secretary of the Treasury to obtain funds necessary for discharging obligations under this section and for authorized expenditures out of the Fund, but, except as may be authorized in appropriation Acts, not for the original capital or any additional capital of the Fund or to reimburse the Fund for losses from any sales of loans at less than par value. Such notes shall be in such form and denominations and have such maturities and be subject to such terms and conditions as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Each note shall bear interest at such rate as may be determined by the Secretary of the Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of the loans held by the Secretary in the Fund, adjusted to the nearest one-eighth of 1 per centum, during the month of June preceding the fiscal year in which the loans were made. The Secretary of the Treasury is authorized and directed to purchase any notes of the Secretary issued hereunder, and for that purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include purchases of notes issued by the Secretary under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes shall be treated as public debt transactions of the United States. The notes issued by the Secretary to the Secretary of the Treasury shall constitute obligations of the Fund.

"(i) The Secretary may retain out of interest payments by the borrower an annual charge in an amount specified in the insurance or sale agreement applicable to the loan. Of the charges retained by the Secretary, if any, not to exceed 1 per centum per annum of the unpaid balance of the loan shall be deposited in the Fund. Any retained charges not deposited in the Fund shall be available for administrative expenses in carrying out the provisions of this title, to be transferred annually and become merged with any appropriation for administrative expenses of the Farmers Home Administration, when and in such amounts as may be authorized in appropriation Acts.

"(j) The Secretary may also utilize the Fund—

"(1) to pay amounts to which the holder of a note is entitled in accordance with an insurance or sale agreement under this section accruing between the date of any prepayment by the borrower to the Secretary and the date of transmittal of such prepayment to the holder of the note; and, in the discretion of the Secretary, prepayments other than final payments need not be remitted to the holder until due;

"(2) to pay the holder of any note insured under this section any defaulted installment or, upon assignment of the note to the Secretary at the Secretary's request, the entire balance outstanding on the note;

"(3) to purchase notes in accordance with agreements previously entered into;

"(4) to pay taxes, insurance, prior liens, expenses necessary to make fiscal adjustments in connection with the application and transmittal of collections, and other expenses and advances to protect the security for loans which are insured under this section or held in the Fund, and to acquire such security at foreclosure sale or otherwise; and

"(5) to pay fees and charges in connection with sales by the Secretary of loans insured under this section.

"Rural housing direct loan account

"SEC. 518. (a) There is hereby created the Rural Housing Direct Loan Account (hereinafter in this section referred to as the 'Account') which shall be used by the Secretary for carrying out the provisions of this section. There are authorized to be appropriated to the Secretary such sums as may be necessary for the purposes of the Account.

"(b) There are hereby transferred to the Account (1) all funds, claims, notes, mortgages, contracts, and property, and all collections and proceeds therefrom, held by the Secretary under the direct loan provisions of this title, including those securing notes issued by the Secretary to the Secretary of the Treasury under section 511 and any unexpended balance of amounts borrowed upon such notes, and (2) all unexpended balances of appropriations for direct loans under this title, including the fund authorized by section 515(a). All amounts hereafter borrowed by the Secretary from the Secretary of the Treasury under section 511 shall be deposited in the Account. All collections and proceeds from assets acquired by the Account shall be deposited in the Account.

"(c) When and in such amounts as may be authorized in appropriation Acts, the Secretary may issue notes to the Secretary of the Treasury to obtain funds to be deposited in the Account. The form, denominations, maturities, and other terms and conditions of such notes shall be prescribed by the Secretary with the approval of the Secretary of the Treasury. Each note shall bear interest at such rate as may be determined by the Secretary of the Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of the loans held by the Secretary in the Account, adjusted to the nearest one-eighth of 1 per centum, during the month of June preceding the fiscal year in which the loans were made. The Secretary of the Treasury is authorized and directed to purchase any notes of the Secretary issued hereunder, and for that purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include the purchase of notes issued by the Secretary under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes shall be treated as public debt transactions of the United States.

"(d) The Account shall remain available to the Secretary for the payment of interest and principal on notes issued by the Secretary to the Secretary of the Treasury under section 511 or this section, and for direct loans and related advances under this title in such amounts as are now authorized by law and in such further amounts as shall be authorized in appropriation Acts. Amounts so authorized for such loans and advances shall remain available until expended."

(b) Section 511 of such Act is amended—

(1) by inserting "direct" after "making", and by striking out "(other than loans under section 504(b) or 515(a))", in the first sentence;

(2) by striking out ", of which $50,000,000 shall be available exclusively for assistance to elderly persons as provided in clause (3) of section 501(a)", and by striking out "September 30, 1965" and inserting in lieu thereof "October 1, 1969", in the second sentence; and

(3) by striking out "rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of the notes or obligations by the Secretary" in the fifth sentence and inserting in lieu thereof the following: "yields on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of the loans held by the Secretary in the Rural Housing Direct Loan Account, adjusted to the nearest one-eighth of 1 per centum, during the month of June preceding the fiscal year in which the loans were made".

Federal National Mortgage Association secondary market operations for insured rural housing loans

SEC. 904. (a) Section 302(b) of the National Housing Act is amended—

(1) by inserting immediately after "which are insured under the National Housing Act" the following: "or title V of the Housing Act of 1949";

(2) by inserting after "any mortgage" in clause (2) of the proviso the following: ", except a mortgage insured under title V of the Housing Act of 1949,"; and

(3) by inserting before the period in the last sentence the following: "or title V of the Housing Act of 1949".

(b) Section 303(b) of such Act is amended by inserting "and other" after "private" in the first sentence.

Extension of rural housing authorizations

SEC. 905. (a) Section 512 of the Housing Act of 1949 is amended by striking out "September 30, 1965" and inserting in lieu thereof "October 1, 1969".

(b) Section 513 of such Act is amended—

(1) by striking out "September 30, 1965" in clause (b) and inserting in lieu thereof "October 1, 1969";

(2) by striking out "$10,000,000" in clause (c) and inserting in lieu thereof "$50,000,000", and by striking out "September 30, 1965" in the same clause and inserting in lieu thereof "October 1, 1969"; and

(3) by striking out "September 30, 1965" in clause (d) and inserting in lieu thereof "October 1, 1969".

(c) Section 515(b)(5) of such Act is amended by striking out "September 30, 1965" and inserting in lieu thereof "October 1, 1969".

(d) Section 506(a) of such Act is amended by striking out "sections 501 to 504, inclusive, and sections 514–516", each place it occurs and inserting in lieu thereof "this title".

Payment of interest to the Treasury on appropriations for rural housing loans

SEC. 906. Title V of the Housing Act of 1949 is amended by adding at the end thereof (after the new sections added by section 903 of this Act) the following new section:

"Interest on appropriations for rural housing loans

"SEC. 519. (a) The Secretary shall pay to the Secretary of the Treasury interest at a rate determined under the formula contained in section 517(h) or 518(c) (as may be applicable) on any portion of any future appropriations deposited in the Rural Housing Insurance Fund or the Rural Housing Direct Loan Account for the purpose of making loans (as distinguished from appropriations for the purpose of restoring losses or expenditures from such Fund or Account). Such interest shall be payable annually upon any sum so deposited until an amount equal to such sum is paid from the Fund or Account to which it was deposited and returned to miscellaneous receipts of the Treasury.

"(b) Any sums in the Rural Housing Insurance Fund or the Rural Housing Direct Loan Account which the Secretary determines are in excess of amounts needed to meet the obligations and carry out the purposes of such Fund or Account shall be returned to miscellaneous receipts of the Treasury."

TITLE X—MISCELLANEOUS

Authorization for urban planning grants

SEC. 1001. (a) Section 701(b) of the Housing Act of 1954 is amended by striking out "not exceeding $105,000,000" in the fifth sentence and inserting in lieu thereof "such amounts as may be necessary".

(b) Section 701 of such Act is further amended by adding at the end thereof the following new subsection:

"(g) No grant shall be made under this section after October 1, 1969, except pursuant to a contract or commitment entered into on or before such date."

Authorization for Federal-State training programs

SEC. 1002. (a) Section 802(d) of the Housing Act of 1964 is amended (1) by striking out "for grants under this part", and (2) by striking out "not to exceed $10,000,000" and inserting in lieu thereof "such amounts as may be necessary to carry out the purposes of this part".

(b) Section 802 of such Act is further amended by adding at the end thereof the following new subsection:

"(e) No grant shall be made under this part after October 1, 1969, except pursuant to a contract or commitment entered into on or before such date."

(c) Section 803 of such Act is amended (1) by striking out "authorized to be", and (2) by striking out "by section 802(d)" and inserting in lieu thereof "for the purposes of this part".

Authorization for Public Works Planning Advances

SEC. 1003. (a) The second sentence of section 702(e) of the Housing Act of 1954 is amended (1) by striking out "Housing Act of 1964" and inserting in lieu thereof "Housing and Urban Development Act of 1965", and (2) by striking out ", not to exceed $20,000,000,".

(b) Section 702 of such Act is further amended by adding at the end thereof the following new subsection:

"(i) No advance shall be made under this section after October 1, 1969, except pursuant to a contract or commitment entered into on or before such date."

Advisory committees—technical provision

SEC. 1004. Section 601 of the Housing Act of 1949 is amended by striking out the second sentence.

Public facility loans to nonprofit corporations

SEC. 1005. Section 202(c) of the Housing Amendments of 1955 is amended by adding at the end thereof the following new sentence: "Notwithstanding any other provision of this title, the Administrator may extend financial assistance, as otherwise authorized by clause (1) of subsection (a) of this section, to private nonprofit corporations to finance the construction of works for the storage, treatment, purification, or distribution of water or the construction of sewage, sewage treatment, and sewer facilities, if needed to serve such smaller municipalities, upon a determination that no existing public body is able to construct and operate such facilities."

FHA conforming amendments

SEC. 1006. (a) Section 2(f) of the National Housing Act is amended by striking out all that follows the first sentence.

(b) Section 8 of such Act is amended—

(1) by striking out "Title I Housing Insurance Fund" in subsection (g) and inserting in lieu thereof "General Insurance Fund"; and

(2) by striking out subsections (h) and (i).

(c) Section 203(k) of such Act is amended—

(1) by striking out "a separate section 203 Home Improvement Account to be maintained as hereinafter provided under the Mutual Mortgage Insurance Fund" in clause (3) of the first sentence and inserting in lieu thereof "the General Insurance Fund";

(2) by striking out "the section 203 Home Improvement Account or in debentures executed in the name of such Account" in clause (4) of the first sentence and inserting in lieu thereof "the General Insurance Fund or in debentures executed in the name of such Fund";

(3) by striking out all of the third sentence which follows "refer to this section 203(k)" and inserting in lieu thereof a period; and

(4) by striking out the fourth, fifth, and sixth sentences.

(d) Section 204 of such Act is amended—

(1) by striking out "or section 210" in the first sentence of subsection (a);

(2) by striking out all of the second sentence of subsection (c) after "the mortgagee" and inserting in lieu thereof "from the Mutual Mortgage Insurance Fund.";

(3) by striking out all of the first sentence of subsection (d) after "shall be negotiable" the first place it appears and inserting in lieu thereof a period;

(4) by striking out "the Fund" each place it appears in subsection (d) and inserting in lieu thereof "the Mutual Mortgage Insurance Fund";

(5) by striking out "or the Housing Fund, as the case may be," in the fifth sentence of subsection (d);

(6) by striking out "or the Housing Fund" in the sixth sentence of subsection (d); and

(7) by striking out the matter in subsection (f)(1)(i) which follows "section 203" and precedes the colon.

(e) Section 207 of such Act is amended—

(1) by striking out "and section 210" in the first sentence of subsection (d);

(2) by striking out "of the Housing Insurance Fund issued by the Commissioner under this title" in the first sentence of subsection (d) and inserting in lieu thereof the following: "issued by the Commissioner under any title and section of this Act, except

debentures of the Mutual Mortgage Insurance Fund";

(3) by striking out subsections (f), (m), and (p); and

(4) by striking out "the Housing Insurance Fund" and "the Housing Fund" each place they appear in subsections (b), (h), (i), (j), (k), and (l) and inserting in lieu thereof "the General Insurance Fund".

(f) Section 209 of such Act is amended by striking out "or account or accounts," in the second sentence.

(g) Section 213 of such Act is amended—

(1) by striking out "the Housing Fund" in subsection (a)(3) and inserting in lieu thereof "the General Insurance Fund"; and

(2) by striking out "(l), (m), (n), and (p)" in subsection (e) and inserting in lieu thereof "(l), and (n)".

(h) Section 220 of such Act is amended—

(1) by striking out "the section 220 Housing Insurance Fund" each place it appears in subsections (d)(2) and (f) and inserting in lieu thereof "the General Insurance Fund";

(2) by inserting "and" immediately before "(B)" in the second full sentence in subsection (f)(3), and by striking out ", and (C)" and all that follows in such sentence and inserting in lieu thereof a period;

(3) by striking out subsections (g) and (h)(4); and

(4) by striking out "the section 220 Home Improvement Account" each place it appears in subsections (h)(5) and (h)(7) and inserting in lieu thereof "the General Insurance Fund".

(i) Section 221 of such Act is amended—

(1) by striking out "the section 221 Housing Insurance Fund" each place it appears in subsections (d)(4), (f), (g)(1), and (g)(3) and inserting in lieu thereof "the General Insurance Fund";

(2) by striking out all of subsection (g)(2) after "mortgages insured under this section" and inserting in lieu thereof "; or";

(3) by inserting "and" immediately before "(B)" in the first full sentence in subsection (g)(3), and by striking out ", and (C)" and all that follows in such sentence and inserting in lieu thereof a period; and

(4) by striking out subsection (h).

(j) Section 222 of such Act is amended—

(1) by striking out "Servicemen's Mortgage Insurance Fund" in subsection (e) and inserting in lieu thereof "General Insurance Fund"; and

(2) by striking out subsection (f).

(k) Section 229 of such Act is amended by striking out "and Accounts" in the first sentence.

(l) Section 231 of such Act is amended—

(1) by striking out "the section 207 Housing Insurance Fund" in subsection (c)(4) and inserting in lieu thereof "the General Insurance Fund"; and

(2) by striking out "(f), (g), (h), (i), (j), (k), (l), (m), (n), and (p)" in subsection (e) and inserting in lieu thereof "(g), (h), (i), (j), (k), (l), and (n)".

(m) Section 232 of such Act is amended—

(1) by striking out "the section 207 Housing Insurance Fund" in subsection (d)(1) and inserting in lieu thereof "the General Insurance Fund"; and

(2) by striking out "(f), (g), (h), (i), (j), (k), (l), (m), (n), and (p)" in subsection (f) and inserting in lieu thereof "(g), (h), (i), (j), (k), (l), and (n)".

(n) Section 233 of such Act is amended—

(1) by striking out "the Experimental Housing Insurance Fund" in clause (1) of the third sentence of subsection (f) and inserting in lieu thereof "the General Insurance Fund";

(2) by inserting "and" immediately before "(2)" in the third sentence of subsection (f), and by striking out ", and (3)" and all that follows and inserting in lieu thereof a period; and

(3) by striking out subsection (g).

(o) Section 234 of such Act is amended—

(1) by striking out "the Apartment Unit Insurance Fund" in subsections (d)(2) and (g) and inserting in lieu thereof "the General Insurance Fund";

(2) by striking out subsection (h) and inserting in lieu thereof the following:

"(h) The provisions of subsections (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 shall be applicable to mortgages insured under subsection (d) of this section."; and

(3) by striking out subsection (i) and redesignating subsection (j) as subsection (i).

(p) Section 604 of such Act is amended by striking out "the War Housing Insurance Fund" each place it appears in subsections (c), (d) and (f)(1)(i) and inserting in lieu thereof "the General Insurance Fund".

(q) Section 608 of such Act is amended—

(1) by striking out "the War Housing Insurance Fund" each place it appears in subsections (b)(1) and (d) and inserting in lieu thereof "the General Insurance Fund"; and

(2) by striking out subsection (f) and inserting in lieu thereof the following:

"(f) The provisions of section 207(k) of this Act shall be applicable to mortgages insured under this section, except that, as applied to such mortgages, the reference therein to subsection (g) shall be construed to refer to subsection (c) of this section."

(r) The first sentence of section 609(f) of such Act is amended by striking out clause (1) and redesignating clauses (2), (3), and (4) as clauses (1), (2), and (3), respectively.

(s) Section 707 of such Act is amended by striking out "the Housing Investment Insurance Fund" and inserting in lieu thereof "the General Insurance Fund".

(t) Section 708 of such Act is amended by striking out "the Housing Investment Insurance Fund" each place it appears in subsections (c), (e), (g), and (h) and inserting in lieu thereof "the General Insurance Fund".

(u) Section 803 of such Act is amended—

(1) by striking out "the Armed Services Housing Mortgage Insurance Fund" each place it appears in subsections (b)(1), (b)(2), (e), (f), and (g) and inserting in lieu thereof "the General Insurance Fund"; and

(2) by striking out subsection (h) and inserting in lieu thereof the following:

"(h) The provisions of section 207(k) and section 207(l) of this Act shall be applicable to mortgages insured under this title and to property acquired by the Commissioner hereunder, except that, as applied to such mortgages and property, the reference in section 207(k) to subsection (g) shall be construed to refer to subsection (d) of this section."

(v) Section 809 of such Act is amended by striking out "the Armed Services Housing Mortgage Insurance Fund" each place it appears in subsections (b), (e), and (g) and inserting in lieu thereof "the General Insurance Fund".

(w) Section 810 of such Act is amended—

(1) by striking out "the Armed Services Housing Mortgage Insurance Fund" in subsection (e) and inserting in lieu thereof "the General Insurance Fund";

(2) by striking out "(l), (m), (n), and (p)" in subsection (j) and inserting in lieu thereof "(l), and (n)"; and

(3) by striking out the proviso in subsection (j) and inserting in lieu thereof the following: ": *Provided*, That wherever the words 'Fund' or 'Mutual Mortgage Insurance Fund' appear in section 204, such reference shall refer to the General Insurance Fund with respect to mortgages insured under this section".

(x) Section 903 of such Act is amended by striking out "the National Defense Housing Insurance Fund" each place it appears in subsection (a) and inserting in lieu thereof "the General Insurance Fund".

(y) Section 904 of such Act is amended—

(1) by striking out "the National Defense Housing Insurance Fund" each place it appears in subsections (c) and (d) and inserting in lieu thereof "the General Insurance Fund"; and

(2) by striking out all of subsection (e) which follows "of this Act" and inserting in lieu thereof a period.

(z) Section 908 of such Act is amended—

(1) by striking out "the National Defense Housing Insurance Fund" in subsection (b)(1) and inserting in lieu thereof "the General Insurance Fund";

(2) by striking out all of subsection (d) which follows "of this Act" and inserting in lieu thereof a period; and

(3) by striking out subsection (f) and inserting in lieu thereof the following:

"(f) The provisions of section 207(k) and section 207(l) of this Act shall be applicable to mortgages insured under this section and to property acquired by the Commissioner hereunder, except that, as applied to such mortgages and property, the reference therein to subsection (g) shall be construed to refer to subsection (c) of this section."

(aa) Sections 219, 602, 605, 710, 802, 804, 902, and 905 of such Act are repealed.

Savings and loan associations

SEC. 1007. Section 5(c) of the Home Owners' Loan Act of 1933 is amended—

(1) by adding at the end of the first paragraph the following new sentence: "Loans on the security of buildings substantially all of which are used or are to be used after completion for college dormitories, fraternity houses, or sorority houses, or for residential purposes by the staffs of community hospitals, shall be considered as loans on 'other dwelling units' for the purposes of this subsection.";

(2) by inserting before the period at the end of the next to last paragraph (as determined without regard to the new paragraphs added by this Act) the following: ": *Provided*, That in any State or area within a State where the Board shall find that a substantial part of the land occupied by or suitable for residential structures is available for purchase only on a leasehold basis, any such association may make a loan on the security of a first lien on the remainder of the term of any such leasehold which extends or is renewable for at least ten years beyond the maturity of such loan"; and

(3) by adding at the end thereof (after the new paragraph added by section 201(b)(3) of this Act) the following new paragraph:

"Any building association, building and loan association, or savings and loan association organized and operating under the laws of the District of Columbia shall have the same powers with respect to the investment of its assets as are authorized for Federal savings and loan associations under this subsection, and shall be governed by such regulations as the Board may prescribe in relation to the exercise of such powers by Federal savings and loan associations."

Urban renewal project in Johnson City, Tennessee

SEC. 1008. Notwithstanding the date of commencement of the installation of certain underground electrical wiring in Johnson City, Tennessee, expenditures made in connection with such installation shall, to the extent otherwise eligible, be counted as a local grant-in-aid to Johnson City's proposed downtown urban renewal project (Tennessee R–80) in accordance with the provisions of title I of the Housing Act of 1949.

Repayment of certain planning grants

SEC. 1009. Notwithstanding any other provision of law, no advance made under section 501 of Public Law 458, Seventy-eighth Congress; Public Law 352, Eighty-first Congress; or section 702, Housing Act of 1954, Public Law 560, Eighty-third Congress, for the planning of any public works project shall be required to be repaid if construction of such project has been heretofore or is hereafter initiated as a result of a grant-in-aid made from an allocation made by the President under the Public Works Acceleration Act.

Mr. PATMAN (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. FARBSTEIN

Mr. FARBSTEIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FARBSTEIN: Page 53, after line 11, add the following new section:

"REQUIREMENT OF LOW- AND MIDDLE-INCOME HOUSING IN REDEVELOPMENT OF URBAN RENEWAL AREAS

"SEC. 308. (a) Section 105(b) of the Housing Act of 1949 is amended by striking out 'and (iii)' and inserting in lieu thereof the following: '(iii) to give satisfactory assurances that any rental housing or cooperative housing which may be constructed on such property in the redevelopment of the area will be designed for occupancy by persons from the low- and middle-income segments of the population (as determined by the local public agency), and that the rentals (or, in the case of cooperative housing, the purchase price) to be established for living accommodations in such housing will not exceed the level (as determined by such agency) which such persons can reasonably be expected to pay; and (iv)'.

"(b) Paragraph (4) of section 110(c) of such Act is amended by striking out 'for uses in accordance with the urban renewal plan' and inserting in lieu thereof 'for uses in accordance with (A) the urban renewal plan, and (B) the applicable contract made with the local public agency as provided in section 105,'.

"(c) The amendments made by this section shall apply only with respect to contracts for loan or capital grant entered into under title I of the Housing Act of 1949 on or after the date of the enactment of this Act; except that such amendments shall not apply in the case of any developer who has made a proposal to or has entered into negotiations or discussions with the local public agency involved, prior to the date of the enactment of this Act, with respect to the possible development by him within the urban renewal area of housing other than housing described in clause (iii) of section 105(b) of the Housing Act of 1949 as amended by subsection (a) of this section."

And redesignate the succeeding sections accordingly.

Mr. FARBSTEIN. Mr. Chairman, this amendment would prohibit the Federal Government from providing any subsidy for the construction of luxury housing. The amendment would restrict all federally aided rental or cooperative housing in urban renewal projects to occupancy by middle- or low-income families, as determined by the local public agency.

The only exception I would make is that the applications of developers for Government loans or capital grants for the construction of urban renewal projects filed prior to the date of enactment of this act should not be barred from consideration.

This amendment which I have offered, Mr. Chairman, is designed to make available to the inhabitants of our cities more low- and middle-income housing. It is a simple matter of economics. Our resources permit only so much Federal aid to housing developers. And since our resources are limited, are we to permit Federal money to be squandered where it is not needed?

Mr. Chairman, I represent a heavily populated district in the very heart of New York City, and as a result no one is more painfully aware than I of the critical shortage of low- and middle-income housing in our urban areas today.

I emphasize low- and middle-income housing, Mr. Chairman, not luxury housing. In my home district, there are 68,000 families with incomes of less than $6,000. There are 67,000 deteriorating or dilapidated housing units, and only 55.5 percent of the total housing stock is sound with all plumbing facilities. Of our existing housing stock, 172,000 units were built before 1940. And my district is not atypical, Mr. Chairman. It is, in fact, representative of many of the urban concentrations across our Nation. The problems of my constituents are identical with the problems of millions of people in Chicago, Philadelphia, Baltimore, and right here in the District of Columbia.

The people in my district do not want luxury housing, Mr. Chairman, and they cannot afford it. All they want is a decent place to live and bring up their children. If the Federal Government is to participate in the eradication of slums from our cities, it must provide alternative housing for the families which have been displaced. These families will not be able to afford to move into a luxury apartment building. Thus, they will have to live either in a reasonably priced attractive, modern, low- or middle-income housing development or else they will have to relocate into another miserable and degrading slum.

In other words, Mr. Chairman, any money this Congress permits to be spent on luxury housing developments is money wasted, money poured down the drain. We will have lined the pockets of the developers of luxury housing—they will have had Federal aid, and certainly they will have no shortage of tenants who can afford high rents in this booming economy of ours. But we will have betrayed the people of this Nation who desperately need housing. We will have played Robin Hood in reverse—taking from the poor to give to the rich. I hope my colleagues in this Chamber will see fit to incorporate my amendment to H.R. 7984, which would prevent this eventuality from occurring.

Now, Mr. Chairman, last year I offered the same amendment. The objection to the amendment at that time was that those people who had already filed applications would be precluded from the benefits thereof. Well, Mr. Chairman, I added language today to the amendment to afford those who have already filed their applications for luxury housing to be permitted to be considered as valid. However, from now on, no Federal money or no taxpayer moneys should be used for the purpose of building luxury housing. I do not think it is right. I think all public moneys should be restricted to low- and middle-income housing.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman from Ohio.

Mr. ASHLEY. Is it not true that each local community and the local government of that community passes on the plans, the Federal urban renewal plan, and what is going to go into that urban renewal project? Is it not true that at the present time the people of the community are able to answer for themselves as to whether they want to go into an urban renewal project and what they want in that project?

Mr. FARBSTEIN. Well, let me tell the gentleman what has occurred in my district. Some years ago under an urban renewal project the Federal Government paid two-thirds of the cost and the municipality paid one-third and undertook a project to clean up some slums. Thereupon, the area was sold to a developer and that developer agreed, or it was so understood, that he would build medium-income houses.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FARBSTEIN. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. What happened was that instead of building medium-income housing, they built luxury housing. That development is now known as the Washington Square development and you have to pay at least $70 a room in order to secure an apartment there.

Mr. Chairman, I believe this is wrong and I do not think this should be permitted. I think it should be written into the law that no Federal moneys under urban renewal development can be used for anything except low- and medium-income housing.

Mr. Chairman, I hope this amendment will be adopted.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do want to say to the gentleman from New York that he works inexhaustibly for his constituents. I believe that fact has been demonstrated here this afternoon.

However well intentioned, this would be a highly destructive amendment and would strike a body blow to the urban renewal program. Low-cost housing must be built but not necessarily on extremely high-cost land. The local officials and local experts must have a free hand in determining the type of buildings which would be compatible to the urban renewal project.

On the subject I would like to quote from our distinguished former colleague, Robert Taft, Jr., who spoke on a similar amendment in last year's housing bill. He knows the urban renewal program well, both in Cincinnati and countrywide. He opposed the amendment as being impractical because it would call for, and I quote, "Radical changes in some plans already underway for urban renewal."

I hope the amendment will be defeated.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I would be glad to yield to the gentleman from New York.

Mr. FARBSTEIN. Let me remind the gentleman from Pennsylvania that I state in here, in talking about my amendment, that one of the objections raised was that there were those who had filed applications who would be excluded.

The former Member of this House whom you mentioned, the gentleman from Ohio [Mr. Taft], was the gentleman who raised that objection. However, I cover that very objection in my amendment when I say, "All those applications that have already been filed will not be restricted." They will be continued but from here on in there will not be any moneys provided for luxury housing.

Mr. BARRETT. Mr. Chairman, I do hope we can move along on this. There are Members on both sides of the aisle who have a very important engagement later this evening and therefore I ask for an immediate vote and hope this amendment is voted down.

Mr. RYAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman and Members of the Committee, we have heard a great deal of talk this afternoon particularly from the other side of the aisle about the subsidy of poor people in public housing. And there has been a great reluctance on the part of some Members to adopt a program of rent supplements.

This amendment is directed at subsidies which are intended for the rich. I would think anyone who opposes subsidies for the poor would certainly oppose subsidies for the rich. The use of title I funds for luxury housing is a question that has been before this House on previous occasions. It has been before the Subcommittee on Housing. It has been one of the fundamental questions involved in the application of urban renewal programs in every city in the country. For a number of years I have been concerned about the fact that luxury housing has been subsidized and that Congress has not insisted on limiting urban renewal write-downs to low- and middle-income housing.

There have been a whole series of programs in New York where the rents have been set at $60, $75, and, in one instance, as high as $246 a room. Time and again high-cost housing has been constructed, displacing site tenants who cannot afford the rents in the new apartments. As long as there is a critical shortage of housing for low- and middle-income people, they must have priority.

Unfortunately, the bill only provides for 35,000 units a year of new public housing and with the 15-percent limitation which the Congress has not seen fit to remove, this means only 5,250 new units for the State of New York.

We should concentrate our attention, our energies, and our resources on the great need which we face in this country, and that is to build houses for the million and a half people in New York City and for some 6 million people in all parts of the country who are now living under substandard conditions.

When the Housing Act of 1961 was on the floor I offered an amendment at that time to prohibit the construction of luxury housing with urban renewal funds. I have testified before the subcommittee on this matter, and I have introduced legislation (H.R. 3964) to accomplish this purpose.

The argument that high-priced urban land should be used for luxury housing is simply wrong. It is necessary to provide houses for people who need them.

As a matter of public policy, we should make fundamentally clear the sense of the Congress, there shall be no further construction in any city in the country of high-priced housing under the title I program.

I urge that all Members support the pending amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FARBSTEIN].

The amendment was rejected.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all debate on the pending bill and all amendments thereto close at 4:40.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. DOWDY. Mr. Chairman, I object.

Mr. PATMAN. Mr. Chairman, I move that all debate on the bill and all amendments thereto close at 4:45.

The motion was agreed to.

The CHAIRMAN. For what purpose does the gentleman from Ohio [Mr. ASHLEY], a member of the committee, rise?

AMENDMENT OFFERED BY MR. ASHLEY

Mr. ASHLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHLEY: Page 65, strike out line 20, and all that follows down through page 66, line 8.

And redesignate the succeeding section accordingly.

Mr. ASHLEY. Mr. Chairman, the purpose of this amendment is to keep the college housing loan program as it is presently operating.

This program authorizes the HHFA to make loans to finance college dormitories and related facilities at an interest rate formula determined annually by the average market yield on all interest-bearing obligations of the United States, plus a quarter of 1 percent—the present rate being 3¾ percent. The program also requires that financing is not available from other sources on equally favorable terms.

The administration's housing bill called for $300 million additional authority for these loans for each of the next 4 years but it did not request any change in the interest rate for these loans—that is to say, it did not request a reduction to the 3 percent which we find in the bill.

My reason for introducing this amendment is that the private investment market has supplied very substantial sums of money for college housing and would be precluded from doing so with the 3-percent rate.

College housing bonds sold on the private market in 1964 totaled over $222 million and from February to May of 1965 the amount was almost $100 million. All of these bonds are sold at interest rates above 3 percent but below 4 percent—so it is clear that if the proposed 3-percent rate had been in effect all of these bonds would have been eligible for purchase by the Federal Government, although the fact is that they were sold in the private market.

The only reasons set forth in the report on H.R. 7984 for the proposed reduction to 3 percent are that, first, the assistance intended by Congress has been greatly reduced; and, second, dormitory quarters financed with money at 3 percent can be rented to a student for $380 a year while the same housing at 4 percent must be rented at $430 a year.

Neither of these reasons seem to me valid. There is considerable evidence that many additional hundreds of millions of dollars will be needed for expanded college housing facilities in the years ahead and there is also positive evidence that in many instances annual dormitory rental fees range between $200 and $300 although the dormitories are financed at net interest costs ranging from 3.4 to 3.7 percent.

I urge adoption of this amendment to strike section 502 because I feel strongly that the proposed 3 percent rate would actually delay construction of needed college dormitories—many institutions which otherwise would obtain financing promptly in the private market will wait to obtain 3-percent funds and the proposed authorization will not satisfy this increased demand—because the proposed 3-percent rate would completely preempt college dormitory financing by the Federal Government—despite the fact that the present program has worked effectively—and because there is no evidence of need for the subsidy 3-percent rate.

Mr. WIDNALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this was my amendment and it was the result of hearings before our committee where we were told a very, very successful program, the college housing program, was being phased out because of an increase in the interest rate. The current interest rate was going up as of June 30 to 4 percent or over. The 3 percent rate will be in recognition of what is needed in this program to keep it going and provide low rental housing in college dormitories.

It is a program that I know all of the colleges of the country are very much interested in and they heartily support it. The program has been successful with a much lower interest rate. It started out at 2½ percent and it has gradually climbed up with the market. This is a small subsidy but the alternative would be coming in here and requesting hundreds of millions of dollars by way of grants to the colleges for their college dormitories.

Mr. Chairman, I think this is a far more suitable approach, to provide the 3 percent rate in this bill which is realistic and which is the same as we are proposing in the housing for the elderly program and also the 221(d)(3) program.

Mr. PATMAN. Mr. Chairman, it is with great reluctance that I oppose the amendment, because the gentleman is a member of the committee, and a very valuable and able one. I cannot agree with this amendment. I do agree with the ranking minority member, the gentleman from New Jersey [Mr. WIDNALL].

This amendment, if adopted, would force colleges to charge higher dormitory room rates to college students and that is something I do not think the Congress wants to do. We all know about the tremendous problems facing our institutions of higher learning and we all know that the advanced education of our youth is one of the highest objectives of national welfare and security.

The facts are that most private colleges and many State colleges and universities are dependent on the college housing loan program for their borrowings. The flat 3-percent rate fixed in this bill will help lower costs to students in all types of colleges, public and private, and is particularly needed to keep down spiralling college costs.

I ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. ASHLEY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: Page 106, strike out "and" in line 9, "; and" at the end of line 20, and after line 20 insert the following:

"(4) by adding at the end thereof (after all other additions made by this Act) the following new paragraph:

" 'No building and loan association incorporated under the laws of the District of Columbia or organized in said District or doing business in said District shall establish any branch or move its principal office or any branch without the prior written approval of the Federal Home Loan Bank Board, and no other building and loan association shall establish any branch in said District or move its principal office or any branch in said District without such approval. As used in the sentence next preceding, "branch" means any office, place of business, or facility, other than the principal office as defined by said Board, of a building and loan association at which accounts are opened or payments thereon are received or withdrawals therefrom are paid, or any other office, place of business, or facility of a building and loan association defined by said Board as a branch within the meaning of said sentence, and as used in said sentence and in this sentence "building and loan association" means any incorporated or unincorporated building, building or loan, building and loan, savings and loan, or homestead association or cooperative bank.' "

Mr. MULTER (interrupting the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD. I understand it is acceptable to both sides.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PATMAN. Mr. Chairman, the majority members of the committee are willing to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

Mr. HALL. Mr. Chairman, a point of order. We do not know what the amendment is.

Mr. MULTER. Mr. Chairman, I will explain the amendment.

This amendment was considered in the committee and found acceptable. It merely provides that the Home Loan Bank Board shall exercise the same jurisdiction in the District of Columbia over all savings and loan associations, as to their right to establish a branch, or to move the home office or a branch office, as it now exercises with reference to savings and loan associations outside the District of Columbia. This would merely give the Board the right which it does not now have to require an application to be filed with it and to obtain the consent of the Home Loan Bank Board to establish a branch, to move a branch or to move a head office in the District of Columbia.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MOORHEAD

Mr. MOORHEAD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MOORHEAD: On page 57, strike out line 21 and all that follows down through page 58, line 5, and insert the following:

"Local grants-in-aid for urban renewal projects in Philadelphia and Wilkes-Barre, Pa.

"SEC. 312. Notwithstanding any other provision of law, moneys heretofore expended by the University of Pennsylvania and Wilkes College for land (and related expenditures for demolition and relocation) included in the overall development plans proposed by such institutions and utilized, or to be utilized, in connection with new facilities of such institutions within one mile of urban renewal projects Pennsylvania 5–3 (University City) and Pennsylvania R–149 (Wright Street), respectively, shall, if otherwise eligible be allowed as local grants-in-aid for such projects."

Mr. MOORHEAD. Mr. Chairman, this amendment to section 312 of H.R. 7984 will rectify a situation that has arisen in connection with Wilkes-Barre's Wright Street urban renewal project that is similar to the one being provided for in the section with respect to Philadelphia's University City urban renewal project. The Wilkes-Barre project was undertaken in conjunction with the expansion of the campus facilities of Wilkes College. Because of the long and narrow nature of this campus, some of the land acquired in accordance with the college's development plan is more than one-quarter mile from the urban renewal project boundaries, the limit for grant-in-aid credit determined by the Housing and Home Finance Agency to be required by section 112 of the Housing Act of 1949. This amendment would permit grant-in-aid credit to be obtained for those acquisitions and any related demolition and relocation expenditures.

I have discussed this amendment with the ranking minority member of the committee and I understand there is no objection.

If there is no objection I ask for immediate action on the amendment.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I am glad to yield to the chairman of the subcommittee.

Mr. BARRETT. I rise in support of the gentleman's amendment. It will correct the unfair situation in Wilkes-Barre. I understand the administration has no objection to the amendment. I believe that the minority members will also agree.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I am glad to yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, we on this side will accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORHEAD].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FINO

Mr. FINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINO: On page 28, following line 6, add the following:

"(4) Section 212(a) of the National Housing Act is amended by inserting at the end thereof the following new sentence: 'The provisions of this section shall also apply to insurance under title X with respect to laborers or mechanics employed in land development financed with the proceeds of any mortgage insured under that title.' "

Mr. FINO. Mr. Chairman, this amendment that has been offered is a Davis-Bacon Act amendment. It is applicable to a new title which has been added to the housing bill.

Mr. PATMAN. Mr. Chairman, if the gentleman will yield, we are willing on the majority side to accept the gentleman's amendment.

Mr. Chairman, I rise in support of the amendment of the gentleman from New York. The prevailing wage requirements of the Davis-Bacon Act were, as a matter of fact, inadvertently omitted in committee, which is understandable in view of the many titles and sections of the bill. We all want to see the American worker receive a fair wage and I am happy to support the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FINO].

The amendment was agreed to.

THE UNIVERSITY OF MICHIGAN LIBRARIES

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIDNALL: Page 44, in line 2, insert "(a)" after "SEC. 211.", and after line 22 insert the following:

"(b) Section 203(b)(9) of such Act is amended by inserting after 'on account of the property' the following: '(except in a case to which the last sentence of paragraph (2) applies)'."

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I will be glad to yield to the chairman of the committee.

Mr. PATMAN. Mr. Chairman, we have discussed the amendment of the gentleman from New Jersey on the majority side, and we are willing to accept his amendment.

Mr. WIDNALL. Mr. Chairman, this is a technical and perfecting amendment. Without it, the amendment made by section 211 could not operate. The intent was to permit veterans a no-downpayment mortgage program.

Section 211 increases the maximum mortgage amount for veterans from 97 to 100 percent on the first $20,000. It inadvertently does not eliminate the 3-percent requirement of FHA. This perfecting amendment does this.

Mr. Chairman, a number of outstanding provisions of this year's housing bill, reported with bipartisan backing from the Banking and Currency Committee, have been largely ignored as the result of the controversy over one particular section of the proposed legislation. One such provision is a new mortgage insurance program for veterans under the Federal Housing Administration, which I proposed, and which was cosponsored by the three other minority members of the Housing Subcommittee, the gentleman from New York [Mr. FINO], the gentlewoman from New Jersey [Mrs. DWYER], and the gentleman from Michigan [Mr. HARVEY].

The new program applies to any veteran having had active military service, and who was discharged or released from service under conditions other than dishonorable. It would not apply, however, to any veteran who has received any direct, guaranteed, or insured loan under any Veterans' Administration program for the purchase, construction, or repair of his residential property. Those who have not used up their eligibility under any Veterans' Administration loan program would also be eligible for the FHA program.

Under the new program, the FHA would insure 100 percent of the first $20,000 value of a home mortgage, and 85 percent of any additional value to the present FHA maximum of $30,000. In other words, a veteran would have a no-downpayment, insured mortgage for the first $20,000, and need only a 5-percent downpayment for a $30,000 home. A mortgagee would pay the standard FHA interest rate of 5¼ percent, which is the same rate as the VA programs require, plus an additional one-half of 1 percent to cover the cost of insurance.

By enacting this program, Congress, for the first time, will take major recognition of the sacrifices of America's cold war veterans who have served their country and the defense of freedom. The Veterans' Administration estimates that there are 3,503,000 post-Korea exservicemen, alone. These are the Americans in uniform who have landed on the beaches of Lebanon, patroled the Formosa Strait, guarded the truce line in Korea, and manned the Checkpoint Charlies of the free world wherever they might be.

Nor should we ignore the efforts of those men and women presently serving on active duty within our Military Establishment. The Defense Department preliminary estimate for May 1965 shows 2,639,296 Americans in uniform. They, and the millions to follow in the crucial decades ahead, will be called upon whenever and wherever the prospect of armed hostility threatening the security of the Nation occurs. They are the veterans of tomorrow, fully deserving recognition by the country they serve. And they include thousands of servicemen with wartime experience, who, by choosing the service as a career could well serve past the expiration dates for the VA program.

Over the past 20 years, 6,334,479 veterans of World War II and the Korean conflict have taken advantage of the loan guarantee program administered by the Veterans' Administration. A total of $60.2 billion in mortgage loans has been guaranteed, with a remarkable record of payment by our veterans. Only 2.5 percent of the loans guaranteed have resulted in defaults. I am particularly pleased to note that in my own State of New Jersey, the figure has been even lower, at 1.9 percent. Some 34.8 percent of the eligible veterans under the program have taken advantage of this special opportunity to become homeowners. The program has done an outstanding job, both for our veterans and the homebuilding industry, but it has reached a plateau from which a slow decline in activity has already begun.

Furthermore, although 12,765,000 veterans still remain eligible for the program, their eligibility under the law is phasing out. The law provides for a 10-year eligibility from the date of discharge, plus 1 year of eligibility for each 3 months of active duty. No one's eligibility could expire, however, until July 5, 1962, in the case of World War II veterans, and January 31, 1965, for veterans of the Korean conflict. As can be noted from these dates, the phasing out process has begun, and will be completed, in the case of World War II veterans, by July of 1967, and, in the case of Korean veterans, by January 31, 1975. The new program, then, will not only cover those who have never been eligible for VA benefits, but those who have not had reason to use their eligibility as yet, but are faced with eventual cutoff dates, if their dates have not already arrived.

I do not see how anyone could argue against the idea of benefiting and recognizing our cold war veterans, particularly in light of recent activity by our military forces in combat conditions in South Vietnam and the Dominican Republic. There is, however, another important element to the proposal. Many of our servicemen are unable to afford the down payments necessary to begin homeownership, once they have been released from the service. Considering the inadequate pay scales of the Armed Forces, the ability to save toward this goal is often negligible. Yet they represent a potential market for homes that could do a great deal for the homebuilding industry, a vitally important segment of our national economic picture. By providing opportunities and assistance to our veterans through this new program, we are also strengthening the country's economic position as a whole.

This potential can clearly be seen in the following figures. I have already noted 12,765,000 veterans who have not used their eligibility under present programs, 3.5 million post-Korean ex-servicemen, and 2.6 million servicemen on active duty. If to these we add the 2.6 million war veterans prior to World War II, we have a potential of over 21 million eligible veterans under the new FHA mortgage insurance program I have proposed. Should only 35 percent of these veterans make use of the new program, which is the percentage of eligibles who have made use of their VA opportunities, it would stimulate 6.4 million new housing starts, or more than the entire VA program has produced to date. I cannot think of a more valuable built-in stabilizer for our economy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BARRETT

Mr. BARRETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARRETT: Page 7, after line 20, insert the following new subsection:

"(c) The third sentence of section 212(a) of such Act is amended by striking out 'described in subsection (d)(3)' and all that follows and inserting in lieu thereof 'described in subsection (d)(3) or (d)(4).'"

Page 7, line 21, strike out "(c)" and insert "(d)".

Mr. BARRETT. Mr. Chairman, in the 1961 act the prevailing wage requirements of the Davis-Bacon Act were omitted inadvertently for the nonprofit corporations under section 221(d)(3). This amendment corrects that and should be adopted. I am sure the gentleman from New Jersey would be willing to accept it.

Mr. WIDNALL. Mr. Chairman, if the gentleman will yield, the minority side is willing to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. BARRETT].

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. FLYNT].

AMENDMENT OFFERED BY MR. FLYNT

Mr. FLYNT. Mr. Chairman, I offer an amendment.

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The Clerk read as follows:

Amendment offered by Mr. Flynt: On page 107, after line 14, add the following new section:

"TRANSFER OF LAND FOR URBAN RENEWAL PURPOSES BY HOUSING AUTHORITY OF THE CITY OF MACON, GEORGIA

"Sec. 1010. (a) Notwithstanding the provisions of title I of the Housing Act of 1949 and the United States Housing Act of 1937, the Housing and Home Finance Administrator and the Public Housing Commissioner are authorized and directed to consent to the transfer by the Housing Authority of the City of Macon, Georgia, to the Urban Renewal Department of the City of Macon, Georgia, of all property acquired by the Housing Authority for low-rent housing project numbered Georgia 7–8, on condition that (1) an amount which, together with any funds of the Housing Authority available for the purpose, is sufficient to pay and discharge all obligations incurred by the Housing Authority in connection with such low-rent housing project and owing at the time of transfer, will be paid by the Urban Renewal Department of the City of Macon to the Public Housing Administration to be applied in satisfaction of the Housing Authority's obligations which it cannot meet with its own funds available for the purpose, and (2) the total amount so paid by the Urban Renewal Department of the City of Macon will be included in the gross project cost of its Coliseum Urban Renewal Project, Georgia R–95.

"(b) The Housing and Home Finance Administrator and the Public Housing Commissioner are authorized to modify any contracts heretofore entered into and to take any other appropriate action necessary to carry out the provisions of subsection (a)."

Mr. FLYNT. Mr. Chairman, I ask unanimous consent to dispense with further reading of the amendment and that it be printed in full in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. STEPHENS. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to my colleague from Georgia.

Mr. STEPHENS. I should like to ask the gentleman if this is the amendment we talked about yesterday.

Mr. FLYNT. This is the amendment which was placed in the Record on Monday, June 28, 1965, at page 14884. It appears there in full. Copies have been presented to the majority and minority of the committee. As I understand, it meets their approval.

Mr. STEPHENS. There is no money involved in this?

Mr. FLYNT. That is correct.

Mr. STEPHENS. It authorizes a swap of land; is that correct?

Mr. FLYNT. Exactly.

Mr. STEPHENS. Mr. Chairman, I recommend the approval of the amendment. Since it has been cleared, I recommend that we adopt it as a committee amendment.

Mr. PATMAN. Mr. Chairman, we are willing to accept the amendment.

Mr. WIDNALL. Mr. Chairman, there is no objection to the amendment on the part of the minority.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. Flynt].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PELLY

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. Pelly].

Mr. PELLY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Pelly: On page 42, line 23, strike out "(a)".

On page 43, line 10, insert quotation marks after the period.

On page 43, strike out lines 11 through 25.

Mr. PELLY. Mr. Chairman, my amendment is very simple. It would strike out the paragraph that has been included in H.R. 7984 which gives the Housing Commissioner authority to borrow from the Treasury in order to pay cash under the FHA guarantee fund. In other words, my amendment would cut out the so-called back-door spending authority that has been added by the bill and which is completely superfluous and unnecessary.

Mr. Chairman, it is now 2 years since the once frequently heard and contentious term "back-door spending" has entered into the debate in this Chamber. It is really longer than that, because the last time a proposal for financing a new program by authorizing expenditures from public debt receipts was in connection with the extension of the Export-Import Bank in 1963, and at that time, as I recall, the chairman of the Banking and Currency Committee, the gentleman from Texas [Mr. Patman], himself offered an amendment to eliminate the back-door provision.

Mr. Chairman, at one time back-door spending—thereby avoiding the necessity of representatives of Government agencies coming before the Committees on Appropriations each year to justify their budget request—was a hot issue in this House. Back in 1960, with the help of some friends, I organized a bipartisan anti-back-door spending committee. As I recall, about 175 Members of both political parties signed up in support of a change in the House rules so as to require all bills carrying spending authority to come from the Committee on Appropriations. We had the votes in the House in support of our resolution but we could not muster a majority in the Rules Committee to report it.

For new Members who are not familiar with the history of appropriations jurisdiction in the House I might just mention that originally the House had one committee—the Committee on Ways and Means—which had jurisdiction over both taxes and expenditures. This system contributed to fiscal responsibility because spending and revenue raising were under the same people.

But the workload as the Government and the Nation grew became too heavy and about the time of the Civil War, or shortly thereafter, certain legislative committees were given the power to report their own appropriation bills. However, this system provided little in the way of overall control. Spending got out of hand in relation to Government income.

In 1916 both the Democratic and Republican Party platforms called for expenditure reform and promised reorganization with a single committee to scrutinize all appropriations and to weigh the urgency and need of one program as against another in relation to the condition of the Treasury.

That was the way the Committee on Appropriations was established in 1920 and for the ensuing decade the single committee plan worked. In fact, the Government averaged about $1 billion surplus each year for the next 10 years.

In due course, however, the device known as back-door spending, so legislative committees could bypass the Committee on Appropriations, became popular, and since that time Congress has authorized in excess of $150 billion of back-door borrowing authority and some $16 billion of such borrowing has had to be forgiven.

But, fortunately of late years this House has come to frown on this method of financing new programs. I think the issue that turned the tide was when the proposal came from downtown to finance foreign aid by borrowing from public debt receipts. Congress rejected this plan whereby it would have abdicated its control and annual scrutiny of foreign aid expenditures.

So, as I say, for the past 2 years, since that issue was resolved, there have been no new back-door programs.

Meanwhile, the bipartisan anti-back-door spending committee, which I was instrumental in organizing, has been inactive and, of course, many of its one time members are no longer in Congress.

However, the other day when I suddenly woke up to the fact that the new omnibus housing bill reported by the Committee on Banking and Currency contained a provision to authorize the Housing Commissioner to use this method of funding the purchase of defaulted mortgages under FHA guarantees, I thought it advisable to get busy lest this crack open up the old floodgates. I got in touch with some of the former opponents of back-door spending and today I am joined by 57 of our colleagues in opposing this provision in the bill which my amendment would strike out.

After all, as I should explain, there is more than $1 billion in the insurance guarantee fund, invested in Government bonds, to take up defaults, and furthermore should there ever reoccur a major depression such as in the 1930s, the Commissioner would have the authority to use debentures as was done successfully by FHA's predecessor organization, the old Home Owners Loan Corporation.

There is no need or justification for this back-door spending authority. In 1964, the Committee on Banking and Currency itself deleted this language.

Under permission granted by the House I include at this point a copy of a letter to the gentleman from Pennsylvania [Mr. Barrett], who is floor manager of this legislation. It contains the names of our colleagues who support my amendment:

Congress of the United States,
House of Representatives,
Washington, D.C., June 22, 1965.

Hon. William A. Barrett,
Rayburn House Office Building,
House of Representatives.

Dear Bill: As you know for years I have been opposing back-door spending and on learning that this type of financing was included in H.R. 7984 I asked a few of our colleagues to join me in trying to eliminate its provision which gives borrowing authority to the Housing Commissioner to make insurance payments in cash.

Herewith is a list of 57 Members of the House of both parties who have authorized me to use their names in this connection.

The purpose of this letter is to ask you, on behalf of the undersigned, to consider accepting an amendment which I will offer to strike section 520(b) and leave the insurance as in the past, to be paid from the guarantee fund or if necessary by debentures.

We don't see the justification of adding borrowing authority, and apparently your committee in the past felt the same way.

Sincerely,

THOMAS M. PELLY.

LIST OF MEMBERS IN SUPPORT

John B. Anderson.
Walter S. Baring.
William H. Bates.
James F. Battin.
William E. Brock.
James Broyhill.
Elford A. Cederberg.
Glenn Cunningham.
Paul B. Dague.
Samuel L. Devine.
Robert Dole.
William J. Dorn.
John Dowdy.
Thomas N. Downing.
Robert Ellsworth.
Paul Findley.
Gerald Ford.
James Fulton.
Robert P. Griffin.
H. R. Gross.
Edward Gurney.
James Haley.
Durward Hall.
William Harsha.
Ralph Harvey.
A. Sydney Herlong.
Frank Horton.
Craig Hosmer.
Edward Hutchinson.
Charles Jonas.
Carleton King.
John Kunkel.
Glenard Lipscomb.
Robert McClory.
Clark MacGregor.
William Mailliard.
Catherine May.
Robert H. Michel.
Arch A. Moore.
Ancher Nelsen.
Albert Quie.
Charlotte Reid.
Benjamin Reifel.
John J. Rhodes.
Howard Robison.
Richard Roudebush.
Garner E. Shriver.
Vernon Thomson.
William Tuck.
James Utt.
John Williams.
Bob Wilson.
John W. Wydler.
J. Arthur Younger.
Melvin R. Laird.
Edward Derwinski.
Burt L. Talcott.

In conclusion, Mr. Chairman, I wish to reiterate our strong opposition to including back-door spending under FHA guarantee program.

Let us not revive this old controversy. The FHA has a sound insurance plan. There is no need or justification for changing or adding to it. Let us keep it the way it is.

I urge support of my amendment.

Mr. PATMAN. Mr. Chairman, this amendment comes up every time there is opposition to a bill, particularly for the small business people or the poor people. Now, of course, "back-door spending" is a misleading and emotional phrase and is not truthful or genuine as used in this instance. There is no reason why we should approve this amendment and handicap the housing program, because it will handicap it. What good will it do? It should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. PELLY].

The question was taken; and on a division (demanded by Mr. PELLY) there were—ayes 37, noes 92.

So the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, it had been my hope to offer an amendment to section 101. However, I have been advised by the Chairman and by the Parliamentarian that when the House adopted the substitute amendment to section 101 earlier today, no further amendments would be possible.

Mr. Chairman, it should be a source of concern to all of us that we are passing a bill which will make the Federal Public Housing Administrator a virtual czar over every single community in this country.

I had hoped that the Committee would at least give a municipality some voice in selecting the "housing owners" under section 101.

Under the present language of the bill any organization can work out an arrangement for a housing project with the Housing Administrator in Washington, and neither the mayor nor the city council, nor the city alderman, nor any local alderman, nor the Governor, no one has any veto power over anything or any say about the projects that are going into a city or community. I am unequivocally opposed to such a procedure and shall vote against section 101.

It seems to me that this House is really putting the Federal Government into the backyard of every single American community in this country. This proposal is just another move to dilute the powers of local government and superimpose the Federal Government on our people. The erosion of autonomy by local governments in some of these Federal programs is a growing trend which should alarm all of us.

The whole concept of rent subsidies, in my opinion, is a most dangerous precedent. Where do you intend to stop? How do you intend to justify to a middle-income American that he should continue to sweat in meeting his obligations for rent or payment on his house, while the less fortunate have the Federal Government pay part of their rent for the same housing.

Mr. Chairman, I believe the proposal needs a great deal more study. It is my hope that if we cannot write some safeguards into the provision here in the House then the Senate certainly should do it when the measure comes up there.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. McDADE].

AMENDMENT OFFERED BY MR. M'DADE

Mr. McDADE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McDADE: On page 58 after line 5 insert the following new section:

"LOCAL GRANT-IN-AID CREDIT FOR CERTAIN COAL ROYALTIES

"SEC. 313. (a) Section 110(d) of the Housing Act of 1949 is amended by adding at the end thereof the following new paragraph:

" 'Where a project in any municipality includes an area affected by an underground mine fire or by a coal mine subsidence and where it is necessary in such project to remove any underlying coal deposits in order to stabilize the soil or to control the underground mine fire, then any royalties received by the project from the removal and sale of such coal deposits shall be credited to the project as a local grant-in-aid made by such municipality.'

"(b) Any contract under title I of the Housing Act of 1949 executed prior to the date of the enactment of this Act shall, at the request of the municipality involved, be amended to reflect the amendment made by subsection (a)."

Mr. McDADE. Mr. Chairman and gentlemen of the Committee, the purpose of this amendment is to attempt to rectify a situation which literally threatens 10,000 people in my district in northeast Pennsylvania. They are threatened by a raging underground mine fire. This city, the city of Carbondale, is right smack dab in the heart of Appalachia. It has for many years faced the problem of unemployment and all the privations that go with it.

Mr. Chairman, all this amendment proposes to do is to permit the city, instead of paying a coal royalty which is now paid when the coal is extracted to fight this fire to the local redevelopment authority, that this be paid to the local municipality and thus reduce the amount which the city must contribute as part of its redevelopment cost.

Mr. Chairman, all this amendment will do is say to the city of Carbondale, you may now use the 22 cents a ton which you have been getting as a royalty for the use of the local redevelopment authority as a part of the project cost and use it as a part of the local contribution.

This amendment will permit this vital project to continue. This amendment will enable this fire to be extinguished. This amendment, Mr. Chairman, will save a city of 10,000 people.

I urge its adoption.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. McDADE].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On page 58, add the following after line 5:

"LOCAL GRANTS-IN-AID FOR URBAN RENEWAL PROJECT IN DENVER

"SEC. 313. Notwithstanding the extent to which the cultural and convention center proposed to be built adjacent to urban renewal project Colorado R-15 (Skyline) in Denver, Colorado, may benefit areas other than the urban renewal area, expenses incurred by the city of Denver in constructing such center shall, to the extent otherwise eligible, be counted as a grant-in-aid toward such project."

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Texas.

Mr. PATMAN. We have considered this amendment on the majority side, and we are willing to accept the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. ROGERS].

The amendment was agreed to.

Mr. LINDSAY. Mr. Chairman, I rise in support of this legislation and I urge the House to support it.

Mr. Chairman, not too many weeks ago I had occasion to state that "cities are for people and for living." I believe very deeply in the truth of that statement. Yet our cities are in an age of crisis, and for too many of our people they offer no place in which to live.

Too many of our people inhabit substandard housing. Too many of our people cannot find decent housing at a rental they can afford. Too many of our people want to leave our cities because they cannot find housing.

New York City suffers from a housing shortage more acutely than any city in the Nation.

The bill before us is not a cure-all for the diverse and complex housing ills which plague our cities. But it is an important bill that will help. It is deserving of our support.

Certain portions of the bill deserve particular comment.

The bill will increase by $2.9 billion the capital grant authorization for urban renewal over the next 4 years. The committee recognized, in its report, that a serious problem of urban blight remains, which can be solved only with the aid of the Federal Government. I have maintained for some time that conquest of these slum conditions requires the mobilization of all resources—Federal, State, and local.

We have benefited from our experience by updating the general neighborhood renewal program to permit spot renewal of areas which are in partly good condition. We have also learned that it is often preferable to rehabilitate rather than destroy existing housing.

The neighborhood facilities grants authorized under title VI, and liberalization of the urban beautification and improvement programs of title VIII, can be of great benefit to New York and other cities with high density population concentrations. The cost to society of providing treatment for illness, making welfare payments, combating crime, and meeting the problems of the aged can be greatly reduced by the type of preventive measures which the neighborhood facilities will provide. The concept of acquiring and clearing developed land for small parks, squares, playgrounds, pedestrian malls, and the like is one which I have long favored. In built-up urban areas such as New York, where all too little thought has been given to such facilities, it is a way of providing needed recreational and breathing space.

The use of existing private housing in addition to new public housing to provide greater numbers of low-rent accommodations is one of the most important and constructive parts of this bill. The rent certificate program can, in many areas, provide badly needed additional units immediately at a cost to the taxpayer well below that of new public housing. I commend our colleague from New Jersey [Mr. WIDNALL], on this important contribution he has made to the bill. The gentleman has significantly contributed to the whole bill, but this portion carries his special mark.

Direct housing loans to our elderly and handicapped citizens represent a partial answer to one of our most pressing needs. Our senior citizens are often living on fixed incomes substantially lower than those required to meet the increasing cost of adequate housing. These loans will enable many of them to continue to live near their families, in those areas in which they have made their homes for most of their lives. Of great help along these lines will also be the grants authorized to permit low-income homeowners to finance necessary repairs and improvements to avoid displacement in urban renewal areas.

The most important, as well as the most controversial, section in this bill is the rent supplement provision. This program would provide Federal assistance to low and moderate income families and individuals for partial rental of nonpublic housing. The persons benefiting from this section would be limited to those displaced by governmental action, such as urban renewal, 62 years of age or older, physically handicapped, or living in substandard housing.

These groups need and deserve more help than our present public housing programs can provide. There simply is not enough public housing now in existence, underway, or contemplated for the foreseeable future to shelter our low-income families. Furthermore, many of those with very moderate incomes are caught betwixt and between. They earn too much to qualify for public housing, yet not enough to afford decent private housing.

Our cities will be what we make of them. Unless we make it possible for our skilled low and middle income groups to find decent housing, we will drive them and their economic talents from our cities. This is as good a way to weaken the economy of our cities as anything I can think of; and weaken them in every other way too, most especially in human values.

The rent supplement program should not be regarded by anyone as a radical proposal. It is, in fact, far less "radical," as long as that word is being used by some, than straight public housing. Public housing includes rent supplements; it is also bricks and mortar; it is total government. The proposal before us on rent supplements is partial government and, together with the rent certificate program authored by Mr. WIDNALL, will make immediately available decent, safe, and sanitary shelter to those who badly need it.

Furthermore, public housing too often has been stereotyped and has resulted in an unhealthy economic segregation. The rent certificate and rent supplement programs avoid this.

I intend to vote for this bill and all its provisions and I ask for its support.

Mr. KUNKEL. Mr. Chairman, I offer two amendments.

The Clerk read as follows:

Amendments offered by Mr. KUNKEL: After line 4 on page 24, insert two new sections, as follows:

"ACQUISITION OF CERTAIN PROPERTIES SITUATED AT OR NEAR MILITARY BASES WHICH HAVE BEEN ORDERED TO BE CLOSED

"SEC. 1009. (a) The Secretary of Defense is authorized to acquire title to any property, improved with a one- or two-family dwelling, which is situated at or near a military base or installation which the Department of Defense has, subsequent to November 1, 1964, ordered to be closed in whole or in part, if he determines—

"(1) that the owner of such property is, or has been, employed or performing military service at such base or installation;

"(2) that the closing of such base or installation, in whole or in part, has required or will require the termination of such owner's employment or service at such base or installation; and

"(3) that as the result of the actual or pending closing of such base or installation there is no present market for the sale of such property upon reasonable terms and conditions.

"(b) The purchase price of any property which is situated at or near a military base or installation and is acquired under this section shall be equal to an amount determined by the Secretary of Defense to be the average price at which properties, similar in size, construction, condition, and location to that of the property to be acquired, were sold during a representative period, as determined by the Secretary, prior to the announcement of the intention of the Department of Defense to close all or part of such base or installation.

"(c) The title to any property acquired under this section shall be free and clear of any outstanding liens or encumbrances and shall conform to such requirements as the Secretary of Defense shall by regulation require. Such regulations shall also prescribe the terms and conditions under which payments may be made under this section, and decisions by the Secretary regarding such payments, and the terms and conditions under which the same are approved or disapproved, shall be final and conclusive and shall not be subject to judicial review.

"(d) Properties acquired under this section shall be transferred to the Federal Housing Commissioner, and the Federal Housing Commissioner shall have the power to deal with, rent, renovate, or sell for cash or credit any properties so transferred. Receipts from the management or sale of any such properties may be utilized by the Commissioner to defray expenses arising in connection with the management of such properties, and any part of such receipts not required for such

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expenses shall be covered into the Treasury as miscellaneous receipts.

"(e) Section 223(a) of the National Housing Act is amended—

"(1) by striking out the period at the end of paragraph (7) and inserting in lieu thereof '; or'; and

"(2) by inserting after paragraph (7) a new paragraph as follows:

" '(a) executed in connection with the sale by the Commissioner of any housing acquired pursuant to section 108 of the Housing and Urban Development Act of 1965.'

"(f) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated, and any sums so appropriated shall remain available until expended.

"MORTGAGE RELIEF FOR HOMEOWNERS WHO ARE UNEMPLOYED AS THE RESULT OF THE CLOSING OF A FEDERAL INSTALLATION

"SEC. 1010. (a) For the purposes of this section—

"(1) The term 'mortgage' means a mortgage which (A) is insured under the National Housing Act, or (B) secures a home loan guaranteed or insured under the Serviceman's Readjustment Act of 1944 or chapter 37 of title 38, United States Code.

"(2) The term 'Federal mortgage agency' means—(A) the Federal Housing Commissioner when used in connection with mortgages insured under the National Housing Act, and (B) the Administrator of Veterans' Affairs when used in connection with mortgages securing home loans guaranteed or insured under the Servicemen's Readjustment Act of 1944 or chapter 37 of title 38, United States Code.

"(3) The term 'distressed mortgagor' means an individual who (A) is unemployed, although willing to work, as the result of the closing (in whole or in part) of a Federal installation, and (B) is the owner-occupant of a dwelling upon which there is a mortgage securing a loan which is in default because of the inability of such individual to make payments of principal and/or interest under such mortgage.

"(b)(1) Any distressed mortgagor, for the purpose of avoiding foreclosure of his mortgage, may apply to the appropriate Federal mortgage agency for a determination that suspension of his obligation to make payments of principal and/or interest under such mortgage during a temporary period is necessary in order to avoid such foreclosure.

"(2) Upon receipt of an application made under this subsection by a distressed mortgagor, the Federal mortgage agency shall issue to such mortgagor a certificate of moratorium if it determines, after consultation with the interested mortgagee, that (A) the mortgagor is not in default with respect to any condition or covenant of the mortgage other than that requiring the payment of installments of principal and/or interest under the mortgage, and (B) such action is the only available means whereby a foreclosure of such mortgage can be avoided.

"(3) Prior to the issuance to any distressed mortgagor of a certificate of moratorium under paragraph (2), the Federal mortgage agency shall require such mortgagor to enter into a binding agreement under which he will be required to make payments to such agency, after the expiration of such certificate, in an aggregate amount equal to the amount paid by such agency in behalf of such mortgagor as provided in subsection (c). The manner and time in which such payments shall be made shall be determined by the Federal mortgage agency having due regard to the purposes sought to be achieved by this section.

"(4) Any certificate of moratorium issued under this subsection shall aspire on whichever of the following dates is the earliest (A) three years from the date on which such certificate is issued; (B) thirty days after the date on which the mortgagor to whom such certificate is issued ceases to be a distressed mortgagor as defined in subsection (a); or (C) the date on which such mortgagor becomes in default with respect to any condition or covenant in his mortgage other than that requiring the payment by him of installments of principal and/or interest under the mortgage.

"(c)(1) Whenever a Federal mortgage agency issued a certificate of moratorium to any distressed mortgagor with respect to any mortgage, it shall transmit to the mortgagee a copy of such certificate, together with a notice stating that, while such certificate is in effect, such agency will assume the obligation of such mortgagor to make payments of principal, and if so specified in the certificate, of interest, under the mortgage.

"(2) Payments made by any Federal mortgage agency pursuant to a certificate of moratorium issued under this section with respect to the mortgage of any distressed mortgagor shall include, in addition to the payments referred to in paragraph (1), an amount equal to the unpaid principal and interest charges which had accrued under such mortgage prior to the issuance of such certificate and subsequent to the date on which such mortgagor became a distressed mortgagor as defined in subsection (a).

"(3) While any certificate of moratorium issued under this section is in effect with respect to the mortgage of any distressed mortgagor, no further payments of principal, and if so specified in the certificate, of interest, under the mortgage shall be required of such mortgagor, and no action (legal or otherwise) shall be taken or maintained by the mortgagee to enforce or collect such payments. Upon the expiration of such certificate, the mortgagor shall again be liable for the payment of all amounts due under the mortgage in accordance with its terms.

"(4) Each Federal mortgage agency shall give prompt notice in writing to the interested mortgagor and mortgagee of the expiration of any certificate of moratorium issued by it under this section.

"(d) The Federal mortgage agencies are authorized to issue such individual and joint regulations as may be necessary to carry out this section and to insure the uniform administration thereof.

"(e) There shall be in the Treasury (1) a fund which shall be available to the Federal Housing Commissioner for the purpose of extending financial assistance in behalf of distressed mortgagors as provided in subsection (c), and (2) a fund which shall be available to the Administrator of Veterans' Affairs for the same purpose. The capital of each such fund shall consist of such sums as may, from time to time, be appropriated thereto, and any sums so appropriated shall remain available until expended. Receipts arising from the programs of assistance under subsection (c) shall be credited to the fund from which such assistance was extended. Moneys in either of such funds not needed for current operations, as determined by the Federal Housing Commissioner, or the Administrator of Veterans' Affairs, as the case may be, shall be invested in bonds or other obligations of the United States, or paid into the Treasury as miscellaneous receipts.

"(f) Section 1816 of title 38, United States Code, is amended by inserting '(a)' before the text of such section, and by adding at the end thereof a new subsection as follows: '(b) With respect to any loan made under section 1811 which has not been sold as provided in subsection (g) of such section, if the Administrator finds after there has been a default in the payment of any installment of principal or interest owing on such a loan, that the default was due to the fact that the veteran who is obligated under the loan has become unemployed as the result of the closing (in whole or in part) of a Federal installation, he shall (1) extend the time for curing the default to such time as he determines is necessary and desirable to enable such veteran to complete payments on such loan, including an extension of time beyond the stated maturity thereof, or (2) modify the terms of such loan for the purpose of changing the amortization provisions thereof by recasting, over the remaining term of the loan, or over such longer period as he may determine, the total unpaid amount then due with the modification to become effective currently or upon the termination of an agreed-upon extension of the period for curing the default.' "

Mr. KUNKEL. Mr. Chairman, one of these amendments provides for people who are unemployed as a result of the closing of a Federal installation.

This amendment has already been included in the Senate bill. The second amendment provides for the acquisition of certain property situated at or near military bases which have been ordered to be closed, and it will protect those who are forced to sell their houses at a low price when they have to move to a far-off installation.

Mr. BARRETT. Mr. Chairman, the majority side has no objection to the amendment.

Mr. WIDNALL. Mr. Chairman, the minority has no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. KUNKEL].

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. HAGAN].

AMENDMENT OFFERED BY MR. HAGAN OF GEORGIA

Mr. HAGAN of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAGAN of Georgia: On page 107, after line 14, add the following new section:

"URBAN RENEWAL PROJECT IN SAVANNAH, GA.

"SEC. 1010. (a) Notwithstanding any provision of the Housing Act of 1949 or any other provision of law, the urban renewal project in Savannah, Ga., known as Project 'J' in the General Neighborhood Renewal Plan for the Broad Street-Canal Urban Renewal Area adopted by resolution of the mayor and aldermen of the city of Savannah on November 18, 1958, may include the donation by housing authority of Savannah, by a suitable instrument of conveyance, of the right, title, and interest of the authority in and to all or any portion of the land included within the boundaries of such Project 'J' in the city of Savannah, Chatham County, Ga., the area of such Project 'J' being generally bounded on the north by properties of the Central of Georgia Railway Co., on the east by West Broad Street, in the south by the right-of-way for Interstate Highway No. I-16, and on the west by the Savannah and Ogeechee Canal and West Boundary Street.

"(b) The conveyance authorized to be included in the urban renewal project under subsection (a) of this section shall be made only if the donee represents, and furnishes such assurances as may be required by housing authority of Savannah, that such donee will develop, preserve, and operate such property on a nonprofit basis as a historical site or monument."

Mr. STEPHENS. Mr. Chairman, will the gentleman yield?

Mr. HAGAN of Georgia. I am delighted to yield to my colleague, the gentleman from Georgia.

Mr. STEPHENS. As I understand this amendment, this will provide for authority only for the housing authority of the city of Savannah to set aside a parcel of land to be used as a part to commemorate the valiant service of that great Polish count, Count Pulaski, in the American Revolution.

Mr. HAGAN of Georgia. That is correct.

Mr. STEPHENS. And there is no money involved here at the present time?

Mr. HAGAN of Georgia. None whatsoever.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. HAGAN].

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SAYLOR].

AMENDMENT OFFERED BY MR. SAYLOR

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. SAYLOR: On page 24, line 3, add the following new sentence to section 1009:
>
> "For the purpose of this section, public ownership and public systems are defined to include investor-owned enterprises rendering water, or sewer services as public utilities and subject to regulation by State regulatory authorities with respect to user rates and charges, capital structure, methods of operation, and rate of return."

Mr. SAYLOR. Mr. Chairman, the purpose of this amendment is to make sure that organizations which are now regulated by the State are given the same authority as other bodies.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman.

Mr. PATMAN. I would like to ask the gentleman a question. This amendment says "to include investor-owned enterprises rendering water, or sewer service as public utilities and subject to regulation by State regulatory authorities." This does not exclude any entity such as the REA; does it?

Mr. SAYLOR. It does not.

Mr. PATMAN. It does not exclude them. It includes them. Why do you think an amendment is necessary to include them? Does the language specifically exclude them?

Mr. SAYLOR. Because the people in Pennsylvania who are in the Pennsylvania Utility Commission have said if the language remains as it is in the bill at the present time, they will be excluded.

Mr. PATMAN. What is the language that would cause them to be excluded?

Mr. SAYLOR. It is the whole section.

Mr. PATMAN. I have read the language there and I am only trying to help the gentleman, but I do not see the language that would exclude them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was rejected.

AMENDMENT OFFERED BY MR. HAGEN OF CALIFORNIA

Mr. HAGEN of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. HAGEN of California: On page 93, after line 20, insert the following new section:
>
> "DEFINITION OF A RURAL AREA
>
> "SEC. 907. Title V of the Housing Act of 1949 is amended by adding at the end thereof (after the new section added by section 906 of this Act) the following new section:
>
> " 'SEC. 520. The terms "rural" and "rural area" as used in this title mean any area, open country, place, town, village, or city having a population of 5,500 inhabitants or less that is not part of or associated with an urban area.' "

Mr. HAGEN of California. Mr. Chairman and Members of the committee, we have been washed by a beneficent flood all afternoon, and I do not wish to disturb the spirit of this occasion.

I have a very fine amendment, which establishes a statutory definition of a "rural area" for the Farmers Home Administration's nonfarm rural loan program.

The geneal impetus for services for the low-income groups in any housing and urban development program, must also, equally include services for those of the rural areas under deprivation, and in particular, the seasonal farmworker.

One of the most viable tools for a sustained attack on the deficiencies of seasonal farm labor housing has been self-help housing. Self-help housing is a technique whereby the farm laborer adds his own "sweat equity" with that of his neighbors in concert, in building his own home during the period of the dearth of harvest winter work. A project in self-help housing, sponsored by the American Friends Service Committee in Tulare County, Calif., over the past 3 years has been a signal success in farm labor housing as well as reshaping the lives of its participants. Finding that one can creatively contribute to the shelter for one's family has given confidence to scores of people in realizing success in other endeavors, such as better jobs and better education for one's self and one's children.

These successes in the self-help housing have led to the expansion of the program in California by two grants from the Office of Economic Opportunity for technical assistance. Similar projects are either in operation or in the planning stages in such diversely scattered States as New Jersey, Texas, Arizona and Pennsylvania.

Without the cooperation of the Farmers Home Administration, and in particular its rural home loan program, self-help housing could never be a success.

The long-term 33 year loans, at an interest rate of 4 percent, now available from Farmers Home Administration are a necessary component of any program that will sensibly coincide with the ability of farmworkers to meet the financial obligations of a regular, monthly payment.

If the interest rates were raised over the 4 percent by Farmers Home, it is certain that this would preclude a large number of farm laborers from ever owning their own homes, since it is the low interest rate, coupled with the 1,000 manhours average of work contributed by the owner-builder, that makes this program financially feasible.

Woodlake, Calif., is an agricultural community of about 3,000, in the heart of the citrus-olive and grape belt, couched in the foothills of the Sierra, in the east side of Tulare County. Two years ago, the City Council of Woodlake, realizing that some of the housing in the area violated every normal code of health, safety, and decency, instituted a program whereby they condemn at least two "shacks" a month.

They realize that the concern that caused them to condemn these structures would eventually lead to the situation where they would, in fact, be "throwing away the baby with the wash water," unless the dilapidated housing in Woodlake was replaced, as the bulk of its seasonal farmworker residents use this community as a "home base," harvesting the diverse crops in the region.

Groups of farmworkers, as well as township officials, were eager to involve themselves of the self-help technique through the use of Farmers Home rural home loans. This was denied them, since it is a policy that loans are only forthcoming for communities of 2,500 population or under.

Restrictions of loans to communities of 2,500 in population precludes participation of much of the bulk of seasonal or migratory farmworkers in California. The majority of these workers do not live in ranch-based camps but in fringe complexes or clumps attached to the towns and cities of rural California, and the more agriculturally diversified the area, the more the farmworker has become an integrated part of the community in which he lives.

This strong stabilizing force also depends so much on home ownership, and with it, the pride and commitment of which it entails. Easier access to health and educational facilities available to residents of community based housing is itself an impetus to self-betterment.

The 2,500 population base, used by the USDA census tract to delineate nonrural from rural, therefore penalizes a seasonal farmworker who lives in a labor intensive agricultural area from realizing the fruits of the Farmers Home rural home loan program. The California sister counties of Tulare, Kern, and Fresno, and the communities within them, are certainly not "urban" communities of as defined by an arbitrary, outmoded census delineation. These three counties are, in fact, the most productive agricultural counties from the viewpoint of crop value in all of the United States, and have been so for more than a decade.

I realize that the Farmers Home use of the 2,500 population policy limitation on rural home loans stems mainly from a lack of loan funds to broaden their program. I therefore urge the following:

First. That the Farmers Home Administration consider broadening their administrative policy to include agriculturally dependent communities of 5,500 or less population, instead of 2,500.

Second. And that added and sufficient loan funds be made available to the rural home loan program coincident to the broadened policy of servicing communities of 5,500 in population.

When the seasonal or migrant farmworker section of the Economic Opportunity Act of 1964—Section 3B—included "housing" as an area for succor, it was expected that the existing rural home loan programs of Farmers Home Administration would be the primary vehicle for implementation of a program for satisfying this need.

It was felt the prime need for family housing for seasonal farmworkers would also encourage those individuals so motivated to help build their own, and the growing thrust of self-help and self-betterment would not be blunted by program limitations.

I have discussed the amendment with the Chairman of the committee and the chairman of the subcommittee and presented it to the gentleman from New Jersey. I believe it is acceptable.

Mr. PATMAN. Mr. Chairman, we are willing to accept the amendment on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HAGEN].

The amendment was agreed to.

The CHAIRMAN. Under the motion of the gentleman from Texas, all time having expired, amendments at the Clerk's desk can be read but cannot be debated.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: On page 67, before the period in line 7, insert the following:

": *Provided*, That no grant shall be made under this section for any sewer facilities unless the Secretary of Health, Education, and Welfare certifies to the Administrator that any waste material carried by such facilities will be adequately treated before it is discharged into any public waterway, so as to meet applicable Federal, State, interstate, or local water quality standards".

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. DINGELL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BANDSTRA

Mr. BANDSTRA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BANDSTRA: On page 107, after line 14, add the following:

"URBAN RENEWAL PROJECT IN OTTUMWA, IOWA

"SEC. 1010. Notwithstanding the June 1956 commencement of certain flood control work in Ottumwa, Iowa, local expenditures in connection with such flood control work shall, to the extent otherwise eligible, be counted as a local grant-in-aid to the Marina Gateway urban renewal project (Iowa R-12) in accordance with the provisions of title I of the Housing Act of 1949."

Mr. BANDSTRA. Mr. Chairman, I rise to offer an amendment to the Housing and Urban Development Act of 1965. This amendment deals only with the city of Ottumwa, in south-central Iowa, and it is designed to clear up a problem in connection with the city's urban renewal program.

The city is moving ahead with plans for the Marina Gateway urban renewal project, directly adjacent to the Des Moines River as it flows through Ottumwa. The city already has constructed a flood control project, financed almost entirely by local funds, which serves to protect the urban renewal area.

Normally, under title I of the Housing Act of 1949, Ottumwa would be eligible to receive Federal grant-in-aid credit for the flood control project which would offset, in large measure, the local cost for urban renewal work.

The Housing Act of 1949 provides for such grant-in-aid credit if a city-financed project, such as the flood prevention work, is of direct and substantial benefit to the urban renewal program. This is clearly the case in Ottumwa, for the Marina Gateway project is in a low-lying area that would be subject to flooding if it were not for the levees constructed by the city.

Ottumwa, however, is faced with a problem stemming from another provision in the Housing Act. This requires that, for a city to be eligible for grant-in-aid credit toward the local share of the urban renewal cost, work on the urban renewal project must start within 3 years from the completion of a related project, such as Ottumwa's flood prevention work.

In Ottumwa's case, this 3-year limit ran out on May 15. The purpose of the amendment I am offering, therefore, is to waive this 3-year limit, as it applies to the Marina Gateway project in Ottumwa, and thereby make the city eligible to receive grant-in-aid credit.

It should be pointed out that in 1947 Ottumwa was subjected to severe flooding. About one-third of the city, including what is now the Marina Gateway urban renewal area, was under water. In all, the flood caused an estimated $22 million in damage.

Because of the severity of the 1947 flood, the city proceeded as quickly as possible to avoid a similar disaster in the future. Ottumwa decided to finance the flood control project almost entirely from local funds, rather than wait to receive substantial Federal aid for the flood prevention work.

Since a heavy financial obligation was involved, the city could proceed on only one large undertaking at a time. Ottumwa went ahead with the flood control project, and waited until that was finished before starting its urban renewal planning. Hence there was an unavoidable time-lag between the flood control and urban renewal projects.

If Ottumwa does not receive grant-in-aid credit for the flood control work, the city and its citizens would, in effect, be penalized for going ahead on the flood prevention work at local expense. The amendment I am offering would remove that inequity, and I strongly urge its passage.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. BANDSTRA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DUNCAN OF OREGON

Mr. DUNCAN of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DUNCAN of Oregon: On page 45, line 6, after section 212 of H.R. 7984, insert:

"REFINANCING OF HOUSING FOR ELDERLY PROJECTS

"SEC. 213. Section 231(c)(7) of the National Housing Act is amended by striking out 'with 50 per centum' and inserting in lieu thereof 'or involves the refinancing of a mortgage covering an existing property or project in which it has been determined by the Commissioner that such refinancing is necessary or desirable in order to avoid hardship for elderly or handicapped persons or families who are tenants or prospective tenants of such project: *Provided*, That in either case, such property or project shall contain 50 per centum.'"

Mr. DUNCAN of Oregon. Mr. Chairman, the amendment would authorize FHA mortgage insurance for refinancing existing housing for the elderly where it is determined by the commissioner that such refinancing is necessary or desirable to avoid hardship for elderly or handicapped persons.

Briefly, the circumstances which occasioned the need for this amendment involve the Rouge Valley Manor, a retirement home in Medford, Oreg., with just under 400 units. At the time of construction, this nonprofit corporation, and others in Oregon, justifiably assumed that they would be exempt from real property taxes under Oregon law as are similar projects in many other States. Their financing was, therefore, planned accordingly. A subsequent Oregon Supreme Court decision disabused them of this assumption and held that they would have to pay real property taxes. They are now faced with a back tax liability of just under $500,000 in addition to payment of a short-term loan and mortgage and are facing a tax foreclosure proceeding in August.

While this amendment would not add any new units, it provides the tool which will prevent the loss of almost 400 units already in existence. With long-term financing and the renegotiation of care contracts and loans from residents, it appears that all of their obligations can be met. An FHA guarantee is available for new construction and for refinancing housing for the elderly where the initial financing was through FHA. It seems incongruous not to make the FHA guarantee available to prevent the loss of housing where the project is otherwise sound and the loan has a reasonable chance of repayment simply because the institution was originally funded privately. This amendment closes this gap and I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. DUNCAN].

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Chairman, I offer three amendments.

The CHAIRMAN. Without objection, the amendments will be considered en bloc. The Clerk will state the amendments.

The Clerk read as follows:

Amendment offered by Mr. Dowdy: At page 55, following line 13, insert the following new section:

"REHABILITATION OF STRUCTURES IN URBAN RENEWAL AREAS

"SEC. 309. Section 105 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

" '(f) Unless the owner thereof consents thereto, no privately owned structure within an urban renewal area shall be acquired if (1) such structure, and the property on which it is located, can be economically improved or modified for use in conformity with the project plan approved for redevelopment or rehabilitation of a project area, and (2) the owner (or lessee, with the approval of the owner) of such structure promptly presents satisfactory evidence that he is willing and able to make the necessary improvements or modifications to conform such structure and property to the approved project plan for the project area in a reasonable period of time.' "

And redesignate the succeeding sections accordingly.

Mr. DOWDY. Mr. Chairman, the amendment to H.R. 7984, which I have presented to the House, is a very sound and very simple one. It will save needless expenditure of Federal funds. It will save needless expenditure of funds in local communities which have or may have urban renewal projects. It will enable every Member of this body to face his local homeowners and the owners of local business and commercial structures to tell his constituents honestly that he supported provisions in the law which would permit them to retain ownership of their property if they were ready and willing to improve and rehabilitate it for use in accordance with an approved project plan. I do not believe Members of the House would stand before their constituents and state publicly that they favored a procedure under which the private property of one person can be condemned and then sold to another private person to be used for the identical purposes under the same renewal plan.

The amendment simply provides that any privately-owned building or structure, which can be rehabilitated to conform to a project plan, cannot be condemned if the owner or lessee, on agreement with the owner, is ready, willing, and able to make the necessary changes to comply with the approved project plan. In the event the owner is agreeable to the acquisition of his property, the Agency may acquire it. Under the amendment a structure will not remain in an urban renewal project area unless it harmonizes with the design and the uses which are provided in the project plan.

The amendment would apply to residential structures as well as business and commercial structures.

Not only will the amendment save Federal and local taxpayers' funds, but it supports and augments the basic purposes and the intent of Congress in the concept of urban renewal, namely, the conservation and rehabilitation of property, and the redevelopment of substandard and blighted areas. Nothing in the amendment, in any way, diminishes the power of removal of slum or blight in any urban renewal area.

Further, the amendment is in complete harmony with the views expressed by the President of the United States. In his message to Congress on "The Problems and Future of the Central City," on March 2, 1965, the President stated:

> We have concentrated in almost all our past efforts on building new units, when it is often possible to improve, rebuild, and rehabilitate existing homes with less cost and less human dislocation. Even some areas now classed as slums can be made decent places to live with intensive rehabilitation. In this way it may often be possible to meet our housing objectives without tearing people away from their familiar neighborhoods and friends.

The amendment which I have presented would merely require that the President's objectives, which I have just stated, are actually carried out in the course of urban renewal redevelopment.

At the time he signed the Housing Act of 1964 on September 2, 1964, the President stated:

> The plight of property owners in urban renewal areas is recognized in this measure. Provision is made so that they can rehabilitate their homes and businesses instead of having to move from the path of the bulldozer. Looking ahead, this measure assists local communities in enforcing housing codes so blight does not develop or persist in the future.

While the President's comment was directed to the matter of assisting communities and property owners by maintaining housing code standards so as to prevent blight, the amendment I have offered supplements to the President's recognition of the plight of property owners in urban renewal areas by giving to the owners of homes and business properties the full right to retain their ownership and be relieved from the process of condemnation where they are willing and able to improve, rehabilitate, or repair structures in harmony with the design and the uses contained in an urban renewal area project plan.

This amendment preserves the basic concept and right of citizens in the United States to the ownership and enjoyment of their property. The entire urban renewal program is based on the concept that the condemnation of privately-owned property is necessary and desirable for a public purpose and a public use. The property owner, under this amendment, does the same thing that would be accomplished after condemnation of his property, and there is no public use or public purpose to be served by taking his property from him. Without the approval of this amendment the Members of this House in substance and in legal effect will be saying to every property owner of the Nation that it is proper to use the public power of condemnation to take private property of one person for the sole purpose of turning the ownership of that property over to another person, for the same purpose, and using the taxes paid by the property owner in the process of doing it. Any such idea is utterly alien to any concept in our Constitution or any purpose or need in any community in the Nation.

In connection with the question of savings to the Federal and local governments, I call attention to studies which have been made by the Comptroller General of the United States. I am sure that his findings would be supplemented greatly if there were any comprehensive study made in urban renewal projects throughout the United States regarding the present practice of acquisition of and, in many instances, the demolition of sound usable structures which could have been retained within the project plan for use in harmony with the program.

The review of the Erie View project in Cleveland, Ohio, by the Comptroller General showed that millions of dollars in needless expenditures to the public had been accrued by the acquisition of sound structures which could have been used in connection with a program. Some of these structures were valued at amounts approaching a million dollars and the deficiencies in those structures, on the basis of which they were declared substandard, were no more than items which could be taken care of in normal annual maintenance. Yet the Comptroller General found in structure after structure this kind of arbitrary assessment of deficiencies had been used to characterize a building as substandard paving the way for acquisition and demolition.

The Clerk read as follows:

Amendment offered by Mr. Dowdy: At page 56, after line 13, insert the following new section:

"RELOCATION PAYMENTS

"SEC. 311. Section 114(b) is amended to read as follows:

" '(b) a local public agency—

" '(1) shall pay to any displaced business concern or nonprofit organization, its reasonable and necessary moving expenses and any actual direct losses of property, except goodwill or profit: provided, that such payment shall not exceed $3,000 (or if greater, the total certified actual moving expenses); and

" '(2) may pay to any displaced business concern or nonprofit organization, an additional $1,500 in the case of a private business concern with annual net earnings of less than $10,000 per year which (A) was doing business in a location in an urban renewal area on the date of local approval of the urban renewal plan (or of acquisition of real property under the third sentence of sec. 102(a)), (B) is displaced on or after January 27, 1964, and (C) is not a part of an enterprise having establishments outside the urban renewal area.

" 'Notwithstanding the provisions of clause (1) of the preceding sentence, a business concern which is not being displaced from an urban renewal area shall be eligible for payments under such clause (1) of its certified moving expenses with respect to its outdoor advertising displays being removed from the urban renewal area in the same manner as though such business concern were being displaced.' "

And redesignate the succeeding sections accordingly.

Mr. DOWDY. Mr. Chairman, the amendment which I have offered is essential if thousands of small businesses are to be treated with justice and fairness under the urban renewal program. The amendment provides that within urban renewal areas there shall be paid to displaced businesses the total amount of actual certified moving expenses, regardless of the amount of those expenses. There is no intent in this amendment that any person receive any special benefits or privileges, but that businesses merely be made whole for their out-of-pocket costs when they are forced to move because of urban renewal. At the present time, under regulation, a displaced business cannot be reimbursed more than $25,000, regardless of what amount he must spend to move his business.

The purpose of this amendment is to assure that displacees will be reimbursed for their actual certified moving costs when they are compelled, by reason of an urban renewal plan, to move to another location. There is no justifiable basis on which, as a part of a public program, some businesses may receive the full amount of their moving costs, and other businesses likewise compelled to move, are reimbursed only part of their actual moving costs. If the program is for the benefit of the public, those who are displaced should not be compelled to pay a subsidy to urban renewal over and above that paid by others. Their losses from disruption of business can be staggering enough without being forced to bear additional costs for benefit of the program.

It may be noted that some businesses have been forced or will be forced to move the second time with allowance of only part of their actual moving costs. I do not believe that any Member of this body would go before the public and advocate that such a procedure of urban renewal has any of the elements of fairness and justice. In hearings before the subcommittee of which I was chairman, one displacee, had moving costs far in excess of the allowance paid by the renewal agency. After the costs of the first move, the loss of business, inconvenience, and the expenditure of thousands of dollars for the erection of a new structure, he is threatened with a second dislocation by urban renewal. He stated that if he were forced to move again he thought he would go to New Zealand.

The economic shock of urban renewal on small businesses cannot be denied. The facts are too well documented. In testimony before the House Small Business Committee, the Administrator of the Small Business Administration stated that 3 out of each 10 businesses displaced by urban renewal do not survive. He estimated that 30,000 businesses might be put out by urban renewal between now and 1972.

It is not uncommon to find that 40 percent or more of the businesses displaced by urban renewal in a community do not survive. Those who do continue often have serious business losses. Small Business Administrator Foley cited the experience of the businesses displaced by urban renewal in Providence, R.I. There 40 percent did not survive. Very small businesses which did relocate experienced a 60-percent drop in income. Medium small businesses had a loss of 32 percent in income. Larger small businesses suffered income losses of 34.7 percent.

In hearings before my subcommittee of the House District Committee, witnesses were confronted with similar facts about local displaced businesses. A remedy suggested was legislation providing for the payment of subsidies to businesses displaced by urban renewal. This means on one hand you operate a federally subsidized program to put small businesses out of business and then apply more subsidies to put them back in business.

The amendment I have presented does no such thing. All this amendment says is that whatever cost a business is compelled to pay because of the urban renewal program will be repaid to the displaced business in full. That is the only honest, just and fair thing to do.

The executive director of the District of Columbia Redevelopment Land Agency testified on business problems under urban renewal on June 8 this month before the House Small Business Committee. He stated—and I quote:

> In my opinion the greatest deficiency in redevelopment regulations—as they are now administered—is the $25,000 limitation on business relocation payments.

The amendment which I have presented will remedy this situation. On the ground of plain American fair play, it should be approved overwhelmingly by the House.

The Clerk read as follows:

> Amendment offered by Mr. DOWDY: at page 56, following line 4, insert the following new section:
>
> "STANDARDS OF ELIGIBILITY FOR URBAN RENEWAL AREAS
>
> "SEC. 310. Section 106 of the Housing Act of 1949 is amended by adding at the end thereof (after the new subsection added by section 309 of this Act) the following new subsection:
>
> "'Notwithstanding any other provision of this title, no new contract for a loan or capital grant under this title with respect to any project in an urban renewal area shall be entered into with any local public agency unless the local public agency shall have furnished satisfactory evidence to the Administrator that the standards used for finding and declaring such area suitable for urban renewal shall, in the case of housing, building, health, and public safety codes and regulations, be in accordance with the housing, building, health, and public safety codes and regulations of the locality.'"
>
> And redesignate the succeeding sections accordingly.

Mr. DOWDY. Mr. Chairman, this amendment would make sure that urban renewal planners would not overrule city codes and regulations; thus, homeowners on opposite sides of the same street, dividing a project area from another area, would all be governed by the same codes. Unfortunately, this Congress will be in session only 5 or 6 months longer this year, so we must be limited to only 45 minutes for consideration of amendments to the last 100 pages of this bill containing dozens of sections.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Texas [Mr. DOWDY].

The amendments were rejected.

H.R. 7984

Mr. McGRATH. Mr. Chairman, I am in favor of this bill—all of it. I voted for it in Committee and expect to vote for its passage.

I would like to call attention to the provisions in the bill which I consider of special importance. These are the new aids to housing for the elderly.

The older age group is growing more rapidly than the population as a whole. Many retired people live in my district—especially in Atlantic City. I am well acquainted with their problems. Many of them live in housing that is far from adequate for their needs.

Generally speaking, their incomes are substantially lower than those of other families. These elderly people do not have the ways and means of increasing their incomes that younger families have. Many cannot afford decent housing. Most of them have made substantial contributions to their country during their productive years. They deserve to have adequate housing during their autumn years.

Of most significance are the provisions in the bill to provide rent supplements for elderly persons of low or moderate incomes. Over 100,000 elderly with incomes of $3,000 to $5,000 would be provided with decent housing under the rent supplement provisions. They would have to pay one-fourth of their incomes as rent. The Federal Government would make up what is required over that amount to pay the fair market rental for the housing. Without this help, many of these elderly will continue to live in substandard housing.

The direct loan program for housing for the elderly would be continued for 4 years. The limit on the amount of appropriations that can be made for loans under this program would be lifted, in order to assure that there is ample authority for appropriations for loans.

Most important, however, is the reduction of the interest rate on these loans to not more than 3 percent per annum. Under the present law, the interest rate on the loans is 3¾ percent and is expected to rise to 4 percent at the beginning of the new fiscal year.

This lower interest rate would reduce the monthly debt service on a typical $12,000 dwelling unit by around $6. A corresponding reduction could be made in the monthly rents charged for these dwelling units. Compared to conventionally financed projects this program can reduce rents by $20 a month.

The bill also provides additional public housing for the low-income elderly families. Somewhere between 20 and 25 percent of the present low-rent public housing is occupied by the elderly.

These dwelling units for the elderly are specially designed for them. For example, they are provided with nonskid floors and levers instead of knobs on doors and faucets. Kitchens and baths are planned for more safe use by the elderly. Many of the projects have space for activities and entertainment of the tenants. This leads to a happier and fuller life for our senior citizens.

The bill would continue for 4 years the mortgage insurance programs administered by the Federal Housing Administration and the Farmers Home Administration for rental housing for the elderly. These too are important tools for providing housing for our elders—both in town and in rural areas. They are means of encouraging private investment in elderly housing that would otherwise go into other investments.

Another provision in the bill of special interest to elderly would authorize grants to homeowners in urban renewal areas who are required to rehabilitate their homes to bring them up to the required standards.

Without these grants, many elderly people will be forced to move from their homes because they cannot afford to pay for the necessary repairs. The bill would remove a real hardship to elderly persons who have paid for their homes over the years with the expectation that they would have a place to live during the last years of their lives when their incomes are low.

Because of these provisions for the elderly, and because the bill does much more to provide decent homes and good communities, I urge that it be approved by the House.

Mr. BINGHAM. Mr. Chairman, I should like to address a question to the distinguished ranking minority member of the subcommittee with regard to subparagraph (1) of section 23(d), which appears on page 11 of the bill, beginning on line 13.

I am somewhat troubled by the fact that under this provision it will be up to the owner to select those tenants who will not be paying the full rental for their accommodations. Judging from the situation in my district, where there is a far greater demand for public housing accommodations than the available supply, there will be great pressure from potential tenants for admission to the private accommodations under this section, and consequently there may be abuses—kickbacks and the like—in the selection of tenants. I would like to know specifically whether, in the opinion of the minority member of the subcommittee, the selection of tenants under this subsection shall be carried on under the supervision of the public housing agency involved and whether the selections made would be subject to its approval.

Mr. WIDNALL. The answer is in the affirmative.

Mr. WATSON. Mr. Chairman, it is difficult for one to remain long in Washington and retain his sensibility to shock, particularly in view of some of the fantastic proposals made by the administration. But I daresay that even the wildest of dreamers could not have been prepared for some of the proposals in the pending bill, particularly the rent supplement provisions.

My first impression was to dismiss such a suggestion as ridiculous, little dreaming that a committee of this body would dare bring such a proposition to the floor for serious consideration. Yet here we are in that situation and my sensibility to shock has been lessened by a few more degrees.

Pray tell us what will next be proposed for subsidization? Will it be the house at the beach, or in the mountains? Will it be the family automobile, or perhaps the second family car? Or will it be the family TV set so that the occupant of the White House can be assured that his message reach all the people all the time?

You know as well as I that this measure has stamped on it in bold letters, "I want votes." It is another poorly masked bid for guaranteed, everlasting success at the ballot box by the unfettered wasting of public funds. And, more importantly, it is designed to accomplish in sinister fashion many of the administration's goals in the field of "social reform." The minority report has used the term "across-the-board economic integration." I fully believe the objectives are more far reaching than that.

The rent supplement feature is not the only undesirable provision of this bill but that proposition has served as a smokescreen to divert close examination of other parts of the bill during this debate. With every fiber of my being, I urge you to eliminate this so-called experiment, this $8 billion experiment, from the bill.

Mr. DANIELS. Mr. Chairman, I rise in support of H.R. 7984, the Housing and Urban Development Act of 1965.

I shall take only a few minutes time to go on record in support of this singularly worthwhile measure. The substance of this bill has been well explained by the gentleman from Texas [Mr. PATMAN] and the gentleman from Pennsylvania [Mr. BARRETT] who in his first attempt at presenting an omnibus housing bill has done a truly outstanding job.

I represent an area where almost all the features of this bill will be very popular but I am not supporting this bill merely because it is good for Hudson County—although it certainly is that—but rather because this bill is good for America.

Eight million Americans live in housing that is considered to be substandard and the reason in almost every case is the same—they cannot afford better housing. This bill proposes to do something about this situation.

The most controversial feature of this bill is contained in title I, section 101, the so-called rent supplement provision which President Johnson has called "the most crucial new instrument in our effort to improve the American city."

It is important for us to remember that this will apply to privately constructed housing. In this way, Mr. Chairman, we shall insure that decent housing is provided for millions of Americans who otherwise would be living in substandard homes without threatening the home building industry which provides some 5 percent of our gross national product.

It is significant to note in this bill that the tenant would pay 25 percent of his income for rent as contrasted with 20 percent or less in public housing.

In public housing, the average unit requires a subsidy of about $58 a month. The distinguished chairman of the Banking and Currency Committee, Mr. PATMAN, has estimated that the average rent supplement will amount to $40 per month per unit.

I would also like to point out that this bill also includes an adequate provision for the continuation of our programs for the construction of public housing units. This bill authorizes the construction of an additional 60,000 units a year for the next 4 years or a total of almost one-quarter million units.

This bill also provides for low interest loans to nonprofit groups for the construction of homes for the elderly; extends FHA insurance programs for 4 years; authorizes a new program for providing FHA mortgage insurance of private loans to private subdivision developers who may or may not be home builders and provides an additional $2.9 billion over the next 4 years for the urban renewal program.

H.R. 7984 also provides for increased compensation for condemned property owners and for the construction of additional college housing to help ease the strain on our colleges and universities.

This bill also authorizes matching grants to local public bodies to finance 50 percent of construction costs of basic public water and sewage facilities and two-thirds of the construction cost of neighborhood facilities.

These are only some of the outstanding provisions of this bill which I heartily recommend for passage.

In his second inaugural address, President Franklin Delano Roosevelt called attention to the fact that one-third of the Nation was "ill fed, ill clad, ill housed: I would like it said of my second administration that these forces met their master." Thirty years later, we have a chance to help finish the task that this great man started. This bill gives every Member of this House an opportunity to strike a blow for a better America.

I commend all who have had a hand in drafting this bill which will do so much for those for whom we have done not nearly enough. We have spent billions to raise the standard of living for people around the globe. And I am not one to say that this is not a worthwhile endeavor. Today, however, we are going to do just a little something for those people who are literally the salt of the earth—the Americans in the middle and lower income brackets.

For a better life for all, I urge all Members to support H.R. 7984.

Mr. DERWINSKI. Mr. Chairman, this rent subsidy plan should properly be labeled as an "antihomeownership" program since it would frustrate middle-income families who are purchasing their homes and making mortgage payments without the benefit of a Federal subsidy.

One of the great phenomena of the post-World War II period has been the growth of homeownership. The dream of homeownership has motivated millions of Americans to purchase and pay for homes of their own. It is completely contradictory to embark on a massive, costly, unworkable rent subsidy program of the kind before us.

Of all the legislative hallucinations of the Great Society, this one takes the cake. It is an insult to the intelligence of the public, a direct thievery of the taxpayers, and makes a mockery of the thrifty citizen who is purchasing his own home. It sets up a potential boondoggle of Federal funds that will rival the costly and ill-conceived farm subsidies.

As a former member of the House Banking and Currency Committee, I urge House Members to reject the rent subsidy proposal.

Mr. ASHLEY. Mr. Chairman, the minority views attacking the rent supplement program insist that the American public will not "buy" this program. It is charged that this program is foreign to American concepts.

Just which Americans do they mean will be against this new program?

They cannot mean our labor union members, for the supplement approach has been endorsed by housing spokesmen for the AFL–CIO.

They cannot mean our senior citizens, for the supplements have been endorsed by several groups representing the elderly, including the American Association of Homes for the Aging, the National Council on the Aging, and National Council of Senior Citizens.

They cannot mean those in the cooperative movement, because the supplements are strongly endorsed by the Cooperative League of the USA.

They cannot be referring to builders of new or rehabilitated housing because the program is endorsed by the General Improvement Contractors Association as well as by the National Association of Home Builders.

They cannot be referring to the Nation's bankers because the American Bankers Association has endorsed the program, as has the far-sighted National Association of Mutual Savings Banks, which reaffirmed its support in a telegram I received this morning.

They cannot mean the mayors of our cities, for the rent supplement program has been endorsed by mayors like Robert Wagner of New York, Theodore McKeldin of Baltimore, and others.

They cannot mean the social service people who know the problems of the poor, for the program has been supported by the National Federation of Settlements, the National Conference of Catholic Charities, the Community Service Society, and others.

I know of no testimony from any group or individuals who said this rent supplement program is contrary to American concepts.

I can recall no other new housing program which received such general support.

As a matter of fact, seldom does any housing proposal receive support from such a broad range of organizations and interests.

The minority report chose to ignore these facts. Small wonder that they describe their report as a minority view.

Mr. CLEVELAND. Mr. Chairman, with the exception of the curious and unfair rent supplement plan, H.R. 7984, the Housing and Urban Development Act of 1965, represents a fine bipartisan effort to help provide the means by which every American can acquire a decent home in wholesome surroundings. I firmly believe that when this goal is achieved, family life in America will be strengthened and this of itself may well cause the crime rate and even the disease rate to go down dramatically.

The rent supplement proposal is entirely the administration's. The Democrats are welcome to claim it for their own. Republicans had nothing to do with it and I oppose it vigorously. It makes no sense at all to me for the Federal Government to pay any part of the rent for persons whose incomes are more than triple the $3,000 a year poverty level established by the administration. Yet this would be possible under the administration's original proposal. The Stephens amendment, which would modify the original plan to some degree, is still unsatisfactory. It is regrettable that this radical proposal should be lumped into this omnibus bill but, of course, it is clear this was done because the proposal could not probably live a life of its own. I hope the next Congress will undertake to knock out this feature.

It is unfortunate that the controversy over this section has obscured the rest of this bill. Although I am not a member of the Committee on Banking and Currency, which drafted the bill, I am proud of the work the Committee has done. In particular, I am proud of my party for the key role it has played in the formation of this bill.

Republican-originated features include:

First. A new FHA mortgage insurance program for all veterans who have not yet used their entitlements under existing Veterans' Administration loan programs. An estimated 21 million veterans would be eligible under the program, if it is accepted by the Senate. A veteran would need no down payment on housing up to $20,000 in value and would pay only a 5-percent down payment on a house which is worth $30,000, which is the FHA maximum.

Second. The first comprehensive program for uniform and fair "eminent domain" procedures where property is taken under a federally assisted urban renewal or housing program. This includes a very important provision for the immediate award to the property owner of 75 percent of the appraised value of the property taken, even if he goes on into court to contest the full award. This will protect many individuals from bankruptcy or from the necessity for going into heavy debt in order to relocate and protect their businesses.

Third. Additional funds for the low-interest urban renewal rehabilitation loan program begun last year to assist the tenant, homeowner and small businessman to upgrade his property instead of losing it to the bulldozer.

Fourth. A new, Republican approach to public housing, which would use existing private rental housing on a voluntary basis for those qualifying for public housing. Both income and rental levels would be confined to present public housing standards. This new approach avoids costly construction, keeps property at full value on the local tax rolls, and provides immediate relief in many areas for those now faced with long waiting lists for conventional public housing. As many as 100,000 units over the next 4 years could be made available under the bill.

Fifth. Three percent interest rates for the highly successful college and elderly housing loan programs, which enables these programs to continue serving areas of need at reasonable rental levels.

Sixth. Improvements in the urban renewal program, particularly through new relocation assistance provisions which feature a new small-business lease guarantee program for those forced to move as a result of an urban renewal project.

Seventh. Increases in mortgage limits for homes in rural outlying areas from $11,000 to $12,500 under the FHA program.

Eighth. Numerous other perfecting contributions to housing programs including elimination of the "new towns" proposal and encouraging greater participation by private enterprise.

This then, Mr. Chairman, truly can be called a major, bipartisan housing bill, with the reservation noted above. I am glad to support it.

Mr. WOLFF. Mr. Chairman, contrary to popular belief, this country, the land of the free and the home of the brave, this Nation of unprecedented wealth, is covered with blemishes.

Any cursory examination of our Nation reveals pockets of slums, pockets of decrepit housing and impoverished people who live in despair, pockets of people who are mired in the repetitive cycle of ignorance and poverty.

These slums are the incubators of a myriad of ills which by their very nature perpetuate their genesis. Statistics about these slums reveal a high incidence of disease, crime, poverty, and school dropouts. Case histories are replete with broken homes and welfare payments; slum lords from distant environments reap their wealth from the misery of others. This cancerous sore not only engulfs surrounding areas, but preys on whole populations. The violent and vicious world of the slum spills over and people remote from these conditions are attacked by the products and inhabitants of the slums. The crime which festers in the slums bursts forth into black headlines of murder, assault, theft. Who dares walk the back streets of our major cities at night?

Mr. Chairman, the overriding policy of my decisions as a Representative shall always be to get at the cause of the problems that afflict us. Votes to slow down their growth—to offer vacant platitudes which at the most offer momentary respite—are not adequate. This body owes a responsibility, a duty, to hit at the cause and rid this country of this blight. We cannot afford nor must we allow the continuation of welfare as a nonvariable or as a cure-all.

This country has instituted a public housing program. Need I belabor the point that this program has not proven adequate? One can espouse with certainty that public housing offers no chance nor possibility to meet the needs of this country, present or future. One statistic is the epitome of the situation—there is today a backlog of 500,000 applicants for public housing. That this picture can be bleaker is truly frightening—but bleaker it is—the backlog is increasing, not decreasing.

I voted for the housing bill, and for section 101 which provides for certain rent subsidies for eligible poor families, because I feel that every path must be explored to get at the root causes of poverty and its attendant evils. The rent subsidy program, by enabling poor families to live in adequate housing, may provide the key to free thousands of Americans from the crushing oppression of a life in the slums, the life from which crime springs.

Prior to yesterday I was opposed to section 101 because I felt that people not entitled to this kind of help would benefit from it. The section itself was too broad.

However, with the new amendment making only those who qualify for public housing eligible under section 101, and restricting the program only to the aged, the indigent, and those currently living in slums, I felt that the measure now compels support as a possible way out for many of our people now living under the most wretched conditions.

Mr. Speaker, the necessities of life are food, clothing, and shelter. The denial of these necessities invite consequences that must be avoided. The future of America depends upon the houses we live in and worship in—and both must be available.

Mr. ROYBAL. Mr. Chairman, I rise in support of the enactment of H.R. 7984, the Housing and Urban Development Act of 1965.

While we are considering this measure to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve the living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities, we should bear in mind the solemn congressional declaration in the Housing Act of 1949 that:

> The general welfare and security of the Nation and the health and living standards of its people require housing production and related community development sufficient to remedy the serious housing shortage, the elimination of substandard and other inadequate housing through the clearance of slums and blighted areas, and the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family, thus contributing to the development and redevelopment of communities, and to the advancement of the growth, wealth, and security of the Nation.

Mr. Chairman, in my opinion, the legislation we are considering today can provide a sound and comprehensive framework for carrying out the objectives and fulfilling the promise of that congressional declaration.

It is certainly significant, and most interesting, that all the major established programs in the housing and urban development field, such as public housing, FHA insurance, urban renewal, college housing, and community facilities, which used to arouse such vocal opposition on the ground that they were allegedly foreign to American concepts, would kill the incentive of the American family, and would lead us toward a socialistic way of life, have this year caused little or no discussion, much less opposition.

This rather surprising fact stands as quiet but eloquent testimony to the almost universal acceptance of the important role of the Federal Government in assisting local communities meet the challenge of urban growth and expansion.

Another example of this developing consensus is the recent House passage of President Johnson's proposal to create a new Cabinet-level Department of Housing and Urban Development to serve as a focal point of Federal concern for such problems of rapid metropolitan growth as sharply rising local tax rates, providing efficient mass transportation systems, building adequate housing, expanding educational opportunities, assuring effective air and water pollution control, and providing recreation and all the related necessities of modern urban life in the latter half of the 20th century.

This expression of House support for the President's proposal reversed a 264-to-150 defeat in 1962 of a similar administration plan, and is of particular importance to the residents of southern California, where population is expected to triple from 10 million to over 30 million within the next 35 years.

The problems of urbanization, of course, are not confined to Los Angeles or the State of California. In the Nation at large, whereas more than half our citizens lived on farms or in rural areas at the turn of the century, today some 70 percent live in metropolitan centers. And by the year 2000, the Nation's population will have increased to about 350 million, of which nearly 80 percent will be concentrated in urban areas.

Times certainly change, and the face of America changes along with everything else. In 1862, as the rich farming regions of the West were opening up, the Federal Government established the Agriculture Department to assist in that historic development. So now, more than a hundred years later, I feel it is time to direct the Nation's attention toward providing effective assistance to the vast majority of our citizens who today live and work in our burgeoning cities.

Mr. Chairman, in the legislation now before the House, the only apparent real opposition has been voiced with regard to the President's proposed new rent supplement program, which he has characterized as "the most crucial new instrument in our effort to improve the American city."

I heartily agree with President Johnson in this matter, for I believe the rent supplement program is an imaginative and forward-looking new housing tool that can be of tremendous benefit to the segment of our population whose income and financial situation now prevents them from obtaining decent housing in today's market conditions.

As such, this program can become an essential element in our national effort to mobilize the country's human and financial resources to attack the basic causes of poverty and high unemployment among America's 30 million disadvantaged citizens.

Considered as part of the new economic opportunity program, the rent supplement proposal may well offer a promising new approach to solving the tragic paradox of extreme poverty in the midst of an alltime record prosperity for most Americans.

Basically, the proposal is fairly simple. The housing built under the new program would be privately sponsored, privately built, and privately financed under FHA—and FHA regulations assure that it will be of sound and modest design. Eligible families will be those within the public housing income range who, in addition, are elderly or handicapped, displaced by Government action such as urban renewal or highway construction, or who are now living in slum housing. The supplement, itself, will be the difference between one-fourth of the family's income, which it would pay as rent in the normal manner, and the fair market rental of the unit as approved by FHA.

Thus, it is essentially a private enterprise program, with supplemental Federal assistance provided through partial rent payments to help meet the housing problems of our low income families. The housing would be modest in design and no luxury-type housing would be permitted.

Overall, the rent supplement program would accomplish a number of things. It would make a net addition to the supply of decent housing available to low-income groups. It would enlist the energy and imagination of churches, unions, and civic-minded private citizens. It would complement the existing public housing program and offer low-income families another alternative to their present limited choice between slums or regular public housing. It would substantially reduce the impact on the Federal budget of direct Government financing of the whole cost of a unit. And it would provide a flexible formula that would extend aid to families when they need it, curtail that aid when their incomes rise, and terminate it when they could afford housing on their own, without the painful necessity of evicting them as is the case in public housing.

Since there are now approximately 500,000 eligible families already on the waiting list for admission to public housing, it is obvious that the President's proposal will fill an urgent need by speeding the day when low-income families, now unable to afford decent housing, can move into better homes with Federal assistance.

During this debate we have heard the rent supplement plan denounced as just another Government handout or subsidy to one economic class in America, and that it would lead us straight down the path to socialism, if not worse.

For that reason, I think it might be profitable to spend a moment or two in considering the subject of subsidies in the housing field in America, and, by extension, the general subject of the principle of Government subsidy in American life.

First of all, the President's rent supplement proposal would by no stretch of the imagination be the first Federal subsidy to private housing, nor would it be by any means the largest.

As a matter of fact, almost every kind of housing now receives a Federal subsidy, direct or indirect.

The most significant Federal subsidy to housing is, of course, the income tax deduction for mortgage interest. It is a subsidy to the economic classes that can afford to buy houses.

In addition, housing for veterans, for old people and for farmers, is subsidized. There are public housing programs for the very poor; the Federal Housing Administration provides mortgage insurance for one-family dwellings for the middle class; even luxury apartments for upper-income citizens often get an indirect subsidy under the urban renewal program.

The question, then, is not whether this country intends to subsidize its citizens' shelter. That was settled a generation ago. The current question is whether the country intends to subsidize the poor as widely as it does the wealthy, and whether it intends to subsidize the renters as well as the buyers.

Now, to look for a moment beyond the field of housing, it is easy to trace a consistent pattern of Federal Government subsidy as an integral, and indeed an essential, part of the history of the economic development and prosperity of America.

One of the earliest kinds of subsidy in the United States, and one which is still very much with us, is the tariff on goods produced outside the country. Tariff laws were enacted and have stayed on the books since the 18th century in an effort to protect U.S. industry and agriculture by reducing or eliminating competition from foreign-made products.

But this Government-enforced subsidy is paid for directly out of the pockets of American consumers in the form of higher prices they must pay in the marketplace for each of these protected commodities.

And we are only too familiar with the present multi-billion-dollar annual agricultural subsidy American taxpayers pay to U.S. farmers who produce our overabundance of food and fiber.

So, too, even a cursory reading of American history will also remind us of the many hundreds of thousands of acres of land given to the railroads of this country as a direct land subsidy to promote the population and development of the West. This subsidy was also paid for by every citizen through a proportionate diminution and reduction in the public domain.

Major current Government subsidies are found in the Federal Internal Revenue Code in the form of special exemptions, deductions, and similar tax concessions and advantages granted by law to certain classes of citizens.

One outstanding example of this kind of Government subsidy is the Federal tax treatment accorded income from oil and gas resources. Taxpayers with such income are eligible for an annual 27-percent depletion allowance, which, according to an authoritative 1963 Brookings Institution study, saves these taxpayers between $1.5 and $2 billion every year.

In other words, the U.S. Treasury loses from $1.5 to $2 billion in revenue each year because of the special 27-percent depletion allowance granted the relatively few taxpayers with income from oil and gas sources. This Government tax subsidy, therefore, is paid directly out of U.S. Treasury funds by all other American taxpayers whose tax bills would otherwise be, dollar for dollar, that much less.

Another multi-billion-dollar annual Government subsidy is given to corporations—generally the larger and more prosperous ones—in the form of patent rights to the commercially profitable discoveries and inventions that result from Federal research and development contracts.

A large share of this lucrative patent subsidy goes to firms with Government military or space contracts, but taxpayer-sponsored R. & D. contracts range into every conceivable field of human endeavor. In fact, total Federal outlays for research and development are estimated to be somewhere in the neighborhood of $12 to $13 billion a year—far more than half the entire annual R. & D. spending from all sources, both public and private.

To take another specific industry as an example, commercial aviation has been subsidized by the Federal Government since its very infancy in the early decades of this century, and, in one way or another, will probably always be the recipient of taxpayer largess.

In this case, the subsidy has been paid through profitable Government mail delivery contracts, and, to the larger domestic and international trunklines who no longer receive direct subsidy, through the granting of Government-protected franchises to operate over choice commercial air routes where passenger and freight traffic growth potential almost guarantees a highly remunerative business future, shielded from the normal competitive hazards of the American free enterprise system, and virtually assured of a comfortable rate of return.

Now, the Federal Government has just ordered a speed-up in its development effort toward building an American supersonic airline transport, so that our commercial aviation industry will be in a better position to compete for future business with similar planes produced in Europe or Russia.

What is involved here is a $1 to $2 billion expenditure of taxpayers' money for research, development, test, and evaluation to produce an aircraft for commercial use after our U.S. airlines and aircraft manufacturers flatly refused to shoulder the financial responsibility because they considered the project too expensive and risky for private industry to handle alone.

In conclusion, Mr. Chairman, I have cited these various examples of Government subsidy to indicate that there has been a rather consistent historic pattern of Federal subsidization, not only in the housing field, but in nearly every other area of America's economic development and prosperity.

So I believe we can safely discount the opposition to President Johnson's rent supplement proposal that is based on the contention that a housing subsidy for America's poorest classes would somehow be un-American and contrary to our historic traditions.

Rather, I feel that this proposal can become an important element in our overall, comprehensive effort to meet the urgent housing needs of our fast-growing Nation.

With that thought, therefore, I strongly hope the Members of this House will today give their support to the President's rent supplement plan, and will join me in voting for the administration's Housing and Urban Development Act of 1965, as a major step toward achieving the magnificent goals outlined in the congressional housing declaration of 1949.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. FLOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 7984) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities, pursuant to House Resolution 425, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. WIDNALL. Mr. Speaker, I demand a separate vote on section 101 as amended.

The SPEAKER. Is a separate vote demanded on any other of the amendments? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote is demanded, the Stephens amendment.

The Clerk read as follows:

Strike out section 101 (beginning on page 2, line 3, and ending page 7, line 7) and insert the following:

"FINANCIAL ASSISTANCE TO ENABLE CERTAIN PRIVATE HOUSING TO BE AVAILABLE FOR LOWER INCOME FAMILIES WHO ARE ELDERLY, HANDICAPPED, DISPLACED, OR OCCUPANTS OF SUBSTANDARD HOUSING

"SEC. 101. (a) The Housing and Home Finance Administrator (hereinafter referred to as the 'Administrator') is authorized to make, and contract to make, annual payments to a 'housing owner' on behalf of 'qualified tenants', as those terms are defined herein, in such amounts and under such circumstances as are prescribed in or pursuant to this section. In no case shall a contract provide for such payments with respect to any housing for a period exceeding forty years. The aggregate amount of the contracts to make such payments shall not exceed amounts approved in appropriation Acts and shall not exceed $30,000,000 per annum prior to July 1, 1966, which maximum dollar amount shall be increased by $35,000,000 on July 1, 1966, by $40,000,000 on July 1, 1967, and by $45,000,000 on July 1, 1968.

"(b) As used in this section, the term 'housing owner' means a private nonprofit corporation or other private nonprofit legal entity, a limited dividend corporation or other limited dividend legal entity, or a cooperative housing corporation, which is a mortgagor under section 221(d)(3) of the National Housing Act and which, after the enactment of this section, has been approved for mortgage insurance thereunder and has been approved for receiving the benefits of this section: *Provided*, That no payments under this section may be made with respect to any property financed with a mortgage receiving the benefits of the interest rate provided for in the proviso in section 221(d)(5) of that Act.

"(c) As used in this section, the term 'qualified tenant' means any individual or family who has, pursuant to criteria and procedures established by the Administrator, been determined—

"(1) to have an income below the maximum amount which can be established in the area, pursuant to the limitations prescribed in section 2(2) of the United States Housing Act of 1937, for occupancy in public housing dwellings; and

"(2) to be one of the following—

"(A) displaced by governmental action;

"(B) sixty-two years of age or older (or, in the case of a family, to have a head who is, or whose spouse is, sixty-two years of age or over);

"(C) physically handicapped (or, in the case of a family, to have a head who is, or whose spouse is, physically handicapped); or

"(D) occupying substandard housing.

"(d) The amount of the annual payment with respect to any dwelling unit shall not exceed the amount by which the fair market rental for such unit exceeds one-fourth of the tenant's income as determined by the Administrator pursuant to procedures and regulations established by him.

"(e)(1) For purposes of carrying out the provisions of this section, the Administrator shall establish criteria and procedures for determining the eligibility of occupants and rental charges, including criteria and procedures with respect to periodic review of tenant incomes and periodic adjustment of rental charges. The Administrator shall issue, upon the request of a housing owner, certificates as to the following facts concerning the individuals and families applying for admission to, or residing in, dwellings of such owner:

"(A) the income of the individual or family; and

"(B) whether the individual or family was displaced by governmental action, is elderly, is physically handicapped, or is (or was) occupying substandard housing.

"(2) Procedures adopted by the Administrator hereunder shall provide for recertifications of the incomes of occupants, except the elderly, at intervals of two years (or at shorter intervals in cases where the Administrator may deem it desirable) for the purpose of adjusting rental charges and annual payments on the basis of occupants' incomes, but in no event shall rental charges adjusted under this section for any dwelling exceed the fair market rental of the dwelling.

"(3) The Administrator may enter into agreements, or authorize housing owners to enter into agreements, with public or private agencies for services required in the selection of qualified tenants, including those who may be approved, on the basis of the probability of future increases in their incomes, as lessees under an option to purchase (which will give such approved qualified tenants an exclusive right to purchase at a price established or determined as provided in the option) dwellings or cooperative ownership interests therein, and in the establishment of rentals. The Administrator is authorized (without limiting his authority under any other provision of law) to delegate to any such public or private agency his authority to issue certificates pursuant to this subsection.

"(f) Section 101(c) of the Housing Act of 1949 is amended by inserting '(i)' after 'a mortgage under' in the first proviso and by inserting immediately before the colon at the end of such proviso the following: ', or (ii) section 221(d)(3) of the National Housing Act if payments with respect to the mortgaged property are made or are to be made under section 101 of the Housing and Urban Development Act of 1965, except that no such mortgage shall be insured, and no commitment to insure such a mortgage shall be issued, with respect to property in any community for which a workable program for community improvement was required and in effect at the time a contract for a loan or capital grant was entered into under this title, or a contract for annual contributions or capital grants was entered into pursuant to the United States Housing Act of 1937, unless there is a workable program for community improvement which meets the requirements of this subsection in effect in such community at the time of such insurance or commitment'.

"(g) The Administrator is authorized to make such rules and regulations, to enter into such agreements, and to adopt such procedures as he may deem necessary or desirable to carry out the provisions of this section. Nothing contained in this section shall affect the authority of the Federal Housing Commissioner with respect to any housing assisted under this section and under section 221(d)(3) of the National Housing Act, including his authority to prescribe occupancy requirements under other provisions of law or to determine the portion of any such housing which may be occupied by qualified tenants.

"(h) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including, but not limited to, such sums as may be necessary to make annual payments as prescribed in this section, pay for services provided under (or pursuant to agreements entered into under) subsection (e), and provide administrative expenses.

"(i) Section 114(c)(2) of the Housing Act of 1949 is amended by inserting before the colon at the end of the first proviso the following: ', or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965'.

"(j) On or before January 1, 1968, the Administrator shall submit to the Congress a full report of operations under this section, together with his recommendations with respect thereto."

Mr. WIDNALL (interrupting the reading of the amendment). Mr. Speaker, I ask unanimous consent that the amendment be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER. The question is on the amendment.

The question was taken; and the Speaker announced that the "ayes" appeared to have it.

Mr. WIDNALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 240, nays 179, answered "present" 1, not voting 14, as follows:

[Roll No. 162]

YEAS—240

Adams
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Bandstra
Barrett
Beckworth
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Cabell
Callan
Cameron
Carey
Celler
Chelf
Clark
Clevenger
Cohelan
Conyers
Cooley
Corman
Craley
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dowdy
Dulski
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagan, Ga.
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Mo.
Karsten
Karth
Kee
Kelly
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Landrum
Leggett
Lindsay
Long, Md.
Love
McCarthy
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Matsunaga
Matthews
Meeds
Miller
Mills
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Powell
Price
Purcell
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Roybal
Ryan
St Germain
St. Onge
Schisler
Schmidhauser
Secrest
Senner
Sickles
Sisk
Slack
Smith, Iowa
Staggers
Stalbaum
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Tenzer
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tunney
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Weltner
White, Idaho
White, Tex.
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NAYS—179

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baldwin
Baring
Bates
Battin
Belcher
Bell
Berry
Betts
Bolton
Bray
Brock
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan

Burleson
Burton, Utah
Byrnes, Wis.
Cahill
Callaway
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Downing
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Findley
Fino
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Gathings
Gettys
Gilligan
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Hansen, Idaho
Hardy
Harsha
Harvey, Mich.
Hébert
Henderson
Herlong
Hosmer
Hutchinson
Johnson, Pa.
Jonas
Jones, Ala.
Kastenmeier
Keith
King, N.Y.
Kornegay
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McDade
McEwen
McMillan
MacGregor
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
Mathias
May
Michel
Minshall
Mize
Moore
Morse
Mosher
Murray
Nelsen
O'Konski
O'Neal, Ga.
Passman
Pelly
Pirnie
Poff
Pool
Pucinski
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Robison
Rogers, Tex.
Roudebush
Roush
Rumsfeld
Satterfield
Saylor
Schneebeli
Schweiker
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Stafford
Stanton
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Whalley
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

ANSWERED "PRESENT"—1

Scheuer

NOT VOTING—14

Addabbo
Bonner
Bow
Evins, Tenn.
Harvey, Ind.
Keogh
Martin, Mass.
Morton
Rostenkowski
Shipley
Springer
Thomas
Toll
Tupper

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Bow against.

Mr. Thomas for, with Mr. Springer against.

Mr. Addabbo for, with Mr. Morton against.

Mr. Toll for, with Mr. Martin of Massachusetts against.

Mr. Shipley for, with Mr. Harvey of Indiana against.

Until further notice:

Mr. Evins with Mr. Rostenkowski.

Mr. ROBERTS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HARVEY OF MICHIGAN

Mr. HARVEY of Michigan. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HARVEY of Michigan. I am, Mr. Speaker, in its present form.

The SPEAKER. The gentleman qualifies; the Clerk will report the motion.

The Clerk read as follows:

Mr. Harvey of Michigan moves to recommit the bill (H.R. 7984) to the Committee on Banking and Currency with instructions to report the same back to the House forthwith with the following amendment: Strike out title I (beginning on page 2, line 1, and ending on page 18, line 10) and insert in lieu thereof the following:

"TITLE I—HOUSING FOR DISADVANTAGED PERSONS

"Extension of FHA section 221 programs; modification of interest rate; pooling of mortgages for sale

"Sec. 101. (a) The fifth sentence of section 221(f) of the National Housing Act is amended by striking out 'subsection (d)(2) or (d)(4) after September 30, 1965, or under subsection (d)(3) after September 30, 1965,' and inserting in lieu thereof 'this section after October 1, 1969,'.

"(b) The proviso in section 221(d)(5) of such Act is amended by striking out 'not less than the annual rate of interest determined' and inserting in lieu thereof 'not less than the lower of (A) 3 per centum per annum, or (B) the annual rate of interest determined'.

"(c) Section 302(c) of such Act is amended by inserting before the last sentence thereof the following: 'If there shall be included within one or more of the trusts or other agencies created pursuant to the authority of this subsection any mortgages bearing a below-market interest rate and insured under section 221(d)(3) after the date of the enactment of the Housing and Urban Development Act of 1965, there are authorized to be appropriated from time to time such amounts as may be necessary to reimburse the Association for the amount of the differential (including interest, other costs, and a fair proportion of administrative expense) between (1) the total outlay with respect to outstanding participations or other instruments in an amount not to exceed the dollar amount of such below-market interest rate mortgages, and (2) the total receipts from such mortgages.'

"Low-rent housing in private accommodations

"Sec. 102. (a) The United States Housing Act of 1937 is amended by redesignating section 23 as section 24, and by adding after section 22 the following new section:

"'Low-rent housing in private accommodations

"'Sec. 23. (a) For the purpose of providing a supplementary form of low-rent housing which will aid in assuring a decent place to live for every citizen and promote efficiency and economy in the program under this Act by taking full advantage of vacancies or potential vacancies in the private housing market, each public housing agency shall, to the maximum extent consist with the achievement of the objectives of this Act, provide low-rent housing under this Act in the form of low-rent housing in private accommodations in accordance with this section where such housing in private accommodations can be provided at a cost equal to or less than housing in projects assisted under other provisions of this Act. As used in this section the term "low-rent housing in private accommodations" means dwelling units in an existing structure, leased from a private owner, which provide decent, safe, and sanitary dwelling accommodations and related facilities effectively supplementing the accommodations and facilities in low-rent housing assisted under the other provisions of this Act in a manner calculated to meet the total housing needs of the community in which they are located. As used in this section, the term "owner" means any person or entity having the legal right to lease or sublease property containing one or more dwelling units as described in this section.'

"'(b) Beginning as soon as practicable after the date of the enactment of this section, each public housing agency shall conduct a continuing survey and listing of the available dwelling units within the community or communities under its jurisdiction which provide decent, safe, and sanitary dwelling accommodations and related facilities and are, or may be made, suitable for use as low-rent housing in private accommodations under this section.

"'(c) Each public housing agency, by notification to the owners of housing listed under subsection (b), or by publication or advertisement, or otherwise, shall from time to time make known to the public in the community or communities under its jurisdiction the anticipated need for dwelling units in such community or communities to be used as low-rent housing in private accommodations under this section, inviting the owners of such dwelling units to make available for purposes of this section one or more of such units (not exceeding 10 per centum of the units in any single structure except to the extent that the agency, because of the limited number of units in the structure or for any other reason, determines that such limit should not be applied). The public housing agency shall conduct appropriate inspections of the units offered to be made available in any residential structure by the owner thereof in response to such invitation, and if—

"'(1) it finds that such units are, or may be made, suitable for use as low-rent housing in private accommodations within the meaning of subsection (a), and

"'(2) the rentals to be charged for such units, as negotiated and agreed to by the agency and the owner of the structure in a manner consistent with subsection (d)(2), are within the financial range of families of low income.

such agency may approve such units for use as low-rent housing in private accommodations in accordance with (and subject to the applicable limitations contained in) this section. Each public housing agency shall maintain and keep current a list of units approved by it under this subsection, including such information with respect to each such unit as it may consider necessary or appropriate.

"'(d) To the extent of contracts for annual contributions entered into by the Authority with a public housing agency under section 10(e), such agency may enter into contracts with the owners of structures containing dwelling units approved under subsection (c) for the use of such units in accordance with this section. Each such contract with an owner shall provide (with respect to any unit) that—

"'(1) the selection of tenants for such unit shall be the function of the owner, subject to the provisions of the contract between the Authority and the agency;

"'(2) the rental and other charges to be received by the owner shall be negotiated and agreed to by the agency and the owner, and the rental and other charges to be paid by the tenant shall be determined in accordance with the standards applicable to units in low-rent housing projects assisted under the other provisions of this Act;

"'(3) the agency shall have the sole right to give notice to vacate, with the owner having the right to make representations to the agency for termination of a tenancy;

"'(4) maintenance and replacements (including redecoration) shall be in accordance with the standard practice for the building concerned, as established by the owner and agreed to by the agency; and

"'(5) the agency and the owner shall carry out such other appropriate terms and conditions as may be mutually agreed to by them.

Each contract between a public housing agency and an owner entered into under this subsection shall be for a term of not less than twelve months nor more than thirty-six months, and shall be renewable by such agency and owner at the expiration of such term.

"'(e) The annual contribution under this Act for a project of a public housing agency for low-rent housing in private accommodations under this section in lieu of any other guaranteed contribution authorized by section 10 shall not exceed the amount of the fixed annual contribution which would be established under this Act for a newly constructed project by such public housing agency designed to accommodate the comparable number, sizes, and kinds of families. The period over which payments will be made to a public housing agency for a project of low-rent housing in private accommodations under this section, and the aggregate amount of such payments, under a contract for annual contributions, shall be determined on the basis of the number of units in the community or communities under the jurisdiction of such agency which are in use (or can reasonably be expected to be placed in use) as low-rent housing in private accommodations under this section, taking into account the terms of the leases under which such units are (or will be) so used. In addition, contracts for financial assistance entered into by the Authority with a public nousing agency pursuant to this section shall provide for reimbursement of reasonable and necessary expenses incurred by such agency in conducting surveys, listings, and inspections described in subsections (b) and (c).

"'(f) On or before January 1, 1968, the Authority shall submit to the Congress a full report of operations under this section, together with its recommendations with respect thereto.'

"(b) The last sentence of section 2(1) of such Act is amended by striking out 'Income limits for occupancy and rents' and inserting in lieu thereof 'Except as otherwise provided in section 23, income limits for occupancy and rents'.

"(c) The provisions of sections 10(h) and 15(7) of the United States Housing Act of 1937, and the workable program requirement in section 10(e) of such Act and section 101 (c) of the Housing Act of 1949, shall not apply to low-rent housing in private accommodations provided under section 23 of the United States Housing Act of 1937.

"Low-rent public housing

"Sec. 103. (a) Section 10(e) of the United States Housing Act of 1937 is amended by inserting after 'per annum,' the following: 'which limit shall be increased by $47,000,000 on the date of the enactment of the Housing and Urban Development Act of 1965, and by further amounts of $47,000,000 on July 1 in each of the years 1966, 1967, and 1968, respectively,'.

"(b) Section 10(c) of such Act is amended by striking out '*And provided further*' and inserting in lieu thereof '*Provided further*', and by inserting before the period at the end thereof the following: ': *And provided further,* That the amount of the fixed annual contribution which would be established under this Act for a newly constructed project by a public housing agency designed to accommodate a number of families of a given size and kind may be established, as a maximum annual contribution in lieu of any other guaranteed contribution authorized under this section, for a project by such public housing agency which would provide housing for the comparable number, sizes, and kinds of families through the acquisition and rehabilitation, or use under lease of existing structures which are suitable for low-rent housing use and obtainable in the local market'.

"(c) Section 2(2) of such Act is amended to read as follows:

"'(2) The term "families of low income" means families (including elderly and displaced families) who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings for their use. The term "families" includes families consisting of a single person in the case of elderly families and displaced families, and includes the remaining member of a tenant family. The term "elderly families" means families whose heads (or their spouses), or whose sole members, have attained the age at which an individual may elect to receive an old-age benefit under title II of the Social Security Act, or are under a disability as defined in section 223 of that Act, or are handicapped within the meaning of section 202 of the Housing Act of 1959. The term "displaced families" means families displaced by urban renewal or other governmental action.'

"(d) Section 15(7)(b) of such Act is amended by striking out '(ii)' and all that follows down through 'and (iii)', and by inserting in lieu thereof 'and (ii)'.

"Direct loans to provide housing for the elderly or handicapped

"Sec. 104. (a) Section 202(a)(4) of the Housing Act of 1959 is amended by striking out 'not to exceed $350,000,000' and inserting in lieu thereof 'such sums as may be necessary for purposes of this section,'.

"(b) Effective with respect to loans made on or after the date of the enactment of this Act, section 202(a)(3) of such Act is amended by striking out 'the higher of (A) 2¾ per centum per annum, or' and inserting in lieu thereof 'the lower of (A) 3 per centum per annum, or'.

"(c) Section 202(a) of such Act is further amended by adding at the end thereof the following new paragraph:

"'(5) No loan shall be made under this section after October 1, 1969, except pursuant to a commitment entered into on or before such date.'"

Mr. HARVEY of Michigan (interrupting the reading of the motion). Mr. Speaker, I ask unanimous consent that the motion be considered as read, inasmuch as it makes only two simple changes in title I; strike out section 101 as amended, and the second change would strike out section 106 which would establish a new grant program under urban renewal wherein the Government would pay 100 percent instead of the normal two-thirds.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. PATMAN. Mr. Speaker, this is a rather important provision that the gentleman is attempting to write into this bill. I just wonder if we should not have it read.

Mr. HARVEY of Michigan. Mr. Speaker, I withdraw my request.

Mr. PATMAN. Mr. Speaker, I did not reserve the right to object.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. HARVEY of Michigan. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 202, nays 208, answered "present" 5, not voting 19, as follows:

[Roll No. 163]

YEAS—202

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baldwin
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bolton
Bray
Brock
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cahill
Callaway
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cramer
Culver
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Gathings
Gettys
Giaimo
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Hansen, Idaho
Hardy
Harris
Harsha
Harvey, Mich.
Hébert
Henderson
Herlong
Hosmer
Hull
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Keith
King, N.Y.
Kornegay
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McDade
McEwen
McMillan
McVicker
MacGregor
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
Mathias
Matthews
May
Michel
Minshall
Mize
Moore
Morris
Morse
Mosher
Murray
Nelsen
O'Konski
Olson, Minn.
O'Neal, Ga.
Passman
Pelly
Pickle
Pike
Pirnie
Poff
Pool
Pucinski
Quie
Quillen
Randall
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Tex.
Roudebush
Roush
Rumsfeld
Satterfield
Saylor
Schmidhauser
Schneebeli
Schweiker
Scott
Selden
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Stafford
Stalbaum
Stanton
Steed
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tuck
Utt
Van Deerlin
Waggonner
Walker, Miss.
Watkins
Watson
Whalley
White, Idaho
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—208

Adams
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Bandstra
Barrett
Beckworth
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Burke
Burton, Calif.
Byrne, Pa.
Callan
Cameron
Carey
Celler
Chelf
Clark
Clevenger
Cohelan
Conyers
Cooley
Corman
Craley
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Fogarty
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Gallagher

Garmatz
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagan, Ga.
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Karsten
Karth
Kastenmeier
Kee
Kelly
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Landrum
Leggett
Lindsay
Long, Md.
Love
McCarthy
McDowell
McFall
McGrath
Macdonald
Machen
Mackie
Madden
Matsunaga
Meeds
Miller
Mills
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Poage
Powell
Price
Purcell
Race
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Roybal
Ryan
St Germain
St. Onge
Schisler
Secrest
Senner
Sickles
Sisk
Staggers
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Tenzer
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Trimble
Tunney
Tuten
Udall
Ullman
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Weltner
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

ANSWERED "PRESENT"—5

Cabell
Scheuer
Teague, Tex.
Todd
White, Tex.

NOT VOTING—19

Addabbo
Bonner
Bow
Brown, Calif.
Dulski
Evins, Tenn.
Fuqua
Harvey, Ind.
Keogh
Kunkel
Mackay
Martin, Mass.
Morton
Rostenkowski
Shipley
Springer
Thomas
Toll
Tupper

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Todd for, with Mr. Keogh against.

Mr. Teague of Texas for, with Mr. Thomas against.

Mr. Cabell for, with Mr. Toll against.

Mr. White of Texas for, with Mr. Brown of California against.

Mr. Bow for, with Mr. Mackay against.

Until further notice:

Mr. Addabbo with Mr. Martin of Massachusetts.

Mr. Evins with Mr. Springer.

Mr. Rostenkowski with Mr. Tupper.

Mr. Bonner with Mr. Kunkel.

Mr. Dulski with Mr. Harvey of Indiana.

Mr. Shipley with Mr. Morton.

Mr. TODD. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. Keogh]. If he were present, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. DOWNING changed his vote from "nay" to "yea."

Mr. TEAGUE of Texas. Mr. Speaker, I have a live pair with the gentleman from Texas [Mr. Thomas]. If he were present, he would have voted "nay." He is absent because of illness. I voted "yea." I withdraw my vote and vote "present."

Mr. CABELL. Mr. Speaker, I have a live pair with the gentleman from Pennsylvania [Mr. Toll] who is ill. If he were present, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. WHITE of Texas. Mr. Speaker I have a live pair with the gentleman from California [Mr. Brown]. If he were present, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on passage of the bill.

Mr. PATMAN. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 245, nays 169, answered "present" 3, not voting 17, as follows:

[Roll No. 164]

YEAS—245

Adams
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Bandstra
Barrett
Bates
Beckworth
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Burke
Burton, Calif.
Byrne, Pa.
Cahill
Callan
Cameron
Carey
Celler
Chelf
Clark
Cleveland
Clevenger
Cohelan
Conyers
Corbett
Corman
Craley
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagan, Ga.
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Landrum
Leggett
Lindsay
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackie
Madden
Mathias
Matsunaga
Meeds
Miller
Mills
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morrison
Morse
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Poage
Powell
Price
Pucinski
Purcell
Quillen
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Rogers, Colo.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Roush
Roybal
Ryan
St Germain
St. Onge
Saylor
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Stalbaum
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Tenzer
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Trimble
Tunney
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Watkins
Watts
Weltner
White, Idaho
Widnall
Willis
Wilson, Charles H.
Wolff
Wright
Wydler
Yates
Young
Zablocki

NAYS—169

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baldwin
Baring
Battin
Belcher
Bell
Bennett
Berry
Betts
Bolton
Bray
Brock
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Collier
Colmer
Conable
Conte
Cooley
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Findley
Fisher
Flynt
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Hansen, Idaho
Hardy
Harris
Harsha
Harvey, Mich.
Hébert
Henderson
Herlong
Hosmer
Hull
Hutchinson
Ichord
Johnson, Pa.
Jonas
Jones, Mo.
King, N.Y.
Kornegay
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McEwen
McMillan
MacGregor
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
Matthews
May
Michel
Minshall
Mize
Moore
Morris
Murray
Nelsen
O'Neal, Ga.
Passman
Pelly
Pike
Pirnie
Poff
Pool
Quie
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Schneebeli
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Stanton
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Utt
Waggonner
Walker, Miss.
Walker, N. Mex.
Watson
Whalley
White, Tex.
Whitener
Whitten
Williams
Wilson, Bob
Wyatt
Younger

ANSWERED "PRESENT"—3

Cabell
Scheuer
Todd

NOT VOTING—17

Addabbo
Bonner
Bow
Brown, Calif.
Evins, Tenn.
Harvey, Ind.
Keogh
Mackay
Martin, Mass.
Morton
Rostenkowski
Shipley
Springer
Staggers
Thomas
Toll
Tupper

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Todd against.

Mr. Toll for, with Mr. Cabell against.

Mr. Tupper for, with Mr. Bow against.

Mr. Martin of Massachusetts for, with Mr. Springer against.

Until further notice:

Mr. Addabbo with Mr. Morton.

Mr. Mackay with Mr. Harvey of Indiana.

Mr. Evins with Mr. Bonner.

Mr. Staggers with Mr. Shipley.

Mr. Brown of California with Mr. Rostenkowski.

Mr. CABELL. Mr. Speaker, I have a live pair with the gentleman from Pennsylvania [Mr. Toll] who is ill. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. TODD. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. Keogh]. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I would like to clarify for the Record that on rollcall Nos. 162, 163, and 164 concerning the Housing and Urban Development Act of 1965 I was present but did not vote because I felt I had a possible direct personal interest in the legislation, and, under rule 8 of the House, was precluded from voting.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 4525. An act to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs; and

H.R. 5283. An act to provide for the inclusion of years of service as judge of the District Court for the Territory of Alaska in the computation of years of Federal judicial service for judges of the U.S. District Court for the District of Alaska.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7105. An act to provide for continuation of authority for regulation of exports, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8147) entitled "An act to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes."

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include any germane extraneous matter in connection with the housing bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE ON AGRICULTURE

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file certain reports on H.R. 9497.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERSONAL EXPLANATION

Mr. FULTON of Pennsylvania. Mr. Speaker, on Monday, June 28, 1965, I arranged for consultations at my Pittsburgh office on the basis that no vote was expected at the House session that day.

I was advised by responsible representatives of both the majority and the minority that there would be no vote expected on the new housing bill H.R. 7984.

An automatic rollcall was unexpectedly called on the rule. If present I would have voted "nay" on rollcall No. 157 on June 28, 1965.

EXEMPTION FROM DUTY FOR RETURNING RESIDENTS

Mr. MILLS submitted the following conference report and statement on the bill (H.R. 8147) to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes:

Conference Report (H. Rept. No. 570)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8147) to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 4 and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: Restore the matter proposed to be stricken out by the Senate amendment and on page 2, lines 19 and 20, of the House engrossed bill strike out "possessions, if the remainder is brought or shipped from such"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: On page 1, line 6, of the Senate engrossed amendments strike out "(a)" after "Sec. 3."; and the Senate agree to the same.

Wilbur D. Mills,
Cecil R. King,
Hale Boggs,
John W. Byrnes,
Thomas B. Curtis,
Managers on the Part of the House.

Harry Flood Byrd,
Russell B. Long,
George A. Smathers,
Frank Carlson,
Thruston B. Morton,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8147) to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: Under the bill as passed by the House, the exemption from duty for a returning resident applies to articles acquired abroad as an incident of the journey from which he is returning whether such articles accompany him on his return to the United States or are shipped to him. Senate amendment No. 1 would limit the exemption to articles accompanying the individual on his return to the United States.

The House recedes.

Amendment No. 2: Under the bill as passed by the House, alcoholic beverages may be entered free of duty under the exemption for returning residents only if the individual has attained the age of 21. The quantity which may be exempt from duty is limited to 1 quart, except that if the individual arrives directly or indirectly from American Samoa, Guam, or the Virgin Islands of the United States the quantity is 1 wine gallon (but not more than 1 quart may have been acquired elsewhere than in such insular possessions and the remainder must be brought or shipped from such possessions). Under Senate amendment No. 2, the quantity admitted free of duty would be limited to 1 quart in all cases (and would apply only in the case of individuals who have attained the age of 21).

Under the conference agreement the provisions of the bill as passed by the House are restored with a technical amendment conforming to the action of the conferees on Senate amendment No. 1. Thus, the quantity of alcoholic beverages which may be exempt from duty, in the case of an individual who has attained age 21 and is arriving directly or indirectly from American Samoa, Guam, or the Virgin Islands, is 1 wine gallon (not more than 1 quart of which may have been acquired elsewhere than in such insular possessions) but (conforming with Senate amendment No. 1) such alcoholic beverages must accompany the returning resident.

Amendment No. 3: Under temporary legislation (item 915.30 of the tariff schedules of the United States), a U.S. resident who returns to the United States before July 1, 1965, may claim (not more often than once in 30 days) an exemption from duty for $100 worth (wholesale value) of articles acquired abroad. Unless he returns from the Virgin Islands of the United States or through a port of entry on the Mexican border, he must have remained outside the customs territory of the United States for at least 48 hours. Senate amendment No. 3 adds a new section to the bill to strike out the July 1, 1965, date and insert October 1, 1965.

The House recedes with a clerical amendment.

Amendment No. 4: The first section of the bill as passed by both the House and the Senate amends the permanent provisions of the tariff schedules to provide an exemption from duty for $100 worth (fair retail value) of articles acquired abroad; except that in the case of persons arriving directly or indirectly from American Samoa, Guam, or the Virgin Islands of the United States, the exemption is $200 (fair retail value) not more than $100 of which may have been acquired elsewhere than in such insular possessions. Under the bill as passed by the House the amendments apply with respect to persons arriving in the United States on or after July 1, 1965. Under Senate amendment No. 4, the amendments apply with respect to persons arriving in the United States on or after October 1, 1965.

Section 2 of the bill as passed by both the House and the Senate changes the basis for valuation from wholesale value to fair retail value in the case of the $10 maximum exemption for gifts received from abroad, the $10 maximum exemption for persons arriving from abroad who are not entitled to a personal exemption, and the $1 exemption for other importations. Under the bill as passed by the House the amendments made by section 2 applied with respect to articles arriving in the United States on or after July 1, 1965. Under Senate amendment No. 4 the amendments apply with respect to articles arriving in the United States on or after October 1, 1965.

Under Senate amendment No. 4, the amendment made by the new section added to the bill by Senate amendment No. 3 applies with respect to persons arriving in the United States after the date of the enactment of the bill.

The House recedes.

Wilbur D. Mills,
Cecil R. King,
Hale Boggs,
John W. Byrnes,
Thomas B. Curtis,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 8147) to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume we are going to have an explanation on what took place in the conference.

Mr. MILLS. Absolutely. We will have the statement of the managers on the part of the House read plus an explanation, if desired.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

Mr. MILLS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the House bill would have established a permanent $100 exemption based on retail value for U.S. residents returning from abroad except that in the case of persons arriving from American Samoa, Guam or the Virgin Islands the exemption was doubled provided not more than half of the exemption shall have been acquired elsewhere than in these insular possessions. Under the House bill, the articles would be entitled to duty and tax exemption if accompanying the returning resident or if shipped to him later. Senate amendment No. 1 eliminated the "articles to follow" privilege; that is, the exemption would apply only to articles accompanying the returning resident. The House receded from its disagreement to Senate amendment No. 1.

In the House bill, the 1-gallon liquor allowance under the existing law was reduced to 1 quart except that in the case of tourists returning through American Samoa, Guam, or the Virgin Islands, they would be allowed 1 gallon provided not more than 1 quart was acquired elsewhere than in the insular possessions. Under Senate amendment No. 2, the quantity admitted free of duty would be limited to 1 quart in all cases. Under the conference agreement, the provisions of the bill as passed by the House, are restored with a technical amendment, the net result of which would be to allow U.S. residents returning from American possessions to include in their exemption 1 gallon of liquor provided not over a quart of it was acquired elsewhere than in the insular possessions. Of course, to receive the exemption, the liquor would have to accompany the person. In all cases, the liquor allowance is limited to persons 21 years of age or over.

Senate amendment No. 3 extends existing law 3 months, until October 1, 1965. The House conferees receded on this. Senate amendment No. 4 makes October 1, 1965 the effective date of the permanent provision. The House conferees agreed to this.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. So, that takes care of the tourist season for this year?

Mr. MILLS. I assume the tourist season for this year was considered in connection with this amendment.

Mr. GROSS. And, so, it is not any help to the deficit in the balance of payments?

Mr. MILLS. Let me be serious in my answer to the gentleman from Iowa. Actually, there are a number of people who had already made arrangements to go abroad. They are now abroad. No doubt they have already made purchases. I assume the distinguished minority leader of the other body must have had this in mind in offering his amendment.

The question was whether or not we would very promptly and quickly—some might say abruptly—make this change from $100 wholesale value to $100 retail value. Bear this in mind, $100 wholesale value means about $166 retail value. So there is not actually as much of a difference for the 3 months as one might otherwise assume there would be. The conference committee thought this was a reasonable amendment.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. MILLS. Yes.

Mr. GROSS. I thought the President of the United States was very much concerned over the balance-of-payments situation.

Mr. MILLS. I am sure he is quite interested in it.

Mr. GROSS. And, I thought he was thus concerned as to this legislation. I assumed that the restrictions would be put on immediately, hard and fast.

Now does the gentleman from Arkansas think the President will sign this bill?

Mr. MILLS. Yes; I have every reason to believe that he will, because if the President does not sign it by midnight——

Mr. GROSS. If he does sign it he will not be meaning what he says, will he?

Mr. MILLS. Bear in mind this, that if the President does not sign this bill by midnight tonight, then tomorrow morning a returning tourist could bring back into the United States $500 in wholesale value of products purchased abroad, exempt from all tax and exempt from all duties.

Mr. GROSS. All right; but that is only part of what he asked for, is it not?

Mr. MILLS. He asked initially for a reduction in the duty-free exemption to $50, as the gentleman from Iowa recalls.

Mr. GROSS. That is what I mean.

Mr. MILLS. And it was the decision within the Committee on Ways and Means to establish the exemption at $100 retail value, and put it on a permanent basis.

Mr. GROSS. I hope the President says what he means and means what he says. I think this would be a pretty good test of that, whether he signs this bill or not.

Mr. MILLS. I would not encourage the President, if I were the gentleman from Iowa, not to sign this bill, because I know the gentleman from Iowa feels as I do, that returning tourists should not have the privilege after midnight tonight of bringing back as much as $500 wholesale value of products abroad with no duty being paid on them.

Mr. GROSS. I thank the gentleman.

Mr. MILLS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

CONTINUATION OF AUTHORITY FOR REGULATION OF EXPORTS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7105) to provide for continuation of authority for regulation of exports, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, line 10, strike out "agreements" and insert "agreements,".

Page 4, line 10, strike out "have" and insert "has".

Page 5, line 6, after "Act" insert "and shall require that all domestic concerns receiving requests for the furnishing of information or the signing of agreements as specified in section 2(4) must report this fact to the Secretary of Commerce for such action as he may deem appropriate to carry out the purposes of section 2(4)".

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, is this the export control legislation about which the gentleman from New York spoke to me earlier?

Mr. PATMAN. Yes.

Mr. GERALD R. FORD. The House version, as I understand it, is intact with the exception of one Senate amendment that requires that an American business concern that receives an inquiry must report the receipt of that inquiry to the Department of Commerce; otherwise it is the House version of the legislation?

Mr. PATMAN. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on this bill, and to include extraneous matter.

Mr. SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the schedule for tomorrow, and the possible program for next week.

Mr. ALBERT. Mr. Speaker, the legislative program for the remainder of the week, so far as I know, will be the conference report on the District of Columbia appropriation bill that the gentleman from Kentucky [Mr. NATCHER] intends to call up tomorrow.

We hope to have a program ready tomorrow. We expect to meet pro forma on Friday, and adjourn until Tuesday. I would like to withhold information on the program until tomorrow afternoon.

PROTEST AGAINST SPEECH BY DR. HENDRIK VERWOERD, PRIME MINISTER OF THE UNION OF SOUTH AFRICA

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, I feel it is incumbent upon me to rise in this Chamber today to protest as strongly as possible against the speech made last Friday, June 25, by Dr. Hendrik Verwoerd, Prime Minister of the Union of South Africa.

Speaking before a domestic political conference, the Prime Minister disclosed that he had informed the U.S. Government that American Negro scientists and engineers would not be admitted to South Africa for the purpose of working in a satellite tracking station operated under the auspices of our National Aeronautics and Space Administration.

Mr. Speaker, I suggest that the Union of South Africa has shown a disregard of the elementary rules of international courtesy by thus attempting to enforce its distasteful policy of strict racial segregation upon American citizens, and upon installations operated for the United States. I further suggest that the Union of South Africa has, in effect, interfered in American domestic policy by its official statement over the weekend, for the United States does not permit racial discrimination against its citizens at home, and it cannot permit such discrimination against its citizens in American-supported installations abroad.

The National Aeronautics and Space Administration makes use of three deep space and scientific satellite tracking stations in the Union of South Africa. They are operated for NASA by the South African Council of Scientific and Industrial Research. These tracking stations, at Johannesburg, Esselin Park, and Olifantsfontein, were established by an agreement of September 13, 1960, and have to do with the Mariner and Surveyor satellite programs.

To the best of my knowledge, there are about 13 American citizens employed in these three stations, none of whom are Negro. All are employed by private American companies under contract to NASA.

The whole world is well-acquainted with the policies of racial subjugation and segregation in the Union of South Africa. Peoples in nations brought up in the tradition of Western liberalism deplore this unfortunate throwback to a less-enlightened age. However, in the interest of friendly relations with the South African Government, the United States has respected South Africa's right to handle her internal affairs as she sees fit.

But in the past few months, Mr. Chairman, the Union of South Africa has made it painfully clear that it intends to enforce its doctrine of race superiority beyond its normal sphere of sovereignty.

As recently as May of this year, the aircraft carrier U.S.S. *Independence* was forced to cancel a stopover at Cape Town, South Africa, because the South African Government made it known that American Negro airplane crewmen would not be welcome there. We wisely refused to be a party to apartheid, refused to subject American servicemen to embarrassment and humiliation.

Additionally, Mr. Chairman, Dr. Verwoerd has publicly complained that July Fourth receptions at the U.S. Embassy in South Africa have been integrated since 1963. I, for one, deplore his criticism of official American policy being carried out on the grounds of an American diplomatic mission. It smacks of arrogance and high-pressure tactics. Can you imagine the dismay of our friends around the world upon learning that the United States had enforced racial segregation at its Independence Day celebration?

I am informed that the reason for Dr. Verwoerd's declaration last Friday was that he wished to admonish the United States for trying to set an example in an attempt to change South African racial policy.

Indeed, we would like to see South Africa moderate fanatic abhorrence of integration. Indeed, our friendship for South Africa makes us concerned, lest that nation be the subject of scorn for the entire world. But we will not meddle in South African internal affairs. That is not our place.

What we will do, however, what we must do, is insist that American citizens and American installations be left untainted by the policy of apartheid. This we must do if we are not to be condemned by all the enlightened nations of the world.

I have written to the Secretary of State asking that he make immediate representations to the South African Government, requesting assurances that American scientists, engineers, and other personnel, of whatever race, will be admitted to the Union of South Africa and will be treated with the courtesy and respect due them as representatives of the United States of America.

I have done this because I personally believe that the United States must live up to the democratic heritage which makes it a great nation, and that in order to live up to that heritage, it cannot allow itself to be coerced into following the South African policy with regard to racial segregation.

THE HEAD START PROGRAM IN NEW YORK

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **HOWARD**. Mr. Speaker, last Thursday the gentleman from Minnesota, a ranking minority member of the Committee on Education and Labor [Mr. Quie], in a speech before the House of Representatives, lamented what he called the fact that the teachers working in connection with the head start program in New York were being paid at the rate of from $8 to $9.20 per hour. He stated they were grossly overpaid. The method used by the gentleman from Minnesota to compute this hourly wage was to take the salary received and divide it by the number of hours the teachers were actually in the classroom with the children. He completely ignored the many long hours these teachers will spend in preparation, gathering together and assembling materials and audiovisual equipment, evaluation of the program and the many meetings and consultations involved in the teaching of young children. As a former teacher and principal, I can attest to the long hours involved in education outside of the actual classroom time.

I thought it would be interesting in using the logic and the method of computation of the gentleman from Minnesota to determine the hourly wage the taxpayers of America have paid to him and the rest of us during the first 5 months of this session of Congress. Following the method of the gentleman from Minnesota, this would be done by dividing his salary for the first 5 months by the number of hours the House of Representatives has actually been in session. Doing this we find that the gentleman from Minnesota has been paid at the rate of $43.40 per hour. Further, if the gentleman from Minnesota has actually been present on the floor of the House for 10 percent of the time the House has actually been in session, we find that his hourly wage zooms to the handsome figure of $434.02 per hour. Of course, the salary received by our beloved Speaker would be computed at a rate of time and a half during this period. Further still, if the House adjourns, as is being contemplated, somewhere near the first of September of this year, the gentleman from Minnesota and the rest of us will be paid during the last 4 months of this year at the rate of $10,000 for no hours of work.

Mr. Speaker, I would be the last person to state or imply that the able gentleman from Minnesota is not worth every penny of the salary he is receiving. I am sure that his constituents and all of our citizens are receiving a bargain through his service. However, we can readily see, I am sure, the gross inaccuracy in this method of computation. If we consider the long hours put in by the able gentleman from Minnesota and the rest of us in committee, attending hearings, preparing testimony, aiding constituents, answering mail and operating our offices from early morning until late at night, we may find that we are barely receiving the legal minimum wage. So let us be as accurate and considerate concerning the overworked, overwrought and underpaid teachers of America as we would be concerning ourselves.

CHAIRMAN PATMAN'S TELEVISION INTERVIEW ON HIS CALL FOR THE RESIGNATION OF FED CHAIRMAN MARTIN

Mr. **ANNUNZIO**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **ANNUNZIO**. Mr. Speaker, I am calling to the attention of my colleagues the recent television appearance of the distinguished chairman of the Banking and Currency Committee, Wright Patman, on the June 15 "Today Show." Our colleague appeared on WRC–TV an NBC network affiliate where he was interviewed by Sander Vanocur on Chairman Patman's call for the resignation of William McChesney Martin, Jr., from the Federal Reserve Board.

The questions of the important role played by the Fed in our economy and its acclaimed independence from the executive branch are vital and not to be ignored by Congress. We have a great responsibility in these matters and I thing our colleague from Texas is performing a great public service in bringing them to the attention of those of us in Government as well as the general public.

A transcript of Chairman Patman's stimulating interview with Mr. Vanocur follows:

Congressman Wright Patman Is Interviewed

(Frank Blair is seen on the TV screen, seated in the studio.)

Frank Blair. The Chairman of the Federal Reserve Board, William McChesney Martin, made a speech the other week, saying that there are disquieting similarities between the economy at the present time, and the conditions in the 1920's, just before the depression. Naturally, those remarks have caused disquiet and concern in the administration and in Congress. Congressman Wright Patman, Democrat of Texas, who is chairman of the House Committee on Banking and Currency, has called for Martin's resignation.

Congressman Patman is in our Washington studios this morning with Sander Vanocur. Sandy.

Sander Vanocur. Good morning. Congressman Patman, you have had your differences, to put it mildly, with Chairman Martin in the past, but you never called for his resignation, and now you have. What has compelled you to make this rather drastic move?

Congressman Patman. Well, Mr. Martin has done some things, I think, that clearly indicate that he wants another depression. Some people call them recessions, but what is a recession to a few people represents a depression to many. And so I don't believe we should have another depression, or recession either, and I think Mr. Martin should get out. Traditionally, he wants a recession. He triggered three recessions during the Eisenhower administration. They were all manmade, all unnecessary. He put the country through the ringer three times; I don't think we should go through it another time.

Vanocur. Well, Congressman, this is really a very serious charge that your'e making: that one man can cause a depression and that one man is Chairman Martin. Now, he has an independent role. Congress set him up, or set the agency up as an independent agency. Doesn't he have a right to play that independent role?

Patman. Well, he has played up the independent role. The law doesn't play up the independent role. He's no more independent as head of the Federal Reserve Board, than the Chairman of the Interstate Commerce Commission is independent in his role. The law was passed, just like any other law, and it's to be executed by the President, just like any other law. This question of independence is overplayed, and it's not true; he's not independent of the Government, within the Government or without. He's a public servant, supposed to be on the team with the President of the United States.

Vanocur. Yes, but hasn't practice over at least the last 20 years suggested that the Fed Chairman plays an independent role, as happened under Mr. Truman, Mr. Eisenhower, and Mr. Kennedy?

Patman. Not under Mr. Truman. Mr. Truman denied it. He called the Board together and said, you fellows can't get away with this. You've got to maintain these interest rates like they have done in the past. You can't do this this way.

Vanocur. Why do you think Mr. Martin felt constrained to speak out at this time? Are conditions now such that there is a similarity between before 1929?

Patman. Well, instead of saying "disquieting similarities," the correct phrase would have "quieting dissimilarities." Everything is so different to what it was preceding the great depression, so different, dissimilar. So Mr. Martin was scaring the people, frightening them, making them believe that we're close to battle, that hostile hands are going to invade us, and he shouldn't have done that, a man in his position. Now, of course, the Board usually goes along with the Chairman. They have tremendous power. You know, Mr. Martin feels like he's independent because he doesn't go to Congress for appropriations. He bought Government bonds with Government credit, collected the interest on the bonds after they'd been paid once, and uses that money to pay all expenses. He doesn't have to go to Congress; therefore he claims he's independent of Congress. He's not. He's a public servant just like any other person.

Vanocur. Congressman Patman, supposing that Mr. Martin in the next 2 months makes a decision to raise interest rates. Now, in your position, as chairman of the Committee on Banking and Currency, what would be your attitude?

Patman. There is a law now that interest rates on long-term bonds cannot exceed 4¼ percent. It's been that way ever since 1918, when Woodrow Wilson got it passed. Mr. Eisenhower several times tried to take off that 4¼ percent. Mr. Martin has tried to get it taken off. But we have refused to do it. We've been holding the line on long-term bonds less than 4¼ percent. He's been trying to get it off. I predict he will not succeed. We're going to hold that line in Congress.

Vanocur. Well, you're saying that the mood of Congress, and your mood, certainly, is to make money easy now, and not tighten up credit.

Patman. The correct phrase, Mr. Vanocur, would be to say I'm against tight money and high interest. The alternative does not necessarily mean easy money.

Vanocur. But don't you have a different position than Mr. Martin? After all, Mr. Martin is responsible to maintain the sanctity of the dollar.

Patman. Responsible to whom?

Vanocur. Well, he must consider he has a responsibility to the statute which created his agency.

Patman. Yes, sir; that's correct. He's responsible, but he's not responsible like the President. If the President and Members of Congress make a mistake that causes a depression, they can be punished for it by other people, but Mr. Martin makes a mistake and the bankers profit, and he goes unpunished. Nobody punishes the Federal Reserve Board. He's not subject to punishment.

Vanocur. You're suggesting that Mr. Martin solely takes the side of the bankers, and has no sense of public responsibility. This is a very serious charge.

Patman. It's a very serious charge, but I think I can document it. Over the years, I can document it over the years. You know, the bankers have a very unusual position with the Government. They have the most lucrative franchise of any concern or association in America. The only way the bankers could have a better deal with the Federal Government would be to have a contract to collect the Government's Federal taxes on a 50-percent commission on the halves. They might have a better deal that way, but I doubt it. They have a deal whereby they manufacture money, and they manufacture money and don't have to go to the penitentiary for it like other people do, which is all right. I don't criticize them for it, because I believe in the bank's manufacturing money, and I believe in the fractional reserve system, if they're used in the public interest. But I consider that they have not been used in the public interest, and I could document some cases.

Vanocur. But Congressman, look. I'm sure that you have heard from European bankers, the central bankers in Europe, the money managers, that the dollar is weakened by what they consider is the threat of inflation here, money becoming too easy. Doesn't Mr. Martin have a duty to respond, because we are one of the world's true reserve currencies, to respond to those criticisms, and to seek to hold money in a proper perspective?

Patman. Under our Constitution and laws, and subject to the jurisdiction of the President of the United States, who has the power under the Constitution, and the duty, to execute all laws that are passed by Congress. And knowing Mr. Johnson, he's not going to abdicate his duties or responsibilities to Mr. Martin or anybody else.

Vanocur. Well, what was the President's attitude since Mr. Martin made this speech, because there's been a strange kind of quiet, even though there was this meeting at the White House, which Mr. Martin attended last week.

Patman. I'm in no position to say, because I did not confer with him before making the speech last Thursday, in which I called for Mr. Martin's resignation. I have not conferred with him since. I do not know what his attitude is. But I know Lyndon Johnson, and I know he is not a man who will abdicate his duties and responsibilities, and he is not going to let this country get into a depression.

Vanocur. Congressman, if the economy was not soft, and if there weren't certain kinds of uneasiness going around now, would Mr. Martin's speech have been noticed? After all, did he cause the stock market to——

Patman. Yes, he did.

Vanocur. Wouldn't it have occurred anyhow?

Patman. No, it would not have occurred anyway. But Mr. Martin occupies a tremendous position. The Board goes along with it. And what he says means something in the actual markets. It should mean something. And "disquieting" is the word that he said. And that's wrong, it scares people. It scares investors. You know, there's no similarity now between what happened in 19—preceding the Hoover depression. There's no substantial similarity. Then we had no social security. Then we had no deposit of insurance, I mean of savings, or of deposits in banks. We had no unemployment insurance and we have a number of things now that are perfect cushions against recessions and depressions, and reserves against it that we did not have at all. He should have boosted the country up. We have the greatest gross national product we've ever had. We've had 52 months of continuing economic prosperity, the longest period in peacetime history. Now then, he wants a depression, evidently. He's had one every 3 years, and he wants one; he's unhappy. He's a man who can't stand prosperity. And I don't like that kind of a man in the position that he's occupying. I don't say that they're dishonest, or corrupt, or anything like that. I'm not charging that. But they're, I guess you'd call them, intellectually dishonest. They're not carrying their duties out like they should.

Vanocur. That's just the point, Congressman. Isn't he as faithful to his principle, which is a little tighter money policy, as you are to yours, which is a little easier money policy?

Patman. I can't deny that he doesn't sincerely believe * * * what he's doing, but he's always looking at it from the standpoint of the profit of the bankers, and ignoring the interest of the American people. The bankers are doing pretty well, and I want them to do well. We have a wonderful banking system, and we can't have a good banking system unless it's a prosperous banking system, and I'm all for that. But, you see, the bankers get along pretty well, and they shouldn't be given everything, and everything taken away from the people. Extortionate interest rates are running this country. High interest rates on long-term obligations. It's got to be stopped, and it will never be stopped under Mr. Martin.

Vanocur. Thank you very much, Congressman Wright Patman, chairman of the Banking and Currency Committee. And now back to "Today" in New York.

MAJOR LEAGUE BASEBALL

Mr. WELTNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WELTNER. Mr. Speaker, for many years baseball has been called the national pastime. That term is not quite accurate.

In 1940, major league baseball was offered only to the residents of 21 Northeastern and North Central States. Today expansion has spread baseball throughout the Nation—except in the South.

The fastest growth in the country is in the West and South. Atlanta has a growth factor five times greater than that of Boston or Milwaukee.

We in the South have long been devoted to organized baseball. My State, for example, has produced such immortals as Ty Cobb, Spud Chandler, Johnny Mize, Jim Hearn, Dixie Walker, Carlisle Smith, Luke Appling, and Nap Rucker.

The people of Metropolitan Atlanta deserve major league baseball. We have recently completed a spectacular, new $18 million stadium. With well over a million people in the metropolitan area, professional teams will find Atlanta receptive and enthusiastic.

The Braves realized this immense potential, and have made every effort to bring major league baseball to Atlanta this year. Yet that team has been forced to remain in Milwaukee an unwanted, unprofitable, and unpleasant year. An irate group of county commissioners has chosen to ignore public and private interest, and set out to "scare the wits out of organized baseball." Now solidly in the first division, the Braves are rapidly becoming, as Opie Shelton of Atlanta remarked, "the greatest team in captivity."

Within recent days, this little group of angry men has rejected a most generous offer that sought only release for the remainder of the 1965 season. This, notwithstanding that attendance during five exhibition games in Atlanta exceeds total attendance for the entire season in Milwaukee.

This clique does disservice to baseball, to Atlanta, and to those it set out to help. Its highhanded conduct will effectively kill major sports in Milwaukee.

When the last hope is dead, and the coffin is closed on major league baseball in that city, they will bear full blame for the bier that made Milwaukee famous.

GEN. HAMILTON H. HOWZE

Mr. FLYNT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Speaker, this afternoon Gen. Hamilton Hawkins Howze, U.S. Army, is being honored at a retirement ceremony and review at Fort Myer, Va. General Howze is completing 39 years of active military service—including his 4 years as a cadet at West Point. His active military life and his direct association with the U.S. Army began on the day of his birth, December 21, 1908, at the U.S. Military Academy, where his father was commandant of cadets.

General Howze is possessed of a distinguished and outstanding career. He has devoted his time, his service, his talents, and his great abilities toward the modernization of the U.S. Army. He has done his part to make it and keep it the most effective military organization of all time. In addition to a total dedication to his country as one of the most brilliant of our professional soldiers, he has demonstrated imagination and vision equaled by few and excelled by none.

The son of a general officer, the brother of a general officer, the nephew and namesake of a general officer, Ham Howze has been surrounded by a galaxy since his early childhood. At the conclusion of 35 years of continuous active service as a commissioned officer in the U.S. Army, he has achieved a place of brilliance in that constellation.

His assignments and duty stations have carried him to four continents and a variety of posts. From platoon leader to commanding general, 8th U.S. Army, he has exercised command in each echelon of the Army in consecutive order—platoon, cavalry troop, squadron, regiment, combat command, division, corps, and Army. His staff positions have included assistant chief of staff, deputy chief of staff, and chief of staff at division and Army levels. The diversity of his Army career in both command and staff capacities is perhaps unmatched.

As a staff officer as well as a commander, he has demonstrated the results of years of study and preparation, and has made practical application of the lessons which he learned.

He will long be remembered for his accomplishments as chairman of the Howze Board, a board of general officers established to study the feasibility of an air-mobile Army division with organic air transport. His plans materialized in the experimental 11th Air Assault Division, and there are now indications that a permanent table of organization and equipment will be established for this type of division.

As an instructor, he has been one of the Army's best. I know this firsthand, having received instruction from him when he was a senior lieutenant and I a junior lieutenant in the same regiment, the 6th U.S. Cavalry. When serving with him as a junior officer, I came to have a high admiration and regard for his ability, and a warm personal friendship began 29 years ago. As early as 1936, it was evident that Ham Howze would achieve general officer rank. It turned out that he achieved the four-star rank of a full general. We who served with him as troop-grade officers in the early 1930's confidently expected no less.

Prior to entering the U.S. Military Academy in 1926, General Howze attended Ohio State University for 1 year. He was commissioned a second lieutenant of cavalry upon graduation from the Academy in 1930. General Howze is also a graduate of the Cavalry school, 1935; advanced equitation course, 1936; U.S. Army Command and General Staff College, command course, 1946; the National War College, 1949, and U.S. Army Infantry School, airborne course, 1951. He is a qualified airplane and helicopter pilot.

General Howze saw World War II action with the 1st Armored Division, participating in the Tunisia, Naples-Foggia, Rome-Arno, and North Appenines campaign. In 1943 General Howze became the commanding officer of the 13th Armored Regiment in the Mediterranean theater of operations.

General Howze's most recent assignment was Commanding General, 8th U.S. Army, Commander in Chief, United Nations Command/Commander, U.S. Forces, Korea. At the time of his assignment to command 8th Army, he was Commanding General, Strategic Army Corps—STRAC—and XVIII Airborne Corps, Fort Bragg, N.C. Previously he served as Chief, U.S. Army Advisory Group in Korea; Director of Army Aviation, Department of the Army; Deputy Chief of Staff for Operations, 7th U.S. Army, Europe; Assistant Commander, 2d Armored Division in Germany; and Commanding General, 82d Airborne Division, Fort Bragg, N.C. General Howze became Deputy Commanding General for Developments, Headquarters, U.S. Continental Army Command, Fort Monroe, Va., on September 1, 1961.

His decorations and citations include the Silver Star, the Legion of Merit with Oak Leaf Cluster, the Bronze Star Medal for Valor, the Army Aviator Badge, the Parachutist Badge, and the Italian Military V. C.

His wife is the former Miss Mary Henry, and their two sons are William G. Howze and Guy R. Howze.

General Howze has been and is a soldier's soldier, a man among men. Throughout his career, he has reflected credit upon himself, his distinguished family, and the highest traditions of the U.S. Army. He has served his country honorably and with outstanding performance of duty in war and peace.

Today, as he leaves the Active Army and is placed on the retired list, he is entitled to the thanks of a grateful nation which he has caused to grow stronger and to maintain a posture of strength. I extend my congratulations and wish him and Mary and their sons every success, happiness, and Godspeed as he enters civilian life for the first time.

BILLY CYPRESS—"INDIAN TO GET DIPLOMA, BARS"

Mr. **HALEY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **HALEY**. Mr. Speaker, I have asked permission to extend my remarks today to pay tribute to a fine young American, Billy Cypress, who just a few days ago, it is believed, became the first member of the Seminole Indian Tribe of Florida to graduate from a 4-year university.

This is particularly noteworthy because Mr. Cypress spoke no English until he was 5 years old and now at age 22 he has graduated from Stetson University with a major in English and a minor in education.

He may have the added distinction of being the first member of his tribe to receive a commission in the Army Reserve Officers' Training Corps.

I have asked permission to include an article about Mr. Cypress which appeared in the publication Indian Voices. The article follows:

Indian To Get Diploma, Bars

Billy Cypress, whose Seminole ancestors battled the U.S. Army in the Florida Everglades swamps, will be commissioned a Reserve second lieutenant when he graduates from Stetson University.

His ancestors battled the Army from 1835–42 before most of the Seminoles were moved to Oklahoma. Only about 140 escaped deep into the Everglades at the end of the war.

Mr. Cypress was born in an open-air chickee in the Everglades 22 years ago. He is believed to be the first from his tribe to graduate from a 4-year university or receive a commission in the Army Reserve Officers Training Corps (ROTC).

He spoke no English until he was 5 years old. He is considered a fine student and will graduate with a major in English and a minor in education.

CONGRESS HOLDS HIGH REGARDS FOR MAJ. GEN. PERRY M. HOISINGTON

Mr. **ROGERS** of Florida. Mr. Speaker, I ask unanimous consent to address the House for for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **ROGERS** of Florida. Mr. Speaker, today marks the last day of active duty for Maj. Gen. Perry M. Hoisington II, of the U.S. Air Force. He is held in the highest regard by the entire Congress not only for the outstanding job he has done as Director of Legislative Liaison for the Air Force, but for the distinguished service he has rendered his country.

General Hoisington was graduated from the U.S. Military Academy in 1939. One year later he graduated from Kelly Field, Tex., to become a pilot in the Army Air Corps. After several years service in a training capacity, General Hoisington joined the first B–29 bomber organization of World War II.

General Hoisington's record of bravery may be easily seen in his combat actions carried out against the Japanese, flying 400 combat hours during 22 combat missions in the China-Burma-India theater of operations. This record resulted in the Secretary of War awarding him the Silver Star. It is particularly noteworthy that General Hoisington flew in the first daylight and nighttime B–29 bomber missions executed against the Japanese mainland.

With this experience, General Hoisington was selected as the first commander of the Atomic Test Center at Kirtland Air Force Base, Albuquerque, N. Mex. His achievements there led him to the Air Research and Development Command, then to assignment with NATO in Europe.

However, the strength of character and dedication to the Air Force which has typified General Hoisington's record was needed by the Strategic Air Command, where for 5½ years he served as commander of four successive air divisions. As the Congress well knows, this vital arm of America's defense calls upon each man to give his utmost, with some personnel being on call 24 hours a day. In this capacity General Hoisington gave his country the same unflinching dedication which exemplified his role in World

War II. His leadership in SAC contributed immeasurably to the defense of the United States.

The Congress is aware of the commendations already bestowed upon General Hoisington. Decorated a total of 12 times, his record includes the Distinguished Service Medal, the Distinguished Flying Cross, and the Air Medal, in addition to the Silver Star. The effectiveness of his service as director of legislative liaison, as well as his sound judgment and professional ability, have reflected the highest credit upon himself and the Air Force.

The executive and legislative branches of the Government have been enhanced by the service of the Maj. Gen. Perry M. Hoisington. It is with great distinction that he retires from active duty, leaving a record of devotion to country which inspires every American.

I am sure that Members of the House and Senate join in recognition of General Hoisington's meritorious career, and wish him equal success for the future.

BIRTHDAY OF THE REPUBLIC OF THE CONGO

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the Subcommittee on Africa of the Committee on Foreign Affairs it is my great pleasure to announce to my colleagues that this is the birthday of the Republic of the Congo.

Mr. Speaker, ahead of the Congo is a future of brilliant achievement. The natural wealth of the Congo, the stout character of its people, and the fact that the Congo is one of the few regions in the world where there is an underpopulation rather than an overpopulation, are only a few of the factors that give assurance of the place of the Congo among the great and powerful nations in the free world of the near tomorrow.

Mr. Speaker, we all wish for the Congo the rich future that nature and the dedication of her men and women would seem so certainly to portend. That the Congo will take its place among the powerful forces for freedom in the world is our hope and prayer.

Mr. Speaker, it was on June 30, 1960, that one of the largest territories in Africa, the Congo, joined the roster of the world's free nations. In the 5 years which have passed since the Republic of the Congo became independent and began to exercise its rightful sovereignty, we in the United States have come to better understand some of its many problems. We never forget that in the infancy of our own beloved country there were problems.

Five years ago we wished the people of the Congo a happy, prosperous future; we do so again today with the most fervent hope that the next 5 years will be happier and more prosperous, and will see the final transition of the Congo into a stable and free society.

The Congo is an important nation, strategically because of its location in the heart of central Africa, politically because of its sheer size and population, and economically because of its immense mineral deposits. In fact, the Congo is potentially one of the richest and most important nations on the African Continent: It produces some 50 percent of the uranium, 10 percent of the copper, 30 percent of the palm oil products, 75 percent of the cobalt, and 70 percent of the industrial diamonds which the world consumes. But this means that, in addition to the internal problems which the Congolese have faced, there are the economic issues associated with price fluctuations in these commodities, and the balance-of-payments difficulties which such changes often entail.

Mr. Speaker, I wish to emphasize that never have I wavered in my faith in the future of the Congo and the will and ability of her people to carry on in the best traditions of democracy.

Because the Congo occupies a central position in Africa, it assumes a strategic importance which may, perhaps, some day relegate its mineral exports to a secondary position. As the economic interdependence of the African nations increases, and a transportation and communications network is created to match that continent's growing needs, the central positition of the Congo will become ever more important. Even now, her basic wealth, her size and population, have given the Congo an essential role in the future development of Africa. In the hopefully near future there is little doubt that the Congo will have an important position of leadership in the community of independent African nations.

It is a great pity that the immense wealth of the Congo, and its incredible natural beauty—not the impenetrable jungle which we usually imagine, but the mountains, lakes, and plains which most of us never read about—have been only partially utilized. It is our fervent hope that in the free and stable Congo which we all desire, the many resources of this great land will be made available to all its people.

With these hopes, and our ever good wishes we congratulate the Republic of the Congo on its fifth anniversary of independence, and to its distinguished and able minister to Washington, the Honorable Joseph Ugolin Nzeza, we extend expression of our high esteem and affectionate regard.

Mr. TODD. Mr. Speaker, today the Congo observes its 5th year of independence. This former Belgian colony, of all the many African nations which have gained independence since World War II, has had the most difficult, violent and chaotic transition period. Activities in the Congo and the international and domestic conflicts there have been subject to much emotional debate.

I think, however, it is appropriate to note, on the Congo's independence day, encouraging signs of domestic peace, governmental development, and international responsibility. Its new stability gives hope that the Congo may at last be emerging from its time of troubles. For if it does, the country's enormous natural resources and human potential give promise of a bright future ahead.

It is appropriate, Mr. Speaker, that, on this day marking the independence of the Congo, we commend that country for gratifying progress and stability and express our hopes for future progress.

Mr. MATSUNAGA. Mr. Speaker, 5 years ago today the Congo shed the political bonds that had made it a colonial possession of Belgium for 75 years. Independence Day, June 30, 1960, was a day of jubilation and celebration for the people of the Congo.

Unfortunately, the bright future of this country was soon thereafter disturbed by the specter and fact of civil strife and the threat of secession by some of their larger provinces. Despite the many difficulties which independence brought to the Congo, it is reassuring to report that the dedication of its leaders and its population to the goal of a free, united, and democratic Congo has not flagged. In fact, in view of the very difficult problems which they must face, their dedication is worthy of the highest tribute.

The Congo is young, large, and wealthy, but, unhappily, this has more often contributed to the Congo's problems than it has helped in their solution. The Congo is as large as the United States east of the Mississippi River, an area approximately equal to all of Western Europe, and it is, therefore, not surprising to find communication delays and deficiencies, transport problems, tribal and linguistic diversities, and other problems which all nations face to a different degree—depending on their history and geography.

Some students of the Congo have differentiated up to 300 different languages, not counting the numerous dialects and subdialects that each language may have. The Congo is made up of many tribal groups, among the most prominent of which are the Kongo, the Lunda, the Warega, the Mangbetu-Azande, Mongo, Kuba, and the Luba. The problem, inherited by the central Congolese government, of unifying these various tribes of different origins, histories, traditions, cultures, and languages is still present to a great degree.

Yet in presenting some of these problems that have persisted in the Congo for hundreds of years, I would like to emphasize the progress that has been made, and the success of President Kasavubu in organizing and maintaining the central government over the last 5 years.

The legacy of colonialism is a difficult one to live with, as we in the United States know. Thus we sympathize with the people of the Congo as they seek to solve the problems facing them, and we sincerely rejoice when we see progress being made, unity strengthened, secession suppressed, a recovering economy, a hard-working people, and a truly viable and important Congo emerging from its colonial past. Many of these experiences have been shared by the United States and we know and appreciate the extent of the problems that can arise for a nation passing from the shackles of colonialism to its chance for greatness.

As I congratulate the people and leaders of the Congo, then, on the progress that they have brought about, and on the success with which many of these problems have been met, it is with sincerity and a strong belief in the truly great future which is destined for their nation.

Mr. BINGHAM. Mr. Speaker, today is the fifth anniversary of the independence of the Democratic Republic of the Congo, commonly known as Congo—Léopoldville. I think it is appropriate that we should mark this day and that we should extend our congratulations to President Kasavubu, Prime Minister Tshombe, and their associates in the Government and to the people of the Congo.

While the history of the Congo as an independent state has been a turbulent one, we can be thankful on this day that it is a nation and that no major East-West conflict has developed within its vast territory. For these achievements, the United Nations can take a major share of the credit.

It is perhaps ironic that the man who for so long resisted the efforts of the United Nations to preserve the Congo as a unified state is today its Prime Minister. But the degree of Mr. Tshombe's shift of view is in itself a measure of the U.N.'s accomplishment.

In my judgment, history will give due credit to the extraordinary success of the unprecedented and incredibly difficult mission which the U.N. carried out during the first years of the Congo's independent existence. Under the leadership of Secretary-General Dag Hammarskjold and of his successor, U Thant, an international military force prevented the nation from disintegrating into total chaos and prevented what might otherwise well have been a clash between the great powers. This same operation also made it possible for the many hundreds of technicians from the United Nations and its family of agencies to carry on the essential work of strengthening the Congolese state and its economy and of enabling it to meet its needs for highly educated and trained personnel in all fields of endeavor.

The Congo is a rich country and has a potentially great future. We in the United States extend our congratulations to the Congolese people and our best wishes for a speedy realization of that great future.

Mr. POWELL. Mr. Speaker, today, June 30, is an important day for the 15 million people of the Democratic Republic of the Congo, for it is the fifth anniversary of their independence. We therefore would like to take this occasion to extend warm felicitations to the Congo Republic; to His Excellency Joseph Kasavubu, the President; His Excellency Moise Tshombe, the Prime Minister; and to the Chargé d'Affaires ad interim of the Congo Republic to the United States, Joseph Ugolin Nzeza.

The history of the Congo has, unfortunately, been one of turmoil, unhappiness, and foreign interference. Yet, there have been periods of important and successful autonomous rule.

As early as the 13th century, there appeared in the Congo a powerful, unified indigenous state—the Kingdom of the Bakongo. The kingdom's predominance was greatest from 1500 to 1650. It was during this early period that Europeans first became aware of the Congo.

External influence, inaugurated by the Portuguese Diogo Cão in 1483, led to an unfortunate and extensive depopulation of the Congo Basin by slave traders between the 15th and 20th centuries. The terrible losses and cruelties inflicted upon the oppressed Congolese were finally ameliorated when the slave trade was outlawed in the latter part of the 19th century.

European exploration of the Congo took place mainly under the auspices of King Leopold II of Belgium, whose interest was stimulated by the adventures of Stanley in the 1880's. From 1885 to 1908, the Congo Free State was the personal property of the King. In 1908, however, the King ceded the Congo Free State to the Belgian Government and it remained a Belgian colony until 1960. Finally, after 75 years of Belgian rule, the Congo achieved its freedom on June 30, 1960.

Now, once again, the people of the Democratic Republic of the Congo are free and independent; and are striving to exercise the position of importance and leadership that should be theirs as one of the largest and wealthiest nations in Africa.

Manufacturing, mining, and agriculture are all well developed in the Congo. Income from the export of copper, diamonds, cobalt, tin, coffee, palm oil, cotton, rubber, cocoa, and other products has been well used to build a fine educational system, transport facilities, public and private health centers, and many hydroelectric powerplants.

Agricultural resources have been increased through extensive research that has proved of great value. Last year's total exports rose 4.6 percent and Government gold reserves were also up substantially. As is the case with many of its African neighbors, the Democratic Republic of the Congo has only begun to realize its great potential. Its industrial, mineral, agricultural, and human resources are indeed tremendous.

Unfortunately, these 5 years since independence have not been happy ones for the people of the Congo. Numerous rebellions and civil wars have disrupted the political unity and economic progress of this large country, to the dismay of the Congolese, myself, and the entire world. Now, however, we have great hopes that the worst is over, and that effective leadership will lead to the necessary political stability and economic progress that we all desire to see in this country.

It is, then, with great pleasure that I congratulate the people of the Democratic Republic of the Congo on this, the fifth anniversary of their independence, and I know that in this I am joined by my distinguished colleagues.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that any of my colleagues who so desire may have 5 days in which to extend their remarks on this subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RUSSIAN FISHERY ON AMERICAN SHORE

Mr. WYATT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WYATT. Mr. Speaker, our American fishermen in the North Pacific have been beseiged from all sides during the past few months. The normal problems of nature have been multiplied many times by threats from abroad. First, we had the devastation to the Alaska salmon fishery caused by the callous disregard of any conservation principles when the Japanese moved their large mother ships into the area adjacent to Alaska to make huge catches of American species salmon attempting to return to Alaskan rivers. Our people have protested and some have even attempted to organize a boycott of all Japanese imports in retaliation. These ships have moved away finally, but early evidence indicates that they have done their damage prior to moving.

Now we have another serious threat, which I feel duty-bound to bring to the attention of the Congress and the American people. For a number of weeks now, Russian mother ships have been operating brazenly close, off the mouth of the Columbia River. We have complained time and again to the State Department. These ships operate as close as 15 miles to the Columbia River lightship. They have satellite trawlers which fish and deliver their catches to the Russian mother ship. They fish with nets and apparently have every modern fishing device.

At my request, our own American fishermen have taken several pictures of these Russian ships, close to the shores of Oregon and Washington, and I have several right here for display. Such experienced and competent fishermen as Jim Parker and Arthur Anderson of Astoria, Oreg., have seen them with their own eyes.

I again call upon our State Department to protest against this Russian fishery on the American shore. I bring this startling discovery to the floor of the Congress to point out how far the Russians have gone, and I must speculate with our fishermen that these Russian fleets may not be so close off our shores for purposes of fishing only.

CONGRESSIONAL BASEBALL GAME

Mr. AYERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. AYRES. Mr. Speaker, oftentimes we are so troubled with the serious problems of the world that we forget there is a great national pastime in this country and the public can relax by witnessing a baseball game.

I am very proud to announce, although I know most of you have read the sports pages, that the Cleveland Indians are in first place. They will be at the stadium this evening, playing against the Senators.

Prior to that there will be a game that is always of great interest to the American public. It is one time when the Republicans, even though we are in the minority, have an opportunity to defeat the Democrats.

I refer to the congressional baseball game this evening starting at 6:30. Prior to that there will be a reception in the Rayburn Building. There will be free transportation out to the wonderful stadium that this Congress voted to build some years ago.

We will see you there.

OUTSTANDING OUTDOOR DRAMA IN WESTERN NORTH CAROLINA

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BROYHILL of North Carolina. Mr. Speaker, this past weekend, one of America's finest historical pageants began its 14th season with the opening performance on June 25 of Kermit Miller's "Horn in the West" at Boone, N.C. The drama will continue nightly except Mondays throughout the summer until August 28, honoring the 203d anniversary of Daniel Boone's pioneering efforts through the Blue Ridge Mountains of North Carolina.

Through the years of its production, "Horn in the West" has taken its place among the handful of great historical dramas being played in outdoor amphitheaters throughout the country which have brought pleasure and a deeper awareness of the great heritage of the American people. We in the Ninth District of North Carolina are proud, indeed, of this colorful spectacle which brings to life the struggles of our forefathers to conquer the frontier and press forward the settlement of the wilderness of the forbidding mountain frontier and the rich land beyond.

Many of you in this Chamber have joined with the tens of thousands of fellow Americans who have relived the exploits of Daniel Boone and his hardy pioneers depicted in "Horn in the West." However, the production of this drama itself is no less interesting, representing as it does the hard work, imagination, and faith of a number of men who believed strongly that Boone's story should be preserved and dramatized.

Indeed, "Horn in the West" is the realization of a dream of the descendants of men and women of the Blue Ridge Mountains whose qualities are so well characterized by the self-reliant Daniel Boone. In this production, they have formed a medium for collecting, preserving, and transmitting this rich heritage.

The beginning of the outdoor drama institution was the organization of the Southern Appalachian Historical Association, chartered and incorporated as a nonprofit historical organization on December 9, 1951. The officers and board members were elected and committees appointed so that work on the production, which was to be presented for the first time on June 27, 1952, could begin.

Dr. I. G. Greer was elected president; Dr. D. J. Whitener, executive vice president; Mrs. Earleen Pritchett, secretary; and James Marsh, treasurer. Elected to the board of directors were R. E. Agle, Mrs. Constance Stallings, G. C. Robbins, Clyde R. Greene, Herman W. Wilcox, Ralph Winkler, Stanley Harris, and Dr. R. H. Harmon.

A young playwright, Kermit Hunter, author of the successful outdoor drama, "Unto These Hills," was commissioned to write the script. After considerable research, the play was written and the title selected—"Horn in the West."

And there was a theater to be built. A site had to be chosen. All available land in the area was inspected by various members of the association. A location on the property of Jones Winkler was chosen. A perfect setting for the amphitheater was found in a mountain grove behind the Winkler home. Land had to be cleared for parking areas, the grounds had to be landscaped and the theater, itself, had to be constructed. Three separate stages were to be built so that not only the panoramic effect could be achieved but during the playing of the drama one or even two stages could be set while the third was being used.

During 3 short months from March to June, a miracle took place. The show was completely put together. A magnificent outdoor theater seating 2,500 persons was constructed. This 3-month feat came about through the cooperation and spirit of teamwork exercised by civic-minded members of the entire town of Boone and Blowing Rock. It was, in some aspects, the same type of teamwork exercised a few hundred years ago by their forefathers who conquered the wilderness and built an empire.

Today, the "Horn in the West" outdoor drama is still sponsored by the Southern Appalachian Historical Association. Several persons who participated in the creation of the drama are still on the board. Dr. I. G. Greer is president. Dr. R. H. Harmon is executive vice president of the board's executive committee. Other officers are Sam Dixon, second vice president; Mrs. B. W. Stallings, chairman of the association membership; Lynn Holaday, treasurer; and Bob Allen, curator. Last year the association sent historical information, "Daniel Boone, the Empire Builder" to every intermediate, junior high, and high school teaching American and State history, inviting them to submit essays for cash prizes. One thousand essays were entered.

General manager of "Horn in the West" is Herman W. Wilcox, also an original officer of the association. John Corey is public relations consultant.

It is my hope that, as you travel through the magnificent mountains of North Carolina this summer, you will have the opportunity to pause for an evening at Boone, situated only a short distance from the Blue Ridge Parkway, to relive at a performance of "Horn in the West" a time in our national experience when firm foundations of this great Nation were being put down.

LETTER FROM A SON IN VIETNAM

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, the Morgantown Post, a newspaper published in Morgantown, W. Va., has just printed a letter from a soldier fighting in Vietnam to his father. This young man is a worthy exponent of West Virginia realism. He loves his country, and he knows what that country has done for him. He has not had the advantage of a college training, but he seems to have learned a number of things that some of our pampered youth in college have not been taught. His letter shows clearly that he understands full well that liberty must be defended in every generation. He understands that our political and social institutions, with all their blessings to the American individual, are not free and inalienable gifts, but must be fought for continuously, or they will be lost forever.

As long as America produces young men like this one, we are safe. I am sorry I cannot say as much about either the youth or the older generation who do not value their heritage enough to defend it. I think this letter should contribute to national morale, and include it in the RECORD:

SABRATON DAD GETS A BIG THANK YOU, REPORT ON VIET CONFLICT—LETTER FROM SON IN VIETNAM BRIGHTENS FATHER'S DAY

(EDITOR'S NOTE.—A1c. David N. Musick, 21, son of Mr. and Mrs. John R. Musick of Sabraton, has been in Vietnam since April 11. His wife, Lana, and two children live at Randolph Air Force Base, San Antonio, Tex. Airman Musick, a 1960 graduate of Morgantown High, wrote this letter, which arrived in time to make the older Musick a proud and happy father.)

JUNE 15, 1965.

TO the MOST WONDERFUL FATHER IN THE WORLD:

Well, Dad, seeing as how Sunday is Father's Day, and they don't have any Father's Day cards here, I thought I would write you a letter. I don't think I have ever written a letter to you personally, have I?

Things over here are pretty much the same except the Vietcong are stepping up their activities in the south and the Soviet Union is flying bombers into Hanoi, that is the capital of the Vietcong. I think things will get worse over here before they get better.

I feel very proud being able to help in the cause over here. I can truly say that I have fulfilled my obligation to my country when my tour is over. Some people in the United States are against the United States being in Vietnam. Mostly college students. I think they are just afraid that they will have to come over here and fight. I think we are doing the right thing though. If the people back there only knew how awful the Communists are over here, they would be more than glad to come and fight to prevent the spreading of communism. We had to make our stand somewhere.

The other day, the Vietcong stopped a schoolbus outside Saigon and took a little 7-year-old girl off the bus and chopped every one of her fingers off because they didn't want the children attending the school that they were because they were teaching them the right things in life and they wanted to give people an example of what might happen to their children if they continued to go.

I'm sure those people in the United States wouldn't want this. If they could only see the looks on mothers' faces standing helplessly by watching the Vietcong torture their sons and husbands, dismantling their bodies, raping their daughters. People in the United States seem to think along the lines of "Well, it will never happen here, the hell with other people." I'm talking of the people who don't want us over here. But it surely will happen if we don't continue to fight it. I'm willing to go to any extremes to insure a safe country for my babies and Lana.

We have so much to be thankful for. So many people fought in World War II and died so that we could have a free country. I wish everyone could be at peace, but I guess that will never be. I watched a funeral the other day for eight servicemen killed over here. I just about cried. It seems so terrible to have to die in this lonely place away from your loved ones.

Dad, I think we children are among the luckiest children in the world to have such wonderful parents. I know at times you didn't think we appreciated all that you have done for us, but now that I am grown up and understand just how wonderful a father you have been, I am so thankful. I know there were times that I made you mad and I am sorry for this.

There are so many neglected children in this world. That's one thing we have never known. You worked so hard for your family to provide a nice home, food, and clothing. If there were only some way to repay you Dad, I surely would. But there are no words of thanks or any amount of gifts we could give to you to repay you for all the love and understanding you have shown us. I just pray to God that I can raise my children and do as good a job as you and mom have. I love you both so very much.

Thank you for everything you have ever done for us children, Dad. You are the most wonderful father anyone could ever ask for.

I love you.

Your son,

DAVID.

THE LATE ED LYBECK

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, on June 26, 1965, my field representative, Ed Lybeck, suffered a fatal heart attack. He had been my field representative since January 3, 1955, when I was first elected to Congress from the 26th District of California.

To say that Ed performed his job with expertise, dedication and loyalty is not enough. There was infinitely much more that he gave to the office and constituents, to the community, to his family and friends—and to me. Ed was known as a practical politician with ideals and dreams. He was honest and candid, but always patient and understanding, willing to help in any situation. His wit was legendary.

Ed Lybeck's death is a very deep personal loss to me, for he has been a true friend in need and in deed over the years, sharing my political and personal problems—and always available to counsel and advise. And, as any Californian in politics or in State, county, and city government will verify, Ed Lybeck's views and comments have been sought and respected by more people than any of us will ever know.

The accuracy of his analyses was due to a wide and varied background—with experiences including newspaper reporting, author, seaman, Government service with the NYA, city housing, and campaign management. Coupled with his keen insight, remarkable memory, almost uncanny perception—and, above all, a sense of responsibility toward his fellowman and his country, Ed Lybeck was truly an extraordinary human being.

Ed was buried in Los Angeles yesterday, and during my trip back, I thought of his family and countless friends who share my sorrow and feeling of loneliness. I share these few thoughts with you because many of my colleagues here were privileged to know Ed Lybeck and I am confident they will want to join me in honoring my beloved friend, and a great American citizen.

I cannot hope to ever find another Ed Lybeck—but I can be grateful for the time together we had, and his memory will forever remain in my heart.

"TRAIL OF THE LONESOME PINE" BEGINS SECOND SEASON JULY 1

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. JENNINGS. Mr. Speaker, I would like to call to the attention of the Members of the 89th Congress, and to place in the RECORD, information on a most important event in my district.

On Thursday evening, July 1, the second season of a very fine outdoor drama begins. The "Trail of the Lonesome Pine" will be staged each Thursday, Friday, and Saturday night from July 1 through September 6, in an amphitheater at the June Tolliver House, Big Stone Gap, Wise County, Va. This drama is an adaptation of the famous novel of John Fox, Jr., by Mr. Earl Hobson Smith, of Harrogate, Tenn. It was first produced last year and was excellent in every respect.

I had the privilege of attending one of the performances last year. I plan to be there again on Saturday night to enjoy the work of the many people who participate to make this project a success.

I am proud to represent the many people involved in producing the "Trail of the Lonesome Pine." They have planned and performed the entire project with ability, initiative, courage, and spirit that are typical of the people of the area. It has been, in every sense of the word, a "bootstrap" effort. The results have been excellent for the economy and the success of the project has strengthened the determination of this area to promote economic growth and development. In this instance, they have produced a fine drama and have made a very significant contribution to the culture of the region.

To further explain the pride we have in this drama, it not only is based upon a book written by John Fox, Jr., who lived at Big Stone Gap for many years, its setting is in Wise County, where the town of Appalachia is located. We have all heard of the Appalachian region during the past few months. This is a part of Appalachia and I want my colleagues to know that we produce fine and talented people, and that we have a project here that is all local and has not required any Government funds. There has been much discussion about the use of local scenic attractions and activities to bring tourists to a specific area as a means of economic development. This is being accomplished by the Big Stone Gap area residents, who have all pitched in to make this drama a success.

Mr. Speaker, I would hope that many of my colleagues will find occasion to travel into the southwest Virginia-eastern Kentucky region during the summer. I would tell them that a most enjoyable evening can be spent in Wise County, where the people are friendly, the food and accommodations are excellent, and the entertainment at our outdoor drama superb. I invite and urge them to attend.

An article on this drama recently appeared in the L. & N. magazine, which is published by the famous railroad serving the region. Under leave to extend my remarks in the RECORD, I include the major part of this article.

[From the L. & N. magazine, June 1965]

"TRAIL OF THE LONESOME PINE"—MUSICAL DRAMA WILL OPEN ITS SECOND SEASON IN JULY

Next month at Big Stone Gap, deep in the mountains of Virginia, the curtain goes up on one of America's most unique outdoor musical dramas.

Based faithfully on the book, "Trail of the Lonesome Pine," by Kentucky native, John Fox, Jr., the locally-staged production will be enacted in a setting that is authentic right down to the soft whispering of the wind through the nearby pine trees.

On opening night, July 1, likely all of the 1,000 seats in the amphitheater located on the lawn behind the June Tolliver House (more about this later) will be filled. The drama itself is an effort of those who are natives of the land where the author lived and wrote. Even the cast includes a sprinkling of some who were born during the tumultuous, booming days of John Fox, Jr.'s, stories, and their portrayal of the characters he created are doubly convincing.

Spearheaded by Mrs. Creed P. Kelly, president of the Lonesome Pine Arts and Crafts

Association, the production is being repeated this summer with high hopes of a season even more successful than the first one.

"We have gathered together all possible human resources—talents musical, mechanical, artistic, and dramatic," she said. "We here in Big Stone Gap are surrounded by the beauty of our mountains which Mr. Fox loved so well. With this backdrop, we are inviting as many visitors as possible to stop by this summer and live again with us, those days of yore."

The drama has been adapted by Earl Hodson Smith, chairman of the speech and dramatics department, Lincoln Memorial University, Harrogate, Tenn. It is being presented through special permission of the author's sister, Mrs. William Cabell Moore, the former Elizabeth Fox, only surviving member of the family, and still a resident of Big Stone Gap.

All the familiar characters of the book are in the play: Young June Tolliver; "Devil Judd" Tolliver, the shotgun-totin' head of the clan; Bud, Bad Rufe, and Cousin Dave Tolliver; Jack Hale, Red Fox, and many others. In all, there are more than 25 speaking parts, and the production is augmented by an 18-voice chorus, numerous square dancers and assorted musicians. It will be presented each Thursday, Friday, and Saturday evening through September 6.

There is a great deal of John Fox, Jr., still in existence at Big Stone Gap. Although he is buried in the family plot in a cemetery at Paris, Ky., where he was born (he died in 1919), according to Mrs. Kelly, his spirit still lingers over the mountains of southwest Virginia and eastern Kentucky, an area he loved and where he spent most of his creative years.

Citizens of Big Stone still talk about the author as if they half expect to see him come riding along on horseback, or, at least, come walking down the street accompanied by one or more of his dogs. The home in which he wrote most of his books, still stands near the edge of town, in a grove of trees, mostly pines. His sister, Mrs. Moore, has kept his study and desk just as he left them.

No visit to Big Stone Gap is complete without a stop at the June Tolliver House on Jerome and Clinton Streets. Recently purchased by the association, the house has been carefully restored and furnished throughout with items of the period. An upstairs bedroom was occupied by young June's real-life counterpart when she came to town to attend school. The house is open daily except Mondays, and visitors on the free, conducted tours, may look from the same window through which June looked one moonlit night during a romantic episode in the book.

The association, a nonprofit organization, is attempting to preserve the cultural heritage, crafts and traditions of the proud mountain people of that area. Classes in many of the creative arts, are held at the June Tolliver House, including painting, quilting, weaving, pottery, ceramics and other crafts of mountain life, using resources available in the vicinity. Instructors volunteer their time and abilities and freely share their knowledge with others. In a showroom on the first floor, the handmade articles are on display and available for purchase. One is assured of finding authentic items designed and produced by skilled mountain craftsmen.

There is a lot to see in the John Fox, Jr., country, and a visit to this dramatic offering this summer is a good way to begin a tour that will take you well "along the Trail of the Lonesome Pine."

PROPOSED AMENDMENTS TO THE FAIR LABOR STANDARDS ACT

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include letters, tables, and materials furnished by the Wage and House Division of the Department of Labor.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, on June 15, 1965, I submitted for the RECORD certain responses of the Department of Labor to questions raised during present hearings on proposed amendments to the Fair Labor Standards Act.

I herewith submit 12 additional responses, and a supplement to data in the June 15 RECORD, for the information of my colleagues and the general public.

I consider this legislation so important, and its impact so great, that I want to keep everyone apprised of developments.

I include this data following my remarks:

U.S. DEPARTMENT OF LABOR, WAGE
AND HOUR AND PUBLIC CONTRACTS
DIVISIONS,
Washington, D.C., June 28, 1965.

Hon. JAMES ROOSEVELT,
General Subcommittee on Labor, Committee on Education and Labor, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN ROOSEVELT: This completes our response to the economic questions raised when Secretary of Labor Wirtz appeared May 25 and 26 before the subcommittee to testify in support of H.R. 8259 and related bills.

The transmission includes answers raised with respect to the following:

1. Extent of overtime work in major manufacturing industry groups and in wholesale trade lines—particularly by low-wage employees.
2. Plant expansion due to double time.
3. Extent of overtime in industries proposed for coverage under H.R. 8259.
4. Repeal of section 13(a)(15) exemption for logging employees.
5. Resort hotels—indications of a recent trend to extending periods of operation.
6. Business failures—recent trends.
7. Tabulation showing employees not now protected by FLSA and the number who would be brought under the minimum wage after enactment of H.R. 8259.
8. Full-time student regulations (sec. 14), statement re age limitation.
9. Management trainees—comments on language in H.R. 11838 (88th Cong.).
10. Profits in laundry and drycleaning plants.
11. Handicapped worker certificates for the aged.
12. Retail workers under union contracts.

Some questions raised at the hearings with respect to certain legislative matters are still being reviewed.

Sincerely yours,
CLARENCE T. LUNDQUIST,
Administrator.

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1. EXTENT OF OVERTIME WORK IN MAJOR MANUFACTURING INDUSTRY GROUPS AND IN WHOLESALE TRADE LINES—PARTICULARLY BY LOW-WAGE EMPLOYEES

Reports on the March 1964 nationwide surveys of manufacturing and wholesale trade have been transmitted to the Congress. These reports show not only the extent to which hours over 40 per week are prevalent but also the extent to which overtime is worked by employees at the lower end of the wage scale.

In the attached table we have listed for each major manufacturing and wholesale trade industry group for which separate data are available the percent of all nonsupervisory employees in the group who worked over 40 hours a week as well as corresponding percents for workers who earned (a) less than $1.30 an hour, (b) less than $2 an hour, and (c) $3 or more an hour. In addition, we have computed average hourly earnings for employees working over 40 hours a week as a percent of average hourly earnings of workers working 40 hours or less.

The data indicate that average straight time hourly earnings for workers working overtime were lower than for those who worked no overtime in 8 of the 14 manufacturing groups and in each of the 7 wholesale trade lines.

Furthermore, the table shows that in 11 of the 14 manufacturing groups and in each of the wholesale lines a significantly greater proportion of workers who earned $2 or less an hour worked overtime than was true for workers earning $3 or more an hour.

Wage relationship between employees working more than 40 hours a week and those working fewer hours, manufacturing industry groups and wholesale lines, United States, March 1964

	Percent of non-supervisory employees who worked overtime	Percent of nonsupervisory employees earning specified amounts of pay who worked overtime			Average hourly earnings of overtime workers as a percent of average hourly earnings of employees working 40 hours or less
		Less than $1.30	Less than $2	$3 or more	
Manufacturing industry groups:					
Food and kindred products	39	10	44	13	96.9
Tobacco manufactures	18	11	64	5	89.5
Textile mill products	38	5	82	(1)	103.0
Apparel and related products	18	19	76	6	100.0
Lumber and wood products	36	18	59	6	97.4
Furniture and fixtures	38	12	75	(1)	87.9
Paper and allied products	41	(1)	20	12	105.8
Printing, publishing, and allied industries	21	6	35	34	98.9
Leather and leather products	25	13	70	(1)	102.3
Stone, clay, and glass products	33	7	37	12	95.3
Fabricated metal products	33	(1)	40	15	95.0
Machinery, except electrical	35	(1)	21	25	99.6
Professional instruments	26	(1)	22	26	105.9
Miscellaneous manufacturing industries	26	6	51	9	105.5
Wholesale trade lines:					
Drugs and chemicals	31	6	49	6	93.5
Dry goods and apparel	16	11	64	4	84.6
Groceries and related products	42	21	57	7	91.5
Farm products—raw materials	34	28	82	2	86.1
Hardware, plumbing, and heating	35	8	53	10	95.0
Machinery, equipment, and supplies	27	7	38	21	94.7
Miscellaneous wholesalers	32	13	53	13	89.6

[1] Less than 5 percent.

NOTE.—Data are shown separately for each group for which they are available.

2. PLANT EXPANSION DUE TO DOUBLE TIME

There have been no studies which indicate the extent to which a double-time requirement would necessitate expansion of plant facilities. Some witnesses who testified last year on the double time for overtime proposal indicated that plant capacity is a limiting factor in the hiring of employees.

It should be noted, however, that most industries are not operating at full capacity even though we are in the longest, uninterrupted period of peacetime economic growth in our history. The utilization rate as a percent of manufacturing capacity in 1964 was 87 percent. This does not mean that some plants would not be confronted with a problem of adequate capacity but there does not appear to be any general widespread problem. Furthermore, the requirement for double time over 45 hours per week is scheduled to be achieved at the end of 3 years, allowing for building up of capacity.

Recently, plans have been announced for the expansion of plant capacity in industries in which overtime is widespread. For example, one of the major automobile companies has announced plans for additional facilities that will enable them to add 7,800 employees to its payroll. A second company in this industry has announced that outlays for plant and equipment in 1965 will amount to $1.1 billion. In the steel industry, an important producer has announced that capacity will be doubled in the next 18 months. A large lathe and tool manufacturer has announced that additional construction will boost floor space by about one-half.

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3. EXTENT OF OVERTIME IN INDUSTRIES PROPOSED FOR COVERAGE UNDER H.R. 8259

A report on hotels and motels sent to the Congress by the Wage and Hour and Public Contracts Divisions in 1964 indicated that 48 percent of the nonsupervisory workers in selected occupations in hotels and motels worked over 40 hours a week.

In the South, 70 percent of the nonsupervisory employees in hotels and motels worked over 40 hours a week.

Nontipped employees of hotels and motels worked somewhat longer workweeks than tipped workers (bellmen, waiters and waitresses). The proportion of nontipped employees working more than 40 hours was 49 percent; for tipped employees it was 42 percent.

A similar 1964 report on restaurants showed that 44 percent of the nonsupervisory employees in restaurants worked over 40 hours a week.

Sixty-five percent of the nonsupervisory employees in restaurants in the South were working in excess of 40 hours a week.

The proportion of nontipped employees in restaurants working more than 40 hours a week was also higher than that for tipped workers. Almost half of the nontipped employees worked over 40 hours a week and 36 percent of the tipped employees worked these hours.

According to a 1964 report on laundry and cleaning services by the Divisions, 42 percent of the nonsupervisory workers in all laundry and cleaning enterprises actually worked over 40 hours a week. In the South, 54 percent of the employees in all enterprises worked over 40 hours a week.

Employees in these industries have not been subject to either the minimum wage or the overtime provisions. It is assumed, therefore, that a time and one-half overtime provision, if applied to these industries, will act as a deterrent to long hours.

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4. REPEAL OF SECTION 13(a)(15) EXEMPTION FOR LOGGING EMPLOYEES

Attached are two statements dealing with the questions raised with respect to the repeal of the section 13(a)(15) exemption for logging employees. The first statement supplies information on the contract system in the logging industry. The second contains information on recordkeeping in the logging industry and includes examples of other covered industries with employees working away from their employer's place of business for whom records are being kept.

SECTION 13(a)(15) EXEMPTION FOR LOGGING EMPLOYEES

Since the enactment of the 13(a)(15) exemption in 1949, statements have been made that there has been an increase in the contracting out of logging operations by the lumber and pulp companies. Reports of the Southern Pine Association showed that on June 1, 1949, 12 percent of the members reported contracting out their logging operations. By October 1950 the percentage had increased to 28 percent, and on May 1, 1952, the percentage was 29. (Southern pine wages, Southern Pine Association, New Orleans, La., 1949, pp. 2–13; 1950, pp. 2–13, and 1952, pp. 2–12.)

A report of the Select Committee on Small Business of the U.S. Senate on the problems of the independent logging and sawmill industry, based on a hearing held in 1959, states:

"While large lumber and paper mills frequently buy timber and stumpage or own large tracts of timber (tree farms), many of them have transferred this logging function over to contract loggers, who deliver the cut timber to the mills at a contract price per cord or thousand board feet. This has the advantage of shifting risks, eliminating capital investment in logging machinery and equipment, reducing bookkeeping functions, while at the same time maintaining control over costs and quality.

* * * * *

"Some indications show that it has been possible to shift unemployment and workmen's compensation insurance costs." (U.S. Senate, 86th Cong., 1st sess., Rept. No. 240, "The Small Independent Firm's Role in the Forest Products Industry," Washington, 1959, pps. 14–15).

The report also states:

"The small logging industry is made up of nearly 50,000 firms the great majority of which employ less than 20 persons. Some of these firms are contract loggers for large wood-using industries and not truly independent, though no data are available on the extent to which this type of vertical integration exists." (U.S. Senate, 86th Cong., 1st sess., Rept. No. 240, "The Small Independent Firm's Role in the Forest Products Industry," Washington, 1959, p. 54).

The International Woodworkers of America have been studying the contract system in the logging industry, and may be able to supply the committee with this information.

RECORDKEEPING IN THE LOGGING INDUSTRY

The divisions' survey of small logging operations in 1963 showed that in about 80 percent of the operations in both the South and the North-Central States there was some degree of supervision of the work performed by the woodsworkers.

Also, most of the workers in the Southern States were paid on the basis of hourly, daily, or other time rates, which would show that time records are being kept.

Woodsworkers do not live in the woods, and most of those working at any particular site are transported to the logging site and from the logging site at the same time indicating that they all work the same hours.

Many thousands of employees on lumber operations with more than 12 employees are operating under similar woods conditions and are being paid in accordance with the overtime provisions of the act, indicating that it is possible to determine the working time of employees.

The logging industry employs timber cruisers, estimators, and evaluators who work away from their employer's place of business, without supervision, and they have not claimed any difficulty in determining their working time.

All lumber and pulpwood operations must keep records these days for income tax, OASI, and unemployment insurance purposes. The recordkeeping requirements of the divisions are not any more arduous than these are.

Many thousands of employees in other industries are working away from their employer's place of business under conditions of indirect or remote supervision. Records of their working hours have been kept and they have been paid overtime rates in accordance with the provisions of section 7 of the act for the past 25 years. The following is a sample list of some of these workers:

Telephone installers, repairmen, linemen, cable testers, coin box collectors; appraisers of real property; patent and title searchers; outdoor advertising workers, including billboard men, sign painters, letterers; detectives and credit investigators; newspaper, TV, and radio reporters and photographers; aerial photographers and crop dusters; painters, paperhangers, plumbers, well diggers; manufacturers' representatives engaged in assisting dealers in displaying merchandise; insurance agents and claims adjusters; canvassers and poll takers; demonstrators of various equipment; debt collectors and claims adjusters; credit checkers; comparison shoppers and employees of companies engaged in checking on the honesty and efficiency of store employees; surveyors; guards, watchmen, and alarm answerers; servicemen for coin operated machines and coin collectors; glaziers; awning installers; cesspool cleaners; deliverymen; outside buyers; elevator installers and repairmen; carpet and linoleum layers; movers and packers and moving company appraisers; bank and Western Union messengers; exterminators; farm machinery repairmen; furnace cleaners and repair and installation men for business machines, electrical equipment, air-conditioning equipment, plumbing and heating equipment; research workers for research agencies, social, scientific, and educational; nursery workers and tree trimmers.

The divisions are ready to help employers with special difficulties in complying with the law to work out their problems so as to operate within the law.

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5. RESORT HOTELS

Census data indicate a trend for resort hotels to operate for longer periods of time. Since 1958, the number of hotels and motels has increased by 10 percent, but the number operating less than 9 months has decreased by about 10 percent. Newspaper advertisements in travel sections of the papers show that in the Miami area and other southern beach vacation area resort hotels are now open year-round.

Resort hotels in mid-Southern areas, according to a 1961 article in Hotel Monthly and a 1962 issue of Newsweek, are introducing snow-making equipment to provide snow for skiing. Resort hotels have also gone out for convention business.

The Department's survey showed that the average straight-time hourly rate of pay for nonsupervisory employees in resort hotels and motels with $250,000 or more in annual sales was $1.25 an hour in June 1963. Nontipped employees were paid an average rate of $1.38 an hour, tipped employees 78 cents an hour.

The proportion of employees working over 40 hours a week in resort hotels with annual sales of $250,000 or more was 72 percent. Thirty-two percent of the employees worked exactly 48 hours. Six percent worked more than 48 hours.

6. BUSINESS FAILURES—RECENT TRENDS

There is no evidence of an increase in business failures. On the contrary, according to Dun & Bradstreet data, the number of business failures has been declining since 1961. In 1961, 17,075 businesses failed; in 1962, 15,782; in 1963, 14,374; and in 1964, 13,501.

In 1965 the number of failures has continued to decline. In the first 5 months (through the week ending May 27) there have been a total of 5,864 failures. This is a weekly average of 279 as compared with a weekly average of 287 for the same period of 1964.

7. TABULATION SHOWING EMPLOYEES NOT NOW PROTECTED BY FAIR LABOR STANDARDS ACT AND NUMBER WHO WOULD BE BROUGHT UNDER THE MINIMUM WAGE PROVISIONS OF FAIR LABOR STANDARDS ACT BY H.R. 8259

Data are presented by industry and category of employment. The last column shows the distribtuion of the 13.1 million employees who will still not be covered.

Estimated number of nonsupervisory employees not now protected by the Fair Labor Standards Act and the number who would be brought under the minimum wage provisions of the Fair Labor Standards Act by H.R. 8259

[In thousands]

Industry and category	Estimated number of employees, by coverage status		
	Total number of nonsupervisory employees not covered or exempt [1]	Employees added to coverage by proposal	Employees who would still be noncovered or exempt
All industries	17,667	4,561	13,106
Retail trade, excluding restaurants	3,642	1,500	2,142
Food service	118	100	18
Auto and farm equipment dealers	711	600	111
All other retail trade (except restaurants)	2,813	800	2,013
Hotels	549	275	274
Restaurants	1,753	425	1,328
Laundries	505	175	330
Hospitals and nursing homes	1,008	890	118
Motion picture theaters	114	75	39
Local transit	15	10	5
Contract construction	616	250	366
Mining	5	650	6,600
Manufacturing [2]	524		
Transportation, communication, and utilities [3]	53		
Wholesale trade	885		
Finance, insurance, real estate	646		
All other services	5,137		
Agriculture and fisheries	1,882		1,882
Agricultural processing in area of production	90	90	
Cotton ginning	34	34	
Small logging	87	87	
Taxicabs	122	100	22

[1] 1964.

[2] Excluding small logging.

[3] Excluding local transit and taxicabs.

8. FULL-TIME STUDENT REGULATIONS—SECTION 14 STATEMENT RE AGE LIMITATION

Issuance of certificates to employ students above 18 years of age without any age limitations under the "full-time student provisions" of section 14 of the Fair Labor Standards Act at less than the minimum wage would foster the exploitation of such students, and would discriminate against nonstudents of the same age who are seeking work. About 5 million young people who are not attending school are in the labor force. They compete for jobs with all other workers. If employed in covered industries—and millions of them are—they must be paid at least $1.25 an hour. The Department of Labor believes it is wrong to grant an exemption under the Fair Labor Standards Act allowing the generally select group of young persons who go on to college to be employed at rates below the statutory minimum wage.

Their youth, training, and desire for employment places them in direct competition for jobs which others in the labor market are seeking. They can be and are used to replace breadwinners seeking employment. The Department does not believe that because of their status as college students they should be given an added advantage in competing with others in the labor market by being able to offer themselves at rates of pay which are below the minimum wage. Such an advantage added to the other advantages that flow from being college trained is unnecessary and in fact unfair to those less fortunate persons who must seek employment without the advantages of having additional schooling.

The Department of Labor strongly urges that the "full-time student" exemption in section 14 of the Fair Labor Standards Act not be expanded.

9. MANAGEMENT TRAINEES—COMMENTS ON LANGUAGE IN H.R. 11838 (88TH CONGRESS)

H.R. 11838 of June 30, 1964, would have provided for the issuance of special certificates under section 14 of the Fair Labor Standards Act authorizing, under specified limitations, the employment of management trainees in retail or service establishments without payment of overtime compensation.

Public hearings were held by the Wage and Hour and Public Contracts Divisions in 1963 on a similar proposal advanced by some employers in the retail industry. Representatives of the following organizations testified in support of the proposal: American Retail Federation, National Association of Food Chains, Grand Union Co., the Lerner Shops, J. C. Penny Co., Mattingly Bros. Co., G. C. Murphy Co., and Variety Stores Association. Representatives of the Retail Clerks International Association, Amalgamated Clothing Workers of America and the AFL-CIO appeared in opposition. It was concluded that there was no justification for a special exemption from the overtime provisions of the act for management trainees.

The employment of management trainees is not peculiar to the retail industry. Highly developed training programs of this kind are utilized in many industries, and the trainees receive overtime compensation. There is no reason for special treatment of trainees in the retail industry. Historically the exemptions for executive, administrative and professional employees have been denied to employees in training for such positions. The Department of Labor is opposed to an exemption from the overtime provisions for such trainees.

10. PROFITS IN LAUNDRY AND DRYCLEANING PLANTS

In tax returns to the Internal Revenue Service, laundry and drycleaning corporations showed an average net income on business receipts for July 1962–June 1963 of 1.9 percent, not counting executive salaries.

The 1.9-percent net income for laundry and drycleaning corporations in 1962–63 compares with average net income on business receipts of 1.7 percent for retail food stores and 1.8 percent for building materials dealers.

The data for 1961–62 shows that there is a correlation between the size of the corporation and net income. Laundry and drycleaning corporations with assets of less than $50,000 actually showed a loss of about 0.8 percent during July 1961–June 1962. The net income of those with assets of between $50,000 and $100,000 was 0.8 percent and for those with assets of between $100,000 and $500,000, 1.6 percent. For size groups of $500,000 to $1 million, the figure was 3 percent and for those over $1 million, 6 percent. The five corporations with assets of between $10 and $25 million reported a net income on business receipts in 1961–62 of 8.4 percent. The one corporation with assets in excess of $25 million showed a net income of 15 percent. Similar data for July 1962–June 1963 are not available.

11. HANDICAPPED WORKER CERTIFICATES FOR THE AGED

During calendar year 1964, a total of only 3,654 handicapped worker certificates were issued under section 14 of the Fair Labor Standards Act. Of these, 1,596 were issued because the workers were handicapped by age. During the first 3 months of 1965, 675 certificates were issued, of which 280 were based on age.

12. RETAIL WORKERS UNDER UNION CONTRACTS

It is estimated by the Bureau of Labor Statistics that 10 to 15 percent of the retail workers are under union contract. Most of the union workers are employed in large establishments which are now covered by the Fair Labor Standards Act.

The Retail Clerks International Association may be able to provide additional information on the extent of unionization of retail workers.

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR AND PUBLIC CONTRACTS DIVISION,
Washington, D.C.

Mr. JAY H. FOREMAN,
Counsel, General Subcommittee on Labor, Committee on Education and Labor, Washington, D.C.

DEAR MR. FOREMAN: This is further response to your letter concerning the inquiry which Congressman DENT made regarding the impact of a Federal minimum wage upon imports relative to certain industries.

Table 1 provides information on labor costs, average hourly earnings, increases in wage bills required to raise workers earning less than $1.50 an hour to $1.50 an hour, and on recent employment changes in the industries listed in your letter. It should be noted that data were not always available for the specific industry segments for which data were requested. Data for industry groups including these industry segments were substituted whenever possible.

As indicated in table 1, earnings in many of the industries listed are sufficiently high so that an increase in the minimum wage to $1.50 an hour, for example, would have little if any effect on wage structures. In 7 of the 10 industries shown, the increase in wage bills required to raise workers earning less than $1.50 an hour to $1.50 would be 1 percent or less.

Table 1 also shows that in 9 of the 10 industries employment increased or changed little between 1961 and 1964, the period during which the minimum wage went from $1 to $1.25 an hour.

Table 2 shows that exports as well as imports of commodities of these industries have increased markedly since 1963 when the $1.25 minimum wage became effective.

Two recent publications of the Department of Commerce which may be of interest to members of the committee concerned with the foreign trade aspects of minimum wage legislation are enclosed. These are: "Overseas Business Reports" (April 1965), "U.S. Industrial Outlook for 1965."

Sincerely yours,

CLARENCE T. LUNDQUIST,
Administrator.

TABLE 1.—*Employment, earnings, and labor costs in selected manufacturing industries*

Selected industry	Industry for which data are available	Gross average hourly earnings, March 1965	Percent increase in wage bill [1]	Employment change, 1961-64 (percent)	Labor costs [2]
Steel, specialty steel	Blast furnaces, steel and rolling mills	$3.45	(3)	7.3	41
Automotive	Motor vehicles and parts	3.37	(3)	23.8	31
Electronics, including radio and TV.	Radio and TV receiving sets	2.28	(3)	17.5	31
	Electronic components and accessories	2.19	(3)	9.5	34
Textiles	Textile mill products	1.84	3.7	−.3	45
Handmade glassware	Glassware, pressed or blown	2.57	.2	10.8	40
Flat glass	Flat glass	3.51	[4] 1.0	3.1	43
Fine china	Pottery and related products	2.34	[4] 1.0	−.6	49
Walnut veneer	Veneer and plywood plants	2.30	[4] 4.2	7.9	54
Farm products processing	Food and kindred products	2.45	2.2	−4.0	24

[1] Estimated increase in hourly wage bill required to raise workers earning less than $1.50 to $1.50 an hour, March 1964 survey of manufacturing industries.

[2] Production worker wages as a percent of value added by manufacture, 1962.

[3] Less than 1 percent.

[4] Wage bill increase relates to major industry group which includes selected industry.

TABLE 2.—*U.S. imports and exports of selected commodity groups, 1963 and 1964*

[Value in millions of dollars]

Commodity group	1963		1964		Percent change, 1963-64	
	Imports	Exports	Imports	Exports	Imports	Exports
Total (imports for consumption or domestic exports)	$17,004	$23,066	$18,600	$26,086	+9	+13
Food and live animals	3,399	3,569	3,489	3,983	+3	+12
Telecommunication apparatus	211	473	224	501	+6	+6
Automobiles and parts	566	1,482	687	1,664	+21	+12
Veneers, plywood, and other wood, worked	152	(1)	188	(1)	+24	(1)
Glass, glassware, and pottery	135	(1)	163	(1)	+21	(1)
Iron and steel mill products	601	513	714	650	+19	+27
Textiles, other than clothing	679	491	683	581	+1	+18

[1] Not available.

Source: U.S. Department of Commerce, "Overseas Business Reports," OBR 65-20, "United States Foreign trade, 1963 and 1964" (preliminary), April 1965.

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS,
Washington, D.C.

Hon. JAMES ROOSEVELT,
Chairman, General Subcommittee on Labor, Committee on Education and Labor, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN ROOSEVELT: This is in further response to your letter of June 9, 1965, concerning section 7(h) of the Fair Labor Standards Act. During the hearings on May 27, 1965, there was discussion of reporting procedures which must be followed by employers who use the section 7(h) exemption, and you asked whether it would be feasible to simplify the recordkeeping requirements. You also ask for my comments on a specific suggestion that commission salesmen who earn $6,000 or $8,000 annually be exempted from the overtime provisions of the act.

Section 7(h) provides an exemption from the overtime provisions for any employee of a retail or service establishment if: (1) the regular rate of pay of such employee is in excess of one and one-half times the applicable minimum hourly rate, and (2) more than half of his compensation for a representative period represents commissions on goods or services.

The records that employers are required to keep with respect to employees for whom the section 7(h) exemption is claimed are contained in 29 CFR 516.2 and 516.28 (copy enclosed). These recordkeeping requirements were developed after a formal hearing at which the views of both management and labor representatives were obtained. The regulations have been in effect since November 1963, have proved to be adequate to insure that the section 7(h) exemption is applied only to employment meeting all of the tests of the exemption, and are the minimum records required for this purpose. The records need not be kept in any particular form, and much of the information is maintained by employers in the normal conduct of the business or as may be required for insurance or tax purposes.

Commission salesmen engaged in retail selling who earn $6,000 to $8,000 annually would ordinarily qualify for exemption under section 7(h). Therefore, there would appear to be no need to add another exemption provision to the act in order to make its overtime provisions inapplicable to them.

Sincerely yours,

CLARENCE T. LUNDQUIST,
Administrator.

RECORDS REQUIRED—SECTION 7(h) OF FAIR LABOR STANDARDS ACT

SECTION 516.2

(a) Items required:

1. Name in full, and on the same record, the employee's identifying symbol or number if such is used in place of name on any time, work, or payroll records. This shall be the same name as that used for social security record purposes.

2. Home address.

3. Date of birth, if under nineteen.

4. Sex and occupation in which employed (sex may be indicated by use of the prefixes Mr., Mrs., or Miss).

5. Time of day and day of week on which the employee's workweek begins. If the employee is part of a work force or employed in or by an establishment all of whose workers have a workweek beginning at the same time on the same day, a single notation of the time of the day and beginning day of the workweek for the whole work force or establishment will suffice. If, however, any employee or group of employees has a workweek beginning and ending at a different time, a separate notation shall then be kept for that employee or group of employees.

SECTION 516.28.—EMPLOYEES OF A RETAIL OR SERVICE ESTABLISHMENT EXEMPT FROM OVERTIME PAY REQUIREMENTS PURSUANT TO SECTION 7(h) OF THE ACT

(a)(1) Identification of all employees paid pursuant to section 7(h), the work assignments and duties of each, together with notation of the time and nature of each change in such duties and assignments.

(2) A notation in the record showing the date when such employee has been notified that he is being paid pursuant to section 7(h) and of the identity of the representative period applicable to him.

(3) A designation of the period chosen as "representative" for each employee or group of employees similarly situated, or of a formula from which the period established for the particular workweek may be identified.

(4) Basis of compensation, such as salary plus commission, quota bonus, straight commission without advances, straight commission with advances, guarantees, or draws, and amount of compensation: For example, "$50 weekly salary plus PMs and 1-percent commission computed quarterly," "$60 weekly draw against 5-percent commission on all sales."

(b)(1) For each workweek:

(i) Total compensation paid to or on behalf of the employee for his employment.

(ii) The amount and nature of each payment which, pursuant to section 7(d) of the act, is excluded from the regular rate (these records may be in the form of vouchers or other payment data).

(iii) Hours worked each workday and total hours worked each workweek.

(iv) Regular rate of pay: (As a substitute for this rate, and provided the employer makes the necessary computations when requested to do so by a representative of the Division, an identifying mark may be used to indicate that the rate exceeds the minimum required to qualify for the section 7(h) exemption, part one).

(v) Total amounts paid as a salary, hourly rate, daily rate, etc., and date of payment.

(vi) Total amounts paid as a guarantee, advance, or draw against commissions, and date of payment.

(vii) Total amounts computed as commission or other incentive payments, and date of payment.

(2) For each pay period: Total additions to or deductions from wages. Every employer making additions or deductions from wages shall also maintain, in individual employee accounts, a record of the dates, amounts, and nature of the items which make up the total additions or deductions.

(3) For each representative period:

(i) Total compensation paid to or on behalf of the employee for his employment.

(ii) Total compensation paid which represents commissions on goods or services (excluding commissions computed for weeks in which compensation is not acually measured by commissions as set forth in section 779.419 of this chapter).

ARIZONA BUSINESS EDUCATION COMMITTEE DINNER PROGRAM

Mr. SENNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SENNER. Mr. Speaker, on the evening of June 26, 1965, I was accorded one of those great privileges that become part of the indelible memories we carry with us for the rest of our lives. A group of Arizonans representing business, agriculture, and labor held a testimonial dinner in my honor.

A capacity audience was on hand for the occasion. I am not deluded that the name of GEORGE F. SENNER, JR., was sufficient to fill the dining hall to overflowing. The real drawing card was the guest speaker, the distinguished Secretary of Agriculture, Orville Freeman.

Aside from his outstanding qualities as Secretary of Agriculture, Mr. Freeman is a magnetic and compelling orator. His speech that evening, dealing with Vietnam, was one of the finest I have heard and certainly warrants the careful consideration of my colleagues.

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN AT ARIZONA BUSINESS EDUCATION COMMITTEE DINNER PROGRAM HONORING CONGRESSMAN GEORGE F. SENNER, JR., SUNDOWNER MOTEL, GOODYEAR, ARIZ., SATURDAY, JUNE 26, 1965

Just a few hours ago I attended a luncheon program which marked the start of Tucson's municipal election campaign.

The event was sort of an anniversary for me. It was just 20 years ago that I became involved in administration of city government—as assistant to the mayor of Minneapolis. You know that former Minneapolis mayor—today he's called Vice President of the United States.

Regardless of which political party wins in the Tucson election, the officers selected will represent all the people of the city. And, because of victory in a free election, each of them will acquire greater community status along with opportunity to exercise abilities in policymaking, in public administration, in leadership.

All will move freely, speak freely, and know no fear in identification with government.

I couldn't help comparing the role of the community leader in this State—and all the other States of the Nation—with the situation a man or woman of similar dedication, purpose, and will to serve fellow citizens faces in a faraway but well-known Republic called South Vietnam.

There the official who assumes responsibility for the maintenance of law and order, who seeks to achieve a consensus on the utilization of common resources to create a better community life, immediately finds his life—and the lives of members of his family—in danger.

He becomes the prime target of Communist infiltrators who seek to replace law and order with anarchy, substitute chaos for progress, and—if it serves Communist ends best—he becomes the target for their bullets, knives, or both.

It is in South Vietnam that the newest phase of Communist aggression—infiltration, sneak assault, and the destruction of order in government by bringing fear and death into its operation at the community leadership level—is being demonstrated to the world.

It is in South Vietnam that this new Communist approach to world domination, under the Red label of "war of national liberation," is getting its trial run. And the success, or failure, of the trial will have a great effect on the kind of world in which you and I and our children and grandchildren will live all the days of our years, and their years.

We can have a future marked by strengthened peace, greater freedom, and greater opportunity for all men and women and children to live decently and in dignity—or we can know continuing war and destruction, hate and fear.

It is your Government and mine that has had thrust upon it leadership in the task of broadening peace and enriching freedom for all the world by stopping this new approach to Communist domination—just as it accepted leadership in stopping Communist assaults upon Berlin and South Korea, Turkey, and Greece.

The United States is not alone in this great effort. The winds which ripple flags in South Vietnam today find not only the banners of the Republic of South Vietnam and the United States of America, but the flags of 30 other nations giving open—and many of them growing—support to the cause of peace and freedom. And we have the spiritual, intellectual, and political support of nearly 40 additional nations.

The situation in South Vietnam, and our role in it, occupies the minds and hearts of most Americans these days. And because it is a focal point in national policy, we discuss it and debate it.

I have no more quarrel with public debate over foreign policy of our Nation than with debate over whether the cities of Tucson and Phoenix shall or shall not build new schools and hospitals or use a commissioner or council or city manager form of government, or a combination of them.

Our system of government functions that way. We reach decisions tnrough free and open discussion of the need for action, and the alternative approaches for response to the need.

However, as that debate swirls around us in teach-ins, in the views of editorial writers and columnists and discussions in the Halls of Congress and on radio and TV, the conscientious citizen seeking truth and understanding so he can contribute to constructive policy and action should ask himself certain questions:

1. Why is it that some of the most articulate critics of the present policy attack the careful, measured bombing of military targets designed to stop mass infiltration of men and weapons into South Vietnam in violation of the Geneva agreements, yet largely ignore the terror, brutality, and violence of the Vietcong invaders?

2. Why do these critics seem to shy from, or totally ignore, the efforts of our President to get Hanoi and Peiping and any other involved government to the peace table? And why do they appear to downgrade the efforts of responsible national leaders in the non-Communist world aimed at achieving meaningful negotiation leading to peace?

3. Why do they seem to prefer the extremes of withdrawal or all-out military measures to the positive approach of readiness for unconditional discussions, coupled with the determination to do what is necessary, no more and no less?

The most vivid, established facts in the debate—the anchor points in the sea of words and opinions—are these:

1. The United States has a realistic, time-tested policy for southeast Asia and South Vietnam; and,

2. We have, in concert with the freedom-loving peoples of that area and the rest of the world, a purpose in South Vietnam.

The policy is to stop Communist infiltration which has no aim other than conquest, and provides the peoples of the developing nations freedom and opportunity to chart their destinies for themselves in their own ways.

The purpose is to strengthen all the qualities that go into the creation and perpetuation of world peace.

Over the years since World War II we have made commitments to the nations of the world which share that policy, that purpose. These commitments were made in the same good faith they were accepted, and they are commitments this Nation can and will meet.

We are in South Vietnam not to win a war, but to win peace.

We are not there to conquer—we are there to help a freedom-loving people, at their request, create a situation in which freedom can be the foundation for their construction of a decent and dignified society.

We are there because if Communist infiltration is allowed to remove the heart and muscle from weak governments, the strong will be weakened in the same operation.

In South Vietnam we are acting as a responsible nation in response to pledge and to duty. There is nothing in such response that contributes to comfort and smugness. Opposed to war, wanting only that all people have opportunity to know the world of abundance, we would like to be done with the sad, unpleasant, distressing business of fighting. We know that in studied, careful approach to the task before us we are not utilizing our maximum physical strength. We wish South Vietnam itself might have more stable government.

We hope and pray, each hour of the day, that Hanoi and Peiping will show compassion for the people of both North and South Vietnam and respond to the many and repeated negotiation offers made in good faith by our President—respond to the opportunity for obtaining our help and the help of other nations in the meaningful development of southeast Asia so vividly projected by our President.

Yet they continue responding in negative hysteria, if at all.

Still, patience as well as power can be a factor in progress—and they can be operated in combination. Firmness can be demonstrated by stamina as well as by speed.

The achievement of peace through the use of power with patience and reason, through firmness based on stamina, can be more difficult than prosecuting total war—because creating an atmosphere of negotiation puts emphasis on exploration as well as explosion.

I have, in the past week, had the privilege of spending a more than normal amount of time with the President of the United States.

His vision of the Great Society does not stop at the continental limits of the United States. His dedication to peace has greater depth than the physical protection of this Nation. And the strength he finds to work through each day and many hours of the night is not in the great power and prestige of the Presidency, but in the confidence and support and prayers and responsible attitudes of Americans on every farm and in every community and city of this Nation.

If freedom is right, our President is right. If peace is right, our President is right. If helping every man and child in the world find the gate to opportunity for learning and for earning food and clothing and shelter is right, our President is right.

Only if we believe those principles and goals are wrong can we turn our backs on our policy, our purpose, our pledges, our potential in South Vietnam.

Let us not be faint of heart. Courage, wisdom, and determination must be ours if—once again—freedom and peace are to prevail and totalitarianism fail in its newest effort to dominate the world's peace.

INSURING ADEQUACY OF THE NATIONAL RAILROAD FREIGHT CAR SUPPLY

Mr. FOLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FOLEY. Mr. Speaker, I am introducing legislation today to amend section 1(14)(a) of the Insterstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes.

The Western States are facing the worst freight car shortage in two decades. This afternoon the other body passed corrective legislation under the principal sponsorship of the distinguished chairman of the Commerce Committee and senior Senator from Washington, Senator MAGNUSON.

The legislation which I have introduced follows similar lines. It would relieve the shortage that is felt critically by industry, by small business, by grain farmers and stockmen, and other agricultural and horticultural interests in the Western States. Mr. Speaker, unless the House acts soon, very serious economic losses will occur.

I sincerely hope that the distinguished Committee on Interstate and Foreign Commerce of the House will take notice of the important action of the other body and call public hearings so that this urgently needed legislation can be considered by the committee at an early date.

CAPTIVE NATIONS WEEK

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, July 18 to 24, 1965, has been designated by the Congress as Captive Nations Week.

During that week the distinguished gentleman from Pennsylvania [Mr. FLOOD] will lead the House in a discussion of this most vital subject.

In order to give the Members an opportunity to restudy the program of that week, I insert in the RECORD at this point a list of the captive nations:

THE CAPTIVE NATIONS

Following is the name of country and people and the year of Communist domination:

	Year
Armenia	1920
Azerbaijan	1920
Byelorussia	1920
Cossackia	1920
Georgia	1920
Idel-Ural	1920
North Caucasia	1920
Democratic Republic of Far East (Siberyaks)	1920
Ukraine	1920
Turkistan	1922
Estonia	1940
Latvia	1940
Lithuania	1940
Albania	1946
Bulgaria	1946
Outer Mongolia	1946
Serbia, Croatia, Slovenia, etc., in Yugoslavia	1946
Poland	1947
Rumania	1947
Czechoslovakia	1948
North Korea	1948
Hungary	1949
East Germany	1949
Mainland China	1949
Tibet	1951
North Vietnam	1954
Cuba	1960

Who is next?

South Vietnam, Algeria, Colombia, Congo, Laos, Tanzania, Bolivia, Thailand, the Dominican Republic?

Mr. Speaker, the leadership of the annual Captive Nations Week observance is under the general direction of the National Captive Nations Committee, located at 1028 Connecticut Avenue NW., Washington, D.C., and whose chairman is Dr. Lev E. Dobriansky, of Georgetown University.

Recently Dr. Dobriansky, writing in the Ukrainian Quarterly, discussed the myths surrounding the captive nations. I include his article as part of my remarks:

OUTSTANDING U.S. MYTHS ON THE CAPTIVE NATIONS

(By Lev. E. Dobriansky)

("This country must never recognize the situation behind the Iron Curtain as a permanent one, but must, by all peaceful means, keep alive the hopes of freedom for the peoples of the captive nations."—JOHN F. KENNEDY.)

In the spirit of these words uttered by our 35th President, the National Captive Nations Committee in Washington, D.C., has initiated and conducted activities that are designed to prevent any such disastrous recognition from ever coming to pass. It has guided what has come to be known as the broad captive nations movement. The movement has been in existence in this country since July 1959, when the U.S. Congress passed the Captive Nations Week resolution.

For 6 years now this resolution, in the form of Public Law 86–90, has been the basis of steadily expanding Captive Nations Week observances each year. It has also precipitated considerable discussion and increasing thought about all the captive nations in Europe, Asia, and Latin America. Written material on the subject is now quite voluminous. However, there still are numerous outstanding U.S. myths on the captive nations.

An analytic review of these outstanding myths can serve a most instructive and educational purpose. In many instances it shows how petrified and warped are the various preconceptions held by some of our opinion-makers. When these are viewed objectively and dispassionately, one cannot but wonder about the extent to which their readers and listeners are misled by their groundless and, in several cases, foolish observations. A periodic examination of this kind also demonstrates the blind indifference of many commentators to developments of the most basic significance. It appears for whatever reason that superficial and transient events are of greater moment to them than are evidences of penetrating import to the adversary. Doubtlessly, the latter demand a greater measure of expended intellectual energy, both for some necessary research and detailed analysis.

To appreciate the nature and scope of these myths on the captive nations, it is necessary to consider them against a short background of recent events surrounding the Captive Nations Week observances and of certain well-founded perspectives on the captive nations. Every year since the passage of the resolution notable events regarding the observances have been recorded and elaborated upon.[1] It is sufficient here to take a brief look at some of the highlights during the period of 1963–64. The solid growth of the movement has apparently disturbed a few observers whom we shall consider later. In addition, this concise background will afford many points of contrast and comparison to the mythical notions entertained by these observers.

CAPTIVE NATIONS IN THE RECENT PAST

Months before the 1963 Captive Nations Week was proclaimed, Moscow continued to display its displeasure over the observance of the preceding year. At the very beginning of the year a Soviet Russian weekly raised the question, "Is it not high time to discontinue the 'Captive Nations Week' in the United States?" Its ostensible reason was "That is just as much a dead horse as the 'Hungarian question.'"[2] It is unnecessary to argue the merits of this position for there are none. The suggestion was part of an uninterrupted campaign to bring about a cessation of Captive Nations Week in this country. The Soviet Russian totalitarians thought they would be able to persuade President Kennedy to do this, but they hardly made a dent. The 1963 observance surpassed all preceding years.

Up to that year, for the first time the President issued his proclamation—the fifth since 1959—before the very eve of the week. Quite appropriately, the week was proclaimed immediately after our own Independence Day. Moscow reacted swiftly and sharply. Its Communist Party organ claimed that "the President of the United States, losing his sense of reality, has declared a 'week of the captive nations' and is trying to turn attention away from the struggle of the Negroes for their liberation."[3] In this particular year Moscow's propagandists attempted to confuse the captive nations issue with that of civil rights, which is like mixing ice cream with sauerkraut. A Negro Radio Moscow was even set up for the purpose.

The so-called government newspaper in this imperiocolonialist capital also gave vent to the Kremlin's feelings about the observance. The week, it complained, "is a propagandistic trick of the American enemies of the freedom and independence of nations."[4]

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[1] E.g., see Dobriansky, Lev E. "Soviet Russian Imperio-Colonialism and the Free World," NATO's Fifteen Nations, Amsterdam, the Netherlands, August–September 1963, pp. 92–97; also "Captive Nations Week 1964," Washington Report, American Security Council, Chicago, Ill., July 13, 1964.

[2] The New Times, Moscow, Jan. 23, 1963.

[3] Pravda, Moscow, July 8, 1963.

A Russian tyrant is a lover of peace, and an American patriot is an imperialist in this topsy-turvy semantics. Among the underlings in the Red empire, North Korea was about the most vicious that year, smearing the President as a "third class clown" for proclaiming the week and over the same Pyongyang radio calling Captive Nations Week "a despicable animal campaign of the U.S. ruling circles." One of the comical aspects after all this and more was the release on July 15 of a letter by Andrei A. Gromyko to the United Nations Secretary General U Thant concerning the 1965 International Cooperation Year, which had been voted upon by the 1962 U.N. General Assembly. According to the Foreign Minister of the world's worst imperiocolonialist system, 1965 should become the year of "the complete and final liquidation of the disgraceful system of colonialism." Captive Nations Week, with its emphasis on the Soviet Russian imperiocolonialist system, was already underway then.

What was the week like in 1963? Briefly, following the President, over one-half of our State Governors and four dozen mayors proclaimed it. Congressional interest in the movement was the most enthusiastic ever, with over one-third of the House and close to a third in the Senate becoming active members of the advisory section in the National Captive Nations Committee. As in previous years, press coverage was nationwide. The New York Times, the Atlanta Journal and Constitution, Chicago Sun-Times, Dallas Times Herald, the Pittsburgh Press, and numerous others carried the activities of the week. Observances were held across the country, from Boston to Los Angeles, Washington, D.C., to Seattle. Programs in all the major cities were covered by radio and TV. Even internationally, the entire Republic of China observed the week, and Senator Dr. Fetki Tevetoglu submitted the resolution in the Senate of Turkey.

Outstanding examples of the week's activities were recorded in successive issues of the Congressional Record.[5]

The 1964 Captive Nations Week was even more impressive. First, let us note some representative comments from the totalitarian Red empire, particularly their chosen propaganda twist for the year. Moscow radio blurted comments about a "passive" observance in the United States, and Izvestia had this to say: "With every passing year 'Captive Nations Week' becomes a nuisance."[6] A constant reminder of the existence of the captive nations and the hypocrisy of Russian "peaceful coexistence" is, of course, "a nuisance" from Moscow's viewpoint. The commentary even went on to say that "the reactionary American press does not make any mention of it." It also pointed out that "The stupid situation in which the Washington legislators and rulers found themselves is becoming evident even for those who earnestly propagate the imperialistic policy of the United States of America." Making good propaganda use of an immature editorial that appeared in the Washington Post, which apparently in Moscow's eyes is not a part of "the reactionary American press," Moscow compliments the paper for its "realistic understanding of the matter" and for realizing that "in a situation where the relation of power has shifted to the side of socialism, the United States cannot force the peoples of the Socialist countries to adopt its standards without risking the holocaust of a world war."

We'll observe the character of the Post editorial later. It is a prime example of myth making and plain ignorance. Curiously, after all this, Izvestia ends with a longing question, "How long do the Capitol and the White House intend to amuse the world with their absurd plans?" Indeed, how they would like to get rid of the week. Even several weeks after the observance, Khrushchev couldn't restrain himself when, in a speech in Czechoslovakia, he shouted, "In the United States a farce entitled 'Captive Nations Week' is held every year. The people's democratic system has been in existence for 20 years, but the imperialists still ramble on with nonsensical ideas of 'liberating' the nations of Eastern Europe."[7]

As indicated, the 1964 week surpassed all others. President Johnson set a new record by issuing his proclamation on June 20. The proclamation read as follows:

"THE WHITE HOUSE.

"CAPTIVE NATIONS WEEK, 1964

"(A proclamation by the President of the United States of America)

"Whereas the joint resolution approved July 17, 1959 (73 Stat. 212), authorizes and requests the President of the United States of America to issue a proclamation each year designating the third week in July as 'Captive Nations Week' until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

"Whereas the cause of human rights and personal dignity remains a universal aspiration; and

"Whereas this Nation is firmly committed to the cause of freedom and justice everywhere; and

"Whereas it is appropriate and proper to manifest to the people of the captive nations the support of the Government and the people of the United States of America for their just aspirations:

"Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby designate the week beginning July 12, 1964, as 'Captive Nations Week.'

"I invite the people of the United States of America to observe this week with appropriate ceremonies and activities, and I urge them to give renewed devotion to the just aspirations of all people for national independence and human liberty.

"In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

"Done at the city of Washington this 18th day of June in the year of our Lord 1964, and of the independence of the United States of America the 188th.

"[SEAL] LYNDON B. JOHNSON.

"By the President:

"DEAN RUSK,
"Secretary of State."

In addition, for the first time the Republican National Convention held a unique and highly successful observance of the week in San Francisco. The time of the convention was coincident with the week. Had the Democratic Convention been held then, doubtlessly it too would have staged a fitting observance. Again, as shown by various examples in the Congressional Record, most of the State Governors and dozens of mayors proclaimed the week.[8] The press across the Nation publicized the event, e.g., the Los Angeles Herald Examiner, the Miami Herald, the Chicago Tribune, the Philadelphia Inquirer, the Boston Globe, the San Francisco Chronicle, the Buffalo Courier-Express, and so forth.

Radio and TV also covered it as, for example, the Georgetown University forum, NBC, the Daily News station in New York, and numerous others. And internationally, the Republic of China witnessed the largest observance ever, and later at the 10th Conference of the Asian Peoples' Anti-Communist League in Taipei, delegates and observers from over 40 nations unanimously passed a captive nations resolution, calling for a World Congress of Captive Nations.[9] In short, the observance was so passive that some 6 weeks after the observance even Khrushchev kept lambasting the event.

SOME GUIDELINES ON THE CAPTIVE NATIONS

There are many principles and operational guidelines pertaining to the captive nations. Before examining the outstanding U.S. myths on the captive nations, let us consider a few of these here. First, the captive nations in the Red empire stand as our natural allies behind the enemy's lines. Viewed as a whole, they constitute one of the most formidable weapons available to the United States and the free world for the realization of victory in the cold war. Properly supported, they are also a fundamental deterrent against the outbreak of a hot global conflict. In terms of nurtured aspirations for freedom and national independence their existence spells deep-rooted insecurity and uncertainty for the Sino-Soviet Russian empires; their existence as mere conquered nations would serve, with minimum of friction and disturbance, the internal consolidation and further external expansion of these two components of the Red empire.

A prime objective of Soviet Russian diplomacy and propaganda is the systematic deprivation of this powerful weapon to our use and development in the cold war. As the ultimate and decisive power center of so-called world communism, Moscow has for years persistently sought the complete acquiescence of free world interests to the permanent captivity of nations and peoples brought under its imperial yoke and influence since the early twenties. Nonaggression treaties, the abuse of noninterference in "internal affairs" principle, and sheer ignorance on the part of foreign statesmen have been some of the avenues in Moscow's operational approach to this objective. All three, coupled with the exaggerated threat of thermonuclear war, are methodically employed today. So is Moscow's deceptive strategy of "peaceful coexistence," to which Rudyard Kipling gave the answer many decades ago:

"When he stands up as if pleading, in wavering, manbrute guise;
When he veils the hate and cunning in his little swinish eyes;
When he shows as seeking quarter, with paws like hands in prayer;
That is the time of peril—the time of the Truce of the Bear."

Essentially, the tremendous strategic importance of the captive nations to U.S. and free world interests rests on three requisite considerations: (1) a vivid understanding of the total captive nations concept; (2) a consequent appreciation of the most basic source of weakness and vulnerability in Peiping's and Moscow's totalitarian imperial; and (3) a developed recognition of the opportunities provided by the captive nations for paramilitary, cold-war operations beyond the patched-up wall of containment. These three considerations are organically related in the given logical sequence, the full efficacy of one being dependent on its precedent. They make up a structure of thought predicated on the genetic development of Soviet Russian imperiocolonialism and lendable to a ready absorption of new evidential data, including the current Sino-Soviet rift.

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[4] Izvestia, Moscow, July 14, 1963.

[5] See e.g., "Captive Nations Week," Congressional Record, vol. 109, pt. 9, pp. 12497–12516.

[6] Izvestia, Moscow, July 15, 1964.

[7] Reuters, Banska Bystrica, Czechoslovakia, Aug. 29, 1964.

[8] See the 1964 "Captive Nations Week" and House Resolution 14, Congressional Record, vol. 110, pt. 16, pp. 20683–20696; also "U.S. Observance of Captive Nations Week"; Aug. 21, 1964, pp. 20156–20164.

[9] "Resolutions of the 10th Asian Peoples' Anti-Communist League Conference," Free China & Asia, Republic of China, December 1964, pp. 32–43.

Considering the first requisite, the captive nations concept encompasses all the nations that directly or indirectly owe their present state of captivity to Soviet Russian imperialist influence. These include the so-called satellites in central Europe, the numerous non-Russian nations in the Soviet Union, those under Red totalitarian control in Asia, and now Cuba. The concept may seem to be blurred by certain phenomena of state classification, independent action, or geographical distance, but both historically and logically it easily accommodates these apparent qualifications. It also helps to point out critically certain errors of thought made by our officials. For example, in an excellent address delivered by the President the mischaracterization of North Vietnam as a country and the omission of the North Vietnamese desiring the genuine unified independence of the Vietnamese nation, one free of the Red empire, are cases in point.[10]

On the matter of political classification, Czechoslovakia and Yugoslavia are not nations but rather, like the Soviet Union, states composed of distinct national entities. The nations within are captive to a totalitarian apparatus imposed originally by Soviet Russian sources. As to independent action, the cases of Yugoslavia and mainland China are often brought forward, although interparty struggles have characterized Poland, Albania, Rumania, Ukraine, Georgia, and others in the past. Regardless of the degree of independence shown, none of these totalitarian apparatuses could endure for long without the ultimate power maintained by the Soviet Union and its Soviet Russian base. Finally, distance may separate Cuba from the captive nations of Eurasia, but the Castro apparatus is increasingly dependent for its survival on Eurasian totalitarian resources. As Castro's sister has pointed out, "We could see as the days passed how the country was being delivered to Russian imperialism." [11]

An outstanding American misconception is that the only captive nations are those in central Europe. In fact, they constitute less than a third in the growing family of captive nations. This grave misconception is being steadily corrected by the observance of Public Law 86–90 (the Captive Nations Week resolution) which advances the above concept. There is an increasing awareness, too, of the reasons behind Khrushchev's unprecedented explosion in July 1959 over the passage of this resolution in the U.S. Congress. For the first time we officially recognized the complete family of the captive nations and also placed emphasis on those in the Soviet Union, which alters radically the picture most Americans have of this power complex.

The development of the conceptual requisite inevitably leads to a cultivated appreciation of the most fundamental weakness and vulnerability in Moscow's totalitarian imperium. This is the invincible force of patriotic nationalism rampant throughout the entire empire and firmly rooted in the hearts and minds of the captive peoples. When the chairman of the Senate Foreign Relations Committee speaks of "Communist countries * * * beginning to free themselves from the blinders of Marxist-Leninist ideology and to look at the world and at their own societies in somewhat more realistic terms," his thinking is 40 years late and, at that, on a beam of misinterpretation.[12] Since the inception of Soviet Russian imperiocolonialism there has never been in reality a monolith of Soviet Russian dominion, whether in the Soviet Union, central Europe, or Asia. The supposed fragmentation of the empire today is just another phase in the continuum of nationalist expression and determination that are even strongly reflected in the various totalitarian apparatuses.

Moscow's foremost problems today are the manifest result of a whole decade of captive nations' opposition and resistance to Soviet Russian imperiocolonialism and the respective totalitarian regimes. Whether in East Germany in 1953 or Ukraine 1950–51, Hungary 1956, or Turkestan 1954, Poland and Georgia 1956 or mainland China 1957, the story written by the people is the same. The cold war has more than one dimension; and the captive nations versus the totalitarian apparatus, ultimately supported by the power of Soviet Russian leadership, is a vital one in the total cold war picture. To the degree we thoroughly explore this dimension, to that extent we shall discern the many opportunities open to us for success in the dimension of our struggle with the combined totalitarian adversary. Involved also in this, as the Holy Father sagely has pointed out, is the condemnation of systems "which deny God and oppress the church, systems which are often identified with economic, social, and political regimes, amongst which atheistic communism is the chief.[13]

Such exploration and detailed study cannot but prepare us for prudent cold-war operations beyond the patched-up wall of containment. It is no wonder that every year Moscow and its totalitarian allies condemn the Captive Nations Week observance. For during this time popular attention is focused on this need, on the ultimate power of Soviet Russian imperiocolonialism, and on the necessity of exposing this power, particularly in the Soviet Union itself. With a fixed orientation toward all the captive nations, we can develop and use economic, diplomatic, cultural, and other instruments, designed to increase the political leverage of individual national assertiveness among these nations and thus intensify the centrifugal forces of nationalism within the empire. In this, the prime target would be the U.S.S.R. itself.

Thus, why Captive Nations Week? It is legally provided for in Public Law 86–90; as President Kennedy stressed, it is a tremendous moral symbol signifying that we Americans will never forget or acquiesce; it concentrates on our nuclear spiritual weapons; it is an effective educational medium about all the captive nations, Sino-Russian imperiocolonialism, and the cold war; it affords a wholesome national forum for the discussion of most pressing security issues; and it consistently leads to the crystallization of concrete measures of action. Need one wonder why Moscow and its coterie seek the elimination of the week?

THE OUTSTANDING MYTHS

Over the years there have been some rather strange and fanciful notions expressed with regard both to the resolution and the captive nations. For example, we'll never forget the grandiose interpretation given by one columnist: "When I was in Moscow during the October Party Congress, Khrushchev once again vehemently denounced the innocuous Captive Nations Week resolution which Congress passes every year to attract minority votes." [14] In one sentence the ingredients of truth, illogic, and fiction are intermixed. True, the past Russian dictator did vehemently denounce it again; illogical, to have earned such repeated denunciations the resolution could scarcely be innocuous; fictional, the self-renewing resolution doesn't have to be passed each year, and it never had anything to do with minority votes.

Do you think this is bad? Just consider the new crop of myths that has recently sprung up—this by writers who are supposed to enlighten the American public.

In a critical article on the views of the Republican presidential nominee in 1964, a well-known columnist wrote: "The Senator is historically wrong to imply (April 25, 1963) that Soviet arms seized Azerbaijan, Byelorussia, Turkestan, Georgia, the Ukraine, and North Caucasus." [15] For the purpose of disinforming the American public, Soviet Russian propagandists couldn't have done better. There is no intelligent controversy about the Soviet Russian conquest of these countries. The historical record is clear and substantial. Aside from a vast bibliography of scholarly works on the subject, if the columnist had even bothered to scan the official reports of Congress Select Committee To Investigate Communist Aggression, he would realize that his statement makes as much sense as saying Nazi arms did not seize Austria, Czechoslovakia and so on. One's patent ignorance is no test of historical validity.

Another choice example of mythmaking is furnished by two editorials of a Washington newspaper, written probably by a person who until 1963 never knew a Taras Shevchenko, the Ukrainian national hero, ever existed. In an intellectually irresponsible attack against the resolution, the first editorial stated, "it also includes 'Cossackia' and 'Idel-Ural' which never have existed as nations except for intervals of German invasion. They are about as much 'captives' of the Soviet Union as Anacostia and Cleveland Park are 'captives' of the District of Columbia. As far as that goes, 'White Ruthenia' and 'Ukraine' are political concoctions that describe aspirations more than a national entity." [16] How erratic and even immature some writers can be is easily gaged by reading, for example, this paper's editorial on Shevchenko on September 23, 1963. It speaks of "Ukraine's national poet" and states, "We yield to no one in our esteem for the Ukraine and that country's poet and hero." [17]

Here, too, a knowledge gap prevails. Cossackia and Idel-Ural have traditions in name and reality long preceding any German invasion, and this history of White Ruthenia or Byelorussia is known by many a college undergraduate today.

The paper's subsequent editorial commenting sarcastically on these three countries in the U.S.S.R. is evidence enough of the emotional instability of the writer.[18] The positive aspect of all this is the solid evidence we now have justifying the urgent, educational need for a Special Committee on the Captive Nations in the U.S. Congress.

For a salmagundi of confused thoughts the next example is exemplary. The article states the following: "A nation needs an ideology—a common enthusiasm that gives it cohesiveness and unity of purpose. Strangely enough, the ideology that holds the Soviet Union together is not communism, but the 'Mother Russia' concept. For 'Mother Russia' is the common pride of White Russians, Ukrainians, and Georgians, all of whom have ample historical reason for mutual hate. The Soviet leaders have been tireless in identifying communism as the agency which has glorified Russia."[19] Whether this was written in a state of inebriation or not, it demonstrates a typical looseness of thought regarding the Soviet Union. Suffice it to say that the Soviet Union is not Russia or a nation, nor have the White Ruthenians, Ukrainians, and Georgians any "historical reason for mutual hate," and that the empire significance of the "Mother Russia" concept is anathema to them. The only force that holds the Soviet Union together is the military occupation of these non-Russian nations by the expediently mixed U.S.S.R. armed forces and the KGB.

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[10] Address on Vietnam, Johns Hopkins University, the Evening Star, Washington, D.C., Apr. 8, 1965.

[11] Castro Ruz, Juana: "I Accuse My Brother Fidel," Free Front, Manila Philippines, October–November 1964, p. 17.

[12] FULBRIGHT, J. W.: "The Basic Issue in Foreign Affairs," CONGRESSIONAL RECORD, vol. 110, pt. 16, p. 21675.

[13] Pope Paul VI: "Ecclesiam Suam," First Encyclical Letter, the New York Times, Aug. 11, 1964.

[14] Alsop, Stewart: "The Berlin Crisis: Khrushchev's Weakness," Saturday Evening Post, Dec. 16, 1961.

[15] Sulzberger, C. L.: "Barry's Brinkmanship," San Francisco Sunday Chronicle, July 19, 1964.

[16] Captive Nations," the Washington Post, July 11, 1964.

[17] "Shevchenko: A Monument to the Liberation, Freedom, and Independence of All Captive Nations," U.S. Government Printing Office, 1964, p. 11.

[18] "Betrayal," the Washington Post, Aug. 17, 1964.

These few examples are sufficient to indicate the necessity for observing Captive Nations Week. What within a short time books cannot accomplish, popular observance and discussion can. Actually, we don't have much time. The myths conveyed by these examples will rapidly disappear. So will those in these further examples of our cultural lag.

One writer, whose position changes in cycles and whose record is a succession of errors in judgment and prediction as, for instance, close Soviet-American friendship in the postwar era and the permanent captivity of the enslaved nations expressed on the very eve of the 1956 Hungarian revolution, provides us with additional fables on the captive nations. A recent work shows him to be as irritated by the resolution as Moscow has been. "Certain of the national groups," he writes, "whose names appear in the captive nations resolution as those nations thirsting for a lost independence never existed at all in this quality. * * * The Ukraine never was really independent."[20] According to this fable, the Russian Empire has been eternally in existence and the periods of Ukrainian independence in the form of Kievan Rus, the Kozak Republic, and the National Republic never existed. Under pressure from within the U.S.S.R., even Moscow continually refers to "independent" Ukraine today. This kind of blind thinking would have precluded even the new independence of any Afro-Asian people.

Here are more fables made to order for Soviet Russian propagandists: "I can think of nothing more catastrophic than that the policy of our Government should be committed to the breakup of the traditional Russian state. Remember that nothing of this sort could be carried forward except at the cost of the violent and total estrangement of the Russian people."[21] He goes on to say that this would mean the "dismemberment of Russia."[22] This fable ignores the fact that Russia is only one part of the U.S.S.R., which no one seeks to dismember. To identify Russia with the U.S.S.R. is patent nonsense; to invoke the Russian people, most of whom have no vested interest in the Soviet Russian Empire, borders on the ridiculous. It is like saying that we should never have helped the different peoples of the Austro-Hungarian or the Ottoman Empires, "traditional states" as they were, because the Austrians or Turks would not like it. The muddy character of the writer's concepts and thoughts is further illustrated by his conception of Yugoslavia as a "nation," with a "desire for national independence."[23] Apparently his stay in Belgrade profited him little.

Before leaving this case for the remaining examples of U.S. myths on the captive nations, we might take note of the shallowness of thought exhibited by this Russian expert. He asserts, "The captive nations resolution has freed no captive nations, nor is it likely to do so. * * * My charge is that, uncorrected, unchallenged, and permitted to have the currency it has in this country today, it cripples the hopefulness of any other approach."[24] Now, just a modicum of commonsense is needed to perceive the fact that, like proclamations, no resolution will free anyone anywhere.

As I've pointed out often, by its very nature a resolution is an "ideational" commitment that necessitates action and implementation; and things of this kind—"Needless irritations, such as the captive nations resolution and various antiquated trade restrictions, are still permitted to impede the development of Soviet-American relations"—the faculty of commonsense demands priority.[25]

Examples of this type, short in knowledge and lacking in commonsense, can be multiplied. In a recent work on "Propaganda," Arthur Larson, a former Eisenhower official, views the resolution as "bad" subvervise propaganda, inciting the peoples of Eastern Europe to overthrow their present governments. A columnist, who uncritically inserted into his article a fantasy that was fed him, sees Ukraine as having "been a part of Russia longer than Arizona has been in the Union."[26] An expensive study prepared for the U.S. Arms Control and Disarmament Agency makes this profound observation: "Whether we admit it to ourselves or not, we benefit enormously from the capability of the Soviet police system to keep law and order over 200 million-odd Russians and many additional millions in the satellite states. The breakup of the Russian Communist empire today would doubtless be conducive to freedom, but would be a good deal more catastrophic for the world order than was the breakup of the Austro-Hungarian Empire in 1918."[27] Observing all this, one wonders if these writers and many like them have ever bothered to scan the resolution, which reads as follows:

"[Public Law 86–90, 86th Cong.]

"S.J. RES. 111

"Joint resolution on Captive Nations Week

"Whereas the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

"Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

"Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

"Whereas since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

"Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

"Whereas these submerged nations look to the United States, as the citadel of human freedom, for leadership in bring about their liberation and independence and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties; and

"Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

"Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

"Whereas it is fitting that we clearly manifest to such peoples through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence: Now, therefore, be it

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating the third week in July 1959 as 'Captive Nations Week' and inviting the people of the United States to observe such week with appropriate ceremonies and activities. The President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world."

THE 1965 CAPTIVE NATIONS WEEK

In the period of July 18–24, the seventh Captive Nations Week observance will be conducted throughout the Nation. Its major themes will be (1) full support for the President's action in Vietnam; (2) a "pol-trade" policy, no slipshop trade liberalization, toward the Red empire; (3) the complete exposure of Sino-Russian imperiocolonialism in the United Nations and throughout the free world; (4) the creation of a Special Committee on the Captive Nations in the U.S. House of Representatives; (5) the establishment of a Freedom Commission and Academy; and (6) the issuance of a captive nations freedom stamp series.

Captive Nations Week is the citizen's way of letting the captive nations—the peoples themselves as against their oppressive totalitarian states and governments—know that we will "never recognize the situation behind the Iron Curtain (and the Bamboo and Sugar Curtains) as a permanent one." The realization of the above themes would give further concrete expression to this.

Mr. Speaker, I urge the Members to ponder the forthright, scholarly, timely analysis by the national chairman of the Captive Nations Committee, Dr. Lev E. Dobriansky, and I hope an overwhelming number of the Members will join the gentleman from Pennsylvania [Mr. FLOOD], in implementing House creation of a Special House Committee on Captive Nations.

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[19] Jones, Jenkin Lloyd, the Evening Star, July 23, 1964.

[20] Kennan, George F. "On Dealing With the Communist World," New York, 1964, p. 13.

[21] Ibid. p. 13.

[22] Ibid. p. 14.

[23] Ibid. p. 50.

[24] Ibid. p. 19.

[25] Kennan, George F.: "A Case for Sparing the Spurs," the Washington Post, Mar. 7, 1965.

[26] Drummond, Roscoe: "Captive Nations Cause," New York Herald Tribune, Aug. 19, 1964.

[27] "Special Committee on the Captive Nations," CONGRESSIONAL RECORD, vol. 110, pt. 17, p. 22666.

COAST GUARD RESERVE

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CHAMBERLAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. I there objection to the request of the gentleman from California?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, included in the current issue of the U.S. Coast Guard Academy Alumni Association Bulletin, June 1965, is an article written by Rear Adm. Louis M. Thayer, who served as Chief, Office of Coast Guard Reserve, until his reassignment last January. Because of the important contribution of the Coast Guard Reserve to our national security, I wish to insert this current report on the status of the Coast Guard Reserve in the RECORD and commend its reading to my colleagues in the Congress:

OUR COAST GUARD RESERVE

(By Rear Adm. Louis M. Thayer)

I have just completed 21 months in Coast Guard Headquarters as Chief, Office of Reserve, and I want to tell my fellow members of the Coast Guard Alumni Association about our Reserve.

This organization is the youngest of the military reserves, now in its 24th year of existence. By an act of Congress in January 1915, the Coast Guard was established as a military service and a branch of the Armed Forces of the United States. In July 1941, the Congress declared the Coast Guard a constituted branch of the land and naval forces of the United States at all times. The Coast Guard is designated a service in the Treasury Department, except when operating as a service in the Navy. The President is authorized to place the Coast Guard under the Navy in time of emergency, which could be in time of peace.

The mission in the Coast Guard Reserve is exactly the same as that of the Reserves of the other armed services, "to provide trained units and qualified persons available for active duty in the Armed Forces in time of war or national emergency and at such other times as the national security requires" (10 U.S.C. 262). We treat this as our mandate for performance. How well we can achieve this objective is the essence of my article.

Our mission requires mobilization support of the Regular Coast Guard, in its nine basic peacetime missions—not the least of which, as you know, is the maintenance of a high state of military readiness for support of the Navy in a national emergency. The support of peacetime missions was perhaps the most valid reason for the establishment of a distinctive Coast Guard Reserve just prior to World War II. Because of major technological advances, what was true then, is even more true today.

In addition to search and rescue, aids to navigation, merchant marine safety, law enforcement, ice breaking, oceanography, ocean station vessels, port security, there is the separate Reserve training mission. This, of course, overlaps all of the others; but, in so doing, the Reserve must accept near total manning and training responsibility for our major wartime tasks.

The Coast Guard has had two distinct Reserves in its recent history.

The first of these was established in 1939, during the buildup period just prior to World War II, as a nonmilitary organization of boatmen. By 1941, this activity was determined to be inadequate for the wartime job ahead, and a Military Reserve established in the image of the Naval Reserve was formed. The original Reserve organization was renamed the Coast Guard Auxiliary, which then continued to serve throughout World War II, and up to the present, performing essential nonmilitary tasks in the boating field.

During World War II, the new Coast Guard Reserve built up to a peak membership of 150,000 men and women, who were 6 out of every 7 active duty Coast Guardsmen at the time. They served within the overall Navy organization, either intermingled as individuals or as complete crews under Coast Guard commands, wherever the Navy went. After the war, however, all reservists were released; so that by 1949, with no permanent Inactive Reserve organization in being, their listed numbers fell off to 5,000 personnel, mostly officers. No training was being accomplished, except by a few "Gung-Ho" Reserve officers who were voluntarily associating with Navy units in a nonpay status. No funding was available to keep current the administration of records. When a promotion board was assembled 5 years after World War II, belated promotions were tendered, but two could not accept because they were dead. I cite this only to show the nearly complete deterioration of the Reserve Corps by that time.

Korea proved the fallacy of our post World War II action, and an Active Reserve Force was again authorized and rebuilt. In accordance with Navy requirements, a military readiness program was carried out, under which the Coast Guard expanded its land, sea, and air arms throughout the Pacific once more. The rebuilding was painful and expensive, and above all, time consuming. A total of about 16,000 reservists was enlisted under the Armed Forces Reserve Act of 1952 as a result of the police action buildup through 1955.

When the Reserve Forces Act of 1955 came into being, it assured the permanence of a peacetime Coast Guard Reserve Force, and it seemed that the Coast Guard Reserve could move ahead without further problems to achieve the then authorized goal of 39,600 ready reservists, and by 1959 this was nearly so. We had peaked out at more than 36,000 officers and men in March of that year, but there were problems: first the 2-year enlistment program, as constituted at that time, was making a shambles of the morale of the Regular service shipboard enlisted personnel and was, therefore, discontinued. Simultaneously, the input level of the Reserve 6-month program was reduced from 4,000 per year to 2,000.

These actions combined to reduce our total Ready Reserve strength by the end of fiscal year 1963 to 27,200, a loss of 25 percent. Because of a slight increase in input and the rise in retention rate in the Ready Reserve, a corresponding increase was made last year, and we ended up with about 28,000. This year, we will have another small increase because of the release of first enlistment Regulars from a high input year in 1961, but this will be offset next year by the lean Regular input of 1962. (Regulars who serve only 4 years on active duty are then required to transfer to the Reserve to complete their military obligations.) In essence, we have leveled at about 57 percent of our early response requirements and 62 percent of our total Ready Reserve requirements. I will come back to this subject again, as it is considered the major deficiency in our program, now.

From 1951 to 1955, Reserve requirements were met after the manning requirement was in hand. When someone was needed, we just took the time to recruit and train him. By contrast, since 1955, we have been operating under very precise requirements for mobilization, with manning levels predetermined within any given time frame.

Periodic reviews of the Reserve Forces Act of 1955 were required by the Senate Armed Services Committee. At the first review hearing, it was determined from facts presented, that a 39,600 apportionment of the national reserve manpower pool would be made to the Coast Guard Reserve. This was based on mission requirements of that time, and thereafter became subject to any necessary revision by the Secretary of Defense from within the 400,000 unallocated portion of the 2.9 million total reserve pool.

Within this 39,600 Coast Guard Reserve allocation, the immediate manning requirement for personnel undergoing training was stated during the 1955 and 1956 congressional hearings, as "about 25,000 men." The Coast Guard reached about 10,000 men in drill pay status by 1958. A Department of Defense review, about that time, shortened overall Reserve reaction time in view of an escalating response requirement, and stipulated unit-type reaction as a major Reserve training objective. This actually served to raise our total immediate response requirements; but, in view of the wholly inadequate drilling numbers at the time, this point was considered moot, and all efforts were concentrated on achieving the then authorized drill pay level of 15,000 men, together with the required training equipment and facilities. Both of these objectives were finally realized by 1962, and efforts were then renewed to reach the original 1955 training objective, which by then was further defined to be 3,000 officers and 23,000 enlisted men, or a total of 26,000 reservists in a drilling status. A qualified approval of the overall requirement, with funding for nearly 17,000 drilling personnel, was the outcome. Our drilling strength authorization remains the same today. (The authorized strength is that which can be maintained within the funds appropriated by Congress.)

The next major occurrence was congressional action to reduce the Reserve obligation of all military trainees from 8 to 6 years. Because the Coast Guard Reserve was built on the old 8-year obligation program, this was the straw that broke the back of the 1955 Coast Guard criteria and resulted in a full-scale, detailed study of how to meet our Reserve manpower requirements.

Several recent separate actions also became involved, some only coincidental to the Reserve problem, but all tending to clarify the matter. These were:

1. A comprehensive study of all Coast Guard roles and missions by a joint Treasury, Department of Defense, Navy, Coast Guard Board;
2. A series of mobilization planning reviews within the Coast Guard in each and every district office;
3. A statistical study of Reserve long-range strength requirements, necessary to meet all objectives;
4. Development of an annual computerized billet runoff, for detailed program analysis and adjustment to maximize our training capability;
5. Development of a 5-year midrange planning document to achieve a capability to fully meet our assigned tasks within the specified time limits, and
6. A very recently approved Navy-Coast Guard ad hoc board finding as to the up-to-the-minute validity of overall Navy tasks assigned to the Coast Guard for accomplishment during mobilization.

In the early phases of these recent actions, particularly after completion of items 1, 2, and 3 above, which called for a detailed local review of the manpower required to do our assigned tasks, it was determined that the specific drilling strength essential to meet early mobilization commitments required a further increase from 26,000 to 29,500 reservists. Also, by that time, it became obvious that the overall Coast Guard Ready Reserve ceiling of 39,600 officers and men was inadequate for long-term task performance.

The Coast Guard proposed and the Treasury Department accepted the new 29,500-man drilling figure as an objective. The Secretary of Treasury and Secretary of Defense further agreed to raise the Ready Reserve ceiling of the Coast Guard, from within the armed services 400,000 "unallocated" reserve pool to 45,200. These are the finite goals, achievement of which will make it possible to complete our present task assignment objectives if we follow the current Reserve midrange plan.

So much for history. I will now describe our current situation by the phase involved, and covering the areas of personnel, facilities, and equipment.

The ship augmentation of our 67-percent manned Coast Guard vessels and the ship activation of the vessels of Naval Reserve Fleet—earmarked for Coast Guard use in wartime—are both important phases of mobilization.

Reserve situation: We have organized Reserve training units, vessel augmentation (ORTUAG) whose personnel are in drill pay status (48 drills) in Naval and Marine Corps Reserve training centers and Coast Guard facilities. These reservists perform active duty training on a 2-year rotational cycle—the first year in a specialty training school and the second year onboard ship. Personnel now in training units meet 45 percent of vessel requirements and are taxing the limit of existing facilities and operating vessels for active duty training. Reserve is heavily dependent upon the availability of the ships of the Regular service for summer training, but increasing operational assignments have reduced this availability for Reserve cruises by over 40 percent in the past 2 years, with further reductions probable. Of the total of 10 Reserve training ships needed, to date we have acquired 3. All training vessels are usable upon mobilization.

The port security Reserve situation: Training for wartime tasks are the organized Reserve training units, port security (ORTUPS). Port security training units are divided into two types; operational and rate training. Both are in drill pay status (48 drills) and conduct annual active duty training on a rotational basis. The operational units are designed to move as a unit on M-day into the port area, and they conduct annual exercises in their port area during active duty training every third year, with the other 2 years of the cycle being spent in specialty school and in on-the-job training. The port security rate training units will be split up to fill operational unit deficiencies, and they conduct their annual training in specialty schools and in on-the-job training.

Minor drilling unit training equipment is complete, but major equipment is sorely deficient and does not exceed 10 percent of that required. Major active duty training equipment for individual rate training at formal schools is adequate to excellent, except for practical merchant vessel training. Two small transport ships are needed. The *Courier* has been obtained at no cost this year since it was no longer needed by the Voice of America.

It is in an operable condition at the Reserve Training Center, Yorktown, and funds for its operation are in the appropriation for fiscal year 1966. On-site active-duty training requires the borrowing of equipment from the Regular service, the Navy, local private industry, municipalities, or renting from GSA.

If funds become available to implement the 5-year midrange plan, then personnel requirements can be fully met for mobilization and training equipment can be purchased which would be usable upon mobilization. However, other operational equipment would have to be commandeered locally for the most part. This involves radio-equipped passenger vehicles, small boats, communications equipment, and firefighting equipment, and is considered to be generally available.

Coastal force: For years there has been a requirement by Department of Defense for the Coast Guard to carry out coastal force activities on mobilization. However, no emphasis has been placed on this duty until recently. The Coast Guard is detailed to conduct patrols along the seacoasts of the United States, providing visual and electronic coastal surveillance in support of continental defense. Specific duties within this activity are:

1. Prevent clandestine entry of subversive persons or inimical things over the ocean beaches or through isolated inlets or small harbors.

2. Prevent subversive persons in the United States from contacting or assisting enemy forces along the coasts.

3. Detect and report information on enemy forces along the coasts.

4. Prevent damage to essential coastal underwater communications cables.

In addition to the specific duties mentioned above, coastal forces will continue to perform the presently assigned peacetime functions of search and rescue, aids to navigation, Federal law enforcement, and port security in small ports within the areas of their current responsibility.

The Reserve coastal forces will augment existing force already on the coasts at lifeboat stations, lighthouses, and various other units; and will establish new units as required for task performance. The coastal force will use these units, plus patrol boats and aircraft in carrying out their duties. Certain aspects of surveillance require highly specialized training, and a high degree of individual combat capability. As in the port security field, coastal forces are needed immediately upon, if not prior to, general mobilization (or D-day).

Reserve situation: Organized Reserve training units, coastal force (ORTUF) are operational training units, in that they train for specific jobs and mobilize as a unit. Included in the basic training of coastal force personnel is the individual combat training course provided by the U.S. Marine Corps at Camp Lejeune and Camp Pendleton. This training is provided only for personnel who are earmarked for surveillance and patrol duties, and does not include all personnel who are training in the coastal force units.

As I said, the coastal force training program is new, and is presently capable of meeting only 2 percent of the immediate M-day Reserve requirements. It is expected that this situation will be improved soon. In the interim, some reassignment from other units, thereby shortening their capability, would be needed. A study is underway to determine what types of modern electronic and specialized surveillance gear will be most effective. Any equipment which will be usable for training, such as communications gear, surveillance aircraft, rifles, etc., will be fully usable upon mobilization.

Aviation responsibilities of the Coast Guard are split into two areas. First, an extension of the peacetime duties, consisting primarily of SAR, with an antisubmarine backup; and second, in conjunction with the coastal force, to provide airborne surveillance of the coastal areas. Specialized air logistic support of some Coast Guard operations is required.

These responsibilities are not fully compatible, and require a different emphasis in training. SAR and ASW require training in long-range and sophisticated, patrol type military aircraft. Coastal force surveillance can be met by utilizing relatively unsophisticated, nonmilitary, light aircraft.

Reserve situation—organized Reserve training units, aviation (ORTUAV): Reserve aviation units are in the process of being divided into two types. The first is a rate training unit, and is used for training personnel who will augment and expand the existing Coast Guard aviation program in the large aircraft field. A few surplus naval aircraft have been obtained and are used as static training aids. It is expected that more will be acquired. Flight training is conducted in regular service aircraft. This type of unit is limited to locations where there is an existing Coast Guard air station. This aspect of Reserve training currently meets only about 10 percent of the immediate mobilization requirements, but this training has been recently given considerable emphasis, so that improvement is underway.

The coastal force aspect of aviation training is just beginning, and is being conducted through an operational-type unit. These units are considered as sections of the basic coastal force units mentioned above and, upon mobilization, will be organizationally tied to them. Training equipment in this area is virtually nonexistent, but current plans call for a modest procurement of light aircraft and related equipment during fiscal year 1966, and continuing through fiscal year 1969.

The merchant marine safety commitments of the Coast Guard are also known and will greatly expand upon mobilization. At the present time, most merchant marine safety is carried out in volunteer training units. Personnel in such training are generally senior officers who have had merchant marine safety or shipboard experience. Personnel now attached to these units equal approximately 100 percent of immediate officer personnel requirements in this field, but additional requirements for later months are deficient and would represent key shortages because of the long, complex training period involved.

A program of organized Reserve training units (48 drills) has been initiated. This program will take advantage of the junior officers who are presently being released from their 3 years of active duty in the merchant marine safety field.

In order to support our global loran network, we must have well-trained personnel in the electronics field. Besides loran, these personnel are utilized aboard vessels and at other units which are continually expanding their use of electronic equipment.

The personnel of organized Reserve training units, electronics (ORTUEL) are adequate to meet early mobilization requirements, but turnover is heavy.

At present these reservists are receiving rate training only, but in response to a recently received requirement, a study to determine the feasibility of establishing operational loran units upon mobilization is underway. Training equipment in this activity is adequate for basic training at the unit level.

Where do they all train? The Reserve leans heavily for support for drilling and initial active duty for training sites from three principal sources:

1. The Regular Coast Guard's operating facilities.

2. Naval and Marine Corps Reserve training centers, Naval Air Reserve squadrons, Navy class A schools, Marine Corps combat training facilities.

3. A few training centers of the other armed services.

Without the fine cooperation and active assistance of our Naval and Marine Corps Reserve counterparts, we would be hard pressed to do an acceptable job, and it would be impossible without a prohibitive amount of additional funding.

Statistically, of the 269 Coast Guard organized Reserve training units, 146 train at Navy installations, while 100 train at Coast Guard facilities, and the remainder at Army and Air Force bases.

We lack personnel in most areas. This is our most critical shortage. To enlist new recruits and make leaders and technicians out of them is time consuming. Another shortage is in training equipment. Adequate training aids are required to do any training job, whether this be a pencil, a bullet, or a ship; but, without them, training suffers. The program needs additional training ships, light aircraft, and port security "packages." This latter item is a combination of training aids which includes vehicles, boats, communications gear, radiac, and other small specialized port security equipment.

Our 5-year midrange Reserve plan previously mentioned outlines all needs for personnel, training equipment, and training and drilling facilities, and proposes an orderly buildup to meet these objectives. Department of Defense approval of this document's manpower objectives has been obtained. The current congressional stage of the fiscal year 1966 budget, if approved, contains sufficient funds for a basic increase in equipment, but the personnel buildup requirement for the 5-year plan must be delayed another year.

To summarize our Reserve: From my experiences, I have found that they are a highly skilled, well-educated group of officers and men. There are almost as many academic degrees among them as there are reservists. They are conscientious, patriotic, devoted, and proud.

I urge all operating units of the Regular Coast Guard which provide active duty for training for members of the Reserve to give them the best possible, because the man you train today may be on your staff or may be your shipmate come M-day. I urge every member of the Regular service to understand that the Reserve program begins with the Chief of Naval Operations: he assigns the tasks; the Commandant asks the district commanders how many personnel and how much hardware are needed; the mobilization plans are written and requirements calculated; and, finally, Reserve units are organized and trained to meet these requirements. If the Coast Guard is to carry out its mobilization assignments, sufficient men and material must be on board—in either the Regular service or in the Reserve.

THE DEMOCRATIC REPUBLIC OF THE CONGO MARKS 5 YEARS OF INDEPENDENCE

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CEDERBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, today, the democratic Republic of the Congo celebrates 5 years of independence. While these years have not been entirely peaceful, I congratulate the people of the Congo and their leaders for the progress they have made.

The Congo is potentially one of the most prosperous countries in Africa. She is fortunate to have great mineral wealth. And, in spite of the difficulties created by a population with diverse backgrounds and languages, she has made admirable progress in increasing her literacy rate, improving her agricultural efficiency, and developing a more diverse economy.

I join my colleagues in expressing the good wishes of the American people for the people of the Congo in their continuing efforts to achieve political stability and to establish a free, democratic government.

THE PROPOSED CONSTITUTIONAL AMENDMENT ON REAPPORTIONMENT

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, I am today presenting a statement to the Committee on the Judiciary in support of an amendment to the Constitution which would provide that any State which has a bicameral legislature may utilize factors other than population in apportioning one house of its legislature if the plan of apportionment is specifically approved by vote of the electorate of the State.

The issue is of genuine and legitimate concern to our country, and for this reason, my statement follows:

STATEMENT OF CONGRESSMAN JACK EDWARDS, OF ALABAMA, TO THE COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES

Our U.S. Government is based most fundamentally on the concept that the people not only have a right to govern themselves but also are able to do so.

The Constitution is a device whereby a group of soverign States granted certain authority to a Central Government in order that their Union might be strengthened, not in order that the seat of power be transferred to that Central Government from each State. The State was to remain as the basic unit of representative government. The Central Government was a creature of the States, not the master.

Today we see attacks on this concept of a people's government from many directions. But perhaps no issue reflects these assaults on the people's rightful claim to govern themselves as does the issue of legislative reapportionment as it relates to the Supreme Court's reapportionment decision of June 15, 1964.

In that decision, the Supreme Court interpreted the 14th amendment as requiring that both houses of a bicameral State legislature must be apportioned on a population basis.

In effect, the majority of the Court said that an individual's right to vote for State legislators is unconstitutionally impaired when its weight is in a substantial fashion diluted when compared with votes of citizens living in other parts of the State.

In my opinion, this action of the Court represents judicial lawmaking in the clearest sense. It tramples on the people's right to govern themselves and scorns their ability to do so.

Proposals have been advanced to amend the Constitution to provide that any State which has a bicameral legislature may utilize factors other than population in apportioning one house of its legislature if the plan of apportionment is specifically approved by vote of the electorate of the State.

The proposed amendment would also provide that in a State with a unicameral legislature, apportionment might provide reasonable weight to factors other than population subject to the same approval of the electorate of the State.

I vigorously support this kind of constitutional amendment, and I urge action by this committee in reporting a proposal of this kind to the House of Representatives so that the House may work its will on the issue.

The question of the people's right to govern themselves is at the heart of this issue. On one side we have persons who believe that American citizens today are incapable of determining how their own State legislature is to be organized and, therefore, that Washington must step in with a set of rules. On the other hand are persons who still hold with the framers of our Constitution that people not only have a right to govern themselves but that they are capable of doing so, and that States still represent the basic unit in our system of government.

It is worthwhile that we consider here, in order that we do not become confused, just exactly what the proposed amendment would not do.

It would not, for example, provide that an existing State legislature could perpetuate any apportionment system against the wishes of the people of the State.

It would not eliminate jurisdiction of the Supreme Court in matters affecting State legislative apportionment. It would not deny the general recognition that any one person's vote in any State should carry weight equivalent to any other person's vote in one house of a bicameral legislature.

The proposal would, on the other hand, assure to the electorate of each State its rightful claim to make a judgment regarding a specific apportionment plan.

It recognizes that conceivably in some States there may be valid reasons why the electorate would determine that geographical conditions or other special and unique characteristics would warrant apportionment of one house in a bicameral legislature to be based on factors other than population.

If the country is to accept this Supreme Court action as final and legitimate, then I wish to suggest that the Court may choose also to rule that all State legislators must be elected in statewide elections, using no legislative districts at all.

Indeed, this possibility was raised as a serious question in the dissenting opinion of Justice John M. Harlan relating to the June 15, 1964, decision.

Justice Harlan also wrote: "No set of standards can guide a court which has to decide how many legislative districts a State shall have, or what the shape of these districts shall be, or where to draw a particular district line. No judicially manageable standard can determine whether a State should have single-member districts or multimember districts, or some combination of both. No such standard can control the balance between keeping up with population shifts and having stable districts."

Justice Harlan also wrote: "State legislative apportionments are wholly free of constitutional limitations save such as may be imposed by the republican form of government clause (art. IV, sec. 4 of the Constitution). The Court's action in bringing them within the purview of the 14th amendment amounts to nothing less than exercise of the amending power of this Court."

Justice Potter Stewart, in his dissent, wrote: "I am convinced these decisions mark a long step backward into that unhappy era when a majority of the members of this Court were thought by many to have convinced themselves and each other that the demands of the Constitution were to be measured not by what it says, but by their own notions of wise political theory."

Senator WALLACE F. BENNETT, of Utah, has pointed out how in his State much of the growth potential lies in counties which are now only sparsely populated. "If these counties," he says, "are to be totally dominated by the two or three heavily populated counties in the State which contain a majority of the population, the economic growth of these outlying and sometimes isolated areas may well be stunted."

These are two aspects to this issue which bear study. The first is the issue of State rights and State responsibility versus the activism of the Supreme Court.

This aspect was well brought out by Congressman Robert T. McLoskey, of Illinois, in the House on August 5, 1964, in support of this kind of constitutional amendment. He said: "The Court has done immediate wrong to the States affected by their decision. By robbing the States of their sovereign power to apportion their own legislatures by political process, the Supreme Court has taken one of the most fundamental of legislative prerogatives; and by so doing, has effectively reduced State government to a hollow facade. The Federal judiciary has taken to itself the power to pass on the acceptability of State apportionment, and could presumably dictate the political climate of a State by gerrymandering from the Bench."

But the other aspect is equally as vital to our concept of government. This is the aspect of minority rights. In refusing to recognize that factors other than population may have legitimate reason for being considered in apportionment decisions affecting one house of a State legislature, the Supreme Court is actually turning its back on minorities which are realities of American political life today.

The men and women residing in rural areas and the smaller communities of this country have traditionally proven themselves to be self-reliant, independently minded, and having a strength of character and resolution of the kind which has made major contributions to the growth of the Nation.

With the shifting of great population centers to the cities, these people who remain in rural areas and small cities find themselves in a real minority. But the land they inhabit still plays a big part in the economies of many States.

It does not seem illogical or unjust that they represent interests which the people as a whole in any State may determine should be recognized in the apportionment of one of two houses in a State legislature.

Nor does it seem incomprehensible that a State legislature in which one house is apportioned according to factors other than population may serve the true interests of the State and protect the rights of all citizens more effectively than a State legislature in which big city political bosses wield the kind of total influence already evident in some of our large cities today.

It is a dangerous precedent, indeed, that allows any judicial body, unresponsive to the election process, to take prejudicial action against a minority group without regard for a State's electorate. The kind of judicial "activism" casts a pall of gnawing fear over the bright ideal of representative government which as Americans we have considered to be the guardian of man's liberty.

I want to make clear my recognition that some States have failed to meet their responsibilities to reapportion their legislatures in pace with shifting populations. The appropriate solution, however, is not through a blanket edict casting aside a State's legitimate claim to rely on judgments of its own citizens. Let us encourage the States to keep pace with current conditions, but let us at the same time retain faith in a State's electorate, and in our proven system of checks and balances based on three coequal branches of Government.

Looking back for a moment to the beginnings of our Government, it is clear that the very theory of bicameralism is based on the idea that one house of a legislature reflects the popular will at any time while the other house may be apportioned on some factors other than mere numbers of people and so provide a just consideration of minority rights.

If this theory is useful with regard to the National Legislature, then it is useful also in the several States. If it is ruled invalid by the Supreme Court in the States, then surely we must ask if it is also invalid with regard to Congress.

I suggest that factors other than population may be valid considerations in some States just as they are in our National Legislature. For example, in California, Chief Justice Earl Warren, as Governor of the State in 1948, said: "Many California counties are far more important in the life of the State than their population bears to the entire population of the State. It is for this reason that I have never been in favor of restricting their representation to the State senate to a strictly population basis."

The phrase "one man, one vote" is rich with the sound of justice and fair representation. Its appeal to decent Americans everywhere is undeniable. However, the vision it brings to our minds bears examination.

Translating the slogan into law it is very possible, even probable, that a bare political majority in a metropolitan area can win control of a legislature though it does not represent a majority throughout the State. Such a State falls into the hands of big city bossism. Then we see in operation the tyranny of a minority over the majority, or the dominance of a ruthless minority over other minorities.

Such might be the case even in States which we don't associate with big metropolitan centers. An example is South Dakota where now the State's 30,000 Indians are represented by 2 State senators but where this minority would be denied effective representation if population were to be the only factor in apportionment in both houses of the State's legislature.

Perhaps Thomas Jefferson stated the case as well as anyone when he said in 1823: "There is no danger I apprehend so much as the consolidation of our Government by the noiseless, and therefore unalarming instrumentality of the Supreme Court."

In summary, I emphasize that the people of any State have as a basic right the right to fashion their own legislative system within the safeguards implicit in our system of representative government. In the face of the Supreme Court apportionment decision of June 15, 1964, the only manner in which the people can now be guaranteed this right is for us in the Congress to submit an appropriate constitutional amendment to the States at the earliest opportunity.

I urge the Judiciary Committee to act now. Let the people of the great Nation have a chance to decide this issue. I still have faith in their wisdom.

WILLIAMSTOWN'S 200TH ANNIVERSARY

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CONTE. Mr. Speaker, Williamstown, Mass., has a long and distinguished history. This year marks its 200th anniversary. It is a fitting occasion for me to remind my colleagues of the outstanding contribution of this small Berkshire community both to our national heritage and to America in 1965.

From the very beginning, the name Williamstown has been synonymous with education. In 1755 Col. Ephraim Williams of Newton, Mass., penned a clause in his will bequeathing a part of his estate for the establishment and support of "a Free School forever in the township west of Fort Massachusetts, called West Hoosac, provided it be given the name of Williamstown." The story goes that Williams had recently been spurned by a girl he wished to marry, and having no family of his own, had chosen this means to perpetuate his family name. A few weeks after writing the will he was killed in a battle in the French and Indian War.

Ten years later, the war over and the West Hoosac township expanding rapidly, Colonel Williams' bequest was brought up at a meeting of the town's board of proprieters. Benjamin Simonds was appointed to get the will from Northampton Court and see that it was executed for the benefit of the community. On June 21, 1765, the town was incorporated and its name changed to Williamstown.

Records show that the new town contained 28 homes on house lots and 26 on out lots, as well as 57 yoke of oxen, 83 sheep, and 20 cows. That there were more livestock than people attests to the fact that Williamstown was from the beginning an agricultural community. The first census showed 1,083 inhabittants, and by 1,800 the number had grown to 2,086.

By 1785 the executors of Colonel Williams' will had sold his estate and had raised enough money to establish the school. They petitioned the legislature, which passed an act incorporating the school and naming as trustees Rev. Seth Smith, Rev. Daniel Collins, William Williams, Theodore Sedgwick, Woodbridge Little, John Bacon, Thomas J. Skinner, Israel Jones, and Daniel Noble. It also granted the trustees a $3,500 lottery, to which the townspeople added $2,000. In 1790 the first building—now West College—was begun. The school was opened in October 1791 under the care of Mr. Ebenezer Fitch.

In June 1793, at the request of the people of Williamstown, the legislature reincorporated the school as Williams College. Mr. Fitch, later the Reverend Dr. Fitch, was elected president and met with a faculty of four men. The college held its first commencement on the first Wednesday in September 1795, and that remained its anniversary or Commencement Day until 1837.

In those early days, church and college were closely related. The boys were required to attend daily chapel and church on Sundays, as well as prayers at noon and vespers in the evening. So much organized religion probably had an adverse effect, for legend has it that morning chapel often found the Bible nailed to the pulpit, and once it was burnt.

During the second president's administration, an attempt was made to move the college to Northampton. Many similar institutions had sprung up in Vermont and New York, and the trustees felt that the college would have to depend increasingly on students from Massachusetts for support. Hence a more central location in the State would be desirable. Also, proponents of the move had promised liberal support if the college were relocated.

The townspeople fought hard to prevent the removal. Special town meetings were held and "The Memorial of the Inhabitants of the Town of Williamstown," a document presenting arguments against the expediency and legality of the move, was drafted and presented to the legislature. The legislature concurred, and the college remained in Williamstown, where it has prospered to this day.

Williamstown responded with patriotism to President Abraham Lincoln's call for aid when the Civil War broke out in 1861. The town furnished 260 men, 18 above its quota. Six were commissioned officers. Five thousand dollars was voted for the support of families of volunteer soldiers, and those who volunteered were awarded bounties, usually $100. The brave deeds of Williamstown's sons are recounted in a record compiled in 1878 by Dr. Samuel Duncan, a local historian.

Berkshire County in the 19th century was one of the most important industrial areas in New England, and Williamstown was a center of manufacturing activity. In 1826 a cotton factory known as Walley Mill was built on the west bank of the Green River. Two starch factories were established during the 1830's which continued for several years, the nearby farmers raising potatoes and selling them to the factories for 12½ to 20 cents per bushel.

The real manufacturing boom occurred in the latter half of the century. In 1865 the town directory listed 193 farms employing 277 people, while the sole cotton mill employed only 57. By 1885 the picture was very different: 180 farmhands were outnumbered by 272 factory workers. The industrial revolution was reaching into the Berkshires and breaking down the agricultural way of life.

The Williamstown Manufacturing Co., for the manufacture of print cloths was organized in 1865 by President Chadbourne, of Williams College. On January 17, 1878, the North Adams Transcript ran an article on the company and described Williamstown as "the model manufacturing property of the State." It listed the many advantages the village offered to factory workers: the low-priced country store, a union Sunday school, a growing library, and a never-failing spring. It mentioned the rules posted in every house that "no pigs or poultry shall be kept on the premises" and added that "there are over 20 houses containing parlor organs and several families indulge in the luxury of pianos."

Manifestations of the industrialization of the town were apparent everywhere. Low-cost row housing sprang up, in stark contrast to the flossy Georgian mansions favored by Williamstown's summer residents. Specialized shops replaced the old general store. The town's first bank was founded in 1883. The Hoosac Tunnel was opened and Williamstown was linked by rail with the rest of the State. Two new textile mills were built, the manufacture of watches was begun, and a host of smaller industries contributed to the town's expanding economy.

Williamstown today is a pleasant and productive blend of industry, farming, and educational activity. While the great depression closed many of the mills and factories, two of the largest payrolls received today by Williamstown residents are those of the Cornish Wire Co. and the Sprague Electric Co. The expansion of industry in nearby North Adams encourages residential development in Williamstown and sustains her dairy farms. And the student body and faculty of Williams College comprise over 20 percent of the town's total population.

Williams remains the town's outstanding institution. It sprawls over 450 acres of beautiful hillsides. In its old brick buildings 1,200 young men are encouraged to develop a taste for intellectual adventure. Classes are small and emphasis is placed on individual and seminar work with members of an interested faculty. A variety of extracurricular activities and athletic opportunities are available. But above all, Williams is known as the "college of gentlemen," a tradition created by its first president and fostered by each succeeding one. As it turns its efforts toward the achievement of quality rather than size, it makes a significant contribution to the intellectual and cultural life of America in 1965.

Williamstown pauses this year to look upon its past. It need not do so with nostalgia or melancholy for a bygone golden age. Williamstown's golden age is still in progress, and there is every indication that it will become even brighter in the years ahead.

ASHFIELD BICENTENNIAL

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CONTE. Mr. Speaker, this weekend Americans everywhere are preparing to celebrate a great and historic birthday. The good people of Ashfield, Mass., in my congressional district are doing their part to see that this July 4 will be a memorable day. For Ashfield citizens, however, this Sunday's celebration will have a special significance, for it marks not only their country's birthday but also the 200th anniversary of the incorporation of their community.

Today, it is my pleasure to review briefly for my colleagues the fascinating story of how Ashfield got her start.

The place was first called Huntstown, in honor of Capt. Ephraim Hunt, of Weymouth. Hunt was sent to lead a company of men in an expedition against French-controlled Montreal and Quebec during King William's war in 1690. The assault failed, and the Government, anticipating victory, found herself unable to pay the troops. As a result, Massachusetts issued bills of credit as a substitute, and in 1736, 46 years later, redeemed them by granting the soldiers a tract of land in what is now Ashfield.

It is doubtful that many of the men who endured the toils and hardships of the Canada expedition lived to collect the debt. But their heirs and legal representatives benefited from the Government's tardy remuneration, and in 1738 the first meeting of the proprietors of Huntstown was held in Weymouth.

The proprietors agreed that early settlement of the town would be desirable, since it would increase the value of their property. They passed a resolve that bounties of £5 should be paid to the first 10 settlers provided they built houses and cultivated at least 6 acres of their lands. In spite of this, it appears that most of the original proprietors sold their rights to others, and many of the lands were parted with for little more than the amount sufficient to pay the accumulated taxes on them.

No one knows the date of the first permanent settlement of Huntstown, but it was probably about 1741. Records show that preaching was had in 1742, and a corn mill was built in 1743. The first three families in order of arrival were those of Mr. Richard Ellis, Mr. Thomas Phillips, and Mr. Chileab Smith. Soon others from Hatfield, Deerfield, and southern Connecticut joined them, and by 1754 there were from 10 to 15 families and nearly 100 people.

Tradition has it that Ellis became the town's first settler because of the knavery of a ship captain. It seems that a wealthy Virgina planter from Ireland, who had no children of his own, wrote to a friend in Dublin asking him to send over a promising young man to be his adopted son. Ellis was selected. The planter's friend paid his passage on a sailing vessel and instructed the ship's captain to land the lad safely on the Virginia coast. But the unscrupulous captain, money in hand, took the youth to Boston and sold him as an indentured servant. When his time was up, Smith moved to Easton, married, and later purchased a lot in Huntstown. He felled the first tree, on the bank of White Brook, and built a log cabin for his family on a hillside in the northeastern section of the town.

One thousand seven hundred and fifty-four was a memorable year. Fresh hostilities broke out between the French and English, and hordes of savage Indians were aroused against the defenseless frontier settlements. In June, a group of men at work near Rice's Fort in Charlemont was attacked, and two were killed. News of the attack soon reached the settlement at Huntstown, causing great alarm. A hasty meeting was held, and the pioneers decided that rather than expose their wives and children to the tomahawk they would flee. That very afternoon they set out, abandoning everything except what could be carried on horseback. As they made their perilous way, others joined them, until all had reached the older and safer settlements along the Connecticut River.

Huntstown remained deserted for about 2 years, after which the settlers regrouped and returned to their home. A fort was built, and the next year a company of nine colonial soldiers was assigned to guard the town. A vigil was kept at all times. Apparently these precautions were sufficient, for there were no more Indian attacks, and the town prospered. In 1783 a Congregationalist minister was settled, and 4 years later the townspeople built "a convenient house for public worship." In 1765 the town was incorporated under the name of Ashfield. The anniversary of that incorporation is being celebrated this weekend.

The year 1765 was only a beginning. I could go on to speak of the homes that were built, the schools, the stores, the factories, the churches. I could recount the patriotic participation of Ashfield's sons in our country's struggle for independence, and in the Civil War. I could describe their continuous effort to make their community a model American town.

The year 1765 was only a beginning. But it is a beginning that we celebrate this weekend. It is fitting that we look back at the spirit in which Ashfield made her beginning, so that we may all continue that spirit as we look ahead toward the future.

BIRTHDAY TRIBUTE TO HON. H. R. GROSS, OF IOWA

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Buchanan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, I join with my colleagues in tribute to one of the most distinguished Members of the House, the gentleman from Iowa [Mr. H. R. Gross], on the occasion of his birthday. An outstanding Member of the House, this gentleman has earned and holds the respect of all who know the value of a dollar or of a man who, with scholarship and devotion, guards the public till.

He is a stanch supporter of the sound, honest, responsible governmental practices which are the foundation of our national stability, and has unceasingly opposed all efforts to undermine the traditional structure of our Republic.

I join with my colleagues in wishing him many more years of productive and valued service to our Nation.

AID TO NASSER MUST CEASE

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, today should have been the last day by which the administration could have released the remainder of the $37 million foodstuffs sale to the United Arab Republic. However, last week the administration decided that shipment was "in the national interest" and authorized the purchase of the remainder. This action was taken despite vigorous protests in Congress.

The Congress has long recognized that the United Arab Republic is, in every sense of the word, an aggressor, unworthy of our aid.

Yet, with this final wheat authorization, aid continues to Egypt. We know that Nasser has diverted 40 percent of the United Arab Republic rice crop for export, most of it to the Communist bloc—in violation of previous diplomatic agreement.

Assistant Secretary of State Phillips Talbot told the House Appropriations Committee recently that the Soviet Union had tripled its aid commitment to the United Arab Republic in 1964 and that one-third of all Soviet aid went to Nasser. In the past decade, the United Arab Republic has received over $1.5 billion in economic aid and more than $1 billion in military aid from the Soviet bloc.

U.S. economic aid to Egypt also went over the billion-dollar mark in the fiscal year which ends today. With the latest administration purchase authorization, the aid race continues unabated. Mr. Speaker, we must put an end to this foolhardy race. Let us recognize, once and for all, that Nasser aims only to dominate the Middle East and that his goals have nothing in common with America's.

A NEED TO AMEND THE TRADE EXPANSION ACT OF 1962

The SPEAKER pro tempore (Mr. Miller). Under previous order of the House, the gentleman from Florida [Mr. Sikes] is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, I am in accord with the Members who have introduced legislation to amend the Trade Expansion Act of 1962. I, too, am convinced that it is in need of amendment, and I have offered a bill to this end. It is H.R. 9335 and is a companion bill to one introduced by my distinguished colleague from Florida [Mr. Herlong].

The act of 1962 was supposed to come to the rescue of industries and worker groups or even individual companies that had been hurt as a result of former tariff reductions. It was supposed to offer Federal assistance in various forms, including relocation, financing, retraining, and so forth. The reasoning was that the injury was inflicted in behalf of a national policy and that therefore compensation should be provided when serious injury was done to an industry, a company, or a group of employees.

Implicit in this new approach was the abandonment of the previous policy that went back to 1934, to take great care in tariff reductions not to cause serious injury to industry. Now the likelihood of injury is accepted as inevitable, since a 50-percent tariff reduction, such as the 1962 act provided, would surely cause distress in many industries. However, the compensation was also to be extended to all cases of past tariff reductions if serious injury resulted.

Unfortunately the conditions laid down in the law were so strict that all cases that have been brought before the Tariff Commission have failed. Not a single cent of compensation has been paid for the simple reason that the Tariff Commission has failed to find, first, that a tariff reduction was the major cause of the increase in imports complained of, and second, that conjointly the increase in imports was the major cause of the distress experienced. Both criteria must be met or the case fails. This requirement is a major stumbling block to all applicants for assistance.

Of the 17 cases that have been processed since October 1962 when the Trade Expansion Act went into effect, 16 were turned down unanimously by the Commission. The other case was also rejected but only by a majority vote. Of the 17 applications for relief, 9 were made by industry, 5 by labor unions, and 3 by manufacturing firms. Because of this failure, the Tariff Commission today does not have a single adjustment assistance case on its docket.

In order to overcome this difficulty, the bill that I am introducing in company with others would relax the requirements for relief. The law as written requires that a tariff reduction must have been the major cause of increased imports and, secondly, that the injury complained of must have been caused in major part by the higher imports. The Tariff Commission has not been able to find this double combination of causes in any of the cases.

Mr. Speaker, the escape clause that was previously in effect was itself unsatisfactory as a remedy because of its negative administration, but it was more responsive to the needs of our industries than the wholly negative record under adjustment assistance.

Because of the generally prosperous conditions that have been prevalent in recent years in this country, there are those who wonder why any concern should be expressed over a remedy for injury from imports. We are exporting more than we are importing; and therefore exports, it is argued, provide more employment than imports displace.

On the surface this contention is plausible, but it is in fact very superficial. The havoc worked by imports is not at all confined to the direct displacement of workers. Much more important is the dampening effect that rising imports produce on domestic industrial expansion. Imports readily discourage the building of new plants or expansion of existing ones because they create doubts and fears about the future. Many examples exist of the incursion of imports that after a modest beginning have soon escalated to an alarming degree. The record does not permit the calm contemplation of such competition by any industry.

In recent years imports of manufactured goods have invaded new territory, centering about products that had not previously been imported to a menacing degree to domestic industry. In many cases the imports have risen rapidly after gaining a foothold and have soon captured 5, 10, 15, or 20 percent of the domestic market. In some instances they have not stopped there. Fishery products, tile, bicycles, hardwood plywood, portable typewriters, sewing machines, small radios, radio tubes, certain textile products, boots and shoes, softwood lumber, woolen goods, apparel, steel products, such as nails, wire, bars, and so forth, clocks and watches, cordage, wood screws, meat, lead and zinc, petroleum, strawberries, cantaloups, and other products have amply demonstrated the capacity of imports to come to a high water mark in a few years.

Industries that have long had nothing to fear from imports may today come under a sudden attack.

The cause of this is not hard to trace. Since the late 1950's other industrial countries have begun to catch up with their home markets and set out to increase their exports. This is especially true of the countries that are the least self-sufficient and therefore highly dependent on trade to sustain their economy. Japan is perhaps the best example. European countries are not far behind.

These countries have undergone an industrial rebirth, with generous transfusions from our treasury and our technology and business methods. Today they are in a position to outtrade us in many lines; and the number of lines in which they can do so is increasing every year.

We need feel no alarm about this except for the one inescapable fact; namely, their lower unit cost of production, derived from the generally much lower wages they pay compared with the American scale. They now have the machinery and the modern technology that give a special advantage to low wages. While foreign wages have risen relatively more than our wages, that is, by higher percentages, our wages, together with fringe benefits, have risen more in actual dollars and cents than foreign wages. After all, a 4-percent increase here equals one of 10 percent in Europe and more than one of 20 percent in Japan.

It is because of the experience of many industries with imports that the specter of rising imports in any industry causes a chill. The optimism induced by a bright outlook that leads to plans for expansion is soon darkened, and defensive measures are considered instead. If imports gain relentlessly as they have in many instances and may be expected to do in yet other industries, the defense measures may take one of two, or both, directions.

Costs will come in for close inspection. If wages cannot be reduced—and that is out of the question today—the number of workers may be reduced, because wages represent by far the heaviest cost factor. The way to accomplish lower costs is then to install more modern machinery—machinery that will enable two men to do what three or four or more did previously.

If this can be done—that is, assuming sufficient financial or credit resources to accomplish it—imports can probably be stood off or at least retarded in their pace; but what happens to employment? What has become of the expansion that would have absorbed more workers? What becomes of the consumer purchasing power needed to absorb increased output?

We can now appreciate the deadening effect of rising imports that extends far beyond the overt displacement by imports of those actually employed. Expansions not made are the same as workers not hired. These then swell the ranks of the unemployed.

Just as there are those who still claim that exports create more jobs than imports displace, there are those who pooh-pooh the evidence that American industry in many of its parts is not competitive in world markets. The blindness shown in the one instance seems to extend to the other.

It permits those who contemplate our export surplus in goods to regard this surplus as sure evidence of our competitive prowess.

Mr. Speaker, there are two reasons why we cannot view this surplus with optimism. One is that the much-touted export surplus is not what it seems. It is largely artificial; ersatz, so to speak. It is in great degree forced and illusory. Quite a few billions of it are accounted for by foreign aid, exports under Public Law 480, and so forth, and by exports induced by export subsidies, such as cotton, wheat, and dairy products.

A close analysis will show that we do not enjoy an export surplus of a kind that would demonstrate our superior competitive standing. The fact is, as I shall show shortly, that this country has been suffering a shrinkage in relation to the rest of the world in the kind of exports that mean most for employment, which is to say exports of finished goods as distinguished from raw materials and farm products.

I have said that the defensive measures adopted by domestic firms is of one or two kinds, or both. I have mentioned the steps to reduce costs by installing labor-saving machinery. When these steps are taken as defensive measures against low-cost competition they do not lead as they did in the past to sufficiently higher sales to cause an expansion in employment. The imports prevent this. Thus are the benefits of technological improvements that in the past led to lower prices and higher consumption effectively dissipated.

Another defensive measure taken by many companies has led them into foreign fields in search of lower costs. This has meant sending capital abroad in lieu of domestic expansion. In turn it has meant hiring foreign workers rather than our own. As we all know, our foreign investments have boomed so greatly that the Government has taken steps to slow down the outflow.

These investments more than anything else demonstrated that the outlook for additional earnings were brighter abroad than at home. They also reflected the relatively weak competitive position of the domestic base.

The upshot is that the defensive steps taken by domestic industry, in seeking to ward off or to withstand the competitive impact of imports and to hold foreign markets, have produced employment stagnation at home. This condition would be greatly aggravated by further drastic tariff reductions such as are contemplated in the negotiations underway in Geneva. It is not too late to make some highly cogent reservations of items beyond the few provided in the act itself.

I have mentioned the declining status of the United States in the world markets, especially so far as exports of manufactured goods and manufactured foodstuffs are concerned. I wish to throw some much-needed light on this trend.

According to statistics published in the Statistical Yearbook of the United Nations, this country has lagged seriously in our standing as exporters of manufactured products. This fact takes on more ominous overtones when we keep in mind that our exports have been greately stimulated by subsidies, foreign aid shipments, and so forth, and have therefore reached distinctly higher levels than they would have otherwise.

Turning now to the UN statistics we find that while in 1957 this country enjoyed 18.5 percent of total world exports, this share declined to 16 percent in 1958 and remained at that level in 1960. In 1961 we dropped to 15.6 percent then to 15.2 percent in 1962 and down to an even 15 percent in 1963. In the latter year our exports were $22.9 billion of a world total of $153 billion. Had our share remained at the 1957 level these exports would have been $28.3 billion or more than $5 billion above their actual level.

The trend, however, assumes more serious proportions when we record the increase in exports of manufactured goods since 1958, which is the base period used for this purpose in the UN yearbook, probably because of the advent of the European Common Market in that year.

The index figures used show the increase recorded in the exports of each country from the 1958 base of 100 through 1963:

Index of 1963 exports compared with the 1958 base of 100

1963 over 1958:	
Italy	235
Japan	209
France	165
Netherlands	162
Belgium-Luxembourg	161
West Germany	155
Canada	134
United Kingdom	118
United States	117

This record placed the United States at the bottom of the list. The exports of manufactured goods of both Japan and Italy more than doubled from 1958 to 1963. French exports increased 65 percent, Dutch exports, 62 percent; Belgian, 61 percent; the West German, 55 percent, and so forth. Only the United Kingdom had a record comparable to our own. Their exports had increased only 18 percent, but this was still one percentage point above our 17 percent. The Canadian increase was double ours.

In other words, not only has the United States receded in its share of total world exports since 1957, but we have been badly outdone by most of the

European countries and Japan in expanding exports of manufactured products.

Our own imports have shown a sharp trend toward a heavier proportion of finished goods and manufactured foodstuffs in the past 10 years, moving from a third to a half of total imports. On the other hand our exports of farm products, stimulated heavily by subsidies and foreign aid operations, have grown impressively in recent years.

This trend is in the direction of the unhealthy mix of trade that has so greatly worried the underdeveloped countries in their trade with the industrial nations. It is an unhappy trend that runs counter to the extensive efforts to solve the unemployment problem in this country. Retraining, area redevelopment or antipoverty programs will be of little effect so long as these export-import trends continue, as they will unless the Trade Expansion Act is appropriately amended.

Under the present competitive status of this country in world trade and the difficulty with maintaining employment, further tariff reductions would only aggravate our employment problem. I believe that we should modify our trade policy by reshaping it to support the better health of our economy. Instead of plunging into reckless tariff reductions in order to fulfill some doctrinaire philosophy, we should take a reading from the trends of our trade in recent years, from the trend of employment and from the mounting outflow of investment dollars, and temper our trade policy accordingly.

That is the purpose of the legislation I am introducing and am happy to support.

THE 189TH ANNIVERSARY OF THE SIGNING OF THE DECLARATION OF INDEPENDENCE IN PHILADELPHIA

The SPEAKER pro tempore (Mr. MILLER). Under previous order of the House, the gentlewoman from New Jersey [Mrs. DWYER] is recognized for 10 minutes.

Mrs. DWYER. Mr. Speaker, on the eve of adjournment prior to the weekend on which the Nation will celebrate the 189th anniversary of the signing of the Declaration of Independence in Philadelphia, I should like to call the attention of our colleagues to two very closely related matters.

The first concerns the concurrent resolution adopted by the House and the Senate in 1963 which provided that the great national holiday on the Fourth of July should be observed each year by the ringing of bells throughout the United States at the hour of 2 o'clock in the afternoon, eastern daylight time.

Since this was a continuing resolution, in effect, and declared the intent of Congress that the practice of ringing bells should be followed on each Fourth of July, there would be no special purpose to be served by adopting such a resolution every year. For the same reason, however, it is most appropriate for those of us who introduced similar resolutions in 1963 to remind our colleagues as well as civic and other community leaders throughout the country of this preferred means of commemorating the signing of the Declaration of Independence.

The second matter, Mr. Speaker, concerns the display of the American flag on Government buildings. Today, I introduced a concurrent resolution which reads as follows:

> The President is requested to issue an Executive order prescribing a uniform rule for the daily display of the flag of the United States of America on buildings under the jurisdiction of the executive branch of the Federal Government.

Although the Flag Code already provides, and I quote, that "The flag should be displayed daily, weather permitting, on or near the main administration building of every public institution," this provision, like the rest of the code, is not mandatory. It expresses only the desires and exhortations of the Congress, but carries with it no penalties or other sanctions which permit of the code's enforcement.

While it is not my purpose today to recommend a thoroughgoing revision of the Flag Code in order to make the display of the flag mandatory rather than voluntary, nor in this respect to impose the will of Congress upon States and local communities, it seems both appropriate and important that the flag be flown on a daily basis from every Federal building or institution in the United States. Such an objective could be most suitably accomplished, I believe, if the President, who is the Chief Executive of the United States, would prescribe this practice for the departments and agencies under his jurisdiction.

As we all recognize, the flag is the principal symbol of the unity of the United States of America, just as the Federal Government is the institutional reality of that unity. Like the ringing of bells, the display of the flag provides an opportunity for our people to remember what it was that the signers of the Declaration of Independence and the framers of the Constitution brought into being and to ponder its significance for the present. As a very minimum, therefore, the flag should be flown wherever the Federal Government, through one of its agencies, is physically located, and I hope that our colleagues will adopt this resolution as one way of bringing this about.

In just a few days, Mr. Speaker, we shall be celebrating the Fourth of July, and in doing so we shall be celebrating the courage and vision of the men who signed the Declaration of Independence and struck this first great blow for American freedom.

But it is never enough simply to look to the past in the sense of completed history. The Declaration of Independence, in particular, has always been a uniquely living document, phrased in language that seems permanently contemporary, and possessed of the power to inspire people everywhere to the pursuit of personal liberty and national independence.

It is our task to make of the Declaration the truly revolutionary statement it has always been, to make its enduring principles come alive again in our own day. It has never been more important for all Americans to understand what freedom means, to appreciate the blessings that freedom has brought us, to face together the dangers which freedom confronts, and to accept the obligations which freedom imposes upon all of us.

It belongs to every generation and to each person to keep freedom alive and growing—in the human spirit, in our institutions, and in the law of the land. Even in our own country—proud as we rightfully are of how freedom has thrived among us—freedom is still our unfinished business. And beyond our borders, the situation is even more challenging.

Let us think of these things, Mr. Speaker, and let us reflect carefully on our obligations as free citizens of this great land, especially on the Fourth of July, as the flags fly and the bells ring out for freedom.

GUN LEGISLATION SHOULD BE ON RIGHT TARGET

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, it is very important that we give prime consideration to the pending gun legislation which is before the Congress. Having followed this matter very closely during the past 5 years and particularly since the assassination of President Kennedy, I am convinced that we should not respond out of hysteria to the need for legislation and come up with punitive measures which would go far beyond anything which is needed to protect the legitimate interest of the public. I am convinced that legislation which hits the right target will punish the criminal and not the gun.

In the frenzied effort of many do-gooders to get restrictive legislation passed, the hunter, sportsman and conservationist is treated as a potential felon. Reputable citizens clearly have the right in this free country to own and use firearms within a reasonable regulatory context for the legal and proper purposes of defense, marksmanship, training and sport. We must never lose sight of this basic right. No one should be so naive as to think that a bill making it difficult to purchase firearms for legitimate purposes would in any way impede the unlawful conduct of the criminal or prevent him from securing a gun. I have introduced two pieces of legislation which are directed at the criminal and not the gun and I am hopeful that we can secure their passage.

In his March 8, 1965, message to Congress, President Johnson urged that the Congress adopt legislation which would amend the Federal Firearms Act to prohibit firearms shipments in interstate commerce except among importers, manufacturers, and dealers licensed by the Treasury Department. Many proposals have been introduced which would go far beyond the President's recommendations.

I agree that unrestricted sale by mail-order houses of concealable firearms to minor children, known felons, or undesirables is the type of activity which should be curbed but I vehemently oppose efforts to register firearms by serial numbers, restrict the sale to bona fide purchasers and otherwise impinge on the right of Americans to peaceably bear and use arms.

MISUSE PROPER OBJECT FOR LEGISLATION

Mr. Speaker, misuse of firearms has always been a proper object of legislation but not the firearm itself. One reasonable exception should, of course, be made. The war-type and gangster-type weapon should be controlled. Machineguns, bazookas, antitank guns, and so forth, are hardly the type used by citizens for defense, marksmanship, training, or sports and they should unqualifiedly be regulated. Small arms are of an entirely different nature and should not be lumped together with the gangster type of weapon.

In the theory that we should disarm the criminal and not the law-abiding citizen, I have joined with many of my colleagues in introducing legislation which is directed at the criminal use of firearms. My bill, H.R. 9574, provides that "whoever, during the commission of any robbery, assault, murder, rape, burglary, kidnaping, or homicide—other than involuntary manslaughter—uses or carries any firearm which has been transported across the boundary of a State, the District of Columbia, or a territory or possession of the United States shall be imprisoned for 25 years."

This is identical to legislation introduced by Representative BOB CASEY, of Texas, and has the support of the National Rifle Association and other sportsmen and conservation groups. As a companion piece I have also introduced H.R. 9575 which would amend the Federal Firearms Act and institute the following principal provisions:

First. The Federal Firearms Act would no longer apply to interstate commerce in ammunition or parts of firearms other than the receiver.

Second. It would be unlawful for any person who is under indictment or who has been convicted by any court of a crime punishable by imprisonment for a term exceeding 1 year, or who is a fugitive from justice, to receive any firearm which has been shipped or transported in interstate or foreign commerce.

Third. It would be unlawful for any manufacturer or dealer knowingly to deliver to any common or contract carrier for transportation in interstate or foreign commerce, any package in which there is a handgun, or a machinegun, or a sawed-off rifle or shotgun, without written notice to the carrier that such a firearm is being shipped.

Fourth. It would be unlawful for any common or contract carrier to deliver, or cause to be delivered, in interstate or foreign commerce a handgun, machinegun, and so forth, to any person with knowledge or with reasonable cause to believe that such person is under 18 years of age.

Fifth. It would be unlawful for any manufacturer or dealer to ship any handgun, machinegun, and so forth, to any person other than a licensed manufacturer or licensed dealer, unless the person to whom such handgun is to be so shipped has submitted to the manufacturer or dealer a sworn statement to the effect that he is, first, 18 years of age; second, that he is not a person prohibited by Federal law from receiving a handgun in interstate commerce, and that there are no provisions of law applicable to the locality in which the handgun will be shipped which would be violated. Such sworn statement shall also contain the name and address of the principal law enforcement officer of the locality to which the handgun is to be shipped.

Sixth. Prior to making shipment the manufacturer or dealer is required to forward by U.S. registered mail to the local law enforcement officer named in the sworn statement, a copy of the statement and the description of the handgun being shipped, which description will include manufacturer, caliber, model, and type of handgun, but not including serial number. The manufacturer or dealer is obliged to receive either the return receipt evidencing delivery of the registered letter or the return of the letter because of the refusal of the addressee to accept, in accordance with U.S. Post Office Department regulations.

Seventh. It will be unlawful for any person to cause to be transmitted by U.S. mail or to cause to be transported in interstate or foreign commerce any such sworn statement which contains any false statement as to any material fact for the purpose of obtaining a handgun.

Eighth. The license fee for a federally licensed manufacturer will be increased to $50 per year. The fee for a federally licensed dealer, increased to $10 per year. The fee for a federally licensed pawnbroker, to $50 per year.

Ninth. The act shall not apply to the transportation, shipment or receipt of any antique or unserviceable firearm or firearms possessed and held as a curio or museum piece. Exemption is also included for those organizations, or persons, to whom firearms may be lawfully delivered by the Secretary of the Army.

We are definitely in need of Federal action to clarify standards by which an individual may transport his own weapons across State lines in observance of the law. Under many State and local laws, it is presently impossible for a citizen to transport a hand weapon from Ohio to Maine without running afoul of the law. This deplorable situation should be rectified.

CONCLUSION

This legislation is identical to the King-Hickenlooper proposals and I earnestly hope we can secure passage of this bill in the 89th Congress. Our criminal problem is the result of many socioeconomic factors but the gun cannot be blamed. Far more conducive to crime has been the laxity of our judicial system which coddles criminals and fails to use the laws which are on the books now to take these felons out of circulation. Accidents and crimes with firearms cannot be prevented by passing laws aimed at the gun. We should not succumb to the emotionalism and frenzy which has been whipped up by many do-gooders and far-left-wing thinkers who have devious motives in disarming our citizenry. This is one basic right which is a principal criterion of a free man. Remove it, register his firearms, and surround his purchase with redtape and Government forms, and you have driven one more nail in the coffin of American freedom. Public safety and security should be and must be protected. It will be less protected rather than more protected by vindictive legislation directed at the many millions of Americans who peaceably use their firearms consistent with the public welfare. My bills, H.R. 9574 and H.R. 9575, will accomplish everything that we need and put the penalty on the criminal, not the gun.

THE U.N. AT THE CROSSROADS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 15 minutes.

Mr. RYAN. Mr. Speaker, as we mark the 20th anniversary of the United Nations, the outlook for the future of the organization is uncertain. The achievements of the United Nations—in peacekeeping activities, in humanitarian pursuits, and in economic development tasks—as well as the dynamic evolution of the organization itself are overshadowed by the lingering threat of the financial and constitutional crisis over peacekeeping debts. The General Assembly is in paralysis while the two great powers, the United States and the Soviet Union, remain deadlocked over the arrears problem.

The current crisis has in part resulted from the U.N.'s past development and growth. The evolution and expansion of its peacekeeping powers in particular have created tensions and growing pains which must be resolved if the organization is to continue developing in effectiveness. The first prerequisite for the U.N.'s 21st year is a solution to the peacekeeping problem, a mutually acceptable agreement on how future peacekeeping operations should be authorized and financed, and a compromise arrangement on arrears. Only when the current constitutional crisis over peacekeeping is resolved can the United Nations look to the future.

It is often said, sometimes in compliment to the United Nations and sometimes in criticism, that the United Nations of 1965 is a far different organization from that envisioned by the framers of the San Francisco Charter in 1945. I agree. The United Nations is far from the same organization today that it was two decades ago, and I consider this important. The changes in the United Nations have been changes of growth and development. They are irrefutable testimony to the flexibility of the charter and to the adaptability of the organization to the changing needs of a dynamic international society. The world today is far different from the world of 1945, and the United Nations merely reflects these changes.

Three major institutional changes have occurred in the United Nations during the history of its first 20 years—the expansion of the peacekeeping role of the General Assembly, the development of the functions of the Secretary-General, and the more than doubling of U.N. membership. These changes have contributed significantly to the effectiveness of the United Nations over its first 20 years. The major accomplishments of the U.N. during this period have been numerous.

The most sensational and controversial are, of course, the peacekeeping missions in which the United Nations has been engaged since 1945. There have been more than a dozen, ranging from mediation to the dispatch of armed forces: in Indonesia, Greece, Palestine, Kashmir, Korea, Lebanon, Jordan, Laos, Suez, the Congo, West Irian—Dutch New Guinea—Yemen, Cyprus. In some instances a political settlement has been reached through the services of a U.N. mediator or conciliation commission. In other instances a U.N. commission is still patrolling a truce line or a U.N. mediator is still supervising negotiations after several years of unsuccessful efforts to reach a settlement. Thus, for example, U.N. truce machinery has been in Palestine since 1948. A U.N. military observer group has been in Kashmir since 1950.

The best known of the U.N. peacekeeping missions have been those involving the actual dispatch of armed forces to put out small wars. Three of these operations in particular—because of the large number of forces involved, the magnitude of the U.N. role, and the international repercussions of these threats to the peace—have significantly contributed to the reputation of the United Nations as guardian of the peace: Korea—1949-53; UNEF (Suez)—1956 through the present; and the Congo—1960-64.

It is only fair to admit that not all of the United Nations peacekeeping ventures have been total successes. Some have been partial successes: The Suez crisis ended in a truce in the Middle East, but the U.N. force has continued patrolling the truce lines for 9 years now to quell periodic outbreaks of violence. Others have failed: The Yemen mission of last year ended in failure when Saudi Arabia and the United Arab Republic refused to comply with the U.N. demand for withdrawal of forces. Still others have been successfully terminated, such as the Lebanon mission in 1958.

In spite of partial successes and failures, however, the United Nations peacekeeping role has undoubtedly contributed to international peace and security during the revolutionary period of the last two decades. While there have been no major wars, there have been numerable brush-fire conflicts which might have escalated into larger scale wars had there been no U.N. presence. The crucial factor has been the neutralizing role of the U.N.: The existence of an impartial mediator. While the United Nations has not always been able to work out a political settlement between the disputants—witness the current problems of the U.N. mediator in Cyprus—U.N. forces and truce supervisory teams have at least been able to lessen tensions by forming a neutral barrier between warring factions and thereby preventing local conflicts from escalating into major threats to international peace. In this manner the United Nations has fulfilled one of the primary functions given it in the charter: to maintain international peace and security.

Because of the current crisis over authorizing and financing peacekeeping operations the future development of the U.N. peacekeeping capacity is uncertain, but not wholly pessimistic. Even in the midst of the paralysis over U.N. peacekeeping, a significant developement has taken place among some of the individual members of the United Nations. First Canada, then the Scandinavian countries, and now several other U.N. member nations—Netherlands, Italy, Iran, New Zealand—have announced that they are earmarking troops for U.N. peacekeeping forces. These developments raise the hope that if only the current crisis can be satisfactorily resolved, the United Nations will continue to evolve into an increasingly effective peacekeeping institution.

Emphasis on the peacekeeping role of the United Nations has tended to obscure other important accomplishments of the organization. In the humanitarian field for example, the United Nations has taken some significant steps toward the international protection of human rights, beginning with the adoption of a declaration against genocide on December 11, 1946. The declaration affirmed that genocide—committing certain acts with intent to destroy, in whole or in part, a national, ethnic, racial, or religious group—was a crime under international law. A convention on genocide was adopted by the General Assembly in December 1948, which declared genocide itself and conspiracy or incitement to commit genocide punishable and required all countries ratifying the convention to adopt laws giving effect to the convention and to grant extradition in cases of genocide. Sixty-seven governments have since acceded to the genocide convention. Unfortunately, the United States is not included.

A major landmark in U.N. human rights action was the adoption by the General Assembly of a Universal Declaration of Human Rights on December 10, 1948. This action by the U.N. Assembly marked the first time in history that the international community, acting through an international organization, has formally assumed responsibility for the protection of basic individual liberties. The declaration set a common international standard of achievement, outlining such basic individual freedoms as the right to life and liberty, to equal protection before the law, to free movement and residence, and the right to freedom of thought and religion, of opinion and expression, and of peaceful assembly and association. Currently an International Bill of Human Rights is being drafted to promote the observance and implementation of the rights and freedoms set forth in the universal declaration.

Mr. Speaker, building upon the Universal Declaration of Human Rights, the United Nations has since 1948 adopted several human rights conventions, legally binding on all members which ratify them. These include a convention relating to the status of refugees, in 1951; a convention on the political rights of women, in 1952; a convention relating to the status of stateless persons, in 1954; a supplementary convention on the abolition of slavery, the slave trade, and institutions and practices similar to slavery, in 1956; a convention on the nationality of married women, in 1957; a convention concerning the abolition of forced labor, in 1957; and a convention on consent to marriage, minimum age for marriage, and registration of marriages, in 1962. These conventions were designed to combat some of the most flagrant abuses of human rights by setting specific international standards that members ratifying the conventions would be required to comply with, and that even nonratifying members would feel a moral pressure to emulate.

A major recent step in U.N. action on human rights was the adoption by the 1963 General Assembly of a Declaration on the Elimination of All Forms of Racial Discrimination. This declaration called discrimination on grounds of race, color, or ethnic origin an offense to human dignity and a denial of the principles of the United Nations Charter, and declared that "all states shall take effective measures to revise governmental and other public policies and to rescind laws and regulations which have the effect of creating and perpetuating racial discrimination wherever it still exists."

The United Nations has become a world conscience on human rights questions, where none existed before.

U.N. work toward human rights has not been wholly on a theoretical and general level, however. One of the most noteworthy examples of U.N. concern over specific human rights issues is the long continuing discussion—first in the General Assembly and later in the Security Council—and the many attempts to find a solution to the problem of apartheid, or racial separation in South Africa. As early as 1952 the General Assembly called South Africa's racial policy "a flagrant violation of the basic principles of human rights and fundamental freedoms which are enshrined in the Charter of the United Nations." U.N. commissions have been appointed to study the problem and make recommendations. The United Nations has listened to petitioner after petitioner from South Africa. Even though the United Nations has thus far been unable to influence the South African Government's policy, it has at least illustrated the concern of the international community about policies of racial discrimination.

Portugal's policy toward its African territories has also come increasingly under fire in the United Nations. The United Nations has time and again condemned repressive measures by the Portuguese authorities to put down revolt in the territories. Economic sanctions have been urged against both South Africa and Portugal for refusing to comply with U.N. resolutions, and a U.N. presence in the Portuguese territories has been sugested. These U.N. efforts to secure basic human rights can be expected to continue.

At a more concrete level, United Nations efforts to improve man's lot have assumed the form of ever-expanding economic development programs around the world. Early in the U.N.'s history, in response to a provision of the United Nation Charter calling for the creation of various agencies in economic, social, cultural, educational, health, and related fields, the specialized agencies were established, among them: UNESCO, the Food and Agricultural Organization—FAO—the International Labor Organization—ILO—the International Bank for Reconstruction and Development, and the World Health Organization. Devoted exclusively to the improvement of economic and social conditions, the specialized agencies have become involved in a worldwide multilateral aid program which, even though it cannot compare in magnitude with the U.S. bilateral aid program, has had significant impact on the less-developed areas.

The establishment of the U.N. Expanded Program of Technical Assistance—EPTA—in 1949 was the first important step toward expanding and making more effective the U.N. aid program. Financed wholly by voluntary contributions from governments, EPTA was created jointly by the United Nations and the specialized agencies to plan and coordinate technical assistance activities. Its chief form of assistance is the provision of experts, fellowships, supplies, and equipment. EPTA selects and coordinates projects, and their execution is the responsibility of the specialized agencies.

About $500 million has been paid to the EPTA program since its beginning in 1949. In 1963 alone EPTA awarded 2,545 fellowships to applicants in less-developed countries for training abroad in such fields as medicine, public administration, engineering, industrial management, teaching, and community services. In the same year a total of 3,037 experts were sent by EPTA into the less-developed countries to aid in health problems, education needs, labor relations, and other fields. One of the largest EPTA projects, executed by UNESCO, has been the provision of experts and equipment to set up five technological institutes in India for the training of students in scientific and technological skills.

Another important development in U.N. assistance efforts was the establishment of the Special Fund in 1959 to supplement then existing programs by extending assistance for preinvestment projects. Like EPTA, the Special Fund is financed by voluntary contributions from governments. Assistance falls into three main categories: resource surveys and feasibility studies; applied research and demonstration projects in industry and agriculture; and manpower training and technical education. By mid-1964 the Special Fund had expended some $374 million on 421 different projects in 130 countries and territories. One of the largest of the recently approved Special Fund projects is a feasibility study of a changeover to irrigated agriculture in the Senegal River valley and delta in Africa, affecting four African nations. Another recently approved Special Fund project, to be executed by the International Atomic Energy Agency, is a program to eradicate the destructive fruit fly from Central America through the services of experts and consultants and with the use of scientific equipment and insecticides.

As an indication of the United Nations' intensifying interest in economic development problems, the 1961 General Assembly adopted a resolution designating the current decade the "United Nations Development Decade," and set as its goal the increase of national income in developing countries by 5 percent annually by 1970, with continued growth thereafter. Probably the most significant occurrence yet of the Development Decade thus far was the U.N. Conference on Trade and Development—UNCTAD—in which delegates from 120 different countries participated during spring of 1964. The purpose of the Conference was to seek ways of helping the developing countries earn the necessary funds to translate the goals of the development decade into higher living standards.

The Conference focused on aid and trade problems of the developing countries, in particular on the need for increasing the export earnings of the developing countries and for accelerating their rate of development. The less developed countries—75 African, Asian, and Latin American nations—stood united on all important matters at the Conference and determinedly pressed their demands for more flexible aid terms and an improvement of their trading position.

Although no solutions were reached at the Conference, the 19th General Assembly decided to continue the Conference on a permanent basis and to create a 55-member Trade and Development Board as a permanent organ of the Conference. Thus, the Conference would appear to be the beginning of a continuing dialog between the rich and the poor in the U.N. on ways of reducing the gap in living standards between them.

Mr. Speaker, the differences of views among members—East and West, rich and poor—are apparent, not only on political issues, but even on development problems. The differences are not, however, new. Most of them have always been there. The chief significance of the United Nations is not that it can erase differences among nations, but rather that it can accommodate them. In spite of disagreements among members in the past, the United Nations has chalked up some noteworthy accomplishments—in peacekeeping, in pursuit of human rights, and in development activities. This year has been designated "International Cooperation Year" by the United Nations. Let us hope that, before the year is out, the problems currently threatening the organization will be resolved so that members may begin working toward the further development of international cooperation through the United Nations.

AID PRACTICES THE ECONOMY IT PREACHES

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. BINGHAM. Mr. Speaker, there are several very good reasons why our foreign aid program today is effective. Not the least of them is improved management and administration under the direction of the present AID Administrator, David E. Bell.

I believe that David Bell and his staff of dedicated men and women deserve the thanks and appreciation of both Congress and the American public for the efficient and economical manner in which they are conducting our foreign aid program.

Like the developing countries who are receiving our aid, the AID staff is constantly searching for new and improved methods of doing things.

Our experience in the foreign aid business has demonstrated that sweeping reorganizations are not the answer to the problems which confront us. The answer lies in consistent improvements within a basically stable organizational structure—such as we are getting today in AID.

I believe the following information, furnished to me by AID, is of interest in this connection:

First. In 1964, AID inaugurated a new agencywide management improvement program designed to streamline operations, increase employee productivity and cut the costs of doing business. As a part of this program, AID has underway, or is initiating in the coming year, major efforts to—

Devise new methods for the more rapid and effective execution of approved programs;

Increase the impact and effectiveness of AID technical assistance programs; and

Continue to tighten personnel and manpower management for optimum use of scarce personnel resources.

Second. AID's present programing process is both rigorous and comprehensive. It involves:

Planning and review on the ground by the AID mission and the country team under the direction of the Ambassador.

Further review in Washington by the regional assistant administrators and by Mr. Bell; and

Continuous interchange of questions, ideas, and information between the field and Washington.

This process involves evaluation of self-help efforts and shortcomings, discussions with host governments, coordination with other donors, and longer range analyses of opportunities, needs, and problems.

The results are programs carefully worked out to further U.S. objectives in each specific country. Where stability and self-help efforts warrant, our program may provide major development assistance—primarily in the form of loans. Where security considerations require, our program may focus on major support of defense and counterinsurgency efforts, or maintaining stability—usually through supporting assistance. In many situations, AID assistance is limited—often to small programs of technical cooperation. This is true, for example, when another developed country is providing the bulk of the assistance needed by a recipient country.

Third. During the past year, major emphasis has been given to Far East programs, particularly the requirements of Vietnam, Laos and Thailand. Requisitioning, procurement and delivery of supplies and equipment to these countries has already been speeded up substantially. AID is now developing an automated system to provide faster procurement and shipping of U.S. excess property for these programs.

AID is working in close collaboration with the General Services Administration and the Department of Defense to expedite procurement and shipment of equipment and supplies needed in AID program operations.

Fourth. AID is also participating in a special multi-agency foreign affairs information management project under the leadership of the Bureau of the Budget. Its objective is to assess and improve existing internal information and reporting systems of U.S. foreign affairs agencies. The end result will be a more rapid and effective system of gathering and using pertinent information on foreign affairs from collection to storage and retrieval.

Fifth. In 1964, several of organizational innovations also were adopted to increase AID's operating efficiency and effectiveness. For example:

A single regional mission was established to administer the limited foreign assistance programs which AID conducts in a number of African countries. Small, continuing U.S. assistance efforts in up to 16 countries will be administered through this relatively small Washington-based organization, with few direct-hire AID staff stationed overseas. As of December 1964, full responsibility for administering AID programs in eight of these countries had already been transferred to the regional mission in Washington, thus eliminating the need for individual missions in each country.

The operations evaluation staff was organized to provide AID's Administrator with periodic assessments of the operational performance and effectiveness of the overseas missions.

An Office of Labor Affairs was established to strengthen the Agency's institution building efforts in the labor field. This office works closely with the U.S. labor movement, universities, and the Department of Labor in the development and implementation of labor programs.

AID police training activities were consolidated in the Training Division of the Office of Public Safety. A major aspect of this consolidation was the relocation of the Inter-American Police Academy from Panama to Washington and its merger with the International Police Academy. The merger resulted in a reduction of 33 employees, an improvement in the quality of the training offered, and an increase in the number of foreign police trained under AID auspices at no rise in cost. In fiscal year 1963, it cost $2.6 million to train approximately 600 participants. It is estimated that 1,000 can be trained for the same cost in fiscal year 1965.

AID's central office of international training was modernized and new training concepts and approaches were adopted. The responsibility of this office is to plan, arrange, and oversee the training of more than 6,000 foreign personnel who come to the United States each year under AID programs. This reorganization will improve relationships with other U.S. agencies and institutions assisting in AID's training programs. More attention will be given to the individual training needs of each participant and to social, cultural and environmental problems of participant adjustment to life and learning in the United States.

Sixth. AID has also made many improvements in the area of personnel and manpower management.

During fiscal year 1964, AID significantly reduced direct-hire employment. Total employment declined during this period from 16,782 to 15,642, a decrease of nearly 7 percent. Further reductions are being made through improved operating procedures and continued improvements in job performance. AID has increased attention to the professional improvement of its staff, setting high performance standards, rewarding competence, and weeding out ineffective employees.

Following a comprehensive review of its manpower practices, AID has changed its basic approach to managing its manpower resources. Changes include:

An improved manpower programing system that produces more accurate and detailed forecasts of immediate and long-range manpower needs;

Tighter controls on the employment of personnel, along with techniques to reduce or stabilize the level of permanent employment; and

Automated manpower reporting techniques which produce more accurate and timely agency manpower reports.

To increase the effectiveness of its operation, AID is requesting authority which will make it possible over a period of time to increase the interchangeability of Washington and field personnel. This would be accomplished by increasing rotational assignments of Foreign Service Reserve officers and by increasing the number of officers initially assigned to Washington whose appointments would be in the Foreign Service Reserve. In time, the proposed change would increase substantially the number of officers with both overseas and Washington experience.

The AID automatic data processing system is being augmented to include an inventory of skills and language abilities of AID employees. This will greatly facilitate the task of identifying employees who have the particular position. Other AID innovations in financial management includes the consolidation and centralization of overseas audit offices for several country groupings, automatic payroll mechanization, and several program cost-reduction actions.

Seventh. The following are some examples of reduced operating costs by AID, which have resulted in substantial savings:

The AID mission in Laos saved an estimated $106,808 by rescheduling its use of air service for airlift of cargo and air travel of personnel within Laos.

A recent review of periodical Agency publications resulted in discontinuing a number of them, reducing them in size or eliminating unnecessary features such as color printing. As a result, AID printing costs have been reduced an estimated $220,000 a year.

A new procedure for the substitution of letters or memorandums for routine or transmittal-type airgrams has eliminated some 1,500,000 reproduced copies from headquarters traffic at an annual net saving of $29,000. In addition, economies in recipient office, through the decrease in paperwork, are conservatively estimated at $75,000 annually.

Efforts to encourage cooperating countries to assume certain economic development costs previously financed by the United States, such as travel and other costs of participant trainees, and costs of the transportation of program commodities within the country, are also resulting in substantial savings. In three aid-receiving countries, first-quarter fiscal year 1965 savings totaled $218,646.

AID procurement policies have resulted in still further economies:

As a result of AID's efforts to assist in disposing of U.S. excess stockpile material, GSA sold a total of $17.8 million in fiscal year 1964 for use in foreign assistance programs. In the first 5 months of fiscal year 1965, these sales totaled $6.9 million.

Consolidated buying, during the slack production season, of DDT for the malaria eradication program produced savings of $1,737,000 in fiscal year 1964. Continuation of this practice has already saved $482,500 during the current fiscal year.

During fiscal year 1964, in lieu of procuring new equipment, AID acquired U.S. Government-owned excess property for use in its foreign assistance programs having an original acquisition value of $36.1 million. The cost to AID, including rehabilitation, storage, handling, and inland transportation, amounted to $4.1 million. AID will continue to stress the maximum use of excess property in its program during the coming year.

Mr. Speaker, these are some of the ways in which David Bell and AID are carrying out President Johnson's mandate for more economy and efficiency in government.

I strongly believe that this sort of dedication to responsibility and frugality deserves our continued support.

NEW YORK CITY IN CRISIS—PART CXXII

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article about the poverty program in New York.

The article appeared in the New York Herald Tribune of May 9, 1965, and is part of the series on "New York City in Crisis."

The article follows:

New York City in Crisis—Mayor's Poverty Program: Javits' Aids Set Up a New Hurdle

(By Barrett McGurn)

Mayor Wagner's plans to get an $18 million antipoverty program underway run into more heavy weather yesterday as Senator Jacob K. Javits' minority staff on the Senate Labor and Public Welfare Committee published a sharply critical report.

The Republican committee members' staff said the mayor has largely ignored neighborhood organizations, provoking needless resentment and hostility. It also objected that State authorities, such as Governor Rockefeller, have been kept in the dark about city hall's antipoverty plans, and that the federally required 30 days for State review of the city program will not be enough for a proper appraisal.

The committee staff said the rules of Sargent Shriver's Office of Economic Opportunity, which administers the antipoverty program, should be modified to consultation with neighborhood groups after Mayor Wagner makes his intentions known. It also called for some system of regular notification to the State government.

The report was drawn up at the request of Senator Javits after West Side Representative William Fitts Ryan, a potential Democratic candidate for mayor; Harlem Representative Adam Clayton Powell, chairman of the House Education and Labor Committee, and various neighborhood organizations protested that Mayor Wagner is setting up a city-controlled machine to control the distribution of Federal poverty funds.

Senator Javits said he did not necessarily subscribe to each comment of his staff, but added, "I do believe they underscore the serious need for action by Congress and the Office of Economic Opportunity to insure that the Federal Government is able to prevent a city from derailing the main objectives of the antipoverty program."

The minority staff offered two examples it regarded as bad city hall handling of the important poverty correction program:

The mayor's antipoverty operations board, composed of 11 city officials, a year ago gave $225,000 to youth in action, which had been set up by the Central Brooklyn Coordinating Council, a federation of 70 organizations of the Bedford-Stuyvesant section of Brooklyn.

Youth in action was encouraged by the city board to concoct ideas for an antipoverty program, but suddenly, 2 months ago, City Council President Paul R. Screvane, the chairman of the board, announced that a community progress center of his own devising would take over and that youth in action would be permitted to continue merely in a supplementary role.

The result in the already seething Bedford-Stuyvesant neighborhood, according to the Republican staff workers, has been a wave of resentment and a series of mass meetings aimed at opposing the antipoverty program as one more politically motivated maneuver of the powers that be.

The city's other blooper, according to the committee aids, concerned the Puerto Rican Forum, an 80-member organization representing a wide stratum of Puerto Rican groups throughout the five boroughs. They, too, received an operation board grant: $70,000 through last November and then month-by-month grants of $10,000 through January.

The idea was to have the Puerto Rican group come up with a self-help program, so it suggested 33 projects, but in February Mr. Screvane announced that the group no longer would be considered the umbrella for the Puerto Rican of New York, and that only 3 of the 33 ideas would be put into effect.

"Again," said the Republican aids, "a city-recognized and funded indigenous planning effort was abruptly repudiated."

The report was signed by Stephen Kurzman, minority counsel; Roy H. Millenson, minority clerk, and Frank Cummings, minority labor counsel. Mr. Javits forwarded the statement to Senator Pat V. McNamara, Democrat, of Michigan, chairman of the Special Poverty Subcommittee of the Labor and Welfare Committee.

NEW YORK CITY IN CRISIS—PART CXXIII

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article on New York's antipoverty program which appeared in the New York Herald Tribune on May 10, 1965.

The article is part of the series on "New York City in Crisis," and follows:

New York City in Crisis—New York's Antipoverty Program: Public Funds and Power Politics

(By Barry Gottehrer and Alfonso Narvaez)

(Note.—The poverty program was created to help the impoverished citizens but, in New York City, redtape, indecision, politics, and mismanagement have hamstrung the program and kept it from reaching the vast majority of people it was designed to help. Here in the first of a series of articles, a team of "New York City in Crisis" reporters takes a look behind a stormy Harlem poverty program.)

This is the story of a poverty program—a poverty program in trouble.

Its name is Haryou-ACT and, from its offices in Harlem, it holds the key to the costly struggle between Mayor Wagner and Representative Adam Clayton Powell over who is to control the poverty program in New York City.

Reportedly controlled by the mercurial Congressman through Livingston Wingate, a former aid, Haryou-ACT has been beset by dissension from within and criticism from without since its formation last June.

Yet at no time have the charges and criticism against the administration of the multimillion-dollar, publicly financed program been as widespread as they have during the past 8 weeks.

These charges—coming from some staff members and directors, former employees and residents of the troubled area the program has been created to help—have included political control, padded payrolls, slipshod recordkeeping, shortages in inventory, little progress and mismanagement.

Six weeks ago, when the Herald Tribune first interviewed Mr. Wingate about these charges, he said, "I'll show you our books, our records and the reason for any appointees. But, damn it, don't just print the accusations and backroom whispers you hear all over."

The Herald Tribune did not print these accusations and, despite other discussions and promises to produce these records, he has still not produced them.

Last week, the Herald Tribune asked the city administration and all Federal agencies involved in funding this program for a ruling on whether Haryou-ACT's records were "in the public domain" or if the availability of records detailing the expense of public funds does not apply to the poverty program?

Though the Herald Tribune has still not received an answer from the city administration or the Federal agencies involved, a team of reporters has learned that:

At least five members of the nonsalaried board of directors of nonprofit Haryou-ACT have been receiving consulting fees from the program's funds.

Though this practice is legal according to the program's papers of incorporation, Federal, city and State officials expressed surprise that the clause was permitted to remain in the contract.

"It's the first I've heard of that," said City Council President Paul Screvane, who is also head of the city's poverty program. "I don't have the facts before me but I certainly could see how people might be critical of the practice as potentially leading to conflict of interest."

Though Mr. Wingate refused to identify the board members receiving consulting fees or say how much each has received, he defended the practice.

"We're supposed to be working with people from our community," he said, "and these people are the best in our community—specialists in their areas."

Dr. Lonnie MacDonald, a member of the Haryou-ACT board and slated to be the program director of the project's narcotics institute, defended the practice last week but only when specialists were involved.

He said, however, that in certain cases—such as in handling insurance and legal matters—the question of conflict of interest could arise.

According to Robert Cooper, who got the job as executive director at ACT when Mr. Wingate moved over to Haryou-ACT, two board members are receiving fees for handling insurance and legal matters for the program.

At least one staffer, receiving $7,000 a year as a teacher at Haryou-ACT, has also received consulting fees from ACT.

According to people both inside and outside the program, this practice is not limited to one person at Haryou-ACT.

A major revolt is brewing at ACT, which threatens the future of the Domestic Peace Corps, the preemployment training program and Adult Volunteer Service Corps. At least one staffer said he would be willing to testify before a congressional committee about mismanagement and padded payrolls.

TAKEOVER REPORTED

Another top staffer reportedly has seen a copy of a memo signed by Mr. Wingate outlining a plan for the phasing out of ACT and a complete takeover by the Haryou executive director and those loyal to him.

Mr. Wingate has denied the existence of this memo and dismisses these charges as complaints of people he hasn't given raises to.

Not all the charges come from salaried staff members, however. One member of the ACT board, which he says Mr. Wingate and/or Representative Powell still controls, claims that Mr. Wingate has badly mismanaged

ACT during his 3 years as head of the program with more than half of the $1.5 million received spent on salaries.

This director charges that the project has been delinquent in paying its withholding taxes and that funds, which the city has allocated for ACT, have been spent by Haryou-ACT without the knowledge or approval of the ACT board.

Under Mr. Wingate, who was a $17,500-a-year assistant to Representative POWELL and now receives $25,000 from Haryou-ACT, there was virtually no recordkeeping of personnel and youngsters involved in the program.

When a reporter persisted in seeing forms telling something of the background of youths involved in the program a few months ago, he was put off until the ACT staff hastily put together a new form containing the information he had requested.

A spot check of three names—all youngsters involved in the program—showed that there were no cards for any of these youths.

To this day—at ACT and at Haryou-ACT—both working with at least a percentage of problem youth—there is still virtually no system of determining and cataloging exactly what the problems are before the youths are placed in one program or another.

For those loyal to Mr. Wingate, salaries have risen sharply in the year since he has moved from ACT to running the entire multimillion-dollar program.

PERSONAL LOYALTY

Some of the increases as of mid-February, the latest data available: Lawrence Houston, $8,000 to $15,000; Olivia Frost, $8,500 to $12,500; Julian Euell, $8,000 to $15,000; James Jones, $8,100 to $13,500; and W. R. Henrik Smit, $8,000 to $11,000.

"Increases like that," said one critic of Haryou-ACT's current administration, "are likely to keep a person loyal to anybody's poverty program."

Former associates and employees of Representative POWELL, increasingly since Mr. Wingate moved into full control of the program, have been added to the payroll—as full-time staffers and as consultants.

These include Wingate himself, John Young, Waldo Parrish, G. Donald Covington, and the Mitchell Detective Agency.

ACT pays $49,000 in rent a year for its headquarters at 179 W. 137th Street. The owner of the building, the Abyssinian Baptist Church, whose pastor is ADAM CLAYTON POWELL and whose father founded it.

Some programs have been delayed in getting started even though the money has been allocated, some personnel employed, and some equipment purchased.

At least one has been a total washout.

This is the business enterprise program which, as of February payroll records, had a $12,000 a year consultant, three coffeeshop advisers (one at $8,000 a year and two at $6,000) and a coffeeshop manager at $6,000.

The concept of this program was to have a group of youngsters run and administer a series of coffeeshops under the close supervision of adults.

DRUG, SEX HANGOUT

The first coffee shop—at 133d Street and 8th Avenue—was opened in October of 1963—after a reported expense of "thousands of dollars" to fix it up.

By mid-April, the one coffee shop, which had received considerable publicity when it was opened, was quietly shut down.

Why?

Mr. Wingate said he "padlocked" it himself but won't say why. "We learned from our mistakes and won't make them again when it reopens," he said.

Neighborhood residents were a little more candid. They say that the coffee shop had become a drug and sex hangout.

Haryou-ACT, which committed only $1.5 million of a total of $3,159,000 allocated in its first 10 months, has recently decided to push full speed ahead with two major projects—even though the major funding for them is still under consideration in Washington and city hall.

These two programs are the neighborhood boards, for which Haryou-ACT already has $243,000, and the Narcotics Institute, for which it has received no money.

The Haryou-ACT request for $1.5 million in community-action funds was sent to the Office of Economic Opportunity back in March as part of the city's overall $10.5 million request.

Action on the city's request has been delayed while the city administration tries to come up with a compromise solution as to who will run the program.

Action on the Haryou-ACT request, however, has been additionally delayed because Mr. Wingate and his board had not sent complete details for the program in its original outline. Though an OEO spokesman says the request is still under study—and may still not win his office's approval—Mr. Wingate has predicted that the five neighborhood boards would be in operation by the end of May.

If they aren't, he has implied, it is not his fault. It's up to the city and Washington to provide the funds.

The Narcotics Institute is an even more glaring example of Haryou-ACT's decision to try and force both the city and OEO into approving its programs—or else.

Part of "Youth in the Ghetto," Dr. Kenneth Clark's mammoth study of troubled Harlem which has served as the basis for the program, the Narcotics Institute was listed in Haryou-ACT's budget statement of March 31 as "recommended from budget reallocation."

According to city officials, however, this request for a reallocation to get the Narcotics Institute started had still not arrived by last weekend.

Though city council president Screvane has asked all Federal agencies to defer action on narcotics proposals for the city until the administration comes up with its own citywide proposal, Haryou-ACT 2 weeks ago decided to ask OEO for an additional $1.5 million to set up the institute.

Finaly, late last week, without telling city hall or OEO of his plans, Mr. Wingate held a press conference at which he announced the plan for the Narcotics Institute to be operational within 30 days.

Until he received funds from OEO, he said he would use $125,000 in funds allocated for other programs to get the institute started.

This reallocation must still be cleared by Mr. Screvane, who last week said, "We have approved no narcotics program for Haryou-ACT."

A BASIC POINT

In placing both the city administration and OEO into positions where they must approve the programs or face charges of depriving the people of Harlem, Haryou-ACT has overlooked one basic point.

Under title 2—under which Haryou-ACT has requested funds for the Institute—OEO generally puts up only 90 percent. Even if the Federal office approves the plan, Haryou-ACT will undoubtedly still have to look to the city administration for the other 10 percent.

A preliminary audit of Haryou-ACT by Federal officials reportedly has turned up incidents of mismanagement and faulty recordkeeping, but has given the impression that the administration may be improving. It is understood that Federal officials and city people both are waiting for a report from the Price Waterhouse accounting firm, which has been recently employed to audit Haryou-ACT's books on a continuing basis, before deciding on their next move.

The city administration, which has been losing in its struggle with Representative POWELL over who should administer the poverty program, doesn't know what to do about Haryou-ACT and the charges of problems in Harlem.

But last week, however, the concern had reached the confidential memo stage.

MISMANAGEMENT

A memo, which reportedly was circulated among top city poverty officials, read in part:

Haryou-ACT's neighborhood board "work program and budget submitted as part of the community action program application is presently quite inadequate. Our staff reveals major deficiences. * In addition the OEO has indicated dissatisfaction with the work program and budget and will request substantial revision. * * *

"Haryou-ACT has failed, after repeated requested extensions over more than 3 months, to submit budget requirements for city funds for fiscal year 1966.

"No progress reports as required by item * * * of the contract have been submitted.

"Continuing charges are made of mismanagement, payment of questionable stipends to youth, the lack of sufficient supervision over activities * * *

"There is need for clarification of policy about board members serving as per diem consultants, this practice by Haryou-ACT sets a precedent for all other groups similarly funded."

The tragedy of the current criticism and charges swirling around the Harlem project is that the program must succeed—for the people of Harlem and for the people of New York.

Even in its 10 months of internal battles and mismanagement, the program has shown what it could—and must—do for the troubled youth of the ghetto.

Now—bogged down by its own failures, its decision to fight the city administration and try to pressure OEO and its failure to act immediately to refute the charges if they are untrue—Haryou-ACT is in serious trouble.

"Whose side are you on?" Mr. Wingate asked a Herald Tribune reporter in Washington as Representative POWELL and Mr. Screvane clashed over the city's poverty program. "Ours or theirs?"

It is a question that the inaction from city hall and the questionable action from Haryou-ACT have made extremely difficult—but vitally important—to answer.

POVERTY WAR DRAMATIS PERSONNAE

ADAM CLAYTON POWELL: Allegedly in control of Haryou-ACT, the controversial central Harlem poverty project. * * * The mercurial Congressman has been using his chairmanship of the House Education and Labor Committee as his chief weapon in his struggle with city hall and the Office of Economic Opportunity. * * * Wants assurances that he, not city hall, will control Harlem's poverty program. * * * Has threatened to hamstring the $1.5 billion Federal poverty bill, which his committee is now studying. * * * Other members of his committee indicate, however, that they will go along with Sargent Shriver, not POWELL, when they meet on bill this week. * * * POWELL's other weapon: the threat that he will attack Shriver, city hall as anti-Negro.

Livingston Wingate: Former aid to POWELL and beneficiary of POWELL's victory over Dr. Kenneth Clark in the struggle to control Haryou-ACT. * * * A lawyer, pipe-smoking Wingate today sits confidently atop potentially explosive Haryou-ACT's throne. * * * Says he is his own man, not POWELL's; others disagree. * * * But he and POWELL agree on at least one thing: city hall will not be allowed to get its hands on Haryou-ACT. * * * His solution, rushing full-speed ahead with programs that have not yet been approved, hoping to force city hall, Shriver's office into having to approve them. * * *

Charges against his administration remain unanswered.

Sargent Shriver: The key man in the poverty struggle whose $1.5 billion request is now in the hands of Powell's committee. * * * Though he denies it, city hall says he gave go-ahead to Mayor Wagner's city-controlled poverty corporation, then backed off when Powell, Wingate, New York community leaders exploded against the plan. * * * Has resisted being pressured into approving city's $10.5 million community-action request until city setup, Haryou program receive his office's final approval. * * * Haryou's plan to push ahead with its program without waiting for OEO's decision, rumors about trouble behind the project's doors, and threat of anti-Negro outburst from Powell, Wingate present major problems for Shriver.

Mayor Robert Wagner: Already under attack from civil rights groups, he had counted on quick Federal approval of the city's $10.5 million community action request to show the people of Harlem, Bedford-Stuyvesant and other poverty centers of city that he was interested in helping them to help themselves. * * * Now, with Shriver's office awaiting his decision to give up total control of the corporation or further delay funding the mayor must come up with an answer quickly. * * * An open fight with Powell, Wingate is last thing he wants now. * * * Reportedly considering giving Haryou–ACT free hand in exchange for city control of program elsewhere. * * * Big fear in election year is possibility of another long, hot summer in Harlem, leaving him open to attack for delaying poverty program.

Paul Screvane: City council president and head of the city's antipoverty program, reportedly wants to be mayor after Wagner. * * * Poverty Corporation, which he'd head, ultimately would have 16 poverty centers, providing unusual opportunity to set up a widespread patronage machine. * * * Convinced city must retain strong control over where, how its money is spent. * * * Feels OEO buckled under pressure, first approving 11–6 formula for city control of corporation, then saying city hall must give indigenous poor, community leaders greater powers. * * * Says he offered to turn entire poverty program over to voluntary and sectarian community organizations last week but they refused. * * * Heard reports about possible trouble at Haryou–ACT but, after playing heavy in investigation at Mobilization for Youth, has chosen to stay out of this one.

Dr. Kenneth Clark: professor of psychology at City College whose work was cited in the 1954 school desegregation decision. * * * "Father" of 614-page research document, "Youth in the Ghetto," considered to be a masterful documentation of poverty in Harlem. * * * Former director of Haryou but lost out in struggle for control of Harlem antipoverty program. * * * His reported fight with Congressman Powell for control ended with the naming of Livingston Wingate as executive director of Haryou-ACT * * * A merger of Haryou with the Associated Community Teams, which Representative Powell reportedly controlled. * * * Has plans for his own poverty program for selected young people in Harlem.

Rev. Dr. David W. Barry: Executive director of the New York City Mission Society, a nondenominational missionary organization that concentrates its efforts in "difficult" urban areas. * * * Assistant treasurer and member of the board of Haryou-ACT. * * * An outspoken critic of "secrecy" concerning city's poverty proposals. * * * Favors greater participation by poor in design, review, and carrying out of poverty programs. * * * Sees Economic Opportunity Act as just a more "sophisticated brand of welfare" unless this is done. * * * Has never seen the "hand of Congressman" Powell in any of Haryou-ACT's programs or policies. * * * Feels that Haryou-ACT is doing a good job and that charges of wrongdoing are "nonsense."

Anne Roberts: Staff director of the city's antipoverty operations board, she receives $22,500 a year, has been caught in the middle in most of the battles raging around the city's war against poverty. * * * Her office did big job in March in finishing city's mammoth $10.5 million request to OEO including outline for poverty centers since has seen program become a political football. * * * City hall refers most press questions about program to her office, rarely provides her with necessary answers. * * * Also has heard about rumors of trouble at Haryou-ACT but lacks authority, desire to do anything about them.

OUR GOAL IN VIETNAM: LAW AND ORDER THROUGH SELF-GOVERNMENT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MULTER. Mr. Speaker, through all the smoke created by the small fires built by the administration's critics one thing can still be seen: we must not let the Communists win in Vietnam.

Support for this policy is stated very succinctly in the following editorial from the June 24, 1965, edition of the New York Journal American and the June 20, 1965, editorial broadcast by station WMAL here in Washington:

[From the New York Journal American, June 24, 1965]

The Profs

The TV debate in which Presidential assistant McGeorge Bundy upheld President Johnson's Vietnam policy against three academic critics had one heartening aspect.

The critics, headed by Prof. Hans Morgenthau, of Chicago University, took the line in general that the United States had no business being in Vietnam and ought to clear out. There was nothing startlingly new about that. It is the line followed in those slanted "teach-ins."

What was encouraging was the appearance of another professor in support of the Johnson policy. He is Zbygniew Brzezinski, director of the Research Institute on Communist Affairs at Columbia University—in brief, an expert.

He made the point that the Vietnam war was not just a local issue but one of far-reaching consequences to the stability of the world and inside the Communist world.

He went on to say that unless the United States resisted communism in Vietnam effectively, Communist China would win the argument with the Soviet Union about the best way to proceed against the Western World, and would foment further trouble throughout the world.

Applause from here, professor.

Vietnam

(An editorial broadcast by WMAL, Washington, D.C., June 20, 1965)

What started as a small-scale military advisory unit in South Vietnam has grown into a full-scale military operation. In an area a little larger than Florida, we are now firmly committed to a war that must be won.

Some people apparently are still confused about our basic policy in southeast Asia. The President has frequently stated that our goal in Vietnam is to help establish law and order through self-government without Communist intervention. The goal is simple and easy to understand. Unfortunately, it is very difficult to achieve. However, it can be reached if everyone pulls together and supports the President's policy in Vietnam.

MINING INDUSTRY EXECUTIVE EXAMINES NEED FOR A NATIONAL MINERALS POLICY

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Aspinall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ASPINALL. Mr. Speaker, from time to time I have discussed before this body the need for a national minerals policy and the need for specific policies with regard to specific minerals. Today I would like to bring to the attention of the Members of the House of Representatives the remarks on this subject that were made by one of the outstanding leaders of the mining industry in the United States.

Speaking before the Central Appalachian Section of the American Institute of Mining, Metallurgical, and Petroleum Engineers at Abingdon, Va., June 18, 1965, Lindsay F. Johnson, vice president of the New Jersey Zinc Co., made a very perceptive analysis of the current situation.

Under leave previously granted, I include the text of his remarks at this point in the Record and urge all Members to read it:

Government Policies as Related to the U.S. Mining Industry

(Talk given by Lindsey F. Johnson, vice president, the New Jersey Zinc Co., before the Central Appalachian Section of the American Institute of Mining, Metallurgical, and Petroleum Engineers, at Abingdon, Va., June 18, 1965)

The advertised subject for discussion today is "Government Policies as Related to the U.S. Mining Industry."

I am sure you all realize the impossibility of even beginning to attack that subject in any specific detail in the 15 or 20 minutes available to us at this time. So, I am going to have to discuss it in broad rather than specific terms.

And rather than dealing with any particular matter of policy or any particular segment of U.S. mining, I would like to talk more generally about the nature and character of Government policy as it relates to your chosen field of endeavor.

Before I proceed further permit me to dwell for a moment on a matter of definition and possibly a question of semantics. The words I wish to deal with are, first, "policy," and, second, "position."

I believe it will be accepted that when we speak of a policy, as, for example, a Government policy, generally we envision something that has been reached and consolidated after careful study and a weighing of all the factors bearing on the subject, past, present, and future, insofar as they can be seen. A policy, whether one agrees or disagrees with it, is not something to be taken lightly, nor is it something that one believes is easily subject to change. There seems to be a certain permanence to policy.

On the other hand, when we speak of a position, as, for example, the Government position, we do not necessarily envision something with the same degree of solidity or permanence as policy. Positions are sometimes taken without benefit of thorough study and analysis. Positions are often subject to change. We know that even the Government changes its position frequently from day to day.

Accordingly, I will refer mostly to the Government's position in relation to U.S. mining, rather than the Government's policy, because I do not believe the Government as a whole has a well-studied and well-conceived program that warrants the classification of policy with respect to mining. Furthermore, I have a fervent hope that the Government's position can and will be changed.

It is my hope that I can leave with you today an awareness that the Government's policy, or rather the Government's position, covers the U.S. mining industry like a blanket, an awareness that impact on your industry can originate from quite unsuspected sources within the Government, an awareness that, unfortunately, as we see it today, the Government position fails fully to recognize inherent economic and technical problems of your industry.

It is my further hope that growing from that awareness there will be a desire on your part to learn more about these Government positions and to seek a place of influence in bringing to bear on the policymakers or position takers more of the facts of life as you see them from your knowledgeable position.

I think there can be only agreement with the principle that the rise of the United States as a nation to its position of eminence in technical, economic, and political matters in a relatively short span of a couple hundred years has been due to a foundation of abundant natural resources and the will and skill to find, develop, recover, and utilize them.

For many, many decades in the early history of our Nation the will to undertake the financial and physical risks of finding and recovering minerals was stimulated by the need for them in a growing economy.

Such Government policy as evolved in this period seems to have supported the idea that it was best for our needs to be supplied by winning natural resources within our own borders and that it was in the national interest to encourage such winning as a profitable and important segment of our national economy.

We find in these modern times, however, a greatly different and, to my mind, alarming philosophy that appears to guide Government policy or positions.

If one examines in detail the current Government position with respect to such matters as accessibility of public lands for mineral exploration and development, Government stockpiles of metals, a trend toward free trade by elimination of tariffs and quotas heretofore considered necessary and desirable, an apparent willingness to desert domestic sources for a reckless dependence on foreign sources for vital raw materials, the conclusion must be that Government policy today at best merely tolerates domestic mining; it does not seem to accept it as a vital part of our national economy that should be encouraged to stability and stimulated to further growth.

These are harsh and disappointing conclusions, and we must ask ourselves why they should have to be made.

This in turn requires us to look to those who make the policies or take the positions, or fail to make policies or take positions, and in the motivations that are involved.

As in the case of Government policy on most matters, policy or positions with respect to the U.S. mining industry originate or are consolidated mostly within the executive branch of the Government. Importantly, however, policy can be, and continually is, expressed by the Congress, and we can be mighty thankful for that. Otherwise, we would be completely submerged by bureaucracy, and it is well known that even the Congress sometimes has difficulty penetrating the doctrinaire positions that have become a way of life in some departments of the executive branch. But more later on that and the current efforts of the Congress in this regard.

When we come to appraise the executive departments that have to do with positions related to domestic mining, oddly enough we have to look at the State Department first. One may well ask, "What does the State Department have to do with mining in the United States?"

Much of the answer lies in the fact that overall mineral needs of the United States involve not only supplies from domestic sources but supplies from abroad. Of some things we have none; for example, tin. Of some we have part of what we need; for example, lead and zinc. Of few do we have all we need, but there are some; for example, coal. Because of numerous factors concerning relative grades of ore, relative labor costs, and various types of control and assistance by foreign governments, it has in the past been considered necessary and desirable to provide certain types of moderate import controls to compensate the advantages that thus accrue to foreign producers over U.S. miners.

The State Department is in a position to view the mineral needs of the United States as part of a game on a great international chessboard. They make it entirely clear that they wish to have a pretty free hand to negotiate, to trade, to concede, to give away, or to do anything that seems to best fit foreign policy of the moment, and we have had it made pretty clear to us on some occasions that the interests of domestic mining are wholly secondary.

Since the State Department is strongly represented and highly influential on many interagency committees that advise the President, its philosophies carry through to the fixing of Government policies or positions, and those philosophies do not generally favor measures that are advocated by the industry or by the Congress as essential to maintenance of healthy and stable conditions in mining industries. The reason generally is that such measures would restrict the ability of the State Department to bargain in the international scene in any way it sees fit, regardless of the effect on domestic enterprises.

Next, we come to an appraisal of the attitude and position of the Department of the Interior with respect to the U.S. mining industry.

It has always been my thought, and I believe it is shared by many others, that Interior is the department of government that generally has stewardship of the Nation's natural resources. By stewardship, I mean an overall responsibility for cooperating with private enterprise to the end that the Nation's natural resources are wisely extracted and used and that conditions are such that our natural resources can be developed and be abundantly available to the Nation's consuming industries in preference to dependence upon supplies from foreign sources.

I believe at this point it must be apparent to you that I am about to be critical of some of the positions of the Department of the Interior, and that is quite correct. Before doing so, however, let me say that I do not want there to be any misunderstanding about my position with respect to the Bureau of Mines, which is but a part of the Department of the Interior, performing specific functions and services—and in my judgment the Bureau does a fine job in this regard. Fortunately, it does not become involved to any great extent in broad policy matters with which the Department concerns itself. These comments apply likewise to many other branches of Government departments having to do with mining, whose primary functions are in specific technical fields and do not usually involve the broader economic and political considerations.

With respect to Interior, it has always seemed reasonable to assume that if the mining industry were to have an advocate to stand up for it in intergovernmental circles, it naturally would be Interior. But somehow it does not seem to work out that way. Generally, it seems that those concerned with the mining industries in the United States find Interior disagreeing with them far more than agreeing. They find Interior in active opposition to proposals made by the industry and by the Congress for promoting conditions required for long-range stability in mining and conditions that will encourage further investment in development of natural resources. The record is full of such opposition.

Interior does carry weight in the intergovernmental committees that have to do with establishment of positions. It is perhaps wholly unfair to imply that Interior never stands up for long-range welfare of mining. It undoubtedly does on occasion. It is apparent, however, that Interior seems to succumb rather easily to the more dominating positions taken by others in the executive circle, such as the State Department, and even though it is fully aware of the problems encountered by some segments of the mining industry with respect to foreign competition, as one example, Interior is inclined to prefer the route of temporary palliatives rather than promoting and supporting measures that will get at the long-range needs of U.S. mining industries.

Other Departments, such as, Treasury, Commerce, and Labor, also participate in intergovernmental policy groups concerned with matters affecting domestic mining, such as, import controls, but apparently not with the same force and effect as State, nor with the basic interest and responsibility that should be carried by Interior. Even the Department of Agriculture gets into the act determining positions and policy, not so much by design but by actions. This Department has the power to barter agricultural products for metals, and often we find ourselves in the position of seeing the Department adding to surplus supplies of metals by putting into our stockpiles metals produced in foreign countries.

In these circumstances, it is not surprising that no effective long-range minerals policy has been forthcoming from the executive branch of the Government, because our Chief Executive must rely on these various departments for advice, and it is apparent that none of them, for various reasons have the will or inclination to come forth with a constructive policy.

Now to return to the Congress and its position with respect to the need for strong and healthy mining industries. Here the mining industries have many friends, who have a great appreciation of the necessity of constructive development and maintenance of mining in the United States in order not only to contribute importantly to the Nation's economy but also to provide and maintain a mobilization base for emergency.

The interest of the Congress in establishment of a long-range progressive U.S. minerals policy is not new. There are many in both Houses of the Congress and in both major parties who have been with the problem for years. But as I mentioned earlier, they, too, have much difficulty in penetrating bureaucracy.

As long ago as 1959 both Houses of the 86th Congress overwhelmingly adopted House Concurrent Resolution 177 in which it was declared that the sense of the Congress was that "the maintenance and development of a sound and stable minerals industry, without critical dependence upon foreign sources, is essential to the national security and the welfare of the consuming public." Among other things, the resolution also states that the national interest requires the discovery and development of additional domestic mineral resources and also more research to permit better utilization of them.

This resolution, in effect, called upon the executive branch of the Government to establish and actively to effectuate a long-range minerals policy that would meet the sense of the Congress as expressed in the resolution.

That was 5 long years ago; and what has been the response?

Let me not be the one to give you the answer, but permit me to turn to one most highly competent to answer, the Honorable WAYNE N. ASPINALL, chairman of the House Committee on Interior and Insular Affairs. The mining industry has no better friend. Speaking to that question before the Colorado plateau section of the AIME at Denver last month, he said:

"We have enacted legislation to encourage exploration for and discovery of new sources of minerals, and a program under the direction of the Secretary of the Interior has been established. We have provided funds for expanded research and we have created a new Office of Coal Research. But, we have not accomplished anything of a concrete nature toward the maintenance and development of a stronger domestic mining industry generally. If anything, the climate has tended to be one that would discourage such action."

Despite that somewhat gloomy answer, I can assure you that WAYNE ASPINALL is not disheartened. He and his many colleagues in the Congress will continue to press for a policy and action on it.

I ask you, please, not to count me as an alarmist because I am critical of the executive departments. And I do not mean to discount the ability of any with whom we deal in those departments; they are highly competent men, and I have a high regard for them. Their only trouble is that they just think differently than people in the mining industries.

And we have confidence, as do our friends in the Congress, that eventually we will change their thinking. Otherwise we would have quit long ago. We also have confidence that our Chief Executive shares our beliefs regarding the need for strong and healthy mining industries, for he so often so expressed himself when he was the distinguished leader of the Senate—and that in due course his beliefs will be reflected in a changed attitude among the several administrative departments.

Now, the question is, What can you do, or should you do, or what must you do?

I believe we are coming closer to the establishment of a national minerals policy, and I believe that each and every one who has knowledge of and a stake in a minerals industry should have a part in establishing that policy by making his views known on the many matters that relate to the derivation of such a policy.

This you can do by establishing a corresponding relationship with your own congressional representatives. You will be surprised at the impact your interest will have on them.

Why not start by asking your Congressman to find you a copy of House Concurrent Resolution 177, and ask him if he doesn't think it is about time something constructive was done about it.

Why not ask him how he feels about the Congress relinquishing its control of stockpiles to the executive branch of the Government, as is now being proposed in certain quarters.

Why not find out how he feels about lead and zinc quotas or the relaxation of quotas on residual fuel oil.

Find out how he feels about these and any other matters that relate to the general welfare of domestic mining and to the evolution of the long-range policy. But, more importantly, be sure to let your representative know how you feel about these things. Your opinions are what will count.

The actions of the Federal Government, whether they be actions of the executive branch or of the Congress will henceforth have profound bearing on the business you are in and whether that business survives, disappears, or prospers. Believe me, it takes more than will and skill to be a miner these days. To cover all of the facets of your business today you must recognize that political considerations will have as much bearing on your future as will scientific advancement. You must keep abreast of both and neglect neither. Write papers about the science, but write your Congressman about the politics.

CONGRESS SHOULD REEXAMINE THE PRESIDENTIAL INABILITY BILL

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, when the Presidential inability bill, House Joint Resolution 1, was brought up on the floor of the House on April 13, 1965, I was one of the 29 Representatives who voted against it. My vote on this proposed constitutional amendment was, in my opinion, one of the most important votes that I have ever cast. Now, after 2½ months have elapsed since the bill was passed by the House, I feel even stronger in my conviction that this matter ought to be reconsidered and that it would be a serious mistake to pass the bill in its present form.

I was one of the first Members of Congress to introduce legislation on the subject of a vacancy in the office of the Vice Presidency. My bill, House Joint Resolution 893, was introduced on January 21, 1964, and I reintroduced the same bill as House Joint Resolution 53 on January 4, 1965, the first day of the 89th Congress. But the bill that was passed goes too far. My bill covered only the problem of a vacancy in the office of the Vice-Presidency. The procedure for filling this vacancy described in my bill was substantially incorporated in the one that passed.

But it was not originally intended by the proponents of an amendment to close this gap in the law that Congress also go into the area of Presidential inability. The provisions of the bill covering Presidential inability are objectionable and should not be enacted for several reasons. First, the bill provides for the transfer of executive power from the President to the Vice President in times of Presidential inability with the President's consent or against his will. There is a vagueness in the language of this section which I believe should not be incorporated into the Constitution. For example, nowhere is the term "inability" defined. In an area as crucial and consequential as the Presidency of the United States, such a lack of definition can be disastrous. Vagueness in the language of the bill appears again in the reference to "the principal officers of the executive departments, or such other body as Congress may by law provide." No one has ever spelled out or explained to my satisfaction exactly what is meant by the phrase "such other body."

Second, and the most serious flaw in the bill, in my judgment, is the almost unchecked ease with which the President can be removed by either an unscrupulous or mistaken subordinate.

Third, is the possible confusion as to who or which administration is in charge of the Government once the mechanism of the bill goes into operation.

I understand that today, on the floor of the Senate, Senator ROBERT KENNEDY addressed himself to this problem and to the matter of the Presidential inability provisions generally. Ever since I cast my vote with the 29-man minority against this bill I have been praying that somehow the bill would be reexamined and changed before being enacted into law. I still hope and pray that it will not be enacted in its present form.

I implore the Members of this House, and especially the majority and minority leadership, to restudy this bill, to give pause before it is finally approved, and to clear up the ambiguities and vagueness which I believe now exist. I support Senator KENNEDY in his effort to slow down the wheels of Congress and to delay final passage of this bill.

CONGO INDEPENDENCE

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, today is the fifth anniversary of the independence of the Congo which came June 30, 1960, after 85 years of Belgian rule. It is only fitting that we pause to pay tribute to the democratic Republic of the Congo and the struggle of her people.

The Congo, which is located in the south-central part of the African Continent, and covers an area of about 904,747 square miles, was first the personal property of the Belgian King—from 1885 to 1908—and then as a Belgian colony.

Prior to 1959, when the Belgian Government decided to grant independence to the Congo, the Belgian administration concentrated on economic development and social improvement. The result was the growth of the greatest industrial concentration and the most extensive primary educational system in tropical

Africa. A class of skilled and semiskilled workers and office personnel was developed although the vast bulk of the population remained dependent upon subsistence agriculture.

Due to this strong background the Congo was given a better than average chance compared to some other nations that have just recently been given their independence.

Similar to other newly independent nations during these last 5 years there have been many rebellions, changes in the government, and many national leaders including Patrice Lumumba, Joseph Kasavubu, and Moise Tshombe, who was chosen as Prime Minister by President Kasavubu on July 10, 1964.

Tshombe may be the man who will play the most important role in restoring the eastern Congo.

By comparison with other African countries, the exports and the general economy of the Congo are more diversified and more developed. In short, the Congo has the highest wages and the highest literacy rate in tropical Africa, produces 8 percent of the world's copper and most of the world's cobalt and industrial diamonds, and has a vigorous and competitive agriculture.

U.S. aid given directly to the Congo, or to the United Nations for its technical assistance and peacekeeping activities in the Congo, has totaled over $400 million through the end of fiscal year 1964. The objective of this program has been to help the Congo maintain its independence and territorial integrity while achieving economic stability and an improved administration. Given a degree of tranquillity and continued assistance while training its own cadres of qualified experts, the Congo has bright prospects of being one of the most prosperous countries in Africa.

PORTRAIT OF A DEDICATED PROFESSIONAL SOLDIER—LT. GEN. JAMES P. BERKELEY

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HENDERSON. Mr. Speaker, today the Nation reluctantly releases from active military duty and returns to private life and well-deserved retirement Lt. Gen. James P. Berkeley, U.S. Marine Corps.

Lt. Gen. James Phillips Berkeley assumed his current assignment as commanding general, Fleet Marine Force, Atlantic, at Norfolk, Va., August 1, 1963, following his promotion to his present rank.

The general was born July 1, 1907, at Portsmouth, Va. He attended school at Shepherdstown, W. Va., and Severn Preparatory School. He enlisted in the Marine Corps on March 1, 1927, and served in Nicaragua from January to December 1928. After almost 3 years as an enlisted man, he was commissioned a marine second lieutenant on January 31, 1930, at the Marine Barracks, Washington, D.C.

Lieutenant Berkeley was then ordered to the Philadelphia Navy Yard, where he served as a company officer at the Marine Barracks and completed the Basic School for Marine Corps officers in June 1931. Following graduation he served at the Norfolk Navy Yard in Virginia, before sailing for China in April 1932 for duty with the Marine detachment at the American Embassy, Peiping. He returned to the United States in December 1934, and was promoted to first lieutenant in February 1935 while serving as a battalion communications officer with the 6th Marine Regiment at San Diego, Calif.

In May 1935, Lieutenant Berkeley reported to Quantico, Va., where he headed the communications platoons of the Fleet Marine Force and the 1st Marine Brigade. Detached from Quantico in August 1936, he entered the Army Signal School at Fort Monmouth, N.J., the following month. On completing the course in June 1937, he returned to the 1st Brigade. That September he was promoted to captain.

Captain Berkeley headed the 1st Brigade's communications platoon until April 1938, then served as brigade communications officer until March 1939, when he left Quantico to take command of the Marine detachment aboard the U.S.S. *Wichita*. Returning from sea duty in June 1941, he was named communications officer of the Marine Corps Base at Quantico. He was serving in this post when World War II broke out. In January 1942 he was promoted to major.

In March 1942, Major Berkeley was ordered to Marine Corps Headquarters, Washington, D.C., to serve as assistant officer in charge of the communications section, division of plans and policies. He was promoted to lieutenant colonel in August 1942.

While attached to that section, Lieutenant Colonel Berkeley accompanied the Commandant of the Marine Corps on an inspection tour of Guadalcanal and other South Pacific areas in October and November 1942. He also made an observation tour of the United Kingdom, Africa, and Italy from August to October 1943, during which he was an observer with the 46th British Infantry Division at the Salerno landing, September 9, 1943. In November 1943 he reported to Camp Pendleton, Calif., where he commanded the field signal battalion prior to becoming signal officer of the 5th Marine Division in February 1944.

Sailing again for the Pacific area that August, Lieutenant Colonel Berkeley served as 5th Division signal officer in Hawaii and at Iwo Jima. He also served as executive officer of the 27th Marines, 5th Marine Division, at Iwo Jima in March 1945, and in Hawaii during the following 2 months. For outstanding service on Iwo Jima, he was awarded the Legion of Merit with Combat "V." In July 1945 he was named signal officer of the 5th Amphibious Corps, serving in that capacity in Hawaii and Japan. He was promoted to colonel the following month.

Colonel Berkeley served as officer in charge of the disposition of enemy material from October to December 1945, and as commander of the 6th Marines, 2d Marine Division, from January to March 1946. He returned from Japan in April 1946, and the following month was named Assistant to the Navy Secretary of the Joint Army-Navy Secretariat, Office of the Secretary of the Navy, Washington, D.C. He remained with that organization until January 1947.

In February 1947, Colonel Berkeley sailed for Buenos Aires to serve as Amphibious Warfare Adviser to the Argentine Naval War College and as an adviser to the Argentine Marine Corps. He returned to the United States in May 1949 and, after brief service with the Troop Training Unit, Atlantic, at Little Creek, Va., entered the Armed Forces Staff College at Norfolk in August 1949. Completing that course in January 1950, he reported the following month to the Naval War College at Newport, R.I., where he served as a staff member and later as assistant head and head of the Department of Strategy and Tactics.

Leaving Newport in May 1953, Colonel Berkeley served in Washington for the next year as commanding officer of the Marine Barracks and Director of the Marine Corps Institute. He embarked for Korea in June 1954 to become Chief of Staff of the 1st Marine Division and returned with the division to Camp Pendleton the following spring.

In July 1955, he was promoted to brigadier general and began three years' duty as Assistant Chief of Staff, G–1—Personnel—at Headquarters Marine Corps. He was promoted to major general in July 1958 on assuming duties as commanding general, Department of the Pacific, in San Francisco, Calif.

Following this assignment, General Berkeley served as commanding general, 2d Marine Division, Fleet Marine Force, at Camp Lejeune, N.C., from November 1959 until October 1961. In November 1961, he became commanding general, Marine Corps Base, Camp Lejeune, serving in this capacity until July 1963. On August 1, 1963, he assumed duty as commanding general, Fleet Marine Force, Atlantic, at Norfolk, Va., with the rank of lieutenant general.

The general's medals include: the Legion of Merit with Combat "V," the Marine Corps Good Conduct Medal, the Presidential Unit Citation, the Marine Corps Expeditionary Medal, the Second Nicaraguan Campaign Medal, the Yangtze Service Medal, the American Defense Service Medal with fleet clasp, the American Campaign Medal, the European-African-Middle Eastern Campaign Medal with one bronze star, the Asiatic-Pacific Campaign Medal with one bronze star, the World War II Victory Medal, the Navy Occupation Service Medal with Asia clasp, the National Defense Service Medal, the Korean Service Medal, the United Nations Service Medal, and the Nicaraguan Medal of Merit.

General Berkeley is married to the former Margaret L. Griffiths of Philadelphia, Pa. The general's parents are deceased. His father was the late Maj. Gen. Randolph C. Berkeley, U.S. Marine Corps, of Port Royal, S.C., who was awarded the Medal of Honor for heroism at Vera Cruz, Mexico, in 1914. A guided missile destroyer, the U.S.S. *Berkeley*, launched in July 1961, was named in honor of General Berkeley's father.

General Berkeley has one brother, Col. Randolph C. Berkeley, Jr., a Marine officer also.

It was during his command of the Second Marine Division and his command of Marine Corps Base, Camp Lejeune, N.C., that I came to know and admire Phil Berkeley. Not only was he a military officer of unusual skill and ability; he was also a warm, human conscientious citizen. His grasp of the problems and the peculiar situation of civilians employed on the base was most unusual and during his tour as base commander, relations between the military personnel and the civilian community were outstanding.

It was my distinct and profound pleasure during this period to enjoy with Phil Berkeley, not just the relationship of Congressman and base commander, but a warm personal friendship which continues to this day.

I wish him Godspeed in his future activities, and I envy my good friend and colleague, PORTER HARDY, JR., whom I understand will soon have General Berkeley as a permanent resident in his district at Norfolk.

LT. GEN. JAMES P. BERKELEY, U.S. MARINE CORPS

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. HARDY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HARDY. Mr. Speaker, I want to join my good friend from North Carolina in all good wishes to General Berkeley on his retirement. General Berkeley is a native of my district and I am doubly pleased that he will continue to reside in my constituency. It has been a privilege to know him and work with him during his active-duty service and I look forward to the continuation of close personal contacts with him during the years ahead.

NATIONAL HEAD START DAY

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DYAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DYAL. Mr. Speaker, the President has proclaimed June 30, National Head Start Day to commemorate the establishment of Project Head Start as a national effort in the war on poverty. The following June 20, 1965, editorial in the Sun-Telegram, San Bernardino, Calif., presents a timely analysis of Project Head Start:

AND WORTH EVERY CENT

Although many programs in the administration's grand design for the Great Society merit close and careful scrutiny, one is outstanding because it not only is feasible but also because it strikes hard at a major problem in this Nation: Illiteracy.

Operation Head Start, the preschool summer guidance program which gets underway on July 6, will cost the Federal Government approximately $112 million in 1965—and worth every cent because 500,000 American children will benefit.

Those taxpayers who protest this expenditure are superficial thinkers. The children who will be assisted by Operation Head Start are the deprived youngsters from poverty-stricken families who have never had an opportunity to prepare themselves for the first step in a public school education. These are the boys and girls who certainly would fail in the first grade without the extra boost. For them, July 6 will be a memorable day because for the first time they will receive a helping hand as they timidly tackle the process of growing up.

Ninety percent of the children enrolled in Operation Head Start will receive their initial medical and dental examinations. Youngsters eligible for help under Operation Head Start statistically are 6 months behind children of middle-class families in the first grade. Without this program's educational help, they would be 2 years behind by the time they reached the fourth or fifth grades—destined doubtless for the meager life of a dropout.

Operation Head Start is no assembly-line babysitting enterprise. Children will receive considerable individual attention: Four adults—a teacher, an assistant teacher, a helper supplied by the Neighborhood Youth Corps and an adult volunteer—will instruct, counsel and advise each group of 20 children during their 3 to 6 hours a day at the guidance centers.

One strong fiber in Operation Head Start, we believe, is the program's objective to stimulate parental interest in the children. Volunteer counselors will work with parents to educate mothers and fathers in the ways and means of helping their youngsters by improving the home atmosphere.

No thinking American should be so miserly as to lament the cost of Operation Head Start which offers so much hope for boys and girls who have inherited the curse of poverty.

Before you criticize Operation Head Start, channel your vexation on such mad spending as the architectural outrage christened the Rayburn Office Building which cost American taxpayers $120 million.

Operation Head Start will do more than lay important educational planks for underprivileged first-graders. It will protect the health of a half-million American children. Operation Head Start is a sound investment in the future of wonderful America. It deserves the wholehearted support of all Americans who sincerely are interested in the welfare of all the citizens of tomorrow.

PROJECT HEAD START

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. HANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, it is a real pleasure to join with the President and Mrs. Johnson and the director of the Office of Economic Opportunity, R. Sargent Shriver in paying tribute to the Project Head Start. This is a program designed to open new vistas for our pre-school children. It is truly intended to give them a headstart toward maturity.

This commemoration of the establishment of the Head Start program is of especial interest to me, because one of the most significant projects in the Midwest is located in the Seventh Iowa District in Council Bluffs. Here the county superintendent of schools, B. G. Halvorsen, and the county board of education pioneered the program and in spite of many difficulties have made a good beginning on what I feel will prove to be highly significant.

Through the establishment of the Head Start project in Council Bluffs, Iowans are having an opportunity to be in on the ground floor of President Johnson's war against poverty. Whether or not we make a lasting contribution will not be known for some time. But through the efforts of our public school administrators, our teachers and dedicated volunteer helpers, we are participating in a creative endeavor. We are trying to light a candle instead of cursing the darkness. Children, who have been imprisoned by the chains of poverty, will now have an opportunity to reach for freedom.

Those who are deeply involved in the program may feel the importance of what they are doing, not so much by the numbers enrolled, but by the new horizons they are helping to open. My hat is off to the leaders of this program. We will be eagerly watching its progress.

ILLINOIS-INDIANA AIR POLLUTION COMPACT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. YATES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. YATES. Mr. Speaker, I have today introduced a bill granting the consent of Congress to the Illinois-Indiana air pollution compact. I am pleased to note that this is the first such agreement that has been presented to Congress under the provisions of the Clean Air Act of 1963. The legislatures of both States have ratified this compact, and it has been approved by Governors Otto Kerner and Roger Branigan.

I regard this decision for cooperation between Illinois and Indiana as a significant new approach to the problem of air pollution. The speed with which the two State governments acted in endorsing this compact is indicative of the concern the States have about this problem and it also reflects their determination to do something positive about those problems.

In brief, the compact creates an Illinois-Indiana Interstate Air Pollution Commission, composed of seven commissioners from each State. It will be charged with studying the sources and effects of interstate air pollution and will make recommendations for the prevention, abatement, and control of conditions that it finds injurious to human, plant, or animal life. The commission is also empowered to establish standards for enforcement.

Mr. Speaker, Illinois and Indiana have realized that air pollution is one of this Nation's most pressing problems, and that its prevention, abatement, and control requires regional cooperation. The Clean Air Act emphasized the regional approach. It recognized that communities and States cannot always deal effectively with air pollution problems which are not limited by established jurisdictional boundaries. Therefore, the act authorized the Department of Health, Education, and Welfare to engage directly in abatement and enforcement activities, at the request of the States. The act also equipped the Federal Government to aid States and local control programs to prevent and control air pollution with research, development, and training, and grants for support of State, regional, and municipal agencies. Already, the Illinois and Indiana area has received considerable aid for such projects. Public Health Service grants to the two-State area during fiscal year 1965 totaled $638,045. Of this, Chicago received $393,000; Cook County received $50,084; the State of Illinois received $79,416; the State of Indiana received $38,100; East Chicago, Ind., received $14,680; and Gary, Ind., received $62,765. In addition, each of these governmental units has appropriated considerable sums for air pollution control. The compact between Illinois and Indiana is an important addition to these local programs and it is designed to provide machinery to solve mutual problems of air pollution on the State and interstate level.

Such efforts of interstate and intercommunity cooperation are essential. Senator MUSKIE has noted that:

> Polluted air is carried from one political jurisdiction to another. Providing air of good quality to all of our people is a challenge and an obligation for government operations on all levels.

This is illustrated by my own metropolitan area of Chicago. James V. Fitzpatrick, commissioner of streets and sanitation of Chicago and formerly director of the city's Department of Air Pollution Control, told a Senate committee that in the six-county Chicago metropolitan area there are over 1,000 independent political jurisdictions dealing with this problem. Similarly, Albert J. Mullins, administrator of the Cook County Air Pollution Control Bureau, said that:

> Even if every suburban village were to adopt an ordinance, Cook County's assault on air pollution could be severely hampered by the failure of adjoining counties, including the nearby counties in Indiana and Wisconsin, to control air pollution.

Thus the need for cooperative action is clear. This problem of traveling polluted air requires intergovernmental cooperation, and it is precisely this type of cooperation that the Illinois-Indiana compact sets up the machinery for.

Mr. Speaker, we recognize that air and water are our most important natural resources. We have acted in Illinois and in the Chicago area to conserve our water and eliminate those threats which pollution brings to it. Chicago is also mounting a strong attack on pollutants of its air. I believe our city is making great strides in this sphere. Indeed, Chicago is rated at the forefront among large cities in its enlightened new approaches to clean air. Next month, for example, the city will open a monitoring network of stations to check air quality in various parts of the city. These stations will measure the degree of pollution, report them to a central air pollution center where they will be analyzed, and if the air is found to be polluted beyond a desirable level, the center will dispatch enforcement officers in radio patrol cars.

I think our city and our State have come to appreciate the threat of polluted air. I am hopeful that other areas of our country will join us in this concerted attack on pollution. We are mindful of President Johnson's message to Congress on the preservation of natural beauty in our country, where he emphasized that air pollution threatens not only the beauty of our natural environment but also the health of the American people. "A prime national goal must be an environment that is pleasing to the senses and healthy to live in," he said. To that end, I am glad to offer this bill setting up the Illinois-Indiana Interstate Air Pollution Commission.

I also wish to submit for the RECORD an article from the Chicago Daily News outlining just what some of the interstate and intergovernment problems in this field are, and how Chicago is going about its treatment of the problem:

HOW CHICAGO FIGHTS AIR POLLUTION: A MILLION TONS OF IRRITATION

(By Jay McMullen)

It started about 6 p.m. last Monday. At first the eerie, reddish haze that gathered over the city's far South Side was thought to be the approach of sunset on a June day.

But as the pall deepened—producing eye irritation among many citizens—it became apparent something much more unusual and sinister was transpiring.

Something was. The South Side was undergoing a fairly heavy siege of air pollution buildup. As darkness came, the buildup intensified, reaching its peak while the city slept and starting to disperse about dawn. Many people were unaware of what had happened, as the sun burned away the morning haze Tuesday.

What had happened is a story that is being repeated with increasing frequency in cities large and small across the land—the story of the growing corruption and pollution of an indispensable source, clean air.

The South Side Chicago episode contained all the ingredients for a modern disaster from an air pollution attack.

The wind had shifted from off the lake around to a south-southeast direction, blowing briskly across the South Side at 12 miles per hour from the heaviest source of air pollution in the area, the Gary and South Chicago steel mill areas.

Then as evening approached, the air became calm and a temperature inversion set in. With only a 3-mile wind, the pollution from steel mill stacks built up, trapped in the lower atmosphere by the inversion.

What made the Monday night siege more intense was that it coincided with a breakdown in smoke-elimination equipment at two steel mills.

And what made the episode even more unusual is that within hours city air pollution control officials were aware of what was going on and were able a few hours later to draw a fairly comprehensive picture of the entire 12-hour siege.

During the 12 hours, the suspended particulate matter—tiny invisible particles suspended in the air—were wafted over the entire city, producing the third heaviest readings of particulate matter concentration on the North Side this year.

The city's air monitoring devices, which measure the amount of gases and particulate matter in the air, showed that from an average of less than 100 micrograms of particulate matter per cubic meter of air the readings just north of the Loop rose to a peak of 245. The low North Side reading was 181.

The concentration of such gases as sulfur dioxide, carbon monoxide, carbon dioxide, nitric oxide and nitrogen dioxide increased substantially, doubling and tripling in some cases.

A fresh 12-mile-an-hour wind Tuesday morning dispersed the pollution, ending the buildup.

Chicago, alone of the big cities, has a complete air monitoring network of 20 stations located strategically around the city.

As a result, the city department of air pollution control is able to draw a pollution profile of the city's air for any 24-hour period, showing the degree of pollution in any sector of the city.

Chicago's air pollution control department has been completely modernized and overhauled since a young engineer, James V. Fitzpatrick, took over the department several years ago. He recently was named commissioner of streets and sanitation, but the new organization and principles he created will continue under his successor, William Stanley.

In a revolutionary approach that probably will set a pattern for cities of the world, the Chicago department has embarked on a Fitzpatrick-designed program of total air resource management.

Control of the purity of Chicago's air will be computerized, starting next month, under the new program.

A "remote monitoring network" system will go into operation in July. At first there will be eight stations with electronic air analyzers. Later, the network will be built up to 75 stations.

"When we get a buildup of air pollution in any area, the analyzers will send a message over telephone lines to the central air pollution control office," Fitzpatrick explained.

"A computer in this office will decide through built-in criteria whether it is an undesirable level and, if so, will put the message on a cathode ray tube, similar to a television screen, telling a dispatcher which radio-patrol car is nearest to the scene. It will also designate the station where the pollution buildup is occurring."

One of the department's 10 patrol cars will then be dispatched to the scene to help detect the origin of the pollution buildup.

Other benefits from computerization will include maintenance of an on-line file of buildings that have an air pollution potential. These will be cataloged by type of equipment, including a history of previous violations and the names of the owners. The entire case data will be flashed on a screen in less than 3 seconds.

In addition, a daily index of the level of pollution throughout the city will be provided within seconds each morning. With today's more cumbersome network it takes 40 hours to compile the readings that are used to draw pollution profiles.

David Cranshaw, system engineer, who is setting up the new network, said inspection reports will be on punchcards.

The network air analyzers will telemeter reports to the central computer panel every 15 minutes, measuring sulfur dioxide, oxides of nitrogen and other gases.

Chicago's air pollution control program has been tabbed by the U.S. Public Health Service as a model for the Nation.

Since Fitzpatrick took over the department, great strides have been made in cleansing Chicago's air—even if last Monday night's seige illustrates dramatically that the job has only started.

Fitzpatrick summarized improvements that have taken place in the last 3 years:

Open burning of all debris from wrecked buildings has been banned in the city.

Open burning of junk cars—a major source of intense smoke—has been halted by a tough enforcement drive and development of new junk car processing equipment that is virtually smokeless.

Crackdowns have been launched against lax industrial processes that produce excessive smoke.

The city's air pollution control ordinance, already one of the Nation's most modern, was amended at Fitzpatrick's insistence to close big loopholes.

No. 2 smoke, for example, (which under a chart rating blacks out 40 percent of the light) has been banned entirely under the amendments.

The biggest stride by far was taken when the ordinance's exemption of the Chicago steel industry was nullified. Steel officials, under threat of coercive action by the city, agreed to a 5-year $50 million program that should virtually eliminate the type of air pollution buildup that occurred Monday.

But Fitzpatrick warned there are numerous other major industrial pollution potentials in Chicago. These may prove equally difficult to control.

For the first time in the city's history, an inventory has been made of pollution that is spewed into Chicago's air each year.

The inventory includes 16,930 tons of particles from the combustion of coal and oil in food production industries alone.

An astonishing total of 341,000 tons of particulate matter is hurled into the air each year over Chicago from combustion of fuels in 5,000 of the 7,000 industrial plants in the city.

One of the largest single sources of pollution from fuel combustion is the Commonwealth Edison Co.'s five plants.

Processing of metals produces 6,400 tons of solid emissions per year, apartment buildings 32,000 tons.

THE HUDSON NATIONAL SCENIC RIVERWAY

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DANIELS. Mr. Speaker, I have introduced a bill today to provide for the establishment of the Hudson National Scenic Riverway in the States of New Jersey and New York.

Mr. Speaker, the pollution and defacement of this once beautiful river is a national disgrace. Through neglect and indifference we have allowed the Hudson River, a great natural resource, to fall into a state of decay. Something must be done if we are to save this great river for our children.

My bill would grant authority to the Secretary of the Interior to exercise jurisdiction over the construction of dams, dikes, or other potentially harmful structure which may adversely affect the Hudson.

At present, there are not less than five agencies of the Federal Government, the Federal Power Commission, the Atomic Energy Commission, the Corps of Engineers, the Coast Guard, and the General Services Administration, who can make independent decisions concerning the future of the Hudson.

Under the terms of my bill, the Secretary of the Interior shall cooperate with officials of the States of New Jersey and New York, as well as with officials of the political subdivisions of these States, in order to protect this vital natural resource.

My bill would authorize the setting up of a commission of 15 members, each appointed for a term of 2 years by the Secretary of the Interior.

Mr. Speaker, any discussion of this subject would not be complete without mention of the effort expended by the gentleman from New York [Mr. OTTINGER] who has labored long and hard in behalf of the Hudson River. Very rarely has a new Member earned the esteem of his colleagues as the gentleman from New York has done. His willingness to apply himself to vital problems marks him as one of the outstanding Members of the class of 1964. His efforts in behalf of the Hudson River have already earned him the deserved praise of conservationists everywhere.

Westchester County has not sent many Democrats to the Congress, but all residents of this fine county must realize that in Mr. OTTINGER they have a Representative who puts the needs of his people above mere partisanship. I am happy to join with other Members who have previously expressed their gratitude for his efforts in behalf of the Hudson River.

AN INFORMATIVE ADDRESS ON THE AMERICAN INDIAN

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. EDMONDSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, an unusually informative address on the subject of American Indian affairs was delivered at Tulsa, Okla., on May 28, 1965, by a distinguished attorney who is chairman of the Indian Law Committee of the National Federal Bar Association, Samuel J. Flickinger.

Mr. Flickinger's discussion of some of the current legal and fiscal problems arising from the so-called termination program for Indian tribes is very useful.

His scholarly analysis of the Indian claims situation is also a valuable contribution.

There can be no doubt about the harmful effect of prolonged delay in the determination of claims pending for many years before the Indian Claims Commission.

The need to expedite the handling of these claims is increasingly urgent, and Mr. Flickinger's address emphasizes that urgency. In this connection I appreciate very much his favorable reference to H.R. 5379 which I have introduced in an effort to enlarge the Indian Claims Commission and expedite its work.

The complete text of Mr. Flickinger's scholarly address follows:

THE AMERICAN INDIAN—CHANGING TIMES

(Speech delivered by Samuel J. Flickinger, chairman of the Indian Law Committee of the National Federal Bar Association, Indian law seminar, May 28, 1965, Tulsa, Okla.)

Chairman Worrell, officers and members of the Tulsa, Muskogee, and Oklahoma City chapters of the National Federal Bar Association, members of the several panels, Federal and State officials, members of the Oklahoma Bar Association, members of the several Indian Tribes present, and all others present this wonderful morning, this is indeed a distinctive pleasure and honor to address you, as the representative of the National Federal Bar Association and its chairman of the Indian law committee, to greet you on this memorable occasion on behalf of the honorable president of the association, Ramsey Clark, who regrets exceedingly his inability to be here and express in person his greetings on the occasion of this, the first Indian law seminar, held under the auspices of the local chapters of the association and the national body.

I am expressing to you his heartiest congratulations for this excellent Indian law seminar which, it is evident, has been carefully prepared for the aggrandizement of all of you present. He expressed great appreciation for the program scheduled, the subjects covered, the panelists and speakers selected, which all adds up to one sure thing—a rare opportunity for those interested in the legal status and rights of the American Indian.

President Clark expressed his congratulations for the initiative, enthusiasm, and outstanding effort put forth in the planning and organizing of this long-needed Indian seminar. He expressed his desire that I personally thank Jim Worrell, the seminar chairman, for him. This I have done. We all owe our greatest appreciation and thanks to Jim and to those members of the three Oklahoma chapters of the Federal Bar Association who have spent their time and energy in order to present this wonderful sight in this large assembly hall filled to capacity with Federal, county, and State lawyers, and others, all friends of our great American Indians, who have given up their valuable time today to participate in, learn, and impart knowledge of the law applicable to American Indians. I know personally that when I inform our distinguished president of the Federal Bar Association about the large gathering of distinguished lawyers and others in attendance at this seminar, and of the manifest interest shown throughout the proceedings, he will be more than glad of the accomplishments. (At the close of the seminar proceedings a motion to hold another Indian seminar next year was unanimously adopted.)

Another distinguished official, known personally by you people from this great State of Oklahoma, who is very happy over the results of the three Federal bar chapters in your State and his in bringing about this seminar. This distinguished gentleman is none other than Congressman Ed Edmondson of the Second District of Oklahoma.

Congressman Edmondson expressed his delight in the growth of the Federal Bar Association in your, and his, State of Oklahoma. He was appreciative of my offer to express his greetings and best wishes to all of you in attendance at this Tulsa Seminar on Indian Law, sponsored by the three Oklahoma chapters, the Federal Bar Association, and its Indian law committee. He is well pleased with the growth and activity of the local chapters of the association. Congressman Edmondson informed me that he is very interested in learning of the recommendations of the association on any matters now before the Congress of the United States. It is my honor to present to you these best wishes from Congressman Edmundson.

Congressman Edmondson has expressed his desire to have the Congress of the United States enact H.R. 5379, a bill introduced by him in the present Congress for the purpose of extending the term of the Indian Claims Commission and to add two additional Commissioners to the Commission and provide for the rotation of the Chairman of the Commission every 2 years. Congressman Edmondson's purpose in introducing this measure is to expedite the judicial determination of the many Indian claims still pending before that Commission for adjudication after 19 years have lapsed since the Commission was created by Congress. Congressman Edmondson believes the proposed amendment as dealt with in H.R. 5379 will aid in shortening the time required to finally adjudicate all of the pending Indian claims. For this reason the Congressman desires the adoption of the measure during the present session of Congress. Later on in my presentation, I will deal further with this subject.

Of course, you all present know of the great work done by Jim Worrell for the success of this seminar. I also desire to point out this idea of a seminar on Indian law in Tulsa had its beginning when George B. Schwabe was with the Solicitor's Office of the Interior Department in your city of Tulsa; Don Leecraft, former president of the Tulsa chapter, did much to push it along. Harold R. Schoemake, president of the Muskogee chapter, the district vice president of the Federal Bar Association; Joe S. Wallace, field solicitor, Interior Department; Lyle R. Griffis; Robert L. Berry, president of the Oklahoma City chapter, and Raymond F. Sanford, regional solicitor, Interior Department, Tulsa, materially aided in making this seminar a great success.

At this time I wish to introduce to you a distinguished New York lawyer, a member of the Indian law committee of the association, Jay-Ehret Mahoney of the law firm of Mahoney, Spohr & Mahoney, 165 Broadway, New York City. It is such interest in the affairs of the Indians as shown by Mr. Mahoney, who flew here from New York City to attend this seminar, that insures the success of the law committee efforts for the benefit of our American Indians. Thank you, Jay-Ehret.

This seminar should express forcefully to those lawyers who are eligible for membership in the Federal Bar Association, and who have not as yet applied for such membership, that they should no longer delay filing their application for membership. The respective presidents of each of the three Oklahoma chapters have membership applications for such purposes. If you are eligible for membership, you need to be a member of the Federal Bar Association and the Federal Bar Association needs your membership; so why not act promptly, and file your application for membership in this great organization of Federal Government lawyers and former Federal Government lawyers. The Federal Bar Association now has approximately 13,000 members throughout the United States, with at least one chapter in each of the 50 States.

There is another organization closely allied with the Federal Bar Association and located in the Federal Bar Association building; namely, the National Lawyers Club, 1815 H Street, NW., which is an outstanding club of lawyers of the several States and the District of Columbia. The President of the National Lawyers Club, Hon. Earl W. Kintner, sent to me application and descriptive material concerning this great club. To all members of the FBA who join the club there is a $10 annual dues credit. Membership in this club to all lawyers in Oklahoma, who, from time to time, have business in Washington, D.C., will find it desirable to join the National Lawyers Club, as a nonresident member. The fees for such nonresident members are very modest. Earl Kintner, on two different occasions, was president of the Federal Bar Association. Great credit is due him for his accomplishments in the building of the Federal Bar Association building and his untiring efforts for both of these great organizations.

The subject of this discussion deals with our American Indian and the changing policies over the years of the Government of the United States. Owing to the limited time allotted, my remarks will deal with the different eras over the changing time. Because of the vastness of the Indian subject, it would appear appropriate, even though some of you are familiar with the changing periods, to briefly call your attention to them. The first may be considered the treaty period. This period principally began in the early 1800's. During this period negotiations were carried on by representatives of the United States, appointed for the purpose of negotiating with the principal chiefs of the particular tribe or tribes or bands of Indians. These negotiations were usually for the purpose of establishing or for the continuance of peace and amity. The treaties[1] usually resulted in restricting the Indians from continuing to use the vast area over which the particular tribe or tribes or bands of Indians roamed to a much lesser area. These lesser areas of land were referred to as the diminished Indian reservation. The area released to the United States by the treaty provisions was commonly referred to as the ceded Indian reservation. These ceded areas were made available by congressional enactments for disposition by the United States to prospective settlers. The treaties provided the price to be paid to the Indians for release of the larger areas occupied by the particular Indian tribe or bands. In the greater number of these cases the United States did not make a direct payment of an agreed price for the cession by the Indians to the United States. Though certain sums of money were paid, and certain equipment and other materials furnished to the Indians, as specified in the treaty, after ratification thereof by the Senate of the United States. Not infrequently certain sums of money were paid over a period of 10 or more years. The lands ceded by the Indians to the United States by such treaties were to be surveyed and opened to homestead entry, provision being made, requiring the entrymen to pay a sum, usually about $1.25 an acre, which payment was to come to the Indian tribe, less the cost of surveys and other expenses specified in the particular treaty. Usually provision was made for the disposition of such lands and the areas not then disposed of by entry were to be disposed of by auction bids or otherwise.

These provisions of the cession were not always carried out, and after many years had lapsed it was realized that only part of the ceded lands had been entered by homesteaders and, consequently, the Indians had never received pay for the cession of the lands that were still unentered. Disputes arose in connection with the right to the use of these areas. The Indians had not been paid for the lands, though they had lost control over them. This matter reached the Supreme Court of the United States in the case entitled *Ash Sheep Company* v. *United States*, 252 U.S. 159 (1920). In this case the question involved was whether or not by a cession of land by the Crow Indians under an agreement or treaty established the relationship of trustee and beneficiary. The Indians had ceded their possessory rights in such lands, of which the fee was in the United States, and the United States had undertaken to sell these lands (sections 16 and 36 for school purposes to the State excepted) to settlers and to apply the proceeds in specified ways for the benefit of the Indians, or whether such lands had become public lands of the United States. This case held that such lands were not "public lands," but are Indian lands, within the meaning of Revised Statutes, section 2117, which imposed a penalty for driving stock to range and feed on any land belonging to any Indian or Indian tribe without the tribe's consent. This case is very important to the Indians, in deciding the rights of the Indians under such arrangements as provided for in treaties which were not fully carried out, as contemplated or understood by the Indians under the treaties at the time they were executed. The trespassers in this case, who drove some 5,000 sheep on these ceded Indian lands, contended that the term "cattle" used in the statute, did not involve "sheep." The Supreme Court in its decision in the case, pointed out that as early as 1871, the U.S. District Court for the District of Oregon, had held in a carefully reasoned opinion that "sheep" were clearly within the remedy provided for by R.S. 2117. The 1837 edition of Webster's Dictionary defines the word "cattle" to include "sheep." That in 1884 the Attorney General of the United States in an opinion to the Secretary of War in regard to the question left little doubt by disposing of it in a single sentence: "The standard lexicographers place sheep under the head of cattle." It appears that the lands were to have been entered by homesteaders who would have been required to pay so much per acre for the entries. The difficulty arose by reason of the fact that the lands had not been disposed of and years had elapsed without any compensation for those unentered lands accruing to the Indians. This case, accordingly recognized an equity in the Indians, so that while the lands were ceded Indian lands, since they had not been entered and payment received by the Indians therefor, the equities remained in the Indians and all revenues derived from unentered, ceded Indian lands, belonged to the Indians.

The second period began with the act of July 9, 1832, 4 Stat. 564, when the Congress authorized the position of Commissioner of Indian Affairs. The Commissioner was appointed by the President by and with the advice and consent of the Senate. The Commissioner of Indian Affairs thus appointed was under the direction of the Secretary of War and agreeable to such regulations as may be prescribed by the President of the United States. The Commissioner was vested with the responsibility of management of all Indian Affairs. At that time the military was the branch of the Government charged with dealing with the Indians.

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[1] See *Anderson* v. *Britton*, 318 Pac. 291. Jurisdiction upheld. See appendix.

The third period began with the act of March 3, 1849, 9 Stat. 395. By section 5 of this act, the supervisory and appellate powers over Indian affairs exercised by the Secretary of War were vested in the Secretary of the Interior. Thus, by this act, the responsibilities of the Commissioner of Indian Affairs were transferred from the military to the civil branch of the Government. This act of March 3, 1849, created the executive Department of the Interior and authorized the appointment of a Secretary to head that Department.

The fourth period came about by the Congress on March 3, 1871, taking steps which provided that in the future all dealings with Indian tribes would be not by negotiations of a treaty by and with the consent of the Senate, but in accordance to acts of Congress, in the nature of agreements, negotiated by and between the Indians and the United States for the purposes therein dealt with. Since the enactment of the 1871 act, terminating recognition of treaty provisions of the U.S. Constitution in dealing with Indian tribes, negotiations have been carried on from time to time dealing with Indian tribes, which have resulted in the enactment of legislation by Congress in proper cases. Such acts of Congress, not infrequently, carry in such acts a requirement that the provisions of the act would not become effective unless within, say, a 6-month period from the date of the act, ratification thereof has been given by the Indians through appropriate resolution adopted by the tribal council of the proper tribe.

The next important era in dealing with the Indian matters had its advent by the enactment of what is commonly known as the General Allotment or Dawes Act of February 8, 1887, 24 Stat. 388, 25 U.S.C.A., 331, 332, as amended, by the act of February 28, 1891, 26 Stat. 794, and the act of June 25, 1910, 36 Stat. 859. Pursuant to this act, many of the Indian reservations, in part, at least, were divided into individual tracts known as allotments which were assigned to the members of the tribe or tribes on the particular reservation. The individual Indian members of the tribe received, according to the area of the reservation, and of the nature and character of the reservation, allotments ranging from 80 acres of agricultural or 160 acres of grazing land. In some instances, where land was susceptible of irrigation, a 40-acre tract of irrigable land was provided. On some reservations 320 acres of grazing land was allotted. In some instances, in addition to the allotments above referred to, a small acreage of timber land was also included in such allotments. In other instances the mineral estates were reserved to the tribe, as in the case of the Osage Tribe of Oklahoma, where under the act of June 28, 1906, 34 Stat. 539, tribal ownership was retained in the very valuable minerals found underlying the Osage Reservation. The Supreme Court, case of *McCurty* v. *U.S.*, 246 U.S. 263 (1918) gives a glance of the special legislation enacted for the protection of the mineral rights of the Osage Indians which proved so valuable to the enrolled members of this tribe to whom headrights were granted. Mineral reservations have been provided for in more recent times by acts of Congress, such as the legislation dealing with the mineral rights on the Fort Peck Indian Reservation in Montana, amending the act of March 3, 1927, 44 Stat. 1401, by the act of June 30, 1954, 68 Stat. 358, 359. By such amendment the tribe benefits.

The allotment of land to the individual Indians carved out of the tribal reservation was in keeping with the demands made by the vast exodus of people moving westward to take up homesteads on the public domain. These people were seeking to obtain a plot of land on which to establish a home in which to live. Congress had enacted legislation dealing with the opening of public lands to homesteading which was so important in the development of the West, by the citizens of the United States, to provide a plot of land on which homesteaders could develop a place on which to raise their families. It was then thought only logical to provide by the General Allotment Act for the individual Indian of a reservation to have a homesite on which to build a home when he had reached adulthood, so that he would be able to follow in the footsteps of his white brother, which it was thought would bring the Indian into the body politic. This then appeared to be a good step, but unfortunately, due to many existing conditions and the facts apparently not carefully considered, most of the Indians were not accustomed to such changing conditions, and accordingly this did not prove a success for the Indian. In fact, only the white homesteader benefited. Perhaps one of the important reasons why the Indian did not benefit was due to the lack of proper transportation facilities, necessary qualified people to provide the proper training for the Indians to change their habits and customs to that of a farmer or rancher. Furthermore, the number of personnel in the Indian government service was insufficient to aid properly in the accomplishment of these goals. It also appears that pressure was brought as another means to make the allotments to the Indians available for sale to non-Indians. This resulted in many of the Indian allotments passing out of Indian ownership.

The next step involved U.S. citizenship. Through different acts of Congress and certain treaties, such as the treaty of September 27, 1830, with the Choctaws, one of the Five Civilized Tribes, article 14 of which as reported in 7 Stat. 333, 335, conferred citizenship on heads of families (see also footnote 517 of the Federal Indian Law, Interior Department, 1958 edition for the treaty references), there was no act of Congress authorizing the granting of citizenship through court procedures or otherwise to Indians. The Indians were wards of the United States, but were not subject to becoming citizens of the United States, unless and until specifically authorized by the Congress. Some unsuccessful efforts had been made to obtain legislation granting citizenship to American Indians. It was not until the act of June 2, 1924, 43 Stat. 253, was there specific granting by the Congress of citizenship to Indians. It was contemplated by the drafters of this legislation to vest in the Secretary of the Interior the authority to issue certificates of citizenship to Indians. In fact, the title of the enactment provides: "An Act to authorize the Secretary of the Interior to issue certificates of citizenship to Indians." The title, however, of the original bill is all that remained. The balance of the bill was stricken and there was incorporated the following: "That all noncitizen Indians born within the territorial limits of the United States be and they are hereby declared to be citizens of the United States: *Provided*, That the granting of such citizenship shall not in any manner impair or otherwise affect the right of the Indian to tribal or other property." This protection was very important to the Indians. By this enactment of June 2, 1924, all American Indians born within the territorial limits of the United States are citizens of the United States. Some of the States, however, after the enactment of this legislation, prevented the exercise of the vote and other rights of American citizens within their respective State. It was provided in some of the States that since the Indians resided on Indian reservations, the title to which was in the Federal Government, the equity being in the Indians, a polling place could not be established so that there was no means under which the Indians within the boundaries of each State could exercise their voting privileges which is a fundamental privilege, though unfortunately not so recognized by many citizens as is evidenced by the comparatively small number of ballots cast in the several States in elections. Some Indians had difficulty in enjoying other privileges; for instance an Indian in Arizona had endeavored to carry on a transportation business. He, however, was not granted a license for such purpose because of the fact that he was an Indian and residing on an Indian reservation. After the matter was thoroughly gone into the Supreme Court of Arizona reversed a prior much earlier decision of the court and the Indians rights were recognized to exist as a citizen of the United States and of the State in which he resided and he was issued the necessary permit to conduct the business. The right to vote has received consideration of the courts in several of the States, and now it is more or less generally recognized that the Indians do have the right to exercise the voting privileges. This is a subject like many others deserving of extended discussion, but time does not warrant it here.

The next step is what is known as the Reorganization Act, or Wheeler-Howard Act of June 18, 1934, 48 Stat. 984; 25 U.S.C.A. 461 et seq. In general, the purposes of the authors of this reorganization step were to cement together the Indian people into tribes and to gather together the Indian lands of the respective tribes on their respective reservations into tribal ownership. This would have reversed the results of the General Allotment Act of 1887 heretofore referred to. Under the General Allotment Act, as an Indian died his allotted lands usually would be sold to non-Indians and the money thus obtained was used to help, in a meager way, to aid in the paying for the livelihood of the heirs of the decedent. The result had been an enormous diminution in the areas of the Indian lands within the several Indian reservations. The original plan of the policymakers of the Reorganization Act were to apply its provision to all Indian tribes. The plan, however, was greatly changed from the original proposal introduced in Congress. As finally enacted the Indians themselves had a voice in determining whether or not they would accept or reject the provisions of the Reorganization or Wheeler-Howard Act. Approximately 78 tribes, bands, or groups of Indians, rejected the provisions of the Reorganization Act and 191 of such groups accepted its provisions. Further allotments to individual Indians were prohibited by the act. In carrying out the purposes of the act an order was issued by the Secretary of the Interior greatly limiting the sale of allotments of deceased Indians except to the Indian tribe on the reservation where the lands were located. Apparently, the hope at that time was that the Indian allottees would willingly convey their allotments back to the tribe, taking land assignments in lieu thereof. This proved not to be so. In the instance of the Cheyenne River and Standing Rock Tribes of South Dakota, there arose a dissension about the payment to individuals for lands that were taken in the building of reservoirs by the Army Engineers in the Missouri River.

The Indians who had been formerly allotted, or the heirs to such allottees who had relinquished the allotments and taken assignments, claimed that they did not understand the situation and that they still owned their allotments. To adjust this matter and to make the payments in those cases where former allotments were inundated, Congress by the act of July 14, 1954, 68 Stat. 467, restored the allotments to the Indians. Thus by this act of Congress, the Cheyenne River and Standing Rock Indians of South and North Dakota in effect had their assignments changed back into trust status and the original allottees, or their heirs, continued to have their tax-exemption period continued on the lands until otherwise directed by Congress.

Perhaps the most important features of the reorganization or Wheeler-Howard Act is the stimulation of the interest in self-government in the Indians. The council's activities were emphasized. The elected members of the tribal council's activities were stimulated. Law and order enforcement was improved on many of the Indian reservations. The individual Indians showed greater interest in their tribal affairs. Greater powers vested in constitutions, bylaws, and charters granted pursuant to that act. This was denied by some. Mr. Felix Cohn, then Assistant Solicitor of the Interior Department, held that the Reorganization Act limited the powers of the tribes instead of granting the tribes greater powers. The act generally was excluded from application to Oklahoma.

The administration by the Federal Government of Indian affairs over the years has given rise to many claims of error. Changes in policy and in the performance of the duties imposed by treaties and acts of Congress have given rise to such claims. Over the years the only way that an Indian tribe could air its alleged grievances against the Federal Government was by obtaining a jurisdictional act in the Congress. Such acts when obtained, would authorize the particular tribe, or band of Indians, to go into the Court of Claims to have determined whether or not the handling of their affairs by the Federal Government had been in accordance with the requirements of the treaties or acts of Congress. This was a tedious procedure, often requiring much time by attorneys employed by the Indians and involving long delays before the desired legislation was enacted. The attorneys contracting with the Indians are required by law to have their contracts approved by the Secretary of the Interior. This is required by the Revised Statutes, section 2103; 25 U.S.C. 81 to 84, inclusive, which provides "that no agreement shall be made by any person with any tribe of Indians or individual Indians not citizens of the United States for the payment of delivery of any money or any other thing of value unless such contract or agreement be executed and approved as therein provided which required the approval of the Commissioner of Indian Affairs and the approval by the Secretary of the Interior. By delegation under authority, this authority was later vested in the Solicitor of the Interior Department and under date of November 26, 1962, the authority for the approval of tribal attorney's contracts was vested in the several area directors of the Indian Bureau, with the exception of possibly the contracts of the Five Civilized Tribes, for which special legislation deals with such contracts. On August 27, 1958, 72 Statute 927, there was deleted from 2103 of the Revised Statutes, 25 U.S.C. 81, the language "for individual Indians not citizens of the United States." Since the Citizenship Act of 1924, all Indians born within the United States are citizens of the United States.

Getting back to the procedure of obtaining a jurisdictional act, which was an exceedingly tedious procedure, often requiring much time of the attorneys employed by the Indians and involving long delays before the desired legislation was enacted, which was not always satisfactory to the Indians. Furthermore, the jurisdictional act finally obtained, did not always permit the presentation of all the claims the Indians believed, they were entitled to have judicially determined.

Congress remedied the above situation by the enactment of the Indian Claims Commission Act of August 13, 1946, 60 Stat. 1049, 1055; 25 U.S.C. 70–70W. This act authorized the Indian tribes, bands, or other identifiable groups of Indians to file their claims with the Indian Claims Commission for adjudications within 5 years from August 13, 1946. Thus, all Indian groups were accorded their day in court. There were three hundred and seventy (370) dockets filed with the Indian Claims Commission before the deadline in 1951, fixed by the August 13, 1946 act. These were split and numbered 596 dockets involving 852 claims. As of May 12, 1965, according to the Indian Claims Commission's data, final awards have been made in 84 cases. Of these 84 cases, 76 have been finally processed for which the Indian claimants have been awarded $163,199,670.05. The difference between the figure of 76 and 84 involves judgments by the Commission which are pending on appeals. The Commission has also denied 116 claims.

The Commission as now constituted consists of a Chief Commissioner and two Associate Commissioners who function as judges. Appeals from the Commission's decisions go to the U.S. Court of Claims, and from decisions of that court, certiorari may be sought, which if granted, final disposition of the case would be by the Supreme Court of the United States. The life of the Commission under the 1946 act was for a period of 10 years after the Commission's first meeting. This period was extended for 5 years by the act of June 24, 1956, 70 Stat. 624; 25 U.S.C. 70V, and for an additional 5-year period by the act of June 16, 1961, 75 Stat. 92, 25 U.S.C. 70V, and was further extended to April 10, 1967. The act of June 16, 1961, 75 Stat. 92; 25 U.S.C.A. 70V reads: "The existence of the Commission shall terminate at the end of 5 years from and after April 10, 1962, or at such earlier time as the Commission shall have made its final report to the Congress on all claims filed with it. Upon its dissolution the records of the Commission shall be delivered to the Archives of the United States. Under present legislation the Commission will terminate its duties on or before April 10, 1967, unless the period is further extended, and if it be so terminated, at the rate of the disposition of the pending cases, many of such cases would remain undetermined, which would be inconsistent with the fundamental purpose of the Indian Claims Act; namely, to give all Indian claimants their day in court. This, of course, would never do. It appears impossible for the present Commission to complete its work by the time specified, or within years to come, unless considerable additional help is provided to facilitate the workings of the Commission and even then it would appear additional time will be needed.

The Congress of the United States by enacting the Claims Commission Act expressed the desire to provide the means for the compensation to the Indian tribes, bands, or other identifiable groups, for errors and mistakes which may have been made in the administration of the trusteeship, vested in the Secretary of the Interior, by the Congress. in handling the Indian problems and their property over the years.

Approximately 19 years have lapsed since the creation of the Indian Claims Commission. It is understood that when Congress enacted this legislation many of the Indians of the several reservations were quite elated because they believed that their tribal claims would now be presented for determination of their validity. It is also understood that some of the older Indians who, approximately 19 years ago, felt elated over the enactment of the legislation, now feel quite differently about the legislation, as it had been indicated to them that they would be compensated for ancient wrongs and they now feel, as their forebears felt, some five or more generations ago, because it looks to them as though it will be their grandchildren, or great-grandchildren, that the successful prosecution of their cases will benefit. It is important that action be taken to speed up in a judicial manner the disposition of the pending cases. Many of the tribes whose cases are before the Commission are without funds for the preparation of their cases. It would appear that the mere holding of a right of the Indian tribe, band, or other identifiable group, to file their claim is of very little value, if the Indians are without funds to use in the preparation and trial of their cases. For awhile, some of the attorneys handling claims under approved contracts advanced the money required to prepare and present their client's cases before the Commission until, the Commission held, and properly, that this was not proper. To remedy this, the Department of the Interior and the Department of Justice and the Indian Claims Commission favored an appropriation by Congress, to be handled by the Interior Department to make loans from such funds to Indian tribes, bands, or other identifiable groups, for such purpose. Authorizing legislation was enacted as Public Law 88–168, effective November 4, 1963, to authorize an appropriation of $900,000. The money was appropriated for the purpose of carrying out this authorization by the act of July 7, 1964, 78 Stat. 273. The regulations governing the carrying out of the loans to the tribes were promptly approved and promulgated, so that this state of the matter would no longer affect the progress in handling these Indian claims. It appears, however, that the sum appropriated will not be adequate to make loans to all Indians needing such loans for the prosecution of their cases.

In the House hearings on H.R. 4109, April 28 and May 10, 1961, involving the extension of the life of the Indian Claims Commission, Congressman EDMONDSON, Second District, Oklahoma, testified on behalf of increasing the number of Commissioners from 3 to 5. Congressman ASPINALL at those hearings, stated: "It is my understanding especially in light of what the Chairman has said about extending this Commission for only the 5-year period, that if we extend it for 5 years and extend it with the same personnel that they have at the present time, we more than likely will bring about a stepped-up program for this Commission. * * * I personally would be willing to extend it for 5 years and forget additional Commissioners and hearing examiners, with the knowledge that if we do not see a stepped-up program, then we can come in and do something else. But there is no chance of getting additional quarters for additional Commissioners at the present time, because they have just moved into their new quarters." Congressman EDMONDSON also asked: "Do I understand that both the Interior Department and the Justice Department have favored enlarging the Commission by two additional members, or merely the Interior Department?" The summary here before us says the Interior Department report is favorable if enacted with the amendment to add two additional Associate Commissioners. And it says the Department of Justice recommends the enactment of the legislation with this technical amendment only added to it. This was back in May of 1961.

Complaints have been received also by the Chairman of the Indian Law Committee of the Federal Bar Association, from some of the attorneys, who have cases pending before the Commission and who are members of the Indian Law Committee of the Federal Bar Association, about the long time that lapses before action by the Commission is taken. With the desire to have these Indian claims cases handled without such long delay, there has been introduced in the present Congress, by Congressman EDMONDSON, H.R. 5379 for the purpose of increasing the members on the Commission by two and to provide for the rotation of the Chief Commissioner as therein set forth, with a view to expediting the handling of these Indian claims. The bill also provides for an extension of the life of the Commission. This particular phase does not seem so important, as the present Commission runs until 1967. It appears that adequate time exists for Congress to consider this at a later time prior to 1967.

The Indian Law Committee of the Federal Bar Association is vitally interested in the welfare of the Indians. If the American people, and all of the people involved and responsible, do not devise techniques that will give fair and expeditious trial of these cases, then it would seem that to a considerable degree we are compounding any wrong that was committed a hundred or a hundred and fifty years ago because by the Indian Claims Commission, the Congress gave an expectancy to the Indian tribes, whose claims are sound, and due to the long lapse of time, the expectancy has not been realized because it has taken too many years for the Commission to reach all of the Indians' cases. Accordingly, this legislation does not accelerate the tendency of the Indian on the reservation to take the necessary steps to become a full participating citizen in the American social scene, the ultimate goal being sought by and for the Indians. All of the American Indians of the United States should be given, as soon as possible, full opportunity to participate, as full American citizens, and enjoy all the social aspects of American life. These undecided claims of the Indians tend to keep them on the reservation. Each Indian should have the opportunity of self-determination in reaching a decision, as to whether or not he will leave the tribal life of the reservation, and dissociate himself from the culture of the Indian, and participate in our culture. It seems, however, as long as the Indian claims have not been adjudicated there is a strong urge on the Indian to remain in status quo. If this be true, it is evident that the undetermined claims of Indian tribes pending before the Indian Claims Commission play a large part in such decision of those Indians.

In regard to the importance and merit of the Indian claims, attention is directed to Appeal No. 3–63, decided October 16, 1964, in the U.S. Court of Claims in the case entitled *Sac and Fox Tribe of Indians of Oklahoma, et al., appellants,* v. *The United States, appellee,* wherein the Court of Claims, advance sheets, pages 11 and 13, used strong language, showing in that case that in 1889 and 1890 there was great political pressure on the Government to provide more land for white settlers. The result of this political pressure became apparent in the negotiations between the Jerome Commission and the Sac and Fox Tribes. Not only were the tribes told by the land commissioners that they must sell; they were admonished that they could sell only to the United States, and only when the United States was ready to buy, that they could not even lease or mortgage the lands. Finally they were told by the Commission in language of unmistakable import that $1.25 per acre was all they could get because that was all the Commission and the Congress would approve. They were even advised by one of the commissioners that "We have offered you more land and made a better offer than te law provides for." The Court of Claims, on pages 9 and 10 of its opinion quotes with approval from the dissenting opinion of Commissioner Scott of the Claims Commission. The court reversed the majority decision of the Indian Claims Commission, and remanded the case for further proceedings by the Commission. The court indicated that the evidence showed at least a value of $3 an acre, while the majority opinion of the Commmission fixed a little over one-third that value. The Court of Claims decision in the Sac and Fox case, shows, it would seem, the need for the most careful consideration and judicial determination in the handling of these Indian claims cases. Further, it would appear that, by the addition of more qualified commissioners on the Indian Claims Commission, would result in expediting the handling of these Indian claims. It would further appear that favorable action on Congressman EDMONDSON's bill should result beneficially to the Indians for whom the Congress enacted the 1946 legislation. Congressman EDMONDSON has given careful consideration to the wording of his bill and believes its enactment will facilitate the disposition of these cases.

The question is often presented in discussions why the American Indians are still under the special supervision and jurisdiction of a branch of the Federal Government. Under the Commerce Clause of the Constitution of the United States, the Congress has the power to deal with the Indians. It can terminate its jurisdiction of the Bureau of Indian Affairs and of the Secretary of the Interior over Indian matters. The Congress is the body vested with the power to make decisions in this respect. The Congress of the United States in 1954 in a series of acts such as the act of September 1, 1954, 60 Stat. 1099, 1104; August 27, 1954, 68 Stat. 888; August 23, 1954, 68 Stat. 766, 769; August 13, 1954, 68 Stat. 724, 728; August 13, 1954, 68 Stat. 718, 723, as amended, 72 Stat. 816, 819, and 73 Stat. 70, applying to specific Indian tribes providing for the termination of Federal supervision over certain tribes, bands, and colonies of Indians. These jurisdictional termination acts applied to several reservations in Utah, including the mixed-blood Ute Indians of Uintah and Ouray Reservation of that State; the Alabama and Coushatta Tribes of Texas; the Grand Ronde, Siletz, and several other groups including the Klamath Indians of Oregon, and the Menominee Tribe of Wisconsin. The Klamath Indians had the privilege to elect to have their interest in the reservation paid to each Indian in cash, or to have an interest in a share of the tribal property retained under a corporate charter. Those Indians who retained their interest in the tribal property of the reservation no longer have it held by the United States in trust for them.

A trust agreement was entered into by the United States, acting through the Secretary of the Interior, with the U.S. National Bank of Portland as trustee for the Klamath Tribe consisting of 473 Indians who decided not to withdraw therefrom. These Indians approximated 22 percent of the total enrolled members of 2,133 members. The withdrawing members were 1,660 Indians. The total acreage of the reservation (1956 figure) was 966,844 acres of which 862,662 acres was in tribal ownership; 104,322 acres was in allotments to individual Indians. The total value of the reservation was given as $70,352,872. The Forest Service of the Department of Agriculture paid $68,716,691 for 526,000 acres acquired as a national forest. The individual value of the lands which the withdrawing members each received was $45,279.71. The value of the land of those members retaining an interest of the reservation was $23,743,000, which is the amount of the trust turned over to the bank of Portland heretofore named as the trustee for this group of Indians. Neither money or any of the Indians' property rights is now under the supervision of the U.S. Government. Such supervision was terminated by the Secretary's proclamation issued August 13, 1961, pursuant to section 18 of the act of August 13, 1954, 68 Stat. 718, which proclamation terminated 96 years of control over these Indians and their property by the Federal Government. This termination did not, however, affect the tribal rights of the Indians in certain claims pending before the Indian Claims Commission.

There was filed in the Court of Claims two suits by two separate firms of attorneys, claiming increased compensation for the value of timber rights of the Klamath Indians taken by the United States in the sale and disposition of the Klamath Reservation. One case was filed April 2, 1961, by the Wilkinson, Cragun & Barker law firm, the other filed March 22, 1962, by the law firm of Whitford, Hart, Carmody & Wilson. Both suits were for the same purpose. It appears from the pleadings that one firm claims considerably more for their clients than the other. One claims the difference between $127,459,171 and the $70 million paid, apparently the belief being that the $127,459,171 represents the fair value of the Klamath property dealt with. While the other firm apparently claims the fair market value of the property is $200 million and they appear to ask $158,063,065 in addition for their clients, the same Indians. This indicates some of the difficulties that are encountered in the administration of Indian Affairs. The Court of Claims has merged the cases. It will be interesting to learn what the final outcome will be. These cases show that these Indians are entitled to have their position in such matters judicially determined.

The Menominee Indians above referred to, through great effort on their part and with cooperation and hard work on the part of the Interior Department and the State of Wisconsin, have had their reservation established as the Menominee County of the State of Wisconsin. This reservation was never allotted, it being held in tribal ownership. A corporation was created to operate the timber operations, the business on the reservation. The forest is operated on a sustained yield basis. About 20 million board feet of green timber is cut annually, producing each year in excess of $1,500,000. This operation has been the principal source of these Indians' revenue for over 40 years. This operation is now subject to taxes.

When the Secretary of the Interior and the Commissioner of Indian Affairs were supervising the reservation there were no taxes paid by the Indians in the operation of their sawmill, no gasoline tax from United States or State, and no State tax. The mill manager's salary was about $12,000 a year. After the supervision by the Secretary of the Interior ceased under the act of Congress the manager of the mill's salary flew up to $25,000 annually, so I have been advised. The State fixes a tax on the entire forest, they have all the taxes, State and Federal, applicable to other counties of the State. The Menominee Indians are now seeking appropriations from Congress because they cannot meet the tax burden. This is a problem which will require a lot of thought and study. I wonder what the final outcome will be.

This termination of Federal jurisdiction over Indians and their property was not pleasing to all. On September 18, 1958, the then Secretary of the Interior, the Honorable Fred A. Seaton, stated: "To be specific, my own position is this: No Indian tribe or group should end its relationship with the Federal Government unless such tribe or group has clearly demonstrated—first, that it understands the plan under which such a program would go forward, and second, that the tribe or group affected concurs in and supports the plan proposed."

When the present administration assumed the burden of the Interior Department the Honorable Stewart L. Udall appointed a task force to study Indian affairs. The task force report was made public on July 12, 1961. Secretary Udall said: "We plan to place emphasis on Indian development rather than on termination in the belief that this approach will win the cooperative response from our Indian citizens which is the keystone of a successful program."

The task force report states that "placing greater emphasis on termination than on Indian development impairs Indian morale and produces a hostile or apathetic response which greatly limits the effectiveness of the Federal Indian program."

The report cites, with approval, the beneficial nature of Federal programs which treat Indians and other Americans the same, such as the Social Security Act, the Area Redevelopment Act, the Public Laws 815 and 874 of the 81st Congress, which provide Federal aid to public school districts in federally impacted areas.

The task force report also urges that eligibility for special Federal service be withdrawn from "Indians with substantial incomes and superior educational experience, who are as competent as most non-Indians to look after their own affairs."

Calling attention to the serious shortage of employment opportunities for Indians, the report recommends development of Indian-owned resources, more vigorous efforts to attract industries to reservation areas, and an expanded program of vocational training and placement. It also calls for the creation of a special reservation development loan fund and expansion of the present revolving loan fund maintained by the Bureau of Indian Affairs.

The task force notes that in some areas, reservation development is complicated by the fact that Indian land allotments have many owners who either cannot be located or will not agree on how the property is to be used. It recommends transferring these fractionated holdings to the tribes and permitting the latter to compensate the owners through some system of deferred payment. In cases where such lands can produce income through timber leasing, the task force recommends that the Secretary of the Interior seek authority from Congress to negotiate leases and distribute the proceeds among the Indian owners, without having first to obtain their consent.

The report emphasizes the need for securing the aid of Indian communities in connection with reservation development and comments that "Indians can retain their tribal identities and much of their culture while working toward a greater adjustment."

It emphasized the need for economic development of the reservation by establishing a division of economic development, which would be concerned with resource surveys, tribal enterprises, attracting industry to Indian country, and the promotion of tourism on Indian reservations. Also recommended is the maximum delegation of authority from Washington to the area offices and the superintendents.

The task force urges the Bureau of Indian Affairs to work with the Department of Health, Education, and Welfare to develop eligibility criteria which will be consistent for the programs of both agencies. It suggests that those Indians who can afford to pay for health services be required to do so, and calls upon the Secretary of the Interior to lend his support to HEW's request for an increased appropriation to provide water and sewage disposal systems on Indian reservations.

The Chairman of the Indian Affairs Task Force was W. W. Keeler of Bartlesville, Okla., who is the executive vice president of the Phillips Petroleum Co. and principal chief of the Cherokee Nation; the other members were Philleo Nash, former Lieutenant Governor of Wisconsin; William Zimmerman, Jr., former Assistant Commissioner of Indian Affairs; and James E. Officer, University of Arizona anthropologist. Acting Commissioner John O. Crow consulted with the task force. Philleo Nash is now Commissioner of Indian Affairs. John Crow is Deputy Commissioner and James Officer is Associate Commissioner of Indian Affairs. Commissioner Nash and his associates of the Indian Bureau are carrying out to the best of their ability, subject to available appropriations for such purposes, to accomplish the recommendations in the task force report, looking forward to greater improvement on the economic standing of the American Indians.

Many millions of dollars have been expended in the road program on the several Indian reservations. These road improvements are for the opening of undeveloped sections of Indian reservations for industrial and commercial development, tourist trade, and for improvement, and increasing recreational uses. More and better roads mean improved schoolbus services for Indian youngsters and easier access to market areas for Indian farmers and ranchers. This and other means are being carried on to stimulate greater economic growth and development on Indian reservations. Another important aid in this respect for the benefit of the Indians on their respective reservations is to increase the authorized amount of the revolving loan fund of the Bureau of Indian Affairs. There is pending in the Congress a bill, which if enacted, would not only increase the available money for making loans but would also permit the making of grants of not more than 20 percent of the borrowed amount in loans under proper circumstances. Efforts are also being made to encourage broader financing of economic development on Indian reservations which would involve the establishment of an Indians' loan guarantee and insurance fund to be under the administration of the Bureau of Indian Affairs. These and other methods are being pursued for the purpose of aiding the American Indians on their reservations to gain a better economic status more in keeping with other citizens of the United States.

We should not lose sight of the fact that many of our American Indians have gained outstanding status not only in their own community but in the State and the country as a whole. In Statuary Hall in the U.S. Capitol are the statues of two outstanding Indians, one of these had risen to next to the highest political office of the United States; namely, the Vice-Presidency. The was none other than Vice President Charles Curtis, a Kaw Indian who retained his allotment of land made to him as an Indian. The other statue is that of the great humorist, Will Rogers, a Cherokee Indian. There are other distinguished Indians who have served in the Congress. At the present time, Congressman Ben Reifel, of South Dakota, a Sioux Indian, is serving his third term in Congress. The chairman of the task force appointed by Secretary Udall, W. W. Keeler, of Bartlesville, Okla., is a top oil official of the Phillips Petroleum Co. and principal chief of the Cherokee Nation. These are but the names of some of the Indians who have distinguished themselves as leaders in their community.

Often the question has been asked, Who is an Indian. This question has not been definitely answered and defined. Congress has the power so to determine. Some acts of Congress have provided that for certain purposes Indians of less than one-fourth degree of Indian blood shall not be entitled to participate in the benefits of the act. No specific act however has defined who is an Indian.

PERSONAL EXPLANATION

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fuqua] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FUQUA. Mr. Speaker, on rollcall No. 163, I was inadvertently detained and was unable to answer to my name. Had I been present I would have voted "yea."

REPUBLICAN FACTFINDING MISSION TO PARIS ON NATO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. Findley] is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, today a report was made to the Republican conference of the U.S. House of Representatives by the Republican factfinding mission on NATO. The mission consisted of Representative Alexander Pirnie, of New York, Representative Hastings Keith, of Massachusetts, Representative James D. Martin, of Alabama, and myself.

We feel the report deals with a topic of broad interest, and therefore I present its text:

> Our intensive series of conferences in Paris—covering the 9-day period, June 11–20—brought forcibly to our attention the vast changes which have occurred in Western Europe since the North Atlantic Treaty Organization was formed in 1949.
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> The United States then had the urgent task of organizing the defense of Western Europe against the threat of imminent attack. Our allies were ravaged by war and struggling to rebuild. They looked to the United States for leadership and aid, and we provided both.
>
> Now, although the possibility of Soviet attack remains, the situation otherwise is substantially changed. The nations of Europe have rebuilt their economy and are willing and anxious to take a larger responsibility in the alliance.
>
> ### FUNDAMENTAL BASES OF ALLIANCE HAVE CHANGED
>
> These changes are at the heart of the difficulties in American-European relations. The fundamental bases of the alliance have changed so extensively that a thorough reevaluation of American policy is required.
>
> American difficulties with Europe seem to be concentrated in France. In the United States, President de Gaulle is widely believed to be largely a French phenomenon with aspirations that are uniquely French, and some feel his policies do not even enjoy majority support among his countrymen. These beliefs are erroneous.
>
> True, some of De Gaulle's policies are designed specifically to cope with conditions that are uniquely French. One of his overriding purposes is of course to reinvigorate the spirit of the French nation after the political paralysis and searing experiences of the World War II period. In this, he has been eminently successful.
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> Yet, for all his political skill, brilliance of leadership, vigor, and fortitude, De Gaulle alone could hardly have inspired the tremendous industrial, scientific and technological effort that has culminated in the nuclear force-de-frappe. Had he not invoked latent forces that were potent and durable, not only in France but also in the rest of Western Europe, the French effort would not have succeeded.
>
> ### DE GAULLE RIDES POWERFUL CURRENTS
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> Ever since the breakup of the American nuclear monopoly, dissatisfaction has been rife throughout all of Western Europe. U.S. military, technological, scientific, and economic achievements have caused us to think of European nations as though they were in a secondary position in world affairs. Dissatisfaction by European nations stems from the present NATO structure which forces them to rely under all circumstances upon American strategic capabilities and decisions for the most basic requirements of their national security.

These nations want and of course deserve a larger voice in these vital life-and-death decisions.

Thus De Gaulle is not a lonely anachronism. His policies are not apt to disappear from the world scene when he leaves office. De Gaulle actually rides powerful currents of opinion which flow throughout all of Western Europe, and the problem posed by his challenge of U.S. policies is only partially to be formulated in exclusively French terms.

France is the leader of the "loyal opposition" in the Alliance, and therefore the forces that now threaten the unity of NATO must first be dealt with in the terms in which they are put by De Gaulle. As long as De Gaulle's objections remain unanswered, American policies throughout Western Europe will remain in difficulty.

The foremost problem is to give substance to the ideal of partnership. We must shift the structure of the Alliance from the leader-follower basis—which was almost inevitable in 1949—to one of true partnership.

The European nations which the United States must now recognize as ready for true partnership are not those of 1949. The years since the war have witnessed the revival of their economies and, more important, the reinvigoration of their intellectual resources and political aspirations.

These nations want to fulfill their roles both in world politics and in science and technology which they have done so much to advance. This determination enlivens the professional and political careers of the rising generation of European managers and scientists.

Instead of viewing this development as an unfortunate challenge to American political and economic leadership of the free world, the United States should welcome it as one of the most hopeful aspects of the entire postwar period.

At no time in history has the need for scientific and technological cooperation been greater than now, when the Communist world strains its resources to gain advantage over the free world.

Moreover, the assumption by European nations of more responsibility for the consummation of common purposes could do more than anything else on the horizon to lighten the burden American taxpayers now bear.

To accomplish this, the United States should be not only willing but eager to make necessary adjustments in its own policies.

It is in this context that the differences between France and the United States must be faced.

Friendships and alliances, between individuals as between nations, cannot thrive in an atmosphere of irritants and counterirritants.

FRIENDLY GESTURES NEEDED

Gestures of friendship are not signs of weakness. President Theodore Roosevelt once said, "Magnanimity is more becoming in the strong than in the weak." If this be true, any overtures of friendship in this hour of America's greatest power will be warmly received. Arbitrary positions should be avoided if the United States is to escape the charge of trying to dominate its friends instead of cooperating with them.

It has taken many years to develop Franco-American friendship, but considering the impact of today's press, radio, and television, the goodwill of centuries can be destroyed in a very brief period. Any tendency to procrastinate in the handling of common problems by France and the United States can lead only to deterioration of the climate for successful negotiation.

If it is wise to attempt to ease tensions with the Communist world, is it less so with a friend and ally?

Together France and the United States—and, in fact all of the countries of the Alliance—should press the search for adequate and constructive solutions. The past of neither nation is free of errors. It is in our common interest not to perpetuate these errors but to learn from them.

The conduct of our two nations reflects the national purposes of each, and it is important that differing aspirations be fully and sympathetically considered. When nations agree on a goal but undertake differing ways of reaching it, reconciliation of these divergent approaches should always be possible.

France and the United States have been friends for nearly two centuries. Every French child learns in school that the United States is the one major nation that has never been France's enemy but always its friend. France provided us with crucial aid in our War for Independence. In turn, our success inspired the French Revolution.

France and the United States have fought shoulder to shoulder in two world conflicts in this century. Ties formed of common peril should not be broken by pettiness or neglect.

Absolute agreement on all points is not a requisite of friendship between individuals, nor should it be expected between nations. Honest efforts to search out and understand these points of difference, followed by fair appraisal of their impact, would, in the view of our mission, lead to surprising reduction of these areas of disagreement.

EFFORTS MUST BE COORDINATED IN PEACETIME

NATO's real unifying power should not be reserved only for time of war. The zeal to defend falls and the spirit of independence rises naturally enough as a common threat appears to diminish. This can be dangerous—perhaps fatal—because in the nuclear age a threat of enormous proportions can be mounted in a very brief time.

If freedom is to survive, the spirit of NATO must be preserved and strengthened.

It is essential that NATO members develop a new level of peacetime coordination of effort. This must take account of changed conditions, accord full stature to each member nation, recognize the national character and needs of each, and yet keep strong the basic purpose of common defense.

NATO has protected the free world for a decade and a half.

The United States supplied the strength to accomplish NATO's mission at a time when it alone could do so. The other members of the alliance, with our help, have restored their economies and their political systems and are now able to share increased responsibility. The NATO Charter affords wide latitude to adapt to these changed conditions.

The formula for this sharing must be developed with fairness and objectivity, emphasizing full partnership in technological research and development, procurement and financing, and nuclear decisionmaking.

The formula can and must be found. Our report is intended as a contribution to the search.

THE NEED FOR FULLER PARTNERSHIP

It was logical in 1949 for the United States to play the dominant role in the leadership of the NATO alliance. It is true that we still contribute the largest part of the NATO forces and, in effect, have the biggest battalions as represented by our nuclear armory. But, the renewed strength—largely in the presence of a French nuclear capability—of our European allies suggests that they are now ready to assume a larger share in the responsibilities of the alliance.

We welcome this increased capability and we should recognize the contributions our European partners can make and should gladly grant them more responsible roles in the alliance. This then calls for a fuller partnership than has previously existed.

This fuller partnership should involve action at two levels. In the first place, Franco-American relations should be conducted in an atmosphere of greater cordiality. Secondly, U.S. policies within NATO must be modified to demonstrate more obviously our belief in the interdependency of the partnership. The first must necessarily precede the second, and the specific recommendations which follow are aimed directly at the improvement of the climate between France and the United States. But, in the last analysis, the crucial question is the effectiveness of NATO, and it is here that the major American effort must be made.

Probably the most crucial and certainly the most vexing area in which our partnership could be improved is in the matter of nuclear weapons. The United States has had a special relationship with Great Britain for some years that is based on British advances in nuclear technology. But at the same time the United States has perhaps discouraged French efforts to achieve a similar nuclear capability. While there are perfectly sound reasons for attempts at the limitation of nuclear proliferation, the United States must now admit that its efforts in this regard were not successful. France has become a nuclear power in its own right without any effective assistance from the United States. It now insists upon being treated as a full-fledged member of the nuclear club.

The time has long passed, it would seem, in which any advantage accrues to the United States from a hostile, suspicious, and critical attitude toward French nuclear capability. However small the force-de-frappe may be compared with that of the United States, it is completely committed to the defense of the free world, and in the spirit of the traditional links between Paris and Washington, the United States should actively seek an understanding that will unite the two capabilities for a common purpose. A denial of the needs of France for industrial support in perfecting its nuclear arm has proven unwise. Failure to cooperate now could further erode the links that tie France to the Atlantic Alliance. No task is more urgent than reaching some understanding with France on nuclear matters.

Once Franco-American relations have been improved, the broader problems of alliance structure can be considered. There are a number of explicit aspects of true partnership that should be considered in any new U.S. effort.

TRUE PARTNERSHIP IN TECHNOLOGY

First on the list is science and technology. A way must be found to bring together the vast scientific and technological resources of the entire Atlantic community.

Any U.S. policy that deprives our Nation of the fruits of the work of the many brilliant scientists of Europe is unwise.

Achieving a workable level of partnership is not an easy task. The U.S. Atomic Energy Act interposes a major barrier to NATO scientific cooperation, as do also a formidable network of security restrictions and classifications. But the difficulty of the task in no way reduces its importance, and an attack on the problem should be made at once.

TRUE PARTNERSHIP IN MILITARY PROCUREMENT

Europeans generally question—and many resent—the recent accelerated effort by the United States to market arms and military equipment in Europe. The United States enjoys obvious competitive advantages in this field, and if it were to make a serious sustained effort it might all but monopolize the arms market in Europe.

Although from one point of view this might seem a desirable outcome, it would undoubtedly produce a harvest of concern, consternation, and bitterness in Europe and thus place a very heavy strain on the alliance.

It defies common sense to employ American strength in a manner which weakens

America's allies. The consequences of aggressive merchandising of munitions are not only economic, but also psychological and scientific.

Deprived of the economic opportunity to experiment and develop new principles and new systems, the intellectual resources of a nation which becomes completely dependent upon American military equipment will tend to dry up. Europeans are aware of the scientific revolution and they realize the areas of weapons development are also areas of enormous scientific promise. Exclusion from these fields would strike deep at national pride and self-respect as well as stultify the scientific climate in any country so affected. A frequently expressed French view is that France should build at least one prototype of every new weapon system just for the scientific and technological gain from the effort.

The United States should get to work without delay to develop in coordination with its allies a NATO-wide system of military procurement that will assure the participation of each member on a level commensurate with resources. Implicit in this effort is a balance between, on the one hand, the political and psychological advantage of full participation and, on the other, the economic and ideological advantage of a market system that is competitive and therefore efficient.

TRUE PARTNERSHIP IN MAKING DECISIONS AND SHARING COSTS

A basic disagreement within NATO today concerns the European desire to participate more effectively in making decisions especially in the employment of nuclear weapons, both tactical and strategic—and on the other hand, the American wish to have the nations of Europe share, to a much greater extent, in the costs of the elaborate and expensive structure of defense.

True partnership presently exists in neither field. And we must recognize that the attainment of partnership in one is impossible without attaining it in the other as well.

The United States owns—and commands—approximately 96 percent of the nuclear weapons in the Atlantic community. These provide the principal deterrent against Soviet nuclear capability. The President of the United States alone decides if and when these weapons will be used in combat. The French claim they cannot be expected to trust their security ultimately to the willingness of our President to commit the United States to a nuclear war for the defense of France. This is one of the factors that complicates Franco-American relations.

The U.S. nuclear strategic system is costly, accounting for a substantial part of our billion-dollars-a-week outlay for military purposes. In view of the fact that a major portion of American strategic capability is committed to the defense of Europe, what are the chances, Americans ask, of persuading the peoples of Europe to assume a larger share in the cost of this defense?

The answer is simple: there is no chance at all unless the nations of Europe also share in a more meaningful way in the decisions about how these weapons will be made and used. Under present policy, as a matter of fact, it is probable that the U.S. proportion of cost would tend to grow even larger in the years ahead.

The choices facing the United States are clear:

1. Continue along present lines, seeking to maintain exclusive control of the main weapons and paying an increasingly large share of the cost of Western Defense—with a consequent weakening of our alliance bonds.

2. Cut back the level of defense expenditures arbitrarily—and risk the dangers of Soviet dominance—an alternative no one seriously advocates.

3. Work out with our allies a method of sharing both decisionmaking and costs for at least some of the major weapon systems.

Partnership decisionmaking and cost sharing is an extremely complex concept, and much careful study is required before any formal arrangements can be reached. But one idea seems to emerge in every proposal so far advanced—some version of a directorate.

Whether such a directorate should consist of the nuclear powers alone, as President de Gaulle insists, or whether it should also include the major nonnuclear states of NATO as well—or, indeed, whether the smaller members should also participate—are matters that cannot be quickly decided.

But it seems beyond doubt that a fuller partnership in decisions and costs is the only viable alternative to a number of unpleasant costly, and possibly dangerous consequences for the United States and its allies.

CONCLUSIONS

Based on our factfinding study, our mission feels these measures would be helpful:

UNILATERAL ACTIONS THE UNITED STATES COULD TAKE

We suggest the following unilateral actions be undertaken by the United States in order to alleviate some of the most pressing difficulties of the Atlantic Alliance:

1. Recognize the fact that France is a nuclear power, whether we like it or not. Nuclear proliferation of course carries grave danger, but the time for arguing whether this is good or bad in the case of France is long past.

In time, the true partnership in technolgy and weapons control—which this NATO mission advocates—should diminish the desire for separate national nuclear forces. Meanwhile, the United States should immediately reexamine its policy on technological and scientific cooperation. We should take full advantage of any discretionary provisions of our Atomic Energy Act, and if need be amend it, to the end that the nuclear capabilities of France and the United States may be fully coordinated.

2. Clarify our policy with respect to employment of nuclear weapons in the defense of Europe, with the intent of removing all doubt and uneasiness as to our response in the event of an attack on Western Europe. The concern of Europeans is twofold: they want to make sure our policy provides adequate protection; at the same time they do not wish to be engulfed in a nuclear war needlessly. Several U.S. pronouncements have been made on this subject, but some have been ambiguous and contradictory.

The matter is too important to be left unclear. We should reaffirm our determination to participate fully in the joint defense of Europe, and at the same time declare our desire to work out a means for more fully sharing decisionmaking with our allies.

3. Propose the establishment of a Diplomatic Standing Group, with each nation represented. It would aid the NATO Council in political matters in much the same way the Military Standing Group now aids the Council in military affairs. It would stay in continuous session, serving as an information and discussion center for day-by-day review of worldwide policies and developments. Its purpose would be to promote the greatest possible understanding and unity on matters involving areas beyond the military scope of NATO. The Standing Group would give recognition to the French proposal of 1958 which called for a three-nation "directorate" to coordinate global Western policies, and to Secretary McNamara's suggestion of a select committee of four or five nations to provide greater allied participation in NATO planning.

4. Demonstrate our continuing friendship for France. The most impressive demonstration would be a trip to Europe by the President of the United States for the single purpose of visiting the French President. The recent call on President de Gaulle by the U.S. Vice President was a helpful gesture, but a person-to-person discussion between heads of state has no adequate substitute. The Presidents of France and the United States have not had much consultation with each other for 5 eventful years.

FIRST STEP TOWARD TRUE PARTNERSHIP

As the first step in progressing from the present leader-follower basis in the Atlantic alliance to one of fuller partnership, our mission suggests a top-level planning conference consisting of a select few, highly qualified, and distinguished representatives from each of NATO's 15 member nations.

This group would be charged with developing, at the earliest possible date, a detailed plan for the establishment of a fuller partnership among NATO nations in (a) technological research and development; (b) military procurement; (c) financing of defense; and, (d) strategic decisionmaking. They would be free to use their own best judgment in formulating details.

Upon completion of deliberations, the plan would then be referred to the individual nations for full discussion and appropriate policy decision.

THE ATLANTIC REQUIRES IMMEDIATE ATTENTION

The Atlantic is neglected. It must have immediate attention.

The North Atlantic Treaty Organization—the free world's most essential institution—is in troubled waters. New currents run strong and deep. They already influence the course of our own Ship of State, and they grow in power. Because they run deep they cause scarcely a whitecap on the surface and consequently go largely unnoticed.

They have no high and crashing breakers like those which presently monopolize official attention in Vietnam and in the far Pacific area, but they are nonetheless formidable.

Neglected, these powerful new currents could multiply the perils which lie ahead. Recognized and accommodated, they could make our course—and the course of all who cherish freedom—safer, easier, and more certain.

CHRONOLOGY OF THE FACTFINDING MISSION

(By Representative FINDLEY)

Pretrip preparation included personal conferences with former President Eisenhower at Gettysburg, former Vice President Nixon at New York, various officials of the State Department and Defense Department and French Embassy.

The mission invited comments and suggestions from a number of leaders in government and foreign policy, together with former officials of the North Atlantic Treaty Organization. Prior to departure for Paris, more than 100 helpful responses were received and evaluated.

Dr. Robert Strausz-Hupé, director of the Foreign Policy Research Institute, University of Pennsylvania, served as consultant to our mission, and was in Paris June 1–8 making contacts and arrangements in preparation for our arrival. With fine cooperation of American Embassy and NATO officials, he detailed in advance an excellent schedule of appointments and also provided us with very helpful agenda suggestions for our discussion.

Our mission consisted of Representative ALEXANDER PIRNIE, of New York, Representative HASTINGS KEITH, of Massachusetts, Representative JAMES D. MARTIN, of Alabama, and myself. These were drawn from the House Republican Committee on NATO and the Atlantic Community, which has been in operation for the past 2 years. Accompanying the mission were Dr. Charles O.

Lerche, Jr., newly appointed dean of the School of International Service, American University, Washington, D.C., who has been employed for the summer as foreign policy consultant by the House Republican Conference, and Mr. John A. Mathews, a retired military officer and member of my staff who devotes his time exclusively to NATO affairs.

All seven of us worked in close consultation in preparing the report, in keeping with the closely coordinated relationship maintained throughout the mission.

Representative Pirnie brought to the mission valuable experience he had gained as a member of the Armed Services Committee of the House of Representatives and as vice president of the U.S. delegation to the Interparliamentary Union.

Recognized widely as a leader in military affairs, he has a personal acquaintance with many NATO officials, and this acquaintance proved to be very helpful in the work of the mission.

Representative Keith, like Representative Pirnie, has been an active member of the House Committee on NATO and the Atlantic Community since it was organized 2 years ago, and he has assumed leadership in several important committee projects, including the Paris factfinding trip. His extensive experience in World War II in France and in several other nations now in NATO, plus the special study of NATO military affairs he has undertaken in recent years, gave him excellent resources for this project.

Representative Martin, in his first year in the House of Representatives, has already won wide recognition for his extensive knowledge in foreign policy problems and perceptive analysis of policy trends. We were, therefore, especially gratified that he accepted a part in the fact-finding mission and assumed such an important role in it. He took a leading part in all of the conferences both in Paris and in the United States, and contributed greatly to the substance and clarity of our report.

Each of them worked diligently in the arduous and vital task of preparing the report, which we trust and hope will be helpful to our Government in its efforts to keep NATO strong.

In Paris we followed very carefully these ground rules:

While on foreign soil, no comments to the press or otherwise which could be interpreted as being critical of either the French administration or the U.S. administration; no public discussion of any of the topics, findings, or conclusions developing from our conferences; no attribution for remarks or ideas presented during our discussions with French and NATO officials, then or at any time in the future.

Notes were taken during the conferences, and additional impressions were later dictated. Consequently, the record of conferences is full and it will provide a valuable source of material for the future work of the House Republican Committee on NATO, the Atlantic Community (and, hopefully, the committees of the Congress) and other interested organizations.

A summary of the findings is available upon request.

Travel was by commercial airliner—economy class—and no Government funds were used for any expenses of the mission.

Without exception we found the NATO and French officials, and others with whom we consulted, to be warm, cordial, and anxious to be helpful. The American Embassy and officials of NATO were cooperative in every respect.

French officials seemed to welcome the opportunity to discuss Franco-American relations and the problems of the Atlantic Alliance. Conferences scheduled for 1 hour usually stretched into 2, and 2-hour conferences into 3.

CHRONOLOGY OF CONFERENCES AND OTHER EVENTS

Friday, June 11 (arrival day), private conference with Gen. Lyman L. Lemnitzer, NATO's Supreme Allied Commander, Europe; followed by a 2-hour briefing and full discussion with General Lemnitzer and his staff on the military structure and purpose of NATO.

Participating, in addition to General Lemnitzer: Gen. T. W. Parker, Chief of Staff; Lt. Gen. P. Montjamont, Deputy Chief of Staff for Logistics and Administration; Lt. Gen. W. Baudissin, Deputy Chief of Staff for Plans and Operations; Maj. Gen. A. U. Nielsen, Assistant Chief of Staff for Operations; Maj. Gen. J. Garot, Assistant Chief of Staff for Plans and Policy; Maj. Gen. J. M. F. Gavin, Assistant Chief of Staff for Intelligence.

Same day, participated in wreath-laying ceremony at Invalides honoring first American fatally wounded in the liberation of Paris.

Saturday, June 12, conference with NATO's Secretary-General, Manlio Brosio of Italy. Also present, one of his personal aids, William Canup. General di Martino of Italy, a NATO officer, participated in the last part of the discussion.

Sunday, June 13, participated in wreath laying at the Tomb of the Unknown Soldier under the Arch of Triumph, sponsored by the Paris Post of the American Legion.

Monday, June 14, conference with U.S. Ambassador to France Charles E. Bohlen. Also attending was Mr. Ralph McGuire, his assistant for political and military affairs; conference with U.S. Ambassador to NATO Thomas K. Finletter and Mr. Michael Newlin, his assistant for political affairs.

Evening reception and dinner at the home of Gen. Pierre M. Gallois. Also attending: Senator Jacque Baumel, general secretary of majority party; M. Jean-Daniel Jurgenson, head of American desk, Foreign Affairs Ministry; Colonel Chesnais, air representative to President de Gaulle; M. de Lepowski, vice president of Foreign Affairs Committee, Chamber of Deputies; M. Charles de Chambrun, member of Chamber of Deputies, Center Democratic Party; M. Christian de la Maléne, member of Chamber of Deputies, former Minister of Information.

Tuesday, June 15, conference with Dr. W. Baron Michiels van Kessenich, mayor of Maastricht, the Netherlands, who came to Paris especially to confer with the mission. Luncheon, sponsored by former Ambassador Walter Dowling, Director General of the Atlantic Institute; attending: Mr. A. E. M. Duynstee of the Netherlands and representative in the Council of Europe; M. Francois Fontaine of France, member of the Monnet Committee and Director of the European Community Information Bureau in Paris; M. Etienne Hirsch of France, former president of the Euratom Commission; M. Serge Hurtig of France, professor at the Study Center for International Relations; M. Lucien Radoux of Belgium, member of the Parliament of Europe and Director of the European Foundation for International Exchange; M. Andre Felix Rossi of France, member, Chamber of Deputies; M. Pierre Uri, Mr. John Newhouse, and Mr. Joseph Harned of the Atlantic Institute staff.

Conference with Gen. Jean Crepin, commander in chief of the Central Europe Command, NATO.

Dinner sponsored by the French Association for the Atlantic Community; attending; Senator Georges Portmann, M. Alain Montmoreau, French Deputy Joel le Theule, former Deputy Pierre Mahias, M. Pierre Emanuelli, and M. Alfred Coate-Floret, Later in the evening, a conference with the Association's Study Commission of the Problems of the Atlantic Alliance; attending, in addition to those at the dinner: M. Robert Abdesselam, M. Raymond de Palasy, General Carpentier, M. Jean-Marie Lebreton, General Leroy, M. Jean Mersch, Admiral O'Neil, M. Pierre-André Simon, and M. Bertrand Labouerie.

Wednesday, June 16, conference at French Foreign Ministry with M. Jean-Danielle Jurgenson, head of the American Desk and his staff.

Conference with Gen. Andre Beaufre, director of the French Institute of Strategic Studies, and his staff.

Conference with Defense Minister M. Pierre Messmer at the Defense Ministry.

Dinner sponsored by M. Jurgenson, attending: M. Edmond Giscard d'Estaing, M. Arnaud Wapler, M. de la Grandville, both of the Foreign Office; Gen. Pierre Billotte, M. de Bratillat; and Mr. Funkhouser and Mr. McGuire of the U.S. Embassy.

Thursday, June 17, conference with Gen. Jacob E. Smart, chief of staff to General Lemnitzer, in his secondary role as commander in chief, U.S. European Command.

Conference with M. Jacques Vernant, director of the Center for Foreign Policy Studies, and members of his staff; attending: former Ambassador Henri Bonnet, Prof. Léo Hamon, M. Philippe Devillers, Captain Eyrand, Commander Lechat, and General Gallois.

Conference with M. Dioméde Catroux, former Minister for Air and later for Armament.

Reception given by Mr. Clement Brown, president of Olin-Mathieson International; attending; Mr. Norbert Baillen, Rexall Drug; Mr. Harvey Gerry, First National City Bank; Mr. George Hook, Armco International; Mr. Horton Kennedy, Morgan Guaranty; Mr. Edouard Ellers, Chase Manhattan; Mr. Ed Tuck, Shearman and Sterling; Mr. Scudder Meersman, Bank of America; Mr. Charles de Limur, Bankers Trust; Mr. W. Nichols, Morgan Guaranty; Prince Marc de Beauvau-Craon, French Administrator; M. Alain Du Breil, Olin-Mathieson; M. Fred Aftalion, French Society of Synthetic Organics; and several officials from the U.S. Embassy.

Friday, June 18, luncheon conference hosted by France-Amerique; attending: M. Edmond Giscard d'Estaing, president of the International Chamber of Commerce; M. Jacques Chastenet of French Academy of Moral and Political Sciences; M. Henri Bonnet, former French Ambassador to United States; M. Gillion Georges-Picot, former French Ambassador to United Nations; Marquis de Messey; Baron Christian de Waldner; M. Jean Delorme; Colonel Brunschwig.

Conference with the Belgian, Canadian and Netherlands Permanent Representatives to NATO.

Conference with French Foreign Minister M. Maurice Couve de Murville at the Foreign Ministry.

Conference with M. Maurice Schumann, president of the Committee on Foreign Affairs of the Chamber of Deputies.

Saturday, June 19, final conference with Secretary-General Brosio at NATO headquarters.

U.S. CATTLEMEN NEED GREATER EXPORT OUTLETS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Montana [Mr. Olsen] is recognized for 15 minutes.

Mr. OLSEN of Montana. Mr. Speaker, cattle and meat products make up one-third of our annual farm income in the United States, but unlike our other major agricultural commodities they do not contribute a proportionate share to our world food supply.

Sales of U.S. farm products are running at about $36.5 billion a year. Of this total, livestock marketings account for approximately $12 billion. Yet, only 3 percent of our livestock receipts come from export sales. In contrast, we exported almost half of our 1964 wheat production.

Our exports of livestock products amounted to only $364 million in 1963. This is small in comparison to the $6 billion plus for our total agricultural exports of that year.

As a recent report of the House Committee on Agriculture said, "Before a hungry world, our agriculture is America's greatest success story." This Nation has long since conquered the problem of man's basic need—food and fiber—while other nations are still struggling against starvation.

Our farming know-how in the United States is surpassed by none. One farm worker in America produces enough food for 31 persons. This compares with 10 persons for the European farm worker and 5 for Russia. For our outstanding efficiency we can credit the partnership of our Government, the land-grant colleges, the experiment stations, industrial research, independent farmers, and a free agricultural press.

Demands for America's ever-growing abundance will increase. Population growth is outpacing the inefficient food production in many nations. Predictions are that our world population will increase from the present 3 billion to 4 billion by the year 1980. We will need to bend every resource to supply our Nation and supplement the meager supplies of less fortunate nations.

We no longer subscribe to the theory that war and disease are necessary to limit population to world food supplies. On the contrary, we are making progress in our valiant efforts to eliminate the blight of disease and the scourge of war. If hunger is to be conquered in the world, America must show the way. We, in America, must be both humble and wise with our abundance.

But while much of the world is hungry, the American farmer is struggling with a problem of overabundance. We are the victims of our own efficiency. Surpluses here at home have depressed our farm income. Fewer than 400,000 of our 3½ million farmers in the United States earn an income comparable to that of a skilled industrial worker or a return on their investment of as much as 5 percent.

I do not propose that we give our products away, as a solution to our dilemma, nor that we further depress our farm income by insisting that only the farmer shall be his brother's keeper. I believe there are other better solutions.

Most of my own farm interests have to do with livestock production and marketing. Therefore, I can say that the rancher wants no Government subsidy. Rather, he wants a steady market for his products both at home and abroad. He wants cooperation in protecting his home market and in reaching foreign markets that need his products.

I doubt that there exists a greater independence of thought or action than that which springs from our great western plains. This spirit made possible the uniting of our States with railroads and fostered the development of our cattle markets and meat-processing plants.

When foreign beef imports threatened our domestic markets a few months ago, the cattlemen dug in their spurs and surprised the Nation's lawmakers with their fight and tenacity. They succeeded in cutting down this factor that was depressing their beef markets. This was an action of a breed of Americans that has built an industry with fierce pride and determination.

With all their independence, stockmen are progressive. They have done much to improve their market product. They have built quality into their herds and have taken advantage of research in breeding and nutrition coming out of the experiment stations. They are marketing the kind of meat consumers are demanding.

The livestock industry has developed marketing cooperatives in recent years, which I feel deserve more support and recognition than have been given them. These livestock cooperatives have kept a steady flow of animals coming from the plains to the feedlots worth $2 billion a year.

We in the livestock industry are not unmindful of the cooperation the Government has given us in working with our problems. I am thinking of the important steps taken by the Government when serious price declines hit our cattle markets last year.

A special meat merchandising and promotion program was launched in cooperation with the food and packing industries. Food retailers report beef sales up from 8 to 20 percent over last year. And our per capita beef consumption has climbed to the record of 100 pounds a year.

A special beef purchasing program for school lunches and needly families was begun. The Department of Defense increased its purchases for overseas needs. All these actions helped cut our oversupply of beef.

Voluntary agreements were reached with major beef importers whereby their shipments were cut back to a volume recommended by cattlemen, ranchers, and feeders. So we have taken steps to improve our domestic markets.

There are foreign markets for our meat to be had if we can find ways of reaching them. I am not encouraged with recent negotiations involving the European Common Market. I realize the fragile nature of such negotiations and the impact they may have on world trade in general. But our efforts do provide much hope for the future.

The United States is making strenuous efforts through established trade channels to liberalize conditions for the entry of our beef into Western Europe and other world markets. We seem now to be awakening to the possibilities of further expansion in exports of livestock and livestock products. Our promotion efforts in Western Europe where we are showing our meat products at foreign trade fairs are encouraging. We are discovering that European housewives are attracted by the quality of American beef.

There is a growing demand for American beef in Europe. And we are finding that we can compete pricewise in the food markets in both England and France.

There are growing indications that we have a potential for both live animals and dressed beef in Europe. We are making shipments of live cattle to Italy. Perhaps we can regain and increase the exports of live cattle we once enjoyed. We are told that the potential market for U.S. beef in Europe is 400 million pounds a year. Japan is a major customer for our agricultural products. Through cooperative efforts of the American Dairy Association and the Government, the Japanese are developing a taste for milk and dairy products. Perhaps we can do as much for beef.

It is encouraging to note the increasing interest of Congress in our agricultural economy. We strongly urge both the executive and legislative branches to give more attention to agricultural price structures as they relate to the livestock industry. We need to remove some of the transportation barriers to foreign shipments of our agricultural products. For example, trans-Atlantic shipping rates are twice as high outbound as those inbound.

I understand that, as a result of an inquiry on ocean shipping rates on beef made by the Senate Small Business Committee, American-flag ship lines may reduce rates on export beef to Europe by 25 percent. These are steps of progress, but we must take more.

Secretary of Agriculture Freeman has recently announced that an agricultural export market of $8 billion a year is in sight. As a Congressman representing cattle producers, I pledge my best efforts to the end that U.S. stockmen may obtain their proportionate share of this export business.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1966

Mr. NATCHER submitted a conference report and statement on the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

LEAVE OF ABSENCE

Mr. ADDABBO (at the request of Mr. MULTER), for Wednesday, June 30, 1965, on account of illness in family.

Mr. POOL, for July 1, 1965, on account of important business in Texas.

Mrs. MAY (at the request of GERALD R. FORD), for the week of July 6, 1965, on account of commission meeting of the National Commission on Food Marketing in San Francisco, Calif.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. OLSEN of Montana (at the request of Mr. FOLEY), for 15 minutes, today;

and to revise and extend his remarks and include extraneous matter.

Mr. Feighan (at the request of Mr. Foley), for 10 minutes, on Thursday, July 1, 1965; and to revise and extend his remarks and include extraneous matter.

Mr. Findley (at the request of Mr. Talcott), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Ashbrook (at the request of Mr. Talcott), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Ryan, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Talcott) and to include extraneous matter:)

Mr. Hansen of Idaho.
Mr. Hall.
Mr. Talcott.
Mr. Goodell.
Mr. Cahill.

(The following Member (at the request of Mr. Foley) and to include extraneous matter:)

Mr. Multer.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3415. An act to equalize certain penalties in the Intercoastal Shipping Act, 1933;

H.R. 4493. An act to continue until the close of June 30, 1967, the existing suspension of duties for metal scrap;

H.R. 4525. An act to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs;

H.R. 5283. An act to provide for the inclusion of years of service as judge of the District Court for the Territory of Alaska in the computation of years of Federal judicial service for judges of the U.S. District Court for the District of Alaska;

H.R. 7105. An act to provide for continuation of authority for regulation of exports, and for other purposes;

H.R. 8131. An act to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961; and

H.R. 8147. An act to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

ADJOURNMENT

Mr. FOLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 47 minutes p.m.) the House adjourned until tomorrow, Thursday, July 1, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1292. A letter from the Acting Comptroller General of the United States, transmitting a report of ineffective and inefficient administration of the training of foreign personnel under the military assistance program in a foreign country, Department of Defense; to the Committee on Government Operations.

1293. A letter from the Assistant Secretary, Export-Import Bank of Washington, transmitting a report of the issuance of a guarantee in connection with a contract of sale covering the export of three bevel gear manufacturing machines to Yugoslavia, pursuant to title III of the Foreign Assistance and Related Agencies Appropriation Act of 1965; to the Committee on Foreign Affairs.

1294. A letter from the Acting Comptroller General of the United States, transmitting a report of erroneous dislocation allowance payments to military personnel who moved their house trailers at Government expense, Department of Defense; to the Committee on Government Operations.

1295. A letter from the General Counsel, Pacific Tropical Botanical Garden, transmitting Pacific Tropical Botanical Garden financial statements for the period August 19, 1964, to December 31, 1964, pursuant to section 10(b) of Public Law 88-449; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee of conference. Conference report on S.J. Res. 1. Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office; without amendment (Rept. No. 564). And ordered to be printed.

Mr. CELLER: Committee on the Judiciary. Report on State taxation of interstate commerce; without amendment (Rept. No. 565). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 3320. A bill to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes; with amendments (Rept. No. 566). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Joint Committee on Atomic Energy. H.R. 8856. A bill to amend section 271 of the Atomic Energy Act of 1954, as amended; without amendment (Rept. No. 567). Referred to the Committee of the Whole House on the State of the Union.

Mr. NATCHER: Committee of conference. Conference report on H.R. 6453. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes; without amendment (Rept. No. 568). And ordered to be printed.

Mr. KING of Utah: Committee on Interior and Insular Affairs. H.R. 6280. A bill authorizing the establishment of the Golden Spike National Monument in the State of Utah; with an amendment (Rept. No. 569). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee of conference. H.R. 8147. An act to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes; without amendment (Rept. No. 570). And ordered to be printed.

Mr. COOLEY: Committee on Agriculture. H.R. 9497. A bill to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966; without amendment (Rept. No. 571). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Tennessee:

H.R. 9563. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 9564. A bill to amend title II of the Social Security Act to provide that a survivor beneficiary shall not lose his or her entitlement to benefits by reason of a marriage or remarriage which occurs after he or she attains the age of 62; to the Committee on Ways and Means.

By Mr. ASHLEY (by request):

H.R. 9565. A bill to amend title II of the Social Security Act to increase minimum benefits to $100 and maximum benefits to $200, with additional future increases based on rises in the cost of living; to provide full retirement benefits at age 60 for men and 55 for women; to eliminate the age requirements for wife's and widow's benefits; and to provide child's benefits beyond age 18 in the case of a child attending school; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 9566. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mrs. GREEN of Oregon:

H.R. 9567. A bill to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 9568. A bill to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, optometry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9569. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

By Mr. JENNINGS:

H.R. 9570. A bill to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the act if he determines that the granting of relief would not be contrary to the public interest, and that the applicant would not be likely to conduct his operations in an unlawful manner; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 9571. A bill to amend title II of the War Claims Act of 1948 to provide compensation for certain World War II losses in France; to the Committee on Interstate and Foreign Commerce.

By Mr. ULLMAN:

H.R. 9572. A bill to amend the Internal Revenue Code of 1954 to authorize refunds of gasoline taxes directly to aerial applicators with respect to gasoline used by them in providing services to farmers in farming operations; to the Committee on Ways and Means.

By Mr. WRIGHT:

H.R. 9573. A bill to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ASHBROOK:

H.R. 9574. A bill prohibiting use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

H.R. 9575. A bill to amend the Federal Firearms Act; to the Committee on Ways and Means.

By Mr. ADAIR:

H.R. 9576. A bill to amend title II of the Social Security Act to increase from $1,200 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 9577. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 9578. A bill to provide for the establishment of the Hudson National Scenic Riverway in the States of New York and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FOGARTY:

H.R. 9579. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. FOLEY:

H.R. 9580. A bill to amend section 1(14) (a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MAILLIARD:

H.R. 9581. A bill to amend the Shipping Act, 1916, and the Ship Mortgage Act, 1920, relating to certain mortgages, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PRICE:

H.R. 9582. A bill granting the consent and approval of Congress to the Illinois-Indiana air pollution control compact; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 9583. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 9584. A bill to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes; to the Committee on Agriculture.

H.R. 9585. A bill to provide for the establishment and administration of the Allegheny Parkway in the States of West Virginia, Virginia, Kentucky, and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. YATES:

H.R. 9586. A bill granting the consent and approval of Congress to the Illinois-Indiana air pollution control compact; to the Committee on the Judiciary.

By Mr. GRIFFIN:

H.J. Res. 558. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary on August 4, 1965, of the founding of the U.S. Coast Guard; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.J. Res. 559. Joint resolution to amend the joint resolution of March 25, 1953, to increase the limitation on the value of equipment furnished to Members; to the Committee on House Administration.

By Mr. CHAMBERLAIN:

H.J. Res. 560. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.; to the Committee on the Judiciary.

By Mr. HUOT:

H.J. Res. 561. Joint resolution to authorize the Secretary of the Army to furnish memorial headstones or markers to commemorate those civilians who lost their lives aboard the submarine U.S.S. *Thresher;* to the Committee on Armed Services.

By Mrs. DWYER:

H. Con. Res. 446. Concurrent resolution requesting the President to issue an Executive order prescribing a uniform rule for the daily display of the flag of the United States of America on buildings under the jurisdiction of the executive branch of the Federal Government; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 9587. A bill to provide for the free entry of a Craig countercurrent distribution apparatus for the use of Colorado State University, Fort Collins, Colo.; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 9588. A bill to provide for the free entry of an electrically driven rotating chair for the use of the Louisiana State University Medical Center, New Orleans, La.; to the Committee on Ways and Means.

By Mr. CONABLE:

H.R. 9589. A bill for the relief of Sister Adelaide (Maria L. Chiriasi) and Sister Dorothy (Maria Cirigliano); to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 9590. A bill for the relief of Esther Joseph; to the Committee on the Judiciary.

H.R. 9591. A bill for the relief of Angela Maria Rusolo; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 9592. A bill for the relief of the Beasley Engineering Co., Inc., Emeryville, Calif.; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 9593. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof; to the Committee on Interior and Insular Affairs.

By Mr. LEGGETT:

H.R. 9594. A bill for the relief of Tara Singh Brar; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9595. A bill for the relief of Enid Ilena McCarty; to the Committee on the Judiciary.

H.R. 9596. A bill for the relief of Teresa and Leonardo LaMarca; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 9597. A bill for the relief of the Beasley Engineering Co., Inc., Emeryville, Calif.; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JUNE 30, 1965

(Legislative day of Tuesday, June 29, 1965)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by Hon. DONALD S. RUSSELL, a Senator from the State of South Carolina.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God: From all our involvement in a turbulent social order which still—as of old—crucifies its prophets, for this quiet moment, turning from all the pomp and show of the fickle world, we would with contrition pour contempt on all our pride.

We come confessing that in the conceit of our self-sufficiency, too often with our burning thirsts we have trusted the broken cisterns of worldly wisdom and our own sophisticated cleverness. That delusive way has brought our anguished generation to tragedy and agony.

Our only prayer now, as we come with all our yearning need, is "Nearer, my God, to Thee, nearer to Thee." Keep us near to Thy love in all our inner motives and in all our attitudes to Thy other children, so that Thou canst use us to help Thee heal the open sores which mar our human life.

"God be in our head and in our understanding;
God be in our eyes and in our looking;
God be in our mouth and in our speaking;
God be in our mind and in our thinking."

And Thine shall be the kingdom and the power and the glory. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 30, 1965.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. DONALD RUSSELL, a Senator from the State of South Carolina, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. RUSSELL thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 29, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

AUTHORIZATION FOR COMMITTEES TO MEET DURING SENATE SESSION TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore (Mr. RUSSELL of South Carolina). Without objection, it is so ordered.

Mr. DODD obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Connecticut yield briefly?

Mr. DODD. I yield.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the calendar be called commencing with Calendar No. 360.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The first measure on the calendar will be stated.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT AND THE INTERNATIONAL FINANCE CORPORATION—AMENDMENT OF ARTICLES OF AGREEMENT

The Senate proceeded to consider the bill (S. 1742) to authorize the U.S. Governor to agreement to amendments to the articles of agreement of the International Bank for Reconstruction and Development and the International Finance Corporation, and for other purposes, which had been reported from the Committee on Foreign Relations with amendments on page 2, at the beginning of line 14, to change the section number from "20" to "21"; and on page 3, line 1, after the word "against", to insert "the Corporation lending to or"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Bretton Woods Agreements Act, as amended (22 U.S.C. 286–286k-1), is amended by:

(1) Deleting paragraphs (5) and (6) of subsection (b) of section 4 (22 U.S.C. 286b) and substituting therefor the following:

"(5) The Council shall transmit to the President and to the Congress an annual report with respect to the participation of the United States in the Fund and Bank.

"(6) Each such report shall contain such data concerning the operations and policies of the Fund and Bank, such recommendations concerning the Fund and Bank, and such other data and material as the Council may deem appropriate."

(2) Substituting a comma for the period at the end of section 5 (22 U.S.C. 286c) and adding the following: "if such increase involves an increased subscription on the part of the United States."

(3) Adding at the end thereof the following new section:

"SEC. 21. The United States Governor of the Bank is authorized to agree to an amendment to the articles of agreement of the Bank to permit the Bank to make, participate in, or guarantee loans to the International Finance Corporation for use in the lending operations of the latter."

SEC. 2. The International Finance Corporation Act, as amended (22 U.S.C. 282–282g), is amended by adding at the end thereof the following new section:

"SEC. 10. The United States Governor of the Corporation is authorized to agree to the amendments of the articles of agreement of the Corporation to remove the prohibition therein contained against the Corporation lending to or borrowing from the International Bank for Reconstruction and Development, and to place limitations on such borrowings."

Mr. MANSFIELD. Mr. President, I wish to say a few words about S. 1742, which amends the Bretton Woods Agreements Act primarily for the purpose of permitting the World Bank to give substantial support to the private enterprise activities of the International Finance Corporation. The bill contains two other more modest provisions: first, it allows the United States to vote in favor of increases in the World Bank's capital stock without express congressional approval when such increases do not affect in any way the subscription of the United States; second, S. 1742, in the interests of efficiency and economy, provides that there will be annual reports to the Congress from the National Advisory Council on International Monetary and Financial Problems in place of the current system, which seems to involve excessive duplication and expenditure of time and money. These two latter purposes are relatively modest in character and appear justified on the face of it without involved explanation.

It should be stressed that the effort to encourage IFC financing to productive private enterprises, when private capital is not otherwise attainable on reasonable terms, is the important question at stake in this bill. The IFC, with modest resources of about $100 million, has been taking an increasingly active role in encouraging and directly assisting the flow of private capital into the less developed countries. However, just as it is conducting its activities with mounting efficiency and effectiveness the IFC is running against the limits of its resources. On the other hand, as we all know, the World Bank has been such a successful institution that its total reserves have reached the point of exceeding $1 billion; the Bank is now considering various useful ways of employing its profits beyond that level within the framework of the overall development role assigned to it and its affiliated organizations. But in order to put these profits to work in support of the private enterprise functions of the IFC, the articles of agreement of both institutions must be amended for that purpose. The bill before us puts the United States in a position to approve such action.

The terms of S. 1742 do not require any appropriations, nor do they authorize any expenditure on the part of the United States. Indeed, if we were to fail to support the primary purpose of the bill, the IFC almost certainly in time would have to approach its 78 member countries, including the United States, for increased subscriptions. In effect, then, through approval of this bill we would be encouraging the use of existing World Bank profits instead of permitting a situation to arise in which the United States itself would have to make more money available.

Under the terms of resolutions which would be implicitly accepted through approval of S. 1742, a maximum of about $400 million under present conditions could be loaned by the World Bank to the IFC over a period of time. It should be emphasized that this total would constitute a drawing right or a credit, rather than a lump sum; judging from the nature of IFC operations to date, these resources should keep the IFC going for a number of years without further recourse to member governments. Since the top management of the IFC is the same as that of the World Bank, I am certain that members will not feel they need to be reassured about the efficiency and effectiveness of future operations in this area.

Mr. President, the Committee on Foreign Relations supported S. 1742 by a vote of 17 to nothing; I urge the Senate to give its approval in the same overwhelmingly favorable manner.

I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 372), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSES

S. 1742 amends the Bretton Woods Agreements Act, as amended, to accomplish three separate but generally related purposes. First, a new section would be added to the act to authorize the U.S. Governor—i.e., the Secretary of the Treasury—of the International Bank for Reconstruction and Development (hereinafter referred to as "the Bank") to agree to an amendment to the Bank's articles of agreement to permit loans to the International Finance Corporation (hereinafter referred to as "the IFC"). The International Finance Corporation Act accordingly would be amended to allow for a corresponding change in the IFC articles of agreement to permit borrowing from the Bank within limitations. Second, the Bretton Woods Agreements Act would be amended to allow the U.S. Governor of the Bank to vote in favor of proposed increases in the Bank's capital stock, without express congressional approval on each such occasion, when these increases do not involve an increased subscription by the United States. Third, the reporting requirements placed by the act on the National Advisory Council on International Monetary and Financial Problems would be changed to substitute annual reports to the Congress for the present system of reports every 6 months and at 2-year intervals as well. The committee amendments to the bill are minor and technical in character and do not affect these purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

BILL PASSED OVER

A bill (S. 2069) to broaden the vessel exchange provisions of section 510(i) of the Merchant Marine Act, 1936, to extend such provisions for an additional 5 years, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

EQUALIZATION OF CERTAIN PENALTIES IN THE INTERCOASTAL SHIPPING ACT, 1933

The bill (H.R. 3415) to equalize certain penalties in the Intercoastal Shipping Act, 1933 was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 374), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this legislation is to change the penalty provisions in the Intercoastal Shipping Act, 1933, to conform with similar penalty provisions in the Shipping Act, 1916, relating to requirements for water carriers to file tariffs with the Federal Maritime Commission.

GENERAL STATEMENT

Under the Shipping Act, 1916, which regulates primarily U.S. and foreign-flag water carriers engaged in the foreign commerce of the United States, a carrier which fails to comply with the tariff filing requirements is subjected to a possible penalty of not more than $1,000 for each day a violation continues. However, the Intercoastal Shipping Act, 1933, which is the primary regulatory act for domestic water carriers in the noncontiguous trade to Hawaii, Alaska, Puerto Rico, and other offshore possessions, provides a penalty of not less than $1,000 nor more than $5,000 for each act of violation of the tariff filing requirements and/or for each day such violation continues.

The purpose of this bill is to bring the penalty provisions in the Intercoastal Shipping Act into line with those of the Shipping Act, 1916.

The committee received favorable reports from the Federal Maritime Commission which administers the 1916 and 1933 acts. Favorable reports were also received from the Justice Department, Commerce Department, and the Comptroller General.

The Senate Subcommittee on Merchant Marine and Fisheries held hearings on the companion bill, S. 1141, on May 25 at which time no opposition was expressed to the favorable consideration of the legislation.

During the hearings a question was raised as to the possible effect of this legislation on pending litigation. The committee has been advised by the Department of Justice that several civil actions had been commenced by Justice Department for violations of the tariff filing requirements of the Intercoastal Shipping Act, 1933, but that the enactment of the bill would have no legal effect on any pending cases or violation that occurs prior to the effective date of the act.

During the hearings on the bill, the Chairman of the Federal Maritime Commission informed the committee that the Commission had referred to the Departent of Justice several cases of tariff violations under the 1933 act which had been recently settled. One settlement involved a sum of $1,000 and a second case was settled for a fine of $1,500. Although the committee felt that the penalties in the Intercoastal Shipping Act were highly excessive and should be brought in line with those in the 1916 act, the committee thought that the manner in which the Department of Justice had handled tariff requirement violations under the present provisions of the 1933 act was sufficiently reasonable to propose changing the law only prospectively.

CHARLES N. LEGARDE AND HIS WIFE, BEATRICE E. LEGARDE

The Senate proceeded to consider the bill (S. 853) for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde which had been reported from the Committee on the Judiciary with an amendment on page 1, at the beginning of line 7, to strike out "$75,000" and insert "$30,573.67"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles N. Legarde and his wife, Beatrice E. Legarde, of New Bedford, Massachusetts, the sum of $30,573.67 in full satisfaction of all claims against the United States of the said Charles N. Legarde and Beatrice E. Legarde for compensation for injuries sustained by them arising out of an automobile accident on September 2, 1961, caused by a United States Coast Guard truck operated by a member of the United States Coast Guard: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 375), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation, as amended, is to authorize and direct the Secretary of the Treasury to pay to Mr. and Mrs. Legarde the sum of $30,573.67 in full satisfaction of their claim against the United States for compensation for injuries sustained by them arising out of an automobile accident on September 2, 1961, caused by a Coast Guard truck operated by a member of the Coast Guard.

CARE AND PROTECTION OF CHILDREN THROUGH PUBLIC DAY CARE SERVICES—FOSTER HOME CARE FOR CERTAIN DEPENDENT CHILDREN

The bill (S. 2212) to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—PUBLIC DAY CARE SERVICES

SEC. 101. (a) In order to provide adequately for the care and protection of children whose parents are, for part of the day, working or seeking work, or otherwise absent from the home or unable for other reasons to provide parental supervision, the Commissioners of the District of Columbia are authorized, within the availability of appropriated funds, subject to the provisions of section 102 of this title, to establish and administer a plan providing for public day care services in the District of Columbia, including the provision of day care in facilities (including private homes) which are licensed by the District of Columbia.

(b) Any plan established by the Commissioners under subsection (a) of this section shall, subject to the provisions of section 102 of this title, provide—

(1) for the administration of such plan by the Department of Public Welfare, which shall set standards requiring operation of the program by personnel professionally trained in the fields of welfare, education, and health;

(2) for cooperative arrangements by the Department of Public Welfare with the Department of Public Health, Board of Education, Department of Recreation, and the National Capital Housing Authority to assure their maximum utilization in the provision of necessary services for children receiving day care and in the setting of standards for day-care agencies;

(3) that the Department of Public Welfare may purchase care from private organizations or individuals which are licensed by the District of Columbia and which are operating under standards approved by the Department of Public Welfare;

(4) for the payment by the parent of that portion of the fee which the Department of Public Welfare determines that the parent is able to pay; and

(5) that the Department of Public Welfare shall give priority to members of low-income groups and in particular to such members who are in work-training programs.

SEC. 102. In establishing any plan pursuant to this title, the Commissioners of the District of Columbia shall do so with a view to having such plan qualify for Federal funds under section 527 of the Social Security Act.

TITLE II—FOSTER HOME CARE FOR CERTAIN DEPENDENT CHILDREN

SEC. 201. The District of Columbia Public Assistance Act of 1962 (76 Stat. 914; D.C. Code, sec. 3-201), is amended by inserting immediately after section 22 the following new section:

"SEC. 22A. In administering the provisions of this Act relating to aid to dependent children, the Commissioners shall provide public assistance in the form of foster home care to dependent children who are described in subsection (a) of section 408 of the Social Security Act and who are considered to be dependent children under this Act. In providing public assistance to such children, the Commissioners shall meet all the requirements contained in such section 408, as a condition to Federal payments under title IV of such Act on account of expenditures with respect to such children; except that the Commissioners shall not deny such assistance to any child otherwise eligible therefor because of the failure or refusal of the unemployed parent of such child to seek or accept employment or to participate in any progam of vocational education, training, or rehabilitation."

SEC. 202. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 377), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

S. 2212 is divided into two separate titles and has a twofold purpose as follows:

1. Title I provides specific authorization for the government of the District of Columbia to provide public day care services for children in such a manner as to enable it to qualify for allotments of Federal funds under section 527 of the Social Security Act, and

2. Title II amends the District of Columbia Public Assistance Act of 1962 so that in administering its provisions relating to aid to dependent children, the District government shall provide public assistance in the form of foster home care to the dependent children described in section 408(a) of the Social Security Act, as amended in 1962.

TITLE I

In accordance with the authority contained in title I, providing for aid in the form of public day care services, the District of Columbia must amend its plan in such manner as to meet with the approval of the Secretary of the Department of Health, Education, and Welfare, so as to be eligible for allotments of Federal funds to help the needy recipients coming within the day care program.

The basic underlying concept of the day care program is to allow parents who are capable of working or who are engaging in vocational work training, to be absent from the home without impairing the adequate care and protection of the children. The fact that a parent is able to work or train for future employment with the assurance that the children are being adequately cared for, tends to maintain and strengthen the family life. Also, it promotes self-respect for the parent who is able in large measure to support the family by working.

Although the District government has not been specifically authorized through legislation submitted to the Congress by the appropriate legislative committees, to establish a day care program, the District, nevertheless, has implemented a day care program during the past 2 years pursuant to authority contained in District of Columbia Appropriation Acts. During this 2-year period more than 514 children have been provided day care service.

In fiscal years 1964 and 1965, $136,422 and $136,472 were respectively appropriated for day care programs. However, of these sums, $46,990 was unexpended in 1964, and in fiscal 1965, the unexpended sum is estimated to be $67,000.

The reason for these sums being unexpended in fiscal years 1964 and 1965 can be attributed to restrictive language contained in the Appropriations Committee reports. These reports limit day care services to the following groups of female recipients of aid for dependent children who are actively seeking employment and who furnish documentary evidence each month that they are doing so:

"1. Recipients who have completed training at the AFDC Residential Training Center after January 1, 1964. Day care should be limited to a maximum per family of 6 months. The 6-month period should start at the completion of the training period and end no later than 3 months after employment has been secured.

"2. Recipients whose cases are closed after January 1, 1964, because they have been found employable and have an adequate child care plan. Day care should be limited to a maximum of 6 months and should start at the beginning of the adjustment period and end no later than 3 months after employment has been secured.

"The Director of Public Welfare should be allowed to extend for a period of 1 month only those cases in the above categories which are hardship cases in the sense that this additional month will remove the possibility of the recipient's again becoming a welfare charge."

In the fiscal 1966 budget appropriation for the District of Columbia, approved by the committee and the Senate, a sum of $136,949 was approved for day care in the District of Columbia, and no reference was made in the committee report restricting such funds to certain time periods as was the case in fiscal years 1964 and 1965.

The limitations that were placed on day care services in the years prior to fiscal 1966 have tended to thwart the basic purposes of the program. The Congress, in enacting the Social Security Amendments of 1962, envisioned a broad use of day care services. Day care is a relatively inexpensive form of public assistance. Particularly is this the fact when compared with direct welfare grants.

On the basis of cost alone, it appears highly desirable that day care be offered an eligible recipient so long as the recipient is working, or enrolled in vocational training, but without any limitation being placed on the period of time that such services can be provided.

Aside from the monetary saving that will in all probability accrue to the community from this type of welfare assistance, the benefit to the family will be immeasurable. The important point is that day care assistance will produce a breadwinner, thus strengthening the family and giving renewed hope and initiative to the parent. It will also assure that children will not be neglected while their parent is out of the home during the day.

Title I provides for the District of Columbia an effective day care program and a program of sufficient scope to carry out the concepts of the day care program included in the 1962 amendment to the Social Security Act.

The program included in this bill will provide within the limits of appropriated funds for the care and protection of children whose parents are working, enrolled in training, or otherwise absent from the home. In accordance with the terms of the bill, the Commissioners of the District of Columbia are vested with authority to establish provisions for adequate day care facilities (including private homes) which are licensed by the District. The District of Columbia Department of Public Welfare is authorized to purchase day care from organizations or individuals who are licensed and operating under appropriate standards.

The bill also provides that the Department of Public Welfare shall administer the day care program with personnel professionally trained in the fields of welfare, education, and health.

Also, the Welfare Department shall arrange with the Department of Public Health, Board of Education, Department of Recreation, and National Housing Authority to assure their maximum utilization in establishing day care services.

In carrying out the program, the Department of Public Welfare shall provide priority for day care service to persons of low-income groups and those members who are in work training programs. Also, the Department shall determine cost of the day care service, fix fees for the service, and require payment of so much of the fee as the parent is able to pay.

TITLE II

Title II amends the District of Columbia Public Assistance Act of 1962 so that in administering its provisions relating to aid to dependent children, the District government shall provide assistance, in the form of foster home care to the dependent children, as provided for under the 1962 amendments to the Social Security Act.

With the extension of foster home care for dependent children, the District of Columbia could amend its "State" plan, and if approved by the Secretary of the Department of Health, Education, and Welfare, it could become eligible for Federal funds to finance the program.

The basic objective of the aid to dependent children program, as provided for in the Social Security Act, is to maintain needy children in their own homes, and to assist parents to provide care for their children essential to their healthy growth and development.

In order to further this objective, the Congress in 1961 amended title IV of the Social Security Act so as to permit assistance to continue when a child receiving aid to dependent children is removed from his home to a foster home as a result of neglect on the part of the parents to adequately care for the child. The child, in accordance with the provisions of title IV, is removed from the custody of the parents pursuant to a judicial determination being made by a court that continuation in his own home is contrary to the welfare of the child. This amendment assures a child being properly cared for in a foster home which would not be the case if the child were required to remain with his neglectful parents, and who misappropriate the public assistance payments that are made for the child's benefit.

Under title II of the bill, the Commissioners of the District of Columbia are authorized to provide public assistance to dependent children who qualify as such under section 408 of the Social Security Act, and under this act. In providing public assistance to recipients, the Commissioners shall meet the requirements of section 408 of the Social Security Act. It is also provided that the Commissioners shall not deny foster home care to any child otherwise eligible therefor because of the failure or refusal of the unemployed parent of such child to seek or accept employment or to participate in any program of vocational education, training, or rehabilitation.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent to reconsider the vote on the bill, S. 2212, which was passed recently.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD at the point where the Senate this morning passed S. 2212, on the Unanimous Consent Calendar, a portion of the report of the committee. The bill, unanimously reported by the Committee on the District of Columbia, provides for day care for children and also for foster home care.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

The Committee on the District of Columbia report favorably S. 2212, to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children, a clean bill introduced and reported by direction of the Committee on the District of Columbia following approval thereof.

There was referred to the committee S. 1817, introduced by Senator ABRAHAM RIBICOFF, to amend the District of Columbia public assistance law to clarify the categories of federally aided assistance recipients.

Hearings were held on this bill on May 10, 1965, by the Subcommittee on Public Health, Education, Welfare, and Safety, consisting of Senator WAYNE MORSE, of Oregon, chairman, and Senators ROBERT KENNEDY of New York, and WINSTON L. PROUTY, of Vermont. Detailed testimony was taken on the bill itself and a broad examination made of laws governing public assistance in the District of Columbia and the various categories of Federally aided assistance recipients provided for under such laws. Twenty-two witnesses representing the District of Columbia government and church, welfare, and political organizations were heard. Particularly significant was a report by Dean Inabel Lindsay, School of Social Work, Howard University, Washington, D.C., following a 2-year study of families in the District of Columbia faced with public assistance and welfare problems generally.

The broad areas of direct public assistance, day care, foster home care, and other areas covered by the Social Security Act, as amended in 1962, were subjects elicited from the hearing testimony and subjects for discussion at a meeting of the full Senate Committee on the District of Columbia held on June 16, 1965. After due consideration by the full committee, it was decided to report S. 1817, covering only aid for certain dependent children of unemployed parents in the District of Columbia, and to recommend that a clean bill be reported to the Senate to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children.

PURPOSE OF THE BILL

S. 2212 is divided into two separate titles and has a twofold purpose as follows:

1. Title I provides specific authorization for the government of the District of Columbia to provide public day care services for children in such manner as to enable it to qualify for allotments of Federal funds under section 527 of the Social Security Act, and

2. Title II amends the District of Columbia Public Assistance Act of 1962 so that in administering its provisions relating to aid to dependent children, the District government shall provide public assistance in the form of foster home care to the dependent children described in section 408(a) of the Social Security Act, as amended in 1962.

TITLE I

In accordance with the authority contained in title I, providing for aid in the form of public day care services, the District of Columbia must amend its plan in such manner as to meet with the approval of the Secretary of the Department of Health, Education, and Welfare, so as to be eligible for allotments of Federal funds to help the needy recipients coming within the day care program.

The basic underlying concept of the day care program is to allow parents who are capable of working or who are engaging in vocational work training, to be absent from the home without impairing the adequate care and protection of the children. The fact that a parent is able to work or train for future employment with the assurance that the children are being adequately cared for, tends to maintain and strengthen the family life. Also, it promotes self-respect for the parent who is able in large measure to support the family by working.

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On the basis of cost alone, it appears highly desirable that day care be offered an eligible recipient so long as the recipient is working, or enrolled in vocational training, but without any limitation being placed on the period of time that such services can be provided.

Aside from the monetary saving that will in all probability accrue to the community from this type of welfare assistance, the benefit to the family will be immeasurable. The important point is that day care assistance will produce a breadwinner, thus strengthening the family and giving renewed hope and initiative to the parent. It will also assure that children will not be neglected while their parent is out of the home during the day.

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Also, the Welfare Department shall arrange with the Department of Public Health, Board of Education, Department of Recreation, and National Housing Authority to assure their maximum utilization in establishing day care services.

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The basic objective of the aid to dependent children program, as provided for in the Social Security Act, is to maintain needy children in their own homes, and to assist parents to provide care for their children essential to their healthy growth and development.

In order to further this objective, the Congress in 1961 amended title IV of the Social Security Act so as to permit assistance to continue when a child receiving aid to dependent children is removed from his home to a foster home as a result of neglect on the part of the parents to adequately care for the child. The child, in accordance with the provisions of title IV, is removed from the custody of the parents pursuant to a judicial determination being made by a court that continuation in his own home is contrary to the welfare of the child. This amendment assures a child being properly cared for in a foster home which would not be the case if the child were required to remain with his neglectful parents, and who misappropriate the public assistance payments that are made for the child's benefit.

Under title II of the bill, the Commissioners of the District of Columbia are authorized to provide public assistance to dependent children who qualify as such under section 408 of the Social Security Act, and under this act. In providing public assistance to recipients, the Commissioners shall meet the requirements of section 408 of the Social Security Act. It is also provided that the Commissioners shall not deny foster home care to any child otherwise eligible therefor because of the failure or refusal of the unemployed parent of such child to seek or accept employment or to participate in any program of vocational education, training, or rehabilitation.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar. Will the Senator from Connecticut yield further briefly?

Mr. DODD. I yield.

REPUBLICAN SUPPORT OF PRESIDENT IN VIETNAM CRISIS

Mr. MANSFIELD. Mr. President, until recently, leaders of the Republican Party—particularly those in the Congress—have given the President exceptional support in the Vietnamese crisis. I know the President is grateful for that support and the Nation, similarly, has reason to be.

That is why I am some what confused by the rash of recent Republican statements hinting that continuance of Republican support is contingent on the President following a course which conforms to a particular course of policy which they advocate.

Now, Mr. President leaving aside the nature of the course which is advocated for a moment—whether it is a good one or a bad one—the fact remains that support of the President is hardly support when the threat is made to withdraw it in midstream unless—A question arises at once as to who is supporting whom. Who is the Commander in Chief? Have we installed G-1 in a command post on Capitol Hill?

It may be that I have misunderstood what has been said to the press and radio and TV in the last few days by various Republican spokesmen. It may be that I have interpreted a vigorous and an appropriate contribution to the debate and discussion of the Vietnamese situation as the opening wedge of a political broadside against policies which the President has pursued or is trying to pursue to bring about a peace with some rational meaning in Vietnam. I hope that my own misinterpretation is all that is involved. I know, that the distinguished minority leader—and I mean this without any qualification—has no other aim than to help the President in this critical national situation. But certain of the expressions of others continue to disturb me.

I am somewhat at a loss to understand public expressions from Republicans in which it is advocated, in view of the extent of the air and naval activity already pursued against legitimate military targets, what can only amount to an indiscriminate slaughter of Vietnamese by air and naval bombardment—a slaughter of combatants and noncombatants alike, of friend and foe alike. Now can one advocate the course of the bombing of Hanoi or Peking or even Moscow and with or without nuclear weapons for that matter—in short, a course of virtually unrestricted violence as a suitable way for the United States to achieve some worthwhile end in Vietnam. If that course is advanced as a debatable proposition, as a contribution to public discussion, it is one thing; but it is another matter to say that unless the President adopts a military course more suitable to Genghis Khan or to the Communists in this situation than to the United States, he is not going to be supported.

And one can say, too, I suppose, that we want a total victory in Vietnam, but we want it at bargain basement rates in American lives. We want it by fire bombs or nuclear bombs and lead and steel or whatever but we do not want any talk about paying a bitter price in American lives on the ground. To advocate that course, too, may be a contribution to the debate and to public understanding of what is really involved in Vietnam, if the definition of "contribution" is stretched far enough. But it is one thing to say to the President: "Consider this course." It is another to say, "you get us a total victory in Vietnam and you get it cheap and with only a little American pain or else."

And I suppose, finally, Mr. President, one can say that negotiations are bad; that you cannot make peace by talking with the Vietcong or the North Vietnamese or anyone else for that matter; you can only make peace by war and more war. You can give the Vietnamese people freedom, but you had better dictate to them the terms of it and the forms of government which may emerge under it. That, too, is a debatable proposition, Mr. President, and I would see no objection to anyone arguing it. But I do see objection to requiring as the price of continued support, the foreclosing of any, repeat, any, possibility which the President may seek to explore to bring about a peaceful and constructive solution to this problem as soon as possible. I had thought that our purpose was to help the Vietnamese people themselves to find their way to peace and freedom, but not to decimate, destroy, and dominate them in the name of peace and freedom.

So, Mr. President, I repeat, I hope my interpretation of some of these recent statements by Republican leaders is faulty. I hope that I have misconstrued the vigor of their participation in the discussion of Vietnam as something more ominous.

But, at the moment, I must say that I do find in these recent statements a suggestion of something more ominous. Is it not a warning to the President that he play the game their way or they will not play? And, most unfortunate, that game, as I see it, whatever its intention may be, leads in the end to anything but a peace with meaning in 20th-century Asia or, indeed, in a 20th-century world. I hope I am wrong. I hope that as good Americans, which these leaders are, they will not seek to divide this Nation at a critical time. I hope that their support will be as warm for the President in November as it was in May. I hope that all that is involved is vigorous advocacy and not partisan politics because there is no room for partisan politics in this situation. With the familiar words being heard again, it is time to point out that the margin for catastrophic error has been cut sharply since Korea and, drastically, since China.

That may be ancient history, Mr. President, but the scars of partisan politics are still with us years afterward. Let no one doubt that we have paid a massive price for the politics of foreign policy of an earlier day. We have paid for its divisiveness with lives and with billions of dollars of foreign aid—much of which has vanished without a constructive trace into the maw of Asia—and I hope we are not now beginning to pay for it, once again, in many lives. So while we are concerned, as we must be, with what we do now, day to day, in Vietnam, some historic perspective is in order, recognizing with Santayana:

> Those who cannot remember the past are condemned to repeat it.

I repeat to the minority leader that I know that his concern is with the welfare of the Nation and that, insofar as differences may arise on this question, they are the differences of opinion and view —entirely to be expected in a complex situation of this kind. But I know that he subscribes fully to the principle that the interests of the Nation come first and that, in the end, the course by which these interests are safeguarded is set by the President. He needs advice and counsel from Congress. But he is not likely to win the fight for an effective peace in Vietnam with one hand tied behind his back by partisan politics.

The ACTING PRESIDENT pro tempore. Under the unanimous-consent agreement, the Senator from Connecticut is now recognized.

Mr. MANSFIELD. Mr. President, will the Senator from Connecticut yield further to me, so that I may yield to the distinguished Senator from Vermont?

The ACTING PRESIDENT pro tempore. Does the Senator from Connecticut yield further to the Senator from Montana?

Mr. DODD. I yield.

Mr. AIKEN. I thank the Senator from Connecticut and the Senator from Montana.

I, too, have been somewhat disturbed over reported statements of certain Republican leaders in recent days and weeks which might be interpreted as urging the President to broaden and intensify the war in Asia. I have also observed that it is not entirely Republicans who have been urging that course of action.

I hope that war or no war will not become a political issue between the two major parties of this country. I hope that my own party, the Republican Party, will not acquire the title of "War Party," because I do not believe it deserves that title. Its record over the past century would not indicate that the Republican Party is a war party. But I recognize the dangers inherent in some of the statements made by leading Republicans recently.

War should not be the issue between the parties. We should not attempt to discredit the President, who is the only President we have, merely because he does not precipitate us into a great war. We should not discourage him from working for peace and from having peace as the ultimate objective.

I hope that President Johnson has the courage not to respond to the needling which he may receive and which tends to encourage him to thrust the population of the country into a great war. He will need much courage not to respond to the needling which he receives from members of both parties.

There are plenty of other issues which can be used in the next campaign. The President has made numerous mistakes from which the Republicans can create issues. They are mistakes which ought to be publicized before the country by the opposition party. But I reiterate the hope that the President will have the courage not to be needled into precipitating a great war upon the people of the world and also the courage not to forget that the ultimate objective of our Nation is world peace.

The President has difficult decisions to make. He could easily make the wrong one, one that could cause the world's population to suffer and regret for generations to come. He has taken some action in the war in southeast Asia of which I do not approve. Nevertheless, I do not intend to urge him to make greater mistakes.

Mr. MANSFIELD. I thank the distinguished Senator from Vermont, who always shows good, hard, sound commonsense in his remarks. I would hope that the admonition advanced by him would be given the most serious consideration, because it is worthwhile and much to the point.

Mr. DODD. Mr. President, under the unanimous consent agreement of yesterday, I was to have the floor from 11 to 11:30 o'clock. It is now 11:15. I ask the majority leader if I may have a few more minutes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time allotted the Senator from Connecticut be extended to 11:40.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. I thank the Senator from Montana.

Mr. President, I yield to the Senator from Missouri.

THE CHINESE THREAT

Mr. SYMINGTON. Mr. President, a recent article entitled "U.S. Scorned on Viet Buildup" written from Algiers as of June 27, states:

> ALGIERS, June 27.—Marshal Chen Yi, Foreign Minister of Communist China, today defied the United States to continue its buildup of military forces in Vietnam.
>
> "I hope the United States sends in 2 million troops" he said.
>
> "The bigger the intervention, the bigger the defeat will be," he added.
>
> He was cool to any talk of negotiations and only laughed when asked to comment on President Johnson's proposal at the United Nations commemorative meeting last Friday for new initiatives for peace in southeast Asia through the United Nations.

It is interesting to note the difference between the attitude of the leaders of Red China with respect to South Vietnam as against the attitude of President Johnson.

On June 15, the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] said on the Senate floor:

> There have already been pressures from various sources for expanding the war. President Johnson has resisted these pressures with steadfastness and statesmanship and remains committed to the goal of ending the war at the earliest possible time by negotiations without preconditions.
>
> * * * * *
>
> The United States has been patient and remains patient in its efforts to bring about a negotiated settlement of the Vietnamese war.

It is obvious that these Chinese imperialists are interested in the future. If they are interested in the past, they would know from history that those who have continued their aggression at the same time they laughed at the efforts of the United States to avoid conflict, invariably had ultimate cause to regret their actions.

It becomes steadily more evident that the greatest challenge to the future of this country is contained in the attitudes and actions of the Chinese. Let us hope that the policies and programs of the United States give full recognition to this development.

I ask unanimous consent that the article by Louis B. Fleming, of the Los Angeles Times, from Algiers, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 28, 1965]

UNITED STATES SCORNED ON VIET BUILDUP

(By Louis B. Fleming)

ALGIERS, June 27.—Marshal Chen Yi, Foreign Minister of Communist China, today defied the United States to continue its buildup of military forces in Vietnam.

"I hope the United States sends in 2 million troops," he said.

"The bigger the intervention, the bigger the defeat will be," he added.

He was cool to any talk of negotiations and only laughed when asked to comment on President Johnson's proposal at the United Nations commemorative meeting last Friday for new initiatives for peace in southeast Asia through the United Nations.

Chen Yi was interviewed by U.N. correspondents, here for the postponed Afro-Asian conference, in the Palais du Peuple. Then he joined a state luncheon given for more than 400 diplomats and foreign ministers by the Algerian Foreign Minister, Addul Aziz Bouteflike.

The Chinese Foreign Minister declined to comment directly on reports that he had proposed bilateral negotiations solely between the regime in Saigon and North Vietnam. But he dismissed as nonexistent the Saigon regime.

"They represent no one," he said. "They have had 11 changes of government," he added.

NOT CHINA'S PROBLEM

He repeatedly said that the problem of Vietnam is not China's problem but the problem of the people of Vietnam.

"This is a national liberation movement," he said. "We do not speak for them."

Then, turning toward the nearby representative of the Vietcong, he added: "They are here. It is for the Vietnamese people to decide. Of course, we support them. This thing can end only with the independence of Vietnam and its unification. He was pressed twice on whether he was advocating solely a military solution, but he avoided a direct answer.

"If you are attacked, will you not counterattack?" he asked, directing the remarks to a correspondent from India.

His responses on the question of negotiations appeared intentionally ambiguous.

The last question asked for his reaction to President Johnson's speech to the United Nations in San Francisco. He did not wait for the translation but laughed heartily, saying in an offhand manner, "There is nothing we can do about that here." Then he left for consultations with other ministers.

It was understood that Chen Yi will remain here for several more days. His confident remarks were in contrast with the general impression here that China had suffered a setback in its leadership ambitions with the collapse of the conference.

If China gained anything, it appeared to be a warmer and closer association with Pakistan.

Pakistani Foreign Minister Bhutto flew here unexpectedly Saturday morning and immediately conferred with Chen Yi. Shortly thereafter, the two foreign ministers, joined by the foreign ministers of Syria, Egypt, Indonesia, and Mali, met with Boutefika for almost 3 hours. From this meeting emerged the plan to postpone the conference and have the preparatory committee meet instead to issue a communique.

Pakistan appears to have been a key instrument in this plan.

One immediate effect was to keep the control of the plans for the next meeting in the hands of this 15-nation committee in which China has a slight advantage of sympathy.

Mr. SYMINGTON. I thank the Senator from Connecticut.

THE CRISIS IN THE U.N. AND THE QUESTION OF THE DOMINICAN REPUBLIC

Mr. DODD. Mr. President, last week we observed the 20th anniversary of the founding of the United Nations.

At the risk of violating the rules of etiquette which tend to govern such occasions, I wish to pose the proposition that on the 20th anniversary of the United Nations we who believe in it can best serve its cause not by blind Pollyanna statements, pretending that all is wonderful, but by a frank, critical examination of its strong points and its weaknesses, its accomplishments and its failures.

Those fundamentalist supporters of the United Nations who take the position that the United Nations is always right, and who resist criticism of the United Nations, no matter how restrained or how warranted, as something akin to treason, are, in reality, rendering the greatest disservice to the cause of the United Nations.

THE IDEAL OF THE UNITED NATIONS

I have been a supporter of the United Nations from its inception, and I have voted in the House and Senate for every measure submitted by the Administration for its support.

I believe profoundly in the United Nations and the ideals to which it is dedicated, as set forth in the United Nations Charter. The United Nations Charter, indeed, is one of the noblest and most significant documents ever penned by man.

Essentially, the charter calls for the rule of law in the relations between nations.

It commits the member nations to respect the dignity and worth of the human person and the equal rights of men and of nations.

It calls for respect for treaty obligations and other sources of international law.

It calls for the self-determination of peoples.

It stipulates that force is to be banished as an instrument of policy; and it authorizes the Security Council to take whatever action may be necessary against nations guilty of aggression or of violating the peace.

With these principles, no reasonable person can disagree.

THE RECORD OF ACCOMPLISHMENT

Nor can any reasonable person deny that the United Nations has a number of significant accomplishments to its credit.

The Security Council's discussion of Soviet military intervention in northern Iran in 1946 provided the moral background for President Truman's stern warning to Stalin which, in turn, led to the Soviet evacuation of Iranian soil.

Similarly, when the United Nations set up a committee to investigate the evidence that Communist guerrilla activity in Greece was inspired from Albania, Yugoslavia, and Bulgaria, the report of this committee gave important assistance to the American rescue operation by indicting the Communist satellites in the eyes of world opinion.

United Nations intervention against Communist aggression in Korea must be considered an important part of the positive record.

The United Nations has unquestionably served the cause of peace in the Gaza Strip by throwing buffer forces between the Arab and Israeli armies.

The United Nations Special Committee on Hungary, the United Nations committee which visited West Borneo to ascertain the desires of its inhabitants, and the United Nations committee which visited Vietnam to investigate the accounts of the persecution of the Buddhist religion, have all functioned with complete impartiality and have produced reports and records of the greatest significance.

This is only part of the positive record.

But today, despite the lofty principles on which it is founded, despite its major accomplishments in a number of situations, despite the good will of the great mass of the free people of the world, the United Nations is passing through a crisis of survival.

THE FINANCIAL CRISIS

Most of the discussion in the press has centered on the United Nations' financial crisis. This, in itself, would be grave enough because the United Nations deficit has been growing with every passing year.

The Soviet Union and the satellite nations are primarily responsible for this deficit.

They have thus far refused to pay a single cent toward the United Nations peacekeeping operation in the Gaza Strip or toward the cost of the Congo operations.

Between them, the Communist nations are in arrears on their various assessments to the tune of some $85 million.

Other nations are also heavily in arrears on their payments.

Needless to say, the United States, which alone provides almost 30 percent of the United Nations operating funds, is completely up-to-date on its payments.

If the United Nations' deficit continues to increase by $20 or $30 million a year, somewhere along the line it will either have to cease to operate or else cut back on its operations drastically.

Only the most rigid insistence that the member nations meet their obligations can save the United Nations from insolvency. I was pleased to note in this connection that the Department of State earlier this year notified the Communist bloc that unless they pay up on their arrears measures will be instituted to deprive them of their votes.

THE CRISIS OF PRINCIPLE

But as grave as the financial crisis may be, it is of minor importance compared to the growing crisis of principle which now afflicts the United Nations.

In situation after situation in recent years, member nations belonging to the Communist or Afro-Asia blocs have acted in open contravention of the United Nations Charter.

In situation after situation, the Afro-Asian and Communist nations, voting together, have substituted their arbitrary conceptions for the principles so clearly enunciated in the charter.

And, either by inaction or by active complicity, the United Nations has several times served as a force, not for the self-determination of peoples, but for their enslavement by alien imperialisms.

If the tendencies apparent in the United Nations in recent years are permitted to develop unchecked, if certain essential reforms are not instituted, if the United Nations does not return to the principles on which it was founded, then nothing can save the United Nations as originally conceived in San Francisco in 1945.

In its suppression of the Hungarian revolution, the Soviet Union not only flouted the United Nations Charter, but openly ignored 19 successive resolutions of the General Assembly.

But apart from the general resolutions of condemnation, nothing happened.

The United Nations Committee was refused admission to Hungary.

By way of reaction, the United Nations Special Committee on Hungary was dissolved, the question of Hungary was dropped from the agenda, the Committee on Hungary was disbanded, and 2 years ago the delegates of the Kadar quisling government were finally accredited, despite the official finding that this government has been imposed on the Hungarian people by Soviet bayonets.

The United Nations Charter has been openly flouted by India in its military action against Portuguese Goa. A very strong case could be made for Indian possession of Goa. But this fact in no way justifies the violation of the United Nations Charter to achieve possession.

Ambassador Stevenson spoke for the American people when he warned that this failure by the United Nations might be "the first act in a drama that could end in its death." But in the United Nations itself, Ambassador Stevenson's words fell on deaf ears.

Beyond manifesting our indignation, we did not dare to bring the matter to a vote in the General Assembly because there were clear indications that almost two-thirds of the Assembly would have supported India's action.

The United Arab Republic has openly flouted the charter by sending 50,000 troops into Yemen to impose a quisling regime on the Yemeni people.

But by the time this happened, in September, 1962, the process of erosion had already gone so far that no one in the United Nations dared raise the issue.

Instead of condemning the United Arab Republic's action, the United Nations, with, I regret, the supine support of the United States, morally sanctioned this act of aggression by calling upon both sides—the victorious Egyptian Army and the Yemeni Government in the mountains which is seeking to recover its country's lost freedom—to refrain from importing more arms.

India has denied self-determination to the people of Kashmir and has ignored resolutions of the General Assembly calling for a plebiscite to terminate the problem.

Indonesia has openly flouted the charter by its military commitment to the destruction of Malaysia and by mounting guerrilla invasions of Brunei and North Borneo. Indonesia has now left the United Nations. But this in no way alters the fact that the United Nations did nothing about Indonesian aggression.

Castro's Cuba has openly flouted the charter by its shipment of arms and ammunition to the Venezuelan terrorists and by its subversive activities through the hemisphere.

The United Arab Republic has repeatedly violated the spirit of the charter by its inflammatory propaganda calling for the overthrow of King Hussein of Jordan and by its repeated calls for the military destruction of the State of Israel.

I could go on and on listing action taken by the Communist nations or by members of the Afro-Asian bloc that are in clear contravention of the United Nations Charter.

The proof is overwhelming that only the United States and the minority of Western nations show respect for the charter and for the decisions of the General Assembly.

Instead of an organization committed to the rule of law and governed by a set of agreed principles, the United Nations has become an organization with no guiding principles, governed by an arbitrary majority that seeks to substitute its own will for the rule of law.

In large part, this situation is due to the rapidly growing membership of the United Nations. When the United Nations was founded in San Francisco, there were exactly 50 members. Today, in consequence of the rapid liquidation of the European colonial empires, 114 nations are represented in the General Assembly.

Some of the new member nations—in particular those that were properly prepared for independence by the colonial powers which previously governed them—have shown surprising maturity and responsibility. But many of the new member nations were ill-prepared or hardly prepared at all for independence. They do not understand the fundamental issues involved in the conflict between the free world and the Communist world; and they are too often prone to follow the lead of the Communist world because of their residual resentment against Western colonialism.

In addition, they have been led to believe that violent attacks against Western colonialism pay off in the form of increased foreign aid, while attacks on Soviet colonialism are best avoided because the Soviets are quick to respond in anger and to take political and economic countermeasures.

Moreover, under U.N. voting procedures, minor Asian or Latin American nations and even an African nation of 500,000 still emerging from tribalism, has precisely the same vote as the United States and the Soviet Union.

In this grotesque U.N. calculus, one citizen of a minor and still backward country may become the equivalent of 100 Frenchmen or 400 Americans. And although many plans have been advanced for "weighting" votes by population and other factors, there is not the remotest chance that the nations of Asia, Africa, and Latin America will agree to anything less than the present formula of "one nation, one vote."

Under the stimulus of the growing Afro-Asian majority, acting in concert with the Communist bloc, the General Assembly in recent years has interpreted "self-determination" to mean self-determination for only African and Asian nations, no matter how small or backward or ill prepared for independence.

Apart from one or two passing references by the British and American delegations, no one any longer talks about the right of self-determination for Poland and Hungary and the other ancient nations of Europe that have fallen victim to Soviet imperialism.

Not even peoples of Afro-Asian stock have been exempt from the arbitrary interpretation of self-determination that has become current in the United Nations. This was dramatically demonstrated in the case of West New Guinea.

The Netherlands in the postwar period had been conscientiously preparing the Papuan people of West New Guinea for genuine independence.

But President Sukarno of Indonesia looked upon West New Guinea as a territory that belonged within an Indonesian imperialist empire.

He demanded that the territory be turned over to him, although the Papuan people had nothing in common racially or culturally, with the Indonesian people.

Refusing to submit the case to the International Court in The Hague, Sukarno threatened force if West New Guinea were not turned over to him and actually sent in commando units while the matter was still under discussion.

The people of West New Guinea were never consulted before the decision was made in the summer of 1962.

The dispute wound up with Sukarno completely triumphant and with the United Nations and the United States reduced to the role of accessories to an act of imperialist expansion that stood the United Nations Charter on its head.

The United Nations again stood the charter on its head in its handling of the Congo crisis.

I believed in the desirability of a unified Congo, and I worked with President Kennedy and with the Department of State in attempting to promote a peaceful settlement of the Katanga dispute. I was dead opposed, however, to the successive military actions against Katanga because they were in complete violation of the United Nations Charter.

Indeed, I challenge anyone to defend the thesis that the United Nations has the right to intervene by force to compel the acceptance of a government of its choice or to support this government in suppressing elements who ask for a greater degree of autonomy or even for secession. The United Nations Charter could not be clearer on this point. Article II, paragraph 7, reads:

> Nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state.

I was also opposed to the United Nations action in the Congo because I feared that it would lead to nothing but chaos and disintegration.

This fear, unfortunately, was borne out by events.

Because virtually its entire effort was directed toward the overthrow of the Tshombe government in Katanaga, all the United Nations had to show for its vast expenditure of money and effort in the Congo at the time it left was a continuing downward spiral of law and order and economic well-being in a country that is potentially the richest in Africa.

All it had to show for approximately $400 million spent on the Congo operation was $400 million worth of chaos.

When the United Nations forces left the Congo in June of last year, the country stood on the verge of a complete Communist takeover.

But fortunately for the cause of freedom in Africa the solution which the United Nations had put together at such great cost and with so much blood, fell apart on the day of its departure.

The completely inept Adoula government, which had been installed under United Nations patronage and which owed its survival primarily to the United Nations, was dismissed; and, in its place, a new government was formed under the Premiership of Moise Tshombe, the man whom both the political and military representatives of the United Nations had fought so hard to destroy.

I think it is now commonly agreed that the Congo was saved from the catastrophe which threatened, thanks only to the courage and wisdom and determination of Prime Minister Tshombe.

THE UNITED NATIONS AND THE DOMINICAN REPUBLIC

While the United Nations has shown itself to be completely ineffective in upholding the rule of law against the transgressions of the Communist states on the one hand and the Afro-Asian states on the other hand, while it has failed to intervene where it could and should have intervened, the United Nations Secretariat and the majority of the General Assembly apparently seem bent on intruding themselves into the affairs of the American states, where their presence is not needed and not wanted.

I refer specifically to the situation in the Dominican Republic.

When it was first proposed that the United Nations set up its factfinding mission, Ambassador Stevenson strongly opposed the proposal on the grounds that this mission would be competitive with that of the OAS and that it would, by the nature of things, serve to undermine its authority and in this way hinder rather than promote a settlement.

When I spoke on the subject of the Dominican Republic this last May 24, I expressed my wholehearted concurrence in the reservations set forth by Ambassador Stevenson.

I consider it most regrettable that, despite these reservations, Ambassador Stevenson voted with the rest of the Security Council on May 14 to approve the Jordanian resolution calling on Secretary General U Thant to send a representative to the Dominican Republic for the purpose of reporting on the situation.

I am opposed to the veto in principle. But as long as it exists on the books and as long as the Soviets continue to use it, on small issues and big issues, whenever their own interests are affected, I think that we should not hesitate to utilize the veto power in defense of our own interests, at least where issues of great importance are involved.

Our Government has made a very heavy commitment to the restoration of peace and order in the Dominican Republic. Because of our desire to function through the OAS and in harmony with them, we have subordinated our own substantial forces in the Dominican Republic to an OAS command, and we have agreed to channel our economic and financial assistance through the OAS.

Because of the continuing crisis in the Dominican Republic, I feel that we must resolutely oppose any effort to undermine or undercut the endeavors of the OAS to achieve a settlement there, no matter what the source of these efforts.

The fears expressed by Ambassador Stevenson have, regrettably, been more than justified by the record of the United Nations mission since its arrival.

From the moment of its arrival in the Dominican Republic, the United Nations mission entered into immediate conflict with Senor Mora, the head of the OAS mission, and with Ambassador Tapley Bennett.

Without taking any time to look into this complex situation, the United Nations mission established immediate contact with the Camaano rebels but avoided contact with the Imbert junta.

The reports they have sent out since that time have all been characterized by the same militant bias in favor of the Camaano-Bosch forces.

That this is so is not surprising for several reasons.

First of all, the dispatch of two competitive peacemaking teams to any crisis area violates all the rules of commonsense and diplomacy.

If the United Nations team has simply come to the Dominican Republic for the purpose of supporting and paralleling the efforts of the OAS team, there would be no justification for its existence.

And if the United Nations team has come to the Dominican Republic for the purpose of competing with the OAS representative, this creates a situation that can only do damage to the OAS, to the Dominican Republic, and to the United Nations itself.

Either way, the appointment of the United Nations team makes absolutely no sense.

In addition, the composition of the United Nations commission by itself was bound to bring it into basic conflict with the peacemaking efforts of the OAS.

The representative of the Secretary General, Mr. Jose Antonio Meyobre, a Venezuelan economist, has a lifelong record of association with various radical movements. He is an old personal friend of Juan Bosch, and just about as far to the left of center in his personal views. The best that may be said about him is that he is like Bosch, the kind of non-Communist radical who refuses to condemn communism or to take a stand against it.

Mayobre's chief assistant, Cesar Ortiz, a Mexican, has also made no efforts to conceal his pro-Bosch sympathies, nor has he made any effort over a long political past to conceal his strong anti-American sentiments.

The third member of the team, the Indian General Rikhye, served as Commander of the United Nations forces in the Congo.

As I have pointed out, these forces, instead of promoting order, squandered their energies on military actions that only promoted more disorder, and almost resulted in the loss of the country.

Only the reemergence of Moise Tshombe as Prime Minister saved the country from a complete Communist takeover.

These were the three men selected by Secretary General U Thant to report impartially on the Dominican situation.

The original mission of the United Nations team was supposed to be to investigate and report back.

In practice, the team has far exceeded this mandate.

In competition with the OAS group, it has sought to enter into discussions with Dominican citizens with a view to organizing a government that meets with its own criteria.

Recently there has been some evidence of a concerted push to expand the functions and personnel of the United Nations team. Participating in this effort are certain of the Afro-Asian nations, the Communist bloc, and France. This push assumed particularly vigorous proportions after the exchange of fire with the OAS forces, initiated by rebel extremists on June 15. As I understand the matter, the United Nations team rushed to the scene, interviewed Camaano, and forwarded Camaano's version of the events to its headquarters.

So one-sided was the United Nations version that Soviet representative Federenko was able to charge that we were using methods "reminiscent of Hitler's hangmen," while the French delegate was moved to propose that the United Nations should increase the size of its observer team and expand its function.

It is my understanding that the American delegates to the United Nations were extremely indignant over the one-sided report sent back to the United Nations by its observer team.

In the light of the facts I have here detailed, I am more than ever convinced that United Nations intervention in the Dominican Republic has already done grave harm and that its continued presence there is bound to have a further unsettling effect.

I hope that our delegates to the United Nations will do everything in their power to resist any expansion of authority and numbers on the part of the United Nations team.

THE WAY OUT

I would be willing to go along with the most generous measures to help bail the United Nations out of its financial crisis.

But I consider it necessary to state for the record that I am becoming increasingly fed up with the double standard of behavior that leads the United Nations to intervene in situations where effective peacekeeping machinery already exists and where its own presence can do nothing but harm, while it fails to intervene or even to take notice of clear-cut cases of military aggression involving the nations of either the Communist bloc or the Afro-Asian bloc.

I am certain that this concern is shared by the overwhelming majority of the American people.

This is the real crisis of the United Nations, and not the financial crisis.

If the United Nations is again to become an instrument of law and a force for peace, many things must be done.

In addition to creating some kind of mechanism that can protect and improve the United Nations by submitting its operations to periodic scrutiny, it is essential that we ourselves and the member nations who share our values face up to the disastrous erosion of the United Nations Charter in recent years and embark on a campaign for a return to the Charter.

If the Charter calls for "respect for the obligations arising from treaties," the unilateral repudiation of any treaty by a member nation should at the very least call for the unanimous censure of the General Assembly.

If the Charter calls for the "self-determination of peoples," the United Nations should use its moral authority impartially to promote self-determination for the captive peoples of Europe as well as for those Asian and African peoples still living under colonial rule.

If the Charter calls upon all members to "refrain in their international relations from the threat or use of force," this must not be construed as applying only to the Western nations and not to the nations of the Communist bloc or Afro-Asian bloc.

It must not be construed as meaning that India is free to invade Goa, that the United Arab Republic is free to invade Yemen, that the Brazzaville Congo and Tanganyika, and Tunisia, and Algeria are free to organize and harbor guerrilla armies for operations elsewhere in Africa.

If the United Nations General Assembly is no longer prepared to condemn such blatant use of force or such outspoken threats of force as Khrushchev's Berlin ultimatum, then I say that the United Nations has lost a large part of the justification for its existence.

If the Charter prohibits intervention in domestic matters, the General Assembly must abide by this clause, too.

I believe that we must make every effort to save the United Nations as an area of contact between the Communist world, the free world, and the uncommitted nations; as a forum from which we can plead the cause of freedom and solicit the support of the world community for the objectives of our foreign policy; as a medium for the conciliation of disputes; as a vehicle for cooperative nonpolitical activities like the World Health Organization; as an organization whose functions may be progressively enlarged if the world situation improves.

The United Nations can be saved, and should be saved.

The United Nations will not be saved if we continue to ascribe to it virtues which it cannot possibly possess and assign to it executive tasks that it is functionally incapable of fulfilling.

It will not be saved if we continue to sweep its misdemeanors and weaknesses under the rug instead of airing them frankly.

But above all, the United Nations will not be saved unless we are prepared to provide the leadership for an all-out campaign to return to the principles enunciated in the United Nations Charter, and to give these principles the force of law in the relations between nations.

This, as I see it, is the prime task that confronts us.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. LONG of Louisiana. It was my honor to represent the United States as a delegate to the United Nations in this session. I cannot disagree with what the Senator is saying today. Frankly—I say this as a Senator; I have no privilege to say it as a member of the U.S. delegation—there is a serious doubt in my own mind that the United Nations can succeed in its purposes as a peacekeeping organization so long as it has so many elements in it that are really there for the purpose of keeping it from working.

One can say anything he wishes, the fact remains that the Communist nations do not serve the purpose of the United Nations. The U.N. was formed as a group of nations joining to work together for peace, to preserve the peace of the world, and provide peaceful means of solving international crises.

There is a growing doubt in this Senator's mind as to whether the organization can be as effective a peacekeeping organization of free people as it would be if it were limited to nations that shared similar purposes.

I do not say we should abolish the United Nations, but I doubt whether we should entrust to the United Nations such peacekeeping functions as have been delegated to it.

It seems to me that if we had to keep the peace an organization of nations that really intended to do just that, and let the United Nations be the debating society which it has always tended to be, we might more effectively achieve our purposes.

The Organization of American States is an organization of states with similar goals and philosophies. There are not the same problems in that organization as there are in the United Nations. The OAS wishes to keep the peace, to see that each neighbor lives within its own boundaries. It wants no aggression, and will brook no aggression. We can in good conscience have the OAS send a commander to command our forces in the Dominican Republic, knowing that the organization has the same purpose that we have. We want to have peace. We do not want to have overthrown any peaceful government, particularly a government that follows the will of its people.

The Senator has made a good argument, namely that the United Nations will have to do a better job of accomplishing the purposes of the charter, or we shall have to find something to take its place in carrying out its functions, and let the organization exist as a debating society, where we can bring together all those who do not agree, and let them debate and debate, without conclusion. Its place may have to be taken by an organization that can settle disputes among nations, an organization that can arrive at a consensus and then get nations to agree to that decision. I regret to say that the United Nations has at times proved disappointing.

Mr. DODD. I am grateful for the Senator's comments. I am sure that he and I and the vast majority of the people want the United Nations to succeed.

Our point is that the way to bring that about is to have it operate as it was intended to operate, by not going beyond its charter, and by not failing to live up to the requirements of its charter. For example, the U.N. should have acted in the case of Yemen. When Nasser invaded Yemen with 50,000 troops, the United Nations did not show any interest. Goa is another case.

In addition, the U.N. must learn that it has no right to go into a sovereign country and interfere in matters which must be settled domestically. That is the lesson of the Congo.

I am grateful to the Senator from Louisiana for his contribution.

BARBARISM IN VIETNAM

Mr. DODD. Mr. President, in a concise, pointed editorial on Monday, June 28, the Hartford Times commented on the execution last week of Sgt. Harold Bennett.

The editorial concluded with these words:

> The execution of Sergeant Bennett * * * was illegal, an act of murder. The U.S. Government should promptly and publicly serve notice that every person who had a hand in it will be considered a criminal and so treated, and the word and power of the United States should be pledged to that end.

I agree fully, and ask unanimous consent that this editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BARBARISM IN VIETNAM

The Hanoi government of North Vietnam says Sgt. Harold George Bennett, U.S. Army, was executed as "an aggressor who had committed many crimes against the South Vietnamese people."

Just for the record:

Sergeant Bennett, like all other American soldiers in Vietnam, was there at the invitation of the legal government of that country. He was a uniformed member of a regular military force, acting under the lawful orders of his superiors. By international law and age-old custom, he was entitled to humane treatment from his captors.

His execution was in reprisal against the executions of several Vietcong members by the South Vietnamese Government.

The Vietcong is considered by the Government of South Vietnam to be an illegal organization. Its members are legally traitors. The Government of the United States, the U.S. Army, and Sergeant Bennett had no part in the treatment of Vietcong members by the Government of South Vietnam.

The execution of Sergeant Bennett, therefore, was illegal, an act of murder. The U.S. Government should promptly and publicly serve notice that every person who had a hand in it will be considered a criminal and so treated, and the word and power of the United States should be pledged to that end.

NEW HAVEN RAILROAD

Mr. DODD. Mr. President, I commend to the attention of my colleagues, especially the Senators from the lower New England-New York area, an excellent series of three articles that appeared in the Hartford Times last week.

These articles are important and informative not only because they cover the background and recent developments concerning the New Haven Railroad but because the articles go into the possibility of private enterprise stepping in and bringing services back to a high level.

What good private management can do to straighten out a failing railroad is too often left out of discussions and proposals on how to keep the New Haven from going under.

Railroads in worse trouble than the New Haven have been not only saved but turned into profitable ventures by private means.

Why not the New Haven?

I ask unanimous consent to have these Hartford Times articles, written by Don O. Noel, Jr., printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

EXPERTS DISAGREE ON NEW HAVEN RAILROAD SURVIVAL

(Who will buy the New Haven Railroad? Until recently, there have appeared only two choices: The merging Penn-Central Railroad, or else the States themselves. There now appears a third choice: New England private enterprise. In this series, the Hartford Times explores the facts and figures which lead a growing number of businessmen to believe the bankrupt New Haven could make money.)

(By Don O. Noel, Jr.)

Can the New Haven Railroad's commuter operations turn a profit?

"No," says Stuart T. Saunders, chairman of the Pennsylvania Railroad, one of the merging Penn-Central leaders now negotiating to run that very commuter service on a contract basis.

Mr. Saunders told his stockholders in May that "there is no way on earth" that commuter railroads, such as the Long Island, and presumably the New Haven as well, can be made profitable.

"Yes," says a brandnew engineering study of the New Haven, made public Monday. It forecasts a profit margin of $1½ million a year, including amortization of new equipment and stations. Still more efficiency, it said, could come with gradual installation of automatic fare collection.

This sharp difference of opinion is one of the reasons private, New England interests are weighing a bid to buy the New Haven Railroad, including its commuter service, away from the Penn-Central.

Even before the New Haven Commuter Study Group made its findings public Monday, there were strong arguments on the side of profitable commuter service.

The strongest: the CNW, or Chicago and North Western Railway.

Five years ago, the CNW began a massive development program. Faced with competition from three new expressways, the line spent $50 million for new equipment, double-deck cars, better timetables, rebuilt stations.

Its chairman, Ben W. Heineman, told a New York meeting of security analysts this month that his commuter operation will clear $1 million profit in 1965. It has already begun a second, 10-percent increase in commuter equipment investment, and Mr. Heineman said another go-around lies ahead, with indefinite growth.

Mr. Heineman carefully refrained from saying a dose of CNW medicine could cure New York commuter deficits.

But a comparison of the systems suggests it might.

LENGTH OF RIDE

The CNW carries about half again as many commuters as does the New Haven. They must be picked up at three times as many stations as the New Haven's riders. Their average ride is a third shorter than the New Haven average, and therefore theoretically less efficient.

(Pennsy's Saunders told his stockholders the CNW's commuter profit is largely due to the fact that its hauls are longer than most Pennsy commuter runs. But the average New Haven commuter rides 30 miles, compared to a 21-mile average on the CNW.)

Despite these apparent handicaps, the CNW operation has been turned from loss to profit. Some of the techniques:

A new fleet of double-deck cars (160 passengers, compared with 110 on the New Haven) cut car maintenance and reduced crew size.

The CNW thus delivers to the city on each rush-hour train the same number of riders as a New Haven train, 650–700. But it uses an average of 3.8 cars instead of 6. With less train weight, less locomotive power is needed.

Greater reliance on nonstop express runs attracts passengers. It also allows less powerful (and less costly) locomotion with less frequent acceleration from stops to running speed.

The CNW uses more efficient push-pull locomotives, rather than self-propelled units. Commuter trains are backed into terminals, so two cars can be left for the evening rush, while the other one or two shuttle back and forth to give frequent midday service.

The result: it costs the CNW $6.21 for each mile each train runs, and revenue per train-mile is $6.40, a 19-cent profit.

It costs the New Haven $15.30 for each train-mile, and revenues are only $13.30, or a $2 loss.

COST PER MILE

The CNW's operating efficiency can be viewed another way. The New Haven carries its average commuter 30 miles, one way at a cost of $1,100 a year. The CNW carries its average rider 21 miles one way, for $470. That's 70 percent of the distance for 43 percent of the cost.

Could the New Haven do as well?

Two separate studies, in fact, say yes. The most recent, announced this week by the New Haven Commuter Study Group, proposed spending $15 million for 75 new self-propelled cars, and $15 million more for new stations, maintenance yards, signaling and engineering.

The study also recommends eliminating commuter service east of Westport, and providing sharply-increased express runs.

The projected outcome: a commuter system whose trains would shave 5 to 20 minutes off present runs to Grand Central, attract new riders, and earn a profit of $1,580,000 before taxes. Still further profit should be possible, the report said, by developing off-peak (mid-day) traffic, and by gradually automating fare collection.

Much the same result, but with slightly different techniques, was predicted in an earlier study presented the trustees in 1962. It proposed a 3-year program during which the railroad would refurbish its present cars, and gradually install double-deck, 200-passenger cars.

Included in this early study was a similar refurbishing of intercity (long-haul) service, with a bar-galley in each car served by a stewardess, more use of reserved-seat trains, and institution of unitized three-to-four car expresses, running nearly nonstop to Hartford, Providence, Boston, and a few other cities.

The estimated capital cost of such a program was $16 million, with an $8 million Government subsidy needed during the 3 years it would take to complete the conversion.

Trustees of the bankrupt New Haven, when presented this early refurbishing program, said they had already decided on a program to trim back the railroad, try to show a profit, and win inclusion of the slimmer, trimmer New Haven in the Penn-Central merger.

Expansion, they said, would be reversing the direction of their trusteeship.

But expansion is very much in the minds of the private business interests, now looking at the New Haven.

No one pretends a glamorized, rescheduled New Haven Railroad will begin making impressive profits right away. The CNW's $1.2 million profit is a very poor return on investment.

Some of those now studying the railroad believe some Government subsidy will continue to be needed, particularly if the line were forced to continue operation on lines (like the commuter lines east of Westport) which not even better service could make profitable.

In any case, they believe, the future lies with mass rail transit which will be handsomely profitable. Aggressive management, they believe, will bring that future nearer.

The alternative: contracting with the Penn-Central (buying passenger service) or else fighting that merger before the ICC, in hopes of forcing Penn-Central to accept the New Haven with all its present service, freight and passenger.

Trustee Richard Joyce Smith has warned that "coercion will not work," and has urged the States to negotiate for service. The States have in fact begun tentative negotiations for long-haul service, although those talks have so far made very little progress.

One reason: the trustees claim a passenger deficit this year of $11.5 million. The States' effort inevitably centers on chipping that figure down to something they can afford.

New Haven Railroad, Central Split on Profit From Terminal

(Who will buy the New Haven Railroad?

(Until recently, there have appeared only two choices: The merging Penn-Central Railroad, or else the States themselves.

(There now appears a third choice: New England private enterprise.

(In this series, the Hartford Times explores the facts and figures which lead a growing number of businessmen to believe the bankrupt New Haven could make money.)

(By Don O. Noel, Jr.)

The New Haven and New York Central Railroads are historic competitors. Though often allied, they have been partners at arms' length.

The Central, as part of the merging Penn-Central, now proposes to absorb the New Haven's freight operations, and the corporate identity of the New Haven. It would run whatever passenger service the States were prepared to subsidize.

The history of competition, coupled with the fear that the Penn-Central has no regional stake in New England, lies behind some of the private business interest in buying the New Haven away from the merging giants.

The competition began during the hectic battle of railroads after the Civil War. The New York and Harlem, trying to stay alive long enough to get to Albany before Commodore Vanderbilt's Central completed its water-level route, allied itself with the New Haven.

The commodore, to get his trains into midtown Manhattan had to buy the New York and Harlem. With it came the New Haven, with the right in perpetuity to use Grand Central Terminal.

It has been a right jealously guarded. When the terminal yards became too crowded, it was the Central—not the New Haven—which took its cars to a new yard out of town to service them.

Today the New Haven provides about 40 percent of the terminal's traffic, and shares 40 percent of the costs.

TERMINAL PROFITS

Offsetting costs is the income from the sprawling complex above the underground terminal yards, from 42d to 52d Street, between Madison and Lexington: Six hotels, and several major offices, including the giant Pan Am Building. They lease "air rights" over the railroad.

Last year, the New Haven's 40 percent of this was $5.3 million.

Also last year, for the first time, some of this income was profit, above costs. The New Haven claims a $1 million share. The Central disputes the claim. It says the New Haven is entitled to share the income only up to the break-even point, but not profits. If the merger-purchase falls through, a court case will decide the issue.

If the Penn-Central buys the New Haven, the dispute will be moot. The merged line will acquire all the New Haven's historic, and valuable interest in the terminal properties.

An income of $5.3 million (or at least $4.3 million if the Central wins the court case), which last year offset passenger deficits, will be lost to whatever interests are paying for New England passenger service.

The more direct competition is for freight. Freight is the lifeblood of a railroad, the major share of its business and its solid revenue producer. Most U.S. railroads claim a passenger deficit, which is offset by freight revenues.

(There is room for argument. Both the Pennsy and Central last year reported passenger losses; $35 and $14 million. But Fortune magazine estimated in an article this month that "if only costs directly attributable to passenger trains are reckoned almost surely the Central and possibly the Pennsy are more than breaking even on passengers."

(It can also be argued that it is proper for freight to help foot the passenger bill. The Canadian National's vice president, Pierre Delagrave, says his dramatic improvements of passenger service, though he hopes they will make money someday, are meanwhile a form of advertising.

(If it is worthwhile advertising to attract freight, he says, then it is worthwhile pumping money into a new, vital passenger service as another kind of advertising "image.")

The State of Connecticut has argued, in fighting the Penn-Central merger before the ICC, along similar lines. If every other railroad "helps" its passengers with freight, why not the New Haven? Why should Penn-Central be allowed to take over the freight, but not the passengers?

TWO-WAY LOSER

At the moment, the argument is academic. The New Haven has been losing money on both freight and passengers since 1958.

Could the freight make money?

Probably not without some major changes. The trustees have already abandoned about

160 miles of light-density freight line, 9 percent of their system, and propose abandoning another 400 miles before the Penn-Central takes over. Like most U.S. railroads, the New Haven is stymied by overregulation which makes it extremely difficult to adapt its rates or its routes to changing times.

The New Haven has some special problems, too, in the unusually high number of freight cars it must send back across the country empty. It is now seeking in a legal test to rid itself of unequal cost burdens thus imposed on New England railroads.

But even with these burdens eased, the New Haven has a special freight problem, which goes back to the historic competition.

There are two main rail lines to New England: The New Haven's, along the Sound and then up the river valleys; and the Central's, across Massachusetts and then north or south on branch lines.

The New Haven's has always been more costly.

COSTLY TRANSFER

Freight received from the Pennsy must be ferried across New York Harbor to New Haven tracks, or else rolled up Erie tracks to Maybrook, halfway up the Hudson, where the New Haven receives freight direct from the Erie, Lackawanna, and Lehigh.

The Central can deliver Midwest freight along its "water level" route through upstate New York, and then across the Boston and Albany. It now has a huge electronic sorting yard to make the Albany operation still more efficient.

One of the trustees' principal arguments for the Penn-Central purchase is that the Pennsy's freight would more economically go up to Albany, bypassing the New Haven main line, if the merger did not include the New Haven.

But inclusion, said Trustee Richard Joyce Smith in Hartford recently, will lead to "a new era for rail transportation in New England * * * faster and more efficient service, with new and specialized equipment."

Critics of the Penn-Central proposal challenge this. A New Haven division of the Penn-Central, like a Boston and Albany division, would have to stand on its own feet. If it were not run efficiently, the Penn-Central would still not use it in preference to a more economical route.

MANAGEMENT CRITICS

These critics say the New Haven's freight business (like, they assert, its passenger business) is badly managed. They say the New Haven uses a freight-sorting yard in Cedar Hill (New Haven) to break up and redistribute long trains from Maybrook.

Running smaller trains direct from the Hudson, they argue, would provide faster delivery, cut down the time the railroad must rent other lines' cars, and be more profitable.

The way to maintain rail freight service for Connecticut, the critics assert, is to run it well. Since it will compete with Penn-Central's other routes anyway, they argue, it might as well compete directly, for profit, under management with a regional interest in seeing it grow.

Are the critics right, or are they pipedreaming? Could aggressive management overcome the regional difficulties of the New Haven's freight operation, and the longstanding deficits in passenger service?

What attitude will the States take toward the growing private interest in running the railroad? Will they encourage it? Or will they decide that the States' best option is their present course: To formally insist that the ICC force Penn-Central to accept New Haven passenger service, while negotiating subsidy terms to sweeten the pill?

Rescue of New Haven Railroad Spurs Variety of Plans

(Who will buy the New Haven Railroad?

(Until recently, there have appeared only two choices: The merging Penn-Central Railroad, or else the States themselves.

(There now appears a third choice: New England private enterprise.

(In this series, the Hartford Times explores the facts and figures which lead a growing number of businessmen to believe the bankrupt New Haven could make money.)

(By Don O. Noel, Jr.)

Who will buy the railroad?

In New York, a group of commuter businessmen want to run the New Haven's suburban service, renting tracks and stations, with indirect Government backing.

In Boston, Frederic C. Dumaine, former New Haven president, has offered to raise $150 million from insurance companies and banks, in a frank move to keep the railroad out of Penn-Central hands.

In Hartford, E. Clayton Gengras is buying Union Station—and along with it options to use the rails for suburban rail-buses here. In the year since he bought the ailing Connecticut Co. from the New Haven, he has turned it to a profit, and has become the area's most vocal apostle of sound management to cure transit deficits.

Meanwhile, the State of Connecticut is following several courses, some apparently conflicting, which assume the eventual owner will be the merging Penn-Central:

Within 10 days of an ICC (Interstate Commerce Commission) examiner's recommendation that Penn-Central be allowed to merge with New Haven freight but not passenger operations, Connecticut filed a strong plea that the full ICC make the Penn-Central accept passenger obligations.

Meantime, the State is dickering with New York, Rhode Island, Massachusetts, and Penn-Central officials to agree on subsidies the four States might pay for long-haul passenger service. The talks appear to be far from agreement, but all parties refuse to discuss the levels of service proposed or the subsidies asked.

With New York, Connecticut is backing a $4.5 million stopgap program (with $3 million Federal aid) to keep commuter service going while a long-range solution is worked out.

The Connecticut Transportation Authority has been authorized to spend up to $2.3 million a year in direct rail subsidies, and up to $40 million to bond long-range capital improvements.

New Haven trustees, in defending their moves to abandon passenger service, have blamed the States' reluctance to assume responsibility for long-range planning. The current subsidy plans, they say, come almost too late.

In much the same way, the States' attitude may govern the eventual sale of the New Haven. Even though a sale in bankruptcy will wipe out past debts, any modernization of the rails will require new infusions of capital, and certainly a period of continued deficits. Despite growing optimism, it would still be a gamble.

What are the options?

STATE OWNERSHIP

The Canadian National, probably the most aggressive railway on the continent in going after passengers, is owned by the Government, but run as a private enterprise, paying taxes, bound by all the rules governing the private Canadian Pacific. But the Canadian Government now underwrites a hefty annual deficit, which it hopes will eventually disappear.

Connecticut and New York, now authorized to contract with a private owner for rail service, soon may have augmented powers offered by Congress, although Washington isn't expected to get around to transit problems until late summer.

One bill, by Rhode Island Senator Claiborne Pell, would pledge Federal backing up to $500 million for a four-State authority to take over the rails. The Federal support would only insure low interest rates; the States would have to pledge themselves to underwrite deficits.

The San Francisco Bay Area transit system will, in effect, be publicly owned; the multitown authority established to create the system has taxing power.

CONTRACTED SERVICES

The Canadian National, despite its belief in passenger service, is getting rid of its commuter operations by two techniques. In Montreal, where the single, relatively short line ties naturally into a new subway system a-building, CN has offered to give the line outright to the city, at no cost. It is expected to make money.

In Toronto, CN will operate a new 52-mile commuter rail service for the provincial government of Ontario. The government will buy the rolling stock, and CN will run the service at cost. It is expected to cost $2 million a year in government subsidy.

The New Haven Commuter Study Group proposes contracting privately to run services into New York, but would in effect have a subcontract from the States to underwrite deficits. It is confident it could break even, probably make a small profit in two years.

Public agencies also contract with railroads for commuter services in many other U.S. cities, including Boston and Philadelphia.

PENN-CENTRAL OPERATION

They all differ, however, from the proposed relationship of the Penn-Central and the New England States in two important respects.

First, nowhere else does a government agency underwrite long-haul, or inter-city, passenger service, as the four States are now negotiating to do.

Secondly, there has usually been more public discussion of what kind of service public money will buy.

New Haven Trustee Richard Joyce Smith has been emphatic in his endorsement of Penn-Central operation. He says those who believe New England remains a separate region with regional interests are wrong; that New England's future belongs as part of the massive northeast rail network of the Penn-Central.

Inclusion in Penn-Central, he says, could make the difference between $5 million profit and $5 million loss for New Haven operations.

But Stuart T. Saunders, chairman of the Pennsy, has been reluctant to offer details of the service New England could expect. For more than 6 weeks he has declined an interview by the Hartford Times until negotiations with the States can be completed.

Mr. Saunders told the Times today he just can't go into details on proposed service.

His vice president for public relations, William Lashley, said in a telephone interview:

"We are negotiating * * * to find some reasonable basis on which we could include the essential passenger services. We do expect that we can make the New Haven's freight services a very viable part of the planned system.

"I expect that there would be some revision of the services, of course."

PRIVATE ENTERPRISE

The final suggestion is for a private group to outbid the Penn-Central. It is late in the game; but perhaps not too late. Even if New Haven trustees follow through with their plans to ask ICC permission to abandon all passenger service, approval could not come before December. ICC approval of the Penn-Central merger, and with it the terms of New Haven acquisition, will come even later.

Meanwhile, there is time for private businessmen to begin a serious discussion of pooling interests to buy the railroad.

The history of American railroading is studded with lines which went broke—or were squeezed broke—and then became part of immensely profitable rail empires.

With the future need for mass transit increasingly evident, and with growing evidence that rails can make money, chances that the Penn-Central purchase will go unchallenged appear slim.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

The ACTING PRESIDENT pro tempore. Under the previous unanimous-consent agreement, the Chair lays before the Senate the unfinished business, which the clerk will state.

The LEGISLATIVE CLERK. A bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes.

The Senate resumed the consideration of the bill.

Mr. TYDINGS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized.

Mr. TYDINGS. Mr. President, S. 1666 is the result of the recommendations of the judicial conference of the United States at its session in March, when it recommended the creation of 42 additional judgeship positions in the U.S. courts of appeals and in the U.S. district courts. These recommendations include seven judgeships for the courts of appeals, four of which would be on a temporary basis. Recommendations for district judgeships totaled 35, including 6 on a temporary basis. These recommendations are embodied in S. 1666, 89th Congress, introduced by the late Senator Olin Johnston on April 1.

The basis for the recommendations of the conference was a systematic and comprehensive statistical study and review of the judicial business of the circuit and district courts undertaken by two separate conference committees with the assistance of the Administrative Office of the U.S. Courts. The study was made in the light of the policy adopted by the conference in September 1964 of making a comprehensive report to the Congress approximately every 4 years on the need for additional judgeships. The recommended positions are considered by the conference to be for current need.

There have been no additional judgeships created by the Congress since the Omnibus Judgeship Act of May 19, 1961, authorizing 10 additional circuit judgeships and 63 additional district judgeships. The number of district judgeship positions has actually decreased by two in the last 4 years due to the expiration of two judgeship positions in the State of Ohio that were provided on a temporary basis.

Overall the caseload in the U.S. courts of appeals has increased more than 50 percent in the last 4 years, rising from a total of 3,899 in the fiscal year 1960 to 6,023 in the fiscal year 1964. The district courts have experienced an increase of 13 percent in civil cases filed since 1960. Overall they have risen from 59,284 to 66,930. The caseload of criminal cases has remained about the same.

The original judicial conference report provided for one additional judgeship for the Court of Appeals for the Fourth Circuit, four additional temporary judgeships for the Fifth Circuit, one additional judgeship for the Sixth Circuit, and one additional judgeship for the Seventh Circuit.

Insofar as the district courts were concerned, the report provided for one additional judgeship for the Middle and Southern Districts of Alabama; one temporary judgeship for Alaska; one additional judgeship for the District of Arizona. It also provided for the creation of two new districts in California, the Eastern and Central Districts, and for the creation of four new district judgeships in California.

The report also provides in the State of Florida for one additional judge for the Northern District, one additional judge for the Middle District, and two additional judges for the Southern District.

It provides for one additional judgeship for the Southern District of Georgia; one additional judge for the Northern District of Illinois; one for the Southern District of Indiana; one temporary judge for the District of Kansas; four judges for the Eastern District of Louisiana; one for the District of Maryland; one for the Northern District of Mississippi; one for the Western District of New York; one for the Northern District of Ohio; one for the Southern District of Ohio; three temporary judgeships for the Eastern District of Pennsylvania; one for the District of Rhode Island; two for the Southern District of Texas; one for the Western District of Texas; one for the District of Vermont; two for the Eastern District of Virginia; and one temporary judgeship for the Eastern District of Wisconsin.

The Judiciary Committee deleted four temporary judgeships—three for the Eastern District of Pennsylvania at the request of the Senator from Pennsylvania [Mr. SCOTT], and one in the District of Alaska, at my request, since the committee favorably reported on H.R. 5283, which will be taken up immediately after S. 1666, which eliminates the need for an additional temporary judge in Alaska.

The committee also deleted one permanent judge for the Southern District of Georgia at the request of the two Senators from Georgia, and added one judge for the Southern District of Mississippi.

Mr. LAUSCHE. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. I should like to know to what degree the present provisions of the bill conform to the recommendations made by the Judicial Council?

Mr. TYDINGS. As I stated a moment ago, the present terms of the bill are identical with the recommendations of the Judicial Conference, with the exception of the three judgeships in the Eastern District of Pennsylvania, which were removed at the request of the Senator from Pennsylvania [Mr. SCOTT]; the one temporary judgeship from Alaska, which was removed at my request, and at the request of the Judicial Conference, because we knew at the same time that H.R. 5283 would take care of the retirement provisions for the existing judge there and would eliminate the need for the new judge. We eliminated one district judge in the Southern District of Georgia at the request of the two Senators from Georgia, and added one district judge for the Southern District of Mississippi, at my request and by action of the committee.

Aside from the judges which I have just enumerated, the bill before us is identical with the bill recommended by the Judicial Conference.

Mr. LAUSCHE. Will the Senator from Maryland state what the procedure is with reference to the Judicial Council and the Administrative Office of the U.S. Supreme Court in analyzing and finally making its recommendations as to what the needs are?

Mr. TYDINGS. I shall be happy to do so.

There are two committees of the Judicial Conference primarily concerned with the preparation of statistics and the recommendations for additional judges. One is the Committee on Judicial Statistics, headed by the Chief Judge of the eighth circuit, Judge Harvey Johnson, and the other is the Committee on Judicial Administration, headed by Chief Judge John Biggs, of the third circuit.

These two committees, but basically the Committee on Judicial Statistics, made six surveys at various times, studying the caseloads of different judges over a period of time, as to the average time taken by each particular type of case. They came forth with what is known as the "weighted caseload." For example, a patent case would take more time on the average than Dyer Act cases or negotiable instrument cases. According to the results of these studies and the work of the Administrative Office of the Courts, headed by Mr. Warren Olney, the Judicial Conference has been able to take into account the relative difficulty and the resulting time required by a court for this disposition of various types of civil and criminal litigation.

In addition, they considered other factors such as the number of cases pending, the number of days in court, the cases terminated per judge, and the time interval from issue to the trial of the case.

Upon its analysis of these factors, the Judicial Conference was able to make the recommendations and the determinations which resulted in the bill which is before the Senate today.

Mr. LAUSCHE. Has a target been set in the district courts as to what would be considered a reasonable time to elapse between the day on which the issues were made up on the trials had?

Mr. TYDINGS. They have not made any recommendation as to what should be the time. They have found a median time interval, but they have not said what the ideal time should be.

Mr. LAUSCHE. My understanding is that three new judges will be appointed in Ohio, one in the northern district, one in the southern district, and one judge of the Circuit Court of Appeals.

Mr. TYDINGS. The Senator is essentially correct.

Mr. LAUSCHE. These three judgeships are recommended by the Judicial Conference. Is that correct?

Mr. TYDINGS. The Senator is correct.

I ask unanimous consent that all committee amendments be agreed to en bloc, with the exception of the amendment appearing at page 8, line 10, which is the amendment deleting the provision for 3 additional temporary judges for the eastern district of Pennsylvania, and that the bill, as so amended, be treated as original text for the purpose of further amendment.

Mr. SCOTT. Mr. President, I wish to be certain that the Senator is reserving the amendment pertaining to Pennsylvania, so that there may be some discussion of it.

Mr. TYDINGS. Yes.

The PRESIDING OFFICER. Is there objection? The chair hears none, and the committee amendments, with the exception of the one appearing at page 8, line 10, through line 4 on page 9, are agreed to en bloc.

Mr. CLARK. I hope very much that the Senator in charge of the bill, the able Senator from Maryland, will be willing to withdraw the amendment dealing with the three temporary judges for the eastern district of Pennsylvania.

There have been some discussions of this subject. With the Senator's permission, I should like to read into the RECORD the recommendation of the Judicial Conference with respect to the eastern district of Pennsylvania:

EASTERN DISTRICT OF PENNSYLVANIA

This district which has had a serious backlog of civil cases for some years continues to face an ever increasing pending caseload. Except for one other court, eastern district of Louisiana, this district had the highest number of pending cases per judge. The overall increase in pending civil cases for the last 5 years has been 36 percent. The major areas of increase occurred in private contract and marine personal injury suits. To reduce this sizable backlog the Judicial Conference recommends the creation of 3 temporary judgeships to assist the 11 judgeships in this district.

Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point in my remarks a telegram and a letter which I have received from Marvin Comisky, chancellor of the Philadelphia Bar Association, urging the restoration of these three judgeships.

There being no objection, the telegram and letter were ordered to be printed in the RECORD, as follows:

PHILADELPHIA, PA.,
June 10, 1965.

Senator JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.:

The board of governors of the Philadelphia Bar Association in executive session have requested on behalf of the association that I urge you to request three additional judgeships for the District Court for the Eastern District of Pennsylvania. Additional judges will be in the best interests of the citizens of Pennsylvania.

Letter follows.

MARVIN COMISKY,
Chancellor,
Philadelphia Bar Association.

PHILADELPHIA BAR ASSOCIATION,
Philadelphia, Pa., June 10, 1965.

Hon. JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CLARK: The board of governors of the Philadelphia Bar Association, in executive session, have resolved on behalf of the association that I write you, urging that there be an amendment in the proposed legislation for additional judges for the district courts of the United States, which would authorize the creation of three additional temporary Federal judgeships for the District Court for the Eastern District of Pennsylvania. With all the seriousness and conviction we can muster, we state that the additional judgeships are vital for the public and for the effective administration of civil and criminal law.

We are concerned, not with statistics, not simply with time intervals between the start and end of litigation, but we are concerned with citizens. Moreover, we are faced with a growing determination by responsible members of our business and professional community to work for all possible alternatives to litigation. This must be overcome.

It is a verity that justice delayed is justice denied. Despite the valiant efforts of all the hardworking, consicentious, and highly regarded judges of the U.S. District Court for this district and the very effective administration of this court by Chief Judge Thomas J. Clary, the increasing volume of litigation has continued to lengthen the time interval between the date of filing and the date of trial. The only permanent solution to court congestion is additional judicial manpower.

One of the most significant activities during 1964 of the Joint Committee for the Effective Administration of Justice, of which the presiding chairman is Justice Tom C. Clark, of the U.S. Supreme Court, was the convening of a national conference on metropolitan courts in Philadelphia at historic Congress Hall in Independence Square. A finding in that report of significance is: "* * * The creation of additional judgeships is the only satisfactory permanent solution to the need which many metropolitan courts now have for additional manpower."

Our own independent analysis of the solution for court congestion confirms that finding. Based upon that determination, the Philadelphia Bar Association played an active role this year in obtaining State legislative approval for 10 new judges in the courts of common pleas and county court of Philadelphia and in convincing the Governor of Pennsylvania of the need for this legislation. The appointments to these 10 additional judgeships are now being considered by the Governor of Pennsylvania, the Honorable William W. Scranton.

We regard as equally important the addition of new judges to the District Court of the United States for the Eastern District of Pennsylvania. There is a demonstrated need for this additional judicial manpower. We urge you to support an amendment to the omnibus judgeship bill, to include these additional temporary judgeships for the district court sitting in Philadelphia.

The Philadelphia Bar Association stands ready to render any assistance which may be requested to accomplish this vital, immediately needed objective.

Respectfully,

MARVIN COMISKY,
Chancellor.

Mr. CLARK. Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point a letter I have received from Honorable Thomas J. Clary, chief judge of the U.S. District Court for the Eastern District of Pennsylvania, under date of June 7, 1965, entitled "Need for Additional Judges"; and a letter which I have received from Hon. John Biggs, Jr., Chief Judge of the U.S. Court of Appeals for the Third District.

These judges urge that the temporary judgeships be approved by the Senate.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. DISTRICT COURT,
EASTERN DISTRICT OF PENNSYLVANIA,
Philadelphia, Pa., June 7, 1965.

The Honorable JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CLARK: I read, in yesterday's Philadelphia Inquirer, Jerome S. Cahill's story about three additional Federal district judgeships at Philadelphia proposed in the omnibus bill.

This matter has had the serious consideration of our court over a long period of time and at our regular meeting of November 10, 1964, it was unanimously agreed by all 10 active judges, with 2 senior judges also present and concurring, that we should request the Chief Judge of the U.S. Court of Appeals for the Third Circuit to present a recommendation to the Judicial Conference of the United States for 5 additional judgeships in this district or for a total of 16 authorized active judges.

We had a survey of the entire court operation made during the past year by the Administrative Office and we find that we are doing everything possible to process the cases entrusted to us and that we are falling behind solely because of (a) lack of judge power and (b) courtrooms.

A very close analysis of our request was made by the Judicial Conference of the United States and the recommendation, of course, was not for our requested number but for three additional temporary judgeships. The need for this is completely evident when if the cases were assigned on an individual basis each judge would be responsible for over 630 individual cases, our backlog now exceeding 6,300 cases. We feel that the following factors support our position:

A. Table C 6a, appearing in the 1964 Annual Report of the Director of the Administrative Office of the U.S. Courts and showing civil cases pending on June 30, 1964, by district and length of time pending (excluding land condemnation cases), discloses that 3,194 cases had been pending in our court for more than 1 year, whereas the only other district where more such cases than this had been pending was the southern district of New York, which had 6,003 such cases, even though that court has more than twice as many judges.

B. At page 31 of the above-mentioned 1964 annual report, it is pointed out that the pending civil caseload in this district increased by 570 cases during the year ended June 30, 1964, whereas the increase of such cases in other districts did not exceed 242 such cases.

C. Table C 5 (pp. 209–213) of the 1963 Annual Report of the Director of the Administrative Office of the U.S. Courts shows that the median time interval in months from filing to disposition in civil cases terminated during the fiscal year ended June 30, 1963, in our court was 21 months, which is a greater number of months than was applicable to any other multiple-judge district court. This table is not yet available for the fiscal year ended June 30, 1964, but we feel sure that our median will be even greater when the figures for that year have been compiled, in view of the statistic mentioned in paragraph B above.

D. During the past 5 years, Judges Allan K. Grim, John W. Lord, Jr., and Harold K. Wood have suffered serious heart illnesses due to the heavy burden of judicial work. Judge Thomas C. Egan also suffered a fatal heart attack, which we all believe was definitely caused by overwork.

I am sending a copy of this letter to Senator SCOTT so that he may be apprised of the unanimous position taken by this court.

With kindest personal regards,

Sincerely,

THOMAS J. CLARY.

U.S. COURT OF APPEALS
FOR THE THIRD CIRCUIT,
Philadelphia, Pa., June 8, 1965.

Hon. JOSEPH S. CLARK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: I was informed yesterday afternoon, and read in the Philadelphia Inquirer this morning, that the proposed three additional temporary judgeships for the U.S. District Court for the Eastern District of Pennsylvania had been stricken from the omnibus judgeship bill when it was reported out by the full Judiciary Committee of the Senate.

In my opinion this omission will effect a most unfortunate result. The U.S. District Court for the Eastern District of Pennsylvania is well behind on its docket. The original recommendation made by the judges of that court to the Judicial Council of the Third Circuit was for five additional judgeships. The Judicial Council of the Third Circuit after reviewing the statistical background approved this recommendation. After very careful consideration by the Committee on Judicial Statistics of the Judicial Conference of the United States and further careful consideration by the Committee on Court Administration of the Judicial Conference of the United States, of which latter committee I am the chairman, the original recommendation was cut to three temporary judgeships.

The Judicial Conference of the United States, which you are aware is the top policy body of the Federal courts, approved the recommendations of the Committee on Judicial Statistics and the Committee on Court Administration in respect to the three temporary judgeships for the eastern district of Pennsylvania and the omnibus bill as originally proposed contained these proposed judgeships.

It appears from the 1964 Annual Report of the Director of the Administrative Office of the U.S. Courts that 3,194 cases had been pending in that court for more than 1 year, whereas the only other district which has more such cases pending is the southern district of New York which, while it had pending 6,003 cases of the kind indicated, nonetheless has two times more judges than the eastern district of Pennsylvania.

It is a fact that the eastern district of Pennsylvania has been plagued by both illnesses of judges and by prolonged vacancies and it should be observed, as is shown by the 1963 Annual Report of the Director of the Administrative Office of the U.S. Courts, that the median time interval in months in civil cases terminated during the fiscal year ended June 30, 1963, was 21 months, which is a greater number of months than that consumed by any other multiple-judge court in the United States. I believe that the median figure for the year ended June 30, 1964, will show an even greater increase.

Judge Allan K. Grim, Judge John W. Lord, Jr., and Judge Harold K. Wood have suffered serious heart attacks and other judges have been incapacitated, due to what I deem to be a very heavy burden of judical work.

I believe that if the U.S. District Court for the Eastern District of Pennsylvania could avail itself of the recommended additional judgeships and employ the courtrooms which will be presently available to the total number of 11, within a reasonable time the court could make a substantial showing toward cutting down its backlog and could, before long, eliminate most of its arrears.

I have not had time to canvass all the judges of the court of appeals in active commission comprising the judicial council of this circuit but I am sure that I represent their views in writing you this letter.

It is an often repeated, but nonetheless true, adage that justice delayed is justice denied and there is no question in my mind that the public interest will suffer unless the judgepower of the U.S. District Court for the Eastern District of Pennsylvania is increased as recomended.

I am mailing a copy of this letter to Senator HUGH SCOTT so that he may be informed of its content.

With my high regards, I am,

Very sincerely yours,

JOHN BIGGS, JR.,
Chief Judge.

Mr. CLARK. Mr. President, I hope very much that in the light of this testimony the Senator from Maryland will be willing to have the committee amendment withdrawn, thus reinstating the recommendations of the Judicial Conference.

The ACTING PRESIDENT pro tempore. The committee amendment not agreed to will be stated.

The LEGISLATIVE CLERK. On page 8, beginning at line 10, it is proposed to strike out:

> (c) The President shall appoint, by and with the advice and consent of the Senate, three additional district judges for the eastern district of Pennsylvania. The first three vacancies occurring in the office of district judge in said district shall not be filled.

Mr. SCOTT. Mr. President, the provision for adding three temporary judges to the eastern district of Pennsylvania was opposed by me in the Committee on the Judiciary for very good and sufficient and well-warranted reasons.

In the first place, I am glad to note that these judgeships are temporary in nature. The normal history of temporary appointments is that we later receive, in the Judiciary Committee, a request that they be made permanent.

If I had to act on that question at this time I would certainly oppose any such judgeships being made permanent. The workload in the future might cause me to change my mind.

My reasons for moving to strike these judgeships, as the committee did, were that, first of all, no hearings had been held on the bill. Second, the minority members of the committee, so far as I am aware, were not advised that the bill would come up until it appeared on our formal notice, served on us the day before. I, as a minority member, was not advised.

That notice, in turn, did not mention any additional judges in Pennsylvania.

Also, there had been no information furnished me by the judges of the District Court of the Eastern District of Pennsylvania, or by the bar association or its chairman or anyone else, indicating the necessity for the three additional judges. I was expected to approve a recommendation which would cost about $150,000 and upward a year for the salaries of these three judges and for various additional court employees.

I was faced also with the problem that our present courthouse does not have sufficient accommodations for additional courtrooms. There has been much delay in the matter of erecting a new courthouse.

Therefore, I did not feel that I was called upon, on the basis of receiving no information whatever, or the courtesy of any advice from any person, to agree that the workload would justify the appointment of these judges.

I also felt that the Judicial Conference owed a responsibility, and, in my judgment, an obligation, to advise the Senators from Pennsylvania of their recommendation in ample time for the Senators to inform themselves of the need for these additional judges.

I have since been advised by the judges of the eastern district that they had known since March of the intention of the Judicial Conference to make these recommendations. I asked why I was not advised, and I was told that they had been put under a seal of confidence by the Judicial Conference; in other words, the Senate, which is expected to act upon judgeships, and the Senators from the Commonwealth of Pennsylvania involved who are expected to act upon the information, were carefully excluded, or at least the junior Senator from Pennsylvania was carefully excluded, from receiving that information. I objected to the secretive nature of the action.

I do not object to the members of the Judicial Conference themselves. I have the highest regard for Judge Biggs, who has been a remarkably fine judge, and is a personal friend of mine.

I again serve notice that if the Judicial Conference attempts to put members of the bench of the Federal courts in the Commonwealth of Pennsylvania under a seal of confidence, so that they cannot advise us of what they have said and what the Judicial Conference has indicated it will do in the matter of judgeships, I shall in the future, as I did in this case, oppose the addition of any judges to the Federal bench from the Commonwealth of Pennsylvania.

This is not a way for the Judicial Conference to act. It has our respect, and we rely upon it. We cannot rely upon it fully unless it deals with us on the same basis of confidence with which they deal with the judges in the courts affected.

When I made some of these statements following the meeting of the Committee on the Judiciary, I received letters from various individuals in the Philadelphia area, but the letters were addressed to the senior Senator from Pennsylvania, with a carbon copy being sent to me.

I did not reply to these letters because I expect to have mail intended for my information to be addressed to me. This may seem small and minute, but I believe every Member of the Senate prefers to be addressed directly as a Senator by those who write to him.

I again serve notice that any attempt to furnish information to me by carbon copy will not be attended to by this Senator from Pennsylvania.

Having learned of my opinion, various members of the bench in Pennsylvania began to send original letters speaking in terms of the proper administration of justice. I agree with them. Many of the judges were appointed after long, active and worthwhile careers in political life. I am glad that they have discarded their recollections of the past and are interested purely in justice.

Because of that fine attitude—and I commend them—I advised them that I, too, was interested in justice, and particularly interested in the bipartisan administration of the courts of this land.

I had some correspondence with the distinguished chairman of the Philadelphia Bar Association, Mr. Marvin Comisky, an able and distinguished lawyer. I asked him whether the workload justified additional judges. He advised me that in his opinion it did. So did judges now serving on that bench. I addressed to the chancellor of the Philadelphia Bar Association a letter in which I asked him to answer certain questions.

I ask unanimous consent to have printed at the conclusion of my remarks my letter to the chancellor of the bar association and his reply to me.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SCOTT. In my letter I ask the chancellor eight questions. I concluded by saying:

> As a member of the Judiciary Committee of the U.S. Senate, I am full well aware of the importance of judgeships to the proper functioning of our democratic society. This is why I wish to give the same time and mature thought to judgeships as I try to give to all important problems which come before me.

The chancellor was good enough to reply in detail. He said:

> As chancellor, I make the following answers:
>
> 1. Question: That a Senator should approve additional judges with no information from the Department of Justice on the need for these judges?
>
> Answer: No. However, there is a real need for additional judges, and we hope the relevant statistics, some of which were contained in my letter—

Referring to an earlier letter—

> will now be presented for your review and analysis.
>
> 2. Question: That a bill of this importance should be decided without holding hearings and within 30 minutes?
>
> Answer: No. Again this is a matter for mature and serious consideration.
>
> 3. Question: That judgeships should be made so political that only one party is awarded these positions?
>
> Answer: The Philadelphia Bar Association has for years supported the "sitting judge principle," which is not political and is based upon bipartisan support for qualified jurists whether they were elected as Democrats or Republicans or whether they were elevated to the bench by Republican or Democratic governors. We are concerned with qualified judges, not with party affiliations which are the responsibility of the appointing authority.
>
> 4. Question: That 14 judgships since January 20, 1961, in Pennsylvania should have gone to just one political party?

The number is 14. A present vacancy exists, and the addition of 3 judges would raise the number to 18 should the same conditions endure in addition to reporting posible vacancies in the near future in the circuit court of appeals.

The other questions explain themselves.

> 7. Question: That Governor Scranton is correct when he appoints outstanding State judges chosen from both political parties.
>
> Answer: Yes.

I might add that certain recent designations by our Governor were made equally, or were announced as intended to be made equally, 5 to 1, one lawyer from one political party and five from another.

Mr. President, since with some difficulty I have received the information that the workload justifies additional judges, I shall not ask for the yeas and nays. I shall not further delay the progress of the bill. But I believe I should serve notice that many in government as well as outside have agreed with the position I have taken. One Member of this body, not a Senator from Pennsylvania, formerly associated with the Governor, said some years ago that there should be several judges appointed by the Justice Department of the Republican faith in the Commonwealth of Pennsylvania.

Comment has been made in my Commonwealth that my position is partisan. I find no fault with that statement, because the editorial goes on to say that "Senator SCOTT has a case, and he has made out his case." What he is asking is that there be some bipartisanship. To that extent, I have made a partisan statement. The major partisanship, in my judgment, occurs when one party assumes the position that it can find no lawyers in our Commonwealth of the Republican faith to designate as members of the judiciary.

Therefore, I sincerely hope that after the bill passes, no appointments will be recommended by the Department of Justice without equal consultation with the senior Senator from Pennsylvania and the junior Senator from Pennsylvania. The junior Senator from Pennsylvania is a member of the Committee on the Judiciary, and he will feel very much hurt indeed if he is not supplied with such information as is necessary for him to make a proper judgment as to the qualifications of members to be appointed to the bench from Pennsylvania; and since the chancellor of the bar association has suggested that the junior Senator from Pennsylvania use mature thought and perhaps due deliberative speed, the junior Senator from Pennsylvania desires to be extremely careful and would want to consume whatever time might be necessary to consider how best we should staff with well qualified lawyers the Federal courts of Pennsylvania. I am sure that no Senator would disagree with my view that maturity of thought is a responsibility of a Senator.

I conclude my statement with these friendly remarks.

EXHIBIT 1

JUNE 10, 1965.

MARVIN COMISKY, Esq.,
Chancellor, Philadelphia Bar Association, Suburban Station Building, Philadelphia, Pa.:

Am in receipt of your telegram urging additional judgeships for the District Court for the Eastern District of Pennsylvania. Respectfully request your opinion on following points:

As chancellor, do you feel:

1. That a Senator should approve additional judges with no information from the Department of Justice on the need for these judges?
2. That a bill of this importance should be decided without holding hearings and within 30 minutes?
3. That judgeships should be made so political that only one party is awarded these positions?
4. That 14 judgeships since January 20, 1961, in Pennsylvania should have gone to just one political party?
5. That justice is best served when judges, learned in the law, are chosen from both political parties?
6. That President Eisenhower was right during his tenure in office when he appointed distinguished Federal judges from both political parties?
7. That Governor Scranton is correct when he appoints outstanding State judges chosen from both political parties?
8. That appointments so vital to the citizens of Pennsylvania as judgeships (as you correctly stated in your telegram) should be thrust in front of a Senator for a decision within 30 minutes, but with no advance notice whatsoever of the bill itself?

As a member of the Judiciary Committee of the U.S. Senate, I am full well aware of the importance of judgeships to the proper functioning of our democratic society. This is why I wish to give the same time and mature thought to judgeships as I try to give to all important problems which come before me.

HUGH SCOTT,
U.S. Senator.

PHILADELPHIA BAR ASSOCIATION,
Philadelphia, Pa., June 17, 1965.

Hon. HUGH D. SCOTT, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR SCOTT: We respectfully reply seriatim to your telegram. Perhaps one or more of your questions may have been largely answered by my letter to you dated June 10, which I know you did not receive until after your telegram was sent to me.

As chancellor, I make the following answers:

1. Question: That a Senator should approve additional judges with no information from the Department of Justice on the need for these judges?

Answer: No. However, there is a real need for additional judges and we hope the relevant statistics, some of which were contained in my letter, will now be presented for your review and analysis.

2. **Question:** That a bill of this importance should be decided without holding hearings and within 30 minutes?

Answer: No. Again, this is a matter for mature and serious consideration.

3. **Question:** That judgeships should be made so political that only one party is awarded these positions?

Answer: The Philadelphia Bar Association has for years supported the "sitting judge principle," which is nonpolitical and is based upon bipartisan support for qualified jurists whether they were elected as Democrats or Republicans or whether they were elevated to the bench by Republican or Democratic governors. We are concerned with qualified judges, not with party affiliations which are the responsibility of the appointing authority.

4. **Question:** That 14 judgeships since January 20, 1961, in Pennsylvania should have gone to just 1 political party?

Answer: We respectfully submit that the answer to question 3 is equally applicable here.

5. **Question:** That justice is best served when judges, learned in the law, are chosen from both political parties?

Answer: The Philadelphia Bar Association's sole interest is in the effective and proper administration of civil and criminal justice. In screening candidates for judicial appointment, the association's judiciary committee takes into consideration only those factors bearing on judicial qualifications. I know there are qualified applicants in each of the political parties for almost all judicial vacancies.

6. **Question:** That President Eisenhower was right during his tenure in office when he appointed distinguished Federal judges from both political parties?

Answer: The Philadelphia Bar Association took no official position then nor should it now. The decision of President Eisenhower did receive the acclaim of the American Bar Association and, I believe, at that time Bernard G. Segal, a former chancellor of the Philadelphia Bar Association, was chairman of the American Bar Association's Standing Committee on the Federal Judiciary.

7. **Question:** That Governor Scranton is correct when he appoints outstanding State judges chosen from both political parties?

Answer: Yes.

8. **Question:** That appointments so vital to the citizens of Pennsylvania as judgeships (as you correctly stated in your telegram) should be thrust in front of a Senator, for a decision within 30 minutes, with no advance notice whatsoever on the bill itself?

Answer: We respectfully submit that the answer to questions 1 and 2 are equally applicable here.

In conclusion, may I restate that in my opinion based upon the experience of the bar as well as the available statistics, there is real need for the additional judgeships. We earnestly invite your reconsideration and hopefully your approval.

Respectfully,

MARVIN COMISKEY,
Chancellor.

Mr. TYDINGS. I thank the Senator from Pennsylvania. I am delighted to accept the suggestion of the senior Senator from Pennsylvania, which in effect would restore the three temporary judgeships for the eastern district of Pennsylvania, judgeships which were originally recommended by the Judicial Conference.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CLARK. As a procedural matter and as a parliamentary inquiry, I should like to ask whether it would not be proper procedure for the committee amendment to be withdrawn.

The ACTING PRESIDENT pro tempore. Unanimous consent would be required to withdraw the amendment.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the committee amendment beginning on page 8, line 10, to page 9, line 4, be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. SCOTT. Mr. President, reserving the right to object—and I shall not object—I wish to have the RECORD show at this point in the proceedings of the Senate that I could have objected.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is withdrawn. The bill is open to further amendment.

Mr. TYDINGS. Mr. President, I offer amendments which I send to the desk and ask to have stated.

The ACTING PRESIDENT pro tempore. The amendments of the Senator from Maryland will be stated.

The LEGISLATIVE CLERK. On page 1, lines 4 and 5, it is proposed to strike out "one additional circuit judge for the fourth circuit" and insert in lieu thereof "two additional circuit judges for the fourth circuit."

On page 1, lines 5 and 6, it is proposed to strike out "one additional circuit judge for the sixth circuit" and insert in lieu thereof "two additional circuit judges for the sixth circuit."

On page 1, line 6, it is proposed to strike out "and".

On page 1, line 7, before the period it is proposed to insert a comma and the following: "and one additional circuit judge for the eighth circuit".

On page 2, it is proposed to strike out the table between lines 2 and 3 and insert in lieu thereof the following:

Circuits	*Number of judges*
* * * *	*
4th	7
* * * *	*
6th	8
7th	8
8th	8
* * * *	*

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendments of the Senator from Maryland.

Mr. TYDINGS. Mr. President, the original report of the Judicial Conference on Senate bill 1666, which was adopted by the committee, provided for one new judge for the Court of Appeals for the Fourth Circuit, one new judge for the Court of Appeals for the Sixth Circuit, and one new judge for the Court of Appeals for the Seventh Circuit. A study and analysis of the caseload and the workload and the pending cases in the fourth and sixth circuits, as well as in the eighth circuit, for which no recommendation was made in the original report, indicate that the fourth, sixth, and eighth circuits should have, in order properly to handle their caseload, one additional judge over and above the number specified by the committee in Senate bill 1666.

The fourth circuit had the highest percentage of increase in number of cases of any circuit in the United States between 1960 and 1964. There has been a 108.5-percent increase in the number of cases pending in that circuit in the past 4 years.

The sixth circuit has the second highest rate of increase of pending cases in the United States from 1960 to 1964—82.3 percent.

Mr. BASS. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BASS. I express personal appreciation to the Senator from Maryland and the members of the Committee on the Judiciary for providing an additional judge for the sixth circuit, which considers cases in Tennessee. My senior colleague [Mr. GORE] has been discussing the situation with members of the committee in order to accomplish this result. We believe that an additional judge is vitally necessary to handle the heavy caseload of the sixth circuit. We appreciate the action of the committee.

Mr. TYDINGS. I thank the Senator from Tennessee.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. COOPER. May I ask if the additional judgeships which the Senator is proposing in the amendment were recommended by the Judicial Conference?

Mr. TYDINGS. They were not. They are recommendations I have made as a result of a study of the situation existing in these three circuits. The number is above the number recommended by the Judicial Conference.

Mr. COOPER. Two Federal judgeships would be provided by the amendment for the sixth circuit.

Mr. TYDINGS. Yes.

Mr. COOPER. My State is in the sixth circuit and I know additional judgeships are needed. As the committee accepted the recommendation of the Judicial Conference I believe that we should stand by the Judicial Conference recommendations. Although two additional judges may be needed in that circuit—I do not know—the Judicial Conference recommended only one. Other judgeships would be created by this amendment. I feel that the recommendations of the Judicial Conference and the committee deserve respect. I do not believe it proper procedure to create judgeships on the floor of the Senate. This could be subject to great abuse. For that reason, I shall have to vote against the amendments.

Mr. HART. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HART. When the bill was discussed in committee, I suggested that there was a basis for appointing an additional judge for the sixth circuit. I am delighted that the Senator in charge of the bill, after an analysis, makes the recommendation of an additional judge for the sixth circuit. I feel that that would be desirable.

Mr. President, I ask unanimous consent to have printed in the RECORD a resolution by the Judicial Council of the Sixth Circuit and a resolution by the members of the bar who were members of the 26th Annual Conference of the Sixth Circuit. The resolutions demonstrate vividly the necessity for a second judge.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION OF JUDICIAL COUNCIL OF THE SIXTH CIRCUIT

Whereas the caseload in the U.S. Court of Appeals for the Sixth Circuit is increasing substantially from year to year. A total of 561 appeals were docketed during the fiscal year 1964, an increase of 147 appeals and 36 percent over 1963; and

Whereas the docketing of cases for the first 5 months of the fiscal year 1965, beginning July 1, 1964, shows a substantial increase over the corresponding months of 1964 and 1963. If this volume continues for the balance of the current fiscal year, there will be a total of 700 or more appeals docketed during the 1965 fiscal year, approximately double the number docketed in 1960. The number of appeals docketed per month during 1953, 1954, 1955, 1963, 1964, and the first 5 months of the fiscal year 1965 are as follows:

	1965	1964	1963	1955	1954	1953
July	55	40	27	24	24	19
August	55	59	46	24	25	24
September	73	26	33	22	36	18
October	43	43	31	20	32	33
November	43	37	32	16	14	24
December	------	49	30	27	24	18
January	------	53	34	25	27	16
February	------	45	29	18	16	34
March	------	57	32	46	32	31
April	------	50	41	24	29	41
May	------	57	37	38	19	23
June	------	45	38	34	28	23
Total	269	561	410	318	306	304

Whereas the omnibus bill of 1961 added six new permanent district judgeships and two new temporary judgeships in the sixth circuit, an increase of approximately one-third in the number of district judges in the court of appeals. In addition to the new district judges appointed under the omnibus bill, there have been several senior district judges in the sixth circuit who have carried a considerable workload. From 1939 to date there have been only six authorized circuit judges on the court of appeals for this circuit; and

Whereas the volume of cases per judgeship has more than doubled during the past 15 years, having increased from 40 in 1950 to 93 in 1964. The 93 cases per judgeship in 1964 compared to an average of 77 in all circuits and was exceeded only by the fifth circuit. The comparison with the other comparable circuits for the fiscal year 1964 is as follows:

Circuit	Number of authorized judges	Cases per judgeship
3d	8	57
6th	6	93
7th	7	66
8th	7	50
10th	6	70

The total number of cases filed, terminated, and pending in the sixth circuit and comparable circuits for the fiscal years 1960 through 1964 is as follows:

	Filed	Terminated	Pending
3d circuit:			
1960	296	294	144
1961	334	309	169
1962	437	352	254
1963	410	384	280
1964	457	473	275
6th circuit:			
1960	306	283	199
1961	340	324	215
1962	412	347	280
1963	411	378	313
1964	561	449	422
7th circuit:			
1960	329	298	140
1961	328	320	148
1962	394	333	209
1963	434	419	224
1964	464	446	242
8th circuit:			
1960	237	226	127
1961	246	243	130
1962	297	262	165
1963	290	269	186
1964	349	343	192
10th circuit:			
1960	234	222	135
1961	286	279	142
1962	288	275	155
1963	313	331	137
1964	418	325	230

Whereas the six circuit judges of the sixth circuit carried an extremely heavy workload during the fiscal year 1964. Four judges heard from 139 to 146 cases each. The chief judge of the court heard 115 cases, in spite of the fact that he was incapacitated for 3 months and was absent one term because of a heart attack. The sixth member of the court took his oath of office on December 20, 1963, and heard 89 cases between that date and June 30, 1964. The highest number of cases heard by any judge on comparable circuits was as follows: Third circuit, 108; seventh circuit, 112; eighth circuit, 94; tenth circuit, 114; and

Whereas in addition to the heavy workload carried by its six circuit judges, the Court of Appeals for the Sixth Circuit during the 1964 fiscal year used the services of the 1 senior judge of the circuit who is physically able to serve, and who heard 66 cases, 1 senior judge from another circuit, and 16 district judges. This practice of calling for assistance from district judges interferes with their regular work in disposing of their own congested dockets. For example, Judge John W. Peck, judge of the U.S. District Court for the Southern District of Ohio, who has a heavily congested docket of his own, heard 31 cases on the court of appeals during the fiscal year 1964; and

Whereas during the fiscal year 1964 the court disposed of 449 cases, more than any previous year of its history, and in addition handled 92 miscellaneous matters; yet it fell further behind in its caseload and had 442 cases pending as of June 30, 1964. The median time interval from the filing of the complete record to final disposition during the fiscal year 1964 was longer in the sixth circuit than an in any other circuit; and

Whereas in addition to their regular duties, the circuit judges of the sixth circuit served as members of statutory three-judge district courts in a substantial number of cases including reapportionment and other difficult actions; and

Whereas the Judicial Council for the Sixth Circuit heretofore has requested that provision be made by the Congress for one additional judge, or an increase from six to seven authorized circuit judges on the court. It is now apparent that seven judges will not be sufficient to carry the case load, and that two additional judges will be required: Now, therefore, be it

Resolved by the Judicial Council for the Sixth Circuit, That it is the considered judgment of this council that the number of authorized judges on the Court of Appeals for the Sixth Circuit should be increased from six to eight; and be it further

Resolved, That the chief judge of this circuit is authorized to furnish copies of this resolution to the Committees on Court Administration and Judicial Statistics of the Judicial Conference of the United States, and to the Director of the Administrative Office of the U.S. Court; and to take all appropriate steps to effectuate the addition of two circuit judges to the Court of Appeals for this Circuit.

RESOLUTION ADOPTED AT A MEETING OF MEMBERS OF THE BAR WHO ARE MEMBERS OF THE 26TH ANNUAL CONFERENCE, SIXTH JUDICIAL CIRCUIT OF THE UNITED STATES, HELD MAY 6, 7, AND 8, 1965, AT CINCINNATI, OHIO

Whereas this meeting of members of the bar who are members of this conference has reviewed and considered a six-page resolution adopted by the Judicial Council for the Sixth Circuit on December 3, 1964; such resolution concluding and resolving that it was the considered judgment of such council "that the number of authorized judges on the Court of Appeals for the Sixth Circuit should be increased from six to eight," and "that the chief judge of this circuit is authorized to furnish copies of this resolution to the Committees on Court Administration and Judicial Statistics of the Judicial Conference of the United States, and to the Director of the Administrative Office of the U.S. Courts; and to take all appropriate steps to effectuate the addition of two circuit judges to the court of appeals for this circuit"; and

Whereas the number of appeals docketed this year continues to exceed the number of appeals docketed in any prior year, and based upon the first 9 months of the current year, the number of appeals docketed this year will be double the number docketed 10 years ago; and

Whereas although the circuit judges of this circuit individually have heard substantially more cases than the judges of any other circuit, and although they also have enlisted such aid and assistance as circumstances have permitted, the number of cases pending continues to increase and such number is now substantially greater than in any comparable circuit; and

Whereas the median time interval from the filing of the complete record to final disposition also continues to increase and such time interval is now longer than in any other circuit; and

Whereas the constantly increasing number of pending appeals, and the progressively extended delay in the disposition of the same, invites and encourages the filing of questionable and trivial appeals solely for the purpose of delay, thus compounding the problems faced by the court of appeals; and

Whereas the effective and expeditious administration of justice in this circuit is substantially impaired and seriously jeopardized by the lack of an adequate number of judges on the court of appeals: Now, therefore, be it

Resolved, That it is the considered judgment of the members of the bar present at this 26th Annual Conference of the Sixth Judicial Circuit of the United States that the number of authorized judges on the Court of Appeals for the Sixth Circuit should be increased from six to not less than eight; and be it further

Resolved, That copies of this resolution be forwarded to the Committees on Court Administration and Judicial Statistics of the Judicial Conference of the United States, to the Director of the Administrative Office of the U.S. Courts, to the U.S. Senators and Members of the House of Representatives representing the four States comprising the sixth circuit, to the chairmen of the Judiciary Committees of the U.S. Senate and House of Representatives; and that each person present at this meeting take all appropriate steps to effectuate the addition of at least two circuit judges to the court of appeals for this circuit.

Mr. TYDINGS. Mr. President, no new circuit judges were appointed for the sixth circuit in 1961. The median time involved in the sixth circuit from the hearing of a case to its conclusion is more than double the median time for the United States. The sixth circuit has the second highest rate of increase in caseload in the past 4 years—82.3 percent. The sixth circuit did not receive a new judge in 1961.

Mr. COOPER. I read about the caseload. What reason did the Judicial Conference ascribe for providing only one new judge?

Mr. TYDINGS. I believe the Judicial Conference recommended one for the same reason I am recommending two—that additional help is needed. I feel that two new judges are needed. The Judicial Conference report is a basis for recommendation, but I do not believe the Judicial Conference is infallible. For the reasons I have stated, I believe two additional judges are needed.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. LAUSCHE. What has happened between June 9, when the bill was reported recomending that only one judge be appointed in the sixth circuit, and today, when it is suggested that there be two? Only 21 days have passed, and the judgment of the committee has changed. What indication is there now that two judges are needed that the committee did not have on June 9, when it recommended only one judge?

Mr. TYDINGS. At the time of the committee hearing, it was understood that a number of amendments would be offered by various Senators, including, as I recall, the Senator from Kentucky [Mr. Cooper] requesting Federal judges above the number encompassed in the Judicial Conference report. On principle, I opposed them all, with one exception, with the proviso that I would attempt to study any additional information and that if, in my judgment, I felt it was fair, I would offer on the floor of the Senate, at the time the bill was considered, an amendment to provide an additional judge where I felt the statistics and the facts supported such an addition. This is the exception.

Mr. LAUSCHE. It appears odd to me that the judgment has changed in 21 days. When the committee made its recommendations 21 days ago, it said that only one additional judge was needed in the sixth circuit. Today it is suggested that two are needed. I point out that Judge Cecil, of the sixth circuit, has tendered his resignation and will go on the retired list, with the statement accompanying his resignation that he will continue to serve in the capacity of a sixth circuit judge on the retirement list.

It is rather odd that I have not been consulted about this proposal. This morning I was asked whether there were to be two additional circuit judges in the sixth circuit. My answer was that I knew of no purpose of establishing two, but that I understood an amendment would be offered by a certain Senator.

I am in a rather difficult position, especially so since I had asked the Senator from Maryland earlier today whether the recommendation regarding sixth circuit judges conformed with the recommendation of the Judicial Conference.

Mr. TYDINGS. With respect to the district courts, it does.

Mr. LAUSCHE. The bill as reported conforms with the recommendation of the Judicial Conference as to circuit judges. I felt contented that I was not asking to have an additional judge nominated. I asked the question to demonstrate that the bill as reported was in accordance with the study made by the Judicial Conference. Now, instead of the conference report being followed, a proposal is submitted today for another judge.

I suppose I ought to support the amendment. I could recommend a new judge and gain prestige by the recommendation. If the Judicial Conference means anything, I believe that it has been constituted to study the caseload and to ascertain the time that elapses between the formation of the issues and the eventual disposition of the case. So the Judicial Conference ought to be accorded the trust that it was intended to have in the beginning.

I shall oppose the creation of another judgeship in the sixth circuit because the Judicial Conference committee and the Judicial Council have not recommended it.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. MORSE. So far as the senior Senator from Oregon is concerned, neither the Judicial Conference nor the American Bar Association is going to legislate for him in the selection of judges for the Federal courts. It is one thing to have the Judicial Conference and the American Bar Association submit recommendations; but I do not propose to abdicate my responsibilities as a Senator and substitute for them the judgment of others.

Furthermore, on the basis of some of my past experience with both the Judicial Conference and the American Bar Association, we as Members of Congress had better keep them in a status of recommending, not legislating.

Mr. TYDINGS. I thank the Senator from Oregon.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BREWSTER. Mr. President, I congratulate my distinguished colleague for the very able manner in which the judgeship bill is being presented to the Senate.

I note with interest that additional judgeships are to be provided in the fourth circuit.

It is our obligation in Congress to provide the legal machinery by which litigants can have able and quick adjudication of their disputes. We are doing this now by virtue of the action of the Committee on the Judiciary and my very able colleague.

I commend the junior Senator from Maryland. On behalf of the people who reside in the State of Maryland, I thank the Senator.

Mr. TYDINGS. I thank the senior Senator from Maryland.

U.S. CONFERENCE OF MAYORS SUPPORT FEDERAL AID FOR IMPROVED LOCAL LAW ENFORCEMENT TRAINING

Mr. JAVITS. Mr. President, I ask unanimous consent that a resolution of the U.S. conference of mayors endorsing Federal support for improved police training, in line with S. 1409, which I introduced, along with Senators Kuchel, Case, Fong, and Scott be printed at this point in the Record. S. 1409, entitled the "State and Local Law Enforcement Assistance Act of 1965," would provide a Federal matching grant-in-aid program to assist in the improvement of training, education, and recruitment of local and State police officers. The Senator from Michigan [Mr. Hart] has introduced a similar bill which is pending before the Judiciary Committee.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution on Local Law Enforcement Assistance

Whereas our cities have increasingly been faced with a higher crime rate than rural areas; and

Whereas during the last decade 80 percent of the growth of our population has occurred in metropolitan areas; and

Whereas Census Bureau data reveals that 54 percent of the families with incomes of less than $3,000 and over three-fourths of the unrelated single individuals with similar incomes live in urban areas; and

Whereas progress has been made by local government in strengthening and in improving local law enforcement as evidenced by the increase in numbers of personnel, the growing number of local police training academies and the increasing number of hours devoted to both recent and inservice training; and

Whereas there is need for further expansion of police training and improvement in local law enforcement techniques; and

Whereas the experimentation, research and development as well as demonstration projects that are needed in this field is beyond the resources of most individual cities: Now, therefore, be it

Resolved, That the U.S. conference of mayors endorses Federal financial support for improved police training and increased efforts at developing citizen support for local law enforcement; and be it further

Resolved, That all local government be encouraged to expand their police-community relations programs as a basis for enlarging citizen understanding and cooperation with local law enforcement agencies.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

The Senate resumed the consideration of the bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes.

Mr. TYDINGS. Mr. President, the eighth circuit had no additional judgeship created in 1961. The caseload has increased from 232 in 1953 to 349 in 1963.

In the 4 years since 1961, the caseload in the eighth circuit has increased by some 47.2 percent. The number of cases pending in the eighth circuit has increased from 116 in 1954 to 192 in 1964, a total of more than 70 percent.

I felt that an additional judgeship was desirable for the eighth circuit.

I yield to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I thank the distinguished Senator from Maryland.

His statement confirms something that I intended to suggest for the record. When the bill was enacted in 1961, I checked at that time, being a member of the Committee on the Judiciary, and ascertained that the judges on the eighth circuit felt that they did not need another judge. For that reason, I made no request at that time for the creation of an additional judgeship.

Subsequently, possibly 6 months ago, someone informed me that conditions have now changed and that they do need another judge on that circuit. I had forgotten this matter at the time this bill was being considered and when it was reported by the committee.

Later, I asked the distinguished Senator from Maryland to check out the information which I had supplied him to indicate that an additional judge was badly needed on that circuit. I am very glad that the Senator found my information to be correct and that the need for an additional judgeship does exist. Therefore I am pleased that an additional judge for that circuit has been included in his amendment.

I hope that the amendment will be agreed to. I have never sought a judgeship for a district court or a circuit court of appeals, unless there has been an absolute need for it.

When the bill came up in 1961, we foresaw a developing need for an additional district judge in Arkansas. I thought that it would probably be another 10 years before an omnibus judgeship bill would be before us again. I asked the committee to recommend an additional judgeship for Arkansas, contingent on the appointment being made when the need arose. That judge has not yet been appointed. However, he will be appointed soon because the need has now developed to the point where it is becoming acute.

Mr. TYDINGS. Mr. President, I yield to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I confirm what the Senator from Arkansas has said concerning the need of an additional judge for the eighth circuit.

It had come to my attention that the manner in which the eighth circuit keeps its statistics differs from the statistical method used in other circuits.

Habeas corpus cases and proceedings under section 2255 of the Criminal Code are not included in the formal docket in the eighth circuit. These cases are substantial in number and have increased in number over the last few years. They are handled, in the main, directly by the chief judge of that circuit. He feels that, by handling those cases in that fashion, a great deal of time, procedural entry, and paperwork is avoided.

I ask the chairman of the subcommittee whether, if the statistics on habeas corpus cases and proceedings under section 2255 were added to the cases on the docket, it would make a difference in the rating of the Judicial Conference as to the priority for an additional judgeship.

Mr. TYDINGS. I believe that is a very fine point. There is no question in my mind that, had those statistics been added, the Judicial Conference would have recommended an additional judgeship when they submitted their report for the eighth circuit. The point that the Senator from Nebraska has made is very cogent and important.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. EASTLAND. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Does the Senator yield for that purpose?

Mr. TYDINGS. I yield for that purpose.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR BREWSTER URGES SETTLEMENT OF NCAA–AAU DISPUTE

Mr. BREWSTER. Mr. President, events over the weekend and yesterday have illustrated the serious situation which confronts those of our collegiate athletes who wish to represent the United States in international competition.

On Sunday, Gerry Lindgren, the fine runner from Washington State University, competed in a meet at San Diego. He bettered the world record for the 6-mile run, and won a place on the team which will represent this country against the Russians at Kiev next month.

According to dispatches in today's Baltimore Sun and Washington Post, however, the National Collegiate Athletic Association wants Washington State University to take action against Lindgren, because the San Diego meet was not sanctioned by the NCAA.

The NCAA has further indicated that Washington State University may be punished itself if it does not take action against Lindgren.

Mr. President, the existing feud between the NCAA and the Amateur Athletic Union has had this result. One of our fine, record-setting—and patriotic—young athletes is about to be punished for trying to qualify to represent this country against the Russians. If Washington State University does not punish him, that great institution will be penalized itself—all this—to satisfy the selfish claims of one of our national athletic organizations.

I am not trying to fix the blame on either of the organizations involved. Both of them share the responsibility for the chaotic situation of amateur athletics.

I repeat what I said on the Senate floor last Friday.

I, and many other Senators, feel that it is a national disgrace not to have our finest athletes representing us abroad, or to punish them for trying to represent us abroad. It is up to the organizations involved to settle this bickering, and quickly. If they cannot, then Congress should take appropriate action.

Mr. JACKSON subsequently said: Mr. President, earlier today the distinguished senior Senator from the State of Maryland commented on the serious situation that confronts our Nation because of the dispute between two important athletic bodies, the Amateur Athletic Union and the National Collegiate Athletic Association.

He pointed out that Gerry Lindgren, a young man of 18 who is a freshman student at Washington State University, competed in an AAU-sponsored track and field meet at San Diego last week although it was not sponsored by the NCAA. It is reported in the press that young Lindgren may have jeopardized his collegiate standing because of this participation.

I believe it should be pointed out that Gerry Lindgren has amazing athletic credentials for a boy of his age. He was the first American to defeat the Soviets in long-distance running while still a student at John Rogers High School in Spokane. He was a member of the U.S. Olympic team in Japan.

By participating at San Diego, where he established a new record in the 6-mile run, Gerry Lindgren earned a trip to Kiev where he will again challenge Soviet runners next month.

I would like to quote from a letter I have received from this young Olympian:

> When I started running track some 4 years ago, I wanted only to be an inspiration to distance running in America. We've always had a bad record in America because we couldn't produce distant runners. The Communist world has given us the name "lazy Americans" because they have always been so superior to us. In the first annual United States versus U.S.S.R. track and field meet in Philadelphia, both Americans had to drop out of the 6-mile run because of exhaustion; a big victory for the Russians to say the least.
>
> Last summer I had the good fortune to defeat the Russians in the United States versus U.S.S.R. track meet for the first time. Since that time, the United States placed first in the 10,000 meter run in the Tokyo Olympiad. I have received many letters from potential runners wanting to know how to train for distance running, and from mothers of potential runners wanting to know how they can help. Everywhere I go now I see people running. I can't help but feel proud that I have been a small part of this new move in America for a desire to win.

Mr. President, I cannot believe that Gerry Lindgren will be penalized in his collegiate athletic career because of his participating with our American team abroad.

I believe that this long-time dispute between the AAU and the NCAA must be resolved. I would not want to take sides. But there must be some areas of compromise that can assure the United States its strongest representation in international events without subjecting the participants to discipline on their campuses.

President Kennedy, calling upon the late Gen. Douglas MacArthur, helped in resolving a dispute between these same groups prior to the 1964 Olympics. But must the President of the United States constantly be called upon to correct these disputes on each occasion?

It strikes me that both the NCAA and the AAU must meet and negotiate these differences so that young men such as Gerry Lindgren can utilize their talents in world competition without sanction.

This has been a distressing situation for a number of decades, and these men who administer our Nation's amateur athletics must now demonstrate the same willingness to uphold America's standards as does the young men from my State.

Mr. MAGNUSON subsequently said: Mr. President, I concur in Senator JACKSON's statement. Gerry Lindgren, a young athlete from Spokane, Wash., and a student at Washington State university broke the World record for 6 miles last Saturday.

Because this meet was not sanctioned by the NCAA, he and his university were subject to penalties imposed by this organization. Gerry was not running for personal glory but for his country.

If he did not compete and qualify in this meet he could not gain a berth to compete against the Russians this month. Because of his desire to advance this country's image, he entered and won this berth even if it meant loss of his scholarship.

Yesterday the NCAA said they would not impose any penalties against Gerry or his university—today it is a different story.

Mr. KENNEDY of New York subsequently said: Mr. President, last year I had the privilege of being in attendance at the American-Russian track meet in Los Angeles and seeing Gerry Lindgren, of Spokane, Wash., score his incredible upset over the Russians. This young man has again done the unexpected and with great courage has defied the National Collegiate Athletic Association by running in an Amateur Athletic Union meet so that he could represent our country against the Russians this summer in Kiev.

The NCAA and the AAU have been locked in a silly and destructive dispute in recent years which has disrupted our track program, caused great harm to many young men, and done no credit to either organization.

To prevent this dispute from ruining our team which was to represent the United States at the Olympic games in Tokyo last year, President Kennedy had to exert considerable pressure to persuade the leaders of the AAU and the NCAA to sit down with General MacArthur who, after considerable difficulty, was able to arrange a truce until after the Olympic games. Immediately after the Olympic games, the dispute resumed and I was most distressed this morning to read that the NCAA may take action to penalize Gerry Lindgren for entering the AAU meet. There is some indication that the NCAA may wait until the fall and penalize Gerry Lindgren's school Washington State College, and, in effect, prevent Gerry Lindgren from competing for Washington State.

The NCAA has no business and no right to penalize Jerry Lindgren, or any athlete, for wishing to represent his country. I join with Senator Jackson in calling the situation to the attention of the Senate and I call upon the NCAA to say here and now that it will not penalize Jerry Lindgren or his school. That is the least it can do.

What it can and should do, and what the AAU can and should do, is resolve this dispute before there is further threat to the careers of our young athletes. The country is being hurt, track is being hurt, but most of all and most important of all, many fine young men are being hurt through no fault of their own.

There have been suggestions that the way out of this impasse is for the Government to establish a sports organization. I have some reservations about this, but I certainly think that as time goes by and the NCAA-AAU dispute deepens to the point where a boy like Jerry Lindgren may be penalized for wishing to represent his country against the Soviet Union, then I think that perhaps the time is here for the Congress to look into this alternative very closely.

MOBILE TRADE FAIRS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 367, H.R. 4525.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 4525) to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an extract from the report on the bill (Rept. No. 380) be printed in the RECORD at this point.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to extend for 3 years the expiration date of the mobile trade fairs program administered by the Secretary of Commerce.

LEGISLATIVE BACKGROUND

The mobile trade fairs program was initiated under Public Law 87–839, approved October 18, 1962. It expires on June 30, 1965, unless extended. The Secretary of Commerce submitted a draft bill proposing the 3-year extension of the program on February 16, 1965. H.R. 4525 passed the House of Representatives on May 17. The Senate Subcommittee on Merchant Marine and Fisheries held hearings on the companion bill, S. 1772, on May 27. The legislation received the support of all agencies and Government departments concerned. No opposition was expressed either during the House of Representatives consideration of the bill or in the Senate committee hearing.

GENERAL DISCUSSION

Under the mobile trade fairs program, the Secretary of Commerce is authorized to encourage and promote the development and use of mobile trade fairs. The program is focused on showing and selling American industrial and agricultural products in foreign ports and trade centers served by American-flag vessels and aircraft.

The act specifically authorized the Secretary of Commerce to offer technical and financial assistance to the operators of mobile trade fairs in those instances in which the Secretary determines that such operations provide an economical and effective means of promoting U.S. exports. The Secretary has defined the kinds of expenses which would be defrayed by the Department to be limited to: (1) Expenses relating to the entrance and clearance of foreign ports of entry when they are directly attributable to the mobile trade fairs project; (2) advertising expenses incurred in the foreign countries for the purpose of attracting visitors to the fair; (3) expenses for exhibit space and facilities; and (4) transportation in the foreign countries and related services.

The present law authorizes an annual appropriation of $500,000. However, no funds were appropriated for the mobile trade fairs program for fiscal year 1963. An appropriation of $200,000 was made for the fiscal year 1964 and $400,000 for fiscal year 1965. In fiscal year 1964 the Department approved contracts in an aggregate amount of $177,000 and approved contracts for $346,000 for fiscal year 1965. In both fiscal years, applications for contracts substantially exceeded the amount of money available.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

The Senate resumed the consideration of the bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes.

Mr. TYDINGS. Mr. President, I understand the Senator from Ohio [Mr. LAUSCHE] has an amendment to offer.

Mr. LONG of Missouri. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield to the Senator from Missouri.

Mr. LONG of Missouri. Mr. President, I commend my able colleague from

Maryland, chairman of the Senate Subcommittee on Improvements in Judicial Machinery, for offering this amendment to provide sufficient manpower on the Court of Appeals level of our Federal judiciary.

It is most gratifying to witness in recent years the development across our country of a real concern for day-to-day justice. Traditionally, our Nation has prided itself over our system of justice. As a Nation, we possess a high sense of justice and have developed the world's finest processes for insuring justice. On the other hand, our justice has not necessarily been available to all on an equal basis. The poor have not enjoyed the same protections and treatment as the more well to do. It is in this area that we are now concentrating to improve the administration of justice. The vitality and validity of our democracy will be determined by our success in this endeavor to bring equal justice under law to all Americans. It is a tremendous challenge and will test our full abilities. The pending bill and the pending amendment are an integral part of this effort. The adequacy of judicial machinery is critical to our success. I have closely studied the data and information available and am convinced that the pending amendment is sorely needed particularly as it applies to the Eighth Circuit if we are to have the necessary judges to handle the work of our courts.

As of December 31, 1961, the Eighth Circuit Court of Appeals had 173 cases pending—by December 31 last year this pending caseload had risen to 252. This congestion seems to have resulted from several factors, first, the increasing number of appeals in both civil and criminal cases; second, the large number of appeals in cases filed under title 28, section 2255, State habeas corpus proceedings, and other miscellaneous matters; third, the change in the quality of cases—more protracted criminal cases and more hard-core civil cases.

There does not seem to be much hope for the reversal of this upward trend unless an additional judge is added to the court of appeals bench. The expansion of population, the enactment of the Criminal Justice Act, and the increasing petitions for review of decisions of governmental agencies all indicate a continual upward movement of the court's caseload.

Mr. President, I urge the Senate to approve this amendment and to approve the bill.

Mr. TYDINGS. I thank the Senator from Missouri.

AN ADDITIONAL JUDGE NEEDED IN EIGHTH CIRCUIT COURT OF APPEALS

Mr. McGOVERN. Mr. President, will the Senator from Maryland yield to me?

Mr. TYDINGS. I yield to the Senator from South Dakota.

Mr. McGOVERN. Mr. President, let me first commend the distinguished junior Senator from Maryland [Mr. Tydings] for his outstanding performance as chairman of the Subcommittee on Improvements in Judicial Machinery. As a former U.S. district attorney, he is keenly aware of the responsibilities and functions of the judicial system.

It is with special satisfaction that I cosponsor with Senator Tydings an amendment to the act which would create an additional permanent judgeship in the Fourth, Sixth, and Eighth Circuit Courts of Appeal. The junior Senator from Maryland has effectively stated the need for additional judges in all three circuits. Because I am especially familiar with the eighth circuit, which includes my own State of South Dakota, I shall confine myself to a discussion of the problems facing that court.

The situation in the eighth circuit today is critical. Statistics tell part of the story: The number of pending cases has increased from 173 on December 31, 1961 to 252 on December 31, 1964. But statistics cannot fully demonstrate the gravity of overloaded dockets. The great number of miscellaneous petitions, although time consuming in disposition, do not appear as docketed cases in the eighth circuit.

At this time, each of the seven judges of the Eighth Circuit Court of Appeals has a substantial backlog of cases. An overwhelming majority of the judges on this court feel that the addition of another permanent judge is absolutely necessary if justice is to be administered efficiently.

Mr. President, the causes of this critical problem are clear. There has been an increasing number of civil and criminal appeals. Many appeals have been filed under title 28, section 2255, State habeas corpus proceedings. Also, the past 3 years in the eighth circuit have witnessed a series of protracted criminal cases—several requiring approximately 3 months to hear.

Furthermore, the chief judge of the eighth circuit has served diligently on committees of the Judicial Conference of the United States. Therefore, he has not been able to spend as much time actively with the eighth circuit as he might like.

A final cause for the eighth circuit's present backlog has been the increasing demand for review of decisions of Government agencies. And the situation has been complicated recently by two of the judges being physically incapacitated for a time—perhaps because of the tremendous workload they have been forced to carry.

In response to the pressing challenge of an overloaded docket, the judges have been forced to adopt internal measures. The permissible length of the brief has been shortened, and oral arguments have been restricted to 30 minutes for each side. In addition, district court opinions are adopted by this court whenever possible. Despite these efforts, the situation has been increasingly more difficult. No judge of this court is completely current with his work. Mr. President, I agree with the majority of the present justices that the only solution is the addition of another judge to the court.

If the amendment is adopted, then the naming of the new judge will be a matter of great importance. Since the death of the eminent Judge A. K. Gardner of Huron, S. Dak., a great legal figure, my State has been the only State in the circuit not represented on the court. My fellow South Dakotans join me in hoping that a son of our State may be considered for a place on this high bench.

Again, I would like to commend the chairman of the subcommittee [Mr. Tydings] for his dedicated work in this vital area. I urge the Senate to act favorably on the amendment offered by Senator Tydings and others to create additional needed judgeships. In this way the efficient administration of justice will be strengthened in both of these courts.

Mr. LAUSCHE. Mr. President, I send to the desk amendments which I ask to have stated and considered.

The ACTING PRESIDENT pro tempore. The amendments offered by the Senator from Ohio will be stated.

The Legislative Clerk. It is proposed, on page 1, lines 5 and 6, to strike out "one additional circuit judge for the Sixth Circuit" and insert in lieu thereof "two additional circuit judges for the Fourth Circuit".

On page 2, between lines 2 and 3, it is proposed to strike out the words:

Fourth-------------------------------- 6.

and insert in lieu thereof:

Fourth-------------------------------- 7.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendments of the Senator from Ohio.

Mr. LAUSCHE. Mr. President, my amendments would leave the bill in the same form as that in which it came to the Senate floor. To the Sixth Circuit there would be added one new judge instead of two judges. That is the simple issue.

I have offered the amendment because I know of no pressing demand in Ohio for either litigants or lawyers that there be provided two new judges in the Sixth Circuit.

The strongest support for my position is the fact that on June 9, when the report was filed inferentially through full and adequate consideration of the caseload, the committee recommended one judge. Since June 9, there has been a change of judgment. I know of no new demand. The Senator from Kentucky [Mr. Cooper] knows of no new demand, nor does the junior Senator from Kentucky [Mr. Morton].

Mr. President, I will not ask for a yea-and-nay vote. I should like to have the issue submitted to the Senate for disposition.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Ohio.

The amendment was rejected.

Mr. TYDINGS. Mr. President, I move the adoption of my amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Maryland [Mr. Tydings] for himself and other Senators.

The amendment was agreed to.

Mr. LAUSCHE. Mr. President, let the Record show that I voted "nay" on the adoption of the amendment.

The ACTING PRESIDENT pro tempore. Without objection, the RECORD will so show.

Mr. COOPER. Mr. President, let the RECORD show that I voted "nay" on the adoption of the amendment.

The ACTING PRESIDENT pro tempore. The RECORD will so show.

The bill is open to further amendment. If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

ANOTHER JUDGE FOR WISCONSIN

Mr. NELSON. Mr. President, S. 1666 should be passed. The need for additional circuit and district judges is obvious. In far too many parts of the country justice is delayed, and as it is so often said, justice delayed is justice denied.

I support this bill because it would be a big help in ending the delay in the disposition of many cases in the eastern district of Wisconsin. The heavy workload in this district requires the services of another judge.

I would prefer that we were considering S. 620, a bill I introduced in January of this year. This proposal would provide for the appointment of one permanent additional district judge for the eastern district of Wisconsin. S. 1666, the bill before us today, only provides for a temporary additional district judge in the eastern district of Wisconsin.

We clearly need a third judge in the eastern district of Wisconsin. The addition of a new judgeship is urged by those most familiar with the workings of the Milwaukee court. Our two eastern district judges, Kenneth P. Grubb and Robert E. Tehan, both testify to the need for an additional judge. They are supported by Circuit Court Judges John S. Hastings and F. Ryan Duffy.

In addition, a third eastern district judge is endorsed by the Board of Governors of the Wisconsin Bar, the Junior Bar of Milwaukee, the Milwaukee Patent Law Association, and the State AFL–CIO convention. Support also comes from many of the county and district bar associations in Wisconsin.

In the absence of a third permanent judge in the eastern district, I am fully prepared and would be happy to have a temporary judge as has been recommended by the Judicial Conference of the United States.

Mr. YARBOROUGH. Mr. President, an ancient axiom of the law is that "justice delayed is justice denied." There have been no additional judgeships created by Congress since 1961. But since 1960 the caseload in the U.S. courts of appeals has increased more than 50 percent. The district courts have experienced an increase of 13 percent in the number of civil cases filed. Cases and appeals pending have also increased. We must have more judges in our Federal courts if our judicial system is to handle its business in an expeditious manner.

The 38 new judgeship positions created by S. 1666 will go a long way toward meeting this need.

The most overworked court of appeals in the Nation is the fifth circuit, of which Texas is a part and which contributes 40 percent of the caseload. During 1964, there were 78 appeals disposed of per judgeship. This is almost twice the national average of 46 per judgeship. S. 1666 will create four additional fifth circuit judges on a temporary basis. It is to be hoped that the experience gained with these additional judgeships over the next few years will indicate how many of these judgeships should be made permanent.

As far as criminal cases are concerned, the most overworked district court in the land is the U.S. District Court for the Western District of Texas. On either a weighted or a nonweighted criminal case filing per judgeship basis, in 1964 the district topped all other districts. This bill will create one additional permanent judgeship for the western district of Texas.

In addition, two additional district judges are authorized for the southern district of Texas. This district has experienced a considerable increase in its workload; it includes Houston and most of the golden gulf coast of Texas; its population and its problems grow apace. It needs these new judicial positions.

In creating these additional judgeships we are taking an important step along the road to a Great Society, which is by definition a just society.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1666) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the President shall appoint, by and with the advice and consent of the Senate, two additional circuit judges for the fourth circuit, two additional circuit judges for the sixth circuit, one additional circuit judge for the seventh circuit, and one additional circuit judge for the eighth circuit.

(b) In order that the table contained in section 44(a) of title 28 of the United States Code will reflect the changes made by subsection (a) of this section in the number of circuit judges for said circuits, such table is amended to read as follows with respect to said circuits:

"Circuits	Number of judges
* * * * *	
Fourth	7
* * * * *	
Sixth	8
Seventh	8
Eighth	8
* * * * *".	

(c) The President shall appoint, by and with the advice and consent of the Senate, four additional circuit judges for the fifth circuit. The first four vacancies occurring in the office of circuit judge in said circuit shall not be filled.

SEC. 2. (a) The President shall appoint, by and with the advice and consent of the Senate, one district judge for the middle and southern districts of Alabama, one additional district judge for the district of Arizona, one additional district judge for the northern district of Florida, one additional district judge for the middle district of Florida, two additional district judges for the southern district of Florida, one additional district judge for the northern district of Illinois, one additional district judge for the southern district of Indiana, four additional district judges for the eastern district of Louisiana, one additional district judge for the district of Maryland, one additional district judge for the northern district of Mississippi, one additional district judge for the southern district of Mississippi, one additional district judge for the western district of New York, one additional district judge for the northern district of Ohio, one additional district judge for the southern district of Ohio, one additional district judge for the district of Rhode Island, two additional district judges for the southern district of Texas, one additional district judge for the western district of Texas, two additional district judges for the eastern district of Virginia, and one additional district judge for the district of Vermont.

(b) The existing district judgeship for the northern, middle and southern districts of Florida heretofore provided for by section 133 of title 28, United States Code, shall hereafter be a district judgeship for the middle district of Florida only, and the present incumbent of such judgeship shall henceforth hold his office under section 133, as amended by this Act.

SEC. 3. (a) Section 84 of title 28, United States Code, is amended to read as follows:

"§ 84. California

"California is divided into four judicial districts to be known as the Northern, Eastern, Central, and Southern Districts of California.

"NORTHERN DISTRICT

"(a) The Northern District comprises the counties of Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, and Sonoma.

"Court for the Northern District shall be held at Eureka, Oakland, San Francisco, and San Jose.

"EASTERN DISTRICT

"(b) The Eastern District comprises the counties of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Glenn, Inyo, Kern, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.

"Court for the Eastern District shall be held at Fresno, Redding, and Sacramento.

"CENTRAL DISTRICT

"(c) The Central District comprises the counties of Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura.

"Court for the Central District shall be held at Los Angeles.

"SOUTHERN DISTRICT

"(d) The Southern District comprises the counties of Imperial and San Diego.

"Court for the southern district shall be held at San Diego."

(b) The two district judges for the northern district of California holding office on the day before the effective date of this section and whose official station is Sacramento shall, on and after such date, be district judges for the eastern district of California. All other district judges for the northern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the northern district of California.

(c) The district judge for the southern district of California, residing in the northern division thereof and holding office on the day before the effective date of this section, shall, on and after such date, be a district judge for the eastern district of California. The two district judges for the southern district of California holding office on the day before the effective date of this section and whose official station is San Diego shall, on and after such date, be the district judges for the southern district of California. All other district judges for the southern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the central district of California.

(d) Nothing in this Act shall in any manner affect the tenure of office of the United States attorney and the United States marshal for the northern district of California who are in office on the effective date of this section, and who shall be during the remainder of their present terms of office the United States attorney and marshal for such district as constituted by this Act.

(e) Nothing in this Act shall in any manner affect the tenure of office of the United States attorney and the United States marshal for the southern district of California who are in office on the effective date of this section, and who shall be during the remainder of their present terms of office the United States attorney and marshal for the central district of California.

(f) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the southern district of California.

(g) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the eastern district of California.

(h) The President shall appoint, by and with the advice and consent of the Senate, two additional district judges for the central district of California, and two additional district judges for the northern district of California.

(i) The provisions of this section shall become effective one hundred and twenty days after the date of enactment of this Act.

SEC. 4. In order that the table contained in section 133 of title 28, of the United States Code will reflect the changes made by sections 2 and 3 of this Act in the number of permanent judgeships for certain districts, such table is amended to read as follows with respect to said districts:

"Districts	Judges
Alabama:	
* * * * *	
Middle and Southern	1
* * * * *	
Arizona	4
* * * * *	
California:	
Northern	9
Eastern	3
Central	12
Southern	2
* * * * *	
Florida:	
Northern	2
Middle	5
Southern	5
* * * * *	
Illinois:	
Northern	11
* * * * *	
Indiana:	
Southern	4
* * * * *	
Louisiana:	
Eastern	8
* * * * *	
Maryland	5
* * * * *	
Mississippi:	
Northern	2
Southern	3
* * * * *	
New York:	
* * * * *	
Western	4
* * * * *	
Ohio:	
Northern	7
Southern	4
* * * * *	
Rhode Island	2
* * * * *	
Texas:	
* * * * *	
Southern	7
* * * * *	
Western	4
Vermont	2
* * * * *	
Virginia:	
Eastern	5."

SEC. 5. (a) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the district of Kansas. The first vacancy occurring in the office of district judge in said district shall not be filled.

(b) The President shall appoint, by and with the advice and consent of the Senate, three additional district judges for the eastern district of Pennsylvania. The first three vacancies occurring in the office of district judge in said district shall not be filled.

(c) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the eastern district of Wisconsin. The first vacancy occurring in the office of district judge in said district shall not be filled.

Mr. TYDINGS. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. EASTLAND. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The **ACTING PRESIDENT** pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF SECTION 510(a)(1) OF MERCHANT MARINE ACT, 1936

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 510(a)(1) of the Merchant Marine Act, 1936 (with accompanying papers); to the Committee on Commerce.

REPORT ON U.S. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

A letter from the Secretary of State, transmitting, pursuant to law, a report on U.S. Contributions to International Organizations, for the fiscal year 1964 (with an accompanying report); to the Committee on Foreign Relations.

REPORT OF FOREIGN CLAIMS SETTLEMENT COMMISSION

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting, pursuant to law, a report of that Commission, as of December 31, 1963 (with an accompanying report); to the Committee on Foreign Relations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on the purchase of residence in Tokyo for financial attaché from Exchange Stabilization Fund, Treasury Department, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General to the United States, transmitting, pursuant to law, a report on failure to obtain and consider cost data in the procurement of HY80 steel plate used in the construction of nuclear submarines, Department of the Navy, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on patent royalty costs improperly charged for use of auxiliary fuel tank invention developed under Government contracts with Lockheed Aircraft Corp., Burbank, Calif., Department of Defense, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting pursuant to law, a report on unnecessary procurement of air passenger service on scheduled commercial airliners from Europe to the United States, Department of Defense, dated June 1965 (with an accompanying report; to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on unwarranted construction-differential subsidy payments resulting from inadequate implementation of value engineering program, Maritime Administration, Department of Commerce, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs incurred in accelerating construction of Polaris submarines, Department of the Navy, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

RECORDATION OF MINING CLAIMS

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to provide for the recordation of mining claims (with an accompanying paper); to the Committee on Interior and Insular Affairs.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered, granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT ON EXAMINATION OF ACCOUNTS OF NATIONAL COUNCIL ON RADIATION PROTECTION AND MEASUREMENTS

A letter from the law offices of LeBoueuf, Lamb & Leiby, Washington, D.C., transmitting, pursuant to law, a report on the examination of accounts of the National Council on Radiation Protection and Measurements, as of December 31, 1964 (with an accompanying report); to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PROXMIRE, from the Committee on Banking and Currency, without amedment:

H.R. 7847. An act to amend the Small Business Act (Rept. No. 382).

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment.

H.R. 5306. An act to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors (Rept. No. 385).

By Mr. MAGNUSON, from the Committee on Commerce, with an amendment:

S. 1098. A bill to amend section 1(14)(a) of the Interstate Comerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes (Rept. No. 386); and

S. 1975. A bill to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission (Rept. No. 383).

By Mr. MAGNUSON, from the Committee on Appropriations, with amendments:

H.R. 7997. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 384).

By Mr. PASTORE, from the Joint Committee on Atomic Energy, without amendment:

S. 2103. A bill to amend section 271 of the Atomic Energy Act of 1954, as amended (Rept. No. 390).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 621. A bill for the relief of Marija Malnar (Rept. No. 391);

S. 861. A bill for the relief of Alva Arlington Garnes (Rept. No. 392);

S. 869. A bill for the relief of Yom Tov Yeshayahu Briszk (Rept. No. 393);

S. 971. A bill for the relief of Mrs. Elena B. Guira (Rept. No. 394);

S. 1111. A bill for the relief of Pola Bodenstein (Rept. No. 395);

S. 1164. A bill for the relief of Cristina Franco (Rept. No. 396);

H.R. 1236. An act for the relief of Salvador Munoz-Tostado (Rept. No. 397);

H.R. 1306. An act for the relief of Loretta Negrin (Rept. No. 398);

H.R. 3634. An act for the relief of CWO Edward E. Kreiss (Rept. 399);

H.R. 3638. An act for the relief of Robert O. Overton, Marjorie C. Overton, and Sally Eitel (Rept. No. 389); and

H.R. 5184. An act for relief of the port of Portland, Oreg. (Rept. No. 400).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1113. A bill for the relief of Emilio Maiorano, Lucia Maiorano, and Cosimo Maiorano, the minor children of a permanent resident (Rept. No. 401); and

S. 1120. A bill for the relief of Dr. Ortelio Rodriguez Perez (Rept. No. 402).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 611. A bill for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska (Rept. No. 403).

By Mr. HAYDEN, from the Committee on Rules and Administration, without amendment:

S. Res. 119. Resolution authorizing the printing as a Senate document of a report on Water Resources Developments in Spain (Rept. No. 405).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. 1474. A bill to create a bipartisan commission to study Federal laws limiting political activity by officers and employees of Government (Rept. No. 408);

S. Con. Res. 37. Concurrent resolution authorizing the printing for the use of the Senate Committee on the Judiciary of additional copies of its hearings on economic concentration (Rept. No. 406);

S. Con. Res. 38. Concurrent resolution to authorize the printing of additional copies of a committee print of the Committee on the Judiciary entitled "The Soviet Empire—A Study in Discrimination and Abuse of Power" (Rept. No. 407);

H. Con. Res. 400. Concurrent resolution to provide for printing additional copies of House document entitled "Documents Illustrative of the Formation of the Union of the American States" (Rept. No. 411);

H. Con. Res. 411. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Buffalo, N.Y., Area," 88th Congress, 1st session (Rept. No. 412);

H. Con. Res. 412. Concurrent resolution authorizing the printing of additional copies of House Report No. 1739, 88th Congress, 2d session, entitled "Annual Report for the Year 1963, Committee on Un-American Activities" (Rept. No. 413);

H. Con. Res. 413. Concurrent resolution authorizing the printing of additional copies of "Violation of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States, Parts 1 Through 5" (Rept. No. 414);

H. Con. Res. 414. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Minneapolis, Minn., Area," 88th Congress, 2d session (Rept. No. 415);

H. Con. Res. 415. Concurrent resolution authorizing the printing as a House document of a report on the Sino-Soviet conflict by the Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs, House of Representatives, together with hearings thereon held by that subcommittee, and of additional copies thereof (Rept. No. 416);

H. Con. Res. 428. Concurrent resolution authorizing the printing of a revised edition of "History of the House of Representatives," and for other purposes (Rept. No. 417); and

S. Res. 113. Resolution authorizing the printing of additional copies of the hearing entitled "Communist Forgeries" (Rept. No. 418).

IMPROVEMENT OF NATIONAL TRANSPORTATION SYSTEM—REPORT OF A COMMITTEE (S. REPT. NO. 387)

Mr. MAGNUSON. Mr. President, on behalf of the distinguished senior Senator from Ohio [Mr. Lausche], from the Committee on Commerce, I report favorably, with amendments, the bill (S. 1727) to provide for strengthening and improving the national transportation system, and for other purposes, and I submit a report thereon. This bill was ordered reported by the committee unanimously at its meeting on yesterday. If the bill is enforced, as I hope it will be by the Interstate Commerce Commission, the common carriers we are discussing will be in a better position to finance the building of some boxcars.

The ACTING PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar.

REPORT ENTITLED "FINANCIAL, BUSINESS, OR OTHER INTERESTS OR ACTIVITIES OF PRESENT OR FORMER MEMBERS, OFFICERS, OR EMPLOYEES OF THE SENATE, WITH PARTICULAR EMPHASIS ON THE ALLEGATIONS RAISED IN CONNECTION WITH THE CONSTRUCTION OF THE DISTRICT OF COLUMBIA STADIUM, AND MATTERS RELATED THERETO—SUPPLEMENTAL REPORT OF A COMMITTEE—MINORITY AND SUPPLEMENTAL VIEWS" (S. REPT. NO. 388)

Mr. JORDAN of North Carolina. Mr. President, from the Committee on Rules and Administration I submit a supplemental report pursuant to Senate Resolution 212 and Senate Resolution 367 of the 88th Congress, authorizing an investigation into the financial, business, or other interests or activities of present or former Members, officers, or employees of the Senate, with particular emphasis on the allegation raised in connection with the construction of the District of Columbia Stadium, and matter related thereto.

I ask unanimous consent that the minority views of Senators Curtis, Cooper, and Scott, together with the supplemental views of Senators Pell, Clark, and Cooper may be included in the printed report.

The ACTING PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from North Carolina.

SOCIAL SECURITY AMENDMENTS OF 1965—REPORT OF A COMMITTEE—SUPPLEMENTAL, ADDITIONAL, AND INDIVIDUAL VIEWS (S. REPT. 404)

Mr. LONG of Louisiana. Mr. President, from the Committee on Finance, I report favorably to the Senate with amendments the bill H.R. 6675, to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

I ask unanimous consent that the report be printed in two parts, part 1 to contain the explanation of the bill as amended by the Committee on Finance, together with supplemental, additional, and individual views; part 2 to contain the changes in the existing law.

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Louisiana.

ADMINISTRATION OF TITLE III OF LEGISLATIVE REORGANIZATION ACT OF 1946 BY COMPTROLLER GENERAL—REPORT OF A COMMITTEE (S. REPT. No. 419)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original bill (S. 2233) to provide for the administration of title III of the Legislative Reorganization Act of 1946 by the Comptroller General of the United States, and for other purposes, and submitted a report thereon; which report was ordered to be printed, and the bill was read twice by its title, and placed on the calendar.

AMENDMENT OF STANDING RULES OF THE SENATE WITH RESPECT TO OUTSIDE ACTIVITIES OF OFFICERS AND EMPLOYEES OF THE SENATE—REPORT OF A COMMITTEE (S. REPT. NO. 409)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 122) to amend the Standing Rules of the Senate with respect to outside activities of officers and employees of the Senate, which was placed on the calendar, as follows:

S. Res. 122

Resolved, That the Standing Rules of the Senate are amended by adding at the end thereof the following new Rule:

"RULE—

"Outside employment

"No officer or employee of the Senate shall engage in any business, financial, or professional activity or employment for compensation or gain unless—

"(1) such activity or employment is not inconsistent with the conscientious performance of his official duties; and

"(2) he has reported such activity or employment to the Member of the Senate charged with supervision of such officer or employee."

AMENDMENT OF STANDING RULES OF THE SENATE TO REQUIRE MEMBERS, OFFICERS, AND EMPLOYEES OF THE SENATE TO FILE CERTAIN REPORTS AS TO THEIR FINANCIAL INTERESTS—REPORT OF A COMMITTEE (S. REPT. NO. 410)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 123) amending the Standing Rules of the Senate to require Members, officers, and employees of the Senate to file certain reports as to their financial interests, which was placed on the calendar, as follows:

S. Res. 123

Resolved, That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE —

"Reporting of financial interests

"1. Each individual who at any time during any calendar year serves as a Member of the Senate, or as an officer or employee of the Senate compensated at a gross rate in excess of $10,000 per annum, shall file annually with the Comptroller General of the United States for that year a written report containing a list of the names of all corporations, companies, firms, or other business enterprises and partnerships:

"(a) with which, as of the close of the calendar year, he is connected as an employee, officer, owner, director, trustee, partner, adviser, or consultant; or

"(b) in which, as of the close of the calendar year, he has any continuing financial interests, through a pension or retirement plan, shared income, or otherwise, as a result of any current or prior employment or business or professional association; or

"(c) in which, as of the close of the calendar year, he has any financial interest through the ownership of stocks, bonds, or other securities.

"2. (a) In the event any information required to be included in a statement required by or pursuant to this rule is not known to the person required to submit such statement but is known to other persons, the person concerned shall request such other persons to submit the required information on his behalf.

"(b) This rule shall not be construed to require the submission of any information relating to any person's connection with, or interest in, any professional society or any charitable, religious, social, fraternal, educational, recreational, public service, civic, or political organization or any similar organization not conducted as a business enterprise and which is not engaged in the ownership or conduct of a business enterprise.

"3. Except as otherwise hereinafter provided, each individual who is required by this rule to file a report for any calendar year shall file such a report with the Comptroller General of the United States not later than January 31 of the next following calendar year. No such report shall be required to be made for any calendar year beginning before January 1, 1965. The requirements of this rule shall apply only with respect to individuals who are Members of the Senate or officers or employees of the Senate on or after the date of adoption of this rule. Any individual who ceases to serve as a Member of the Senate or as an officer or employee of the Senate before the close of any calendar year shall file such report as of the last day of such service, and such report shall be filed with the Comptroller General of the United States not later than 30 days thereafter. Whenever there is on file with the Comptroller General of the United States a report made by any individual in compliance with this rule for any calendar year, the Comptroller General may accept from that individual for any succeeding calendar year, in lieu of the report required by paragraph 1 of this rule, a statement containing an accurate recitation of the changes in such report which are required for compliance with the provisions of paragraph 1 for that succeeding year, or a statement to the effect that no change in such report is required for compliance with the provisions of Section 1 for that succeeding year.

"4. Reports and statements filed under this rule shall be made upon forms which shall be prepared and provided by the Comptroller General of the United States, and shall be made in such manner and detail as he shall prescribe.

"5. All reports and statements filed with the Comptroller General of the United States in accordance with this rule shall be kept strictly confidential by him and shall not be disclosed except that upon receipt of a request in writing from the chairman of the Senate Select Committee on Standards and Conduct, certifying by majority vote the pertinence of the report or statement requested and the necessity for use by the committee in an inquiry pending in the Senate Select Committee on Standards and Conduct, the Comptroller General shall deliver to the chairman of the committee an accurate copy of the report or statement requested."

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARTKE:

S. 2228. A bill to correct inequities with respect to the basic compensation of teachers and teaching positions under the Defense Department Overseas Teachers Pay and Personnel Practices Act; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. McGOVERN:

S. 2229. A bill to amend section 203 of Public Law 480 of the 83d Congress, as amended; to the Committe on Agriculture and Forestry.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. SIMPSON:

S. 2230. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

(See the remarks of Mr. Simpson when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 2231. A bill to establish a National Highway Traffic Safety Center to promote research and development activities for highway traffic safety, to provide financial assistance to the States to accelerate highway traffic safety programs, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. PELL (for himself and Mr. Muskie):

S. 2232. A bill to amend the act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf", approved September 2, 1958, as amended, in order to further provide for a loan service of educational media for the deaf, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

By Mr. JORDAN of North Carolina:

S. 2233. A bill to provide for the administration of title III of the Legislative Reorganization Act of 1946 by the Comptroller General of the United States, and for other purposes; placed on the calendar.

(See reference to the above bill when reported by Mr. Jordan of North Carolina, which appears under the headings "Reports of Committees".)

By Mr. McCARTHY:

S. 2234. A bill to amend the National Defense Education Act of 1958 in order to authorize institutes for elementary and secondary school teachers of classical languages; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. McCarthy when he introduced the above bill, which appear under a separate heading.)

RESOLUTIONS

AMENDMENT OF STANDING RULES OF THE SENATE WITH RESPECT TO OUTSIDE ACTIVITIES OF OFFICERS AND EMPLOYEES OF THE SENATE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 122) to amend the Standing Rules of the Senate with respect to outside activities of officers and employees of the Senate, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

AMENDMENT OF STANDING RULES OF THE SENATE TO REQUIRE MEMBERS, OFFICERS, AND EMPLOYEES OF THE SENATE TO FILE CERTAIN REPORTS AS TO THEIR FINANCIAL INTERESTS

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 123) amending the Standing Rules of the Senate to require Members, officers, and employees of the Senate to file certain reports as to their financial interests, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

OVERSEAS TEACHERS' PAY

Mr. HARTKE. Mr. President I introduced a bill which would require the Secretary of each military department to fix the basic compensation for teachers and teaching positions in our overseas dependents schools at rates equal to the average of the range of basic compensation rates for similar positions of a comparable level of duties and responsibilities in urban school districts of the United States of 100,000 or more population. A similar bill was introduced in the House of Representatives by the Honorable Morris K. Udall, of Arizona, and has since been reported out favorably by the House Post Office and Civil Service Committee.

In 1959 Public Law 86–91 was passed by the Congress to require the Department of Defense to fix the pay for its overseas teachers in the way recommended by this bill. Since that time, however, the Department of Defense has failed to carry out congressional intent in the implementation of Public Law 86–91. A small pay adjustment was accorded in 1960. None occurred in 1961 or 1962, and in 1963 only a $100 raise was offered. Since the end of the 1959–60 school year, starting salaries of overseas teachers increased by only 4.3 percent, while beginning salaries of stateside teachers in school districts of 100,000 or more have gone up 15.3 percent. Starting salaries of GS–7 civil service employees, the group in which overseas teachers were classified until 1959, have risen through three pay raises by 16.1 percent in all. The divergences among these percentages, it seems to me, are telling.

In 1964 the National Education Association and the Overseas Education Association together brought suit against the Department of Defense in an effort to bring their pay dispute to a hearing in a Federal court—Mitchell against McNamara. This suit, filed in Washington, was thrown out of court by a U.S. district judge who implied that the overseas teachers might better take their case to Congress. In April of this year a U.S. district court of appeals heard the case, and still no decision has been handed down.

It is to bring their case to the Congress that I am presenting this bill today for consideration by my colleagues in the Senate. This is a matter about which I have long been concerned, one about which I have spoken to you on several previous occasions. It is a matter which must be of great concern to all Americans, for it involves directly the welfare and happiness of our military personnel and their families stationed at points all over the world.

The children of our military abroad have perhaps more sociological problems and adjustments to make than any other group of American children. Often they live in lands where an unfamiliar language, unfamiliar customs and ways of living are the rule. Certainly we should make every effort to have especially capable and happy personnel in this sensitive job, and certainly we have failed to do that up to this point. These overseas teachers, as of June 8, 1965, numbering 6,320, have been seeking ever since the passage of Public Law 86–91 in 1959 to secure salary adjustments comparable to those of stateside teachers. They are not asking for special treatment, special favors; they are asking only that longstanding discriminatory treatment against them be replaced by justice and a just wage. Under their care and instruction are, according to Department of Defense figures, 165,870 pupils in 325 schools, comprising the Nation's seventh largest school system. They ask for a comparable wage which would better enable them, and later recruits to the ranks of teachers in our overseas schools, to mold the future of our children, the children of our service personnel. This should be fully as important a part of our military budget as military hardware, yet it seems still to take a second place in the name of dollar economy.

Let us look at another important implication of this would-be economy. This is a matter which holds great importance for the Department of Defense in its recruitment program. How can the Department expect to secure well-qualified teachers for its overseas schools when it cannot offer them salaries at all comparable to those of their fellow teachers in the States? For example, some three-fourths of these overseas teachers work in Western Europe. According to Organization for Economic Cooperation figures, the Consumer Price Index for this area has increased an average of 11.5 percent—Germany, France, Norway, United Kingdom, the Netherlands, Denmark—between 1959 and 1962. During this same period, the Consumer Price Index in the United States went up only 4.5 percent. Hourly pay wages in both the United States and Western Europe went up a great deal more during these years, 11 percent in the United States and an average of 40 percent in Western Europe. How much greater buying power does this imply for these people? How much better a standard of living? Since 1962, consumer prices in the United States have risen from 4.5 to 8 percent at present, and it can be safely asserted that prices in Western Europe have gone from 11.5 percent to more than 20 percent. It can also be demonstrated, Overseas Education Association spokesmen say, that despite the varying fringe benefits in housing, transportation, and post exchange, a $300 pay adjustment as suggested recently by representatives of the Department of Defense, would not restore 1959–1960 purchasing power. The plain facts speak for themselves; consumer prices and hourly pay have gone up much more in Europe where most of these teachers work, and yet while stateside teachers' salaries have gone up 15.3 percent during this timespan, overseas teachers' salaries have increased by only 4.3 percent. Surely it should be no great surprise to find that according to Cecil Driver, executive secretary of the Overseas Education Association, the average length of service of overseas teachers as of 1963 was only 2.63 years, and the number of teachers applying for these positions has been rapidly declining.

The Department of Defense asserts that Public Law 86–91 gave it discretion to set salaries as it desired, and this discretion has resulted in a discrimination against overseas teachers which even the courts do not seem able to touch. The only recourse available to these teachers is the Congress, which does have the power to be responsive to their call for help. As I have said before, we owe it to the children of our service personnel, and also to ourselves, as the Nation whom these families serve, to remedy this situation. We can not in conscience or in right allow this discriminatory and unfair treatment to continue against our overseas teachers and their students who sacrifice their residence and their comfort for the sake of our Nation's defense.

Mr. President, I ask unanimous consent that the text of the bill may appear in the Congressional Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2228) to correct inequities with respect to the basic compensation of teachers and teaching positions under the Defense Department Overseas Teachers Pay and Personnel Practices Act, introduced by Mr. Hartke, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 2228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4(a)(2) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 214; Public Law 86–91; 5 U.S.C. 2352 (a)(2)) is amended to read as follows:

"(2) the fixing of basic compensation for teachers and teaching positions at rates equal to the average of the range of rates of basic compensation for similar positions of a comparable level of duties and responsibilities in urban school jurisdictions in the United States of 100,000 or more population;".

(b) Section 5(c) of such act (73 Stat. 214; Public Law 86–91; 5 U.S.C. 2353(c)) is amended to read as follows:

"(c) The Secretary of each military department shall fix the basic compensation for teachers and teaching positions in his military department at rates equal to the average of the range of rates for basic compensation for similar positions of a comparable level of duties and responsibilities in urban school jurisdictions in the Unted States of 100,000 or more populaton.".

SEC. 2. The amendments made by this act shall become effective at the beginning of the first school year which begins after the date of enactment of this act.

MEETING EMERGENCY PROTEIN NEEDS OF ASSISTED COUNTRIES

Mr. McGOVERN. Mr. President, during the recent debate on the foreign aid authorization bill, I proposed an amendment to add $50 million to the total authorization to provide high protein foods, and protein and vitamin fortified foods, to the supplies we are sending abroad in our food assistance program.

The amendment was ruled out of order under the unanimous-consent agreement under which the Senate was operating, and I accepted this ruling on the very kind assurance of the Senator from Florida [Mr. HOLLAND] that the proposal would be considered if offered as a bill amending Public Law 480, the Food for Peace Act.

The Agriculture Committee is now nearing the conclusion of hearings on general farm legislation, so I am now sending to the desk, for reference to the Agriculture Committee, which handles Public Law 480 legislation, a short bill to accomplish the purpose of the amendment I offered to the Foreign Aid Authorization Act. A number of Senators have joined me in offering the bill—Senators AIKEN, BURDICK, GRUENING, HART, KENNEDY of Massachusetts, KENNEDY of New York, MCCARTHY, MCGEE, MONDALE, MOSS, NELSON, RANDOLPH, and YARBOROUGH.

The bill authorizes the Commodity Credit Corporation to expend and be reimbursed up to $50 million for the purposes stated. Of the total, $15 million is earmarked for the purchase of protein and vitamins and the supplementation or fortification of foods now being supplied to assisted countries. Expenditure of this $15 million is not limited to the United States, since in a few areas it will be possible to buy indigenous protein supplement economically without depriving other people in need of balanced rations. Probably some of this can be done with local currencies we now hold.

The remaining $35 million is available to buy and provide U.S. domestically produced high protein foodstuffs for foreign school lunch and similar programs in eligible nations. The bill suggests some animal products, including beef, pork, poultry and fish, and high protein cereals and vegetable products which might be used, but does not limit purchases except as to high protein availability.

PROTEIN AND VITAMIN DEFICIENCY

There are a number of reasons for the adoption of this bill.

In much of the world where diets are inadequate, the critical deficiency is proteins.

Nursing children cling to life at the expense of their mothers. But when another child arrives, or they leave the breast for other reasons, millions of children are permanently damaged physically, emotionally, and mentally by protein deficiency.

The seriousness of this deficiency has just been outlined by an International Conference on Prevention of Malnutrition in the Pre-School Child, held in Washington, December 7–11, 1964, by the Committees on Protein, Malnutrition and Child Nutrition of the Food and Nutrition Board of the National Academy of Sciences-National Research Council.

In a summary of the conference just issued by the National Academy of Sciences-National Research Council in its publication No. 2182, we are advised:

> Malnutrition in the preschool child is one of the world's most serious health problems in developing areas. Not only is it killing and maiming the children of today, but also, through physical, mental and emotional damage it will handicap the society of 1984, the next generation.
>
> The International Conference on Prevention of Malnutrition in the Pre-School Child established that:
>
> I. Preschool malnutrition is basically responsible for the early deaths of millions of children;
>
> II. Of those it does not kill, preschool malnutrition permanently impairs physical growth and probably causes irreversible mental and emotional damage; and that
>
> III. Preschool malnutrition is a serious deterrent to progress in developing countries; it weakens the productive capacities of adults surviving from the irreparable damages incurred in early childhood.
>
> In developing areas, as many as 70 percent of the children may suffer from malnutrition. The maimed survivors become adults lacking the vigor and enterprise essential for productive advancement. Their shortened life span and decreased ability to produce gravely impede the physical, mental, and economical growth of the population.

Mr. President, this is a relatively brief report, of about 3,000 words total, so I am going to ask unanimous consent that the whole report be included in the RECORD at the conclusion of my remarks.

SUPPLIES RUN SHORT

The United States can be proud that through school lunch and milk programs, we have rescued nearly 40 million children in less developed nations from the effect of malnutrition and protein deficiency. This is the number of children receiving school lunches daily in some 80 countries through the U.S. food-for-peace program. It is perhaps our finest oversea aid program. Another 30 million children are reached through family feeding programs.

In spite of the existence of these programs, the threat of food shortages remains in the assisted countries. Our foreign food assistance programs are conducted with surplus agricultural commodities. Stocks of surplus nonfat dry milk, our highest protein nutrient available in quantity for the purpose, have run low in the past year and they are not expected to permit the needed expansion in the provision of this higher protein food that we should undertake. The requests of the voluntary agencies such as CARE are not fully met. Supplies may not prove sufficient to maintain the present level of distribution.

We need the $50 million fund, not just to permit the purchase of additional high-protein foods for assistance programs, but as a safeguard against a deficiency of surplus foods of necessary nutritional value as a result of declining surplus stocks.

You will find in the report on preschool child nutrition findings that, in addition to protein deficiency, certain vitamin deficiencies occur.

Vitamin A deficiency accounts for widespread blindness and impaired vision; beriberi is a major disease among children because of deficiency of vitamin B_1 in areas where polished white rice is the staple cereal. Iodine deficiency is widespread causing cretinism, imbecility, and dwarfism. Iron-deficiency anemia is another major problem.

It is because of these deficiencies, that I have proposed to earmark $15 million for the fortification or supplementation of foods we send abroad.

I am sure that this Nation wants to assist in the very best way it can for humanitarian reasons, but we can ill-afford, as a matter of wise use of funds, to permit a new generation of physically and mentally handicapped people to come to maturity in the less-developed nations that we are attempting to assist. The response to our assistance expenditures will depend on no small degree on the vitality of the citizens aided. We can expect to see our development efforts succeed far sooner in a nation of healthy citizens than in a nation burdened with many who are handicapped physically, or mentally, or both.

Mr. President, I am sure that virtually all of the money authorized to be expended by the Commodity Credit Corporation for high protein foods can be used to bolster weakened agricultural markets. We have had a succession of crises in animal products markets, and USDA purchase programs to bolster those markets. Coordinated with the administration of agricultural programs by requiring that the items be in adequate supply as determined by the Secretary of Agriculture, these funds can do double-duty-assisting our hard-pressed farmers as well as food recipients abroad.

Finally, Mr. President, I believe this bill will have significance in our foreign relations.

It will move us a little beyond supplying our needy fellow men abroad out of our surpluses, to the deliberate provision of a small but critically urgent part of their diets. It will move us a step beyond saying "Here are some things we cannot use and do not need" and enable us to say to the needy assisted: "Here are foods that have been prepared to meet your dietary requirements for good health."

In his address at the observance of the 20th anniversary of the United Nations, President Lyndon Johnson said:

> I would call upon all member nations to rededicate themselves to wage together an international war on poverty.
>
> Let us then together raise the goal of technical aid and investment through the United Nations; increase our food, health and education programs to make a serious and successful attack upon hunger, disease and ignorance—the ancient enemies of mankind.

The adoption of the measure I have proposed today, at an early date, would be a fine demonstration to the world that our Nation is not only prepared to move forward as the President has proposed, but is moving forward in its attack on want and disease.

Mr. President, I ask that the text of the bill be printed at this point, followed by the report on malnutrition previously mentioned.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and the report will be printed in the RECORD, as requested.

The bill (S. 2229) to amend section 203 of Public Law 480 of the 83d Congress, as amended, introduced by Mr. McGOVERN, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203 of Public Law 480 of the 83d Congress, as amended, the Agricultural Trade Development and Assistance Act of 1954, is further amended as follows:

At the end of the first sentence strike the period, insert a colon, and add the following: "*Provided,* That the Commodity Credit Corporation is authorized to make expenditures requiring not to exceed $50,000,000, annually of additional reimbursement to provide:

"(a) up to $15,000,000, for protein and vitamin supplements and fortification for foods, and

"(b) up to $35,000,000, in domestically produced beef, poultry and other meats and meat products, dairy products, fish and fish products, rice and other high protein foods, determined by the Secretary of Agriculture to be in adequate supply in the United States, for donation to school lunch and similar programs in countries eligible for assistance under this Act."

The report presented by Mr. McGovern is as follows:

PRESCHOOL CHILD MALNUTRITION—PRIMARY DETERRENT TO HUMAN PROGRESS

(A summary of an International Conference on Prevention of Malnutrition in the Preschool Child, Washington, D.C., December 7-11, 1964)

COMMITTEE ON PROTEIN MALNUTRITION

The Committee on Protein Malnutrition was established by the Food and Nutrition Board in 1956 to organize and administer a worldwide research program in protein resources, particularly for children in food-deficient countries. The work of the Committee was supported by a grant of $550,000 from the Rockefeller Foundation and was conducted in close cooperation with UNICEF, FAO, and WHO.

In 1960 the results of this research supported in some 20 countries were reviewed in an international conference supported by NIH and published as a report of "Progress in Meeting Protein Needs of Infants and Preschool Children," NAS publication No. 843.

Out of this program there emerged the conclusion that the most prominent deterrent to progress in developing countries is the failure of healthful development of preschool children resulting from malnutrition and disease.

Therefore, in cooperation with the Board's Committee on Child Nutrition, this conference has been organized as a terminal phase of the program with the objectives being (1) to consolidate the evidence for the magnitude of the problem of malnutrition in preschool children and its physical and behavioral consequences; (2) to survey the experiences with malnutrition in the preschool child in various geographic areas and in terms of deficiency disease, agricultural resources, and trained personnel; (3) to consider practical alleviative measures with emphasis on educational, social, and economic implications.

Committee on Protein Malnutrition: W. Henry Sebrell, Jr., Chairman; Wm. J. Darby, Grace A. Goldsmith, Paul György, G. E. Hilbert, J. M. Hundley, C. G. King, L. J. Teply, Secretary.

Committee on Child Nutrition: R. L. Jackson, Chairman; Paul György, H. E. Harrison, C. U. Lowe, D. N. Walcher, J. F. Wilson, C. W. Woodruff.

Malnutrition in the preschool child is one of the world's most serious health problems in developing areas. Not only is it killing and maiming the children of today, but also, through physical, mental, and emotional damage it will handicap the society of 1984, the next generation.

The International Conference on Prevention of Malnutrition in the Preschool Child established that:

I. Preschool malnutrition is basically responsible for the early deaths of millions of children;

II. Of those it does not kill, preschool malnutrition permanently impairs physical growth and probably causes irriversible mental and emotional damage; and that

III. Preschool malnutrition is a serious deterrent to progress in developing countries; it weakens the productive capacities of adults surviving from the irreparable damages incurred in early childhood.

In developing areas, as many as 70 percent of the children may suffer from malnutrition. The maimed survivors become adults lacking the vigor and enterprise essential for productive advancement. Their shortened life span and decreased ability to produce gravely impede the physical, mental, and economic growth of the population.

THE EFFECTS OF MALNUTRITION

On mortality

Infant mortality rates in an underdeveloped country may be only 6 to 8 times as great as those in technologically advanced areas but the mortality in the 1- to 4-year age group may be 50 to 60 times greater.

This very high mortality in the preschool child is not due to nutritional inadequacy alone. The transition from breast feeding to bottle or hand feeding involves great risks from unsanitary practices, leading to diarrheas, infections, and parasites. These exaggerate the weakened condition due to malnutrition and the malnutrition makes children unable to cope with the disease. Measles and respiratory infections common to children throughout the world are rarely fatal nowadays to well-nourished children but cause a high mortality among the malnourished.

The high mortality and morbidity resulting from malnutrition spring not only from ignorance, unsanitary conditions, poverty, and inadequate medical care, but also from failure—even among professional personnel—to recognize the extent of malnutrition and its effects.

The largest group of victims is within the age group of 1 to 5 years, referred to as the "preschool" child. In this age group there is the greatest need for adequate nutrition. Equally—and with distressing consequence—there exists for this age group the greatest neglect in providing adequate nutrition.

On physical growth

The growth potential of children afflicted with malnutrition and disease, in every likelihood, is never reached.

A child inherits an assortment of genes which predetermines his potential, but each phase of his development is influenced by the interplay of inheritance and environmental exposures.

Malnutrition in the mother may handicap a child from birth. The fetus, however, does have first priority on the mother's resources and will achieve normal birth weight and normal development at the expense of the mother.

Growth of underprivileged children is accelerated with improved nutrition and environmental care.

The evidence indicates that under optimal environmental conditions, growth of children is similar in most areas of the world and that failure to adhere to the growth pattern is often an indication of ill health. Thus, worldwide growth standards for age-height-weight are needed and deviations from the standard should immediately stimulate consideration of the nutritional factors prevailing in the populations or individuals concerned.

As the general health status of the people of developed countries has improved, there has been—in addition to a marked decrease in morbidity and mortality—a definite trend toward increased height and weight among maturing children, generation by generation.

While height-weight measurements for age provide the simplest index for nutritional status, studies of skeletal development often indicate retardation of bone growth from malnutrition and disease. Thin-shelled and weakened bones with reduced mineral content are a frequent result and the child does not recover this loss when growth is resumed by improved nutrition.

On mental development

That conditions such as apathy, inattention and purposeless movements occur during the acute episode of protein-calorie malnutrition is without question. The larger question of whether there are undetected permanent effects on learning ability, mental capacity, and behavior is still not answered satisfactorily. However, the possibility that protein-calorie malnutrition has an adverse effect on the development of the human central nervous system is predicated on several preliminary reports and on the basis that the growth of the human brain at time of birth is largely dependent upon protein synthesis. The brain is then gaining weight at a rate of 1 to 2 milligrams per minute.

Protein deficiency also has been implicated in disturbances of function of cerebral cortex affecting processes of internal inhibition and intensity of reflex action. Tests with experimental animals have shown clearly that the brain is irreversibly damaged by severe protein deficiency in infancy.

In addition, behavioral development is definitely affected by the severance of mother-child relationship in the weaning process or by sickness of mother or child.

MAJOR SPECIFIC DEFICIENCIES

While the general debilitative effects of malnutrition in the preschool child are largely due to calorie-protein deficiency, healthful nutrition requires the interaction of all essential nutrients.

Correction of calorie deficiency with carbohydrates alone may exaggerate protein deficiency. Correction of calorie and protein deficiency while neglecting vitamin and mineral requirements may exaggerate the symptoms of specific nutrient deficiency.

Vitamin A deficiency accounts for widespread blindness or impaired vision and to a large extent for high mortality. Night blindness, xerophthalmia (dry and lusterless eyes) and kerotomalacia (softening of cornea) are common manifestations of vitamin A deficiency. It is prevalent throughout Asia, the Middle East, parts of Africa, and Latin America.

The mortality rate among malnourished children with xerophthalmia is very high because of the many other health factors adversely affected by vitamin A deficiency. Those that survive are usually wholly or partially blind, and thus become lifelong problems for their communities.

Present evidence enforces the ominous conclusion that the incidence of xerophthalmia is increasing. Fortification with vitamin A of dry skim milk destined for developing areas would greatly help to alleviate this condition.

Iron deficiency anemia also is widely prevalent throughout the developing areas of the world and contributes to the debility of the child. It may or may not be associated with protein-calorie malnutrition.

Beriberi, the classical disease of vitamin B_1 (thiamine) deficiency continues to be prevalent in areas where polished white rice is the staple cereal. It results in the death of an unknown number of infants and children in Burma, Thailand, the Philippines, and probably other parts of Asia.

Iodine deficiency is widespread largely in mountainous areas of the world. Thus, in many villages, most of the inhabitants have endemic goiter. In children, iodine deficiency results in cretinism with imbecility and dwarfism.

CURRENT PROGRAMS FOR COMBATING CHILDHOOD MALNUTRITION

The conference did not attempt to review all the programs in progress throughout the world, but representatives of several areas briefly summarized current programs and activities.

Africa

There are numerous institutional programs in Africa illustrated by those in Uganda and Ethiopia but relative to the magnitude of the problem, hardly a beginning has been made. Although reliable vital statistics are fragmentary, it is clear that protein-calorie malnutrition is widespread among African children and is usually conditioned by infectious disease and parasitism.

The problem in Africa exists in a great variety of cultures and environments. Preventive programs must be based on careful study of the economic, cultural, agricultural, medical, and other factors significantly related to the problem. Such programs must include the prevention of infections, the development and use of protein foods that can be made economically available to young children, and the education of mothers.

South America

The problem here is illustrated by programs in Peru and Chile.

In Peru there is an increase in the growth of children when living standards are improved. The short stature of most adult Peruvians is in marked contrast to the known size of their well-nourished ancestors. The evidence indicates that malnutrition in the infant and preschool child produces a lasting debilitating effect on physical and mental development.

Significant improvement in height and weight of children has been achieved by the distribution of 500 grams per week of wheat noodles containing 10 percent of fish-protein concentrate.

In Chile, large migration of the rural population to urban centers and the dependence and unproductiveness of much of the population puts a heavy strain on the economy. Malnutrition in infants and preschool children is extensive. It differs, however, from that in many other areas in that it appears often in infants under one year of age because of early weaning. Diarrhea accounts for 30 percent of the deaths of Chilean children under 5 years.

Chilean programs conducted through the National Health Service include the distribution of dry milk, vaccinations, infectious-disease control, sanitation, and the development of high-protein foods. The programs are handicapped by shortage of medical personnel.

Mexico and Central America

In Mexico, it is estimated that more than four million children show evidence of malnutrition as measured by a normal weight deficit for age. The Mexican program is a long-range one seeking to achieve total community development.

In Central America, extensive studies of the nutrition problem and the efforts to combat it have centered in the Institute of Nutrition for Central America and Panama, located in Guatemala City. Protein-calorie malnutrition and iodine deficiency are known to be prevalent. Iodated salt has been introduced to combat goiter and cretinism. A low-cost vegetable-protein mixture (incaparina) has been introduced and is now moving into commercial production through regular merchandising channels.

Indonesia

Indonesian children are small in stature for their age and their diet is low in calories and protein. Incidence of vitamin A deficiency is high.

In one village this situation was combated by distributing red-palm oil to mothers as a medicine for preventing eye troubles in their children. Other programs for growing soybeans for free distribution to families with preschool children have been conducted through village "headmen." This has the effect of stimulating reliance on locally produced food to combat malnutrition in preschool children.

Philippines

The infant mortality rate in the Philippines in 1962 was 68 per thousand live births, as compared with 25 per thousand in the United States. The death rate in children aged 1 to 4 was 45 per thousand, as compared with 1 per thousand in the United States. Beriberi is one of the five leading causes of death in this age group.

Birth weights and growth during the first 4 months of life in the Philippines are similar to those in developed countries. From the start of weaning, however, weight in relation to age is markedly lower because of poor feeding. Foods given during the weaning period consist primarily of cereals, which are inadequate to meet needs for growth.

Programs of applied nutrition, nutrition education, health, social welfare, agriculture, and research are in progress, all focusing strongly on the preschool child.

PRACTICAL MEASURES FOR IMPROVEMENT

The Conference established that the problems of malnutrition in the preschool child are aggravated chiefly by three circumstances:

1. Mothers do not know what to feed their children to maintain normal growth and development. The conspicuous effects of malnutrition are attributed to other causes. They do not understand that small children need generous amounts of foods supplying high-quality proteins.

2. Many families cannot afford to buy the food required by children. Even if good foods (such as eggs) are in their hands, they are traded or sold for things desired by the adults.

3. Ill-advised crop practices, emphasis on the raising of nonfood cash crops, lack of transportation, lack of food processing and preservation, all conspire to put the required foods beyond reach. Anthropological factors, social customs, superstition, taboos, and religious beliefs also often operate to prevent giving children the foods they need.

Any plan or program to combat malnutrition must be accompanied by ways and means of correcting these conditions. This requires total planning for a national approach, including agricultural, educational, health, and economic plans based on local resources and mores—including the wishes of the people as well as their capabilities.

Agricultural programs must include in their objectives not only the production of more food, but also the production of the protein foods so urgently required by the preschool child and distribution in forms that the child can consume.

There are many ways to increase the food supply, including improved methods of intensive farming, better plant and animal selection and breeding, and wider use of fertilizers and pesticides. (In many countries in which food-production programs exist, however, populations are increasing more rapidly than production. Contributing factors include the complex problems of providing credit to farmers at reasonable rates of interest and of adopting land-tenure policies that create incentive to produce more foods.)

Another important factor in increasing food availability is the prevention of loss caused by rats, insects, weevils, molds, and other destructive agents. It was pointed out at the Conference that such losses in India are three times the annual food deficit and that their elimination would do much to solve that country's immediate food problem.

Family food supplies can be increased by local programs that, despite their relatively small size, provide education and food for children—particularly programs of home and school gardening and raising of chickens, rabbits, and other small animals. In suitable areas, fish ponds can provide greatly increased protein-food supplies. Wider use of seafood products is receiving much attention, and in a number of countries efforts are being made to develop low-cost fish-protein concentrates.

Many high-protein foods are not being used to best advantage. Most promising of these are the oil-seed meals—from cottonseed, soybeans, peanuts, sesame, and other oil seeds. These products—containing 30 to 50 percent of relatively good-quality protein—can be combined with cereals and flours to make foods almost as protein-efficient as milk, meat, fish, and eggs.

Development and introduction of products of this type require commercial cooperation and participation along with modern food technology and business management. The conference stressed the need for introduction of new foods through regular food outlets. Market surveys, acceptability studies, and commercial methods of promotion are essential.

Significant to progress in food-deficient areas is the U.S. food-for-peace program, under which overseas distributions of American surplus commodities are purposefully designed to promote economic development and to improve local food production. Emphasis should be placed on nutritional improvement of these products by addition of vitamin A to skim milk and by enrichment of wheat flour, white rice, and corn meal with thiamine, riboflavin, niacin, and iron, whenever these cereals are sent to developing areas.

Education was discussed at length in the conference. There is a shortage of trained educational personnel. This shortage extends from international and national professional personnel to district and local workers engaged in the education of village mothers and leaders.

Education in the villages is often undertaken by workers with fixed programs that ignore what villagers and mothers actually are thinking and believing. Techniques are often brought from cities and are meaningless or confusing to villagers.

Nutritional problems cannot be isolated from the remainder of community problems. Nutrition must be part of a total program involving the total welfare and development of the community.

MAJOR REQUIREMENTS

The most pressing immediate need is for widespread distribution and availability of foods of value in combating protein-calorie malnutrition, from whatever sources and by whatever means of distribution.

More training programs are urgently needed at all levels but especially those providing highly trained professional personnel who can understand all the facets of the problem, organize national programs to make the best use of available resources, and serve as teachers of other nationals.

The Conference heard that in most villages there are only a few leaders to assist with any program brought to the village. These leaders are often confused by the large number of people who ask for assistance and cooperation in a variety of programs, few of whom know that the village leaders are already trying to carry out a number of other programs in various fields.

National planning and cooperation, especially among ministries of health, agriculture, economics, and education are essential and should be encouraged by all international agencies interested in nutrition.

Long-range programs for permanent improvement must be considered in relation to the development of entire communities. They must, therefore, consider the motivation, wishes, and economic limitations of the people concerned. Since such programs involve local education, increased food production, changes in crops, improved water supply, sanitation, home gardens, infectious disease control, and many other items, each requires concerted planning and integration.

There can be no doubt of the gravity of the problems outlined in this Conference. They require the fullest possible understanding and the most carefully conceived action—commensurate with the need. Failure to meet this challenge would exact an intolerable price in human suffering and degradation.

Note.—The full proceedings of the Conference including all the papers documenting the substance of this summary will be published as NAS–NRC pub. No. 1282.

INCREASED RATES OF BASIC PAY FOR MEMBERS OF THE UNIFORMED SERVICES

Mr. SIMPSON. Mr. President, the Armed Services Committee of the House of Representatives has reported out a military pay bill that would provide an average increase of approximately 10.7 percent in base pay to all members of the uniformed services. This bill was introduced originally March 3, 1965, by South Carolina Congressman L. Mendel Rivers, who, as chairman of the Committee on Armed Services, directed an exhaustive study into the military pay structure.

The measure, as reported, incorporates changes made in the original bill to provide for a variable reenlistment bonus and for an annual review of military pay.

I am today introducing in the Senate a pay bill identical to H.R. 9075, as that bill was reported out of the House Committee. I ask that it remain on the desk 5 days for the convenience of anyone who might wish to become a cosponsor.

I ask at this juncture of my remarks, Mr. President, that the bill be printed in the Congressional Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and held at the desk, as requested by the Senator from Wyoming.

The bill (S. 2230) to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, introduced by Mr. Simpson, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203(a) of title 37, United States Code, is amended to read as follows:

“(a) The rates of monthly basic pay for members of the uniformed services within each pay grade are set forth in the following tables:

“COMMISSIONED OFFICERS

“Pay grade	Years of service computed under section 205														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-10 [1]	$1,417.80	$1,467.60	$1,467.60	$1,467.60	$1,467.60	$1,523.70	$1,523.70	$1,641.00	$1,641.00	$1,757.70	$1,757.70	$1,875.00	$1,875.00	$1,992.30	$1,992.30
O-9	1,266.60	1,299.60	1,328.10	1,328.10	1,328.10	1,361.70	1,361.70	1,417.80	1,417.80	1,536.30	1,536.30	1,654.50	1,654.50	1,772.40	1,772.40
O-8	1,168.50	1,203.30	1,231.80	1,231.80	1,231.80	1,323.30	1,323.30	1,386.30	1,386.30	1,443.90	1,506.90	1,564.20	1,627.20	1,627.20	1,627.20
O-7	974.70	1,041.60	1,041.60	1,041.60	1,087.80	1,087.80	1,151.10	1,151.10	1,208.70	1,329.30	1,421.70	1,421.70	1,421.70	1,421.70	1,421.70
O-6	739.50	770.10	820.20	820.20	820.20	820.20	820.20	820.20	848.40	982.20	1,032.30	1,054.80	1,116.30	1,210.80	1,210.80
O-5	591.60	644.70	688.50	688.50	688.50	688.50	710.10	748.20	797.40	857.70	906.90	933.90	966.90	966.90	966.90
O-4	526.50	562.80	600.90	600.90	611.70	639.00	682.50	720.90	753.90	786.60	808.20	808.20	808.20	808.20	808.20
O-3 [2]	427.80	473.40	505.80	559.50	586.50	607.80	640.20	672.30	688.80	688.80	688.80	688.80	688.80	688.80	688.80
O-2 [2]	342.60	403.50	484.20	500.40	511.20	511.20	511.20	511.20	511.20	511.20	511.20	511.20	511.20	511.20	511.20
O-1 [2]	294.60	330.00	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50

“[1] While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is $2,140.20 regardless of cumulative years of service computed under section 205 of this title.

“[2] Does not apply to commissioned officers who have been credited with over 4 years' active service as an enlisted member.

“COMMISSIONED OFFICERS WHO HAVE BEEN CREDITED WITH OVER 4 YEARS' ACTIVE SERVICE AS AN ENLISTED MEMBER

“Pay grade	Years of service computed under section 205											
	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-3	$559.50	$586.50	$607.80	$640.20	$672.30	$699.60	$699.60	$699.60	$699.60	$699.60	$699.60	$699.60
O-2	500.40	511.20	527.10	554.40	475.70	591.60	591.60	591.60	591.60	591.60	591.60	591.60
O-1	412.50	440.40	456.60	473.10	489.60	511.80	511.80	511.80	511.80	511.80	511.80	511.80

“WARRANT OFFICERS

“Pay grade	Years of service computed under section 205														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
W-4	$435.60	$507.00	$507.00	$518.70	$542.70	$566.10	$589.50	$631.20	$660.30	$684.30	$701.70	$725.40	$749.10	$807.90	$807.90
W-3	396.00	468.90	468.90	474.60	480.60	516.00	546.00	563.70	581.40	599.10	617.10	640.80	664.50	688.50	688.50
W-2	346.50	388.50	388.50	399.90	422.10	444.90	461.70	478.50	495.30	512.40	529.20	546.30	568.50	568.50	568.50
W-1	288.90	347.70	347.70	376.50	393.60	410.40	427.50	444.90	462.00	479.10	495.90	513.30	513.30	513.30	513.30

"ENLISTED MEMBERS

"Pay grade	Years of service computed under section 205													
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
E-9							$492.00	$503.40	$514.80	$526.20	$537.30	$548.70	$577.20	$633.30	$633.30
E-8						$406.80	417.90	429.00	440.40	451.50	462.60	473.70	501.90	557.40	557.40
E-7	$261.00	$324.90	$336.90	$348.60	$360.30	372.00	383.70	396.00	413.40	425.40	437.10	442.80	472.80	531.90	531.90
E-6	225.00	276.30	287.70	299.40	311.10	322.50	333.90	351.30	362.70	374.10	380.10	380.10	380.10	380.10	380.10
E-5	194.10	242.10	253.50	264.90	282.00	293.70	305.10	316.80	322.50	322.50	322.50	322.50	322.50	322.50	322.50
E-4	163.50	200.70	211.80	228.30	239.70	239.70	239.70	239.70	239.70	239.70	239.70	239.70	239.70	239.70	239.70
E-3	117.90	160.20	171.60	182.70	182.70	182.70	182.70	182.70	182.70	182.70	182.70	182.70	182.70	182.70	182.70
E-2	97.50	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60
E-1	93.90	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80
E-1 (under 4 months)	87.90														"

SEC. 2. The enactment of this Act does not reduce—

(1) the rate of dependency and indemnity compensation under section 411 of title 38, United States Code, that any person was receiving on the day before the effective date of this Act or which thereafter becomes payable for that day by reason of a subsequent determination; or

(2) the basic pay or the retired pay or retainer pay to which a member or former member of a uniformed service was entitled on the day before the effective date of this Act.

SEC. 3. (a) Chapter 19, title 37, United States Code, is amended by adding the following new section at the end thereof:

"§ 1008. Presidential recommendations concerning adjustments and changes in pay and allowances

"(a) The President shall direct an annual review of the adequacy of the pays and allowances authorized by this title for uniformed personnel. Upon completion of this review, but not later than March 31 of each year, the President shall submit to Congress a detailed report summarizing the results of such annual review together with any recommendations for adjustments in the rates of pay and allowances authorized by this title.

"(b) Whenever the President considers it appropriate, but in no event later than January 1, 1967, and not less than once each four years thereafter, he shall direct a complete review of the principles and concepts of the compensation system of all uniformed personnel. Upon completion of such review he shall submit a detailed report to the Congress summarizing the results of such review together with any recommendations he may have proposing changes in the statutory salary system and other elements of the compensation structure provided members of the uniformed services."

(b) The chapter analysis of chapter 19, title 37, United States Code, is amended by adding the following new item:

"1008. Presidential recommendations concerning adjustments and changes in pay and allowances."

SEC. 4. Section 308 of title 37, United States Code, is amended by adding the following:

"(g) Under regulations to be prescribed by the Secretary of Defense, or the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, a member who is designated as having a critical military skill and who is entitled to a bonus computed under subsection (a) of this section upon his first reenlistment may be paid an additional amount not more than four times the amount of that bonus. The additional amount shall be paid in equal yearly installments in each year of the reenlistment period. However, in meritorious cases the additional amount may be paid in fewer installments if the Secretary concerned determines it to be in the best interests of the member. An amount paid under this subsection does not count against the limitation prescribed by subsection (c) of this section on the total amount that may be paid under this section."

SEC. 5. This Act becomes effective on the first day of the first calendar month beginning after the date of enactment of this Act.

Mr. SIMPSON. Mr. President, I have consistently supported legislation aimed at increasing the remuneration given our armed service personnel for their contribution in safeguarding the institutions of our free society and indeed of the free world. I am concerned, as are many other Senators, over the inability of our armed services to retain highly qualified and competent officers and enlisted men whose training represents a massive investment and whose services cannot easily be spared by our Military Establishment.

My purpose in introducing this bill, even though I am not a member of the Senate Armed Services Committee, is to expedite passage of legislation which appears to have strong support in the Congress and to allow it to be considered by the Senate committee in advance of final action by the House. I feel that in this way the salary increases, which our 2,723,000 officers and men on active duty desperately need, can become reality without undue delay.

We would indeed be pennywise and pound foolish if we were to continue our present policy of paying such miserly salaries that in one branch of the service alone, the Air Force, 60,000 men are either drawing or are technically eligible to draw welfare benefits; nearly 180,000 wives must work to support their families; and nearly 150,000 enlisted men are moonlighting in their meager spare time in order to keep their families together.

These figures could be tripled to get a rough total for all the services.

Mr. President, the combined bungling of international organizations has never succeeded in keeping the peace. The peace, such as it has been since 1945, has been maintained by American men and women in uniform whose training and dedication, combined with our unexcelled technical superiority, has enabled us to effectively determine the outcome of armed actions throughout the world. This is the deterrent to war.

In wartime when the American public can read graphic accounts of servicemen in battle, there is a greater awareness of the sacrifice represented by a career in uniform. Today in Vietnam Americans are beginning to once again realize that combat boots and a pair of dungarees mean something more than steak and eggs for breakfast, KP in the afternoon, and war games at night. But Americans have not yet become sophisticated enough to take full cognizance of the fact that the finest test of any military establishment is that it not be forced into a war of national survival. Any army can engage in war, but only the most superlative is so effective as to provide a deterrent sufficient to prevent war. The United States has such a deterrent force.

We see in Vietnam today a situation in which the type of war has thus far limited our reaction to it, but the fact remains that the greatest deterrent to a nuclear war has been America's military superiority. It is disgraceful that those to whom we look for maintenance of a peace with honor are being paid such a paltry sum.

In considering the military pay raise bill, we must take these facts into consideration:

The basic training provided a pilot in the Air Force before he is given his wings costs an estimated $96,000 per man. Even this great expenditure, however, fails to qualify him in the new highly sophisticated aircraft. If he is to become the pilot of an F–100 supersonic fighter, his training will cost an additional $171,000; to become a F–4C pilot, his training will cost another $324,320. I am advised by the Pentagon that the background training required to produce a competent, qualified B–52 aircraft commander involves a per man expenditure of $1.24 million.

For the enlisted man, simple basic training costs approximately $4,000. If you add to this elementary training as a specialist, the unit cost of training an inductee rises to $5,500 per man. Our failure to retain these enlisted inductees alone constitutes a monetary loss of approximately one-half billion dollars a year in this one area. The impact this experience loss has on our military operational capacity is obviously tremendous.

Our mission in considering a military pay bill would seem to be twofold: to get and to keep. We must pay on a scale that induces young men to enter the armed services and that encourages them to remain in the military and regard it as a profession so that the cost of their training will not be lost to the Nation.

A few additional statistics shed light on the sad deficiency in armed service reenlistment. Statistics for fiscal year 1962 show that for regular enlisted men the Air Force had a re-up rate of only 71.1 percent. This dropped by fiscal year 1964 to only 58.3 percent.

To the Army, Navy, and Marine Corps, enlisted rates are no less satisfying. For fiscal year 1964 they were, for the Army, 49.9 percent; for the Navy, 37.9 percent; and for the Marine Corps, 30.1 percent, giving us an average reenlistment rate for regular enlisted men of only 47.2 percent.

Mr. President, I should like at this point to ask that at the conclusion of my remarks an article from the March 1965 issue of the Reader's Digest entitled, "Paupers in Uniform," be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SIMPSON. Mr. President, now, more than ever before, the United States cannot afford to be second best in military personnel or military equipment. We cannot pay the men and women of our Armed Forces rockbottom salaries and expect either to attract the best that the Nation has to offer or retain those who we have been training at great expense.

No amount of money will adequately compensate our military men for the commitment they have made to remain in uniform when they can be called to fight on foreign fronts, but as citizens, as lawmakers, and as the primary beneficiaries of the free society which these guardians of the peace are protecting, we must at least attempt to bring their pay in line with that of their civilian counterparts. In a speech I was privileged to make in April of this year at Bolling Air Force Base, I said:

> Until we wake up and realize that American men in uniform represent the only alternative we have to unleashing full scale and catastrophic nuclear war every time a hot spot pops up around the world, American servicemen will continue to be the world's most underpaid and misunderstood keepers of the peace. Americans must become sophisticated enough to realize that the finest test of any military establishment is not that it be forced into a war of national survival but that it be so effective as to provide a deterrent sufficient to prevent war.
>
> We have such a mililtary capability today, but to keep it we must make a service career more attractive to the type of men in whose character, courage, and integrity we can place our trust. A substantial pay raise enacted by Congress without delay will be the first step in that direction.

The article presented by Mr. SIMPSON is as follows:

PAUPERS IN UNIFORM

(By Francis and Katharine Drake)

A job for Congress: revise the military pay scale upward. The present low-wage policy damages the morale and effectiveness of our soldiers, sailors, and airmen; it also causes constant turnover of personnel thus wasting the taxpayers' money.

The President's initiation of a crusade against poverty recently brought to light the plight of uncounted numbers of citizens who, at a time of unprecedented national prosperity, are unable to keep their heads above the financial disaster level. This spring the Nation is in for another shock, when the subject of military pay increases comes before Congress. The American people will then get a good hard look at a situation that must fill all but the thickest skinned citizen with a sense of shame: the financial plight of the men who protect our country.

The fact is that thousands of American enlisted men on active duty, skilled volunteers who wear their country's uniform with pride, are actually paupers in uniform. It is ironic that the Government, which established poverty levels, is itself paying many of its uniformed men below these levels. Some soldiers, sailors, and airmen and their families are even being forced to accept relief.

The Air Force, with 719,000 enlisted men and women, has just completed a survey and found (the figures can be tripled to get very rough totals for all services): (a) 5,000 Air Force men have received relief benefits; (b) 55,000 more are technically eligible for relief but too proud to accept it; (c) 169,000 receive basic pay below the Government poverty levels; (d) 148,000 men are moonlighting in their meager spare time; (e) 180,000 Air Force wives work to support the family.

It is a fact that a jet pilot, master of the skills involved in maneuvering supersonic planes, actually draws less pay than a Pentagon messenger.

LOST INVESTMENT

Former Senator Kenneth Keating described the pay situation as "a disgraceful reward for those who have sworn to defend our country." More than this, the low pay scale represents a great waste of the taxpayers' money. When poverty forces the majority of highly skilled men out of the services after their first hitch, the result is a perpetual turnover. The Government is committed to the tremendous cost of training new men who, in turn, will walk out. The total investment cost of training just one Air Force radar electronic specialist is $23,000; a ballistic-missile launch officer, $49,140; a B–52 commander, $1,400,000; his crew, another $2 million. When these men quit, all that investment goes down the drain.

Between 60 and 70 percent of all Air Force skilled enlisted men leave at the end of their first 4-year enlistment. Also, an average of 54 percent of the officers separate at the earliest permitted date. In the past 5 years Army resignations have increased by more than 50 percent, Air Force by 137 percent.

IN THE RED

The case history of Joe Doakes, high school graduate, age 19, comes closer to the rule than to the exception. Joe, motivated by patriotism, challenge, the promise of a fine technical education, begins his 4-year hitch as airman basic—pay: $78 a month, living in barracks with no allowances. Three years later he is Airman 1st class Doakes, now a skilled electronics specialist, earning $194 a month plus allowances, married, father of one child, expecting another—and in debt up to his ears. How, in 3 brief years, did Joe land himself in such a financial fix? The answer of course is: by marriage. (Our armed services today total 2,700,000 men in uniform; wives number about 1,500,000.)

Ineligible because of lack of rank for base housing, he now receives $83 quarters allowance from the Government. Cheapest off-base lodgings he can find cost $107 a month, not including utilities, which average $30 a month more. Furnishing the apartment sets him back nearly $1,000. Commuting to base involves a secondhand car; repair and gas bills cost him $24 a month. During the last 3 years Joe has had to move twice—and pay the family transportation costs each time. Government food allowance is $31.50 a month, or roughly 10 cents per person per meal for the three Doakes. Total pay, including all allowances, is $308 a month.

It boils down to this: the Doakes' monthly budget invariably balances in the red. Whenever he can, Joe moonlights, but unpredictable duty hours make sparetime work irregular. The services, perpetually short of skilled men, are forced to hire civilian technical representatives from private industry. Joe works alongside one of these, performing a duplicate job. The technical representative earns $1,000 a month (plus generous overtime). Having spent $25,120 on Joe's training, the Air Force now presses him to reenlist, offering a $779 re-up bonus. The technical representative tells him not to be a fool.

THOUSANDS OF JOES

This is the sort of choice faced by thousands of young service couples each year. On the one side, pride, patriotism, the hope of promotion; on the other, more money, shorter hours, higher living, the freedom to change jobs if opportunity beckons.

Joe's decision? "I'm quitting," he says. "Not because I want to, but because I just can't afford to stay in."

Multiply Joe by hundreds of thousands of men in each service: it adds up to billions of dollars a year wasted in unnecessary turnover—and a threat to our protective strength and the safety of our country. As Capt. William A. Golden states in the "Naval Institute Proceedings": "It is now necessary to recognize objectively that officers (and enlisted men) cannot be paid like busboys, worked like field hands, and released like old, slow halfbacks—it simply is not good business."

Today, our military are in danger of becoming forgotten men. The economy is leaving them so far behind that it is small wonder they are becoming disillusioned and embittered, unwilling to put up any longer with the status of second-class citizens. Many will settle for less pay than they can get in industry, for the privilege of serving their country—but not if they are going to be penalized for marrying young, and driven to live on charity handouts.

How can we make a military career attractive to the youth of America? The services, in mutual consultation, have defined the minimum improvements they believe necessary.

BASIC PAY

The study proposes an immediate pay increase of 16 percent for enlisted men with less than 2 years' service, 15 percent for officers with less than 2 years' service, plus increases for other officers and enlisted men, plus a redefinition of subsistence allowances for those who cannot eat on base. (There was a military pay raise only last year, but of only 2½ percent—of virtually no benefit to the lower ranks who needed it most.) The proposed increases would average from $12 to $44 a month for enlisted men, from $37 to $111 for officers. By contrast, raises granted last year to civilian Federal employees were five times as high.

PROMOTION

This is a major grievance among servicemen, since, at present, a promotion with accompanying pay increase is by no means automatically granted when a man becomes eligible. Restrictions on the services' authority to promote enlisted men deny deserved promotions. As a result, some highly qualified lower grade enlisted men are doing sergeants' work but receiving neither sergeants' stripes nor sergeants' pay.

QUARTERS

Housing has long been acknowledged by Congress to be part of military pay. Quarters, moreover, are supposed to be on-base, so that personnel are readily available in case of emergency. This commitment has never been properly honored. Below the rank of sergeant, virtually no serviceman is able to live on base if he is married. Instead, like the Doakes, hundreds of thousands of young service families dwell in civilian quarters, some adequate, some miserably substandard. Rent gouging in the vicinity of military bases is commonplace.

The services' proposal is to adjust basic quarters allowances to a more realistic amount. This is a stopgap. What is really needed is adequate base housing—which would cost the Government less in the long run.

A cure lies in renewing the Capehart housing bill, which expired last year. That bill permitted the military to have houses built on base, or next to it, by civilian contractors; to borrow the cost from private lenders on FHA-secured 20-year mortgages; and to pay these off out of congressional appropriations. The mortgage cost on a $17,500 unit is actually less than the average amount now paid out for a serviceman's quarters allowance—and the Government ends by owning the house free and clear. While the Government cannot build all the 350,000 units needed, it can and should build more than the 3,000 at present under construction.

But even with adequate housing, military paychecks can never compete with the wages of private industry. A petty officer in charge of the reactor aboard the cruiser *Long Beach* earns $453 a month. His civilian counterpart aboard the *Savannah* rates $1,200.

PRIVILEGES

These represent the compensating factors that traditionally bridge the gaps. Among them—counted as a part of service pay for 99 years—is the right to shop in commissaries, where the military can buy food at cost plus a surcharge of 3 percent. Well stocked at one time, post stores nowadays have only a quarter of the items available at supermarkets, operate only 40 hours a week, carry no "specials," no fancy items, and have long waiting lines; but savings amount roughly to $400 a year per family of four—a sum of critical importance.

A questionnaire recently circulated among 176,000 men in uniform reveals that 50 percent more enlisted men and 30 percent more officers would be obliged to leave the service if post shopping facilities were withdrawn and the $400 savings denied. Loss to the Government on commissary transactions amounts to roughly $40 a year per family, a sizable sum overall. But as Representative CRAIG HOSMER, of California, points out: an increase of one-tenth of 1 percent in the reenlistment rate would more than cancel out this Government red ink.

Also, the Department of Defense has acknowledged that any attempt to replace commissary savings with a pay raise would "greatly exceed the Government cost in operating base stores." Constant attacks on these and other privileges—base clubs, movies, etc., run by the men themselves at no cost to the Government—tend to make men quit in disgust. Anything that injures the military esprit de corps costs the Nation dearly.

NEEDED: GOOD MEN

Secretary of Defense Robert S. McNamara's determination to run his Department as efficiently as a business has been much in the headlines. He has shown courage and ingenuity in saving nearly $3 billion from our defense bill. Yet, in the words of Adm. David McDonald, the Chief of Naval Operations: "No other business in the world leans so heavily on manpower as does the military." Good hardware is of little use without good men.

The cost of the raise in pay and allowances for all services, proposed in the military services' study, is $811 million a year. Against this, savings would be realized. Pay and maintenance of our 2,700,000 men is about $15 billion a year; if, by retention of experienced men, the total manpower requirement could be reduced by only 10 percent, the savings would exceed the pay raise by far.

In the last analysis, the hope for the military lies in the understanding and support of the public, whose welfare is directly concerned. To give servicemen the stepchild treatment is to tamper recklessly with the innermost fabric of military security. If through indifference we cast loose the ablest and most skilled fighting men in the world, our future is indeed in jeopardy.

NATIONAL HIGHWAY TRAFFIC SAFETY ACT OF 1965

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, the National Highway Traffic Safety Act of 1965 and ask unanimous consent that it be referred to the Committee on Commerce and that it remain at the desk through July 7 in order that Senators who wish to might join as cosponsors. I also ask unanimous consent that the bill be printed in the RECORD at the end of my remarks, together with a section-by-section analysis of the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Connecticut.

The bill (S. 2231) to establish a National Highway Traffic Safety Center to promote research and development activities for highway traffic safety, to provide financial assistance to the States to accelerate highway traffic safety programs, and for other purposes, introduced by Mr. RIBICOFF, was received, read twice by its title, and by unanimous consent, referred to the Committee on Commerce.

Mr. RIBICOFF. Mr. President, the coming Fourth of July weekend should be a reminder that over twice as many Americans have been killed on our highways in the first 3 months of 1965 than died in battle throughout the entire 8 years of the Revolutionary War in which we won the independence we are about to celebrate.

In the next decade 1 out of every 5 Americans will be killed or injured in traffic accidents unless we do something about it.

At the current rate of increase over previous years, traffic accidents will claim the lives of 100,000 Americans annually by the year 1975—just 10 short years away.

It is time we woke up and faced the reality of these facts rather than hiding our heads in the sand and pretending that highway injury and death is what happens to the other fellow—that mythical "nut behind the wheel." It is time to get tough—tough with ourselves as drivers—as road builders—as auto makers—and to start doing something about the carnage on our highways.

That is the purpose of the bill I am introducing today. It would establish for the first time a truly national highway traffic safety program. The problem has become so massive that it cannot be left simply to State and private organizations and groups.

We need to accelerate highway-safety research and administration. Federal assistance to State and local agencies, universities, national associations of State officials, private research organizations, and others, will help attract to the study of highway safety matters research talent that is desperately needed. Federal aid of this type is proper, in view of the interstate character and serious national implications of the traffic-safety problem.

We also need to develop needed standards in such areas as traffic law, driver licensing, motor vehicle inspection, traffic-control devices, accident reporting, driver training, and the like. There should be review and evaluation, conducted at the Federal level, of all existing standards affecting highway safety. Following this review, Federal aid should be made available in order to organize and support the necessary cooperative work required to accomplish needed improvements in existing standards. This would also encourage the States to participate in the development of improved guides, and to apply them, as well.

The bill would establish in the Department of Commerce a National Highway Traffic Safety Center in which the Secretary of Commerce would conduct programs of highway safety research and development. He would review all the various standards for traffic safety with a view to helping the States update and improve them so that a person would know that a sign or signal in one State means the same as it does in another State—that a driver qualified in one State meets the same standards as any other driver—that a vehicle inspected in one State is safe for all States. I ask unanimous consent to insert at the end of my remarks a series of articles which appear in the current Atlantic Monthly's special supplement entitled "The Automobile in American Life."

The Secretary of Commerce, would, in addition, coordinate all programs for highway traffic safety now conducted by a wide variety of Federal agencies. An annual expenditure of $45 million would be available for all these activities and responsibilities of the Secretary of Commerce.

In addition, $105 million a year would be available to encourage the States to establish adequate programs of driver education and vehicle inspection. It is vital that we train the over 3 million youngsters reaching driving age each year and that older cars meet minimum safety standards.

The assistance for driver training would be directed toward the acquisition of vehicles, training facilities, and equipment, and other physical items needed, as well as the strengthening, through experience and scientific research, of the effectiveness of training techniques.

In the many areas, driver education programs have been limited or nonexistent, due to the lack of needed facilities, including qualified instruction, vehicles, and associated training aids. The legislation I propose will help the States meet this need by providing financial assistance to the States to cover half the cost of driver training programs. An estimated $60 million a year will be allocated for this program.

We tend to place great emphasis on the safety of the new car—which is proper—but let us not forget that the average age of the automobile on the street today is 6 years. Vehicle inspection, therefore, is an absolute necessity. Annual or semiannual examination of vehicle features closely related to safe operation is justified, in order to offset the tendency of many car owners to neglect vehicle-maintenance responsibilities. Periodic inspection of motor vehicles assures the average highway user of having a reasonably sound vehicle, properly equipped, for the major portion of his driving. It is not unusual for inspection authorities to find one-third or more of the vehicles with one or more reasons for rejection, most of which have potention for contributing to an accident. Aside from its value mechanically, motor vehicle inspection is a far more efficient means of checking certain legal safety requirements than could possibly be achieved through traffic law enforcement.

Perhaps among all its values, the psychological value of making drivers more mindful of the importance of maintaining their vehicles and their equipment in safe operating condition is not to be overlooked. The inspection contemplated under the bill would be performed at stations or garages officially operated or specifically designated and certified for that purpose by the State. By advance agreement with the States, Federal participation in the cost of the motor vehicle inspection incentive plan would be established as a share of the initial cost, and would terminate after an agreed period of time, following which the program would operate on a self-sustaining basis. For the first years of the program $45 million in Federal matching grants will be needed. Eventually this cost feature will be eliminated freeing the funds for use in helping the States establish uniform traffic safety rules and regulations.

This is an expensive program I am proposing. But is not a $150 million expenditure worth it, when you consider that we are losing $8 billion annually in terms of accident losses, hospital costs, insurance costs, and the like—not to mention the human suffering and anguish caused by 48,000 traffic deaths and over 3 million traffic injuries each year?

This program would be financed by earmarking part of the 1 percent auto excise tax that was not repealed earlier this month for traffic safety purposes. We came within an eyelash of losing the entire tax for public use. I propose now to take advantage of this situation and apply part of that 1 percent auto excise tax to traffic safety. In this way we all participate. Approximately $22 of the price of every new car sold in the United States would be devoted to making our roads and streets safer. I think Americans are willing to spend $22 every time they buy a car to save their lives and those of their families.

Mr. President, I wish to announce that the Subcommittee on Executive Reorganization of the Committee on Government Operations will resume its hearings on the Federal role in traffic safety on July 13. Our first witness will be James M. Roche, president of General Motors, and Harry F. Barr, General Motors vice president for engineering.

The bill, section-by-section analysis, and article are as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Highway Traffic Safety Act of 1965."

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to establish and strengthen a national effort for highway traffic safety by initiating and accelerating a national research and development program, by applying the results of such research to improving minimum standards for highway traffic safety, by providing assistance to the States for improved driver education and motor vehicle inspection and testing programs, and by encouraging public and private agencies and organizations to participate in traffic safety programs.

DEFINITIONS

SEC. 3. As used in this Act—

(a) the term "Secretary" means the Secretary of Commerce;

(b) the term "State" means a State, the District of Columbia, and the Commonwealth of Puerto Rico; and

(c) the term "State highway safety board" may include in the case of a State in which there is no State highway safety board an appropriate State agency other than a highway safety board designated for the purposes of this Act by the Governor of such State.

ESTABLISHMENT OF HIGHWAY TRAFFIC SAFETY FUND

SEC. 4. (a) There is hereby established in the Treasury of the United States a Highway Traffic Safety Fund (hereinafter referred to as the "fund") into which shall be covered for each fiscal year beginning after June 30, 1965, amounts equivalent to so much of the taxes received by the Treasury after such date under section 4061(a)(2) of the Internal Revenue Code of 1954 (relating to tax on passenger automobiles and trailers) as is attributable to so much of the tax imposed on articles taxable under such section as does not exceed a rate of 1 percent. For purposes of the preceding sentence, amounts received during the fiscal year ending on June 30, 1966, shall be taken into account only to the extent attributable to liability incurred after June 30, 1965.

(b) The Secretary of the Treasury shall from time to time transfer from such fund to the general fund of the Treasury amounts equal to the amounts of credits or refunds (or the proper portion thereof) of the taxes under such section 4061(a)(2) allowed or paid under such Code.

APPROPRIATIONS

SEC. 5. Amounts covered into the fund established by this Act shall be available for expenditure for the purposes of this Act only to the extent appropriated therefor.

NATIONAL HIGHWAY TRAFFIC SAFETY CENTER

SEC. 6. The Secretary shall carry out the provisions of this Act through a National Highway Traffic Center (hereinafter referred to as the "Center") which he shall establish in the Department of Commerce. The Center shall be headed by a Director who shall be appointed by the Secretary and shall receive compensation at a rate fixed by the Secretary in accordance with the Classification Act of 1949.

DUTIES OF THE SECRETARY

SEC. 7. In order to carry out the purposes of this Act the Secretary shall—

(1) plan, conduct, and administer basic research and development programs for highway traffic safety;

(2) conduct engineering studies, establish testing facilities and proving grounds to apply the results of such research and to assure the practicability of such developments for highway traffic safety;

(3) prepare with the assistance of State, interstate, and private organizations an inventory and evaluation of present standards for highway traffic safety, including the consideration of driver training, traffic laws, driver licensing, traffic control devices, highway construction, motor vehicle inspection, and accident reporting;

(4) collect and disseminate through appropriate means, all information pertaining to such standards of highway traffic safety the results of such research, and recommendations for the improvement of such standards;

(5) establish national minimum standards for highway traffic safety;

(6) cooperate with State highway safety boards, such interstate agencies as are established pursuant to the joint resolution of the Congress relating to highway traffic safety approved August 20, 1958, and other public and private agencies and organizations (including private industries) in the preparation and administration of the research programs under this Act;

(7) coordinate all programs for highway traffic safety research, development, and testing in the Federal establishment;

(8) make grants to or contract with, public and private agencies, organizations, and individuals for research and training projects, and such contracts for research shall be made in accordance with and subject to the limitations provided with respect to research contracts of military departments in section 2353 of title 10, United States Code, except that the determination, approval, and certification required thereby shall be made by the Secretary.

INCENTIVE GRANTS FOR STATE MOTOR VEHICLE INSPECTION PROGRAMS

SEC. 8. (a) From sums appropriated pursuant to section 5 of this Act for any fiscal year but not to exceed $45 million of such appropriation, the Secretary is authorized to make grants to State highway safety boards to pay up to 50 per centum of the cost for the establishment or improvement of State programs for motor vehicles inspection in accordance with the provisions of this section.

(b) Any State desiring to participate in the grant program under this section shall submit through its State highway safety board a State plan which shall—

(1) set forth a program for establishing, or improving (in the case of a State which already has in operation a State administered motor vehicle inspection program), State supervised motor vehicle inspection at garages or other suitable facilities certified by the State for that purpose;

(2) agree to accept and apply such minimum standards for highway traffic safety with respect to inspection as the Secretary shall by regulation prescribe;

(3) provide that the State will pay from non-Federal sources the remaining cost of such program;

(4) set forth provisions for the financing of such plan without Federal assistance;

(5) contain satisfactory evidence that the State will adequately supervise such inspection;

(6) provide that the State highway safety board will make such reports, in such form and containing such information as the Secretary may require; and

(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

INCENTIVE GRANTS FOR STATE DRIVER EDUCATION AND TRAINING PROGRAMS

SEC. 9. (a) From the sums appropriated pursuant to section 5 of this Act for any fiscal year, but not to exceed $60 million of such appropriation, the Secretary is authorized to make grants to State highway safety boards to pay up to 50 per centum of the cost of developing, establishing, and improving programs for driver education in accordance with the provisions of this section

(b) Any State desiring to participate in the grant program under this section shall submit through its State highway safety board a State plan which shall—

(1) initiate a State program for driver education or significantly expand and improve such a program already in existence;

(2) include provisions for the training of qualified instructors and their certification;

(3) provide for adequate research development and procurement of practice driving facilities, simulators, and other similar teaching aids;

(4) include financial assistance by the State to institutions of higher education for research in driver education testing, curriculum, and methods of instruction;

(5) provide that the State will pay from non-Federal sources the remaining cost of such program;

(6) provide adequate State supervision and administration of such driver education; and

(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

(c) Prior to prescribing regulations under this section the Secretary shall consult with the Secretary of Health, Education, and Welfare.

DETERMINATION OF FEDERAL SHARE

SEC. 10. The Secretary shall determine the amount of the Federal share of the cost of programs for motor vehicle inspection and testing approved by him under section 8, and such share of the cost of programs for driver education approved by him under section 9, for each fiscal year, based upon the funds appropriated therefor pursuant to section 5 for that fiscal year and upon the number of participating States.

ADVISORY COUNCIL ON HIGHWAY TRAFFIC SAFETY

SEC. 11. (a) The Secretary may, without regard to the civil service laws, appoint an Advisory Council on Highway Traffic Safety to advise and consult on all matters concerning traffic safety including the establishment of national minimum standards for such safety. The Council shall be appointed by the Secretary from persons who are specially qualified by training experience, and competence to render such service and who are representative of the fields of State and local traffic safety and enforcement, law, medicine, engineering, education, psychology, and public information.

(b) The Council shall meet at least once each year and at such other times as the Secretary may direct.

(c) Members of such Advisory Council shall, while attending meetings or conferences of such Council or otherwise engaged on business of such Council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

ADMINISTRATION

SEC. 12. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress at least once in each fiscal year a comprehensive and detailed report on the administration of this Act.

(b) The Secretary is authorized to request directly from any department or agency of the Federal government information, suggestions, estimates, and statistics needed to carry out his functions under this Act; and such department or agency is authorized to furnish such information, suggestions, estimates, and statistics directly to the Secretary.

(c) Payments of grants made under this Act may be made in installments, and in advance or by way of reimbursement, as may be determined by the Secretary.

SECTION-BY-SECTION ANALYSIS OF NATIONAL HIGHWAY TRAFFIC SAFETY ACT OF 1965

Short title: "National Highway Traffic Safety Act of 1965."

Purpose: To establish and strengthen a national effort for highway traffic safety.

Definitions: Defines various terms used in the act including "State highway safety board."

Highway traffic safety fund: Establishes a highway traffic safety fund into which is covered the 1 percent automotive excise tax, and provides that such funds will be available for appropriation to carry out the purposes of the act.

National Highway Traffic Safety Center: Establishes in the Department of Commerce a National Highway Traffic Safety Center as the agency to carry out the purposes of the act.

Duties of the Secretary: Sets forth duties of the Secretary of Commerce including responsibilities for research and development programs, engineering studies, establishment of testing facilities and proving grounds, highway traffic safety standards inventory and evaluation, dissemination of traffic safety information, establishment of national minimum standards for highway safety, cooperation with State and interstate agencies, coordination of all programs for highway traffic safety in the Federal Government, and research and training grant programs.

Incentive grants for State motor vehicle inspection programs: Authorizes $45 million annually in matching Federal grants to encourage the establishment of qualified State vehicle inspection programs and requires State inspection programs to become self-sustaining.

Incentive grants for State driver education and training programs: Authorizes $60 million annually in matching Federal grants to encourage the establishment of qualified State driver education and training programs to be supervised and administered by appropriate State agencies.

Determination of Federal share: Federal share of the vehicle inspection and driver education and training programs will be based upon the funds appropriated from the Fund and the number of participating States.

Advisory Council on Highway Traffic Safety: Authorizes appointment by the Secretary of Commerce of an Advisory Council on Highway Traffic Safety to advise and consult on all matters concerning traffic safety including the establishment of national minimum standards for such safety.

Administration: Requires annual report to Congress on the administration of this act.

MAN OR MOTOR?

(By Paul B. Sears)

In 1863 Samuel Butler wrote to the editor of the Press of Christchurch, New Zealand, a letter which he called "Darwin Among the Machines." Though not himself a scientist, Butler had a better grasp of evolution than many of the professionals of his day. In this letter he points out that the machine is definitely an evolutionary phenomenon, but warns that, useful as it is, it could become man's master and he its slave.

The germ of this idea was not new, going back to Daedalus and Icarus, the scriptural account of Babel, Aladdin and his formidable servant, and the old tale "Why the Sea Is Salt." In this last, be it remembered, a sea captain was granted a wish. Since his business was the transport of salt, he asked for a machine that would produce and grind it into the hold of his vessel. He got his wish, but not the formula for stopping the process. And so his ship foundered, while the mill continued to operate beneath the waves.

Nearly a century was to elapse after Butler's warning before the late Norbert Wiener, who had contributed his genius to developing the modern computer, spent his last days in cautioning us about its dangerous potential. Meanwhile, Julian Huxley and others have reminded us that evolution is now a cultural rather than a purely biological process and that man has the fearful responsibility of guiding it.

On our historical time scale, man is likely to remain about the same organism he is now. But the extension of his physical powers through invention is bringing about developments that far surpass, in rate and kind, those which have taken place throughout the known history of life. Nothing else since the origin of terrestrial organisms has produced such profound disruption of the natural environment or such striking variation in the behavior of a single species in so short a time as the computer.

Developed and perfected within the memory of many now living, the automobile is a prime evolutionary phenomenon. Of the attributes of living things—metabolism, motion, response, and reproduction—it possesses the first two beyond question. But the controls of the nervous and reproductive systems are in another body, that of man, and so, in consequence, is the control of energy flow and the accompanying chemical changes which represent metabolism and make action possible. As economist Kenneth Boulding has put it, a visitor from another planet might conclude that we had evolved a swarm of giant wheeled bugs with detachable brains.

To be quite philosophical, the automobile should be viewed in the light of a continuum—man's effort to transcend the barriers of space and thus of time. This series began with foot travel and face-to-face communication, moving on to horse, rail, wire, automobile, airplane, missile, satellite, and electronic message in exponential fashion. So rapidly we have been overtaken by these latter developments that we have dealt with them only by crude improvisation. Certainly nothing is more sorely needed than a masterly study aimed at the coordination of all forms of transport by water, land, and air. The individual whose occupation obliges him to travel is beset by raggedness and disorder, which add greatly to his burden.

However urgent the need for such a study, it is not yet in sight. Meanwhile, we can only follow the ancient rule—when a problem is too big and complex to handle, we must keep looking at it and thinking about it in the hope that we can discern some pattern. As a practical matter, we must break it up into pieces of digestible size and try to deal with them one at a time. So far as the automobile is concerned, there is more than enough reason to tackle it as an entity. For its impact upon society, the individual, and the environment of both is more and more pervasive, powerful, and insistent.

In 1962 the number of births in the United States was slightly more than 4 million. In the same year there were almost 7 million passenger cars sold at factory, of which the number exported was about half that of imports. In service at present there are 2 automobiles for every 5 people in our country. In 1900, with a population of some 75 million, there were an estimated 4,000 cars sold, about 1 for 18,000 people.

Those of us who remember the spluttering cough, frequent balking, and tentative engineering of the first automobiles, the mud roads between towns, and the cobbled or unpaved urban streets of 1900 will probably agree that the bulk of Americans get around at least 10 times faster now than 60-odd years ago. If so, we cover as individuals some hundred times more territory in a unit of time. The energy for this activity comes no longer from the food of men and horses, but from fossil fuel. Passenger cars alone consume over 42 billion gallons of gasoline per year, over 600 gallons per car. Knowledgeable estimates reckon that this material is being used a million times faster than it was formed during past ages.

This explosive release of energy devoted largely to fast movement is taking place in a population now doubling in half a century or less. Here we come face to face with a physical rule that applies to man as well as molecules, for both are dynamic particles. When such active units, whether of gas in a flask or living humans on an island or even a continent, are confined within a finite space the mean free path of each decreases with crowding. And if energy is added to the system, either by heating the flask or moving man about faster through the use of fossil fuel in the internal combustion engine, the degree of freedom is still further reduced.

This, of course, sounds like statistical nonsense to the Nebraskan who can speed on good roads from Lincoln to Denver in a day. It is more convincing to the victim of daily traffic jams and parking problems, or to the traveler caught in a seven-mile lineup of stalled cars by blockage of a tunnel on the Pennsylvania Turnpike. It takes on ghastly conviction at the sight of a fatal traffic accident and the realization that there are over 40,000 deaths per year from this source. With men as with molecules, collisions increase as the mean free path decreases.

The sheer physical aspects of the automobile are not confined to what happens when it is in motion. Alive or "dead," it is a jealous consumer of space. The stabling of a single car requires some 13 percent of the floor space of an average family home. Commercial parking establishments, nearly 11,000 of them, aggregate into big business with an annual intake of over a third of a billion dollars and the consumption of an important amount of urban space. Metered on-street parking is a significant element in municipal income. But both free and paid parking are often at a premium in commercial areas, their benefits being offset by the obstruction to the flow of traffic. The loss of sales in the older civic centers due to parking difficulties is amply proved by the growth of peripheral shopping facilities, due only in part to suburban expansion.

The death rate of automobiles is astonishingly high, some 70 percent of the number manufactured each year being junked. Since our human birth rate is about three times that of the death rate, this gives some sobering thoughts about the future and its problems. To a greater extent than is commonly realized, both family size and the discarding of cars are products of vogue rather than physical necessity. One must keep up with the neighbors in both respects. Whether aprocryphal or not, there is truth in the saying attributed to a distinguished executive, "If the public ever catches on to the fact that a new car every 2 years is not a necessity we are sunk."

The American public, so often accused of materialism, suffers from exactly the opposite malady—a lack of respect for materials. The modern automobile, aside from weird vagaries of appearance which seem to be quieting down, is a superb engineering achievement deserving more respect and better care than it usually gets. One cannot help thinking nostalgically of an earlier day when possessions were harder to come by and home equipment such as edged tools and rifles was given the loving care now bestowed on household pets.

Except for the aficionados whose hobby is antique cars, few Americans would feel the pride of a British friend bowling along in a 19-year-old Rolls, running like a top and good for years more. In addition, there are the factors of mechanical ignorance on the part of owners, the increasing complexity of the machine itself, and the scarcity of competent and reliable mechanics to be reckoned with. So blinded are we by our general affluence that the small margins of time required for proper maintenance are never balanced against the many hours which rapid travel adds to our time budget.

The concrete and highly visible symptom of this waste is the growing size and number of automobile graveyards that disfigure the countryside. These are among the worst of many needless blots on the beauty of our landscape. Concealing walls, such as are required around unsightly spaces in Mexico City, would help greatly. More important, however, are the economic factors involved. New processes for the treatment of low-grade ores have reduced the value of junk in manufacture. A further complication is due to the presence of more than a dozen alloys in the modern automobile. Unless some economical means of separating the various metals for reuse can be devised, car cadavers will remain a drug on the market and an offense to the eye.

So long as cheap materials direct from mine and smelter are available, industry is not likely to underwrite the needed research. But competent authority believes it can be fruitful and might, in the interest of long-term national economy as well as esthetics, be undertaken by a suitable Federal agency, possibly the Bureau of Mines.

A university official once ventured the opinion that it is safer to woo a colleague's wife than to go after any of his office or laboratory space. This intriguing hypothesis will probably—for what we might call technical reasons—remain where he left it, but the fact is that rivalry for space is an old and growing problem in the human adventure. It lies back of tribal conflict and enforced prehistoric migration to all the continents. It explains the near extinction of the bison and our ambivalence toward the forest, at once a source of benefit and a rival for space. And anyone who has tried to move by taxi through the New York garment district, between Grand Central and Penn Station, is well aware that our own creation, the automobile, annihilates space in more senses than one.

This vehicle is not only a taker-up of room. It is also, as we have suggested, a potent biological and cultural influence. One would be tempted to call it an artificial organism if that did not make it necessary to coin another word for the living prototypes, each structurally and functionally complete and self-contained in its way. Even so, it shares enough properties in common with things truly alive to give us a start.

Perhaps the most significant aspect of the automobile has its close parallel in natural history. The rise of new forms reacts upon those already existing, often in the most intimate ways. Aside from obvious competition, often toughest among members of the same species since their requirements are identical, there is an elaborate spectrum of relations between species. These vary from coexistence through mutual aid, interdependence, and on, by various degrees, to complete parasitism and slavery.

We have only glimpses of the way in which the more extreme degrees of interspecific tyranny have arisen. Many of them, no doubt, started in fairly casual and innocuous fashion, tightening their grip by gradual stages. There are, for example, insects that form galls on plants. Eggs are deposited within the host tissue, and when the larvae hatch, the chemicals they produce stimulate the formation of succulent plant cells. Within the swelling so produced, the young find food and shelter until they emerge. One genus of such gallmakers is responsible for an astonishing range of complexity, presumably an evolutionary series, in these edible homes. The series begins with a simple swelling of the affected stem and goes on into more and more elaborate forms, resembling less and less what the plant would produce on its own. Each form identifies the species of insect, but the plant does the work under the biochemical control of its boarder.

The trick here, as in other cases of insidiously begun piracy, is the initial tolerance of the host. If the first invader were so uncongenial ("toxic" is the word, Bergen) as to kill the cells surrounding it, it would starve. But we know that many poisons of animals and plants, in minute amounts, act as stimulants instead of killers. First steps on the road to captivity can be acceptable, or even disarmingly agreeable, whether we speak of plants and animals, marriage, politics, or inventions.

While we leave the reader to draw what further conclusions he has a mind to from this biological parable, we may examine a few of the side effects of the automobile on man, his environment, and his way of life. Let us admit at once that the mixture of debit and credit is so intimate and confusing that no easy solutions are in sight.

Neglecting for a moment the mutilation and death of human bodies, I noted in the days before I owned a car that my friends who had them laid on much weight much faster than I did with my 3-mile walk to and from work. A Scandinavian military observer in Korea and a warm friend of the United States ventured the opinion that we had forgotten how to walk. Where we could move men and materiel by motor, we were invincible, but where this was impossible, the enemy could sometimes get himself and his equipment in place by sheer muscle power, to our great discomfiture.

Neither physical comfort nor safety appears to be the first consideration in modern car design. Space for the human body is too often minimal. One hears complaints of "throughway sciatica," while a driver and passenger need not be far advanced toward senile stiffness to find it an awkward business getting in and out of their seats. Medical men have troubles enough without looking into the effects of tension resulting from car travel, but the eyestrain from shiny hoods and sloping windshields requires no statistical proof.

Aside from accident, the most notorious effect of the automobile on the human body results from what it does to the air we breathe. When we depended upon horsepower in its classical sense, the effluvia might not have been pleasant to all, but they were certainly harmless, as well as useful to the soil. As to those from the motorcar, they are unpleasant, useless, and do us no good, even though we have much to learn about their cumulative effects. The skunk is a small-time operator at best and a good citizen in many respects. It would be well if he could spare some of his potent warning power to the more dangerous discharges of the modern motorcar.

In addition to exhaust fumes, we have to reckon with vapor displaced when tanks are filled. In great cities this is awesome in amount and becomes definitely toxic through chemical change in the upper atmosphere. So prevalent is contamination that it has become a dual pleasure to travel in remote regions where water is fit to drink and air to breathe. We have little reason to pride ourselves on our technological brains so long as we tolerate such conditions, but we must give the automobile credit when it enables us to escape for a time from them.

Even this credit for escape has its ambiguities. It is a wonderful thing that motor travel is knitting us into consciousness of our unity as a nation. A British friend, recently naturalized, celebrated that event by a coast-to-coast automobile trip with his family. He came back glowing with pride at his adopted country. The spreading uniformity of which critics complain also has its merits to those who can recall the execrable hotel fare and infested beds of less than a lifetime ago. Yet our choicest beauty spots, such as the Yosemite, are being loved to death, while even New Mexico, beautiful land of sunshine that it is, is in danger of being dubbed the beer-can State by visitors who see the roadsides as they spin along.

Every biological entity not only is acted upon by environment but reacts in turn upon its surroundings. This property is shared by the automobile in most highly visible form by its demand for pathways. It has reversed the ancient legend of the invention of shoes, which explains that an oriental monarch required his minions to spread a strip of smooth leather before him to protect his bare feet against the rough ground. This went on until some genius found that the same result could be obtained by fastening leather soles to the royal feet.

The current annual cost of highway construction approaches $5 billion, something like $25 per capita. In an earlier day each male citizen was often required to give the equivalent of a day's work on the roads each year. Women and children were exempted, as, statistically speaking, they no longer are. While 88 percent of the more than 3.5 million miles of highway are rural, travel in passenger miles on urban roads almost equals that on the rural. As an interesting footnote, we have made many counts on urban traffic. We have yet to find a time when fewer than 75 percent of the cars carry a single passenger. If we could accept as honest an average rating of 100 horsepower for each car and the rating of 1 horsepower as equivalent to 10 man-powers, no despot ever had such transport service.

Geologically speaking, the modern highway has only one equivalent. That is a lava flow. It is essentially an irreversible phenomenon, put there to stay, regardless of any future potential for the land which it occupies. Highway location not only cancels out any other possible use but determines the future geometry of the Nation. Consequently, the location of any major highway should be an object of the most considered thought, the most complete information, and the best judgment available. Esthetic as well as economic and engineering considerations should be in balance.

Early roads were consequent on topography as well as need. Often they followed animal trails, which had been influenced by the principle of least effort. With the opening of the Northwest Territory in 1787, the level surface of Ohio made possible a rectangular grid system of roads enclosing each square mile, which has been followed since wherever possible. Thus, a convenient pattern of land measure was combined with general access, but most of these roads were incredibly dusty when they were not hub-deep in mud. Even before the automobile appeared, local merchants and farmers had worked to begin a program of crushed stone roads devised by McAdam in 1815.

With the advent of machine travel, experiments in hard-surfacing began, leading gradually to our present techniques based on massive earth-moving and construction machinery. As the range and efficiency of the automobile increased, so did the demand for longer roads, an early example being the transcontinental Lincoln Highway, now Route 30. This development resulted in increasing participation by higher units of government, culminating in the present impressive Federal-aid Interstate System.

Such vast activity called for special engineering expertise. As a result, not only the construction but the details of location have come to be governed primarily by engineering considerations. A notable factor has been the rise of State highway commissions, amply financed. So great is their power that citizen protest is often helpless unless it can reach a sympathetic State Governor.

Meanwhile, instances of such protest have been increasing. Traffic noise, community disruption, destruction of historic buildings, parks, natural areas, and scenic values have all been involved. More than once high engineering skill has been thwarted by circumstance. The New Jersey Turnpike, designed to carry a traffic load predicted for 1975, encountered it on opening day, and the volume has been increasing ever since. Again, a splendid highway may debouch into a constricted outlet, slowing down and piling up traffic, like the blood in a varicose vein. It has come to be a truism that good roads serve to increase the pressure of traffic as much as to solve its problems. I have yet to find a city with the good sense to put a taxi driver on its traffic commission. I usually find they have very sound ideas arising from their daily experience.

Protesters have been free in their criticism of the engineering mind, despite the fact that this profession rates among the highest in mental capacity. But the individual engineer is seldom a free agent. Whether he works on automobile design or highway planning and construction, he works for somebody else. So far as highways are concerned, the employing officials and commissions are themselves under enormous pressure. When one considers the combined, almost glacial power of the truck and bus industries, the purveyors of road metal and construction machinery, the contractors and car manufacturers, it is little wonder that proponents of the longer view have tough going.

Yet there is hope. Citizens groups can be persistent. We now have a national program of scenic roads and parkways signed by the six U.S. Cabinet members and the Housing Administrator who serve on the Recreation Advisory Council. In explicit terms these makers of policy acknowledge the responsibility of government to enhance the esthetic quality of landscape where roadbuilding is concerned.

The longer view is not merely concerned with beauty for its own sake, important as that may be. It is equally concerned with ultimate economic values. Those who hold this view believe that in trying to meet the needs of the present we are also designing the future. Their prescription is disarmingly simple. They urge that so far as highway planning is concerned, a much wider range of talent and interest be involved than at present. That this is feasible was demonstrated years ago on a simple scale when Texas assigned a landscape architect, with power, to its highway department. The initial coolness toward him was promptly taken care of by strong executive order. The results, as I saw them in the 1930's, enhanced safety as well as appearance and cut economic loss of soil and water significantly.

Special treatment and a different order of discourse would be required to deal with the effect of the motorcar on our society. H. G. Wells' Mr. Britling exemplified the utility of his Ford for illicit skylarking. Cars are a centrifugal influence upon the modern family and clearly weaken our sense of attachment to place. Along with other inventions, the automobile must share blame for the absence of bookshelves in the model homes of today. Ten million Americans owe their employment, in one form or another, to the motorcar, while the budgets of millions more, along with current practices in family banking, are under its spell. It serves business, crime, the messengers of mercy, and the frivolous with equal impartiality.

With all this it is still not a sentient being, but merely an extension of the human body. Whether we are to run it or be run by it is for us to decide. Only vigilance can block the shaded path that leads from convenience to necessity and from necessity on to tyranny.

Harmony on the Highways

(By Abraham Ribicoff)

As Governor of Connecticut I did what I could to improve highway safety in my own State. People still speak to me about the comparatively civilized climate of Connecticut motoring. Most important, by taking aggressive action we succeeded in reducing the traffic-fatality rate to one of the lowest in the Nation.

Now, looking at highway safety from a national viewpoint, I find a senseless and tragic situation developing: the separate efforts of individual States to promote highway safety have created a conflicting and confusing pattern of traffic regulations across the country. Some States have good rules, some have few rules, and too many have different rules. Usually this inconsistency irritates the motorist. Sometimes it kills him. The adoption by all the States of just one uniform regulation, periodic motor vehicle inspection, could save many thousands of lives a year.

About 94 million Americans are expected to take extended driving trips in the course of this year. As you drive from one State to another, the highway markings are different—traffic signs and signals have different meanings—and the basic rules of the road, or who has the right-of-way, are different. The cars coming at you meet different standards, and sometimes no standards, of safety. And the people driving these cars have measured up to different licensing standards. It's as though you were one of Pavlov's dogs put to a series of confusing tests. The concrete may look the same, but the rules change drastically without your knowing it, destroying your ability to predict how the other fellow, and his car, will behave. Let me cite some examples:

You learned to drive in a State where, for example, a car making a left turn must yield the right-of-way until all cars coming in the opposite direction have passed. Now you take a trip in North Carolina, where (as in quite a few other States) a driver turning left who is in the intersection first, even though he has not begun his turn, has the right-of-way; he need not stop to let oncoming cars go by. As you approach an intersection, you are amazed to see a car make a left turn directly across the path of your car. You are lucky to avoid an accident this time.

You are a salesman on a business trip, a careful driver who never passes another car when you are not supposed to. In Minnesota, Iowa, Wisconsin, and Indiana you are forbidden to pass when there is a solid yellow line to the right of the center strip. In Massachusetts and Virginia the solid line is white. In Pennsylvania no lines are used; a no-passing zone is marked by signs. So far you have kept your wits about you. But when you get down South into Georgia, the line—yellow this time—is placed along the right edge of the roadway. You fail to see it, and pass a slow car illegally. You narrowly escape a huge truck coming toward you around a curve. Or you crash into it, losing your life instead of your temper.

You are driving your family east to the World's Fair. Your car is in tiptop shape; in fact, it has just passed a stiff motor vehicle inspection demanded each year by law in your own State (the inspector made you come back twice—first your brakes weren't tight enough, and the next time one of your headlights was faulty). As you motor along the superhighway toward dusk, two States away from home, an inexperienced 15-year-old driver approaches you in the opposite lane—his car hasn't been inspected for 3 years, and his tires are worn down. He tries to jam on his brakes instead of stopping slowly. His car careens over the narrow center concrete strip and smashes into yours.

If baseball rules changed each time a team entered a different stadium—if the bases were farther apart or home plate were closer to the pitcher's mound—the players would be unable to function properly. Drivers are no different. But the rules they must follow as they move about the country change from one State to another.

Accepted driver signals in most States, for instance, are the hand and arm extended horizontally for a left turn; the hand and arm extended upward for a right turn; and the hand and arm extended downward to signal a stop or slowdown. Yet the legal signals in several States differ drastically from these recognized directions, and in Pennsylvania a signal can be given only by the electric turn signal, a device now built into all cars. Motorists in all States must stop behind a halted schoolbus as it discharges young passengers. But drivers in Hawaii, Texas, and Oklahoma are permitted to proceed before the children are across the highway. A driver from these States might pass a bus when it stopped and smash into a group of children with disastrous consequences.

In some States, U-turns are permitted; in others they are not. In some States, drivers are encouraged to keep to the right after passing; in others they are encouraged to stay in line. The laws of 48 States authorize overtaking and passing on the right. Massachusetts and Vermont do not. In a large number of States—26, to be exact—a pedestrian can cross the street against a red light (or when the traffic he is intersecting has a green light) if it can be done "with safety and if he does not interfere with vehicular traffic." Fourteen States prohibit this. In most States, a yellow sequence in a stop-and-go traffic signal means a period of caution before a shift in the flow of traffic through an intersection. But in New York, caution may also be signaled by a brief dark period between the stop and go signals, or by a period when both the red and green panes are lighted at the same time. An added complication: in most States, flashing yellow signals are used to caution motorists to proceed slowly and with utmost care. In half a dozen States, you can turn right on a full red light; in all others this is not permitted.

The National Safety Council reports that 47,800 persons were killed on our highways in 1964, an increase of 10 percent over 1963. More than 3 million persons were injured. There are now 95 million drivers in this country. By 1975, there will be some 30 million more. At the current rate of increase, traffic deaths will rise to 100,000 a year by that time, and the cost of accidents will climb from $8.2 to $15 billion.

How much of this terrible waste, both human and material is due to the lack of uniformity in traffic laws and traffic control devices? It's hard to say exactly. But this much is clear: We are all creatures of habit, and we react instinctively in the same way to identical situations. We grow accustomed to following the rules in which we have been schooled both on and off the highway. If you travel abroad you expect to do many things, including motoring, differently. In England, for instance, you'll be driving on the left-hand side of the road; on the Continent, an intriguing but uniform set of signs will keep you minding your motoring p's and q's. But on trips within your own country, you want and expect signs and signals just like the ones back home.

Often you fail to get them. Instead, a vast array of perplexing, changing traffic laws and control systems confronts you as you drive from State to State. Such variances can cause confusion and delays. In high-speed modern traffic there's no room for confusion and delay. It's no wonder, then, that 12 percent of all fatal accidents involve out-of-State drivers. It's no wonder, either, that experts have estimated that if all traffic laws were uniform, 2,000 fewer persons would die each year on U.S. highways. When the rules of the road vary by as much as a word, we risk costly confusion. The experts have come to regard right-of-way priorities as the single most important cause of traffic accidents.

There are other less obvious risks we take when we fail to insist on uniformity on the highways. There is, for one thing, a frightening lack of uniformity in driver licensing. Who is physically able to drive that complicated machine, the modern automobile? It all depends. In Kansas, an official was shocked to find that 10 percent of the people who receive State aid-to-the-blind payments still were licensed to drive. In Louisiana, Wyoming, Maine, Massachusetts, and New York there are no laws prohibiting the issuing of licenses to drug addicts or people suffering from mental illness.

Many States do not ask a driver to pass a physical examination before his license is renewed. In fact, in very few States is there any provision for periodic re-examination. Only a few States—Maine, for example—determine the physical condition of older drivers through examination. Certain hazards from aged drivers are just as bad as those from the too young.

In Montana, a youngster can obtain a driver's license when he is 15 years old. Under certain special circumstances, he can get restricted driving privileges at 13. Many States grant licenses, albeit restricted, to boys and girls who are only 14. In such States parents have a responsibility to them, and to themselves, to make certain they can deal properly with highway conditions. We can discharge this responsibility through licensing.

The Uniform Vehicle Code is widely accepted as the most current composite of desired traffic laws. Drawn up by experts between 1923 and 1926, it has been updated 10 times to keep pace with changing traffic patterns. In it are only the provisions which have been tried out in more than one State and have been put into law in at least one State. This code contains a provision setting down the elements of driver identification that should be on an individual's license. Nine items are specified, ranging from full name to date of birth to physical characteristics. Yet none of the 50 States lists all 9 items on the licenses it issues.

Perhaps some minimum licensing standards should vary from State to State. Perhaps some criteria are best determined by each State. Yet the disparity between present State laws contains an element of danger. A person licensed to drive in one State is, in fact, licensed to drive in all States. State lines do not inhibit wanderlust. Each State has a distinct obligation to make certain, insofar as is possible, that its drivers will not cause accidents elsewhere. All drivers should meet a basic standard of physical and mental ability.

This lack of uniformity hampers a Federal reporting program intended to make highways safer for all Americans, no matter where they live. Revocations or suspensions of drivers' licenses for conviction of serious traffic offenses (drunken driving and fatality involvement) are recorded on an electronic computer operated by the National Driver Register Service at the U.S. Bureau of Public Roads in Washington. All the States are providing daily information on persons who have had their licenses revoked or suspended. By checking with the National Driver Register Service, State licensing officials can quickly learn an applicant's road record in other States. If revocations or suspensions are uncovered—revocations or suspensions that the applicant may have failed to list—the information can make a difference in the decision of licensing authorities.

To date, this service has helped the States prevent more than 43,000 people from getting licenses when they have had bad driving records in other States. These people might have gone undetected had it not been for this Federal service. The system would be even more effective if all States identified licenses in uniform fashion, so that uncertainty in matching application material with bad driving records would be reduced. In some States the names of drivers whose licenses have been suspended or revoked are released to the press.

If the people who drive cars should meet certain uniform standards, how about the cars they drive? Traffic experts generally agree that periodic inspection of all motor vehicles contributes to highway safety. The Uniform Vehicle Code recommends that there should be inspections at least once a year, to rid the highways of unsafe cars and trucks. But only 20 States and the District of Columbia have laws requiring periodic inspection.

Another subject for greater attention is the installation and use of seat belts, which are installed now in all new cars but not always used.

And how about the speeds to which the driver can push his car? All authorities agree that speeding is a major problem. But open-highway speed limits differ from State to State. The excuse given for this is usually varying geography and terrain. It is the extent of variance that troubles me. In South Dakota, the daytime speed limit is 75 miles per hour. In Massachusetts, even on some open highways, it may be 40 miles per hour. Do conditions vary that much between the States?

Slow drivers can be as much of a menace as fast drivers. The U.S. Bureau of Public Roads has found that speeds below 40 miles per hour, especially on open highways, can bring high accident rates. Despite this, eight States have no law prohibiting driving which impedes the normal and reasonable movement of traffic. Even if some degree of uniformity in speed limits might be encouraged along the Interstate Highway System, this system, when completed in 1972, will constitute only 2 percent of the Nation's total highway mileage.

But the situation is not hopeless. Many people and many organizations have become concerned with the problem of achieving greater uniformity on the roads of our Nation. The trouble is that three things must be spent if their goals are to be achieved: money, time, and effort. In this field as in all others, these are hard to come by.

The cost of even small things becomes enormous when multiplied by the numbers involved in our network of roads. Tennessee, for example, has 418,446 official traffic signs on its highways. A recent survey showed that if the State is to measure up to national standards, these changes in the signs will be required: 13,149 to be removed as unnecessary, 32,808 to be replaced by standard signs, 131,016 to be repositioned, 197,122 to be both replaced and repositioned and 7,973 added. And of 1,419 traffic signals in the State, only 430 meet national criteria. Nonetheless, Tennessee, much to its credit, is moving toward greater uniformity. Other States are studying just how much money and time would be required to follow suit.

The cost of replacing nonconforming traffic-control devices is high. Iowa officials found that a $4.9 million investment would be needed to bring their signs, signals, and highway markings into line with national standards. In Tennessee, the potential cost was pegged at $2.5 million. In Minnesota, it was set at $1.3 million.

Still, money and time spent here are worth the effort in lives. Experience in Kansas shows why. The year before new standards governing traffic signs were established in that State, 49 persons died on curves in the highway. The year after new standards were implemented, the curve death toll dropped to 28.

There are many indications of deepening concern. The National Committee on Uniform Traffic Laws and Ordinances is pushing for adoption of the Uniform Vehicle Code by all States. The committee has started to publish periodic surveys on disparities in certain State traffic laws and also now publishes an annual digest of traffic law changes enacted by State legislatures.

The National Joint Committee on Uniform Traffic Control Devices has compiled a manual of sign and signal standards, and the U.S. Bureau of Public Roads urges adoption and use of this manual by the States. What is more, the Bureau has set December 31, 1968, as the deadline for compliance with the manual's provisions on all federally aided highways. Federal financial aid has been made available to encourage replacement of nonconforming devices.

Still, two-thirds of our total highway mileage falls outside the scope of any Federal aid. Construction and maintenance of these secondary roads are the direct responsibility of local communities. It is here that we find the biggest challenge. But if the taxpayers are insistent and demonstrate a willingness to pay the necessary costs, State officials will act. The real tragedy is that until now the public has been apathetic about this whole problem. Such apathy can be overcome through voluntary cooperative action among the States, genuine teamwork. In 1963, the U.S. Junior Chamber of Commerce began a spirited drive in support of uniformity. If other civic organizations follow this lead, we could move forward.

Thirteen States have joined in a driver's license compact. Under this agreement, member States exchange data on convictions within their jurisdiction on major offenses—manslaughter or negligent homicide, driving under the influence of drugs or liquor, a felony in which an automobile is used, leaving the scene of an injurious accident. Each State treats a conviction in another member State as if it had occurred in the home State. The same penalty is exacted. And each State refuses to license a driver under suspension or revocation in another member State. I fully expect the trend toward interstate compacts to help the campaign for greater uniformity in the statutes.

In the long run, this traffic safety problem will be eased only if the States exercise more initiative. Last year, 13 States adopted provisions of the Uniform Vehicle Code. Eight State legislatures authorized special studies of uniform laws. These were major steps, and must be extended. The tools are available. The Uniform Vehicle Code and the manual on Uniform Traffic Control Devices represent the best thinking of experts in these fields. The painstaking work of formulating feasible and effective standards is done. They just need to be used.

There is an important role for the Federal Government too. It can and should help the States attack this problem with technical advice and financial assistance. Action must be taken by the States, but Washington can help with research, new techniques, and guidance where it is requested. Some financial help may also be needed. The hearings before my subcommittee investigating the Federal role in traffic safety will help us find the answers to how the Federal Government can contribute best to the overall national effort to reduce the highway toll. We will make sure that the Federal Government gives the States all necessary help in their individual efforts to promote traffic safety on all our Nation's highways.

We spend tens of millions of dollars to teach our children a common language. But our traffic laws and traffic control devices remain a confused babel. It is high time we demanded harmony on our highways.

Twenty Years From Now

(By Raymond Loewy)

(NOTE.—What will automobiles be like 20 years from now? Toxic exhaust gases alone will make us discard the present piston engine as population growth puts more cars on the road. Cutting down on waste space will yield more interior room, even though most cars will be smaller—also faster and safer. Raymond Loewy is internationally known as an automotive and industrial designer.)

The unscientific inefficiency of today's automobile can best be assessed by looking at the vast amounts of wasted space within the entire vehicle at a time when so many fabulous discoveries are the direct result of superlative space utilization. The family's sedan is primitive in concept compared to the new automatic-exposure cameras, miniature television receivers, electronic computers, or plastic valves used in heart surgery.

To note but one example of extravagant wastefulness, all one has to do is examine the door of the average car. This example of monumental Babylonian architecture could have been thrown together by a boilermaker; its massive bulk—thick, heavy, wasteful of space—must be supported by hefty hinges worthy of a safe-deposit vault.

Why the bulk? If the door is intended to keep the passengers from falling out, or to seal out the weather, consider the slim, light door of a well-known European small car. It is three times as thin, five times as light. The door of a private aircraft must not only keep the passengers from falling out but also protect them from freezing or getting drenched, yet it does the job very well and weighs a tenth as much as a car door.

Starting with an analysis of the door and going over and around the entire body, one soon discovers a wasteland of empty sinuses of parasitical nature. There are grottoes in the fenders, and caverns under the seats and in the sidewalls of the body. It is difficult to explain to bright-eyed youngsters why the car must lug around all this dead space, which weighs a lot and is transported at considerable expense in fuel. When I redesigned for the use of our family a large well-known American car, I found inside the front fenders, back of the headlights, empty spaces sufficiently large when outfitted to carry four small travel cases.

What would be the advantages of a body based upon the principle of thin doors and thin walls? There would be two different possibilities, the first being to retain the outside dimensions of the body and by so doing to capture a large amount of added seating width, luggage space, and headroom. A first study indicates that the front seat, for instance, could be made 9 inches wider. The second possibility would be to retain the interior clearances as they are now but to shrink the outer skin of the body, making it 9 inches narrower, automatically lighter, and therefore cheaper, because one must not forget that automobiles, like steaks and turnips, are sold by the pound (approximately 90 cents per pound in 1965). When narrowed down to the limit, the empty space within the sidewalls would still be ample to circulate cool or warm air to maintain an even temperature throughout the car.

Streamlining is inadequate. How can we any longer avoid correcting this fault? Aerodynamics applied to the passenger automobile does not necessarily mean higher speeds; it can produce important advantages such as improved stability, roadability, noise reduction, and increased economy. And let's not forget that a properly streamlined body is always a good-looking body.

Aerodynamically speaking, today's automobile is an anachronism. At present cruising speeds over our improved network of superhighways, the automobile is wasting a great deal of fuel on account of its high coefficient of air resistance, and this waste is bound to increase as legal speed limits are raised all over the country. Superhighways are safe highways, as stated in April of last year by California's commissioner of highway transportation, Robert H. Bradford, when he announced that the speed limit over the improved arteries would be raised to 70 miles per hour. "There exists perennial evidence," he said, "in accident statistics, that speed per se is not the prime cause of trouble that some safety campaigners have depicted." It is interesting to note that statistics for 1962, according to the New York Times of April 26, 1964, show that the accident rate per million vehicle miles on freeways was 1.22 compared with an average of 3.28 over other types of roads.

As legal speed limits increase, the present automobile becomes increasingly wasteful. At the 1963 Congress of the Society of Automotive Engineers in Detroit, W. H. Korff, aerodynamic engineer from the Lockheed Aircraft Corp., read a most intersting paper titled "The Body Engineer's Role in Automotive Aerodynamics." (Before I quote this excerpt, let me say that the degree of aerodynamic efficiency of an automobile is called the drag coefficient; the lower it is, the better the forms of the vehicle. Prior to World War II the drag coefficient of most cars was 0.70. Now it is 0.50, and Mr. Korff believes that it can be brought down to 0.21 by further streamlining.) Mr. Korff lists the advantages of streamlining:

1. A greater degree of quietness from wind buffeting by smoothed out air paths.
2. Elimination of lift which adversely affects stability and braking control.
3. Improvement in fuel economy will be sufficient in many instances to reduce fuel bills by 35 percent with no reduction in performance.
4. Remarkable improvement in acceleration in the passing ranges without additional engine power.
5. Higher maximum speed (25–35 percent) to permit the vehicle to operate with less effort at cruising speed.
6. A lower cost vehicle for equivalent performance because a smaller, less-powerful engine and power train may be used along with resulting lighter chassis components. Initial cost of the car may be lowered by 10 percent or more in most cases.

No wonder Mr. Korff refers to streamlining as the greatest variable left in automobile design. How long can these advantages be ignored? I believe that when the industry goes the scientific way, it will enter the most successful era in its history.

It is a pity that the past decade has shown no really fundamental advance except the fender fins and other examples of styling vulgarity whose only noticeable effect was to make the American car look ridiculous. It gave our critics abroad, always on the lookout for some shortcoming, a welcome opportunity to make nasty remarks about America's low esthetic standards. We could answer in kind and make some vitriolic counterstatements about most of Europe's highly regrettable contemporary architecture, but that kind of response would not help anybody. The fact remains that the automobile industry has been comfortably sitting on its fat, rubber-foam rear end far too long.

A review of the technological results of 1963, according to a survey by Automotive News published last year, disclosed that the significant engineering changes, the source from which styling should evolve, were almost pitiful and their reflection in styling was nil. These were the meager developments cited by the survey in the same year in which several men orbited the earth: (1) a return to body and frame construction on some small models; (2) a change in emphasis from small, modestly equipped cars to slightly larger and more elaborately equipped models.

In a desperate search for other sweeping innovations in 1963, the list added: (3) fewer aluminum and more cast iron engines; (4) higher roof lines; (5) engineering progress in the area of quiet operation; (6) more bucket seats; (7) fancy trim; (8) air conditioning; (9) power equipment.

Except for quiet, all this is merely marginal stuff. What happened in the multimillion-dollar studios and research centers? What about better brakes to replace those now plagued by disastrous brake fade, one of the chief reasons for declining export sales abroad?

RESEARCH AND APPEARANCE

The really new look in automobiles will come from major engineering and social change. What about the eventual disappearance of the internal combustion engine, the trusted old friend that has served the industry so well for so long? But how much longer? We have been waving goodby in word and article for about 20 years.

And why will this engine finally go? Not because the automotive industry itself decides to give the motoring public a new motive power source, but because muncipalities all over the world are finding the emission of toxic gases to be dangerous to their citizens. In the meantime, there is a great deal of talk about adopting some temporary devices for eliminating fumes, and those gadgets will probably affect in some way the appearance of the automobile—until we get a really modern powerplant that operates without smog so that Los Angeles can breathe again.

Then there are other factors which will force automotive revisions, such as automation, with resulting increased leisure time, and, of course, more opportunity to travel. As the family trips become longer the luggage space must increase. To keep all the footloose people moving, speeds will be increased, and networks of superhighways will increase too. All these increases, as I talk about them, make me nervous. In my opinion, we need some decrease. If these are the forces to which automotive styling responds, we are in for trouble. All the talk is about growing needs interpreted into growing size, weight, complication, and cost. Couldn't we reach the goal by reducing instead of increasing?

The better automobile of tomorrow could be built in a very short time without waiting for great discoveries. Lacking major engineering breakthroughs, there are at hand indications of trends in design that could be used now. For instance, a smooth undercarriage would be a step in the direction of better streamlining. Citroën has had this feature for many years, and it is very successful. To achieve the sleek, graceful, efficient look of a car that respects aerodynamic principles, all glazing would be installed flush with the body skin. Add to this a light, slim door that opens easily, effortlessly, and far over into the roof panel for better accessibility.

Inside the car, seats—bucket or not—look slender and friendly, not like bulky Turkish pillows but suggesting the human form. Their contours are welcoming. A network of plastic tubes might be embedded in the foam or polyurethane padding. By regulating a control knob on the instrument panel, air pressure supplied by the power plant inside this network could be applied to make the seat or the backrest soft or firm at will, without bulk.

Now let's sit at the wheel. Lower the window. It goes far down, much lower than a window does now. This allows you to drive with your elbow resting over the ledge, a wonderful sports car feel that has almost been forgotten and is probably unknown to some car owners. The interior of the car gives a feeling of airiness when this beltline has been lowered by 5 or 6 inches.

According to some blue-sky Sunday magazine writers, the car of tomorrow will be a living room on wheels. I hope we will be spared this fate. A long as people think of automobile travel as a form of modern gypsy caravan, we might as well tie the cow on the back of the new car and store the chickens in the back seat.

If, however, we think of an automobile as some new-powered device which only modern materials, superlative technology, and ingenuity can produce, we may be near to achieving something close to the sensation of effortless movement over the road. This easy motion need not be bland and boring; on the contrary.

The blue-sky boys are trying to promote the idea of a supercar that is based entirely upon supercomfort. This is dangerous, because comfort is already reaching critical limits. In today's car the steering is soft, the seats are soft, the springs, too; and the combination gives one the sensation of gliding, a bit wanderingly, on sponge rollers over a smooth highway covered with a layer of mayonnaise. No wonder some drivers sailing along at 90 miles per hour for hours over straight, dull, uneventful speedways fall asleep and end up in the ditch or crash head on into an innocent 10-ton truck. Whatever we do to the car of tomorrow, please let us restore that essential element, the feel of the road. Also, let's try to keep the driver awake.

Returning to our description of the new car, we notice that the windshield pillar is very thin, yet sturdy, reducing the blind spot, improving visibility. A new type of mechanism for the window lift is very flat, obviating a thick door. Instruments are readable at a glance, and the instrument panel does not crowd you. Also, to improve visibility further, the windshield is brought much closer to the driver, as it used to be in the early days of the automobile, and as it is in the latest racing cars. It is a most pleasant feeling, as it gives the pilot a panoramic view and makes for safer driving.

As for reducing waste space or using it more efficiently, the trunk is larger, because its walls are thinner. The lid has been constructed without cross members and girders, an outmoded way to give rigidity to a panel. This half solution is an example of the kind of study of every component that ought to be made by the industry.

The spare wheel is gone; possibly it is somewhere under the hood, again as Citroën has done successfully, liberating luggage space in the trunk. Incidentally, some new tire designs and repair devices widely used in Europe make it unnecessary to carry a spare, freeing trunk space, reducing cost and weight. Storage compartments are found in other locations besides the glove compartment. Standard interior dimensions are maintained, but the total car has lost its fat, complacent look. It is effective. It is light, fleet-looking, fresh and young in appearance; truly a modern vehicle.

What kind of design team would bring maximum results in a minimum time? First, we shall propose that the personnel selected for the research and development project be very imaginative, conversant with racing cars and racing events all over the world. The men ought to have experience as race pilots—if not in pure speed Grand Prix races, at least in road races and rallies. This is not an unrealistic requirement; many of these engineers and stylists have had such experience in small local racing events.

The research and development team should be rather small and should work free of interference. Their assignment should be clearly established: the development of a passenger automobile free from preconceived ideas and restrictions, even cost limitations. At this stage it is too early to consider cost. The conception of the car should be based upon the latest scientific and technological knowledge. A time budget ought to be established with a date limit for the first working prototype—18 months, for instance.

The vehicle ought to transport four passengers safely and in comfort, because it is known that the great majority of cars seldom transport more than that number, and the new car to be built is intended for the majority of the public, not the minority. Those who want a larger car will always be able to get one.

Specialists ought to be part of the team, never forgetting that the automobile's size must be kept small. For this reason and in order to give the planners all necessary assistance, every important branch of technology should be represented by one carefully selected individual: an aerodynamic engineer, a specialist in airframe and stress calculation, a plastics engineer, a metallurgical steel engineer, a metallurgical light-metals engineer.

Safety ought to be built into the car, not tacked on as an afterthought. This would require the presence of several nonengineering specialists who are usually left out of any research and development task force: a highway builder, a surgeon with extensive experience in ambulance work who is aware of the state and conditions of injured motorists at the time and site of an accident, a physician specializing in traumatic lesions, a neurosurgeon, a psychoanalyst, a statistician from an insurance company, a specialist and practitioner in hypnotism. All these nonengineering specialists would not need to be in constant attendance but would be available for consultation without delay.

Perhaps the inclusion of a practitioner of hypnotism ought to be explained. The most effective method of placing an individual in a state of hypnotic trance is to expose the subject to a rhythmic visual experience repeated slowly until he is asleep, sometimes accompanied by rhythmic, synchronized sound effects. It is interesting to note that some driving conditions have all these characteristics: for instance, the monotonous rhythmic beat and sound of the windshield wipers, the recurrent sound of tires going over expansion gaps on the highway surface, the effect of shadows rhythmically thrown across the road by trees planted along the sides. Add to these the monotony of smooth-running machinery operating at constant speed. Together they produce a dulling, lulling effect that may reduce a driver's alertness to the threshold of a condition of hypnotic trance.

Few drivers have been spared the nerve-racking experience of feeling unable to control an irresistible urge to fall asleep at the wheel, awakening just in time to steer away from a ditch or an oncoming truck; an agonizing experience all too common. It is the cause of a great number of serious accidents, but things can perhaps be done to alleviate the condition. The latest available information seems to indicate that changes take place within the nervous system of an individual falling into sleep. It is conceivable that some electronic device connected to the driver's wrists could register these changes and translate them into a warning signal.

I strongly advocate freedom in research provided that the individuals involved are men of the highest professional caliber. Does this mean that they are to be left absolutely free from any restrictions? It does not. There must be restrictions in one area: the choice of the right powerplant. There are fascinating possibilities now being experimented with—the gas turbine, the Wankel motor, fuel cells—but none has reached the sufficiently practical stage, and we want results quickly. We cannot wait 10 or even 5 years. For the present, the gas engine is a highly perfected, reliable, inexpensive powerplant. The time will come later to adopt some new source of energy whenever it proves better in every way.

OTHER DISCERNIBLE TRENDS

America will soon enter the three-car-family stage, and there are indications that car No. 2 and eventually car No. 3 will be specialized cars. The special-purpose car may be a station wagon equipped for family touring or camping, with utilities such as refrigerated space, cooking unit, flexible seating arrangement, allowing variations in the nature of the interior. It may incorporate a built-in shelter (tent) easy to install and fold up, dial telephone, and storage compartment for folding chairs and table.

For two people living in a city or town where parking is a problem, the second car would probably be a very compact vehicle, short enough to be parked perpendicular to the curb. The powerplant may be an electric motor. The curb itself could be energized, somewhat like a continuous insulated electric plug rail into which the parked car could be automatically plugged to keep the batteries fully charged. A meter installed in the car would register the amount of electricity consumed, and a bill sent to the owner every month would be paid by check like any household electricity bill. Such a compact automobile would occupy about one-third the street area required for the present automobile, thereby reducing traffic congestion, exhaust fumes, and noise.

Finally, there is an area of improvement that seems unusually challenging. We have all read in the newspapers that American organizations concerned with automobile safety release a forecast about the number of fatalities to be expected during a coming holiday. These prophecies, based upon a study of past statistics, weather forecasts, and particular season, are extremely accurate, within fractions of the actual accident numbers released after the holidays.

It is a fact that a detailed, intelligent study of a large amount of existing data pertaining to a specific type of event, such as the start of a fire, for instance, will often permit one to forecast how many fires may be expected to break out during a certain period of time. It is well known that major insurance companies are able to establish with accuracy the expectable lifespan of people of a given age. Moreover, they are able to supply different estimates based upon such factors as race, sex, profession, marital status, or geographical areas. The advent of electronic computing machines and the progress made in programing them greatly facilitate the analysis of such mass information, with far more speed and accuracy than were heretofore possible. Cybernetics elucidates the relationship between the brain and nervous system and the computing machines.

It would seem that the science of forecasting coming events of a given nature through analysis of past statistical data has possibilities not yet fully explored and that such extrapolations will eventually be applied in many areas. This science deserves study in depth, and an organized effort is justified and rather urgent. Among the most intriguing applications of this science is the possibility of reducing traffic fatalities on a nationwide scale, and my company is making such a study.

It may become possible in the future to establish the time at which any particular driver, in the act of driving, reaches a critical point at which he appears ready to become involved in an accident. By a flashing signal in his own car, he may be warned that he is approaching his "accident threshold."

It is estimated that by 1967 one half of the American population will be under 25 years of age. These young people, brought up in the satellite era, scientific-minded, are bound to ask searching questions about the automobile as a pleasing, logical vehicle for economic transportation. Maybe these questions have been ignored until recently, but they will have to be answered now.

WHEELS AROUND THE WORLD

(By James Egan)

JAPAN

The total length of all the streets in Tokyo is 6,800 miles, or more than one quarter of the distance around the globe. As Tokyo was preparing for the Olympics last year, it sometimes seemed as if every mile of every street was torn up and boarded over. According to the Tokyo Construction Bureau, the city tackled 10,000 construction projects, including roads and highways, overpasses, subways, parking lots, and monorails. That total excludes buildings. Yet, incredibly, the major projects were completed on time.

One visitor when he saw the boarded-over streets remarked, "I knew the Japanese built their houses of wood, but I didn't know they paved their streets with it."

I saw two Japanese businessmen get out of a taxi on the plank-covered Ginza, Tokyo's main shopping street. One paid off the cab and dropped a coin. It rolled into a crack between the planks. They both bent over double, lower and lower and lower. I assumed they were after the coin, but Japanese know better than to try to recover the lost treasure of the Ginza. They were simply bowing good-bye.

Of more than 2 million cars and trucks in Japan, almost half are in Tokyo. Reporting on traffic problems in the world's largest city, the English-language newspaper Asahi Evening News said, "An example of paralyzed functions of the city is the traffic jam." Contributing to the paralysis, 18 million persons commute to Tokyo every workday, well over half by taxi, private car, motorbike, bicycle, or shoe leather. The Tokyo metropolitan police have done their bit to cope with the traffic problem. They are stern. The maximum penalty for illegal parking in Tokyo is a fine of 30,000 yen ($84) or a jail sentence of 6 months.

Tokyo taxi drivers wear white gloves, ornament their cabs with bud vases filled with plastic flowers, and carry a pair of 3-foot-long feather dusters as standard equipment. Why two dusters? So they can wield one with each hand as they tidy up their cabs between fares.

By now everybody has heard about Tokyo street addresses, or the lack of them. For the Olympics, signs were erected with street names in both Japanese and English. But taxi drivers continued to seek addresses by landmarks. An American resident of Tokyo told me that he started out for a business address just south of the city, naming a building as a landmark. His driver took him almost all the way to Yokohama before the American discovered that his landmark had been torn down.

Many Japanese, including hordes of schoolchildren, see their own country by motor coach. At shrines, temples, palaces, and gardens—there are 1,700 of them in the tourist city of Kyoto alone—the coaches line up to pour out their camera clicking loads. Each coach carries a pert hostess, uniformed like an airline stewardess. I took a Japanese language bus tour around Nagasaki. The hostess kept up a running chatter into a microphone for 3 hours. Every so often, just to tide the passengers over the dull spots, she sang a sweet little song.

INDIA

Buying a new car in India is an economic nightmare in which the prospective buyer, clutching a maharaja's ransom in his fist, pursues his car down an endless corridor of time. Only 50,000 cars a year are available, one for about every 10,000 of the population.

To build up an automobile industry and conserve foreign exchange, India has clamped down hard on car imports. The developing nation now manufactures two domestic cars: the Fiat, under license from the Italian company, and the all-Indian Ambassador, a car resembling the prewar Plymouth. Both cars still use about 30 percent of imported materials.

The Fiat sells for $4,000; a buyer waits about 4 years for delivery. The Ambassador sells for $3,500, and a buyer waits for 2 to 3 years. The British Standard, an economy sedan known in the United States as the Triumph 1200, is assembled in India, sells for $2,500, and has a 2-year waiting list.

"Some of our people are getting around the waiting list," an Indian official said. "They are finding someone who is at the head of the list and paying him a black-market price. But they must then drive the car registered in the proper owner's name instead of their own name. If there is an accident, it can become very complicated."

Despite current import restrictions, American cars have maintained their standing in India pretty well because the diplomatic community and the foreign aid missions can import them duty-free.

"I own a 1960 Chevrolet—a luxury car here," one of our Embassy attachés told me, "It cost me only $3,000 new. When I leave the country I must sell it to the Indian State Trading Corp., and they'll give me exactly what I paid for it. But a late model American car is in such demand that they can turn around and sell it for $12,000 to $13,000."

In Kashmir—as far north from the big industrial centers as you can get in India—you find no smiling Kashmiri running used car lots. It would be a fertile field for their talents. With only some 1,200 cars in all Kashmir, a 1952 Chevrolet in satisfactory running condition brings as much as $4,200.

Kashmir's truck traffic is largely military, since the bulk of the Indian Army is stationed there on the Pakistan and Tibetan borders. One day in the paradisiacal Vale of Kashmir I watched a long convoy of troop-carrying trucks heading north for Ladakh on the Tibetan frontier. "Made in India," said my companion, a Kashmir Government official. On the hood of each olive-drab giant was blazoned the nameplate—"Shaktiman."

"Does the name mean anything?" I asked.

"Yes," he replied. "All powerful. Can you think of a better name for a truck?"

NEPAL

Before 1956, every automobile in Nepal had to be carried in, part by part, on men's backs. In 1956, India built the first road into Nepal, through the jungle and over the mountains to Katmandu, capital of the little Himalayan kingdom on India's northeast frontier. Now the Chinese, as a contribution to foreign aid for Nepal (and for their own military advantage), are building a road down from Tibet. It has the Indians scared stiff.

The Nepalese still venerate their antique, hard-to-come-by cars and keep them running. At the Katmandu Airport, I stepped into a 1938 Packard sedan with no glass in the windows. The starter was beyond repair. A boy handcranked the car smartly, leaped in beside the driver, and we lurched off to town.

"You don't get to the real back country here by car," said Robert Jaffie, the affable U.S. Information Service Director in Nepal. "You fly or walk." He took me over to a map on his wall. "See, there's only one road north and south in Nepal and a few lateral feeders—all right here in the Valley of Katmandu. Except for a couple of valleys and the jungle strip of the Terai along the southern border next to India, Nepal is all mountains. That takes in the Himalayas.

"You have airstrips here and there," he said, pointing to about a dozen places on the map, "but everywhere else, you walk in—a

1- to 2-day journey. Last week I went to Baghut, a marvelous town in the mountains. They have nothing in the place on wheels. They've never even seen a bicycle. Yet they take a helicopter for granted. And they have a college there."

An American Peace Corps man told me that there is a staff of a hundred in Nepal, some posted pretty far out, or up. One Corps man, who unfortunately has asthma, is stationed at a village 18,000 feet high. Peace Corps teams have to get around catch-as-catch-can, often against considerable odds.

A Peace Corps worker recently came into headquarters and reported an accident with a jeep down in the jungle of the Terai. "We ran over a tiger," he said.

"Did you hurt him?" asked the director.

"I don't know," said the Peace Corps man. "We didn't go back to find out."

ITALY

Giorgio Panni is a sculptor who lives in Vernazza, a tiny medieval port that clings to a spur of rock on the Italian Riviera some 60 miles southeast of Genoa. Vernazza has no access by road. It is a village without a single automobile. Handsome, 31-year-old Giorgio, a sculptor whose star is on the rise, works in his studio in Vernazza all summer. Last season he had an exhibition in Milan of his sculptures in native black stone and iron. It was a two-man show: the other exhibitor was Picasso. Giorgio's works were a sellout; Picasso's at considerably higher prices, did not move so well.

In winter Giorgio leaves carless Vernazza and his studio to take up another career. He is professore—no Italian would hold a lesser title—in an auto school in Rome. So is his slim, pretty wife, called "Meri," a chic Anglicized version of "Maria."

Giorgio's vision falls just short of 20–20, so he holds only a license for passenger car instruction. Meri, whose vision is as flawless as her figure in a bikini, gives instruction on all types of vehicles. At the wheel of a 20-ton trailer truck, she wears a narrow white sheath, gold sandals, and coral polish on her toenails.

Giorgio takes automobiles seriously, as do all Italians. He reads Il Giorno Motori, a 24-page color supplement that comes weekly with the respected Milan newspaper Il Giorno—it would be comparable if the New York Times were to publish a fat automobile supplement every week.

A friend of Giorgio's who summers in Vernazza, Aldo Cesare Trionfo, a well-known Italian play director, gave me an explanation of the national attitude toward automobiles. "Cars are no longer a luxury in Italy, but every Italian still wears his car as if it were a bauble, a jewel, a crown. He cannot yet accept an automobile as a matter of course. He hasn't owned one long enough."

Giorgio's and Meri's pupils—especially Meri's—include men of 90 or older. "They sometimes take a hundred lessons without learning how to drive," said Meri. "It appears that they would like to restore their virility but cannot."

I asked Giorgio which among the glittering birds of passage along the Via Veneto was the current snob car in Rome. His answer surprised me.

"A Volkswagen," he said. "It is the car of the sons of the rich—the ultimate in simplicity."

Giorgio himself drives a dashing Alfa Romeo Sprint. I asked him if he had ever had an accident.

"Only three in my life," he said in his most explosive Italian, "and always with a Neapolitan. I will tell you about Neapolitan drivers. Eh? I was standing still in a line of traffic in Rome. This car in front of me backed up and bumped me. I could see that my damage was slight—not more than 3,000 lire, $5. The other driver descended and began to wring his hands.

"'I am a poor man,' he said. 'I have driven all the way from Naples to Rome to see my sister who is in the tuberculosis hospital.' The Neapolitan began to cry. 'Do not ask me to pay. No? Do not call a policeman. I have no documents. There will be a big fine.'"

Giorgio continued. "Then a policeman came along. I tried to make nothing of the accident to help the poor fellow. But the policeman asked for our documents. And do you know what that Neapolitan did? Eh? He took out his wallet. He showed the policeman his documents. His wallet was bulging with lire."

Giorgio paused dramatically. "There was something else?" I prompted.

"E vero. The bandit blamed the accident on me. And I had to be satisfied with a thousand lire. Eh? That is a Neapolitan driver."

SCATTERED REPORTS

Booming, bustling Hong Kong installed parking meters two years ago. The Chinese populace immediately named them coin-eating tigers. Hong Kong drivers come from all over the world, so they started feeding the meters an international diet. Hong Kong police found coins from thirty different countries in the tigers' maws, including the currency of Nigeria, Algeria, Indonesia, Taiwan, Thailand, and Malaysia. Some of the coins caused indigestion, jamming up the meters. But others worked fine, and when the police figured out the net daily take, they found that the value of the foreign coins often exceeded the actual meter rate.

Thailand's capital, Bangkok, has found an easy way to build new roads and widen old ones. The roads department simply shoves earth into the networks of klongs, or canals, that thread the city. There is no need for condemnation proceedings. Randolph Hamilton, American adviser to the lord mayor of Bangkok, reports that by this ingenious method the city has added 28 miles of new roads and 62 miles of extra lanes in the past 5 years. Bangkok is now building two 12-lane boulevards, permitting traffic-flow patterns even more advanced (and possibly more complicated?) than those in the West. On the road gangs, women do the lighter work, such as carrying baskets of rocks.

Bangkok can use the new roads. Traffic there is as desperate as in any city of the Orient. Bangkok had only 4,000 registered motor vehicles at the end of the war; now it has more than 400,000. Slow-moving bicycle rickshaws have been banished to provincial cities, leaving the field open for Bangkok taxis to beat the lights—and gently swindle tourists by refusing to use their meters. The city is adding new cars at the rate of one every 2 hours, 24 hours a day. Traffic engineers calculate that each new car needs 250 square feet of additional lebensraum, says Mr. Hamilton. He is grateful for the klongs.

In Iran the import duty on cars of the Chevrolet-Ford-Plymouth class is 100 percent. On Buicks, Chryslers, and other medium-price cars, it is 200 percent. And on Cadillacs, Chrysler Imperials, and Lincoln Continentals, it is a forbidding 300 percent. The avowed purpose of oil-rich Iran's graduated duties is to discourage the wealthy from conspicuous consumption. In Teheran, automobiles are apparently considered as precious as diamonds. At night, automobile dealers draw folding iron grilles across their showroom windows, just as jewelers do in other countries.

In Israel it is against the law to leave the ignition key in an untended car. According to an Israel official, the purpose of the law is not so much to protect the car owner as to prevent an unlicensed, and presumably incompetent, driver from making off with the car and endangering others. "We are survivors here," he said. "You will appreciate that we have a high regard for human life."

The most popular cars in Israel are the small European makes, but the Volkswagen, understandably, is not one of the favorites. Nevertheless, it has its adherents. A while back, when a West German official paid a visit to Israel, he was met everywhere by protesting pickets. The leader of one picketing delegation down in the Negev arrived at the official's reception driving a Volkswagen.

In Yugoslavia just outside Dubrovnik on the Dalmatian coast is a colony of camping huts about the size of bath cabins. They are reserved exclusively for the buyers of motor scooters. The idea is to buy a scooter and get a vacation absolutely free, a gimmick that smacks of capitalist merchandising. The buyer gets a lottery number with his purchase, then waits. He may have to wait a year or more, but when his number is drawn he gets his free vacation. Painted by grateful hands on the outside wall of each hut is a life-size portrait of a scooter traveling at full throttle, slanted at a rakish angle, trailing speed lines in its wake.

How Good Are American Cars?

(By John R. Bond)

American cars are highly prized, greatly respected throughout Europe, where competition is extremely keen. Our cars cost anywhere from 50 to 150 percent more there than at home because of duties and discriminatory levies, yet 144,510 American passenger cars were exported in 1963.

Why are our cars so popular overseas? Because they run and run and run. Our engines use little oil and ordinarily need no major repairs for at least 50,000 miles, usually much more. The chassis components stand up better than overseas products on bad roads. The bodies do not rattle or corrode. A well-used American car with 100,000 miles on the odometer will still bring a fantastic price—in other lands.

Durability and reliability are taken for granted by the American consumer. This circumstance explains why, with the single exception of the Volkswagen, the American public has become so disenchanted with the small imported car. Many of the latter proved to be economical on fuel, but not so economical when repair charges and depreciation were added up at the end of 2 or 3 years.

Today every American car manufacturer has a large engineering department and extensive acreage devoted to proving grounds. The auto companies have found, sometimes through sad experience, that it is cheaper to test a new design exhaustively than to produce a relatively untried model and face expensive service problems or corrections in the field.

A combined total of a million miles or more of testing is virtually standard procedure before any new model is introduced. A typical example is Rambler's all-new 6-cylinder engine, announced in mid-1964. One test car with the new engine racked up 107,000 miles with no major attention except routine maintenance. At that mileage the oil consumption was still less than 1 quart per thousand miles.

An interesting sidelight of this particular Rambler test was the company used off-duty Chicago policemen for drivers. American Motors' engineers stated that their regular test drivers notice incipient malfunctions and report them for correction. Policemen drive like most ordinary people and keep going until the car quits. In all, AMC built 10 experimental test engines (very expensive) and logged 2 million miles on these and pilot production-line samples.

Tests were run also at such diverse places as Phoenix, Ariz., and Bemidji, Minn. More than 15,000 hours were logged on dynamometer testing in Kenosha and Detroit.

Such thorough procedures as those described for AMC's Rambler "232" engine are not at all unusual; they are typical throughout the American automotive industry. Equally important, such testing is not confined to the powerplant.

The seats in a 5-year-old car, for example, do not fall to pieces as they did before the war. Why not? Every major auto manufacturer in the United States has an extensive testing laboratory, filled with strange and weird-looking machines. Seats are tested by a machine which forces a wooden model of a derriere into the cushion a given distance, then releases it. The process is repeated every 3 second and continues for a million cycles (if nothing fails). Spring sag, spring breakage, and upholstery durability are evaluated accurately.

These laboratories perform several functions. Their first and most obvious duty is to test newly designed components for function and durability before production commences. A second duty is to test items submitted by outside suppliers. A simple stoplight switch is a good example. Samples submitted for approval must pass a test of 1 million cycles without failure. Once a supplier is selected he must expect further checks on the quality of his product; such tests as are required are a continuous process on a spot check basis. It is not unusual for an entire shipment from a supplier to be turned down because half of a batch of 20 samples failed prematurely.

Laboratory tests are of course an important adjunct to the normal road-test program. A shock absorber that will stand up for 500,000 cycles within a week in the laboratory will probably outlast the car in normal use. Engineers call this accelerated testing, and talk of correlation between lab and road tests. Testing procedures are developed so that a week in the laboratory is equivalent to 5 years or more on the road. This saves time and money—especially important in an industry which has new models almost every year.

No part of the car is too small or too insignificant to escape the laboratory. The outside rearview mirror is a good case in point, and here is a brief outline of the procedure used by the Ford Motor Co.

Sample mirrors are given a 96-hour salt-spray bath to test for plating quality. Other samples get a 16-hour corrosion-abrasive test, considered even more severe than the salt bath. Qualification details are spelled out in specification sheets, even to the amount of porosity permitted in the die-cast mounting and the quality of the mirror glass. ("First surface" type of glass is specified, the best on the market, in order to avoid a double image.) Sample mirrors are also installed on test cars which run on a very rough proving grounds circuit for 40,000 miles, deemed equivalent to 100,000 miles on ordinary roads.

Other sample mirrors get an interesting lab test of the ball joint used for the adjustment feature. This joint must not stick or freeze, yet it must also retain its ability to stay put if the car owner wants to make an adjustment. Mirrors are cycled in the lab by a series of special machines which oscillate the mirror back and forth and in two different directions. At intervals during the cycling the temperature is lowered to minus 20° F., raised to 120° F. After 3,500 gyrations the ball joint must still have 70 percent of its original frictional characteristics to pass. As a result of these tests over the year, Ford specifies a special lubricant for the ball joint, which eliminates sticking yet inhibits wear during the cycling test. The testers have also found that stainless steel (rustproof) mounting screws are essential. After preproduction mirrors are approved, samples from every batch supplied by the vendor are checked on a regular schedule to insure maintenance of quality control.

The Delco Delcotron alternator adopted by GM cars in 1964 is an excellent example of thorough testing. Delco, as a large supplier for GM, has its own test laboratory. Before this new alternator was ever placed in production, Delco engineers tested various samples and designs for the equivalent of 70 million miles. Other tests included 2.2 million miles on the dynamometer and 25 million actual miles on the road—all this from a supplier. The auto manufacturer has his own additional qualification tests before acceptance.

Some tests are more dramatic than others. At Chrysler the writer watched brake hoses on test. These are the vital connecting links between the hollow steel brake lines and the bouncing wheels of your car; failure of only one of the four flexible lines would mean that you had no brakes. A battery of machines actually whips them to tatters, and this test runs 24 hours a day.

A few years ago Pontiac introduced a car with a curved or bent drive shaft connecting the engine and the rear wheels. One of the tests involved a laboratory duplicate of the backbone-like chassis; engine in front, the drive shaft inside its backbone-like tunnel cover and the complete rear axle assembly. A dynamometer replaced each rear wheel. Automatic controls actuated the engine's throttle, and once every 30 seconds the "car" started up from a standstill, raced up to 80 m.p.h. at full throttle, then came to a full stop. The curved drive shaft had to take this enormous strain without failure for 100,000 miles. Before the design and material specifications were finally settled, nearly 100 different shafts were tested. Needless to say, Pontiac Tempest's unique curved drive shaft gave absolutely no trouble in service.

In 1938 Chevrolet had 13,000 square feet devoted to lab tests; today it has over 100,000 square feet for this purpose, located at the GM Tech Center just outside Detroit.

Chevrolet has a test fixture for the front suspension which strokes the two wheels to duplicate driving over railroad ties for a distance of 1,000 miles. This severe test is computed on the basis of 250,000 cycles of the machine. Another test machine at Chevrolet simulates a loading equivalent to a front-wheel side skid. The suspension must not fail in 500,000 cycles.

Rear suspension systems get similar abuse. When Chevrolet first introduced its coil-spring system, it took a test car down to the racetrack at Darlington, S.C. The car was elaborately instrumented, and the driver made several laps at over 120 mph. Then the engineers took the recorded data back to the laboratory and built a special test machine to simulate the stresses and strains imposed on the rear end at the track. Cornering loads equivalent to 625,000 racing miles were duplicated before the rear suspension was approved for production.

Accessories, optional at extra cost, are very popular with car buyers, especially since these accessories are thoroughly engineered by the car manufacturer and built to give long life without the need for attention or repairs.

Automatic transmissions are the most popular extra-cost item: 77.6 percent of all cars produced in the United States last year were so equipped. As with engines, these complex assemblies are not redesigned every year. Chevrolet's Powerglide, for example, has been refined in detail, but it has been fundamentally unchanged since it was first introduced in 1949. But, as with engines, a new or revised automatic transmission is thoroughly tested for millions of miles before production commences. The value of this policy was amply demonstrated by the Lincoln division of Ford 2 years ago. At a new-model preview, Ford let members of the press drive one of the new Lincolns, then immediately drive a year-old model with over 100,000 test miles on the odometer. There were some differences, but the average driver would not be able to notice them.

Chrysler's durability test procedure for its optional four-speed manual transmission is interesting, and the company says that it is somewhat more grueling than the requirements of competitors. Chrysler specifies a life test of 20 hours in first gear, 28 hours in second gear, and 35 hours in third, under load. The load is varied for each gear and is equivalent to the strain of running continuously on a hill steep enough to force the engine to operate at wide-open throttle. Years of experience with this accelerated laboratory technique have shown it to be equivalent to over 100,000 miles of driving by the average owner.

Air conditioning is an optional accessory becoming more popular each year. In 1964 some 1.4 million cars left the factory equipped with air conditioning. The industry expects that the demand will rise rapidly; 76 percent of the three luxury cars produced in 1964 had air conditioning, as compared with only 17.89 percent of all cars produced.

The air-conditioning systems are not redesigned every year. The design of component parts is, however, under a continuous process of development, both to improve cooling performance and to reduce costs. A standard performance test is to put a black car out to bake in the sun, windows closed. A test driver then steps in, fires up the engine, turns on the air conditioning, and clocks the time required for the interior to come down to 70 degrees Fahrenheit. One and a half minutes for a drop from 120 degrees to 70 degrees is not unusual.

Another critical test for an air-conditioned car is the performance of its engine-cooling system. The A/C system imposes extra loads on the engine and requires a larger heavy-duty radiator. Also, an engine at idle tends to boil because there is no forward movement of the vehicle to provide a blast of air for engine cooling. For this test most manufacturers specify that on a day when the temperature is 110 degrees, the engine must not boil when idling for at least 30 minutes. For durability of the A/C components, they require 40,000 miles over the rough-road route, equivalent to 100,000 miles of ordinary driving.

Testing includes many other accessories. For instance, jacks are tested, and trailer hitches also get careful consideration. In fact, nearly all cars are available today with special options designed and tested solely for the benefit of those motorists who pull trailers. The companies even test roof racks, which surprisingly enough have in the past given a lot of trouble. The test load for a large roof rack is usually 250 pounds. Among other things, they test with a loose load at 90 m.p.h, then put on the brakes for a crash stop.

Now let us consider some of the criticisms of our cars. It is true that our most popular, so-called standard, cars have grown larger and heavier since the war. This is a simple result of the great American desire to "get ahead." The mass market for postwar cars has proved to be for something bigger and better than just transportation. And there is nothing wrong with this attitude; if the bulk of sales are in what used to be the Buick-Chrysler category, why blame Chevrolet, Ford, Plymouth, and Dodge for supplying products to meet the demand? These four cars, with weights approaching 2 tons (unloaded), account for more than half of all sales. All four are big cars in the truest sense of the term, and though gasoline consumption is not nearly so economical as the prewar standard of 20 miles per gallon, the fact remains that the consumer is willing to pay for more luxury, more performance.

As for the compacts, the figures show conclusively that only one out of five buyers is interested in economy. All these cars weigh under 3,000 pounds, and weight is the all-important factor when it comes to economy, whether we are talking about fuel, oil, tires, or even first cost. American compacts are far superior to comparable imports, primarily because they are designed, tested, and built to give genuinely economical transportation. They may not give 30 miles per gallon, but cost-conscious buyers know that the annual fuel bill is not a significant factor in computing the cost of owning an automobile.

Forced obsolescence has been much maligned. When production quantities exceed 350,000 units per year, the tooling is worn out anyway. Hence, the technical innovations evolved each year by engineers can just as well be incorporated when tools, dies, and machines are replaced. While Henry Ford may have saved a dollar or two per Model T (by making no important design changes), he spent over $100 million in 1927 to make the change to the Model A. Yet only 4.5 million Model A's were produced before complete retooling was required for the 1932 V–8. From that time on, Ford retooled every year for a new and improved model. Even Ford capitulated to the inexorable march of technological advances.

The detractors of the American car like to point out that most major technical innovations come from Europe. This may well be true if one talks of who was first. But it remained for Detroit to produce the soft-riding independent front suspension at a reasonable cost in 1934. It was Reo in Lansing which first offered an automatic transmission in 1933. Duesenberg in Indianapolis pioneered four-wheel hydraulic brakes in 1921. American tire engineers developed the balloon tire in 1924, the extra-low-pressure tire in 1949, the low profile in 1964. Goodyear pioneered the caliper-disk brake on the Crosley in 1949. The supercharger, first used on the Chadwick car in 1908 and later adapted to high altitude flying by GE, helped us to win World War II.

Current European cars often abound in technical or novelty features, but it takes American engineering, design, testing, and manufacturing to make these features practical and available to great numbers of people at a cost they can afford.

An oft-quoted example of European "leadership" is the widespread use of independent rear suspension. In the United States, we have only the Corvette and Corvair with this system of rearspringing.

I have talked with dozens of engineers in and around Detroit on this subject. They all agree that independent rear suspension has some advantages, but they also agree that the ride is not noticeably improved, that erratic handling is difficult to overcome, and that the high manufacturing cost is not justified by the results. The Corvair would not be possible without independent rear suspension because of its rear-mounted engine. The Corvette needs a similar type of suspension in order to get adequate traction with its tremendous power-to-weight ratio (up to 425 horsepower, weight only 3,200 pounds).

Independent suspension gives a much improved ride on small, light cars, but on 4,000-pound American cars the ratio of sprung to unsprung weight, even with solid one-piece rear axle assemblies, is not critical. The latest American development—positioning the rear axle more positively and accurately by means of three or four rubber-cushioned links—gives excellent results at low cost. The links are arranged to negate acceleration squat and brake lift; they give good cornering control and freedom from transmission of axle-gear noise.

The typical American car is astutely designed to supply a simple need: comfortable, reliable transportation at a reasonable cost. I regard the modern American car, at well under $1 per pound, as one of the best buys in the world today.

EXPANSION OF CAPTIONED FILMS FOR THE DEAF PROGRAM

Mr. PELL. Mr. President, in 1958 Congress approved a program providing for captioned films for the deaf. It was a small, but successful start in establishing an educational and training program for our deaf through the use of visual media. My good friend and colleague, the Senator from Maine [Mr. Muskie], and I joined together in 1962 in sponsoring a bill to extend the captioned film program. We join together now to submit a new amendment to the 1958 act, which will both extend and expand this important program.

These amendments will not only allow the Secretary of Health, Education, and Welfare to acquire films and other educational media, caption them and distribute them through State schools for the deaf and other agencies, but it also is intended to promote research for the educational advancement of deaf persons. It further provides for distribution of these captioned films and equipment to parents and even to actual or potential employers of the deaf.

Too often, the problems of the handicapped are viewed in the light of welfare or charity. This, I believe, is unsound, unfair, and self-defeating. Our deaf citizens want and should have, the same opportunities for education and employment as are available to others. Our approach in the captioned films program is to offer these opportunities for self-advancement.

It is quite fitting, Mr. President, that these amendments are offered at a time when the 10th International Games for the Deaf are being held in Washington. Young men and women from all over the world are participating in athletic contests, and I am particularly proud of the two young Rhode Islanders, Bonnie Turner and Raymond McDevitt, who have been selected to participate.

I ask unanimous consent that the bill be printed in full in the Record at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection the bill will be printed in the Record.

The bill (S. 2232) to amend the act entitled "An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf," approved September 2, 1958, as amended, in order to further provide for a loan service of educational media for the deaf, and for other purposes, introduced by Mr. Pell (for himself and Mr. Muskie), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2232

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf", approved September 2, 1958, as amended (42 U.S.C. 2491 et seq.), is hereby amended to read as follows:

"That the objectives of this Act are—

"(a) to promote the general welfare of deaf persons by (1) bringing to such persons understanding and appreciation of those films which play such an important part in the general and cultural advancement of hearing persons, (2) providing through these films, enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment, and (3) providing a wholesome and rewarding experience which deaf persons may share together; and

"(b) to promote the educational advancement of deaf persons by (1) carrying on research in the use of educational media for the deaf, (2) producing and distributing educational media for the deaf and for parents of deaf children and other persons who are directly involved in work for the advancement of the deaf or who are actual or potential employers of the deaf, and (3) training persons in the use of educational media for the instruction of the deaf.

"Sec. 2. As used in this Act—

"(1) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(2) The term 'United States' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

"(3) The term 'deaf person' includes a person whose hearing is severely impaired.

"Sec. 3. (a) In order to carry out the objectives of this Act, the Secretary shall establish a loan service of captioned films and educational media for the purpose of making such materials available in the United States for non-profit purposes to deaf persons, parents of deaf persons, and other persons directly involved in activities for the advancement of the deaf in accordance with regulations promulgated by the Secretary.

"(b) In carrying out the provisions of this Act, the Secretary shall have authority to:

"(1) acquire films (or rights thereto) and other educational media by purchase, lease, or gift;

"(2) acquire by lease or purchase equipment necessary to the administration of this Act;

"(3) provide for the captioning of films;

"(4) provide for the distribution of captioned films and other educational media and equipment through State schools for the deaf and such other agencies as the Secretary may deem appropriate to serve as local or regional centers for such distribution;

"(5) provide for the conduct of research in the use of educational and training films and other educational media for the deaf, for the production and distribution of educational and training films and other educational media for the deaf and the training of persons in the use of such films and media;

"(6) utilize the facilities and services of other governmental agencies; and

"(7) accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

"Sec. 4. There are hereby authorized to be appropriated not to exceed $3,000,000 annually for each of the fiscal years 1966 and 1967, $5,000,000 annually for each of the fiscal years 1968 and 1969, and $7,000,000 annually for fiscal year 1970 and each succeeding fiscal year thereafter."

AMENDMENT OF NATIONAL DEFENSE EDUCATION ACT OF 1958

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a bill to amend the National Defense Education Act in order to authorize the Commissioner of Education to arrange for the operation of institutes for advanced study for individuals teaching or preparing to teach, or supervising or training teachers, of classical languages.

When the National Defense Education Act was enacted in 1958, it was confined to subject areas believed to have direct relationship to defense needs—the sciences, mathematics, and modern foreign languages. Since that time the Congress has expanded the program to strengthen other areas of education, and last year we approved a new title: "Title XI: Training Institutes." This title continued authorization for training institutes to improve the teaching of modern foreign languages and for English when it is taught as a second language. It also expanded the program to include several new areas: English, history, geography, reading, training of school library personnel, educational media specialists, and teachers of disadvantaged youth. The bill I am introducing adds classical languages to the areas for which training institutes can be authorized.

There are some who take a very rigid view of what is related to national defense. They seem to require a direct relationship between science and weapons or between modern foreign languages and espionage. I suppose for them we could try to make the case for teaching the classics by citing the number of citizens who received their best introduction to military tactics by reading Caesar in Latin class; but this is really not a very satisfactory argument.

In any event no serious question is raised in Congress about the value of a second language. Learning a second language provides a student with a new perspective and an opportunity to compare the literature, the culture, and the structure of his own language with that of people in other nations. The study of a foreign language is a unique experience in understanding other peoples and culture.

The only question which has been raised is between modern foreign languages and the classical languages. Of course, proficiency in a modern foreign language has the immediate practical value of enabling one to speak directly to those in other lands who use the language as their mother tongue and to read the literature of their nation. In my judgment there are two points to be made about the classics in this regard.

Latin is not in fact a wholly dead language, without utility, even though it is not the common speech of any contemporary culture. The language of many European peoples and of those in Central and South America is derived from Latin and closely related to it. In this sense Latin is the "mother tongue" of all of them, and it is significant for understanding English as well. It is also used in the terminology of law and science.

More important is the general relationship of the Greek and Roman civilizations to our times. They are a part of Western culture and Western ideas. The study of the classics is not confined to learning the vocabulary and structure of Greek and Latin languages. To study the classical languages is to study the art and poetry, the history and politics, the philosophy and law of two great civilizations to which we are all indebted.

The concept of national defense must not be defined too narrowly. We ought not put a premium on the sciences and ideas of immediate practical utility to such a degree that it depreciates other essential subjects and puts the curriculum out of balance. There is evidence that this is happening with regard to the classical languages in relation to modern foreign languages.

In the long view national defense is best served by a balanced education which develops the whole man. Through centuries of Western civilization the study of the classical languages has been an important channel for the study in depth of the classics. This study of the great documents of Greek and Roman civilization has helped to free the minds of men, to give them direction in their effort to secure the common good, and to give them better understanding of human conduct and social institutions.

The classics are not alone in contributing to a liberal education, but they have been an important part of the process from medieval times to the present. A proper respect for this tradition will certainly justify the small and limited assistance needed to add the classical languages to the list of training institutes approved under the NDEA program.

Besides the training institutes, the classical languages are also discriminated against in eligibility of students for fellowships under title IV of the act. In this case there is nothing in the law which requires exclusion, and in fact a few fellowships were awarded in the early years of the program. Apparently, there was some criticism that fellowships were being awarded for fields not related to national defense, and by action of the Commissioner of Education classical languages have been excluded from the fellowship program since 1962. It is my understanding that no legislative action is required to reverse this decision and that the Commissioner can remedy it by administrative action. I believe he should take this action and that it would have the support of the majority of Members of Congress.

The importance of studying foreign languages—and Latin in particular—is very well discussed by Prof. William Riley Parker, of Indiana University, in an article published by PMLA, September 1964. Professor Parker supports use of public funds to improve the teaching of Latin, not in the limited context of the National Defense Education Act of 1958, but in the context of the Government acting to strengthen the best in American education. He wrote his article before we acted last year to approve training institutes in several new areas. Now that we have broadened the act to cover English, history, and other studies, there is no barrier to adding classical languages and every reason why we should. I ask unanimous consent that Professor Parker's essay, "The Case for Latin" be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the essay will be printed in the RECORD.

The bill (S. 2234) to amend the National Defense Education Act of 1958 in order to authorize institutes for elementary and secondary school teachers of classical languages, introduced by Mr. MCCARTHY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The essay presented by Mr. MCCARTHY is as follows:

THE CASE FOR LATIN

(By William Riley Parker, distinguished service professor of English at Indiana University, author of "The National Interest and Foreign Languages" (3d rev. ed., 1961), former executive secretary and past president of the Modern Language Association of America, and first chief of the language development program in the U.S. Office of Education, Professor Parker has also written two books and about 50 articles on John Milton. His two-volume "Milton: A Biography" will be published by the Clarendon Press in 1965)

In the "good old days" in the United States, as in Europe, which supplied the model, anyone who went to a secondary school and college studied Latin as a matter of course. Even in the first years of this century, when a half million students were enrolled in all our public high schools, fully half of them were still studying Latin. Those days are gone, and will never return. To regret their passing is to regret both mass education and mankind's phenomenal increase in scientific knowledge. Moreover, our world has shrunk while America's role in it has grown, and lately our society has recognized the increasing relevance of studying modern foreign languages. What, then, is the future place of Latin in American education? As one who long ago was taught both Latin and Greek, I want to try to answer this question as candidly and as objectively as I can.

For whatever reasons, Latin is still a significant factor in our educational system. Any report of its "death" is greatly exaggerated. In our public and private secondary schools, grades 7–12, about 1,167,000 boys and girls are now studying it, and in our colleges and universities nearly 1,000 students are annually choosing it as the major subject for their bachelor's degree. These numbers have been increasing, and they are not small numbers unless we are thinking in percentages; today, for example, only about 5 percent of the students in our public secondary schools are enrolled in Latin classes, whereas 30 years ago the figure was 16 percent. Should the current percentage be higher, or even lower? Many informed people believe that Latin is on its way out of the public high school curriculum. What is the objective (not accusative) case for Latin in American education in the second half of the 20th century?

In any choice among languages to learn, the main argument that can be brought against Latin is that it is no longer spoken as a mother tongue by anyone. The case must be put this way, fairly, for Latin is today read by countless people, in many countries. It has really never been a "dead language" except in the sense that its natural growth has ended and that it is no longer learned as a first language by babies. Arguments that can reasonably be brought against Chinese and many other foreign languages in the course of choosing a second language to study—for example, the comparative difficulty of their writing- or sound-systems or of their grammars—cannot be brought against Latin. For more than 5 centuries English-speaking peoples have found Latin reasonably easy to learn, largely because there are so many Latin elements in English. Its literary content constitutes no argument against it, as the lack or thinness of literary content might for studying some languages. On the contrary, unless one insists on contemporaneity (of which, perhaps, there is enough in American education), the distinct social or political orientation of most of Latin literature gives it permanent relevance. The typical Latin curriculum introduces the student quickly to classical authors whose excellence is beyond question, whose substance is constantly referred to in Western literature and art, and whose literary genres and styles were models for writers up until very recent times.

One cannot even argue, reflecting an important contemporary concern, that Latin has no bearing on "international understanding"—unless this term is narrowed to mean only direct communication between people of two nationalities; and exceptions must even then be allowed, because Latin continues occasionally to fulfill this function, particularly among the Roman Catholic clergy—despite recent decisions to celebrate parts of the mass in vernaculars. If international understanding is ever facilitated by recognition of a common cultural heritage—as surely it is—then Latin has an extraordinary relevance. It is more than a permanent visa to a community of scholars, which it long has been. American tourists or businessmen or diplomats, meeting educated Europeans, can often earn their approval by talking their languages—if allowed to do so—but can earn more respect for American culture and education by making it clear that the classics have not been neglected in the New World—as they have, by official edict, in the Soviet Union. Let us face it: lack of knowledge of the classics makes us appear uneducated to Europeans, for whom such knowledge is the hallmark of an educated man.

Most, but not all, of the primary reasons for studying Latin are reasons universally recognized by informed people for studying any foreign language.[1] I am not talking about the reasons perhaps implied above, or about the various hoped-for byproducts so often, and so confusingly, mentioned by partisans of language study. For example, the old claim that Latin is the best developer of logical thinking has been logically discredited, and it is clear that mathematics does as well, or better, at cultivating accuracy of detail. I do not know whether or not foreign language study normally brings more facility and precision in the use of the mother tongue. I have found it so in my own experience; many people have so testified in print (and many others to me in person); but I have listened to, and read, a number of American-born foreign language teachers whose awkward use of English belies the argument, and I strongly doubt that this pedagogical objective is often achieved unless it is deliberately and intelligently sought for.[2] In any case, let us distinguish between dependable results and occasional, or even frequent, byproducts.

The strongest, most defensible reason for studying any foreign language, including Latin, is that such study, which is both a progressive experience and a progressive acquisition of a skill, enlarges the pupil's mental horizon by introducing him to a completely new medium of verbal expression and communication and consequently to a new cultural pattern. It also, of course, progressively adds to his sense of pleasurable achievement in the process; he can actually measure his own progress with some precision. To be honest, one must state the matter thus cautiously and moderately. At no point can such an experience be considered complete, or such a skill perfect; the expectancy of values to be derived from language study must be relative to the amount of time and effort devoted to it, to say nothing of aptitude and the enjoyment of skillful teaching under proper conditions. Talk about early "mastery" is usually misleading. While it has some value, language study which does not go beyond the second high school year will predictably prove more frustrating than satisfying to the student. It can, however, be affirmed of language study that, granted competent teaching, at any stage the progress made will have positive educational values, in addition to providing a foundation upon which further progress can be built. Although Rome cannot be built in a day, or ever, what exists of it at any stage can both delight and inform.

In what lie the positive educational values of language study? Educators of a certain temperament or training insist on "proof" of the "value" of any given subject before they are willing to sanction its presence or its expansion in the curriculum. By proof they usually mean statistical proof; by value they too often mean "practical" value. But there are completely convincing proofs offered by the cumulative experience of the human race which do not lend themselves to statistics, and there are theoretically impractical values which education has immemorially sought. The best reason for studying physics is not to become a physicist or mechanical engineer, or even to be able to repair something—though these are possible, and welcome, outcomes. The best reason for studying Spanish is not to be able to talk with a businessman from Latin America—though in today's world this is an increasing, and important, possibility. One should study any "academic" or liberal arts subject primarily to stock and stretch and develop the mind, in the hope of becoming more civilized. This is arguably a very "practical" matter, involving objectives that can be clearly defined and tested, but let us not quibble over definitions. How does language study profit the mind?

The Educational Policies Commission of the National Education Association has recently (1961) decided that "the central purpose of American education" is the development of the ability to think. One may accept this dictum gratefully, but then ask: "Think only in the restrictive pattern of one's own language?" Until we have acquired a second language, we tend to assume the identity of words and things. Moreover, different language structures compel people to think differently; the limitations and historical development of a given vocabulary condition thought. For example, Norwegian Landsmal has five genders, Russian three, French two, and Hungarian none. The Spanish have no word for "honest"—only "honorable." What does a Communist mean by "democratic" in any language? What does a German or Frenchman mean by the untranslatable but socially important "du" or "tu"? Every language has its own, different way of organizing the data of "reality." Assuring firsthand awareness of these facts about language is becoming a purpose of American education, as it long has been in the education of all other countries in the Western World. It is one thing to be told these facts by someone, as here; it is another to experience and understand their reality, and to ponder their implications. It takes considerable time to learn to think in a second language; but when in Rome, it is less enlightening to "do as the Romans do" than it is to try to think as the Romans think, or, if this is impossible, to realize that the Romans will, of course, think differently (without definite and indefinite articles perhaps). Breaking the barriers of a single language and a single culture has been rightly called "a Copernican step," a positive educational value of primary and permanent importance.

This value can be recognized even in the early stages of language study, before genuine proficiency or the ability to think in a second language has been achieved. The recognition is, however, a progressive experience. In 2 high school years or 1 college year of instruction, a student cannot be expected to acquire an "active" vocabulary of more than 1,000 words (experts estimate only about 700 Latin words, with their compounds), and yet a very large majority of American students stop at this point, frequently because no further instruction is available. In the educational system of no other nation on earth has so little vocabulary been assumed to confer meaningful proficiency. When the student of a foreign language begins to acquire an adult-sized vocabulary—normally impossible in under 4 high school years—the intellectual rewards of course increase proportionately.

We are discussing the values of studying any foreign language, ancient or modern. Advocates of living languages add the very practical potential of direct communication with a contemporary culture. There can be no quarrel with this supplementary value, which in our modern world has an urgent, increasing pertinence—recognized by the Congress of the United States in 1958 when it included modern foreign language study in the provisions of a National Defense Education Act. We do need more and more Americans capable of "talking the other fellow's language"; and this no longer means merely French, German, Italian, and Spanish—since about 1920 the "usual" modern languages taught in our schools—but also Arabic, Chinese, Hindi, Portuguese, and Russian, to say nothing of the many important tongues of the new nations of Africa and Asia.

As for Latin and its literature, we have the back door of English translations. Such, we are often warned, are but sorry substitutes—produced by many of the finest classicists, of course. That one should study Latin for a few years because all translations are inadequate is a non sequitur. Translations from foreign languages into English inevitably vary in quality and accuracy, but the worst is better than the translating which any student must painfully do until his vocabulary and his knowledge of linguistic, literary, and cultural nuances approach that of the professional. It takes years to acquire enough proficiency to realize that translations of a given language are indeed inadequate—and one must even then continue to use translations from other languages, including, perhaps, the Hebrew of the Old Testament and the Greek of the New.[3]

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[1] I resist all temptation to embellish my text with eloquent quotations favoring Latin study. It is easy to gather hundreds of these from well-known people, living or dead. The latest such collection that I have seen is "Latin: the Basic Language" (1964), edited by the students of Latin at Princeton (N.J.) High School.

[2] I suspect, but cannot prove, that Latin teachers more often set and really achieve this objective than do teachers of other languages, yet I am sure that not all of them do so. How polished English is learned is a complicated matter. Aspiring stylists frequently absorb the manners of good literary company.

[3] I do not want to be impaled on this touchy point. Translations are indispensable, but literary masterpieces often defy

With so much now needed, and so little room in the crowded curriculum for our attempts to supply it, what excuse can there be today for studying any ancient language? Few of us are at heart antiquarians. Should we not jettison Latin in the age of the jet? There are no ancient Romans to be met, and talked to, in the forums of current affairs.

Or are there? Rephrase it in sensible educational terms, and we are at the nub of the present matter.

Education that neglects the past is unthinkable, suicidal. Preoccupied as we may be with the present, we need roots in order to survive and to grow. One of the purposes of education has always been, and always must be, to make us fully cognizant of our roots—the continuum of our culture, our immense debt to the past, and the blessed timelessness of so much of our literary, artistic, and political heritage. Consciousness of these roots is not only instructive and reassuring; more importantly, it provides a perspective needed for intelligent, purposeful living in the present and the future. If we delude ourselves by assuming that today's pressing problems were all born yesterday (or since 1776), we stand little chance of understanding them and solving them wisely. Neglect of experience, personal or recorded, condemns us to repeating its follies. We sorely need knowledge of the past, especially when the present presses upon us most insistently.

This knowledge can be even more serviceable if to it can be added a sense of the past. Knowledge of the past, most efficiently gained through the study of cultural and political history, can be both interesting and informing; a sense of that past, and of the varieties of our relationship to it, can be transforming. To live intellectually only in one's own time is as provincial and misleading as to live intellectually only in one's own culture.[4] Study of a modern foreign language fortunately enables one to break the bonds of his own peculiar culture, but Latin not only does this effectively but also, when studied beyond the elementary stage, enables one to live intellectually in the distant past out of which all Western cultures developed. One may gain some sense of this past by advanced study of any modern European language, including English if one reads Beowulf, Chaucer, and Shakespeare in addition to recent literature. The point is that the subject matter of Latin is the very roots of Western civilization. Latin is not, therefore, just another foreign language. It is the oldest variety of "area study." When one studies Latin, he directly encounters and experiences the significant past, whose most significant records still rank, for the most part, as belles lettres. The ancient Romans do have something to say to us: for example, a reminder that they handed on to us, through Englishmen of the 16th and 17th centuries, and hence Americans of the 18th century, our dearest concepts of political freedom. In a third-year Latin classroom, Cicero may ask us for a reckoning.[5] He is better read than "dead."

There are linguistic roots as well as cultural roots. Latin is the mother of five important languages of Europe and the Western Hemisphere, and is also the greatest benefactor of modern English, including a vast scientific and technical vocabulary to which it is still actively contributing. More than 50 percent of our total vocabulary is derived, at first or second hand, from the parent of the Romance languages; or, to put it differently, approximately one out of every four Latin words has found its way into English.[6] This is the factual basis of the often heard claim that a knowledge of Latin helps one to understand and to write—even to spell—English with greater precision. The half of English vocabulary that is of Latin origin is the more difficult and important half for educated men, because it includes many scientific terms and a high proportion of words necessary to express abstract ideas and sophisticated concepts or distinctions.

The very different grammar of Latin provides an illuminating and much-needed perspective on how English grammar works. It may not invariably do so; that it often does many have testified and commonsense would suggest. Unlike English, which has far fewer "signals" to indicate "gender," tense, number, and case, Latin is a highly inflected language, and the contrast can make us sensitive to the analytical syntax of our own language. The grammars of all foreign languages provide a contrast with English; the point is that Latin grammar provides an unusually sharp one. It also, of course, gives us much of our grammatical terminology, a heritage we have not always used wisely. Only of late have English teachers been learning the folly of trying to apply Latin grammar to English, instead of using it, as a good Latin teacher does, to clarify differences.

When a student's ultimate objective is to be able to read (not speak) a number of important foreign languages, knowledge of Latin can have extraordinary practicality. It would be ridiculous to argue that one should study Latin in order to learn French, but genuine competence in Latin can speed the informal acquisition of reading proficiency in not only French, but also Italian, Portuguese, Rumanian, and Spanish—more languages than most students, or most practicing scientists, can find the time to study formally. In this respect, the study of Latin offers a certain advantage over the study of ancient Greek, rewarding as the latter can be.[7] In another respect, the fact that Latin differs so greatly from English in structure, the study of Latin offers an advantage over the study of the Romance languages if one's next foreign language is to be a highly inflected one—Russian, say. American education has been slow to realize that high school students rarely know—and no one can tell them—which of many foreign languages they will eventually need to use. There is thus a highly practical reason for choosing a first foreign language which is a demonstrable steppingstone to others.

While we are being practical—but first reminding ourselves that we are now discussing, not general education, but the needs of comparatively few students in our schools—we might recall in passing the peculiar usefulness of Latin to students of law, medicine, pharmacology, and theology, as well as to advanced students of such subjects as educational history, philosophy, literature, Romance philology, linguistics, European history, and medieval studies of any kind. As a professor of English with a special interest in Renaissance literature, I deeply wish that all my students had proficiency in Latin and ability to recognize classical allusions. I am not so unrealistic as to expect American education to accommodate itself to those students who actually want to read Shakespeare and Milton with some understanding, but it might at least advise prospective English majors that they had better learn Latin.

Though the teaching and interpretation and influence of it may change, and do change, Latin no longer changes.[8] Of all

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adequate rendering into another language. Let doubters who know a foreign language read any favorite English work in that language. Poetry, by its very nature, is a special use of language that defines translation. Similar or roughly equivalent effects can, with luck or ingenuity, be achieved, but the peculiar "meaning" of poetry depends, not only on the denotations of words, but also on their connotations, sounds, relationships, and arrangement. There is therefore no way of expressing in English (or any other language) what Catullus, Horace, Lucretius, and Vergil really "say" poetically. This is true also of unusually eloquent (i.e., poetic) prose.

Translations can convey form, but they convey thoughts without conveying the way of thinking, express feeling without giving us the true "feel" of the original. It is like being kissed through a veil—exciting contact of a sort, no doubt, if one has never been kissed directly. Emerson used another metaphor to defend the use of translations: why, he asked dryly, should one swim across the Charles River when one wishes to go to Boston? His figure is more revealing than he intended. Swimming is an exercise pleasurable and profitable per se. Getting to the other shore is only part of the experience.

[4] This problem, Meriwether Stuart reminds me, was old in Cicero's day: "Nescire autem quid ante quam natus sis acciderit, id est semper esse puerum. Quid enim est aetas hominis, nisi ea memoria rerum veterum cum superiorum aetate contexitur?" (Orator 120).

[5] So also many Augustine and other Latin church fathers. I do not mean here to minimize our Christian heritage. The subject matter of Latin includes this too.

[6] James B. Greenough and George Lyman Kittredge long ago asserted: "* * * our vocabulary has appropriated a full quarter of the Latin vocabulary, besides what it has gained by transferring Latin meanings to native words" "Words and Their Ways in English Speech" (New York, 1901), p. 106. See also the excellent essay by Gerald F. Else, "Classical Languages, Especially Latin," in "The Case for Basic Education," ed. James D. Koerner (Boston, 1959), pp. 123–137.

In the above paragraphs I discuss what must be labeled a byproduct of Latin study. It can be and has been said that "an English teacher should be able to teach the roots and the grammar as well in a small fraction of the time spent on Latin, and at least as effectively. Why should we go around Robin Hood's barn?" The question was asked by a classicist; as an English teacher let me reply, simply, that in 12 or more years of trying we don't do the job. One reason is that familiarity with English breeds contempt for formal teaching of English. Another reason is the general confusion among English teachers about both ends and means. Only within the past 100 years or so have we thought that English can be taught exclusively by English teachers—a theory I often question.

[7] The case for the study of Greek is in most respects identical with that for the study of Latin. If I may be permitted an irrelevancy, as a sudent I enjoyed Greek more than I did Latin, and still find Greek literature and civilization more appealing. Nevertheless, I do not attempt here to plead both cases, partly because there are some differences (e.g., in alphabet and in structure), but chiefly because Greek is taught today in but a handful of public or private high schools and studied by only a small number of persons in college. I should like to see a revival of Greek, but in the present state of things Latin offers the only feasible opportunity for an early introduction to our Graeco-Roman heritage—despite the powerful and persistent influence of Plato, Aristotle, and other Greeks on modern thought. Ironically, the mansion of American education has numerous rooms, but the storehouse of many of its basic concepts and categories is the attic.

[8] This statement is practically (or pedagogically) true for all except advanced students and scholars, but therefore in several technical senses needs qualification. For example, epigraphical and papyrological evidence continues to add to the specialist's knowledge of Latin and of Roman matters, and each new generation of critics rein-

the standard subjects in the curricula of our secondary schools and colleges (most of the others added during the past 100 years), Latin is the only one which remains forever constant, its life not ended, but its age and development arrested—and given eternal youth. Physics and mathematics change, but not Latin. Each new decade adds to the stock of history, or of English literature and language, but not to that of classical Latin. In the anxious, transitory present, it is the permanent past. One can study Roman civilization under laboratory conditions. Little wonder that many students in our uncertain, rapidly changing world find Latin of almost therapeutic value.[9] It is reassuringly stable. It is tried and true. Studying it, young victims of insecurity and spiritual isolation are likely to realize that their culture has roots that are deep and firm. One can be told this, of course; it is something more to experience and feel it. The impact can be memorable and long sustaining. This is the bittersweet compensation for the decline of the classics: when the ancients no longer command customary respect, the thrill of personal discovery is greater.

A "dead language" is not a dead subject unless in a given classroom it is taught in deadly fashion; and when this happens, it is not the fault of the subject. Inadequate preparation yields poor instruction, and Latin has not escaped this general curse of American education. Many Latin teachers confuse language learning with memorizing of rules—or with the cultivation of humility. Moreover, in either enthusiasm or desperation, teachers of Latin have sometimes offended even sympathetic listeners or readers by claiming too much; I have read speeches in committee reports that practically equated success in Latin with good conduct and good hygiene. This is frantic, foolish pleading. Equating success in Latin with developing intelligence is, on the other hand, to misinterpret the surely significant fact—known to every college admissions officer—that the most intelligent students are often, for whatever reasons, attracted to Latin. All academic subjects well taught develop intelligence. Other defenses have been too defensive, and a recent one that I have seen was insufferably snobbish, arguing in effect that Latin is only for the intellectual elite.

The case, when made quite soberly, turns out to be strong enough: Latin, simply as a foreign language, offers a demonstrably valuable experience, and, studied to the point of reasonable competence, it offers also an educationally unique experience: a sense of our relevant past, cultural and linguistic.

To argue that every American youngster should study Latin would be to ignore the history of American education, but to argue that we can now do without Latin would be idiotic. Ancient languages continue to offer much to those students in school or college who have the curiosity, or have had the good counsel, to elect them. May their numbers increase, in our public schools no less than in our private ones, in our State universities no less than in our Ivy-League colleges. Latin is not for an elite group; it is not, as the Communists sneer, a "tool of class discrimination"; it is for anyone who wants to be well-educated in the Western tradition. If a modern foreign language is studied first, or later, so much the better.[10] Tomorrow's leaders in all walks of life must listen intelligently to our past and be prepared to talk and read intelligently in our multilingual future.

Should school boards or school principals drop Latin in favor of modern foreign languages? Important as modern language study seems to me (and I have given 11 full years of my life to promoting this other good cause), I can see no valid educational reason for introducing Russian, say, at the expense of Latin. If—as might sometimes happen—we cannot have both, then let us never scrap a solid, time-tested subject for the sake of climbing aboard the latest educational bandwagon.[11] (When American education did just this in the 1930's and 1940's, it was the modern foreign languages that were often scrapped.) Should Latin, on the other hand, ever be made a required subject? Yes; as an alternative in every curriculum in which study of a modern foreign language is required, from elementary school to graduate school. Latin's values are not less; they are different. I am not here arguing for language requirements. I am saying that any language requirement which excludes Latin (or Greek) as an option is educationally indefensible.

These are difficult days for school administrators and, as a former administrator of sorts, I sympathize with them and wish them well. They and curriculum planners do their best under various and vexing pressures from single-minded groups and individuals. They know—what the faddish public too often forgets—that you cannot fill a glass beyond the brim. They also know that nourishing liquid can be added when there is less foam; for proof, look at the recent expansion of modern foreign language study in many of our schools. But this expansion has brought new problems, and educational supervisors now seek honest, reasonable answers to the troublesome questions of which language, and when, and for how long. Let me, therefore, suggest such answers as my own experience, enriched by the wisdom of many well-informed friends and colleagues, has thus far taught me.

One high school year of instruction—or study—in any foreign language is educational nonsense, a waste of time and money. Two years of any foreign language is close to nonsense (as Mr. Conant has said, "They might as well play basketball"), but it is better than no instruction at all in a foreign language. A curricular offering of 2 years in two foreign languages is, however, nonsense, bad in every way, leading often to double frustration for students taking both. It is the worst possible administrative solution to the problem of competing needs. An absolute minimum of 4 years of one foreign language, ancient or modern, makes sense, for it can provide meaningful proficiency. If a small school can offer 4 years of instruction in only one language, the choice of language should depend primarily upon the quality of instruction available, secondarily upon the wishes of the students and their parents. All things being equal—which they almost never are—I myself would choose to offer a living language, but better 4 years of Latin well taught than 4 years of badly taught Spanish. If a larger school can offer 4 years of instruction in two foreign languages without displacing equally valuable courses in something else, one of these languages, if practicable, should be Latin, for reason I have tried to make clear. American boys and girls are entitled to this choice.

In the expansion of any foreign language program, the expansion should always be from the senior year backward, never from grade 7 or 9 forward. This is the only expansion that guarantees continuity by recognizing the shortage of qualified teachers, and it is the only one that is fair to the more than 50 percent of our high school graduates who are now going on to college—many of whom will be required, and others of whom will wish in any case, to continue their foreign language study immediately, without serious loss of momentum.

Should the Congress of the United States use public funds for the improvement of Latin teaching, as it has done for the modern foreign languages? In the limited context of the National Defense Education Act of 1958, no. In the wider and equally defensible

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terprets Latin literature. Latin as a language went through a number of fairly distinct phases of development, known to philologists as old Latin, classical Latin, late or low Latin, medieval or middle Latin, and modern or neo-Latin (since about 1500). There is a scholarly newsletter for students of neo-Latin. Vulgar Latin was the everyday speech of the Roman people, from which the Romance languages developed. Today, priests and scholars are constructing new forms of modern Latin by coining words or phrases for contemporary things and activities. There is sometimes a playful spirit about this construction, as when Adlai Stevenson warns: Via ovicipitum dura est; "the way of the egghead is hard."

[9] This is not intended as a sentimental argument, although I realize that it can easily be parodied and ridiculed as such. I state what I believe to be both true and important. I am not, of course, arguing that Latin study is a substitute for psychiatry, or that this particular byproduct is experienced by all students. I am arguing the almost unique status of Latin as the inexhaustible mother lode of Western civilization. All great literature of the past can give us faith, or renew our faith, in the ageless dignity of the human spirit—in an age when our own literature often challenges that faith. An irony in what I am here arguing is the fact that the stability of Latin can attract teachers who are intellectually timid or sluggish. It can also, alas, encourage a false notion about the nature of living languages, unless the teacher does his job properly.

[10] We need, however, an objective and reliable answer to this problem: at what educational level should Latin be introduced in order that it may best provide the chief benefits inherent in study of it? Like the modern languages, it can be, and is, taught at all levels, from elementary to graduate school. But when does its study give optimum results? In the competition with modern languages, a convincing answer might well strengthen the status of Latin in the total curriculum. I do not know this: some students (I wonder how many) react adversely to the tension of audiolingual methods of language teaching, but enjoy the more familiar, bookish methods of most Latin teaching. The chairman of a Spanish department tells me that, as an administrator and teacher in two universities, he has observed "over and over again that a significant number of students who failed in modern languages had a successful academic experience in Latin or Greek." This phenomenon, which other teachers have reported to me, should not be confused with a different, less important problem—the occasional relaxing of standards in Latin or Greek as a desperate bid for enrollment. Improve the status of the classics, and the football team will have to relax elsewhere.

[11] I would make the same objection to hasty attempts to introduce our students to the non-Western cultures which we have so long and so foolishly ignored. They need this knowledge of civilizations in which they have no "roots," but not before, and certainly not at the expense of, a significant knowledge of their own culture. It is my impression that too many students have feelings of insecurity or doubt resulting from the various assaults upon Western tradition emanating from the Communist bloc—and more recently from the non-Western nations. It can be argued that what these nations really seek is some ideological equivalence with what the West has created by relating its vital heritage and traditions to its contemporary discoveries in science and technology. An American student ignorant of Graeco-Roman culture is unlikely to understand such an aspiration, and very likely to misunderstand it.

context of Government acting to strengthen the best in American education, yes. Both Government and the major foundations have done much in recent years to support modern foreign language study, especially study of many languages which had never or but rarely been taught. It is time, now, for both Government and the foundations to pay more attention to those solid, basic elements in the curriculum that do not have the additional advantage of sudden, temporary relevance in our competition with communism; and for an appropriate beginning, I strongly recommend the subject that, in my considered opinion, has suffered, and otherwise will suffer far more, as a direct result of Federal and foundation interest in the modern languages.

Latin is unchanging, but exciting new ways of teaching it have been discovered, and are now known to a few.[12] They should be made known in summer institutes to the many who had their training long ago, and to the new teachers now being trained. Let us have better, truly modern instruction in this ancient language, so that our past can contribute more vitally to our future. American boys and girls, hopeful heirs to the best in Western civilization (whether or not they yet realize it), deserve nothing less at our hands.[13]

AMENDMENT TO HIGHER EDUCATION ACT (S. 600)

AMENDMENT NO. 304

Mr. JAVITS. Mr. President, I introduce an amendment to part D of title IV of the Higher Education Act (S. 600), presently pending before the Senate Education Subcommittee. This amendment is designed to deal with the concerns that have been expressed with respect to the high delinquency rate in repayment of National Defense Education Act loans and the costs to the colleges in administering these loans. The amendment is largely drawn from suggestions advanced during the recently concluded hearings and from those institutions which have had actual experience with NDEA loans.

Briefly the amendment provides the following:

First. Combining to contract for collection by colleges is enhanced and encouraged by permitting the student loan fund to be used for collection costs where approved by the Commissioner of Education.

Second. Student loan repayments begin 6 months rather than 1 year after the student leaves school.

Third. Loan repayments must be made bimonthly rather than annually as now stipulated.

Fourth. Payments of student loans must be at the rate of at least $15 monthly.

Fifth. Penalties for delinquency are provided of not to exceed one-half of 1 percent of any monthly overdue installment but not exceeding $1 for the first month of delinquency and $2 for each month thereafter.

These changes in the law would help bring National Defense Education Act practices in line with proven loan and collection procedures; they do not impose onerous burdens on borrowing students whose resources are necessarily limited.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred.

The amendment (No. 304) was referred to the Committee on Labor and Public Welfare.

ESTATES OF CERTAIN FORMER MEMBERS OF U.S. NAVY BAND—AMENDMENTS

AMENDMENT NO. 305

Mr. BREWSTER submitted amendments, intended to be proposed by him, to the bill (S. 1503) for the relief of the estates of certain former members of the U.S. Navy Band, which were received, ordered to be printed, and appropriately referred.

The amendments (No. 305) were referred to the Committee on the Judiciary.

TREATMENT AND REHABILITATION SERVICES FOR DRUG ABUSERS—AMENDMENT

AMENDMENT NO. 306

Mr. CASE submitted an amendment (No. 306), intended to be proposed by him to the bill (S. 2115) to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers, which was received, ordered to be printed, and referred to the Committee on Labor and Public Welfare.

ADDITIONAL COSPONSORS OF BILLS

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Maine [Mr. Muskie] be added as a copsonsor on bill S. 2225, which I introduced yesterday. The bill relates to the extension of our territorial waters to 12 miles.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, I have another request. On yesterday, I introduced a bill on the propagation of wildlife, S. 2217. I ask unanimous consent that the name of the distinguished Senator from Texas [Mr. Yarborough] be added as a cosponsor of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of June 17, 1965, the names of Mr. Aiken, Mr. Anderson, Mr. Carlson, Mr. Dodd, Mr. Fong, Mr. Kuchel, Mr. Long of Missouri, Mr. Pell, Mr. Randolph, and Mr. Young of North Dakota were added as additional cosponsors of the bill (S. 2158) to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, introduced by Mr. Cooper on June 17, 1965.

NOTICE OF HEARING RELATING TO REORGANIZATION PLAN NO. 2 OF 1965—CONSOLIDATION OF WEATHER BUREAU AND COAST AND GEODETIC SURVEY

Mr. RIBICOFF. Mr. President, I wish to announce that the Subcommittee on Executive Reorganization of the Senate Committee on Government Operations will hold a public hearing on July 12, 1965, on Reorganization Plan No. 2 of 1965, providing for the consolidation of the Weather Bureau and the Coast and Geodetic Survey into a newly created agency in the Department of Commerce to be known as the Environmental Science Services Administration.

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[12] This writer cannot pretend to any expert knowledge of the reforms in methodology and curriculums currently advocated by classicists, but he applauds the critical, questioning spirit of many teachers in this tradition-taut field. Some are concerned to see what can be learned from the audiolingual approach now widely employed by modern foreign language teachers; others are experimenting with applied linguistics, along lines set forth in Waldo E. Sweet's "Latin: A Structural Appoach" (Ann Arbor, 1957). Professor Sweet has just completed the first year of a "programed" course in Latin, for use with or without a language laboratory. The synthetic "made Latin" that has crept into many textbooks is under vigorous attack, as are the trinity of Caesar, Cicero, and Vergil in their monopoly (since about 1894) of the second, third, and fourth years of secondary school instruction. The "Gallic Wars" may go, to give place to new, untraditional material (e.g., Erasmus) chosen for its permanent relevance. Prose composition may also go, or be minimized. Ovid may enjoy a revival—a development that would doubtless be cheered by English teachers, who have the cheerless task of explaining mythological allusions to student who should be happily recognizing them instead of merely understanding them.

In reporting these trends, I am neither predicting nor expressing any personal preferences—beyond the irresistible one above Caesar, I should think, can be effectively taught today as a master of political self-justification, rather than as a dull reporter of strategy and tactics. Cicero can be taught as a voice of moderate conservatism. In any case, most Latin teachers are proud of the fact that their students quickly encounter real classics, and this is as it should be, for they can't have it both ways—offering to reveal the roots of Western culture while actually giving us diluted Latin and equally diluted ancient history. They have their clubs and contests and Roman banquets, but I have met no movement to substitute Winnie Ille Pu for Vergil.

[13] A second draft of this essay was read and most helpfully criticized by 55 colleagues in 28 different schools, programs, or departments at Indiana University. A third draft was then seen and criticized—often at great length—by 115 persons throughout the United States and Canada. I regret the impracticality of thanking here individually so large a number of collaborators, to very many of whom I am deeply indebted—as they will realize upon reading my final version. I was greatly encouraged by the unanimous expression of genuine interest in my subject.

Some wondered why this piece should appear in PMLA. The editor of PMLA invited me to write it, and reprints are available from the Modern Language Association (4 Washington Place, New York, N.Y., 10003) for all who wish to join me in getting into the hands of those who most need to be informed and, perhaps, persuaded—guidance counselors, school and college administrators, school boards, curriculum experts, and others. It is my earnest hope that, in this effort, teachers of English, linguistics, the modern foreign languages—indeed, all the humanities—will find common cause. My personal motive is to renew my allegiance to the humanistic tradition. The case for Latin seems to me a crux—in all senses of that word. My basic concern as an English teacher is the relation of language to wisdom. I like to believe that most members of the MLA share this concern. [Reprints of this article are available at the following rates from the address given above: single copy, 25 cents; 10 copies or more, 10 cents each.—Ed.]

The hearing will be held in room 3302 of the New Senate Office Building, commencing at 10 a.m. Those interested in testifying should contact Jerome Sonosky, subcommittee staff director, in room 162, Old Senate Office Building, extension 2308, prior to July 9.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 8147) to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. BYRNES of Wisconsin, and Mr. Curtis were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 4493. An act to continue until the close of June 30, 1967, the existing suspension of duties for metal scrap; and

H.R. 8131. An act to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. ROBERTSON:

Statement on Robert E. Lee, from speech delivered by Representative GEORGE H. MAHON, of Texas.

GEORGE ORWELL'S "1984" IS HERE IN 1965

Mr. THURMOND. Mr. President, on June 21, 1965, the Secretary of the Interior, Mr. Stewart Udall, filed a petition of intervention before the Federal Power Commission against an application by Duke Power Co. for a license to construct a $700 million electric power complex on the Keowee and Toxaway Rivers in Oconee and Pickens Counties in South Carolina.

This arbitrary action on behalf of the administration has no basis whatever in good reason or logic. Rather it is rooted in the idea that big-brother-type government is going to dictate the supply of electric power in this country and is going to determine what power supply is needed for what is left of our free enterprise system and also for individual home use.

Mr. President, there is no competing Federal power project at the site selected by the Duke Power Co. in an effort to plan for its future power needs and also for the purpose of trying to help develop an area of our State which has been labeled as a poverty-stricken area under the administration's Appalachia program. In his petition filed before the Federal Power Commission, Mr. Udall seeks to set himself up as the best judge of the power needs of Duke Power Co. in the 1970's. Also, Mr. Udall undermines by his actions the administration's contention that Oconee and Pickens Counties in South Carolina are in dire need of economic development impetus.

Mr. President, this action by Mr. Udall reminds me of an earlier arbitrary action he took in withdrawing a contract which his Department had with the Fouke Fur Co., of Greenville, S.C., because Fouke moved its plant operations from St. Louis, Mo. to Greenville, S.C. In that case, Mr. President, Mr. Udall made an arbitrary contract award to a corporation which promised to operate in St. Louis but which was not qualified to be a processor of Alaska sealskin furs. In fact, I called this matter to the attention of the General Accounting Office. After a thorough investigation, the GAO issued a report which showed that the newly selected contracting firm was nothing more than a paper organization. Subsequently, Mr. Udall was forced to cancel this contract and then to eventually renew a contractual relationship with the Fouke Co. because of the GAO report.

In order, Mr. President, that the arrogance of Mr. Udall in handling the Fouke Fur case might be available to all Senators, I ask unanimous consent that an article published in the October 21, 1963, issue of Barron's, the National Business and Financial Weekly, be printed in the RECORD at the conclusion of these remarks and subsequent insertions I will make.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, Mr. Udall has demonstrated that he will not listen to reason but that he is determined to socialize every aspect of American life over which he feels that he has control as Secretary of the Interior. This is why I believe it is necessary that I present to the U.S. Senate today his petition of intervention and the reaction in South Carolina which has been caused by his baseless petition.

I am confident that the Federal Power Commission will reject Mr. Udall's petition because of the fact that it is completely without merit. What he contends for in his petition is to try to force Duke Power Co. to purchase its future power needs from a proposed Federal power project which Mr. Udall hopes to build many miles away on another river. There is no assurance, Mr. President, that the Federal power project at Trotter Shoals on the Savannah River will be built. Even if it were to be built, the Federal Government should not be able to force any private enterprise company to have to contract with the Government on a 5-year basis in order to meet its consumer demands for electric power. What Mr. Udall is trying to do is to make a reality out of Mr. George Orwell's book, "1984," in 1965.

The people of South Carolina and the people throughout the rest of the country do not want Mr. Udall's type of big brother government. So that Senators might have an indication as to the reaction to Mr. Udall's move, I ask unanimous consent that the following materials be printed in the RECORD: Two articles from the Greenville News, of Greenville, S.C., dated June 25, 1965, and June 29, 1965; a news release from Duke Power Co. in Charlotte, N.C.; an editorial from the News & Courier of Charleston, S.C., dated June 27, 1965, entitled "Holding Up Progress"; an editorial from the Greenville Piedmont, of Greenville, S.C., dated June 26, 1965, and entitled "Everyone's Out of Step Save Mr. Stewart Udall"; an editorial from the Greenville News dated June 27 and entitled "Udall's Fantastic Outrage"; an editorial from the Spartanburg Herald, of Spartanburg, S.C., dated June 26, 1965, entitled "Real Motive Emerges: Government Control"; a telegram I sent to Secretary Udall on June 24, 1965; a letter from the president of the Greater Greenville Chamber of Commerce to the President of the United States; and the petition of intervention filed by Mr. Udall before the FPC.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Greenville (S.C.) News, June 29, 1965]

PROJECT SAID INCREDIBLE—THURMOND, RUSSELL, DORN IRRITATED BY POSITION OF UDALL

(By Lee Bandy)

WASHINGTON.—South Carolina Capitol Hill lawmakers Thursday termed Interior Secretary Stewart Udall's opposition to Duke Power Co.'s proposed $700 million Keowee-Toxaway project "incredible" and a "stark, open bid for national socialism."

In a telegram to the Cabinet official, Senator STROM THURMOND told Udall the latter's position is inconsistent with the Johnson administration's Appalachia and antipoverty programs.

But he added, "It does seem, however, to conform to the administration's efforts to stifle our free enterprise system and subject our people to the type of Government regulations and control as depicted in George Orwell's book, "1984."

The book predicts total socialism for this country by that year.

Senator DONALD RUSSELL noted that as Governor he "enthusiastically" endorsed the Duke project and that he continues to adhere to that position "irrespective of any objections by Secretary Udall."

OPEN ATTEMPTS

Greenwood Representative W. J. BRYAN DORN blasted the Secretary's opposition as an open attempt to gain control of the water and power resources of the Savannah River Basin.

He warned that if the Cabinet official can control the seventh largest river in this country, "then he will control industry and the people. This is a stark, open bid for national socialism."

"Evidently," DORN added, "Udall's position is an ecknowledgment that the Federal project—Trotters Shoals—is not needed for power."

For several years, the Government has been trying unsuccessfully to get congressional authorization for the $78 million Federal dam and reservoir.

Proponents of private power have been able to knock it down each time it was brought up.

Duke Power Co. also proposes to build a $280 million steam generating plant on the Savannah.

However, the North Carolina-based firm has been unable to get congressional authorization due to the complicated Trotters Shoals question.

Duke needs congressional approval for its Savannah River project because it involves an interstate stream.

The private company contends both the steamplant and Trotters Shoals are compatible as long as Duke can build first and pump-back storage is omitted in the Federal project.

DORN argues that Trotters Shoals was not a part of the Govenment's original overall plan to develop the Savannah. "It was added," he said, "only after Duke announced plans to build the steamplant."

"The Federal project," the Congressman asserted, "was designed to harass Duke and force it into a shotgun wedding with Trotters Shoals."

"The whole scheme," he said, "is set up so the Federal Government can step in, regulate and harass Duke, take over our resources and subvert our people."

FLOOD SITES

DORN repeated his opposition to Trotters Shoals on grounds it will flood 14 industrial sites.

He charged that the Federal dam is being used to "destroy and prevent" Duke from proceeding with its Oconee and Pickens Counties complex and steamplant on the Savannah.

The Third District Democrat noted that Trotters Shoals will take out of taxation forever some 23,000 acres, whereas both of Duke's projects would put millions of dollars into the Federal till.

THURMOND ridiculed Udall for knowing better than Duke what the private firm's power needs will be in the 1970's.

Duke, the Republican pointed out, will need about twice its present output by 1975.

He praised the company for exercising "good judgment" in planning for the future and in selecting a site in South Carolina where there is no question of a competing Federal power project.

THURMOND termed Udall's intervention "contrary to the best interest of the people of Oconee and Pickens Counties and our entire State.

The Aiken Senator urged the Secretary to withdraw his opposition and support further development of "this vital area."

SHARPLY CRITICIZED

First reaction from State officials Wednesday to the opposition by the U.S. Department of the Interior to a proposed $700 million Duke Power Co. electric generating complex in Pickens and Oconee Counties was sharply critical.

State and local officials joined South Carolina lawmakers in Washington in bitter issue with the action of Interior Secretary Stewart Udall, who filed a petition with the Federal Power Commission for intervention in Duke's application for approval of the vast project on the Keowee and Toxaway Rivers.

Gov. Robert E. McNair declared he was "surprised to learn the Department of the Interior has filed such an intervention."

The Governor said, "This is a project of vital importance to South Carolina, and, particularly to the upstate area. It is my hope that the Federal Power Commission will hold an immediate hearing.

"Of course, as you know, the general assembly overwhelmingly passed a resolution supporting the Duke plan. This is the official position of the State itself and it certainly is mine."

Following is the text of a telegram to Secretary Udall from State Senator Earl E. Morris, Jr., of Pickens County:

"The overwhelming majority of Pickens County and South Carolina disagree with and resent the unwarranted interference of your Department to oppose the construction of the Duke Power Co. complex in this area. You are obviously quite unfamiliar with the plans and future requirements of Duke Power Co., a taxpaying utility which is willing to invest $700 million in this area of South Carolina.

"No Federal budget can approach the magnitude and benefit of the Duke development. Every official agency in the county and State intends to oppose the efforts of the Federal Government to delay or prevent the realization of the Keowee-Toxaway project. The most meaningful one of this century.

"I implore your review of the facts and your withdrawal of opposition."

State Senator Marshall J. Parker, of Oconee County, was in Washington, D.C., on other business and could not be reached for comment. He was a key champion of support for Duke's proposal when it first was announced and declared then, "Woe be unto anyone who should try to block this development."

[From the Greenville News, June 29, 1965]

UDALL RAPPED BY ANDERSON CITY COUNCIL

(By News staff writer)

ANDERSON.—The intervention of Interior Secretary Stewart Udall in the proposed $700 million Keowee-Toxaway project of Duke Power Co. and continued delay in approval of Duke's proposed Middleton Shoals plant on the Savannah River was criticized in a resolution adopted unanimously by Anderson City Council Monday night.

Stating that the Duke projects would be more beneficial to the area than a "federally sponsored dole," council urged that approval be granted both projects as soon as possible.

The text of the resolution follows:

"Whereas the present administration has proclaimed nationally that the Appalachian area is an economically deprived area and urged State and national business leaders and industrialists to participate in programs economically beneficial to the Appalachian area; and

"Whereas the construction of the Duke steamplant at Middleton Shoals on the Savannah River in Anderson County, S.C., and the construction of Keowee-Toxaway dam and powerplant in Oconee and Pickens Counties of South Carolina by Duke Power Co., a public utility company, would be far more beneficial to the people of the Appalachian area than a federally sponsored dole, since new jobs, new business and recreational opportunities would accrue to the people of this area in addition to the millions of dollars in local, State and Federal taxes that would be paid annually; and

'Whereas these projects cannot be begun until clearance is granted by the Federal Power Commission: Now, therefore, be it

Resolved, That the President of the United States and all Federal agencies in position to grant clearance on these projects be and they are hereby respectfully requested to act favorably on these projects as expeditiously as practical."

Copies of the resolution are to be sent to President Johnson and such Federal agencies as are in position to grant favorable action.

[From public relations department, Duke Power Co., Charlotte, N.C.]

CHARLOTTE.—Duke Power Co. has been notified of a second intervention in its application to the Federal Power Commission for a license to build a $700 million electric generating complex in northwest South Carolina.

The Department of Interior, over the name of Secretary Stewart L. Udall, has filed an intervention with FPC protesting Duke's plans for its Keowee-Toxaway project in Pickens and Oconee Counties.

The tristate committee, representing the electric cooperatives in Georgia and the Carolinas, filed another intervention document with the FPC on March 20, 1965.

The Secretary of Interior stated in his petition to the Federal Power Commission that Duke Power Co. "has no need for the hydro power that could be produced by the project in 1971," because its need can be met from the Trotters Shoals project which he, the Secretary, is currently recommending for approval in this session of Congress.

The Secretary's petition further states that Duke Power "has no need for steam electric power from a plant located on the Keowee Reservoir about 1972 or later," because its need for steampower "will be satisfied by Congress' permission to build a 2-million-kilowatt steamplant below Hartwell concomitant with the Trotters Shoals authorization."

The Interior intervention said that Duke's "asserted needs for hydropower in 1971 can be met from the third unit in the congressionally approved plan, Trotters Shoals," and that Federal power, "when developed to ultimate potential," can meet Duke's hydro needs in the mid-1970's.

W. B. McGuire, president of Duke Power Co., in commenting on the intervention, said:

"To the best of my knowledge this is the first time that the Secretary of Interior or any other officer of the Federal Government has ever suggested that he knows more about our future power requirements than we do. It also is the first time, to my knowledge, that any agency of the Federal Government has ever taken the position that we should not build our own generating plants, but should buy our hydroelectric power from Federal Government plants."

Continued McGuire: "The Secretary of Interior is saying, in effect, that Duke Power Co. should make itself dependent upon the Federal Government for supplying the future power requirements of Duke's customers. It must be noted that preference customers under Federal law have the first claim on power produced by Federal plants. Only after the Secretary of Interior has sold all the power he can sell these preference customers (cooperatives and municipalities) does Duke Power have an opportunity to purchase power from these plants.

"Furthermore, the contract which the Secretary of Interior has made with Duke Power for Hartwell production is for 5 years duration only. At the end of 5 years the Secretary of Interior could say to Duke Power that no further power would be available to the company. Obviously, Duke Power Co. cannot be dependent upon such short-term sources of electricity for supplying the needs of the rapidly developing area served by the company."

McGuire pointed out that both the South Carolina Legislature and the Governor's office have expressed firm opposition to construction of the Federal Trotters Shoals plant.

The Keowee-Toxaway project received endorsement from the South Carolina General Assembly, which by joint resolution urged prompt approval of the company's license application by the FPC, the Governor and many other State, city, and county agencies in South Carolina.

Duke's present generating capability is 4.4 million kilowatts, and the company expects its 20,000-square-mile service area, which encompasses the rapidly growing Piedmont Carolinas, to require twice that amount by 1975.

The completed Keowee-Toxaway project would generate $20 million annually in State and local taxes, and $24 million in Federal taxes.

"The Secretary of Interior predicates his intervention upon forcing the will of the Federal Government upon the State of South Carolina," said McGuire. "If Duke Power Co. and its customers became dependent upon the Federal Government for the supply of electricity needed by its customers, then the will of the Federal Government would be even more broadly imposed upon the people of the State."

The intervention said that Duke Power had "no need for steam electric power from a plant located on the Keowee reservoir about 1972 or later." The intervention contended that Duke Power's need for steam-electric power will be met by construction of the company's proposed steam plant at Middleton Shoals on the Savannah River.

"Duke Power first tried to get the necessary authority to build the Middleton Shoals Plant in 1961," said McGuire, "and the customers of this company would indeed be in a sorry fix today if Duke Power's sole reliance for its power was its ability to obtain authority from the Federal Government for construction of this plant."

The Duke president added that even if authority is obtained to build the Middleton Shoals plant, it would supply the needs of the Piedmont Carolinas for only a relatively short period of time.

"It is quite bewildering to us to see an agency of the same Federal Government which advocated and obtained passage of Congress of the aid to Appalachia bill," added McGuire, "register official opposition to our request for authority to invest millions of dollars of private capital in the Appalachia region in order to meet the power needs of our customers."

McGuire pointed out that the short-term planning for future power needs as contained in the intervention "is grossly inconsistent with the advice Joseph C. Swidler, Chairman of the Federal Power Commission, issued to the power industry several months ago.

"Swidler, in a news article appearing November 15, 1964, was quoted as saying that now was the time for the power industry to look beyond its customary planning, and plan an effective system for 1980 and beyond. This has been a longtime practice of Duke Power, and even if we are permitted to build our Middleton Shoals project on the Savannah River, the Keowee-Toxaway project is a vital part of our planned needs for the future."

McGuire concluded by saying: "The Secretary of Interior seems to be saying that not only should Duke Power Co. be foreclosed from planning well into the future for the power supply of its service area, but in addition the company should make itself dependent upon the Federal Government to do this planning and also to supply the needs of the area for power.

"The Secretary would override the expressed wishes and desires of the State of South Carolina and its people. If the Secretary should accomplish his stated objectives, not only would the company's ability to plan and prepare for the future be thwarted and the area subjected to further Federal direction and control, but in addition the local and State governments would be deprived of the tax support which will be provided by the Keowee-Toxaway project which Duke Power wishes to undertake."

Since authority was requested for construction of the Middleton Shoals plant, Duke Power has constructed, or has under design and construction, steam electric capacity equal to Middleton Shoals on Lake Norman in North Carolina.

One unit of this 4-unit plant, called Marshall Steam Station, already is in operation, and a second unit will be completed in mid-1966. Net peak capability of the first two units is 374,000 kilowatts each, with the two future units pushing total capability over the 2-million-kilowatt mark.

Duke announced its Keowee-Toxaway project on January 2, 1965, and filed its application for a license to the Federal Power Commission 2 days later.

First phase of the development called for dams on the Keowee River and the Little River. The two resulting reservoirs, covering a total of 18,100 acres, will be connected by a canal to form one body of water, Lake Keowee.

All hydro power generation for the twin lakes would be at the Keowee Dam and capacity of the installation is planned for about 140,000 kilowatts.

Another dam and hydroelectric facility would be located near Jocassee on the Keowee River near where the Whitewater and Toxaway Rivers join. This 385-foot-high dam would result in a lake of 7,400 acres. The Jocassee development is planned for 160,000 kilowatts of hydroelectric capacity and 450,000 kilowatts of pumped-storage, a total installation of 610,000 kilowatts.

In addition to the hydro power developed, the Keowee development's connected lakes will provide sites for steam generating stations totaling 7 million kilowatts.

More than 100,000 acres of land were purchased by Duke Power for the project, and a lease with the South Carolina Wildlife Resources Department, establishing a game management area on 68,000 acres of the land, was signed.

BEFORE THE FEDERAL POWER COMMISSION IN THE MATTER OF DUKE POWER CO., PROJECT NO. 2503—PETITION OF STEWART L. UDALL, SECRETARY OF THE INTERIOR, FOR INTERVENTION

Comes now Stewart L. Udall, Secretary of the Interior, and files this Petition for Intervention in the above-designated proceeding, and assigns as reasons therefor the following.

1. He is a citizen of the United States and the head of the Department of the Interior, one of the executive departments of the U.S. Government. As Secretary of the Interior, he has charge and supervision of all the bureaus and agencies of said Department, including the Southeastern Power Administration.

2. His rights and interests in this proceeding are derived from section 5 of the Flood Control Act of 1944 (16 U.S.C. (1958 ed.) sec. 825s) and from the ruling of the Supreme Court in *United States ex rel Chapman* v. *Federal Power Commission*, 345 U.S. 153, 92 L. ed. 918, 73 S. Ct. 609 (1953).

3. Under said section 5 of the Flood Control Act of 1944, the Secretary of the Interior is charged with the responsibility to transmit and dispose of all power and energy generated at reservoir projects under the control of the Department of the Army not required in the operation of such projects. He is required to dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles and to give preference in the sale of such power and energy to public bodies and cooperatives.

4. The Secretary also has broad responsibilities in regard to the formulation, evaluation, and review of plans for use and development of water and related land resources under Senate Document No. 97, 87th Congress, 2d session.

5. The Secretary of the Interior, through the Southeastern Power Administration, a bureau of the Department of the Interior under his control and direction, has and is disposing (under said sec. 5) of power and energy generated at the existing Department of the Army's Clark Hill and Hartwell projects, located on the Savannah River, Georgia and South Carolina, the first two units in the comprehensive plan of development of the Savannah River Basin as approved by Congress in the Flood Control Act of 1944, 58 Stat. 887, 894.

6. The Secretary has participated in the study, as directed by Congress, of the Trotters Shoals project, located between the existing projects, which has been recommended for prompt authorization by the Chief of Engineers and Secretary of the Army as the next logical step in the congressionally approved plan of comprehensive development of the Savannah River Basin. The Secretary through Southeastern Power Administration will dispose of power and energy produced at the Trotters Shoals project when available.

7. Power and energy from the Hartwell project is presently being sold to the applicant and to public bodies and cooperatives located in South Carolina and North Carolina and served from the applicant's system. It is anticipated that a portion of the output of the Trotters Shoals project will likewise be disposed of in the applicant's service area, all of which power will be scheduled to meet applicant's system load requirements.

8. As grounds for his intervention, the Secretary states his position as to applicant's license application No. 2503 is as follows:

(a) The project is not best adapted to a comprehensive plan for improving or developing the waterway or waterways within the meaning of section 10(a) of the Federal Power Act, 16 U.S.C. 803(a). It is incumbent upon the Federal Power Commission to accept as "the comprehensive plan to be used" the comprehensive plan for the development of the Savannah River Basin as set forth in House Document No. 657, 78th Congress, 2d session, and approved by Congress in the Flood Control Act of 1944. *United States* v. *Federal Power Commission*, supra, at pages 168–169.

(b) The application for the Keowee development is contrary to the basic policy adopted by Congress in the Flood Control Act of 1944 for the systematic development of the Savannah River Basin. Congress has already made the decision, binding upon the Commission, as to "the desirable order of construction" of the proposed projects in the plan no matter by whom they may be built, *United States* v. *Federal Power Commission*, supra, at pages 163–164, and has decreed that other projects included in the plan were to follow Clark Hill in the order approved, the first to be the Hartwell site, "as the demand for power increased." *United States* v. *Federal Power Commission*, supra, at page 165.

(c) The next step in the comprehensive plan for the development of the Savannah River Basin is the Trotters Shoals project, developing the main stem of the Savannah between the Clark Hill and Hartwell projects, recommended for construction by the United States by the Chief of Engineers and Secretary of the Army and which recommendation for public construction has been concurred in by the Federal Power Commission and the Department of Interior, Agriculture, Commerce, and Health, Education, and Welfare, and the Atomic Energy Commission.

(d) Applicant has no need for the hydropower that would be produced by the project in 1971. Applicant's asserted needs for hydropower in 1971 can be met from the third unit in the congressionally approved plan, Trotters Shoals, recommended for authorization promptly, and when developed to ultimate potential, including pump-storage and another unit at Hartwell, can meet additional hydro needs of applicant asserted to be needed in the mid-1970's. Subsequently, power may be made available to applicant from the four Chattooga River plants, which comprise the next step in the comprehensive plan after Trotters Shoals.

(e) Applicant has no need for steam-electric power from a plant located on the Keowee Reservoir about 1972 or later. Applicant's asserted need for steam power from a plant in the lower portion of its service area will be satisfied by Congress' permission to build a 2-million-kilowatt steamplant below Hartwell concomitant with the Trotters Shoals authorization.

Therefore, your petitioner requests permission to intervene in this proceeding, and to participate in any hearings or other proceedings herein, as the Commission may deem appropriate to properly dispose of the matter.

Respectfully submitted.

Stewart L. Udall,
Secretary of the Interior.
Frank J. Barry,
Solicitor of the Department of the Interior.
Edward Weinberg,
Deputy Solicitor.
Harry J. Hogan,
Associate Solicitor.
Raymond C. Coulter,
Assistant Solicitor.
Curtis H. Bell,
Field Solicitor, Counsel for the Secretary of the Interior.

Before the Federal Power Commission in the Matter of Duke Power Co., Project No. 2503

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing petition for intervention upon the following-named parties of record in this proceeding, by mailing a copy thereof properly addressed, to each of the parties named or, where indicated, to the attorney of record of a party named:

Duke Power Co.: Mr. Carl Horn, Jr., vice president and general counsel, Duke Power Co., Power Building, Charlotte, N.C.; Mr. George W. Ferguson, Jr., assistant general counsel, Duke Power Co., Power Building, Charlotte, N.C.

Federal Power Commission: Mr. Richard A. Solomon, General Counsel, Federal Power Commission, Washington, D.C.; Mr. Joseph B. Hobbs, trial attorney, Federal Power Commission, Washington, D.C.

Tristate Power Committee: Mr. William T. Crisp, Crisp & Wells, attorneys at law, First Citizens Bank Building, Raleigh, N.C.

Dated at Washington, D.C., this 21st day of June 1965.

Raymond C. Coulter,
Assistant Solicitor of Counsel for the Secretary of the Interior.

[From the Greenville News and Courier, June 27, 1965]

Holding Up Progress

With both U.S. Senators and the Member of Congress from the Third South Carolina Congressional District in favor of the Duke Power Co. development of hydroelectric power on the Keowee and Toxaway Rivers, it is hard to understand how the Johnson administration can continue to ram Federal control of hydroelectric power down the throats of the people.

From what we can gather, sentiment in Oconee and Pickens Counties is solidly in favor of private enterprise. Both counties are included in the roll of poverty-stricken segments of Appalachia. The prospect of a $700 million power complex ought to be welcomed at Washington as a relief for the taxpayers.

On the contrary, the Department of the Interior has intervened and is trying to stop it.

Senators Russell and Thurmond both have protested. So has Representative W. J. Bryan Dorn.

The attitude of the Department is an example of bureaucratic disregard for the will of the people. It is another attempt to promote socialism at the expense of private enterprise.

We hope that the White House will reverse Secretary Udall and remove a bar to progress in upcountry South Carolina.

[From the Greenville Piedmont, June 26, 1965]

Everyone's Out of Step Save Mr. Stewart Udall

Nobody wants Duke Power Co. to build a $700 million hydroelectric power complex in Pickens and Oconee Counties except Duke, the State of South Carolina, its U.S. Senators, its Congressmen and its Governor; the counties involved and their officials; the tax agencies of all those political subdivisions, and the people resident in or near the area to be developed who would be the chief beneficiaries of cheap power.

Who does that leave in opposition? Interior Secretary Stewart Udall and rural electric cooperatives, that's who.

Udall's meddling got him scorched once before in the Fouke fur case. His present intervention with the Federal Power Commission, by all the rules of logic, should get him burned again.

Duke has strong support for its proposed project, based on the feasibility, the need, the benefit to power consumers, the contributions in taxes to the State and two counties and the community service that are inherent in the proposal.

Udall's case is based on his assertion that Duke has no need of hyproelectric power by 1971 and that its needs could be met by Savannah River Dam developments. These assertions are disputed by Duke.

If the case is to be determined on merit, Duke will win. If it is to be determined by allowing the dubious arguments of Federal bureaucracy, to prevail, Duke will lose.

[From the Greenville News, June 27, 1965]

Udall's Fantastic Outrage

Ever since it asked 5 years ago for permission of Congress and Federal regulatory agencies to build a small dam at Middleton Shoals on the Savannah River to cool steam for a $300 million plant for generating electricity, the Duke Power Co. has been subjected to political persecution and bureaucratic harassment.

The events of the fall of 1962, when Duke's Middleton Shoals project died because the Senate resolution stipulated that a Federal hydroelectric project at Trotter's Shoals had to be approved or rejected simultaneously, were shameful enough a crime against private enterprise and the public interest.

The attitude of a government which is supposed to foster private investment by stockholders and taxpayers and to protect their legitimate interests was almost unbelievable. Until one dug beneath the surface facts the actions of the Senate were beyond understanding.

But such digging revealed that the real reason for the Senate's behavior was the amazing pressure the public power lobby, especially the Association of Rural Electrification Cooperatives, was able to bring. And it revealed firm evidence that this is part of a movement the ultimate aim of which is nationalization (socialization) of the power industry.

The situation now has approached the fantastic, with Secretary of the Interior Stewart Udall's intervening before the Federal Power Commission in an attempt to deny Duke a license to begin construction of a vast, $700 million hydroelectric and steam power generating complex in Pickens and Oconee Counties on rivers which lie solely within South Carolina and on land which Duke owns.

This petition follows one filed by the tristate power committee, representing rural electrification authority cooperatives in South Carolina and Georgia, last spring, only a few weeks after Duke announced its plans on January 2.

Both petitions urging denial of FPC action in favor of Duke are predicated on demonstrably false premises and have been presented in an atmosphere of patent falsehoods.

For instance, officials of the tristate committee said publicly that they were not opposing the Duke project, but merely sought a hearing where public opinion could be voiced and the public interest thereby protected.

But the petition itself stated unequivocable opposition on grounds that all of the power potential of the region should be developed, not by private enterprise, but by the Federal Government.

The Udall petition says that Duke will not need the power proposed to be produced by the Keowee-Toxaway projects, that its generating plant at Middleton Shoals and the public power projects at Trotters Shoals and elsewhere will meet the needs of the company's present and potential customers.

This is something the Department of the Interior could not know. If it did, the matter is none of its businesss. Interior is concerned primarily with the conservation of natural resources and their orderly development. In that category, the Pickens-Oconee proposition is an ideal, almost a dream, of the conservation and development of land, water, and forests.

As for the power supply, Duke does not yet have permission to build at Middleton Shoals. If it could start now, it would be years before construction would be far enough along to generate the first kilowatt. In desperation, Duke had to turn to projects already underway in North Carolina and add capacity to meet power needs which were pressing ever closer.

Furthermore, only a thorough study such as Duke has made, and no Government agency has made, can enable anyone to predict what the power needs will be 10 to 25 years from now. And that is how far ahead Duke is planning.

Nor can Duke depend on Federal power projects to supply the electricity needed by its customers. These facilities cannot deliver a constantly dependable flow of power even if the Government would give the company a firm and indefinite commitment.

But it won't do this. Duke would be given a 5-year contract which could be terminated at any time the bureaucrats chose, and Duke's customers would be left in the lurch.

There can be no explanation of this, except that it is part of the same movement to take over the power industry in the name of the Federal Government. In no other context does it make sense.

And in that context it amounts to outrageous bureaucratic tyranny and a frightening threat to the private property and individual liberty of every citizen of the United States.

The issue is that much bigger than one company's right to do business under reasonable regulation in a free country.

[From the Spartanburg Herald, June 26, 1965]

Real Motive Emerges: Government Control

For years, the U.S. Government has obstructed private industrial development along South Carolina's greatest remaining water source, the Savannah River.

This has been under the guise of Federal plans for a $90-million dam of its own. Its justification has been flood control—with secondary benefits of recreation and electric power.

(The Government has no authority to construct dams for the production of electricity. In this case, it cites flood control as its reason even though Army Engineers attribute well over 90 percent of the economic justification to power.)

More and more, the real motive of all this is emerging. It is Government ownership and control for their own sake.

This is all too evident in the opposition of Interior Secretary Stewart Udall to Duke Power Co. plans for a $700 million power and recreation complex in northwestern South Carolina and part of North Carolina.

U.S. Representative BRYAN DORN, who has fought constantly for private development and against Government domination along the Savannah, declares: "For the first time, (Udall) openly revealed his design to control the water and power resources of the Savannah Valley."

Udall based his opposition on the argument that Duke's project would interfere with orderly development of the Savannah River.

DORN added, "This is a stark, open bid for national socialism."

Senator STROM THURMOND also was blunt in a telegram to Udall: "Your petition is inconsistent with the administration's Appalachia and antipoverty programs. It does seem, however, to conform to the administration's efforts to stifle our free enterprise system."

Senator DONALD RUSSELL reiterated the support for Duke's project that he stated as Governor.

The situation is indeed frightening in its implications.

Every economic measurement favors Duke's project against Government development. In taxes alone, the completed complex would pay $24 million annually to the United States, $14 million a year to South Carolina, and $6 million a year to Oconee and Pickens Counties.

There is room for only one more Federal project on the Savannah River north of Augusta—the proposed Trotters Shoals Dam. Its only legal justification is flood control. Yet, there is no need for Government flood control. About 95 percent of its value would be in electricity, according to Federal authorities themselves.

There is no need for the Government to provide this, either. The Duke proposal would be more than sufficient. And Duke's Federal taxes alone would pay for the Trotters Shoals project in 4 years.

The only logical conclusion is that Udall and the Federal Government propose the nationalization of development in one of the most promising industrial areas of the country.

TEXT OF TELEGRAM SENT TO SECRETARY OF INTERIOR STEWARD UDALL, JUNE 24, 1965, BY SENATOR STROM THURMOND

Your petition of intervention before the Federal Power Commission against the proposal of Duke Power Co. to construct a $700 million power development complex on the Keowee and Toxaway Rivers in Oconee and Pickens Counties in South Carolina is incredible. Both Oconee and Pickens Counties have been included in the administration's Appalachia regional development plan as being poverty-stricken counties requiring development impetus. Your petition is inconsistent with the administration's Appalachia and antipoverty programs. It does seem, however, to conform to the administration's efforts to stifle our free enterprise system and subject our people to the type of Government regulation and control as depicted in George Orwell's book "1984."

How can you possibly know better than Duke Power Co. what the power needs of this company will be in the 1970's and on into the future? By 1975, Duke will be needing approximately twice its present power output. This company has exercised good judgment in planning for the future and in selecting this particular site in South Carolina where there is no question of any competing Federal power project. Why should not Duke Power Co. be permitted to risk a $700 million investment to develop a location where you have not even proposed a Federal project which offers any advantages in power development, navigation, flood control, or recreational facilities? This project will cost the taxpayers nothing, but rather will provide $18 million annually in State and local tax receipts and another $24 million for the National Government. The South Carolina General Assembly has given its strong endorsement to the project. Your intervention in this matter is contrary to the best interests of the people of Oconee and Pickens Counties and our entire State. Thus, I request that you withdraw your petition and give your support to the further development of this vital area of our State and Nation.

GREATER GREENVILLE
CHAMBER OF COMMERCE,
Greenville, S.C., June 25, 1965.

The PRESIDENT OF THE UNITED STATES,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The intervention before the Federal Power Commission by Interior Secretary Udall earlier this week against the proposed Duke Power Co. Keowee-Toxaway project in the rural area of northwestern South Carolina leaves us somewhat confused as to the direction being taken by your administration.

This project is in that portion of South Carolina which has been included in your Appalachian program.

We have examined every facet of the Duke project and find it completely compatible with your own stated aims for improving the lot of these rurally oriented people. It is a fine example of private American enterprise working to hasten economic growth in an area which has not kept pace economically with other regions of the country. Your speeches and announced programs have not indicated that you propose the Federal Government assume total responsibility for accelerated development of Appalachia. Indeed, you have publicly spoken to the contrary, calling on everyone to participate and assist these economically deprived areas. Duke Power will be doing this with its project, giving new jobs, new business and recreational opportunities, and adding to the tax coffers of local, as well as Federal, governments. Local and State taxes annually would be $20 million, and $24 million would accrue to the Federal Government.

It seems to us that Secretary Udall's philosophy is inconsistent with the goals of your administration for this area of the country. It seems further to us that the Secretary should be told to withdraw his intervention in the Keowee-Toxaway project. We will not further belabor the circumstances surrounding the Secretary's involvement in this matter. Our immediate concern is that this project will add much to the growth and prosperity of Appalachia, and should receive every encouragement from your administration.

We, therefore, respectfully urge your cooperation and personal attention to this serious administrative blunder on the part of the Secretary of the Interior.

Sincerely yours,

JAMES R. MANN,
President.

EXHIBIT 1

[From Barron's National Business and Financial Weekly, Oct. 21, 1963]

MAKING THE FUR FLY: AN INVALID CONTRACT POINTS UP THE ARROGANCE OF BUREAUCRACY

Buyers from all over the world gathered last week in the thriving town of Greenville, S.C., to listen to the chant of the auctioneer. On the block were not the fine tobaccos usually associated with that part of the country but a few million dollars worth of furs, mostly from Alaskan seals, bearing such exotic names as Matara, Kotovi, and Lakoda. As prearranged hand signals were flashed to spotters on the rostrum, and the gavel descended again and again, Fouke Fur Co., sponsor of the semiannual sale, was delighted to discover that the pelts were performing like many another economic indicator these days. In a generally strengthening market, eager bidders, representing dozens of furriers in the United States and several foreign lands, gladly paid up to 6 percent more than in the spring.

Under a longstanding agreement with the Interior Department (which happens to control the U.S. supply of sealskins), Fouke has been staging these colorful affairs for nearly half a century. Two years ago, however, Interior terminated its contract, and thereby hangs quite a tale. As subsequent events have disclosed, the Department proceeded to sign a new contract with a firm which boasted no previous experience in treating Alaskan seals. In the process, it ignored the interests of the Nation's furriers, who have a major stake in the quality of the products they sell, as well as those of their customers. It apparently connived at the misappropriation of trade secrets and the infringement of patent rights. Finally, for reasons that are either specious or unexplained, it rode roughshod over the established procedures which govern competitive bidding—conduct which the General Accounting Office has bluntly labeled "either improper or highly questionable." The Truman administration was plagued by mink coats; Eisenhower's fell afoul of vicuna. Viewed in terms of public rather than private morality, seal now shapes up in equally scandalous fashion.

To grasp why the fur is flying today, one must go back almost a century, to the Alaska purchase. At the time, the fur seal, which lives mainly in the northern Pacific, faced extinction. To save it from that fate, the United States launched an international effort to control the size of the annual kill. The latest of a series of such pacts was signed in 1957 by Canada, Japan, the Soviet Union and the United States. Under its domestic monopoly, Washington (i.e., the Bureau of Fisheries), "harvested" the skins, which then were handed over for processing and sale to Fouke. In the fall of 1961, learning that it needed additional capacity for the installation of newly designed machines, the company closed down in St. Louis and moved to Greenville, S.C. The very next month, Interior, claiming that it had not been consulted on the move, terminated the contract with Fouke. (Last week's auction served only to work off inventory.)

Considering the adverse effect of the relocation on the economic life of St. Louis, said the aggrieved Department, it could only conclude the company lacked the "business characteristics so essential to a negotiated contract with the Federal Government." Subsequently, Interior went through the motions of competitive bidding. Fouke and four rivals entered the lists, submitting sample skins as evidence of their technical competence. Last March, Secretary Udall awarded the contract to a joint-venture partnership known as Supara, the principals of which had decades of experience in dressing and dyeing mink. The winner, an Interior official explained, was chosen on the basis of the relative quality of the samples, as evaluated by an industry panel and the National Bureau of Standards, as well as for its corporate "responsibility."

On both counts, the GAO flatly disagrees. As to the products themselves, it bluntly concludes that "while the * * * evidence would clearly have substantiated a conclusion that the Fouke processed sample skins were superior in quality and potential marketability, it does not substantiate a similar conclusion for the Supara processed skins." In fact, at least some of the latter fell significantly short of acceptability in water repellency and resistance to breaking.

As to the question of responsibility, Interior's chief spokesman has admitted that many of the elements involved are "subjective and intangible." The record does show clearly that an NLRB examiner rejected as without merit a protest by the Amalgamated Meatcutters & Furriers that Fouke's move to Greenville was an effort to "run away" from its union contract. Beyond that, Interior's case against the company charges it with everything from a "paternalistic, if not oppressive," attitude toward the Aleuts, who do the initial processing of its skins, to racial discrimination in Greenville. Of these far-ranging charges, the GAO says bluntly: "It would appear to be sufficient to point out that the responsibilities of a Government contractor, and the rights of the Government, should properly be defined in the contract. Where * * * it was your Department's belief that additional responsibilities or restrictions should have been assumed by, or imposed upon, the contractor, such results * * * should have been accomplished by appropriate amendments to Fouke's contract."

Indeed, if anyone has shown a lack of responsibility in the whole affair, it is clearly the Department of the Interior. In the first place, it displayed a remarkably casual attitude toward patent rights. The Department, says the watchdog agency, urged Ehrhardt Tool & Machine Co. to build, for Supara, dehairing machines deemed "essential for the processing of the sealskins." Ehrhardt, however, regarded such equipment as proprietary to Fouke; hence it had previously refused to build for anyone else. If Supara had incurred patent infringement costs, the GAO observed, the Government, under the contract, might have wound up paying the bills. The Comptroller General also was shocked to learn that Interior, when pressed for documentation, could or would furnish no written records of negotiations with Supara.

Equally eye-opening was the disclosure that Supara was not even formally organized at the time it won the contract. Wrote GAO acidly to Secretary Udall: "The fact that your Department announced the award of the contract on March 5, 1963, to a joint venture which does not appear to have come into existence until March 14, 1963, is not explained by the record." Up to that time, no sealskin processed by Supara had ever been sold, and no garment had been manufactured from Supara processed skins or subjected to actual wear. "The corporation, as such, had no record of past performance, integrity, judgment or ability on which to base a comparative evaluation of the degree of its responsibility." Crowning evidence of Interior's bias in the whole affair is the fact that after the company had won the contract, the Department, without seeking a quid pro quo, agreed to relay its terms—first, by absolving Supara from meeting the requirements of the National Bureau of Standards; subsequently, by extending the deadline by which Supara must acquire the capacity to process 50,000 sealskins a year. All things considered, said the GAO: "It is our opinion that your Department was acting outside of the scope of its authority in awarding a contract to Supara."

Confronted by that hard-hitting judgment, presumably even Secretary Udall soon will be forced to backtrack. For the aroused fur trade, in short, this may yet be a case of all's well that ends well. For the United States as a whole, by contrast, the great fur controversy sounds yet another warning of the threat to freedom implicit in arbitrary bureaucractic power. Washington is now spending some $100 billion a year. In wielding this vast leverage, every Federal agency is sworn to follow procedures that will do justice to producer, consumer, and taxpayers alike. Mr. Udall's department, it would seem, has something to learn about good government.

INCLUSION OF YEARS OF SERVICE AS JUDGE OF THE DISTRICT COURT FOR THE TERRITORY OF ALASKA

Mr. TYDINGS. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 293, House bill H.R. 5283.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5283) to provide for the inclusion of years of service as judge of the district court for the territory of Alaska in the computation of years of Federal judicial service for judges of the U.S. District Court for the District of Alaska.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. TYDINGS. Mr. President, this is a companion bill to the omnibus judgeship bill which provides for the inclusion of years of service while Alaska was a territory for a judge who served as a district judge while Alaska was a territory and in consideration of his retirement privileges now, as he is a district judge for the State of Alaska.

This would make the law the same as it applies to Alaska as it presently does for Hawaii.

We deleted the temporary judgeship for Alaska from the original recommendation of the Judicial Conference with the understanding that this bill would be enacted at the same time.

The ACTING PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an excerpt from the committee report be printed in the RECORD at this point.

There being no objection, the excerpt from the report (No. 305) was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to provide that service as a judge of the District Court for the Territory of Alaska shall be included in computing the aggregate years of judicial service of a U.S. district judge for the district of Alaska for purposes of retirement in accordance with the provisions of sections 371 and 372 of title 28 of the United States Code.

STATEMENT

The bill H.R. 5283 was introduced in accordance with the recommendations of a communication directed to the Congress by the Administrative Office of the U.S. Courts in behalf of the Judicial Conference of the United States which recommends its enactment.

The bill is required to correct a situation which resulted from the fact that the Alaska Statehood Act made no provision for counting territorial service as a judge for retirement purposes in computing the length of service as a U.S. district court judge. The Statehood Act failed in this respect even though the act did provide that in striking from section 373 of title 28 the provision authorizing credit for retirement purposes for service as a judge of the District Court for the Territory of Alaska "that the amendments made * * * should not affect the rights of any judge who may have retired before it takes effect." By way of contrast, the committee observes that the Hawaii statehood bill, Public Law 86–3 (73 Stat. 4), approved March 18, 1959, specifically provided for the exact situation H.R. 5283 is intended to meet.

It is therefore clear that H.R. 5283 would make it possible for those persons who served as a judge of the U.S. District Court for the Territory of Alaska and then served as a U.S. district judge for the district of Alaska to be given the same retirement credit as was provided for a U.S. district judge of the district of Hawaii who also served as a judge of the District Court for the Territory of Hawaii.

Mr. HART. Mr. President, as we conclude action on the two omnibus judgeship bills, I wish to express to the junior Senator from Maryland my admiration for the manner in which he has handled both measures.

Although from a mere reading of the RECORD it might appear that this was no specially difficult assignment for the Senator from Maryland, those of us who have had some experience with these matters appreciate the fact that in connection with bills of this nature great difficulty could have developed. It has not developed because the Senator from Maryland has been extremely objective in his evaluation of the subject and forthright in his responses to questions, and understanding and patient, both in committee and on the floor.

It has been a remarkable performance by the Senator from Maryland. I would not wish it to go unnoticed.

Mr. TYDINGS. I thank the distinguished Senator from Michigan.

Mr. PASTORE. Mr. President, I join my colleagues in complimenting my distinguished friend from Maryland for the exemplary fashion in which he managed the judgeship bills on the floor today. I commend him for the fact that he has given consideration to the situation in the State of Rhode Island.

We tried to obtain an additional judgeship for Rhode Island in connection with the previous bill that was passed by the Senate, but the provision was deleted in conference for the reason, as I understand it, that the Judicial Conference had not recommended it. Now the Conference has recommended it.

I am happy that the committee accepted that recommendation. We in Rhode Island are beset with a serious situation in connection with the caseload in our Federal courts. For a long time we have felt that justice has been delayed because one judge could not expeditiously handle the pressing caseload in the district of Rhode Island.

I am very happy that this recommendation by the committee was adopted.

Mr. TYDINGS. I thank the distinguished Senator from Rhode Island.

JAMES F. LINCOLN, OF CLEVELAND

Mr. LAUSCHE. Mr. President, in Cleveland, last week, there passed from life a very distinguished citizen, James F. Lincoln. He was the board chairman of the Lincoln Electric Co., and a citizen of Cleveland who was a constant participant in civic activity.

Jim Lincoln was a very close friend of mine. I admired him because early in his life as a businessman he gave recognition to the rights of his workers. It was Jim Lincoln who adopted the profit-sharing plan of the Lincoln Electric Co. in Cleveland, Ohio. As a consequence of that program, the workers at the Lincoln Electric Co. were the highest paid workers in the United States.

I had a very close friend, a newspaperman, whose father, an Italian, worked at the Lincoln Electric Co. as a sweeper. In one year, as part of the profit sharing, he was paid $6,000 in addition to his annual salary.

Jim Lincoln was sued by the U.S. Government on the basis that he was distributing his money to the workers, and thus avoiding the payment of income taxes.

I do not know definitely what the outcome of that lawsuit was, but I believe that the eventual result was approval of the program adopted by this man.

He was firm in his convictions and had no hesitancy about asserting them, regardless of their popular acceptance.

He was a good man. In his passing Cleveland has lost a very distinguished civic leader. Cleveland mourns his loss, and I join the citizens of that community in the loss they have sustained by his passing.

Mrs. Lausche joins me in expressing deep-felt condolences to his widow and children.

I ask unanimous consent that there may be printed in the RECORD at this point newspaper articles published in the Cleveland newspapers about this man. I especially wish to include in the RECORD an editorial from the Cleveland Plain Dealer and an editorial from the Cleveland Press.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Cleveland (Ohio) Plain Dealer, June 24, 1965]

JAMES F. LINCOLN DIES; INCENTIVE PAY PIONEER

James F. Lincoln, board chairman of the Lincoln Electric Co., and the originator of the Lincoln incentive pay system for workers, died yesterday at 2:15 p.m., at St. Luke's Hospital.

He had worked on Monday, but left early because he felt ill. He entered the hospital in the early afternoon.

Mr. Lincoln, who was 82 on May 14, was a pioneer in the arc-welding industry and in business management. He was the inspirational business genius behind the company, the world's largest manufacturer of arc-welding machines and electrodes.

Through his writings and speeches, Mr. Lincoln, a commanding, 6-foot-2-inch figure, became known throughout the world for a philosophy of rewarding employees according to their contributions.

His ideas in the labor-management field were revolutionary when first expressed the early part of the century. But over the years his philosophies, creeds, and policies as carried out at the Lincoln plant became a matter of widespread study and discussion.

Mr. Lincoln's labor-management creed was:

"We do not distinguish between so-called management and labor. All management must labor and labor must manage."

His efforts in this field were directed toward creating an attitude among workers to do their best. As he said in 1914, when he took over management of the company:

"I knew if I could get the people in the company to want to succeed as badly as I did, there would be no problems we could not solve together."

Mr. Lincoln firmly believed that no matter how good a company's product or its system, employees were essential to a company's success.

The net result of his approach to business and manufacturing is a pay scale for Lincoln workers that is double the national average.

Much of this is received in a cash bonus at the end of each year. The amount of the bonus is based on the company's efficiency during the year.

Each employee's share in the bonus depends on his contribution during the year. The total bonus distributed to 1,400 workers in 1964 was $13 million.

Many of Mr. Lincoln's ideas stemmed from his early background and training. His father, William Elleby Lincoln, was a minister and a fervent abolitionist.

Mr. Lincoln was born on a farm near Painesville, where he spent his early years on the farm. He attended nearby schools and worked to save money for an education. He was determined to go to Ohio State University and study electrical engineering, as his older two brothers had done.

He worked at various jobs and with the help of his brother, John Cromwell Lincoln, 17 years his senior, James was able to attend Ohio State.

At Ohio State he qualified for the football team and played all 4 years of his college life. He captained the team in his senior year. One of the school's outstanding fullbacks, he played every minute of 10 games in his senior year, as captain.

In the spring of 1907 he caught typhoid fever and was forced to drop out of school.

He was not graduated, but some years later Ohio State awarded him the degree of electrical engineer.

After recovery from the illness, he joined his brother, John, who had founded the Lincoln Electric Co. in 1895. James' first job was as a salesman. He never worked for another company.

The organization of the Lincoln company was informal and flexible, and Mr. Lincoln's responsibilities increased over the years. He assumed executive management in 1914 and, when his brother retired in 1928, he became president.

John Lincoln had founded the company for repair and manufacture of electric motors. He was an engineering genius.

Noted as a strong supporter of the single-tax movement, he had been a close friend of Cleveland's famous mayor, Tom L. Johnson. John Lincoln died in 1959.

In addition to management duties, James Lincoln was interested in all of the technical problems of the welding industry and did much to develop the arc welding processes and their applications. He registered 25 patents in his name.

One of his first actions in 1914, when he took over, was to form an advisory board. Board members were elected from all departments.

It was at one of these board meetings that the idea of incentive management was born. One of the workers asked Mr. Lincoln if he would pay more for greater production.

The outgrowth of that conference was the Lincoln incentive management system, described by Mr. Lincoln as "a human relationship between labor and management with benefits obtained for worker, producer, purchaser, and the owner or shareholder."

A stanch Republican, Mr. Lincoln wrote a number of political brochures, among them: "Tell the Truth and Keep Out of the Way," "An Industrialist Looks at the New Deal," and "Ignorance of the Law is No Defense." At one time he was a member of the Republican National Finance Committee.

An outspoken foe of the international armaments race, Mr. Lincoln in recent years was convinced that peaceful coexistence was the only existence possible in a nuclear world. He visited the Soviet Union several times.

A frequent newspaper contributor, Mr. Lincoln, in 1963, wrote that "automation must be encouraged, not discouraged."

"If automation is attacked our position in competition with other nations will be defeated," he wrote. "We will be far outdistanced. We will disappear as a dominant Nation."

Mr. Lincoln advocated that "the union must train the worker so that he will be able and willing to take the millions of jobs that are now available and needed."

In 1951, while Mr. Lincoln was guiding the company, the Lincoln plant moved from 12801 Coit Road NE., to a 30-acre plant at 22801 St. Clair Avenue, Euclid. The sprawling buildings cost $10 million.

In 1954, Mr. Lincoln moved up from the presidency to board chairman. He had remained active until the present time.

He was also vice president and director of Lincoln Electric of Canada and director of Lincoln Electric of Australia and La Soudure Electrique Lincoln.

Mr. Lincoln received an honorary doctor of science degree from Ohio State University, had served as president of the Ohio State University Association, was a longtime trustee of the university and a trustee of its research foundation. He actively assisted Ohio State University football players through the Front Liners, a boosters group.

He was chairman of the trustees of Lake Erie College, trustee of Case Institute of Technology and a member of the Fenn College Corp. and the advisory committee of the University of Cincinnati Engineering College. He had received honors from Fenn, Wooster, Lake Erie, and Oberlin Colleges.

Mr. Lincoln had served as president of the Cleveland Chamber of Commerce, president of the National Electrical Manufacturers Association, chairman of the Ohio Republican Finance Committee, a director of the National Association of Manufacturers and manager of the American Institute of Electrical Engineers.

He was a trustee of the Cleveland Hearing and Speech Center and the Council of Profit Sharing Industries. He was a member of the National Industrial Conference Board, American Welding Society, National Welding Supply Association, American Society of Mechanical Engineers, American Society of Electrical Engineers, Cleveland Engineering Society, and the Church Industry Group of the Church Federation.

Mr. Lincoln was married in 1908 to Alice Patterson, who died in 1954. They had three daughters and a son.

In 1961 he was married to Jane White, who had been dean of women at Lake Erie College.

In addition to Mrs. Lincoln, he is survived by his daughters, Mrs. Joseph H. Morris, Mrs. Kenneth Steingass, and Mrs. Robert A. Wilson; his son, James F. Lincoln, Jr.; a sister, Mrs. Grace Newbury, of Washington; 22 grandchildren and 11 great-grandchildren.

Memorial services will be held Saturday at 1 a.m. at Fairmount Presbyterian Church in Cleveland Heights. The family will receive friends Saturday from 1 to 3 p.m., at the residence of Mr. and Mrs. J. H. Morris, 2574 Fairmount Boulevard, Cleveland Heights.

Mr. Lincoln had resided at 17715 Shaker Boulevard, Shaker Heights.

The family suggests contributions to the Lincoln Library Fund of Lake Erie College.

[From the Cleveland (Ohio) Plain Dealer, June 24, 1965]

LINCOLN'S VIEWS PUZZLED MANY

(By Martin T. Ranta)

James F. Lincoln, a powerful personality who did and said things unflinchingly, seemed puzzling to many.

He was an industrialist, a capitalist, if you wish. Yet he rewarded his employees so well that the Government sued him. And he believed firmly in coexistence with the Communist world.

In 1915, a year after he became general manager of the Lincoln Electric Co., Lincoln initiated an advisory board of employees to help him build the business.

"There would be no problems we could not solve together," he said.

Employees were given paid life insurance policies in 1915 and 2-week vacations in 1923. Stock was made available to the workers in 1925.

Lincoln's famous bonus pay plan, which put his employees among the highest paid in the country, was started in 1934.

Since 1934, the company has paid bonuses totaling more than $126 million to its employees.

"Man is inherently lazy, he must have the proper incentive to produce more than just enough to live," were words of Lincoln. Another quote: "Incentive is the key to all progress."

Three books on the subject of incentive and management came from Lincoln's pen: "Lincoln's Incentive System," "Incentive Management" and "A New Approach to Industrial Economics."

In 1941, Lincoln and his company were hit by a lawsuit by the U.S. Government over the bonus plan. It was said that the company should pay taxes on the money paid as bonuses, that workers were not worth the pay they received, that the pay was not a proper item of expense.

It took 10 years in the courts for Lincoln to win the suit. During the World War II years he asked a Government representative whether he would have been sued if he had twice as many workers.

Receiving a negative answer, he said:

"The only crime for which we are being fined is that we have released 2,500 men for jobs elsewhere in the war effort."

Lincoln wrote often to the newspapers. In 1961, he took editors to task for their attitude toward Russian leaders.

"It would seem that it would be well to recognize the accomplishments they have made and perhaps learn from them," he wrote.

"We are spending a very large part of our income in order to prepare for war, which, if it occurred, would destroy both countries," he continued in urging disarmament and praising Clevelander Cyrus Eaton. "He (Eaton) is the only one who has come forward with a program that would solve the current war threat."

He himself was firmly allied with the Presbyterian Church.

Perhaps because of this background, he frequently reflected teachings in the Sermon on the Mount, especially: "Do unto others as you would have them do unto you."

And, finally: "The worker should be worthy of his hire but his hire should be proportionate to his ability to produce."

[From the Cleveland (Ohio) Plain Dealer, June 24, 1965]

JAMES FINNEY LINCOLN

James Finney Lincoln, industrial giant whose busy and productive life ended yesterday, will be best remembered for his two greatest accomplishments—the Lincoln Electric Co. and his philosophy of incentive management under which that company grew and prospered.

Under Mr. Lincoln's leadership the company became the world's largest manufacturer of arc welding machines and its employees among the industry's best paid.

He believed that everyone working for his company was part of a team and that all should be given incentives to increase efficiency. For many years employees of other companies have read with amazement and some envy the reports of the tremendous annual bonuses received by Lincoln workers.

His appreciation of team effort was heightened during his youthful years at Ohio State University where he played on the varsity football squad 4 years, the last as captain of a team whose line was never crossed.

But Mr. Lincoln was also a rugged individualist, toughminded and uncompromising when the principles in which he believed were challenged. He never hesitated to say or to write what he thought. Many of this newspaper's readers will recall him as a frequent contributor to the letters-to-the-editor columns. The last of these, written in collaboration with another man, appeared on these pages June 17. It urged that the United States negotiate to settle the war in Vietnam.

He also managed to find time to write three books on his incentive management system and his approach to industrial economics, a number of political brochures and served in such civic and industrial capacities as president of the Cleveland Chamber of Commerce and the National Electrical Manufacturers' Association.

In his lifetime almost innumerable honors were heaped upon Mr. Lincoln. All were eminently merited for here was a man whose contributions to his industry, to his community and to his Nation were manifold.

[From the Cleveland (Ohio) Press]

JAMES F. LINCOLN, A SPECIAL KIND OF FRIEND

Big Jim Lincoln was my friend for 40 years. We lunched together, argued together, traveled together, confided in each other. Yesterday afternoon, only a month after his 82d birthday, he went to his eternal rest.

"What are you doing this afternoon that's so important you can't drop out to the plant and see us hold our annual incentive bonus meeting?"

I hesitated a moment.

"I'll send a driver down, pick you up, and return to your office right afterward," he added. Then he said:

"You know, my friend, you are the first person outside of our own organization I have ever invited to attend this meeting."

I had fully intended from the beginning to go, but Jim Lincoln was such a persuasive salesman that he put all of his "ducks in a row," as he would say, or, in this instance, arguments, so you couldn't say yes or no until he'd finished.

"Now if you'd let me get a word in—just one word—I'll say, yes," and added, "I'll drive myself out, thank you."

Jim Lincoln had gained world attention by the manner in which he ran his big electric plant. He innovated the incentive bonus plan. It worked. Many couldn't understand it. Many criticized it, called it by many different names. That didn't bother Jim Lincoln. Nothing bothered Jim Lincoln—business, politics, personal problems—if he thought he was right—which, most of the time, he was.

Out at his big plant that afternoon I gained yet another insight into Big Jim Lincoln's character.

Jim Lincoln was anything but a poser. He was a completely unaffected man, simple, direct, earnest, and expected you, in dealing with him, to be likewise.

That afternoon, as on many subsequent visits to Jim's big, sprawling but efficient plant, I saw him in his shirtsleeves, moving restlessly around his whole operation, the details of which he knew as well or better than anybody else. He also knew something else.

He knew the people with whom he worked. He knew them by their first names—and, what was more important, knew their personal problems, and had great concern for their lives and families. That, in fact, it seemed to me, was as important as the incentive bonus plan he had installed.

In his typical short, almost brusque, and direct way, Jim Lincoln told his people what the score was that year, how much was made, how, where, and what the company was going to have to take out to operate, and then how much of the balance was being divided among the people who helped make the company the unusual success it was.

Many times Jim Lincoln and I took walks downtown. He liked to walk rather than ride. Like another extraordinary Cleveland industrialist, Johnny Virden, another friend, he would park his car blocks away from where he was attending a meeting, or going to lunch, and walk.

Jim was a big man, 6 feet-plus, and built powerfully, as would be expected of Ohio State's former football captain and campus strongman. As many people know, I have difficulty in breaking 5 feet 5 inches, and can't get the scales to register beyond 125. I had to look up at Jim Lincoln.

But I did more than look up at Jim Lincoln. I looked up to him. He was a very remarkable man. Underneath his direct, sharp and almost blunt manner was, as so often happens in such unusual men, a soft and understanding heart—and I know, as a result of my friendship with him over the years, and from the many things Jim did quietly abcut which not many people knew, that he had this "soft side."

Yet his soft side made him feel a little self-conscious and uncomfortable, and he made a special effort to tuck it away inside the facade of a big bluff exterior.

From what is here written the impression may be gained that I thought James Finney Lincoln was a very special kind of man. I did—and I do. The like of Jim Lincoln doesn't happen often, a man who is honest with himself, and honest with everybody else—a man who has sharp convictions about business, and government, and people's behavior, and the future of the world, and does not hesitate to say what is on his mind and in his heart.

Over the many years I have been a newspaperman it has been a rare privilege to enjoy friendships with men and women whose names constantly appear in public print. It is one of the most precious experiences of our profession.

I put my friendship for Jim Lincoln—and his for me—at the top of a lifetime of such experiences. He was really a man—a good, solid, honest, durable man—a man you never forget.—L.B.S.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair. Before the decision is rendered, I wish to say that it will not be a very long recess.

The **ACTING PRESIDENT** pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 12 o'clock and 55 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reconvened at 1:16 p.m., when called to order by the Presiding Officer (Mr. BASS in the chair).

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Homer Thornberry, of Texas, to be U.S. circuit judge for the Fifth Circuit;

Joseph F. Radigan, of Vermont, to be U.S. attorney for the district of Vermont;

William Marion Parker, Jr., of Alabama, to be U.S. marshal for the middle district of Alabama; and

Arthur H. Behrens, of Washington, to be an Examiner in Chief, U.S. Patent Office.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the first nomination on the Executive Calendar.

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of LeRoy Collins, of Florida, to be Under Secretary of Commerce.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FEDERAL AVIATION AGENCY

The legislative clerk read the nomination of Gen. William F. McKee, of Virginia, U.S. Air Force, retired, to be Administrator of the Federal Aviation Agency.

Mr. YOUNG of Ohio. Mr. President, on several occasions recently, I have spoken against this nomination. There is no occasion for me to speak at length at this time.

I deeply regret that the nomination was made in the first place by the President. I am regretful that the committee that held hearings on the nomination has favorably reported it to the Senate.

I wish to make it crystal clear that I still object to the confirmation of the nomination of General McKee. I want the RECORD to show that I consider this to be a bad appointment. Of course, as an administration Senator, it is my desire to support the President in all things, whenever I can.

The Federal Aviation Act of 1958 required and demanded civilian control of the Federal Aviation Agency. By confirming the nomination of General McKee, the Senate will, in fact, be revoking this provision and making it null and void.

Gen. William F. McKee has had distinguished service in the armed services of our country. Without a doubt, he is a remarkably able, loyal, patriotic citizen.

Some Senators tell me that the general has proved his ability as an administrator and that he would perform the duties of the office to which the President appointed him in a most creditable manner. I am not disputing any of those statements.

I do not know General McKee personally. I have heard statements regarding him, not only from Senators, but also from personal friends in Washington whose judgment I respect. Everything that I have heard about the gentleman has been very good. I have no criticism to offer concerning him personally. However, it is a fact that the men who wrote the Constitution of our country—the Founding Fathers—provided that in the United States civilian authority must always be supreme over military authority.

It has appeared to me that unfortunately this administration has been steering more and more toward the military. For instance, four generals and admirals now serve as Ambassadors. If there is any class of professional men in this country which does not qualify as diplomats, it would certainly be former generals of our Armed Forces.

I know a little something about the subject because I served as a private in our Armed Forces in World War I, and as an officer in World War II. Frankly, I will speak out at any time and say that I would much prefer to be an officer in our Armed Forces than a private. It is much easier to be an officer than it is to be a private.

We have pending the question of confirming the nomination of General McKee. Of course his nomination will be confirmed as Administrator of the Federal Aviation Agency. However, in confirming him, we will add one additional officer who will receive his adjusted retirement pay and also the salary of the office to which he would be appointed.

General McKee, as Administrator of the Federal Aviation Agency, with the receipt of his adjusted retirement pay and the salary of his office, would be one of the four highest paid officials of the executive branch of our Government.

The President and Vice President of the United States, and one other retired general of our Armed Forces, who is holding a high position, would be the only ones to receive more than would General McKee. General McKee would be receiving approximately $39,000 a year.

Making no personal objection to General McKee, I wish to recall in passing that a general of our Armed Forces, the Supreme Commander of our Army in World War II, General Eisenhower, at the time of leaving the Presidency, warned against the influence of generals and high-ranking officers of the Armed Forces. Just before he left the White House following 8 years as Chief Executive, he said:

> In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or the democratic process.

Every time a retired officer of our Armed Forces is placed in a high-salaried position in government and still retains—as General McKee intends to retain, because he has not offered to waive it—his adjusted retirement pay, we are furthering that complex. General McKee would not waive his retirement pay upon taking this position.

I take a dim view of this appointment. I take a very dim view of confirming this nomination, and having this general, though he is a fine man personally and an able administrator, assume this high position.

I want the RECORD to show that I am protesting and that my vote is cast against his nomination.

Mr. THURMOND. Mr. President, I rise in support of the confirmation of the nomination of Gen. William F. McKee to be Administrator of the Federal Aviation Agency.

He is a man of very fine reputation who has much experience in aviation matters. His knowledge of administration makes him peculiarly well qualified for the position for which he has been nominated.

He is an experienced officer who has held responsible positions which, in my judgment, add to his qualifications rather than detract from them. His service in the Armed Forces, where he gained valuable experience, should be to the nominees credit. Undoubtedly, the President has carefully weighed all the factors and has arrived at the conclusion that General McKee is the best available candidate for this important post.

I commend the President for seeking out a man who is so well qualified. I hope that the Senate will confirm the nomination.

Mr. HARTKE. Mr. President, these unusual times in which we live have brought new crisis after new crisis to us, presenting us with daily new problems and frustrations.

Millions of Americans were civilian soldiers in younger days. Millions more face an uncertain future of service in uniform for a semipeace or worse. A new generation of mothers and the sons they did not bear to become soldiers are with us.

The hydrogen bomb, intercontinental ballistic missiles, undersea weapons, outer space weapons, brushfire wars that are not wholly ours and not wholly not ours, cold wars, lukewarm wars, uneasy peaces—these are but a few of the things that trouble these Americans.

From the days before we were colonies to all our wars—from the Revolution to VE Day and VJ Day, Korea, Vietnam and the Dominican Republic—Americans have hated war and suspected the professionals needed to direct and win wars. In fashioning our unique democratic experiment, which has worked so well for so many, our founders wove into our governmental fabric the assurance that civilians would reign and that the military would forever be subject to the will of civilian leaders.

They realized full well that the success of government by consent of the governed depends upon such civilian rule. They knew, as we know today, that our

Government has the same power over individual Americans as any dictatorship has over its citizens. The essential difference is that, in our system, due process insures individual rights and the prevailing will of the majority without injury to minorities and their rights.

Americans today are worried about these things, more perhaps than ever before because of the pace of events and the ominous light of a world neither in peace nor war.

These are days of crises wherein crisis seems to bring on crisis and wherein there is an ever-present danger of worldwide nuclear holocaust. The tendency in crisis is to take direct action, sometimes emergency action. And this is quite understandable as well as being absolutely correct.

Yet it is also correct and quite understandable that Americans react instinctively to these moves. Americans everywhere wonder whether there is compelling need, for instance, to depend so heavily on military men in civilian positions. Americans everywhere wonder whether civilian decisions of life and death on divergent issues must be made by military men. And, because of their own fears and frustrations with crises and events, they are given new causes to worry about this increasing trend.

Everywhere in our Government we see a burgeoning of retired and active military men. Too often we are told that the needs of science and technology, of sea and space, and a myriad of others demand the instant solution of a military mind or the specialized training of the military man.

Regardless of need or crisis, suspicions of countless Americans are aroused. Americans who trace their American ancestry to colonial days carry the rich and unique tradition of insistence on subordination of military to prevent military control. Americans whose families come from abroad also are steeped in an inborn suspicion of military rule because many of their ancestors came here to escape militarism. Military men have been, and are, moving increasingly into civilian government. Tradition and necessary safeguards against military dictatorship and military takeover are being eroded.

Civilians have been, and are being, pushed from civilian jobs by military men—most of them retired brass.

Some weeks ago a new situation arose: The Administrator of the Federal Aviation Agency was leaving his post. It is a time of decision for this Agency, a time when the actions of the FAA and the way in which it operates will affect not alone the air safety of millions, but the technical preeminence of our country in civil aviation.

With due concern for these problems, the President sought advice and help of trusted advisers in finding a replacement for the Administrator of FAA. Thus was Gen. William F. McKee thrust upon the scene into a position he could not legally attain at the time.

It then became necessary for the President, if he were to appoint General McKee, to come to Congress and ask that the Federal Aviation Act of 1958 be set aside so that this general could be appointed.

My objections were principally these: That the Administrator was supposed to be, with good cause, a civilian, and that, surely, a qualified civilian could and should be found.

I pointed out that the military man is trained and experienced for the problems of war and preparations for war. His responses to problems are instinctively the responses of the military mind. While these are necessary to success in war, they are equally devastating to peaceful pursuits of civilian government.

I am, of course, mindful that some military men have been able to rise above this narrowness. Yet, it was President and Gen. Dwight Eisenhower who warned us of the dangers of too much military domination. And it was Gen. Omar M. Bradley who told us 13 years ago there could be no military takeover in America if we sought our Government leadership from the ranks of civilians and if the civilian government leaders exercised traditional tight controls over the military.

Unquestionably, the increased military requirements arising from our involvement in world affairs contributed to this higher level of military influence. But—and here is a real concern—there appears that there may be a weakness of civilian institutions and civilian leadership. On this latter point the whole question of the appointment of General McKee was predicated. In other words, the civilian leadership of our country is so weak that it could not provide a civilian for a Government position which by law required it to be filled by a civilian. There is apparently no ready source of civilian adminstrators available—a civilian administrative gap.

In all fairness a further conclusion is probably inescapable; that is, there is today widespread acceptance of the professional military viewpoint. Here it is necessary to note that the result is even more alarming. Military procedures and policy are now being accepted and extended by civilian government policymakers and administrators.

The military influence in American society has increased significantly in recent years. In fact, by comparison to our previous history, military officers wield for greater power in the United States today than at any period in our history. Three manifestations of their influence are: First, the influx of military officers into governmental positions normally occupied by civilians—the problem we have before the Senate today; second, the close ties which have developed between military leaders and the business leaders—the specific problem that President Eisenhower warned against in his farewell address; third, the widespread popularity and prestige of individual military figures. One of our great political parties has turned to a popular former general to be its chief fundraiser.

My fears for our constitutional American way, my concern over the tendency to turn to generals and admirals, my concern over dependence upon the military to do civilian jobs prompted my opposition to S. 1900 and H.R. 7777, which were written to clear the way for appointment of General McKee as Administrator of FAA.

I was not alone and am not alone now. Millions of Americans who share these concerns, fears, and frustrations opposed setting aside the law for this appointment. Many of those in this Chamber joined us for similar reasons.

If this request to pass a bill to allow the appointment of one general to one civilian job in a civilian agency, created by Congress to be civilian run, were all that was involved, I could understand and might have agreed to the bill. I could say with some of my distinguished colleagues, "Just this once, let us set the law aside and let us resolve never to do so again."

This was not, however, an isolated incident, a single crisis calling for emergency action. It had, in my judgment, to be viewed against the broad panorama of erosion of civilian government and civilian leadership. Hence, my grave concern and the spirit of the opposition among those who joined us in and out of the Senate.

The Senate voted to amend the Federal Aviation Act and to allow the appointment of General McKee. The action was, I said at the time, tantamount to confirmation. The advice and consent, of the Senate has been given. Today it is to be ratified officially one more time.

I do not believe that this will begin a new wave of military appointments. I do not believe that this portends immediate disaster for FAA or our system of government.

I do, however, believe it is an ominous link in an ominous chain.

While I was one of the minority of the Commerce Committee opposing enactment of S. 1900, I was one of those expressing unanimous committee opinion that the trend of military appointments to civilian jobs should be examined and checked.

The increased influence of the military mind in America is a clear warning of ultimate militarization of the Government, the loss of civilian control and the beginning of a totalitarian state.

It is impossible to demonstrate that the appointment of one particular military man or that the actions of one particular military man reflects the inherently dangerous qualities of the military mind. The professional military man blends into our society. I suppose that few developments dramatize the acceptability of the military better than the new industrial-military associations. It is not news to point to the large number of retired generals and admirals that have in the past and even now occupy executive positions of corporations. But by training and conditioning, mass control of key civilian government positions by military persons ultimately leads to the conclusion that the Nation must concentrate its complete trust—politically, economically as well as militarily—in military leadership. The steps are taken one by one but slowly the military standard supplants the civilian democratic standard.

Many Senators will join me in keeping close watch on what happens not only in the FAA, but everywhere in our civilian government.

I propose that a complete study be made to determine whether we have in this country a continuing source of high level civilian administrators with the necessary education and experience to fill government administrative positions.

If our discussions accomplish this one purpose—that of a watchful Congress concerned over an alarming trend—it will have been worthwhile. It will have been of service in preserving our system of government under civilian leadership. And it will have strengthened our President and his civilian colleagues as they lead an uneasy citizenry in an uneasy world from crisis to new crisis.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Gen. William F. McKee to be Administrator of the Federal Aviation Agency?

The nomination was confirmed.

FEDERAL AVIATION AGENCY

The legislative clerk read the nomination of David D. Thomas, of Virginia, to be Deputy Administrator of the Federal Aviation Agency.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF THE ARMY

The legislative clerk read the nominations of Stanley R. Resor, of Connecticut, to be Secretary of the Army, and David E. McGiffert, of the District of Columbia, to be Under Secretary of the Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

DEPARTMENT OF THE NAVY

The legislative clerk read the name of Robert H. B. Baldwin, of New Jersey, to be Under Secretary of the Navy.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion of Mr. Mansfield, the Senate resumed the consideration of legislative business.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ALLEVIATION OF BOXCAR SHORTAGE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the bill (S. 1098) which was reported earlier today be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1098) to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with an amendment, on page 2, after line 15, to insert:

In the consideration of any element included in determinations pursuant to this paragraph as an incentive to car acquisition and maintenance the Commission is empowered to make such element, or any part thereof, inapplicable: (1) to carriers determined by the Commission as owning an adequate number of freight cars to meet their responsibilities to the needs of commerce and the national defense (2) to carriers which terminate a substantially higher percentage of interline traffic that they originate; (3) to types of freight cars the supply of which the Commission finds to be adequate, and (4) to such other cases or circumstances as the Commission finds to be in the public interest.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1(14)(a) of the Interstate Commerce Act is amended by adding at the end thereof a new sentence reading as follows: "In fixing the compensation to be paid for the use of freight cars, the Commission shall give consideration to the level of freight car ownership and to other factors affecting the adequacy of the national freight car supply and shall, on the basis of such consideration, determine whether compensation should be computed on the basis of elements of ownership expense involved in owning and maintaining freight cars, including a fair return on value (which return shall be fixed at such level as in the Commission's judgment will encourage the acquisition and maintenance of an adequate freight car fleet), or should be computed on the basis of elements reflecting the value of use of freight cars, or upon such other basis or combination of bases as in the Commission's judgment will provide just and reasonable compensation to freight car owners, contribute to sound car service practices, and encourage the acquisition and maintenance of a car supply adequate to meet the needs of commerce and the national defense."

In the consideration of any element included in determinations pursuant to this paragraph as an incentive to car acquisition and maintenance the Commission is empowered to make such element, or any part thereof, inapplicable: (1) To carriers determined by the Commission as owning an adequate number of freight cars to meet their responsibilties to the needs of commerce and the national defense; (2) to carriers which terminate a substantially higher percentage of interline traffic that they originate; (3) to types of freight cars the supply of which the Commission finds to be adequate, and (4) to such other cases or circumstances as the Commission finds to be in the public interest.

Mr. MAGNUSON. Mr. President, the bill, which was ordered reported unanimously by the Commerce Committee, concerns the freight car shortage that occurs annually in the United States, particularly in the West, where there are seasonal movements of grain and other agricultural products that must be moved to market.

Every year we encounter the problem because there are not enough freight cars to handle the needs of commerce. The shortage results from the fact that many western roads build sufficient cars, but the trouble is that when the cars are on eastern roads, in the course of delivering goods to eastern markets, there is a reluctance on the part of some railroads in the East to return the cars, sometimes for no good reason. Some of them have not been able to build enough freight cars to take care of their own needs.

For many years there was a daily rental charge of $2 a day. Now, through voluntary agreements, the rental charge averages about $4 per day for an individual boxcar of the type we are talking about.

Some railroads find it more desirable to keep the boxcars and pay the $3 or $4 rental—at one time it was less than $2—than to buy boxcars. It is less costly to rent cars than to build them.

In addition, some boxcars are lost in Canada or in Mexico—not too many, but a few.

We have tried for many years to have the railroads work out a voluntary agreement whereby the rental charge for cars would be sufficient so that there would not be any temptation to keep them rather than building cars.

Frankly, some of the eastern railroads, particularly those in the Northeast, which may be terminal railroads, at the end of the line, find that when the goods are delivered there, the cars stay there until there is a return load. Many of them, particularly the New England roads, have not been financially able to do anything about the boxcar situation.

For many years we have urged the railroads to enter into a voluntary agreement on this matter, but they have not been able to do so. We have to pass the bill which I have just reported, to give the Interstate Commerce Commission sufficient authority to act in this matter. The Commission would make a survey of railroads that live up to their responsibilities to build freight cars, those that have and those that have not, and could act to relieve the situation, so that we in the West can obtain the cars we need.

The reason why the majority leader was motivated to bring up the bill at this time is that, from all reports we receive, the car shortage in the West, and particularly the Midwest, could become the worst in peacetime history. The figures are in the report. The decline in car construction has been greater in the past 2 or 3 years than ever before, despite the fact that the railroads are doing better and that we are in a period of general prosperity. Still there has been no move to build boxcars.

The average boxcar costs about $8,000 or $9,000 to build. If we consider the reefer, a special type of boxcar, it costs between $10,000 and $15,000. If a railroad can rent a boxcar for a $4 a day—there is a sliding scale, but the average runs less than $3—railroads will be reluctant to spend the money needed to build boxcars.

Our friends from New England have a real problem. Such railroads as the Boston & Maine, and other New England railroads, even the Pennsylvania, may find themselves in a financially strapped position, because they are terminal lines. It is difficult to handle this situation.

We are trying to find an equitable solution so as to have the boxcars available at the time they are needed.

There is an amendment to the original bill which was introduced by myself and many other Senators. The bill has an amendment which will allow the Interstate Commerce Commission to take into consideration, in issuing an order or regulation, the situation of a terminal railroad.

We have as members of our committee the distinguished Senator from Rhode Island [Mr. PASTORE], the distinguished Senator from New Hampshire [Mr. COTTON], and other distinguished Senators who have been very considerate in this matter. The amendment which has been adopted will take care of this situation.

We hope we can have expeditious action, because the bill, if it is passed, will allow the Interstate Commerce Commission to begin work immediately on this matter.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. YOUNG of North Dakota. I join the Senator from Washington and the Senator from Kansas in support of this legislation. We have had this problem in the West at harvesttime, going back 15 or 20 years or more. The situation is somewhat better, but we still face a serious problem. In North Dakota we already have a shortage of boxcars, and it is a month before harvest. We may have to do what we have had to do in the past, and that is dump a lot of grain on the ground at harvesttime if we cannot get cars.

The ICC is doing a good job trying to take care of the situation, but I do believe this legislation will help all around.

Mr. MAGNUSON. The Senator from North Dakota, as well as the Senator from Montana and other Senators, have tried to arrive at a sensible solution whereby we would not penalize the terminal lines, and still have freight cars available. This looks like the only solution.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from Kansas.

Mr. PEARSON. The distinguished chairman of the committee, who has worked so long and hard on this particular problem, has, in the explanation of the bill, laid out the problem as it exists.

Actually, the incentive is twofold. First, it is to get the receiving lines to return the cars, and, second, to have lines which have a shortage of boxcars encouraged to build more.

The other point I would like to make is that we learned from the hearings which the chairman permitted me to hold in the Midwest that this is no longer a seasonal problem, because it exists the year around; it is no longer a sectional problem, because it exists all over the United States; and it is no longer directed to a particular industry, because it just does not affect the grain marketing area. It affects the steel industry and other industries all over the United States. Let me add further that, in relation to the amendments to which the chairman of the committee the distinguished Senator from Washington referred—this is the ICC in determining a fair per diem rate, considering all the factors which are quite complicated:

> In considering any element included in the determination pursuant to this paragraph as an incentive to correct acquisition and maintenance, the Commission is empowered to make such elements or any part thereof inapplicable.

Then it goes on through four things.

The point I wish to make is in reference to the word "empowered." I was absent at the time this matter was adopted, although I knew about it all along. What is the real meaning, the legal interpretation, as the committee considered it in reference to the word "empowered"?

Mr. MAGNUSON. First of all, we were striving to enact freight car legislation which would apply overall, but in this amendment we empower—that is, give authority—extend to the ICC authority to take under consideration certain factors, which we list, which could effect what we call terminal lines. The ICC was not too happy about the amendment because they said that they would do it, anyway, but that if we passed a law without the amendment they would have to apply any criteria to the New Haven Railroad, very much in the same way they applied any criteria to a prosperous railroad in the Middle West not living up to its responsibilities.

Mr. PASTORE. Mr. President, will the Senator from Washington yield on that point?

Mr. MAGNUSON. Yes—I believe that is my understanding. It does not make it mandatory. It does not say that the Commission shall do it, but they will consider the situation. I do not see how any ICC Commissioner, now or in the future, could help not being conscious of the situation.

Mr. PASTORE. The record should be made clear on the question that the wheat-producing States do have a serious problem on the car shortage. It so happens that we who live in the East and have a terminal railroad like the New Haven are met with the proposition that when there is an empty car that comes into our part of the country, that car must be filled up before we can fill up our own to send it back. This creates a serious problem, especially when we take into account the fact that the New Haven Railroad is already in serious economic trouble.

It was I who raised the question in the committee. I take this occasion to thank my colleagues for the consideration they gave to the problem which I raised. I suggested at the time that the staff talk with the members of the ICC, and also with the representatives of the railroads, to see if we could not somehow fashion an amendment which would take care of that particular problem.

In the process, we were assured by the ICC that they would do it anyway, but many of us on the committee, feeling that men change, that commissions also change, felt that it would be better if we wrote it into law and that is the reason for putting it in the law. I believe I have stated the proposition correctly, have I not?

Mr. MAGNUSON. The Senator has done so correctly. It will allow the Commission to take into consideration these matters where there is a railroad that is in this situation. I would rather have a much stronger bill than this kind of bill, which would cover everything, but this bill is a great step forward in solving our problem. I am sure that the Commission can work within the amendment, and do what they wish to do. They probably would have done it anyway.

Mr. HRUSKA. Mr. President, will the Senator from Washington yield?

Mr. PEARSON. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I am glad to yield to the Senator from Kansas, and then to the Senator from Nebraska.

Mr. PEARSON. I agree with the Senator from Washington that the bill is not going to solve the whole problem. As the Senator from Rhode Island has mentioned, traffic moves from west to east to the great exporting ports. There are many things, perhaps, which we can do. The ICC could be given the power, perhaps, to make a reduction in the per diem rate for the prompt and quick shipment back of boxcars, or allow a greater tax writeoff for amortization on the construction of boxcars. This will not solve the whole of the problem, but it will be a real step forward.

Mr. MAGNUSON. The Senator is correct. The ICC would be able to pinpoint what the problem is, and say to railroad A, "Look, in the first place, you are not building enough cars to take care of your needs. You are switching cars where you do not have the turnaround, and you are using too high a percentage of cars from other railroads on a rental basis." I do not believe that they will have to do much enforcing. I believe that when this matter is brought to light, these problems will work themselves out.

Mr. HRUSKA. Mr. President, I should like to make a brief comment. I wish to say how much we are gratified in our part of the Nation for the action which has been taken by the Commerce Committee, its chairman and members.

This has been a sore problem for many years, ever since I can remember in my previous business experience and in my political experience.

It used to be only a seasonal problem, during the harvesting months, but now it is the year-round, as has already been observed. This year is no exception.

I believe that the dearth of boxcars this year will be as great or greater than at any other time.

The Senator from North Dakota [Mr. YOUNG] has already commented on that.

It has been felt, of course, that adoption of the amendment would dilute this measure somewhat, but I do believe the bill as now written is a step forward and we should go ahead with it.

In addition to acknowledging the good work of the committee and its members, I also wish to acknowledge the cooperation of the Interstate Commerce Commission. The Commission has consistently responded to service orders and other means available to them to try to alleviate the many burdens which have come to our part of the country because of the boxcar shortage by extending the investment incentives. With investment incentive as well as the return incentive as provided here will vastly improve the situation.

Again, I commend the chairman of the subcommittee for having acted in this fashion to meet this important need.

Mr. MAGNUSON. No one has been more concerned than the Senator from Nebraska concerning this matter. The Senator from Kansas [Mr. PEARSON] held hearings this year out in the field where we heard from the people. This is not just someone making a great outcry over it. This has become a very serious matter. It used to be, as the Senator from Nebraska just said, confined to grain, but now it is on every kind of raw material which we transport. The shortage is all over the country. It may be that what we say today, in enacting the bill, will make all railroads a little more active in the field of assessing the freight car situation. I believe that most of them have been waiting for the other railroads to do something, or vice versa. It is a sort of built-in retardation on freight cars. This does not help the statistics. The report is alarming in the number of boxcars which have gone out of existence this past year, or have become too old for use. No one has built any new ones.

We have had this bill before the Senate before—as the Senator will remember—and we used to count noses and found out that everyone east of the Mississippi would vote against the bill, and everyone west of the Mississippi would vote for it. There were just more Senators east of the Mississippi in the Senate than there were west of the Mississippi. So we used to hold hearings every year, and on the floor of the Senate both sides almost gave it up, but the situation is getting so bad overall that now the southern railroads are feeling the terrible pinch on freight cars.

It may be that this action will stimulate everyone to do a little more in this field.

Mr. HRUSKA. The situation has been described correctly. For years, in the Middle West, we have felt that the railroads there have furnished more than their share, certainly a very generous share of the cars, considering the mileage and the freight that they generate. However, there has always been the cry that the other railroads did not do their share.

When the Senator from Kansas held the hearings in my home city of Omaha, that same song was sung once again. The conclusion was expressed that something must be done in a fundamental way. We are sure that this bill will represent some real progress.

Mr. ALLOTT. Mr. President, I compliment the chairman of the committee on bringing the bill to the floor. The problem has recurred every year that I can recall. Each year we have been faced with a boxcar shortage. The facts which the chairman and the Senator from Nebraska have recited have been recited over and over again. There has always been the feeling, because there has not been a sufficient daily rate charged, that certain railroads were furnishing more than their share of the boxcars. Our railroads in the West have always felt that they were furnishing more than their share of boxcars.

Mr. MAGNUSON. They were.

Mr. ALLOTT. The figures seem to support the statement that they were.

Now we get to the point where the ICC will be able to do something about the problem. Through the past few years the distinguished chairman [Mr. MAGNUSON] and some of us in the Midwest have had numerous conferences with the ICC. They have moved in some people on an emergency basis, and I believe they have done everything that they could do under the law and under the circumstances to alleviate the situation.

Now we have put in the Commission's hands the power to do something about it.

I would be remiss in paying my respects to the chairman and to the distinguished Senator from Nebraska [Mr. HRUSKA], who has done so much work on this situation in the last few years, if I did not also say to the distinguished Senator from Kansas [Mr. PEARSON] that we in Colorado were deeply appreciative for having been given the opportunity to have a hearing held there, at which our people could testify. Some of that testimony bears out the statements that have been made on the floor. My junior colleague from Colorado has also been very much interested in this subject. I believe we are moving in the right direction.

Mr. DOMINICK. Mr. President, I appreciate the courtesy of the Senator from Washington. He has been working on this problem for about 17 years. It must be a great relief to him to get the bill to the floor and in a position where it is almost assured of passage.

While we are passing out accolades, in addition to the junior Senator from Connecticut, who has spearheaded drives in this field, in which I have participated, I also wish to say a word in behalf of the Senator from New Hampshire [Mr. COTTON], who has been able to bring about a meeting of minds in working out language which helped to avoid some of the internecine fighting that we had before between the railroads in connection with this problem. I know at firsthand that the railroad car shortage is growing worse, instead of better.

The bill is a step in the right direction, even though it may not cure the whole problem overnight. I congratulate the chairman and the Senator from Nebraska and the junior Senator from Kansas and everyone else who has worked on this program of trying to get something done. I am not sure that we have found the whole solution to the problem. I might say to the distinguished chairman that it may be that as time goes on, if we find it does not form a right method by which the ICC can work out the problem of getting more boxcars, we shall have to enact some kind of incentive program. However, that is for the future. At least, this is a step in the right direction. I congratulate everyone.

Mr. MAGNUSON. Mr. President, when the Senator from Colorado said that this problem has been with us 17 years, I was reminded that it has indeed been with us for a long time. When the distinguished Senator was holding his hearings, the former chairman of the Committee on Commerce, Ed Johnson, from the State of Colorado, former Governor of the State, said, when the hearing was scheduled, that this was one hearing he wanted to attend. He did.

Mr. DOMINICK. I remember that during one of the hearings the chairman himself said that the first record we had of complaints in the Senate, at least written records, concerning the shortage of boxcars, was in 1906.

Mr. MAGNUSON. Yes.

Mr. DOMINICK. The problem has been with us for a long time.

Mr. MILLER. Mr. President, I wish to add my commendation to the chairman for taking action on the bill. I would have preferred to have the bill left as it was. I recognize the problems the chairman had with the bill. Perhaps there is a need at this time to have a modification of it. I trust that if the results are not what we hope they will be, the chairman of the committee will keep an open mind on the subject for possible future changes, which will alleviate the problem. I am sure he will do so.

Mr. MAGNUSON. We shall have another go at it.

Mr. MILLER. That is a fair approach. I thank the chairman for taking action in support of the bill. I support his action.

Mr. CURTIS. Mr. President, this measure is designed to help alleviate the boxcar shortages which each year create acute hardships in Nebraska and other Farm Belt States. I am pleased to be listed as sponsor or cosponsor. All Nebraskans are very grateful to Chairman MAGNUSON of the Committee on Commerce for his consideration of this problem.

It is important that Congress enact legislation which would help assure the midwestern grain industry of an adequate supply of cars to ship their product when it is ready for shipment, and which would help avoid losses occasioned by shortages of this equipment.

I will not dwell upon the details of the very simple proposal which would provide an incentive for railroad management to build freight cars essential to the Nation's needs. It would grant authority to the Interstate Commerce Commission to fix rental rates which would provide just and reasonable compensation to freight car owners and it would encourage the acquisition and maintenance of a car supply sufficient to meet the needs of both commerce and the national defense.

I wholeheartedly endorse this proposal, and I urge its passage to offer relief to an important segment of our economy.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the amendments of the House to the joint resolution (S.J. Res. 1) proposing an amendment to the United States Constitution relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

PRESIDENTIAL INABILITY AND VACANCIES IN THE OFFICE OF VICE PRESIDENT—CONFERENCE REPORT

Mr. BAYH. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BAYH. Mr. President, we have before us for final passage Senate Joint Resolution 1, which is a proposal to amend the Constitution to assure Presidential succession and authority in our Government.

The progress of the bill has been the result of the labors of many persons, particularly the President of the United States, the leadership of this body, the leadership of the House of Representatives, the executives of the American Bar Association, and my colleagues on the Judiciary Committee, with particular emphasis upon those who labored on the Subcommittee on Constitutional Amendments.

The measure was introduced by myself on behalf of myself and many other Senators. It has been slightly modified from the form in which it was introduced in December 1963. Since then it has been the subject of two sets of hearing before the Senate Subcommittee on Constitutional Amendments. It has been studied by the full Committees on the Judiciary of both the House and the Senate. It was twice passed in the Senate by unanimous yea and nay votes, and it was overwhelmingly approved by the other body.

Earlier this year the proposed amendment received the full support of the President of the United States. Earlier it had been endorsed, as was brought out in some detail in the debate which ensued in this body, by such distinguished nongovernmental groups as the American Bar Association.

At long last the Senate and House conferees have completed their studies of the proposed amendment. A short while ago the conference report was approved by the House of Representatives. All that remains is for this body to approve the conference report, and then the measure will be sent to the States for ratification.

If the Senate acts affirmatively, it will be the 11th time in the past 90 years that Congress has submitted a proposed amendment to the Constitution to the several States. Of the last 10 that have been submitted, 9 have been ratified.

We have every reason to believe that the States will look with favor upon the proposed amendment, which is not designed really to alter the Constitution, but rather to fill a void in that great document which has existed for 178 years. As all of us know, the amendment is designed to do three specific things. I should like hastily to review the three purposes:

First, the proposed amendment would make forever clear that when the office of President becomes vacant, the Vice President shall become President, not merely Acting President. We would clearly state in the Constitution what has become precedent through the actions of Vice President Tyler following the death of the then President Harrison.

Second, if the office of Vice President should become vacant, the proposed amendment would provide a means to fill that office so that we would at all times have a Vice President of the United States.

Third, the proposed amendment would provide a means by which the Vice President may assume the powers and duties of the Chief Executive when the President is unable to do so himself.

The conference report, which has now been approved by the House of Representatives, contains certain changes from the proposal which the Senate approved earlier this year by a vote of 72 to 0. I should like to describe those changes and then urge approval of the conference report by this body.

In the Senate version of the measure we prescribed that all declarations concerning the inability of the President or of his ability to perform the powers and duties of that office, particularly a declaration concerning his readiness to resume the powers and duties of his office made by the President of the United States himself, be transmitted to the Speaker of the House and to the President of the Senate.

The conference committee report proposes that those declarations go to the Speaker and to the President pro tempore of the Senate. The reason for the change is, of course, that the Vice President, who is also the President of the Senate, would be participating in making a declaration of presidential inability, and therefore would be unable to transmit his own declaration to himself. In addition, I believe that we would be on better legal ground not to send the declaration to a party in interest. The Vice President, who would be shortly assuming or seeking to assume the powers and duties of the office, would indeed be a party in interest.

In the Senate version of the bill we did not specify that if the President were to surrender his powers and duties voluntarily—and I emphasize the word "voluntarily"—he could resume them immediately upon declaring that his inability no longer existed. We believe that our language clearly implied this. Certainly the intention was made clear in the debate on the question on the floor of the Senate and in the record of our committee hearings, but the Attorney General of the United States requested that we be more specific on this point so as to encourage a President to make a voluntary declaration to the effect that he was unable to perform the powers and duties of the office, if it was necessary for him to do so.

We made that point clear in the conference committee report.

We added specific language enabling the President to resume his powers and duties immediately, with no waiting period, if he had given up his powers and duties by voluntary declaration.

That had been the intention of the Senate all along, as I recall the colloquy which took place on the floor of the Senate; and we had no objection to making that intention crystal clear in the wording of the proposed constitutional amendment itself.

In the Senate version we prescribed that the President, having been divested of his powers and duties by declaration of the Vice President and a majority of the Cabinet, or such other body as Congress by law may provide, could resume the powers and duties of the office of President upon his declaration that no inability existed, unless within 7 days the Vice President and a majority of the Cabinet or the other body issued a declaration challenging the President's intention. The House version prescribed that the waiting period be 2 days. The conference compromised on 4 days, and I urge the Senate to accept that as a reasonable compromise between the time limits imposed by the two bodies.

Furthermore, we have clarified language, at the request of the Senate conferees, to make crystal clear that the Vice President must be a party to any action declaring the President unable to perform his powers and duties.

I remember well the words of President Eisenhower before the American Bar Association conference, when he said that it is a constitutional obligation of the Vice President to help make these decisions. We in the Senate felt that to be the case, and thus changed the language a bit to make it specifically clear.

That, I am sure, had been the intention of both the Senate and the House, but we felt that the language was not specific enough, so we clarified it on that point.

The Senate conferees accepted a House amendment requiring the Congress to convene within 48 hours, if they were not then in session, and if the Vice President and a majority of the Cabinet or the other body were to challenge the President's declaration that he, the Chief Executive, were not disabled or, once again, able to perform the powers and duties of his office.

We feel that the requirement would encourage speedy disposition of the question by the Congress, and I urge its acceptance by the Senate.

Finally, the Senate version imposed longtime limitations upon the Congress to settle a dispute as to whether the President or the Vice President could perform the powers and duties of the office of President. Senators know the question would come to the Congress only if the Vice President, who would then be acting as President, were to challenge, in conjunction with a majority of the Cabinet, the President's declaration that no inability existed. The House version imposed a 10-day time limitation. The Senate conferees were willing to have a time limitation as a further safeguard to the President, but we were unanimous in agreeing that 10 days was too short a period in which to decide on that grave a question.

The conferees finally agreed to a 21-day time limitation after which, if the Vice President had failed to win the support of two-thirds of both the Houses of Congress, the President would automatically return to the powers and duties of his office. I urge the Senate to accept that change.

I should like to specify one thing further about this particular point since I feel it is the main point of contention between the House and the Senate, and one upon which I was happy to see we could find some agreement.

First, including a time limitation in the Constitution of the United States would impose upon those who come after us in this great body a limitation on their discussion and deliberation when surrounded by contingencies which we cannot foresee. The Senate conferees felt that a 10-day time limitation was too short a period.

Our feeling in the Senate, as represented by the views of the conferees, was that we should go slowly in imposing a maximum time limitation if we could not foresee the contingencies that might confront those who were forced to make their determination as to who would be the President of the United States. I believe 21 days is a reasonable time. I emphasize that it is our feeling that this is not necessarily an absolute period. The 21 days need not always be used. In my estimation, most decisions would be made in a shorter time. But if the Nation were involved in a war or other international crisis, and the President had suffered an illness whose diagnosis might be difficult, a longer time might be needed, and the maximum of 21 days that was agreed upon might be required.

It should be made clear that if during the 21-day limit one House of Congress, either the Senate or the House of Representatives, voted on the issue as to whether the President was unable to perform his powers and duties, but failed to obtain the necessary two-thirds majority to sustain the position of the Vice President and the Cabinet, or whatever other body Congress in its wisdom might prescribe at some future date, the issue would be decided in favor of the President. In other words, if one House voted but failed to get the necessary two-thirds majority, the other House would be precluded from using the 21 days and the President would immediately reassume the powers and duties of his office.

I feel that further remarks are unnecessary. I thank all who have made it possible for us to bring the amendment to this stage, especially the distinguished Senator from Nebraska [Mr. HRUSKA].

I observe in the Chamber the father of the last constitutional amendment to be adopted, the distinguished Senator from Florida [Mr. HOLLAND], whose advice I shall be seeking with respect to the method of approaching State legislatures.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. HOLLAND. I compliment the Senator from Indiana warmly on the fine service he has rendered to the Senate and the Nation. I hope he will have early success in obtaining action by the 43 State legislatures whose ratification of the amendment is necessary before it becomes a part of the Constitution. I believe he will receive that kind of action, because the Nation realizes that in these perilous times this difficult question, which has been pending for so long, should have this method of solution available at all times, and as speedily as possible.

I wish I could help the Senator from Indiana in relation to his contacts with Governors and State legislatures. But judging by the fine ability that he has shown in consulting others up to this time, he certainly needs no suggestions from me or from anyone else.

May I ask the distinguished Senator a question?

Mr. BAYH. Yes.

Mr. HOLLAND. Is it the Senator's intention to ask for a quorum call and then to ask for the yeas and nays?

Mr. BAYH. That is not my intention. Inasmuch as the Senate has voted on much the same proposal by a substantial margin on two occasions; inasmuch as the House, when it concurred in the conference report, did not take a yea-and-nay vote; and inasmuch as some Senators are not present at this time, I believe it is really unnecessary to have a yea-and-nay vote.

Mr. HOLLAND. I shall defer, of course, to the views of the distinguished Senator, who is the principal author and cosponsor of the measure, and to the views of the majority leader and the acting minority leader, who are in the Chamber.

I believe it would be impressive—and this is the only comment I shall have to make—when action is taken by the States if more than one or two Senators had affirmatively espoused a particular version of an amendment which had reached State legislatures. But I shall gladly defer to the judgment of the Senator from Indiana and the majority leader and acting minority leader.

Mr. HRUSKA. Mr. President, I join the Senator from Indiana in urging the adoption of the conference report.

The proposed constitutional amendment is a correction of a long-exposed defect in the organization of our National Government. The amendment provides for a solution of the disastrous but inevitable situation that would confront the Nation in the event of a fallen leader of the Nation, either because of violence, illness, or disability. It has been a troublesome problem, one which has provided many uneasy moments to the people of the Nation from time to time during our history.

In the course of examining the problem, we have found that there is an infinity of contingencies which could be raised in any number of hypothetical situations. If we ever tried to provide for all of them or for any substantial number of them, it would require an infinite number of days or months, or perhaps years, to continue the debate on this subject. So we had to fill the vacuum by agreeing upon the joint resolution which is before us as the resolute action of this body and the other body and of the conference committee.

I believe the solution is sound. It would restrict the role of Congress considerably. Under the amendment Congress would act only as an appellate body in the event there were a difference of opinion between the President, on the one hand, as to his ability to return to his office, and the judgment of the Vice President and a majority of the Cabinet, or some other body that might be constituted by law, which might have an opinion to the contrary.

Congress by itself would have no power to initiate a challenge of the President's ability or inability in this regard.

I wish to comment upon the role of the junior Senator from Indiana in the preparation of the joint resolution, not only with respect to sponsoring it, but also in so consistently pursuing the background and foundational material.

That material was gathered in conferences with, for example, representatives of the House of Delegates of the American Bar Association and with the house of delegates itself. That effort was followed by many discussions with professors and scholars learned in the law, in addition to the committee hearings themselves.

An effort was made to follow the established procedures of Congress in both bodies for the implementation of the amendment. That was not found to be possible with respect to the time limitation in section 3 which provides for the event of the issue of disability being joined between the President, on the one hand, and the Vice President and a majority of the Cabinet, on the other.

In deciding upon a period of 21 days, I believe we have provided a reasonable time in which the issue can be canvassed and acted upon intelligently.

A new duty has been placed upon Congress. It is a duty that lies upon men and women of good purpose in responding to the needs of their Nation in a time of crisis. It is my hope that the amendment will be consistently unneeded. Nevertheless, such an agreement, as provided in this fashion, is wise, indeed.

So I join the Senator from Indiana in urging the Senate to adopt the conference report and to do whatever any of us can do toward urging the legislatures of the several States to ratify the amendment to our organic law, so that it may be duly promulgated and given force and effect.

Mr. BAYH. I thank the Senator from Nebraska for his thoughtful words, but more particularly for the dedicated effort, the long, tiresome hours of hearings and conference work, and the constant writing and rewriting that were necessary to reach the end of the tortuous journey we have been making.

Mr. KENNEDY of New York. Mr. President, I congratulate the junior Senator from Indiana [Mr. BAYH] on the outstanding job he has done in shepherding Senate Joint Resolution 1 from the realm of abstract proposal to its realization today. Along the way he consulted with a great number of people about this problem, and he heard a considerable variety of ideas on how it should be solved. It is to his credit that he was able, with patience and diplomacy, to resolve these differences.

I call to the Senate's attention a most important aspect of Senate Joint Resolution 1 which has not received as much notice as it should have. That is the provision, in section 4, which gives Congress authority to provide by law for a body other than the Cabinet to determine the inability of the President to exercise the powers and duties of his office when he is unwilling to make the declaration of inability himself.

This provision was wisely added by the framers of Senate Joint Resolution 1 because of the doubts which some people voiced as to the workability of using the Cabinet as the body to determine the President's inability. Now that we are finally enacting Senate Joint Resolution 1, we must not cease thinking about this aspect of the inability problem. We must keep in mind that we have given Congress the power to provide a different body to determine Presidential inability, and we should engage in a continuing study of whether there is some better way to handle this very difficult matter.

The need to engage in continuing reexamination of whether the Cabinet is the best available body to determine Presidential inability is demonstrated by certain historical evidence which I call to the Senate's attention today.

I refer to the facts surrounding the resignation of Robert Lansing as President Wilson's Secretary of State. These facts were brought to my attention by Mr. Allen Dulles, who has served the Government for many years in many capacities. Secretary Lansing was his uncle, and Mr. Dulles has made available certain relevant correspondence and memorandums, which are now on deposit at Princeton University and are not yet available to the public.

Together with Secretary Lansing's correspondence with President Wilson at the time of the resignation—which is a matter of public record—these documents are interesting and revealing.

President Wilson fell ill during the latter months of 1919. Mr. Lansing, after consultation with other members of the Cabinet, decided that it was necessary for the Cabinet to meet and carry on the affairs of Government as best it could. About 25 meetings had taken place, over a period of some 4 months, when Wilson wrote to Lansing, charged him with usurpation of Presidential powers because of the Cabinet meetings, and asked for his resignation. After an exchange of letters, Lansing did resign.

There were other reasons for friction between Lansing and Wilson. They were at odds over the negotiation of the Treaty of Versailles and subsequent congressional consideration of the treaty. Nevertheless, Wilson's inference that the Presidential Cabinet had usurped power demonstrates the wisdom of the framers of this amendment in leaving open to further consideration the question of who should decide when the President is disabled.

For the point of the Wilson incident is that, even though no procedure there existed for declaring a President to be disabled and even though there was no evidence of any overt attempt to usurp the powers of the President, the ailing President nevertheless decided to dispose of any Cabinet member who seemed to present a threat. More serious conflict might follow, in a comparable situation, now that a procedure for determining disability is established. Indeed, a President might fire his entire Cabinet.

This is a matter concerning which I have had numerous conversations with the Senator from Indiana.

It is true that the committee reports and other legislative history make it quite clear that, for purposes of Senate Joint Resolution 1, the Deputies or Under Secretaries in the various departments would, when there clearly are vacancies in the Cabinet, become acting heads of the departments until new principal officers were confirmed, or, if Congress were not in session, until recess appointments were made. I believe this legislative history is extremely important, but if the President did become involved in this kind of dispute with his Cabinet the situation would nonetheless be most difficult and disruptive, especially in a period of crisis for the United States either domestically or with other countries around the world.

What could ensue is a conflict as to who is actually acting as President at a particular time.

The question that might arise is whether the President had, in fact, fired the Cabinet at the time they had met and decided to put in a new President. What we could end up with, in effect, would be the spectacle of having two Presidents both claiming the right to exercise the powers and duties of the Presidency, and perhaps two sets of Cabinet officers both claiming the right to act.

Thus there are dangers in the amendment, with all due respect to the Senator from Indiana. Nevertheless, I believe we should go forward, since the dangers involved in not enacting Senate Joint Resolution 1 are greater still and we do not know whether a procedure better than Cabinet determination can be found. Certainly if one were now possible, I believe the Senator from Indiana would have found it.

The Senator has wisely left open the way to further improvement. I urge that the Congress follow his lead, and move directly to continued examination of alternate procedures, to be enacted by the Congress, for determining when a President is unable to discharge the duties of his office.

Mr. BAYH. Mr. President, first of all, I am indebted to the Senator from New York, and so is the Senate, not only for his present statement, but also for the discussion which he stimulated on the floor when we were considering the measure for passage earlier this year. The Senator points out very correctly that there is a degree of flexibility in this measure.

I am not so bold as to suggest that this is a perfect amendment. I believe that its perfection is based upon the ability of the men living at the time when the measure must be used to cope successfully with the problems and contingencies with which they are confronted. For that reason, we believed that the Cabinet, as we see it now, is the best body to serve as a check. However, we might be wrong. Why close the door? Why not leave us a degree of leeway so that when Congress is confronted with different circumstances than we presently foresee, it could designate a different body and give it authority to act.

Mr. KENNEDY of New York. Mr. President, as I said to the Senator from Indiana, I have strong reservations about the use of the Cabinet in this matter. I believe that the Senator from Indiana has considered my suggestions and every other suggestion and recommendation which he has received.

I praise the Senator for coming forward with this legislation, for which he is more responsible than anyone else. I should like to ask a series of questions of the Senator from Indiana on another aspect of the proposed constitutional amendment. I think this would help in clarifying another important issue.

I go back to the colloquy which took place on the floor of the Senate when the matter was considered a month or so ago. Is it not true that the inability to which we are referring in the proposed amendment is total inability to exercise the powers and duties of the office?

Mr. BAYH. The inability that we deal with here is described several times in the amendment itself as the inability of the President to perform the powers and duties of his office.

It is conceivable that a President might be able to walk, for example, and thus, by the definition of some people, might be physically able, but at the same time he might not possess the mental capacity to make a decision and perform the powers and duties of his office. We are talking about inability to perform the constitutional duties of the office of President.

Mr. KENNEDY of New York. And that has to be total disability to perform the powers and duties of office.

Mr. BAYH. The Senator is correct. We are not getting into a position, through the pending measure, in which, when a President makes an unpopular decision, he would immediately be rendered unable to perform the duties of his office.

Mr. KENNEDY of New York. Is it limited to mental inability to make or communicate his decision regarding his capacity and mental inability to perform the powers and duties prescribed by law?

Mr. BAYH. I do not believe that we should limit it to mental disability. It is conceivable that the President might fall into the hands of the enemy, for example.

Mr. KENNEDY of New York. It involves physical or mental inability to make or communicate his decision regarding his capacity and physical or mental inability to exercise the powers and duties of his office.

Mr. BAYH. The Senator is correct. That is very important. I would refer the Senator back to the definition which I read into the RECORD at the time the Senate passed this measure earlier this year.

Mr. KENNEDY of New York. It was that definition which I was seeking to reemphasize. May I ask one other question? Is it not true that the inability referred to must be expected to be of long duration, or at least one whose duration is uncertain and might persist?

Mr. BAYH. Here again I think one of the advantages of this particular amendment is the leeway it gives us. We are not talking about the kind of inability in which the President went to the dentist and was under anesthesia. It is not that type of inability we are talking about, but the Cabinet, as well as the Vice President and Congress, are going to have to judge the severity of the disability and the problems that face our country.

Perhaps the Senator from New York would like to rephrase the question.

Mr. KENNEDY of New York. Is it not true that what we are talking about here, as far as inability is concerned, is not a brief or temporary inability?

Mr. BAYH. We are talking about one that would seriously impair the President's ability to perform the powers and duties of his office.

Mr. KENNEDY of New York. Could a President have such inability for a short period of time?

Mr. BAYH. A President who was unconscious for 30 minutes when missiles were flying toward this country might only be disabled temporarily, but it would be of severe consequence when viewed in the light of the problems facing the country.

So at that time, even for that short duration, someone would have to make a decision. But a disability which has persisted for only a short time would ordinarily be excluded. If a President were unable to make an Executive decision which might have severe consequences for the country, I think we would be better off under the conditions of the amendment.

Mr. KENNEDY of New York. The Senator realizes the complications for the people of this country and the world under those circumstances.

Mr. BAYH. I do, indeed. I also recognize our difficulty if we had no amendment at all. The Senator from New York realizes the consequences in that case. The Senator is aware of the time limitations which give the President a certain amount of leeway now. If he recovers from the illness within the time limitations, he would have protection under the amendment.

Mr. KENNEDY of New York. As I said at the beginning, I believe there should be a continuing study of the problem. Based on my own personal experience and on what was brought out in the hearings, I believe that members of the Cabinet could be subjected to political strains of one kind or another under certain circumstances of danger which might arise for the United States. They might be impelled to challenge the President's ability and capacity for the wrong reasons. And when we think of the great crisis in 1919 with President Wilson and Mr. Lansing, it is apparent that under the procedure set out in section 4 of Senate Joint Resolution 1 there could actually be a question as to who was acting as President of the United States at a particular time. That is why this subject should receive continuing study by this body to determine whether an alternative to the Cabinet's acting could be evolved.

What if the President of the United States made a decision which was very unpopular with members of his Cabinet? I think back to the time of Abraham Lincoln in 1863. I think back to the time of President Andrew Johnson, and recall how unpopular he was with all the members of his Cabinet. They could have taken action, under the slightest pretext, to have him removed. Even with all the protections provided, I say the situation is dangerous. We would be deluding ourselves in thinking that by adopting the amendment the danger to our people and the people around the world would disappear, because a danger would still exist. The subject deserves our continuing effort and attention.

Mr. BAYH. I agree. There is leeway with respect to Congress and the committees and the Cabinet.

In discussing dangers to the people, think of the danger after President Garfield had been felled by a bullet and we had no President for 80 days. The danger of such a situation in this day and age is considerably more than the danger that could arise if the provisions of this amendment were invoked.

Mr. KENNEDY of New York. That is why I intend to support this amendment.

Mr. BAYH. I appreciate the Senator's comments.

CONTINUATION OF AUTHORITY FOR REGULATION OF EXPORTS

Mr. MANSFIELD. Mr. President, will the Senator yield without losing the floor?

Mr. BAYH. I yield.

Mr. MANSFIELD. I ask unanimous consent, for the purpose of providing regular procedure, that the consideration of Calendar No. 352, H.R. 7105, follow consideration of the present conference report.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7105) to provide for continuation of authority for regulation of exports, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request? Without objection, it is so ordered.

PRESIDENTIAL INABILITY AND VACANCIES IN THE OFFICE OF THE VICE PRESIDENT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

Mr. BAYH and Mr. McCARTHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. McCARTHY. If it were not for the fact that the amendment provides that the Congress of the United States has a right to designate some body other than the Cabinet to pass upon the question of Presidential disability, I could not support the amendment. The Senator from New York has pointed out the necessity, and I hope that the appropriate committees of the Congress and the Congress will give consideration to some other body's passing upon the question of Presidential disability. If that provision were not in the amendment, I could not support the proposed amendment, and I would urge its rejection.

History shows that it is better to have one sane king rather than two who are not, each one of them claiming to be the right king. There is the possibility of a situation in which one man, having been elected President, claims he was capable of exercising the duties of his office, and the other person, the Vice President, engages in a letter-writing contest as to which is the appropriate man. There could be a body other than the Cabinet which should have the ability to make a decision which would have the effect of giving the American public confidence in the person they had approved and a disposition not to accept the authority of someone who would be disapproved.

It is my judgment that it would have been better to follow the recommendations made by the Senator from Illinois [Mr. DIRKSEN] and not try to be so specific as provided in the present amendment.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. KENNEDY of New York. Let us go back to another situation, which I am sure the Senator from Indiana recognizes. A Cabinet decides that a President was disabled. The President fires the Cabinet. The members of the Cabinet say they did not receive notice that they were fired until after they had declared the President disabled. The President says he fired them first. If the Congress is in recess, the President appoints another Cabinet, or else he says the Deputies and Under Secretaries are now the Cabinet. There would be two Presidents and two Cabinets. There would be a conflict as to which ones were the members of the Cabinet and as to whether the members of the first Cabinet had made the decision before or after they were fired by the President.

It is recognized by the proposed legislation that this is a problem. I do not believe the danger disappears by the adoption of the amendment. I do not think, when we adopt the measure, that the problems of our Executive are gone and that we do not have to worry about it any more. We have to continue to worry about it. Although the legislation is better than the situation at the present time, there will be situations which might cause difficulty.

Mr. McCARTHY. Generally speaking, it is better, but there could be worse situations arising under the amendment than there would have been under the indeterminate and vague way in which we could have moved.

The amendment has nothing to say about whether the executive officers who pass on the disability have been confirmed by the Senate. This is a point which might well be included in the amendment. I believe that they have to be executive officers confirmed by the Senate. We would have to work out the making of temporary appointments. The Senator from New York said that we could have two Cabinets. This would be something like the old days in Avignon, when there were two Popes, which created a great deal of trouble, the same kind of trouble which was created for many, many years in England when two Kings claimed the crown. It has meant nothing but trouble.

I do not know whether, under this amendment, the executive officers would have to be confirmed by the Senate. They could be temporary appointees, which could be passed upon by the Senate.

Mr. GORE. Mr. President, will the Senator from Minnesota yield?

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Minnesota yield to the Senator from Tennessee?

Mr. McCARTHY. I yield.

Mr. GORE. The Senator from Minnesota finds some consolation in the fact that, if I have understood him correctly, the amendment provides that Congress could designate another body by law. I invite his attention to the possibility that this could compound the question, because the amendment reads:

> Whenever the Vice President and a majority of either officers of the executive departments or of such other body as Congress may by law provide.

I should like to inquire of the Senator if, in addition——

Mr. McCARTHY. Ask the Senator from Indiana.

Mr. GORE. There would be a possibility of a contest or controversy between the Cabinet that may or may not have been dismissed, and one which may or may not have been confirmed by the Senate. Might there not be the probability of a contest between the two groups which, by the conjunction or, are permitted to perform the same function?

Mr. McCARTHY. I believe that there is great uncertainty as to whether Congress could act and designate some other group, or define the executive officers who were to pass upon this question—officers who would be approved by Congress. But this is an open question. I should like to ask the Senator from Indiana whether this is an open question, or whether there is some uncertainty.

Mr. BAYH. First, let me go into a brief explanation of why this provision was included. This was the result of the consensus meeting with scholars and ex-Attorneys General whom I shall not bother to enumerate, trying for the first time in congressional history to weld together the 42 different proposals which previously came before Congress. This has always been historically a problem, in trying to reach agreement and to reconcile the differences in order to obtain a two-thirds majority.

It was felt that if there was an arbitrary Cabinet that completely refused to go along with the fact that the President, who was obviously disabled, was disabled—the condition referred to by the Senator from New York—the President might get wind of it and, although he might be in extremely bad condition, he might manage to have issued a document firing the Cabinet. This would not preclude Congress, in its wisdom, from establishing another panel, perhaps, of the majority and minority leaders of both Houses, the Chief Justice of the Supreme Court. We in our wisdom as Members of Congress, would do so because it is wise. This body, in conjunction with the Vice President, could make its determination.

Mr. McCARTHY. In the meantime, who would control the Army, Navy, and Air Force?

Mr. BAYH. The President of the United States.

Mr. McCARTHY. Whoever he might be.

Mr. BAYH. Whoever he might be.

Mr. McCARTHY. Which one might be?

Mr. BAYH. He would be the President until a declaration from the Vice President and a majority of the Cabinet or the other body had been made and received by the Speaker——

Mr. McCARTHY. We do not accept the determination of this body. We are going to set up another body.

Mr. BAYH. That is correct.

Mr. McCARTHY. Congress would have to act quickly to set up another body which might act in such a case.

Mr. GORE. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. GORE. The answer of the Senator from Indiana indicates that he is thinking of the possibility of action by Congress at such time, and after such time as there may be an obstinate, nonexistent, or otherwise inactive Cabinet.

As I read the proposed amendment, Congress could, by law, provide now, subsequent to approval of this amendment—

Mr. BAYH. The Senator is correct.

Mr. GORE. For such a body. Or, to add still further to the uncertainty, it could await such time as the Senator has foreseen when, because of uncertainties, or because of uncertainties which are not now unforeseen. Congress could act at that time.

Mr. McCARTHY. I am not sure whether this body could not be a body within the Congress itself.

Mr. GORE. Will the Senator yield once more?

Mr. McCARTHY. I am glad to yield to the Senator from Tennessee.

Mr. GORE. This is done specifically for the purpose of giving Congress a certain amount of leeway which the Senator from Minnesota feels it should have?

Mr. BAYH. I should be glad to respond to that. Any time Congress in its wisdom thought it necessary, if further discussion and deliberation on this issue by Congress led it to believe that another body should be established, it could establish it.

Mr. GORE. Do I correctly understand the able Senator to say that Congress could, immediately upon adoption of this constitutional amendment, provide by law for such a body as herein specified and that, then, either a majority of this body created by law or a majority of the Cabinet could perform this function?

Mr. BAYH. No. The Cabinet has the primary responsibility. If it is replaced by Congress with another body, the Cabinet loses the responsibility, and it rests solely in the other body.

Mr. GORE. But the amendment does not so provide.

Mr. BAYH. Yes, it does. It states—

Mr. GORE. The word is "or."

Mr. BAYH. It says "or." It does not say "both." "Or such other body as Congress may by law prescribe."

I wish the RECORD to be abundantly clear that that is the case. I am glad the Senator brought up that point. I believe that this colloquy on that point is important and should be added to that already in the RECORD.

The Cabinet, upon enactment of ratification, has the responsibility, unless Congress chooses another body, at which time that other body, and that other body alone, working in conjunction with the Vice President, has the responsibility. Indeed, Congress may choose a third body.

Mr. GORE. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. GORE. I suppose it might be possible to read legislative intent into this conjunction, but——

Mr. BAYH. If I may interrupt here—let me read the exact wording: "and a majority of either the principal officers of the executive departments or—"

Either/or "of such other body as Congress may by law provide."

So when there is an "either/or" solution, it nails it down to one or the other.

Mr. GORE. It seems to me that if it is "either/or" it places the two on a par——

Mr. BAYH. I do not see how that would be the case at all. The Cabinet has the responsibility. What if Congress by law should provide for another body that it feels should have the responsibility?

Mr. GORE. Then it has such a responsibility, too.

Mr. BAYH. Then it has such a responsibility, too.

Mr. McCARTHY. Could we not have both?

Mr. BAYH. If we have one or the other, we do not have both. If I have apples or pears, I do not have both.

Mr. McCARTHY. Under the language of the amendment we could keep the Cabinet and set up another body. We could run it through two or three bodies, and have the Cabinet act and then have the other body act.

Mr. BAYH. Whatever body acts should act quickly.

Mr. McCARTHY. The Vice President would have to act with either body. We might have a Vice President who would be reluctant to take office, and the Government would be paralyzed, unless the Vice President were willing to say, "I believe the President is not able to act."

Mr. BAYH. It would be possible to impeach the President and the Vice President.

Mr. McCARTHY. It would not be possible to impeach the Vice President unless he were not willing to preside over the Senate or to vote in the case of a tie.

Mr. BAYH. We cannot put the Vice President in office if he is unwilling to assume the office.

Mr. McCARTHY. He might be suffering from inability himself, even before the President. I believe the amendment should provide that the elected officers of the Government, of the House and Senate, should decide that the President is unable to fulfill the duties of his office, and we ought to be able to move directly.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. COOPER. Mr. President, I should like to direct questions to the distinguished Senator from Indiana, who is managing the conference report. I join with all my colleagues in paying tribute to the Senator for sponsoring the proposed constitutional amendment and for his persistent effort to bring it to final action. I raise these questions with respect to particular phraseology of the amendment. I quote this language:

> Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate.

And so forth. The language is repeated in the next paragraph.

Is it the intention of Congress, as interpreted by the Senator from Indiana, who is in charge of the conference report, that the Vice President and a majority of the principal officers of the executive departments would transmit the information of the President's inability to perform his duties to Congress, unless Congress had by legislative action provided for the establishment of another body to perform this function?

Mr. BAYH. I should like to answer the Senator's question by setting up a hypothetical example. If the President became disabled, the Vice President would get the Cabinet together and say, "Gentlemen, I think the best interests of the country would be served if I, reluctant as I am, assumed the powers and duties of President."

The Cabinet, let us assume, would refuse to agree.

Congress, in its wisdom, upon studying the situation, and the obvious physical condition of the President, might judge that the Vice President was correct.

At that particular time Congress might by law set up another body. This body, upon agreeing with the Vice President, again might declare that the President was unable to perform his duties. At this time the Vice President would assume the office of Acting President.

Mr. COOPER. Then it is the intention, that this function and duty shall be that of the Vice President and the Cabinet unless the Congress provides that it shall be performed by another body. Is that correct?

Mr. BAYH. The Senator is correct.

Mr. COOPER. The duty would fall on the Vice President and the Cabinet, unless Congress by law provided that it should be the function of some other body created by Congress. Is that correct?

The **PRESIDING OFFICER.** The Senator is correct.

Mr. COOPER. It is intended that the words "principal officers of the executive departments" mean all the members of the Cabinet?

Mr. BAYH. The Senator is correct. It means the official members of the Cabinet.

Mr. COOPER. In case the Cabinet acted and performed this function, the assent of the Vice President would be required, even though a majority of the Cabinet members were willing to transmit information to the Congress that the President suffered from an inability.

Mr. BAYH. The Vice President must be a party to the decision.

Mr. COOPER. I believe it is well to have an answer to another question. In the event Congress decided to enact legislation to provide that another body, a body other than the Cabinet and the Vice President, should perform this function, would the Vice President be required to concur in the recommendation of such other body?

Mr. BAYH. Yes, he would.

Mr. COOPER. Not unless Congress so provided in legislation that it might enact?

Mr. BAYH. The wording of the amendment would permit two separate agencies, either the Vice President and the Executive Cabinet, or the Vice President and the other body.

Mr. COOPER. As I understood the question raised by the Senator from Tennessee and the Senator from Minnesota, it was their fear that both the Cabinet and the Vice President, and another body which Congress might establish, might claim the authority to perform this function. The question of the Senator from Tennessee [Mr. GORE] expressed concern that the words "either" and "or" might give rise to a situation in which the Vice President and a majority of the Cabinet, and a body which Congress might establish, would both claim the authority to exercise the function. Is there any problem about the use of those words that troubles the Senator from Indiana?

Mr. BAYH. That is a good point to clarify for the RECORD. However, in my mind it is perfectly clear that if I said I would go to the office of either the Senator from Kentucky or the Senator from Tennessee, my statement would not reasonably be interpreted to indicate that I would go to both. It would be either one or the other.

Mr. COOPER. Then the intent of the conference committee was that the language meant that unless another body were established by law, the Vice President and the Cabinet would perform the function; but in the event that Congress should establish another body by law, that body alone would have the authority to exercise the function, and in that event, the Vice President and the Cabinet would be without authority to exercise the function.

Mr. BAYH. It would then be exercised by the Vice President and the other body. The Cabinet would be out of the picture at that time.

Mr. COOPER. I raise another question. Would the Vice President have any part to play in the decision in the event that another body were established?

Mr. BAYH. The answer is "Yes." The Vice President must make a separate determination with either the Cabinet or another body.

Mr. COOPER. In either event the Vice President must participate?

Mr. BAYH. I think it is wise to bring out this point. I wish the Record to show that we do not desire two bodies to make the decision with the Vice President. If in its wisdom the Congress should decide that another body should make the determination, in the public interest of the country, as the Senator from New York and the Senator from Minnesota feel would be the case, and the Congress should go to the trouble of passing proposed legislation appointing such another body, at that time the newly created body and not the Cabinet would act with the Vice President.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. GORE. I should like to submit a question to the distinguished senior Senator from Kentucky, who has been a distinguished judge. Suppose in consequence of the amendment, Congress should proceed by law to create such a body as has been referred to. Then suppose at some foreseeable period a Vice President should appear before such a body, or with such a body, and that body should decline to act. Would there be any reason why, under the constitutional amendment, the Vice President and a majority of the principal officers of the executive departments could not then act?

Mr. COOPER. That is one of the questions which the Senator from Tennessee originally posed, and it is a question to which I have directed questions to the Senator from Indiana, [Mr. Bayh]. It is easy for one who was not a member of the conference committee and one who is not on the Subcommittee on Constitutional Amendments and did not participate in its work, and one who has not worked on the question as has the distinguished Senator from Indiana and the distinguished Senator from Nebraska [Mr. Hruska], to raise questions. I admit it, but I think it important that questions be asked on such an important matter. It is easy also, with hindsight, to think of better language. But I must say, that I believe the language could be clearer. The answers of the Senator from Indiana have been directed to the intent of the committee respecting the language. The courts pay attention, but not all, to such declarations of intent.

Mr. GORE. If that is what the conferees mean, I suggest that the amendment should so provide. We are not passing on conversations held between the conferees. The Congress is asked to adopt language which provides that—

> Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide.

That is what is before the Senate. Undoubtedly there have been many conferences and colloquies, but the language should be explicit when it becomes a part of the U.S. Constitution.

Mr. COOPER. The reason I directed questions to the Senator from Indiana [Mr. Bayh], was that his answers as the Senator in charge of the bill are important in the interpretation of the amendment.

Mr. BAYH. The language to which the Senator has referred has not been changed one iota from the specific language which was passed by this body. The conference report does not alter that language. Any interpretation of the Constitution, as the Senator knows, includes reference to the record of the debate, the record of the hearings, and specific interpretations placed upon the measure by the Senator in charge of the bill. Those who have been in particular intimate touch with it are those whose statements are considered in an interpretation of the measure. The Senator has made a considerable contribution to the debate by raising that point at the present time.

Mr. COOPER. The statements of the Senator from Indiana are more important than our statements.

Mr. BAYH. I would not go along with the Senator from Kentucky on that.

Mr. COOPER. From a legal standpoint, that is correct, for the Senator from Indiana is the Senator in charge of the bill. The Senator's statements bear upon the intent of the Senate to a greater degree than our statements would.

Mr. BAYH. I have made as crystal clear as I know how that the Vice President must make a determination, and he would make that determination with the Cabinet unless the Congress——

Mr. GORE. But the word "unless" is not in the amendment.

Mr. BAYH. If the Senator from Tennessee would like to listen to my thoughts on the point, I should be glad to state them for the Record.

Mr. GORE. But the Senator has used a word that is not in the proposed amendment.

Mr. BAYH. I should be glad to change the word I have used if that would help the Senator. I have not been able to make the interpretation clear by using another word; I thought I would try a little different approach.

Mr. GORE. I can understand the difficulty of making the point clear by using the language of the amendment, because the language of the amendment, in my opinion, does not support the interpretation which the able Senator has given to it. I would be glad, however, to listen to his interpretation.

Mr. BAYH. I really have nothing to offer that I have not already offered—perhaps insufficiently—to the Senator from Tennessee. The Vice President would make the determination with one of two bodies or three bodies. The choice would not necessarily be limited to one other body. The Congress might, in its wisdom 100 years from now, decide to choose the third body. One of those bodies would be the body with which the Vice President would act. Let the Record so state. That is what the committee feels. That is what I, as the original sponsor of the measure, feel. That is what the conferees believe. I do not know how we can get into the Record a stronger interpretation than that which has been brought out by the penetrating questioning of the Senator from Tennessee.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BAYH. I am happy to yield.

Mr. GORE. If that is the clear intent of the authors of the amendment and the conferees, why cannot the conferees return to their labors and prepare language that is explicit?

Mr. BAYH. The Senator from Tennessee has been in the halls of this great body much longer than has the junior Senator from Indiana. I do not believe that it is necessary for his extremely junior colleague to point out that we have been 178 years getting a measure on this subject even voted upon in either House of Congress. I do not need to point out that it has been 18 months and more the subject of deliberation by both Houses of Congress to get it thus far. It took us almost 2 months in the conference committee alone. I would seriously doubt the wisdom of going back to the conferees to risk undoing everything that has been done—the House already adopted the conference report this afternoon at a quarter after twelve—on the premise that we cannot understand what is in the measure. The Senator from Indiana, with all respect, feels that we have written a very good record as to what that language means, if, indeed, there is any doubt of its proper interpretation. The Senator from Tennessee is a student of law and has expressed doubt. For that reason, we have gone to some length to explain what the interpretation of the language is.

Mr. GORE. If I understand the rule of construction as to legislative intent and the interpretation of that intent is looked to only when there is doubt as to the exact and precise meaning of a statute or constitutional provision.

The able Senator has given us what he regards as the legislative intent. I do not doubt that what he has stated is the legislative intent. But why will the legislative intent be searched out and interpreted to ascertain the meaning of language which states clearly that the Vice President, acting either with a majority of the Cabinet or with a majority of a body created by Congress can certify the disability of the President? Can this mean that Congress could by statute eliminate the function of the Cabinet though it could strip such power from a majority of the Cabinet even though such powers would have been vested by the proposed constitutional amendment?

It seems to me that that is an unreasonable assumption. It is regrettable that for so long a time this constitutional need has not been met. It is to be regretted that 18 months have passed in which this problem has not been dealt with satisfactorily. But I doubt whether that is any excuse to proceed in one afternoon, on the floor of the Senate, to adopt a conference report containing an ambiguous provision, when the author of the amendment himself and the conferees themselves say it does not mean what it says.

Mr. BAYH. The Senator from Indiana does not agree with the Senator from Tennessee that the amendment does not mean what it says. I differ with the interpretation of the Senator from Tennessee. The Record will show that the Senate spent almost 7 hours debating the subject earlier in this session, and that the Senator from Tennessee participated in the debate.

I am not saying that reasonable men cannot disagree, but I am saying that, in my estimation, the interpretation is clear. I am further saying that if I am any judge of what Congress might do when confronted with situations provided for in this measure—and the Senator from Tennessee is probably a better judge than I of what this body might do, because he has served considerably longer and with much greater distinction—I presume that our successors on a later scene in this body, if confronted with a situation that they believed the Cabinet could deal with—it might be tomorrow—would, in the enactment of a law specifying another body, be astute enough to use enough words to satisfy themselves that such a body would in fact replace the Cabinet, pursuant to constitutional authority.

The Senator from Tennessee knows that it is much easier to be specific and to provide much greater detail in a statute than in a constitutional amendment. I believe we would have been in error to have written all this language into the Constitution. I believe we have been specific enough to have covered the intent.

Mr. GORE. Is it the Senator's interpretation that the language should read somewhat as follows:

> Whenever the Vice President and a majority of either the principal officers of the executive departments or, in the event Congress creates another body pursuant to law, then the Vice President and a majority of such other body as Congress by law shall create—

Mr. BAYH. I see no objection to that interpretation of what is written in the amendment.

Mr. GORE. If that is what is intended, why could not the conferees write it into the amendment? I do not believe the amendment is subject to that kind of interpretation, though, as the Senator says, that is the legislative intent.

Mr. BAYH. I feel, with all due respect to the Senator from Tennessee, that the interpretation is clear that if Congress specifies another body, it will not do so as a lark; it will do so because it wants another body to replace the Cabinet, which would have the primary responsibility until Congress precribed another body.

The Senator from Tennessee knows that if there were to be a conference for every little misinterpretation that might be involved among 100 Senators, we would never obtain a conference report. The Senator from Tennessee is more aware of this than I, because he was serving on conference committees before I was out of knee pants.

Mr. GORE. I appreciate all the nice compliments, but I doubt if that is a compliment.

Mr. BAYH. The Senator from Indiana intended it to be a compliment, because the Senator from Tennessee knows how much respect the Senator from Indiana has for him.

Mr. GORE. I appreciate the respect; but do not put too much longevity on me.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. JAVITS. I have joined the distinguished Senator from Indiana for a long time in the endeavor to solve the problem and am a cosponsor of Senate Joint Resolution 1. I should now like to propound a series of questions to him, in an endeavor to pinpoint what he has said in the answers he has given to other Senators.

First, would the Vice President, under section 4, have to act with a majority of the principal officers of the executive departments or of the other body that Congress would provide by law, or would he act in and of himself, sending to Congress whatever notices he wished?

Mr. BAYH. It has to be joint action.

Mr. JAVITS. Both have to act; but it does not have to be joint action in the sense that he is presiding over any body.

Mr. BAYH. No.

Mr. JAVITS. He sends his notice and the executive body sends its notice.

Mr. BAYH. Either way; or they could act together.

Mr. JAVITS. But they could act separately.

Mr. BAYH. Yes.

Mr. JAVITS. If they were hostile, they could act separately.

Mr. BAYH. Yes.

Mr. JAVITS. The action must be taken by a majority vote?

Mr. BAYH. Majority vote.

Mr. JAVITS. Suppose they did not like each other. If they separately notified Congress, would that satisfy the amendment?

Mr. BAYH. I think that would satisfy the qualification.

Mr. JAVITS. Congress may, by law, provide for another body. May it provide that that other body shall be the Cabinet?

Mr. BAYH. Yes.

Mr. JAVITS. It may provide at the same time that it shall be the Cabinet only if it is composed of officers whose nominations have been confirmed by the Senate, not temporary appointees.

Mr. BAYH. The Senator from New York brings out a good point.

Mr. JAVITS. So we could do that ourselves by law?

Mr. BAYH. That is correct.

Mr. JAVITS. We could make them the body.

Mr. BAYH. Yes.

Mr. JAVITS. Could we also, by law, say that when we create the body, we settle the question of "either"; that is, that only one can take action; that whatever body we create, it is exclusive?

Mr. BAYH. That is what I was trying to point out.

Mr. JAVITS. Let us point it out now and nail it down.

Mr. BAYH. Congress in its wisdom could, in the enactment of the law, specify that the body should take the place of the Cabinet, and a new Cabinet could be created.

Mr. JAVITS. The body created by Congress is exclusive?

Mr. BAYH. Yes.

Mr. JAVITS. Whether Congress would or would not specify that the body should take the place of the Cabinet neither the Senator from Indiana nor I know. But the point is that Congress could.

Mr. BAYH. That would depend upon the wisdom of those who follow us.

Mr. JAVITS. Congress could make the body it created exclusive?

Mr. BAYH. Yes.

Mr. JAVITS. Twenty-one days are provided in which the Congress must act on determination of Presidential disability. Congress has provided, implicitly under the 21-day limitation, restrictions on a filibuster, a precedent for which is contained in the Reorganization Act.

Mr. BAYH. At the end of the 21-day period, nothing would prevent Congress from continuing to discuss the situation; but at the end of 21 days, the President would resume his office.

Mr. JAVITS. Nonetheless, Congress could protect itself against filibusters by writing an antifilibuster rule into the statute that would be passed to implement the amendment, could it not?

Mr. BAYH. That is correct.

Mr. JAVITS. Congress has done that under the Reorganization Act. The Senator may take my word for that.

Mr. BAYH. Of course. I was trying to tie it in with this particular issue. There would be nothing to preclude Congress from establishing rules as to how to use the 21 days. Congress could incorporate any rule it desired.

Mr. JAVITS. So inaction would restore the President to office.

Mr. BAYH. Yes. We are trying to place a safeguard around the President.

Mr. JAVITS. Why is there not a generic clause providing that Congress shall have power to pass legislation to implement the amendment, as, for example, was done with respect to section 2 of the 14th amendment? I have tried, by the questions and answers that have been propounded and given, to show that there is ample opportunity and ample authority for Congress to act. Will the Senator now tell us whether there was any reason for not having a boilerplate implementing clause with respect to Congress?

Mr. BAYH. Yes; that is a good point. The Senator may recall that we discussed it at some length. When the distinguished Senator from Illinois and the distinguished Senator from Minnesota attempted to remove most, if not all, of the provisions from the bill, sections 3, 4, 5, and 6, as they were before, were incorporated. They do not constitute merely permissive legislation on the part of Congress.

There is considerable discussion among constitutional scholars, the present Attorney General, Attorney General Brownell, and three or four previous Attorneys General who feel doubt as to whether a statute would be constitutional. They say, "Let us not wait until we are confronted with a crisis concerning the disability of the President to have it tested. Let us put it in the bedrock law of the land and eliminate doubt as to whether it is constitutional."

Second—and I believe it is more significant—is the fact that we have tried to provide the President of the United States with the kind of safeguards that he needs when he must make unpopular decisions which are necessary for the safety of our country. For that reason, we have required that the approval of two-thirds of the Senate shall be necessary before the President can be removed from office by impeachment. Thus, a hostile Congress cannot remove a President who is unpopular at the time because of decisions which he has made. Once he is elected President, he serves for 4 years.

If we were to take the statutory means, although it would still require two-thirds of the Senate to remove a President from office under impeachment proceedings, a majority of 51 Senators could remove a President for disability and thus get around the two-thirds safety clause contained in our present impeachment statute. Thus we feel that if we were to have a provision placed in the Constitution requiring the approval of two-thirds of both Houses of the Congress, we would have given the President much more safety than a mere act of Congress, which is the original case, providing that two-thirds of the House and Senate would be required to declare a President disabled rather than a simple majority. This could be changed at any time in our history.

I believe that this is important enough so that we should demand that the approval of two-thirds of the Congress be required before a President could be removed from office.

Mr. JAVITS. Mr. President, the Senator, however, affirms to us that Congress has full latitude to pass the necessary enabling legislation under the authority of what is meant by "such other body as Congress may by law provide."

Mr. BAYH. The Senator is correct.

Mr. JAVITS. Congress has the right to provide for the exclusivity of that body in exercising this authority, as well as the way in which the body shall exercise that authority, and other pertinent details necessary to the creation of such a body, its continuance, its way of meeting, the rules of the procedure, and the way in which it shall exercise its power.

Mr. BAYH. The Senator is correct.

Mr. GORE. Mr. President, what was the beginning of that question?

Mr. JAVITS. The Senator in charge of the bill affirms to us that Congress, under this amendment, would have full authority to enact a law, not only creating this body, but also giving it exclusivity in respect of its action under this particular amendment, and determining its procedure, how it shall be formed, and so forth.

Mr. GORE. This would not be by terms of the amendment itself, but would be by way of legislative intent?

Mr. JAVITS. No. I should say that it is by the express terms of the amendment itself, by the following words, "such other body as Congress may by law provide."

I believe that the words "by law provide" is what the Senator in charge of the bill is implementing now in his statement concerning what the law which creates this body can cover.

Mr. GORE. Congress could not enact a law which would be superior to a provision of the Constitution.

Mr. JAVITS. Certainly not.

Mr. GORE. This would then be a provision of the U.S. Constitution, let me remind the Senator, which would provide, in explicit language that "Either a majority of the principal officers of the executive department, or such body as the Congress may by law create."

I doubt that the fact that Congress is authorized to create by law another body could reasonably be interpreted as conveying authority and power to deny to a majority of the Cabinet powers that the Constitution would then by this amendment vest.

Mr. JAVITS. Mr. President, I can only give the Senator my view—and I do this with great humility—and my opinion as a lawyer.

Mr. GORE. I am not as learned as the distinguished Senator, but I believe that my interpretation is reasonable.

Mr. JAVITS. I do not believe so, and I shall explain to the Senator my view. In a situation in which the Congress has conferred, and enacted legislation providing for a new body, and it would be my judgment, if I were a judge sitting on a case involving the constitutionality of that legislation that if that power of Congress were exercised, it was exercised to give exclusivity to the other body. I believe that the court would construe this amendment to most feasibly accomplish the purpose of Congress. As the purpose of Congress is to settle this kind of issue, rather than leave it in a great area of uncertainty and controversy, would it not be completely contrary to the purpose of Congress to create two bodies which could compete with one another?

I believe that the construction which the courts would give to what we are doing is that if the Congress were to exercise the authority that the amendment would give, the courts would hold that that body has exclusivity as to its action.

That is my opinion as a lawyer, and I have submitted my reasons to the Senator.

Mr. GORE. The Senator speaks quite ably, and whether he is a judge, a citizen, a Senator, or a practicing attorney, I respect his opinion.

The points that I raise concern the justification for throwing this ambiguous question into the courts.

The time to be explicit is when we write an amendment into the Constitution. I say quite frankly to the Senator that I am unprepared to see this amendment approved in this uncertain way, with only a few Senators on the floor.

I should like to see the proposal examined further, to my own possible satisfaction, to determine the exclusivity to which the Senator refers. I am not sure that comports with the rules of construction.

Mr. JAVITS. I should welcome the Senator's researching the matter. I have no quarrel whatever with the desire of the Senator to examine into the question carefully.

I am satisfied that this is what the proposal would do. I am speaking only for myself. I have great respect and regard for the Senator. I would stand aside to enable the Senator to satisfy himself by appropriate research to determine whether this is the way in which it should be handled.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COOPER. Mr. President, a few moments ago when I addressed questions to the Senator from Indiana, my purpose was the same as that of the Senator from New York, to ascertain that if the first procedure were followed—which concerns the Cabinet and the Vice President, whether it would possess exclusivity in its authority to act; and to ascertain if Congress were to create another body, such a body would have the exclusivity to which the Senator has referred.

I agree wholeheartedly, with the position of the Senator from New York, and also with his view that the courts would consider the purpose of the proposed amendment and not do an exercise in futility.

I believe that it would be unreasonable to follow any other position.

I ask the Senator if in his good judgment he believes that the language which proposes the alternative procedure is ambiguous of such ambiguity as to create a situation in which it would be unclear as to whether the Vice President and the Cabinet or the Vice President and the body established by the Congress would have authority to act. Such a situation would be the last thing that we would desire.

Mr. JAVITS. I do not believe it is so ambiguous as to make it unclear. It is not the optimum nor the most precise language. Every Senator and lawyer may have his opinion, and my colleague from Kentucky, in my judgment, yields to no other Senator in his distinction as a lawyer but to me it is not so ambiguous as to be unclear. It is not the optimum language that I or the Senator from Tennessee or the Senator from Kentucky or other Senators might have sought, but I feel that I could vote for it in good conscience.

I agree with what the Senator has said. I do not see any earth-shaking necessity for not having a delay of a few days to look it over; but if I had to vote this afternoon, I would feel in good conscience that I could vote "yea."

Mr. GORE. Mr. President, if the Senator will yield, is there any necessity to vote this afternoon?

Mr. JAVITS. That has not been determined. But, as I have said, if I had to, I would vote for it.

Mr. GORE. The Senator from New York has raised a serious question. The Senator from Minnesota has raised a serious question. The Senator from Kentucky and the Senator from Tennessee have expressed doubts. It seems to me we could give this matter a little more consideration than I admit I have given it. Perhaps I have been derelict in my duty in not studying it more before now, but, as I listened to questions raised by the Senator from New York and the Senator from Minnesota and began to read and study the conference report, I detected language that seemed to me to be uncertain, if not ambiguous.

Mr. BAYH. Of course, the Senate of the United States is the world's greatest deliberative body. If my colleagues feel it should be debated more, I believe we should do so. I have tried, and will continue, to listen to every argument. However, I have studied this measure enough to know—and I say this from the bottom of my heart—that if we ever expect to have a constitutional amendment on this important question, the most complicated and intricate issue that we have ever tried to put into the Constitution, because of all the medical ramifications and power struggles that might exist—if we ever intend to get a measure with respect to which there will not be a scintilla of controversy, with very specific wording, we might as well terminate the debate and throw this year and a half's work in the ashcan, because we are not going to do it.

I have never pretended to the Senate or to my colleagues that this measure is noncontroversial or that it would cover every possible, conceivable contingency that the mind of man could contrive. I have suggested that it is the best thing we have been able to come up with, and it is so much better than anything we have ever had before—namely, nothing—that I dislike to see us, by delay, jeopardize the great protection we would get by this constitutional amendment.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BAYH. I am glad to yield.

Mr. GORE. I would not expect an amendment to be drafted to meet the imagination of all. The point I raise here is that the able Senator brings to us the intent of the amendment which, in my view, is not supported by the language of the amendment.

If this is the intention of the House and Senate and the conferees representing those two bodies, surely the language can be explicit.

I have previously referred to the language as being ambiguous. I may have used the wrong term. It seems to me it is rather plainly stated that either the Cabinet or the body to be created by Congress could perform this official function.

There may be some way that the courts could find that exclusivity ran to the body created by law, but if that is the intent, why leave the decision to a court under some possibly tragic circumstance that might arise? Surely, a few days of delay and a few days of further consideration should not be interpreted as being antagonistic to an amendment. On the contrary, it is suggested as a means of permitting more careful consideration.

Mr. BAYH. I appreciate the Senator's contribution.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MURPHY in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business, the conference report on presidential succession, be laid aside temporarily, pending conferences, and that the Senate resume the consideration of the Export Control Act.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CONTINUATION OF AUTHORITY FOR REGULATION OF EXPORTS

The Senate resumed the consideration of the bill H.R. 7105 to provide for continuation of authority for regulation of exports, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of 25 minutes on the debate on the pending business, with 15 minutes allowed to the Senator from New York [Mr. JAVITS] and 10 minutes to the Senator from Maine [Mr. MUSKIE] who is in charge of the bill on the Senate floor.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, before we settle on that question, may we have a quorum call? I should like to have the Senator from New Jersey [Mr. WILLIAMS] present. It may take a few minutes.

Mr. MANSFIELD. Mr. President, will the Senator permit the Chair to announce the agreement at the end of the quorum call?

Mr. JAVITS. Yes. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask for order in the Chamber. We are about to discuss something totally different from the presidential succession conference report.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The Senate will be in order.

Is there objection to the unanimous-consent request that there be a time limitation of 25 minutes on the pending bill, that 15 minutes be allotted to the Senator from New York [Mr. JAVITS] and 10 minutes to the Senator from Maine [Mr. MUSKIE]? The Chair hears none, and it is so ordered.

Mr. MUSKIE. Mr. President, I yield myself 1 minute.

Mr. President, the Export Control Act of 1949 will expire at midnight tonight. The Banking and Currency Committee, after two sets of hearings in the general field, has reported the House bill on the subject, H.R. 7105. We urge the Senate to act at once on this bill so that it can be sent to the President for his signature before it expires.

This is essential because the Export Control Act of 1949 is the act under which exports of strategic and critical materials from the United States are kept from going behind the Iron Curtain. In the absence of an extension, American producers and shippers will be free to send commercial and industrial materials and equipment to Communist China, the U.S.S.R., and the rest of the Soviet bloc.

The Banking and Currency Committee has accepted the House bill, without change.

The bill would accomplish three purposes. First, it would extend the Export Control Act for 4 more years—to June 30, 1969. Second, it would authorize the administrative imposition of civil monetary penalties not exceeding $1,000 for violations of the act. Third, it will make a formal declaration that—

> it is the policy of the United States (A) to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States and (B) to encourage and request domestic concerns engaged in the export of articles, materials, supplies, or information, to refuse to take any action, including the furnishing of information or the signing of agreements which have the effect of furthering or supporting the restrictive trade practices or boycotts fostered or imposed by any foreign country against another country friendly to the United States.

It will also require the issuance of regulations to implement this policy within 90 days after the enactment of the bill. The bill leaves in the President the necessary discretion as to the type and terms and scope of these regulations. This administrative flexibility is appropriate in view of the President's constitutional role in the field of foreign policy.

The committee's report contains a full description of the Export Control Act and its administration and enforcement. It also contains a full description of the several amendments made by the bill, which need not be repeated here.

The committee in considering the bill devoted considerable time to three proposals.

The first was a proposal by Senator WILLIAMS of New Jersey, to amend the provisions of the bill relating to boycotts, along the lines of the Senator's bill S. 948, on which hearings had been previously held. The committee agreed that the general purpose of S. 948 should be included in the bill. However, a majority of the committee felt that the provisions included in the House bill constituted an appropriate statement of policy and supplied adequate legal basis for enforcement of the policy, while at the same time providing the necessary flexibility to meet the changing needs and circumstances of our foreign policies.

Another amendment, strongly supported by Senator HARTKE, of Indiana, and other Senators, and strongly opposed by others, would have required the imposition of quotas on exports of materials under certain circumstances—when exports had increased to five times the 1955 volume, and other countries imposed similar restrictions on similar products. This amendment was sponsored with a particular view to exports of black walnut logs.

This matter was discussed by the Secretary of Commerce, who testified that he had received a letter from the Senate Committee on Commerce requesting that he restudy his decision to remove export quotas on black walnut logs. He assured the committee that he would comply with this request.

Senator McGovern testified in opposition to the current requirements that 50 percent of wheat sales from the United States be exported in domestic bottoms. The Secretary of Commerce testified that he is making a thorough review of the problems of American shipping, including particularly requirements for shipment in American bottoms. The committee report calls upon the Secretary to consider the problem raised by Senator McGovern's amendment from the point of view of its effects on American agriculture and American shipping and from its relation to the policies and objecitves of the Export Control Act.

I should like to urge again that the Senate act promptly on this bill so that it can be sent to the President for his signature before the expiration of the Export Control Act on June 30, 1965.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

On behalf of myself and the Senator from New Jersey [Mr. Williams], I send to the desk two amendments. After they are stated, I shall ask unanimous consent to have them considered en bloc.

The PRESIDING OFFICER. The amendments will be stated.

The Legislative Clerk. On page 5, line 6, before the period at the end of the sentence, insert the following: "and shall require that all domestic concerns receiving requests for the furnishing of information or the signing of agreements as specified in section 2(4) must report this fact to the Secretary of Commerce for such action as he may deem appropriate to carry out the purposes of section 2(4)."

On page 4, line 10, after "agreements" insert a comma, and strike out "have" and insert in lieu thereof "has".

Mr. JAVITS. Mr. President——

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PASTORE. May my name be added to the amendments as a cosponsor?

Mr. JAVITS. We shall be honored to do so. I ask unanimous consent that the name of the Senator from Rhode Island [Mr. Pastore] may be added as a cosponsor, and also the name of the Senator from New York [Mr. Kennedy].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. I wish to state also that the only reason why the Senator from New Jersey [Mr. Williams] is not the principle sponsor of these amendments is that he most graciously asked me to do it. We are equal partners, and I hope that in every respect it will be considered in that way.

Mr. President, I ask unanimous consent that the amendments may be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, we have labored long and hard over a question arising under the Export Control Act. The question is, Shall anything be done in the act to deal with the practices to which U.S. firms and individuals—I emphasize that these practices relate to U.S. firms and individuals—have been subjected in being made party to the Arab boycott? The boycott operates against those who wish to sell in an Arab state any product which originates in Israel or has even a component of that character, against those who happen to be doing any business in Israel, against even those whose concern with Israel is on a rather casual or intermittent basis, and also against firms which may have Jewish persons as officers or directors.

Questions are submitted by the so-called Arab Boycott Office to firms which seek to do business in Arab countries, and various types of certificates are required, many of them of a negative character, applying to goods exported to Arab countries, which would make these firms liable to be subjected to the boycott.

There are quasi-public agencies engaged in this practice from which the Arab boycott office requires certification, either by negative representations or affirmative representations, in order to avoid the placing of certain firms on the boycott list.

Some 164 firms are on the boycott list. This boycott has been a constant bone in the throat of Congress, and on a number of occasions efforts have been made, by policy declarations, by denunciations on the floor, and by stimulating the State Department to put some iron in its back, so that the United States not be made party to the practice of permitting a boycott.

The boycott, of course, is not airtight. Many companies have properly and successfully defied the boycott and have done business in Israel without being put on the boycott list or without having it enforced against them.

There is eloquent correspondence on this subject, as for example, between the Hilton Hotel Corp. and those who threatened it with boycott because the corporation had a hotel in Cairo and was proposing to put up a hotel in Tel Aviv. Mr. Hilton turned down any idea of abandoning his plans to build in Israel, despite the warning that this meant placing the Cairo hotel in jeopardy. Today, Hilton has its hotel in Israel and its hotel in Egypt, no enforcement action having been taken against it.

I ask unanimous consent that an article from a special May 1965 issue of the Near East Report, containing excerpts from this exchange of correspondence, be placed in the Record at this point in my remarks.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

A Firm Public Stand

MR. HILTON GETS A LETTER

(Note.—Some businessmen have taken firm public stands against the boycott and have left it to the Arabs to justify their own defeat. In this connection, the story of Conrad Hilton and the boycott bears reviewing.)

Hilton Hotels International owns a hotel in Egypt. In 1961, the company contemplated building a hotel in Tel Aviv. Onto the scene came Alfred Lilienthal, Secretary and Counsel of the American-Arab Association for Commerce and Industry in New York.

Just when Hilton was concluding his Tel Aviv venture, Lilienthal happened to be in Cairo and Damascus, where he heard ominous noises from Arab officials regarding Hilton. He says he believed he was doing no more than his duty by the American-Arab Association when he wrote Hilton as follows:

"Perhaps you are not aware of the full details regarding the activities of the Boycott Committee and hence, as a member company of this Association, it is our duty to bring the facts as they were told to me to your attention.

"Should Hilton Hotels persist in going ahead with its contract in Israel, it will mean the loss of your holdings in Cairo and the end of any plans you might have for Tunis, Baghdad, Jerusalem or anywhere else in all Arab countries.

"It is important for me to put you on notice that the Arab visitors, including the Saudi Royal Family, Egyptian businessmen and the general flow of persons from the Arab world that have frequented your major hotels in New York City and elsewhere throughout the country, will unfortunately come to an end. And it may well adversely affect the ability of American companies from continuing to bring important business to your well-known establishments.

"I did what could be done to delay any action that the Boycott Committee will take. They have promised that no action to invoke the boycott will be taken prior to the end of January 1962, and I am writing to Colonel Aidi to remind him of this. This will give you and the members of your board of directors an opportunity to review the decisions which have been made and to redress this serious situation.

"As a friend to the Hilton Hotels and a long time political observer as well as the counsel to this association, I should personally add my own voice by asking you to consider whether your plan to enter into an economic relationship in Israel could possibly be worth the grave loss that you will be committing yourself to throughout the Arab world and in the United States. * * *"

And Writes a Reply

Mr. Hilton's reply speaks eloquently for itself. He did not take offense, as many Americans did, at Lilienthal's letter. But he took offense at the boycott:

"Many thanks for your letter. It is thoughtful of you to have postponed the action of the Boycott Committee relative to Hilton Hotels Corp.

"What that committee proposes is absolutely counter to the principles we live by and which we hold most dear. I speak of the principles of Americanism as set out by our Founding Fathers and of the principles for which America has stood since its founding. I also speak of the principles under which the Hilton Hotels Corp. goes about the world, establishing hotels so that people of all nations can gather in peace. We believe that through world travel we may be helping in the goal that all Americans seek—world peace.

"As Americans, we consider Arabs and Jews our friends and hope that ultimately we can all live in peace with one another. There was no threat from Israel when we opened our hotel in Cairo. Our corporation finds it shocking that the committee should invoke the threat of boycott condemnation in the case of our contract with the people of Israel. Does the committee also propose to boycott the U.S. Government because it maintains diplomatic relations with Israel?"

The Tel Aviv Hilton is nearing completion—schedule to open in August. The Nile Hilton remained in Mr. Hilton's hands and stayed wide open for business—in fact, the Arabs held a summit meeting there.

How did the Arabs explain this surrender to the American hotelier? Since he had prized his dignity above theirs, since the exchange of letters received wide publicity, there had to be some explanation by the Arabs to themselves justifying capitulation.

The explanation was this: the profits which Hilton is taking out of Israel create a drain on the Israel economy; therefore the Arabs welcome hotel investment in Israel because it depletes Israel's hard currency reserves. (The same explanation applied to the Sheraton Corp. which defied the boycott successfully.)

This fantastic explanation applied to finished consumer goods as well. Thus, they convince themselves that Israel's prosperity, which has encouraged foreign investment, is really a sign of economic disintegration.

FOOTNOTE

The American-Arab Association for Commerce and Industry has about 100 company members, many of whom do business in both Israel and the Arab States. Alfred M. Lilienthal, the association's secretary and counsel, is a lecturer and journalist whose vehemently anti-Israel views are well known.

The association encourages Arab-American business contacts, social and cultural exchange. Mr. Lilienthal maintains that he never imposes his personal views on the association as a whole. "Some members agree with the boycott," he told the Near East Report. "Some do not. To all of them, I say: the boycott is an economic fact of life. You should obey it." Even though Arab boycott threats specifically state that the boycott is part of their war against Israel, Mr. Lilienthal considers that the boycott is economic rather than political activity.

The following article appeared on November 13, 1963, in Al Gomhuria, a Cario daily:

"The ruler of Kuwait asked the American journalist, Alfred Lilienthal, what he thinks is the effect of the Arab boycott against Israel. To this, Lilienthal answered: 'For the boycott to be effective, it must be comprehensive and in effect in every Arab country. But today, parts of Frazier cars are being assembled in Rabat, Morocco. From there they are sold to Sudan and transferred to other countries. While the company is listed in the Arab boycott blacklist for 7 years.' "

It seems rather unfair of Mr. Lilienthal to advise American businessmen that the boycott is too strong to resist on the one hand and recommend to the Arabs that they strengthen it on the other.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself 2 additional minutes. This boycott activity has run so against the grain of American business morality that we felt duty-bound to do something about it, especially as the State Department has not found any effective way to resolve the problem.

In an effort to do something about the situation, a bill was introduced by the Senator from New Jersey [Mr. WILLIAMS] and myself, called the Williams-Javits bill, and similar bills were introduced in the other body, which proposed to require that American firms should not in any way aid this boycott by furnishing information or taking other action in compliance with it. The bill which the House sent over to us adopted a statement of principles on the subject, to the effect that the United States would oppose such boycotts and would encourage and request domestic concerns engaged in this export business not to furnish requested information or otherwise become parties to the boycott.

Rules and regulations were required to be issued to implement that statement of policy. The provision for encouraging and requesting noncompliance with the boycott was the product of the work of the other body, particularly Representatives MULTER and HALPERN, of New York.

Representative WIDNALL tried to make the language of the amendment mandatory, rather than hortatory, but failed. We realize the great difficulty of providing an absolute prohibition. Other governments which enforce such prohibitions on their business concerns can do so more easily because their form of government permits them to communicate their views to their businessmen in a fairly informal way. We, on the other hand, because of our governmental practices, would have to incorporate a prohibition in a strict statute. Therefore we have done our utmost, because of the deep and continuing objections of the Departments of State and Commerce, to get something positive done, but without going all the way to a flat prohibition. We think that by these amendments we have arrived at a reasonable solution—a solution which does not do undue violence to the deep-seated feelings of our governmental authorities on this subject, yet which provides us with an effective weapon against the boycott.

What would these amendments do?

First, they would correct a mistake of grammar in the fundamental declaration of policy—the declaration of encouragement and request. More important, they would implement the purpose of the Congress by requiring that domestic concerns report to the Commerce Department situations in which they are called upon to furnish boycott information which the Williams-Javits bill sought to prohibit completely.

We believe this is a proper interim step, at least, which will result in firming up the attack of our authorities upon this very vexatious and commercially immoral policy.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. I hope that the Senator from Maine will give us some of his time if we need it.

The effect of these amendments is supported by a letter which the majority leader has. I would not be so presumptuous as to read it into the RECORD, but the Senator from Maine will do so. The letter indicates that if we do what these amendments provide and what was done in the other body, we shall at long last, after all these years of trying and writing provisions of a precatory character into bills, be making a really determined effort to see that American business is not demeaned in the fashion in which it has been demeaned up to now.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. As a result of our action today, the boycott practices may at long last cease, because American business will not cooperate with them. If the bill becomes law with these amendments, American business will finally be given some protection against the boycott practices to which it has for so long been subjected.

I ask unanimous consent that the names of the Senators from Michigan [Mr. HART and Mr. MCNAMARA] be added as cosponsors of the two amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I yield 5 minutes to the Senator from New Jersey.

Mr. WILLIAMS of New Jersey. Mr. President, the amendment offered by my distinguished colleague is a good one. It will clearly put the administration on notice that the Congress will no longer tolerate the intrusions of the Arab boycott on the normal course of American trade. The Secretary of Commerce will have the authority to establish regulations to give effective aid and protection to American businessmen from Arab harassment—or from harassment by the boycott office of another nation or group of nations. The requirement that businessmen approached for information by the Arab boycott office must report these demands to the Secretary of Commerce will give teeth to these regulations. The Secretary of Commerce will be kept constantly informed of the actions of the boycott in this country and can act accordingly to carry out a program in behalf of American businessmen.

I am particularly heartened by the strong promises made by the Secretary of Commerce and the Secretary of State that they will conscientiously follow the mandate of the Congress, and that they will develop an adequate series of regulations. This pledge marks a significant change of direction from the administration's attitude at the beginning of this session, when we were blandly assured that legislation was not needed and that the Commerce and State Departments were already dealing effectively with the boycott. These claims were refuted by every witness before the Banking and Currency Committees in the House and the Senate. The arguments of the administration simply did not convince the members of these committees.

Under the provisions of the bill, as it becomes law, the President will still maintain his control over the control of foreign policy. But he will have discretionary power to act against the Arab boycott. I am confident that he will use this discretionary power. I have the greatest respect for John Connor and Dean Rusk; I respect their public pledge that they will develop a good antiboycott program in accordance with the clear mandate of the Congress.

I appreciate the generous comments of my good friend the distinguished Senator from New York. In our joint efforts, we have worked along, and I think the amendments represent proof that the work has been fruitful.

Mr. MUSKIE. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Maine is recognized for 2 minutes.

Mr. MUSKIE. It would be pertinent to quote the following from testimony of Under Secretary Ball in hearings on Senate bill 948, which was introduced by the Senator from New Jersey [Mr. WILLIAMS]. He said:

> I need hardly tell this committee that the administration is opposed to that boycott. We have repeatedly made our position clear to the Arab Government. We shall continue to express our opposition and to assist American firms affected by the boycott.

The question with which we then struggled was to find an effective means of expressing the intent of Congress and also to implement the policy of the U.S. Government as stated by Secretary Ball. The report of the Senate committee contained the following language with reference to the House amendment which is before us on H.R. 7185:

> The new provision requires the President to issue regulations regarding this matter. At the same time it leaves in the President necessary discretion as to the type and terms and scope of these regulations. In view of the President's constitutional role in the field for foreign policy, it is, of course, appropriate to continue in him the administrative flexibility which has marked the Export Control Act of 1949 and its predecessors over the past 25 years.

EXEMPTION FROM DUTY FOR RETURNING RESIDENTS—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8147) to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. Mr. President, H.R. 8147 relates to the exemption from customs duties for our residents who are returning from foreign travel. It carries out an important part of President Johnson's balance-of-payments program.

It will help reduce the $3.1 billion deficit we suffered last year. It will help narrow the $1.6 billion tourist gap—the amount our tourists spend abroad in excess of what foreign tourists spend here.

Mr. President, there were four Senate amendments to H.R. 8147 which we had to resolve with the House. I am glad to report that we resolved three of them, the most important ones, in favor of the Senate. On only one amendment, one dealing with U.S. possessions, did the House insist on its own version of the bill.

The first amendment dealt with so-called articles to follow. Under present law, which was unchanged by the House bill, a returning tourist could have articles purchased abroad shipped back to his home on a duty-free basis after he returned. Because of the administrative problems this procedure entailed, and because of the considerable abuse it has been subjected to, the Committee on Finance recommended, and the Senate approved, its deletion from the law. The Senate position was retained in the conference with the House.

The next amendment dealt with the quantity of alcoholic beverages which could be imported by a resident returning from the American possessions of American Samoa, Guam, and the Virgin Islands. The House bill generally reduced the 1-gallon provision in present law to 1 quart but retained it at 1 gallon for beverages purchased in the possessions. The House conferees stressed the fact that these islands are American possessions, that there was little balance-of-payments improvement under the Senate amendment, and that we should help the local economy of these islands. For these reasons, and because the House conferees insisted on their own provision, the Senate conferees had to yield on this amendment.

The last two amendments dealt with the effective date of the legislation. The House conferees agreed to accept both of them. Under these amendments, which were offered on the floor yesterday by Senator DIRKSEN, the present law is continued until October 1, 1965, and the new rules and restrictions provided by H.R. 8147 become operative on that date. This should considerably ease the transition to the new restrictions.

Under the bill as it has been agreed to by the conferees, returning residents will be entitled to bring in duty-free articles purchased abroad to the extent they do not exceed $100 in retail value—$200 in retail value if the articles are purchased in American Samoa, Guam, or the Virgin Islands. Included within these dollar limitations, 1 quart of alcoholic beverages may be brought back by returning residents who are age 21 or over. Those who return through or from the Virgin Islands, American Samoa, or Guam may continue to bring back 1 gallon of such beverages. However, under no circumstances, may articles purchased abroad be shipped back and claimed as part of the tourist exemption. This does not mean that they cannot be mailed. It simply means that the resident must pay duty on the articles he chooses to mail back rather than bring with him.

This bill must be approved by the President today. If we delay, the returning tourist exemption goes up to $500 tomorrow and then it will come back down when the President does sign this bill. By speedy action now we can prevent a hiatus from developing at our border ports.

I urge that the conference report, which represents $55 million of balance-of-payments improvements each year, be agreed to and that the bill promptly be referred to the President.

Mr. JAVITS. Mr. President, I believe that what the Senator has stated is a very unwise policy. I understand that it must practically be done, and it will be done right now. I will not stand in the way of the action. But I think it is very unwise to do what we are doing, especially in relation to goods accompanying the returning tourist.

That policy will hurt and prejudice returning servicemen. It will be very uncomfortable and disagreeable to tourists. I predict that Senators and Representatives will hear a great deal about it. We shall make people drag goods back on their persons. We shall limit their choice in a way which is arbitrary and completely unnecessary, and I feel that it is my duty to protest against it.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CONTINUATION OF AUTHORITY FOR REGULATION OF EXPORTS

The Senate resumed the consideration of the bill H.R. 7105 to provide for continuation of authority for regulation of exports, and for other purposes.

Mr. MUSKIE. With reference to the amendment offered by the distinguished Senator from New York, and the Senator from New Jersey, we have the letter from Secretary of Commerce Connor to the distinguished majority leader, to which the Senator referred. I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., June 30, 1965.

HON. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD: In extending the Export Control Act, the House approved an amendment which provides that it is the policy of the United States to oppose restrictive trade practices or boycotts by foreign countries against countries friendly to the

United States. Further, this amendment declares that it is the policy of the United States to encourage and request domestic concerns to refuse to take any action which has the effect of furthering or supporting such practices or boycotts. To carry out this new policy statement, there is an expressed requirement for the promulgation of rules and regulations.

This proposed amendment to the Export Control Act, contained in H.R. 7105, has been approved by the Senate Committee on Banking and Currency and is now pending before the Senate.

If the Senate approves the bill recommended by the Senate committee, the Department of Commerce will be required to issue rules and regulations within 90 days after the date of enactment.

The Department of Commerce will have the obligation, and will, in fact, request American business firms not to cooperate in restrictive trade practices or boycotts imposed by a foreign country against another foreign country friendly to the United States. I am expressly authorized by the Secretary of State to say that the Department of State would, if H.R. 7105 is enacted into law, take all appropriate steps through diplomatic channels and other means that may be available to the Department in opposing restrictive trade practices or boycotts by foreign countries against a country friendly to the United States.

Further, it is our understanding that an addition that strengthens the bill as passed by the House will be offered on the Senate floor as follows: On page 5, line 6, before the period at the end of the sentence: "and shall require that all domestic concerns receiving requests for the furnishing of such information or the signing of such agreements must report this fact to the Secretary of Commerce for such action as he may deem appropriate to carry out the purposes of section 2(4) hereof."

It is clear that the language of H.R. 7105, with the suggested addition quoted above would require specific action by the executive departments and the executive departments will, of course, follow through on those requirements if this bill is approved by Congress.

Sincerely yours,

JOHN T. CONNOR.

Mr. MUSKIE. Mr. President, I invite the attention of the Senate to the following language in the letter, which I believe is of particular pertinence to the concern of the Senator from New York and the other cosponsors of his amendment:

> The Department of Commerce will have the obligation, and will, in fact, request American business firms not to cooperate in restrictive trade practices or boycotts imposed by a foreign country against another foreign country friendly to the United States. I am expressly authorized by the Secretary of State to say that the Department of State would, if H.R. 7105 is enacted into law, take all appropriate steps through diplomatic channels and other means that may be available to the Department in opposing restrictive trade practices or boycotts against a country friendly to the United States.

The letter also expresses approval of the additional language, similar to that offered by the Senator from New York. The differences between the language set forth in the letter and the language of the amendment actually offered by the Senator from New York are technical and do not change the substance of the amendment. So the letter of the Secretary of Commerce can be construed as approving the amendment of the Senator from New York. As the manager of the bill, I am willing to accept that language on behalf of the Senate committee.

Mr. JAVITS. Mr. President, I yield myself an additional minute.

When the Senator amends his remarks, he will say "The Senator from New York and the Senator from New Jersey and the cosponsors."

Senator **MUSKIE.** I shall indeed be glad to recognize the devoted and effective efforts of the Senator from New Jersey [Mr. WILLIAMS] in support of this amendment.

Mr. JAVITS. I should like to ask the Senator from Maine a question, if I may have his attention, because this is an important point.

I consider this to be a very meaningful plan to be implemented and to have a material effect on stopping the Arab boycott against American firms, because the Secretary of Commerce will be notified by every firm which could be reached by the boycott. That will be required by law. Therefore, the Secretary will be in a position to act.

In view of the fact that this is a really meaningful step forward in trying to end the Arab boycott of American firms, unreasonable and immoral, as I have described it, I ask the Senator from Maine this question:

If the House does not accept the bill—I believe it will, and it certainly should—as we have passed it, and if it becomes necessary to go to conference, will the Senator from Maine assure the Senate that if there is to be any change in any of the amendments or this plan, he will not agree but will bring the bill back to the Senate?

Mr. MUSKIE. If I correctly understand it, the request of the Senator from New York is that the bill as approved by the Senate with the amendment which he has offered should be insisted upon in conference.

Mr. JAVITS. The Senator is exactly correct; and the Senator will bring it back to the Senate if he cannot have the amendment agreed to in conference.

Mr. MUSKIE. I agree to that.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. JAVITS. I yield back the rest of my time.

The PRESIDING OFFICER. Does the Senator from Maine yield back the remainder of this time?

Mr. MUSKIE. I yield back the remainder of his time?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. JAVITS. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MUSKIE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SOCIAL SECURITY AMENDMENTS OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 6675, the so-called medicare bill.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, the purpose of having the bill laid before the Senate is to have it as the pending business before the Senate starts the Fourth of July recess tomorrow. No votes will be taken on the bill today or tomorrow, and it is not anticipated that action of any kind will be taken. But beginning with the return of the Senate next Tuesday, the bill will be the pending business and the Senate should be prepared to move with expedition.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES; FOR COMMITTEES TO FILE REPORTS; AND FOR SIGNING OF DULY ENROLLED BILLS AND JOINT RESOLUTIONS DURING THE ADJOURNMENT OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate, following today's session, until July 1, 1965, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives; that committees be authorized to file reports; and that the Vice President, President pro tempore, or Acting President pro tempore be authorized to sign duly enrolled bills and joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes it business today, it adjourn until 10 o'clock tomorrow morning.

It is my understanding that at that time the distinguished Senator from Oregon [Mr. MORSE] desires to have the floor, and that he will be followed by the distinguished Senator from Utah [Mr. MOSS], with some of the time in between to be used by the distinguished Senator from Ohio [Mr. YOUNG].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENTIAL INABILITY AND VACANCIES IN THE OFFICE OF THE VICE PRESIDENT—CONFERENCE REPORT

The Senate resumed the consideration of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further action on the pending conference report be postponed until Tuesday next and that at the conclusion of the routine morning business on Tuesday next there be 2 hours of debate on the conference report, the time to be equally divided between the chairman of the subcommittee, the distinguished Senator from Indiana [Mr. BAYH], and the distinguished senior Senator from Tennessee [Mr. GORE].

Mr. GORE. Mr. President, reserving the right to object—and I shall not object—in the event that one-third of the Senate plus one wished to have the proposed constitutional amendment returned to conference, the only way that purpose could be accomplished would be to reject the conference report. That could be accomplished by a nay vote of one-third plus one of Senators voting. The House could then be asked for a further conference.

I do not wish to announce that either I or the senior Senator from Minnesota [Mr. MCCARTHY] or any other Senator will desire so to act. I expect to study the proposed constitutional amendment between now and next Tuesday. It is my hope, as of now, that the amendment will not ultimately be defeated. I would much prefer to see the language explicitly provide what the authors say is intended. But I have entered into this agreement and believe that in the event it is desired to return the amendment to conference, it can be accomplished if two-thirds of the Senate wish to ratify it as it is, regardless of what the minority might wish. That purpose could be accomplished. I shall be amenable to the decision of the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. I should like to say to the Senator from Tennessee that there will be a yea-and-nay vote.

The unanimous-consent agreement reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on Tuesday, July 6, 1965, at the conclusion of the routine morning business, further consideration of the conference report on S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office, be limited to 2 hours of debate to be equally divided and controlled by the Senator from Indiana (Mr. BAYH) and the Senator from Tennessee (Mr. GORE).

JUNE 30, 1965.

TWENTIETH ANNIVERSARY OF THE UNITED NATIONS

Mrs. SMITH. Mr. President, this past week marked the 20th anniversary of the United Nations. It was an occasion with mixed feelings and emotions. Even many of its supporters would admit that in recent years the United Nations had fallen far short of the original hopes for it. It had not produced peace in the degree that was optimistically hoped for 20 years ago.

It was floundering on a financial issue in which some key members refused to pay their dues. It had proved so inept and moribund in coping with international aggression that the President of the United States had repeatedly bypassed it in coping with such crises as Vietnam and the Dominican Republic.

On the occasion of its 20th birthday, the United Nations was at its most vulnerable point to the criticism that it was only a debating society. Added to this criticism was the charge that it was growing subservient to young, immature small nations that belligerently demanded and got authority and power far beyond their right and even their ability to carry wisely and well—and yet, without appropriately accompanying responsibility with such authority.

Members were not paying their dues—there was open resentment by the Organization of American States at the attempted intervention of the United Nations in the Dominican controversy—big powers courting small nations were stooping below the dignity of responsible nations and in doing so were inviting contempt from the very small nations they were courting. In short, the tail was wagging the dog—a trembling, shaky dog unsteadied by its tail—the small nations.

But if the United Nations in its 20th year had its grave weaknesses and had disappointingly fallen far short of the original hopes held for it, there were some achievements that the 20 years had produced. For one thing, the United Nations in comparison with the ill-fated League of Nations was a giant in international strength and influence. The mere fact that it had survived was proof enough of this.

True was the charge that it had disappointingly failed to bring peace in the measure it should. But undeniably, it had brought some measure of peace. While an undeclared war was being fought in South Vietnam, while the Russian ravage of Hungary was unchallenged by the United Nations, the United Nations had played a very vital role in resisting the invasion of South Korea and in bringing about a peaceful cease-fighting status there, however unsatisfactory the compromise might have been.

And while it was true to a great degree that the United Nations had been hardly more than a debating society in a wind tunnel of acrimonious oratory and polemics, nevertheless it had achieved a major accomplishment in that very role in that it had kept men talking and debating more often than fighting and shooting. On balance it was a definite plus and certainly not the tragic negative that its enemies claimed.

For without doubt, the United Nations had been a potent factor in the once easing of the cold war and the development of better relations between the United States and Russia—and it had been a factor in preventing general war. And while it was experiencing its most unsteady period in its 20 years of existence, the United Nations was not about to go down for the count as did the League of Nations after 20 years.

United Nations intervention in the Korean conflict was perhaps its greatest achievement. But in all honesty, we must recognize that it was the fortuitous circumstance of a Russian boycott of the U.N. Security Council at the time. Had not Russia so boycotted the Security Council at that time but instead had been present to vote, undoubtedly Russia would have exercised her veto power and thus prevented the United Nations from intervening and going to the defense of South Korea.

It is in this context that critics of U.S. intervention in the Dominican Republic crisis should view President Johnson's circumvention of the United Nations. This has an ironic note for it has been generally acknowledged that Lyndon Johnson has eagerly sought to be a President by consensus and to create the national image of being a consensus President.

Yet, in the international crises of Vietnam and the Dominican Republic, President Johnson has gone in the opposite direction of consensus for he has not sought the consensus of even our friendly allies, much less the slow and cumbersome Organization of American States and the veto-plagued United Nations.

This points up the great difference in the past between the free world and the Communist world. Because the member nations of the free world have acted by consensus reached only after considerable debate and time, the free world has moved so tragically slower than the Communist world in time of crises—and Communist-created crises at that. In contrast, the Communist world has moved swiftly and precisely because the Kremlin did not bother with a consensus but instead simply issued orders. The end result in the conflict was that we of the free world were always only taking counteraction while the Communist world sustained its advantage of initiative.

With the split between Russia and Red China this Communist advantage is not the power it once was. The question is whether the Vietnam war will end that split.

The difficulty of consensus among the allies of the free world is no better illustrated than in the person of French President Charles de Gaulle. Getting his approval for unified policy and action has been very difficult at best and impossible at worst. Yet, how many of us would do any differently if we were in his shoes? His prime objective is to raise a twice-conquered France again to a first-rate power. And he has had, thus far, considerable success. Would any of us do any less for our own country?

Yet, by the same token, can Lyndon B. Johnson thus be blamed for not practicing internationally the consensus image which he seeks back in his own country? Can we say that he is wrong in bypassing the United Nations—or in not seeking the approval of Charles de Gaulle—on our policy in Vietnam where the French Government itself failed so miserably?

Placed in the background of the Korean war, we see today a much different mental climate and public attitude. Very, very few Americans opposed our defense of South Korea. Ironically enough, there were a rare few national leaders then who condemned our intervention in South Korea but who now defend and support our intervention in Vietnam. Some observe that the seemingly contradictory pattern is because of a political loyalty to President Johnson by these unhappy defenders.

But back in the days of the Korean war, there was practically no call by the academic world that we pull out of Korea and surrender it to the Communist invaders from North Korea and China. Yet, today the depth and breadth of the demand of the professors and students for a pullout from South Vietnam is symbolized by the new technique of "teach-ins."

This is not to say that there was no public opinion in favor of stopping the shooting in the Korean war. To the contrary, there was a strong move on the part of mothers and wives to stop the shooting in Korea and to bring the men back home. In fact, the most dramatic statement made by presidential candidate Eisenhower in the 1952 campaign was his pledge at Detroit that if elected he would go to Korea to try to stop that war.

I cannot help but wonder why this contrast between Korea and Vietnam—why it was the women who led public opinion for ending the Korean war while the move for a pullout in Vietnam comes from the campus rather than from the mothers and housewives in the homes. What were the motivations?

Clearly on Korea it was because the mothers and wives wanted their sons and husbands back home. On Vietnam is it protest and resistance on the part of students who might be drafted into the service and sent to fight in Vietnam?

There are some clearly discernible differences between Korea and Vietnam. In Korea it was the called-up reservists who did most of the fighting and dying. They were suddenly whisked out of their homes and families—many of them for a second time within a decade. The casualties were heavy.

As yet, it is not the reservists who are doing the fighting and dying in Vietnam. As yet, the reservists have not been called up. As yet, the casualty rate has not been high. In substance, as yet, American family life has not been significantly affected by the war in Vietnam. For with the exception of comparatively rarely few tragic family cases, the Vietnam war has not touched American families and instead it has been only something about which they read in their papers or hear on television and radio.

So that it seems to me that until the reservists are called up—until the growing casualty rate affects more and more American families—the demand for a pullout in Vietnam will continue to come from those who fear escalation of the war, those who fear that they will personally be drawn into that war, and those who see the Vietnam war as a greater threat to their individual security and our national security than a Communist takeover of all of Asia.

With the move of Defense Secretary McNamara to virtually abolish and eliminate the Reserve by merging it into the National Guard, it is no wonder that young men on the college and university campuses throughout the Nation recognize that it will be they, rather than the reservists, who will be drafted and called upon to do the fighting and dying in Vietnam—a dramatic reversal from Korea, and even from the Reserve callup in the Berlin crisis and the Cuban crisis.

For with the planned elimination of the Reserve, who else can provide the augmentation of expanded fighting forces than the draftees outside of the National Guard?

As of now, it is clear that the overwhelming majority of Americans support President Johnson's refusal to pull out of South Vietnam. But the crucial question is how much will that majority be lessened if the war is expanded—if the draft calls are greatly increased—if the National Guard, or large segments of it, is federalized and sent to Vietnam—and if the Reserve is called-up and sent to Vietnam before Defense Secretary McNamara merges the Reserve into extinction?

Personally, I would not want to hazard a guess.

HELEN KELLER AND SENATOR LISTER HILL

Mr. RIBICOFF. Mr. President, there recently appeared in the Birmingham News a most perceptive article about two unusual people—Helen Keller of the State of Connecticut and our own distinguished colleague, Senator Lister Hill, of Alabama. The writer, Ann Cottrell Free, in a most brilliant way, was able to catch the character and the spirit of those two great citizens of ours in our great country. It is my privilege to know personally both Helen Keller and the distinguished senior Senator from Alabama. All of us in the Senate and all of us in this country should be proud of those two outstanding Americans.

Again, I compliment Ann Cottrell Free for making this article available to us. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

HELEN KELLER, LISTER HILL—SUNLIGHT IN A WORLD OF DARKNESS

(By Ann Cottrell Free)

Washington.—Helen Keller and Lister Hill both qualify as "institutions" of State and Nation. So what more is there to say when we seek words to call attention to Senator Hill's very special tribute to Miss Keller on her 85th birthday, which is today?

The bare facts are these: At Senator Hill's suggestion the Senate of the United States passed a "happy birthday" resolution to be sent Tuscumbia's Helen Keller at her home in Westport, Conn. It was in braille. It was accompanied by a personal note from Senator Hill, also in braille.

LONELY PLACES

When we search for new thoughts about Miss Keller that have not been expressed before, we find ourselves straying over into the forgotten corridors of the mind. Lonely places, rarely visited.

It is almost as if the world of the blind and deaf existed only in our own peripheral vision and hearing. Only fleetingly does it come into focus from a swimming haziness that is an amalgam of impressions: A brave man and his seeing-eye dog at the busy intersection; the tap, tap, tap of a white cane; the dark windows in the early evening in the home for the blind when lights everywhere else are burning brightly. We see members of the Blind Bowlers League spreading out to their individual destinations, like any other conventioners, after a day of meetings at a midtown hotel.

We remember China—a roomful of blind soldiers sitting lislessly with no future and a past they could never comprehend. The little children in the inland village, lining up for a drop of argyrol in eyes already milky with trachoma. The silver nitrate in the brown liquid, found in the first-aid kit, seemed to work miracles, though not lasting we knew.

Someone tells us about a man, who learned he was going blind. Glaucoma. He travels, travels, travels to see, see, see. We never heard the rest of the story. Did he go to the Grand Canyon, Kashmir—and did he sometimes just lie on his back and look up at leaves and sky?

A writer learns that something he has written is to be put in braille. And all he can wish is that he had taken more time so that the parts about spring would smell like spring. Then he wonders about the deaf when they read. Can they hear the song of the bird when the author makes it sing?

The world of the deaf today seems closer and not quite so terrifying as the world of the blind. More progress seems to have been made. You remember elderly relatives of days gone by and the tremendous curved horns, called trumpets, they held to their ears as they said in their empty voices, "Speak a little louder, please." Now our parents, and others so troubled, wear hearing aids so tiny you scarcely see them. But often even so, they are still the "left out" and go through agonies of loneliness.

Then you hear of a friend's cousin who has arrived in Washington for the International Olympics for the Deaf. He is a swimmer. He is staying at the world's most silent campus—Gallaudet College. Quartered along with him at this college for the deaf are boys from England, Holland, Africa, Russia. Somehow with their different languages and sign language they make out.

But these are grown boys and adjusted. We remember our friends' small son who could not talk. They took him to doctors everywhere and the answer was always the same. He was totally deaf. His father, then an Army officer, is now a member of the clergy.

BRIEF MEMORIES

The world of the blind and deaf is thus remembered briefly—and then returns to its place in the far corner of the eye and just out of earshot. Our sympathy is great, but it is something we don't like to think about very hard, like substandard nursing homes and the suffering of abused animals.

But Helen Keller and Lister Hill have thought about the blind and the deaf harder than most—and done something about it.

Recital of accomplishments always make dull reading. We refer you to "Who's Who." But Miss Keller's life can never be dull, for the fire within is an exciting flame. Who can forget the "tiger, tiger, burning bright" that was Helen as a child living in what she called a "No" world?

And the fire within Lister Hill has burned, too, with a steady, golden flame. Like the lady from Tuscumbia the man from Montgomery has been erecting monuments to human sympathy for years, for he started in Congress at age 27. Was not, in reality, TVA—which he sponsored—such a monument? He has turned more and more to the healing arts of his physician father and led the Federal Government in the fight against disease, including blindness and deafness.

NO NEW THOUGHTS

So you find no new thoughts or words, really, to discuss these two individuals, who share a common birthplace, Alabama. You can only say again: They have tried to bring the silent world of darkness and the world of sunlight and song into one world.

BICENTENNIAL ANNIVERSARY OF SHARON, MASS.

Mr. SALTONSTALL. Mr. President, the town of Sharon, Mass., in Norfolk County, will celebrate the bicentennial anniversary of its founding with appropriate ceremonies on July 2 and July 4. On June 21, 1765, the area now known as Sharon was incorporated as a district from a part of its neighboring area, and was known as Stoughtonham. On August 23, 1775, it was made a town, and on February 23, 1783, its name was changed to Sharon.

I extend my congratulations and best wishes to the citizens of this community. It is fitting that the observance of this important town anniversary has been planned to coincide with the observance of Independence Day, for this is a time for all of us to reflect on the growth and development of our Nation and to be proud of the achievements we have made.

MINIMUM WAGE LEGISLATION FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the Record an excellent editorial, which was published in this morning's Washington Post on the minimum wage bill on which we have finished hearings in my subcommittee of the District of Columbia Committee.

The editorial supports the so-called Morse minimum wage bill. The title of the editorial is "Make It a Reality."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Make It a Reality

The spectacle of a minimum-wage bill for the District of Columbia sailing through the House of Representatives is a novelty that certainly calls for applause. The absence of any dissent is especially noteworthy because of the long resistance to any minimum wage here other than the administrative wage orders for the benefit of women and children. Clearly some change in the climate is discernible, but it is less striking than one might suppose from reading the headlines.

What the House approved was a weak compromise which accepts the principle of minimum wages in the District but cruelly delays its effectiveness and limits its application. One purpose of the bill is to require local industries to match the $1.25-per-hour minimum wage required of employers operating in interstate commerce. But employees now covered by wage-board orders would receive only $1.15 an hour beginning 6 months hence and $1.25 an hour in September of next year. Employees not now covered would begin at $1 and would not reach the $1.25 minimum until September 1967. Hotel and restaurant workers would have their hopes for the $1.25 minimum postponed until August 1968.

This gradual step-up process is designed, of course, to minimize any sudden shock to local industries. No doubt all of the businesses affected, however, will pass their increased costs on to the public in the form of higher prices for services rendered. Such adjustments can be readily made without undue delay.

The House bill is similarly deficient in its coverage. Why should car washers, parking lot attendants, domestic, hospital, and nursing home employees and persons working for nonprofit institutions be denied the protection of the minimum wage? The strongest argument for a minimum wage is that Government should provide an income floor for workers related to the basic costs of living. By its very nature such a protective device should be as general as is feasible.

The brightest aspect of the current picture is the more generous bill awaiting action by Senator Morse's District Subcommittee. It would convert the $1.25 minimum wage from a hope to a reality within 6 months and bring into the circle of protected workers some 250,000 more than would the House bill. The Senate version is more in line with current realities and with the program of the Johnson administration. It will need every vote that can be recruited so as to put the Senate in a good bargaining position when the very different measures go to conference for reconciliation.

Mr. MORSE. Mr. President, this is a very fair and succinct digest of the bill which is pending before the District of Columbia Committee. I have great hopes that, with such support as this, the bill will be reported from the committee.

I ask unanimous consent that there be printed at this point in the Record an article by George Lardner, Jr., published in the Washington Post of this morning, entitled "Potomac Watch—Survival and Minimum Wage."

There being no objection, the article was ordered to be printed in the Record, as follows:

Potomac Watch—Survival and Minimum Wage

(By George Lardner, Jr.)

The neighborhood worker in Washington's war on poverty spoke bitterly.

"One of my neighbors has 11 in his family," said Vivian Williams. "He works as a helper on a furniture truck; he makes only $10 a day, no matter how long he's worked. Sometimes he has to make 20 deliveries a day."

Another man she knows works as a dishwasher. He put in an 86-hour week just recently, she told a Senate District Subcommittee headed by Senator Wayne Morse, Democrat, of Oregon. His pay: $43.89.

Morse was conducting hearings on his bill to set the minimum wage in the city at $1.25 an hour and to prescribe time-and-a-half pay for overtime above 40 hours a week. Men would be covered for the first time; there would be practically no exemptions.

The sessions showed clearly that $1.25 isn't enough.

A full 6 years ago, according to the Labor Department, an average family of four would have needed an income of $6,147 a year in Washington for "a modest but adequate living," no frills attached.

By the same yardstick, testified by F. Howard McGuigan of the AFL–CIO, "changes in prices and taxes show that an income of $6,514 a year is necessary * * * for a worker with a wife and two children" now.

Minimum wage laws have yet to recognize that workers might have families to support, or even that they've got any business having families.

But even under guidelines set by a committee of the city's Minimum Wage Board, McGuigan reported, it has been 2 years since the cost of living for a single workingwoman passed the $50-a-week mark that Morse's bill would provide.

Opponents of the bill didn't show up before Morse's subcommittee. Some simply submitted statements for the record.

Noting their absence, Morse said he'd heard they "were laboring under the misapprehension that they need not be greatly concerned about action by the Senate this year." But it seems just as likely they didn't want to get backed into a corner by Morse.

It's hard to imagine the Senator sitting still for the pitch of the Restaurant Association of Metropolitan Washington, for example.

In its statement for the record, John S. Cockrell, the association's executive vice president, said at one point that the men working in restaurants are making more than the minimum wage and all the law would do would be to cause us to do a great deal of paper work. But at another point he lamented that the higher wages the $1.25 minimum would bring would be more than the restaurants could swallow.

Cockrell pictured the restaurants as the grand haven of the great unwashed—the untrained, the transient, people temporarily out of work, school dropouts, individuals looking for part-time or temporary employment, and students.

"If the restaurants can't use these people, who can?" he asked.

The point is that restaurants do use them. As long as they do, they ought to pay them a decent wage.

Under its own minimum wage bill, the House District Committee would give hotels and restaurants 3 more years before they'd have to pay $1.25. Approved by the House this week, the bill has plenty of other exemptions, too. Longtime pal of the parking lot operators, the House District Committee didn't even blush when it said they wouldn't have to pay their attendants time and a half for overtime. Car wash employees are also left out of the overtime requirements.

Morse's bill would include them all. While $1.25 an hour can hardly be called a decent living wage in Washington, it's all the "ifs, ands and buts" that pose the biggest dangers to a genuinely worthwhile bill. Pay raises can be insured by tying the legislation to any new minimum set under the Federal Fair Labor Standards Act, an amendment endorsed by both the Labor Department and the District Commissioners.

Even the conservative Board of Trade has come out in favor of the House bill, which seems to be the second line of defense for longstanding opponents of a new minimum wage law for the city.

It's not the $1.25 that seems to upset them so much any more. It's the thought that everyone might have to pay it.

It's time that they did. The legislation has been sitting on Capitol Hill for 3 years now. The poor-mouthing about it has gone on long enough. It needs some legislative mouthwash, not loopholes.

Mr. MORSE. Mr. President, the article by Mr. Lardner is another excellent analysis of the minimum wage bill which is pending in the District of Columbia Committee.

I commend Mr. Lardner for his fairness in his analysis. I appreciate his support of my bill.

OREGON STATE FAIR CENTENNIAL

Mr. MORSE. Mr. President, the gates of the 100th Oregon State Fair will swing open on August 29, and will remain open until September 6. Scores of grade schoolboys and girls, and even more young men and women of high school age, will be in attendance at this great fair. It is one of the best educational programs held each summer in Oregon. Its youth training program, 4-H Club work, future farmer activities, and the other youth-oriented features of our great State fair are much more of an economic asset and an educational study program than most people realize.

If the agricultural, industrial, recreational, and cultural features of the Oregon State Fair each summer did no more than provide young people with the training and educational opportunities which it offers to them, it would be greatly worthwhile. But, in addition, our Oregon State Fair provides invaluable assets to the business and agricultural communities of our State. I often describe our State fairs and all other State and county fairs, as well as livestock shows, as effective democratizers. They bring people together in a common zest for promoting our common objective, and in making our State of Oregon a little better place in which to live.

Ever since I was a little boy I have received some of my best educational lessons at fairs. I would not wish to miss participating in them any year, subject to my duties in the Senate. Senators may be sure that I shall try to show my Devon cattle again this year at our Oregon State Centennial Fair as well as the Multnomah County Fair at Gresham, the Lane County Fair, the Hermiston Fair, and the Pacific International Livestock Show.

Our Oregon State Fair is recognized as one of the three or four best State fairs in the Nation. If a livestock breeder wins top honors at our Oregon State Fair or at the Pacific International Livestock Show, he is really in the economic purple when it comes to sales. For many years, I was on the board of directors of the Oregon State Fair Horse Show. We made the very wise decision many years ago to combine the horse show with a rodeo, and each year this combined horse show and rodeo performance sets a high standard throughout the West. Whenever I attend meetings of horsemen and cattlemen throughout the country, I almost invariably listen to praises about the Oregon State Fair Horse Show and Rodeo events.

The Oregon State Fair is under the able management of Mr. Howard Maple. He has made a fine record for our State fair, and I am pleased to congratulate him.

Oregon supporters of the Oregon State Fair have sent to me a resolution, to be entered in the CONGRESSIONAL RECORD, calling attention to this year's Oregon Centennial State Fair. It reads as follows:

Let it be known that the year 1965 is the centennial year for the Oregon State Fair, to be celebrated in that State's capital city of Salem.

And since this is the 100th anniversary of one of Oregon's most colorful festivals, let it be known as one of the the greatest State fairs ever to be held in the State's 106-year history.

Since its beginning in 1861, and throughout its long history when the great Lewis and Clark Exposition took its place and the 3 years during World War II when it was discontinued, the Oregon State Fair has been a statewide event.

In this year of 1965, throughout the great State of Oregon, the Oregon State Fair Centennial will be celebrated by the people of Oregon. It will be one of the largest single attractions to be held in the State this year and during its 9-day celebration, it will be first and foremost in the hearts of all Oregonians.

I am pleased to call attention to the coming centennial State fair event in my State, and I am proud to extend, through the pages of the CONGRESSIONAL RECORD, by spreading this resolution in the RECORD, a warm and cordial invitation not only to Members of Congress, but also to lovers of fairs throughout the Nation to visit Oregon this year at the time our centennial State fair is being held.

WHY WE ARE FIGHTING IN VIETNAM

Mr. MURPHY. Mr. President, there is a great deal of discussion about the U.S. effort in Vietnam. Mr. Gary Ledwidge, who is stationed in Vietnam, quotes from an article in the Army Times, since the article may provide a better understanding of why we are really fighting in Vietnam.

I ask unanimous consent that the letter be printed in full in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APO, SAN FRANCISCO, CALIF.,
April 24, 1965.

HON. GEORGE MURPHY,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR MURPHY: There seems to be a great deal of dissension running rampant in Congress these days with regard to our Nation's stand in Vietnam. Although it is natural and certainly in the American tradition for each individual to have his own opinion, I believe there are many who have lost sight of the real obligations we must fulfill. Not those to Vietnam or any other nation, but those to the United States and the American people.

Since I am not an accomplished orator, and often find it extremely difficult to express my thoughts and feelings in either the written or the spoken word, I have taken the liberty to quote an article from an old issue of the Army Times (the author of which is unknown to me), which I believe should give our representatives some idea of the real meaning of our interest in Asia:

"I'm here because the America I represent has taken a stand here. But that isn't all of it; that isn't reason enough.

"Here in South Vietnam there's battle in progress—one more battle in the world's longest war. This war began a long time ago, when Marx and Lenin lost contact with reality. This battle here is the current effort of men who love freedom to put the train of humanity upright on the track again. I love freedom and I'm here to help preserve it. But that's not my only reason.

"My role as an adviser here requires that I interpret the technology of my experience for the understanding of those with whom I work; it asks that I show and tell these people here a portion of what the mind of Western man has conceived for himself, and for all others who may wish to learn. I come here not really knowing these people, but wanting to know them. I have come then as a teacher who wishes to learn. But I have other reasons.

"I think that man will best be able to realize himself, to pursue and gain happiness, in an atmosphere of give and take where how much he gives in effort determines how much he takes in gain. This environment, I believe, is characterized economically by capitalism, and nurtured politically by democracy. I'm here then as a proponent of democratic capitalism.

"I don't have to agree with all her officials to be in agreement with the stand my country has taken here. I don't have to be a member of the Democratic Party to endorse the party of the President and his Cabinet with regard to Vietnam. Nor must I be a Republican to wonder why wheat was sold to Russia. I don't have to dislike a southern filibuster in Congress on civil rights; I don't have to bow low to credos I deeply despise, and I don't have to guard my home at night.

"I don't have to do those things because, by the fortunate accident of birth in time and place, I am an American. For my reasons, I have the choice from the things that America means to me. I can and do exercise that choice, and it is that which I most admire in America that I am here to preserve and protect.

"I am here so that when America wonders why she prevailed, it will be found that I—because I loved her—was a reason. But even these are not all my reasons.

"Because I love, and because I am loved, I know what love is. I can say knowingly that I value the people I love, the things I love, and the ideas I believe in. The value of these things to me is worth whatever price

I pay. The highest price I can pay is that of my life. I have brought that life here—with all its meaning to me as an American and as a man—but I have not come here despairingly; I have not come here to lose my life. To risk it, yes; because the values it has given me are worth that risk.

"So I have come to this battle to save my life. And that is reason enough."

This, I believe, sums up the feelings of a great many members of the Armed Forces, even those of us who are not at this time actively engaged in this battle.

I truly wish that I could have expressed myself in such a manner.

To fight in defense of one's country in time of war must be horrifying; but to fight and suffer and die during a time of "peace"—this is truly a sacrifice.

To those who have fought and died, to those who now carry the burden of this battle, we owe not only our physical and material support, but far more important—we owe them our moral and spiritual support. Were it not for men such as these—men who are willing to pay the highest price for freedom, we, as a nation, as a people, should not prevail.

In the event that this article has not come to the attention of the Members of the Senate, I feel that much could be gained by bringing it before them. I have also asked Representative AL BELL to read or distribute it to the Members of the House.

I sincerely believe that this is a worthwhile subject, and that it will provide a better understanding, for those who need it, of what we are really fighting to protect in Vietnam.

With my warmest personal regards and best wishes for your future success and happiness, I remain,

Very truly yours,
G. M. LEDWIDGE,
Seventh Aviation Battalion.

NEW JERSEY CITIZENS COMMITTEE FOR HIGHER EDUCATION

Mr. WILLIAMS of New Jersey. Mr. President—

> When industry is seeking a location, the education environment of the area always looms high as a factor to consider.

That quotation, by Elmer W. Engstrom, president of the Radio Corp. of America, and vice chairman of the newly formed Citizens Committee for Higher Education in New Jersey, aptly states the need for continued diligence on our part to the challenge of educating our young people.

The citizens committee was formed to examine the increasing educational needs of the State of New Jersey. I am sure that the findings of the committee will be of interest to all the Members of this body, because the educational demands of our society are common to each of our 50 States.

The preliminary findings of the committee show that an estimated 48,000 New Jersey high school graduates will be seeking to enter college in 1970. The cost of providing adequate facilities for these students will be $250 million, of which $40.1 million has been produced by a bond issue. These statistics may seem sterile; but we must translate them into their meaning to our own sons and daughters who will be entering college during this period.

Therefore, I ask unanimous consent that an article from the June 17 edition of the Newark Evening News be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEEDS OF COLLEGES SEEN $210 MILLION

(By Robert F. Palmer)

Expansion of New Jersey's public college facilities to meet enrollment increases by 1970 will require a capital investment of $210 million, twice as great as that previously estimated, according to the newly formed Citizens Committee for Higher Education.

The new estimate of construction needs was put forth at a meeting of committee leaders yesterday at the Essex Club to announce formation of the group and to describe its campaign to arouse public support for college expansion.

Henry Chauncey, president of Educational Testing Service, who is serving as secretary of the committee, said that a new study made especially for the committee had produced the $210 million figure. The previous estimate of $95 million in unmet needs had been based on the Strayer report of 1961.

Both Chauncey and Dr. Robert F. Goheen, president of Princeton University and chairman of the committee, declared that the Strayer report was badly out of date.

CALLED FOR $135 MILLION

The Strayer study found that $135 million would be required to expand New Jersey's publicly supported higher education institutions—Rutgers University, the six State colleges and Newark College of Engineering—between 1964 and 1970. Since then, the 1964 college bond issue raised $40.1 million, leaving $95 million to be raised under the Strayer calculations.

Chauncey emphasized that the new estimate of $210 million in capital funds was in addition to the $40.1 million produced by the bond issue. He said that of the $210 million, some $90 million would come from revenue bonds for dining halls and dormitories which would be entirely self-liquidating.

A major reason for the estimate increase, Chauncey said, was a finding that the Strayer Report had underestimated the number of students who would be seeking college admission in 1970. He said the committee study had found there will be approximately 48,000 New Jersey high school graduates wanting to enter college in 1970, compared with the Strayer estimate of 40,000.

COSTS TO SOAR

Chauncey declared that the expansion of facilities as suggested by the study would require a 50 percent increase in operating expenses by 1970.

He declined to elaborate on the study, saying merely that it had been made to give the committee a general idea of the needs. He and Dr. Goheen said the committee plans to initiate a more thorough study, with the cooperation of the State board of education and the State department of education, to determine the precise needs to be met.

The study to be undertaken, Dr. Goheen said, will form the basis for the committee's "case" for expansion of public higher education that will be used "to lift the sights of the public and the legislature to the tremendous magnitude of the problem and the need for action."

Dr. Goheen said the committee, composed of about 75 leaders of industrial, commercial, and educational enterprises, would aim to point up the amount of funds needed an "leave it to the legislature" to determine how to raise it.

He said that the committee—at least as far as the 11 founding members are concerned—would favor enactment of a new broad-base tax, but would refrain from taking any position on a particular type of tax.

"In New Jersey," Dr. Goheen said, "there has been a deep-rooted antagonism of a broad-base tax * * *. Happily, we're now in the position of having two gubernatorial candidates who favor a broad-base tax. So, the situation looks much more promising."

He said he felt confident that as a result of the committee's campaign "the people of New Jersey will see the need and will be willing to put up the money." He said the campaign would be "relatively quiet" until after the November elections.

The vice chairmen of the committee, Elmer W. Engstrom, president of Radio Corp. of America, and James Hayward, president of Atlantic City Electric Co., said that improvement of New Jersey's higher education program was necessary to attract new industry to the State.

"When industry is seeking a location, the education environment of the area always looms high as a factor to consider," Engstrom said.

"A number of industries have rejected New Jersey because of its inadequate educational facilities," Hayward declared.

"VIETNAM DIALOG: MR. BUNDY AND THE PROFESSORS"

Mr. PROXMIRE. Mr. President, on Monday night, June 21, six distinguished and highly qualified American experts debated our Vietnam policy on national television.

Literally millions of Americans watched this debate. It has been widely discussed. It served an immensely enlightening purpose. But unfortunately it suffered the weakness of all television broadcasts—its perishability. There is no publicly available written record.

For this reason, Mr. President, I ask unanimous consent that a transcript of this debate be printed at this point in the RECORD.

There being no objection, the transcipt was ordered to be printed in the RECORD, as follows:

CBS NEWS SPECIAL REPORT: "VIETNAM DIALOG: MR. BUNDY AND THE PROFESSORS," JUNE 21, 1965

(Participants: McGeorge Bundy; Profs. Hans J. Morgenthau, Zbygniew K. Brzezinski, and Edmund O. Clubb; Dr. Guy J. Pauker; Prof. John D. Donoghue.)

(Moderator, Eric Sevareid; producer, William Small.)

ANNOUNCER. This is the CBS News special report; live, from the Hall of Nations, Georgetown University, Washington, D.C., "Vietnam Dialog: Mr. Bundy and the Professors."

Here to moderate this 1-hour discussion is CBS News national correspondent, Eric Sevareid.

Mr. SEVAREID. Good evening, and welcome to the audience in this hall, and to the audience in their homes. The next hour is an important one, we think, in the history of television, and quite possibly an important one in the current history of this country.

On the other side of the world the United States is at war. However you title or define it, it is war. Vietnam has cost America somewhat around a billion and a half dollars so far, and several hundred lives.

There is every prospect that these harsh statistics will climb as this war wears on.

There is some risk at least of a greater war, possibly involving other powers. But the costs and risks of fighting this war have to be measured against the risks and the costs of not fighting it.

So informed and responsible men have differed. The spirit of the opposition to our course in Vietnam was fashioned in the colleges of this country. It took the form of an organization now called the Interuniversity Committee for Debate on Foreign Policy.

Their protest was expressed in a series of teach-ins around the country this spring. These culminated in a big gathering here in Washington on May 15. The Government official who the protesters most wanted to hear and to question was Mr. McGeorge Bundy, Special Assistant to President Johnson for National Security Affairs. Mr. Bundy was then unable to appear. The President had sent him to Santo Domingo. But he is here tonight.

So this hour, then, is a kind of condensed reprise of that teach-in and confrontation.

Mr. Bundy and the two men on his side of this argument tonight are not strangers to the academic world. Nor are the three professors on the other side of the argument strangers to the world of government.

To identify these six men, their faces, their voices, and their points of view, let me introduce them one at a time, and in so doing ask each one to state in just a sentence or two his general position on the Vietnam policy of the American Government.

First, Mr. McGeorge Bundy, former dean of the Harvard faculty of arts and sciences, and Special Assistant to President Kennedy, and now to President Johnson.

Mr. Bundy.

Mr. BUNDY. Well, I am here partly because I failed to keep an earlier engagement, partly because I deeply believe in the process of fair and open discussion. Most of all because I believe with all my heart that the policy which the United States is now following is the best policy in a difficult and dangerous situation and the one which best serves our interests and the interests of the world, the interest of peace.

Mr. SEVAREID. Mr. Edmund O. Clubb, chairman of the Columbia University Seminar on Modern Asia, veteran of a quarter century in the Foreign Service, with many years as a diplomat in Asia.

Mr. Clubb.

Mr. CLUBB. Thank you, Mr. Sevareid.

My position is simple. I hold that, first, the American military intervention in Vietnam is in violation of our legal treaty commitments; second, that we cannot win militarily in Vietnam without virtually annihilating the Vietnamese people, which is no victory; and third and finally, that our present policy and actions are alienating both Asian and other world sympathy from us, and thus seriously weakening our global political position.

Mr. SEVAREID. Mr. Zbygniew K. Brzezinski, professor of government at Columbia, and director of the Research Institute on Communist Affairs.

Mr. Brzezinski.

Mr. BRZEZINSKI. I believe, Mr. Sevareid, that the Vietnamese issue is not just a local issue. It involves, first of all, an effort by China to impose its supremacy in the Asian region, contrary to our interests, and to that of some of China's Asian neighbors, and more importantly involves a global issue; namely, what sort of strategy the international Communist movement would pursue in our age and who will lead it.

Mr. SEVAREID. Hans J. Morgenthau, professor of political science of the University of Chicago and director of the University Center for the Study of American Foreign and Military Policy.

Mr. MORGENTHAU. I am opposed to our present policy in Vietnam on moral, military, political, and general intellectual grounds. I am convinced that this policy cannot achieve the desired results and that quite to the contrary it will create problems much more serious than those which we have faced in the recent past.

Mr. SEVAREID. Mr. Guy J. Pauker, former teacher at Harvard, at MIT, at the University of California, now head of the Asia Section of the Social Science Department of the Rand Corp.

Mr. PAUKER. I am here, Mr. Sevareid, because the discussion of Vietnam has generated so much emotion on the campuses of American universities that the factual base of this discussion is frequently ignored.

I think that one should bring the facts back into the discussion.

Mr. SEVAREID. And finally, to John D. Donoghue, associate professor of anthropology, Michigan State University, former research professor in Japan and adviser on administration in Siagon and I believe in various villages of Vietnam.

Mr. DONOGHUE. Two years experience in Vietnam, much of this time spent in villages, have made one thing clear to me. Those who make American policy do not understand and, therefore, are unable to cope constructively with the human discontent that produces revolutionary movement in developing countries.

We must reaffirm the revolutionary dedication to freedom that gave birth to this Nation.

Mr. SEVAREID. Well, gentlemen, and members of this audience we thought we would try to divide this discussion to follow into four rather large encompassing questions or aspects of the whole Vietnam problem. And the first question is, "Why—what are the legal and moral and political reasons or justifications for the American presence in Vietnam—why are we there?"

Let's begin with Mr. Bundy.

Mr. BUNDY. Well, Mr. Sevareid, I think the best way, the shortest and the most accurate way for me to state the reasons for our presence in Vietnam is to take just a moment to read from the President's speech of April 7, at Johns Hopkins in Baltimore, because there is no more authoritative statement of our position.

"We are there," he said, "because we have a promise to keep. Since 1954 every American President has offered support to the people of South Vietnam. We have helped to build and we have helped to defend. Thus over many years we have made a national pledge to help South Vietnam defend its independence. To dishonor that pledge, to abandon this small and brave nation to its enemy and to the terror that must follow would be an unforgiveable wrong." So the first point is that we have a commitment, matured through time, made for good reasons, and sustained for the same reasons.

We are also there, the President went on, "to strengthen world order. Around the globe, from Berlin to Thailand, are people whose well-being rests in part on the belief they can count on us if they are attacked. To leave Vietnam to its fate would shake the confidence of all these people in the value of American commitment. The result would be increased unrest and instability or even war."

And the President went on to set the stakes in terms of the problem in Asia itself.

"We are also there," he said, "because there are great stakes in the balance. Let no one think that retreat from Vietnam would bring an end to conflict. The battle would be renewed in one country and then another. The central lesson of our time is that the appetite of aggression is never satisfied. To withdraw from one battlefield means only to prepare for the next."

"Our objective," he said—and this is perhaps in the end the defining point immediately of the contest—"our objective is the independence of South Vietnam and its freedom from attack. We want nothing for ourselves—only that the people of South Vietnam be allowed to guide their own country in their own way."

Mr. SEVAREID. I am going to ask the other side now for an opening statement on this part of the question, from Mr. Clubb. And then we will go to, I hope, general discussion of it.

Mr. Clubb.

Mr. CLUBB. Mr. Bundy, of course, presented a principal argument that is offered—namely, that in Vietnam the United States is following a policy laid down in 1954. This by itself is inadequate warrant. Lord Salisbury has said that one of the commonest forms of error in politics is the sticking to the carcass of dead policies. The U.S. Government has not been unguilty of that particular error.

The 1954 Dulles proposals for the containment of Asian communism by massive retaliation and brinkmanship had adverse effects at the time for the global American political position.

The present strategy, be it noted, differs somewhat from the Dulles doctrine. First, the military retaliation at the present time is measured. But there is another divergence. Second, in the 1950's, Gen. Douglas MacArthur and President Eisenhower both warned against our fighting a land war in Asia. But Washington now indicates that it is possibly headed in that direction.

There is a correlary argument that is offered—it is said that we are in South Vietnam in any event in service of solemn treaty engagements. The 1954 SEATO Treaty extended a defensive umbrella over South Vietnam. And it is said the Saigon Government, or perhaps I had better say a Saigon Government, has asked for our help.

A State Department legal adviser said recently that criticism charging that the United States had violated the Organization of American States Charter reflected a fundamentalist point of view with regard to international law.

Well, I am a fundamentalist. I believe that treaties mean what they say. And I believe that treaty signatories are bound by their provisions. And I refer to three treaties in this general connection.

One, the United States helped to create the Kellogg-Briand Pact of 1928, designed to outlaw war forever. And the United States by that treaty renounced war as an instrument of national policy.

Second, the United Nations Charter commits the United States, among other signatories, to settle its international disputes by peaceful means in such a manner that international peace and security and justice are not endangered.

Third, the SEATO Treaty itself. The United States bound itself by the treaty provision to consult with its treaty allies regarding an aggressor's armed attack or any situation which might endanger peace of the treaty area in order to agree on the measures to be taken for the common defense.

SEATO decisions authorizing our military actions do not appear on the public record. Without formal authorization of the SEATO organization, we are not entitled to rely on the SEATO Treaty for our legal sanction.

Mr. SEVAREID. Mr. Clubb, if you go much further on this, I think you are going to absorb nearly all the time left for this section of this debate. And I would like, if you will excuse me, to break in at this point and ask if I have a rejoinder over here, as to how and why we got into Vietnam.

Mr. BUNDY. Well, let me say first, going back through Mr. Clubb's argument, that I think there is no legal justification for an assertion that you cannot act to meet commitments under the SEATO Treaty without an authorizing vote. The treaty does not say that. The provisions of the treaty do not require that. And it seems to me quite clear that the United States is acting within the legal and moral commitments of the SEATO Treaty.

Going back further, the United Nations Charter explicitly provides for the right of individual and collective self-defense, and the United States has complied with those provisions of the charter which require that actions taken under that clause be reported to the United Nations, and it is surely not the fault of the United States that there is adamant opposition on the Communist side to any further engagement of the United Nations in this contest. That may be enough for my share, Mr. Sevareid.

Mr. SEVAREID. I think Dr. Hans Morgenthau was giving me a sign a moment ago.

Mr. MORGENTHAU. Well, I would offer two political arguments against the official position that we are in Vietnam in order to honor a commitment, and that we are there in order to defend the freedom of South Vietnam, that we cannot let South Vietnam down.

First of all, one should not overlook the fact that it was we who installed the first government in Saigon, the Diem government. In other words, the state of South Vietnam is in a sense our own creation—for without our support the regime in Saigon could not have lasted for any length of time.

So when we say we must keep a promise, we have really made a promise to our own agents. In a sense, we have contracted with ourselves, and I do not regard this as a valid foundation for our presence in South Vietnam.

Furthermore, even if it were otherwise, I refer you to the statement which Alexander Hamilton made on the occasion of the neutrality proclamation of Washington in 1793, when the United States had an obvious and undoubted treaty agreement to the effect that it must come to the aid of France if France is engaged in a war in Europe. And Hamilton, in a definitive fashion, laid down the principle that no nation is obligated to endanger its own interests, let alone its own existence, in order to come to the aid of another nation.

Secondly, it is obvious from the facts of the situation—I welcome Mr. Pauker's invocation of the fact—that we are quite unwelcome in South Vietnam. There is an abundance of reports to the effect that what most of the South Vietnamese want is to be left alone, and that they would be delighted to see us depart.

A month ago, for instance, the Vietnamese correspondent of the Economist, a very respectable periodical of Great Britain, reported that the slogan which makes the rounds in Saigon is "Yanks, fight your wars elsewhere."

Mr. SEVAREID. We have about 2 minutes left on this question. Can you usefully make use of it, Mr. Brzezinski?

Mr. BRZEZINSKI. I will try. I would like to make two points: one, that it seems to me one cannot assess the Vietnamese issue purely in the terms of the specifics of the Vietnamese history, Geneva Convention, and so forth.

It seems to me that we are involved here in the very basic process of trying to create international stability, a process which we undertook as we had to in Europe in the late 1940's and the process which I think is now in its beginnings in Asia where conditions are far less stable; our engagements therefore are much more difficult and complicated. Nonetheless, I do not see how the United States could abstain from becoming involved in this process. Otherwise, all of Asia would become rapidly destabilized and there are a great many Asian nations which see a major interest for themselves in America's continued presence in Vietnam as a bulwark.

Secondly, on the specific point whether the Vietnamese want us to get out. Obviously, after 10 years of civil war the paramount desire is for peace. But I do not believe that the paramount desire is for a Communist takeover. Anyone familiar with warfare knows that when an army suffers the kind of casualties the South Vietnamese Army suffered someone is doing some very good fighting. They are not defending, but dying and fighting and this I think is a major indicator of the commitment and of their loyalty.

Mr. SEVAREID. Mr. Brzezinski, I would like to go to the second question that we discussed before, and this is a little more specific.

What is the fundamental nature of this war? Is it aggression from North Vietnam or is it basically a civil war between the peoples of South Vietnam?

Let's start with Dr. Morgenthau.

Dr. MORGENTHAU. I would say, it was also the official position until February of this year that the major problem was a political problem in South Vietnam. And I remember very well at the end of 1955 when I had a long discussion with President Diem that I pointed to the likelihood that his policies would lead to the breakdown of his regime and to a general alienation of the population with the Communists profiting therefrom. So what we had at the beginning, and it is obvious when you look at the development of the civil war in South Vietnam, yet, at the beginning, a revolt, especially of the peasants against the Diem regime and from 1959, 1960 onward, the North Vietnamese Government, to an ever-increasing extent, aided and abetted this revolt. So I find it rather farfetched up to recent months, of course, in recent months since our extension of the war in the North Vietnam situation has changed, but up to February, I find it rather farfetched to speak of aggression for the north. What you had was a revolt in the south aided and abetted from the north.

Mr. SEVAREID. I think Mr. Brzezinski, you wanted to come in there, or was it Dr. Pauker?

Mr. PAUKER. I welcome Professor Morgenthau's acceptance of the factual basis of our discussion. The documents captured from the Vietcong and the statements of Vietcong prisoners, defectors, and civilians who have fled from Vietcong-controlled areas proved to me beyond reasonable doubt that guerrilla warfare operations in South Vietnam had been envisioned by the Communist government of North Vietnam as early as 1954.

Let's recall the facts. At that time after 8 years of war against the French the Vietminh troops were longing to go home to their villages and families in the south. In spite of this some 90,000 Vietminh fighters of South Vietnam were not allowed to return to their homes but were sent to North Vietnam to be used in case the Hanoi Government did not succeed in staging a Communist takeover in the south by peaceful political means under the cover of the Geneva agreements. These men from the south were indoctrinated politically and trained militarily for several years in North Vietnam. From 1960 to date, about a third of this group as well as several thousand men born in the north have infiltrated into South Vietnam mostly through Laos across the so-called Ho Chi-minh trail. Almost half of these men are members of the Vietnamese Communist Party.

They formed a cadre that is the hard core of the dedicated fighters of the revolutionary war against the government in Saigon. They are the ones who are taking advantage of the many problems prevailing in South Vietnam as in any transitional society—recruit, train, indoctrinate and lead in combat a younger generation of South Vietnamese villagers.

Of course, the South Vietnamese villagers who have become the bulk of the Vietcong fighting force are recruited not only by naked coercion, but also by a range of appeals exploiting general and local grievances, but they do not understand that the grand strategy of the Communist leaders in North Vietnam is aimed precisely at aggravating these local grievances and preventing any non-Communist government in South Vietnam from coping with them.

Hanoi's grand strategy has been the following: After 1956 terrorists' assassinations of village officials disrupted the administrative machinery of the South Vietnamese Government, weakened Saigon's control of the countryside and created general uneasiness and fear. Then, beginning in 1959, increasing harassment through attacks on South Vietnamese army posts, and ambushes of small units prevented the Saigon government in many parts of the country from protecting the population against Vietcong coercion. To reestablish the balance, the South Vietnamese Government had to appeal to the United States and other friendly countries for increasing amounts of military assistance.

The presence of foreign military forces can now be exploited by Communist propaganda so as to inflame and capture Vietnamese nationalist sentiment in the villages. The young Vietcong recruits see themselves engaged in what the Communists like to call a war of national liberation, but they do not understand that the national liberation front of South Vietnam itself is only a facade. The ultimate purpose of the Hanoi government is to establish in the South a totalitarian rule of the Vietnamese Communist Party. Therefore, in answer to your question, Mr. Sevareid, the evidence mainly, captured documents of statements of Vietcong prisoners and defectors makes it clear to me that this is indeed aggression from North Vietnam, but carefully staged so as to make Communist revolutionary war appear as a spontaneous grassroots revolt of the people of South Vietnam.

Mr. SEVAREID. Mr. Pauker, thank you. One man who has spent a good deal of time in the countryside of Vietnam is Mr. Donoghue and I would like to hear from him.

Mr. DONOGHUE. I went to Vietnam to help teach and train people in the National Institute of Administration there, how to do research in villages. Therefore, I spent quite a bit of time in both South Vietnam and central Vietnam, so my view of this whole problem is from the village, from the people. And other reports that I have read corroborate my findings.

Generally speaking, the programs that were initiated all during the Diem regime were initiated by Western-educated, elite people in Saigon and then pushed out into the villages. The villagers were village chiefs who were appointed by the Saigon Government, were poorly trained and unable to carry out these programs.

As a result, the village chiefs resorted to terror and coercion in order to get the peasants to work on certain kinds of programs. The members of anti-Government groups counterthreatened these appointed chiefs and as a result the chiefs and people in the villages were caught in the middle between Government coercion on the one hand and coercion of other groups on the other hand.

Vietcong propaganda played into this and the idea of this was that if we get rid of the Americans and if we get rid of the Government that we will ultimately gain freedom. People believed rightly or wrongly that the Vietcong were the protectors against the coercion of a dictatorial Government that was located far, far away in Saigon.

In the research that we did we found no evidence of northern aggression. Undoubtedly, there was moral support from the North and as was pointed out more recently material aid. Nothing, of course, comparable to the American aid.

Our research indicated that the biggest problem in Vietnam was the alienation of the peasants from the Saigon Government. Thus, I view this as a civil war with most peasants against the Government that we support with the help of the north and most recently the whole thing aimed against foreign interference which they claim stands in the way of national liberation.

The Government in Saigon is not representative of a large majority of peasants who are backing a popular movement for liberation from foreign domination. And by our backing them I feel as though we are violating our legal and moral commitments to the principles of self-determination.

Mr. SEVAREID. We've got about maybe a minute or a minute and a half on this section of the argument and I was about to suggest that Mr. Bundy, you might want to speak to this.

Mr. BUNDY. I would like to make two points on what Professor Morgenthau said.

First, he implied that the U.S. Government has changed its tune on this point within the last few months which is in my judgment simply wrong.

I would like to read just two short quotations as samples. Here is an example from a news conference of Secretary Rusk in November 1961: "The determined and ruthless campaign of propaganda infiltration and subversion by the Communist regime in North Vietnam to destroy the Republic of South Vietnam and subjugate its peoples is a threat to the peace."

There couldn't be a clearer statement of a position which has been repeated a number of times.

I could go right through a whole series of statements which President Johnson and before him, President Kennedy, have made on this. But more compelling evidence in a way is what the Communists themselves say about it.

In 1959 Ho Chi-minh announced in an article in the Belgian Communist organ: "We are building socialism in South Vietnam, but we are building it in only one part of the country while in the other part we still have to direct and bring to a close the middle-class democratic and anti-imperialist revolution," and again in 1963 the North Vietnamese Communist Party organ stated quite simply, "The authorities in South Vietnam," it was speaking of, "are well aware that Vietnam is the firm base for the southern revolution and the point on which it leans and that our party is the steady and experienced vanguard unit of the working class and people and is the brain and factor that decides all victories of the revolution."

We really shouldn't argue about this point because the evidence is overwhelming.

Mr. SEVAREID. Gentlemen, we are about halfway into this discussion and I would like to turn to our third topic or question and this is a large one:

"What are the implications of this Vietnam struggle in terms of the whole rise and future of communism in Asia as a whole, particularly in terms of Communist China's power and aims and future actions?"

Who would like to start on this? Professor Morgenthau?

Dr. MORGENTHAU. It is of course correct to say that one cannot look at the Vietnamese situation in isolation from our overall policy in Asia and in isolation from the overall policy in Asia of our enemies. And here we come back to what we have discussed before. We are really in Vietnam not because we must honor a commitment or because we want to help the people of South Vietnam who rely on us. We are there because we want to contain communism. And I have no quotation to read from, but I have a very good memory. [Laughter.]

I remember well that for instance the Secretary of Defense has said, and I think quite correctly, that we are in South Vietnam in order to stop communism, and if we don't stop it there we will have to stop it elsewhere, and some people have gone so far as to say if we don't fight in Vietnam we have to fight in Hawaii or perhaps in California.

Now, we are really in Vietnam as part—yes—part and parcel of the containment policy, military containment policy which was eminently successful in Europe against the Soviet Union and in my view is bound to fail in Asia against China. For the situation in China—pardon me, the situation in Asia—is fundamentally different from the situation in Europe.

In Europe you could draw a line across a map and tell the Soviet Union, "Until here and not farther." And behind that line on our side you had viable social, political, economic, and military units. Nothing of the kind exists in Asia and secondly and most importantly, the Russian threat was primarily a military threat and against this threat the policy of military containment was indeed adequate and successful.

The threat of China is primarily a political threat and nothing we do in South Vietnam or don't do in South Vietnam is going to make any difference with regard to the potency of such threat in the rest of the world. We may hold South Vietnam. We may win a victory in South Vietnam. This means nothing with regard to whether or not Indonesia will go Communist, or an area in Africa will go Communist, or Colombia will go Communist.

In other words, we have the success of our policy of military containment in Europe that has led us into the fallacy to apply the same instruments to a situation which is entirely different and where such instruments cannot succeed.

Mr. SEVAREID. Mr. Brzezinski?

Mr. BRZEZINSKI. I would like to suggest respectfully that Professor Morgenthau is wrong in his analysis of Asia and of Europe. [Laughter.]

It seems to me that if we go back to the years 1945-48, the problem in Europe was not only a military problem. It was also political and an ideological problem. The Communist guerrillas came within 40 miles of Athens.

Communists, riots, activities in France and Italy were on the verge of success. In both cases the response was not only military but involved the political, social, and economic effort to create stability.

Now, granted the proposition that this undertaking is much more difficult in Asia, but if in Asia it is only political and not a military problem, then why all the fuss about the military response and its alleged danger? It is precisely because it is both a military, a political, and social problem in Asia that the United States has to remain engaged, for there is no other major power in the world which has the resources, the wherewithal to provide both military stability and economic, social, political development.

If the United States becomes disengaged because of a military defeat in southeast Asia, then how can it make its presence felt in a positive sense economically and socially?

I will submit to you that we have some major achievements to our record in Asia already. We have contributed to social stability and political development in Japan, in Taiwan, in Thailand, in India, which wants us to stay in South Vietnam, in Pakistan, and I think this task ought to go on.

Moreover, and I think this is extremely important, it relates to the general condition of the international Communist movement.

We have to continue this undertaking for, if we fail, then in the international Communist movement itself, the Chinese line would have been proven correct; namely, that by fomenting the national liberation struggle, linking it to social unrest and organizing a political movement, you can qualitatively change the course of history.

Peng-chin in his recent speech, which I recommend to you, developed at length——

Mr. MORGENTHAU. Communist propaganda.

Mr. BRZEZINSKI. This is a very major statement developing at length the Chinese conception of the present international scene and it is a complete alternative to the Soviet conception, it rejects a notion that such confrontation can escalate into local and global war. It is based on the premise that the United States has neither capacity nor the will to react effectively and it is an attempt in the course of this undertaking to pressure the Soviets to emulate the Chinese.

I believe that if we now disengage from Asia, which I think—which I take it is the course, the brunt of the remarks of the Chinese will have been proven right and this will be a highly destabilized condition for world peace in general.

Dr. MORGENTHAU. Could we state our own position? We didn't ask Mr. Brzezinski to restate it for us. He certainly has said something which I wouldn't have said, and I never have said. But we come to this a little bit later.

I want to make only one point and that is, that if Mr. Brzezinski's analysis is correct, it is quite astounding that the Chinese are obviously most eager to have us continue the war in South Vietnam. They are the ones which oppose any kind of negotiations which might lead to some kind of settlement, but they seem to be enormously eager to increase our commitment and I must say if I were a Chinese statesman I would be very eager, too, because it is exactly because we are here in a blind alley, it is exactly because—it would be very difficult for us to win a military victory and even if we win it, it means nothing politically. And because the military and political situation is so unfavorable to us, the Chinese are delighted to see us fight in Vietnam.

Mr. SEVAREID. I was turning to Mr. Clubb. I think I have got a minute or two to allow on this side again. Mr. Clubb. Mr. Clubb, would you like to?

Mr. CLUBB. Yes, I should like to make a comment.

I think that the situation in Vietnam is different from the situation in Thailand, India, Japan, or other places. I think that given the fighting there, it is, say, a particular and peculiar situation that we have to attend to only. And the error in our consideration of that is, I believe, the basic assumption that South Vietnamese, Vietcong, are subject to the control of Hanoi, that Hanoi is under the influence of Peiping, and that we should take one side or another in the Peiping-Moscow dispute.

In actuality, it appears to me that the nationalism of the Vietnamese is something which would prove an element of considerable strength against China, ultimately, that we should attend to that and disregard China at this particular moment.

Mr. SEVAREID. Mr. Bundy, would you care to speak to this part?

Mr. BUNDY. I think the point to be made, and it is one which really takes us to the question of what Professor Morgenthau's real position is that, as he states it, no particular point is worth defending. I think also, that he gravely misstates the policy of the United States in Vietnam when he asserts, I think on quite incomplete, and as far as I know, with no citation, that our policy is merely to contain communism everywhere and that we do not have a specific interest, sustained and important in victory in South Vietnam and I can suggest to him the importance I think of this point by remarking simply that it seems as pikestaff to me that if we are successful there the effects will be constructive and helpful all around southeast Asia and on even wider framework.

Mr. SEVAREID. We have a half second.

Mr. Donoghue?

Mr. DONOGHUE. Well, the point is, I do not think we are going to win in South

Vietnam and therefore if what these gentlemen say is true, then I think I am quite frightened.

Mr. Brzezinski. I don't accept Mr. Goldwater's conception that if you cannot win the alternative is total defeat. There is such a thing as a military stalemate out of which arrangements can eventually develop. It seems there is a third way.

Mr. Sevareid. All right.

Mr. Bundy. There is also an enormous difference between doing the very best you can within the framework of your legitimate interests and commitments and quitting too soon.

Mr. Pauker. The one point that hasn't been brought in—revolutionary war is a new political-military technique that uses the tensions that exist in all new countries in Asia and Africa for the advancement of the cause of the group that foments this movement. Without the tensions it couldn't be done, but to say this is purely a nationalist movement doesn't make sense. You talk to the Vietcong and they tell you without the help of the North, the front movement would not be reached—would not have reached its present proportion. I read you from one such statement, the front controls only a small portion of the population. Therefore, the supply given to the fronts by the people is rather inadequate from the point of view of labor, material, and financial resources, the front is weak from the point of view of armament, the front does not have the facilities to produce arms and has to rely on the supplies from the North. It was stated in April by a Vietcong cadre.

Mr. Sevareid. We have about 30 seconds.

Mr. Donoghue. I don't think that you have ever talked to a Vietcong because they are very, very difficult to find them. They are very difficult to find because I looked all over for them.

Mr. Pauker. You were there in 1960.

Mr. Donoghue. 1962.

Mr. Pauker. I was there every year from 1954 to last November. I talked to many Vietcong.

Mr. Donoghue. They are very difficult to find and they are clothed, they are housed, they are fed and they are supplied and they are hidden by the peasants in Vietnam.

Mr. Sevareid. Gentlemen——

Mr. Pauker. That is not the debate.

Mr. Sevareid. I think we might very usefully spend the rest of this hour on the fourth and final question we had on our minds before we began and that is the question of alternatives to our present policy in Vietnam.

What are these alternatives? Let me start with Mr. Bundy.

Mr. Bundy. Well, there are a number of alternatives.

Let me begin by pointing out that the alternative which is more important than the one presented by these gentlemen in terms of real choices and in terms of levels of support by the United States and in terms of the level of our interest there, and one which has been rejected by the administration is the general and less restrained carrying of the war ever farther northward without regard to cities or population or boundaries or to what country you are choosing to attack or the view that airpower will somehow settle this thing, that there is no issue in South Vietnam. That is not the policy of the administration. That policy was proposed in certain quarters in 1964. It was rejected, it is still rejected. There is a very interesting and important issue in, a more important one in terms of the sentiment of the American people in the general proposal moving toward withdrawal which I take to be, although they were stated for themselves, the position of the gentlemen opposite. Within the framework of the choices available to us, we can move without restraint against those who have engaged in this aggression from the north. We can move toward withdrawal without regard to our obligations to those in South Vietnam or the political consequences in other countries.

We can stay roughly where we are in essentially the passive role or we can carefully and with a choice of specific ways and means move to sustain our part and it can only be our part of a contest which is of great importance to us as it is to the people of Vietnam.

It is not for me, on this occasion, to discuss specifically what steps may come in the future. I think it is fair to say that the position of the administration, and I think the position of a solid and very strong majority of the Congress and of the people, is that we should stay there, that we should do our part, as may become necessary, do only what is necessary, bear in mind that the center of the contest is in South Vietnam though there is more aggression from the north, and seek constantly, as we have for months and months, to find a way to get this dangerous and difficult business to the conference room.

Mr. Sevareid. Mr. Bundy, has the administration changed its views about negotiating at any level, at any time, with the Vietcong?

Mr. Bundy. The administration's position is that we will negotiate with governments. Now, there is no barrier to serious negotiations in this question of the Vietcong. The Vietcong have traveled for years on North Vietnamese passports. It is not a difficulty from their point of view if they are ready to seek a negotiation, to pass the signal to friends, supporters, and I say directors and controllers. It is not the question of who sits for the Communists that stands in the way of a conference.

Mr. Sevareid. I want to get clear that we would negotiate with the Vietcong as long as they are legitimately established——

Mr. Bundy. That is not a question which stands in the way of a conference. We propose to discuss this matter with governments.

Mr. Sevareid. Mr. Clubb.

Mr. Clubb. Yes; I should like to make a point.

The absolute alternatives to war and destruction are, of course, peace and construction, and the administration, I gather, agrees with those aims.

However, the administration has been indicating conditions, if you will, people with whom we will negotiate, or discuss, and people with whom we will not.

The question is how to achieve the peace we all desire. And this brings up another question.

Since South Vietnam is a sovereign country, by the observations of Washington, who lays down the conditions for peace—Washington or Saigon?

That appears to me as an important question. It would suggest that we are on our side of the table moving toward withdrawal.

None of us, I think, propose simple withdrawal without negotiation, anything like that. Moving toward withdrawal—I think the administration would not hold that we plan to remain there forever. In the event that there were a peace agreement, presumably it might make some provision for American withdrawal. In circumstances like that, we might have to face up to the necessity of going.

There was one observation made a long time ago by Horace Walpole, who said that it is easier perhaps to conquer Asia than to know what to do with it. We might apply it to Vietnam.

Mr. Sevareid. Gentlemen, this is free and open, now.

Mr. Pauker. I would like to end my previous argument with Mr. Donoghue. One cannot refer to 1960 or 1962 field work in order to know what the situation is today. Nobody denies, Mr. Donoghue, that the Vietcong gets support from the villages. The question is under what conditions and how the atmosphere in the villages itself is changing.

The Vietcong at the time that you were there, were fairly well received in the villages. The Vietcong are increasingly considered a heavy burden by the villages. Their taxation rate is higher than it was around that time, and the villages are beginning to be quite tired with what is going on in the villages.

Now, there is, I think, a difference between an organized and well disciplined elite, and a feeling of the whole population. And I think that none of us with the training we have should speak about "the Vietnamese say." One cannot go to Saigon and talk to the proverbial taxi driver and claim to speak for all groups.

Mr. Sevareid. Mr. Pauker, I would like to get back to this question of the alternative to our policy. And I think Dr. Morgenthau has something on his mind.

Mr. Morgenthau. There are I think theoretically speaking five alternatives which are before us.

We can get out, without further ado.

Second, we can—we don't need to oppose moves which in the past have been made by the Government in Saigon to come to an understanding with the Vietcong which would lead to our departure on their invitation, and the invitation of the Government in Saigon.

Third, we can greatly increase the air attacks going farther and farther north.

Fourth, we can greatly increase our commitment on land by sending a couple of hundred thousand, or as Mr. Hanson Baldwin suggested, a million men to Vietnam. Or we can, as Senator Fulbright recently suggested, try to hold a few strong points on the coast of Vietnam, proving to the Vietcong that they cannot win a military victory, and on that basis try to negotiate with them in the fall.

Now, my personal position, which must come as a surprise to some listeners here, is that Mr. Fulbright's position is by far the most acceptable from my point of view.

I think our aim must be to get out of Vietnam, but to get out of it with honor.

I would indeed—I have indeed always believed that it is impossible for a great power which must take care of its prestige to admit in so many words that its policy has been mistaken during the last 10 years and leave the theater of operation. But there are all kinds of face-saving devices by which a nation or a government which has made a series of mistakes can rectify the situation, and I think President de Gaulle has shown how to go about this with regard to Algeria. And certainly if you look at the prestige of France today, it is certainly higher than it was when France fought in Indochina.

If I may just say one sentence about the previous discussion about the fact. It is, of course, obvious, and it has been obvious to me all along, that the Government lives in a different factual world from the factual world in which its critics live. It is an open question who is psychotic in this respect, who has created a kind of a quasi-world in which he lives.

But I would call the attention to the fact that my view of the facts is certainly supported by all of those observers from neutral or friendly countries who have been in Vietnam, who have lived with the Vietcong. I remind you of the articles in L'Express by Mr. Chauffard, I remind you of the articles in the Figaro by its correspondent. I remind you of the articles in the Economist. They all support my general view of what the factual situation in Vietnam is.

And I should also say that the factual situation, the deterioration of the military situation is infinitely graver than we have been made to believe on the basis of official and nonofficial reports.

You see, for instance, the desertion rate of the Vietnamese Army in recent months has been enormous. Generally it has been said that the recruits desert at the rate of 30 percent. But around Da Nang, in the war zone, 40 percent of the combatant units have in recent weeks defected.

Mr Bundy. I simply have to break in, if I may, Mr. Sevareid, and say that I think that Professor Morgenthau was wrong on his facts as to the desertion rates, wrong in his summary of the Chauffard and Express articles, wrong in his view of what the economist says, and I am sorry to say giving vent to his congenital pessimism with respect to these matters. And I want to take a moment to give you direct quotations to show what I mean.

In 1956 Professor Morgenthau wrote of Western Europe: "Communism is far from defeated in Western Europe, and the Marshall plan is partly to blame for that failure. The dangers to the stability and strength of Western Europe which have grown in the past and the defects of that structure have continued to grow, because those defects were not repaired. The Marshall plan almost completely lost sight of those roots of instability and unrest which antedated the emergency and were bound to operate after its was over."

And it is only 9 years later that he tells us that "the Marshall plan was eminently successful in Europe" and that to the west of that boundary there lay an ancient civilization which was but temporarily in disarray and which proved itself capable of containing Communist subversion.

And closer to home, just 4 years ago, Professor Morgenthau wrote about Laos two things which are interesting.

"As these lines are being written, early June, the Communist domination of Laos is virtually a foregone conclusion." And reading the mind of the administration he went on to say, "The administration has reconciled itself to the loss of Laos."

Now, neither of those things is true, neither of them has happened, neither of them corresponds to the reality of the political situation in southeast Asia.

Mr. Morgenthau. I may have been dead wrong on Laos, but it doesn't prove that I am dead wrong on Vietnam.

Mr. Sevareid. Since this has become something of a personal confrontation I think Professor Morgenthau should have a small chance at least to answer Mr. Bundy.

First I would like to hear from Mr. Brzezinski for about 1 minute.

Mr. Brzezinski. All right—I would like to make basically four points, in 1 minute.

It seems to me very important to keep making it very clear we are not trying to overthrow the North Vietnamese Government. In other words, there is no effort here to roll back the Communist world. Because I think this has effects on the Soviet attitude and elsewhere.

Second, we have to make it very clear that we ourselves are not going to be thrown out of South Vietnam, because this eventually can create preconditions for negotiations. And I believe we can do this in spite of the apocalyptic predictions by some people that this will lead to a world war with China or with the Soviet Union or to a homogeneous Communist world.

Third. I think we have to strive in the long run to separate the North Vietnamese interest from the Chinese interest, and that interest can be separated when the North Vietnamese leaders begin to realize that the war in the south does not give them victory but does give them mounting destruction in the north which the Chinese are perfectly willing to afford, because they would like to see this war continue.

And lastly, we ought to try to maintain contact with the more moderate section of the Communist world, stimulate trade with them, greater contacts, so that they themselves will see an interest in stability and will try to use their influence on the more revolutionary wing of the Communist movement, or if not then at least will be compelled to separate themselves from it, indeed as a result of mounting Chinese attacks on them as recent indications point.

Mr. Sevareid. A long but very fascinating 1 minute, Mr. Brzezinski. Thank you very much.

Now, I do think Professor Morgenthau ought to have a chance to respond to the direct criticism made by Mr. Bundy at this time.

Mr. Morgenthau. I admire the efficiency of Mr. Bundy's office——

Mr. Bundy. I do my own.

Mr. Morgenthau. Oh, well, I am honored by the selected quotations from my writings.

As I have said before, nobody—privately has said this—nobody who deals with foreign policy professionally can be always right. Obviously one makes mistakes. And I probably was too pessimistic about Laos. But not terribly more pessimistic than the situation warranted.

I should also say, to quote a great man, that I have not always been wrong. And especially when it comes to Vietnam, Mr. Bundy might have quoted certain things I wrote in 1961 and 1962 or quoted what I wrote at the end of 1955 after my interview with President Diem about what the future of South Vietnam might be.

So I think no useful purpose is served by pointing to one mistake, and I admit freely that I have made mistakes, I have made many more than Mr. Bundy has found—but I have not always been wrong. And in any case it is no argument to say this man has been wrong about Laos, how can he be right on Vietnam.

Mr. Bundy. Actually what Mr. Morgenthau said about Vietnam in 1956—this is the one I happen to have here—was that a miracle had been wrought under President Diem.

Mr. Morgenthau. I stand by that. All right.

Mr. Sevareid. I don't know whether they are in agreement at this point or not, at least about their disagreement. I think we have got about 2 minutes here.

I thought we would close between Mr. Bundy and Mr. Morgenthau, but we have played a little game of checkers and jumped over that.

I would like to hear from Mr. Clubb, I think, and then from Mr. Pauker.

Mr. Clubb. I think the record of predictions in Washington is none too good. So perhaps we ought to abandon that particular line of thought.

I should like to get back to the matter of alternatives.

It was suggested that we perhaps should seek face-saving devices. We may just drop the face-saving—although it seems to be important. And here I should say that those three treaties that I remarked are really applicable, and one way that we can get out of the present predicament, if we choose to do so, is to consult with our allies and friends, and if no better other approach offers itself, bring the matter officially before the United Nations to the end that peace might be restored to this unhappy land in Vietnam and the hungry people of that war-torn land be helped to proceed with economic reconstruction and economic progress for enjoyment of the human happiness now denied them.

Mr. Sevareid. Mr. Pauker, I think we have got about one-half a minute.

Mr. Pauker. Thank you. I have to speak fast.

If you go to Vietnam now, Mr. Donoghue, and try to speak to one of these hard to find Vietcong, he would tell you what this man said in April to one of my friends. He said, "I came to understand now how the Vietcong transformed the people into machines, devoid of all thought," and that is why he defected. Then he was asked what would the front do. And he said, "The front, after it takes over the Government, will continue to maintain South Vietnam as a neutral country. It was announced that the South belongs to the North or to the Communist bloc. If the front does, the Americans would have an excuse to return to South Vietnam. This is the Vietcong scheme. Later on the Vietcong will gradually transform the south into a Communist state. That is clear."

Mr. Sevareid. Gentlemen, televison timing is somewhat inexorable. I will have to cut this off. I didn't known we would end up somewhere in a village in South Vietnam, but here we are. The hour is gone.

I want to thank all of these gentlemen very much, and this audience for coming out on this warm night.

This is Eric Sevareid in Washington. Good night.

SERVICEMAN STATES LACK OF GI BILL IS FALSE ECONOMY

Mr. YARBOROUGH. Mr. President, failure of the administration to give its full and active support to the Cold War G.I. education bill is causing an unreasonable delay in the prompt enactment of this necessary legislation.

I ask unanimous consent that there be printed in the Record a letter from Lt. Thomas J. Byrnes, A.P.O. New York, N.Y., in support of the G.I. bill. The letter is dated June 3, 1965, and expresses the keen dissatisfaction of many hundreds of thousands of young men and young women in both civilian and military life with the administration's position to date on Senate bill 9, the cold war G.I. education bill.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Class B Agent, 45th Fin. Sec.,
New York, N.Y., June 3, 1965.

The Honorable R. W. Yarborough,
Chairman, Subcommittee on Veterans' Affairs U.S. Senate, Washington, D.C.

Dear Sir: Thank you for your reply to my letter supporting passage of a GI Bill of Rights. I was pleased to read in the Stars and Stripes that the Senate Labor and Public Welfare Committee has approved this bill and that there are more than 40 cosponsors of this legislation. I was a bit perplexed to read that this legislation is not fully supported by the administration on the basis that it would be too expensive and would serve to discourage reenlistments.

I would like to state that I don't understand how an administration which has declared war on poverty and is in the process of sending bills to Congress which call for the expenditure of millions on the Peace Corps, the Job Corps, education, medicare and foreign aid can say that this bill would be too expensive. When it comes to helping men who have given some of the best years of their life in the service of their country, it becomes a matter of it being too costly. We give funds to students through the National Defense Loans and Grants but we can't afford to give the men who stand day after day on the frontiers of freedom some help when they complete their service because it costs too much. Something is definitely wrong with this standard of values.

In answer to the other voiced objection of the administration to this bill I would like to state that after almost 4 years in the service, in which time I have discussed reenlistment and extension of service with many of my fellow officers and subordinates I have found that the reasons given for not staying in the Army are seldom related to the money they are paid or the greater opportunities that are available to them as civilians. Most men come into the Army with the intention of rendering the service they feel they are privileged to be able to give in order to keep our country free and strong. Those men have no intention of making it a career and there isn't much chance that anything will change their mind. Those who are undecided or who intend to stay on, leave for many reasons and I will mention a few. Perhaps they are disheartened by the fact that they can't get adequate housing for their family on post for at least a year in most cases; and if they decide to get a home on the economy they have to pay exorbitant rent for furnished apartments because their weight allowance doesn't permit them to bring their own furniture. The weight allowances are limited because Government-furnished housing is supposedly available. Maybe they have had to wait 3 or 4 hours with a sick child before a doctor gets to see them. Maybe they have had to wait 3 or 4 months between appointments for dental care for themselves or their dependents. It's my opinion that if the Army were to use its MOS test system and commanders' rating as a basis for promotions as the Navy does, one of the biggest obstacles to retention would be eliminated.

I hope that you will consider my objections to the reasoning of the administration in this matter and that you will consider them when legislation is presented to Congress for passage.

Sincerely yours,

THOMAS J. BYRNES,
First Lieutenant FC.

THE BALTIC STATES: A TRIBUTE

Mr. WILLIAMS of New Jersey. Mr. President, 25 years ago, Lithuania and her sister Baltic States, Latvia and Estonia, were invaded by Soviet military forces. Within a matter of a few weeks, all three states were incorporated into the U.S.S.R. as constituent republics.

On this occasion, we pay tribute to a gifted and heroic people who in their national life had sought no more than to live in peace and security. During the interwar period, the Lithuanians accomplished a great deal. Their state had every right to continue in freedom and independence.

But, international politics being what they are, small nations are more often than not the pawns of the great powers; and in the case of the Baltic peoples, this generalization is truly applicable. The Baltic States declared their neutrality in the European war that broke out in 1939; but Soviet expansionist interests had to be satisfied—and satisfied they were, at the expense of the Baltic peoples.

We honor the Lithuanian people; and we honor also their Baltic neighbors who share a common fate. Let us all pray that their hopes and expectations for the future will become a reality, and that once again they will enjoy the fruits of liberty.

PROBLEMS OF ALLIANCE OPERATIONS AND THE CRISIS IN NATO

Mr. JACKSON. Mr. President, in its study of the conduct of national security policy, the Subcommittee on National Security and International Operations this week received from Prof. Richard E. Neustadt perceptive testimony on the problems of alliance operations and the crisis in NATO.

An eminent analyst of the Presidency, the author of "Presidential Power"—1960—and a consultant to President Kennedy and to President Johnson, Richard Neustadt is a professor of government at Harvard University and is associate dean of the Harvard Graduate School of Public Administration.

I believe Professor Neustadt's initial statement at our hearing on June 29 will be of special interest to all Senators, and also to other Government officials in Washington and to many private citizens. Therefore, I ask unanimous consent that the statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BEFORE SUBCOMMITTEE ON NATIONAL SECURITY AND INTERNATIONAL OPERATIONS

(By Richard E. Neustadt, professor of government at Harvard University, June 29, 1965)

Mr. Chairman, members of the subcommittee, I take your invitation to appear today as a command which I obey with pleasure and appreciation. This is, for me, a rather sentimental occasion, having been associated with your work, from time to time, since the first "Jackson Subcommittee" got its start 6 years ago. Also, this occasion lets me emphasize again the gratitude of those of us who teach in universities for your assistance to our work these past 6 years.

Whether you know it or not—and I expect you do—the academic specialists in policy development lean heavily upon you as a source of reading matter for their students. Your subcommittee documents appear routinely in the reading lists and reference books assigned to college classes across the country. There is no comparable source of information and appraisal on the conduct of our Government in foreign affairs. So, on behalf of all of us who teach, and for our students: Thanks.

You have asked me to consider and to comment on ideas and issues raised in the initial memorandum of April 26, with which you opened this new phase of your continuing inquiry. So far as I am able I am happy to respond, but I am conscious of two limitations as I do so. Let me tell you what these are:

First, the memorandum bristles with questions, many of them basic, penetrating questions—any many of these penetrate beyond my range of observation or analysis. They impress me very much as the right questions to ask. But I do not impress myself at all as the man with the right answers. Indeed, I have no ready answers.

My professional preoccupation, as you know, has been what someone recently called "President watching"— to which, of late I've added as a hobby a bit of intermittent Prime Minister watching. But no one save a President or Premier really can be expert on the conduct of their offices. And not even a President knows half of what goes on beneath him and around him in our governmental world, to say nothing of other governments. As an observer—for the most part an observer from outside—I know a great deal less. So all I have to offer are some personal reflections drawn from limited observation.

Second, I appear here at a moment when our Government is struggling with the very sharp dilemmas of two complicated crisis operations overseas, while academic criticism of them both mounts higher than at any time I can remember since the regime of the late John Foster Dulles. But even though I come here with an academic title, I've no stomach for the role of critic-of-the-moment. Nothing I shall say here passes judgment on our current operations. I have enough experience in Government to know how much I do not know, from the outside, about the issues of Vietnam and the Dominican Republic as these present themselves to our decision-makers. And I have too much sympathy for men who bear the burdens of decision to allow myself the luxury of current criticism without current information.

So much for limitations. Now for your memorandum: I find in it two fresh conceptions which strike me as particularly worth pursuing. The first of these is what you have called operational feasibility. The second relates to alliance operations. Let me deal with each in turn.

OPERATIONAL FEASIBILITY

Your memorandum states:

"Top policy officers tend to pay a great deal of attention to what is called political feasibility. They also need to give a great deal of attention to what we might call operational feasibility. Is the plan of action do-able, in terms of real men * * * given the realistic limitations of knowledge, resources, and organizations with which they must make do?"

The distinction you suggest here is important. Government decisions, action decisions, the decisions which accrete into what we call public policy, always involve weighing the desirable against the feasible. The public officer at every action-level asks himself not only what but also how, considering not only goals but also ways and means, and then he calculates his chances to secure the means. Consciously or not, the man in public office has to make that calculation every time he contemplates an action. (The academic man does not, which frequently accounts for differences between them.)

And it is fair, I think, to say what your statement implies, namely that our public officers have generally inclined to make the calculation without bothering their heads too much about administrative means. Generally speaking, they have tended to assume that if they could secure political assent, they could invent, or improvise, or somehow force the requisite responses from the men who actually would do the work, in Government and out. The great machines of management would surely manage somehow, if the necessary sectors of the public, or the press, or Congress, or the Cabinet, as the case might be, were acquiescent.

That assumption probably has roots deep in our history: Americans have often improvised the means to do what nobody had done before. We invented federalism, won the west, conducted civil war on an unprecedented scale, coped with immigration, mastered mass production, built the Panama Canal.

And since the start of World War II, when we began to fashion our defense and our diplomacy in modern terms, we frequently have followed the assumption in those spheres as well, with consequences which appear to prove it out. Witness Franklin Roosevelt's war-production targets, and lend lease, or Harry Truman's aid to Greece, the Marshall plan, the Berlin airlift, NATO. In instances like these, a calculation of administrative prospects from the standpoint of existing capabilities or past performance would have been depressing, to say the least. Happily, the men who made such calculations at the time—and drew from them the counsel of inaction—were overruled by Presidents with faith that we could improvise.

In these instances, and others of the sort, the faith was justified.

But faith was helped by fortune in these cases. Running through them all were certain favoring conditions. These were instances when we espoused a large objective, simple in conception, easily identified and understood by managers at many levels, bearing some analogy to previous experience, and calling for an effort of great scale, not great precision. These were, moreover, cases where the need was plain enough to spur the effort. An overriding menace to our country was personified in Hitler, then in Stalin. And where we had to work through governments abroad, their operators saw the menace too, and saw it in our terms, or even more so. Also we were favored rather often by good luck: Tito's break with Stalin, for example, cost the Greek guerrillas an important sanctuary.

Such favoring conditions, I suspect, become prerequisites for an effective outcome of decisions which take management on faith. Unfortunately, these conditions are not always present. In their absence, portions of our record since the war wear quite a different look than do the instances just cited. They wear a look of ineffectuality. Here too, the issues of administrative feasibility were not pursued until after decisions had been taken. But here the consequences were unhappy. Faith in our capacity to improvise is justified, it seems, under particular conditions, and not otherwise.

Let me cite a few examples on the unsuccessful side: consider Roosevelt's wartime aim, from 1942, that we should occupy a northern zone in Germany, extending to Berlin. Or take what is supposed to have been his decision that we should not let the French return to Indochina. Or think of Truman trying to conduct a limited war with General MacArthur as his agent. Or look at Eisenhower trying in the last year of his term to move toward a détente with Soviet Russia. Or take Kennedy's endeavor in the first weeks of his term to undermine the government of Cuba.

In all these cases we had qualified objectives, subtle aims based on a line of reasoning and on anticipations which were far from fully understood by operators in our own or other governments, and often were not shared by those who did perceive them. Subtlety was matched by strangeness; we were trying to accomplish unfamiliar things in unaccustomed ways. Effective follow-through would have required great precision in obtaining information and coordinating action on the part of the American bureaucracy. It also would have called for great precision in relating our own actions to the acts of other governments. But large-scale organizations find it hard to be precise. And it is hardest when they tackle novel tasks for obscure reasons.

The Korean war provides perhaps the most dramatic instances where our decisionmakers took too much for granted on the side of operational feasibility. In the fall of 1950 there were few things Truman wanted less than a severe and costly clash with the Chinese. But to assure himself that he could minimize the cost would have required him to override the then prevailing military doctrine of autonomy for field commanders—or at the least to appoint a more malleable commander. He also would have had to build a better capability than we possessed for judging what went on inside Peiping. He would have had to use it, too, instead of leaning on the hunches of MacArthur. But none of this was thought through by the President (or his chief advisers) when we chose to support South Korea and then to cross the 38th parallel.

In the spring of 1951 there were few things Truman wanted more than a negotiated settlement with the Chinese. This led him to accept truce talks without a time-limit, and without keeping up our military pressure. That proved to be a formula for stalemate, not settlement. Truman often has been criticized in retrospect for taking off the pressure, halting our advance as talks began and thus reducing the Chinese incentive to conclude them. But our troops, to say nothing of the public or Congress—or our allies—were psychologically unready to press forward, take the casualties involved, for the purely political purpose of exerting influence at a conference table. Save for some commanders in the field, our chief officials, with the President among them, were equally unprepared.

By the time talks began, continued military pressure for this purpose seemed impossible to them on grounds of management as well as politics. Without it a quick settlement proved quite beyond their reach. That might have been foreseen by the decisionmakers who had long since settled on negotiation as their means to end the war. Had it been foreseen they might have managed to prepare the ground in popular psychology, and with the troops, and in their own minds. Apparently, they took no steps to do so.

The Korean war, of course, becomes dramatic in proportion to its character as an unprecedented—and entirely unexpected—sequence of events. Truman and his colleagues dealt with what was then uncharted territory, limited war, with nothing in our modern history, military planning or diplomacy to prepare them. The whole affair was a gigantic improvisation undertaken in a context of political adversity as well as unprepardness. When I hear concern expressed about the standing of a Johnson or a Kennedy in Gallup polls, I am reminded of the popular approval given Truman in the spring of 1951: 24 percent. I find it hard to criticize the Truman administration under those conditions. More recent Presidents have had at least a better base of popular support from which to face unprecedented problems.

Another source of illustrations, less dramatic but more frequently encountered, can be found in foreign aid. The Marshall plan was an immense success precisely because it attempted no more than was operationally feasible: physical reconstruction and modernization of economies in countries which possessed political and bureaucratic resources to make our money and our know-how serve the purpose. It is true that portions of our own bureaucracy and public tried to aim more broadly, at a social reconstruction. But it is also true that the directors of the program kept such aims in check. They fitted ends to means.

The Marshall plan's success was not a precedent, however, for our aid to less-developed countries. Ever since point four in 1949 our programs—and our rhetoric—have suffered very often from a failure to achieve that fit: we often neither trimmed our aims to match the means at hand, nor found new means sufficient to our purpose. Worse still, we often talked and sometimes acted as though we were under no compulsion to do either. Both in economic and in defense support, I gather that the record has been studded with occasions where we worked with little reference, or with none at all, to operational feasibility.

Everyone has his pet peeve with foreign aid. Mine is the tendency, marked until recent years, to treat connections between politics and economics in the third world by analogy with some one aspect of historical experience in this country or Europe. You will recall when technical assistance was the rage, on the analogy of land-grant colleges. Later, in the fifties, we inspired aid missions with zeal for private capital, on the analogy of Europe's contribution to our economic growth during the 19th century. When Kennedy was new in office we became proponents of the takeoff, on analogies from the industrialized nations: once a certain stage was reached, political development and economic growth were bound to become mutually supportive. Maybe so. But this assumption by analogy, like the others, seems to me a positive incitement to aid programers. Given such assumptions, those who proffer aid for less-developed countries may expect too much by way of bureaucratic and political capacity—or they may think too little about practical political effects.

Before the day of David Bell they certainly did both. I take it that they now do rather better.

In my own occasional experience, I vividly recall the report of an expert special panel, several years ago, which assessed the economic prospects of an Asian country. Their report proposed to make much of our future aid conditional on tax reforms; these were demonstrated to be well within the country's economic capability. Not a word was said about its governmental capability. Those measures of reform threatened to disarrange its system for rewarding men in public life. The ruling politicians and the bureaucrats who would have had to put the measures through were very much affected by them, not just personally but in terms of settled custom and procedure. The operational question for our Government is obvious. That panel never asked it.

By definition, foreign aid presents this sort of question. It is at once the hardest sort to answer in advance and the least safe to leave for improvising later. No wonder our aid programers have trouble. For on matters of this sort, a judgment of the feasible in operating terms involves not only our machines of management but also those of other countries, and not alone their governments but oppositions too, overt and otherwise.

Foreign aid, indeed, presents routinely and in lower key the operating problem we apparently confront in our two current crises: how to guide another country without running it, or still more crudely, how to govern through another government. In the heyday of 19th century imperialism this was no trick at all. The device of the "protectorate" was well developed. And in the heyday of the empire of Stalin, party discipline served even better. But we genuinely are not imperialists in either sense. We do not want to be, nor can we be. Devices of both sorts are beyond our reach. In lieu of command we experiment with influence, a chancy substitute.

These comments will suffice, I hope, to emphasize two things: first, that we can ill-afford to take administrative feasibility on faith—except under conditions which are frequently denied us—and second, that in calculating feasibilities we often have to reckon not alone with our own men, but also with the men who do the work of other governments. This puts a premium upon detailed control of who does what to whom, with what, and when inside our Government; control is hard to get and hard to keep, but of the essence. And it suggests an equal premium on detailed information, properly appraised, about the who and whom, et cetera, in other governments (or would-be governments). Nothing could be harder to obtain, especially an adequate appraisal. But difficulty is no warrant for discounting either need.

A careful calculation of operational feasibility, in terms like these, can be rewarding even though we act despite it, as we often must. We need control and information to dispel the risk of action-in-the-dark. The next best thing, however, is awareness of how much we have not got. A grasp of limitations makes for careful footwork. This itself reduces risk and often is the most we can achieve. The alternative is action without careful calculation, hoping we will be sustained by favoring conditions, trusting our capacity to improvise after-the-fact.

This has worked before—sometimes—but I would hate to count on it. This is a way to maximize the risk.

Let me turn now to another aspect of your memorandum.

ALLIANCE POLITICS

Your memorandum states:

"An alliance in operation is a group of governments each made up of men who, by the nature of their work, are bound to view the purposes for which they are allied through the perspective of their own national preoccupations."

This concept of allies as governments, and governments as politicians-on-the-job cuts through our native tendency to talk about alliances in terms of their machinery or governments in terms of single individuals. I see two implications, one of which you indicate:

"When external dangers are immediate and severe, and the situation looks similar from the several national perspectives, then closely alined courses of conduct can be expected. When external dangers are less severe, alliances are bound to be in some disorder. Pulling and hauling is not necessarily a sign of weakness. * * * It serves no useful purpose to complain that national interests diverge. They do."

In short, when several governments are frightened by the same thing at the same time, and perceive it much alike, they tend to act in concert not because of but regardless of alliance ties. Truman used to say sometimes that Stalin was his agent on this Hill in putting through the landmarks of our postwar foreign policy. Anyone who recalls the reaction here to the Czech coup of 1948 will grant his point. And it applies to western European capitals as nearly as to Congress.

A second implication is perhaps less obvious. Because allies are governments, each is a more or less complex arena for internal bargaining among the bureaucratic elements and political personalities who collectively comprise its working apparatus. Its action is the product of their interaction. They bargain not at random but according to the processes, conforming to the perquisites, responsive to the pressures of their own political system. Some men and some machines within the system thus are naturally advantaged over others. With us, Defense and Treasury, for instance, are frequently advantaged over State. In foreign policy the President is usually advantaged over Senators. So it goes. In France, the Elysée is currently advantaged over everybody else, if and when De Gaulle himself is known to take an interest. (The qualification, I suspect, may mean more than we think.)

It follows that relationships between allies are something like relationships between two great American Departments, say Defense and State—except that there is no Supreme Court like the White House to adjudicate their differences or overcome them. These are relationships of vast machines with different histories, routines, preoccupations, prospects. Each machine is worked by men with different personalities, skills, drives, responsibilities. Each set of men, quite naturally, would rather do his work in independence of the other set. They overcome that preference when they find the others useful or essential in their business. The impulse to collaborate is not a law of nature. It emerges from within, arising on the job, expressive of a need for someone else's aid or service.

From this, two more things follow: First, if one government would influence the actions of another, it must find means to convince enough men (and the right men) on the other side that what it wants is what they need for their own purposes, in their own jobs, comporting with their own internally inspired hopes and fears, so that they will pursue it for themselves in their own bargaining arena. This is what we did, with Stalin's help, in Europe nearly 20 years ago. This is what we failed to do, without that help, on EDC 11 years ago.

And second, if one wants to tie the policies of governments together, over time, one seeks joint ventures or concerns which link the daily doing of key men on either side, making them dependent on each other in their work, giving them concrete incentives to collaborate.

Before NATO, the most intimate, sustained peacetime alliance between major powers in the modern world was that of Germany and Austria-Hungary, from 1879 to 1914. Save for some joint meetings between military staffs, this alliance lacked machinery such as we associate with NATO. But what it had instead was great weight in the public politics and also in the bureaucratic politics of both regimes, together with the sanction of a powerful tradition: Except for 13 years after the Austro-Prussian War (and a decade in Napoleon's time), the two countries had always been mixed up with one another. In July 1914, the bureaucratic politicians of Vienna pulled a fast one on their colleagues at Berlin and dragged them into war. In 1917 Berlin got its revenge and made the Austrian Emperor drop his separate peace negotiations. The ease with which each side compelled the other testified to the political imperatives behind their close connection.

Short of the pervasive links in politics which characterized Berlin and Vienna, particular joint ventures often have contributed to binding an alliance. Until the missile age, for instance, while the bomber still gave SAC its strength, the shorter flying time of Britain's bomber command made English capabilities count heavily with us. In the deterrent business we, of course, were senior partner, but the British saved us trouble, also money, and indeed provided something irreplaceable, an "unsinkable carrier." American defense officials, therefore, had to think about the British every time they thought about themselves. That is a very binding tie between two governments.

The common status of the dollar and the pound as reserve currencies for the free world becomes another tie of roughly the same sort, and one which still is very much at work between these governments. As Eisenhower found in 1956 when he decided to change British policy on Suez, there is a lot of leverage in this relationship. But as we have seen recently there also is a lot of common ground because of it.

Ventures or concerns in common of these sorts give men inside each government a handhold on the hopes and fears of men inside the other as they do their work, pursue their needs, in their arena, day by day. For a peacetime alliance, lacking Stalin or his like, few things can help more to keep two governments together.

Our current problems with De Gaulle now seem to stem, at least in part, from the fact or appearance that he has several handholds on men in Bonn, and Bonn, in turn, has many holds on Washington, while we and they alike cannot return the favor. In the current French political and economic context, his "presidentialist" regime seems smooth as glass, impervious to us or to the Germans. He must know that he needs us to deter the Soviets. But this we do on our account, not his, so French security in the strategic sense gives us no hold on him. We seem to have no others, though this may be more appearance than reality. But even the appearance gives him more room for maneuver on his side than we on ours. So at least I gather from the New York Times.

To comment on alliance operations without mentioning machinery is to give our NATO organs, and others of the sort, less than their due. They play a role, undoubtedly. But in the terms of this analysis it is and has to be a derivative role. Alliance institutions, civil and military, are not sovereign states—though SHAPE at one time often played the part and got away with it—but rather they are creatures, or at least creations, of the governments concerned. Thus their importance turns on their symbolic quality, together with their actual capacity (which often is not very great) to influence the work of men inside those governments. For short of open war, it is the government machines, not those of the alliance, which alone possess the capability to act. And short of imminent incursions into NATO countries from the East, the views of SHAPE or North Atlantic Council (NAC) officials matter less in many governments than views of men with power in their own right close to home—or nearer Washington.

If alliance organizations are to make a larger impact, they require greater leverage upon the work and worries of key men in national machines. This is what distinguishes the EEC from NAC. "Eurocrats" can do (or at least start) some things, quite independently, which vitally affect the work of ministers in government. A dozen years ago, the same thing could have been said about SHAPE, in fact if not in form, but less so now than in the days of Eisenhower, who was something of a sovereign power in himself.

However, it does not appear to me self-evident, or even likely, that alliance agencies can have such leverage (or, anyway, can keep it if they get it). I do not see the payoff for the national machines. Confederacies are another matter, but NATO governments make no pretense that their alliance is a nascent state. EEC and NAC are thus in different categories; the one is not a precedent for the other. Nor do I see why we should mourn the passing of our "proconsuls" from SHAPE. At the present stage of our political development, alliances exist to serve their member governments, not vice versa. And governments are served by meaningful relations with each other. These center necessarily upon each other's capitals, upon the great machines and their internal bargaining. Alliance agencies are on the margin.

This does not mean that alliance organizations serve no useful purpose. At the least they serve as symbols and as supplementary switchboards for communication among national machines. Still more, they may provide a quiet corner where key men from different capitals review the bidding on collaborative plans and action. This last, I take it, is a major aim of NAC. If so, then the small subgroup of key ministers, recently suggested by our Secretary of Defense, might be a very useful supplement.

But machinery is the least of my concerns today.

MEN AND MACHINERY

These comments on alliance operations reinforce my comments on operational feasibility. For if peacetime alliances are what I think they are, then our ability to make productive use of them depends, at least in part, upon our comprehension of the who-and-whom, and what, and why, in other governments. It also will depend in part upon the skill with which we translate comprehension into appropriate action, a delicate endeavor calling for control. Put these two parts together, add material resources, and you have a formula for gaining from alliances; leave either out and you do not, unless by luck or with a substitute for Stalin. In working an alliance, as in calculating feasibilities of any other operation overseas, the premiums are on control and information.

I have testified before about control, the need for it and difficulties of it in our government. There is nothing I would add today except to note that Johnson, quite like Kennedy before him—some say even more so, many say too much—is trying to control details of operation in each crisis situation overseas. Seen from the outside, he seems to act as though he thought his every purpose were at risk in anything subordinates contrived without his knowledge. If this indeed should be his thought, he would not lack for reasons from the record of the Presidency or its outlook since the missile age began. I cannot think him wrong to try. The difficulties, naturally, remain.

Information presents still more difficulties. From what little I have seen of our intelligence and our political reporting I surmise that the chief difficulty is conceptual: apparently we lack a frame of reference in our heads to prompt the questions on which we are often most in need of answers—or to guide appraisal of the answers we can get. This is not a problem inside government alone; far from it. It also is a problem in the scholarly community. Curiously, we are very much aware that our own Government is not a monolith, yet we are prone to treat a foreign government as though it were. We know that our own public officers are bound to think not only about men across the water, but also and intently about colleagues here at home. Yet we often neglect the possibility that foreigners do likewise.

In the sphere of military operations, we have learned with pain and slowly but quite thoroughly, I believe, that ends take means, while means take application to a given case, and application calls for an assessment of the case, before, during, and after. In recent years, particularly, we have made serious efforts to review our aims and to refine our means in light of our experience and prospects, case by case. Not only have we tried to do these things but also we have tried to instill knowledge of the doing, and of how, and why, in the upcoming generation of staff planners and commanders. War colleges, I gather, turn experience into doctrine as fast as they can. They even make a place for planners out of uniform, from State and CIA or even Budget, on the theory that it pays to spread the word.

In the "political" sphere, so called—a term for anything or everything except the actual use of force—what comparable efforts do we make? Virtually none. The intelligence community has little taste for history, or so it seems. At any rate it continually looks forward, rarely back. The Foreign Service, while at home with history or at least anecdote, seems prone to a professional astigmatism which mistakes diplomacy for governance. The Pentagon, although no stranger to political work, is under a constraint not to admit what it is doing, even to itself. Defense officials, in and out of uniform, are likely to display a double standard: hardheaded and informed on feasibilities of force, haphazard or unknowing (or simplistic) about feasibilities of politics. Many of them are experienced in bureaucratic politics at home; some of them have extraordinary experience with governments abroad. But nothing in their training tells them to treat this experience as carefully or as analytically as they would treat combat experience.

I made a bow just now to the war colleges. But it is pertinent to add that they reserve no time for studies of what actually went on inside of governments as one of those machines dealt with another. Nor, naturally, is time devoted to analysis of what to do, if anything, about resultant problems. The colleges are not to blame; they do not have such studies. And with rare, piecemeal exceptions, neither do Defense, nor State, nor CIA, nor AID—I may have missed a hidden treasure somewhere, but I doubt it—to say nothing of our universities, where scholars either pine for lack of access or accept as gospel what they clip out of the New York Times.

Were this the situation on the military side, we would not tolerate it for a moment.

The question becomes, what to do about it? With that question let me bring this statement to a close. The answer, obviously, depends on many people in and out of government. None of us here can speak for all of them and I would not presume to try.

But it is plain, I think, that steps toward an answer will involve at least two sorts of studies. First are studies of method, of our training needs and programs, inservice or out. Congress has been cool to a civilian counterpart for the war colleges. If not that, what? Second are studies of substance, of relevant historical experience in critical encounters between governments looking at what happened inside national machines as well as across national frontiers. Just as we dissect past military actions, so we should examine such administrative confrontations, and for the same reasons: to sharpen our perception of our problems, to enhance our capabilities for training, to improve our question asking, and to give us the beginnings of a frame of reference adequate for future operations.

Studies of the first sort certainly are open to the competent authorities at both ends of the avenue. Studies of the second sort could well be fostered by many institutions both downtown and outside government. Security requirements are such that government support is always indispensable, but private capabilities would also be essential. Cooperation is indicated. Some of us in Cambridge hope we can contribute to this work through our established organizations and also through the institute of politics, honoring President Kennedy, which Harvard is in process of creating. Other research centers elsewhere in the country should chime in, or take a lead. I hope they will. For this job is bigger than all of us. And studies are but steps toward answering the question.

One other thing is plain: this question and its answer are not matters of machinery. To be sure there are some problems here of method and procedure. But the question does not pose issues of government reorganization. The answer does not turn on whether we have more or fewer members of the National Security Council. Machinery is not of the essence here. Men are of the essence: what they carry in their heads, and how they use their minds, and where they look for information.

Yet this seems to me preeminent among the long-term problems in the conduct of our foreign operations.

"MAKING DEMOCRACY WORK"—McGEE SENATE INTERNSHIP CONTEST ESSAYS

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct, for the graduating high school seniors in my State of Wyoming, the McGee Senate Internship Contest, which brings to Washington one boy and one girl, for a week of observation of democracy in action—here in the Senate and elsewhere in Washington, D.C.

As a part of the contest, each student is required to complete an essay on "Making Democracy Work"; and each year I am impressed by the depth of understanding and the dedication to our democratic principles displayed in the essays written by these young people. All show real thought and a thorough knowledge of our system of Government.

Of course, it would be impossible for everyone to read all the essays; but I think some of the most outstanding ones as selected by an impartial panel of three judges, should receive wider circulation. Therefore, I ask unanimous consent that two of the essays—written by Robert J. Reese, of Casper, Wyo.; and Mary Ruth Parsons, of Cheyenne, Wyo.—which received honorable mention in the McGee Senate Internship Contest be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

MAKING DEMOCRACY WORK BETTER

(By Robert J. Reese, Casper, Wyo.)

In his play, "An Enemy of the People," Henrik Ibsen wrote "The most crying need in the humbler ranks of life is that they should be allowed some part in the direction of public affairs. That is, what will develop their facilities and intelligence and self-respect." Such is the state of mind that creates democracies. A society with this state of mind must meet two qualifications. The first is a desire to develop the "crying need" into a practical ambition. The second is an eagerness to accept the responsibilities involved in self-government. Since democracy depends upon knowledge, the major obligation of an independent people is that of obtaining an extensive education. Learning is important and necessary because the citizens must have the intellectual ability to question their leaders reasonably. A critical society is a free society and an intelligently critical society is a great society. Citizens who are not alert to the actions of their Government may become subjects instead of citizens.

Although men are freest when they are most unconscious of freedom, they are safest when they are most conscious of freedom. Awareness of liberty also brings about awareness of the slavery of others. This awareness makes men chained by their obligations to either free the enslaved or to make certain that they do not suffer the same fate. Perpetual watchfulness is the only safeguard against tyranny; therefore a democracy imposes restrictions on itself by chaining itself to enduring vigilance and the ceaseless pursuit of knowledge. The pump of liberty must be primed by sacrificing a small amount of freedom in order to gain a great amount of it. If these goals are continually carried out, democracy in a country does not have to be part of a mere cycle of governments; it can become immortal.

The representative democracy in the United States has the potential to become immortal because this country is ruled by the Constitution. This situation prevents us from being subject to the weaknesses of men. Rule by law instead of by men has made America the great power it is today. As Aristotle said, "The law is reason unaffected by desire." Since she is great politically and economically, the United States also has an obligation to become superior socially and morally. What answer can we give to students in Africa and Latin America who give in readily to the temptations of communism when we give in readily to the temptations of racism, liquor, sex, lawlessness, or selfishness? We are on a pedestal before the world. Leadership is ours whether we want it or not. We should strive to eliminate America's present images of violence, immorality, bigotry, and dollar worshiping. The United States has never been content with an unfavorable status quo. It is one of the most progressive, and revolutionary nations in history; so why has it taken so long for us to revolutionize our moral and social standards?

One of the most glaring inadequacies in our social standards is the race problem.

There is no reason for denying Negroes the right to vote or the right to use public facilities or the right to a decent education. In the words of the late President Kennedy, "Liberty like charity must begin at home." In addition to being harmful to our social and political structure, segregation is detrimental to our economy. Intelligent, productive Negroes have been placed on welfare lists because they were unable to obtain a suitable job or a satisfactory education. Any racial incident in this country is immediately described as "American oppression" in headlines throughout the world. The white supremicists say we should go slow, yet they ought to realize that liberty delayed is liberty denied. We should, however, exercise restraint in the amount of freedom allowed. Purposeless demonstrating, talk of impeaching Governors, economic isolation against an entire State, and rioting in the name of civil rights do a disservice to the country. Reformers and their opposition are indispensible to society; but only if they know when to stop reforming or resisting. Reformers should work to improve the Nation, not to divide it.

A country of people who would rather destroy each other than the enemy is a country that is heading toward self-annihilation. We should remember that a political opponent is not an enemy, merely a citizen with similar ends and different means. While the two Communist powers divide over the best methods of world conquest, our two great political parties divide over the best methods of world improvement. Besides division, another problem that faces democracy is an excess of freedom. When independence ceases to have its limits, respect for the government is diminished. Anarchy is substituted for liberty, waste for magnificence, and impudence for courage. It is such a desire for an excess of freedom that caused the free speech movement at the University of California. As Plato said, the citizens "chafe impatiently at the least touch of authority * * * they cease to care even for the laws, written or unwritten; they will have no one over them."

Unrestrained liberty produces complacency, ignorance, and indifference to national problems. It is complacency that allows men such as Bobby Baker, Billy Sol Estes, and Jimmy Hoffa to rise to positions of leadership or influence. It is contempt for authority that is producing our increased crime rate, the cheating in our schools, and the widespread deception on income tax forms. It is selfishness that causes workers to strike on our missile bases in utter disregard for the interests of the American people. They know their jobs are vital to our defense and to our space exploration, so they take advantage of the situation by trying to squeeze as much money as they can out of the taxpayers. Let us eliminate these injurious attitudes from our way of life. Will another Mussolini stand over us saying "We have buried the putrid corpse of liberty," or can we meet the challenge of appreciating our freedom and the freedom of others?

In order to make democracy work better, we should place concern for our country and our freedom above everything else. In the words of Somerset Maugham. "If a nation values anything more than freedom, it will lose its freedom and the irony of it is that if it is comfort or money that it values more, it will lose that too." As young Americans we should refuse to be a problem generation. We should try to be men and women great enough in heart, mind, and muscle to match the marvels of our technology. We should try to be remembered as the generation that not only went farther in space, and deeper in the ocean, but also as the generation that abandoned complacency and greed, that preserved freedom, and that spread the idea of democracy throughout the world.

Making Democracy Work

(By Mary Ruth Parsons, Cheyenne, Wyo.)

Enough has been written defining democracy for even the most ignorant man to understand its basic principles and aspire to them. Where we may fail, is in putting them into practice.

There can be no failure if we actively work for democracy; it has no flaws when men live by it. Only when they think they live by it, but wait for others to create it, does the idea become less than perfect. A living, changing force, democracy works only for those who work for it.

It is a grassroots proposition. Before democracy can work in a nation, it must work in a State; before the State, in a city; and in its purest form, in the individual. Like religion, it becomes manifest only when sincerely within the heart of man. Again like religion, it is not enough that man feels this spirit; he must also take every opportunity to use it.

What, then, is every citizen's role in making democracy work? He needs to devote the least amount of energy to using his vocal cords, scribbling with a pen, pecking on a typewriter. He must voice a few of the ideas he is inclined to keep to himself. Changes don't come if no one knows they are desired.

A letter to his Senator or mayor may seem an awesome step to the average citizen. He feels his opinion carries no weight—his salary is modest, his name is obscure, perhaps not half a dozen people would notice if he dropped dead tomorrow. Not voicing his thoughts because of one or all of these reasons is throwing democracy away.

And he may rest assured that with that Senator or that mayor, his letter will carry a great deal of weight. Anyone taking trouble to ask his Government to work the way he'd like it to probably speaks for many who feel the same, but are waiting for the bird of paradise to fly into their arms instead of getting short of breath putting salt on its tail.

Too often we have decisions influencing the masses when the masses have not influenced the decisions. This fault is the people's. Many are overridden by a few only because these few expressed their opinion while the many did not.

In every legislative election, voting records of the incumbent candidate are dragged into the public spotlight. Indignantly electors point out the number of times he has abstained from voting.

Wait. If the people he was elected to serve give not the slightest indication of favoring or rejecting what they term minor legislation, how can he vote? Unguided by majority opinion, any vote he cast would be simply an act of his own will.

If a man is disinterested in a measure because it does not affect him, let him visit just one meeting of the zoning board, or even the PTA. What they favor is vitally important to them. Nine chances out of ten he'll find it is to him too.

So write letters; telephone; send telegrams. That's what makes democracy work.

Perhaps one generation has failed to make it work as well as it might. They should then be even more determined to help their children work toward it.

One of the greatest shocks a high school student can receive is finding that adults refuse to practice the justice they have idealized since he entered school. There is no reason for this shock. There is no justification.

This is not to advocate laxity of discipline over youth. It is not to set them up as wiser than their elders. Rather, it is to say they should be encouraged to create democracy whenever possible.

Student legislatures possibly increase interest in government. However, more interest is formed by practical assertion of a child's individuality.

If they favor changes, let them learn to draw up petitions, to take their ideas before the student press and public. Even if their efforts fail, they will have learned something. They will have discovered an amazing number of others share their seemingly singular opinions. They can see value in making ideas known.

Adults must encourage young people to express their ideas. If these are stupid, at least praise them for courage to express their thoughts. If ideas must be cast aside for their welfare, let those in authority take time to point out clearly when a decision was made. Wisdom not explained is too often interpreted as supression.

All of us are occasionally guilty of running other things smoothly at the sake of democracy. We prefer having the student who is always able to contribute lead the discussion rather than taking chances on the stuttering shyness of another. We feel safer if we trust the artist who will turn in beautiful sketches than if we risk our publication's beauty to one whose art has never been published.

Here is where democracy must start. The unproven must be given a chance, even at cost to ourselves. In youth man's faith in democracy is formed, or he is embittered against it forever. Only if he believes in it will he work for it; so the years of youth cannot be taken too seriously.

Here is the bare truth: The student much hailed as a leader does not necessarily become a leader. The student whose efforts are turned aside, in time will invariably stop trying.

To make democracy work, we need courage to try it ourselves, giving an unknown the same chance given a three-time winner. We must accept partial responsibility if they fail. Yet we must be valiant enough to encourage them to express their ideas, whether stemming from success or failure.

It is interesting that even American democracy once failed before establishing a government its citizens would accept. Yet democracy did not fail, being an individual thing to a few men, who dared try again despite failure. Now their names are written in the list of the great.

ONE-MILLION-DOLLAR SAVING IN WELFARE COSTS

Mr. WILLIAMS of New Jersey. Mr. President, I call attention to a fine example of the way in which the antipoverty program can operate to aid the individual States, while at the same time attacking poverty at its roots. In my home State of New Jersey, the city of Newark has just been awarded a Federal grant, to take effect on July 1. The end result of this grant will be to remove from the city rolls one-quarter of the adults now receiving welfare, with a resultant saving of over $1 million. This is not merely a transfer of welfare payments from the city and State to the Federal Government; the prospects are for the complete removal of nearly 1,200 adults from the welfare rolls. They will be trained to hold productive jobs. Nearly one-third of these persons are classified as being part of the hard core of the unemployed.

Mr. President, this program gives us a graphic example of how the antipoverty program may be employed to produce practical, as well as humanitarian, results. The removal of these persons from the welfare ranks will undoubtedly result in increased economic prosperity for them and for their families, as well as the alleviation of a drain on the local welfare budgets. Newark is to be commended for its pioneering role in the effort to make the antipoverty program really work. The application of the antipoverty program in this urban area shows that we need not be content with providing subsidies to areas that find themselves deep in the antipoverty struggle, but that we may seek to provide dignity for those who are touched by this program. I think other areas can learn a valuable lesson from the planning, the courage, and the foresight that Newark has shown in this area.

I was also pleased to receive from Chester J. Tyson, Jr., our able Director of the Farmers Home Administration, of the Department of Agriculture, a letter relating to the successes of the antipoverty program in rural areas. The small farmer, who once was the backbone of our Nation and our economy, now finds himself faced with competition by giant farms. It is fitting that these rural citizens be aided in their efforts to regain their productive capacities.

Therefore, I ask that an article which was published in the Newark News of June 13 and the letter from Chester J. Tyson, Jr., be printed at this point in the RECORD.

There being no objection, the article and the letter were ordered to be printed in the RECORD, as follows:

ONE-MILLION-DOLLAR SAVING IN WELFARE COSTS

(By Douglas Eldridge)

A new Federal training program for relief recipients in Newark is expected to save the city and State more than $1 million in welfare expenditures during the next 12 months.

Under the $3.3 million antipoverty program, announced yesterday and going into effect July 1, the Federal Government will provide full support for about one-fourth of the adults on welfare in Newark while they work and learn in special temporary jobs.

Normally, the costs of these relief cases would be shared about 50–50 by the city and the State. Thus, the program might cut a half-million dollars from city spending on welfare.

This is by far the biggest antipoverty grant approved yet for Newark.

SPECIAL TRAINING

The pioneering program is expected to provide special jobs, training, and education for nearly 1,200 adults from the relief rolls during the course of a year. The maximum number to be accommodated at one time will be 780, or more than one-fourth of Newark's current caseload of 2,900.

According to figures supplied by Mrs. Grace Malone, director of Newark's Division of Welfare, the cases to be covered by the training program would account for about $1,120,000 of the $4,882,350 allocated by city and State for relief in Newark this year. In addition, the city alone is spending $661,190 on welfare administration this year.

Nearly a third of the people to be trained are considered "hard-core" unemployed, with little ability at present to get or hold jobs.

At present, the average monthly payment for a family on relief in Newark is $131.50. Under the work-training program, the average family would receive $302.10. The latter amount is based on county welfare payments—which are higher than the city's—and prevailing wage rates.

U.S. DEPARTMENT OF AGRICULTURE,
220 Post Office Building,
Trenton, N.J., May 26, 1965.

Senator HARRISON WILLIAMS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: In reading the CONGRESSIONAL RECORD for Friday, May 7, I was much interested in your remarks in regard to the economic opportunity program in New Jersey. I was quite interested to note that you made reference to the 40 loans made by the Farmers Home Administration under Title III A of the Economic Opportunity Act. The fantastic response we have had from the low income people in rural areas who are in need of these loans demonstrates the value this section of the Act in the war on poverty.

Though the loans have been available only a few months, we have already received 117 applications from small farmers and other rural residents for a loan to finance a small business or to operate a small farm. These applications have been received in all rural counties of the State, though the greatest activity has been in Atlantic, Cape May, Cumberland, Hunterdon, and Ocean Counties.

We are giving top priority to processing these loans and are glad to report as of this date 74 loans have been closed. The loans have been made for a variety of purposes including such things as: establishment of a rural machine shop, purchase of fishing boats, purchase of house-painting equipment, tools for lawn work, pulpwood cutting and hauling equipment, plus many others. These loans have all been made to people of low income living either in rural areas or small towns. We require that the applicant has experience to carry out the venture to be financed and that we are not financing an activity already fully met in the community.

Approximately one-third of the loans have gone to small farmers and the balance to nonfarm rural residents. In a number of cases, loans have been made to small farmers to assist them in the establishment of a small business venture to supplement their farm income. Even though we have only been making these loans since January, we have already seen evidence that the opportunity afforded through this program will have tremendous impact upon the lives of those involved. One of the most satisfying features of this program is the fact that the borrowers are starting to repay their loans as soon as their income is increased.

Our county supervisors are working very closely with these families. It has been found that in addition to needing credit, these families have many other problems which need attention. Under this program many of the other programs authorized under the Economic Opportunity Act will be used to solve the problems of the borrowers.

Sincerely yours,
CHESTER J. TYSON, JR.,
State Director.

WHITE HOUSE FELLOWSHIPS

Mr. BARTLETT. Mr. President, on Monday afternoon, at the White House, President Johnson announced the selection of the 15 1965 White House Fellows.

These outstanding young men, selected from over 3,000 applicants, will work in the Government for 1 year. Each Cabinet officer and the Vice President will have a Fellow assigned to his staff, and four Fellows will work in the President's office.

The Fellows will participate in the formulation of administration policy, and will observe at close range how and why and by whom the policy is made. It is hoped that they will return to their chosen professions with a new understanding of the Federal Government and how it solves its problems.

This new and remarkable program is the result of discussions between John W. Gardner, president of the Carnegie Corporation, and the President. The program has the full and complete support of President Johnson, and is made possible through the generosity of the Carnegie Foundation. If the fellowships prove to be as useful and if the experience of the Fellows proves to be as valuable as is now promised, legislation to award the fellowships yearly, on a permanent basis, will be sought.

The extremely high caliber of the Fellows is, in itself, a tribute to the high caliber of the commission which makes the selections. The chairman of the commission was the able David Rockefeller. Both Mr. Rockefeller and his study group worked long and hard in making their choices. In this first year of the program, they were determined to set a precedent for future years. They were determined that the Fellows should be able, intelligent, and representative of a wide spectrum of American life. Their success is apparent in their selections.

Especial thanks, too, should go to the director of the commission, Thomas W. Carr, and to his two assistants, Mrs. Elois Wade and Miss Delores De Felice. Without the hard work and devotion of these persons, the selection process would not have run as smoothly and as efficiently as it did.

I ask unanimous consent that an article listing the Fellows—written by Dorothy McCardle, and published yesterday in the Washington Post—be made a part of the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIFTEEN FELLOWS GET TOGETHER AT WHITE HOUSE

(By Dorothy McCardle)

Fifteen brilliant young men with assorted educational and career backgrounds became the first White House fellows yesterday at a ceremony presided over by President Johnson in the East Room.

The winning 15 edged out 2,700 men and 300 women competitors for the newly created fellowships. They will spend the next year in Government as paid internes, learning first hand how their Government works.

One of the fellows is Ronald Barry Lee, of Wheaton, Md., who is based with the U.S. Army material command and formerly served in Vietnam. In 1950, he was the first Negro to go to West Point from New England.

The President expressed the hope that the fellows will take away from their year in Washington "a new and deeper conviction that your land, and its leadership today, have but one purpose.

"That purpose above all else, is to preserve peace with honor, freedom with justice, progress with equal opportunity for all men."

The fellows did not know of their selection until just before they were ushered into the East Room. They were selected from a final panel of 45 who have been undergoing consideration by the Commission on White House Fellows, headed by David Rockefeller. Among the 45 were 3 women.

Fifteen alternates were chosen, too, but their names were not announced. One of the alternates is a woman. She is Elizabeth

T. Fast, mother of four children and a librarian in Groton, Conn. The alternates will only serve in the event a fellow has to leave the program for any reason.

Asked why no women were winners, Rockefeller explained that the 3 women among the 45 finalists were talented, but that the men were better. Out of 3,000 original applicants, 300 were women.

Ten of the fellows will be assigned to the offices of members of the President's Cabinet, one to Vice President HUBERT HUMPHREY, and four to the White House. Their salaries, depending upon their age and experience, will range from $7,500 to $12,000 for the year, plus $1,500 extra, if they are married, and $500 additional for each child in the family.

After the ceremony, there was supper and dancing on the south lawn.

The fellows, whose specific assignments will be announced later, are:

William R. Cotter, 29, an associate attorney, of New York City.

John A. DeLuca, 32, assistant professor at San Francisco State College.

Richard L. deNeufville, 25, National Science Foundation fellow at the Massachusetts Institute of Technology.

Edwin B. Firmage, 29, assistant professor of law at the University of Missouri.

Wyatt T. Johnson, Jr., 23, graduate of Harvard School of Business and newspaper reporter in Macon, Ga. (No relation to President Johnson, he said.)

Robert R. Lee, 33, assistant professor of engineering-economic planning at Stanford University.

Ronald B. Lee, 33, Wheaton, Md., graduate of U.S. Military Academy and third-place winner in the 1963 International Poetry Contest.

Charles M. Maguire, 35, writer and former field office chief of the U.S. escapee program in Nuernberg, Germany.

David C. Mulford, 28, writer and political scientist from Rockford, Ill., who is currently working for his doctorate at Oxford University, England.

Howard N. Nemerovski, 34, an associate attorney from San Francisco.

Robert E. Patricelli, 25, who just graduated from Harvard Law School, was a member of the Harvard Law Review and is Phi Beta Kappa.

Harold A. Richman, 28, Harvard graduate with a Ph. D. in social welfare from the University of Chicago.

Thomas C. Veblen, 35, a University of California graduate, who is now manager of the oil division of Cargill, Inc.

Michael H. Walsh, 23, assistant director of admissions at Stanford University.

Kimon S. Zachos, 34, an attorney from Manchester, N.H.

JUNE 30—FIFTH ANNIVERSARY OF CONGO'S INDEPENDENCE

Mr. YARBOROUGH. Mr. President, today, June 30, the Democratic Republic of the Congo celebrates the fifth anniversary of her independence. As we join the Congo in celebrating this significant milestone in her history, I extend my congratulations to the people of the Congo for their efforts toward an ordered society under their own Government.

Located in the south-central part of the African continent, the Republic of the Congo covers an area of about 904,747 square miles—approximately equal in size to the portion of the United States east of the Mississippi River. This country, which has a population of about 14 million, has the highest wages and the highest literacy rate in tropical Africa. Rich in natural resources, this nation produces a large percentage of the world's copper and most of the world's cobalt and industrial diamonds. Also, Congolese agriculture has been vigorous and relatively efficient in its competition in the world market. Manufacturing is well developed; and, by comparison with those of other African countries, the exports of the Congo are well diversified. The Congo is getting close to the threshold of self-sustaining growth.

After independence, the economic growth rate of the country declined. Now, however, exports and production are increasing again. This growth has been stimulated by the major monetary reform of November 1963, and also by aid from the United States.

United States aid given directly to the Congo or to the United Nations for its technical assistance and peacekeeping activities in the Congo totaled over $400 million through the end of the fiscal year 1964. Through this program, we have shown our interest in helping the Congo maintain her independence and her territorial integrity while she achieves economic stability and an improved administration.

Among the goals which both our Nation and the Congo desire, in Africa and elsewhere, are those of national independence, democratic government, noninterference in the internal affairs of a country, and economic and social development. I am pleased that our two governments are working together toward the achievement of these goals.

I am sure that the Congo has bright prospects of being one of the most prosperous countries in Africa. I am sure that I speak for the Senate when I say that we are proud to join the people of the Republic of the Congo in celebrating their fifth anniversary, and that we look forward to ever-strengthening ties of friendship and cooperation with her.

WHY DISCRIMINATE AGAINST WHEAT, MR. NIXON?

Mr. McGOVERN. Mr. President, the reaction of a Middle Western wheatfarmer to a speech by former Vice President Richard Nixon, in opposing wheat sales to Russia, is contained in a release made by Andrew Brakke, of Presho, S. Dak., the chairman of the board of Great Plains Wheat, Inc.

Mr. Brakke calls the discrimination against wheat, when everything else—from soybeans to chemical plants—is being sold to the Soviets, a "narrow and short-sighted view."

I ask unanimous consent to have printed in the RECORD a release by the South Dakota Wheat Commission on Mr. Brakke's statement.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

THE WHEAT SCOOP

PRESHO, S. DAK.—A Presho, S. Dak., wheat farmer charged today that wheat is being used as a whipping boy in international politics.

Andrew Brakke, chairman of the board of directors of Great Plains Wheat, Inc., referred to a speech made Friday in Sioux Falls by former Vice President Richard Nixon.

Brakke said a newspaper account of Nixon's address quoted the former U.S. official as saying that this Nation "should stop exporting wheat to the Soviet Union until it stops exporting revolutions around the world."

The wheat producer said, "Mr. Nixon's views on foreign trade are his own and he is certainly entitled to them. However, the question that wheat farmers ask is: why single out wheat to be the whipping boy in international politics?"

"The United States is shipping many products to the Soviet bloc," Brakke said. "These items include everything from soybeans to entire chemical plants. Yet, Mr. Nixon makes no mention of this huge volume of commerce when he talks about cutting off trade with the Soviets. He only says that we should not export wheat to them."

Brakke called Nixon's suggestion "a narrow and short-sighted view as far as our Nation's wheat producers are concerned."

"Wheat growers already face a wide variety of trade barriers that restrict the flow of our product in international markets," he said. "We at least deserve the consideration and understanding of people who occupy positions of importance, such as that enjoyed by Mr. Nixon."

Great Plains Wheat, Inc., is a market promotion organization supported by 300,000 wheat farmers in the States of Colorado, Kansas, Nebraska, North Dakota, and South Dakota.

ADDRESS BY DR. JAMES H. WAKELIN TO THE CONFERENCE ON OCEAN SCIENCE AND ENGINEERING

Mr. PELL. Mr. President, I commend to the attention of Senators an excellent speech made last week by Dr. James H. Wakelin, Jr., president of the Scientific Engineering Institute, to the Ocean Science and Ocean Engineering Conference and Exhibit, here in Washington. Dr. Wakelin was chairman of the conference, and is a former Assistant Secretary of the Navy for Research and Development.

I have been interested for some time in our national oceanographic program, and find myself in accord with the concern and hope expressed by Dr. Wakelin in his remarks, which I feel keynoted the tone of the conference.

I participated in a panel on the Organization of Oceanography and Ocean Engineering in the United States. From this, it was apparent to me that the meeting was the most significant in recent years for oceanography, and that Dr. Wakelin's suggestion for the establishment of a self-liquidating National Advisory Commission on the Ocean, to determine our needs for the next 10 years, deserves our consideration. The Commission would review present Federal and international programs, with an eye to achieving maximum Federal, State, university, and industrial participation in a national program. The need for this is illustrated by the fact that, at present, some 20-odd departments and agencies of Government report to 30 committees of Congress.

Further steps to alleviate the present lag in ocean engineering or in the application of research are of critical importance. Last month, I proposed consideration by Congress of establishment of sea-grant colleges in our maritime States and on the Great Lakes, as one means of dealing with this problem. I shall continue to pursue this idea.

I ask unanimous consent that Dr. Wakelin's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A NATIONAL OCEAN PROGRAM

(Keynote address by Dr. James H. Wakelin at the Conference on Ocean Science and Engineering sponsored by the Marine Technology Society and the American Society of Limnology and Oceanography)

This meeting, sponsored by the Marine Technology Society and the American Society of Limnology and Oceanography, will concern itself for the next four days with current programs and problems in ocean science and ocean engineering. Your attendance here is evidence of the tremendous interest in this field which encompasses ocean science, exploration, engineering and exploitation. The technical papers and the panel discussions indeed indicate the broad interest that this country has developed in the ocean environment, particularly in the engineering phases which are now presenting themselves as problems for our solution.

One has only to reflect on the activities of the last six years and the growth of our effort in ocean science to appreciate the magnitude of the technical, organizational and funding problems which we now face entering into a second phase of our country's needs in this area. Nine years ago the National Academy of Sciences was requested to develop a ten-year program outlining what should be done in oceanography under the sponsorship of the Federal Government. The report "Oceanography 1960–70" outlined a program for research, ocean surveys, shore facilities, shipbuilding and education; the report was submitted to the Government in 1959 and the President's science advisor requested the Federal Council on Science and Technology to establish a committee to recommend implementation of the NASCO recommendations. The committee completed its work in late 1959 and early in 1960 recommended to the President a 10-year program for the joint participation of several departments and agencies of the Federal Government. To guide this program the Federal Council established the Interagency Committee on Oceanography (ICO) with the following membership: State, Army (beach erosion board), Navy, Commerce (Coast and Geodetic Survey, the Maritime Administration and the Weather Bureau), Interior (Bureau of Commercial Fisheries, Bureau of Sport Fisheries and Wildlife, Geological Survey, Bureau of Mines), Treasury (Coast Guard), Health, Education, and Welfare, Atomic Energy Commission, National Science Foundation and the Smithsonian Institution. The ICO has prepared programs for the past five years including the work of each of these agencies and departments and is the focal point for program planning, budget formulation and congressional hearings for the Federal oceanographic program. In 1963, after a lengthy period of study, the ICO published a revised ten-year program based on individual requirements and the roles and missions of the ICO member agencies and departments. This program is primarily one in ocean science and is directed toward the acquisition of knowledge about the oceans, their behavior and their contents.

On the international scene, representatives from 27 nations met in Copenhagen during the summer of 1960 to establish an international structure for the coordination of programs in which several or more countries might participate in cooperative expeditions to advance our knowledge of the oceans. The Intergovernmental Oceanographic Conference recommended that there be established under UNESCO an Intergovernmental Oceanographic Commission to provide the centralized coordinating activities for international programs of member nations of UNESCO who were interested in international cooperative expeditions. The first meeting of the Intergovernmental Oceanographic Commission was held in Paris in the fall of 1961 and this and succeeding meetings held annually have provided an excellent forum for the discussion of international programs, their planning and implementation. In parallel with the IOC, the Special Committee on Oceanic Research of the International Council of Scientific Unions has provided valuable assistance in planning and execution of the program of the International Indian Ocean Expedition and in the International Tropical Atlantic Expedition. Both of these expeditions have had active participation by the United States planned through the International Programs Panel of the ICO and of our State Department.

Our own program during the years 1960–63 and the international programs planning through the IOC and SCOR have been concerned primarily with ocean science and the extension of our knowledge about the ocean areas. Little attention up to this time has been given to the many problems in ocean engineering related to instrumentation and the ability of man to live and work in the ocean depths. This was painfully apparent at the time of the *Thresher* tragedy in April of 1963 when our country called upon the oceanographers and research personnel as the only qualified group to assist in the advanced problems of location, instrumentation, and equipment required to find the *Thresher*. Two weeks after the *Thresher* tragedy the Secretary of the Navy established the Deep Submergence Systems Review Group to prepare a survey report and recommend to him an engineering program to extend the Navy's capabilities for location, rescue, and recovery of personnel and objects from the deep ocean areas. Rear Adm. E. C. Stephan, the Oceanographer of the Navy, was placed in charge of this group and convened an outstanding number of oceanographers, engineers, and scientists from industry, the Federal Government, and educational and research institutions. The DSSRG completed its study in early 1964 and submitted its recommendations in final form to the Secretary of the Navy in March of that year. In addition to a detailed outline of the engineering problems for the next 5 years, the group recommended to the Secretary that the deep submergence systems project be assigned to the Special Projects Office of the Navy for implementation and this recommendation was implemented by the Secretary in June of 1964.

In addition to the individual programs of the Interagency Committee on Oceanography and the Deep Submergence Systems Project in the executive branch, the Congress has shown an intense interest in our country's program and the organizational structures to promote our oceanographic work. Since January of this year 14 bills have been introduced in the Congress on oceanographic matters, 2 bills in the Senate and 12 in the House. These bills concern themselves with various organizational structures to further our effort in the oceans: A National Oceanographic Council, a Marine Exploration and Development Commission, a National Oceanographic Agency, a National Science Academy and an Advisory Committee on Oceanography. It is clear from the breadth and scope of these bills that congressional interest is high; hearings on several of the bills have already been held. It is noteworthy that in several of the bills the first responsibility is to create a national ocean program.

The evaluation of our oceanographic efforts indicates the following situation: The program of the National Academy of Sciences in 1959 as implemented by the Interagency Committee on Oceanography concerns itself primarily with ocean science and the advancement of our knowledge about the boundaries, contents and dynamics of the oceans. In essence, the ICO program is a collection of programs for which the ICO acts as a coordinating body for the 20-odd departments and agencies which are involved. At the same time, Congress does not obtain a unified picture of our oceanography effort since the ICO member departments and agencies report to some 30 separate committees in the House and Senate. Furthermore, the work and the programs of industry have not been brought together with the ICO program except as contractors to the several departments and agencies coordinated by the ICO. The increasing interest of State planners and coordinated area groups, including several States, have not been included into a national program. If these different interests can be brought together; that is, Federal, State, industrial and university and institutional interest, we could provide the United States with a truly national ocean program. On the basis of this program we could establish national policy with respect to the ocean and include science exploration, engineering and exploitation of the ocean as component parts of a national effort. We need now to implement the policy expressed by President Johnson in his statement on oceanography to the Congress in transmitting this spring the administration's national oceanographic program for fiscal year 1966.

"We are looking forward to a period where our investment in ocean research may bear fruit in terms of faster and more comfortable transportation, more highly developed exploitation of our marine, mineral, and fisheries resources, increased pollution control, more accurate prediction of storms and tides that endanger life and property, and the strengthening of our national defense."

Until we clarify the role of the Federal Government, including the responsibilities of the executive and legislative branches, together with the industrial, State, and university programs, we will have little basis on which to establish national policy and to look as a country at the ocean as a strategic area for our use.

In order to provide our country with a national ocean program, I suggest that we establish a National Advisory Commission on the Ocean to determine the requirements of our country for the use of the ocean and for ocean science exploration and engineering over the next 10 years. The Commission should be established at the highest levels of government by the President to develop a program which will guide the implementation of his expressed policies. In order that all interests, Federal, State, industrial, and academic can be represented in the planning of such a program—and not as possible participants or contractors to a specified agency of the Government—I recommend that the Commission be self-liquidating upon completion of its work and upon submission to the President of its recommendations for a national ocean program and the organizational structure to implement the program. The Commission would examine the scientific problems that must be solved to allow us to enter into an engineering phase in certain areas. It would examine the ocean resources that could be exploited or explored more economically and effectively and would examine the knowledge we need to be able to operate more effectively in the ocean areas considering both military and civilian requirements. Other requirements that we must determine include knowledge we need to assist in solving problems of air-sea interactions including long-range weather forecasting, improvements of methods to explore the contents of the oceans and the ocean floor, and the growing problems of ocean pollution near our shores. Additional requirements include those that are necessary to advance our merchant marine and shipping, to increase the use of the ocean for commerce and trade with other countries, to advance our country's economy in oceanic research and development, and to advance our international position through our use and control of the ocean areas.

With these requirements in mind, the Commission should prepare a national program in ocean science exploration, engineering, and exploitation which would include participation of the Federal and State Governments, industry, and academic and educational institutions. In preparing this program the Commission will study, evaluate, report on, and prepare recommendations concerning the following areas:

1. Oceanographic research leading to increased knowledge of the contents, boundaries, and dynamic behavior of the oceans. Such an area would include reevaluation of the ICO and international programs for oceanographic research.

2. Exploration and survey of the oceans including topographic, geologic, geophysical, hydrographic, and biological surveys of the Continental Shelf and slope, and of the deep sea. In our use of these areas for engineering and exploitation purposes a closer coupling must be planned between the scientific programs in exploration and survey and those required for the immediate use by industry, the Federal Government, and the States.

3. Distribution, behavior, physiology, and productivity of marine life. Certainly, in this area we will be concerned more seriously in the future about our ability to increase the use of the food content of the oceans and the exploitation of these food sources.

The food resources join two important and practical problems: Increased yields of fish and other marine life as a source of protein, amino acids, vitamins, fats, and other ingredients important to human health, and the restrictions that must be placed on removing too large a segment of marine life to affect its level for survival. On the first problem it has been estimated that 1.5 billion people are undernourished with respect to protein nutrition and that a third of this number are so seriously undernourished as to be actually sick. While we have our own protein sufficient food sources in the United States, our fishing industry can contribute significantly in the foreign markets to relieve the worldwide shortage of protein to these undernourished people. On the second problem—conservation—there have been many disputes about the proper level of fish to be removed from the high sea areas so as not to damage the continuing supply of a given species. These disputes have at times become so acrimonious as to give rise to conferences sponsored by the United Nations on the Law of the Sea held in Geneva in 1958 and 1960. These disputes will go on until the countries decide that they will follow the precepts agreed upon at the Convention on Fishing and the Conservation of the Living Resources of the High Seas held in 1958.

4. The mineral and other material contents of the oceans with special consideration to the economic factors concerned with their removal from the oceans and their future use by this country. Work is already well underway in the petrochemical fields and extracting certain chemicals from the oceans themselves but a much broader look at the whole material contents of the ocean area must be made to satisfy our future requirements for materials.

5. Ships, vehicles, instruments and shore facilities required to study the oceans and to exploit their contents. Some of this work is already underway in the ICO programs and the DSSP project but we should enhance our programs in this area in order to advance engineering and the exploitation of the oceans.

6. Education and training of scientists and engineers for the national program and methods by which the several States may cooperate with the industrial and Federal programs in this area. Last year at the Buoy Technology Symposium sponsored by the Marine Technology Society, Dr. Spilhaus in his keynote address advanced the concept of the Sea Grant College devoted to aquaculture and oceanographic engineering. This concept has recently evoked interest within the Congress and various associations of universities and institutions are in the process of being formed along the eastern seaboard and in the Gulf States. Further work on a national level should be given to State and area participation in oceanography and ocean engineering to advance the education and training of scientists and engineers along the lines outlined by Dr. Spilhaus.

7. The merchant marine and shipping capabilities in order to increase international trade and commerce. Recently the Secretary of Commerce has reemphasized the dissatisfaction of the Federal Government with the continuing decline of the U.S. merchant marine and has outlined three objectives; namely (1) American ships must carry a greater share of the national export-import trade since they now carry less than 10 percent of that trade; (2) the U.S. merchant marine needs more ships to transport dry and liquid bulk cargoes; (3) the decline of American shipping is "inimical to national interest." In addition the Congress has recently held hearings on the concept of ships of opportunity in which segments of private enterprise and research personnel have been brought together by the Office of Naval Research of the Navy Department to determine whether or not oceanography data could be collected by merchant ships on a not-to-interfere basis with their normal schedules. Preliminary experience indicates a most favorable reaction in the shipping industry and through a number of industrial organizations.

8. The interaction of the atmosphere and the ocean in order to better understand, to predict, and eventually to control the forces that are released. The recent consolidation within the Department of Commerce of the Weather Bureau, the Coast and Geodetic Survey, and the Central Radio Propagation Laboratory of the National Bureau of Standards which the President has submitted to Congress will consolidate work in this area and will make it easier to see on a national basis the environmental problems which will emerge when the consolidated unit goes into operation.

9. Beach and shallow water processes and coastal engineering. Many millions of dollars annually are lost in the erosion of our shore front by normal processes and by storms. The ability to preserve our working and recreational areas is of transcendent importance to our country and to the welfare of our people. One has only to review the records of the past 10 years to see what great property losses have been suffered by our people through tidal waves, hurricanes, typhoons, and tornadoes which have in some places completely ruined shore front property.

10. The pollution of the ocean areas by waste and other materials introduced into the oceans directly or through rivers, estuaries, and other areas adjacent to the sea.

11. Physiological considerations and human factors which must be studied and understood to permit personnel to operate and work in the oceans. Both private industry and the Navy are currently in this important area and are working cooperatively in the human factors and physiology of this important problem. In this same area, of course, we must look forward to undersea dwellings, laboratories, and military installations to facilitate personnel to work in the oceans for protracted periods of time for the economic good and for the military defense of the United States.

12. The recreational activities provided by shore and ocean areas with particular reference to increased suitability of these areas for recreation. This is indeed a very important problem and will become more so over the next 30 to 50 years with the increasing numbers of people in the United States, increasing fractions of time for recreation and the current inadequacy of recreational facilities in the ocean and shore areas.

In addition, there are a number of organizational and legal aspects of a national ocean program. In particular they include the roles of private industry, universities, nonprofit research institutions, States and the Federal Government. Indeed, we must reexamine the roles of present Federal agencies interested in and having responsibilities for the ocean areas. We should examine the possible needs of a new Federal organization and recommend the structure that will be required to fulfill and implement our program. Serious thought must be given also to the role of the Congress in order that a concerted national program will have a uniform acceptance in hearings, both in the House and in the Senate. Offshore areas should require legal consideration of rights to and ownership of areas to be worked in and the ownership of material removed from the oceans. We will have to reexamine also the organizational structure we need for international cooperation in ocean science, exploration and engineering. Perhaps a modification of our relationship to the Intergovernmental Oceanographic Commission will be required.

Finally, the Commission should recommend to the President legislation that is required to implement the program in order to define the roles and missions of the executive branch agencies where they need definition and to establish a new organizational structure if such is required to insure adequate coordination of plans and programs and to insure continuing congressional interest and adequate liaison between the executive and legislative branches.

We are now at the crossroads. Current structures to conduct oceanographic work and particularly ocean science, exploration and exploitation are not adequate for our national effort and the next step must be a national ocean program with all of the components considered together. I would hope that a program including the Federal, State, university, and industrial efforts can be effectively developed during the next 6 to 12 months. We must have a consolidated national ocean program and the organizational framework to implement such a program. I recommend that we proceed at once to develop a national ocean program and through it to establish the leadership of the United States in ocean science, exploration, and engineering.

LOOKING TOWARD PEACE

Mr. WILLIAMS of New Jersey. Mr. President, if the United States is determined in its desire to take steps which will bring about a more peaceful and secure world, we shall need to reiterate that pledge and to reinforce our initiative, not once, but over and over again.

Not long ago, while speaking in Chicago, President Johnson addressed himself clearly and forcefully to that difficult goal. His message was directed in particular to the people of the Soviet Union and to the rest of the Communist world, but it should have been heard and heeded throughout the entire world.

> Now is the hour—

He said—

> when the opportunity is open and beckoning for men of all nations to come and to take a walk together toward peace.

A few mornings later, he dramatized that appeal in a commencement speech at the Catholic University of America, in Washington, D.C., when he declared:

> I would say to the people—and to the leaders—of the Communist countries, to the Soviet Union, to nations of Eastern Europe, and southeast Asia, we extend to you our invitation, "Come now, let us reason together."

At various graduation exercises throughout the country, the Vice President and other leaders have echoed his words. They have also been given expression in articles published in both the Washington Daily News and the Chicago Sun-Times. In view of the importance of the deep meaning of the President's statements, I ask unanimous consent that these articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Daily News, June 7, 1965]

PRESIDENT APPEALS TO COMMUNIST WORLD: "COME, NOW, LET US REASON TOGETHER"

President Johnson is engaged in a personal and very serious campaign to persuade the peoples and leaders of the Communist world to join the United States in "a walk toward peace."

Twice in the past 5 days the Chief Executive has made major speeches centering on the theme that now is the time "when the opportunity is open and beckoning for men of all nations to come and to take a walk together toward peace."

CATHOLIC UNIVERSITY

Mr. Johnson's latest plea came yesterday during a commencement address at the Catholic University of America here. The first appeal was last Thursday night in a speech at a Democratic fundraising dinner in Chicago.

In the Chicago speech, Mr. Johnson appealed over the heads of the Communist leaders to the peoples of the Soviet Union and the satellite nations of Eastern Europe and Asia. In yesterday's speech he included the Red leaders in his plea.

"LET US REASON"

"On this Sunday morning * * * I would say to the people—and to the leaders—of the Communist countries, to the Soviet Union, to nations of Eastern Europe and southeast Asia, we extend to you our invitation: 'Come, now, let us reason together'."

He said that what America has done and is doing around the world "draws from deep and flowing springs of moral duty, and let none underestimate the depth of flow of those wellsprings of American purpose * * *."

Secretary of State Dean Rusk last night claimed that "the majority of nations * * * in one way or another have indicated their support" of U.S. actions in Vietnam.

Addressing the graduating class of George Washington University here, he decried critics "who wring their hands over world opinion."

Mr. Rusk, who was awarded an honorary doctor of laws degree, assured the commencement audience "if you sometimes remain a little bit unclear" on international developments and what should be done about them "you may be in closer touch with reality than those who always see everything in black and white."

BUNDY

Speaking at the University of Notre Dame at South Bend, Ind., Presidential Assistant McGeorge Bundy said the United States was the first example in history "of a society which retains its internal freedom while meeting extraordinary responsibilities of a world power."

Speaking in a light rain at the university's 120th annual commencement, Mr. Bundy told the audience there will always be "showers" in our international relations. He said, however, the United States, like them today, must not seek shelter, but "stay outside."

Mr. Bundy was among nine persons receiving honorary doctorates from the Notre Dame president, the Reverend Theodore Hesburgh.

Vice President HUBERT H. HUMPHREY, receiving an honorary doctor of laws degree at Syracuse (N.Y.) University, paid tribute to the role of the U.S. Congress for its reconciliation of national extremes.

Mr. HUMPHREY also paid tribute to Congress and said, "All too many of our citizens take an indifferent or even a hostile view toward the legislative branch."

[From the Chicago (Ill.) Sun-Times, June 5, 1965]

MR. JOHNSON SPEAKS TO RUSSIANS

President Johnson's speech in Chicago on Thursday evening took an unexpected and dramatic turn. Here to address a Democratic fundraising dinner, the President set partisan politics aside to make a plea for world peace.

In one part of his speech President Johnson called attention to the many interests common to the peoples of Russia and the United States and to the friendship that has existed in the past between the two nations. Then he bypassed the Russian leaders to speak directly to the people of Soviet Russia, saying:

"There is no American interest in conflict with Soviet people anywhere. And no great Soviet interest is served by the support of aggression or subversion anywhere in the world."

The President recalled that the world had not paid heed to the wisdom of President Franklin D. Roosevelt, expressed in Chicago 28 years ago, when Mr. Roosevelt warned that without a declaration of war innocent people and nations were being "cruelly sacrificed to a greed for power and supremacy which is devoid of all sense of justice and human consideration." F.D.R. served notice that the United States would not jeopardize the fate of free men through an indecisive stand.

It could be said that the President did not say anything new in his plea for peace. That is true. Other than the announcement that the United States was removing the Marines from the Dominican Republic much of what the President said in his Chicago speech he has said before.

There was, however, a striking difference in this speech. The President talked directly to the Russian people. He pointed out to them and to the people of eastern Europe that they are wiser and better off materially now than in the past and that they know, better than anyone else, the folly and cost of war.

The determination of the United States to work for peace in the world cannot be overemphasized. The firmness of the stand taken by the United States cannot be repeated too often. President Johnson made these points in his Chicago speech once again, as he will have to continue to make them, until those who would destroy freedom realize that this Nation will not grow tired of the struggle.

EXPORTS: U.S. AGRICULTURE'S OPPORTUNITY

Mr. McGOVERN. Mr. President, Robert C. Leibenow, of the Chicago Board of Trade, recently delivered a splendid address on the agricultural products export situation, at the annual meeting of the Chicago Farmers. He concluded that the export market is the big area of potential expansion for U.S. farm products.

In the course of his remarks, Mr. Leibenow touched on commercial potentialities, on the need of the underdeveloped nations for our products, and on a matter of great concern to me: The 50-percent U.S. shipping requirement in export licenses for commercial wheat transactions with Russia and eastern European nations.

Mr. Leibenow commented:

> The actual effect of this requirement now is not to provide additional business for the U.S. merchant marine, but to prevent U.S. longshoremen, U.S. exporters, and U.S. farmers from having employment and earnings that would otherwise accrue.
>
> The adverse effect of this one requirement on our balance of payments might well be in the range of $100 million a year.

Mr. Leibenow is exactly right in these observations.

I commend his whole address to Members of Congress, for consideration in connection with the agricultural export situation; and I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EXPORT PROSPECTS OF SOME U.S. FARM PRODUCTS

The Indian leader, Mahatma Ghandi, once said, "To the millions who have to go without two meals a day, the only acceptable form in which God dare appear is food."

Although Ghandi died some years ago, the hunger he wrote about so feelingly is still a grim fact of life—not only in India, but also in many other parts of the world.

By contrast, this land is blessed above all others. The miracle of American agricultural efficiency is something that staggers the imagination. It leaves the imprint of American leadership without question in every area of this globe.

While the quantity and quality of U.S. food consumption have been upgraded, we have also seen a sharp increase in the exports of agricultural food and fiber. We are now exporting food and fiber at the rate of over $6 billion a year—over $4 billion of which is for cash commercial sales, hard currency. One out of every $6 earned by farmers today comes from export markets. One out of every four acres harvested today produces for export markets.

Illinois is a leading exporter of farm products for sales in other countries. Its leading exports are soybeans, soybean products and corn; substantial amounts of wheat, lard and tallow are also included. This State's share of the Nation's agricultural exports is in excess of $500 million. The production of Illinois farm products for export requires the equivalent of around 27,000 full-time farmworkers, or about 1 out of every 9 employed on our State's farms.

Continued expansion of these export markets—continued increases in new consumption by the growing population of the world—offer the brightest hope for expanding American agricultural production and perhaps more important for higher farm income.

The United States is today the leading world exporter of agricultural products, completely dominating trade in temperate zone commodities. It is the principal source of such major commodities as wheat, corn, cotton, tobacco and soybeans.

Our exports of farm products exceed those of Canada, Australia and Argentina combined. In most years, exports of farm products to the food for peace program alone exceed the total agricultural exports of most of the other major exporting countries.

From the beginning of modern trade until about 1940, the regional pattern of world grain trading was rather constant in that Western Europe was the only importing region. All other regions were net exporters. In the late 1930's, North America exported 5 million tons of grain, Latin America 9 million tons, and Eastern Europe (including the Soviet Union) 5 million tons. The other three regions—Asia, Africa and Oceania (this means Australia and New Zealand)—exported smaller quantities. The situation then was this:

One importing region and six exporting regions.

Since World War II, however, the grain trade pattern has changed rather dramatically. The only region maintaining essentially its prewar position is Western Europe. North America and Oceania are the only consistent net exporters. Asia and Africa have joined Western Europe as permanent net importing regions, and Eastern Europe and Latin America appear to be losing their surplus producing capacity.

There has been another distinct and most significant change. The world now very sharply comprises two major economic groupings—the developed and the less developed. Asia, Africa, and Latin America may be considered in the less developed world, while the other four regions—North America, Western Europe, Eastern Europe, and Oceania—comprise the developed world.

Prior to World War II, the less developed world exported to the developed world about 11 million tons of grain each year. After World War II, this flow was reversed. The flow from the developed to the less developed world was 21 million tons in 1961, and according to preliminary estimates 25 million tons in 1964. Thus, there has been a net shift of 36 million tons—approximately the total grain production of Canada and Australia combined.

If we use this as an indicator, the less developed world is losing the capacity to feed itself.

A growing share of each year's population increase is being fed by food shipments from the developed world—primarily food for peace shipments from the United States.

What is it that creates additional demand for food? Two important sources are generally accepted.

One, of course, is the population growth; the other is rising per capita income.

World population, increasing at 2 percent per year, is expanding faster than ever before. Until the outbreak of World War II, population growth had never exceeded 1 percent per year. Even without any further gain in per capita income, this wide demand for food will expand by at least 2 percent per year. Per capita income levels also vary widely between countries such as $60 to $70 per year in India or Bolivia up to $3,000 per year in the more advanced economies of the industrial West.

The combination of high rates of overall economic growth and low rates of population growth in several Western European countries and Japan has resulted in gains in per capita income never before achieved. As incomes go up, consumption patterns follow certain rather almost predictable changes.

One basic difference between the economies of the developed world and the less-developed world is the basic fact that one can afford to convert large quantities of grain into meat, milk and eggs and one requires nearly all available grain for direct human consumption.

A rapidly growing deficit in the less-developed areas is caused by the fact that relatively little new land can readily be brought under cultivation in many densely populated countries. Additional food output must come largely from raising yields per acre—a difficult problem for the undeveloped countries. Therefore, it does not seem likely that we can easily reverse the tendency for food output per person to trend downward in several major less-developed countries. Consider these facts.

The agricultural land resources of the two economic regions, measured in cropland, are approximately the same. The 1960 population of the developed world was less than 1 billion, while that of the less-developed world was more than 2 billion. The projected increase between 1960 and 2000 for the developed world is 0.4 billion and nearly 3 billion for that of the less-developed world. Unfortunately, the vast increases in population are projected for the regions less prepared to feed themselves. It is certain the imbalances between population and food in the less-developed regions will grow.

The trends in Europe are much less clear inasmuch as the big question centers around the agricultural negotiations with the European Economic Community. If the rates of economic growth prevailing in Western Europe in recent years continue, the demand for agricultural products will rise steadily. How much of this additional demand will be translated into import needs will be heavily influenced by the outcome of negotiations now underway.

Japan is today our leading overseas market, taking nearly $750 million worth of farm products in the year just ended. Because of its prominence as a market for U.S. farm products and to help demonstrate a point I have previously made, I feel this country is deserving of some special attention.

Japan's phenomenal economic growth rate of 7 to 8 percent per year has permitted per capita incomes to double within a decade. The Japanese have developed a taste for meat, milk, eggs, and other livestock products. However, with nearly all the cropland devoted to the production of food crops, the Japanese are importing the feed grains needed to produce more livestock. Japan's feed grain imports—averaging 2 to 3 million metric tons per year in recent years—are expected to reach 10 million tons by 1975.

It now appears to be only a matter of time until Japan becomes our first billion dollar market for farm products.

I should mention that one of the major economic and political challenges to the future of our agricultural exports relates to the internal agricultural policies and the external trade policies of the European Economic Community. This area, along with that of the European Free Trade Association and the Latin American Free Trade Association, all increase the possibility for expanding trade. However, it is essential that these groups follow liberal, outward-looking trade policies; otherwise, there is the major threat that trade barriers which have been reduced inside the walls may be raised against outside countries.

Certainly, in terms of economic self-interest, it would appear that continued pressure on food prices and wages in Western Europe should make our farm products even more attractive than they have been. However, too often we have been witness to situations under which nations have not acted in their own long term self-interest.

The basic question then will become whether or not efficient producing countries, such as the United States, will have competitive access to European markets, particularly for grains, oilseeds, and their products. All of us who are close to the problems are concerned that European markets may not be permitted to expand as rapidly nor to the extent that it would appear their own self-interests might dictate.

In any presentation of this type, some consideration must be given to trade with the Soviet Union. There are some products whose export to the Soviet Union we license routinely. There are others, like wheat, which have been licensed under certain restrictions and only after a long public debate.

Trade with the Soviet Union and the countries of Eastern Europe brings about extremely sensitive political questions which must be resolved in connection with our policy toward these countries. As you know, President Johnson said in the state of the Union message that the Government is now exploring ways to increase peaceful trade with these countries, along with the Soviet Union.

In general, the dividing line is if there is a price support program for the commodity, a license is required; otherwise, not. Thus, a license is required for the commodities we most need to export, but not for others. This licensing requirement is a substantial impediment to export sales. If it were removed, we almost certainly would have a prompt and significant increase in agricultural exports.

A related matter is the requirement that when a license is issued for grain exports to the Soviet Union and wheat to the Soviet bloc, a condition is imposed that at least 50 percent be moved in U.S. ships. No similar requirement exists in the case of other commercial sales which—except as to the shipping requirements—would be made on exactly the same terms to other countries.

This requirement was first established when the sale of wheat to Russia was under consideration in 1963. The evidence is rather clear that except for this requirement the sales to Russia in 1963–64 would have been approximately twice as large as they were. This year, Russia again is importing rather substantial quantities of wheat from Canada and Australia—but not from the United States. It is plain that the reason we are not being considered for these purchases is because this U.S. shipping requirement adds substantially to the cost.

Thus, the actual effect of this requirement now is not to provide additional business for the U.S. merchant marine, but to prevent U.S. longshoremen, U.S. exporters, and U.S. farmers from having employment and earnings that would otherwise accrue.

The adverse effect of this one requirement on our balance of payments might well be in the range of $100 million a year.

Another important element in our export potential is the food-for-peace program. This program shares our abundance with friendly peoples in such a way as to supplement effectively expanding world trade in agriculture. Please note the emphasis on the word "supplement." It helps the United States maintain its position as the world's leading exporter of food and fiber.

To appraise what has been done under this program, let us give some consideration to the tremendous quantities of grains and oils which the efficient marketing system of the United States has helped move from the producer to the ultimate consumer under Public Law 480. Since the inception of the food-for-peace program in 1954, it has helped move about 3½ billion bushels of wheat—notice I said billions. In the case of feed grains, it has moved over 1 billion bushels. Because soybean oil moves under this program, one-half billion bushels of soybeans have moved through processing plants.

As we look down the road, it appears that U.S. exports of wheat will probably reflect the growing imbalances between the demand for food and the supply of food in the less developed regions. This means a continuation of some form of the food-for-peace program into the indefinite future.

Feed grain exports go mostly to Western Europe and Japan, both characterized by rapidly rising per capita incomes and rapid gains in the per capita consumption of livestock products. With little additional land available to support expanding livestock industries, these countries must look to the world market for feed grains.

Exports from Argentina, a longstanding feed grain exporter, have not kept pace with the recent growth in the total world feed grain exports. Newly emerging corn exporters such as Thailand and the Republic of South Africa have picked up much of the slack. The United States supplies one-half of all the corn and four-fifths of the grain sorghums entering the world market.

U.S. feed grain exports have trended steadily upward over the past decade, nearly tripling the levels of the early 1950's. We are an efficient, highly competitive producer of feed grains. Exports during the current marketing year are estimated at 500 million bushels. As long as we keep our prices competitive, we should experience little difficulty in at least maintaining our present share of a steadily growing world market.

U.S. soybeans and soybean oil have proved formidable competition for other oilseeds and vegetable oils in the world market. Soybeans are today the leading oilseed, having eclipsed such traditional oil bearing commodities as peanuts, copra, and palm kernels. Soybean exports are forecast this year at over 205 million bushels. As U.S. soybean exports continue their expected rapid expansion, the U.S. role in the international market for vegetable oils and oilseeds will become more dominant. It should be only a matter of time until exports of soybeans and soybean products reach the billion dollar mark.

During late 1963 and early 1964, prices of meats were high enough in Western Europe to allow relatively large shipments of meat products from the United States. However, in the second half of 1964 beef prices in the United States rose substantially, with the result that commercial shipments were greatly restricted. Beef and veal exports in 1964 totaled about 50 million pounds—up very substantially from a year earlier.

Barring unforseen changes in supply conditions and thus sharply increased prices in competing countries, our best opportunities to market beef abroad are for fed beef. The development of this market in foreign countries, however, requires a change in consumer habits and tastes—a matter of education which will take time to accomplish.

The dynamic forces which have doubled U.S. farm exports over the past decade are still in existence. An even greater impact from these same forces on the level of U.S. farm products exports is expected in the years ahead. The share of our agricultural output moving abroad will very likely continue to climb. The export market is the big area of potential expansion for U.S. agriculture.

Thank you.

FULL RIGHTS FOR THE PRIBILOF ISLANDERS

Mr. BARTLETT. Mr. President, as Senators know, recently I introduced Senate bill 2102, which is designed to give the Secretary of the Interior authority to bring to the citizens of the Pribilof Islands the same rights and responsibilities that are held by all other American citizens. This bill is now under study by the Merchant Marine and Fisheries Subcommittee of the Senate Committee on Commerce.

The citizens of the Pribilof Islands are Aleuts skilled in the harvesting of the Alaska fur seal. Approximately 1½ million of these valuable and beautiful seals make their rookeries on the two islands, St. Paul and St. George. Responsibility for the harvest of the fur seal rests with the Bureau of Commercial Fisheries. Responsibility for the welfare of the 650 citizens of the islands also rests with the Bureau.

The bill which I have introduced provides for placing the Aleuts on the islands on the same basis as that of any other citizen of Alaska with the same rights and benefits.

A commission has been appointed to study the conditions on these two islands. It has just returned from its survey trip, and has yet to make its report. However, Senators will be interested in three newspaper articles, written by Dave Gilbert, and published in the Fairbanks Daily News-Miner. They will be interested, too, in an editorial, from the News-Miner setting forth the difficult problems which face those who are interested in improving the lot of the Pribilovians.

I ask unanimous consent that these three articles and the editorial be made a part of the Record at this point.

There being no objection, the articles and the editorial were ordered to be printed in the Record, as follows:

[From the Fairbanks (Alaska) Daily News Miner, June 11, 1965]

Probe Begins on Conditions in Pribilofs—Team and Advisers Visit St. George, St. Paul Islands

(By Dave Gilbert)

St. Paul, Pribilof Islands.—A 5-member Pribilof Islands investigating team, with six advisers, pushed its probe of conditions of these barren Bering Sea islands to neighboring St. George Island today.

Appointed by Gov. William A. Egan to investigate charges residents of the Pribilofs are being mistreated and deprived of their rights, the team, headed by Secretary of State Hugh J. Wade, arrived here late Wednesday.

The Pribilof Islands are managed by the U.S. Bureau of Commercial Fisheries, under provisions of the North Pacific fur seal treaty between the United States, Japan, Canada and the Soviet Union.

On arrival here Wednesday, the commission went immediately into executive session to determine a course of action, conferring with Iliodor Merculief, chairman of the St. Paul Community, and Vice Chairman Terenty Philemonof.

Thursday morning, the commission and its advisers traveled by boat to St. George Island to confer with the community council there and to call a public meeting.

An inspection of living and working conditions on St. George Island was scheduled before the commission returned today to St. Paul, the largest and most populated of the Pribilof group.

Tonight, the commission and its advisers were scheduled to meet with the St. Paul Community Council and Saturday was reserved for individual interviews with members of the St. Paul community.

Wade has scheduled a public meeting here for 2 p.m. Sunday to hear complaints and to answer questions.

On Monday, Wade said, the commission plans to discuss its findings with Bureau of Commercial Fisheries employees stationed in the Pribilofs.

At that time, based on what it has learned, he added, the commission will decide whether to continue the investigation.

"It is entirely possible," the secretary of state said, "that we may find there is no need to continue."

The commission is scheduled to leave the Pribilofs for the return trip to Anchorage either Monday or Wednesday.

The investigation was precipitated by charges in the weekly Tundra Times that Pribilovians "are being prevented from meeting and hearing political candidates, are being arbitrarily moved against their wishes and are being pressed into an economic situation of servitude."

The editor of the Tundra Times, Howard Rock, is one of the five members of the State-sponsored commission, along with Wade.

Other members are Willard Bowman, executive director of the State Commission on Human Rights, Anchorage; Roy Peratrovich, Bureau of Indian Affairs, Juneau; and James C. Rettie, office of the Secretary of the Interior, Washington, D.C.

[From the Fairbanks (Alaska) Daily News-Miner, June 14, 1965]

Deny Servitude in Pribilofs—President of St. Paul's Council Tells Commission "Things Going Much Better for Pribilovians in Past 5 Years"

(By Dave Gilbert)

St. Paul, Pribilof Islands.—The Pribilof Islands investigating team scheduled another public meeting today, after receiving a denial Privilovians are being held in servitude, as charged by the Tundra Times.

A five-member State-sponsored commission headed by Secretary of State Hugh J. Wade listened intently at a public hearing over the weekend as Iliodor Merculief, president of the St. Paul Community Council, said:

"It is true we were in servitude up to the years after the war. It is true there was servitude in days past.

"But, there has been a tremendous change since 1960 when C. Howard Baltzo took over as general manager of the Pribilofs.

"Things have gone for the good and they are still going for the good. There is no servitude on the Pribilof Islands now."

CHARGES MADE

The Tundra Times, a weekly newspaper published at Fairbanks, had charged in a series of articles last year that the Aleuts of the Pribilofs were being mistreated, deprived of their rights, and held in servitude.

Baltzo, as director of resource management programs for the Bureau of Commercial Fisheries, is general manager of the islands and their fur seal resources under a U.S. treaty with Russia, Canada, and Japan.

Wade told Merculief the people of the Pribilofs were being governed under antiquated law, but he said a bill sponsored by Senator E. L. Bartlett, Democrat of Alaska, would cure most ills.

Merculief did outline some of the things he said the people of the Pribilofs needed to better their living standards.

WAGES TOO LOW

He said the wage scale, while comparable to that at the Kodiak naval base, is too low, because of the short workyear and the remoteness of the islands.

At the present time, the Pribilovians must exist the year around on wages earned during the sealing season, which lasts only about 5 months.

If the Bureau of Commercial Fisheries should ever stop supplying the islands, freight costs could rise and "our present wages simply wouldn't be sufficient," Merculief said.

Merculief also expressed concern returning students would not be able to obtain work before July and might not earn enough money to return to school in the fall.

C. Dyle Innis, director of personnel for the BCF and an adviser to the commission, told the community council the jobs for youth program would allow early hiring of Pribilof youngsters and he said the first would start to work today.

WANT TO BE TRAINED

Merculief, on another point, said residents of the Pribilofs would like to see local people trained for supervisory positions in the seal curing operation, rather than have such people imported.

Baltzo indicated he favored such a program.

The council and the commission also discussed possibilities of expanding the economic base of the islands, to provide more work opportunities.

Considered were tourism and the establishment of a hotel, a banking facility, development of a bottom fishery, and the construction of a cold-storage plant for North Pacific and Bering Sea crab fishermen.

[From the Fairbanks (Alaska) Daily News-Miner, June 16, 1965]

Pribilofs Seek Better Housing—More Year-around Jobs Also Needed, Islanders Tell Commission, but They Acknowledge Vast Improvements

(By Dave Gilbert)

Anchorage.—Almost to a man, the Aleuts of St. George and St. Paul in the Pribilof Islands, admit that vast improvements have been made in their working and living conditions.

Gone are the days when a family was paid in food and clothing, rationed to 5 pounds of sugar, a pound of coffee and a handful of cigars a month. Gone are the days when the people lived on seal meat and salt beef, seeing only $200 or $300 per year in hard cash.

Gone, also, are the days when the Bureau of Commercial Fisheries dictated working and living conditions for the people who live on the islands and harvest the valuable fur seals.

In a week of public meetings and private conferences, Gov. William A. Egan's Pribilof Commission became intimately acquainted with the problems and hopes of the natives.

FIVE GRIEVANCES

Representing diverse backgrounds and spheres of influences, the commission was appointed by Egan to investigate published reports that the Aleuts were living in servitude and being deprived of their human rights by the Bureau of Commercial Fisheries, the agency that manages the fur seal industry.

Although residents testified to great improvement, they registered complaints centered around five topics: housing, employment, moving residents of St. George to St. Paul, education, civil service benefits and other pay problems.

In the village of St. Paul, the largest in the islands, 10 homes have more than one family living in them, according to Iliodor Merculief, president of the community council. He explained that this crowded condition is being heightened by the movement of St. George people to the village.

So far six families from St. George have moved to St. Paul, according to C. Howard Baltzo, director of the sealing operation.

SOME ILL FEELINGS

The introduction of these families into the crowded community has resulted in some ill feelings. Aleuts in St. George were under the impression they are being forced to move.

"We won't force anyone to move anywhere," replied James Rettie, a commission member representing the Secretary of Interior. "That's not American."

Baltzo explained the residents were being offered homes and jobs in St. Paul in a move toward eventual elimination of year-round maintenance of St. George.

On both islands residents told the commission they were well paid and never complained about working conditions. In 1950 the Pribilovians were put on a modified cash wage system. They were paid a small amount of cash as well as some services and goods

In 1960 the wage scale of the Kodiak Navy Base was adopted.

NOT ENOUGH JOBS

The main problem, residents told the commission, was not enough jobs for all the people to be permanently employed.

With the sealing season lasting only 5 months, about half of the men are idle for 6 or 7 months. Some are employed on a part-time basis.

The average income for a temporary employee is about $3,500, and a permanent employee makes about $7,500, according to Howard Euneau, manager of St. Paul Island.

Far from being poor, several residents have cars and many have motorscooters. They are able to furnish their own houses and afford some luxuries.

But ways were explored to expand the economic base of the Pribilofs to provide year-round employment for all the men.

James Rettie encouraged the islanders to press for advantages and gains.

"You are part of the most successful rescue mission of a natural resource in the history of the world," he told Pribilovians. When the BCF took over management of the fur seal herd in 1911 there were scarcely 250,000 animals. Now there are more than 1,500,000 and they annually produce about 95,000 skins.

The Pribilof commission returned to Anchorage Tuesday to begin forming its report which will be released in about 6 weeks.

The commission consists of Secretary of State Hugh J. Wade, Willard Bowman, director of the State Commission on Human Rights, Roy Peratrovich, tribal affairs officer for the Bureau of Indian Affairs, Rettie, and Howard Rock, Eskimo editor of the Tundra Times newspaper.

Serving as advisers were Doyle Innis, Baltzo, Senator Harold Z. Hansen, Democrat, of Cordova, Representative Lucille Pinkerton, chairman of the house health, welfare, and education committee, and James W. Matthews, program leader for the University of Alaska Cooperative Extension Service, and Burke Riley, field coordinator for the Department of Interior in Alaska.

[From the Fairbanks (Alaska) Daily News-Miner, June 22, 1965]

Pribilof Islanders Should Have Title to Their Land

In the wake of claims that Pribilof Islanders were living in 20th-century servitude, an inquiry commission has just completed a 1-week visit to the two Bering Sea islands.

Commission members found a people enjoying a singularly high standard of living, earning a decent income, with good elementary school education available and possessing all the necessary material benefits of life—something that cannot be said for most other Alaska natives.

The claims of servitude were approximately 15 years late. Before 1950, the Pribilovians were paid in food, clothing and shelter for their fur seal harvesting work. No money changed hands. Residents could not save or invest. No one starved, but there was no escape.

In 1950 a modified wage system went into effect and for the first time Aleut workers could pay for some things they wanted, while still being paid partially in goods. In 1960 the wage scale was modernized and now residents make as much as anyone in far-western Alaska.

Two problems have remained, however. The Pribilovians, numbering some 650, have been unable to acquire title to land. Second, Government retirement benefits do not date back before 1950, although the natives were working for the Government all along.

A bill that was in the making about half a year before the so-called servitude charges were leveled would provide for native land ownership and back benefits. This legislation, introduced by Senator E. L. "Bob" Bartlett, is now before the U.S. Congress.

The improvement needed is in the law governing the islands and not in the Bureau of Commercial Fisheries which administers the law.

Ownership of land would possibly mean the difference of working 5 months of the year as a sealer, or going into business, promoting tourism and attracting other industry to the Pribilofs through private initiative.

But the Aleuts have no capital, although they are not poor.

The Bartlett bill strikes to the heart of many problems now afflicting the Pribilovians. It would also relieve the burden of human resource management from the shoulders of the Bureau of Commercial Fisheries, a biological research agency.

The BCF has been made the scapegoat for complaints and outlandish charges. But the Bureau's actions have been based on one fact: It is in charge of running the fur seal industry. It has done an excellent job.

In 1911, when the BCF took over, the fur seal was an animal fast becoming extinct. There were fewer than a quarter million.

Now, under scientific management, the fur seals number more than 1,500,000 with an annual production of 95,000 skins. The BCF has transformed a dying resource into a multimillion-dollar industry.

This was their job and they did it. But they are severely hampered because they are burdened with the management of the human resource on the Pribilofs, a matter they are ill prepared to cope with.

With little or no experience in administering people, the biologists of the BCF set out to do their best. They blundered for many years, working more around than with the people.

But since 1950 this neglect has come to a swift end. The people began seeing hard cash for the first time. They were no longer restricted to what was rationed.

By 1960, when C. Howard Baltzo, current Pribilof manager, took over, the people were earning the same as workers in any far western Alaska location.

They rent their homes from the Government at very low rates. They purchase electricity at Anchorage prices. They are furnished with plumbing, sewers, and running water.

And they are not poor. On St. George, one Aleut drives a blue Mustang, another drives a Scout, and there are more motorscooters and motorcycles in the islands per capita than in Fairbanks.

The human resource of the Pribilofs is no longer forgotten. In fact, they are realized to the point of being a liability in the main task: Economic management of the fur seal industry.

The village of St. George is a perfect example of an uneconomic operation. It costs the government about $500,000 per year to maintain, an average of about $10,000 per year per family. Yet St. George produces only one-fifth of the seal production.

The village is severely isolated, which poses expensive and difficult problems.

Construction of a landing strip on that rocky island is so expensive it is out of the question. The village is exposed to the north and there is no possible accommodation for ships. The weather is so consistently bad that ships would spend much time in layover, reportedly costing $2,500 per day.

An economically sound proposal is to close the village down and operate it only on a seasonal basis, bringing laborers in for the seal harvest and removing them when the job is done.

As a matter of fact, the same would apply to St. Paul, the more populated of the two islands.

But this is impossible for the BCF. It is charged with caring for and maintaining the people of the Pribilofs, and they, understandably, don't want to move.

The only thing left is to free the BCF from the burden of this responsibility and make the people self-governing; themselves bearing the expense of their maintenance.

But this would be inhumane. The people are not capable of bearing such a tremendous cost as $10,000 per family per year.

So the problem is reduced to a paradox with the BCF appearing the goat. It is poorly cast.

Is the Aleut given all the rights and responsibilities of full citizenship and cast adrift to fend for himself in the face of tremendous economic handicap? Or does he remain a ward of the government, his maintenance being financed by all taxpayers?

Of course the solution can be neither. The Aleut must first be given full rights and privileges of citizenship, such as private ownership of land.

Then it must be the State's or the Federal Government's responsibility to educate and guide the Pribilovians until they are able to launch into business, promote capital and set up a self-maintaining society.

ASSATEAGUE ISLAND

Mr. WILLIAMS of New Jersey. Mr. President, I call attention to an article—recently published in the New York Times—concerning the preservation of Assateague Island as a place of unspoiled beauty. I have had the privilege of cosponsoring Senate bill 20, which will accomplish this worthy purpose. The author of the article, William Shannon, ably expresses the need for this legislation when he writes:

> Nature affords few remaining opportunities in the continental United States to see the masterworks of its daughter, the sea, undefiled.

It is my firm belief that we must act with determination to preserve the essential elements of our national heritage. We have become a nation that contents itself with memorializing men and events in stone and inscription. I feel that it is time that we turn to more lasting memorials, to the country that has made our people great. It is necessary for us to act now to preserve these unspoiled stretches of natural beauty.

Therefore, I ask unanimous consent that Mr. Shannon's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, June 28, 1965]

THE CHOICE FOR THE NATION'S SEASHORE

(By William V. Shannon)

A broad strip of white sand, the ocean breaking upon the shore in bright, sparkling waves, the whole sweep of sand, sea, and sky just as thousands of years of nature have produced it—a pure and complete masterwork.

Scenes such as this pose a choice to their human visitors and nominal owners. Some men see them as a trust to be preserved now and forever undefiled for future generations to admire. They rejoice that there is no structure here taller than the craggy dune, no residents except the birds, wheeling and soaring, no sound louder than the beating of the waves and the low moan of the lone sea wind.

WHY NOT A HIGHWAY

Other men look upon scenes such as this and see a perfect route for a six-lane highway. They readily calculate how many house lots they can sell once the bulldozers have levelled those useless dunes. In their mind's eye, a luxury motel already stands upon that lonely promontory. A profitable row of hot-dog stands, pizza palaces and cozy snack bars, each carefully identified with its own neon sign, already rises behind the highway. Where those gulls now nest, a quite sizable shopping center could be built. In short, there is almost no limit to what could be done with it—or to—these seashores once they are developed.

On every seacoast of the United States, men have been making their fateful choice. There are about 3,700 miles of shoreline, for example, along the Atlantic and gulf coasts from Maine to Texas. As late as 1935—only 30 years ago—the National Park Service surveyed that shoreline and found immense stretches of unspoiled beach. It recommended that 12 major strips, containing 437 miles of beach, be preserved as national seashores. But Congress failed to act. Only 1 of the 12 was saved for the public. Another survey 10 years ago reported: "All the others, save one, have long since gone into private and commercial developments."

Two evils occur when commercial development wins out. First, it is unjust that millions of people be barred from recreation on the beach by "Private Property" and "No Trespassing" signs. Access to the seashore should be guarded as a precious public right. Secondly, private development means unbalanced development. It usually destroys the grass and other vegetation that are nature's way of protecting the beach itself against erosion.

Private cottages line every foot of the shoreline, depriving the visitor of any chance to "get away from it all" or to see the shore in its natural state. Seepage from septic tanks pollutes the water, ruining the feeding grounds of the birds and killing the shellfish. A national seashore, by contrast, can provide a sensible balance of intensive development for recreation and protection of nature.

ROADBUILDERS BEATEN

In the past decade, people have become much more aware of what is involved in the policy choice for the Nation's seashore. The heedless roadbuilders were defeated and a Fire Island National Seashore was created. What could be salvaged on heavily developed Cape Cod was permanently protected by a national seashore there. So was Padre Island off Texas.

But the pressures are intense and the commercial developers often win. Such was the choice made for Marco Island, the largest of the once wild and virtually uninhabited islands off the southwest coast of Florida. Graced with a magnificent crescent beach of hard white sand, winding little creeks, fantastically shaped hills of sand and many snowy egrets and other uncommon birds, Marco Island was once considered by the National Park Service for designation as a national seashore.

It would have been a priceless national asset, but Senator HOLLAND of Florida exercised his considerable influence in behalf of private owners—and so the hard reality of private profit prevailed over the public interest. Now the glossy advertisements beckon buyers to the usual seaside cottages.

A similar choice presently exists for Assateague Island off Maryland. Although the island is a barrier reef, part of which is under water during heavy storms, 3,000 persons bought house lots on the dunes. Over their vehement objections, the Senate Interior Committee has approved a bill to make Assateague a national seashore. Unfortunately, the committee bowed to the insistence of Virginia's Senator ROBERTSON and added a requirement that a through highway be built from the bridge at the Maryland end to the bridge at the Virginia end, thus turning this narrow island into a traffic loop and violating the heart of the Chincoteague National Wildlife Refuge.

The choice to be made on this bill is clear. Indeed, what is also clear is that if Congress and the American people do not make the right choice at Assateague and elsewhere in protecting the Nation's vanishing seashore, there will soon be no choice left to make. Too many men have too often chosen to develop primitive beauty into extinction. Nature affords few remaining opportunities in the continental United States to see the masterworks of its daughter, the sea undefiled.

ROTTEN BOROUGH AMENDMENTS SEEK PROTECTION OF MINORITY INTERESTS THROUGH STALEMATED GOVERNMENT

Mr. DOUGLAS. Mr. President, an excellent statement in opposition to the antireapportionment amendments has been submitted to the House Judiciary Committee by Dean Joseph O'Meara and Prof. Thomas Broden, Jr., of the Notre Dame Law School.

Their statement makes an important contribution to the debate on these amendments, because it points out that the real purpose of the amendments is to protect a minority interest, through stalemated government in the States. This is an accurate and revealing description of the effect of these amendments, should one of them be proposed, ratified, and implemented.

I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY DEAN JOSEPH O'MEARA AND THOMAS BRODEN, JR., OF THE NOTRE DAME LAW SCHOOL, PRESENTED BEFORE THE JUDICIARY COMMITTEE OF THE U.S. HOUSE OF REPRESENTATIVES ON HOUSE JOINT RESOLUTION 2, A PROPOSAL TO OVERRULE THE LATEST SUPREME COURT REAPPORTIONMENT RULINGS

Mr. Chairman and members of the House Judiciary Committee, my name is Thomas Broden, Jr. I am a member of the bar of the State of Indiana and am professor of law in the Notre Dame Law School. This statement represents the views of Dean Joseph O'Meara of the Notre Dame Law School as well as my own views. I appreciate the opportunity you have afforded me to present views on one of the most significant legal and political issues our Nation has faced, legislative reapportionment.

It is paradoxical that those who have most strenuously deplored the plight of State and local government should now be attacking what Roscoe Drummond calls the single most important States-rights measure in the 20th century. The decline and fall of State and local government in this century is a national calamity. As Drummond says, until the Supreme Court of the United States provided a judicial remedy, the situation seemed hopeless. The Supreme Court decisions, requiring fair legislative apportionment, cut through the Gordian knot, cut through the death grip that a rotten-borough system had on effective, responsible action and thus have made possible rejuvenated, revitalized State government.

What caused the decline of State and local government? The needs and desires of a majority of the people have been disregarded by State legislators. This has happened because representation in State legislatures has not reflected the urban and suburban population shift (often in defiance of constitutional reapportionment mandates) thus giving to rural or small-town legislators power to stalemate efforts to respond to the peoples' needs. Stalemate destroyed the effectiveness of many State governments.

Anti-Court proposals to overrule *Reynolds* v. *Sims,* 84 S. Ct. 1362 (1964) requiring both houses of State legislatures to be apportioned on a population basis, would return us to the era of stalemate. Control of one house only is sufficient to block legislative action. The adoption of these proposals would be to condemn State government forever to the grave of inaction. No one interested in good State government can take comfort in these proposals. They will benefit only those who are interested in weak and ineffective government and the consequent aggrandizement of national power. They will benefit only those who are powerful, wealthy, and unconcerned, who did well under and therefore were satisfied with the situation existing before *Reynolds* v. *Sims.*

All kinds of fancy theoretical reasons have been put forward to defend this last-ditch effort to hang onto political domination by a minority. For example, it is suggested that nonpopulation factors must be taken into account in apportioning at least one house of a State legislature so that adequate protection may be given to certain special interests, such as rural interests, or property interests, or interests of persons on one side of the Rocky Mountains, or interests of one group of water users, or conservationists, or industrialists, or fishermen, or citrus growers, or Spanish-speaking persons, and so on. And there is no good reason why these interests should be singled out for protection instead of others such as the interests of religious groups, or racial groups, or ethnic groups, or labor, schools, and so on. But that's the rub. To try to protect all interests is the aim of proportional representation, an approach which sounds fine in theory but is disasterous in practice. What happens practically is stalemate: to protect certain special interests, the interests of all others are sacrificed. The basic assumption of our democratic system is that through equal representation the interests of all will be as fairly protected as is humanly possible. No one has yet been able to demonstrate that it is more important to protect the interests of a minority, by stalemate, than to promote the interests of all or as near thereto as is humanly possible.

The anti-Court forces feel their strongest argument is the Federal analogy. That is, that only one House of the Federal Congress is apportioned on a population basis; and that the precedent of the Senate, based as it is on other factors, justifies the States in so organizing their legislatures. But this is a totally unwarranted distortion of the Federal analogy. The system of representation in the two Houses of the Federal Congress * * * is one conceived out of compromise and concession indispensable to the establishment of our Federal republic. So said the Court in *Reynolds* v. *Sims,* but in saying so the Court merely recognized the significance, not of special interests, but of the States as independent governmental institutions.

So much of the Federal analogy as is valid the Court has clearly accepted for it has said that "as long as the basic standard of equality of population" is maintained, States may give some independent representation to political subdivisions to assure them some voice (84 S.Ct. 1362, 1391).

We agree with the Court in *Reynolds* v. *Sims* that: "Attempted reliance on the Federal analogy appears often to be little more than an after-the-fact rationalization offered in defense of maladjusted State apportionment arrangements. The original constitutions of 36 of our States provided that representation in both houses of the State legislatures would be based completely, or predominantly, on population. And the Founding Fathers clearly had on intention of establishing a pattern or model for the apportionment of seats in State legislatures when the system of representation in the Federal Congress was adopted. Demonstrative of this is the fact that the Northwest Ordinance, adopted in the same year, 1787, as the Federal Constitution, provided for the apportionment of seats in territorial legislatures solely on the basis of population."

Reynolds v. *Sims,* far from being an attack on effective State government, is the key to such effectiveness. Friends of States rights should be defending, not seeking to overrule it.

This is a time for decision for the States rights people. If they are for weak local governments they cannot be against swollen national power, because that goes right along with weakness at the local level. So they could just as well be called big Government people. In short, it is time for these so-called States righters to fish or cut bait.

THE OBJECT IN VIETNAM

Mr. RUSSELL of South Carolina. Mr. President, while brave American patriots struggle in Vietnam, in the cause of freedom, much discussion about our policy there goes on at home. The President, in my opinion, has adopted a courageous course, one worthy of our support.

I ask consent to have printed in the RECORD an editorial which was published recently in a fine newspaper in the capital city of South Carolina, the Columbia State. The editorial states, correctly, that far more than one small, beleaguered country is at stake in our struggle in Vietnam. I commend the editorial to the Members of the Senate.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Columbia (S.C.) State, June 11, 1965]

THE OBJECT IN VIETNAM

Misgivings among Americans over the long and extremely difficult siege in Vietnam are understandable but fail to take into account the full meaning of our persistence there.

But for this show of the resolve of the United States to hold back the wave of Communist aggression, other sectors of the world would long since have fallen into the grip of Moscow or Peiping.

As Secretary Rusk reminded this week, these further advances of the Communists would have been achieved by aggression of one form or another. They would not have been initiated by the peoples involved. He mentioned West Berlin and Iran as victims had the example of armed force in Vietnam not been provided.

The action of the United States in southeast Asia is a costly and complex one indeed. The situation defies standard military procedures. It is conceded that military action alone probably won't bring a favorable result. The task is one carrying little encouragment. It is likely to go on and on.

Yet the resistance we offer there to aggression has effect far beyond the frustrating jungles of South Vietnam; it says to the Communists that other such intrusions would find the United States moving against them.

In Vietnam more is at stake than that beleaguered little country.

EFFECT OF CHANGES IN LEAD AND ZINC IMPORT QUOTA SYSTEM

Mr. ANDERSON. Mr. President, on June 23, 1964, the U.S. Tariff Commission convened a public hearing, as part of a study, requested by the President, to determine the probable economic effect on the lead-zinc industry through reduction or termination of the present import quota system, established on October 1, 1958.

At that hearing, I presented a personal statement, based on my experience with this industry in my own State, and also representing literally years of personal effort and the efforts of my colleagues in the Senate to establish a long-range lead-zinc minerals policy. It was my desire to help answer the question asked of the Tariff Commission by the President.

My reaction to his request, particularly considering the history of the lead-zinc industry efforts, was that we should not only look at the current statistics on production and consumption, but also should try to plan for the next decade, based on experience gained during the past 10 to 15 years.

My statement of June 1964 referred to the fact that the economy of the industry had improved with increasing metal consumption; and today I am happy to report that this trend has continued; but at that time I also stated that the entire lead-zinc industry had not been relieved of the injury which was the reason for the imposition of quotas in 1958. During the past year, more mines have reopened; but I must report that there still remains a serious question as to just how long the current prosperous period for our domestic lead-zinc mining industry can continue. As a result, some mining companies are hesitant to commit the large expenditures necessary in order to bring new mines into production—so long as the industry has no assurance of some logical import limitations that will modify the disastrous business cycles which have been characteristic of our natural-resource industries, and which in the case of lead and zinc have been caused by extensive and unnecessary imports during periods of reduced metal consumption.

During the Tariff Commission hearing, we acknowledged that the present quotas have mechanical problems; but we emphasized the fact that the industry itself had proposed and supported a system of flexible lead-zinc quotas which would provide equitable treatment for the producers, the consumers, and the importers. I urged the Tariff Commission to study this plan; and it was, and is, my recommendation that this flexible quota plan be enacted before any change in the present quota system is made.

The Tariff Commission issued its report on this study on June 8, 1965. It is quite a document; and all the discussion, all the statistical information, and their advice to the President, in answer to his question, are summarized in one short, but signficant, sentence:

> Termination of quotas would not likely have a detrimental effect on domestic lead and zinc producers unless world demand for these metals should subside substantially in relation to world supplies.

This sounds like a rather simple, straightforward sentence; but I call attention to one extremely important and significant word—"unless." This word summarizes the reasoning of my presentation last year to the Tariff Commission. It combines a basic premise that under present conditions, in the opinion of the Tariff Commission, quotas could be removed without injury to the industry; but the Commission acknowledges that any future imbalance of world metal supply, in relation to consumption, will very likely once again damage our domestic industry; and the closing statement of the report says just this. In other words the Tariff Commission has looked into the future. It has noted the announced expansion of lead and zinc mine and smelter capacity all around the world. It realizes that any drop in world consumption will send the surplus to the United States, unless we have in effect a plan to accommodate the imports needed in order to supplement domestic production.

There are within the executive branch committees, which are studying this report, to advise the President as to whether action regarding the quota system is warranted at the present time. I believe that the opinions of those within the industry itself should be given special consideration, as they are naturally most familiar with the many factors that can affect the economies here and worldwide.

My friends in the industry have advised me that, based on the Tariff Commission findings and on their own intimate knowledge of the lead-zinc industry, it would be highly inadvisable for the executive branch to make a precipitous decision regarding relaxation or removal of the present quota system. There are valid reasons for such a decision. First, Congress this year authorized disposal of both lead and zinc from the national stockpile, to help alleviate a temporary shortage caused by increased requirements for additional metal supplies. Half of the zinc and well over half of the lead have not been released to industry, but will soon be made available, and will affect the supply-demand relationship. Second, for many months the world-market prices for these two metals, as quoted on the London Metal Exchange, have been well above the level of the United States, but in the last few weeks have dropped below our market levels—indicating a return to normal price differentials and a balance of world supply and demand toward the end of 1965. Third, we know that more metal will be available in 1966, as production both here and in the exporting nations is increasing. The action of this combination of factors on our domestic metal markets can well be most detrimental, later this year or early in 1966, if the present quota system is terminated.

All this discussion leads me to close these remarks by stating the same thought expressed 1 year ago at the Tariff Commission hearing: The present quotas should remain until replaced by an appropriate, long-range lead-zinc minerals policy enacted by Congress. This is embodied in Senate bill 564, the lead-zinc flexible quota bill introduced by me in this session of Congress, and cosponsored by 24 of my colleagues, who agree with me that a solution to this perennial problem is long overdue. We of the Congress are joined by practically all members of the lead-zinc mining and smelting industry in agreeing that this is the proper course of action. I commend it to Congress, to the President of the United States, and to the members of his executive departments, for approval and enactment into law.

THE A-TEAM EXPERIMENT INVOLVING WYOMING YOUTHS

Mr. SIMPSON. Mr. President, I wish to call the attention of the Senate to a problem that has arisen on the domestic farm labor scene. It is a problem that deeply concerns me and my State because of its effect upon 41 families of Newcastle, Casper, Upton, and Sundance, Wyo. I will not speak directly today about the bracero program, as I have already made clear my views on that matter before this body. What concerns me particularly today is the so-called A-team experiment and how that experiment has dramatized and characterized the unfortunate tactics and policies of the Department of Labor and its Secretary, W. Willard Wirtz.

Two days ago several Congressmen delivered what appears to me to have been a thinly veiled report from the Secretary of Labor affirming, of course, the Secretary's policies and activities. I consider it my duty to take exception to much of what was said.

On May 7, 1965, the State director of the Wyoming State Employment Service made the following remarks to the Casper Chamber of Commerce:

> The American labor market operates on the basis of complete freedom of choice by both employers and workers. A worker is free to accept any job for which he qualifies, and an employer is free to hire or reject workers as he sees fit. Employers and workers use the assistance of employment services, public or private, only on a voluntary basis, and only when it helps to fulfill their needs.

Mr. President, it is my contention that precisely the opposite has been practiced by the Secretary of Labor in the past 2 weeks. It is my contention that the unfortunate A-team experiment is the baldest attempt to date by that Secretary to control and to manipulate our Nation's farm labor force. I contend that the A-team incident signals the beginning of the end of a truly free labor market.

The A-team program stands for "Athletes in Temporary Employment as Agricultural Manpower." It was conceived last month jointly by the Secretaries of Labor and Agriculture and the President's Council on Physical Fitness. The program was ostensibly designed as one means of alleviating the stoop labor shortage in U.S. agriculture which was caused by termination of the bracero law which had permitted the importation of Mexican nationals. The program was given advanced billing under the slogan, "Farmwork Builds Men."

In a press release on May 5, Secretary Wirtz emphasized that "the boys' interests come first" in the A-team program. He said they would be under responsible supervision, would be provided with good housing and food, and would earn $1.15 to $1.40 an hour. But, unfortunately, the program backfired for the team from Newcastle, Wyo.

That 41-member team was one of the first to arrive in Salinas, Calif. Within a week of their arrival, they had decided to leave the strawberry fields and had returned home by bus, convinced that the program was a mixed-up mess.

In a rally and protest meeting recently held in Newcastle, Wyo., it became apparent that many factors contributed to the untimely return of the team. The papers of the State have carried that story fully indicating some of the reasons for the team's return: Poor food—the team was served hot Mexican food three times a day for their first 3 days in the labor camp; poor laundry facilities; undesirable companions—the Wyoming team was put into a camp with another experimental group composed of juvenile delinquents; and inequitable working conditions—some teams were given fields farthest from the loading trucks or fields that had already been picked over by the few braceros that remained at the inception of the program. But what figured most significantly in the decision by the Wyoming team to give up the program was the misunderstanding as to wages. According to Homer Hand, of the Wyoming State Employment Security Commission who went personally to investigate the problems reported by the Wyoming team at the Salinas Strawberry Co., there was a great misunderstanding over the wages to be paid A teams. No written contract between the Wyoming team and their employers had ever been initiated. Of course, such a contract should have been the most important part of the Labor Department's preplanning and should have been agreed to before the team ever left Wyoming. Further, the hiring agent of the Salinas Strawberry Co., Benjamin Lopez, manager of the Growers Farm Labor Association, could not be contacted at the critical time in the wage rate misunderstanding.

This regrettable communication difficulty was accentuated, of course, by the unfamiliarity of the surroundings in which the boys found themselves: miles of fields filled with workers from every source and background; as many as 13 different labor camps spread across the valley; the notable absence of any foremen or supervisors who could be trusted to give authoritative answers to the inquiries of the team; and rumors that the program had proved such a "bust" that the growers would plow up the strawberry crops rather than suffer further losses due to the chaotic labor situation.

California newspapers have amply documented in the last few weeks the plight of the growers who claim "we just can't afford to go on losing money," and it is not my intention to explore that facet of the problem today. What I do want to make perfectly clear is that the A team from Wyoming experienced difficulties which were very real to them and which in no way justifies the charge made by Representative COHELAN this past Monday on the floor of the House of Representatives in a colloquy in which he engaged with Mr. RONCALIO, of Wyoming. In that colloquy, Mr. COHELAN claimed that our Wyoming team, and I quote, "was apparently formed and included just a lot of what could be fairly described as 'crybabies'." Nothing could have been further from the truth.

Further, I wish to make it clear that the promises of Secretary Wirtz made only last month came notoriously short of being fulfilled. The events of the past few weeks indicate that the A-team project was hastily conceived and poorly executed. It is easy enough for a Secretary to initiate a program and issue headline-getting press releases concerning it, and quite another thing for the program to be successfully carried out. It is easy for a Cabinet member in Washington to state, as did Secretary Wirtz, that "successful implementation of the A-team program will require continuing close cooperation between the Department of Labor staff and your State Employment Security Agency." But, it was Homer Hand, of our Wyoming State agency, who went to California and who made the only significantly constructive efforts to help the chaotic situation there. The Labor Department now admits that the A-team program was only intended to be a one-shot deal. Now it is the officials of the Department of Labor here in Washington who 2 days ago said that the strawberry scandal was, as far as they were concerned, "a closed case."

But, Mr. President, for the boys who went through the disillusioning experience and for their families who had to pay for that experience, the case will never be closed.

One of the high school athletes from the Wyoming team who had participated in the ill-fated experiment summed up the problems that he and his team had experienced in California.

Said Bruce Arfmann, an 18-year-old graduate of Newcastle and former basketball star:

> The problem is that the growers are used to braceros doing the work. The Labor Department threw the program in the growers' faces overnight. They don't like it.

It is clear that the youths of the Wyoming team and their families lost most from the A-team fiasco. It was they who put up the needed $2,000 for return bus fare from California.

But, I ask now, who stood to win from the incident, and I am led to the conclusion that it was the Department of Labor and its Secretary, W. Willard Wirtz.

Through the authority which Secretary Wirtz claims is vested in him by Public Law 414, the Department of Labor holds a heavy club over the heads of so-called criteria employers. These employers, who have in the past used Mexican nationals for the harvesting of fruits, vegetables, and berries across the country, will be forever disqualified from using labor supplied through the Department of Labor if they once refuse to put to work domestic labor made available by that Department. Thus, if Secretary Wirtz can make available to the growers a domestic worker he must be accepted as a replacement for the Mexican national or else the grower loses his status as a qualified employer. Secretary Wirtz has used his A-team experiment to make that worker available. He attempted to move Wyoming youths to California fields and for a short time was able to do so through false promises and misrepresentations.

The Wyoming A-team was in Salinas, Calif., long enough to force the growers there to replace braceros with Americans in accordance with Labor Department regulations. Before the Wyoming team had started home, the braceros had left the fields of the Salinas Strawberry Co. Once that had been accomplished, Secretary Wirtz' prime political policy had been achieved.

Then, when the A-teams proved, for one reason or another, unsatisfactory or insufficient to fill the labor needs of the grower, the grower was faced with the unhappy alternative of plowing up his crops or recruiting his own adult domestic labor.

This is the situation at the present time. California, according to my recent inquiries of the Labor Department, has closed its borders to out-of-State workers. Through their recruiting programs, the growers have sought out their own domestic workers and have no further need for A-teams. This result, representing a full and somewhat ironic swing to the pendulum, is not altogether a bad one.

But the means by which this result was achieved was unqualifiedly bad. Secretary Wirtz got what he wanted, but he got it at the expense of some of the A-teams that he so quickly spawned and now would like to quickly forget. The Wyoming team, unhappily, became nothing more than a pawn in the Secretary's hand as he manipulated the Nation's farm labor force in accordance with his and the administration's scheme.

But I appeal to Members of the Senate to see that such methods are not condoned and not repeated—that such high-handed tactics are stopped. And I demand of the Secretary of Labor that restitution be made to the parents of the ill-starred Wyoming A-team for their expenses incurred in this social experiment. That is the very least that Secretary Wirtz can do for the private citizens he has wronged.

ORDER FOR ADJOURNMENT TO 9 A.M., FRIDAY, JULY 1, AND TUESDAY, JULY 6, AT NOON

Mr. HOLLAND obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Florida yield to me without losing the floor?

Mr. HOLLAND. I yield.

Mr. MANSFIELD. I ask unanimous consent that when the Senate completes its business on Thursday, July 1, 1965, it stand in adjournment until 9 o'clock a.m., Friday, July 2, and, immediately upon meeting on July 2, stand in adjournment until 12 o'clock noon Tuesday, July 6, 1965.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, am I correct in my understanding that the Senate will meet at 10 o'clock tomorrow morning and that the Chair will recognize the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], with the Senator from Ohio [Mr. YOUNG] somewhere between the two, and the Senator from Maryland [Mr. TYDINGS]?

The PRESIDING OFFICER. That is correct.

STUDENTS DESIGN SATELLITE IN 7 WEEKS

Mr. HART. Mr. President, will the Senator from Florida yield to me briefly, without losing the floor?

Mr. HOLLAND. I yield.

Mr. HART. Mr. President, often, with reason, we voice concern and dismay at outrageous conduct by juveniles in this country. Such conduct is the concern of parents and Congress; it is the subject of press, radio, and TV coverage.

Today I learned of something which 22 students at the University of Michigan have been up to for the past 7 weeks. I want the Senate and the country to know of this student effort.

It is in the nature of man that stories of crime and violence and evil get top billing. Here is a front-page story, with top billing, of constructive effort and extraordinary accomplishment which brings great credit to 22 young men, their professor, and university. I ask unanimous consent that the story from the Detroit News of June 28 be made a part of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MICHIGAN STUDENTS STUN EXPERTS—DESIGN SATELLITE IN 7 WEEKS

ANN ARBOR, June 28.—Twenty-two students at the University of Michigan have designed a satellite for tracking weather.

They did it in 7 weeks and packaged the entire proposal in a 118-page report. The project is called Possum, for Polar Orbiting Satellite System—University of Michigan.

The time in which the students, 18 seniors and 4 graduate students, designed the satellite surprised industry and Government visitors.

One industry manager said, "I couldn't get this much work out of my entire staff in a year."

The students worked under Prof. Wilbur C. Nelson, chairman of the University of Michigan Aero-Space Engineering Department, who gave them a one-sentence order for their work in a summer half semester. It was "design a poor man's weather satellite."

Possum would be a 234-pound package of TV cameras and a high resolution infrared radiometer that would circle the earth's poles 340 miles high in essentially a circular orbit. It would be boosted by a four-stage rocket from Point Arguello, Calif.

Besides its low cost, its value comes from its capability to provide cloud cover photographs and weather data from the polar regions. Present weather satellites do not reach those regions, and leave holes in satellite data used for forecasting.

Student project manager Donald Dieck, from Fairlawn, N.J., said filling these gaps would substantially improve weather forecasts. He said the data would also be invaluable for long-range meteorological studies.

Another unique feature of Possum's proposed orbit is that it would arrive over a given point on the earth's surface at the same time every 24 hours.

Nelson said detailed information on Possum's potential will be available in August when three students complete an analysis.

Michigan men who took part are: Dennis Adams, Robert Bratkowski, Mehmet Peksenar, all seniors, of Ann Arbor; Don Rothfuss, senior, Brooklyn; Robert Trueman, senior, Camden; Paul Goranson, senior, Crystall Falls; Donald Hemke, senior, Dearborn; Don Chomicz, graduate student, Detroit; Barry Frazier, senior, Durand; James Vietengruber, senior, Grand Rapids; Horst Schagat, senior, Grand Rapids; Stuart Rubens, graduate student, Livonia; Louis Rajcze, senior, Saline, and Charles Prochaska, senior, Southgate.

SUPPLEMENTAL AGRICULTURAL LABOR

Mr. HOLLAND. Mr. President, I continue to see in the press and to hear by radio and television occasional statements by misinformed persons to the effect that the action of Congress in 1963 in refusing to extend the so-called Bracero Act, Public Law 78, beyond December 31, 1964, was in the nature of a Congressional mandate to the Secretary of Labor, the Commissioner of Immigration, and the Attorney General to discontinue the making available of supplemental agricultural labor from foreign sources to help American farmers in the harvesting of their crops, particularly perishable fruits, vegetables, and berries. Of course, there is no truth whatever in the contention that Congress gave such a mandate. There is every showing in the Record of congressional hearings and congressional debates and in the text of laws enacted by Congress that the only accurate meaning that can be given to the action of Congress in 1963 in terminating Public Law 78 on December 31, 1964, is that it was merely a termination of the Bracero Act itself. Such action was designed to have no effect whatever upon the provisions of the general immigration law under which supplemental agricultural labor is available and has been made available for years both prior to the enactment of Public Law 78 and continuously since that time.

At the time that the original Bracero Act was proposed, a grandiose recommendation was insisted upon by the Department of Labor to allow it to control the importation of all supplemental agricultural labor from all sources, including not only Mexico, but also the West Indian and Canadian sources, and also to control migratory domestic farmworkers. The proposed modification urged by the Department of Labor would have set up an elaborate and expensive hierarchy, including labor camps or motels, extending pretty well all over our Nation, transportation and medical assistance and an extravagant set-up of personnel to give the Labor Department complete control of not only all foreign supplemental agricultural labor, but also all domestic migrant agricultural workers and their families. Since I attended the hearings on that measure and took part in conforming it to the form represented by Public Law 78, the Bracero Act, and since I know that the Bracero Act was intended in meeting the needs of American farmers to also meet certain requirements of the Mexican Government and other requirements of our own to prevent the exploitation and abuse of imported Mexican agricultural workers, and particularly to eliminate the so-called wetback problem, I think it may be well to collect certain salient parts of the record in one place at this time so that all may see the care which Congress exercised in assuring that Public Law 78 would in no way interferc with the provisions of the general immigration law, Public Law 414, and would in no way extend Federal control over either supplemental agricultural labor from the West Indies or Canada or over migrant American farm labor in general.

I ask, therefore, that certain portions of the Record of the hearings before the Senate Committee on Agriculture and Forestry on March 13, 1951 on the original proposal of the Labor Department be included herewith as a part of my remarks.

I read now from page 16 of the hearing:

> The Chairman (Senator Ellender). It is my purpose to hurry along with this bill as soon as I can because of its importance. We must provide legislation on the subject before June, and I am going to try to make arrangements, if I can, to hurry this along and have the record printed as soon as possible so that each Senator will have a copy of it before we consider the bills before us.
>
> These documents that I have introduced, Senator Hickenlooper, simply provide for amendments. For instance, let's take the American Sugar Cane League letter, which also represents the views of the folks from Florida, I believe. They have a fine relationship now between Florida, let's say, and the islands just off Florida—the Bahama Islands, Jamaica—where they get quite a lot of labor, and they take the position that because of those fine relationships they do not need legislation on the subject. They are suggesting that, with respect to the language in S. 984, it be made to apply to the continent instead and exclude the islands. The way they suggested that this be done is by simple amendment which would make it apply to the mainland of the continent.
>
> All of those suggestions are incorporated in some of these letters that I have introduced and the reports so far received from the various departments, especially the Department of Agriculture, deal with the extent to which our Government should pay for transportation and care of these laborers in transit.
>
> Senator Holland. So far as the agricultural interests of Florida are concerned, they much prefer not to have any subsidy from the Government in this connection, not to have the Department of Labor serve as an official agency for recruiting offshore laborers. They much prefer to continue their present course of dealings, under which they pay the transportation costs themselves, and deposit bonds guaranteeing the return of the laborers who are in for a season and who are then sent back to the Bahamas or to Jamaica, as the case may be. They are quite willing to have continued the present setup which they have found eminently satisfactory. And above all things they do not want any subsidy in connection with this thing.
>
> The Chairman. I am glad to hear the Senator from Florida so express himself, and that was the line that I pursued in drafting S. 984, which is up for consideration today.

I read now from page 17 of the same hearings:

> Senator Hickenlooper. Mr. Chairman, I would like to say to Senator Holland, with all due respect, and with no intent to offend, but I wonder if the position is not a little outmoded according to modern philosophy, when you announce they are for a self-help program and wish to depend on themselves. Do you think that is a little outmoded?
>
> Senator Holland. I do not think so. I remind the Senator from Iowa that the same group came up and asked for the potato support program to be knocked out.
>
> Senator Hickenlooper. Our potato farmers up in Iowa do not want Government help, and they are forced into this regulation by some kind of a vote, and they are now prosecuting some of these individuals who refused to take Government aid.
>
> Senator Holland. Mr. Chairman, we do not want to interfere with the plans of continental users of labor from Mexico, and perhaps other places, if they prefer some other way to deal with the situation, but we do much prefer to have this legislation not apply to the Bahamas, Jamaica, and the independent countries living offshore but near our State. We will at the proper time ask for an amendment which we hope the introducer of the bill will be agreeable to have written into this bill, making it apply only to continental foreign countries and Hawaii and Puerto Rico, if you wish to have it apply to them.

I read further from the hearings on page 18:

> The Chairman. I was going to say that, and I am sure it will become apparent to the Senators the reason for dealing with, let's say, the Bahamas as Senator Holland suggests, and why we should probably accept a different method when it comes to employing labor from Mexico.
>
> Mexico has a problem on its hands. It is developing right along. It is right on our borders, you know, and the wetback problem there—that is, those who cross the Rio Grande without any authority whatever—has drained quite a bit of Mexican labor that is needed in Mexico at the moment.
>
> All of this, as I have just indicated, will be brought to the surface as we call witnesses to discuss these various bills, particularly the one that I introduced and which in effect deals primarily with the Mexican labor situation.
>
> Senator Aiken. The reason I was inquisitive was because I was thinking of the Canadian situation, where a large number of

Canadians come over the border for seasonal work. We do not want that complicated by any Federal laws or requirement that the Federal Government recruit them. They are mostly relatives that come over in that part of the country and I suppose they drive their cars over, or walk over, or any way to get over, and we do not want those satisfactory relationships interfered with, either.

The Chairman. I do not believe it is the intention of the introducers of any of these bills to change that relationship. Speaking for myself, as the introducer of one of the bills, I certainly do not want to change any of the methods now in force that have proven satisfactory. I am satisfied that if anything in my bill, as well as the other bills that have been introduced, will in any manner change the present methods, we can all get together and arrange it so that the present method of recruiting foreign labor shall not be disturbed.

Mr. President, that was at the original meeting of the committee. Everything that happened thereafter was in accord with the expressions from which I have just read.

I continue to read further from page 26 of the hearings when Mr. Creasey, the Assistant Secretary of Labor, appeared as a witness for the Labor Department:

Senator Holland. Excuse me there. Is what you are talking about there a series of transient camps?

Mr. Creasey. That is right.

Senator Holland. To house transient migratory labor as it is traveling from one part of the United States to another?

Mr. Creasey. That is correct.

Senator Holland. How many such camps do you have in mind?

Mr. Creasey. Frankly, we have not gone into it far enough to decide how many there should be. I do not think it would require very many.

Senator Holland. But you are asking for the inclusion of that factor in this legislation?

Mr. Creasey. That is correct.

I read now from page 27 of the hearings:

Senator Holland. I was anxious to take a practical problem in this field. It is a well-known fact that migratory farm labor that starts out in south Florida in the winter ends up in Connecticut in the tobacco fields in the late summer or early fall. Is it your idea to have a series of tourist camps that would accommodate this migratory labor as it moves from south Florida to Connecticut through the course of the various seasons, extending from winter in Florida to early fall in Connecticut? Is that your idea?

Mr. Creasey. That is correct.

I read further from the hearings on page 29:

Senator Holland. Mr. Creasey, is this testimony your own personal testimony or is it for the Department of Labor?

Mr. Creasey. Which do you mean?

Senator Holland. The tourist camps.

Mr. Creasey. That is from the Department of Labor.

I call attention to the fact that not only did I personally insist that Public Law 414 be left unaffected and that the long arm of Federal regulation be not extended to cover the whole field of migrant agricultural labor, but I was joined in that insistence by the chairman of the Senate Committee on Agriculture, Senator Ellender, of Louisiana, and the ranking minority member of the committee, Senator Aiken, of Vermont, and other Senators, as shown by the Record. Those who employed West Indian and Canadian supplemental workers did not want to have expensive Government control and regimentation substituted for their own responsibility in selecting their employees, paying the expenses involved, and assuring the repatriation of the foreign workers.

Pursuant to the insistence of our committee, and after a full hearing on the proposed bill, it was passed in such form as to cover only the so-called bracero problem and only the importation of supplemental Mexican labor for that portion of the country which uses such labor. A section was included in the bill, as a committee amendment, making it completely clear that the general immigration law was affected in no way whatever. I quote that section 508 of Public Law 78 which we insisted upon and which reads as follows:

Sec. 508. Nothing in this Act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

Mr. President, it could not be made clearer as to the entire exclusion from the terms of the Bracero Act or any effect produced by that act upon the general immigration laws, or the bringing in of supplemental labor from the West Indies and Canada. While Japan and the Philippines were not in the picture at that time, the same logic would apply completely to the labor which has since been brought in from these areas and perhaps other friendly countries in the Pacific with which I am not familiar. The point was clearly made.

The debate on the Senate floor at that time—1951—on the passage of Public Law 78 also made these points quite clear, and I quote a portion of such debate.

Following are the remarks of the Senator from Louisiana [Mr. Ellender] to Senator Chavez of New Mexico, appearing in the Congressional Record, volume 97, part 4, page 4418:

I may state to my distinguished friend from New Mexico that when the bill was first introduced we attempted to take care of labor recruitment not only in Mexico but also in all other countries in the Western Hemisphere, and Puerto Rico, and Hawaii. Complications arose in that certain exceptions were desired here and there. Finally, inasmuch as the purpose of the entire proposal is to make an agreement with Mexico alone, the committee decided to confine the bill to that country.

Mr. President, these are the remarks of the Senator from Louisiana [Mr. Ellender], appearing in the Congressional Record, volume 97, part 4, part 4419:

The committee members present were unanimous in their decision to deal with the Mexican problem solely. The reason for that decision is that we are confronted with a special condition with respect to the importation of labor from Mexico. The Government of Mexico has notified our Government that it will terminate the agreement with respect to the importation of Mexican labor into this country, and that it will not agree to a program comparable to the one under which we import workers from the Bahamas and other islands under British control.

Here are the remarks of the Senator from Louisiana [Mr. Ellender], appearing in the Congressional Record, volume 97, part 4, page 4419:

I know that in the past there have been instances of men looking at a stoop-labor job and saying, "I do not want it." If that kind of man took such employment, it would be only until he could get something more to his liking. The able Senator from New Mexico knows that as well as do the members of the committee.

I digress to read the colloquy between Senator Case and Senator Ellender, appearing in the Congressional Record, volume 97, part 4, page 4421:

Mr. Ellender. * * * The sole purpose is to deal with the Mexican problem. We have been importing labor from Mexico, as the Senator knows, for many years. Because of the seriousness of the wetback problem, the Mexican Government has decided that in the future, unless legislation of the character we are now proposing is enacted, no more Mexican labor will be contracted for work in this country.

Mr. Case. What is the reason for the committee amendment in section 508, providing that nothing in this act shall be construed——

Mr. Ellender. That is my next point. I shall reach that in a moment.

Mr. Case. My purpose in raising the question is this: Apparently there is some reason for saying that nothing in this act shall be construed to limit the authority of the Attorney General under the general immigration laws. I was wondering whether the same logic would also suggest that we should say that it is not intended to interfere with the operation of the Displaced Persons Act, or to limit the authority of the Displaced Persons Commission to bring displaced persons here for agricultural employment.

Mr. Ellender. Personally I do not believe that such language is necessary, but it does no harm. There were some who thought that unless we put language of that character in the bill it might suggest to the Attorney General or to some other department of Government that it was not intended to continue the method now in vogue for recruiting labor on a temporary basis from Canada, from the Bahamas, and from other offshore islands under the British flag.

I read the colloquy between Senator Ellender and Senator Watkins and Senator Hickenlooper, appearing in the Congressional Record, volume 97, part 4, page 4425:

Mr. Ellender. Today employers who need workers in Florida, in New Jersey, or, in fact, in any of the Atlantic States, deal directly with workers from the Bahamas, Jamaica, and Puerto Rico. At present they pay for part of the cost of recruitment and the expense of transportation and the worker pays the remaining part.

Mr. Watkins. Is that for seasonal work, such as farm operation?

Mr. Ellender. Yes. What the employers do in States such as Florida or any other of the Atlantic Coast States is to go to the U.S. Employment Service and obtain a certificate showing that labor is not available to carry on the necessary farm work. With that certification they go to foreign governments and a contract is entered into between the employers in this country and workers in the

> Bahamas or in Jamaica, for illustration. Bonds are posted by the employer, and the worker then comes to this country for seasonal employment.
>
> Mr. HICKENLOOPER. Mr. President, will the Senator yield?
>
> Mr. ELLENDER. I yield.
>
> Mr. HICKENLOOPER. I think the RECORD should show that farmers on the eastern seaboard who have been accustomed to using labor from the islands offshore do not ask to be included in this bill. They are perfectly satisfied with the arrangement which they have, and they do not want any Government supervision. They make their own arrangements and are happy with them. They said they were not concerned about being included in the proposed legislation.

Here is a colloquy between Senator Wherry and Senator ELLENDER, appearing in the CONGRESSIONAL RECORD, volume 97, part 4, page 4480.

> Mr. WHERRY. I understand the position taken by the distinguished Senator from New Mexico relative to the sufficiency of American labor. I have been reading the reports of the hearings of the committee. We have contracts with other countries. We get labor from the Bahamas and from other countries without such legislation; do we not?
>
> Mr. ELLENDER. That labor is obtained in accordance with present law, and that could be done in the case of Mexico if the Mexican Government would agree to continue the agreements which were entered into in 1948 and extended in 1949. However, the Mexican Government refuses to do so unless certain guarantees are made. Such guarantees are incorporated in the bill now being considered.
>
> Mr. WHERRY. Prior to this time the Government had not come into the picture at all, so far as making any guarantees was concerned.
>
> Mr. ELLENDER. That is correct.
>
> Mr. WHERRY. Why is it necessary at this time? We do not do it with respect to other countries.
>
> Mr. ELLENDER. Because the Mexican Government insists upon it.
>
> Mr. WHERRY. What do they insist upon that has not been given them in prior contracts?
>
> Mr. ELLENDER. What they insist on, first, is a guarantee by some agency of our Government that there will be full compliance with the contract between the employer and the worker, for example, in guaranteeing wages, guaranteeing transportation, subsistence, and so forth.
>
> Mr. WHERRY. Have we ever experienced any trouble with such importations of labor from other countries?
>
> Mr. ELLENDER. No; we have not.
>
> Mr. WHERRY. For the life of me I cannot see why it is necessary to bring the Government into the picture.
>
> Mr. ELLENDER. The main reason is the need to control the so-called wetback problem, with which I am sure the Senator is conversant. To my way of thinking, the proposed legislation would go a long way in solving the wetback problem.

There are other excerpts from the debate at that time which support my present statement and there is nothing in the debate which leaves any question whatever as to the intent of Congress which was to keep Public Law 414 completely intact and functioning and to make it clear that Public Law 78 should have no effect whatever upon the continued use of supplemental agricultural labor from the British West Indies and from Canada.

It is equally clear that in the 1963 Senate hearings and debate on the extension of Public Law 78, which was extended only to December 31, 1964, the point was made over and over again that Public Law 414 was to continue in effect and was in no way affected by the action of the Congress in limiting the extension of Public Law 78 to 1964 only. Under Secretary of Labor Henning made the point in the hearings before the Senate Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare on July 30, 1963, page 105 that Public Law 414 was to continue in effect and that supplemental agricultural labor under Public Law 414 was to remain available, and in the Senate debate I quoted Under Secretary Henning in his reference to Public Law 414, as follows:

> Mr. HENNING. This is another system of importation of foreign workers lacking, in general, the safeguards that are in Public Law 78, although there is a test feature involved here under which domestic labor is supposed to be unavailable before West Indians or Canadians or other foreigners can enter.

I made the point in that debate that Mexican labor had been brought in legally by the thousands under Public Law 414 before the enactment of Public Law 78 and continuously thereafter and that even in 1962, the year immediately prior to the Senate debate, some Mexican labor had been brought in under Public Law 414. This continued to be the case, incidentally, through 1963 and 1964 and still continues to be the case as this debate is underway. It is completely clear that Public Law 414 remains available as a source of needed supplemental agricultural labor from Mexico at this very time and indeed some Mexican laborers have already been admitted and are now working in California under Public Law 414. During the 1963 debate I made the following remarks which appear in the CONGRESSIONAL RECORD, volume 109, part 11, page 15184:

> The method by which Mexican workers might be brought into the United States legally under sections 214 and 101 (a)(15)(H) of the Immigration and Nationality Act in the absence of Public Law 78 is explained at page 49 of the House hearings. I emphasize that point because so many people mistakenly think that the only way Mexican laborers can get into this country to till farms is under this act Public Law 78, whereas, quite to the contrary, other less desirable acts are available under which Mexican laborers can come into this country and under which they would have nothing like the protection that they, the country, or the producers who use them have under Public Law 78.

During the 1963 debate various Senators expressed concern on this question and I quote from the CONGRESSIONAL RECORD, volume 109, part 11, page 15187, a colloquy between Senator ALLOTT, of Colorado, and myself on this subject:

> Mr. ALLOTT. If Public Law 78 should not be extended, there would be nothing to prevent employers in the western part of the country from using Public Law 414 for the importation of labor. Is that correct?
>
> Mr. HOLLAND. Nothing at all, until such time as the abuses might again become so evident that perhaps the Mexican Government would take the same position it did prior to the enactment of Public Law 78. Some do come in every year under Public Law 414, even from Mexico. That is another thing that our friends in opposition do not seem to understand. Thousands can come into this country under that law.

I also quote from the RECORD a colloquy between myself and two of the ardent advocates of the repeal of Public Law 78—Senator MCCARTHY, of Minnesota, and Senator PROXMIRE, of Wisconsin, which immediately followed my colloquy with Senator ALLOTT, as follows:

> Mr. MCCARTHY. Mr. President, will the Senator yield?
>
> Mr. HOLLAND. I yield.
>
> Mr. MCCARTHY. Will the Senator explain who in the opposition does not understand about Public Law 414?
>
> Mr. HOLLAND. Does the Senator from Minnesota mean that he understands that thousands come in every year from Mexico?

That meant under Public Law 414.

> Mr. MCCARTHY. I certainly do.
>
> Mr. HOLLAND. I withdraw my statement as to the Senator from Minnesota. I do not withdraw it as to some other Senators.
>
> Mr. PROXMIRE. Mr. President, I hope the Senator will withdraw it so far as the Senator from Wisconsin is concerned. I am thoroughly aware of the situation and have been for some time. I also know that the Labor Department has cracked down on the program very stringently. The Labor Department is now following a policy far different from the past policy. The expectation is that the number of Mexicans who will come into the country in the future under Public Law 414 will not reflect any diminution in the number that would come in under Public Law 78.
>
> Mr. HOLLAND. I wonder if the Senator agrees with the statement of Mr. Henning, Under Secretary of Labor, when he said that Public Law 78 is a better law than Public Law 414.
>
> Mr. PROXMIRE. I agree that Mr. Henning made that statement.
>
> Mr. HOLLAND. Does the Senator agree with the conclusion?
>
> Mr. PROXMIRE. In answer to the statement of the Senator from Florida, in the first place, I would like to eliminate Public Law 78. Then it would be possible, under present policies which have been followed by the Department of Labor since June of this year, to limit the number coming in under Public Law 414, to provide for the legitimate need for additional Mexican workers.

No one could have stated more clearly than did Senators MCCARTHY and PROXMIRE that they understood perfectly well that Public Law 414 was available at that time for the importation of Mexican supplemental farmworkers and would remain available after the termination of Public Law 78. I quote again the closing sentence of Senator PROXMIRE's statement, which reads as follows:

> Then it would be possible, under present policies which have been followed by the Department of Labor since June of this year, to limit the number coming in under Public Law 414, to provide for the legitimate need for additional Mexican workers.

So spoke the Senator from Wisconsin [Mr. PROXMIRE] when he ardently advocated the repeal of Public Law 78.

Mr. President, it appears so clearly that there can be no doubt whatever about it that the termination of Public Law 78 effected no change whatever in Public Law 414 or in the availability of supplemental agricultural labor under the provisions of Public Law 414. Although not admitted by the Secretary of Labor and his Department in the beginning, they have now conceded this clear fact by allowing the importation of some 2,800 Mexican laborers to California and by allowing the retention in Florida of some 6,500 supplemental workers from the West Indies during the calendar year 1965, and they have also permitted the retention of the use of a certain number of forest workers from Canada in New York and New England during this year 1965. In each instance, of course, the unavailability of domestic workers, after great effort, had been established.

So I hope that we will have an end to the continued repetition by some of the ultraliberal labor, church, social, and Government personnel of the completely false claim that Congress has given a mandate for the termination of the importation of needed supplemental agricultural workers from adjoining foreign sources from which such workers are not only available, but where their employment is a boon to friendly countries adjoining us and a badly needed help to their economy. The fact is that Congress has continued the mandate given by the general immigration law, Public Law 414, under which the producers of agricultural crops in this Nation—particularly perishable crops at peak seasons of their need—have a right to expect the administrative Federal officials to aid such agricultural producers not only in securing these needed supplemental workers, but in having such assurance ahead of time that such needed workers will be available at the time of need so that there will be no reduction in plantings of the crops required to feed the 194 million consumers in this Nation who will continue to look to our producers to supply the wholesome food products which are supplied by the growers of fruits, vegetables, berries, and other crops for which the domestic workers have not shown in sufficient numbers either the willingness or the ability to supply the necessary work.

Mr. President, on June 10 I stated that I would place in the RECORD the compilation of the losses experienced by Florida celery growers. I now have this compilation, showing total losses in the Everglades celery growing area due solely to lack of labor of 239.6 acres, representing a loss of $156,000 in production costs alone. This total excludes acreage lost due to weather or conditions other than lack of a sufficient number of celery cutters to harvest the crop in marketable condition.

This report compiled by the Florida Celery Advisory Committee has been transmitted to me in a letter from Mr. W. H. Anderson, Jr., assistant general manager of the Florida Fruit and Vegetable Association, as follows:

FLORIDA FRUIT & VEGETABLE
ASSOCIATION,
June 25, 1965.

HON. SPESSARD L. HOLLAND,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR HOLLAND: On June 8 you asked for a final report on the experience of celery growers in the Lake Okeechobee area at the end of the season with respect to losses incurred due solely to the lack of labor.

The Florida Celery Advisory Committee informs me that all celery harvest operations are now completed in the Lake Okeechobee area and that losses incurred due solely to the lack of labor for the entire season are as follows:

Week ending:	*Acreage lost due to lack of labor*
Jan. 10	59.0
Jan. 17	26.5
Feb. 14	3.1
Total mid-winter losses	88.6
May 2	12.0
May 9	19.0
May 23	20.7
May 30	58.7
June 13	28.0
June 20	12.6
Total early spring losses	151.0
Grand total	239.6

The Lake Okeechobee celery growers were limited to 500 celery cutters during the past season whereas 600 were requested and 550 had been authorized in 1963–64. This reduction in the foreign labor force was responsible, I am told, for the loss of 88.6 acres of celery during the midwinter season which reflects a loss in production costs alone of approximately $58,000.

When authorization to employ foreign workers was withdrawn, effective at close of business, April 30, losses escalated rapidly in spite of the fact that legal action taken by the affected celery growers enabled them to utilize supplemental foreign workers during part of the month of May and in spite of the fact that an extension of stay of foreign celery cutters was ultimately authorized by the U.S. Attorney General. The acreage lost during the month of May totaled 109.4 acres, at which point the foreign celery cutters were repatriated. A total of 40.6 acres during the early part of June were lost due to the lack of labor and additional acreage was lost due to the deterioration of quality which resulted when domestic workers had to be diverted from insect control and cultivation work during the month of May to aid in celery-cutting activities. The 151 acres lost during May and June reflects a production cost of approximately $98,000. When added to the midwinter losses, this reflects a loss of $156,000 in production costs alone which was suffered by the 10 affected celery growers.

Needless to say, the restraining order issued by Federal Judge George Young and the subsequent action of the Attorney General in allowing foreign workers to remain throughout the month of May (with a loss of 9 workdays) averted further losses that would have been of catastrophic proportions. The market value of crops actually lost due to the lack of labor during May and June is estimated at about $350,000 whereas losses threatened before intervention by Judge Young and the Attorney General would have amounted to about $2 million.

Best regards.

Sincerely,

W. H. ANDERSON, Jr.,
Assistant General Manager.

Mr. President, this letter is from a conservative source, a fine gentleman who even the Secretary of Labor told me was one man in Florida that he liked to deal with because he thought he was telling the truth. He was telling the truth in the letter which I have read into the RECORD.

The reference in Mr. Anderson's final paragraph is to the temporary order issued by Judge George C. Young restraining the repatriation of British West Indian workers, pending the hearing of the suit brought by Florida celery growers which I discussed in my remarks in the Senate on May 12, and to the extension of time granted on May 22, by Attorney General Katzenbach, which made the services of 500 British West Indian celery cutters available during several days of the peak of the celery harvest. Incidentally, we are very grateful to Attorney General Katzenbach for his generosity.

Immediately prior to the stay of execution provided by the Attorney General, the situation in the celery fields was demonstrated in the report furnished me on May 20 from eight of the major growers of celery in the Lake Okeechobee area, as follows:

FLORIDA CELERY HARVESTING REPORT—EVERGLADES AREA

1. Vandegrift Williams Farms: One machine operating, limping along, using 11 cutters, where normally 25 would be necessary. Would run two machines if labor available.

2. Rogers Farms: One machine operating. Started with 26 cutters. Immediately lost three. Normally require 52 cutters and normally would operate 3 machines. Fifty percent harvest predicted.

3. Thomas Farms: 39 cutters, where normally 50 required. Stopped all harvesting of sweet corn to get the available workers in celery. Normally expected harvest approximately 65 percent.

4. Chamblee Farms: One machine operating, utilizing 26 domestic workers, where 16 offshore workers did job. These workers came from corn harvest unable to continue corn harvest. Sixty-five percent normal harvest expected.

5. Wedgworth Farms: 37 domestic cutters from Miami cutting. Started work after 8 a.m. One machine operating—normally two required.

6. A. Duda & Sons: Unable to start any harvesting machines. No cutting crews available. Domestic crew which harvested last week did not return. Also shortage of labor in corn harvest. Unable to start two corn machines. Normally would harvest with three machines in celery.

7. Chase & Co.: Two machines operating. Thirty cutters available. Normally require 48. Forty packers available. Normally require 64. All domestics operating were drawn from other farm operations, such as tractor drivers, truckdrivers, etc. Fifteen workers drawn from cane cultivating. Nine refused; six said that they would not return tomorrow. Stopped all farming operations.

8. Senter Farms: One machine operating out of two. Have 48 domestic workers cutting which normally only required 24 offshore workers to perform. Closed down all corn harvesting operations.

On May 25 another grower, Mr. Sam Senter, sent the following telegram to the Attorney General describing his plight:

BELLE GLADE, FLA.

Attorney General NICHOLAS KATZENBACH,
Department of Justice,
Washington, D.C.

DEAR SIR: I farm 5,200 acres of land in Belle Glade. My crop consists of 1,100 acres of celery, 2,100 acres of sugarcane and 2,000 acres of 20 different varieties of vegetables. From these 2,000 acres we grow 3 crops in a 9-month period which makes a total of 6,000 acres. This actually means a total of 8,000 acres.

Our harvest season for most vegetables begins in the middle of October and celery harvest begins the first week of November. We harvest until June 15, and celery, our hardiest crop, is the last one we harvest.

I invest much time, pains, labor, and money into the raising of these crops. My farm investment is close to $3 million.

During harvest season 450 to 550 people are employed for farm and packinghouse work. Most of these folks are colored men and women; 150 of these are year-round employees.

The bulk of employees start in November. When I am in full gear for 8 months the payroll runs close to $35,000 a week.

Dear sir, my loans from the banks are close to $750,000 just for the season and sometimes when the accounts receivable are high and coming in slow I have to borrow another $250,000. My banks notified me only last week that if I do not get any offshore labor for the celery my loans will be cut down 70 percent.

Tell me sir, how can I farm in a condition like this?

For your information I only employ 44 off-shore laborers just for cutting celery, if I knew where and how to get American labor, as an American citizen, I would be happy to use them.

I would like to enlighten you, sir, about what goes on in the Glades area. We're called the end of the road—meaning—this is the winter vegetable capital of the world. We just have so much labor here.

You are an understanding man so let me explain some things: When the end of April comes the colored people leave here in bus loads by the thousands. Why do they leave here? They go to South Carolina, Georgia, and North Carolina for the spring crops even though they make more money here. This has happened every year for the 25 years I've been here. They only make $5 to $6 a day up there and as much as $10 to $15 here but the migrants want to go home. They want to leave the muck and heat and all the insects.

Dear sir, if the banks cut down my loans and I don't have any labor, I'd just as well quit farming and go into the cattle business where I only have to have 1 or 2 men to run the whole show.

I thank you for your patience with this telegram. I thank you again for helping us with your ruling of May 22. I want to say that all the celery growers would really be helped if you extended this to June 15.

I have one more thing to say, sir. My BWI employees did not know of the decision as of Friday, May 21. They were all packed and ready to leave. They had burned all their working clothes and had to buy new clothes to wear to the fields. They do not know it yet but I am going to refund the money to them because they were very understanding and agreeable to help me.

SAM SENTER,
President, Senter Farms Inc.

Mr. President, that is a self-made man who is speaking from his heart in this wire.

From these reports it should be clear why I described the action of the Attorney General which resulted in holding down anticipated losses for the 2-month peak period of some $2 million to a mere $350,000 as a stay of execution for Florida's celery producers, their packinghouse employees, and their creditors.

On previous occasions I have discussed the losses experienced by the citrus industry in Florida. Due to the concessions made by the Secretary of Labor which made it possible to retain 3,500 British West Indies citrus pickers to complete the Valencia harvest, the majority of the losses occurred in December, January, and February, when the lack of labor to pick the early and midseason fruit as it matured resulted in the abandonment of tangerine crops, loss of oranges which fell from the trees, and deterioration in the quality of fruit for processing. The estimates of the Florida Citrus Mutual issued earlier this year that between $4 and $6 million worth of citrus was lost as the direct result of lack of sufficient experienced labor have been reaffirmed by both Florida Citrus Mutual and the Florida Fruit & Vegetable Association.

Next let us move to the strawberry growers, whose losses resulting from insufficient and inefficient workers have been staggering and have bankrupted one long-established grower.

First, I call attention to two articles which appeared in the Miami Herald, of Friday, June 25, one presenting the official view and the other the actual cases, which I shall read in that order.

MOTHER NATURE REAL VILLAIN, SAY OFFICIALS

(By Jon Margolis)

DELRAY BEACH.—The claim by south-county strawberry growers that an inadequate labor supply caused profit losses, and business failure in their industry was disputed this week by both local and national offiials in labor and agriculture.

Furthermore, some local growers say that the one farming outfit which has gone out of business—Rutledge Farm Industries—was "mismanaged."

Disagreement with charges that labor was the main cause of the strawberry failure came not only from the Department of Labor, which has been feuding with Florida growers for months over the offshore worker question, but from local agriculture officials who usually support the growers on labor matters.

County Agriculture Agent Robert Pryor said there were "a million and one reasons for the strawberry failure—mostly weather."

"Production was low," Pryor said. "We had a long period of drought and heavy rains came at the wrong time."

Robert Goodwin, national head of the Employment Security Division in Washington, said the growers "can't make a case" for their claim that a shortage of workers caused their problems.

To back up his argument, Goodwin cited the following statistics:

More strawberries were picked in Florida this year than last; 24,480,000 pounds against 20,790,000.

Labor was more plentiful this year in Florida's strawberry fields as 4,000 men picked berries, 600 more than last year.

According to Joseph Cerniglia, president of American Foods, the labor problem was not lack of workers so much as the requirement to pay the workers $1.15 an hour.

"As soon as they found out they had a guaranteed hourly wage instead of piecework," said Cerniglia, referring to domestic workers, "they went to sleep out there."

He said Americans were not as productive as foreigners and were more trouble.

"Americans are less docile, that's true," Goodwin said. "They have to be treated well."

The Labor Department and Florida's farmers have been battling over the issue of offshore labor. Labor Secretary Willard Wirtz, in an effort to find jobs for more Americans, has been cutting down on the number of foreign laborers who can enter the country.

The growers claim Americans will not do the "stoop" labor involved in some harvest work.

Wirtz contends Americans will do any work if they are well treated and justly compensated.

As an example, an official Labor Department spokesman said that Dixon Farms, which claims to have lost $1 million this year, follows outmoded labor practices. This, the official said, is why they had a hard time getting workers.

Pryor was one of several officials who doubted any farms were really going out of business.

"In September they may be right back in there," he said.

But a Federal agriculture official, offering another possible reason for the strawberry failure, said the crop may be on its way out as far as Palm Beach County is concerned.

"It's possible," he said, "that the strawberry business never had much potential in this area."

It should not be necessary to point out to Senators that Mother Nature has not suddenly chosen this crop year to make things rough for farmers. Growers of perishable crops know that year after year the vagaries of the weather present a hazard to their operations. When a freeze or a flood or similar act of God wipes out a crop, then indeed Mother Nature is responsible. But the growers who have been in the business for years have learned that their operations must take into account warm spells and cool spells, rain and drought, as the normal course of events, and have stayed in business through their ability to harvest the products of their plantings when Mother Nature brings them to maturity, and before her next whim destroys them. It is hardly fair to blame the weather for ripening the berries at a time when the growers did not have the workers to pick them, or for destroying them when they had to remain in the fields unpicked.

Now for the case histories as reported in the second article:

[From the Miami (Fla.) Herald]

BLAME LABOR CRACKDOWN: BERRY GROWERS QUITTING COUNTY

(By Ford Burkhart)

DELRAY BEACH.—Two major strawberry growers in Palm Beach County have shut down operations, and others are considering sharp cutbacks next season. They put the blame on Federal labor policies which have taken away their offshore workers.

Palm Beach County berry men aren't the only growers moaning about splitting domestic labor headaches.

An official of the Florida Fruit & Vegetable Association (FFVA) said Thursday total losses would far exceed $8 million. Losses to county strawberry farms may exceed $2 million, he said.

Farmers say the crop losses occurred in three ways:

Ripe, red berries spoiled under the April sun for lack of enough pickers.

Other berries were picked late, too ripe to bring top market prices—and often sold at a dollar or more per flat below the going rate.

Still other berries were misgraded by new workers who didn't know the business, resulting in less-than-top sale prices.

County growers reporting labor crises include Archie Rutledge, Dixon Berry Farms, American Foods Farms, and Pakco Plantations.

RUTLEDGE

One of the largest growers—Rutledge Farm Industries—was reported to be bankrupt by a bank official who held chattel mortgages on his farm equipment.

Rutledge had grown strawberries on 600 acres of the Flying Cow Ranch near Royal Palm Beach for 6 years, and had just built a new precooling and packing plant at his farm last season.

His equipment was auctioned off Wednesday to pay creditors.

"Rutledge told me he thought he could have made it—without his labor troubles," said Stan Burlingame, loan officer at a local bank. "I believe he might have been right."

Burlingame said he understood the firm showed assets of roughly $600,000 less than liabilities when bankruptcy proceedings were filed in Federal court.

In April, Rutledge wrote to the FFVA that his losses directly due to labor trouble were already $480,000—and would be more than that if adequate labor didn't arrive. Foreign labor never came.

His problem was repeated by others.

PAKCO

Like Rutledge the Pakco Plantation west of Boynton Beach put up a new plant for the 1964–65 season. Pakco's building and equipment cost more than a quarter of a million dollars.

Now they are considering abandoning it.

Fred Wagner, assistant to the president of Pakco, said Thursday a decision will be reached "by mid-next week."

He said Pakco experienced a "real critical period" when berries became overripe on the bush. Wagner said "foreign labor would have helped. We could have used some."

They got none.

Pakco's loss statement has not been filed with the FFVA.

Pakco used all domestic pickers in day haul crews.

The company cancelled their 10-year lease of 500 acres near the new plant, tore down a wooden bridge they built over a canal to the berry fields, and advised their landlord that "they were through in Florida."

The landlord—J. Allison Banks—said he understood labor was the key problem.

DIXON

A third berry farm reported crop losses of "more than a million dollars" last season due to labor difficulties.

Tom Coxe, foreman at Dixon Berry Farms, said his firm was forced to sell up to 150,000 flats of over-ripe and misgraded berries at below-market prices due to the crews' inefficiency.

Coxe said day haul crews showed up with daily changes in quantity and a "very high rate of turnover."

He called Labor Secretary Willard Wirtz' last-minute approval of foreign labor "too little—too late."

"At no time from the day we started planting through the last day of the harvest did Dixon Berry Farms have a sufficient number of trained workers to achieve efficient production standards with satisfactory quality control," Coxe wrote.

In a midseason telegram of protest to Florida's U.S. Senators Coxe wrote:

"Foreign labor is presently achieving more than three times the daily production of the highest day haul domestic crew in our strawberry operation."

He charged that the Labor Department's "unreasonable and arbitrary" policies would up prices one-third, force farms to reduce acreage next season and might force some growers to get out of the business. That was in January.

The message turned out to be prophetic—in the case of Rutledge and other growers.

AMERICAN FOODS

In their crop loss report, American Foods said an "inadequate labor supply" cost them between $150,000 and $200,000.

"And the type of labor we were forced to employ did much toward costing us our reputation as a quality shipper," their report said.

William Anderson, assistant general manager of the association, said American Foods "don't know what to do" about labor. He said they were considering "going overseas."

However, Joseph Cerniglia, company president, said Thursday his firm had not suffered a net dollar loss last season.

Anderson said weather was one factor—but not the cause—in the strawberry crisis.

"Sure the weather caused a lot of berries to ripen fast," Anderson said. "But those red berries ought to signal somebody to bring in more labor. They (the Labor Department) didn't do that."

Anderson said the critical months were March and April.

I now read from a report submitted by Dixon Farms to the Florida Fruit & Vegetable Association on June 17:

In answer to your letter of June 14, please be advised that the following estimates of losses incurred by our company in our strawberry operation were recently compiled and supplied to Mr. Wallace Jacobs, a representative of the U.S. Department of Agriculture.

These estimates are considered very conservative and our actual losses may far exceed those indicated below.

Two hundred thousand to 225,000 flats of strawberries were lost, by our company alone, at a market value of $3.50 to $4 per flat, as a direct result of the severe labor shortages which we experienced from the time of planting through the completion of our harvest during the disastrous 1964–65 season.

Further, we were forced to sell 100,000 to 150,000 flats of berries at substandard prices because of overripe berries and poorly graded field packages.

Simple arithmetic shows that the market value of the lost strawberries which were never picked ranged between $700,000 and $900,000. On inquiry as to the dollar loss on the overripe and poorly graded berries, Dixon Farms advised that it averaged $1.50 per flat, or an additional loss of $150,000 to $225,000 bringing the total for this farm to something like $1 million or more.

I continue:

The latter situation was created by the necessity of employing a substantial number of day-haul crews, each day, who were reporting to our fields in constantly fluctuating numbers with a very high rate of daily turnover in personnel.

Although we increased our supervisory personnel substantially it was not possible to provide adequate training to all new employees each morning to prevent this situation from developing and still reach a satisfactory production level.

Our social security records indicate over 4,000 persons employed in a 30-day period in order to maintain a daily work force of from 200 to 300 persons exclusive of our resident domestic and foreign workers.

Here is the explanation for Mr. Robert Goodwin's statistics, quoted in the previous article, that "labor was more plentiful this year in Florida's strawberry fields as 4,000 men picked berries, 600 more than last year," if one firm had to employ 4,000 persons in order to keep 200 to 300 on the job each day for a month's time.

I shall quote only a part of the remainder of this comprehensive report, although I shall ask that it be printed in the Record in its entirety:

As you know, we were forced to abandon portions of our fields several times during the harvest period and during the final peak period of production over one-third of our producing acreage had been completely abandoned in order that we could harvest the balance of the crop.

Dixon Farms management was assured an adequate labor supply at a meeting held in our office during the summer of 1964 and it was only after receiving this assurance that the production of strawberries was added to our farming program for the 1964–65 season.

Had we not received this assurance we would not have included this product in our farming program in Florida last season.

It appears very unlikely that Dixon Farms, Inc., will undertake the production of strawberries in Florida next season and the loss of this very substantial payroll will be most certainly felt in this area.

I ask unanimous consent that the entire letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

DIXON FARMS, INC.,
Boynton Beach, Fla., June 17, 1965.

Mr. W. H. ANDERSON, Jr.,
Assistant General Manager, Florida Fruit & Vegetable Association, Orlando, Fla.

DEAR BILL: In answer to your letter of June 14, please be advised that the following estimates of losses incurred by our company in our strawberry operation were recently compiled and supplied to Mr. Wallace Jacobs, a representative of the U.S. Department of Agriculture.

These estimates are considered very conservative and our actual losses may far exceed those indicated below.

Two hundred thousand to 225,000 flats of strawberries were lost, by our company alone, at a market value of $3.50 to $4 per flat, as a direct result of the severe labor shortages which we experienced from the time of planting through the completion of our harvest during the disastrous 1964–65 season.

Further, we were forced to sell 100,000 to 150,000 flats of berries at substandard prices because of overripe berries and poorly graded field packages.

The latter situation was created by the necessity of employing a substantial number of day-haul crews, each day, who were reporting to our fields in constantly fluctuating numbers with a very high rate of daily turnover in personnel.

Although we increased our supervisory personnel substantially it was not possible to provide adequate training to all new employees each morning to prevent this situation from developing and still reach a satisfactory production level.

Our social security records indicate over 4,000 persons employed in a 30-day period in order to maintain a daily work force of from 200 to 300 persons exclusive of our resident domestic and foreign workers.

Strawberries, a highly perishable field graded product requires a very large labor force, as you know.

Our strawberry operation averaged, exclusive of supervisory and management personnel, approximately 10,000 man-hours per week in October; 25,000 man-hours per week in November; 30,000 man-hours per week in December and January; and 40,000 man-hours per week in February, March, and April.

As you know, we were forced to abandon portions of our fields several times during the harvest period and during the final peak period of production over one third of our producing acreage had been completely abandoned in order that we could harvest the balance of the crop.

Dixon Farms management was assured an adequate labor supply at meeting held in our office during the summer of 1964, and it was only after receiving this assurance that the production of strawberries was added to our farming program for the 1964–65 season.

Had we not received this assurance we would not have included this product in our farming program in Florida last season.

It appears very unlikely that Dixon Farms, Inc., will undertake the production of strawberries in Florida next season and the loss of this very substantial payroll will be most certainly felt in this area.

Although Secretary Wirtz did finally permit a limited amount of foreign workers to assist in the harvest of strawberries each time it was a graphic example of "too little—too late."

We were surprised to note the statements of Senator Harrison Williams in the Congressional Record of June 9 as it was the impression of both Mr. Smith and myself that he indicated an understanding of our labor problems when he visited our fields with your field representative, Mr. Lawson, and that he so expressed himself.

Finally, please be advised that at no time from planting time through the harvest did we have a sufficient number of trained workers to permit us to achieve efficient production standards.

With best personal regards.

Very truly yours,

Dixon Farms, Inc.
Tom Coxe.

Mr. HOLLAND. I have also received a letter from Mr. Joseph M. Cerniglia, president of American Foods, Inc., which I will not read, but call particular attention to the first two paragraphs.

I ask unanimous consent that the letter be printed in full in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

American Foods, Inc.,
Lake Worth, Fla., June 21, 1965.

Senator Spessard Holland,
Old Senate Office Building,
Washington, D.C.

Dear Senator Holland: After receiving a copy of the Congressional Record, Senate No. 12605, dated June 9, 1965, I felt that it would be in the best interest of agriculture to comment on this issue. Our firm probably represents more independent strawberry and blueberry growers than any other in the United States. Our operations are in south Florida, Louisiana, North Carolina, and New Jersey. I had an occasion to have dinner one evening with Senator Williams of New Jersey, and the following morning he visited my labor camp and then came to see our farming operation. I personally took time to show him the difference in the finished product of a box of strawberries picked and packed by a good competent worker, as well as one picked by a poor, incompetent one. There was no doubt that he was well aware of the difference and seemed sympathetic to our situation. After reading his statement as to how thoughtful Secretary Wirtz has been to we growers, I thought you may be interested in the real facts.

Crop losses in south Florida are so staggering that it would be impossible to try and ascertain just how much they really are. I can say this for sure, that crop production in every area that we operate in is certainly going to be curtailed because of the impossible labor situation that prevails. Practically all of our growers are planting in fear of what impositions they may expect in the coming years. I, as well as many others, are exploring the possibilities of relocating a percentage of our acreage in foreign countries to prevent the harassment that we have been forced to live with this year. We, in agriculture, are beginning to feel that this is more of a Police State than the great America opened to free enterprise which we have enjoyed in the past. A continuation of the existing policies now in effect will undoubtedly lead to inflation of our fresh fruit and vegetable prices, as well as make farming very unattractive to the prudent investor. How does any one or any group obtain enough power in this country to deal the life or death blow to the wealthiest agricultural country in the world? I feel that some strong measures are certainly in order to remove such dictatorial power from any one or any group.

I have strong confidence that in an exerted effort on the part of our Senators and Congressmen that we will be able to eventually eliminate the stigma that is now being placed on the breadbasket of America. My company can farm in the Bahama Islands or Mexico or any of the Latin American countries and expect a fair return on our investment. Under the present circumstances, I cannot farm in the United States and ever expect any return on my investment. I am sure that this is just as alarming to you as it is to me. Whenever an American is deprived of the right to earn his livelihood in his own country, it is time that every America should start getting concerned.

May I thank you for your kind assistance and energetic efforts toward helping us solve this massive problem. I hope that you will continue to fight such tyranny wherever it exists, and if we may assist you in your endeavors, please do not hesitate to call on us.

With warmest regards, I am,

Sincerely,

Joseph M. Cerniglia,
President.

Mr. HOLLAND. Although I shall not read it, I ask that a letter directed to Secretary Wirtz on April 16, 1965, by Rutledge Farm Industries, Inc., be printed in the Record so that Senators may see how this firm was forced into bankruptcy.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Rutledge Farm Industries, Inc.,
Lake Worth, Fla., April 16, 1965.

Hon. Willard W. Wirtz,
Secretary of Labor
Washington, D. C.

Dear Mr. Secretary: Due to the heavy losses our company has sustained this season because of the labor situation, we feel that you might be interested in having the following facts and figures. At the present time, we do not know what the exact overall loss will be. However, we are quite confident that if we have sufficient labor to complete harvesting our crop, our loss will be approximately $480,000. If we are not able to complete the harvest of this crop, our loss will be considerably greater.

Our per flat picking cost for the 1963 season averaged 73 cents; for the 1964 season, 85 cents; and our picking costs for the 1965 season to date has averaged $1.95 per flat.

This makes our labor cost $1.22 per flat over our 1963 average, while the market value of the product was about the same, and $1.10 per flat over the 1964 cost, with approximately the same market value on the product. Our harvest labor, as previously stated, averaged $1.10 per flat for the 1964 season, or an additional cost of $227,757.20. This was a complete loss which we were unable to recover since the market value of the product for the 1965 season was practically the same as the 1964 season.

As a matter of further information, we were unable to secure sufficient labor to plant our crop on time last fall. We should have had our crop completely planted by October 30; however, it was not completely planted until late December. This late planting cost us a yield reduction of 69,996 flats of strawberries, or an additional loss, after deducting the excessive picking costs of $1.10 per flat which we would have had to pay, in the sum of $142,131.46. It also cost us an additional $64,070.50 for weeding the fields prior to applying the polyethelene due to our inability to secure sufficient labor to complete the polyethelene application before the weeds got out of control.

In addition, all of our pre-harvest labor cost for the 1965 season was approximately 35 percent over the 1964 season as a result of the increase in the minimum wage per hour guarantee from 70 cents to 95 cents. As a direct result of these additional labor costs, this company became insolvent and it became necessary for us to go under chapter 11 of the Bankruptcy Act in order to enable us to continue our harvest through the season.

We are hoping to be able to pull this company through as a result of the chapter 11 proceedings; however, at this time, this appears very doubtful.

The reason for the increased harvest cost is that the greater percentage of domestic laborers is definitely not interested in strawberry harvest since it is very hard stoop labor and as a result we get only the type labor that is either physically or productively handicapped and interested only in making the minimum wage guarantee, rather than trying to make additional money on a piece rate basis.

For your information, our picking cost ranged as high as $4.50 per flat at the time our production was high, while other domestic workers were picking for as low as 85 cents per flat and earning well in excess of the minimum wage guarantee. At this time our market value on the product was around $2.50 to $2.75 per flat f.o.b. The day haul labor which we have had to utilize was inexperienced, and due to the fact that they will only pick strawberries when other work is not available, the only resemblance in the day haul crews from day to day is the same bus and the same busdriver.

It takes at least 3 days to train a berrypicker, and these day haul crews never get trained, thus causing the exorbitant labor cost, and coupled with the fact that the fruit is improperly picked, causing serious bruising, results in a very low market value. Another real problem, which costs a great deal of money to the farmer, is the transportation paid for interstate workers who never report for work or leave the employer a day or two after arrival without making reimbursement for their transportation. A good example of this is that around March 1 of this year, Florida Fruit & Vegetable Association sent a representative to Alabama to interview a crew of 30 workers selected by the Employment Service for our company, and after the workers assured him they wanted to report for work, FFVA paid their regular busfare and meals. However, the workers never reported to us, resulting in a loss of approximately $500.

Recommendations for future relief:

1. We feel that since it takes a minimum of 3 days to train these domestic workers to properly harvest strawberries, we should have a minimum of 3 days for training with no guarantee before putting the minimum guarantee into effect, and if the worker is either physically, mentally, or productively handicapped, we could offer to retain the worker provided he would sign a waiver of the minimum wage guarantee; otherwise, we should be permitted to discharge the worker. This would allow us to sell the berries these workers picked at a reasonable profit, rather than a loss.

2. A weekly pay schedule of all day haul workers, rather than a daily pay schedule. We would get the same workers back each day, and as a result a training program could be effected which would permit us to harvest a salable product and would in effect give the worker a chance to see what he could really earn. We also believe this would result in a better retention of workers.

3. The workers in interstate recruitment should be in some way required to remain with the employer at least long enough to pay their transportation and this in effect

would give the worker a chance to see what he could really earn and should also result in the retention of more workers.

Being ever mindful of our duty to employ every available domestic worker prior to the utilization of offshore workers, we feel we should be protected to a point where we can get an honest day's work from all workers and the harvest of a salable product. Otherwise, the agricultural industry is in real trouble.

Yours very truly,
ARCHIE J. RUTLEDGE,
President.

Mr. HOLLAND. Finally, may I submit for the RECORD a memorandum documenting loss of $463,510 by the Sugar Cane Growers Cooperative of Florida, due to lack of sufficient labor to keep the mills running at capacity, to loss of sugar due to deterioration of the cane forced to remain uncut too long after being damaged by a freeze in January, and to the total loss of 5,000 tons of cane which had to be abandoned because there were no cutters to harvest it while it was still salvageable. I ask that this detailed memorandum dated April 16, 1965, be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM FROM W. J. MILLER, JR.

To George H. Wedgworth.
Re Losses due to lack of BWI labor.

Attached is memo from Mr. Webre showing a loss of 1,470 tons sugar and an increase of 16 crop days, due to deterioration of cane caused by our inability to supply cane to the mill because of insufficient BWI labor.

Dollar value of the losses shown by Mr. Webre:

1,470 tons sugar at $133 ton	$195,510
16 days additional payroll	75,000

In addition to the above losses we have conservatively estimated the following:

	Tons
Total cane ground	1,234,000
Ground through January 18 (freeze)	570,000
Ground after January 18	664,000

We "topped" at an estimated 2 percent of 664,000 or a loss of 13,300 tons cane.

13,300 tons cane at 8 percent yield	--------
1,064 tons sugar at $133 ton	$140,000

We had to leave standing in the field 5,000 tons cane due to its complete deterioration.

5,000 TC at 8 percent yield	-------
400 tons sugar at $133	$53,000
Total loss	463,510

There are also the following losses or additional costs which would require a more thorough analysis in order to accurately estimate value:

1. Cost to carry the BWI's an additional 16 days of crop.
2. Cost of additional maintenance of equipment—longer usage but same tonnage.
3. Cost per ton increase due to being geared-up to over 9,000 ton rate per day and only being able to average 7,600 due to lack of cane cutting labor.
4. Additional cost of lubricants, chemicals and fuel oil due to added length of crop.

The figures above were all based on 8 percent sugar yield for estimating purposes. Our actual yield is approximately 8.12 percent.

We did not include the value of molasses in above figures.

Mr. HOLLAND. I wish the RECORD to show also that this is one of several cooperatives consisting of a sizable number of growers. This cooperative has some 65 independent private sugarcane growers as its members.

Mr. President, how long can the Secretary of Labor persist in his insistence that agriculture alone must assume the responsibility and the expense for all of the unemployed in this land, ignoring all practical considerations and the consequences to the homemaker, the taxpayers, and the jobs of the thousands upon thousands of workers in industries serving agriculture?

An article which appeared in day before yesterday's Tampa Tribune shows that others are thinking of these considerations, if the Secretary is not. I quote this article, which is headed, "End Eyed to Labor Department's Foreign Farmhand Control":

END EYED TO LABOR DEPARTMENT'S FOREIGN FARMHAND CONTROL

MIAMI BEACH.—Southern State agriculture commissioners asked President Johnson yesterday to lift the Labor Department's jurisdiction over foreign farm labor and vest it in the Department of Agriculture.

The Southern Association of State Departments of Agriculture said "the 1964–65 harvest of the Nation's food crops has been seriously hampered" by the Labor Department's restriction on foreign labor imports.

In a resolution, the association said the U.S. Secretary of Labor "has imposed stringent regulations restricting the use of foreign harvesting labor under his interpretation of the termination of Public Law 78 by the Congress."

W. Willard Wirtz, it said, "publicly assured agricultural producers that an adequate subply of domestic workers would be provided to harvest food crops in lieu of foreign workers, and that no crops would go unharvested due to insufficient labor."

However, the Southern agriculture commissioners said, "the quantity and quality of domestic labor recruited has been deficient, since few unemployed U.S. citizens are willing and able to perform strenuous agricultural labor tasks.

"Extensive damage has resulted to many crops as a result of inexperienced and unqualified labor," the statement said.

"Numerous growers have experienced devastating losses, and food prices in the Nation's marketplaces are reflecting shortages of supplies and high production costs due to insufficient and incompetent labor."

The group said it was in favor of using "all available, willing and capable domestic workers in agricultural work before foreign workers are used, provided the Nation's food supply is not adversely affected.

"Capital investment in agricultural enterprises will soon migrate to areas possessing an adequate supply of competent labor if the problem is not soon solved in this Nation," the group said.

Louisiana Commissioner Dave Pearce was elected president of the Southern Association for the next year, Virginia Commissioner Richard D. Chumney vice president, and William L. Harrelson of South Carolina secretary-treasurer. Florida Commissioner Doyle Conner was outgoing president.

I quote this to show that, unlike Washington officials, these officers serving agriculture, who are nearer to this situation insofar as losses already incurred in Florida are concerned, and losses which will soon be incurred by other growers in the Carolinas, the Delmarva Peninsula, West Virginia, and on up the east coast and into Ohio, know what they are talking about.

In my State, the agriculture commissioner is elected statewide, just as the Governor is. He may succeed himself. Generally, we elect a good man and keep him there for the rest of his life. That is what is going to happen to the present commissioner. He is a fine man, and was at one time the head of the Future Farmers of America.

They are not going to put themselves on resolutions of this kind unless they know the resolutions speak the truth, because, as responsible government officials, they know the aches and pains under which we labor and under which the executives of the Labor Department also labor, and they are not going to bring false charges. Here they have pleaded that jurisdiction over supplemental labor be assigned to the Agriculture Department, which, we would hope, would be more sympathetic and understanding of agricultural producers than has been shown up to now by the well intentioned but completely misunderstanding Secretary of Labor.

Mr. President, I do not know what to say further except that in Florida we have concluded our operations for this season. What I have put in the RECORD reflects the losses. It does not reflect the losses of labor, because people who could have harvested the crops could have been employed. It reflects the losses of growers. It does not reflect the losses of the transportation interests or, for example, the creditors of the bankrupt concern which was producing several hundred acres of strawberries and went bankrupt.

These facts show a policy that was not well thought out and which has not been applied reasonably to the good people who have to fight natural pests, diseases, catastrophies, and competition, and who, after having put their all into production for the market, have been unable to harvest the crop they produced.

I hope the executive branch of the Government in Washington, including the President, the Secretary of Labor, the Secretary of Agriculture, and, of course, all offices which have anything to do with the question on the executive level, realize what a harmful thing they have done and are doing, and realize that if they terminate the harmful thing now, at least the loss, for the time being, will be absorbed by the people of Florida and the people of the southern part of California and the southern part of Arizona. But if this policy is allowed to continue, the loss will become much greater in dollar value, and much more harmful from the standpoint of leaving people unemployed, much more harmful from the standpoint of having people carry their producing and processing out of the country to places where they can produce with a supply of abundant labor and ship back the processed articles with the very minor restrictions which are imposed on them.

I hope, somehow, somebody in Washington at the executive level will wake up and listen to the aroused, indignant citizenry in the producing areas, who have been damaged so much in the handling of the extremely complicated process of agricultural production.

Mr. President, I yield the floor.

Mr. ALLOTT. Mr. President, this is a subject to which many of us have given a great amount of attention for many years. I believe that this year the distinguished senior Senator from Florida [Mr. HOLLAND] and the distinguished junior Senator from California [Mr. MURPHY] are to be recognized, commended, and thanked for the attention they have devoted to the migratory labor and transported labor problem, by bringing it constantly to the attention of the Congress. Some peculiar things have happened in the past 2 years.

As a result of the expiration of the Bracero Act, there has been a shortage of labor in many States in the West. This has particularly affected the great State of California. With respect to another angle of the same problem, the importation of workers, it has affected the State of Florida.

Earlier in the year, when it was thought that the State of Colorado would be affected, I discussed the subject with the Secretary of Labor, and found to my surprise that to him laborers were statistics. In other words, if there were a certain number of unemployed in the country, and people were needed to work in the beet or vegetable fields, those unemployed people could do the work.

Of course, the distinguished Senator from Florida has shown over and over again how silly and absurd that argument is.

There are some areas in the vegetable producing area which cannot be handled by machines. There is no way to do that work except by hard labor in the fields. Men who have spent their lives at a desk or have never engaged in any real, hard physical exercise, cannot do the work.

This is something that the Department of Labor does not comprehend.

I find myself in an unusual position today. I thought that as of this moment I would find myself in exactly the same position in which both the Senator from California and the Senator from Florida find themselves.

Instead, I find that in Colorado we would be able to get laborers to handle our beet problem for the immediate future. The same is true, to some extent, although not entirely, in our vegetable areas, although I am constantly receiving letters from farmers asking why they cannot get labor in their vegetable fields.

Obviously, if there is a crop of tomatoes or a crop of cucumbers, sometimes it will be possible to get the labor when the crops must be harvested. However, a delay of 2 days, or 3 days, or a week will not answer the problem. There is a peculiar reason why we have been able to handle the problem in Colorado. The shortage of labor has caused a considerable cutback in the sugarbeet crop.

This has also caused a great cutback in the acreage in connection with vegetables in our State.

While I cannot stand on the floor and plead today that we need laborers in a specific area, the fact is that the program and the policies of the Department of Agriculture have caused our people to cut back so far that we do not need the number of laborers that we needed before.

I am sorry to say that I believe the people of the United States will pay through the nose for this shortsighted policy. They will pay much higher prices for lettuce—if they can get good lettuce. They will pay much higher prices for tomatoes—if they can get tomatoes. They will pay much higher prices for pickles—if they can get pickles. They will pay much higher prices for spinach—if they can get spinach. And so on down the road for almost every vegetable commodity that can be imagined.

We are in a peculiar position. We have managed to round up enough people to harvest a diminished beet crop in Colorado, where the farmers have reduced the allotment. Generally speaking, we still need additional help to harvest vegetables. Of course, a great part of the help will not be needed until a little later in the summer. I know what will happen then. I shall find myself in exactly the position that the distinguished Senator from California has been in for the past 2 or 3 months and the position that the distinguished Senator from Florida has been in for the past 2 or 3 months.

I shall again go to the Department of Labor and again receive a statistician's answer—which is no answer at all. But we must do something to alleviate this condition.

I conclude by commending the two Senators who have carried on the fight so well on behalf of those of us who are seeking to obtain agricultural laborers to harvest the farm products of our States. We deeply appreciate the help they have provided.

Mr. HOLLAND. I thank the Senator for his kind remarks.

Mr. MURPHY. Mr. President, I thank my colleague the Senator from Florida [Mr. HOLLAND] for his leadership in the efforts to bring the light of reason to bear on our farm labor crisis. The people of California, I can assure the Senator, are grateful for his actions. I certainly agree with my distinguished colleague from Florida that Congress, in letting Public Law 78 lapse, could never have intended to foreclose the use of foreign labor in the United States and thereby to impose on my State and many others the disaster which agriculture has suffered this year.

I am glad I had the opportunity to be present today to hear such a complete explanation, so that it may be used to answer that argument whenever I hear it made and I have heard it on many occasions.

Back in January at the opening of this session of Congress, I joined with my distinguished colleague, Senator HOLLAND, and many other Senators in an effort to warn the Secretary of Labor and the administration of the disastrous results which unquestionably would follow his unfortunate policies.

Mr. President, we are now 6 months into Secretary of Labor Wirtz' sociological experiment. At the outset, he announced his noble—and I agree it was noble—idealistic theory of replacing the supplemental workers from abroad with our urban domestic unemployed—an excellent idea but one which completely ignored the facts. Our farmers have always hired domestic workers for these jobs whenever they were available. There was no intention not to hire domestic workers. Since the beginning, the Secretary has retreated from and altered his position and established something of a record as a broken field runner in an effort to avoid admitting that he was wrong. His theory simply was impractical. His performance, I regret to say, has been very costly to the farmers of Florida and California, and is now becoming very costly to our housewives across the country.

Let us look at the record. Originally, Secretary Wirtz maintained that increased farm wages would bring a flood of domestic urban unemployed onto the farms. And so, he imposed a minimum wage of $1.40 an hour which must be met if they hoped to be eligible for foreign workers when needed.

He arbitrarily set the minimum wage at $1.15 per hour in other States, which caused many to wonder why Mr. Wirtz had singled out my State for special treatment in this matter. He overlooked the fact California was already paying an average of $1.34 per hour to its farmworkers, the highest average in the Nation, with one exception.

It was soon obvious that the Secretary was wrong, because first of all, the urban domestics did not appear in droves and, more important, the few workers who did show up, as has been expressed in the Chamber today and as the RECORD shows clearly, did not stay on the job. They merely looked it over and either did not wish to do the work, could not do it, or found it unsuitable, so they left.

What the Secretary failed to understand was this: Domestics who did this sort of work preferred to work on piece rates and could always earn an average of $2 an hour or better, and others either because they were not capable or did not have the desire would not do the work at any price. Therefore, price was not the question.

I remember one of my first conversations with the Secretary. He made the remark, "You have stoop labor and stoop wages." Obviously the Secretary has not looked completely into the problem, because wages are not stoop.

With the failure of the well-advertised minimum wages to attract more workers to our farms, the Labor Department undertook an evermore frantic recruiting drive. Here again, the theorists overlooked the fact that for years California's farmers have been undertaking expensive campaigns to recruit domestic workers. In prior years, our farmers have gone to Texas and New Mexico and have tried to use Indians on the farms.

Mr. Wirtz has not offered us anything new but he has offered us old, disproved programs on an unfortunately large scale. In my previous talks on this subject, I have offered many examples of the sad experience our farmers have had with the domestic workers—some of which has been recited by my distinguished colleague, the Senator from Florida [Mr. HOLLAND]. Most of them do not like the work and leave the farm in the first 2 or 3 days. Less than 20 percent have stayed more than 4 or 5 weeks on the job. I have here a report provided me by the San Joaquin Farm Production Association on over two dozen groups of workers recruited for the Stockton, Calif., area. The results are dramatic evidence that domestic workers do not fill the bill for a farmer who is trying to get his crop harvested on time. I ask unanimous consent to have the report printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FRESNO

Date recruited: March 5, 1965.

Number recruited: 38.

Work record: 3 left work March 7; 1 left work March 8; 6 left work March 9; 6 left work March 11; 4 left work March 12; 1 left work March 15; 1 left work March 17; 1 left work March 18; 3 left work March 19; 6 left work March 20.

Of 38 workers recruited on this date in Fresno, 3 never arrived at work, 6 were still working on March 20.

Date recruited: March 19, 1965.

Number recruited: 51.

Work record: 3 left work March 21; 4 left work March 22; 11 left work March 23; 4 left work March 24; 2 left work March 25; 1 left work March 26; 1 left work March 27; 2 left work March 28; 2 left work March 29; 2 left work March 30; 3 left work March 31; 2 left work April 1; 3 left work April 3.

Of 51 workers recruited on this date in Fresno, 10 never arrived at work, 1 was still working on April 3.

Date recruited: March 26, 1965.

Number recruited: 61.

Work record: 17 left work March 29; 5 left work March 30; 3 left work March 31; 3 left work April 1; 3 left work April 2; 1 left work April 6; 1 left work April 7.

Of 61 workers recruited on this date in Fresno, 4 never arrived at work, 24 were still working on April 7.

Date recruited: April 30, 1965.

Number recruited: 8.

Work record: 4 left work May 5; 3 left work May 7.

Of 8 workers recruited on this date in Fresno, 1 never arrived at work, there were no workers left May 7.

Date recruited: April 23, 1965.

Number recruited: 84.

Work record: 16 left work April 25; 6 left work April 26; 1 left work April 27; 54 left work April 28; 5 left work April 29.; 1 left work April 30; 1 left work May 2.

Of 84 workers recruited on this date in Fresno, none were left May 2.

Date recruited: May 7, 1965.

Number recruited: 7.

Work record: 1 left work May 8; 3 left work May 10; 1 left work May 13.

Of 7 workers recruited in Fresno on this date, 2 were still working May 13.

TULARE

Date recruited: March 2, 1965.

Number recruited: 19.

Work record: 4 left work March 4; 1 left work March 6; 6 left work March 8; 3 left work March 10; 3 left work March 13; 1 left work March 20.

Of 19 workers recruited on this date in Tulare, 1 never arrived at work. There were no workers left on March 20.

Date recruited: March 19, 1965.

Number recruited: 25.

Work record: 1 left work March 22; 1 left work March 23; 1 left work March 24; 1 left work March 26; 3 left work March 27; 1 left work March 30; 2 left work April 3; 4 left work April 7.

Of 25 workers recruited on this date in Tulare, 2 never arrived at work, 5 were still working on April 7.

Date recruited: March 26, 1965.

Number recruited: 18.

Work record: 1 left work March 28; 1 left work March 29; 3 left work March 30; 3 left work April 1; 1 left work April 2; 1 left work April 3.

Of 18 workers recruited on this date in Tulare, 3 never arrived at work, 5 were still working on April 3.

Date recruited: April 30, 1965.

Number recruited: five.

Work record: 2 left work May 3; 2 left work May 5; 1 left work May 7.

Of five workers recruited on this date in Tulare, none were left May 7.

Date recruited: May 7, 1965.

Number recruited: eight.

Work record: 4 left work May 9; 1 left work May 15.

Of eight workers recruited on this date in Tulare, three were still working May 15.

BAKERSFIELD

Date recruited: May 4, 1965.

Number recruited: 30.

Work record: 3 left work May 5; 7 left work May 7; 10 left work May 8; 4 left work May 9; [illegible] left work May 11.

Of 30 workers recruited on this date in Bakersfield, 3 were still working on May 11, 2 never appeared for work.

Date recruited: May 11, 1965.

Number recruited: four.

Work record: 1 left work May 14.

Of four workers recruited on this date in Bakersfield, two never appeared for work, one was still working May 14.

Date recruited: May 18, 1965—four workers recruited in Bakersfield. We have no report on work record of these workers.

SACRAMENTO

Date recruited: April 23, 1965.

Number recruited: 21.

Work record: 16 left work April 26, 2 left work April 29, 1 left work April 30.

Of 21 workers recruited on this date in Sacramento, 2 never arrived at work. As of April 30, there were no workers left.

Date recruited: April 27, 1965.

Number recruited: 8.

Work record: 1 left work April 29, 5 left work April 30, 1 left work May 3.

Of 8 workers recruited on this date in Sacramento, 1 never arrived at work. There were no workers left as of May 3.

Date recruited: April 29, 1965.

Number recruited: 32.

Work record: 10 left work May 1, 8 left work May 2, 4 left work May 3.

Of 32 workers recruited on this date in Sacramento, 3 never arrived at work. As of May 3, 7 were still working.

Date recruited: May 6, 1965.

Number recruited: 4.

Work record: No work record on 3.

One worker never arrived at work. No report on remaining three.

Date recruited: May 20, 1965.

Number recruited: 4.

Work record: 2 left work May 24.

Of four workers recruited on this date in Sacramento, two never arrived at work. As of May 24, there were no workers left.

LOS ANGELES

Date recruited: May 3, 1965.

Number recruited: 13.

Work record: 6 left work May 8, 1 left work May 9, 4 left work May 13.

Of 13 workers recruited on this date in Los Angeles, 1 never arrived at work, 1 worker was still working on May 13.

Date recruited: May 10, 1965.

Number recruited: 14.

Work record: 2 left work May 12, 3 left work May 13, 1 left work May 14.

Of 14 workers recruited on this date in Los Angeles, 1 never arrived at work, 7 workers were still working on May 14.

Date recruited: May 17, 1965.

Number recruited: 12.

Work record: See below.

Of 12 workers recruited on this date in Los Angeles, 5 never arrived at work, as of May 19, 7 were still working.

CALEXICO

Date recruited: March 20, 1965.

Number recruited: 22.

Work record: 2 left work March 23, 1 left work March 24, 3 left work March 25.

Of 22 workers recruited on this date in Calexico, 11 never arrived at work, as of March 25, 5 were still working.

Date recruited: April 1, 1965.

Number recruited: 17.

Work record: 4 left work April 7.

Of 17 workers recruited on this date in Calexico, 1 never arrived for work, there is no report on remaining 12.

On May 5, 1965, one worker was recruited in Calexico who never arrived for work.

On May 5, one worker was recruited in Modesto. We have no report on this worker.

On May 12, two workers recruited in Merced. We have no report on these workers.

KANSAS CITY

Date recruited: March 28, 1965.

Number recruited: 37.

Work record: 1 left work March 31; 10 left work April 2; 1 left work April 3; 2 left work April 5; 7 left work April 8; 2 left work April 14; 2 left work April 15; 1 left work April 21; 1 left work April 23; 1 left work April 27; 1 left work April 30; 4 left work May 24; 1 left work May 25.

Of 37 workers recruited on this date in Kansas City, 2 never arrived for work; as of May 25, 1 worker was still working.

Mr. MURPHY. Mr. President, I should like to read from the report. First is on workers from the Fresno area. On March 5, 1965, of 38 workers that were recruited, 3 left work on March 7, 1 left work on March 8, 6 left work on March 9, 6 left work on March 11, 4 left work on March 12, 1 left work on March 15, 1 left work on March 17, 1 left work on March 18, 3 left work on March 19, and 6 left work on March 20.

Mr. President, this has been the general experience in California.

From the Tulare area—the same thing: Of 19 workers recruited on March 2, 1965, 4 left work on March 4, 1 left work on March 6, 6 left work on March 8, 3 left work on March 10, 3 left work on March 13, and 1 left work on March 20. In the same area, of 18 workers recruited on March 26, 1965, only 5 were still working on April 3.

This situation is consistent all through the record.

Mr. President, I shall not take time to read further from the report, but I hope that the Secretary will have someone on his staff read it thoroughly so that he will get the facts.

Accompanying that report, I received a letter dated June 26, from Mr. A. R. Duarte, manager of the San Joaquin Farm Production Association, and I ask unanimous consent to have the letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SAN JOAQUIN
FARM PRODUCTION ASSOCIATION,
Stockton, Calif., June 26, 1965.

Hon. Senator GEORGE C. MURPHY,
Senate Office Building,
Washington, D.C.

MY DEAR MR. SENATOR: The San Joaquin Farm Production Association requested 1,600 supplemental foreign workers to harvest our asparagus. The California Asparagus Growers Association requested 1,300 making a total of 2,900. A few days prior to the hearings before the Secretary of Labor's panel, the California Asparagus Growers Association canceled their request because they could not stand the extreme cost of recruiting domestics to harvest the asparagus. The confused members of the California Asparagus Growers did not have time to request our association to recruit the 1,300 that they needed to harvest their asparagus.

When I testified before the panel, I told them that the total minimum needs would be 2,900, but at this time I could only request 1,600 that our members wanted, that we were continuing our intrastate recruitment of workers daily from Calexico, Los Angeles, Bakersfield, Fresno-Tulare, Modesto, Merced, Stockton, Marysville, and Sacramento and that if this did not produce sufficient qualified workers we would need the additional 1,300.

The panel recommended the use of only 1,000 supplemental workers.

Five hundred additional supplemental workers were requested on May 21, 1965. The panel refused to take action on my request until about June 5. On June 4, I told the regional office of the U.S. Department of Labor to cancel my request because it was too late, and we could not meet the compliance guarantee, under the Migrant Labor Agreement.

We exhausted the domestic supply within the State. Farmers from the areas mentioned were complaining to the department of employment that we were recruiting their labor away from them. The department of employment then stopped us from any further intrastate recruitment. We were told that we would have to interstate recruit, and we were sent to Kansas City, Mo. The number of days worked are included in the enclosed, with record sheets.

We were also sent to Muskogee, Okla., to recruit 38 on June 8, 1965, 1 worker never arrived in Stockton, 8 were missing from camp the following day, 2 of them were jailed by our police for being drunk, 6 just disappeared. After 1 week of trying to train these workers, we have 14 left, the balance were released because of their inability to do the work. The results of our intrastate and interstate recruitment to get qualified agricultural workers has been very costly and the results very sad. The only workers that we were able to recruit intrastate and interstate were workers who were not qualified to work from where they were recruited.

The complete history of our 3 A-teams is being sent to you by Stockton Growers Group, Inc. who have been working them with our user-members.

I am enclosing a telegram that was sent to our association by the U.S. Department of Labor which gave us no recourse but to stop harvesting asparagus on the 25th of June, even though some asparagus farmers wanted to harvest into the month of July, but could not because of the great expense involved.

I contacted the California Asparagus Growers Association and they are sending you a résumé of their operations for 1965, and as I mentioned earlier Mr. Scatena, president of the Stockton Growers Group, Inc. is sending you data regarding their work experience with the A-teams and domestic workers.

I wish to state here that our membership consists of 950 farmers in 7 counties. My board of directors, the membership, and our office want to thank you very sincerely on the stand that you have taken to assist us with our many problems.

With best personal regards, I remain,

Very sincerely,

A. R. Duarte,
Manager.

Mr. MURPHY. Mr. President, I invite attention to Mr. Duarte's report on a group recruited from Muskogee, Okla.:

> We were also sent to Muskogee, Okla., to recruit 38 on June 8, 1965, 1 worker never arrived in Stockton, 8 were missing from camp the following day, 2 of them were jailed by our police for being drunk, 6 just disappeared. After 1 week of trying to train these workers, we have 14 left, the balance were released because of their inability to do the work. The results of our intrastate and interstate recruitment to get qualified agricultural workers has been very costly and the results very sad. The only workers that we were able to recruit in intrastate and interstate were workers who were not qualified to work from where they were recruited.

In other words, they were getting workers who were, in many cases, unemployable. They had no job. They had nothing to do, so they recruited them and took them out to these farms.

This, I believe, is a good summary of the problem our farmers are facing in the recruiting effort.

After Mr. Wirtz' minimum wages and desperate recruiting efforts had failed to fill the bill, he came up with one more great public relations gimmick to foreclose his defeat. This was the high school student A-team program.

I submit this was not a new idea either. It had been tried many years ago. A certain number of students from school work every summer. I used to do so when I was a boy, and I am sure that many other Senators did.

Our farmers were told bluntly by telegrams from the Labor Department that they must accept any and all available A-teams or other workers west of the Mississippi River if they were to retain their eligibility for foreign labor when the need was finally admitted.

This was not a suggestion. This was a "must."

Senators will note at this point that obviously the need must have existed, otherwise the Secretary would not be attempting to substitute the A-teams for other domestics.

The Secretary said at first only that we would have to hire domestics. Here again he changed the conditions under which the farmers were to be permitted supplementary farm labor.

As a result, we have received in California 31 A-teams composed of 20 to 30 vacationing high school students each. Our farmers, of course, must pay the transportation costs of these students, amounting to $105 round trip for students from Texas. In addition, they must pay for a "coach" to supervise the group, at a cost of about $4 per week per man. The farmers, of course, had no choice but to accept this, and we should commend those high school students who have come to our farms to give it a try. But, unfortunately, the result seemed to prove again that this will not be the answer.

But this is not the answer to California's farm labor needs. The best evidence of this is seen by a look at the California strawberry industry, the largest crop which has ripened. California is now over $6½ million behind last year in its strawberry shipments. This loss is increasing at the rate of $2 million a month and will continue until the loss is well over the $15 million figure I predicted in my last talk.

In other crops, this is normally a somewhat slack season, a time when the braceros formerly were often idle in their barracks awaiting new harvests. There has been cool weather which has delayed some of the crops. They are at least 2 to 3 weeks late this year. It has just begun to get hot in California and new problems, more extensive than in the past, are now at our door.

The most obvious fact to consider is that the high school students will not be available for work in late August and September and October when California will need at least 30,000 and probably 40,000 to 45,000 more workers than it has now. At that time the A-teams will be back in school.

Another fact to consider is that the publicity given to California's farm labor needs has attracted many farmworkers from other parts of the country. The Midwest is just reaching its harvesttime and is reporting many shortages of labor because of the exodus to California. I have here an article from the Northern Illinois University Northern Star indicating that the DeKalb area cannot get its normal labor from Texas because of the existing labor shortage there. This is exemplary of the chaotic conditions and complete displacement of normal labor supplies caused by Secretary Wirtz's ill-advised acts. I ask unanimous consent to have the article from the Northern Star printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Northern Illinois University Northern Star, June 18, 1965]

SEE MIGRANT WORK SHORTAGE FOR DEKALB AREA HARVESTS

DeKalb area truck farmers will probably be faced with a labor shortage during their harvest season this year.

The farmers usually hire migrant workers from Texas and other Southwestern States, but this year, because of the U.S. Congress' decision not to allow Mexican laborers to cross the border into Texas, a labor shortage in Texas will keep most of the migrants close to their home base.

DeKalb area cabbage and cucumber growers have relied on the Texas workers to do the labor required to harvest the hard-to-handle vegetables.

Sweet corn, pea, and lima bean growers, because they harvest with machines, should not be affected by the labor shortage.

The Immigration and Nationality Act of 1952 allowed foreign workers to enter the United States for 6-month periods, provided their presence would not cause job shortages for Americans.

Labor Secretary W. Willard Wirtz has asked that an effort be made to recruit domestic farmworkers at wages that are in line with the rest of the economy. Although agricultural workers are not covered by the national minimum wage law, the Department of Agriculture has prescribed minimum wages varying from $1.15 in Arkansas to $1.40 in California.

Even with the minimum wage laws, many people do not believe Americans will accept the back-breaking work of harvesting and cultivating the vegetables.

The work, referred to as "stoop labor" because the 18-inch hoe used forces the workers into stooped position, is not the most pleasant way to pass the time of day in the hot summer sun.

> In California only 8 of the first 400 Americans who started the work stayed for the entire season.
>
> California growers are now offering paid hospital and medical insurance along with playgrounds to induce men to work for them.
>
> Wirtz has said he will not allow foreign help unless extreme hardship will be caused because of the labor shortage.

Mr. MURPHY. Mr. President, I read from the article:

> Wirtz has said he will not allow foreign help unless extreme hardship will be caused because of the labor shortage.

After the continued recitation that we have had in the Senate, I wonder what he considers "extreme hardship."

Incidentally, the Senator spoke of one man who went bankrupt. Three days ago I had a telephone conversation with a farmer in California who was the largest grower of boysenberries. He went out of business. He sold his processing plant and his acreage. He said he had sold it to a man who he doubts will be able to pay for it, because if the man tries to farm the land, he will go broke, too.

This is what is going on in many areas. I cannot understand it. Either the Secretary is not getting the word, or I cannot understand his thinking.

In my last speech I pointed out that California's tomato planting is down to somewhere between 95,000 and 110,000 acres this year, as opposed to the 143,000 acres last year.

This is unquestionably true of many crops, although the complete statistics will not be available until the end of the year.

I hear many individual reports, such as a farmer who did not plant 50 acres of white onions, and another who did not plant watermelons this year because of the labor shortage.

Unfortunately, the largest burden falls on the small farmer, who is in no position to bargain effectively in the critically short labor market. This special burden on the small farmer seems very strange indeed, when we consider the fact that many of the Secretary's ardent supporters talk incessantly about the demands of the "large corporate farmers" for foreign workers.

Mr. President, I am not talking about the large corporate farmers. We are talking about the co-ops. They are composed of small growers. The larger growers can manage to get by. It is the little man who is being hurt. All our farmers, both large and small, have need of supplemental labor for certain tasks, and the Secretary has been unable to remove that need by wishful thinking. It does not happen that way.

It must be amply clear to all that our farmers are needlessly suffering from a serious labor shortage. When we add to it the economic costs, it becomes a disaster, not only for the farmers, but also to the consuming public as well. I have an excellent report on the costs involved which I received from Mr. Scatena, president of the Stockton Growers Group, Inc., which has received three of the A-teams.

I ask unanimous consent that Mr. Scatena's letter, dated June 26, 1965, with his report on the teams be printed in the RECORD at this point.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

STOCKTON GROWERS GROUP, INC.,
Stockton, Calif., June 26, 1965.

HON. GEORGE MURPHY,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MURPHY: I wrote to you on May 10 with photographs showing loss to the asparagus growers. I emphasized the need for workers for our future harvests which will begin with cucumbers and pepper then followed by tomatoes. The local domestic force will, beginning now and continuing through harvest periods of these crops, be following the tree crops—apricots, plums, peaches—absorbing the best workers that are available here in San Joaquin County.

We do not foresee the availabilty of workers in numbers sufficient to harvest our cucumbers, peppers, tomatoes, etc., that will require stoop labor.

Until today we have had 500 Mexican immigrants and 481 Japanese nationals cutting asparagus. June 25 was the last day for this supplemental labor force here in San Joaquin County.

During the past 4 weeks we were in need of many workers to weed and thin sugar beets, tomatoes, cucumbers, bell peppers, etc. The cherry harvest drew about 90 percent of our domestic local labor force. Many growers disced up their beets and tomatoes because they were unable to mount the labor force to accomplish their weeding and thinning. Those that hung on have slowly overcome the weed problem with anything and everything remotely akin to a labor force in an attempt to salvage their crops. The weeding cost to date has gone from an average cost of $38 per acre in 1964 to as high as $126 an acre in 1965. The average cost in our current season is above $67 per acre. The reason for this increased cost is not the $1.40 per hour minimum wage to the worker but the attitude of the worker himself. His approach is "Why work any harder, or better, when the grower must pay $1.40 because he has no other way to go—no one else to hire?" This means that the productivity of the worker is generally 56 percent of what it should be.

In view of the above this area asked for help and, naturally by this time, Secretary Wirtz forced upon us the use of A-teams.

On June 9 growers here were instructed by telegram from the regional office of the Department of Labor that growers were required to accept all workers available in areas west of the Mississippi River. These were to be workers of all types—A teams, Indians, and others. End results of these instructions netted 2 A teams from Texas and 1 adult group from Muskogee, Okla.: 1 A team, 38 workers, 15- and 16-year-old youths; 1 A team, 32 workers, 2 were 14; 8 were 15; 1 adult team, 38 workers.

Each A team was accompanied by a supervisor (an athletic coach). Transportation cost involved under their contract was quite excessive, amounting to $99.95 per individual. The coach receives $4 per week for each youngster on the team which means, in case of the first team, 38 times $4 or $152 per week or $25.33 per day cost to the grower, based on a 6-day week. This coach naturally knows nothing about agriculture. Consequently the grower must retain on his payroll his regular professional foreman at an additional cost of $20 per day. This brings the cost of supervision to $45.33 per day or $1.19 per student-day, even without considering the cost of social security contributions and compensation insurance. Usually the grower hires transportation and bookkeeping services and, under the contract, he provides lodging and board subsistence guarantees. This means he is meeting a cost in excess of $2.23 per worker-hour.

This of course is the minimum provided the student completes the term of his contract. If he chooses to leave contract fulfillment the cost rises proportionately to the loss of the workers.

I have gone through a lengthy explanation for this reason: We, as Stockton Growers Group, Inc., are blessed to have management of the two A-teams and of the Muskogee group. The San Joaquin Farm Production Association, which is represented by Mr. Bill Duarte, as the recruiting association, and ourselves work hand in hand with these youngsters in a sincere attempt to make this program work. We are now running into some difficulty, though. At the outset the attitude of the youth was very good. However, after 2 weeks some are getting homesick, tired, and bored. The novelty has worn off and we cannot stimulate further desire.

During the past 5 days productivity of the boys has decreased about 50 percent. We were in hopes that they would improve; however, they are getting worse day by day.

Although expensive, the growers have accepted this concept honestly and sincerely in order to comply with the Secretary's criteria. The rising costs of utilizing these groups, however, are such that they are no longer acceptable. It is purely a matter of economics. We have a problem.

We were amazed at the recruitment of those under 16 years old. They cannot be expected to produce an acceptable day's work at adult wages, nor can they be expected to perform, qualitywise, day after day in a manner equivalent to their seniors. However, under the contract, the grower has no alternative other than to offer them 48 hours work per week at the prevailing wage scale.

These youngsters will be returning to school at the height of our harvest season. Growers here in San Joaquin County must have a supplemental labor force and they must have some assurance, now, that such a force will be available. Time has run out. We will need a substantial harvest force by August 5.

Many thanks for your efforts in our behalf. We sincerely hope that you may help us find an equitable solution to our problem.

Respectfully yours,
STOCKTON GROWERS GROUP, INC.,
NAT R. SCATENA, *President.*

STOCKTON GROWERS GROUP, INC.

Adult interstate recruitment—Utilization

[Team of 38 arrived from Muskogee, Okla., June 10]

Date	Grower	Number worked	Hours worked	Cost
June 11	B. Del Porto	32	224	$409.93
12	do	29	186	347.63
13	Sunday			
14	No work			
15	Louis Mersaroli & Son	27	186	343.86
16	do	20	136	257.86
17	do	20	151	280.94
18	do	21	149	278.17
19	do	14	98	191.05
20	Sunday			
21	No work			
22	do			
23	Scatena Farms	14	112	204.91
	Additional costs (lodging and board and wage compliance for no-work days)			71.82
	Total	177	1,242	2,386.17

Summation and comments:

Average hours per man-day worked	7.01
Average hours per man-day based on expected yield of 6 days per week at 8 hours per day	2.97

Cost per man-hour worked (wages, compensation insurance, social security contribution, prorated cost of transportation from home, foreman salary, and lodging and compliances) $1.92

(The $1.92 is not a true cost figure; attrition will bring the final transportation cost far above that computed on a daily recoupment basis—6 men remained overnight and departed without working; 3 departed after 1 day's work; 2 departed the following day; 6 departed after 3 days' work; after 6 days only 14 workers remained; insobriety contributed to additional no-work days.)

A teams aggregate

[Team No. 1, 38 and coach arrived from San Antonio, Tex., June 6]

Date	Grower	Number worked	Hours worked	Cost
June 7	Ehlers & Son	38	190	$436.56
8	do	38	152	379.96
9	Scatena Farms	38	323	635.52
10	do	38	361	654.01
11	Steve Pellegri	38	304	569.11
12	do	38	323	597.41
13	Sunday			
14	Steve Pellegri	38	266	515.75
15	K. Fujinaka	38	323	599.96
16	do	38	380	683.16
17	do	38	380	683.16
18	No work			
19	L. Mersaroli & Son	37	259	502.08
20	No work			
21	Norris & Logan	37	277	528.79
22	No work			
23	Sil Nogare	38	295	554.95
	Additional costs (lodging, coach's salary, board and wage compliance for no-work days.			170.04
	Total	492	3,833	7,510.46

Summation and comments:

Average hours per man-day worked 7.79

Average hours per man-day based on expected yield of 6 days per week at 8 hours per day 6.30

Cost per man-hour worked (wages, compensation insurance, prorated cost of transportation from home, lodging, coach's salary and foreman's salary, social security) $1.96

(Comparison: Similar costs of a comparable local adult team would be $1.55 per hour.)

Transportation to and from work, payrolling, bookkeeping, and reporting add an additional 23 cents per hour cost to the grower.

[Team No. 2, 32 and coach, arrived from Austin, Tex., June 8]

Date	Grower	Number worked	Hours worked	Cost
June 9	James W. Hatch	32	192	$418.08
10	do	32	192	418.08
11	Bud D. Klein	32	256	483.01
12	do	32	176	363.85
13	Sunday			
14	Bud D. Klein	32	288	530.67
15	do	32	256	483.01
16	do	32	256	483.01
17	do	32	256	483.01
18	do	32	249	472.59
19	do	32	256	483.01
20	Sunday			
21	No work			
22	Augusta Bixler Farms	32	256	483.01
23	No work			
	Additional costs (lodging, coach's salary, board and wage, and board compliance for no-work days)			141.90
	Total	352	2,633	5,243.33

Summation and comments:

Average hours per man-day worked 7.48

Average hours per man-day based on expected yield of 6 days per week at 8 hours per day 6.32

Cost per man-hour worked (wages, compensation insurance, prorated cost of transportation from home, lodging, coach's salary, foreman's salary and social security contribution) $1.99

(Comparison shown for A team No. 1 applies.)

Additional cost shown for A team No. 1 applies.

[Team No. 3, 34 and coach, arrived from North Highlands, Calif., June 15]

Date	Grower	Number worked	Hours worked	Cost
June 16	Giannecchini Bros.	34	153	$325.86
17	Mussi, Casale & Antonolli	34	212	411.46
18	No work			
	Additional costs (lodging, coach's salary, board and wage compliance for no-work days)			198.43
	Total	68	365	935.75

Summation and comments:

Average hours per man-day worked 5.36

Average hours per man-day based on expected yield of 6 days per week at 8 hours per day 3.57

Cost per man-hour worked (wages, compensation insurance, prorated cost of transportation from home, lodging, coach's salary, foreman's salary, and social security contribution) $2.56

(Comparison and additional costs shown for teams No. 1 and No. 2 apply.)

Growers' cost experience with teams No. 1 and No. 2 made the youths' services progressively difficult to sell. On June 20 team No. 3 was transferred to another servicing organization in order that excessive costs could be spread among a larger number of growers.

A teams aggregate

Average hours per man-day worked 7.49

Average hours per man-day based on expected yield of 6 days per week at 8 hours per day 6.07

Cost per man-hour worked (less transportation to and from work, payrolling, bookkeeping, and reporting) $2.00

(Comparison: Similar costs of a comparable local adult team would be $1.55 per hour.)

Experience has shown that quality and quantity of productivity is 56 percent of that expected. When this factor is applied the hourly cost becomes $3.57.

Mr. MURPHY. Mr. President, I read an excerpt from Mr. Scatena's letter:

> We do not foresee the availability of workers in numbers sufficient to harvest our cucumbers, peppers, tomatoes, et cetera, that will require stoop labor.
>
> Until today we have had 500 Mexican immigrants and 481 Japanese nationals cutting asparagus. June 25th was the last day for this supplemental labor force here in San Joaquin County.

They have been taken away. I have reports from the Salinas area, reporting that 6 A teams have already left. The boys have left for home.

Let me point out from Mr. Scatena's report the observation that the present domestic workers are producing only about 56 percent of the output of experienced able workers. It is also interesting that the productivity of the high school students decreased about 50 percent after 2 weeks, indicating that they soon become homesick, tired, and bored with the work. This is something for which you cannot blame the boys, but for which very much blame should accrue to the Labor Department which has foisted this program off as the answer to a very real and serious labor need in California.

I have reports from the Salinas area where 6 A teams have already left for home that the boys on the teams are very complimentary of the cooperation shown by the growers but are critical of the Labor Department for misrepresenting the program.

It is altogether too clear that the Department of Labor put this A team program together hurriedly and without careful planning in a desperate effort to avoid facing up to the fact that their entire program to date has been a dismal failure. In fact, the program was thrown together so hurriedly that California's own department of employment was apparently not consulted since the director of that department suddenly refused to permit any more out-of-State teams to enter California because he said there were enough high school boys available in California.

It has just come to my attention that the Department of Labor itself has provided statistics which prove how inadequate has been Secretary of Labor Wirtz's program. These appear on page 14370 of the CONGRESSIONAL RECORD of June 28, 1965, and were introduced into the RECORD by my fellow Californian, Congressman COHELAN, with the purpose of attempting to show that all is well on our farms this year. In fact, exactly the opposite is shown and it is obvious from an analysis of these figures why our farmers are in such serious trouble.

The figures show that on May 15, 1965, there were 18,500 more domestic workers working on certain specialized crops than at the same time last year. The table further shows that on that date last year 85 percent of the foreign workers in the United States were involved in those same crops. This means that there were at this time last year 44,600 foreign workers working on these same crops and it is apparently the Labor Department's claim that 18,500 domestic workers on May 15, or 28,400 domestic workers on May 31, have replaced those 44,600 foreign workers of last year. This is obvious nonsense.

It is particularly ridiculous when we consider that even Secretary Wirtz himself has admitted that it will take from 1.3 to 1.7 domestic workers to do the job formerly done by one foreign worker. It is even more ridiculous to claim from these statistics that our farm labor problem is solved when you consider that everyone knows that there have been 8,000 to 10,000 Mexican greencard workers crossing the border from Mexico to the United States to do farmwork and that these Mexican workers are classified by the Labor Department statistics as domestics. Therefore, by the Labor Department's own figures our farmers are short at least 30,000 workers. And this does not consider the fact that in the crisis to get crops harvested, many normal farmworkers have moved from their usual farm occupations into the crisis crops as is shown by farm labor shortages in Ohio and Illinois. I am glad for the chance to clarify these statistics before too many people have been deceived by them.

Mr. President, I have previously discussed the losses suffered by our strawberry, asparagus, and citrus growers because of insufficient or inexperienced labor. Today, to illustrate that the A teams are unfortunately not the answer to our labor needs, let me discuss briefly some of the experiences of our cantaloup growers in the Blythe desert area. These growers estimate that they are suffering a 20 to 25 percent loss because of the inexperienced help, not to mention the economic loss caused by greatly increased costs of labor. These growers, like those in all other parts of California, have cooperated fully with the Labor Department's requirements. The California Farm Labor Panel named by Wirtz specifically commended these people for their fine efforts to implement the A team program. Here again, however, their good intentions were not enough to get the job done. One grower sent one of his buses to Yuma, Ariz., about 2 hours away, to pick up a team of domestic workers. When the bus arrived the officials in charge of the work team noted that it was not air conditioned and required the grower to rent an air-conditioned bus and send his own bus back empty. The workers then rode air conditioned 2 hours to Blythe and then were turned loose in the over 100° heat to pick the melons. This grower, like the others, is more than willing to cooperate with the program but he would be the last to claim that he is running a desert resort.

I would like to point out that the A teams by agreement with the Labor Department were to start at the minimum decided by Secretary Wirtz of $1.40 an hour. After a break-in period it was agreed that they could work at a minimum of $1.25 an hour or at piece rates in the cantaloup fields. At this time, experienced Mexican workers on the same fields were averaging $38 per day—or over $4 an hour in piece rates, while the A teams were not even making the $1.25 minimum in piece rates.

The growers find that their picking costs per crate of melons, which were about 40 cents per crate last year, have risen to from 80 cents to $1.50 per crate this year. And even then not all the crop is being picked. One grower sent a crew of experienced Mexican workers through the field after the A team and found that 25 to 30 crates per acre, or about one-fourth of the melons, were left unpicked.

Here again, I am not critical of the domestic workers, but only point out that they are not cut out for this kind of work. One grower has had to hire a full-time girl to write the termination paychecks of the workers who are leaving.

So, in the cantaloup fields we have another example of the Labor Department's refusal to face the facts. At the outset of his program, Mr. Wirtz promised that he would not permit crops to rot because of his policies. Yet crops have been lost, in citrus, in strawberry, asparagus, and melon fields solely because of Mr. Wirtz' policies.

Mr. Wirtz told the farmers that if they abided by his criteria they could have Mexican workers if the need were proved. They have abided by the original criteria, and by all the new conditions he has added, and still they have not received the necessary workers to prevent crop losses.

Mr. Wirtz stated in hearings before the Senate Agriculture Committee in January that he could get Mexican workers into California within a matter of days, even hours, if necessary, and so a standby arrangement with Mexico was not necessary. When he at last recognized the need for some foreign workers, it took over 3 weeks from the date he certified the need before the first worker came into California. Here again, Mr. Wirtz was wrong. His error was costly to my State's farm producers.

Now California's tomato growers have relied on Mr. Wirtz' assurances and planted 100,000 acres of tomatoes, a large number of tomatoes, albeit a drastic drop from last year's crop. I hope Mr. Wirtz is prepared to face the fact of life that these growers will need 25,000 workers when their harvest begins in late August.

That is the estimate of experienced growers. They will need 25,000.

Mr. President, the people of California are astounded that this seeming crusade against our farmers can be permitted. They see all about them examples of the losses caused by the need for farm labor. They read in their newspapers that the farmers in Florida were permitted to have a large number of supplemental laborers—not all they needed, but still a large number—and they wonder why California has been chosen for Mr. Wirtz' unsuccessful experiment. They learn that when Mr. Wirtz refused to permit some offshore labor to remain in Florida, the Attorney General, Mr. Katzenbach, stepped in and announced that, he, in truth, had the final authority and so could permit the labor to stay, and he did so. They wonder whether the Attorney General has investigated the situation in California and if so, why he has not stepped in to help our farmers there. They wonder why they have not heard from the Secretary of Agriculture who is, I understand, the representative of our agricultural community in the Cabinet. These and many other questions are being asked—and I intend to get the answers.

And, lastly, Mr. President, the housewives of California and indeed across the Nation, are asking if Mr. Wirtz has seen the latest food prices and the latest cost of living index which indicates that food prices were the greatest factor in its increase. I have here a table showing food price comparisons in the Los Angeles market between June 21, 1965, and June 19, 1964, and I ask unanimous consent that this table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Wholesale price comparisons of sales of California stocks in the Los Angeles market

Item and unit	June 19, 1964	June 21, 1965	Approximate percent increase
Avocados (2-layer lugs 32's)	$4.75 to $5	$9.75 to $10	100
Lemons (cartons 115's)	$2.75 to $3	$3.75 to $4	33
Asparagus (pound)	$0.27 to $28	$0.40 to 0.42	50
Beans (pound)	$0.15 to $0.16	$0.20	33
Cucumbers (3/4 lugs)	$1.25 to $1.50	$2 to $2.25	50
Beets (dozen bunches)	$0.75 to $1	$1 to $1.15	20
Lettuce (crate):			
Boston	$0.75 to $1	$1.75 to $2	100
Salad Bowl	$0.75 to $1.25	$1.75 to $2	100
Onions, Yellow Grano (50-lb sacks)	$1.50 to $1.75	$4.25 to $4.50	175
Bell peppers (pound)	$0.12 to $0.16	$0.25 to $0.28	100

Mr. MURPHY. Perhaps even more eloquent than the figures is a letter I received from Mrs. Joseph Kitts and I ask unanimous consent that the letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OAKLAND, CALIF.,
June 17, 1965.

Senator GEORGE MURPHY,
Senator from California,
Washington, D.C.

DEAR SENATOR MURPHY: Perhaps you can get Willard Wirtz to tell you what we, who are retired and have a low income, are to do to be decently fed, to stay well.

I have just returned from trying to shop at Safeway for vegetables. They are impossible in price, fresh corn at 15 cents for a small ear, asparagus 39 cents a pound and half must be discarded as too tough to eat. These are a few of the weekend bargains.

If we cannot afford fresh vegetables or fruit what are we to eat?

Perhaps like Marie Antoinette he thinks we should eat cake if we cannot get vegetables.

Another angle of Mr. Wirtz' short sighted police in regard to the braceros, is the good will of the Mexicans. We spend millions on the Peace Corps and then with our arrogant policy toward the Mexicans we antagonize hundreds of them.

Some years ago I taught a class in English for foreigners (adult education). There were 22 braceros in my class. They worked hard all day but wanted to learn English enough to come to school in the evening. They were the most courteous considerate people I ever taught and these are the kind of people Mr. Wirtz' insults.

What's the use of the Peace Corps?

Very sincerely,

ALBERTA H. KITTS.

Mr. MURPHY. I have here a letter from the chairman of the Committee on Agriculture of the Japanese Chamber of Commerce of Southern California, pointing out the losses which our Japanese farmers are suffering because of their lack of labor. I ask unanimous consent that this letter from Mr. Takeyasu be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LOS ANGELES, CALIF., *June 17, 1965.*

Hon. GEORGE MURPHY,
U.S. Senator,
Senate Office Building,
Washington, D.C.

HON. GEORGE MURPHY: We, members of Japanese Chamber of Commerce of Southern California, appreciate your effort in promoting status of Americans of Japanese ancestry.

As you know contributions made by Japanese farmers has been great in the past years, and it is one of the major industries for many Japanese-Americans. These farmers, however, because of lack of laborers are suffering bitterly.

We had a committee meeting the other day, and it was revealed that to supplement lack of laborers at peak harvesting period farmers are suffering from severe competition in raising wages to obtain necessary workers. Thus, some are rather willing to sell land and go out of business.

Since labor situation is a serious matter for farmers kindly send us any information available regarding crop damage due to lack of labor, actual labor situation, plans for next years cultivation of land, and methods of supplementing labor, etc.

Your cooperation in this matter is greatly appreciated.

Sincerely yours,

JOHN S. TAKEYASU,
Chairman, Committee on Agriculture, Japanese Chamber of Commerce of Southern California.

Mr. MURPHY. These were carefully selected boys from farms in Japan. They came over and spent 2 years. It was one of the most perfect people-to-people programs that has ever taken place. I have talked with the Japanese Ambassador and representatives of the Japanese farm community. They are extremely concerned about this situation. The harm that is being done by this policy has many ramifications, and it would be impossible for us to gather them all together in a short time. But the Senator from Florida [Mr. HOLLAND] and I have determined that we shall keep bringing this matter to the attention of the Senate. Hopefully, one day the executive brancn of the Government will have a look into it, and then our problem will be solved.

I might add that our foreign labor programs provided one of the greatest sources of international good will which we have ever devised in this country. By working on our farms the Mexican worker, who would earn $1.50 a day at his home, could make $15 to $20 and more per day. And the workers who came to us from Japan took back to their homeland a real appreciation of the American way of life. Now we have left Japan and Mexico puzzled as to why we have cut them off when their help is so obviously needed.

I have some messages from California farmers which point out the various problems they face more dramatically than can any words of mine. I ask unanimous consent that a letter from Mrs. Robert Pannell, a telegram from Mr. Anthony Groich, a telegram from Mr. Anthony Maggio, and a letter from Mr. Lee Anderson to a Labor Department official, be printed in the RECORD at this point.

There being no objection, the letters and telegrams were ordered to be printed in the RECORD, as follows:

VISALIA, CALIF.

Hon. GEORGE MURPHY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MURPHY: We are now trying to harvest our year's labor. As of this moment, apples—next week, plums, we hope. We started out with 12 pickers—today we have 7. The apples will not hurt for several weeks. But what will happen next week? The plums will not wait. We have never used foreign workers but the lack of them in other areas are pulling our regular pickers away from here.

From all of the reports that we hear the use of high school kids is not working out What will Mr. Wirtz come up with next? The farmer needs qualified help the same as anyone in business. What has happened to the ideas that our country was based on? Such as protecting the "little guy". Is there anything that one can do? My husband and I are deeply concerned about this agricultural "mess". We have put over 20 years of hard work into our small ranch and it seems the only solution for us is to sell.

We will continue to support you.

MRS. ROBERT PANNELL.

SAN JOSE, CALIF.,
June 12, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

I have sent the following telegram today to Senator HARRISON WILLIAMS:

"I read in our local newspaper where you said that the facts in your possession show that crops are not rotting in fields in California. The farmers have lost millions of pounds of strawberries and even today are losing more. I don't know where you obtained your facts but they certainly are incorrect. I think that you and Secretary Wirtz and several other Senators and Congressmen that have made such statements should publicly make an apology, whether you realized it or not the backbone of this Nation is its farmers. Unfortunately through legislation in the last few years, we are losing farmers daily. This is something I am sure that you don't want to be proud of. Why don't you check with some of the Federal or State offices as to the amount of fruit being lost daily, and if they don't desire to substantiate this I can do it for you very easily. If at all possible, I sincerely hope that you could visit our area for just 1 day and I am sure it would affect you emotionally as it has all good citizens that have seen the chaotic situation that is presently existing here."

ANTHONY GROICH,
President, Picnpac Frozen Foods, Inc.

KING CITY, CALIF.,
June 12, 1965.

Senator GEORGE MURPHY,
Washington, D.C.:

We have accepted all recruits available under the Departments of Labor, State, and interstate program. They leave as fast as they come. Some are too young. Some are too old. Some are skid-row types. As we have stated before, we were the first to go with the program last year and used no braceros in our carrot fields. The results were disastrous this year. We were forced to destroy 400 acres in Imperial Valley. Now we are facing the same thing in the Salinas Valley. Some recruited workers remain on the job but the wage cost is more than the selling price of the carrots, and the market is good. Please, please, we beg you to do something about it. I do not want to destroy foodstuff that hungry people need. We have 250 union workers on our 3 packing sheds and practically all are drawing partial unemployment benefits because we cannot get sufficient carrots harvested.

ANTHONY MAGGIO,
President, Carl Joseph Maggio, Inc.

LEE ANDERSON'S COVALDA DATE CO.,
Coachella, Calif., June 15, 1965.

GLENN E. BROCKWAY,
Regional Administrator, Bureau of Employment Security, U.S. Department of Labor, San Francisco, Calif.

DEAR SIR: On May 21, 1965, I mailed you ES-320 forms for two experienced men to work in the date palms on our 73 acres of date gardens.

Mr. Brockway, now how in the name of justice can you say in your certificate (disapproval) that you determined and certified that sufficient workers in the United States able, willing, and qualified, are available for employment in this occupation?

For your information, because of an inadequate labor supply in the United States "able, willing, and qualified," I had to stand by and see over 200,000 pounds of my date crop be ruined because of the lack of help to get the date blooms pollinated. Of the local domestic labor that was supplied to us, not one stayed on the job over 2 days. The recruited Indians stayed 1 week and the inexperienced Japanese were with us 3 or 4 weeks. Our cost survey proved that it cost us $4.50 per hour to get a $1.50 worth of work done.

Mr. Brockway, just imagine you and I changing places. You come down here and run my farming operations, and I come to San Francisco and run your office. Now you are in dire need of labor. You cannot get an adequate supply of domestic labor "able, willing, and qualified" to do your work. Just imagine how you would feel if you were to send me ES-320 forms asking for qualified foreign labor, and if I would send the forms back stamped (disapproved), saying there are sufficient workers in the United States "able, willing, and qualified" to do the work. You in my place on the farm, knowing all the facts and I in your office, not knowing the facts, would be calling me a liar and many other names, because I had been telling you that there is plenty of labor in the United States "able, willing, and qualified" for employment in this occupation. Mr. Brockway I can testify under oath that there is not qualified labor to do the work in this occupation. The State farm labor office here in Indio has not been able to supply enough date workers for many years. The extra expenses which the Department of Labor's rulings are adding to the farmers already overburdened farm labor costs is causing many farmers to cancel out their farming operations here in the United States of America. They are moving their operations to Mexico, South America, Australia, and other foreign countries. This leaves many people unemployed who would have had work preparing their products for market. Also if you will take time, to take inventory of businessmen and manufacturers who are moving their operations to foreign countries you might stop and do some thinking about on which road the Department of Labor is leading our country. This used to be the best Government in the whole world but what is it being changed into?

Mr. Brockway, do you know that our Government is assisting to build date packing and processing plants in Iraq, Iran, and Pakistan? These packing plants are equipped with modern equipment at our taxpayers expense. The latest figure I have, the laborer is paid $0.60 per day, and there are between 40 and 50 million pounds of dates imported into the United States each year. Do you know that the date growers in California are not getting any more per pound for their dates now, than they did in the 1930's and our costs are four times as much?

I really feel that if you people in the Labor Department would face the facts, you would realize that there are especially in date gardens not enough qualified farmhands to do the jobs that must be done. You would realize the adverse effects this condition is having on the economy of the Nation. You would consider the truth, as to the need of Mexican labor to supplement for laborers we cannot get to produce and harvest our crops.

I'm mailing to your office the ES-320 forms that were rejected. This time please use the approved stamp. Please accept my invitation to visit my date garden for a first hand inspection.

Thank you.

Sincerely,

LEE J. ANDERSON.

Mr. MURPHY. Mr. President, the economy of my State has suffered a severe loss this year because of the Labor Department's policies. We must have action to assure that there is no further loss this year and that our farmers are never again subjected to the whimsical dictatorship of theorists who simply do not understand what is going on on our farms.

We have had crop losses this year, certainly. But perhaps even more serious than that is the permanent loss our agricultural economy has suffered because farmers have moved their operations to Mexico. I have just learned of a Coachella Valley nurseryman who has shipped to Hermosillo, Mexico, enough Valencia citrus stock to plant 5,000 acres and enough seed to plant 20,000 acres more. This is equivalent to one-quarter of the existing Valencia acreage in California and Arizona, so it is easy to see that in a very short time at this rate, Mexico can replace our domestic production. Certainly Mr. Wirtz can win his argument that we can get along without supplemental labor by doing away with California's agriculture, but I should think that even he might consider that a very hollow victory. Even he must realize that the only result of this could be to increase the ranks of our unemployed, since 1¼ million jobs in California alone are dependent upon agriculture.

And so, Mr. President, the design of disaster continues toward its inevitable final impact, which will hit not only the farmers and the economy of my State, but the pocketbooks and food budgets of all the housewives in the Nation about next November.

Then, and then only, will I be able to report the total cost of the misfortune, inefficiency, and waste forced upon our agricultural industry by the Secretary of Labor.

Then, and then only, will I be able to point out the unnecessary dollars that the housewives will have to pay in added food costs, the number of crops that were lost to the farmers as well as the number of unemployed in California, the number of farms and badly needed payrolls which have been moved out of our State and gone to Mexico, never to return.

And I intend to keep a carefully documented account of the entire destruction and report it to my constituents.

The Secretary was warned before the event and he has been warned during the early stages. He has chosen to ignore the facts in favor of fiction and, therefore, cannot avoid the full condemnation of the people of my State for the unbelievable and unnecessary hardship and havoc he has caused.

It is truly a sad state of affairs when it seems apparent that a political promise must take precedence over the general welfare of the people. As time goes on, I intend, as I have in the past, to make a full and comprehensive report on these matters. I repeat: Those responsible must take full blame for their errors in judgment and for the disaster which they have caused.

As I said on the first occasion when I had the honor to speak on the floor of the Senate, if the Chief Executive of our great Nation will interest himself in this subject, I have full confidence that the problems of the great States of Florida, California, Arizona, Michigan, and all the rest that are involved, and will become involved as time passes, will find relief.

Mr. KUCHEL. Mr. President, while I have some comments to make in my own right, I wish to compliment my colleague from California upon the delivery of a remarkably persuasive address to the Senate on this occasion. In quite full relief, he has demonstrated the tragedy which confronts the farm people of the State we have the honor to represent and also those who toil on the land to produce crops all across our Nation. I congratulate him upon the assiduous manner in which he has accumulated these statistics. No one can blink at them. The Senator has clearly demonstrated a policy on the part of the Department of Labor that constitutes, I believe, the worst blunder of the administration.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. HOLLAND. I join in those expressions. I have not heard a finer speech on the floor of the Senate in the years I have been here. It factually, carefully, and in an itemized way depicts the tragedy which has been inflicted upon a great producing area by the misconceptions and sociological adventures that are being practiced by the Secretary of Labor. I repeat the hope that the President, the Secretary of Labor, the Secretary of Agriculture—who has not asserted himself enough in this matter—and the Attorney General—who after all is given the final authority in this particular matter, because it is in his Department that the Commissioner of Immigration is located—will all listen, because the great States of California and Florida, and the other States that are involved, produce so much of the food that is consumed by the people of our Nation. They are not used to coming to Washington and crying for help from the Federal Government. No two States in the Nation do less of that than the States of California and Florida.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. MURPHY. We all know well that we are talking about people who have asked for no subsidy whatsoever from the Government. These crops are produced in the American fashion of free enterprise by investment. A banker in California, a vice president of the Bank of America, one of the largest lenders of money to farmers, says that this disaster may reach the extent of $500 million in California alone.

Mr. HOLLAND. I thank the distinguished Senator from California for yielding to me.

THE NEED FOR A SENSIBLE FARM LABOR PROGRAM

Mr. KUCHEL. Mr. President, I have long been deeply disturbed by the ever-changing procedures of the Department of Labor in attempting to secure the needed supplemental labor to meet California's agricultural needs. Recently in my State we have seen the Department of Labor place great stress on so-called A teams—that my friend and colleague from California has so graphically demonstrated in his comments earlier today—of presumably high school athletes from many States west of the Mississippi River being urged to come to California to harvest our crops. It is commendable for young people to get out in the sunshine and enjoy the California climate. Many of these young people did a fine job. But, as with youth, they frequently tire when doing a man's work and the initial joy of the "great adventure" has worn off. Some of these young people were 14 and 15 years old. My State has long observed strict child labor laws as well as a greater number of protective labor laws than any other State in the Union.

What the attempt to recruit high school students from throughout the Middle and Far West shows is two things: First, that there is a shortage of qualified domestic labor in California; and second that our Government seemingly has a policy of encouraging "nomadism" in our land. We do not meet year-round agricultural needs, by recruiting high school students who are only available for 2 or 2½ months in the summer. We do not improve the quality of American life by encouraging "nomadism" whether it be by high school students, migrant farmworkers from other States, or unemployed coal miners in Kentucky as was suggested by one administration official last year. What is needed is a stabilization of the work force within a given area and training for those men who are employable but do not have the skill to perform cultivating and harvesting tasks on our farms.

I am also concerned with the "on-again, off-again" policies of the Department of Labor. The Secretary of Labor, Willard Wirtz, is a sincere and dedicated man. He is as much concerned with the plight of unemployed workers in California as I am. But as I have said on the floor of the Senate for years, in committee for years, and to the Secretary of of Labor on many occasions, the fact that a man is unemployed in the industrial sector of our economy does not mean that he is willing to take a job in the agricultural sector. To say that an unemployed autoworker in Detroit is ready to do farmwork in California is like adding apples and neckties.

When Secretary Wirtz appeared before the Senate Committee on Agriculture on January 15, 1965, I cross-examined him at length. I urged that he enter into a standby agreement with the Republic of Mexico so that should the need arise in his judgment for supplementary farmworkers in California, the mechanism would be readily available to recruit, examine, process, and transport such workers to the United States. Secretary Wirtz, at page 70 of the hearings, described my proposal as "quite premature and not in the public interest."

I deny that. It was not premature. Subsequent events have demonstrated that it was not premature. It has been against the public interest, not merely in California, but all across the country, as today the statistics of declining farm yield and farm income clearly demonstrate to any reasonable person.

Thus, as time slowly elapsed and the crops began to ripen, nothing was done despite telephone calls from me and from other Members of the California congressional delegation and face-to-face meetings with Secretary Wirtz and ourselves and our staff on several occasions. On April 15, 1965, Secretary Wirtz established the California Farm Labor Panel. This panel recommended that the 1,000 Japanese and Filipino workers permitted to remain in California be redeployed into the San Joaquin Delta and to Monterey County. In addition, the panel recommended that 1,500 braceros be imported from Mexico. The growers had requested 6,700. The Mexican Government said at that time that it would take about 4 weeks to secure the workers and that in reality they were reluctant to establish the necessary machinery to recruit 1,500 workers. I had asked that such machinery be established long before.

The California Farm Labor Panel made its recommendations on April 23. Secretary Wirtz accepted them without qualification on April 25. Still nothing happened. I called the Secretary on May 3, 1965, and urged that notes be exchanged with Mexico so that the procedures could be worked out. Early on May 4, the Department of State delivered the necessary note to the Mexican Government. This delay should not have been necessary. On January 15, 1965, after calling my proposal that such machinery be established premature, Secretary Wirtz went on to say:

> I would suggest that it would be relatively short matter, I mean almost hours, or at the most days, to take care of that problem if we ever get to that stage. I don't think there would be any great difficulty about it. And, therefore, on the balance of what is involved, it would seem to me that to undertake the housekeeping proceeding before we have decided to take the house would be misunderstood (at p. 71 of hearings before Senate Committee on Agriculture, Jan. 15, 1965).

Mr. President, it was not until May 17 that the first Mexican national entered California despite the need being clearly recognized by Secretary Wirtz' own panel on April 23, 1965, nearly a month before.

To date, 2,771 braceroes have come to California for farmwork. There are now 1,614 remaining. The rest returned home after the initial period of their contracts expired and still more are leaving. The Secretary of Labor has contended that these workers were sent home because growers found that their needs could be met by domestic workers. This is part of the story, but by no means all. And it glosses over all the facts. Two of the employers to which he referred are in California. They are Salinas Strawberries and the San Joaquin Farm Production Association.

Mr. President, I ask unanimous consent that excerpts from the newsletter of the National Council of Agricultural Employers, dated June 22, 1965, pertaining to the factual situation confronted by these employers be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

CLAIMS OF ENOUGH DOMESTIC WORKERS DENIED

Secretary of Labor Wirtz announced last week that two California employers—Salinas Strawberries and the San Joaquin Farm Production Association—had informed the Department that their current needs could be met with domestic workers and that they were ending their employment of foreign nationals. He also reported that the National Pickle Growers Association had indicated that labor needs for its Michigan growers probably would be met with domestic workers.

Reports from the areas and persons concerned indicate that the facts are these:

1. Salinas Strawberries hired 10,112 domestic workers from January 1 to June 16. It had lost 9,118. It also reports a minimum loss of more than $2 million. On June 16 (the day following Secretary Wirtz' announcement), the company reported that 12 A teams of about 350 boys had arrived. Two teams of about 61 were leaving. It concluded its statement with the comment that "it is just not in the realm of economic possibility for us as growers to continue" financing trips to California for those who didn't want to work.

In elaborating on its decision to phase out its foreign workers, this company cited a telegram from the Department of Labor's regional administrator, Glenn Brockway, which said in part:

"You are required to accept all workers who are available in an area west of the Mississippi River. These workers will be of all types, A teams, Indians, and others.

"If any employer of foreign workers refuses to accept these available workers, I am directed after telephone clearance with my national administrator to submit a revised authorization ES-354 to the Immigration and Naturalization Service reducing the number of foreign workers previously authorized by the exact proportion as the number of domestic workers refused.

"User employers in California between them must accept all A teams west of the Mississippi River as are available. These A teams will be included in quotas arranged by my office with Mr. Tieburg."

The action taken by Salinas Strawberries was done to preserve its eligibility for employing foreign workers and because its spring peak was past.

2. The San Joaquin Farm Production Association was reported to have said that it would not seek an extension of the foreign workers it now has in asparagus beyond June 25. This association previously was refused a request for 500 additional Mexicans for asparagus work by the California Farm Labor Panel. Since the asparagus harvest is just about completed and since the association is prohibited from employing the Mexican workers it now has on other crops, it can no longer afford to retain them.

3. On the day following Wirtz' statement the National Pickle Growers said "that we believe that despite our best and enormous efforts to obtain domestic labor we are going to have to rely on a source of supplementary foreign labor to get through this crop." W. R. Moore, the association's secretary, said that a conversation he had with a Mr. David North in the Secretary's office was "twisted." In a statement issued subsequently, Moore asserted that Wirtz was making his statements in order to scare growers out of planting and reduce labor requirements. He said that two growers had plowed up 80 acres of pickles as a result of these statements. He also reported that pickle acreage in Michigan was down considerably as a result of the labor situation.

In other developments, it is reported that the director of the California department of employment has refused to clear further requests for out-of-State A teams until local youth had been fully utilized. Earlier the Secretary of Labor had wired Governor Brown to let him know immediately whether the State planned to use domestic workers (predominately A teams) from some 14 States.

Mr. KUCHEL. I must say, Mr. President, that I am disturbed by the tone of Mr. Brockway's telegram to various growers in my State. Because of these policies and because producers are harassed by ever-changing ground rules for the employment of foreign workers, any semblance of orderly operation of a supplemental farm labor program is jeopardized. Under such conditions, it is the small- and medium-sized farmer and grower in particular who is hurt. He must depend on this labor to harvest his crop for market. His whole year's profit or loss depends on the small period when the crop is ripe and the availability of sufficient labor at that time.

If the farmer is uncertain as to the availability of labor during his peak harvest season, so is the banker who lends him his money. So is the Government of Mexico. So are the canners who must employ needed workers to can a crop which they are not certain will be harvested.

The peak farm labor need in California has not yet arrived. It will come this fall with tomatoes. It appears now that we might have a contract tomato acreage of around 110,000 acres plus another 5,000 or 6,000 acres of open market tomatoes. This would be a good crop despite the lag in planting which occurred earlier this year because of the uncertainty of the labor situation.

My constituents in California are still uncertain with regard to the availability of needed farm labor to harvest tomatoes and the various other crops which are now ripening. Sixty-nine percent of the lemon crop was harvested by June 20, whereas last year 85 percent had been harvested by that time. And it was a smaller crop. Real losses have occurred in strawberries. The total movement of strawberries to the processors is now running 4 to 5 million pounds per week below what we would normally expect from the acreage available.

Mr. President, I urge once again that the Department of Labor and this administration face up to the agricultural labor needs of my State. The uncertainty must end for the sake not only of the growers, cannery workers, transportation workers, and thousands of others with related skills involved but also for the sake of the American consumer and the country.

Mr. President, I am glad to join the Senator from Florida and my colleague from California in commenting on this situation.

Mr. WILLIAMS of New Jersey. Mr. President, I should like to engage the Senators in a colloquy in order to clarify the RECORD.

A great deal of this discussion has dealt with Public Law 78 as distinguished from Public Law 414, which is still the law which guides us.

Public Law 78 was the responsibility of the Committee on Agriculture and Forestry as a legislative matter. Public Law 414 is an immigration law, and was the responsibility of the Committee on the Judiciary.

I am on neither of those committees. However, I am on a committee which does have a very substantial interest in this entire discussion, the Migratory Labor Subcommittee of the Committee on Labor and Public Welfare. Our responsibility runs to the American agricultural migrant worker. Anything which affects his position is within the scope and responsibility of the subcommittee of which I have the honor to be chairman.

I have examined the unemployment statistics generally and farm unemployment statistics in particular. These are the statistics with which I have to work.

In January of 1965, for all workers, unemployment was running at the rate of 5.5 percent. In agriculture it was running at the rate of 11.7 percent. In January of 1964 unemployment for all workers was 6.4 percent. For agricultural workers, it was 15.9 percent. Figures similar to these occur month after month.

Unemployment among agricultural workers, both wage and salary, is far above that of workers in all other categories.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. HOLLAND. The Senator knows that, in most of the Nation, the agricultural economy is relatively inactive in the winter months, and that the unemployment statistics for the northernmost States and the Midwest States would naturally show a low level of employment of agricultural workers during that period.

Mr. WILLIAMS of New Jersey. The Senator is correct. However, the annual averages which I gave the Senator were for 1964. We do not have the averages for 1965 as yet. In 1964, they were 5.2 percent for all workers, and 9.3 percent for agricultural workers.

I should like to correct a little colloquy that I had with the Senator from Florida 3 weeks ago on Public Law 78. That law was enacted during the Korean crisis, in June of 1951, I believe. The RECORD of 3 weeks ago suggests that it was enacted in 1954.

The law was enacted in partial response to the unusual demands for farmworkers caused by a period of national emergency when many young boys and men had gone into the Armed Forces.

I ask the distinguished senior Senator from Florida what he feels the congressional intent was in terminating Public Law 78.

Mr. HOLLAND. I feel that the intent of Congress was to terminate Public Law 78. It was desired to include the paternalistic setup under which many millions of dollars were being spent, under which various headquarters were being maintained, under which, even in the last year of its operation, approximately 194,000 Mexican workers were brought in, as I recall. For one reason or another, Senators and Representatives voted against the further extension of that act. They felt that the law had existed long enough.

Mr. WILLIAMS of New Jersey. Mr. President, I supported the termination of that law. Perhaps many Members did not express themselves. However, I know that my reason for supporting termination of Public Law 78 was to give the American workers a greater opportunity for agricultural employment.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. MURPHY. Mr. President, I was not here at the beginning of this matter. However, it is my understanding—and my knowledge of this matter is not as great as is that of the distinguished Senator from New Jersey—that at all times, even during the existence of Public Law 78, it was provided that the domestic workers must receive preferential hiring, and if there was only one job, and one domestic worker, the domestic worker must get that job. Was that not the case?

Mr. WILLIAMS of New Jersey. The Senator is correct. There were protections afforded to Mexican workers which were not afforded to the British West Indians.

Certification for braceros was more easily achieved. We therefore had a great wave of Mexican nationals entering this country under Public Law 78, depressing job opportunities for Americans.

Mr. HOLLAND. It is true that a great many Mexican nationals came in. As I have already stated, approximately 194,000 of them came in in 1962, the year before the last debate on the Senate floor. However, it is also true that prior to that time, the number of wetbacks who came in—many of whom had been abused and exploited—was much larger. My recollection is that in 1 year the figure rose to approximately 600,000. They had to be excluded. It was a vast exclusion.

That was a great tragedy. Many of them were imposed upon and the purpose in enacting the law was well stated by the distinguished chairman of our committee, the senior Senator from Louisiana [Mr. ELLENDER] in the quotations which I read into the RECORD today from the hearings in 1951, when he made it clear to the committee members that we were trying to prevent their continued abuse and exploitation and trying to satisfy the legitimate demands of Mexico that they be allowed to say where the unemployed people were to be available for this work. Too often they were coming from across the border where there was no such pool of unemployed persons. The attitude of Mexico was the most responsible reason for the enactment of Public Law 78.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. MURPHY. Mr. President, I remember that about 15 years ago above the Mexican border, in California, the border patrol had a bad situation. They used to pick the wetbacks up by the hundreds. At that time a program existed—I believe the RECORD will show—in which we used to take the wetbacks in old DC-3 airplanes and fly them into the central part of Mexico. These people would come hundreds of miles. The thought was that if we were to fly them there, it would be too difficult for them to return. However, they did return.

I lived down there at one time and worked on a motion picture which was based on exactly the problem faced by the wetbacks. They would be sent over by an agent. The agent would slip the wetbacks over the border and tell them where to come back. They would meet him there. Literally hundreds were destroyed and murdered down there. It was a frightful situation.

Mr. WILLIAMS of New Jersey. Mr. President, the Senator from California is an expert. Perhaps we ought to call on Henry Fonda to testify in our committee hearings. He played in the motion picture "The Grapes of Wrath." He could describe some of the situations which existed.

Mr. MURPHY. I believe that Henry would make a very good witness.

Mr. HOLLAND. Mr. President, I want the RECORD to show again that there was a great deal of compassion in the minds of those who enacted Public Law 78. This does not seem to be realized now by anybody.

There was also a great need for agricultural labor in the western part of our Nation, which need would have been denied if Mexico made good on its promise at that time that they would not permit the program to continue unless the program was regulated by the Federal Government.

Mr. WILLIAMS of New Jersey. I am glad the Senator put it exactly that way. This was the Mexican Government's compassion for its nationals. It has been my purpose over the years to support the same kind of compassion for American workers. That is why we have tried to achieve better housing, education, and employment opportunities for American agricultural workers.

We are going to have hearings and I assume both the Senator from California and the Senator from Florida will attend. They will also concern programs to bring American farm unemployment together with farm employment opportunities. We are trying to make it a realistic program by providing working conditions that will make American workers want to work on American farms. I refer to unemployed agricultural workers of course, and not, for example, automobile workers. I am not at all convinced that we can find an adequate answer to our farm labor problems by trying to get young people to pick our crops. The A-team procedure was an experiment, but only a small part of our attempts to answer and solve our farm labor problems.

When the farm child labor bill was up for consideration I met resistance from Members who said it was good for young people to work in the fields, and that their families needed the income that the children would receive from picking the crops. Therefore a child labor prohibition bill should not be passed. These are not older children that I am talking about; they are high school age children.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. HOLLAND. I remind the Senator that he is not the only one who has had compassion for domestic workers. My recollection is that I was glad to join in at least three of the bills of which he was the principal sponsor, for relief in the area of education, housing, and nursing care.

Mr. WILLIAMS of New Jersey. And a health bill.

Mr. HOLLAND. I thought the distinguished Senator had spoken very kindly of my joinder and efforts.

Mr. WILLIAMS of New Jersey. Oh, yes.

Mr. HOLLAND. I was not alone in that regard. The Senator from Florida was not alone in extension of compassion in 1964. The average Member of the Senate is a compassionate person. People who address themselves solely to this problem, to the point where it looks like the biggest thing in the world, sometimes overlook the fact that some other people are entitled to compassion and understanding.

So far as the Senator from Florida is concerned, he thinks he has compassion for those who produce in the sunshine and the rain, with the investment of their whole fortune. The problem involves a matter of working out a reasonable, compassionate settlement for all concerned.

That is what we tried to do in 1951, and are still trying to do.

The distinguished Secretary of Labor has been lost in compassion for those who are unemployed in this country to the extent that he has become so impractical that I cannot imagine a greater degree of impracticability. Anybody who thinks that an unemployed miner in West Virginia or Kentucky or Pennsylvania, let us say, must be a good picker, does not know the facts.

The Senator previously spoke of ladders. We do have 40- and 45-foot ladders. When I used to pick oranges, we had ladders 50 feet long. Very few people want to pick them at that height. Practically no one wants to pick date palms, because there are no limbs, and it is a lonesome task to prune the trees. We do not grow dates in Florida, because the humidity there prevents it. Of course, we grow the trees there, such as the Washington Robusta and the Giant Sabel, which grow as tall as 70 or 75 feet, and it is a rough job going up that high.

Mr. WILLIAMS of New Jersey. I would not take that job for double a Senator's ample salary.

Mr. HOLLAND. The Senator is very candid, and I think he is on good ground. If he is like me, he wants to keep on the ground.

Mr. WILLIAMS of New Jersey. Both feet on the ground.

Mr. HOLLAND. Yes. We are trying to be compassionate. It is in that field that the Secretary of Labor has failed to serve the needs that so greatly need to be served. If they are not served, a greater disaster is going to be worked upon the whole economy, and thousands of good people who are engaged in this endeavor.

Mr. WILLIAMS of New Jersey. British West Indian workers and Mexican nationals can be certified under the law, if there are no Americans available for the work.

Mr. HOLLAND. I believe the language is, "if there is no adverse effect on American workers." Whatever the law is, we have always observed it. We have maintained it by going as far as the State represented by the distinguished Senator from New Jersey. Workers were brought down by the truckload from Philadelphia and Scranton. They did not stay long. They either were not able to do the work or did not want to do it. Perhaps they wanted a trip to Florida; I do not know. But they did not stay long.

Mr. WILLIAMS of New Jersey. My files bulge with correspondence dealing with people who have certain talents and who are needed in this country. I have three or four from Chinese food experts in Hong Kong. The people there have jobs waiting for them, but cannot get into this country. Perhaps we ought to make opportunities to enter this country more generally available to people who need jobs, and for whom there are jobs available in our country.

Mr. HOLLAND. If the Senator will yield—I placed in the record at another hearing the fact that there are 1,371 Basque sheepherders in the western part of our country, merely because Americans will not endure the solitude involved in sheep grazing and tending.

I have already mentioned in earlier debate the various other groups we have brought into this country.

If the Senator's wife wanted a seamstress, she would not send for a dishwasher. If the Senator wanted someone to paint his house, he would not ask for a man who operated a grass mower. In order to have cane cut, in order to pick citrus fruit, in order to do the other highly difficult tasks such as celery cutting, we have to find people who can do that work.

I hope the Senator, instead of saying that we have no right to get these people, will agree with me that Public Law 414 continues to give a mandate to the executive branch to help people who, having gone as far as they can, cannot find qualified persons to do the necessary work in the field of agriculture which is required to be done. I believe there is a serious mandate. There was no mandate in the extension of Public Law 78 for 1 year with respect to supplemental labor being brought in. The mandate in the old law was continued, and becomes more impressive, because our efforts to solve the problem in large part by use of Mexican braceros through Public Law 78 had to be terminated because a bare majority in the Senate wanted to terminate it. It was a wonderful sociological experiment. There were 194,000 braceros in the West in the year before that action was taken last year. In addition to those 194,000, there were others who were there under the immigration law, as the Senator well knows.

Mr. WILLIAMS of New Jersey. Mr. President, I believe it was the expressed policy that we would do all we could to improve the job opportunities of the American worker. If we do all we can and sufficient workers are not available, this is the opportunity, under Public Law 414, to import supplemental foreign farm labor.

Mr. HOLLAND. I am so glad that the Senator has made that clear statement. I helped to conduct the hearings last January and February, and have been involved in the various stages of this problem ever since. I have heard at least a dozen witnesses, some of them ministers of the Gospel, some of them labor leaders, state that it was the mandate of Congress, in the action taken in 1963 on Public Law 78, that the Secretary of Labor should not agree to the importation of any more supplemental agricultural labor.

The Senator from New Jersey knows that was not the case, and the statement clearly recognizes that that was not the case. Therefore, I hope very much that there will be an end to that kind of statement. It is for that reason that I documented today in as great detail as I did what had happened throughout the experience gained in this problem since 1951.

What has happened is that Public Law 414 still exists. It is more important now than it was in 1951. It is more important now than it was in 1963 and 1964 when Public Law 78 was coming to an end.

I hope that the Senator from New Jersey, a man of great ability and great compassion, will understand that I am trying to help get the workers who are so sorely needed to keep the producers of agricultural products going, principally products which are highly perishable, of which the Senator knows a great deal.

Mr. WILLIAMS of New Jersey. Mr. President, I do not wish to delay Senators any longer. One of the most enjoyable experiences of my service in the Senate is engaging in colloquy such as I have had today with the Senator from Florida and the Senator from California.

Let me say, that I went to Florida where I observed what seemed to be a true need for offshore workers. I called the Secretary of Labor and made that observation to him.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. WILLIAMS of New Jersey. I witnessed the picking of the strawberry crop. I do not know of any crop more perishable and more hazardous to harvest than strawberries.

I have some findings on the retail price of groceries. It is a statistical report. The hour being late, I shall place it in the RECORD tomorrow.

Mr. HOLLAND. I thank the distinguished Senator. He has been most considerate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 7105) to provide for continuation of authority for regulation of exports, and for other purposes.

The message also announced that the House had agreed to the report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8147) to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 3415. An act to equalize certain penalties in the Intercoastal Shipping Act, 1933;

H.R. 4525. An act to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs;

H.R. 5283. An act to provide for the inclusion of years of service as judge of the District Court for the Territory of Alaska in the computation of years of Federal judicial service for judges of the United States District Court for the District of Alaska;

H.R. 7105. An act to provide for continuation of authority for regulation of exports, and for other purposes; and

H.R. 8147. An act to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. HOLLAND. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate adjourn until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 44 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, July 1, 1965, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 30 (legislative day of June 29), 1965:

U.S. TARIFF COMMISSION

Joseph E. Talbot, of Connecticut, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1971. (Reappointment.)

U.S. TRAVEL SERVICE

John W. Black of Washington, to be the Director of the U.S. Travel Service.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 30 (legislative day of June 29), 1965:

DEPARTMENT OF COMMERCE

LeRoy Collins, of Florida, to be Under Secretary of Commerce.

FEDERAL AVIATION AGENCY

Gen. William F. McKee, U.S. Air Force, retired, of Virginia, to be Administrator of the Federal Aviation Agency.

David D. Thomas, of Virginia, to be Deputy Administrator of the Federal Aviation Agency.

DEPARTMENT OF THE ARMY

Stanley R. Resor, of Connecticut, to be Secretary of the Army.

David E. McGiffert, of the District of Columbia, to be Under Secretary of the Army.

DEPARTMENT OF THE NAVY

Robert H. B. Baldwin, of New Jersey, to be Under Secretary of the Navy.

EXTENSIONS OF REMARKS

Proper and Persuasive Foreign Relations

EXTENSION OF REMARKS

OF

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 1965

Mr. TALCOTT. Mr. Speaker, Gary Player of South Africa, has demonstrated, dramatically, that he is a great golfer—and a great sportsman—and a great man. Even though small in physical stature, he has fought and worked his way to the top in one of the most fiercely competitive and demanding of all individual sports.

Gary Player has always been a gentleman—perhaps the finest attribute a man can possess. He is considerate and understanding of all with whom he comes in contact—his family, friends, competitors, and the citizens of foreign lands.

Few greats of the sports world have provided such a wholesome example for young people—and for other champions, as well.

After winning the recent U.S. Open, and achieving the fabled "grand slam" of golf, Gary Player gave his winnings to an American charity and to promote American junior golfing activities. The amount was substantial in terms of dollars, but these gifts pale in comparison with what Gary Player has given in terms of human understanding.

His approach to the challenges of championship golf should be an inspiration to all young people, everywhere.

Gary Player has said:

> It's no use just asking God to please let you win. You must do something about it yourself * * *. I try to love each course I play. I can't fight each course * * * Golf asks something of a man. It makes one loathe mediocrity. It seems to say, "If you are going to keep company with me, don't embarrass me."

The times cry out for more such men—men of character, men who aspire to greatness, men of the stuff of which heroes are made. Such men succeed by initiative, by developing their God-given abilities through persistence and effort. The life and achievements of Gary Player are worthy of study and emulation by all—and especially the young—who desire to make a positive, genuine contribution to our society.

Advice From General Lee

EXTENSION OF REMARKS

OF

HON. A. WILLIS ROBERTSON

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 30, 1965

Mr. ROBERTSON. Mr. President, I am indebted to the California publication entitled Think for acknowledgment of a reference to the immortal Robert E. Lee, in a recent speech by my good friend and esteemed House colleague, Hon. GEORGE H. MAHON, of Texas.

I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ADVICE FROM GENERAL LEE

> All of us want to share in the material comforts of life; to a point, sharing in the economic abundance appeals to our sense of moral and Christian virtue. But America has no need for a race of young people fitted to the pattern of what someone called prosperous conformity.

National dependence on and worship of wealth comes at the expense of other values and goals. I want to see a nation that continues to produce large numbers of morally alert, upstanding people—citizens not lightly to be stepped on or muzzled, not to be herded about or managed, people who love freedom of choice and opportunity above security and material comforts. At the christening of her baby boy a mother asked the great general, Robert E. Lee, for some wisdom that would help guide her son along the road to manhood. The general's immediate answer was: "Teach him to deny himself."

Where are the fathers and mothers and professors and public officials who are teaching adequately the lessons and virtues of self-denial? We are an undisciplined people. It is too bad that more of us do not follow General Lee's lesson. It is indispensable that the younger generations coming along not cheat the tomorrows by ignoring this maxim.

The Chinese had a proverb for it: "Cut your own wood and it will warm you twice."

Barbara Ann Lynch: Heroine

EXTENSION OF REMARKS

OF

HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 1965

Mr. CAHILL. Mr. Speaker, by an act of Congress the President is authorized each year to award Young American Medals for outstanding bravery and service demonstrated by our young American boys and girls. This year four recipients were named by Attorney General Nicholas deB. Katzenbach and today I had the pleasure of attending the White House ceremony and personally meeting three of these recipients. The award in the other case regrettably was granted posthumously to the parents of the young heroine who died in an effort to save her young brother from a fire.

I was particularly delighted that Barbara Ann Lynch, age 16, of Atco, N.J., a community in the First Congressional District which I have the honor to represent in the House of Representatives, was one of the four recipients. I know that the Members of the Congress will be pleased to learn that Barbara Ann, who was born on August 24, 1948, to Mr. and Mrs. Farrell Joseph Lynch, of Atco, and who is a junior at Camden Catholic High School in Cherry Hill, N.J., truly earned her award by a demonstration of outstanding courage and bravery.

On the morning of November 10, 1963, Barbara, who was then 15, discovered that there was a blaze in the living room of the family's frame home. She awakened her father who then roused his wife and son and all of them safely left the home. Once out on the street, however, Barbara noticed the absence of her 90-year-old grandmother and dashed back into the flaming bedroom for the purpose of rescuing her.

It became immediately apparent to her that it was impossible for her to lead or to carry her grandmother, who was an invalid, out of the home, so she helped the sick woman out of the bed and onto the floor, covered her with a blanket, shut the door and then lay across her grandmother to protect her from the flames.

Barbara's father was prevented from returning because of the intense heat and smoke and as a result, Barbara and her grandmother were overcome by smoke and suffered third degree burns before firemen were able to enter and carry them to safety.

Members of the Atco volunteer fire company were amazed to observe the unselfish devotion and the courageous heroics of such a young girl.

Knowing the Lynch family personally, I was particularly delighted to see the Attorney General and the President single her out of many nominees for this high award.

I know that I speak for all of the citizens of the First Congressional District and, indeed, for all the citizens of the United States when I say to Barbara Ann Lynch, "Well done."

It is demonstration of this type of courage that renews the confidence of all of us in the youth of America. I believe that this entire program is a worthwhile one and I sincerely hope that Congress will in the future increase the number of possible recipients as an encouragement and inspiration to the boys and girls of America.

Once again, I congratulate Barbara Ann and her entire family and wish them many years of good health and God's blessings.

Ozarks Paradise Village

EXTENSION OF REMARKS

OF

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 1965

Mr. HALL. Mr. Speaker, a few weeks ago, it was my good fortune to attend a press conference at Devil's Pool Guest Ranch, located on the eastern banks of Table Rock Lake, a few miles south of Branson, Mo.

It now serves as the heart of a new private club and retirement village complex, to be known as the Ozarks Paradise Club and the Ozarks Paradise Village.

I saw the artist's conception of an ambitious project, which has been the 4-year dream of Mr. Charles S. Glover.

I am well acquainted with the beautiful surroundings of the Shepherd of the Hills Country, made famous by author Harold Bell Wright. The plans for this latest development, as explained to me, include a 600-unit accommodations motel, a dining room seating more than 300 guests, a lounge and entertainment area, capable of handling 200 persons, a summer camp for youth with riding stables, a PGA-approved golf course, and several thousand homesites for permanent homes, apartments, condominium accommodations, or summer cottages.

The President has urged Americans to see the beauty and learn the historical places of America, a suggestion made earlier in this century by Teddy Roosevelt. I know that many will want to include in their itinerary the Missouri Ozarks. Many of the 10 million who are expected to do so this year will want to return again and again to take advantage of the great variety of recreational benefits that are offered. I appreciated the opportunity to become acquainted with this latest development project, and I hope the completion of the Ozarks Paradise Village, though still 2 years away, will be still another addition to the complex of facilities that offer so much to both the vacationer and the retiree in the Table Rock Lake area.

H.R. 7105: The Anti-Arab Boycott Amendment

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 1965

Mr. MULTER. Mr. Speaker, the agreement by this House with the Senate amendment and the passage of H.R. 7105, as amended, marks another great advance in our foreign policy.

Once more Americans hold their heads high and proclaim we will stand for no foreign interference with our free enterprise system. Our antidiscrimination statutes apply not only as between Americans but as between Americans and those abroad with whom they have every right to do business.

Restrictive trade practices and boycotts may have a place between unfriendly nations, but they have no place between friendly nations or between their citizens.

During the course of the debate in the House on this bill, I pointed out that the declaration of policy written into it was mandated to be implemented by the language I proposed and which was adopted.

I am gratified that the correctness of my statement is recognized both by our State Department and by our Commerce Department. More than that, they commit themselves to comply with that declaration of policy and to implement it by rules and regulations.

On June 30, 1965, the Secretary of Commerce, the Honorable John T. Connor, so stated in a letter to the distinguished majority leader of the Senate, the Honorable MIKE MANSFIELD. Senator MANSFIELD has authorized me to place that letter in our RECORD. It is as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., June 30, 1965.

Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD: In extending the Export Control Act, the House approved an amendment which provides that it is the policy of the United States to oppose restrictive trade practices or boycotts by foreign countries against countries friendly to the United States. Further, this amendment declares that it is the policy of the United States to encourage and request domestic concerns to refuse to take any action which has the effect of furthering or supporting such practices or boycotts. To carry out this new policy statement, there is an expressed requirement for the promulgation of rules and regulations.

This proposed amendment to the Export Control Act, contained in H.R. 7105, has been approved by the Senate Committee on Banking and Currency and is now pending before the Senate.

If the Senate approves the bill recommended by the Senate committee, the Department of Commerce will be required to issue rules and regulations within 90 days after the date of enactment.

The Department of Commerce will have the obligation, and will, in fact, request American business firms not to cooperate in restrictive trade practices or boycotts imposed by a foreign country against another foreign country friendly to the United States. I am expressly authorized by the Secretary of State to say that the Department of State would, if H.R. 7105 is enacted into law, take all appropriate steps through diplomatic channels and other means that may be available to the Department in opposing restrictive trade practices or boycotts by foreign countries against a country friendly to the United States.

Further, it is our understanding that an addition that strengthens the bill as passed by the House will be offered on the Senate floor as follows:

Page 5, line 6, before the period at the end of the sentence: "and shall require that all domestic concerns receiving requests for the furnishing of inforamtion or the signing of agreements must report this fact to the Secretary of Commerce for such action as he may deem appropriate to carry out the purposes of section 2(4)."

It is clear that the language of H.R. 7105, with the suggested addition quoted above would require specific action by the executive departments and the executive departments will, of course, follow through on those requirements if this bill is approved by Congress.

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce.

What About Section 14(b)?

EXTENSION OF REMARKS
OF
HON. GEORGE HANSEN
OF IDAHO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 30, 1965

Mr. HANSEN of Idaho. Mr. Speaker, the move to repeal section 14(b) of the Taft-Hartley Act is a most controversial issue, involving as it does the question of whether or not union membership shall be made compulsory across the Nation. It is my belief that compulsory unionism is not a right—it is a privilege which is currently granted to unions by a majority of the States. I intend to support either the retention of this specific section or other legislation which will protect the rights of the worker, the union, and the State.

The 10th amendment to the Federal Constitution—the last portion of the so-called Bill of Rights—very simply states:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

Clearly, although the intent of the 10th amendment has been eroded over the years by actions of all three branches of our Federal Government, this amendment spells out the fundamental principle of the sovereignty of the several States. It enables the States to enact legislation best suited to that State's needs, provided such laws are not in conflict with the Constitution or with Federal statutes. And it also limits Federal jurisdiction to certain, specified areas.

The Taft-Hartley Act of 1947 is unique among legislative enactments of the Federal Congress in that it clearly restates the principle of the 10th amendment. Section 14(b) of the Taft-Hartley states:

> Nothing in this act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or territory—

And I emphasize—

> in which such execution or application is prohibited by State or territorial law.

Speaking in the U.S. Senate on June 6, 1947, the late Senator Robert Taft, coauthor of the act, explained the purpose of section 14(b):

> Many States have enacted laws or adopted constitutional provisions to make all forms of compulsory unionism illegal. It is not the intent of Congress to deprive the States of that power.

The right of States to prohibit compulsory union membership has been challenged repeatedly, but that right has been upheld consistently by the judiciary—including the U.S. Supreme Court.

Nineteen States have laws prohibiting compulsory unionism—laws which repeal of section 14(b) would wipe off the books. Proponents of repeal would scream to the high heavens if Congress attempted to pass legislation forcing the other 31 States under right to work laws. These advocates of repeal would invoke States rights—which they deny here—and attempt to use the Constitution and all other arguments they could muster to uphold the 31 States—yet they would deny this same protection to the 19 States that have right-to-work laws.

No name in the history of the American labor movement is more revered than that of Samuel Gompers, whose sincere concern and efforts for the welfare of the worker caused him to become the father of unionism in this country, and to gain renown as one of our greatest humanitarians.

But now those who enjoy positions of leadership in the great movement he founded disregard his advice and concern for the worker, and, apparently, there are even certain forces determined to expunge some of his statements from the record.

At page 132 of the 1925 edition of Gomper's autobiography he wrote:

> I want to urge devotion to the fundamentals of human liberty, the principle of voluntarism. No lasting gain has ever come from compulsion. If we seek to force, we but tear apart that, which, united, is invincible. * * * No man shall be deprived of livelihood for his family because of employment conditional upon membership in any union.

These statements by Gompers were completely deleted in the 1957 edition of the same book.

Section 14(b) is the greatest protection of basic rights that a worker has. In States having right-to-work laws the union leaders are, of necessity, more responsive to the desires of the union membership. They must make their unions attractive in order to gain and hold membership. The same holds true in a non-right-to-work State which could enact such a law should labor abuses create an intolerable situation.

Again, I believe grave constitutional questions would be raised by repeal of 14(b) as previously listed in the instance of the 10th amendment. In addition the first amendment, among other things, guarantees to every American the right to freedom of speech and freedom of assembly. In compulsory unionism neither can be guaranteed. In this connection, I believe it is extremely interesting to note that the Charter of the United Nations, to which the United States and top labor leaders have ascribed, also upholds the "right to freedom of peaceful assembly and association." Those words are contained in section 1, article XX, of the charter. Section 2 of article XX states:

> No one may be compelled to belong to an association.

On December 10, 1918, speaking before the Council of Foreign Relations, Samuel Gompers said:

> There may be here and there a worker who for certain reasons unexplainable to us does not join a union of labor. This is his right no matter how morally wrong he may be. It is his legal right and no one can or dare question his exercise of that legal right.

I have received communications from a number of individuals and religious groups protesting the move to compel union membership. Some are in opposition because of the deprivation of the freedom to choose, others because personal convictions prevent their joining a labor union at all; a situation that would force many to seek another means of livelihood. We recognize the right of the conscientious objector in our military service—surely, we can do no less in the matter of whether or not to join a union.

It is indeed ironic that a significant number of the proponents of repeal of 14(b) are extremely active in the civil rights field, demanding the expansion of certain rights to all while at the same time refusing to recognize the right to be gainfully employed and to support one's family, which is the highest civil right of all. The repeal of 14(b) is equal to the imposition of involuntary servitude which is prohibited by the 13th amendment to the U.S. Constitution.

The Honorable James F. Byrnes, former Supreme Court Justice, Secretary of State, and Governor once said:

> A workingman must have the right to join a labor union. It is equally important that a worker have the right to refuse to join

a union and no government or union should have the right to force him to join in order to get a job.

My position is not antiunion, it is pro-Constitution. The workingman mus tbe protected. We cannot—we must not—allow the basic rights guaranteed to each and every American under that Constitution to be destroyed.

Every Man Should Have His Say

EXTENSION OF REMARKS
OF
HON. CHARLES E. GOODELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 30, 1965

Mr. GOODELL. Mr. Speaker, under leave to extend my remarks in the Record, I include the following address given by the gentlewoman from Washington, the Honorable Catherine May, before the 1965 Annual Convention of the Maryland-District of Columbia-Delaware Broadcasters Association held on June 17–19, 1965.

I know the membership is aware of the range of Representative May's many interests and the meticulous manner in which she documents her case. Her presentation is an excellent one and deserves the attention of the entire membership:

ADDRESS OF HON. CATHERINE MAY, CONGRESSWOMAN FROM THE STATE OF WASHINGTON

A year ago this month I had the pleasure of attending your convention in this city, and to find myself once again a guest and participant at your convention is indeed a great pleasure. For one thing, the goal of every politician is a return engagement; (2) you pick such nice places for your conventions (usually I get asked to speak in one of the Canadian border communities in midwinter); (3) as you know, I have a kinship in my career background with the broadcasting industry which means that I once again have this opportunity to see if we can't cement our working relationships, i.e., with myself representing Congress and you, as members of a vitally important industry in the private sector.

Last year you may remember that my talk then dealt with the theme of the constant struggle between business and Government over who is going to control our national economy—and thence the welfare and freedom of all of us. At that time I said and I quote myself, "some of you are worried about where the yellow went—more of you had better be concerned about where the freedom went." Well, 1 year later, the teeth may be getting whiter, but the light of freedom is not burning any brighter.

Since I last spoke in your interest area, a rather violent political upheaval has shaken our country from coast to coast. As a result of that political upheaval I stand before you today as a member of the "Whooping Crane Society," i.e., a survivor Republican. And, as such, I feel compelled to admit honestly that there are growing indications that the Republican Party may not be as dominant today in the Nation's affairs as it was in the heyday of Lincoln, Teddy Roosevelt, and Dwight D. Eisenhower.

This last year we made a major blunder. We transgressed a political axiom, never ask a question in public unless you know in advance what the answer will be.

We Republicans asked our countrymen, "Why not victory?"

The answer came roaring back, "You're short 16 million votes, that's why not victory."

So, let there be no mistake about it—I stand before you today minus a union card in the Great Society. In addition, I humbly confess I may never qualify for membership because I am having so much difficulty understanding some of the messages that are being sent up to us on Capitol Hill by major spokesmen for the Great Society. As I am sure you know, they are telling us that America is a paradise lost, to be federally regained. Within the context of one public statement we are told that American people are poverty ridden, ignorant, pressed into slums, our water poisoned, our food contaminated, our cosmetics defiled, and our air and air waves polluted. But, at the same time, thank goodness, in only 4 enlightened years we have become the richest, strongest, best educated, and healthiest people in all the world. Obviously, this means we must embark upon a realistic and businesslike program—in short, frugally extravagant and cautiously bold—for only through liberal conservatism can we ever achieve chronic deficits that are fiscally sound.

In addition to being very busy trying to understand the "blueprint for the grand design," I have (since the calamitous day of November 3) also been much involved with the "saga of good fellowship" that has been going on in the Republican Party as we immediately began, in traditional Republican style, to close our ranks and build party unity. You know, those fellows who say the Republican Party is dead and gone just haven't been listening to your news broadcasts. We Republicans haven't had such fun since the cadets at The Citadel in Charleston lofted the first shells into Fort Sumter 103 years ago.

Never has so small a party so greatly bled.

Clearly we Republicans are vital and strong—so much so, to paraphrase Thomas Jefferson, we are drenching the tree of liberty with the blood of our own patriots.

And now, quickly before you think I am trying to make a partisan speech here today, I am going to bring in mention of the Democrats. Maybe we Republicans do have a little family spat now and then. But, really, this is nothing as compared to our political competitors who wear the brand "L.B.J." I think the Democrats are detecting symptoms of fraticide in their own party. With Lyndon to the right of them, Hubert to the left of them into the valley of 1968 will charge Bobby and Teddy.

But, seriously, why am I rehashing the story of last November's election? Mainly because it had so many tragic implications for the political future of this Nation. Please believe me, I do not say this as a partisan Republican. Rather, I say it as a citizen very partisan to the cause of freedom.

We all recognize that there is nothing in our Constitution that ordains or mandates that we have to run our Government through two great political parties. But, almost from the start our Nation made such a choice because by so doing we avoided the chaos of multigovernment, we avoided the loss of freedom of the single party, and we built into our Government an additional set of checks and balances. As both Democrats and Republicans alike realize not only does a strong second party provide the electorate with legislative alternatives but with a remarkable high level of frankness and honesty also. But, today, to all intents and purposes, we have no viable minority party in America. You all know the statistics of the 2-to-1 and sometimes 3-to-1 odds of the Republicans versus the Democrats in the U.S. Congress, among the Governors and in our State legislatures. This statistical minority translates itself into serious implications for the supposed constitutional separation of the two branches of government. Today the executive branch is a literal powerhouse of strength—the President has virtually unlimited resources for working his will. A veritable army of experts, authorities, researchers, propagandists and the like.

The President "is also kingpin of a branch of government that employs 2½ million civilians and controls the destinies of 2,600,000 military personnel. These two groups have a payroll cost totalling $26 billion and together they will spend over 127 billion tax dollars for fiscal 1966."

I am sure that the most uninformed American citizen once given these facts will see how easily this awesome power and vast apparatus, if ever used improperly, could mean the withering away and eventually the death of the two-party system, and I can't believe that there is any responsible American citizen today who would like to defend a one-party system in this Nation. And I am darned sure there is no member of your industry who doesn't understand the important co-relationship between the survival of the two-party system and the survival of free press and freedom of speech.

Now, the first priority of responsibility to rebuild a viable Republican minority rests upon us who are the survivors from last November's shambles. Our leadership has pledged to all the people of this country that because we are not chained to the proposals of the Executive, we are free to fight for the right of all Members of Congress, both Democrat and Republican, to speak out for his convictions and the good of his constituents, against the awesome power of the Executive machine. And, when we do speak out as a minority, I want to make it very clear that we do so to shock the conscience, not just the partisan calculations, of the majority. We have been, and will continue to come up with a constructive alternative where there is a need for one and it will be devised as our way of saying that there are better ways for Americans to do things. We know our party has goals and programs and promises for the America we want to build and for the Americans who must do that building. We believe that the numerical minority of this Congress can still speak with the voice of a moral majority.

We may not win (and we haven't been winning) rollcall votes—but we can win for America that all-important second look that may save us from blindly accepting a Great Society that might be just another great mistake, just another scheme, just another great debt—accepted without due consideration. But, obviously we cannot do this unless we have the help of open communication lines to the American people through the medium of the press.

Not many weeks ago I was a very interested bystander at a very unusual meeting. Members of the working press gave a special dinner for some Republican Congressmen of their State and it was a first in history for that area. Those who were in attendance from the communications media of the States they represented all stated quite openly that they were active, voting, registered Democrats. But, as one of the newsmen explained to me, "We have been having some rather gloomy second thoughts about the state of the Nation since the last election, particularly in regard to your party. We really only intended to wound the beast, not kill him." Frankly, I gathered from the tone of the meeting and the press conference that these gentlemen had seen the handwriting on the wall concerning freedom of communications when the Government is in the hands of such a huge majority. (In all honesty, I think they were saying that they wanted to help us build the strength of the minority party as long as we stayed just short of becoming a majority party.) I wish I could say that these overtures of friendship from the communication media were becoming generally noticeable. However, our latest studies on this matter have not been very reassuring. I have in my office a report that shows some interesting facts that I would like to share with you today. The report, in essence, shows that if the trends continue, Republicans on television will be as scarce as hen's teeth as the voice of the Great Society is heard in the land. (By the way, my teenage daughter who is with me at this convention, told me this morning that she thinks you fellows ought to be allowed to broadcast a few regular programs between Johnson speeches.)

But, back to this report—did you realize that as of the first of May, CBS has not presented one single Republican on a public affairs program in 1965? It is true, of course that since that time, as the summer reruns create a dwindling audience, there have been a couple of Republican appearances. Still it is difficult for me to believe that no Republican had anything worthwhile to contribute to "Face the Nation" until Senator JOHN J. WILLIAMS was a guest May 30.

And, just so CBS won't accuse me of picking on them, the record of the National Broadcasting Co.—as of May 1, the "Today Show" had introduced many potitical guests to its viewing audience, but less than 20 percent of them were speaking for the Republican Party. Why, Barry Goldwater had a higher percentage than that in Johnson City, Tex. And, for those who delight in picturing the Republican Party as a group of tired old men, may I say that any Republican who starts each morning with the "Today Show" and the Washington Post gets grey in a hurry. On "Meet the Press," in the first 5 months of this year, only three Republicans crossed Lawrence Spivak's path. And the last time a member of my party was seen on the American Broadcasting Co.'s "Issues and Answers" the calendar read February 21.

Now, since the election a number of proposals have been made to assure that presidential candidates in future years will have a chance to meet face to face in debate. Most noticeable of the proposals came from former chairman of the FCC, Mr. Minow, who requested that networks be released from equal time provisions and that instead they be required to make available 4 hours of prime free time to each of the major political parties the month preceding election day. I think that if something like this is done, the month before election will be in excellent hands. But, as you can see, it is the 47 months that follow an election about which I am concerned. This is not a sour grapes comment. It is a very sincere plea that your industry which prides itself on high standards, which has often been the model of self-regulation, to hear the implication in these words. It would certainly be ironic if it were the Republicans, traditionally opposed to Federal intrusion into any part of the private sector, who should take steps which would make the "Fairness Doctrine" a stiff legislative reality. At the present time, the only enforcement of the doctrine occurs when a station's license is up for renewal. But, you know and I know who appoints the members of the FCC—and, when was the last time you heard of anyone losing their license for mistreating a Republican.

Finding a solution that will satisfy all parties concerned is not going to come easily, of course, but if the broadcasting industry is willing to admit that a problem does exist, then perhaps we are already fitting the last pieces into the puzzle.

I can think of a dozen reasons why the British rules of governing political broadcasting won't work here in the United States, but I think it is rather significant that during the first quarter of 1965, BBC presented 70 speakers from the Labor Party, 70 from the Conservative Party and 14 liberals. Latest polls taken to see if the people feel that British broadcasting is really impartial came up with affirmative responses that ranged from 66 to 85 percent. By contrast, the results of a nationwide poll conducted by Harold Stern and Jack Boyle were carried in the Washington Star on May 24. It found that only 38 percent approved of the content of news broadcasting, while 54 percent found them unsatisfactory. News was attacked as slanted, nonfactual, and lacking adequate expression of conflicting viewpoints.

And, by the way, in view of all these above statistics, it may come as a surprise to you that I am still an ardent voice in the vast congressional wilderness in favor of allowing radio and television editorializing. And, this is because I still have great faith that your industry is going to have the maturity and the responsibiliy to work out its problems in this field, not only because you are inspired by the ever-present threat of Federal regulation, but because you know that unless we protect the independence of our communications media we open up additional opportunities for the management of news by the State.

You have many good friends in Congress on both side of the aisle. One very good friend, Congressman WALTER ROGERS, had hoped to be with you at this meeting, but as you know, he had a conflicting engagement. However, I did talk to Congressman ROGERS before I left about the several bills pending in Congress that you have discussed in your panel this morning. For one thing, he asked me to tell you that extensive hearings on the "Fairness Doctrine" will quite probably start sometime in early August. In our conversation, we reaffirmed our mutual belief that the airwaves should be policed only to avoid chaos. We want to avoid attempts at roundabout censorship by the Federal Government and will do all we can to keep communications-controlled decisions in Congress because this is the best way to serve public interest in that we are the elected representatives of the public.

We are anxious to work out the problems of CATV, of the "fairness doctrine" and other matters without setting foot-in-the-door precedents for Government control of program content, but unless you in your industry meet your responsibilities you dull the weapons of your congressional friends who must fight on the frontlines against pressures from people who don't understand the basic law.

In conclusion, may I ask your indulgence in allowing me to rewrite my prescription of advice that I gave last year:

1. Wherever you can in your industry, root out the problems, correct them, and prevent their recurrence. This is the best possible way to keep your enterprises free of public criticisms, unwarranted restraints and justification for the use of the Federal shillelagh.

2. Remember how disheartening and confusing it is to your friends in public life when the broadcasting industry comes to us with a babble of conflicting voices. I understand how difficult it is to achieve harmony on some issues that cut across a great complex of differing interests—but, again, where and when you can, strive for unity on the overriding issues. For only then can your views become clearly comprehended by people in Government; only then can your combined power and influence be brought fully to bear. And, finally, do your best, your very best, all the time to pinpoint the areas that invite criticism, and then move with a kind of boldness and decisiveness you have so commendably demonstrated in creating the ever-improving world of the broadcasting industry.

Thomas Jefferson wrote in 1801, "In every country where man is free to think and to speak, differences of opinion will arise from differences of perception, and the imperfection of reason; but these differences when permitted, as in this happy country, to purify themselves by free discussion, are but as passing clouds overspreading our land transiently and leaving our horizon more bright and serene." Some things never really change—ideas mainly. Even in Jefferson's time, success (and freedom) demanded responsibility, and responsibility required maturity. Through your wonderful industry every idea can be judged upon its own merit and every man should have his say. I thank you for having let me have mine.

SENATE

THURSDAY, JULY 1, 1965

The Senate met at 10 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of all grace, the author of liberty: We pray that Thou wilt enable with the strength of Thy might those who in these fear-haunted times are here entrusted with the stewardship of the Nation's life.

It is our honor to belong to the company of all those who in the yesterdays condemned oppression and fought the good fight for freedom. In the present, while the tempest still is high, we feel our kinship with those who, across all frontiers and borders, and despising all shackles of the mind, however imposed, strive to enthrone the brotherhood of man under the fatherhood of God.

Before turning now to waiting tasks, we pause for Thy benediction. We are grateful for a heritage worth living for and dying for, and for a deathless cause that no weapon that has been formed can ever finally defeat.

In the Redeemer's name, we pray. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 30, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on June 30, 1965, the President had approved and signed the act (S. 1796) to amend the Small Business Act to provide additional assistance for disaster victims.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to consider executive business.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

U.S. PATENT OFFICE

The Chief Clerk read the nomination of Arthur H. Behrens, of Washington, to be an examiner in chief, U.S. Patent Office.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

A MONTANA GIRL LIVES AS A MEMBER OF A FRENCH FAMILY

Mr. MANSFIELD. Mr. President, a Montana girl, Thora Hanson, of Miles City, has recently spent a most enjoyable year living with a French family and going to a French university.

I ask unanimous consent that I may have printed in the RECORD an Associated Press story from Paris published in the Washington Evening Star for June 25, 1965, which gives a résumé of the type of activity in which she was engaged, and which, I believe, would furnish a good example for other students who go to Europe, who want to be good ambassadors, good neighbors, and really understand the countries in which they happen to be located.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"AU PAIR" GIVES U.S. GIRL YEAR OF THE REAL PARIS

PARIS.—For any girl who dreams of living a year or so in Paris, a Montana high graduate offers this advice: Join a French family under the time-honored "au pair" system.

"Au pair" means literally "as equals," and in practice means a foreign girl lives as a member of a French family—with room, board and pocket money—in return for a few hours' work per day.

"It's really a fun experience," says Thora Hanson, 18, of Miles City.

Miss Hanson has been an "au pair" girl most of the year, following a custom popularized by European lassies.

CULTURAL ADVANTAGES

Besides giving them the best possible opportunity to learn the language, the system also provides a cultural experience that may otherwise remain out of reach financially.

In the family of a doctor in the upper middle class 16th Arrondissement (ward), Miss Hanson's typical day starts at 6 a.m. so she can attend early language classes at the Sorbonne. She comes home and meets two of the three children when their school is out at 11:30 a.m. The doctor's wife prepares lunch, Miss Hanson readies the children, makes the salad, and washes the dishes.

She has an hour or so to herself during the children's naps, then takes them for a walk in the park and prepares them an afternoon snack. Sometimes the mother takes the children out, and Miss Hanson runs the old-fashioned washing machine instead. Later she gives the children supper and puts them to bed, much as a big sister would do in a large family.

SEVEN HOURS DAILY AT MOST

"Au pair" duties often include some shopping, vacuuming, and scrubbing of the kitchen floor after dinner. Miss Hanson also answers the door to admit the doctor's patients. It is decreed by law, however, that a girl's duties must not exceed 7 hours a day, mealtime included. She also is supposed to have enough free time for language studies, and a minimum of 150 francs ($30) a month spending money.

Miss Hanson has three or four evenings free each week, plus a full day. She often sees old friends from Montana—her sister and two other Miles City girls worked "au pair" through much of the year.

Some girls are overworked and undernourished, however. The key is in finding the right family, says Miss Hanson. She interviewed about five before taking her last job, and the careful choice has paid off. "Madame confides in me," she says, "and even the 10-year-old corrects my French."

CAN SWITCH FAMILIES

If it turns out the girl dislikes the family, she is free to seek another. The Sorbonne and Alliance Francaise, a less academic language school, both have placement services. So do several agencies. In general, the demand for girls exceeds the supply.

This kind of work sounds unusual for an American girl and, indeed, said Miss Hanson, "My family at first didn't want an American girl, and many of them don't. They have a bad opinion of American girls."

But, she added, once American girls undertake "au pair" jobs, "it does them a lot of good."

SELECT COMMITTEE ON ETHICS

Mr. MANSFIELD. Mr. President, the Senate, by resolution, called for the establishment of a Select Committee on Ethics on July 24, 1964. That was toward the end of the last session. An election of a new Congress was imminent. And the Rules Committee which had been designated, along with its many other duties, to inquire into the question had not yet been discharged from its responsibilities by the Senate. Moreover, even after the passage of Senate Resolution 338, there was still talk of referring the ethics question to the Government Operations Committee. In light of considerations such as these, the leadership on both sides came to the conclusion that it would be best to withhold recommendations with respect to the constitution of the Committee on Ethics until the new Congress was convened.

Early this year, the leadership conferred on the matter again. Recommendations with respect to the constitution of the Select Committee on Ethics were prepared for submission to the Presiding Officer. At that point the joint leadership was proceeding on the assumption that the Rules Committee would soon complete its work on the Baker question and make a final report. However, new questions were opened at about that time on the floor of the Senate which were pertinent to the inquiry of the Rules Committee. So, again, the leadership withheld its recommendations with respect to the constitution of the Select Committee on Ethics

On yesterday, however, the Rules Committee did make a final report on the Baker matter. And this morning the leadership gave to the Presiding Officer its recommendations with respect to the Select Committee on Ethics, I may say that these recommendations are contained in a memorandum dated March 4, 1965. It was on that date that they were actually readied for presentation but they were held in abeyance pending the completion of the work of the Rules Committee.

I make these remarks, Mr. President, solely for the RECORD. There have been reports in the press to the effect that the leadership was evading or avoiding this matter. That was an incorrect inference but an understandable one in view of the way in which the situation developed and in view of the leadership's determination not to act until it felt the time was appropriate to act.

The reasons for the delay on the part of the joint leadership in responding to Senate Resolution 338 were as I have just stated. It was the judgment of the leadership—right or wrong—that this new Committee on Ethics would be in a better position to discharge its great and continuing responsibilities, if it did not begin its work until after the Rules Committee had completed the task which had been assigned to it by the Senate.

The leadership regards this new committee's functions as of the highest importance, involving a most delicate area of government, where the rights of individuals are interwoven with the special responsibilities of public officials. Its establishment is, in a sense, a pioneer effort because, so far as I am aware there is no group of comparable importance in any of the other branches of the Federal Government.

It seemed to the leadership, therefore, that every effort should be made—even at the price of personal criticism—to guard its silence and await an appropriate moment to the end that the group might get off on the right foot, so to speak. I hope that the judgment which was made to postpone, until now, the establishment of this committee was a correct one. But in any event, it is one for which the leadership accepts full responsibility. The Senators who have been recommended to the Chair would bring to this committee the highest degree of integrity and discretion. I have every confidence that they would work together judiciously and without partisanship with respect for the rights of individuals who compose the Senate and its staff as well as with a deep dedication to the rights of the public and to the good name of this institution.

Mr. KUCHEL. Mr. President, I rise merely to pay tribute to the distinguished Senator from Kentucky [Mr. Cooper], for it was the Senator from Kentucky who offered to the Senate his proposal that a Select Committee on Ethics be established. I well remember the day when that subject was debated. I remember that many Senators opposed the proposal of the Senator from Kentucky [Mr. Cooper]. I am glad that the resolution was adopted, and speaking for the minority, I am glad today that the majority leader, representing the views of the leadership in both parties, has made the statement that he has, and has sent recommendations to the President of the Senate.

CONGRATULATIONS TO CANADA ON HER 98TH BIRTHDAY

Mr. AIKEN. Mr. President, on July 1, 1867, Canada became a nation. Therefore, it seems fitting at this time to extend congratulations to our neighbor on her 98th birthday.

I must say that Canada does not act at all like a 98-year-old lady but seems to be more like an attractive growing girl—and while we are congratulating Canada on her birthday, we should also congratulate ourselves upon having such a good neighbor.

At this time I ask consent to have printed in the Record an editorial appearing in this morning's Washington Post, entitled "Happy Birthday, Neighbor."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Happy Birthday, Neighbor

On July 1, 1867, the British North America Act united the provinces which now form the Dominion of Canada. Today, on Canada's 98th birthday, is a good occasion for the United States to voice its congratulations and acknowledge its good fortune in its northern neighbor.

Not only are the two nations' birthdays near, so are the two peoples. Canadian English is indistinguishable from American English. The two peoples share the same pioneering gusto, the same delight in wide-open space. The unpoliced mutual frontier—and it is a long one—is a model for neighborly coexistence.

Since the United States is greater in numbered years, in population, and in developed resources, there long has been a tendency to just assume that nice northernly neighbor is up there without thinking much more of it.

The Canadians, like any people proud of their sovereignty, don't like being taken for granted and don't relish being condemned to living in the U.S. shadow.

Economically, when the domestic pressures build up, they have had to assert their bargaining rights with the United States. Politically, they have felt impelled to remind their big neighbor that while they are in basic agreement on international problems, they are not the U.S. yes-man.

When they are gifted with outstanding statesmen, as is the case with the current Prime Minister, Lester Pearson, Canada is able to take soundings in such ticklish areas as Vietnam and help this country in its quest for a someday solution to its southeast Asian troubles.

All in all, it's good to be reminded of that friendly, soft-spoken northern neighbor. Congratulations on your birthday, Canada, and may you have many more.

Mr. MANSFIELD. Mr. President, I am delighted to join with the distinguished senior Senator from Vermont [Mr. Aiken], the senior Republican in this body and the chairman of the U.S. Senate delegation to the Canadian-United States Interparliamentary Meetings since the beginning. Senator Aiken has done much to foster continued good relations between Canada and the United States, to bring about a better understanding of that which keeps us together and that which at times brings about differences between us. I am honored to join him in expressing our best wishes and congratulations to Canada on this, its 98th birthday and to wish for Canada many, many, many more happy anniversaries in the years ahead. From one good neighbor to another we say, "Good luck, and God bless you."

ENROLLED BILLS SIGNED DURING ADJOURNMENT

The VICE PRESIDENT announced that on Wednesday, June 30, 1965, he had signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H.R. 3415. An act to equalize certain penalties in the Intercoastal Shipping Act, 1933;

H.R. 4493. An act to continue until the close of June 30, 1967, the existing suspension of duties for metal scrap;

H.R. 4525. An act to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs;

H.R. 5283. An act to provide for the inclusion of years of service as judge of the District Court for the Territory of Alaska in the computation of years of Federal judicial service for judges of the U.S. District Court for the District of Alaska;

H.R. 7105. An act to provide for continuation of authority for regulation of exports, and for other purposes;

H.R. 8131. An act to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961; and

H.R. 8147. An act to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report of Export-Import Bank of Washington on Guarantee in Connection With Certain Sale

A letter from the Assistant Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that that Bank had issued a guarantee in connection with a contract of sale in the amount of $39,501, covering the export of three bevel gear manufacturing machines to Yugoslavia; to the Committee on Appropriations.

Report on Department of Defense Procurement From Small and Other Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement from small and other firms, for the period July 1964–April 1964 (with an accompanying report); to the Committee on Banking and Currency.

Proposed Legislation Relating to District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to prescribe stipends to be paid patients and residents employed in institutions of or under programs sponsored by the Government of the District of Columbia as an aid to their rehabilitation or for training purposes (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the District of Columbia to advance funds to the National Park Service and the National Zoological Park (with an accompanying paper); to the Committee on the District of Columbia.

Amendment of Section 1011 of United States Information and Educational Exchange Act of 1948

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting a draft of proposed legislation to amend further section 1011 of the United States Information and Educational Exchange Act of 1948, as amended (with accompanying papers); to the Committee on Foreign Relations.

Report on Equipment Titled in Nonprofit Educational Institutions and Other Nonprofit Organizations

A letter from the General Manager, U.S. Atomic Energy Commission, Washington, D.C., transmitting, pursuant to law, a report on equipment titled in nonprofit educational institutions and other nonprofit organizations, for the calendar year 1964 (with an accompanying report); to the Committee on Government Operations.

Retirement of Comptroller General of the United States

A letter from the Comptroller General of the United States, announcing his retirement for physical disability, as of July 31, 1965; to the Committee on Government Operations.

Reports of Comptroller General

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a secret report on ineffective and inefficient administration of the training of foreign personnel under the military assistance program for Greece (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on audit of Southeastern Power System and related activities, fiscal years 1961, 1962, and 1963, Corps of Engineers (Civil Functions), Department of the Army and Southeastern Power Administration, Department of the Interior, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on erroneous dislocation allowance payments to military personnel who moved their house trailers at Government expense, Department of Defense, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

Admission Into the United States of a Certain Defector Alien

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order entered granting admission into the United States of Andor Bors, a defector alien (with an accompanying paper); to the Committee on the Judiciary.

Suspension of Deportation of Certain Aliens—Withdrawal of Names

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the names of Yee Min Yow, also known as Gin Shew Ngin, and Isabel Correa de Soto, from reports relating to suspension of deportation, transmitted to the Senate on February 1, 1965, and August 1, 1964, respectively, on account of their deaths; to the Committee on the Judiciary.

Financial Statements of Pacific Tropical Botanical Garden

A letter from the General Counsel, Pacific Tropical Botanical Garden, transmitting, pursuant to law, financial statements of that organization, for the period August 19, 1964 to December 31, 1964 (with an accompanying report); to the Committee on the Judiciary.

Report on the Older American Worker, Age Discrimination in Employment

A letter from the Secretary of Labor, transmitting, pursuant to law, a report on the older American worker, discrimination in employment, dated June 1964 (with an accompanying report); to the Committee on Labor and Public Welfare.

Interim Report of Franklin Delano Roosevelt Memorial Commission

A letter from the Chairman, Franklin Delano Roosevelt Memorial Commission, Washington, D.C., transmitting, pursuant to law, the ninth interim report of that Commission, dated June 16, 1965 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the General Assembly of the State of Connecticut; to the Committee on the Judiciary:

"House Joint Resolution 16

"Resolution memorializing the Congress of the United States to incorporate or charter the Italian American War Veterans of the United States, Inc.

"*Resolved,* That the General Assembly of the State of Connecticut hereby respectfully urges the Congress of the United States to enact appropriate legislation to incorporate or charter the organization known as the Italian American War Veterans of the United States, Inc.; and be it further

"*Resolved,* That the clerks of the house and senate transmit copies of this resolution to the Presiding Officer and Clerk of each House of the Congress of the United States, and to each Member thereof from the State of Connecticut.

"David Gil Proctor,
"*Clerk of the Senate.*
"John L. Gerardo,
"*Clerk of the House.*"

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"Senate Joint Resolution 42

"Joint resolution relative to continuing the U.S. rice research program

"Whereas it has come to the attention of the legislature that Federal financial support of rice research is to be discontinued; and

"Whereas the support of the research facilities at Albany, Calif., and New Orleans, La., has cost comparatively little and has been supplemented to a substantial degree by funds contributed by the rice growers; and

"Whereas the research carried on under this program has resulted in important accomplishments ranging from new rice products for domestic markets to detailed studies on such basic operations as drying and milling and has also resulted in approximately 65 technical publications and reports and 12 patents; and

"Whereas the value to the industry resulting from the adoption of these developments has been estimated at many millions of dollars; and

"Whereas these developments have had a stabilizing influence on the rice industry and thereby on the U.S. economy: Now, therefore, be it

"*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to restore and continue the financial support of the rice research program; and be it further

"*Resolved,* That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Commerce:

"Senate Joint Resolution 46

"Joint resolution relative to the California fishing industry

"Whereas the California commercial fishing industry has historically provided a significant annual contribution to the State's economy; and

"Whereas the value of commercial fish landings in 1963 exceeded $60 million in direct payments to California fishermen; and

"Whereas the actual benefit to the State's economy is estimated to be 3 to 5 times as great as the amount paid directly to the fishermen; and

"Whereas the value of the 1963 commercial fish landings were the lowest since 1946 and the total weight of such landings the lowest in the last 23 years; and

"Whereas the annual landings of commercially valuable fish have been steadily decreasing over the past 2 decades; and

"Whereas among the world's nations the relative position of the United States as a fish-producing nation has declined from second in 1948 to fifth in 1963; and

"Whereas since World War II the U.S. Government has given more than $100 million in aid to foreign fisheries which are in direct competition with the American fishing industry; and

"Whereas imported fish and fish products have increased from 20 percent of the U.S. market in 1949 to where they comprised 58 percent of the U.S. market in 1963; and

"Whereas many countries in recognition of the importance of developing their fishing industries have established substantial fishery aid programs; and

"Whereas there is pending in the Congress of the United States legislation designed to assist the American commercial fishing industry through fisheries loans and through an expanded marine research program: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Congress of the United States is requested to enact legislation which will assist the American commercial fishing industry; and be it further

"*Resolved,* That the secretary of the senate is directed to forward copies of this resolution to the President and Vice President of the United States, to the Secretary of Commerce and the Secretary of the Interior, to the Speaker of the House of Representatives, to the chairman of the Senate Committee on Commerce and the chairman of the House Committee on Merchant Marine and Fisheries, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"Senate Joint Resolution 34

"Joint resolution relating to the income earned by youths of families receiving assistance under the aid to families with dependent children program

"Whereas the basic purpose of the aid to families with dependent children program is to assist children deprived of parental support and to enable these children to grow into self-supporting, independent, and responsible members of the community; and

"Whereas the purpose is now frustrated by the Federal Social Security Act which requires that the earnings of employed youths receiving aid to families with dependent children either be deducted in computing their aid grants or be retained for future educational, employment, or other needs, thus discouraging them from seeking suitable part-time and summer employment; and

"Whereas modification of this requirement would enable the youths to justly derive some immediate personal benefit from their employment in addition to learning the values of employment, self-support, and independence; and

"Whereas such a modification would also, by assisting needy families to achieve self-support, ease the burden on the taxpayers, who are now compelled to support families who are potentially capable of supporting themselves: Now, therefore, be it,

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Congress of the United States is respectfully memorialized to amend the Social Security Act to exempt 50 percent of the earnings of youths receiving aid to families with dependent children from deductions from aid grants, and to permit them to keep for their own immediate use such exempted income; and be it further

"*Resolved,* That the secretary of the senate is directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, to each Senator and Representative in this State's delegation to the Congress, and to the Secretary of the U.S.

Department of Health, Education, and Welfare."

A joint resolution of the Legislature of the State of California; to the Committee on Foreign Relations:

"Senate Joint Resolution 44

"Joint resolution relative to erecting of an animal-proof fence along the international border

"Whereas, since September 1962, when rabies first appeared in the southern part of Imperial and San Diego Counties and in Mexicali and Tijuana, Baja California, Mexico, there have been many laboratory-identified rabies cases and countless human as well as animal exposures to rabies; and

"Whereas rabies is a virus infection of the brain and spinal cord capable of infecting human and animal population all along the international border; and

"Whereas effective rabies control requires immunization of dogs and the elimination of stray dogs and other rabies-carrying animals; and although there has been an effective program of immunization of dogs in the counties in California adjacent to the border, there is a continuing migration of stray dogs and other animals from Baja California, Mexico; and

"Whereas an uncontrolled rabies epidemic exists in the northern border area of Baja California in Mexico; and the majority of the cases of laboratory-confirmed rabies in Imperial and San Diego Counties and the many rabid dogs which have been captured, examined, and found to be rabid indicate that the rabies problem extends from the Pacific Ocean to the Colorado River; and

"Whereas an animal-proof fence from the Pacific Ocean to the Colorado River along the international boundary would effectively bar the passage of rabid animals into most populous parts of Imperial and San Diego Counties from Mexico; and

"Whereas the control of the United States-Mexican border is within the jurisdiction of many Federal agencies, including but not limited to the International Boundary and Water Commission, the Department of Agriculture, the Public Health Service, and the Department of Health, Education, and Welfare; and

"Whereas there is existing legislation that authorizes these agencies to erect fences along the United States-Mexican border (sec. 22 U.S.C., sec. 2778, International Boundary Commission; 21 U.S.C. 141, Department of Agriculture; 42 U.S.C., sec. 264, Public Health Service): Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to construct an animal-proof fence along the international border between the United States and Mexico in California and take all other appropriate action in order to eliminate the crossing of the border by rabid animals, and thereby alleviate the rabies epidemic in adjacent areas of California; and be it further

"Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint Resolution 26

"Joint resolution relative to the San Felipe Division of the Central Valley project

"Whereas there is pending before the Congress of the United States legislation to authorize the Secretary of the Interior to construct the San Felipe Division, Central Valley project, California; and

"Whereas the proposed construction has had extensive study and review and has been determined to have engineering and financial feasibility and a most favorable cost-benefit ratio; and

"Whereas it is the purpose of the San Felipe Division to provide, among other things, irrigation and municipal and industrial water supplies, conservation of fish and wildlife resources, and enhancement of outdoor recreation opportunities within the counties of Santa Clara, San Benito, Santa Cruz, and Monterey; and

"Whereas the proposed San Felipe Division will make use of a tunnel to be constructed from San Luis Reservoir westward under Pacheco Pass into said service area and will, by reason of its location, harmonize with and assist the State of California's water plan: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation, as soon as possible and appropriate, to authorize construction of the San Felipe Division, Central Valley project, California, and legislation appropriating such sums as may be necessary therefor; and be it further

"Resolved, That the secretary of the senate is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the chairmen of the Committees of the Senate and the House of Representatives on Interior and Insular Affairs, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Public Works:

"Senate Joint Resolution 43

"Joint resolution relating to the Federal-Aid Highway Program

"Whereas the National System of Interstate and Defense Highways is being carried rapidly toward completion by the scheduled date of October 1, 1972; and

"Whereas the Federal Highway Trust Fund expires on that date; and

"Whereas the continuing growth of the Nation's population and economy, and of its related transportation needs, gives evidence of need for continuing highway programs after that date; and

"Whereas the Federal-Aid Highway Program because of sound financing, long-range planning and orderly construction has been a vital force in the dramatic expansion of the Nation's productive capacity and in enhancing the well-being of the citizens of this State and the Nation for over 40 years; and

"Whereas it is in the national interest that the Federal-State relationship that has made this program possible be not terminated in 1972 but rather continued and strengthened: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to authorize and direct the Secretary of Commerce, with the cooperation of the State highway departments and through them with the cooperation of the cities and counties, to undertake immediately a study to be completed and reported to the Congress of the United States no later than January 1, 1967, to determine highway needs after 1972, and to recommend to the Congress a Federal policy with respect to highways to meet these needs most effectively; and be it further

"Resolved, That the study include, but not be limited to, a review of the desirable extent of the National System of Interstate and Defense Highways, the requirements by States of Federal-aid primary and secondary or other systems of highways, the street and highway needs in urban areas, the most appropriate basis of sharing the costs among the several levels of government in relation to the interests of each in the several highway systems, the problem of reimbursement for toll or other roads included in the National System of Interstate and Defense Highways, and such other matters as the Secretary or the States believe appropriate; and be it further

"Resolved, That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the House of Representatives of the State of North Dakota; to the Committee on Public Works:

"House Resolution E

"Resolution commending members of the North Dakota congressional delegation for their efforts in behalf of the Pembina River development plan

"Whereas the proposed Pembina River Basin development plan on the Pembina River near Walhalla, N. Dak., has now advanced to the point where final approval of an adoption of the plan appears possible within the near future; and

"Whereas there appear to be potential irrigable areas of up to 26,000 acres or more susceptible of development in connection with such project, plus additional benefits including a resulting reservoir which would insure a municipal and industrial water supply adequate to care for present needs, and insure a supply for developments in the immediate future; and

"Whereas the International Joint Commission has devoted much time and study to this proposal to develop the water resources of the Pembina River Basin in the province of Manitoba and the State of North Dakota; and

"Whereas much of the credit for the progress that has been made to date on this project so important to northeastern North Dakota should be given to all members of the North Dakota congressional delegation for their unceasing efforts on behalf of such project: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakota convening in special session, That it hereby extends its gratitude and commendation to all members of the North Dakota congressional delegation for its wise advice, counsel, and assistance in bringing near to completion this long-sought project for the State of North Dakota and the Province of Manitoba; and be it further

"Resolved, That copies hereof will be transmitted by the secretary of state to the President of the U.S. Senate; the Speaker of the U.S. House of Representatives; the chairmen of the Committees on Public Works; the Chief of Engineers; U.S. Army Corps of Engineers; the district engineer, St. Paul office of U.S. Army Corps of Engineers; Commissioner, Bureau of Reclamation; Chairman of the Canadian and United States sections, International Joint Commission; to Senators Milton R. Young, and Quentin N. Burdick, and Representatives Mark Andrews and Rolland Redlin; and to Gov. William L. Guy, of North Dakota.

"Arthur A. Link,
"Speaker of the House.
"Donnell Hangen,
"Chief Clerk of the House."

A resolution adopted at the convention of the Central Conference of American Rabbis, relating to equal opportunity in housing; to the Committee on Banking and Currency.

A resolution adopted at a gathering of Americans of Estonian origin in the areas of Albany, Schenectady, and mid-Hudson, N.Y., meeting at Feura-Bush, N.Y., relating to the bringing of the Baltic States question before the United Nations; to the Committee on Foreign Relations.

A resolution adopted at the convention of the Virginia Bankers Association, at Hot Springs, Va., favoring prompt consideration by the Congress of a constitutional amendment which would return to the States the power to apportion the membership of one house of a bicameral legislature on a basis other than population; to the Committee on the Judiciary.

A resolution adopted by certain members of the Legislature of the State of Florida, remonstrating against any constitutional amendment authorizing a State with a bicameral legislature to utilize factors other than population in apportioning either house of such legislature; to the Committee on the Judiciary.

A resolution adopted by the Ohio Higher Education Assistance Commission, Columbus, Ohio, protesting against any program of Federal assistance programs for higher education; to the Committee on Labor and Public Welfare.

Resolutions adopted by the Sallas, Tex., AFL–CIO Council; the Wichita Mailers Union, No. 85; the Topeka, Kans., Typographical Union No. 121; the Marathon County, Wis., Labor Council; the Birmingham, Ala., Typographical Union; the San Francisco, Calif., Typographical Union No. 21; the Dayton, Ohio, Typographical Union No. 57; the Worcester, Mass., Typographical Union No. 165; the Tulsa, Okla., Typographical Union No. 403; and the Clearwater-Largo, Fla., Typographical Union No. 891, all favoring the enactment of Senate bill 1781, to prohibit interstate trafficking in strikebreakers; to the Committee on Labor and Public Welfare.

Two resolutions adopted by the National Joint Trade Board of the Painting and Decorating Industry, Washington, D.C., favoring the enactment of House bill 6363, legalizing situs picketing, and favoring the repeal of section 14(b) of the Labor Management Relations Act; to the Committee on Labor and Public Welfare.

A resolution adopted at the convention of the Virginia Bankers Association, at Hot Springs, Va., protesting against the enactment of legislation to repeal section 14(b) of the Taft Hartley Act; to the Committee on Labor and Public Welfare.

A resolution adopted by the Los Angeles, Calif., Cloak Joint Board, favoring the enactment of legislation to repeal section 14(b) of the Taft-Hartley Act; to the Committee on Labor and Public Welfare.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MORTON:

S. 2235. A bill for the relief of Elizabeth Ingram; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2236. A bill to clarify the responsibility for marking of obstructions in navigable waters; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (by request):

S. 2237. A bill for the relief of Dr. Manohar U. Hasrajani; and

S. 2238. A bill for ther relief of Fan Keng Yuan; to the Committee on the Judiciary.

By Mr. WILLIAMS of Delaware:

S. 2239. A bill for the relief of Lt. Col. John W. Cassell, U.S. Army; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 2240. A bill for the relief of Joseph Marcelino Javier; to the Committee on the Judiciary; and

S. 2241. A bill to extend the benefits of the Veterans' Preference Act of 1944 to persons serving in the Armed Forces of the United States during peacetime; to the Committee on Post Office and Civil Service.

By Mr. McCARTHY (for himself and Mr. MONDALE):

S. 2242. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and other acts so as to provide improved returns to farmers for manufacturing milk and milk fat in cream, to encourage the reduction of excess marketing of milk, to promote the increased consumption of dairy products, to facilitate exports, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. McCARTHY when he introduced the above bill, which appear under a separate heading.)

CLARIFICATION OF RESPONSIBILITY FOR MARKING OF OBSTRUCTIONS IN NAVIGABLE WATERS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to clarify the responsibility for marking of obstructions in navigable waters. I ask unanimous consent to have a letter from the Secretary of the Treasury, transmitting the proposed legislation, printed in the RECORD, together with a comparative type showing changes in existing law made by the proposed bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and comparative type will be printed in the RECORD.

The bill (S. 2236) to clarify the responsibility for marking of obstructions in navigable waters, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and comparative type presented by Mr. MAGNUSON are as follows:

THE SECRETARY OF THE TREASURY,
Washington, June 9, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is submitted herewith a draft of a proposed bill "to clarify the responsibility for marking of obstructions in navigable waters."

Present law requires the owner of any vessel which is wrecked and sunk in a navigable channel to mark the wreck and to maintain that marking until it is removed or its abandonment accepted by the Department of the Army or otherwise legally established. If the owner fails to mark a wreck, the Coast Guard is authorized to mark it for him at the owner's expense. Once the abandonment of a wreck has been established, the Department of the Army has the responsibility of marking it pending its removal. The law provides that the Coast Guard may mark the wreck during this period at the request of the Army.

The Department of the Army has interpreted existing law as meaning that it has no responsibility or authority to mark a wreck once it has been decided not to remove it. Nor is there any specific authority for the Coast Guard to do so. Thus, under present law there is no provision for the marking of a wreck once it has been decided not to remove it. This creates a potential hazard, since in many cases these wrecks are a danger to navigation. In such cases, even though it may not be feasible to remove them, they should continue to be marked for the protection of mariners.

The purposes of the proposed bill are to eliminate the dual responsibility for wreck marking and to provide for marking of a wreck following a decision not to remove it. The bill would vest sole responsibility for wreck marking in the Coast Guard. It would give the Secretary of the Treasury discretionary authority to mark wrecks or other similar obstructions for so long as in his judgment the needs for maritime navigation may require. Thus, under this authority the Coast Guard could, as at present, mark a wreck before its abandonment if the owner failed to do so. It could also mark the wreck after abandonment and, additionally, would have the authority to continue to mark it even though the Army had decided not to remove it.

The bill would give the Secretary authority to terminate an owner's liability to pay for the cost of marking a wreck. If this authority were not exercised in a particular case, the owner's liability would terminate when the wreck was removed or abandoned as is the case under the present statute. This authority would add flexibility to the administration of this law.

The bill would make no changes in an owner's statutory duty to mark and to remove a wreck or other obstruction. It would not change an owner's liability for damages occasioned by the obstruction, nor his responsibility to pay for its marking.

Enactment of the bill would clarify the law in this area and result in greater efficiency in its administration. It would end the division of authority and responsibility between the Coast Guard and the Army and enable each service to handle its responsibilities in this area more efficiently. It would increase protection for the mariner by providing clear authority for the marking of wrecks at any time the needs of navigation may require.

The bill would have only a minimal impact on costs. Some costs which are now paid from Army appropriations would be assumed by the Coast Guard. Increased costs would only result in those cases where the authority is exercised to mark wrecks which the Army has determined are not required to be removed.

A comparative type showing changes in existing law made by the proposed bill is attached.

Similar legislation was submitted to the 88th Congress by this Department. It was introduced as S. 2991 and referred to the Senate Committee on Commerce, but no action was taken prior to adjournment.

It would be appreciated if you would lay the proposed bill before the Senate. A similar bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely yours,

HENRY H. FOWLER.

COMPARATIVE TYPE SHOWING CHANGES IN EXISTING LAW MADE BY THE PROPOSED BILL

[Matter proposed to be omitted is enclosed in brackets; new matter is in italic]

SECTION 86 OF TITLE 14 UNITED STATES CODE

§ 86. Marking of obstructions

The [Coast Guard] *Secretary* may mark for the protection of navigation any sunken vessel or other [similar] obstruction existing on any navigable waters of the United States [, whenever the owner thereof has, in the judgment of the Coast Guard, failed suitably to mark the same in accordance with the provisions of section 409 of title 33. Until the abandonment of any such obstruction has been established in accordance with the provisions of section 414 of title 33, the owner thereof shall pay to the Coast Guard the cost of such marking. As soon as the abandonment of any such obstruction has been so established, the Secretary of the Army shall keep the same so marked pending removal thereof in accordance with the provisions of section 414 of title 33, but the Coast Guard may at the request of the Department of the Army continue the suitable marking of any such obstruction for and on behalf of that Department; and] *in such manner and for so long as, in his sole discretion and judgment, the needs of maritime navigation require. The owner of such an obstruction shall be liable to the United States for* the cost of [any] such marking [shall be borne by the Department of the Army.] *until such time as the obstruction is removed or its abandonment legally established or until such earlier time as the Secretary may determine.* All moneys received by the [Coast Guard] *United States* from the owners of obstructions, in accordance with [the provisions of] this section, shall be covered into the Treasury of the United States as miscellaneous receipts. [No provision of this] *This* section shall *not* be construed so as to relieve the owner of any such obstruction from the duty and responsibility suitably to mark the same [in accordance with the provisions of section 409 of title 33.] *and remove it as required by law.*

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT, AS AMENDED, RELATING TO MILK PRODUCTS

Mr. McCARTHY. Mr. President, for myself and my colleague from Minnesota [Mr. MONDALE], I introduce, for appropriate reference, a bill to amend the Agricultural Adjustment Act of 1937, as amended, and other acts so as to provide improved returns to farmers for manufacturing milk and milk fat in cream, to encourage the reduction of excess marketings of milk, to promote the increased consumption of dairy products, and to facilitate exports of dairy products.

Mr. President, the Congress has not enacted any new dairy legislation since 1961, and we had not enacted any significant dairy legislation for several years before that. During this period there have been regular reviews of many farm programs and substantial changes in wheat, feed grain, and cotton programs, but none in dairy programs.

This could mean that the old dairy programs are working effectively. I regret that this is not the case. Dairy producers have been in serious economic difficulties for several years and the situation is not improving.

Since 1959, as in earlier years, dairy farmers and their families have earned considerably less for their labor than have farmers generally. Hourly returns to the dairy farmer and his family are only one-half to two-thirds as large as hourly earnings from farming generally. Furthermore, hourly earnings of dairymen from their dairy operations have shown a decline over the past 5 years, whereas hourly earnings of farmers generally have increased by about one-fourth. For all the farms in the United States the return to operator and family labor, after deducting operating expenses and charges for capital at current rates, was only $1.06 per hour in 1964. The return for dairy operator and family labor was 61 cents per hour in some areas and dropped to as low as 17 cents in another region. These facts are an example of the disastrous economic condition of many dairymen.

Of course, annual earnings vary among individual dairymen depending upon a number of factors. Operators with large herds have enjoyed higher net incomes than those with small herds. Dairy producers who are able to sell in a Federal market order often have an advantage over those producers whose marketings go largely into manufactured dairy products; but the overall level of labor earnings in the dairy industry as a whole has been below that in most other types of agriculture.

This condition exists despite the fact that dairymen have made major advances in improving their efficiency. Over the past 5 years the annual output of milk per cow has been increased by more than 1,000 pounds, or 16 percent. There have been marked improvements in equipment and in housing for dairy herds. The average output per dairy farm has increased substantially. In 1964 the approximately 600,000 dairy farms in the United States marketed 8.2 billion pounds more milk than did the 1 million dairy farms in 1959.

The dairy program, which provides a basic price support of 75 percent of parity, has kept prices from going even lower and maintained a degree of price stability. This is some consolation to dairy farmers, but it is insufficient, and new legislation is badly needed.

In many dairy areas, particularly where milk is marketed for butter and other dairy products, the price-support floor has become a ceiling. In 1962 when the price support dropped to 75 percent of parity, many predicted that production would drop and the market price would rise. This has not been the case The milk market continues to be depressed by large surpluses which prevent the dairy farmer from receiving a fair return in the market. The surplus was 8.8 billion pounds of the 125.7 billion pounds produced in the 1962–63 marketing year. The surpluses was 8.2 billion pounds in the 1964–65 marketing year. For several years milk production has continued to exceed the supply that can be moved into commercial usage at the price-support level by 6 to 8 percent annually. Government costs have been high, without being as effective as they should be. The annual cost of the dairy program was reduced from over $500 million in 1962 to $360 million last year, but costs could rise with future increases in milk production—increases which may take place despite the low level of earnings of dairymen.

We need to review the dairy situation carefully and to develop new procedures. In the 87th and again in the 88th Congress I proposed a voluntary dairy program to provide direct payments to cooperators—a program which would operate somewhat along the lines of the feed grain program. The Department estimates at that time were that the voluntary program I proposed would reduce Government costs by $37 million, cut the surplus in half and increase net income of dairymen by $150 million. In my judgment this proposal would have provided the most effective program, but the Senate failed to adopt it and I have had no indications that the measure would be any more successful at this session. I plan to keep this proposal in reserve, and I believe that some time in the future we may have to enact legislation of this type if the farm family dairy industry is to survive. Meantime, some action is necessary, and the bill I and Senator MONDALE are introducing today will provide several legislative changes to give greater program flexibility in the effort to improve dairy income.

In the absence of a voluntary program with incentives to restrict production, efforts to increase returns to dairymen will probably have more immediate than long-run impact, because of the extent to which milk production may increase over the longer term. Nevertheless, the changes proposed in this bill would provide additional means of attacking the dairy income problem and of utilizing more effectively the national production of milk and dairy products. They would provide a broader range of methods to deal with the special problems and situations as well as those of a continuing nature.

First. Authority to issue marketing orders for manufacturing milk.

The first change would be to establish more clearly the authority and procedures for marketing orders for milk used for manufacturing purposes.

The pricing standards prescribed in section 608c(18) of the Agricultural Marketing Agreement Act of 1937 establish standards to be used in pricing milk for fluid use. To make an order effective for manufacturing milk a different standard—such as the parity standard—is needed. The bill I am introducing provides that the price objectives set forth in 602 of the Agricultural Marketing Agreement Act of 1937, rather than the more restrictive provisions of 608c (18), would govern pricing milk for manufacturing under a marketing order. This change would provide a basis under which higher order prices could be established for manufacturing milk than would be possible under existing law.

Marketing orders for manufacturing milk could take many different forms and be used to accomplish a number of different objectives. It would give the dairy industry itself a greater degree of program responsibility and a means of achieving at least some increase in income, with perhaps some reduction in Government costs. In general, enactment of this provision would give producers a wider range of choice in determining programs best fitted to their needs.

Second. Class I base plan. This section of the bill is almost identical to S. 1915 which passed the Senate in the

88th Congress but was not voted on in the House of Representatives. It would permit producers in a Federal market order to eliminate the blend price. The provision has limited value, I believe, but it should remove one incentive for increasing production in markets where the plan is adopted. The bill contains language to assure that new producers would have the same entry conditions as at present.

Third. Butter consumption subsidy. This section of the bill would authorize the Secretary of Agriculture to make payments at the processing level on butterfat used in making butter and other manufactured dairy products for which butter can be used, as a means of reducing prices to consumers and thereby increasing consumer purchases.

Under the present price support program the Department frequently has encountered problems in reducing stocks of butter, unless they are made available at substantial price discounts. The Department has incurred high handling and storing costs when large surpluses accumulate.

Enactment of this provision would enable the Department under some circumstances to carry out its program responsibilities more effectively. If programs are developed to increase exports of nonfat dry milk significantly, the problem of disposing of surplus butter would become even more critical than at present.

The Canadian Government initiated a butter subsidy program similar to this in 1962. It appears to have stopped the downward trend and to have increased butter consumption, although it was found that a 10-percent decrease in price produced only a 7-percent increase in per capita consumption. The immediate benefits of a butter subsidy program would go to consumers, in the form of lower prices for butter, but it would help reduce surpluses of butter and improve the general dairy situation. In the beginning a butter subsidy program would likely increase Government costs, but it would give the Secretary greater flexibility in meeting special problems and benefit the dairy industry as well as consumers.

Fourth. Authorize purchase of dairy products at above support prices when needed to maintain greater continuity in foreign distribution of dairy products.

This provision would amend part I of the Foreign Assistance Act of 1961. It would permit the President, whenever he determines that there is a reasonable prospect for the development of commercial exports of dairy products, to enter into agreements with foreign governments or with international organizations or nonprofit voluntary agencies to supply dairy products by grant or at concessional prices. The products would go to friendly nations to assist needy persons and social welfare and nonprofit school lunch programs. The agreements would involve only surplus commodities and would be for a maximum of 5 years. The bill authorizes the Commodity Credit Corporation to fulfill the agreements from its inventories and under certain circumstances by purchases in the market.

One of the principal difficulties under existing law is that distribution through grants or at concessional prices is limited by periodic irregularity in surpluses and by uncertainty about surpluses available at any given time. For the program to have greatest success there is a need to have continuity, which can be provided by agreements on longer terms.

The benefits to needy people around the world and to American foreign policy which have resulted from Public Law 480 are a matter of record. But in addition, the surplus food distribution programs have resulted in longer term gains for American farmers and for the U.S. economy generally. The experience with Japan, Greece, Israel, and other countries has demonstrated that donations and concessional sales of American farm products have created larger commercial markets for our agricultural products, as these nations achieve economic growth. The export records show that commercial exports of butter and nonfat dry milk were much greater in 1964 than in 1960.

Mr. President, this bill will not solve all the dairy problems, but it will provide authority for a substantially broader dairy program than now exists and be a constructive step in assisting dairymen to overcome their serious economic difficulties.

I ask unanimous consent that three tables related to first, hourly returns of dairy farmers; second, data on the dairy price support program; and third, U.S. exports of dairy products under government-financed programs, other exports and total exports, 1960–64, be printed in the RECORD along with my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the tables will be printed in the RECORD.

The bill (S. 2242) to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and other acts so as to provide improved returns to farmers for manufacturing milk and milk fat in cream, to encourage the reduction of excess marketings of milk, to promote the increased consumption of dairy products, to facilitate exports, and for other purposes, introduced by Mr. MCCARTHY (for himself and Mr. MONDALE), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The tables presented by Mr. MCCARTHY are as follows:

TABLE I.—*Return to operator and family labor per hour of labor after deducting operating expenses and charge for capital at current rate*

[Cents per hour]

	1957–59	1959	1960	1961	1962	1963	1964
Dairy farms:							
Central northeast	66	60	50	57	28	42	41
Grade A, east Wisconsin	69	77	57	88	72	56	61
Grade B, east Wisconsin	21	22	[1] 11	37	22	21	18
Grade B, west Wisconsin	52	49	46	69	68	69	[1] 17
All farms, U.S. average [2]	86	81	89	102	105	105	106

[1] Particularly low because of sharp changes in inventory values or interest charges.

[2] Includes hired labor as well as operator and family labor.

TABLE II.—*Dairy price support programs, 1962–63, 1963–64, and 1964–65 marketing years (April–March)*

Item	Unit	1962–63	1963–64	1964–54 [1]
Support level: By purchases	Hundredweight	3.11	3.14	3.15
Milk production	Billion pounds	125.7	125.7	126.7
Marketing (M.E.):				
Fluid milk and cream	do	53.9	55.1	55.5
Manufacturing milk and cream	do	64.3	63.7	64.9
Total	do	118.2	118.8	120.4
Commercial demand (M.E.):				
Fluid milk and cream	do	53.9	55.1	55.5
Manufacturing milk and cream	do	55.5	56.2	56.7
Total	do	109.4	111.3	112.2
Surplus [2]	do	8.8	7.5	8.2
CCC purchases and PIK exports:				
Butter	Million pounds	347	293	317
Cheese	do	137	122	135
Nonfat dry milk	do	1,303	1,175	1,223
CCC purchase price:				
Butter	Cents per pound	58.0	58.0	58.0
Cheese	do	34.6	35.6	35.6
Nonfat dry milk	do	14.4	14.4	14.4
CCC net expenditures: Purchases (gross), PIK and military milk.	Million dollars	521	448	423
Total outlay	do	521	448	423
Sales proceeds	do	31	71	63
Total net program expenditures	do	490	377	360
Dairy farm cash receipts:				
From marketings	do	4,805	4,910	5,041
Payments	do			
Total receipts	do	4,805	4,910	5,041

[1] Preliminary.

[2] Milk equivalent milkfat basis.

TABLE III.—*Dairy products—U.S. exports of specified products under specified Government-financed programs, other exports, and total, 1960–64*

[In thousands of pounds]

Commodity and year	Public Law 480								
	Title I: Sales for Foreign Currency	Title II: Famine and Emergency Relief	Title III		Title IV: Long-Term Credit Sales	AID programs [1]	Total exports Public Law 480 and AID financed	Exports outside Public Law 480 and AID financed [2]	Total exports [3]
			Donations	Barter					
Butter: [4]									
1960 [5]				294			294	7,726	8,020
1961 [5]				314			314	6,349	6,663
1962 [5]		2,080	22,808	2,000			26,888	8,009	34,897
1963 [5]	1,505	4,547	117,676	127	2,623	59	126,537	67,943	194,480
1964 [6]	4,081	9,243	135,284	12,572	2,233	1,278	164,691	132,593	297,284
Cheese:									
1960				1,113			1,113	7,908	9,021
1961								8,821	8,821
1962 [5]			12,128				12,128	6,959	19,087
1963 [5]	575	978	24,362				25,915	7,677	33,592
1963 [6]	1,058		769			24	1,851	7,235	9,086
Canned milk:									
1960						41,920	41,920	101,500	143,420
1961 [5]						47,576	47,576	91,951	139,527
1962 [5]	32,539		251			18,585	51,375	62,629	114,004
1963 [5]	79,417		864		4,700	1,735	86,716	36,252	122,968
1964 [6]	62,442		427			76	62,945	37,605	100,550
Dry whole milk:									
1960						39	39	25,474	25,513
1961						406	406	15,203	15,609
1962 [5]	2,641					158	2,799	10,615	13,414
1963 [5]	10,306					89	10,395	19,415	29,810
1964 [6]	1,054				44	52	1,150	12,748	13,898
Nonfat dry milk:									
1960	22,162	24,746	300,098	10,924		2,794	360,724	146,164	506,888
1961	17,749	21,018	569,869	22,062		28	630,726	109,288	740,014
1962 [5]	11,016	42,212	623,555	15,889			692,672	180,885	873,557
1963 [5]	26,923	74,066	626,232	21,964	2,200		751,385	367,805	1,119,190
1964 [6]	16,871	40,125	476,439	37,899		303	571,637	739,265	1,310,902

[1] Formerly shown under Public Law 665, sec. 402.

[2] Includes sales at concessional prices for restricted uses, mainly school lunch programs.

[3] Data from Bureau of Census, U.S. Department of Commerce.

[4] Includes butter equivalent of anhydrous milk fat, butter oil, and ghee.

[5] Revised.

[6] Preliminary.

ADDITIONAL COSPONSOR OF BILLS

Mr. BURDICK. Mr. President, I ask unanimous consent that the name of the Senator from Oklahoma [Mr. HARRIS] be listed as a cosponsor of Senate bill 99 in any subsequent printings of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSOR

Mr. METCALF. Mr. President, I ask unanimous consent that the name of the junior Senator from Minnesota [Mr. MONDALE], at the next printing of S. 2196 and S. 2197, be included as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF HEARINGS ON GEOTHERMAL RESOURCES

Mr. GRUENING. Mr. President, for the information of the Senate, I announce that hearings have been scheduled for July 22 by the Subcommittee on Minerals, Materials, and Fuels, of which I am chairman, on Senate bill 1674, sponsored by the distinguished Senator from Nevada [Mr. BIBLE], to authorize the Secretary of the Interior to make disposition of the geothermal steam and associated geothermal resources. The hearings will be held in room 3110 of the New Senate Office Building, and will begin at 10 a.m.

The Minerals Subcommittee held hearings on a measure for similar purposes in the 88th Congress—Senate bill 883, which also was sponsored by the Senator from Nevada. That measure was reported favorably to the Senate by the Committee on Interior and Insular Affairs, and was passed by the Senate on August 21, 1964. Unfortunately, it did not receive the approval of the other body.

Senate bill 1674 provides authority for the Secretary of the Interior to issue leases for the development and utilization of geothermal steam and associated geothermal resources, largely found on the public domain.

While the development and use of geothermal steam is certainly an infant industry, it is potentially a very valuable natural resource; and there has been enough activity to warrant still further development. One of the most important probable uses of this resource is for the production of electric power. In addition, in many localities, geothermal steam is known to contain mineral byproducts, such as gold, silver, rare metals, and salts. The production of electric power from geothermal steam has proved commercially feasible, and is in operation at installations in other countries—notably, Italy, New Zealand, and Iceland, as well as in certain areas in California.

The subcommittee will be happy to hear any interested Member of Congress.

TRIBUTE TO SENATOR ROBERTSON

Mr. STENNIS. Mr. President, I have read with the greatest of interest an excellent and timely editorial entitled "A Decision for Senator ROBERTSON," published in the Roanoke Times. The substance of the editorial is that another call for service has been made by the people of Virginia to our esteemed and valuable colleague, A. WILLIS ROBERTSON. Senator ROBERTSON is urged by the editorial writer to continue his outstanding services in the Senate to the State and Nation for another 6-year term.

I believe the editorial represents the sentiment as well as the wishes of an overwhelming majority of the people of the Commonwealth of Virginia. This sentiment is shared by Senator ROBERTSON's colleagues in the Senate, where we have the daily benefits of his vigorous mind, his active participation in debates, his long experience, and his position of leadership.

I commend the esteemed and valuable newspaper, the Roanoke Times, for the fine content of the editorial as they have spoken for the people of Virginia.

I hope he heeds this call to continued service beyond his present term.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A DECISION FOR SENATOR ROBERTSON

The recent convention of the Virginia Bankers Association paid Senator A. WILLIS ROBERTSON the compliment of urging him to seek reelection. We think the sentiment is predominant among Virginians who are familiar with the Senator's half century of service in public office.

Nearly a score of those years has been spent by Mr. ROBERTSON in the Senate. When he turned 78 last month, he received many tributes of esteem and affection from his colleagues and from admirers all over the country. His contributions have been recognized by numerous awards and citations. The high regard in which Senator ROBERTSON is held transcends political ideologies. Vice President HUBERT HUMPHREY once described him as "one of the most able and conscientious Members" of the Senate.

Age has not diminished the Senator's vigor of mind. He is a man of conservative and independent judgment, capable of seeing the Nation's interest as a whole rather than from the narrow view of partisanship. In a time when there is much indifference to fiscal responsibility in Government, Mr. ROBERTSON, from his position of prestige as chairman of the Banking Committee, has never neglected opportunity to counsel caution and discipline in management of monetary and economic policies.

A distinguished constitutional authority and an articulate exponent of moderation in the affairs of Government, Mr. ROBERTSON has displayed genuine qualities of statesmanship.

Virginia and the Nation can use men of his caliber in public office. It is our sincere hope—and we are confident that we reflect the view of the great majority of Virginians—that Senator ROBERTSON weigh the natural inclination to take it easier at his period of life against the opportunity for further valuable service to the country. Given physical fitness and retention of those endowments of intellect which are a mark of his character, there is no reason why age should disqualify him from running again.

SENATOR CARLSON'S SERVICE TO 4-H CLUB YOUTH WORK

Mr. STENNIS. Mr. President, the distinguished senior Senator from Kansas [Mr. CARLSON] recently received a special tribute in recognition of his many years of service to 4-H Club youth work.

The Kansas 4-H Foundation honored him for his vision and leadership and for his outstanding service to the Kansas 4-H Foundation in helping to raise funds to support the State 4-H Club program.

As one who knows firsthand the valuable contribution that the 4-H clubs of our country continue to make to the training for leadership of our young people, the efforts of our esteemed colleague are to be commended as a contribution to the entire Nation, as well as to his own State. No person could be more deserving of this honor—and it is an honor, indeed.

I congratulate the Senator from Kansas upon his fine work. I ask unanimous consent that the citation awarded him and the remarks which he made following the presentation be printed in the RECORD.

There being no objection, the citation and remarks were ordered to be printed in the RECORD, as follows:

KANSAS 4-H FOUNDATION CITATION TO SENATOR FRANK CARLSON

In recognition of your many years of service to the people of Kansas and the Nation, your very deep interest and participation in 4-H youth work; and further, because of the splendid example of spiritual and citizenship values you have set for young people, the Kansas 4-H Foundation takes sincere pleasure in awarding you this certificate of its appreciation and gratitude.

Because of your vision and leadership the youth of Kansas, through the 4-H Club program, have enjoyed greater opportunity and more lasting results from their efforts.

Your willingness to cooperate beyond the requirements of office made possible in 1948 the formation of the Kansas committee on 4-H Club work, the forerunner of the Kansas 4-H Foundation; the establishment of a State highway into Rock Springs Ranch; and many other accomplishments of real importance to Kansas youth.

Your giving of self as a public official, but more especially as a citizen of Kansas, has made a lasting impression on the future leaders of this State. In becoming the good and faithful servant of others, you have endeared yourself to millions. We in the 4-H Club program of Kansas salute you.

May this certificate frequently remind you of friendships made, and may your outstanding service meriting this recognition continue to be a source of satisfaction to you. Presented this 9th day of June 1965, at Rock Springs Ranch.

SPEECH BY SENATOR FRANK CARLSON, FRIENDS OF 4-H CLUB DAY, ROCK SPRINGS RANCH, JUNE 9, 1965

Chairman Critser, It is an honor and privilege to meet with this fine group of citizens who are devoted and dedicated to the promotion of 4-H Club work.

We pay tribute to those men and women who have contributed so generously of their means—their time and their talents.

Today those of us who are present are privileged to observe the great progress that has been made in developing Rock Springs into one of the outstanding training centers for our youth in the Middle West.

The Good Book reads, "Where there is no vision people perish." Certainly Rock Springs Ranch is evidence that those agricultural, educational, religious, and civic leaders of 20 years ago were men and women with vision as they planned this beautiful meeting place for our youth. But it took more than vision to bring into fruition this million dollar plant—it also took courage and hard work.

It was my pleasure as Governor of the State of Kansas in 1947 to recommend to the legislature that we proceed with the expansion and improvement of this outstanding facility "based on voluntary contributions."

The contributions of our citizens have been most generous and to them we express our deep gratitude and sincere thanks.

Calvin Coolidge once stated: "No person was ever honored for what he received—honor has been the reward for what he gave."

Your contributions to the foundation have made possible many of the fine programs that are carried through in 4-H Club work.

The foundation's five-point working program was established in 1952 and was based on the premise that 4-H Club work is an educational, developmental program that will help mature our boys and girls into positive-thinking, progressive, self-reliant citizens.

As a result of 4-H Club work, these boys and girls will be better prepared to shape their own lives and to help develop a better world for others. Investments in 4-H youth pay dividends permanently for the good of all mankind. Each dollar invested helps some 4-H'er or leader to higher achievement by providing incentives—improving leadership training facilities—or promoting international understanding.

It has been said that "the youth of our Nation are the trustees of our posterity."

We in this Nation have a great heritage, but we cannot live in the past. We cannot build just for today—we must look to the future. In fact, we must look to our youth. I ask, what finer group can we look to than our 4-H Club boys and girls.

The story of advancing civilization is mainly the record of mankind's enlarging capacity to cooperate. Today as people think in planetary terms, we can mark the changes that are becoming evident in an age of cooperation.

In our time the whole structure of life has become so inextricably interdependent that the problem of cooperation has become the No. 1 question of the world.

As a result of modern transportation and modern communications, the world has literally shrunk in size.

There is nothing any of us desire more wistfully—yea—more passionately, than for folks to understand us.

To be misunderstood—to be misrepresented—whether intentionally or not—sends a sword through our souls. Does it not follow—since we ourselves have such a ruling passion to be understood by others—that we ought to make an honest and determined effort to understand others?

Certainly there can be no finer program for stressing cooperation and friendly relations and contacts with other nations than that carried on by the International Farm Youth Exchange. This program is privately financed in the United States—combining nationwide contributions made through the National 4-H Sponsors Council with the local support of 4-H members and others. The Kansas 4-H Club Foundation participates actively in this program.

This exchange of students and young people through this program began in 1947 and since that time more than 1,400 delegates from the United States have visited European countries and more than 1,600 young people have come from foreign countries to the United States.

The International Farm Youth Exchange Program now includes 63 countries in Africa, Asia, Europe, Latin and South America, the Pacific and the Middle East.

The project is dedicated to understanding as the foundation for world peace. Opportunity to learn other ways of life by living them promotes this understanding. Participants share in their host family living and—at the same time—do all they can in contributing to a better understanding of the customs, life, and culture of their home countries.

While we fully realize the problems confronting your youth and the Nation in the international field, we must not overlook some of our pressing domestic problems.

Our youth—as they assume their responsibilities in Government—will be confronted with the ever-increasing movement of our Government from local and State levels to the Federal Government in Washington. This trend moves quietly, but effectively, and must be of concern to those of us who believe in a strong democracy. Sometimes figures tell a story more graphically than words. Consider these figures, for example:

One dollar out of every five spent in the United States and one job out of every eight now flow from the Federal Government.

In 30 of the 50 States, the Federal Government has more civilian employees on its payrolls than the State governments.

Federal grants to States and localities have more than tripled in the past decade.

This trend toward a planned economy and the elimination of local government can mean only one thing—less freedom and less individualism.

Another great issue facing Americans in this space age is how to get off the launching pad of moral and spiritual deterioration—how to be strong so we can continue to be free—strong not only economically, politically, and militarily, but more especially—morally and spiritually.

We cannot ignore what is happening to those basic fundamental principles and philosophies upon which this great Nation of ours was founded.

One of our great poets stated in one of his poems:

> "God help the land—where every day
> Its wealth increases—but its morals decay."

We must be concerned about the widespread mass lawbreaking and juvenile delinquency in our Nation today. We must effect some drastic changes—changes in our behavior patterns—changes in our thought processes—changes in our moral values, if we are to reverse this trend.

Our 4–H Club young people with their background and training are a leavening influence in this period of moral and spiritual deterioration.

The 4–H Club Foundation can be proud of the young men and women who have had the benefit and influence of the 4–H Club leadership. These young people flow into the stream of society with a sound background of moral and spiritual values.

B. FRANK HEINTZLEMAN

Mr. GRUENING. Mr. President, B. Frank Heintzleman, who died in Juneau, Alaska's capital, after a heart attack on June 24, was a native Pennsylvanian who dedicated his adult life to Alaska. A graduate of the Yale School of Forestry, he came to Alaska at the age of 30, in 1918, as an employee of the Forest Service. His professional training and his subsequent experience in that field led to his gradual promotion, so that in 1937 he was elevated to the position of regional forester of Alaska.

Among his lasting achievements was the establishment of Alaska's first pulp mill in Ketchikan, utilizing the vast and theretofore largely unutilized timber resources of the Great Tongas National Forest, which virtually blankets all of southeastern Alaska, a region colloquially known as the Panhandle. In due course, a second pulp mill was established, at Sitka. Both have continued to function at full capacity, and have been essential both to Alaska's economy and to a wiser use of Alaska's great timber resources, which were dying on the stump.

These two were really the first and only major industries established in Alaska, whose principal other economic resources were fisheries and mining. Both of these, as a result of Federal action, had almost disappeared when statehood became a reality in 1959—gold mining, because of the Federal Government's persistence in keeping the price of gold at the price established in 1934 while all costs have risen; and the fisheries, which were principally salmon, because of the mismanagement by the Federal agency which had sole responsibility for its conservation. Consequently, the utilization for the first time, to a considerable degree, of Alaska's timber resources was a most welcome turn of events. The credit largely belongs to Frank Heintzleman.

Upon retiring from the Forest Service, he was appointed Governor of Alaska by President Eisenhower, for a 4-year term. He served from 1953 to 1957. In his private life thereafter, he persisted in his efforts to do all that he could to make Alaska a better place in which to live. He spent the remaining years of his life in working for that purpose. Among his great contributions was the Juneau Public Library, for which he was one of the three principal fundraisers. It and the two pulpmills are, indeed, lasting monuments to him.

A funeral service was held for Frank Heintzleman in the Lutheran Church in his birthplace, at Fayetteville, Pa., on yesterday, June 30. The Alaskans who attended were Mary Lee Council, who represented Senator Bartlett; Henry W. Clark, born in Wrangell; George Sundborg; and I. Don Greeley was there, representing Alaska's Representative in Congress, the Honorable Ralph Rivers. Also there was Arthur Greeley, Deputy Chief of National Forest Resource Management, who succeeded Frank Heintzleman as Alaska's regional forester. The honorary pallbearers were E. L. Bartlett, Samuel R. Broadbent, Allen R. Brumbaugh, Henry W. Clark, Robert A. Events, Ernest Gruening, D. Elmer Hawbaker, Enos, H. Horst, Ralph Rivers, Craig Truax, J. Irving Whalley, and Richard P. Zimmerman.

Frank Heintzleman's service to Alaska will be remembered by all who knew him, and will also be remembered after they pass from the scene, for both the cultural and the economic contributions whose benefits will continue long thereafter.

So I join in the affectionate tribute of my fellow Alaskans in saying. "Well done, thou good and faithful public servant."

COMMUNIST INFLUENCE IN CIVIL RIGHTS GROUPS

Mr. THURMOND. Mr. President, I call to the attention of my colleagues in the Senate two articles giving further proof of the infiltration of and influence of Communists and Communist sympathizers in the so-called civil rights groups and their riots and demonstrations in this country. One is an article from the July 1, 1965, issue of the Chicago Tribune entitled "Reds Foment School Row, Daley Claims—Assails Imported Troublemakers." The other is an Associated Press dispatch from Montgomery, Ala., as printed in the Greenville News, of Greenville, S.C., on June 30, 1965. The headline reads "Alabama Legislative Probers Say Two Rights Groups Are Red-Inspired."

Mr. President, the assertion by the mayor of Chicago, the Honorable Richard Daley, that Communists and Communist funds are involved in the antischool demonstrations in Chicago cannot be tossed aside as coming from "another biased southern source." His attempts to help Negroes is beyond question.

The Chicago Tribune article reports that the deputy police superintendent, Joseph Morris, said that he had turned over to Mayor Daley's office information indicating that Communists are taking part in the demonstrations. The article quotes Mr. Morris as stating that police have checked more than 150 names of demonstrators, and at least 11 are Communists or members of Communist-front organizations.

The Alabama legislative report concludes that two so-called civil rights groups, the Congress of Racial Equality and the Student Nonviolent Coordinating Committee are Communist inspired and that Dr. Martin Luther King, Jr., is actively engaged in promoting the Communist line.

Mr. President, time and again I have presented evidence on the floor of the U.S. Senate and also in the Commerce Committee which shows that there is Communist infiltration of and influence in the so-called civil rights groups and their demonstrations. The FBI Director, Mr. J. Edgar Hoover, has warned the Congress and the public about this danger. The President of the United States is aware of this problem. Even some of the liberal news columnists have admitted that there is Communist influence and infiltration of some of these groups and their demonstrations. Still, no action is taken by either the administration or the Congress to deal effectively with this danger. Why? Because the administration, and too many Members of the Congress, are playing too much politics with the so-called civil rights issue.

I urge again, Mr. President, that the President and the Congress immediately make this question of Communist infiltration and influence in the so-called civil rights groups the subject of a full and impartial investigation and let the chips fall where they may.

In closing my remarks, Mr. President, I ask unanimous consent to have printed in the Record at the conclusion of these remarks the articles from the Chicago Tribune and also from the Greenville News.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Chicago Tribune, July 1, 1965]

Reds Foment School Row, Daley Claims—Assails Imported Troublemakers

Mayor Daley said yesterday that police files show that many marchers in Chicago's civil rights demonstrations are Communists and charged that Communist funds were helping finance the demonstrations.

He said that some of the troublemakers were drawn here by the House Committee on Un-American Activities, which held hearings in Chicago in May.

"You know, those people take part in any disturbing thing they can," Daley said.

RABY LASHES BACK

Albert Raby, convenor of the Coordinating Council of Community Organizations and a prime mover of the demonstrations, accused Daley of "witch hunting."

"He's probably taking lessons from Governor Wallace," Raby said in an apparent reference to Gov. George Wallace, of Alabama. "I wish the mayor were as resolved to settle the school crisis as he is to participate in witch hunting."

The mayor defended his abrupt departure on Tuesday from a meeting he arranged between Raby's groups and the board of education. His leavetaking, in the middle of the 2-hour meeting, brought a blast of criticism from Raby.

"You must recognize that the mayor has appointments made in advance, and we sat with these people for 3 hours on Monday," Daley said.

He said that Raby's group, if they carry out their announced intention to hold night demonstrations, must observe the law.

VOWS OF LAW AND ORDER

"There will always be law and order in Chicago as long as Daley is mayor," he said.

When a reporter read excerpts from a Tribune editorial criticizing the demonstrations and stating that Chicago cannot put up with a government by ultimatum, Daley said:

"It is interesting to note that over 50 percent of the people in these marches are not Negroes, and yet Negroes are accused of this. I appeal to all decent people and to their religious leaders to set the proper example by following the law. Without law we have anarchy."

Asked if he thought Communists dominate the marches, Daley said he could not answer the question. Observers have noted uniformed policemen taking pictures of the demonstrators every day.

Deputy Police Supt. Joseph Morris said he has turned over to the mayor's office information indicating that Communists are taking part in the demonstrations. He said police have "checked more than 50 names of demonstrators, and at least 11 are Communists or members of Communist-front organizations."

ADD TO POLICE LOAD

Meanwhile, Police Supt. O. W. Wilson disclosed that from June 10 through June 28 the demonstrations have taken up 31,856 man-hours of policemen's time.

If policemen were paid for this time the cost to the city would be $109,287 for policing the demonstrations for the 19 days, Wilson said.

He said that days off canceled must be repaid to policemen, and this impairs the department's overall effectiveness in fighting crime.

Ninety pickets started a new march yesterday afternoon from Buckingham fountain in Grant Park to city hall to protest the school board's granting of a new contract to School Supt. Benjamin C. Willis.

Asked if there were Communists among the demonstrators, Raby said, "Not that I know of."

"But there are no political tests for membership in the civil rights movement," he said. "I don't ask people if they are Democrats or Republicans or Fascists or Communists."

AGREE WITH EDITORIAL

Three school board members—Thomas J. Murray, Cyrus H. Adams III, and Mrs. Wendell E. Green—said they agreed with the sentiments of the Tribune's editorial.

"They apparently came to Tuesday's meeting with the purpose of giving the board a good dressing down," said Murray. "I don't think they improved relationships between themselves and the board."

"I would hope that the leaders would finally decide this is not the type of example helpful to children," Mrs. Green said. "Children are supposed to be the beneficiaries of all this. I would hope these people would seek more constructive ways to resolve the problems."

Frank Whiston, school board president, said he was hopeful "some good will come out of sitting down and talking together."

The Lincoln Dental Society representing more than 150 Negro dentists in Chicago, issued a statement supporting the demonstrations and criticizing a "callous lack of sympathy by city officials regarding our city's long neglected school crisis."

[From the Greenville (S.C.) News, June 30, 1965]

Alabama Legislative Probers Say Two Rights Groups Are Red-Inspired

Montgomery, Ala.—A special legislative committee charged Tuesday that two civil rights organizations are Communist-inspired and that Dr. Martin Luther King, Jr., is "actively engaged in promoting the Communist line."

King and another spokesman called the accusations witchhunting and typical southern reaction.

The five-member commission to preserve the peace made the allegations in a 39-page report to the Alabama Legislature—the body which created it 2 years ago after Birmingham's bloody racial demonstrations.

King, his Southern Christian Leadership Conference, the Congress of Racial Equality, and the Student Nonviolent Coordinating Committee, were accused of promoting the Communist cause and being a threat to State and national sovereignty.

SNCC, the commission charged, is the most dangerous and is involved in a tug-of-war with King for control of the civil rights movement.

"Currently, the trend seems to be that King is in control of the older groups who have the money, but SNCC is getting the campus support and trying to force King to either get out or to lean further to the left," the report said.

It charged that SNCC is "extensively Communist dominated" and ultimately "must be smashed by legal action or we will court a major disaster."

SNCC, the commission charged, is "an extremely dangerous, irresponsible group which tends to promote acts of violence" to gain support for its own goals.

The commission cited paid SNCC performers as stating the organization "wanted violence—preferably to get some of its demonstrators killed in Alabama."

The commission, headed by Representative John Hawkins, said it obtained its information from staff members, part-time investigators, voluntary witnesses, and police.

PRAISE FOR SENATOR FULBRIGHT'S SPEECH ON VIETNAM

Mr. CHURCH. Mr. President, Senator Fulbright's fine speech on Vietnam recently has evoked much favorable editorial comment around the country. Representative of this comment is an excellent editorial written by Lee Ester, which was published on June 22 in the Idaho State Journal. I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Toward a Solution

Senator J. William Fulbright has proposed a sensible course for conducting war and seeking peace in South Vietnam. His proposals were set forth in a speech delivered in the Senate last Tuesday after a discussion the day before with President Johnson. They are worth study, therefore, not only for their own sake but for what they might reveal about the administration's intentions.

The Senator from Arkansas opened his speech by declaring his opposition to, first, unconditional American withdrawal from South Vietnam, and second, to further escalation of the war. He opposes withdrawal, he said, "because such action would betray our obligation to people we have promised to defend, because it would weaken or destroy the credibility of American guarantees to other countries, and because such a withdrawal would encourage the view in Peiping and elsewhere that guerrilla wars supported from outside are a relatively safe and inexpensive way of expanding Communist power." He opposes escalation because the bombing thus far of North Vietnam has failed to weaken the military capacity of the Vietcong in any visible way; because escalation would invite the intervention—or infiltration—on a large scale in great numbers of North Vietnamese troops; because this in turn would probably draw the United States into a bloody and protracted jungle war in which the strategic advantage would be with the other side; and, finally, because the only available alternative to such a land war would then be the further expansion of the air war to such an extent as to invite either massive Chinese military intervention in many vulnerable areas in southeast Asia or general nuclear war."

All of these are valid reasons for not pulling out of South Vietnam and for not intensifying the war there. These observations, however, do nothing to point the way to disengagement, which should be the long range aim of our policy in South Vietnam.

On that score, Senator Fulbright offered two proposals. They will not, of course, satisfy those who want the United States to get out of Vietnam immediately or those who believe we could and should bring the Vietcong and North Vietnam to their knees, but they are sensible and realistic nonetheless. First, the Senator said, we must "sustain the South Vietnamese Army so as to persuade the Communists that Saigon cannot be crushed and that the United States will not be driven from South Vietnam by force," and second, "we must continue to offer the Communists a reasonable and attractive alternative to military victory. For the time being, it seems likely that the focus of our efforts will have to be on persuading the Communists that they cannot win a complete military victory; only when this has become clear is it likely they will respond to our proposals for unconditional negotiations."

The Senator sees the short-term outlook as by no means bright but neither is it without hope. He believes that if we are resolute but also restrained in the conduct of the war, the Communists may take a different view of our standing proposal for unconditional negotiations when the current Vietcong offensive has run its course without decisive result. When it becomes clear that neither side can expect to win a complete victory, "I would think it appropriate and desirable for the United States to reiterate forcefully and explicitly its willingness to negotiate a compromise peace and thereafter to join with other countries in mounting a large-scale program for the economic and social development of southeast Asia."

As if to remind the Nation—and possibly President Johnson, too—that the issues are not all black and white, Senator Fulbright included this significant paragraph in his speech:

"The most striking characteristic of a great nation is not the mere possession of power but the wisdom and restraint and largeness of view with which power is exercised. A great nation is one which is capable of looking beyond its view of the world, or recognizing that, however convenient it may be of the beneficence of its own role and aims, other nations may be equally persuaded of their benevolence and good intent. It is a mark of both greatness and maturity when a nation like the United States, without abandoning its convictions and commitments, is capable at the same time of acknowledging that there may be some merit and even good intent in the views and aims of its adversaries."

We can only hope that in the months ahead our power will be exercised with wisdom, restraint, and largeness of view, that the forces of communism can be contained, and that when the opportunity arises, we will again express our willingness to negotiate. As matters now stand, that seems to be the best hope for peace.

AIR FORCE INVENTORY

Mr. PEARSON. Mr. President, I would like to address the Senate today on a matter which I consider of utmost importance to the future of this Nation's aerial military capability.

During the past 48 hours, a portion of our mighty B–52 bomber fleet celebrated its 10th anniversary in the inventory of the Air Force. Although the Department of Defense during hearings earlier this year indicated the 10-year-old bombers would be phased out of service within a short time, I am concerned that those later model B–52 aircraft not scheduled for early phaseout are not being modified rapidly enough to assure their retention in the force throughout their programed life of 10 additional years.

Overlooking the controversy of whether or not the high-altitude bombing raid in Vietnam last week actually proved successful, I would point to the fact that these long-range aircraft were used on a "milk run" where no fighter aircraft were expected and with no anticipation of antiaircraft defensive fire. Yet, in spite of this lack of opposition, we lost two aircraft destroyed while a third was forced to return to base because of mechanical problems.

My point, Mr. President, is whether these B–52 aircraft used in the Vietnam raid were our late model jet bombers or were they some of our 10-year-old aircraft? In testimony earlier this year, the Secretary of Defense indicated that 30 B–52A models—the earliest B–52 model—had been sent to Guam to replace B–47 jets scheduled for phaseout. The bombing raid originated from Guam. I repeat that I am not concerning myself today with the controversy over success or failure of the mission, I am only asking whether the aircraft we used were being maintained as well as they should when we lose approximately 10 percent to either flight error or mechanical failure.

We are relentlessly informed by the Department of Defense that the B–52 aircraft will remain in the Air Force inventory until some time in the 1970's, yet the plane actually has been given no mission performance assignment. Testimony presented to the Defense Appropriations Subcommittee earlier this year corroborates that no specific mission has been programed for the B–52. I question, then, how it is possible to program any modification money for the aircraft if the specific mission isn't known by the Department of Defense.

The aircraft must be kept flying for another 10 years since our reluctance to proceed with other manned bomber designs leaves us with a gap in aerial bomber reserves.

Mr. President, what I have said is predicated upon the proposition that there is and shall continue to exist a need for the manned bomber in our aerial arsenal. This is the subject of continuing debate, but I would submit that the militaristic forces in the world today have required us to develop an armed force with the greatest possible flexibility. We have seen once again the need for conventional troops and conventional weapons. And, this is so, so that we may have the greatest number of options to face the multitude of military actions we may be required to face—whether it be guerrilla warfare, police action, conventional warfare, or nuclear devastation.

This same principle, it seems to me, should equally apply to the development of our aerial weapons systems. The course of the Pentagon today with the phasing out of the manned bomber and the complete reliance upon missiles leaves us in an all or nothing situation and removes from our use in aerial warfare one of the vital weapons we may need. This, in a word, is a powerful argument for the continued use of the manned bomber. More simply stated, it gives us that additional option which may by its very existence preclude and prevent nuclear destruction.

Mr. President, I submit today that our B–52 bombers are not being modified adequately enough to maintain their readiness through the programed period of their so-called useful life. It is my considered judgment that we used unsafe aircraft on the Vietnam raid and that, daily, our B–52 pilots are flying obsolete aircraft, made so by needless pruning of modification money glossed over by such terms as "unjustified expenditures."

If we authorized the necessary modification for B–52 bombers today at noon, it would take a minimum of 5 years to complete the full modification of the fleet. The plane must have new engines, structural additions, changes in avionics, and all the necessary measures required to keep the plane operating safely and effectively for whatever mission might ultimately be assigned.

There must be a change in our aircraft policy within the Pentagon, or we shall awake one day in the early 1970's and find that other countries have passed us by in new bomber development, maintenance, and upgrading of operational planes. The B–52 must be kept more operational than is programed, or I fear our military posture in the next 5 years will be weakened to the point where we will have manned bombers more susceptible to mechanical failure than to enemy retaliation.

LUNCHES FOR NEEDY CHILDREN—PROPOSED AMENDMENT TO AGRICULTURE APPROPRIATIONS BILL

Mr. HART. Mr. President, next Tuesday I intend to send to the desk an amendment to the bill making appropriations for the Department of Agriculture (H.R. 8370). The amendment would restore $2 million cut by the House—money which would add to the school lunch program special help for schools in acutely needy areas.

We are all interested in the war against poverty. I submit that a quick, relatively inexpensive and effective step in that war would be to initiate the program authorized by the Congress in 1962 to see that the children in these needy areas have a decent lunch.

Mr. President, I ask unanimous consent that material explaining this issue, supplied to me by the Department of Agriculture at my request, be inserted in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Appropriation of $2 Million Under Section 11 of the National School Lunch Act To Make Lunches Available to Additional Needy Children

1. LEGISLATIVE BACKGROUND

In 1962, Congress enacted section 11 of the National School Lunch Act to provide special assistance to schools serving children from low-income families. Thus far, Congress has not met budget requests under this authority.

2. NATURE OF PROBLEM

Three out of four school children are enrolled in schools participating in the national school lunch program. Each day, about one-half of these children are eating lunches which assure them of at least one-third of their nutritional requirements. Approximately 17 million lunches are served daily under the program.

The record of the national school lunch program is one of rapid and sustained expansion since enactment of legislation in 1946. Last year participation increased by nearly 1 million children.

Despite these gains, however, the program is not meeting its full potential in providing school lunches for needy children. Many of these children attend schools in economically depressed neighborhoods where no lunch services are offered. Others do not have the means to buy the nutritious lunch which is offered, and the community does not have the resources to provide lunches for them.

Under the program, the local community has the responsibility for providing needy children with lunches free or at reduced price. In most communities, where the percentage of needy children is low, the cost involved in providing free lunches is not burdensome. However, when the proportion of needy children is high, a local financial hardship is created. We are placed in the paradoxical situation of making communities least able to afford any extra costs bear the greatest financial burden in feeding these needy schoolchildren.

Where the local community is unable to finance free lunches for its needy children, outside assistance will be required, if the job is to be done. Current aid-to-education legislative proposals include funds for assisting in the financing of school kitchens and lunchrooms. This will be beneficial. However, in areas of greatest need, facility grants must be supplemented by special assistance in financing free lunches if needy children are to be assured a nutritious noonday meal.

Localities having the greatest need for special assistance are found in our metropolitan areas as well as in depressed rural counties. In large cities the problem is primarily one of encouraging expansion of the program to more schools in low-income areas. Many older schools in the central-core sections have never offered lunch services. In rural development areas, by contrast, the problem is primarily one of low participation by needy children in existing programs.

3. WHY REGULAR APPROPRIATION CANNOT MEET NEED

(a) Under the School Lunch Act, the authority to select schools for participation in the program is vested in the State educational agency. With few exceptions, the States have accepted all applicant schools agreeing to operate nonprofit feeding programs. As the program expanded, most States have distributed available Federal funds to all participating schools at the same rate per meal. Some States distribute the funds on a variable basis under which needier schools may receive 2 to 3 cents more per meal than the other schools. However, the Federal cash payment from the regular appropriation will amount, on the average, to about 4.5 cents for each of the nearly 3 billion meals to be served next year. As between States, the average rate will range from about 3.5 cents in the States of higher per capita income up to about 6.5 cents in the lower income States. To divert any substantial amount from the regular funds to especially needy schools would simply reduce the cash assistance to other schools, many of which are now barely able to meet needs for free lunches.

(b) An increase in the regular appropriation would not be an effective approach in this situation. States would, in accordance with their normal practice, distribute the additional money among all participating schools. In contrast, additional funds appropriated under section 11 could only be spent in schools specifically selected in accordance with the rigid criteria of need set forth in that section of the law. In this manner, the additional funds would be focused only upon areas of acute need.

4. EXTENT OF NEED

A nationwide survey of school food services conducted in March 1962, by the Department's Economic Research Service, revealed that approximately 1.4 million children were eligible for but are not receiving free or reduced-price lunches at school. About 500,000 of these children were attending schools with an operating lunch program. The other 900,000 children attended schools without lunch services. These statistics, broken down by public and private schools, are shown in the table below:

Needy pupils not receiving school lunches free or at reduced prices, March 1962 [1]

[In thousands of pupils]

Item	Pupils in elementary and secondary schools		
	Public	Private	Total
Pupils attending—			
Schools with lunch services:			
Under national school lunch program	470	38	408
Other plate lunch or a la carte services	19	2	21
Schools without lunch services:			
Planning a lunch program [2]	135	12	147
No plans	553	201	754
Total	1,177	253	1,430

[1] Estimates by local school administrators.

[2] By 1963-64 school year.

Source: Based upon information from a national sample of approximately 5 percent of all elementary and secondary schools.

Needy children not receiving free or reduced price lunches, in most instances, are attending schools where needy children constitute a high percentage of total enrollment—the neediest schools. These schools comprise only a small proportion of all schools. The problem to which special assistance is directed is a highly concentrated and localized one.

Let us look at the 470,000 needy children attending program public schools who were not receiving free or reduced price lunches. Nearly one-half of these children were attending about 4,500 schools—about 7 percent of total program public schools. These schools have only about 4 percent of the total enrollment in participating schools.

A similar situation is found among public schools without lunch services. Approximately three out of four children who were unable to purchase a 25-cent lunch were attending 8 percent of the schools without lunch services—or about 2,500 schools.

This concentration of need is reflected in preliminary results from a special study of data from the 1962 survey shown below:

Concentration of needy children not receiving lunches free or at reduced price in the neediest public schools, March 1962

Schools—Lunch service offered and level of need [1]	Needy pupils	School enrollment	Number of schools
	Percent	*Percent*	*Percent*
Participating in the national school lunch program:			
Neediest	49	4	7
Needy	29	7	8
Limited need	20	11	11
No problem	2	78	78
Total	100	100	100
With no lunch service: [2]			
Neediest	76	6	8
Needy	14	4	3
Limited need	7	5	3
No problem	3	85	86
Total	100	100	100

[1] Levels of need based upon percentage of needy children not receiving lunches free or at reduced price to total school enrollment:

Neediest	10 percent or over.
Needy	5 to 9.9 percent.
Limited need	2 to 4.9 percent.
No problem	Less than 2 percent.

[2] Level of need based upon assumed 25-cent lunch price.

These measures of unmet need, however, do not describe fully the difficulties encountered in many program schools. In several thousand schools listed as needy, or with limited need, the total number of needy children, receiving and not receiving free or reduced priced lunches, exceeds 10 percent of total enrollment.

It is estimated that as many as 10,000 schools may be qualified for special assistance. This is a small portion, however, of the 115,000 schools in the Nation.

Extent of need in urban areas

To provide lunches for more needy urban children, primary emphasis must be given to making these lunches available in additional schools. A survey was conducted by the Consumer and Marketing Service last December of food services in 51 of the largest U.S. cities. In these cities, there were nearly 1.3 million children attending public schools (29.1 percent) which lacked lunch services.

In many of the large metropolitan areas, the older schools in the central cores of major cities provide no lunch service. It is a safe presumption that a large percentage of children attending such schools would be unable to pay for their lunches. The presence of large numbers of needy children in a school, will tend to discourage the inauguration of a lunch operation which will create a heavy financial burden upon a citywide lunch program.

The secondary problem is assuring that needy urban children will receive the nutritious lunch which is available. Participation in lunch programs operating in low-income neighborhoods, in some instances, have been low relative to citywide and national averages.

The need for special assistance in urban areas is typified by experiences in Detroit, Mich., and St. Louis, Mo.

(a) Detroit, Mich.: A special study was made of schools included in Detroit's community action project "area A." The study was concerned with 14 schools in a low-income area with an attendance of 10,800 children. In 9 schools with about 60 percent of total attendance, no lunch services were offered. In the 5 schools with lunch services, only 28 percent of the children were obtaining plate lunches.

(b) St. Louis, Mo.: In November 1964, a St. Louis newspaper published a report containing a charge by a Washington University sociologist, who helped prepare a confidential report on school lunches for welfare authorities, that thousands of children in St. Louis public schools were going without lunches and were too hungry to learn.

During January 1965, a study was made of five elementary schools in the Pruitt-Igoe public housing project area. More than half of the children attending these schools were from families receiving public welfare. At that time only about 250 children of about 4,300 attending these schools were receiving lunches. The lunch was priced at 30 cents and only a very small percentage of the neediest children were receiving free lunches.

The State and city authorities worked out arrangements for special assistance on a pilot basis for these schools which permitted a substantial reduction in the lunch price with special prices for families with more than one child in school. Currently, more than 2,000 children are participating regularly.

Extent of need in rural areas

The need for special assistance in low-income rural areas is the reverse of the urban situation. Particularly in the South, most schools have lunch programs. In some of the more isolated areas, however, there are still considerable numbers of small one- and two-teacher schools which have been unable to finance a lunch program.

A study was made in the 300 most depressed rural counties as identified by the Office of Economic Opportunity—located in 20 States. A total of 851 public schools in 123 of these counties lack lunch services. An estimated 85,000 children attend these schools. They constitute about 7 percent of total school enrollment in the 300-county area.

The primary rural problem is assuring that children in impoverished areas who cannot buy the lunch which is offered can obtain it free or at a reduced price he or she can pay. In Georgia, participation in three low-income rural counties was compared with statewide average participation in the lunch program. In the 3-county area, participation was 20 percent less than the State average. In Alabama and Arkansas, similar comparisons also showed lower participation, by approximately 15 percent and 10 percent, respectively.

In each of these low-income areas, the proportions of free lunches served were substantial—approximating the statewide average in each instance. This shows that these depressed communities are working at the task of providing free lunches to their needy children.

5. SPECIAL ASSISTANCE APPROACH

Our experience indicates that the most effective way to assure school lunches for needy children is through special cash assistance. This assistance should be offered to schools in economically depressed areas where a large proportion of the children would be qualified to receive free or substantially reduced-price meals if an adequate school lunch program were to be operated.

Section 11 of the National School Lunch Act provides the authority and sets forth the mechanics for satisfactorily carrying out this special assistance program. Section 11 has been in effect since 1962, but no funds have been appropriated in response to budget requests.

Funds appropriated under section 11 are separate from the regular appropriation for the national school lunch program. Section 11 funds are apportioned among the States under a separate formula. The approximate initial distribution among the States of a $2 million appropriation is attached. The legislation provides that in the event certain States are unable to use the funds apportioned to them, such funds may be reapportioned to other States.

Section 11 sets up controls needed to assure that funds reach the local schools having the greatest need. In order to approve individual schools for special assistance, State agencies are required to consider: (1) The economic conditions of the area from which the school draws attendance, (2) the number of free lunches already being served and the additional number required, (3) the price charged to paying pupils compared with the average lunch price paid in the State, and (4) the current financial position of the school.

During the past several years in the absence of any section 11 funds, efforts have been made to meet problems posed by needy children through the regular school lunch assistance program. The Department has encouraged State school lunch agencies to provide special assistance funds to very needy schools, from their current resources of Federal funds and commodities. Specifically, States have been urged to provide up to 15 cents per lunch to schools in this category. Also, they have been requested to provide supplemental quantities of available commodities, particularly those in limited supply.

Results have demonstrated that the amount of funds generated through the regular school lunch assistance program is not sufficient to meet the problem. Special assistance could be carried out only on a pilot or very limited basis.

Progress has been limited in relation to the total problem. However, results of the special efforts graphically illustrate what can be attained through the special assistance approach.

Experience with special assistance

Kentucky

In impoverished areas of Appalachian Kentucky, through special assistance, the national school lunch program was extended to 385 small schools. Nearly 10,000 children now are receiving nutritious school lunches for the first time. We are informed that school attendance has increased, and improvements in health have been noted. Also, local food purchases account for an additional $28,000 each month moving into commercial channels.

Few of the children now participating in the Kentucky project could afford to pay more than 10 to 15 cents per lunch. Many could not pay anything. Without special assistance, this expansion of the program could not have occurred.

Virginia

Special assistance in the form of a 15-cent reimbursement per lunch was made available in schools in coal mining areas. Now, 7,000 children in 77 one- and two-room schools can obtain a school lunch.

Georgia

In Columbia County, Ga., special assistance was offered to four schools with lunch services which were located in low-income areas. When lunch prices were reduced sharply, participation increased from 43 percent to more than 70 percent of total enrollment.

Colorado

In two private schools in Denver, Colo., which receive special assistance reimbursement (15 cents), all of the pupils in attendance are participating in the program.

Texas

The Encinal School in south Texas received special assistance at the rate of 10 cents per lunch. This enabled the school to offer lunches at 10 cents and to meet free lunch requirements adequately. Participation has risen from 55 children last year to 96 children during the current school year.

North Carolina

In North Carolina, 87 schools received special assistance. Of these, 32 schools received reimbursement of 8 to 9 cents per lunch, and 55 schools were granted above 9 cents. Average participation increased 15 percent—from 48 to 63 percent. Total attendance in these 87 schools increased by 10 percent.

Illinois

In Cairo, Ill., a special reimbursement of 15 cents was provided to one school. Lunch prices were reduced from 25 cents to 10 cents. Participation increased by 57 percent.

Estimated apportionment of special cash assistance budgeted for fiscal year 1966 (sec. 11, NSLA)

State	Number of free lunches, fiscal year 1964	Assistance need rate	State index in units of 100	State quotient	Based on estimate of $2,000,000	
					Initial apportionment of 50 percent	Apportionment of 100 percent of amount estimated
Alabama	5,231,174	7.5	3,923,380	3.06794	$29,759	$59,518
Alaska	643,185	5.0	321,592	.25147	2,439	4,879
Arizona	2,027,942	5.6	1,135,648	.88804	8,614	17,228
Arkansas	3,150,624	7.8	2,457,487	1.92167	18,640	37,280
California	5,549,270	5.0	2,774,635	2.16966	21,046	42,091
Colorado	1,396,607	5.0	698,304	.54605	5,297	10,593
Connecticut	717,088	5.0	358,544	.28037	2,720	5,439
Delaware	134,036	5.0	67,018	.05241	508	1,017
District of Columbia	1,453,870	5.0	726,935	.56844	5,514	11,028
Florida	8,037,977	5.8	4,662,027	3.64554	35,362	70,723
Georgia	8,093,606	6.7	5,422,716	4.24037	41,132	82,263
Guam	(101,864)	--------	-----------	(.21142)	127	127
Hawaii	807,518	5.0	403,759	.31572	3,062	6,125
Idaho	293,561	6.2	182,008	.14232	1,380	2,761
Illinois	3,814,895	5.0	1,907,448	1.49155	14,468	28,936
Indiana	2,211,639	5.0	1,105,820	.86471	8,388	16,775
Iowa	1,823,204	5.4	984,530	.76987	7,468	14,935
Kansas	763,905	5.4	412,509	.32257	3,129	6,258
Kentucky	9,675,165	6.9	6,675,864	5.22028	50,637	101,273
Louisiana	12,578,156	7.0	8,804,709	6.88496	66,784	133,568
Maine	1,334,973	6.1	814,334	.63678	6,177	12,354
Maryland	1,384,125	5.0	692,062	.54117	5,249	10,499
Massachusetts	3,501,521	5.0	1,750,760	1.36903	13,280	26,559
Michigan	4,177,672	5.0	2,088,836	1.63339	15,844	31,688
Minnesota	2,690,193	5.3	1,425,802	1.11493	10,815	21,630
Mississippi	4,354,287	9.0	3,918,858	3.06441	29,725	59,450
Missouri	3,128,514	5.0	1,564,257	1.22319	11,865	23,730
Montana	1,081,781	5.5	594,980	.46525	4,513	9,026
Nebraska	1,380,463	5.2	717,841	.56133	$5,445	$10,890
Nevada	216,933	5.0	108,466	.08482	823	1,646
New Hampshire	526,418	5.3	279,002	.21817	2,116	4,232
New Jersey	2,138,185	5.0	1,069,092	.83599	8,109	16,218
New Mexico	2,961,652	6.4	1,895,457	1.48218	14,377	28,754
New York	51,822,194	5.0	25,911,097	20.26154	196,537	393,074
North Carolina	6,312,128	6.8	4,292,247	3.35638	32,557	65,114
North Dakota	852,804	6.0	511,682	.40012	3,881	7,762
Ohio	6,267,326	5.0	3,133,663	2.45041	23,769	47,538
Oklahoma	3,934,378	6.2	2,439,314	1.90746	18,502	37,005
Oregon	630,340	5.0	315,170	.24645	2,390	4,781
Pennsylvania	9,728,145	5.0	4,864,072	3.80353	36,894	73,788
Puerto Rico	(46,305,813)	--------	-----------	(96.10946)	57,666	57,666
Rhode Island	201,277	5.1	102,651	.08027	779	1,557
South Carolina	6,627,933	7.8	5,169,788	4.04259	39,213	78,426
South Dakota	895,403	6.1	546,196	.42711	4,143	8,286
Tennessee	9,307,040	7.0	6,514,928	5.09444	49,416	98,832
Texas	8,897,698	5.9	5,249,642	4.10503	39,819	79,638
Utah	1,084,069	5.7	617,919	.48319	4,687	9,374
Vermont	434,234	5.8	251,856	.19694	1,910	3,821
Virginia	4,438,506	6.0	2,663,104	2.08245	20,200	40,400
Virgin Islands	(1,237,041)	--------	-----------	(2.56753)	1,540	1,540
Washington	1,643,184	5.0	821,592	.64245	6,232	12,464
West Virginia	4,600,078	6.6	3,036,051	2.37408	23,028	46,057
Wisconsin	2,802,019	5.1	1,429,030	1.11745	10,839	21,679
Wyoming	136,906	5.0	68,453	.05353	519	1,038
American Samoa	(535,567)	--------	-----------	(1.11159)	667	667
Total	266,076,086	--------	127,883,135	-----------	1,030,000	2,000,000

CIVIL RIGHTS—COMMUNITY RELATIONS

Mr. HART. Mr. President, we are accustomed to reading in the daily newspapers about incidents here and there brought about by passions connected with the current civil rights situation. Yet few have seen fit to comment upon the many more successful occasions of community leaders working together to bring about compliance with the law through reasons and understanding. In cities and towns across America the law is being given effect. And it is being given effect against a peaceful background because reasonable men of different backgrounds have decided that cooperation and understanding should replace mistrust and suspicion. For every ugly incident there are hundreds of examples of integration without incident. We have not solved all our problems by any means, but administration efforts to smooth the transition brought about by civil rights legislation certainly auger well for the future.

The administration very wisely foresaw its responsibilities in this area and it has met them in a variety of ways. None more effective than the Community Relations Service. This organization has quite unobtrusively brought about hundreds of peaceful solutions to community problems. It has worked hard on every front, North and South, to build mutual confidence among community leaders and to create an atmosphere where constructive ideas can be substituted for the blind passion of earlier days.

Frankly, Mr. President, I do not think we have fully measured the tremendous job that has been done in this area. President Johnson has given top priority to the task. He made a remarkably good appointment in picking Governor Collins to take charge of the effort. And he has given it his closest attention and support.

Now the President has seen fit to elevate Governor Collins to a position of even wider responsibility. He has gotten us well on the road to an appropriate solution of community civil rights problems. I am confident that the President will provide the American people with still another excellent leader in this area.

Mr. President, I would like to include in the RECORD an editorial from the Washington Daily News of June 24, 1965, expressing appreciation for the noteworthy accomplishments of Governor Collins and more generally for the way the problem of civil rights is being solved.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A GOOD MIDDLEMAN

It is always difficult to judge a man by what didn't happen.

But those in the front line in the most serious civil rights conflicts know that but for LeRoy Collins and the people who worked for him in the Community Relations Service, some situations that could have become tragic never got completely out of hand.

Wherever there was bad trouble, there were Collins' men—almost completely anonymous—going from one group of antagonists to the other trying to get them together.

Mr. Collins himself played this role on more than one occasion—notably on the second attempt of Dr. Martin Luther King and his followers to make the Selma-to-Montgomery march with Alabama highway patrolmen barring their path.

There are few spots in which it is as difficult to be a middleman as civil rights, but LeRoy Collins succeeded in winning and keeping the confidence of both sides.

Now the President has named Mr. Collins Under Secretary of Commerce. He merits this promotion and should do well in it.

The trouble is that it's going to be hard to find a man to take Mr. Collins place.

SENATE BILL 2069, TO FACILITATE REPLACEMENT OF OBSOLETE VESSELS WITH MORE MODERN VESSELS FROM THE U.S. RESERVE FLEET

Mr. BREWSTER. Mr. President, I wish to make a brief statement in support of Senate bill 2069, which is designed to facilitate the replacement of obsolete vessels with more modern vessels from the U.S. Reserve fleet.

I need not stress the importance to the United States of a strong merchant marine. The Soviet Union and many of the nations of Western Europe, as well, have recently been engaged in a strong effort to build up their commercial fleets. Unless this country takes action to encourage the modernization and replacement of the obsolete vessels in the private merchant marine, we may find ourselves the low man on the totem pole of international shipping.

Senate bill 2069 will broaden the provisions which enable private, nonsubsidized shippers to exchange their old vessels for more modern vessels from the U.S. reserve fleet.

Such a program means more modern and efficient vessels for our commercial shippers, additional ship-conversion work for American shipyards, more jobs for shipyard workers; and, even more important, increased capacity to handle our share of international commercial shipping. Enactment of this bill, moreover, will involve no additional cost to the Government.

The passage of this bill will be a step toward fuller achievement of the objectives of our national maritime policy. Therefore, I urge the enactment of Senate bill 2069.

CANADA DAY, JULY 1, 1965

Mr. BURDICK. Mr. President, today our friends to the north are celebrating their annual "Canada Day," marking 98 years as a federal state. As we approach our Fourth of July commemoration, it seems appropriate that we call attention to the long history of friendship and mutual cooperation that has existed between the United States and Canada.

The enduring partnership between the two nations is dramatically represented by an unguarded border, which in over 150 years has never been menaced by threats of war. In recognition of the continual harmony between the two Governments, the State of North Dakota and the Province of Manitoba 33 years ago created the International Peace Garden. It is the only garden dedicated to this friendship along the 3,986 miles of border between the two nations. The elegantly landscaped gardens, nestled in the Turtle Mountains between North Dakota and Manitoba, provide tourists from both countries an opportunity to meet and renew this old friendship.

Another example of the spirit of good neighborliness is the International Joint Commission, established in 1909 to consider boundary water questions arising between the United States and Canada. Earlier this month the Commission met at Walhalla, N. Dak., and Manitu, Manitoba, to take public testimony on the proposed Pembina River Basin development project. This $35 million multiple-purpose project will provide flood control, irrigation, recreation, municipal and industrial water supplies, and fish and wildlife development. When completed the project will stand as another demonstration of the mutual spirit of cooperation that exists between the United States and Canada.

The pledge inscribed at the International Peace Garden Monument, "That as long as men shall live, we will not take up arms against one another," is particularly meaningful as we share in celebrating our Independence Days.

I salute the people of Canada on this day and on behalf of the people of North Dakota extend warm greetings to our neighbors to the north on the occasion of Canada Day.

APPLICABILITY OF CIVIL RIGHTS ACT OF 1964 TO COLLEGES AND UNIVERSITIES WITH FRATERNITIES WHICH PRACTICE DE FACTO SEGREGATION

Mr. METCALF. Mr. President, last Friday the Senator from South Carolina [Mr. THURMOND] called our attention to a recent statement by Francis Keppel, U.S. Commissioner of Education, in reference to the applicability of the Civil Rights Act of 1964 to colleges and universities with fraternities which practice de facto segregation. The distinguished Senator read into the RECORD two of the many public comments on Mr. Keppel's action. His selection was limited to statements made by David Lawrence and the National Observer.

Since those two statements did not include the text of Mr. Keppel's statement and other important factual data pertinent to the issue, I ask unanimous consent, first, that the original correspondence in which Mr. Keppel's statement was made be printed in the RECORD. I also ask unanimous consent that a letter from the Alpha Omega—Stanford chapter of Sigma Chi, addressed to its alumni, be inserted in the RECORD. This letter is a defense of the local chapter's right to select its members without encroachment from the national chapter. This is local autonomy, which should meet with the approval of many Senators.

In addition, I ask unanimous consent to have printed in the RECORD samples of some of the wide press coverage and reaction to the controversy. Included in this selection are two factual articles which were published in the New York Times, which has been following the situation from the beginning—one article on April 14, and the other on June 18; Time magazine published an excellent summary on page 52 of its June 25 edition; an early editorial—on April 19—in the Palo Alto, Calif., Times defends the Stanford chapter's position; and an editorial praising Mr. Keppel's decision was published on June 21 by a distinguished southern newspaper, the St. Petersburg Times.

I hope these samples will provide a more objective and factual view of the matter.

There being no objection, the correspondence, articles, and editorials were ordered to be printed in the RECORD, as follows:

JUNE 7, 1965.

Hon. FRANCIS KEPPEL,
Commissioner, Office of Education, Department of Health, Education, and Welfare, Washington, D.C.

DEAR COMMISSIONER KEPPEL: Recent events involving my college chapter of Sigma Chi prompt me to ask what position your office would take on the continued distribution of Federal funds to educational institutions recognizing any national fraternity shown to practice de facto racial or religious discrimination.

This question arises from title VI of the Civil Rights Act of 1964 and the administrative regulations pursuant to it, issued by the Department of Health, Education, and Welfare with the approval of the White House. In particular, it relates to questions

8 and 9, as stated in the explanation of HEW form 441, which reads in part as follows:

"Question. What effect will the regulation have on a college or university's admission practices or other practices related to the treatment of students?

"Answer. An institution of higher education which applies for any Federal financial assistance of any kind must agree that it will make no distinction on the ground of race, color, or national origin in the admission practices or any other practices of the institution relating to the treatment of students.

"(c) 'Other practices relating to the treatment of students' include the affording to students of opportunities to participate in any educational, research, cultural, athletic, recreational, social, or other program or activity; * * * making available to students any housing, eating, health, or recreational service; * * * and making available for the use of students any building, room, space, materials, equipment, or other facility or property.

"Question. Does the assurance of nondiscrimination apply to the entire operation of any institution?

"Answer. Insofar as the assurance given by the applicant relates to the admission or other treatment of individuals as students, patients * * * or to the opportunity to participate in the provision of services, financial aid, or other benefits to such individuals, the assurance applies to the entire institution."

As you no doubt are aware, several national fraternities have removed racial and religious clauses from their constitution, ritual and other published materials. Some, however, have substituted so-called social acceptability clauses which may be used to continue de facto discrimination in the selection of their members.

Recognizing the difficulty of establishing the fact that any fraternity does, in effect, practice racial or religious discrimination, and understanding that the precise relationship of national fraternities to educational institutions may vary from one campus to another, I would appreciate your comments on whether your office would recommend the continued allocation of funds to institutions receiving aid under the National Defense Education Act, for example, where these institutions officially recognized or in any way supported fraternities or other organizations shown to practice de facto racial or religious discrimination.

Very truly yours,

LEE METCALF.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
OFFICE OF EDUCATION,
Washington, D.C., June 17, 1965.

Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: Thank you for your letter inquiring about the impact of title VI of the Civil Rights Act of 1964 on educational institutions recognizing any national organization practicing racial or religious discrimination.

As you know, title VI, section 601, reads very clearly:

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

As you note in your letter, the explanation of the assurance of compliance issued pursuant to title VI by the Department of Health, Education, and Welfare is quite explicit, reading in part as follows:

"An institution of higher education which applies for any Federal financial assistance of any kind must agree that it will make no distinction on the ground of race, color, or national origin in the admission practices or any other practices of the institution relating to the treatment of students. * * *

"Other practices * * * include the affording to students of opportunities to participate in any educational, research, cultural, athletic, recreational, social, or other program or activity * * * making available to students any housing, eating, health, or recreational service * * * and making available for the use of students any building, room, space, materials, equipment, or other facility or property."

This language makes it apparent that an institution which maintains a fraternity system as a part of its activities and overall program is responsible under the Civil Rights Act requirements for assuring that discrimination is not practiced by the fraternities in the system.

To my knowledge, the suspension of Sigma Chi at Stanford by the fraternity's national executive committee is the first major test involving de facto discrimination within a national fraternity to develop since passage of the Civil Rights Act of 1964. As such, it seems certain to attract wide public interest.

Of prime importance to me, however, is the fact that the chapter, the university, and prominent fraternity alumni like yourself have united in an effort to eliminate any discriminatory practices from within the national organization on a wholly voluntary basis.

This kind of enlightened leadership not only hastens the day when all Americans will enjoy equality of opportunity, it also enhances the best long-term interests of all our voluntary organizations.

Sincerely yours,

FRANCIS KEPPEL,
U.S. Commissioner of Education.

SIGMA CHI FRATERNITY, ALPHA
OMEGA CHAPTER, STANFORD UNIVERSITY,
Stanford, Calif., April 16, 1965.

DEAR ALPHA OMEGA ALUMNUS: As an alumnus of this chapter you no doubt have felt a sincere interest in the turmoil recently generated by the decision of the grand consul and the executive committee to temporarily suspend our charter. Through past communications, our own, as well as those of several interested alumni, you are probably aware of our longstanding controversy with the national concerning a local chapter's right to pledge an individual regardless of race, creed, or color. We have long desired to be able to enter our spring quarter rush on a nondiscriminatory basis and, accordingly, made this intention clear to the national.

The active members of Alpha Omega feel justified in standing up for that which we believe to be right for both ourselves and the national fraternity. We are very appreciative of the many positive responses we have already received strongly supporting our position.

Our efforts to resolve this question throughout the past 3 years have yielded various suggestions. The most frequent response has been that we continue to work within the framework of the national fraternity, and we are attempting to fulfill that wish. We are very proud of our affiliation with Sigma Chi and hope to continue to remain an active, positively contributing member in the best traditions of the fraternity.

However, we do not intend to sacrifice our own moral principles to the power of the executive committee to veto an initiate due to his "personal unacceptability" when a criterion for his "acceptability" is his race, color, or creed. We intend to continue to work on this problem within the national framework and are hopeful that we can soon obtain a fair and unbiased hearing from the national officers, at which time we will be allowed to present what we feel to be the real facts and issues of this controversy.

Certainly we have been somewhat lax in our observance of some aspects of fraternity ritual involved with chapter meetings. From what we find in the records, you might recall a similar situation when you were living in the house. However, we have taken definite steps to rectify any such grievances the national might have with us, and we are now holding formal chapter meetings regularly. As you are probably aware, our initiations have always been held in strict accordance with Sigma Chi ritual and we have received compliments for the excellence of these ceremonies.

Grand Consul Harry Wade's other alleged reasons for suspending our chapter (i.e., "seething with animosity toward the national," "having a dirty house," and that Stanford University is opposed to national fraternities) are even more ill-founded. We feel that our present suspension is directly the result of our opposition to de facto discrimination within Sigma Chi.

The following excerpts from relevant correspondence might prove interesting to you:

On February 18, 1964, Wade wrote to Alpha Omega: "Generally speaking it would seem to me that your group is in pretty good shape from the physical sense but the main difficulty is your attitude toward the general fraternity. Having been an undergraduate member of the Cornell chapter back in the 1920's this attitude is not exactly unfamiliar to me. In fact, I probably was as guilty a culprit as anybody could be in the pose of 'pooh-pooh' to the national. In other words, I would challenge any undergraduate to be more flippant toward the national fraternity than was the present grand consul—so under the circumstances I have been there, Charlie."

On February 4, 1965, the chapter wrote Wade: "Therefore, we of Alpha Omega Chapter at Stanford University wish to go on record in affirming our belief that—in evaluating a student for membership we should not be influenced in any way by his race, color, creed, or national origin."

Wade replied on February 8, 1965: "As you well know, Sigma Chi has nothing in the public constitution, statutes, or other laws or in secret ritual that keeps anyone out of our fraternity because of his race, creed, or ethnic background."

On February 17, 1965, Wade stated: "You can't hang a man or should not, just for talking, although it has been done. However, if you take the slightest illegal step, which I don't think you will, I shall endeavor to get the executive committee to move most promptly in dealing with your case."

In the few weeks preceding our suspension we were under the impression from conversations and communication with national officers that at present there was no serious criticism of our chapter's behavior other than our announced views regarding membership policies of Sigma Chi.

The issue seems clear cut to us. We have never attempted, nor will we ever attempt to defy any of the rules contained in the constitution, statutes, or ritual of Sigma Chi with which we can comply as men of honor and integrity.

We hope that you and all alumni of Alpha Omega and Sigma Chi as a whole realize that we are not trying to destroy the fraternity, but rather to improve it. As members of the active chapter of Alpha Omega, we hope we have proven ourselves worthy of the strong support we are receiving from Stanford University, prominent alumni, and many others in our attempt to stay within Sigma Chi.

We hope that you, as well, are sympathetic to our position, and we would very much like to hear from you if you have any questions or wish to discuss this issue with us.

Fraternally yours,

Brothers of Alpha Omega.

[From the New York (N.Y.) Times, Apr. 14, 1965]

STANFORD FRATERNITY THAT PLEDGED NEGRO FIGHTS SUSPENSION

PALO ALTO, CALIF., April 13.—The Stanford University chapter of Sigma Chi fraternity has pledged a Negro to membership and has been suspended by the national organization.

Chapter members, believing the two actions are directly related, have voted to resist the suspension order.

"We plan to fight this thing within the fraternity. We have violated no constitutional provisions or regulations and we have no intention to get out," Frank Olrich, of Auburn, Calif., the retiring chapter president, declared today.

NATIONAL OFFICER REPLIES

Harry V. Wade, an Indianapolis insurance man who is grand consul, or national president, of Sigma Chi, said in a telephone interview that neither he, nor to his knowledge the fraternity's national executive committee, knew whom the chapter had pledged. He attributed the suspension to the chapter's "contemptuousness for the fraternity and its ritual."

Mr. Olrich wrote Mr. Wade in February expressing concern over de facto discrimination by the fraternity nationally. He declared:

"Not only are we losing many outstanding Negro athletes and scholars, but many well qualified Caucasian students are avoiding our house because of their overt distaste for our discriminatory policy."

Mr. Olrich said that minority group members able to meet Stanford's entrance requirements were "outstanding representatives of their race or creed." He added:

"It is difficult for us to find reasons why they would not also make outstanding brothers. When such men outdo us on the athletic field and surpass our efforts in the classroom we find it impossible to consider them inferior to ourselves."

Mr. Wade replied that the organization had "nothing in its public constitution, statutes, or other laws, or in secret ritual, that keeps anyone out of our fraternity because of his race, creed, or national background."

As a result the chapter conducted its rush program for the spring quarter on a nondiscriminatory basis. Its 21 pledges included a Negro freshman, Kenneth M. Washington, of Denver, son of a physician.

It became known that the fraternity's national executive committee ordered the Stanford chapter temporarily suspended on April 2. The chapter was notified on April 10 by Mr. Wade, who said the action was taken because it was "crystal clear" that the chapter was "not particularly interested in carrying on the ritual, standards, and traditions of the fraternity."

Dr. J. E. Wallace Sterling, president of Stanford, expressed the university's support of the campus chapter. The chapter's alumni include 2 of the 11 Sigma Chi's in Congress. They are Senator LEE METCALF, Democrat, of Montana, and Representative BURT L. TALCOTT, Republican, of California.

The chapter's members include two Mississippi freedom project volunteers.

[From the New York (N.Y.) Times, June 18, 1965]

COLLEGES FACE U.S. AID CUTOFF IF THEY PERMIT FRATERNITY BIAS

(By Wallace Turner)

DENVER, June 17.—The terms of the Civil Rights Act of 1964 require individual colleges to make certain that fraternities do not discriminate on racial grounds, Francis Keppel, Commissioner of Education, declared today.

Under the legislation, Mr. Keppel could cut off all Federal funds to the colleges if they allowed the fraternities to continue discriminating.

His statement was in a letter to Senator LEE METCALF, Democrat, of Montana, who had asked about the situation involved in the suspension last April of the Sigma Chi Chapter at Stanford University.

The suspension came in a letter from the national fraternity dated 4 days after a Negro student had accepted a bid to pledge the Stanford chapter.

The issue touches on the entire system of Federal grants to colleges and universities.

If Mr. Keppel found that a fraternity was practicing racial discrimination, he would then question the "assurances of compliance" filed by the schools under title VI of the Civil Rights Act, which empowers Federal agencies to withhold funds from any recipients practicing discrimination. The schools would be required to end the discrimination, either by changing the practices of the fraternity or by removing the offending chapter from the campus.

The alternative would be a procedure initiated by Mr. Keppel under which all Federal grants could be shut off to the colleges where the fraternity operated chapters.

Harry V. Wade, national president of Sigma Chi, has denied that the pledging of Kenneth M. Washington, a Negro freshman who is the son of a Denver physician, was the reason for the suspension of the Stanford chapter.

He said recently that "the reason we suspended the chapter was because of its contemptuous attitude toward the fraternity and other Sigma Chi chapters in its area."

Mr. Wade is an executive of the Standard Life Insurance Co. of Indiana.

After the national Sigma Chi fraternity acted against the Stanford chapter, the board of regents at the University of Colorado voted to place the Sigma Chi Chapter at Boulder on probation.

Sigma Chi's national convention opened here last night. A delegation from the Stanford chapter is in attendance, accompanied by legal advisers.

The Stanford students refused today to discuss their situation. They have made it clear, however, that they believe the chapter was suspended because it pledged Mr. Washington.

Senator METCALF recently called Mr. Keppel's attention to the dispute between the national fraternity and its Stanford chapter of which the Senator is an alumnus.

It was pointed out that while the fraternity has no discriminatory clause in its constitution, it does have a clause that forbids a chapter to propose for membership anyone "who for any reason is likely to be considered personally unacceptable as a brother by any chapter or any member anywhere."

Senator METCALF said the national fraternity's action "may endanger Sigma Chi on every campus in America."

Mr. Keppel's letter appeared to bear this out. He pointed out that regulations issued under the Civil Rights Act of 1964 require schools to give assurances that there is no racial discrimination "in admission practices or any other practices of the institution relating to the treatment of students."

The schools are also required to assure the Federal Government that no other university practices are discriminatory in "making available for the use of students any building, room, space, materials, equipment, or other facility or property.

"This language makes it apparent that an institution which maintains a fraternity system as a part of its activities and overall program is responsible under the Civil Rights Act requirements for assuring that discrimination is not practiced by the fraternities in the system," Mr. Keppel wrote to Senator METCALF.

The Commissioner also said:

"To my knowledge the suspension of Sigma Chi at Stanford by the fraternity's national executive committee is the first major test involving de facto discrimination within a national fraternity to develop since passage of the Civil Rights Act of 1964. As such, it seems certain to attract wide public interest."

[From Time magazine, June 25, 1965]

STUDENTS—FRATERNITIES GET THE GRIP

How deeply does the 1964 Civil Rights Act's title VI—the provision that empowers the Federal Government to withhold funds from recipients practicing racial discrimination—cut into the social texture of U.S. academic life? Commissioner of Education Francis Keppel last week provided a measurement by ruling that any fraternity's refusal to admit a Negro on racial ground could imperil the many millions of dollars that a university might be getting from the Government.

SWEETHEART OF SIGMA CHI

It was a sweetheart deal of Sigma Chi that spurred the ruling. In the late 1930's, nearly all of the 61 major social fraternities carried exclusion clauses in their constitutions, typically limiting membership to "whites of full Aryan blood" or "Christian Caucasians," and banning "the black, Malay, Mongolian, or Semitic races." Discrimination first became a hot campus issue in 1946 when Amherst College bluntly ordered its 13 fraternity chapters to purge themselves of bias or close their doors. By 1955, largely because of pressure from college administrations, only 10 specific discrimination clauses remained. By 1964, at least 125 colleges had adopted policies condemning such discrimination, and more than 50 had ordered local chapters not only to get rid of bias clauses but to stop racial or religious discrimination in actual practice. The barriers generally have fallen first for Jews, then Negroes.

But to this day at least four fraternities—Sigma Chi, Phi Gamma Delta, Alpha Tau Omega, and Phi Delta Theta—either have switched to constitutional euphemisms or have reached unwritten "gentlemen's agreements" that require members to be "socially acceptable" to all other members. A member pledged in California, for example, must not be likely to offend a member in Alabama. A fifth, Sigma Nu, still retains a "whites only" clause, but has permitted chapters, if pressured by college officials, to request special dispensation to admit Negroes. Sigma Chi requires national approval of every member by a screening committee supplied with racial and religious information on each applicant—and a photograph to boot.

A HIGH-CLASS CHINESE?

Last April Sigma Chi suspended its Stanford chapter after the local asked Negro Student Kenneth M. Washington, son of a Denver urologist, to join. Sigma Chi's national grand consul, Harry V. Wade, an Indianapolis insurance executive, said in a letter to the Stanford chapter: "I personally would not resent having a high-class Chinese or Japanese boy admitted to Sigma Chi. But I know full well that his presence would be highly resented on the west coast."

"Therefore, I must submerge any personal feeling and refrain from proposing a Japanese or Chinese boy because of the reaction it would cause among your alumni." Sigma Chi's attitude so irked Montana Senator LEE METCALF, who joined Sigma Chi at Stanford, that he asked Keppel whether such discrimination violated the Civil Rights Act.

Keppel timed his reply to coincide with last week's national Sigma Chi convention in Denver, where Stanford and other delegates fought to gain local autonomy on member selection. The convention left Stanford still suspended, but authorized a commission to study "relationships with local colleges." All the same, the Stanford case had inspired a landmark ruling certain to affect fraternity life profoundly.

[From the Palo Alto (Calif.) Times, Apr. 19, 1965]

FARM SIGMA CHI'S TAKE RIGHT STAND

The Stanford Chapter of Sigma Chi social fraternity deserves encouragement in its effort to bring about racial integration of Sigma Chi nationally.

The Stanford unit temporarily lost its national affiliation after charging the national with de facto discrimination. Then, on April 12, the chapter pledged Kenneth M. Washington, a Negro, the son of a Denver physician.

In keeping with a policy set in 1957, Stanford's administration is supporting the chapter in its struggle to burst unwritten racial barriers in the national fraternity.

Social fraternities exist at colleges to serve the students who become their members and aid the colleges in their educational purposes. When they function to perpetuate racial prejudice they erode their reason for being.

[From the St. Petersburg (Fla.) Times, June 21, 1965]

ANOTHER BARRIER DOWN

A dozen or so times in recent years, chapters of various college fraternities have been suspended or had their charters lifted by their national, alumni-controlled organizations because they pledged Negroes.

There'll be an end to that sort of thing now—or an end to national fraternities.

The Stanford University Sigma Chi chapter last April underwent this type of "discipline" by its national officers. The incident came to the attention of Senator LEE METCALF, Democrat, of Montana, who asked U.S. Commissioner of Education Francis Keppel how this action comported with the Civil Rights Act.

Commissioner Keppel has now ruled that any college or university which permits fraternities to practice racial discrimination is liable to forfeit its right to any Federal funds.

A good many colleges of late have seriously questioned the desirability of fraternities and sororities anyway. Some of the best—Williams College and Randolph-Macon Woman's College, for example—have recently abolished these social institutions.

Faced with the alternative of losing all Federal finances, there are few institutions of higher learning which now will hesitate to do away with any of the Greek letter societies which attempt to maintain discrimination.

This new order of things will dismay only a minority of the fraternity "actives"—those still in college. It is the alumni hierarchy which will have to adjust itself to mid-20th century realities or see their fraternities virtually wiped out.

SENATOR FULBRIGHT SPEAKS TO RHODES SCHOLARS

Mr. CHURCH. Mr. President, in Senator FULBRIGHT, the distinguished chairman of the Foreign Relations Committee, this country possesses a political philosopher and foreign affairs analyst unexcelled among those who have held political office in the modern history of our Republic. Senator FULBRIGHT again demonstrated his highly developed intellectual qualities in a speech he delivered to the Rhodes scholar reunion at Swarthmore College on June 19. Senator FULBRIGHT had some stark, but accurate, thoughts about the contemporary world situation:

> In recent months events have taken an ominous turn. For varied and complex reasons the nations are sliding back into the self-righteous and crusading spirit of the cold war.
>
> It is clear in any case that the cold war detente is at best in suspension. The crises in Vietnam and the Dominican Republic are affecting matters far beyond the frontiers of the countries concerned.
>
> Somewhat like the great powers of 1914, the Soviet Union and the United States appear to have lost much of their former control of events; like the great powers of 1914 they appear to be more preoccupied with commitments to others than with their own interests and preferences in relations with each other.
>
> Under these conditions the prognosis for peace with freedom is hardly favorable.

But Senator FULBRIGHT is not wholly pessimistic about our chances to preserve the peace. In his concluding lines, he noted:

> But existing conditions are not permanent conditions, and prevailing tendencies are not irreversible. Our capacity to shape events is as great as our capacity to understand them. The national and constructive conduct of public affairs is not man's most conspicuous talent, to be sure; but it has been done before, and it can be done again.

Mr. President, I ask unanimous consent that Senator FULBRIGHT's thoughtful address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

PROSPECTS FOR PEACE WITH FREEDOM

(By Senator J. W. FULBRIGHT)

As an objective of foreign policy "peace with freedom" is a dubious concept. The difficulty about peace is that practically everybody wants it but practically everybody wants something else more. The difficulty about freedom is that the form of it most desired in the world is the freedom to work one's will upon others. And the difficulty about any noble objective in human affairs is that there are likely to be as many versions of it—usually conflicting versions—as there are advocates.

I do not suggest that "peace with freedom" is an unworthy object of our foreign policy but only that the pursuit of it with too much zeal is the surest way to lose it. Of all the faculties of man none is more perfectly developed than the talent for cutting general principles to the specifications of personal interest and ambition. We Americans sincerely believe that our policies are designed to secure peace with freedom for all men. But the Russians and the Chinese may be just as sincere in believing that their policies are the way to peace with freedom. Under these conditions the prospects for peace with freedom in the world would seem to depend on the restraint with which everybody pursues his own particular concept of it.

Of all the dangers that beset humanity perhaps the greatest is man's abiding dissatisfaction with his own nature. Through the ages men have constantly tried and constantly succeeded in efforts to control their natural environment. Just as constantly men have tried and failed to alter their own nature. For reasons not easily understood we have never been at peace with our human appetites and instincts and irrationalities and have striven, at a disastrous price in violence and self-hate, to make ourselves into a race of angels. The product of all this striving to be better than we are or can be is that self-deceiving righteousness which enables men in pristine conscience to commit unspeakable acts of cruelty.

I believe that the world has suffered far less from overt wickedness than from too much passion for virtue and too much conviction about how to achieve it. These sentiments, rooted in man's hatred of his own human nature, lead not to virtue but to the macabre entreaty of Mark Twain's "War Prayer": "for our sakes who adore Thee, Lord," the mysterious stranger prays before battle, "blast their hopes, blight their lives, protract their bitter pilgrimage, make heavy their steps, water their way with their tears, stain the white snow with the blood of their wounded feet. We ask it, in the spirit of love, of Him who is the source of love, and who is the ever-faithful refuge and friend of all that are sore beset and seek His aid with humble and contrite hearts. Amen."

I think that the prospects for peace with freedom would be much improved if we could come to terms with our imperfections and modify our ambitions. "Human nature will not change," said Abraham Lincoln. "In any future great national trial, compared with the men of this, we shall have as weak and as strong, as silly and as wise, as bad and as good."[1] If only we could learn to live with this prospect and could make our peace with the imperfections of human nature, we might then be able to develop the respect for ourselves and the compassion for others which are the conditions of peace with freedom.

The world is not at present moving in this direction. Until a short time ago it seemed that it might be, but in recent months events have taken an ominous turn. For varied and complex reasons the nations are sliding back into the self-righteous and crusading spirit of the cold war. We are hearing very much more these days about honor and principles and peace and freedom and national liberation and it is all being accompanied by rising tensions and violence. It is too soon to say whether the trend toward more stable world relations which seemed to be developing a short time ago is merely being interrupted or whether a whole new tendency is taking hold in world politics.

It is clear in any case that the cold war detente is at best in suspension. The crises in Vietnam and the Dominican Republic are affecting matters far beyond the frontiers of the countries concerned. The Alliance for Progress, for example, was regarded as progressing hopefully until April of this year, but its future is now uncertain. The steady improvement of our relations with the neutralist countries and with the Communist countries of Eastern Europe has been interrupted by the spreading belief that the United States is no longer in sympathy with the nationalism of small and struggling nations.

Most important and ominous of all, events in southeast Asia and in the Caribbean are greatly complicating relations between the United States and the Soviet Union. Their detente has not been destroyed but it is in abeyance and a renewed atmosphere of harshness is developing. Neither of the great powers appears to welcome this deterioration in relations and neither has deliberately brought it about, but, powerful though they are, they seem powerless to arrest it. Somewhat like the great powers of 1914, the Soviet Union and the United States appear to have lost much of their former control of events; like the great powers of 1914, they appear to be more preoccupied with commitments to others than with their own interests and preferences in relations with each other.

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[1] "Response to a Serenade," Nov. 10, 1864.

Under these conditions the prognosis for peace with freedom is hardly favorable. But existing conditions are not permanent conditions and prevailing tendencies are not irreversible. Our capacity to shape events is as great as our capacity to understand them. The rational and constructive conduct of public affairs is not man's most conspiculous talent, to be sure, but it has been done before and it can be done again.

I have no prescription to offer as to how to improve the prospects for peace and freedom in the world beyond the general proposition that they are most successfully pursued when they are pursued without excess of zeal. "All this struggling and striving to make the world better is a great mistake," wrote Shaw: "not because it isn't a good thing to improve the world if you know how to do it, but because striving and struggling is the worst way you could set about doing anything."[2]

The prospects for peace with freedom depend very largely on the ability of nations to recognize that "peace with freedom" means different things to different people and that, however deeply one may believe in one's own version of it, it is just possible that someone else's version is as good or even better. Without taking the words quite literally, I think there is wisdom—at least as a corrective to prevailing views—in Alexander Pope's lines on government:

> "For forms of government let fools contest;
> Whate'er is best administer'd is best;
> For modes of faith let graceless zealots fight;
> His can't be wrong whose life is in the right.
> In faith and hope the world will disagree,
> But all mankind's concern is charity."[3]

VIETNAM DIALOG: MR. BUNDY AND THE PROFESSORS

Mr. DODD. Mr. President, on June 21, between 10 and 11 p.m., what I consider to be the most important program of the television year was presented by CBS. I am referring, of course, to the special report entitled "Vietnam Dialog: Mr. Bundy and the Professors."

This program was a pleasant contrast to the unruly, disorganized, and one-sided all-day "teach-in" which was televised on May 15.

It was conducted as a debate on Vietnam should be; it was moderated by Eric Sevareid, one of the best news analysts in the country; and the proponents and the opponents of the President's policy on Vietnam each had the same fair chance to state and to defend their point of view.

The program was a clear victory for the proponents. The long-awaited appearance of McGeorge Bundy, who was ably assisted by Dr. Zbygniew Brzezinski and Dr. Guy Pauker, was a solid success for him and for the administration.

I think most people will agree with this evaluation.

But more important than who won or who lost is the fact that the American public finally had a chance to view and listen to a balanced, reasonable debate on what is the single most important and most difficult foreign policy problem the United States faces at the present time.

For this public service, I commend CBS, Eric Sevareid, and the six participants in "Vietnam Dialog."

The distinguished Senator from Wisconsin [Mr. PROXMIRE] placed into the RECORD, yesterday, the transcript of the program. That gave me a chance to read through the debate a second time; and I hope Senators and other people will also avail themselves of this opportunity to review that excellent exchange of ideas and views.

CONFLICT OF INTEREST

Mr. WILLIAMS of Delaware. Mr. President, the Senate Rules Committee report which has just been released points up some of the many conflicts of interest in which Mr. Bobby Baker was involved while serving as an employee of the U.S. Senate, and the committee in effect recommends his indictment.

I commend them on this phase of their report and support their conclusions; however, I regret that the committee did not see fit to explore further some of the other obvious angles involving Mr. Baker and perhaps other employees.

For example:

Only one aspect of the so-called freight forwarders case was explored by the committee. Even the majority members of the committee recognized this case as unfinished business when in their report they said:

> The committee is aware of the fact that the Department of Justice has accumulated a considerable amount of information on other aspects of this subject matter.

An investigation involving solicitations from and the handling by the International Telephone & Telegraph Co. of certain political contributions was conspicuously sidestepped.

Failure to call the numerous witnesses requested by the minority members leaves a serious question in the minds of many as to what would or could have been developed.

As is pointed out in the minority views, it is obvious to all who have examined Mr. Baker's activities that until such time as national defense contractors, such as North American Aviation and Northrop, decide they no longer want or need to do business with Mr. Baker his complex financial empire may continue to prosper. Why was not a more thorough examination made to ascertain why these major defense contractors felt it advantageous to discontinue their contractual arrangements with the vending companies who had been providing their services and give their business to Mr. Baker's newly organized Serv-U Corp.? Who helped Mr. Baker get his confidential security clearance through the Defense Department so expeditiously to make it possible for his company to establish eligibility for access in these defense plants?

What services was Mr. Baker rendering to the Murchison interests that would cause one of their top officials to cut Mr. Baker in on exceptionally profitable speculations without Mr. Baker's having to put up any capital or share any risk?

From what source did Mr. Baker obtain the approximately $100,000 in cash that he had so conveniently stashed away in his file cabinet?

These are but a few of the many unanswered questions concerning the operations of this former employee of the U.S. Senate who, while drawing a $19,000 Government salary, was, in the brief span of less than 5 years, able to pyramid his net worth from around $80,000 to approximately $2¼ million while at the same time reporting a comparatively negligible tax liability.

In its report the committee makes several recommendations toward the establishment of new rules in the Senate and the enactment of new legislation, the purpose of which will be to prevent a recurrence of such an episode.

I support these recommendations to the extent that they go; however, as is pointed out by some members of both the majority and the minority in the supplemental views, I question that the committee's recommendations go far enough. Later, when these proposals come before the Senate, I shall outline in greater detail my own views as to what further steps are necessary.

As I stated when this investigation first started in 1963, the Senate itself is on trial, and under no circumstances can this investigation be allowed to stop short of a full disclosure and adequate steps being taken to safeguard against such an episode ever happening again.

EDUCATION AND ITS RELATION TO THE COST OF ELECTRICITY IN CALIFORNIA

Mr. METCALF. Mr. President, I ask unanimous consent to have printed in the body of the CONGRESSIONAL RECORD an editorial about education and its relation to the cost of electricity in the State of California. The editorial was published in the June 4, 1965, issue of the Oceanside, Calif., Blade-Tribune.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A MATTER OF PUBLIC RESPONSIBILITY

The board of regents of the University of California is faced with another controversial decision. At the end of last year, the university's contract with Pacific Gas & Electric Co. for electric power supplied the Berkeley campus expired. The regents must now either renew this agreement or make plans to switch to electricity purchased from the Central Valley project of the U.S. Bureau of Reclamation.

At stake is the sum of $21,817,000. This amount could be saved the Berkeley administration over the next 10 years by a Central Valley project contract, according to estimates prepared by the university's vice president for business affairs.

Looking into the future there will be, within the State of California, an ample supply of Federal power. Congress intended, via the reclamation statutes, that this low-cost energy should go first to public or "preference" agencies. Unfortunately, there is sometimes a difficulty in getting the power from the point of generation or from a Federal transmission net, such as the Central Valley project, to the site of demand. The CVP substation closest to Berkeley is located at Tracy, 50 miles to the east.

In the present instance, Pacific Gas & Electric has flatly refused to transfer the Federal power over P.G. & E. lines from Tracy to Berkeley. However, the University of California campus at Davis has already converted from private to public power brought to the campus via P.G. & E. lines. How the private utility can refuse to carry energy to Berkeley when it is already wheeling power to Davis is not clear.

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[2] "Cashel Byron's Profession" (1886), ch. 6.

[3] "Essay on Man," Epistle III, line 303.

Perhaps the answer can be found in the savings public power makes possible at Davis. In February 1965, the Davis campus paid the Government 4.932 mills per kilowatt-hour for its electricity. Had the university continued with P.G. & E. service, the cost would have been 9.954 mills per kilowatt-hour. Thus the cost of electricity at Davis has been more than cut in two. These figures have been given the Blade-Tribune by F. K. Crouch, the university's engineer for planning and construction.

The power report to the regents has indicated that substantial savings could be put into effect if the university built its own lines between Tracy and Berkeley to carry Government power to the campus. This reduction would be smaller than would be possible with P.G. & E. carrying the load on its existing lines. But the capital investment required could be quickly amortized and thereafter electricity costs at Berkeley would be cut by $1,356,000 per year.

The board of regents is now contemplating the institution of a $50 per term tuition fee for students. The optimum power saving to be made possible by the change to public sources would aggregate more than $100 per year for every undergraduate at Berkeley. The Blade-Tribune urges the regents to look carefully and hopefully into the recommendations made by its own administration report.

APPEASEMENT OF NASSER

Mr. GRUENING. Mr. President, it is shocking and disappointing that, despite the overwhelming expression of sentiment in Congress on more than one occasion, the administration still continues to appease Nasser, whose every action has been hostile to all the purposes which the United States seeks in the Middle East, who has been guilty of aggression and threatened aggression over and over again, and who is the greatest menace to the peace and progress of the Middle East.

An appropriate comment is found in an article entitled: "The Tie That Binds," written by Henry J. Taylor, and published in the June 30 issue of the Washington Daily News. I ask unanimous consent that the article be printed in the Record at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Daily News, June 30, 1965]

The Tie That Binds

(By Henry J. Taylor)

When President Johnson lifted the suspension on aid to Nasser he did exactly what a Senate majority had intended to prevent.

The outraged Members tried to stop the golden flow after Nasser's thugs burned our Cairo libraries and heaped contempt—again—on American aid. A wiser U.S. policy was as much at stake as the money.

Yet, behind the scenes, Mr. Johnson engineered the defeat of the aid ban in the Senate. He repeated the same old, tired contention that is promoted whenever commonsense catches up with our foreign aid—"You mustn't tie the President's hands in foreign affairs."

Senate Minority Leader Everett Dirksen, Republican, of Illinois, nursing his image as a statesman (Oh, Mamma Mia), caves in like a hollow egg whenever the White House pronounces it.

All other responsible governments in free countries require various parliamentary approvals in foreign matters. In fact, much confirmation of the American President's foreign affairs intentions is required, of course, in our Constitution, even his choice of ambassadors.

Some foreign aid remains essential. For example, what would happen if we eliminated our economic aid in South Korea? But Nasser, never our friend, has already picked up more than $1.2 billion from our taxpayers. He has also added immensely to our global costs, and those of our allies, by relentless disrupting the peace.

This aggressive demagog was a prime factor in equipping the Stanleyville and Paulis massacre units advancing from the Sudan, Uganda and Burundi. Much of the horror we've seen, and the treasury we have spent in the Congo, is directly traceable to Gamal Abdel Nasser.

The Israel intelligence service believes that Nasser is preparing for aggression against Israel at this very moment. In any case, he is a chief reason for the heavy rearming in Israel and we underwrite most of the cost of the U.N. peacekeeping patrol in the Gaza strip.

Nasser has doublecrossed the United States many times and part of the present issue arose when he doublecrossed us again in his 1964 loan commitment.

We sent Nasser about $170 million in food by its terms. These prohibited his equivalent sale to Red countries that the United States officially boycotts. Nasser, however, sold almost 40 percent of Egypt's domestic rice crop to Red China and Castro's Cuba—both under our boycott.

Such deals play right into the hands of Moscow and Peiping since it lightens their economic load.

FARM LABOR SHORTAGE HAS NOT CAUSED HIGHER RETAIL PRICES

Mr. WILLIAMS of New Jersey. Mr. President, over the past few weeks, much has been said concerning the high retail prices of agricultural products. In several articles which have been printed in the Congressional Record, the situation has been blamed, in part, on the lack of an adequate supply of American farmworkers. It has been claimed that Secretary Wirtz, by not allowing the massive importation of foreign farm labor under Public Law 414, has caused a curtailment of farm production, which has caused crops to rot in the fields. It has been claimed that this has caused the housewife to pay higher prices for groceries.

The Packer, the national weekly business newspaper of growers, shippers, receivers, distributors, and retailers of fresh fruits and vegetables, is certainly in a position to know the true facts concerning this matter. In the past, this newspaper has criticized Secretary of Labor Wirtz for not allowing the importation of foreign farmworkers; and certainly it cannot be considered biased in his behalf.

In an editorial published on June 12, which I am sure will be of great interest to all Members of this body, the Packer stated that it had recently conducted an investigation into this situation, and found that potatoes have been in short supply this season. Furthermore, far western lettuce production has been adversely affected by unfavorable weather. The editorial writer, in refuting charges that the lack of farm labor has caused retail prices of farm products to rise, stated:

> Up to now it cannot fairly be contended that the farm labor shortage has been responsible for widely spread shortages, quality deterioration, and high prices for the produce list.

I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Packer, June 12, 1965]

Watchman, What of the Night?

High retail prices on fresh fruits and vegetables have gotten to be quite a conversation piece throughout the country. You hear it over the back fence, and in the neighborhood bank as the housewife steps up to cash a good-sized check for the week's grocery purchases.

Is there any danger of a serious reaction that might hurt consumption of "the fresh" over the long pull?

The Packer felt that this ought to be looked into, and so conducted a spot check, with results as indicated in this week's first-page story.

We don't pretend to have come up with an authoritative answer. The whole subject is one that needs extended, careful study. However, in this week's investigation by Packer representatives, some interesting points have been raised.

High prices of a number of items are coming in for a lot of conversation, and volume of purchases is being affected. But there doesn't appear to be any general consumer resentment that is likely to affect buying habits for the future.

On the contrary, the present experience seems to be disproving the old theory that volume sales of fresh fruits and vegetables can be accomplished only through low prices. It now appears evident that consumers will buy these products at higher prices—if the quality is acceptable. The latter is the big problem with several items at the present time.

Sharply higher prices are mostly confined to a few items like potatoes, lettuce, strawberries. Potatoes have been notoriously in short supply this past season. Far western lettuce has been affected by unfavorable weather. The labor shortage has been a serious problem in the strawberry deal, affecting both quality and price of harvested berries.

Up to now it cannot fairly be contended that the farm labor shortage has been responsible for widely spread shortages, quality deterioration, and high prices for the produce list.

But don't be complacent about it, Mr. Wirtz! The experience with strawberries shows what can happen. Lettuce and celery have also been affected. A potentially dangerous situation appears to be shaping up with cantaloupes. Other crops, quite vulnerable to labor shortages, will be coming along through the summer and fall.

The industry, too, can't afford any complacency. A long extended pattern of spotted quality and condition, with high prices, could hurt produce consumption for the long pull. There is more at stake than immediate profits. The industry's progressive merchandisers, at shipping point, on terminal markets, and at retail, will need to be on the lookout more sharply than ever for signs of trouble. And they will need to strive with even greater energy toward the total merchandising job that needs to be done for fresh fruits and vegetables.

Mr. WILLIAMS of New Jersey. Mr. President, the latest information from the Department of Labor and the Department of Agriculture also supports the Packer's editorial position.

According to these Departments, the May Consumer Price Index has not yet been released. The rise of 0.3 points, which has been widely attributed by the press to the May index, actually relates to price rises which occurred between March and April.

In the fruit and vegetable segment of the index, the greatest increase was caused by higher retail prices for Irish potatoes and apples. Since the harvest of potatoes has not yet begun in areas where foreign workers were employed last year, mostly in Maine, this price increase could hardly have been the result of a lack of American farmworkers. The real reason for the increase in the price of potatoes is last year's poor crop, which was 242,869,000 hundredweight, as compared to 271,730,000 hundredweight in 1963.

In apple production, foreign workers were employed in large numbers only in certain areas of Virginia and West Virginia. In these areas the harvest has not yet begun; and, therefore, as in the case of potatoes, the price increase in apples cannot be attributed to any lack of American labor.

In the case of strawberries, the Department of Agriculture predicts that production for 1965 will be approximately 16 percent less than the production last year. Part of the decrease is attributed to an 8-percent reduction in acreage. However, the Department of Agriculture explains as follows the decline in yield per acre:

> In California there was a considerable loss of the bloom and early set during April following heavy rains.

The progress of the strawberry harvest has not fallen much behind that of last year. As of June 12, 42.6 percent of this year's crop had been harvested, compared with 47.6 percent on June 12, 1964. Again, this is not surprising, considering the fact that unusually bad weather in April delayed the start of the harvest.

In the case of California lemons, the same situation exists. On June 12, the Department of Agriculture predicted lemon production for the entire 1965 season at 13,500,000 boxes, 17 percent less than last year's production. However, this decrease is attributed to unseasonable cold, wet weather during the period of the bloom, which resulted in a poor set of fruit, and is not due to a lack of farm labor. Because of poor weather conditions, production figures as of June 13 show a 38-percent decline from those for a corresponding period in the preceding year. However, this lag has been decreasing in recent weeks, as the weather has improved. Production during the last week of May and the first week in June was only 20 percent below that of last year. During the second week in June, this figure was reduced to 9 percent. The prediction for the last week in June is that production for this week will exceed that in 1964. On May 24, L. N. Gardner, head of the Department of Agriculture Market News Bureau at Los Angeles, in discussing the California lemon harvest, stated:

> It is too soon to say that there will be any substantial number of lemons left on the trees unharvested.

In the Rio Grande Valley of Texas, during the last week, the National Commission on Food Marketing has been holding hearings concerning prices in the fruit and vegetable industry. The hearings covered, among other things, the retail cost of fruits and vegetables and the effects on cost of the termination of Public Law 78.

The June 19 edition of the Packer showed great insight in its detailed articles on these hearings, which, I believe, will be of great interest to this body.

In its articles, the Packer quotes R. C. Jones, a Mercedes, Tex., grower, as saying:

> Consumer prices paid for farm products, notably vegetables, seem to bear no relationship whatsoever with prices paid to the grower.

Mr. Jones was also critical of retail pricing which realized $300 to $380 a ton for carrots, while growers in south Texas receive $5 to $10 a ton.

Henry L. Van De Walle, manager of Van De Walle & Sons, Inc., a San Antonio, Tex., shipper, stated that it was his opinion that retail stores were charging too much for fruits and vegetables:

> The markup is greater on fresh fruits and vegetables than on staple items because of their perishable nature. However, under present-day transportation, packaging, and refrigeration methods, produce is not nearly so perishable as it was years ago, losses are small, and the excessive, high markups are outdated.

Othal E. Brand, president of Griffin & Brand, of McAllen, Tex., the world's largest grower and shipper of onions, stated that the elimination of the bracero program would be of tremendous value to the fruit and vegetable industry in eliminating overproduction.

I ask unanimous consent to have printed in the RECORD the article entitled "Grower Gloom in Texas Hearing; Shippers See More Hopeful Outlook."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Packer, June 19, 1965]

GROWER GLOOM IN TEXAS HEARING; SHIPPERS SEE MORE HOPEFUL OUTLOOK

(EDITOR'S NOTE.—This coverage of the June 11 and 12 hearings of the National Commission on Food Marketing investigation of the fruit and vegetable industry was written by Packer staff member Bill Mansfield, stationed in the Texas lower valley. It is handled in separate segments: growers, Friday; shippers, Saturday.)

GROWERS

MCALLEN, TEX.—An air of doom and gloom hung over the McAllen Civic Center last Friday, June 11, the first day of the 2-day hearing by the National Commission on Food Marketing, when most of the 10 testifying witnesses were Rio Grande Valley growers. Valley shippers had their day in court Saturday.

The aim of the Commission is to obtain a complete picture of fruit and vegetable production and marketing in the United States, and to inform itself as to the causes behind the big spread between the high prices paid by the consumer for fresh fruit and vegetables, and the small return to the growers of produce.

In the words of Representative GRAHAM PURCELL, Democrat, of Texas, who presided, "The Commission's job is to search for the true facts as fairly and objectively as human nature allows, and after having found and established these facts, to make such recommendations to the President and to the Congress as, in our judgment, will help assure both equity and efficiency in the marketing process."

Friday's witnesses, in direct testimony and under cross-examination by commission members and counsel, listed overproduction, weak selling, inadequate financing, competition from Mexican and Canadian imports, a deficient advertising and promotion program, chainstore buying power, overpricing at retail level, the reduction in the number of buyers, cutthroat competition by shippers, high production and packing costs, taxes, and the power of unionism as the major cause of the valley's depressed conditions.

Sharp lecture

After listening to the complaints of several of the grower witnesses, Representative PURCELL took the time to lecture the south Texas industry in sharp terms for its lack of direction, cohesion, and cooperation. "You should try harder to promote and publicize fruits and vegetables," he said. "If you spent one-tenth of 1 percent of the amount the beer and cigarette industries spend, there would be no problem," he said.

C. E. Marcum, general manager of the Valley Production Credit Association, Harlingen, designated growers' increased operating costs, coupled with reduced per-acre yields and lower per-unit sales return on agricultural products in the Rio Grande Valley during the past 5 years as the cause of the financial distress of the farmer-members and the credit position of the association.

Mr. Marcum concluded, "There appears to be nothing in sight on the economic horizon that will reverse or relieve the present serious economic situation here in the Rio Grande Valley and it appears the situation may get worse before it gets better. I have no solution to offer, I am merely trying to supply some pertinent facts that may be of benefit to the commission."

Land Values

Gordon B. Morrow, president of the Cameron County Farm Bureau, of Rangerville, mentioned the paradox of declining land values in the Rio Grande Valley in a booming national economy. "Usually a man who owns land automatically gains in credit potential because of increasing land values. This has not happened in the Rio Grande Valley; but the reverse has happened and I can't see the reason for it. As I understand it, there is a lot of outside money coming in and being invested in valley land. I have often wondered if an 'Oliver Warbucks' type of power or powers could cause such a situation."

Mr. Morrow, who, in addition to vegetables, is a producer of cotton and grain, told of his successful marketing of these products through cooperatives. This prompted Representative PURCELL to ask why, if cooperatives were such a great advantage to cotton and grain growers, this system of marketing has not been applied to citrus and vegetables. At this time, and later when the subject was brought up again, the same answer was given that the growers are not financially able to set up cooperatives in the lower Rio Grande Valley.

Discusses contracts

Mike Frost, of McAllen, a member of the Hidalgo County Farm Bureau, in his testimony discussed contracts between grower and handler (everything should be in writing to avoid later misunderstandings); the effect of Mexican imports on the citrus and vegetable industry in the Rio Grande Valley (detrimental).

Lack of sufficient research and promotion has been a hindrance to progress by Rio Grande Valley citrus and vegetables, he said. And he hit at consignments as a major contributing cause to depressed prices to farmers in this area.

He was speaking of local consignments as when a grower gives his produce to the shipper to be handled as the shipper sees fit. "The grower has placed himself at the mercy of the shipper," said Mr. Frost. "There are many shippers in this area for each commodity and it usually only takes one of them cutting the price to force the whole market down. He (the shipper) will still make his profit and the farmer just gets a little less, or as has happened quite often, the farmer gets a bill because there was a loss incurred after the expenses were deducted."

R. C. Jones, a Mercedes grower, said the grower finds it increasingly difficult to relate the worth of his produce to the worth it assumes on the consumer level. "What the grower needs urgently to know is whether or not he is producing for a free and flexible supply and demand market," he said. "Or, is it regulated? Is it possible that in some instances in our peak season prices are predetermined?"

Price relations

He went on to say that consumer prices paid for farm products, notably vegetables, seem to bear no relationship whatsoever with prices paid to the grower. He was critical of retail pricing which realized the equivalent of $300 to $380 per ton for carrots while growers in south Texas were receiving from $5 to $10 per ton.

Mexican imports

He cited the flow of Mexican fruits and vegetables into the United States when Texas produce is available, or about ready to move to market as having a serious effect on the position of the Texas producer, and asked for Government protection, by law, against this.

Following the stream of criticism which was directed throughout the day at the effect Mexican imports are having on valley agriculture, Representative PURCELL asked, "Why haven't you done something about it? It seems to me that all you have done is complain. Why not at least get caught trying? If you are really concerned about the importation of fruit and vegetables, you have the numbers to speak in Washington in a loud voice. But do it now. If you wait until there is more American money invested in Mexico it will be too late to turn the tide."

SHIPPERS

MCALLEN, TEX.—Saturday was mainly "packer and shipper" day as the National Commission on Food Marketing wound up its 2-day stand in McAllen.

Representative GRAHAM PURCELL, Democrat, of Texas, continued as chairman for the hearings, and throughout the day heard and questioned representatives of south Texas shipping organizations, as the Commission sought information which would guide it in making recommendations to the President and the Congress for the benefit of both grower and consumer.

All the Saturday witnesses were agreed that overproduction of vegetables is a major cause of present valley difficulties; and while recommendations for change were made by each of the speakers, it was a decidedly different and more hopeful picture of the fruit and vegetable industry than was presented by growers in Friday's session.

Othal E. Brand, president of Griffin & Brand of McAllen, raised some official hackles when he laid the blame for valley overproduction at the door of Government lending agencies, Farm Home Administration and the Small Business Administration. Mr. Brand contended that the Government is treating the symptoms and not the cause by underwriting the operations of marginal and submarginal growers and inefficient packer-shippers, and in so doing is only adding to the chaos already existing in the marketing pattern. "Growers thus subsidized," asserted Mr. Brand, "are producing crops for which there is no market and which nobody wants to buy. We have to get supply and demand back in balance."

Mexican imports

Representative PURCELL asked some probing questions concerning the Griffin & Brand Mexican operation, in which the firm has been engaged for the past 17 years. Mr. Brand replied that trade is a two-way street and that Mexico is one of this country's largest buyers of consumer goods and machines. And, he said, since Mexico is an agricultural economy, all they have to export are the raw materials, or agricultural products. In justification of his firm's position, he said that their operations in Mexico are making an important and permanent contribution to that country's economy.

Answering other critical comment made by previous witnesses, he said that imports of Mexican fruits and vegetables actually create a better market for the same produce when it becomes available in the United States, rather than "taking the bloom off the market" as has been charged.

"We import Mexican white onions at a period when good white onions are not available in the United States, and there is a demand for them. We bring in Mexican cantaloupes during the winter months, before Texas cantaloupes are ready for market, and in so doing establish a market structure and create acceptance for Texas cantaloupes when they are ready for market."

He drew some blood when he seriously questioned the wisdom of producing citrus in south Texas, contending that the certainty of periodic freezes makes it an impracticable gamble.

Favors Wirtz policy

Under questioning, he expressed hope that Secretary Wirtz would remain firm in his stand on bracero labor. "Complete elimination of the bracero program will be of tremendous value to the industry," said Mr. Brand. "Labor is the one variable in overproduction that we can control and I hope the program will never be reactivated."

Orginially scheduled to testify with other shippers on Saturday, Henry L. Van De Walle, manager of Van De Walle & Sons, Inc., San Antonio, asked for and was granted permission to appear on Friday.

In his prepared statement Mr. Van De Walle declared that the key to the whole problem lies with the retailer, with whom a closer relationship is needed. Also, more intensive research is needed both at the grower level and the retail level.

It is his opinion that the retail stores are charging too much for fruits and vegetables. "The markup is greater on fresh fruits and vegetables than on staple items," he said, "because of their perishable nature. However, under present-day transportation, packaging and refrigeration methods produce is not nearly so perishable as it was years ago, losses are smaller, and the excessive, high markups are outdated.

He also recommended an expansion of research on marketing and that it be coordinated with research being done at the retail level. He also is of the opinion that PACA could be improved by removing the exemptions of intrastate canners and processors. "The grower deserves protection from everyone who handles his produce," he said.

Retail markup

Eugene M. Goodwin II, of the Goodwin Citrus Association, Mission, Tex., asked the Commission to decide what constitutes a reasonable retail markup, and establish guidelines for the industry. He took a positive view on the outlook for the future of the citrus industry in Texas. "After analyzing our industry and its problems," he said, "we feel it would be safe to say there is nothing really wrong with our industry over which we have any control except marketing."

He, too, singled out excessive retail markups as a contributing cause to oversupply. "In my opinion, citrus should not carry as high or as large a markup as highly perishable produce, such as cantaloupes, cucumbers, tomatoes, avocados, lettuce, or mangoes, for example."

John L. Couch

John Lake Couch, president of the Gulf Distributing Co. at Weslaco, Tex., testified that during the past 15 years his firm has grown to be more of a grower-shipper organization. This has been brought about by the necessity of producing much of its own vegetables so as to be assured of steady supplies during the shipping season. The firm also works closely with a number of growers located over the entire lower Rio Grande Valley growing area. Planting of vegetables is coordinated with the programs of the growers with whom Gulf Distributing Co. works and with the plantings of other vegetable growers.

Production and packing costs have increased, he went on to say. Often a price at the destination level seems to be rather high but when it is broken down it shows that the grower is receiving a price which barely covers, and in many instances, does not cover his growing cost. The growers' costs have increased each year, the same as the shippers' while the selling price has remained more or less constant.

Pattern changes

Vale Mayes, president of Vale Mayes & Co., Inc., Edinburg, Tex., referred to the trend, established during the past 8 to 10 years, in which many acres, particularly in the Southeastern States, have been diverted to commercial production of vegetables, creating an oversupply.

Mr. Mayes took strong exception to previous criticism of the so-called consignment deals between grower and shipper, which in his opinion are to the advantage of the grower who consigns his produce to a reliable shipper.

He also took a strong position in opposing onion and melon imports from Mexico just prior to the start of the Texas shipping season. "All markets are filled with these Mexican products and we must therefore sell at lower prices. With our high cost of production, materials, and labor, which are continually increasing, much of the production is being transferred across the border into Mexico where Mexican-made materials are utilized and ample labor at rates of as low as $1 per day are available. Our low import duties do little to slow down this increasing production." He submitted charts to show the extent of the increased competition from Mexico.

As a major grower and shipper of carrots, Mr. Mayes said he has tried during the past few years to have the Agricultural Marketing Agreement Act of 1937 amended to require carrots shipped into the United States to conform to the Texas marketing order regulations. Opposition has been met from the State Department and from the U.S. Department of Agriculture.

In the meantime, unrestricted shipments of Canadian carrots out of storage appear, particularly on the eastern markets, until late in the Texas season, he said, having the effect of blocking these important markets to Texas carrots.

Tariffs as inadequate

S. Ernest Hyde, general manager of the Edinburg Citrus Association, the largest citrus cooperative in Texas, contended that tariffs on Mexican citrus fruit are inadequate protection of the interest of Texas producers.

Mr. Hyde, under questioning by commission members, listed among the advantages to cooperative members the savings on packing costs and the savings of the profit gained by cash buyers of citrus. It is his opinion that the market could be better controlled if the selling were in fewer and stronger hands.

Frank Gross, manager of the Texas Valley Citrus and Tomato Committees, gave testimony as spokesman for the five marketing orders in effect in south Texas. He was accompanied to the witness table by Ken Warden, manager of the South Texas Onion and Lettuce Committees, and Ken Martin, manager of the South Texas Carrot Committee.

Committee proposals

Their joint statement made the following recommendations:

1. That the committees be given authority to use committee funds for advertising and sales promotions.

2. That the committees be given authority to do research at the production level, if in their judgment, it would be in the best interests of the producer.

3. That committees be allowed to authorize expenditures of committee funds in any way that, in their judgment, would increase returns to the growers.

4. That provisions be made which would allow the committees to establish a central sales agency to act for the producers with established handlers.

The committees are in agreement that duties on all imported commodities be established at a level sufficient to give the producers in the United States an even break with imports from foreign countries which have an abundance of cheap labor.

There is a real need for more and better marketing information, condensed and made available to growers and handlers. This points up the need, he said, for more market research and a marketing specialist qualified to interpret the market so that the average grower and shipper can make use of it.

Mr. WILLIAMS of New Jersey. I also ask unanimous consent to have printed in the Record a letter to the editor of the Packer. The letter, dated June 11, 1965, was written by Mr. Brand. In his letter, Mr. Brand commended Secretary Wirtz on his firm stand and his realistic appraisal of the bracero program and its effect on the national economy. Mr. Brand stated:

> As the world's largest growers and shippers of onions, we have been able to operate without bracero labor for the past 4 years. Since 1962, we have made exclusive use of citizen labor, found it more than adequate, and during that period have never experienced a labor shortage. In fact, during the 1964–65 season we had an average of two applicants for every job available.

There being no objection, the letter was ordered to be printed in the Record, as follows:

[From the Packer, June 19, 1965]

LETTERS TO THE EDITOR: BRAND SEES END OF FOREIGN LABOR AS OVERALL BENEFIT TO INDUSTRY

McALLEN, TEX.,
June 11, 1965.

To the EDITOR:

I would like to express my appreciation to the Packer on behalf of our company, and I am sure I speak for the industry as well, for the excellent coverage given to the bracero situation.

Much has been said and written about the termination of the bracero program. I would like to present my views in support of Secretary Wirtz, all or part of which you may use in your publication should you see fit to do so.

Our industry has faced many challenges in the past and found solutions. I have every confidence that through new machinery development and labor recruitment and distribution, the industry will meet its challenge today.

GRIFFIN & BRAND OF McALLEN, INC.,
O. E. BRAND, *President*.

To the Packer: Secretary Wirtz is to be commended for his firm stand on and realistic appraisal of the bracero program and its effect on the national economy. His action may well have turned the tide of overproduction which, for many years, has plagued the produce industry.

Contributing causes to overproduction are the availability of land and water, favorable weather and, finally but certainly not the least in importance, a ready supply of cheap labor. We, in the Rio Grande Valley of Texas have had all of these, and the same is generally true of Florida and the extreme Southwest vegetable producing areas of the United States. In this area we have a surplus of land, and at no time since the completion of Falcon Dam have we been in short supply of water; and, as a rule, we have enjoyed beneficial weather.

The most important single factor in encouraging overproduction has been the availability of an almost unlimited supply of braceros which stimulated ever-increasing planting among the big operators who were in a position to produce thousands of acres of vegetables through the importation of hordes of foreign labor. This has been true, while at the same time the United States has hundreds of thousands of unemployed. No section of the country, including those areas now clamoring for foreign labor, is an exception.

As the world's largest growers and shippers of onions, we have been able to operate without bracero labor for the past 4 years. Since 1962, we have made exclusive use of citizen labor, found it more than adequate, and during that period, have never experienced a labor shortage. In fact, during the 1964-65 season we had an average of two applicants for every job available.

There are many reasons why the unemployed in some parts of the country do not choose to work in the fields. First of all, the wage scale has been too low. There is something disgraceful in a system which makes it more profitable to an individual to go on, and stay on relief rather than resort to labor for his livelihood. Second, industry has not been forced, by simple economics, to use the unemployed, and has failed to develop machines which would reduce the number of men required for fieldwork; and, at the same time, pay these workers a just and reasonable wage. And, personally, I don't believe the industry will make the effort and the investment to develop such machinery until compelled to do so.

Since the amount of labor available exerts such a profound influence on production, a vastly reduced number on hand ready and willing to work in the fields will compel growers to take another look at their operations and plant only such acreages as they can harvest and sell at a profit.

Without a doubt the termination of the bracero program has brought on some severe dislocations in certain areas, and will require readjustments, particularly on the part of large operators who depended mainly on foreign labor. But, in the long run, the end of imported labor on a large scale will work to the benefit of the industry.

GRIFFIN & BRAND OF McALLEN, INC.,
O. E. BRAND.

Mr. WILLIAMS of New Jersey. Mr. President, in view of this factual information, I sincerely hope that we have once and for all put to rest the myth that the rise in food prices is attributable to the ending of the importation of foreign workers or a lack of American farmworkers to harvest our Nation's crops.

KENTUCKIANS PROTEST STRIP MINING

Mr. NELSON. Mr. President, there are many who feel that the natural beauty of our Nation is threatened today by practices such as strip mining which destroy the surface of the land in order to more speedily extract its mineral wealth.

This morning, an article by Ben A. Franklin appeared in the New York Times which described some of the effects of strip mining, and told of the efforts of some of the people in Kentucky to save their homes from its ravages.

Mr. President, I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, July 1, 1965]

KENTUCKY STRIP MINING: MOUNTAINEERS SAY IT KILLS THEIR LAND

(By Ben A. Franklin)

SASSAFRAS, KY.—Coal is fueling another angry uprising here in eastern Kentucky, where it is virtually the only industry in the most chronically depressed section of Appalachia.

A group of mountain people here say that hillside strip mining for coal is ruining their land, their homes, and their lives—and even disturbing their dead.

Although they are opposing a politically powerful, multimillion-dollar business, they have already scored some early tactical points. Their fight to end strip mining on the steep slopes of the Kentucky mountains is far from over, however. The stripping goes on.

The growth of strip, or surface, mining has been dramatic in the last 5 years. A few mountain tops have been removed, whole. Other mountains—including Big Black Mountain, the highest point in Kentucky—have been girdled just below their peaks by wide haul roads and by sheer walls as tall as seven-story buildings, laying bare the horizontal bituminous seams.

TVA ROLE CITED

One strip-mining company here, which already has 30 miles of exposed mountaintop high wall, has just received a 15-year, 37.5 million-ton contract from the Tennessee Valley Authority. The company will deliver $112.5 million worth of coal from the Knott County mountainsides at the rate of 50,000 tons a week, enough to fill 10 trains of 200 hopper cars each.

TVA officials say strip mining is inevitable and would occur even if the Federal power agency were not a major factor in the coal market. It is the single largest purchaser of coal in the country.

However, critics here believe there is irony in a Government agency's consumption of strip-mined coal at a time when President Johnson is seeking to preserve natural beauty and is spending $36 million under the Appalachia recovery program for strip-mine reclamation.

The resistance comes from plain people in the shady hollows, little seen from the twisting roads. A few members say they are determined not to be "buried alive" by strip mine "spoil" banks that are cast over the high mountainsides, pushing timber, roads, gardens, and even houses off the sloping land.

COFFIN WAS DISLODGED

Mrs. Bige Ritchie, a hill woman from the head of Sassafras Creek, said that when she saw a strip-mine bulldozer uproot the coffin of her infant son from the backyard family cemetery and pitch it down the mountainside "I like to lost my mind over it."

That was about five years ago, and she and her husband, a retired underground miner did nothing about it. For generations, proud, silent—and largely illiterate—suffering has been a salient characteristic of the people here.

Now, however, the coal operator's enormously expanding strip-mining operations have produced a revolt of the normally apathetic people of the Cumberland Mountains. They have enlisted a few major allies and are looking for more—in Washington.

Mrs. Ritchie told her story for the first time at a recent mass meeting of the Appalachian Group To Save the Land and the People, a citizens committee organized on June 8 by two Kentucky schoolteachers from the Clear Creek area of Knott County.

MEET WITH GOVERNOR

There was another mass meeting June 16 and an unusual one last Tuesday in the office of Gov. Edward T. Breathitt, Jr., in Frankfort.

Herman Ritchie, a 30-year-old said that his wife and two children "had to get out or be killed when they started rolling rocks on the house, splitting the trees up behind us on the slope—one rock rolled right up to the front porch."

Residents of Clear Creek and Lott's Creek also complained that the vacant home of Enos Ritchie, a U.S. Marine "fighting for his country in Vietnam," had been knocked from its foundation by a spoil bank slide.

In the contour strip-mining method used on the mountainous terrain here, bulldozers cut a wide, winding "bench," a highwaylike level footing on the high slopes over the hollows for power shovels. The shovels and bulldozers then remove the overburden by dumping it over the downhill edge of the cut.

SEAM IS THEN MINED

The exposed seam of coal is then mined by loading it into trucks or by augering. The diesel-powered auger is a relatively new device that can bore horizontally into a seam for up to 200 feet, extracting the broken coal in the same way a carpenter's serpentine bit removes woodchips from a drilled hole.

Where it remains stable, the "outslope" of discarded rock and rubble destroys and buries the trees for hundreds of yards below the mine cut. When there is a "slip" or slide, as after a rainfall or freeze, the steep spoil banks shift farther into the hollows below, covering more timber and filling roads, streams, and houses with rocks, shale, and a carpet of ooze.

Because the Kentucky Court of Appeals ruled as recently as 1960 that strip-mine operators were exempt from liability or the consequences of stripping there is no ordinary recourse here to the courts.

Those at the two mass meetings in June listened—and were angry. Without the help of Eldon Davidson, the high school principal in Jenkins who summers in the Clear Creek community, and Leroy Martin, a Knott County high school teacher, their protest might not have been heard without resort to the violence that is endemic in this hard countryside.

ENLIST CIVIC LEADERS

The teachers organized the Appalachian Group to Save the Land and the People, and enlisted in it county officials, lawyers, miners and merchants from the towns.

The sponsors include Tolbert Combs, the Perry County Commonwealth's (prosecuting) attorney; George Wooten, county judge (administrative officer) of Leslie County, and Sam Webb, Letcher County tax assessor. Mr. Webb complained that strip mining was depleting the meager tax base of his county.

The relative luster of this membership obtained the protest audience with the Governor and has tended to deflect the charges of some coal operators that the protest movement is composed of radicals, Communists, or persons seeking personal gain.

The group's chief spokesman is Harry M. Caudill, a Whitesburg lawyer who is known as "the mountain muckraker." In 1963, he wrote the book "Night Comes to the Cumberlands," a sardonic chronology of the frontier in Kentucky and the discovery of coal and poverty.

Recently, Mr. Caudill said he has been warned by friends of possible threats against his life.

GOVERNOR ISSUES WARNING

After the conference Governor Breathitt warned the strip-mining industry that "we do not intend to permit this industry or any other industry to destroy the beauty of Kentucky's countryside or the usefulness of its earth for future generations."

At that meeting were 10 of about 75 persons who had staged the first march on the State Capitol in memory from counties among the poorest in all of Appalachia. Many said that they had never ventured to Frankfort before, or out of the mountains.

They demanded a special session of the legislature to prohibit strip mining on the mountains, where they said the growing number of precarious outslopes of excavated dirt and rock "threatens to ruin the region within a decade."

COURT DECISION APPEALED

One matter that remains to be worked out is the Kentucky Court of Appeals' long history of denial of protection to surface landowners against the effects of strip mining.

Under the "broad-form deeds" common throughout the coalfields, the court has held that the owners of subterranean mineral rights, under deeds negotiated nearly 100 years ago, have unlimited rights to remove the coal by any methods—including destroying the surface—that does not involve wanton, arbitrary or malicious conduct. In its 1960 decision, the court held that the dislodgement of a boulder through a Kentucky mountain home below a strip mine was an ordinary and nonliable consequence of mining under a broad-form deed.

Mr. Caudill last week filed a suit seeking to challenge the court's rulings on the ground that the equity of the surface owners was being violated, even if the law was not.

Under Kentucky's new strip-mine law, the coal companies here are planting fruit trees and bushes on the spoil banks and benches, and there are forecasts by industry spokesmen of a new apple- and berry-packing industry, with packinghouses and canneries.

Both William B. Sturgill, an executive of the Kentucky Oak Mining Co., the concern whose stripping activities here triggered the protest movement, and Aubrey J. Wagner, chairman of the board of the TVA, defend the Knott County operations.

Mr. Sturgill said that the surface owners knew, or should have known, the provisions of their deeds when they bought their land. He said that his company was paying 50 cents a linear foot to persons whose surface property is crossed by the strip mines.

"But it's purely for public relations," he declared. "We can go over the land without paying them a thing anytime we want."

Mr. Wagner said the TVA was considering placing a price penalty on coal from the three States that have no strip-mine regulation at all—Alabama, Tennessee, and Virginia. He praised Kentucky's strip-mine regulation.

Mr. Wagner asserted that the hundreds of miles of strip-mine haul roads and mountain cuts on the Kentucky landscape constituted a new resource in themselves, giving access for fire control and future recreational purposes.

"Strip mining, while it is going on, looks like the devil," he said, "but what comes out of it has done wonders for this area. If you look at what those mountains were doing before this stripping, they were just growing trees that were not being harvested."

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

UNITED STATES IS LEADING MANKIND TO THE ABYSS OF A THIRD WORLD WAR

Mr. MORSE. Mr. President, hour by hour, day by day, and week by week, the United States is leading mankind to the abyss of a third world war as a result of our outlawry in southeast Asia. I speak once again on the floor of the Senate with a sad heart with regard to this great threat to the peace of the world. I speak with deep disappointment that my country is writing such a black page in history, which future generations will read, that we did not resort to the substitution of the rule of law for the jungle law of military might when this threat to the peace reared its ugly head.

In addressing the 20th anniversary observance of the United Nations, President Johnson unfortunately honored the charter of the organization more in the breach than in the observance. Perhaps it marks some advance in the administration's position that the President expressed the willingness of the United States to accept whatever effective action the U.N. might take in Vietnam. But there was nothing in the President's speech to indicate that the United States is willing to accept the obligations for international behavior placed upon us by our signature on that charter.

United States policies toward Vietnam should encompass at least the following essentials:

First, they should command widespread support and respect throughout the world and throughout the United States. This is not presently the case. It is not the case primarily because our actions not only in South Vietnam but in carrying the war into North Vietnam cut straight across the exhortations we have preached to others to observe and respect the rule of law in relations with other nations. Hardly a month has passed since the end of World War II that we have not pleaded with some nation to settle through peaceful procedures its disputes with others. Time and again we have cited the obligation of members of the United Nations to refrain from the use of force against other countries, and to utilize regional agencies, the good offices of the Secretary General of the U.N., direct negotiations, or any other peaceful means to handle these disputes. And we have urged country after country to accept United Nations jurisdiction over those issues they cannot settle peacefully themselves.

But in Vietnam we have not followed our own advice. In Vietnam we have scorned the rule of law, we have used force on a steadily rising level, and we have thrown out excuse after excuse for not following the procedures of the United Nations Charter to which we are bound as much as any other member nation.

It is the total separation of the policy we follow ourselves from the policy we recommend to others that has brought the American war in Vietnam into so much disrepute especially among the nations of the world whose approval and support we most desire in the world.

This is no matter of some American compulsion to be loved. This is a matter of winning the war against communism. Our whole justification for what we are doing in Asia relies on the contention that we are saving Asia from communism.

How wrong we are, for our course of action is creating sympathizers with the Communist position by the hundreds of thousands, week by week. Yet justification for our policy relies on keeping nations and people out of the Communist bloc, and out from under the domination of Communist China.

We are waging a war for loyalties and opinions in Asia. If we save the ground in Indochina and continue to lose the support and backing of India, Pakistan, Japan, and Indonesia—the truly great powers of Asia—then what have we really saved? Nothing. We will have lost infinitely more than we could ever gain in South Vietnam.

It is time we stopped thinking in the parochial terms of the small parcels of land the United States can actually occupy and control, at great cost in life and money, and start thinking in terms of what the United States must stand for in order to impress the great masses of people in Asia that our way of life is better than the Communist way.

We do not have to abandon our commitment to South Vietnam in order to do that. But we do have to do something more than what we are now doing.

We must stop making war and follow rule-of-law procedures that will cause others to join us in our quest for peace in Asia. That is the difference between high noon and black midnight.

The second essential that our policy must include is the cost of "victory" as well as defeat. The Senator from Arkansas [Mr. FULBRIGHT], explored the consequences of our policy in terms of cost here on the Senate floor some days ago. As he pointed out, the cost to the United States of our present policy is already high, and shows signs of going only higher. Yet no "victory" is in sight, and no ultimate victory will ever be won. Many military victories, yes; but ultimately we shall be leaving a legacy to future generations of Americans of utter danger in Asia, for Asians, no matter how many decades it will take, will make it perfectly clear to the United States and to the Western Powers that they will not be allowed to dominate an acre of Asia.

Third, our policy in Vietnam must encompass an appreciation of what kind of war will be supported by the American people. I believe we will make a profound mistake if we do no more than prosecute the war with the idea that if we fight a stalemated ground war long enough the Vietcong and North Vietnam will eventually give up and ask for negotiations.

Again, in my judgment, we could not be more wrong, for I think it is inevitable that we shall have to learn the lesson that the Asians will not participate in bilateral negotiations with the United States. They now consider us an enemy with whom there can be no truce, so far as a bilateral negotiated settlement is concerned.

In my judgment, the only hope for saving mankind from a third world war is to have our allies move, and move quickly, to carry out their obligations under the United Nations Charter and to take jurisdiction over the war in Asia. That will mean issuing rules of law to be complied with, not only by the Asians, but by the United States.

The United States must be brought to the bar of international justice, along with the Communists, and the United States and the Communists must have the law laid down to them, and the other nations of the world must make it perfectly clear to the United States and to the Communists that this war must stop; that this unjustifiable killing, that will extend in the months ahead to thousands and thousands, unless it is stopped, must be brought to an end by the other nations of the world proceeding to live up to the obligations placed upon them as a result of their signing the United Nations Charter.

The senior Senator from Oregon will continue to pray and hope that our country will recognize that it has a moral obligation to abide by its signature to the United Nations Charter and proceed, as I shall say in the course of this speech, to lay this threat to the peace of the world before the United Nations for full and binding determination without further delay.

It is coming to be a rather popular theory in some quarters that a stalemated ground war in Asia will be necessary to bring the Vietcong and the Vietnamese to the bargaining table, now that the policy of bombing North Vietnam into negotiations has proved a failure. That is why we have the policy of bombing North Vietnam. It is thought that by bombing North Vietnam, the North Vietnamese will be brought into negotiations. But that has already proved to be a failure. The evidence is already clear that it will never be possible to bomb North Vietnam into the kind of surrender that will bring her to the bilateral negotiating table with the United States. We are hearing that instead of trying to grind the north into seeing the wisdom of bargaining, we should put the hundred thousand or more Americans into the south that would be needed to fight the Vietcong to a draw and convince them after enough fighting and enough losses that they cannot win and therefore should negotiate.

But I think the theorists who are greatly taken with the intellectual concept that the new white man's burden calls for drawn-out, low-level, and inconclusive fighting over great areas and great periods of time totally ignore the factor of what the American people will support. The ideology of this concept is widely favored among military and diplomatic people who envision the United States taking the place of the British Empire in policing the world for our own ends as we see them. They keep telling us that the Communists excel in protracted operations that seek to wear down an opponent until he gives up out of sheer exasperation and disgust. We are told that we must meet this challenge by outlasting the Vietcong in low-level, indecisive fighting, and that to do this, we must overcome our natural American proclivity for fast results and neat conclusions.

I disagree with this theory because I do not believe there is anything inherently wrong with the American proclivity for fast results and near conclusions. Surely we know from history that disputes that fester and drag on for years not only leave bitter divisions among people but they also furnish a continuing spark that can ignite widespread war.

It was for this very reason that the United Nations was created. Did we not help create it because we know perfectly well that a long drawn-out dispute can suck in nation after nation into general war? Did we not help create the United Nations so there would be some means of controlling and settling disputes by peaceful procedures so they would not provide the seedbed for total war?

In an era of ideological conflict such as we have today, it is more urgent than ever before that disputes be controlled by international procedures. At a time when purely national interests dictated the foreign policies of the great powers, it was possible for one of them to stay out of a small war on the other side of the world. Today, we have merged our concept of national interest with ideology so that we and the Communists both see every conflict everywhere as one deserving our full attention and intervention.

It was bad enough that at the beginning of the century the world allowed perpetual Balkan wars and recurring colonial rivalries to simmer and grow until most of the world was entangled in a massive network of interlocking alliances, all armed to the teeth, merely waiting for the spark to set the tinderbox afire.

It was bad enough that, two decades later, the Spanish Civil War was allowed to accumulate participants and become a focal point for the great ideological war between fascism and communism that finally culminated in World War II.

There is much talk in the halls of Congress these days about Munich and about how one unmet aggression only leads to more aggression. I digress to state that I have yet to hear it proposed that the United States should have unilaterally proceeded to war at the time of Munich. I have yet to hear it proposed in these halls that the United States should have unilaterally moved into Hungary in 1956.

Mistakes are made sometimes—by the United States, too. Mistakes were made at the time of Munich, and at the time of Hungary. However, the mistake then was that, as is true now, the United

States was not exercising the leadership that it ought to have exercised in urging then, as it should urge now, a substitution of the rule of law for the jungle law of military might. Do not forget also, Mr. President, that the time of Munich was not time of nuclear power.

The world of today is as different from the world at the time of Munich as opposites can be. But the real problem is not inducing the United States of America to meet every aggression everywhere in the world. We must face up to our limitations. We have neither the manpower nor the resources to meet every threat around the world. We must insist that the threats must be met on a multilateral basis, on a United Nations basis, and not on an American solo basis.

The problem is bringing some procedures to bear upon an act of aggression, or a civil war, or any disturbance, that will bring it under control before every leading nation feels obliged to act unilaterally on behalf of its own interest. Wars do not start with some single, spectacular, and unexpected action although many people labor under that false impression.

They develop over issues and incidents that go unsettled until they escalate into general conflict, or cause some dramatic incident that is then cited as the cause of the war. However, the causes of major war are usually of long standing. The cause should be eradicated before some dramatic incident throws powers into mortal combat.

To cope with these disturbances before they lead to general war is what the United Nations is for. It is not really for anything else, although most of its members would prefer that it deal with everything else and not with keeping the peace.

UNITED STATES CANNOT SUBSTITUTE ITSELF FOR UNITED NATIONS

If we have learned anything yet from the war in Vietnam, it is that the United States, acting alone, cannot end the war. At worst, we can help it develop into a nuclear holocaust; at best, we can assure that it drags on indefinitely, while the people of South Vietnam and North Vietnam to pay the price of being caught between the world's leading ideologies.

But as I have indicated, I do not believe the United States itself would long support a war that continued indefinitely without conclusion. We have already tried that course in Vietnam, and the escalation of the bombing into the north was the answer. The longer the war drags out, the more escalating there will be.

But we are not the only nation that stands ready to escalate, rather than lose. North Vietnam, China, and the Soviet Union also have an interest in the outcome that could bring them all in to some degree, any one of which would require a further step-up in the American war effort.

It is the judgment of the senior Senator from Oregon—and I believe, Mr. President, that there is ample indication of the soundness of my observation—that if this administration would seek to determine what Red Russia and Red China will do if we continue to escalate the war, it would discover that a bombing of Hanoi and/or a bombing of the nuclear installations of Red China would bring Russia into the war immediately, and she would not confine her fighting of that war to Asia.

I believe that warning is important for the American people to contemplate and for the leaders of our Government to note that I repeat it.

It is the judgment of the senior Senator from Oregon that a bombing of Hanoi and of the nuclear installations of Red China by the United States would bring Russia into the war, and she would not confine her fighting to Asia.

That means that the third world war would be on. That is the reason why, in my opinion, we have not much time in which to save mankind from the scourge of a war, out of which would come no victors and from which mankind would not recover for many centuries.

That is the reason why I believe it is so important that the American people speak up. It is important that this administration proceed now to hear from the American people before the tens of thousands of coffins start coming back—and they will come back if we escalate this war into a massive war in Asia.

There is no question as to where the senior Senator from Oregon will stand once that war is declared; but, as I have said on this floor so many times during the past few years, and I will repeat again this morning, so long as I believe there is any hope of changing the course of my country from one of outlawry to one of legality, the senior Senator from Oregon will continue to plead for peace and for the substitution of the peaceful procedures available to us for the jungle law procedures we are now following.

Even now we are not the only nation that stands ready to escalate. Nations on the other side are watching our every move. The moment we make the move that leaves what they feel is no choice but to make war against us, they will move their battalions, they will move their air power, they will fire their missiles.

Nor has our unilateral action accomplished our avowed objectives in Vietnam. They are to forestall the spread of communism, and to preserve world peace. But since our entry into the war, both the war and the degree of Communist control of the area have spread.

That is why I believe it is in our interest to stop the war, and to exhaust every possible means of doing that through the United Nations. We cannot stop the war alone. But the United Nations could, if it would, and the United States has more to gain from a U.N.-imposed peace than from a continuation of the fighting that can lead anywhere but to a victory on our terms.

OBJECTIONS TO U.N. ACTION NOT VALID

Some rather peculiar objections have already been placed before the public for disregarding the United Nations Charter. Prominent among them is the assertion that North Vietnam has rejected the feeler for U.N. action apparently put out by the Secretary General of the United Nations, U Thant. In the same category are objections that North Vietnam is not a U.N. member, that Red China is not a U.N. member, and South Vietnam is not a U.N. member.

Every one of these assertions is true, but completely irrelevant—completely irrelevant.

Worse than that, they amount to giving these nonmembers a total and very effective veto power over the U.N. action. Because North Vietnam—a nonmember—said U.N. action was "inappropriate" in no way affects the jurisdiction of the Security Council or the General Assembly over any situation that threatens the peace.

It in no way reduced by one iota the obligations of the signatories to the United Nations to act in concert, as they are obliged to do, to put a stop to the threat to the peace anywhere in the world. The United Nations Charter does not provide that the United Nations signatories shall ignore a war because some nation that is making war is not a member of the United Nations. Thus we see that the apologists for non-United Nations action are really saying, "We cannot take or should not take it to the United Nations because North Vietnam is not a member of the United Nations." Therefore, in effect, they are saying we ought to let North Vietnam, a warmaker, veto the action of the United Nations. What nonsense. What a nonsequitur. And yet there are those high in the U.S. State Department and Pentagon who are advancing that rationalization.

I repudiate that, as I have so many times in the past. Membership or nonmembership in the United Nations does not affect a single bit of duty and obligation of members of the United Nations to act in concert to prevent a war from spreading.

What a travesty on the powers of the United Nations, and upon American objections to the use of the veto, to accord to North Vietnam and China a veto over what the organization may do in southeast Asia. It is especially ironic to hear people who object to giving Red China the Chinese seat on the Security Council also object to putting this dispute before the organization on the ground that Red China is not a member. They are giving Red China a more effective veto over the United Nations than she could ever exercise on the Security Council.

Those of us who were here when President Truman rallied the United Nations in 1950 to throw back aggression in Korea remember that even the opposition of the Soviet Union did not stop the United Nations from acting.

In Russia's absence—and we remember how Russia left the Security Council—while Russia was away from the Security Council, the Security Council took jurisdiction over the breach of the peace in Korea.

And when Russia came back and began vetoing the implementation of that decision to intervene, the issue was taken to the General Assembly, and it acted.

May I say once again that, although it is most desirable to have the Security Council take jurisdiction, the United Nations does not become impotent if some member of the Security Council vetoes the taking of the jurisdiction.

North Korea was not a U.N. member and she was not invited to take part in the discussions, and she did not ask to take part; that did not deter the U.N. from acting and preventing the Korean conflict from escalating into world war III.

None of these nonmember countries should be accorded a veto over prospective United Nations action in southeast Asia, either by declining to take part in its discussion or by opposing what is proposed.

A few days ago, the Senator from Idaho [Mr. CHURCH] spoke on the necessity to bring the United Nations into Vietnam. As he put it, he proposed "that we abandon our unilateral posture in Vietnam by soliciting the services of the United Nations in the search for a peaceful settlement."

The senior Senator from Oregon completely agrees with the Senator from Idaho. The senior Senator from Oregon and the Senator from Alaska [Mr. GRUENING] have been making that proposal for 2 years here on the floor of the Senate. We have been urging for 2 years that the United States resort to the carrying out of its obligations under the United Nations and lay this threat to the peace of the world before the United Nations for its jurisdiction. We applaud the Senator from Idaho [Mr. CHURCH]. Those who supported him on the floor of the Senate include the Senator from Utah [Mr. MOSS], and the present Presiding Officer of the Senate, the Senator from Ohio [Mr. YOUNG].

It is highly significant that increasing numbers of voices in the Congress, and increasing tens of thousands of voices across America, are urging that our country resort to the United Nations and fulfill its obligations as a member of the United Nations, rather than continue to act as an outlaw in defiance of its obligations under the United Nations.

Mr. President, the ways in which we can go to the United Nations are clear, because they are set forth in the United Nations Charter itself.

One of the main purposes of my speech today is to outline once again the steps that the United States should follow in resorting to the procedures of the United Nations as the vehicle and the means for seeking to keep the peace in Asia and to stop the war which is now being waged and which promises to kill human beings by the tens of thousands in the months ahead.

FIRST OBLIGATION IS TO NEGOTIATE WITH OTHER PARTIES

We could request the Vietcong to join us, South Vietnam, and possibly North Vietnam in negotiations. The use of acceptable mediators and conciliators could be discussed.

It has been said, and it is probably true, that the Vietcong and the North Vietnamese are not going to come to a negotiating table controlled by the United States. Possibly that is so. But we have not determined whether it is so, or not. We have not sought the participation of the Vietcong in any negotiations, even though they are a major party to the dispute.

The terms of the charter provide certain steps to be taken when breaches of the peace occur. The first is article XXXIII:

> 1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.
>
> 2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Mr. President, the speech made by the President at Johns Hopkins, in which he stated that we are ready to engage in unconditional discussion, does not meet the requirements of that article.

Spokesmen for the Government, including the President himself, say from time to time that we are ready to negotiate, but we have not taken the official, formal steps to request negotiations with the parties to the dispute, as article 33 requires that we do.

Talk is no substitute for action.

Until my President acts, I shall continue, sad though it makes me, to express my differences with the President in connection with the undeclared, unconstitutional war that he is fighting in Asia.

Mr. GRUENING. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Does the Senator from Oregon yield to the Senator from Alaska?

Mr. MORSE. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. I congratulate the senior Senator from Oregon on this extremely important, comprehensive, and masterly presentation, in great detail, and with unanswerable logic and wisdom, of what the policy of the United States should have been and should now be, in order to extricate it from the unjustified, undeclared, bloody, and disastrous war in southeast Asia.

His presentation continues to amplify what he has been urging day in and day out on the floor of the Senate before public forums for nearly 2 years.

I have been proud, and I am proud today, to associate myself with every point in his remarks.

I wish that every American citizen could read his speech and realize that it is a truly statesmanlike and patriotic effort to save the American people and, indeed, the people of many other nations, from the great folly that has been committed by our Government in involving itself militarily in southeast Asia.

The Senator from Oregon has well pointed out that our mistaken policy in southeast Asia is aiding and abetting imperialist communism and defeating the very purposes for which we allegedly are there, and on behalf of which we are sacrificing untold—and will increasingly sacrifice—young American lives.

Mr. MORSE. The Senator from Alaska always fills me with humility when he is kind enough to endorse anything that I say in regard to the crisis in Asia.

I have said many times on the floor of the Senate, and repeat now, that the leadership the Senator from Alaska has provided during the past 2 years to the point of view which has sought to stop the United States from its course of action in Asia has been a great inspiration to me.

I have nothing but the greatest of admiration for the intelligence and erudition of the Senator from Alaska in the field of foreign affairs.

The great interest in the grassroots of America in regard to the foreign policy of the United States in Asia is due in no small measure to the leadership that the Senator from Alaska has been giving to the people of this country during the past 2 years.

On platform after platform across this Nation, he has spoken out fearlessly, intelligently, unanswerably, in opposition to the administration's war in Asia.

I thank him very much for his support.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. YOUNG of Ohio. Mr. President, I have listened intently to the statesmanlike address of the distinguished senior Senator from Oregon. It is my hope that every Senator who is not present in the Chamber will read the speech in the CONGRESSIONAL RECORD. It is my hope that this statesmanlike utterance, which is pointed toward avoiding a third world war, which would devastate the world, will be disseminated and read throughout the free world, and also behind the Iron Curtain, as I believe it will be.

I believe that the Senator from Oregon has made a distinct contribution toward permanent peace in this world. The majority of Americans, I am sure, wish to make maximum use of the United Nations to help us negotiate the Vietnam war in an honorable manner at the conference table, where all the parties to the present horrible conflict in southeast Asia will try to work out an agreement, so that our finest young American manhood will not lose their lives in the jungle warfare in southeast Asia so many thousands of miles from our shores.

Mr. MORSE. Mr. President, I wish words could adequately express my appreciation for the support which I have received from the Senator from Ohio [Mr. YOUNG]. I am sure he will not object to my saying that the Senator from Ohio is my senior both in age and in depth of great experience and knowledge. I feel toward him as I feel toward the Senator from Alaska [Mr. GRUENING]. When men like the Senator from Alaska [Mr. GRUENING] and the Senator from Ohio [Mr. YOUNG] share at least the objective that I am seeking—they may very well differ with the details of some of my proposals—namely, the application of the rules of international law to the war in southeast Asia, I take great heart, and I find renewed strength from their endorsement.

I wish to finish the thought I was stating at the time the Senator from Alaska intervened—that I want to support my President. My criticisms of the President and his handling of the war indicate no lack of support for him, in that I want to join him in carrying out the intentions of peace which flow from his heart. My criticisms are criticisms that flow from a basic difference of opinion with the President, the Secretary of State, the Secretary of Defense, and his other war advisers.

Mr. President, we must take formal action within the framework of the United Nations if we are to keep faith with our professings about our ideals of peace.

What I am saying most respectfully is that all the words that the President of the United States utters cannot be a substitute for the formal action which is the obligation of the United States under the United Nations Charter. We have not fulfilled that obligation. All the excuses that are given by the President of the United States, the Secretary of State, and the Secretary of Defense are no substitute for our duty to proceed to follow the provisions of the charter. Further, I repeat that the President has no justification for sending American boys to their death in Vietnam, in the absence of a formal declaration of war by Congress. The President is making war.

It is well known by my colleagues in the Senate that it is my judgment that Congress cannot delegate to the President of the United States the power to make war in the absence of a declaration of war.

The President of the United States has no legal authority under the Constitution of the United States to send a single American boy into battle without a declaration of war. Why does he not ask for it? There are a good many reasons, in my opinion, why he does not ask for a declaration of war.

A proposal for a declaration of war would arouse the American people at the grassroots of this Republic, and the President would soon find such a division among our people that there would be serious question as to whether that war would meet with the approval of the people. A declaration of war immediately changes our international law relations with every country in the world. Speaking hypothetically for the moment, let us assume that we have a formal declaration of war tomorrow. Let us contemplate the great changes in international law relations with country after country. Of course, there is only one country on which we can make any possible prima facie case for a declaration of war, and that is North Vietnam. Let me make perfectly clear—and I do not intend to evade the major question—that if such a declaration of war came before the Senate, I would vote against it. I would do so because on the basis of the facts there would be no justification for the United States to declare war against North Vietnam. We might just as well declare war against ourselves. Along with North Vietnam we are jointly guilty of violating one international law after another in our war in Vietnam. We have flouted the Geneva accords of 1954 ever since 1954. We proceeded immediately to violate the Geneva accords in incident after incident that I have documented here on the floor time and time again.

There is not a basis or a justification for a declaration of war against North Vietnam, and there is not a justification for our continuing to make war in South Vietnam and North Vietnam. However, there is a clear duty on the part of this Republic, through its Commander in Chief, to lay the threat to the peace of the world in Asia before the Security Council without further delay.

Let us see what they will do. When the Secretary of State tells the American people, as he has time and time again, that he thinks Russia would veto it in the Security Council, and therefore nothing could be accomplished, how does he know, until he tries? I want to put Russia on the spot.

I wish to put her in a position in which she has got to show whether or not she will join with other members of the United Nations in enforcing the peace in Asia, or whether she will seek to prevent by her veto in the Security Council the taking of jurisdiction by the Security Council over the war in Asia.

But if she vetoes it, then take it to the General Assembly. Line up, as I am satisfied we can line up, a minimum of 90 nations, and probably 100, which will agree to join forces in taking multilateral action in Asia to prevent a continuation of this war. That is a legal duty of the United States, may I say to the President and the Secretary of State once again. They have not carried out that obligation. They have made fine-sounding speeches about our peaceful intentions. The test of our peaceful intentions is whether or not we will carry out our treaty commitments. In my judgment, this is a solemn treaty commitment that we ought to carry out. We ought to exhaust every possibility of using the rules of law for the maintenance of peace in Asia before we resort, on any basis whatsoever, to the use of military might.

I point out that our offers to negotiate with North Vietnam and with China have not been accepted. But they are unilateral offers; they do not include a principal party to the dispute.

Until we offer to negotiate with them or undertake with them any of the other means of settlement above, we have not really explored the possibilities of this article nor fulfilled our obligation under it.

Unfortunately, the American people are not fully informed. Many of them are not informed at all in regard to the organization and the operations of the Vietcong in parts of South Vietnam which they control—and they control about three-quarters of the land area of South Vietnam.

Yesterday I spent more than 2 hours talking with a civilian airline pilot who has flown for the past 2 years over all of South Vietnam into Cambodia and has been a party to forays into North Vietnam.

All I wish to say on this occasion is that this airplane pilot, a man of mature years, verified the contentions which the senior Senator from Oregon has made in regard to the lack of justification of the unilateral war that the United States is conducting in South Vietnam. He pointed out to me in this conversation that not even the South Vietnamese will ever stay with us. He pointed out what other briefings and other intelligence reports that we have received, often at variance with the propaganda that is issued to the American people by the State Department and the Pentagon, have shown that the South Vietnamese want a united Vietnam. He found that a majority of the South Vietnamese never were supporters, for example, of the first puppet government that the United States established in South Vietnam, in clear violation of the Geneva accords, which provided not for a Vietnam split into two governments, but provided for a Vietnam temporarily separated at the 17th parallel until elections could be held to reunite Vietnam under a common government, with the principle of self-determination rendering the verdict.

And who stopped it? Our country stopped it.

How did we do it? We took an exile out of New York City and Washington, D.C., financed him, militarized him, sent him to South Vietnam, and built him up into a puppet military dictator; and he stamped out any hope for the rise of freedom during his regime, as every puppet that we supported that has succeeded him has stamped out freedom in South Vietnam.

Yet, our Government talks about freedom in South Vietnam, and that we are there to protect freedom.

Mr. President, we have been there to protect a military dictatorship, corrupt to the core, puppet by puppet.

Finally the American people will come to understand that. Let me say to my President, "When they do, your program will be repudiated."

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Alaska.

Mr. GRUENING. I ask the Senator from Oregon whether he thinks the present government of Ky, which has just abolished all newspapers, and which has ordered the shooting of people without trial, is likely to engender any more support than the support which Mr. Diem was able to mobilize.

Mr. MORSE. So far as I can see, it is an even worse, more horrendous, and more shocking dictatorship than that of the puppets who preceded him. Here we have the building up of sandbag walls against which Ky says he will shoot as many as 10,000, and without a trial. That is the kind of freedom we are supporting with American blood in South Vietnam.

Wait until the American people fully comprehend the significance of our program in South Vietnam. In my judgment, they will repudiate it.

We have not really explored all the possibilities of article XXXIII of the charter, and they will not be explored until we invite the representatives of the Vietcong to join in some form of negotiation or mediation.

CHARTER THEN REQUIRES WE GO TO SECURITY COUNCIL

I should like to move to the next article of the charter, which requires that the United States go to the Security Council.

Article 34 describes the jurisdiction of the Security Council:

> The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Obviously, the war in Vietnam qualifies for at least "investigation" by the Security Council.

We have not made use of the article, and it will not be used until the President requests that the Secretary of State or our Ambassador to the United Nations formally file a resolution calling for Security Council takeover.

Article 35 continues:

> 1. Any member of the United Nations may bring any dispute, or any situation of the nature referred to in article 34, to the attention of the Security Council or of the General Assembly.
>
> 2. A state which is not a member of the United Nations may bring to the attention of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations to pacific settlement provided in the present charter.
>
> 3. The proceedings of the General Assembly in respect of matters brought to its attention under this article will be subject to the provisions of articles 11 and 12.

There is a considerable movement afoot among members of the British Labor Party to induce the British Government to act under this article to put the Vietnam war before the Security Council. Article 99 of the charter also empowers the Secretary General to bring before the Security Council a dispute he regards as a potential threat to peace. Since members, nonmembers, and the Secretary General all have the right to do it, the United States would be in the best position if it acts to seek U.N. jurisdiction before someone else does it and, in effect, makes the United States a defendant in the matter.

If we fail to get discussions, we should invite the Vietcong and North and South Vietnam to join us in laying the dispute before the Security Council.

Article 37 is a clear statement of American obligation if we fail to settle the Vietnam problem by peaceful means of our own choosing:

> 1. Should the parties to a dispute of the nature referred to in article 33 fail to settle it by the means indicated in that article, they shall refer it to the Security Council.
>
> 2. If the Security Council deems that the continuance of the dispute in fact is likely to endanger the maintenance of international peace and security it shall decide whether to take action under article 36 or to recommend such terms of settlement as it may consider appropriate.

The discussions thus far have all been informal. There has been talk that would lead one to believe that U Thant has laid the matter before the United Nations. Formally, he has not. There has been talk that would lead one to believe that there has been some formal consideration of the total issue of the threat to the peace of the world by the United Nations. There has not.

The plea of the senior Senator from Oregon this morning is that we delay no longer in complying with the formal procedures available to us under the various articles of the United Nations.

Very likely the Vietcong and North Vietnam will never join us in referring the war to the Security Council. But they are not U.N. members. We are. They do not claim to stand for the rule of law in the world. We do. They could not muster anything like the support in the U.N. that we could.

Like North Korea, they probably would not appear at all. But it is their objective to take control of territory they do not now control; and it is our objective to keep them out. A peacekeeping mission of the U.N. could very likely do more to achieve our stated objective than we are doing.

Suppose the armed representatives of 90 nations were stationed in South Vietnam along the 17th parallel, along the Cambodian border, and at strategic lines crisscrossing South Vietnam itself. Do Senators believe the Communists would not be concerned about that? Do they really believe that the chances of keeping the peace would not be improved? The United Nations forces would be there not to make war, but to keep the peace; to resort to military action only in case they were fired upon. They would have the same obligation that the United Nations forces in the Gaza strip have maintained for years. By being there, they have prevented a war in the Middle East for years. They would have the same obligation that the United Nations forces are fulfilling in Cyprus, thus preventing a war in the Mediterranean; the same obligation that the United Nations forces were under in the Congo. Do not forget that when the United Nations forces went into the Congo, they drove Russia out, for Russia was already there. It was a small contingent, it is true—some 750 to 1,000 armed personnel. But several thousand more were poised on the border, ready to go in. Dag Hammarskjold, Secretary General of the United Nations, made it clear to Khrushchev that either he would take his forces out or the United Nations forces would move them out. Khrushchev took his forces out.

I do not have many precedents, but I at least have some. The administration has none to support its outlawry in South Vietnam as an instrumentality for obtaining peace. It will never obtain peace by following its present procedure. It will only assure the world of more and more war. We have entered an era in the history of mankind when every nation, including the United States, had better recognize that the way to peace is not through war.

We can place the issue before the U.N. very simply, by means of a letter addressed to the President of the Security Council by our Government. That is our primary duty. In so doing, we do not necessarily have to propose a specific action to be taken. But I believe the U.S. Ambassador should address to the President of the Council a letter, declaring that acting under these articles of the United Nations Charter, the United States requests an urgent and immediate meeting of the Security Council to discuss the matter of the war in Vietnam and the extent of the threat it poses to international peace and security.

That would put the issue where it belongs—before the United Nations Security Council in the first instance. I hope that is as far as we would have to go.

That would achieve what the Senator from Idaho calls soliciting the help of the United Nations in finding a peaceful solution.

POSSIBLE SOLUTIONS THAT COULD BE PROPOSED BY THE UNITED STATES

What about possible solutions that could be proposed by the United States? I shall mention only a few for illustrative purposes.

It could well be that Security Council members who are not directly involved in Vietnam as yet could come up with some proposals for handling the problem that would be more successful than what the United States could promote. But we could offer some resolutions, and I think we should.

One of them might take the form of calling upon the Secretary General to bring together the participants in the Geneva Conference of 1954, to discuss the means by which a cease-fire may be obtained and steps which may be taken to maintain the future independence of and peace among the states of Indochina.

The procedure is important. Senators have heard me say for many years that the procedure that is followed in a controversy determines the substantive rights that are adjudicated under that procedure. The time has come to formalize our attempts to seek peace by way of negotiation in Asia. As I have said, we cannot do it, in my judgment, by whistling by graveyards. The sad thing is that our administration is not only whistling by graveyards; it is filling graveyards through war. I want the killing stopped. By formalizing the procedure, there will be a better chance to have negotiations under the auspices of the United Nations than there will ever be by the President of the United States merely saying, as he did at San Francisco the other day, in effect, that we are perfectly willing to go along with any effective intervention or intercession or procedure of the United Nations.

The President made it perfectly clear in his Johns Hopkins speech, and in many other speeches, that he seeks peace, and that he recommends any attempt on the part of any of our friendly allies to reach a negotiated settlement or a format for a negotiated settlement. He has made it perfectly clear that he wishes to reach a peaceful settlement. He recommends Prime Minister Wilson's attempt to work out at least a more healthy atmosphere for negotiations. He recommends the good offices of the Prime Minister of Canada, Mr. Pearson.

I say to the American press, let there be no room for doubt that the senior Senator from Oregon is satisfied that the President seeks peace. My criticism of the President is not that he seeks peace. My criticism of the President is that he is not making use of the formal procedure that raised the issue so clearly as to what help we can expect from our alleged allies and from the signatories to the United Nations Charter, which they have a mutual obligation, along with us, to honor. The President has not followed the procedures that I am outlining in this address.

We could suggest that the United States give the issue to the United Nations Security Council and that it reconvene the Geneva convention or conference of 1954. If followed, that procedure would be under the cloak and jurisdiction of the Security Council.

That is not a unilateral proposal for negotiations made by the United States. North Vietnam and China and the Vietcong might take quite a different view of negotiations under the directions of the Security Council. It is only a recommendation, along with others that I propose, that we make the suggestion to the United Nations for the consideration of the Security Council, with the decision to be made by the Security Council as to what should be finally adopted as policy. In the meantime, members of the Security Council and of the United Nations may make recommendations to the Security Council and come forward with proposals quite different from the proposals that I respectfully suggest in my address today. That would be a better course and would offer more chance for the United Nations to bring the war in South Vietnam to an end.

In regard to the suggestion that I have made that the Security Council might give consideration to seeking to reconvene the participants in the Geneva Conference of 1954, it would provide a means of seeking a political solution and settlement.

It is even more important that we call upon the Security Council to take action to stop the fighting, and send to Vietnam a peace mission. We could do that through a resolution taking note that the Geneva Agreement of 1954 has been widely violated by signatories and nonsignatories alike, and that, as a result, a condition of war exists in South Vietnam, North Vietnam, and Laos that constitutes a breach of the peace and threatens international peace and security, and which directs the Secretary General to call upon member states to furnish forces and equipment for a United Nations force to separate the belligerents and maintain a cease-fire in South Vietnam, North Vietnam, and Laos pending a political settlement of their dispute.

This course of action might very well lead—and I hope that it would lead—to a solution somewhat similar to Franklin Delano Roosevelt's proposal of 20 years ago at Cairo and Tehran for an international trusteeship for a troubled area that presents a threat to the peace of the world. At that time, he spoke before Indochina, and even before the United Nations came into being. However, even without the existence of the United Nations as an instrumentality for an international trusteeship, Franklin Roosevelt proposed a trusteeship, international in character, for all of Indochina. He forewarned then—and read his warning—20 years ago, that Asia would become the war area of the world unless steps were taken to prevent the development of the conflict that would end in war.

It might very well be that out of a suggestion such as I make today, an expansion of the suggestion could be developed within the Security Council and they might work out a format for a temporary trusteeship under the jurisdiction of the United Nations until the people could be prepared for self-government, and self-determination could be expressed by them through a free ballot.

Quite possibly the sending of a peace force, and the effort to negotiate through a reconvening of the Geneva Conference could both be proposed. They are not inconsistent.

OBLIGATIONS TO SOUTH VIETNAM SECONDARY TO THOSE OF U.N. CHARTER

What about our obligations to South Vietnam? They are secondary to our obligations to the United Nations Charter.

But there is nothing in what I have discussed that would be inconsistent with our commitment of support to South Vietnam.

Article 51 of the charter affirms the right of individual or collective self-defense—until the Security Council has taken the measures necessary to maintain international peace and security.

> Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

That is my answer to the excuse given by some of the apologists for the war in Vietnam, that, after all, we are in with South Vietnam on what we consider to be a self-defense operation, and that, therefore, the Security Council has no right to intervene. That is not so, Mr. President.

The charter is crystal clear and unequivocal on the point. If the Security Council would not act, it would follow that the United Nations as a whole would have the residual power to act as the authority to move in at any time that it might will to move in.

My plea is it ought to move in. It ought to have moved in 2 years ago. It is long overdue. But better now than not moving in at all, for if no effort is made to try to bring the war to an end by the intervention of multilateral peacekeeping forces in the war, that war will lead, in my judgment, to a third world war holocaust, and it will become nuclear in nature, out of which there will be no survival of the United States or Russia, and many other nations will be in shambles.

That is why it is such a solemn hour in history. That is why I think we have such a moral obligation to history to return to the great moral principles the United States espouses, to the unanswerable ideals we have taught. That is why I believe we must reverse our course, go to New York, call for an extraordinary session of the United Nations, and make our formal petition for multilateral jurisdiction, under the procedures of the United Nations, to maintain peace in southeast Asia.

As I have said, there is nothing in what I have discussed that would be inconsistent with our commitment of support to South Vietnam.

If the Security Council declines to take jurisdiction, or if it fails to take action that effectively stops the war, the United States is free to come to the support of South Vietnam, just as other nations are free to come to the support of North Vietnam. Remember that China and the Soviet Union have the same right to come to the aid of North Vietnam unless and until the U.N. takes what the President called effective action to stop the war. But, unfortunately, if our course becomes everyone's answer, the result is total war.

We can continue to help South Vietnam until the U.N. acts to restore peace. But let us not forget that our 1954 commitment to South Vietnam was no treaty, and it pledged only American aid in the form of goods. Even that was to be in return for certain actions on the part of the South Vietnam Government, actions which it has not to this day ever carried out. Our commitment was contained, not in a treaty, but in a letter from our President to President Diem, and it extended our foreign aid "provided your Government is prepared to give assurances as to the standards of performance it would be able to maintain in the event such aid were supplied."

The Government of South Vietnam has been unable to fulfill its obligations. Yet we have gone infinitely beyond our obligation, into cobelligerency. By so doing, we have become involved in a situation that brings us under those provisions of the United Nations Charter, to which we are treatybound.

Until we carry out our obligations under that treaty, we do not practice what we preach. And until we carry out those obligations, we cannot expect to enlist the respect or support of those nations of the world whose respect is vital to the future security of our own Nation.

Yes, I know that three Presidents have followed our current unilateral policy. That is supposed to end the debate. But what is proved is only that the policy has been a colossal failure. It has not worked, it is not working, and it is not going to lead us anywhere but into more war.

On the Saturday night before the election in 1964, after I had closed my participation in that election with a major speech in my home town, I received a telephone call from one of the most brilliant advisers of the late President Kennedy. He had spoken elsewhere in my State. He was some miles away. He asked if he could come to see me, even though it was late at night, stating that he had to catch a plane early the next morning out of Portland.

I said, "By all means, come." He said, "There is something I must tell you."

He came to my home and, after the salutations, he said, "You must be a very lonely man." I said, "I am not lonely. Why should I be lonely?" He said, "If you are not lonely, you must be discouraged." I said, "I am not discouraged. Why should I be discouraged? I may be a little disillusioned, but I am neither lonely nor discouraged."

I said, "Why should I be discouraged?" He said, "Because of the position you have taken on foreign policy." I said, "I want you to know, Mr. Ambassador, that I am anything but lonely or discouraged, because there are millions of Americans who stand with me, and I am satisfied that, in due course of time, my Government will understand it, too."

He then told me he had been sent by the late President Kennedy to Vietnam to make a confidential study of the situation in Vietnam, because, as he said, the President was disturbed. He made his study. He said, "Senator, that study verified the positions you have taken many times on South Vietnam in your many speeches."

A couple of weeks ago, before I prepared a certain memorandum that I have been asked to prepare dealing with my position on the United Nations aspect of the war in Asia, I called that individual and recalled for him our conversation in the living room of my home in Eugene, Oreg., on the Saturday night before election. I said:

> I want to know to what extent you have modified the views you expressed to me on that evening.

He said:

> Senator, I am not going to express my views to the same vigorous extent that you from time to time express your views, but I want you to know I completely agree with your conclusions.

That was reassuring. I mention it, Mr. President, because these are dark hours in which it is very important, in this historic debate, that the American people understand that it is not true that only a few of us are opposed to the present procedures our Government is following. There is rising day by day increasing support within the body politic of this country, urging that our Government proceed to make use of every form of procedure available to it with the presentation of this threat to the peace of the world, within the rules of law and the procedures that are now available under the Charter of the United Nations, as I have sought to outline them today.

Although it is said that what we are doing is carrying out the commitment of three Presidents, the fact is that that does not end the debate. Although it is supposed to, in the minds of some persons, it does not end the debate to say, "Oh, but the President is for this." Under this Government of ours, and under our system of checks and balances, we have a trust to express disagreement with the President when we think he is wrong. I believe the President is so greatly wrong in the procedures he is following in handling this threat to the peace of the world that I shall continue to express my disagreement with him as long as the ugly facts remain what they are at the present time.

What is proved by the argument that three Presidents have committed themselves to this policy? Only that the policy has been a colossal failure. It has not worked. It is not working. It is not going to lead us anywhere but into more war.

In July 1954, the chief of the U.S. military aid mission in Saigon declared:

> The war in Indochina can still be won without bringing in one single American soldier to fight.
>
> The Vietnamese have ample manpower and even today outnumber the enemy by 100,000 with superior firepower at least in a ratio of 2 to 1, and probably more. And we are ready to assist them in training an adequate national army for the security of their homeland.

Only 2 years ago, the Secretary of Defense told us that 1965 was the year in which American soldiers could come home.

This sounds like the prediction the French military made for so many years as the French people lost the flower of its manhood in the Indochina war, with approximately 290,000 casualties—more than 90,000 fatalities.

The French people finally answered its Government at home.

I seek to avoid such a thing happening in my own country. However, I am satisfied that as our casualties mount, and irrespective of the spectacular military victories our forces may win, nevertheless, we shall be bogged down for decades to come in Asia. Future administrations of our Government will hear from the people of their time, just as the French people made clear to Mendes-France that they demanded that war in Indochina be brought to an end.

Mendes-France wrote a great chapter in French history by ending the war in Geneva in 1954. Instead of French prestige toppling, it is higher today than it has been at any time for decades.

No dissents of the kind I am making will please the opposition in this country that feels we should continue to make war. I must expect to be charged with encouraging the Communists, with encouraging the Vietcong, but I intend to be no party to the shocking war philosophy of certain spokesmen in American politics of recent days who are openly asking for an all-out war effort in Asia, who are asking for a bombing of Hanoi, who are asking for a bombing of China, and who are really asking for the beginning of the third world war.

I said earlier in my remarks that I am satisfied, if we follow such a course of action, that it will mean nuclear war in the not too distant future.

My speeches will not encourage the Communists, for the Communists do not wish to have the nations of the world rally around the banner of the rule of law. For if they do, they know that for the first time they must negotiate and stop their threats to the peace of the world, for they cannot stand up against an organized world of 90 to 100 nations in opposition to their warmaking. However, they will stand up indefinitely against the warmaking of the United States.

I am still waiting for the administration to produce a single responsible military authority to rebut the military advice of a General Marshall, a General Collins, a General Bradley, a General Eisenhower or a General MacArthur, all of whom from time to time have warned their country against the danger of committing American ground forces in a massive war in Asia.

We are on our way to doing that.

I am satisfied that not too many months in the future, if we continue our course of action, there will be a minimum of 300,000 American troops in Asia. I am satisfied that the plans are already prepared and the logistics are already on paper, ready to move a minimum of 300,000 troops into Asia, if China starts to move.

If we continue our course of action, I believe it is a certainty that China will move.

Do these objections raised on this floor to American policy encourage the Communists?

Surely, the entire Communist world must be encouraged that our leading military figures have been so totally wrong about Vietnam, and even more encouraged to know that $2 billion, 70,000 U.S. troops, the U.S. 7th Fleet, the Tactical Air Force and the Strategic Air Command have all had to be thrown into a war in which the major force of no Communist country is yet on the move. Ho Chi Minh has not even started to move his equipped and ready-to-fight 350,000 troops.

This country, and the entire world, let me respectfully say, stand to gain more from a United Nations jurisdiction over this war than from a continuation of the fighting caused by the escalation of the war. It is in that direction that we must ultimately turn.

Mr. President, as we read the newspapers this morning, we know now that it is no longer a South Vietnamese war, that it has become an American war, with American troops being dropped from the air, with American drops being massed on the ground, and with American airmen and American naval men conducting aggressive and belligerent attacks, as cobelligerents in a war that tends to become such a serious threat to the peace of mankind, that unless mankind rises up now—through the existing procedures available to it—and calls for the intervention of the rule of law, I fear that in the not too distant future we shall be in world war III.

However, I shall continue to plead for the avoidance of such a catastrophe, as long as there is any hope to substitute peace for war in Asia.

Mr. President, I yield the floor.

AMENDMENT OF SMALL RECLAMATION PROJECTS ACT OF 1956

During the delivery of Mr. Moss' speech on natural resources:

Mr. MANSFIELD. Mr. President, will the Senator from Utah yield without losing his right to the floor?

Mr. MOSS. I yield.

Mr. MANSFIELD. I am about to make a unanimous consent request. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the motion to reconsider the vote by which S. 602, a bill to amend the Small Reclamation Projects Act of 1956, was passed.

The PRESIDING OFFICER. Is there objection? Without objection, the Senate will proceed to the consideration of the motion.

The question is on agreeing to the motion to reconsider the vote by which the bill passed. Without objection, the motion is agreed to and the passage of the bill is reconsidered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the third reading of the bill, S. 602, to amend the Small Reclamations and Projects Act, be reconsidered; that a proviso on page 6, line 22 be stricken, and that the bill as amended be passed.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Is there objection to the unanimous-consent request?

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. ELLENDER. Mr. President, I was the one who asked for the reconsideration of the passage of the bill, because I felt it was not right to establish the precedent of changing the interest rates on projects already constructed.

As I understand the bill—and I would like to be corrected if I am in error—any landowner with 160 acres or less pays no interest on these projects.

Mr. MOSS. Yes. That is the general rule under long-established reclamation law.

Mr. ELLENDER. And that the repayment period for the loan extends over 40 or 50 years without interest; and that interest is charged only in the event the owner has irrigation land in excess of 160 acres.

Mr. MOSS. Or when the use of water is for other than irrigation, such as domestic, municipal, or industrial purposes.

Mr. ELLENDER. As I understand, many of these projects are located in areas where the Federal Government has already spent money on a Federal reclamation project to bring water to the area and where the landowner is now paying off that indebtedness, on a no-interest basis, over a period of 40 to 50 years.

Mr. MOSS. That is true in some cases. In others, loans are made to conservancy districts, private groups, or local entities to develop the sources of irrigation water from the beginning. But the rule the Senator has stated applies in any event, and would continue to be applicable to projects currently in operation as well as to new projects.

Mr. ELLENDER. As I have pointed out on many occasions, the farmers of the West have been generously treated by the Government for many years past. I felt it was not correct for us to reduce interest charges on projects that were already in operation and that had been in effect for quite some time.

With the amendment proposed by the Senator from Montana, I have no further objection to the passage of the bill.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Montana that the third reading of the bill be reconsidered, and that a proviso on page 6, line 22, be stricken, and that the bill as amended be passed?

Without objection, it is so ordered, and the bill as amended is passed.

Mr. MOSS. Mr. President, I move to reconsider the vote by which the bill was passed the last time.

Mr. METCALF. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MOSS. I thank the majority leader.

Mr. MOSS subsequently said: Mr. President, I should like to make a brief statement to follow the action which was taken on S. 602, the bill to amend the Small Reclamation Projects Act, during the course of my earlier remarks.

I point out that the action taken today on S. 602 eliminates a proviso from the bill that would have enabled entities which now have a small project loan on which they are paying interest at the rate established by the 1956 act to recompute their interest charges on the basis of the rate established by the Water Supply Act of 1958; thereby many struggling small landowners who are members of small irrigation districts and ditch companies would have saved themselves some much-needed money. I have asked for a computation of the amount involved, and I am informed that altogether there is a total of only approximately $5 million or so. This $5 million that would have been saved would be divided among many small entities, and the amount saved on each individual loan would have been relatively small.

But it would have been only equitable to permit the small entities in the West, which have received loans to participate on the same basis as those who have benefited from advancement of Federal funds under the regular reclamation program, under the flood control program, and under the Watershed Protection and Flood Prevention Act, among other federally aided water resource development programs. The bill, before it was amended, would have made retroactive to Small Reclamation Act projects the same rate of interest enjoyed by projects under these existing laws. The retroactive feature has now been eliminated.

However, from now on, small project borrowers will be able to participate on the same basis as those who receive funds under other programs, and those who have 160 acres or less will, of course, receive a loan of funds for irrigation purposes without a charge for interest. As I have said, this is in accord with long-established law. But interest will be charged on loans that would be used for domestic municipal and industrial water supplies, or commercial power.

Mr. President, a small-reclamation-projects bill, similar to the one we have passed today, was approved by the Senate 2 years ago. It was not acted on by the House. So I, early in January this year, introduced my small-projects bill again. The feature that has now been eliminated was in the original text of S. 602 as it was introduced 6 months ago and as public hearings were held on it. The departments reported favorably on the bill and recommended it. The Irrigation Subcommittee and the full Interior Committee gave full and careful consideration to the measure after the hearings. Not a single witness came before either the subcommittee or the full committee to object to this retroactive provision.

Notice was given by the majority leader last week on the day before S. 602 was called up for consideration in the Senate. The bill was called up in the regular way by motion of the majority leader; it was not taken up on the unanimous-consent calendar. After S. 602 was placed before the Senate last Friday, the discussion on the floor shows that there was no opposition whatever to the interest provision during the regular time for consideration.

Because of certain circumstances, the bill was called back, and this amendment now has been made. I hope that Members of the other body, in their consideration of the bill, will take these facts into account, because the provision is most equitable. Simple justice to the small water users of the West demands it. I deeply regret that it was necessary to sacrifice this equitable provision in order to have the bill moved along.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, if the Senator will yield to me once more before he yields to my colleagues, I announce that there will be no further legislative business in the Senate today.

Mr. MOSS. Mr. President——

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. MOSS. Mr. President, I ask unanimous consent that I may yield to the Senator from Ohio [Mr. YOUNG], without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered; and the Senator from Ohio is recognized.

NUCLEAR WAR—LET UNITED STATES SEEK TO AVOID THIS PERIL

Mr. YOUNG of Ohio. Mr. President, without a doubt every Senator agrees that the peace of the world is gravely endangered unless the production of nuclear warheads and nuclear bombs by various nations is curtailed or banned by solemn treaties entered into by heads of nations freely and in good faith. We realize the great dangers inherent in the proliferation and increasing production and multiplication of nuclear weapons among nations and recognize that action should be taken to fix limits and enforceable ground rules. This threat to peace—indeed to the very existence of mankind—is the overriding problem facing the leaders of the world.

I report, Mr. President, two items which I wrote for my newsletter, one in August 1961, entitled "Armament Races Lead to War," and the other in June 1962, entitled "Danger?—Not by Intent, but Mischance." I repeat what I stated in August 1961:

> Americans sincerely hope that definite disarmament agreements, with adequate safeguards, can be achieved. To be effective, such agreements must include Red China as well as the Soviet Union. For more than 10 years, the world has teetered on the edge of nuclear disaster. As more nations acquire nuclear weapons, the likelihood of war is multiplied. Unless the arms race is stopped, weapons even more terrifying than atomic and hydrogen bombs will be developed. Someday, almost inevitably, they will be used. A war might commence by mischance or accident rather than by intent. History, since the turn of the century, proves that every arms race has led to war. To speak disarmament is easier than to achieve it. We must be prepared for long, often discouraging, negotiations. We must be willing to compromise to end the arms race and reduce cold-war tension.

Again, in June of 1962, I spoke out on this subject saying then, as I say now:

> It is significant that Secretary-General U Thant, of the U.N., in a recent statement announced his view that neither the Soviet Union nor the United States would deliberately launch a nuclear war. Nuclear missiles are not weapons of war but are means of indiscriminate destruction. He stated that "the risk of war by accident is becoming greater and greater. Both the nuclear giants have rockets ready to be triggered in a few minutes, and the risk of a nuclear warhead leaving the launching pad unintentionally is very great." The small powers of Europe, such as the Scandinavian countries, Belgium, Holland, Spain, and Portugal, and the larger nations—Italy and France—could contribute to removing distrust and bitterness on the part of the leaders of the Soviet Union against the Nation. They should. In this manner they would work toward permanent peace. Unfortunately, these smaller nations, and particularly France and Italy, are seeking to develop nuclear weapons. If they succeed—and France has succeeded—then the chance that a nuclear war would be triggered by accident or mischance instead of by design would be greatly increased.

At those times I wrote of the menace to world peace caused by the spread of nuclear weapons among nations, a threat that has since loomed much, much larger.

For more than a decade the world has teetered on the edge of nuclear disaster. Vast arsenals of the most devastating weapons made by man have been stockpiled by the Soviet Union and the United States. The list of nations with a potential nuclear capacity grows constantly. Nuclear weapons are no longer a monopoly of the major powers. Today, five nations, including Communist China, have the capacity to explode nuclear bombs, and a dozen others could develop nuclear weapons within 3 years. At the same time delivery systems are within the budget of any nation that can produce these terrifying weapons.

Weapons of such a devastating nature—weapons which indeed could wipe out the world—cannot be broadly distributed and possessed by diverse nations without vastly increasing the risk of a conflict dreadful beyond imagination.

My view is that atomic war is less likely to be thrust upon us by a hostile dictatorship than through a grimly strange accident touched off by a drunk, a fool, an irresponsible madman, or a militarist bent and determined on war at any price or risk. An all-out nuclear war is far more likely to be touched off by human error than by human intention. With the nationals of more countries handling such lethal weapons, the possibilities of their use by some trigger-happy subordinates are enhanced.

Unless this futile arms race is stopped even more terrifying weapons will be developed and some day, almost inevitably, they will be used. History of the 20th century to this good hour demonstrates that every arms race has eventually resulted in war. We must end this nuclear arms race with the Soviet Union and Red China by definite agreements, with adequate safeguards, before the most terrible of all wars—perhaps the final war—is precipitated. We must find a common language with our antagonists to limit nuclear testing both above ground and underground, and the spread of nuclear weapons.

The longer we wait, the greater becomes the possibility of a war no one wants. Man has outgrown war. Science has made it both impracticable and impossible, if mankind is to endure on this planet. If this nuclear arms race is permitted to continue then inevitably West Germany, Japan, Nasser's Arab Republic, Israel, and other nations will within a few years be detonating nuclear bombs and joining the other powers with nuclear weapons.

Citizens generally know that time and events have turned the Soviet Union from a "have not" nation to a "have" nation. The great changes since Stalin's era have resulted in hostility to the Red Chinese regime, and a direct turn toward the capitalist system and friendship toward the United States and the West. The threat of a nuclear war waged against us by the Russian becomes more remote as time goes on.

Of the many remarks and wisecracks of Nikita Khrushchev, the one which most Americans will probably remember best is his threat "we will bury you." Khrushchev made it crystal clear at the time and afterward that he did not mean war. He said, "I don't mean war. I mean competition. You say your system is the best. We say our system is the best. Let's compete and see which is the best." Khrushchev represents the new order of Russians voted out of power and to affluent retirement instead of being liquidated. This is another illustration of the fact that the Soviet Union, now a "have" nation, is definitely veering away from Red China, a "have not" nation. Former Senator Barry Goldwater may have been correct in his prediction that 10 years hence Russia would be our ally in any conflict with Red China, which the Senator considered a threat to the peace of the world.

Mr. President, in view of the threat posed by the Communist Chinese to the Soviet Union as well as to the free world, it is very probable that behind the bluster and bombast of Soviet leaders lies an earnest desire to end the increased production of nuclear weapons and to halt the arms race. I assert Soviet leaders know full well there can be no victory in nuclear war, for the spoils of victory would be nothingness. They know we have the retaliatory nuclear capacity to destroy installations and a hundred cities within the Soviet Union and kill many millions of Russian men and women and children in a matter of only hours.

Now is the time to invite the Soviet Union, Red China, England, France, and all nations with a potential nuclear capability to join in an effort to formulate a treaty which would halt the spread of nuclear weapons. Just recently former British Foreign Secretary Patrick Gordon Walker, repeatedly recommended that the only way to avoid this dangerous proliferation of nuclear weapons is to create an international organization which would be run by an authority on which the nonnuclear powers would have equal control.

Despite some statements to the contrary, the facts are that the Communist leaders of the Soviet Union have kept their agreements when it was to their advantage to do so. Austria was neutralized and has remained neutral. Laos was neutralized, and open warfare has been avoided there. The limited nuclear test ban treaty was ratified following patient and frequently most discouraging negotiations by Presidents Truman, Eisenhower, and Kennedy, and has not been violated by the Communists. Our late great President John F. Kennedy and Averell Harriman will long be remembered by peace-loving people the world over for the signing and ratification of the limited nuclear test ban treaty. In fact, we have conducted more underground tests than has the Soviet Union. The time is at hand to negotiate to amend the limited nuclear test ban treaty to ban underground nuclear testing. It is to their advantage as well as to ours to limit the spread of nuclear weapons. Such a treaty would be in the national interest of every nation and important for permanent peace in this world.

The sixfold plan recently suggested by the distinguished junior Senator from New York [Mr. KENNEDY] is an excellent blueprint for bringing such a treaty to end the proliferation of nuclear warheads and weapons into being and on which to commence conferences by leaders of the world's great nations.

Our President is a man of peace, and I am sure that this problem is uppermost in his mind. I am hopeful that in the near future definite steps will be taken toward exploring the possibility of securing such a treaty, with adequate safeguards.

To speak disarmament is easier than to achieve it. We must be prepared for long, tedious—often discouraging—negotiations. However, the effort must be made. Should it succeed, we will be repaid a thousandfold with relief, with security, with safety, and with the comforting assurance that mankind will not commit the final and irrevocable insanity of self-destruction in nuclear war.

I thank the distinguished Senator from Utah [Mr. Moss] for yielding to me.

LET US PROTECT OUR NATURAL RESOURCES

Mr. MOSS. Mr. President, in discussing a nation's essentials, the poet Robert Frost observed, "what makes a nation in the beginning is a good piece of geography."

We in the Congress recognize the vital importance of the resources of our own good piece of geography. We recognize the necessity of protecting those resources. The 88th Congress enacted many measures for this purpose. The name applied to the 88th—"The Conservation Congress"—reflects great credit on this body and on the Committee on Interior and Insular Affairs under the leadership of its distinguished chairman, Senator JACKSON.

Additional conservation measures lie before us. These, too, will receive enlightened and prudent consideration. But—for the most part—these measures, like those enacted in the 88th Congress, attack our problems piecemeal. More urgently needed is an examination of our natural resource problem as a whole. We must decide whether the measures we are taking are fully effective in meeting the Nation's need.

Two dynamic forces are placing unprecedented pressure on all our natural resources. The first force is the expansion of population about which so much is being said.

Projections for rates of births, deaths, and immigration indicate that our population will rise from the present 192 million to 245 million by 1980 and perhaps to 350 million by the year 2000. Superimposed on this population expansion is the second force—a constantly rising standard of living. We are enjoying unprecedented prosperity. Prosperity is simply a state in which we consume more goods—in which consumption of resources rises per person. And if the goals we have set as a nation are to be realized, the consumption of resources per person must continue to rise steadily.

A parallel trend to a rising living standard is the movement to metropolitan areas. The proportion of our population that is rural is static or declining. In terms of natural resources, urban living is much costlier than rural living.

In the past two decades we have reached what may be called a "new plateau" in our need for resource conservation and management. In bygone years, it may have been considered adequate to attack conservation and development problems on an individual resource or a regional basis. But we have now reached a point at which our responsibility is nothing less than the maintenance of sufficient quantity and quality of all our natural resources.

Fortunately, there is a growing understanding in the Nation of the need for conservation.

President Johnson spoke of it eloquently in his message to the Congress on natural beauty, Mr. Johnson pointed out the dangers to our natural heritage which are imposed by increasing demands for living space. He stated that the accelerating tempo of urbanization and growth is crowding the countryside and destroying streams and meadows. He noted that modern technology is creating uncontrolled waste products which blight soil, water, wildlife, and the air we breathe.

And the President said:

> To deal with these new problems will require a new conservation. We must not only protect the countryside and save it from destruction; we must restore what has been destroyed and salvage the beauty and charm of our cities. Our conservation must be not just the classic conservation of protection and development, but a creative conservation of restoration and innovation. Its concern is not with nature alone, but with the total relation between man and the world around him. Its object is not just man's welfare but the dignity of man's spirit.

In every resource category, America's demand is tremendous. Each year we lose one million acres of farmland to urban expansion, super highways, and construction of facilities to support them.

In 1952, the President's Material Policy Commission noted that American consumption of most of the fuels and other minerals had been greater since the beginning of the First World War than total world consumption for all the centuries before.

Resources for the Future states:

> The projections indicate * * * a tripling of requirements for both energy and metals by the year 2000, almost a tripling for timber, and almost a doubling for farm products and for withdrawal depletions of fresh water. * * *
>
> Increasing demands on land space for outdoor recreation, urban growth, highways, airports, and perhaps forests by the year 2000 will far exceed any relief provided by possible reduction in land needed for crops and the amounts of now unused land that can be pressed into service. * * * land requirements, if each use is counted separately, would add up to 50 million more acres than the country has, and this assumes no increase whatsoever in forest land.

The Senate Select Committee on National Water Resources reported that the Nation would need to double its usable water supplies by 1980.

Per capita use of water has increased from 530 gallons per day in 1900 to about 1,900 gallons per day in 1965, more than triple.

While about 1 gallon of water a day will take care of an individual's physical need, the average American city dweller is using 110 gallons a day.

Of this, his home uses some 60 gallons each day for cooking, cleaning, laundering, lawn and garden watering, and the rising new use—air-cooling.

Another 26 gallons a day per person is used by his community's offices, restaurants, and stores. And the municipality takes about the same amount for its services such as firefighting and cleaning.

Urbanization not only expands the demand for water use—it sharply reduces the water-holding proclivities of the land. Bricks and concrete hold heat and intensify evaporation, while reducing infiltration into the underground water table.

Modern industrial processes make use of tremendous quantities of water. The National Water Institute states that industry used 560 gallons of water daily per capita in 1950, 849 gallons per capita in 1960, and is expected to use 1,193 gallons per capita by 1975.

As population rises, so will water use for agriculture. The use of water for irrigation today is seven times as great as in 1900. Although irrigation has been supplanted by industry as our largest volume use, consumptive use of water for agriculture will always exceed consumptive use for other purposes.

By the year 2000, demand for domestic forest products is projected at 29 billion cubic feet with net growth less than half of that. U.S. Forest Service calculations, which show that some 55 cubic feet of realizable growth can be harvested per acre of commercial forest land, indicate that 300 million acres would have to be planted to meet the deficiency.

A dramatic example of the demand for forest products is our prodigal use of paper. Gross annual consumption of paper and paperboard in America is now close to 1 ton per family. Altogether we utilize almost 40 million tons a year, a spectacular increase from the 30 million tons used in 1950 and 15 million used in 1929.

Resources for the Future says that limitations of domestic supply are more likely to be a barrier to meeting demand for forest products than for any other major category of resource materials.

Improved technology may help, but not substantially. We must continue to seek reduction of losses from insects, diseases, and fire, which are equivalent to a quarter of the annual cut. Further, losses of growth that otherwise would have taken place exceed by twice the actual timber destruction.

The Nation's wildlife resources are fighting a losing battle against the encroachments of civilization. Many of our programs for increasing yields of forest and farm products are taking an increasing toll of wildlife and fishery populations. If we are to retain any semblance of this resource for the continued enjoyment of man, as well as the commercial benefits which are derived from our fishery and fur industries, a halt must be called to some of the most destructive practices.

Together, the four resources I have mentioned, the land, the water, the forests, and the wildlife, combine to form another resource indispensable to modern living—the outdoor recreation resource.

Following its monumental study, the Outdoor Recreation Resources Review Commission declared:

> The demand is surging. Whatever the measuring rod—visits to Federal and State recreation areas, number of fishing license holders, number of outboard motors in use—it is clear that Americans are seeking the outdoors as never before. And this is only a foretaste of what is to come. Not only will there be many more people, they will want to do more, and they will have more money and time to do it with. By 2000 the population should double; the demand for recreation should triple.

The Commission estimates that individual outdoor recreation activity could show an increase of 184 percent from 1960 to the year 2000.

To meet these prodigious demands on our resources, we have in the past two decades assigned unprecedented tasks to the agencies of the Federal Government.

At the same time, we are expecting all other units of government—our States, our counties, our cities—to take on heavier responsibilities in all resource fields. We have authorized and funded many programs of assistance to help them perform these tasks.

Yet—through inertia—we have left virtually unchanged the bureaucratic structure of the agencies dealing with natural resources.

In so doing, we have failed to provide them the tools of authority and organization without which they cannot execute our programs either efficiently or effectively.

An illuminating example is water resource development. In this field, we have four Departments with primary responsibility: The Department of Defense, the Department of Agriculture, the Department of the Interior, and the Department of Health, Education, and Welfare.

All four Departments have other large and complex tasks to perform. All would benefit if water resources development and management were assigned to one agency.

The second Hoover Commission listed 10 agencies in the Department of the Interior having water resource responsibilities: The Bureau of Reclamation, three power-marketing agencies, the Bureau of Indian Affairs, Bureau of Land Management, Fish and Wildlife Service, National Park Service, Bureau of Mines, and the Geological Survey. Since that time the Office of Saline Water, the Office of Water Resources Research, and the Bureau of Outdoor Recreation have been added, and the Fish and Wildlife Service has been split into two bureaus. Water resources functions are coordinated through the Assistant Secretary for Water and Power, but the Assistant Secretaries for Mineral Resources, Public Land Management, and Fish and Wildlife are also involved in decisions involving water resources.

Most water resource project construction and management, however, is carried out by the U.S. Army Corps of Engineers in the Department of Defense. The responsibility of the corps in this field "just growed" from the time when it was the only effective engineering organization in the Federal Government and was therefore utilized for river and harbor improvement operations, and, more recently, for flood control projects.

Except for a few uniformed officers, the work of the corps in the water resources field is carried out by civilian engineering personnel, just as it is in the Bureau of Reclamation.

As our rivers have become more contaminated, the pollution abatement work of the Public Health Service in the Department of Health, Education, and Welfare has had an increasingly significant effect on overall water resources planning and management. Under legislation recently passed by the Senate, water pollution control activities will be established under a new Federal Water Pollution Control Administration reporting to the Secretary of Health, Education, and Welfare through a new Assistant Secretary.

In addition to these three Departments, the Department of Agriculture has substantial water resources programs; the Soil Conservation Service conducts a small watersheds program which requires the building of small dams and watershed treatment measures; the Forest Service is concerned with water resources activities in the national forests; the Agricultural Stabilization and Conservation Service and the Farmers Home Administration are involved in providing assistance to farmers for projects related to water resources; Agricultural Research Service and Economic Research Service conduct research on matters pertaining to water, while the Rural Electrification Administration is concerned with hydroelectric power generation and marketing.

Many other Federal agencies in other departments as well as independent agencies, have water resources responsibilities. For example, the International Boundary and Water Commission, United States and Mexico, and the International Joint Commission, United States and Canada, under the Department of State, have responsibilities affecting the boundary waters of the United States. All water regulation works in the Tennessee River Basin are built and managed by the Tennessee Valley Authority.

Finally, the Federal Power Commission grants licenses for the building of river dams which produce hydroelectric power. As these must be coordinated with other river regulating works, the Commission engages in major river basin planning activities.

The need for coordination of the efforts of these bureau heads and their staffs has been recognized. We have established interagency committees to coordinate work for each river basin, an Interagency Committee on Water Resources in Washington, and an ad hoc Committee of the Secretaries of the four major departments referred to earlier.

At the start the Kennedy administration, the Bureau of Reclamation, and the U.S. Army Corps of Engineers executed a treaty which designated zones in which the corps would construct projects planned by the Bureau and vice versa.

Further recognition of the need for coordination of the many agencies involved in water resources work is shown in the Water Resources Planning Act which is now before Congress.

The act creates a Water Resources Council, composed of the Secretaries of Interior, Agriculture, Army, HEW, and the Chairman of the Federal Power Commission. The Council will have a staff, whose job will be to coordinate and examine the work of all the other staffs in this field, but the important decisions in the water resources field will have to be made in the Council itself.

What a waste of administrative talent and staff manpower. Why should water resources development be in the area of competence of the Secretary of the Army? Why should the Secretary of Health, Education, and Welfare be forced to add decisionmaking in the water resources field to his already onerous responsibilities?

In addition to the National Water Resources Council, the Water Resources Planning Act bill authorizes numerous river basin commissions which will report annually to the Council. How much time will the Council members have to devote to the task of evaluating such reports? I am aware that the basic work will be done by the staff. But, if the Council is to fulfill its function, the members must inform themselves on the characteristics of every river basin in the Nation. One secretary might be expected to do that. But we cannot properly require the heads of five major entities of the Federal Government to devote time to this problem.

Lest you think I am opposed to this bill and its Council aspect, let me make it clear that I am a strong supporter. I am, in fact, a cosponsor. I have urged its passage both in committee and here on this floor. Under present circumstances, it is essential.

The coordinated planning of our water resources is long overdue. As the distinguished senior Senator from New Mexico pointed out when public hearings opened on an identical basin planning bill in 1963, the United States has been struggling for 55 years to initiate comprehensive river basin planning. Senator ANDERSON said:

> In February 1908, President Theodore Roosevelt's Inland Waterways Commission recommended prompt and vigorous action by the States and Federal Government to develop comprehensive plans for all our river basins.

I believe that there can be little doubt that such comprehensive planning would now be far advanced had we one department charged with this task. As it stands, we are only now moving to set up the machinery for such planning, and are doing so with the cumbersome mechanism of interdepartmental committees—a method that will place unwarranted burdens on the Secretaries, slow the task, and raise the cost.

Water resources planning is only one instance. Admittedly, we must have coordination not only here but in all aspects of resources management. We cannot get it by creating additional committees and more staffs to coordinate the work of various departments and their staffs.

What is called for is a reorganization of the executive branch to bring all major resource management functions into one department. Such an idea is not new. It was proposed by the Hoover Commission. Last year, the distinguished senior Senator from Oregon eloquently advocated this step in a speech in this Chamber.

There are three principal areas in which administrative duplication is most serious.

I have already discussed water resources.

The second area lies in the management of the public lands. Two large agencies, the Bureau of Land Management in the Department of the Interior and the Forest Service in the Department of Agriculture, are engaged in this function.

Their separation was deliberate. Because the predecessor of the BLM was thought to be in the business of divesting the Federal Government of land holdings, a new agency—the Forest Service—was created for custodial management and was located in the Department of Agriculture.

Since the emergence of the modern concept of a national land reserve, however, the functions of the two agencies are almost identical. Both manage lands for multiple use. Both deal with problems of range protection, range use, and range rehabilitation. Both build roads and trails. Both have participated in a tremendous expansion of recreation activity, and so on.

The National Park Service and the Bureau of Sport Fisheries and Wildlife are also major land management agencies in the Department of the Interior.

Forest Service employees work more closely with those in the Interior Department who promote land rehabilitation, develop picnic grounds, process mining claims, and propagate fish than they do with those in the Department of Agriculture who deal with price supports, agricultural extension service, marketing, and farm loans.

In Congress, we have long recognized this de facto status of the Forest Service as an Interior agency through our consideration of its budget with Interior agencies, not with those of agriculture.

There are differences, of course, in the character of the lands managed by the Forest Service, and Interior's Bureau of Land Management, the National Park Service, the Bureau of Sport Fisheries and Wildlife, and the Bureau of Indian Affairs. But these differences should be recognized at the Bureau level. One assistant secretary and one secretary should have responsibility for all major land management functions and for the submission of top policy recommendations to the President and the Congress.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MOSS. I yield to the Senator from Alaska.

Mr. GRUENING. I have had the privilege and opportunity of reading the magnificent address which the Senator from Utah is now making. It shows a vast amount of study and insight into the workings of our Government and the great need for the conservation and development of our natural resources. It is a speech which should have the widest attention and interest, not merely among our colleagues, but among the public.

Every paragraph in the speech is significant. It is really a sort of Magna Carta of resource development, in the light of present-day needs. I cannot commend the Senator from Utah too highly for the many aspects he has covered in his speech. Early in his speech to single out one of his many perceptive approaches, he makes this constructive suggestion, in quoting the President:

> To deal with these new problems will require a new conservation. We must not only protect the countryside and save it from destruction; we must restore what has been destroyed and salvage the beauty and charm of our cities.

Then this important sentence:

> Our conservation must be not just the classic conservation of protection and development, but a creative conservation of restoration and innovation. Its concern is not with nature alone, but with the total relation between man and the world around him.

I should like to ask the Senator from Utah whether this has not been exemplified by the creation of Lake Powell back of Glen Canyon Dam, where the beauties of nature have been enhanced and made accessible at the same time we were developing a useful, natural resource, with great economic benefits.

Mr. MOSS. I thank the Senator from Alaska. In answer to his question, I affirm that Lake Powell, having been created as a useful economic project, has given us the added attribute of great natural beauty that did not exist before. Now that the Canyon Gorge is partly filled, it is no longer true. I went down the Canyon Gorge in a boat, and know that it was beautiful then, but compared with the beauty of the blue water lake which is now in the Canyon Gorge—which is only partly filled; there are still vast colored cliffs above the water—we have created an area of recreation which thousands and hundreds of thousands of people will be able to enjoy out of doors, when before only the barest handful could enjoy floating down the muddy river.

It was a different kind of stream. Now it is beautiful blue water, abounding with fish, with sandbars on the side for people to camp, whereas before it was a rather muddy stream, rather interesting to run down in a boat, but with very little fish in it and of little use.

The Senator from Alaska has put his finger on a wonderful example of how we have advanced and created a great natural beauty through a manmade effort. The Glen Canyon Dam did it.

I appreciate the comments of the Senator from Alaska on my speech. He is one of the leaders in the Senate in the resource field. He serves on the Committee on Interior and Insular Affairs and the Committee on Public Works, both of which in this body deal with resources. He has been a great leader in this field. I am most happy for him to comment on my speech. I know he will be in the vanguard in this body in pressing for needed changes in this field.

Mr. GRUENING. I thank the Senator. In addition to the recreational activities created by Lake Powell and the increase in fishery resources, is it not an interesting fact that the beauty of the area has actually been enhanced by the mirroring and duplication effect of the scenery? We can look down at the reflection and we can look up at the wonderful cliffs, which was not possible before. In other words there is a doubling of beauty.

Mr. MOSS. That is true. It is remarkable how much beauty is now there. People can look at the beautiful mirror lake to which the Senator has referred. It now extends into deep isles, canyon areas, and gorges where no one could venture heretofore. It has opened up a vast area. The shoreline along Lake Powell is 186 miles. It travels such an irregular course that there is more shoreline along Lake Powell than there is between San Diego, Calif., and Seattle, Wash.

Mr. GRUENING. That is a fascinating point.

Does not the Senator believe that we have really discovered and created a new bonanza? Previously we have talked about the enhancement of natural resources, meaning fish and wildlife resources, and now we have a specific example of the enhancement and beautification of scenery?

Mr. MOSS. Indeed we have. This is an excellent example from which to choose, but there are many others. I believe that Lake Powell is the one receiving the most attention at the present time, but there are many other areas.

There is another interesting aspect to the situation. The committee held hearings on recreation when we were setting the recreation pattern of how much had to be contributed by the local community. One of the witnesses testifying before the committee—and there were many—had an interesting figure for me. He testified that there was one State in the Union which had the greatest per capita ownership of boats. We were talking about water resources recreation at that time. We all racked our brains as to what State it could be. I first thought of Maryland, because of the Chesapeake Bay and the many rivers running through it, or perhaps Massachusetts, with the Cape Cod area, Martha's Vineyard, and other places.

However, the State turned out to be Arizona, a State which everyone thinks of as being a desert State. Of course, it is a desert State.

Mr. GRUENING. The name "Arizona" means an arid zone.

Mr. MOSS. The Senator is correct. Arizona has the greatest per capita ownership of small recreational craft, because of the many reservoirs within the State. The building of the Theodore Roosevelt Dam and the lakes which were created there, Havasu Lake, and Lake Mead, all of them manmade lakes, contributed great beauty. They are not only a source of water for the use of the people, but also a large recreational resource.

Mr. GRUENING. I should like to ask the Senator this question: Did not certain conservationist groups fight the creation of Lake Powell on the ground that it was destructive and anticonservationist?

Mr. MOSS. Indeed they did. The fight against the whole Colorado River storage project was most intense. Even since that time, there are groups who have constantly complained that resources have been destroyed because the canyon has been filled. They have printed pictures and published all kinds of propaganda to show that something bad has been done in creating that great lake. But exactly the opposite is true. Rather than destroying something, it has created a resource which is much greater, more useful, and more beautiful than what existed there before.

Mr. GRUENING. I agree with the Senator. Is the Senator aware of the excellent brochure issued by the Bureau of Reclamation which illustrates with colored photographs how beautiful Lake Powell is?

Mr. MOSS. I am, indeed. Its title is "Lake Powell, Jewel of the Colorado." I wish I had a copy at hand because I believe it is one of the most spectacular, small picture booklets I have ever seen. The photographs are breathtaking.

Mr. GRUENING. It certainly tells the story more effectively in pictures than it could in thousands of words.

Mr. MOSS. Indeed, the Senator is correct. Words could not begin to describe its beauty.

Mr. GRUENING. Let me ask the Senator whether he knows, in view of the obvious improvement and enhancement of beauty which have taken place in the area, whether any of the earlier conservationist opponents of the creation of Lake Powell have begun to modify their views, or do they still persist in their old contentions?

Mr. MOSS. I am sure that some have modified their views but, unfortunately, there is still a small and vocal group which continues to be critical of the creation of Lake Powell.

Mr. GRUENING. The Senator may be aware that we are faced with the same problem in Alaska where there has been a concerted drive against the Rampart Dam because of the lake which will be developed behind it. Those of us who feel strongly that the Rampart Dam will not only be of inestimable value economically but will also actually enhance the area and its resources, believe that the lake will be far more beautiful than the ugly mudflats, silty sloughs, and swamps which are now mosquito ridden and most unattractive, all of which will be covered by this beautiful lake.

Mr. MOSS. I agree with the Senator. I had the opportunity to fly over the Rampart site with the Senator, so I have seen the area. As he describes it, it is low lying, with many willow trees and rushes, and undoubtedly swarms of insects, although I have not been on the ground to know that. It is not an attractive area at present.

Mr. GRUENING. The Senator is correct.

Mr. MOSS. If this river valley were to be filled with water, the wide expanse of water would mean the creation of a great northern lake which would be wonderful in which to fish, to hunt for moose in the area, and for other wild game which would come to the lake for water and which live in the area surrounding the lake. It would, of course, mean another recreational resource for Alaska. In addition to the economic value which would come from building the dam, and generating power, it would of course control the river.

Mr. GRUENING. That is correct. Nevertheless, this project is being fought by the same people who fought the creation of Lake Powell—I am glad to say unsuccessfully. But we face that same situation. It is sometimes difficult to understand how people can be so persistent in opposing a project that is not only of economic benefit but will actually preserve and increase the natural resources.

Mr. MOSS. I thank the Senator from Alaska for his comments. I am sure that there is no better friend of resources than the Senator. I agree with his philosophy that the beauty of nature can often be enhanced and expanded with manmade effort; that certainly to be a conservationist one must not subscribe to the doctrine that nothing is ever touched and no structure is ever razed. There are some who would not permit even firebreaks to be built in a place where, if a fire should sweep a whole forest, it could be destroyed. I believe it is destructive to take a view as extreme as that.

Mr. GRUENING. I agree with the Senator. I should like to ask him another question: At the end of his remarks, he points out what is apparent, that making the reorganization, which is implicit in his speech, will be difficult, because it will mean the consolidation or transfer of numerous agencies that may not wish to be consolidated or transferred. Does the Senator visualize introducing legislation to bring that about?

Mr. MOSS. I do. I propose to introduce a bill within a short time, as soon as I have refined it to the point which will accomplish the purpose I have in mind in this speech. It should then be a focal point on which we could begin discussion. I would hope that the Senator from Alaska would examine the bill critically, and offer amendments or any refinements which may be needed. But I am hopeful that we could accomplish the overall objective of centralizing and bringing into rational order our dealings concerning the natural resources of this country.

Mr. GRUENING. That would be a most desirable project. It is obvious now that one of the departments which has the responsibility for most of our resources, the Department of the Interior, also has within it other agencies which bear no relationship to resources. The Senator has pointed out that some come under the Department of Agriculture. I hope the hearings will take place as soon as the Senator has perfected his bill. I suppose it will be referred to the Committee on Interior and Insular Affairs, but I suspect that the Committee on Public Works will also have something to do with it.

The Senator and I are both members of those two important committees, to say nothing of the Government Operations Committee, of which I am also a member. I am taking a keen interest in this proposal and look forward to the introduction of the proposed legislation. I am sure that the hearings will prove interesting and worthwhile and will have a lot of support.

I congratulate the Senator from Utah on his constructive and far-reaching proposal.

Mr. MOSS. Mr. President, I continue with my remarks and say we can hardly suppose that their views will be identical. On wilderness, as on other land management matters, the responsibility should lie with one Secretary.

The third principal area of conflict is in recreation.

Here, again, we have responded to the need for coordination of the agencies with recreation programs. Carrying out the recommendations of the Outdoor Recreation Resources Review Commission, we have created a Bureau of Outdoor Recreation in the Department of the Interior. Incidentally, an official in the Department of Agriculture was chosen and transferred to be its first Chief.

One of its responsibilities is to coordinate the work in the field of outdoor recreation of the National Park Service, the Bureau of Land Management, the Forest Service, the Corps of Engineers, and the Bureau of Fish and Wildlife, as well as numerous other Federal agencies conducting less extensive recreation programs.

As Senator MORSE pointed out, there are two non-Interior agencies that serve more recreation seekers than does the Department of the Interior. These are the Corps of Engineers in the Department of Defense and the Forest Service in the Department of Agriculture.

Yet we recognize the logic of utilizing the Department of the Interior to conduct our recreation programs when we established the Bureau of Outdoor Recreation in it. And in this field we are once more expecting the coordinating agency to work through an interdepartmental council of Cabinet officers. In so doing, we have charged the Secretary of the Army with heavy responsibilities for the management of recreation facilities just as we have charged him with heavy responsibilities in the management of water resources.

Correction of these duplications can be effected only by a functional reorganization of the executive departments to establish a Department of Natural Resources. In the near future, I will introduce a bill for this purpose. It will provide for these specific changes:

First. The assignment of all water resource functions to one Assistant Secretary for Water Resources. This would include the Bureau of Reclamation, the Office of Water Resources Research, the Office of Saline Water, the water data services of the Geological Survey, the civil works functions now exercised by the Corps of Engineers, the water pollution abatement services of the Public Health Service or the new Federal Water Pollution Control Administration, the water resources planning functions of the Federal Power Commission, the small watershed program of the Soil Conservation Service, and the water resource activities of the Tennessee Valley Authority.

Second. The assignment of all electric power generation and transmission functions to one Assistant Secretary for Power. This would include the power activities of the Bureau of Reclamation, the Bonneville Power Administration, the Southeastern and the Southwestern Power Administrations—all in Interior—the Tennessee Valley Authority, and the Federal Power Commission.

Third. The assignment of land management activities in nondefense areas to one Assistant Secretary of the Interior for Land Management. This would include the National Park Service, the

Bureau of Land Management, and the Forest Service.

There are two other agencies with important land management functions, the Fish and Wildlife Service and the Bureau of Outdoor Recreation. I favor continuing Fish and Wildlife as a separate entity under its own Assistant Secretary as at present.

Outdoor recreation entails significant activities affecting both land management and water resources use. The Bureau of Outdoor Recreation now functions along with other bureaus under an Assistant Secretary for Public Land Management. BOR could be established under a new Assistant Secretary for Recreation or made one of the land management agencies. In either case, all its activities would be coordinated under the Secretary of the Department of Natural Resources.

Fourth. The assignment of all nonresource functions now in the Department of the Interior to other departments. Two Interior agencies, the Bureau of Indian Affairs and the Office of Territories, are more concerned with education and human relationships than with resource management. Except for irrigation activities, they could be transferred to the Department of Health, Education, and Welfare.

The adoption of such a proposal is long overdue. The task of protecting and wisely utilizing the land, the water, the forests, the wildlife, is one task. All these resources are interdependent. There is not one which today does not require wise management on a national basis if it is to be maintained in needed scope and vigor.

Today, we are looking even beyond our borders for the solution of major resource problems. We have long dealt with other nations on the division of waterway rights, on fisheries, and on protection of wildlife. Now being proposed is a means of providing great new water supplies that will entail a major cooperative effort with Canada. It is called the North American Water & Power Alliance—NAWAPA.

The concept is a continent-long diversion of surplus water from arctic rivers to western Canada, Western and Midwestern United States, and Mexico.

In Alaska, the Yukon Territory, and British Columbia, tremendous quantities of fresh water flow unused to the sea. The use of only a fifth of this supply could transform the water picture of large areas of Canada and at least 25 of our 50 States.

Keystone of the concept is the use of a 900-mile-long Rocky Mountain Trench in Canada. The altitude of this natural storage reservoir is 3,000 feet.

A series of dams and power stations will provide the energy to pump the Arctic's fresh water up into the trench. From the trench reservoir, it would then be pumped to a reservoir in the Sawtooth Mountains. From there, the water would flow southward by gravity via lined canals and tunnels throughout the system, passing the Sawtooth Mountain barrier through a tunnel 80 feet in diameter and 50 miles in length.

Continuing its gravity flow, the water will help meet the needs of the western part of the continent. Water for irrigation, power, recreational facilities and other uses would flow for distribution to eastern Oregon, Utah, Nevada, California, Arizona, New Mexico, and northern Mexico.

On the east slope of the Rocky Mountains, water would be pumped into the Canadian and Purgatoire Rivers through which it could be distributed east of the Continental Divide. This water would be drawn upon by New Mexico, Texas, Colorado, Kansas, Nebraska, and Oklahoma.

The Peace River Reservoir outflow, and diverted flows from several streams on the east slope of the Rocky Mountains, would supply the Canadian-Great Lakes Canal. In excess of 40 million acre-feet per year would reach Lake Superior and provide for irrigation and other water demands of Alberta, Saskatchewan, Manitoba, and western Ontario. This important part of the system would also yield considerable power.

The NAWAPA concept includes a seaway between Lake Winnipeg and Hudson Bay via the Nelson River. Another seaway would connect Georgian Bay with James Bay. A navigation canal would connect the ore fields of Labrador and Quebec with the Great Lakes. These waterways would provide Canada with cheap ship and barge transport, thereby opening its iron ore, coal, potash, sulfur, forestry, and agricultural resources to extensive development. The waterways would also contribute to the economic welfare of Ontario and Quebec, Minnesota, Wisconsin, Michigan, Illinois, Indiana, Ohio, Pennsylvania, and New York, which are closely and historically associated with the Great Lakes.

Branching off from the Canadian-Great Lakes Canal, another canal, large enough for barges, connects with the Missouri and Minnesota River systems to serve the needs of Montana, Wyoming, North Dakota, South Dakota, Nebraska, and Iowa. Actually, all the Central Plains States and all those bordering the Mississippi River would benefit.

The overriding significance of this concept is that it offers a means of solving problems otherwise insoluble.

It would provide an adequate supply of water for 100 years to the great southwest quadrant of the Nation.

The Canadian-Great Lakes Canal would alleviate falling levels and pollution of the Great Lakes as well as augment the power potential of the Niagara and St. Lawrence Rivers.

Good quality water in bulk could be supplied to those States currently using Colorado River water, some of it excessively high in minerals in its lower area. The excess salinity of the Colorado River water delivered to Mexico under treaty would be reduced, thus removing periodic friction.

The NAWAPA system will not interfere with any existing, programed, or planned water and power development projects. As a bulk supplier of water it would support and augment other projects.

With the exception of Alaska, it would not utilize water from any State or river basin in the United States for the benefit of any other State or river basin.

This magnificent concept would require no new technological know-how. It would be necessary only to do what we have done many times before, but on a much grander scale.

Yet there is not an agency of the Federal Government that has the authority or the means to evaluate this proposal in terms of the interest of the United States. All that we have been able to do so far is to assemble from various governmental agencies information on their water resource plans and programs and present them in a committee print.

This was made possible through the foresight of the distinguished chairman of the Committee on Public Works [Mr. McNamara], who appointed the Special Subcommittee on Western Water Development, which I head. The work to date on this concept has been done by a private engineering firm and this subcommittee.

Development of resources involves long leadtime. It took the Congress 8 years to enact the Wilderness Act. It will take a like period to evaluate the primitive areas of the national forests and complete work on the system.

The Senate Select Committee on National Water Resources was appointed in 1960. Now—in 1965—we are hopeful of creating the National Water Resources Council and authorizing the river basin commissions that committee recommended. Many more years will be needed to organize the commissions and plan the basin programs. Meanwhile, the two forces I have previously mentioned—expanding population and rising standard of living—will be making our tasks harder and more expensive.

I do not say these things to disparage the work of the Congress. Several years may be necessary to consider and enact such far-reaching legislation which affects major regions of the Nation for years to come. But since we must give much time to the authorization and execution of these programs, we must streamline the planning and management functions as far as we can.

The President has made clear his intention of consolidating functions and services. He is phasing out installations which have completed performance of the functions they were assigned. He is transferring financing from projects of lower priority to those of higher. This would be an ideal time to consolidate our resource management functions.

An additional gain will be in the efficiency of State operations. The States cannot protect their resources without Federal cooperation. Our river basins, our forests, our watersheds, our lakes, our waterfowl, do not recognize State boundaries. The responsibilities of the States in these fields are vast. We should make it as easy as possible for them to carry out their responsibilities. This means reducing the number of Federal agencies with which they must deal.

Such consolidation will also make easier the tasks of county and city governments, and private industry—whose contacts with the Federal Government in the resource field run into hundreds of thousands every year.

In his presentation, the Senator from Oregon [Mr. Morse] discussed two resource program needs which I wish to reemphasize—long-range planning and capital budgeting.

The President's call for a more beautiful America envisions lovelier cities, further development of parks and other recreation areas, including seashores, preservation of stretches of unspoiled waterway, attractive landscaping for highways, and clean air.

Such a dream cannot be realized without long-range plans.

Lack of planning is responsible for the ugliness, pollution, and waste that we seek to end.

Despite much planning activity in the Federal Government, the plans of our resource agencies often are inadequate to an expanding future.

There exists nowhere a comprehensive plan that states our resource requirements and delineates a program for meeting them.

A first priority of the Department of Natural Resources should be the preparation of such a plan. The plan should set forth the national goals, projected alternative programs for reaching those goals, and the costs involved.

This will present the President and the Congress with the facts upon which wise decisions can be made.

This, in general, is the method utilized so successfully by great industrial enterprises and by our Department of Defense. It combines maximum efficiency with maximum flexibility.

Contrast it with our present plethora of agencies, plans, and programs in the natural resource field.

The budget of the Federal Government fails to present a clear picture of where our tax money goes and what it accomplishes. Yet accounting which presents such a picture is an indispensable tool of business management.

Federal accounting utilizes what amounts to a cash flow sheet and a statement of liabilities. There is no genuine balance sheet. There is no statement of assets. There is no attempt to separate operating expenses from capital investments.

To look at the books of the Federal Government, the highway system, on which the Government has spent upward of $28 billion since 1956, has no present value. In the words of some critics, this money has "gone for taxes."

Moreover, the taxes that maintain our road system amount to a charge for a necessary service, exactly as does a telephone bill for communications service and a light bill for electric service. The only difference is that government is responsible for the financing of roads, while most telephone and electric services are provided by utilities financed through private sources.

Not only does our road system provide an essential service, it is a capital asset, exactly as the roadbed and rolling stock of a railroad are capital assets.

Technically, the highway system is owned by the individual States rather than the United States. But it has value, just as do all of the capital assets in which we have invested tax dollars. The budget should show that value. The budget should also show the portion of each annual expenditure that goes for construction of capital items—dams, buildings, canals, and roads.

A business which starves capital assets—its buildings and equipment—is on the road to bankruptcy. Our natural resources are capital assets upon which the Nation itself and every industry in it are dependent. It is essential that we invest sufficient capital to sustain those assets.

While the operations of government and business are only partly analogous, both must utilize information-budgeting procedures to plan as well as control operations.

Separate presentation of the capital items in the Federal budget is essential to determine whether the level of investment in natural resources is sufficient, as well as to evaluate total annual expenditures.

Mr. President, we recognize, I am sure, the greater challenges that lie ahead in the resource field. Meeting these challenges will require far-reaching programs. The consolidation of functions and the use of modern management methods have become necessities.

The responsibility for adopting improvements lies here in Congress. National policy is made here. Programs are authorized and funded here. More efficient resource management arrangements are in our power—and only in our power—to initiate.

Effecting the needed changes will not be easy. But we can no longer ask our executive agencies and the States of this Nation to perform the essential tasks of conservation and wise management of our resources unless we are willing to provide the tools.

PROPOSED DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. CLARK. Mr. President, the recent action of the House in passing the President's proposal for a Cabinet-level Department of Housing and Urban Development has been hailed throughout the country as positive and needed action.

An editorial published in the New York Journal-American of June 18 pointed out the support of this legislation.

"The complexity and immensity of the problems of cities and suburbs demand a department with Cabinet rank to help solve them," the Journal-American editorial makes clear.

I agree with those comments and urge every Member of the Senate to join me in supporting President Johnson in this effort.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Journal-American, June 18, 1965]

A BIG WIN

President Johnson is well on the way to another major congressional victory with passage by the House of a bill creating a Cabinet-level Department of Housing and Urban Development.

The fact that the House killed a similar proposal by President Kennedy 3 years ago is an indication of L.B.J.'s influence in Congress.

The bill now goes to the Senate, where it must churn through a subcommittee and a full committee before it reaches the floor, probably next month. The expectations are it will pass.

We hope the expectations are realized. The Hearst newspapers for a long time have supported the concept of Cabinet status for dealing with the problem of cities and suburbs.

A Department of Agriculture was established long ago to concern itself with rural problems. Up to now the metropolitan planning has been left to a lower than Cabinet level administration, despite the phenomenon of enormous urban growth. In fact, the tendency among experts is to consider great stretches of cities and suburbs along both coasts and in the Midwest as joined in supra-metropolitan areas. Or, to use the fancy word, each is a megalopolis.

The complexity and immensity of the problems of cities and suburbs demand a department with Cabinet rank to help solve them. It looks as if residents of suburbs and city cliff dwellers are at last to get proper recognition. And high time.

Mr. CLARK. Mr. President, I agree with those comments. I urge every Senator to join me in supporting President Johnson in this long overdue effort to give the urban population of the Nation some representation at the Cabinet level, as the farmers of the country have had it for more than 100 years.

RENT SUBSIDY PROGRAM

Mr. CLARK. Mr. President, the President and the House of Representatives are to be commended for the action taken yesterday by the House in passing the excellent housing bill. I am indeed gratified that the rent subsidy program survived an attack by the conservative Members of both parties in the other body, and will be in the bill as it comes to the Senate and as it is in the bill reported by the Senate committee within the past few days.

The rent subsidy program has been attacked as socialistic. It is nothing of the sort. The housing to which the rent subsidy program will apply is private housing. The housing will be rented on a private enterprise basis. The net result of the program will move us somewhat closer to the ideal first expressed by the late great Senator Robert A. Taft, of Ohio; namely, a decent home for every American family.

The newspapers report that the close but successful vote was influenced to no small extent by the strong urging of the administration to all of its supporters to rally around this important part of the Johnson Great Society program.

So I congratulate both the majority of the House and the President on a significant achievement.

Mr. DOMINICK. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield.

Mr. DOMINICK. As the Senator well knows, I do not agree with his analysis of yesterday's action; however, I shall discuss it from my viewpoint when the Senate begins to debate the bill.

Mr. CLARK. I have no doubt about the attitude of the Senator from Colorado on the subject.

REAPPORTIONMENT OF STATE LEGISLATURES

Mr. DOMINICK. Mr. President, shortly after the Fourth of July recess, it is hoped that the proposed constitutional amendment on reapportionment will be reported favorably by the Committee on the Judiciary and placed on the calendar. I hope that not long thereafter the Senate can start to debate this extremely important proposal which I have the honor to cosponsor. Almost all Senators have had some experience with this problem in their own States and know the dilemma in which State legislators and the citizens of the States have been caught. The most graphic example of this has occurred in Colorado. One of the most drastic examples of this dilemma has been in the State of Colorado.

Recently there appeared in the American Legion magazine an excellent article on this subject written by Neal R. Peirce. I congratulate him and ask unanimous consent to have it printed at this point in the Record together with an excellent news column on the same subject written by Ray Moley and appearing in the Newsweek magazine of June 14, 1965.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the American Legion magazine, June 1965]

THE BIG SHAKEUP IN STATE GOVERNMENTS

(A look at the strange events which have followed the Supreme Court's one-man, one-vote rulings)

(By Neal R. Peirce)

Never in history have State political leaders across the Nation been in such a quandry over a single matter as they have been in the last 3 years as a result of the Supreme Court's "reapportionment" decisions.

These decisions have led to conflict, confusion, resistance and political consternation in many States.

"Reapportionment," of course, refers to court rulings that:

(1) The States must redesign their voting districts so that each member of a State's legislature will represent the same number of people as each other member, and

(2) The one-man, one-vote principle must apply both to the lower house and the senate in each State.

The consequences of reapportionment are sure to be far reaching. It could hardly be otherwise, for the traditional balance of power in most of the States will be permanently altered.

The influence of rural areas, long dominant in most of the country's legislatures, will be radically reduced. The big winners will be the fast-growing suburban areas of the country, now the most under-represented on the State level. Some center city areas will also register gains in the State capitals.

Experts expect to see more pressure in the legislatures for State spending on education, welfare and commuter problems—with higher taxes to match. Labor unions may have more power, exerting it for ends like higher minimum wages. Possibly the State governments, made more sensitive to the demands of the metropolitan areas, will expand their activities so much that the trend of taking all problems to Washington may be retarded.

In the South, rural legislators, long in control, have been most hostile to expanded civil rights for Negroes. Southern cities, on the other hand, have been more anxious to find accommodations on the racial issue, and now their power in Dixie's State capitals will be sharply increased.

On a party basis, the net gain in the North will be for the Democrats. They are far stronger in the cities and suburbs than in the rural areas, which will be losing seats. Republicans have some major suburban strongholds, however, so that the shifts in legislative seats may work to their advantage in certain areas.

In the South, where Republican strength in the cities has begun to dilute the once solid Democratic grasp on the region, the revolution in reapportionment may advance the day when the region will have a true two-party system.

Further consequences, beyond the imagination of present-day analysts, are likely, for the reapportionment rulings have turned the inner workings of many of the States upside down. In 3 years, their shock-effect has been evident on all sides.

The Supreme Court made the basic reapportionment decisions in two findings in 1962 and 1964. Orders to carry them out, in States that have lagged or parried, have come from Federal courts within the States, while State courts on occasion have opposed the Federal courts, and on other occasions have judged some reapportionment bills to be contrary to State constitutions.

No two States and no two Federal courts appear to have followed exactly the same pattern. In many States, bitter controversy has raged. Reactions to reapportionment have included outright resistance, criticism of the Federal courts, the promulgation of novel voting arrangements, and demands for constitutional amendments.

In New York, Democrats rode into control of the State legislature last November for the first time in three decades, benefiting from the national sweep of their party. But instead of holding office for full terms, they will apparently have to run again next November, this time without benefit of a presidential landslide, because they were elected last fall under the old system which the Supreme Court threw out. For a while they seemed doomed to run under one of four reapportionment laws designed by the outgoing Republican legislature to give the Republicans the best break in the future. Then, with the election only 8 months away, a New York court held all four of the proposed plans in violation of the State constitution. In mid-April of this year nobody had any idea of the voting-district basis on which the new election would be held, or whether, indeed, it would be possible to hold them at all.

In California, serious proposals have been put forth to break up into two States—northern California and southern California—because of the reapportionment rulings. If the California Senate, as well as the House, is based on population, northern California feels that densely populated southern California will outvote it in both houses of the State legislature. In the north they are particularly sensitive to the south voting itself as much of northern California's water as it pleases.

This is a classic illustration of the protests from the States over the Supreme Court decision that State senates must be based on population rather than areas.

The Federal Government, they argue, recognizes that areas and interests have vital stakes in lawmaking, quite apart from headcounts. They note that every State, regardless of population, has exactly two Senators in the U.S. Senate, be it sparsely settled Nevada or densely populated New York, while the interests of population masses are protected in the House of Representatives. This argument, in favor of one house or the other based on geography, is called "the Federal analogy." States with legislatures that parallel the Federal structure in this way are said to follow a "little Federal plan." But the Supreme Court has specifically ruled that the Federal analogy does not apply to the States.

In 1962, a majority of the voters in every county of Colorado voted in favor of a "little Federal plan"' for Colorado, with the State senate to be weighted by areas and the house apportioned by population. The U.S. Supreme Court rejected the result of the Colorado referendum in 1964, specifically noting its opinion that the question is a constitutional matter for the courts and not subject to vote within the States.

In Illinois, when political leaders could not agree on how to reapportion the House before last November's elections, they temporarily met the Supreme Court's one-man, one-vote dictum by having every candidate for the House run at large. Thus Chicago's huge population was voting not only on its own State representatives, but on those from areas at the other end of the State. With 177 members to be elected, the Republicans and Democrats agreed to run exactly 118 candidates each. Each voter in Illinois was presented with 236 candidates on the ballot, with instructions to vote for 177 of them. All 118 Democrats and 59 of the Republicans were elected.

Both New Jersey and New Mexico attempted to keep their old voting districts the same as before, and instead give legislature members a number of votes proportional to the number of constituents in their districts. Courts ruled out both of these propositions.

In Connecticut, the 1964 legislature refused to draw new election plans as ordered by the local Federal court. The court responded by invalidating the laws the lawmakers had passed in 1964. But as it wouldn't recognize the elections of last November, the court consented to keep in office the same legislators whose acts it had invalidated—for 2 years beyond their regular terms. Meanwhile, a new apportionment plan, to go into effect in 1966, was finally agreed upon by the two parties and the legislature early this year.

Most of the protest against the courts' involvement in reapportionment has not questioned the need for some reform. In some States one legislator has represented as many as a thousand times as many people as another, hence each of his constituents has had less than one one-thousandth of the influence of other voters in the same State. In some States, the imbalance of voter representation was legal before the court rulings. In others it has been clearly in violation of State constitutions. But State officials have variously protested:

(1) That, regardless of merit, the question is not a Federal court matter;

(2) That it is too political for the Federal courts;

(3) That the States should have more leeway in making the adjustment;

(4) That the courts should not prevent the people in each State from deciding the issue, and

(5) That the various Federal courts which are ordering changes are pushing too fast, while they have no plan for a proper remedy and are running off in all directions.

C. Farris Bryant, the Governor of Florida, said: "I defy anyone, anywhere, to tell me what the Federal courts will approve on apportionment. They have been wandering in a political wilderness. They have no compass. They don't know where they started. They don't know where they are going. We can only do the best we can and hope it meets approval from high olympus."

In Vermont and Washington, when the lawmakers delayed reapportioning, the Federal courts in those States ruled that they could only transact certain limited types of business until they reapportioned. Vermont's Gov. Philip H. Hoff said the court's action was "arbitrary and unjust and involved a serious abuse of discretion which the Supreme Court should correct." The Vermont case is currently back on appeal to the Supreme Court.

In Oklahoma, reapportionment brought on an involved, many-sided battle with State and Federal courts, the legislature and the people all participating. Following the first Supreme Court decision in 1962, a local Federal court ordered the State to reapportion but the Oklahoma Legislature, long controlled by rural areas, refused to act. In 1963, the legislature devised a "little Federal plan" for a House based on population and a Senate based on areas, to be voted on by the people in May 1964. But in June 1963, a three-judge Federal court took the matter into its own hands, declared the old voting districts dead, and announced that voting lines drawn by the judges would take effect.

This was appealed to the U.S. Supreme Court, and in January 1964, the Oklahoma State Supreme Court stepped in with a "standby" reapportionment plan to be used pending the appeal to the Supreme Court. The local Federal court retaliated within 10 days by invalidating the "standby" plan, and ordering the appealed plan into effect. Then in May the people went to the polls and endorsed the "little Federal plan" that the legislature had drawn up. Within a month that plan went by the boards when, on June 15, 1964, the Supreme Court issued its decision that a State could not have a Senate not based on population, whether or not the people voted for it. Then the Federal panel in Oklahoma invalidated the State primaries that had been held in May under the old voting district lines, and Gov. Harry Bellmon had to call new primary elections. Before the new primary could be held, the Federal panel revised its own plan. Finally, new elections under the Federal court plan were held last November. Even then the revised plan was being appealed back to the Supreme Court.

Today, every State except Nebraska has imitated the Federal structure and has two houses. Thus 49 State legislatures are "bicameral" (2-housed) and only 1 is "unicameral" (1-housed). Each of the 49 calls its upper house "the senate," and Nebraska calls its 1-house legislators "senators." Most States call their combined houses "the legislature," though 19 call them "the general assembly," 3 call them "the legislative assembly," and 2 call them "the general court." Of the 49 States with 2 houses, all but 4 call the lower house "the house." Nevada, New Jersey, New York, and Wisconsin call theirs "the assembly."

In the 49 bicameral States there are 1,895 State senators. In the 49 lower houses there are 5,908 State representatives or assemblymen, while Nebraska's single house has 49 "senators," for a grand total of 7,852 seats in 50 State legislatures that are affected by the reapportionment orders.

The reapportionment revolution grew out of charges by citizens that State legislatures refused to clean house of malapportionment, while State courts refused to hear citizens' complaints on the question.

Between 1900 and 1950, the rural areas of the United States expanded 16 million in population while the urban areas were growing by an astounding 59 million. But many State legislature apportionment schemes still left rural areas in firm control of the State governments. Members of the rurally dominated legislatures were understandably reluctant to reapportion themselves out of office.

The 1960 population figures of districts in a few States illustrated the immensity of the problem at the start of this decade. In Vermont, where each town is guaranteed a House seat by the 1793 State constitution, Stratton had the same representation as Burlington. But only 24 people lived in Stratton, compared to 35,531 in Burlington—making a vote in Stratton 1,480 times as powerful as one in Burlington.

The 1960 population figures showed that in every house of every State legislature the largest district had more than twice the number of inhabitants of the smallest. The disparity was 424 to 1 in the Connecticut House, 99 to 1 in the Georgia House, 141 to 1 in the Rhode Island House.

It was against this background that Charles Baker, a "citizen and voter" of Tennessee, in May 1959, filed a suit in the U.S. Federal court against Joe C. Carr, the Tennessee Secretary of State. Baker claimed that he and other city dwellers were being deprived of "equal protection" of the laws because of malapportionment of the Tennessee Legislature.

Baker's suit pointed out that despite a provision of the Tennessee Constitution requiring population-based reapportionment of both the senate and house every 10 years, the district lines had not been changed since 1901. In the meantime, the population of the State had grown tremendously and shifted substantially to the urban areas. By 1960, Tennessee's House districts ranged from 3,454 to 79,301 in population—a disparity of 23 to 1—while senate districts ranged from 39,727 to 237,905—a 6-fold disparity.

Baker pointed out that he had first sought relief in the State courts of Tennessee, but had been turned down on the grounds that courts ought to stay out of legislative matters. Moreover, attempts to call a State constitutional convention had failed because the call must come from the legislature itself. In addition, Tennessee had no laws by which issues could be carried directly to the people.

Baker and his coplaintiffs said that there was "a debasement of their votes by virtue of the incorrect, obsolete and unconstitutional apportionment" to such an extent that they were being deprived of their right to "equal protection of the laws" under the 14th amendment to the U.S. Constitution. (The 14th amendment reads, in part: "No State shall * * * deny to any person within its jurisdiction the equal protection of the laws.")

On the first round, Baker lost his case, as other attempts to force reapportionment through court action had failed in earlier years. A three-judge Federal court in Tennessee dismissed the case, citing as authority a 1946 decision of the U.S. Supreme Court on a reapportionment complaint in which Justice Felix Frankfurter had declared that "courts ought not to enter this political thicket."

Baker then took his case to the U.S. Supreme Court. In March 1961, the U.S. Justice Department entered the case on Baker's side, arguing that "numerous States have done nothing with regard to apportionment of their legislatures for 25 or 50 years. The only realistic remedy is Federal judicial action."

The Justice Department brief went beyond essential points of law, arguing that the State legislatures "have, in very large part, failed to adapt themselves to modern problems and majority needs, and this failure has resulted in public cynicism, disillusionment, and loss of confidence." The brief said that "lack of effective Government action at the State level had led to the situation in which big city governments tend to bypass the States and to enter directly into * * * arrangements with the National Government in such areas as housing, urban development, airports and defense community facilities."

The Baker case found a favorable hearing in the Supreme Court, which had been steadily expanding the role of the courts in every field from school segregation to criminal court procedures. When the decision in *Baker* v. *Carr* was handed down March 26, 1962, the vote was 6 to 2 in favor of Baker.

The Supreme Court defined its decision narrowly, saying only that apportionment matters might be considered by the courts where citizens claimed that their constitutional rights were being abridged. But opponents as well as supporters of the decision quickly grasped its import. In a strong dissent, Justice Frankfurter said the majority decision constituted "a massive repudiation of the experience of our whole past" and was an assertion of "destructively novel judicial power." Frankfurter warned that the courts would find themselves in a "mathematical quagmire" in trying to enforce the decision.

Baker v. *Carr* had a national impact virtually unprecedented in U.S. history. In State after State, citizens began to file suits to force the legislatures to undertake long-delayed reapportionment actions. Within 2 years, court cases demanding an end to malapportionment has been filed or prosecuted in 41 of the 50 States. In 26 of those States, courts found apportionment of one or both bodies of the legislature unconstitutional, or intimated that they were about to make such a finding. New apportionment plans were actually approved in 26 States, though in many cases the new plans fell far short of the "one man, one vote" standard the Court would eventually demand.

The initial Baker decision, however, left numerous questions unanswered, and the courts found themselves without any reliable standards by which to judge various State apportionment plans. The Supreme Court, for instance, had not indicated what degree of malapportionment would make a State's districting illegal. Would it be a maximum 10 percent deviation from average, or 25 percent or 50 percent or what?

Nor had the Court made it clear whether both houses of a State legislature must be apportioned on a population base. A number of States, including Illinois, Colorado, and Wyoming, turned to the "little Federal plan"—apportioning one body by population and the other by geography.

Another question unresolved by the Court was whether it would make any difference if an apportionment plan, even if it varied from population to some degree, were approved by a vote of the people of the State. Michigan voters had approved a "little Federal plan" in 1952 and again in 1963, and the voters of Colorado adopted their plan by an overwhelming margin in the 1962 elections.

More than anything else, the Baker decision and court devisions based on it created confusion. A Michigan court knocked out an apportionment because it included variations of more than 2 to 1 between district populations, while a court in New Jersey approved a plan with variations of more than 90 to 1.

Inevitably, the welter of conflicting opinions by lower courts made it necessary for the Supreme Court to clarify just what it had meant in the Baker case. The answer came June 15, 1964, when the Court decided apportionment cases from six States—Alabama, Colorado, Delaware, Maryland, New York, and Virginia. In these cases, the Court made it clear:

That the 14th amendment's equal protection clause "requires that the seats in both houses of a bicameral State legislature must be apportioned on a population basis."

That the "so-called Federal analogy is inapplicable as a sustaining precedent,"

That "mathematical exactness of precision" in carving out legislative districts may be impossible, but that apportionment must be "based substantially on population," and

That it means nothing that the people of a State approve an apportionment based on any other principle than population, because "a citizen's constitutional rights can hardly be infringed upon because a majority of the people chooses to do so."

In his sweeping decision, Chief Justice Earl Warren, joined by five of his colleagues, wrote: "Legislators represent people, not trees or acres. Legislators are elected by voters, not farms or cities or economic interests. To the extent that a citizen's right to vote is debased, he is that much less a citizen."

Three Justices—John Marshall Harlan, Potter Stewart, and Tom C. Clark—dissented in some or all of the cases decided in 1964. Stewart and Clark, who had approved of the Baker decision, declared that the equal protection clause of the 14th amendment did indeed put limits on districting plans—but that an apportionment plan, to be acceptable, need only be "rational."

Said Stewart: "* * * the Court's Draconian pronouncement, which makes unconstitutional the legislatures of most of the 50 States, finds no support in the words of the Constitution, in any prior decision of this Court or in the 175-year history of the United States."

The 1962 Baker decision, though it came as a shock to the States, had caused scarcely a ripple of protest in the U.S. Congress. But the 1964 decision stirred up a storm of criticism there.

Many Congressmen felt that the "Federal analogy" was entirely reasonable and valid, and that within reasonable limits the States had a right, under the republican form of government, to apportion their legislatures as they wished.

There was special resentment expressed in Congress against the Colorado decision in view of the sweeping popular vote for the "little Federal plan" in that State.

The 1964 decisions gave new life to other criticisms of the Supreme Court. Southerners had claimed that in its earlier segregation decisions the Court was writing law, not interpreting it, and they held up the new reapportionment rulings as further evidence of their charge that the Court was usurping the role of the legislature. Meanwhile, Congressmen from other parts of the country were under pressure from their home State legislatures to help preserve existing legislative districts.

Congressional opponents of the Supreme Court decisions made an all-out effort late in 1964 to pass a stopgap bill to slow down the impact of the Court's decrees. A measure actually removing all court authority in the apportionment field passed the House. But a filibuster by Senate liberals prevented any meaningful congressional action on the issue.

Since Congress reconvened this past January, opponents of the Court's position have been concentrating on passage of a constitutional amendment which would permit a State to apportion one house of its legislature on nonpopulation factors—like geography—provided such a move were approved by the people of the State at the polls.

This proposal, backed by Reublican leaders in both Houses and many Democrats, has also been endorsed by the American Bar Association.

In addition, numerous State legislatures have petitioned Congress to call a constitutional convention—a procedure provided for in the Constitution but never yet employed—to consider an amendment on the reapportionment issue.

However, the political climate has become increasingly hostile to any change in the Supreme Court's decision. The 1964 elections resulted in liberal democratic majorities in most of the State legislatures as well as Congress. The liberal Democrats, with their main power base in the cities, may be counted on to oppose any dilution of the Court rulings.

Moreover, since courts have already forced more and more of the State legislatures to move onto a straight population basis, the new State legislatures, elected under the new plans, are unlikely to approve a constitutional amendment which would bring back the old order. A Congressional Quarterly survey showed that just in the interval between the 1964 Supreme Court decisions and the end of last year, new apportionment lawsuits were filed or actual reapportionment bills were passed in 33 States.

At the start of 1965, 24 of the 50 States were under Court orders to reapportion before the next legislative elections. If you live in one of these States, you can count on your State being forced to approve new districts in 1965 or 1966: Alabama, Arizona, California, Connecticut, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Maryland, Minnesota, Nebraska, Nevada, New Jersey, North Dakota, Pennsylvania, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

In addition, early reapportionment action is also anticipated in Alaska, Arkansas, Georgia, Missouri, New Mexico, New Hampshire, Rhode Island, South Carolina, and South Dakota.

Yet regardless of how irreversible opponents may find the trend, reapportionment is not as simple as it may seem, and the Court has not yet overcome Justice Frankfurter's warning that it deals with a "political thicket" and a "mathematical quagmire." While Washington Attorney Charles S. Rhyne, who argued the Baker case, has lauded the decisions as "a correct application of the great principles which have made our Nation and its system of government the greatest on earth;" others see dire consequences and years of litigation ahead.

"The effect of these decisions should be obvious to even the most elementary student of history," says Representative William M. McCulloch, of Ohio. "The whole structure of our form of government shall be transformed and the unique system of checks and balances undermined. There shall be substituted the dominance of mass rule." Critics like McCulloch fear that big city political bosses will be in a position to control entire State governments.

Even political analysts who are standing out of the line of fire see a host of new and difficult problems yet to arise.

For one thing, a careful study of representative government suggests that mere mathematical equality in the sizes of districts is no guarantee that a legislature represents a majority of the people.

Actually, all that it really takes to control a legislature is 51 percent of the vote in 51 percent of the districts. Thus, only 26 percent of the people could technically control a legislature—even with perfectly equal populated districts.

Thus, if a ruling party or group is clever enough, it can so arrange the districts that it is permanently locked into control. One of the tools most frequently used is the "gerrymander"—a legislative district weirdly shaped to embrace a voting majority for one party. But even without obvious gerrymandering, ruling cliques can maximize their strength far beyond their actual numbers. The Supreme Court will some day have to decide whether the complex reapportionment schemes of many States are in fact devices to deny the constitutional rights the Court seeks to protect.

Another problem is the multimember district, often used to include an entire metropolitan area. This device shows that politics is not simply a matter of country versus city. If a city entitled to 15 representatives runs them all at large from 1 big district, instead of carving the city up into 15 districts, the majority population of the entire city can elect all 15 representatives. Then major areas within the city, or substantial minority groups within it, can be deprived of any effective representation at all, even under the one man, one vote rule.

Another factor is the very complexity of representation. Whether carefully or casually drawn, legislative districts can either over- or under-represent important racial, religious, ethnic and economic groups. Inevitably, the groups which feel they have been mistreated are going to be appealing more and more for redress through the courts—and since the Baker case the courts are open to them.

Thus the current round of apportionment cases, all centered on relatively simple arguments about unequal populations, may simply be the prelude to years of extended litigation in which the courts will need the wisdom of Solomon to decide what really adds up to "equal protection of the laws."

[From Newsweek, June 14, 1965]

Perspective: Back to Bossism

(By Raymond Moley)

The powerful dissenting argument of Justice Frankfurter in the first of the reapportionment cases, his last and best opinion, seems to have left a majority of his colleagues unimpressed. For since then, the Court has moved far beyond its original position, holding that both houses of State legislatures must be apportioned on the basis of what is somewhat loosely called "one man, one vote." Wide criticism and the opposition in Congress to this judicial intervention in a political question have not deterred the Court, liberal Democrats and union labor from pressing on for a full application of this representational revolution throughout the Nation.

Perhaps the effort to stem the tide relies too heavily upon tradition. For it is impossible to escape the conclusion that in the torrent of reform which has been sweeping the country since the election in 1964, tradition has been rejected as reactionary, and benighted. I shall therefore refrain from an appeal to history. The Supreme Court is determined not only to interpret the law, but to create an institutional revolution.

BALANCE IS NEEDED

The effect of the sort of representation now decreed by the Court and apparently supported by the proadministration majority in Congress will, if successful, subject the legislatures of every big industrial State to control by the major cities. This will be most marked in such States as Illinois, Michigan, Indiana, Ohio, Pennsylvania, New Jersey, New York and Massachusetts.

Because of the drift of population, great urban masses have a preponderance of the voting strength in their States. If we are to believe that pure democracy is the way to enlightenment, justice and progress, it follows that we shall want these great masses of voters to dominate the legislative bodies of the States, to work their will and promote their interests without check or restraint. The suggestion of the necessity of countervailing forces to assure deliberation of debate and legislative calm these days may be excoriated by the gentle knights of change. But sober reflections on the motives and habits of people in the mass must tell us of the need for balance.

When power is given without limitation to people in the mass, they do not make their decisions by individual and rational choice. They move as a unit, dominated by their social and economic environment—and their leaders. The rule is, as the late Prof. V. O. Key pointed out after a monumental study of polling, that mass opinion represents an "interaction" between what he called "influentials" and the bulk of the people. The people, he said, are moved by their leaders' "cues" and "proposals." Those leaders are the "activists." Thus, what we call the "democratic order" depends upon the beliefs, standards and interests of its leaders.

DOMINATE STATE CAPITALS

In the industrial centers the leaders are the political bosses and the labor leaders. The masses are told how to vote, not directly and arbitrarily in all cases, but by clever devices, deluding the minds and emotions of the voters. In short, a great majority in every urban area is controlled.

For more than a century these urban areas were boss controlled. Some still are. But as Federal welfare grew after the middle 1930's, the bosses became mere proconsuls under the Federal establishment which had unlimited funds to supplant the machine's beneficial treasury. This, it seemed, meant the twilight of the boss and the machine. Like Othello, they found their "occupation gone."

Reapportionment, which will throw control of the legislatures to these city machines and unions, will mark a revival of the old order. For in many States the urban organizations, mostly Democratic, will dominate the State capitals. Through control of the legislatures, the urban legislative stooges will next redraw the congressional districts and thus assure in the House of Representatives a majority capable of perpetuating what we have now.

That is the prospect before us. And unless some constitutional means is devised and enacted to assure some semblance of geographical representation in at least one house of the State legislatures, there may well be indeterminate domination of national affairs by the political and labor leaders in the great cities.

THE VIETNAMESE SITUATION

Mr. CLARK. Mr. President, it is heartening to me to see that the congressional debate on Vietnam is continuing in a spirited manner. There can be no limitation of discussion on so critical a subject as this without impinging upon the necessary political rights of Americans as members of a democratic, pluralistic society.

Last week, the senior Senator from Idaho [Mr. CHURCH] made an extremely able analysis of the situation in Vietnam. Time made it impossible for me to indicate the extent to which I agree with his view. Accordingly, I wish to say a word or two about the subject now.

I also note, although I did not have the privilege of hearing his address, that the able senior Senator from Oregon [Mr. MORSE] reverted again to the Vietnamese situation and made a number of specific suggestions for ways of settling that controversy. Without committing myself to supporting the views of the senior Senator from Oregon, I point out that at the United Nations 20th anniversary celebration in San Francisco, which I had the pleasure of attending last week, the President of the United States invited the members of the United Nations, individually and collectively, to interest themselves in the situation in Vietnam.

The President called on all members of the United Nations, and, in particular, on the Secretary General, Mr. U Thant, to use their good offices to bring the aggressors to the conference table so that the shooting and the bombing can stop and some peaceful way can be found to neutralize Vietnam, so that it need no longer be a cat's paw between two great powers, China and the United States of America.

I am delighted that the President made that speech. I am delighted that he called the attention of the United Nations to the Vietnamese situation. Yet, we must note very carefully a definite limitation on the possibilities for any successful United Nations intervention in Vietnam. In the first place, Russia is undergoing what I suppose the late John Foster Dulles would refer to as an "agonizing reappraisal" of its position in the Far East.

Russia is a permanent member of the Security Council, and, as such, it has the right to veto any proposals we or any other member of the Security Council may make with respect to Vietnam. I doubt very much whether at the present time any constructive result could be obtained by bringing the Vietnamese situation before the Security Council.

Almost inevitably, it would put the United States into direct opposition to Russia. Our friends would take sides with us. The members of the Communist block would side with Russia. Unless we are able by diplomatic contacts to work out some basis for settlement in Vietnam, I do not believe that the United Nations, acting through the Security Council, would be helpful.

Let us turn then to the General Assembly, in which there is one vote, and only one vote, for every nation in the world which is a member of the United Nations. It would be wishful thinking to hope for a constructive solution of so complicated a matter as the controvery in Vietnam to emerge from this body.

Moreover, by reason of the controversy over article 19 of the Charter of the United Nations, the General Assembly presently is so immobilized that it cannot even take a vote. Until the article 19 controversy is resolved, the General Assembly, in my judgment, can be of little assistance in helping to resolve in the Vietnamese situation.

Therefore, I believe that the President acted very wisely indeed in suggesting in general rather than in specific terms that the members of the United Nations individually and collectively interest themselves in the Vietnamese situation.

He was wise indeed in not directing the U.S. mission to the United Nations to bring the Vietnamese matter before either the Security Council or the General Assembly.

However, there remains one area in which the United Nations might well be of substantial assistance. That is through the good offices of the extremely wise and capable Secretary General of the United Nations, U Thant, the distinguished Burmese statesman. One may hope that through his manifold connections with the statesmen, diplomats, and politicians of the nations of the world, both Communist and free, Mr. U Thant would be able to formulate a meaningful proposal under which we could meet the aggressors at the conference table and begin to work out a just and honorable settlement of the Vietnamese situation. I hope very much that that will be done.

After I left the 20th anniversary celebration of the United Nations in San Francisco, I went to White Sulphur Springs, Va., where Mr. Patrick Gordon Walker, the able former Foreign Secretary of the United Kingdom, made an intensely stimulating and interesting address on the subject of China and the world.

It was my privilege to introduce Mr. Patrick Gordon Walker at that meeting. The occasion was the annual convention of the corporate secretaries of the largest corporations in the United States, a group which one would think would tend to take a conservative position on issues of foreign policy. Yet, during the question period which followed Mr. Patrick Gordon Walker's address, individual after individual arose to indicate agreement with the general position which he took in his speech.

That general position was that a way must be found to avoid following policies which have the effect of throwing a reluctant Russia into the arms of a smiling and triumphant China.

It was his view that in the Vietnamese situation we should be prepared to engage in discussions with anyone, and that this should include representatives of the Vietcong.

Mr. President, it is difficult for me to see, when we are engaged in fighting a bitter and bloody war which we want to settle, how we will be able to settle it without talking with the people who are fighting, shooting, and killing our soldiers. To me, the rather strange position which is being taken by the State Department in this regard is quite untenable. Relying on the already discredited White Paper, relying on intelligence sources which, to my way of thinking, are highly suspect, the State Department takes the firm position that it will negotiate only with Hanoi and that really there is no civil war going on in South Vietnam.

Even those of us who follow the war from Washington and who must depend for information on briefings from individuals charged with the responsibility of carrying out our policies there, are by now well convinced that while Hanoi and the North Vietnamese are granting substantial assistance in terms of material and equipment to the Vietcong, while replacements from Vietnam have filled the ranks of the Vietcong that have been decimated by the war, while it may be that regular army units of the North Vietnamese Army are presently, during the monsoon season, engaged in fighting side by side with the Vietcong against the South Vietnamese and the Americans, there is not a shadow of a doubt that there is massive opposition to the Saigon government in South Vietnam from South Vietnamese, many of whom are not Communists at all, but who have merely allied themselves with the Vietcong.

Mr. President, this is a dirty war. It is a horrible war. Outrages which affront civilized man have been committed time after time by the Vietcong. I regret to say that similar atrocities have been perpetrated by our allies, the South Vietnamese.

The desire of all civilized and humane men and women all over the world is to stop the carnage and atrocities, and to bring peace to that troubled area, which scarcely deserves to be called a nation.

I would hope that Secretary Rusk would press ahead boldly with the suggestion, made the other day, that we are ready to talk to anybody Hanoi wishes to bring to the conference table, so as to make it possible to begin negotiations for ending the carnage.

We should realize, further, that within the complex and complicated political structure of Vietnam, there are, inevitably, a great many people who are fighting against the Vietcong, or perhaps participating in the government of South Vietnam, who have friends or even relatives among the Vietcong. Assuredly there are individuals in the Vietcong who have friends, and possibly relatives, among those who support the Saigon government. What harm would there be if the Ky government were to begin discussions, on its own, through those who may have friends or relatives in the Vietcong, in an effort to determine whether the Vietnamese cannot settle this bloody war themselves? Why need the great powers be the only ones attempting to bring peace? Why should we look for a signal from Peiping? Why should we look for a signal from Moscow? Why, indeed, should we look for a signal from Hanoi? Why should it not be an important part of our diplomacy to encourage negotiations between the two Vietnamese groups which are now fighting each other?

It occurs to me that if this suggestion were carried out, we might find it possible to avoid a confrontation between Russia and Red China and the United States, which if it results in a direct military clash might well escalate into a nuclear World War III.

So I would hope our diplomats would try to take over from our military men so that, through the normal channels of diplomacy in Saigon, we would be able to encourage the South Vietnamese to talk with representatives of the Vietcong.

After all, it is their country. It is their war. We are there by their invitation. They are the people who are primarily responsible for settling it.

While we are doing this, I hope there will be no further escalation of the bombing. It has had nothing but harmful effects for our interests. We must avoid the possibility of confrontation with Russia and Russian missiles near Hanoi.

Having said this, I am keenly aware that hopes for a prompt settlement in Vietnam are not bright. I agree with the chairman of the Foreign Relations Committee [Mr. FULBRIGHT]. I agree with the President when he says that we cannot scuttle and run. My opinion is that we are going to have to fight it out until after the monsoon season, in order to persuade Peiping and Hanoi that we are not going to scuttle and run. But like many other Americans, I am of the strong view that the emphasis must be on stopping the war as quickly as it can be stopped. I hope the suggestion I have made this afternoon might have some bearing on the end result.

CRITICAL ISSUES IN THE INTERNATIONAL FIELD

Mr. CLARK. Mr. President, turning briefly to a third and final subject, to my way of thinking there are three immediate controversial and critical issues in the international field which confront the United States of America right now and for which we are going to have to find answers in the immediate future.

When I speak of three issues, I am excluding Vietnam, which, of course, is a critical one—I have just spoken on it—and I am excluding the Dominican Republic, where we are far from arriving at a solution.

With respect to every one of these three issues, we in the Congress, and in the country at large, are in my judgment unable to come to a sensible, well-considered consensus on policy because of excessive executive secrecy.

The first issue has to do with a proposed treaty to prevent the proliferation of nuclear weapons which the Senator from New York [Mr. KENNEDY], with the support of 17 colleagues, including myself and the Senator from Maryland, whom I see on the floor, urged so eloquently a few days ago. I said during the course of that discussion that we are never going to get a nonproliferation treaty with Russia, and we are kidding ourselves if we think we will, unless we abandon the utterly obsolete concept of a NATO multilateral nuclear force, or even an Atlantic nuclear force, conceived for the purpose of keeping West Germany happy by giving her a finger on the nuclear trigger.

I repeat today that we must get rid of the multilateral nuclear force concept in order to get to the conference table to work out an agreement with Russia and the other members of the Eighteen Nation Disarmament Conference at Geneva.

In the New York Times of this morning there is a story which indicates that the top-secret Gilpatric report takes exactly the same position I took on the floor of the Senate last week at the time of the speech of the Senator from New York. We do not know what is in that report. We have every right to know. That report should have been made available to the Armed Services Committees of both Houses, the Foreign Relations Committee of the Senate, and the Foreign Affairs Committee of the House. It should have been made available months ago. I do not believe these reports should be kept in secrecy. In my opinion, they should be made available. In the pluralistic democracy in which we live free speech and public discussion upon issues brought before the people are essential. It seems to me that our policies on such issues should be hammered out on the anvil of free discussion.

What excuse can the State Department have for not giving us this report? Is it being withheld merely because it is critical of the outmoded and harmful concept of MLF? I note that Mr. Patrick Gordon Walker, former Foreign Minister of Great Britain, in his speech at White Sulphur Springs and in conversations he has had since he came to Washington, has likewise urged the desirability of a treaty for the nonproliferation of nuclear weapons.

In the second place, to my way of thinking, we need to face up to the vexing problem of article 19 of the Charter of the United Nations. It is well known that we are in direct confrontation with both France and Russia regarding the assessment of dues for certain peacekeeping activities of the United Nations.

This dispute will have to be resolved not later than early September, or the General Assembly of the United Nations will again be immobolized, will again be prevented from taking any votes, and will again be prevented from acting in any way except by unanimous consent, as has been the case during all of 1965 to date.

I regret very much that our Government was not prepared at the commemorative session of the United Nations in San Francisco last week to give some indication to the other nations of the world gathered there for that historic event, as to what we propose to do about article XIX.

I believe that the need for debate on this subject on the floor of the Senate is no less urgent than the need for continued debate on Vietnam. I believe that the House of Representatives should likewise join in. I hope we can get some guidance from the executive branch as to what we intend to do on that vexing question, which must be answered not much more than 60 days from now.

I shall have something more extensive to say on the subject later this month.

Finally, Mr. President, there is a cloud not much bigger than one's hand growing on the horizon, but it is growing fast. The source of that cloud is this question: What are we going to do about maintaining an adequate liquidity of internal monetary resources to finance world trade?

The cloud becomes bigger every day, as we achieve new successes in bringing our balance of payments into surplus. For the months of March, April, and May, our balance of payments was in surplus. I am one who is convinced that we must keep our balance of payments at least in equilibrium and preferably in surplus. But with each successful effort—and may they continue—we will also succeed in decreasing the liquidity necessary to finance growing world trade.

Yet, we in Congress are unable to get the facts. The people are not being given the basic facts about the critical discussions now going forward on proposals to increase the capacity of the International Monetary Fund to deal with this vexing problem.

We are unable to know whether the Treasury Department is seriously thinking—as I am confident it should be—of converting the International Monetary Fund into something not much different from our own Federal Reserve Board.

We are unable to know what is in the Ossola report.

All we know is that it is a report which was made to the chief central banks of the world by a distinguished Italian monetary expert, at their request. It has been in the Treasury Department for months. It has been in the central banks of all the great industrial nations of the world for months.

But, can we get it in the Congress? No.

Can we have intelligent discussion as to what to do in this regard, if the bureaucracy is going to classify as top secret, information which is necessary to make a judgment of some wisdom in connection with it? No.

I close, Mr. President, with a plea to the executive branch to disavow this executive secrecy, to overcome this phobia which usually starts low down in the bureaucracy, and stems from an inherent timidity.

Let us give the people the facts.

Let us bring out the Gilpatric report.

Let us bring out the Ossola report.

Let us give the country some guidance as to what we are going to do about article 19.

Mr. President, I yield the floor.

REAPPORTIONMENT: THE BALANCE OF POWERS SHIFTS TO THE SUBURBS

Mr. TYDINGS. Mr. President——

The PRESIDING OFFICER (Mr. McINTYRE in the chair). The Senator from Maryland is recognized.

Mr. TYDINGS. Mr. President, on two previous occasions I have risen to discuss the "rotten borough amendments." These proposed amendments to the Constitution, sponsored by the Senator from Illinois [Mr. DIRKSEN] and others, would permit one house of a State legislature to be apportioned on the basis of factors other than population. On June 2, in my first major speech on this floor, I tried to cover as comprehensively as I could the major difficulties with the pending amendments. On June 21, I discussed the implications of the proposed amendments with respect to civil rights. Today I should like to discuss the effects of reapportionment upon the cities, the suburbs, and the rural areas.

Proponents of the "rotten borough amendments" often contend that a fairly apportioned legislature would be dominated by a cohesive bloc of urban legislators controlled by a powerful political machine. They claim that minority interests outside the metropolitan areas will be ignored and their needs submerged to the demands of city dwellers. Such fears are not justified either by fact or by experience.

It is simply not true that cities would dominate fairly apportioned State legislatures. There is no State in which the residents of a single city could elect a majority of the legislature. Even New York City contains only 46.4 percent of the people of New York State; Chicago has 35.2 percent, Baltimore has 30.3 percent, Minneapolis-St. Paul has 23.3 percent, and Detroit has 21.3 percent. No other major city contains more than 20 percent of the State's population.

Moreover, there are only five States in which the combined population of the three largest cities constitutes more than 40 percent of the population of the State.

In only two of these States, New York and Arizona, is it theoretically possible for the residents of the central cities to join together to elect a majority of the representatives to the legislature. In Arizona an alliance between Phoenix and Tucson would be needed to produce this majority and in New York a majority could be produced only by an alliance of two or more upstate cities with New York City.

Mr. President, I should like to point out that it frequently happens that when there are two or more major cities in a State, they often fight each other in the legislature tooth and nail. Examples are Fort Worth and Dallas, upstate cities in New York versus New York City, Kansas City and St. Louis, and Los Angeles and San Francisco.

Equally significant is the fact that for 30 years our major cities have been losing population as compared to the rest of the State. In 1930, New York City contained 55.1 percent of the State's population. In 1960, it contained only 46.4 percent. Chicago declined from 44.2 to 35.2, Detroit from 32.4 to 21.3 percent. Indeed, from 1950 to 1960, 15 of this country's 23 largest cities suffered an actual loss in total population and only 5 of the 23 were able to grow as rapidly as the statewide average.

The major increase in population has been and will continue to be in the suburbs. Of our 23 largest cities, only 3—Houston, Dallas, and Atlanta—grew faster than their suburbs in the years from 1950 to 1960. For example, New York City's population declined by 1.4 percent from 1950 to 1960 while its suburbs witnessed a 75-percent increase. Los Angeles-Long Beach grew by 27.1 percent but their suburbs increased by 82.6 percent. Chicago's population dropped by 1.9 percent while its suburbs grew by 71.5 percent. The National Municipal League estimates that by 1980 New York, Dallas, and Houston will be the only major cities containing more population than their surrounding suburbs.

It is perfectly clear that reapportionment based solely on population will have its greatest effect in increasing suburban representation. The result will be that in any clash between the cities and the rural areas the suburbs would hold the balance of power.

It is frequently assumed that representatives from the cities and the suburbs will be constant allies in the legislature. Certainly suburbanites share common problems with city dwellers. However, the suburbs are made up of people who have fled the crowded cities in their desire for lawns and trees and who thus hold different aspirations than their former neighbors. There is constant tension between city and suburb over such fundamental matters as taxation (for example, the earnings tax dispute), highway location, rapid transit, annexation, sewer and water interconnections and charges, and many other matters. Astute rural legislators have exploited and will continue to exploit these differences to obtain passage of legislation of peculiar interest to them.

Cooperation between the suburbs and the countryside can also be expected on account of party cohesion. Residents of both areas have frequently tended to vote Republican. It can be assumed that, rather than supporting the predominantly Democratic groups from the cities, suburban Republicans will often prefer the policies of their Republican brethren from the country.

Moreover, even in States where representatives from urban areas would constitute a large percentage of the legislature it cannot be assumed that they would vote as a bloc. Prof. David R. Durge has studied the urban-rural conflict in the Illinois Legislature. After the 1955 reapportionment in the Illinois House the representatives from Cook County and Chicago had a numerical majority in the House. Nonetheless, Professor Durge found they did not vote as a bloc. In fact, in only 4 of the 332 rollcall votes was there a cohesion of more than 67 percent among the Chicago Cook County representatives. In other words, two-thirds of the urban oriented group of legislators managed to vote together only 1 percent of the time.

The reasons for the lack of cohesion among urban representatives are not difficult to understand. As Prof. Royce Hanson of American University has pointed out:

> Urban and suburban citizens are not a homogeneous mass of humanity. An urban senator * * * must deal with bankers and laborers, segregationists and freedom workers, research biologists and the antivivisection society.

Professor Hanson concludes:

> Majorities and minorities are more likely to rest on temporary coalitions of interests than on urban-rural cleavages.

The competing pressures on an urban representative make it unlikely that he and his colleagues can combine unfairly to disadvantage rural interests.

Experience demonstrates that urban legislators deal fairly with their rural brethren, perhaps more fairly than they have been dealt with. The highly respected Advisory Commission on Intergovernmental Relations has found, for example, that during the 1950's both houses of the Legislatures of Massachusetts, Oregon, Washington, and Wisconsin were apportioned substantially on the basis of population. Over 50 percent of the population in each of these States was regarded as urban. Nonetheless each of these States allocated funds for education and highway purposes to local governments according to formulas that clearly benefited rural areas. The Advisory Commission on Intergovernmental Relations concludes:

> Thus, urban representatives appeared to recognize certain special needs of rural areas in the States with apportioned legislative seats substantially in accordance with population.

Indeed there is reason to believe that in certain circumstances urban legislators may, in the long run, give rural citizens greater consideration than these citizens receive at the hands of their own legislators. One dramatic example of this is found in my own State where the shortsightedness of certain rural legislators with respect to the problems of pollution and development of the Chesapeake Bay has led to a serious deterioration in the shellfish industry. Ironically, the Maryland Legislature will have to be reapportioned in order that the urban and suburban legislators can exert influence in the development of the Chesapeake Bay, and thus save the rural-centered shellfish industry from steady depletion and erosion as a result of inaction by the representatives from the very area where the shellfish industry is located.

Another argument raised by the supporters of the "rotten borough amendment" is that large cities are often run by corrupt political machines which seek only to increase their own power at the expense of the citizens of the State. This argument contains more drama than truth as the editors of Fortune magazine have demonstrated in their book, "The Exploding Metropolis." It shows that American cities today are, on the whole, efficiently run by honest political leaders.

The fears conjured up by the image of the political machine are particularly unfounded when applied to the suburbs. The fact that suburbanites are generally well educated and comfortable makes them an inappropriate spawning ground for an all-powerful political machine. As the balance of political power will rest with the suburbs, there is thus no risk that it will be exercised at the dictates of a small and irresponsible group of big-city party leaders.

As the foregoing analysis has indicated, the often voiced fear of urban domination is wholly lacking in substance.

An act as serious as amending the Constitution should not be undertaken in the absence of a clear and urgent need. Such a need is not now evident and the increasing significance of suburbia strengthens the belief that this need is unlikely to arise in the future. I might add that this would be the first time that the Constitution of the United States would have been amended to limit the franchise since the founding of the Republic.

Mr. President, I ask unanimous consent to have included in the RECORD a booklet published by the National Municipal League, written by William J. D. Boyd, senior associate of the league, and entitled "Suburbia Takes Over."

There being no objection, the pamphlet was ordered to be printed in the RECORD, as follows:

SUBURBIA TAKES OVER

(By William J. D. Boyd)[1]

The suburbs, and, in the long run, only the suburbs, will gain in the upheaval resulting from reapportionment of State legislatures on the basis of population. Rather than being dominated by the big cities, as is commonly supposed, the new legislatures will see suburban representatives increase the most in number.

Actually, there will be very few States in which one segment of the population will have a clear-cut majority. Where this does happen, it will continue to be the rural population that prevails, as in Mississippi, the two Dakotas, South Carolina, and Vermont. In other States, suburbanites will hold the balance of power between rural and big-city forces.

Analysis of population trends in recent decades discloses the following facts:

1. All suburban areas are gaining in population.
2. Most big cities are losing population.
3. Almost one-half of the big cities already have less population than their suburbs; by 1970, the overwhelming majority will have less.
4. No city contains as much as 50 percent of the population of its State.
5. All cities which contain as much as 15 percent of their States' population have shown a percentage decline over the last 30 years.

Table 1 shows the 23 metropolitan centers in the United States that have populations of a million or more (Washington, D.C., not being located in a State, is not included). In six of these, the metropolitan area spills over into at least one adjoining State, so only that metropolitan-area population as shown is within the same State as the central city. Because of such adjustments, both the Cincinnati and Kansas City, Mo., metropolitan areas fall below a million in population.

From 1950 to 1960, the suburban areas around every one of these 23 cities increased in population, even in those States such as Massachusetts in which population increased less rapidly than the national average. Fifteen of the central cities had an actual loss of population and only 5 of the 23 managed to increase as rapidly as the statewide average.

In addition, during the decade 1950 to 1960, suburban growth was so rapid that 11 of the 23 cities are now smaller than their suburbs which are located within the same State. Population trends indicate that by 1970 about a half-dozen more will become smaller than their suburbs. By 1980, only New York, Dallas, and Houston should remain more populous than their surrounding suburbs.

Continued growth of central cities in Texas is easily explained, for they may readily annex any adjacent unincorporated territory. In this way, they swallow their suburbs almost as fast as the latter are created, unless the new areas rapidly incorporate as municipalities. Politically, this has had the advantage of keeping available to a city the business and professional leadership which so many of the older cities of the eastern seaboard have long since lost to the suburbs.

New York City, while steadily losing population to its suburbs, is so situated that its metropolitan area covers parts of three States. Therefore, although it is steadily declining in relation to its suburbs, including those within the State, the total population of the city will probably remain larger than those New York suburbs for some years.

When the New York Legislature is reapportioned on the basis of population, however, New York City will gain only four assemblymen. Suburban Nassau County alone will gain six and still more will go to Suffolk and Westchester Counties. In percentage terms, New York City will gain about 6 percent more in representation, Nassau and Suffolk Counties will each make a 100-percent gain. Following the 1970 census, the city should lose more seats than the number gained in 1965.

Table 2 and the chart dramatically show what has happened to central cities since 1930. They list all those from table 1 which contain 15 percent or more of the total population of their States. Only 10 cities fall into this category. Without exception, the percentage of the State's population living within the city's borders has declined. The 30-year downward curve is so uniform and so pronounced that it establishes beyond question that the danger of big-city dominance is gone forever.

New York City presents one of the most interesting examples. The city presently contains a smaller percentage of the State's population than it did in 1900. Since World War II, the trend has been so consistently downward that in the last decade the city actually lost in absolute population terms as well as in percentage terms. This phenomenon is unlikely to continue, but all indications are that, in percentage terms, the decline of the city may become more rapid than in past decades even if the city does increase in absolute population once more. (Note that Los Angeles, while gaining 500,000 during the last decade, actually declined in comparison with total statewide growth.)

There are a few cities not shown on either of the tables (cities in metropolitan areas with less than a million population or those which have less than 15 precent of their States total populations) that are continuing to grow. Here, too, however, suburban areas are growing more rapidly than the central cities. This development is most common in States experiencing major growth, such as California, Florida, and Arizona. Arizona's annexation laws, like those in Texas, allow central cities to annex so much of their suburban areas that the former did outstrip the areas beyond their new limits for a time. This trend, however, seems to have halted. While Phoenix and Tucson continue to grow, incorporated areas outside their limits are expanding at an even more rapid rate.

The vast open spaces within the boundaries of the new cities of California and Florida are filling up. The great boom, therefore, is taking place beyond city limits. In both of these States, every one of the metropolitan areas, even those of rather insignificant size, is characterized by big suburban rather than urban populations.

Finally, not only the intense rivalry between the central city and its suburbs but also intercity rivalry works to block any power grab by big-city machines. Historically, San Francisco and Los Angeles, St. Louis and Kansas City, Phoenix and Tucson, Dallas and Fort Worth have provided the greatest enmities and jealousies in their respective State legislatures. (The recent bitter squabble in the New York State Legislature among its new Democratic leaders even shows a division within New York City.)

No central city contains the necessary 50 percent of the people to dominate the State. It is now apparent that no city will ever attain that dominance. The United States is an urban nation, but it is now a big-city nation. The suburbs own the future.

Under current reapportionment changes, many large cities will gain some additional representatives in their State legislatures but in most cases their own suburbs will gain more, and after the 1970 census, almost all central cities will lose some of the seats gained now. Without exception, those seats will go to the suburbs. Big-city politicians, rather than dominating future State legislatures, are going to find they have more numerous and articulate opponents in their new suburban rivals than ever before.

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[1] Mr. Boyd is senior associate of the National Municipal League and for the last 3 years has been in charge of its activities on apportionment. Author of the league publication, "Patterns of Apportionment," and of an article in the National Civic Review last November (p. 530), he is also editor of the Review's representation department.

TABLE 1.—*1960 population, 23 largest metropolitan areas*

Metropolitan area	1960 total population	Central-city population	Percentage increase or decrease since 1950	Suburban population	Percentage increase since 1950
New York City	[1] 10,694,633	7,781,984	−1.4	[1] 2,912,649	[1] +75.0
Los Angeles-Long Beach	6,742,696	2,823,183	+27.1	3,919,513	+82.6
Chicago	[1] 6,220,913	3,550,404	−1.9	[1] 2,670,509	+71.5
Detroit	3,762,360	1,670,144	−9.7	[1] 1,589,011	+48.4
Philadelphia	[1] 3,591,523	2,002,512	−3.3	2,092,216	+79.3
San Francisco-Oakland	2,783,359	1,107,864	−4.5	1,675,495	+55.0
Boston	2,589,301	697,197	−13.0	1,892,104	+17.6
Pittsburgh	2,405,435	604,332	−10.7	1,801,103	+17.2
Cleveland	1,796,595	876,050	−4.2	920,545	+67.2
Baltimore	1,727,023	939,024	−1.1	787,999	+72.9
Newark	1,689,420	405,220	−7.6	1,284,200	+24.7
St. Louis	[1] 1,572,905	750,026	−12.5	[1] 822,879	+73.5
Minneapolis-St. Paul	1,482,030	796,283	−4.4	685,747	+115.7
Buffalo	1,306,957	532,759	−8.2	774,198	+52.1
Houston	1,243,158	938,219	+57.4	304,939	+44.8
Milwaukee	1,194,290	741,324	+16.3	452,966	+41.7
Paterson-Clifton-Passaic	1,186,873	279,710	+6.9	907,163	+47.6
Seattle	1,107,213	557,087	+19.1	550,126	+45.9
Dallas	1,083,601	679,684	+56.4	403,917	+30.7
San Diego	1,033,011	573,224	+71.4	459,787	+108.7
Atlanta	1,017,188	487,455	+47.1	529,733	+33.9
Cincinnati	[1] 864,121	502,550	−.3	[1] 361,671	[1]+64.4
Kansas City, Mo	[1] 730,206	475,539	+4.1	[1] 254,667	[1]+96.5

[1] Includes only that suburban population located within the same State as the major central city (or cities).

TABLE 2.—*Percentage total State population (1930 to 1960) of central cities on table 1 containing 15 percent or more of their State's total population (ranked according to the size of the central city)*

City	1960	1950	1940	1930	Change since 1930 in percentage of total State population
New York City	46.4	53.2	55.3	55.1	−8.7
Chicago	35.2	41.6	43.0	44.2	−9.0
Los Angeles	15.8	18.6	21.8	21.8	−6.0
Philadelphia	17.7	19.7	19.5	20.3	−2.6
Detroit	21.3	29.0	30.9	32.4	−11.1
Baltimore	30.3	40.5	47.2	49.3	−19.0
Minneapolis-St. Paul	23.3	27.9	27.9	28.7	−5.4
St. Louis	17.4	21.7	21.6	22.6	−5.2
Milwaukee	18.8	18.6	18.7	19.7	−.9
Seattle	19.5	19.7	21.2	23.4	−3.9

Mr. TYDINGS. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes; and that the House receded from its disagreement to the amendment of the Senate numbered 9 to the bill, and concurred therein.

The message also announced that the House had passed a bill (H.R. 9497) to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 9497) to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966, was read twice by its title and referred to the Committee on Agriculture and Forestry.

AUTHORIZATION FOR COMMITTEE ON COMMERCE TO FILE REPORTS DURING THE ADJOURNMENT OF THE SENATE THROUGH FRIDAY, JULY 2

Mr. ANDERSON. Mr. President, I ask unanimous consent that the Committee on Commerce be authorized to file reports during the adjournment of the Senate through Friday, July 2, 1965.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

CONGRESS AFTER 6 MONTHS

Mr. MANSFIELD. Mr. President, the Senate will take a short and well-earned holiday over the Fourth of July weekend. I would hope that this break will serve to restore the vigor of the Senate for the many tasks ahead.

On Tuesday, the Senate will dispose of the conference report on presidential inability and will then take up the hospital insurance program and amendments to the Social Security Act. After that there remains such major legislative items as the omnibus housing bill, nine appropriation bills, higher education, the President's labor recommendations, Department of Urban Affairs, numerous recreation bills, the farm program, home rule, immigration reforms, an extension of the Interest Equalization Tax Act, the high-speed ground transport bill, and others. So if we are to contemplate a pre-Labor Day adjournment with any degree of realism, I hope that Senators will return on Tuesday prepared to continue to operate with the deliberate speed and effectiveness which has characterized the proceedings of the Senate during the past few months.

As I stated on June 17, the Congress has done a most creditable job so far this session. It has worked in a consistent and orderly fashion and has accomplished a great deal in the way of constructive legislation. Again I want to express my gratitude to each Member on both sides of the aisle for the patience, understanding, and restraint which has been the primary factor in this achievement.

The report which I presented to you on June 17 has now been updated for the convenience and information of the Senate. As related to the Senate, this report shows that Congress has received from the President 33 special messages and 12 Executive communications which contain numerous legislative recommendations. Of the recommendations, Congress has completed action on 34, 5 more are in conference, 4 have passed both Houses amended, 16 more have passed the Senate, 20 others are on either the Senate or House Calendars ready for early action, others are about ready for reporting by committees, and hearings are in progress on all but 11 of the remaining recommendations.

Before giving you a complete summary of activity, let me repeat, this July 4 respite is well earned and is a scheduled part of the plan for a more consistent and orderly and predictable procedure which the leadership laid before the Democratic conference and in conjunction with the distinguished minority leader, before the Senate, early in the session.

Of the recommendations received to date, Congress has completed action on the following:

The three appropriation supplementals, including Vietnam; and three fiscal 1966 appropriations for Interior and related agencies, District of Columbia, and Treasury-Post Office.

A proposed constitutional amendment fixing conditions and procedures for succession of the Vice President to the Presidency in the event of the Chief Executive's disability, and providing for filling a vacancy in the Vice-Presidency—conference report to be adopted July 6.

A $1.1 billion measure to aid the economically underdeveloped 11-State Appalachian region.

A $2.5 billion atomic energy authorization.

A major reform in the Bureau of Customs placing some 53 collectors under civil service.

An authorization of $1 million to replace the bombed-out chancery in Saigon.

A $114.2 million Coast Guard authorization.

A bill implementing the International Coffee Agreement.

A 3-year, $30 million extension of the Disarmament Act.

An authorization of $1.344 billion in Federal aid for fiscal 1966 for elementary and secondary schools, a bill which the President described as "the most significant step of this century to provide widespread help to all of America's schoolchildren."

A 1-year extension of the National Commission on Food Marketing established in 1964 to study and appraise the marketing structure of the American food industry.

A bill repealing the requirement of 25-percent gold backing of commercial bank deposits held by the Federal Reserve banks, but retaining the 25-percent requirement against Federal Reserve notes in actual circulation.

An authorization of a $750 million increase in the U.S. contribution to the Fund for Special Operations of the Inter-American Development Bank—over a 3-year period at the rate of $250 million a year.

A bill reducing excise taxes by approximately $4.7 billion.

An increase of $1,035 million in the U.S. quota in the International Monetary Fund.

A 4-year extension to June 30, 1969, of the Export Control Act of 1949.

A bill authorizing the appointment of a military man as Administrator of the Federal Aviation Agency.

A bill setting the duty-free allowance at $100 based on retail value that American tourists can bring back from abroad.

A 1-year extension of the juvenile delinquency program.

An extension of the Manpower Development and Training Act to June 30, 1969, and $454 million for fiscal 1966.

An annual authorization of $15.4 billion for military procurement to assure an adequate defense posture.

An annual authorization of $5.2 billion for the space program.

An increase in the temporary national debt ceiling to $328 billion through June 30, 1966.

A bill supplementing the acreage allotment with the establishment of poundage quotas for all farms producing Flue-cured tobacco to reduce surpluses in this commodity, improve quality, and increase exports.

A bill establishing prospective standard guidelines on the allocation and reimbursability of recreation, fish, and wildlife costs on Federal multiple-purpose water resource projects.

A 4-year extension of the President's authority to reorganize the executive branch.

A bill authorizing Federal grants of $5 million a year in matching funds to States for State project planning over a 10-year period; setting up a Cabinet-level Water Resources Council to coordinate river basin planning, and authorizing creation of river basin commissions for regional planning—conferees agreed June 30.

Amendments to the Charter of the United Nations increasing the membership of the Security Council from 11 to 15 and the Economic and Social Council from 18 to 27.

One-year extension, to July 31, 1966, of the International Wheat Agreement.

Bills now in conference are:

A 5-year extension of the authority for grants to States and communities for mass immunization programs against polio, diphtheria, whooping cough, tetanus, and measles.

A bill providing for the initial staffing of community mental health centers, and an extension and expansion of the Mental Retardation Act.

A bill extending the program of matching grants for health research facilities for an additional 3 years.

A $1,721,352,000 military construction authorization for fiscal 1966.

The foreign aid authorization for fiscal years 1966 and 1967.

Bills passed both Houses amended:

A bill creating an Administration on Aging to be a coordinating center for information and service to State and local governments, to administer grants, promote research, gather statistics, and prepare and publish other data.

A bill vesting authority to establish purity standards for water pollution control and authorizing $80 million in new grants.

A bill increasing the fees payable to the Patent Office so it may recover a reasonable part of its costs.

A bill providing for increased controls over the distribution of barbiturates, amphetamines, and other drugs having a similar effect on the central nervous system.

Senate bills pending in the House:

The Voting Rights Act of 1965, guaranteeing Negroes their right to register and vote, which passed the Senate by a 4-to-1 vote.

A $665 million authorization in grants for public works and development facilities in economically distressed areas.

A bill providing for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia.

A $355,000 authorization to establish the Bighorn Canyon National Recreation Area in Montana and Wyoming.

A bill providing for research programs relative to controlling air pollution resulting from gasoline-powered and diesel-powered vehicles.

A $364,310,000 authorization for the Federal construction of a third powerplant at Grand Coulee which will add 3.6 million kilowatts of generating capacity to the 2 million kilowatts of the two existing plants, making it the largest single hydroelectric development in the world.

A $115 million fiscal year 1966 authorization for the Peace Corps.

A bill establishing a National Foundation on the Arts and Humanities.

A revision and consolidation of laws governing management of national stockpiles of critical and strategic materials.

A bill authorizing the VA to extend aid to distressed homeowners.

An expansion of the Water Research Act of 1964.

A bill providing for an expansion of the Federal program of research and development in the field of saline water conversion through the authorization of $200 million in appropriations for the period ending fiscal 1972.

A bill authorizing the establishment of the Indiana Dunes National Lakeshore Recreation Area.

The Regional Medical Complex Act of 1965.

A bill providing for reducing the amount of silver used in the Nation's coinage to alleviate a silver shortage.

A bill granting the President wider discretion in appointing top-level personnel of the U.S. mission to the United Nation.

For those who desire a complete summary of activity, I include such a report containing all major Senate activity through July 1.

The tally sheet so far:

SENATE ACTIVITY

Days in session: 101.

Hours in session: 512 hours, 33 minutes.

Total measures passed: 391.

Confirmations: 35,912.

Public laws: 63.

Treaties: Two.

AGRICULTURE

Food marketing: Extended for 1 year the date on which the National Commission on Food Marketing shall make its final report to the President—Public Law 89–20; Presidential recommendation.

Tobacco: Provides an extension of time for filing 1965 tobacco allotment leases—Public Law 89–29.

Tobacco acreage-poundage marketing quotas: Supplements acreage allotment program with establishment of poundage quotas for all farms producing Flue-cured tobacco to reduce surpluses in this commodity, improve quality and increase exports—Public Law 89–12; Presidential recommendation.

APPROPRIATIONS

Agricultural supplemental: Appropriated $1.6 billion for Commodity Credit Corporation; allowed the President final discretion in shipping surplus food to Egypt; and suspended until May 1 the planned closing of 11 VA hospitals, 4 domiciliaries, and the merger of 17 regional offices—Public Law 89–2; Presidential recommendation.

Second supplemental, 1965: Appropriated a total of $2,227,563,977 with $349.7 million of this amount allocated for Appalachian aid—Public Law 89–16; Presidential recommendation.

Vietnam supplemental: Appropriated $700 million for airfields, military installations, ammunition, and aircraft—Public Law 89–18; Presidential recommendation.

FISCAL YEAR 1966

District of Columbia Appropriation: Appropriated a total of $360,228,500 for fiscal 1966. H.R. 6453—Public Law 89-75; Presidential recommendation.

Interior Department and related agencies: Appropriated $1,212,739,070 for fiscal 1966—Public Law 89-52; Presidential recommendation.

Treasury-Post Office: Appropriated a total of $7,669,444,000 for fiscal 1966—Public Law 89-57; Presidential recommendation.

ATOMIC ENERGY

AEC authorization: Authorizes $2,555,521,000 for AEC appropriations for fiscal 1966 construction, operations, and capital equipment; includes $704 million for weapons program, $2.5 million for merchant ship reactor program—Public Law 89-32; Presidential recommendation.

CIVIL RIGHTS

Voting Rights Act of 1965: Guarantees Negroes their right to register and vote—S. 1564 passed Senate May 26; H.R. 6400, House floor action July 6; Presidential recommendation.

CONGRESS

Arts and Antiquities Commission: Establishes a Commission on Arts and Antiquities of the Capitol and authorizes $15,000 for annual expenses—Senate Joint Resolution 65 passed Senate May 24.

Joint Committee on the Budget: Established a 14-member Joint Committee on the Budget composed of 7 members from each Appropriations Committee, 4-to-3 ratio. The purpose of the joint committee is to serve the Appropriations Committees year-round with the same expertise as the Bureau of the Budget for the executive—S. 2 passed Senate January 27.

Joint Committee on Organization of Congress: Established a 12-member bipartisan Joint Committee on the Organization of Congress to make a complete study of the organization and operation of Congress and to recommend improvements. Rules changes are not included in the study. Authorizes $150,000 through January 31, 1966, to be paid from the contingent fund of the Senate. First report to be submitted 120 days following effective date of the resolution—Senate Concurrent Resolution 2 adopted March 9, 1965; House March 11, 1965.

DEFENSE

Coast Guard cutters: Authorizes $6,260,000 to replace 17 Coast Guard cutters taken from domestic service and sent to Vietnam—Public Law 89-21.

Coast Guard procurement: Authorized $114.2 million for U.S. Coast Guard for fiscal 1966 for procurement of vessels, aircraft, and construction of shore and offshore installations—Public Law 89-13; Presidential recommendation.

Military construction: Provides construction and other related authority for the military departments, and the Office of the Secretary of Defense, within and outside the United States and authority for construction of facilities for the Reserve components in the total amount of $1,721,352,000 consisting of $1,711,529,000 in new authority, and an increase in prior years' authorizations of $9,823,000—H.R. 8439; in conference; Presidential recommendation.

Military procurement: Authorized a total of $15,402,800,000 for fiscal 1966 with $8,958,300,000 allocated for aircraft, missiles, and naval vessels and $6,444,500,000 for research, development, test, and evaluation—Public Law 89-37; Presidential recommendation.

ROTC: Extends the statute of limitations for filing claims for mustering-out payments to January 30, 1966, and repeals the authority for such payments on July 1, 1966—Public Law 89-50.

Special allowances to Armed Forces dependents: Authorizes payment of special allowances and dislocation allowances to dependents of members of the uniformed services when the dependents are evacuated from an oversea danger area—Public Law 89-26.

Stockpile Act: Revised and consolidated laws governing management of national stockpiles of critical and strategic materials to provide Congress and the public with pertinent information; made procurement contracts subject to the Renegotiation Act, and facilitated disposal of surpluses—S. 28 passed Senate February 9; Presidential recommendation.

Zinc, lead, and copper: Authorized the disposal of 200,000 tons each of zinc and lead and the sale of 100,000 short tons of copper to producers and processors—Public Law 89-9.

DISTRICT OF COLUMBIA

Board of Parole: Authorizes the Board of Parole of the District of Columbia, subject to the approval of the Board of Commissioners, to promulgate rules and regulations under which the Board of Parole, in its discretion, may discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced—Public Law 89-24.

Bond requirements: Authorizes the court to set bond in an amount twice the value of the property being attached in the District of Columbia in any case in which the plaintiff states in his affidavit that the value of the property to be levied upon is less than the amount of his claim—S. 1321 passed Senate May 11.

Public day care services: Authorizes the District of Columbia Commissioners to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children—S. 2212 passed Senate June 30.

Work release program: Authorizes the District of Columbia courts to release selected offenders from prison confinement at specified hours of the day to obtain or engage in gainful employement—S. 1319 passed Senate May 11.

ECONOMY

Aid to Appalachia: Authorized $1.1 billion in aid to the 11-State Appalachian region and established the Appalachia Regional Commission; $840 million of this amount will be in form of Federal grants for a 5-year highway construction program and a 2-year authorization of $252.4 million for a variety of economic development projects—Public Law 89-4; Presidential recommendation.

Debt ceiling increase: Increased the temporary national debt ceiling to $328 billion through June 30, 1966—Public Law 89-49; Presidental recommendation.

Disaster victims: Directs the Housing and Home Finance Administrator to make an immediate study of alternative programs which could be established to help provide financial assistance to those suffering property losses in flood, earthquake, and other natural disasters, including alternative methods of Federal insurance as well as the existing flood insurance program—S. 408 passed Senate January 1928.

Duty-free tourists' limit: Set at $100, based on retail value, the amount of duty-free purchases an American tourist can bring back from abroad; it ends the privilege under which a returning tourist can apply part of his unused exemption to articles shipped separately; it applies the 1-gallon duty-free liquor allowance to the Virgin Islands, Guam, and Samoa; and makes the bill effective October 1, 1965—Public Law 89-62; Presidential recommendation.

Gold cover: Repealed the requirement of 25-percent gold backing of commercial bank deposits held by the Federal Reserve banks, but retained the 25-percent requirement against Federal Reserve notes in actual circulation—Public Law 89-3; Presidential recommendation.

Manpower Act of 1965: Extended the Manpower Development and Training Act to June 30, 1969, authorized $454 million for fiscal 1966, and provides up to 2 years' training in classrooms or on the job for persons unemployed because they lack education or skills—Public Law 89-15; Presidential recommendation.

Metal scrap extension: Continues to June 30, 1967, the existing suspension of duties for metal scrap, and the existing reduction of duties on copper waste and scrap—Public Law 89-61.

Pacific Northwest disaster relief: Provides assistance to the States of Oregon, Washington, California, Nevada, and Idaho for the reconstruction of areas damaged in December 1964 and January and February 1965 as a result of catastrophic floods unprecedented in terms of high water and subsequent damage to roads, farms, residences, and industries—Public Law 89-41.

Public Works and Economic Development Act of 1965: Authorizes a total of $665 million in grants for public works and development facilities, other financial assistance and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions—S. 1648 passed Senate June 1; House Calendar; Presidential recommendation.

SBA disaster relief: Amends the Small Business Act to provide for an increase in the maturity of Small Business Administration disaster loans from 20 to 30 years; provides for a suspension of up to 5 years on the payment of principal and interest on disaster loans at the discretion of the Administrator; and increases SBA's revolving fund by $50 million—Public Law 89-59.

Silver coinage: Reduces the amount of silver used in the Nation's coinage so there will be an adequate supply of coins to carry on business and trade in spite of the growing needs for silver and the increasing shortage in its supply—S. 2080 passed Senate June 24; House Calendar; Presidential recommendation.

Export Control Act extension: Extends for an additional 4 years to June 30, 1969, the Export Control Act of 1949, which authorizes the President to prohibit or to curtail exporting from the United States, its territories, or possessions to Communist nations any articles, materials, or supplies, including technical data—Public Law 89-63; Presidential recommendation.

EDUCATION

Elementary and Secondary Education Act: Authorized $1.344 billion in Federal aid for elementary-secondary schools for fiscal 1966; a 3-year program of Federal grants to States for allocation to school districts with large numbers of children from low-income families; a 5-year program of grants for books and library materials; a 5-year program of grants for supplementary educational centers and services; a 5-year, $100 million authorization for construction and operation of regional facilities for educational research; a 5-year program for grants to stimulate and assist States in strengthening the leadership resources of their State educational agencies and a 2-year extension—through June 30, 1968—of Federal aid to impacted areas—Public Law 89—10; Presidential recommendation.

Institute for the Deaf: Establishes a National Technical Institute for the Deaf for the purpose of providing a residential facility for postsecondary technical training and education for persons who are deaf in order to prepare them for successful employment—Public Law 89-36.

Juvenile delinquency program extension: Extends the Juvenile Delinquency and Youth Offenses Control Act of 1961 for an additional year to June 30, 1967, and authorizes $6.5 million for fiscal 1966 and $10 million for fiscal 1967—H.R. 8131; Public Law 89- ; Presidential recommendation.

School construction: Authorized aid for school construction in certain impacted areas outside the continental United States—H.R. 5874, passed Senate, amended June 11.

FEDERAL EMPLOYEES

Annuity increase: Clarified the application of annuity increase in the Postal Service and Federal Employees Salary Act of 1962—Public Law 89-17.

FAA Administrator: Authorizes the appointment of Gen. William F. McKee, U.S. Air Force, retired, as Administrator of the Federal Aviation Agency, and authorizes General McKee to retain the rank, grade, and emoluments of his retired military status while holding the Office of Administrator—Public Law 89-46; Presidential recommendation.

Government employment of aliens: Authorized Secretary of Commerce to employ aliens in a scientific or technical capacity—S. 905 passed Senate April 21.

Maritime Commission: Provides the Commissioners of the Federal Maritime Commission shall be appointed for a 5-year term—Public Law 89-56.

GENERAL GOVERNMENT

Bank Merger Act Amendments, 1965: Amends the Bank Merger Act to require that future bank mergers should not be consummated until 30 days after the date of approval by the appropriate banking agency—S. 1698 passed Senate June 11.

Construction in Guam and Virgin Islands: Improved facilities for enforcement officers of the Customs and Immigration and Naturalization Service on Guam and the Virgin Islands—S. 956 passed Senate April 21.

Dr. Jonas Salk: Designated April 12, 1965, to honor Dr. Jonas Salk and the National Foundation March of Dimes on the 10th anniversary of the world's first effective vaccine against polio—Senate Concurrent Resolution 30 adopted April 7; House adopted April 8.

Father Jacques Marquette: Established a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America—Senate Joint Resolution 53 passed Senate June 14.

Goddard Day; Designated March 16, 1965, as Goddard Day in honor of Dr. Robert Hutchings Goddard, the father of modern-day rocketry—Public Law 89-5.

Golden Spike National Monument: Authorizes $1,168,000 for the establishment of the Golden Spike National Monument at Promontory in Box Elder County, Utah, to commemorate the first transcontinental railroad across the United States and completed May 10, 1869—S. 26 passed Senate June 16, 1965; House Calendar.

Jefferson National Expansion Memorial: Authorizes an increase from $17,-260,000 to $23,250,000 in the appropriation authorization for the completion of the construction of the Jefferson National Expansion Memorial in St. Louis, Mo., in commemoration of the concept of westward expansion, the Louisiana Purchase, and all it has meant to the growth of America—S. 1576 passed Senate June 17.

Movable Property Act: Authorized the Secretary of Interior to transfer title to movable property to municipalities which assume operation and maintenance responsibilities for project works serving municipal and industrial functions under the same conditions and on the same terms as title transfer to irrigation districts or water users' organizations which assume operation and maintenance responsibilities for project works serving irrigation functions—Public Law 89-48.

Patent Office fees: Increased fees payable to the Patent Office in connection with patents and registration of trademarks—H.R. 4185 passed Senate amended June 15; Presidential recommendation.

Postal rates for volunteer fire companies: Includes volunteer fire companies within the group of qualified nonprofit organizations entitled to use preferential second- and third-class postage rates for bulk mailings—S. 390 passed Senate March 29.

South Pacific Commission: Authorizes the appropriation of up to $200,000 a year, for payment by the United States of its proportionate share of the expenses of the South Pacific Commission and its auxiliary and subsidiary bodies—Senate Joint Resolution 71 passed Senate June 25; House Joint Resolution 503; House Calendar.

Textile Fiber Products Identification Act: Permits the listing on labels of certain fibers constituting less than 5 percent of a textile fiber product—Public Law 89-35.

United States-Puerto Rico Commission: Extends the date for final reporting of the Commission to September 30, 1966, and increases the authorization to $465,000—S. 2154 passed Senate June 28; House Calendar.

Wool Labeling Act: Authorizes FTC to exclude any headwear from the labeling requirements of the Wool Products Labeling Act if labeling is not necessary for the protection of the consumer—S. 836 passed Senate May 11.

HEALTH

Cigarette labeling: Requires that every package and carton of cigarettes display on the front or back panel in conspicuous and legible type, the following: "Caution: Cigarette Smoking May Be Hazardous to Your Health." Prohibits any other warning requirement on the package or carton by any Federal, State, or local authority—S. 559; conferees agreed July 1.

Clean air: Requires standards and proposes regulations to control pollution from gasoline- and diesel-powered vehicles. Establishes a Federal Air Pollution Control Laboratory. Authorizes grants for research to improve methods for disposal of solid waste—S. 306 passed Senate May 18; Presidential recommendation.

Community health services extension: Extended for 5 fiscal years, 1966-70, authority for grants to States and communities for mass immunization programs against polio, diphtheria, whooping cough, tetanus, and adds measles. Extends for 1 year general and special health services, including those for migratory workers, chronically ill and aged, and grants for research to improve such services—S. 510 in conference; Presidential recommendation.

Drug control: Provides for regulation and control of manufacturers of depressant and stimulant drugs—H.R. 2 passed Senate amended June 23; Presidential recommendation.

Gorgas Memorial Laboratory: Increases from $250,000 to $500,000 the authorization of appropriations for the support of the Gorgas Memorial Laboratory—S. 511 passed Senate June 25.

Health Research Facilities Act: Extends this act of June 30, 1968, and authorizes an additional $280 million in construction grants—H.R. 2984; in conference; Presidential recommendation.

Loan cancellation: Authorized cancellation of a portion of the unpaid balance of a student loan to a physician or dentist who practices in a shortage area—S. 576 passed Senate January 28.

Mental health centers: Authorizes aid in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers—H.R. 2985; in conference; Presidential recommendation.

Regional medical complex: Authorizes $650 million over a 4-year period, 1966–69, to assist in establishing and operating regionally coordinated medical complexes for heart disease, cancer, and stroke, and other major diseases—S. 596 passed Senate June 28; Presidential recommendation.

Water pollution control: Vests authority to establish purity standards for interstate water and authorized $80 million in new grants to help States and localities develop new methods of separating combined storm water- and sewage-carrying sewer systems; increases the dollar ceiling limitations on individual grants for construction of waste-treatment works from $600,000 to $1 million for a single project and from $2,400,000 to $4 million for a joint project involving two or more communities—S. 4 passed Senate January 28; passed House amended, April 28; Presidential recommendation.

Water pollution control—Federal installations: Provides for improved cooperation by Federal agencies to control water and air pollution from Federal installations and facilities and to control automotive vehicle air pollution—S. 560 passed Senate March 25.

HOUSING

Distressed homeowners: Authorized the Veterans' Administration to extend aid to distressed homeowners who, after relying on VA or FHA construction standards and inspections, find structural or other major defects in their properties purchased with GI mortgage loans which affect the livability of the property—S. 507 passed Senate January 27; Presidential recommendation.

INDIANS

Indian adult education: Increased by $3 million—$15 million—the authorization for Indian adult vocational education—Public Law 89–14.

Pueblo Indian irrigation charges: Extended to 1975 the authority initially granted the Secretary of Interior by the act of August 27, 1935, to enter into contracts which the Middle Rio Grande Conservancy District, New Mexico, for payment of operation and maintenance charges involved in the irrigation of some 11,000 acres of Pueblo Indian lands within the district—S. 1462 passed Senate March 29.

Quinaielt Tribe of Indians: Provides for the disposition of $205,172.40 awarded by the Indian Claims Commission to the Quinaielt Tribe of Indians in settlement of their claim—Public Law 89–28.

INTERNATIONAL

Coffee implementation: This bill implements the International Coffee Agreement ratified in 1963 and authorizes the President to require all coffee entering U.S. markets and all exports of coffee to be accompanied by a certificate of origin or a certificate of reexport. Limits imports of coffee from countries which have not joined in the agreement; and requires certain recordkeeping—Public Law 89–23; Presidential recommendation.

Disarmament Act amendments: Authorized $30 million for fiscal years 1966–68 for the Disarmament Agency—Public Law 89–27; Presidential recommendation.

Foreign Agents Registration Act amendments: Strengthened the basic purpose of the original act by requiring complete public disclosure by persons acting for or in the interests of foreign principals where their activities are political in nature or border on the political. Such public disclosure will permit the Government and the people of the United States to be informed as to the identities and activities of such persons—S. 693 passed Senate April 5.

Foreign aid authorization: Provides authorizations for the current program in fiscal years 1966 and 1967; ends the foreign aid program as presently constituted on June 30, 1967, and, in the meantime, provides for a searching inquiry as to the best means of formulating and operating a program of foreign assistance after that date—H.R. 7750; in conference; Presidential recommendation.

Greek loan: Authorizes the Secretary of Treasury to conclude settlement of a U.S. loan to Greece in 1929. Under the settlement Greece will repay at interest $13,155,921 in 82 annual installations—S. 1760 passed Senate June 25.

International Bank for Reconstruction and Development and International Finance Corporation articles of agreement: Authorizes the U.S. Governor—Secretary of the Treasury—of the International Bank for Reconstruction and Development to agree to an amendment to permit loans to the International Finance Corporation—S. 1742 passed Senate June 30.

International Monetary Fund: Authorizes an increase of $1,035 million in the U.S. quota in the International Monetary Fund, from $4.125 to $5.16 billion. Public Law 89–31; Presidential recommendation.

Inter-American Development Bank: Authorized a $750 million increase in the U.S. contribution to the Fund for Special Operations of the Inter-American Development Bank over a 3-year period at the rate of $250 million a year. This represents the U.S. share of a planned $900 million increase in the Fund, which will serve to strengthen multinational aid and the Alliance for Progress—Public Law 89–6; Presidential recommendation.

International Cooperation Year: Expressed the sense of Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year—Senate Concurrent Resolution 36; Senate adopted June 16; House adopted June 22.

Peace Corps authorization: Authorizes an annual appropriation of $115 million for fiscal 1966; provides two additional Associate Directors; and provides that the Director of the Corps shall hold no other additional office of an equal rank while serving as Director of the Corps—S. 2054 passed Senate June 2; House Calendar; Presidential recommendation.

Religious persecution: Expresses the sense of Congress against persecution of persons by Soviet Russia because of religion—Senate Concurrent Resolution 17 adopted by Senate May 14; House Calendar.

Saigon chancery: Authorizes $1 million for the construction of a chancery in Saigon—Public Law 89–22; Presidential recommendation.

U.S. domestic fishery resources: Authorizes the President, whenever it is determined that fishing vessels of a foreign country are operating to the detriment of U.S. conservation programs, to raise the duty on fishery products of the offending nation—S. 1734 passed Senate May 19; returned to Senate May 20.

U.N. Participation Act: Grants the President wider discretion in appointing top-level personnel of the U.S. mission to the United Nations, and gives the U.S. representative discretion to assign personnel to various organs of the U.N. in accordance with workload and other considerations; and authorizes the President to appoint a representative to the U.S. mission to the European office of the U.N.—S. 1903 passed Senate June 25; Presidential recommendation.

TREATIES

United Nations Charter amendments: Increases the membership of the Security Council from 11 to 15 and the membership of the Economic and Social Council from 18 to 27, to be elected on a geographic basis—Executive A ratified June 3; Presidential recommendation.

Wheat Agreement extension: Extends the International Wheat Agreement to July 31, 1966—Executive B ratified June 15; Presidential recommendation.

JUDICIAL

Additional circuit and district judges: Creates additional circuit and district judgeships throughout the United States where the need for such judgeships has been found to be most urgent—S. 1666 passed Senate June 30.

Alaska judges: Provides that service as a judge of the District Court for the Territory of Alaska shall be included in computing the aggregate years of judicial service of a U.S. district judge for the district of Alaska for purposes of retirement—H.R. 5283; Public Law 89–70.

False information: Reduces the existing penalty against pranksters and jokesters who falsely report the presence of bombs and the like, aboard aircraft, motor vehicles, railroads, or vessels, but do so without malice or evil purpose, by substituting a civil penalty of not more than $1,000 to be recovered in a civil action brought in the name of the United States—H.R. 6848; Public Law 89–64.

Illicit traffic in child adoption: Imposed Federal criminal sanctions on persons engaged in interstate or foreign commerce in the illicit traffic of placing children for adoption or permanent free care—S. 624 passed Senate March 22.

Travel in aid of arson: Penalizes interstate travel and transportation in aid of arson, in the same manner as the existing antiracketeering law penalizes interstate travel and transportation in aid of other racketeering enterprises—H.R. 6507; Public Law 89–68.

PRESIDENCY

Presidential succession: Proposed constitutional amendment fixing conditions and procedures for succession of Vice President to the Presidency in event of Chief Executive disability; provides for filling vacancy in the Vice-Presidency—Senate Joint Resolution 1, conference report to be adopted July 6; Presidential recommendation.

REORGANIZATION

Bureau of Customs: Reorganization Plan No. 1 of 1965 provides for the modernization of the Customs Bureau by abolishing the offices of all presidential offices and establishing these positions on a career basis. Offices abolished are 45 collectors of customs; 6 comptrollers of customs; and 1 appraiser of merchandise and 1 surveyor of customs. Effective May 25, 1965; Presidential recommendation.

Reorganization Act extension: Extended to December 31, 1968, the authority of the President to transmit reorganization plans to Congress—Public Law 89–43; Presidential recommendation.

RESOURCE AND RECREATION BUILDUP

Agate Fossil Beds National Monument: Authorized $315,000 for the establishment of the Agate Fossil Beds National Monument in Nebraska—Public Law 89–33.

Assateague Island National Seashore: Provides for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia—S. 20 passed Senate June 17; Presidential recommendation.

Bighorn Canyon National Recreation Area: Authorized $355,000 to establish the Bighorn Canyon National Recreation Area in Montana and Wyoming to provide for public outdoor recreation use and enjoyment of the proposed Yellowtail Reservoir, and for the preservation of the scenic, scientific, and historic features of the area—S. 491 passed Senate February 10; Presidential recommendation.

Federal Water Project Recreation Act: Established prospective standard guidelines on the allocation and reimbursability of recreation, fish, and wildlife costs on Federal multiple-purpose water resource projects—S. 1229; Public Law 89–72; Presidential recommendation.

Fisheries Loan Act: Extends the fishery loan program for an additional 5 years; expands its scope to permit a loan to be made regardless of whether the vessel to be acquired will replace an existing vessel; and removes the present minimum annual interest rate of 3 percent and substitutes a formula for establishing it—S. 998 passed Senate June 16.

Flood protection: Authorizes the Federal Government to bear up to 5 percent of costs of utility relocations on projects covered by the Watershed Protection and Flood Prevention Act when the local organization is unable to bear such costs or cannot do so without undue hardship—S. 199 passed Senate May 25.

Grand Coulee—Third powerplant: Authorizes $364,310,000 for Federal construction of a third powerplant at Grand Coulee Dam on the Columbia River in the State of Washington, which will add 3.6 million kilowatts of generating capacity to the 2 million kilowatts of the two existing plants making it the largest single hydroelectric development in the world—S. 1761 passed Senate June 16; Presidential recommendation.

Indiana dunes: Authorizes $23 million for the acquisition of land for the establishment of the Indiana Dunes National Lakeshore Recreation Area—S. 360 passed Senate June 21; Presidential recommendation.

Kaniksu National Forest: Authorized up to $500,000 from the land and water conservation fund to extend the Kaniksu National Forest to include lands necessary for the protection and conservation of the scenic values and natural environment of Upper Priest Lake in Idaho—Public Law 89–39.

Mann Creek reclamation project: Authorizes an additional $690,000 to complete the Mann Creek project in Idaho which, upon completion, will provide a supplemental water supply to 4,465 acres and a new water supply to 595 acres—Public Law 89–60.

Manson irrigation unit, Washington: Authorized $12.3 million for the construction and operation of the Manson unit of the Chief Joseph Dam project. The Manson unit has an irrigation potential of 5,770 acres of land with half of the costs reimbursable—S. 490 passed Senate February 10.

Nez Perce National Historical Park, Idaho: Authorized $630,000 for the purchase of 1,500 acres of land to establish the Nez Perce National Historical Park to commemorate, preserve, and interpret the historic values in the early Nez Perce Indian culture, the tribes' war of 1877 with U.S. cavalry troops, the Lewis and Clark Expedition through the area early in the 19th century, subsequent fur trading, gold mining, logging, and missionary activity—Public Law 89–19.

Pecos National Monument, N. Mex.: Provides for the establishment of the Pecos National Monument in New Mexico to preserve the remains and artifacts of a 17th-century Spanish mission and an ancient Indian pueblo—Public Law 89–54.

Pesticides: Amends the act of August 1, 1958, by continuing 3 years a study by the Secretary of Interior of the effects of insecticides, herbicides, fungicides, and other pesticides, on fish and wildlife for the purpose of preventing losses to this resource—S. 1623 passed the Senate on April 29.

River basin authorization: Authorizes an additional $944 million for fiscal years 1966–67 for 13 river basin plans previously approved by Congress—Public Law 89–42.

River basin planning: Authorized Federal grants of $5 million a year in matching funds to States for State project planning over a 10-year period; sets up a Cabinet-level Water Resources Council to coordinate river basin planning; and authorizes creation of river basin commissions for regional planning—S. 21 in conference; Presidential recommendation.

Saline water conversion: Provided for an expansion of the Federal program of research and development in the field of saline water conversion through authorization of an additional $200 million in appropriations for the period ending fiscal year 1972—S. 24 passed the Senate June 16; Presidential recommendation.

Small reclamation projects: Broadens and strengthens the Small Reclamation Projects Act of 1956, an act designed to encourage State and local participation in developing and improving reclamation projects in their own localities, by increasing the authorization for funds available for the loan-and-grant program from $100 million to $200 million; and raising the limitation on loans or grants for single projects to $7.5 million—S. 602 passed Senate July 1.

Southern Nevada water project, Nevada: Authorizes $81,003,000 for the Federal construction of the southern Nevada water supply project, a single-purpose municipal and industrial water supply development to furnish water from Lake Mead to the cities of Las Vegas, North Las Vegas, Henderson, Boulder City, and Nellis Air Force Base—S. 32 passed Senate June 17.

Tualatin project, Oregon: Authorized up to $23 million for Federal construction of the multipurpose Tualatin reclamation project in Washington County, Oreg.—S. 254 passed Senate April 1.

Water Resources Research Act: Amends the 1964 Water Resources Research Act to authorize grant, matching, and contract funds for assistance to educational institutions in addition to State land-grant colleges, to competent private organizations and individuals, and to local, State, and Federal agencies undertaking special research in water resource problems. Authorizes $5 million for fiscal 1966 and increases the authorization by $1 million annually until the level of $10 million is reached. The ceiling of $10 million will remain thereafter—S. 22 passed Senate March 25; Presidential recommendation.

Yakima project, Washington: Authorized $5.1 million for the extension, construction, and operation of the Kennewick division of the Yakima project with an irrigation potential of 7,000 additional acres—present irrigated acreage is 19,000. All but approximately $135,000 is reimbursable—S. 794 passed Senate February 10.

SPACE

NASA: Authorized a total of $5,190,396,200 to the National Aeronautics and Space Administration for fiscal 1966 as follows: "Research and development," $4,536,971,000; "Construction of facilities," $62,376,350; "Administrative operations," $591,048,850—Public Law 89–53; Presidential recommendation.

TAXES

Excise taxes: Reduced excise taxes by approximately $4.7 billion—Public Law 89–44; Presidential recommendation.

Motor fuels taxation compact: Grants the consent of Congress to New Hampshire, Maine, Massachusetts, Pennsylvania, Maryland, and the District of Columbia to enter into a compact relating to taxation of motor fuels consumed by interstate buses and to an agreement relating to bus taxation proration and reciprocity—Public Law 89-11.

TIME

Uniform time: Establishes uniform dates for commencing and ending daylight saving time in the States and local jurisdictions where it is observed—S. 1404 passed Senate June 3.

TRANSPORTATION

Intercoastal Shipping Act: Changes the penalty provisions in the Intercoastal Shipping Act of 1933 to conform with similar penalty provisions in the Shipping Act of 1916, relating to requirements for water carriers to file tariffs with the Federal Maritime Commission—H.R. 3415; Public Law 89-71.

Mobile trade fairs: Provides for a 3-year extension of the authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs—H.R. 4525; Public Law 89-66.

Navigation: Increased authorizations for the support and maintenance of the Permanent International Commission of Congresses of Navigation—S. 1501 passed Senate April 21.

Oceanographic vessels: Exempts oceanographic research vessels from the application of certain vessel inspection laws—S. 627 passed Senate April 29.

VETERANS

Reopened insurance fund: Authorizes the Veterans' Administration to transfer up to $1,650,000 from the veterans special term insurance fund, for the purpose of providing administrative expenses in connection with the reopening of national service life insurance—Public Law 89-40.

VA hospitals: Expresses sense of Congress on increasing the authorized bed capacity for all Veterans' Administration hospitals—Senate Concurrent Resolution 13 adopted June 4.

WELFARE

Older Americans Act: Creates an Administration on Aging, under direction of a Commissioner, within the Department of Health, Education, and Welfare, to be a coordinating center for information and service to State and local governments, administer grants, promote research, gather statistics, and prepare and publish other data—H.R. 3708 passed Senate, amended May 27; Presidential recommendation.

National Foundation on the Arts and Humanities: Establishes a National Foundation on the Arts and Humanities to develop and promote a broadly conceived national policy of support for the arts and humanities throughout the United States—S. 1483 passed Senate June 10; Presidential recommendation.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. ANDERSON. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 9 a.m., tomorrow.

The motion was agreed to; and (at 2 o'clock and 4 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Friday, July 2, 1965, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate July 1, 1965:

DEPARTMENT OF COMMERCE

David R. Baldwin, of Pennsylvania, to be an Assistant Secretary of Commerce, vice Herbert W. Klotz, resigned.

FEDERAL MARITIME COMMISSION

The following-named persons to be Federal Maritime Commissioners for the terms indicated:

James V. Day, of Maine, for the term expiring June 30, 1969. (Reappointment.)

John Harllee, of the District of Columbia, for the term expiring June 30, 1970. (Reappointment.)

IN THE ARMY

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

To be major generals

Brig. Gen. George Baird Bennett, O398135, Adjutant General's Corps.

Brig. Gen. Edward Donald Walsh, O422743, Adjutant General's Corps.

To be brigadier generals

Col. Joe Ahee, O363984, Adjutant General's Corps.

Col. Ross Holland Routh, O287602, Adjutant General's Corps.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

Lieutenant Colonel to Colonel

Line of the Air Force

Aagaard, Emmert M., 13574A.
Abbott, Woodrow A., 12763A.
Accola, Jacob P., 33051A.
Adams, Charles J., 22656A.
Aderholt, Harry C., 13592A.
Allen, Donald W., 12715A.
Anderson, John B., 12964A.
Anderson, Norman C., 33170A.
Angel, Ralph E., 12278A.
Apgar, Paul D., 12832A.
Arnold, William B., 18091A.
Arnold, William R., 48718A.
Atchley, Kenneth L., 33813A.
Atkinson, Ivan C., 10935A.
Atwater, William E., 9646A.
August, Jack W., 9704A.
Aust, Abner M., Jr., 20631A.
Bailey, William D., 13522A.
Ballweg, Lawrence H., 10800A.
Barefoot, Selwyn J., 33394A.
Barley, John N., 11428A.
Barnidge, William H., 12915A.
Barns, William F., 20630A.
Barry, Billie J., 10001A.
Bass, Thomas E., 10060A.
Beall, Max T., 13814A.
Beck, Howard G., 13020A.
Bell, John A., 12627A.
Bellows, Clyde L., 13088A.
Benner, John G., 8303A.
Bennett, Frenchy D., 13538A.
Benton, Robert I., 33754A.
Berger, Raymond J., 8392A.
Berschel, Donald F., 33900A.
Bestervelt, Harold J., 9785A.
Bevard, Franklin B., 13041A.
Bigum, Alfred C., 12796A.
Biles, James L., Jr., 12342A.
Biretta, Albert A., 8990A.
Black, William H., 11203A.
Blanck, Eugene L., 21433A.
Bockelman, Frederick, Jr., 13396A.
Bogan, John W., 10027A.
Bohannon, James R., Jr., 18146A.
Bohart, Chester H., 13091A.
Bowlan, Kent G., 33518A.
Boyd, Earl W., 33889A.
Brainerd, Jackson W., 8527A.
Breeze, William A., 33297A.
Breeze, William H., 8655A.
Brennan, Gerald W., 10206A.
Brewer, Lonnie C., 9940A.
Briesemeister, Edward E., 33316A.
Brooks, Charles L., 9886A.
Brothers, James T., 10045A.
Brown, Chester L., 33511A.
Brown, Milton M., 33656A.
Brown, Walter J., 13179A.
Broyles, Roy L., Jr., 51711A.
Bryant, Ernest D., 12292A.
Buchta, Joseph, 20036A.
Buel, Joseph G., 9255A.
Bumm, William C., 33941A.
Burns, Robert J., 11586A.
Burton, Charles R., 8522A.
Bush, Russell L., 22654A.
Bynum, Jess L., 33674A.
Bynum, Willis A., 13425A.
Caliendo, Lorenzo, 33948A.
Canestrari, Gisto, 13495A.
Carey, George F., Jr., 13104A.
Carlson, Donald C., 13339A.
Carlson, Roy D., 13447A.
Carlyle, James H., 13373A.
Carraway, Wilbur C., 33658A.
Carson, Charles R., 10934A.
Cavoli, William J., 11005A.
Chapman, John M., 17700A.
Cherry, Clyde S., 12952A.
Christopher, Albert M., 13278A.
Clark, Robert S., 12565A.
Clymer, Harvey C., 11310A.
Coberly, Theodore S., 33954A.
Coleman, Alphonse J., 33834A.
Coleman, Thomas P., 13283A.
Collins, John J., 12244A.
Collins, Perry V., 18156A.
Conklin, William D., 13873A.
Connor, Edward H., III, 10157A.
Cook, John W., 33238A.
Coons, Merle M., 33581A.
Cotton, Joseph F., 10232A.
Cresto, Joseph L., 12373A.
Crim, Harry C., Jr., 8707A.
Crocker, Gage H., 10091A.
Crone, Douglas A., 13072A.
Cronin, William R., 9317A.
Crutchfield, Wilfred B., 9941A.
Cummins, Frank R., 11633A.
Cushman, Henry R., Jr., 33342A.
Daniel, Charles L., 33190A.
Davidson, B. H., 22575A.
Davis, Jack T., 10142A.
Davis, Woodard E., Jr., 33914A.
Dayton, Earl R., 33956A.
Dearment, Harry F., 33436A.
Deimling, Paul L., 12312A.
Deluca, Joseph R., 33749A.
Dickey, Thomas P., 33806A.
Dietrich, Fred H., 13671A.
Dineen, Richard C., 33570A.
Dolby, William F., 9856A.
Dotson, Herbert F., Jr., 20587A.
Dubose, Edward E., Jr., 8600A.
Dudley, William B., 10176A.
Duke, Claude L., Jr., 8488A.
Duncan, Bruce G., 33687A.
Dunlap, Ronald E., 33744A.
Eagleston, Glenn T., 9438A.
Ebelke, William H., 13235A.
Ebert, Rembert A., 9917A.
Edington, Leonard E., 11875A.
Egan, James C., Jr., 13638A.
Ellen, Cicero J., Jr., 33350A.
Ellett, Darwin E., 51757A.
Ellis, Samuel W., 10802A.
Emrich, Daniel C., 11824A.
Erickson, Orin H., 12772A.
Evdokimoff, Dmitri, 9896A.
Ezell, William O., 22649A.
Farrell, Thomas D., 16200A.

Farrington, Raymond F., 12493A.
Fenlon, Peter C., 51746A.
Ferrari, Victor J., 33507A.
Filley, Oliver D., Jr., 9933A.
Finnerty, William J., II, 12957A.
Fisher, Max L., 11436A.
Fisher, Orvill L., Jr., 13193A.
Flavin, Kenneth A., 9656A.
Fletcher, Henry M., Jr., 13693A.
Flynn, Thomas G., Jr., 11294A.
Ford, Ross C., 9969A.
Fremouw, Gerrit, D., 33710A.
French, George E., Jr., 13063A.
Friedrich, Roy E., Sr., 13154A.
Frymire, William D., 11741A.
Furrie, Frank G., 33852A.
Galas, David E., 13695A.
Garlitz, William B., Jr., 13837A.
Garrett, William A., 10858A.
Gazzaniga, Louis A., 10064A.
Gelwix, Joe M., Jr., 10051A.
Genez, Victor M., 8466A.
Giannini, Jack L., 11600A.
Giffin, Charle W., Jr., 8854A.
Gillespie, Leonard V., 33299A.
Good, Marvin H., 13162A.
Grant, Bayard V., 33566A.
Green, Milton C., 33920A.
Greenwood, William, 33873A.
Griffin, Ralph O., 12648A.
Grottle, George T., 12776A.
Hagemann, Joseph A., 22657A.
Hall, Harvey P., 20674A.
Hall, James H., 12254A.
Halliday, Robert W., 13098A.
Halloran, James P. S., 11955A.
Hamblen, William, 10856A.
Hamby, Malcolm C., 11880A.
Hamlin, Robert W., 18084A.
Hammack, Charles R., 13669A.
Hammond, Fred B., Jr., 19774A.
Hammond, Walter S., 33723A.
Handy, Paul, 13031A.
Hardy, Preston B., 11969A.
Harmon, William A., 21438A.
Hart, Gordon L., 10849A.
Hart, Raymond J., 11440A.
Hartnett, Bernard F., 33851A.
Hawes, Warren H., 18160A.
Heisler, William F., 8979A.
Hendrick, Andrew J., 33820A.
Henke, Arnold W., 13217A.
Herbert, John J., Jr., 10000A.
Hoban, Richard M., 23658A.
Hobbs, Harold W., 12609A.
Holland, Mark F., 33801A.
Holmes, Douglas I., 12237A.
Holmes, Elwin F., 11097A.
Horne, Claude G., 9131A.
Howell, James R., 12933A.
Howell, Selah H., 33192A.
Hudson, Ullin L., 10120A.
Hughes, Paul A., 13663A.
Hullar, Robert J., 33849A.
Hunter, Jack C., 33793A.
Huntley, James C., 9854A.
Huston, James L., Jr., 11132A.
Iovine, Guy T., 11648A.
Isbell, Thomas W., Jr., 11956A.
Jacobs, William P., 13052A.
Jacobsen, William L., 9889A.
Jameson, Dorence C., 51709A.
Jane, Edwin G., Jr., 13085A.
Jarvis, Melvin E., 11261A.
Jess, Edward O., 33426A.
Johnson, Earl L., 33837A.
Johnson, Forrest D., 12463A.
Johnson, George A., 20672A.
Johnson, Howard C., 13219A.
Johnson, Isham M., 11322A.
Johnson, Lionel F., 33844A.
Johnson, Louis M., 33967A.
Johnson, Merle, 9962A.
Johnston, Ruby E., 51719A.
Jonas, Gordon E., 12812A.
Jones, Albert W., 13603A.
Jones, Henry L., 12891A.
Jones, Robert L., 13251A.
Judas, Maxwell V., 11667A.
Kahn, Leroy, 21787A.
Kearney, John L., 12357A.
Keely, George J., 33535A.
Keish, Frederick C., 12738A.
Keller, Howard W., 10857A.
Kelley, Carroll W., 22992A.
Kemp, Ridgely D., 33775A.
Kemper, George A., Jr., 11443A.
Kennedy, Thomas B., 12723A.
Kerr, Kenneth J., 9287A.
Kester, Clifford D., 18163A.
Kille, Wesley G., 13001A.
Kincaid, Norris R., 33371A.
King, James W., 9103A.
Kirchoff, Ralph E., 33029A.
Knaus, John V., 9155A.
Knowles, Harold F., 13678A.
Koenig, Sebastian B., 10039A.
Korbol, Clifford O., 12929A.
Kougias, George C., 23682A.
Krause, Arthur F., 12532A.
Krause. Francis R., 12983A.
Kremer, Emil A., 9171A.
Krysakowski, Joseph E., 19791A.
Laberge, Vincent R., 11915A.
Ladd, Roy E., 33961A.
Laedtke, Elmer C., 13890A.
Lafko, John W., 8968A.
Lamb, Hal W., 9344A.
Lambert, Raymond E., 33628A.
Lambertson, Norman F., Jr., 11330A.
Lane, Ralph H., Jr., 13279A.
Lannon, James J., 13653A.
Larson, Jack A., 33715A.
Larson, Leon H., Jr., 10827A.
Leaser, Earl R., 13036A.
Ledig, Richard G., II, 33633A.
Lee, Raymond C., Jr., 12261A.
Lee, Richard D., 13414A.
Lee, William W., 9373A.
Lehner, Albert M., 13554A.
Levine, Howard M., 33300A.
Lewandoski, Joseph W., 11493A.
Lewis, Armit W., 8506A.
Lewis, Melford W., 13882A.
Lien, Arthur M., 22574A.
Linebaugh, John H. M., 11268A.
Long, Raymond W., 13541A.
Loveless, Philip M., Jr., 33742A.
Lovell, Carl E., 10237A.
Lowman, Raymond P., 13049A.
Lucas, Henry E., 8342A.
Lyle, Vernon J., 12759A.
MacCauley, Hugh B., 13819A.
MacDonald, Douglas L., 13660A.
Manbeck, Lester E., 9136A.
Mangerich, Walter E., 8971A.
Mansfield, Cliff D., 13849A.
Marsh, Frederick H., 8626A.
Marsio, James W., 51795A.
Martin, Herbert W., 13426A.
Mason, Wallace A., 12045A.
Mason, William H., 10030A.
Masters, Edgar J., 12886A.
McAdam, Richard C., 13679A.
McAuliffe, Richard G., 33892A.
McBridge, Elmer T., 12799A.
McCabe, John J., Jr., 33558A.
McCarroll, Billy J., 12504A.
McCaskill, Roderik E., 33408A.
McCooe, Christopher T., 51751A.
McDonald, Allen K., 33586A.
McFadden, Robert W., 51764A.
McFall, Dana F., Jr., 9959A.
McGrew, Kenneth G., 12813A.
McIver, Claud L., Jr., 33950A.
McKinzie, William M., 13661A.
McKittrick, Richard G., 33499A.
McNulty, Gerald M., 33970A.
Meibohm, Winfred H., 13083A.
Meier, Clifford H., 11783A.
Meline, Ralph E., 13848A.
Merkel, Ellsworth L., 9387A.
Mestemaker, Joseph E., 10081A.
Miller, Louie, Jr., 33564A.
Miller, Thomas B., 10036A.
Moelich, William E., Jr., 12725A.
Moffat, Harold L., 11931A.
Monaco, Anthony W., Jr., 20605A.
Monroe, Thomas G., Jr., 10229A.
Montgomery, Beverly O., 33908A.
Moody, Edgar W., 11971A.
Moore, Robert B., 13781A.
Morgan, Emory C., 12112A.
Morgan, Thomas E., Jr., 13840A.
Morphew, Mario C., Jr., 33776A.
Moses, Larrie E., 13280A.
Moss, George H., III, 33894A.
Mouat, John C., 13045A.
Mullin, Robert E., 13130A.
Murray, John E., 23656A.
Murray, Loren P., Jr., 13055A.
Myers, Joseph R., 9992A.
Nave, Elza W., 33243A.
Naylor, William E., Jr., 13690A.
Neff, James M., 33827A.
Ness, Patrick J., 13227A.
Nesselbush, Louis K., 10131A.
Neuer, John J., 10100A.
Nicholls, Ben H., 33612A.
Nicholson, Clifton L., 13452A.
Norton, Ross D., 33447A.
Norton, William J., 10008A.
Norton, William R., 13140A.
Ogden, Harold A., 8883A.
Ogletree, Robert C., Jr., 9981A.
Olsen, Sumner M., 9205A.
Orr, Jack P., 11978A.
Orr, Wayne P., 33526A.
Overton, William W., 13555A.
Owen, Arthur W., Jr., 12166A.
Pappas, Thomas R., 11373A.
Parker, Richard H., 13687A.
Parramore, William W., Jr., 33863A.
Parsley, Wayne M., 8776A.
Parsons, Robert P., 12553A.
Patterson, John V., Jr., 13788A.
Patton, Phil M., 9658A.
Patton, Roderick R., 13625A.
Payne, George N., 33589A.
Peck, Fred R., Jr., 8268A.
Peck, Warren K., 13916A.
Pedersen, James C., 8530A.
Peebles, Farley E., 13756A.
Perkins, Donald F., 12711A.
Personeus, Lester, Jr., 9164A.
Peterson, Howard W., 24307A.
Phillips, William L., 13478A.
Philpott, Jammie M., 13694A.
Pivarnik, Michael, 11349A.
Poe, William E., 10961A.
Pollen, Milton T., 12875A.
Polve, James H., 11597A.
Porter, Frederick S., Jr., 12848A.
Provancha, George J., 11696A.
Pugh, James R., Jr., 13711A.
Pullen, Howard V., 12884A.
Quayle, Gerald D., Jr., 12078A.
Rader, Thomas O., 10946A.
Ragsdale, Roy D., 11369A.
Randels, James B., 13258A.
Rankin Robert J., 9996A.
Raynor, Walter J., 33527A.
Reavis, Cecil L., Jr., 12909A.
Reiter, Jack, 11982A.
Rentmeester, Lester F., 13352A.
Rhodes, Charles W., 51766A.
Richards, Donald W., 13362A.
Richardson, Bill M., 13435A.
Richmond, George M., 8644A.
Rickert, Walter K., 9495A.
Roberts, Charles A., 12948A.
Robertson, Hugh B., Jr., 33773A.
Robertson, John A., 8376A.
Robertson, Thomas D., 12751A.
Robinson, Michael F., 33421A.
Rogers, Ellard T., 33383A.
Rollman, Robert O., 22823A.
Rorrer, Marvin T., 13070A.
Ross, Richard H., 13163A.
Russell, LeRoy G., 10127A.
Russell, Walter J., Jr., 33760A.
Ryan, John A., Jr., 33884A.
Ryhlick, Lawrence T., 19654A.
Sagert, Stanley A., 10065A.
Sams, Monroe S., 9743A.
Sandbach, John O., 13437A.
Sanford, Douglas F., 12256A.
Schnabel, Robert E., 13532A.
Schutten, Bernard J., Jr., 9995A.
Scott, George W., 11412A.
Scoville, Curtis L., 11765A.
Seal, Earl D., 9637A.
Segura, Wiltz P., 23681A.

Seith, William F., 33619A.
Shaber, Bert, Jr., 13021A.
Sharpe, Carl L., 9529A.
Sheffield, James R., 11013A.
Sherman, Fred P., 11653A.
Sherrill, Stephen H., Jr., 10196A.
Shultz, Charles Y., Jr., 13476A.
Slater, Hugh C., 33573A.
Smith, Charles C., Jr., 10937A.
Smith, Elmer F., 8259A.
Smith, John W., 11623A.
Smith, Kenneth A., 11108A.
Smitherman, Julia E., 13276A.
Smotherman, Benjamin F., 12007A.
Smutko, Leonard S., 9320A.
Snipes, James C., 9008A.
Sommers, Harold L., 12999A.
Souleyret, Kenneth, 10009A.
Spain, Frank H., 33163A.
Speer, Marvin L., 51792A.
Spencer, Robert V., 13230A.
Stanfield, Donald N., 13870A.
Stanley, Marvin M., 13109A.
Staylor, LeRoy W., 12530A.
Steen, Clarence H., 12823A.
Steinhauer, Raleigh F., 9649A.
Stephens, Lawrence E., 9149A.
Stephens, Robert L., 13581A.
Steves, Walter T., 22581A.
Stewart, Dale F., 13255A.
Stewart, Thomas E., 12945A.
Sullivan, Robert, 13081A.
Summers, Charles L., 8406A.
Summers, Clifford C., 33057A.
Sunde, Robert J., 33698A.
Sutton, John L., 11572A.
Taylor, David M., 13618A.
Taylor, Emery D., 10033A.
Taylor, Joseph T., 20611A.
Taylor, Robert A., 9705A.
Tennant, Charles W., 9049A.
Thompson, John R., Jr., 11655A.
Timmermans, Henry L., 12817A.
Tisdale, James W., Jr., 13778A.
Torpey, Robert F., 11591A.
Totten, Jerry M., 8608A.
Trojan, Joseph E., 11665A.
Tucker, Albe S. J., Jr., 10182A.
Tucker, Hugh O., 33905A.
Tull, Levin P., 33548A.
Turnquist, Roy H., 13195A.
Twomey, Thomas A., 12441A.
Tyndall, Elmer N., 33713A.
Tyrrell, Robert L. F., 10020A.
Underwood, William S., 13651A.
Urban, John A., 11034A.
Vandebogart, Warren M., 10953A.
Vansickle, Philip H., 13043A.
Vaughn, Jasper M. P., 8508A.
Voightmann, Frank L., 13469A.
Voss, Kenneth W., 12976A.
Waage, Amos E., 13887A.
Wagner, James, 33911A.
Waid, Elwood J., 13579A.
Walior, John T., 8986A.
Walker, James O., Jr., 11804A.
Walker, Samuel A., 11807A.
Ward, Albert M., 8957A.
Wathen, Roy D., 13439A.
Wear, Thomas O., 13438A.
Weaver, James W., 8839A.
Weddle, Walter M., 20024A.
Weed, John B., 12765A.
Weinmeiste, C. J., III, 13655A.
Weniger, Robert L., Jr., 9278A.
Werner, Crowell B., 10944A.
Wheeler, Richard V., 13702A.
White, Edwin J., Jr., 33779A.
White, Richard J., 33804A.
Wickman, Vernon E., 33125A.
Wilcox, Grover C., Jr., 8436A.
Williams, Burl R., 13646A.
Williams, Herndon F., 13619A.
Williams, James A., 13605A.
Williams, Lewis H., 12963A.
Wilson, Stephen C., 13883A.
Wilson, William M., 9920A.
Winn, Otis E., 10013A.
Winneshiek, William S., 9337A.
Withers, Raymond R., 13015A.
Womack, Jack E., 11405A.

Wood, George R., 11860A.
Wood, Herman C., 33805A.
Wood, Horace D., 13076A.
Wood, Robert E., 11545A.
Wood, William P., 10865A.
Woolf, Simpson M., 20569A.
Yarbrough, Leonard H., 13172A.
Yeoman, Edwin T., 11325A.
Yockey, Donald J., 13921A.
Yopchick, Michael P., 9732A.
Young, Kenneth A., 33189A.
Zimmerman, Arnold E., 12385A.

Chaplain

Albert, John F., 48575A.
Mattheson, Raymond T., 20861A.
Minor, Earl W., 20855A.
Schumacher, Bernard F., 48573A.
Sharbaugh, Cornelius A., 18808A.
Smith, Meredith P., 48582A.
Stillwagon, Grove E., 20851A.
Tindall, Robert W., 18804A.

Dental Corps

Book, William H., 22395A.
Chapman, John A., 19618A.
Copeland, Henry I., Jr., 22396A.
Hombs, Roger, 18950A.
Hoskins, Sam W., Jr., 25695A
Morgan, Howard H., 20835A.
Thompson, Robert L., Jr., 20523A.
Wyatt, James L., Jr., 19847A.

Medical Corps

Barnum, Ferdinand, 22544A.
Caris, Timonthy N., 21854A.
Dawson, Robert G., 24115A.
Dean, Guy W., Jr., 19287A.
Dewey, Walter W., 22958A.
Flinn, Don E., 23582A.
Gibbs, Charles E., 24111A.
Goltra, Evan R., Jr., 27480A.
Hines, Henry L., 24201A.
Holcomb, Thomas M., 22404A.
Lofton, Joseph E., 19844A.
Lutz, Stanley, Jr., 19958A.
Marriott, William R. V., 24648A.
Nauert, Nicholas H., Jr., 19606A.
Peterson, William F., 19913A.
Quinnell, Robert K., 19323A.
Smith, Dasil C., 20542A.
Stein, Ignatius J., 19963A.
Swindell, Herbert V., 25328A.
Thompson, William W., 24122A.
Vanpelt, James F., Jr., 24124A.
Watts, Charles C., Jr., 20010A.

Medical Service Corps

Burke, Charles S., 19514A.
Henry, James E., 19517A.
James, Raymond E., 48904A.
Johnson, John A., 21611A.
Martindale, Robert W., 19483A.
Sangster, Maynard A., 19471A.
Schwartz, Seymour, 19518A.
Skewes, Kenneth W., 48905A.
Turnipseed, Lawrence L., Jr., 19468A.

Veterinary Corps

Nelson, Robert K., 19010A.
Nettles, William D., 19845A.

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

Second lieutenant to first lieutenant

Line of the Air Force

Achin, Raymond R., 82633A.
Ackerman, James L., 70543A.
Ackert, Bruce, 75335A.
Adams, Donald L., 70441A.
Adams, William E., 71019A.
Alenius, John T., 82636A.
Allan, Donald F., 77260A.
Altick, Stephen F., 70687A.
Altman, Edgar A. Jr., 70486A.
Ambrosia, Frederick H., 70494A.
Ammerman, Alan H., 75475A.
Anderson, Kenneth L., 70729A.
Anderson, Lawrence B., 70506A.
Andreoni, Alan J., 70510A.
Andrus, James G., 70492A.
Arnaiz, Donald R., 79206A.
Arslan, Charles R., 77504A.
Ash, Thomas G., 73484A.
Ashy, Joseph W., 77884A.
Averhart, Jesse M., 79999A.
Baber, James J., Jr., 70686A.
Bailey, Charles H., 71020A.
Bak, Edmund J., 70447A.
Baker, Bobby L., 70470A.
Ballard, Bobby D., 82647A.
Barker, John L., Jr., 77586A.
Barnes, Elliot B., Jr., 70648A.
Barnes, William J., Jr., 82648A.
Barnett, Clyde E., 70643A.
Barreire, William, 70688A.
Bass, Thomas L., 78149A.
Batson, Thomas S., Jr., 73485A.
Baum, Carl E., 70673A.
Baumgardner, Larry J., 75481A.
Baun, Raymond J., 82652A.
Beaky, Charles M., Jr., 71151A.
Beattie, James W., 70646A.
Behrens, Dennis D., 75341A.
Bender, Arthur, 73486A.
Bergen, John K., 82657A.
Berlin, Martin S., 70453A.
Berry, Gene A., 75342A.
Bettex, Leonard C., 79961A.
Betts, Carlton L., 78150A.
Biehumko, Robert L., 70685A.
Bikker, Arthur W., 70677A.
Bingham, Billy J., 70585A.
Bissonnette, Donald K., 73487A.
Bittorf, Norman G., 75343A.
Bjornstad, Eugene N., 78282A.
Black, Franklin J., 70471A.
Blackstock, Jimmy D., 72204A.
Blair, Albert W., 70616A.
Blake, John, 70690A.
Blakley, Norman L., 82664A.
Bleau, Robert A., 71152A.
Boersig, George R., 82668A.
Bohler, Donald M., 70676A.
Boles, Billy J., 82669A.
Bolinger, Bobby G., 76543A.
Bolls, Larry R., 82670A.
Bomber, Thomas M., 73488A.
Bookhamer, Robert H., Jr., 70455A.
Booth, Frederick E., 71153A.
Botner, Clarence E., Jr., 72205A.
Bower, Larry E., 77886A.
Bozeman, Tandy K., 70664A.
Bradley, Thomas P., 73489A.
Bragaw, Robert A., 77887A.
Bramble, Harold K., 70623A.
Branch, Robert H., Jr., 78001A.
Brandt, Karl F., Jr., 70716A.
Breault, Robert P., 71154A.
Brennan, John E., 77506A.
Breslin, Richard D., 71068A.
Bridges, John D., 79214A.
Briner, John G., 75909A.
Broening, Gerald F., 73491A.
Brooks, Donald A., 77508A.
Brooks, Jerry C., 73492A.
Brown, Phillip R., 70681A.
Brown, Robert M., 79295A.
Brown, Samuel, 78284A.
Broxson, Barry D., 82684A.
Bruce, Nelson E., 75486A.
Bruton, Elwood D., 70491A.
Bryan, Garry H., 82689A.
Buchanan, George W., 73493A.
Buchenauer, Robert L., 70534A.
Buecker, William H., 77509A.
Bullock, Lawrence J., 72207A.
Burbage, Paul H., III, 70689A.
Burkhart, Joseph A., II, 79299A.
Burres, Keith E., 73494A.
Burrus, James C., 70529A.
Burton, Walter L., 80011A.
Bussell, Robert L., 70603A.
Bussman, William F., 79962A.
Byerly, Kirk L., 82698A.
Byrne, Philip M., 70592A.
Cain, James E., 70469A.
Calvaresi, Anthony I., 79671A
Calvez, Clifton A., 77888A.
Campbell, Ronald P., 75794A

Canfield, John M., 70662A.
Cannon, Marvin L., 70533A.
Cannon, William R., 82704A.
Cantrell, Terrell N., 70439A.
Carey, Edward H., Jr., 75350A.
Carlsen, Edward, Jr., 70682A.
Carlson, David R., 79672A.
Carlson, William R., 72208A.
Carpenter, Daryl M., 72209A.
Carpenter, Peter F., 70526A.
Carr, Edward J., 82710A.
Carstensen, John R., 77510A.
Carter, Allen R., Jr., 70684A.
Carter, Bruce R., 70680A.
Casey, David R., 79166A.
Catherall, Michael H., 71021A.
Cavender, Dwight B., 70514A.
Chase, Duane B., 73474A.
Chatwood, Gerald L., 73495A.
Chelette, Herman E., Jr., 71022A.
Chichester, Gerald C., 72210A.
Church, James B., Jr., 78208A.
Ciplickas, Algima J., 77264A.
Clark, John G., 77511A.
Clark, John W., 70474A.
Clark, Robert C., 80141A.
Clary, James R., III, 70678A.
Clay, James C., 70624A.
Clopton, Wilbur R., 72211A.
Coalson, Raeburn V., 70527A.
Coates, Dennis C., 72212A.
Cobb, Jerry R., 77512A.
Cohen, Marshall A., 77265A.
Cole, Gordon E., 79111A.
Cole, Ned M., Jr., 72213A.
Colligan, John J., 78286A.
Condit, James C., 77892A.
Conely, James H., Jr., 79088A.
Conrad, Dale D., 71023A.
Cook, Daryle D., 70498A.
Cooper, William T., 70668A.
Cooper, William W., 72214A.
Cope, William L., 70530A.
Corbin, Richard C., 71024A.
Cox, John E., 73496A.
Cozzens, Stuart G., 70443A.
Craig, Gary L., 71070A.
Cranos, Roger L., 78287A.
Crispe, Ronald E., 75492A.
Crooks, Thadis W., 77893A.
Crosby, Thomas A., 70528A.
Crosta, Leo, 73497A.
Crouch, Dennis E., 70602A.
Cruger, Sterling R., 70429A.
Crump, Herschel W., 82739A.
Crumpler, Nathan D., 73498A.
Crunkleton, Jerry H., 70520A.
Cummings, Jan G., 70674A.
Curtis, Carl R., 77513A.
Curtis, James A., Jr.,71097A.
Curtis, John E., 79097A.
Dagley, Larry K., 70448A.
Daigle, Robert V., 71025A.
Dalton, Charles F., Jr., 73499A.
Danforth, George S., III, 77514A.
Daniel, Robert P., 71071A.
Danielson, Eric W., Jr., 75560A.
Darby, Donald B., 77267A.
Davidson, Jo E., 75356A.
Davies, Joseph E., 70476A.
Davis, Jon L., 75932A.
Davis, Robert L., 70502A.
Declerck, Robert P., 70463A.
Deinhammer, Richard A., 71026A.
Delaney, Joseph F., 78288A.
Delaveaga, Richard A., 77894A.
Denny, Robert F., 73500A.
Deporter, Elden L., 73501A.
Dibell, David L., 70622A.
Dillinger, Jay A., 79689A.
Dipaolo, Salvatore M., 78151A.
Dixon, Darryl D., 70667A.
Dixon, George R., 71155A.
Donald, Robert K., 82751A.
Dosher, Frederick G., III, 70465A.
Doublier, Rene M., 78446A.
Dressen, Pete C., 70640A.
Driscoll, John J., 70669A.
Dubois, Robert L., 79193A.
Duffy, Lawrence, 70507A.
Dulevitz, Alexander, 75360A.
Dunbar, William F., 72215A.
Dunne, Edward J., Jr., 79693A.
Durham, Lester B., 70675A.
Durnin, John H., 80029A.
Duston, Arthur G., IV, 79167A.
Early, Ross F., 72216A.
Eastburn, Early T., 75630A.
Eathorne, Frank G., Jr., 77897A.
Edmunds, Rance S., 79632A.
Egerton, James S., 70724A.
Ehmig, William A., 75362A.
Elder, Paul W., 79698A.
Elliott, John R., 78289A.
Elliott, Leland R., 79215A.
Elliott, Robert J., 71027A.
Elliott, Warren G., 71028A.
Engel, John E., 80135A.
Engstrom, Wayne A., 77898A.
Entsminger, Joseph E., 77367A.
Epstein, Howard M., 72217A.
Erickson, Alan W., 77515A.
Ertz, Ernest J., 82772A.
Eubank, Francis L., Jr., 73502A.
Evans, Gwil O., 73503A.
Fabian, John M., 75496A.
Fabian, William H., 70701A.
Fairfull Douglas T., 70634A.
Fanelli, Matthew J., Jr., 78447A.
Farley, Joseph N., 73504A.
Faulknerb, Jack C., 82774A.
Fausto, Peter F., 70467A.
Ferm, Rodney E., 77516A.
Fink, Fred M., 70459A.
Finkbiner, Ronald R., 72218A.
Finkle, Gary D., 73505A.
Flechtner, Robert H., 73506A.
Foley, Peter K., 70742A.
Foster, Theodore P., Jr., 79704A.
Fountain, Woodson M., 70496A.
Fox, Edward H., 78290A.
Fox, Joseph J., 73507A.
Frampton, Gene D., 77517A.
Frese, Gerald W., 82783A.
Frymire, Robert C., 70483A.
Fujishige, Ken T., 83212A.
Fulgham, Frank M., 73508A.
Gabel, James A., 75562A.
Gainer, Jere A., 70950A.
Galland, Stuart B., 79158A.
Gallo, James S., 70440A.
Gallo, Robert E., 70755A.
Gallop, Jon L., 82788A.
Garbutt, Stuart E., 73509A.
Garner, Thomas L., 78449A.
Garrity, Frank O., Jr., 70606A.
Gassmann, Joseph, 79633A.
Gemelli, Glenn G., 78292A.
Gentry, Frederick R., 82789A.
George, Paul L., 82790A.
Gibbs, Richard L., 83213A.
Gibson, James E., 70519A.
Gibson, John W., 82793A.
Gilbert, Thomas M., 77518A.
Gilden, Robert C., 71007A.
Girod, Lowell D., 79626A.
Girouard, Raymond P., 73510A.
Gleason, Kemper J., 70484A.
Godard, Gary A., 70501A.
Goddard, Wesley H., 70511A.
Goins, Elmer E., Jr., 70489A.
Goldenstein, Arthur. 75367A.
Golke, Leonard R., 73511A.
Gompf, Thomas E., 79159A.
Gordon, Gerald D., 75369A.
Gorley, Joseph E., Jr.. 82798A.
Gornell, Daniel R., 77633A.
Gouette, Peter A., 75564A.
Grady, Sanders W., 76341A.
Graham, Larry J., 71029A.
Granville. Robert C., 70600A.
Greeley, Philip J., 78019A.
Greene, Jack D., 72219A.
Greenstein, Sanford. 73512A.
Greenstine, Robert B., 80185A.
Griffith, John G., Jr., 70508A.
Griffith, Ritchie, L., 70473A.
Grimm, Richard W., 70642A.
Gross, Larry R., 77519A.
Grosskopf, George K., 77520A.
Grow, John A., 70650A.
Guarracino, Charles P., 70947A.
Guerrieri, Ronald E., 82811A.
Guy, Alden R., 78152A.
Hager, Harry J., 75376A.
Haggard, Robert D., 72220A.
Hairston, James J., Jr., 82817A.
Hale, David L., 82819A.
Hale, Richard E., Jr., 70715A.
Hall, Jack R., 70647A.
Halligan, John E., 75378A.
Hallock, David B., 75379A.
Hammons, Thomas M., 71030A.
Hamner, James H., 70431A.
Hanus, Robert G., 70472A.
Harlan, Robert H., II, 77901A.
Harms, Frederick G., Jr., 77902A.
Harrington, Frank A., Jr., 77903A.
Harrington, Timothy, Jr., 70731A.
Hartman, Charles C., Jr., 78477A.
Harvey, Larry E., 70750A.
Hassing, Thomas E., 70427A.
Hastings, Charlie W., 75509A.
Hauth, Floyd F., 73513A.
Hayes, Richard H., 79209A.
Healy, Raymond G., 77270A.
Hentosz, Jon N., 75653A.
Hermann, Sigwulf, 70725A.
Herzik, Aubrey M., 80053A.
Hess, John M., 73514A.
Hetrick, Dean A., 72221A.
Higbee, Paul N., 75385A.
Higgins, Andrew L., 71031A.
Higgins, Bobby J., 73515A.
Hill, Franklin G., 82834A.
Hinkle, Richard E., 77904A.
Hockenberry, E. D., Jr., 77521A.
Hockensmith, William R., 75386A.
Hohman, Robert L., 70461A.
Hoke, Russell M., 78451A.
Hollrah, Wayne I., 70751A.
Hooks, Kenneth R., 77522A.
Hope, John L., 81377A.
Horton, Claude R., Jr., 70754A.
Houtary, Richard H., 72222A.
Howard, Joseph C., 77523A.
Howard, Robert M., Jr., 70671A.
Howe, John A., 79210A.
Howell, John F., 72223A.
Howell, Neil T., 82847A.
Howo, William Y., 77271A.
Hubbard, Phillip M., 73516A.
Hugie, John R., 70468A.
Hull, John L., Jr., 72370A.
Humphreys, Robert E., 71157A.
Hunter, Jack J., III, 73517A.
Hunter, Morgan, 73518A.
Hutzelman, David W., 79720A.
Hyder, Anthony K., Jr., 80161A.
Ivory, Reginald E., Jr., 73519A.
Jackson, Grover E., 70428A.
Jacobs, Arthur D., 72224A.
Jacobs, Carl E., 82853A.
Jacobs, Michael F., 77905A.
Jacobs, Robert M., 75391A.
Jacobus, Kenneth H., 77906A.
James, Bobby L., 73520A.
Jameson, Arlen D., 70434A.
Jameson, Jerry W., 70449A.
Jansen, Carl A., 78294A.
Jarboe, Daniel J., 73476A.
Jarman, Larry E., 82857A.
Jedlicka, Richard A., 78295A.
Jefferson, Jack J., 77524A.
Jensen, Fred C., 77525A.
Jerrick, Thomas F., 80162A.
Johnson, Gene H., 77907A.
Johnson, George A., 75395A.
Johnson, Ralph K., 77527A.
Johnson, Thomas P., Jr., 77909A.
Johnson, Wesley I., 79411A.
Johnston, James M., III, 82865A.
Jones, Howard, Jr., 70590A.
Jones, Jerry P., 77528A.
Jones, Patrick L., 70500A.
Jones, Robert B., 71032A.
Jonke, Frank J., 77529A.
Jourdenais, George H., 82862A.
Kane, Jay W., 75400A.

Karr, Charles L., 70605A.
Kauffman, David, 70719A.
Kautz, Ronald E., 82866A.
Keeler, Kenneth E., 72225A.
Kelley, Virgil K., Jr., 70748A.
Kelly, John P., 77423A.
Kemp, John E., 82874A.
Kennedy, Arthur D., 70631A.
Kenny, Thomas E., 70704A.
Kerbel, Waldemar K., 70490A.
Kerkman, Dennis J., 77910A.
Kieser Robert F., 75402A.
Kimsey, Forest M., 70666A.
Kincade, Claude G., Jr., 70481A.
King, James M., 73521A.
Kirsch, James A., 71033A.
Kirschman, Richard H., 77911A.
Klehr, Edward E., 71034A.
Klein, Mark A., 75405A.
Kleiser, Eugene V., Sr., 70737A.
Knight, Roger H., 70437A.
Knighton, Earl M., Jr., 70665A.
Knox, David B., 73477A.
Kohlmann, Dennis, 77530A.
Kovalenko, Virgil N., 76009A.
Krach, Thomas H., 78296A.
Kreis, Peter M., 73522A.
Krumrey, Gardner D., 70708A.
Kuefner, Robert E., 77304A.
Laacke, Robert J., 70727A.
Labarge, Peter D., 70942A.
Lair, Jerry L., 82908A.
Lambert, Robert W., 70524A.
Lang, Paul M., 70466A.
Lape, Gary D., 77531A.
Lattig, Kent W., 70607A.
Laugen, Elwood N., 71101A.
Laurie, Richard L., 78382A.
Lawrence, Dennis T., 75332A.
Layton, Daniel E., 77532A.
Lee, Gregory A., Jr., 77533A.
Lee, James A., 71035A.
Lehman, Donald R., 70628A.
Lehman, Samuel R., 71036A.
Lehner, William B., Jr., 75328A.
Lehtola, Donald E., 82915A.
Leighton, George P., 82916A.
Lemieux, Joseph D. W., 82918A.
Lemont, Charles J., 79732A.
Lepage, Godfrey W., 75515A.
Leslie, Darrell J., 70505A.
Levine, Morris B., 70430A.
Lewis, John E., 79890A.
Liles, Robert L., Jr., 70672A.
Lloyd, Ronald G., 78428A.
Lockhart, Johnny G., 77534A.
Long, Albert W., Jr., 71037A.
Lord, Morton A., 82930A.
Lottmann, Donald C., 70713A.
Lotzbire, Bruce J., 70464A.
Louis, David F., 72226A.
Lowther, Roger L., 70482A.
Lucas, James H., 77913A.
Lucas, John R., 82934A.
Luke, Terry R., 70452A.
Lynch, Graham D., 70516A.
Lynch, Valentine F., 70509A.
Maas, John A., 72227A.
Mackenna, David W., 70512A.
Macomber, Marshal A., 76203A.
Madden, Dennis P., 77914A.
Magee, John G., Jr., 71103A.
Magmer, John R., Jr., 73524A.
Mainord, William R., 82941A.
Malloy, Joseph E., 72228A.
Manning, Glenn R., 70753A.
Manolis, George, 72229A.
Marshall, Anthony G., 79148A.
Martin, Don M., 70944A.
Martin, Jerry J., 73525A.
Martin, Julius C., 73526A.
Martin, Robert K., 82947A.
Madson, Samuel L., III, 73527A.
Massirer, Van D., 70432A.
Mather, Dean L., 71038A.
Mauro, John G., 73528A.
May, Denny L., 73529A.
May, William B., 75333A.
Maynard, Egbert D., Jr., 70943A.
McCaffrey, John T., 70591A.
McCallon, Larry K., 70444A.
McCarthy, Michael E., 70442A.
McCarthy, William R., 78297A.
McClain, Robert C., 71158A.
McCleery, Samuel R., Jr., 70458A.
McClure, David O., 71012A.
McConnell, Allan D., 77276A.
McConnell, Robert J., 70739A.
McCormak, James M., 79973A.
McCormick, Micheal B., 77681A.
McCoy, Albert G., 73530A.
McCracken, Robert J., 82956A.
McCubbin, John D., 73531A.
McElroy, Stephen M., 75421A.
McEwen, James A., 70597A.
McFadden, Daniel H., 72230A.
McGhan, Standley A., 70445A.
McGrath, John T., 72231A.
McHargue, Patrick H., 71039A.
McIntyre, David E., 79746A.
McKenna, George W., 77917A.
McKinney, Charles C., 82963A.
McLaughlin, Robert G., 77918A.
McNichols, Charles W., III, 79747A.
McNitt, Gary N., 70700A.
Meade, Lawrence K., Jr., 73532A.
Mellen, John A., 79748A.
Merrell, Robert H., 77537A.
Merryman, Paul D., 75424A.
Merz, Douglas B., 82969A.
Meyer, Cletus D., 70457A.
Meyer, Richard A., 70696A.
Michels, Gary A., 70757A.
Midyett, Charles L., 80083A.
Millar, Charles M. Jr., 82974A.
Miller, John W., 82981A.
Miller, Robert J., 82983A.
Miller, Thomas K., Jr., 73533A.
Miller, Wayne C., 71159A.
Misirowski, Ronald L., 78298A.
Monaco, Michael, 71040A.
Monkres, Donald D., 71041A.
Montulli, Louis T., 79754A.
Moore, Clinton C., Jr., 75428A.
Moore, Robert L., 70426A.
Morgan, Richard G., 70495A.
Morris, Ronald D., 72232A.
Morrison, Roger A., 77920A.
Morton, Fred L., 70734A.
Morton, Robert M., 70749A.
Muckstadt, John A., 79477A.
Muldowney, Frank W., III, 77538A.
Mullen, James V., 70703A.
Mulligan, Michael E., 70594A.
Murphy, James R., 71042A.
Muzio, David L., 75430A.
Narbut, Leon A., Jr., 79966A.
Neblock, Charles E., 73534A.
Nelson, Marshall D., 77921A.
Newton, Robert L., 70587A.
Nichols, George W., 71160A.
Nicholson, Daniel A., 83003A.
Nicola, Kenneth L., 75519A.
Nusspickel, Francis T., 70756A.
Obermeyer, Ronald W., 77922A.
O'Brien, John L., Jr., 70744A.
Odegaard, Donald C., 83009A.
Odell, Lawrence W., 73535A.
O'Keefe, Barry J., 70711A.
Olansen, John B., Jr., 72233A.
Oliver, George M., 77924A.
Olson, Alan E., 83010A.
Olson, David S., 70717A.
Oswald, James R., 70450A.
Overgard, Jon T.. 73536A.
Owen, Walter L., 72234A.
Owens, Paul R., 83020A.
Ozment, Charles M., 70670A.
Pack, James D., 75436A.
Palmer, Donald S., 71044A.
Panus, Joseph M., 72235A.
Parker, Evans T., 70736A.
Parker, Gary L., 70497A.
Parker, John L., 70752A.
Pate, Allen C., 70487A.
Paul, John M., 70454A.
Peacock, Richard A., 71104A.
Pendergast, Thomas N., 83023A.
Pendleton, Winston K., 80172A.
Percy, Donald G., 72236A.
Perkins, James H., 70499A.
Petelin, John A., Jr., 70728A.
Peterson, David W., 70460A.
Peterson Edward A., 79772A.
Peterson Ernest R., 70683A.
Petty Arthur P., III, 75523A.
Phillips, Maxey, J., 79217A.
Phillips, William R., 71162A.
Phillips, William W., 79628A.
Picard Richard L., 71046A.
Piccolo, Sam, 79909A.
Pieri, James J., 70422A.
Pietila, John D., 76210A.
Pignone, Francis X., Jr., 77539A.
Pill, Garlin D., 71163A.
Pitner Robert B., 70710A.
Pittman, James C., Jr., 76064A.
Piver, Charles R., 70531A.
Placko, Jerry S., 77925A.
Platteborze, Louis A., 71047A.
Plummer, Ernest L., 78299A.
Pocsik, James M., 73479A.
Pokorny, Otto T., 79112A.
Polk, John E., 70702A.
Pollak, James E., 77540A.
Pollard, Thomas J., 75438A.
Pooser, Lucius B., 83039A.
Pourciau, Richard A., 78471A.
Powell, James D., 78050A.
Price, Steven E., 77278A.
Prince, Donald F., 72237A.
Proctor, William A., 78153A.
Proudfit, Robert L., 70598A.
Pullium, Jerry C., 83048A.
Pulver, Jeannette C., 71048W.
Pustis, Joseph E., 77851A.
Pye, William I., Jr., 70544A.
Quinn, John A., 78300A.
Quist, Peter P., 75440A.
Radoy, Charles H., 72238A.
Rampy, Johnny M., 79113A.
Randolph, Donald D., 78453A.
Rappold, Robert A., 77541A.
Ratterree, Thomas W., 70532A.
Reagan, Norman W., 77926A.
Reaver, Russel, J., 70475A.
Reddel, Carl W., 73537A.
Redmon, Hubert L., 83052A.
Reeves, Jerry D., 73538A.
Reeves, Manford J., 75574A.
Reilly, Ronald W., 75575A.
Reiman, Robert F., 70741A.
Reimuller, David P., 75443A.
Renick, Joseph D., 75036A.
Rhodes, Robert B., 72202A.
Rice, Arthur W., III, 77927A.
Richards, James C., 70699A.
Richburg, Dennis B., 70638A.
Riddle, George E., 77928A.
Riffel, Paul F., 79920A.
Riley, Robert F., 73539A.
Risch, Gregory M., 78154A.
Ritchie, William J., 70743A.
Rizek, James F., 83060A.
Roberson, Joseph E., 70706A.
Roberson, Van B., 83062A.
Roberts, Clyde H., 83063A.
Roberts, Paul A., 79963A.
Robinson, Irl D., Jr., 70595A.
Rodgers, James A., 77542A.
Rodriguez, Virgin L., 76075W.
Romstad, Terry D., 73540A.
Roome, Lewis M., 75576A.
Rooney, John P., Jr., 71050A.
Rosenthal, William C., 70517A.
Ross, Craig A., 73541A.
Ross, Donald E., 75449A.
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Rost, Paul F., 70745A.
Rowley, Thomas E., 71051A.
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Zieg, Duane H., 80136A.

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Eiles, Richard R., 71098A.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 1, 1965:

DEPARTMENT OF JUSTICE

Homer Thornberry, of Texas, to be U.S. Circuit judge for the fifth circuit.

Joseph F. Radigan, of Vermont, to be U.S. attorney for the district of Vermont for the term of 4 years. He is now serving in this office under an appointment which expired May 15, 1965.

William Marion Parker, Jr., of Alabama, to be U.S. marshal for the middle district of Alabama for the term of 4 years. He is now serving in this office under an appointment which expired May 22, 1965.

U.S. PATENT OFFICE

Arthur H. Behrens, of Washington, to be an examiner in chief, U.S. Patent Office.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 1, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

The words inscribed on the Liberty Bell in Philadelphia: Leviticus 25: 10: *Ye shall proclaim liberty throughout all the land unto all the inhabitants thereof.*

Almighty God, we rejoice that we are drawing nigh to that sacred day in the annals of our American history when the Founding Fathers signed the Declaration of Independence in which they had stated in verbal form their faith and their deepest convictions.

May our minds expand with the spirit of pride and patriotism, of gratitude and renewed consecration as we contemplate and reflect upon the meaning of that significant day.

We pray that our President, our Speaker, and our chosen representatives may be men and women whose manhood and womanhood can match the mountains of difficulty which are now confronting our Republic.

Penitently we confess that we are filled with apprehension and fear for there is so much of disobedience and disrespect for law and authority in our national life and we greatly feel the need of cultivating those finer feelings and aspirations which will make our country truly strong.

Kindle within us the spirit of brotherhood that in these times of peril we may sustain one another and minister to one another's needs.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Bradley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 853. An act for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde;

S. 1098. An act to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes;

S. 1666. An act to provide for the appointment of additional circuit and district judges, and for other purposes;

S. 1742. An act to authorize the U.S. Governor to agree to amendments to the articles of agreements of the International Bank for Reconstruction and Development and the International Finance Corporation, and for other purposes; and

S. 2212. An act to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children.

(Omitted from the RECORD of June 30, 1965:)

A message from the Senate by Mr. Arrington, one of its clerks, announced

that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3415. An act to equalize certain penalties in the Intercoastal Shipping Act, 1933.

COMMITTEE ON AGRICULTURE

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from North Carolina [Mr. Cooley], I ask unanimous consent that the Committee on Agriculture may be permitted to sit while the House is in session today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, what is the subject matter on which the committee is sitting?

Mr. ALBERT. This is on the cotton bill, as I understand it.

Mr. GERALD R. FORD. Yes. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

VOTING RIGHTS BILL—COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a privileged report on the voting rights bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

HOUSE COMMITTEE ON EDUCATION AND LABOR

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the House Committee on Education and Labor may have until midnight tonight to file a report on H.R. 9022.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader about the legislative program for next week.

Mr. ALBERT. Mr. Speaker, will my friend yield?

Mr. GERALD R. FORD. I yield to the majority leader.

Mr. ALBERT. First of all may I announce that we will have finished, or hope to finish within a short time, the legislative program for the week. It will be our purpose to meet tomorrow and to adjourn over until Tuesday.

The program for next week is as follows:

H.R. 6400 which is the Voting Rights Act of 1965, under an open rule with 10 hours of general debate.

This, of course, is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

Mr. Speaker, if the gentleman will yield further for a unanimous-consent request.

Mr. GERALD R. FORD. I yield to the gentleman.

ADJOURNMENT OVER FROM FRIDAY TO TUESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Tuesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. I thank the gentleman from Michigan.

AUTHORIZING IDENTIFICATION CARDS FOR CERTAIN OFFICERS AND EMPLOYEES OF HOUSE OF REPRESENTATIVES

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 261), with a committee amendment, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 261

Resolved, That, upon the request of any Member or the Speaker or any other elected officer of the House of Representatives, or the chairman of any standing or select committee of the House, the Clerk of the House of Representatives shall furnish cards of identification as to their employment to such employees under the jurisdiction of each of the foregoing officers as such officer may designate. Each such card shall be signed by the officer concerned and shall not be valid for a longer period than the duration of a Congress. The expenses of carrying out this resolution shall be paid out of the contingent fund of the House of Representatives until otherwise provided by law.

With the following committee amendment:

Strike out all after the resolving clause and insert the following:

"That, upon the request of the Speaker, a Member, elected officer of the House of Representatives, or the chairman of any committee of the House, the Clerk of the House of Representatives shall furnish cards of identification to such employees under their jurisdiction as they may designate. Each such card shall be signed by the Speaker, Member, officer, or committee chairman concerned, and shall not be valid for a longer period than the duration of one session of a Congress."

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. Hays].

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield briefly to the gentleman from New York, the author of the resolution.

Mr. HORTON. Mr. Speaker, I rise to commend the distinguished gentleman from Ohio [Mr. Hays] and to thank the Committee on House Administration and its Subcommittee on Printing for having brought H.R. 261 before us today. This is a measure I introduced on March 9 to provide the issuance of appropriate identification cards for those whom we employ as congressional staff members.

At the time of introduction, I called attention to the fact that at present the House provides no means of official identification for those who work in the offices of Members, are on the staffs of the various committees with certain exceptions, or are otherwise in an employment position attached to the House. It was, and is, my belief that such identification should be provided for purposes of security and also for the convenience of staff personnel in being able to instantly establish their official relation to the House and the business of their employers.

I am very pleased with the reaction this measure received. Many of our colleagues contacted me to express their support and, I understand, many of them also contacted members of the Committee on House Administration and Mr. Hay's Subcommittee on Printing to endorse the purpose of the resolution.

Of course, when I learned that the subcommittee had agreed to take up the resolution for official consideration, I was even further heartened. I know that its members gave many hours of thorough and thoughtful consideration to all areas applicable to this resolution.

Certainly, the amended form in which this measure now comes before us represents the work of the subcommittee in deciding on a very practical mechanical means of handling the assignment of the identification cards sought by my resolution. I find that the controls both on issuance and return at the time an employee no longer is in a situation requiring an ID card are very effective and should impose no burden at all on those responsible for the assignment of this identification.

Mr. Speaker, it has been a distinct pleasure to work with the subcommittee and committee on this matter. I believe all of us are fortunate that these colleagues serve us in these important areas of House administration.

Again I commend the gentleman from Ohio for reporting this resolution.

If the gentleman will yield further, I should like to ask whether the card which is to be issued will have a photograph of the employee included?

Mr. HAYS. I say to the gentleman, that will be a matter to be determined

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Sanders, Robert J., 71053A.
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HOUSE OF REPRESENTATIVES

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The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

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Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Bradley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 853. An act for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde;

S. 1098. An act to amend section 1(14) (a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes;

S. 1666. An act to provide for the appointment of additional circuit and district judges, and for other purposes;

S. 1742. An act to authorize the U.S. Governor to agree to amendments to the articles of agreements of the International Bank for Reconstruction and Development and the International Finance Corporation, and for other purposes; and

S. 2212. An act to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children.

(Omitted from the RECORD of June 30, 1965:)

A message from the Senate by Mr. Arrington, one of its clerks, announced

that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3415. An act to equalize certain penalties in the Intercoastal Shipping Act, 1933.

COMMITTEE ON AGRICULTURE

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from North Carolina [Mr. COOLEY], I ask unanimous consent that the Committee on Agriculture may be permitted to sit while the House is in session today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, what is the subject matter on which the committee is sitting?

Mr. ALBERT. This is on the cotton bill, as I understand it.

Mr. GERALD R. FORD. Yes. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

VOTING RIGHTS BILL—COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a privileged report on the voting rights bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

HOUSE COMMITTEE ON EDUCATION AND LABOR

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the House Committee on Education and Labor may have until midnight tonight to file a report on H.R. 9022.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader about the legislative program for next week.

Mr. ALBERT. Mr. Speaker, will my friend yield?

Mr. GERALD R. FORD. I yield to the majority leader.

Mr. ALBERT. First of all may I announce that we will have finished, or hope to finish within a short time, the legislative program for the week. It will be our purpose to meet tomorrow and to adjourn over until Tuesday.

The program for next week is as follows:

H.R. 6400 which is the Voting Rights Act of 1965, under an open rule with 10 hours of general debate.

This, of course, is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

Mr. Speaker, if the gentleman will yield further for a unanimous-consent request.

Mr. GERALD R. FORD. I yield to the gentleman.

ADJOURNMENT OVER FROM FRIDAY TO TUESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Tuesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. I thank the gentleman from Michigan.

AUTHORIZING IDENTIFICATION CARDS FOR CERTAIN OFFICERS AND EMPLOYEES OF HOUSE OF REPRESENTATIVES

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 261), with a committee amendment, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 261

Resolved, That, upon the request of any Member or the Speaker or any other elected officer of the House of Representatives, or the chairman of any standing or select committee of the House, the Clerk of the House of Representatives shall furnish cards of identification as to their employment to such employees under the jurisdiction of each of the foregoing officers as such officer may designate. Each such card shall be signed by the officer concerned and shall not be valid for a longer period than the duration of a Congress. The expenses of carrying out this resolution shall be paid out of the contingent fund of the House of Representatives until otherwise provided by law.

With the following committee amendment:

Strike out all after the resolving clause and insert the following:

"That, upon the request of the Speaker, a Member, elected officer of the House of Representatives, or the chairman of any committee of the House, the Clerk of the House of Representatives shall furnish cards of identification to such employees under their jurisdiction as they may designate. Each such card shall be signed by the Speaker, Member, officer, or committee chairman concerned, and shall not be valid for a longer period than the duration of one session of a Congress."

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. HAYS].

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield briefly to the gentleman from New York, the author of the resolution.

Mr. HORTON. Mr. Speaker, I rise to commend the distinguished gentleman from Ohio [Mr. HAYS] and to thank the Committee on House Administration and its Subcommittee on Printing for having brought H.R. 261 before us today. This is a measure I introduced on March 9 to provide the issuance of appropriate identification cards for those whom we employ as congressional staff members.

At the time of introduction, I called attention to the fact that at present the House provides no means of official identification for those who work in the offices of Members, are on the staffs of the various committees with certain exceptions, or are otherwise in an employment position attached to the House. It was, and is, my belief that such identification should be provided for purposes of security and also for the convenience of staff personnel in being able to instantly establish their official relation to the House and the business of their employers.

I am very pleased with the reaction this measure received. Many of our colleagues contacted me to express their support and, I understand, many of them also contacted members of the Committee on House Administration and Mr. HAY'S Subcommittee on Printing to endorse the purpose of the resolution.

Of course, when I learned that the subcommittee had agreed to take up the resolution for official consideration, I was even further heartened. I know that its members gave many hours of thorough and thoughtful consideration to all areas applicable to this resolution.

Certainly, the amended form in which this measure now comes before us represents the work of the subcommittee in deciding on a very practical mechanical means of handling the assignment of the identification cards sought by my resolution. I find that the controls both on issuance and return at the time an employee no longer is in a situation requiring an ID card are very effective and should impose no burden at all on those responsible for the assignment of this identification.

Mr. Speaker, it has been a distinct pleasure to work with the subcommittee and committee on this matter. I believe all of us are fortunate that these colleagues serve us in these important areas of House administration.

Again I commend the gentleman from Ohio for reporting this resolution.

If the gentleman will yield further, I should like to ask whether the card which is to be issued will have a photograph of the employee included?

Mr. HAYS. I say to the gentleman, that will be a matter to be determined between the clerk and the Committee on House Administration. There was some thought it would be difficult to have a photograph. That would cost more money, and there is considerable turnover of employees. However, this has not been finally adjudicated. It will be decided on the basis of what can be done the best, the cheapest, and in the most convenient manner.

We did amend the resolution to make the cards good for only one session, because we feel there is a danger they might get into the hands of unauthorized people, those who either are not employees or who are no longer employees of the Congress.

Mr. HORTON. I certainly want to indicate my agreement with the gentleman, as to having cards for only one session of Congress. I do have a card which was issued to the members of the Committee on Government Operations which does include a picture. I would hope that the committee, in its further consideration of this matter, would give due consideration to the use of photographs to identify the persons involved. I believe this would be helpful. It would be similar to the type of card we as Members of the House now have.

Mr. HAYS. I can assure the gentleman we will go into that situation. We will get copies, and look into the cost.

Mr. HORTON. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. Do I correctly understand that the amendment covers all employees of the Capitol?

Mr. HAYS. No. It covers employees specifically of the Speaker, a Member, or an elected officer of the House, or the chairman of any committee of the House. It does not cover all employees of the Capitol, only employees of the House of Representatives generally, and specifically the ones I have mentioned.

Mr. GROSS. I thank the gentleman.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. LONG of Maryland. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 165]

Addabbo
Annunzio
Ashbrook
Ashley
Ashmore
Battin
Belcher
Bingham
Blatnik
Bonner
Bow
Brown, Calif.
Brown, Ohio
Byrnes, Wis.
Clancy
Cramer
Dawson
Dent
Dow
Evins, Tenn.
Farnsley
Farnum
Flood
Fogarty
Foley
Fraser
Fulton, Pa.
Fulton, Tenn.
Gibbons
Grabowski
Griffin
Griffiths
Grover
Harsha
Harvey, Ind.
Holifield
Holland
Johnson, Pa.
Jones, Ala.
Keogh
King, N.Y.
Latta
Lindsay
Martin, Ala.
Martin, Mass.
Mathias
Mize
Morton
Passman
Pool
Powell
Roberts
Rostenkowski
Roybal
Ryan
St Germain
Scheuer
Schisler
Schweiker
Scott
Shipley
Sikes
Skubitz
Teague, Tex.
Thomas
Toll
Tupper
Watkins
Watson
Weltner
Willis
Wilson, Charles H.

The SPEAKER. On this rollcall 365 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair designates the Honorable Carl Albert to act as Speaker pro tempore tomorrow.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a conference report on S. 559, the Senate version of H.R. 3014.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1966

Mr. NATCHER. Mr. Speaker, I call up the conference report on the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. Harris). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 568)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6453) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 14, 16, 20, 21, 22, 23, 24, 25, and 29.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 8, 12, 15, 17, 18, and 19; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$43,000,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$75,457,600"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,703,700"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$79,813,800"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$51,800,800"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$8,580,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,377,900"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 9.

William H. Natcher,
Robert N. Giaimo,
Neal Smith,
John J. McFall,
George Mahon,
Glenn R. Davis,
Joseph M. McDade,
Charles R. Jonas,
Managers on the Part of the House.

Robert C. Byrd,
Carl Hayden,
E. L. Bartlett,
Thomas J. McIntyre,
Clifford P. Case
(except amendments
Nos. 16, 22, 26),
Norris Cotton,
Leverett Saltonstall
(except amendments
Nos. 16, 22, 26),
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommend in the accompanying conference report as to each of such amendments; namely:

FEDERAL PAYMENT TO DISTRICT OF COLUMBIA

Amendment No. 1: Appropriates $43,000,000 instead of $41,000,000 as proposed by the

House and $46,000,000 as proposed by the Senate.

OPERATING EXPENSES

Amendment No. 2—General operating expenses: Appropriates $20,112,000 as proposed by the Senate instead of $20,323,000 as proposed by the House.

Amendments Nos. 3 and 4—Public safety: Provide for the purchase of 112 passenger motor vehicles of which 98 are for police-type use as proposed by the Senate instead of 76 passenger motor vehicles of which 62 were to be for police-type use as proposed by the House.

Amendment No. 5—Public safety: Appropriates $78,663,000 as proposed by the Senate instead of $76,998,000 as proposed by the House.

The managers on the part of the House with the concurrence of the Senate conferees are agreed that the additional funds provided to finance a sixth day of work for saturation patrols is of a temporary and emergency nature and in no way constitutes a precedent for future budget estimates for this purpose. The conferees also urge that the Department exert every effort to recruit up to the permanent authorized strength of 3,100. It is the opinion of the conferees that continuing overtime work by existing personnel destroys the efficiency and flexibility of the force and detracts from its ability to respond to emergencies. Further the conferees do not share the attitude of acceptance of overtime as a substitute to a fully manned department, a practice that has gone on far too long.

Amendment No. 6—Education: Provides for the purchase of two driver training vehicles as proposed by the Senate.

Amendment No. 7—Education: Appropriates $75,457,600 instead of $74,740,000 as proposed by the House and $75,953,900 as proposed by the Senate.

Amendment No. 8—Education: Provides that $124,000 shall be payable from the highway fund as proposed by the Senate.

Amendment No. 9—Education: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the language proposed by the Senate.

Amendment No. 10—Parks and recreation: Appropriates $10,703,700 instead of $10,555,000 as proposed by the House and $10,709,500 as proposed by the Senate.

Amendment No. 11—Health and welfare: Appropriates $79,813,800 instead of $79,485,000 as proposed by the House and $80,106,247 as proposed by the Senate.

Amendments Nos. 12, 13, 14, and 15—Health and welfare: Provide that the inpatient rate with the exception of Children's Hospital shall not exceed $34 per diem and the outpatient rate shall not exceed $5.75 per visit as proposed by the House and that the inpatient rate and outpatient rate for Children's Hospital shall not exceed $40 per diem and $6.75 per visit as proposed by the Senate.

CAPITAL OUTLAY

Amendment No. 16: Deletes proposal of the Senate for Shaw Junior High School replacement.

Amendment No. 17: Inserts the proposal of the Senate for Thomas Elementary School addition.

Amendment No. 18: Inserts the proposal of the Senate for Emery-Eckington Elementary Schools replacement.

Amendment No. 19: Inserts the proposal of the Senate for Brent Elementary School replacement.

Amendment No. 20: Deletes proposal of the Senate for Deal Junior High School addition.

Amendment No. 21: Deletes the Senate language regarding the school for severely mentally retarded. Funds are included in the bill for site acquisition.

Amendment No. 22: Deletes the proposal of the Senate for Chevy Chase Community Center. Any future requests concerning this and the Fort Reno project should contain additional justification.

Amendment No. 23: Deletes the proposal of the Senate for construction of community health centers.

Amendments Nos. 24 and 25: Delete the proposals of the Senate for a storage building and a school and activities building at the Junior Village.

Amendment No. 26: Appropriates $51,800,800 instead of $50,521,900 as proposed by the House and $55,136,100 as proposed by the Senate.

Amendment No. 27: Provides that $8,580,000 shall not become available for expenditure until July 1, 1966 instead of $8,530,000 as proposed by the House and $9,300,000 as proposed by the Senate.

Amendment No. 28: Provides that $2,377,900 shall be available for construction services instead of $2,130,600 as proposed by the House and $2,999,300 as proposed by the Senate.

Highway program: The managers on the part of the House are not in agreement with the statement in the Senate report which reads as follows:

"Accordingly, the committee directs that all future budget estimates for the District of Columbia highway program be presented on the basis only of prior authorization by the respective District legislative committees."

GENERAL PROVISIONS

Amendment No. 29: Deletes language proposed by the Senate setting certain salaries.

WILLIAM H. NATCHER,
ROBERT N. GIAIMO,
NEAL SMITH,
JOHN J. MCFALL,
GEORGE MAHON,
GLENN R. DAVIS,
JOSEPH M. MCDADE,
CHARLES R. JONAS,
Managers on the Part of the House.

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a tabulation.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Speaker, the House considered budget estimates totaling $387,467,800 for the District of Columbia for fiscal year 1966 and approved the sum of $356,300,500. The bill provided for a Federal payment of $41 million which was $9 million below the budget estimate.

The Senate considered estimates totaling $389,346,800 and approved a bill containing the sum of $364,358,347, and the Federal payment approved by the other body amounted to $46 million.

The Federal payment approved in conference and now recommended to the House is $43 million. The total amount provided for in the conference report for the District of Columbia for fiscal year 1966 is $360,228,500. This is $4,129,847 below the amount approved in the Senate bill and $3,928,000 more than the amount approved in the House bill. At this point in the RECORD I will insert a tabulation showing the various stages of the bill by appropriations:

District of Columbia appropriation bill, 1966 (H.R. 6543)

Item	Appropriations, 1965	Budget estimates, 1966	Passed House	Passed Senate	Conference action	Conference action compared with—			
						Appropriations, 1965	Budget estimates, 1966	House	Senate
FEDERAL PAYMENT TO DISTRICT OF COLUMBIA									
General fund	$37,500,000	$50,000,000	$41,000,000	$46,000,000	$43,000,000	+$5,500,000	−$7,000,000	+$2,000,000	−$3,000,000
Water fund	2,047,000	[1] 1,973,000	1,973,000	1,973,000	1,973,000	−74,000			
Sanitary sewage works fund	1,173,000	[2] 1,149,000	1,149,000	1,149,000	1,149,000	−24,000			
Total, Federal payment to District of Columbia	40,720,000	53,122,000	44,122,000	49,122,000	46,122,000	+5,402,000	−7,000,000	+2,000,000	−3,000,000
OPERATING EXPENSES									
General operating expenses	19,391,900	[3] 21,326,000	20,323,000	20,112,000	20,112,000	+720,100	−1,214,000	−211,000	
Public safety	73,707,800	[4] 79,462,600	76,998,000	78,663,000	78,663,000	+4,955,200	−799,600	+1,665,000	
Education	71,755,300	[5] 77,984,000	74,740,000	75,953,900	75,457,600	+3,702,300	−2,526,400	+717,600	−496,300
Parks and recreation	10,038,200	11,087,000	10,555,000	10,709,500	10,703,700	+665,500	−383,300	+148,700	−5,800
Health and welfare	75,964,500	81,319,000	79,485,000	80,106,247	79,813,800	+3,849,300	−1,505,200	+328,800	−292,447
Highways and traffic	13,628,000	14,013,000	13,989,000	13,989,000	13,989,000	+361,000	−24,000		
Sanitary engineering	22,005,900	[6] 22,974,000	22,498,000	22,498,000	22,498,000	+492,100	−476,000		
Metropolitan Police (additional municipal services, inaugural ceremonies)	283,000					−283,000			
Metropolitan Police (additional municipal services, Imperial Shrine Convention)		221,200	221,200	221,200	221,200	+221,200			
Personal services, wage-board employees	1,118,200	[7] 1,279,000	1,279,000	1,279,000	1,279,000	+160,800			
Settlement of claims and suits	14,028					−14,028			
Total, operating expenses	287,906,828	309,665,800	300,088,200	303,531,847	302,737,300	+14,830,472	−6,928,500	+2,649,100	−794,547

See footnotes at end of table.

District of Columbia appropriation bill, 1966 (H.R. 6543)—Continued

Item	Appropriations, 1965	Budget estimates, 1966	Passed House	Passed Senate	Conference action	Conference action compared with—			
						Appropriations, 1965	Budget estimates, 1966	House	Senate
REPAYMENT OF LOANS AND INTEREST									
Reimbursement to the United States	$5,364,000	$5,690,400	$5,690,400	$5,690,400	$5,690,400	+$326,400	------	------	------
CAPITAL OUTLAY									
Capital outlay	59,633,000	[8] 73,990,600	50,521,900	55,131,100	51,800,800	−7,832,200	−$22,189,800	+$1,278,900	−$3,330,300
Grand total, District of Columbia funds	[9] 352,903,828	389,346,800	356,300,500	364,358,347	360,228,500	+7,324,672	−29,118,300	+3,928,000	−4,129,847

[1] Reflects decrease of $227,000 submitted in H. Doc. No. 114.
[2] Reflects decrease of $186,000 submitted in H. Doc. No. 114.
[3] Includes increase of $5,000 submitted in H. Doc. No. 114.
[4] Includes increase of $27,000 submitted in H. Doc. No. 114 and $1,879,000 in S. Doc. No. 23.
[5] Includes increase of $305,000 submitted in H. Doc. No. 114.
[6] Includes increase of $22,000 submitted in H. Doc. No. 114.
[7] Submitted in H. Doc. No. 114.
[8] Reflects decrease of $881,000 submitted in H. Doc. No. 114.
[9] Includes $11,430,500 in second supplemental bill, Public Law 89-16.

Serious crime in the District climbed to new levels during the fiscal year 1965. Our committee believes that the people in Washington and the visitors in our Capital City are entitled to a system of law enforcement which will insure them the right to transact their business and traverse the streets at any time without fear of assault. As pointed out on many occasions, our committee believes that the Police Department has the right to expect full cooperation from the citizens of our Capital City and especially from the courts. When criminal charges are preferred and clearly established, adequate sentences should follow. Any deviation from this process makes a mockery of law enforcement and justice.

We recommend an increase of $1,665,000 for additional police protection. This amount will be used to pay officers for work on their days off and for additional scout cars, additional crossing guards, and an expansion of the footman radio system. As is stated in the statement of the managers on the part of the House with the concurrence of the Senate conferees, the additional funds provided to finance a sixth day of work is of a temporary and emergency nature.

The highway system in the District of Columbia, with emphasis on the interstate system, is one of the major long-established activities of the District of Columbia. Any effort to bring important highway projects in the District to a complete halt is a serious mistake.

In order to meet the tremendous day-to-day growth of traffic in Washington we must carry our highway programs along with any and all proposals concerning a rapid transit system. This conference report clearly shows the attitude of our committee in this matter and emphatically states that we disagree with the language contained in the Senate report.

As you know, Mr. Speaker, on page 4 of the conference report you find the following:

> The managers on the part of the House are not in agreement with the statement in the Senate report which reads as follows:
>
> "Accordingly, the committee directs that all future budget estimates for the District of Columbia highway program be presented on the basis only of prior authorization by the respective District legislative committees."

This statement is not to be construed to mean that the committee is opposed to proper authorization for the various projects, but we are of the opinion there is already sufficient general authority for the highway program and we feel that future budget estimates should be submitted in accordance with current procedures.

The conference action allows an increase of $717,553 for 22 additional teachers; 28 librarians; 23 counselors and several related positions, including an expansion of the driver training program with the cost to be paid from fees for learners' permits.

This conference report provides for funds for the continued operation of the John F. Kennedy Playground, but does not include a new site for the Shaw Junior High School. We also recommend funds for a recreation center for the mentally retarded.

In conference, we agreed to an increase in the student nurse program at D.C. General Hospital and allowed the full request for the Children's Hospital.

This conference report, in addition, provides for five additional school construction projects.

At this time, Mr. Speaker, I yield to my distinguished friend, the gentleman from Wisconsin, the ranking minority member of this committee, and I would like to say to the Members of the House, one of the outstanding Members of the House.

Mr. DAVIS of Wisconsin. Mr. Speaker, I thank the chairman of our subcommittee for yielding to me so that I might say just a few words in connection with this conference report.

I think that every Member of this House should be grateful to the gentleman from Kentucky, for he has done his job as the chairman of the conferees in a manner that we would want every group of conferees that goes from this House to meet with Members of the other body to perform.

I know that sometimes we receive criticism of the competence and the ability of the Appropriations Committee to perform its functions. But I submit that those who on yesterday committed us to about $8 billion, with the Appropriations Committee finding itself in future years completely unable to do anything about it, should be the last to criticize the procedure of the Appropriations Committee of this House.

I am not completely happy with this conference report any more, I am sure, than the chairman, the gentleman from Kentucky, is completely happy about it. But we were able to control some of the flagrant violations of responsibility which had crept into this appropriations measure in the course of its travail.

Mr. Speaker, I believe that Members of this House can congratulate themselves and certainly owe a great deal to Members such as the gentleman from Kentucky [Mr. NATCHER] for the restraint which individual Members of this House exercised and the restraint which members of the Committee on Appropriations in key positions, such as the gentleman from Kentucky, exercised with respect to this bill.

Mr Speaker, there are two items that are not in this conference report that should be in it, on the grounds of need and on the grounds of justice.

One of them is the Shaw Junior High School. The other is the planning funds for the Fort Reno Recreation Center. However, the conferees from our side were too proud of our responsibility to this House, and too proud of a sense of responsibility that ought to be exercised, to insist that these funds be included.

Mr. Speaker, the Shaw Junior High School could not possibly be included and can never be included so long as responsible men in this body will stand against the kind of tactics that deprive the District of Columbia of the site which was already selected for the erection of Shaw Junior High School.

Mr. Speaker, until we find some comparable sense of responsibility in other places with respect to items of appropriations of this committee, I am sure men like the gentleman from Kentucky and others who serve with him as conferees will never stultify themselves to the point of permitting this kind of a tainted appropriation, tainted by considerations other than its merit to be included.

With respect to the Fort Reno planning funds here, again, the money should be here included, but the price in terms of pride and responsibility would have been too great to permit the funds to be included in the funds covered in this conference report.

The gentleman from Kentucky [Mr. NATCHER] mentioned to the Members of the House the additional funds that are in here for the Police Department, for public safety, here in the District of Columbia.

In my opinion these funds will not be completely used. Some Members can take some gratification in that fact. But I believe that a matter of more grave concern in connection with it is that I fear, to some extent at least, we have attempted to substitute money, to substitute dollars, for a more thoroughgoing concern with the overall matter of crime prevention and detection here within the District of Columbia.

Mr. Speaker, I believe we have done everything that men can do sitting on this committee to provide for the public safety of the District of Columbia. However, I do suggest that there are other things which need to be done rather than simply the appropriation of money.

There are some ridiculous things contained in this bill. They are not scandalously expensive, thank goodness, but they are simply just plain unnecessary.

Mr. Speaker, I believe it is fair to say that the only justification for some of the smaller items that are included in this conference report happens to be the identity of the author of the amendment over at the other end of this Capitol.

We did succeed in cutting out this unsound practice of attempting to set salaries for individuals, which the other body had included. We did succeed in nullifying that practice insofar as this bill is concerned.

In my opinion, in spite of the weaknesses that may be in it, overall the House conferees have done the kind of job you would want us to do. In the 5-hour conference session which took place a couple of days ago we did much better than we could do if there was to be a second or third session, or a fourth round of negotiations. So I am here to follow the chairman of the House conferees, the gentleman from Kentucky [Mr. NATCHER] in recommending this conference report to you, and in sustaining the motions which he will make in connection with this conference report.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. NATCHER. I yield to the gentleman from Iowa.

Mr. GROSS. I would like to ask one of my favorite questions in connection with a District of Columbia appropriation bill.

Was there any money put in this bill in conference to further subsidize the District of Columbia Stadium?

Mr. NATCHER. There were no additional funds added for that purpose, but I want the gentleman to know for the District of Columbia you will find under the appropriation, "Repayment of loans and interest," $831,600, together with a $10,900 payment on interest on the District of Columbia Stadium bonds.

As the gentleman knows, none of the bonds have been retired, and the interest payment due each year is $831,600. The Board of Commissioners is forced to borrow this money from the U.S. Treasury each year—that is, $831,600—and in addition to that sum they have to repay $10,900 interest on interest.

Mr. GROSS. This is the financing operation which Members of the House of Representatives were told would cost the Federal taxpayers nothing. We were assured that at no time in the future would the Federal taxpayers be called upon to finance construction of the stadium.

Mr. NATCHER. The gentleman is entirely correct. I recall distinctly I was on the floor when the gentleman from Iowa propounded certain questions concerning the value of the stadium and the cost of the stadium. At that time we were led to believe this stadium would cost from $6 million to $8 million. The stadium cost a little over $20 million. Now they are paying $831,600 in interest on the bonds. None of the bonds have been retired up to this date.

Mr. GROSS. One other question:

I would like to ask the gentleman, does he know the per-day patient cost for indigents at the Children's Hospital, whether it is $40 a day, and if so, why $6 per day more than the $34 at other Washington hospitals?

Mr. NATCHER. The conference report, I may say to the gentleman, provides for a $40-per-diem payment to Children's Hospital with the other hospitals receiving $34 a day. The other body increased the $34 which we had in our bill to $36. We refused to yield, and the figure was put back to $34 for all contract hospitals with the exception of Children's Hospital. I may say to the gentleman I think we did right as far as this one contract hospital is concerned. Here we have a nonprofit institution that is losing money every year; that has to take all of the overflow from the District of Columbia General Hospital to Children's Hospital. These are indigent patients. I have been out to this hospital, and it touches your heart to see the children out there. We believe that this increase for this one hospital is proper in every respect. But we would not yield on the others.

Mr. GROSS. I thank the gentleman from Kentucky for his explanations to both questions.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. NATCHER. I am delighted to yield to the distinguished gentleman from Wisconsin.

Mr. O'KONSKI. I think the attention of the House should be brought to the fact that this is not the only appropriation of money or the spending of money. This does not finish the fiscal problem for the District of Columbia because very shortly there is going to come before this House a $488 million bill to start a subway system in the Nation's Capital. Under the bill the District of Columbia is going to be asked to provide $50 million as a grant and the Federal Government $100 million. I would like to ask the distinguished gentleman from Kentucky, if this bill is passed is there any money that the District of Columbia has by which they could pay this $50 million grant?

Mr. NATCHER. I would say to the gentleman that the District of Columbia does not have any funds on hand at this time for that purpose. The $50 million would have to come out of tax moneys derived here in the District of Columbia, out of the Federal payment, and from other sources.

I want to say I appreciate the gentleman directing this question to me at this time, and further, I would like for the gentleman to know that here in the District of Columbia there may be a place for both a rapid transit system and the highway system that we now have underway. But our committee under no circumstances is willing to permit those advocates of a rapid transit system to stop the highway program in this city just to see that the District of Columbia gets a rapid transit system.

The gentleman has been here longer than I have and I am sure that the gentleman on many occasions has seen a lot of projects authorized where funds were never appropriated.

Mr. O'KONSKI. I am glad to hear the gentleman take that stand because every Member of the House ought to acquaint himself with this bill that is going to come before the House very shortly. If you will read the Washington Star of a couple of days ago, it bears out the fact; and remember this is just the first bite of a possible $3 billion subway system in the Nation's Capital to be paid for by the taxpayers all over the country, and I admonish the House and warn you to take a good look at that bill, because it will be before this House very shortly, and the time will come, if this bill passes, when the taxpayers of the United States are just going to support the Nation's Capital and their transit system.

Mr. NATCHER. Mr. Speaker, at this time I yield to the distinguished gentleman from Connecticut, a member of our subcommittee and another great Member of the House [Mr. GIAIMO].

Mr. GIAIMO. Mr. Speaker, I rise in support of this appropriation measure. I believe it represents a diligent effort of all the members of the subcommittee and of all the conferees on both sides of the aisle to meet the pressing needs of the District government. I believe it will accomplish the job of conducting the business of the District of Columbia for the coming year.

It does not represent all of the moneys asked for, but it represents what we thought to be an adequate amount with which the District officials can complete their job of conducting the government. We think they could make progress in many areas, particularly the area of education.

We have not appropriated all of the moneys requested for new schools, but we do have a substantial number and we are making great progress in replacing some of the old, outmoded schools with new and efficient schools.

However, there is one particular item that I believe should be brought to the attention of the House and about which I feel very strongly and I know many of the Members do. That is the item of aid to dependent children of unemployed parents. For 2 years now the House has passed this legislation authorizing and enabling the District of Columbia to set up this program as it exists in many of the other cities in the United States.

For 2 years this appropriation and this item has been deleted by the other body. As is well known here to the Members of the House, this past year there was considerable controversy over this item in the other body and there was a close vote on it. But the program was deleted from the appropriation bill. There is an innovation this year, however, and that is that the other body instituted in its place an amendment, or as an attempt to meet the problem with a new approach and one concerning which I am not fully convinced, but one about which I am reasonably hopeful, to wait a year or so and see how it works, and that is to try to resolve this problem of assisting the children of unemployed parents through title V of the economic opportunities act, the poverty program.

There is in the bill as adopted by the conferees an authorization to engage in this method, which would mean that these children could be helped through grants under the poverty program.

What concerns me is that families and children in this category would qualify in a more stringent manner than under the usual welfare provisions which the House had in the original bill. For example, it would have to be tied to training. It would have to be tied to a specific period of time. This concerns me.

I repeat, I am not convinced that the program will work in this manner. However, I believe we should watch this program very carefully during the next year. If we see that it does not solve the problem, if we find that children of unemployed parents are not taken care of this year, then this House should make greater efforts next year to make certain that we initiate in the District of Columbia a program to help children of unemployed parents. I believe this has been much too long in coming. Frankly, I do not consider it proper to deny the program in the District of Columbia when it is available in many other major cities of the Nation.

Mr. NATCHER. Mr. Speaker, I yield to the distinguished gentleman from Iowa [Mr. SMITH], another able member of the committee.

Mr. SMITH of Iowa. Mr. Speaker, I noticed in the morning newspaper a little statement by Superintendent Hanson to the effect that a new Takoma elementary school and an addition to Beers elementary were the most vital needs in the school budget.

It is rather interesting that at this time the Superintendent of Schools comes forward and indicates which are the highest priorities. During the course of the hearings, time after time after time, the chairman of the committee asked the Superintendent of Schools to state which items were the most important, and he failed to take the responsibility at that time. He would not indicate which items were most important and should have the highest priority.

As an attorney for school boards, I sat in on hundreds of school board meetings where school boards would be making up budgets. They would call in the administrative officers. They would ask them for the highest priorities in a long list of items submitted. I have never once seen those school administrators fail to make decisions and exercise responsibility in this respect.

Unless the school superintendent here is willing to come into these meetings, and tell us what the highest priorities are, he will not be doing his job. He will not be fair with the citizens and children of the District of Columbia. We need the advice at the right time as to what are the highest priority needs.

There is one other item I would like to call to the attention of the House. We are appropriating this year again a considerable sum of money for school buildings in which we know air conditioning will later be placed. For several years, school districts around the United States have been building air-conditioned buildings. It has been found that if the building is designed a certain way at the time it is built, it does not cost any more to build an air-conditioned building than one which is not air conditioned.

Those in charge here have failed to come up with plans and specifications of this nature. Now we are building buildings not designed for air conditioning. Later we will put air conditioning in them. Not only will it cost more money for the building, but in addition this will cost more each year to operate the air conditioning, because there will be too much wall space, too much window space and less efficiency.

One way to approach this problem is not to appropriate any money for school buildings for 1 year, to place pressure on them to come in with the kind of plans needed. This committee dislikes going that far, but I believe the people of the District of Columbia should know they are not getting as much as they should for the dollar, because the school administrators are failing to come in with better plans for these schools.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Iowa.

Mr. GROSS. I can agree with much the gentleman has said. As I understand it, there is some $10 million to go into the school system of the District of Columbia, which is not included in this bill, to be made available for the so-called impacted area school aid. I would hope that the subcommittee which handles that appropriation would insist the spending of the $10 million be as carefully scrutinized as does this subcommittee and in the same way this subcommittee is looking to the future.

Mr. SMITH of Iowa. The gentleman is quite right. There is $9.9 million that the District will be able to spend on schools that is not in this budget due to the fact that it comes directly to the school district from other sources and other funds. We are hopeful, however, that in future years this can be coordinated so that we will have some way to have closer and more effective coordination with the spending of that money.

Mr. NATCHER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 6, line 3, insert:

"Section 301, subsection (c) of the Dual Compensation Act (78 Stat. 488) shall not apply to compensation received by teachers of the public schools of the District of Columbia for employment in a civilian office during the period July 1, 1965, to August 28, 1965."

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Amendment numbered 9: Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

A motion to reconsider the vote by which action was taken on the motion was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just approved.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

EXTEND TIME FOR REFERENDUM WITH RESPECT TO NATIONAL MARKETING QUOTA FOR WHEAT

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 9497) to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

H.R. 9497

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 336 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following: "Notwithstanding any other provision hereof the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966, may be conducted not later than thirty days after adjournment sine die of the first session of the Eighty-ninth Congress."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE EFFECTS OF AN UNWISE AND UNWARRANTED GOVERNOR'S VETO

Mr. CAREY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial from the New York Herald Tribune.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CAREY. Mr. Speaker, within a few legislative days the House will be considering the extension of the poverty program on which my committee, the Committee on Education and Labor, and the ad hoc committee on which I have been serving have been working for some years. I think that the House in its wisdom should look today to the front page of the New York Herald Tribune and see what can be the effect of an unwise and unwarranted Governor's veto.

This was more than a veto. The Governor of New York did a stomp on the poverty bill in our city. The city of New York stands to receive $18.1 million, the largest grant in the country, under this bill. But the Governor, by his 11th-hour veto of a piece of legislation designed to effect this grant, did nothing more than simply leave the city hapless and fundless, facing into the long, hot summer. It was a totally irresponsible veto.

When, in his energetic dedication, Mr. Sargent Shriver, Administrator of the program, attempted to reach the Governor and work something out to save the city's fund he was able to reach city officials, but could not reach the Governor because the Governor was "out dancing" as related by an aid at his Pocantico Hills estate. While the Governor was dancing the poor in New York desperately need this program.

I say that if the poverty program in my State fails, it lies at the door of the Republican Party. I have heard statements recently by a mayoralty candidate on the Republican side, or a part-time Republican mayoralty candidate on the Republican side, that "the congressional delegation from New York is ineffective," and he, by way of a minor conceit, "energetically represents his constituents."

Where was that candidate while the Governor was busy burying the poverty program in New York State? Thankfully, by reason of Mr. Sargent Shriver's intercession, a plan was worked out with the acting mayor of the city of New York and we are going to get the $18.1 million over the Governor's veto. Whatever kind of Watusi he is doing, up in Albany—while the Governor is dancing—we are going to get the money in New York without the help of the Republican administration in my State.

Mr. Speaker, I include as part of my remarks the article from the Herald-Tribune to which I referred:

City's Fantastic Poverty Crisis

At 6:20 p.m. yesterday, Jack Conway, top assistant to Federal poverty chief Sargent Shriver in Washington, received a call from Governor Rockefeller.

The Governor told Mr. Conway that he had just vetoed a legislative bill to create a New York City Economic Opportunity Corporation, an agency that would administer millions in poverty funds in the city.

Mr. Conway, astounded, immediately relayed the message to Mr. Shriver. The Federal chief quickly called New York City Council President Paul Screvane, who is head of the city's antipoverty program.

For the next 5½ hours, the two men and their aids struggled against the clock and confusion to try to save the $18.1 million that Mr. Shriver's Office of Economic Opportunity had planned to give the city for a wide range of programs to meet the needs of New York's poor.

Finally, at about 11:45 p.m., just 15 minutes before the fiscal year deadline by which the Federal Government had to approve—or reallocate to another city—the New York City funds, Mr. Shriver and Mr. Screvane came up with a solution to save the money: they changed one word in the name of the antipoverty unit; from economic opportunity corporation to economic opportunity committee.

A spokesman for the Governor said the veto came so near the fiscal year deadline because time had been needed to study and evaluate the bills.

The sudden sequence of events was another—and most fantastic—chapter of the brief political history of the city's antipoverty program, which has been battered by protests from representatives of the poor, congressional leaders, and politicians of both parties.

The Governor explained his veto to Mr. Conway and to city antipoverty officials in this fashion:

He said the bill creating the corporation would "supersede all State laws which are inconsistent with its provisions."

He said the sweeping powers the city sought for the corporation would be in conflict with State "labor laws, antidiscrimination laws, social welfare laws, and laws relating to education, slums, consumer protection, civil service, health and mental health."

But at the same time he made the veto known, he disclosed that he had signed a second bill—passed quietly by the legislature—which would authorize "all municipalities in the State, to conduct and participate in the Federal anti-poverty program."

And he noted that the city could transfer to "an appropriate agency of the New York City government any pending application for Federal funds made in the name of this nonexistent corporation."

But the harried city and Federal antipoverty officials didn't realize the import of this phrase at first.

Mrs. Anne Roberts, staff director of the New York City program, was in despair at the news. "We've worked months," she said, "and we get right down to the wire—and this happens. It's too much for a human being to take."

Mr. Screvane said simply: "I'm shocked."

Representative Adam Clayton Powell, who has been a militant figure in attempting to bring about a larger role for the poor in the program, called a hasty press conference in Washington and denounced the Governor's move as "heartless and cruel politics."

A top Shriver aid called the action "bizarre and baffling."

Mayor Wagner said he was "mystified."

But as the clock ticked on toward the end of fiscal 1965—and the fund cutoff deadline—Mr. Shriver, on an open line to New York, and Mr. Screvane finally saw a way out.

They looked closely at the second bill and realized that simply by changing the name of the corporation they could guarantee the city's allocation.

And so, at 11:45, the economic opportunity committee was formed.

Mr. Shriver and Mr. Screvane reasoned that the same setup would still fulfill all the Federal requirements—and that the name change would be all that would be needed to qualify under the law that the Governor had signed.

But the question remained, would the change be acceptable to Governor Rockefeller?

The answer couldn't be determined immediately: an aid at the Governor's Pocantico Hills estate said Mr. Rockefeller was out dancing.

The final outcome might not be known until July 10. That's the Governor's deadline for action on the antipoverty funds under the Federal law.

If Mr. Rockefeller's past actions are any indication, there will be more complications.

Only 5 days ago the Governor had indicated he might veto the $9 million community action section of the city's program because, he said, it lacked necessary participation of the city's poor.

But it quickly became apparent that his objections had already been met. Two days before, the city's council against poverty had revised its program to include a greater role for the poor.

Mr. Shriver, noting this, on Sunday in effect gave the Governor an ultimatum to approve the community-action program by yesterday—or else lose the money for the city.

At an afternoon press conference here yesterday afternoon, Mr. Rockefeller, in a snappish mood, yielded to this demand, with the provision that the program not be turned into a "political pork barrel."

Then came the 6:20 phone call from the Governor to Sargent Shriver.

WATER PROBLEMS

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, our water problems are becoming more and more serious.

Pollution in the Great Lakes has reached an alarming degree. The water level of the lakes is dangerously low. New York City and much of the northeast are in the midst of a drastic drought.

A plan conceived by Thomas W. Kierans, a distinguished engineer of Sudbury, Ontario, could provide long-range solutions to all three of these problems.

It calls for diverting Hudson Baybound rivers into the Great Lakes.

This plan provides for an integrated, computer-controlled system for regulating flows and levels on the Great Lakes and the St. Lawrence River that could supply adequate water for our foreseeable, consumptive needs.

Our dependence on the Great Lakes for water for various needs continually increases, but normal rainfall is far from sufficient to keep the lakes at the "normal" level.

The problem of pollution is closely linked to that of low water levels. The greater inflow of water that would result from the diversion plan would cause a faster turnover of water in the lakes, and this in turn would help to flush out pollutants.

This plan could also provide a new source of water for the New York City metropolitan area. An abundance of water for New York could be assured if, as part of the diversion plan, water was in turn diverted from the Great Lakes into either the Hudson or Delaware River watersheds.

The United States and Canada, which share a border on the Great Lakes, also share the problems of pollution and low lake levels. But only Canada has the abundance of water that both nations need.

Time is running short. I hope that Secretary Rusk will act to speed up the studies of Great Lakes pollution and water levels now underway by the international joint commission.

I also hope that both the United States and Canada will give serious consideration to the great replenishment plan of Mr. Kierans. Such a vast scheme undoubtedly would involve enormous economic, political, and technical problems. The costs would be massive, although they could be shared by the United States and Canada in proportion to the benefits each would receive.

But if the obstacles are gigantic, so is our need to find solutions to an impending water crisis.

MAJ. GEN. PERRY M. HOISINGTON II

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, fortunate indeed is that rare man who is placed in a job for which he is perfectly suited. Such is the case with Maj. Gen. Perry M. Hoisington II, as Director of Legislative Liaison for the Air Force. A man with a great natural gift for diplomacy, he was a natural for the difficult job of conducting liaison between separate but equal branches of the Government. We are not so fortunate, however, for we are losing him. This fine officer and old friend ended his distinguished Air Force career with retirement on June 30.

To know Perry Hoisington is to like him; to know him well is to develop a deep affection for a warm and colorful personality. To know him well is also to appreciate the vigorous life, for he is renowned as a sportsman. He is as good on a bobsled as he was at the controls of a B-29 in the dark days of World War II.

Perry Hoisington was literally bred in the military system. He was born at West Point, the son of an Army colonel. He was also educated at West Point, following study at Johns Hopkins University, and got his wings at Kelly Field, Tex., in 1940. He served with the 20th Bomber Command, the first B-29 organization, in the Pacific in World War II and participated in the first daylight and night missions against the Japanese mainland. He saw combat action against the Japanese flying from India, China, and the Mariannas. He flew 22 combat missions and 400 combat hours in superfortresses. Before his 30th birthday, he had achieved the rank of colonel.

Following World War II, he held important assignments as the first commander of the Atomic Test Center at Kirkland Air Force Base, Albuquerque, N. Mex., and with the Air Force Office of Atomic Energy in the Pentagon. He was one of the first officers assigned to the Air Research and Development Command when it was organized in 1950. He attended both the Air Command and Staff School and the Air War College.

After a tour with NATO's Southern European Command in Naples, General Hoisington spent 5½ years with the Strategic Air Command where he commanded the 818th, 57th, 820th, and 6th Air Divisions, respectively. As we all know, he has been head of Air Force legislative liaison for the Air Force since July 1, 1962.

General Hoisington holds the Silver Star, the Distinguished Flying Cross with oak leaf cluster, the Air Medal, the Distinguished Unit Badge, the Commendation Ribbon, and numerous other citations. He has just been presented with the Distinguished Service Medal for the exemplary manner in which he has filled his last billet and I would like to include the citation accompanying that award at the conclusion of my remarks.

Mr. Speaker, Perry Hoisington takes with him the greatest legacy a man can have, the legacy of true friendship. We will miss him on the Hill.

But, since he is the father of three fine sons, we may look forward to some day having another Hoisington in legislative liaison.

CITATION TO ACCOMPANY THE AWARD OF THE DISTINGUISHED SERVICE MEDAL TO PERRY M. HOISINGTON II

Maj. Gen. Perry M. Hoisington II distinguished himself by exceptionally meritorious service to the United States in a position of great responsibility as Director of Legislative Liaison, Office of the Secretary of the Air Force, from July 1, 1962, to June 30, 1965. Throughout this time, the forceful leadership and the outstanding and dedicated efforts of General Hoisington were instrumental in furthering the effectiveness of the Air Force in its relations with the Office of the President, Vice President, and Members of Congress. Through his initiative, resoluteness, and outstanding professional ability, a wide range of legislative actions have been enacted which will contribute materially to the future effectiveness of the U.S. Air Force throughout the world. General Hoisington's devotion to duty, sound judgment, and understanding of congressional-military relationships have been of inestimable value in assisting the Air Force to meet its national and international commitments. He has been most effective in creating an environment of congressional and public understanding of the Air Force role in the national security structure. The singularly distinctive accomplishments of General Hoisington reflect the highest credit upon himself and the U.S. Air Force.

CHAMBER OF COMMERCE OF THE BOROUGH OF QUEENS, NEW YORK CITY, VOICE OF QUEENS BUSINESS AND INDUSTRY

Mr. DELANEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DELANEY. Mr. Speaker, at a time in this Nation when increasing emphasis is being placed on gainful employment of our youth, as a deterrent to juvenile delinquency and social unrest as well as a positive contribution toward the economic development of the United States generally, I believe that credit should be given to any organization which assumes a position of leadership in this laudatory endeavor.

Such an organization is the Chamber of Commerce of the Borough of Queens, New York City, which is recognized as the voice of Queens business and industry.

This past February, the Queens Chamber published an intensive booklet entitled "Want a Job?" as a guideline for today's younger generation in search of employment. In keeping with this chamber's policy of trying to attain the best for its youth, its booklet follows the applicant from the moment he first decides to search for a job to the day he decides to leave. It numbers for the reader ways of finding a suitable job, placing the application, how to handle him or herself at the interview, knowing if this is the right job, and so forth.

It stresses for the applicant a good appearance and applying alone and lists questions for the aspirant to ask the interviewer.

While its original audience was graduating students, it is also being used as a "training tool" for potential school dropouts. The pamphlet has been distributed to numerous schools, employment agencies, job placement bureaus, and divisions of the Department of Labor, as well as the members of the Queens Chamber. It has received praise from all who have used this pamphlet, including the New York City Board of Education.

I feel the Chamber of Commerce of the Borough of Queens, which I consider one of the most progressive and stimulating of its kind in the United States, deserves recognition and credit for the publication of the "Want a Job?" booklet which is proving such a valuable assistance to today's youth in looking for and finding jobs in our highly competitive labor market.

WIDE WORLD OF WYOMING

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. **RONCALIO**. Mr. Speaker, as Wyoming's only Congressman, I take particular pride in noting the national attention directed to my State in the pages of this week's Time magazine and U.S. News & World Report.

Both of these excellent publications have chosen the Rocky Mountains in general and my home State of Wyoming in particular as examples of the discovery more and more Americans are making—the West is a vacation wonderland.

With the special emphasis being placed on seeing America, I can only ask my colleagues and the millions of Americans who vacation every year to see Wyoming first.

As these articles indicate, the State of Wyoming is blessed with bountiful spaces and spectacular mountains that have fascinated travelers since the explorations of Lewis and Clark.

In a nation where 70 percent of our citizens live in urban areas, Wyoming offers the last true wilderness in America where natives appreciate the blessings of nature and welcome every opportunity to share them with visitors.

These words of welcome are extended to all who can appreciate the diversified geography of my State; mountains, plains, deserts, streams and rivers unmarked by industrial spoilage.

We in Wyoming are celebrating our 75th anniversary of statehood and extend an invitation to every citizen to see an energetic, growing State offering unlimited opportunities in obtaining the "good life" Americans have traditionally sought.

THE NATIONAL PARTY CONVENTION MESS

Mr. **MONAGAN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. **MONAGAN**. Mr. Speaker, I was pleased to read the recent strictures of General Eisenhower on the conduct of the Republican National Convention.

As a delegate to the Democratic Convention I must admit that our convention was even more of a mess from the standpoint of the manner in which it was conducted.

I regretted, for example, seeing prominent delegates such as the mayor of New York, Mayor Wagner, along with former Senator Benton, of Connecticut, trying in vain to gain admission to the convention hall because it was already packed with television technicians and young people as well as other hangers on who really had no business being on the convention floor.

Mr. Speaker, I am very happy to say that Chairman Bailey of the Democratic National Committee has indicated substantial agreement with General Eisenhower to the effect that something should be done to improve the conduct of our conventions.

The delegate is gradually becoming a mere incident to the phenomenon of the convention and is losing all identity, while television crewmen and producers are creating issues, influencing the convention and controlling its image in the national consciousness. I have no desire to become a delegate again.

The important thing about it is this: If we debase these important democratic institutions, we will soon find that the liberties which they involve will be gone from us permanently.

Mr. Speaker, I believe one other important reform would be to shorten our presidential campaigns. However, with reference to the conduct of the conventions themselves, I am convinced that we should soon go back to the old and tested routines.

Mr. Speaker, I want to congratulate General Eisenhower and say that I support his proposals.

SEVENTY-FIVE PERCENT OF U.S. GOVERNMENT CARGOES SHOULD BE SHIPPED IN U.S. VESSELS

Mr. **ROGERS** of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **ROGERS** of Florida. Mr. Speaker, today I have introduced legislation to require that 75 percent of the total U.S. Government generated cargo shipped abroad be carried by American ships. The present requirement of 50 percent has proved insufficient if this Nation is to maintain a strong American merchant marine.

The American shipping industry now carries only 9 percent of this Nation's total overseas traffic. So serious is the state of America's merchant marine, and particularly when compared to Russia's, that urgent action is needed. Maritime experts predict that Russia is estimated to overtake U.S. marine strength within 2 years if she continues her present rate of expansion. The Soviets, for example, are building some 15 times more ships than we are.

It is clear that the Communists are engaged in an all-out effort to dominate the world's sealanes by 1970. Russia may try to "bury us at sea." The importance of shipping strength, vital to national defense in time of war, and economic strength in time of peace, should give every American cause for concern in view of today's Communist maritime buildup.

It should be noted that U.S. Government cargoes constitute about half of the total shipments carried by American ships. Increasing the requirement of Government cargo preference for U.S.-flag vessels would be a first step toward rebuilding America's once proud commercial shipping fleet.

The U.S. Government ought to be the first to ship American.

Furthermore, for the U.S. Government to ship cargoes aboard foreign-flag ships, then pay for the freight in U.S. dollars, only worsens the problems of outflowing U.S. dollars. In effect we are also shipping dollars abroad.

A large number of foreign nations have laws restricting shipments aboard ships of their own registry. Many of these countries favor their own vessels over American ships, and this restriction applies to private commercial cargoes as well as government shipments.

The least we can do is require more Government cargo to be moved by Americans. Since America sends some 24 million tons of foreign aid foodstuffs abroad each year, this would be one good place to start shipping American.

BATTLE OF THE NORTH ATLANTIC

Mr. **SELDEN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. **SELDEN**. Mr. Speaker, one of the great chapters in the history of World War II was the battle to clear German submarines from the sealanes of the North Atlantic. In order to track down the Nazi U-boat, the U.S. Navy organized a number of task forces, consisting of five or six destroyer escorts and one escort aircraft carrier. These forces, known as hunter-killer groups, proved to be extremely effective.

Recently I was sent an interesting and graphic account of a naval engagement that took place in the North Atlantic between a member of such a task force, the U.S.S. *Baker*—DE-190—and a 1,600 ton German submarine, the *U-233*. July 5, 1965, will mark the 21st anniversary of this unusual encounter and, as an officer aboard the *Baker* at the time, I can attest to the accuracy of the article which follows. I am certain it will bring back many memories to the officers and men who took part in the battle of the North Atlantic.

The article follows:

ECHOES FROM THE DEEP

(By J. Orville Nicholson, Sonarman First Class, USNR)

Victory was ours, and glory was within our grasp. Except for a tragic incident during the final moments of a naval engagement on July 5, 1944, the U.S.S. *Baker* would today be remembered as one of the two American warships that succeeded in capturing and bringing to port a Nazi U-boat during World War II; and Capt. N. C. Hoffman would occupy a place of honor alongside Capt. Dan Gallery.

For some time after our entrance into the conflict, the role of our Navy in the Battle of the Atlantic was essentially defensive. Consequently our antisubmarine efforts were largely confined to the protection of convoys supplying Allied overseas forces.

Even this was not always an easy or pleasant task, for Nazi wolfpacks haunted the sealanes and took a heavy toll of shipping.

However, by the spring of 1944 our naval strength had grown sufficiently strong to permit the launching of an all-out attack on Hitler's underseas raiders. Task forces, consisting of five or six destroyer escorts and usually one escort airplane carrier (killer groups we called them), were organized to track down the prowlers wherever they might be. The Nazi U-boat was still a crafty, dangerous hunter; but he had at last become also the hunted.

Of all the ships that took part in this phase of naval warfare, none had a more exciting and victorious, yet frustrating, experience than the U.S.S. *Baker*.

The U.S.S. *Baker* (DE-190) was a young ship, having been commissioned only 2 days before the previous Christmas. Many of its crew had been civilians less than 6 months before coming aboard that first time. In fact, only a skeleton crew could be regarded as experienced. But under the capable direction of Capt. L. B. Lockwood, his officer staff, and divisional leaders we soon developed into an effective fighting force.

Three weeks of shakedown cruise in Bermuda, a few more days of mechanical inspection and personnel training, loading of supplies at Norfolk, and the *Baker* assumed its first serious wartime duty by taking its assigned position as one member of the escort screen guarding a huge convoy en route to the Mediterranean. Zigzagging in and out on the perimeter of the creeping flotilla day and night, we searched the air, the surface of the sea, and the ocean depths for any enemy that dared threaten our precious cargoes.

For the six sonarmen aboard, two such uneventful (although successful) voyages across the Atlantic—weeks of listening to the incessant ping of our echo-ranging equipment, listening for an echo to chase and hearing none—this was utter boredom. And when, in early June we learned of our new assignment, we eagerly anticipated a more active kind of duty that should produce at least some excitement.

In the new assignment DE-190 became one of five destroyer escorts which joined the aircraft carrier U.S.S. *Card* to form a new killer group. Following our second convoy voyage, Captain Lockwood had received a promotion to other duties and had turned over command of the *Baker* to his executive officer, Lt. Comdr. N. C. Hoffman.

Our first new theater of operations was the North Atlantic. So at Norfolk Navy Yard we loaded stores and ammunition, including a new type of depth charge, and headed north during the latter part of June.

On previous voyages we sonarmen had spent part of our watch duty as lookouts. But at the beginning of this cruise we requested that both of the sonarmen on watch be permitted to remain in the sound hut ready for immediate action. Call it intuition if you will, but we were sure that we were soon to see action. The officers, and especially the captain, must have felt likewise, for our request was granted.

June passed without incident. July 4 arrived and departed without any fireworks. July 5 was passing in the same peaceful way. A light breeze rippled the otherwise calm surface of the North Atlantic, and our evening bathythermograph reading indicated that echo-ranging conditions were good, as the *Baker* took its evening station 9 miles to port of the carrier and screening escorts. The enemy (as we later learned) was aware of our presence in the area but had not anticipated this maneuver. By 7:07 p.m. local time the task force was cruising near Sable Island, and DE-190 was headed on a course almost due east at a search speed of 12 knots. Larry Smith (Smitty) and I were on sonar watch. At the moment I was operating the search equipment, while Smitty, who stood by awaiting his turn, was just then writing a letter.

Whether Smitty ever finished his letter I never learned, for right in the midst of its composition we were alerted by a clear echo of slightly high doppler at 2,000 yards range almost dead ahead. We stared at each other in surprise. With the transmitter trained on the same bearing we listened again for an echo, and back it came, clear and strong.

But perhaps we were receiving the transmission signal of another ship operating on our frequency. We should soon find out. At the next automatic transmission, one of us (probably Smitty) tapped the manual key so as to send out a double ping. Back came ping-ping. We were not hearing signals from a sister ship or any other. Those echoes were coming from something big, solid, moving.

I called to the officer of the deck, "Check bearing one-one-zero, range two-oh-double-oh" (sonar lingo for 110° true bearing at 2,000 yards range), and Lieutenant Prickett replied, "Bearing clear." It was not a surface vessel. This had to be a submarine contact.

Immediately the *Baker* attacked. As the general alarm sounded, all hands rushed to their battle stations in record time as if every man knew what was happening. Smitty instantly went behind me, over me, or under me (we could never recall just how) to the recorder—his specialty and battle station—and within seconds relieved me of reporting range, which he synchronized perfectly with my reports of bearing. "Range one-six-double-oh, slight bow traces, range rate 12," came the first announcement from the recorder operator.

Attacking at a speed of 15 knots we soon covered the nautical mile to our target. As the range closed, the range rate finally reached 16; the echoes became louder and clearer; and then at short range we could hear the telltale propeller beat. The U-boat was moving slowly, without any apparent evasive maneuver—a fact almost too surprising to believe.

At a range of approximately 75 yards we lost contact, and then we knew that the sub was not deep. Because of a final slight bearing of target to port, Lieutenant Edwards, our sonar officer, ordered left rudder and 5 seconds delay in firing. Smitty properly adjusted the recorder and waited for that instrument to indicate the exact instant for firing each salvo of our lethal depth charge pattern. Believe it or not, this most important moment was determined by a sonarman operating electronic equipment, rather than by the captain or some other commissioned officer.

"Roll one," shouted Smitty through the speaker tube to the bridge phone control talker. At interval and, "Roll two," came the word from the recorder operator. Just then the excited control-talker unfroze and relayed both commands in rapid succession to the depth charge stations. Immediately six depth charges were launched almost simultaneously, two from the stern racks, four from the K-guns. Thereafter, the remainder of the pattern was launched orderly in proper response to word from the recorder operator. Caught in the middle of 13 exploding underwater bombs, any target would be lucky to escape.

Soon after we passed over the sub, sonar contact was regained on our port quarter. But when the explosive force of our 500-pound depth charges began erupting the sea like geysers, our own ship was thoroughly shaken. Deck plating bounced and rattled; electric fans fell from compartment bulkheads; and, what was worse, our sonar remote control equipment was damaged, and contact was lost again. Hurriedly all six sonarmen (Yurt, Weatherford, Judd, Meyers, Smitty, and I), along with Lieutenant Edwards, manned the emergency sonar stations, some of us descending to the lower sound room deep below the waterline, where the equipment was manually operated. By means of telephone communication with the sound hut we succeeded in regaining and maintaining contact with the submarine sufficient for the launching of another depth charge attack.

At the time we could not know that our second run was really unnecessary—that one explosive from the first attack had scored a direct hit on the submarine's aft torpedo compartment, rupturing watertight fittings and causing a precipitous descent to a depth of 300 feet before the damaged area could be closed off and peak tanks blown in order to surface.

We did not remain long in the lower sound room, for soon, over the speaker system, we heard the command, "Stand by to ram." That lower sound room was no place to be trapped during a ramming. So, without even waiting for permission, up the ladder we scrambled in double time—or faster. And, as we emerged topside, we heard our deck guns firing. Within 20 minutes of our original sonar contact, the U-boat (larger than our own ship) had surfaced 1,400 yards away, rearing its bow high in the evening sky—like Washington's Monument, as the boys who saw described it.

Scarcely had the submarine settled level on the ocean surface before Lieutenant Wilsford's gunners were wrecking it with deadly accuracy. Perhaps by accident (perhaps not) an occasional star shell was fired, making the conning tower a blazing inferno—a delayed Fourth of July bonfire.

How any enemy gunner imagined that he could man their deck gun (bigger than any of ours) is difficult to conceive. Nevertheless, one desperately attempted to do just that and nearly succeeded. One of our quartermasters, standing in the hatchway of the pilothouse, exclaimed, "Mr. Fleming, they are going to man their big gun," and handed Lieutenant Fleming a pair of binoculars.

But our executive officer never did see either that gun or the gunner. Before Mr. Fleming could focus the binoculars, all three of the *Baker's* 3-inch guns roared in unison. And, when the smoke cleared, both gun and gunner were gone—swept clean off the deck—and only broken deck cables remained to mark the spot whence they had disappeared.

Throughout the battle Captain Hoffman, a veteran and survivor of the ill-fated *Oklahoma* at Pearl Harbor, stood fearlessly bareheaded on the flying bridge and directed the action. Three times I presented him a helmet and persuaded him to put it on. Three times he removed it and laid it aside. I gave up the fruitless effort.

The surfaced submarine was soon in no position to resist—its only torpedo compartment wrecked, the big deck gun gone, its antiaircraft guns useless. So, with its rudder set on a course dead ahead, survivors began abandoning the helpless craft and awaiting our mercy in their inflated liferafts.

Our captain abandoned his plan to ram the submarine. That action had become unnecessary. The capture of such a valuable enemy naval vessel would be a victory much greater than sending the doomed craft to a watery grave. So we followed the abandoned *U-233* at a close, but safe, distance on its starboard quarter; and Captain Hoffman ordered the ship's first lieutenant and damage control officer, Lt. ARMISTEAD SELDEN, to leave his battle station and prepare a boarding party to man the abandoned submarine. Victory was already ours, and the *Baker's* prize crew was loading into her motor whaleboat when an incredible incident prevented us from achieving the ultimate of naval success..

At the time of our intial contact on the submarine, Captain Hoffman radioed the task force commander over our TBS that we had made sonar contact and were attacking.

From their position 9 miles away the other 4 destroyer escorts and the CVE (aircraft carrier) hurried to the scene of action, with the commanding U.S.S. *Thomas* (DE-102) leading the way. But before the *Thomas* and the others arrived, the battle was over, the sub had been abandoned by its survivors, and the *Baker* was preparing to finish the task at hand in an honorable manner. We should have welcomed the assistance of the *Thomas* as well as the rest of the task force in completing the capture of our awaiting prize of war.

However, as the DE-102 drew near, it became obvious that our task force commander had no desire to cooperate with the *Baker*. And it was, therefore, bitter frustration that our crew experienced as the *Thomas* charged across our bow at a dangerously close range, heedless of Captain Hoffman's angry vehement protests shouted over the shortrange radio, and, with guns blazing at the helpless, abandoned U-boat, rammed its defenseless victim. All we could do was stand by in consternation, watch the submarine and the *Thomas* wallow about on the surface for a moment, then bid sad farewell to the dark bow of our prize as it sank stern first below the surface of the deep North Atlantic. And to the bottom went also the 66 mines it carried (intended for Canadian and United States shipping lanes) as well as the valuable military data we might have obtained from the 1,600-ton minelayer. Damage to the bow of the DE-102 was considerable, necessitating 2 weeks of shipyard repair. So it is not difficult to understand the attitude of the *Baker's* crew, who felt that the *Thomas* well deserved such reward, and more, for her meddling.

After the sinking of the *U-233*, all five destroyer escorts joined in picking up survivors. As the *Baker* approached a group floating in liferafts, many of our boys congregated on the forward deck, some unwittingly carrying handguns. One word of warning from our captain, and all firearms disappeared. Perhaps the survivors had seen the weapons. If so, that explains why those we rescued had been at first reluctant to cooperate. But, when the hand guns disappeared and Captain Hoffman stood up in the starboard lookout station on the flying bridge and beckoned to them, they eagerly accepted the lifelines tossed to them from the *Baker*. They looked more than pleased to come aboard, for they were purple with cold after their swim in the 50° ocean. We treated our captives courteously, made them comfortable in warm clothing, and, before nightfall, had transferred them to the aircraft carrier by way of a breeches buoy.

Our task force rescued a total of 29 survivors, one of whom was the skipper of the *U-233*, Kapitan Lieutenant Hans Steen, for the past 5 years one of Hitler's able U-boat commanders. Unfortunately, he had been fatally wounded by our shelling and died that night aboard the carrier en route to Boston. He cursed the crew of the U.S.S. *Baker*, we were told, to his last breath.

From survivors it was further learned that our attack caught the enemy by surprise. They were unaware that we were near until suddenly they heard our screws passing overhead, and then it was too late. At the moment of our first depth charge attack, sailors on the *U-233* were servicing torpedoes. One torpedo, rushing back into its tube as the craft upended, caught a luckless technician in the midsection and disemboweled him on the spot. Then, too, we were told that one shell from the *Baker's* guns scored a direct hit on the chief petty officer's quarters, killing everyone in that compartment at the time.

We had reason to believe that our interception of the enemy had occurred just in time. It was not an accident that torpedoes were being serviced that evening. The prowler was nearing the shipping lanes off Nova Scotia. Those missiles could have wrought havoc to unsuspecting merchantmen before another dawn. Or who could say that those torpedoes were not being prepared for sinking our own escort carrier, the U.S.S. *Card*, that very night? For a daring Nazi U-boat had sent the *Card's* sister ship, the U.S.S. *Block Island*, to the bottom off the Azores one dark night only 2 months earlier.

In the wanton destruction of the *U-233*, Captain Kellogg of the *Thomas* had achieved his goal; for, in an Associated Press release a year later (July 15, 1945), he was quoted as stating, regarding the incident, "We always had an ambition to ram an enemy submarine, and we got our wish."

Despite a measure of disappointment, the crew of the *Baker* was proud to have made this worthy contribution toward winning the battle of the Atlantic. That was our duty, that was our ambition—to fight on and on until victory and peace were ours.

And so, after a few days in Boston Navy Yard, where some necessary minor repairs were made, the *Baker* took command of our task force, leaving the considerably damaged *Thomas* in port; and we were soon again searching the trackless expanse of the Atlantic, listening for more echoes from the deep.

BURUNDI, GHANA, RWANDA, AND SOMALI

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, this is the birthday of four of the new nations of Africa—Burundi, Ghana, Rwanda, and Somali—and to them, their governments and their peoples go our congratulations and the every good wish of the Government, the Congress, and the people of the United States.

We rejoice that to these lands in Africa has come the blessing of freedom, and we note with satisfaction the progress each has made in the brief period of its independence.

To Burundi, Ghana, Rwanda, and Somali, and all the other sovereign nations of Africa the United States extends the hand of friendship and helpfulness. As they gain in wealth and in power, as they more and more conquer the eternal foes of mankind—hunger, disease, ignorance—so will the fortresses of freedom be strengthened and our own security advanced in a world of abundance, freedom, and peace.

In that undertaking—the attainment of a better world of material substance and spiritual uplift—the United States and the new nations of Africa are linked in a precious and eternal partnership. All that we seek is the welfare of our brother, with the assurance that if all is well with our brother all will be well with us.

It is a happy circumstance, Mr. Speaker, that the Independence Day of our own country is but a few days removed from the Independence Day of Burundi, Ghana, Rwanda, and Somali that today we celebrate. All our own country and the four new nations of Africa, have emerged from the status of colonies to that of free and sovereign nations. We are reminded how much we have in common and our hope and prayer is that the good fortune with which our efforts have met will attend the efforts of our African friends.

BURUNDI

The Kingdom of Burundi, the southern half of the former U.N. Trust Territory of Ruanda-Urundi, is situated in the heart of central Africa, 1,200 miles from the Atlantic Ocean and 700 miles from the Indian Ocean. It lies directly east of the Kivu Province of the Republic of the Congo—Léopoldville. It has an area of 10,744 square miles, slightly smaller than that of the State of Maryland.

For more than four centuries Burundi has been characterized by a stable feudalistic society with a caste system and a ruling king—Mwami. This society evolved through relatively peaceful arrangements between the invading Tutsi cattle breeders and the original Hutu farming population.

Although Burundi was visited briefly by several European explorers and missionaries, notably Burton and Speke in 1858, Livingstone in 1871, and the White Fathers in 1879, it was not until the last decade of the 19th century that this area along with Rwanda, came under European administration as part of German East Africa. Belgian troops from the Congo occupied both countries in 1916, and after World War I, Burundi and Rwanda were mandated to Belgium as the territory of Ruanda-Urundi. Following World War II, Ruanda-Urundi became a U.N. trust territory with Belgium as the administering authority.

The new government was granted internal autonomy by Belgium on January 1, 1962. In addition to granting independence, the resolution recognized the right of Burundi to make its own security arrangements and provided for the establishment of a U.N. representative in Burundi to supervise U.N. technical assistance.

The problems facing the Burundi Government are numerous and the country is in great need for foreign technical and financial assistance.

The United States expects to maintain friendly relations with the Burundi Government and people and encourage them in the use of their newly found independence so as to provide conditions which will make stable, effective government and peaceful development possible for all the Burundi people.

I am happy to congratulate Burundi and His Excellency Leon Ndenzako, Ambassador to the United States from the Kingdom of Burundi.

GHANA

Ghana became an independent state in 1957, when the United Kingdom relinquished its control over the colony of the Gold Coast and Ashanti, the Northern Territories Protectorate, and British Togoland.

To accelerate the transformation of Ghana from an essentially agricultural, tribally oriented society into a modern semi-industralized state, the government has placed great emphasis on political and economic organization, endeavoring through labor, youth, farm, cooperative and other associations integrated with the Convention People's Party to increase both stability and productivity.

The development plans for Ghana are largely related to the Volta River project, a hydroelectric and aluminum smelter scheme which it is estimated will cost over $300 million and to which U.S. private industry, the U.S. Government and other international organizations, the United Kingdom and Ghana itself is contributing. Ghana is spending $98 million on the project and to date has fulfilled her commitments on repayments of loans made.

One other significant point I would mention is that during the hearings last week on African students and study programs, which the Subcommittee on Africa held, the Ghanian Ambassador, His Excellency Miguel Angustus Ribeiro, attended one of the sessions. Before he departed he had some interesting remarks to make including the fact that his government is very grateful to the Government of the United States and various private institutions for the assistance given to their students in Africa and this country. He graciously added that it was his feeling that students trained in this country are considered more practical and are in fact more useful than students trained in other countries.

We extend our best wishes to the Republic of Ghana on her national day, to the government and the people of one of the new nations of the world, the progress of which has been a source of satisfaction.

Mr. Speaker, during the period when the Volta project was under consideration, I was one of its strong advocates and joined my recommendation with others that were presented to President Kennedy. I have been greatly pleased by the progress that has been made in the construction and give full credit to President Kwame Nkrumah, and to Chad Calhoun as well as to many others who in large or smaller measure have contributed to the success of the project.

RWANDA

The Republic of Rwanda, which constitutes the northern half of the former U.N. Trust Territory of Ruanda-Urundi, is situated in the heart of central Africa, 1,200 miles from the Atlantic Ocean and 700 miles from the Indian Ocean. It lies directly east of the Kivu Province of the Republic of the Congo—Léopoldville. With an area of 10,169 square miles, Rwanda is slightly larger than Vermont.

The immediate problems facing the new Rwanda Government are numerous. It must provide for its own internal security by completing the training of and by maintaining a well-equipped military arm. It must concentrate on its considerable economic problems, and it must work out its eventual political relationships with its neighbors, with Africa in general, and with the rest of the world.

Some progress has been made. Rwanda has joined the African and Malagasy Union—UAM, and in September 1963 it joined the International Monetary Fund. The Parmehutu party has steadily consolidated its strength. Belgium and several other countries are considering ways to help meet the anticipated balance-of-payments deficit caused by the coffee crop failure in 1963. Belgium has continued to furnish considerable budgetary support and, with the United Nations, continues to supply technical assistance. The United States is furnishing aid under title III of Public Law 480 and has two development projects under study: a new water system and a new telephone system for Kigali. In an effort to help itself, Rwanda has adopted a real austerity program.

The United States will continue to maintain friendly relations with the Rwanda Government and will encourage them in the use of their newly found independence so as to provide conditions which will make stable, effective government and peaceful development for all the Rwandan people possible.

I am pleased to convey the best wishes of the House to Rwanda and to His Excellency Celestin Kabanda, Ambassador to the United States from the Republic of Rwanda.

SOMALI REPUBLIC

The Somali Republic, located on the northeast coast of Africa, comprises the former trust territory of Somaliland under Italian administration and the former British protectorate of Somaliland. Bounded on the north, east, and south by the Gulf of Aden and the Indian Ocean, and on the west by French Somaliland, Ethiopia, and Kenya, the country is shaped like a large seven and forms the point of the Horn of Africa. Its area totals some 246,000 miles, just slightly smaller than that of Texas.

The original inhabitants of the area were members of various Hamitic groups who mingled, particularly along the coastal regions, with Arab traders, and an Arab sultanate was founded in the 7th century, A.D., by Koreishite immigrants from the Yemen. During the 15th and 16th centuries the Portuguese landed in the Somali territories to carry out trade activities and for a while ruled some of the towns on the coast. Later, the Sultan of Zanzibar came to control certain of the coastal towns and surrounding territory.

The new Republic embarked upon its independence confronted with the task of assuring that it would have sufficient foreign financial assistance to meet its budgetary and developmental needs. As a stable country and as a working parliamentary democracy, Somalia has, among the African countries, achieved a good record.

In foreign affairs the Somali Republic follows a policy of nonalinement. It was admitted to membership in the United Nations at the 15th session of the General Assembly on September 20, 1960. One of the basic objectives of the Somali Government might be said to include support of the United Nations and all international organizations in which the Republic has a moral or material interest.

The primary objectives of U.S. policy with respect to the Somali Republic include: First, the maintenance of friendly cooperative relations; second, the preservation of Somalia's independence, within a democratic framework; and third, encouragement of and assistance in the balanced and orderly development of the economy of the Republic.

On behalf of the Committee on Foreign Affairs, and I am sure the entire membership of the House I extend to the Somali Republic and to her Charge d'Affaires in the United States, the able and popular Dr. Ali Hassan, congratulations on her national holiday.

Mr. MATSUNAGA. Mr. Speaker, I wish to commend the distinguished gentleman from Illinois [Mr. O'HARA] for calling to the attention of the Congress the importance of this day to the several rising free nations of Africa. I wish to join our esteemed colleague who has shown great leadership in the recognition of our new friends in the developing but yet too little known area of our one world.

CONGRATULATIONS TO THE PEOPLE OF BURUNDI ON THEIR INDEPENDENCE DAY

Mr. Speaker, 3 years ago today, on July 1, 1962, Burundi became an independent state. The American people welcome the winning of nationhood and we are glad that the Kingdom of Burundi can today celebrate its third anniversary of independence.

After the Berlin Conference of 1884–85 Burundi fell under German influence, and the history of Burundi under German administration was marked by constant factional struggles and intertribal rivalry. During World War I, Belgian troops occupied the country, and in 1923 Belgium was awarded the mandate over Rwanda-Urundi by the League of Nations. In 1946 Rwanda-Urundi became a U.N. trust territory under Belgium administration. Finally, in 1961 the people of Burundi were allowed to decide their own future. Almost unanimously they expressed their desire to become an independent state.

During the 3 years of independence, the people and the Government of Burundi have proven to the world that it was indeed a wise choice. Three years of nationhood have shown that Burundi will safeguard its independence; at the same time, Burundi has chosen the laudable path of international cooperation to achieve its many worthwhile goals. May it serve as an example to the rest of the world that here a young nation decided not to isolate itself from the world, but to immediately take part in the great new effort to make this a better world to live in—for states and people alike. On September 18, 1962, only a month and a half after Burundi became a free country, no longer under the tutelage of a foreign power, it chose to become a member of the United Nations.

The economic union of Burundi with Rwanda is a further indication of its belief in the value of cooperation and coordination among states. It took Europe centuries to learn and understand the value of economic integration;

Burundi has made international understanding its goal from the very beginning.

The Kingdom of Burundi has to face many difficult tasks. It is one of the most densely populated countires in Africa, and though it is poor in known natural resources the country has achieved a measure of self-sufficiency in food. Transportation and communication systems are being improved. With the help of the U.N., a survey mission outlined a development plan for the next 10 years. Increased investment is to provide for a per capita national revenue increase of 45 percent. The people of Burundi will benefit from these programs. Public health programs have been launched against smallpox, tuberculosis, and malaria. There are social centers for women and youth. Urban centers are well planned. Education is free for children between the ages of 7 and 16, and more technical and teacher-training schools are being built.

We look with great respect to the achievements of the people and the Government of Burundi. The persevering spirit and their past experiences cannot but lead us to believe that Burundi will meet the challenges of the future with courage and success. We extend congratulations to Burundi with the greatest pleasure.

CONGRATULATIONS TO THE PEOPLE OF RWANDA ON THE THIRD ANNIVERSARY OF THEIR INDEPENDENCE

Mr. Speaker, today, the first of July 1965, also marks the third anniversary of the independence of the Republic of Rwanda, a small nation in central Africa once united with Burundi as a United Nations trusteeship territory of Belgium.

The history of Rwanda, ancient and modern, revolves almost completely around the relationships between the two dominant tribes, the Bahutu, of Bantu stock, and the Watutsi, of Hamitic origins. The Hutu arrived from the north and supplanted the earliest known inhabitants of the area, a pygmy tribe. During the 15th century, the tall, warrior-nomad Watutsi entered Rwanda from the north and the east; because their control of the most prized commodity, cattle, they gained supremacy over the Hutu. For several centuries the Watutsi remained as overlords of the Hutu, a nobility controlling the culture, wealth, and politics of the country, but also protecting the Hutu population from the incursions of Arab slave traders.

German explorers followed Stanley and Livingstone into central Africa during the 19th century. After the Berlin Conference of 1884–1885, the German sphere of influence was extended to include Rwanda and its neighboring state, Burundi. The German occupation was chiefly military; administration of internal affairs was left in the hands of the traditional authorities, who ruled according to traditional methods. This form of indirect administration was continued by the Belgians, who first occupied the territory in 1916. With Burundi in 1923, and later with the Congo, Rwanda was made a league mandate under Belgian administration.

In 1956 the first step was taken from feudalism to democracy when the Belgian governor allowed the electoral colleges at certain levels to be chosen by the entire adult male population. From this point on, the political influence of the Hutus grew steadily, resulting from the establishment of a coffee industry, for which they did not have to depend on their overlords, from an increase in the number of educated Hutus, and from their support by the Catholic church. Finally in 1959, the Hutus rose and insisted on holding territorial chieftainships.

In 1961, the Parmehutu—Parti du Mouvement de l'Emancipation Hutu—convened and proclaimed the abolishment of the monarchy and the establishment of a republic, with the party leader, Gregoire Kayibanda, as premier. A few months later the United Nations held elections to assess the popular support of the Parmehutu action: The result was overwhelmingly against any restoration of the monarchy. Kayibanda was soon elected President, and on July 1, 1962, Rwanda was granted full independence.

Since its independence, Rwanda has been faced with extremely grave social problems resulting from the sudden overthrow of a centuries-old nobility. It is a small, severely overpopulated country which must avidly pursue programs of economic development, through agricultural experimentation and industrial expansion. In achieving social and political stability and moderation, and in developing rapidly and expanded and stable economy, we wish the Republic of Rwanda every success.

CONGRATULATIONS TO THE PEOPLE OF SOMALIA ON THE FIFTH ANNIVERSARY OF THEIR INDEPENDENCE

Mr. Speaker, 5 years ago today, on July 1, 1960, the new nation of Somalia was born. Unlike most other African nations which had only one colonial power administering their affairs, the Somalis were divided up among the French, the British, and the Italians. Yet, the Somalis in the short space of 5 years have managed to create a stable and equitable fusion of at least two parts of their divided country—the former Italian Somaliland and former British Somaliland—and also demonstrate a profound and abiding commitment to democratic institutions.

Perhaps the fact that Somalia has for millenia been the object of covetous conquerors has helped to weld the Somali people into a more unified whole. It is thought by many, for example, that the fabled "Punt" of the ancient Egyptians is what is today known as Somalia. It was to this land that Queen Hatshepsut sent an immense fleet and army in order to control the ancient world's supply of such precious items as ivory, frankincense, myrrh, rare plumes, and similar valuables. Until the decline of Rome, every single power of the ancient world was interested in obtaining a monopoly of these things, and as a result, sent expeditions to conquer the land from which they believed these items originated.

When European powers once again set off to discover the world, and in the process obtain for themselves new territories, they rediscovered the eastern horn of Africa and the peoples residing there. After a long period of colonial rivalry, it was the French, the British, and the Italians who appropriated for themselves different sections of the Somali homeland. It was not until after World War II, however, that specific promises of independence were made to the Somali people. By 1956, as a result, the population of former Italian Somaliland was in nearly complete control of domestic affairs, and both the British and the Italians were laying the groundwork for 1960, the date by which the United Nations had guaranteed independence to the Somalis.

The Somalis used their period of internal autonomy well: This experience and their long tradition of individual participation in the political life of the country laid an unshakable foundation of democratic government. Unlike nearly every other country in the world—including some European ones with longer histories—the Somalis have emerged from nearly a year of governmental crisis with their democratic institutions still firm and operating.

Within this tradition, and with the help of some foreign aid and a governmental program sponsoring new and varied industrial and agricultural growth, the political and economic future of Somalia looks bright indeed. In achieving their desired goals, we wish the Somalis every possible success, and particularly congratulate them on their obvious commitment to the ideals of a free and democratic society.

Mr. FARNUM. Mr. Speaker, July 1 is an historic date for three of our African neighbors. To name them in alphabetical order, they are the Kingdom of Burundi, Rwanda, and the Somali Republic.

Burundi, where King Mwambutsa IV reigns, achieved independence on July 1, 1962.

Rwanda, which has as its President, Gregoire Kayibanda, also gained independence on July 1, 1962.

Somali, whose President is Aden Abdulla Osman, marks July 1, 1960, as its independence day.

I believe it may be stated as the sense of the people of the United States that our hope is to maintain friendly relations with each of these proud nations and to ever remind them of the lessons to be learned from our own history in our struggles to use our independence as a means to attain peaceful development of our talents.

Our hope today, I am sure, is that each of these nations may fulfill its destiny under freedom, with whatever assistance we may be able to render.

Mr. CONYERS. Mr. Speaker, on July 1, 1960, the Republic of Ghana was born. In 1957 the United Kingdom had relinquished its control over the Gold Coast and granted it complete independence within the British Commonwealth. This gave Ghana the special distinction of being the first former African colony to achieve independence. Three years after this historic event, the people of Ghana felt that a new constitution in keeping with the African tradition and culture was more in tune with the personality of their country, and so desired to become an independent republic. Five years ago today, the Queen of England ceased to be Ghana's Head of State and the Constitution of the Republic of Ghana delegated this function to the President. At that time, the former Prime Minister, Kwame Nkrumah, became President.

We in the United States are pleased to note that during the 1930's the young man who would eventually hold his nation's highest office was a student at Pennsylvania's Lincoln University. Many other Ghanian students are presently following President Nkrumah's example and are studying in the United States. We hope that they will continue to come although they now have many institutions of higher learning in Ghana, including a technical college in Kumasi and a university-college in Legon.

Ghana is symbolically named for an ancient West African kingdom centered about a capital believed to be represented today by the ruins of Kaumbi Saleh, 200 miles north of Bamako in the Sudanese Republic. The present inhabitants of Ghana are believed to be descendants of tribes which migrated from this area. The first migatory movement probably came down the Volta River around the beginning of the 13th century.

Ghana is the world's leading source of cocoa, producing about one-third of the world's total. An expanding timber industry produces important quantities of mahogany and other wood products. Ghana is trying to build industries which will supplement its agricultural economy.

The United States, through the Development Loan Fund and the Export-Import Bank is lending $37 million to the Volta River Authority which is constructing a dam, power station, and transmission grid. The completed project will be administered along the lines of our own Tennessee Valley Authority. A consortium of private American companies plan to build and operate an aluminum smelter which will transform Ghana's bauxite into highly valuable aluminum.

Mr. Alex Quaison-Sackey, Ghana's new Foreign Minister and the permanent representative at the United Nations, was unanimously elected President of the 19th session of the United Nations Generally Assembly. The leadership of Mr. Quaison-Sackey has received the admiration of the entire world. He very ably presided over this year's 20th anniversary celebration of the signing of the United Nations Charter in San Francisco. It was my great honor and pleasure to meet Mr. Quaison-Sackey this June when his distinguished international service was lauded by the National Capital Press Club.

We extend our greetings to His Excellency the President of Ghana, Kwame Nkrumah; His Excellency the Ghanian Ambassador to the United States, Miguel Ribeiro; and His Excellency the Foreign Minister of Ghana and President of the United Nations General Assembly, Alex Quaison-Sackey.

The people of the United States are proud to congratulate our friends in Ghana on the fifth anniversary of their republican Constitution. We wish for them continued progress, prosperity, and peace.

GENERAL LEAVE TO EXTEND REMARKS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that any Members who desire to do so may have 6 days in which to extend their remarks in the RECORD on the subject I have just discussed.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

RURAL HOUSING GRANT PROGRAM

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, the Department of Agriculture has furnished me, at my request, a history of the accomplishments of the rural housing grant program. I am most hopeful that the House conferees on appropriations will go along with the Senate version of making grants available for poor people throughout America in rural areas in order that they may have funds to renovate dilapidated homes where otherwise it would be impossible for them to provide the necessary repairs.

I supported with enthusiasm yesterday, a program to subsidize rents of low-income families eligible for public housing in the cities of this country. We should not forget our rural people who will not benefit in the rent subsidy program. Many rural people on public assistance have absolutely no hope of obtaining the financing necessary to make the repairs to their homes which are essential for health and protection against weather.

The program history referred to follows:

THE RURAL HOUSING GRANT PROGRAM: A HISTORY OF ITS ACCOMPLISHMENT

In 1949, the 81st Congress passed the Housing Act of 1949. One of the notable features of this act was a provision of title V, providing for grants of $500 to poverty-level rural individuals for minor repairs and improvements to make their homes safe and free of health hazards. In 1962 the grant authority was increased to a maximum of $1,000.

There were good and valid reasons for the new rural housing grant program:

Scattered throughout rural America were hundreds of thousands of elderly and handicapped persons who had no debt-paying potential and who lived in homes that were pitifully squalid and hazardous to the health and safety of both their families and their communities.

Even under the broadest and most liberal rural housing loan program that might be conceived, most of these people would remain "unassistable." Only a grant program could help them.

For 4 years, 1950-53, the rural grant program was very modest—only 790 individual grants were made for a total of $363,600.

In 1953, the rural housing grant program was discontinued. Reasons for dropping the program remain vague and inconclusive. Among the reasons offered by those responsible for the program's administration were:

That the program was largely "unused" and therefore unnecessary.

That a "grant" was antithetical to the American concept of free enterprise.

That Government housing programs—if any—should be loan programs geared and directed to overcoming the vast backlog of housing shortages created by the material and manpower shortages of World War II.

As is usually the case, the people in poverty were voiceless during this dialog and their problem was discarded as unimportant.

But the slums of rural America didn't go away simply because they were ignored. They increased.

Recognizing this, President Kennedy and Congress revived the rural housing grant program by making funds available in the Supplemental Appropriation Act in the fall of 1961.

In the first full year, fiscal year 1963, under the newly revived program, more than 1,300 grants for a total of over $1 million were made, as compared to only 123 grants for $54,000 in 1953, the last year of the old grant program.

In 1964, grants increased to 5,841 for a total of $4.8 million. Behind these figures, is a great and heartwarming story.

The east Kentucky story

About a month before his death, late in October 1963, President Kennedy decided that the Federal Government should initiate an impact program to relieve the winter hardship of people in eastern Kentucky. This 44-county area was one of the most desperate and critical pockets of poverty in the whole distressed Appalachia region.

The Farmers Home Administration was called upon as one of the principal agencies to go into the area with its rural housing grant program and "do a job."

In less than a month, Farmers Home Administration was taking applications and making grants. To spread the word about the emphasis to be given this work, FHA personnel used every line of communication—local newspapers, radio, organizations, clergy, welfare agencies, and their own staff.

The word spread. Soon, county FHA offices were swamped with applications and additional FHA personnel had to be deployed from other areas of the State to handle the work. Every applicant had to be personally investigated to determine whether he was eligible for a grant or loan. Grants were made only in the extreme hardship cases.

Because the grant money in each individual case was small compared to the job that had to be done, great care had to be taken in the purchase of materials and constant supervision of construction was maintained during the entire program.

Criteria and limitations for making the grants were clear and simple:

Eligible were the elderly and the physically handicapped and all others whose income was at the poverty level, whose prospects for additional income was nil and whose debt-paying potential was nonexistent; and whose home was dangerous to the health and safety of the occupants and to the community.

Repairs and improvements included only the barest essentials for living:

In some cases merely making the home weatherproof from cold, rain, and wind—the application of asphalt siding on the outside and wallboard inside.

Repairing windows and doors and roofs.

In some cases installing running water and inside toilets.

From the start of the program in eastern Kentucky on November 21, 1963, until it was terminated August 31, 1964, 2,733 grants were approved for a total of $2,349,030. Average amount of grant was $852.

To give some idea of the extent of need of such a program in this relatively small pocket of poverty, more than 10,000 applications were received by the FHA. When the program was terminated, there were still more than 6,000 applications on hand.

Who did the grants go to?

Eighty-nine and seven-tenths percent had annual incomes from all sources less than $2,000.

Fifty-three and six-tenths percent were 60 years old and over—28 percent were over 70 years or older and 25.6 percent were from 60 to 69 years.

Those younger than 60 years of age were mostly physically or mentally handicapped or were so obviously and permanently unemployable as to condemn them to a lifetime of poverty.

The economic impact of the concentrated program in eastern Kentucky was dramatic. All of the $2.3 million in grant were spent within the area for materials and labor.

The program provided employment for carpenters and other laborers on more than 2,700 construction projects. The $2.3 million spent in the area increased sales in town, and increased local off-site employment. It is conservatively estimated that when new money is injected into a community it circulates at least five times before it leaves.

This means that the grant program added more than $11 million to the economy of the eastern Kentucky area in less than a year.

Impressive and as valid as these economic facts are, they are overshadowed by the inestimable human factor involving more than 8,000 people who are now living in homes providing a semblance of comfort, safety, and well-being. There is never any way to put a dollar-value on renewed self-respect, renewed spirit and health.

Reaction to program

Resistance and opposition to the FHA program in eastern Kentucky was practically nonexistent. Enthusiastic support and cooperation came from every sector of the affected communities.

FHA supervisors sought and received the finest cooperation from material dealers and they delivered low-cost but adequate materials on specification. When the program was finally discontinued, a lumber dealer in Whitesburg, Ky., wrote FHA: "We regret the discontinuing of the program * * * a great aid to old people * * * grants were given in Letcher County without regard to politics, race, or religious affiliations * * * grants aided the economic situation in this area * * * I think it has been one of the best programs ever inaugurated and the cost is negligible compared to the good it has brought about."

Bankers throughout the area had high praise for the program and were often the leaders in the community to help the program along. Typical of banker reaction was that of the cashier of the bank in Jackson, Ky.: "Programs offered by FHA are vital programs in our community * * * the recent grant program to older people has been especially helpful in this area * * * I hope these programs can be continued and should you ever need our assistance, it will be a pleasure to work with you * * * I think this reflects the thinking of all (of us) bankers."

(See attachments for additional comments on the grant program.)

ACTIVITY IN OTHER STATES

It would be a mistake to leave the impression that the FHA rural housing grant program started and ended with the eastern Kentucky concentration of effort.

Forty-two States and Puerto Rico have participated in and benefited from the program since it was revived in fiscal year 1962:

In fiscal year 1963, 1,378 grants were made for a total of $1,029,655.

In fiscal year 1964, 5,841 grants were made for a total of $4,805,435.

During the entire history of the program, more than $8 million in grants have been made to 10,500 families.

Following are some of the States which participated in the program during fiscal year 1964:

Arkansas: 284 grants for $183,680.

Georgia: 301 grants for $255,820.

Mississippi: 533 grants for $468,175.

Missouri: 250 grants for $158,160.

North Carolina: 387 grants for $328,490.

South Carolina: 147 grants for $121,240.

Texas: 149 grants for $118,570.

West Virginia: 275 grants for $257,500.

(For complete State-by-State rundown see attachments.)

Need for a grant program was pointed up by President Johnson on January 31, 1964, in his message to Congress on Agriculture, when he said:

"More than a million rural families live in houses in such poor condition that they endanger the health and safety of the occupants. Another 3 million live in homes that need major repairs. About one-third of our older citizens live on farms and in small country towns and villages—and too often their homes are poorly heated and lack bare necessities such as running water."

A FEW ADDITIONAL COMMENTS ON THE FHA RURAL HOUSING GRANT PROGRAM IN EASTERN KENTUCKY

There were at least three other families in this community which were also aided by you and your department to a human decency standard of housing and none of which would ever have been possible without this assistance * * *. I wish to congratulate you for the fair and impartial manner in which you have administered this program. I sincerely hope that another such program will be designed and put into effect in the not too distant future.

HENRY A. STOVAL,
Director, Hazel Green Academy,
Hazel Green, Ky.

The Federal grant program administered by the Campton Office of the Farmers Home Administration has been a stimulant to our sagging economy, it has been a tremendous boost to our less fortunate citizens * * * (you) are to be commended for the fair, efficient, and expeditious manner in administering this program.

C. BEACH, Jr.,
Executive Vice President, Peoples Exchange Bank, Beattyville, Ky.

There is a great need for many more of these grants. It is estimated that 800 to 1,000 families (in Breathitt County) probably would qualify. The economic importance of this program is great since this releases new money in the county and many benefit from it.

SAM P. DEATON,
Breathitt County Judge,
Jackson, Ky.

"This home repair has been a great thing for our country. I just hope we can get the program extended. If I can help in any way just let me know. I'll go to Washington or elsewhere if I can help get it extended—we need it."

COUNTY JUDGE, *Barbourville, Ky.*

[From the Arkansas Democrat, Jan. 15, 1965]

EDITORIAL COMMENT: WHERE HELP IS NEEDED

About 900 farmers and rural residents of the State now have more comfortable homes as a result of funds they borrowed last year from a Government agency that specializes in that field.

The Farmers Home Administration made loans totaling $5.7 million for building or improving housing facilities for low-income people living in rural areas. This figure includes $122,500 for building rental units for senior citizens, and another portion of the money was used to build or repair essential farm buildings.

The people who borrow money from this agency are those who are unable to obtain credit from regular commercial lenders. However, there is another class of Arkansans who are less fortunate, and who may not qualify for a loan from any source.

Their income is nil and they may manage to raise only a portion of the food they need. They would starve if they did not receive welfare checks which help buy food and clothing. Their homes are pitifully inadequate and poorly heated.

Any program of assistance will be doing its greatest and noblest work if it can improve the plight of these unfortunate people.

Rural housing grants obligated, fiscal year 1964 through June 30

State	Initial number	Initial amount
Alabama	119	$92,660
Arizona	3	2,780
Arkansas	284	183,680
California	5	4,200
Connecticut	1	150
Colorado	4	3,880
Florida	96	87,720
Georgia	301	255,820
Idaho	7	4,810
Illinois	82	66,080
Indiana	15	11,950
Iowa	3	2,780
Kansas	66	47,220
Kentucky	2,325	1,994,570
Louisiana	24	16,880
Maine	115	100,930
Michigan	21	16,980
Minnesota	14	12,210
Mississippi	533	468,175
Missouri	250	158,160
Montana	8	5,330
Nebraska	3	1,610
New Jersey	2	2,000
New Mexico	45	43,960
New York	12	9,480
North Carolina	387	328,490
North Dakota	13	9,140
Ohio	2	2,000
Oklahoma	118	92,500
Oregon	2	1,900
Pennsylvania	21	17,820
South Carolina	147	121,240
South Dakota	5	4,040
Tennessee	79	62,430
Texas	149	118,570
Utah	6	5,810
Vermont	12	7,940
Virginia	8	7,690
Washington	1	1,000
West Virginia	275	257,500
Wisconsin	12	10,330
Wyoming	9	8,030
Puerto Rico	101	89,950
U.S. total	5,685	4,740,395
Average		834

CONDUCT OF FOREIGN AFFAIRS

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I take the floor this afternoon to direct the attention of the Members to the complete inconsistency in the administration conduct of foreign affairs in defense of our and the world's freedom against the Communist forces.

American fighting men are committed to combat in Vietnam to save that country from communism. Our troops were rushed into the Dominican Republic to save that country from a Communist takeover. Although we are now tolerating Communist control of the so-called rebel movement in the Dominican Republic, the theoretical position of the administration continues to be that U.S. troops will remain on that island until stability through the formation of a non-Communist government can be developed.

U.S. troops are stationed in Europe as part of the NATO Alliance to protect Western Europe from possible Communist invasion. Our foreign aid program is partially justified on the ground that it is a weapon against the further spread of communism.

The question then arises, Mr. Speaker, Is not subsidizing Communist governments through trade a position completely inconsistent with our actions in Vietnam, the Dominican Republic, and other areas I have cited?

It is a fact, Mr. Speaker, that for more than a year the State Department has carried on secretive trade discussions with the Communist Governments of Eastern Europe and the Soviet Union itself. The argument has been advanced by the administration that we can, through subsidized trade, "build bridges of understanding" to the governments of Eastern Europe and perhaps pull them away from Soviet control. We are also told that the Soviet Union has mellowed and by subsidizing trade with them, they might in some vague fashion give up their Communist belligerence.

Mr. Speaker, the position of the administration and the negotiations being carried on by the State Department are against the best long-term interests of the U.S. general public, our industries, our labor unions, and are against the best interests of world freedom.

Before subsidized trade is developed with any Communist government, we must work out specific conditions which would produce permanent major political and economic concessions from the Communists.

Trade is a key weapon in the cold war. It is the height of naivete to think that any Communist government has the best interest of its citizens in mind or is willing to enter into legitimate trade agreements with us. The purpose of the Communist governments seeking trade with the United States is to obtain the wherewithal to develop basic industries so that they can carry out an offensive trade against us in years to come.

What should we demand of the Communist governments before considering major trade agreements with them? Mr. Speaker, there are a number of points which I would recommend, all of which would be long overdue developments in the conduct of international relations.

Should the Soviet Union wish to be subsidized by trade agreements—such as they were in the Kennedy wheat sale 2 years ago—we should demand immediate settlement of their World War II lend-lease debt. It would be practical for us to insist that internationally supervised plebiscites be held in the Baltic States to serve the true wishes of the people there for self-determination before we subsidize the Red rulers in the Kremlin.

As the governments of the Eastern European satellites display interest in a trade agreement, we should insist that they grant their citizens freedom of speech, press, assembly, and religion and that they hold free elections to prove whether or not they really have popular support of the public.

There are many other practical conditions that should be extracted from the Communist governments before we permit them to benefit by trading with the United States. We must keep in mind that trade with any Communist country helps all Communist countries, since it relieves the pressures on their domestic economies.

Perhaps one would question my continued reference to subsidized trade. It is a fact, Mr. Speaker, that it is not the intention of the administration merely to permit expanded trade agreements with Communist governments, but it is the specific intention to subsidize that trade. This would be a tragic development.

In recent months not only the Soviet Union but every Eastern European satellite, including Yugoslavia, has announced increased support of the Communist dictatorship in North Vietnam. Supplies from these Communist governments are pouring into North Vietnam, strengthening the determination and ability of the Reds to inflict direct losses on our troops in South Vietnam. Isn't it completely inconsistent then for the State Department to encourage U.S. firms to trade strategic materials to the Communists in return for basically nonessential goods and to add the greatest irony of all, that of subsidizing such transactions?

It is interesting to note that the propaganda drums of the administration are beating out a steady tattoo to try to convince the public that dealing with Communist governments is a lucrative, wonderful operation and should be enthusiastically followed.

Yesterday the junior Senator from South Dakota, Mr. McGovern, chose to criticize former Vice President Nixon who had denounced the indiscriminate sale of wheat to the Soviet Union. This is in line with the administration's propaganda barrage that to subsidize Communist governments makes them mellow, or to paraphrase Secretary Rusk, a "fat Communist is not as dangerous as a lean Communist." Such nonsense is not surprising from an administration whose foreign policy is so completed misguided, but the danger cannot be minimized.

This morning we read of the Communist attack on our air base at Danang. The Vietcong attackers are motivated by the same ideology which motivates the Communist tyrants of the Eastern European satellites, the Soviet Union, and Red China. To rush to subsidize these governments merely perpetuates their autocratic control of their captive peoples, adds to the complications facing the United States abroad and delays the development of true peace and freedom.

A pet Johnsonian phrase is "building bridges of understanding with the Communists."

The Communists are intent on building a trade bridge which would save their foreign trade from economic ruin. Arming revolutionaries in Central and South America, Africa, and Asia has been exhausting; building up underdeveloped countries on orders from Moscow has also helped to wreck normal trade. The economic system has failed and so they turn to us to bail them out.

While a total boycott of Communist countries is impossible, trading could be kept within rational bounds. There is ever present, however, the danger that high pressure lobbies and Government optimists might give the Communists not only trade but long-term credit. England has already done so.

The Communists are in serious trouble. We can bail them out, enabling them to continue to fulfill their commitments to the Soviets. Or we can use this great opportunity to weaken further the position of communism and to strengthen the forces of freedom behind the Iron Curtain.

I have referred earlier to the concessions that we should demand prior to any trade agreement. Among the conditions which I would add are rehabilitation of political prisoners, freedom of movement, removal of the Berlin wall, and withdrawal of Soviet troops from non-Russian countries.

My main purpose in discussing this subject this afternoon, however, is to again remind the Members of the inconsistent, shortsighted, dangerous, and, I must even add diabolical plot of the Johnson administration to provide blood transfusions in the form of trade to Communist regimes which, because no strings whatsoever would be attached, permit these Communists to divert other resources to activities against us in Vietnam and Latin America.

CANADA'S NATIONAL HOLIDAY

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, it is a pleasure to join our Canadian friends and neighbors in observance of their national holiday, July 1. Ninety-eight years ago, on July 1, 1867, Canada came into being as a new nation. It received its constitution, in the form of the British North America Act, 1867, and four of its large provinces—Ontario, Quebec, New Brunswick, and Nova Scotia—formed the confederation long known as the Dominion of Canada. Today the federated state of Canada consists of 10 provinces and 2 vast northern territories.

With one of these territories and with seven of these provinces the United

States shares a common boundary; and with all of them it has close ties and contacts. In fact, in so may ways are the lives of our Canadian neighbors intertwined with ours that the two countries seem more like brothers than neighbors. Our mother country, England, had a more wayward son south of the boundary which was first established after the American Revolution; but many of the ties that existed then have continued to this day.

As in most families, there have been family quarrels and misunderstandings; but for the most part the relationship has been a particularly happy and helpful one. Like most brothers, the two countries have been mutually dependent upon one another, and in a variety of ways, despite their natural tendencies to go their separate ways and assert their independence. Conflicts of interest and flareups over failure to seek or see the other fellow's point of view are not to be taken lightly or passed over as temporary aberrations; but in the long run they point up the prevailing good relationship which is enhanced by definite steps to overcome difficulties. Witness the numerous bilateral bodies which have come into being through just such efforts.

In the fields of geography, defense, parliamentary affairs, social and cultural matters, and economics—with all its multiple angles—there are Canadian-American commissions and committees, both public and private, and various organizations which have been established for the primary purpose of promoting understanding and cooperation between Canada and the United States. They recognize the inescapable interweaving of the lives of our citizens. They realize that because of the fundamental interdependence of the two countries there are just that many more problems of coordination than there would be if it were possible for us to pursue our separate ways. Since it is not possible or desirable, the happy answer is cooperation of the genuine and widespread sort that grows and is nurtured on both sides of the border.

July the First in Canada, like July the Fourth in the United States, is a time to reassert our independence, but also to note our brotherhood.

Mr. Speaker, as I have pointed out in my remarks, we recognize the inescapable intertwining of the lives of our citizens. This is particularly true in my own State of Washington where we have common interests, common boundaries, and, yes, even common conflicts of interest with British Columbia and Alberta. At times we criticize each other, but the sincere respect we hold for one another always remains. Indeed, Mr. Speaker, it is an example which all nations of the world could follow. We are truly a showplace of nations living in peace.

REPUBLICAN POLICY IN VIETNAM

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include therein a statement by the minority leader of the House of Representatives.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, the gentleman from Michigan, our distinguished minority leader today issued a statement on the situation in Vietnam following a meeting of the joint Senate-House minority leadership. Under unanimous consent, I include the statement by Mr. Ford in the Record at this point.

The statement by Minority Leader Gerald R. Ford follows:

Statement by Representative Gerald R. Ford, Republican Leader, House of Representatives, on Vietnam—July 1, 1965

Republicans will continue to disregard partisan considerations in foreign policy. We will be guided by the national interest.

Like Senator Arthur Vandenberg at the time of the Yalta agreement, we will criticize administration policy when it fails to serve the national interest. We will make constructive recommendations that will bolster the President's firmness. No Republican has called this McNamara's war.

Several House Republicans, including myself, recently made the following points about Vietnam:

1. The objectives of our Nation's policy must be the establishment of conditions under which the people of South Vietnam may live in peace and freedom. This means a government of their own choosing. This means freedom from aggression—from within and from without.

2. We hope for negotiations to end the fighting—to assure the freedom and independence of South Vietnam. Let me clarify one point—the Communists are escalating the war. No American is. Moreover, Peiping and Hanoi spurn the negotiating table.

3. The United States cannot, without violating its word, agree to settlement which involves a coalition government with Communists. Such government makes a larger war inevitable at a later date. History proves a coalition government with Communists gives them unlimited veto power. Veto power scuttles any hope for permanent peace.

4. The administration must not sacrifice the freedom and independence of South Vietnam. To do so makes the loss of American lives purposeless. Some Democrats would abandon the free people of South Vietnam. The President must not yield to them.

5. In this crisis, some Republican leaders believe American air and sea power must be used more effectively in North Vietnam against significant military targets. We advocate greater Allied participation. We question the logic of committing U.S. ground forces on a large scale to fight a war in southeast Asia.

VIETNAM SITUATION

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, last night's Evening Star told us of another major battle in Vietnam. This morning's Post brought word of a brazen Vietcong attack on our air strip at Danang that hit at least six of our planes. So it goes, and you can expect more such stories with the regularity of your paper.

It is apparent that we have not been winning this war and that something more must be done. The question is what. We have been giving everything a try—even the use of our B-52 heavy bombers. Recently, while our Armed Services Subcommittee was in Saigon, it came to my attention that we might have yet another innovation that could be tried. I was surprised indeed to learn that there is no television communication in South Vietnam. Upon inquiry, I learned that it has been an issue of considerable debate. As a matter of fact, I am informed such recommendations were made many years ago. But nothing has been done.

At first, one might casually dismiss this with a bland "so what." But upon reflection, I am certain that it will be recognized that the suggestion is not without merit. Certainly in a struggle for the minds of men—and that is precisely what is going on today in Vietnam—we should be using every asset that is available to us. While our subcommittee was in Vietnam I made repeated inquiries, at all levels, about the desirability of establishing a television network and virtually everyone I discussed it with felt that it would be a most worthwhile undertaking. I checked further when we were in Thailand and learned that television facilities there were being effectively used to counter communistic efforts in that country.

So as I read the morning headlines, I thought I should mention this suggestion to my colleagues in the House and ask that you join me in seeking to evaluate the merits of this proposal. It is my understanding that studies have been made and I am making efforts to learn more fully about them. I have asked for a comprehensive report as soon as possible covering the background of the studies, the estimated cost, the arguments for and against creating such a television network, and the current status of the situation and any other data which would be helpful in reaching a decision as to the merits of such a program.

From conversations with our officials in South Vietnam, I am satisfied that the use of television would be of tremendous value to the war effort by simply establishing a means of communication with the people throughout the country and that such a network is feasible.

I am told that the cost of such facilities would be about what it takes to fight the war for 1 week. It is clear something more must be done, and this impresses me as being a suggestion that deserves our most serious consideration.

PROCEDURES FOR QUALIFYING TO VOTE IN THE WELL

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, when I first came to the Congress, this year, I inquired of some of my colleagues on the rules of voting and was told that when a call was made for the yeas and nays that the roll would be called twice. I was further told that if I should fail to vote on the first or second rollcall, I could then go to the well of the House to vote at that time. In the early months of this Congress, I believed this to be the rule.

However, upon reading carefully the Rules of the House of Representatives, I found on page 387 that the actual rules pertaining to rollcall votes are quite different. A Member may not vote in the well unless "the Member declares that he was listening when his name should have been called and failed to hear it."

Mr. Speaker, it is apparent that many Members of the House have this same misunderstanding of the rules. This has been a source of great concern to me. I have contacted the Republican task force on the Rules of the House of Representatives about this, and I have testified before the Joint Committee on the Organization of Congress. In each instance, the Committee have shared my concern.

My concern was heightened by the vote that took place yesterday afternoon on the motion to recommit H.R. No. 7984. At the end of an extremely close vote the well was so full that it was necessary for a number of Members to line up in one of the aisles, and Member after Member recorded his vote by saying affirmatively that the Member "qualifies and votes yea or nay."

On this particular vote there were few names to be called on the second rollcall. Furthermore, the House was completely quiet at this time because of the intense interest in the outcome of the vote. I believe, under these circumstances, that it would have been almost impossible for a Member to be present and yet fail to hear his name called. Certainly, it was impossible for this to happen to the large number of Members who qualified to vote yesterday.

To me, it is extremely serious for Members of Congress to see violations of the Rules of the House and not to call them to the attention of this body. If this House is to retain the dignity and honor that it has held and deserved throughout the years, it must abide by its own rules.

I feel certain that this rule is not clearly understood by many Members of the House and I hope by calling this to the attention of all Members that there will be no repetitions of the apparent violations that took place yesterday.

I would be violating the trust that the citizens of the Third District of Georgia have placed in me if I were to see what in my opinion is clearly a violation of the rules and not call it to the attention of the Members.

FISCAL YEAR ANNIVERSARY—HOW ABOUT A BALANCED BUDGET?

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, on this occasion a number of Members have said that we should commemorate the birthday of various things, one of which is the newly emerging African nations; the other has to do, I think, with the 98th anniversary of the great Dominion of Canada.

It occurred to me also that this is the anniversary of the fiscal year and that today is the first day of the new fiscal year. The administration has been fast in putting out press releases that the fiscal year just ended has been a great year because the deficit—and you should underline that word "deficit"—is only a little more than $3 billion.

Instead of bragging about the amount of the deficit being small, how about trying for a surplus for a change?

It seems to me that we in the House of Representatives should on this occasion, on this first day of July, the new fiscal year, dedicate ourselves to bringing about a balanced budget for the American people for the first time since 1960.

CONGRESSIONAL BALLGAME

Mr. UDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, later today I will ask the President to designate the District of Columbia Stadium as a disaster area, on account of the great national disaster which occurred there last night in the baseball contest between the Republican and Democratic Members of this House.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I just want to tell the gentleman that I found out why you gentlemen lost last night.

Mr. UDALL. Will the gentleman please explain.

Mr. CEDERBERG. You had your arms so twisted you could not throw.

Mr. UDALL. Mr. Speaker, the gentleman has alluded to the condition of my arm. I wish to say, for the benefit of my colleagues, while my arm is sore and my ego is bruised, I do have one of the lowest earned-run averages in this entire league, despite the worst won-lost record in that particular league. I might add that I intend to file suit for nonsupport at the plate and afield against some of my own colleagues and teammates.

I wish to say further that disasters sometimes produce good results. We need a two-party system. The Republican Party is badly divided, it needs harmony and unity. I will confide in the House that after communing earlier yesterday with my conscience I figured out that if I threw my "nothing" pitch in there, the Republicans might work together, hit together, run bases together—and perhaps establish a measure of unity in that party and thus preserve the two-party system for this country.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I should like to say to the gentleman, my observations of the night's festivities out at District of Columbia Stadium were that it was more fun than baseball.

Mr. UDALL. I thank the gentleman very much.

CONGRESSIONAL BALLGAME

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I should like to suggest that perhaps one of the weaknesses of the Democrat ballplayers last night was that they have not been drinking enough Arizona "goldwater."

EMPLOYMENT OF OLDER WORKERS

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, I wish to call attention to a report of the Department of Labor, which is reported this morning in the Washington Post, on the subject, "The Older American Worker/Age Discrimination in Employment."

The first paragraph of the summary is:

> The Labor Department told Congress yesterday that major changes in the patterns of American life will be needed to achieve hiring on ability rather than age.

I invite the attention of all Members of the House to this study, and particularly to H.R. 7763, introduced by me in April of this year, in which I seek an expression of Congress that the full Employment Act of 1946 contemplated full employment "regardless of sex or age."

WIRTZ REPORT ASKS AID FOR OLDER WORKERS—YEAR'S STUDY CITES DISCRIMINATION, RISING PROBLEMS

(By Morton Mintz)

> The Labor Department told Congress yesterday that major changes in the patterns of American life will be needed to achieve hiring on ability rather than age.
>
> A report submitted by Secretary W. Willard Wirtz urges a clear, unequivocal national policy against hiring that discriminates against older workers. Ultimately, the policy would need legislation.
>
> The report was based on year-long studies of unprecedented depth. It is 78 pages long. It was prepared under a directive of the Civil Rights Act of 1964. Its title is, "The Older

American Worker/Age Discrimination in Employment."

The report includes some surprising findings and far-reaching recommendations—particularly those involving "almost an iron law":

Most persons with a high school education, or less, sooner or later urgently need further education and training.

But the report says "only the most limited arrangements" exist for that education and training.

The Department urges "a new system of continuing educational opportunity" to prepare older workers for the "discrimination" older workers have most to fear.

This is not employer malice. Nor is it the product of an unthinking majority in a society half of which is under 29 today and will be under 26 in 1975.

URGES NEW SYSTEM

Instead, the report says, it is the "ruthless play of wholly impersonal forces," for example, the advancing science that lengthens a person's productive life while lowering the age limit on his employment.

Although full employment is the primary goal in eliminating disadvantages to older workers, the Department says, the "new system" must be created to prepare people for the day when the lifetime work for which they have prepared "tapers off but a lot of life remains to be lived."

The new system would make it possible for workers to make up for their earlier failure to complete grade or high school. One possibility for financing such adult education would be a system of contributory insurance.

Workers over 45 might earn credits toward "education sabbaticals." Indirectly, these could create job openings for others, the report suggests.

STUDY RECOMMENDATIONS

Other recommendations—none of which constitutes a proposal by the administration—include these:

A national policy against age discrimination, which would extend existing Federal policy for Government hiring and Government contractors, is needed because the resources of the States in this area have been inadequate.

To overcome employer reluctance against hiring qualified older workers because of existing pension and seniority arrangements, employers and unions should seek in negotiations to open up opportunities for older industrial employees, while protecting the seniority right of workers already employed.

New forms of annuities should be developed that leave existing pension plans intact while encouraging the hiring of older workers. This might require special tax incentives.

There should be prompt study of "portable pension credits" that would enable a worker to carry his take in a pension plan with him to a new job.

By making Federal financial aid in a form similar to that for the Neighborhood Youth Corps, the Government could enable the hiring of older workers to meet many unmet community needs.

CHOICE OF PAYMENTS

The report said we may face this choice: Pay, as customers, a few cents an hour of the wages of an older worker and make him a producer, or pay, as taxpayers, "the full amount of his 'welfare' upkeep" and get nothing in return.

One of the surprising findings was the extent of the difference in education among older and younger workers. Among male workers age 45 to 54, for example, one-third of the whites and two-thirds of the nonwhites have not gone beyond the eighth grade.

These educationally disadvantaged people must compete for jobs against, for example, persons 25 to 34 only a few of whom, relatively, have not gone beyond the 8th grade.

Other findings of the report include these:

In the 30 States that do not bar age discrimination, half the job openings are closed to applicants over 55 and a quarter to applicants over 45.

Many age limitations are imposed without regard to their job requirements, although older workers generally perform at least as well as younger ones.

As new technology displaces older industries, plants and methods, older workers find their training and skills of less and less use. One-seventh of the Nation's impoverished persons are over 65.

H.R. 7763

A bill to amend the Employment Act of 1946 to declare a national policy with respect to the right of Americans to employment without regard to sex or age

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Employment Act of 1946 is amended by inserting after "work," the following: "regardless of sex or age,".

COMMENCEMENT ADDRESS OF PRESIDENT NOVICE G. FAWCETT

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, Ohio State University has a very capable administrator in President Novice G. Fawcett. That great university has grown in size, capacity, and stature under his leadership for he is truly an outstanding educator and gentleman. I read with interest his very fine commencement address which was delivered to the graduating class on June 11, 1965.

I think it has merit which should be called to the attention of every Member of this body. From Maine to California, educators are witnessing serious challenge ranging from their continuing goal of improving educational excellence in their institutions to the matter of discipline, riots, and so forth. President Fawcett puts these matters in very fine perspective.

The speech is as follows:

I DARE YOU

(Commencement address by President Novice G. Fawcett, the Ohio State University, June 11, 1965)

Historically—and perhaps by premeditation—the president of this university has given the commencement address quadrennially. I have been told that the theory behind this traditional schedule is that once in 4 years—not necessarily more often than that—a president might have an idea worth exploiting.

In any case, according to Eric Ashby, master of Clare College, Cambridge, ideas entertained by college administrators are sometimes forced to follow devious paths before they reach fruition. "In British universities," says Dr. Ashby, "naked enterprise on the part of a university president is regarded with suspicion, not to say alarm. If a president has a bright idea * * * he must unobtrusively—if possible anonymously—feed it into the organization, at quite a low level, informally over morning coffee, and watch it percolate slowly upward. With luck it will come to his desk months later for approval, and he must greet it with the pleased surprise which parents exhibit when their children show them what Santa Claus has brought them for Christmas."

Surely there must be a lesson in Dr. Ashby's illustration for American university presidents as well.

Whether or not I have an idea to expound, this commencement provides me with several reasons for appearing as the speaker, although I have rather ambivalent feelings about my task. As a parent of a member of this class, I would prefer, on this joyous occasion, to sit among other parents here and, at the appropriate time, say proudly to Mrs. Fawcett, "There is our daughter."

Nevertheless, because of the excellent record of this class and because I cherish personal acquaintanceship with many of you, I have a special measure of pride and satisfaction in delivering this address, and I welcome a self-made opportunity to express a few personally valued ideas.

May I briefly but sincerely express my gratitude and that of the university to each of the graduating seniors? This June class of 1965, to complete the memorabilia of its activities here, commissioned a portrait of the president as its gift to the university, a gesture which humbled me but for which I am doubly appreciative when I consider the excellent quality of the artist's work and the fine result he achieved with so difficult a subject. I do not yet know where the portrait will be hung (parenthetically, there are some, no doubt, who wonder when the president will be hung), but perhaps eventually its resting place will be in our new center for tomorrow. Wherever it may be placed, I hope, with all humility, that it will be viewed not as a memorial to an individual but as a symbol of that individual's dedicated belief in the goal of this university—the highest peak of excellence in education. In the words of the Apocrypha, I trust that future generations of students may "consider that I labored not for myself only, but for all them that seek learning."

This morning marks the 36th commencement during my tenure at this university. In my entire career as an educator, I have attended and participated in some 200 such programs, and have had ample opportunity to study what commencement speakers try to do. I have learned that some speakers promote a vested interest. Others present the wisdom of their experience, propounding certain precepts and doctrines which they hope will guide people toward what they should be and what they should do. Still others cast before their audience a panorama of life's complexities and perversities; or they survey part of our social structure and present findings which they believe compose the mosaic of the future. And there are some who rely on inspiration to stimulate and provide an incentive for their listeners.

All of these are good techniques, and I shall probably use some of them, but, fundamentally, my objective is to present you with some challenges; to say—loudly and clearly—"I dare you." My paramount challenge to you is the challenge that confronts us as a nation and as individuals: to raise high your standards of excellence—your standards of thought, behavior, taste, aspirations; to keep ever in your mind and actions the values which will be expressive of your loftiest goals. As Paul the Apostle counseled Timothy: "Let no man despise Thy youth; but be Thou an example, in word, in conversation, in charity, in spirit, in faith, in purity. Neglect not the gift that is in Thee. Meditate upon these things; give thyself wholly to them; that Thy profiting may appear to all."

Why, you may ask, is it necessary to emphasize the importance of values? Surely we all have the intellectual and moral strength with which to face the challenges of our maturity. And my answer is that what you think, how you think, and the personal decisions you make in the decades to come will help shape—for good or ill—the face of the future. And speaking of thinking: Let us remember that the ability to think acutely, perceptively, creatively is the most important function of man, and that the irrevocable condition of accelerating change and ever widening choices in our society will call upon all of your capability to think wisely and well.

Lucien Price pointed out that we have been catapulted into more change in the past 50 years than in the preceding 3,000 years. Our progenitors, for example, drove oxen—but so did the warriors in Homer's "Iliad." Now we travel down into the infinitely small of nuclear physics and upward into the inconceivable vastness of astronautical exploration. "In the past," said Mr. Price, "we were educated to live in a world as is; in the future we must be educated to function in a world where change comes fast and will keep on coming faster," affecting every aspect of life, including personal values.

One of your greatest responsibilities, I firmly believe, is to develop personal values which will help create some kind of order and harmony and proportion in your own lives and in a world afflicted by unrest and uncertainty, by a breakdown of many of our standards of excellence.

Let us look briefly at a few of the evidences in our society of this degradation of moral principles. Perhaps the most obvious example is the 15-percent annual increase in crime and the frightening statistic that approximately 1 person out of 75 commits a major offense. Figures from the Federal Bureau of Investigation point to a similar cancerous growth of what we euphemistically call "juvenile delinquency." For 15 consecutive years there has been a sharp increase in arrests of young offenders under 18 years of age, and it is a sad commentary on the state of our society that 4 out of every 100 young people become involved in crime.

How many delinquents are school dropouts it would be difficult to estimate, but in 128 of the Nation's largest cities the dropout rate after grade 10 stands at a shocking 30 percent. So that you may visualize what that figure means, imagine what would have happened if 30 percent of this graduating class had been dropouts: almost a thousand of you would not be here to receive diplomas today.

Alcoholism—admittedly a health as well as a moral problem—affects the well-being of our society only slightly less drastically than crime. The World Health Organization estimates that there are 5 million alcoholics in the United States and that 200,000 new cases arise annually.

Sociologists point to the epidemic proportions of divorce in our society. Consider these figures for a moment: one marriage out of every four ends in divorce, and in teenage marriages, one out of two. Marriages of college graduates appear to have a better chance of permanence—only 1 out of 20 ends in divorce—but the fact remains, as I have heard it said, that "too many people who say 'I do'—do not." According to these statistics, there could be more than 150 divorces among the members of this graduating class. This alone is an unhappy prospect, but consider also the somber situation of the children of divorce who, in their loneliness and lack of parental guidance, find themselves lost in the heterogeneity of a populace without values.

Equally and just as profoundly lost are some of today's teenagers whose parents appear to be less inclined than ever to proclaim the conventional "parental imperatives" or, denying their own values, have simply given up trying to communicate with their children. As one high school student commented, "I do not get any guidance at home. We are just a bunch of people who go about our business and live under one roof. One of these days I would like to sit down and find out from my parents what they really believe in."

And now this past year has brought a radical testing of law and order on American college campuses everywhere across the land. Students have been using their campuses as a platform not only to express dissatisfaction with what is taking place in the world but to take action against the ills of society. Student demonstrations have flared up from a wide variety of causes ranging from segregation to all the manifestations of civil rights and civil liberties; from the whole concept of academic freedom to the complex issues of free speech; and from the conduct of America's foreign policy to the conduct of administrative policies in their own colleges and universities. These groups of students seem to believe that an institution of higher learning is designed to create a new social order by direct action, by force and coercion.

In contrast to this epidemic of rebellion and protest, the great body of students in our colleges remains dedicated to the idea of orderly and democratic procedures. Many of them, no doubt, have their own strong convictions about the need to reform certain social evils. They are aware of the value of questioning, the value of sharpening the cutting edge of their minds on the difficult problems of our time, but they recognize and respect the functions of inquiry and logic and debate in the pursuit of truth.

Lest you think me a pessimist or a prophet of doom, let me assure you that I stress these negative qualities of our society only because I believe that each one of you possesses the basic values to be seriously concerned with what goes on around you. I think you will subscribe to this statement of principles from the Rockefeller report on education: "We do not believe that men were meant to live in degradation. We believe that man—by virtue of his humanity—should live in the light of reason, exercise moral responsibility, and be free to develop to the full the talents that are in him."

What, then, shall be the pattern of your service in a world plagued with frightful statistics of narcotics addiction, with waves of indecency and pornography inundating our literature, and with inequality of opportunity stifling the intellectual creativity of man? According to Dr. Samuel Miller, dean of the Harvard Divinity School, "The revolutionary changes that have been wrought in our world demand a new kind of person. Whatever form it takes, it will matter little if we, in all our suffering, cannot produce a person having such inner magnitude as to pull the mad chaos of our world into some kind of new shape, to put the impress of a larger spirit on it."

But the opportunity to impress your spirit upon the world presents also a responsibility—the responsibility of active participation, of dedicated citizenship, of service to others. For, after all, democracy in action is not a spectator sport. Each citizen is an important player. To the extent that he does not participate, he is weakening the essential fabric of society; by his silence and his apathy, he is encouraging the enemies of freedom and contributing to a further breakdown of social values. Edward Gibbon, historian of "The Decline and Fall of the Roman Empire," said of the Athenians: "When the freedom they wished most was freedom from responsibility, Athens ceased to be free and was never free again."

Whatever form your participation may take, it will not be an easy task; it will require, on your part, the courage of conviction and commitment. So I dare you now to accept the challenges, often unspoken, which come from within yourselves. Those challenger are often easy to ignore, because you know that no one but yourself has heard them; no one will compel you to accept the dare; no one will make fun of you or call you a coward.

No one, that is, but yourself.

I urge you, therefore, to face the challenges squarely and to evaluate them in terms of your own high quality of mind and strength of character. I urge you, in the words of Emerson, "to believe your own thought, to believe that what is true for you in your private heart is true for all men."

You could illustrate this point from the literature of your own religion, but permit me to paraphrase from the story of Peter the Apostle and his denial of Jesus. Peter, history recounts, was an impulsive and generous man, impressive in physical stature and steadfast in his faith. But he had moments of weakness. When Jesus was taken from Gethsemane to be questioned by the high priest, Peter had the courage to follow; but when he was questioned three times about his identity and his loyalties, he shrank from his true self and refused to admit that he was one of the disciples. To quote the Gospel according to St. Luke: "And Peter remembered the words of Jesus, which said unto him, Before the cock crows, thou shalt deny me thrice. And he went out, and wept bitterly."

Next, my friends, I dare you to build into your lives not only strong moral values but the courage of action which will give them validity and make them work in today's world. Now why is the word "courage" so often associated with values which should be an integral part of our everyday lives? Is it because we are embarrassed to display these virtues? Or because we are afraid of pressures, afraid to say "No," afraid to be different? Fear or cynicism or conformity—not one of these is an acceptable reason for discarding moral values, or for hiding them. "One man with courage makes a majority," said Andrew Jackson. In fact, courage in its highest form—moral courage—is what makes a person indestructible, for each act of courage adds to man's faith in himself and in the purpose and dignity of life. If courage is required, then I say that you should have the determination to build ever more solidly the bulwark of values you have acquired from the great lessons of your spiritual faith and from your belief in humanity. Marcus Aurelius, in his "Meditations," admonished that "Thou must be like a promontory of the sea, against which, though the waves beat continually, yet it both itself stands, and about it are those swelling waves stilled and quieted."

My next challenge—"Dare to face the discipline of work"—may not appear to be pertinent to this occasion, for by virtue of the degrees that will be awarded to you this morning you have proved that you possess the capacity for disciplined and fruitful effort. But in the ventures that lie ahead—in business and the professions, in continued academic work and in the home—you will find that there is not only dignity to be achieved from well-disciplined work, but one of life's greatest pleasures, for work can be the delight of doing a job superbly well, the excitement of creativity, the satisfaction of being interested in everything you do and the ability to extend that interest endlessly in the never completed task of learning.

Finally, I dare you to have faith in America's free enterprise system. All of us depend upon business and industry for the houses we live in, the food we eat, the clothes we wear, the books we read—for everything that touches our daily lives—yet many of us take our free enterprise system for granted, forgetting that it is the key to our success as a nation and the foundation of our freedom. Henry R. Luce, editor and publisher of Fortune, describes our business-enterprise system as "the greatest miracle of them all. It meets the demands of businessmen that it should provide ample opportunity for production for profit—and it also meets the demands of the welfare of all the people. It is the genius of America that it has worked out an economic system by which the public interest is continually represented, while the public enjoys the blessing of liberty and the fruits of competitive and skillful management and initiative. In most of the rest of the world you will not find anything like this."

So long as business enterprise continues to expand its responsibilities in the public interest, to that extent we will not become a welfare state, demanding security in place of freedom. I believe that a simple phrase, the right to choose, expresses well a major reason for America's great economic and cultural strength—a reason why our free enterprise system and our system of government complement one another so perfectly.

The American has always had the right to choose his job; the right to use his earnings as he wishes; the right to choose his education, his religion, his home, his public servants. He has the right to make his own decisions; the right to risk failure or gain success. This doctrine is a dynamic one, and, in my opinion, by placing your faith in a strong and free economy you will be helping to preserve one of the great forces that have given us strength individually and as a Nation.

What, in truth, are these values we have been discussing? Actually, they evolve out of a lifetime of experience of building simple meanings into complex concepts of thought and behavior. Further refined and enriched, these concepts become the values by which we live and by which we serve. Built on a discipline of the mind, our values constitute our greatest strength, giving us the power not only to discriminate between right and wrong but to experience intellectual and emotional pleasure in such things as the companionship of books, the inspiration of noble architecture and great art, the sound of music, the majesty of mountains, sea, and stars—in fact, in all things that have integrity and beauty.

I have tried to present for your consideration some standards of excellence which may serve as a guide in our world of shifting values because I so strongly believe that your sense of values and your active participation can be poignant in the transformation of life. So once more I dare you, in the spirit of Tennyson's "Ulysses": "Follow knowledge like a shining star beyond the utmost bound of human thought. Come, my friends, 'Tis not too late to seek a newer world. Push off, and sitting well in order smite the sounding furrows; for my purpose holds to sail beyond the sunset, and the baths of all the western stars, until I die. To strive, to seek, to find, and not to yield."

It is argued that history will judge us by our culture rather than by our material accomplishments. A culture is continuously re-created, for good or for ill. For some, this re-creation will be a dreary burden; for others, it will be an invitation to greatness. In the spirit of the dare with which I began, I urge you, with your freshness of vision, to bring new vitality to values in your own behavior as you face the catastrophes of social ills, pressures, and cruelties.

What was Keats' reference to man's ability to locate the citadel inside himself? It is always difficult to deal with the interior struggle between good and evil, exhilaration and defeatism. But there will be no need for despair. Something indomitable in man wants goodness to prevail. The values you hold in trust will elevate man out of perversity into a better life.

Therefore, I say: Strive, my friends, to attain the lofty eminence of that pinnacle in life which will ennoble the mind and inspire you to nourish and exalt the human spirit.

SLAVS HERE BEFORE "MAYFLOWER"

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the greatness of our country is based on the immigrants from foreign lands who reached our shores and often in very unique ways contributed to the healthy growth of our system of government and our free enterprise economy.

Mr. John C. Sciranka, of Passaic, N.J., is a scholar who has devoted much of his time to studying the historic contribution of Slavs to the United States. I include in the RECORD at this point excerpts from his article, "Slavs Here Before *Mayflower*," which appeared in the May 1965 edition of the Children's Friend, a publication of the Slovak Catholic Federation of America:

SLAVS HERE BEFORE "MAYFLOWER"

(By John C. Sciranka)

During the various celebrations and the Sokol Centennial which are being arranged for this historical year, we recall proudly that the Slavs were here before the *Mayflower*. The American Slovaks are proud that they belong to a family of over 350 million Slavs of whom over 35 million are loyal American citizens.

We recall that besides the famous Dalmatians, who are Croats from the present day Yugoslavia and accompanied Christopher Columbus on his voyage to the New World, it is most significant that a year before the *Mayflower* dropped anchor off the New England coast, carrying immigrants who were to establish a Puritan theocracy in the northern wilderness, Polish, Slovak, and other Slav immigrants were fighting for democratic rights in the young Virginia colony.

Before relating these historical facts, let us pause with historians and fill ourselves with pride that the doughty Capt. John Smith, of Virginia fame, implanted his name firmly in the history of New England States, a dozen years before Capt. Myles Standish appeared on the scene with the Pilgrim Fathers.

Capt. John Smith fought the Turks with the Poles, Czechs, Slovaks, and other Christian Slavs before coming to establish Jamestown, Va., in 1607. He brought the mentioned Slavs with him as craftsmen to the New World. He admired their courage for he fought with them against the Turks. After winning many decorations for bravery against the Turks, he visited as a hero Poland, Moravia, Bohemia, Slovakia, and other countries of the Austro-Hungarian Empire. And again these Slavonic warriors, when they witnessed Smith's bravery, they did not hesitate to join his expedition to the New World, where he headed the Virginia colony as its president. Although Smith was forced to quit the presidency of the colony, he put New England on the map. He was known as "Admiral of New England" for he commanded a two-ship expedition to the coast of New England in 1614. After his return to England with a cargo of codfish, Smith planned to return to establish a colony in New England. No doubt, he had Slavs, his faithful warriors on this expedition, for he had the greatest trust in them.

* * * * *

And on Thursday, July 26, 1956, the New York Journal-American published on its editorial page, under the title "Early Americans" from the pen of this writer, also the above facts, with this addition: "Slovaks took it for granted that the first Slovak to reach America was Count Maurice de Benovsky, who came to Baltimore in 1785 at the recommendation of Benjamin Franklin. No doubt, your Polish and Slovak readers will be interested in knowing that 100 years before the birth of Benjamin Franklin, two skilled Slovak craftsmen and four Poles helped to build the first permanent settlement in the New World."

In connection with these historical facts, this is what Congressman FLOOD had to say about Count Benovsky, who was born in Vrbovce, Nitra County, Slovakia, and has many countrymen in New York City, especially downtown in the Wall Street area, where they have a Vrbovciansky Kruzok (circle), meeting in the restaurant of a well known Slovak leader, John Mitacek: "And in the War of Revolution," continued Congressman FLOOD, "Slovak love for liberty was exemplified in the military exploits of Count Maurice Benovsky, who served with Pulaski at Savannah and who was born in the storied Nitra, the See of St. Methodius."

Benovsky came to Baltimore, Md., well known Bohemian settlement in 1785 at the recommendation of Benjamin Franklin, our American Ambassador, who met him in Paris and gave him letters of introduction to American businessmen. Benovsky came on his ship *Intrepid*. Later Benovsky became King of the Madagascar, where he was mortally wounded. Now, it is, indeed, remarkable that a century before Benjamin Franklin's birth, two skilled Slovak craftsmen and four Poles, helped build Jamestown, the first permanent English settlement in the New World.

* * * * *

May we be permitted to suggest at this point that we too take a lesson from the first colonists and train young folks to take our places in the Slavonic and Slovak organizations. We can see that the spirit of training future leaders was always the objective of our pioneers. We can see it also from the actions of Peter Stuyvesant, who 50 years after the Jamestown experiment, as Governor of New Amsterdam, now New York, held out allurements to a group of Slavonic pioneers.

Augustine Herman, born in 1600, first Czech (Bohemian) in America, was on his board of advisers. Herman later established Bohemian Manor in Maryland and made a first map of the State. He died in Maryland in 1686.

In 1659 a group of Poles arrived and settled near Fort Orange, now New York, where their skill as tillers of the soil soon became evident.

During the same period of the Dutch occupation, Dr. Alexander Kuriusz, a Pole, whose name has become known to history as Curtius, is credited with having established the first school of secondary education in America, which subsequently became an academy at which pioneers of more than one racial strain received their early education.

In connection with this, we wish to mention Bedrich Phillipse, founder of the Phillipse Manor, another Czech refugee from Holland, who was very influential in Westchester County, near Tarrytown, N.Y., and his beautiful daughter Marie was courted by Gen. George Washington, famous Father of our Country.

JAN A. KOMENSKY

Our thoughts also turn to the famous Harvard University, where the renowned educator, Johannes Amos Commenius (Komensky) was invited almost three centuries ago to be its rector. Komensky was born in Moravia and the University of Bratislava, Slovakia, is named for him. He spent most of his youthful years in Presov, metropolis of eastern Slovakia. Komensky's monument stands in front of the Moravian College, Bethlehem, Pa., founded by Moravians, where we will hold our Slovak Catholic Sokol National Slet and Track and Field Meet on July 15–18, 1965 at Lehigh University.

Perusing the pages of history we find that Maj. John J. Polerecky, son of Count Andrew Polerecky of Slovakia, came to America with the French Expeditionary Army of Rochambeau to fight under General Washington. Major Polerecky remained in America after the Revolutionary War. First he resided in Boston and later settled in Maine, where he died on June 8, 1830. The famous John Hancock signed his naturalization papers as Governor of Massachusetts.

The Slavs fought in the Civil War, when the Sokol organization was established in Prague, on the side of Abraham Lincoln and in all subsequent wars.

In the volume of "Passaic and Its Environs," by late historian, William W. Scott, Rev. Henry Loskiel, a Moravian missionary, is mentioned. He was baptizing Indians in 1676 in the vicinity of Passaic. And Moravians were Slavs, who with the Czechs and Slovaks formed the great Moravian Empire, whose ruler, Rastislav, invited SS. Cyril and Methodius to his domain in A.D. 863. Christian Post, a Moravian missionary, is mentioned as one of the founders of the city of Pittsburgh, Pa. His great accomplishments were published in the CONGRESSIONAL RECORD by the writer.

Polish nobleman, Zaborowski, who was an early settler in New Amsterdam, later moved to New Jersey, where he acquired large tracts of land in Bergen County, along the Passaic River, now home of countless Slavs. The family is known as Zabriskie. Poles have settled in Delaware with other Slavs as early as 1650, according to our records.

Reviewing all these facts, it is no wonder that the Slovaks are called the "Yankees of Europe." The writer quotes in his booklet "Slovaks Under the Stars and Stripes," published in 1929 by the Foreign Language Information Service, popularly known as FLIS and now as Common Council, the late President William Howard Taft, who received the American Slovaks, headed by Peter V. Rovnianek in Washington, D.C., in 1910, when the question "What is your mother tongue?" was added on the census questionnaires. This same President Taft, during World War I, as President of Yale University, addressing several thousand Slovaks and Sokols in Bridgeport, Conn., stated: "The truth is, we need a little poetry among our native Americans, we need appreciation of poetic ideals, we need to have mixed with our everyday humdrum life a little bit of romance that you bring from the old country and we welcome you on that account. Slovaks are the 'Americans by choice.' They feel for America a deep gratitude. Here many of the rights denied in their native country have been theirs unquestioned. It is on American soil that the Slovak literature has largely sprung into being even the Slovak language has been shaped."

THE SOMALI REPUBLIC CELEBRATES INDEPENDENCE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CEDERBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, British Somaliland became independent on June 26, 1960. On July 1, 1960, Italian Somalia achieved its independence and joined with British Somaliland to form the Somali Republic.

The Somali Republic faced many problems in combining the two formerly separate areas into an effective national operation. She is to be congratulated on her achievements in establishing a stable country and a working parliamentary democracy.

The achievements of the Somali Republic are the more notable in light of the limited economic resources of the country. Though it is at present a primarily pastoral-agricultural economy, efforts are being made to diversify and expand with the help of foreign capital.

Today, the Somali Republic is celebrating 5 years of independence. I want to convey the best wishes of the American people to the people of the Somali Republic, with the hope that they will enjoy continued economic progress and political stability.

PROPOSING AN INTERNATIONAL COMMISSION TO STUDY THE NECESSARY REVISION OF THE UNITED NATIONS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the United Nations, when chartered 20 years ago, exemplified the hopeful idealism of a tired world which had suffered through two major wars in quick succession. In those past 20 years, much has happened which can be chalked up on both the debit and credit side of the ledger. And an answer to the blunt question of the Organization's success can be posed in either positive or negative terms. A strict yes or no would be impossible.

But whether we agree or disagree with the U.N.'s actions, its impact on the world scene is undeniable. This impact has been felt in the Congo, Cyprus, Kashmir, and upon the regional pacts which are an important part of the free world's defenses—ANZUS, CENTO, NATO, the OAS, and SEATO. The recognized need for such pacts can be attributed to the widespread feeling that the United Nations, when the chips are down, becomes paralyzed into inaction. The point, therefore, is not necessarily to build more regional pacts, or to rely on more extra-U.N. organizations, but to mold the U.N. into a more effective, active, and respected organization.

The experience in international organization which the world has gained from the ill-fated League of Nations, and in the past 20 years from the U.N. has provided a strong tradition in international cooperation. This tradition is being threatened by the cumbersome and generally impractical machinery under which the U.N. was chartered. In 1945, the world arena was an illusion of great power cooperation. This illusion was dissipated in record time. The conditions under which the charter was effected are no longer in existence, yet no serious advances have been made in revising it.

The past 20 years have shown the world that changes should be made; that the charter is in need of some very important and very basic revisions in the organizational and financial realms. Attempted steps in this direction within the organization have previously met with skeptical rejection from those on the other side of the ideological fence. These countries, interested in using the U.N. as an extension of their threatening foreign policy arm, should not be allowed to block honest attempts at revision.

It is clear that if the new forces which are currently entering the world arena are to be taken in stride, the United Nations organization must be flexible. If future paralysis is to be avoided, the machinery must be oiled, not left to rust. It should be remembered that when the League of Nations lost its international support and degenerated into an international debating society, incapable of doing anything relevant to the world scene at the time—incapable of censoring Mussolini in Ethiopia, incapable of repudiating Hitler in Europe—World War II resulted. What might have been is always an interesting question, and I would hope that this past experience would serve as a warning for the future.

The United Nations has been an avenue of hope for a peaceful world. And the emphasis, on this 20th anniversary, should be a hopeful look to the future, and not a dark look to the past. I would therefore urge the President of the United States, in this 20th anniversary year, to take the initiative and propose the establishment of an international commission, constituted along the same lines as the International Law Commission, for the purposes of studying revision of the U.N. Charter. It is in the best interests of the United States, the United Nations, and the entire world to accomplish this revision.

THE BLUE REDCAP

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, readers of this journal may recall that on June 24, 1965, I brought to attention the story of a 53-year-old redcap at the municipal airport at Mobile, Ala.

Clarence Robinson had been visited by agents of the Department of Labor who seemed to feel that he should be paying a minimum wage to two other redcaps even though the two are not employees. Each of the three gentlemen simply appear every day at the airport terminal and take their chances at receiving tips.

If Mr. Robinson is required to pay the minimum wage he would have to pay more than his total income.

On June 23 I wrote to the Secretary of Labor to bring this problem to his attention. On June 28 he responded, saying that the matter had been referred to the Administrator of the Wage and Hour Contracts Division.

Meanwhile, Mr. Robinson has been formally notified that he must pay $1,104.78 in "back wages" to the other two redcaps. And they say they do not want either the "back wages" or the minimum wage.

As further information on this subject, I call attention to the newspaper item appearing in the Mobile Press of June 29, and my letter of this date to the chairman of the House Committee on Education and Labor asking for assistance in providing help where it is needed to a deserving constituent.

[From the Mobile Press, June 29]

"BLUE" REDCAP PLOT GROWS

(By Bill Sellers)

The plot had thickened this week in the stirring drama of "The Redcap vs. the Department of Labor."

In case you don't recall, Clarence Robinson, redcap at Mobile's Municipal Airport, recently became the subject of an intense probe by the wage and hour branch of the Department of Labor.

Investigators decided that since Robinson carries the luggage of people who have crossed State lines, he is involved in interstate commerce. Therefore, they decreed, he must pay two other associate redcaps minimum Federal wages of $1.25 an hour.

HE PROTESTS

Robinson protested that he had not hired anyone and that the other two men were simply coming to the airport every day on a gamble—gambling that they would get tipped and that weather would permit flying.

A Mobile Press account of Robinson's plight was called to the attention of Congress by Representative Jack Edwards of Mobile who had the story inserted into the Congressional Record.

Edwards said the action against Robinson seemed designed "to prolong the war on poverty by adding to the list of those who are poverty-stricken."

CAN'T AFFORD IT

By poverty-stricken, he referred to Robinson who contends that he only makes $30 weekly himself and therefore cannot afford to pay the other two men a minimum wage which would amount to about $200 weekly—or $170 more than he collects.

Nonetheless, Robinson opened a real official-looking envelope from the wage and hour branch a few days ago and almost had a spasm.

He was being directed to pay one of the other redcaps back wages amounting to $919.10 and the other man a total of $185.60—a total of $1,104.78.

THEY DON'T WANT IT

And now comes the real kicker: the two men whose rights are being so zealously protected by their Government don't want the money.

Airport Manager Perry Baucum has reported to city officials that both men have repeatedly said they don't want the back pay nor the $1.25 an hour.

They say they are willing to "gamble" just like Robinson, according to Baucum.

Congressman Edwards has meanwhile called the case to the attention of Secretary of Labor Willard Wirtz.

Robinson, however, is beginning to feel that his airport "gamble" has produced a gigantic pair of snake eyes.

July 1, 1965.

The Honorable Adam Clayton Powell,
Chairman, Committee on Education and Labor, House of Representatives.

Dear Mr. Chairman: One day during the week of June 7 agents of the Department of Labor interviewed Mr. Clarence Robinson of Mobile, Ala., regarding provisions of the Wage and Hour Act in his association with two other gentlemen.

Mr. Robinson is a 53-year-old Negro who works as redcap at the Mobile Municipal Airport. His two associates are men who share the baggage carrying activities at the airport during hours when Robinson himself has completed his 9-hour day. They are not employees. Each of the three men simply appear at the airport and take their chances that travelers will leave tips.

Mr. Robinson pays the municipality a sum of $30 per month for the privilege of being on the scene as a luggage handler. If Mr. Robinson were to be required to pay the minimum wage to the other two men (who are not employees) he would have to pay them substantially more than his income.

On June 23, 1965, I wrote the Secretary of Labor to bring this situation to his attention. In a return letter the Department informs me the matter is being looked into.

Meanwhile, the Wage and Hour branch has formally notified Mr. Robinson that he must pay the other redcaps back wages amounting to a total of $1,104.78.

My understanding is that the two other redcaps have formally notified the airport manager that they do not wish to receive either the back payment of wages or the $1.25 an hour as a minimum wage. Perhaps it is because they realize better than the Department of Labor that enforcement of these regulations in this case will cause all three hardworking gentlemen to lose their means of livelihood.

I will very much appreciate any assistance or helpful information that you may be able to provide. Thank you.

Sincerely,

JE.

CANADA'S 98TH BIRTHDAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. Gallagher], is recognized for 1 hour.

Mr. GALLAGHER. Mr. Speaker, during the past several years it has been my privilege to be chairman of the House delegation of the Canada-United States Interparliamentary Group. Along with our colleagues from the Senate whose delegation has been headed by Senator George D. Aiken, of Vermont, we have met at least annually with a group of Canadian parliamentarians to examine problems of mutual interest and concern to our two countries. I will leave to others who have served on our delegation to express their views on the values derived from these meetings. For my part I will content myself with the observation that I have gained a perspective on our relations with Canada that no amount of reading could produce.

I have asked for this special order today, July 1, for a very special reason. Today is the 98th birthday of Canada. In our diplomatic list it is designated as "Confederation Day." Others refer to it as "Dominion Day," which I believe is still the legal title. And still others are content to call it "Canada Day." The particular name is not nearly as significant as the events that have made this a day of celebration for all Canadians.

Our Independence Day marks the adoption by the Continental Congress of the Declaration of Independence, a bill of particulars against the King of Great Britain. And once we declared our independence, we had to fight for it.

In contrast, Confederation Day in Canada commemorates neither the start of a fight for independence nor the successful conclusion of a war or revolution. Rather, it is one of the more significant milestones in a steady and peaceful evolution of Canada as a sovereign state.

It may not be fully appreciated either by Canadians or by Americans that the celebration of Confederation Day is due in part to the United States. Events and attitudes in this country, particularly in the years immediately preceding 1867, stimulated both Canadians and Britishers to think how best to counter the United States.

Canada, like the United States, was a frontier country. The ideas of the American Revolution and of the Jacksonian period had their impact on Canadian thinking. The American Revolution also had its impact in Britain. It stimulated many Britishers to reappraise the value of colonies. This, together with the rise of economic liberalism, made almost all segments of British leadership willing to reexamine the relation of the mother country with its dependencies. And their thinking was fortified by the famous report of Lord Durham in 1839 that urged union for the provinces of Canada and a system of responsible government.

Our own Civil War—or War Between the States—intensified anti-British sentiment in this country. Canada as an outpost of Britain felt this sentiment more than Britain did. In 1866 we abrogated the Reciprocity Treaty with Britain. The most important result was Canada's heavy loss of markets in the United States. On the military side a series of border incursions into Canada from the United States raised problems of how best Canada would be defended. The burden was Britain's, but British opinion favored the colonies assuming the obligation of their own defense. Behind these specific and identifiable issues was the recurrent and strident theme of a minority in the United States that the only solution for our northern border difficulties was the annexation of Canada.

Like our own Founding Fathers, Canada pays its homage to a hardy band of 33 "Fathers of Confederation." Their average age was 46—and four of them were only in their 30's. Chief among these was Sir John A. Macdonald who had, in the words of one Canadian historian, "the supreme gift of leadership." A Scotsman by birth, he had come to Canada as a child, studied and practiced law, and was active throughout his life in Canadian politics. Others like Sir Georges Etienne Cartier, Sir Samuel Leonard Tilley, Sir Etienne P. Tache and

George Brown, were the Canadian equivalents of our Adams, Jefferson, Franklin and Wilson. I must make special reference to one other Canadian "Father" Sir Charles Tupper, of Nova Scotia, whose skill and determination brought that Province into Canada. One of his descendants is STANLEY TUPPER, the gentleman from Maine, who has served with distinction on our delegation of parliamentarians.

It was this small group who brought about the confederation of four Canadian Provinces—Quebec, Ontario, New Brunswick, and Nova Scotia— into partial self-government in 1867. Within a few years the western provinces and then the midwestern provinces were linked. The last of the 10 provinces to join the union of Canada was Newfoundland in 1949.

Since 1867 there have, of course, been many other events that mark the transformation of Canada from a self-governing dominion to a fully soverign nation. But like so many things British, these were often small precedents which the passage of time has elevated into basic principles.

Mr. Speaker, I do not believe that any Member of this body will deny me the privilege of expressing to our Canadian friends the greetings of this House. I leave it to officials in the executive branch to convey appropriate expressions through formal and well-established diplomatic channels. But we who glory in the freedom of speech can extend in less formal phrases to our legislative opposites in Canada our own cordial and sincere sentiments on an occasion such as this. To all Canadians, from sea to sea, it is my pleasure to say "Happy Birthday." You may not always agree with us, but yours has always been an honorable course and we respect you. The House of Representatives of the United States Congress wishes for your country the continued blessings that liberty brings to men.

Mr. JOHNSON of California. Mr. Speaker, as a member of the House delegation of the Canada-United States Interparliamentary Group, which has done so much to improve working relations between our two great nations, I would like to join with my other colleagues in extending best wishes to our neighbors in Canada on Confederation Day, July 1, a day so close to our own Independence Day.

In 1867, a small group known as "Fathers of Confederation" brought about the confederation of four Canadian Provinces—Quebec, Ontario, New Brunswick, and Nova Scotia—into partial self-government. Within a few years the western Provinces and then the midwestern Provinces were linked. The last of the 10 Provinces to join the Union of Canada was Newfoundland in 1949.

Plans are now in progress for the celebration of the 100th anniversary to be held July 1, 1967, in Montreal, which is known as EXPO 67. I have been personally kept informed of the progress of this fine exposition through periodic reports of this program. The United States will be represented by a pavilion, which has already been authorized by Congress, and I certainly hope that I will be able to personally join in the celebration of this centennial.

Canadians have every right to be proud of the achievement of their confederation, as we are proud of our independence for which much blood was shed.

The United States and Canada share the same continent with its vast resources, potentialities, history and customs, each nation completely independent yet banded together for the protection of our shores.

It is a privilege to serve as a member of the interparliamentary group and I have gained much insight and knowledge about mutual problems.

Happy birthday, neighbors.

CANADIAN CONFEDERATION DAY—1965

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRASER. Mr. Speaker, today, July 1, 1965, is the 98th anniversary of Canadian Confederation. July 1 is to Canadians what Independence Day is to Americans and Bastille Day is to the French, although the Canadian nation was born not of revolution but by evolution.

Prior to 1867 the separate colonies moved from rule by royal proclamation toward responsible government. In 1867 the confederation of the separate colonies into a single Canadian nation was made possible. On July 1 of that year royal proclamation was given to the British Parliament's British North America Act establishing a confederation of Lower Canada, Quebec; Upper Canada, Ontario; Nova Scotia and New Brunswick, which have been joined by the remainder of the provinces over subsequent years.

Canadians are rightfully proud of the achievement of their confederation and are already engaged in preparations for celebration of the 100th anniversary on July 1, 1967. These plans include an international exposition during that year at Montreal, known as EXPO 1967, at which the United States will be represented by a pavilion which has already been authorized by this Congress.

Recently, I had the opportunity and pleasure to attend a meeting of the Canada-United States Interparliamentary Group at Ottawa and Montreal. This was an excellent meeting serving a most useful purpose. I am certain that both the Canadian and United States participants came away with a deeper understanding of the common problems and prospects that we face today. This is just one of the very many examples of close cooperation which marks our relations with our neighbor to the north.

I know that all Americans join with me in sending their best wishes to Canada on its celebration of this 98th anniversary of confederation and look forward to the continued sharing by our two countries of the bounties of this great North American Continent in neighborly cooperation.

A PROPOSAL TO PROHIBIT DISCRIMINATION IN HIRING PRACTICES AGAINST MIDDLE-AGED AMERICAN WORKERS BECAUSE OF THEIR AGE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 15 minutes.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, the General Subcommittee on Labor, headed by Congressman JAMES ROOSEVELT has agreed today to begin 3 days of hearings on amendments to the fair employment practices section of the Civil Rights Act of 1964.

As a member of this subcommittee I shall press for including in the amendment a provision which would bar discrimination in hiring practices against middle-aged workers because of age.

The law now bars discrimination because of race, religion, national origin and sex. The exhaustive study just concluded by the Labor Department and announced yesterday clearly indicates that until we close the loophole of discrimination because of age, countless thousands of American workers, who are otherwise fully qualified, will be denied an opportunity for new employment once they lose their original jobs, simply because of their chronological age.

It should be a source of concern to all of us when Secretary of Labor Wirtz reports that in the 30 States which now do not bar age discrimination, half the job openings are closed to applicants over 55 years of age and a quarter to applicants over 45.

It should be a further source of concern to us that the Labor Department study indicates many age limitations are imposed without any regard to job requirements, although older workers generally perform at least as well as younger ones.

In addition to the more recent Labor Department study, we have another study completed by the Commerce Department in 1962 which clearly estimated that the odds of an American worker past the age of 45, once he loses his job, of finding another one similar to it, are 6 to 1 against him.

This is a situation which actually represents a crisis among America's middle-aged workers. The situation may not be as pronounced when the country is enjoying its 5th year of economic expansion, but it may be safely assumed that the moment there is a slowdown in employment, older workers displaced by economic conditions will have virtually no opportunity to obtain other jobs consistent with their abilities because of this age discrimination.

I find it a source of great pride to know that those of us who have been urging positive action to deal with this problem now find the Labor Department and Secretary Wirtz urging a national policy against hiring that discriminates against older workers.

Admittedly, there are many problems which must be met before such a policy can become effective.

The hearings before my committee clearly indicate that there is an economic factor involved, owing to the growth of health and welfare programs and pension plans, which actually cost an employer more money to hire an older worker as against a younger worker capable of doing the same job.

The Labor Department quite properly suggests that one answer to this problem might lie in portable pension credits which enable a worker to carry his stake in a pension plan with him to a new job.

I strongly support this concept.

I have also introduced H.R. 654 which would give an employer a complete tax credit on whatever additional costs are involved in hiring an older worker, as compared to hiring a younger worker with similar skills. I shall include a copy of H.R. 654 at the conclusion of my remarks.

Before we can effectively bar discrimination in hiring practices because of age, we must give serious consideration to the economic factors involved. Industry should not be compelled to carry the full burden of these additional costs. I am firmly convinced, however, that until we add a bar against discrimination because of age in the Civil Rights Act, both industry and Government—and, yes, even the Congress—will continue to drag their feet in finding a solution to this problem.

There is no doubt in my mind that we can find a solution which will relieve industry of many additional costs if, indeed, we put our minds to it.

It is for this reason, fortified by the Labor Department report issued yesterday, that I shall press for inclusion of a prohibition against discrimination in hiring practices because of age when this matter comes before my subcommittee on July 19.

I feel confident that with this additional support, the glaring gap in fair employment practices can be closed and older workers can be helped to face the future with a greater degree of confidence.

The legislation which I have introduced would give an employer a full tax credit for whatever additional costs he may encounter whenever he hires or retains as an employee an older person. Under my proposal, the Federal Government would help eliminate one of the biggest obstacles confronting modern American industry regarding the hiring of older people and would in effect encourage industry to make employment available to our growing army of older workers.

This is a far-reaching measure which for the first time would recognize that under our modern concept of business and industry, where the employer is faced with ever-increasing costs of fringe benefits in employment, including pension plans and health and welfare programs, the hiring of older people frequently imposes additional financial burdens on the employer which he avoids merely by not hiring these older people.

The study by the U.S. Department of Labor shows that unemployment is more prevalent among older workers in this country. This situation exists not because older workers are less capable or less productive, but simply because it costs an employer more money to hire them. This is a fact which too many of our social agencies have tried to minimize.

I firmly believe the time has come when we in Congress should face this issue fairly and squarely.

I have just completed a very thorough study of this subject only to find that most social agencies—including a very distinguished citizens' committee recently appointed by the Secretary of Labor—have tried consistently to minimize this cost factor in appraising the entire problem of why industry is becoming more and more reluctant to hire older workers.

I submit, Mr. Speaker, that these efforts to minimize the additional costs of hiring older people—well meaning as they may be—are misdirected. The fact of the matter is that older workers have a higher rate of unemployment in America—despite our present boom—than their younger counterparts.

The Department of Labor reports that there were only 2.9 percent of people between the ages of 25 to 44 unemployed as against a total of 3.5 percent unemployed between the ages of 45 and over. More tragically, this same survey showed that older people remain unemployed for a longer period of time. Witness these figures prepared by the Department of Labor: In 1955, 30.1 percent of the people between the ages of 25 to 44 were unemployed for 15 or more weeks against 42.3 percent of those unemployed for 15 or more weeks in the age group of 45 or older.

We must recognize the fact that modern business theories are based on dollar volume and dollar profits. Because of intensive competition, the modern businessman or industrialist—no matter how considerate he may want to be—must consider his enterprise in terms of costs versus profits. Many theorists have tried to persuade industry under our free enterprise system—as we know it—to forsake its profits for more humane programs. This, of course, is a worthy cause but unfortunately fails to recognize the realities of a desire for highest profits on an investment. Why should one businessman be asked to take a loss when such action may well drive him out of business because of mounting competition from similar industries not quite as altruistic as himself?

The fact of the matter is that in actual employment practices today, as the Department of Labor points out, the age at which the job seeker encounters employment varies widely with his occupation, industry, locality, and with the general conditions of the labor market in his area. Age restrictions are applied arbitrarily by many employers—sometimes as low as 35 or 40 years of age—more often at age 45 years or older.

Changes in policies, practices, and attitudes toward the hiring, training, and use of middle-aged and older workers frequently vary among employers.

I have introduced this legislation because I believe that job opportunities should be available for all of our people who are able and want to work. Each worker should be considered for employment on the basis of his individual qualifications as these measure up to the basic requirements of the job. Every employer should be permitted to recognize that in a job it is ability that counts—regardless of age—and that in reality there is no fixed age at which a person becomes too old to work.

I have thousands of letters from my constituents who tell me they have been out of work for months or even years simply because they are told they are considered too old to be hired.

The tragedy of these people is that they are too young to claim their pensions under social security and too old to be hired by private industry.

I have tragic letters from both men and women who are either in their late thirties or early forties and cannot get employment simply because industry tells them they are too old. In many instances, these people have growing children who must be fed and educated. What are these unfortunate souls to do?

We in Congress must also recognize that the whole concept of family life in modern America has changed. When I was a little boy, it was a practice for the young people to take care of their older relatives. It was not uncommon in my home—and I am sure this was true in many of your homes—that we always found an extra room for either a grandparent, or a parent or some uncle or aunt, to put them up for a spell if they were out of work. The whole family would pitch in and help. But today, when the modern house barely has room for the immediate members of the family, when young people in these times of inflation find it difficult to make ends meet for the needs of their own immediate family, including the wife and children, they can hardly be expected to look after their older relatives. Lamentable as this may be, it is a hard and fast economic reality in modern America.

It is for this reason that I urge the Congress to approve as quickly as possible my proposal to give industry a tax credit against its income tax for the additional costs of hiring older people. I firmly believe this problem has reached the proportion of a national crisis.

I could cite a myriad of statistics to prove that middle-aged or older workers are more reliable, more productive, more dependable, and less susceptive to changing their position once they gain employment.

But I can also cite statistics to prove that the reason why employers prefer not to hire older people is because it costs them more to train an older worker and it also costs the employer more in the way of pension contributions—where a firm has a pension plan—and more for health and welfare insurance.

I must state as firmly as I can that those who have tried to minimize these additional costs—well-meaning as they may be—have done a grave disservice to the older workers of America. The businessman or industrialist who must bear the additional costs knows these indisputable facts, regardless of what the various "experts" may claim to the contrary.

Permit me, Mr. Speaker, to cite figures prepared by the Department of Labor as to additional costs involved in hiring older workers in the steel industry—which has an excellent pension plan. These figures clearly show that the employer's annual contribution to the pension fund for a worker starting out at age 30 is only $120 annually; but this same employer's annual contribution to the pension fund for a worker starting out at age 45 is almost double, or $214 annually. The cost per hour per worker is 6 cents an hour for the employee starting out at the age of 30 years as against 10.7 cents an hour for the worker aged 45. The cost jumps to $242 a year, or 12.1 cents an hour, for the worker aged 50. For the worker aged 55, the annual cost is $265 a year, or 13.2 cents an hour.

This is for the pension fund only. To this you must add the additional cost to the employer for health and hospitalization insurance and all other fringe benefits. This is why I am proposing this tax credit so the employer will not have to carry the extra burden of these costs and actually have an incentive to capitalize on the older workers' stability when hiring him.

My proposal will in no way hurt the younger workers of America. The population growth of this Nation along with the increase in the labor force which we will need to fulfill our needs will make plenty of jobs available for all—both young and old. However, because industry knows that it costs more to hire an older person—a cost which industry is reluctant to absorb—industry is increasing automation to eliminate the worker entirely. We all know that too much automation could well destroy the very foundation of our national economy.

The plan I have introduced would actually serve as an incentive to hire older people and serve the best interest of our entire Nation. Simply stated, it means that an employer can claim a tax credit for whatever the additional costs may be in hiring or continuing to employ an older person, as compared to what it would normally cost him to hire the youngest person who could do the same job effectively. To cite an example, an employer with 100 employees would determine what the fringe benefits cost him for his youngest group of employees doing work comparable to those of older employees. Using this figure as a base, he would compute the difference between this cost and the cost for all of his other employees in the same job classification. He could claim the total of the difference as a tax credit. Thus, the employer would not suffer the extra cost from his own profits.

Under existing law, an employer may now absorb part of this increased cost as a tax deduction in the normal course of doing business. But under existing procedures he recovers only a fraction of the added cost of hiring or retaining older people. By allowing the employer a full tax credit after he has computed his corporate tax, in addition to his normal tax deduction, he would be able to claim the entire additional cost of hiring older people against his firm's income tax.

I believe the plan is sound and I earnestly hope Congress will approve it just as quickly as possible. I have discussed this proposal with the legislative counsel here in Congress and am assured it is not in conflict with our existing revenue code.

In the name of humanity, in the name of helping our older citizens keep the jobs they now have, and help those unemployed to get employment, I urge speedy approval of this measure.

H.R. 654

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by redesignating section 38 as section 39 and by adding after section 37 the following new section:

"SEC. 38. CREDIT FOR EMPLOYMENT OF OLDER PERSONS.

"(a) In General.—In the case of an employer (as defined in section 3401(d)), there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount determined under subsection (b).

"(b) Amount of Credit.—The credit allowed an employer by subsection (a) for any taxable year shall be an amount equal to the increase in his cost of doing business during such year which results from the employment of older persons, as determined under regulations prescribed by the Secretary or his delegate. For purposes of this subsection, any expenditure made by an employer in the conduct of his trade or business (including insurance premiums, contributions to pension funds, contributions to medical costs, contributions to workmen's compensation funds, and any other trade or business expense, including the increased cost of training an older worker and increased cost of maintaining an increased medical and nursing staff necessary where older persons are employed, within the meaning of section 162), whether attributable to an individual employee or to the employees of such employer generally, shall be considered an increase in the cost of doing business which results from the employment of older persons to the extent that it would not have been required or made if the age of each employee involved were the lowest age at which an employee could reasonably (and consistently with the sound operation of the trade or business) be hired to perform substantially the same duties (and no factor other than age were taken into account).

"(c) Credit Not To Cause Refund of Tax.—The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by this chapter for the taxable year, reduced by the sum of the credits allowable under the provisions of this part other than this section and sections 31 and 32.

"(d) Credit in Addition to Deductions.—The credit allowed by subsection (a) shall be in addition to, and shall not reduce or otherwise affect, any deduction which may be allowable under this chapter."

(b) The table of sections for such part IV is amended by striking out

"Sec. 38. Overpayments of tax."

and inserting in lieu thereof

"Sec. 38. Credit for employment of older persons.

"Sec. 39. Overpayments of tax."

Sec. 2. (a) Section 36 of the Internal Revenue Code of 1954 (relating to disallowance of credits to individuals paying optional tax or taking standard deduction) is amended by striking out "and 35" and inserting in lieu thereof "35, and 38".

(b) Section 37(a) of such Code (relating to retirement income credit) is amended by striking out "and section 35 (relating to partially tax-exempt interest)" and inserting in lieu thereof "section 35 (relating to partially tax exempt interest), and section 38 (relating to credit for employment of older persons)".

Sec. 3. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Mr. Speaker, I commend my colleague, the gentleman from Illinois [Mr. Pucinski] for the presentation which the gentleman has made here today with reference to this highly important subject.

I would like to inform the gentleman that the State of Texas, two sessions ago, passed permissive legislation along those lines entitled "Jobs After Forty."

Much help was given to the members of the legislature in support by the Fraternal Order of Eagles in that State. I wish to commend the gentleman, and to offer my pledge of cooperation in his endeavors.

Mr. PUCINSKI. I thank the gentleman. I am glad that the gentleman has brought up the question of the Fraternal Order of Eagles, because certainly this very distinguished organization has been in the forefront in America in trying to come up with ideas and programs which would eliminate the specter faced by the middle-aged and elderly workers who today find it more and more difficult to find employment, even if they are thoroughly qualified. We know there is company after company and industry after industry which, when a worker goes looking for a job, the first question they ask is "How old are you?" If he is past 40 or past 45, no matter how well qualified he may be, no matter how exceptionally good are his qualifications and experience, the personnel officer advises the applicant he is sorry, but the company has a policy against hiring people above 45. That is the end of the interview.

I thank the gentleman for his comments. I am glad the gentleman pointed out that Texas has such a program. This is not a new idea to bar discrimination against hiring practices because of age. That is now the practice in 20 States in America, and I do not see any reason why we should not make this a national policy as long as we have the Civil Rights Act that applies across the board.

Mr. SKUBITZ. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Kansas.

Mr. SKUBITZ. Mr. Speaker, I should like to commend the gentleman for his statement. It is a field we should have looked into a long, long time ago. I am running into this problem every day of people over 40 years of age who cannot find a job, people who are well qualified. I am glad the gentleman is taking the lead in this matter.

Mr. PUCINSKI. I thank the gentleman, and I hope he will follow our hearings with interest. I would strongly recommend we make enough copies available of the Secretary's report yesterday, because for the first time, as far as I know, the U.S. Labor Department has admitted officially that there is a practice of discrimination against hiring people in this country because of age. This is an excellent beginning and with this report now as a basis this Congress can work its will and do something about this problem.

I thank the gentleman for his contribution.

NEW YORK CITY'S $16 MILLION ANTIPOVERTY PROGRAM

The SPEAKER pro tempore (Mr. Krebs). Under previous order of the House, the gentleman from New York [Mr. Resnick] is recognized for 15 minutes.

Mr. RESNICK. Mr. Speaker, we have all heard the expression "Nero fiddled while Rome burned." Now we have a new one to add to it: "While the antipoverty program and the hopes and dreams of millions of Americans in New York City are going down the drain, our Governor, Gov. Nelson Rockefeller, was out doing the Watusi."

Last night Governor Rockefeller of New York vetoed a bill that would have established a corporation to administer the entire antipovery program in the city of New York with a budget of more than $16 million. The manner in which the Governor acted has left many people both bewildered and angry. Word of the Governor's veto reached the Office of Economic Opportunity less than 6 hours before the end of the fiscal year, the deadline OEO had to meet for the allocation of this year's funds.

The Governor knew that failure to meet this deadline would have meant the loss of over $9 million to New York City's campaign against poverty.

Sargent Shriver, Director of OEO, Mayor Wagner, and officials of the poverty program in New York City were left stunned and confused by the Governor's action, and well they should have been, because the Governor had at no time previously even hinted that he would veto the bill on the grounds that he did. There had been plenty of opportunity during the preparation and passage of this bill for the Governor to express any possible objections to it, but he did not. He waited until 6 hours before the deadline in order to do it. This action, I believe, spotlights his real attitude toward the fight against poverty. Earlier in the week, Governor Rockefeller had expressed objections to certain aspects of the program but he dropped his objections after consultation with antipoverty officials.

Only yesterday morning he informed OEO that his doubts about the program had been removed, yet that very evening he vetoed the bill, threatening to shatter the work of many people over many months, and to throw New York City's antipoverty effort into complete disruption, if not destroy it completely.

If the Governor were sincerely interested in the poverty program in New York City, would he have waited until the last minute to veto the bill? And does it not seem likely that he would have made some positive suggestions for overcoming the difficulties he expressed? He made no such suggestions. He made no constructive comments to indicate that he was even remotely concerned with the success of this necessary program. In order to overcome this completely negative behavior, Sargent Shriver discussed this crisis with New York poverty officials and arrived at a tentative solution. And while these desperate 11th-hour discussions were being conducted, what was the Governor doing? Was he seated around the table aiding the negotiation? Was he suggesting alternatives? Was he contributing ideas? No. As a matter of fact, we are told that the Governor was out dancing.

The solution was reached at 11:45 p.m. last night, just 15 minutes before the deadline. Because Sargent Shriver was dedicated to the ideals and aspirations of the poor all over the United States, New York City now has the more than $16 million it needs to attack poverty—money that would have gone down the drain.

This is the extent to which the Governor concerned himself with the war against poverty in New York City. As usual, his oft-repeated lip service to this war was not backed with appropriate action.

I am not a Congressman from New York City. I represent an upstate area. Nevertheless, I am extremely concerned over the Governor's actions with respect to the New York City poverty program, because it provides a penetrating insight into his true feelings about the war on poverty. This is just the latest in a long series of barriers and obstacles that the Governor's office has erected to prevent the smooth and efficient operation of the Economic Opportunities Act.

I have spoken out about this before. In my own district and other upstate cities and communities we have seen the Governor's office use its 30-day review period and threat of veto to delay and obstruct local antipoverty programs. We have seen the letter of the law misused to violate the spirit of the law. I am concerned over what happened in New York City because we in the smaller cities and villages of upstate New York are even more at the mercy of the Governor's office than that great metropolis. We do not have the political power or organization that they have in New York City. That is why New York State as a whole is lagging so badly in this war on poverty. We simply do not have the leadership—and we are not getting it from Albany.

This abuse of power is not necessarily limited to New York State. We have seen it happen elsewhere, for other reasons. It emphasizes the necessity for amending the law so that the arbitrary use of the veto power can be appealed to a higher authority.

I would like to take this opportunity once more to commend Mr. Shriver for the work that he has done in this particular instance. Mr. Shriver was not out dancing last night. He was working—because he knew how important this money was to help the poor people of New York City.

The Governor put the chestnuts in the fire and then left them for Mr. Shriver to pull out of the fire. And pull them out he did.

It is not too late for Governor Rockefeller to restore the people's faith in his intentions regarding New York City's war against poverty. If he erects no further barriers—if he exhibits an attitude of cooperation and concern, the program can move ahead dynamically along the path on which it has started.

The SPEAKER pro tempore (Mr. Krebs). The time of the gentleman has expired.

INDEPENDENCE ANNIVERSARY OF BURUNDI, RWANDA, AND SOMALIA

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BINGHAM. Mr. Speaker, today, July 1, is the anniversary of the independence of three former trust territories in Africa, Burundi, Rwanda, and Somalia. I take this opportunity to congratulate the leaders and the people of these countries and to extend to them all good wishes for their future growth and development.

I feel a particular interest in these three countries since they were all at one time under the United Nations trusteeship system. As the U.S. Representative on the United Nations Trusteeship Council, I myself participated in various proceedings in the Trusteeship Council and in the fourth committee of the U.N. General Assembly which led to the independence of Burundi and Rwanda in 1962. During my 3 years at the United Nations, I was privileged to acquire the friendship of a number of distinguished and able representatives of Burundi, Rwanda, and Somalia.

These countries face the difficulties common to most of the newly independent countries of Africa. I trust that the United Nations and its family of agencies and the United States will continue to help the peoples of these free countries to solve their economic problems and achieve a rapid pace of development within a framework of political freedom.

The American people feel a kinship for newly independent countries that have emerged from colonialism. In the legislative branch of our Government, as well as in the executive branch, we extend the hand of friendship to Burundi, Rwanda, and Somalia and our hopes for steady progress toward the realization of their aims and aspirations.

VIETNAM

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, last week the Vietcong blew up a restaurant in Saigon and littered the street with broken bodies of women and children and killed a number of Americans. Last week also, the Vietcong took an American they were holding in captivity and shot him down in cold blood. I mention these things to make quite clear the nature of the adversary we are facing in Vietnam.

Early this year when I returned from Vietnam I said on the matter of negotiations, let us walk in dignity to any conference table, but let us not run before anyone is there. Since that time, our President, Lyndon Johnson, has indicated his willingness to take that dignified walk but unfortunately there are those who think this is not good enough and who urge him to run before anyone else is there.

I think it would be useful in the face of this to review just what the President has done to bring the Communists to the conference table and to attempt to reach a negotiated settlement in Vietnam. Last August when Communist torpedo boats attacked our destroyers on the high seas in the Gulf of Tonkin, we took the matter to the United Nations. The President of the Security Council invited North Vietnam to participate. North Vietnam, however, responded by saying that the United Nations had no competence to deal with the war in Vietnam. The Chinese Communists seconded his contention.

Earlier this year, Gordon Walker, of Great Britain, attempted to visit Peiping and Hanoi to seek a peaceful settlement and he was refused.

On April 7 in Baltimore our President stated he was willing to enter into unconditional discussions with any of the concerned governments over the conflict in Vietnam. Hanoi and Peiping responded by calling his proposal a "hoax," "a big swindle," "a lie covered with flowers."

On April 8 the President responded favorably to the 17 nonalined nation appeal for a peaceful solution through negotiations without preconditions. North Vietnam responded by outlining four conditions which would be necessary before discussions. In sum, these conditions demanded that we accept in advance a Communist South Vietnam. Communist China responded by saying that the 17-nation appeal was perpetrated by "monsters and freaks."

The Indian Government proposed that a combined Afro-Asian force assure the peace in Vietnam and maintain the present boundaries so long as the people desire it. We stated that we were interested in this proposal and that we would give it careful consideration and have indeed had further discussions with the Indian Government on it. Hanoi, however, said that the Indian proposal was an offense for the people of South Vietnam and merely another scheme to help the United States rule over South Vietnam. Communist China denounced the proposal also and said India had betrayed the Afro-Asian countries.

Last month, we stopped bombing North Vietnam for 5 days but no indication that North Vietnam was interested in negotiations came forth. Instead, Hanoi called the suspension "a wornout trick" and Communist China denounced it as an American "hoax" and "war blackmail."

Prime Minister Harold Wilson of the United Kingdom has organized a Commonwealth People Mission to travel to the interested countries. We welcomed this initiative but it has been rejected by Moscow and Peiping, and Hanoi has shown little interest.

I think this illustrates quite clearly that the United States is sincere in its desire to settle this affair by negotiation rather than by force. I think this is clear to the Communists.

I think it is clear to the American people, but there are still those who say that this is not enough, more must be done, we must make further efforts, we must demonstrate again our willingness. Now I have no doubt that the President will, as the days wear on, make other moves in the diplomatic field. What these moves will be are tactical decisions that are rightfully in his hands. I see no purpose served by grandstand quarterbacking and by urging him to do more and more and more.

I see some danger in these urgings, however well intentioned they may be. They may well be creating the impression in the Communist world that we are eager to settle the conflict whatever the outcome. They may well be convincing the Communists that if they just hang on a little longer, the United States will grow weary and pull out. Such a miscalculation can only extend, not shorten, the conflict. For while we do not seek a continuation of the fighting, we are utterly determined to do what is necessary, in the words of Abraham Lincoln, "down to the very end."

In what ways do these people suggest that the President improve and intensify our diplomatic offensive? Some say that we must make it clear that we will talk to the Vietcong if they come as members of the North Vietnamese delegation. Let us stop right here and consider the Vietcong. Let us consider just who they are. Let us take a good, hard look at these people who massacre innocent children in cold blood. The Vietcong are nothing more than the armed agents of the authorities in Hanoi. We must be completely clear on this point. Over the years Hanoi has sent up to 40,000 armed men into South Vietnam to join those subversive agents which they left behind in violation of the 1954 Geneva accords. These people have preyed on the weaknesses of a new government and nation, and have organized an armed force in the countryside which now threatens the very existence and independence of South Vietnam. These people initiated their activities on the orders of Hanoi and they can stop them on orders from the same place.

This is aggression no less than it was aggression when North Korea threw its divisions across the 38th parallel almost 15 years ago to the day. During those 15 years the Communists have learned that such open aggression is not profitable. They have turned to a more subtle but equally dangerous kind of aggression. They have sent their thousands across the border over the years instead of doing it in just 1 day.

I am disturbed by all of this talk about negotiating with the Vietcong, recognizing their existence as a factor in the situation, because each time we say this, each time we create the impression by loose talk and sloppy language that the Vietcong are anything more than the agents of Hanoi, we encourage Hanoi to believe that we are weakening on this point, that we will indeed agree, if they just press a little harder, to accept the Vietcong as a bargaining agent. These people are no more separate from Hanoi than were those North Korean divisions from Pyongyang.

The Communists, of course, are eager to have the world and us accept these intruders as a separate entity. For then they can perpetuate the fiction that this is a civil war, that these people are not revolting against the Government in Saigon, that they are the "only true representatives of the people of South Vietnam." I must say that I am disturbed by the degree of success that they have had in perpetrating this false word outside of South Vietnam. I purposely say outside of South Vietnam, because it is quite clear that the Vietcong or the National Liberation Front have not succeeded in gathering any significant non-Communist elements into its fold. The people of South Vietnam are not fooled as to the nature of the Vietcong threat and its smokescreen, the National Liberation Front. No opponents of Ngo Dinh Diem even in the most bitter days joined the front. Let me give as an example the pilot who bombed Diem's palace in February 1954. This man would not join the front. When he was released from prison after Diem's fall, he did not join the front, he returned to the air force. He recently died over North Vietnam in a bombing attack. He gave his life striking at the home base of those who were trying to conquer his country.

Now, should we talk to these people? The administration has made itself quite clear that if Hanoi wishes to include in its delegations some of its agents operating in the south, then this is not a barrier to talks. We need go no further than this. Any more would just run the risk of misleading the Communists into thinking that we were indeed weakening in our resolve not to recognize these aggressors.

It is also said that we must improve our position by saying that we approve of self-determination. Last week a distinguished Member of the other body stated that we made a mistake in urging Ngo Dinh Diem not to participate in the elections provided for by the 1954 Geneva accords. This ignores the fact that the Geneva accords called for free elections by secret ballot. He did not mention that President Diem at the time said he would participate in such elections but not without assurances that there would indeed be free elections in the north. It was quite clear then and it is clear now that such elections were an absolute impossibility. Perhaps there are those that feel we should atone for President Diem's refusal to commit political suicide by declaring ourselves in favor of self-determination. Here again, however, the administration has made it quite clear that we have no desire to dictate the future of South Vietnam. President Johnson said on April 11 that we seek an independent South Vietnam, free from outside interference, tied to no alliance. What political future such as a South Vietnam would work out for itself will be up to the South Vietnamese. It is quite conceivable that they will decide to have elections after Hanoi's agents have released their grasp on large parts of the Vietnamese countryside.

As to the unification of all of Vietnam, in 1954, we made it quite clear that we favored elections under effective international supervision to reunify all of Vietnam. North Vietnam, however, was not interested in such an approach and there is no reason to believe that they are interested in it now. It is conceivable that once peace is restored that North and South Vietnam might well decide to determine the reunification of the country on the basis of free elections. I do not see this in the foreseeable future, but it is something that has to be worked out after peace is restored.

I notice with considerable concern a new theme that is creeping into public discussion on this matter. Some say that we should not stand in the way of the South Vietnamese having talks with the Vietcong and Hanoi in an effort to solve the conflict. I am puzzled by this proposition. When I was in South Vietnam, I saw no indication whatsoever that the South Vietnamese were interested in anything but freeing their country from the aggressors. I have seen nothing since then which indicates that the South Vietnamese are trying to talk with Hanoi and its agents, the Vietcong. I am disturbed because it is only one step from saying let us not stand in the way of such talks, to saying let us encourage such talks. The South Vietnamese, I believe, would take this very badly. They are fighting for their very existence and they are suffering enormous casualties in doing it. They are not being forced to do this by the United States but rather they have asked the United States to aid them in this struggle. The above proposition has the ugly connotation that this is not the case. In spite of all our involvement, this is a Vietnamese war. They are doing most of the dying and it is their country that is being torn apart. I cannot see how they would not be disturbed and frightened by hearing urging from their allies in this struggle that they go off and settle this thing with the Vietcong. It seems almost as if we are saying, "Get us off the hook, go talk to the Vietcong, work something out so that we can get out of here." The South Vietnamese know full well that without us Hanoi would clamp its terrible rule on their country. As I said before, this particular line of argumentation disturbs me deeply.

Finally, let us consider the larger aspects of this conflict. We are told that the real problem is not in South Vietnam—that our real interest lies in India which must withstand Chinese Communist expansion. This, however, ignores the fact that the financial resources now used for economic development in India and Pakistan would have to be diverted for military defense if the Communists were free to turn in another direction. We are told that our safety as a nation does not depend on having American troops in South Vietnam. I should point out that the recent increase in troops in South Vietnam was required because a country to which we have been made solemn commitments asked for our assistance to help it maintain its independence against a particularly vicious form of aggression. The President has made it clear that we will pull these troops out when this aggression is stopped. Now, I do not believe that if we pull them out before that time that a flotilla of Chinese Communist junks would appear off the coast of California.

But I do believe that if we welsh on this commitment, the rest of our commitments upon which our very existence as a nation depends will be seen as worthless in the eyes of our allies. At issue is our credibility as leader of the free world. Our worldwide commitments are like a seamless fabric. We cannot tear it in one place and expect it to remain the same. I also believe that if we do not fulfill this commitment, the Communist world will be greatly encouraged to initiate these wars of national liberation in other countries that are just as vulnerable as South Vietnam.

The President has chosen to draw the line in South Vietnam. The Communist world must be under no illusions as to our determination to see this thing through. The President has steered the Nation on a prudent course through very dangerous waters. He has resisted pressures from those who would abandon South Vietnam and from those who would plunge us into a catastrophic conflict. I supported him at the beginning, and as the need for quiet patience and calm determination in the face of a long struggle is upon us, I continue to support him. His course is worthy of the support that all but a small number of Americans have given him. And it is suprising that no one in this small group of opposition has offered an alternative course short of turning over Asia to the Communists and with it the lives of millions of people who oppose communism and who have faith in our country.

WATER SHORTAGE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RESNICK. Mr. Speaker, vast areas of the Nation do not have enough water. More than one-third of our population is gripped by a drought which is already in its fourth year.

In many States, deep wells that have been producing water for 50 years have gone dry. Great hardships have been placed upon rural and urban residents, farmers, and industry. At present, a fair measure of emergency relief is available to farmers in the form of low-interest, long-term loans, so that they can dig wells, install pumps and distribution equipment, and take other steps to obtain water. This is provided under the Consolidated Farmer's Home Administration Act of 1961, as amended.

However, the great majority of rural residents are not farmers, and no help is available to them under existing legislation. Emergency assistance is needed now by individual families, entire communities, and industries in rural and semirural areas afflicted by drought. Farmers also need additional assistance beyond that provided for in the act mentioned above. To help provide this emergency drought assistance, I have introduced H.R. 9459.

Briefly, this bill proposes to reduce the impact of drought, in rural and semiurban areas, on residents—both farm and nonfarm—industries, commercial establishments, agriculture, and livestock enterprises. Its principal provisions are to provide low-interest, long-term loans for the improvement or development of water resources, including technical assistance and equipment such as pumps, water transmission lines, and treatment equipment; matching grants to communities and other public and quasi-public organizations for the same purpose; and matching grants to municipalities up to 50,000 population who must haul water for distribution to their citizens.

This bill also proposes that the Secretary of Agriculture be authorized to guarantee bonds issued by water districts to obtain loan funds for farm and nonfarm families and industries in small municipalities, for the purpose of developing water resources. In addition, the Secretary of Agriculture would be authorized to issue charters to public authorities or corporations, enabling them to provide water resources for their areas, if no public body is in existence to perform this function now, or where State laws prevent such bodies from being established for this purpose. In my own State of New York, for example, nonprofit corporations may not be formed to obtain loans for developing water resources. In 1964 both houses of the State legislature passed a bill that would have made such corporations legal. The Governor vetoed this bill, and as a result almost 800 nonincorporated communities in New York State which do not have central water systems are unable to take the necessary steps to finance this vital enterprise.

Finally, this bill proposes that a program be established under which surplus feed and seed commodities owned by the Commodity Credit Corporation be made available to farmers in drought-stricken areas at favorable terms.

Certain kinds of national disasters have long been recognized as requiring Federal assistance. When floods, earthquakes, storms and other acts of God occur, destroying lives and property, the conscience of the Nation is quick to respond to the need created by these emergencies. Severe drought is also a natural disaster. While it does not strike with the sudden and dramatic fury of a hurricane, it can nevertheless be more costly and dangerous. Drought is a quiet intruder. It does not announce its arrival, and we cannot predict its departure. We do not even notice its presence until it has been living with us for some time. And by then it is often too late to avoid its costly consequences.

Generally speaking, when drought strikes, its effects are felt first by our rural areas. H.R. 9459, therefore, has been written to help our rural and semi-urban areas meet the crisis which now exists in 31 States, and is still spreading.

TOLL BRIDGES: MUST THEY GO ON TOLLING?

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, on the first day of this session I introduced a bill to prohibit the creation of interstate authorities having power to divert motor vehicle toll revenues to nonhighway purposes. H.R. 889 was referred to the Committee on Public Works and it has aroused considerable support from the motor vehicle users of our country, at least in the volume of mail I have received in my own office.

Although H.R. 889 does not mention any specific authority or commission by name, its foundation lay in the consistent abuses of authority of the Delaware River Joint Toll Bridge Commission which directly affects all the people in my district. This commission was established by the mutual agreement of the Legislatures of Pennsylvania and New Jersey and the consent of the Congress of the United States. It was designed, originally, to finance the construction of bridges across the Delaware River, thereby joining highways running through the two neighboring States.

When the commission was approved, toll financing was virtually the only feasible means of paying for such structures. For many years, therefore, the commission served a useful and vital function in the creation of better traveling conditions for residents of the two States and for those who travel through them.

Of recent years, however, the commission has taken upon itself plans and schemes which far outreach the wildest imaginings of either the State legislatures or the Congress which gave their original approval to the commission's stated plans for highway travel facilities on the river.

Last year, for example, in a flagrant departure from its traditional reason for existence, the commission asked the Congress to approve its construction of a port facility on the Delaware and insisted that motor vehicle toll revenues from existing bridges could be used to finance such construction. Fortunately for all concerned the measure was permitted to die in the Senate committee.

Although it sustained this defeat, the commission has not been content to continue about its business of operating existing toll bridges and, hopefully, removing tolls from them when they have paid their way and redeemed their bonds. Now the commission is back again with its announced intention to construct a new toll bridge at Bristol.

In so doing, the commission has arrogantly announced that it intends to pay for the structure through refinancing all the bridges in its system, thus extending tolls for a period of 40 years on every bridge along the Delaware except the one free bridge in the downriver section. Strenuous objections on the part of civic leaders, industries, and motor clubs have fallen on deaf and uncomprehending ears.

It seems clear that the commission, having once been established, fully intends to perpetuate itself forever, if it can possibly do so.

There is no doubt in my mind—indeed there should be no doubt in anyone's mind—that a new bridge is needed to handle traffic at Bristol, Pa., a heavily traveled area carrying large amounts of suburban Philadelphia traffic.

But there are grave, continuing doubts about the commission's means of financing such bridges, especially as this would relate to the Interstate Highway System.

There are even more serious doubts about the commission's highhanded tactics in reaching its decisions and announcing them.

On Wednesday of this week—June 30—there appeared an excellent and intelligently reasoned editorial in the pages of the Easton, Pa., Daily Express. I want to call the attention of all my colleagues to this editorial comment since I feel that the powers the Delaware River Joint Toll Bridge Commission may choose to bestow of its own whim upon itself may affect the overall attitude of every other interstate authority in the land.

The editorial follows:

Runaway Agency?

Analyze carefully the arguments of the Delaware River Joint Toll Bridge Commission in defense of its self-perpetuating toll span construction plans, the position of the Scranton administration in Pennsylvania in opposition to continuing tolls, the inadequacy of New Jersey State fiscal management which keeps the burden for new river crossings on the commission, and at least one fact is illuminated starkly: The commission/authority concept of public works development and financing can be a serious threat to the structure of our political and governmental system.

We may take it that the Scranton administration's resistance to new toll construction, which would mortgage other toll bridges in the system decades beyond their scheduled bond amortization dates, reflects the will of the people of Pennsylvania. We are certain that it represents the attitude of business-industrial leadership in the Lehigh Valley. The Bushkill Street toll crossing in Easton has been the fiscal cornerstone for the Delaware River bridge system; it can be paid off and free of tolls in a few years if it is not indentured further for new, initially unprofitable spans.

Yet the bridge commission, almost wholly autonomous by virtue of the interstate-Federal enabling laws underlying its creation, can tell the government of Pennsylvania, a supposedly full and equal partner in its operation and regulation, that its objections are invalid, and that its representations, reflecting the will of the people of the Commonwealth, will not be heeded.

The commission, by its nature, becomes a Frankenstein monster turning on its creator. It becomes a second government more powerful than the elective government from which it drew substance and life, a supergovernment for all practical purposes beyond the will of the people and their elected representatives. The commission's mandate allows this—and, under the circumstances, is alien to the representative system.

To be sure, one partner in the commission's operation—the State of New Jersey—in effect has endorsed new toll construction by refusing to share with Pennsylvania the cost of additional bridges. New Jersey pleads the lack of funds (although its commission representatives say the State can find the money to pay their share of the cost of a new span at Trenton). Both political parties in New Jersey have placed partisan considerations ahead of enactment of a critically needed broad-based tax program, while the Scranton administration in Pennsylvania is concluding the fiscal year with a surplus in excess of $100 million and meeting its highway-bridge construction obligations.

One State should not be made to suffer for another's fiscal management and public service failures—yet this is, in effect, what is happening in New Jersey's inability to finance river crossings on a share basis with Pennsylvania. Frank Hollister, special assistant to Pennsylvania Highways Secretary Henry D. Harral, told the commission at its self-defense session this week that the agency's compact "is completely outmoded and should be overhauled." The legislatures ought to get busy on this.

CANADA'S NATIONAL HOLIDAY—CONFEDERATION DAY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Murphy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MURPHY of Illinois. Mr. Speaker, for Canada's neighbors south of the border to join in the celebration of her national holiday, Confederation Day, July 1—so close to our own Independence Day—is a reminder of both the independence and the interdependence of the two countries. The United States and Canada sharing the same continent with its vast resources, its incalculable potentialities, and having shared so much history, so many customs, traditions, features of everyday life—language, law, and literature—and being intricately interdependent in the economic field, in defense matters, and in social and cultural affairs, have nevertheless maintained their complete independence as political entities in a changing world. It is unthinkable that they will not continue to do so—at least in the minds of all but a passing few.

Yet the happy relationship of interdependence and independence needs to be reexamined from time to time. Friendships and even the happiest of human relationships do not remain static. There is always the danger that too much will be taken for granted. Canadians have, in fact—and not without reason—complained that we in the United States have done just that—taken them for granted.

The business world, the economic world in general, is perhaps more responsible for this situation than other branches of society; although in matters of defense some are similarly to blame. The reasons are understandable; but the situation is not irremediable; and further consideration on all parts would help. The very interdependence of the two societies, with the inevitable dominance of the larger one, tends to make the people of the United States forget the mutuality of that dependence. We in the United States can no more do without our closest friend in military, economic, social, and cultural matters than Canada can do without us.

We hail the celebration of the beginning of Canadian independence, and we welcome the opportunity to remind all of the happy relationship that produced "the undefended border" and that will be maintained by a constant awareness of Canadian-American inability to get along without the benefits of our proximity.

THE 20TH ANNIVERSARY OF THE UNITED NATIONS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. SWEENEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SWEENEY. Mr. Speaker, at a time when world tension and conflict is mounting and the United States is involved in two wars, we find a greater need for a neutral forum of nations committed to achieving international cooperation and peace. The United Nations has been developed as an effective means of negotiating and settling international disputes so that small-scale wars will not be escalated into big wars and international peace, security, and justice are not endangered.

In a revolutionary world in which more and more powers are able to obtain the means of mass destruction, it is becoming increasingly important to continue striving toward achieving world law so that man's aggression against man might be subject to limitations, thereby creating a peaceful environment in which the peoples of all nations might live without fear of annihilation.

The United Nations has been severely criticized for its inability to maintain peace and prevent war; the ineffectiveness of the General Assembly; and the impotence of the Security Council due to Russia's veto power.

However, a survey of the activities of the United Nations during the past 20 years will show that it has developed a variety of means for dealing with situations which threaten international peace and security.

Small U.N. peacekeeping forces have been operating since 1948 when some 30 observers from 10 nations were sent to patrol the armistice line in Kashmir. Since 1949, the U.N. truce supervision organization has kept about 150 men in Palestine. In another U.N. operation, 600 observers watched the border between Lebanon and Syria in 1958 for evidence of infiltration into Lebanon.

A large U.N. force has been sent out five times. The first time, Korea, is the only example of the use of force under U.N. control, to push back aggression and later to supervise an uneasy peace reestablished under an armistice agreement still in force. The four other forces were sent to Suez in 1956, to the Congo in the mid-60's, to West New Guinea in 1962, and to Cyprus in 1964.

These are all instances in which the United Nations, in its role as a peacekeeping force, has acted as mediator and conciliator. Its task has been to provide time in which there can be created the conditions under which political settlements can be made possible; it has not attempted to create the settlement.

But the mediation of disputes is only a segment of peacekeeping. It is also important to remove the causes of war and human suffering—hunger, poverty, and ignorance. To this end the United Nations is unequaled and irreplaceable as an instrument of positive, constructive achievement. Its many vital agencies—UNESCO, WHO, FAO, the Children's Fund, to name a few, have become the best vehicles for achieving international cooperation and understanding that the world has known.

The reality that world peace is dependent upon world law seems to receive slow acceptance in the forums of the world. However, international law, and world courts to interpret that law are, in my opinion, two of the most urgent needs of our time.

The United Nations with its many functions is the best hope for future peace this world knows. It is with this hope that I wholeheartedly affirm and support the continuation of the United Nations.

LET'S MAKE IT POSSIBLE FOR EVERY AMERICAN TO VOTE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. VIVIAN. Mr. Speaker, while we Americans loudly and rightfully proclaim and acclaim our democratic way of government, we surely do not fully evidence our belief in overt acts on election day. The poor participation of the American people in voting is a national shame. During the last presidential election, when political interest was at peak level, less than 62 percent of those citizens of voting age cast a ballot for President of the United States—in other words, 43.3 million, or worse than 38 percent of those of voting age, did not cast a ballot even for our highest office.

Several years ago, a Presidential commission drafted a series of recommendations to improve voter participation. But these splendid and widely supported recommendations have gathered dust in the files of most of our State legislatures, instead of being implemented in local and State laws.

The editor and publisher of the Christian Science Monitor, Mr. Edwin D. Canham, has recently penned some thoughtful comments on this situation.

Mr. Speaker, I ask unanimous consent that the Christian Science Monitor article be printed:

YOU'RE ON THE LIST

(By Erwin D. Canham)

There is a fundamental difference between the voter registration practices of the United States and those of other leading Western democracies.

In the United States, it is the voter's responsibility to get on the rolls. In Great Britain, France, and other countries, it is the local government's responsibility to get him on the rolls.

Here is how a standard reference book describes the British practices: "It is the business of the state to see that every qualified person, man or woman, is put on the register in the proper constituency. Practically no burden is placed upon the electors.

"In every county and borough there is a registration officer—commonly the clerk of the council—whose business it is, under the general direction of the Home Office at London, to compile and revise the list of parliamentary, as well as that of local electors; and this he does by sending canvassers from house to house in July of each year with copies of the last previous list on which are to be entered all changes due to be made."

The situation in France is very similar: "The terms on which the suffrage is exercised are fixed by national law. Responsibility for keeping and annually revising the lists of eligible voters falls, however, to the authorities of the smallest unit of local government, the commune.

"The task of overhauling the local list is performed between January 1 and March 31 of every year by an electoral commission consisting of the mayor, an appointee of the communal council, and an appointee of the prefect of the department—the necessary information being obtained almost entirely from records kept in the mayor's office for use in connection with compulsory military service. The voter himself is put to no trouble." (Quotations from Ogg's "European Governments and Politics.")

Thus registration in Britain, France, and most other countries is a virtually automatic function of the State, making certain that basic requirements are met.

It helps to explain why such a larger proportion of eligible persons vote in Europe than in the United States. Here, a very substantial number are not even registered. There, they are registered as an inherent right and process of citizenship and residence.

In such countries, there would be no question of disenfranchising persons because of color or any similar reason. There are various requirements, usually based on residence, taxpaying, and so on. These are reasonably applied, and if there is a question, the individual has recourse to the courts.

In the United States, not only is there the problems of keeping people off the voting rolls, but the loading of the lists with phonies.

What would happen if the United States adopted the European practices of registering citizens instead of requiring them to register? It would probably put a considerable burden on officials. But the police now are called upon to check the voting lists periodically. Would this extension of tasks be too difficult? Would not validation of the voting lists be more honest and accurate?

Why should it be left to the whim or initiative of the citizen whether he is registered? Why should not every eligible voter be registered? Granted the United States has a very mobile population, much more so than Europe, but is this an insuperable obstacle? Methods of data processing and correlating grow daily more efficient.

The responsibility could start, as it does now, with the communities and the States. Ultimate safeguard against abuse could rest in the Federal Government. The States need have no diminution in their authority or sovereignty.

Automatic registration—as much a right for people who meet the basic requirements as breathing the air—would seem to be the essence of free society. Self-disenfranchisement by apathy or human carelessness or error or ignorance would be avoided.

Why not?

BURUNDI INDEPENENCE DAY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CONYERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CONYERS. Mr. Speaker, 3 years ago today the Kingdom of Burundi emerged as an independent nation. On this proud day I send congratulations to the people of this fine new country, to their leader, King Mwambutsa IV, and to their Ambassador to the United States, Mr. Leon Ndenzako.

On July 1, 1962 the Territory of Ruanda-Urundi, which had been a United Nations Trust Territory under the authority of Belgium since World War II, was divided into two independent nations. Thus did Burundi, the southern half of the protectorate, become independent.

Following a tradition of over 400 years, Burundi is headed by a Mwami or king, who acts as Chief of State for the constitutional monarchy. The king, His Majesty Mwami Mwambutsa IV, who ascended the throne in 1915 at the age of 2, has long been a stabilizing influence within the country.

Burundi, which is located in the heart of Central Africa, bounded by the Ruizi River on the west and Lake Tanganyika on the east, has primarily an agricultural economy. It produces a very fine quality of coffee, for which the United States provides a large market. Significant progress has been made in programs of agricultural research, reforestation, and cultivation of marshlands.

The people of Burundi have vigorously worked to improve their country's economy and educational facilities. We in the United States are happy to be a part of these efforts through our financial assistance and through the Peace Corps.

We are encouraging this young nation to continue to use its newly found independence to provide conditions which will foster stable and effective government and make peaceful development possible for the entire country.

Again our warmest congratulations to Burundi on her third anniversary of independence.

SOMALI INDEPENDENCE DAY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CONYERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CONYERS. Mr. Speaker, today, July 1, in the enterprising new nation of Somalia the people are celebrating the fifth anniversary of their nation's independence. We in the United States of America, who soon will be celebrating our own Independence Day, feel an affinity to this young country on this very important and happy occasion.

Somalia, which is located on the so-called horn of Africa has a history of over 4000 years. The land was first inhabited by Hamitic people, and later Arab traders came to the coastal areas. In the seventh century people from the Yemen established an Arab Sultanate there.

In the 15th century traders from Portugal began to arrive in the area. They were followed by English and Italian traders and settlers. Thus, throughout most of its modern history, the Somali territory has been governed by foreign powers.

In their recent political history, Somalis have much of which to be proud. In November 1949, Italian Somaliland was made a trusteeship of the United Nations, which was terminated on July 1, 1960. In the meantime, British Somaliland began to work for self-government and achieved her independence on June 26, 1960. On July 1 she joined Italian Somaliland to form the Somali Republic.

The Honorable Aden Abdulla Osman, who had served as president of the assembly which wrote the constitution for the new republic, was elected provisional President.

Since July 1, 1960, this ambitious nation has worked hard to improve her Government and economy. Today in commemoration of that date, we extend our warmest congratulations to the people of the Somali Republic, and to their fine and able leader, President Aden Abdulla Osman.

In a very short period of time, this nation has established a stable, democratic government, and has achieved remarkable success in uniting the previously separate governmental systems of British and Italian Somalilands.

The United States is proud to have the friendship of this aspiring new nation. Our Government has enjoyed working with the Somali Republic in her programs for economic development, and I am confident that the two countries will continue their close cooperation in the future. In the very near future we look forward to having with us in Washington the distinguished new Somali Ambassador to the United States, Mr. Ahmed Mohamed Adan, who has been a visitor to our country in the past while serving as a member of the Somali delegation at the United Nations.

The future is bright for the people of the Somali Republic under the admirable leadership of President Osman. Congratulations and best wishes to him and to the Somali people on their fifth independence day.

RWANDAN INDEPENDENCE DAY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CONYERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CONYERS. Mr. Speaker, 3 years ago today, July 1, 1962, the Republic of Rwanda attained independence, fulfilling a United Nations General Assembly resolution terminating Belgian trusteeship of the territory of Ruanda Urundi of which Rwanda formed the northern half.

Rwanda joined the African and Malagasy Union in order to help solve some of their common regional problems. The United States is furnishing aid to the country in several ways, including the development of a new water system and a telephone system for Kigali, the capital. In an effort to help herself provide the capital which she needs for investment and development, Rwanda has adopted an austerity program.

Situated in the heart of Central Africa, only two degrees south of the Equator, Rwanda, the "Pearl of Africa," has been a leader in the efforts of the newly independent African nations in promoting education, health, social welfare, and democratic government. Although schools were not established in Rwanda until 1900, illiteracy is being eliminated due to the relentless efforts of President Kayibanda, himself a former educator. Rwanda's first university opened its doors on November 3, 1963.

In the field of public health, the Rwandan people have made great gains. The rate of infant mortality in this country is the lowest in Central Africa. A comprehensive welfare program has been developed and settlement houses have been erected in both urban and rural areas. The determination of the people of Rwanda to build a great nation which can handle its own domestic problems efficiently is worthy of our admiration and support.

The people of the United States are proud to accept the kind of friendship shown us in the symbolic postage stamps issued by Rwanda in April 1965. These stamps bear the image of our own Abraham Lincoln. We thank the Rwandan people for this tribute and we wish them continued peace and prosperity.

To His Excellency the President of Rwanda, Gregoire Kayibanda, and His Excellency the Rwandan Ambassador to the United States, Celestin Kabanda, I extend greetings and congratulations.

THE CIVIL RIGHTS ACT OF 1964

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CONYERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CONYERS. Mr. Speaker, today is the first anniversary of the signing into law of the Civil Rights Act of 1964. For this reason I feel it would be appropriate to have printed in the CONGRESSIONAL RECORD a brief legislative history and legal analysis of last year's bill by Prof. Harold Norris, of the Detroit College of Law. Professor Norris has done a thorough and excellent job of analyzing the various considerations which caused the bill to be introduced, how and why Congress amended the bill, and the legal questions involved.

Professor Norris has had a long and distinguished legal career of tireless activity in securing equal rights for all Americans, with particular emphasis on individual civil liberties. This outstanding member of the Michigan bar is the author of various books and articles in the fields of constitutional and criminal law. In 1961 he was elected as a delegate to the Michigan Constitutional Convention, where he served with great distinction as vice chairman of the committee on the declaration of rights. Professor Norris has also served as chairman of the American Civil Liberties Union of Michigan.

In his article Professor Norris has some very perceptive and stimulating comments on the omissions in the 1964 Civil Rights Act. I think these comments might be of particular interest to my colleagues since next week we will be considering the voting rights bill of 1965. This bill is before us because it has become clear to all that the 1964 act was not effective in securing the right to vote against obstruction and intimidation, both public and private. In addition I would like to recommend to my colleagues the final section of this article which points out that no law, however strong its provisions, can be effective if the executive branch is not determined to enforce that law:

Civil rights in the last century in the United States have not been so much a question of adequate law; they have been primarily a question of adequate will.

The text of the article follows:

THE CIVIL RIGHTS ACT OF 1964

(By Harold Norris)

(NOTE.—Harold Norris, A.B., M.A., University of Michigan; L.L.B., Columbia University. The writer, a professor of law, has long been active in the legislation and promotion of civil rights. He was of counsel in Michigan's congressional redistricting case. Professor Norris was elected as a delegate from Detroit to Michigan's Constitutional Convention in 1961–62 where he served as vice chairman of the committee on the declaration of rights and was the coauthor of the provisions setting up a civil rights commission and prohibiting racial and religious discrimination. He is the author of "Mr. Justice Murphy and the Bill of Rights," and "Casebook of Complete Criminal Trials." He teaches constitutional and criminal law at the Detroit College of Law and has served as chairman of the constitutional roundtable of the Association of American Law Schools, and as chairman of the American Civil Liberties Union of Michigan.)

I. HISTORY OF THE LEGISLATION

Early in the 88th Congress a substantial number of broad civil rights bills were introduced by members of both political parties.

On February 28, 1963, President Kennedy transmitted to the Congress a message of recommendations pertaining to civil rights.[1] This message pivoted principally upon more effective protection of the right to vote, seeking to strengthen the Civil Rights Acts of 1957 and 1960, which dealt primarily with voting. The message also urged renewal and expansion of the Civil Rights Commission, and the providing of technical and financial assistance to encourage school desegregation. The message reflected President Kennedy's main thesis, "Armed with the full and equal right to vote, our Negro citizens can help win other rights through political channels not now open to them in many areas." Subsequently, on June 19, 1963, President Kennedy sent to Congress a second message containing recommendations pertaining to civil rights.[2] The message of June 19 went far beyond that of February 28, and urged the enactment of a comprehensive or omnibus civil rights bill.

Developments in the Nation between these two messages reflected the geometrically progressing impatience of the victims of discrimination with its persistence, and the overt and patent forms of resistance to change by segregationists. Crucial was the net impact of widespread participation of huge numbers of ordinary Negro citizens in direct action, nonviolent protest. This was the most significant development in the civil rights struggle since the Civil War. The ordinary Negro citizen was taking his struggle and that of democracy to the streets; it was not only the talented 10th concentrating primarily in courts.

Concentration upon the right to vote was too little and too late. The more precise question was being asked and answered, "How does a people without civil liberties secure civil rights?" It was being answered not only in the courts and legislative halls, but also by sit-ins in places of public accommodations, stand-ins in voting registration lines and pray-ins in churches. It was being answered by Rosa Lee Parks, who walked in preference to riding a segregated bus in Birmingham—who, in short, "voted with her feet." Commercial pressure was applied. Taking a leaf from American labor history, as well as from Thoreau and Ghandi, the American Negro sat down and was recognized. The Emancipation Proclamation was marked "received" by the ordinary Negro citizen and returned to the White House dated 100 years later with the injunction, "All, Here, Now." The little fellow whose birthright to full and equal opportunity it is the purpose of the Government of the United States to secure was fighting for his rights as a first-class citizen, for democracy for all, for integration into a Government by consent, and for America's nationhood.

President Kennedy's June message carefully assessed this change in method and purpose of protest and the reactions to it, and declared:

"The Negro's drive for justice, however, has not stood still—nor will it, it is now clear until full equality is achieved. The growing and understandable dissatisfaction of Negro citizens with the present pace of desegregation, and their increased determination to secure for themselves the equality of opportunity and treatment to which they are rightfully entitled, have underscored what should already have been clear; the necessity of the Congress enacting this year—not only the measures already proposed—but also additional legislation providing legal remedies for the denial of certain individual rights.

"The vulnerable code of equity law commands 'for every wrong, a remedy.' But in too many communities, in too many parts of the country, wrongs are inflicted on Negro citizens for which no effective remedy at law is clearly and readily available. State and local laws may even affirmatively seek to deny the rights to which these citizens are fairly entitled—and this can result only in a decreased respect for the law and increased violations of the law.

"In the continued absence of congressional action, too many State and local officials as well as businessmen will remain unwilling to accord these rights to all citizens. Some local courts and local merchants may well claim to be uncertain of the law, while those merchants who do recognize the justice of the Negro's request (and I believe these constitute the great majority of merchants, North and South) will be fearful of being the first to move, in the face of official, customer, employee, or competitive pressures. Negroes, consequently, can be expected to continue increasingly to seek the vindication of these rights through organized direct action, with all its potentially explosive consequences, such as we have seen in Birmingham, in Philadelphia, in Jackson, in Boston, in Cambridge, Md., and in many other parts of the country.

"In short, the result of continued Federal legislative inaction will be continued, if not increased, racial strife—causing the leadership on both sides to pass from the hands of reasonable and responsible men to the purveyors of hate and violence, endangering domestic tranquility, retarding our Nation's economic and social progress and weakening the respect with which the rest of the world regards us. No American, I feel sure, would prefer this course of tension, disorder, and division—and the great majority of our citizens simply cannot accept it.

"For these reasons, I am proposing that the Congress stay in session this year until it has enacted—preferably as a single omnibus bill—the most responsible, reasonable and urgently needed solutions to this problem, solutions which should be acceptable to all fair-minded men. This bill would be known as the Civil Rights Act of 1963, and would include—in addition to the aforementioned provisions on voting rights and the Civil Rights Commission—additional titles on public accommodations, employment, federally assisted programs, a Community Relations Service, and education, with the latter including my previous recommendation on this subject. In addition, I am requesting certain legislative and budget amendments designed to improve the training, skills, and economic opportunities of the economically distressed and discontented, white and Negro alike. Certain executive actions are also reviewed here; but legislative action is imperative."

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[1] H. Doc. 75, 88th Cong., 1st sess.

[2] H. Doc. 124, 88th Cong., 1st sess.

A bill embodying the President's proposals was introduced on the same day in the Senate (S. 1731) by Senate Majority Leader MIKE MANSFIELD (Democrat, of Montana) and 45 other Senators, including 9 Republicans. It was referred to the Committee on the Judiciary, of which Senator JAMES O. EASTLAND (Democrat, of Mississippi) is chairman. An identical bill (H.R. 7152) was introduced in the House on the next day by Representative EMANUEL CELLER (Democrat, of New York), chairman of the House Judiciary Committee, to which the bill was referred. Hearings were held on H.R. 7152 and on 171 other bills from May 8 through August 2, 1963. The subcommittee met in executive session a total of 17 days, reported out favorably a substitute, H.R. 7182, which was adopted by a majority of the full Judiciary Committee, and by a majority of the House of Representatives on February 10, 1964, by a vote of 290 to 130.

A filibuster then ensued in the Senate. The grand strategy for both sides appeared to center in the question, "What amendments in the House bill could be debated and traded for what votes to secure cloture, that is, the two-thirds vote necessary to cut off the filibuster?" Senators HUBERT HUMPHREY and PHILIP HART were the principal Democratic strategists.

Senator DIRKSEN offered a large number of amendments and secured the favorable disposition of enough of his Republican colleagues to assure the required support for cloture and passage. On June 10, 1964, cloture was voted in the Senate, 71 to 29. On June 19, the measure was passed by the Senate, 73 to 27, a year after the Kennedy message to Congress on civil rights. Of the 73 voting in the Senate for final passage, 46 were Democrats and 27 were Republicans.

That matter was then dispatched to the House Rules Committee which reported the bill out, 10 to 5. A final vote was taken in the House, resulting in 289 in favor, and 126 against. Of the 289 favorable votes, 153 were Democratic and 136 were Republican. Ninety-one Democrats and 35 Republicans voted "no." President Lyndon B. Johnson signed the Civil Rights Act of 1964 on July 3, 1964.

II. STATEMENT OF PURPOSE

The amended H.R. 7152, a revised Mansfield-Celler bill, the Civil Rights Act of 1964, is confined to civil rights issues. It does not include other items stressed by President Kennedy in his civil rights message as effecting the welfare of minority groups, such as area redevelopment, Federal aid to education and youth employment. It should be noted that the President partially reflected a judgment similar to that of the huge Washington demonstration of August 1963—that fair and full employment are interrelated goals. The new Civil Rights Act does not tie the two goals together. The majority of the House Judiciary Committee stated (H. Rept. No. 914, 88th Cong., 1st sess.):

"The bill, as amended, is designed primarily to protect and provide more effective means to enforce the civil rights of persons within the jurisdiction of the United States. In furtherance of these objectives, the bill: (1) Provides for the appointment of a three-judge district court in voting suits and for the expeditious determination of such suits, and also provides against the discriminatory use of literacy tests in Federal elections; (2) prohibits discrimination in enumerated public establishments; (3) authorizes the Attorney General to initiate suits to desegregate public facilities, other than public schools, and to intervene in suits charging deprivation of equal protection of the laws; (4) authorizes the Attorney General to initiate suits to desegregate public schools; (5) makes the Civil Rights Commission a permanent agency; (6) prohibits discrimination in any Federal Equal Employment Commission designed to eliminate discriminatory employment practices by business, labor unions, or employment agencies; (7) provides for the compilation of registration and voting statistics by race, color, and national origin; (8) makes a remand of a civil rights case from a Federal court back to a State court reviewable on appeal."

The House Judiciary Committee accompanied its legislative exposition of purpose with the following general statement which may be of significance in the future to courts as well as to the public:

"In various regions of the country there is discrimination against some minority groups. Most glaring, however, is the discrimination against Negroes which exists throughout our Nation. Today, more than 100 years after their formal emancipation, Negroes, who make up over 10 percent of our population are by virtue of one or another type of discrimination not accorded the rights, privileges, and opportunities which are considered to be, and must be the birthright of all citizens.

"Considerable progress has been made in eliminating discrimination in many areas because of local initiative either in the form of State laws and local ordinances or as the result of voluntary action. Nevertheless, in the last decade it has become increasingly clear that progress has been too slow and that national legislation is required to meet a national need which becomes ever more obvious. That need is evidenced, on the one hand, by a growing impatience by the victims of discrimination with its continuance and, on the other hand, by a growing recognition on the part of all of our people of the incompatibility of such discrimination with our ideals and the principles to which this country is dedicated. A number of provisions to the Constitution of the United States clearly supply the means 'to secure these rights,' and H.R. 7152, as amended, resting upon this authority, is designed as a step toward eradicating significant areas of discrimination on a nationwide basis. It is general in application and national in scope.

"No bill can or should lay claim to eliminating all of the causes and consequences of racial and other types of discrimination against minorities. There is reason to believe, however, that national leadership provided by the enactment of Federal legislation dealing with the most troublesome problems will create an atmosphere conducive to voluntary or local resolution of other forms of discrimination.

"It is, however, possible and necessary for the Congress to enact legislation which prohibits and provides the means of terminating the most serious types of discrimination. This, H.R. 7152, as amended, would achieve in a number of related areas. It would reduce discriminatory obstacles to the exercise of the right to vote and provide means of expediting the vindication of that right. It would make it possible to remove the daily affront and humiliation involved in discriminatory denials of access to facilities ostensibly open to the general public. It would guarantee that there will be no discrimination among recipients of Federal financial assistance. It would prohibit discrimination in employment, and provide means to expedite termination of discrimination in public education. It would open additional avenues to deal with redress of denials of equal protection of the laws on account of race, color, religion, or national origin by State or local authorities.

"H.R. 7152, as amended, is a constitutional and desirable means of dealing with the injustices and humiliations of racial and other discrimination. It is a reasonable and responsible bill whose provisions are designed effectively to meet an urgent and most serious national problem."

III. MAIN PROVISIONS OF THE BILL

A. Voting rights

Title I consists of a single section, 101, that extensively amends the existing Federal statute providing for civil remedies to protect the right to vote.[3] That statute, originally enacted in 1870, was amended by the Civil Rights Acts of 1957 and 1960. However, the Commission on Civil Rights found, for example, in 1963 that there are still 100 counties in 7 States where qualified Negro citizens are denied the right to vote by being forced to meet standards not required of white citizens.

Subsection (a) of section 101 is aimed at certain practices that have been used to exclude Negroes from voting. It does not refer to discrimination, but instead prohibits certain specific exclusionary devices. It applies to any State official or anyone else acting under "color of law" but only in the case of Federal elections. It prohibits (a) the use of different standards or procedures for different individuals to qualify for voting; (b) the denial of the right to vote because of immaterial errors or omissions by an applicant; and (c) the use of any literacy test unless it is in writing and a copy of the test and the voter's answers are available to him. A separate provision states that, for the purpose of this subsection, "'literacy test' includes any test of the ability to read, write, understand, or interpret any matter." (It should be noted also that, under the existing statute, the term "vote" includes registration and all other steps preliminary to voting.)

Subsection (b) of section 101 amends the existing statute empowering the Attorney General to bring suits to prevent interference with the right to vote. It provides that, in any such suit "there shall be a rebuttable presumption" that any person who has completed the sixth grade in any public school or accredited private school "where instruction is carried on predominantly in the English language" possesses "sufficient literacy, comprehension, and intelligence to vote in any Federal election."

Subsection (c) of section 101 adds a new paragraph designed to give relief while a case is pending. Under the 1957 and 1960 Civil Rights Acts, the Attorney General can bring an action to halt discrimination in voting. If the court finds that a pattern of discrimination exists, would-be voters of the same race as the persons discriminated against can ask a court to register them. In this case, the court may appoint a voting referee to pass on such applications for registration.

In his civil rights message of February 28, President Kennedy pointed out that many such cases drag on for periods of a year or more, during which no action is taken. Hence, the act would add a provision allowing the Attorney General or the defendant to ask for the convening of a "court of three judges" to hear and determine the case. Contrary to the belief of some the Attorney General would not have authority to register any voters.

Section 101 adds a new paragraph designed to speed the disposition of voting cases. It provides that, in any voting case, the chief judge of the district or of the Federal circuit shall promptly assign a judge to hear and determine the case and that the case shall be "in every way expedited."

B. Discrimination in places of public accommodation

Under the 1964 act discrimination would be prohibited in specific places of public accommodation whose operation "affects" interstate commerce or whose practices of discrimination are "supported by" State action. An example of the latter, says the Commission on Civil Rights, would be State or local laws requiring proprietors to exclude or segregate Negro customers.[4]

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[3] 42 U.S.C. 1971.

This section creates for "all persons" a civil right to "full and equal enjoyment of" public accommodations "without discrimination or segregation on the ground of race, color, religion, or national origin."

The public accommodations covered include hotels and motels, restaurants, lunch counters, gasoline stations, theaters and stadiums or other facilities which are part of an establishment covered by the act. The provision would be enforced by the persons who were discriminated against. Such persons should file a civil suit in Federal court to enjoin such denial of "full and free access." The Attorney General is likewise empowered to institute such suits upon certification of the suit as one "of general public importance." The Attorney General could use Federal, State, or local public agencies to secure voluntary compliance before beginning the court proceedings. Before starting suit, it is mandatory that the Attorney General "notify the appropriate State or local officials and, upon request, afford them a reasonable time to act under such State or local laws." The Attorney General "may" before suit "utilize the services of any Federal, State, or local agency * * * to attempt to secure compliance * * * by voluntary procedures." But the Attorney General shall not be required to give such notice if he "shall file with the court a certificate that the delay * * * would adversely affect the interests of the United States or that compliance * * * would prove ineffective."

Senator **Dirksen**, however, altered this procedure. If there were a local public-accommodations law, an individual would not file a Federal suit until 30 days after he had notified local officials of his complaint. The Federal court could delay the suit until local officials completed their action. If there were no local law, he could file a Federal suit immediately. The court then would have the power to ask a newly created community-relations service to investigate and to seek voluntary compliance with the law for a period up to 120 days. These negotiations would be secret. If they failed, the suit would proceed.

Under the Dirksen amendments, the Attorney General could not institute such suits for individuals. He could ask the court, however, to intervene in such cases. If granted that would mean that Federal attorneys would help argue the case, but the complainant would have the burden of securing counsel and assuming other costs. But if the Attorney General could demonstrate a community pattern of denying free access to public accommodations, he could file a Federal suit, set forth his facts and seek relief against specific proprietors whom he considered part of the pattern.

The Civil Rights Act would not make persons or businesses licensed by a State or city subject to the act by virtue of their license. Nor are all businesses offering goods and services to the public covered. Only those establishments specifically listed in the act or physically part of a listed establishment would be subject to the act. The act does not prohibit racial discrimination in barbershops, beauty parlors and many other service establishments, retail stores, bowling alleys and other places of recreation unless such places serve food. It would not cover hotels or lodging houses which have less than six rooms for rent in a building occupied by the proprietor. Merely operating under a State regulation would not make an establishment subject to the act.

It has been suggested that the public accommodations section would be a vast extension of Federal control and that it is unconstitutional. However, business open to the public is already subject to many Federal, State, and local regulations (e.g., antitrust laws, zoning ordinances, health and sanitation standards) designed to protect the public and business itself. Also, the proposed legislation prohibiting racial discrimination by certain businesses serving the public is similar to statutes already in existence in 30 States. These statutes have been held constitutional. Discrimination supported by State action was redefined by the House to mean discrimination or segregation carried on under color of law, statute, ordinance or regulation; or carried on under color of any custom or usage required or enforced by public officials; or required by action of the State.

Finally, the committee version of the bill made it unlawful to incite, aid or abet any person to discriminate against another. The House deleted this section, but the act leaves intact the prohibition against intimidation, coercion and retaliation.

C. Desegregation of publicly owned facilities

Any individual denied equal access to a publicly "owned, operated or managed" facility, such as a park, swimming pool, hospital or library—but not a school—could file a complaint with the Attorney General. Should the Attorney General certify that the individual is unable to afford his own suit or is in fear of physical or economic harm, the Attorney General could institute a civil suit to force State or local officials to desegregate such a facility. The committee version of the bill made the United States liable for court costs in any proceeding under this title, and the House added "reasonable attorney fees" to the costs, "the same as a private person."

D. Public education

The U.S. Office of Education is directed to conduct a survey on the availability of equal educational opportunity. It is authorized to render technical assistance to school districts in the implementation of desegregation plans, to arrange training institutes for school personnel and to make grants to school boards to employ specialists for inservice training. These plans have been required by law since 1954 when the Supreme Court ruled that enforced racial segregation in public schools violates the Constitution. This provision is intended to assist school boards that wish to comply with their constitutional obligations.

The Attorney General is authorized to institute civil actions upon (a) receipt of complaints alleging the continuance of school segregation, (b) giving notice to the school of unreasonable delay in desegregation, (c) finding that such suit would "materially further the orderly achievement of desegregation in public education," and (d) finding that complainants are unable "to bear the expense," "obtain effective legal representation," or are "unable" because of a risk to "personal safety."

It has been alleged that the U.S. Commissioner of Education "could influence the transfer of children from one school to another * * * until racial balance exists." The 1964 act gives no authority to the Commissioner of Education to require or influence the transfer of children. The House redefined "desegregation" to make it explicitly clear that it does not include the assignment of students to public schools to overcome racial imbalance.

Another amendment provides that besides school boards, States, municipalities, or school districts, other governmental units legally responsible for operating public schools might apply for technical assistance.

E. Commission on Civil Rights

The life of the Commission on Civil Rights is extended for 4 years and in addition to its present functions of investigating "allegations in writing under oath," denials of the right to vote and infringements of equal protection guarantees, and appraising Federal policies, the Commission is also directed to serve as a national clearinghouse for civil rights information and to investigate general allegations of voting frauds not related to racial discrimination.

The committee version of the bill made the Commission a permanent agency, but the House limited its life to 4 years. In addition, the House specifically prohibited the Commission from inquiring into or investigating fraternities, sororities, private clubs or religious organizations.

F. Federally assisted programs

Each Federal agency which administers a program of financial assistance by grants, loans, or contracts is directed to require the elimination of discrimination under the program, "with the approval of the President."

The action of a Federal agency effectuating this requirement might include the termination of or refusal to grant assistance. If such action were taken, it would be subject to review by the courts.

This title has been attacked as an extension of Federal control beyond that now exercised as part of the normal supervision of Federal expenditures.

The Supreme Court has ruled that the U.S. Constitution prohibits the Federal Government or its instrumentalities from discriminating because of race. Other Federal courts have ruled that private or public agencies receiving Federal financial assistance cannot deny the benefits of the program to persons because of their race. Title VI of the Civil Rights Act simply states these rulings as a principle supported by Congress. It says in effect that when Federal tax moneys are collected from all citizens regardless of color the benefits derived from Federal expenditures of these moneys should be available to all citizens regardless of color. For example, this title would require hospitals constructed with Federal funds to serve all patients without regard to race, color or national origin; State employment agencies entirely financed by Federal funds to refer qualified job applicants to employment opportunities without discrimination; elementary and secondary schools constructed and maintained by Federal funds to admit children without regard to race, color or national origin; colleges and universities receiving Federal funds for the construction and operation of research centers to admit students without discrimination.

It has been alleged also that this section would apply to farmers and homeowners, implying that they will be subject to Federal control. Actually, the act simply means that when Federal money is made available to help farmers it must be available to Negro farmers as well as white farmers. It means that when the Federal Government makes funds available for the construction of homes the homes must be offered to all eligible persons without regard to race.

The procedures to be followed in the administration of this title were amended by the House to require that (1) the President approve all implementing rules and regulations, (2) a hearing be held before compliance steps are taken, and (3) Congress be notified 30 days before funds are denied (or discontinued) to a program.

Another amendment makes clear that this title would not apply to Federal programs which insure or guarantee loans by private institutions. The housing executive order remains unaffected by this amendment.

Senator **Dirksen** would specifically limit the curtailment of funds to those recipients of assistance actually found to be discriminating. For example, an entire State could not be shut out of all Federal programs if only a particular city discriminated in a Federal housing project. The position of Senator DIRKSEN is incorporated in the 1964 act.

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[4] U.S. Commission on Civil Rights, memorandum on the civil rights bill, Feb. 28, 1964, p. 2.

G. Equal employment opportunity

The most warmly contested section of the bill is title VII, providing for equal employment opportunity. According to the New York Times of June 7, 1964, 25 States, where an estimated 40 percent of the Nation's Negro population resides, have statutes prohibiting racial discrimination in employment. Generally the provisions of the act would establish on a Federal level what is already provided in most of these 25 States.

An equal employment opportunity commission is created to receive or initiate complaints alleging discrimination by employers in industries affecting interstate commerce with annually graduated coverage of 100 or more employees, reduced to 25 or more in 5 years, or by labor unions or employment agencies whose activities affect interstate commerce. The commission initially would seek to eliminate any discriminatory practices by conciliation and persuasion, but where these efforts fail it is authorized to bring civil actions in which the courts would review the facts de novo. If the court found racial or religious discrimination, it would order the discriminating employer, employment agency or union to treat all persons according to their merit and ability rather than their race, religion, national origin or sex. Back pay, hiring, and reinstatement are possible remedies. A 6-month statute of limitations is placed on complaints. Cooperative agreements are required with States having fair employment practices commissions.

It has been alleged that Federal officials could tell employers "whom they shall hire, fire, promote and demote, and how they shall handle their employees"; that employers could be required to maintain a work force balanced along racial or religious lines; and that the rights of employees within a company could be destroyed.

The Civil Rights Act does not give the Federal Government these powers. It requires only that employers, labor unions, and employment agencies deal with all persons in the employment relationship on the basis of their merit and ability without regard to their race, color, religion, or national origin. Employers subject to the act are free to hire, promote, or fire anyone they want provided their action is not based on the person's race, color, religion, or national origin. And, under the act, it would be unlawful for an employer to discriminate against either a white or Negro applicant because of race.

The House extended the coverage of this title in two respects: (1) Sex is now within the prohibited types of discrimination; and (2) retraining and inservice training were included as areas in which there can be no discrimination. The rest of the amendments adopted were largely limiting in nature. Atheists and Communists are excluded from coverage, a provision of dubious constitutionality, and religious institutions of learning are allowed to use religion as an employment criterion. The committee bill provided that no union or employer would be subject to coverage during the first year after enactment, only those with 100 or more workers during the second year, 50 workers the third year, and 25 or more during the fourth and succeeding years. The House modified this by adding another year and a 75-worker level to the graduated coverage, postponing coverage of employers of 25 or more until 5 years after enactment.

Title VII was further amended by several procedural provisions. To initiate a complaint the Commission must now have reasonable cause to believe a violation has occurred. A vote of two of the five Commissioners would be sufficient to initiate Commission procedures under the House bill, but the act refers to "the Commission." However, a written charge may be filed "by a member of the Commission" upon probable cause. Hence a single member of the Commission may get the procedure in motion. The committee bill had empowered the Commission to bring a civil action before exhausting its informal techniques if circumstances warranted, but this provision was deleted by the House. The investigative powers of the Commission were clarified and modified to the extent that it may now inspect records of and examine only those persons being investigated or proceeded against. The committee bill had authorized such action whenever it might add to the enforcement of the title. Regulations or orders by the Commission may now be prescribed only after a public hearing. Government agencies must still furnish all relevant information to the Commission, but the House limited this requirement to information that can be disclosed legally.

An entire section relating to employment practices of Federal agencies and Government contractors, which was essentially a restatement of an existing Executive order, was deleted from the bill but the act does declare that "it shall be the policy of the United States to insure equal employment opportunities for Federal employees without discrimination because of race, color, religion, sex, or national origin, and the President shall utilize his existing authority to effectuate this policy."

Many of Senator DIRKSEN's amendments apply to this section. He would extend coverage to Federal employment and to union hiring halls, and exempt Indian reservations. He would eliminate the Commission's right to file suits. Instead, the Commission would investigate upon complaint and could recommend that the Attorney General intervene in certain suits. His amendments are incorporated in the measure as passed.

Under the Dirksen procedure, now embodied in the Act, the Commission would investigate a complaint in secret and, in those States and cities that have a fair-employment-practices law, notify the local authorities, who would have 60 to 120 days to remedy the practice. If they failed the Commission would have 30 days to seek voluntary compliance. If that too failed—or if there was no local law—it would notify the person who filed the claim, and that person could then file a Federal civil suit.

The court could, if it wished, delay the suit for another 60 days to let local officials or the Federal Commission try again to resolve the matter. The court could also authorize the Attorney General to intervene in the suit. But the Attorney General could not initiate a suit himself unless he could show that a pattern of job discrimination existed in the community. Senator DIRKSEN would have required the plaintiff to prove that the violation had been "intentional," but this provision was not adopted. This title of the act does not become effective until 1 year after the enactment.

H. Voting statistics

The Secretary of Commerce is directed to conduct a survey of persons of voting age by race, color, and national origin, and to determine the extent to which such persons have registered and have voted, in such geographic areas as recommended by the Commission on Civil Rights.

I. Removal of intervention in civil rights cases

The order of a Federal court sending a civil rights case back to a State court shall be reviewable by appeal. The Attorney General is given authorization to intervene in any case that he can certify is of "general public importance."

J. Community relations service

This entire title was inserted in the bill on the House floor, after having been deleted by the Judiciary Committee. It establishes a community relations service in the Department of Commerce to provide informal assistance to persons or communities requiring help with civil rights problems. The service is limited to a director and six employees.

K. Miscellaneous

The last title in the act contains necessary miscellaneous provisions. Appropriations are authorized to carry out the act, and a separability clause provides that the rest of the act will be unaffected if any portion is invalidated. Another section preserves existing remedies under Federal law.

A new section was added by the House to insure that the provisions of the act are not construed as "occupying the field" of civil rights legislation. State laws in this area are to remain in force unless inconsistent with the act. Respect for States rights and encouragement of the processes of conciliation and persuasion are intended to be encouraged by this exclusion of Federal preemption.

IV. CONSTITUTIONALITY

Considerable discussion and opposition developed on the Civil Rights Act of 1964 on the claim that it is unconstitutional. Senator Barry Goldwater was a particularly vigorous proponent of this view. He argued that the public accommodations and equal employment titles are in conflict with the 10th amendment, the commerce power, and the 14th amendment.

The principal constitutional bases upon which the Federal power rests to pass this law are the commerce power and the "State action" conduit of the 14th amendment. The reach of the public accommodations title is found in this language:

"Each of the following establishments which serves the public is a place of public accommodation within the meaning of this title if its operations affect commerce, or if discrimination or segregation by it is supported by State action * * *.

"The operations of an establishment affect commerce * * * if it is an establishment [that] serves or offers to serve interstate travelers or a substantial portion of the food which serves or gasoline * * * which it sells has moved in commerce, * * * it customarily presents films, performances * * * or other sources of entertainment which move in commerce, * * * is physically located within the premises of * * * an establishment the operations of which affect commerce within the meaning of this subsection.

"For purposes of this section, 'commerce' means travel, trade, traffic, commerce, transportation, or communication among the several States * * *.

"Discrimination or segregation by an establishment is supported by State action within the meaning of this title if such discrimination or segregation (1) is carried on under color of any law, statute, ordinance, or regulation; or (2) is carried on under color of any custom, or usage required or enforced by officials of the State or political subdivision thereof; or (3) is required by action of the State or political subdivision thereof."

The reach of the equal employment opportunity title is found in the following language: "* * * the term 'employer' means a person engaged in an industry affecting commerce who has 25 or more employees. * * * a labor organization shall be deemed to be engaged in an industry affecting commerce if (1) it maintains * * * a hiring hall * * * which procures employees for an employer. * * * the term 'commerce' means trade, traffic, commerce, transportation, transmission, or communication among the several States * * * the term 'industry affecting commerce' means any activity, business, or industry in commerce or in which a labor dispute could hinder or obstruct commerce or the free flow of commerce and includes any activity or industry 'affecting commerce' within the meaning of the Labor-Management Reporting and Disclosure Act of 1959."

Many memorandums were offered to the House and Senate hearings on the issue of constitutionality of the proposed measures. Less controversy attached to the validity of the use of the commerce power than to the 14th amendment. The most precise and authoritative memorandum was that submitted on request of the Senate committee by Prof. Paul A. Freund, of the Harvard Law School.[5] Professor Freund's exposition suggested the phrase "among the several States" as being broader than "interstate commerce," noted that as to the commerce power "the issue is one of legislative policy, not constitutional power" and, in reply to those who expressed concern over the rights of property and freedom of association, stated 'every exertion of power under the commerce clause has involved some restriction on the use of property or the exercise of liberty while at the same time enlarging the effective liberties and proprietary interests of others. This is true of any significant regulations enacted to promote social justice."

As to the 14th amendment Professor Freund is more cautious. He notes the basic principle of the civil rights cases,[6] that only State discrimination is proscribed, not private conduct, and indicates that a combination of uncertainties is behind the Court's rationale for its holding, uncertainties as to the class of establishments, the kinds of practices and the standards to be set. Custom is not yet equated with State responsibility, and private licensees come into reach when they take on the duties of the public licensor. But the Court may yet be persuaded to overrule the civil rights cases and it is conceivable that a "new set of constitutional standards would be formulated for private practices covered by the amendment—a set conforming neither to the code of fairness for purely private conduct nor to the constitutional code for governments and their agencies." Professor Freund concluded his memorandum in words which were representative of the submissions of many bar associations and of the proponents of the Civil Rights Act of 1964:

"From this study several conclusions are indicated:

"1. The commerce power is clearly adequate and appropriate. In fact, more extensive use of the commerce power can be made if it is desired to broaden the coverage and reduce its uncertainties in marginal cases. No impropriety need be felt in using the commerce clause as a response to a deep moral concern. Where social injustices occur in commercial activities the commerce power is a natural and familiar means for dealing with them.

"2. There is no serious question of the right of association or of property or of privacy as a barrier to the legislation, applicable as it is to commercial places of public accommodation.

"3. Whether the Supreme Court would sustain the legislation under the 14th amendment is more uncertain, because of the necessity to find principles of inclusion and exclusion in opening up a new class of constitutional claims against private enterprises. The Court may be the readier to accept this basis for the legislation if a consensus is reached as to those principles by the proponents of this constitutional approach."

V. SOME COMMENTS

A part of the history of this legislation is the great debate as to whether the act is a "blueprint for total Federal regimentation," as former American Bar Association Presidents Lloyd Wright and John C. Satterfield have characterized it or as "the most comprehensive civil rights bill ever to be enacted by the Congress" as declared by Roy Wilkins, executive secretary of the NAACP. It is not the object of this exposition to enter this debate, or to describe this act as more or less moderate or otherwise. A few observations may be offered, however, as to the adequacy of some provisions to accomplish the stated purposes.

1. A most important weakness of title I is its failure to deal with the problem of outright intimidation. The deaths and repeated assaults suffered in recent months by persons active in voter registration campaigns plainly reveal the need for increased Federal protection of the basic right to vote. It will seem incongruous to succeeding American generations that the Federal Government which so potently affects the balance of power all over the world is so ineffective in protecting the right of a qualified Negro to vote in a Federal election in Mississippi. Is it a matter of laws? Or is it a matter of will? Although the Federal Bureau of Investigation may be invoked with greater effect in this respect, in the past it has proved to be an ineffective and untrustworthy instrument to protect Federal rights and to enforce existing Federal laws in relation to Negroes and trade unionists in the South.

2. Making sixth-grade education presumptive evidence of literacy is a forward step. However, civil rights forces have favored either prohibiting literacy tests altogether or making a sixth-grade education conclusive proof of literacy. As long as 6 years of schooling is treated as only presumptive proof of literacy, the officials who have used literacy tests to keep qualified Negroes from voting will be free to continue their obstructive tactics.

3. A question may be raised as to whether in the desegregation of public facilities or public schools the Attorney General should be required to judge the means or ability of complainants to carry forward the sustained litigation. To some this appears to impose a degrading means test on injured parties, and is basically unsound in theory. It rests on the assumption that racial segregation is a private wrong rather than a subversion of the democratic system. The Federal Government has a responsibility to see that public officials adhere to the basic law under which it operates. Respect for law is undermined when public-school segregation, for example, continues to be widespread 10 years after the Supreme Court held it unconstitutional. This is a problem in which the Federal Government has a direct concern. It should take action in its own name rather than merely as a substitute for handicapped citizens. The Civil Rights Act of 1964 must be seen not only as a measure to help Negroes but as a movement toward the fulfillment of the Nation's purpose.

4. The enforcement provisions of title II, public accommodations, are quite limited. Because of the absence of either criminal penalties or damages, proprietors of public accommodations may take the position that they can continue to discriminate until compelled to change their practices by order of the court. Considering the fact that thousands of separate enterprises exist, separate suits by either the Attorney General or aggrieved parties would not deter a large percentage of them—only the most prominent violators. Though many will find the standards of the bill a helpful incentive to end a distasteful practice, the recalcitrant will yield slowly, if at all.

5. The act omits one provision that has been advocated by civil rights forces and endorsed by the Democratic Party platform of 1960—a clause requiring all segregated public school districts to submit a desegregation plan and to start desegregation by a specified date. The omission of this provision must be regarded as a shortcoming.

While in several respects the act falls short of the program of some civil rights organizations, it nevertheless represents considerable legal if not factual advance. It is far more comprehensive than the civil rights acts of 1957 and 1960. Its adoption ushers in a new stage for the struggle for constitutional relationships among American citizens.

The bill would provide for substantial reforms. Its major advances would be:

1. Development of a more adequate concept of Federal Government, through all of its coordinate branches, as an instrument for achievement of constitutional rights;
2. Establishment of the administrative structure for protection of equal opportunity in employment;
3. Comprehensive prohibition of discrimination in places of public accommodation;
4. Provision of governmental services for helping local governments and schools to comply with constitutional standards;
5. The pledge implicit in title VI that in distribution of Federal benefits the President will use his executive power to curb discrimination.

On April 10, 1954, President Johnson told several hundred business leaders that the passage of the civil rights bill would leave the Nation "on the side of the hill, with the big peak still ahead of us." He said that scaling the peak would require "the cooperation, the good will, the moral courage, the determination, the good sense, and the patriotism of every single American."

On the same day Senator **EDWARD KENNEDY**, speaking in the U.S. Senate in behalf of the bill, declared:

"My brother was the first President of the United States to state publicly that segregation is morally wrong. His heart and his soul are in this bill. If his life and death had a meaning, it was that we should not hate but love one another; we should use our powers not to create conditions of oppression that lead to violence, but conditions of freedom that lead to peace * * * the bill abounds with reasonableness, with conciliation, with voluntary procedures, with moderate approach toward its goals. With provisions as mild as these it can truly be said that even in passing the bill, we are still relying primarily on the decency and tolerance and conscience of the American people to secure these rights for Negro citizens."

VI. A PERSPECTIVE

What is not yet adequately recognized is that generally the South has engaged in a 20th-century program of interposition and nullification—that is, civil disobedience, an official civil disobedience supported by an official police state. So encrusted is this civil disobedience that criminal justice for the southern Negro, notwithstanding the historic decisions of the U.S. Supreme Court, is not much further advanced than it was a generation ago in the Scottsboro case.

Law in the South has not been an expression of equality and justice, but a weapon of power for white supremacy. Official and unofficial power, institutionalized and structured on white supremacy, has used police-state methods, the knock on the door in the night, the arrest, the detention, the assault, surveillance, the threat, the boycott, publishing of names for visitation and retribution, the denial of job or loan or mortgage to thwart not only the Negro but to silence the great mass of whites who inchoately want to "disenthrall themselves" and find their own way to decency. Indeed, the civil rights of the Negro are not only indivisible from his civil liberties, but also are indivisible from the civil liberties of the whites. The coalition and conspiracy of the police, white citizen councils and their entourage have with precision and pervasiveness intimidated the white community by a network of economic, political and physical devices to the point where a consciousness is beginning to form—a consciousness that the Negro struggle for civil rights is part of the greater enterprise, of both Negro and whites, for democracy, dignity, and decency.

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[5] "Constitutional Bases for the Public Accommodations Bill," report of the Committee on Commerce, U.S. Senate, on S. 1732, 88th Cong., 2d sess., S. Rept. No. 872, pp. 82–92.

[6] 109 U.S. 3 (1883).

The Civil Rights Act of 1964 may find its significance as part of that consciousness. When schools are closed to all who evade compliance with law and integration, the desire of white people for needed education merges with the Negro's efforts for equality in education. The Negro's struggle for a job at all, as well as for fair employment, will merge with the crusade for full employment for all. The Negro's efforts for equality will indeed improve the quality of the whole and move us farther along the road toward what President Johnson has called the Great Society.

But many more mergings and connections between the Negro's need and the need of the whole community have to be recognized. Where Lincoln departed from the irrepressible conflict, President Johnson and his successors begin, begin a leadership of reconciliation, of mediating and developing an ever-growing resolution of the new irrepressible conflict—of the Negro's irrepressible assertion and the South's immovable denial, of national purpose and sectional self-determination. The Civil Rights Act is a new tool, but it will still have to be wielded. The Negro in his struggle has the National Constitution, the national law, the pronouncements of the Court, the Congress, and the Executive.

The law serves a great educational purpose, as those in the South know, for they have passed many laws to encrust white supremacy and segregation. But as Justice Jackson said "the ultimate justification of the law is to be found, and can only be found in moral considerations and not in expediency and utility." President Kennedy asked Congress to support the legislation "for one plain, proud, priceless quality that unites us all as Americans: a sense of justice * * * not for reasons of economic efficiency, world diplomacy, and domestic tranquillity, but because it is right."

Justice and rightness will have a better chance today with electoral reapportionment that bids well to posture a political realinement that will challenge the 100-year coalition between the conservative Republicans and the southern Democrats that has influenced if not entirely shaped American policy on every issue. Justice and rightness have a better chance because this is the century of the common man and the winds of change are blowing over every latitude of the world. Domestic policy and foreign policy are two sides of the same coin. America must serve its national purpose everywhere—"to secure these rights, governments are instituted among men." An America that is true to itself, to this purpose, will not be false to any nation. A nation that is the servant of liberty will be the master of its security. The Negro's effort must be seen as part of the unfolding of the United States as one nation in the service of human rights, economic security and peace.

To serve liberty means a confrontation with the South's official and unofficial civil disobedience. The perspective with which to assay the Civil Rights Act of 1964 is in terms of political power. The power of the Nation is now expressed in law. Will it be expressed in fact? The act will afford a legal basis for continued assertion of, and demonstration for, civil rights. But equality of right rests on equality of power, and the Federal Government must be equal to its power. Dean Eugene Rostow of Yale Law School, in the Anti-Defamation League Bulletin, June 1964, has put it this way:

"Let us be clear about what this proposition means; we can hope that the President with the remarkable fervor of his being, will succeed in persuading Southern Governors to enforce the law with regard to voting, schools, juries, and public accommodations, and equally will persuade Northern Governors to enforce the law with regard to schools, housing and jobs. But we must be prepared for the situation if his mission is only partly successful. The massive resistance to law of the last decade is no longer tolerable. It will have to be recognized for what it has been and is—a movement of civil disobedience—and dealt with as such.

"We shall have to develop procedures of law enforcement commensurate in scope with the defiance of law we confront today. Take the case of juries and of voting, two of the most basic protections of the individual against the State. There is no possible doubt that jury commissioners and voting registrars are breaking the law of the Nation in many parts of the South. But the Nation is not impotent. There are remedies which can and should be invoked unless the course of disobedience is soon abandoned. I have in mind the potentials for action by the Congress which are here in two parts of the Constitution; in that momentous sentence in article IV—once called the sleeping giant of the Constitution—which provides that the United States shall guarantee to every State in this Union a republican form of government; and in the equally momentous sentences of the 13th, 14th, and 15th amendments which give Congress the power to enforce each of those amendments by appropriate legislation.

"I contend that a State which systematically denies the vote to a half or a third or a quarter of its citizens does not possess a republican form of government. And I contend that the grants of power to Congress in the three great amendments which followed the Civil War permit adequate and effective national action to hold the States to high national standards in dealing with the rights, privileges, and immunities of our people wherever State action, or custom having the force of law, operates to restrict them * * *.

"It is important to avoid self-deception and self-congratulation. Opinions of the Supreme Court, however eloquent, are words, means to social improvements. never to be confused with improvement itself. I do not undervalue the power of eloquence in human affairs, nor the strength of our loyalty to the values for which the Supreme Court speaks. But in the end the Court's work will prevail only if we make it prevail, all of us, those in high positions and in little ones, our visitors from Olympus and those who labor in neighborhoods and precincts and churches and in the humble local committees meeting at night, in old school buildings or city halls, where the decisions are made that truly determine the quality of our society."

What "procedures of law enforcement" may be "commensurate in scope with the defiance of law we confront today" bids well to be an abiding question. The irrepressible Negro assertion and the immovable southern denial pose the historic question of what quality and quantity of Federal force will be necessary to nationalize civil rights in the United States. "The road to compliance," said President Johnson, "will be long and hard."

The National Association for the Advancement of Colored People urged the President to consider "taking over" race-torn Mississippi. Attorney General Robert Kennedy replied that the Federal-State relationship forbids "preventive police action." Twenty-nine professors at Harvard, Yale, Columbia, New York University, Pennsylvania, and Boston College challenged Mr. Kennedy's opinion in an open letter on this pivotal question.[7]

The law professors stated that the Federal Government has been fully empowered since Reconstruction to "take protective action in the circumstances that now prevail in Mississippi." They cited section 332 of title 10 of the United States Code which authorizes the President to use State militia and Federal troops "whenever he considers that unlawful obstructions, combinations or assemblages, or rebellions against the authority of the United States, make it impracticable to enforce the laws of the United States in any State or territory by the ordinary course of judicial proceedings." It was under this statute that Presidents Eisenhower and Kennedy took military action at Little Rock in 1957 and the University of Mississippi in 1962.

The law professors also cited section 333 of title 10 which further empowers the President to use "any other means"—not only troops, but also Federal marshals—"to suppress in a State, any insurrection, domestic violence, unlawful combination or conspiracy" whenever such an event denies equal protection to any class of citizens, or "obstructs the execution of the United States laws or impedes the course of justice under those laws." Certainly, therefore, power exists to deal with Mississippi's denial of Negro voting rights as guaranteed by the Civil Rights Acts of 1957, 1960, and 1964.

Some may argue that the Constitution leaves the preservation of peace and good order exclusively to the States through the reserved police powers of the 10th amendment. The professors declare that this argument has been without merit since 1879 when the Supreme Court affirmed the Federal Government's power to command obedience to its laws "on every foot of American soil." Mr. Kennedy's critics noted that prudence may curb these powers in Mississippi. But it is, they said, "disappointing and ironic that the Department of Justice, which has been bold beyond precedent in successfully urging the Supreme Court that the judiciary possessed the broadest powers to enforce constitutional assurances of equality, should now discover nonexistent barriers to executive action."

It remains for the future to disclose whether or not a national standard of "liberty and justice for all" in "one nation," a truly United States, can be obtained without the invocation of these executive powers. Civil rights in the last century in the United States have not been so much a question of adequate law; they have been primarily a question of adequate will.

MEETING THE PROBLEM OF COLLEGE COSTS

Mr. SICKLES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SICKLES. Mr. Speaker, as America paused a few weeks ago to watch our two astronauts, Ed White and Jim McDivitt, whirl around the world in their Gemini space capsule, I think the complex nature of the kind of world we live in was brought closer to many people.

This is a world in which there is a tremendous explosion of knowledge. Eighty-five percent of today's drugs were unknown 15 years ago.

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[7] See Time magazine, July 10, 1964.

This is a world where two great nations are striving to progress in conquering the unknowns of space, without first working out a climate for peace on earth.

This is a world in which a great premium is placed on intelligence. We need intelligence to live in today's world, intelligence to change it and intelligence to survive.

To many Americans, the immediate problem with respect to meeting the responsibilities of today's world, is how to pay the cost of a college education. College costs are spiraling. In the last 10 years, these costs have risen faster than the increase in average incomes. More and more students are going to college, placing a great burden on the facilities that now exist. In 1962, a report on higher education in Maryland from 1961 to 1975, the so-called Curlett report, predicted that the number of Maryland high school students entering college would rise from the figure of 10,000 yearly in 1961 to a figure of 23,000 yearly by 1975. This is an increase from 33 to 43 percent in the number of high school graduates that will attend college. Thus far, the estimates of the Curlett report have been conservative and even higher numbers of Maryland young people are seeking a college education.

Historically, the trend of higher education in America has been to encourage more and more young people from lower and middle income families to attend college. It has been necessary for many of these families to borrow large sums of money or for these students to work and attend school part time to secure a college education. I think it is in the best interests of Maryland and the Nation to increase the public investment in higher education to help keep costs down and maintain a climate which will enable every student with academic ability to secure a college education. In calling for this increased public support in terms of dollars and cents, I think we must not overlook the fact, especially here in Maryland, that brainpower brings industry. Economists estimate a return in terms of economic growth, of from 9 to 15 percent on the money we invest in education. Also, there is no room at the bottom in our complex technical society today and we must have increased public support for the cost of education, or eventually pay the social and economic costs of an uneducated people.

One proposal which we now have under consideration in the House Education and Labor Committee, is a doubling of the amount of Federal funds to be authorized next year for the construction of undergraduate classrooms and facilities. In the 1963 law we passed to aid the construction of higher education facilities, $230 million was authorized annually. Under the terms of this bill and Maryland's plan for expansion for higher education; Montgomery Junior College, Salisbury State College, University of Maryland, Coppin State College in Baltimore, the College of Notre Dame in Baltimore, and St. Joseph's College in Emmitsburg, will soon receive about $3½ million to expand their facilities. The "higher education" subcommittee has suggested a doubling of the Federal funds available for this program next year.

We are also considering the establishment of a limited number of Federal scholarships or opportunity grants as they are being called, to aid needy young people with outstanding academic potential.

We are considering an expanded federally supported work-study program in the colleges and universities permitting additional students to earn and learn and finally, we are considering the greatly expanded program of federally insured loans that would be available to college students at a lower interest rate than they can at present receive.

These are some of the things that are happening on the Federal level to meet the problem of college costs.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PUCINSKI, for 15 minutes, today.

Mr. RESNICK, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. BENNETT.

(The following Members (at the request of Mr. HUTCHINSON) and to include extraneous matter:)

Mr. WIDNALL.

Mr. ASHBROOK.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mrs. SULLIVAN.

Mr. DONOHUE.

Mr. ROGERS of Florida.

Mr. POWELL in four instances.

Mr. ROOSEVELT in three instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 853. An act for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde; to the Committee on the Judiciary.

S. 1098. An act to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 1666. An act to provide for the appointment of additional circuit and district judges, and for other purposes; to the Committee on the Judiciary.

S. 1742. An act to authorize the U.S. Governor to agree to amendments to the articles of agreements of the International Bank for Reconstruction and Development and the International Finance Corporation, and for other purposes; to the Committee on Banking and Currency.

S. 2212. An act to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children; to the Committee on the District of Columbia.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 30, 1965, present to the President, for his approval, bills of the House of the following titles:

H.R. 3415. An act to equalize certain penalties in the Intercoastal Shipping Act, 1933;

H.R. 4493. An act to continue until the close of June 30, 1967, the existing suspension of duties for metal scrap;

H.R. 4525. An act to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs;

H.R. 5283. An act to provide for the inclusion of years of service as judge of the District Court for the Territory of Alaska in the computation of years of Federal judicial service for judges of the U.S. District Court for the District of Alaska;

H.R. 7105. An act to provide for continuation of authority for regulation of exports, and for other purposes;

H.R. 8131. An act to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961; and

H.R. 8147. An act to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 55 minutes p.m.) the House adjourned until tomorrow, Friday, July 2, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1296. A letter from the Secretary of Labor, transmitting a report of a study of the factors which might tend to result in discrimination in employment because of age, pursuant to section 715 of the Civil Rights Act of 1964; to the Committee on Education and Labor.

1297. A letter from the Secretary of Health, Education, and Welfare, transmitting the Commissioner of Education's report on Public Laws 815 and 874, based on a study by the Stanford Research Institute; to the Committee on Education and Labor.

1298. A letter from the Director, U.S. Information Agency, transmitting a draft of proposed legislation to amend further section 1011 of the U.S. Information and Educational Exchange Act of 1948, as amended; to the Committee on Foreign Affairs.

1299. A letter from the Acting Comptroller General of the United States, transmitting a report of possible additional procurement costs resulting from award of subcontract for radio antenna systems on a sole-source basis, Department of the Army; to the Committee on Government Operations.

1300. A letter from the executive director, the Military Chaplains Association of the United States of America, transmitting an audit of the accounts of the Military Chaplains Association of the United States of America, pursuant to Public Law 88-504; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on House Administration. House Resolution 261. Resolution authorizing cards of identification for certain officers and employees of the House of Representatives; with amendment (Rept. No. 572). Ordered to be printed.

Mr. BOLLING: Committee on Rules. House Resolution 440. Resoluton for consideration of H.R. 6400, a bill to enforce the 15th amendment to the Constitution of the United States; without amendment (Rept. No. 573). Referred to the House Calendar.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 1462. An act to authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands; without amendment (Rept. No. 575). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 722. A bill to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so they will apply with similar effect to the Air Force; with amendment (Rept. No. 576). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 725. A bill to clarify the responsibility for marking of obstructions in navigable waters; with amendment (Rept. No. 577). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 727. A bill to provide for the administration of the Coast Guard Band; with amendment (Rept. No. 578). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'BRIEN: Committee on Interior and Insular Affairs. H.R. 3433. A bill to provide that the Secretary of the Interior shall convey certain real property to the Commonwealth of Puerto Rico; with amendment (Rept. No. 579). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 3957. A bill to authorize establishment of the Fort Union Trading Post National Historic Site, N. Dak., and for other purposes; with amendment (Rept. No. 580). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 7779. A bill to provide for the retirement of enlisted members of the Coast Guard Reserve; without amendment (Rept. No. 581). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'BRIEN: Committee on Interior and Insular Affairs. H.R. 8720. A bill to amend the Organic Act of Guam to provide for the payment of legislative salaries and expenses by the Government of Guam; without amendment (Rept. No. 582). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'BRIEN: Committee on Interior and Insular Affairs. H.R. 8721. A bill to amend the Revised Organic Act of the Virgin Islands to provide for the payment of legislative salaries and expenses by the Govment of the Virgin Islands; without amendment (Rept. No. 583). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 8761. A bill to provide an increase in the retired pay of certain members of the former Lighthouse Service; with amendment (Rept. No. 584). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. House Joint Resolution 454. Joint resolution to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes; with amendment (Rept. No. 585). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee of Conference. S. 559. An act to regulate the labeling of cigarettes, and for other purposes (Rept. No. 586). Ordered to be printed.

Mr. POWELL: Committee on Education and Labor. H.R. 9022. A bill to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874; and for other purposes; with amendment (Rept. No. 587). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 9041. A bill to restore to the heirs of the Indian grantor certain tribal land of the Iowa Tribe of Oklahoma; without amendment (Rept. No. 574). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHAMBERLAIN:

H.R. 9598. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DENTON:

H.R. 9599. A bill to authorize the Secretary of the Interior to accept the donation of the State of Indiana of the George Rogers Clark Memorial for maintenance by the United States as a national historic site; to the Committee on Interior and Insular Affairs.

By Mr. ELLSWORTH:

H.R. 9600. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. KREBS:

H.R. 9601. A bill to authorize the Secretary of Agriculture to conduct programs to reduce the impact of droughts on rural residents, small municipalities, agriculture and livestock enterprises, and for other purposes; to the Committee on Agriculture.

By Mr. RIVERS of Alaska:

H.R. 9602. A bill to protect and conserve the North Pacific fur seals, and to administer the Pribilof Islands for the conservation of fur seals and other wildlife, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROGERS of Florida:

H.R. 9603. A bill to amend the Merchant Marine Act, 1936, to provide that at least 75 percent of cargoes procured, furnished, or financed by the United States shall be transported in U.S.-flag vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. TUNNEY:

H.R. 9604. A bill to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WIDNALL:

H.R. 9605. A bill to amend section 206 of the Legislative Reorganization Act of 1946 relating to analysis of executive agencies expenditures by the Comptroller General in order to make this section effective and operable; to the Committee on Government Operations.

By Mr. HATHAWAY:

H.J. Res. 562. Joint resolution proposing an amendment to the Constitution of the United States to provide for 4-year terms for Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H. Res. 441. Resolution that it is the sense of the House of Representatives that oppression of minorities in Rumania through a systematic plan launched by the Communist regime in control of Rumania be condemned and the President of the United States is requested to take appropriate steps in our relations with the Rumanian Government as are likely to bring relief to the persecuted minorities in the controversial Transylvania region of that country; to the Committee on Foreign Affairs.

By Mr. JOELSON:

H. Res. 442. Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the Government of Rumania; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

333. By Mr. PRICE: Joint resolution adopted in the 74th General Assembly of the State of Illinois urging Congress to enact legislation incorporating the Italian-American War Veterans of the United States; to the Committee on the Judiciary.

334. Also, resolution adopted by the House of Representatives in the 74th General Assembly of the State of Illinois requesting Congress to consider enactment of legislation promoting improved automobile design safety and travel; to the Committee on Interstate and Foreign Commerce.

335. By the SPEAKER: Memorial of the Legislature of the State of Florida, to oppose any constitutional amendment authorizing a State with a bicameral legislature to utilize factors other than population in apportioning either house of a bicameral legislature; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 9606. A bill for the relief of Paul H. Fuller; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 9607. A bill for the relief of Anastasios Andrew Kyres; to the Committee on the Judiciary.

By Mr. MIZE:

H.R. 9608. A bill for the relief of Lucile B. Mahieu; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 9609. A bill for the relief of Ramon Padua; to the Committee on the Judiciary.

H.R. 9610. A bill for the relief of Saydi Issa Ghazal; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 9611. A bill for the relief of Anna Der Sarkissian and Meguerditch Der Sarkissian; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 9612. A bill to provide for the free entry of a Craig countercurrent distribution apparatus for the use of Colorado State University, Fort Collins, Colo.; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 9613. A bill for the relief of Jermaine Jacobson; to the Committee on the Judiciary.

H.R. 9614. A bill for the benefit of Mrs. Jean M. Koppang; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Independence of Ghana

EXTENSION OF REMARKS
OF

HON. ADAM C. POWELL

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 1, 1965

Mr. POWELL. Mr. Speaker, on this day, July 1, the African nation of Ghana celebrates its 8th anniversary of independence, as well as the 5th anniversary of the 1960 constitution which officially declared Ghana to be a republic. On this memorable occasion we wish to extend warm felicitations to His Excellency Kwame Nkrumah, President of Ghana, and to His Excellency Miguel Augustus Ribeiro, the Ghana Ambassador to the United States.

As is the case with many of the African nations, much of Ghana's early history is lost in legends and folklore, although there is evidence that Ghana was the name of an ancient West African kingdom. Again in common with other African countries, our knowledge of its recent past begins only with the period of European colonial intervention. The area which was known as the gold coast was at various times ruled in part by the British, the Danes, the Dutch, and the Germans, until it finally became a British territory in the early 19th century.

During the long periods of British rule, English customs and traditions were slowly spread throughout the territory, bringing about a gradual and perceptible unity among the population. Nevertheless, it should be added that this was only accomplished after prolonged and bitter fighting and not infrequent severe exploitation of the native population. The British also made efforts to extend elementary education to as many people as possible—unlike their policy elsewhere—and in so doing planted not only the seeds of future nationalism, but of future opposition to their continued presence.

Although the British created the conditions needed to foster national unity, the activism necessary to make this feeling an effective movement came about as a result of the work of Africans. The formation, first of the United Gold Coast Convention, and later of Dr. Kwame Nkrumah's more dynamic Convention People's Party, were the ingredients essential to the attainment of independence.

In the years since 1957, Ghana, under President Nkrumah's able leadership, has been eminently successful in dealing with at least two of the basic tasks which confront nearly all of the African nations. First, great strides have been made in mending the deep cleavages caused by tribal and linguistic diversity. English is widely spoken and is the basic language of instruction in the schools, although other Ghanaian languages are also being used in an effort to extend education and inculcate national values in the remote areas of the country. Second, Ghana has created a social and economic infrastructure unequaled by any other African nation. She has done this through a program for the development of basic industry and for increasing the efficiency of the agricultural sector of the economy.

In addition, a capital investment board has been created for the purpose of encouraging direct investment by outside firms. The board insures against expropriation by the government and allows free transfer abroad of profits after tax liabilities. One of the largest of the foreign investments which have been attracted by this program is a $280 million aluminum smelter being built by the Kaiser Corp. and the Reynolds Metal Co.

In the 5 years which have elapsed since the birth of the republic, President Nkrumah has done much to realize the aspirations of the fervent Ghanaian nationalism which he earlier did so much to develop. Ghana is now engaged in an ambitious 7-year plan designed to further realize these aspirations for economic and social progress. This gives cause for reassurance that Ghana is handling her problems in the most effective way possible, and that the past tradition of amicable relations between the Government of Ghana and the Government of the United States will continue.

Kingdom of Burundi

EXTENSION OF REMARKS
OF

HON. JAMES ROOSEVELT

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 1, 1965

Mr. ROOSEVELT. Mr. Speaker, I should like to extend greetings to the Government and to the people of the Kingdom of Burundi in this third year of their independence.

During this brief span, relations between the Burundi Government and the Government of the United States have always been friendly. Trade relations have been beneficial to both countries, and I refer particularly to coffee export.

It is evident that the Government of Burundi is dedicated to serving the true interests of its people.

No Dictation for Young Republicans

EXTENSION OF REMARKS
OF

HON. JOHN M. ASHBROOK

OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 1, 1965

Mr. ASHBROOK. Mr. Speaker, in all of the maze of postmortems which have followed the election, several points remain clear through all of the smoke and dust. Most Republicans do not want our party to become a Socialist cousin of the already hopelessly Socialist Democrat Party. We must stand for those principles which are time honored and correct. It is obvious that we need to do a better selling job and many areas of self-criticism are justified. Republicans have always responded with new ideas. We must remember that the Republican Party is still the best hope for a strong America and the only hope for the preservation of the free enterprise system and our entire basis of individual opportunity and worth. While some may choose the course of expediency and collaboration, most Republicans surely stand firm in this principle.

One of the ideas which has been thrown around is to undermine the autonomous nature of our Young Republican National Federation. I well recall when I was Young Republican National Federation chairman how the Democrats operated. Chairman Butler had a very capable assistant, Dick Murphy, now with the Post Office Department, who in effect was executive director of the Young Democrats. The Democrats elected a national chairman but he was on an equal or possibly inferior basis with my good friend Dick Murphy. We want none of this in the Young Republicans. We appeal to young Americans on the basis of individuality and a flat rejection of bossism. Any chairman, committee, or group which advocates dictating to the Young Republicans should have the total opposition of our more than one-half million Young Republicans throughout the country. Any chairman, committee, or group who would remove the time-honored concept of independence of the Young Republicans is wrong and Young Republicans should never bow to this type of insult. I for one will vigorously oppose any effort to stamp the Young Republicans into a mold of oppression and dictation whatever the benevolent reasons might be. One party advocating dictation of our economic and political life and practicing it in its party operations is certainly enough.

Anniversary of the Independence of Rwanda

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1965

Mr. POWELL. Mr. Speaker, 3 years ago, on July 1, 1962, Rwanda became an independent republic. On this memorable occasion, therefore, we wish to extend warm felicitations to His Excellency, Gregoire Kayibanda, President of the Republic of Rwanda; and to His Excellency, Celestin Kabanda, Rwanda's Ambassador to the United States.

During the 3 short years of statehood the people of this small country in East-Central Africa have made a great and successful effort to create a viable and democratic state.

Since its independence the Republic of Rwanda has been faced with many difficult tasks in the political, economic, and social realm. As part of its historic legacy the new state inherited a complicated landholding system, which dated as far back as the 15th century. Germany extended its zone of influence over Rwanda-Burundi as a result of the Berlin Conference of 1884–85. After the First World War, Belgium administered the area as a mandate under the League of Nations and subsequently as a U.N. trust territory. Neither power changed the feudal structure of the society. It was up to the leaders of the independent Republic of Rwanda to institute the needed socioeconomic reforms, and I am pleased to note the spirit of perseverance with which the government has embarked on this complicated task.

Rwanda is one of the most densely populated countries in Africa. Despite its relatively limited natural resources, Rwanda has reached the point where it is almost completely self-sufficient in its food supply. Its agriculture was modernized, production was increased and diversified. Thus, the disastrous famines of the past were overcome.

Following a complete review of its economic policies after independence, farsighted industrial development began; the transportation system was enlarged and hydroelectric powerplants were built.

The benefits of these and other programs have reached all the people. Whereas in 1954 all education was provided by religious missions and limited almost exclusively to primary grades, Rwanda now provided free education for all children between the ages of 7 and 16. In 1962–63 its school population totaled 350,000, many in new secondary schools and technical institutes—a truly admirable achievement. At the same time, a variety of programs of great social benefit were started. Public health services were organized, and the training of doctors and nurses undertaken. Well-planned urban centers are growing, and new housing is provided for many.

In the years to come Rwanda will face many difficult tasks. Yet the experiences of the 3 past years cannot but lead us to believe that future obstacles will be overcome. Rwanda has taken the first steps with courage and success.

In pursuing a policy of international cooperation Rwanda has not only aided its own progress but has also set a fine example for the world. Agreements with the EEC, and pilot programs set up under the auspices of the United Nations give proof of Rwanda's commitment to international understanding. Though young in years, the Republic of Rwanda pursues a policy of great wisdom.

In short, the people of Rwanda can look with pride at the progressive development of their country, and Americans regard their efforts with approval. It is with the greatest pleasure that I congratulate Rwanda on the progress it has made. We admire the laudable goals and methods chosen by the people of Rwanda, and past evidence make us confident that the future will see even greater achievements.

Praise for Congressman James Haley

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1965

Mr. ROGERS of Florida. Mr. Speaker, our distinguished colleague, and my fellow Floridian, Congressman JAMES HALEY, has received the praise of four of America's leading veteran's organizations. As chairman of the House Veterans' Affairs Hospitals Subcommittee, Congressman HALEY was lauded by the Disabled American Veterans, American Legion, Veterans of Foreign Wars, and Veterans of World War I at a ceremony and reception staged in the House Veterans' Affairs Committee hearing room earlier this week.

Subcommittee Chairman HALEY conducted 2 months of hearings and investigation in connection with the Veterans' Administration efforts to close VA hospitals. In the wake of these hearings, 6 of the 14 hospitals and all 8 VA regional offices were eliminated from the effect of the shutdown order.

Each of the four organizations honoring Congressman HALEY gave articulate testimony to the dedication and sense of duty which has distinguished my good friend Congressman HALEY's record of public service.

Student County Government Day

EXTENSION OF REMARKS

OF

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1965

Mr. WIDNALL. Mr. Speaker, earlier this month I introduced a resolution requesting the President to proclaim a National Student Council Week. Today I would like to again call to the attention of Congress the activities of the Nation's youth in the field of government.

For the past 7 years, the Board of Freeholders of Bergen County in my district has sponsored an annual Student County Government Day. Bergen is believed to have been one of the first counties in the United States to establish such a program and its Public Information Department has on two occasions been awarded the George Washington Honor Medal from the Freedoms Foundation at Valley Forge for sponsorship of the project.

Student County Government Day in Bergen County involve students from the various schools taking the reins of government for the day-long period and working with their counterparts in their assigned duties. In the 1965 program, participating students met with county officials at an orientation night and were assigned specific county government projects, together with reference sources. Each student was also given an official handbook on county government outlining the duties and functions of government at the county level in Bergen.

A brief description of the day's activities from the 1965 report of the Bergen County Board of Chosen Freeholders follows:

> A total of 176 students from 35 public and parochial high schools participated in Student County Government Day. This is the largest number of students and the largest number of high schools ever to participate. Students assembled in the Freeholder public meeting room and were instructed in how to use the voting machine. They followed regular voting procedures. Each student registered and received a voting slip before entering the voting machine.
>
> Here are the two questions on which they voted and the results:
>
> (1) Should the legal drinking age in New York State be increased from 18 to 21?—no, 101; yes, 65.
>
> (2) Should the voting age in New Jersey be lowered from 21 to 18?—no, 110; yes, 50.
>
> The students were then taken by their official counterparts to their respective departments to learn about the operating of county government.
>
> At noon a luncheon was served in the cafeteria of Bergen County Vocational and Technical High School for the students and

their counterparts. From 2 to 3:15 p.m. student Freeholders and their counterparts held a caucus to arrange the meeting agenda. The public Freeholder meeting began at 3:15 p.m. with all the other nonparticipating students seated in the audience.

The meeting centered on the two questions on which all of the students had voted in the morning. A resolution memorializing the New York State Legislature to increase the drinking age from 18 to 21 was defeated 7 to 2. By the same majority the student Freeholders defeated a resolution memorializing the New Jersey Legislature to lower the voting age from 21 to 18.

All students and schools participating in the project were given awards and certificates and special recognition was given to the St. Cecilia High School student newspaper for "journalistic excellence in acquainting its readers with the aims of Bergen County Student Government Day and thereby helping foster an increased understanding of government."

High schools participating in the program included: Bergen Catholic, Bergen Tech, Bergenfield, Bogota, Cliffside Park, Don Bosco, Dumont, Dwight Morrow, Fair Lawn, Fort Lee, Hackensack, Hasbrouck Heights, Holy Angels Academy, Immaculate Conception, Immaculate Heart Academy, Leonia, Lodi, Mahwah, North Arlington, Northern Valley Regional, Pascack Hills, Pascack Valley, Ramapo Regional, Ridgefield Memorial, Ridgefield Park, Ridgewood, Riverdell Regional, Rutherford, Saddle Brook, St. Cecilia, St. Mary's, Teaneck, Tenafly, Wallington, and Wood-Ridge.

Bennett Praises Judiciary Committees on Disability Amendment

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1965

Mr. BENNETT. Mr. Speaker, I take this opportunity to praise the work of the esteemed chairman and ranking minority member of the House Judiciary Committee, Congressmen EMANUEL CELLER and WILLIAM M. MCCULLOCH, on their work in the passage of the Presidential succession and inability amendment.

The House Judiciary Committee, working with the Senate Judiciary Committee, and its Constitutional Amendments Subcommittee, chaired by Senator BIRCH BAYH, has done an excellent job in presenting this legislation to the country.

Since 1953 I have in every Congress introduced legislation calling for a solution to the problem of Presidential inability and succession, and I believe the authors of this amendment have done an excellent job in helping to solve this critical problem.

I am hopeful that the States will act favorably and speedily on the amendment, because the country and the world can little afford to be without strong and definite leadership in these times of continuing crisis.

The 250th Anniversary of Hopkinton, Mass.

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1965

Mr. DONOHUE. Mr. Speaker, I am privileged and honored to bring to the attention of the House that the city of Hopkinton, Mass., in my congressional district, celebrated its 250th anniversary over a 3-day period, this past week, of June 25, 26, and 27, with the grand finale and mammouth parade taking place on last Sunday, June 27.

Mr. Speaker, the early and most courageous settlers of Hopkinton met and conquered tremendous hardships to help establish for all America the basic institutions of a democratic government.

They helped to build a civilization, a tradition, a way of life and a proud history which lives to this very day in the heritage with which we are nationally blessed.

It is, therefore, Mr. Speaker, most fitting that this House take note of the bitter struggles and stern sacrifices of the pioneer people of Hopkinton so that we may perseveringly dedicate ourselves to the preservation and projection of the remarkable legacy of free institutions they and their heroic contemporaries passed on to us.

I am exceedingly proud that this great New England community, with its superb leaders and loyal people, is a bright part of the Fourth Massachusetts Congressional District which I am honored to serve here.

Hopkinton is without question one of the most beautiful towns in all of America and it will never be excelled in its civic spirit and patriotic fervor.

Mr. Speaker, I have sponsored here in the House a special resolution, extending congratulations and greetings to Hopkinton and its people on the occasion of their 250th anniversary and, at this point, I would like to include the resolution and extracts from the excellent newspaper article, by MacGregor Fiske and Jane Farrell, graphically describing the activities of last Sunday's closing celebration program, that appeared in the Framingham News issue of June 28, last:

[89th Cong., 1st sess.]

H. RES. 439

In the House of Representatives, June 24, 1965; Mr. DONOHUE submitted the following resolution; which was referred to the Committee on the Judiciary:

Whereas 1965 marks the two hundred and fiftieth anniversary of the founding of the town of Hopkinton, Massachusetts; and

Whereas this town and its people have made important contributions to all aspects of the life of this Nation; and

Whereas the observance of this anniversary will be celebrated in Hopkinton, Massachusetts, on June 25, 26, 27, 1965, with public ceremonies, parades, concerts, and other public gatherings with widespread participation of not only the townspeople but guests and visitors from many places; and

Whereas Hopkinton is a beautiful community, rich in historic interest, well known for its patriotic contributions, noted for its many famous sons and daughters who distinguished themselves in many fields of endeavor and many facets of American civilization: Now, therefore, be it

Resolved, That the House of Representatives extends its greetings and felicitations to the people of Hopkinton, Massachusetts, on the occasion of the two hundred and fiftieth anniversary of this community, and the House of Representatives further expresses its appreciation for the splendid services rendered to the Nation by the citizens of Hopkinton during the past two hundred and fifty years.

[From the Framingham News, June 28, 1965]

(By MacGregor Fiske and Jane Farrell)

HOPKINTON.—At 11 o'clock Sunday night the town of Hopkinton closed its 3-day 250th anniversary celebration with a rockets' red glare as thousands of Hopkintonians and neighboring townspeople huddled in blankets behind the high school, necks craned toward a spangled sky to watch the grand finale in fireworks ring down a perfect weekend of festivities blessed by excellent weather.

Sunday's third of the celebration brought out the biggest throngs. The day opened at 10 o'clock with an ecumenical service held at the junior-senior high school athletic field, then at 2 o'clock came the celebration's most magnificent display—a 78-unit, 7-division grand parade which produced some of the finest marching bands and drum and bugle corps in the State, interspersed with an array of floats whose imagination dazzled grownups and children alike.

It took an hour and a half for the parade to complete its route. Well over 25,000 packed Hopkinton's streets and cars were parked along Route 135 from Ashland nearly to Woodville.

After the parade the celebration moved to the high school where prizes were awarded for the best beards in town, beards that had all the splendor of months in the making.

Dignitaries addressed the celebrators and resolutions honoring the town of Hopkinton from the U.S. Congress and from the State were read.

The evening opened with a band concert, followed by choral group singing. Thousands began pouring in for the fireworks.

MAMMOTH ANNIVERSARY PARADE

The mammoth Sunday parade got started at the junior-senior high school when the smartly dressed Hopkinton High School Band struck up its first number.

Thousands lined the 2-mile route 4 to 8 deep as approximately 78 units, bands and floats moved down Grove Street, to Pleasant Street, up Main Street and into Hayden Rowe. Spectators were perched on porch roofs, yards were filled with lawn chairs, and every doorstep and wall was crammed.

The parade and anniversary officials led the marchers along the route and received hearty applause as acknowledgement of their contribution to the successful program.

Grand marshal of the parade, Joseph V. McCarthy, the only living member of the 200th anniversary, led off, followed by Francis McIntyre, coordinator, parade chairman John A. Carlberg, U.S. Congressman HAROLD DONOHUE, and State Representative Robert Belmonte.

The Hopkinton Board of Selectmen and their ladies rode in the century old Marlboro stagecoage, which looked like it could make the route today as well as it did in yesteryears.

Service units and their honor guards from the three branches of the armed services were represented by crack marching teams from the Yankee Drum Infantry, the Marine Corps, and the Navy Band from Boston Naval Base.

The Civil Air Patrol sent its 1965 State drill champions, the Massachusetts Wing, and a float to add to the military splendor of the program.

Most warmly received by all spectators were, most appropriately, the colonial units: the fifes and drums of the Progressive Club, Uxbridge; the precision drums of the Linn Village Drum Band, 1639; the Minutemen marching unit, Lexington; and Commonwealth Fife and Drum Corps, Uxbridge.

MOST ORIGINAL FLOATS

The old country was represented and rousingly cheered by spectators as skirling pipes of the Irish Barry Piper, Boston, and the Clan MacPherson played typical Irish and Scottish airs.

One of the most popular and musically skilled groups was the GOP Dixieland band beating out some hot and sophisticated "licks" from the Southland.

Chosen as the most original floats were creations from Curtis Road, Spring Hill, and Fenton Street. Curtis Road took top honors for the depiction of a colonial-clad class of children in Hopkinton's first school, 1743. The Lord Mayor of Spring Hill and his lady, relaxing on a beautifully landscaped lawn, won second prize. Placing third was Fenton Street and their representation of colonial living in a log cabin complete with gingham-dressed housewife, Indian princess, fireplace and well, and cut logs and split rails.

Judged the best floats were the oxen and covered wagon from Sutton, the Summit Chapter, No. 32, Order of Eastern Star, and the Girl Scout float and honor guard.

The Summit Chapter presented an elaborate star composed of the rainbow colors and women residents who are currently outstanding leaders in the Rainbow and Eastern Star organizations.

The Girl Scout float, decorated in green and yellow crepe paper, contained a square of dancers executing intricate maneuvers while the leader called.

The renowned National Lancers led the mounted divisions, dressed in smart cavalry and uniforms of red and blue.

ECUMENICAL SERVICE

Sunday opened with an ecumenical service attended by some 250 citizens. The service was held on the athletic field and participating clergy included the Reverend Andrew Halko, pastor, Woodville Baptist Church; the Reverend William Hogkinson, rector, and the Reverend John Foley, curate, St. John's Roman Catholic Church; the Reverend Forrest Higgins, minister, First Congregational Church; the Reverend George E. Hearn, rector, St. Paul's Episcopal Church.

Special guest speakers were the Reverend Charles Von Euw, STL, SEOP, professor of theology at St. John's Seminary, Brighton, and the Reverend Albert J. Penner, president of the Massachusetts Council of Churches and minister and president of the Massachusetts Congregational Christian Conference (United Church of Christ).

Reverend Von Euw spoke briefly on the feeling of purpose which is deep in the fiber of all individuals and communities. "We are called and drawn to a unity of mind, heart, and faith * * * a unit of all in God, our Father." This sense of oneness and faith enables the peoples of the world to remain free and will enrich the next 250 years of Hopkinton's corporate life.

Reverend Penner spoke on the need for social action of the United Christian Church. "It is the responsibility of the church to create a Christian conscience and heart" to fulfill the scriptual imperative "to build a city of God among the habitations of man." Ecumenicism in Hopkinton does much to insure that this town will be firm on foundations of Christian love and understanding.

EVENING ACTIVITIES

Hundreds of residents poured into the high school cafeteria at 4:15 for the first of four anniversary supper sittings. A typical New England buffet of baked beans, ham, potato salad, rolls, ice cream, and beverages were served. Albert Irvine was in charge of the committee who prepared and served the meal.

Johnny Archer and his orchestra provided the music for the adults in full anniversary regalia, to dance away the evening. Couples began arriving at the smartly decorated school gymnasium at 8 p.m.

At 9:15, 150 couples joined in the grand march to show off with pride their anniversary creations. Lovely and fashionably dressed in party-colored ginghams, silks, and frilly lace passed by on the arms of their distinguished gentlemen in top hats, bowlers, tricornered hats, straw hats, stetsons, powdered wigs, raccoon caps, and false and real face whiskers.

Francis J. McIntyre and Douglas Hamilton announced the evening's prizes which were awarded to Bill McMillian and Nancy Penney, most appropriate costumes; Mr. and Mrs. Bruce Creswell, most original costumes (Indians); two stowaways, Joe and Fran Mullin were given an award for being the funniest, cutest, and only kids of the evening. The best couple were Mr. and Mrs. Douglas Kenyon. The oldest residents at the dance were Mrs. Salomias Markowski and Mrs. Riega, both spry ladies in their 70's. Katherine Sullivan came the longest distance to join the festivities, from Florida.

Over 700 enjoyed a night 250 years in the making.

MARSHAL AND COMMITTEE

Joseph V. McCarthy, who took part in the 200th aniversary celebration of 50 years ago, was the chief marshal for the parade. John A. Carlbert was the capable chairman.

Division leaders were Col. Leland P. Berry, Cecil Holden, John Loncar, Vincent Wood, Seymour Wood, Walter Wood, and Leon Wilson.

Francis J. McIntyre was coordinator of the entire celebration with Ruth Chartier treasurer and Mrs. Mark C. Furber, secretary.

Committee members included Police Chief Francis X. Bowker, Richard Bartlett, John Deneen, Ernest Fecteau, Miss Adelaide Fitzgerald, Mrs. Mary C. Furber, Charles Hill, Norman C. Kimball, Francis J. McIntyre, Herman Larter, Mrs. Bernice Nealon, Robert Nealon, Thomas Russell, Joseph Spinazola, Fire Chief Arthur H. Stewart, and Robert Wilson.

Burundi's Independence Day

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1965

Mr. POWELL. Mr. Speaker, today marks the third anniversary of the independence of the Kingdom of Burundi. We wish, therefore, to take this opportunity to extend warm felicitations to His Majesty Mwami Mwambutsa IV; and the Burundi Ambassador to the United States, Leon Ndenzako.

The Kingdom of Burundi is a small country in central Africa which has recently received attention from the American press. In view of the importance of contemporary events we should give attention here to the history and political background of this recently independent state.

Burundi was among the last African states to come under European influence. Its first visitor from Europe was John Hanning Speke, who in 1858 traveled through Burundi in his search for the headwaters of the Nile. In 1871, Stanley and Livingstone arrived there and explored the region near the present port-capital of Usumbura, on Lake Tanganyika. In 1885, the German sphere of influence in Africa was extended to include the territory of Burundi. Although the Germans remained there until 1916, the government remained in the hands of the traditional authorities.

During the First World War, Burundi was occupied by Belgian troops; after the war, the territory was awarded to the latter as a mandate of the League of Nations. This status remained unchanged until after World War II, when Burundi, with its neighbor to the north, Rwanda, was made part of a United Nations trust territory under Belgian administration. Throughout the period of Belgian control, the traditional authorities also retained their positions. During the latter years, however, the Belgians sponsored an extensive economic development program.

By 1961, the people of Burundi had demonstrated their political maturity and responsibility by holding peaceful national elections.

Plans for independence were completed; with neither a political revolution nor a social upheaval, Burundi became a self-governing state, ruled as of old by the King, or Mwami, and his advisers. The Government, however, was now patterned on Western constitutional democracies rather than on old tribal organizations. On the 1st of July, 1962, the territory of Urundi became the independent kingdom of Burundi.

Today Burundi, under the leadership of its King, Mwambutsa IV, finds itself in a difficult political and economic situation. Improvements in medicine and sanitation have created a serious threat of overpopulation in the small country. This situation has been made more serious by the considerable influx of refugees from neighboring countries.

Yet Burundi has not been left in peace to face its internal problems and to pursue development programs in medicine, education, communications, agriculture, animal husbandry, and industry. While trying to improve its own situation in a rapidly changing area of the world, the Government must also keep under control the Chinese Communists, who, according to a recent Chinese defector there, want to use the kingdom as a base in central Africa for the encouragement and support of rebel activities in the Congo.

Recently, Burundi plainly showed its disapproval of Chinese Communist activities by severing diplomatic ties with Peiping. The kingdom has demonstrated its neutrality and its unwillingness to aid the spread of rebellion in Africa. It wisely recognizes the importance of achieving internal stability and economic independence to complement its political independence. Under the leadership of Prime Minister Joseph Bemina, Burundi seeks moderation in politics, the integration of its rival racial and political elements, and neutrality in foreign affairs.

Today we see in Burundi a stable government and a channelling of national efforts toward common goals. In achieving political moderation and economic development, we wish the kingdom of Burundi every success.

In a Nation Blessed With Abundance, No Person Should Lack the Opportunity for Enough Food To Eat, Says Secretary of Agriculture Freeman in Launching District of Columbia Food Stamp Program

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1965

Mrs. SULLIVAN. Mr. Speaker, as the sponsor of Public Law 88-525, the Food Stamp Act of 1964, and as one who has been working for a nationwide food stamp program since 1954, I was understandably proud and happy this morning to join Secretary of Agriculture Orville L. Freeman and the Board of Commissioners of the District of Columbia in launching a Federal food stamp program in the Nation's Capital.

Existence of such a program here in Washington will focus greater national attention on the many advantages of this form of food assistance to the needy compared to the direct method of distribution of dried and powdered and canned surplus food items still being used in most areas of the country to help 5,400,000 people in low-income families to escape hunger. As more Members of Congress see at firsthand how the food stamp program works, I am sure they will be even more anxious to have the program extended to all of the communities in their districts, as replacement for the direct distribution system, and to assure well-rounded nutritious diets for all of their constituents, no matter how poor.

Secretary Freeman promised this morning that the Department plans eventually to see the food stamp program "extended to reach every area in the area in the United States where it is needed and welcomed." At present, food stamp programs are in operation in 111 areas of the country, providing more adequate diets for more than 600,000 persons. By the end of this summer, he said, and with the higher appropriations being made available by Congress, more than 150 areas—counties or major cities—will be included, reaching more than 1 million low-income families.

HOUSE OF REPRESENTATIVES ACTS TO ASSURE EXPANSION OF FOOD STAMP PROGRAM

As I told the group this morning which attended the ceremonies in the Board room of the District Building initiating the Washington, D.C., program, the project here—and many others also scheduled to start in this new fiscal year—were made possible by the action of the House in restoring to the Department of Agriculture budget the full appropriation of $100 million for the food stamp program after the Committee on Appropriations had previously recommended a $25 million reduction in the budget amount. The reduction would have prevented the start of any new projects.

Mr. Speaker, in his excellent talk this morning the Secretary of Agriculture described the close interrelationship and interdependence of the farm areas of this Nation and the urban communities. The food stamp program, perhaps more than any other program except the school lunch program, dramatizes that interrelationship and interdependence. Our abundance of food is a blessing from God; our surpluses, which are often so burdensome to manage from an economic standpoint, are a great strength to us in helping the impoverished peoples of many lands, including our own. As Secretary Freeman said:

> In a nation blessed with abundance, no person should lack the opportunity for enough food to eat.

He added:

> I hope and pray and believe that we will meet that challenge and the day will come when none of God's children go hungry.

But he also pointed out that we are not yet doing enough to assure good nutrition for every American, including the many children who are still not covered by the school lunch program.

Mr. Speaker, under unanimous consent, I include as part of my remarks the fine talk by Mr. Freeman at the District ceremonies this morning:

REMARKS BY THE HONORABLE ORVILLE L. FREEMAN, SECRETARY OF AGRICULTURE, AT OPENING OF FOOD STAMP PROGRAM IN THE DISTRICT OF COLUMBIA, DISTRICT BUILDING BOARD ROOM, FIFTH FLOOR, WASHINGTON, D.C., AT 10 A.M., EASTERN DAYLIGHT TIME, JULY 1, 1965.

Several times in the past few months I have gone to some of the larger cities in this Nation to help launch food stamp projects—a food and agriculture program enacted into law last year as Public Law 88-525, better known as the Leonor Sullivan bill.

These are especially satisfying occasions, for they illustrate better than any 10 speeches the close and indivisible relationship of agriculture to urban areas, a relationship often overlooked.

Let me assure you this relationship is difficult, if not almost impossible, to convey. Last Sunday, for example, I found it was easier to pet a tiger than to convince some hardbitten newsmen that the Department of Agriculture was concerned with the needs of all people, including farmers.

This only proves that tigers are less difficult to get along with than newsmen, or that anyone who holds the job of Secretary of Agriculture shouldn't be afraid of a tiger.

There have been times when I have almost concluded that the job of Secretary of Agriculture makes training a tiger seem like child's play.

It is ironic, for example, that the unprecedented productive success of American agriculture has far outpaced our ability to make full use of our food abundance. As a result, we have found it necessary to develop means of holding back production lest we strangle our farmers—and depress our national economy—with substandard prices and low-farm income that results when markets are glutted.

There is little joy in cutting back production, or in idling or banking cropland.

There is, rather, sadness and frustration in being unable to use effectively to satisfy human need the food we produce with such incredible efficiency.

But to make progress in getting food to those who need it both here and abroad—in this there is the joy and satisfaction of meaningful accomplishment in helping to meet the needs of our fellow man. We work much harder in the U.S. Department of Agriculture to make use of our agricultural abundance than to cut back its production.

That is why I am truly happy and privileged to be here today.

Eleven months ago, the Congress enacted the permanent food stamp program. Its guiding angel. Congresswoman LEONOR SULLIVAN, is here today with me to help celebrate this event.

Currently, projects similar to the District program are in operation in 111 areas and cities throughout the Nation, and 67 of these have begun since the first of February.

These programs now provide more than 600,000 persons with a food budget which is a third again as large on the average than before.

By the end of the summer we plan to have food stamp projects operating in over 150 communities and areas where they will reach over 1 million low-income families. Eventually, the food stamp program will be extended to reach every area in the United States where it is needed and welcomed.

As a result, where the food stamp program goes into operation (1) local retail food store sales will increase 8 percent or more; (2) markets for farmers will be strengthened more than under any existing program; (3) families in the program will improve both the quality and quantity of the food they eat. Vegetables, fruit, meat, and dairy products will be purchased over the counter and will help brighten the lives of millions of Americans young and old.

This will happen here as the food stamp program goes into operation.

Thus, the dream which promoted President Kennedy to begin the first pilot food stamp projects in 1961, and the hope which led President Johnson in 1964 to include food stamps among the frontline troops in his war on poverty, have begun to be realized.

The dream of one President, and the hope of another, are both based on a very simple concept: It is that in a nation blessed with abundance, no person should lack the opportunity for enough food to eat.

Thus, while this ceremony marks an event of great importance to the people of the District of Columbia, it is in reality a guidepost of what we have yet to accomplish in making abundance a reality to all people.

We now distribute food directly to 5.4 million people in low-income families—and another 1.4 million in schools and institutions, but there are still communities which are unable or unwilling to afford the cost of distributing this food which is available without cost.

During the past school year, over 17 million children got a good lunch each day they were in school through foods provided both by the Department and by the local communities. The USDA contributes about 12 cents per pupil per day—about 4.5 cents in cash and the remainder in food commodities.

However, this program, as good as it is, still is not doing the job. While the Congress has consistently increased school lunch appropriations as the student population has increased, there are grave weaknesses in the current program.

No large metropolitan city today has a fully adequate school lunch program. And instead of getting better, the situation is actually getting worse.

In some cities, the program has been withdrawn from schools, while in others, the program has been severely limited.

The reason is not hard to find. No one would consciously deprive schoolchildren of food, or the opportunity to have an adequate lunch.

The reason is simply that adequate funds do not exist, either at the local level or from the Federal Government, to finance an adequate school lunch program. Thus, while none of us would consciously deprive hungry children of the food they need, all of us are failing to prevent this condition by not insuring that adequate funds are available.

Consider how ludicrous this situation appears. We are a nation which has more food available than it can consume or share effectively at home or abroad. And we have the capacity to produce nearly a fourth again as much with very little effort. Further, we enjoy the benefits of the wealthiest economy in the history of mankind.

We have the food, and we have the wealth and the capacity to distribute it. Yet, during the last school year, nearly 1.4 million schoolchildren did not have school lunches because there were no facilities by which they could be fed. The majority of these children are in the large metropolitan areas.

Here in the District of Columbia, for example, while over 8,000 children in primary and elementary schools received free lunches—most of these, however, were not even hot lunches—another 74,000 children who could afford to pay part of the cost did not have access to school lunch facilities.

What kind of a civilization is it that has everything needed to provide its children with adequate lunches except the will to do it?

Hopefully, some help may be on the way. The Elementary and Secondary Education Act of 1965, when appropriations become available, will provide funds which can be used to equip school lunch facilities, and this may be of some aid to school districts with schools that do not have school lunch programs.

But, much more needs to be done.

Four years ago I urged Congress to strengthen the School Lunch Act, recognizing that this problem would continue to grow. The Congress acted to provide authority for special appropriations which would enable schools with large numbers of children from low-income families to provide lunches either free or at very nominal cost. Each year since then the President has requested funds to activate the special school lunch authority but, so far, to no avail.

Our accomplishments in using abundance demonstrate that we are capable of ending hunger, and our potential for abundance shows us we have only begun to test our capacity to use it.

This ceremony then is not so much a celebration of an accomplishment as it is a beginning of a joyous and exciting challenge—a challenge which can only come to a nation blessed with abundance.

I hope and pray and believe that we will meet that challenge and the day will come when none of God's children go hungry.

PARTICIPANTS IN CEREMONIES IN NATION'S CAPITAL

Mr. Speaker, following is the list of those who participated in the ceremonies this morning in launching the food stamp program in Washington, and the schedule of events:

OPENING CEREMONY INITIATING THE FEDERAL FOOD STAMP PROGRAM, WASHINGTON, D.C., JULY 1, 1965

Time: 10 a.m., eastern daylight time.

Place: District Building Board room, fifth floor, Pennsylvania Avenue and 14th Street NW.

Principal speaker: Secretary of Agriculture Orville L. Freeman.

Host: District Commissioner John B. Duncan.

Guests:

Commissioner Walter N. Tobriner.

Commissioner Brig. Gen. Charles M. Duke.

Representative LEONOR K. SULLIVAN, St. Louis, Mo.

Donald D. Brewer, Director, District of Columbia Department of Public Welfare.

Alvin R. Rosin, Deputy Director for Administration, Department of Public Welfare.

Albert P. Russo, Deputy Director for Family and Children Services, Department of Public Welfare.

Aubrey Robinson, Vice Chairman, District of Columbia Welfare Advisory Council.

Schuyler Lowe, Director, District of Columbia Division of General Administration.

David P. Herman, District of Columbia Budget Officer.

Bruce Kiner, president, District of Columbia Bankers Association.

James Banks, executive secretary, United Planning Organization.

E. Wiley Stearns, Jr., chairman, Bankers Food Stamp Committee.

Henry Noon, president of District Grocery Stores, Inc.

Howard P. Davis, Deputy Administrator, Consumer Food Programs, Consumer and Marketing Service, U.S. Department of Agriculture.

Isabelle Kelley, Director, food stamp program, Consumer and Marketing Service, USDA.

Philip B. Hearn, Northeast Director, Food Distribution Office, Consumer and Marketing Service, USDA.

John F. Conaboy, officer in charge, District of Columbia food stamp program, Consumer and Marketing Service, USDA.

SCHEDULE OF EVENTS

At 10 a.m.: Opening remarks by Commissioner Duncan.

At 10:10 a.m.: Address by Secretary Freeman.

At 10:20 a.m.: Secretary Freeman and Commissioner Duncan to issue first food stamp coupons to two participating families.

At 10:30 a.m.: Press conference.

At 10:50 a.m.: Secretary Freeman, Representative SULLIVAN, and other officials depart for retail store.

At 11 a.m.: Secretary Freeman and Representative SULLIVAN shop with participating families at Carolina Market, 1420 Seventh Street NW. First food stamp transaction. Carolina Market is an independent store owned by Burnell Goodman and managed by Archie Moore.

OTHER NEW FOOD STAMP PROGRAMS ALSO BEGUN TODAY

Next, Mr. Speaker, I submit the Department of Agriculture press release today announcing the start of several additional food stamp projects as well as the one in Washington, D.C., including counties in Georgia, Maryland, Minnesota, Mississippi, and Michigan, as follows:

[Press release of U.S. Department of Agriculture, July 1, 1965]

CURRENT NATIONWIDE STATUS OF FOOD STAMP PROGRAM

Low-income people in seven areas in five States and the District of Columbia will begin participating in the expanding food stamp program during July. Two of the States—Maryland and Mississippi—as well as the District of Columbia will have food stamp programs for the first time.

The July openings will bring the food program to a total of 116 areas, which include the District of Columbia and 31 States, marking further progress on the initial year's expansion under the Food Stamp Act of 1964 announced last October.

New programs getting started in July are: the District of Columbia; Hall County, Ga.; Dorchester County, Md.; Ramsey County, Minn.; Harrison and Jones Counties, Miss.; and Wayne County, Mich. The program in Michigan is being expanded to include all of Wayne County, whose city of Detroit has participated in the food stamp program since its inception in 1961.

Under the food stamp program, low-income families certified in need of food assistance by State welfare agencies exchange the amount of money they normally spend on food for coupons worth more than they paid. The additional amount enables them to buy more and better food for improved diets. The coupons are spent like cash at retail food stores authorized to accept them by the U.S. Department of Agriculture's Consumer and Marketing Service.

The latest complete reports for the month of May show that over 620,000 people were taking part in the program for that month. In the 105 areas that were operating in May, families put nearly $6.5 million of their own food money into food stamp coupons and received an additional $3.9 million—representing the Federal Government's contribution to increased food purchasing power spent in local grocery stores.

ANSWERING QUESTIONS ABOUT OPERATING DETAILS OF FOOD STAMP PLAN

Finally, Mr. Speaker, and because of the fact that so many of the Members of Congress have asked me for specific information and details about the operation of the food stamp program, indicating widespread interest in, but also much uncertainty about, these details, I include a question-and-answer summary of some of the most important features of the program's operation in the District of Columbia project, as follows:

SOME QUESTIONS AND ANSWERS ABOUT THE DISTRICT OF COLUMBIA FOOD STAMP PROGRAM, PREPARED BY THE U.S. DEPARTMENT OF AGRICULTURE CONSUMER AND MARKETING SERVICE AND THE DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC WELFARE

What is the food stamp program? It is a means by which low-income families and those receiving public assistance are able to buy more food in retail stores. Their purchases are made with Federal food coupons, which permit them to buy most of the foods carried on grocers' shelves. Thus, they can buy more food for a varied, more nutritious diet, with the convenience of normal shopping practice. The program has two basic purposes: (1) safeguarding the health of the Nation's low-income families through better nutrition; and (2) increasing the flow of food from the Nation's farms through normal trade channels. The food coupons, redeemable for cash by participating grocers, are added food-buying power, thus benefiting retailers and wholesalers and stimulating the local economy.

How does the food stamp program work? Individuals or families who are certified as eligible by the District of Columbia Welfare Department exchange their food money for food coupons of higher value. This increases their food-buying power—enabling them to buy not only more food but better food as well. Coupons are spent just like cash at retail stores and are good for any food in the store, except for certain imported foods.

Who is eligible to participate in the District of Columbia food stamp program? In general, most of those who have been eligible for the Government-donated foods will be able to take part in the food stamp program. And it's important here to remember that to be eligible does not necessarily mean that you must be on relief. But, of course, a large part of the eligibles will be those receiving some form of public assistance—such as those with dependent children, the aged, the disabled, and the blind. But other families may be eligible; for example, the unemployed, and those living on small pensions.

How much do eligible recipients pay and how much additional do they receive? The amount they pay depends upon several factors. The U.S. Department of Agriculture, in cooperation with the District Welfare Department, has worked out a sliding scale that shows how much is paid and how many free coupons are needed. Important considerations are family size and income.

Are there provisions for "hardship" adjustments? Yes. Unusually heavy or hardship expenses for medical care, rent, and child care are taken into account. Some relief and low-income families may find that the amount of money they pay for food under the stamp plan will be less than they actually spent previously, and, of course, they'll be getting substantially increased food-purchasing power in total.

Do the families get their coupons from the Welfare Department? No. Banks in the District will issue the food coupons. A family goes to the bank with an identification card showing how many coupons they are authorized to buy and how much money they are to pay. They buy coupons for 1 month at a time.

Once eligible families or individuals have their food coupons, where can they spend them? At any retail food outlet authorized by the Consumer and Marketing Service to accept the coupons. It is expected that most stores in the District of Columbia will be participating; large and small alike. Among them will be those handling groceries, meats, fruits and vegetables, and bakery goods. Established food-route operations, such as dairy home delivery, also will be eligible.

What can the eligible families buy with their food coupons? They can buy any food for human consumption, except for certain imported items and imported meat identified as ineligible by the store operator. Alcoholic beverages are not eligible. Of course, such nonfood items as paper products, soap, and tobacco normally sold in food stores cannot be bought with food coupons, either.

If the food stamp family's grocery money is invested in food coupons, how may they buy the household nonfood items such as soap and paper products? Allowance has been made for this. The amount of money turned into food coupons represents only what the family would spend for foods they can buy with coupons. Coupon shoppers will have as much cash as they ever had for other human needs; maybe even a little more.

How are food coupon purchases handled at the checkout counter? The customer identifies himself to the clerk as a food stamp shopper. Coupon foods are separated from the items which the customer cannot buy with food coupons. Each group is totaled and paid for separately.

How do customers get change for food coupons? No change in cash may be given for coupons. Unendorsed 50-cent coupons may be used in making change. If an amount less than 50 cents is required, the food coupon shopper has the option of paying in cash or accepting a credit slip from the retailer for future delivery of an equivalent value of eligible foods. A credit slip or due bill cannot exceed 49 cents when used in food coupon transactions. Examples: (a) If a customer buys $9.50 worth of food and tenders five $2 coupons in payment, he may be given one 50-cent coupon in change; (b) if a customer buys 60 cents worth of food, one 50-cent coupon may be given the cashier plus 10 cents in cash, or if the customer gives the cashier two 50-cent coupons for a 60-cent purchase, the cashier could give as change a credit slip for 40 cents. Retailers can also allow recipients to "trade out" the difference in eligible food.

Can sales tax be paid with food coupons? Yes. Food coupons may be accepted for payment of sales tax, but only for taxes on eligible foods purchased with coupons. That's another reason for separating coupon purchases from the items that are to be paid with cash.

May food coupon shoppers leave their coupon books at food stores? No. Coupon books must be kept in the possession of households to which they are issued. The books are to be presented each time purchases are made with coupons.

May food coupon shoppers transfer, trade, or sell their coupons? No. The coupons must be used only by the households to which they are issued. Anyone who misuses them, whether participant, retailer, wholesaler, or other, is in violation of program regulations and subject to penalty.

Where do people get information about the program and sign up? Individuals or families, who think they may be eligible for the program should go to 1291 Taylor Street NW., between the hours of 9 a.m. and 4 p.m., Monday through Friday. People may call this number for information: Randolph 3–9560.

What provisions are there to help disabled people, who can't leave home, to take part in the food stamp program? The Welfare Department will arrange to register the disabled person at home. A relative or neighbor can be authorized to purchase coupons at the bank and buy food for the homebound individual. Call Randolph 3–9560.

Will anyone besides the food stamp recipients benefit from the program? Yes. The increased buying power of these customers should result in an estimated $1.5 million increase in retail food sales in the District. As the coupons are redeemed by the grocers and the money is added to the local economy the entire community will benefit.

Will families continue to receive federally donated foods? No. The food stamp program will replace the family distribution of federally donated foods here in the District. So, in order to continue receiving food assistance, it is necessary to join the food stamp program.

Where can retail food merchants get information and sign up for the food stamp program? Retailers should call 382–7413 for information. To be authorized to accept food coupons, they must apply in person at the Consumer and Marketing Service Food Stamp Field Office, 1634 I Street NW., room 405.

Somalia Republic

EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1965

Mr. ROOSEVELT. Mr. Speaker, the Somalia Republic celebrates its fifth year of independence today. Five years ago this new Republic faced the problem of combining different administrative, financial, and military systems of two formerly separate areas into an effective national organization. Today, Somalia is a stable country which places primary emphasis on improvement of economic and social conditions within the country, with especial emphasis in the field of education.

Independence Day of Somalia

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1965

Mr. POWELL. Mr. Speaker, on this date 5 years ago, the new nation of Somalia joined the world community of nations. On this memorable occasion, therefore, we extend warm felicitations to His Excellency Abdirazak Hagi Hussen, Prime Minister of Somalia; and to His Excellency Ahmed Mohamed Adan, the Somalian Ambassador to the United States.

Created by the union of former Italian and British Somaliland territories on July 1, 1960, it has in the past 5 years demonstrated an almost uncanny ability to retain distinctive and strong democratic processes, and create a viable fusion of two such separate former colonial experiences.

For a variety of reasons, Somalia has been the object of covetous powers throughout more than 3,000 years of history. For example, Somalia has for millenia been one of the very few producers of rare and exotic aromatics. In the ancient world, where frankincense and myrrh were prized as highly as gold, the areas which produced them were the object of envy and had an inevitable aura of mystery. Expeditions from the empires which ruled the Mediterranean world in antiquity spent fortunes on fleets and armies in order to control the sources of these almost priceless commodities. As a consequence, Somalia for centuries had to cope with expeditions designed to monopolize the incense trade.

In more recent times there was little demand for these aromatics, and Somalia's economic importance declined. In the 19th century, however, the powers of Europe were engaged in the struggle for empire, and every piece of unoccupied territory became an additional gem in the colonial crown. So it was that Italy, France, and Great Britain vied for territory on the eastern horn of Africa after the first wave of exploration by the Portuguese had ebbed.

As a result, the ancient "Land of Aromatics" became divided among a French, a British, and an Italian territory. In the aftermath of the Second World War, however, Great Britain administered both its own portion and the Italian section until 1950, when the United Nations trusteeship for the south was given to

Italy. In granting the trusteeship, the United Nations specifically stipulated that Italian Somaliland would receive its independence by 1960. By the end of 1956, the Somalis were in almost complete control of domestic matters—a fact which provided them with the experience necessary to conduct their own postindependence affairs with all the aplomb of a state with centuries of experience. As an indication of this, the Somali Republic recently survived nearly a year of governmental paralysis; unlike most other countries in the world, the democratic processes survived. Prime Minister Abdirizak Hagi Hussen was quite correct when he said that few other nations of Somalia's vintage could have endured so long a period of uncertainty without risking "chaos, disorder, anarchy, and the destruction of social balance."

Despite the bright political picture, there is no denying the economic difficulties which Somalia faces. Through the Planning and Coordinating Committee for Economic and Social Development the government seeks to stimulate production in all sectors of industry, agriculture, and commerce. Through various agreements with other countries, the government is obtaining assistance in founding new industries and expanding agricultural output in order to decrease and finally eliminate the present unfavorable balance of payments.

On their anniversary then, we congratulate the Somalis on their political maturity, and the government for its dedication toward providing a more prosperous life for its citizens. I feel certain of the support of my colleagues in extending our sincere best wishes for the future.

Republic of Rwanda

EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1965

Mr. ROOSEVELT. Mr. Speaker, I should like to call to the attention of this distinguished body that today is the third anniversary of the Republic of Rwanda.

This republic has expended great effort to institute technical and economic reforms. Accordingly, the people stand ready to profit from the advantage of having a government which has been able to catch a clear vision of the goals of a democratic society.

HOUSE OF REPRESENTATIVES

FRIDAY, JULY 2, 1965

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore (Mr. Albert).

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Acts 22: 28: *And the chief captain answered, With a great sum obtained I this freedom. And Paul said, But I was free born.*

Almighty God, may our minds and hearts be entwined to go out toward Thee in gratitude for the coming day which we shall be privileged to celebrate as our Independence Day.

We are reminded of those vast multitudes of brave men and women who gave such a tremendous sum in sacrificing and suffering for our freedom.

Give us a greater appreciation of the blessings we enjoy and a more devout determination to make our flag what our forefathers claimed it must be, "the flag of the free."

Grant that during these troublous days in our national life we may not forget what the stars and stripes signify.

Inspire us with the Declaration of Independence which declares that "all men are created equal" and "endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness."

May we earnestly strive to carry out that lofty purpose for the sake of the forefathers who paid such a costly price for them in days gone by.

We mourn the death of one of our beloved Members. Thou hast opened unto him the gateway to the larger life and received him unto Thy nearer presence. Wilt Thou bestow upon his family and friends the consolations of Thy grace.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

PERSONAL EXPLANATION

Mr. CHELF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. Mr. Speaker, on June 30 I am recorded as having been absent, and I was absent. I was unavoidably delayed and detained at the White House during the presentation by the President of the United States of the Young American Medal for Bravery which I had the honor to sponsor back in 1950.

Mr. Speaker, this is the reason why I was absent, and the Record is correct in this instance.

CONSCIENCE OF A PUBLIC SERVANT

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Hanley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HANLEY. Mr. Speaker, Bishop John S. Spence, vicar general for lay organizations in the Archdiocese of Washington, was introduced by William P. Cochrane, president of the Capitol Hill Friday Club, at the club breakfast this morning. Bishop Spence's talk on the conscience of a public servant and the meaning of human dignity contains such sound reasoning that I want to share it with those who were unable to attend the breakfast meeting. The remarks of His Excellency, Bishop Spence, follow:

CONSCIENCE OF A PUBLIC SERVANT

(By Bishop John S. Spence)

A few weeks ago the State Department held an off-the-record briefing for civic and religious leaders on various aspects of U.S. foreign policy. The principal speaker was Vice President Hubert Humphrey.

At one point the Vice President departed from his prepared text to make a spontaneous profession of his faith in God. His remarks were so true and so inspiring that we requested, and received, his permission to quote from them.

"The real struggle in the world today," Mr. Humphrey declared, "is over human dignity. * * * I believe that God created man in His own image. I believe that there is a spark of the divine in every person, and I believe that that is the meaning of human dignity. * * * No man has the right to destroy that which God has given."

The Vice President's simple expression of faith reflects a declaration voiced last year by the Chief Justice of the United States that "we are a religious people." If that is so, and I believe the entire heritage of our country bears witness to it, then we must not be afraid to think and speak and act like a religious people. We do not need to apologize for our faith—we glory in it.

It is not enough, however, to see the hand of God manifested in the physical world about us, to be thankful for His favors, to worship Him and keep His commandments. Faith is a blessing, but it also imposes an obligation—and the stronger our faith, the more binding the obligation it carries.

That obligation, imposed on all believers within and without the mystical body of Christ, is to do the will of God in accordance with the dictates of an informed and upright conscience.

What is this thing called conscience? In its simplest form it is the instinctive sense of right and wrong that is present in all rational beings, regardless of faith of religious affiliation. Actually, for us of the household of the faith, an informed conscience is the voice of the Holy Spirit within us. When we call on Him for guidance, it comes through loud and clear. But even when, through the misuse of our free will, we try to stifle the voice of conscience, it is still there, striving to be heard.

Now, perhaps, you can see what I had in mind when I entitled this little discourse, "Conscience of a Public Servant." For in almost no other walk of life do the day-by-day decisions involving right and wrong come so thick and fast, or are the guideposts so few and indistinct.

You can almost feel the tensions in the air when a national crisis impends. Lights burn late in the White House, the State Department, the Pentagon, and a dozen other sensitive agencies, where experts pool their collective knowledge and judgment in order to advise the lonely figure in the great oval office. That is why, each Sunday throughout the archdiocese, Catholics pray during the mass for our President and other political leaders, that the Holy Spirit will guide them well.

But it is not alone the great international crises that try the souls of men in public life. The toughest decisions to make are often not political or military but moral. More and more, our public servants must ask themselves not only, "What is this bill going to cost?" or "Will it make political enemies for me?" or "Will it please important constituents?" or "Will world opinion support it?" but "Is it moral?"

This, I venture to say, is a new force in American political action. It was most dramatically shown during the great debate on the civil rights bill. The tremendous ground swell that swept that legislation through Congress in the face of bitter opposition and ancient prejudice was not powered by any one political party, or by management or labor or any particular group—not even by Negroes. What put civil rights on the books was the American conscience, the collective determination of all the people that a moral right, guaranteed alike by the Constitution and the natural law, should no longer be denied to millions of our fellow citizens whose skin happened to be dark instead of light.

The power of this moral force was ruefully acknowledged by one of the foremost opponents of the bill in the Senate. He credited the united front of the Nation's religious leaders, the clergy of all denominations, as having tipped the scales.

That moral force, rooted in the conscience of America, is still there. It will always be there, please God, to help insure that what we attempt in the political sphere, whether it be wise or unwise, popular or unpopular, permanent or temporary, will always conform to the collective moral sense of the American people, as God gives them the light to judge.

Nowhere else, as we shall see in a few moments, do men and women like yourselves have the obligation and the opportunity to influence the course of history by helping to inspire the collective conscience of those who labor in the service of the people.

Let me show you how.

One of the identifying marks that has ever drawn souls to the Rock of Peter has been its changeless truth in the changing world—the ability of the church to fling a bridge across the chasm between the practical needs of today and the moral values of eternity.

This is more important even than you think. For truth—and the handmaids of truth, the norms of human behavior—are not a weathervane, spinning this way and that in the shifting winds of social respectability. What is immoral today cannot suddenly become moral tomorrow, even if "everybody does it." The interpretation of moral principles, and their application in specific circumstances, may change—indeed, they must change in a dynamic society—but truth itself is eternal.

For the Catholic, this presents no problem. He knows that in the church of Christ, there exists a divinely created repository of truth. Like his brethren of other faiths, he too has a conscience, but for him, that conscience is always subject to the teaching authority of his church, guaranteed against error by the Holy Spirit.

But what of those outside the mystical body who sincerely wish to avoid what is evil and to do what is right? They too share with us the obligation to pray always that God will speak to them through their consciences, and that they may obtain the grace to hear and to follow that inner voice. As a further aid, they should be guided by present and past opinions of great legislators whose judgment was based on sound moral principles and convictions. As an example, witness the recognition of the human rights of women in their being afforded the right to vote.

This is where you come in. For never before has the need and the obligation to form a right conscience been so vital for all mankind. In the field of political action, you and other public servants high and low are in effect the keepers of the Nation's conscience. And you, who have the priceless gift of faith, have a double obligation—to purify and protect your own conscience against laxness and false standards, and to pray for your brothers in public life that they too may think and act as God gives them the light.

Your particular devotion is to the blessed sacrament. Through your examples, you seek to spread the practice of more frequent communion initiated by Pope St. Pius X and renewed only recently by our present holy father. When you receive the Eucharist, you become one, in substance as well as in spirit, with the body and blood of Christ that you have received. In that moment, you share His divinity. And since in Christ there can be no error, what better way can you nourish a right conscience than to pray to Him in the blessed sacrament that His grace and His wisdom may remain with you always?

Pray, then, not only for yourselves, but for all those in public life, so that the "conscience of a public servant" may shine forth as a beacon of faith to illumine the truth for all mankind.

SBA REGIONAL DIRECTOR OF THE YEAR IS THOMAS A. BUTLER

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FASCELL. Mr. Speaker, although big business in our country has often captured the spotlight, it is small business which stands as the backbone of this great Nation.

For that reason I am particularly proud that Thomas A. Butler, head of the Miami regional office of the Small Business Administration, has been chosen as Regional Director of the Year. Mr. Butler was chosen from among 61 regional directors for his work in a 24-county area of Florida.

This recognition given to Mr. Butler comes after 7 years of very able work with the SBA, during which time he has shown himself to be skilled as an administrator, one who is respected throughout the business community. His prowess as an administrator was demonstrated as early as 1945, when he was instrumental in organizing the Berchtesgaden Recreational Area as an officer in Germany.

Under Mr. Butler's direction, the Miami regional office has been particularly involved with providing financial help to homeowners and businessmen who have suffered hurricane damage. It was Mr. Butler's "initiative and ingenuity," in the words of Eugene P. Foley, Administrator of the SBA, that was particularly significant in helping the area. Many families have been able to stand upright again due to the efforts of this leader.

But Mr. Butler has not only been concerned with his community during office hours. A resident of Miami since 1925, away from work he has been an active leader in civic affairs, which has earned him the right to be held in high esteem by all who know him.

Thus it is with great pleasure that I inform you of Mr. Butler's well-deserved recognition as SBA Regional Director of the Year.

NATIONAL COMMISSION ON OCEANOGRAPHY

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hanna] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HANNA. Mr. Speaker, as you know, I have had a long and continuing interest in and concern about American efforts in the field of oceanography, the full development of the great untapped potential of the world's oceans, and the need for conducting a study of the international legal problems which continue to arise in conjunction with oceanographic exploration.

As a result of my interest in this field, I have come to sponsor or cosponsor a number of bills which, if enacted, would help stimulate and encourage a greater American commitment to the study of inner space. Today, Mr. Speaker, I am introducing a companion measure to H.R. 9064 which was introduced by the gentleman from Florida [Mr. Rogers].

This bill, Mr. Speaker, would establish a National Commission on Oceanography, composed of 15 presidentially appointed members. Five of the Commissioners would represent private industry, five would come from governmental agencies involved in the field, and five would be drawn from universities and laboratories "engaged in oceanographic pursuits."

The Commission would be authorized to conduct a "comprehensive investigation and study of all aspects of oceanography" and "recommend an overall plan for an adequate oceanographic program that will meet the present and future needs" of the United States. This investigation would include a review of the need for natural resources from the oceans and the current programs which are underway to meet those needs. The Commission would conclude by recommending an organizational plan and budget to accomplish the recommended goals.

Our bill would provide the investigative powers and staff necessary for the Commission to conduct its work, and would require the filing of its final report within 2 years after enactment.

Mr. Speaker, we have a real need for a well constructed plan to push ahead with our oceanographic research at a greatly accelerated pace. We are losing our lead to the Soviet Union in the "wet war," and unless meaningful steps are taken in the near future, we will be second best in the science of inner space. The economic, social and military implications of such a defeat are staggering. We as a nation cannot afford to continue to conduct only a relatively meager level of activity on this vast and exciting frontier of science.

INDEPENDENCE DAY OF THE MALAGASY REPUBLIC

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. POWELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. POWELL. Mr. Speaker, on June 26, the island of Madagascar celebrated the fifth anniversary of her independence. Five years ago, on that date, the island of Madagascar became the sovereign and independent Malagasy Republic. I wish belatedly to extend warm felicitations to His Excellency Philbert Tsiranana, President of the Malagasy Republic; and their Ambassador to the United States, His Excellency Louis Rakotomalala.

As one of the most stable and peaceful of the newly independent states, it has not warranted the headlines of our daily newspapers; consequently, little has unfortunately become known about this fascinating country.

Despite Madagascar's location near the African coast, few of the ancestors of the island's present population appear to have come to it from that continent. Recent anthropological and ethnological studies indicate that Madagascar was populated by peoples who migrated there from the Sunda Islands, today part of Indonesia. In the language, social customs, and traditions of its inhabitants there are distinct traces of Hindu culture, and evidence that these migrations took place before the Christian era. In fact, the Malagasy language is related to Malayan and Indonesian, and not to the languages of the great continent located so near her shores.

Apparently the ancient Roman geographers had knowledge of this immense island—the fourth largest in the world—but it was not until Marco Polo's trip to China that the Western World once again learned of its existence. By the early 1500's, the great maritime powers of Europe, especially Portugal, had actually landed and attempted to establish their influence. With the entry of the British, the Dutch, and the French into the colonial picture, intense rivalries developed between the powers for influence and territory. By the 19th century, this rivalry for Madagascar had become limited to France and Great Britain; after a long war between them for the island, it was made a French protectorate and later annexed and declared a part of metropolitan France.

For more than six decades, French officials were the governing authority; although some of the early ones were among the best career colonial officials in French history and contributed much toward the development of the country, it was not until the 1950's that there was any recognition paid to the desires of the population for independence. Indeed, it took one of the bloodiest colonial wars of all time to convince France of this desire—in 1947-48 over 80,000 people lost their lives in a rebellion against French rule. As a result, new reforms were introduced in succeeding years, and in the 1958 referendum, Madagascar voted overwhelmingly for the new French Constitution, becoming an autonomous republic within the French Community.

Since independence, relations with France have remained good, and the Malagasy Republic has become an active participant in the various African organizations, as well as those created solely in order to create and develop a greater economic and political community among the former French States. At the same time, President Philibert Tsiranana is pushing ahead with an extensive 5-year plan in order to further develop the agriculture and industry of the island, for which he has received some American as well as French aid.

Blessed with relatively homogeneous population, a fertile land with opportunities for expanded agricultural production as well as increased mineral exploitation, and a reasonable government dedicated to providing a better life for its citizens, we will undoubtedly continue to see the people of the Malagasy Republic working toward making their island the pearl of the Indian Ocean. In this goal, we wish them every success.

"PROPHETS OF GLOOM ARE WRONG," DR. JAMES C. DOLLEY, OF THE UNIVERSITY OF TEXAS, ANSWERED

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. PATMAN. Mr. Speaker, there are always a few prophets of gloom and doom who see the world through a melancholy haze. As the old saying goes, most of us see the doughnut, but the pessimist sees the hole—sometimes when the hole is not even there.

It is very disquieting to me to see my fellow Texan, Dr. James C. Dolley, professor of finance at the University of Texas, and a banker, lending his stature to the old wives' tales that are being circulated about our economy. In good conscience, I am bound to take issue with him, since I believe that he is not only imprudent but that he is wrong in his analysis of the prospects for this great Nation.

To be specific, Professor Dolley, in a recent article in the Commerical and Financial Chronicle, complains that confidence in the dollar is weakening and that to counteract it we must eliminate the foreign aid program and cut back present Federal spending. He looks back with fond longing to the days of the gold standard which provided an "automatic restraint on the spending of public funds."

Dr. Dolley is also concerned over the fact that the gold reserve requirements against Federal Reserve bank deposit liabilities were eliminated this year in order to provide the Nation with more flexibility in the handling of its international finance. He thinks that because of this action, which was carefully considered by the Congress and passed by overwhelming majorities in both Houses, the foreign central banks will now convert their dollar claims into gold and thus force us to pay out more gold or devalue the dollar.

THE DOLLAR IS STRONG

Having been privileged to participate in extensive inquiries, as chairman of the House Banking and Currency Committee and of the Joint Economic Committee, into our balance-of-payments problems and our domestic monetary situation, I am very proud to say that there is absolutely no dobut in my mind that our dollar is far removed from any danger or crisis on the international scene. As a matter of fact, the contrary is true; the dollar is much in demand as a world currency. Moreover, now that President Johnson has succeeded in improving our balance-of-payments flow on a voluntary basis, there is a great outcry from Europe and the Far East that, because they cannot obtain growing supplies of dollars to carry on their international financial relations, they will be handicapped and forced into a recession. We have a favorable balance of trade in excess of $5 billion. At the same time, we incur heavy military outlays abroad to defend the free world. We lend substantially for foreign aid purposes in order to combat communism. At the present time, our industries are investing heavily abroad and our banks have been lending extensively abroad. All of these factors create dollar claims in foreign hands and potentially may result in claims against our gold. However, in actual practice, the great majority of foreign holders of our money are much happier to hold dollars than gold. Dollars are more flexible. They are cheaper to maintain, easier to negotiate, and more valuable because they earn interest.

PRIVATE LOANS CAUSED PRESSURE

In the past few years, our balance of payments has been under pressure mainly because of substantial increases in outflows of private capital. It is well known that our capital markets are far better organized, more competitive, efficient, and larger than any others in the world. It is these considerations that have prompted many Europeans and other foreigners to borrow in the United States rather than in their own lands. In 1963, the so-called interest equalization tax was imposed by the Congress to reduce outflows of long-term capital. In 1964, overseas borrowers, in order to get around this limitation, shifted to shorter term bank loans which were not covered by the tax, and this resulted in large increases in these loans. These increases were the principal reason for the deterioration in our balance of payments late in the year. The President then wisely extended the interest equalization tax to medium term bank loans and asked the banks to limit increases in all of their loans. These corrective measures have already stemmed the flow and, in the opinion of most competent experts, we are well on the road to correcting any imbalances in our present international financial relations.

Even the Bank for International Settlement, that most conservative of international financial institutions, concedes that we are successful and is already worrying about the fact that our very success will prevent a growing Europe from building up its dollar holdings as a basis for expansion. The truth of the matter is, and they well recognize it, that the dollar is the world currency now.

OUR ECONOMY HAS GREAT STRENGTH

Many pessimists overlook the basic fact that one of the reasons for the dollar's strength lies in the great strength of our economy, its high employment and productivity. If we cut back on present spending it will have a depressing effect on the economy and probably increase unemployment and lower our level of production, causing more strain on our international currency, not less. Foreign holders will take their money out of an unprofitable country, whereas a high employment economy attracts foreign dollars.

With respect to foreign aid, which Dr. Dolley would cut back, I can only say that this is our bulwark against communism. If we do not spend funds in the developing countries and win them to some sympathy for our way of life, we will be giving in to communism and you may be sure that the dollar will then be in real danger, far more than any of the imagined dangers in Dr. Dolley's statement. Moreover, the great bulk of foreign aid material is produced in this country, so that if we cut it out, our own businesses would feel the impact. The Congress has exercised increasing stringency on both foreign aid and military expenditures abroad, and has reduced these items as much as is feasible, consistent with the international needs of our Nation.

RECENT GOLD RESERVE LEGISLATION WAS SOUND AND PRUDENT

The gold reserve against deposit liabilities has been superfluous for a long time because our currency is no longer redeemable in gold. This provision was intended originally as an added bulwark to protect our currency which was then convertible. But it has long since become unnecessary, and almost all responsible people who understand the situation recognize that it is far better to give our money managers more flexibility by increasing the free gold available to us than to maintain this outmoded claim upon our gold reserves.

The only basis for currency strength is the credit and productivity of the Nation that stands behind it—the United States of America. That is the real basis for our dollar strength; not gold. And I might add that the most effective way to weaken confidence in the dollar is to keep complaining about imaginary weaknesses in our international position. If you say anything often enough, some people will believe it, no matter how misconceived it may be.

GOLD STANDARD WOULD NOT BE PRACTICAL

The notion that a return to the gold standard would provide a bulwark against economic distress in the present day and age is an empty illusion. The gold standard did not help to prevent the dreadful depression of the thirties; in fact, it proved to be an aggravating element that made the depression worse. During the height of the gold standard, the United States suffered the great depression of the 1890's, due to the limitations on the money supply that came from tying it to gold, which was not increasing rapidly enough in supply to keep pace with the economy. And we had financial crises in 1883, 1893, 1904, and 1907. During the period 1925 through 1931 Great Britain and Germany suffered serious chronic unemployment brought about by trying to keep on the gold standard. No one in responsibility seriously advocates a return to the gold standard, with the possible exception of Mr. Rueff in France, and even there he is not taken too seriously. The sooner we face the fact that it is an issue of the past, the better off we will be.

COINAGE VALUE IS BACKED BY STRENGTH OF ECONOMY

It is not only the gold standard and the international position of the dollar, however, that concerns Dr. Dolley. He is even afraid of an "internal flight" from the dollar. Citing the fact that silver is subject to tremendous upward pressure, he predicts that any "debasement" of the currency, his term for reducing the silver content, will somehow result in loss of confidence in our currency and create widespread withdrawals of demand deposits from commercial banks.

Now, it is true that silver is under strong upward pressure because it is so valuable in the commercial market, particularly because it is used in the defense and space industries, as well as many others. It is in the public interest for more silver to be made available for these necessary purposes. After long and careful consideration, the Government has made certain recommendations for decreasing the silver content of our coins and this issue is under very deliberate and thorough scrutiny by the Congress. As chairman of the House Banking and Currency Committee, I can give unqualified assurances that the matter will be very thoroughly studied. But, while recognizing that there are many problems to be considered in connection with the silver question, I have absolutely no fears about any flight from the dollar or, what is even more ridiculous, about runs on our commercial banks. As indicated above, it is the credit of our Nation and its productive strength that underlie the value of our currency and, as long as the United States backs it, and it always will, there is no danger. It is interesting to note that the same kinds of fears about a decline in value of the currency were raised when the Nation gave up bimetalism in the last century. The fears then expressed were not borne out by subsequent events, and I am positive that the fears about debasement and devaluation of the currency will prove equally unfounded.

The only question that concerns me and many of my colleagues in the Congress is that the Federal Reserve, our central bank, in an excess of conservatism and misguided caution, will exert too much downward pressure on the money supply and thereby cause a downturn.

MONEY SUPPLY MUST BE ADEQUATE

We need an adequate supply of money to carry on the business affairs of this Nation and, as we grow, the money supply should grow, too. Mr. William McChesney Martin, Jr., and his Federal Reserve Board, have been restraining the growth of our money supply in recent months. This action tends to depress the economy, like putting the brakes on a car, and if it is permitted to go far enough, it will trigger off a recession. As I have pointed out many times before, we have already suffered three recessions in the fifties from this kind of misguided stringency, and it would be a tragedy to repeat the errors now.

Let us keep our eye on this issue, which is the main one in the monetary field, and not be distracted by false anxieties that are created out of the mist.

Down in my part of the country people train dogs especially for fox hunting, and it is a well-known fact that a good fox hound will stay on the trail of the fox and not be distracted by rabbits, coons, or squirrels. But oftentimes it happens that a hound dog, hot on the trail, will go off after a cottontail rabbit or a coon, and lose track of the fox. Naturally, such hounds do not last long in fox hunting circles. In a way, this principle applies to economic issues. We have to keep our attention on the main point and not be sidetracked into other issues, whether real or imagined.

DONALD C. COOK CALLS MARTIN'S HAND

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the No. 1 danger to our economic prosperity today is the tight money bias of the Federal Reserve. When William McChesney Martin, Jr., Chairman of the Federal Reserve Board, warned about the dangers of a recession or depression, he failed to mention the most important point: the fact that he is in the driver's seat. It is up to him and his fellow Federal Reserve Board to assure that our prosperity continues. They can accomplish this by keeping the money supply adequate to the needs of our economy.

The fact of the matter is that our economy is tremendously strong. We have a gross national product of $650 billion. Our industrial production is at an all-cent. Over 72 million people are at work. Average pay in industry is $107 a week. Consumers are spending at a rate of $420 billion a year, and corporations are making the biggest profits in their history. Our industrial production is at an all-time high, and our citizens are consuming more in goods and services than ever before.

This is the anatomy of a strong and prosperous America.

It is greatly to the credit of Donald C. Cook, utility executive and a wise financial adviser, that he stressed these facts in a recent interview which I am placing in the RECORD. Mr. Cook says:

> We are in the best position of any country in the world today. It would take an awful lot to hurt us.

At the same time he cautions against inflationary wage and price increases, and counsels both management and labor to maintain the stability that has been a basic source of our strength in recent years.

Mr. Cook focuses public attention on the crucial issue when he says:

> There is a potential threat to the present favorable outlook and it is one that is not inherent in the economy. It is that the monetary authorities might permit themselves to be misled into prematurely imposing monetary restrictions and higher interest rates either because of international monetary pressures or as a result of misleading and faulty analogies between the present and 1929.

The account of the interview is as follows:

[From the New York Times, July 1, 1965]

Donald Cook Disputes Martin's View of Economy—Utility Executive and Friend of Johnson Sees Gains—Says Reserve Chief Voiced a Traditional Attitude

(By Gene Smith)

Donald C. Cook, a close friend and adviser to President Johnson, believes strongly that the outlook for the second half is for "continued overall strength and growth in the economy."

Mr. Cook, who turned down the post of Secretary of Treasury to remain as president of the giant American Electric Power Co., said in an interview here yesterday:

"There is a potential threat to the present favorable outlook and it is one that is not inherent in the economy. It is that the monetary authorities might permit themselves to be misled into prematurely imposing monetary restrictions and higher interest rates either because of international monetary pressures or as a result of misleading and faulty analogies between the present and 1929."

Mr. Cook made it clear that he was referring directly to William McChesney Martin's now-famous Columbia University talk in which he said he found "disquieting similarities" between the present economy and that of the twenties.

"A lot of people, including the professionals, who had a high regard for Mr. Martin as a man of character and integrity failed to see that he was speaking in line with the attitude of the traditional central banker who thinks that monetary policy can cure anything," Mr. Cook explained.

"Add to this the fact that many people take what is said by a man in his position as being in a public-image context. When the public hears such statements without realizing that the comparison is being made to a situation that was without parallel in the history of our Republic, they react whether they realize it or not," he added.

Mr. Cook said the stock market's behavior on Tuesday showed that holders of securities were acting very irrationally as was demonstrated by the series of wild gyrations that took place.

"That was not the product of rational behavior of investors. Rather it showed that the market had reached the point where random actions, almost anything, was affecting it," he said, adding: "It was symtomatic of the vague feeling of unrest that is creeping into the professionals as well."

Asked what such factors might be, Mr. Cook said there were three in addition to the Martin speech. He listed these as.

The international situation, stemming chiefly from uneasiness over Vietnam—"When people see no solutions, they are left feeling very uneasy about everything."

"A lot of fears about the British pound, even though there have been many statements that there would be no devaluation." He indicated he believed that the balance-of-payments problem and worries over the outflow of gold had been "exaggerated."

Concern over possible slowdowns in the economies of nations abroad that he felt resulted from "the overall international uneasiness here and the seeming unwillingness of some foreign governments to take positive steps to bolster their economies."

The utility holding company president said that doubters should look carefully at the continuation of record levels of corporate profits, coupled with the favorable outlook for consumer demand, which can be expected to sustain the present high levels of outlays for new plant and equipment.

OTHER FACTORS NOTED

"The combined effect of the reduced Federal budget deficit, continued price stability, the general absence of excesses and dislocations and the success that has been achieved in reducing the rate of unemployment significantly below 5 percent for the first time since 1957 can be expected to strengthen the general confidence required to maintain continued growth in the economy at least for the balance of this year," he said.

Mr. Cook acknowledged that there were some "possible weaknesses beginning to appear." Among these he listed the fact that as the high level of activity continued and unemployment was reduced still more, new shortages of skilled labor might begin to emerge as a bottleneck.

"It is to be hoped that both management and labor will continue to exercise restraint to avoid inflationary wage and price increases that would upset the price stability that has been a major source of strength during the course of the expansion of the last 4½ years," Mr. Cook said, and added strongly:

"We are in the best position of any country in the world today. It would take an awful lot to hurt us."

NO BASIS FOR MARTIN PESSIMISM

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Chairman of the Federal Reserve Board, Mr. William McChesney Martin, Jr., committed a highly intemperate and unfortunate act in making a pessimistic forecast in his speech at Columbia University on June 1—particularly since it is backed by neither sound analysis nor fact. The situation is made even more shocking by the fact that Mr. Martin, who is one of the most powerful men in the country, as Chairman of our central bank, the Federal Reserve, has it within his power to bring about the dire consequences he predicts.

Indeed, on the basis of recent evidence, there is no doubt that Mr. Martin has been tightening the money supply, a process that cannot help but squeeze the economy and cause a downturn. If he persists, Mr. Martin is guilty of perpetrating a serious error in stressing, as he does, alleged similarities between the present time and 1929, when it is clear to any impartial observer that he has glossed over and minimized the huge differences existing between 1965 and 1929.

Let us consider some of these differences. In the first place, the Government budget provides a powerful underpinning to our whole economy. Total Federal, State, and local expenditures are approximately $175 billion a year, and Federal cash spending alone is $121 billion—equal to 25 percent of national income. This is a tremendously stabilizing force in the economy, particularly so, since if there is a dropoff in the economy, Government spending goes up generally, and thereby exercises a stimulating effect.

In contrast, Federal, State and local spending combined was less than $11 billion in 1929. Federal spending, which was less than one-third of the total, equaled only 3 percent of the national income.

In 1929, when a worker was laid off he had no program to take care of him, nor was there any public employment service to try to get him another job. Now, Federal and State unemployment insurance programs provide weekly benefits to the unemployed for a considerable period of time and, in many cases, companies provide additional benefits to employees during layoff periods. These programs are a bulwark against the kind of downward spiral that aggravated the depression of the thirties.

Likewise, there was no social security in 1929 to help take care of the old, or of widowed mothers and their children. There were very few company retirement programs either, and in periods of stress people had only their own savings or charity to fall back on. Now, almost all workers are covered by social security and many have additional company pensions. Again, this is a powerful stabilizing force in the economy.

Farmers now have the benefit of extensive price supports to protect them against the dismal collapse of the thirties, when prices fell 65 percent. This could not happen now. And wage earners have a powerful protection in the form of union contracts, which provide assurance against drastic wage cuts, such as happened in 1929 when labor unions were weak and there was no minimum wage law. The present structure is able to resist the downward wage spiraling that worsened the collapse in 1929.

The Government now underwrites one-third of home mortgages, thus providing a powerful guaranty against the collapse in the real estate market that took place in 1929 with thousands and thousands of people losing their homes.

Our savings and loan deposits and bank accounts are now insured up to $10,000 so that, even with a bad recession, we would never again see the drastic withdrawal of deposits that took place in the early thirties when people became increasingly panicky and caused runs on banks and widespread failures. This is the kind of thing that spreads like fire through the economy and contributed to the worsening of the depression.

There are many other differences. We know how to manage our money much better now than we did 35 years ago. Moreover, we do not have nearly the kind of stock speculation that existed then. Most investors today own their stocks outright, and even those who borrow are only permitted 30 percent on their stocks. In 1929 large numbers of people owned stock on the basis of small equities, high loans, and heavy interest charges, all of which aggravated the crash.

Finally, our Federal Government is now committed to promoting high employment under the Employment Act, and we have learned a great deal about how to do the job. Thirty-five years ago, there was neither the knowledge nor the understanding about how the Government could support high employment.

Mr. Martin failed to cite these tremendous differences between the two periods. Moreover, a close examination of the similarities he attempted to point up reveals that they are, at best, superficial similarities that by no means indicate dangers to the economy. Prof. Paul A. Samuelson, of the Massachusetts Institute of Technology, an outstanding economist and scholar, has pointed this out most succinctly in the following article which appeared in the Sunday, June 27, issue of the Washington Post.

Mr. Martin is to be credited with his more recent speech in which he attempted to take the sting from his earlier remarks, but there is still need for him to set the record straight by acknowledging the vast differences that exist as between the present and 1929, and by giving this whole subject a proper perspective, thus correcting the harmful distortions that he has permitted to develop. And I would remind him that his duties do not mix at all with public prophecies of doom and gloom.

As President Johnson said on March 15, in his message to the Congress, on the right to vote:

> We must preserve the right of free speech and the right of free assembly. But the right of free speech does not carry with it, as has been said, the right to holler "fire" in a crowded theater.

When the Chairman of the Federal Reserve Board stands up and yells "danger" publicly, it practically assures that the public will become anxious and this, in turn, is bound to have adverse effects on the stock market, on investors' intentions, and even on our balance of payments.

Tight money is a threat to our continued economic well-being. The Federal Reserve has brought on recessions in the past through tightening the money supply, and there is danger they will do so again. That danger is greatly aggravated when Mr. Martin makes exaggerated comparisons between the present time and 1929. The fact of the matter is that it is Mr. Martin and the Federal Reserve Board who have it within their power to assure prosperity by following a wise monetary policy, or, conversely, to bring about recession by too tight a policy. Under our present system, they exercise this fundamental power over our economic lives. That is why I am so strongly of the opinion that we must have corrective legislation, such as is embodied in H.R. 11, which I introduced in January of this year.

Among other things, H.R. 11 would bring the Federal Reserve System into the orbit of the Federal Government where its policies would be coordinated with the general economic policy of the President and the executive branch of the Government. It would protect us against the kind of danger inherent in a Federal Reserve Chairman "sounding off" as Mr. Martin has done.

[From the Washington (D.C.) Post, June 27, 1965]

THE CURE CAME FIRST: ANTIDOTE FOR WILLIAM McCHESNEY MARTIN'S GLOOM PROVIDED 2 DAYS IN ADVANCE

(By Paul A. Samuelson, professor of economics, Massachusetts Institute of Technology)

Last month in this column, I produced a cure looking for a disease. I provided the antidote to William McChesney Martin's gloomy diagnosis for the American economy—2 days before he gave it in his Columbia University speech.

Most speeches before alumni are forgotten by the time the throats of their orators are moist again. But the steady fall of the Dow-Jones averages these past weeks suggests that Martin, head of the Federal Reserve Board, is a man to influence people, even if he loses a few fair-weather friends in the process.

I should like to examine the text of Martin's address. Headlines properly played up its single most important feature—the parallels to 1929 he discerned in today's economy. What is the verdict of economic analysis upon the Martin marshalling of evidence?

To set the tone, let me hail Martin as a man of considerable experience—in Wall Street, in the executive branch of Government, and as long-time Chairman of the Fed. As Martin goes, so goes the Open-Market Committee of the Reserve System—as a study of the limited number of times he has voted in the minority will make plain.

Let me also stipulate that there is nothing treasonable in pointing out weaknesses in the American economy. In 1953, in 1957, and again in 1960, keen-eyed observers such as Senator PAUL DOUGLAS, Democrat, of Illinois, were pilloried as "prophets of gloom" for predicting (correctly, as the event later proved) the onset of recession. I did not then join in throwing stones at the piano player—who was doing the best he could. Nor do I now regard it as a felony or misdemeanor for Martin to be calling the shots as he sees them. Long study of how the American economy works does not bear out the view that prosperity can be destroyed by pessimistic utterance—or for that matter can be maintained by Rotarian sweet talk.

From the standpoint of advancing the gross national product, the worst thing that Dr. Gardner Ackley or President Johnson could do would be to gloss over bad news—when such bad news becomes genuine available. Herbert Hoover's example taught us that.

But the precise faults—"distortions"—that the economy is now accused of remain ambiguous at best. There is a Kafka-like quality to the indictment. A true bill of particulars is yet to be presented. And that is why detailed scrutiny of Martin's text is manifestly needed.

The piece begins with the trumpet motif "* * * we find disquieting similarities between our present prosperity and the fabulous twenties." An even dozen of similarities follows, each introduced by the portentous preamble "Then as now, * * *."

To be sure, the second movement finds another dozen of "comforting" differences to balance the disquieting similarities. But by that time some of the audience must have left for the nearest brokerage office. Let us put our microscope on the likenesses.

1. Prosperity, now as then, has lasted for a long time. So? So, like the baseball player who has been hitting well and the client who has been staying out of jail for 40 years, a turn of fortunes must be indicated.

Years ago, Roger Babson purported to find a law of action and reaction in economics. It was not his finest hour, and Martin will do well not to fall for any of the simpler versions of the doctrine, "Whatever goes up must come down."

2. Underdeveloped nations, now as then, have had prices turn against them. I know of no school of economics which holds today that longevity of a business cycle depends upon reversing the trend of food and fiber prices relative to those more heavily weighted with labor services.

3. Private debt—mortgage and installment—has long been rising, now as then. Here Martin has a point worth watching—the first so far. The danger is not primarily that of foreclosures and repossessions—which show no alarming growth—but merely that part of the dollar spending that our expansion depends upon has come from growth in these items at a rate that may not continue to be maintained.

4. The money supply, bank credit, and the velocity of money have been growing (at the same time that gold production shows slower growth than the quantum of trade). All this is true. But what is the implication? Money, credit, and velocity always go up in expansion periods. The National Bureau of Economic Research can provide dozens and dozens of typical expansion patterns like this. Without these patterns, an expansion would not be an expansion.

Does Martin think that the money supply (currency plus demand deposits) has been growing too fast? Unless we include saving deposits in the total—and I think we should give them some weight—the money total shows remarkable moderation in recent years. Bank loans provide a more legitimate concern, because they have been soaring upward. Whether they will contribute to an overheating of the economy in the months ahead is a question I shall return to.

5 and 6. Then, as now, the Federal Reserve meets criticism; then, as now, exchange rates have become stabilized after immediate postwar disruptions. What's disquieting about that? Then, as now, fall follows summer.

7, 8, 9, 10, and 11. Then, as now, international debt rose along with domestic; key reserve currencies, like the pound and (now) the dollar experienced balance-of-payments deficits; other currencies experienced surpluses, and the French remain the French; and, naturally, all this led to some disquiet among investors and academicians. In plain

English this adds up to the fact that the equilibrium of the pound sterling is in doubt. And the American balance of payments, while it is improving in terms of our basic surplus on private current account and in terms of our voluntary control programs on private investment, still has not achieved its final solution. This is hardly news to Wall Street.

12. "And most importantly, then as now, many Government officials, scholars, and businessmen were convinced that a new economic era had opened." Actually, as Martin himself indicates later, the new era thinking in 1929 based itself on the unargued premise that capitalism had somehow transmuted itself into a stable mechanism; whereas the confidence expressed in Washington and elsewhere that the probability of chronic slump can be substantially lowered has been based upon the demonstrated pressures in a democracy to create the new money and the fiscal deficits that can end the cumulative deflations of historic laissez faire capitalism.

Personally, I found detailed study of Martin's text reassuring. It revealed no hidden weaknesses. It produced no convincing evidence of imminent overheating of the economy. On the basis of its evidence, no good case can be made for a shift toward contractionary monetary policy. I hope that all the members of the Open Market Committee, Martin not excluded, will reread and ponder its true significance.

GENERAL LEAVE TO EXTEND ON BIRTHDAY OF CANADA

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the special order of the gentleman from New Jersey [Mr. GALLAGHER] on yesterday on the subject of the birthday of Canada and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. AYRES (at the request of Mr. GROSS).

Mr. GROSS and to include extraneous matter.

THE LATE HONORABLE T. ASHTON THOMPSON, A REPRESENTATIVE FROM THE STATE OF LOUISIANA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Speaker and Members of the House, it is with a great deal of sadness that I am called upon today in my capacity as dean of the Louisiana delegation of the House of Representatives to announce to you the most untimely and most tragic death on yesterday afternoon of one of our most distinguished and beloved colleagues, ASHTON THOMPSON of the Seventh Congressional District of Louisiana. Mr. Speaker, we saw ASHTON here on Wednesday afternoon during the twilight hours, when there were three rollcalls and he was present here to cast his vote. On yesterday morning, he left his home in Alexandria, Va., to drive to his home in Ville Platte, La., with his family and the children's nurse. At Gastonia, N.C., a highway patrolman waved him to the side, we are told, to discuss the speed of his car. As is usual in these cases—I am sure we have all been participants in them at one time or another—ASHTON's car was pulled to the side of the road. The police car parked behind him on the lip of the road and ASHTON left his car, walked to the rear of the automobile toward the police officer's car and while there talked to him about the situation. While talking, a truck traveling on the highway sideswiped the police officer's car, killing ASHTON instantly, jammed him between the two cars. The police officer was injured, not seriously. The driver of the truck suffered a broken back and was seriously injured. However, he was able to give some description of what had happened. According to his version either a tire blew out on his truck or his brakes failed to hold, thereby making the vehicle uncontrollable.

Mr. Speaker, the passengers in ASHTON's car, his wife, two children and the nurse, were shaken up a bit and were taken to the hospital and there no injuries were discovered of a permanent nature.

Mr. Speaker, this great tragedy I am sure has left us in somewhat of a state of shock. Certainly, it has the members of my own delegation and myself.

Today, Mr. Speaker, we merely announce to the Members this tragedy and also announce that at the proper time we will have the usual traditional memorial services in memory of this colleague of ours who was so beloved by all of us.

Today I shall be very pleased to yield to the members of my own delegation who are in Washington at the time because of their close official and personal association with ASHTON THOMPSON.

GENERAL LEAVE TO EXTEND

Mr. Speaker, I ask today unanimous consent for all Members to extend their remarks during the next 5 legislative days on the passing of ASHTON THOMPSON.

The SPEAKER pro tempore. Is there objection to the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent at this time to extend the remarks of the distinguished majority whip and a member of the Louisiana delegation, our colleague HALE BOGGS, at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, our dear colleague and friend, T. A. THOMPSON, who was taken from us with tragic suddenness, was, above all, a man of fine character and a loyal and true friend. He was a dedicated public servant—dedicated to the advancement of the people of his district, his State, and Nation. He was one of Louisiana's ablest advocates, whom all of his friends in the Congress will miss deeply.

For the people of the Seventh Congressional District of Louisiana, T. A. worked tirelessly and devotedly, and I know that his district and our State have made greater progress because of his good works. He believed in, and he worked, so as to follow President Cleveland's maxim to all public servants that "a public office is a public trust." For his people, he gave his very best efforts, and no man can do more.

T. A. THOMPSON's service to Louisiana began in the 1930's with his work in State government. Upon his return to Louisiana after World War II service, he developed a complete accounting system for all State agencies, and also fostered and promoted the passage of legislation for the State employees' retirement system.

T. A. joined us in the House in January 1953, where he has served ably and productively as a member of the Merchant Marine and Fisheries Committee, and the Public Works Committee. His principal field of interest and accomplishment was the proper conservation and utilization of our Nation's natural resources; in this endeavor, he served as chairman of the Subcommittee on Fisheries and Wildlife Conservation. In tribute to his good works in this field, Secretary of the Interior Stewart Udall, in May 1964, delivered the principal address at a testimonial dinner to T. A., attended by more than 1,000 of his friends in Lake Charles.

T. A. was a fine Congressman, and a good man. He was an outgoing, helpful, and devoted friend. He understood his duty to represent his people to the best of his ability. He also understood fully the challenges and responsibilities facing public servants in all levels of government in this fast-changing world.

I am proud to have known T. A. and to have shared his companionship and his friendship. On this solemn day, I am proud to salute him for a job well done.

Mrs. Boggs and I were particularly close to T. A. and to Mrs. Thompson. To her and to the members of the family, we express the sadness and sorrow which we know is being felt all over our State. May God rest his soul, and may He bless and give solace to Mrs. Thompson, to their children, and to all members of his family.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent, on behalf of the chairman of my committee, the Committee on Armed Services, that the remarks of the Honorable L. MENDEL RIVERS be extended at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, the uncertainty of life was never more dramatically demonstrated than the shock I received last night when I learned of the tragic death of our distinguished colleague and my close personal friend, the Honorable T. ASHTON THOMPSON.

Words are futile at a time like this, but the tragedy is compounded by the fact that his death was so needless, so sudden, so pathetic.

Tommy Thompson was a man in the prime of his life, representing his district in the House of Representatives in an outstanding manner. He was a man of unimpeachable integrity, dedicated to his Nation, his State, his district, and above all to his family.

He was a man of high ideals and sound convictions. He was vigorous and possessed of boundless energy. He was personable, always understanding of the problems of others, and he never shirked his responsibilities as a Member of the House. He never swerved from his high principles.

He was a senior member of two important committees of the House—Merchant Marine and Fisheries, and Public Works. Although he represented a State that borders the Gulf of Mexico, he was never parochial in his outlook or narrow in his views. He truly represented not only his district and his State but also the people of this Nation.

Prior to coming to the Congress, he had established an outstanding reputation as a fiscal and financial adviser to the Louisiana Legislature, and there was probably no Member of the House better informed on fiscal matters.

Tommy Thompson was a soldier, statesman, and a patriot—America can ill afford the loss of such an outstanding and distinguished man.

I sincerely hope that his grieving family will recover quickly from their injuries, and that they will be consoled, to the extent that words can console anyone, with the knowledge that their father and husband made an indelible mark in the Congress of the United States, and leaves behind a legacy of accomplishment of which they may be proud now and in all the years ahead.

Mr. HÉBERT. Mr. Speaker, before yielding, may I express my own personal loss at this time.

Ashton Thompson came to this Congress in 1951 and has served with certainly great distinction since then. You have known him as I have known him, a dynamic, energetic driving force for that in which he believed.

Mr. Speaker, these few words that I pause to say now are not idle words of the usual, but I think unusual for the unusual talents of an individual who made his presence in this body felt through the years.

Mr. Speaker, to Ashton Thompson every request of a constituent or a friend was of major importance.

Mr. Speaker, I always called him the "man of crises" because of this virtue of his. Everything that he attempted to do was something that must be done regardless of what other personal commitments he had, but so long as he got it done for a worthwhile purpose.

Mr. Speaker, this is more of a description of this man. Those of us in the delegation who loved him so truly among ourselves deal in nicknames and to us he was always the "big Mamou," which is a title of deep affection, a big man, the wonderful man, the man that we shall miss so much.

Mr. MORRISON. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I am pleased to yield to my distinguished colleague from Louisiana, the vice dean of the Louisiana delegation [Mr. Morrison].

Mr. MORRISON. Mr. Speaker and Members of the House, it was one of the saddest days of my life when I learned yesterday with deep shock and regret of the tragic death of my dear friend and colleague, T. Ashton Thompson.

Mr. Speaker, I do not know of any man that I have ever had the privilege of knowing in my life who was more unselfish. I do not know of any man who had a greater or more sympathetic feeling for his fellow man, for the human part of every person he knew and represented with the love and affection that T. A. had for them.

Mr. Speaker, I have seen him go to great lengths to help an underprivileged young man get a college education, though he was not always from his district, nor was it his responsibility. But the very fact that he could do this for this man, young in life, to get this education, showed his determination to go so far afield and give so unselfishly of his time. This was true in so many instances.

Mr. Speaker, during my 22 years in Congress I have known of no man who tried harder to represent his district, to work for his district, and who gave more of his great abilities and talent for his district than did T. A. Thompson.

Mr. Speaker, Congressman Thompson and I have served together here in Congress ever since he first came to Washington in 1952. During these years he earned the respect and admiration of all his colleagues on both sides of the aisle for having been one of the most sincere, able, and effective Members of Congress.

Mr. Speaker, no Member ever tried to do more for his district, State, or Nation than did T. A. Thompson. His accomplishments were many and many times amazing. The improvements in his district as well as the State of Louisiana resulting from his outstanding efforts have been tremendous.

His district, the State of Louisiana and the Nation have lost a great public servant.

He was one of my very closest friends. He could not have been closer had he been my own brother. I suppose I was the last Congressman who ever talked to him prior to the time he left on his fateful trip at 8 o'clock yesterday morning.

My heartfelt sympathy goes to his devoted and wonderful family, and thousands upon thousands of his friends who loved and admired him.

Mr. HÉBERT. Mr. Speaker, I yield to another member of the Louisiana delegation who enjoyed close association with Ashton which has been described by our colleague from Louisiana [Mr. Morrison].

I do not think there were any people more close to Ashton than Ed Willis, of the Third Congressional District of Louisiana, and, parenthetically, I might say an association enjoyed by me for many years with these delightful people.

I now yield to the gentleman of the Seventh Congressional District of Louisiana [Mr. Willis].

Mr. WILLIS. Mr. Speaker, I can literally, truthfully say that I always regarded Ashton Thompson as a younger brother. I do not suppose a single day went by in the last 13 years when Congress was in session and when we were both in Washington that we did not converse at least once a day.

Ashton had an engaging personality. He was a good friend, he was a good storyteller, he was a very fine man.

He and I represented adjoining districts, the French-speaking districts of Louisiana, and believe it or not, a great part of our conversation, between Ashton and me, was in French. We recalled the customs of our people, and delighted in just simply getting together to talk.

Mr. Hébert referred to his nickname. Actually, a song was written some years ago in French called "The Big Mamou." That suited Mr. Thompson's size, so we dubbed him "The Big Mamou," and so he was known among his Louisiana friends.

Mr. Thompson had a great personality, a great capacity for forming close, fast friendships. He was easy to know, he was easy to like. Many of us loved him, we all liked him, and I know we will all miss him.

To Mrs. Thompson especially, and also with great respect to his fine mother, whom he loved so deeply, and his brothers and sisters and many friends, I extend my very heartfelt sympathy.

Mr. HÉBERT. Mr. Speaker, I yield to my colleague of the Fourth Congressional District of Louisiana [Mr. Waggonner].

Mr. WAGGONNER. Mr. Speaker, the sudden untimely and accidental death of my friend and Louisiana colleague is shocking and tragic.

I have lost more than a colleague. I have lost a personal friend and I mourn his passing.

His district, Louisiana, and the Nation have lost a tried and true faithful public servant. He was a beloved Member of this House and our Louisiana delegation.

I extend my heartfelt condolences to his family in this, their hour of bereavement and my heart goes out to them. I am sure each of you share as well their bereavement in this their loss and assure them each of us count his passing our loss, too.

I am reminded, however, that no man is dead until those he loved have forgotten.

Mr. HÉBERT. Mr. Speaker, I yield to the gentleman of the Eighth Congressional District of Louisiana [Mr. Long].

Mr. LONG of Louisiana. Mr. Speaker, like my other colleagues who spoke before me, I was especially shocked at the news of the tragic, freakish, and untimely death of my personal friend and colleague, T. A. Thompson, of Louisiana.

Congressman Thompson and I were close personal friends prior to my coming to the Congress. As a freshman Member of this body I can attest to the fact that Congressman Thompson was very generous with this time, with his constructive advice, and his assistance to me as a freshman Member of the Congress in an effort to aid me in making my stay here more effective for my constituents, for my State and for my Nation.

My district and Congressman THOMPSON's district adjoined, as Congressman WILLIS' district adjoined Congressman THOMPSON's district. We had many, many mutual problems. We shared the friendship, association, and relationship of many of the same people in Louisiana. As one Member of this body I will miss him tremendously, as he will be missed in my State. I visited with him, as did many other members of the delegation, either socially or seeking advice or counsel, or some assistance in helping me to solve a problem.

My sympathy goes to his family, his wife, his children, his mother, his brothers, and his many, many friends, not only in Louisiana, and the Seventh Congressional District, but also his many, many friends here in Washington.

Mr. HÉBERT. Mr. Speaker, I yield to our distinguished majority leader and Acting Speaker today, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, late yesterday evening just as I was about to leave my office I received a telephone call from the distinguished majority whip telling me that T. A. THOMPSON had been killed in an automobile accident at or near Gastonia, N.C.

Mr. BOGGS described to me the details of the accident as he knew them. I am sure that from that moment of receiving that sad report, the state of shock which I have felt has been shared by every one of ASHTON's colleagues who have learned of the accident. It was such a tragic and seemingly unnecessary accident.

I shall miss this wonderful man. I shall miss that friendly and spontaneous smile which always greeted me whenever I met Congressman THOMPSON of Louisiana. I shall miss that towering and imposing figure which so often could be seen from behind the rail. I shall miss that man of courage and integrity. His qualities of cooperation and responsible and farsighted action, earned him a reputation as one of the most effective champions of wildlife conservation, and one of the most competent advocates of American veterans.

Representative THOMPSON was a loyal soldier in the House, a truly outstanding and dedicated Congressman, and in all respects a Christian gentleman.

The House has lost a Member whom it both loved and respected.

I have lost a great and true friend.

All of us mourn him and join in extending to his widow, his fine children, his mother, and other members of his family and his legion of friends, our heartfelt sympathy in this sad hour of their bereavement.

Mr. HÉBERT. Mr. Speaker, I yield to the gentleman from Iowa [Mr. GROSS] representing the minority.

Mr. GROSS. Mr. Speaker, I bespeak the deep sorrow of the minority leader, the gentleman from Michigan [Mr. GERALD R. FORD], and all members of the minority in the tragic, inexplicable death of our colleague, the Honorable T. ASHTON THOMPSON, on the eve of this observance of Independence Day.

It seems incredible that he should be struck down in such fashion in the prime of life.

It was my personal privilege to have served for several years on the House Merchant Marine and Fisheries Committee with our departed colleague. He was a faithful member of that committee and he served well the interests of the Seventh Congressional District of Louisiana and the Nation.

To Mrs. Thompson and the members of the family, I join with all Members of the House in extending heartfelt sympathy in this their hour of greatest grief.

Mr. CHELF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. Mr. Speaker, when I read in the Washington Post this morning about the sudden and untimely accidental death of my friend and colleague, T. ASHTON THOMPSON, of the great State of Louisiana, I almost broke down and cried.

ASHTON was a great American—an outstanding legislator and one of the most popular Members of this House of Representatives. In addition, ASHTON was kind, gentle, considerate, sympathetic, and most understanding. He gave freely of his busy time to all who needed advice or counsel.

Only last Wednesday, June 30, I was talking to him in the back of the rail here on the floor about a personal matter in which I had sought his help and his suggestions. When I walked up to him—he said immediately, that he had already made some long-distance phonecalls and that my problem, in his opinion, had been solved. I thanked him profusely, gave him a big friendly hug around his broad shoulders, and replied: "Thanks a million old pal—and may God bless you—always."

Mr. Speaker, the Sermon on the Mount that is recorded in the fifth chapter of Matthew says, among other things, and I quote from memory: "Ye are the salt of the earth." T. ASHTON THOMPSON was just that—he was "the salt of the earth." Truly he also followed this same Sermon on the Mount by following the Master's admonition of "Let your light so shine before men that they might see your good works and glorify thy Father who art in heaven."

Mr. Speaker, the Nation has lost a real leader of men—Louisiana has lost a noble son—his sweet family has lost a considerate father and husband and those of us here who knew ASHTON have all lost a wonderful, devoted, loyal friend. His ready smile and his warm handclasp shall be missed as long as those of us who knew him shall live.

May God bless and comfort his gracious and gentle family. I extend to his dear widow and his children my deepest sympathy in this dark hour of sadness.

Mr. PATMAN. Mr. Speaker, I was shocked to learn of the terrible tragedy that resulted in the death of my good friend and colleague ASHTON THOMPSON. He was from a neighboring State of Louisiana. ASHTON lived a versatile, useful, meaningful life. He was always doing something helpful to all the people. His reputation was without a blemish. He earned and had the respect and confidence of his constituents, the people of Louisiana, and particularly his colleagues in the House of Representatives and the U.S. Senate. ASHTON was a real friend of small business, the farmers, the workers, and particularly the unemployed, handicapped, low-income groups, the veterans, and the elderly. He was fair to everyone and every type of business, large or small. He was a dedicated servant of the people and served the people of his congressional district honorably, effectively, and well. His wonderful wife and fine children have my deepest sympathy.

Mr. AYRES. Mr. Speaker, the U.S. Congress has lost a great man. Our country has lost a dedicated and patriotic servant. I have lost a dear friend.

TOMMY THOMPSON was a man who earned the respect of his colleagues, even when he differed with them. He worked diligently on the Public Works Committee in the interest of improvements for the safety of others.

My heart goes out to Mrs. Thompson and her young children. May they always find consolation in dear memories.

Mrs. Ayres and I extend our deepest sympathy to them and to other relatives.

Mr. TRIMBLE. Mr. Speaker, just yesterday one of our colleagues, ASHTON THOMPSON, of Louisiana, was suddenly taken from us in a traffic accident near Gastonia, N.C. Only the day before we were together in this Chamber on business of the House of Representatives. Today we are here, but he is absent in person but present in our hearts. ASHTON was a good man, a devoted Member of this House, a true friend whose presence will be greatly missed by all of us. May his soul rest in peace.

To his family and to his friends, our deep sympathy in this hour of sorrow.

Mr. MULTER. Mr. Speaker, it is with great sadness that I join with our colleagues in paying tribute to our late colleague, T. A. THOMPSON, the distinguished Member from Louisiana's Seventh District.

Our dear colleague was taken from us suddenly and without warning. He will be sorely missed by all of us who have known him since he came to the House in 1953. He was an outstanding legislator and a good man.

I am proud to have known T. A. and to have called him my friend. He believed, with so many others in this body, that "human life consists in mutual service."

My sincerest condolences to Mrs. Thompson and the children.

May his memory be for a blessing forever.

Mr. KREBS. Mr. Speaker, I deeply regret that my short tenure in this body prevented me from coming to know our colleague, T. A. THOMPSON, better. I know I share with all of you the profound sense of shock and loss that I felt when

I learned of his sudden and senseless death.

I join with you in offering my sympathies to his wife and children in this terrible time of trial. But even more, the State of Louisiana, the whole South and, indeed, the entire Nation are made poorer by this tragedy.

For I will remember T. A. Thompson best, not only as a warm, generous, and helpful friend and colleague, but as a courageous voice of reason and justice on the most vital economic, moral, legal, and human issues confronting our people today.

Mr. Speaker, our Southern States are undergoing great strains. Desperate, last-ditch efforts are being made to prevent the inevitable assimilation of the Deep South with the rest of the United States. The scrapping of an outmoded, obsolete, and repudiated social fabric is being resisted by a handful of skillful demagogs who, distrustful of democracy, keep power by clouding issues and misinforming their constituents about the facts of life in the 20th century.

I am convinced, Mr. Speaker, that the vast majority of our fellow citizens in the South both desire and require an America—a united America—of which we can all be proud. I also believe that there are many citizens of Southern States—black and white alike—who share my conviction. I am further pursuaded, Mr. Speaker, that these millions have been silenced by the intimidation, economic and otherwise, of extremists. A few brave souls from the Deep South have sought to force a wedge between the extremes; have recognized that clinging to a lost cause has nothing to do with the kind of statesmanship demanded by today's world. Our departed colleague was an eloquent spokesman for this group of Americans dedicated to a better America.

In this context, I salute the memory of T. Ashton Thompson, a man whose broad and deep understanding of these issues made him a true and faithful leader of all of his people, a man whose leadership will be very hard to replace.

God rest his soul.

Mr. MATSUNAGA. Mr. Speaker, it is with profound sadness and a deep sense of loss that I join my colleagues in paying tribute to our departed colleague and friend, the Honorable T. Ashton Thompson.

News of his untimely passing an the shocking circumstances surrounding his death reached me as I was preparing to leave Washington for Hawaii to speak at a July 4th celebration. I was then reminded of his frequently expressed wish to spend a nice leisurely visit in Hawaii.

On May 27, 1965, it was my privilege to appear and testify before Ashton Thompson's Subcommittee on Fisheries and Wildlife Conservation with respect to a bill then under consideration. It was a pleasure to watch the hearings progress under his able chairmanship. I was deeply impressed with his fairness, incisiveness, and familiarity with the subject matter at hand.

Truly, T. Ashton Thompson was a dedicated legislator. The Congress and the Nation have suffered a great loss. His home State of Louisiana will sorely miss one of her greatest citizens. We who knew him will forever cherish his warm friendship and understanding which he so willingly shared.

To Mrs. Thompson and members of his family, I offer my heartfelt sympathy. May the good Lord bless them and give them courage to face the morrow with hope for the future.

Mr. HÉBERT. Mr. Speaker, I want to pause to pay particular tribute and to express a deep, unlimited, and unqualified expression of gratitude of the members of the Louisiana delegation, to our colleague from North Carolina [Mr. Whitener].

It seems as though fate has played a part in this tragedy from the beginning to its end.

The accident which has been discussed occurred on the outskirts of Gastonia. Mrs. Whitener, immediately upon hearing of the accident, went to the Memorial Hospital in Gastonia and comforted the family of our colleague.

It was a magnificent, generous, and wonderful act. Our colleague, Basil Whitener, was en route home by plane and was notified by the sheriff's office at Gastonia, to go immediately to Memorial Hospital, which he did. He arrived there and took complete charge of the situation. Very frankly, Mr. Speaker, I do not know exactly what would have happened or could have happened without his presence there and the magnificent cooperation which he gave to those of us here of the Louisiana delegation who were in Washington at the time and to the family of Ashton, in Ville Platte. He remained constantly near the family until the family left by plane last night for their home.

Mr. Speaker, we owe to him a deep appreciation and an expression that goes beyond feeble words to tell him how grateful we of the Louisiana delegation are for the assistance which he gave us.

Mr. Speaker, I again call the attention of the House to the fact that the funeral services will be held at Ashton's native Ville Platte in Louisiana tomorrow, Saturday afternoon, at 3 o'clock. The body was sent back last night by plane from Gastonia.

Mr. Speaker, I again call the attention of the Members of the House to the fact that a formal memorial day service in the House of Representatives will be held at a future date.

Also, Mr. Speaker, I again direct your attention to the fact that unanimous consent has already been given for an expression by Members of the House during the next 5 legislative days.

Mr. Speaker, before offering the resolution, may I pay just one last sentence of tribute to this individual who stood out as a man among men? It is a tribute and an expression, of course not original to me, said through the centuries, but one when I use it, I use for an individual in whom I have great love and great esteem, and an expression that I reserve only for those whom I consider worthy of the appellation.

Yes, Mr. Speaker, I say of Ashton Thompson, taking him all in all, you shall not look upon his like again; this was a man.

Now, Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

H. Res. 443

Resolved, That the House has heard with profound sorrow of the death of the Honorable T. Ashton Thompson, a Representative from the State of Louisiana.

Resolved, That a committee of fourteen Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints as members of the funeral committee the following Members on the part of the House: Mr. Hébert, Mr. Morrison, Mr. Fallon, Mr. Miller of California, Mr. Boggs, Mr. Passman, Mr. Garmatz, Mr. Willis, Mr. Gross, Mr. Gray, Mr. Whitener, Mr. Waggonner, Mr. Cleveland, and Mr. Long of Louisiana.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly, at 12 o'clock and 35 minutes p.m., under its previous order, the House adjourned until Tuesday, July 6, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1301. Under clause 2 of rule XXIV, a letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to authorize the Secretary of Agriculture to accept a cash equalization of exchanges for lands under his jurisdiction, and for other purposes, was taken from the Speaker's table and referred to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 5041. A bill to modify the definition of the term "carrier" for the purpose of any Federal law directing the Interstate Commerce Commission to formulate certain regulations; with amendment (Rept. No. 588). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 9615. A bill authorizing the Administrator of Veterans' Affairs to convey certain real property of the United States to Sturgis Independent School District No. 12 of Sturgis, S. Dak.; to the Committee on Veterans' Affairs.

By Mr. GRABOWSKI:

H.R. 9616. A bill to establish a procedure for the review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes; to the Committee on Banking and Currency.

By Mr. HANNA:

H.R. 9617. A bill to establish a National Commission on Oceanography; to the Committee on Merchant Marine and Fisheries.

By Mr. RONCALIO:

H.R. 9618. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. SICKLES:

H.R. 9619. A bill relating to the employment in union shops of persons conscientiously opposed to union membership; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII.

35. The SPEAKER presented a memorial of the Legislature of the State of Illinois relative to the incorporation or chartering of the organization known as the Italian War Veterans of the United States, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HORTON:

H.R. 9620. A bill for the relief of Dr. and Mrs. Kaddusi Gazioglu, and sons Orhon and Mehmet; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 9621. A bill for the relief of Mr. Ignac Ferdinand Klein, and his wife, Netti, and their two sons, Edward and Benjamin; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 9622. A bill for the relief of Laila Deya; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 9623. A bill for the relief of Haide Carvalho Gil de Jesus and Joaquim Gil de Jesus; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 9624. A bill for the relief of Mrs. Giuseppina Tucci; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII.

239. The SPEAKER presented a petition of certain members of the Florida State Legislature opposing any constitutional amendment authorizing a State with a bicameral legislature to utilize factors other than population in apportioning either house of a bicameral legislature, which was referred to the Committee on the Judiciary.

SENATE

FRIDAY, JULY 2, 1965

The Senate met at 9 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The ACTING PRESIDENT pro tempore. The Senate, under previous order, will now adjourn until noon Tuesday next.

ADJOURNMENT TO TUESDAY, JULY 6, 1965

Thereupon (at 9 o'clock and 3 seconds a.m.) the Senate adjourned, under the order of June 30, 1965, until Tuesday, July 6, 1965, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Investigations of NASA-Defense Contracts in Bobby Baker Operations Is Long Overdue

EXTENSION OF REMARKS

OF

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 2, 1965

Mr. GROSS. Mr. Speaker, the most recent "final" whitewash report of the majority members of the Senate Rules Committee leaves unanswered a multitude of vital questions concerning the financial capers of Robert G. Baker when he was secretary to the Senate majority.

A major question left unanswered is why does North American Aviation continue to do business with Baker's Serv-U vending company, and why did the Fidelity National Bank & Trust Co., of Oklahoma City, have such faith in the Baker enterprise that it loaned him money to buy stock in Serv-U?

It will be noted that the Apollo contract was awarded by James E. Webb, administrator of the National Aeronautics and Space Administration, to North American Aviation during the November–December period of 1961. It was during the same period that North American decided to switch its business from the Automatic Canteen Co., to Baker's Serv-U vending firm.

Prior to these manipulations, it was Baker and Fred B. Black, the latter at that time a so-called public relations man for North America, together with their gambling friends, Benjamin Sigelbaum and Edward Levinson, that borrowed $100,000 from the Kerr-controlled Fidelity National Bank & Trust Co. of Oklahoma City, to launch the Serv-U Vending Corp.

As previously noted, the National Aeronautics and Space Administration is headed by James E. Webb who was long and closely associated with the Kerr-McGee enterprises in Oklahoma, and a former director of the Fidelity National Bank & Trust Co. According to the Subcommittee on Domestic Finance, of the House Banking and Currency Committee, Webb is still listed as one of the "20 largest stockholders of record" of the Fidelity National Bank & Trust Co. In this 1964 publication, Webb is listed as holding 1,866 shares of stock—see volume 5, House Committee on Banking and Currency report on Federal Reserve Districts Nos. 10, 11, and 12.

At this point it should be noted that the future of North American Aviation and other aviation industries are closely tied to the decisions of the National Space and Aeronautics Administration and the Defense Department, both of which annually award contracts totaling billions of dollars to these industries.

It should be noted, too, that North American Aviation decided that Fred B. Black was too hot to handle and fired him as a Washington representative after he was convicted on Federal tax evasion charges involving the large amounts of cash he was using as a lobbyist and political operator. However, North American still feels it must continue to deal with Bobby Baker's Serv-U outfit despite the proven "gross improprieties" in which he has been involved. North American and other big space and defense contractors still feel compelled, for reasons best known to themselves, to continue to deal with Baker's vending firm despite the fact that Baker, in a Federal investigation, repeatedly took refuge behind the fifth amendment.

There is no question but what the financial future of Bobby Baker, key figure in the sordid scandals that have rocked Washington, is tied to the Serv-U Vending Corp. Records indicate that Baker and Black owned 57 percent of the stock of this multi-million-dollar corporation. It is a firm that mushroomed on the basis of decisions by aerospace industry officials that switched business from older established vending firms to the then new Baker-Black operation.

There is no question but what the future of Serv-U is tied directly to the lucrative contracts with the various aerospace and defense industries, including North American and Northrop. The North American food vending contract alone grosses more than $2,500,000 annually, according to the testimony. In this connection the minority report of the Senate Rules Committee states:

> Until such time as defense contractors such as North American Aviation and Northrop decide they no longer want to do business with Baker, his financial empire may continue.

That report also stated:

> The backbone of Baker's financial empire was, and still is, the Serv-U Vending. It was through the vending business that Baker was able to acquire monthly cash kickbacks as well as inaugurate a highly profitable vending operation with defense contractors whose almost sole source of income was from the U.S. Government. It was in these vending operations that Baker became associated with questionable individuals who ranged from gamblers to those convicted of income tax evasion. Likewise, when Baker's Carousel was in the midst of financial difficulties,

it was his vending business that had the wherewithal to bail out the Ocean City property.

It might be possible to excuse North American officials for dealing with Baker's corporation when they state they did not know of his involvements. But there is absolutely no reason now for continuing to deal with Serv-U for the basic facts have been revealed as to Baker's "gross improprieties."

Nor is there the slightest excuse for the failure of Administrator Webb, of the National Aeronautics and Space Administration, to tell those who hold fat Government contracts that they have come to the end of the road unless they cease to do business with those who seek refuge behind the fifth amendment or engage in other improper activities.

Even the Democrat majority of the Senate Rules Committee admitted the impropriety involved in the relationship Baker and Black had with Serv-U—see pages 26, 27, and 28 of the July 8, 1964, majority report. And on pages 45–46 of that report, the majority comments on the concealment of the ownership of 57 percent of the stock of Serv-U by Baker and Black:

> His (Baker's) compelling reason for this concealment must have been that he was quite aware of the gross impropriety in his ownership of the stock under all the circumstances—one of the important circumstances being that the entire success or failure of the company depended upon whether he and Black could secure vending contracts with large corporations having defense contracts with the Government.

Such contractual relations would not be tolerated by the Government if they involved such figures as Frank Costello, Tony Accardo, or others of their racketeering ilk. The record shows that Bobby Baker is a political racketeer, and political racketeering should be given no preference.

Mr. Speaker, on February 13, 1965, I issued a statement on this same subject but it is evident, in the light of subsequent events that this statement made no impression upon any of those who had it within their power to take corrective steps.

Following is the statement as it appeared in an article in the Des Moines, Iowa, Register:

Gross Links NASA Head to Baker Through Bank

(By Clark Mollenhoff)

Washington, D.C.—Representative H. R. Gross, Republican of Iowa, Thursday called attention to the fact that James E. Webb, Administrator of the National Aeronautics and Space Agency * * * (NASA), is a large stockholder in a bank that financed Robert G. Baker's vending operations.

The Iowan said Webb is listed as one of the 20 largest stockholders of record in the Fidelity National Bank & Trust Co. of Oklahoma City, Okla.

"I would think that any investigation of Bobby Baker would include a close study of the award of all contracts by NASA to those firms that are using Baker's vending service," Gross said.

The Congressman said that in the light of "the record of coverup in the Baker case" he does not expect that the Senate Rules Committee will do a thorough investigation into these big Government contracts.

LISTED AT 1,866 SHARES

Gross said the House Banking and Currency Committee has compiled a list of the top 20 stockholders in member banks of the Federal Reserve System, and that Webb is listed as 18th in size of his holdings in the Fidelity National Bank & Trust Co., with 1,866 shares.

Gross said records of the Senate Rules Committee show Baker had an almost instant success in the vending machine business, with many of his new contracts coming from firms that depend upon contracts from the Defense Department and from NASA.

The committee also heard that Baker, Fred B. Black, former Washington representative for North American Aviation, and two Nevada gambling figures—Benjamin Sigelbaum and Edward Levinson—obtained large loans from Fidelity National to launch the Serv-U vending machine business.

COINCIDENCE?

"It may be coincidence that during the same period North American Aviation landed the huge Apollo contract with NASA, and deided to shift its vending business from another firm to Serv-U," Gross said.

But such circumstances "carry the possibility of conflict of interest, and certainly should be scrutinized with the greatest care," he added.

Last June, the Iowa Republican said Webb had hired Breene M. Kerr, 35-year-old son of the late Senator Robert Kerr, as Deputy Administrator of NASA.

KERR, M'GEE

Gross said Fidelity National was dominated by the stock owned by the family of the late Senator Kerr and Dean A. McGee, a Kerr business associate.

Since last June, Black is reported to be out of Serv-U, and it is reported that Baker obtained additional loans from Fidelity National to buy the stock Black held.

Section 14(b) of Taft-Hartley Act

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 2, 1965

My AYRES. Mr. Speaker, for almost 20 years the right-to-work issue has festered like an open wound in the American body politic. I am convinced that the time has come to eliminate this troublesome problem by repealing section 14(b) of the Taft-Hartley Act. That section, as we all know, authorizes the States to enact so-called right-to-work laws which prohibit employers and labor unions from freely contracting with each other to require membership in the union as a condition of continued employment. Section 14(b) is the sole exception to a fundamental purpose of the Taft-Hartley Act which is to establish a uniform, national policy in the area of labor-management relations.

I am a stalwart supporter of the Taft-Hartley and Landrum-Griffin Acts; however, I do not believe that they are sacrosanct. I am convinced that the repeal of section 14(b) of the Taft-Hartley Act will not in any way weaken that law or would give unions an unfair advantage in either organizing or in negotiations.

At the present time only 19 of the 50 States have such right-to-work laws. Only a few months ago, the State of Indiana repealed its right-to-work law and several years earlier, the State of Louisiana amended its own similar statute to repeal the prohibitions against union shop agreements in every field save agriculture. Recently, Oklahoma, in a popular referendum, rejected a proposal to adopt a right-to-work law, and some years ago, California and my own State of Ohio defeated similar proposals by substantial popular margins.

There are many who think that the repeal of 14(b) would cause great industrial strife in those States now operating under the so-called right-to-work acts. The State of Louisiana has had this reversal and the experience there does not lead anyone to believe that there have been any abnormal disruptions in labor-industry relations in that State. The State of Indiana's repeal of its right-to-work law is of such short duration that we cannot use it as a complete example, but to date, we have heard no evidence of bad effects or serious disruptions caused by the repeal.

The controversy over the proposed repeal of section 14(b) evokes passionate support and equally intense opposition. As a result, the facts tend to be lost in a welter of strong emotions and visceral reactions. It is not surprising, therefore, that misconceptions abound and that opponents of repeal have, on occasion, indulged in highly exaggerated predictions of havoc and disaster following repeal.

First, let me say this: Elimination of the so-called State right-to-work laws will not affect in any way whatsoever the strength, scope, or extent of union organizing activity in the 31 States that do not have such laws. These States contain the overwhelming majority of American wage earners, both organized and unorganized. On the other hand, it may well have a desirable effect on their economic well-being.

The 19 States which have right-to-work laws, by and large, represent the least industrialized areas of the country. They have been making strenuous efforts to improve their economic conditions, efforts which usually take the form of seeking to induce industry to locate within their borders. I have no quarrel with their objective and firmly believe that a rise in the productive development of every section of our great Republic is definitely in the national interest. In fact, I think that fair competition among the States to attract industry is a healthy phenomenon, acting as a stimulus to increased efficiency and productivity.

But let me repeat—the competition must be fair and I find it extremely disturbing that often the competitive methods used by some of the right-to-work States are not fair. I think that today, nearly everyone is agreed that cost economies achieved by means of lower wages and poorer working conditions in the face of equal productivity are not a legitimate element of fair competition. Wage earners are entitled to be paid in accordance with their productivity regardless of where they work and the chief purpose of union organization is to see that workers receive their economic due.

Unfortunately some of the right-to-work States seek to attract industry by holding out the inducement of an adequate supply of productive labor available at lower wages and less costly working conditions. This appeal often takes the form of calling attention to the State's right-to-work law with the clear implication that the existence of the law assures the employer of a competitive advantage because of lower labor costs.

Thus, in a brochure distributed by one right-to-work State, inviting industry to locate within its boundaries, there is included a facsimile of a letter from the Governor which reads in part as follows:

> [This] is a business State and offers many attractions to industrialists.
>
> A favorable tax climate, ideal weather and working conditions, a right-to-work law, excellent transportation in the midst of the fastest growing market in the country have contributed to the solid industrial growth of this area. The desire for a continued economic growth by the citizens of this great State is best reflected by its outstanding business climate.

The New York Times several years ago, reporting on a drive by one right-to-work State to lure industry, reported as follows:

> The Governor said the program will stress the natural resources and favorable business climate to persuade industry to take up residence in [his State].
>
> One of the most important advantages, the Governor believes, is the State's right-to-work law. Because of the law, national labor unions lack strength in [his State] and the percentage of time lost to industry through strikes is the lowest in the Nation, he asserted.

These statements are clear admissions that States which have right-to-work laws regard them as an effective means to attract industry by the implicit promise of an adequate supply of cheap and tractable labor. All of us who represent constituencies located in the more highly industrialized States are confronted with this continuing threat of unfair economic competition and that alone would be reason enough for me to support repeal of section 14(b).

But there are sound additional reasons for my opposition to right-to-work laws. These, unfortunately, have been obscured by an uninterrupted flow of inaccurate and confusing propaganda disseminated by some of those who bitterly oppose repeal. I say nothing here of the misleading connotations of the phrase right-to-work itself, but shall instead examine some of the other widespread misconceptions which are held by many.

One is constantly surprised by the large number of intelligent people who believe that in the 31 States which do not have right-to-work laws, union membership is legally compulsory for all the employees in any enterprise which has been organized by a union. Nothing could be more mistaken.

Compulsory union membership results exclusively from voluntary contracts entered into between employers and labor unions as a result of free collective bargaining. Nothing in either Federal or State law compels an employee to join a union or an employer to consent to an agreement with a union which would require his employees to join the union as a condition of retaining their jobs. Thus, in the non-right-to-work States there are large enterprises which bargain with powerful unions and have never agreed to a union shop provision in the contract despite the insistence of the unions for the inclusion of such a requirement. Examples which come immediately to mind are the General Electric Co. and Armstrong Cork.

In other words, compulsory union membership, where it exists, is a result of free and voluntary agreement between employer and union, and is not a condition imposed by law. If 14(b) is repealed, thereby nullifying State right-to-work laws, no employee could be compelled to join the union in order to hold his job, unless his employer voluntarily agreed to grant such a contract provision to the union democratically chosen by a majority of his employees in the bargaining unit.

If section 14(b) were to be repealed, the provision in the Taft-Hartley Act permitting union security arrangements would then apply uniformly in all 50 States, and I might add, none of them would then enjoy any unfair competitive advantage of this respect.

Again there seems to be a widespread misconception that repeal would have the effect of imposing unrestricted compulsory union membership on all employees in enterprises organized by unions. This too is completely erroneous. The provision in Taft-Hartley permitting employers and unions to agree to union security arrangements is an extremely limited one.

The closed shop, which requires the employer to hire only those job applicants who are already members of the union, would still be unlawful. And employees required to join the union after getting their jobs—this is known as the union shop—could not be deprived of their jobs even if they lose their membership in the union, unless such loss of membership were solely the result of a refusal to pay their dues or initiation fees. Loss or denial of union membership for any other reason would not constitute a lawful basis for the employee's loss of his job. In this connection attention needs to be called to an additional employee safeguard which is too often overlooked. The Taft-Hartley specifically makes it unlawful to compel employees required to join the union under a union shop agreement to pay a fee in an amount which the Labor Board finds excessive or discriminatory.

Hence, apart from the requirement to pay union dues and initiation fees which are neither discriminatory nor excessive, the employee required to join the union has no other obligation to the union as a condition of keeping his job. Repeal of 14(b) would leave this fundamental scheme of the Taft-Hartley and Landrum-Griffin Acts unchanged.

The Wagner Act which remained on the statute books substantially unchanged from 1935 to 1947, was limited to protecting employees against any attempt by their employers to interfere with their membership in or activities in behalf of their unions. No other safeguards for employees were provided, nor any protections for employers against union abuses or misconduct.

The Taft-Hartley Act, passed in 1947, did provide some safeguards for employers against certain types of union activity such as secondary boycotts, jurisdictional strikes, certain types of picketing, and so forth. Moreover, the closed shop was completely outlawed, and only the limited type of union shop which I have already described, was permitted even in those States without right-to-work laws. None of these safeguards would be affected in any way by the repeal of 14(b).

In 1959, the Landrum-Griffin Act became law. This new statute strengthened the ban on secondary boycotts, outlawed hot-cargo contracts, and prohibited organizational, recognition, and extortionate picketing. Moreover, it established a bill of rights for union members, provided for protecting union funds against misuse, erected certain safeguards designed to insure fair union elections, and provided a procedure for the removal of union officers by the union membership. Not a single one of these protections afforded by the Landrum-Griffin Act would be either eliminated or weakened by the repeal of 14(b).

Thus it is plain that the repeal of section 14(b) would result in no fundamental or significant modification in the structure and safeguards which the Taft-Hartley and Landrum-Griffin Acts have made available to rank-and-file union members, employees, and employers.

At this point I would like to emphasize that my support for the pending measure to eliminate right-to-work laws is not a position which I have just adopted. It is a view of long standing. In 1958, when a right-to-work proposal was placed on the ballot in my State of Ohio, I publicly stated that I would not vote for it. I further declared that it was my belief that the Congress of the United States should itself face this issue.

Let me assure you that my views on the desirability of both the Taft-Hartley and the Landrum-Griffin Acts have undergone no change. I am a firm supporter of both statutes, and as a matter of fact, I take great pride in the major role I played in the famous 1959 conference committee proceedings which resulted in the adoption of the Landrum-Griffin Act.

I have always supported labor legislation which would provide the proper climate for fair collective bargaining. Possession of excessive power by either labor or management can lead to nothing but disaster for both. I have always kept in mind that the general public has an important stake in sound labor relations and hence that the public interest should always receive the most attentive consideration. But I also feel that the public interest is in no way adversely affected by the existence of union security arrangements and hence that the issue is one which should be decided by labor and management without the intervention of those who are in nowise affected.

Let me repeat—my opposition to right-to-work laws implies no attack on the Taft-Hartley Act. It is simply a recognition that time and experience often lead to the conclusion that a reexamination and modification of some of the provisions, even of a good law, have become necessary. In my opinion, there are other provisions as well, in both Taft-Hartley and Landrum-Griffin, which require such reexamination and improvement.

Just a short time ago, I called for a review of the union election provisions of the Landrum-Griffin Act. In two recent international union elections, loopholes in these provisions became glaringly apparent—loopholes that permitted fraudulant or confusing activity on the part of some of the principal actors involved. I firmly believe that nothing is more important than the right of union members to participate in fair and honest union elections and hence I strongly favor legislative consideration of means and measures to close these loopholes.

Again, as I listened to or read the testimony in the hearings on repeal of 14(b), I realized clearly that the democratic principle of majority rule which is supposed to be the foundation stone for choosing a union bargaining representative under the Taft-Hartley Act, is not adequately implemented by the provisions of that act. There have been situations, as the testimony conclusively demonstrated, where there was considerable doubt that the union designated as exclusive bargaining agent had actually been selected by a genuine majority of the employees affected.

I was compelled to reach the conclusion that the procedures for determining whether a majority of the employees has designated a union to act as bargaining representative needed to be effectively improved. I am now convinced that the only foolproof method of guaranteeing that the will of the majority actually prevails is to require a secret ballot election directed and supervised by the National Labor Relations Board in all cases where the employees are asked to select a bargaining agent. I think that the Congress has a duty to examine this matter with the utmost care.

It was most gratifying to me that George Meany, President of the AFL-CIO, indicated his agreement with my position in his testimony during the hearings. I had questioned him concerning this problem and in the course of the colloquy I said to him:

> What I would like to see is a provision that even though 51 percent of the employees sign cards for an election, the employer cannot start bargaining until there is an election. At present, he doesn't have to have an election if he wants to start bargaining. I would like to see that spelled out in the law so that the employee who signs a card for an election, actually is guaranteed the opportunity to vote in such an election.

Mr. Meany replied as follows:

> As a general principle, I would not be opposed to that. But there would be some cases where it would not work * * * short term jobs, such as the building trades and the like.

I agree with Mr. Meany that special situations like the building trades require special treatment. But may I point out that they presently receive such special treatment under the Taft-Hartley Act. Section 8(f) specifically provides that unions in the building construction industry may lawfully be the recognized bargaining agents of employees in that industry without first establishing their majority status as other types of unions are required to do under section 9 of the Act. What is more, they are also permitted to enter into union shop agreements requiring membership in the union within 7 days of getting the job instead of the 30 days which is allowed in other industries.

That special consideration of the building trades unions was added to Taft-Hartley in 1959 by the Landrum-Griffin Act, and I might say that I not only supported the amendment but, as a member of the House-Senate Conference on Landrum-Griffin, I played a leading part in getting it accepted by the Conference. Let me assure Mr. Meany that my position in favor of Labor Board elections as a prerequisite to union recognition does not contemplate in any way changing the provisions of section 8(f) or imposing such election requirements in the building construction industry.

In conclusion, I would like to refer to one aspect of the argument in favor of retaining 14(b) which I have not thus specifically mentioned but which is implicit in what I said at the beginning of my statement. It is contended by some that regardless of the merits of the issue concerning the rightness or wrongness of the union shop, the States should have the right to permit or to prohibit this form of union membership.

I feel that I have adequately refuted this contention by my demonstration that leaving this decision to the States simply gives an unfair competitive advantage to those States which seek to improve their economic fortunes at the expense of labor over those States which seek to achieve the highest labor standards consistent with sound industrial development. But somehow I have the feeling that many of those who advance what appears to a genuine "States rights" argument are being somewhat disingenuous.

As I have pointed out, the Taft-Hartley Act repealed those provisions of the Wagner Act which permitted a complete closed shop and substituted therefor a most limited type of union shop. It seems to me that if those who advance the States rights argument were genuinely concerned to achieve States rights on the issue of compulsory union membership, they would ask that 14(b) be amended not only to authorize the States to prohibit all forms of compulsory membership, but to permit all forms of compulsory membership including the complete closed shop. That would make 14(b) a two-way street, with no limitation on the power of the State to act in either direction. Sad to relate, I can find nothing in the hearings indicating that a single witness who appeared in opposition to the repeal of 14(b) was willing to propose that as a matter of consistent States rights 14(b) should be amended to authorize the States to permit every form of compulsory unionism including those forbidden by the Taft-Hartley Act such as the closed and preferential shops.

SENATE

TUESDAY, JULY 6, 1965

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Clair M. Cook, Th. D., Methodist clergyman, and legislative assistant to Senator VANCE HARTKE, offered the following prayer:

O Thou God of our fathers, we recall today the mercy and the bounty Thou hast shown this fair land in the 189 years of our Nation's independence.

O Thou God of our children, we look to the future years far beyond our own lifespan, in the confidence that Thou wilt continue to raise up wise and righteous leaders.

O Thou God of our own confession, as we resume our labors once more this day, let our vision range from the far past to the unseen future, with imaginative dedication to the needs of our people.

To these representatives of the old, the young, and of all citizens of all kinds and conditions, Thou, as well as they, hast entrusted a heavy responsibility, for this is a nation of laws whose basic concepts of right and wrong derive from Thine own laws of truth and righteousness.

Before us are great issues whose decisions will alter the lives of millions in the years to come. Give guidance as those decisions are debated and determined in the free processes of free government. As the sweep of history moves forward in time, let us be aware that we are a part of Thy will for the destinies of men upon the earth.

Lift up our spirits, and inspire our vision. Let us see beyond the narrow range of political issues to the deepest meaning of the consequence of decision. Infuse us with strong desire for the greatest good, that we may be in harmony with Thine own desires. Thus may we this day be lifted above the petty to the greatness that is our national heritage, and to the expanding of life's good for all, in compassion, in wisdom, and in truth. Amen.

THE JOURNAL

On request by Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 1, and Friday, July 2, 1965, was dispensed with.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of July 1, 1965, the following reports of a committee were submitted on July 1, 1965:

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

S. 949. A bill to promote economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise (Rept. No. 421); and

By Mr. MONRONEY, from the Committee on Commerce, with amendments:

S. 1459. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission over nonprofit cooperatives (Rept. No. 420).

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, transmitting nominations, was communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Post Office and Civil Service.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 3708. An act to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration on Aging"; and

H.R. 5874. An act to amend Public Law 815, 81st Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands for whom local educational agencies are unable to provide education.

The message also announced that the House had passed a bill (H.R. 7984) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities, in which it requested the concurrence of the Senate.

The message communicated to the Senate the intelligence of the death of Hon. T. Ashton Thompson, late a Representative from the State of Louisiana, and transmitted the resolutions of the House thereon.

HOUSE BILL PLACED ON CALENDAR

The bill (H.R. 7984) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities was read twice by its title and ordered to be placed on the calendar.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request by Mr. Long of Louisiana, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request by Mr. Long of Louisiana, and by unanimous consent, the Committee on Foreign Relations and the Subcommittee on Trade Marks, Patents, and Copyrights of the Committee on the Judiciary were authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Cash Equalization of Exchanges for Certain Lands

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to authorize the Secretary of Agriculture to accept a cash equalization of exchanges for lands under his jurisdiction, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

Approval of Certain Loans by Rural Electrification Administration

A letter from the Administrator, Rural Electrification Administration, Department of Agriculture, Washington, D.C., reporting, pursuant to law, the approval of a loan by that Administration to the Northern Michigan Electric Cooperative, Inc., of Boyne City, Mich. (with an accompanying paper); to the Committee on Appropriations.

A letter from the Administrator, Rural Electrification Administration, Department of Agriculture, Washington, D.C., reporting, pursuant to law, the approval of that Administration of a loan to the Wolverine Electric Cooperative, Inc., of Big Rapids, Mich. (with an accompanying paper); to the Committee on Appropriations.

Report on Entitlements for Federally Affected School Districts Under Public Laws 874 and 815

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of the Commissioner of Education on Public Laws 815 and 874 (with accompanying papers); to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

H.R. 4526. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1970 (Rept. No. 422).

By Mr. HOLLAND, from the Committee on Appropriations, with amendments:

H.R. 8370. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 423).

By Mr. MONRONEY, from the Committee on Appropriations, with amendments:

H.R. 8775. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 424).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appear to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (by request):

S. 2243. A bill for the relief of Walter Jacobsen; to the Committee on the Judiciary.

By Mr. BREWSTER (for himself and Mr. Tydings):

S. 2244. A bill to authorize the Secretary of the Army to conduct a complete investigation and study of water utilization and control of the Chesapeake Bay Basin; to the Committee on Public Works.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 2245. A bill for the relief of Margaret Yueh Chiao; to the Committee on the Judiciary.

RESOLUTIONS

AMENDMENTS OF STANDING RULES OF THE SENATE

Mr. COOPER submitted two resolutions (S. Res. 124) to amend the Standing Rules of the Senate to regulate Members, officers, and employees of the Senate to file certain reports as to their nongovernmental businesses, professional, or employment activities, and (S. Res. 125) to amend the Standing Rules of the Senate to prohibit the solicitation, custodianship, or distribution of political campaign funds by officers and employees of the Senate, which were referred to the Committee on Rules and Administration.

(See the above resolutions printed in full when submitted by Mr. Cooper, which appear under a separate heading.)

DEATH OF THE LATE T. ASHTON THOMPSON OF LOUISIANA

Mr. LONG of Louisiana (for himself and Mr. Ellender) submitted a resolution (S. Res. 126) relative to the death of Representative T. Ashton Thompson, of Louisiana, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Long of Louisiana (for himself and Mr. Ellender), which appears under a separate heading.)

STUDY OF WATER UTILIZATION AND CONTROL OF THE CHESAPEAKE BAY BASIN

Mr. BREWSTER. Mr. President, earlier this week, I was pleased to participate in a meeting between Secretary of the Interior Udall and the Governors of the four States of the Potomac Valley. I am pleased to report that the leadership which the President has given to efforts at conserving and beautifying this river valley have already resulted in significant moves toward interstate and intergovernmental cooperation in the planning and execution of a vast conservation and development program.

Mr. President, I am proud to have played some part in this planning for the Potomac, but I am here today to demand that the Chesapeake Bay receive similar attention. I believe this major waterway to be one of the most neglected resources in this part of the country.

Through this giant 180-mile gateway pass American products whose manufacture and shipment provide hundreds of thousands of jobs for Americans everywhere. Its geographical and navigational features attract ships from other nations and visitors from every State. They are the key to the history and prosperity of this part of our country.

The development of the bay and of the port city of Baltimore, with its modern industrial and transportation complex, have provided us with an artery of national and international commerce without parallel. This development has enabled us to continue to compete successfully in the world marketplace.

What is needed now is the corresponding development of the other rich resources of this waterway. Much too little attention has been given to its world renowned fishing grounds, its unsurpassed recreational possibilities, and its natural features of extreme beauty.

Local, State, and Federal agencies all participate today in numerous bay-connected studies and activities. The Maryland Port Authority, Department of Chesapeake Bay Affairs, Department of Health, and Board of Natural Resources are continually engaged in bay matters. So also is the Army Corps of Engineers and the U.S. Fish and Wildlife Service. The conclusions drawn by each are sometimes contradictory, and the coordination has been traditionally ad hoc.

What is lacking is central direction and testing facilities where individual proposals can be studied and evaluated, and conclusions objectively tested. What is needed is an hydraulic model of the bay with an associated technical center. This model of the bay and its associated tributaries would be capable of demonstrating tide changes, current flow, silt movements, salinity, erosion, and other important factors. It would enable scientists and engineers to work out solutions to problems for which there are now no absolute answers. It would avoid the kind of differences of opinion which have characterized the discussions of spoil disposal. It would assist the existing agencies in the performance of their missions by providing a clearinghouse and test center for all information and planning regarding the bay and its environment.

The problems of the bay and her tributaries are growing too great to be handled on a piecemeal basis. This great basin is one of the few such waterways in the United States which is not duplicated in a working scale model. The Delaware Bay, San Francisco Bay, and the Mississippi River are no more important to our Nation than the Chesapeake Bay.

Mr. President, on behalf of myself, and my colleague from Maryland [Mr. Tydings], I am today introducing legislation which would authorize the construction in Maryland of a 12-acre, hydraulic model of the Chesapeake Bay and an associated technical center. This legislation would also require the Army Corps of Engineers to conduct a complete study of water utilization and control in the bay and Baltimore Harbor. It would direct that the study consider problems of navigation, fisheries, flood control, water pollution, water quality control, beach erosion, recreation, and the control of noxious weeds. An authorization of $6.5 million would be required to accomplish both.

Mr. President, I ask unanimous consent that the text of my bill be printed at the close of my remarks.

Mr. President, I would like to take this opportunity to urge early reporting and prompt action on S. 1380, an amendment to the River and Harbor Act, which would enable us to make an immediate attack on one of the most serious problems facing us in the Chesapeake Bay and in the navigable streams of at least eight other States.

This bill would authorize the immediate expenditure of $5 million for research and control operations designed to eliminate milfoil and other aquatic plants which presently cause millions of dollars in losses to the seafood industry as well as untold destruction of recreational resources and potential.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2244) to authorize the Secretary of the Army to conduct a complete investigation and study of water utilization and control of the Chesapeake Bay Basin, introduced by Mr. Brewster (for himself and Mr. Tydings), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 2244

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to make a complete investigation and study of water utilization and control of the Chesapeake Bay Basin, including the waters of the Baltimore Harbor and including, but not limited to, the following: navigation, fisheries, flood control, control of noxious weeds, water pollution, water quality control, beach erosion, and recreation. In order to carry out the purposes of this Act, the Secretary, acting through the Chief of Engineers, shall construct, operate, and maintain in the State of Maryland a hydraulic model of the Chesapeake Bay Basin and associated technical center. Such model and center may be utilized, subject to such terms and conditions as the Secretary deems necessary, by any department, agency, or instrumentality of the Federal Government or of the States of Maryland, Virginia, and Pennsylvania, in connection with any research, investigation, or study being carried on by them of any aspect of the Chesapeake Bay Basin, provided that the study authorized by this Act shall be given priority.

Sec. 2. There is authorized to be appropriated not to exceed $6,500,000 to carry out this Act.

RECOMMENDATIONS FOR SENATE ACTION BASED ON THE BAKER INVESTIGATION

Mr. COOPER. Mr. President, last year, at the close of the first phase of the Baker investigation, I proposed to the Senate the adoption of a resolution to establish a Committee on Standards and Conduct. The resolution was adopted by the Senate. I understand that it will be implemented.

At the close of the hearings this year, I made several other proposals to the Committee on Rules and Administration for recommendation by the committee to the Senate. One of my proposals was adopted by the full committee and has been recommended to the Senate. It was a proposal to place the administration of the Federal Regulation of Lobbying Act under the Comptroller General of the United States. At present, reports are filed with the Secretary of the Senate and the Clerk of the House. But under existing law no agency, body, or official is charged with administration and enforcement of the act. I thought the Comptroller General a proper authority for the administration and enforcement of the act for several reasons. He is an arm of Congress, he has an investigative staff and makes investigations of various activities both of Congress and of the executive branch, and makes his reports to Congress.

The bill which has been recommended by the Rules Committee, and which I hope the Senate and House will pass, would place the jurisdiction to administer and enforce the Lobbying Act under the Comptroller General. Reports would be filed with him as well as with the Senate and House. The Comptroller General would have the power to study the reports, review them, and determine if they met with the requirements of the act. He would also have the authority, and the staff to determine if those who were lobbying had been registered as provided by law. If he found violations, it would be his duty to report them to Congress and to the Department of Justice for action.

My proposal arose from evidence heard during the investigation. It was evident that persons who should have registered as lobbyists had not done so. One of the most glaring and apparent violations of the law was developed from the testimony of a Mr. Weiner, who received $50,000 for, he said, representing, as a public relations man, an ad hoc trade association in legislation before the Congress. He said that he spoke with members of the staffs of committees, and with Members of the Congress about the proposed legislation, and yet maintained he was not a lobbyist.

I hope that the measure which I proposed in committee and which the committee approved for recommendation to the Senate will be considered and passed.

Mr. President, I ask unanimous consent to insert in the Record at this point a few of the questions I asked Mr. Weiner when he appeared before the Rules Committee and his answers.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Senator Cooper. Now, you said that you were rather naive about conditions here in Washington. Yet in your one venture in Washington at that time as a representative of the freight forwarders, you were quite successful. Is that correct?

Mr. Weiner. Yes; the first venture was very successful.

Senator Cooper. You represented the freight forwarders in Washington?

Mr. Weiner. Yes, sir.

Senator Cooper. You heard Mr. Barr testify?

Mr. Weiner. Mr. Barr's testimony was the absolute truth.

Senator Cooper. Mr. Barr remembers that he stated in talking to you that you convinced him and his committee that you could be successful in securing or helping to secure the freight forwarders' desired legislation. Is that correct?

Mr. Weiner. Yes, sir.

Senator Cooper. What information did you give him to assure him that you could help in the passage of this legislation?

Mr. Weiner. I didn't give him any information that procured passage of a bill, sir. I was merely able to convince them——

Senator Cooper. What?

Mr. Weiner. I was merely able to convince these gentleman that I possibly had the ability to serve—distinguishing fact from fiction—that I would devote all of my time to this effort, even to the extent of neglecting my law practice in New Jersey.

Senator Cooper. You remember he stated that you and he were in almost daily touch and you reported to him?

Mr. Weiner. Yes, sir; several times a day.

Senator Cooper. Reporting that you were making good progress. You submitted requests for payment of your retainer of $50,000. What were you doing here to secure this progress in the passage of the bill?

Mr. Weiner. My duties here, sir, were really confined to watching and evaluating exactly what was happening and reporting back to my client. As indicated by Mr. Barr, in the previous year they had had a bill that was passed by both the House and the Senate, and then it got stuck in the conference, and because the year ended, they did not have time to go back and attempt to revise it and get together. These people were at their wits' end when I did speak to them because of the regulations imposed by the Federal Maritime Board, and it was a question that everyone had to put forth the utmost effort, otherwise they would all have been out of business.

Senator Cooper. Were you an expert in this field?

Mr. Weiner. No, sir. I had no experience at all in it, and they knew it. I think they were convinced that perhaps I had——

Senator Cooper. Did you testify before committees?

Mr. Weiner. No, sir; nor did I ever prepare a statement for anybody to use in giving testimony.

Senator Cooper. What did you do then to secure the passage of the bill?

Mr. Weiner. These gentlemen for many years——

Senator Cooper. What?

Mr. Weiner. Senator, these gentlemen, I think you understand the situation as I found it when I was approached and gained a client——

Senator Cooper. What is this?

Mr. Weiner. I think you understand fully the exact circumstances that are necessary. These people for many years have been attempting to get legislation through. At the time my services were engaged, a bill had already been introduced by Senator Yarborough and Congressman Lennon. I did not know these gentlemen, and when I was engaged I did not know any Members in either the Senate or the House of Representatives on the committees that were working on the bills that had to report them out. I was merely able to convince these people that I had the ability to perform—I guess I am a good salesman—and they did retain my services. There was no representation made by me, as was said by Mr. Barr.

Senator Cooper. The substance of your statement is then that you didn't testify at the hearings and that you are not an expert in this type of legislation?

Mr. Weiner. No, sir.

Senator Cooper. You didn't consult with any employee of the Senate or the House or any Member of the Senate or Member of the House? Is that correct?

Mr. Weiner. No, sir; it is not correct.

Senator Cooper. What did you do?

Mr. Weiner. I was introduced to members on the committee after I was engaged by the freight forwarders, members that they had spoken to, members that seemed sympathetic to the cause, people that they secured to introduce the bill, people that they had convinced that the bill was worthy, and that the industry was worth saving.

Senator Cooper. Did you talk to them?

Mr. Weiner. I did, sir, after I was introduced by the freight forwarders; I spoke to no one; I, in fact, knew no one, Senator. I did not know any member of the House or the Senate committees that had these bills.

Senator Cooper. You just talked to Members?

Mr. Weiner. After I was introduced to them by the freight forwarders. I did not go up and say, "I would like to meet you, Senator. I am working on a bill." I went in the company of people that knew them.

Senator Cooper. Did you tell them that you were working on the bill?

Mr. Weiner. I was introduced, as I say, by the trade, the freight forwarders, though, and they were told I was to be the representative in Washington to watch the progress.

Senator Cooper. Did you discuss the merits of the bill with the members of the committee?

Mr. Weiner. Members?

Senator Cooper. Did you give them any literature?

Mr. Weiner. No, sir; I did not give them any literature.

Senator Cooper. Not being an expert, were you able to discuss the merits of the bill?

Mr. Weiner. Well, sir, the people that I was introduced to did not have to be convinced of the merits of the bill because the freight forwarders had done an excellent lobbying job, and they had convinced them. It was not my job to convince any Senator or Congressman to vote for this bill, nor did I attempt to.

I did, however, speak to Senators and Congressmen on the committees after being introduced to them, who had already been spoken to by the freight forwarders in the various parts of the country, and were sympathetic to the bill.

Senator Cooper. Were you registered as a lobbyist?

Mr. Weiner. No, sir; I was not lobbying.

Senator Cooper. Not lobbying? Did you talk to Mr. Baker about this bill?

Mr. Weiner. Mr. Baker knew that I was working on the bill.

Senator Cooper. Did you talk to him about it?

Mr. Weiner. No, sir.

Senator Cooper. Never did?

Mr. Weiner. Other than the fact that——

Senator Cooper. What?

Mr. Weiner. No, sir; other than the fact that this was a client I had, and what I was doing, but I did not ask for his help nor did I receive any.

Senator Cooper. How long had you known Mr. Baker?

Mr. Weiner. Well, I had met Mr. Baker, I would say, a year or so before this occurred. It was truly social.

Senator Cooper. Who introduced him to you? Do you remember?

Mr. Weiner. No. I was in a restaurant here in Washington one day when I was down on one of my visits, and I was having lunch with somebody. Obviously the person I was having lunch with did know Mr. Baker because Mr. Baker came along and said, "Hello," and he sat down, and had a drink, and that was all there was to it.

Senator Cooper. Why were you in his office so often during the time that this bill was under consideration?

Mr. Weiner. As I indicated before, sir, when up on the Hill it was a very convenient place to go, and I didn't have many friends on the Hill, and there is no explanation other than the fact that I did, sir.

Senator Cooper. And it is your statement in all this time that you never discussed with him the legislation or your interest or asked for his help in securing its passage?

Mr. Weiner. No, sir. He knew I was working on it. I did not ask for nor receive any help on this matter.

PROPOSED SENATE RULES RELATING TO OUTSIDE EMPLOYMENT AND TO POLITICAL CAMPAIGN FUNDS

Mr. COOPER. Mr. President, I made two other proposals in the Committee on Rules and Administration which were not approved by the committee, but which at a proper time, when the report is considered by the Senate, I shall call up for action on the floor. Today I am submitting resolutions to carry out these recommendations when the matter of the report of the Rules Committee comes properly before the Senate.

In committee, I voted for the Clark resolution, which provides for financial reports by Members, officers, and employees of the Senate to be open to the public, it was not adopted. The committee then adopted a proposal made by the distinguished Senator from Nevada [Mr. Cannon], which would require a limited statement of disclosure by Members, officers, and employees to be filed with the Comptroller General, but not to be available to the public or to Congress. If a majority of the Committee on Standards and Conduct, when activated, so directs, such reports would be made available to that committee.

My resolution is narrower than the Clark proposal. I would not offer it unless his should be defeated. My resolution requires Members, officers, and employees of the Senate to file with the Secretary of the Senate a report concerning their nongovernmental business, professional or employment activities during the preceding calendar year. It would require, among other things, a statement of the nature of each business or professional organization of which the individual was an officer, director, partner, or employee and in which activity he was engaged personally for profit during that year; and the name and addresses of such enterprise or organizations.

If this information were available to the Senate and to the public, it would be a brake upon any activities involving an existing or potential conflict of interest. The public would have the means of determining if there was a conflict of interest on the part of either Members of the Senate or of officers and employees of the Senate. If such a Senate rule had been in effect, Mr. Robert Baker, as an officer of the Senate, would have been required to report his outside employment and business activities and, if he had done so—as these reports would have been open to public inspection—his activities would have been known by the Senate and the public.

My third proposal pertains to political campaign funds. The minority recommended in its report that Congress enact a law to prohibit Senate employees from serving as treasurer, or temporary treasurer or as custodian of any type of campaign funds. I proposed a Senate rule because I believe that it may be more difficult to obtain the passage of legislation involving both Houses of Congress.

My proposal to the committee was voted down. However, I shall offer it again because I believe that the handling of campaign funds by Senate employees, could hold great possibilities for corrupting influences. I do not say that in derogation of the character of Senate employees.

Senators are under legal restrictions with regard to campaign funds, as to their acceptance and to the reporting requirements of the Corrupt Practices Act. Campaign committees are set up in various ways. To be frank about it, there is a good deal of concealment of the sources of campaign funds, and a failure to disclose these sources. It is unfair to place on the staffs the responsibility for receiving and distributing campaign funds.

I believe it absolutely unfair to staff members to place on them the responsibility for soliciting, distributing, or acting as the custodian of campaign funds. Throughout our investigation, there ran an undercurrent of the improper use of political contributions, of collecting and distributing these funds, and there were charges of corruption.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. Mr. President, I ask unanimous consent that I be permitted to continue for an additional minute.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 1 additional minute.

Mr. COOPER. I believe the Senate should adopt a rule prohibiting officers and employees from soliciting, distributing, acting as custodians of political campaign funds, and I shall offer such a rule for the truth of the matter is that after having gone through with the investigation for nearly 2 years, I believe that there is a great need for the overhauling of the entire Corrupt Practices Act.

For that reason, I submit today these two resolutions: One dealing with disclosure and the other prohibiting Senate officers and employees from being charged with any responsibility to collect, hold, or distribute campaign funds.

The PRESIDING OFFICER. The resolutions will be received and appropriately referred.

The resolutions (S. Res. 124) to amend the Standing Rules of the Senate to regulate Members, officers, and employees of the Senate to file certain reports as to their nongovernmental businesses, professional, or employment activities, and (S. Res. 125) to amend the Standing Rules of the Senate to prohibit the solicitation, custodianship, or distribution of political campaign funds by officers and employees of the Senate, submitted by Mr. COOPER, were received and referred to the Committee on Rules and Administration, as follows:

S. RES. 124

Resolved, That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE —

"Report on business and professional occupation

"1. Each individual who is a Member of the Senate, or an officer or employee of the Senate, shall file annually with the Secretary of the Senate, in such form as the Secretary shall prescribe, a report with respect to his non-Governmental business, professional or employment activities during the preceding calendar year Each report filed by any individual for any calendar year shall contain the following information:

"(a) The nature of each business enterprise and professional practice in which he was engaged personally for profit during that year, the name under which such enterprise or practice was so conducted, and the address at which such enterprise or practice was so conducted;

"(b) the name and address of each other business or professional organization or enterprise of which he was an officer, director, partner, or employee in any capacity during that year;

"(c) the capacity in which he was so affiliated with or employed by such organization or enterprise;

"(d) the period during that year for which he occupied such capacity; and

"(e) whether he received any compensation of any kind during that year for or in connection with his occupancy of such capacity.

"2. Each individual who is a Member of the Senate, or an officer or employee of the Senate, at any time during January of any year shall file such report on or before May 1 of that year. Each individual who becomes a Member of the Senate, or an officer or employee of the Senate, after the end of January in any year shall file such report within 90 days after the date on which he becomes a Member of the Senate or an officer or employee of the Senate.

"3. Each report filed under this resolution shall be maintained by the Secretary of the Senate for a period of not less than 3 years, and during that period shall be available for public inspection during business hours of the office of the Secretary of the Senate.

"4. As used in this rule the term 'officer or employee of the Senate' means:

"(1) an elected officer of the Senate who is not a Member of the Senate;

"(2) an employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

"(3) the Legislative Counsel of the Senate and any employee of his office;

"(4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporter of Debates of the Senate in connection with the performance of their official duties;

"(5) a member of the Capitol Police Force whose compensation is disbursed by the Secretary of the Senate;

"(6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate; and

"(7) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate."

S. RES. 125

Resolved, That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE —

"Political campaign funds

"1. No officer or employee of the Senate may—

"(1) solicit, be the custodian of or distribute any funds contributed for use to defray expenses incurred or to be incurred by any other individual for or in connection with any campaign for the nomination or election of any individual to be a Member of the Senate; or

"(2) be vested with or exercise any authority or responsibility for, or participate in any way in any consideration of or determination with respect to, the allocation between or among two or more Members of the Senate of any funds available for use to defray expenses incurred or to be incurred by any individual for or in connection with any such campaign.

"2. As used in this Rule, the term 'officer or employee of the Senate' means—

"(1) an elected officer of the Senate who is not a Member of the Senate;

"(2) an employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

"(3) the Legislative Counsel of the Senate and any employee of his office;

"(4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporter of Debates of the Senate in connection with the performance of their official duties;

"(5) a member of the Capitol Police Force whose compensation is disbursed by the Secretary of the Senate;

"(6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate; and

"(7) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate."

MEDICAL CARE FOR THE AGED—AMENDMENT

AMENDMENT NO. 307

Mr. BYRD of West Virginia submitted an amendment, intended to be proposed by him, to the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the

Old-Age, Survivors, and Disability Insurance System, to improve the Federal-State public assistance programs, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 310

Mr. SCOTT (for himself, Mr. ALLOTT, and Mr. MUNDT) submitted amendments (No. 310), intended to be proposed by them, to House bill 6675, supra, which were ordered to lie on the table and to be printed.

NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS TO AGRICULTURAL DEPARTMENT APPROPRIATION BILL, 1966

AMENDMENTS NOS. 308 AND 309

Mr. HOLLAND submitted the following notice in writing:

> In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 8370) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes, the following amendment, namely, page 5, after line 8 after the word "per centum" insert the following: ": *Provided further*, That hereafter no funds in excess of $250,000 shall be available for carrying out the screwworm eradication program that do not require minimum matching by State and local sources of at least 50 per centum of the expenses of production, irradiation, and release of screwworm flies".

Mr. HOLLAND also submitted an amendment (No. 308) intended to be proposed by him to House bill 8370, making appropriations for thhe Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. HOLLAND also submitted the following notice in writing:

> In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of the rule XVI for the purpose of proposing to the bill (H.R. 8370) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes, the following amendment, namely, page 18, after line 10, after the amount of "$80,000,000" insert the following: ": *Provided*, That, in addition, not more than $20,000,000 of the amount appropriated under this head for the previous fiscal year may be transferred to and merged with this appropriation".

Mr. HOLLAND also submitted an amendment (No. 309) intended to be proposed by him to House bill 8370, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes, which was ordered to lie on the table and to be printed.

IMPROVING THE QUALITY OF INSTRUCTION IN HIGHER EDUCATION: AN AMENDMENT TO THE HIGHER EDUCATION BILL

AMENDMENT NO. 311

Mr. YARBOROUGH. Mr. President, one thing which the hearings on the higher education bill made very clear is the need for higher quality instruction in our institutions of higher education. Simply educating larger numbers of people is not enough. We must educate larger numbers of our young people and improve the quality of their education at the same time.

The situation in the colleges has been graphically described by Sidney Hook in a recent article in the New York Times magazine:

> The irony of the situation is that students in our mass institutions of learning suffer today far more from the failure of faculties to attend to the students' individual educational needs than from alleged suppressions of their freedom of speech. The students' freedom to learn is frustrated by crowding, inferior staffing, and by the indifference of many faculties to the best methods of classroom teaching. Colleges still operate on the absurd assumption that anyone who knows anything can teach it properly. It is an open scandal that the worst teaching in the American system of education takes place at the college level. In some universities, large introductory courses where skillful teaching is of critical importance in arousing student interest are turned over to young, inexperienced graduate assistants at the outset of their careers who stumble along by trial and error and groping imitation of the models of teaching they vaguely remember. ("Academic Freedom and the Rights of Students," by Sidney Hook, New York Times, Jan. 3, 1965.)

Increasing opportunities for education and at the same time improving the quality of education is obviously a very large order. Fortunately many of our outstanding educators have been hard at work on the problem. They have investigated the learning process. They have studied conventional methods of teaching to find where the weak points lie. They have experimented with new methods of instruction. Out of this research have come some of the most significant advances in the theory and practice of education in the entire history of education. These advances are truly a product of the 20th century. They draw upon recent discoveries in the psychology of learning. To these they apply many of the resources available through modern technology—closed circuit television, radio, films, language and listening laboratories, programed instruction, self-instruction laboratories, and video tapes—to create new approaches to education which have advantages not found in more conventional methods and which can meet many of the problems created by the need to improve quality at the same time that we are increasing quantity.

One of the major problems facing higher education today is a shortage of good teachers. Intelligent use of the new media of communication can enhance the effectiveness of a good teacher. For instance, experience has shown that if courses are organized so that one or two meetings per week are held in large groups and one or two in small groups, an experienced professor can conduct the large group courses and reach many more students than if he taught only small courses. Use of the new media can make the large group lecture a very effective method of instruction. This phase of the course serves both to impart information to the student and to provide incentive for further study by the student on his own. Films and demonstrations employing the new media can further this purpose admirably. In the small group sessions, and especially in science courses, self-instruction laboratories, programed instruction, and other forms of the new media can free teachers from much mechanical and unimportant work so that he can spend more time with individual students. In this way the teacher can give closer attention to the varying needs and abilities of his students on a more personal basis. This is of vital importance in education today. The complaint most frequently voiced by college students is that they never get to know their teachers and that they feel like faceless cogs in one of the gears of an impersonal educational factory. These new media of communication are not intended to replace the teacher but rather to enhance his effectiveness and to give him more time to devote to his students.

Many of our more affluent universities are making intensive use of the new media. The U.S. Air Force Academy has a magnificent instruction-centered closed circuit TV center. Many of our richer colleges have language laboratories. The University of Illinois has a computer-controlled teaching system. However, while our top universities are going ahead, many of our less affluent institutions do not have sufficient financial resources to make use of the new media.

A study conducted by the University of North Carolina found the following major deterrents to the use of new media:

First. Limited financial support for purchase or rental of materials.

Second. Suitable materials not available for college use.

Third. Lack of information on college materials.

Fourth. Lack of technical assistance for preparing materials.

Fifth. Lack of time to locate good materials.

Sixth. Lack of adequate facilities for showing materials.

Seventh. Films, equipment, or operators unavailable when needed. New Media in Higher Education, page 140.

THE ECONOMICS OF INSTRUCTIONAL MEDIA IN HIGHER EDUCATION

Media is expensive to purchase. This much is clear. In the few large institutions with fully equipped media resources, expenditures average $12 to $15 per student.

Purdue University has one of the outstanding examples of effective use of new media to be found anywhere in the country. It is a biology course taught by Prof. Samuel Postlethwait, who testified before our subcommittee in the hearings on the higher education bill. His audio tutorial system, involving a variety of equipment, specimens, self-instruction, laboratory experiments, and self-teaching sequences of study, experimentation, and testing, required the purchase of $25,000 of equipment. With this expenditure, however, Dr. Postlethwait was able to reduce overall instructional costs from $15 to $12 per student credit hour, to accommodate 120 more students per year, to teach 50 percent more content, and to achieve significantly higher levels of student achievement. At this point it is important to keep in mind that the primary factor in the success of this course was Dr. Postlethwait's outstanding skills as a teacher, not the media itself. The teacher remains the most important factor. The use of the new media of communication are only adjuncts to enable the teacher to be more effective.

Mr. President, I ask unanimous consent that there be printed at this point in my remarks a paper from which the preceding information has been taken. The paper was compiled by Prof. Charles F. Schuller, of Michigan State University, and is entitled "The Economics of Instructional Media in Higher Education."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. YARBOROUGH. Mr. President, Congress has seen the wisdom of aiding elementary and secondary schools to strengthen instruction by purchasing equipment of the type here discussed. Title III of the National Defense Education Act authorized matching grants for this purpose. This provision has had a salutary effect upon elementary and secondary education. A report on the National Defense Education Act issued in November 1964, by the Subcommittee on Education of the Senate Committee on Labor and Public Welfare, describes the experience under title III in the following terms:

> The second largest single amount—27 percent of total National Defense Education Act expenditures—has gone to strengthen subject areas of critical importance in today's rapidly changing scientific and technological climate. More than $290 million went to States and territories on a 50–50 matching basis to improve instruction in science, mathematics, and modern foreign languages in public elementary and secondary schools. For the same purpose, private elementary and secondary schools received loans for approximately $3.6 million. In 1958, there were 46 language laboratories; today there are almost 7,000. Some 280,000 local public school projects have been approved for acquisition or remodeling of equipment and materials for instruction in these subjects. Before the National Defense Education Act, States employed at the State agency level only 33 specialist supervisors; now they employ 227.

The Elementary and Secondary Education Act places renewed emphasis upon modern techniques of instruction. The Senate committee report acknowledges that, in meeting the needs of culturally deprived children, "new techniques of instruction and educational innovations offer promise of increasing the educational opportunity of elementary and secondary students." The committee noted:

> Hopefully their use will broaden as a result of this legislation.

Thus we are caught in a paradox. We are providing for increased use of new media of communication in teaching at the elementary and secondary level, but we have taken no such action with regard to higher education. The Senate recognized this inconsistency in the 87th Congress, when this body passed S. 2345, a bill to make applicable title III of National Defense Education Act to colleges. Unfortunately, the House Rules Committee refused to grant a rule; this blocked a conference and the measure died. Nevertheless, the Senate legislative record provides clear justification for such a program.

Senate Report No. 652, 87th Congress, 1st session, described the terms of this proposal:

> To provide assistance to colleges and universities comparable with that now available to elementary and secondary schools, i.e., matching grants for publicly controlled institutions and loans for other nonprofit institutions for the purchase of teaching materials, and for minor remodeling of space therefor, equipment in the fields of mathematics, science and modern foreign languages, technical courses and physical fitness.

In its report, the Senate committee recognized the relationship between educational improvement and the availability of instructional techniques that are modern. It sought to apply this experience to higher education.

> Hearings on the National Defense Education Act held in 1958 brought out clearly the needs of the colleges and universities for teaching equipment in selected fields. A more recent survey conducted by professional societies for the National Science Foundation confirms the inadequacies of college and university laboratories. Clearly, recent and rapid advances in our knowledge of science threaten to render many existing teaching materials and equipment obsolete. Through activities undertaken under the authority of title VI of this act, major changes are taking place in the teaching of modern foreign languages. The availability of Federal funds for the purchase of teaching equipment would do much to remedy a situation which is already unsatisfactory and promises to deteriorate further.

Now that Congress is considering a higher education bill, the opportunity is before us once again to end this curious disparity. Pursuant to this purpose I am introducing an amendment for myself and Senator CLARK, Senator MORSE, Senator PROUTY, and Senator RANDOLPH.

All the cosponsors of this amendment are members of the Education Subcommittee, who, having heard testimony from distinguished educators as to the need for aid to higher education for the purchase of equipment, and who, having devoted considerable time to studying the feasibility of such a provision, are convinced that the higher education bill should be amended to include such authorization.

Part A of my amendment authorizes the Commissioner of Education to make matching grants to institutions of higher education for the acquisition of laboratory and other special equipment, including audiovisual materials and equipment for classrooms or audiovisual centers, and printed and published materials—other than textbooks—for classrooms or libraries suitable for use in providing education in science, mathematics, foreign languages, history, geography, government, English, or education at the undergraduate level in institutions of higher education. This part also authorizes funds for planning studies related to the use of closed circuit television in the above fields in institutions of higher education.

Administration at the State level would be by State commissions. Presumably this commission would be the same agency which administers the Higher Education Facilities Construction Act at the State level, but it can be another agency. The purpose of assigning administration to a State agency is to authorize and encourage long-range State plans for the development and coordination activity in this area.

Part B of the amendment authorizes funds to support short-term or regular session workshops for individuals who are engaged in or preparing to engage in, the use of educational media equipment in teaching in institutions of higher education. This is an integral part of the proposal, since the equipment by itself is worthless. It is merely an aid to the teacher. There is precedent for this provision in title XI of the National Defense Education Act. However, workshops in that act are limited to teachers of teachers and of disadvantaged youth, library personnel, and media specialists all at the elementary and secondary level. The provision in my amendment covers all teachers and media specialists in institutions of higher education.

Mr. President, I ask unanimous consent that the text of the amendment be printed at the conclusion of my remarks. I ask that the amendment lie at the desk for 2 days so that those Senators who wish to do so may add their names as cosponsors.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD, and held at the desk, as requested by the Senator from Texas.

The amendment (No. 311) was referred to the Committee on Labor and Public Welfare, as follows:

Amendment intended to be proposed by Mr. YARBOROUGH (for himself, Mr. CLARK, Mr. MORSE, Mr. PROUTY, and Mr. RANDOLPH) to S. 600, a bill to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education: On page 71, between lines 19 and 20, insert the following:

"TITLE V—FINANCIAL ASSISTANCE FOR THE IMPROVEMENT OF UNDERGRADUATE INSTRUCTION

"Part A—Equipment

"Statement of Purpose and Authorization of Appropriations

"SEC. 501. (a) The purpose of this part is to improve the quality of classroom instruction in selected subject areas in institutions of higher education.

"(b) There are hereby authorized to be appropriated $25,000,000 for the fiscal year ending June 30, 1966, $40,000,000 for the fiscal year ending June 30, 1967, and $50,000,000 for the fiscal year ending June 30, 1968, and for each of the two succeeding fiscal years to enable the Commissioner to make grants to institutions of higher education pursuant to this part for the acquisition of equipment and for minor remodeling described in section 503(2)(A).

"(c) There are also authorized to be appropriated $2,500,000 for the fiscal year ending June 30, 1966, $10,000,000 for the fiscal year ending June 30, 1967, and such amounts as the Congress may hereafter authorize for the three succeeding fiscal years, to enable the Commissioner to make grants to institutions of higher education pursuant to this part for the acquisition of television equipment and for minor remodeling described in section 503(a)(2)(B).

"(d) There is also authorized to be appropriated a sum not exceeding $1,000,000 for each of the fiscal years ending June 30, 1966, June 30, 1967, June 30, 1968, June 30, 1969, and June 30, 1970, to enable the Commissioner to make grants in such amounts as he may consider necessary for the proper and efficient administration of the State plans approved under this part including expenses which he determines are necessary for the preparation of such plans.

"Allotments to States

"SEC. 502. (a)(1) Of the funds appropriated pursuant to subsections (b) and (c) of section 501 for any fiscal year one-half shall be allotted by the Commissioner among the States so that the allotment to each State will be an amount which bears the same ratio to such one-half as the number of students enrolled in institutions of higher education in such State bears to the total number of students enrolled in such institutions in all the States; and the remaining one-half shall be allotted by him among the States in accordance with paragraph (2) of this subsection. For the purposes of this subsection, (A) the number of students enrolled in institutions of higher education shall be deemed to be equal to the sum of (i) the number of full-time students and (ii) the full-time equivalent of the number of part-time students as determined by the Commissioner in accordance with regulations; and (B) determinations as to enrollment shall be made by the Commissioner on the basis of data for the most recent year for which satisfactory data with respect to such enrollment are available to him.

"(2) For the purposes of this paragraph the Commissioner shall allot to each State for each fiscal year an amount which bears the same ratio to the funds being allotted pursuant to this paragraph as the product of—

"(A) the number of students enrolled in institutions of higher education in such State, and

"(B) the State's allotment ratio

bears to the sum of the corresponding products for all the States. For the purposes of this paragraph the allotment ratio for any State shall be 1.00 less the product of (i) 0.50 and (ii) the quotient obtained by dividing the income per person for the State by the income per person for all the States (not including Puerto Rico, the Virgin Islands, American Samoa, and Guam), except that the allotment ratio shall in no case be less than 0.33⅓ or more than 0.66⅔, and the allotment ratio for Puerto Rico, the Virgin Islands, American Samoa, and Guam shall be 0.66⅔. The allotment ratios shall be promulgated by the Commissioner as soon as possible after enactment of this Act, and annually thereafter, on the basis of the average of the incomes per person of the State and of all the States for the three most recent consecutive calendar years for which satisfactory data are available from the Department of Commerce.

"(b)(1) A State's allotment under subsection (a) from funds appropriated pursuant to section 501(b) shall be available in accordance with the provisions of this part for payment of the Federal share (as determined under section 504) of the cost of equipment and minor remodeling described in section 503(a)(2)(A).

"(2) A State's allotment under subsection (a) from funds appropriated pursuant to section 501(c) shall be available in accordance with the provisions of this part for payment of the Federal share (as determined under section 504) of the cost of television equipment and minor remodeling described in section 503(a)(2)(B).

"(c) Sums allotted to a State for the fiscal year ending June 30, 1966, shall remain available for reservation as provided in section 506 until the close of the next fiscal year, in addition to the sums allotted to such State for such next fiscal year. Sums allotted to a State for the fiscal year ending June 30, 1966, or for any succeeding fiscal year, which are not reserved as provided in section 506 by the close of the fiscal year for which they are allotted, shall be reallotted by the Commissioner, on the basis of such factors as he determines to be equitable and reasonable, among the States which, as determined by the Commissioner, are able to use without delay any amounts so reallotted. Amounts realloted under this subsection shall be available for reservation until the close of the fiscal year next succeeding the fiscal year for which they were originally allotted.

"State Commissions and Plans

"SEC. 503. Any State desiring to participate in the program under this part shall designate for that purpose an existing State agency which is broadly representative of the public and of institutions of higher education in the State, or, if no such State agency exists, shall establish such a State agency, and submit to the Commissioner through the agency so designated or established (hereafter in this part referred to as the 'State commission'), a State plan for such participation. The Commissioner shall approve any such plan which—

"(1) provides that it shall be administered by the State commission;

"(2) sets forth, consistently with basic criteria prescribed by regulation pursuant to section 504, objective standards and methods (A) for determining the relative priorities of eligible projects for the acquisition of laboratory and other special equipment (other than supplies consumed in use), including audiovisual materials and equipment for classrooms or audiovisual centers, and printed and published materials (other than textbooks) for classrooms or libraries, suitable for use in providing education in science, mathematics, foreign languages, history, geography, government, English, or education at the undergraduate level in institutions of higher education, and minor remodeling of classroom or other space used for such materials or equipment; (B) for determining relative priorities of eligible projects for the acquisition of (i) television equipment for closed-circuit direct instruction in such fields in such institutions (including equipment for fixed-service instructional television, as defined by the Federal Communications Commission, but not including broadcast transmission equipment, (ii) necessary instructional materials for use in such television instruction, and minor remodeling necessary for such television equipment; and (C) for determining the Federal share of the cost of each such project;

"(3) provides (A) for assigning priorities solely on the basis of such criteria, standards, and methods to eligible projects submitted to the State commission and deemed by it to be otherwise approvable under the provisions of this part; and (B) for approving and recommending to the Commissioner, in the order of such priority, applications covering such eligible projects, and for certifying to the Commissioner the Federal share, determined by the State commission under the State plan, of the cost of the project involved;

"(4) provides for affording to every applicant which has submitted to the State commission a project, an opportunity for a fair hearing before the commission as to the priority assigned to such project or as to any other determination of the commission adversely affecting such applicant; and

"(5) provides (A) for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State commission under this part, and (B) for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his functions under this part.

"Basic Criteria for Determining Priorities, Federal Share, and Maintenance of Effort

"SEC. 504. (a) As soon as practicable after the enactment of this Act the Commissioner shall by regulation prescribe basic criteria to which the provisions of State plans setting forth standards and methods for determining relative priorities of eligible projects, and the application of such standards and methods to such projects under such plans, shall be subject. Such basic criteria (1) shall be such as will best tend to achieve the objectives of this part while leaving opportunity and flexibility for the development of State plan standards and methods that will best accommodate the varied needs of institutions in the several States, and (2) shall give special consideration to the financial need of the institution. Subject to the foregoing requirements, such regulations may establish additional and appropriate basic criteria, including provision for considering the degree to which applicant institutions are effectively utilizing existing facilities and equipment, provision for allowing State plans to group or provide for grouping, in a reasonable manner, facilities or institutions according to functional or educational type for priority purposes, and, in view of the national objectives of this Act, provision for considering the degree to which the institution serves students from two or more States or from outside the United States; and in no event shall an institution's readiness to admit such out-of-State students be considered as a priority factor adverse to such institution.

"(b) The Federal share for the purposes of this part shall be 50 per centum of the cost of the project, except that a State commission may increase such share to not to exceed 80 per centum of such cost in the case of any institution proving insufficient resources to participate in the program under this part and inability to acquire such resources. An institution of higher education shall be eligible for a grant for a project pursuant to this part in any fiscal year only if such institution will expend during such year for the same purposes as, but not pursuant to, this part an amount at least equal to the amount expended by such institution for such purposes during the previous fiscal year. The Commissioner shall establish basic criteria for making determinations under this subsection.

"Applications for Grants and Conditions for Approval

"SEC. 505. (a) Institutions of higher education which desire to obtain grants under this part shall submit applications therefor at such time or times and in such manner as may be prescribed by the Commissioner, and such applications shall contain such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to make the determinations required to be made by him under this part.

"(b) The Commissioner shall approve an application covering a project under this part and meeting the requirements prescribed pursuant to subsection (a) if—

"(1) the project has been approved and recommended by the appropriate State commission;

"(2) the State commission has certified to the Commissioner, in accordance with the State plan, the Federal share of the cost of the project, and sufficient funds to pay such Federal share are available from the applicable allotment of the State (including any applicable reallotment to the State);

"(3) the project has, pursuant to the State plan, been assigned a priority that is higher than that of all other projects within such State (chargeable to the same allotment) which meet all the requirements of this section (other than this clause) and for which Federal funds have not yet been reserved;

"(4) the Commissioner determines that the project will be undertaken in an economical manner and will not be overly elaborate or extravagant; and

"(5) the Commissioner determines that the application contains or is supported by satisfactory assurances—

"(A) that Federal funds received by the applicant will be used solely for defraying the cost of the project covered by such application,

"(B) that sufficient funds will be available to meet the non-Federal portion of such cost and to provide for the effective use of the equipment upon completion, and

"(C) that the institution will meet the maintenance of effort requirement in section 504(b).

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulation, be subject to approval in the same manner as original applications.

"Amount of Grant—Payment

"SEC. 506. Upon his approval of any application for a grant under this part, the Commissioner shall reserve from the applicable allotment (including any applicable reallotment) available therefor, the amount of such grant, which (subject to the limits of such allotment or reallotment) shall be equal to the Federal share of the cost of the project covered by such application. The Commissioner shall pay such reserved amount, in advance or by way of reimbursement, and in such installments as he may determine. The Commissioner's reservation of any amount under this section may be amended by him, either upon approval of an amendment of the application covering such project or upon revision of the estimated cost of a project with respect to which such reservation was made, and in the event of an upward revision of such estimated cost approved by him he may reserve the Federal share of the added cost only from the applicable allotment (or reallotment) available at the time of such approval.

"Administration of State Plans

"SEC. 507. (a) The Commissioner shall not finally disapprove any State plan submitted under this part, or any modification thereof, without first affording the State commission submitting the plan reasonable notice and opportunity for a hearing.

"(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State commission administering a State plan approved under this part, finds—

"(1) that the State plan has been so changed that it no longer complies with the provisions of section 503(a), or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State commission that the State will not be regarded as eligible to participate in the program under this part until he is satisfied that there is no longer any such failure to comply.

"Judicial Review

"SEC. 508. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under this part or with his final action under section 507, such State may appeal to the United States court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States. The Commissioner shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254.

"Limitation on Payments

"SEC. 509. Nothing contained in this part shall be construed to authorize the making of any payment under this part for any equipment or materials for religious worship or instruction.

"Part B—Faculty development programs

"Institutes Authorized

"SEC. 521. There are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1966, and for each of the four succeeding fiscal years, to enable the Commissioner to arrange, through grants or contracts, with institutions of higher education for the operation of them by short-term workshops or short-term or regular-session institutes for individuals (1) who are engaged in, or preparing to engage in, the use of educational media equipment in teaching in institutions of higher education, or (2) who are, or are preparing to be, in institutions of higher education, specialists in educational media or librarians or other specialists using such media.

"Stipends

"SEC. 522. Each individual who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of $75 per week for the period of his attendance at such institute and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each dependent. No stipends shall be paid for attendance at workshops."

On page 71, redesignate title V as title VI, and on pages 71 through 74, redesignate sections 501 through 504 as sections 601 through 604 respectively.

EXHIBIT 1.—THE ECONOMICS OF INSTRUCTIONAL MEDIA IN HIGHER EDUCATION

(Compiled by Charles F. Schuller, professor of education, director, Audiovisual Center, Michigan State University, June 1965)

(NOTE.—The preparation of this paper has been greatly aided by information and suggestions from numerous experts, including Dr. John Dietrich, Dr. Craig Johnson, and Dr. John Barson (Michigan State University); Dr. S. N. Postlethwait (Purdue); Dr. Donald Ely (Syracuse University); Mr. Harold Hill (National Association of Educational Broadcasters); Dr. Robert Snider (Department of Audiovisual Instruction, NEA); Mr. Ben Edelman (Electronics Industries Association); Dr. Edward Bernard (New York City public schools).)

INTRODUCTION

The calculation of costs of college or university instruction is an intricate and complex task. It can be accomplished, however, if one recognizes at the outset and throughout the discussion that there are three kinds of related variables included in any cost information given. The first is the matter of quality of instruction, which has a direct relationship to the quality of resultant learning. There is a value relationship, for example, between the quality of programing done on closed-circuit television, the cost of developing such programing, and the amount of learning which results from it.

Secondly, there is a wide variation in technical costs. As an example, video tape recorders are a major input component of any closed-circuit system and can range in price from $15,000 to $36,000 with a new low-priced one at $4,000. One or more may be needed, according to the number of simultaneous channel offerings required, and a range of recorders may be needed according to the nature and number of subjects called for. Color facilities will increase this cost by 50 percent.

Thirdly, there is considerable variation in costs depending upon how various types of media are actually used in the classroom. The more important aspects of this variable involved seem to be (1) the scale of assistance used in supporting instructional programs production (art work, photography, etc.), (2) the location used for televising the presentation (studio, classroom, lecture hall, etc.), (3) the use of "live" versus studio tape television instruction, (4) the amount of instructional input per program, i.e., the proportion of the instructor's time devoted to TV and the number of programs prepared per week or per year, (5) the proportion of the programs which are remade each semester or each year, (6) the number of students viewing the program and the organization of the viewing situation, i.e., the number of times the program needs to be repeated per day or per year and (7) the salary scale of the television professor(s) or teachers.[1] The above alternatives apply in greater or lesser degree to the whole range of instructional media applications in college instruction.

If at this point it appears that any cost analysis will tend to become hopelessly confused by such variables as cited by Paden, it will be helpful to keep two factors in focus which make the effort worthwhile. First, research in abundance has established the fact that media of various kinds, appropriately applied to well-planned instructional programs, can achieve equal or better learning results than conventional forms of college instruction and they can frequently do so for vastly larger numbers of students. Secondly, these benefits become possible only when the new media and materials necessary are actually on hand. In the great majority of higher institutions, newer forms of instructional media are available on a very limited basis; in many, for practical purposes, they are nonexistent.

The following discussion is organized on the basis of (1) instructional media typically described as audiovisual media and materials including all types of projection, recording, and sound equipment and materials; (2) language laboratories; and (3) closed-circuit television installations. These are interpolated in two cases into per student-hour costs with relevant information and rationale provided where it may be helpful for reference.

AUDIOVISUAL EQUIPMENT AND MATERIALS

Audiovisual instructional materials and equipment range from chalkboards, pictures and other simple illustrations through graphics, slides, filmstrips, instructional films, audio tape recordings, public address systems for large classrooms, models, maps and globes, and the various projectors, recorders, playback machines and sound equipment needed to present many of these materials in classrooms. Along with such equipment and materials, storage and retrieval services, maintenance, distribution and production services are necessary if the materials are to be effectively used by college professors. In the few large institutions with effective on-going instructional media programs, including CCTV, budgets for centers providing media services range from $12 to $15 per full-time student enrolled. Thus an institution with 20,000 students should be in a position to expend $240,000 per year on instructional media and media services, including the costs of professional specialists needed to assist with planning and effective use in instruction of materials and equipment provided. In institutions with smaller enrollments, the cost per student may be proportionately higher before effective use can be achieved since a basic provision of equipment, materials and services is necessary.

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[1] Paden, Donald W., (professor of economics, University of Illinois) "The Teaching of Economics Via Television at the College Level" in "Televised College Courses," by Meaney, John W., "The Fund for the Advancement of Education," 1962, pp. 77–78.

One of the best examples of effectively integrated use of instructional media of various types is found at Purdue University where Dr. Samuel Postlethwait, professor of biology, with the help of his students and associates over a period of several years has developed a new and highly effective method of teaching botany by means of an audiotutorial system. This system involves a variety of equipment, specimens, self instruction, laboratory experiments and self-teaching sequences of study, experimentation, and testing. It was described and illustrated by Dr. Postlethwait before the Senate Subcommittee on Education and Welfare on June 2, 1965.

The following cost analysis (see table) is based upon his program which conventionally involved approximately 380 students taught by 2 hours per week of lecture, 1 hour per week of recitation, and 3 hours per week of laboratory, as compared with the new program involving audio tutorial teaching for approximately 500 students taught by 1 hour per week of general assembly session, 1 hour per week of small assembly session and 2½ hours per week in independent study sessions. With minor modifications the system will accommodate 600 students.

With the purchase of some $25,000 in projection and sound tape materials and equipment for this class, Dr. Postlethwait was able to reduce overall instructional costs from $15 to $12 per student credit hour, to accommodate 120 more students per year, to teach 50 percent more content and to achieve significantly higher levels of student achievement. In addition, one $40,000 laboratory and 42 microscopes were freed for use in other courses.

Comparative costs of conventional and audiotutorial systems of teaching freshman botany at Purdue University (1964)

[S. N. Postlethwait, professor of biology]

Item	Conventional system	Audiotutorial system	Costs per 4-year period	
			Conventional	Audiotutorial
Number of students	1,200 per year (600 per semester).	1,200 per year (600 per semester).	4,800	4,850
Staff:				
Senior	¾ at $9,000=$9,000	¾ at $9,000=$9,000	$36,000	$36,000
Instructor	2 at $7,000=$14,000	2 at $7,000=$14,000	56,000	56,000
Graduate students	11 at $2,500=$27,500	8 at $2,500=$20,000	110,000	80,000
Total staff			202,000	172,000
Space:				
Lecture hall (300)	8 hours per week	4 hours per week		
Recitation room (30)	20 hours per week	20 hours per week		
Laboratory (36)	2 labs at $40,000=$80,000	1 lab at $40,000=$40,000	80,000	40,000
Equipment: [1]				
Tape players		30 at $175=$5,000		5,000
Tapes		135 at $3=$400		400
Projectors		30 at $80=$2,400		2,400
Fairchild projector		1 at $475=$475		475
Booths		30 at $60=$1,800		1,800
Films		420 at $15=$6,300		6,300
Microscopes	72 at $200=$14,400	30 at $200=$6,000	14,400	6,000
Other	18 at $1,000=$18,000	2 at $1,000=$2,000	18,000	2,000
Total equipment			32,400	24,375
Total			314,400	236,375
Cost per student per 4 hours credit			+60	+49
Cost per student per credit-hour			15	12

[1] Equipment and laboratory should be useful for more than 4 years.

It is important to note that Dr. Postlethwait's own enthusiasm and skill as a teacher are paramount factors in the success of this experiment. Countless hours had to be applied to planning, to the preparation and production of appropriate teaching and learning materials, and to the organization and development of the new system. Without these ingredients, the system would not work as successfully. The fact that the new system costs less per student credit hour than the previous conventional system is fortunate but of far less importance than the fact that the teaching-learning results achieved have proved to be significantly superior by whatever measure that might be applied, including the return per dollar of educational investment. A similar study with similar results has been conducted by Dr. W. Westerfeld at Penn State University and several other universities are currently experimenting with Postlethwait's technique.

LANGUAGE LABORATORIES

Audio-tape laboratories (more commonly known as language laboratories) have established their value not only in the teaching of foreign languages, but in such subjects as speech, music, English grammar and mathematics. The Modern Language Association has given its official approval to language laboratories as an improved means of teaching foreign languages via the audio-lingual approach. This approach concentrates on learning to understand and speak the language prior to learning to read or to write it. At the present time, there are estimated to be over 10,000 language laboratories in the United States, most of them in secondary schools.

Heavy increases in enrollment in foreign language courses have taken place during the past 5 years. Many additional languages including Russian, Chinese, and Arabic, have been added to course offerings of major colleges and universities. Increased enrollment in traditional language courses and the addition of new languages being taught—have stepped up the already heavy need for language laboratories in colleges and universities of the United States. The potential for similar laboratories to assist in the teaching of English as a foreign language, and of other courses lending themselves to audio-tape system treatment will further expand this demand in the years immediately ahead.

The cost of a 50-position language laboratory with surface wiring complete with console and installation ranges from $22,000 to $25,000 depending upon local labor costs, exclusive of power lead-in costs. Concealed wiring (as in floor channels) adds up to 50 percent to these costs. A 100-position audiotape laboratory with surface wiring, console, etc. costs from $39,000–$43,000.

A newer type multipurpose audio-tape laboratory with removable booth separators, no exposed wiring and solenoid locks would cost approximately $500 per position or from 13 to 15 percent more than the standard booth laboratory typically used in foreign language courses. All of the above prices are exclusive of necessary conduit or channels for concealed wiring, of costs of bringing electrical power (115 AC) to the system, or of costs for necessary building alterations.[2]

CLOSED-CIRCUIT TELEVISION

The use of closed-circuit television appears to be an essential means of resolving problems of heavy enrollment in basic undergraduate courses. As an example, Michigan State University will teach 18,000 credit hours via CCTV during the fall 1965 quarter. This is more than will be taught this fall in any one of 5 of the 11 colleges on Michigan State University's campus. While such volume tends to raise questions of quality of instruction, of loss of personal contact between teachers and students, and of consequent learning outcomes, the evidence of over $1 million worth of research studies demonstrates that instruction by CCTV can be successfully performed without harm or loss to the student and that many of the apparent disadvantages of televised instruction by CCTV can be offset (1) by high quality programing and (2) by using television as an integrated part of a total instructional development program with built-in opportunities for small group discussions, laboratory experiences, and instructor-student contact.

A number of the variables relating to the cost of CCTV installations were cited in the introduction to this paper. The following paragraphs reflect some of these and give detailed information on costs of various components in a CCTV operation suitable for college or university purposes.

A. General

Initial installations are likely to vary considerably according to purposes to be included: simple one-room camera-receiver combinations for magnification to multistudio program-producing with supporting input devices like VTR, film-chains, etc. These are present-day systems in a few hundred institutions.

However, sophisticated approaches would recognize opportunities to integrate with CCTV other media systems so that a comprehensive communication network is planned for, with provision for public address; live radio and TV; and recorded programs (audio and video-tapes, records, etc.) can be distributed to auditoriums, classrooms, study-carrels, lounges, dormitories, etc. (or even broadcasts). This suggests a distribution network and control center, with origination from a variety of sources, and with reception or display at all distribution points by manual or automatic selection.

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[2] The above figures are provided by Dr. Edward Bernard, supervisor, AV Ed., board of education, New York City public schools, and Prof. Elton Hocking, chairman, Department of Foreign Language, Purdue University.

A satisfactory plan needs to recognize ultimate goals, with distribution provided for this ultimate concept where possible by sufficiently large capacity cable runs capable of handling color TV, audio, data transmission, control circuits, etc.; but with such segments fully equipped to meet only current needs. Program origination and inputs can be enlarged by scheduled additions of equipment; classroom reception can be extended by equipment additions, carrels and dormitory reception for individual study can be added in.

B. Original equipment

Studies are probably basic for higher education installations since they provide for program experimentation and development, and this will maintain the individualism of the institution and its faculty. Aside from construction, air conditioning, and lighting, there can be a range of costs from $12,000 to $65,000 based on types of cameras, consoles, etc.; where color is involved, 50 percent additional should be added.

Video tape recorders are a major input component and these range in price from $10,000 to $36,000, with a new low-priced one at $4,000. One or more are needed, according to the number of simultaneous channel offerings; a range of recorders are probably indicated according to quality of subject screening called for. Color would increase these figures by 50 percent also.

Film/slide chains for inputting these source materials range from $2,000 to $16,000, and a number of these may be called for according to the number of simultaneous channel offerings required.

Provision for origination in classrooms either for intraclassroom display or for transmission to other rooms can also be accommodated by modest expenditures for portable cameras, lighting, microphones and connectors to the cable distribution system at a cost of $3,000 to $6,000.

Also, provision for taking programs "off the air" by antennas, tuners, converters, amplifiers, and readying it for distribution are very much in order. Modest sums up to a few thousand dollars should cover most situations.

C. Reception and display equipment

In classrooms the simple TV presentation can be by home-type receivers, with local channel selection from a multichannel cable outlet. Such receivers are in the $100 to $200 range depending on mounting arrangement, with two or more per room; color would double the expenditure. In line with the "integrated media systems," approach, audio for public address, radio, and TV could be accomplished by separate loudspeakers (probably ceiling-mounted); this would permit silent monitors to present the video portion if a central control center were to select the channel offering in response to teacher demand or schedule. Similar arrangements for auditoriums, gymnasiums or large classrooms can be attained by merely increasing the number of receivers or monitors.

There are also large screen projection systems at prices ranging from $2,000 to $4,000 which can be employed in classrooms or auditoriums. High quality fine line TV projection equipment for this purpose may cost up to $60,000.

The use of study carrels or dormitory reception would probably be associated with "integrated systems" since access to a library of materials would be appropriate from a response center. The TV reception equipment would approximate receiver costs.

D. Distribution equipment

The approaches to this phase need to be based on building coverage; multibuilding or campus coverage; or multicampus or remote location coverage. Within a building, a central control area feeding multichannel, RF distribution loops with selection at the receiver may be adopted; or a radial distribution of RF, or video and audio may be managed from the center on directions from a receiving point.

Where more than one building is concerned, the additional buildings need only be extensions of the distribution system, accomplished by cable linkages; or by microwave radio links based on economic considerations relating to number of channels, topography, and maintenance costs.

Again where remote buildings (even in distant cities) are involved, the same questions of cable or microwave links arise, but additional questions of right-of-way may have to be met unless common carrier services are resorted to.

In general, when planning to include extra-building distribution (currently or in the future) consideration can be given to leased service from common carriers for both the links and the intra-buildings distribution.

Due to the special tailoring of distribution systems, costs are hard to cover by preset formulas or unit costs. However, some approximations may be useful. Per channel costs for the "head end" or control point might vary from $40 to $75 additional. Separate audio would add 50 percent. Cable runs outside would be on the order of $4,000 per mile (for 12 channels); while microwave links (2,500 megacycle) would start the first channel for $25,000 to $30,000 with each additional channel or talk-back channel costing about $10,000.

On the basis of securing leased services, the per-mile monthly charges start at $27.50 and drop to $12.50 and $10 at the second and fourth additions. It also appears likely that 12-channel cable service suitable for color TV (and a broad range of other services) could be anticipated at $150 per month per mile.

E. Maintenance and operation

Annual maintenance costs (on all but leased facilities) should range from 5 to 10 percent of installed cost (about 8 percent on microwave) unless installations are modest where the ratio must be higher.

Operation will require a manpower and "materials" budget ranging from part-time service to fully manned control centers.

F. Instructional costs

Costs studies at Michigan State University and at Penn State University establish the fact that closed-circuit television tends to be equal in cost or less expensive than conventional instruction when 400 or more students are involved.

Perhaps even more important is the fact that if, in consequence of use of closed-circuit television on higher education campuses, fewer large auditoriums need to be built, there could be even greater savings and increased instructional efficiency. Further, given a minimum of 400 students in a course, the question of dollars becomes less important than the fact that the academic department is provided with instructional choice. Every classical teacher would like to have Mark Hopkins on one end of a log and a student on the other, but there are some doubts about whether or not you have a good education if you have a recent B.A. graduate teaching assistant on one end of the log and a student on the other.

Closed-circuit television provides the opportunity for the department to present its master teachers to the beginning student even though in a somewhat impersonal way. (Even this is coming into some question on the basis of a recent study at Michigan State University which shows that students are far less concerned than faculty with this question and that they do react personally to the television form when it is effectively presented.)

The following analysis by Drs. Gardner Jones and Wayne Cunningham, of the College of Business, shows comparative costs per student exposure hour of several types of teaching methods at Michigan State University.

Comparative costs per student exposure hour using varying teaching methods[1]

Course method	Cost per student exposure hour with—	
	400 students	800 students
3 hours per week live CCTV	$0.457	$0.369
3 hours per week CCTV tape replay	.376	.328
3 lectures per week, 400 students per lecture	.406	.406
2 lectures per week and 1 recitation per week	.479	.329
1 lecture per week and 2 recitations per week	.496	.421
3 recitations per week	.696	.696

[1] From Jones, Gardner, and Cunningham, Wayne, College of Business, Michigan State University, "Cost Analysis of Instruction by Closed Circuit Television," p. 20, 1964.

NOTE.—3 hours per week live CCTV, with taped replay of same to subsequent section (schedule D-7). This method lends itself well to courses with large enrollments. The cost is reduced to $0.265 where it is taped live and played back twice to accommodate a total enrollment of 2,000 students.

ADDITIONAL COSPONSORS OF BILLS

Mr. JAVITS. Mr. President, I ask unanimous consent that the name of the Senator from Alaska [Mr. BARTLETT] may be added as a cosponsor of S. 2113, S. 2114, S. 2115, and S. 2116, bills which the present occupant of the chair, Mr. KENNEDY of New York, and I have introduced.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I ask unanimous consent that the senior Senator from New York, Senator JACOB K. JAVITS, a member of the Subcommittee on Constitutional Rights, be added as a cosponsor of the bill S. 1357, which would amend the Federal bail laws.

ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of June 23, 1965, the name of Mr. BREWSTER was added as an additional cosponsor of the bill (S. 2184) to require clinical laboratories which transact business in interstate commerce to comply with minimum standards prescribed by the Surgeon General in the performance of laboratory procedures, and for other purposes, introduced by Mr. JAVITS (for himself and Mr. MURPHY) on June 23, 1965.

SUBCOMMITTEE HEARINGS ON POSTAL AFFAIRS

Mr. YARBOROUGH. Mr. President, as chairman of the Subcommittee on Postal Affairs of the Senate Post Office and Civil Service Committee, I wish to announce that public hearings will be held in room 6202 of the New Senate Office Building on Friday, July 9, 1965, at 10 a.m., on H.R. 1771 and S. 1668. This legislation would permit postmasters to have a 5-day workweek. Under present law almost all postmasters are required to work 6 days a week. Persons wishing to testify should arrange to do so by calling 225-5451.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. SCOTT:

Editorial from the Philadelphia Inquirer of June 15, 1965; also a press release prepared by himself, on the subject of high-speed ground transportation.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VISIT TO RUSSIA AND ITS SATELLITES

Mr. SYMINGTON. Mr. President, Marvin Millsap, author of an article in the Ozarks Mountaineer entitled "We Visit Russia and Its Satellites," is both an educator and an outstanding business executive who has now retired to the beauty of the Ozark mountain country in Taney County, Mo. He and his wife devote much of their time to travel. Last fall they spent several months behind the Iron Curtain.

What interested me especially about this article, written by a former official of one of the world's great corporations, General Motors, is his conclusion. Millsap makes these statements:

> Here are some general observations about Russia. I think them valid ones. Remember that industrial Russia as we know it today is no more than 25 years old. Keeping that in mind, their progress has been tremendous. They are generally behind our standards, but have come a long way in a short time. We found the Russian people happy and friendly. By our standards of living they are far behind, but when you compare their present standards of living with what they had only a few years ago, they have made much progress. In our political campaign vernacular, "they never had it so good."
>
> They have a deep fear of a large-scale war, for they have had much experience with war on their own soil, suffering devastating losses. I am convinced that they want no part of a nuclear war. They have a genuine concern about a billion unfriendly Asiatic Communists on their eastern border. I think as time goes by they must look westward.
>
> One other general observation. The satellite countries of Eastern Europe are gradually pulling away from Russian dominance. They generally feel that they have an older and richer culture than the Russians have, a better educational system, and a higher standard of living. Then too, they see the fruits of an independence of spirit in Yugoslavia. Here great progress has been made, and the other Eastern European countries feel that they can and should do likewise. Nowhere is this more evident than in Rumania where they have largely reoriented their economy. For centuries Rumania's economy was an agricultural one. It is now being high industrialized, despite the fact that Russia had expected it to continue to be a breadbasket of the Communist bloc. The same is going on elsewhere in varying degrees.
>
> We feel our trip to Eastern Europe was interesting and worthwhile. We think that it would be a worthwhile experience for everyone. Our attitude toward Eastern Europe and our approach to dealing with these countries should be adult, realistic and practical. It seems to me it has been none of these. We need these people for friends. They represent a great potential market for goods from our factories. I think we should revise our attitudes and beliefs about the Communist countries of Eastern Europe.

I am sure my colleagues would be interested in the entire article by Mr. Millsap and therefore ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE VISIT RUSSIA AND ITS SATELLITES

(By Marvin Millsap)

Late last summer, Mrs. Millsap and I were invited to join a delegation to go to Eastern Europe to study education under communism under the sponsorship of the Comparative Education Society. Dr. Gerald Read, professor of secondary education, Kent State University, Kent, Ohio, was the leader. There were 83 members in the delegation, made up of college and university presidents, deans, professors, school superintendents, principals, classroom teachers, and members of boards of education. These members represented a cross section of the United States. Poland, Russia, Rumania, Yugoslavia, Hungary, Czechoslovakia, and East Germany were visited. We left the group when we finished our work in Prague and continued on to the Middle East and Central Africa, independently.

The host countries did an excellent job in planning a full working schedule and did everything possible to make our stay a pleasant and worthwhile experience. While access to Eastern European countries is not an easy matter, we experienced a minimum of problems. I dare say, no more in fact, than their nationals would experience in entering and moving about the United States. Our hosts used great care, apparently, in providing good food and hotel accommodations. While there was no general agreement on the subject, I felt that both the food and the hotel accommodations were excellent. In Warsaw, Moscow, and Belgrade we were in smart, nearly new hotels. In Bucharest, Budapest, and Prague we were housed in older hotels, carrying on the traditions of the past. I am pleased that we had both experiences.

Arrangements had been made for us to visit a variety of educational institutions, attending classes, meeting and discussing school matters with teachers and students. Seminars were conducted by the Ministries of Education, the Trade Union of Teachers, and lectures were given by first-rate people in the Academies of Pedagogical Sciences, the Academy of Sciences, and by some of the countries' leading political scientists and economists. The better part of a full day was spent with Dr. Bebler in Belgrade. He is the Chief Justice of the Constitutional Courts. It was evident that a genuine effort was made to help members of the delegation get, not necessarily a good impression, but rather, a correct one. I found it necessary to revise my impressions and I think that the average American citizen visiting Eastern Europe for the first time will revise many of his assumptions and beliefs.

It has been said that there are two types of authorities on Russia. There is the person who has spent the last 40 years studying and observing the emergence of Russia from the insignificance of a country of peasants to a world power. Then there is the person who spends 40 days observing the largest country in the world—one that spans two continents and represents one-sixth of the inhabited world. In regard to Russia, both are equally unreliable. I represent the 40-day variety.

We visited only the capitol cities, and just as Washington is not America, neither is Moscow, Russia, but certainly Moscow is more nearly Russia than Washington is America. It should be self-evident that there were real limitations on what could be learned in so short a time. Even though it should be understood that each country would make a real effort to create a good impression, it must also be obvious that it would be possible for a discerning person to make his own observations and to gain some very real impressions. While generally the observations would be superficial, they need not be invalid ones.

I have been asked many times, "what are the Russians like?" Often I have replied, "they are like Russians." This is not intended to be a smart, cute answer, but rather it is intended to call attention to the need of understanding the historical and nationalistic background of the Eastern European countries. One needs to remember that the Russians are products of more than 800 years of violent history. It also needs to be remembered that Russia was a police state long before the Communists came on the scene. When thinking of their fear and suspicion of the outsider, it helps to remember that during those 800 years they have been invaded and overrun by Monguls, Tartars, Turks, Poles, Swedes, French, and Germans.

While visiting the capitols of Eastern Europe, one is conscious of real and significant differences between the various countries, but there are also some similarities. The people are products of some of the same historical influences. They knew the same rulers and oppressors: hating alike, the Hapsburgs of Austria and the sultans of Turkey. They all share a genuine fear and a complete distrust of Germany. The rearming of Germany and our position on a united Germany are not pleasant subjects when visiting with Eastern Europeans.

Since the purpose of our visit to Eastern Europe was to observe education under communism some brief observations seem in order. Education in Eastern Europe is like life in general, varied and complex. There are similarities and there are differences in the several countries. It is difficult, therefore, in a short space to describe education in Eastern Europe. Public education, as we know it, is a very recent development, a product of the last 25 years. Public or mass education is used in Eastern Europe to build a new social order. Under communism, education is used to indoctrinate the student in the values of a communistic society and to train him in the skills most needed by the state.

The Soviets believe that if a child is reached early enough, and if the indoctrination is thorough enough, the desired product will result. In this connection the out-of-school pursuits of children are closely supervised through the Octobrus Organizations which a child enters at the age of 7; the Pioneers, to which he is graduated at the age of 9 and the Konsummal, which he enters at the age of 15. We visited in Moscow the Palace of

Pioneers, where several hundred hobby clubs are available to children, and where the finest modern educational equipment, including a very modern planetarium is available. Here they teach not only the importance of space, but even at this age level, are attempting to teach an understanding and knowledge of space.

I have a notion that the work being done here is significant out of all proportion to its surface implications. Eight or nine years of schooling is compulsory. Admission to secondary school is open to all without examination. After completing 8 or 9 years in the elementary school and lower secondary school, a pupil is admitted to a general secondary school. Admission to higher educational institutions is by examination. The number admitted is determined by space available and by the needs of the economy for workers. Competition is keen, for more seek admission than space is available. There are strong incentives for youths and adults alike to go as far as possible because most jobs are defined in terms of education. Parents are held strictly responsible for the discipline of their children. There is a shortage of teachers and plant facilities. The school plant generally is used on a two-shift basis, 6 days a week and 11 months a year.

While there was a consensus that generally our schools are substantially ahead of those in Eastern Europe, this may not be true in specific cases. I have a notion that Russia is doing an outstanding job in special science and mathematic schools. I feel, too, that they are doing a better job teaching foreign languages than we do, generally. I believe that most, if not all of our group, felt that there is a greater dedication on the part of both student and teacher there than there is here, generally. Seriousness of purpose was everywhere evident.

Here are some general observations about Russia. I think them valid ones. Remember, that industrial Russia as we know it today is no more than 25 years old. Keeping that in mind, their progress has been tremendous. They are generally behind our standards, but have come a long way in a short time. We found the Russian people happy and friendly. By our standards of living they are far behind, but when you compare their present standards of living with what they had only a few years ago, they have made much progress. In our political campaign vernacular, "they never had it so good."

They have a deep fear of a large scale war, for they have had much experience with war on their own soil, suffering devastating losses. I am convinced that they want no part of a nuclear war. They have a genuine concern about a billion unfriendly Asiatic Communists on their eastern border. I think as time goes by they must look westward.

One other general observation. The Satellite countries of Eastern Europe are gradually pulling away from Russian dominance. They generally feel that they have an older and a richer culture than the Russians have, a better educational system and a higher standard of living. Then too, they see the fruits of an independence of spirit in Yugoslavia. Here great progress has been made, and the other Eastern European countries feel that they can and should do likewise. No where is this more evident than in Rumania where they have largely reoriented their economy. For centuries Rumania's economy was an agricultural one. It is now beng highly industrialized, despite the fact that Russia had expected it to continue to be a breadbasket of the Communist bloc. The same is going on elsewhere in varying degrees.

We feel our trip to Eastern Europe was interesting and worthwhile. We think that it would be a worthwhile experience for everyone. Our attitude toward Eastern Europe and our approach in dealing with these countries should be adult, realistic, and practical. It seems to me it has been none of these. We need these people for friends. They represent a great potential market for goods from our factories. I think we should revise our attitudes and beliefs about the Communist countries of Eastern Europe.

CIVIL RIGHTS AND FOREIGN POLICY

Mr. JAVITS. Mr. President, I wish to call attention to a development in both civil rights and foreign policy which I consider to be of such moment as to deserve the attention of the Senate.

Over the weekend two civil rights leaders made statements which I believe merit widespread attention and deserve commendation. Both Roy Wilkins, executive director of the National Association for the Advancement of Colored People, and James Farmer, national director of the Congress of Racial Equality, spoke out against confusing the civil rights movement with opposition to U.S. foreign policy in Vietnam.

Mr. Wilkins was quoted as stating:

> When you mix the question of Vietnam into the questions of Mississippi and Alabama and voting and all the things that the American Negroes want in this country, you sort of confuse the issue * * *. The American Negro can be of greater aid to foreign policy and other problems as he grows stronger in this country. His first thought ought to be to strengthen his position as an American. If he is a third-rate citizen, his opinions on South Africa or Vietnam will have no effect.

Yesterday, Mr. Farmer was quoted as telling delegates at the CORE convention in Durham, N.C., that the task of his organization was to "mobilize as many people as possible" into the civil rights fight and that it ran the risk of losing the sympathies of many people if it became involved, as an organization, in Vietnam.

> We in CORE should make those decisions as individuals, not as an organization—

Mr. Farmer said.

Mr. President, I had occasion, at a civil rights rally which was held in Hempstead, Long Island, not so many weeks ago, to make a similar distinction, when I heard speakers mix the civil rights cause with opposition to the course of our Government in Vietnam. I, too, have expressed some reservation about the policy there and in the Dominican Republic. However, I have supported the President's general policy in both areas and intend to continue to do so.

But whatever may be the agreement or disagreement of any individual with the foreign policy being pursued under the direction of the President, such a position should stand on its own—based on the determination of what is best for the security of the United States and for peace of the world. Those who believe in the profound moral responsibilities of the United States to assure its Negro citizens of every right enjoyed by white citizens will make a great mistake if, in their sense of outrage at the cruel and unjust violations of these freedoms, they extend this moral condemnation to the actions of our Government in foreign policy.

History, our Constitution, our heritage and our consciences command us to devote ourselves to the moral struggle for civil rights; there is no other course for our Nation to take in this struggle but to move forward to insure full equal opportunity and equal rights to every American. In foreign policy, the issue is not as clear. There is no sure course to peace; and it is oversimplification to pretend that these two issues involve the same factors.

The Nation is genuinely divided on questions such as Vietnam. The civil rights cause, on the other hand, has an overwhelming consensus behind it. The momentum of this movement must continue. Any effort to insist that those who support the civil rights movement must also oppose U.S. foreign policy in some areas would have the effect of slowing that momentum and thereby damaging the whole cause of civil rights.

I urge other civil rights leaders to take considered judgment in this matter and to follow the lead of Roy Wilkins and James Farmer in guarding against the possibility of confusion over these two great issues, which, in my judgment, work not only to the detriment of the civil rights issue, but would make civil rights advocacy vulnerable to misuse by those who oppose them, whatever reasons they may have.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "CORE Reverses Call for Vietnam Pullout," and published in the New York Times of July 6, 1965, and an article entitled "Peace and Civil Rights," and published in the New York Times of July 5, 1965.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, July 5, 1965]

PEACE AND CIVIL RIGHTS—MOVEMENTS VIEWED AS GROWING CLOSER—DR. KING URGES END OF WAR IN VIETNAM

(By John Herbers)

WASHINGTON, July 4.—The Negro revolution, which has been concerned primarily with attacking racial discrimination, is showing signs as well of becoming a vehicle for opposition to the U.S. military posture abroad. Although there has traditionally been a close relationship between the civil rights and peace movements, most Negro leaders have avoided issues of foreign policy for tactical reasons.

Chief among these leaders has been the Reverend Dr. Martin Luther King, Jr., president of the Southern Christian Leadership Conference. Last week Dr. King told an audience of Negro leaders in Petersburg, Va., that the time had come for the civil rights movement to become involved with the problem of war.

THE LONG NIGHT

"It is worthless," he said, "to talk about integrating if there is no world to integrate in." He went on:

"I certainly am as concerned about seeing the defeat of communism as anyone else, but we won't defeat communism by guns or bombs or gases. We will do it by making democracy work.

"The war in Vietnam must be stopped. There must be a negotiated settlement even with the Vietcong. The long night of war must be stopped."

To those accustomed to hearing Dr. King speak, the words had a strange sound. Suddenly the imagery of "the long night," which Dr. King has used to describe the plight of the American Negro, had been shifted to southeast Asia.

After the speech, Dr. King said in response to questions that the directors of his Atlanta-based organization had discussed the possibility of holding "peace rallies just like we have freedom rallies." He said they might be similar to the campus teach-ins held by critics of American policy in Vietnam.

WILKINS VOICES DOUBT

Some other Negro leaders, however, have reservations about civil rights organizations' taking any position on foreign policy. Roy Wilkins, the executive director of the National Association for the Advancement of Colored People, said today, "We have enough Vietnams in Alabama."

Mr. Wilkins was interviewed on the CBS radio and television program "Face the Nation." He said:

"When you mix the question of Vietnam into the questions of Mississippi and Alabama and vote and all the things that the American Negroes want in this country, you sort of confuse the issue."

After the program Mr. Wilkins said:

"The American Negro can be of greater aid to foreign policy and other problems as he grows stronger in this country. His first thought ought to be to strengthen his position as an American. If he's a third-rate citizen his opinions on South Africa or Vietnam will have no effect."

THE NEW DIRECTION

While the major civil rights organizations have refrained from becoming formally committed to the peace movement, their leaders' increased participation in it is seen as opening up the possibility of a new force against American military involvement abroad.

The decision to broaden the Negro protest is part of the new direction the civil rights movement has taken now that most legal barriers to equality have been removed. The trend is to put less emphasis on direct action against racial discrimination and more on politically activating the poor and underprivileged.

A few days ago the Fellowship of Reconciliation, a peace group based in New York, held a conference on the campus of Georgetown University here to explore the possibility of a merger between the peace and civil rights movements.

FARMER'S VIEW

One of the speakers was James Farmer, national director of the Congress of Racial Equality. A woman in the audience who had spent many hours picketing the White House said:

"As if the Pentagon was not enough, I understand a new Defense Building is to be constructed in Washington. Now here is an opportunity for the peace and civil rights movements to get together in protest."

Mr. Farmer said that he would approve of such action "on an ad hoc basis," but that he did not believe there should be any formal merger of the two movements.

"CORE should not be a peace movement," he said. "It would divert too much of our energies. Yet on specific issues the two should be coordinated. As an individual I object to our Vietnam policies. As individuals we should and would be involved in both."

CHANGE IN PURPOSE DENIED

Mr. Farmer said most Negro leaders believed that much of the military budget should be diverted to domestic projects such as the eradication of poverty and slums.

The Reverend Andrew Young, one of Dr. King's chief assistants, said in a telephone interview that the Southern Christian Leadership Conference "is not about to switch purposes."

Many supporters of civil rights also support the Johnson administration's foreign policy, Mr. Young noted.

He added, however, that most Negro leaders, particularly those who have adopted nonviolence as "a way of life," had an affinity for the peace movement.

Negroes, he said, have the feeling that much of American foreign policy is based on a prejudice against dark-skinned people.

"One day during the Dominican crisis," Mr. Young said, "we were looking at television and my young son asked me, 'Daddy, why are the marines shooting at the colored people?' "

"After all," Mr. Young said, "the purpose of our voting rights is specifically to get rid of people like RUSSELL."

He referred to Senator RICHARD B. RUSSELL, Democrat, of Georgia, who has opposed civil rights legislation. As chairman of the Senate Armed Services Committee, Senator RUSSELL has followed a hard line on foreign policy.

A WIDE SPECTRUM

In both the civil rights and peace movements, there has been a proliferation of organizations representing a wide spectrum of opinion. Peace groups range from those opposing any military action or use of force to those seeking gradual disarmament.

Some of the civil rights organizations have pacifist roots. CORE was an outgrowth of the Fellowship of Reconciliation. Dr. King and others adopted the nonviolent tactics of Gandhi. Many pacifist leaders have been active in civil rights, and vice versa.

In 1963 the Committee for Nonviolent Action, a pacifist group based in Connecticut, staged a peace march from Quebec to Havana. The marchers were a mixture of pacifists and civil rights workers who had served time in southern jails as a result of their protests against segregation.

Last April, 15,000 students picketed the White House demanding an end to the fighting in Vietnam. The Student Nonviolent Coordinating Committee, a civil rights organization based in Atlanta, was one of the sponsors of the protest.

At the conference sponsored here by the Fellowship of Reconciliation, Norman Thomas, the former Socialist candidate for President, was asked about the possibility of forming a political party through a coalition of civil rights and peace groups.

"It would be very difficult," he said. "They can get together to dissent but when it comes to practical politics, that does not work. I remember people [in the civil rights movement] used to tell us, 'We can't take a chance on being a Socialist as well as a Negro—one is enough.' "

[From the New York (N.Y.) Times, July 6, 1965]

CORE REVERSES CALL FOR VIETNAM PULLOUT

(By Gene Roberts)

DURHAM, N.C., July 5.—The Congress of Racial Equality voted today to call for the withdrawal of U.S. troops in Vietnam and then quickly reversed the decision after a fight led by its national director, James Farmer.

Mr. Farmer told convention delegates that CORE, as an organization, should stay out of the peace movement and concentrate its efforts on civil rights.

The debate, conducted in closed session, was the most heated of the 5-day convention, which ended today.

If it had been allowed to stand, the controversial resolution would have put CORE on record as favoring the immediate withdrawal of U.S. troops from both Vietnam and the Dominican Republic. Most of the debate, however, swirled around the Vietnam section of the resolution.

There had been speculation among some of the delegates before the floor flight that Mr. Farmer and other CORE leaders might be persuaded to follow the lead of the Reverend Dr. Martin Luther King, Jr., president of the Southern Christian Leadership Conference. Last week, in Petersburg, Va., Dr. King said that the time had come for the civil rights movement to become involved with the problem of war.

"It is worthless," Dr. King said, "to talk about integrating if there is no world to integrate in."

Mr. Farmer told CORE delegates, however, that the task of CORE was to "mobilize as many people as possible" into the civil rights fight and that it ran the risk of losing the sympathies of many people if it became involved, as an organization, in the peace movement.

"Personally, I am in complete agreement with the resolution," Mr. Farmer said. "But I think we in CORE should make those decisions as individuals, not as an organization."

NEXT CONVENTION SET

Mr. Farmer took no part in the debate over the resolution until after it passed. He then asked the delegates to reconsider their action and led the fight that ultimately resulted in the reversal.

In other developments, CORE scheduled its convention for next July in St. Louis. And it voted, 120 to 4, against considering action that could have put the organization on record as encouraging the growth of Negro self-defense organizations such as the Deacons for Defense in Louisiana.

VETERANS' ADMINISTRATION DECISION ON FACILITIES AT BATH, N.Y.—RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a resolution concerning the Veterans' Administration's decision on the operation of its center at Bath, N.Y., which was adopted by the Village Board of the Village of Bath, N.Y., on January 25, 1965.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE VILLAGE OF BATH, N.Y.

Whereas the village of Bath, county of Steuben and State of New York did resolve on the 25th day of January 1965, opposition to the decision made by the Veterans' Administration, Washington, D.C., which decision closed the Veterans' Administration Center located at Bath, N.Y.; and

Whereas certified copies of said resolution were forwarded to various State and Federal officers; and

Whereas following the report of a special committee named by the President of the United States, said order closing the Veterans' Administration Center at Bath, N.Y., was rescinded, it is at a regular meeting of the Board of Trustees of the Village of Bath held on the 14th day of June 1965, moved by Trustee Noble, seconded by Trustee Saxton and unanimously adopted by the trustees and the mayor of the village of Bath:

Resolved, That the Village Board of the Village of Bath, N.Y., does hereby sincerely thank all State and Federal officers and employees and other interested persons for their efforts in opposition to closing of the Veterans' Administration Center, and do, on behalf of the village of Bath and its residents, hereby extend their thanks by means of forwarding a copy of this resolution to said officers and persons.

VILLAGE OF BATH,
By FRANK E. NICKLAUS,
Mayor.

PRIVATE PATENTS ON GOVERNMENT RESEARCH

Mr. LONG of Louisiana. Mr. President, on July 3, 1965, a very interesting editorial on the subject of private patents on Government research was published in the Washington Daily News.

I am particularly gratified to note that the editorial is in agreement with the position which I take, that when the public pays for the research, it is entitled to the benefit of it, both as consumers and as taxpayers. This is a courageous position for the newspaper to take.

I note that the Washington Daily News is a member of the Scripps-Howard newspaper chain. I hope that other papers in the same organization will study this editorial, because, in my judgment, it is both courageous and correct.

I feel sure that great newspapers of this kind receive substantial pressure from some of their major advertisers who hold large research contracts, not to discuss the issue, or to discuss it from the position that private concerns should have monopoly rights under government contracts and should be placed in the position of exploiting the public, even though the public has paid the entire cost of the research.

Mr. President, I ask unanimous consent that the editorial, entitled "Taxpayers Have Rights, Too," published in the Washington Daily News of July 3, 1965, be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Taxpayers Have Rights, Too

Senator Russell Long, Democrat of Louisiana, lost a Senate battle this week, but we hope he'll finally win his war against patent giveaways by the Federal Government.

Patent law is admittedly complex. But the patent principle for which Senator Long for years has battled is as simple as it is just.

He argues that patent rights to discoveries made as a result of taxpayer-financed research should be held by the Government, rather than vested in the private companies through which the research is contracted.

The Government then should make the rights to use these discoveries freely available. So if taxpayer-financed research developed a better mousetrap, many firms could manufacture it—and through free enterprise competition with each other, produce and sell it at reasonable cost to the taxpaying public, which financed the discovery in the first place.

When patent rights to such a mousetrap are turned over by the Federal Government to the private contracting firm, that firm can use the monopoly power inherent in the patent to be the sole manufacturer. Or it can license a limited number of other firms, on payment of royalties, to produce the trap. Or, if it wishes, it can withhold the trap from the market. This tends to limit production, keep prices high and enrich the patent holder. It is of course, perfectly legitimate under our patent system, which was designed to encourage discovery by insuring a generous return on private initiative and investment.

But Government now is the Nation's biggest research spender. Why, Long asks, should the taxpayer, who paid for the fruits of research, not have them readily and reasonably available? Obviously he should.

Some Government agencies follow the policy Senator Long advocates. Others do not—notably the Defense Department and the National Aeronautics and Space Administration, two of the biggest research spenders.

This disparity in Federal policy helped defeat Senator Long's latest effort to make mandatory rather than discretionary Government patent rights to taxpayer-financed drug discoveries. A number of the 55 Senators who voted against Senator Long said they favored his argument, but thought action should await formulation of a Government-wide policy by Senator John McClellan's Judiciary Patents Subcommittee.

The subcommittee, now in the midst of new hearings, has been looking into the problem for years. Senator Long and 35 other Senators who voted with him are obviously—and justifiably, it seems to us—impatient.

The burden now is on the subcommittee to come up with some sound policy recommendations to protect taxpayer interests. And to do it soon.

GOVERNMENT INFORMATION—ADDRESS BY THE POSTMASTER GENERAL

Mr. McGEE. Mr. President, last week Postmaster General John A. Gronouski addressed the National Press Club Luncheon, on the subject of Government information. His is an informative speech which also goes into the dilemma of the Government official who needs to communicate with the public, but can get only 10 percent of the information published. But it is a speech which also tells much of the revolution going on inside the Post Office Department—the story Mr. Gronouski has been trying to tell, apparently with success 10 percent of the time. It is a story that deserves wider attention. I ask unanimous consent that the address on June 30, by the Postmaster General, before the National Press Club, be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by John A. Gronouski, Postmaster General

There is a widely held notion around town that Government officials constantly withhold from the press information that is in the public domain.

I have come here to deny it.

In fact, there is a serious communications gap in Washington that has just the opposite effect. I have noticed that no matter how much information a Government agency releases, only about 10 percent of it ever reaches the general public. I call it "Gronouski's law of Government press releases." The mathematical formula goes something like this: Ten press releases, times waste basket, plus spike, equal one news story.

You can't argue with it. It's as much a natural law as gravity. I'm surprised no one has discovered it before. I'd write a book about it if I thought I could get the whole thing published.

Now what Government official, faced with the urgent requirement of communicating with the public, is going to defy "Gronouski's law" by withholding information? It just works against him. It reduces his base of possibility. If 10 releases equal 1 news story, then it is obvious that 100 releases equal 10 stories. It's known as "information escalation."

And that's the way the system works. Everyone releases all he knows and gets 10 percent of it published.

But there's a hitch in the system. It's usually the wrong 10 percent that gets published. No matter how hard you try, it seems, you still can't get your story across.

Take me, for example. I have no quarrel with the press. In fact, I have been treated very well by it. But when it comes to the questions of the right of privacy and the sanctity of the first-class seal, I invariably get my most extensive news coverage.

When I first came into office, people began badgering me about the so-called peepholes in the men's washrooms in our post offices. So I investigated the matter. It seems that occasionally one of our employees out on the workroom floor pockets an envelope that obviously contains cash or a check and later, when he goes to the washroom, removes the money, tears up the evidence and flushes it down the toilet. The peepholes were designed to prevent this. Well, I knew we had a responsibility to protect the mails, but it seemed to me this was carrying it to the extreme. So I announced I was ordering the peepholes in men's rooms to be closed and sealed off.

It was then that I discovered that no one had ever heard of peepholes. At least, that's the way it appeared. We get dozens of papers in the Department and I had a terrible time finding much coverage of my announcement. I was bemused, to say the least. You see, I hadn't discovered "Gronouski's law" as yet.

But that was only the initiation. The real ordeal by fire came last February when Senator Edward Long, of Missouri, began his famous hearings on invasion of privacy—more commonly known as the "Martini olive hearings."

Now I want to make it clear that I believe those hearings were very useful. Any time someone strikes a blow for personal freedom, I'm for it. But we're just not the "snoops" we were made out to be in the mass media.

First, there was the question of mail covers.

A mail cover simply consists of recording from each piece of mail the name and address of sender, date, and place of postmarking, and class of mail. Only the material appearing outside of the envelope is noted. In no case is mail delayed or opened during a mail watch. Many law enforcement agencies use the mail cover as a valuable tool in apprehending fugitives or persons known to have committed, or strongly suspected of having committed, a crime. We use them ourselves in cases of mail fraud and obscenity.

The question here, of course, was the possibility of abuse. I early recognized that possibility, and in March of 1964—nearly a year before the Long committee hearings—I ordered tighter controls to be placed on the covers. And my chief inspector, Henry Montague, pointed this out in his testimony before the subcommittee.

Then the question of lists arose. Naturally, we maintain a record of all mail covers as part of our system of control. And when Senator Long asked to see this list, I felt it would be compromising the entire program; that by divulging the names, we would be casting a shadow of suspicion on many innocent persons. Just about the time I began congratulating myself on taking such a courageous stand, the situation reversed itself. The suspicion immediately arose that since I did not want to disclose the list, I must have something to hide.

It was at that point that I called my wife to ask for the name of the new headache tablet that's supposed to be 50 percent stronger than aspirin.

As a matter of historical record, I would like to point out that I did finally come to an agreement with Senator Long on still tighter controls of the mail cover and duly announced that agreement to the press.

The fireworks at the Long hearings were not restricted to mail covers, however. It seems that one of the Senator's fellow Missourians in the House got the idea that we were allowing the Internal Revenue Service to seize and open mail belonging to citizens with tax liens against them.

Well, it is true that after I became Postmaster General, I learned that in a few rare instances, we had turned mail over to Internal Revenue, when they requested it. In fact, the law required that we do so. I was shocked and I immediately called the Secretary of the Treasury, Mr. Dillon, and asked if he were aware of the practice. He was not, and as a result of our conversation, we immediately put a stop to it.

But somehow I was unable to make this point over the voices of righteous indignation last winter. No matter how often I repeated it, the impression remained that we were still allowing Internal Revenue to open mail.

Senator LONG understood the situation, of course, and he took the position that if one Postmaster General could halt the practice administratively, another could begin it again administratively. I agreed with him. But when he introduced legislation to prevent it from happening again—legislation which I supported—everyone immediately assumed it was legislation to stop something that was still going on. That, under "Gronouski's law," was the 10 percent of the news that got through.

But even that wasn't the end of our troubles. There was a little matter of Communist propaganda that came home to roost. Here was the situation:

During the previous administration, it was the policy of the Post Office Department to seize all mail coming into the country that was considered Communist or subversive propaganda, unless the addressee specifically requested delivery of it.

President Kennedy, in his wisdom, ordered the practice stopped soon after taking office. It will be noted that the foundations of the country did not crumble. Nevertheless, the Congress passed legislation which required us to reinstitute the practice. And yet, when we were taking our lumps from every civil liberties group in the United States, almost no one bothered to point out that it was a matter of law.

Nor was it pointed out very clearly that it was the Bureau of Customs, not the Post Office Department, which made the determination as to what constitutes subversive material.

Then I really got caught on the horns of a dilemma. The old question of lists came up again. Actually, there wasn't a list. We kept a card file of the names of persons who wanted to get the mail and who didn't. But didn't that list constitute a threat? Wasn't there always the danger that, in the wrong hands, it could set off a purge of innocent people? Certainly that possibility existed—and that's why I made sure it didn't get out. But in the long run, I, too, felt that the risk was too great to take, so I ordered the cards destroyed and instituted a practice of querying the addressee each time a piece of Communist mail came for him. And was I any better off? Not at all. The papers stopped accusing me of threatening the civil liberties of American citizens—only to charge that I was now harassing them.

Well, the story of Communist literature, at least, had a happy ending. I discovered a headache relief that really is 50 percent stronger than aspirin: The Supreme Court of the United States.

And that's some of the story of the "information gap"—a Washington phenomenon that has us working overtime just to keep from slipping backward. There are even occasions when I think we are making progress against it.

I remember once when I was attending a party not long ago, a very erudite champion of civil liberties came up and began discussing some of these matters with me. He said that while he was uneasy about mail covers, he could understand their necessity as a law enforcement tool. He supported my position on not allowing outsiders to have access to the mail cover lists. He congratulated me on stopping the Internal Revenue Service's levy on mail. And he even sympathized with the untenable position the Department had been in with respect to Communist mail.

Frankly, I was flabbergasted. I thought that perhaps he had access to a newspaper that we do not receive in the office. But just as I was turning away, happy in the thought that maybe we do, in the long run, get our story across, he put his hand on my arm and asked:

"But, Mr. Gronouski, don't you think you ought to stop spying on your employees in the washrooms?"

Now I'm not naive about this whole question of news coverage in Washington. Of course, I understand that, with limited resources and with restrictions on time and space, you have to be selective. I am aware, too, that there are many more exciting news developments around town than those down at 12th and Pennsylvania Avenue: more exciting to you and more exciting to your readers and your audiences. But I think there is a case to be made for better news coverage of the pick and shovel activities such as ours. After all, we are all concerned with good government—and these are the programs that comprise about 95 percent of Government activity. They just cannot be ignored; cumulatively they are too important.

There is, for example, a virtual revolution going on in the Post Office Department, and I think the public should be aware of it.

Let me tell you about the kind of postal service that I know is possible to achieve within my own tenure of office.

It is the kind of service where a person can mail a package with the knowledge of when that package will arrive at its destination, and with the certainty that it will arrive in good condition—not just some of the time, but all of the time.

It is the kind of service where 95 percent of all priority mail will receive overnight delivery.

It is the kind of service where morning newspapers will be delivered hundreds of miles away while the news is still timely.

Does this sound like a drastic departure from the kind of service you have today? It is—and I'm the first to admit it. I know that service can be improved, but the point I am making today is that we are now on the threshold of that improvement.

Tomorrow, July 1, we will have completed the establishment of all 553 sectional centers under our ZIP code program. These centers represent the nuclei of the first all-new mail distribution and routing system since the advent of the railroads 100 years ago. Beginning tomorrow, all mail will be sent by the most direct route possible to its destination area, with fewer resortings and handlings along the way.

Using this as our base, we are now encouraging and helping volume business mailers to ZIP code their mailing lists and presort their mail by all five digits. By January 1, 1967, this will become a requirement for them. This will be the biggest breakthrough of all. Currently, 80 percent of all our mail is business mail—and, frankly, it has been growing in volume so fast since World War II that we have not been able to keep up with it. It has been logjamming in our larger post offices and slowing down the whole system. But when the majority of this mail is presorted by ZIP code, we will be able to move it from its point of origin to its point of destination without once sending it through a post office, without once unbagging it. And that day is just around the corner.

Again, using our sectional center transportation system, we have been able, in the past year, to establish an overnight parcel post delivery service in 18 areas of the United States. Ultimately, we will have enough of these areas to blanket the Nation, and then we will be able to link them up in a revolutionary new scheduled parcel post delivery service.

For the individual printed or typewritten ZIP coded mail, we now have an effective new optical scanner which will be able to read and sort at the rate of 36,000 pieces an hour. We have already placed the initial order for these scanners and will have two of them in the Detroit Post Office by this coming November. I don't think I have to elaborate or the significance of this breakthrough.

But even the scanner does not end the story of ZIP code. Now that we have a new distribution and routing system, based on the main truck, rail, bus, and air lines as they actually exist, we are in a position to eliminate air mail as a separate class, and begin moving mail by the fastest and most direct means possible, regardless of mode. Our goal and our potential: one class of priority mail that is given overnight delivery, anywhere in the United States.

Gentlemen, these are not pie-in-the-sky dreams. These are services that you can expect—and expect soon.

But we will not get them without a fight—and winning it is going to be the biggest job of all. The blueprints are all drawn up for giving the American people the kind of postal service they want and deserve. We know they will work. The only question now is putting them into action.

It is the nature of my job that whenever I want to make a change, powerful forces invariably oppose it. No matter how small the change is, the hue and cry is always loud. I have, for example, proposed the elimination of the postal savings system because it has outlived its usefulness and is beginning to cost taxpayers money to operate. For this proposal I have received almost universal editorial support around the country. And yet there is now a move afoot to thwart it because of 174 clerks who will be affected. One hundred and seventy-four clerks who will not lose their jobs, who will not lose any pay, who will not have to move to another city, who probably won't even be transferred to another station, but who will just have to move a few feet to another window.

If 174 postal workers can stir up that much dust, you can imagine, for example, what a storm is on the horizon from certain segments of the transportation industry over my plan to abolish airmail as a separate category of mail and to move all priority mail by the fastest means possible. You can imagine what some of our customers will try to do to avoid the cost of ZIP coding their mailing lists, despite the fact that they get a rate break for doing just that sort of thing. You can imagine what some of our friends will be saying about the optical scanner—despite the fact that mounting mail volumes will require a slight growth in our employment, regardless of mechanization. You can imagine what kind of pressure we get when we try to close down obsolete postal railway facilities or small, outdated post offices.

Yes, we are on the verge of a major breakthrough in the postal service, and it is going to have an impact not only on every American citizen, but on the entire economic community. But we are not going to be able to do it alone.

We need the support of the public.

We need the cooperation of every mailer—large and small.

We need the willingness of the Congress.

And, ultimately, we need the help of the American press to get our story across.

I don't know if there was any connection or not, but shortly after my last speech here at the National Press Club, the rumors started flying that I was about to scrap ZIP code. I took me 6 months to convince people it wasn't true. So just to be on the safe side, let me close by asserting that Mr. ZIP is here to stay.

The only thing we plan to scrap is horse and buggy mail service—and I think you'll agree with me that it's about time.

Thank you.

COLUMNISTS OPPOSE ROTTEN BOROUGH AMENDMENTS

Mr. TYDINGS. Mr. President, each week brings new evidence that the country is awakening to the dangers of the proposed amendments to permit one house of a State legislature to be malapportioned. The National Conference of Mayors, the National Council of Churches, and other highly respected organizations have adopted resolutions opposing the Dirksen amendment.

I was pleased to note that the highly regarded newspaper columnists, Joseph Alsop and Marquis Childs, also oppose the rotten borough amendments. Their recent columns indicate that the current of considered opinion is running against those who would hastily amend our Constitution to prevent implementation of the Supreme Court's rulings. I ask unanimous consent that these colums from the Washington Post of July 2 be printed in the Record.

There being no objection, the columns were ordered to be printed in the Record, as follows:

[From the Washington Post, July 2, 1965]

On Not Being Counted

(By Joseph Alsop)

Senator Everett M. Dirksen's constitutional amendment, reversing the Supreme Court's "one-man, one-vote" rule for State constitutions, is one of the least noticed and most important matters before the Congress.

The amendment sounds innocuous enough. Since time immemorial, until the Supreme Court intervened, almost all State legislatures have had at least one house and sometimes both houses apportioned geographically, or in other ways that defy the one-man, one-vote rule. The Dirksen amendment would permit continuation of this practice for at least one house of each State legislature.

Senator Dirksen, who is one of the most astute men on Capitol Hill, has been pushing his amendment in a quiet, low-keyed way, with the obvious intent of not stirring up the animals. The amendment has been reported favorably by a majority of the relevant subcommittee of the Senate Judiciary Committee, but no move has as yet been made to bring it up before the full committee.

Nonetheless, a good many senatorial animals are beginning to be significantly stirred up. The young and able Senator Joseph D. Tydings, of Maryland, waged a doughty fight against Dirksen in the subcommittee, grimly and accurately characterizing the amendment as the first attempt to limit the franchise since the American Constitution was ratified.

The chairman of the subcommittee, Senator Birch Bayh of Indiana, also offered a cruelly sly substitute, permitting State legislatures to apportion as they like, but only if the legislatures in question have already been reformed to represent their constituents on a one-man, one-vote basis. In the full Judiciary Committee, the Bayh substitute will have strong support.

When and if Dirksen's amendment comes before the Senate, moreover, it will encounter surprisingly strong opposition. The southerners and most of the Republicans are of course in favor of it. All sorts of powerful lobbies have been hard at work, under cover of the existing public indifference. Certain normally progressive Senators, such as Claiborne Pell, of Rhode Island, are wavering because of pressure from back home.

But the opponents of the amendment will be led by Senator Paul Douglas, of Illinois, with young Tydings as his lieutenant. The two Kennedys and several other Senators who command public attention are eager to join the fray. The watchword is, "It Shall Not Pass"; and the amendment's opponents are entirely ready to use filibuster tactics to prevent passage.

All this is of the utmost long-range importance, simply because the future of State government in this country is quite likely to depend on the outcome. Most States today are badly, inefficiently, and often wastefully governed, mainly because most States have antiquated constitutions and shockingly unrepresentative legislatures.

The weakness of State government in this country is in reality the primary cause of the trend toward bigger and bigger National Government. There are jobs that cry out to be done. The States do not do these jobs. And at length Washington undertakes to do them, because that is the only way the jobs will ever get done.

It is not a panacea, of course, to require each State legislature to be truly representative of the population of its State. This does not insure the election of able Governors, nor does its guarantee that the lobbyists who swarm in the State houses will no longer be able to get their way. But making the State legislatures representative instead of unrepresentative at least clears the road for decent State government. The voters can then get good government if they want it.

These were the reasons why President Kennedy's Justice Department argued the cases that resulted in the Supreme Court's laying down the one-man, one-vote rule. But despite the stand taken by the Kennedy administration, President Johnson has thus far shown great reluctance to intervene in the matter, no doubt out of deference to his great crony and frequent supporter, Senator Dirksen.

Too much is really at stake, however, to justify the President's refusal to stand up and be counted. The opponents of the amendment are very close to mustering the necessary one vote more than one-third of the Senate that would block passage. Mr. Johnson could almost certainly secure the amendment's defeat by a word quietly passed. It seems too bad to doom the hope of reform in the State governments by failing to pass the needed word.

[From the Washington Post, July 2, 1965]

Reapportionment: Curious Alliance

(By Marquis Childs)

Without meaning to, President Johnson at his last press conference gave the best argument for defeating the Dirksen constitutional amendment nullifying the Supreme Court's one-man, one-vote reapportionment decision. The President said that by the year 2000, 80 percent of all Americans will live in cities. He was making the case for his Department of Urban Affairs while at the same time carefully avoiding any stand on the amendment.

If the Congress should approve the Dirksen proposal, with the certainty that the State legislatures will rush to ratify it, this 80 percent of the population would, in effect, be disfranchised in State after State. In the opposition view, the changes made by the Senate Judiciary Subcommittee insures this result.

With the unequal balance prevailing in the legislatures as the cities have grown, the city voter is consistently shortchanged. Rural legislators representing more cows than people kill the measures essential to solve urban problems. That is the deep-seated injustice the Supreme Court's decision was designed to correct.

Technically the President is on sound ground in declining to comment on the amendment—the Chief Executive is not required to pass on its validity. But the reasons for his reticence are more than technical. One of them certainly is the remarkable relationship between Everett McKinley Dirksen, minority leader of the Senate, and Lyndon Johnson.

Scholars of the future will have endless material for Ph. D. theses exploring a partnership that bridges not only the divided powers of Congress and the Executive but the rivalry of the two parties. The Senator from Illinois often appears almost as a prime minister in the parliament underwriting the role of the constitutional head of State and easing his burdens.

The other day the Senator informed reporters of the likelihood of another massive increase in American ground forces committed in the Vietnamese war. He also said he had been informed of the use of heavy artillery to bombard North Vietnam. No one in the administration dissented from his prediction.

The Dirksen statement came as members of the President's own party were questioning his policy in Vietnam. It served to take the headlines from these doubters. In his unquestioned sincerity in trying to keep the nasty Vietnam conflict out of politics, Dirksen has restrained House Republicans eager to open up the issue of victory through bombing versus an enlarging ground war.

It is hardly a coincidence that certain of the Vietnam critics are also leaders of the opposition to the Dirksen amendment. One whom the President finds singularly irritating is Senator Joseph Clark, Democrat, of Pennsylvania, who said he will filibuster if necessary to kill it. Even after the modifications written in by the Judiciary subcommittee, the opponents are confident they can muster one-third of the Senate to defeat any effort to shut off debate. That underscores predictions of a long, hot summer on Capitol Hill.

Openly to oppose the Dirksen amendment would be, for the President, rank ingratitude. By taking sides, he could kill it. But with hammering from witnesses pointing out that its effect would be to take away the voting rights given to the Negro—through the voting rights bill—in counting out the mass of voters in the crowded cities, the fate of the amendment is already uncertain.

Instance after instance of the way this inequity works has been put in the record of the hearings. In Missouri, 83 State representatives, representing 1,300,000 voters, killed a bill to set a $1-an-hour minimum wage while 68 representatives, representing 2,600,000 voters were for it. These same unbalanced legislatures, which have been a kind of oriental bazaar for the influence peddlers, can make the rules determining whether cows or people are to be counted if the Supreme Court's decision is set aside.

The Department of Urban Affairs, with the Congress all but certain to approve it, will have strictly limited powers. But as the States find themselves unable to cure the ills of exploding urbanism—slums, crime, traffic congestion—they will turn more and more to the Federal Government. An amendment that could result in putting a permanent hobble on the power of the States to act invites just what the States-righters profess to fear most. That is the intervention of the leviathan of the Federal Government.

STATUS OF THE BALTIC STATES

Mr. DODD. Mr. President, on June 20, I had the privilege of addressing a Baltic freedom rally at Bushnell Auditorium, in Hartford, Conn.

Hon. Joseph Kajeckas, Charge d'Affairs of the Lithuanian Legation in Washington, D.C., also spoke, and I ask unanimous consent that his fine address be printed in the Record at the conclusion of my remarks.

He correctly points out that:

> All the nefarious devices of the Kremlin have not been able, during the past 25 years, to shake the Baltic people's love of freedom or their determination to breathe free air once again.

And we in the United States, with rallies such as the one in Hartford and by our speeches in the Senate commemorating the date of the mass deportations from the Baltic States can help to keep alive and strong the indomitable spirit of the Baltic people.

We must never forget what has been done to these people in 1940 and since that time.

To quote Minister Kajeckas again:

> We must stir the conscience of all free men to work for the type of international situation in which justice can be done—for a peace without justice is no peace at all.

An important piece of unfinished business from World War II in the status of the Baltic States. Until they are free and independent, there will be no peace with justice.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Joseph Kajeckas

We have gathered here today because we are proud of the Baltic people. We are proud of their past, and we look with hope to their future. But most especially we are proud of them in the present time, because in the midst of a cruel and violent century they continue to be a paradigm of the greatness of the human spirit. All the nefarious devices of the Kremlin have not been able, during the past 25 years, to shake the Baltic people's love of freedom or their determination to breathe free air once again. We are here, then, because we are proud of what the Baltic people mean to the story of mankind and because, if we claim to be lovers of freedom, we must be seekers after justice in the present time.

The attempted genocide which the Soviet Union has waged against Estonia, Latvia, and Lithuania for the past quarter of a century is very much in our minds today. The international and inhuman crime which the Soviet Union perpetrated in the Baltic States in 1940 has now become notorious throughout the world. The deportations, the murders, the fragmentation of families, the falsification of history, the undermining of language and culture, and the suppression of religion—these are all well-known techniques used by the Soviet Union in its attempts to obliterate the national identity of the Baltic countries.

In addition to these older methods of subjugating the people, the Soviets have of late used new and more insidious methods of Russifying their captives. Thousands of Baltic youth have been recruited as so-called volunteers to farm virgin soil in far-off points of the Soviet Union; and such service is required if a student wishes to progress in higher studies. At the same time, thousands of Russians are being imported to settle in the Baltic States. This dispersal of the inhabitants and their replacement by Russians is accompanied by an increasing emphasis on the Russian language.

But we are not gathered here just to take stock of what the Kremlin has been doing to the Baltic States; rather, we Estonians, Latvians, and Lithuanians—together with our friends in the free world—are here to remember what we are as a result of what has happened in the Baltic States. We are, as I said earlier, lovers of freedom, but that means that we must be seekers after justice. And the immediacy of our task is heightened by the horrendous injustice perpetrated by the Soviets for a quarter of a century on our peoples. As the late President Kennedy put it, now is the hour of maximum danger from which we must not shrink. The Soviets are attempting to repopulate the Baltic States; they are attempting to physically dispossess our ancient peoples of their territorial integrity. In the face of this last stage of attempted genocide, it is not sufficient merely to trust in the superiority of democratic systems, and wait for the Soviet empire to collapse. Rather, we who are privileged to live in freedom must take effective political action to hasten the day when the Soviets are backed into a corner, when their political alternatives become so few that they are forced to take up the unfinished business of World War II. That unfinished business is the rightful freedom and independence of the Baltic States and all the other countries which were the spoils of Soviet duplicity and greed. We must stir the conscience of all free men to work for the type of international situation in which justice can be done—for a peace without justice is no peace at all. We must take such a strong, principled stand if we are to be true to the memory of those thousands of Baltic people who gave their lives and are giving their lives today in order that mankind might live the life of freedom. The human enterprise of a rational world at peace depends on our labors. We cannot and will not fail in this pursuit of justice.

"MAKING DEMOCRACY WORK"—McGEE SENATE INTERNSHIP CONTEST ESSAY

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct, for the graduating high school seniors in my State of Wyoming, the McGee Senate Internship Contest, which brings to Washington one boy and one girl, for a week of observation of democracy in action—here in the Senate and elsewhere in Washington, D.C.

As a part of the contest, each student is required to complete an essay on "Making Democracy Work"; and each year I am impressed by the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. All show real thought and a thorough knowledge of our system of government.

Of course it would be impossible for everyone to read all the essays; but I think some of the most outstanding ones, selected by an impartial panel of three judges, should receive wider circulation. Therefore, I ask unanimous consent that one of the essays, written by Miss Mary K. Maxson, of Rawlins, Wyo., which received honorable mention in the McGee Senate Internship Contest, be printed in the Record.

There being no objection, the essay was ordered to be printed in the Record, as follows:

Making Democracy Work

(By Mary K. Maxson)

Frankness demands we acknowledge that democracy is faltering, whether we regard it from the standpoint of theory, practice, or popularity.

The theory of democracy is based on the assumption that all citizens are rational creatures and men of good will. In utopia this theory would be a basic fact, but in this somewhat less than utopian world we men have created, it is scarcely a plausible idea for today and not a realistic aim for tomorrow. Yet, what if all citizens were men of good will? Democracy would then have solved one of its greatest problems. In elections it would no longer be so vitally important to find the right man because any man of good will would act only for the welfare of everyone. But all men are not equal, and all citizens are not men of good will.

How dare we preach the practice of democracy to other nations * * * we, who after 200 years of enjoying the benefits of democracy, have not yet learned that if all men are not free, no man is free * * * you and I who condone a situation like Selma because we ignore that scream of protest which must ring inside our minds each time some fresh atrocity is committed. Yes, with most of us even the practice of democracy is a sometime thing.

Contrary to popular belief, democracy has held little fascination for most other countries. Over 50 percent of the human race has neither known nor apparently cared much for our favorite institution. Democratic institutions have been, generally speaking, in countries where life is easy for the people, areas where there is the leisure time to evaluate freedom and its aspects. Upon reading the above statements the automatic reaction is to relax with the subconscious thought running through our minds, "Well, at least that's one problem I can't be held responsible for. Those countries are thousands of miles away." That is where you and I go wrong. The United States may be called the workshop for democracy. In this corrupted workshop, we have made democracy something it never was intended to be. Now it is time to remedy that.

First, to get democracy working, the workshop must have a spring house cleaning. Strip it down to the barest essentials. Spring house cleaning involves clearing out the dirty corners. The United States has many such dirty corners. When approximately 40 percent of the eligible voters don't avail themselves of that privilege, some of the corners are showing their dirt. Most Americans do care about democracy, but they have lived too long with the attitude "Let George do it." There is always that small minority of people who don't care, if democracy is working to their advantage. This selfish group always works, votes, and pressures to gain its own ends. Only when all the eligible voters realize that to make a working democracy for everyone, two votes from men of good will must be found to counteract the vote of each self-centered individual, only when each individual realizes that if he fails to vote, he turns his future over to a corner-dweller, only then we may serve as the clean, shining example of a working democracy.

Unfortunately, democracy is not a workshop, and nothing quite as simple as a housecleaning will make it work. The dirt and faults are not as obvious here. To keep democracy immaculate requires the constant vigilance of every citizen. If each individual were taught that he owes a debt to his country and himself, which is easily discharged by (1) constant close attention to public affairs, (2) trying to comprehend the main issues, (3) thinking of general interest rather than self-interests, and (4) standing ready to serve, perhaps utopia would not seem so far away.

Frankness demands we acknowledge that democracy is in an awkward position, but let us not lose sight of the fact that this ideology has always been in a similar position and will continue to be as long as it is the sword of the common man depending on him alone for strength. Yes, democracy is faltering, but who of us would exchange it for any of the available third-rate substitutes?

U.S. BLUEPRINT OF ECONOMIC GROWTH

Mr. DOUGLAS. Mr. President, on June 24, the New York Herald Tribune published a story, by Joseph R. Slevin, on the administration's blueprint for economic growth. I urge all the prophets of doom who in recent weeks have become so vocal to read Mr. Slevin's article closely.

It reports the prediction that the American economy will grow at the rate of 4 percent every year, and that its output will reach $1 trillion by 1975. This is a fantastic prediction; yet the author of the article goes on to point out that in the past few years the administration economists have a startling record for accurate predictions of economic growth.

Mr. President, sustained strengthening of the economy does not just happen. It takes planning, hard work, and the best judgment possible. At one time we could not protect our economy with any certainty. We did not have the knowledge to insure consistent growth without periodic recession; and most experts conceded that a sound economy was based on luck as much as on anything else. Today, however, we know better. We know that through intelligent planning and the proper use of economic devices an economy without recession is possible.

President Johnson is fully informed in this area, and he knows that, through proper planning, this country can experience sustained economic growth over a long period of time. He is directing much of his immense energy to that end. Whenever the President talks of his deep faith in the economic future of America, he is not engaging in mere wishful thinking. He knows what is possible. He knows that our economic future is very bright. And, Mr. President, the cynics should know that, too.

I ask unanimous consent that Mr. Slevin's very illuminating article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Herald Tribune, June 24, 1965]

U.S. BLUEPRINT OF ECONOMIC GROWTH: 1970 FORECAST: $10 BILLION SURPLUS

(By Joseph R. Slevin)

WASHINGTON.—Top administration experts now are predicting that the Federal budget will be balanced in 1967 and that the unemployment rate simultaneously will fall to 4 percent.

These are two of the major conclusions of a confidential administration economic blueprint that has been 3 years in the making and has cost $2 million.

The blueprint envisages that U.S. national output will soar from $660 billion this year to more than $800 billion in 1970, and that it will approach $1 trillion in 1975.

It expects that the American economy will grow at a 4 percent yearly clip—which would be less than this year's expected 6 percent rate, but well above the 3 percent average that has held in the past.

A key implication of the blueprint is that there can be a recession-free United States, marked by continuing economic growth and burgeoning prosperity.

But there is no assumption that the prosperity will come about automatically.

Instead, the blueprint is designed to highlight potential weak spots so that the Government and business may take needed action to keep the boom going.

A special Interagency Committee on Growth is in charge of preparing the economic blueprint. The group meets under the chairmanship of Otto Eckstein, a member of the Council of Economic Advisers, and includes top officials of the Budget Bureau, the Treasury, Commerce and Labor Departments and the Federal Reserve Board.

While a preliminary draft of the group's findings is being circulated among ranking administration aids, a final report will be prepared only after the technical experts receive newly revised national output figures that are due to become available later this summer.

The administration blueprint shows that the Government will have to give the economy a helping hand by cutting taxes, boosting spending—or both—to keep the economic upturn from sagging.

The growth committee expects the potential budget surplus to climb above $10 billion by 1970. It believes that a multi-billion-dollar fiscal drain of this magnitude would brake the economy's advance.

The administration group's final report will suggest a variety of tax and spending steps that the President can take to offset the expected budget drag.

President Johnson has committed himself to giving a tax break to the lowest income groups when he next proposes a tax reduction—possibly in 1966—but it is expected that there will be at least one more general tax reduction before 1970.

Walter Heller, former Council of Economic Advisers chairman, called these repeated cuts "fiscal dividends." His theory, which now is administration policy, is that the cuts are made possible by the mounting tax receipts from a growing economy and are essential to keep the Government from building up repressive budget surpluses.

Last year's $11.6 billion tax cut was a historic first application of the fiscal-drag approach. This year's $4.7 billion excise cut is a followup move in the same direction.

The growth committee blueprint is even more of a target for the administration than a forecast of what is certain to be achieved.

The Council of Economic Advisers accurately predicted last year's $623 billion national output volume, and the economy is expected to come very close to hitting a CEA forecast of $600 billion for this year. But a 1970 or 1975 blueprint is far more uncertain and difficult.

The 4-percent unemployment rate that the Interagency Committee expects to achieve in 1967 is the Kennedy-Johnson administration's interim full employment goal. Unemployment averaged 4.6 percent last month, the lowest that it has been since 1957.

The group believes that it will be possible to achieve a 3-percent unemployment rate by 1968. It has pinpointed teenagers and adult Negro women as the two critical groups and has concluded that it will be necessary to slash unemployment for each of these to 5 percent to achieve a 3-percent national average for all members of the working force.

The blueprint is an elaborate, enormously detailed document that contains estimates of the amounts that will be spent each year for factories and homes, for machinery and appliances, for roads and food, for automobiles, vacations, medical care and all other significant business and consumer purposes.

It contains an exhaustive breakdown of expected school outlays by local governments—right down to the number of desks that will be required. It also examines other major types of State and local government spending, such as for hospitals, sewers, water, and police and fire protection.

While no new Federal programs are included, the blueprint projects all of the Government programs that now either are underway or have been requested by the President. The education bill is included, so are the poverty program, Appalachia, and medicare.

THE MONUMENTAL MISTAKES OF the RUSSIAN FOREIGN AID PROGRAM

Mr. McGEE. Mr. President, those who oppose the U.S. program of foreign aid have made much of the mistakes and foulups which have occurred in the past. To many, the American personnel administering the program abroad are, indeed, "ugly Americans." But now we have an opposite force to balance against this picture. Victor Lasky has written a book called "The Ugly Russian," in which he documents the monumental mistakes of the Russian foreign aid program; and Roscoe Drummond, in his column this week, has taken off from there, to repeat some of Mr. Lasky's examples of Soviet ineptitude, leading to the conclusion that the Russians will, as we have done, learn from their mistakes, and do better. We are doing better, as a matter of fact, Mr. President; and I second Roscoe Drummond's point that Mr. Lasky's report "should give us every incentive to do better, not to quit—because the balance sheet is on our side."

I ask unanimous consent that the Drummond article from the Washington Post be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REPORT ON RED AID: "THE UGLY RUSSIAN" A TIMELY BOOK

(By Roscoe Drummond)

Have you ever wondered just how well—or badly—the Soviet foreign aid program is doing and whether it is really making friends and carrying communism to the underdeveloped nations?

This is a good question to have come up at the moment when Congress is about to decide whether to cut U.S. foreign aid funds on the theory that the American program is badly run and is not doing much good.

"The Ugly American" became a bestseller and had a great impact on American thinking. It was a certainty that its counterpart would be written and logically, almost inevitably, be called "The Ugly Russian" (Trident Press).

It has been—by Victor Lasky, the newspaperman and author who set out to get some facts at firsthand.

Maybe too many Americans—and others—think that Russian foreign aid is brilliantly administered, coolly efficient, getting a lot of political dividends at little cost, and outsmarting us at every turn.

If many of us have been tempted to think so, then Lasky offers us a timely and useful dissent. He finds a whole series of monumental foulups in Soviet foreign aid and concludes that neither Moscow nor Peiping is making significant headway in trying to plant communism in the African and Asian nations.

"The Ugly Russian" is not a superheated attack on Russia or Russians. It is a report on the trials and tribulations, the frustrations, and the fiascoes of Communist foreign aid operations, principally Russian.

Are they beating us at every turn? Are they doing so well that Congress might as well decide the United States should give up? Or are the Communist failures so widespread that now is the time for us to press on more energetically?

Lasky went to India, Asia, Africa and the Middle East to find out.

What he found out was that the Communists are doing badly often enough to be losing more friends than they are making. He found such things as the following:

Bad planning. Equatorial and undeveloped Guinea was the "beneficiary" of two giant snowplows from Russia, and from East Germany, one million equally unwanted screwdrivers, one for every three citizens. There are many more such examples.

Bad execution. Without warning, Russia shipped to Burma 50,000 tons of cement. Before it could be removed from the wharves, it hardened into unbreakable concrete and had to be dumped into the bay. Did the Soviets learn the lesson? Later they did the same thing in Guinea, Ghana, and twice in the Sudan.

Bad orchestration. At the very moment that Soviet President Leonid Brezhnev was speaking honeyed words to the Iranian Parliament, a Soviet jet fighter shot down an unarmed Iranian plan 18 miles inside the Iranian border.

Bad relations. After studying in Moscow, an African student reported for himself and colleagues: "We have been called back monkeys and jungle people and treated like dirt. Whoever among us had leftist leanings has been cured." African students have left Red China avowing the same experience. The Chinese brand the Soviets as racist and the Soviets brand the Chinese as racist. Soviet ambassadors were ejected from the Congo and from Guinea.

These and other similar incidents do not mean that everything has gone wrong in Communist aid. It hasn't. These things do not mean that the Soviet Union is not a vastly formidable force or that the Communist can be dismissed as played out. They'll keep at it and learn from their mistakes.

But we need to keep at it, too. Obviously the badly conceived and sometimes badly executed Communist aid programs do not prove that our own aid program cannot be improved. Lasky's report should give us every incentive to do better, not to quit—because the balance sheet is on our side.

PRESIDENT JOHNSON'S IMMIGRATION PROPOSALS

Mr. DODD. Mr. President, at a meeting on June 24, 1965, the Common Council of the City of New Britain adopted a resolution urging the Connecticut congressional delegation to support President Johnson on his immigration proposals.

I am one of the cosponsors of the immigration liberalization bill recommended to Congress by the President. And I wish to assure the common council and the many other people in my State who support the long overdue reform of our immigration statutes that I will work to obtain approval of this measure, S. 500, at an early date.

On the same subject, Mr. President, I want to bring to the attention of my colleagues a statement presented to the House Subcommittee on Immigration.

It was made by Mr. John Ottaviano, supreme venerable of the Order Sons of Italy in America, and is an expression of strong support for the administration immigration recommendations.

Mr. President, I ask unanimous consent to have the New Britain Common Council's resolution and the statement of the Order Sons of Italy in America printed at this point in the RECORD.

There being no objection, the resolution and statement were ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE CITY OF NEW BRITAIN

Whereas President Johnson proposed a new immigration law to Congress on January 13 and described it as legislation long overdue; and

Whereas our President advocates immigration on a first come, first served basis within the following established categories:

1. Preference is reserved for immigrants whose exceptional skills are in short supply and which are advantageous to the United States.
2. Preference is reserved for sons and daughters over 21 years of age of U.S. citizens.
3. Preference is reserved to spouses and unmarried children of aliens permanently residing in the United States.
4. Preference is reserved for married sons and daughters of U.S. citizens, brothers and sisters of U.S. citizens, parents of aliens and workers with lesser skills who might be needed to fill specific needs; and

Whereas there are many peoples in New Britain of all nationalities vitally interested in this legislation: Now, therefore, be it

Resolved, That the Common Council of the City of New Britain go on record favoring this legislation and that all Connecticut Senators and Congressmen be sent copies of this resolution urging them to support President Johnson on his immigration proposals.

STATEMENT OF THE ORDER SONS OF ITALY IN AMERICA ON IMMIGRATION TO THE HOUSE SUBCOMMITTEE ON IMMIGRATION

The Order Sons of Italy in America is a fraternal organization which this year celebrates its diamond jubilee. It was founded in 1905 in New York State and has expanded during the years of its continuous existence so that its members today reside in 27 States and the District of Columbia.

During the 60 years of its existence, the order has been keenly interested in and has spoken from time to time on matters involving the immigration policies of our country.

First we should like to present to this honorable subcommittee a brief insight into the nature of our order and the beliefs of its membership by setting forth the preamble to our constitution which we believe clearly and forcefully states our purposes, beliefs, and aspirations:

"We, the members of the Order Sons of Italy in America, a fraternal organization, being a part of the United States of America which we serve at all times with undivided devotion, and to whose progress we dedicate ourselves; united in the belief in God; conscious of being a representative element of an old civilization which has contributed to the enlightenment of the human spirit, and which through our activities, institutions and customs may enrich and broaden the pattern of the American way of life; realizing that through an intelligent and constant exercise of civic duties and rights and obedience to the Constitution of the United States, we uphold and strengthen this Republic; in order to make known our objectives and insure their attainment through the harmonious functioning of all parts of our organization, the said Order Sons of Italy in America do hereby ordain and establish the following as our constitution * * *."

It is therefore, we believe, as a truly American organization, devoted and dedicated entirely to the support of our beloved United States and seeking only to enhance its image, its influence and prestige with the other nations of this world that we today express our views on this very vital question of immigration.

We appeared last year before your honorable subcommittee and we were most pleased and happy with the cordial reception and the fine opportunity afforded us to present the views of the order in our statement and in the question and answer period that followed. We might also add that these sentiments were conveyed to our membership throughout the country and in the two Provinces of Quebec and Ontario via our national newspaper, OSIA News.

Frankly, we must also in good faith and complete honesty and sincerity express to you and through you to the entire House Judiciary Committee and ultimately to the House of Representatives itself the very keen disappointment shared by the entire membership over the failure to take action last year on this most vital field of action.

The eyes of the friendly nations of the world are on the United States in these crucial days and months and years when they are crying for enlightened leadership. They eagerly look first to America, the land of the free and the home of the brave and that has provided a sanctuary for thousands of people, displaced by war, oppressed and persecuted by bigotry, prejudice, and injustice of the worst kind. These nations look for the signs, the acts, and the deeds which clearly and forcefully establish that America practices what it preaches.

The pages of our immigration history do not always make the most pleasant reading. All of us have been too prone to forget that the only native American was the American Indian. Although our land was peopled by the oppressed, we need to be urged that it is a duty and a privilege to offer a home to others who are oppressed.

Four Presidents of these United States have consistently urged the Congress to revise the immigration laws so that the changes when passed would bring American principles of justice and equality to our immigration laws.

The provisions of the current administration bills on immigration we believe to be fair and reasonable.

The admission of the immigrants would be based upon our needs, their need for asylum, their relationship to others already in the country, and finally their economic needs and their skills.

These should be the criteria for selecting our immigrants and not an arbitrary, meaningless, discriminatory, prejudicial and harmful national origins quota system.

President Johnson in his message indicated that action is long overdue for immigration reform. The order strongly concurs in this statement.

The President further stated: "The principal reform called for is the elimination of the national origins quota system. That system is incompatible with our basic American tradition." The order supports this statement and gives it top priority in this question of immigration improvement.

We believe it to be most regrettable that statements have been made in support of retention of the present quota system in which comparisons have been made regarding contributions made to this country by immigrants.

Last year the supreme venerable and the national deputy of the order together with the president and other officials of the United-Italian American Labor Council of New York were privileged to spend quite some time with President Johnson in the Cabinet Room of the White House. At that time in a prepared statement, the President said among other things the following:

"No European nation has enriched us more than Italy. Italy is in many respects the mother of us all. Western culture—in Europe and in this country—is deeply indebted to the great minds and great men of Italy.

"When I think of Italy, I always think of Columbus—and I remember what Emerson said, 'Every ship that comes to America got its chart from Columbus.' "

Again we have heard unkind remarks relating to the assimilation into the American way of life of our immigrants. The remarks stating that those from certain areas having larger quota numbers were more readily assimilated than those with lower quota numbers and this justified the retention of the present quota system.

We of course cry out "shame on such blind thinking." However, rather than engage in the argument directly, we again revert to the President of these United States and his current message to the Congress in which he stated in part: "We have no right to disparage the ancestors of millions of our fellow Americans in this way." We say "amen" and might well point out that there are in excess of 22 million of such Americans, and who participate in every phase and facet of our national society and civilization from the laborer to the leader. Finally, we wholeheartedly endorse this portion of the President's message:

"The quota system has other grave defects. Too often it arbitrarily denies us immigrants who have outstanding and sorely needed talents and skills. I do not believe this is either good government or good sense."

The official position of the Order Sons of Italy in America traditionally has been to support and favor the interests of the United States of America before those of any other country. With this view in mind, we submit the following:

1. The order is not in sympathy with any proposal for an unlimited or freewheeling immigration policy that would threaten the security and welfare of the United States, including our national goals of attaining full employment, the maintenance and improvement of American labor standards, and the raising of the standard of living of all Americans.

2. Immigration regulations should permit complete reunification of family units without discrimination.

3. Careful standards of selection of newcomers should be maintained; that is to say, any person admitted to the United States would have to meet prescribed health, morals, and security requirements.

4. That immigrants should be regarded more carefully for the skills that they possess and their value to our national needs.

5. Priority of registration, or, the principal of first come, first served should be a very important criterion. In this regard we also recognize the need for a limitation on all countries to insure equal opportunities for admission.

6. With respect to the above item 5, we urge the reallocation of unused quota numbers to oversubscribed countries after the preliminary limitation has been applied. This could well help with many thousands of persons already in the United States but whose families must wait for years and years because of oversubscribed quota numbers; and yet this anguish and torment could be alleviated by transferring the quotas of undersubscribed countries.

7. We are in accord with the gradual changeover in eliminating the national origins quota system.

8. There appears to be no serious threat to the labor market in this country under the new legislation if adopted.

9. In addition to the last four American Presidents, current changes being advocated have also been supported by our last four Secretaries of State and by our last four Attorneys General.

A new committee presently being formed and to be known as the National Committee for Immigration Reform in its statement of purpose sets forth the following:

"By discriminating among nations on the basis of birthplace, the national origins provision is detrimental to our international interests, breeds hatred and hostility towards the United States, blocks comity among nations, and is a hindrance to our Nation's policy of peace among nations, without serving any national need or serving any international purpose of the United States.

"The order therefore endorses the passage at this session of the Congress H.R. 2580 introduced by the Honorable EMMANUEL CELLER, chairman of the House Judiciary Committee, and S. 500 introduced by Senator HART, of Michigan, and some 32 other Senators.

"The Order Sons of Italy in America will hold its Diamond Jubilee National Convention in Baltimore, Md., from August 25 to August 28, 1965. How wonderful, gentlemen, if we could announce to those assembled at the convention that the Congress had finally adopted a new and more enlightened and more humane and truly American immigration policy by the enactment of this new legislation.

"We do not ask for anything that is revolutionary. We do not suggest changes in the law that are unfair and unreasonable. This great Nation of ours has always believed in equal justice under law. As Americans we believe in equal opportunity based upon qualifications. We ask for justice for all people. We ask that all potential immigrants be granted equal opportunity to prove their qualifications to enter this country. We have established military and naval bases in many countries to protect our American way of life. We are maintaining numerous Peace Corps units throughout the world to help others who are unable to help themselves. We have established and maintained for many years an excellent student exchange program that has helped to create a better understanding among the nations of the earth. We make vast contributions to the U.N., to NATO, to SEATO and to other international organizations. We do these things and many others because we want to maintain world peace at any cost, making any sacrifice. But all these international activities will be nullified if we persist in continuing an immigration policy that should never have been born.

"On the one hand, throughout our international activities we endeavor to prove to the world that we are a good neighbor, but on the other hand throughout our immigration policies we say to millions of people in many nations, 'You are not fit to enter this country. We don't want you. Stay where you are.'

"On behalf of the entire membership of the Order Sons of Italy in America, we urgently submit to you gentlemen that this Congress should not again permit the opportunity to pass without enacting favorable legislation. We, therefore, ask that your subcommittee bring out a favorable report on H.R. 2580; and, further, to exert all of your energies to bring about the passage of remedial legislation in both Houses and transmittal of the same to the President where we know it will finally be signed and proclaimed into law to your everlasting credit and endearment in the hearts of the overwhelming majority of the American people and our friendly people of other nations."

We, the undersigned, speaking for ourselves personally, and for the membership we have the honor to represent, we thank you Mr. Chairman and membership of the subcommittee for this opportunity to appear before you to present our views.

Respectfully submitted,
JOHN OTTAVIANO, Jr., ESQ.,
Supreme Venerable.
SAMUEL CULOTTA, ESQ.,
National Deputy.
JOSEPH A. L. ERRIGO, ESQ.,
Chairman, National Committee on Immigration.
JOHN F. NAVE,
Chairman, New York Grand Lodge.
Dr. NICHOLAS M. PETRUZZELLI,
Economist.
Hon. VITO MARINO.
Supreme Trustee.

JULY 6: FIRST ANNIVERSARY OF MALAWI'S INDEPENDENCE

Mr. YARBOROUGH. Mr. President, today, July 6, marks the first anniversary of independence for the people of Malawi. As we join Malawi in celebrating this significant milestone in her history, I extend my congratulations to all the people of Malawi, on this important occasion.

Known as Nyasaland before gaining her independence, Malawi, with her lush green foliage, high mountains, and large lakes is one of the most beautiful nations in Africa. Bounded by Northern Rhodesia on the northwest, Tanzania on the northeast, and Mozambique on the south and southeast, her 37,000 square miles comprise a part of the Great Rift Valley. Of all her natural splendor, she is most famous for her 360-mile-long lake, Lake Nyasa, which the famous explorer-missionary, David Livingstone, discovered in 1859.

Besides her natural beauty, this country, with a population of about 4 million, is also well endowed with good agricultural land. Its major commercial crop is tea.

As an independent nation in the British Commonwealth, Malawi has a government patterned on the British system, with the Prime Minister as Head of Government, and a unicameral National Assembly, consisting of 53 elected members.

Surely Malawi should be proud of its independence, its democratic government, and its economic and social development. I am sure that I speak for the Senate when I say that we are proud to join the people of Malawi in celebrating their first anniversary, and we look forward to ever-strengthening ties of friendship and cooperation between our nations.

WATER SHORTAGE AND POLLUTION OF THE POTOMAC RIVER

Mr. BREWSTER. Mr. President, in the past few days, several of Washington's distinguished newspapers have published editorials concerning the Potomac River.

The Evening Star correctly called attention to the problem of the shrinking water supply in the Potomac River Basin. The seriousness of this problem cannot be overestimated. People need water to live; and they need it in a clear and pure condition—not polluted by industrial and municipal wastes and silt.

This June, the Potomac's flow at Chain Bridge reached an all-time low. If this trend continues, the Washington metropolitan area will be faced with the same water-shortage problems that already are facing upstream communities in the Cumberland area.

As the Washington Post pointed out, a good start has now been made in planning for the Potomac. Last Monday, I had the distinct pleasure of meeting with Secretary Udall and the Governors of the four Basin States, to discuss some of the important problems related to the Potomac.

The Post's editorial correctly pointed out that planning should be a continuing process, and that all action should not be postponed pending the outcome of final plans.

All too often, planning becomes an excuse for inaction and delay. Fortunately, this is not the case with the current planning efforts. On the local, State, and Federal level of government, there is an awareness of the need for immediate action if solutions for the problems of the Potomac are going to be found.

I ask unanimous consent that these two fine editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, June 30, 1965]

SHRINKING WATER SUPPLY

In some parts of the country rivers are on a flooding rampage. But the water shortage is critical in other areas—New York City, eastern New York and Pennsylvania, New Jersey, and southern New England.

The Potomac still furnishes ample water for Washington and those communities in the surrounding areas which draw upon it. But warning signals are flying.

The Potomac's flow at Chain Bridge is at an all-time low for June. Last September the daily flow was almost down to the 474 million gallons a day record low set in November 1930. Given another summer of drought this year, we could be close to the danger point by fall.

The Washington area water system is capable of providing 470 million gallons of Potomac water a day but it has never been called upon to deliver at capacity. The District system alone, with a capacity of 355 million, has never been called upon for more than 265 million gallons in 1 day. But the problem grows as the demands for water rise throughout the metropolitan area, for farm irrigation upstream, and for other purposes. Unless the rains are forthcoming, it is not at all inconceivable that the riverbed one day may be dry from Little Falls to tidewater. The need, not only here but throughout the East and Northeast, is for summer rainfall substantially and consistently above normal.

A helpful aspect is the effort now underway, led by Interior Secretary Udall, to make the Potomac Basin a model for the Nation. And this of course includes water conservation as well as beautification and preservation of points of historic interest. It is urgent in our opinion, that the efforts in this respect by the Federal Government and the participating State governments be carried forward vigorously and without unnecessary delay.

[From the Washington Post, July 1, 1965]

TO PROTECT THE POTOMAC

Anyone can draw up a plan for the development of the Potomac River. But drawing up a plan that will be enforced is altogether another matter. In the past, the planning for the river has begun with arguments among the technicians and ended with stalemate among the politicians. Secretary Udall now intends to begin with a political agreement, and work from there into the technicalities of river planning. The Secretary is showing a gift for learning from the ill success of others (in this case, the Army Engineers), and his meeting with the Governors of the States of the Potomac Basin symbolized the new beginning. As Governor Tawes of Maryland observed, it was the first time in the river's long history that the Federal and State authorities had jointly considered the future use, and present misuse, of the region's greatest natural resource.

Mr. Udall was quite right to recognize that a sound plan cannot be prepared in the half-year of the original schedule; but he was equally right to point out that many of the most urgent decisions can be taken without waiting for the entire plan. This city has fallen into the evil habit of putting off all decisions pending plans that are never finished. Planning for the Potomac will be a continuous process, and the plan never will be finished. But very early in the process the planners can decide, for example, whether to build the Army Engineers' high dams. Happily, the men around Mr. Udall's table seemed heavily inclined against the high dams (the sole exception being Congressman MACHEN, who appeared to have missed the cardinal point that these dams have very little to do with water supply).

The next question will be the creation of the agency to carry out the planning. Mr. Udall spoke of the Delaware River Commission, in which the Federal Government sits as an equal partner of the States. Senator BREWSTER, of Maryland, spoke of expanding the present Interstate Commission on the Potomac. The suggestions both look toward a new kind of government, a regional authority that is both strong and responsive.

The foundation has now been laid for a genuinely cooperative development of the Potomac Basin. The essential element is a politically inspired plan, politically inspired in the true and useful sense of representing accurately the interests of the people who live here.

AMISTAD DAM AREA OFFERS VAST RECREATIONAL POTENTIAL

Mr. YARBOROUGH. Mr. President, recently I introduced a bill to establish a recreational area in the area of the Amistad Dam and Reservoir, now under construction on the border between Texas and Mexico.

The potential for recreation offered by this rough canyon country is tremendous, and has created much interest among all of those concerned with this project. To provide a description of the area involved and of the advantages of having a recreational area in this location, I ask unanimous consent that the headline article describing this bill, beginning on the front page and continuing on page 2 of the Del Rio News-Herald of June 22, 1965, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YARBOROUGH INTRODUCES PARK BILL—EIGHT CONSTRUCTION SITES REQUESTED

Authorization for a national recreation area in the Amistad Reservoir area is sought in a bill introduced Monday in the U.S. Senate by Texas' senior Senator RALPH W. YARBOROUGH, in Washington, D.C.

The bill YARBOROUGH introduced was prepared by the U.S. Interior Department at his request, and calls for the development of eight tracts in the reservoir area as a national recreation area, combining public outdoor recreation benefits with conservation of scenic and historic sites under the National Park Service.

"This bill offers a wonderful opportunity to establish a major recreation facility with national recognition," YARBOROUGH told the News-Herald in a telegram. "It will be a major attraction for tourists in the Southwest and will offer water sports second only to Padre Island National Seashore area, and for scenic beauty."

H. M. Pettit, chairman of Del Rio's Amistad Dam Committee said Senator JOHN TOWER, Texas' junior Senator, has endorsed the bill and that Congressman O. C. FISHER of San Angelo, who represents the 21st Congressional District in which Amistad Dam is located, is introducing a similar bill in the U.S. House in Washington.

"I understand Senator YARBOROUGH and Senator TOWER are working together on this important measure," Pettit said, "and that Congressman FISHER introduced a similar bill in the House.

"This is something we've looked forward to for a long time since it is highly important not only to Del Rio but for the entire Southwest for this area to be developed for recreational facilities. The potential is already there; a little development promises almost unbounded possibilities," Pettit said.

Seven of the sites have been pinpointed and the eighth, Pettit said, will be at one of a number of tentative locations.

Two areas at the west end of Devil's River highway bridge and another at the east end, the end toward Del Rio, will be developed as recreational areas under the proposal submitted by Senator YARBOROUGH; another would be located in the Sao Pedro highway bridge vicinity; a fifth would be above Devil's Lake, around Rough Canyon; still another recreation area would be located at the Pecos River and a seventh site would be a fishing area below Amistad Dam, being built astride the Rio Grande 12 miles upstream from Del Rio and Ciudad Acuna, Mexico, by the United States and Mexico.

"I think the eighth area would be a site somewhere in the lake area but the last I heard any discussion on it, a final selection had not been made," Pettit said.

Because of the rough canyon country in the reservoir area, deep inlets from the lake created by the dam will make scenic coves, Pettit pointed out, and will offer a contrast to the wide open areas of the lake where boating is expected to be a major recreation.

A long-time interest in the recreational aspects of Amistad Reservoir has been maintained by high Government officials, Pettit said, and U.S. Commissioner Joseph Friedkin of the International Boundary and Water Commission is one of the interested. Similar interest has been shown by his counterpart, Mexican Commissioner David Herrera Jordan of Juarez, Mexico.

Both men expressed an interest in such areas when they inspected the damsite recently when the model of the structure was unveiled at the I.B. & W.C. headquarters at Amistad village.

COMPENSATION FOR INNOCENT VICTIMS OF CRIMES

Mr. YARBOROUGH. Mr. President, it is time that we in America started to give some consideration to the victims of crimes, rather than only to the perpetrators of these crimes. Right now, we provide to the indigent criminal free counsel. To the victim, however, we give nothing, even though we have failed to provide him the police protection which we have promised. I have introduced a bill—S. 2155—which at least provides for some actual compensation of losses incurred by the victims of violent crimes.

I ask unanimous consent to have printed in the Record an excellent article describing the bill. The article was written by Ned Curran, and was published in the June 21 edition of the Corpus Christi Caller-Times.

There being no objection, the article was ordered to be printed in the Record, as follows:

Yarborough Sponsors Bill To Assist Crime Victims

(By Ned Curran)

Washington.—Senator Ralph Yarborough has begun a long trip through completely unchartered backwaters of criminal law with a bill to compensate the victims of violent crime.

In introducing the bill, Yarborough told the Senate that society is given too much lately to lamenting the plight of the criminal.

"It is time," he said, "the Government of this Nation shows as much concern for the victims of crime or violence against the person as for the people who commit the crime."

The totally new concept embodied in the Senator's bill would apply, of necessity, only to Federal jurisdictions, such as the District of Columbia, military and Indian reservations, ships at sea and territories. He expressed the hope, however, that State and local jurisdictions study the idea with an eye toward emulating it.

The bill would establish a three-member Federal commission, appointed by the President and armed with quasi-judicial powers and a staff.

Any innocent victim of one of 14 crimes of violence, ranging from assault with intent to kill, rob, rape or prison to mayhem could file a claim with the commission within 2 years.

The commission, after establishing that the claimant was in fact the innocent victim of the crime, could then award compensation up to a limit of $25,000.

Yarborough has sought to plug as many loopholes as possible in the bill—there would be no appeal from the commission; attorney fees would be limited to 15 percent of an award over $1,000; hospitalization or insurance benefits received by the victim would be taken into account; the prevailing commission guideline would be equity rather than legal technicalities; the victim cannot be related or married to the attacker; compensation would be limited to actual damages, shorn of any "profit" to the victim.

But obviously loopholes do and will crop up. One of Yarborough's principal aims is to broach the idea and encourage discussion, debate and consideration. He admitted it may be 5 years before there is complete congressional acceptance of the concept.

He said although New Zealand and Great Britain have recently enacted similar laws, the matter is totally new to American jurisprudence. The only ally Yarborough called up was Supreme Court Justice Arthur Goldberg who has espoused the same idea.

"Since the middle of the 19th century," Yarborough pointed out, "we have turned away from the old concepts of 'an eye for an eye and a tooth for a tooth,' and 'every man his best protector' as workable methods for punishing criminals and protecting the law-abiding citizens. We have demanded that people no longer go armed on our streets in order to protect themselves. We have outlawed vigilante groups. We have left the punishment of the criminal to the State rather than to the victim's relatives or a lynch-crazed mob.

"We have told our people," he continued, "that they will be best protected if law enforcement is left to the government, not to the private person. Having encouraged our people to go out into the streets unprotected, we cannot deny that this puts a special obligation upon us to see that these people are, in fact, protected from the consequences of crime."

Yarborough contrasted the lot of the victim with the concern shown the criminal.

"What happens to the perpetrator of the brutal attack? Society says that, if apprehended, he must be warned of his legal rights to have an attorney before he is permitted to confess. Then if the criminal is held beyond a short while before being taken before a magistrate, a conviction would be reversed on constitutional grounds. Many persons stand ready to assist the offender in protecting his constitutional rights through all the courts of the land.

"While society is weeping over the criminals," Yarborough said, "it is showing no such concern, indeed no concern, for the victims of his crime. Society is brutal toward the victims of crime, not against the criminals."

DEPARTMENT OF ALASKA AMERICAN LEGION ENDORSES COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, the Department of Alaska American Legion held its State convention at Sitka, Alaska, on June 16 through 19, 1965. This department has a proud history. The present legislative director of the American Legion headquarters here in Washington, Harold E. Stringer, comes from the American Legion Department of Alaska.

At its recent statewide convention, the Alaskan department adopted a resolution endorsing the cold war GI bill, and specifically Senate bill 9, now pending on the Senate Calendar. I ask unanimous consent that the resolution be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution 65–23

Resolved, That the American Legion, Department of Alaska, in regular convention assembled at Sitka, Alaska, June 16–19, 1965, does hereby endorse S. 9 (cold war GI bill) now pending in the Senate of the United States; and be it further

Resolved, That a copy of this resolution be forwarded to Senator Ralph Yarborough, chairman of the Senate Subcommittee on Veterans' Affairs, each member of congressional delegation from Alaska, and to the national adjutant of the American Legion.

OLDER AMERICANS ACT OF 1965

Mr. SMATHERS. Mr. President, today final congressional approval was given H.R. 3708, entitled the "Older Americans Act of 1965." I am confident that I speak for the overwhelming majority of the Senate Special Committee on Aging in expressing pleasure and satisfaction over passage by Congress of this measure. I myself have sponsored a proposal which has many features in common with this bill, having introduced S. 1357 in 1963, which I reintroduced early this year as S. 991. The Older Americans Act will authorize several Federal grant programs which would have been authorized by enactment of my bill. For this reason, I am happy to join the sponsors of the Older Americans Act of 1965 in celebrating final approval by Congress of this measure.

It will do a tremendous amount for the elderly of our Nation at comparatively small cost. It will greatly strengthen State and local agencies for the aging and will provide funds needed for community planning and coordination of programs for older citizens. It will provide funds needed for research and demonstration projects to extend and improve our knowledge of effective methods of meeting the needs of our Nation's elderly. It will increase the number of trained personnel to serve the Nation's elderly, for lack of sufficient numbers of which many activities and programs for the elderly are badly handicapped.

Enactment of this measure will implement recommendations of many knowledgeable witnesses at hearings of the Senate Special Committee on Aging and its subcommittees. Those who have studied the problems and opportunities of America's elderly and who are qualified to speak authoritatively have long advocated programs of these types.

This bill will do all these things at the cost of only a few million dollars a year. It represents a sound investment in improving the later years of not only the senior citizens of today but also those of younger Americans who hope to live long enough to be tomorrow's senior citizens. The President should give it his prompt, enthusiastic approval.

ORDER OF BUSINESS

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that further proceedings under the quorum call be terminated.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

PRESIDENTIAL INABILITY AND VACANCIES IN THE OFFICE OF VICE PRESIDENT—CONFERENCE REPORT

The **PRESIDING OFFICER.** Under the unanimous-consent agreement, the Chair lays before the Senate the pending business, which the clerk will state.

The Legislative Clerk. Report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

The Senate resumed the consideration of the report.

The PRESIDING OFFICER. Who yields time?

Mr. BAYH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAYH. It is my understanding that under the unanimous-consent agreement adopted by the Senate earlier, the time is to be controlled, 1 hour by the distinguished Senator from Tennessee [Mr. Gore] and 1 hour by me.

The PRESIDING OFFICER. Under the agreement, there is a limitation of 2 hours, 1 hour on each side.

Who yields time?

Mr. BAYH. Mr. President, the Senator from Tennessee [Mr. Gore] has a prepared speech. I do not desire to engage in colloquy.

I will yield myself just 2 minutes to say that this has been a much discussed subject over the 187 years of our history. The record over the past 187 years is replete with studies by the Congress, the Senate, and individuals concerned.

The purpose of the constitutional amendment, the conference report on which we are now called to approve, is to provide a means which we have devised by which the Vice President will be able to perform the powers and duties of the office of the President if the President is unable to do so.

Mr. President, in my estimation, it is impossible to devise a bill or a constitutional amendment which can cover all the contingencies in this particular, complicated field, but this Congress has gone further than any of its predecessors toward meeting the problem.

On the last day of the debate I went into some detail to specify the details of the report. I do not believe it is necessary to do so again today, unless some of my colleagues wish to question me or engage in colloquy.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BAYH. I am glad to yield to the Senator from New York, who has contributed so much to bringing us in the position we now find ourselves.

Mr. JAVITS. I am gratified by the statement of the Senator. I read the Record over the weekend and thought a great deal about the subject over the weekend and thought again about the relatively close questions which the Senator from Tennessee, the Senator from Indiana, I, and other Senators discussed.

I had the good fortune to read in one of the New York newspapers, the Herald Tribune, a fine editorial on the subject, which, if the Senator will permit me, I ask unanimous consent to have printed at this point in the Record as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Clarifying the Presidential Succession

Hopes that this session of Congress would see the beginning of the end of a very serious hiatus in the present laws governing the succession to the Presidency—what is to be done if a President still lives, but is incapacitated from serving—have been discouraged. The Senate had passed a proposed amendment covering this contingency; the House passed a somewhat different version. A conference committee reconciled the two, and its solution was accepted by the House. Then a sudden uprising by some Democratic Senators (including our own Robert Kennedy) saw flaws in the amendment and obtained a delay in the Senate vote until tomorrow.

It is to be hoped that the Senate will weigh the theoretical objections put forward by the amendment's opponents against the very real dangers that now exist. The amendment tries manfully to cover all contingencies, but it obviously cannot prevent a group, infecting both the administration and Congress, from attempting to subvert the spirit of our institutions and affronting the good sense of the American people by seeking to have a sane and healthy President declared incapable of performing his duties. If such a desperate situation should arise, the lack of the proposed amendment would not stop the conspirators. It did not arrest the attempt to oust President Andrew Johnson by impeachment, for example—which failed by only one vote.

But the amendment would foreclose the possibility of another such constitutional nightmare as occurred when President Wilson was felled by a stroke and the country—to all appearances—was governed by his wife. This portion of the amendment is, in other words, about as sound as human forethought can make it. It relies, to some extent, upon the integrity and good sense of the men elected to high office by the American people. But so does everything else in our Constitution.

In other respects, too, the amendment makes needed reforms. It provides for filling a Vice-Presidential vacancy by Presidential appointment, confirmed by Congress. This is a better arrangement than the various succession acts passed by Congress since 1792, and fleshes out the 20th amendment, which deals chiefly with the problems arising between the election of a President and his inauguration. The amendment is good and necessary. It will require months to acquire approval by the necessary two-thirds of the States and should not be further delayed by counsels of impossible perfection nor by fears of what would be, in fact, revolution.

Mr. JAVITS. Mr. President, this is a tremendously important measure, a historic development in the field of Presidential succession, and we have spent a great amount of time working it out in detail. Senators who have raised questions about the matter have been statesmenlike about it and have not necessarily said that they would vote against it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BAYH. I yield 1 minute to the Senator from New York.

Mr. JAVITS. We all know that in many areas of legislation, especially in the field of constitutional amendments, we cannot spell out all the details. If an attempt to do so is made, we get into more trouble than if an effort was not made and we leave it open to further implementation.

What we discussed about the exclusivity of action of a body provided for by Congress would properly be a subject of legislation. If Congress chose not to act, it would be making a choice that the machinery provided for in the amendment should operate.

The argument that not everything is "buttoned down" by the proposed amendment is not, in my judgment, persuasive. We should not "monkey around" with the amendment to provide for something which could be taken care of by legislation by Congress.

There are many occurrences which are tantamount to revolution which could take place to immobilize our Government. Suppose the Senate and the House should refuse to approve any appropriations for the carrying on of the Government. It would immobilize us——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BAYH. I yield 1 minute to the Senator from New York.

Mr. JAVITS. That would immobilize us as much as would be the case if, contrary to acting in good faith, Congress chose not to legislate in the utilization of the amendment.

So, after further deep consideration of the matter, I have come to the conclusion that notwithstanding the questions I expressed, which were in the form of exploratory questions, we have come as far as Congress can go, as the saying is, and I shall vote to approve the conference report.

Mr. BAYH. I thank the Senator. I believe that the colloquy that we had, I, being in charge of the conference report, was helpful in the last discussion.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GORE. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, and that the time be equally divided.

Mr. BAYH. Mr. President, I think this is unnecessary. If the Senator wishes to take it out of his own time——

Mr. GORE. Mr. President, I withdraw the request.

Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time be not charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 163 Leg.]

Allott
Anderson
Bass
Bayh
Boggs
Burdick
Church
Clark
Dirksen
Ervin
Gore
Harris
Hill
Holland
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, N.Y.
Long, La.
McCarthy
McGovern
McNamara
Metcalf
Monroney
Morton
Moss
Mundt
Muskie
Pearson
Pell
Proxmire
Ribicoff
Robertson
Smith
Sparkman
Stennis
Symington
Talmadge
Young, N. Dak.

The PRESIDING OFFICER. A quorum is not present.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Louisiana [Mr. ELLENDER], the Senator from Nevada [Mr. CANNON], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from North Carolina [Mr. JORDAN], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MANSFIELD], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mrs. NEUBERGER], the Senator from West Virginia [Mr. RANDOLPH] and the Senator from Oregon [Mr. MORSE] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], and the Senator from Indiana [Mr. HARTKE] are absent on official business.

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Nebraska [Mr. HRUSKA], and the Senator from California [Mr. MURPHY] are absent on official business.

The Senator from Utah [Mr. BENNETT], the Senator from Kansas [Mr. CARLSON], the Senator from New Hampshire [Mr. COTTON], the Senator from Hawaii [Mr. FONG], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

Mr. BAYH. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Indiana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. BREWSTER, Mr. BYRD of West Virginia, Mr. CASE, Mr. COOPER, Mr. CURTIS, Mr. DODD, Mr. DOUGLAS, Mr. FANNIN, Mr. GRUENING, Mr. HART, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. KENNEDY of Massachusetts, Mr. KUCHEL, Mr. LAUSCHE, Mr. MCCLELLAN, Mr. MCGEE, Mr. MCINTYRE, Mr. MILLER, Mr. MONDALE, Mr. NELSON, Mr. PASTORE, Mr. PROUTY, Mr. RUSSELL of South Carolina, Mr. RUSSELL of Georgia, Mr. SCOTT, Mr. SMATHERS, Mr. THURMOND, Mr. TOWER, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. WILLIAMS of Delaware, Mr. YARBOROUGH, and Mr. YOUNG of Ohio entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. KENNEDY of Massachusetts in the chair). A quorum is present.

Who yields time?

Mr. GORE. Mr. President, I yield 15 minutes to the senior Senator from Minnesota.

Mr. McCARTHY. Mr. President, I believe that the Senate acted wisely in putting off action on the conference report for a few days so that we could carefully examine the language in the proposed amendment and so that all Senators, rather than the four or five who participated in the discussion last week, might be fully aware and informed as to the committee interpretation and what would then be the congressional interpretation of what the proposed amendment to the Constitution would actually mean.

I note again that we are not enacting a statute, something which we could change in this Congress or in any subsequent Congress. We are acting on a constitutional amendment which would establish the procedure for the indefinite future.

I have serious reservations about more than the language of the amendment. I have very serious reservations about the substance of the amendment itself. It was my view when the question of presidential disability and vice-presidential succession was raised that there was sufficient authority in the Constitution to permit Congress to proceed by statute.

Paragraph 6, section 1, of article II of the Constitution gives Congress power to legislate in the area of presidential disability and of succession of a Vice President. This section of the Constitution reads:

> In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

It is my judgment that we could act by statute to meet both the problem of succession and disability. There are constitutional authorities who feel that we have power to act in case of a vacancy in the vice-presidency. However, there is some question as to our ability to act in case of disability.

I am willing to abide by the judgment of those who thought we needed a constitutional amendment. It was my opinion that the amendment should be a simple one and should make clear the right and authority of Congress to act by statute.

This was the opinion of Deputy Attorney General Katzenbach when he testified before the committee in 1963 and in his statement submitted to the committee in 1964. He asked for a simple constitutional amendment; and, following that, for action on the part of Congress to spell out the procedures by which inability might be determined and also by which the commencement and termination of any inability would be determined.

This is not the issue involved today. Congressional committees, in both the Senate and House, have considered, I am sure, the possibility of a simple amendment to leave the way open to proceed under statute but they have not approved this method.

At this time, we are preparing to take what will probably be final action or, at least, the last chance to review the proposed amendment.

It has been argued that State legislatures would give a thorough review to the matter. We were informed last week that one State legislature was holding up action until after Congress had acted on the matter so that it would be the first State legislature to ratify the measure. It may be that the State legislature studied the matter and is fully informed as to the amendment. However, I have very grave doubts that this is so. I believe that after Congress acts on the matter, ratification by the States will be almost routine.

Mr. GORE. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. GORE. Mr. President, I wonder if the able Senator believes that the members of the legislature which was awaiting the adoption of the conference report by the Senate in order to be the first State to ratify the amendment could have had an opportunity to read the conference report and determine that the conferees had added certain words to the language. Two of the words were "pro tempore." Another was "either," and the other word was "of."

The conference report did relate that minor changes in language had been made. However, I wonder if the Senator believes that the insertion of the word "either" in the Constitution of the United States, having to do with two bodies, either of which, under the terms of the pending amendment, would play a part in the declaration of presidential disability is a minor matter, and if the State legislature to which the Senator referred was aware of this fact.

Mr. McCARTHY. Mr. President, I believe that it could very well be a most serious matter. Certainly, the language of the amendment as sent to conference would be preferable to this language.

I know that the Senator from Tennessee has given much study to the meaning of the words and the application of the disjunctive alternative of "either/or" in this case.

The Senator will speak on that at some length later today. I should say that we are writing new meaning into the word "either," and that if we were to approve the draft which is before us from the conferees, we would be ignoring every treatise of grammar in which it is pointed out that if we use the word "either/or," we are providing a choice. They are alternatives. One does not include the other. We ought to use words in their logical meaning when we write them into the Constitution of the United States.

I had hoped that Senators who were handling the matter would agree to return to conference. I believe that the matter could have been cleared up in a 4- or 5-minute conference with Representatives of the House. The word "either" appears to have been dropped into the amendment almost by inadvertence. It was not used as a result of carefully considered judgment. It is not a word that was weighed or was subject to any prolonged discussion in conference.

I hope that the Senate will give consideration to the possibility of what I think might create great confusion when and if this amendment is ever put to the test. If such an occasion should arise, it could be at a time when the entire constitutional structure of the United

States would be subject to its most severe test in history.

The question of having two Presidents, each of whom desires to perform the duties of office, and the question of having two cabinets or of trying to determine when the functions of one Cabinet came to an end, might be impossible of solution. The President could end the term of office of the members of the Cabinet with a mere declaration. There would be no way to determine whether they could participate in the making of the judgment provided in the proposed amendment.

It is my opinion that the Vice President should have been excluded in any case. This question has been considered by the committee. The committee has decided that the Vice President should be the key man.

No one, under this amendment, can take action with reference to the inability or disability of the President unless such action has the concurrence of the Vice President. The procedure which is provided by the Constitution for impeachment provides for action by the House of Representatives and the Senate. I believe that, as elective officials of the country, Congress should be willing to assume its full responsibility.

I had hoped that the conferees might have gone back and at least cleared up the point raised by the Senator from Tennessee, although, as I have said, my preference would be for an amendment giving Congress the clear authority to act by statute. This was evidently the position concurred in by Attorney General Katzenbach in his original testimony before the committee, and also by several other members who said that the amendment is not what they would have written had they been free to write it. I had hoped that these more substantive matters would have been considered——

Mr. BAYH. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. BAYH. Mr. President, I do not want the record to be incorrect in expressing the present position of the Attorney General. Is the senior Senator from Minnesota aware of the testimony given by the Attorney General before the committee in 1965?

Mr. McCARTHY. I knew the Attorney General was supporting the amendment.

Mr. BAYH. I thank the Chair.

Mr. McCARTHY. I was referring to what was his preferred position when as Deputy Attorney General he testified on the constitutional amendment dealing with Presidential inability. I believe his original position was sound, although, as in the case of many other people, he is willing to support the proposed amendment because of the urgency of the situation.

Mr. BAYH. But the Attorney General did say, before the Subcommittee on Constitutional Amendments of the Committee on the Judiciary, that he believed the proposed amendment was the best alternative that has been conceived.

Mr. McCARTHY. I do not know whether he said it was the best alternative that has been conceived. He said it was the only possible course of action rather than no action at all, not that it was better than any alternative that was ever conceived. He conceived one which he thought was the best he could conceive.

Mr. BAYH. It might be well to have in the Record at this point the Attorney General's letter which was placed in the Record on the date of the debate when the Senate passed this measure 72 to nothing, if the Senator from Minnesota and the Senator from Tennessee have no objection.

Mr. McCARTHY. I have no objection. I know the Attorney General is supporting the amendment. I know what his opinion as stated publicly was. I know what his private opinion was. I know what the opinion which he gave to the Judiciary Committee was.

Mr. BAYH. May I ask that the letter may be made a part of the Record at this point, so that subsequent scholars may have the advantage of it?

Mr. McCARTHY. Yes.

Mr. BAYH. Mr. President, I ask unanimous consent that the letter to which I have referred be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Office of the Attorney General,
Washington, D.C., February 18, 1965.

Hon. Birch Bayh,
U.S. Senate, Washington, D.C.

Dear Senator Bayh: I understand that recent newspaper reports have raised some question as to whether I favor the solution for the problem of Presidential inability embodied in Senate Joint Resolution 1, or whether I prefer a constitutional amendment which would empower Congress to enact appropriate legislation for determining when inability commences and when it terminates.

Obviously, more than one acceptable solution to the problem of Presidential inability is possible. As the President said in his message of January 28, 1965, Senate Joint Resolution 1 represents a carefully considered solution that would responsibly meet the urgent need for action in this area. In addition, it represents a formidable consensus of considered opinion. I have, accordingly, testified twice in recent weeks in support of the solution embodied in Senate Joint Resolution 1 and House Joint Resolution 1.

My views on the particular question here involved were stated on January 29, 1965, before the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, as follows:

"In my testimony during the hearings of 1963, I expressed the view that the specific procedures for determining the commencement and termination of the President's inability should not be written into the Constitution, but instead should be left to Congress so that the Constitution would not be encumbered by detail. There is, however, overwhelming support for Senate Joint Resolution 1, and widespread sentiment that these procedures should be written into the Constitution. The debate has already gone on much too long. Above all, we should be concerned with substance, not form. It is to the credit of Senate Joint Resolution 1 that it provides for immediate, self-implementing procedures that are not dependent on further congressional or Presidential action. In addition, it has the advantage that the States, when called upon to ratify the proposed amendment to the Constitution, will know precisely what is intended. In view of these reasons supporting the method adopted by Senate Joint Resolution 1, I see no reason to insist upon the preference I expressed in 1963 and assert no objection on that ground."

I reaffirmed these views with the same explicit language in my prepared statement delivered on February 9, 1965, before the House Judiciary Committee. In view of the above, there should be no question that I support Senate Joint Resolution 1.

Sincerely,
Nicholas deB. Katzenbach,
Attorney General.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from Tennessee yield to himself?

Mr. GORE. Such time as I may desire.

This is the last opportunity for any group of men in any body politic to revise or clarify the language of the proposed amendment. The House has already adopted the conference report. Should the Senate adopt the conference report in its present form, the proposed amendment would then go to the States for ratification. If the amendment is ratified by three-fourths of the State legislatures, it will then become a part of the U.S. Constitution.

The States will have no choice except to ratify or reject the amendment in the form submitted. That is why I say this is an important action on the part of the Senate.

The charter of our Republic is a precious document. Amendment of it should be approached with the greatest gravity.

In the beginning of our Republic the candidate for President who received the second largest vote became Vice President. The country's experience under that provision soon led to trouble, so much so that in 1804, I believe, the Constitution was amended so that the Vice President would be elected to a separate office by separate vote. Thus, it was sought to minimize the possibility of conflict between a President and a Vice President.

In July 1965 the U.S. Senate is again undertaking to deal with the question of the President and the Vice President of the United States.

On last Wednesday, when the conference report on Senate Joint Resolution 1 was before the Senate, I was one of those who urged that the vote on the conference report be delayed to permit additional time for Senators to examine the language of the proposed constitutional amendment before taking the final congressional action on what would be one of the more important amendments ever adopted to our Constitution.

I wish to make it clear that I did not then, nor do I now, seek either to block action on or otherwise defeat an amendment which would fill an existing procedural void in the area of presidential succession and presidential disability. The tragic events of November 1963 have served to call to the attention of the American people that failure to act on this matter might, at some time in the future, pose serious consequences to our Republic. Indeed, we should regard ourselves as most fortunate that we have not already, at some time in our history, experienced a grave constitutional crisis for want of a procedure for determining with certainty the fact of presidential disability. Clarity and certainty are the essential characteristics of any constitutional provision dealing with the subject.

The basic objective of an amendment such as we now consider should be the provision of a procedure certain for the declaration of disability of a President of the United States, but I submit that the provision now before the Senate provides an uncertain procedure.

In my opinion, the language of section 4 of the proposed amendment, which deals with the determination of the fact of Presidential disability by means other than the voluntary act of the President himself, lacks the degree of clarity and certainty required if the objective of this section of the amendment is to be achieved. If the fact of Presidential disability should ever become a matter upon which a President and other authorities designated in the amendment are in disagreement, the most essential requirement is that the procedure for making the determination be clear and precise, with the identity of those charged with responsibility for making the determination beyond question. Should the procedure not be clearly and precisely defined, or if the identity of the determining authority should be subject to conflicting interpretations, this Nation could undergo the potentially disastrous spectacle of competing claims to the power of the Presidency of the United States. This is precisely the risk which this section of the amendment is designed to avoid, but which, Mr. President, may be the result if this amendment should be adopted in its present form.

In my opinion, the language of section 4, if unchanged, is subject to conflicting interpretation—to say the least—and might create a situation in which a serious question could arise as to whether Presidential disability had been constitutionally determined.

I invite attention to the report of the Senate Judiciary Committee, on page 11:

> We must not gamble with the constitutional legitimacy of our Nation's executive branch. When a President or a Vice President of the United States assumes office, the entire Nation and the world must know without doubt that he does so as a matter of right.

I submit that under the proposed amendment one might assume or claim the power of the Presidency, not without doubt but under a cloud of doubt.

Let me read the first sentence of section 4:

> Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

I invite attention to four words in the above sentence—all four of which were added in conference. This is not the same language as that upon which the Senate previously voted. The words added in conference are "either," "of," and "pro tempore."

These words do not appear in the section as it was approved unanimously by the Senate. The addition of the words "pro tempore" effected a change in the Senate version to conform to the language of the House version so as to provide that a declaration of presidential disability should be transmitted to the President pro tempore of the Senate rather than the "President of the Senate."

I raise no question about that.

The statement filed by the managers on the part of the House, referring to the addition of the words "either" and "of", states that "minor change in language was made for purposes of clarification." The addition of these two words was, in my opinion, more than a minor change in language. This is a change in language which is proposed to be written into the Constitution dealing with one of the most sensitive events of our Republic; namely, the possible declaration of disability of a President of the United States.

In the absence of implementing action by Congress, it is clear that a declaration of presidential disability may be transmitted to the Congress by the Vice President acting in concert with a majority of "the principal officers of the executive departments." Hereafter I shall refer to the principal officers of the executive departments as members of the Cabinet.

To me, it also seems clear, under the language of the provision, that if Congress should "by law provide" some "other body," the Vice President might then be authorized to act in concert with either the Cabinet or such other body.

How can any other meaning be read into the words "either" and "or"?

Let us reverse the sentence. The Senator from Indiana says that the Cabinet would have the primary responsibility. The amendment does not so provide. In reversing the sentence, let us see how it would read and whether it would be changed in any way.

First, I read the sentence as it now appears:

> Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Now, Mr. President, I read the sentence in a revised form, and ask whether it would change the meaning in any respect:

> Whenever the Vice President and a majority either of such other body as Congress may by law create or a majority of the principal officers of the executive departments transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

If one changes the sequence in which the Cabinet and some other body created by Congress appear in the sentence, one still will have "either" and "or." It would be in the alternative. I do not know how "either" and "or" would give primary responsibility to one and secondary responsibility to the other.

I do not know how the words "either" and "or" can be interpreted to mean that one part has priority, or how it could be read to mean that if the other body is created, the first body has no responsibility and no power to act.

If I understand anything about the English language, if either the Senator or I is privileged to act, then either of us can act or both of us can act. Therefore, I insist that when the conferees added these words, they did more than make a minor change of language for purposes of clarification. I believe that I know why it was added—at least I have been so advised—to make it clear that the Vice President would participate in the declaration of disability with a body created by law if such were done.

But in adding the words, they established the possibility of two coequal bodies—coequal in responsibility under the Constitution—coequal in authority to act in concert with the Vice President to declare the disability of a President of the United States.

I do not believe this effect can be eliminated by a statement of legislative intent.

If my interpretation of the language is correct—and it seems to me that is what the words used clearly say—the Vice President would be free to choose to ally himself with either of the groups, depending upon which included individuals sympathetic with his view of the then current situation. And it is entirely possible that there might be differing views among members of the Cabinet appointed by the President, on the one hand, and members of a group designated by the Congress, on the other hand, on the question of whether a President suffers "disability."

Under the above interpretation—which is my interpretation—a Vice President would be in a position to "shop around" for support of his view that the President is not able to discharge the duties of his office. When the constitutional requirements have been met, it is the Vice President upon whom the duties and powers of the Presidency would devolve.

I should not like to indulge in the assumption that at any future time some diabolical person would be Vice President of the United States. However, the Constitution is the charter for our Republic. Rights must be safeguarded; so must constitutional procedure.

Let me repeat that we seek by this proposed amendment to provide a procedure certain for a declaration of disability of the President of the United States. I submit that the language of the conference report creates uncertainty, rather than certainty. This uncertainty cannot be eliminated by a statement of legislative intent, particularly so when the stated intent is not supported by the precise language of the amendment.

I should like to suggest, although it does not involve any assumption that we shall ever have a diabolical person as Vice President, that where there is a way we must guard against possibility of the will, and beware of the old adage that where there is a will there is a way.

Questions have been raised about the approach taken by this section of the amendment. In my view there is some validity to these questions. Whether the Vice President, who would become Acting President, should have any part in making a determination of presidential disability is, to say the least, debatable.

Were I privileged to reconsider the whole matter, I should want to think about this one point a long time. However I do not press this point now. I recognize that it is perhaps not possible to devise a procedure which would meet with unanimous approval. Members of the Judiciary Committee who have worked long and diligently on this matter state that this is an approach upon which it is possible to reach agreement. I accept their statement in this regard.

I know it is difficult. We have been considering this subject for months. However, is that justification for adopting an amendment on which Senators are in disagreement as to its meaning? Does not this invite a controversy that would have to be resolved by the Supreme Court of the United States at a possibly critical hour in the history of our country? If Senators cannot agree upon the meaning of the language of the amendment, how do we expect the State legislatures to have a clear and precise understanding?

I do not seek to defeat the proposed amendment, but I ask for rejection of the conference report, which changed the language of this provision, not in a minor manner, but in a major way and, I think, in a dangerous way. I ask that the conference report be rejected and that a further conference with the House be requested. Why should there not be an attempt to clarify the meaning or to refine the language of the amendment? If it is the intent that the Cabinet have the primary responsibility, the amendment should so state. If it is the legislative intent that once Congress had created another body the Cabinet would no longer have any responsibility, the amendment should so provide. If that is what we mean, let us say what we mean. Otherwise, how can the legislatures of our respective States act with a clear understanding of what an amendment to the Constitution of the United States in this delicate field means?

If the Vice President is to participate in the disability determination procedure, there should be no question whatever about the identity of the group which would jointly exercise the responsibility with him. Under my interpretation of the language used, a Vice President would be able to act in concert with either of the two groups—and I say again that the word "either" was added in conference—assuming that Congress had acted to create the second group. This would be the language of the Constitution upon ratification of the amendment as now drafted.

In the course of the debate last Wednesday, the manager of the bill, the distinguished junior Senator from Indiana [Mr. BAYH] and the distinguished senior Senator from New York [Mr. JAVITS] disagreed with my interpretation of the language used. It was their view that, if and when the Congress acted to provide by a law a body other than the Cabinet to share the responsibility with the Vice President, the Cabinet would thereafter be removed from the picture altogether. How? The amendment does not so provide. The amendment, once it becomes a part of the Constitution of the United States, will vest in the Vice President and a majority of the Cabinet the power to declare the disability of the President.

My friend the distiguished junior Senator from Indiana and the senior Senator from New York maintained that, after another body was created by law, only the Vice President and the body created by act of Congress could make a declaration of disability. Does the amendment so provide? I ask my colleagues in the Senate to read it. It does not. It provides that a majority of either one or the other could act in concert with the Vice President to declare the disability of the President.

The Senator from New York contended that the Congress, in the act creating "such other body," might undertake to eliminate the Cabinet, and that the courts in applying a rule of "exclusivity" would rule that since the Congress had acted, the body designated by Congress would possess the authority exclusively. The Senator from Indiana appeared to adopt this view.

The amendment does not so provide. I know of no rule of exclusivity which provides or could provide that a legislative enactment would take precedence over an express provision of the U.S. Constitution, which this amendment, if adopted, would become.

I do not subscribe to the view that Congress, even should it affirmatively undertake to do so, could by statute deny authority and responsibility conferred upon the Cabinet by what would then be an express and integral provision of the Constitution.

I should like to read again the language proposed:

> Whenever the Vice President and a majority of either the principal officers of the executive departments—

Let us leave out the words "either" and "or." I should like to read it in this way:

> Whenever the Vice President and a majority of the principal officers of the departments transmit to the President pro tempore of the Senate a statement of the declaration of disability of the President.

That is a part of the amendment. I submit that we cannot take that language out of the Constitution by statute once we write it in. A further amendment to the Constitution would be required.

But without pressing the subject of the final judicial outcome of such a question, I submit that we cannot here decide with certainty what the Supreme Court might finally rule. It is even more certain that we on the floor of the Senate cannot eliminate the possibility that the Court might someday of necessity have to rule upon the question. And it is entirely conceivable that while the courts are in the process of making a final determination there might be two individuals each claiming the power of the Presidency.

Mr. ERVIN. Mr. President, will the Senator yield for a question at that point?

Mr. GORE. I yield.

Mr. ERVIN. I ask the Senator from Tennessee if the proposed amendment would not make the question of whether or not the President is capable of performing the duties of his office a political question? In my view it would be a political question and for that reason the Court would not be called upon to pass upon it. In other words, the question posed by the Senator's interpretation would be the same question which would be raised by the interpretation of the Senator from Indiana; namely, Is the President incapable of performing the duties of his office?

The amendment provides that, if the President claims he is competent, the question shall be determined by the Congress. Therefore, would not the amendment make it purely a political question as distinguished from a judicial question, since under the terms of the amendment Congress would be the sole arbiter or determiner of the question?

Mr. GORE. I submit to my distinguished friend, the able senior Senator from North Carolina, that I do not find any provision in the amendment that Congress shall be the sole arbiter. I find that the amendment would vest in the Vice President, acting in concert with the majority of the Cabinet, authority to declare the disability of a President of the United States. If that language is not in the amendment, then I simply do not understand the English language.

Mr. ERVIN. Does not the Senator from Tennessee agree with the Senator from North Carolina that the resolution represents an attempt to establish a constitutional method of determining whether the President is disabled to perform the duties of his office?

Mr. GORE. I agree; but it provides two ways in which the determination could be made. That is the difficulty I have with it.

Mr. ERVIN. What is the harm in providing alternatives in making the determination? Would that not improve the amendment? It would make it more flexible. If the Senator from Tennessee is correct in his interpretation—and he is making a very fine argument—that the Vice President, either acting with the majority of the Cabinet or acting with the majority of an alternative body established by Congress, could declare a President to be disabled, would that not be an advantage? I feel that it would, in that it provides some flexibility instead of only one inflexible procedure.

Mr. GORE. The Senator in charge of the bill has said that that is not the correct interpretation. But to answer the Senator's question, I believe the existence of an alternate procedure would be harmful, and could be the cause of much mischief. The Senator has asked me a question. I should like very much to cite an example in which the language might even prove to be disastrous.

Let us suppose that the Congress has acted to create by law some other body to act in such cases with the Vice President. Let us suppose further that the individuals making up that body, or a majority of them, felt that the President was fully capable of discharging the duties of his office. But suppose the Vice President held a different view. And suppose further that, for one reason or another, a majority of the Cabinet shared the view of the Vice President. In such a situation if the Vice President and a majority of the Cabinet transmitted the necessary declaration to the Congress, who, then, exercises Presidential power? Will there be time for the courts to make a determination of competing claims without disaster? We all hope devoutly that such a situation never arises. But, in my opinion, it could arise, under the language contained in section 4 and under the hypothesis on which the Senator has based his question.

Mr. ERVIN. Does not the Senator from Tennessee contemplate the possibility that the members of the Cabinet might have such an overpowering sense of loyalty to the President that they would be unwilling to take such action? In such a case, in my view, it would be desirable to have an alternative body that could take the action rather than run the risk of having as President of the United States a person who conceivably might be a victim of insanity.

Mr. GORE. If the answer to the Senator's question is "Yes," then clearly and beyond question only one group should be empowered to act at one time.

Let me go further. I am not at all sure that it would be wise to set up an alternative procedure. Our basic objective should be to provide a procedure certain for the declaration of the disability of the President. I should like to recall to Senators that there is now one procedure under the Constitution for the removal of a President from office, namely, impeachment. It is now proposed to provide a second means by which a President could be removed and separated from the power of that office, the most powerful office in the world. If we are to take this step—and I would like to take such a step—we should do so with clear understanding and with certain procedure, not procedure which could invite a court contest at a critical hour in our Republic.

Mr. ERVIN. That is where the Senator from North Carolina reaches a point of disagreement with the Senator from Tennessee. I do not understand how there would be a court contest, because the amendment provides that the Vice President acting with either the Cabinet or another body established by Congress would raise the question. They would make a temporary decision, and that temporary decision would be immediately transmitted to the Congress for its decision.

Mr. GORE. Where in the proposed amendment is there a provision for a temporary decision?

Mr. ERVIN. The proposed Constitutional amendment provides that the Vice President could not take over the office of President unless he had given immediate notice to the President pro tempore of the Senate and the Speaker of the House. It also provides if Congress is not already in session, it must be called immediately into session and must make a decision on the issue within 21 days; Congress would decide the question before it would ever reach the courts.

Mr. GORE. Mr. President, I would like to debate further. I am advised that I have about exhausted my time. Will the Senator from North Carolina ask consent that the time used in our colloquy thus far be equally divided or charged to his side?

Mr. ERVIN. Mr. President, I ask unanimous consent that I may have 2 minutes of my own time in which to thank the Senator for yielding, and to say if the interpretation of the senior Senator from Tennessee is correct, that it would improve, instead of hurt, the amendment by making it more flexible.

Mr. GORE. Mr. President, an anomalous situation has just been revealed. The distinguished senior Senator from North Carolina, formerly a justice of the Supreme Court of North Carolina, has agreed with my interpretation and has said that the language improves the amendment. The distinguished Senator from Indiana disagrees with my interpretation.

I submit that when there is a disagreement as to interpretation between two of the authors of an amendment, this is the time to restudy, to redefine, and to clarify, before we submit the constitutional amendment to the States for their ratification or rejection. We are about to write into the Constitution of the United States an amendment that could be the most important amendment ever written.

Mr. ERVIN. Mr. President, I ask unanimous consent for 1 minute.

Mr. GORE. Mr. President, I do not now yield to the Senator.

Mr. ERVIN. I have merely assumed the Senator's interpretation to be correct.

The PRESIDING OFFICER. The Senator from Tennessee declines to yield.

Mr. GORE. I have only 4 minutes remaining.

In a situation involving the passing of the power of the Presidency from the hands of one individual to another it is equally important that the law be certain as that it be just or wise. Admittedly, we cannot anticipate and guard against every conceivable contingency. But in this case, we now have an opportunity to eliminate uncertainty, and to provide with certainty exactly who shall make the determination—not a temporary decision, but a determination of the disability of the President of the United States; and upon such a determination the power of the Presidency would pass to the hands of the Vice President, who could then fire the Cabinet, or part of it, and then make another declaration within 4 days of a contrary declaration by the President.

If we adopt the conference report in its present form, the matter will pass from the hands of Congress, and there will be no opportunity to change the language. There can be no language changes during the ratification process.

I am also concerned about remarks made by the junior Senator from Indiana during the debate last Wednesday which left me, at least, in doubt about the time at which it is intended by the authors of the amendment that the Congress would act to create "such other body."' I had rather supposed that it was intended that the Congress would, reasonably promptly after ratification of the proposed amendment, proceed to consider this matter at a time when there was no question whatever that the then President was fully able to discharge his duties. But there is no guarantee that Congress would in fact act at a time when this question could be given dispassionate consideration. I think it should. If the amendment is adopted, it seems to me that Congress should proceed forthwith to write a law in this regard, creating such a body. However, some of the remarks of the Senator from Indiana seemed to reflect a view that Congress might well not act until a question had been raised about disability on the part of the President. Is it the view of the authors of the amendment that Congress should not act until a situation arose—such as described by the senior Senator from North Carolina [Mr. ERVIN]—in which the prevailing view of Members of Congress was that the President was in fact disabled but a majority of the Cabinet was disinclined to so declare?

If that is the assumption, let us look at the other side of the coin. Suppose that instead of a Cabinet being reluctant, the body created by Congress is reluctant. Then there would be the possibility of one or the other acting, not as anticipated by the authors of the amendment, but in contrast therewith. Could Congress act wisely under such circumstances? It might not be able to act at all, if we waited until such time as Congress believed the President was disabled and thought the Cabinet was reluctant to act.

If a President should be resisting a determination of disability he might veto any bill passed, thus requiring a vote of two-thirds of both Houses of Congress to override the veto. Again, we all hope that there will never be an occasion for Presidential disability to be declared, either by the President himself or by anyone else. But if the need ever arises for such action other than by voluntary act of the President, it would likely have to be done in circumstances in which the President would not concur.

If the approach followed in the proposed amendment is to be followed, I would hope that any action taken by Congress would be taken at a time and under circumstances free of constitutional crisis.

Moreover, Mr. President, I feel strongly that if Congress by law provides for some "other body" to act jointly with the Vice President in making a declaration of Presidential disability, it ought to be clear beyond all doubt that only that "body" may participate with the Vice President in making such a declaration. I do not believe it improves the amendment to provide that two bodies may act. If either of two groups possess such authority the possibility of confusion and conflicting claims is much magnified.

As I have stated, it is my opinion that the language now before the Senate would authorize either of two groups to join with the Vice President in declaring Presidential disability. At the very least there is doubt about the matter. And a doubt or a question is all that it takes to require a Supreme Court decision, with the possibility of constitutional chaos during the period of judicial proceedings.

Mr. President, we need not take that risk. The proposed amendment is still before Congress.

If two-thirds of the Senate vote "yea," the amendment will no longer be before the Senate. There will no longer be any opportunity to clarify or define the language. It should not be overly difficult to devise language to clarify this one question—and it is an important one.

Unfortunately, under the existing parliamentary situation, there is no way in which language revision can be considered other than by rejection of the conference report. Once this step has been taken, a further conference with the House can be requested—that is what I propose—and the conferees would then have an opportunity to present language free of uncertainty. We should establish a procedure with certainty for the declaration of the disability of the President of the United States. I say that this uncertainty, instead of improving the amendment, condemns it to uncertainty and unwisdom.

Should the conference report, with its present language, be approved, doubt and uncertainty will, upon ratification, become embedded in the Constitution.

For the reason I have stated, I urge Senators to vote to reject the conference report and give to the conferees an opportunity to bring to us an amendment having precise, clear meaning.

Mr. President, I reserve the remainder of my time.

Mr. BAYH. Mr. President, I yield 10 minutes to the distinguished Senator from North Carolina.

Mr. ERVIN. Mr. President, the able and distinguished junior Senator from Indiana [Mr. BAYH] interprets the joint resolution to provide that if Congress does not create a substitute body as authorized by the amendment, then the Vice President, acting with the consent of the majority of the Cabinet, can declare the disability of the President, subject to congressional reversal. The Senator from Indiana also interprets the proposed amendment to mean that if Congress does create a substitute body to act, such substitute body supplants the Cabinet, and the Vice President, acting with the majority of such substitute body, can initially declare the disability of the President. The able and distinguished senior Senator from Tennessee says, on the contrary, that the Vice President may elect to use either the Cabinet or the body. I do not know what ultimate decision or construction will be placed on the amendment, but I say that a good argument can be made for either interpretation. However, I shall support the joint resolution.

The Senator from Indiana, the Senator from Tennessee, and I could have drawn a better resolution if we had had uncontrolled authority to do so. I have worked on this problem. If I were allowed to draft a resolution by myself, I think I could draw a better one. As a matter of fact, I drew what I believe to be a better one.

I did not believe the Vice President should be involved in the matter. My resolution put the matter in the hands of Congress alone. However, the measure before us reflects an amalgamation of views. As such, it represents a consensus which may not satisfy any of its proponents entirely. It may not be perfect. Indeed, in my view it is not perfect but I feel that it is the best resolution that is attainable.

I had to withdraw many of my opinions in order to obtain a resolution that would be approved by the Committee on the Judiciary and the conference committee.

I am not at all disturbed by the interpretation which my good friend, the Senator from Tennessee, places on the document. If it is a correct interpretation it would make the resolution better. This is a dangerous period in which we live, a period in which the President of the United States has his finger on the button that can start an atomic holocaust.

Many provisions of law provide alternative means. For example, in virtually every State of the Union, a prosecution for a felony can be started either by an individual in the court of a justice of the peace or by the indictment of a grand jury. However, before anybody can be convicted of a felony, he must be convicted by the same type of petit jury in a trial on the merits.

It is quite possible that in the future we may have a President who would be suffering from a mental disease, and the members of the Cabinet, appointed by the President, would be so loyal to him that they would be blind, to some extent, to his weaknesses and would not be amenable to declaring him disabled.

It would be well in a case such as that to have a body set up by Congress with the power to act. I believe that the interpretation given by the Senator from Tennessee, instead of injuring the resolution, would make it better. After all, the Vice President could not take over the office without the approval of a majority of either the Cabinet or the body established by Congress. I presume that all of the members of either the Cabinet or the body set up by Congress would be patriotic Americans. Even in that case, before the Vice President could take over, the President pro tempore of the Senate and the Speaker of the House of Representatives would have to be notified. Congress would then have to assemble, if it were not already in session, within 48 hours. Furthermore, it would have to make a decision within 21 days. If Congress did not make a decision adverse to the Preisdent by two-thirds vote in each House within 21 days, the executive powers would automatically return to the President.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. GORE. Mr. President, I apologize to the Senator for my reluctance to yield further during the colloquy in which we engaged.

Mr. ERVIN. I understand, The Senator was most generous.

Mr. GORE. Mr. President, let us suppose that the Vice President and a majority of either body provided for in the proposed amendment were to transfer to the President pro tempore of the Senate and the Speaker of the House a declaration of the disability of the President of the United States. Upon whom would the power of the Presidency then devolve?

Mr. ERVIN. The power would devolve upon the Vice President temporarily, until Congress could act, and then the decision would be made by Congress.

Mr. GORE. Mr. President, who would then have the power to appoint Cabinet members?

Mr. ERVIN. I do not believe that this amendment deals with that question. I believe that the Vice President could do so temporarily. However, I do not believe that Congress would confirm his appointees at a time when they were considering the question of whether he should be permitted to remain in the Office of President.

Mr. GORE. If the Vice President becomes Acting President?

Mr. ERVIN. That question was raised in committee. The question was also raised concerning whether the amendment should provide for succession to the Presidency in the case of the death of the President and Vice President simultaneously or in a common disaster.

Mr. GORE. The Acting President could dismiss his predecessor's Cabinet.

Mr. ERVIN. The Senator is correct.

Mr. GORE. Then he could appoint members of the Cabinet of his own choosing, subject to confirmation.

Mr. ERVIN. Yes. But Congress could vacate such action by decision favorable to the President.

Mr. GORE. Suppose that under the proposed amendment, the President, over his signature, were to notify the President pro tempore that he is able to assume the duties of the office of President. Then suppose that the Acting President, in concert either with the Cabinet, or with the other body which Congress would create, were to send a second declaration to the President pro tempore of the Senate declaring the disability of the President.

Mr. ERVIN. That could happen under either the construction placed on the amendment by the Senator from Indiana or that made by the Senator from Tennessee. There would be no difference whatever in that situation, under either construction.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. GORE. Mr. President, I should like to conclude this point first.

Mr. President, will the Senator yield further?

Mr. ERVIN. I yield first to the Senator from Tennessee and then to the Senator from Indiana.

Mr. GORE. If that be the case, if the answers which the distinguished and able senior Senator from North Carolina has provided be correct, then I say that it is all the more necessary to provide a procedure certain for the declaration of disability of the President. It illustrates clearly the unwisdom and the danger of creating a situation whereby there may be competing claims and groups as to the disability or ability of the President. We are dealing with a subject which might endanger the very procedures of our Republic.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. ERVIN. Mr. President, will the Senator yield me an additional minute?

Mr. BAYH. I yield 1 more minute to the Senator from North Carolina.

The **PRESIDING OFFICER.** The Senator from North Carolina is recognized for 1 additional minute.

Mr. ERVIN. I should say that every legal and constitutional situation conjured up by the Senator from Tennessee would be possible under either interpretation. There would be absolutely no difference whatever.

Mr. BAYH. Mr. President, I yield 10 minutes to the Senator from Illinois.

The **PRESIDING OFFICER.** The junior Senator from Illinois is recognized for 10 minutes.

Mr. DIRKSEN. Mr. President, first of all, I should like to pay testimony to the distinguished Senator from Indiana for the long and painstaking labor that was involved in the preparation of the proposed amendment. He has been very patient. He has heard the testimony of many witnesses. He has been very patient in the conferences with the House.

I pay testimony also to the distinguished jurist, the Senator from North Carolina, for the great service he has rendered.

I pay testimony likewise to the Senator from Nebraska [Mr. HRUSKA], good lawyer that he is, who has worked diligently on this matter, knowing its importance and knowing that sooner or later Congress would have to do something in this field.

I presume that the first thing we discover is that language is not absolute. The only word I can think of that is absolute is the word "zero." However, interpretations of all kinds can be placed upon language, and all the diversities of judicial decisions that are presumed since the beginning of the Republic, if placed in a pile, would reach up to the sky. Consequently, in dealing with the language before us, we have the same problem that we had in the subcommittee and in the conference.

Fashioning language to do what we have in mind, particularly when we are subject to the requirement of compression for constitutional amendment purposes, is certainly not an easy undertaking. However, I believe that a reading of the resolution will speak for itself.

Bruce Barton, a great advertising man who served one term in the House of Representatives and wrote that fascinating book, "The Book Nobody Knows," meaning the Bible, once observed to me that there was a penchant to read all the commentaries, but not to read the book itself. I am afraid that too often we fail to read into the RECORD exactly what is present.

They have a better custom in the House of Representatives, because when a bill goes to final reading in the Committee of the Whole, it is read a paragraph or section at a time. In the case of legislative measures, they are always read by section. In the case of appropriation bills, they are read by paragraph.

Perhaps it would be rather diverting if we started with section No. 1 of the amendment, which reads:

> In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

When Lincoln died, there was a quick transition of the Presidency into the hands of Andrew Johnson, and it offered no problem. To my knowledge, there has not been a resignation from the Presidency, and there has been no removal. Only once was an effort made to impeach a President and remove him from office. So this article of the section stands by itself and speaks for itself.

Section 2 provides:

> Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

When Franklin Roosevelt died, Truman acceded to the Presidency, and there was no Vice President. We then set up a line of succession, and I was in the House of Representatives when it was done. I do not know that our labor was a happy one, because it was beset with some prejudice and some bias. This question should have been taken care of long ago.

The question is taken care of through amendment to the Constitution. Who better to nominate the Vice President than the President himself? He is the party responsible. There is the sense of affinity, the capacity of working with somebody. The President should be able to select his working partner. That selection would be confirmed by majority votes of both Houses of Congress. That is about as good as English language can state it. I doubt if we can set it out more clearly.

Section 3 states:

> Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

There is the President, on his own volition and by his own motion, advising the Congress he can no longer discharge his duties. What more natural than that the Vice President should take over, not as President, but as Acting President, because there is always the chance of recovery? It took a long time in the case of Woodrow Wilson. It required only 90 days in the case of President Garfield when he passed away. But under this proposal the duties go to the Vice President as Acting President. That appears to be the logical way, in the absence of any contrary declaration made by Congress.

Then let us go to section 4:

> Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

One can make a hundred different assumptions under that language. The President might dismiss the Cabinet. But the President did not create the Cabinet. He appointed those who filled the positions. But it is the Congress that created the Cabinet, and Congress can always create a Cabinet, if it so desires. This is still the disciplinary branch in the Federal Government. It was no wonder that President Monroe said, "The legislative branch is the core and center of our free Government." There are only a few things that we cannot do. We cannot dismiss the President. We cannot diminish the number on the Supreme Court. We cannot abolish the Supreme Court. But we can do just about everything else. We can reduce their number if we so desire, and, of course, we can abolish every Cabinet post. There is nothing to stop the Congress from doing it.

In the light of that power, I doubt whether we need to be disturbed by the ghosts that have been created in connection with the question, largely on the basis of first one assumption and then another.

So the Vice President becomes the Acting President, and as such he continues until the disability is removed.

That section goes further.

> Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within 4 days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office.

One would have to assume a venal Vice President; he would have to assume either a venal or very timid Cabinet, that would not carry out their duties. If they failed so to act, because of an overriding fidelity to the Chief Executive who placed them where they were, that might be a circumstance to be taken into account. But I cannot imagine a member of the Cabinet so wanting in fidelity to the Republic, rather than to the man who placed him in his position, that he would not undertake to discharge his duty. But if the Congress felt, for any reason, that that was not going to be done, we have made provision in this language for some other body, and the Congress can create that body. It can consist of civilians, including people representing every walk of life, a goodly component of doctors, and those who have the capacity to pass upon the question of whether the inability still exists or whether the inability has passed.

I cannot imagine intelligent, competent, and patriotic Americans serving as the principal officers in the executive branch, or in any other body which Congress might create, that would not deal in forthright fashion with the power that is there, to determine whether the disability had been removed and whether the elected Chief Executive was capable or not capable of carrying on his duties and responsibilities.

Mr. GORE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am glad to yield to the Senator from Tennessee.

Mr. GORE. I appreciate the careful and tightly reasoned statement that the able Senator from Illinois is making. Most of us, perhaps, think of the disability of the President in the light of the tragic events of November 1963. I submit that a physical impairment of the President may not be the only condition against which we must most zealously guard. Disability may be phychiatric. It may be mental. It may be a sort on which people would honestly have differing opinions. A President might be physically fit—the picture of health; but to those who work closely with him, there might be a conviction that he had lost his mental balance, that he had psychiatric problems. In such an event, the country could be rent asunder by political passions. The able Senator has referred to the fact that the Acting President would assume the powers of the office of President. I asked the Senator from North Carolina if the Acting President could not dismiss the Cabinet of the previous President and the answer was yes, that of course he could, that he could also dismiss a few, or he could dismiss a part of them, or he could retain the few who agreed with him.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. BAYH. Mr. President, I yield 5 additional minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 5 additional minutes.

Mr. GORE. In that event, it might be crucial, and I believe necessary, that if the man who is to succeed to the office of Acting President is to initiate a declaration—and I believe the Senator will agree that neither the Cabinet nor the other body referred to in the proposed amendment could declare the disability of a President with any effect unless the Vice President concurred in it—if the Vice President, the man to succeed to the power of the office, with the power to select his own Cabinet, or to dismiss all or a part of the Cabinet of the President is to participate in the declaration, the body which must act in concert with him should be certain and beyond doubt. I believe it is most unwise and dangerous to have two groups which might be competing in such a disastrous situation.

Mr. DIRKSEN. I doubt the substance of my friend's premise. I should not like to be around to enjoy the furor if ever the Vice President undertook, for venal purposes, or motivations of his own, to pursue that kind of course.

Mr. BAYH. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I cannot imagine it, because, after all, the people of this country will have something to say about that. Where would it lead? They would not exactly run him out on a rail, but his whole political future, such as it might be, would come to an end at that point.

Let us always remember that we are dealing with human beings and human motivations, and also with the sense of fidelity and affection that people bear, one for another, when they are thrown into a common labor, such as that of a President and Vice President, and the principal executive officers under those circumstances.

Mr. BAYH. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. BAYH. I thought it might be helpful to ask the Senator from Illinois if he recalls the discussion in committee on this point. The committee realized that this danger lurked on the horizon, but that there was an equally severe danger that we might face a long period of Presidential disability in which a Cabinet officer might resign, or die. Unless the Vice President were given this power, he would be precluded from replacing a member whom he needed to help fill the Cabinet. I believe that the Senator from Illinois has hit the nail on the head when he advances the belief that in a time of national crisis, the American people would not tolerate an act on the part of the Vice President that was not in the best interests of the country.

Mr. DIRKSEN. There are some fundamentals we must remember in dealing with a matter of this kind. The first is that we do not strive for the eternal. I doubt that the English language could accomplish that, because that would be absolute. Second, we know that there will always be change, but in the change, the Constitution in its interpretation itself indicates that we would take it in our stride.

There was once a professor at Johns Hopkins University who had fashioned a thesis and a postulate that he though would stand up under every circumstance. Then he sat down with his fellow faculty members to discuss it. When the discussion was ended, his thesis and postulate were torn apart with suppositions and other arguments to the point that he gave out a frantic cry, "In God's name, is there nothing eternal?"

One of his fellow professors answered, "Yes, one thing, and that is change."

Always there will be change. We have not done an absolute job of solving this problem, but I believe that we have done a practical job. That is what we sought to do.

Mr. GORE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. GORE. Instead of assuming there may be a Vice President who is venal or diabolical, let us assume that there may be one who is perfectly honest and sincere concerning circumstances on which there is a sharp division of opinion both within the Cabinet and within Congress, but despite that disagreement, the disability of the President is declared. The Vice President then becomes Acting President. There is no certainty, in this amendment, as to which body he must act in concert with.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. BAYH. Mr. President, I yield 2 more minutes to the Senator from Illinois, but I would like to say that I intend to speak specifically to the point which the Senator from Tennessee raises. In my opinion there is no doubt. I believe that we have sufficient evidence, plus the intentions as reflected in the conference committee, to remove all questions. Whether I shall be successful, so far as the Senator from Tennessee is concerned, I do not know, but I shall do my very best.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 2 additional minutes.

Mr. GORE. I am sure the Senator from Indiana will present an able argument, but there is disagreement among Senators as to whether, after Congress has created another body, the Cabinet could declare, in concert with the Vice President, the disability of the President. The Senator from Indiana asserts that it could not do so.

The Senator from Indiana says that when Congress acts to create by law another body, the provision which vests power in the majority of the Cabinet, in concert with the Vice President, would then be superseded. I ask the Senator, as a lawyer, if he believes that Congress can, by statute, supersede and strip from the Cabinet the power vested by the Constitution in a majority of that Cabinet?

Mr. DIRKSEN. Congress, I believe, can take away any power that any Cabinet member has. There is not a line in the Constitution of the United States which provides for a Cabinet as such. Therefore, they are endowed with powers which we give to them.

Mr. BAYH. Let me suggest to the Senator from Tennessee, who has posed some perplexing questions, that I should like to have an opportunity to answer them but would appreciate it if he would ask these questions on his own time.

I merely wish to have all of the proposed amendment appear in the RECORD, so that when the 90,000 or 100,000 copies are sent to the libraries and schools and colleges, the entire text will be available, and also that the names of the managers on the part of the House and on the part of the Senate, who served on the conference committee, will be shown. That will complete the RECORD.

There being no objection, the proposed article was ordered to be printed in the RECORD, as follows:

ARTICLE —

SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

SEC. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

SEC. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

And the House agree to the same.

EMANUEL CELLER,
BYRON G. ROGERS,
JAMES C. CORMAN,
WILLIAM M. MCCULLOCH,
RICHARD H. POFF,
Managers on the Part of the House.
BIRCH E. BAYH, JR.,
JAMES O. EASTLAND,
SAM J. ERVIN, JR.
EVERETT M. DIRKSEN,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

Mr. DIRKSEN. Mr. President, I believe we have done a reasonably worthwhile job insofar as the feeble attributes of the language can accomplish it. I compliment and congratulate the distinguished Senator from Indiana, the chairman of the subcommittee, on the good job he has done.

Mr. BAYH. Mr. President, I thank the Senator from Illinois and other Senators who have labored tirelessly to help us get this far down the road.

I yield myself such time as I may require to discuss the points which have been raised by Senators. I have no prepared speech. I have made some notes on one or two points that I wish to discuss. I shall speak with as much ability as I possess and try to clarify the question of intent in the consideration of this subject. However, I emphasize that the Senator from Tennessee and I share one intention, among others, and that is that we seek to clarify any ambiguity which may exist.

Reference has been made to the position of the Attorney General of the United States which was previously inserted in the RECORD and verified his position supporting Senate Joint Resolution 1.

Mr. President, I also quote one sentence from his testimony before the subcommittee. He said:

> I want to reaffirm my prior position that the only satisfactory method of settling the problem of Presidential inability is by constitutional amendment, as Senate Joint Resolution 1 proposes.

In this position, he was joined by a rather long list of Attorneys General of the United States, going back to Biddle and Brownell. He was also joined by such constitutional experts as Paul Freund. They felt that if there was any doubt, the Congress should propose an amendment to the Constitution.

The question has been raised as to why we have put the Vice President in the position of acting in the capacity he would have under the amendment. I believe that former President Eisenhower dramatically made this point in the presentation he made before the conference of the American Bar Association called by the President last June. President Eisenhower said he felt it was the responsibility of the Vice President to assume the authority of the Presidential office in the event that the President was unable to perform his duties, and that the Vice President could not escape that authority and obligation.

Therefore, I believe that we have done the right thing in placing the Vice President in the position of participating in that determination.

There has been a great deal of discussion about the last section, the most controversial section, of the proposed amendment. I point out, based upon my judgment, that this most controversial part of the amendment rarely if ever would be brought into play.

As the Senator from Illinois [Mr. DIRKSEN] has pointed out, the amendment provides for the voluntary declaration of disability by the President. Let us assume, for example, that he is undergoing a serious operation, and that he does not want to take the chance of having the enemy take advantage of the situation.

The amendment also deals with the kind of crisis which President Eisenhower described, such as a President suffering from a heart attack. For example, at the time he might be in an oxygen tent the Russians might begin to move missiles into Cuba. At that moment no person in the United States would have any power to make any decision that had to be made.

The amendment would take care of these points.

Now we get to the point to which the Senator from Tennessee has correctly alluded; namely, the question of a President who, although physically able, is not the man, from a substantive point, who was previously elected to that office. Thus arises the difficult problem of mental disability.

The Senator from Tennessee bases his argument on the fact that changes were made in the conference committee. I point out that in referring to the "either/or" change, the Senator from Tennessee overlooks the fact that several other changes were made in conference. I would not want to mislead anyone into believing that that was the only change that was made. Several others were made, in connection with which we tried to compromise with our friends in the House.

I believe that we have a better amendment now, in most respects, than when it left the Senate. I would have preferred the language which the Senator from Tennessee has suggested. This was not the case. The amendment is the product of our conference. I hope we can at least shed some light on our belief as to the validity of our contention that there is no ambiguity here.

With respect to "either/or", it is clear to me—and I invite the attention of Senators to the definition of this phrase in Black's Legal Dictionary and to most legal cases on the point—that when we talk about "either/or" it is interpreted in the disjunctive. It does not refer to two, but to either one or the other.

Reference was made—not by the Senator from Tennessee, but by another Senator—to the fact that the Vice President could in effect at one time go to either one of these bodies and use them simultaneously. I do not see how it is possible to do that.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BAYH. I should like to finish my argument. Then I shall be happy to yield. We have some evidence about what the courts have indicated in this respect. Certainly it is the intention of the conference committee and it is my contention, as the floor manager of the joint resolution and as the principal sponsor of it—and I believe I can also say that it is the opinion of a majority of the Judiciary Committee—that Congress should have some flexibility, and that we do not wish to nail down a plan which may not work. It is our intention for the plan, as it is enacted, to have the Vice President and a majority of the Cabinet make the decision, unless Congress, in its wisdom, at some later time, determines by statute to establish some other body to act with the Vice President. It would be rather ridiculous to give that power to Congress and provide at the same time that it may not exercise it within a certain number of years, or could not exercise it at all. We give to Congress, in its wisdom, the power to make the determination as to when another body should act in concert with the Vice President. It is our intention that at that time this other body shall supersede the Cabinet.

Mr. LAUSCHE. Mr. President, will the Senator yield for a brief question?

Mr. BAYH. I should like to yield for only a brief question.

Mr. LAUSCHE. Yes. Was there any discussion among the conferees about putting it in the conjunctive, instead of the disjunctive, having both a majority of the members of the Cabinet and a majority of the members of the body created by Congress act?

Mr. BAYH. This was never considered.

Mr. LAUSCHE. It was never considered?

Mr. BAYH. It was never considered.

Since the Senator from Tennessee raised the question I have tried my best to look for cases which might soothe his concern about the ambiguity which he believes exists and which I believe does not exist.

Mr. President, I have uncovered three or four cases dealing with article V of the Constitution. They are *Hawke* v. *Smith,* 253 U.S. 221; *Dillon* v. *Gloss,* 256 U.S. 368; the *National Prohibition* cases, 253 U.S. 350; and *United States* v. *Sprague,* 282 U.S. 716.

As the Senate knows, article V deals with the means to amend the Constitution itself. Congress is given the authority to use either the means of legislative ratification or State convention ratification. Either one or the other may be used. In dealing with the fifth article, the courts have held in those cases to which I have referred—which are as close to being on the point as any I have been able to find—that Congress has full and plenary power to decide which method should be used, and once the choice is made, the other method is precluded.

These cases substantiate our feeling—at least our intention—as to what we desire to accomplish in the wording which has been placed in the conference report.

I should like to go one step further. In the debate I do not wish to concede ambiguity. But out of friendship for the Senator from Tennessee [Mr. GORE], I should like to suppose, for only a moment, that there might be ambiguity in the use of the words "either/or." What then would be the result? In the event of ambiguity there is no question that the Court would then look to the legislative intent. As a result of the insight and the perseverance of the Senator from Tennessee, we have now written a record of legislative intent, as long as our arms, to the effect that we desire only one body to act on the subject. In the event that an ambiguity is construed, I suggest that there is one last safeguard. I am certain that Congress, under the enabling provision which would permit another body to act with the Vice President, would in its wisdom at that time specify that, pursuant to section 4 of the 25th amendment to the Constitution, the other body is designated to supplant and replace the Cabinet and act in concert with the Vice President. So I am not concerned that there might be a vexatious ambiguity present.

I should like to speak on one other point which the Senator from Tennessee raised, and which I believe is a very good point.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. BAYH. I yield.

Mr. LONG of Louisiana. It seems to this Senator that in a dangerous time when the inability of the President might be in question, particularly with respect to his mental capacity, Congress should act on the question. As I understand, no matter which body might make the declaration that the President was not able to serve, the question would then be before the Congress and it would have to be decided by a two-thirds vote; otherwise, the man who had been elected to the office of President would continue to serve as President.

Mr. BAYH. The Senator from Louisiana is correct. To remove, for any reason or on any ground, a man who has been elected to the most powerful office in the world, the office of President of the United States, is not an action to be taken lightly. As the Senator has pointed out, and as Senators will observe in other places in the amendment, we have leaned over backward in our effort to protect the President in his office. The decision would have to be made by Congress. A two-thirds vote would be required. That is a greater safeguard than is presently available under the provision for impeachment proceedings. Under that provision a vote of two-thirds of the Senate is needed; under the proposed amendment a vote of two-thirds of both Houses would be required.

There is no need to extend the debate, but I should like to speak to the question which the Senator from Tennessee raised. The Senator said that if there is any doubt, let us wait. We cannot be certain what the Supreme Court of the United States will do. I doubt very much that there have been many pieces of proposed legislation, certainly none related to constitutional amendments, that have passed this body in which there has not been considerable and heated debate as to whether some of the proposed language was right or wrong. Today I am certain that there are some Senators who would say that we cannot tell what the Supreme Court will do tomorrow with a constitutional amendment that is already on our books. The opinions of the Court change with time. I think we have to determine one question: Is the conference report the best piece of proposed legislation we can get and is it needed? As loudly as I can, I say that we must answer the question in the affirmative.

Some Senators might say, "What is the rush? We are not ready to adjourn yet. We can send the measure back to the conference committee and have it reworked."

To those who are students of history I do not have to document again and again the fact that we have labored for 187 years as a country and we have not yet been able to get sufficient support for any type of proposed legislation in this area. In 38 of those years we had no Vice President. We have had three serious presidential disabilities. Wilson was disabled for 16 months. Garfield was disabled for 80 days, and during that period there was no Executive running the country. Can Senators imagine what would happen to the United States and the world today if the United States were without a President? For all intents and purposes, we would be involved in world chaos from which we could not recover.

For more than 18 months the Senate has studied the proposed legislation. Two sets of hearings have been held. I appreciate the support that Senators have given us in this effort.

In the last session of Congress, the Senate passed the proposed legislation by a vote of 65 to 0; in the present session of the Congress, the Senate passed the measure by a vote of 72 to 0.

This measure is not something which we have arrived at on the spur of the moment. We have had controversy and differences of opinion over individual words. I should like to remind Senators that during the past few years we have received over 100 different proposals. Since I have been chairman of the Subcommittee on Constitutional Amendments, during the past few months 26 different proposals have been submitted.

I point out that if those who had the foresight to introduce proposed legislation on the subject—the Senator from North Carolina [Mr. ERVIN], the Senator from Illinois, the Senator from Kentucky [Mr. COOPER], Senator from Idaho [Mr. CHURCH], and others—had not been willing to agree and had not been willing to try to reach a consensus, and if it had not been for the guiding hand of the American Bar Association to try to get those with differing views together, we would not be so far as we are now. I do not believe that we should let two words separate us.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. LONG of Louisiana. If I had had my way, there are two or three changes I can think of immediately that I should like to have made. I suggested some of them to both the leadership and also to the executive branch—for the measure vitally affects the executive branch—when the subject was being considered previously. The advice that I received at that time was, "Please don't muddy the water. The amendment has been needed since the establishment of our country. If we start all over again, not only will the junior Senator from Louisiana have two or three additional suggestions that he would like to urge, but other Senators will also have suggestions to make, and we shall be another 100 years getting to the point which we now have reached."

Mr. BAYH. I thank the Senator from Louisiana. He is exactly correct.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. ERVIN. When we started to consider the proposal, the Senator from Indiana and I had a discussion. We were concerned with the old adage that too many cooks would spoil the broth. We had more cooks with more zeal concerned with preparing this "broth" than any piece of proposed legislation I have ever seen in the time I have been in the Senate. If it had not been for the perseverance, the patience, and the willingness to compromise which was manifested on a multitude of occasions by the junior Senator from Indiana, we would never have gotten the resolution out of the subcommittee, much less through the full Judiciary Committee and then through the conference with the House. I am of the opinion that the conference report which the Senator from Indiana is seeking to have approved would submit to the States the very best possible resolution on the subject obtainable in the Congress of the United States as it is now constituted. The Senator from Indiana deserves the thanks of the American people for the fact that he was willing to change the ingredients of the broth in order to appease a multitude of different cooks who had different recipes for it, including myself.

Mr. BAYH. I thank the Senator from North Carolina. I have said, and I say again, that we are greatly indebted to him for his "seasoning" and his willingness to compromise. Although there were many cooks, we had a paddle large enough so that we could all get our hands on it and stir. The conference report is the composite of the efforts of many different people.

I should like to conclude with one last thought. We know that over the great Archives Building downtown there is a statement engraved in stone. I do not know whether it is Indiana limestone, but standing out in bold letters is the statement: "What is past is prolog."

I cannot help but feel that history has been trying to tell us something.

There was a time in the history of this great Nation when carrier pigeons were the fastest means of communication and the Army was rolling on horse-drawn caissons. Perhaps it did not make any difference then whether the Nation had a President who was not able at all times to fulfill all the duties and powers of his office. But today, with the awesome power at our disposal, when armies can be moved half way around the world in a matter of hours, and when it is possible actually to destroy civilization in a matter of minutes, it is high time that we listened to history and make absolutely certain that there will be a President of the United States at all times, a President who has complete control and will be able to perform all the powers and duties of his office.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. JAVITS. The Senator has made an excellent argument and the right argument, concerning the effect the amendment will have in a situation of preparation for the use of executive power.

Is it not true that, with the greatest respect for the opponents of what the Senator is trying to do, it is assumed that the people will do their duty by approving the amendment through their State legislatures, but that we will not implement it in such a way as to indicate that we are not the approving power? It is one thing to say that some Vice President or President may misuse power. But we are passing the amendment. Is it not logical for us to count on ourselves to implement it effectively?

We can resolve every doubt. We have complete power to resolve every doubt by legislation that will give exclusive power to the Cabinet or to the other body.

Mr. BAYH. I agree with the Senator from New York. The main authority behind the entire legislation—in fact, behind the enactment of any legislation—is the ability of men and women in Congress and in the executive branch to act with reason. If a time comes in the history of our Nation when Senators and Representatives and Presidents are despots, our entire democratic system will be in jeopardy. I, for one, am willing to place in my successors the faith that has been placed in us today. Can we doubt that future Senators and Representatives will fulfill the responsibility that inheres in the holding of high trust and office?

Mr. JAVITS. If Congress were to soldier on the people in any such way as some might fear, we could sit on our hands with respect to appropriations; we would not have to declare war; there would be plenty of ways in which to sabotage the United States.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. COOPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Who yields time?

Mr. GORE. I yield 1 minute to the Senator from Kentucky.

Mr. COOPER. I do not wish to haggle over the meaning of the amendment, but the Senator from Tennessee asked one question which I think has not been answered.

We want to establish this body, because if we did not think it necessary and did not believe that at some point the Cabinet might not declare the President disabled, when he actually was disabled, there would not be any point in wishing to establish a second body.

The Senator from Tennessee asked the question: Assuming that Congress establishes this body, and Congress says it has exclusive jurisdiction——

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired. Who yields time?

Mr. BAYH. I shall be glad to yield time.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. GORE. I have only 3 minutes remaining. I wanted to close; however, I ask unanimous consent that the Senator from Kentucky have 5 minutes to discuss this question.

Mr. COOPER. I do not need 5 minutes.

Mr. GORE. I yield 1 minute of my remaining time to the Senator from Kentucky.

Mr. COOPER. The Senator from Tennessee made the point that since this is a constitutional amendment, Congress cannot take away the power given to the Cabinet by legislative enactment. He asks: If Congress should establish this body and give it exclusivity, would that have any force against the amendment itself, which provides that the power shall lie either in the Cabinet or in the body itself?

Mr. JAVITS. It is my considered judgment—and I am the one who debated this point—that Congress, having the power to establish the body, can give it exclusivity which will stand up as a matter of constitutional law.

The PRESIDING OFFICER. The time yielded by the Senator from Tennessee to the Senator from Kentucky has expired. The Senator from Tennessee has 2 minutes remaining.

Mr. BAYH. We have made the record abundantly clear.

Mr. GORE. The distinguished Senator from Kentucky has just said that a question I raised has not been answered.

The distinguished Senator from Ohio asked if this question was raised in conference. The answer was that it was not. It was not raised on the floor of either House.

Mr. BAYH. That was not the question.

Mr. GORE. The Senator from Ohio asked a question, about use of the disjunctive.

I say that the proposed amendment creates grave doubt. I should like to read from the record of the debate of last Wednesday, June 30:

> Mr. Gore. Do I correctly understand the able Senator to say that Congress could, immediately upon adoption of this constitutional amendment, provide by law for such a body as herein specified and that, then, either a majority of this body created by law or a majority of the Cabinet could perform this function?
>
> Mr. Bayh. No. The Cabinet has the primary responsibility. If it is replaced by Congress with another body, the Cabinet loses the responsibility, and it rests solely in the other body.
>
> Mr. Gore. But the amendment does not so provide.
>
> Mr. Bayh. Yes, it does. It states——
>
> Mr. Gore. The word is "or."
>
> Mr. Bayh. It says "or." It does not say "both." "Or such other body as Congress may by law prescribe."

I suggest, Mr. President, that we have time to correct this doubt. Let us return the report to conference; let it be clarified.

The PRESIDING OFFICER (Mr. Harris in the chair). All time has expired. The question is on agreeing to the conference report. [Putting the question.]

Mr. GORE. The majority leader announced that there would be a yea-and-nay vote.

Mr. BAYH. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ERVIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from North Carolina will state it.

Mr. ERVIN. What is the question before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the conference report on Senate Joint Resolution 1.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. Do I correctly understand that notwithstanding that the vote is on the conference report, a two-thirds majority is required for its adoption?

The PRESIDING OFFICER. The Senator from Illinois is correct. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from North Carolina [Mr. JORDAN], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MANSFIELD], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], and the Senator from Indiana [Mr. HARTKE] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE], the Senator from North Carolina [Mr. JORDAN], the Senator from Oregon [Mr. MORSE], and the Senator from West Virginia [Mr. RANDOLPH] would each vote "yea."

On this vote, the Senator from Mississippi [Mr. EASTLAND] and the Senator from Nebraska [Mr. HRUSKA] are paired with the Senator from New Mexico [Mr. ANDERSON]. If present and voting, the Senator from Mississippi would vote "yea," the Senator from Nebraska would vote "yea," and the Senator from New Mexico would vote "nay."

On this vote, the Senator from Nevada [Mr. CANNON] and the Senator from Louisiana [Mr. ELLENDER] are paired with the Senator from Washington [Mr. MAGNUSON]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Louisiana would vote "yea," and the Senator from Washington would vote "nay."

On this vote, the Senator from Indiana [Mr. HARTKE] and the Senator from Montana [Mr. MANSFIELD] are paired with the Senator from New Mexico [Mr. MONTOYA]. If present and voting, the Senator from Indiana would vote "yea," the Senator from Montana would vote "yea," and the Senator from New Mexico would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Nebraska [Mr. HRUSKA], and the Senator from California [Mr. MURPHY] are absent on official business.

The Senator from Utah [Mr. BENNETT], the Senator from Kansas [Mr. CARLSON], the Senator from New Hampshire [Mr. COTTON], the Senator from Hawaii [Mr. FONG], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from Utah [Mr. BENNETT], the Senator from Colorado [Mr. DOMINICK], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. MURPHY], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Wyoming [Mr. SIMPSON] would each vote "yea."

On this vote, the Senator from Nebraska [Mr. HRUSKA] and the Senator from Mississippi [Mr. EASTLAND] are paired with the Senator from New Mexico [Mr. ANDERSON]. If present and voting, the Senator from Nebraska and the Senator from Mississippi would each vote "yea," and the Senator from New Mexico would vote "nay."

The yeas and nays resulted—yeas 68, nays 5, as follows:

[No. 164 Leg.]

YEAS—68

Allott
Bass
Bayh
Boggs
Brewster
Burdick
Byrd, W. Va.
Case
Church
Clark
Cooper
Curtis
Dirksen
Dodd
Douglas
Ervin
Fannin
Gruening
Harris
Hart
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, La.
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Morton
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—5

Gore
Lausche
McCarthy
Mondale
Tower

NOT VOTING—27

Aiken
Anderson
Bartlett
Bennett
Bible
Byrd, Va.
Cannon
Carlson
Cotton
Dominick
Eastland
Ellender
Fong
Fulbright
Hartke
Hruska
Jordan, N.C.
Long, Mo.
Magnuson
Mansfield
Montoya
Morse
Murphy
Neuberger
Randolph
Saltonstall
Simpson

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays 5. Two-thirds of the Senators present and voting having voted in the affirmative, the conference report is agreed to.

Mr. BAYH. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

HAGUE PROTOCOL TO WARSAW CONVENTION IS DETRIMENTAL TO INTERNATIONAL AIR PASSENGERS' RIGHTS AND SHOULD NOT BE RATIFIED

Mr. YARBOROUGH. Mr. President, I greatly regret to see now pending on our Executive Calendar the question of ratification of the Hague Protocol. This protocol has been pending before the Senate since the 86th Congress' 1st session, without being reported to the Senate by the Foreign Relations Committee for ratification or rejection, and I think the reasons are very strong that a little further delay will be beneficial for protecting the rights of American air passengers on international flights.

Although under American common law a person injured by another's negligence can recover his full damages, this Hague Protocol limits an international air carrier's responsibility to its injured passengers to $16,600. Under the existing Warsaw Convention, although there is a stated limit of $8,300, testimony before the Senate Foreign Relations Committee indicates that most cases can be settled for more than the $16,600 limits of Hague. And the Hague Protocol closes the doors by which injured passengers can avoid being limited in the damages they receive.

No one contends that $16,600 is an adequate amount to compensate for serious injuries or death to an air passenger. The State Department recommends ratification of this Hague Protocol only if companion legislation is enacted requiring an additional $50,000 in accident insurance on each international air passenger on a U.S. airline. That legislation is pending before the Senate Commerce Committee as S. 2032, but who can predict when or if it will be enacted?

In summary, an American injured on an international flight now can probably receive more than $16,600 in settlement of his claim. If S. 2032, is enacted, he can be assured of $50,000 in an accident policy. But if we should ratify the Hague Protocol now without waiting for that legislation, American air passengers will be limited to $16,600 or less in their claims for death or injury.

The New York Times has recently spoken out against the folly of ratifying the Hague Protocol in a well-reasoned editorial. I quote from their conclusion:

> The glaring shortcomings in the Hague Protocol and in the insurance plan to strengthen it argue for their rejection even if it means the end of the Warsaw Convention. The treaty had justification in the early days of air transport, when airlines could have been put out of business by sizable damage suits. It is unjustified now that airlines are financially sound and furnish uniform documentation in normal course; yet the administration is seeking to reaffirm allegiance to its outdated and miserly provisions for passenger protection.

I ask unanimous consent that the complete text of the editorial, "Protection in the Air," from the June 16, 1965, New York Times be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROTECTION IN THE AIR

Passengers on international airline flights involved in an accident have since 1934 been covered by the Warsaw Convention, which provides a unified liability code and uniform documentation on tickets and cargo for international air carriers. Under its antiquated provisions liability for loss of life or injury is limited to only $8,300, except where willful misconduct is proved. Recognizing that this amount is wholly inadequate, the signatories have proposed an amendment, called the Hague Protocol, to double airline liability to $16,600—which still would be wholly inadequate.

But the State Department is pressing for approval of the Hague Protocol along with a plan for compulsory accident insurance that would furnish passengers on American airliners up to $50,000 in case of injury or death. Leonard C. Meeker, the State Department's legal adviser, warned the Senate Committee on Foreign Relations that if it rejects the Hague Protocol "we would have to give serious consideration to denunciation of the Warsaw Convention," and if the compulsory insurance scheme is not approved "we would then also have to consider whether to withdraw from the Warsaw Convention."

Even with the insurance benefit added to the Hague Protocol's proposed ceiling, airline passengers will be shortchanged. Personal injury insurance in the United States provides compensation proportionate to the injury sustained, so that the family of an executive who dies in the prime of life usually gets more than the survivors of a retired person. But the administration's scheme would substitute a fixed amount, which is contrary to American principle and unfair in practice, and would not guarantee protection to Americans traveling on foreign airliners. Moreover, the Hague Protocol introduces language so rigid that it would become vastly more difficult for passengers—or their estates—to recover damages beyond the $16,600 limit.

The glaring shortcomings in the Hague Protocol and in the insurance plan to strengthen it argue for their rejection even if it means the end of the Warsaw Convention. The treaty had justification in the early days of air transport, when airlines could have been put out of business by sizable damage suits. It is unjustified now that airlines are financially sound and furnish uniform documentation in normal course; yet the administration is seeking to reaffirm allegiance to its outdated and miserly provisions for passenger protection.

FEDERAL CIGARETTE LABELING AND ADVERTISING ACT—CONFERENCE REPORT

Mr. McGEE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 13, 1965, pp. 16540-16541, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. McGEE. I am glad to yield.

Mr. CLARK. I would like to have the Senator from Wyoming give us a brief explanation of what the conferees did about the cigarette problem. There were a number of us in the Senate who supported the position of the Senator from Oregon, who, unfortunately, cannot be present this afternoon, and who are very much opposed to the provision that for 3 years the Congress undertake to prohibit the Federal Trade Commission from issuing regulations with respect to the advertising of cigarettes. We were defeated, to be sure—I think unwisely—but that is the way it goes.

I should like to know just what is in the conference report.

Mr. McGEE. The conferees agreed on a moratorium for 3½ years from the effective date. The conference report was a unanimous report. The Senate version of the bill generally prevails.

Mr. CLARK. Will the Senator yield further?

Mr. McGEE. I yield.

Mr. CLARK. It is my understanding, as a practical matter, that the conference report which the Senator from Wyoming brings before the Senate is in substance the Senate bill, except as to the time during which the Federal Trade Commission is prohibited from doing anything to prevent what seems to me to be the iniquitous practices in the advertising of the cigarette industry, which, however, the industry does not admit to engaging in. It is not true that the moratorium is a victory for Madison Avenue which will permit it to do what it wishes in this field for 3½ years?

Mr. McGEE. I would say only that we agreed to a 3½-year moratorium, and would not care to add the embellishments which the Senator has seen fit to do.

Mr. CLARK. Am I correct in stating that in the House version of the bill the Federal Trade Commission would have been prohibited forever from stopping such advertising?

Mr. McGEE. Yes.

Mr. CLARK. So to that extent the Senator from Oregon and other Senators who did not wish to have any restrictions placed on regulations, which it seemed to us would have been wise for the Federal Trade Commission to issue, may be said to have won a limited victory over the other body?

Mr. McGEE. A partial victory would be a correct statement.

Mr. CLARK. I should merely like here to call attention to what the cigarette lobby has done to the Congress of the United States. I deplore the action of the Senate—even more that of the House. Having voted against the bill in the first instance, because I thought no bill was better than a bill like this which ties the hands of the regulatory body which this Congress wisely set up to deal with matters of this kind, I shall not ask for a yea-and-nay vote. However, I want the RECORD to show that having voted originally against the bill because I thought no bill was better than a bill which so tied the hands of the Federal Trade Commission to issue regulations on this matter, I shall vote against the report.

Mr. McGEE. The Senator is aware, is he not, that the warning must be on all cigarette packages by January 1, 1966.

Mr. CLARK. Yes; it will be on the cigarette package. There is some question as to how prominently it will be displayed. But the place where cigarette smoking is promoted, where young people are encouraged to take up the habit which may result in their dying of lung cancer, is in the big, full page advertisements of the well-known magazines, where all kinds of attractive scenes are portrayed: boy meets girl, girl meets cigarette, boy meets cigarette, girls and boys smoke cigarettes and everyone gets lung cancer.

I thank my friend for yielding to me.

Mr. MORTON. Mr. President, the record, I believe, must be made clear that the bill in no way restricts the power of the Federal Trade Commission. It still has its full power under the Organic Act concerning false and deceptive advertising. I do not know of any other product that has not been proved to contain some poison, such as certain detergents, cleansers, and so on, that has gone as far as the cigarette product in having the warning, "Cigarette smoking may be hazardous to health," placed on a package of cigarettes. The cigarette industry does not like this, naturally, but Congress did it, and I voted for it. I believe that it is a good thing to do, but at the same time I do not believe this is a Madison Avenue victory or the victory of any lobbyist. The cigarette industry would have preferred to have had no bill.

Mr. CLARK. Will the Senator from Wyoming yield to me, in order that I may ask a question of the Senator from Kentucky?

Mr. McGEE. I yield.

Mr. CLARK. Will the Senator from Kentucky explain to me what he means when he says—as I understand it, in reply to what the Senator from Wyoming said—that the bill does not in any way diminish the powers of the Federal Trade Commission?

Mr. MORTON. It does not diminish the powers of the Federal Trade Commission that I feel belong to the Federal Trade Commission. The senior Senator from Kentucky [Mr. COOPER] made this statement a judicial argument before the committee, in showing that the Commission had far exceeded the powers Congress had given it, when it issued the order that this regulation would go into effect on July 1.

Mr. CLARK. I understood the Senator from Kentucky to state that the Federal Trade Commission never had authority to issue any regulations in respect to advertising; is that not correct?

Mr. MORTON. No; it is not correct. I say they have the authority under the bill, and they have the authority now, to issue all kinds of regulations and to take action against any false and misleading advertising.

Mr. CLARK. If the Senator will yield further, do I correctly understand my friend to say that the Federal Trade Commission could, tomorrow, prevent the advertising of cigarettes which did not include a statement in the advertising similar to the warning on the cigarette package, that cigarette smoking may be deleterious to health?

Mr. MORTON. The Federal Trade Commission has never had authority to say what goes into an advertisement for Lysol; for instance, that it is poisonous.

Mr. CLARK. I am not interested in Lysol. I am interested in cigarettes. I should like to clarify the situation further—I may appear to be antagonistic, but really I am not. Is it not now the law that a statement must be made on every package of cigarettes to the effect—and I paraphrase it, I do not quote it—that the cigarettes contained in the package may be deleterious to health, but that the FTC is now prohibited by law from requiring the same warning to be included in advertising of the cigarettes?

Mr. MORTON. That is correct. For 3½ years. For the simple reason that the committee felt the Commission had gone beyond its power. In the case of Lysol, for instance, the Federal Trade Commission cannot require a poisonous label to be carried in the advertisement.

Mr. CLARK. I am not interested in Lysol, I am interested in cigarettes. It is my understanding that Congress, by this conference report, has declared that the cigarette industry must place on every package of cigarettes the statement that smoking cigarettes may be deleterious to health, but the FTC may not require a statement on cigarette advertising to the effect that if one buys a cigarette product advertised in a magazine and smokes it, it may be deleterious to his health. I am wondering what the logical distinction between the two is? Why should we distinguish between what the magazine advertisement will say and what the package of cigarettes will have on it?

Mr. MORTON. This conforms to the entire history of advertising under the Hazardous Health Act passed by Congress. It is not required that we control advertising. It is required that we control what goes on the label. It is in keeping with what we have done. Let me say to the Senator from Pennsylvania that the Senate—and I believe the Senator in charge of the bill, the Senator from Wyoming [Mr. McGEE], will bear me out—was 90 percent in favor of the conference report.

Mr. McGEE. Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MAGNUSON. Mr. President, the Federal Cigarette Labeling Act of 1965, which emerged from conference, represents a forthright and historic step toward the responsible protection of the health of this Nation's citizens. I am proud to have been the author of this bill.

By January 1 of next year, every cigarette package, box, and carton will bear the warning "Caution: Cigarette Smoking May Be Hazardous to Your Health" in a conspicuous place and in conspicuous and legible type.

Perhaps equally important, the Senate conferees prevailed in preserving the powers of State and local governments, after a moratorium of 3½ years, to require, if they see fit, that warnings appear in cigarette advertisements within their jurisdiction.

Moreover, at the close of the 3½-year moratorium, the Federal Trade Commission will retain such authority as it may now have to require warnings in advertising. Legal scholars may disagree as to the present authority of the Trade Commission in this matter. But there can be no disagreement that at the close of the 3½-year period—during which the warning on the package label, extensive educational campaigns waged by medical groups, and the industry's own self-regulation will all have had an opportunity to discourage smoking—the FTC will emerge with its full present powers to do what it then deems necessary to protect the Nation's consumers.

The significance of the warning on the label must not be minimized. This warning will serve notice upon all who read it that they smoke at their own risk. And it will make manifest to every American the fact that the Federal Government, upon which he rightly relies to warn him of hazardous substances, accepts the verdict of the Surgeon General's Advisory Committee on Smoking and Health: "Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action."

Mr. CANNON. Mr. President, I share the strong conviction of the senior Senator from Washington [Mr. MAGNUSON] that the cigarette labeling bill which emerged from our conference is a measure in which we can all take great pride. As one of the Senate managers, I am particularly pleased that we were able to preserve the residual authority of the States and the Federal Trade Commission to regulate cigarette advertising.

I was concerned that the conference make it absolutely clear that at the termination of the 3½-year moratorium, both the States and the Federal Trade Commission would retain the authority which they now have. That is now clear and on the record.

If the Federal Trade Commission today has the authority to require affirmative warnings in cigarette advertising under its basic charter to police unfair or deceptive acts or practices, then on July 1, 1969, it will still have that power. The issue must ultimately be decided by the courts, but nothing that we do in passing this act will prejudice the Federal Trade Commission in asserting its authority.

DONATED SURPLUS COMMODITIES PROGRAM

Mrs. SMITH. Mr. President, officials of the town of Freeport, Maine, have raised some very serious questions about the administration of the donated surplus commodities program of the Department of Agriculture.

Because I feel that these questions will be of interest to all Members of this body as the administration of that program might affect towns and cities in their States, I ask unanimous consent to have the letters of Forest M. French, town manager of Freeport, and John S. Nichols, selectman of Freeport, to the regional director of this program, printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FREEPORT, MAINE,
July 1, 1965.

REGIONAL DIRECTOR,
Division Donated Surplus Commodities,
U.S. Department of Agriculture,
New York City, N.Y.

DEAR SIR: Supplementing Manager French's letter of June 29, with which the board of selectmen is in full agreement, there are several other points to be made from the viewpoint of the municipal official, as follows:

The local cost of administering the surplus food program has risen to the point where it is cheaper to furnish the needy person with a grocery order than to distribute the "free" commodity;

An undue burden has been placed upon the municipality, in the form of increasingly stringent regulations in storage, accounting, and certification;

Certification requirements are such that they reduce the merely needy to the status of paupers, which causes so much resentment that many people we know to be in need do not apply, rather than be subjected to any such probe of their personal lives as is required by the certification investigation and forms;

The certification form itself requires the municipal officer to certify as to the truth of information which he cannot verify. In our opinion no municipal officer could sign this form in good conscience.

When the program was initiated, it did a tremendous amount of good. The Nation benefited twofold; first, since surplus food paid for by taxpayers was put to use, and second, since it was distributed among our own needy. The taxpayer still pays to grow and store the food; but additionally he now also pays the salaries of an unknown number of additional Federal and State employees needed to implement the administration of audit and control functions made necessary by the increasing mass of regulation promulgated by the same agencies which audit and control, ad nauseam.

More than half the communities in Maine eligible for participation have either dropped the program in disgust or have been dropped through failure to comply with one or another of the endless rules. We seriously believe that an effort is being made to kill the surplus food program. We wonder why, and by whom? In our town, the effort has been successful, since we do not feel we can afford to continue. Should conditions improve, meaning economic feasibility and reasonable control of local administration, Freeport would be glad to again participate.

Very truly yours,

JOHN L. NICHOLS,
Selectman.

Copies to: Senators MUSKIE and SMITH, Representatives HATHAWAY and TUPPER.

JUNE 29, 1965.

REGIONAL DIRECTOR,
Division Donated Surplus Commodities, U.S. Department of Agriculture, New York City, N.Y.

DEAR SIR: Recently the municipal officers of the town of Freeport declined to renew the contract with the State of Maine Department of Health and Welfare for the distribution of surplus donated commodities. There are several reasons for their decision.

During the last few years the surplus food program has changed in many ways. Originally the food came in bulk containers, now it is prepackaged for easy distribution—a good change. The forms and criteria for certification have changed to a very strictly regulated program consisting of forms, affidavits for verification and audits, both State and Federal. There has been a change in the mode of evaluating the need of the receiving individual. Now we evaluate the need of the household rather than the individual. We feel that many prudent individuals have suffered under the liquid asset provisions. Example: One elderly lady who receives only social security compensation as an income, and who has $500 in a savings account for her burial expenses, must be barred from receiving surplus commodities under the present certification criteria. In our opinion the program has changed from a very worthwhile method of disposing of surplus food with more emphasis on the end than the means, to a program which places more emphasis on the means than on the end.

In our opinion the whole program is not accomplishing, in the way of helping poor people, what it could and did in the past. The program seems to have developed into a new function of government, closely guarded by means of reports and audits, which causes the unnecessary employment of many people to carry out the program which, of course, adds to the overall costs and in the final analysis, at least locally, it is not serving as many people as it did 2 or 3 years ago. Example: We were serving 14 families, or 56 people, as of June 1965. Two years ago we were serving 175 to 200 people. We understand the surplus food is not a welfare item but the present certification form is nothing but a welfare type form, thus before one completes it he knows all the information that must be known regarding welfare applicants. I find people are indignant to this sort of probing into their lives.

It would appear that not only Maine is affected. Other New England States such as Connecticut with only 996 persons receiving, Massachusetts with 11,414, Rhode Island with 10,883, Vermont with 17,645 and no distribution at all in New Hampshire, appear also to be affected. Maine with distribution to 22,145 is the top distributor of the New England States and yet has the smallest population.

Perhaps you can tell us why the program is today the way it is. There seems a strong implication that there is a great lack of trust in the judgment and integrity of local officials who must administer the program. Is this so? If not, why all the control?

Our most pertinent question is, Who is responsible for the changes in the methods and eligibility requirements that have been levied in the last 3 years in Maine? Our State department of health and welfare, division of general relief, has been very cooperative in assisting and answering questions but it appears that they have no alternative course regarding the operation of the program. Out of the 500 Maine municipalities that could enjoy the program in Maine only 194 do, there must be a reason.

We sincerely hope that you can provide us with some answers. We feel very strongly about the good benefits of the program and do not want bureaucracy to kill it in Maine.

Yours truly,

FOREST M. FRENCH.

Copies to: U.S. Senator MUSKIE; Representative TUPPER; Paul McClay, Maine State Department of Health and Welfare.

"THE NATION'S" CENTENNIAL

Mr. GRUENING. Mr. President, when any publication, be it a daily newspaper, a monthly or weekly magazine published in these United States, lasts a century, the achievement is worthy of note. Clearly such a production must have merit if it can persist through the great transformation and the economic ups and downs, that have characterized our America in the past hundred years. For no century in recorded history has seen such revolutionary and unprecedented changes as have these last 10 decades. Indeed, the mortality of American publications in that period has been almost total. The list of these honored dead is almost interminable. Who does not regret the demise of the New York Worlds and New York Suns morning and evening, the Chicago Record Herald, Inter-Ocean and Journal, or the Philadelphia North American, or the Boston Transcript and the Boston Journal, great newspaper institutions in their day; or such magazines as the Century, Scribner's, Forum, North American Review, Collier's—to name only a few? Those few surviving exceptions are therefore entitled to a hearty cheer and admiring recognition.

Accordingly, it is my pleasure to salute the Nation, not merely because it has survived, but because it has been one of the really worthwhile and important ingredients in our civilized society. Unceasingly a battler in the effort to make America live up to its professions, it has striven constantly for the attainment of the ideals embodied in our historical declarations, starting with the Declaration of Independence.

It has been my privilege to serve with the Nation on two occasions; as its managing editor from 1920 to 1922, and again as one of four editors who exercised joint control 10 years later. During those periods, as before and since, the Nation waged many battles, all indicative of consistent purpose. Many of the causes for which the Nation fought have been realized, thought not always immediately, for the Nation was invariably and laudably always ahead of its time. Those causes, of course, include: Civil rights and civil liberties, protection of minorities, the basic freedoms, including freedom from censorship, equality of opportunity, and indeed the broadening of our definitions and application of liberty. To these ends some of the most outstanding national and international political and literary figures have contributed in the Nation's columns. A century of journalistic courage and vision has been emblazoned by a galaxy of talent.

The Nation began publishing shortly after the close of the Civil War. Its first issue appeared on July 6, 1865. In its editorial entitled: "The Great Festival," there was a thought which is not inappropriate today, a hundred years later:

> Before this meets the eyes of our readers, the Fourth of July will have been celebrated as it was never celebrated before, and with good reason, for never before have we had such cause for rejoicing.

Thus the editorial begins, and it concludes as follows:

> There are few who celebrate the Fourth of July this year who do not find, in the recent history of their own families or in those of their friends, reminders enough that the brightest picture has its dark side. For how many thousands who went forth to hasten the great consummation over which the Nation is singing paeans, do the bells ring and the banners wave and the music swell in vain.

It is a pleasure to congratulate the Nation on its centennial observance, to record my gratitude for my association with it variously as editor, contributor, and subscriber. It has kept the faith. May it carry on with undiminished vigor and purpose for the next 100 years.

I ask unanimous consent to have a news article from this morning's New York Times, written by Paul L. Montgomery, entitled "Nation Magazine Marks 100th Year," printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 6, 1965]

NATION MAGAZINE MARKS 100TH YEAR—EDITOR SAYS FUTURE ISSUES WILL BE AIMED, MORE THAN EVER, AT THE EGGHEADS

(By Paul L. Montgomery)

The Nation, a weekly magazine of dissent that its editor describes as "unique, anomalous and preposterous," is entering its second century with an eye more than ever on the egghead.

The first issue of the magazine—its format very like the one that will come out this week—appeared here 100 hears ago today.

In the time since, it has acquired a reputation for contentiousness and iconoclasm that has given it a special place in American liberal opinion. Now, its editor says, it may have to take a new direction to maintain that place.

The editor, Carey McWilliams, a doleful-looking Californian who has directed the editorial staff of six since 1955, observes that the audience for magazines like his is increasingly to be found in the academic community.

MORE STRESS ON VALUES

"Like our audience," he said in an interview last week, "we will have to become more eggheadish than we have been." This means less emphasis on specific issues or abuses and more concentration on "values, outlooks, and perspectives," Mr. McWilliams added.

As an example, the editor cited a recent piece with the thesis that the Postal Savings System is an anachronism. It drew attention in Government "but was not of the slightest interest to academics," he said. An article on the oil depletion tax allotment would no longer create a stir in the university sector, he added, because the reader "assumes it exists."

"We have done our share of muckraking pieces," Mr. McWilliams said, "but I suspect that in the future these kinds of pieces will not fit in quite as well."

The Nation, which has a circulation of about 30,000, was founded with the aim of making "an earnest effort to bring to the discussion of political and social questions a really critical spirit, and to wage war upon the vices of violence, exaggeration and misrepresentation."

Its first editor was E. L. Godkin, an Anglo-Irish journalist who came to America in 1856 to write a series of articles on the South. Among its other founders were Frederick Law Olmsted, the architect of Central Park; Charles Eliot Norton, the Harvard scholar; and James Miller McKim, the Philadelphia abolitionist.

The second editorial of the first issue of the Nation was concerned with civil rights, an issue the magazine has continued to emphasize.

"The Negro's success in assuming a prominent position in the political arena, seems to be in the inverse ratio of the earnestness with which it is sought to suppress him and put him out of sight," the editorial said. "Everybody is heartily tired of discussing his condition and his rights, and yet little else is talked about, and none talk about him as much as those who are most convinced of his insignificance."

A later Nation editor, Oswald Garrison Villard, was one of the founders of the National Association for the Advancement of Colored People. The group's first headquarters was at the Nation's old offices at 20 Vesey Street.

The publication's offices now are in a flatiron-shaped loft building at Sixth Avenue and West Fourth Street that it shares with an accordion maker, a purveyor of novelty hats and other enterprises.

The magazine has received many messages of congratulation on the anniversary from writers and public figures, including Vice President Humphrey, Bertrand Russell, Charles Chaplin and Dr. Ralph Bunche.

"That such a publication could endure for a hundred years," Adlai E. Stevenson wrote, "is proof indeed that age need not stale pursuit of the new and untried, nor blunt the goads that puncture our complacencies."

A principal feature of Mr. McWilliams' cluttered office is a framed letter from President Theodore Roosevelt—who was not an admirer of the magazine—to another writer.

"I see you quote the Nation as an authority," the letter concludes. "It is always possible that what the Nation says is true, but there is never any inherent probability of it, and I think it is about the most unsafe guide in American politics that there is."

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure to my colleague the Senator from Pennsylvania.

Mr. CLARK. I wish to add my congratulations to those of my good friend from Alaska on the occasion of the centennial of the Nation magazine. Its history has been truly distinguished. Many very able Americans have worked for it and written for it over the years. It has always stood in the forefront of the fight for civil liberties and civil rights.

I remember that I was a young man still in college when I met for the first time Oswald Garrison Villard, who was the editor of the Nation at that time.

The Nation always had a relatively small circulation, but it has been a star-studded circulation including individuals of high intellectual caliber and a substantial sense of compassion.

Among its most distinguished editors was the Senator from Alaska [Mr. GRUENING]. It is appropriate that he should rise on the floor today to congratulate this publication, since he himself has contributed so much to its continuing success.

I congratulate the Senator from Alaska and the Nation magazine on this happy occasion.

Mr. GRUENING. I thank the Senator.

COMMUNISM IN THE CIVIL RIGHTS MOVEMENT

Mr. THURMOND. Mr. President, on July 1, 1965, I called to the attention of my colleagues in the Senate a statement by the mayor of Chicago, the Honorable Richard Daley—by the way, a Democrat—stating that Communists, members of Communist front groups, and Communist money are involved in the antischool riots and demonstrations being carried on in Chicago by so-called civil rights groups. Since that time I have had called to my attention an article from the Chicago American dated June 24, 1965. In this article written by Mr. Sam Blair there are listed more than a dozen individuals who are identified by the newspaper as being Communists or Communist connected. Next to the article is a picture of police dragging away Richard L. Criley who is identified in the article as one who has been tabbed as a Communist several times by congressional committees and as a founder of the Fair Play for Cuba Committee and other subversive type organizations.

Mr. President, the editors of this newspaper must be very certain of the facts in this matter because they have not hesitated to place in the article detailed information on the backgrounds of the individuals they identify as being Communists or Communist connected and taking part in the demonstrations.

Since making his statement to the news media on June 30, Mayor Daley has, of course, been tabbed as a "segregationist," "anti-Negro" and every other term readily available to leftwingers who are leading and backing these provocative and so-called nonviolent demonstrations in Chicago and elsewhere.

As I stated to the Senate on July 1, Mayor Daley's record in support of Negro causes stands beyond question. Surely he could not have been elected and reelected mayor of the big city of Chicago without having received many Negro votes in each election. So, he must have the confidence of many Negroes in Chicago and across the country.

Mr. President, I also call to the attention to my colleagues a UPI article from the July 3, 1965, issue of the Nashville Banner entitled "Reds Say Took Part in Protest of Chicago City Schools." In this article two Illinois Communist party leaders confirmed allegations by Mayor Daley that party members took part in the Chicago riots and demonstrations against the city school system. I ask unanimous consent, Mr. President, that both this article and also the article from the Chicago's American dated July 24, 1965, be printed in the RECORD at the conclusion of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, I also ask unanimous consent to have printed in the RECORD at the conclusion of these remarks an editorial on this subject from the Nashville Banner of July 2, 1965.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. THURMOND. Mr. President, I do not know how much more evidence is going to be required, Mr. President, for the Congress and the executive branch to do something constructive about getting at the bottom of Communist penetration of and influence in so-called civil rights organizations and activities. This is a "political sacred cow" that unless fully investigated objectively is going to be swallowed up whole by the Communists and their leftwing associates in this country.

Again, Mr. President, I renew my call for a full-scale congressional investigation and also for the President to give this matter his personal attention because he knows just as Members of the Congress know of the progress that the Communists have made in penetrating these organizations and inciting riots and demonstrations in order to divide our people at a time when we should be united in the face of the worldwide threat posed to us by the godless forces of world communism.

EXHIBIT 1

[From the Nashville (Tenn.) Banner, July 3, 1965]

REDS SAY TOOK PART IN PROTEST OVER CHICAGO CITY SCHOOLS

CHICAGO.—Two Illinois Communist Party leaders have confirmed allegations by Mayor Richard J. Daley that party members took part in protest demonstrations over conditions in city schools.

But Party Spokesmen Claude Lightfoot and James West said the mayor was red baiting and engaging in cheap politics.

Lightfoot and West did not say how many party members had marched or if any Communists were numbered in the 645 arrests made by police since the marches began.

They said, however, supporting integration was not a crime and that many prominent citizens took the same view as the marchers.

"The fact that Communists support integration * * * is neither a startling revelation nor does it make a crime of integration, just as it is no crime to be a Communist," they said.

"Integration and quality education are not matters of partisan politics and they certainly are not the monopoly of the Communist Party," they said in a statement released Friday.

Negro civil rights leaders have led 20 marches on city hall in the last month. March leaders—Schoolteacher Albert Raby and Comedian Dick Gregory—have said the marches are to dramatize for the mayor Negroes' discontent with School Superintendent Benjamin C. Willis.

Negroes blame Willis for poor quality education and segregated neighborhood schools.

Daley said earlier in the week Communists had infiltrated the marches, and Republicans were helping finance them to embarrass his administration, which is Democratic.

Also Friday, the Reverend Robert W. Spike, of New York, executive director of the National Council of Churches' Commission on Religion and Race, said Daley's charge of Communist infiltration was "a childish and immature reaction to the deep problem facing our society."

A group of Chicago priests also criticized the mayor's statement as disappointing and shocking.

[From the Chicago American, June 24, 1965]

REDS LINKED TO WILLIS PROTESTERS—PHOTOGRAPHED, IDENTIFIED IN MARCHES HERE

(By Sam Blair)

More than a dozen individuals identified as members of the Communist Party in Chicago have infiltrated civil rights meetings and marches directed against School Superintendent Benjamin C. Willis.

Several have flung themselves into the streets, blocking pedestrians and traffic, and precipitating mass arrests.

In addition they were in the forefront of demonstrations that erupted around the old U.S. Court of Appeals at 1212 Lake Shore Drive, during hearings of the House Un-American Activities Committee.

ANOTHER GROUP JOINS

Another group of identified Communists and sympathizers whose identities are known to security agencies, have also joined the marchers.

Several of the militants were identified as Communists during the House Un-American Activities Committee hearings. Others were named by congressional committees and investigators for local and national security agencies.

Many also marched and picketed for the Chicago Area Women for Peace rally in Grant Park April 17. This group has also been identified as a Communist-front organization.

THEY'RE ON PHOTOS

They have been photographed as they attended all these rallies and marched with various groups.

Some of those seen attending all the rallies and marching in all the "causes," and their affiliations are:

Danny Queen, 31, of 5017 Quincy Street, an executive committee member of the Communist Party of America, once head of Illinois' Communist Party youth commission, and described by J. Edgar Hoover, Director of the Federal Bureau of Investigation, as one of the Nation's most promising and active young Communists.

Helen P. Queen, wife of the above, and a witness subpenaed by the House Un-American Activities Committee. She was named as a Communist at the hearing by Lola Belle Holmes, an agent for the FBI working within the Communist Party.

Richard L. Criley of 1845 South Keeler Avenue, identified several times by both Senate and House subcommittees as being a Communist both before and after World War II. Criley is a founder of the Fair Play for Cuba Committee, a Communist-front organization, and secretary of the Chicago Committee to Defend the Bill of Rights, another organization cited by its own members as a foe of the House Un-American Activities Committee.

A WARD ORGANIZER

Ishmael Florey, director of the Afro-American Heritage Association, 306 East 43d Street, a former organizer for the Communist Party in the 24th ward and a legislative director of the party for the south side of Chicago. He was also identified as a Communist by Mrs. Holmes at the hearings.

Milton M. Cohen of 5428 Kimbark Avenue, a member of the Communist Abraham Lincoln brigade in 1937 and a former teaching colleague of Claude Lightfoot, executive secretary of the Communist Party in Illinois. They taught "Fundamental Principles of Marxism."

EX-UNION STEWARD

In addition, the list of those who have also been active in stirring up trouble during the anti-Willis demonstrations includes:

Wilberforce Cox Jones of 3827 Michigan Avenue, named as a Communist at the House Un-American Activities Committee hearings. Jones refused to answer when committee attorneys asked him if he was a Communist and if he gave his American passport to anyone during a trip to Europe. Jones is a former union steward for the United Auto Workers.

CORE AID NAMED

Ann Prosten of 5109 Cornell Avenue, a former writer and a coeditor of the Daily Worker, wife of Jesse Prosten, another member of the board of the Chicago Committee to Defend the Bill of Rights.

Eugene Tournour, 204 West North Avenue, Midwest field director for the Congress on Racial Equality, who said "the tenets professed by an individual who wants to join CORE are not to be considered." Tournour was seen last month at a meeting of the W. E. B. DuBois club at 333 West North Avenue, an organization described as communistic by Hoover.

HONORED STATE RED

The Reverend William T. Baird, of 7348 Dorchester Avenue, executive director of the Communist-oriented Chicago Committee to Defend the Bill of Rights, Baird has been at virtually all meeting of the militants in Grant Park and has led some of the marches on city hall. Baird has spoken on many platforms with well-known Communists, including Lightfoot, and was a principal sponsor of a dinner October 27, 1963, in the Hamilton Hotel, honoring Illinois Communist Leader Gil Green.

MANY OTHERS KNOWN

Security and intelligence agencies have lists of from 12 to 15 other known Communists or Communist sympathizers who have infiltrated the ranks of the anti-Willis group. The numbers of some of their Communist Party cards are known, if they possess a card.

One young man from York Center Village was spotted carrying a sign reading "DuBois Clubs of Chicago," Robert Lucas, newly elected head of the local CORE chapter, ordered him to dispose of the sign. CORE officers—with the exception of Tournour—insist they will not accept those identified as Communists or Fascists.

DISCIPLINE IS SLACK

However, Albert Raby, a Chicago schoolteacher on leave, and the acknowledged leader of the marchers, said he had no objection to any person, Communist or not, participating in the demonstrations "as long as they follow the discipline we lay down."

The discipline, however, has been slack. More than 500 persons have been arrested for disturbing the peace, blocking traffic, resisting arrest, assault, and refusing to disperse from busy traffic intersections where they sat down.

The catcalls and signs have been directed not only at Willis but also at Mayor Daley—whom many of the marchers call "Massa Daley," "a Ku Klux Klanner," and "Stooge for Ben Willis."

BOASTS 100,000 MEMBERS

The infiltration of the anti-Willis, anti-Daley marchers follows the prediction of Hoover earlier this year. Hoover said the Communist Party and allied, sympathetic groups are engaged in a mass attempt to take over civil rights organizations.

In February, Gus Hall, national leader of the Communist Party, said there are now 10,000 hard-core members with another 90,000 persons identified as close sympathizers.

Exhibit 2

[From the Nashville Banner, July 2, 1965]

Communists Behind Chicago Ordeal

In charging Communist participation and financing in Chicago's riot ordeal, Mayor Richard J. Daley cites the obvious; and should be ready, with the information at hand, to name names.

It is not a reckless accusation, any more than it was when municipal and State authorities elsewhere made the same charge in their own cases of civil insurrection. It bears weight with the added emphasis of its declaration by the chief executive of the Nation's second city. Even the most sophisticated of the intellectual jeer brigade can't call Daley a race-baiter, or a "reactionary."

By the same token, the charge bears weight when FBI Director J. Edgar Hoover makes it, in warning of the same thing on a national scale. It didn't require the experience of Chicago, New York, California, or southern points—for that matter—to establish the facts in the case. Mr. Hoover has said, over and over again, that Communists have attached themselves to these trouble-making movements, have instigated some of them, and are exploiting all of them.

It would have been odd, indeed, had not these incendiaries landed squarely aboard the Chicago affair, sparked it, fed it, and kept it going. That is the "hot summer" of rising temperatures, and only some top notch law enforcement can put out the fire.

How far Mayor Daley is prepared to go to that end remains to be seen. If as reported he has documented evidence identifying as Communists and Communist-front operatives some participating in those civil disorders, he can and should proceed with that in the legal action warranted. Certainly that is sufficient body of a case to bring before the bar of public opinion.

Law-abiding elements in a great city assuredly would not want Communist firebrands to decide—by violence or compromise— who should or should not be superintendent of its school system.

Mayor Daley spoke squarely to the point. Chicago was picked as a whipping-boy for a campaign of hate. It can understand better now, perhaps, the ordeal to which contemporaries have been subjected.

He will do the cause of internal security a favor if he calls the roll of the accused. They don't mind anonymity. It is when they are named that they squirm and scream and strive to crawl back into the woodwork.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

Mr. LONG of Louisiana. Mr. President, in the course of the consideration of the pending bill, it will be helpful for the Senate to have the advice of certain experts in the field of social security and public welfare legislation. I therefore ask unanimous consent that Mr. Frederick B. Arner, senior specialist and chief of the Education and Public Welfare Division of the Library of Congress, and Miss Helen Livingston, assistant chief of the Division, be given privileges of the floor during consideration of the Social Security Amendments of 1965, H.R. 6675.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I make the same request for Mr. Irvin Wolkstein, of the Social Security Administration.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, the pending bill will be the largest and most significant piece of social legislation ever to pass the Congress in the history of our country. It will do more immediate good for more people who need the attention of their Government than any bill that the Congress has ever enacted. We measure our accomplishments here by our association with those few pieces of legislation which clearly move the American people toward a better life. The bill I am honored to present to you today—a bill entitled "The Social Security Amendments of 1965"—meets these qualifications. It exemplifies our country's concern with all of our own people, as well as with the serious problems we face in our position as a leader of the world.

It is almost 30 years to the day since the original 32-page social security bill was reported by the Committee on Finance. This system has grown, from somewhat humble beginnings, to be a mighty citadel of America's social and economic well-being. The original report in 1935 contemplated that, by 1980, some $3.5 billion would be paid out in benefits. Last year, social security benefit disbursements totaled over $16 billion. Present estimates indicate that by 1967, under this legislation, the total social insurance disbursements will approach $25 billion. Even allowing for differences in the value of the dollar, the program is about 4 times greater than conceived.

This program not only means dignity to the individual, but serves our country as an economic stabilizer while at the same time it provides for the whole of the free world a beacon reflecting the democratic way of achieving social progress. We are not, in this legislation, conforming with an international blueprint for social legislation. We are considering a bill which represents concern, consideration, and compromise in the best American tradition, and reflects the ideas of many men sitting here today.

We must be proud of the fact that this bill, at long last, provides the kind of protection against the costs of good medical care for older Americans which they deserve, and which this administration has worked so long and tirelessly to achieve. It is only fair to say that this concern is shared by our Republican colleagues, the differences being as to the most appropriate method to obtain this end. Now, with the issue set squarely before this great body by the bill reported by the Committee on Finance, the moment of truth is before us.

But I want the Senate, and the American people, to understand that this is not the only issue before us at this time. Although the bill's most noteworthy and publicized feature is the comprehensive medical care it provides for 19 million aged people, this is but one part of this almost 400-page document. Among those most helped by the bill are children. Other groups who are aided considerably by this legislation are the disabled, the mentally ill, those afflicted with tuberculosis, persons who can be rehabilitated, widows, those who previously had not enough social security coverage to get benefits, and the elderly who still work to make ends meet. The aged, the blind, the dependent children, and the disabled who are drawing public welfare benefits will also get larger payments.

Here are some of the things that the bill will do: To start with, 19 million people will get basic hospital protection of longer duration than under the House bill. Perhaps 17 million of these people, a conservative estimate, will also be able to take advantage of the voluntary supplementary program, which covers physicians' and other services. Eight million of these people also will be eligible for the new Kerr-Mills-type program for the less fortunate in our society. The coverage under this program potentially could grow twofold.

As to the existing social security program, 20 million beneficiaries will receive a 7-percent benefit increase. Moreover, almost a million beneficiaries who work to supplement their benefits will profit from the liberalized earnings limit, added in the Senate. It lets them earn up to $1,800 a year without penalty, rather than the out-dated $1,200 allowed under existing law. Another one-third million of our most elderly citizens, who are not now receiving any social security benefits at all, will qualify for special benefits at age 72. Some 40,000 children will receive benefits because of liberalizing definition changes, while almost 200,000 widows will have the opportunity to draw benefits if they decide to retire at age 60 rather than age 62.

Simple equity, and the aims of an educated America, will profit from the extension of social security benefits to children up to age 22 who are going to school. And I am glad to say that the Senate committee added a similar right for the children in needy families, in that it extended the optional provision which would allow States to continue making payments to dependent children who reach age 18 but want to continue to go to a college or university and otherwise would be cut off. It is, as the junior Senator from Connecticut has pointed out, precisely these children who are seeking to work their way out of the chain of inherited poverty, who are now being told, by existing law, that it does no good to work for themselves or their needy families.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from New York.

Mr. JAVITS. I thank the Senator. The provision with respect to children wishing to continue in school has been a subject on which I have worked for a very long time. I have previously offered amendments on the subject which were turned down. I know that the Senator from Louisiana has very much favored my proposal, and I am extremely pleased to see the provision in the bill.

Mr. LONG of Louisiana. I believe the Senator from New York has had some experiences parallel to those of the Senator from Connecticut [Mr. RIBICOFF]. As boys, they worked to help their families. The provision is particularly important to help young people who otherwise might be denied the opportunity of an education or the opportunity to improve themselves and move ahead, to share the benefits and the blessings of this great country.

Mr. JAVITS. I thank the Senator.

Mr. LONG of Louisiana. I thank the Senator from New York.

In fact, although the President's recommendation in the House bill picked up the nickname of "Kerr-Mills for kids"—and it was well deserved—I would point out to Senators present that the reported bill of the Committee on Finance has its eye firmly fixed on the future leaders of America, as well as on grandpa and grandma. The bill before the Senate extends the authorization for child welfare services and also established special project grants for emotionally disturbed children. If the bill had passed years ago, it might, as the report points out—page 90—have prevented the loss of our fellow Senator and President, John F. Kennedy, because it might have provided for the adjustment and proper care for the person who was later named as the assassin.

This bill also provides some amendments which have been very close to my heart over the years. As to public assistance, the bill includes a substantial increase in the Federal share of the matching formula for the needy aged, blind, disabled, and dependent which will result in a $2.50 monthly payment increase for adults and $1.50 payment increase for children. This is the amendment that I sponsored last year which was adopted by this body and which would have prevailed if the conference had not deadlocked on medicare.

I am also particularly happy that my lengthy struggle to eliminate the archaic exclusion of Federal assistance to the mentally ill and the victims of tuberculosis has proved worthwhile. Senators will remember that I first brought this matter to the attention of the Senate in 1960 with a floor amendment which the Senate adopted to grant equality under the public assistance law to the aged who were so afflicted. When the Senate position did not prevail in conference I kept the Senate in session into the early morning hours in my protest against the continuation of this discrimination against the mentally ill and those suffering tuberculosis.

I am particularly happy to see that the House of Representatives has now agreed to the position I took at that time.

All of us in this body are, I am sure, proud of the fact that we have, at long last, removed these residual shackles from the feet of those, who, by the accident of history, have been overlooked, and left behind, because they were relatively small in numbers or could not speak for themselves.

Because this is truly a great and lengthy bill, it is impossible to enumerate all of the changes—affecting all of the people in this country—in the time available to the Senate today.

I urge Senators to study the committee report, which in itself consists of two volumes and contains 563 pages. It details and analyzes what the Committee on Finance has recommended to the Senate. If Senators have the time, I hope that they will study not only the report but also the hearings. It is necessary for us to abbreviate the hearings; otherwise it would have been impossible to bring the bill before the Senate at the present session of Congress.

In an effort to apprise Senators in short order of the various proposed changes in the law advocated by this broad-gaged bill, I ask unanimous consent to have printed in the RECORD at this point a brief analysis of the bill as it appears on pages 4 through 22 of the committee report.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

PRINCIPAL PROVISIONS OF THE BILL

A. HEALTH INSURANCE AND MEDICAL CARE FOR THE AGED

The committee's bill would add a new title XVIII to the Social Security Act providing two related health insurance programs for persons 65 or over:

1. A basic plan in part A providing protection against the costs of hospital and related care; and

2. A voluntary supplementary plan in part B providing protection against the costs of physicians' services and other medical and health services to cover certain areas not covered by the basic plan.

The basic plan would be financed through a separate payroll tax and separate trust fund. The plan would be actuarially sound under conservative cost assumptions. Benefits for persons currently over 65 who are not insured under the social security and railroad retirement systems would be financed out of Federal general revenues.

Enrollment in the supplementary plan would be voluntary and would be financed by a small monthly premium ($3 per month initially) paid by enrollees and an equal amount supplied by the Federal Government out of general revenues. The premiums for social security, railroad retirement, and civil service retirement beneficiaries who voluntarily enroll would be deducted from their monthly insurance benefits. Uninsured persons desiring the supplemental plan would make the periodic premium payments to the Government.

The committee's bill would also add a new title XIX to the Social Security Act which would provide a more effective Kerr-Mills program for the aged and extend its provisions to additional needy persons. It would allow the States, at their option, to combine with a single uniform category the differing medical provisions for the needy which currently are found in five titles of the Social Security Act.

A description of these three programs follows:

1. Basic plan—Hospital insurance

General description: Basic protection, financed through a separate payroll tax, would be provided by H.R. 6675 against the costs of inpatient hospital services, posthospital extended care services, posthospital home health services, and outpatient hospital diagnostic services for social security and railroad retirement beneficiaries when they attain age 65. Benefits for railroad retirement eligibles would be financed by the railroad retirement tax out of their trust account if certain conditions are met. The same protection, financed from general revenues, would be provided under a special transitional provision for essentially all people who are now aged 65, or who will reach 65 in the near future, but who are not eligible for social security or railroad retirement benefits.

Effective date: Benefits would first be effective on July 1, 1966, except for services in extended care facilities which would be effective on January 1, 1967.

Benefits: The services for which payment would be made under the basic plan include—

1. Inpatient hospital services for up to 120 days in each spell of illness. The patient pays a deductible amount of $40 for the first 60 days plus $10 a day for any days in excess of 60 for each spell of illness; hospital services would include all those ordinarily furnished by a hospital to its inpatients; however, payment would not be made for private duty nursing or for the hospital services of physicians except (1) services provided by interns or residents in training under approved teaching programs; and (2) services of radiologists, anesthesiologists, pathologists, and physiatrists where these services are provided under an arrangement with the hospital and are billed through the hospital. Inpatient psychiatric hospital service would also be included, but a lifetime limitation of 210 days would be imposed.

2. Posthospital extended care (in a facility having an arrangement with a hospital for the timely transfer of patients and for furnishing medical information about patients) after the patient is transferred from a hospital (after at least a 3-day stay) for up to 100 days in each spell of illness, but after the first 20 days of care patients will pay $5 a day for the remaining days of extended care in a spell of illness;

3. Outpatient hospital diagnostic services, with the patient paying a $20 deductible amount and a 20-percent coinsurance for each diagnostic study (that is, for diagnostic services furnished to him by the same hospital during a 20-day period); and

4. Posthospital home health services for up to 175 visits, after discharge from a hospital (after at least a 3-day stay) or extended care facility and before the beginning of a new spell of illness. Such a person must be in the care of a physician and under a plan established by a physician within 14 days of discharge calling for such services. These services would include intermittent nursing care, therapy, and the part-time services of a home health aid. The patient must be homebound, except that when certain equipment is used, the individual could be taken to a hospital or extended care facility or rehabilitation center to receive some of these covered home health services in order to get advantage of the necessary equipment.

No service would be covered as posthospital extended care or as outpatient diagnostic or posthospital home health services if it is of a kind that could not be covered if it were furnished to a patient in a hospital.

A spell of illness would be considered to begin when the individual enters a hospital or extended care facility and to end when he has not been an inpatient of a hospital or extended care facility for 60 consecutive days.

The deductible amounts for inpatient hospital and outpatient hospital diagnostic services would be increased if necessary to keep pace with increases in hospital costs, but no such increase would be made before 1968. The coinsurance amounts for long-stay hospital and extended care facility benefits would be correspondingly adjusted. For reasons of administrative simplicity, increases in the hospital deductible will be made only when a $4 change is called for and the outpatient deductible will change in $2 steps.

Basis of reimbursement: Payment of bills under the basic plan would be made to the providers of service on the basis of the "reasonable cost" incurred in providing care for beneficiaries.

Administration: Basic responsibility for administration would rest with the Secretary of Health, Education, and Welfare; however, the administration of benefits for individuals under the railroad retirement system would be transferred to the Railroad Retirement Board if certain financing conditions are met, as explained under the next heading. The Secretary would use appropriate State agencies and private organizations (nominated by providers of services) to assist in the administration of the program. Provision is made for the establishment of an Advisory Council which would advise the Secretary on policy matters in connection with administration.

Financing: Separate payroll taxes to finance the basic plan, paid by employers, employees, and self-employed persons would be earmarked in a separate hospital insurance trust fund established in the Treasury. The amount of earnings (earnings base) subject to the new payroll taxes would be the same as for purposes of financing social security cash benefits. The same contribution rate would apply equally to employers, employees, and self-employed persons and would be as follows:

	Percent
1966	0.325
1967–70	.50
1971–72	.55
1973–75	.60
1976–79	.65
1980–86	.75
1987 and after	.85

The taxable earnings base for the health insurance tax would be $6,600 a year beginning in 1966.

The schedule of contribution rates is based on estimates of cost which assume that the earnings base will not be increased above $6,600.

The benefits for railroad retirement eligibles will be financed by the railroad retirement tax, which is automatically increased by the operation of this bill. However, the railroad retirement wage base (now $450 a month) is not affected by this bill and is not within the jurisdiction of this committee. Until an amendment is adopted to the Railroad Retirement Tax Act increasing their wage base to an amount equivalent to an earnings base of $6,600 per year, the benefits of railroad eligibles will be financed by the hospital insurance tax and administered by the Secretary of Health, Education, and Welfare; thereafter the benefits for railroad eligibles will be administered by the Railroad Retirement Board.

The cost of providing basic hospital and related benefits to people who are not social security or railroad retirement beneficiaries would be paid from general funds of the Treasury.

2. Voluntary supplementary insurance plan

General description: A package of benefits supplementing those provided under the basic plan would be offered to all persons 65 and over on a voluntary basis. Individuals who elect to enroll initially would pay premiums of $3 a month (deducted, where possible, from social security or railroad retirement benefits). The Government would match this premium with $3 paid from general funds. Since the minimum increase in cash social security benefits under the bill for workers retiring or who retired at age 65 or older would be $4 a month ($6 a month for man and wife receiving benefits based on the same earnings record), the benefit increases would fully cover the amount of monthly premiums.

Enrollment: Persons who have reached age 65 before July 1, 1966, will have an opportunity to enroll in an enrollment period which begins April 1, 1966, and shall end on September 30, 1966.

Persons attaining age 65 subsequent to July 1, 1966, will have enrollment periods of 7 months beginning 3 months before the month of attainment of age 65.

In the future, general enrollment periods will be from October 1 to December 31, in each even-numbered year. The first such period will be October 1 to December 31, 1968.

No person may enroll more than 3 years after the close of the first enrollment period in which he could have enrolled.

There will be only one chance to reenroll for persons who are in the plan but drop out, and the reenrollment must occur within 3 years of termination of the previous enrollment.

Coverage may be terminated (1) by the individual filing notice during an enrollment period, or (2) by the Government, for nonpayment of premiums.

A State would be able to provide the supplementary insurance benefits to its public recipients who are receiving cash assistance if it chooses to do so.

Effective date: Benefits will be effective beginning January 1, 1967.

Benefits: The voluntary supplementary insurance plan would cover physicians' services, chiropractic and podiatrists services, home health services, and numerous other medical and health services in and out of medical institutions.

There would be an annual deductible of $50. Then the plan would cover 80 percent of the patient's bill (above the deductible) for the following services:

1. Physicians' and surgeons' services, whether furnished in a hospital, clinic, office, in the home, or elsewhere.

2. Chiropractors' services.
3. Podiatrists' services.
4. Home health service (with no requirement of prior hospitalization) for up to 100 visits during each calendar year.
5. Diagnostic X-ray and laboratory tests, and other diagnostic tests.
6. X-ray, radium, and radioactive isotope therapy.
7. Ambulance services.
8. Surgical dressings and splints, casts, and other devices for reduction of fractures and dislocations; rental of durable medical equipment such as iron lungs, oxygen tents, hospital beds, and wheelchairs used in the patient's home, prosthetic devices (other than dental) which replace all or part of an internal body organ; braces and artificial legs, arms, eyes, etc.

There would be a special limitation on outside-the-hospital treatment of mental, psychoneurotic, and personality disorders. Payment for such treatment during any calendar year would be limited, in effect, to $250 or 50 percent of the expenses, whichever is smaller.

Administration by carriers: Basis for reimbursement: The Secretary of Health, Education, and Welfare would be required, to the extent possible, to contract with carriers to carry out the major administrative functions relating to the medical aspects of the voluntary supplementary plan such as determining rates of payments under the program, holding and disbursing funds for benefit payments, and determining compliance and assisting in utilization review. No contract is to be entered into by the Secretary unless he finds that the carrier will perform its obligations under the contract efficiently and effectively and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds pertinent. The contract must provide that the carrier take necessary action to see that where payments are on a cost basis (to institutional providers of service), the cost is reasonable cost. Correspondingly, where payments are on a charge basis (to physicians or others furnishing noninstitutional services), the carrier must see that such charge will be reasonable and not higher than the charge applicable, for a comparable service and under comparable circumstances to the other policyholders and subscribers of the carrier. Payment by the carrier for physicians' services will be made on the basis of a receipted bill, or on the basis of an assignment under the terms of which the reasonable charge will be the full charge for the service. In determining reasonable charges, the carriers would consider the customary charges for similar services generally made by the physician or other person or organization furnishing the covered services, and also the prevailing charges in the locality for similar services.

Financing: Aged persons who elect to enroll in the supplemental plan would pay monthly premiums of $3. Where the individual is currently receiving monthly social security, railroad retirement, or civil service retirement benefits, the premiums would be deducted from his benefits.

The Government would help finance the supplementary plan through a payment from general revenues in an equal amount of $3 a month per enrollee. To provide an operating fund, if necessary, at the beginning of the supplementary plan, and to establish a contingency reserve, a Government appropriation would be available (on a repayable basis) equal to $18 per aged person estimated to be eligible in January 1967 when the supplementary plan goes into effect.

The individual and Government contributions would be placed in a separate trust fund for the supplementary plan. All benefit and administrative expenses under the supplementary plan would be paid from this fund.

Premium rates for enrolled persons (and the matching Government contribution) would be increased from time to time if program costs rise, but not more often than once every 2 years. The premium rate for a person who enrolls after the first period when enrollment is open to him or who reenrolls after terminating his coverage would be increased by 10 percent for each full 12 months he stayed out of the program.

3. Improvement and extension of Kerr-Mills medical assistance program

Purpose and scope: In order to provide a more effective Kerr-Mills medical assistance program for the aged and to extend its provisions to additional needy persons, the bill would establish a single and separate medical care program to consolidate and expand the differing provisions for the needy which currently are found in five titles of the Social Security Act.

The new title (XIX) would extend the admore effective Kerr-Mills medical assistance program not only to the aged who are indigent but also to needy individuals in the dependent children, blind, and permanently and totally disabled programs and to persons who would qualify under those programs if in sufficient financial need.

Medical assistance under title XIX must be made available to all individuals receiving money payments under these programs and the medical care or services available to all such individuals must be equal in amount, duration, and scope. Effective July 1, 1967, all children under age 21 must be included who would, except for age, be dependent children under title IV.

Inclusion of the medically indigent aged not on the cash assistance rolls would be optional with the States, but if they are included, comparable groups of blind, disabled, and parents and children must also be included if they need help in meeting necessary medical costs. Moreover, the amount and scope of benefits for the medically indigent could not be greater than that of recipients of cash allowance.

Under the House bill, the current provisions of law in the various public assistance titles of the act providing vendor medical assistance would have terminated upon adoption of the new program by a State, but in no case later than June 30, 1967. The committee has amended this provision so that a State would have the option of continuing under the vendor medical provisions of existing law or adopting the new program.

Scope of medical assistance: Under existing law the State must provide "some institutional and noninstitutional care" under the medical assistance for the aged program. There are no minimum benefit requirements at all under the other public assistance vendor medical programs.

The House bill requires that by July 1, 1967, under the new program a State must provide inpatient hospital services, outpatient hospital services, other laboratory and X-ray services, skilled nursing home services, and physicians' services (whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere) in order to receive Federal participation. The committee has altered this requirement so that it is more appropriate to the groups covered in that dental services are required for individuals under the age of 21 while skilled nursing home services are required for individuals 21 years of age or older. Coverage of other items of medical service would be optional with the States.

Eligibility: Improvements would be effectuated in the program for the needy elderly by requiring that the States must provide a flexible income test which takes into account medical expenses and does not provide rigid income standards which arbitrarily deny assistance to people with large medical bills. In the same spirit the bill provides that no deductible, cost sharing, or similar charge may be imposed by the State as to hospitalization under its program and that any such charge on other medical services must be reasonably related to the recipient's income or resources. Also important is the requirement that elderly needy people on the State programs be provided assistance to meet the deductibles that are imposed by the new basic program of hospital insurance. Also where a portion of any deductible or cost sharing required by the voluntary supplementary program is met by a State program, the portion covered must be reasonably related to the individual's income and resources. No income can be imputed to an individual unless actually available; and the financial responsibility of an individual for an applicant may be taken into account only if the applicant is the individual's spouse or child who is under age 21 or blind or disabled.

Standards as to quality of care and safety: The committee added to the provisions of the House bill a requirement that the States include in their States plans descriptions of the medical staff utilized and the standards for institutions providing medical care and authorized the Secretary of Health, Education, and Welfare to promulgate minimum standards relating to fire and other hazards for such institutions.

Increased Federal matching: The Federal share of medical assistance expenditures under the new program would be determined upon a uniform formula with no maximum on the amount of expenditures which would be subject to participation. There is no maximum under present law on similar amounts for the medical assistance for the aged program. The Federal share, which varies in relation to a State's per capita income, would be increased over current medical assistance for the aged matching so that States at the national average would receive 55 percent rather than 50 percent, and States at the lowest level could receive as much as 83 percent as contrasted with 80 percent under existing law.

In order to receive any additional Federal funds, as a result of expenditures under the new program, the States would need to continue their own expenditures at their present rate. For a specified period, any State that did not reduce its own expenditures would be assured of at least a 5-percent increase in Federal participation in medical care expenditures. As to compensation and training of professional medical personnel used in the administration of the program, the bill would provide a 75-percent Federal share as compared with the 50–50 Federal-State sharing for other administrative expenses.

Administration: Under the House bill, the State agency administering the new program would have to be the same as that administering the old-age assistance program (i.e., the welfare agency). The committee, believing the States should be given more latitude in this matter, provided that any State agency may be designated to administer the program, as long as the determination of eligibility is accomplished by the agency administering the old-age assistance program.

Effective date: January 1, 1966.

4. Cost of health care plans

Basic plan: Benefits and administrative expenses under the basic plan would be about $1.1 billion for the 6-month period in 1966 and about $2.4 billion in 1967. Contribution income for those years would be about $1.5 and $2.8 billion, respectively. The costs for the uninsured (paid from general funds) would be about $285 million per year for early years.

Voluntary supplementary plan: Costs of the voluntary supplementary plan would depend on how many of the aged enrolled.

If 80 percent of the eligible aged enrolled, benefit costs (and administrative expenses) of the supplementary plan would be about $665 to $800 million in 1967 and about $910 million to $1.10 billion in 1968. Premium income from enrollees for those years would be about $555 and $565 million, respectively. The matching Government contribution would equal the premiums charged the individual.

If 95 percent of the eligible aged enrolled, benefit costs and administrative expenses of the supplementary plan would be about $790 to $945 million in 1967 and about $1.08 to $1.30 billion in 1968. Premium income from enrollees for those years would be about $660 and $670 million, respectively. The Government contribution would equal the premiums charged the individual.

Public assistance plan: It is estimated that the new program will increase the Federal Government's contribution about $200 million in a full year of operation over that in the programs operated under existing law.

B. CHILD HEALTH AND WELFARE AMENDMENTS

Maternal and child health, crippled children, and child welfare: The House bill would increase the amount authorized for maternal and child health services over current authorizations by $5 million for fiscal year 1966 and by $10 million in each succeeding fiscal year, as follows:

Fiscal year	Existing law	Under bill
1966	$40,000,000	$45,000,000
1967	40,000,000	50,000,000
1968	45,000,000	55,000,000
1969	45,000,000	55,000,000
1970 and after	50,000,000	60,000,000

The authorizations for crippled children's service under the House bill would be increased by the same amounts. The committee has added a similar increase in the authorization for the child welfare program.

The increases would assist the States, in these programs, in moving toward the goal of extending services with a view of making them available to children in all parts of the State by July 1, 1975.

Crippled children-training personnel: The bill would also authorize $5 million for the fiscal year 1967, $10 million for fiscal 1968, and $17.5 million for each succeeding fiscal year to be for grants to institutions of higher learning for training professional personnel for health and related care of crippled children, particularly mentally retarded children and children with multiple handicaps.

Health care for needy children: a new provision is added authorizing the Secretary of Health, Education, and Welfare to carry out a 5-year program of special project grants to provide comprehensive health care and services for children of school age, or for preschool children, particularly in areas with concentrations of low-income families. The grants would be to State health agencies, to the State agencies administering the crippled children's program, to any school of medicine (with appropriate participation by a school of dentistry), and any teaching hospital affiliated with such school, to pay not to exceed 75 percent of the cost of the project. Projects would have to provide screening, diagnosis, preventive services, treatment, correction of defects, and aftercare, including dental services, with treatment, correction of defects, and aftercare limited to children in low-income families.

An appropriation of $15 million would be authorized for the fiscal year ending June 30, 1966; $35 million for the fiscal year ending June 30, 1967; $40 million for the fiscal year ending June 30, 1968; $45 million for the fiscal year ending June 30, 1969; and $50 million for the fiscal year ending June 30, 1970.

The committee has added an amendment which has increased the authorization for such grants by $5 million for fiscal years 1968, 1969, and 1970 to cover the cost of special project grants to provide health services for school and preschool children who are or are in danger of becoming emotionally disturbed. Grants would be made to State or local health, mental health, or public welfare agencies, or other public or nonprofit private agencies, or institutions. The committee amendment would further authorize an appropriation of $500,000 each for the fiscal years ending June 30, 1966, and June 30, 1967, for grants for studies of resources, methods and practices for prevention and diagnosis of emotional illness in children and for treatment and rehabilitation of emotionally ill children.

Mental retardation planning: Title XVII of the act would be amended to authorize grants totaling $2,750,000 for each of 2 fiscal years—the fiscal year ending June 30, 1966, and fiscal year ending June 30, 1967. The funds would be available during the 3-year period July 1, 1965, to June 30, 1968. The grants would be for the purpose of assisting States to implement and followup on plans and other steps to combat mental retardation authorized under this title of the Social Security Act.

C. OLD-AGE, SURVIVORS, AND DISABLILITY INSURANCE PROVISIONS

1. *Benefit changes*

(a) A 7-percent across-the-board increase in old-age survivors, and disability insurance benefits:

The bill provides a 7-percent across-the-board benefit increase, effective retroactively beginning with benefits for January 1965, for the 20 million social security beneficiaries on the rolls (with a guaranteed $4 a month minimum increase for retired workers who are age 65 or over in the first month for which they are paid the increased benefit).

Monthly benefits for workers who retire at or after 65 would be increased to a new minimum of $44 (now $40) and to a new maximum of $135.90 (now $127). In the future, creditable earnings under the increase in the contribution and benefit base to $6.600 a year (now $4,800) would make possible a maximum benefit of $168.

The maximum amount of benefits payable to a family on the basis of a single earnings record would be related to the worker's average monthly earnings at all earnings levels. Under present law, there is a $254 limit on family benefits which operates over a wide range of average monthly earnings. Under the bill the highest family maximum would be $368.

(b) Payment of child's insurance benefits to children attending school or college after attainment of age 18 and up to age 22:

H.R. 6675 includes the provision adopted by both House and Senate last year which would continue to pay a child's insurance benefit until the child reaches age 22, provided the child is attending a public or an accredited school, including a vocational school or a college, as a full-time student after he reaches age 18. Children of deceased, retired, or disabled workers would be included. No mother's or wife's benefits would be payable if the only child in the mother's care is one who has attained age 18 but is in school.

This provision will be effective January 1, 1965. It is estimated that 295,000 children will be eligible for benefits for September 1965, when the school year begins.

(c) Benefits for widows at age 60:

The bill would provide the option to widows of receiving benefits beginning at age 60, with the benefits payable to those who claim them before age 62 being actuarially reduced to take account of the longer period over which they will be paid. Under present law, full widow's benefits and actuarially reduced worker's and wife's benefits are payable at age 62.

This provision, adopted by both Houses of Congress last year, would be effective for the second month after the month of enactment. It is estimated that 185,000 widows will claim benefits during the first year of operation under this provision.

(d) Amendment of disability program:

(i) Definition of disability: The bill would eliminate the present requirement that a worker's disability must be expected to be of long continued and indefinite duration, and instead provide that an insured worker would be eligible for disability benefits if he has been under a disability which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 calendar months. Benefits payable by reason of this change would be paid for the second month following the month of enactment. An estimated 60,000 persons—disabled workers and their dependents—will become immediately eligible for benefits as a result of this change.

(ii) Disability benefits offset provision: The bill provides that the social security disability benefit for any month for which a worker is receiving a workmen's compensation benefit will be reduced to the extent that the total benefits payable to him and his dependents under both programs exceed 80 percent of his average monthly earnings prior to the onset of disability, but with the reduction periodically adjusted to take account of changes in national average earnings levels. The offset provision will be applicable with respect to benefits payable for months after December 1965 based on applications filed after December 1965.

(iii) Benefits for children disabled before reaching age 22: The bill provides that a child who is disabled before reaching age 22 (rather than before age 18 as in present law) would be eligible for disabled child's benefits should his parent die, become disabled or retire. The mother of the child would also be eligible for benefits so long as she continued to have the child in her care. Effective as to benefits for the second month following the month of enactment, an estimated 20,000 persons—disabled children and their mothers—will become immediately eligible for benefits as a result of this change.

(iv) Facilitating disability determinations: The bill authorizes the Secretary to make determinations of disability or cessation of disability where medical and other information supplied or designated by the individual, or evidence of remunerative work activities, indicate clearly that the individual is under a disability or that the disability has ceased.

(v) Rehabilitation services: The bill provides for reimbursement from the social security trust funds to State vocational rehabilitation agencies for the cost of rehabilitation services furnished to individuals who are entitled to disability insurance benefits or to a disabled child's benefits. The total amount of the funds that could be made available from the trust funds for purposes of reimbursing State agencies for such services could not, in any year, exceed 1 percent of the social security disability benefits paid in the previous year.

(vi) Entitlement to disability benefits after entitlement to benefits payable on account of age: Under the bill, a person who becomes entitled before age 65 to a benefit payable on account of old age could later, before he reaches age 65, become entitled to disability insurance benefits.

(vii) Allocation of contribution income between OASI and DI trust funds: Under the bill, an additional 0.2 percent of taxable wages and 0.15 percent of taxable self-employment income would be allocated to the disability insurance trust fund, bringing the total allocation to 0.70 percent and 0.525 percent, respectively, beginning in 1966.

(e) Benefits to certain persons at age 72 or over: The committee's bill adopts a provision approved by the House and Senate last year, which would liberalize the eligibility requirements by providing a basic benefit of $35 at age 72 or over to certain persons with a minimum of three quarters of coverage acquired at any time since the beginning of the program in 1937. To accomplish this, a new concept of "transitional insured status" is provided. Present law requires a minimum of six quarters of coverage in employment or self-employment.

(i) Men and women workers: Under the "transitional insured status" provision a worker could qualify for benefits at age 72 if he had one quarter of coverage for each year that elapsed after 1950 and up to the year in which he reached age 65 (62 for women), with a minimum of three quarters. Those quarters could have been acquired at any time since the inception of the program in 1937. Wives of workers who qualify under this provision would be eligible for benefits if they reached age 72 before 1969. For workers who reached age 65 (62 for women) after 1956, the quarters of coverage requirement merges with the present minimum requirement of six quarters.

The following table illustrates the operation of the "transitional insured status" provision for workers:

Transitional insured status requirements with respect to workers benefits

	Quarters of coverage required
Age (in 1965) (men):	
76 or over	3.
75	4.
74	5.
73 or younger	6 or more.
Age (in 1965) (women):	
73 or over	3.
72	4.
71 [1]	5.
70 or younger	6 or more.

[1] Benefits will not be payable, however, until age 72.

(ii) Widows: Any widow who attains age 71 in or before 1965, if her husband died or reached age 65 in 1954 or earlier, could get a widow's benefit when she is aged 72 or over if her husband had at least three quarters of coverage. Present law requires six quarters. If the husband of such a widow died or reached 65 in 1955, the requirement would be four quarters. If he died or reached 65 in 1956, the requirement would be five quarters. If he died or reached 65 in 1957 or later, the minimum requirement would be six quarters or more, the same as present law.

For widows reaching age 72 in 1967 and 1968, there is a "grading-in" of the quarters of coverage requirement; which would be four or five quarters of coverage respectively. Widows reaching age 72 in 1969 or after would be subject to the requirements of existing law of six or more quarters of coverage.

The table below sets forth the requirements as to widows:

Transitional insured status requirements with respect to widow's benefits

Year of husband's death (or attainment of age 65, if earlier)	Present quarters required	Proposed quarters required for widow attaining age 72 in—		
		1966 or before	1967	1968
1954 or before	6	3	4	5.
1955	6	4	4	5.
1956	6	5	5	5.
1957 or after	6 or more	6 or more	6 or more	6 or more.

(iii) Basic benefits: Men and women workers who would be eligible under the above-described provisions for workers would receive a basic benefit of $35 a month. A wife who is aged 72 or over (and who attains that age before 1969) would receive one-half of this amount, $17.50. No other dependents' basic benefits would be provided under these provisions.

Widows would receive $35 a month under the above-described provision.

These provisions would become effective for the second month after the month of enactment, at which time an estimated 355,000 people would be able to start receiving benefits.

(f) Retirement test:

The bill would liberalize the retirement test provision in present law under which benefits are decreased in relation to a beneficiary's earnings over $1,200 in a year. Under existing law, the first $1,200 a year is fully exempted, and there is a $1 reduction in benefits for each $2 of annual earnings between $1,200 and $1,700 and for each $1 of earnings thereafter. Under the bill, the first $1,800 a year would be fully exempted and there would be a $1 reduction in benefits for each $2 of earnings between $1,800 and $3,000 and for each $1 of earnings thereafter. In addition, the amount of earnings a beneficiary may have in a month and get full benefits for that month regardless of his annual earnings would be raised from $100 to $150. These changes are effective for taxable years ending after 1965.

The bill also exempts certain royalties received in or after the year in which a person reaches age 65, from copyrights and patents obtained before age 65, from being counted as earnings for purposes of the retirement test, effective for taxable years beginning after 1964.

For 1966, an estimated 850,000 persons—workers and dependents—either will receive more benefits under these provisions than they would receive under present law, or will receive some benefits where they would receive no benefits under present law.

(g) Wife's and widow's benefits for divorced women: The committee's bill would authorize payments of wife's or widow's benefits to the divorced wife of a retired, deceased, or disabled worker if she had been married to the worker for at least 20 years before the date of the divorce and if her divorced husband was making (or was obligated by a court to make) a substantial contribution to her support when he became entitled to benefits, became disabled, or died. H.R. 6675 would also provide that a wife's benefits would not terminate when the woman and her husband are divorced if the marriage has been in effect for 20 years. Provision is also made for the reestablishment of benefit rights for a divorced wife, a widow, or a surviving divorced wife who remarries and the subsequent marriage ends in divorce, annulment, or in the death of the husband. These changes are effective for the second month following the month of enactment.

(h) Continuation of widow's and widower's insurance benefits after remarriage: Under present law, a widow's and widower's benefits based on a deceased worker's social security earnings record generally stop when the survivor remarries, with the result that some widows who would like to remarry do not do so because if they did they would lose their social security benefits. The bill provides that benefits would be payable to widows age 60 or over and to widowers age 62 or over who remarry. The amount of the remarried widow's or widower's benefit would be equal to 50 percent of the primary insurance amount of the deceased spouse rather than 82½ percent of that amount, which is payable to widows and widowers who are not remarried.

(i) Adoption of child by retired worker: The bill would change the provisions relating to the payment of benefits to children who are adopted by old-age insurance beneficiaries to require that, where the child is adopted after the worker becomes entitled to an old-age benefit, (1) the child must be living with the worker (or adoption proceedings have begun) in or before the month when application for old-age benefits is filed; (2) the child must be receiving one-half of his support for the entire year before the worker's entitlement; and (3) the adoption must be completed within 2 years after the worker's entitlement.

(j) Definition of child: The bill provides that a child be paid benefits based on his father's earnings without regard to whether he has the status of a child under State inheritance laws if the father was supporting the child or had a legal obligation to do so. Under present law, whether a child meets the definition for the purpose of getting child's insurance benefits based on his father's earnings depends on the laws applied in determining the devolution of interstate personal property in the State in which the worker is domiciled. This provision would be effective for the second month after the month of enactment. It is estimated that 20,000 individuals (children and their mothers) will become immediately eligible for benefits under this provision.

2. Coverage changes

The following coverage provisions were included:

(a) Physicians and interns: Self-employed physicians would be covered for taxable years ending on or after December 31, 1965. Interns would be covered beginning on January 1, 1966.

(b) Farmers: Provisions of existing law with respect to the coverage of farmers would be amended to provide that farm operators whose annual gross earnings are $2,400 or less (instead of $1,800 or less as in existing law) can report either their actual net earnings or 66⅔ percent (as in present law) of their gross earnings. Farmers whose annual gross earnings are over $2,400 would report their actual net earnings if over $1,600, but if actual net earnings are less than $1,600, they may instead report $1,600. (Present law provides that farmers whose annual gross earnings are over $1,800 report their actual net earnings if over $1,200, but if actual net earnings are less than $1,200, they may report $1,200.)

(c) Cash tips: The bill provides that cash tips received by a worker would be covered as self-employment income. Effective as to taxable years beginning after December 31, 1965.

(d) State and local government employees: Several changes made by the bill would facilitate social security coverage of additional employees of State and local governments.

(e) Exemption of certain religious sects: Members of certain religious sects who have conscientious objections to insurance (including social security) by reason of their adherence to the established tenets or teachings of such sects could be exempt from the social security tax on self-employment income upon application accompanied by a waiver of benefit rights.

(f) Nonprofit organizations: Nonprofit organizations, and their employees who concur, could elect social security coverage effective retroactively for a period up to 5 years (rather than 1 year, as under present law). Also, wage credit could be given for the earnings of certain employees of nonprofit organizations who were erroneously reported for social security purposes.

(g) District of Columbia employees: The bill provides for social security coverage of certain employees of the District of Columbia (primarily substitute schoolteachers).

(h) Ministers: Social security credit could be obtained for the earnings of certain ministers which were reported but which cannot be credited under present law.

3. *Miscellaneous*

(a) Filing of proof: The bill extends indefinitely the period of filing of proof of support for dependent husband's, widower's, and parent's benefits, and for filing application for lump-sum death payments where good cause exists for failure to file within the initial 2-year period.

(b) Automatic recomputation of benefits: Under the bill the benefits of people on the rolls would be recomputed automatically each year to take account of any covered earnings that the worker might have had in the previous year and that would increase his benefit amount. Under existing law there are various requirements that must be met in order to have benefits recomputed, including filing of an application and earnings of over $1,200 a year after entitlement.

(c) Military wage credits: The bill revises the present provision authorizing reimbursement of the trust funds out of general revenue for gratuitous social security wage credits for servicemen so that such payments will be spread uniformly over the next 50 years.

(d) Extension of life of applications: The bill liberalizes the requirement in existing law that an application for monthly insurance benefits be valid for only 3 months after the date of filing, and for disability benefits 3 months before the beginning of the waiting period. The bill would allow an application to remain valid up until the time the Secretary makes a final decision on the application.

(e) Overpayments and underpayments: The bill would make changes in the provisions of law relating to overpayments and underpayments to facilitate the recovery of overpayments and to provide specific authority, lacking in present law, for the Secretary to settle all underpayments of benefits.

(f) Authorization for one spouse to cash a joint check: The bill would authorize the Secretary to make a temporary overpayment so as to permit a surviving spouse to cash a benefit check issued jointly to a husband and wife if one of them dies before the check is negotiated; any overpayment resulting from the cashing of the joint check would be recovered.

(g) Attorney's fees: The bill incorporates a provision which would permit a court that renders a judgment favorable to a claimant in an action arising under the social security program to set a reasonable fee (not in excess of 25 percent of past due benefits which become payable by reason of the judgment) for an attorney who successfully represented the claimant. The Secretary would be permitted to certify payment of the fee to the attorney out of such past due benefits.

(h) Tax on certain corporations: The bill provides that when an employee works for a corporation which is a member of an affiliated group of corporations and is then transferred to another corporation which is a member of such group, the total employer social security tax payable by the two corporations for the years in which the employee is transferred will not exceed the amount that would be paid by a single corporation. (Under present law, such treatment is provided for the employee.)

(i) Waiver of 1-year marriage requirement: The bill provides an exception to the 1-year duration requirement as to social security benefits for any widow, wife, husband, or widower who was, in the month before marriage, actually or potentially entitled to railroad retirement benefits as a widow, widower, parent, or disabled adult child.

4. *Financing of OASDI amendments*

The benefit provisions of H.R. 6675 are financed by (1) an increase in the earnings base from $4,800 to $6,600 effective January 1, 1966, and (2) a revised tax rate schedule.

The tax rate schedule under existing law and the revised schedule provided by the House-passed bill and by the committee's bill for the OASDI program follow:

Year	Contribution rates (in percent)					
	Employer and employee, each			Self-employed		
	Present law	House-approved bill	Committee bill	Present law	House-approved bill	Committee bill
1965	3.625	3.625	3.625	5.4	5.4	5.4
1966–67	4.125	4.0	3.85	6.2	6.0	5.8
1968	4.625	4.0	3.85	6.9	6.0	5.8
1969–72	4.625	4.4	4.45	6.9	6.6	6.7
1973 and after	4.625	4.8	4.9	6.9	7.0	7.0

5. *Additional benefit payments in first full year, 1966*

[In millions]

7-percent benefit increase ($4 minimum in primary benefit)	$1,470
Modification of earnings test	590
Reduced benefits for widows at age 60	165
Benefits to persons aged 72 and over with limited periods in OASDI employment	140
Modification of definition of disability	40
Total	2,405
Child benefits to age 22 if in school	195
Benefits for children disabled after age 18 and before age 22	10
Broadened definition of child	10
Improvements in benefits for children, total	215
Total	2,620

D. PUBLIC ASSISTANCE AMENDMENTS

1. *Increased assistance payments*

The Federal share of payments under all State public assistance programs is increased a little more than an average of $2.50 a month for the needy aged, blind, and disabled and an average of about $1.25 for needy children, effective January 1, 1966. This is brought about by revising the matching formula for the needy aged, blind, and disabled (and for the adult categories in title XVI) to provide a Federal share of $31 out of the first $37 (now twenty-nine thirty-fifths (29/35) of the first $35) up to a maximum of $75 (now $70) per month per individual on an average basis. The matching formula is revised for aid to families with dependent children so as to provide a Federal share of five-sixths (5/6) of the first $18 (now fourteen-seventeenths (14/17) of the first $17) up to a maximum of $32 (now $30). A provision is included so that States will not receive additional Federal funds except to the extent they pass them on to individual recipients.

Effective January 1, 1966. Cost: About $150 million a year.

2. *Tubercular and mental patients*

The House bill removed the exclusion from Federal matching in old-age assistance and medical assistance for the aged programs (and for combined program, title XVI) as to aged individuals who are patients in institutions for tuberculosis or mental diseases or who have been diagnosed as having tuberculosis or psychosis and, as a result, are patients in a medical institution. The House bill requires as a condition of Federal participation in such payments to, or for, patients in mental and tuberculosis hospitals certain agreements and arrangements to assure that better care results from the additional Federal money. The committee has amended this provision so as to make the special provisions for Federal participation applicable solely to payments for aged persons in mental institutions. The States will receive additional Federal funds under this provision only to the extent they increase their expenditures for mental health purposes under public health and public welfare programs. The bill also removes restrictions as to Federal matching for needy blind and disabled who are tubercular or psychotic and are in general medical institutions.

Effective January 1, 1966. Cost: About $75 million a year.

3. *Aid to families with dependent children in school*

The committee bill extends the optional provision of the States to continue making payments to dependent children who have attained age 18 but continue in school up to age 21. Present law calls for regular attendance at a high school or vocational school. The committee bill would extend this to attendance at a college or university.

Effective after enactment. Cost: Negligible.

4. *Protective payments to third persons*

The House bill included a provision for protective payments to third persons on behalf of old-age assistance recipients (and recipients on combined adult program, title XVI) unable to manage their money because of physical or mental incapacity. The committee bill would extend the same provision for protective payments to the programs of aid to the blind and aid to the permanently and totally disabled.

Effective January 1, 1966.

5. *Income exemptions under public assistance*

(a) Old-age assistance: The committee's bill increases earnings exemption under the old-age assistance program (and aged in combined program) so that a State may, at its option, exempt the first $20 (now $10) and one-half of the next $60 (now $40) of a recipient's monthly earnings.

Effective January 1, 1966. Cost: About $1 million first year.

(b) Aid to families with dependent children: The committee has added an amendment which allows the State, at its option, to disregard up to $50 per month of earned income of any three dependent children under the age of 18 in the same home.

Effective July 1, 1965. Cost: $1.3 million for first full year of operation.

(c) Aid to permanently and totally disabled: The committee bill adds an exemption of earnings, at the option of the State, for recipients of aid to the permanently and totally disabled. As in the case of the aged, the first $20 per month of earnings and one-half of the next $60 could be exempted. In addition, any additional income and resources could be exempted as part of an approved plan to achieve self-support during the time the recipient was undergoing vocational rehabilitation.

(d) Old-age and survivors insurance (retroactive increase): The bill adds a provision which would allow the States to disregard so much of the OASDI benefit increase (including the children in school after 18 modification) as is attributable to its retroactive effective date.

(e) Economic Opportunity Act earning exemption: H.R. 6675 also provides a grace period for action by States that have not had regular legislative sessions, whose public assistance statutes now prevent them from disregarding earnings of recipients received under titles I and II of the Economic Opportunity Act.

(f) Income exempt under another assistance program: The committee bill adds a provision that any amount of income which is disregarded in determining eligibility for a person under one of the public assistance programs shall not be considered in determining the eligibility of another individual under any other public assistance program.

6. Definition of medical assistance for aged

H.R. 6675 modifies the definition of medical assistance for the aged so as to allow Federal sharing as to old-age assistance recipients for the month they are admitted to or discharged from a medical institution.

Effective July 1, 1965. Cost: About $2 million.

7. Judicial review of State plan denials

The House bill provides for judicial review of the denial of approval by the Secretary of Health, Education, and Welfare of State public assistance plans and of his action under such programs or noncompliance with State plan conditions in the Federal law. The committee bill would add an amendment setting a time limit on the Secretary's calling of a hearing and substitutes language providing the more traditional terminology as to the "substantial evidence rule."

E. MISCELLANEOUS PROVISIONS

1. Optometrists

The committee has added a provision which will be effective as to all titles of the Social Security Act so that it will be clear that whenever payment is authorized for services which an optometrist is licensed to perform, the beneficiary shall have the freedom to obtain the services of either a physician skilled in diseases of the eye or an optometrist, whichever he may select.

Mr. LONG of Louisiana. Mr. President, the measure before the Senate is the last major bill that has been referred thus far this year to the Senate Committee on Finance. The House has about three other important legislative recommendations which should come to the committee some time within the next couple of weeks, and the committee shall act expeditiously on those measures at that time.

The Senate Committee on Finance has done its best to consider every recommendation made to us by Senators and by the executive branch of the Government. We are anxious to pass the pending bill as our contribution toward an early adjournment of the Senate. I certainly hope that Senators who wish to discuss the bill and express general views on the subject will do so today. The bill has been the pending business since we recessed for the Fourth of July holiday. I hope that Senators will deliver their speeches on the general subject today, if possible, and I hope we shall proceed to vote on the amendments to the measure tomorrow.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. I have a number of amendments that I wish to offer to the bill. One is an extremely technical amendment. I shall not take the Senator's time with that. One is on the coverage of tips; another is on the question of prescription drugs. The Senator has stated that the committee has considered the recommendations of Senators. Could the Senator give me the rationale by which the committee turned down the House provision with respect to tip coverage and chose, instead, to provide that tips shall be considered self-employed income, with the individual worker to pay the whole social security tax?

Mr. LONG of Louisiana. I have said a number of times that it is the view of establishments where tips are paid that they should not be held accountable for income which they neither pay nor receive. Theoretically, half of the social security tax due on the tips should be imposed on the one who pays the tip, the customer to whom the tipped employee renders a service.

Restaurant and hotel people, and others who would be directly concerned, are, as the Senator knows, strongly opposed to being held responsible for collecting social security taxes on money they do not see, money which they neither pay nor receive. The committee felt that perhaps the best method would be to let the employee who receives the tip report it and pay the income tax which it is his duty to pay, and also to pay a social security tax on it.

In that case, he would be regarded as self-employed, so he would pay 1½ percent. That is not too bad a deal, so far as the employees affected are concerned, because in many instances they do not report tips, even though an effort is being made by both the employer and the Government to get them to report tips.

If they are thinking only about the social security coverage, they will be much more desirous of reporting tips in later years, when they are trying to build up their high-year coverage, than they would be, perhaps, in earlier years.

It seemed to the committee that this was about the best suggestion we could make to resolve this difficult problem. If the Senate committee amendment is agreed to, it will be in conference between the House and Senate.

Mr. JAVITS. I know that the establishments are against it, but the workers are for it, and the reason is that in the positions for which they are hired there is always taken into account the fact that they will receive tips. So although the employer may not actually handle the money, he is benefited by the fact that an employee receives tips, and thus he pays the employee that much less.

Normally, an employee is paid whatever is the State minimum wage. Probably we shall cover that in the Federal minimum wage now, as the administration requests. But up to now, it has been the State minimum wage. No adult who is a waiter, waitress, or counter employee, will work for that wage, and the employer and the employees know that the employees will be tipped. The privilege of receiving tips is a part of the condition of being able to work in that kind of establishment.

Mr. LONG of Louisiana. I know that union leaders, who speak for a great number of these workers, unanimously recommend that the social security tax be collected on tips from both employers and employees. Their position is supported by the administration. However, I have yet to have a waiter come to me and ask to have the social security tax imposed on his tips. That has not happened. That has not been requested of me.

Many waiters simply do not report their tips because they do not want to pay an income tax on them.

The provision as recommended by the House is such that it is still necessary to take a man's word that he will tell his employer how much he has collected in tips, and on that basis he would pay a tax on the tips.

Mr. JAVITS. In the city of New York, hundreds of restaurant employees have come to me to discuss this subject. They are adult and understanding Americans. They know that they will expose their earnings when they do anything about social security, and that they will then be liable for income tax. But they want to do that. They are perfectly willing to regularize their whole situation. So the majority of them are persuaded that they will be better off by amending their own situation and in that way facing it realistically. I shall bring it up. I was merely interested in knowing what was the rationale. I think I have it now.

Mr. LONG of Louisiana. If the committee provision is sustained by the Senate, it will nevertheless be in conference between the Senate and the House. The House provision is that being advocated by the Senator from New York. The Committee on Finance suggests that we look upon tips as earnings from self-employment. In either event, all those who desire social security coverage will have the benefit of it.

An argument can be made in this case for the self-employed approach on the basis that the amount of social security coverage that the employee receives is almost completely within his own control. The employee can have the lowest 5 years of his wage earnings disregarded completely, so that he can pay on the maximum amount, assuming that his tips were high during the years he wishes to have counted, and pay a very low amount, if any at all, on the years he does not want counted.

But over a period of time, better ways and methods will be devised to ascertain how much such employees make on tips, and we shall be better able to use computers and other devices available to keep up with all the intricate details of both income tax collection and social security tax collection on tips. I have no doubt we shall be able to improve on this system.

Mr. JAVITS. It is not quite so open a proposition as all that. There are some reliable checks that can be made on information based upon the number of sales checks used by each employee. The Treasury Department has used them.

It is significant that labor unions and the people themselves, in large numbers, are perfectly willing to pay the taxes and desire to have social security coverage.

Do I correctly understand that the Senator has not yet asked for the adoption of the committee amendments?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and regarded as original text, reserving to every Senator the right to amend the bill both in the first and second degrees.

Mr. JAVITS. I shall object to that so far as the request relates to section 313 of the bill, which deals with the coverage of tips under social security, because I may wish to raise this question directly on the committee amendment. So if the Senator from Louisiana would be kind enough to exclude that much of the bill as it relates to this question, I certainly would have no objection.

Mr. LONG of Louisiana. The Senator from New York can still offer the amendment as his own at any time.

Mr. JAVITS. I prefer to keep that open. If I should decide that I shall declare it affirmatively, I shall notify the Senator.

Mr. LONG of Louisiana. Mr. President, I wish to modify my request that all the committee amendments, except the amendment to section 313, appearing on page 268, after line 2, relating to the coverage of tips be agreed to en bloc and regarded as original text for the purpose of further amendment.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

At the top of page 2, strike out the table of contents, as follows:

"TABLE OF CONTENTS

"TITLE I—HEALTH INSURANCE FOR THE AGED AND MEDICAL ASSISTANCE

"Sec. 100. Short title.

"Part I—Health Insurance Benefits for the Aged

"Sec. 101. Entitlement to hospital insurance benefits.
"Sec. 102. Hospital insurance benefits and supplementary health insurance benefits.

"TITLE XVIII—HEALTH INSURANCE FOR THE AGED

"Sec. 1801. Prohibition against any Federal interference.
"Sec. 1802. Free choice by patient guaranteed.
"Sec. 1803. Option to individuals to obtain other health insurance protection.

"Part A—Hospital Insurance Benefits for the Aged

"Sec. 1811. Description of program.
"Sec. 1812. Scope of benefits.
"Sec. 1813. Deductibles.
"Sec. 1814. Conditions of and limitations on payment for services.
  "(a) Requirement of requests and certifications.
  "(b) Reasonable cost of services.
  "(c) No payments to Federal providers of services.
  "(d) Payments for emergency hospital services.
  "(c) Payment for inpatient hospital services prior to notification of noneligibility.
"Sec. 1815. Payment to providers of services.
"Sec. 1816. Use of public agencies or private organizations to facilitate payment to providers of services.
"Sec. 1817. Federal hospital insurance trust fund.

"Part B—Supplementary Health Insurance Benefit for the Aged

"Sec. 1831. Establishment of supplementary health insurance program for the aged.
"Sec. 1832. Scope of benefits.
"Sec. 1833. Payment of benefits.
"Sec. 1834. Duration of services.
"Sec. 1835. Procedure for payment of claims of providers of services.
"Sec. 1836. Eligible individuals.
"Sec. 1837. Enrollment periods.
"Sec. 1838. Coverage period.
"Sec. 1839. Amounts of premiums.
"Sec. 1840. Payment of premiums.
"Sec. 1841. Federal supplementary health insurance benefits trust fund.
"Sec. 1842. Use of carriers for administration of benefits.
"Sec. 1843. State agreements for coverage of eligible individuals who are receiving money payments under public assistance programs.
"Sec. 1844. Appropriations to cover Government contributions and contingency reserves.

"Part C—Miscellaneous provisions

"Sec. 1861. Definitions of services, institutions, etc.
  "(a) Spell of illness.
  "(b) Inpatient hospital services.
  "(c) Inpatient psychiatric hospital services.
  "(d) Inpatient tuberculosis hospital services.
  "(e) Hospital.
  "(f) Psychiatric hospital.
  "(g) Tuberculosis hospital.
  "(h) Extended care services.
  "(i) Post-hospital extended care services.
  "(j) Extended care facility.
  "(k) Utilization review.
  "(l) Agreements for transfer between extended care facilities and hospitals.
  "(m) Home health services.
  "(n) Post-hospital home health services.
  "(o) Home health agency.
  "(p) Outpatient hospital diagnostic services.
  "(q) Physicians' services.
  "(r) Physicians.
  "(s) Medical and other health services.
  "(t) Drugs and biologicals.
  "(u) Provider of services.
  "(v) Reasonable cost.
  "(w) Arrangements for certain services.
  "(x) State and United States.
"Sec. 1862. Exclusions from coverage.
"Sec. 1863. Consultation with State agencies and other organizations to develop conditions of participation for providers of services.
"Sec. 1864. Use of State agencies to determine compliance by providers of services with conditions of participation.
"Sec. 1865. Effect of accreditation.
"Sec. 1866. Agreements with providers of services.
"Sec. 1867. Health insurance benefits advisory council.
"Sec. 1868. National medical review committee.
"Sec. 1869. Determinations; appeals.
"Sec. 1870. Overpayments on behalf of individuals.
"Sec. 1871. Regulations.
"Sec. 1872. Application of certain provisions of title II.
"Sec. 1873. Designation of organization or publication by name.
"Sec. 1874. Administration.
"Sec. 1875. Studies and recommendations.
"Sec. 103. Transitional provision on eligibility of presently uninsured individuals for hospital insurance benefits.
"Sec. 104. Suspension in case of aliens; persons convicted of subversive activities.
"Sec. 105. Railroad retirement amendments.
"Sec. 106. Medical expense deduction.
"Sec. 107. Receipts for employees must show taxes separately.
"Sec. 108. Technical and administrative amendments relating to trust funds.
"Sec. 109. Advisory council on social security.
"Sec. 110. Meaning of term 'Secretary.'

"Part 2—Grants to States for medical assistance programs

"Sec. 121. Establishment of programs.

TITLE XIX—GRANTS TO STATES FOR MEDICAL ASSISTANCE PROGRAMS

"Sec. 1901. Appropriation.
"Sec. 1902. State plans for medical assistance.
"Sec. 1903. Payment to States.
"Sec. 1904. Operation of State plans.
"Sec. 1905. Definitions.
"Sec. 122. Payment by States of premiums for supplementary health insurance.

"TITLE II—OTHER AMENDMENTS RELATING TO HEALTH CARE

"Part 1—Maternal and child health and crippled children's services

"Sec. 201. Increase in maternal and child health services.
"Sec. 202. Increase in crippled children's services.
"Sec. 203. Training of professional personnel for the care of crippled children.
"Sec. 204. Payment for inpatient hospital services.
"Sec. 205. Special project grants for health of school and preschool children.
"Sec. 206. Evaluation and report.

"Part 2—Implementation of mental retardation planning

"Sec. 211. Authorization of appropriations.

"Part 3 Public assistance amendments relating to health care

"Sec. 221. Removal of limitations on Federal participation in assistance to aged individuals with tuberculosis or mental disease.
"Sec. 222. Amendment to definition of medical assistance for the aged.

"TITLE III SOCIAL SECURITY AMENDMENTS

"Sec. 300. Short title.
"Sec. 301. Increase in old age, survivors, and disability insurance benefits.
"Sec. 302. Computation and recomputation of benefits.
"Sec. 303. Disability insurance benefits.
"Sec. 304. Payment of disability insurance benefits after entitlement to other monthly insurance benefits.
"Sec. 305. Disability insurance trust fund.
"Sec. 306. Payment of child's insurance benefits after attainment of age 18 in case of child attending school.
"Sec. 307. Reduced benefits for widows at age 60.
"Sec. 308. Wife's and widow's benefits for divorced women.
"Sec. 309. Transitional insured status.
"Sec. 310. Increase in amount an individual is permitted to earn without suffering full deductions from benefits.
"Sec. 311. Coverage for doctors of medicine.
"Sec. 312. Gross income of farmers.
"Sec. 313. Coverage of tips.
"Sec. 314. Inclusion of Alaska and Kentucky among States permitted to divide their retirement systems.
"Sec. 315. Additional period for electing coverage under divided retirement system.
"Sec. 316. Employees of nonprofit organizations.
"Sec. 317. Coverage of temporary employees of the District of Columbia.
"Sec. 318. Coverage for certain additional hospital employees in California.
"Sec. 319. Tax exemption for religious groups opposed to insurance.
"Sec. 320. Increase of earnings counted for benefits and tax purposes.
"Sec. 321. Changes in tax schedules.
"Sec. 322. Reimbursement of trust funds for cost of noncontributory military service credits.
"Sec. 323. Adoption of child by retired worker.
"Sec. 324. Extension of period for filing proof of support and applications for lump sum death payment.
"Sec. 325. Treatment of certain royalties for retirement test purposes.
"Sec. 326. Amendments preserving relationship between railroad retirement and old age, survivors, and disability insurance systems.
"Sec. 327. Technical amendment relating to meetings of board of trustees of the old age, survivors, and disability insurance trust funds.

"TITLE IV—PUBLIC ASSISTANCE AMENDMENTS

"Sec. 401. Increased Federal payments under public assistance titles of the Social Security Act.
"Sec. 402. Protective payments.
"Sec. 403. Disregarding certain earnings in determining need under assistance programs for the aged.
"Sec. 404. Administrative and judicial review of public assistance determinations.
"Sec. 405. Maintenance of State public assistance expenditures.
"Sec. 406. Disregarding OASDI benefit increase, and child's insurance benefit payments beyond age 18, to the extent attributable to retroactive effective date.
"Sec. 407. Extension of grace period for disregarding certain income for States where legislature has not met in regular session.
"Sec. 408. Technical amendments to eliminate public assistance provisions which become obsolete in 1967."

And, in lieu thereof, to insert:

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  "(t) Drugs and biologicals.
  "(u) Provider of services.
  "(v) Reasonable cost.
  "(w) Arrangements for certain services.
  "(x) State and United States.
  "(y) Chiropractors' and podiatrists' services.
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"Sec. 109. Advisory council on social security.
"Sec. 110. Meaning of term 'Secretary'.
"Sec. 111. Administration of hospital insurance for the aged by the Railroad Retirement Board.
"Sec. 112. Additional Under Secretary and Assistant Secretaries of Health, Education, and Welfare.

"Part 2—Grants to States for medical assistance programs

"Sec. 121. Establishment of programs.

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"Sec. 207. Increase in child welfare services.
"Sec. 208. Day care services.

"Part 2—Implementation of mental retardation planning

"Sec. 211. Authorization of appropriations.

"Part 3—Public assistance amendments relating to health care

"Sec. 221. Removal of limitations on Federal participation in assistance to individuals with tuberculosis or mental disease.
"Sec. 222. Amendment to definition of medical assistance for the aged.

"Part 4—Miscellaneous amendments relating to health care

"Sec. 231. Health study of resources relating to children's emotional illness.

"Title III—Social security amendments

"Sec. 300. Short title.
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"Sec. 302. Computation and recomputation of benefits.
"Sec. 303. Disability insurance benefits.
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"Sec. 310. Increase in amount an individual is permitted to earn without suffering full deductions from benefits.
"Sec. 311. Coverage for doctors of medicine.
"Sec. 312. Gross income of farmers.
"Sec. 313. Coverage of tips.
"Sec. 314. Inclusion of Alaska among States permitted to divide their retirement systems.
"Sec. 315. Additional period for electing coverage under divided retirement system.
"Sec. 316. Employees of nonprofit organizations.
"Sec. 317. Coverage of temporary employees of the District of Columbia.
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"Sec. 323. Adoption of child by retired worker.
"Sec. 324. Extension of period for filing proof of support and applications for lump-sum death payment.
"Sec. 325. Treatment of certain royalties for retirement test purposes.
"Sec. 326. Amendments preserving relationship between railroad retirement and old-age, survivors, and disability insurance systems.
"Sec. 327. Technical amendment relating to meetings of board of trustees of the old-age, survivors, and disability insurance trust funds.
"Sec. 328. Applications for benefits.
"Sec. 329. Overpayments and underpayments.
"Sec. 330. Payments to two or more individuals of the same family.
"Sec. 331. Validating certificates filed by ministers.
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"Sec. 333. Continuation of widow's and widower's insurance benefits after remarriage.
"Sec. 334. Changes in definition of wife, widow, husband, and widower.
"Sec. 335. Reduction of benefits on receipt of workmen's compensation.
"Sec. 336. Facilitating disability determinations.
"Sec. 337. Payment of costs of rehabilitation services from the trust funds.
"Sec. 338. Teachers in the State of Maine.
"Sec. 339. Modification of agreement with North Dakota and Iowa with respect to certain students.
"Sec. 340. Qualification of children not qualified under State law.
"Sec. 341. Employees of members of affiliated group of corporations.

"Title IV—Public assistance and miscellaneous amendments

"Sec. 401. Increased Federal payments under public assistance titles of the Social Security Act.
"Sec. 402. Protective payments.
"Sec. 403. Disregarding certain earnings in determining need under assistance programs for the aged, blind, and disabled.
"Sec. 404. Administrative and judicial review of public assistance determinations.
"Sec. 405. Maintenance of State public assistance expenditures.
"Sec. 406. Disregarding OASDI benefit increase, and child's insurance benefit payments beyond age 18, to the extent attributable to retroactive effective date.
"Sec. 407. Extension of grace period for disregarding certain income for States where legislature has not met in regular session.
"Sec. 408. Technical amendments relating to public assistance programs.
"Sec. 409. Optometrists' services.
"Sec. 410. Eligibility of children over age 18 attending school.
"Sec. 411. Disregarding certain earnings in determining need of certain dependent children."

On page 13, line 12, after the word "States", to insert "(or outside the United States in the case of inpatient hospital services furnished under the conditions described in section 1814(f))"; on page 15, in the headline in line 13, after the word "Supplementary", to strike out "Health" and insert "Medical"; on page 17, line 15, after the word "to", to strike out "60" and insert "120"; at the beginning of line 18, to strike out "20 days (or up to"; in the same line, after the word "days", to strike out "in certain circumstances)"; at the beginning of line 21, to strike out "100" and insert "175"; in the same line, after the word "during", strike out the word "the" and insert "any";

On page 18, line 3, after the word "not", to strike out "(subject to subsections (c) and (d))"; in line 5, after the word "services", to insert "(including inpatient psychiatric hospital services and inpatient tuberculosis hospital services)"; in line 8, after the word "for", to strike out "60" and insert "120"; in line 9, after the word "spell;", to strike out "or"; in line 12, after the word "for", to strike out "20" and insert "100"; in the same line, after the word "such", to strike out "spell." and insert "spell; or"; after line 13, to insert:

"(3) inpatient psychiatric hospital services furnished to him during his lifetime after such services have been furnished to him for a total of 210 days."

On page 18, after line 16, to strike out:

"(c) The 20 days provided by subsection (b)(2) shall be increased (but by not more than 80 days) by twice the number by which the days for which the individual has already been furnished inpatient hospital services in the spell of illness are less than 60. The individual may terminate the application of this subsection with respect to any day (and the remaining days in the spell of illness) by an election made at such time and in such manner as may be prescribed by regulations. If the number of days of post-hospital extended care services in the spell of illness has been increased pursuant to this subsection, a corresponding reduction (on the basis of one day of inpatient hospital services for each two days of post-hospital extended care services in excess of 20 plus, where the number of such days of post-hospital extended care services is an odd number, one day of inpatient hospital services) shall be made in the number or days allowable under subsection (b)(1) for the same spell of illness."

On page 19, at the beginning of line 9, to strike out "(d)" and insert "(c)"; in the same line, after the word "a", to insert "psychiatric hospital or a"; at the beginning of line 12, to strike out "60-day" and insert "120-day"; in line 13, after the word "the", to strike out "60-day" and insert "120-day"; in line 14, after "(1)" to insert "with respect to the spell of illness which includes such first day"; at the beginning of line 16, to strike out "(e)" and insert "(d)"; in line 18, after the word "during", to strike out "the" and insert "any"; in line 19, after the word "hospital", to insert "or extended care facility"; in line 21, after the word "first", to strike out "100" and insert "175"; in the same line, after the word "such", to strike out "period" and insert "periods and after the beginning of one spell of illness and before the beginning of the next"; on page 20, at the beginning of line 3, to strike out "(f)" and insert "(e)"; in the same line, after "(c)", to strike out "(d), and (e)" and insert "and (d)"; at the beginning of line 10, to strike out "(g)" and insert "(f)"; in line 13, after "(1)", to strike out "Payment" and insert "The amount payable"; in line 16, after the word "hospital", to strike out "deductible; except that such deductible shall itself be reduced by any deduction imposed under paragraph (2) with respect to a diagnostic study by the same hospital which began before but did not end more than 20 days before the first day of such spell of illness or, if less, the charges imposed with respect to the individual for the out-patient hospital diagnostic services provided during such study" and insert "deductible or, if less, the charges imposed with respect to such individual for such services, except that, if the customary charges for such services are greater than the charges so imposed, such customary charges shall be considered to be the charges so imposed. Such amount shall be further reduced by a deduction equal to one-fourth of the inpatient hospital deductible for each day (before the 121st day) on which such individual is furnished such services during such spell of illness after such services have been furnished to him for 60 days during such spell; on page 21, line 7, after "(2)", to strike out "Payment" and insert "The amount payable"; in line 9, after the word "to", to insert "the sum of (A)"; in line 12, after the word "study", to insert "and (B) 20 per centum of the remainder of such amount"; in line 14, after the word "sentence", to strike out "and paragraph (1),"; in line 22, after "(3)", to strike out "Payment" and insert "The amount payable"; on page 22, after line 2, to insert:

"(4) The amount payable for post-hospital extended care services furnished an individual during any spell of illness shall be reduced by a deduction equal to one-eighth of the inpatient hospital deductible for each day (before the 121st day) on which he is furnished such services after such services have been furnished to him for 20 days during such spell."

In line 24, after the word "of", to strike out "$5" and insert "$4"; in line 25, after the word "of", to strike out "$5" and insert "$4"; on page 23, line 1, after the word "of", where it appears the first time, to strike out "$5" and insert "$4"; in the same line, after the word "of", where it appears the second time, to strike out "$5" and insert "$4"; on page 24, line 8, after the word "than", to insert "inpatient psychiatric hospital services and"; after line 14, to insert:

"(B) in the case of inpatient psychiatric hospital services, such services are or were required to be given on an inpatient basis, by or under the supervision of a physician, for the psychiatric treatment of an individual; and (i) such treatment can or could reasonably be expected to improve the condition for which such treatment is or was necessary or (ii) inpatient diagnostic study is or was medically required and such services are or were necessary for such purposes;".

At the beginning of line 25, to strike out "(B)" and insert "(C)"; on page 25, at the beginning of line 8, to strike out "(C)" and insert "(D)"; at the beginning of line 23, to strike out "(D)" and insert "(E)"; on page 26, at the beginning of line 16, to strike out "(E)" and insert "(F)"; after line 18, to insert:

"(3) in the case of inpatient psychiatric hospital services, the services are those which the records of the hospital indicate were furnished to the individual during periods when he was receiving (A) intensive treatment services, (B) admission and related services necessary for a diagnostic study, or (C) equivalent services;".

At the beginning of line 25, to strike out "(3)" and insert "(4)"; on page 27, at the beginning of line 6, to striike out "(4)" and insert "(5)"; at the beginning of line 17, to strike out "(5)" and insert "(6)"; on page 28, line 9, after "(D),", to strike out "or (E)" and insert "(E), or (F)"; in line 16, after the word "part", to strike out "shall" and insert "shall, subject to the provisions of section 1813,"; on page 30, after line 14, to insert:

"Payment for Certain Emergency Hospital Services Furnished Outside the United States

"(f) The authority contained in subsection (d) shall be applicable to emergency inpatient hospital services furnished an individual by a hospital located outside the United States if—

"(1) such individual was physically present in a place within the United States at the time the emergency which necessitated such inpatient hospital services occurred; and

(2) such hospital was closer to, or substantially more accessible from, such place than the nearest hospital within the United States which was adequately equipped to deal with, and was available for the treatment of, such individual's illness or injury."

On page 33, at the beginning of line 1, to insert "(1); in the same line, after the word "finds", to strike out "(1)" and insert "(A)"; in line 2, after the word "part", to strike out "(2)" and insert "(B)"; in line 8, after the word "and", to strike out "(3)" and insert "(2)"; on page 35, after line 21, to insert:

"(3) No such agency or organization shall be liable to the United States for any payments to in paragraph (1) or (2)."

On page 38, line 6, after the word "each", to insert "calendar"; on page 41, line 6, after the word "Secretary", to insert "of Health, Education, and Welfare"; in line 8, after the word "the", to insert "Managing"; on page 42, in the heading in line 16, after the word "Supplementary", to strike out "Health" and insert "Medical"; in the heading in line 18, after the word "Supplementary", to strike out "Health" and insert "Medical"; in line 21, after the word "provide", to strike out "health" and insert "medical"; on page 43, after line 6, to strike out:

"(1) entitlement to have payment made to him or on his behalf (subject to the provisions of this part) for—

"(A) physicians' services; and

"(B) medical and other health services, except those described in paragraph (2)(C); and"

And, in lieu thereof, to insert:

"(1) entitlement to have payment made to him or on his behalf (subject to the provisions of this part) for medical and other health services, except those described in paragraph (2)(B); and".

On page 43, after line 18, to strike out:

"(A) inpatient psychiatric hospital services for up to 60 days during a spell of illness;".

At the beginning of line 21, to strike out "(B)" and insert "(A)"; at the beginning of line 23, to strike out "(C)" and insert "(B)"; at the beginning of line 24, to insert "(other than physicians' services unless furnished by a resident or intern of a hospital or unless such services are in the field of pathology, radiology, physiatry, or anesthesiology)"; on page 44, line 12, after the word "Supplementary", to strike out "Health" and insert "Medical"; in the same line, after the word "Insurance", to strike out "Benefits"; in line 19, after the word "services;", to strike out "and" and insert "except that an organization which provides medical and other health services (or arranges for their availability) on a prepayment basis may elect to be paid 80 percent of the reasonable cost of services for which payment may be made under this part on behalf of individuals enrolled in such organization in lieu of 80 percent of the reasonable charges for such services if the organization undertakes to charge such individuals no more than 20 percent of such reasonable cost plus any amounts payable by them as a result of subsection (b); and"; on page 45, line 19, after the word "preceding", to strike out "year" and insert "year, and except that the amount of any deductible imposed under section 1813(a)(2)(A) with respect to outpatient hospital diagnostic services furnished in any year shall be regarded as an incurred expense under this part for such year"; on page 46, after line 8, to strike out:

"(d) Notwithstanding any other provision of this part, expenses for whole blood furnished to an individual in a hospital shall be considered incurred expenses for purposes of subsections (a) and (b) only if he has already been furnished in the same spell of illness 3 pints of whole blood for which (except for this subsection or section 1813(a)(3)) payment would be made under this title."

At the beginning of line 16, to strike out "(e)" and insert "(d)"; in line 19, after "1813", to insert "other than subsection (a)(2)(A) thereof"; at the beginning of line 22, to strike out "(f)" and insert "(e)"; on page 47, line 4, after "Sec. 1834.", to strike out "(a)(1) Payment under this part for inpatient psychiatric hospital services furnished an individual during a spell of illness may not be made after such services have been furnished to him for 60 days during such spell; and no payment under this part for inpatient psychiatric hospital services furnished an individual may be made after such services have been furnished to him for a total of 180 days during his lifetime.

"(2) If an individual is an inpatient in a psychiatric hospital on the first day on which he is entitled to benefits under this part, the days in the 60-day period immediately before such first day on which he was an inpatient in such a hospital shall be included in determining the 60-day limit under paragraph (1) but not in determining the 180 day limit under such paragraph."; at the beginning of line 19, to strike out "(b)" and insert "(a)"; on page 48, at the beginning of line 3, to strike out "(c)" and insert "(b)"; in the same line, after the word "of", to strike out "subsections (a)(1) and (b), inpatient psychiatric hospital services and home" and insert "subsection (a), home"; in line 21, after the word "prescribe", to insert "and"; on page 49, line 2, after the word "by", to strike out "regulations, except that the first of such recertifications shall be required in each case of inpatient psychiatric hospital services not later than the 20th day of such period)" and insert "regulations)"; after line 5, to strike out:

"(A) in the case of inpatient psychiatric hospital services, such services are or were required to be given on an inpatient basis, by or under the supervision of a physician, for the psychiatric treatment of an individual; and (i) such treatment can or could reasonably be expected to improve the condition for which such treatment is or was necessary or (ii) inpatient diagnostic study is or was medically required and such services are or were necessary for such purposes;".

At the beginning of line 16, to strike out "(B)" and insert "(A)"; in line 21, after the word "or", to strike out "because he needed"; on page 50, at the beginning of line 4, to strike out "(C)" and insert "(B)"; in line 6, to strike out "required;" and insert "required."; after line 6, to strike out:

"(3) in the case of inpatient psychiatric hospital services, the services are those which the records of the hospital indicate were furnished to the individual during periods when he was receiving (A) intensive treatment services, (B) admission and related services necessary for a diagnostic study, or (C) equivalent services;

"(4) with respect to inpatient psychiatric hospital services furnished to the individual after the 20th day of a continuous period of such services, there was not in effect, at the time of admission of such individual to the hospital, a decision under section 1866(d) (based on a finding that utilization review of long-stay cases is not being made in such hospital); and

"(5) with respect to inpatient psychiatric hospital services furnished to the individual during a continuous period, a finding has not been made (by the physician members of the committee or group, as described in section 1861(k)(4)) pursuant to the system of utilization review that further inpatient psychiatric hospital services are not medically necessary; except that, if such a finding has been made, payment may be made with respect to such services furnished before the 4th day after the day on which the hospital received notice of such finding.

On page 51, line 9, after the word "subparagraph", to strike out "(A), (B), or (C)" and insert "(A) or (B)"; after line 22, to strike out:

"(c) Notwithstanding that an individual is not entitled to have payment made under this part for inpatient psychiatric hospital services furnished by any psychiatric hospital, payment shall be made to such hospital (unless it elects not to receive such payment or, if payment has already been made by or on behalf of such individual, fails to refund such payment within the time specified by the Secretary) for such services which are furnished to the individual prior to notification to such hospital from the Secretary of his lack of entitlement, if such payments are precluded only by reason of section 1834 and if such hospital complies with the requirements of and regulations under this title with respect to such payments, has acted in good faith and without knowledge of such lack of entitlement, and has acted reasonably in assuming entitlement existed. Payment under the preceding sentence may not be made for services furnished an individual pursuant to any admission after the 6th elapsed day (not including as an elapsed day Saturday, Sunday, or a legal holiday) after the day on which such admission occurred."

On page 52, line 21, after the word "is", where it appears the second time, to strike out "either" and insert "(A)"; in line 22, after the word "or", to insert "(B)"; in line 23, after the word "residence", to insert "who has resided in the United States continuously during the 10 years immediately preceding the month in which he applies for enrollment under this part,"; on page 53, line 22, after the word "before", to strike out "January 1," and insert "July 1,"; in line 24, after the word "on", to strike out "the first day of the second month which begins after the date of enactment of this title and shall end on March 31, 1966" and insert "April 1, 1966, and shall end on September 30, 1966"; on page 54, line 5, after the word "after", to strike out "January 1" and insert "July 1"; at the beginning of line 13, to strike out "odd-numbered" and insert "even-numbered"; in the same line, after the word "with", to strike out "1967" and insert "1968"; in line 20, after "(1)", to strike out "July 1, 1966" and insert "January 1, 1967"; after line 20, to strike out:

"(2) the first day of the third month following the month in which he enrolls pursuant to subsection (d) of section 1837, or the July 1 following the month in which he enrolls pursuant to subsection (c) of section 1837.

And, in lieu thereof, to insert:

"(2)(A) in the case of an individual who enrolls pursuant to subsection (d) of section 1837 before the month in which he first satisfies paragraphs (1) and (2) of section 1836, the first day of such month, or

"(B) in the case of an individual who enrolls pursuant to such subsection (d) in the month in which he first satisfies such paragraphs, the first day of the month following the month in which he so enrolls, or

"(C) in the case of an individual who enrolls pursuant to such subsection (d) in the month following the month in which he first satisfies such paragraphs, the first day of the second month following the month in which he so enrolls, or

"(D) in the case of an individual who enrolls pursuant to such subsection (d) more than one month following the month in which he satisfies such paragraphs, the first day of the third month following the month in which he so enrolls, or

"(E) in the case of an individual who enrolls pursuant to subsection (e) of section 1837, the July 1 following the month in which he so enrolls."

On page 56, line 18, after the word "before", to strike out "1968" and insert "1969"; in line 21, after the word "after", to strike out "1967" and insert "1968"; in line 24, after the word "of", where it appears the first time, to strike out "1967" and insert "1968"; in the same line, after the word "each", to strike out "odd-numbered" and insert "even-numbered"; on page 57, line 8, after the word "Supplementary", to strike out "Health" and insert "Medical"; in the same line, after the word "Insurance", to strike out "Benefits"; on page 58, line 18, after the word "Supplementary", to strike out "Health" and insert "Medical"; in line 19, after the word "Insurance", to strike out "Benefits"; on page 59, line 12, after the word "Supplementary", to strike out "Health" and insert "Medical"; in the same line, after the word "Insurance", to strike out "Benefits"; on page 60, after line 12, to insert:

"(e)(1) In the case of an individual receiving an annuity under the Civil Service Retirement Act, or other Act administered by the Civil Service Commission providing retirement or survivorship protection, to whom neither subsection (a) nor subsection (b) applies, his monthly premiums under this part (and the monthly premiums of the spouse of such individual under this part if neither subsection (a) nor subsection (b) applies to such spouse and if such individual agrees) shall, upon notice from the Secretary of Health, Education, and Welfare to the Civil Service Commission, be collected by deducting the amount thereof from each installment of such annuity. Such deduction shall be made in such manner and at such times as the Civil Service Commission may determine. The Civil Service Commission shall furnish such information as the Secretary of Health, Education, and Welfare may reasonably request in order to carry out his functions under this part with respect to individuals to whom this subsection applies.

"(2) The Secretary of the Treasury shall, from time to time, but not less often than quarterly, transfer from the Civil Service Retirement and Disability Fund, or the account (if any) applicable in the case of such other Act administered by the Civil Service Commission, to the Federal Supplementary Medical Insurance Trust Fund the aggregate amount deducted under paragraph (1) for the period to which such transfer relates. Such transfer shall be made on the basis of a certification by the Civil Service Commission and shall be appropriately adjusted to the extent that prior transfers were too great or too small."

On page 61, at the beginning of line 17, to strike out "(e)" and insert "(f)"; in line 19, after the word "whom", to strike out "neither subsection (a) nor subsection (b)" and insert "none of the preceding provisions of this section (other than subsection (d))"; at the beginning of line 24, to strike out "(f)" and insert "(g)"; in line 25, after the word "or", to strike out "(e)" and insert "(f)"; on page 62, line 1, after the word "Supplementary", to strike out "Health" and insert "Medical"; in line 2, after the word "Insurance", to strike out "Benefits"; at the beginning of line 3, to strike out "(g)" and insert "(h)"; in the heading in line 9, after the word "Supplementary", to strike out "Health" and insert "Medical"; in the heading in line 10, to strike out "Benefits"; in line 13, after the word "Supplementary", to strike out "Health" and insert "Medical"; at the beginning of line 14, to strike out "Benefits"; on page 63, line 4, after the word "each", to insert "calendar"; on page 66, after line 14, to insert:

"(h) The Managing Trustee shall pay from time to time from the Trust Fund such amounts as the Secretary of Health, Education, and Welfare certifies are necessary to pay the costs incurred by the Civil Service Commission in making deductions pursuant to section 1840(e). During each fiscal year, or after the close of such fiscal year, the Civil Service Commission shall certify to the Secretary the amount of the costs it incurred in making such deductions, and such certified amount shall be the basis for the amount of such costs certified by the Secretary to the Managing Trustee."

On page 67, line 2, after "(a)", to strike out "in order to provide for the administration of the benefits under this part, the Secretary shall to the extent possible enter into contracts with carriers which will undertake to perform the following functions or, to the extent provided in such contracts, to secure such performance by other organizations:" and insert "In order to provide for the administration of the benefits under this part with maximum efficiency and convenience for individuals entitled to benefits under this part and for providers of services and other persons furnishing services to such individuals, and with a view to furthering coordination of the administration of the benefits under part A and under this part, the Secretary is authorized to enter into contracts with carriers, including carriers with which agreements under section 1816 are in effect, which will perform some or all of the following functions (or, to the extent provided in such contracts, will secure performance by other organizations); and, with respect to any of the following functions which involve payments for physicians' services, the Secretary shall to the extent possible enter into such contracts:";

On page 70, line 21, after the word "appropriate.", to insert "In determining the reasonable charge for services for purposes of this paragraph, there shall be taken into consideration the customary charges for similar services generally made by the physician or other person furnishing such services as well as the prevailing charges in the locality for similar services."; on page 72, after line 12, to insert:

"(3) No carrier shall be liable to the United States for any payments referred to in paragraph (1) or (2).

On page 73, line 11, after the word "before", to strike out "July 1, 1967" and insert "January 1, 1968"; on page 74, at the beginning of line 11, to strike out "July 1, 1967" and insert "January 1, 1968"; in line 14, after the word "before", to strike out "July 1967" and insert "January 1968"; in line 23, after "(A)", to strike out "July 1, 1966" and insert "January 1, 1967;"; on page 75, line 7, after the word "than", to strike out "July 1, 1967" and insert "January 1, 1968"; on page 76, at the beginning of line 22, to strike out "Health" and insert "Medical"; in the same line, after the word "Insurance", to strike out "Benefits"; on page 77, line 4, after the word "appropriated", to strike out "during the fiscal year ending June 30, 1966"; in line 7, after the word "through", to strike out "the next fiscal year" and insert "the calendar year 1968"; in line 11, after the word "in", to strike out "July 1966" and insert "January 1967"; at the beginning of line 25, to strike out "A or part B," and insert "A,"; on page 79, line 1, after the word "intern", to insert "(other than services provided in the field of pathology, radiology, physiatry, or anesthesiology)"; in line 9, after the word "Association", to strike out "(or," and insert "or,"; in line 12, after the word "Osteopathic", to strike out "Association)" and insert "Association, or, in the case of services in a hospital or osteopathic hospital by an intern or resident-in-training in the field of dentistry, approved by the Council on Dental

Education of the American Dental Association."; on page 81, line 10, after the word "on", to strike out "the"; in line 22, after the word "tuberculosis", to strike out the semicolon and "except that for purposes of part A (and so much of this part as relates to part A) such term shall include such an institution if" and insert "unless"; on page 82, line 2, after the word "subsection", to strike out "(g)), and for purposes of part B (and so much of this part as relates to part B) such term shall include such an institution if" and insert "(g)) or unless"; in line 7, after the word "of", to strike out "Christ" and insert "Christ,"; in line 11, after the word "to", to strike out "the" and insert "such"; on page 83, line 4, after the word "individuals", to strike out "enrolled under the insurance program established by part B" and insert "entitled to hospital insurance benefits under part A"; in line 11, after the word "on", to strike out "the"; in line 18, after the word "on", to strike out "the"; on page 84, line 14, after the word "on", to strike out "the"; in line 21, after the word "on", to strike out "the"; on page 86, line 19, after the word "facility", to strike out "if readmitted thereto within 14 days after discharge therefrom" and insert "if, within 14 days after discharge therefrom, he is admitted to such facility or any other extended care facility"; on page 88, line 25, after the word "subsection.", to insert "The term 'extended care facility' also includes an institution (or a distinct part of an institution) which is operated, or listed and certified, as a Christian Science nursing home by the First Church of Christ, Scientist, in Boston, Massachusetts, but only with respect to items and services ordinarily furnished by such institution to inpatients, and payment may be made with respect to services provided by or in such an institution only to the extent and under such conditions, limitations, and requirements (in addition to or in lieu of the conditions, limitations, and requirements otherwise applicable) as may be provided in regulations."; on page 96, line 11, after the word "in", to strike out "regulations; and except that for purposes of part A such term shall not include any agency or organization which is primarily for the care and treatment of mental diseases" and insert "regulations. The term 'home health agency' also includes a Christian Science visiting nurse service operated, or listed and certified, by the First Church of Christ, Scientist, in Boston, Massachusetts, but only with respect to items and services ordinarily furnished by such visiting nurse service to individuals, and payment may be made with respect to services provided by such visiting nurse service only to the extent and under such conditions, limitations, and requirements (in addition to or in lieu of the conditions, limitations, and requirements otherwise applicable) as may be provided in regulations."; on page 98, line 3, after the word "means", to strike out "an individual" and insert "(1) a doctor of medicine or osteopathy"; in line 7, after "section 1101 (a) (7)), to insert a comma and "or (2) a doctor of dentistry or of dental or oral surgery who is legally authorized to practice dentistry by the State in which he performs such function but only with respect to (A) surgery related to the jaw or any structure contiguous to the jaw or (B) the reduction of any fracture of the jaw or any facial bone."; in line 18, after the word "services", to strike out "home health services, or physicians' services" and insert "or home health services)"; after line 19, to insert:

"(1) (A) physicians' services;

"(B) chiropractors' services; and

"(C) podiatrists' services;

"(2) services and supplies (including drugs and biologicals which cannot, as determined in accordance with regulations, be self-administered) furnished as an incident to a physician's professional service, of kinds which are commonly furnished in physicians' offices and are commonly either rendered without charge or included in the physicians' bills, and hospital services (including drugs and biologicals which cannot, as determined in accordance with regulations, be self-administered) incident to physicians' services rendered to outpatients;" on page 99, at the beginning of line 8, to strike out "(1)" and insert "(3)"; at the beginning of line 9, to strike out "electrocardiograms, basal metabolism readings, electroencephalograms,"; at the beginning of line 11, to strike out "(2)" and insert "(4)"; at the beginning of line 13, to strike out "(3)" and insert "(5)"; at the beginning of line 16, to strike out "(4)" and insert "(6)"; at the beginning of line 20, to strike out "(5)" and insert "(7)"; at the beginning of line 24, to strike out "(6)" and insert "(8)"; on page 100, at the beginning of line 3, to strike out "(7)" and insert "(9)"; after line 6, to insert: "No diagnostic tests performed in any laboratory which is independent of a physician's office or a hospital shall be included within paragraph (3) unless such laboratory—

"(10) if situated in any State in which State or applicable local law provides for licensing of establishments of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State or locality responsible for licensing establishments of this nature, as meeting the standards established for such licensing; and

"(11) meets such other conditions relating to the health and safety of individuals with respect to whom such tests are performed as the Secretary may find necessary."

In line 24, after the word "only", to insert "(1)"; in line 25, after the word "included", to insert "(or approved for inclusion)"; on page 101, line 1, after the word "Pharmacopoeia", to strike out "or the" and insert "the"; in the same line, after the word "Formulary", to insert "or the United States Homoeopathic Pharmacopoeia"; in line 4, after the word "or", to strike out "as are approved" and insert "(2) combinations of drugs or biologicals if the principal ingredient or ingredients of the combinations meet the conditions specified in clause (1), or (3) such drugs or biologicals as are approved"; in line 11, after the word "biological", to insert a comma and "for use in such hospital"; on page 103, line 2, after the word "services", to insert "and inpatient psychiatric hospital services"; in the same line, after the amendment just above stated, to strike out the comma and "inpatient psychiatric hospital services,"; in line 22, after the word "services", to insert "and inpatient psychiatric hospital services"; in the same line, after the amendment just above stated, to strike out the comma and "inpatient psychiatric hospital services,"; on page 104, line 5, after "A", to strike out "or part B, as the case may be,"; on page 105, after line 2, to insert:

"Chiropractors' and Podiatrists' Services

"(y) (1) The term 'chiropractor' means an individual who is licensed under State law to practice as a chiropractor in the State; and the term 'chiropractors' services' means services performed by a chiropractor within the scope of his license.

"(2) The term 'podiatrist' means an individual who is licensed under State law to practice as a podiatrist in the State; and the term 'podiatrists' services' means services performed by a podiatrist within the scope of his license."

On page 106, line 2, after the word "Act", to insert "and other than under a health benefits or insurance plan established for employees of such an entity"; in line 7, after the word "States", to insert "(except for emergency inpatient hospital services furnished outside the United States under the conditions described in section 1814(f));"; in line 25, after the word "member;", to strike out "or"; on page 107, line 3, after the word "his", to strike out "household." and insert "household; or"; after line 3, to insert:

"(12) where such expenses are for services in connection with the care, treatment, filling, removal, or replacement of teeth or structures directly supporting teeth."

On page 108, line 20, after the word "health", to strike out "agency" and insert "agency, or whether a laboratory meets the requirements of paragraphs (10) and (11) of section 1861(s)"; on page 111, at the beginning of line 14, to strike out "or section 1835(c)"; in line 21, after "1813", to strike out "(a)(1) or (a)(2)" and insert "(a)(1), (a)(2), or (a)(4)"; on page 112, line 6, after "B", to insert "or, in the case of outpatient hospital diagnostic services, for which payment is (or may be) made under part A"; on page 113, at the beginning of line 1, to strike out "or 1833(d)"; on page 114, line 9, after the word "services", to insert "and inpatient psychiatric hospital services"; in line 10, after the amendment just above stated, to strike out the comma and "inpatient psychiatric hospital services, or" and insert the word "or"; on page 115, line 15, after the word "services", insert "and inpatient psychiatric hospital services"; in line 16, after the amendment just above stated, to strike out the comma and "or inpatient psychiatric hospital services,"; on page 120, line 25, after the word "services", to insert "or other person"; on page 121, after line 2, to strike out:

"(b) Where—

"(1) more than the correct amount is paid under this title to a provider of services or other person for items or services furnished an individual and the Secretary determines that, within such period as he may specify, the excess over the correct amount cannot be recouped from such provider of services or other person, or

"(2) any payment has been made under section 1814(e) or 1835(c) to a provider of services or other person for items or services furnished an individual,

proper adjustments shall be made, under regulations prescribed (after consultation with the Railroad Retirement Board) by the Secretary, by decreasing subsequent payments—

"(3) to which such individual is entitled under title II of this Act or under the Railroad Retirement Act of 1937, as the case may be, or

"(4) if such individual dies before such adjustment has been completed, to which any other individual is entitled under title II of this Act or under the Railroad Retirement Act of 1937, as the case may be, with respect to the wages and self-employment income or the compensation constituting the basis of the benefits of such deceased individual under title II of such Act."

And in lieu thereof, to insert:

"(b) Where the Secretary finds that—

"(1) more than the correct amount of payment has been made under this title to a provider of services or other persons for items or services furnished an individual and the Secretary determines that, within such period as he may specify, the excess over the correct amount cannot be recouped from such provider of services or other person, or

"(2) any payment has been made under section 1814(e) to a provider of services or other person for items or services furnished an individual,

proper adjustment or recovery shall be made with respect to the amount in excess of the correct amount, under regulations prescribed (after consultation with the Railroad Retirement Board) by the Secretary, by (A) decreasing any payment under title II of this Act or under the Railroad Retirement Act of 1937, as the case may be, to which such individual is entitled, or (B) requiring such individual or his estate to refund the amount in excess of the correct amount, or (C) decreasing any payment under title II of this Act or under the Railroad Retirement Act of

1937, as the case may be, payable to the estate of such individual or to any other person on the basis of the wages and self-employment income (or compensation) which were the basis of the payments to such individual, or (D) by applying any combination of the foregoing."

On page 123, line 3, after the word "any", to insert the word "such"; at the beginning of line 4, to insert "or recovery" in the same line, after the amendment just above stated, to strike out "under paragraph (3) or (4)"; in line 6, after the word "section", to strike out "1834(f)" and insert "1841(f)"; in line 10, after the word "adjustment" to insert "or recovery"; after line 10, to strike out:

"(c) There shall be no adjustment as provided in subsection (b) (nor shall there be recovery) in any case where the incorrect payment has been made (including payments under sections 1814(e) and 1835(c)) with respect to an individual who is without fault and where such adjustment (or recovery) would defeat the purposes of title II or would be against equity and good conscience."

And in lieu thereof, to insert:

"(c) There shall be no adjustment as provided in subsection (b) of payments (including payments under section 1814(e)) to, or recovery as provided in such subsection by the United States from, any person who is without fault if such adjustment or recovery would defeat the purposes of title II of this Act or of the Railorad Retirement Act of 1937, as the case may be, or would be against equity and good conscience."

On page 125, line 25, after the word "care", to insert "and"; on page 126, line 3, after the word "the", to strike out "program; and (4) the desirability of broadening or otherwise modifying the provisions of this title which authorize payment for additional days of post hospital extended care services in cases where the number of days of inpatient hospital services in a spell of illness for which payment is made is less than the maximum number of days for which such payment could be made" and insert "program."; on page 126, line 16, after the word "before", to strike out "April 1," and insert "October 1"; in line 20, after the word "before", to strike out "April 1" and insert "October 1"; in line 23, after he word "before" to strike out "October 1, 1966" and insert "April 1, 1967"; on page 128, at the beginning of line 1, to insert "(A)"; in the same line, after the word "or", to strike out "an individual" and insert "(B) an alien lawfully admitted for permanent residence"; on page 129, line 3, after the word "individual" to insert "more than 3 months"; in line 16, after "(3)", to strike out "at the beginning of such first month, is" and insert "is"; in line 18, after the word "of", to strike out "1959" and insert "1959."; in line 19, after the amendment just above stated, to strike out "or could have been so covered had he or some other individal availed himself of opportunities to enroll in a health benefits plan under such Act and (where the Federal employee has retired) to continue such enrollment after retirement."; on page 130, line 3, after the word "necessary" to insert "for any fiscal year"; in line 5, after the word "made", to insert "or to be made during such fiscal year"; in line 11, after the word "resulting", to insert "or expected to result"; in line 14, after the word "position", to insert "at the end of such fiscal year"; on page 131, line 18, after the word "under", to strike out "(1)" and insert "(A)"; in line 21, after the word "or", to strike out "(2)" and insert "(B)"; on page , line , at the beginning of the line, strike out "such" and insert "this"; on page 135, line 2, after the section number, to strike out

"(a) Subsection (a) of section 213 of the Internal Revenue Code of 1954 (relating to allowance of deductions) is amended to read as follows:

"(a) Allowance of Deduction. There shall be allowed as a deduction the following amounts, not compensated for by insurance or otherwise—

"(1) the amount by which the amount of the expenses paid during the taxable year (reduced by any amount deductible under paragraph (2)) for medical care of the taxpayer, his spouse, and dependents (as defined in section 152) exceeds 3 percent of the adjusted gross income, and

"(2) an amount (not in excess of $250) equal to one half of the expenses paid during the taxable year for insurance which constitutes medical care for the taxpayer, his spouse, and dependents."

(b) The second sentence of section 213(b) of such Code (relating to limitation with respect to medicine and drugs) is repealed.

At the beginning of line 21, to strike out "(c)" and insert "(a)"; in the same line, after the word "of", to strike out "such Code" and insert "the Internal Revenue Code of 1954"; on page 136, line 12, after the word "supplementary", to strike out "health" and insert "medical"; in line 21, after the word "is", to insert the word "either"; in line 22, after the word "contract", to insert "or furnished to the policyholder by the insurance company in a separate statement,"; on page 137, line 5, after the word "contract", to insert "(or furnished to the policyholder by the insurance company in a separate statement)"; at the beginning of line 22, to strike out "(d)" and insert "(b)"; on page 138, at the beginning of line 9, strike out "(e)" and insert "(c)"; on page 139, line 10, after the word "Supplementary", to strike out "Health" and insert "Medical"; in the same line, after the word "Insurance", to strike out "Benefits"; on page 141, line 13, after the word "Supplementary" to strike out "Health" and insert "Medical"; at the beginning of line 14, to strike out "Benefits"; on page 142, line 2, after the word "Supplementary", to strike out "Health" and insert "Medical"; in the same line, after the word "Insurance", to strike out "Benefits"; on page 143, line 25, after the word "supplementary", to strike out "health" and insert "medical"; in the same line, after the word "insurance", to strike out "benefits"; on page 144, after line 12, to insert:

"ADMINISTRATION OF HOSPITAL INSURANCE FOR THE AGED BY THE RAILROAD RETIREMENT BOARD

"Sec. 111. (a)(1) Section 226(a) of the Social Security Act is amended by striking out 'or is a qualified railroad retirement beneficiary'.

"(2) Section 226(b)(2) of such Act is amended to read as follows:

"'(2) an individual shall be deemed to be entitled to monthly insurance benefits under section 202 for the month in which he died if he would have been entitled to such benefits for such month had he died in the next month'.

"(3) Section 226(c) of such Act is repealed, and subsection (d) of such section 226 is redesignated as subsection (c).

"(4) Section 1811 of such Act is amended by striking out 'or under the railroad retirement system'.

"(5) Subsections (a)(2) and (b)(2) of section 1813 of such Act are amended by striking out 'section 226' and inserting in lieu thereof 'section 226 or under the Railroad Retirement Act of 1937'.

"(6) Section 1817(g) of such Act is amended by striking out the last sentence and also by striking out '(other than the amounts so certified to the Railroad Retirement Board)' in the first sentence.

"(7) Section 1841(f) of such Act is amended by striking out the last sentence and inserting in lieu thereof the following: 'There shall be transferred periodically (but not less often than once each fiscal year) to the Trust Fund from the Railroad Retirement Account amounts equivalent to the amounts not previously so transferred which have been recovered under subsection (g) of section 21 of the Railroad Retirement Act of 1937.'

"(8) Section 1870(b) of such Act is amended by striking out '(after consultation with the Railroad Retirement Board)'; '(or compensation)'; '(to the Railroad Retirement Board if the adjustment is to be made by decreasing subsequent payments under the Railroad Retirement Act of 1937)'; and 'or under the Railroad Retirement Act of 1937, as the case may be,' wherever such phrase appears in such subsection.

"(9) Section 1870(c) of such Act is amended by striking out 'or of the Railroad Retirement Act of 1937, as the case may be,'.

"(10) The first sentence of section 1874(a) of such Act is amended to read as follows: 'Except as otherwise provided in this title and in the Railroad Retirement Act of 1937, the insurance programs established by this title shall be administered by the Secretary.'

"(b)(1) Section 103(a)(3) of the Health Insurance for the Aged Act is amended to read as follows:

"'(3) is not, and upon filing application for monthly insurance benefits under section 202 of the Social Security Act would not be, entitled to hospital insurance benefits under section 226 of such Act, and does not meet the requirements set forth in section 21(b) of the Railroad Retirement Act of 1937,'.

"(2) So much of the first sentence of section 103(a) of such Act as follows clause (5) is amended by striking out 'becomes certifiable as a railroad retirement beneficiary" and inserting in lieu thereof the following: 'meets the requirements set forth in section 21(b) of the Railroad Retirement Act of 1937'.

"(c)(1) Section 21 of the Railroad Retirement Act of 1937 is amended to read as follows:

"'Sec. 21. (a) For the purposes of this section, and subject to the conditions hereinafter provided, the Board shall have the same authority to determine the rights of individuals described in subsection (b) of this section to have payments made on their behalf for hospital insurance benefits consisting of inpatient hospital services, post-hospital extended care services, post-hospital home health services, and outpatient hospital diagnostic services (all hereinafter referred to as "services") within the meaning of section 226, and parts A and C of title XVIII, of the Social Security Act as the Secretary of Health, Education, and Welfare has under such section and such parts with respect to individuals to whom such section and such parts apply. The rights of individuals described in subsection (b) of this section to have payment made on their behalf for the services referred to in the next preceding sentence shall be the same as those of individuals to whom section 226, and part A of title XVIII, of the Social Security Act apply and this section shall be administered by the Board as if the provisions of such section and such part A were applicable, as if references to the Secretary of Health, Education, and Welfare were to the Board, as if references to the Federal Hospital Insurance Trust Fund were to the Railroad Retirement Account, as if references to the United States or a State included Canada or a subdivision thereof, and as if the provisions of sections 1862(a)(4), 1863, 1867, 1868, 1874(b), and 1875 of such title XVIII were not included in such title. For purposes of section 11, a determination with respect to the rights of an individual under this section shall, except in the case of a provider of services, be considered to be a decision with respect to an annuity.

"'(b) Except as otherwise provided in this section, every individual who—

"'(A) has attained age 65, and

"'(B)(i) is entitled to an annuity, or (ii) would be entitled to an annuity had he ceased compensated service and, in the case of a spouse, had such spouse's husband or wife ceased compensated service, or (iii) had been awarded a pension under section 6, or (iv) bears a relationship to an employee which, by reason of section 3(e), has been, or would be, taken into account in calculating the amount of an annuity of such employee or his survivor,

shall be entitled to have payment made for the services referred to in subsection (a), and in accordance with the provisions of such subsection. The payments for services herein provided for shall be made from the Railroad Retirement Account (in accordance with, and subject to, the conditions applicable under section 10(b) in making payment of other benefits) to the hospital, extended care facility, or home health agency provided such services, including such services provided in Canada to individuals to whom this subsection applies, but only to the extent that the amount of payments for services otherwise hereunder provided for an individual exceeds the amount payable for like services provided pursuant to the law in effect in the place in Canada where such services are furnished. For the purposes of this section, an individual shall be entitled to have payment made for the services referred to in subsection (a) provided during the month in which he died if he would be entitled to have payment for services provided during such month had he died in the next month.

"'(c) No individual shall be entitled to have payment made for the same services, which are provided for in this section, under both (i) this section and (ii) section 226, and part A of title XVIII, of the Social Security Act, and no individual shall be entitled to have payment made under both (i) this section and (ii) section 226, and part A of title XVIII, of the Social Security Act for more than would be payable if he were qualified only under the provisions described in clause (i) or only under the provisions described in clause (ii). In any case in which an individual would, but for the preceding sentence, be entitled to have payment made under both the provisions described in clause (i) and the provisions described in clause (ii) in such preceding sentence, payment for such services to which such individual would be entitled shall be made in accordance with the procedures established pursuant to the next succeeding sentence, upon certification by the Board or by the Secretary of Health, Education, and Welfare. It shall be the duty of the Board and such Secretary with respect to such cases jointly to establish procedures designed to minimize duplications of requests for payment for such services, and of determinations, and to assign administrative functions between them so as to promote the greatest facility, efficiency, and consistency of administration of this section and section 226, and part A of title XVIII, of the Social Security Act; and subject to the provisions of this subsection to assure that the rights of individuals under this section or section 226, and part A of title XVIII, of the Social Security Act shall not be impaired or diminished by reason of the administration of this section and section 226, and part A of title XVIII, of the Social Security Act. The procedures so established may be included in regulations issued by the Board and by the Secretary of Health, Education, and Welfare to implement this section and such section 226, and part A of title XVIII, respectively.

"'(d) Any agreement entered into by the Secretary of Health, Education, and Welfare pursuant to part A or part C of title XVIII of the Social Security Act shall be entered into on behalf of both such Secretary and the Board. The preceding sentence shall not be construed to limit the authority of the Board to enter on its own behalf into any such agreement relating to services provided in Canada or in any facility devoted primarily to railroad employees.

"'(e) A request for payment of services filed under this section shall be deemed to be a request for payment for services filed as of the same time under section 226, and part A of title XVIII, of the Social Security Act, and a request for payment for services filed under such section 226 and such part shall be deemed to be a request for payment for services filed as of the same time under this section.

"'(f) The Board and the Secretary of Health, Education, and Welfare shall furnish each other with such information, records, and documents as may be considered necessary to the administration of this section or section 226, and part A of title XVIII, of the Social Security Act.

"'(g) Any payment to any provider of services or other person (covered by this section or part B of title XVIII of the Social Security Act) with respect to items or services furnished any individual who meets the requirements of subsection (b) of this section shall be governed, to the extent applicable, and as if references to the Secretary were references to the Board, by the provisions of section 1870 of the Social Security Act and treated for the purposes of section 9 of this Act, as if it were a payment of an annuity or pension, except that any recovery of overpayment under part B of title XVIII of the Social Security Act shall be transferred to the Federal Supplementary Medical Insurance Trust Fund.

"'(h) For purposes of this section (and sections 1840, 1843, and 1870 of the Social Security Act), entitlement to an annuity or pension under this Act shall be deemed to include entitlement under the Railroad Retirement Act of 1935.

"'(i) There are authorized to be appropriated to the Railroad Retirement Account from time to time such sums as the Board finds sufficient to cover—

"'(1) the costs of payments made from such account under this section,

"'(2) the additional administrative expenses resulting from such payments, and

"'(3) any loss of interest to such account resulting from such payments,

in cases where such payments are not includible in determinations under section 5(k)(2)(A)(iii) of this Act, provided such payments could have been made as a result of section 103 of the Health Insurance for the Aged Act but for eligibility under subsection (b) of this section.'

"(2) Section 5(k)(2) of such Act is amended—

"(A) by striking out subparagraphs (A) and (B) and redesignating subparagraphs (C), (D), and (E) as subparagraphs (A), (B), and (C), respectively:

"(B) by striking out the second sentence and the last sentence of subdivision (i) of the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph; and by striking out from the said subdivision (i) 'the Retirement Account' and inserting in lieu thereof 'the Railroad Retirement Account (hereinafter termed "Retirement Account")';

"(C) by adding at the end of the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph the following new subdivision:

"'(iii) At the close of the fiscal year ending June 30, 1966, and each fiscal year thereafter, the Board and the Secretary of Health, Education, and Welfare shall determine the amount, if any, which, if added to or subtracted from the Federal Hospital Insurance Trust Fund, would place such fund in the same position in which it would have been if service as an employee after December 31, 1936, had been included in the term "employment" as defined in the Social Security Act and in the Federal Insurance Contributions Act. Such determination shall be made no later than June 15 following the close of the fiscal year. If such amount is to be added to the Federal Hospital Insurance Trust Fund the Board shall, within ten days after the determination, certify such amount to the Secretary of the Treasury for transfer from the Retirement Account to the Federal Hospital Insurance Trust Fund; if such amount is to be subtracted from the Federal Hospital Insurance Trust Fund the Secretary of Health, Education, and Welfare shall, within ten days after the determination, certify such amount to the Secretary of the Treasury for transfer from the Federal Hospital Insurance Trust Fund to the Retirement Account. The amount so certified shall further include interest (at the rate determined under subparagraph (B) for the fiscal year under consideration) payable from the close of such fiscal year until the date of certification;'

"(D) by striking out 'subparagraph (D)' where it appears in the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph, and inserting in lieu thereof 'subparagraph (B)';

"(E) by striking out 'subparagraphs (B) and (C)' where it appears in the subparagraph redesignated as subparagraph (B) by subparagraph (A) of this paragraph and inserting in lieu thereof 'subparagraph (A)'; and

"(F) by amending the subparagraph redesignated as subparagraph (C) by subparagraph (A) of this paragraph to read as follows:

"'(C) The Secretary of the Treasury is authorized and directed to transfer to the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund from the Retirement Account or to the Retirement Account from the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund, as the case may be, such amounts as, from time to time, may be determined by the Board and the Secretary of Health, Education, and Welfare pursuant to the provisions of subparagraph (A), and certified by the Board or the Secretary of Health, Education, and Welfare for transfer from the Retirement Account or from the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund.'

"(d)(1) Section 3201 of the Internal Revenue Code of 1954 (relating to rate of tax on employees under the Railroad Retirement Tax Act) is amended by striking out 'section 3101(a)' and inserting in lieu thereof 'section 3101(a) plus the rate imposed by section 3101(b)'.

"(2) Section 3211 of such Code (relating to the rate of tax on employee representatives under the Railroad Retirement Tax Act) is amended by striking out 'section 3101(a)' and inserting in lieu thereof 'section 3101(a) plus the rate imposed by section 3101(b)'.

"(3) Section 3221(b) of such Code (relating to the rate of tax on employers under the Railroad Retirement Tax Act) is amended by striking out 'section 3111(a)' and inserting in lieu thereof 'section 3111(a) plus the rate imposed by section 3111(b)'.

"(4) Section 1401(b) of such Code (relating to the rate of tax under the Self-Employment Contributions Act) is amended by striking out the last sentence.

"(5) Section 3101(b) of such Code (relating to the rate of tax on employees under the Federal Insurance Contributions Act) is amended by striking out ', but without regard to the provisions of paragraph (9) thereof insofar as it relates to employees'.

"(6) Section 3111(b) of such Code (relating to the rate of tax on employers under the Federal Insurance Contributions Act) is amended by striking out ', but without regard to the provisions of paragraph (9) thereof insofar as it relates to employees'.

"(e) (1) The amendments made by the preceding provisions of this section shall become effective January 1, 1966, if the requirement in paragraph (2) with respect to such date has been met. If such requirement has not been met with respect to January 1, 1966, such amendments shall become effective on the first January 1 thereafter with respect to which such requirement has been met.

"(2) The requirement referred to in paragraph (1) shall be deemed to have been met with respect to any January 1 if, as of the October 1 immediately preceding such January 1, the Railroad Retirement Tax Act provides that the maximum amount of monthly compensation taxable under such Act for the following January will be an amount equal to or in excess of one-twelfth of the maximum wages which the Federal Insurance Contributions Act provides may be counted for the calendar year beginning on the first day of such following January."

At the top of page 158, add a new section, as follows:

"ADDITIONAL UNDER SECRETARY AND ASSISTANT SECRETARIES OF HEALTH, EDUCATION, AND WELFARE

"SEC. 112. (a) There shall be in the Department of Health, Education, and Welfare an additional Under Secretary of Health, Education, and Welfare who shall be appointed by the President, by and with the advice and consent of the Senate, shall perform such duties as the Secretary of Health, Education, and Welfare may prescribe, and shall serve as Secretary during the absence or disability of the Secretary and the Under Secretary now provided for, in accordance with directives of the Secretary.

"(b) There shall be in the Department of Health, Education, and Welfare, in addition to the Assistant Secretaries otherwise provided by law, two Assistant Secretaries of Health, Education, and Welfare who shall be appointed by the President, by and with the advice and consent of the Senate. The provisions of section 2 of the Reorganization Plan Numbered 1 of 1953 (67 Stat. 631) shall be applicable to such additional Assistant Secretaries to the same extent as they are applicable to the Assistant Secretaries authorized by such section.

"(c) The rate of compensation of such additional Under Secretary and Assistant Secretaries shall be the same as that applicable to the Under Secretary and Assistant Secretaries, respectively, whose positions are established by section 2 of such reorganization plan."

On page 161, after line 5, to strike out:

"(5) provide that the State agency administering or supervising the administration of the plan of such State approved under title I, or under title XVI (insofar as it relates to the aged), shall administer or supervise the administration of the plan for medical assistance; and that any local agency administering the plan of such State approved under title I, or under title XVI (insofar as it relates to the aged), in a political subdivision, shall administer the plan for medical assistance in such subdivision;".

And, in lieu thereof, to insert:

"(5) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan, except that the determination of eligibility for medical assistance under the plan shall be made by the State or local agency administering the State plan approved under title I or XVI (insofar as it relates to the aged);".

On page 162, line 15, after "(9)", to insert "(A)"; in line 20, after the word "services;", to insert "and"; after line 20, to insert:

"(B) provide that, after June 30, 1967, the requirements under the standards established and maintained by such authority or authorities shall include any requirements which may be contained in standards established by the Secretary relating to protection against fire and other hazards to the health and safety of individuals in such private or public institutions;".

On page 163, line 7, after the word "that", to insert "(except as to care and services described in paragraph (4) or (14) of section 1905 (a))"; in line 17, after the word "medical", to strike out "assistance" and insert "or remedial care and services"; in line 21, after the word "medical", to strike out "assistance is" and insert "or remedial care and services are"; on page 164, line 3, after the word "provide", to insert "(except as to care and services described in paragraph (4) or (14) of section 1905 (a))"; in line 6, after the word "medical", to strike out "assistance" and insert "or remedial care and services"; in line 13, after the word "medical", to insert "or remedial"; in line 14, after the word "medical", to strike out "assistance" and insert "or remedial care and services"; on page 168, line 21, after the word "for", to strike out "tuberculosis or"; in line 25, after the word "diseases", to strike out "or tuberculosis (as the case may be),"; on page 170, line 11, to strike out "and"; in line 20, after the word "mental", to strike out "diseases." and insert "diseases; and"; after line 20, to insert:

"(22) include descriptions of (A) the kinds and numbers of professional medical personnel and supporting staff that will be used in the administration of the plan and of the responsibilities they will have, (B) the standards, for private or public institutions in which recipients of medical assistance under the plan may receive care or services, that will be utilized by the State authority or authorities responsible for establishing and maintaining such standards, (C) the cooperative arrangements with State health agencies and State vocational rehabilitation agencies entered into with a view to maximum utilization of and coordination of the provision of medical assistance with the services administered or supervised by such agencies, and (D) other standards and methods that the State will use to assure that medical or remedial care and services provided to recipients of medical assistance are of high quality."

On page 172, line 2, after the word "and", to strike out "the" and insert "a different"; in line 3, after the word "agency", to strike out "which administered or supervised the administration of such plan approved under title I (or title XVI, insofar as it relates to the aged)"; on page 174, line 5, after the word "compensation", to insert "or training"; in line 17, after the word "for", to strike out "tuberculosis or"; on page 178, line 6, after the word "furnishing", to strike out "by July 1, 1975," and insert "(on or before the first day of the calendar quarter following the 40-calendar quarter period beginning with the first calendar quarter for which the plan is effective)"; on page 179, line 20, after the word "services", to insert "(other than services in an institution for tuberculosis or mental diseases)"; in line 24, after the word "services", to insert "(other than services in an institution for tuberculosis or mental diseases) for individuals 21 years of age or older and dental services for individuals under the age of 21"; on page 180, line 13, after "(10)"; to insert "skilled nursing home services and"; in line 14, after the word "services", to insert "for other individuals"; in line 21, after the word "services;", to strike out "and"; after line 21, to insert:

"(14) inpatient hospital services and skilled nursing home services in an institution for tuberculosis or mental diseases; and".

On page 180, at the beginning of line 25, to strike out "(14)" and insert "(15)"; on page 182, line 12, after the word "period", to strike out "after June 30, 1967" and insert "thereafter"; after line 15, to strike out:

"(2) Section 1109 of such Act is amended by adding at the end thereof the following new sentence: 'Any amount which is disregarded (or set aside for future needs) in determining eligibility for and amount of the aid or assistance for any individual under a State plan approved under title I, IV, X, XIV, XVI, or XIX shall not be taken into consideration in determining the eligibility for or amount of medical assistance for any other individual under a State plan approved under title XIX.' "

And, in lieu thereof, to insert:

"(2) Section 1109 of such Act is amended to read: 'Any amount which is disregarded (or set aside for future needs) in determining eligibility of and amount of the aid or assistance for any individual under a State plan approved under title I, IV, X, XIV, XVI, or XIX shall not be taken into consideration in determining the eligibility of and amount of aid or assistance for any other individual under a State plan approved under any other of such titles.' "

On page 183, in the headline, in line 16, to strike out "Health" and insert "Medical"; on page 184, line 1, after "(A)", to insert a comma and "and in the parenthetical phrase appearing in paragraph (2) thereof."; in line 15, after "$60,000,000", to insert "each"; on page 185, line 12, after "$60,000,000", to insert "each"; on page 188, line 3, after "1967", to strike out "$40,000,000" and insert "$45,000,000"; in line 4, after "1968", to strike out "$45,000,000" and insert "$50,000,000"; in line 5, after the word "and", to strike out "$50,000,000" and insert "$55,000,000"; in line 21, after the word "this", to strike out "section" and insert "subsection"; on page 189, line 9, after the word "this", to strike out "section" and insert "subsection"; after line 14, to insert:

"(c) From the sums appropriated pursuant to subsection (a), the Secretary is also authorized to make grants to the State health agency, the State mental health agency, and the State public welfare agency of any State and (with the consent of such State health, mental health, or public welfare agency) to the health agency, mental health agency, and public welfare agency, respectively, of any political subdivision of the State, and to any public or nonprofit private agency or institution to pay not to exceed 75 per centum of the cost of projects providing for the identification (with a view to providing for as early identification as possible), care, and treatment of children who are, or are in danger of becoming, emotionally disturbed, including the followup of children receiving such care or treatment. No project shall be eligible for a grant under this subsection unless it provides for coordination of the care and treatment provided under it with, and utilization (to the extent feasible) of, community mental health centers and other State or local agencies engaged in health, welfare, or education programs or activities for such children."

On page 190, at the beginning of line 10, to strike out "(c)" and insert "(d)"; after line 22, to insert:

"INCREASE IN CHILD WELFARE SERVICES

"SEC. 207. Section 521 of the Social Security Act is amended by striking out '$40,000,000' and all that follows and inserting in lieu thereof '$40,000,000 for the fiscal year ending June 30, 1965, $45,000,000, for the fiscal year ending June 30, 1966, $50,000,000 for the fiscal year ending June 30, 1967, $55,000,000 for the fiscal year ending June 30, 1968, $55,000,000 for the fiscal year ending June 30, 1969, and $60,000,000 each year for the fiscal year ending June 30, 1970, and succeeding fiscal years.' "

On page 191, after line 7, to insert:

"DAY CARE SERVICES

"SEC. 208. (a) (1) Part 3 of title V of the Social Security Act is amended by striking out section 527.

"(2) The second sentence of section 1108 of such Act is amended by striking out '522(a), and 527(a)' and inserting in lieu thereof 'and 522(a)' and by striking out '(or, in the case of section 527(a), the minimum'.

"(b) Section 522 of such Act is amended to read as follows:

" 'SEC. 522. The sum appropriated pursuant to section 521 for each fiscal year shall be allotted by the Secretary for use by cooperating State public welfare agencies which have plans developed jointly by the State agency and the Secretary, as follows: He shall allot $70,000 to each State, and shall allot to each State an amount which bears the same ratio to the remainder of the sum so appropriated for such year as the product of (1) the population of such State under the age of 21 and (2) the allotment percentage of such State (as determined under section 524) bears to the sum of the corresponding products of all the States.'

"(c) Section 523(a)(1)(B) of such Act is amended by striking out 'and' at the end of clause (iii) and by inserting after clause (iv) the following new clause:

" '(v) that day care provided under the plan will be provided only in facilities (including private homes) which are licensed by the State, or approved (as meeting the standards established for such licensing) by the State agency responsible for licensing facilities of this type, and'.

"(d) The amendments made by this section shall apply in the case of appropriations under section 521 of the Social Security Act made for fiscal years beginning after June 30, 1965, and allotments thereof and payments from such allotments."

On page 193, in the headline in line 16, after the word "To", to strike out "Aged"; on page 194, at the beginning of line 20, to strike out "tuberculosis or"; in line 23, after the word "diseases", to strike out "or tuberculosis (as the case may be)"; on page 196, line 19, after the word "for", to strike out "tuberculosis or"; on page 198, line 23, after the word "Act", to insert "(as amended by section 403(c) of this Act)"; on page 199, line 5, after the word "for", to strike out "tuberculosis or"; in line 9, after the word "diseases", to strike out "or tuberculosis (as the case may be)"; on page 201, line 7, after the word "for", to strike out "tuberculosis or"; at the top of page 203, to insert:

"PART 4—MISCELLANEOUS AMENDMENTS RELATING TO HEALTH CARE

"Health study of resources relating to children's emotional illness

"SEC. 231. (a) The Secretary of Health, Education, and Welfare is authorized, upon the recommendation of the National Advisory Mental Health Council and after securing the advice of experts in pediatrics and child welfare, to make grants for carrying out a program of research into and study of our resources, methods, and practices for diagnosing or preventing emotional illness in children and of treating, caring for, and rehabilitating children with emotional illnesses.

"(b) Such grants may be made to one or more organizations, but only on condition that the organization will undertake and conduct, or if more than one organization is to receive such grants, only on condition that such organizations have agreed among themselves to undertake and conduct, a coordinated program of research into and study of all aspects of the resources, methods, and practices referred to in subsection (a).

"(c) As used in subsection (b), the term "organization" means a nongovernmental agency, organization, or commission, composed of representatives of leading national medical, welfare, educational, and other professional associations, organizations, or agencies active in the field of mental health of children.

"(d) There are authorized to be appropriated for the fiscal year ending June 30, 1966, the sum of $500,000 to be used for a grant or grants to help initiate the research and study provided for in this section; and the sum of $500,000 for the succeeding fiscal year for the making of such grants as may be needed to carry the research and study to completion. The terms of any such grant shall provide that the research and study shall be completed not later than two years from the date it is inaugurated; that the grantee shall file annual reports with the Congress, the Secretary, and the Governors of the several States, among others that the grantee may select; and that the final report shall be similarly filed."

At the bottom of page 205, and the top of page 206, in the table, to strike out:

	"109	315	319	116.70	254.00
	110	320	323	117.70	254.80
	111	324	328	118.80	256.80
	112	329	333	119.90	258.80
	113	334	337	121.00	260.40
	114	338	342	122.00	262.40
	115	343	347	123.10	264.40
	116	348	351	124.20	266.00
	117	352	356	125.20	268.00
	118	357	361	126.30	270.00
	119	362	365	127.40	271.60
	120	366	370	128.40	273.60
	.121	371	375	129.50	275.60
	122	376	379	130.50	277.20
	123	380	384	131.70	279.20
	124	385	389	132.70	281.20
	125	390	393	133.80	282.80
	126	394	398	134.90	284.80
	127	399	403	135.90	286.80
		404	407	136.09	288.40
		408	412	137.90	290.40
		413	417	138.90	292.40
		418	421	139.90	294.00
		422	426	140.90	296.00
		427	431	141.90	298.00
		432	436	142.90	300.00
		437	440	143.90	301.60
		441	445	144.90	303.60
		446	450	145.90	305.60
		451	454	146.90	307.20
		455	459	147.90	309.20
		460	464	148.90	311.20
		465	466	149.90	312.00".

On page 208, line 13, after the word "person", to insert "(other than a person who would not be entitled to such benefits for such month without the application of the amendments made by section 306 of the Social Security Amendments of 1965),"; on page 209, line 4, after the word "person", to insert "(other than a person who would not be entitled to such benefits for such month without the application of the amendments made by section 306 of the Social Security Amendments of 1965)"; on page 210, after line 17, to strike out:

"(f) Effective with respect to monthly benefits under title II of the Social Security Act for months after 1970 and with respect to lump sum death payments under such title in the case of deaths occurring after such year, the table in section 215(a) of such Act (as amended by subsection (a) of this section) is amended by striking out all figures in columns II, III, IV, and V beginning with the line which reads:

	"109	315	319	116.70	254.00"

and down through the line which reads

		"465	406	149.90	312.00"

and inserting in lieu thereof the following:

	"109	315	319	116.70	255.20
	110	320	323	117.70	258.40
	111	324	328	118.80	262.40
	112	329	333	119.90	266.40
	113	334	337	121.00	269.60
	114	338	342	122.00	273.60
	115	343	347	123.10	277.60
	116	348	351	124.20	280.80
	117	352	356	125.20	284.80
	118	357	361	126.30	288.80
	119	362	365	127.40	292.00
	120	366	370	128.40	296.00
	121	371	375	129.50	298.00
	122	376	379	130.60	299.60
	123	380	384	131.70	301.60
	124	385	389	132.70	303.60
	125	390	393	133.80	305.20
	126	394	398	134.90	307.20
	127	399	403	135.90	309.20
		404	407	136.90	210.80
		408	412	137.90	312.80
		413	417	138.90	314.80
		418	421	139.90	316.40
		422	426	140.90	318.40
		427	431	141.90	320.40
		432	436	142.90	322.40
		437	440	143.90	324.00
		441	445	144.90	326.00
		446	450	145.90	328.00
		451	454	146.90	329.60
		455	459	147.90	331.60
		460	464	148.90	333.60
		465	468	149.90	335.20
		469	473	150.90	337.20
		474	478	151.90	339.20
		479	482	152.90	340.80
		483	487	153.90	342.80
		488	492	154.90	344.80
		493	496	155.90	346.40
		497	501	156.90	348.40
		502	506	157.90	350.40
		507	510	158.90	352.00
		511	515	159.90	354.00
		516	520	160.90	356.00
		521	524	161.90	357.60
		525	529	162.90	359.60
		530	534	163.90	361.60
		535	538	164.90	363.20
		539	543	165.90	365.20
		544	548	166.90	367.20
		549	550	167.90	368.00"

On page 216, line 15, after the word "his", to insert "monthly"; at the top of page 218, to insert:

"(7) Effective January 2, 1966, subparagraph (B) of section 102(f)(2) of the Social Security Amendments of 1954 is repealed."

On page 218, after line 4, to strike out:

"SEC. 303. (a) (1) Clause (A) of the first sentence of section 216(i)(1) of the Social Security Act is amended by striking out "impairment which can be expected to result in death or to be of long continued and indefinite duration," and inserting in lieu thereof 'impairment,'.

"(2) Section 223(c)(2) of such Act is amended by striking out 'which can be expected to result in death or to be of long continued and indefinite duration'."

And in lieu thereof, to insert the following:

"SEC. 303. (a) (1) Clause (A) of the first sentence of section 216(i) of the Social Security Act is amended by striking out 'or to be of long-continued and indefinite duration' and inserting in lieu thereof 'or has lasted or can be expected to last for a continuous period of not less than 12 calendar months'.

"(2) Section 223(c)(2) of such Act is amended to read as follows:

" '(2) The term "disability" means inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 calendar months. An individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required.' "

On page 220, after line 3, to strike out:

"(D) A period of disability shall end with the close of the last day of the month preceding the month in which the individual attains age 65 or, if earlier, the close of the last day of—

"(i) the month following the month in which the disability ceases if he has been under a disability for a continuous period of less than 18 months, or

"(ii) the second month following the month in which his disability ceases if he has been under a disability for a continuous period of at least 18 months."

And in lieu thereof, to insert the following:

"(D) A period of disability shall end with the close of whichever of the following months is the earlier: (i) the month preceding the month in which the individual attains age 65, or (ii) the second month following the month in which the disability ceases."

On page 220, after line 18, to strike out:

"(E) No application for a disability determination which is filed more than 3 months before the first day on which a period of disability can begin (as determined under this paragraph), or, in any case in which section 223(d)(2) applies, more than 6 months before the first month for which such applicant becomes entitled to benefits under section 223, shall be accepted as an application for purposes of this paragraph. Any application for a disability determination which is filed within such 3 months' period or 6 months' period shall be deemed to have been filed on such first day or in such first month, as the case may be."

On page 221, line 5, strike out "(F)" and insert "(E)"; after line 14, to strike out:

"(3) Paragraph (1) of section 223(a) of such Act is amended to read as follows:

"'(1) Every individual who—

"'(A) is insured for disability insurance benefits (as determined under subsection (c)(1)),

"'(B) has not attained the age of 65, and

"'(C) has filed application for disability insurance benefits,

shall be entitled to a disability insurance benefit for each month in his disability payment period (as defined in subsection (d)).'"

At the top of page 222, insert the following:

"(3) Subparagraph (D) of paragraph (1) of section 223(a) of such Act is repealed, subparagraph (C) of such paragraph is amended by striking out 'and', and subparagraph (B) of such paragraph is amended by inserting 'and' at the end thereof."

After line 8, to strike out:

"(c) Section 223 of such Act is amended by adding at the end thereof the following new subsection:

"'DISABILITY PAYMENT PERIOD

"'(d)(1) For purposes of this section, the term "disability payment period" means, in the case of any application, the period beginning with the last month of the individual's waiting period and ending with the month preceding whichever of the following months is the earliest:

"'(A) the month in which he dies,

"'(B) the month in which he attains age 65, or

"'(C) either (i) the second month following the month in which his disability ceases if he has been under a disability for a continuous period of less than 18 calendar months, or (ii) the third month following the month in which his disability ceases if he has been under a disability for a continuous period of at least 18 calendar months.

"'(2) If—

"'(A) an individual had a period of disability (as defined in section 216(i)) which lasted at least 18 calendar months and which ceased within the 60 month period preceding the first month of his waiting period, and

"'(B) such individual applies for disability insurance benefits on the basis of a disability which at the time of application can be expected to last a continuous period of at least 12 months or to result in death, then for purposes of this section, the term "disability payment period" includes each month in the waiting period with respect to which such application was filed.'

"(d)(1) Section 222(c)(5) of such Act is amended by striking out 'who becomes entitled to benefits under section 223 for any month as provided in clause (ii) of subsection (a)(1) of this section,' and inserting in lieu thereof 'to whom section 223(d)(2) is applicable,'.

"(2) Section 223(a)(2)(B) of such Act is amended by striking out 'clause (ii) of paragraph (1) of this section' and inserting in lieu thereof 'subsection (d)(2)'.

"(3)(A) Section 223(b) of such Act is amended—

"(i) by striking out 'clause (ii) of paragraph (1) of subsection (a)' and inserting in lieu thereof 'subsection (d)(2)', and

"(ii) by striking out the last sentence and inserting in lieu thereof the following: 'An individual who would have been entitled to a disability insurance benefit for any month had he filed application therefor before the end of such month shall be entitled to such benefit for such month if he files such application before the end of the 12th month immediately succeeding such month.'"

And in lieu thereof, to insert:

"(c) Section 223(b) of such Act is amended by striking out the last sentence and inserting in lieu thereof the following: 'An individual who would have been entitled to a disability insurance benefit for any month had he filed application therefor before the end of such month shall be entitled to such benefit for such month if he files such application before the end of the 12th month immediately succeeding such month.'"

On page 224, at the beginning of line 15, to strike out "(B)" and insert "(d)"; after line 17, to insert:

"(e) So much of section 215(a)(4) of such Act as precedes 'the amount in column IV' is amended to read as follows:

"'(4) In the case of an individual who was entitled to a disability insurance benefit for the month before the month in which he died, became entitled to old-age insurance benefits, or attained age 65,'."

At the beginning of line 25, strike out "(e)" and insert "(f)"; on page 225, line 1, after the word "and" where it occurs the second time, strike out "paragraph (3) of subsection (d)" and insert "subsections (c) and (d)"; in line 3, after the word "subparagraphs", strike out "(B), (E), and (F)", and insert "(B) and (E)"; on page 226, line 3, after the word "enacted", to insert "The preceding sentence shall also be applicable in the case of applications for monthly insurance benefits under title II of the Social Security Act based on the wages and self-employment income of an applicant with respect to whose application for disability insurance benefits under section 223 of such Act such preceding sentence is applicable."

After line 9, to strike out:

"(2) Section 223(d)(1) of such Act (added by subsection (c) of this section) shall be applicable in the case of applications for disability insurance benefits filed by individuals the last month of whose waiting period (as defined in section 223(c)(3) of such Act) occurs after the month in which this Act is enacted; except that subparagraph (C) of such section shall be applicable to individuals entitled to disability insurance benefits whose disability (as defined in section 223(c) of the Social Security Act as amended by this Act) ceases in or after the second month following the month in which this Act is enacted.

"(3) Section 223(d)(2) of such Act (added by subsection (c) of this section), and the amendments made by subsection (d), shall be applicable in the case of applications for disability insurance benefits under section 223, and for disability determinations under section 216(i), of the Social Security Act filed after the month in which this Act is enacted.

"(4) Section 216(i)(2)(D) of such Act (as amended by subsection (b)(1) of this section) shall apply with respect to a disability (as defined in section 216(i) of such Act as amended by this Act) which ceases in or after the second month following the month in which this Act is enacted."

On page 227, after line 9, to insert:

"(2) The amendment made by subsection (e) shall apply in the case of the primary insurance amounts of individuals who attain age 65 after the enactment of this Act."

In line 21, after the word "only", to strike out "such disability insurance benefit for such month" and insert "the larger of such benefits for such month, except that, if such individual so elects, he shall instead be entitled to only the smaller of such benefits for such month"; on page 229, line 24, after the word "after", to strike out "paragraph" and insert "subparagraph"; on page 230, line 1, after the word "new", strike out "paragraphs" and insert "subparagraphs"; on page 232, line 4, after "(k)", to strike out "So much of section 215(a)(4) of such Act as follows clause (B)" and insert "Section 215(a)(4) of such Act"; in line 25, after the word "and", strike out "¾" and insert "0.70"; on page 233, line 5, after the word "and", strike out "9/16" and insert "0.525"; in line 11, after the word "school" to insert "and in case of child becoming disabled"; in line 19, after the word "of", to strike out "and which has lasted or can be expected to last a continuous period of at least 6 calendar months or to result in death" and insert "22".

On page 234, after line 4, to strike out:

"(E) in the case of a child who is not under a disability (as so defined) at the time he attains the age of 18 and who during no part of the month in which he attains such age is a full-time student, the month in which such child attains the age of 18,

"(F) in the case of a child who is a full-time student during the month in which he attains the age of 18, the first month (beginning after he attains such age) during no part of which he is a full-time student or the month in which he attains the age of 22, whichever occurs earlier, but only if in the third month preceding such earlier month he was not under a disability (as so defined) which began before he attained the age of 18,

"(G) in the case of a child who first becomes entitled to benefits under this subsection for the month in which he attains the age of 18 or a subsequent month and who in the month for which he becomes so entitled is not under a disability (as so defined) which began before he attained the age of 18, the first month (after he becomes so entitled) during no part of which he is a full-time student or the month in which he attains the age of 22, which ever occurs earlier,

"(H) in the case of a child who after he attains the age of 18 ceases to be under a disability (as so defined) which began before he attained the age of 18, and who either—

"(i) attains the age of 22 before the close of the third month following the month in which he ceases to be under such disability, or

"(ii) was a full-time student during no part of the third month following the month in which he ceases to be under such disability if he has been under a disability for a continuous period of at least 18 months (or the second month following the month in which he ceases to be under such disability if he has been under a disability for a continuous period of less than 18 months), the third month (or the second month) following the month in which he ceases to be under such disability, or

"(1) in the case of a child who after he attains the age of 18 ceases to be under a disability (as so defined) which began before he attained the age of 18, but who has not attained the age of 22 before the close of the third month following the month in which he ceases to be under such disability if he has been under a disability for a continuous period of at least 18 months (or before the close of the second month following the month in which he ceases to be under such disability if he has been under a disability for a continuous period of less than 18 months) and is a full-time student in such third month (or such second month), the earlier of (i) the first month (after such third month or such second month) during no part of which he is a full-time student, or (ii) the month in which he attains the age of 22."

And in lieu thereof, to insert the following:

"(E) the month in which such child attains the age of 18 and is not under a disability (as so defined) and is not a full-time student during any part of such month,

"(F) the first month after the month in which such child attains the age of 18 and, in such first month, is not under a disability (as so defined) and is not a full-time student during any part of such first month, but only if in the third month preceding such first month he was not under a disability,

"(G) the month in which such child attains the age of 22 and is not under a disability (as so defined), but only if in the third month preceding such month he was not under a disability, or

"(H) the third month following the month in which he ceases to be under such disability."

On page 237, line 12, after the word "terminated", to strike out "with the month preceding the month in which such child attained the age of 18, or with a subsequent month," and insert "under the preceding provisions of this subsection"; in line 19, after the figures "22", to insert "or in which he is under a disability (as defined in section 223(c) which began before he attained the age of 22"; in line 21, after the amendment just above stated, to strike out "if he has filed application for such reentitlement" and insert "if he also meets the requirements of subparagraphs (A) and (B) of paragraph (1); and such reentitlement shall end thereafter in accordance with the provisions of subparagraph (D), (F), (G), or (H) of paragraph (1)."

At the top of page 238, to strike out:

"Such reentitlement shall end with the month preceding whichever of the following first occurs: The first month during no part of which he is a full-time student, the month in which he attains the age of 22, or the first month in which an event specified in paragraph (1)(D) occurs."

On page 240, at the beginning of line 1, to strike out: "which began before he attained such age, shall be deemed not entitled to such benefits for such month, unless he was under such a disability in the third month before such month and had been under such disability for a continuous period of at least 18 months (or in the second month if he had been under such disability for a continuous period of less than 18 months)."

At the beginning of line 9, after "(b)" to strike out "(4)" and insert "(3)"; in the same line, after "(e)", to strike out "(4)" and insert "(3)"; in the same line, after "(g)", to strike out "(4)" and insert "(3)"; in line 14, after the word "of", to strike out "18" and insert "22"; in line 16, after the word "occurred", to strike out "and had been under such disability for a continuous period of at least 18 months (or in the second month if he had been under such disability for a continuous period of less than 18 months)."

In line 21, after "(b)", to strike out "(4)" and insert "(3)"; in line 22, after "(e)", to strike out "(4)" and insert "(3)"; in the same line, after "(g)", to strike out "(4)" and insert "(3)"; on page 241, line 5, after the word "of", to strike out "18 and had been under such disability for a continuous period of at least 8 months (or in the second month if he had been under such disability for a continuous period of less than 18 months)", and insert "22"; in line 17, after "(e)", to strike out "(4)" and insert "(3)"; on page 242, line 7, after "(g)", to strike out "(4)" and insert "(3)"; on page 244, line 4, after the word "enacted", to insert "and"; after line 4, to strike out:

"(2) section 202(d)(1)(H)(ii) of such Act (as amended by this section) shall apply only for months after the month in which this Act is enacted; and"

At the beginning of line 8, strike out "(3)" and insert "(2)"; on page 249, line 22, after the word "wife", to strike out "has not remarried" and insert "is not married"; on page 51, after line 22, to strike out:

"(3) In the case of any divorced wife of an individual—

"(A) who marries another individual, and

"(B) whose marriage to the individual referred to in subparagraph (A) is terminated by divorce which occurs within 20 years after such marriage,

the marriage to the individual referred to in subparagraph (A) shall, for the purposes of paragraph (1), be deemed not to have occurred. No benefits shall be payable under this subsection by reason of the preceding sentence for any month before whichever of the following is the latest: (i) the month after the month in which the divorce referred to in subparagraph (B) of the preceding sentence occurs, (ii) the twelfth month before the month in which such divorced wife files application for purposes of this paragraph, or (iii) the second month after the month in which this paragraph is enacted."

On page 252, at the beginning of line 15, strike out "(4)" and insert "(3)"; on page 253, line 11, after "(A)", to strike out "has not remarried," and insert "is not married"; in line 22, after the word "wife", to insert "who was not entitled to wife's insurance benefits on the basis of the wages and self-employment income of such individual for the month preceding the month in which he died,".

On page 255, after line 8, to strike out:

"(2) Paragraphs (3) and (4) of section 202(e) of such Act are amended by striking out 'widow' each place it appears and inserting in lieu thereof 'widow or surviving divorced wife'.

"(3) Paragraph (4) of section 202(e) of such Act is amended by striking out 'widow's' and inserting in lieu thereof 'widow's or surviving divorced wife's'.

"(4) Section 202(e) of such Act is further amended by adding at the end thereof the following new paragraph:

"'(5) In the case of any widow or surviving divorced wife of an individual—

"'(A) who marries another individual, and

"'(B) whose marriage to the individual referred to in subparagraph (A) is terminated by divorce which occurs within 20 years after such marriage,

the marriage to the individual referred to in subparagraph (A) shall, for the purposes of paragraph (1), be deemed not to have occurred. No benefits shall be payable under this subsection by reason of the preceding sentence for any month before whichever of the following is the latest: (i) the month after the month in which the divorce referred to in subparagraph (B) of the preceding sentence occurs, (ii) the twelfth month before the month in which such widow or surviving divorced wife files application for purposes of this paragraph, or (iii) the second month after the month in which this paragraph is enacted.'"

And in lieu thereof, to insert:

"(2) Paragraph (3) of section 202(e) of such Act is repealed.

"(3) Section 202(e) of such Act is amended by redesignating paragraph (4) as paragraph (3) and such paragraph is further amended by striking out 'widow' and inserting in lieu thereof 'widow or surviving divorced wife' and by striking out 'widow's' and inserting in lieu thereof 'widow's or surviving divorced wife's'."

At the top of page 258, to insert:

"(3) Subparagraph (A) of section 202(g)(1) of such Act is amended by striking out 'has not remarried' and inserting in lieu thereof 'is not married'."

At the beginning of line 4, to strike out "(3)" and insert "(4)"; on page 259, after line 2, to strike out:

"(4) Section 202(g) of such Act is amended by adding the following new paragraph:

"'(5) In the case of any widow or surviving divorced mother—

"'(A) who marries another individual, and

"'(B) whose marriage to the individual referred to in subparagraph (A) is terminated by divorce which occurs within 20 years after such marriage,

the marriage to the individual referred to in subparagraph (A) shall, for the purposes of paragraph (1), be deemed not to have occurred. No benefits shall be payable under this subsection by reason of the preceding sentence for any month prior to whichever of the following is the latest: (i) the month after the month in which the divorce referred to in subparagraph (B) of the preceding sentence occurs, (ii) the twelfth month before the month in which such widow or surviving divorced mother files application for purposes of this paragraph, or (iii) the second month after the month in which this paragraph is enacted.'"

On page 261, after line 8, to insert:

"(12) Paragraph (3) of section 202(g) of such Act is repealed.

"(13) Section 202(g) of such Act is amended by redesignating paragraph (4) as paragraph (3)."

On page 264, line 4, after "SEC. 310", to strike out "(a) Paragraph (3) of section 203(f) of the Social Security Act is amended by striking out "$500" wherever it appears therein and inserting in lieu thereof '$1,200'."

And in lieu thereof, to insert:

"(a)(1) Paragraphs (1), (3), and (4)(B) of subsection (f) of section 203 of the Social Security Act are each amended by striking out '$100' wherever it appears therein and inserting in lieu thereof '$150'.

"(2) The first sentence of paragraph (3) of such subsection (f) is amended by striking out '$500' each place it appears therein and inserting in lieu thereof '$1,200'.

"(3) Paragraph (1)(A) of subsection (h) of section 203 of such Act is amended by striking out '$100' and inserting in lieu thereof '$150'."

On page 276, line 10, after the name "Alaska" to strike out "And Kentucky"; after line 11, to strike out: "of the Social Security Act is amended—

"(1) by inserting 'Alaska,' before 'California'; and

"(2) by inserting 'Kentucky,' before 'Massachusetts'".

And in lieu thereof, to insert:

"SEC. 314. The first sentence of section 218(d)(6)(C) of the Social Security Act is amended by inserting 'Alaska,' before 'California'".

On page 279, after line 15, to strike out:

"(b) Section 3121(k)(1) of such Code (relating to waiver of exemption by religious, charitable, and certain other organizations) is further amended by adding at the end thereof the following new subparagraph:

"'(H) An organization which files a certificate under subparagraph (A) before 1966 may amend such certificate during 1965 or 1966 to make the certificate effective with the first day of any calendar quarter preceding the quarter for which such certificate originally became effective, except that such date may not be earlier than the first day of the twentieth calendar quarter preceeding the quarter in which such certificate is so amended.'"

And in lieu thereof, to insert:

"(b) Section 3121(k)(1) of such Code (relating to waiver of exemption by religious, charitable, and certain other organizations) is further amended by adding at the end thereof the following new subparagraph:

"'(H) An organization which files a certificate under subparagraph (A) before 1966 may amend such certificate during 1965 or 1966 to make the certificate effective with the first day of any calendar quarter preceding the quarter for which such certificate originally became effective, except that such date may not be earlier than the first day of the twentieth calendar quarter preceding the quarter in which such certificate is so amended. If an organization amends its certificate pursuant to the preceding sentence, such amendment shall be effective with respect to the service of individuals who concurred in the filing of such certificate (initially or through the filing of a supplemental list) and who concur in the filing of such amendment. An amendment to a certificate filed pursuant to this subparagraph shall be filed with such official and in such form and manner as may be prescribed by regulations made under this chapter. If an amendment is filed pursuant to this subparagraph—

"'(i) for purposes of computing interest and for purposes of section 6651 (relating to addition to tax for failure to file tax return), the due date for the return and payment of the tax for any calendar quarter resulting from the filing of such an amendment shall be the last day of the calendar month following the calendar quarter in which the amendment is filed; and

"'(ii) the statutory period for the assessment of such tax shall not expire before the expiration of three years from such due date."

On page 284, after line 11, to insert:

"(d) If—

"(1) an individual performed service with respect to which remuneration was paid before the date of enactment of this Act by an organization which, before such date, filed a waiver certificate pursuant to section 3121 (k)(1) of the Internal Revenue Code,

"(2) such service is excluded from employment under title II of the Social Security Act but would not be excluded therefrom if the requirements of such section 3121(k)(1) had been met with respect to such service,

"(3) such service was performed during the period such certificate was in effect, and

"(4) such individual was listed pursuant to such section 3121(k)(1) at any time during such period and before the date of enactment of this Act as an employee who concurred in the filing of such certificate or such individual filed a request for coverage pursuant to section 105(b) of the Social Security Amendments of 1960, as in effect prior to the enactment of this Act (but such listing or request was not effective with respect to the service described above),

then, subject to the conditions stated in subparagraphs (B), (C), (D), and (E) of paragraph (1), and paragraph (4), of section 105 (b) of the Social Security Amendments of 1960, as amended by this section, the remuneration of such individual which was paid with respect to such excluded service shall be deemed to constitute remuneration for employment for purposes of such title II."

On page 288, line 21, after the word "administration,", to strike out "effective with respect to remuneration paid before 1971, make" and insert "make"; in line 24, after the word "the", to strike out "$5,600 limitation in section 3121(a)(1) and, effective with respect to remuneration paid after 1970, without regard to the"; on page 298, line 17, after the word "new", to strike out "paragraphs" and insert "paragraph"; in line 21, after the word "to", to strike out "$5,600" and insert "$6,600"; in line 23, after "1965", to strike out "and prior to 1971,"; in line 25, to strike out "year;" and insert "year;" "; at the top of page 299, to strike out:

"(5) That part of remuneration which, after remuneration (other than remuneration referred to in the succeeding subsections of this section) equal to $6,600 with respect to employment has been paid to an individual during any calendar year after 1970, is paid to such individual during such calendar year;".

In line 11, after the word "new", to strike out "subparagraphs" and insert "subparagraph"; in line 13, after "1965"; to strike out "and prior to 1971, (i) $5,600" and insert "(i) $6,600"; in line 16, after the word "year", to strike out "and" and insert "or"; after line 16, to strike out:

"(E) For any taxable year ending after 1970, (i) $6,600, minus (ii) the amount of the wages paid to such individual during the taxable year; or".

In line 22, after the word "or", to strike out "$5,600" and insert "$6,000"; in line 23, after "1965", to strike out "and before 1971, or $6,600 in the case of a calendar year after 1970"; on page 300, line 3, after the word "or", to strike out "$5,600" and insert "$6,600"; in line 4, after "1965", to strike out "and before 1971, or $6,600 in the case of a taxable year ending after 1970"; in line 10, after the word "before", to strike out "1966," and insert "1966 and"; in the same line, after the word "over", to strike out "$5,600" and insert "$6,600"; in line 11, after "1965", to strike out "and before 1971, and the excess over $6,600 in the case of any calendar year after 1970"; in line 21, to strike out "subparagraphs" and insert "subparagraph"; in line 22, after the word "after", to strike out "1965 and before 1971, (i) $5,660," and insert "1965, (i) $6,600,"; in line 25, after the word "year", to strike out "and" and insert "or"; at the top of page 301, to strike out:

"(E) for any taxable year ending after 1970, (i) $6,600, minus (ii) the amount of the wages paid to such individual during the taxable year; or".

In line 4, after "(2)", to strike out "(A)"; in line 6, after the word "thereof", to strike out "$5,600" and insert "$6,600"; after line 7, to strike out:

"(B) Effective with respect to remuneration paid after 1970, section 3121(a)(1) of such Code as amended by subparagraph (A) of this paragraph is amended by striking out '$5,600' each place it appears and inserting in lieu thereof '$6,600'."

In line 13, after "(3)", to strike out "(A)"; in line 15, after the word "thereof", to strike out "$5,600" and insert "$6,600"; after line 16, to strike out:

"(B) Effective with respect to remuneration paid after 1970, such second sentence as amended by subparagraph (A) of this paragraph is amended by striking out '$5,600' and inserting in lieu thereof '$6,600'."

In line 21, after "(4)", to strike out "(A)"; in line 25, after the word "thereof", to strike out "$5,600" and insert "$6,600"; at the top of page 302, to strike out:

"(B) Effective with respect to remuneration paid after 1970, section 3125 of such Code as amended by subparagraph (A) of this paragraph is amended by striking out '$5,600' where it appears in subsections (a) and (b) and inserting in lieu thereof '$6,600'."

In line 12, after "1965", to strike out "and prior to the calendar year 1971,"; at the beginning of line 14, to strike out "exceed $5,600, or (D) during any calendar year after the calendar year 1970, the wages received by him during such year"; in line 19, after the word "first", to strike out "$5,600" and insert "$6,600"; at the beginning of line 21, to strike out "and before 1971, or which exceed the tax with respect to the first $6,600 of such wages received in such calendar year after 1970"; on page 303, line 4, after "1965", to strike out "or $5,600 for the calendar year 1966, 1967, 1968, 1969, or 1970,"; in line 6, after the word "after", to strike out "1970" and insert "1965"; on page 304, line 2, after the word "to", to strike out "6.0" and insert "5.8"; in line 6, after the word "to", to strike out "6.6" and insert "6.7"; in line 19, after the word "to", to strike out "0.35" and insert "0.325"; in line 23, after "January 1,", to strike out "1973" and insert "1971"; on page 305, after line 2, to insert:

"(3) in the case of any taxable year beginning after December 31, 1970, and before January 1, 1973, the tax shall be equal to 0.55 percent of the amount of the self-employment income for such taxable year;."

At the beginning of line 7, to strike out "(3)" and insert "(4)"; in line 9, after the word "to", to strike out "0.55" and insert "0.60"; at the beginning of line 12, to strike out "(4)" and insert "(5)"; in line 14, after the word "to", to strike out "0.60" and insert "0.65"; at the beginning of line 16, to strike out "(5)" and insert "(6)"; in line 18, after the word "to", to strike out "0.70" and insert "0.75"; at the beginning of line 20, to strike out "(6)" and insert "(7)"; in line 21, after the word "to", to strike out "0.80" and insert "0.85"; on page 306, line 17, after the word "be", to strike out "4.0" and insert "3.85"; in line 20, after the word "be", to strike out "4.4" and insert "4.45"; in line 22, after the word "be", to strike out "4.8" and insert "4.9"; on page 307, line 7, after the word "be", to strike out "0.35" and insert "0.325"; in line 9, after "1969", to insert "and"; in the same line, after "1970", to strike out "1971, and 1972,"; after line 10, to insert:

"(3) with respect to wages received during the calendar years 1971 and 1972, the rate shall be 0.55 percent;."

At the beginning of line 14, to strike out "(3)" and insert "(4)"; in line 16, after the word "be", to strike out "0.55" and insert "0.60"; at the beginning of line 17, to strike out "(4)" and insert "(5)"; in line 19, after the word "be", to strike out "0.60" and insert "0.65"; at the beginning of line 20, to strike out "(5)" and insert "(6)"; in line 22, after the word "be", to strike out "0.70" and insert "0.75"; at the beginning of line 23, to strike out "(6)" and insert "(7)"; in line 24, after the word "be", to strike out "0.80" and insert "0.85"; on page 308, line 12, after the word "be", to strike out "4.0" and insert "3.85"; in line 16, after the word "be", to strike out "4.4" and insert "4.45"; in line 18, after the word "be", to strike out "4.8" and insert "4.9"; on page 309, line 4, after the word "be", to strike out "0.35" and insert "0.325"; in line 6, after "1969", to insert "and"; in the same line, after "1970", to strike out "1971, and 1972,"; after line 7, to insert:

"(3) with respect to wages paid during the calendar years 1971 and 1972, the rate shall be 0.55 percent;."

At the beginning of line 10, to strike out "(3)" and insert "(4)"; at the beginning of line 12, to strike out "0.55" and insert "0.60"; at the beginning of line 13, to strike out "(4)" and insert "(5)"; in line 15, after the word "be", to strike out "0.60" and insert "0.65"; at the beginning of line 16, to strike out "(5)" and insert "(6)"; in line 18, after the word "be", to strike out "0.70" and insert "0.75"; at the beginning of line 19, to strike out "(6)" and insert "(7)"; in line 20, after the word "be", to strike out "0.80" and insert "0.85"; on page 312, at the beginning of line 21, to strike out "clauses (i) and (iii) of paragraph (1)(C) shall not apply to a child of such individual" and insert "a child of such individual adopted after such individual became entitled to such disability insurance benefits shall be deemed not to meet the requirements of clause (i) or (iii) of paragraph (1)(C)" on page 313, line 15, after the word "adoption", to insert "(or, if such child was adopted by such individual after such individual attained age 65, the period of disability of such individual which existed in the month preceding the month in which he attained age 65)"; in line 22, after "(10)", to strike out "In the case of" and insert "If"; at the beginning of line 24, to strike out "paragraph (9)), clauses (i) and (iii) of paragraph (1)(C) shall not apply to a child of such individual unless such" and insert "paragraph (9)) adopts a child after such individual becomes entitled to such benefits, such child shall be deemed not to meet the requirements of clause (i) of paragraph (1)(C) unless such"; on page 318, line 18, after "1965", to strike out "and before 1971 is less than $5,600, or for any calendar year after 1970"; in line 23, after "1966", to strike out "$5,600" and insert "and $6,600"; in the same line, after "1965", to strike out "and before 1971, and $6,600 for years after 1970"; on page 319, after line 6, to insert a new section, as follows:

"APPLICATIONS FOR BENEFITS

"Sec. 328. (a) Section 202(j)(2) of the Social Security Act is amended to read as follows:

"'(2) An application for any monthly benefits under this section filed before the first month in which the applicant satisfies the requirements for such benefits shall be deemed a valid application only if the applicant satisfies the requirements for such benefits before the Secretary makes a final decision on the application. If upon final decision by the Secretary, or decision upon judicial review thereof, such applicant is found to satisfy such requirements, the application shall be deemed to have been filed in such first month.'

"(b) Section 216(i)(2) of such Act (as amended by subsection (b)(1) of section 303) is amended by inserting after subparagraph (E) the following:

"'(F) An application for a disability determination filed before the first day on which the applicant satisfies the requirements for a period of disability under this subsection shall be deemed a valid application only if the applicant satisfies the requirements for a period of disability before the Secretary makes a final decision on the application. If upon final decision by the Secretary, or decision upon judicial review thereof, such applicant is found to satisfy such requirements, the application shall be deemed to have been filed on such first day.'

"(c) The first sentence of section 223(b) of such Act is amended to read as follows: 'An application for disability insurance benefits filed before the first month in which the applicant satisfies the requirements for such benefits (as prescribed in subsection (a)(1)) shall be deemed a valid application only if the applicant satisfies the requirements for such benefits before the Secretary makes a final decision on the application. If, upon final decision by the Secretary, or decision upon judicial review thereof, such applicant is found to satisfy such requirements, the application shall be deemed to have been filed in such first month.'

"(d) The amendments made by this section shall apply with respect to (1) applications filed on or after the date of enactment of this Act, (2) applications as to which the Secretary has not made a final decision before the date of enactment of this Act, and (3) if a civil action with respect to final decision by the Secretary has been commenced under section 205(g) of the Social Security Act before the date of enactment of this Act, applications as to which there has been no final judicial decision before the date of enactment of this Act."

On page 321, after line 2, to insert a new section, as follows:

"OVERPAYMENTS AND UNDERPAYMENTS

"Sec. 329. (a) Section 204(a) of the Social Security Act is amended to read as follows:

"'Sec. 204. (a) Whenever the Secretary finds that more or less than the correct amount of payment has been made to any person under this title, proper adjustment or recovery shall be made, under regulations prescribed by the Secretary, as follows:

"'(1) With respect to payment to a person of more than the correct amount, the Secretary shall decrease any payment under this title to which such overpaid person is entitled, or shall require such overpaid person or his estate to refund the amount in excess of the correct amount, or shall decrease any payment under this title payable to his estate or to any other person on the basis of the wages and self-employment income which were the basis of the payments to such overpaid person, or shall apply any combination of the foregoing.

"'(2) With respect to payment to a person of less than the correct amount, the Secretary shall make payment of the balance of the amount due such underpaid person, or, if such person dies before payments are completed or before negotiating one or more checks representing correct payments, disposition of the amount due shall be made under regulations prescribed by the Secretary in such order of priority as he determines will best carry out the purposes of this title.'

"(b) Section 204(b) of such Act is amended to read as follows:

"'(b) In any case in which more than the correct amount of payment has been made, there shall be no adjustment of payments to, or recovery by the United States from, any person who is without fault if such adjustment or recovery would defeat the purpose of this title or would be against equity and good conscience.'"

On page 322, after line 13, to insert a new section, as follows:

"PAYMENTS TO TWO OR MORE INDIVIDUALS OF THE SAME FAMILY

"Sec. 330. Section 205(n) of the Social Security Act is amended to read as follows:

"'(n) The Secretary may, in his discretion, certify to the Managing Trustee any two or more individuals of the same family for joint payment of the total benefits payable to such individuals for any month, and if one of such individuals dies before a check representing such joint payment is negotiated, payment of the amount of such unnegotiated check to the surviving individual or individuals may be authorized in accordance with regulations of the Secretary of the Treasury; except that appropriate adjustment or recovery shall be made under section 204(a) with respect to so much of the amount of such check as exceeds the amount to which such surviving individual or individuals are entitled under this title for such month.'"

On page 323, after line 5, to insert a new section, as follows:

"VALIDATING CERTIFICATES FILED BY MINISTERS

"Sec. 331. (a) Section 1402(e) of the Internal Revenue Code of 1954 (relating to certificates to waive tax on self-employment income in the case of ministers, members of religious orders, and Christian Science practitioners) is amended by striking out paragraphs (5) and (6) and inserting in lieu thereof the following:

"'(5) OPTIONAL PROVISION FOR CERTAIN CERTIFICATES FILED ON OR BEFORE APRIL 15, 1967.—Notwithstanding any other provision of this section, in any case where an individual has derived earnings in any taxable year ending after 1954 from the performance of service described in subsection (c)(4), or in subsection (c)(5) insofar as it related to the performance of service by an individual in the exercise of his profession as a Christian Science practitioner, and has reported such earnings as self-employment income on a return filed on or before the due date prescribed for filing such return (including any extension thereof)—

"'(A) a certificate filed by such individual on or before April 15, 1965, which (but for this subparagraph) is ineffective for the first taxable year ending after 1954 for which such a return was filed shall be effective for such first taxable year and for all succeeding taxable years, provided a supplemental certificate is filed by such individual (or a fiduciary acting for such individual or his estate, or his survivor within the meaning of section 205(c)(1)(C) of the Social Security Act) after the date of enactment of this paragraph and on or before April 15, 1967, and

"'(B) a certificate filed after the date of enactment of this paragraph and on or before April 15, 1967, by a survivor (within the meaning of section 205(c)(1)(C) of the Social Security Act) of such an individual who died on or before April 15, 1965, may be effective, at the election of the person filing such a certificate, for the first taxable year ending after 1954 for which such a return was filed and for all succeeding years,

but only if—

"'(i) the tax under section 1401 in respect to all such individual's self-employment income (except for underpayments of tax attributable to errors made in good faith), for each such year described in subparagraphs (A) and (B), is paid on or before April 15, 1967, and

"'(ii) in any case where refund has been made of any such tax which (but for this paragraph) is an overpayment, the amount refunded (including any interest paid under section 6611) is repaid on or before April 15, 1967.

The provisions of section 6401 shall not apply to any payment or repayment described in this paragraph.'"

"(b) In the case of a certificate or supplement certificate filed pursuant to section 1402(e)(5) of the Internal Revenue Code—

"(1) for purposes of computing interest the due date for the payment of the tax under section 1401 of such Code which is due for any taxable year solely by reason of the filing of a certificate which is effective under such section 1402(e)(5) shall be April 15, 1967;

"(2) for purposes of section 6501 of such Code, the statutory period for the assessment of any tax for any taxable year for which tax is due solely by reason of the filing of such certificate shall not expire before April 16, 1970; and

"(3) for purposes of section 6651 of such Code (relating to addition to tax for failure to file tax return), the amount of tax required to be shown on the return shall not include tax under section 1401 of such Code which is due for any taxable year solely by reason of the filing of a certificate which is effective under section 1402(e)(5).

"(c) Notwithstanding any provision of section 205(c)(5)(F) of the Social Security Act, the Secretary of Health, Education, and Welfare may conform, before April 16, 1970, his records to tax returns or statements of earnings which constitute self-employment income solely by reason of the filing of a certificate which is effective under section 1402(e)(5) of such Code.

"(d) The amendments made by this section shall be applicable (except as otherwise specifically provided therein) only to certificates with respect to which supplemental certificates are filed pursuant to section 1402(e)(5)(A) of such Code after the date of the enactment of this Act, and to certificates filed pursuant to section 1402(e)(5)(B) after such date; except that no monthly benefits under title II of the Social Security Act for the month in which this Act is enacted or any prior month shall be payable or increased by reason of such amendments, and no lump-sum death payment under such title shall be payable or increased by reason of such amendments in the case of any individual who died prior to the date of the enactment of this Act. The provisions of section 1402(e) (5) and (6) of the Internal Revenue Code of 1954 which were in effect before the date of enactment of this Act shall be applicable with respect to any certificate filed pursuant thereto before such date if a supplemental certificate is not filed with respect to such certificate as provided in this section."

On page 327, after line 6, to insert a new section, as follows:

"DETERMINATION OF ATTORNEYS' FEES IN COURT PROCEEDINGS UNDER TITLE II

"SEC. 332. The heading of section 206 of the Social Security Act is amended to read "REPRESENTATION OF CLAIMANTS". Such section is further amended by inserting "(a)" after "SEC. 206." and by adding at the end of such section the following new subsection:

" '(b) (1) Whenever a court renders a judgment favorable to a claimant who was represented before the court by an attorney, the court may determine and allow as part of its judgment a reasonable fee for such representation, not in excess of 25 percent of the total of the past due benefits to which the claimant is entitled by reason of such judgment, and the Secretary may, notwithstanding the provisions of section 205(i), certify the amount of such fee for payment to such attorney out of, and not in addition to, the amount of such past-due benefits. In case of any such judgment, no other fee may be payable or certified for payment for such representation except as provided in this paragraph.

" '(2) Any attorney who charges, demands, receives, or collects for services rendered in connection with proceedings before a court to which paragraph (1) is applicable any amount in excess of that allowed by the court thereunder shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500, or imprisonment for not more than one year, or both.' "

On page 328, after line 7, to insert a new section, as follows:'

"CONTINUATION OF WIDOW'S AND WIDOWER'S INSURANCE BENEFITS AFTER REMARRIAGE

"SEC. 333. (a) (1) Subsection (e) of section 202 of the Social Security Act, as amended by section 308 of this Act, is amended by adding at the end thereof the following new paragraph:

" '(4) If a widow, after attaining the age of 60, marries an individual (other than one described in subparagraph (A) or (B) of paragraph (3)), such marriage shall, for purposes of paragraph (1), be deemed not to have occurred; except that, notwithstanding the provisions of paragraph (2) and subsection (q), such widow's insurance benefit for the month in which such marriage occurs and each month thereafter prior to the month in which the husband dies or such marriage is otherwise terminated, shall be equal to 50 per centum of the primary insurance amount of the deceased individual on whose wages and self-employment income such benefit is based.'

"(2) Paragraph (2) of such subsection, as amended by section 307 of this Act, is further amended by inserting before the comma "and paragraph (4) of this subsection".

"(b) (1) Subsection (f) of such section is amended by adding at the end thereof the following new paragraph:

" '(5) If a widower, after attaining the age of 62, marries an individual (other than one described in subparagraph (A) or (B) of paragraph (4)), such marriage shall, for purposes of paragraph (1), be deemed not to have occurred; except that, notwithstanding the provisions of paragraph (3) such widower's insurance benefit for the month in which such marriage occurs and each month thereafter prior to the month in which the wife dies or such marriage is otherwise terminated, shall be equal to 50 per centum of the primary insurance amount of the deceased individual on whose wages and self-employment income such benefit is based.'

"(2) Paragraph (3) of such subsection is amended by striking out 'Such' and inserting in lieu thereof 'Except as provided in paragraph (5), such'.

"(c) (1) Paragraph (2) (B) of subsection (k) of such section 202 is amended by inserting '(other than an individual to whom subsection (e) (4) or (f) (5) applies)' after 'Any individual' and by adding at the end thereof the following new sentence: 'Any individual who is entitled for any month to more than one widow's or widower's insurance benefit to which subsection (e) (4) or (f) (5) applies shall be entitled to only one such benefit for such month, such benefit to be the largest of such benefits.'.

"(2) Paragraph (3) of such subsection is amended by inserting '(A)' after '(3)' and by adding at the end thereof the following new subparagraph:

" '(B) If an individual is entitled for any month to a widow's or widower's insurance benefit to which subsection (e) (4) or (f) (5) applies and to any other monthly insurance benefit under section 202 (other than an old-age insurance benefit), such other insurance benefit for such month, after any reduction under subparagraph (A), any reduction under subsection (q), and any reduction under section 203(a), shall be reduced, but not below zero, by an amount equal to such widow's or widower's insurance benefit after any reduction or reductions under such subparagraph (A) and such section 203(a).'

"(d) The amendments made by this section shall apply with respect to monthly insurance benefits under section 202 of the Social Security Act beginning with the second month following the month in which this Act is enacted; but, in the case of an individual who was not entitled to a monthly insurance benefit under section 202 (e) or (f) of such Act for the first month following the month in which this Act is enacted, only on the basis of an application filed in or after the month in which this Act is enacted."

On page 331, after line 5, to insert a new section, as follows:

"CHANGES IN DEFINITIONS OF WIFE, WIDOWS, HUSBAND, AND WIDOWER

"SEC. 334. (a) Section 216(b) of the Social Security Act, as amended by section 306 of this Act, is amended by striking out 'or' at the end of clause (3) (A), and by inserting immediately before the period at the end thereof the following: ', or (C) was entitled to, or upon application therefor and attainment of the required age (if any) would have been entitled to, a widow's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended'.

"(b) Section 216(c) of such Act, as amended by section 306 of this Act, is amended by striking out 'or' at the end of clause 6(A), and by inserting immediately before the period at the end thereof the following: ', or (C) she was entitled to, or upon application therefor and attainment of the required age (if any) would have been entitled to, a widow's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended'.

"(c) Section 216(f) of such Act, as amended by section 306 of this Act, is amended by striking out 'or' at the end of clause (3) (A), and by inserting immediately before the period at the end thereof the following: ', or (C) he was entitled to, or upon application therefor and attainment of the required age (if any) he would have been entitled to, a widower's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended'.

"(d) Section 216(g) of such Act, as amended by section 306 of this Act, is amended by striking out 'or' at the end of clause (6) (A), and by inserting immediately before the period at the end thereof the following: ', or (C) he was entitled to, or on application therefor and attainment of the required age (if any) he would have been entitled to, a widower's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended'.

"(e) Section 202(c) (2) is amended by striking out 'or' at the end of subparagraph (A), by striking out the period at the end of subparagraph (B) and inserting in lieu thereof '; or', and by adding after such subparagraph (B) the following new subparagraph:

" '(C) in the month prior to the month of his marriage to such individual he was entitled to, or on application therefor and attainment of the required age (if any) would have been entitled to, a widower's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended.'

"(f) Section 202(f) (2) of such Act is amended by striking out 'or' at the end of subparagraph (A), by striking out the period at the end of subparagraph (B) and inserting in lieu thereof ': or', and by adding after such subparagraph (B) the following new subparagraph:

" '(C) in the month prior to the month of his marriage to such individual he was entitled to, or on application therefor and attainment of the required age (if any), would have been entitled to, a widower's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended.'

"(g) The amendments made by this section shall be applicable only with respect to monthly insurance benefits under title II of the Social Security Act beginning with the second month following the month in which this Act is enacted, but only on the basis of applications filed in or after the month in which this Act is enacted."

At the top of page 334, to insert a new section, as follows:

"REDUCTION OF BENEFITS ON RECEIPT OF WORKMEN'S COMPENSATION

"SEC. 335. Effective with respect to benefits under title II of the Social Security Act for months after December 1965 which are based on applications filed after December 1965, section 224 of such Act is amended to read as follows:

" 'REDUCTION OF BENEFITS BASED ON DISABILITY ON ACCOUNT OF RECEIPT OF WORKMEN'S COMPENSATION

" 'SEC. 224. (a) If for any month prior to the month in which an individual attains the age of 62—

" '(1) such individual is entitled to benefits under section 223, and

" '(2) such individual is entitled for such month, under a workmen's compensation law or plan of the United States or a State, to periodic benefits for a total or partial disability (whether or not permanent), and the Secretary has, in a prior month, received notice of such entitlement for such month, the total of his benefits under section 223 for such month and of any benefits under section 202 for such month based on his wages and self-employment income shall be reduced (but not below zero) by the amount by which the sum of—

"'(3) such total of benefits under sections 223 and 202 for such month and

"'(4) such periodic benefits payable (and actually paid) for such month to such individual under the workmen's compensation law or plan,

exceeds the higher of—

"'(5) 80 per centum of his "average current earnings", or

"'(6) the total of such individual's disability insurance benefits under section 223 for such month and of any monthly insurance benefits under section 202 for such month based on his wages and self-employment income, prior to reduction under this section.

In no case shall the reduction in the total of such benefits under sections 223 and 202 for a month reduce such total below the sum of—

"'(7) the total of the benefits under sections 223 and 202, after reduction under this section, with respect to all persons entitled to benefits on the basis of such individual's wages and self-employment income for such month which were determined for such individual and such persons for the first month for which reduction under this section was made (or which would have been so determined if all of them had been so entitled in such first month), and

"'(8) any increase in such benefits with respect to such individual and such persons, before reduction under this section, which is made effective for months after the first month for which reduction under this section is made.

For purposes of clause (5), an individual's average current earnings means the larger of (A) the average monthly wage used for purposes of computing his benefits under section 223, or (B) one-sixtieth of the total of his wages and self-employment income for the five consecutive calendar years after 1950 for which such wages and self-employment income were highest.

"'(b) If any periodic benefit under a workmen's compensation law or plan is payable on other than a monthly basis (excluding a benefit payable as a lump sum except to the extent that it is a commutation of, or a substitute for, periodic payments), the reduction under this section shall be made at such time or times and in such amounts as the Secretary finds will approximate as nearly as practicable the reduction prescribed by subsection (a).

"'(c) Reduction of benefits under this section shall be made after any reduction under subsection (a) of section 203, but before deductions under such section and under section 222(b).

"'(d) The reduction of benefits required by this section shall not be made if the workmen's compensation law or plan under which a periodic benefit is payable provides for the reduction thereof when anyone is entitled to benefits under this title on the basis of the wages and self-employment income of an individual entitled to benefits under section 223.

"'(e) If it appears to the Secretary that an individual may be eligible for periodic benefits under a workmen's compensation law or plan which would give rise to reduction under this section, he may require, as a condition of certification for payment of any benefits under section 223 to any individual for any month and of any benefits under section 202 for such month based on such individual's wages and self-employment income, that such individual certify (i) whether he has filed or intends to file any claim for such periodic benefits, and (ii) if he has so filed, whether there has been a decision on such claim. The Secretary may, in the absence of evidence to the contrary, rely upon such a certification by such individual that he has not filed and does not intend to file such a claim, or that he has so filed and no final decision thereon has been made, in certifying benefits for payment pursuant to section 205(i).

"'(f)(1) In the second calendar year after the year in which reduction under this section in the total of an individual's benefits under section 223 and any benefits under section 202 based on his wages and self-employment income was first required (in a continuous period of months), and in each third year thereafter, the Secretary shall redetermine the amount of such benefits which are still subject to reduction under this section; but such redetermination shall not result in any decrease in the total amount of benefits payable under this title on the basis of such individual's wages and self-employment income. Such redetermined benefit shall be determined as of, and shall become effective with, the January following the year in which such redetermination was made.

"'(2) In making the redetermination required by paragraph (1), the individual's average current earnings (as defined in subsection (a)) shall be deemed to be the product of his average current earnings as initially determined under subsection (a) and the ratio of (i) the average of the taxable wages of all persons for whom taxable wages were reported to the Secretary for the first calendar quarter of the calendar year in which such redetermination is made, to (ii) the average of the taxable wages of such persons reported to the Secretary for the first calendar quarter of the taxable year in which the reduction was first computed (but not counting any reduction made in benefits for a previous period of disability). Any amount determined under the preceding sentence which is not a multiple of $1 shall be reduced to the next lower multiple of $1.

"'(g) Whenever a reduction in the total of benefits for any month based on an individual's wages and self-employment income is made under this section, each benefit, except the disability insurance benefit, shall first be proportionately decreased, and any excess of such reduction over the sum of all such benefits other than the disability insurance benefit shall then be applied to such disability insurance benefit.'"

On page 339, after line 6, to insert a new section, as follows:

"FACILITATING DISABILITY DETERMINATIONS

"SEC. 336. (a) Subsection (b) of section 221 of the Social Security Act is amended by inserting before the period at the end thereof ', other than individuals referred to in subsection (g)(4)'.

"(b) Subsection (g) of such section 221 is amended to read as follows:

"'(g) In the case of—

"'(1) individuals in a State which has no agreement under subsection (b),

"'(2) individuals outside the United States,

"'(3) any class or classes of individuals not included in an agreement under subsection (b), and

"'(4) any individual with respect to whom the Secretary, in accordance with regulations prescribed by him, finds that a determination of disability or of the day on which a disability ceased may be made (A) on the evidence furnished by or on behalf of such individual from sources of information as to examination and treatment which are designated by such individual, or (B) on the evidence of remunerative work activities performed by such individual,

the determinations referred to in subsection (a) shall be made by the Secretary in accordance with regulations prescribed by him.'

"(c) The amendments made by subsections (a) and (b) shall take effect in any State which has an agreement with the Secretary under section 221 of such Act when the Secretary finds that the implementation of section 221(g)(4) of such Act can be effectuated with respect to individuals in such State without impeding the efficient administration of the disability insurance program of such Act in such State."

On page 340, after line 13, to insert a new section, as follows:

"PAYMENT OF COSTS OF REHABILITATION SERVICES FROM THE TRUST FUNDS

"SEC. 337. Section 222 of the Social Security Act is amended by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and by inserting after subsection (a) the following new subsection:

"'COSTS OF REHABILITATION SERVICES FROM TRUST FUNDS

"'(b)(1) For the purpose of making vocational rehabilitation services more readily available to disabled individuals who are—

"'(A) entitled to disability insurance benefits under section 223, or

"'(B) entitled to child's insurance benefits under section 202(d) after having attained age 18 (and are under a disability),

to the end that savings will result to the Trust Funds as a result of rehabilitating the maximum number of such individuals into productive activity, there are authorized to be transferred from the Trust Funds such sums as may be necessary to enable the Secretary to pay the costs of vocational rehabilitation services for such individuals (including (i) services during their waiting periods, and (ii) so much of the expenditures for the administration of any State plan as is attributable to carrying out this subsection); except that the total amount so made available pursuant to this subsection in any fiscal year may not exceed 1 percent of the benefits under section 202(d) for children who have attained age 18 and are under a disability or under section 223, which were certified for payment in the preceding year. The selection of individuals (including the order in which they shall be selected) to receive such services shall be made in accordance with criteria formulated by the Secretary which are based upon the effect the provision of such services would have upon the Trust Funds.

"'(2) In the case of each State which is willing to do so, such vocational rehabilitation services shall be furnished under a State plan for vocational rehabilitation services which—

"'(A) has been approved under section 5 of the Vocational Rehabilitation Act,

"'(B) provides that, to the extent funds provided under this subsection are adequate for the purpose, such services will be furnished, to any individual in the State who meets the criteria prescribed by the Secretary pursuant to paragraph (1), with reasonable promptness and in accordance with the order of selection determined under such criteria, and

"'(C) provides that such services will be furnished to any individual without regard to (i) his citizenship or place of residence, (ii) his need for financial assistance except as provided in regulations of the Secretary in the case of maintenance during rehabilitation, or (iii) any order of selection followed under the State plan pursuant to section 5 (a)(4) of the Vocational Rehabilitation Act.

"'(3) In the case of any State which does not have a plan which meets the requirements of paragraph (2), the Secretary may provide such services by agreement or contract with other public or private agencies, organizations, institutions, or individuals.

"'(4) Payments under this subsection may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"'(5) Money paid from the Trust Funds under this subsection to pay the cost of providing services to individuals who are entitled to benefits under section 223 (including services during their waiting periods), or who are entitled to benefits under section 202(d) on the basis of the wages and self-employment income of such individuals shall be charged to the Federal Disability Insurance Trust Fund, and all other money paid out from the Trust Funds under this subsection shall be charged to the Federal Old-Age and Survivors Insurance Trust Fund. The Secretary shall determine according to such methods and procedures as he may deem appropriate—

" '(A) the total cost of the services provided under this subsection, and

" '(B) subject to the provisions of the preceding sentence, the amount of such cost which should be charged to each of such Trust Funds.

" '(6) For the purposes of this subsection the term "vocational rehabilitation services" shall have the meaning assigned to it in the Vocational Rehabilitation Act, except that such services may be limited in type, scope, or amount in accordance with regulations of the Secretary designed to achieve the purposes of this subsection.' "

At the top of page 344, to insert a new section, as follows:

"TEACHERS IN THE STATE OF MAINE

"Sec. 338. (a) Section 316 of the Social Security Amendments of 1958 is amended by striking out 'July 1, 1966' and inserting in lieu thereof 'July 1, 1970'.

"(b) The amendment made by this section shall be effective as of July 1, 1965."

After line 6, to insert a new section, as follows:

"MODIFICATION OF AGREEMENT WITH NORTH DAKOTA AND IOWA WITH RESPECT TO CERTAIN STUDENTS

"Sec. 339. Notwithstanding any provision of section 218 of the Social Security Act, the agreements with the States of North Dakota and Iowa entered into pursuant to such section may, at the option of the State, be modified so as to exclude service performed in any calendar quarter in the employ of a school, college, or university if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university and if the remuneration for such service is less than $50. Any modification of either of such agreements pursuant to this Act shall be effective with respect to services performed after an effective date specified in such modification, except that such date shall not be earlier than the date of enactment of this Act."

At the top of page 345, to insert a new section, as follows:

"QUALIFICATION OF CHILDREN NOT QUALIFIED UNDER STATE LAW

"Sec. 340. (a) Section 216(h) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

" '(3) An applicant who is the son or daughter of a fully or currently insured individual, but who is not (and is not deemed to be) the child of such insured individual under paragraph (2), shall nevertheless be deemed to be the child of such insured individual if:

" '(A) in the case of an insured individual entitled to old-age insurance benefits (who was not, in the month preceding such entitlement, entitled to disability insurance benefits)—

" '(i) such insured individual—

" '(I) has acknowledged in writing that the applicant is his son or daughter,

" '(II) has been decreed by a court to be the father of the applicant, or

" '(III) has been ordered by a court to contribute to the support of the applicant because the applicant is his son or daughter.

and such acknowledgment, court decree, or court order was made not less than one year before such insured individual became entitled to old-age insurance benefits or attained age 65, whichever is earlier; or

" '(ii) such insured individual is shown by evidence satisfactory to the Secretary to be the father of the applicant and was living with or contributing to the support of the applicant at the time such insured individual became entitled to benefits or attained age 65, whichever first occurred;

" '(B) in the case of an insured individual entitled to disability insurance benefits, or who was entitled to such benefits in the month preceding the first month for which he was entitled to old-age insurance benefits—

" '(i) such insured individual—

" '(I) has acknowledged in writing that the applicant is his son or daughter,

" '(II) has been decreed by a court to be the father of the applicant, or

" '(III) has been ordered by a court to contribute to the support of the applicant because the applicant is his son or daughter,

and such acknowledgment, court decree, or court order was made before such insured individual's most recent period of disability began; or

" '(ii) such insured individual is shown by evidence satisfactory to the Secretary to be the father of the applicant and was living with or contributing to the support of that applicant at the time such period of disability began;

" '(C) in the case of a deceased individual—

" '(i) such insured individual—

" '(I) had acknowledged in writing that the applicant is his son or daughter,

" '(II) had been decreed by a court to be the father of the applicant, or

" '(III) had been ordered by a court to contribute to the support of the applicant because the applicant was his son or daughter,

and such acknowledgment, court decree, or court order was made before the death of such insured individual, or

" '(ii) such insured individual is shown by evidence satisfactory to the Secretary to have been the father of the applicant, and such insured individual was living with or contributing to the support of the applicant at the time such insured individual died.'

"(b) Section 202(d) of such Act is amended by inserting after '216(h)(2)(B)' the following: 'or section 216(h)(3)'.

"(c) The amendments made by subsections (a) and (b) shall be applicable with respect to monthly insurance benefits under title II of the Social Security Act beginning with the second month following the month in which this Act is enacted but only on the basis of an application filed in or after the month in which this Act is enacted."

On page 348, after line 11, to insert a new section, as follows:

"EMPLOYEES OF MEMBERS OF AFFILIATED GROUP OF CORPORATIONS

"Sec. 341. (a) Paragraph (1) of section 3121(a) of the Internal Revenue Code of 1954 (relating to definition of wages) is amended by striking out the semicolon at the end thereof and inserting in lieu thereof a period and the following: 'If during any calendar year an employer which is a member of an affiliated group (as defined in section 1504(a), but determined without regard to sections 1504 (b) and (c)) employs an individual who during such calendar year, and prior to the employment of such individual by such member, was an employee of another member of such affiliated group, then, for the purpose of determining whether such member has paid remuneration (other than remuneration referred to in the succeeding paragraphs of this subsection) with respect to employment equal to $6,600 to such individual during such calendar year, any remuneration (other than remuneration referred to in the succeeding paragraphs of this subsection) with respect to employment paid (or considered under this paragraph as having been paid) to such individual by such other member of such affiliated group during such calendar year, and prior to the employment of such individual by such member, shall be considered as having been paid by such member;'.

"(b) The amendment made by subsection (a) shall apply only with respect to remuneration paid after 1965."

On page 357, after line 9, to insert:

"(c) Section 1006 of the Social Security Act (as amended by section 221 of this Act) is amended by adding at the end thereof the following new sentence: 'Such term also includes payments which are not included within the meaning of such term under the preceding sentence, but which would be so included except that they are made on behalf of such a needy individual to another individual who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such needy individual, but only with respect to a State whose State plan approved under section 1002 includes provision for—

" '(1) determination by the State agency that such needy individual has, by reason of his physical or mental condition, such inability to manage funds that making payments to him would be contrary to his welfare and, therefore, it is necessary to provide such aid through payments described in this sentence;

" '(2) making such payments only in cases in which such payments will, under the rules otherwise applicable under the State plan for determining need and the amount of aid to the blind to be paid (and in conjunction with other income and resources), meet all the need of the individuals with respect to whom such payments are made;

" '(3) undertaking and continuing special efforts to protect the welfare of such individual and to improve, to the extent possible, his capacity for self-care and to manage funds;

" '(4) periodic review by such State agency of the determination under paragraph (1) to ascertain whether conditions justifying such determination still exist, with provision for termination of such payments if they do not and for seeking judicial appointment of a guardian or other legal representative, as described in section 1111, if and when it appears that such action will best serve the interests of such needy individual; and

" '(5) opportunity for a fair hearing before the State agency on the determination referred to in paragraph (1) for any individual with respect to whom it is made.'

"(d) Section 1405 of the Social Security Act (as amended by section 221 of this Act) is amended by adding at the end thereof the following new sentence: 'Such term also includes payments which are not included within the meaning of such term under the preceding sentence, but which would be so included except that they are made on behalf of such a needy individual to another individual who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such needy individual, but only with respect to a State whose State plan approved under section 1402 includes provision for—

" '(1) determination by the State agency that such needy individual has, by reason of his physical or mental condition, such inability to manage funds that making payments to him would be contrary to his welfare and, therefore, it is necessary to provide such aid through payments described in this sentence;

" '(2) making such payments only in cases in which such payments will, under the rules otherwise applicable under the State plan for determining need and the amount of aid to the permanently and totally disabled to be paid (and in conjunction with other income and resources), meet all the need of the individuals with respect to whom such payments are made;

"'(3) undertaking and continuing special efforts to protect the welfare of such individual and to improve, to the extent possible, his capacity for self-care and to manage funds;

"'(4) periodic review by such State agency of the determination under paragraph (1) to ascertain whether conditions justifying such determination still exist, with provision for termination of such payments if they do not and for seeking judicial appointment of a guardian or other legal representative, as described in section 1111, if and when it appears that such action will best serve the interests of such needy individual; and

"'(5) opportunity for a fair hearing before the State agency on the determination referred to in paragraph (1) for any individual with respect to whom it is made.'"

On page 360, line 16, at the beginning of the line, strike out "(c)" and insert "(e)"; in line 21, after the word "Aged", to insert "Blind, and Disabled"; on page 361, after line 7, to strike out:

"(b) Effective January 1, 1966, section 1602(a) (14) of such Act is amended by striking out 'of the first $50 per month of earned income the State agency may, after December 31, 1962, disregard not more than the first $10 thereof plus one-half of the remainder' and inserting in lieu thereof the following: 'of the first $80 per month of earned income the State agency may disregard not more than the first $20 thereof plus one-half of the remainder'."

And in lieu thereof, to insert:

"(b) Effective January 1, 1966, section 1402(a) (8) of such Act is amended by inserting after the semicolon at the end thereof the following: 'except that, in making such determination, (A) of the first $80 per month of earned income the State agency may disregard not more than the first $20 thereof plus one-half of the remainder, and (B) the State agency may, for a period not in excess of 36 months, disregard such additional amounts of other income and resources, in the case of an individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan, but only with respect to the part or parts of such period during substantially all of which he is actually undergoing vocational rehabilitation:'.

"(c) Effective January 1, 1966, section 1602(a) (14) of such Act is amended to read as follows:

"'(14) provide that the State agency shall, in determining need for aid to the aged, blind, or disabled, take into consideration any other income and resources of an individual claiming such aid, as well as any expenses reasonably attributable to the earning of any such income; except that, in making such determination with respect to any individual—

"'(A) if such individual is blind, the State agency (i) shall disregard the first $85 per month of earned income plus one-half of earned income in excess of $85 per month, and (ii) shall, for a period not in excess of 12 months, and may, for a period not in excess of 36 months, disregard such additional amounts of other income and resources, in the case of any such individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan,

"'(B) if such individual is not blind but is permanently and totally disabled, (i) of the first $80 per month of earned income, the State agency may disregard not more than the first $20 thereof plus one-half of the remainder, and (ii) the State agency may, for a period not in excess of 36 months, disregard such additional amounts of other income and resources, in the case of any such individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan, but only with respect to the part or parts of such period during substantially all of which he is actually undergoing vocational rehabilitation, and

"'(C) if such individual has attained age 65 and is neither blind nor permanently and totally disabled, of the first $80 per month of earned income the State agency may disregard not more than the first $20 thereof plus one-half of the remainder; and'."

On page 364, line 16, after the word "title" and the period, to strike out "Upon" and insert "Within 30 days after"; on page 365, line 4, after the word "after", to strike out "notice" and insert "it has been notified"; in line 13, after the word "Secretary", to strike out "unless substantially contrary to the weight of the evidence" and insert "if supported by substantial evidence"; in line 21, after the word "conclusive", to strike out "unless substantially contrary to the weight of the evidence", and insert "if supported by substantial evidence"; on page 366, line 10, after "(a)", to strike out "or (b)"; on page 370, line 6, after "(10)" to insert "and (11) (D)"; in line 7, after "(13)", to insert "and"; in line 10, after the word "such", to strike out "Act, any amount paid to any individual under title 11 of such Act, for months prior to the month in which payment of such amount is received, to the extent that such payment is", and insert "Act, any amount paid to any individual under title II of such Act (or under the Railroad Retirement Act of 1937 by reason of section 326(a) of this Act), for any one or more months which occur after December 1964 and before the third month following the month in which this Act is enacted, to the extent that such payment is"; on page 371, after line 16, to strike out:

"TECHNICAL AMENDMENTS TO ELIMINATE PUBLIC ASSISTANCE PROVISIONS WHICH BECOME OBSOLETE IN 1967

"SEC. 408. (a) Except as provided in subsection (l) (2), the amendments made by this section shall become effective July 1, 1967.

"(b) (1) The heading of title I of the Social Security Act is amended by striking out 'and medical assistance for the aged'.

"(2) The first sentence of section 1 of such Act is amended to read as follows: 'For the purpose (a) of enabling each State, as far as practicable under the conditions in such State, to furnish financial assistance to aged needy individuals, and (b) of encouraging each State, as far as practicable under the conditions in such State, to furnish rehabilitation and other services to help such individuals to attain or retain capability for self-care, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title.'

"(3) The second sentence of section 1 of such Act is amended by striking out ', or for medical assistance for the aged, or for old-age assistance and medical assistance for the aged'.

"(4) The heading of section 2 of such Act is amended by striking out 'and medical'.

"(5) So much of section 2(a) of such Act as precedes paragraph (1) is amended by striking out ', or for medical assistance for the aged, or for old-age assistance and medical assistance for the aged'.

"(6) Section 2(a) (9) of such Act is amended by striking out 'assistance for or on behalf of' and inserting in lieu thereof 'assistance to'.

"(7) Section 2(a) of such Act is further amended by striking out paragraphs (10) and (11) and inserting in lieu thereof the following:

"'(10) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming such assistance, as well as any expenses reasonably attributable to the earning of any such income; except that, in making such determination, of the first $80 per month of earned income the State agency may disregard not more than the first $20 thereof plus one-half of the remainder;

"'(11) include reasonable standards, consistent with the objectives of this title, for determining eligibility for and the extent of assistance under the plan;

"'(12) provide a description of the services (if any) which the State agency makes available to applicants for and recipients of assistance under the plan to help them attain self-care, including a description of the steps taken to assure, in the provision of such services, maximum utilization of other agencies providing similar or related services;'.

"(8) Section 2(a) of such Act is further amended by redesignating paragraphs (12) and (13) as paragraphs (13) and (14), respectively; and—

"(A) the paragraph so redesignated as paragraph (13) is amended—

"(i) by striking out 'or in behalf of' in the matter preceding clause (A), and

"(ii) by striking out 'section 3(a) (4) (A) (i) and (ii)' in clause (C) and inserting in lieu thereof 'section 3(a) (3) (A) (i) and (ii)'; and (B) the paragraph so redesignated as paragraph (14) is amended by striking out 'or in behalf of'.

"(9) Section 2(b) (2) of such Act is amended by striking out '(A) in the case of applicants for old-age assistance', and by striking out ', and (B) in the case of applicants for medical assistance for the aged, excludes any individual who resides in the State'.

"(10) Section 2(c) of such Act is repealed.

"(11) So much of section 3(a) (1) of such Act as precedes clause (A) is amended by striking out 'during each month of such quarter' and inserting in lieu thereof 'during such quarter', and by striking out '(including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and other insurance premiums for medical or any other type of remedial care or the cost thereof)'.

"(12) Section 3(a) (1) (A) of such Act is amended by striking out 'such month' where it first appears and inserting in lieu thereof 'any month', and by striking out '(which total number' and all that follows and inserting in lieu thereof '; plus'.

"(13) Section 3(a) (1) (B) of such Act is amended to read as follows:

"'(B) the Federal percentage (as defined in section 1101(a) (8)) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds the product of $75 multiplied by the total number of such recipients of old-age assistance for such month;'.

"(14) Section 3(a) (2) of such Act is amended to read as follows:

"'(2) in the case of Puerto Rico, the Virgin Islands, and Guam, an amount equal to one-half of the total of the sums expended during such quarter as old-age assistance under the State plan, not counting so much of any expenditure with respect to any month as exceeds $37.50 multiplied by the total number of recipients of old-age assistance for such month,'.

"(15) Section 3(a) (3) of such Act is repealed.

"(16) Section 3(a) (4) of such Act is redesignated as section 3(a) (3).

"(17) Section 3(a) (5) of such Act is redesignated as section 3(a) (4), and as so redesignated is amended by striking out 'paragraph (4)' and inserting in lieu thereof 'paragraph (3)'.

"(18) Section 3(c) of such Act is amended by striking out 'paragraph (4)' each place it appears and inserting in lieu thereof 'paragraph (3)', and by striking out 'paragraph (5)' and inserting in lieu thereof 'paragraph (4)'.

"(19) The heading of section 6 of such Act is amended by striking out 'Definitions' and inserting in lieu thereof 'Definition'.

"(20) The first sentence of section 6(a) of such Act (as amended by this Act) is amended—

"(A) by striking out '(a)',

"(B) by striking out ', or (if provided in or after the third month before the month in which the recipient makes application for assistance) medical care in behalf of or any type of remedial care recognized under State law in behalf of, ', and

"(C) by striking out 'or care in behalf of'.

"(21) Sections 6(b) and 6(c) of such Act are repealed.

"(c)(1) So much of section 403(a)(1) of such Act as precedes caluse (A) is amended by striking out '(including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and other insurance premiums for medical or any other type of remedial care or the cost thereof)'.

"(2) Section 403(a)(1)(A) of such Act is amended by striking out clauses (i), (ii), and (iii) and inserting in lieu thereof the following: '(i) the number of individuals with respect to whom such aid is paid for such month plus (ii) the number of other individuals with respect to whom payments described in section 406(b)(2) are made in such month and included as expenditures for purposes of this paragraph or paragraph (2))'.

"(3) Section 403(a)(2) of such Act is amended by striking out '(including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof)'.

"(4) So much of section 406(b) of such Act as precedes 'to meet the needs of the relative' where it first appears is amended to read as follows:

"'(b) The term "aid to families with dependent children" means money payments with respect to a dependent child or dependent children, and includes (1) money payments'.

"(5) Section 409(a) of such Act is amended by striking out '(other than for medical or any other type of remedial care)'

"(d)(1) So much of section 1003(a)(1) as precedes clause (A) is amended by striking out '(including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and other insurance premiums for medical or any other type of remedial care or the cost thereof)'.

"(2) Section 1003(1)(A) of such Act is amended by striking out '(which total number' and all that follows and inserting in lieu thereof '; plus'.

"(3) Section 1003(a)(2) of such Act is amended by striking out '(including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof)'.

"(4) Section 1006 of such Act is amended—

"(A) by striking out ', or (if provided in or after the third month before the month in which the recipient makes application for aid) medical care in behalf of or any type of remedial care recognized under State law in behalf of,', and

"(B) by striking out 'or care in behalf of'.

"(e)(1) So much of section 1403(a)(1) of such Act as precedes clause (A) is amended by striking out '(including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and other insurance premiums for medical or any other type of remedial care or the cost thereof)'.

"(2) Section 1403(a)(1)(A) of such Act is amended by striking out '(which total number' and all that follows and inserting in lieu thereof '; plus'.

"(3) Section 1403(a)(2) of such Act is amended by striking out '(including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof)'.

"(4) Section 1405 of such Act is amended—

"(A) by striking out ', or (if provided in or after the third month before the month in which the recipient makes application for aid) medical care in behalf of, or any type of remedial care recognized under State law in behalf of,', and

"(B) by striking out 'or care in behalf of'.

"(f)(1) The heading for title XVI of such Act is amended by striking out ', OR FOR SUCH AID AND MEDICAL ASSISTANCE FOR THE AGED'.

"(2) The first sentence of section 1601 of such Act is amended to read as follows: 'For the purpose (a) of enabling each State, as far as practicable under the conditions in such State, to furnish financial assistance to needy individuals who are 65 years of age or over, are blind, or are 18 years of age or over and permanently and totally disabled, and (b) of encouraging each State, as far as practicable under the conditions in such State, to furnish rehabilitation and other services to help such individuals to attain or retain capability for self-support or self-care, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title.'

"(3) The second sentence of section 1601 of such Act is amended by striking out ', or for aid to the aged, blind, or disabled and medical assistance for the aged'.

"(4) The heading for section 1602 of such Act is amended by striking out ', or for such aid and medical assistance for the aged'.

"(5) So much of section 1602(a) of such Act as precedes paragraph (1) is amended by striking out ', or for aid to the aged, blind, or disabled and medical assistance for the aged,'.

"(6) Section 1602(a) of such Act is further amended by striking out 'or assistance' wherever it appears in paragraphs (4), (8), (10), (11), and (13).

"(7) Section 1602(a)(9) of such Act is amended by striking out 'aid or assistance to or on behalf of' and inserting in lieu thereof 'aid to'.

"(8) Section 1602(a) of such Act is further amended by striking out paragraph (15), and by redesignating paragraphs (16) and (17) as paragraphs (15) and (16), respectively; and—

"(A) the paragraph so redesignated as paragraph (15) is amended—

"(i) by striking out 'or in behalf of' in the matter preceding clause (A), and

"(ii) by striking out 'section 1603(a)(4)(A) (i) and (ii)' in clause (C) and inserting in lieu thereof 'section 1603(a)(3)(A) (i) and (ii)'; and

"(B) the paragraph so redesignated as paragraph (16) is amended by striking out 'or in behalf of'.

"(9) The last sentence of section 1602(a) of such Act is amended by striking out '(or for aid to the aged, blind, or disabled and medical assistance for the aged)'.

"(10) Section 1602(b) of such Act is amended—

"(A) by striking out 'or assistance',

"(B) by striking out '(A) in the case of applicants for aid to the aged, blind, or disabled', and

"(C) by striking out ', and (B) in the case of applicants for medical assistance for the aged, excludes any individual who resides in the State'.

"(11) The last sentence of section 1602(b) of such Act is amended by striking out '(or for aid to the aged, blind, or disabled and medical assistance for the aged)' wherever it appears.

"(12) Section 1602(c) of such Act is repealed.

"(13) So much of section 1603(a)(1) as precedes clause (A) is amended by striking out 'during each month of such quarter' and inserting in lieu thereof 'during such quarter', and by striking out '(including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and other insurance premiums for medical or any other type of remedial care or the cost thereof)'.

"(14) Section 1603(a)(1)(A) of such Act is amended by striking out 'such month' where it first appears and inserting in lieu thereof 'any month', and by striking out '(which total number' and all that follows and inserting in lieu thereof '; plus'.

"(15) Section 1603(a)(1)(B) of such Act is amended to read as follows:

"'(B) the Federal percentage (as defined in section 1101(a)(8)) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds the product of $75 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such month;'.

"(16) Section 1603(a)(2) of such Act is amended to read as follows:

"(2) in the case of Puerto Rico, the Virgin Islands, and Guam, an amount equal to one-half of the total of the sums expended during such quarter as aid to the aged, blind, or disabled under the State plan, not counting so much of any expenditure with respect to any month as exceeds $37.50 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such month;'.

"(17) Section 1603(a)(3) of such Act is repealed.

"(18) Section 1603(a)(4) of such Act is redesignated as section 1603(a)(3), and as so redesignated is amended by striking out 'or assistance' wherever it appears.

"(19) Section 1603(a)(5) of such Act is redesignated as section 1603(a)(4), and as so redesignated is amended by striking out 'paragraph (4)' and inserting in lieu thereof 'paragraph (3)'.

"(20) Section 1603(b)(3) of such Act is amended by striking out 'or assistance' wherever it appears.

"(21) Section 1603(c) of such Act is amended by striking out 'paragraph (4)' wherever it appears and inserting in lieu thereof 'paragraph (3)', and by striking out 'paragraph (5)' and inserting in lieu thereof 'paragraph (4)'.

"(22) The first sentence of section 1605 (a) of such Act (as amended by this Act) is amended—

"(A) by striking out '(a)',

"(B) by striking out ', or (if provided in or after the third month before the month in which the recipient makes application for aid) medical care in behalf of or any type of remedial care recognized under State law in behalf of,', and

"(C) by striking out 'or care in behalf of' each place it appears.

"(23) Section 1605(b) of such Act is repealed.

"(g)(1) Section 1902(a)(20)(C) of such Act is amended by striking out 'section 3(a)(4)(A) (i) and (ii) or section 1603(a)(4)(A) (i) and (ii)' and inserting in lieu thereof 'section 3(a)(3)(A) (i) and (ii) or section 1603(a)(3)(A) (i) and (ii)'.

"(2) Section 1903(a)(3)(A)(i) of such Act is amended by striking out 'section 3(a)(4)' and inserting in lieu thereof 'section 3(a)(4)'.

"(h) Section 618 of the Revenue Act of 1951 is amended by striking out '(other than section 3(a)(3) thereof)' and '(other than section 1603(a)(3) thereof'."

On page 384, after line 18, to insert:

"TECHNICAL AMENDMENTS RELATING TO PUBLIC ASSISTANCE PROGRAMS"

At the beginning of line 21, to strike out "(i)(1)" and insert "Sec. 408. (a)"; after line 22, to strike out:

"(A) by striking out '(other than section 3(a)(3) thereof)' and '(other than section 1603(a)(3) thereof)';"

On page 385, at the beginning of line 1, to strike out "(B)" and insert "(1)"; at the beginning of line 5, to strike out "(C)" and insert "(2)"; at the beginning of line 9, to strike out "(D)" and insert "(3)"; at the beginning of line 13, to strike out "(2)" and insert "(b)"; in the same line, after the word "by", to strike out "paragraphs (1)(B), (1)(C), and (1)(D)" and insert "subsection (a)"; at the beginning of line 18, to strike out "approved, or beginning on or after July 1, 1967, whichever is earlier", and insert "approved"; after line 19, to strike out:

"(j) Section 1109 of such Act is amended by striking out '2(a)(10)(A)' and inserting in lieu thereof '2(a)(10)'."

At the beginning of line 22, to strike out "(k)(1)" and insert "(c)(1)"; on page 386, at the beginning of line 1, to strike out "(1)" and insert "(d)"; after line 4, to insert:

"OPTOMETRISTS' SERVICES

"Sec. 409. Notwithstanding any other provisions of the Social Security Act, whenever payment is authorized for services which an optometrist is licensed to perform, the beneficiary shall have the freedom to obtain the services of either a physician skilled in diseases of the eye or an optometrist, whichever he may select."

After line 11, to insert:

"ELIGIBILITY OF CHILDREN OVER AGE 18 ATTENDING SCHOOL

"Sec. 410. Clause (2)(B) of section 406(a) of the Social Security Act is amended by striking out 'attending a high school in pursuance of a course of study leading to a high school diploma or its equivalent,' and inserting in lieu thereof 'attending a school, college, or university,'."

After line 18, to insert:

"DISREGARDING CERTAIN EARNINGS IN DETERMINING NEED OF CERTAIN DEPENDENT CHILDREN

"Sec. 411. Effective July 1, 1965, so much of clause (7) of section 402(a) of the Social Security Act as follows the first semicolon is amended by inserting after 'except that, in making such determination,' the following: '(A) the State agency may disregard not more than $50 per month of earned income of each dependent child under the age of 18 but not in excess of three in the same home, and (B)'."

Mr. JAVITS. Mr. President, I wish to ask the Senator another question, with relation to prescribed drugs. Was that subject considered by the committee? The Senator is familiar with my amendment.

Mr. LONG of Louisiana. Yes; it was.

Mr. JAVITS. Could the Senator give us the rationale for the committee's action?

Mr. LONG of Louisiana. It was felt by the committee and also by the Department of Health, Education, and Welfare that drugs so far as they were the type of drugs that the Department felt would be appropriate and of therapeutic value for use by the patient should be provided to persons who are in hospitals and also to persons who are in nursing homes. However, it would cost a great amount of money. In many instances, it would be subject to debate as to whether the Government should pay for drugs which, while not harmful to the people, might not necessarily be of benefit or of any therapeutic value.

Aged people take many drugs which, so far as we know, have no detrimental effect on them. However, we do not know that they do them any good. Some of the drugs are of psychological value to the aged people. I am thinking of the pink pills that we hear about which doctors give to people. When the people take these pink pills, they feel a lot better. However, all that the person is taking is a little sugar inside of the pill.

Many drugs are taken habitually by people. It is part of the general cost of living. This amendment would greatly increase the cost of the measure if it were included in the bill.

Mr. JAVITS. Mr. President, my amendment relates only to prescription drugs. These are subject to control by regulation of the Department. It would only affect the voluntary health care part of the bill. It would increase the amount contributed by the Federal Government and by the individual in the amount of 75 cents a month, each. However, it would also represent actuarial savings for the individual.

The committee may have had good reason for its action. I am merely relating the facts to the Senator. It would represent an actuarial saving for the individual of 25 percent of his health cost. Unfortunately—and, here, I know that I enlist the sympathy of the Senator, though he may not be in agreement with me on the amendment—we are dealing with a very high item of expense for the older people—prescription drugs.

A most beneficent effect may result from including prescription drugs in the bill and the supplementary coverage by virtue of the fact that it would have a tendency to hold down the cost, if nothing else, of cortisone and other drugs which are rather high priced items. This constitutes one of the real problems involved in medical care for the aged. We have been faced with the problem since 1949. As a matter of fact, the Senator from Kentucky [Mr. Morton], who is in the Chamber at present, was interested in the first bill which was introduced in the House of Representatives in 1949 dealing with this subject.

With regard to the relationship between the amount of cost to the Government and the tremendous part of the health care cost for the aged which could be covered, the merits of the amendment are apparent. I wonder why the committee felt that they could not go along with this amendment.

Mr. LONG of Louisiana. I feel sure that we shall do something about drugs at some later time, if we fail to do it in this bill. However, it is difficult to keep an accurate account or record of what medication people get in the drugstores on a week-to-week or month-to-month basis.

We would also have the problem that many drugs are common use drugs. The aged people could get the common use drugs under their health insurance and pass them on to other members of their family. For various and sundry reasons, and many of them relate to the cost of the program, it was felt that we should not include drugs outside the hospital at this time.

One reason that the drugs cost so much—and many of them cost 40 times what they ought to cost—is because of private patents on Government research. Drug firms get patents on drugs discovered under taxpayer-supported research. The Senator from Louisiana tried to do something about that a few days ago. I did not get much help from the Republican side of the aisle. However, I still hope that I shall be able to prevail at a later date and that we shall have drugs made available at a much lower cost. Many drugs are being sold at 40 times what they ought to sell for. Perhaps someday we can do something to make the drugs more competitive.

Mr. JAVITS. The Senator has been trying to have something done with regard to private patents on Government research, and I give him credit for his efforts. It is a very problematical thing as to what percentage of the drugs that would cover. However, I am confident that before we go home from this session, the Senator will have won his major point, which is that we should do something effective about this matter.

Mr. LONG of Louisiana. If we can do it in the field of health research, I shall be very satisfied. I just hope that we do not lose ground while we are trying to legislate in the area.

Mr. JAVITS. Mr. President, I am grateful that the Senator disclosed his position so frankly. It will help me in arguing the amendments dealing with factors which may influence the committee judgment.

Mr. LONG of Louisiana. Mr. President, I appreciate the interest of the Senator in the aged people of the country. The Senator is very consistent in this matter.

The Senator has advocated for many years that steps be taken in the health care field. I understand the Senator from New Mexico [Mr. Anderson] will speak on that today. The Senator from New Mexico has made a great contribution in this field, as has the Senator from Tennessee [Mr. Gore]. The Senator from Tennessee urged the basic legislation which was known as the Gore amendment in the previous Congress. We had the King-Anderson amendment in the Congress prior to that. It was the Senator from Tennessee who first prevailed in advocating the type of hospital plan provided for in this bill.

I look forward to working with the Senators in this matter and helping to get this legislation through the Senate. I know that the Senators will be extremely helpful in seeing that this measure will be passed by Congress.

Mr. JAVITS. The Senator very kindly brought to the attention of the Senate the fact that this fundamental plan is the one that has been approved by the Senate in both the name of the Senator from Tennessee and the name of the Senator from New Mexico. They were kind enough to include my name on that measure.

Tihs amendment represents an enormous advance over everything that has gone before, including—with the greatest respect—the plans recommended by our beloved and departed President, then Senator Kennedy, and by Congressman KING and Senator ANDERSON.

I can only express the hope that the insurance companies of America realize the tremendous responsibility that they are foregoing or forfeiting in not having come forward with an effective plan following the efforts of the Senator from Tennessee, the Senator from New Mexico, and myself.

I hope very much that we shall dedicate ourselves not only to the passage of the bill, of which I am in favor, but also to efforts to see that we obtain the cooperation of the insurance companies of America in its implementation. We are deferring its implementation in the supplementary part precisely for the reason that we expect, and have a right to expect, cooperation.

I hope very much that what has been, in my judgment, a grave default in business statesmanship will be remedied in the ensuing 6-month period provided for in the bill.

I am grateful to my colleague for yielding.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. Mr. President, I express my thanks to both the junior Senator from Louisiana and the senior Senator from New York. They have made me feel so good, after a restful Fourth of July, that I respectfully suggest to the leader that we adjourn until 10 o'clock tomorrow morning in order to deal with the many amendments that have been submitted.

Mr. LONG of Louisiana. Mr. President, if we could obtain consent for the committees to meet, I would have no objection to the request.

Mr. JAVITS. Mr. President, I reserve the right to object—I shall not object.

Mr. ANDERSON. Mr. President, the bill now before the Senate, which has been so ably described by the distinguished Senator from Louisiana, will do much to give new meaning to the remaining years of millions of older Americans. The proposed comprehensive program of health insurance for older people alone represents a tremendous stride forward toward making economic security in old age a reality for the great majority of Americans.

It is appropriate that we are acting on the proposed legislation on the eve of the 30th anniversary of the original social security legislation. That act, adopted a generation ago, held forth the hope that the people of the United States should no longer approach old age in fear that in their later years they would live in want and deprivation.

And social security has accomplished much. The needs that were most urgent in that time of the great depression have now been largely met. Most Americans can expect in old age at least a modest income which can support a life perhaps not of luxury but of independence and dignity.

Times change and improve, but with these changes arise new challenges, new problems. The challenge facing this and future generations of older Americans is the fear that the heavy cost of illness or accident in old age will wipe out savings, threaten ownership of a home, and, after a lifetime of independence, force the aged to ask for help from public assistance or private charity, or to become dependent on their children. This is a threat for which only very few are now able to prepare.

Thomas Jefferson once said:

> Laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times.

Our favorable action on the urgently needed legislation pending before this body will demonstrate once again that the American Government has the ingenuity, the vitality, and the will to act to provide a good way of life for the people of our country when private measures are of no avail.

I am particularly pleased to have been permitted to play a part over the past several years in the development of the health insurance provisions in H.R. 6675 and to have been able to contribute to the great discussion and debate that has centered around the proposal.

I can recall very well the legislative climate during the latter part of the 1950's, in 1960, and in 1961, when I first introduced my bills for a so-called health care program. Only a small minority of the Finance Committee and the Senate supported the measure at the beginning of that period. At the time, we had surprisingly little detailed and completely authenticated information about the financial situation and health costs of older people. Furthermore, the ideas involved in the plan were new and unfamiliar to many. As we made the findings of new studies known and as the ideas in the plan were studied, we gained more and more supporters.

CONCLUSIONS FROM YEARS OF STUDY

Today, Mr. President, there is no longer any real issue over the burden health costs impose on the aged. In fact, over the long period that the proposal has been under consideration, the issue of whether further Government action is needed has been virtually eliminated. Agreement on these points is virtually unanimous.

It is no longer argued, for example, that older people can afford to pay for needed health cost protection. Careful study has verified what we who first supported the plan already believed. Studies revealed that almost one-half the aged have insufficient income to meet the typical public assistance budget. Well over one-half of the aged do not have enough income to live at the level of what the Bureau of Labor Statistics refers to as a "modest but adequate" budget for retired people. Careful analysis has also revealed that about one-half of the aged could not live within this minimal budget even if they were to convert all their assets and savings to a lifetime income. Nor has the financial situation of the elderly improved and eliminated all their difficulties as some who opposed past proposals have hoped and predicted.

I can also recall the arguments advanced by those who believed that the health-cost problem faced by the aged could be met through expanded public assistance provisions. Many Senators no doubt recall that when the 1960 Kerr-Mills legislation was discussed in this Chamber, the chief proponent of the proposal expressed the belief that its enactment would benefit 10 million older Americans—well over one-half the aged at that time—that all medical care costs of this group would be fully covered, and that all this would happen in a matter of months.

Nearly 5 years of experience has shown that the cost of adequate medical assistance programs for even the most needy aged is beyond the capacity of the States without the availability of health insurance such as we are now about to enact. Ten States even today have yet failed to begin Kerr-Mills programs. Most of the older people who have benefited from the Kerr-Mills legislation were in the very poorest 10 percent of the aged, who were totally indigent and met all the requirements for old-age assistance. And even for the few who are helped, the scope of care available is often very limited despite the fact that the needy have nowhere else to turn.

Moreover, 5 years of experience with the Kerr-Mills legislation has made it crystal clear that, no matter how well designed and administered, that program is subject to the same serious inherent limitations as any other public assistance program. To people it symbolizes loss of independence and self-support because it requires avowal of failure. Moreover, public assistance has certain basic defects which make it ineffective as the major device for meeting the problem of the high health costs of the aged. The chief defect is that assistance programs do not prevent dependency—they can deal with it only after it has occurred.

Over the period of years since hearings were first held on the social security hospital insurance proposal, the ability of private health insurance to modify its provisions to meet the health insurance needs of the elderly has been tested. Senators will recall that when hearings on health insurance for the aged were conducted in the other body in 1959, certain opponents estimated that three-quarters of the older Americans who need and want health insurance would have protection by 1965. Today, only a little over one-half of the elderly have health insurance in any form. The number of aged people without any health insurance is nearly as large today as it was in 1959. And perhaps one older person in 20 has insurance covering as much as two-fifths of his health costs.

The years have piled up evidence in support of the social security hospital insurance proposal—for each passing year has brought with it new and more dramatic proof that:

First. The elderly generally have such modest financial resources that the great majority can neither afford the costs of expensive illness nor the costs of adequate insurance against those costs.

Second. That, because of their high health costs and for other reasons, adequate health insurance has been and continues to be out of the reach of most older people.

Third. That medical assistance for the aged and other forms of public assistance are not acceptable solutions to the problems the great majority of the elderly face at one time or another after retirement in meeting their high health costs.

Fourth. That the sound and practical solution is to add health insurance protection to the social security cash benefits. This approach—which is embodied in the bill now before us and in S. 1, the bill I introduced at the beginning of this Congress—would enable people to contribute to the cost of this protection while they work; when they reach age 65, they would have hospital insurance protection as an earned right without need to make further payments after retirement.

ACCEPTANCE OF QUALITY SAFEGUARDS

Mr. President, it is also a source of great satisfaction to me to see the widespread acceptance of many provisions of the proposed hospital insurance that were originally controversial. Particularly, I am pleased that the interest in quality of care paid for under the program has, over the years, won the endorsement of the health professions.

It was not long ago, Mr. President, that the idea of incorporating quality safeguards into the definitions of the institutions that participate in the proposed program was an issue. The idea of having participating hospitals maintain utilization committees, for example, was sometimes irresponsibly attacked even though it was favored by the experts in the field. Today, this requirement for the participation of hospitals in the proposed program is a valued feature of the proposal. It has been widely applied and where not already applied is being endorsed for near future application to avoid unneeded hospital use. Provision for utilization review mechanisms in hospitals would keep Government out of the business of reviewing hospital care by placing responsibility for hospital utilization where it belongs—with the hospital's own medical staff.

The idea of utilization review in hospitals is endorsed now by both the American Medical Association and the American Osteopathic Association. It is the growing knowledge that these are provisions that must be supported, and in fact have been supported and applied in many areas already, that accounts for the fact that responsible opposition to the provision for utilization review in the proposed hospital insurance has largely disappeared. The bill, even prior to its enactment, has had very valuable results in terms of improvements in the content of private health insurance, medical assistance, and even in quality of care—in nursing homes, for example.

In this very bill, the knowledge developed through considerations of our health insurance bills that there are ways to protect the aged against unsafe conditions has resulted in provisions to include safeguards to avoid having public assistance operate in such a way as to encourage the continued operation of programs that perpetuate unsafe nursing homes and other substandard institutions.

SUPPLEMENTARY MEDICAL INSURANCE

The addition of a voluntary supplementary insurance plan to the basic hospital insurance plan with costs kept low by means of Federal financial participation would assure all older persons will have access to good insurance against the cost of physicians' services and other health services.

While the proposed programs of basic and supplementary protection would, in combination, provide relatively complete coverage, there still would be ample opportunity for continuing growth of the private effort in the health insurance field, since the 90 percent of the population who are under 65 would not be covered by the proposed programs. Furthermore, some older people would want health benefits in addition to these provided under the two proposed programs. The Health Insurance Association has reported that supplementary insurance to the aged covering the costs of such items as drugs and private duty nursing will be offered.

MEDICAL ASSISTANCE IMPROVEMENTS

The third resource that the bill would bring into play in solving the problems caused by high health costs in old age is public assistance. The bill would make a number of improvements in the assistance provisions which, together with the two health insurance plans, would enable the medical assistance program to be more effective in the role most appropriate for it—that is, it would enable the medical assistance effort to be focused more successfully on the relatively small number of the aged whose nursing home needs or other circumstances are such that they will be unable to meet their health costs through a combination of social and private insurance and individual savings.

SOCIAL SECURITY APPROACH

But of primary importance is acceptance of the proposition that social insurance is the key to the solution to the problem of financing health costs in old age. The social security approach—and only such an approach—provides assurance that practically everyone will have needed hospital insurance protection in old age as an earned right. Under social insurance, people are able to pay toward the basic health insurance protection they will need in old age at the time of life when they can best afford to do so—when they are working and earning.

It is fitting that this Nation should choose social insurance to assist its citizens in financing the high health costs that come with advancing years. For social insurance places its emphasis on that characteristic which distinguishes our free democratic society from others—dignity of the individual. Social insurance rests on the principle that we Americans prize—that each should so far as possible pay his own way and be beholden to no one. In accordance with this principle benefits are paid to each as a consequence of his contributions. The system we chose to protect ourselves and our families against the financial consequences of old age, disability or death is based on this concept and naturally we turn to it again for a solution to the problem of financing health costs in old age.

CONCLUSION

Mr. President, I mentioned at the beginning of my statement that shortly we will celebrate the 30th anniversary of the signing of the Social Security Act. For millions of Americans, with that one stroke of the pen, insecurity and fear were transformed into hope, and poverty and hunger were transformed into a decent life. But the job which America set out to do in 1935 is not yet done. At that time Franklin Roosevelt said:

> This law represents a cornerstone in a structure which is being built, but which is by no means complete.

As one who had the privilege of knowing Franklin Delano Roosevelt and understanding in some measure his hopes, dreams and aspirations for the social security program, I think I can say this bill is not only destined to become one of the most important contributions to security in old age but also a major element to completing the structure he had in mind when the social security law was enacted 30 years ago. We would be unfaithful to that historic achievement if we did not look beyond the accomplishments of the past and struggle to fulfill the potential of the American society.

I urge my colleagues to join in voting for passage of H.R. 6675.

DIFFERENCES IN THE BILL

Mr. President, in January, 44 Senators joined me in introducing S. 1, the omnibus social security measure, which included a provision for health insurance for the aged. It is a close relative of H.R. 6675, the bill which the House passed in April, and of the measure which the Committee on Finance has reported and is now pending in the Senate.

To help Senators who may want to compare the differences in these three bills, I have had prepared by the Department of Health, Education, and Welfare a tabular summary comparison.

I ask unanimous consent to have it printed in the RECORD.

There being no objection, the summary comparison was ordered to be printed in the RECORD, as follows:

Summary comparison of provisions of S. 1 with H.R. 6675 as passed by the House of Representatives and as reported by the Senate Finance Committee

I. HEALTH INSURANCE PROVISIONS

S. 1	H.R. 6675 as passed by the House	H.R. 6675 as reported by the Senate Finance Committee
	Brief description	
Provides a program of hospital insurance for the aged financed through increased social security contributions.	Provides two coordinated health insurance programs for the aged: (1) A basic hospital insurance program financed through a special payroll tax; and (2) a voluntary supplementary insurance program financed through premium payments from participants and matching payments from Federal general revenues.	Same as House bill.
	Eligibility	
Hospital insurance: All people 65 and over entitled to monthly OASI or railroad retirement benefits would be eligible.	Same provision as S. 1.	Same provision as House bill.
Also, persons not eligible for such monthly benefits who reach 65 before 1968, or reach 65 after 1967 and have 3 quarters of OASI coverage for each year elapsing after 1965 and before age 65, would be eligible—excluding persons who are or could have been enrolled in a health benefits plan under the Retired Federal Employees Health Benefits Act (which covers employees who retired before July 1960) or under the Federal Employees Health Benefits Act of 1959 (which covers primarily active employees). Also excludes aliens with less than 10 years of continuous residence and subversives.	Similar to S. 1 but does not exclude persons who are or could have enrolled in plans under the Retired Federal Employees Health Benefits Act.	Similar to House bill but does not exclude persons who could have been but are not enrolled in a plan under the Federal Employees Health Benefits Act of 1959—excludes only those actually enrolled.
Supplementary insurance: No provision.	All people age 65 and over who are residents of the United States and who are citizens or lawfully admitted to permanent residence would be eligible to enroll.	Similar to House bill, but adds requirement that aliens must have resided continuously in United States for 10 years immediately preceding application for enrollment.
	Benefits	
Hospital insurance program: 1. Inpatient hospital services for up to 60 days in each spell of illness, with a deductible equal to the average cost of 1 day of care. Excludes physicians' service except those of interns and residents under approved teaching programs and certain specialists' services—in the field of pathology, radiology, physiatry, or anesthesiology. Excludes services in tuberculosis and psychiatric hospitals.	1. Differs from S. 1 in that physicians' services in the four specialty fields would be excluded; services in tuberculosis hospitals would be covered; deductible would be $40 (increased if necessary, but no earlier than 1969, to keep pace with increases in hospital costs).	1. Similar to House bill, but increases to 120 the number of days for which inpatient hospital services would be covered; adds provision for patient to share in the cost of each day of hospital care after the 60th day through a $10 coinsurance payment for each such day; provides coverage of services furnished in both tuberculosis and psychiatric hospitals.
2. Posthospital extended care services (in facility which has a transfer agreement with a hospital) for up to 60 days in a spell of illness.	2. Up to 20 days covered, plus an additional 2 days of services (up to a maximum of 80 additional days) for each unused day of inpatient hospital services.	2. Up to 100 days covered; patient would share in the cost of each day of extended care services after 20th day through a $5 coinsurance payment for each such day; no provision for substituting days of posthospital extended care for days of inpatient hospital services, as in House bill. Coinsurance payments in 1 and 2, above, represent one-fourth and one-eighth, respectively, of inpatient hospital deductible and would increase when deductible increases.
3. Home health services—Intermittent nursing care, therapy, part-time home health aid services, services of interns and residents under approved teaching program of hospital with which home health agency is affiliated furnished in patient's residence under plan established by physician, for up to 240 visits per calendar year.	3. Similar to S. 1, but coverage is on a posthospital basis, for up to 100 visits in the year after hospital discharge. Patient must be homebound except that he could be taken to a hospital, extended-care facility or home health agency to receive services requiring equipment that cannot readily be taken to patient's home.	3. Similar to House bill, but coverage is for up to 175 visits.
4. Outpatient hospital diagnostic services, as required, but subject to a deductible equal to average cost of one-half day of inpatient hospital care for services furnished within 30-day period.	4. Similar to S. 1, except that deductible would be $20 (subject to increase as in 1 above) for each diagnostic study, i.e., services furnished in a 20-day period by the same hospital. Deductible could be credited against inpatient hospital deductible if hospitalization (in the same hospital) follows within 20 days.	4. Similar to H.R. 6675, but eliminates provision for crediting outpatient deductible against inpatient hospital deductible; provides instead for outpatient deductible paid by patient to be counted as a reimbursable expense under the supplementary insurance plan; provides for payment by the program of 80 percent rather than 100 percent of outpatient hospital diagnostic costs above the deductible amount, the remainder to be paid by the patient.
Supplementary insurance program: No provision.	Payment of 80 percent of reasonable charges or cost, as provided, above a $50 annual deductible, for physicians' services, inpatient psychiatric hospital services up to 60 days in a spell of illness (180-day lifetime limit), home health services up to 100 visits during a calendar year, and a variety of special medical and other health services. Effective date: July 1, 1966.	Similar to House bill, except that inpatient psychiatric hospital services would be covered under the basic hospital insurance plan, rather than the supplementary plan. Effective date: January 1, 1967.

Summary comparison of provisions of S. 1 with H.R. 6675 as passed by the House of Representatives and as reported by the Senate Finance Committee—Continued

I. HEALTH INSURANCE PROVISIONS—continued

S. 1	H.R. 6675 as passed by the House	H.R. 6675 as reported by the Senate Finance Committee
	Complementary private insurance	
Nonprofit associations of private insurers would be authorized to develop and offer for sale to aged persons health benefits plans covering costs not met under the Government program—specifically, plans covering most of the costs of physicians' services. These activities of private insurers would be exempt from Federal and State antitrust laws.	No provision.	No provision.
	Costs	
Hospital insurance: Level cost of 1.21 percent of payroll estimated on basis of high cost assumptions used for H.R. 6675.	Level cost of 1.23 percent of payroll. About $2.26 billion for first year program in full operation (1967), plus $275 million from Federal general revenues for persons not entitled to monthly OASI or railroad retirement benefits.	Level cost of 1.32 percent of payroll. About $2.36 billion for first year program in full operation (1967), plus $285 million from Federal general revenues for persons not entitled to monthly OASI or railroad retirement benefits.
Supplementary Insurance: No provision.	For first year program in full operation (1967) if 80 percent of the eligible aged enrolled, about $840 million to $1.12 billion; if 95 percent of the eligible aged enrolled, about $995 million to $1.33 billion.	For first year program in full operation (1968) if 80 percent of eligible aged enrolled, about $830 million to $1 billion; if 95 percent of the eligible aged enrolled, about $985 million to $1.19 billion.
	Financing	
Hospital insurance program: By allocating to a separate hospital insurance trust fund 0.60 percent of taxable wages under social security paid in 1966; 0.76 percent of taxable wages paid in 1967 and 1968; and 0.90 percent of taxable wages paid thereafter. Allocations of 0.45, 0.57, and 0.675 percent of self-employment income taxable under social security would be made, respectively, in the taxable years 1966, 1967–68, and 1969 and thereafter. Earnings base of $5,600.	By separate payroll taxes paid to a separate hospital insurance trust fund. Amount of earnings subject to tax would be same as for OASDI, $5,600 in 1966 rising to $6,600 in 1971. The contribution rate, the same for employees, employers, and self-employed persons, is based on estimates of cost which assume that the earnings base will not be increased above $6,600 and would be as follows: *Percent* 1966 .... 0.35 1967–72 .... .50 1973–75 .... .55 1976–79 .... .60 1980–86 .... .70 1987 and after .... .80	By separate payroll taxes paid to a separate hospital insurance trust fund. Amount of earnings subject to tax would be same as for OASDI, $6,600. The contribution rate, the same for employees, employers, and self-employed persons, is based on estimates of cost which assume that the earnings base will not be increased above $6,600, and would be as follows: *Percent* 1966 .... 0.325 1967–70 .... .50 1971–72 .... .55 1973–75 .... .60 1976–79 .... .65 1980–86 .... .75 1987 and after .... .85
Costs of paying benefits for persons not entitled to monthly OASI or railroad retirement benefits financed from Federal general revenues.	Same provision.	Same provision.
Authorizes Secretary of Treasury to require that W–2 forms show the proportion of the total social security tax withheld which is for financing hospital insurance.	Requires that W–2 forms show the proportion of the total payroll tax withheld which is for financing hospital insurance.	Same as House bill.
Supplementary insurance program: No provision.	By $3 a month premium payments from enrollees and matching amounts from Federal general revenues paid to a separate trust fund. Where enrollee is currently receiving monthly social security or railroad retirement benefits, the premiums would be deducted from his benefits.	Same as House bill except permits deduction of premium from Federal civil service benefits.
	Administration	
Hospital insurance: The Secretary of HEW would be authorized to use appropriate State agencies and private organizations to assist in administration. State agencies under an agreement would be used to determine and certify eligibility of providers to participate. Hospitals and other providers of services could nominate public agencies or private organizations to receive and pay bills in lieu of dealing directly with Government. Secretary could delegate additional administrative functions to designated organizations.	Similar to S. 1. Differs mainly in that Secretary required to use State agencies in determining eligibility of providers of services to participate.	Same as provision of House bill.
Supplementary insurance: No provision.	Under the Secretary of HEW who would be required, to the extent possible, to contract with carriers to carry out the major administrative functions relating to the medical aspects of the program such as determining rates of payments and holding and disbursing funds for benefit payments.	The Secretary would be authorized to enter into contracts with carriers and, with respect to functions involving payment for physicians' services, the Secretary would be required, to the extent possible, to enter into such contracts.

***Summary comparison of provisions of S. 1 with H.R. 6675 as passed by the House of Representatives and as reported by the Senate Finance Committee*—Continued**

I. HEALTH INSURANCE PROVISIONS—continued

S. 1	H.R. 6675 as passed by the House	H.R. 6675 as reported by the Senate Finance Committee
	Income tax deduction provisions	
No provision.	**The provision in the income tax law which limits medical expense deductions to amounts in excess of 3 percent of adjusted gross income for persons under 65 would be reinstituted for persons 65 and over. A special deduction (applicable to taxpayers of all ages who itemize deductions) of one-half of premiums paid for medical expense insurance (including certain premiums paid before age 65 for such insurance effective after reaching age 65) would be added. Such special deduction could not exceed $250 per year.**	**No substantive provision.**

II. OASDI PROVISIONS

Amendment	S. 1	H.R. 6675 as passed by the House	H.R. 6675 as reported by the Senate Finance Committee
1. Benefit increase	7 percent	7 percent; $4 minimum in PIA	7 percent; $4 minimum in PIA.
2. Contribution base	1966, $5,600	1966, $5,600; 1971, $6,600	1966, $6,600.
3. Payment of limited benefits to certain aged people	No	Yes	Yes.
4. Continuation of child's benefits beyond age 18 while attending school.	No	Yes	Yes.
5. Actuarially reduced benefits for widows at age 60	No	Yes	Yes.
6. Benefits for divorced wife or widow	No	Yes	Yes.
7. Liberalization of retirement test	No	Yes, $1 for $2 to $2,400; $1 for $1 above $2,400.	Yes, $1,800 exempt amount; $1 for $2 to $3,000; $1 for $1 above $3,000.
8. Exclusion of royalties on works copyrighted before age 65 from retirement test.	No	Yes	Yes.
9. Coverage of physicians	Yes, for taxable years ending after 1965.	Yes, for taxable years ending after 1965.	Yes, effective for taxable years ending on or after Dec. 31, 1965.
10. Coverage of tips	Yes, as wages plus withholding for income-tax purposes.	Yes, as wages plus withholding for income-tax purposes.	Yes, as self-employment income.
11. Addition of Alaska and Kentucky to States that may cover State and local employees under divided retirement system provision.	Yes	Yes	Yes, but deletes Kentucky.
12. Extension of period for electing coverage by State and local employees whose group was covered under the divided retirement system provision.	Yes	Yes	Yes.
13. Coverage of certain hospital employees in California	Yes	Yes	Yes.
14. Reopening of special provision giving Maine until July 1, 1970 (rather than July 1, 1965), to treat teaching and nonteaching employees who are in the same retirement system as though they were under separate retirement systems.	No	No	Yes.
15. Permit Iowa and North Dakota to modify their agreements to exclude services performed by students, including services already covered, in the employ of a school, college, or university in any calendar quarter if the remuneration for such services is less than $50.	No	No	Yes.
16. Additional retroactive coverage of nonprofit organizations, and validation of coverage of certain employees of such organizations.	No	Yes	Yes, but gives employees to whom additional retroactive coverage is applicable an individual choice of such coverage.
17. Permit employees whose wages were erroneously reported by a nonprofit organization during the period the organization's waiver certificate was in effect to validate such erroneously reported wages.	No	No	Yes.
18. Permits social security credit to be obtained for the earnings of certain ministers who died or filed waiver certificates before Apr. 16, 1965, where such earnings were reported for social security purposes but cannot be credited under present law.	No	No	Yes.
19. Coverage of certain employees of the District of Columbia.	No	Yes	Yes.
20. Increase in gross income in determining net income of farmers.	No	Yes	Yes.
21. Exemption from social security of certain religious sects.	No	Yes	Yes.
22a. Elimination of the indefinite duration requirement from the definition of disability.	No	Yes	Yes.
22b. Worker eligible for disability benefits if totally disabled for 6 months.	No	Yes	No.
22c. Worker eligible for disability benefits if impairment expected to result in death or has lasted or expected to last 12 months.	No	No	Yes.
22d. Payment of rehabilitation services for beneficiaries from trust funds.	No	No	Yes.
22e. SSA to make certain disability determinations	No	No	Yes.
22f. Disability benefits offset	No	No	Yes.
22g. Payment of benefits to children disabled before reaching age 22.	No	No	Yes.
22. Extension of life of application for social security benefits.	No	No	Yes.
23. Payment of a benefit for the 6th month of disability	No	Yes	No.
24. Payment of benefits for 2d disabilities without regard to waiting period only if 1st period lasted at least 18 months.	No	Yes	No.
25. Payment of disability benefits after entitlement to other monthly benefits.	No	Yes	Yes.
26. Extension of period for filing proof of support and for lump-sum death payment.	Yes	Yes	Yes.
27. Adoption of child by retired worker	No	Yes	Yes.
28. Timing of future advisory councils	Yes	Schedules next council report for 1970 and every 5th year thereafter.	Yes, as passed by House.

***Summary comparison of provisions of S. 1 with H.R. 6675 as passed by the House of Representatives and as reported by the Senate Finance Committee*—Continued**

II. OASDI PROVISIONS—continued

Amendment	S. 1	H.R. 6675 as passed by the House	H.R. 6675 as reported by the Senate Finance Committee
29. Preservation of railroad retirement coordination	Yes	Yes	Yes.
30. Disability insurance trust fund allocation	0.67 percent of wages; 0.4875 percent of self-employment income.	0.75 percent of wages; 0.5625 percent of self-employment income.	0.70 percent of wages; 0.525 percent of self-employment income.
31. Reimbursement for military service credits	Yes	Yes	Yes.
32. Frequency of trustees' meetings	Permits trustees to meet annually rather than every 6 months.	Yes	Yes.
33. Additional executive positions in DHEW	No	No	Yes, 1 Under Secretary and 2 Assistant Secretaries.

34a. Tax rates (OASDI):

[In percent]

Calendar years	Employee and employer, each	Self-employed	Employee and employer, each	Self-employed	Employee and employer, each	Self-employed
1965						
1966–67	4.25	6.4	4.0	6.0	3.85	5.8
1968	5.0	7.5	4.0	6.0	3.85	5.8
1969–70	5.0	7.5	4.4	6.6	4.45	6.7
1971 and after	5.2	7.8				
1971–72			4.4	6.6	4.45	6.7
1973 and after			4.8	7.0	4.90	7.0

34b. Tax rates (hospital):

Calendar years	Employee and employer, each	Self-employed	Employee and employer, each	Self-employed	Employee and employer, each	Self-employed
1966			0.35	0.35	0.325	0.325
1967–70			.50	.50	.50	.50
1971–72			.50	.50	.55	.55
1973–75			.55	.55	.60	.60
1976–79			.60	.60	.65	.65
1980–86			.70	.70	.75	.75
1987 and after			.80	.80	.85	.85

Amendment	S. 1	H.R. 6675 as passed by the House	H.R. 6675 as reported by the Senate Finance Committee
35. Broadens definition of child to include illegitimate child of worker without regard to State law.	No	No	Yes.
36. Automatic annual recomputation	Yes	Yes	Yes.
37. Exception to 1-year duration-of-marriage requirement extended to spouse who had actual or potential entitlement under Railroad Retirement Act.			
38. Benefits (50 percent of PIA) based on prior spouse's earnings would be payable to widows (age 60 or over) and widowers (age 62 or over) who remarry.	No	No	Yes.
39. Authorize survivor of joint benefit check to cash check.	No	No	Yes.
40. Facilitate adjustment of overpayments and underpayments.	No	No	Yes.
41. Authorize court to set a reasonable fee for attorneys who successfully represent claimants for social security benefits.	No	No	Yes.

III. PUBLIC ASSISTANCE PROVISIONS

Amendment	S. 1	H.R. 6675 as passed by the House	H.R. 6675 as reported by the Senate Finance Committee
1. Improvement and extension of Kerr-Mills program	No	Yes	Yes.
2. Prohibition removed on Federal participation in assistance to aged TB and mental institution patients.	Yes	Yes	Yes.
3. Federal matching share of assistance increased	Yes	Yes	Yes.
4. Liberalization of earnings which may be disregarded in determining need of aged assistance recipients.	Yes	Yes	Yes. Provisions included for earnings exemptions for children and disabled.
5. Simultaneous payment of OAA and MAA for month OAA recipients enter or leave hospital or nursing home.	Yes	Yes	Yes.
6. Protective payment to 3d party for aged incompetents	Yes	Yes	Yes. Extended to blind and disabled.
7. Disregarding of part of social security benefits in determining need for public assistance.	No	Yes, but only to extent of retroactive benefit increase and for child's benefit beyond age 18 while in school.	Same as House-passed bill.
8. Administrative and judicial review of determinations	No	Yes	Yes.
9. Maintenance of level of State assistance spending	No	Yes	Yes.

COMMITTEE MEETINGS DURING THE SESSION OF THE SENATE TOMORROW

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow until 1 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEATH OF HON. T. ASHTON THOMPSON, REPRESENTATIVE FROM LOUISIANA

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Resolution 443.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The legislative clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable T. ASHTON THOMPSON, a Representative from the State of Louisiana.

Resolved, That a committee of fourteen Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to.

Mr. LONG of Louisiana. Mr. President, I send to the desk Senate Resolution No. 126 and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The legislative clerk read as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. T. ASHTON THOMPSON, late a Representative from the State of Louisiana.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to.

The PRESIDING OFFICER. The Chair appoints the two Senators from Louisiana to represent the Senate at the funeral of the deceased.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, if there are no Senators who desire to make speeches at this time on this measure or others, I move, as a further mark of respect to the memory of the late Representative T. ASHTON THOMPSON, that the Senate stand in adjournment, until 10 o'clock tomorrow morning.

The motion was unanimously agreed to; and (at 4 o'clock and 30 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, July 7, 1965, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate July 6, 1965:

POSTMASTERS

I nominate the following-named persons to be postmasters:

ALABAMA

Gladys S. Coleman, Sawyerville, Ala., in place of J. B. May, retired.

ALASKA

Karol D. Nelson, Anchor Point, Alaska, in place of R. L. Rutt, resigned.

ARKANSAS

Thomas C. Barnett, Altheimer, Ark., in place of Janice Cobb, resigned.

CALIFORNIA

Michael J. Frazee, Anza, Calif., in place of D. G. Coonen, resigned.

Theodore J. Lehmann, Belvedere-Tiburon, Calif., in place of S. A. Ehrenfelt, retired.

James H. Fletcher, Cardiff-by-the-Sea, Calif., in place of L. J. Riley, retired.

Earl K. Morgan, Klamath, Calif., in place of M. D. Chaffey, retired.

Margaret M. Surges, Rodeo, Calif., in place of Robert LeBeuf, retired.

Anthony L. Medeiros, Sausalito, Calif., in place of Henry Heynen, retired.

Henry S. Wright, Susanville, Calif., in place of I. E. Lanigar, transferred.

Marylu Z. Giddings, Woodacre, Calif., in place of E. J. Covey, resigned.

COLORADO

Tad E. Collins, Minturn, Colo., in place of E. E. Owen, retired.

Lloyd E. Davis, Norwood, Colo., in place of A. J. Campbell, resigned.

CONNECTICUT

Anne C. Freeman, Lebanon, Conn., in place of V. P. Kelley, retired.

FLORIDA

Sally G. Sterner, Anna Maria, Fla., in place of F. I. Warttig, retired.

Warren W. Hartman, Jr., New Port Richey, Fla., in place of P. G. Mayer, retired.

GEORGIA

David E. McCollum, Armuchee, Ga., in place of J. C. White, retired.

Otis L. Overby, Fortson, Ga., in place of L. G. Fortson, deceased.

John T. Collins, Jr., Pelham, Ga., in place of S. W. Turner, retired.

HAWAII

Tom T. Morita, Kapaa, Hawaii, in place of K. K. Miyahira, resigned.

IDAHO

Donald B. Yancey, Moore, Idaho, in place of W. A. Jones, retired.

ILLINOIS

Henrietta E. Leischner, De Land, Ill., in place of Pearl Barnes, resigned.

James R. Ott, Hillsboro, Ill., in place of P. T. Hartline, deceased.

John A. Bennett, Kansas, Ill., in place of A. L. Sinclair, transferred.

Howard L. Roach, Kirkland, Ill., in place of G. R. Knappenberger, retired.

Floyd E. Lacey, Milton, Ill., in place of R. H. Keys, deceased.

G. Arnold Roquet, New Windsor, Ill., in place of J. Y. Shroyer, deceased.

Edna A. DeVoe, Shirland, Ill., in place of Josephine Katterhenry, retired.

INDIANA

Lowell F. Luking, Connersville, Ind., in place of R. P. Steele, retired.

Tom R. Brown, Hamlet, Ind., in place of D. E. Haley, retired.

Donald M. Gray, Kempton, Ind., in place of G. W. Gossard, retired.

Donell J. Emerson, Kendallville, Ind., in place of V. A. Burger, retired.

Philip L. Givan, Milan, Ind., in place of C. R. Nagel, retired.

Lionel H. Whitehead, Nabb, Ind., in place of C. C. King, retired.

Mary E. Nemyer, Selma, Ind., in place of N. R. Leeper, retired.

IOWA

Thomas A. Smith, Elma, Iowa, in place of Loretta Stapleton, retired.

Gene L. Tujetsch, Guttenberg, Iowa, in place of W. W. Jacobs, transferred.

Earl D. Fry, Kalona, Iowa, in place of H. L. Walker, deceased.

KENTUCKY

Edith I. Ruby, Chaplin, Ky., in place of N. M. Burns, retired.

LOUISIANA

Charles H. Tilley, Quitman, La., in place of C. B. Waldrip, transferred.

James F. Baxter, Ruston, La., in place of L. T. Pearce, retired.

MAINE

Arthur L. Reed, Brewer, Maine. Office established October 1, 1960.

Alvin G. Spicer, Limestone, Maine, in place of E. G. Chase, retired.

MASSACHUSETTS

Harry B. Eaton, Onset, Mass., in place of M. E. McLaughlin, retired.

MINNESOTA

Charles T. Appleby, Center City, Minn., in place of J. W. Rolig, transferred.

T. Wesley Lynne, Clarkfield, Minn., in place of Ingval Lynner, retired.

Gordon J. Powers, Dawson, Minn., in place of B. H. Swenson, retired.

George R. Kautio, South Haven, Minn., in place of Katherine Miller, retired.

John H. Vahle, Tracy, Minn., in place of C. W. Vahle, retired.

Frederick V. Lilleboe, Wendell, Minn., in place of I. B. Dybdal, retired.

MISSOURI

Swepson W. Krauss, Eldon, Mo., in place of H. L. Stephens, deceased.

Billy J. Riddle, Hamilton, Mo., in place of R. C. Hendren, retired.

Jesse E. Fairfax, La Monte, Mo., in place of E. R. Keller, retired.

Harold I. Beasley, Naylor, Mo., in place of R. P. Lane, retired.

Ray E. Forgey, Ozark, Mo., in place of E. W. Holt, transferred.

MONTANA

Milton M. Sloan, Whitefish, Mont., in place of G. W. Duffy, retired.

NEBRASKA

Lawrence E. Wozniak, Fullerton, Nebr., in place of B. J. Snyder, retired.

NEVADA

Ella I. McKay, Eureka, Nev., in place of J. D. Morrison, resigned.

NEW HAMPSHIRE

Alfred J. Collins, Salem, N.H. Office established May 10, 1963.

NEW JERSEY

Frances L. Weil, Essex Fells, N.J., in place of M. H. Merrill, retired.

Edward Klimowich, Montville, N.J., in place of Floyd Smith, retired.

Thomas E. Buckley, Roseland, N.J., in place of Smith Kennedy, retired.

Daniel J. Jordan, Rosenhayn, N.J., in place of Angelo Daurio, resigned.

Gordon M. Thomson, Tuckahoe, N.J., in place of M. R. Warren, retired.

Gerald L. Halpin, Vineland, N.J., in place of J. E. Lyons, retired.

NEW YORK

Leslie Landino, Atlanta, N.Y., in place of A. G. Snyder, deceased.

Jean N. Van Kleeck, Cragsmoor, N.Y., in place of N. C. S. Garritt, resigned.

Vito A Botticello, Irving, N.Y., in place of H. B. Goodell, retired.

Louis S. Rosenberg, Katonah, N.Y., in place of H. J. French, resigned.

Greta L. Miller, Mellenville, N.Y., in place of D. L. Walsh, retired.

Samuel J. Mitchell, Montauk, N.Y., in place of T. W. Cook, retired.

Michael J. Hanley, Jr., Newton Falls, N.Y., in place of I. M. DeGouff, retired.

David E Lee, Norwich, N.Y., in place of W. C. Hazard, retired.

Elbert S. Blakney, Pine Plains, N.Y., in place of G. R. Hunter, retired.

Elizabeth C. Hancock, Sanitaria Springs, N.Y., in place of B. E. Hatch, retired.

John F. Campion, Saranac Lake, N.Y., in place of T. P. Ward, retired.

Louis M. Trivisone, Staten Island, N.Y., in place of R. J. Johnson, retired.

John J. Cummings, Tonawanda, N.Y., in place of K. F. W. Mowitz, retired.

NORTH CAROLINA

Marvin F Shebester, Swepsonville, N.C., in place of E. K. Phillips, retired.

NORTH DAKOTA

Theodore C. Ochsner, Tuttle, N. Dak., in place of P. J. Thorne, retired.

OHIO

Donald E. Hickman, Amanda, Ohio, in place of L. A. Barr, retired.

Lucille I. Pasicka, Harrisburg, Ohio, in place of O. G. Spangler, retired.

Lee J. Lare, Venedocia, Ohio, in place of P. B. Miller, resigned.

OKLAHOMA

George P. Loch, Calvin, Okla., in place of R. G. Blackwell, retired.

Ira C. Guinn, Tryon, Okla., in place of E. H. Perrin, retired.

Ray H. Belitz, Wellston, Okla., in place of Sam Cunningham, retired.

OREGON

Milton C. Cobb, Estacada, Oreg., in place of C. W. Myers, retired.

Lincoln F. Swain, Reedsport, Oreg., in place of G. A. McCulloch, retired.

PENNSYLVANIA

Ruth J. Svilar, Armagh, Pa., in place of R. O. Trexler, retired.

Steve Dmetruk, Bessemer, Pa., in place of J. R. Stanlich, deceased.

Wayne L. Balthaser, Hamburg, Pa., in place of R. A. Rupp, retired.

Mary B. Defibaugh, New Kingstown, Pa., in place of M. S. Raudabaugh, retired.

Vivian L. Martin, Sheakleyville, Pa., in place of J. A. Gedeon, retired.

TEXAS

Faye W. Cate, Blackwell, Tex., in place of M. W. Steuart, retired.

Arduth B. Been, Carbon, Tex., in place of C. C. Gilbert, retired.

Jacobina P. Miller, Marathon, Tex., in place of Lizzie Crawford, retired.

Nonnie S. Kelley, Montgomery, Tex., in place of W. J. Smith, retired.

William E. Morrow, Stanton, Tex., in place of L. B. Eidson, retired.

Jack E. Berry, Overton, Tex., place of V. L. Naul, retired.

Stella C. Kidd, Winona, Tex., in place of N. B. Starnes, retired.

UTAH

David F. Parrish, Centerville, Utah, in place of H. D. Roberts, retired.

Michael D. Pavich, Midvale, Utah, in place of D. L. Warner, transferred.

David C. Weeks, Smithfield, Utah, in place of W. H. Hillyard, retired.

VIRGINIA

Earl C. Wise, Mount Crawford, Va., in place of W. R. Burgess, retired.

Wilbur I. Adams, State Farm, Va., in place of J. H. L. Parker, retired

WASHINGTON

Mary A. Lang, Cathlamet, Wash., in place of C. I. Wood, retired.

William H. Aaron, Oroville, Wash., in place of N. E. Petry, retired.

Raymond R. Branstrom, Stanwood, Wash., in place of Lars Sagen, retired.

WEST VIRGINIA

Wilbur R. Bond, Harpers Ferry, W. Va., in place of M. E. Marquette, retired.

Andrew W. Finely, New Martinsville, W. Va., in place of R. U. Duerr, resigned.

WISCONSIN

Leighton R. Reynolds, Elcho, Wis., in place of W. G. Williams, resigned.

Owen M. Haugom, Milton Junction, Wis., in place of L. E. Astin, retired.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 6, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this word of Scripture as a preface to his prayer: I Corinthians 2: 5: *That your faith should not stand in the wisdom of men, but in the power of God.*

Almighty God, as we bow in prayer, teach us to live always in the sense of Thy nearness and give us a greater trust in Thee, inclining our minds and hearts to live faithfully and reverently.

Grant that life may grow greater for those who have contempt for it, simpler for those who are confused by it, richer and more full of beauty and meaning for all of us.

We humbly acknowledge that we live in a world where we frequently become cynical, disappointed, and distraught and are tempted to walk in the twilight and follow Thee among the changes of time.

Help us to believe that if Thou dost clothe the wayside flower, so Thou wilt surely care for us and wilt fulfill in us, if we let Thee have Thy way, that ideal of beauty and love which lends dignity and divinity to our lives.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, July 2, 1965, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title in which the concurrence of the House is requested:

S. 602. An act to amend the Small Reclamation Projects Act of 1956.

PROGRAMS TO HELP OLDER PERSONS

Mr. DENT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H.R. 3708, an act to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration on Aging," with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 14, strike out all after line 24 over to and including line 3 on page 15 and insert:

"(c) The Secretary shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of section 303(a)(1) unless the Secretary has consulted with such State agency regarding such grant or contract."

Page 15, strike out all after line 22 over to and including line 2 on page 16 and insert:

"(c) The Secretary shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of section 303(a)(1) unless the Secretary has consulted with such State agency regarding such grant or contract."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, reserving the right to object, am I correct in assuming that all amendments to the bill added in conference or by the other body are germane to the bill?

Mr. DENT. Yes. The only change made in this particular bill was that the Senate put into the bill that the Department of Health, Education, and Welfare must consult with the appropriate agency in the State on any program.

Mr. GROSS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TO AMEND PUBLIC LAW 815, 81ST CONGRESS, WITH RESPECT TO THE CONSTRUCTION OF SCHOOL FACILITIES FOR CHILDREN IN PUERTO RICO, WAKE ISLAND, GUAM, OR THE VIRGIN ISLANDS FOR WHOM LOCAL EDUCATIONAL AGENCIES ARE UNABLE TO PROVIDE EDUCATION

Mr. DENT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5874) to amend Public Law 815, 81st Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands for whom local educational agencies are unable to provide education, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 10, insert:

"SEC. 2. The fourth sentence of section 6(a) of the Act of September 30, 1950, as amended (20 U.S.C. 241(a)) is amended to read as follows: "For the purpose of providing such comparable education, personnel may be employed and the compensation, tenure, leave, hours of work, and other incidents of the employment relationship may be fixed without regard to the Civil Service Act and rules (5 U.S.C. 631 et seq.) and the following: (1) the Classification Act of 1949, as amended (5 U.S.C. 1071 et seq.); (2) the Annual and Sick Leave Act of 1951, as amended (5 U.S.C. 2061 et seq.); (3) the Federal Employees' Pay Act of 1945, as amended (5 U.S.C. 901 et seq.); (4) the Veterans' Preference Act of 1944, as amended (5 U.S.C. 851 et seq.); and (5) the Performance Rating Act of 1950, as amended (5 U.S.C. 2001 et seq.)."

Page 2, after line 10, insert:

"SEC. 3. The last sentence of section 203 (a)(2) of the Act of September 30, 1950, as amended, is repealed."

Amend the title so as to read: "An Act to amend Public Law 815, Eighty-first Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands for whom local educational agencies are unable to provide education, to amend section 6(a) of Public Law 874, Eighty-first Congress, relating to conditions of employment of teachers in dependents' schools, and for other purposes."

Mr. DENT. Mr. Speaker, H.R. 5874, known as the Puerto Rican bill, establishes the right, under the impact bill, for the construction of a school on base for off-base children in any area where the American language is not the primary language the airbase serves.

The only amendment made in the Senate was to take from the bill certain references which might have been interpreted to reflect upon the Indian schools. There are no other changes.

I have cleared this with the ranking minority Member.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

The motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. HALEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 166]

Abbitt
Andrews, N. Dak.
Ashley
Bandstra
Bonner
Bow
Cabell
Clancy
Clark
Corbett
Cramer
Devine
Dingell
Donohue
Dorn
Downing
Dwyer
Edwards, Ala.
Evans, Colo.
Evins, Tenn.
Fraser
Frelinghuysen
Friedel
Fuqua
Gallagher
Giaimo
Gibbons
Green, Oreg.
Griffin
Gurney
Hanna
Harvey, Ind.
Herlong
Holland
Hosmer
Hull
Ichord
Joelson
Johnson, Calif.
Johnson, Okla.
Jonas
Jones, Mo.
Keogh
King, N.Y.
Kluczynski
Kornegay
Latta
McVicker
Mackay
May
Michel
Moeller
Morton
Mosher
Murray
Nelsen
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Passman
Philbin
Powell
Purcell
Redlin
Resnick
Roberts
Roybal
Scott
Smith, Iowa
Stephens
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tunney
Utt
Weltner
White, Idaho
Wilson, Bob
Wilson, Charles H.

The SPEAKER. On this rollcall 353 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

VOTING RIGHTS ACT OF 1965

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up a resolution (H. Res. 440) and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 440

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6400) to enforce the fifteenth amendment to the Constitution of the United States. After general debate, which shall be confined to the bill and shall continue not to exceed ten hours, to be equally divided and controlled by the chairman and ranking minority member of the Committe on the Judiciary, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on the Judiciary now in the bill and such amendment shall be considered under the five-minute rule as an original bill for the purpose of amendment. It shall also be in order to consider the text of the bill H.R. 7896 as a substitute for the committee amendment in the nature of a substitute printed in the bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of the bill H.R. 6400, it shall be in order in the House to take from the Speaker's table the bill S. 1564 and to move to strike out all after the enacting clause of said Senate bill and to insert in lieu thereof the provisions contained in H.R. 6400 as passed by the House.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN] pending which I yield myself 1 minute.

Mr. Speaker, those who listened to the reading of the resolution know it provides for 10 hours of debate, under an open rule making in order H.R. 7896 as a substitute to the committee substitute, which will be considered as an original bill.

H.R. 7896 is the so-called Ford-McCulloch bill.

While of course there are Members who are opposed to any rule whatsoever, this rule was worked out as carefully as possible to please everybody involved. There is adequate time for debate. I know of no particular objection to the rule in its present form.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, in some places—happily, not in all—in the South there are still those who believe that Negroes were born with saddles on their backs, to be ridden, booted, and spurred by those in power above them.

For almost a century we have had the 15th amendment, which forbids any State to discriminate in voting on the basis of race or color. That amendment has been allowed to go into desuetude. It must be brought back. That is exactly what the voting rights bill will do—it will put flesh and muscle and sinew on the buried skeleton of this amendment and breathe new life into it.

When it comes to the ballot, the Negro shall no longer be saddled, booted, and spurred.

If some of my southern friends, and some of my northern friends likewise, desire to preserve the existing system of discrimination and to argue against Federal intervention—the pending bill provides for Federal intervention—then they must agree that, as a matter of public policy, the 15th amendment is wrong and should be nullified. But none of them has ever attempted to nullify by constitutional amendment the 15th amendment.

They must assume that for the present and foreseeable future it is not proper for more than a minority of Negro citizens to be enfranchised.

Some honorable, reputable, and even compassionate historian might say that in 1870, the date of the adoption of the 15th amendment, voting by an indefinite mass of new freedmen, then wholly inexperienced and unprepared because of their former condition of slavery, might have precipitated much havoc in the Old Confederacy. That is not my view. As I said, it might be the view of some compassionate historians. But this certainly is true. Such an interpretation of the South is utterly inapplicable to conditions existing today, 100 years after the Civil War.

Negroes respect law and order. Negroes have become educated. Negroes have entered the professions. Negroes are important in the labor movement and in business and industry. Negroes hold public office. Negroes, in spite of crude hardships and repression, have produced a generation of leading men, such as Dr. Martin Luther King, Ralph Bunche, Judge Thurgood Marshall, Roy Wilkins, Whitney Young, Clarence Mitchell, and many others.

They would be a credit to any race.

As Walter Lippmann has it:

> The great grandchildren of the southern rebels are no longer preoccupied with an effort to reverse the outcome of the Civil War.

Nor does the South need to forfend any Thaddeus Stevens, who viewed the southern Confederate States as conquered provinces.

With leonine spirit, fanaticism and warped characteristics Thaddeus Stevens ruled supreme in this Chamber. His word was law. He felt that any sweet reasonableness or forgivingness must be disregarded. He drained the wine of victory to the last drop. He wanted revenge. Had there been no Thaddeus Stevens in the House, or a Senator Sumner in the other Chamber, a different story very likely could be told.

The SPEAKER. The time of the gentleman has expired.

Mr. BOLLING. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. CELLER. These reconstructionists engendered a bitterness that in some places persists today. But the counterweapons developed by the South against the Negro were just as bad as the diatribes of Stevens and the screeds of Sumner.

The pending bill is much needed. Previous acts have, as a result of legal dodges and subterfuges, been found inadequate. Voting discrimination is still rampant. The pending bill provides an ample, effective remedy, impervious to all legal trickery and evasion.

The bill may be discomforting. The malady sought to be cured is severe. The cure must fit the illness and, as has been said many years ago, "You just cannot dig a well with a needle."

The SPEAKER. The time of the gentleman from New York has again expired.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, of course, I support this rule. I voted for it in the Committee on Rules. I intend to vote for it on the floor of the House at the proper time. I feel it is a good rule, well drawn and well written, giving the opportunity to every Member of this body to express his or her will on this very important matter.

However, I have asked for the privilege of speaking out of order for another reason. I take this opportunity publicly to express my thanks to the Members of this House and especially to the members of the Committee on Rules and the Committee on Government Operations, of which I am ranking member, and to those who serve under me on the minority side, who carried on while I was unavoidably absent and carried the burden that I could not carry. They have done so ably and well, and I want to express to them the thought that they are entitled a great credit.

I also want to express my gratitude and my appreciation, if I may, to all of the Members of this House, so many of whom have been kind enough to inquire concerning my situation and to send me messages of encouragement. For a long time there has been some question in the minds of many people as to what makes the House of Representatives the greatest parliamentary body in the world. I know personally. It is because the U.S. House of Representatives has a heart and it has a heart which contains sympathy and understanding for every Member, regardless of partisanship.

Again, I want to take this opportunity, Mr. Speaker, to thank you, to thank the leadership of this body, to thank the gentleman from California, H. ALLEN SMITH, and other members of the Committee on Rules, and members of other committees, for the consideration and the help they have extended to me. They have made the way much easier.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, I am sure I speak for everybody on both sides of the aisle when I say to the gentleman from Ohio that we are tremendously pleased to see him back in harness, to see his familiar face, to hear his strong voice, and to see that he is feeling so much better. May I say to him, you have been badly missed, and we are pleased and delighted that you are back. We hope you will have many, many more years of good health in the future so that we may be the beneficiaries of your wisdom, your experience, and your sound arguments. We all need your help in the months ahead.

Mr. BROWN of Ohio. I thank the gentleman very much.

Mr. Speaker, may I have the privilege, with the consent of the gentleman from Missouri [Mr. BOLLING], of transferring the balance of the time allotted to me to the gentleman from California [Mr. SMITH], who will carry on under the rule.

Mr. BOLLING. Mr. Speaker, will the gentleman from California yield to me?

Mr. SMITH of California. I yield to the gentleman from Missouri.

Mr. BOLLING. Mr. Speaker, I should like to join the gentleman from Michigan [Mr. GERALD R. FORD] in expressing on this side of the aisle the same sentiments he expressed with regard to our dear friend, the gentleman from Ohio [Mr. BROWN].

Mr. SMITH of California. Mr. Speaker, I yield myself 15 minutes.

Mr. Speaker, first, may I express on behalf of Mr. ANDERSON, Mr. MARTIN, Mr. QUILLEN, and myself our deep appreciation of the kind words spoken by the gentleman from Ohio [Mr. BROWN]. We are happy to have him back. We have missed his leadership. We wish him many years of good health and continued leadership of us in the Committee on Rules.

Mr. Speaker, House Resolution 440, upon adoption will provide 10 hours debate on an open rule for the consideration of H.R. 6400, the Voting Rights Act of 1965. Additionally, it will make it in order to consider, as a substitute for the administration voting rights bill another measure, H.R. 7896, introduced by the gentleman from Michigan [Mr. FORD] and the gentleman from Ohio [Mr. MCCULLOCH]. And finally, it will provide that, upon passage of H.R. 6400, the Senate voting rights bill, S. 1564, may be taken from the Speaker's table. A motion will then be in order to strike all after the enacting clause of the Senate bill, to insert in lieu thereof the provisions of the voting rights bill passed by this august body.

Mr. Speaker, the Rules Committee heard from two groups of proponents of voting rights legislation in addition to several witnesses who opposed passage of any legislation whatsoever. The chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER], was in full agreement that it was not only appropriate but desirable to have the proposed rule in its present form. Thus, in allowing full consideration of the substitute measure, this rule assures a broad choice of the means by which the 15th amendment of the Constitution can more effectively be enforced.

I suppose the question that comes to the minds of many Members—as came to mine—is the question of why we are again in this session of Congress concerned with civil rights legislation? Why is it that, so closely following the enactment of the most comprehensive civil rights law in our history scarcely a year ago, we are again asked to take action on this matter which is essentially and primarily—under the Constitution—an area of State concern?

The answer given to the Rules Committee was that our previous efforts to solve this problem were inadequate. I cannot fully accept that answer. There was testimony before the Rules Committee—as there was before the Judiciary Committee—that enforcement activities under the previous laws have not been undertaken on the scale that might have been expected. There has scarcely been time for the effect of title I, the voting rights section of the 1964 act, to be fairly felt and evaluated.

Perhaps it can be said that a court remedy is seldom rapid enough to the parties to the cause. Perhaps it can further be said that no bill we enact will preclude the return next year of supplicants for yet another bill. In any case, it is to the essential problem of fashioning a quicker, more readily available and more incisive remedy, that the proponents of this legislation have turned.

They propose a new and unprecedented approach to the problem. They propose that Federal examiners, appointed by and responsible to the Civil Service Commission, be administratively dispatched to areas where discrimination against voters on account of race or color exists. These Federal examiners will have the power to determine whether or not an applicant is qualified to vote.

Up until the present, it has been felt by a majority of the Congress that the buffer of judicial action should be interposed between Federal and State power. Thus, under present law, only through court suits can direct Federal relief in the form of Federal registrars be imposed on a State.

But the proponents of this new remedy propose to reverse the process: Under both proposed bills, judicial process is a check upon, but not a predicate to, application of a direct Federal remedy aimed at correcting voter discrimination. I think you must agree with me that this in itself is a far-reaching step.

I should like now to describe how each of the proposed bills implements this remedy, this direct introduction of Federal Executive power into the traditional State domain.

H.R. 6400, the Celler bill, provides a dual standard by which Federal relief is applied to the States of the Union. It has a double trigger by which its provisions are activated. The first is an "automatic trigger"—section 4—which applies to areas of "hard core" discrimination, determined by the proponents to be six of our Southern States. This automatic device applies to those States which in November 1964 had laws prescribing certain tests or devices as qualifications to exercise of the franchise, and where in the presidential election of 1964 less than 50 percent of the total voting population actually cast ballots. Within States which fall under ths category the Attorney General is empowered to direct appointment of Federal examiners where, in his judgment, they are required. The Civil Service Commission actually selects the required number of hearing officers to handle registrations in the area. The second standard, or triggering device is called a "pocket trigger"—section 3. It is designed to reach so-called pockets of discrimination in areas not reached by the automatic trigger. This second means of applying Federal relief requires that a court authorize appointment of Federal examiners where, in a suit to enforce the 15th amendment, the Attorney General presents evidence of discrimination on account of race or color.

The qualifications which must be met by an applicant to a Federal examiner differ according to the trigger under which the bill is activated. In States reached by the automatic trigger, all tests and devices including literacy tests are suspended. Under the second standard, the pocket trigger, the court must suspend such tests as have been shown to have been discriminatorily applied. In neither situation must an applicant for Federal listing have tried to register with State authorities. He need only allege that he is not otherwise registered to vote.

Under the Celler bill, a Federal examiner lists applicants found qualified and sends the list to appropriate State officials. Thereafter, the person listed is entitled to vote, and the law directs that his vote be counted whether or not a challenge to his listing is still pending. Only after a challenge has been finally resolved does the listed applicant lose his right to vote under the act.

H.R. 6400 provides that Federal observers may be appointed—again at the discretion of the Attorney General—to observe all aspects of the vote in any area where an examiner has been appointed.

Challenges to qualifications of federally listed voters are determined by an expedited administrative and judicial procedure. A Federal hearing officer reviews the initial examiner's findings; the circuit court of appeals for the circuit in which the challenge arose reviews the hearing examiner's determinations. A State may only challenge the application of the act's automatic trigger, however, in the District Court for the District of Columbia. This can be accomplished by suing for a declaratory judgment and establishing that no test or device has been used discriminatorily in the State for the preceding 5 years.

If a State reached by the automatic trigger wishes to enforce any laws pertaining to State elections passed subsequent to the enactment of this voting rights legislation, it must first secure a declaratory judgment of the District Court of the District of Columbia that the laws do not have the purpose or effect of denying the right to vote on account of race or color. Similarly, to restrain any action of an examiner or an observer, a State or political subdivision must come to the District of Columbia courts to do so.

The administration bill undertakes to ban poll taxes, providing that not only poll taxes but any other tax may not be exacted as a prerequisite to the right to vote. Finally, criminal and civil sanctions are provided for enforcement of the provisions of the act.

H.R. 7896, the substitute bill introduced by the gentleman from Michigan [Mr. Ford] and the gentleman from Ohio [Mr. McCulloch], provides a single standard by which the need for this Federal registration machinery is to be gaged. In any voting district in the country—defined as a county or parish—where 25 or more persons complain that they have been denied the right to register or vote on account of race or color, a Federal examiner is appointed. If the examiner finds the complaints are true, a pattern or practice of discrimination is presumed to exist in the voting district, based on this finding of 25 instances of discrimination in that area. The Civil Service Commission is then directed to appoint examiners as the need is required to examine the qualifications of additional applicants and list those found qualified to vote.

State or local authorities can appeal the application of Federal listing procedure simply by challenging the qualification of the voters listed. Such challenge proceeds in the same accelerated manner as a challenge under H.R. 6400, first to a hearing officer, then to the appropriate circuit court of appeals.

There are significant differences in the impact of the Ford-McCulloch bill on State election machinery and State law. In going to a Federal examiner, an application must allege that he has either been denied the opportunity of registering or voting by the State registrars, or that in good faith he feels that to have gone to the State authorities would have been dangerous to him.

Under H.R. 7896, the examiner applies existing State law, except that he need not apply the State literacy test to any applicant who has over a sixth-grade education, and he disregards all tests and devices such as voucher requirements, grandfather clauses, and requirements of good moral character unrelated to the commission of a felony.

The examiner makes a report of his findings as to each applicant he finds qualified, serving the lists and reports on appropriate State officials. From the time a voter is listed, he is eligible to vote. In the event his qualifications are challenged by the State, he votes provisionally pending determination of the challenge to eligibility.

The Ford-McCulloch bill includes a comprehensive series of laws which make fraudulent practices in Federal or partially Federal elections crimes against the United States. Included are penalties for failing to permit a qualified voter to register or vote; failure to count or report accurately such votes; and intimidation or coercion of any person to prevent that person from voting or attempting to vote. Also outlawed are the destruction and defacing of ballots for a year after such elections, false registrations, and the offer to pay or payment for either registration or voting.

In seeking nullification of poll taxes, the Ford-McCulloch bill directs the Attorney General, under accelerated three-judge court procedure, to bring suits to invalidate those State poll tax laws which can be demonstrated to have the purpose or effect of denying or abridging the right to vote on account of race or color.

Finally, the bill includes appropriate sections for criminal sanctions and civil remedies to assure compliance with its provisions.

As you can see, the choices between these two bills involve questions of great importance, not only as to the impact of the legislation, but in the legislative precedents we will be setting.

Will we restrict the new, more effective remedy to only certain areas of our country and to only certain groups of our citizens?

Is it necessary, in assuring these precious rights to enact what amounts to an indictment of certain States?

Is it a wise precedent—and it will be the first in our history—to force a State of our Union to come to the seat of Federal power, the District of Columbia, in order to have access to judicial relief from Federal usurpation of its constitutional prerogatives?

Does it do justice to the precious right to vote to assure it in such a way that unqualified voters may be allowed to vote, and their votes counted although they may later be declared ineligible by a Federal circuit court of appeals?

And can we continue to ignore, as we assure the franchise, the fertile area of discrimination—and aside from discrimination, corruption—afforded by fraudulent election practices, such as changing, miscounting, and buying votes?

Mr. Speaker, I would like to pay tribute to the gentleman from Ohio [Mr. McCulloch], who continues his leadership in this critical area by providing sound, constitutionally designed legislation to try to solve this problem. His words to the Rules Committee sound a note of truth we would all do well to keep foremost in our minds through the coming debate.

> Legislation alone is not going to solve the problems that confront our country in this field. That problem in substantial part is in the minds and hearts of men. Legislation has been necessary in the past. It has served a good purpose. It is my studied judgment that legislation in this field nudges or pushes us along the road to implementation of the Constitution.

Mr. Speaker, may I now state my personal opinion for what it may be worth.

I voted against the civil rights bill last year because I did not think it would solve the problems. Apparently it did not or we would not have these bills before us today.

I do not think H.R. 6400 will be much more effective. I do not see how I can vote for it.

H.R. 7896, on the other hand, seems to be a possible solution. I can support it, and will vote for it, if I have the opportunity to do so.

I hope this problem will not be approached on a partisan basis, for certainly civil rights and voting rights are not partisan.

Several Members have indicated to me that they feel as I do. H.R. 7896 is a bill that will encourage State compliance, it provides a universal remedy and it is designed to comply in letter and in spirit with the Constitution of the United States. Progress will be made if it becomes law.

Mr. Speaker, I support H.R. 7896. It is the better approach. I reserve the balance of my time, Mr. Speaker, and do have requests for time from other Members.

The SPEAKER. The gentleman from California has consumed 15 minutes.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. Sisk].

Mr. SISK. Mr. Speaker, I urge the adoption of this resolution so that the House may proceed to debate what I believe to be one of the most important issues and most far-reaching proposals that this Congress has debated in modern times.

I have asked for this brief moment today to urge my colleagues to be on the floor during this week of debate because it seems to me that within recent years we are drifting in a dangerous direction as it affects the human rights of people at the local and State level. I have supported every civil rights bill that has been proposed to this House during my 11 years here. I expect to support and at least hope to support a good voting rights bill because there is no question in my mind but what there has been discrimination and denial of the right to vote in certain areas of our country.

To the extent that there have been violations of the 15th amendment, I feel the Congress, of necessity, must proceed to try to correct those mistakes.

I would say here today, as I urge you all to be present throughout this debate, that whatever we do on this occasion must be a bipartisan move. The Republicans cannot enact a civil rights bill alone. The Democrats cannot enact a civil rights bill alone. In the final analysis I would hope, as we listen to the debate and as we consider the great issues which will be before us, that we will bear in mind its effect upon every State in this Union.

Certainly, throughout its long history, the Congress has never engaged in discriminatory legislation, in legislation discriminating against an individual, against a State, or against a region.

Today we have a duty to consider very carefully that whatever we do in guaranteeing the voting rights of every American should be done in consideration of the almost 200 million Americans, and that no so-called triggering device and no other provision which we may or may not write into legislation should ge a gun pointed at the head of any individual or any section or any State. It should only be pointed at those who have violated the constitutional rights of individuals.

We are faced today with some three different approaches to this question. We have the committee bill, brought out by the great Committee on the Judiciary, under the able chairmanship of the distinguished gentleman from New York [Mr. Celler]. We have a substitute which will be offered by the gentleman from Ohio, a distinguished lawyer [Mr. McCulloch]. Then we also have the bill passed by the other body. Frankly, there are substantial differences in all three of these bills.

I feel it is imperative that we as Members of Congress study these various approaches and study the amendments which will be offered, in the hope that we may meet the need and make certain that every American can vote at this time, without at the same time destroying a portion of our Constitution.

Members are going to hear a great deal about this being strong medicine, but, after all, when a doctor is treating a patient he has to be careful about the medicine he uses, because the medicine may kill the patient. It seems to me it is terribly important in the consideration of this far-reaching measure, as it affects Federal-State relationships, that we should make certain we are not killing the patient, that we are not building a trap which will destroy us in the final analysis.

Mr. Speaker, in closing I urge that we keep in mind the rights of all Americans as we consider the importance of this legislation, and I hope and trust that the action we finally take will strengthen rather than weaken our great Nation.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. Anderson].

Mr. ANDERSON of Illinois. Mr. Speaker, I rise in support of the resolution which makes in order consideration of the bill H.R. 6400 and also consideration of the substitute measure, the Ford-McCulloch bill which I have also introduced in the House.

I wish to congratulate my colleague on the committee, the gentleman from California [Mr. Smith] for giving us, as he has today, the analysis of this bill and its various titles which I believe is necessary and proper to set the stage for what I hope will be the very kind of debate the gentleman from California [Mr. Sisk], who preceded me in the well, I am sure hopes for—a debate that will bring out the strong points of the administration bill and, yes, the weak points too, in order that the Members of this body may in truth and in fact have a choice.

The gentleman from New York, the distinguished chairman of the Committee on the Judiciary, with his usual propensity for apt quotations, alluded in his opening remarks under the rule to some remarks made by Thomas Jefferson, or at least I thought I recognized them as such. It was on the 50th anniversary of the Declaration of Independence and 2 weeks before his death, that Thomas Jefferson, the author of the Declaration of Independence, wrote these words:

> All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God. These are grounds of hope for others. For ourselves, let the annual return of this day—

He was speaking, of course, of the celebration of our Independence Day—

> forever refresh our recollections of these rights, and an undiminished devotion to them.

Our mandate today is plain and it is simple. It is for us to remove the last remnants of spurs and saddles from the sides and backs of our fellow man. It is for us to take away the last hurdles that stand between the Negro and first class citizenship. It is for us to see to it that the full letter of the law is not only plainly spelled out in black and white, but that it is carried out in the hearts and minds of men.

We must, like the signers of the Declaration of Independence, pledge "our lives, our fortunes, and our sacred honor" to this unfinished task.

Surely the language of the 15th amendment is clear in section 1 that the right to vote shall not be abridged because of race or color or previous condition of servitude. Section 2 of that same amendment says that Congress shall have the power to enforce this article by appropriate legislation. I think perhaps even the most ardent segregationist in this Chamber today will admit that discriminatory voting practices exist in many places in our country. So the argument today is essentially about the scope of the remedy or, if you will, the method of securing the objective of an electorate whose suffrage is not in any way related to race or color. In short, we in this body are going to be called upon to decide whether the so-called administration bill, H.R. 6400, or the Ford-McCulloch bill is the appropriate way to enforce the clear mandate of the 15th amendment.

I think maybe we should note at least in the first instance that it is the duty and the responsibility of the Congress to make this important determination as to what is or is not appropriate. In that respect, I think the words again spoken by the gentleman from California [Mr. Sisk] were very significant in that he appealed to the Members of this Chamber to listen carefully to the debate that will go on in this Chamber for the next few days. For the President of the United States, contrary to what he said when he last appeared before a joint session of Congress on March 15, 1965, to request voting rights legislation, did not send us a law. He sent us, rather, a bill, and it is our responsibility and our prerogative as Members of this body, in concert with Members of the other body, to determine if that bill shall in effect become law.

The administration bill would suspend literacy tests, presumably for at least 5 years, in all those States where on November 1, 1965, last, less than 50 percent of the voting age population was registered or voted. This would under the so-called automatic trigger of the bill immediately suspend literacy tests in 6 Southern States, the State of Alaska, 1 county in Idaho, 1 in Maine, and 1 in Arizona and 34 counties in North Carolina. It should perhaps be noted that there are a total of 21 States that employ some form of literacy test, so the tests of 14 States would not be affected by the provisions of sections 4, 5, and 6 of the bill, the so-called automatic trigger provisions, because more than 50 percent of the voting population within these States was registered and or did vote at the election held in November 1964.

This formula was attacked vigorously during the approximately 4 days of hearings held in the Committee on Rules as a "phony formula." The majority report argues that one must draw the inescapable conclusion that where less than 50 percent of the voting population was registered or voted last November that the literacy tests were directly responsible. There is reason to believe this represents some oversimplification of the problem. What about the 14 States where there are tests and still more than 50 percent of eligible voters did register or vote? What about the traditional voter apathy in the one-party States where contests are customarily decided in a spring or fall primary, and voters simply see no need to come out in November. What about particular districts where because of a military installation or even a great university with a large floating population perhaps it is difficult to really judge on the basis of local registration laws who is or is not a legal resident and therefore qualified to register and vote.

It should be pointed out that as recently as the Civil Rights Act of 1964 the Congress recognized the validity of nondiscriminatory, and the word should surely be underscored, literacy tests for those with less than a sixth-grade education, when in that act we provided for a rebuttable presumption of literacy in the case of those who had completed six grades in any recognized school.

The supporters of the Ford-McCulloch bill which will be offered as a substitute for the administration bill do not disagree that the discriminatory application of literacy tests is in violation of the 15th amendment. Quite to the contrary their bill recognizes that fact explicitly and provides that Federal examiners shall administer such tests in any State or political subdivision where it is ascertained on the basis of 25 or more complaints that a pattern or practice of voter discrimination exists. This in my judgment is attacking the problem of the discriminatory application of literacy requirements with a rifle shot instead of with a blunderbuss as under the administration's bill.

The majority argues that in the recent case of United States against Louisiana, the Supreme Court suspended the operation of a literacy test that had been enacted during the pendency of the litigation even though there was no evidence that this particular test had been used to discriminate. The Court reached its conclusion on the basis that previous tests had been used to discriminate. From this they reason that Congress can lay down a general proscription of literacy tests in the States where less than 50 percent were registered or voted last November. However, it is one thing for a court using its broad equity powers to strike down such an obvious subterfuge as a law enacted during the very pendency of the litigation and another thing to strike down en masse State laws which have been on the books since 1890—or three-quarters of a century without any prior determination of any kind that such laws have been applied in a discriminatory fashion.

The distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], when he appeared before the House Committee of Rules in connection with the 4 days of hearings we held on this legislation, conceded that in the administration measure as modified in his committee the majority was prescribing a harsh remedy. I think we should remind ourselves that not even in the field of civil rights, important as it is, should we substitute harshness for the rule of reason or passion and vindictiveness for law grounded in a decent respect for facts rather than contrived formulas. It is not easy to legislate in this area. Our failures to completely close the door to discrimination in 1957, in 1960, or 1964 make that abundantly clear.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman has expired.

Mr. SMITH of California. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. ANDERSON of Illinois. Let us not compound these previous failures by writing in this session of this Congress a law which may be open to severe constitutional challenge.

The majority argues that the judicial process is inadequate to deal with the problem. It is somewhat strange to find this assault on the judiciary coming from a quarter where normally it can expect to find defenders. Yet, in a very real sense, when we attempt to legislate away the judicial function of passing on the facts in voting cases, as I think we essentially would do under the formula that would activate the so-called automatic trigger in this bill, then we are really challenging the integrity and the competence of our tripartite system of government to function in this important area of voting rights.

This past weekend our Nation celebrated its 189th birthday. One of the central issues which led to our Declaration of Independence on July 4, 1776, revolved around the belief that all men are equals in the eyes of God, and that they are "endowed by their Creator with certain unalienable rights."

Our forefathers recognized, "that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed." This Nation fought a Revolution to conserve the right to establish a representative form of government. In the words of Samuel Eliot Morison:

> The American Revolution was not fought to obtain freedom, but to preserve the liberties that Americans already had as colonials.

When the right of representation was denied, the colonials set about to reestablish this order.

The underlying principles of the Declaration of Independence were not fully realized until nearly 85 years later when another war was fought to insure these rights for all men. The Civil War, then, was a logical and moral extension of the Revolutionary War, and the Emancipation Proclamation and subsequent amendments were the constitutional fulfillments of the Declaration of Independence.

Although the supreme law of the land in this area was clearly defined a century ago, the problem of compliance and enforcement remains a major domestic crisis today. Although the 15th amendment to the Constitution was finally ratified on March 30, 1870, a large segment of our population is still being denied the right to vote on the basis of race.

The Congress of these United States has recognized the need for appropriate voting rights legislation in years past and has acted three times in the last 8 years to implement constitutional guarantees of the right to vote. But the fact remains that this legislation has not been enough. We are again being called upon to implement the intent of a mandate handed down over 100 years ago, indeed, a mandate that is inherent in the very beginnings of this Nation.

Mr. Speaker, in conclusion, we need voting rights legislation. The record makes that clear. It is also clear that we here in the Congress have the constitutional power to secure for the people their rights under the 15th amendment to the Constitution. Let us strive during these next few days of debate to make sure that the law we finally decide to enact is in fact and in truth appropriate to the need; that it is in fact and in truth appropriate to that end; that it does not sow the seeds of still further circumvention and dispute; that it expresses the proper regard not only for the sacred right of every citizen to vote but maintains a reverence and regard for our whole system of constitutional government and for those doctrines of separation of powers and mutual respect for the coordinate branches of Government that undergird that important document.

Mr. Speaker, I support the adoption of the resolution.

Mr. BOLLING. Mr. Speaker, I yield 10 minutes to the distinguished chairman of the Committee on Rules, the gentleman from Virginia, Judge SMITH.

Mr. SMITH of Virginia. Mr. Speaker, here we are again just a year after we passed the most drastic civil rights bill that has ever been presented to the Congress and which we were assured by its advocates, and particularly by the distinguished gentleman, my friend from New York [Mr. CELLER], was the cure to all the difficulties under civil rights. That bill has not been on the statute books long enough to have had a trial. In fact, there seems to have been little effort to enforce the voting provisions which we were told at that time were adequate for the purpose.

Now, why? Is this a vendetta in order to hold certain minority votes in the grasp of Members of the Congress and the great parties? Or is it an honest effort to correct evils which have existed in the past and which are rapidly fading away, as everybody knows; there is not any doubt about that. But we must have this vengeance. We must have this vendetta against certain States of the Union. We must have a law that is going to punish a people, a part of our great Nation, for things they have done in the past. Because, under this bill, if there has ever been discrimination, the law applies and, of course, there always has been discrimination in some areas.

When you get to studying this bill—and I wish Members would—I wish they would find out what it is all about; I wish they would read it and study its provisions, and look at its triggers. You have heard a lot of talk about the triggers, that there is a trigger in this, that certain States will have their literacy tests taken away from them if they did not vote 50 percent of their people in the November 1964 elections. Did you ever hear of such a thing in this country before? I have heard of it in Russia and some of those other countries, that people are required to vote.

But this is the first example we have ever had, that a penalty is placed upon those States because of bygone matters that happened long before this bill was ever dreamed of.

Now, Mr. Speaker, why are we doing this? But, speaking of the triggers, you have been told that this is only going to apply to six recalcitrant States, a part of the old Confederacy and all of its people because certain other people have felt necessary to wreak their vengeance for deeds the past 100 years.

However, Mr. Speaker, there are some more triggers in here. Take, for instance—and I regret that my time is brief—one of the last features in the bill, which contrary to legal opinions in the Congress heretofore, proceeds to repeal the poll tax in the States that have poll taxes and to say that no person shall be denied the right to vote because of the requirement of the poll tax. Now, that applies only to six States. But did you know what is in that bill, in that very sentence:

> No person shall be denied the right to vote because of the failure to pay a poll tax or any other tax.

Did you know that 17 of your States have long-existing constitutional provisions that in certain cases involving monetary matters, involving bond issues and other various and sundry things, 17 States have laws that will be repealed if you enact this law. Did you know that? You had better be looking at some of your own State laws that are going to be repealed by this provision.

Yes, Mr. Speaker, there are some more triggers in this bill. If you look at it carefully, you will find out what they are. I will not have the time to go into a discussion of them but as the gentleman from California [Mr. Sisk] said so eloquently, why should we not stay here and hear this debate and vote conscientiously upon this very important question?

Did you ever hear of such a thing as all literacy tests to be abolished in the States and not restored to the States for 5 years? And, not restored unless you come here to the city of Washington in what is hoped will be a prejudiced court in order to get your relief?

Now, Mr. Speaker, that is what is in this bill. Let us take just that little fact. You know, it so happens that Alaska did not vote 50 percent of its registered voters in the 1964 election. So Alaska, innocent, poor, distant-away Alaska, must come to the District of Columbia and sue in the courts of the District of Columbia, with hat in hand, not a State, but a suppliant to Federal power, to get her rights restored when probably there never has been any discrimination in that State.

Now, Mr. Speaker, I appeal to the Members of the House upon the ground of just good, plain, ordinary commonsense, because I have not found that pleas to observe our Constitution have been very persuasive in late years.

Mr. Speaker, we all know what has happened to our Constitution. But why do it unnecessarily? You will have the opportunity, and I speak particularly to the people from my section of the country, to pass another bill that will do all of the things legitimately that should be done. We are going to ask you to consider that bill and see what is in it and see how it lacks the vengeance and the dripping venom that falls from every paragraph and every sentence of the committee bill. I think the gentleman from New York [Mr. Celler] in his opening statement very frankly stated what this is all about.

These people must be punished, we are told. For acts as of today? No, punished for the acts of generations gone by, in open and flagrant violation of the Constitution of the United States.

I wish we could get the Members to stay here and hear this debate. I do not think there has been a quorum present in this Chamber since the debate started on this rule, yet we are going to pass upon the most unconstitutional bill, a bill that most directly and flagrantly ignores the Constitution of the United States, particularly the poll tax section, and other taxing sections. It has been conceded year after year in Congress after Congress that the poll tax could only be repealed by a constitutional amendment. Strange to say, even the Attorney General, who becomes the czar on your States rights and your voting rights under this bill because he has almost unlimited power to investigate, to prosecute, to try, and to convict sovereign States, has admitted this.

I hope you will give this deep thought before you finally vote.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. McCulloch].

Mr. McCULLOCH. Mr. Speaker, I wish to say a word for my good friend and colleague, the gentleman from Ohio, Clarence Brown, who spoke earlier today. I am glad he is back with us. Clarence Brown has contributed as much to the cause of civil rights. It was Clarence Brown, and my good friend, the gentleman from Missouri [Mr. Bolling] who helped make the voting referee title in order in 1960.

Of course almost everyone here knows the contribution of the gentleman from Ohio, Clarence J. Brown, to the enactment of that historic civil rights legislation of 1964.

Mr. Speaker, of course, I am for voting rights legislation. I am hopeful, and I feel sure, that the House will adopt this resolution. I am for voting rights, because they are guaranteed by the Constitution by reason of the very nature of our Government and by reason of one of the things said by the great Lincoln in his Gettysburg address. I should like to read from that address. President Lincoln there said:

> It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

Mr. Speaker, in a representative republic the qualified citizens of that republic cannot be denied the right to vote if that representative government is to long endure.

The SPEAKER. The time of the gentleman has expired.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. Madden].

Mr. MADDEN. Mr. Speaker, this week the House of Representatives will debate and act upon H.R. 6400, one of the most important matters of legislation to come before this legislative body in many years.

The Rules Committee held extensive hearings on this legislation and has provided sufficient time for Members to learn all available facts about this 29-page bill pertaining to the rights of all American citizens, regardless of race, color, or religion, to vote in elections throughout our land. In this legislation, problems will be presented that are complex and highly involved pertaining to the methods to be applied by Federal law guaranteeing all adult American citizens their franchise.

It has been over 100 years since a great war was fought between the States to abolish human slavery under the American flag. American citizens realize that every man and woman of legal age qualified to exercise the right of his franchise is not free if, through unreasonable restrictions, legal loopholes and other excuses, he cannot participate and enjoy all the rights of a free citizen until he can cast his ballot in local, State, and National elections.

U.S. Presidents, over the generations, have consistently and repeatedly urged legislation to extend voting rights to all American citizens. Presidents Buchanan, Harrison, Wilson, Roosevelt, Truman, Eisenhower, Kennedy, Johnson, and many others have all, in substance, stated that the right to vote in a free American election is the most powerful and precious right in the world and it must not be denied on the grounds of race or color. The right to vote is essential for American citizens, both individually and collectively, to achieve other rights and citizenship under our Constitution.

President Johnson stated in his message to Congress recently, and I quote,

> Many of the issues of civil rights are complex and difficult. Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty to insure that right.

We Members of the House of Representatives for the next few days will devote many hours of debate in the performance of a legislative duty that has been too long delayed, in order to right an injustice that has been done to millions of our American citizens for many generations in the past.

This legislation is complex and I do hope that the Members of the House will exercise every diligence possible to be present on the floor and listen to the discussions and arguments on all sections of this important bill. Chairman CELLER and the members of the Judiciary Committee representing both political parties are to be commended for the long hours, weeks, and months in which their committee has taken testimony and deliberated in executive session to bring this important bill out before the Congress.

This legislation is designed to eliminate illegal barriers, practices in certain localities which deprive many of our citizens the right to vote. It is the intention of this legislation to provide the means and the method to enforce the provisions of the 15th amendment and 14th amendment to the Constitution which prohibits racial discrimination in the voting process.

Over 100 bills dealing with voting rights were considered by the Judiciary Committee over the long weeks of hearings. Testimony was taken from Members of Congress, the Attorney General, committees and commissions on civil rights, State and local officials as well as heads of dozens of organizations who have long been interested in legislation to guarantee freedom of the right to vote throughout the land.

This bill would suspend unreasonable literacy tests and other devices used in denying Negroes the right to vote. It would also provide for Federal examiners by Civil Service Commission to correct injustices when recommended through the office of the Attorney General. It would supervise, through Federal jurisdictions, a fair registration policy where unlawful practices and injustices are done on vote registering against American citizens. This legislation would also prevent the unreasonable assessment of poll taxes upon citizens which in most cases are used as an indirect prohibition of their exercising the right of franchise. In other words, it will give the Attorney General jurisdiction to see that the provisions of the 15th amendment are enforced through courts of this land.

It provides for Federal observance as to the honesty of elections in any political subdivision throughout the Nation and also penalties for intimidating, threatening, or coercing any person for voting or attempting to vote and also criminal penalties are provided for the interfering with the operation of this act.

The bill also provides to make title I of the 1964 Civil Rights Act apply to all elections by repealing any limiting reference therein to Federal elections. In other words, this bill is designed to prevent practices used generally in certain localities of frustrating the 15th amendment by using unfair tactics and devices for the purposes of disfranchising citizens by reason of race, color, or religion.

I think it is highly important that during the next few days the Members familiarize themselves with all angles of this bill in order that the bill does not contain provisions which are unconstitutional. I have implicit confidence in the great Judiciary Committee which is made up exclusively of outstanding lawyers, and that all angles of this legislation have been discussed and considered by that great committee.

I think when complete study is made by all Members of the House, you will find that this bill is set up to make practical application of the purpose and effect of the 15th amendment that the right to vote shall not be denied or abridged by any State of the Nation on account of race, color or nationality. The law is very clear that the Constitution has given a specific grant of power to Congress to adopt any appropriate means in order to see that the provisions in the Constitution are carried out regardless of States or local areas who wish to circumvent the Constitution of the United States on voting rights.

The American people have made great progress in the last 30 years in the field of civil rights and expansion of public opinion in the realm of eliminating ancient prejudices and the isolated feelings of individuals regarding the rights of people from all nations, nationalities and religions. This improvement of human relations and human rights has been evidenced in every State and locality in our Nation during recent years. It will not be many years until the vast majority of the American citizens will look back with ridicule and disdain on some of the embittered practices and prejudices inflicted on fellow-citizens in years past. Enactment of H.R. 6400 will be a great step in promoting unity and cooperation of all nationalities and groups that make the American public. This will be a major aid in solving many of the domestic and international problems facing our Nation in years to come.

I do hope that this bill, H.R. 6400, will be enacted without major changes so as to extend further moral prestige for our Nation to continue in its great progress as leader of the world.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that the quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 308, nays 58, not voting 68, as follows:

[Roll No. 167]

YEAS—308

Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Annunzio
Arends
Ashbrook
Aspinall
Ayres
Baldwin
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Bolling
Bolton
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Callan
Cameron
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Cohelan
Collier
Conable
Conte
Conyers
Cooley
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Wis.
Dawson
de la Garza
Delaney
Denton
Derwinski
Diggs
Dole
Dow
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dyal
Edmondson
Ellsworth
Erlenborn
Evans, Colo.
Fallon
Farbstein
Farnsley

Farnum
Fascell
Feighan
Findley
Fino
Flood
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Pa.
Greigg
Grider
Gross
Grover
Gubser
Gurney
Hall
Halleck
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harsha
Harvey, Mich.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Herlong
Hicks
Holifield
Horton
Howard
Hungate
Huot
Hutchinson
Irwin
Jacobs
Jarman
Jennings
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kirwan
Krebs
Kunkel
Laird
Langen
Latta
Leggett
Lindsay
Lipscomb
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
Macdonald
MacGregor
Machen
Mackie
Madden
Mahon
Mailliard

Marsh
Martin, Mass.
Martin, Nebr.
Mathias
Meeds
Michel
Miller
Minish
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olson, Minn.
Ottinger
Patten
Pelly
Pepper
Perkins
Pickle
Pike
Pirnie
Poff
Price
Pucinski
Quie
Quillen
Race
Randall
Reid, Ill.
Reid N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Rumsfeld
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Senner
Shipley
Shriver
Sickles
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield

Sullivan
Sweeney
Talcott
Teague, Calif.
Tenzer
Thompson, N.J.
Thomson, Wis.
Todd
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Whalley
White, Tex.
Widnall
Wilson, Charles H.
Wolff
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—58

Abbitt
Abernethy
Andrews, George W.
Andrews, Glenn
Ashmore
Buchanan
Burleson
Callaway
Colmer
Davis, Ga.
Dickinson
Dowdy
Edwards, Ala.
Everett
Fisher
Flynt
Fountain
Fuqua
Gathings
Gettys
Hagan, Ga.
Haley
Hardy
Harris
Hébert
Henderson
Jones, Ala.
Landrum
Lennon
Long, La.
McMillan
Martin, Ala.
Matthews
Mills
O'Neal, Ga.
Patman
Poage
Pool
Rivers, S.C.
Rogers, Tex.
Satterfield
Selden
Sikes
Smith, Va.
Stephens
Taylor
Teague, Tex.
Trimble
Tuck
Tuten
Waggonner
Walker, Miss.
Watkins
Watson
Whitener
Whitten
Williams
Willis

NOT VOTING—68

Andrews, N. Dak.
Ashley
Bandstra
Baring
Boland
Bonner
Bow
Brown, Calif.
Cabell
Corbett
Dent
Devine
Dingell
Donohue
Dorn
Dwyer
Edwards, Calif.
Evins, Tenn.
Fraser
Frelinghuysen
Friedel
Gallagher
Green, Oreg.
Griffin
Griffiths
Hagen, Calif.
Hanna
Harvey, Ind.
Holland
Hosmer
Hull
Ichord
Joelson
Jonas
Jones, Mo.
Keogh
Kluczynski
Kornegay
McVicker
Mackay
Matsunaga
May
Moeller
Morton
Mosher
Murray
Nelsen
Olsen, Mont.
O'Neill, Mass.
Passman
Philbin
Powell
Purcell
Redlin
Resnick
Roberts
Roybal
Scott
Smith, Iowa
Thomas
Thompson, Tex.
Toll
Utt
Weltner
White, Idaho
Wilson, Bob
Wright

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Passman against.
Mr. Dent for, with Mr. Kornegay against.
Mr. Purcell for, with Mr. Dorn against.
Mr. Dingell for, with Mr. Murray against.
Mr. Friedel for, with Mr. Scott against.
Mr. Redlin for, with Mr. Bonner against.

Until further notice:

Mr. O'Neill of Massachusetts with Mr. Andrews of North Dakota.
Mr. Philbin with Mrs. May.
Mr. Donohue with Mr. Utt.
Mr. Roybal with Mr. Morton.
Mr. Joelson with Mrs. Dwyer.
Mr. Kluczynski with Mr. Corbett.
Mr. Thomas with Mr. Frelinghuysen.
Mr. Hagen of California with Mr. Mosher.
Mr. Hanna with Mr. Bow.
Mr. Brown of California with Mr. Hosmer.
Mr. Edwards of California with Mr. Griffin.
Mr. Boland with Mr. Devine.
Mr. Ashley with Mr. Nelsen.
Mr. Hull with Mr. Harvey of Indiana.
Mr. Toll with Mr. Holland.
Mr. Cabell with Mr. Baring.
Mr. Evins with Mr. Gallagher.
Mr. Mackay with Mrs. Green of Oregon.
Mr. White of Idaho with Mrs. Griffiths.
Mr. Moeller with Mr. Resnick.
Mr. Ichord with Mr. McVicker.
Mr. Powell with Mr. Smith of Iowa.
Mr. Matsunaga with Mr. Olsen of Montana.
Mr. Roberts with Mr. Bandstra.
Mr. Fraser with Mr. Thompson of Texas.
Mr. Wright with Mr. Weltner.
Mr. Jonas with Mr. Bob Wilson.

Mr. DICKINSON changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded. The doors were opened.

A motion to reconsider was laid on the table.

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6400) to enforce the 15th amendment to the Constitution of the United States.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6400, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. CELLER], will be recognized for 5 hours, and the gentleman from Ohio [Mr. MCCULLOCH], will be recognized for 5 hours. The Chair recognizes the gentleman from New York.

Mr. CELLER. Mr. Chairman, I yield myself such time as I may consume.

At the outset I wish to state that the gentleman from Virginia [Mr. SMITH], in support of the rule, made the statement that I sought to punish certain States by the pending legislation.

The gentleman from Virginia is a very affable, kind gentleman, but I fear he has misinterpreted my remarks. I never said anything that would remotely suggest that I am out to punish any State. It is not in my nature to punish anybody, much less a State.

My only thought is to get a fair and just law to prevent massive discrimination and to accord all people their rights under the Constitution—the palladium of our liberties.

To that end I support the administration bill, so that we may again hear the voice of Leviticus in this land, which was to the effect:

> Proclaim liberty throughout the land to all the inhabitants thereof.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. The gentleman referred to me and to a statement I made.

If this is not a punitive bill and if it is not intended as a matter of damage, why did you pick out this trigger that condemns people because their people did not see fit to vote in a certain election?

Mr. CELLER. I doubt very much whether the import and the impact of the legislation is as characterized in the question of the gentleman from Virginia. We have tried to get the States involved in particular to accord the right of the Negro to vote, but we have dismally failed with all the voting rights bills we have passed. We have tried everything that was reasonable, everything that was just. These laws involved the judicial process, and, because of legal strategies and cunning subterfuges, very astute lawyers retained by certain States have rendered abortive these decisions of the courts; so that today we must have recourse to administrative remedies as well as judicial remedies. The so-called trigger provision involves administrative action.

We hope that such administrative action will, in common parlance, do the trick. The formula provision under the bill would be applied where you have the following coincidence; namely, the use of literacy tests, with their unfair and unjust application, plus low-voting record figures or low registration figures. There is more than ample evidence in the record before the Committee on the Judiciary of the House and of the Senate, and there is more than ample evidence before the Civil Rights Commission to indicate that where you have the coincidence of the low-voting record or the low-registration record and the literacy tests that you invariably have massive discrimination. That, I tell the gentleman from Virginia, is what is involved in that provision of section 4. There is no attempt to punish anybody. I say, if you want to be excused from the operation of it, give the Negro his vote. That is simple. And if you do not give the Negro his vote, then you have to suffer the pains and the penalties involved in the bill and the sanctions involved in the bill. Otherwise there is no harm that can come to your State or to any other State of the Union.

Mr. SMITH of Virginia. Now, will the gentleman yield briefly again?

Mr. CELLER. Of course, I have not even made my statement, but I will yield to you. I always like to yield to the gentleman from Virginia.

Mr. SMITH of Virginia. But the gentleman mentioned my name. That is the reason why I interrupted. I shall not do so again.

I appreciate the frankness with which the gentleman answered my inquiry, that is to say, I was told that they are too impatient, too impatient to use the courts, as you undertook to do last year. You just have not used them. However, I want to say to you, you are talking about the point that if we do not sin any more, you will not punish us any more, but the report of your Civil Rights Commission has stated that there are no complaints in the State of Virginia for violation of the 15th amendment at this time. That is the report of your own Commission, and yet you put this trigger on Virginia.

Mr. CELLER. I do not like to cast any reflections on the Dominion State of Virginia, but there was evidence before our committee with reference to the very wonderful State from whence the gentleman from Virginia hails. Of course, I can very well see the reason why the gentleman is a little disturbed. It might be well for him, I think, to exercise his inordinate energies and intelligence and wisdom to go back among his people, and more particularly the legislature of his State, and get them to rectify some of these tests which have been causing so much grief and so much trouble and so much evil and which have resulted in the disenfranchisement of people even in the Dominion State of Virginia.

I read aloud the unmistakable language of the 15th amendment to the Constitution of the United States:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Ninety-five years have passed since its adoption, 95 years which have been replete with efforts, crafty and otherwise, to defeat and circumvent its basic purpose.

The United States is not a despairing country. Let it be noted for the record that side by side with these efforts to circumvent our national charter have been the efforts to end for all time the illegal and artificial barriers to the exercise of voting rights.

I am proud to have been associated with the succession of Federal enactments, beginning in 1957, designed to protect the constitutionally guaranteed right to vote free of racial discrimination. Today is the fourth time in the past 8 years that I have come before this House to make a plea for common justice. This should not have been necessary. Had there not been concerted efforts to, figuratively, erase the 15th amendment from the Constitution, there would not be any need for legislation in this field. But, tragically, law avoidance, not compliance, has been the norm. The Attorney General has described this recalcitrance in telling words:

> Our experience in the voting area has been this, that no matter what is decided by courts, no matter what is passed by Congress in this respect, in some States the only way you can get compliance is to litigate. And then that is defended; it is defended up through every court procedure to the Supreme Court, no matter how clear and obvious the points, no matter how many times those same points have been decided, until eventually you get a decree.
>
> Then the decree is examined carefully to see whether there is any way in which a certain practice not expressly prohibited by the decree can be engaged in for the same discriminatory purposes.
>
> When this is done and you go back to court to get the judge to broaden the decree, his capacity and jurisdiction to do that is litigated, then that is taken on appeal and that is taken to the Supreme Court.
>
> When you run out of these things, the legislature enacts a new test and that has to be litigated and appealed and go to the Supreme Court.

Thus, counter efforts by the Congress and the executive under the provisions of the 1957, 1960, and 1964 Civil Rights Acts to eliminate discriminatory voting practices have been shown to be clearly inadequate. Canny and minatory actions have thwarted all honest effort to insure the ballot of the Negro. Although these laws were intended to supply strong and effective remedies, their enforcement has encountered serious obstacles in various regions of the country. Progress has been painfully slow, in part because of the intransigence of State and local officials and in part because of repeated delays in the judicial process. Judicial relief has had to be gaged not in terms of months—but in terms of years. With reference to the 71 voting rights cases filed to date by the Department of Justice under the 1957, 1960, and 1964 Civil Rights Acts, the Attorney General testified before the House Judiciary Subcommittee that an incredible amount of time has had to be devoted to analyzing voting records—often as much as 6,000 man-hours—in addition to time spent on trial preparation and the almost inevitable appeal.

Can we remain apathetic when typical of numerous counties of the old Confederacy are voter registration statistics such as these?

State and county	Voting age population	Number registered	Percent registered	Percent of total voting age population registered
MISSISSIPPI				
Holmes:				
White	4,773	4,800	[1] 100.0	35.6
Nonwhite	8,757	20	0.2	----------
Tallahatchie:				
White	5,099	4,464	87.5	38.7
Nonwhite	6,483	17	.3	----------
LOUISIANA				
Tensas:				
White	2,287	2,154	94.2	38.0
Nonwhite	3,533	60	1.7	----------
ALABAMA				
Dallas:				
White	14,400	9,463	65.7	33.1
Nonwhite	15,115	320	2.1	----------

[1] Plus.

The figures for Dallas County, Ala., in which Selma is the seat, reflect some 320 Negro registrants out of 15,000 voting age Negroes—and this after 4 years of protracted voting rights litigation by the Department of Justice.

In his statement of March 15, 1965, the President succinctly stated the purpose of this litigation:

> Many of the issues of civil rights are very complex and most difficult. But about this there can and should be no argument. Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty we have to insure that right.

The bill, H.R. 6400, is designed to insure that the right to vote is not burdened or restricted by illegal discriminatory barriers. Hence, the main thrust of the measure is to provide administrative procedures—as well as judicial processes—to permit rapid and extensive registration of persons heretofore denied the right to vote because of their color. Briefly, then, I shall summarize the major provisions of this measure:

This bill would suspend State literacy tests and other devices in certain areas where they have been used to deny Negroes the right to vote. The bill provides for the appointment of Federal examiners by the Civil Service Commission upon a certification of their need by the Attorney General. The bill would automatically suspend such tests and devices in those States or political subdivisions which, first, maintained such tests on November 1, 1964, and, second, had less than 50 percent of voting age population registered or voting in the presidential election of 1964—section 4.

The appointment of examiners would not be automatic. However, in those areas where the bill suspends literacy tests, upon certification by the Attorney General of their need, such examiners would be appointed. Federal registration envisioned under this bill would apply State law, except insofar as it was suspended—sections 7(b) and 9(b)—and would include enrollment of persons eligible to vote in State, local, and Federal elections—section 6. The bill, as amended, eliminates any requirement that an applicant for registration by a Federal examiner must first have applied to State election officials.

Any State or political subdivision with respect to which determinations have been made as a separate unit causing the suspension of their literacy tests under the bill, can remove itself from the provisions of the bill by obtaining a declaratory judgment in a three-judge court in the District of Columbia that no such test or device had been used during the preceding 5 years for the purpose of denying the right to vote because of race or color—section 4(a)—but no such declaratory judgment shall issue within 5 years after a final judgment that violations of the 15th amendment have occurred.

In order to avoid future State or local circumvention of the policy of the act, the bill provides that no State or political subdivision in which tests are suspended, may enforce any voting practice or standard different from that in effect on November 1, 1964, unless and until a three-judge court in the District of Columbia determines that such change will not violate the 15th amendment. Provided, that, if within 60 days after notifying the Attorney General of such change, he fails to object such new voting standard can be enforced.

On the basis of findings that poll taxes violate the 14th and 15th amendments to the Constitution, the bill abolishes the poll tax in any State or political subdivision where it exists today; that is, Alabama, Mississippi, Texas, and Virginia—section 10.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. WAGGONNER. I thank the gentleman for yielding. I wonder why the gentleman felt in the 87th Congress that it was necessary to follow the amendment process to the Constitution to remove the poll tax from the requirement for voting in Federal elections and now, in the 89th Congress, it is perfectly legal to do it by legislative act?

Mr. CELLER. Yes, I was coauthor with Senator HOLLAND with reference to the banishing of the poll tax in Federal elections. I was compelled to eliminate State elections from that amendment and in the interest of compromise and in the interest of getting something done, I yielded. I hope that that answers your question. But if you say still that I contradict myself—well and good—I contradict myself. I remember what Walt Whitman said in the "Essay on Myself":

> Do I contradict myself?
> Yes, I contradict myself.
> I am large. I contain multitudes.

Mr. WAGGONNER. Will the gentleman yield for one other question?

Mr. CELLER. I yield.

Mr. WAGGONNER. Which time were you wrong? It is impossible to be right both times.

Mr. CELLER. I can say at this time I am right and I will persist in my view that we have the right to banish poll taxes under the second section of the 15th amendment, and section 5 of the 14th amendment as being appropriate legislation.

I remember the 18th amendment. Perhaps others do, also, though they do not seem old enough for that. I am old enough to remember the 18th amendment. I lived through that ignoble experiment. My first campaign was on the basis of opposition to the 18th amendment. I lived through the throes and the difficulties of it.

Congress passed a bill at that time which everybody said was unconstitutional. It provided that the doctors could only prescribe, I believe it was, 30 prescriptions a month of alcoholic beverages. This was an impinging on the medical profession. Doctors were up in arms.

The Supreme Court said no, that that was a proper implementation of the 18th amendment despite the fact that it hurt the doctor's profession.

The Congress went further. Congress passed a bill to provide, under the aegis of the 18th amendment and what was appropriate, that the soft-drink parlors could be closed. How the devil could one close the soft-drink parlors under the 18th amendment, which spoke of hard liquor? But the courts said that it was perfectly proper to close the soft-drink parlors because in certain of these soft-drink parlors those denizens and those who were patronizing the soft-drink parlors were bringing in hard liquor and they were mixing hard liquor with soft drinks, and therefore the soft-drink parlors had to go into limbo.

That shows how far Congress can go under the umbrella of "appropriate."

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. WAGGONNER. I believe the gentleman would be willing to admit, as well, that this also shows how far the Court will go, at times.

Mr. CELLER. The Court follows the precedents and follows that which is reasonable and proper and just. The Court, in construing the Constitution, does not construe something which is immutable, which is written in stone and handed to us from Mount Sinai. No. The Constitution of the United States is a flexible instrument, good for all times, and it must be applied, like an old saw, to modern instances. The Constitution must apply to life as it exists today as well as to life as it existed when it was first adopted.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield for another question?

Mr. CELLER. I yield.

Mr. WAGGONNER. Supreme Court Justice William O. Douglas authored a book which he entitled "An Almanac to Liberty" and he made the statement:

> The privilege—

He did not say "right," but he said—

> The privilege of voting is not derived from the United States but is conferred by the State, and save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

I suppose the flexibility which the gentleman from New York has so aptly described is the sort of flexibility we are to expect when Mr. Justice Douglas and others reverse their positions. Am I correct? Mr. Justice Douglas will have to be flexible to reverse this position.

Mr. CELLER. No, that is not the interpretation. Chief Justice Marshall in the famous case McCullough against Maryland said:

> Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional.

Of course the right derives from the State, but the State cannot put such burdens upon the right to vote as to cause infringement of the Constitution, which is a higher law than the State law. The State has the uttermost freedom, except where it is forbidden to do certain things by the Constitution. If the Constitution restricts the State in certain action, then the State cannot take action under that restriction.

That is what Associate Justice Douglas meant when he phrased the statement the gentleman just read.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield for another question?

Mr. CELLER. The gentleman is so amiable, though I do not agree with him, I always like to yield to him.

Mr. WAGGONNER. I wonder if the gentleman would feel that there is anything discriminatory about the requirement of his own State of New York that Puerto Ricans, whom we apparently are willing to leave outside the scope of this law, must be required to read and to write the English language rather than their mother tongue to be eligible to vote.

In my State we allow those to vote who can read and write in their mother tongue.

Mr. CELLER. There is nothing racially discriminatory in my State in the application of literacy tests as to Puerto Ricans. The test is applied equally, openly, and fairly to everybody. There is no discrimination on the grounds of race in my State, and if there were, I would be the first to inveigh against it. I assure you, sir, there is nothing inconsistent there, and it is utterly inconsistent as to what happens in your State and what happens in mine with respect to the question of voting.

Mr. WAGGONNER. I thank the gentleman for yielding. He is always gracious and courteous to do so.

Mr. CELLER. Mr. Speaker, the bill also provides that in any action instituted by the Attorney General to enforce the guarantees of the 15th amendment, the court may authorize the appointment of Federal examiners as provided for in this act, pending, or after final determination of the suit—section 3. In any such case where the court does find that violations of the 15th amendment have occurred, the bill authorizes the court, first, to suspend tests or devices that have been used to deny the right to vote; and, second, to determine the validity of any voting standard or practice different from that which was in force and effect when the suit was instituted.

Under the bill—section 3—the appointment of Federal examiners would be terminated, either by the authorizing court in section 3 cases, or when the Attorney General notifies the Civil Service Commission that all persons listed by the Federal examiners have been listed in the State rolls and that there is no reasonable likelihood that violations of the 15th amendment will reoccur. In addition, a political subdivision may petition the Attorney General for such termination.

In addition, the bill also provides:

First. A challenge and review of any Federal examiner's decision, to a hearing officer appointed by the Civil Service Commission, and then in the Circuit Court of Appeals—section 9.

Second. Civil Service Commission authority to appoint observers or watchers, at the request of the Attorney General, to observe elections in any political subdivision in which a Federal examiner has been appointed—section 8.

Third. Criminal penalties for intimidating, threatening, or coercing any person for voting or attempting to vote, or for urging or aiding any person to vote or to attempt to vote. In addition, criminal penalties are provided for interfering with the operation of the act—sections 11 and 12.

Fourth. Federal District Court authority to enjoin election results in any subdivision where Federal examiners have been appointed, whenever the court determines that persons eligible to vote were not permitted to vote. The court is authorized to provide for the casting and counting of such ballots before the results of any such election may be given final force and effect—section 12(e).

Fifth. The term "vote" is defined to include any action necessary to vote in a primary, special, general election for candidates for public or party office, and propositions submitted to the electorate—section 14(c) (1).

Sixth. The term "political subdivision" is defined to mean any county or parish, except that where registration is not under county supervision, it also includes any other subdivision which conducts registration—section 14(c) (2).

Seventh. Finally, the bill also would make title I of the 1964 Civil Rights Act apply to all elections, by repealing any limiting reference therein to "Federal elections"—section 15.

SUSPENSION OF "TESTS AND DEVICES"

Sections 4, 5, and 6 of the bill, as amended, provide for "automatic" suspension of literacy tests and other devices in certain areas and for appointment of Federal examiners to register applicants to vote in Federal, State, and local elections. Under the bill, the use of specified voting qualifications, defined as "tests and devices," would be suspended in States and subdivisions upon the coincidence of two factors; namely, where (1) such tests or devices were maintained on November 1, 1964, and (2) less than 50 percent of the voting-age population was registered or voted in the presidential election of 1964.

The record before the committee indicates that where these two factors are present there is a nexus between low registration and voting and racial discrimination in the use of such tests. To illustrate, in the presidential election of 1964, although ballots were cast by 62 percent of the national electorate, there were nine States in which fewer than 50 percent voted. Of these nine States, seven maintained literacy tests. In addition, a preliminary survey suggests that there are certain counties in States which maintained literacy tests in November 1964, in which counties fewer than 50 percent voted, although the statewide percentage exceeded 50 percent. From the foregoing, it would appear that the voting qualifications of the following States and political subdivisions would be affected by the bill: The States of Alabama, Alaska, Georgia, Louisiana, Mississippi, South Carolina, and Virginia; and Apache County, Ariz.; Elmore County, Idaho; Aroostook County, Maine, and 34 counties in the State of North Carolina.

Decisions of the Federal courts and the reports of the U.S. Civil Rights Commission persuasively indicate that many of the States and political subdivisions to which the formula applies have engaged in widespread violations of the 15th amendment over a period of time. A large number of voting discrimination suits have been instituted by the Department of Justice in the States of Alabama, Louisiana, and Mississippi. The number of final judicial determinations of discrimination through abuse of tests and devices; the number of judicial findings of a "pattern or practice" of discrimination, and the fact that no voting discrimination case thus far instituted by the Department has been concluded without a finding of discrimination, lends strong support to the validity of the formula in section 4. Moreover, in the counties in Alabama, Mississippi, and Louisiana where such suits were instituted, a statistical pattern emerges of a substantial nonwhite voting-age population, a high percentage of white registration, a low percentage of nonwhite registration and a low voter turnout in the presidential election in 1964.

Another similarity exists among the six Southern States which appear to be covered by section 4 of the bill. Each has had a general public policy of racial segregation evidenced by statutes in force and effect in the areas of travel, recreation, education, and hospital facilities. Of the 21 States which maintain a test or device, there are only 2 others besides these 6 which have had a similar policy of racial discrimination reflected by their laws. In one of these, North Carolina, 34 counties are covered by the bill. In the other, Delaware, recent enactments reflect an abandonment of that policy.

In most of the States which maintain tests or devices but in which more than 50 percent of the voting-age population voted in the presidential election of 1964, there are statutes prohibiting racial discrimination. Since these States express, in so many areas, a public policy against racial discrimination, it is certainly reasonable to assume that voting discrimination on account of race does not exist.

It is possible, of course, that there may be areas covered under the formula of section 4 where there has been no racial discrimination violating the 15th amendment. The bill takes account of this possibility by a provision which affords any State or subdivision an opportunity to exempt itself, by obtaining an adjudication that such tests or devices have not been used by it to accomplish substantial discrimination in the preceding 5 years. This opportunity to obtain exemption is afforded only to those States or to those subdivisions as to which the formula has been determined to apply as a separate unit; subdivisions within a State which is covered by the formula are not afforded the opportunity for separate exemption. The Judiciary Committee was of the opinion that to permit each such subdivision to litigate the issue would severely limit the effectiveness of the bill and would impose a continuation of the burdensome county-by-county litigation approach which has been shown to be inadequate. Further, where the discriminatory use of tests and devices is a matter of State policy it is appropriate that suspension of these tests and devices be statewide. It is also noteworthy that no exemption from the provisions of the bill is available to any State or subdivision within 5 years after the entry of a final judicial determination that violations of the 15th amendment, through the use of tests or devices, have occurred within its territory.

It is my strong conviction, and I am sure that most of you will agree, that a period of 5 years is not an unreasonable time in which to initiate the purification of a political atmosphere in those States and counties in which literacy tests and low registration and voting statistics have gone hand in hand.

Certain baseless criticism has been leveled at H.R. 6400. Some have claimed that it represents an ex post facto law; that the bill's formula is discriminatory and unreasonable, and artificially singles out certain States and counties. Opponents also attack those provisions which requires States or counties covered by the formula to obtain "clearance" in the Federal court in the District of Columbia for the enforcement of new voting laws and regulations.

EX POST FACTO ARGUMENT

This argument is leveled at section 4, the formula that triggers automatic suspension of tests and permits the appointment of Federal examiners upon certification of the Attorney General.

The argument runs this way: You condemn us now for a practice which when used was legal. In effect they say: "Congress now finds and declares that tests and devices plus less than 50 percent of registration or voting of all eligible to vote in 1964 shall be deemed wrong, although in 1964 there was no law against such conditions."

The argument that the provisions in the bill violate the constitutional prohibition against ex post facto laws—article I, section 9, clause 3 of the Constitution—is baseless.

This argument is false in several ways: First, it misconceives the nature of the ex post facto doctrine which has been held to apply only to criminal prosecution—not to civil matters. The essence of the doctrine is that no person shall be punished for the commission of an act that was not punishable when it was committed. As the Court said in *United States* v. *Association of Citizens Councils of Louisiana* 9 (187 Fed. Supp. 846), arising under the provisions of the Civil Rights Act of 1960:

> The defendants rely heavily on the contention that section 301 of the act violates the ex post facto clause of article I, section 9, of the United States Constitution. We find no violation of this clause, since section 301 operates only prospectively and not retrospectively as to any criminal prosecution. It is well settled, of course, that the prohibition against ex post facto legislation applies only to criminal proceedings and not to civil matters such as this. We note that section 302 of the act, covering criminal prosecution for the destruction of records, does not permit punishment for destructions prior to May 6, 1960, the effective date of the act. (At pp. 847, 848.)

To the same effect, *Alabama ex rel. Gallion* v. *Rogers,* 187 Fed. Supp. 848 affirmed 285 Fed. 2d 430, cert. den. 336 U.S. 913.

In the Civil Rights Act of 1964 Congress similarly made judgment that discrimination in places of public accommodation places a burden on interstate commerce. The Supreme Court upheld this remedial legislation, saying that such a finding could be made by Congress and that findings by Congress would not be questioned as long as they were rational.

Among other measures that premised future regulations upon finding of past fact was the Immigration Act of 1924 which based its quotas on existing populations within the United States.

So, too, the Wagner Labor-Relations Act of 1935 was expressly premised on congressional findings that interference by employers with the right of employees to engage in self-organization had led and intends to lead to major disputes burdening and obstructing commerce. The Congress thereupon outlawed such interference. The constitutionality of this measure was sustained promptly.

It must be borne in mind that discrimination in voting based on race or color has been prohibited by the Constitution for 95 years. The present bill is but the latest in a series of measures designed to implement the constitutional prohibition in accordance with section 2 of the 15th amendment which gives Congress the power—and therefore the duty—to enforce the amendment by appropriate legislation. It does not mete out retroactive punishment. It does not reach back. It does not mete out punishment of any kind. It merely seeks to assure citizens of the exercise of a right which State and local authorities have failed to secure for them.

ARGUMENT THAT THE BILL ITSELF DISCRIMINATES

Although expressed in various ways, these objections essentially challenge the reasonableness of the measure and the choice of a "formula" in section 4. In other words, what is being challenged is the factual basis for the inference by Congress of a nexus between "tests and devices" in certain jurisdictions where the 50-percent formula applies and voting discrimination on account of race or color.

The ultimate constitutional question here is whether H.R. 6400 constitutes "appropriate legislation" within the meaning of section 2 of the 15th amendment. We believe it does.

The relevant constitutional rule as to what "appropriate legislation" shall mean was enunciated by Chief Justice Marshall, speaking for the Court in *McCulloch* v. *Maryland*, 4 Wheat. 316, 421:

> Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional.

Moreover, the Supreme Court has made clear that where there is a "rational basis" for a congressional finding, the finding itself need not be formally embodied in the statute. This was held in *Katzenbach* v. *McClung*, 379 U.S. 294, 303–305, sustaining the finding of the 88th Congress that racial discrimination by a local restaurant serving out-of-State food adversely affects interstate commerce.

Finally, in the Supreme Court decision on March 8th of this year, in the case of *United States* v. *Louisiana*, the Court suspended certain literacy tests without evidence that that particular test had been abused, on the basis of evidence that previous tests have been used to discriminate. Basically, that is what Congress will be doing in the present bill, on the basis of overwhelming evidence that where discrimination in voting has occurred, literacy tests have been an effective instrument of such discrimination.

Application of the formula in this bill is not discriminatory—it applies universally. It is not the bill which is discriminatory—rather it is the practices in certain States and counties which bring them within the provisions of the bill. It is not an objection of constitutional standing that the formula chosen by Congress may not reach all areas or all means of discrimination already prohibited by the 15th amendment.

The doctrine of equality of the States defined in *Coyle* v. *Oklahoma*, 221 U.S. 559 (1911), is not abridged because the bill is operative in some States and not in others. There the Court held that Congress could not constitutionally condition its admission of Oklahoma to the Union upon a prohibition against moving the State capital after admission, and stated that the United States is a Union of States, "equal in power, dignity and authority, each competent to exert the residuum of sovereignty not delegated to the United States by the Constitution itself." Id. at 567. Such State sovereignty, however, does not embrace the authority to discriminate racially in voting, and the power to eliminate such discrimination has been specifically delegated to Congress. Legislation drawn to exercise that power is not objectionable because its impact is not felt equally by all the States.

COURT CLEARANCE FOR NEW VOTING LAWS

Opposition has also been directed to the requirement that jurisdictions covered by the bill obtain court clearance before enforcing new voting laws and regulations. I have already discussed how law avoidance, and not compliance, has been the norm. Illustrative of the ingenuity and dedication of those determined to circumvent the guarantees of the 15th amendment are the actions taken by the State of Mississippi. Changes in voter qualifications adopted by that State are detailed in the recent decision of the Supreme Court in United States against Mississippi. Barring one discriminatory contrivance often has caused no change in result, only in methods. As the Federal district court wrote in *United States* v. *Penton*, 212 F. Supp. 193, 201–202 (M.D. Ala. 1962):

> In spite of these [two] prior judicial declarations, the evidence in this case makes it clear that the defendant State of Alabama * * * continues in the belief that some contrivance may be successfully adopted and practiced for the purpose of "thwarting equality in the enjoyment of the right to vote by citizens of the United States."

Indeed, it has not been an uncommon practice for some to enact new and more onerous voting requirements to circumvent court orders or Federal legislation in order to continue a policy of voting discrimination or to freeze the racial disparity in the registration of voters created by past violations of the 15th amendment. Section 5 of the bill would eliminate the possibility of such abuses.

Precedent exists for requiring submission of new laws for approval before they are enforced, in the area where State apportionment laws have been declared unconstitutional by the Federal courts. In such cases, the courts have frequently required submission of the new apportionment for approval before it was put into effect.

Moreover, the requirement that certain judicial proceedings under this measure be brought in the District of Columbia, is supported by the precedent of World War II legislation confining the right to challenge the validity of provisions of the Emergency Price Control Act to a single Emergency Court of Appeals located in the District of Columbia.

More significant than specific precedent, however, is that it is established that the Congress can reasonably conclude that these provisions make the guarantees of the 15th amendment operative; that they are not prohibited by other provisions of the Constitution; and that they constitute "appropriate legislation" within the meaning of the 15th amendment.

In 1870, Congress passed an Enforcement Act. In 1871, Congress made it a Federal crime to prevent citizens from voting by threat or intimidation. A system of Federal supervisors of congressional elections was set up, not unlike provisions in the bill before us. This system was sustained by the Supreme Court.

For a quarter of a century thereafter the former Confederate States systematically and successfully resisted the enforcement of this legislation. By 1894 Congress itself repealed most of the legislation enforcing the 15th amendment.

This was a dreadful mistake. History might have been differently written if this mistake had not been made. Those who forget the mistakes of history will only have to live them all over again.

To make certain that the whites could vote and the Negroes could not, a number of the old Confederate States, beginning in 1895, enacted the so-called grandfather clause. This permitted citizens descended from anyone who had voted on January 1, 1867—when, naturally, no former slave could have voted—to be registered as voters. It mattered not whether they could or could not pass any literacy test. This cruel hoax precluded any Negro from voting.

However, the grandfather clause was properly struck down by the Supreme Court in 1915, but not until dreadful havoc had been wrought. Then, all manner and kinds of laws were devised to exclude Negroes from real elections which were the primaries. They were struck down one by one in the 1940's during and after the Second World War. Nonetheless, the resisting States in the Deep South persisted and continued by various subterfuges, intimidations, violence and boycott to keep the Negro voters down to a slight or token minority.

In 1964, of the voting-age Negroes actually registered there were less than 7 percent in Mississippi; in Alabama, they were less than 20 percent; in Louisiana, they were less than 32 percent. As against this, the eligible whites registered were, for Mississippi, 80.5 percent; for Alabama, 62.2 percent; for Louisiana, 80.2 percent.

It is precisely because of such irresponsible tactics of delay and evasion that we wrote into the voting rights bill provisions under which Federal examiners can be appointed automatically in counties where there is presumptive evidence that Negroes have been unable to vote. Recalcitrant registrars have demonstrated too great an ingenuity at evading court orders, and the courts' ability to police the State registration process has been unequal to the task. The courts have not been able to keep up, and Negroes have not been able to register—any more than the courts, unaided, could enforce the payment of taxes if millions refused to pay them.

In his message to the joint session of the Congress on March 15 of this year, President Johnson eloquently stated the responsibility which must be assumed by those who would oppose this corrective legislation. He said:

> To those who seek to avoid action by their National Government in their home communities—who want to and who seek to maintain purely local control over elections—the answer is simple.
>
> Open your polling places to all your people.
>
> Allow men and women to register and vote whatever the color of their skin.
>
> Extend the rights of citizenship to every citizen of this land.
>
> There is no constitutional issue here. The command of the Constitution is plain.

Mr. Chairman, I would like to extend my remarks at this point by inserting in the RECORD statements in explanation of various provisions of the bill, which statements consist of my own remarks.

The CHAIRMAN. Without objection, it is so ordered.

Mr. CELLER. Mr. Chairman, the material referred to is as follows:

CONSTITUTIONALITY OF THE BILL

This statement is not intended to comment upon or discuss the constitutionality of section 10, the poll tax provision.

There is no constitutional obstacle to the enactment of the bill. Far from impinging on constitutional rights—in purpose and effect—the proposed legislation implements the explicit command of the 15th amendment that "the right to vote shall not be denied or abridged by any State on account of race or color." And the means chosen to achieve that end are appropriate, indeed, necessary. Nothing more is required.

1. THE POWER OF CONGRESS

The 15th amendment prohibits racial discrimination by any State in the voting process. Section 2 of that amendment grants Congress the power to enforce this mandate by appropriate legislation. The constitutional standard by which the appropriateness of legislation is determined was enunciated by Chief Justice Marshall. Speaking for the Court in *McCullough* v. *Maryland,* 4 Wheat. 316, 421, he said:

> Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional.

The same rule applies to the powers conferred by the prohibitory amendments to the Constitution. In the case of *Ex parte Virginia,* speaking of the three postwar amendments, the Court wrote—100 U.S. at 345–346:

> Whatever legislation is appropriate, that is, adapted to carry out the objects the amendments have in view, whatever tends to enforce submission to the prohibitions they contain, and to secure to all persons the enjoyment of perfect equality of civil rights and the equal protection of the laws against State denial or invasion, if not prohibited, is brought within the domain of congressional power.

See, also, *Everand's Breweries* v. *Day,* 265, U.S. 545, 558–559, applying the same standard to the enforcement section of the prohibition—18th—amendment. And, see *United States* v. *Raines,* 362 U.S. 17, 25.

2. THE CLAIMED USURPATION OF THE RIGHT OF THE STATES TO FIX QUALIFICATIONS FOR VOTING

The means chosen are not "prohibited" by the Constitution. To be sure, the Constitution, in article I, section 2, and the 17th amendment, implies the right of the States to fix the qualifications for voting in congressional elections.

It is, however, settled that the 15th amendment outlaws voting discrimination and nullifies any voting qualification or procedure inconsistent with its mandate. The restriction of the franchise to whites in the Delaware constitution was a "voting qualification," that had to bow before the 15th amendment, *Neal* v. *Delaware,* 103 U.S. 370. So did the grandfather clauses of Oklahoma and Maryland. *Guinn* v. *United States,* 238 U.S. 347; *Myers* v. *Anderson,* 238 U.S. 368. Nor are only the most obvious devices reached. As the Court said in *Lane* v. *Wilson,* 307 U.S. 268, 275:

> The amendment nullifies sophisticated as well as simple-minded modes of discrimination.

And, of course, literacy tests and similar requirements enjoy no special immunity. Only recently, the Supreme Court voided one of Louisiana's literacy tests. *Louisiana* v. *United States,* 380. See, *Davis* v. *Schnell,* 336 U.S. 933, affirming, 81 F Supp. 872.

In sum, when State power is abused—as it plainly is in the areas affected by the present bill—there is no magic in the words "voting qualifications." A similar principle of course governs legislative remedies under section 2 of the 15th amendment. That was expressly affirmed in *Lassiter* v. *Northampton Election Board,* 360 U.S. 45, where the Supreme Court said that "suffrage is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed." 360 U.S. 51. In suspending voting tests or devices that have been abused, Congress is simply enforcing right expressly guaranteed by the Constitution.

3. THE APPROPRIATENESS OF LEGISLATION

The factual background is always relevant in assessing the constitutional "appropriateness" of legislation. See, e.g., *Chicago Board of Trade* v. *Olsen,* 262 U.S. 1, 32; *Labor Board* v. *Jones & Laughlin,* 301 U.S. 1, 43; *Wickard* v. *Filburn,* 317 U.S. 111, 125–128; *United States* v. *Gainey,* No. 13, this term, decided March 1, 1965. And the rule applies with equal force in the area of persistent racial discrimination. See, e.g., *Brown* v. *Board of Education,* 347 U.S. 483; *Eubanks* v. *Louisiana,* 356 U.S. 584; *Griffin* v. *School Board,* 377 U.S. 218; *Louisiana* v. *United States,* No. 67, this term, decided March 8, 1965. Here, however, the concrete context has special importance.

Federal legislation to "enforce" the guarantees of the 14th or 15th amendment is largely corrective. The "appropriateness" of congressional intervention into an area normally regulated by the States in some measure depends on the need to implement the constitutional right which the State denied.

Here, there can be no doubt about the present need for Federal legislation to correct widespread violations of the 15th amendment. The prevailing conditions in those areas where the bill will operate offer ample justification for congressional action.

4. THE SCOPE OF THE REMEDY

The choice of the means to solve a problem within the legitimate concern of the Congress is largely a legislative question. It does not matter, constitutionally, that the same result might be achieved in some other way. This principle has long been settled and was expressly reaffirmed in the Civil Rights Act cases. See *Atlanta Motel* v. *United States,* 379 U.S. 241, 261.

There is no problem of overreaching the area of concern. As Mr. Justice Brandeis said for the Court in the *Assigned Car* cases, 274 U.S. 564, 582–583, with respect to a legislative rule promulgated by the Interstate Commerce Commission:

> In establishing a rule of general application, it is not a condition of its validity that there be adduced evidence of its appropriateness in respect to every railroad to which it will be applicable. In this connection, the Commission, like other legislators, may reason from the particular to the general.

The settled rule is that a legislative body has power to choose and adopt the most appropriate means for coping with an evil. The Congress may, where it finds it appropriate to enforcement, forbid otherwise lawful and unobjectionable conduct which is sufficiently related to the illegal conduct as to make its prohibition a reasonable measure for preventing the harmful conduct. So here, if Congress finds that forbidding all use of tests and devices is the most effective measure for preventing the continued frustration and evasion of the 15th amendment rights, it may enact such a measure even though it may trench upon theoretically unobjectionable action by a State or subdivision.

The present proposal establishes a presumption upon the determination of certain factors. It does not affect the validity of the bill if the formula which governs initial coverage may sometimes catch the innocent. It is enough if the inference is well founded in common experience. That is the test even when the presumption operates against the defendant in a criminal case. *Lurin* v. *United States,* 231 U.S. 9, 25–26; *Hawes* v. *Georgia,* 258 U.S. 1, 4; *Yee Ham* v. *United States,* 268 U.S. 178, 184; *Casey* v. *United States,* 276 U.S. 413, 418; *United States* v. *Gainey,* supra. Plainly, nothing more is required in the premises.

In some instances, indeed, the bill permits an exemption from coverage merely upon the Attorney General's failure to interpose an objection. In other cases, the affected State or subdivision must appear in court to rebut the prima facie case against it. There is ample precedent for that solution. See, e.g., Emergency Price Control Act of 1942, section 203(a), 56 Stat. 23; Civil Rights Act of 1964, section 709(c), 78 Stat. 241, 263, 42 U.S.C.A. 2000a-(c); Interstate Commerce Act, section 204(a)(4a), 49 U.S.C. 304(a)(4a); Securities and Exchange Commission Rule 10 B-8(f), promulgated pursuant to Securities Exchange Act of 1934, 15 U.S.C. 78j(b).

CONSTITUTIONALITY OF SECTION 5—(PROHIBITION ON NEW VOTING QUALIFICATIONS)

The constitutionality of section 5 is clear. Section 5 is simply an extension of the prohibitions of section 4 and is designed to circumvent any attempt to reimpose discriminatory requirements or freeze the present racial disparity in registration created by past violations of the 15th amendment by the imposition of more stringent and onerous voting requirements.

The 15th amendment prohibits the States from racially discriminating in the voting process. Section 2 of that amendment gives to the Congress the power to enforce its prohibition by appropriate legislation. The appropriateness of legislation is determined by the standard as defined by Chief Justice Marshall in *McCulloch* v. *Maryland*, 4 Wheat. 315, 421:

> Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional.

The same rule applies to the powers conferred by prohibitory amendments to the Constitution. Speaking of the three postwar amendments, the Supreme Court wrote (*Ex parte Virginia*, 100 U.S. 339, 345–46):

> Whatever legislation is appropriate, that is, adapted to carry out the objects the amendments have in view, whatever tends to enforce submission to the prohibitions they contain, and to secure to all persons the enjoyment of perfect equality of civil rights and the equal protection of the laws against State denial or invasion, if not prohibited, is brought within the domain of congressional power.

Thus, Congress may choose and adopt any appropriate means to eliminate racial discrimination in the voting process. Indeed, Congress may, where it finds it appropriate to the enforcement of the 15th amendment, forbid or regulate otherwise lawful and unobjectionable conduct which is sufficiently related to the illegal conduct so as to make its regulation or prohibition a reasonable measure for preventing the harmful conduct. See *Everards Breweries* v. *Day*, 265 U.S. 545. And so here, if Congress finds that requiring a State or political subdivision with respect to which section 4(b) determinations are in effect to submit any new voting requirement to the Attorney General or the District Court for the District of Columbia for the purpose of determining if it has the purpose or will have the effect of discriminating on account of race or color is an effective measure for preventing their unconstitutional use, it can do so.

CONSTITUTIONALITY OF FEDERAL EXAMINERS

No serious constitutional objection can be raised to the use of Federal examiners. Almost 100 years ago, Congress enacted a very similar provision. The act of February 28, 1871—16 Stat. 4313—provided a pervasive system for supervising congressional elections. At any such election held in a town "having upwards of 20,000 inhabitants" upon request by two citizens desiring to have the "registration or election guarded and scrutinized," the court was required to appoint Federal election and registration supervisors who were to be in attendance at "all times and places fixed for registration of voters." The statute charged the supervisors with registering those applicants they deemed qualified, inspection of registration books, poll-watching on election day, challenging voters believed ineligible, counting ballots cast, and certifying the results of elections. Appointment of special deputy marshalls, with the power of arrest, to aid and assist the supervisors, and to prevent fraudulent registration and voting, was also authorized. The constitutionality of this far-reaching statute was upheld by the Supreme Court in *Ex parte Siebold*, 100 U.S. 371. It was subsequently repealed in 1894.

To be sure, the 1871 statute specifically involved only the congressional power to legislate under article I and, thus, to deal with Federal elections, but this does not detract in any way from its applicability as a precedent here. Congress power is no less when it acts pursuant to the broad authority found in section 2 of the 15th amendment. That section gives to Congress the power to enforce by "appropriate legislation" the guarantee of the right to vote without regard to race or color. In explaining what is "appropriate," Chief Justice Marshall said in *McCulloch* v. *Maryland*, 4 Wheat 315, 421:

> Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional.

The fact that Congress implements a prohibitory amendment, rather than a direct grant of constitutional power, makes no difference. The principle is the same. Speaking of the 13th and 14th amendments, the Supreme Court wrote in *Ex parte Virginia*, 100 U.S. 339, 345–346:

> Whatever legislation is appropriate, that is, adapted to carry out the objects the amendments have in view, whatever tends to enforce submission to the prohibitions they contain, and to secure to all persons the enjoyment of perfect equality of civil rights and the equal protection of the laws against State denial or invasion, if not prohibited, is brought within the domain of congressional power.

The 15th amendment guarantees the right to vote without regard to race or color. The end sought to be achieved by H.R. 6400 is simply the assurance of that right. The means proposed, specifically the use of Federal examiners, are plainly adapted to that end. The history of the denial of the right to vote on account of race or color forcefully attests not only to the appropriateness of the use of Federal examiners, but to the absolute necessity of such personnel.

CONSTITUTIONALITY OF FEDERAL POLL WATCHERS

The constitutional authority for Federal poll watchers cannot be subject to serious dispute. It is well established that the right to vote includes the right to have one's vote counted. See *United States* v. *Classic*, 313 U.S. 299, 315. To protect the right to an honest count, Federal poll watchers were provided for in the act of February 28, 1871, which established a pervasive system for supervising Federal elections. Federal election and registration supervisors were charged by the statute with a number of duties, among them poll watching on election day, counting ballots cast, and certifying the results of elections. The constitutionality of this far-reaching statute was upheld by the Supreme Court in *Ex parte Siebold*, 100 U.S. 371.

To be sure, the 1871 statute specifically involved only the congressional power to legislate under article I, and, thus, to deal with Federal elections, but this does not in any way detract from the applicability of the precedents here. Congressional power is no less when it is invoked pursuant to the grant of authority found in section 2 of the 15th amendment. That section gives to the Congress the power to enforce by "appropriate legislation" the guarantee of the right to vote without regard to race or color. The appropriateness of legislation is determined by the standard as defined by Chief Justice Marshall in *McCulloch* v. *Maryland*, 4 Wheat. 315, 421:

> Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional.

See also, concerning the 13th and 14th amendments, prohibitory amendment, *Ex parte Virginia*, 100 U.S. 339, 345–46.

THE PRACTICAL EFFECT

Placing poll watchers in the vicinity of the polling place and having them present when votes are counted is not a novel idea. Poll watchers are provided for at almost all elections in order that the legitimate interests of the voters may be safeguarded. For example, under Louisiana law—Revised Statutes 18:556—each political party may have one watcher in a voting precinct who is allowed to enter the polls during the canvass and count of the votes. In Alabama, poll watchers have the right to see all oaths administered and signed, the list of qualified voters, the poll lists, and any and all records made in connection with the election. They also have the right to observe the preliminaries of opening the polls and may remain throughout the election until the results have been posted.

Of course, poll watchers provided for under State law will not do in the specialized situation dealt with by the voting rights bill. Unfortunately, in the areas affected by the bill and particularly where poll watchers are authorized—political subdivisions in which examiners have been appointed—there is little to indicate that either party will be zealous in protecting the interests of Negro voters.

Federal poll watchers would simply observe and report to the appropriate officials—to the Federal examiners and the Attorney General and, where appointment of examiners is authorized pursuant to section 3(a), to the authorizing court. Observers would not have law-enforcement functions and could not actually interfere with local control of elections. Yet their presence is essential. Their reports, among other things, would be the basis for court actions to achieve the casting or counting of ballots under section 12(e), criminal proceedings under section 12, and other action to secure equal voting rights of all citizens. In sum, they would be a vital cog in making the voting rights bill an effective instrument for enforcing 15th amendment guarantees.

THE CONSTITUTIONAL BASIS FOR SECTION 11(b)

The constitutionality of section 11(b) can be sustained on three independent grounds: First, the implied power of Congress to protect the purity of Federal elections; second, Congress grant of authority to legislate the time and manner of holding elections for Representatives and Senators; and third, the 15th amendment's prohibition against racial discrimination in the voting process.

1. THE IMPLIED POWER OF CONGRESS TO PROTECT PURITY OF FEDERAL ELECTIONS

The Supreme Court established in *Ex parte Yarbrough*, 110 U.S. 651 (1884), that Congress has the implied power—wholly distinct from its power under article 1, section 4, to regulate the "manner" of Federal elections—to make it a criminal offense for any person to intimidate another seeking to vote in a Federal election. Yarbrough involved intimidation of a Negro voter by private individuals, but the statute under which the defendants were convicted which the Court sustained did not refer to race or color. It prohibited, in general terms, intimidation of voters in Federal—that is, presidential and congressional—elections. Indeed, the Court expressly rejected the argument that the statute must be limited to action by State officials or to conduct somehow related to race or color. And in *Burroughs and Cannon* v. *United States*, 290 U.S. 534 (1934), the Court relied on Yarbrough to sustain Federal Corrupt Practices Act as applied to presidential elections, which are not included within the scope of article 1, section 4. These cases make it perfectly clear that Congress has the implied power to protect the purity of Federal elections and may reach the conduct of private individuals as well as officials.

It seems clear that under this implied power Congress may also reach out to ban intimidation of persons seeking to vote in all elections, State and Federal.

First, in the most important general and primary elections, candidates for Federal and State offices are chosen simultaneously on the same ballot. Where intimidation occurs with respect to voting in such an election, it is totally impracticable to separate the impact of intimidation upon a person's determination to vote for State officials from his desire to vote for Federal officials. Compare section 101(c) of title I of the Civil Rights Act of 1964, 78 Stat. 241, 242; 42 U.S.C. 1971(f), which makes that title applicable to any election "held solely or in part for the purpose of electing or selecting any candidate for Federal office." The same principle governs the exercise of congressional power to regulate interstate commerce, which may extend to regulation of purely local transactions as well as where it is impracticable to separate interstate from intrastate transactions. See *Southern Railway* v. *U.S.*, 222 U.S. 20 (1911); *Thornton* v. *U.S.*, 271 U.S. 4014 (1926); *Currin* v. *Wallace*, 306 U.S. 1 (1938).

Second, Congress can prohibit intimidation in purely local elections if such intimidation would deter a substantial number of people from voting in Federal elections. That such would be the effect hardly requires extended demonstration; if Negroes observe that they are threatened when seeking to vote in an election which deals only with State candidates, it is impossible to believe they will not interpret such threat as a warning to refrain from voting in a Federal election. No reasonable person would draw any distinction at all in his mind between Federal and purely local elections. Compare *Everards Breweries* v. *Day*, 265 U.S. 545 (1924); *Katzenbach* v. *McClung*, 379 U.S. 294, 302 (1964). If as the *McClung* case and *United States* v. *Wrightwood Dairy*, 315 U.S. 110, 119 (1942) hold, it is true that under the commerce power Congress may regulate "those activities intrastate which so affect interstate commerce, or the exertion of the power of Congress over it, as to make regulation of them appropriate means to the attainment of a legitimate end," then it is also true that local election intimidation may be reached as part of the power to regulate Federal elections since such intimidation affects Federal elections.

2. THE 15TH AMENDMENT

The bill primarily is an exercise of the power of Congress to enact "appropriate legislation" to enforce the 15th amendment's ban on racial discrimination in voting. To be sure, this amendment of its own force applies only to State action and, further, only to State action which differentiates on the basis of race or to ostensibly private action taken in the course of carrying out a function for which the State cannot escape responsibility—*Terry* v. *Adams*, 345 U.S. 461 (1953). But the power of Congress to enact "appropriate legislation" is not limited to the precise scope of the amendment. Congress may, where it finds it appropriate, forbid conduct which, separately considered, may be beyond the amendment's scope but which is sufficiently related to conduct clearly prescribed by the amendment as to make its prohibition a reasonable measure to fully and effectively implement the amendment. In *Everard's Breweries* v. *Day*, 265 U.S. 545 (1924), the Supreme Court held that Congress, as a step in enforcing the prohibition of traffic in intoxicating liquors as a beverage, has power to forbid doctors from prescribing the use of liquors as bona fide medicine. And so here, Congress has an ample factual basis for concluding that criminal sanctions against private intimidation of voters, Negro and white, are essential to eradicate the effects of official racial discrimination in voting.

It might also be noted that section 11(b) can also be sustained on 14th amendment grounds. This amendment protects the integrity of the vote from State interference—*Carrington* v. *Rash*, 380 U.S. 89—but, unlike the 15th amendment, requires no showing of racial discrimination. Of course, the principles which govern the permissible scope of congressional action in implementing the 15th amendment apply with equal force to the 14th. Congress has a duty to enact appropriate legislation where it is necessary to insure the equal protection of the laws. If Congress finds that many State and local law enforcement officials are unwilling to punish or prevent violence in intimidation of voters, it may reach such action by its own appropriate legislation.

3. ARTICLE 1, SECTION 4 AND THE 17TH AMENDMENT

A third basis for sustaining section 11(b) of H.R. 6400 is afforded by article 1, section 4 and the 17th amendment of the Constitution which authorize Congress to legislate the "manner" of holding elections for Senators and Representatives. Article 1, section 4 and the 17th amendment clearly have nothing to do with race or color. Neither is limited to the regulation of public officials, and both reach private action—*United States* v. *Classic*, 313 U.S. 299 (1941).

It is settled that the language of these constitutional provisions is broad enough to authorize a Federal statute directed against intimidation of voters. See, *Smiley* v. *Holm*, 285 U.S. 355 (1932), where the Court said:

> It cannot be doubted that these comprehensive words embrace authority to provide a complete code for congressional elections, not only as to times and places, but in relation to notices, registration, supervision of voting, protection of voters, prevention of fraud and corrupt practices, counting of votes, duties of inspectors and canvassers, and making and publication of election returns; in short, to enact the numerous requirements as to procedure and safeguards which experience shows are necessary in order to enforce the fundamental right involved.

And in *United States* v. *Munford*, 16 Fed. 223, 228 (C.C.E.D., Va. 1883) the Court said:

> There is little regarding an election that is not included in the terms, time, place, and manner of holding it.

As the discussion on the congressional power to protect the purity of Federal elections shows, where there is authority to regulate Federal elections, a correlative power to regulate State and local elections exists where the regulation of the one is necessary to make effective the regulation of the other. This, of course, is true here.

CONSTITUTIONALITY OF AMENDMENT OF CIVIL RIGHTS ACTS OF 1957, 1960, AND 1964

Section 15 extends to State and local elections the provisions of title I of the

1964 Civil Rights Act, which first freezes voting qualification standards—unless altered by a new State statute—second, prohibits rejections for immaterial errors; third, requires all literacy tests to be in writing; and fourth, creates a rebuttable presumption, applicable in Federal court proceedings, that any person with a sixth grade education is literate. This extension is clearly constitutional.

Taking the provisions of the 1964 act in inverse order, the rebuttable presumption is merely a rule of evidence applicable in court trials. The test of its validity is its rationality. Compare *Tot* v. *United States,* 319 U.S. 463. If it is rational with respect to Federal elections, it is also rational with respect to State elections, for the degree of its rationality does not, of course, vary with the kind of election to which it may be applied.

The requirement that all literacy tests must be in writing is intended to facilitate proof that the test was fairly administered and graded. While in 1964 it was intended primarily to facilitate proof of racial manipulation, it also facilitates proof of any kind of arbitrary or capricious mishandling. It is thus easily within the power of Congress, expressly granted by section 5 of the 14th amendment, to enforce the due process clause, which prohibits arbitrary or capricious governmental action and is as applicable to State and local as to Federal elections.

Similarly, it is a plain violation of due process to disfranchise a person for making an immaterial error on an application form, and this, too, is as true with respect to local and State is well as Federal elections. Hence the due process clause and section 5 of the 14th amendment also sustain this extension.

Finally, the provision of the 1964 act freezing voting qualifications absent a general reregistration is sustainable, too, under the 14th amendment. This provision does not prevent a legislature from enacting an entirely new statute altering the qualifications; it merely prevents a local registrar from altering his method of administering the old qualification law. As such, the 1964 act simply means that no local official may first interpret a State law one way, then later the opposite way, so as to subject one class of persons to one requirement while exempting another class. Such conduct by a local registrar would be inherently arbitrary and discriminatory and surely may be proscribed by Congress, by way of enforcing the due process and equal protection clauses of the 14th amendment.

Finally, each extension may be supported under the 15th amendment, for they all make it more difficult to practice racial discrimination in the voting process and thus insure that this will be prevented in all areas, even if at the moment the problem is not as broad as the statute.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. McCulloch].

Mr. McCULLOCH. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, no issue before a legislative body in a representative republic is of greater importance than legislation which would assure the right of every qualified citizen to vote and to have that vote counted. The right to and privilege of voting is the very cornerstone of our Government. There is no legislative area into which we should move with more firmness, and with more consideration of our Constitution and our Federal system than into the area of Federal regulation of State elections.

The Voting Rights Act of 1965 will be the fourth legislative attempt in 8 years to effectively enforce the 15th amendment to the Constitution, which prohibits any State from denying or abridging the right of citizens to vote on account of race or color.

The civil rights legislation now before the Congress is limited to implementing the right to vote and have that vote honestly counted, tabulated, and recorded. It now reflects our chief concern with legislation in the field of civil rights.

The evidence which compels our attention is spread upon the record of the subcommittee hearings and reports of the Civil Rights Commission, and indeed is found in the press, on the radio, and on the television.

It is unnecessary, at this late date, to dwell on particular examples of the denial of the right to vote on account of race or color. They are known to all who read or see or hear.

I should like to review briefly the portions of the 1957, 1960, and 1964 Civil Rights Acts by which we have attacked this difficult and troublesome problem. The Voting Rights Act of 1965 is bound to be historic legislation. Therefore, it will serve a useful purpose to keep in view what we have done in the past, as we select the means to do that which is now so badly needed, and which for so long has been left undone. It will also serve a useful purpose to consider why we are required to act again to implement the 15th amendment to the Constitution, so soon after the effective date of the Civil Rights Act of 1964.

The Civil Rights Act of 1957, the first civil rights legislation enacted since Reconstruction days, which followed, in part, the recommendations of President Eisenhower, authorized the Attorney General to institute civil actions in the district courts for injunctive relief from denials of the right to vote on account of race or color. Similar relief was also granted against intimidation, threats, or coercion for the purpose of interfering with the right to vote in elections which are wholly or in part Federal elections. In addition, the Civil Rights Commission was created and given the authority to investigate and report on voter discrimination.

The act of 1960 added two principal provisions designed to speed suits to final decision, which sought to end voter discrimination on account of race or color. The first provided that election officers were to retain and preserve all voting records for inspection and copying by the Attorney General, or his representative. The second provided that if in any proceeding instituted under the 1957 act the Court found a pattern or practice of voter discrimination, those persons who are later denied registration by State registrars may apply to a Federal court or a voting referee for a certificate of eligibility to vote. A certificate is issued to an applicant if he is qualified to vote under State law, such qualifications being limited to those not more stringent than those applied to persons found qualified to register or vote by State officials.

Finally, title I of the Civil Rights Act of 1964 prohibited State registration or voting practices, for or in Federal elections which applied any voting qualifications or tests different from those applied to others in the same county which rejected applicants for immaterial errors or omissions in their registration forms, or which required literacy tests—unless they were in writing. A sixth grade education established a presumption of literacy to vote in any Federal election. The act provided that hearing and determination of voter discrimination suits should be in every way expedited.

The laws I have discussed were designed to provide an adequate judicial remedy to cope with the problem of voter discrimination. This was the traditional approach to the solution of a problem of Federal regulation of an area primarily of State responsibility and power. It provided for judicial assessment of the charges of discrimination and applied a judicial remedy, which might include imposition of Federal registration machinery.

The story of the enforcement of all such laws has followed the pattern of development of any judicial remedy. Final decisions must be handed down to provide the guidelines by which the facts and the law are determined. It is regrettable to report that final decisions have been so long delayed that voting rights justice has been denied to almost all nonwhite citizens in certain sections of our country.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Forty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Rollcall No. 168]

Andrews,
  N. Dak.
Ashley
Bandstra
Boland
Bonner
Bow
Cabell
Corbett
Daddario
Dent
Devine
Dingell
Donohue
Dorn
Duncan, Oreg.
Dwyer
Edwards, Calif.
Evins, Tenn.
Fraser
Frelinghuysen
Friedel
Gallagher
Giaimo
Green, Oreg.
Griffin
Hanna
Hansen, Wash.
Harsha
Harvey, Ind.
Holland
Hosmer
Ichord
Joelson
Jonas
Jones, Mo.
Keogh
Kluczynski
McDowell
McVicker
Mackay
Matsunaga
May
Moeller
Morrison
Morton
Mosher
Nelsen
Olsen, Mont.
O'Neill, Mass.
Passman
Philbin
Pool
Powell
Pucinski
Purcell
Redlin
Roberts
Roybal
Scott
Smith, Calif.
Smith, Iowa
Thomas
Thompson, Tex.
Toll
Utt
Weltner
White, Idaho
Wilson, Bob
Wilson,
  Charles H.
Wright

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Bolling, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 6400, and finding itself without a quorum, he had directed the roll to be called, when 363 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. McCULLOCH. Mr. Chairman, the atmosphere of the adversary system does not necessarily lend itself to speedy and harmonious resolution of problems which have their seat deep in the hearts and minds of men. The judicial remedy takes time; it sometimes demands delay; and it calls for great resources of manpower to successfully prosecute a case which may affect only a limited area. Those whose rights are being denied and have so long been denied, are justifiably impatient.

If the observation that "justice delayed is justice denied" is true in general, it is doubly true in a suit to enforce the voting rights of a qualified citizen. It is an empty legal victory, indeed, to have one's voting rights vindicated after the election has come and gone. The frustration and disillusionment which is the aftermath of such procedure can be comprehended by few, if any of us, who never have been confronted by such results.

This brief history demonstrates the need for legislation providing a quick and positive administrative remedy, to end the denial of the right to vote by qualified citizens on account of race or color. It is a need for law which is direct and uncomplicated; for law in accordance with the Constitution, and adequate unto the needs of our changing times.

The Voting Rights Act of 1965 should be so accurately directed at and designed to reach the heart of the problem that this act will retain its validity in future years regardless of the manner by which any attempt is made to deny or abridge the right to vote on account of race or color.

I am firmly committed to this new remedy so that Federal examiners may be assigned to areas of discrimination by administrative decision rather than by judicial decree. I am of the opinion that, in some areas of our country, executive appointment and assignment of Federal examiners is essential to meet the needs of our times. Judicial review must ever be freely authorized, but as a check on administrative action, not as a predicate to assurance of relief.

Those who now favor enactment of such new legislation favor reversal of the pattern by which scattered, and ofttimes long delayed, relief is presently afforded. But the expectations of many of us for fair and sound implementation of this basic principle were frustrated by the initial administration bill, and our hopes and expectations continued unfulfilled throughout the committee action. Accordingly, H.R. 7896, the Ford-McCulloch bill, was introduced to provide a better solution to the problem. In urging its adoption, I shall speak to its major provisions.

The Ford-McCulloch bill is a bill of uniform nationwide application, a bill that directs its remedy at 15th amendment discrimination wherever found. It is a bill which is nondiscriminatory in its approach and application to the problems it is designed to solve. It is a bill completely comprehensive in scope yet uncomplicated and flexible in operation. Its provisions are understandable to the citizens whose rights it assures, unmistakable to those whose conduct it proscribes, and in the opinion of most able lawyers clearly in accordance with the Constitution.

It is a bill which honors the rights of the States to fix and enforce nondiscriminatory voter qualifications. It enlists and encourages good faith compliance with its terms by those it affects. It is a bill which addresses itself to the present and looks to the future. Without penalizing areas which have done no wrong, it applies firm, considered standards to meet the critical requirements of the present situation, standards that will continue in their validity for future times when massive discrimination has ended. It is a bill of constitutional integrity, in the finest tradition of sound, responsive, and responsible legislation.

The Ford-McCulloch bill has a single, simple trigger, whereby citizens in a voting district who have been denied the right to register and vote on account of race or color may invoke the Federal remedy to remove the practices and patterns of discrimination by which their right to vote is denied. Upon receipt of 25 or more meritorious complaints, from a voting district—defined in the bill as a county or parish—the Attorney General directs the appointment of an examiner. If that examiner determines that 25 or more persons have been denied the right to register or vote on account of race or color, a pattern or practice is presumed to exist in that voting district.

The examiner then is authorized to examine and list other applicants who assert they cannot freely register with State authorities. Thus, the chief remedy of the bill, the provision for Federal registration machinery, is directed at demonstrated discrimination at the voting district level. Federal protection of the right to vote can be rapidly and effectively brought to bear anywhere in the 50 States that voter discrimination on account of race or color presently exists.

Mr. Chairman, this is an important provision. How can we say our disfranchised citizens of one area in the United States are less entitled to a quick, efficient remedy than those in another? The administration-Celler bill undertakes to do this by limiting the application of its administrative remedy to seven States. A recent newspaper editorial had this to say on the subject, "A voting rights bill should admit the truth, that discrimination has no home locality."

Once the Ford-McCulloch bill is triggered, it immediately provides examiners to register qualified voters. It does not, however, replace State machinery. Every person applying to a Federal examiner must have first attempted State registration, or entertained a good-faith belief that to do so would have jeopardized him or his family, physically or economically.

Thus, as soon as a State has mended its ways, as soon as discrimination by State registrars has ended, State and local election officials resume their full authority and Federal examiners are forthwith discharged of their duties.

A provision in the Ford-McCulloch bill requires examiners to be residents of the State in which lies the voting district for which they are appointed. My colleagues, that is so important that I wish to repeat that statement: A provision in the Ford-McCulloch bill requires examiners to be residents of the State in which lies the voting district for which they are appointed. That provision in the Ford-McCulloch bill had and has its inception in the debates leading up to the establishment of the Constitution of the United States. Under the Ford-McCulloch bill there will be no carpetbaggers from faraway places to perform these important duties in strange surroundings.

The Ford-McCulloch bill respects State interest in literacy qualifications, and recognizes the constitutional rights of a State to enact and maintain its own nondiscriminatory voting qualification laws. Literacy requirements are waived for those citizens who have a sixth-grade education. Tests and devices are waived, such as voucher requirements and necessity to show good moral character on bases unrelated to the commission of a felony.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. McCULLOCH. Mr. Chairman, I yield myself 5 additional minutes.

The CHAIRMAN. The gentleman is recognized for 5 additional minutes.

Mr. McCULLOCH. By the way, my colleagues, I wonder if you know that those of us who were here in 1957 voted for a bill which provides, in effect, that no one is competent to serve as a grand or petit juror in a Federal court unless he is able to read, write, speak, and understand the English language. And, my colleagues, did you know that no person can be naturalized who cannot demonstrate an understanding of the English language, including an ability to read, write, and speak the English language, or who does not have a knowledge and understanding of the fundamentals of the history, and of the principles and form of government, of the United States?

I should like to pause for a moment on the subject of literacy tests. In the State of Ohio we have no such formal tests. I would not think much comment on the merits of literacy tests is important to this debate, though I note in passing that there is literacy requirement—as there is an English language requirement—prerequisite to naturalized citizenship.

What is important to this debate is that the people of the State have a right to set nondiscriminatory literacy qualifications, if they so desire. Accordingly, the Ford-McCulloch bill immediately and safely removes substantial danger of abuse from any and all literacy tests wherever they are found. It retains the developed procedures and follows the traditional principle that judicial mediation should be interposed between Federal power and State law wherever outright nullification of a State law is required. This is traditional, flexible, and fair.

And I should like to remind my colleagues who were here in 1964 for that epochal civil rights battle which gave the country an omnibus civil rights bill, that was wholly unexpected in its coverage, has a provision that a sixth-grade education is a presumption of literacy.

Under the Ford-McCulloch bill, the Attorney General would have ample manpower to assure rapid preparation of additional suits to those now pending which are aimed at rectifying statewide literacy tests abuses in certain States of the land.

Under the Ford-McCulloch bill, a qualified registrant is allowed to vote if a list of eligible voters containing his name has been served upon the appropriate State election officials at least 45 days prior to an election and if he has not been challenged. A challenge to the listing of a voter must be filed within 10 days after the service of the eligibility list upon the election officials and is to be determined by a hearing officer within 7 days thereafter. A petition for review of his determination may be filed in the applicable circuit court of appeals within 15 days after service of his decision upon the person petitioning.

Up to this point in the challenge procedure, the Ford-McCulloch and H.R. 6400 are basically the same. Here, however, a sharp divergence occurs. In the Ford-McCulloch bill, if a challenge to the eligibility of a listed voter is still pending at the time of the election, such listed voter is allowed to vote. But he votes provisionally, with his ballot impounded until the issue of his eligibility is finally resolved.

The committee-Celler bill has no such safeguard. Under the Celler bill the vote is given to all who have been listed by the Federal examiners and their votes are counted. Incredible as it may be, election results may be certified, despite the fact that challenges to their listing, which are unresolved at the time of the election, could later result in a finding that such vote was illegal.

In enforcing the 15th amendment, is it not our purpose to assure the integrity of the elective process by assuring a vote to each qualified citizen? To count challenged votes and certify the election of officials with votes which may later prove to have been illegally cast is appalling. Certainly an end to voter discrimination need not be bought at the bitter cost of corruption of the vote itself.

To knowingly enact a law which could mean the election of any official, a town clerk or the President of the United States, who has not received the largest number of legal votes is, to me, unthinkable. The chaos, anger, and possible social upheaval that would occur after a close election, where the change of a few votes could have reversed the final election results would destroy the process we are seeking to preserve. Therein lie the seeds of possible revolution.

Where Federal law creates such serious problems in State affairs, that same law—where it can so easily be done—should provide a solution to the problems.

The Ford-McCulloch bill also covers other illegal voting practices. Federal jurisdiction is extended to the investigation and redress of corrupt practices in elections, wholly or part, for Federal officials. These corrupt practices range from threatening and coercing registered voters, through stuffing ballot boxes, tombstone voting, and the purchasing of votes. The most ironclad assurance of the right to vote will be meaningless if the effect of the vote once cast can be nullified by corrupt means. History teaches that widespread corruption was the means used to disfranchise the Negro before the present restrictive registration practices were adopted. We hope—and we foresee—that the Congress will enact these measures, now, to preclude repetition of past instances of instances of voting frauds, and to foreclose these means of withholding the right to an effective voice in government.

There are several other features demonstrative of the simplicity and direct effectiveness of the Ford-McCulloch bill. A single expeditious procedure is provided to enable review of both the application of Federal registration machinery to a voting district and the qualifications of voters listed under the law by Federal examiners. A hearing officer is appointed to review the examiner's findings, both as to individual qualifications and the finding of a pattern or practice of discrimination. Appeal from the hearing officer lies directly to the circuit court of appeals.

There is not, and there need not be, in the Ford-McCulloch bill, any counterpart of the requirement in H.R. 6400 that a State or political subdivision must come to the Federal Court in the District of Columbia to have validated a law or resolution or ordinance of a sovereign State or a political subdivision thereof.

I address this question to the lawyer Members of this Committee. Can you point to any Federal law which requires a sovereign State or a political subdivision thereof to come to Washington to have its law or ordinance or resolution validated? There have been some authorities cited to support that kind of legislation but when the facts are examined they are not on all fours. There is simply no precedent for such a procedure. None of the authorities cited justify the claim and our careful search of many other statutes reveals none. I submit it is as dangerous a precedent as could be enacted into law, and could well be the beginning of the complete breakdown of our Federal system.

The controversy over the issue of poll taxes does not involve the question of being in favor of or opposed to the poll tax itself. I certainly do not favor placing a price tag on the right to vote. The real issue is whether or not a statutory ban on poll taxes is consistent with the Constitution. Certainly, its constitutional validity, which has been questioned by the Attorney General time and again, as well as the practical results of such a statute, makes the propriety of such an approach extremely doubtful. The Ford-McCulloch bill avoids these problems by providing quick and effective court relief from poll taxes which have the purpose or effect of denying or abridging the right to vote on account of race or color.

Mr. Chairman, the conclusion to be drawn from comparison of the two bills is clear: the Ford-McCulloch bill is a measure that can immediately and effectively promote the ends we seek in any political subdivision where voter discrimination may be found. It can assure relief now and in the future with firmness, uniformity, and fairness to all the people, providing a single standard applicable to all of the 50 States. And upon inspection by future generations it will reflect upon us as wise lawygivers who in the finest tradition of the Congress of the United States, in answer to a pressing, present need, met the problem with conviction, with speed, and with vision to see beyond the confines of our times.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I am glad to yield to my colleague on the committee.

Mr. ROGERS of Colorado. I thank the gentleman. As the gentleman has indicated, no doubt he is going to offer the Ford-McCulloch substitute for H.R. 6400.

Mr. McCULLOCH. I do.

Mr. ROGERS of Colorado. Yes. The bill makes the finding:

> SEC. 3. (a) Congress hereby finds that large numbers of United States citizens have been and are being denied the right to register or to vote in various States on account of race or color in violation of the fifteenth amendment.

Mr. McCULLOCH. Yes.

Mr. ROGERS of Colorado. That is a finding your side made, and which we find here.

Mr. McCULLOCH. That is correct.

Mr. ROGERS of Colorado. We agree upon that. The difference between us, then, starts under the administration bill when we say that a test or device has been used to deprive a person of the right to vote because of color. You say that is not right, but that you would under your bill provide that Congress further finds that a person with a sixth grade education possesses reasonable literacy.

Mr. McCULLOCH. That is right. That was in accordance with the determination in 1964.

Now I should like to answer the first question the gentleman asked me.

We made a finding that in certain States of the Union the poll tax was used to discriminate by reason of race or color. We did not find that in every State of the Union such was the case.

Furthermore, the administration bill which came out of the committee not only proscribes and nullifies poll taxes but also proscribes and nullifies any other taxes that may be used as a condition precedent to voting.

Mr. ROGERS of Colorado. I was not talking about poll taxes; I was talking about literacy.

Mr. McCULLOCH. I understood the question was propounded to me on the poll taxes.

Mr. ROGERS of Colorado. I have not gotten to that point, but I would be happy to do so, if the gentleman will take a little more time.

Mr. McCULLOCH. I will give the gentleman all time necessary to propound his question.

Mr. ROGERS of Colorado. What I am trying to do is to show the difference between the gentleman's proposal and the administration's proposal.

We agreed that there have been people who have been deprived of the right to vote because of race or color. That is set forth in the gentleman's proposal. In this bill we say if that is true then we are going to suspend any tax that has resulted in people being denied the right to vote. In the gentleman's bill it is said that we would not suspend, but that if a person has a sixth-grade education the presumption is he is literate enough to vote.

The copy of the bill H.R. 7896 follows:

H.R. 7896

A bill to guarantee the right to vote under the fifteenth amendment to the Constitution of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Voting Rights Act of 1965".

DEFINITIONS

SEC. 2. (a) The phrase "literacy test" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, or (2) demonstrate an educational achievement or knowledge of any particular subject.

(b) A person is "denied or deprived of the right to register or to vote" if he is (1) not provided by persons acting under color of law with an opportunity to register to vote or to qualify to vote within two weekdays after making a good-faith attempt to do so, (2) found not qualified to vote by any person acting under color of law, or (3) not notified by any person acting under color of law of the results of his application within seven days after making application therefor.

(c) The term "election" shall mean any general, special, or primary election held in any voting district solely or in part for the purpose of electing or selecting any candidate to public office or of deciding a proposition or issue of public law.

(d) The term "voting district" shall mean any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

(e) The term "vote" shall have the same meaning as in section 2004 of the Revised Statutes (42 U.S.C. 1971(e)).

FINDINGS

SEC. 3. (a) Congress hereby finds that large numbers of United States citizens have been and are being denied the right to register or to vote in various States on account of race or color in violation of the 15th amendment.

(b) Congress further finds that literacy tests have been and are being used in various States and political subdivisions as a means of discrimination on account of race or color. Congress further find that persons with a sixth-grade education possess reasonable literacy, comprehension, and intelligence and that, in fact, persons possessing such educational achievement have been and are being denied or deprived of the right to register or to vote for failure to satisfy literacy test requirements solely or primarily because of discrimination on account of race or color.

(c) Congress further finds that the prerequisites for voting or registration for voting (1) that a person possess good moral character unrelated to the commission of a felony, or (2) that a person prove qualifications by the voucher of registered voters or members of any other class, have been and are being used as a means of discrimination on account of race or color.

(d) Congress further finds in any voting district where twenty-five or more persons have been denied or deprived of the right to register or to vote on account of race or color and who are qualified to register and vote, there exists in such district a pattern or practice of denial of the right to register or to vote on account of race or color in violation of the fifteenth amendment.

APPOINTMENT OF EXAMINERS; PRESUMPTION OF PATTERN OR PRACTICE

SEC. 4. (a) Whenever the Attorney General certifies to the Civil Service Commission (1) that he has received complaints in writing from twenty-five or more residents of a voting districts each alleging that (i) the complainant can satisfy the voting qualifications of the voting district, and (ii) the complainant has been denied or deprived of the right to register or to vote on account of race or color within ninety days prior to the filing of his complaint, and (2) that the Attorney General believes such complaints to be meritorious, the Civil Service Commission shall promptly appoint an examiner for such voting district who shall be responsible to the Commission.

(b) A certification by the Attorney General shall be final and effective upon publication in the Federal Register.

(c) The examiner shall examine each person who has filed a complaint certified by the Attorney General to determine whether he was denied or deprived of the right to register or to vote within ninety days prior to the filing of such complaint, and whether he is qualified to vote under State law. A person's statement under oath shall be prima facie evidence as to his age, residence, and prior efforts to register or otherwise qualify to vote. In determining whether a person is qualified to vote under State law, the examiner shall disregard (1) any literacy test if such person has not been adjudged an incompetent and has completed the sixth grade of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico, or (2) any requirement that such person, as a prerequisite for voting or registration for voting (i) possess good moral character unrelated to the commission of a felony, or (ii) prove his qualifications by the voucher of registered voters or members of any other class. If applicable State law requires a literacy test, those persons possessing less than a sixth-grade education shall be administered such test only in writing and the answers to such test shall be included in the examiner's report.

(d) If the examiner finds that twenty-five or more of those persons within the voting district, who have filed complaints certified by the Attorney General have been denied the right to register or to vote and are qualified to vote under State law, he shall promptly place them on a list of eligible voters, and shall certify and serve such list upon the offices of the appropriate election officials, the Attorney General, and the attorney general of the State, together with a report of his findings as to those persons whom he has found qualified to vote. Service shall be as prescribed by rule 5(b) of the Federal Rules of Civil Procedure. The provisions of section 8(d) and 8(e) shall then apply to persons placed on a list of eligible voters.

(e) A finding by the examiner under subsection (d) shall create a presumption of a pattern or practice of denial of the right to register or to vote on account of race or color.

CHALLENGES

SEC. 5. (a) A challenge to the factual findings of the examiner, contained in the examiner's report, may be made by the attorney general of the State or by any other person upon whom has been served a certified list and report of persons found qualified to vote, as provided in section 4(d). Such challenge shall be made by service upon the attorney general and upon the Civil Service Commission as prescribed by rule 5(b) of the Federal Rules of Civil Procedure. Such challenge shall be entertained only (1) if made within ten days after service of the list of eligible voters as provided in section 4(d), and (2) if supported by the affidavit of at least two persons having personal knowledge of the facts constituting grounds for the challenge.

(b) Upon service of a challenge the Civil Service Commission shall promptly appoint a hearing officer who shall be responsible to the Commission, or promptly designate a hearing officer already appointed, to hear and determine such challenge. A challenge shall be determined within seven days after it has been made. A person's fulfillment of literacy test requirements, if not disregarded by the examiner as provided for in section 4(c), shall be reviewed solely on the basis of the written answers included in the examiner's report required by sections 4(c) and 4(d).

ESTABLISHMENT OF A PATTERN OR PRACTICE

SEC. 6. A pattern or practice of denial of the right to register or to vote on account of race or color is established (a) if a challenge to a finding under section 4(d) has not been made within ten days after service of the list of eligible voters on the appropriate State election officials and the attorney general of the State, or (b) upon a determination by a hearing officer that twenty-five or more of those persons within the voting district, who have been placed on the list of eligible voters by the examiners, have been denied or deprived of the right to register or to vote and are qualified to register and to vote. The listing of additional persons prescribed in section 8 shall not be stayed pending judicial review of the decision of a hearing officer.

JUDICIAL REVIEW

SEC. 7. A petition for review of the decision of a hearing officer may be filed in the United States court of appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the person petitioning for review, but no decision of a hearing officer shall be overturned unless clearly erroneous.

LISTING OF PERSONS FOUND ELIGIBLE

SEC. 8. (a) Upon establishment of a pattern or practice, as provided in section 6, the Civil Service Commission shall appoint such additional examiners for the voting district as may be necessary who shall determine whether persons within the voting district are qualified to register and to vote. In determining whether such persons are so qualified the examiners shall apply the same procedures and be subject to the same conditions imposed upon the initial examiner under section 4(c), except that a person appearing before such examiner need not have first attempted to apply to a State or local registration official if he states, under oath, that in his belief to have done so would have been futile or would have jeopardized the personal safety, employment, or economic standing of himself, his family, or his property. Such examiner shall in the same manner as provided in section 4(d), certify and serve lists of eligible voters and any supplements as appropriate at the end of each month, upon the appropriate election officials, the Attorney General, and the attorney general of the State, together with reports of his findings as to those persons listed.

(b) Challenges to the findings of the examiners shall be made in the manner and under the same conditions as are provided in section 5.

(c) The Civil Service Commission shall appoint and make available additional hearing officers within the voting district as may be necessary to hear and determine the challenges under this section.

(d) Any person who has been placed on a list of eligible voters shall be entitled and allowed to vote in any election held within the voting district unless and until the appropriate election officials shall have been notified that such person has been removed from such list in accordance with section 10. If challenged, such person shall be entitled and allowed to vote provisionally with appropriate provision being made for the impounding of their ballots, pending final determination of their status by the hearing officer and by the court.

(e) Examiners shall issue to each person placed on a list of eligible voters a certificate evidencing his eligibility to vote.

(f) No person shall be entitled to vote in any election by virtue of the provisions of this Act unless his name shall have been certified and transmitted on such list to the offices of the appropriate election officials at least forty-five days prior to such election.

APPLICATION AND PROCEDURE

SEC. 9. (a) Consistent with State law and the provisions of this Act, persons appearing before an examiner shall make application in such form as the Civil Service Commission may require. Also consistent with State law and the provisions of this Act, the times, places, and procedures for application and listing pursuant to this Act and removals from eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission. The Commission shall, after consultation with the Attorney General, instruct examiners concerning the qualifications required for listing.

(b) Notwithstanding time limitations as may be established under State or local law, examiners shall make themselves available every weekday in order to determine whether persons are qualified to vote.

(c) Times, places, and procedures for hearing and determination of challenges under sections 5 and 8(b) shall be prescribed by regulation promulgated by the Civil Service Commission, provided that hearing officers shall hear challenges in the voting district of the listed persons challenged.

REMOVAL FROM VOTER LISTS

SEC. 10. Any person whose name appears on a list, as provided in this Act, shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from such list. A person whose name appears on such a list shall be removed therefrom by an examiner if (1) he has been successfully challenged in accordance with the procedure prescribed in sections 5 and 7, or (2) he has been determined by an examiner (a) not to have voted or attempted to vote at least once during four consecutive years while listed or during such longer period as is allowed by State law without requiring reregistration, or (b) to have otherwise lost his eligibility to vote: *Provided, however,* That in a State which requires reregistration within a period of time shorter than four years, the person shall be required to reregister with an examiner who shall apply reregistration methods and procedures of State law not inconsistent with the provisions of this Act.

QUALIFICATIONS OF EXAMINERS AND HEARING OFFICERS

SEC. 11. Examiners and hearing officers appointed by the Civil Service Commission shall be existing Federal officers and employees who are residents of the State in which the Attorney General has issued his certification. Examiners and hearing officers shall subscribe to the oath of office required by section 16 of title 5, United States Code. Examiners and hearing officers shall serve without compensation in addition to that received for such other service, but while engaged in the work as examiners and hearing officers shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from their usual place of residence, in accordance with the provisions of sections 835 to 842 of title 5, United States Code. Examiners and hearing officers shall have the power to administer oaths.

TERMINATION OF LISTING

SEC. 12. The listing provisions of this Act shall be applied in a voting district until, within any twelve-month period, less than twenty-five persons within the voting district have been placed on lists of eligible voters by examiners.

ENFORCEMENT

SEC. 13. (a) Whenever a person alleges to an examiner within twenty-four hours after the closing of the polls that notwithstanding his listing under the provisions of this Act he has not been permitted to vote or that his vote was not properly counted or not counted subject to the impounding provision, as provided in section 8(d), the examiner shall notify the United States attorney for the judicial district if such allegation, in his opinion, appears to be well founded. Upon receipt of such notification, the United States attorney may forthwith apply to the district court for a temporary or permanent injunction, restraining order, or other order, and including orders directed to the State and State or local election officials to require them (1) to permit persons listed under this Act to vote, (2) to count such votes, or (3) for such other orders as the court may deem necessary and appropriate.

(b) No person, acting under color of law, shall—

(1) fail or refuse to permit to vote any person who is entitled to vote under any provision of this Act; or

(2) willfully fail or refuse to count, tabulate, and report accurately such person's vote; or

(3) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any such person entitled to vote under any provision of this Act for voting or attempting to vote; or

(4) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any person for urging or aiding voting or attempted voting by persons entitled to vote under any provision of this Act.

(c) No person, acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any person for exercising any powers or duties under section 4, 5, 6, 7, 8, 9, or 10 of this Act.

(d) No person shall in any matter within the jurisdiction of an examiner or a hearing officer, knowingly and willfully falsify or conceal a material fact, or make any false, fictitious, or fraudulent statement or representation, or make or use any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry.

(e) Any person violating any of the provisions of subsection (b), (c), or (d) shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(f) All cases of civil and criminal contempt arising under the provisions of this Act shall be governed by section 151 of the Civil Rights Act of 1957 (42 U.S.C. 1995).

(g) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether an applicant for listing under this Act shall have exhausted any administrative or other remedies that may be provided by law.

INTERFERENCE WITH ELECTIONS

SEC. 14. (a) No person shall, for any reason—

(1) fail or refuse to permit to vote in any State any person who is qualified to vote under the provisions of the law of such State which are not inconsistent with the provisions of Federal law; or

(2) willfully fail or refuse to count, tabulate, and report accurately such person's vote; or

(3) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any such person for the purpose of preventing such person from voting or attempting to vote; or

(4) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any person for the purpose of preventing such person from urging or aiding voting or attempted voting.

(b) No person shall, within a year following an election, (1) destroy, deface, mutilate, or otherwise alter the marking of a paper ballot cast in such election, or (2) alter any record of voting in such election made by a voting machine or otherwise.

(c) No person shall knowingly or willfully give false information as to his name, address, or period of residence in a voting district for the purpose of establishing his eligibility to register or vote, or conspire with another individual for the purpose of encouraging his false registration to vote or illegal voting, or pay or offer to pay or accept payment either for registration to vote or for voting.

(d) Any person violating any of the provisions of subsection (a), (b), or (c) shall be fined not more than $10,000 or imprisoned not more than five years, or both.

(e) The foregoing provisions of this section shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing presidential electors, Members of the United States Senate, Members of the United States House of Representatives, or Delegates or Commissioners from the territories or possessions.

RELIEF FROM ENFORCEMENT OF POLL TAX

SEC. 15. (a) Congress hereby finds that the constitutional right to vote of large numbers of citizens of the United States is denied or abridged on account of race or color in some States by the requirement of the payment of a poll tax as a prerequisite to voting in State or local elections. To assure that the right to vote is not thus denied or abridged, the Attorney General shall forthwith institute in the name of the United States actions for declaratory judgment or injunctive relief against the enforcement of any poll tax, or other tax or payment, which, as a condition precedent to voting in State or local elections, has the purpose or effect of denying or abridging the right to vote on account of race or color.

(b) The district courts of the United States shall have jurisdiction of such actions which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

(c) Appeal from judgments rendered under this section shall be to the Supreme Court in accordance with section 1253, title 28, United States Code.

APPROPRIATIONS

SEC. 16. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEPARABILITY

SEC. 17. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

Mr. RODINO. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, I emphasize at the outset that the views I now express on the voting rights bill, H.R. 6400, are not based on racial considerations.

The people of my congressional district believe in the right of all qualified persons to vote. They are against the application of different standards to different people—and they practice what they preach.

For example, 57 percent of the colored people of voting age in the Third District of Louisiana are registered and 73 percent of those registered did vote in the last general election. This means that percentagewise there are more registered colored people of voting age in the third congressional district than there are white people of voting age registered in some other States. It means also that in the third district there is no discrimination in the registration process or in the office of the registrar of voters, and further that there is no intimidation or denial of the right to vote in the voting process or in the polling place. Furthermore, no one has to pay a poll tax where I come from. Incidentally, these same conditions obtain in the Seventh Congressional District of Louisiana, as well as in other parishes in the State.

The foregoing is not an idle or self-serving statement but is based on cold facts and statistics. As I shall show, the committee itself recognized this in adopting an amendment offered by me. It is clear, therefore, that there is no need whatever for this legislation.

APPLICABLE CONSTITUTIONAL PROVISIONS

Article I of the Constitution provides that the States have the right to fix the qualifications of voters. The 14th amendment provides, in substance, that there can be no discrimination with respect to the right to vote. The 15th amendment provides that the right of citizens to vote cannot be denied on the grounds of race or color. These are the three constitutional provisions to be considered and respected. In fact, it is our duty as Members of Congress to reconcile and give effect to all three.

If the only thing this bill did would be to prohibit discrimination under the 14th amendment, and to prevent the denial of all qualified persons throughout the United States of their right to vote under the 15th amendment, it would carry out and give effect to the three constitutional provisions under consideration; it would be clearly constitutional and I would vote for it, as would, I am sure, most if not all Members from every section of our country. But under the guise of implementing the 14th and 15th amendments, the bill is deliberately aimed at six Southern States only—Alabama, Georgia, Louisiana, Mississippi, South Carolina, and Virginia—and with punitive effect, it strips the powers of those States only, to fix the qualifications of voters, under article I of the Constitution. In this respect the bill itself is discriminatory.

What is more, the bill contains what I consider personally to be unconstitutional provisions unrelated to or certainly going beyond these constitutional provisions and the right to vote, which is said to be the subject of the proposed legislation.

All of this is not to say that I have any illusion about the probable outcome of a court test of the bill because, as stated by a former Chief Justice of the Supreme Court, many years ago, the Constitution is what the Supreme Court says it is. I was rather shocked by this statement at the time, but a number of Court decisions in recent years seem to bear out its accuracy. In my judgment, however, this is no reason why the legislative branch should not itself use self-restraint and avoid the exercise of dubious bare powers, to say the least. For instance, a man might have the sheer power to beat up or brutalize his child, but that does not make his action right. In fact, I think every reasonable person would agree it is wrong.

IMPROPER AND UNWARRANTED PROVISIONS OF THE BILL

Let me give a few illustrations of the type of provisions I have in mind which are equally wrong, besides being improper and unwarranted.

The bill provides a formula under which any State or political subdivision which used a literacy test in November 1964, and in which less than 50 percent of the voting age population—white and nonwhite—were registered or voted in the last presidential election, must discontinue the use of literacy tests and may be subjected to the imposition of Federal voting examiners. This is the arbitrary numbers game formula—unrelated to race or color—which hooks six Southern States only, while exempting others which have literacy tests also.

Let me illustrate how this arbitrary formula works. Louisiana has a literacy test. Way over 50 percent of the people of voting age in Louisiana were registered last November, but due to disinterest, apathy, or some other reasons less than 50 percent of those of voting age went to the polls at that time. Under the formula this means that Louisiana is covered by the bill and must discontinue use of a literacy test.

Over 50 percent of the people in New York were registered last November and, because of a greater interest in the election or for some other reason, over 50 percent of those persons voted. This means that under the formula New York is not covered, even though it has a literacy test, and it means also that the literacy test will not have to be discontinued in New York.

In Texas over 50 percent of persons of voting age were registered in 1964, but less than 50 percent of such people voted in the last presidential election. But because of the fact that Texas does not have a literacy test, that State is not affected by this bill.

Furthermore, under a dragnet gimmick in the bill, a county or parish which is in one of the six Southern States to which the formula applies, has no avenue of escape from the bill, regardless of how completely such subdivision may be in compliance with the law, so far as race or color is concerned.

Thus the bill fails to fulfill the promise stated by President Johnson when he proposed the voting rights bill to Congress:

> To those who seek to avoid action by their National Government in their home communities—who want to and who seek to maintain purely local control over elections—the answer is simple. Open your polling places to all your people.

As I have shown, the doors have already been opened in my congressional district. Accordingly, we should be rewarded for our efforts and should be completely exempted from the provisions of this bill.

A State, county, or parish to which the formula of the bill applies cannot change or improve its voting qualifications or standards without permission of either the Attorney General or the District Court of Washington, D.C. Not only does this requirement go far beyond the constitutional principles I have mentioned, but it seems to go out of its way to obstruct local and State governments at the very time when they may be making praiseworthy efforts to comply with the mandate of the 15th amendment. Giving the Attorney General veto power of such efforts is reminiscent of the power once vested in Colonial regents. It virtually makes a governor of the Attorney General. Moreover, if court approval is determined to be an essential check on revised voting standards, there is no persuasive reason why the State or local government should be required to travel to Washington, bypassing the Federal judiciary in the affected districts. This seems a gratuitous affront to some very fine Federal judges. But the principal objection to this provision is and remains that instead of fostering compliance—instead of helping areas to get in line—it places obstacles in their path.

What is more, this prohibition is made applicable to all changes in voting standards dating back to November 1, 1964.

This means that all States and subdivisions covered by the formula of the bill must now come to the Federal authorities for permission and approval of any legislative or constitutional changes in voting standards which may already have been enacted and placed into effect long before this bill was even introduced, much less enacted by the Congress; even when such changes were undertaken for the purpose of complying with constitutional guarantees. Certainly this requirement of the bill is without precedent or constitutional foundation, and has a marked ex post facto flavor. As will later appear, I proposed an amendment to eliminate the retroactive effect of this provision.

CONCLUSION

I realize the force of the argument that some areas of the country or some counties or parishes within such areas have not made enough effort to accord all the people the right to vote, and to the extent that the lack of effort is due to a plan to deprive any qualified person of his right to vote, I agree that this is wrong. It is as wrong as the enactment of the provisions I have described, and others. I have always been taught, however, that two wrongs do not make a right and that the end does not justify the means. I can only say that the people I represent do not participate in discrimination and that they want no part of recrimination.

For the foregoing reasons, and because the ultimate impact of the bill sets a dangerous precedent for unwarranted intrusion of Federal power into legitimate concerns of State and local governments, I cannot support this bill, as reported out by the full committee.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. RODINO. Mr. Chairman, I yield the gentleman 10 additional minutes.

COMMITTEE ACTION ON MY PROPOSALS

Mr. WILLIS. In representing clients as a lawyer, I took the position that a good settlement was better than a lawsuit and made the best I could out of a bad bargain. And in representing the people of my district as their Congressman I feel a deep sense of responsibility, even when outnumbered, to offer reasonable amendments to try to improve any bill under consideration, or, failing in this, to make it less unpalatable or less burdensome and onerous, and then to vote against the final measure if it is still unacceptable.

On that basis, I offered amendments to this bill, some of which were adopted and others rejected, and I want to briefly describe some of my principal amendments.

One of my amendments, which was adopted, provides that in making a judgment on whether a voting referee should be appointed in any particular political subdivision, the Attorney General shall consider "whether substantial evidence exists that bona fide efforts are being made within such subdivision to comply with the 15th amendment."

In explaining this amendment the committee report states:

> The committee recognizes that in some areas in which tests or devices are suspended, the appointment of examiners may not be necessary to effectuate the guarantees of the 15th amendment. This could be the case where local election officials and entire communities have demonstrated determination to assure full voting rights to all irrespective of race or color. Accordingly, the bill expressly directs the Attorney General, before certifying the need for Federal examiners in a particular area, to consider, among other factors, whether substantial evidence exists that bona fide efforts are being made to comply with the 15th amendment. The committee contemplates that where such substantial evidence is found to exist, the Attorney General will not certify the existence of a need therefor.

In short, this amendment and the committee's explanation of it assure that under conditions obtaining in the Third and Seventh Congressional Districts of Louisiana, Federal voting examiners will not be appointed. To be sure, so-called literacy tests will not be employed for the reason that the entire State of Louisiana, as such, is brought under the force of the formula of the bill. But the point is that under my amendment, local registrars will continue to do the job of registering all qualified voters, and Federal voting examiners will not be installed in these areas. This, at least, is as it should be because Federal voting examiners are unnecessary and unneeded in such areas.

I have referred to the Third and Seventh Congressional Districts of Louisiana only because I am personally familiar with them but my amendment will apply to other areas, counties, or parishes, in which the local community and its elected officials are similarly determined that the voting rights of all will be protected irrespective of race or color.

Let me emphasize that notwithstanding the fact that my own constituents will be free from the imposition of Federal examiners, I nevertheless sought to have included in the bill other provisions that would help local communities where examiners will be appointed. For example, another amendment that I proposed, and the Committee adopted, makes it clear that persons already registered will not have to go back and register again with the Federal examiners. In this respect, at least, the bill looks to the future, rather than to the past. It prevents retroactive disruption of and preserves all existing voting registrations.

In a further effort to improve this bill, I offered another amendment designed to enable individual counties and parishes to question the applicability of the formula of the bill to them. My amendment would have followed a county-by-county, or parish-by-parish, approach. It was based on statistics showing voting registration by race in each county or parish and would have permitted counties and parishes to be completely exempted upon persuading a court that substantial Negro registration and voting had been achieved. Certainly, this is a suitable approach if our object is to effectuate constitutional guarantees. Unfortunately, although at first accepted, the proposal was rejected on a motion to reconsider. I hope that this particular amendment can be reinstated before this bill becomes law. As it now stands, because of the "numbers game" formula previously described, there is no reference in the reported bill to statistics on racial discrimination as a basis for the operation of this very drastic measure.

Also, as I have indicated earlier in these views, I offered an amendment that would have eliminated the retroactive or ex post facto effect of the provisions freezing voting standards as of November 1, 1964, until Federal approval is obtained for new standards. My amendment would have enabled State and local governments to adopted improved voting standards at any time prior to the enactment of the bill, without having to seek approval from Washington. The committee rejected the proposed amendment. In consequence, all changes made since November 1964, long before this bill was introduced, will have to be submitted for Federal approval. This can only result in a loss of respect for and confidence in State and local governments. I, of course, intend to offer other amendments on the floor and would like at this time to briefly mention two of them.

As previously indicated, if a county or parish is located in a State which is covered by the formula of the bill, that county or parish is also affected regardless of how completely such county or parish may be in compliance with the law. I offered an amendment, which the full Judiciary Committee first agreed to and then rejected, which was designed to provide an avenue of escape for a county or parish which did not practice discrimination and which permitted both white and colored qualified persons to vote. My amendment would have followed a county-by-county or parish-by-parish approach. It would have provided an escape valve for a parish or county to be completely exempted from the bill, upon a showing that not less than 40 percent of colored people of voting age were registered in 1964. The bill passed by the Senate contains an amendment along the same lines, offered by Senator LONG of Louisiana, and I do hope that such an amendment will be adopted on the floor during the consideration of this bill.

The bill under consideration, H.R. 6400, originally contained language to the effect that in areas where Federal voting examiners were installed, applicants would first have to apply for registration with local registrars of voters and be turned down before being registered by these Federal voting examiners. This language was stricken from the bill by action of the full Judiciary Committee. Again, somewhat similar language is contained in the bill as passed by the Senate, and I hope that it will be restored in this bill during its consideration on the floor. No harm could possibly come from this and the adoption of an amendment along this line would be a wholesome incentive and encouragement to local officials to provide equal opportunity to all qualified persons to vote.

I have not discussed the substitute bill which I understand my good friend and colleague from Ohio [Mr. MCCULLOCH] might offer because I want to give it further study. Moreover, I do not know exactly what the parliamentary situation will be if and when it is offered. And so, for the time being, I simply wish to say that I will cross that bridge when we meet it.

Mr. McCULLOCH. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, I rise in support of H.R. 6400. I think it is a strong, good, and much needed bill. I intend to vote for it. I further intend to do whatever I can on the floor during the time when amendments are offered to maintain the present strength of the bill.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. LINDSAY. I yield to my chairman.

Mr. CELLER. Does the gentleman not think then that he should vote against the so-called Ford-McCulloch substitute?

Mr. LINDSAY. I intend to vote for the committee bill and against the substitute.

Mr. CELLER. Good.

Mr. LINDSAY. I do not believe there is sufficient opportunity, in the time allotted to me, to go into a long dissertation on legal points surrounding this bill and the other alternatives which have been suggested.

I believe the debate thus far has been on a very high level, which every Member has appreciated.

I should like to add that the various views submitted in the report of the committee—the majority, the minority, and the additional views—are among the finest I have read on any civil rights bill with which I have been involved, and this is now my third bill as a Member of Congress and my fourth in the Federal establishment.

I should like at this time to give recognition to, and thanks for, the good faith of all Members, on whichever side of the aisle they serve and whatever their point of view, for their approach to this subject. The fact of the matter is that not one of the proposals suggested is perfect. Whether Members agree or disagree on H.R. 6400 or the proposed substitute, I believe they do so in good faith.

In the course of the discussion of the legal points and the other questions surrounding the committee bill, we may lose sight of the most important dimension of the voting rights problem. It is true that the bill before the House does involve such issues as the appropriate relationship between Federal and State Governments; it involves issues of administrative practice and procedure; it involves issues of jurisdiction and jurisprudence.

But much more important than anything else, it involves people—their hopes, their aspirations, their feelings about the way they are treated, the opportunities which are open to them and to their children—these are the things which are at stake here and let there be no mistake about it.

The problem of securing the right to vote involves literally thousands of people in the United States, but unfair treatment, discriminatory practice and brutality cannot be easily understood when discussed in terms of masses of people. I believe it would be more helpful, in the few minutes I have, for the House to take a look at this bill from the perspective of a few individual cases which were brought before the U.S. Civil Rights Commission at its hearings early this year in Jackson, Miss.

Let us take the case of two elderly Negro women who attempted to register in Humphreys County, Miss. One, a woman in her 70's, described her conversation with the registrar as follows:

> Well, when I went to register, the registrar asked me what did I come there for. I told him "to register."
>
> He said, "register? For what."
>
> I told him, "to vote."
>
> He said, "Vote? For what?"
>
> And I told him I didn't know what I was coming to vote for.
>
> He hollered at me and scared me so, I told him I didn't know what I came to vote for. I was just going to vote.

This elderly woman, as well as her companion, relies upon Government surplus commodities for part of her sustenance. Both testified that when they attempted to register, the county registrar warned them about losing their commodities. As one of them put it—

> Well, he told me I was going to get in trouble, and he wasn't going to give me no commodities.

In the same county, a mother of three young children also attempted to register. After running the gantlet of registrar rudeness, this woman's name was listed in the local paper pursuant to State law. The very next day she was arrested and jailed on a charge of passing a bad check in the amount of $5.15 in what appears to have been no more than a customary credit transaction.

Or take the case of the Negro farmer and part-time factory worker with an eighth grade education who served overseas as a sergeant in the Army in World War II. When this honorably discharged American serviceman attempted to register to exercise the constitutionally guaranteed franchise he was given the Hobson's choice either of continuing his attempt to register or of having a badly needed road put through to his area so that his and his neighbors' children could get to school. These were the alternatives offered by the sheriff in one Mississippi county to a Negro who wanted nothing more than to vote. The first time he attemped to register was in 1957. As of February of this year—8 years later—through a combination of economic coercion and discriminatorily administered voting tests he still had not been allowed to vote. This Negro American described his efforts to get others to register in these terms:

> I tell them that [unless] they go down there and vote, they cannot be represented. What I mean about that, you don't have any representatives in the county, you don't have any in the State legislature, you don't have any in Congress; nobody to represent us. If we had representatives on our school board, we wouldn't have 175 or 200 kids out of school today. But we don't have the representatives.

Thus it goes. Sporadic incidents these? Unhappily not. But rather an all too widespread campaign by State and local officials to keep people from participating at the level of government which most affects their daily lives. All too many Negro Americans are today the victims of a vicious cycle in which antagonistic State and local governments are able to remain in power only by denying the Negro the right to vote. A system like this breeds on itself and it can be undone only by strong measures.

Three and a half centuries ago, the English poet, John Donne, wrote those lines with which I am sure Members are familiar:

> No man is an island, entire of itself; every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, Europe is the less, as well as if a promontory were, as well as if a manor of thy friends or of thine own were; any man's death diminishes me because I am involved in mankind; and therefore never send to know for whom the bell tolls; it tolls for thee.

So it was three and a half centuries ago; so it is today. For so long as even one Negro citizen is intimidated and harassed solely because he too wants to be treated as a man—to have his vote counted—so long as this happens I say that the bell tolls for all of us.

The bill which is before us today, H.R. 6400, has its defects. Had I drawn the whole bill, or been able to substitute my will for that of the whole committee, I would have done it differently. I find the triggering provision ingenious but strained. I find the continued resort to the courts, once the basic decision as to discrimination has been made, cumbersome, and unnecessarily burdensome to the judiciary. I find the designation of the District Court for the District of Columbia as the proper forum for all litigation under the act a troublesome precedent. I find the bill less than complete in its treatment of economic intimidation and reprisal, and I find the absence of a provision protecting first amendment rights indeed a serious omission.

Had the committee seen fit to adopt my own bill, H.R. 7191, I believe that these problems would have been avoided and a stronger and more effective bill enacted. However, H.R. 6400 was considerably strengthened in committee by the adoption of two provisions which I offered in my bill—a provision eliminating the poll tax and one providing for Federal poll watchers.

I remember the time this committee and its majority insisted on bringing to the floor a proposal to abolish by constitutional amendment the poll tax in Federal elections. Some of our Members then took the floor saying that it was unbelievable that Congress would use an atomic cannon to kill a gnat. That we would amend the Constitution, and yet leave out State and local elections, was to me indefensible—apart from the fact that we were doing something by a constitutional amendment which could have been and should have been done by simple statute.

I remember making the prediction that the day would come when we would be faced with this unhappy inconsistency, and that day has now arrived.

You saw the problem that our distinguished chairman of the committee was faced with a moment ago in trying to reconcile that difficult position. We made the error then, and we are having to make up for it now.

I recall, too, in considering the 1964 Civil Rights Act last year, we told the country that this was a sweeping reform that would cure the problem for all time. We had very carefully omitted from the committee bill any embracement of non-Federal elections—local and State elections—where the chief agony has been in this country for so long.

We are back again to make up for the deficiency in the 1964 civil rights bill, which should have been openly stated and admitted at the time by all Members then debating the question.

I just mentioned the omission of first amendment protections. I find that the bill is less than complete, most especially in its treatment of this question and the problem of economic intimidation and reprisal. The bill can be strengthened. I shall have an amendment to offer, at the appropriate time, for the protection of Federal agents who are acting in the course of their duty. And I shall have an amendment that will further guarantee first amendment rights.

Members will recall in 1957 a broad scale part III or title III, as it is known, passed the House of Representatives in the form proposed by the Eisenhower administration and was killed in the Senate. My amendment is not so broad as that one, and is limited to the first amendment rights—freedom of speech, freedom of the press, and the right of citizens to assemble peaceably in order to petition against grievances. This is the area in which some of the most strenuous problems have arisen around the country, and it seems to me that first amendment rights are entitled to a high priority of national protection. Indeed, Bill of Rights guarantees have always been of primary concern to me. I really think we owe it to the country to finish this subject once and for all. For Congress has been unsuccessful in its attempt to do so, year after year.

H.R. 6400 was, however, strengthened over what the administration submitted to us through our elimination of the poll tax. As I said a moment ago, this is a key issue. It is a very important moral question as well as a legalistic one. The bill was also strengthened by the addition of provision for Federal poll watchers or observers, but still it does not do enough to protect the actual right to vote.

It does not do too much good to register people to vote if full protection of the right to vote and to cast their ballot is not available.

Finally, I do think that title III, which I mentioned earlier, should receive the support of all persons interested in civil rights protections. The good chairman of the Committee on the Judiciary the gentleman from New York [Mr. CELLER], asked me just a moment ago whether I would support H.R. 6400 and vote for it, and therefore against the substitute. I told him very frankly that I will, and I hope the committee bill carries. But by the same token I want to ask him right now for his support for part III or title III, as it was known, for which he voted in 1957. And I do not wish to see another situation occur in which, as chairman of the committee, he will lead his side of the aisle against title III when it is offered during the period of amendments. We need that section in order to protect people who gather peaceably in order to petition the Government against grievances, State grievances most especially; and that includes petitioning for additional legislation to open up the way to the right to vote.

In conclusion, Mr. Chairman, I want to say that in spite of some of the deficiencies which I have noted in the committee bill, I do think it is an effective bill. It moves us a little bit further away from this business in which we have been channeled too deeply, which is to rely totally on the courts for voting rights protection.

On the whole it is an effective and vitally needed bill, and I shall be pleased to support it.

Mr. RODINO. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, may I first congratulate the esteemed chairman, the gentleman from New York, the dean of this body [Mr. CELLER], for his outstanding presentation this afternon of a very complex and controversial subject.

Mr. Chairman, as a member of the Committee on the Judiciary I would also like to commend the committee members, both the proponents and the opponents of this bill, for their very, sincere manner of debate. It was free of rancor and free of bitterness, despite the fact it was heated at times.

Mr. Chairman, as we undertake consideration of the voting rights bill, H.R. 6400, I think it is important to clarify the intentions of this measure and correct some misconceptions.

The simple purpose of this bill is to enforce the constitutional protections of the right to vote; to correct a century of injustice and to guarantee, once and for all, that no American citizen shall be denied the ballot by subterfuge or intimidation. I cannot think of a single Member of Congress who would raise objection to that.

It is not the purpose of this bill that critics quarrel with, but rather the way in which that purpose is accomplished. And here I find a number of misconceptions concerning the operations of H.R. 6400.

I have heard critics say, for instance, that it abolishes a State's right to set qualifications for voters. It does nothing of the sort. It only suspends those qualifications where they are plainly being used in a discriminatory fashion. The House Judiciary Committee, I regret to say, has been presented with abundant evidence of such discrimination, particularly in the use of literacy tests and other voting tests. Although I personally am opposed to such tests, I do not see how we could constitutionally object to them if they were applied alike to all voters. But when they are not applied equally, when it is clearly shown that they are used to keep thousands of voters from the polls, our duty as legislators compels us to intervene.

Since these tests are among the principal means of discriminating against a large percentage of the electorate, we have proposed that they automatically be suspended if a State that makes use of them had less than 50 percent of its voting age population registered or voting in the presidential election of November 1964.

Now, though the suspension of these tests is automatic, the application of the law is not. I cannot emphasize this point too strongly because it corrects another common misconception about H.R. 6400. The Government cannot automatically send Federal examiners into a State or county. There must be clear evidence of discrimination.

Examiners would be sent in to take over voter registration only where one of three sets of circumstances were present:

First, a district court can authorize the appointment of examiners where it is considering a suit brought by the Government to enforce voting rights and concludes that the appointment of examiners is necessary to enforce the 15th amendment.

Second, examiners can be appointed where the Attorney General certifies he has received 20 or more meritorious complaints of discrimination from a political subdivision to which the law applies. The complaints he receives must be valid. The law makes the filing of false complaints a Federal offense.

Finally, examiners can be appointed where the Attorney General, after careful examination, certifies that in his judgment they are necessary to enforce the guarantees of the 15th amendment.

I believe these provisions amply protect any State or county against capricious and unfair treatment. If, for instance, there is no discernible evidence of discrimination in a State and if nowhere in it there are 20 citizens ready to say they are being denied their right to vote, that State continues to operate free from Federal intervention, even if it meets the bill's automatic formula by having a voting test and having less than 50 percent of its eligible voters registered or voting in November 1964.

President Johnson, incidentally, gave excellent advice, in his voting message of March 15, to any community that wants to remain clear of Federal action. "The answer," he said, "is simple: Open your polling places to all your people. Allow men and women to register and vote whatever the color of their skin. Extend the rights of citizenship to every citizen of this land. There is no constitutional issue here. The command of the Constitution is plain. There is no moral issue. It is wrong to deny any of your fellow Americans the right to vote in this country. There is no issue of States rights or national rights. There is only the struggle for human rights."

If States would heed that advice, there would be no need for this bill. We have only acted where it was evident that a State has chosen not to extend equal voting rights—that badge of citizenship—

to all of its residents. It was this consideration that led our committee to propose that the collection of the poll tax be prohibited in all State and local elections. We are not trying to interfere with a State's right to set voting qualifications. We are simply trying to remove a tax on the franchise, whose iniquitous effect throughout the years has been to deny voting rights to millions of Americans because of their race or their condition of poverty.

That the poll tax was originally introduced to keep Negroes from voting is surely a matter beyond dispute. It is recorded in the proceedings of those State constitutional conventions at the end of the last century. We are told by one eminent historian that in one State:

> The leaders of the black counties were eventually able to persuade the convention that educational and property qualifications, with the addition of the poll tax, would be the best means of eliminating the Negro vote. (Kirwin, "Revolt of the Rednecks," Mississippi Politics (1964).)

A delegate to one convention said the "very idea of a poll qualification is tantamount to saying to the Negro 'we will give you $2 not to vote.'" And the Mississippi Supreme Court in an 1896 decision—Ratliff against Beale—said candidly:

> In our opinion the (poll tax) clause was primarily intended * * * as a clog upon the franchise, and secondarily and incidentally only as a means of revenue.

Have matters improved since then? They have to some degree. But the poll tax is still an impediment to voting. It is still an integral part of a system of disfranchisement in certain sections of this country. For poor people who live outside our cash economy, as many residents of rural areas do, getting the few dollars together to pay a poll tax is a difficult task. Even where they are able to assemble the money, they are still discouraged from voting by registrars who made themselves inaccessible or who refuse the taxes when they are offered or by the local sheriff who intimidates voting applicants by requiring that the taxes be paid to him in person.

It is the existence of such situations that led our committee to find that the tax, as a precondition to voting, violates the 14th and 15th amendments; that it is "not a bona fide qualification—but an arbitrary and unreasonable restriction upon the right to vote."

A majority of our committee is convinced, after careful study, that we have the power to eliminate the poll tax by law.

Many legal authorities support our position. In these brief remarks I will cite only one, Prof. Mark De Wolfe Howe, of Harvard Law School, who has observed that the same authority that empowers Congress to prohibit the use of literacy tests when they are applied discriminatorily, gives us the authority to outlaw poll taxes in those communities where they are being used to preserve the caste system. He said, "if Congress is persuaded that there is a substantial danger that the poll tax will be put to such discriminatory uses—and the enactment of the 24th amendment—prohibiting the poll tax in Federal elections—is good evidence of that persuasion—I think it wholly clear that total outlawry of the tax is within the congressional power."

Some critics of the provision outlawing the poll tax have questioned how the Supreme Court would treat it in the case of a court test. We believe adoption of this provision will immeasurably strengthen the Government's position in a court test of the constitutionality of a ban on poll taxes. There is ample precedent to show that the Court does regard what Congress says. It is altogether reasonable to expect it will be ready to endorse an outright ban.

I would point out another consideration. If the Supreme Court were to rule on the House provision and uphold the ban, as we have every reason to believe it will, that settles the question. The poll tax is outlawed permanently in the few States that still levy it.

I would urge this House to adopt H.R. 6400 in the form in which we present it to you. I would also ask my fellow Members to recall with me the President's clear injunction to us at the joint session when he said:

> We cannot, we must not refuse to protect the right of every American to vote in every election that he may desire to participate in. And we ought not, we must not wait another 8 months before we get a bill. We have already waited a hundred years and more and the time for waiting is gone.
>
> So I ask you to join me in working long hours, nights, and weekends, if necessary, to pass this bill. And I don't make that request lightly. Far from the window where I sit with the problems of our country, I recognize that outside this Chamber is the outraged conscience of a nation, the grave concern of many nations and the harsh judgment of history on our acts.

Let us be mindful of that conscience. Let us be aware of that concern and of that impending judgment and let us pass a strong law without delay.

Mr. McCULLOCH. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. McCLORY].

Mr. McCLORY. Mr. Chairman, in the remarks I address to the committee today, I want to make eminently clear that I want this Congress to enact the strongest and most emphatic legislation possible to assure equal voting rights for all Ameriacns.

At the same time, in the zeal to end discrimination, I do not want to contribute to the creation of new areas of discrimination. We must exercise firmness and deliberateness. But we should abjure vindictiveness, vengeance or any other such attitude.

Like many others, I am anxious that voting rights be secured without delay—without litigation whenever possible—and without new impediments being thrust in the path of assuring equal citizenship for all Americans.

And I would like to preface my remarks with one other observation. I would truly like the voting rights law which we enact to be the product of the Congress—the work of the lawmaking branch of Government—and not in any sense a package delivered by the executive branch with a command to ratify that which the Executive has produced.

And let me say this in behalf of the House of Representatives, and this committee: The Civil Rights Act of 1964 is a great monument to the U.S. Congress. The lengthy bill, the numerous amendments considered in that historic session, demonstrate that the Congress can, and still does, serve as the lawmaking branch of our Federal Government, notwithstanding inroads by both the executive and judicial branches—and notwithstanding the recognized need to improve some of our procedures.

Accordingly, the words I speak in behalf of the Ford-McCulloch bill—and in criticism of the Celler-administration bill—are intended to help produce the best and most effective voting rights bill for the benefit of Negro American voters—and all other American voters. It is my fervent hope that provisions of the bill we enact will be applicable throughout the 50 States—and that it produces an effective, a responsible and a speedy answer to the discrimination about which the committee received testimony and with respect to which the Nation is deeply concerned.

As has been brought out earlier, the bill which the committee considered in its original form was, at most, but a partial answer to the subject of denial of voting rights as practiced for many years in various of the States. There seemed to be some design or intention to tag or earmark certain States without implicating others. It seems almost as though this conscious effort to vindicate the State of Texas was paramount in the development of a formula or device or test for triggering the summary, arbitrary and virtually unreviewable judgment or decision of the Attorney General of the United States—whomever he might be.

The danger of this approach to assuring fair and equal and nondiscriminatory voting rights for all citizens—particularly our great Negro American population—is and must be apparent to all—certainly to all lawyers who have been confronted with cases where unlimited discretion determines the outcome of litigation. In addition, of course, to virtually deny access to the courts for purposes of review, or otherwise, in an innovation, to say the least, in American jurisprudence.

As we have seen, the formula for denominating States which practice discrimination on the basis of the percentage of voting age citizens who were registered or who voted in the general elections on November 4, 1964, produces the incongruous result that the State of Alaska falls within the unlimited discretion of the Attorney General. In addition, excluding the poll tax as a test or device to qualify a person to vote results in excluding Texas and Arkansas from the ambit of the section 4 formula.

As I indicated, the method by which any of the seven guilty States may disprove their guilt is unique in the field of law. Never before has any State been found guilty by the decision of a member of the executive department with the sole alternative of disproving its guilt by an original action in the District Court of the District of Columbia.

It is argued that this designation of the District Court of the District of Columbia will, first, discourage litigation, or second, produce favorable decisions, or third, expedite determination of controversies. Well, one may wonder. In the first place, when a procedure is recommended which is without clear legal precedent, there is justifiable reason to question its validity—indeed, its constitutionality.

Much has been said in the hearings as to the consitutionality of the poll tax. The Attorney General is skeptical about legislating against the poll tax, or including the poll tax as a test or device for practicing discrimination. But one may wonder about this distinction in the Attorney General's and the administration's reasoning. What would happen if, in addition to literacy tests, the bill also designated imposition of a poll tax as a test or device used for purposes of discrimination in voting? What if the Celler administration bill or H.R. 6400 tagged a State which imposed a poll tax and where less than 50 percent of those of voting age had voted? Why, then the State of Texas would come under the automatic trigging provision—and Texas, too, would have to come to the District of Columbia to try to vindicate itself or extricate itself from the stigma and presumption of discrimination.

Now, the administration would not want that to happen. So, with no qualms whatever about identifying the States of Alabama, Mississippi, Georgia, Louisiana, Virginia, South Carolina, Alaska, and 34 counties of North Carolina as States presumed to be discriminating, the bill excludes Texas. This plan would boomerang if the poll tax were included as a "test or device" in the automatic triggering formula.

The Attorney General questions the wisdom of an outright prohibition of the poll tax as a test or device or condition to voting. He says that a constitutional question is involved which might jeopardize the entire voting rights legislation. But without any clear precedent, he refuses to question the constitutionality of the procedure to vest exclusive jurisdiction in the District Court of the District of Columbia for a review of the decisions he may individually make upon which Federal examiners take over the registration and other election procedures and machinery in a large area of the country.

Still there is a question as to the constitutionality of this procedure. And if section 4 and 5 are held unconstitutional, instead of expediting action on voting rights, it will delay and deny voting rights to those citizens which this Congress aims to assist.

Should we now take that kind of a chance at a time when we are endeavoring to establish for all time the equal opportunity to vote on the part of all citizens regardless of race or color? Should we, my colleagues, take that chance when we have a clear, tried and tested alternative—a constitutional method of assuring and securing voting rights to all in the Ford-McCulloch voting rights bill?

Believe me, I want speedy action. And I want it in every State where discrimination on the basis of race or color is presently being practiced. I do not want the delay which can come from enactment of an unconstitutional law—or from the resistance, hostility, and retribution which are apt to follow from the provisions of sections 4 and 5 of the Cellar-Administration bill.

The administration seems to take the position that any legislation, however arbitrary or however violative of other articles of the Constitution, is valid providing it is enacted in furtherance of the 15th amendment to the Constitution. Brief quotes from unrelated types of cases have been referred to in this behalf in an apparent attempt to convince the Congress that the authority to override State and local laws is unlimited.

I would like to address myself to the provision of section 4 which requires that any State or political subdivision with respect to which voting tests or devices have been set aside by the Attorney General may file an action only in the U.S. District Court for the District of Columbia—and then only on the basis that such State or subdivision has not applied any such test or device during the 5 years preceding the filing of the action for the purpose and with the effect of denying the right to vote on account of race or color. The section further provides that a court of three judges shall be convened to decide any such proceeding and that appeal shall lie to the Supreme Court.

It is interesting to note with respect to this section that the determination or certification of the Attorney General with respect to guilty or not guilty States or other political subdivisions is specifically not "reviewable in any court." This authority of the Attorney General includes a provision that:

> No State or political subdivision shall be determined to have engaged in the use of tests or devices for the purpose or with the effect of denying or abridging the right to vote on account of race or color if, (1) incidents of such use have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

The decisions upon which the majority of the committee have relied for requiring States or other political subdivisions to travel to the District Court of the District of Columbia are set forth on page 19 of the report. These include a case under the Emergency Price Control Act of 1942, provisions of the Interstate Commerce Act, a rule of the Securities and Exchange Commission and other such authority.

It is well to note that the majority report contains no explanation for vesting exclusive jurisdiction in the District Court for the District of Columbia. The clear answer is that there are no adequate precedents for this extraordinary procedure.

There is absolutely no statutory precedent for requiring a State or political subdivision to come into any court, much less the District of Columbia. The statutes cited by the majority apply to individuals or business organizations, and chiefly concern review of administrative regulation of commercial affairs. As will be seen they have nothing to do with statutory limitations on basic constitutional powers or rights of the people acting through their State governments.

The precedents cited by the majority are irrelevant to Celler-administration requirement that any litigant must come to the District of Columbia to show he has not been or will not be in violation of a law of the land.

The Emergency Price Control Act of 1942, section 203(a), 56 statute 23, provides an administrative remedy whereby a person subject to a regulation, order, or price schedule promulgated by the Administrator of the Office of Price Administration, created by the act, might file a protest containing objections to the regulation, order, or price schedule. The act empowers the Administrator to prescribe regulations for the filing of such protests.

Nothing in section 203(a) suggests that the aggrieved person must file protests in the Administrator's Office in Washington; section 201(a) of the act indicates the contrary:

> The principal office of the Administrator shall be in the District of Columbia, but he or any duly authorized representative may exercise any or all of his powers in any place.

Further, nothing suggests that a merchant must first clear his own price schedules with the Administrator before he is allowed to transact any business.

Under the Emergency Price Control Act of 1942, section 204(a)(d), 56 Stat. 23, exclusive jurisdiction of appeals from the Administrator's resolution of protests—described in (a) above, that is, exclusive jurisdiction to restrain the enforcement of price orders under the Emergency Price Control Act, is vested in an Emergency Court of Appeals. This wartime provision for rapid review of matters so closely touching on the war effort was upheld in *Lockerty* v. *Phillips*, 319 U.S. 182 (1943).

The Emergency Price Control Act created a new court. It did not discriminate among duly constituted Federal courts. In fact, section 204(c) provided that the Emergency Court of Appeals, selected by the Chief Justice of the Supreme Court, would draw for its membership on members of any U.S. District Court or Circuit Court of Appeals. Not only is the Price Control Act bare of limitation of this Court's location to the District of Columbia, but the Court actually sat in 65 cities in hearing 401 cases the country over. Final session, U.S. Emergency Court of Appeals, 229, F. 2d, 1, 13–14 (1961).

The majority also cite the Civil Rights Act of 1964, section 709(c); 78 Stat. 241, 263; 42 U.S. 2000a–8(c). These sections provide for the keeping of such records and reports as the Federal Equal Employment Opportunities Commission would prescribe by regulation or order to allow enforcement of title VII of the 1964 Civil Rights Act. The act further provides that any employer upon whom such Federal regulations or orders work an undue hardship might seek relief from the regulation or order either by application to the Commission or by bringing a civil action in the U.S. District court for the district where the original records are kept.

This is nothing more than provision for review of a Federal administrative regulation or order. It has nothing to do with the District of Columbia.

The majority also cite the Interstate Commerce Act, section 204(a)(4a), 49 U.S.C. 304(a)(4a). This act prescribes the duties of the Interstate Commerce Commission to issue exemption certificates for intrastate carriers from regulation by the Commission. It provides that application may be made by carriers or others, to have the Commission determine the facts of the nature of the operation of the carrier involved. Such a certificate may not be withheld without hearing. Further, if the State board recommends issuance of the certificate, the exemption issues automatically, if not denied in 60 days by the Commission.

Title 49, United States Code, section 302(b) of the same Interstate Commerce Act provides that:

> Nothing in this chapter shall be construed to interfere with the exclusive exercise by each State of the power of regulation of intrastate commerce by motor carriers on the highways thereof.

It is explicit in the act—and implicit in the Constitution's commerce power—that intrastate carriers may operate without a Federal certificate of exemption. The certificate of exemption then, is no more than evidence of a formal determination by the Commission that, in the Commission's view, after review of the facts of the carrier's operation, the carrier is in intrastate commerce. It removes uncertainty as to the status of the carrier—it is no license to his operation. Even at that, he need not come to the District of Columbia to seek the exemption. And the utmost deference is given to State action.

Reference is also made to Securities and Exchange Commission rule 10-B-8(f). This administrative rule promulgated pursuant to the Securities Exchange Act of 1934, title 15, United States Code, section 78j(b) provides means whereby a business contemplating a transaction which might possibly be viewed as a manipulative sale forbidden by title 15, United States Code, section 78j, can get an advisory opinion as to the legality of the sale from the Commission, which opinion is made binding as to that transaction by force of the regulation. It is SEC action equivalent to that of the ICC discussed in paragraph 3, above.

Equity jurisdiction clearly continues to rectify the specific demonstrated violations of the law. This is the traditional procedure. State law is presumed valid until its enforcement is enjoined in a court of law. The procedure in H.R. 6400 would revise this basic relationship of State to Federal power.

It is interesting to note that there is a compelling statutory precedent against such centralization of litigation. Public Law 87-748 reflects the will of the 87th Congress to broaden access to the courts. Title 28, United States Code, section 1361, 1391(2)(e) 76 Stat. 744. This law eliminated the previously existing limitation of mandamus jurisdiction to the District Court for the District of Columbia by extending that jurisdiction to other districts courts of the United States. See *Sprague Electric Co.* v. *Tax Court*, 230 F. Supp. 779, 782 (D. Mass. 1964).

The requirement to bring any such action in the District Court of the District of Columbia appears to be a reflection upon all of the other district courts and courts of appeals in the country. While we are considering voting rights today, it is possible in the future that we might be considering legislation of greater interest to other sections of the country. Yet, if the courts of those sections are not to be trusted, and we must bring all such actions in the District of Columbia, then we are truly establishing a new principle which all States of the Nation should regard warily—not simply those States directly affected by the present legislation.

I am not at all certain that the procedures set forth in the Celler-administration bill are the most expeditious. I am advised that the District Court of the District of Columbia has a backlog of some 4,000 cases. I am also advised that the opportunity for intervention in a declaratory judgment proceeding or review filed in the District of Columbia court could protract the proceeding for many months—possibly years.

Contrast this situation with the speedy and tested procedure contained in the Ford-McCulloch bill. Note that the Ford-McCulloch bill authorizes the appointment of Federal examiners upon receipt of the meritorious complaints from only 25 or more persons who assert that they have been denied the right to register or to vote. The decision of the Attorney General on this issue can be made in 1 day—immediately—and unless challenged within 10 days, bcomes final.

Even if challenged, if the hearing officer—who is also appointed by the Civil Service Commission—affirms the finding, Federal examiners go into operation at once. Naturally, there is a right to review in the court of appeals which serves the voting district involved. But note this: The appeal does not stay the operation of the registration of voters by the Federal examiners. In the event an election occurs during the period of such appeal, there is authority for provisional voting with the result that no person can be denied the right to register or to vote because of any frivolous or nonmeritorious appeal or court proceeding.

Of course, the speedy action which is provided in the Ford-McCulloch bill is available in all of the 50 States—including Texas, including Arkansas, including Florida, including Illinois, if you will. It is a fast, uniform, constitutional procedure for assuring voting rights to all and a quick and appropriate review of any arbitrary decisions without, however, delaying or denying the right of a single individual to register or to vote.

Mr. CELLER. Mr. Chairman, will the gentleman yield at that point?

Mr. McCLORY. I yield.

Mr. CELLER. Aside from the fact that the majority opinion does cite these cases with which the gentleman disagrees, nonetheless, would there not be uniformity—and uniformity is important and is to be desired in matters as important as this—because otherwise, where this triggering provision would apply in those States in which it would apply, you might find decisions of three different circuits, with the district courts in those circuits having differing opinions. It might take an inordinate length of time before you got finality in a Supreme Court decision.

So, in the interest of expedition and not knowing exactly how the Supreme Court would decide on these momentous issues, would it not, therefore, be better to have the matters brought before one court?

Mr. McCLORY. Mr. Chairman, it is my position, and I am sure it is the position of a majority of the Republican Members, that the Supreme Court should be the one to establish the uniformity which is sought. We should not designate one circuit court or one district court of the Nation to decide what is going to be the uniform rule applicable throughout all the circuits. It seems to me that if we applied this principle with respect to voting rights cases, we might apply the same principle with respect to other types of litigation of national interest and designate some other circuit as being the final authority on litigation on that subject. Furthermore, it seems to me that what we want to do, especially as lawyers, is to leave the courts, all the courts, open to the people and get a uniform rule and get a constitutional basis and interpretation of our laws from the Supreme Court and not from some inferior court that we might designate.

Mr. CELLER. Of course, the majority wants to have the Supreme Court pass on these matters as quickly as possible. The gentleman from Illinois knows that an appeal can be had directly to the Supreme Court from a three-man court in the District of Columbia.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. CELLER. Mr. Chairman, will the gentleman yield further?

Mr. McCULLOCH. I yield to the gentleman from New York.

Mr. CELLER. So, in the interest of the practicalities of the matter and the interest of getting a quick decision, the majority felt this would be the most appropriate way of handling it.

Mr. McCLORY. Well, Mr. Chairman, I do not know what the reasons are. I have heard that the reasons are not that. I have heard that the reasons are that there are certain people who are not satisfied with the decisions of the courts of appeals of other circuits and, so, because of that dissatisfaction they want to have a different circuit, a different group of judges, make the decisions.

Mr. Chairman, I do not believe that that is the appropriate way for us to legislate.

Also, let me just add this: I have also heard that one reason they want to bring it to the District Court of the District of

Columbia is that there is a shortage of judges in the fifth circuit and the President has not seen fit to appoint judges to fill vacancies and those vacancies should be filled. If that is true we ought to encourage the filling of these vacancies instead of designating a court already overburdened, as I understand it, with a backlog of 4,000 cases. We should not burden that court further with all of the litigation which might come from these six States, plus the 34 counties of North Carolina, and other litigation that might come to it.

Mr. CELLER. Mr. Chairman, will the gentleman yield further?

Mr. McCLORY. Yes, I yield to the gentleman from New York.

Mr. CELLER. I, of course, attended every single session of the subcommittee and heard all of the witnesses and appeared at all of the executive sessions when we considered the bill, and appeared at all the sessions of the Judiciary Committee when we finally elaborated the bill and refined it and got it whipped into final shape. There was never the slightest murmur or even a whisper about any prejudicial circuit court or any prejudiced district court anywhere. I can assure the gentleman that the centering of the judicial process in the first instance in the District of Columbia had no relation whatsoever to any favored court. That was farthest in the minds of the members of the Judiciary Committee which had anything to do with this bill.

Mr. McCLORY. Well, Mr. Chairman, I do not know that. I do not want to say I heard that from the committee. It seems to me I have read of that fear or that apprehension and I believe there has been criticism by Members of the voting rights decision of a circuit or perhaps more than one circuit.

Therefore, I cannot help but feel—and I am sure that people who read this bill and find that we have specifically designated one district to hear the cases will conclude that this dissatisfaction, this apprehension about decisions in voting rights cases, motivated the decision to require that all review shall be in the District Court of the District of Columbia, and a three-court decision.

But let me say this further: I have had a review of the authorities upon which the majority of the committee purport to base this provision, this requirement, that the review be solely in the District Court of the District of Columbia, and I do not find that there is any precedent where a State must come and have its enactments reviewed or must come and litigate the subject of exculpating itself from a decision of an executive such as the Attorney General in this case. And, without any precedent, without any decision upon which to base such a provision, it seems to me appropriate that we should question the constitutionality of such provisions. This is so, particularly, when we have an alternative and a speedy method under the Ford-McCulloch bill. It seems to me we should, therefore, accept the speedy method, the one that is tried and tested and that we are confident is constitutional.

Mr. Chairman, I do not believe anyone has raised any question about the constitutionality of the Ford-McCulloch bill.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman from Illinois 5 additional minutes.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield.

Mr. CORMAN. I have the feeling that the gentleman has left the impression somehow that the cluttered calendar of the District of Columbia was going to slow down the appointment of examiners under the Celler bill. I think it ought to be made clear that no action is needed in the District of Columbia before examiners could be appointed under the Celler bill. That situation has to do with the State or subdivision escaping from the coverage of the bill. I would not want it to be indicated that somehow the Ford-McCulloch bill is more expeditious or efficacious than the Celler bill as to the appointment of examiners in those areas where the trigger is automatic.

Mr. McCLORY. In response to that, let me say that the Ford-McCulloch bill, in my opinion, does provide a speedy method and also is a tried method. I tried to emphasize that the procedure which is outlined and set forth in the Celler administration bill is unique—it is an innovation, and since it is not tested it could possibly defeat the entire purpose we have here.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 2 minutes.

Mr. BENNETT. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman.

Mr. BENNETT. Mr. Chairman, I have consistently opposed such civil rights legislation as has had for its purpose the compulsory intermingling of races, compulsory association. But we are not confronted with such a measure today. Rather it is a bill to carry out what the Constitution directs the Congress to do, that is to protect the right of voting against racial discrimination by any State. In my opinion the overwhelming conscience of the South supports this idea. My purpose is to urge my colleagues from the South to join me in doing the best we can to perfect this measure by amendment or if necessary by motion to recommit, thus to carry out this idea and then to vote for the amended legislation on final passage. In no other way can we brand as a lie statements of those who point the finger of shame at our beloved Southland. This is our duty to America and to the Americans we represent.

It may take courage for some of you to do this. Some constituents do not remember who won the War Between the States. Remind them that the greatest of all southerners, Robert E. Lee, wrote his mother:

> Recollect that we form one country now.

And to another lady he gave counsel:

> Abandon all these local animosities and make your sons Americans.

Southern Congressmen can stand no taller than when standing in the shadow of the great, the immortal, General Lee. Those of you who have studied his life as I have, can have no doubt that if he were in this Congress he would be supporting and voting for this measure.

This corrective legislation is long overdue. If we look at only one example, the county in the Deep South where we have recently had racial turmoil, we can see that Negroes have been discriminated against in voting practices. While I deplore the outside agitation of all radical civil rights groups, I cannot but understand the obvious anxiety of those citizens who have been denied the basic and fundamental adult privilege of voting. This particular county has a voting-age population of 29,500, of whom 14,500 are white persons and 15,000 are Negroes. In 1961, of the whites 9,195 or 64 percent were registered to vote, while only 156 Negroes or 1 percent of their total were registered.

There are other examples, too. In five Southern States, while the percentage of adult whites registered to vote runs from 57 to 76 percent, the percentage of adult Negroes registered to vote runs only from 6 percent to 34. It has been established in the many days of congressional hearings on this legislation that there is a definite relationship in these five States between the low percentage of Negro registrations and, on the other hand, the discriminatory regulations and rules which in practice prevent many qualified Negro adults from registering to vote.

The registration and voting statistics in the counties in which lawsuits have been brought, and in which determination of discrimination has been made, reveal a similar pattern. In each there is a substantial nonwhite population. In each there is a great disparity between the percentage of white persons of voting age who are registered and the percentage of nonwhite persons of voting age who are registered.

Some people attempt to sustain a negative attitude on this legislation by superficial references to the Constitution. The Constitution not only specifically empowers Congress to enact legislation of this purpose, but commands that this purpose shall be the policy of our country.

The argument is frequently made that the right of States to determine voting qualifications under article I, section 2 of, and in the 17th amendment to, the Constitution overrides the 15th amendment. The Supreme Court as far back as 1879—Ex parte Virginia—reasoned to the contrary; and as recently as this year the Court held that the 15th amendment forbids the States from discriminating on racial grounds in the exercise of their otherwise valid power—United States against Mississippi.

The reasonableness of the formula used in this bill to allow Federal intervention has been challenged as making the bill unconstitutional; but it has been firmly settled by the courts that the Constitution does not require perfection or the wiping out of all evils. In Ex parte Virginia the Supreme Court in 1879 said:

> Congress is authorized to enforce the prohibition by appropriate legislation. Some legislation is contemplated to make the amendments fully effective. Whatever legislation is appropriate, that is, adapted to carry out the objects the amendments have in view, whatever tends to enforce submission to prohibitions they contain, and to secure to all persons the enjoyment of perfect equality of civil rights and the equal protection of the laws against State denial or invasion, if not prohibited, is brought within the domain of congressional power.

Nor does this bill constitute an ex post facto law or a bill of attainder. It has been held since 1798 that the prohibition against ex post facto laws applies only to retroactive penal statutes; and the bill before us does not operate retroactively in its penal provisions. Bills of attainder relate only to legislative acts inflicting punishment without trial, not the case in the measure before us today.

So, in these proceedings, while we should be doing what we can to perfect this bill by all appropriate means, we should keep uppermost in our minds that a measure of this type can be enacted constitutionally, is needed, and should be promptly made law. We should show to the world that southern legislators and their constituents are today living in the southern traditions of high principles and clean courage, their priceless heritage bequeathed to our generation by Robert E. Lee and Jefferson Davis. In closing I would like to quote remarks which the Confederate President, Jefferson Davis, made to a gathering of students in Mississippi after the war:

> The faces I see before me are those of young men. Had I not known this I would not have appeared before you. Men in whose hands the destinies of the Southland lie. For love of her I break my silence to speak to you a few words of respectful admonition. The past is dead; let it bury its deeds, its hopes, its aspirations; before you lies a future—a future of expanding national glory, before which all the world shall stand amazed. Let me beseech you to lay aside all rancor, all bitter sectional feeling and to make your places in the ranks of those who will bring about the consummation devoutly to be wished—a reunited country.

Mr. COHELAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Chairman, the freedom of a democratic system is not that its people are free of the law, but that they are free to make it and to enforce it through their own elected representatives.

No right, therefore, is more fundamental to a democratic system than the right to vote. No right has been so long promised to all our citizens, yet no right has been so long or so unjustly denied.

Three times during the last 8 years Congress has sought to fulfill a 95-year-old promise of the Constitution: the promise that no man shall be refused the right to vote solely because of the color of his skin.

With the Civil Rights Act of 1957, we authorized suits to correct discrimination in State and Federal elections and to end intimidation of potential voters.

The Civil Rights Act of 1960 sought to make these suits easier, and last year we sought to make them faster.

But the fact remains that our ideals and our intentions have not been matched by our practices and our deeds. The fact remains that the right to vote is still denied and that second-class citizenship is all some Americans can attain because their skin is black.

The Attorney General pointed out in his testimony to the committee that during these 8 years the number of eligible Negroes registered to vote in Alabama increased by only 5.2 percent. In Mississippi the increase was even less—4 percent. And in Louisiana there was no perceptible increase at all.

The U.S. Commission on Civil Rights, commenting in March of this year on voting legislation in Mississippi, stated without equivocation that "stringent registration requirements existed and broad discretion was vested in local registrars for one reason—to disenfranchise Negro citizens."

My own factfinding trip to Selma, Ala., earlier this year gave me firsthand proof that Negroes in Selma, and elsewhere across Alabama's black belt, were systematically and effectively being denied their legitimate and constitutional rights as citizens to register and to vote.

The answer quite clearly is that we have not moved far enough or fast enough during either these last 8 or 95 years; that a stronger measure is essential if equality is to be insured.

What we need is a new device, which this bill provides, that will enable us to move fairly but promptly; that will eliminate the costly and the time-consuming process of individual litigations; and that will systematically and automatically eliminate discriminatory tests and discriminatory practices.

Some argue against this bill, Mr. Chairman, on the ground that it may not be constitutional. Let me remind our colleagues that section 2 of the 15th amendment states that—

> Congress shall have the power to enforce this article by appropriate legislation.

This bill clearly has but one purpose: to accomplish what other measures have failed to do, and that is to open our polling places and our ballot boxes to all our citizens. And it meets the test set by Chief Justice Marshall in McCullough against Maryland, when he said for the Court:

> Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adopted to that end and, which are not prohibited, but consistent with the letter and spirit of the Constitution are constitutional.

Mr. Chairman, I would like to speak briefly to the elimination of literacy tests, which some of our colleagues and some of my constituents have questioned.

I personally have no objection to them, so long as they are fairly administered. But the record shows that they have not been. Highly literate Negroes have been refused the right to vote. Totally illiterate whites have been allowed to vote. Tests have clearly been used to discriminate, and they have been administered. at times, by registrars who themselves were unable to interpret the very same passages they have asked Negroes to interpret.

The short answer is that in all too many cases, they have been used for no other purpose than to deny the franchise to Negro voters. And the evidence is clear that in all too many instances they have been effective.

It is also worth pointing out, I think, that at least 30 States do not require literacy tests as a qualification for registering or voting; yet there is no evidence that the quality of the Government has suffered.

Finally, Mr. Chairman, I would like to state my strong support for the amendment, proposed and adopted by the Committee, which eliminates the collection of a poll tax, or any other tax, as a precondition to voting.

Poll taxes, like literacy tests, have had only one function, and that has been to exclude the Negro from voting. This finding has been documented repeatedly. It was emphasized by the Senate Committee on the Judiciary in 1942, and it has been pointed out on numerous occasions in the reports of the Commission on Civil Rights. These reports show, furthermore, that not only was the poll tax conceived as a discriminatory device, it has also been operated and administered in a discriminatory manner.

States have a legitimate right to insist on certain qualifications in our citizens who wish to vote. Age is one, it tests a certain maturity of judgment; residence is another, it signifies knowledge of local affairs and concern for their resolution; citizenship is another, it testifies to an interest and stake in the community. But payment of a poll tax has none of these attributes; it is a meaningless qualification. It neither adds to nor detracts from the intelligence or wisdom of a voter as he casts his ballot. It is not a real qualification; very bluntly, it is a hindrance.

The fact of the matter is that 46 States today, and the number may soon be 47, do not find a poll tax necessary. Congress should eliminate its use and practice for good; no American should have to buy his right to vote in any election.

Mr. Chairman, I urge that this bill be passed and enforced without further delay. The time has come, and is long past due, when the just and proper activities which have been enjoyed by most Americans for nearly two centuries should be shared in fully by all our citizens.

This bill is not only a matter of moral right. It is an expression of our clear yet unmet constitutional responsibility. It can no longer be ignored. It must no longer be compromised.

Mr. WILLIAMS. Mr. Chairman, I make a point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 6400, to enforce the 15th amendment to the Constitution of the United States, had come to no resolution thereon.

AMENDMENT TO VOTING RIGHTS ACT OF 1965 TO ENFRANCHISE SPANISH-SPEAKING AMERICANS

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, a year ago President Johnson signed into law what many thought was the final civil rights bill. Today we begin debate on another civil rights bill. When the bill passed last year, I predicted that there would be another bill, for it was clear that it did not fully face the question of voting discrimination. H.R. 6400 is a major step toward eradicating this problem. But it also falls short of the goal. I will have more to say on this during the general debate. At this point, however, I wish to point out one glaring omission in the House version of the voting rights bill.

The bill before us does not include a vitally important amendment. This amendment, sponsored by Senator KENNEDY of New York, will enfranchise thousands of Spanish-speaking citizens.

This amendment would prohibit the denial of the right to vote in any election to any person because of his inability to read, write, or understand English if he has successfully completed the sixth grade in a public or accredited private school in any State, territory, the District of Columbia, or the Commonwealth of Puerto Rico, in which the predominant classroom language was other than English.

Mr. Speaker, this amendment will end discriminatory disenfranchisement for thousands of American citizens of Puerto Rican origin. In New York State many citizens are not registered to vote today because of the New York State law which requires a prospective voter to take an English-language literacy test or to establish his literacy by showing an eighth grade education at a school conducted in English. Senator ROBERT KENNEDY estimated that there are approximately 730,000 Puerto Ricans in New York, of whom 480,000 are of voting age. Less than one-third—about 150,000—are registered to vote. While it cannot be said that all the other 330,000 are not registered because of the literacy test, there is no doubt that a substantial number do not register for this reason.

The New Yorker of Puerto Rican origin has every opportunity to be as well informed a voter as his English-speaking neighbor. There are Spanish-language newspapers, television and radio. The schools in Puerto Rico teach civics and American history. The English-language literacy test is an arbitrary requirement for voting and should be abolished.

Mr. Speaker, I have long urged that the literacy test be abolished completely, and in each Congress I have sponsored legislation to accomplish this. In this Congress my bill to abolish the literacy test is H.R. 2477. I have testified in favor of this position before the Judiciary Committee on many occasions, including the hearings on the bill before us. I believe that the least we can do in this session is to adopt the amendment sponsored by Senator KENNEDY and included in the Senate bill.

I urge the distinguished chairman of the Committee on the Judiciary to accept this amendment, and offer it as a committee amendment, and I urge all my colleagues to join me in this fight to bring full citizenship to thousands of Spanish-speaking Americans.

The proposed text follows:

Page 16, immediately following line 25, insert the following:

"(e)(1) Congress hereby declares that to secure the rights under the fourteenth amendment of persons educated in American-flag schools in which the predominant classroom language was other than English, it is necessary to prohibit the States from conditioning the right to vote of such persons on ability to read, write, understand, or interpret any matter in the English language.

"(2) No person who demonstrates that he has successfully completed the sixth primary grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English, shall be denied the right to vote in any Federal, State, or local election because of his inability to read, write, understand, or interpret any matter in the English language, except that in States in which State law provides that a different level of education is presumptive of literacy, he shall demonstrate that he has successfully completed an equivalent level of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English."

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. RYAN of New York. I yield to the gentleman from New York.

Mr. CELLER. I will be glad to accept the gentleman's amendment.

Mr. RYAN of New York. I thank the gentleman. I am delighted that the distinguished chairman of the Committee on the Judiciary has agreed to accept this amendment which will correct a basic injustice.

THE BOXCAR SHORTAGE

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HICKS. Mr. Speaker, the country is just beginning to experience the consequences of a most unfortunate situation in the transportation field. It will get much, much worse before it can improve. And only by decisive action soon can it improve at all at any time.

I refer to the boxcar shortage. Briefly, its cause is a system of required rentals of boxcars between the many railroads which has the effect of making it cheaper to rent boxcars than to own them. Because of this, more boxcars are wearing out each year than are being built. Eastern railroads which receive shipments from the West keep the cars in which those shipments arrive, and use them for their own regional traffic.

The demands on boxcars increase tremendously during the great agricultural harvests only now beginning. These demands alone are not being met. And as boxcars are assigned to handle even a part of this traffic, they are drained away from normal traffic. In my own State of Washington, and throughout the West, manufacturing plants are shut down periodically and men thrown out of work while the goods they produce await boxcars for shipment.

The senior Senator from my State, Mr. MAGNUSON, has introduced a bill to remedy this boxcar shortage, and the Senate has approved the legislation. It would permit the Interstate Commerce Commission to regulate the boxcar rental rate so as to make it more profitable for a railroad to own boxcars than to rent them.

I have introduced a companion bill and I hope that favorable action will be taken soon by this body.

Mr. Speaker, I received in this morning's mail a copy of a letter which illuminates one phase of the problem. It was written by the sales manager of the Simpson Timber Co., of Seattle, Wash., to a customer nearly 3,000 miles away in South Carolina, indicating the national scope of the problem.

JULY 2, 1965.

Mr. BOYCE F. GLENN, Jr.,
Manager, Building Material & Equipment Co., Anderson, S.C.

DEAR MR. GLENN: Your recent letter advising you were deducting extra handling costs incurred due to our carload shipment of fir plywood in a 6-foot single door boxcar has been reviewed.

It is with reluctance that we issue credit covering these costs that are beyond our control. I think it is only fair to inform you we cannot accept any purchase orders in the future that demand 10-foot or wider equipment. It is our wish to ship all of our products in double door or wider door cars, however this year we are experiencing the worst car shortage of many years. It has only begun. It will be so much worse later this summer after the grain shipments get underway.

We are asking our customers to write their Congressmen and Representatives to do what they can to help alleviate this situation. There are times when our plants do not receive any railroad equipment—even 6-foot single doors—so you can see these plants would be quickly shut down for lack of available inventory space if our customers fail to cooperate with us.

Therefore, we must ask our customers to bear with us through this critical period, allowing us to ship in the equipment available at time of shipment.

Very truly yours,
SIMPSON TIMBER CO.,
ROBERT H. FLETCHER,
Sales Manager, Plywood and Doors.

WAR ON POVERTY

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, the administration's so-called war on poverty should rather be called a war on the poverty stricken. Rather than making war on poverty, the politicians are making money on poverty.

The reports of the manipulation by political opportunists of public funds that were intended to relieve the suffering of the economically unfortunate are nothing short of degrading. This political manipulation is a disgraceful fact and a shocking illustration of man's inhumanity to man.

I called attention last year to the fact that the war on poverty was designed to create a vast centralized authority, and I pointed out that our greatest weapon against poverty is a free and unregimented society built on private enterprise. I said that this legislation was a denunciation of our present economic system. Those words are proving to be all too true. The program, and the resultant dependency on the Federal Government, are growing. The President now wants $1.5 billion for his war on the poverty stricken as against the $900 million that was wasted on the first year of the program. And the end of this growth is nowhere in sight.

Can there be any doubt as to where this type of legislation is leading us? By these socialistic programs we are being lured into fundamental changes in our economy; we are placing under the control of the Government the allocation of a very substantial portion of our national income. This act has had the effect of holding out additional hope to poverty-stricken people, but the promises of the benefits that they will reap from this legislation are as empty as last year's bird's nest.

"ECONOMIC INEQUITIES," BY WILLIAM D. PARDRIDGE

Mr. THOMSON of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article from the La Crosse, Wis., Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. THOMSON of Wisconsin. Mr. Speaker, if we as a nation are as prosperous as the political trumpeteers say we are, then why do we need all these so-called economic stimulants?

I will tell you why the President, the Secretary of the Treasury, and the Chairman of the Council of Economic Advisers all say we need a constant shot in the arm. It is because we are not doing very well.

The American standard of living in fiscal 1964 went up only a "paltry" 3 percent over that of 1963—not the 6½ percent that is printed on page 38 of the 1965 Economic Report of the President.

The word "paltry" it not mine, but I subscribe to its use when referring to the progress of the American economy. This word "paltry" is that of a certain Mr. William D. Pardridge, who wrote an article on the touchy subject that was published July 4 in the La Crosse, Wis., Tribune.

Mr. William McChesney Martin, our outspoken Chairman of the Federal Reserve Board, took a highly professional speech to New York City to warn that bootstraps do not make good elevators. And Mr. Pardridge, a simple graduate student on a second career in life, took a plain-talk, down-to-earth article to La Crosse, Wis., to unmask the doubletalk our dilettante economists have so fluently developed. Both men did patriotic jobs in their own particular ways.

The basic strengths of the American economy are in cities like La Crosse, where needed goods and services are produced. New York City, a great city we all know, is a money market, and that is where our trouble lies. Money is not a commodity like meat or shoes. If we depend on the U.S. mint for our daily bread, as we seem to be doing, then we will soon find all our restaurants full of rich customers but with no cooks or vittles in the kitchen.

This Mr. Pardridge that I mention was until last March working for the Ph. D in economics at the University of Chicago. He left that midwestern institution to spend 9 months explaining to America the meaning of economic reality. Next year he intends to pick up again the intricate tools of mathematical statistics and economic theory. If he retains his commonsense as a theoretician, then someday he, too, can go to New York City. Somehow, though, I do not think he will be very welcome there.

The 50 articles that Mr. Pardridge is writing, one for each State, are paid articles, but I am happy to say that one-half the proceeds of this La Crosse article on the gross national product is being donated to the University of Wisconsin, and the other half goes to the University of Chicago.

The series of 50 articles entitled "Economic Inequities" is to be put together in book form next year, and the profits are again to be distributed to the 51 universities. This is to be a grassroots book, a book for the people, and the people include graduate students who have not yet learned to be dilettantes. Let us hope they never do learn it.

Mr. Speaker, I include in my remarks the article on the gross national product as it was published July 4 in the La Crosse, Wis., Tribune:

ECONOMIC SHELL GAME: BIG GNP GROWTH? DON'T BELIEVE IT

(EDITOR'S NOTE.—The author of this article has been working on his doctorate at the University of Chicago. He has left his studies to write a series of articles on economic inequities, planned for publication in book form next spring, and will resume his studies after completing the series.)

(By William D. Pardridge)

The real gross national product (GNP) of 1964 increased only a paltry 3 percent over that for 1963.

And that's not good. In fact, it's dangerous.

But the President's Council of Economic Advisers officially states the GNP increase was over 6 percent.

How come? Is this a shell game?

This particular mumbo-jumbo is so thin that even juvenile delinquents wouldn't use it. No Sherlock Holmes is needed.

Here's how it works:

To get the dramatic 6 percent bed of roses, the Council of Economic Advisers compares 1964 dollars with the more valuable 1963 dollars on an even-stephen basis.

Published reports of the U.S. Bureau of Labor Statistics make the 1963 dollar almost 2 percent more valuable in purchasing power than the 1964 dollar.

The Bureau of the Budget published a GNP of 604 billion 1964 dollars for 1964, and 568 billion 1963 dollars for 1963. This gives a GNP increase of over 6 percent.

Reduced to equal-value dollars, the 1964 GNP actually is 560.5 billion constant dollars, and the 1963 GNP is 536.2 constant, equal dollars, that constant dollar being 100 cents on the dollar in use during 1957–59.

This comparison of medium-sized eggs with medium-sized eggs instead of with shell-game eggs, yields a real GNP increase of 1964 over 1963 of only 4.5 percent.

Now this is but half the straightman act. Mack Sennet would call it disgraceful.

The other half goes this way:

At a given level of economic efficiency, whatever it is, more people can produce more goods and services than less people.

Two heads are better than one, even if one is a cabbage head—and so it is that two people produce more than one, even if one is a paid farmer who doesn't farm.

In other words, the Council conveniently neglects, in its cheery pronouncement, to admit that the U.S. population was greater in 1964.

If there were no increase in economic efficiency, the GNP would still be greater simply because more people are around.

The labor force just naturally gets bigger, with more customers, as the whole population itself gets bigger.

Well, if this population growth is considered, as it must, then the bed of roses, already run down, becomes a patch of weeds.

The real 1964 GNP yielded 2,936 constant dollars per person. This is 560.5 billion dollars divided by 190,865,000 folk, which the U.S. Census Bureau says were here when our $560.5 billion of goods and services were being produced.

The real 1963 GNP yielded 2,849 constant dollars per person. This is $536.2 billion divided by 188,160,000 souls.

Now what is the increase of $2,936 over $2,849?

It plainly is 3 percent.

And that's what our real 1964 GNP increased over the real 1963 GNP.

And that's not much. It certainly is not enough to finance a TVA for southeast Asia.

Some intelligent people contend world war III won't be nuclear in its waging, but economic. If this is so, then we'd better balance our economic books in a hurry. The first step in this direction is to stop kidding ourselves.

We advanced only 3 percent, not more than 6 percent.

Don't stop with 1 year or one political party. Go back 10 years to fiscal 1955. In that year the real GNP was 2,451 constant dollars per inhabitant. In fiscal 1964 it was $2,936, $485 more.

This is an average annual increase of only 2.2 pecent. Perhaps southeast Asia had better wait awhile.

This ugly situation is not the fault of the Democrats or the Republicans. It simply is the result of ostrich-like behavior on the parts of the hand-picked professional bureaucrats and many professional professors. Theirs is a position of curry instead of conscience.

A faint glimmer of hope, and it's mighty faint, is seen when the defense, space, and foreign aid billions are removed, as they should be, from the economic GNP to show what the population really gets for itself.

In this light, the 1964 GNP increased 3.3 percent over 1963 instead of the other 3 percent. But these figures are too close to be of any honest value in measuring our growth.

Only a charlatan could advertise them.

And the fiscal, 1964, real, civilian GNP per head of 2,635 constant dollars increased at an annual average rate of 2.4 percent over the same for 1955, 10 years earlier.

This is nothing to brag about, either. We should be ashamed of it. And we're jellyfish if we hide it.

Constant dollars here are expressed in terms of 100 cents to the value of the dollar in 1957–59. This is a measure of knowing that a dollar won't buy as much when prices go up, but will buy more when prices are lower. There's nothing fancy about it.

This is an economic tool of great value when used to show how much the same bundle of potatoes, underwear, or roofing cost in different years.

It also is a deadly weapon, not a tool, when used to paint a patch of weeds as a rose bed. It is the ultimate in abstract art.

An art show picture can be turned upside down at will (and is) and the judges don't know the difference.

But these judges, who are the American people, must learn to see through the chartists on Pennsylvania Avenue, and must keep regular watch on their economic bankbook.

This whole set of props is not an economic inequity in the sense that economic resources are spent foolishly or wasted on uneconomic fancies.

But it certainly is an economic shell game that makes us think we're through punching a timeclock when we're not.

MALAWI INDEPENDENCE DAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, this is the first birthday of a country in Africa formerly known as Nyasaland and now Malawi. The Prime Minister of this proud and promising country in Africa is a product of the University of Chicago in the district I have the honor to represent.

Malawi, which was known as Nyasaland before gaining independence on July 6, 1964, is a nation rich in natural splendor. The lush green foliage, high mountains, and large lakes make this nation one of the most beautiful in Africa.

The modern history of Malawi began when the famous explorer, Missionary David Livingston, discovered Lake Nyasa on September 16, 1859.

Malawi is an independent nation in the British Commonwealth. From 1953 until December 31, 1963, it was joined with Northern Rhodesia and Southern Rhodesia in the now dissolved federation of Rhodesia and Nyasaland.

The advance of Nyasaland toward self government and eventual independence began with a constitutional conference held in London from July 25 to August 4, 1960. Pursuant to this conference, elections for a new legislative council were held in the protectorate on August 15, 1961. Dr. Hastings Kamuzu Banda led his Malawi Congress Party to an overwhelming victory in these elections and, accordingly, gained an important role in the new executive council.

Dr. Banda had returned to Nyasaland in 1958 from many years overseas to lead Nyasaland's African nationalist movement. Its aims were the establishment of African rule, secession from the Federation, and eventual independence.

Malawi is well endowed with good agricultural land. The territory has a rail link with the sea, running through Mozambique and terminating at the port of Beira.

As chairman of the Subcommittee on Africa of the Committee on Foreign Affairs, for myself and all my colleagues, I extend to Malawi and to Mr. Edward D. Mwasi, the Chargé d'Affaires for Malawi in the United States, our congratulations and warm good wishes.

I have an especially deep interest in and warm regard for Malawi because of my longtime friendship with Dr. H. Kamuzu Banda, the able Prime Minister, and among the great African heads of state whose qualities of leadership and mature statesmanship have been universally recognized. Dr. Banda is a former student at the University of Chicago, in the district that I have the honor to represent. Last year on his visit to the United States he included Chicago on his schedule and was received with the highest acclaim by students and alumni of the University of Chicago. To Dr. Banda go our sincere congratulations and our warmest greetings.

Mr. Speaker, Malawi, by its former name of Nyasaland, seems especially close and dear to the people of the Second Congressional District of Illinois. Also from the fact that descendants of the revered missionary, Livingstone, live among us, our friends and neighbors.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, today, the 6th of July 1965, is the first anniversary of the independence of Malawi, the former British protectorate of Nyasaland. To the people of this beautiful country and to their esteemed leader and Prime Minister, Dr. Hastings Kamuzu Banda, we extend congratulations on their first anniversary of independence.

In the 1850's David Livingstone explored the territory of Nyasaland and sent reports to Britain concerning the ravages of slave trading and tribal warfare in the area. These reports inspired missionaries to follow him; with the missionaries came traders. Led by Dr. Robert Laws, the traders worked to combat the slave trade by the establishment of legitimate commerce. In 1878, they formed the African Lakes Corp., which in the late 1880's came into conflict with the Arab slave traders in the north, and led to the involvement of the British Government. In 1891, Nyasaland became a British protectorate.

Under the influence of the British missionaries, settlers, and government officials, slave trading was abolished and the foundation for economic, social, and political development laid. Tea, cotton, and tobacco were introduced, which are today the principal cash crops of the economy. Schools and hospitals were opened and the Malawians trained as teachers and doctors. Local government was in time returned to the traditional authorities.

In 1953 Nyasaland became part of the Federation of Rhodesia and Nyasaland. An intensive campaign was begun in 1959 by the Malawi Congress Party, led by Dr. Banda, for secession from the Federation and for self-government. In 1961 a conference was held in London and a new constitution adopted. That same year elections were held, in which Dr. Banda's party polled more than 90 percent of the votes. Another conference a year later agreed to the introduction of self-government early in 1963, when Dr. H. K. Banda became Malawi's first Prime Minister. In September of that year a third conference established the date of final independence, July 6, 1964. A member of the British Commonwealth, Malawi joined the United Nations on December 1, 1964.

Malawi's economy depends on agriculture and fortunately the land is rich. However, population density is high. Under the direction of the government, the Malawians continue to pursue the British policy of extensive agricultural experimentation. In achieving its goal of economic expansion and in retaining its political stability and social maturity, we wish Malawi every success.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, today, July 6, marks the first year of independence for the newly formed African nation of Malawi.

I bring this fact to the attention of the House for two reasons: first, because it is always a significant event in history when a nation assumes the role of self-government and secondly, because I know many of my colleagues will want to join with me in extending their best wishes to the officials of this new nation.

Not long ago, I was privileged to meet with a group of officials representing the Government of Malawi. These officials impressed me with their sincerity of purpose and ability to understand and deal with the numerous problems which confront any new government. This brief meeting assured me that the future of Malawi is secure and that this new nation will continue to progress as it has done over the past year.

Malawi Independence Day is close in time to our own Independence Day of July 4. This proximity in time is paralleled with a dedication to the principle of self-government.

The dedication of the American people to this principle has caused our Nation to endure where others have failed. The similar dedication of the people of Malawi has convinced me that Malawi too will endure.

Mr. Speaker, I salute the people of Malawi on their first Independence Day and wish the leaders of that nation every success in dealing with the inevitable problems which lie ahead.

Mr. FARNUM. Mr. Speaker, July 6 is the anniversary of the independence of Malawi, which most of us remember under its former name of Nyasaland.

Malawi, named for the great people of that title, came to its present status as a constitutional monarchy in the British Commonwealth in a manner showing that good will may be more effective than violence in the quest for self-government.

The march to independence began with a constitutional conference in London in the fall of 1960, which led to elections for a new Legislative Council in August 1961, in which Dr. Hastings Kamuzu Banda emerged as the widely acclaimed national leader.

The British Governor accorded Dr. Banda an increasingly important role with the result a smooth transition from colonial rule to responsible African government. Stage by stage, independence was attained on July 6, 1964.

Mr. Speaker, this Nation believes that Malawi and its beloved Dr. Banda have set an example that the peoples of all the world might study. In these days of strife it is encouraging to know that commonsense and good will can attain results that all of us admire.

Mr. MURPHY of Illinois. Mr. Speaker, July 6, a day so close to our own hallowed holiday, marks the first annual birthday of Malawi's existence as a sovereign entity. This country patterned like an exclamation point in the southeastern portion of Africa is one of the most beautiful on this vast continent. Within its borders, it boasts inspiring mountain masses, lovely lakes and green plateaus.

Malawi's most vital resource, however, lies in its people who are known far and wide for their energy and devotion to productive labor. On the farms and in the mines and industries throughout southern Africa, Malawian workers have for decades been contributing their strength and their willing hands to the production of essential commodities.

Like much of Africa, Malawi is mustering all its reserves of will and diligence in a valiant forward thrust to modernize its economy and to fulfill the promise of independence as the harbinger of a better life for its people. The Malawi Government under the leadership of Prime Minister H. Kamuzu Banda is tackling this enormous task with characteristic good sense, courage, and tenacity. With American assistance playing a worthy role, educational expansion, agricultural development, and road construction are being pushed vigorously.

On the anniversary of its independence, Malawi will pause for a moment to rejoice and remember with pride its successful nationalist struggle and the foundation for progress laid during its first year as a country ruled by its own people. Having taken this momentary look backward, Malawi can turn once again with fresh resolve and unabated enthusiasm to the mighty job of forging a happy and healthy nation.

A school of agriculture was also launched during this period. Lastly, a project was begun under which Malawi will be helped to improve a national radio system essential for communication between the Government and the people and as an important means of mass education.

Malawi has worked hard during its first 12 months as a sovereign people. It can now step forth with confidence and good conscience on the next leg of the journey toward the goal of a better life for its people.

Mr. BRADEMAS. Mr. Speaker, July 6 is a significant day in the history of Malawi; for on that day in 1964 Great Britian effectively granted independence to the Malawian people. Today, only 2 days after we Americans have commemorated for the 189th time our own Declaration of Independence from England on July 4, 1776, Malawi celebrates its first anniversary of constitutional self-government. At this time, I should like to express my admiration for the achievements of the Malawian people in their 1 short year as a free member of the British Commonwealth and the community of nations.

The years since the end of World War II have seen the erosion of numerous colonial empires and the birth of many new nations. In some independence has brought problems which have all but aborted the goals dreamed of by the people during their years of subservience to foreign rule. New-born Malawi is an outstanding example of what a free people with determination and will, led by a man of foresight, understanding, and intelligence can accomplish. I speak, of course, of the distinguished Prime Minister of Malawi, the George Washington of his country, Dr. H. Kamuzu Banda.

Indeed, Malawi stands proudly as a symbol of democratic representative government and as a vital example of the republican system succeeding in a newly established state. The Malawian people did not achieve their independence without much effort, sacrifice, and determined hard work. While the transition from colonial sovereignty to self-determination was relatively smooth, it came only after the raj had been convinced time and again, by actual demonstration, that Dr. Banda and his followers were both willing and able to assume the responsibilities to be transferred to them. Malawi's freedom came in gradual stages. From 1953 to 1963 it was a member—along with Northern and Southern Rodesia—of a federation. At that time it was called Nyasaland.

Malawi moved toward autonomy with a constitutional conference held in London in 1960. In 1961, in accordance with the convention, elections for a new legislative council were held. Dr. Banda and his Malawi Congress Party received the mandate of the electorate and assumed the leadership of the new Executive Council.

In 1962, a second constitutional conference was held in London. This meeting resulted in a declaration of intent by the British articulating their determination to give Malawi domestic self-determination in early 1963. Shortly thereafter England made public its willingness to allow Malawi to secede from its union with the Rhodesias.

Step by step, the British assisted in the establishment of a ministerial, unicameral system of government with the Prime Minister, Dr. Banda, as head of Government. In October of 1963, with a constitution promulgated, Great Britain announced its intention to grant Malawi its independence on July 6 of the following year.

Today, Malawi, which became a member of the United Nations on December 1, 1964, is an emancipated constituent of the family of nations.

Mr. Speaker, I believe Prime Minister Banda and the Malawian people deserve the heartiest congratulations and best wishes of the American people on this anniversary date.

Mr. CONYERS. Mr. Speaker, today is a great occasion for one of the youngest nations of the world. July 6, 1965, marks the anniversary of 1 year of independence for the great nation of Malawi. The name for the new country was taken from that of a people who in the 17th and 18th centuries inhabited much of what is now Malawi. It is fitting that this name of a free and proud people was given to Nyasaland in commemoration of its change in status from a protectorate to an independent nation.

Malawi is a land of lush green foliage, high mountains, and large lakes, and is undoubtedly one of the most beautiful in Africa. The country is 37,000 square miles in area and lies between Northern Rhodesia and Tanganyika in the north and Mozambique in the south. The southern tip of Malawi is about 130 miles from the sea. However, it does have its own 360-mile-long lake, Lake Nyasa, sometimes called Lake Malawi in honor of the new nation.

The population of Malawi is estimated at 4 million, including 9,000 Europeans and 11,000 of Asian descent. The bulk of the population is descended from the original settlers of Malawi—the Malawi, Yao, and Angoni peoples. Blantyre, the commercial and industrial center of the country, has a population of 75,000; Zomba, 10,000; and Lilongwe, the main city of the central region, 10,000.

One year ago, Malawi reached the last stage of a 4-year plan for status as an independent dominion within the British Commonwealth of Nations. The smooth transition from colonial rule to self-government was facilitated by the presence of a great leader in Dr. Hastings Kamuzu Banda. Dr. Banda, who returned to Nyasaland in 1958 after many years overseas, led the Malawi Congress Party to an overwhelming victory in the August 15, 1961, legislative council elections. The role which he played in the new executive council demonstrated his talent and wisdom as an administrator.

Dr. Banda became Prime Minister February 1, 1963, when the executive council was replaced by the British ministerial system of government. The country has a unicameral National Assembly consisting of 53 elected members, 3 of whom must represent the European minority. On December 1, 1964, Malawi became a full-fledged member of the United Nations.

The United States is happy to call Malawi its friend. We are host to several students from Malawi who are studying in American universities and hope that more of their young people will wish to study in this country. Malawi has asked for and received Peace Corps volunteers from the United States. Technical assistance is also being sent to Malawi under the auspices of the Agency for International Development.

The people of the United States extend their hearty congratulations to the people of Malawi on this, the anniversary of their independence. It is always heartening to see a people drop the yoke of colonialism and stride forward as a free and independent nation without the bloodshed of revolution. To His Excellency the Prime Minister of Malawi, Hastings Kamuzu Banda, and the soon-to-arrive Malawian Ambassador to the United States, Vincent H. V. Gondwe, we extend our warmest greetings. We salute Malawi, Africa's "Land of the Lake," on her independence day, and we wish for her continued progress, prosperity, and peace.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMERICA'S NO. 1 FOURTH OF JULY CELEBRATION

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA. Mr. Speaker, it is with a sense of deep pride in the spirit of patriotism of the people I have the honor to represent in this historic body that I rise to make report of America's No. 1 old-fashioned Fourth of July celebration.

I do this with the hope that other communities throughout our Nation will be inspired by what the South Deering Improvement Association has accomplished and our country will be blessed with a renaissance of that old-fashioned Americanism that proclaimed its love of country on every occasion, in every word and every action, and made every minute of every hour of Independence Day a real occasion for joyous celebration.

I hope and pray, Mr. Speaker, we will never become so hard and calloused that we take for granted what the struggles, the sacrifices, and the planning of our forefathers have given unto us. Nothing can be kept live and vibrant, not even the spirit of patriotism, without work, constant unending work. The generation that seeks to rest on the work of preceding generations would be a lost generation.

WHAT HARD WORK ACCOMPLISHES

For 30 years, almost a sixth of the life span of our independence, the South Deering Improvement Association has celebrated the Fourth of July. By hard all-the-year-round work the celebrations have grown and grown, until now they are widely regarded as setting a national pattern. Every minute is filled, from the start of the parade in the morning, until the sounding of the last firecracker and the finish of the last fireworks display at night, and there is not one cent of charge. All the work is done by volunteers, and the volunteers started work on the 1966 celebration as soon as the 1965 celebration was over.

I was privileged and happy to be in the parade that assembled at 9:30 on July 4 at 104th and Torrence Avenue and was led by the famous band of the U.S. 5th Army. The marvelous Twirling Jewels Baton Twirlers brought up the rear of the parade in a blaze of colorful action.

Almost every house we passed was flying the American flag, and I am very sure that everyone in the community and for miles away, who was not in the parade, was on the sidewalks, and in the yards, and on the porches of the homes. Men, women, children—all part of this moving picture of pure patriotism—the morning start of America's No. 1 Fourth of July celebration, which would not cease until late at night and would be participated in by an estimated total of possibly 75,000 persons.

Reviewing the parade were Louis Dinnocenzo, president of the South Deering Improvement Association; Patrick Courtney, Miss Ann O'Connor, Alex Savastano, Rev. Michael Commins, Rev. William Vernon, John Henneberger, sanitary district trustee; State Representatives Nick Svalina and Henry Lenard, State Senator Dan Dougherty, Attorney Patrick Allman, Congressman O'HARA, Dan Delich, Nels Monocchio, Emil Digiacomo, Joseph Gornick, Andrew Diorio, Matt Kral, Jonh Nawoski, Thomas Dowler, and John Cvejanovich.

PARTICIPANTS IN GREAT PARADE

Joseph A. Grande was general chairman, and Gen. Horace F. Wulf, marshal of the parade. Deputy marshals were Tony Lowery, Mike Fadjich, Andrew Diorio, Joseph Gornick, William Jannotto, and P. Marlo.

Participating in the parade were South Deering Post, Illiana Post Drum and Bugle Corps, Boy Scouts—two troops, Roseland Area Planning Association, Woodlawn Post No. 175, American Legion, Stelmaszek Post No. 792, American Legion, Russell Square Post No. 1006, American Legion.

Woodrow Wilson PLAV Drum and Bugle Corps, Woodrow Wilson Post, PLAV, Park Manor Post No. 5418, Lulich-Ogresovich Post, South Chicago Memorial Post Grenadiers, South Chicago Post No. 4104, VFW, Burke-O'Malley Post No. 803, American Legion, Wm. Franke Post, VFW No. 8827, Bowen High School Summer Band.

Chicago Fire Department—two vehicles, Mexican-American Residents of South Deering, Chel-Win Civic Association, Southeast Lions Club, East Side Labor Day celebration float.

Twirling Jewels Baton Twirlers, Mayor Daley's Cleanup Committee—5 floats, 10th Ward Young Democratic Organization, 10th Ward Republican Organization, Stevens Academy of Music, Ratkovich Insurance, South Chicago Eagles—two cars, East Side Lions Club, Tomich Bros., Santa Maria Council, Knights of Columbus, Business Men's Float.

Present were Brig. Gen. Horace Wulf, Aldermen John Buchanan, Sam Yaksic, Dominic Lupo, and Nick Bohling, 10th Ward Democratic Committeeman Stanley Zima, 10th Ward Republican Committeeman Charles Fitch, Judge Felix Buoscio, and Congressman BARRATT O'HARA.

EVENTS FOR ADULTS AND CHILDREN

Track and field events ran from 10:30 in the morning until 2:30 in the afternoon when the events for children took over, with a semipro baseball game at 4 o'clock and adult activities, including an egg throwing contest, in the early evening. From 7 to 9 o'clock an accordion concert by Steven's Academy of Music delighted the multitude that already was gathering for the fireworks.

Mr. Speaker, it is only fair to include here the Trumbull Park staff, all of whom made a large contribution to a perfect day. The names follow:

Mr. Henry A. Racic, park supervisor.

Mrs. Mary Jane Alagna, girls' physical education instructor.

Mr. George Everett, boys' physical education instructor.

Mr. Tom Haupt, recreation leader.

Mrs. Mary Durkin, matron.

Mr. Edward Borowski, attendant.

Mr. Chuch Kurtz, attendant.

Mr. John Quinn, attendant.

COLORFUL CALUMET PARK PARADE

At 1 o'clock it was my privilege and honor to join with the League of United Latin American Citizens in a mammoth Fourth of July celebration in Calumet Park, which is not far from Trumbull Park and also is in the 10th ward of the city of Chicago. Here too the crowd of celebrants was tremendous. Family groups were everywhere—the parents and children turning out en masse to do honor to our country and in observance of the national day of independence.

In view of the fact that both Calumet and Trumbull Parks are in the same ward of the city of Chicago, and both parks were packed with people during the celebration services, and the same was true of the other part of the ward, I think it is a conservative statement that there were more participants in Fourth of July celebrations in the 10th ward of Chicago than in any other area of comparable size anywhere in the United States. And I am sure there were not anywhere more American flags per square foot than flew this Fourth of July in 1965 from the homes in this community.

INFLUENCE OF LULAC PROJECTED

The parade and flag ceremony in Calumet Park were under the auspices of American citizens of Latin blood or descent, of which I am happy to report there is a large representation in the 10th ward, possibly as many as 15 percent. They are fine people and have made a large contribution to our community. One of their number, the Honorable David Creda, my warm personal friend and a brilliant young lawyer, recently has been appointed magistrate of the circuit court of Cook County. Judge Creda is one of the leaders among the LULAC group. American born of Mexican blood he attended universities both in the United States and Mexico. The charming Mrs. Creda is Puerto Rican. At my request Judge Creda prepared the following statement covering the events of this Fourth of July in Calumet Park:

> South Chicago LULAC Council No. 313 celebrated the Fourth of July at Calumet Park, Chicago, Ill., by having a parade and flag ceremony. The following units participated in the parade: the U.S. Coast Guard, South Deering American Legion Post, Woodrow Wilson Post marching unit and band, Pvt. Sam Neivelt Post unit, Mexican Patriotic Committee, Our Lady of Guadalupe Church Little League baseball team. Bob Lestinsky was the parade marshal. The LULAC Queen and her court rode in the parade also.
>
> Mr. Justino Cordero was the master of ceremonies. The following persons were on the speakers platform: Hon. Flex M. Buoscio, judge of the circuit court of Cook County; Hon. Daniel Dougherty, Illinois State senator, 13th District; Hon. Henry M. Lenard, Illinois State representative; Hon. Nick Svalina, Illinois State representative; Hon. Charles Fitch, 10th ward Republican committeeman; Hon. Stanley F. Zima, 10th ward Democratic committeeman; Hon. John J. Buchanan, 10th ward alderman; Hon. Dominic Lupo, 9th ward alderman; Hector I. Mena, the Mexican vice counsel in Chicago; and David Creda, magistrate, circuit court of Cook County.
>
> Herman H. Moses introduced the main speaker, the Honorable BARRATT O'HARA, U.S. Representative, Second Congressional District. Miss Linda Tello then placed the crown on the 1965 LULAC Council Queen, Mary Palomares. The members of court of the LULAC Queen are: Nereida Ortiz, 2d runnerup; Mary Navarro, 3d runnerup; Youlanda Hereida and Irene Martinez. The committee in charge of the girls was composed of Mary Lou Dianda, Estelle Heredia and Jessie Delgado.
>
> The Fourth of July ceremony was the climax of the scholarship program of LULAC Council No. 313. Two scholarships were awarded in 1965. The first-place winner was Michael Landeros of 7616 South Dorchester, and the second-place winner was Gabriel Rinconeno of 9237 South Brandon, also in Chicago, Ill. Both are going to attend the University of Illinois Chicago Circle.
>
> The committee in charge of raising funds for the scholarship was composed of the following persons: John Delgado, president; Jose Cruz Diaz, vice president; Estelle Heredia, treasurer; Mary Lou Dianda, secretary; Leo Ramirez, Dominic Delgado, Joe Sallas, Herman H. Moses, Eliseo Rios, Alex Polanco, Mary G. Pazzi, and David Cerda.

Mr. Speaker, as my colleagues may judge it was a great Fourth of July in the Second Congressional District of Illinois. Nowhere does patriotism and love of country have fuller or purer expression.

THE 189TH NATIONAL OBSERVANCE OF INDEPENDENCE DAY

Mr. BYRNE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a speech by Attorney General Nicholas Katzenbach delivered at Independence Hall, Philadelphia, yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following very impressive speech presented by the Honorable Nicholas deB. Katzenbach, the Attorney General of the United States, at the 189th National Observance of Independence Day, held in Independence Square, Philadelphia, on Monday, July 5, 1965:

ADDRESS BY ATTORNEY GENERAL NICHOLAS DEB. KATZENBACH, INDEPENDENCE DAY CEREMONIES, INDEPENDENCE HALL, PHILADELPHIA, PA., JULY 5, 1965

> It is a great honor to help celebrate—on this historic site—the birth of American freedom.
>
> The words written here 189 years ago changed human history as few others ever written anywhere changed human history. The familiar parchment on which they were written is yellowed, but their meaning shines as new and unstained as ever. They are still, in Abraham Lincoln's phrase "an immortal symbol of humanity," a symbol giving "hope to the world for all future time."
>
> The rights these words proclaimed were rights demanded by American colonists in 1776. Their validity, however, lay in their universality. The Declaration declared all men are created equal, not just all men of property, or all white men, or even just all Americans.
>
> This was a message that spread like a brushfire throughout the world, kindling fires in the minds of men everywhere. Even now, when independence is chanted rhythmically in an African village, or freedom is sung by civil rights marchers, or liberty is scrawled across the walls of some tormented despotism, the spiritual antecedents of word and act can be traced to Independence Hall.
>
> Over the last 189 years the world has learned the painful lesson that freedom is not a costless benefit, guaranteed to the virtuous or well-meaning. It is not man's natural condition, but something attained only through continued toil, care, and ingenuity. The dream of freedom has stirred men's minds in many lands, but few have succeeded in preserving it. Today, it is still the exception throughout the world, not the rule. It is what most men seek, not what most men have.
>
> The Declaration of Independence was a product of the Age of Enlightenment. Its faith was reason, and the belief that men's problems are inherently soluble. It is a faith we still live by.
>
> We know that the problems of sustaining liberty are heavy even in our own land. But we have come far, and our success in building a free, strong, and prosperous nation has been very great.
>
> Our success, in fact, has been so real that even the most practiced Soviet ideologists have had trouble recently in coming up with an orthodox Marxist explanation. A few have had to resort to the heretic suggestion that the American model of capitalism may not be following the decline charted for it in Marxist-Leninist lore.
>
> We also know that we have far to go to make the principles of the Declaration a reality. We are aware that many of the rights fought for by the Founding Fathers are not yet enjoyed by many Americans.
>
> The cry "no taxation without representation" helped to bring on the Revolution. Yet today there are still millions of Negroes who pay taxes but cannot vote.
>
> The Declaration states unequivocally that "all men are created equal." Yet today we have immigration laws which say an Englishman is 9 times more acceptable than a Pole and 12 times as acceptable as an Italian.
>
> It is time to eradicate these discrepancies between the ideals which created this Nation and the practices we follow. Tomorrow the House of Representatives will begin floor debate on the administration's voting rights bill. It is a measure designed to knock down the hurdles which have blocked the Negro's path to the polls. I am hopeful and confident that it will be passed by a heavy majority.
>
> I am equally hopeful that the Congress will act with dispatch on the administration's immigration bill, so that we can judge potential immigrants not on their national background, but on what talents they offer to the Nation.
>
> The same faith in the solubility of human problems that underwrote the Declaration now spurs us on to correct other omissions in American life. We are taking steps too long delayed to give adequate health care to the aged, to help the poor, to improve our crowded schools, to build better homes, to disassemble slums, and to preserve and enhance the beauty of the land.
>
> Under President Johnson's leadership, this great drive to end our remaining inequities has met with an extraordinary response from all segments of the American public. It proves again that the forces which hold us together as a nation are stronger than the forces which divide us.
>
> The men who signed the Declaration of Independence in 1776 were men of wealth and respectability. They risked their lives, their fortunes, and their sacred honor in the war for liberty.
>
> Throughout the history of the United States, men have done the same. We have fought to preserve our freedom and we are striving now to help others preserve theirs.
>
> We are attempting to insure that the citizens of beleaguered countries can determine their own affairs, free from foreign interference, much as the American colonists demanded that they be able to settle theirs. We seek no more than to assure conditions under which their citizenry has a free choice to form such governments as they wish. To do less would be to abandon the traditions which founded our own Nation.

We hear about us a good many noisy dissenters from Government policies. Debate is needed and dissent is healthy. But it must be dissent that is informed, not just heated, and well reasoned, not just intense.

In some quarters it seems enough to be against communism the way one is against the Devil, and the more violently, the better. Such a view of the Nation's problems is too simple. Our concerns stem not so much from communism as from the poverty, exploitation, and injustices on which it feeds.

Equally simplistic and delusory is the view that we can avoid a confrontation with communism without threatening our liberties. Some people seem to think that if we withdraw from Vietnam or the Dominican Republic, all our problems will dissolve. There are some, indeed, who have convinced themselves that if we fervently enough proclaim ourselves for peace, peace will then break out, surely one of the great non sequiturs of our time.

Those of us charged with making Government policy must weigh all its implications. We must ponder its potential results from a variety of angles. Criticism, to be useful, must do the same. Its value is considerably diminished if it focuses only the factors which interest its authors, and omits those which do not.

Much of the current criticism fails to consider vital variables. It may be internally consistent, like the astronomy of Ptolemy, but like the Ptolemaic system, it may bear little similarity to the actual relationship of events.

"Liberty means responsibility," George Bernard Shaw once wrote, "that is why most men dread it." That, too, is why it has so often been stillborn.

The responsibility of liberty is the responsibility of tempering freedom's many choices with sober judgment and carefully considered information. Difficult issues must be confronted not with righteous protestations or angry denouncements but with constructive proposals and the backing of facts.

The responsibility of liberty is also the responsibility of courageous commitment. It means rising out of the comfortable easy chair of the status quo. It means active participation in the causes—be they civil rights or the war on poverty, or disarmament—that will improve America and strengthen peace.

"We are not to expect to be translated from despotism to liberty in a featherbed," Thomas Jefferson wrote to Lafayette in 1790.

In 1965, Jefferson's symbol of ease has long since gone; the featherbed is a thing of the past. But Jefferson's meaning is not. In our time, as in his, we honor our independence as we act on it.

PUBLIC HEALTH SERVICE HOSPITALS

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, last month the Government Operations Subcommittee of which I am chairman prepared a report concerning the proposed closing of Public Health Service hospitals. The report was adopted by the Committee on Government Operations on June 23. It recommended that the proposed closing of Public Health Service hospitals—particularly those at Boston, Galveston, and Norfolk—he reconsidered.

Secretary of Health, Education, and Welfare Celebrezze advised me this morning that the decision to close the Boston, Galveston, and Norfolk Public Health Service hospitals has been reversed. It is my further understanding that the situation at the Detroit and Savannah hospitals will be reexamined.

I have also been advised by the Administrator of the Veterans' Administration that a directive providing a priority for merchant seamen over veterans with nonservice connected conditions for admission to VA hospitals has been canceled and will not be reissued.

WAR ON TRAFFIC DEATHS

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOWARD. Mr. Speaker, as I rise to address this body today the 4th of July weekend highway death toll continues to soar toward the 600 mark. Just before coming on the floor today, I checked with the wire services and was informed that at 11:15 a.m. there were 542 reported deaths as a result of such traffic accidents.

Once again we have witnessed the senseless slaughter of human beings many of whom would be alive today if they were riding in vehicles equipped with more and better safety features.

It is a disgrace because we have the means at our disposal to cut down the number of traffic fatalities by declaring an all-out "war on traffic deaths" through legislation.

On June 28 I introduced three bills which I feel would go a long way in cutting down the number of traffic deaths which now total 1,000 a week. In the other body Senators ABRAHAM RIBICOFF and GAYLORD NELSON have been doing an outstanding job in their attempts to give the American public a safer automobile.

Right at this very moment some vehicles are coming off the assembly lines with new tires which are inadequate to safely carry their prospective passengers and the baggage loads these vehicles are designed to carry.

I cannot help but feel that there are many heartbroken families across this great Nation today who mourn the fact that we have the means and yet have not demanded that new cars contain more safety features.

As you gentlemen know, the General Services Administration has set down a list of 17 safety features which must be included in any new vehicles it purchases, beginning with the 1967 models. It is estimated that the Government will purchase some 60,000 vehicles in the 1966 fiscal year.

This shows that the automobile industry can and will include these safety features in vehicles when it is necessary.

We know our enemy; he has killed more Americans than all our wars combined; he will never surrender to idle talk. He must be defeated in a massive war on traffic deaths.

TRAVEL AGENTS WIN VICTORY AGAINST AIRLINES

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, in April 1965, the air traffic conference which consists of the major air carriers in this country filed an agreement with the Civil Aeronautics Board which proposed a new structure for commissions on air fares to travel agents. Under the proposed commission structure agents would, in the future, receive 3 percent rather than the present commission of 5 percent on domestic point-to-point air fare. The following is a table showing the present rate of commission of various classes of fares together with the proposed rate under what ATC termed "motivational commission structure."

Type of sale	Commission rate, percent	
	Present	Motivational
Advertised air tour	10	10
Independent air tour	10	15
Incentive air tour	10	10
Independent air/surface tour	(1)	10
Family fare travel	5	7
Group fare travel	5	7
Extraterritorial (e.g., international, mainland-Hawaii)	7	7
Charter flights	5	5
Other domestic, at regular agency location	5	3
Other domestic, at in-plant location	(2)	[3] 3

[1] The independent air/surface tour is composed of air travel in conjunction with an advertised package tour of at least 2 nights on a cruise steamer, or 6 nights via rail or bus. The cruise steamer combination is presently commissionable at 10 percent as a form of independent air tour. The rail or bus combination is new.

[2] Hitherto, there was no provision for an in-plant commission rate, the ATC carriers regarded operations at in-plant locations as violations of the sales agency agreement. Agents who wrote up tickets at an authorized agency location, and delivered them through facilities on a customer's premises, claimed the regular commission of 5 percent on straight domestic sales.

[3] Not to exceed $1.

Mr. Speaker, it is to be noted that the vast majority of agents feel that the 40 percent decrease in commission on domestic point-to-point air fare more than outweighs any of the increases in other less used categories. Further, the above table, which is abstracted from the ATC explanatory statement filed with the Civil Aeronautics Board in support of their proposed commission structure, purposes to show the proposed maximum $1 commission on "in-plant sales" as an increase, in that footnote B to the table states that in-plant locations were not previously authorized. Others in the industry have characterized this as an intent to cut back sharply the 5-percent commission presently being received by some agents from this type of servicing of commercial accounts.

The response of the 7,000 travel agents throughout the country to this entire proposal was one of overwhelming disapproval.

My Small Business Subcommittee has received literally hundreds of letters from virtually every State in the Union pointing out that travel agents could not hope to survive economically if the ATC proposal were to become effective.

On June 8, I wrote the Honorable Charles S. Murphy, Chairman of the CAB, telling him of the interest of my subcommittee in this matter informing him of our tentative intention to hold hearings concerning this matter and requesting that the Board take no final action in the interim.

I have been informed that last week the air traffic conference withdrew its proposal. Today, I have received the following telegram from Mr. William Denis Fugazy, chairman of Operation Survival, an ad hoc association of travel agents formed to better the position of those small businessmen engaged in the travel industry as travel agents.

Congressman JAMES ROOSEVELT,
Select Committee on Small Business,
House of Representatives,
Washington, D.C.:

On behalf of thousands of grateful agents may we thank you for your assistance in achieving a major step in the development of a more proper relationship between airlines and the agents. We are convinced that only as a result of your proposed committee hearings on small business have the airline executives withdrawn their proposed commission plan. It is our firm opinion that the committee hearings and the disclosure of the constant un-American and improper practices of both ATC and IATA is the only solution to correct a very unfair monopolistic position maintained over the 7,000 small travel agents in this country. It is imperative that your committee proceed with its plans for a full evidentiary hearing of all the facts. We are grateful to you and the members of your committee for your helping keep 7,000 agents in business.

WILLIAM DENIS FUGAZY,
Chairman, Operation Survival.

I have also received the following letter from the American Society of Travel Agents:

AMERICAN SOCIETY OF
TRAVEL AGENTS, INC.,
New York, N.Y., July 1, 1965.

Re travel agency industry of the United States.

Hon. JAMES ROOSEVELT,
Chairman, Subcommittee on Distribution Problems Affecting Small Business, Room 2454, Rayburn House Office Building, The Capitol, Washington, D.C.

DEAR CONGRESSMAN ROOSEVELT: As you may be aware, yesterday afternoon the Air Traffic Conference of America unanimously agreed to withdraw the plan which it adopted in April and which, if approved by the Civil Aeronautics Board, would have resulted in a 40-percent commission cut for point-to-point air sales by U.S. travel agents.

The travel agency industry regards this action by the air carriers to be an acknowledgment of a grave mistake which would have had substantial, adverse effect on the American traveling public.

Although the travel agents regard yesterday's decision by the airlines as a victory for the traveling public, we do not regard the dispute between air carriers and travel agents with respect to commission payments on certain forms of air travel to be resolved. We have been advised that the air carriers are developing a new agreement which would sharply curtail, if not eliminate, the services by agents of commercial users of air transportation through inplant facilities. Furthermore, many other basic problems continue to confront the travel agent as a result of the ability of the air carriers to operate through conference systems exempt from antitrust liability.

We, therefore, urge you to continue to maintain your stated interest in this most important matter. You can be assured of our continued cooperation in the hearings which you have scheduled for the near future, dealing with the role of the travel agent in the United States.

Sincerely yours,
IRVIN FRANKEL,
President,
American Society of Travel Agents, Inc.

There is no question but that the withdrawal of the air traffic conference proposed commission structure is a sharp victory for the travel agents. It does not, however, resolve all the problems involved in this complex matter.

As an example, I am informed that ATC will, in the immediate future, file a new agreement for approval by Civil Aeronautics Board which will pertain only to the servicing of commercial air accounts through inplant facilities. Further the question remains as to whether 5 percent is a sufficient level for commissions on domestic point-to-point fares. Additionally, the subcommittee has received numerous allegations of improper actions by airlines in their dealing with individual travel agents.

It is the intention of the subcommittee to closely study all of these matters and to continue our investigation of all these matters.

THE NATION'S 100TH ANNIVERSARY

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, today the Nation marks its 100th anniversary. The oldest continuously published weekly magazine of opinion in the country, it remains a leading American magazine of liberal thought.

The Nation was the first, and has remained one of the most consistent, supporters of civil rights. Oswald Garrison Villard, its sixth editor, was a founder of the National Association for the Advancement of Colored People—which was first housed in the Nation's offices.

Charles W. Eliot said that the Nation "has pricked any number of bubbles and windbags." Over the years, it has attacked imperialism, political machines, witchhunts, the spoils system, conformity, militarism, and capital punishment. It was among the first American publications to illuminate the evils of Hitler and Mussolini.

The list of great authors and scholars who have contributed to the Nation is far too lengthy to elaborate here. One cannot, however, refrain from mentioning Lord Bryce, W. D. Howells, Henry James, both senior and junior, William James, Henry Wadsworth Longfellow, James Russell Lowell, H. L. Mencken, and Carl Schurz as men whose works have helped make the Nation the great magazine that it is.

Throughout the years it has never favored a single political party. It supported both Cleveland and McKinley; Taft, and later, Wilson. This approach has won the Nation a wide audience. As H. L. Mencken wrote:

> The Nation is unique in American journalism for one thing: it is read by its enemies.

On this anniversary, I wish to congratulate the Nation's inspired editor, Carey McWilliams, and the Nation's staff, and express my belief that the Nation will last another hundred years—producing objective, impartial, thoughtful appraisals of both national and international issues.

A HEALTHY SKEPTICISM ABOUT OUR ECONOMIC FUTURE

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CURTIS. Mr. Speaker, in spite of efforts of the administration to nip in the bud discussion about the future course of the economy, doubts persist about the correctness of the administration's unfailingly rosy view.

In an editorial of June 28th, the New York Times suggests that the administration may overdo its optimism. What the administration has done, according to the Times, is give the impression that it knows all the answers, thus generating "a mass euphoria that is vulnerable to any authoritative expression of dissent."

In his Times column of June 30, M. J. Rossant points out that the concern felt by many private economists in finally spreading to the top ranks of the administration. Apparently, Secretary of the Treasury Fowler is one who believes that the boom may be nearing its peak.

Chairman Martin has performed an important service by calling attention to some of the weaknesses of the economy in his June 1 speech at Columbia University. He has jolted the mass euphoria generated by the administration and stimulated a healthy and more realistic look at the future. His thoughts are further elaborated in a speech on June 25 at Rutgers University.

Under unanimous consent I insert Mr. Martin's June 25 speech and the New York Times articles in the RECORD at this point:

[From the New York (N.Y.) Times, June 28, 1965]

ECONOMIC FALLIBILITIES

In his first speech since he sobered Wall Street and stung Washington by recalling 1929, William McChesney Martin, Jr., reiterated his warning that continued economic expansion depends on avoiding excesses abroad as well as at home. His observation that monetary policy is necessarily imperfect because it is based on incomplete information about the economy is a salutary reminder that the Federal Reserve Board is far from infallible. What Mr. Martin discreetly refrained from pointing out is that the administration also acts on the basis of incomplete and sometimes erroneous information.

Unfortunately, the administration gives the opposite impression. Its spokesmen have intimated that they know it all and that their adroit handling of fiscal policy will keep the boom going strong forever. The administration has done a good job in fashioning policies that have stimulated noninflationary growth. It has not succeeded in bringing unemployment down to tolerable levels or in eliminating the deficit in the Nation's balance of payments, but its combination of tax reduction and easy credit has resulted in a prolonged period of uninterrupted advance. Yet, what it has accomplished to date must not be mistaken for a guarantee of future prosperity. If Mr. Martin and the Federal Reserve may be wrong in taking a relatively pessimistic view of the future, it is no less possible that the administration overdoes its optimism.

By suggesting that they know all the answers, the administration's policymakers have generated a mass euphoria that is vulnerable to any authoritative expression of dissent. This seems to be the explanation for the decline of the stock market; investors are swinging from unreasonable enthusiasm to equally irrational despondency. The danger is not that the economy will suddenly fall into a severe and unexpected tailspin. It is that the administration will pose as infallible, concentrating its efforts on pumping up the expansion when it should be preparing potential measures to counter a decline.

Much has been learned about the economy and how it functions. But there is still a lot to learn, especially about what causes recessions and how to combat them. The President may be correct in stating that there is no reason for either gloom or doom about the economic outlook. He would not have to worry that fear will spread if the administration makes clear its readiness to take countercyclical action just in case things go wrong.

[From the New York Times, June 30, 1965]

THE ECONOMIC DEBATE: CONTROVERSY OVER THE OUTLOOK SPREADS TO JOHNSON AIDES FOR THE FIRST TIME

(By M. J. Rossant)

The Johnson administration and the stock market are both behaving in roller coaster fashion. The trouble is that neither is contributing much light to the controversy over where the economy is headed.

Secretary of Commerce John T. Connor, who said 2 weeks ago that "business is good, and it's going to get better," is sticking to his guns. He believes that the only cloud on the economic horizon is the performance of the stock market.

But Secretary of the Treasury Henry H. Fowler is not so sure. He had looked for the economy to "forge ahead on all fronts," but now he thinks it is "quite likely that we could have a leveling-off or a period of recession" before resuming a fast rate of growth.

Mr. Connor's opinion has been the accepted one in and out of Washington. Mr. Fowler's is something new. For the first time since Mr. Johnson moved into the White House, the administration has been prey to the conflict that is troubling private economists.

The private conflict is more explicit. Fortune magazine, which has refused to go along with the prevailing view that there is no end to the expansion, now predicts the Federal Reserve's index of industrial production is due to dip, dropping from a peak of around 142 in July to an average of "near 139" next year.

But New York's Bankers Trust Co., while conceding that the pace of industrial production is slackening, still thinks the uptrend will be strong enough to bring the index close to the 145 level before this year is out.

This split in both Government and private ranks reflects a marked shift in appraising the outlook. Before the stock market break, the issue dividing most forecasters was whether the expansion would continue at the unsustainable pace of the first quarter, which worried Federal Reserve Chairman William McChesney Martin, Jr., or slow down to a more moderate but nevertheless respectable advance.

But now that the ball is over in Wall Street, the argument is between those who predict a moderate advance and those who think that the days of the boom may be numbered.

The view that the boom is nearing a temporary peak is based on increasing evidence that productive capacity is rising faster than demand.

But because the expansion has been remarkably well balanced and the increase in productive capacity relatively slow in making itself felt, the gap between production and demand is much less serious than it has been at previous cyclical peaks.

Because of this difference, the forecast of an end to the boom is not a forecast of serious recession. Instead, it conceives of a period of marking time or catching up that could be almost as well mannered as the preceding period of expansion.

MARKET OFTEN WRONG

The stock market has clearly voted with the minority who see trouble ahead. To be sure, the market is often wrong and it may be this time. But where it may be most in error now is in suggesting that a serious drop in economic activity is in the cards, when Fortune and other relatively bearish forecasters expect more of a slowing down than a tailspin.

Clearly, the market has been overreacting. It always does. But when it was shooting up so strongly, President Johnson and his advisers frequently cited the rise as proof that the administration's policies had the approval of investors and that business confidence was high.

Now that the market has plummeted, Mr. Connor observes that "it may or may not be an indicator of business activity."

SHIFT IN THE ECONOMY

The sharp change in investor sentiment, like the shift in the thinking of economists, simply points up the shift that seems to be taking place in the economy itself.

Instead of embarking on a new era of balanced and sustainable growth, the economy may be entering a period of crosscurrents in which growth will be slower than normal and the gains in profits, employment and sales much smaller than investors, economists and businessmen have become used to.

Such a prospect is hardly calamitous. It is preferable to a rampaging and unstable boom that is fun while it lasts but is agony once it is over. But it still will be hard to take for an administration that has come close to claiming that it has a sure-fire formula for rapid and balanced growth.

SOME OBSERVATIONS ON MONETARY MATTERS

(Address by William McChesney Martin, Jr., Chairman, Board of Governors of the Federal Reserve System, at the 29th annual commencement of the Stonier Graduate School of Banking, Rutgers University, New Brunswick, N.J., June 25, 1965)

No activity is more important than education, and no part of education is more absorbing than that in which all of you here have been engaged: fostering understanding of the world of business and finance and the nature of the economic process—the process by which people make their living.

Those of you who have participated as students and as teachers in the vital undertaking of the Stonier Graduate School of Banking deserve the commendation—and the admiration—of us all. You have mine, without reservation.

I might also say you have my envy for having had so inspiring a setting for your work at this distinguished university in which, over the 2 centuries since its founding in 1766, many generations have worked in utmost dedication to preserve and advance the cause of the liberal arts.

That, and the fact that Rutgers University is an institution older than the American Republic itself, tempts me to reach back in time and dwell upon the glory that was Greece in the age of Pericles and the grandeur that was Rome in—and beyond—the age of Augustus.

But recent experience has taught me to be wary. If I should venture to compare our life and learning today with that of Greece in the fifth century B.C., or that of Rome in or after the first century B.C. or A.D., I am sure there would be some who—no matter what I said about differences as well as similarities—would interpret my remarks as a prediction that we will be overrun by barbarians—and in a matter of minutes, at that. Nor will I venture comparisons with historic periods in the American past. If I should so much as mention the year 1814, for example, I daresay there would be some to accuse me of advocating that the city of Washington be put to the torch again.

But I am not discouraged by that. Instead, I am heartened by the capacity for sober understanding that has been evidenced to me in recent days by many thoughtful men and women throughout our country. So I would like to talk to you today, neither as prophet nor advocate, but simply as one who hopes that some observations by a fellow student may have some value, however small, for the studies that you have been pursuing.

In your careers in this school of banking, I am sure you have discovered, as I too have done, that it is more than merely possible for reasonable men to disagree on the correct course for monetary policy to follow at any given time to best discharge all of its responsibilities.

In monetary policy as in all other matters, judgments must necessarily be based on incomplete information: the data available reflect at best the situation of yesterday, and more frequently of last week, last month, last quarter. Even if our information were completely current, there would always be some uncertainty about its meaning for the future, even with such aids as surveys of spending intentions. Interpretation would be handicapped by our inability to comprehend all pertinent relations among the innumerable elements of our economy—and by the ambiguity of many of those elements themselves. A slight rise in prices may be a momentary flurry that will soon reverse itself in the absence of any action, or it may be the first sign of inflationary pressure that will generate a dangerous spiral unless offset by firm policies.

The practical impossibility of obtaining fully up-to-date or complete information to act upon, of building an operational theory that would incorporate all the variables to be found in a modern economy in all their interrelations, and of excluding errors of evaluation—all these factors help to explain why central banking remains an art rather than a science, although intensive research is advancing our ability to measure and understand economic behavior.

It is doubtful, however, that anyone will ever be able to devise formulas that can provide infallible guides to monetary action. For example, the same data can have very different significance under different circumstances. In 1958, when the United States began to show a large deficit in its international accounts, that deficit should certainly not have been given the same weight as in early 1965, when the persistence of a large deficit over more than 7 years was threatening the maintenance of international confidence in the stability of the dollar. When price fluctuations have for some time been mild and without clear trend, a given rise in the price level is not as ominous as when the increase has been going on for some time and is showing a tendency toward acceleration.

These problems, incidentally, seem to me to show not only that central banking is an art rather than a science but also that, as an art, it is the art of the middle way. At all times, the central banker needs to be aware of the risk that the country might slide into either inflation or deflation. At all times he will be subject to criticism that he is leaning too far to one side or the other, and he will be urged to do the exact opposite of what he is doing at the moment. Hence, he will always be in the middle, in more than one sense of the word.

In the United States, our internal economic activity is so much larger than our international business that—until recently—many observers have tended to regard our balance of international payments as an almost negligible consideration. But those who did not know it earlier have come to know now that even the United States cannot live in isolation from the rest of the world, since the flow of funds to and from foreign countries is inextricably connected with the flow of funds within our economy. In other words, sustained economic growth requires not only domestic financial stability—which means neither an insufficient nor an excessive supply of credit and money—but also international financial stability, which has special requirements of its own.

On the domestic front, the 1960's have thus far been a period of almost continuous progress, and, as I have sought recently to stress, we ought to be bending every effort—and taking every precaution—to keep it that way. But, as I have also sought recently to stress, continuation on our upward course can be assured only if monetary disturbances are avoided in international as well as in domestic accounts. And it has been in the international sector that monetary policy—like U.S. financial policy in general—has recently been faced with its most urgent and difficult problems.

Whatever may have been the case in the past, I suspect that never again will the United States be able to ignore its balance of payments in formulating domestic economic policies. There is no once-for-all solution either to the problem of maintaining balance in our internal economic expansion or to the problem of maintaining balance in our external payments. Constant effort is required.

The Federal Reserve has not been unmindful of these problems. In an effort to discourage capital outflows to other countries, the System began very gradually to lessen monetary ease as soon as recovery from the recession of 1960–61 enabled such action. But the System has continuously proceeded with great care, lest in trying to reduce the spillover of funds abroad, it deprive the domestic economy of funds needed to finance expansion.

Since President Kennedy's balance-of-payments message in July 1963, the general operations of monetary policy have been supplemented by selective actions aimed at curbing flows of capital from the United States to foreign countries. At first, these actions were taken exclusively in the field of taxation, in the form of the interest equalization tax on long-term nonexport credits to residents of developed countries other than Canada. As you know, this tax initially was applied only to lenders other than banks. Then the interest equalization tax was extended to banks under the so-called Gore amendment following President Johnson's balance-of-payments message in February 1965. This message also led to the institution of the voluntary foreign credit restraint efforts for which the Federal Reserve, after consultation with the Treasury, has been issuing guidelines for banks and for other financial institutions.

Compliance with these guidelines has provided the Federal Reserve with somewhat more leeway to make day-to-day adjustments in monetary policy than might otherwise have been the case.

I do not know—and neither does anyone else—whether in the period ahead the present posture of monetary policy will prove to be exactly right, or will need some further firming or some easing; that will depend on the way events develop, for the simple reason that monetary policy must always be adapted to meet changing circumstances. In any event, it should be clear that the use of selective measures to improve our international payments position has not made the prudent use of general monetary policies any less essential for the preservation of stability in our economic system.

It should be equally clear, however, that while our circumstances require a reduction of the recent massive volume of capital outflow they do not require, even now, that we eliminate capital outflows altogether. There are sound reasons for that: as the country with the highest per capita income in the world, the United States is likely to have a larger flow of savings and better developed capital markets than less affluent societies; and as the country with the world's largest stock of capital equipment and most advanced tools of modern technology, the United States is likely to have a less urgent demand for investment than countries that are still trying to catch up with the latest developments. Accordingly, we should be able to maintain payments equilibrium in the face of a capital outflow, and therefore in the face of some lasting differential between credit conditions in this country and most others. Such a differential is, in fact, inherent in the preeminent position of the United States in the world economy.

It now appears that, under the initial impact of the voluntary restraint program and related temporary measures, our international accounts have actually been about in equilibrium for the past 3 or 4 months. Interest rates in some foreign countries, especially in the so-called Euro-dollar market, have been under some upward pressure, but there has been no lack of investment funds abroad. It does not seem unreasonable to expect that, over time, a relation between the levels of interest rates and other credit conditions among the major industrial countries can be established that would hold U.S. capital outflows, even without selective measures, to amounts compatible with international payments balance without any threat to continued expansion of domestic economic activity and of international commerce.

Clearly, the task will be the simpler, and success the surer, the more that central banks of the major countries are willing to cooperate in such an effort. We shall not surrender our ability to follow monetary policies that are appropriate according to our own judgment, and neither will any other country. But we have shown our willingness to consult on the proper aims of balance-of-payments policies so as to avert the danger of mutually inconsistent actions—which were the bane of the interwar period.

The last few years have seen the steady growth of international financial cooperation. The Federal Reserve has initiated a network of mutual currency arrangements under which 11 countries can receive from us, and are willing to make available to us, short-term accommodation in case of need in a total amount of $2.6 billion. The Federal Reserve also participates in periodic meetings with central bankers of the major European countries, and with those of our sister republics in the Western Hemisphere. Together with the consultations within the framework of the International Monetary Fund and the Organization for Economic Cooperation and Development—which Federal Reserve officials attend as members of the U.S. delegations—these meetings provide an unprecedented opportunity for working together in the common interest of the free world.

Most recently, a study group set up by the 10 major members of the International Monetary Fund, in which again Federal Reserve representatives play a part, has been concerned with plans to improve our international payments system. I do not know what will be the final outcome of these endeavors. But it may not be amiss for me to say something now about the broad principles that ought to guide us as we give consideration to proposed changes in international monetary arrangements. This whole question is intimately intertwined with the problem of the U.S. balance of payments and with the results of its improvement.

Change, development, progress are the law of life. There is no reason for any of us to insist on maintenance of the status quo. Although the present international monetary system has served the world very well, it, like all institutions, must evolve and adapt to changing circumstances.

The formal justification for the current intergovernmental examination of proposals to change international monetary arrangements is that a major source of new reserves will disappear as the U.S. balance of payments moves from substantial deficit toward surplus. Ever since the end of World War II, the United States has supplied the rest of the world with more dollars than were needed to make current payments to this country. In the earlier years, this excess supply of dollars—which went out in the form of U.S. purchases abroad, Marshall plan, and other aid, military outlays and private capital flows—was a welcome addition to the reserves of other countries. More recently, since the late 1950's, these additions to foreign reserves have been excessive. In other words, our balance-of-payments deficit has been too large and too long lasting. It has become the sword of Damocles over both our domestic expansion and the international payments mechanism.

Elimination of the deficit in our balance of payments—an objective to which the entire U.S. Government is firmly committed—will certainly deprive the rest of the world of an automatic supply of reserves. And there has been a widening area of agreement that gold production alone is neither so large nor so predictably available to monetary authorities as to provide for the needed growth in international reserves over time. Thus an end to U.S. deficits may well call for some supplementary means of supplying countries with reserves.

It would be a mistake, however, to think that European initiatives toward the creation of new reserve assets are purely a response to the prospect of an end to U.S. deficits. We must recognize that the motivation runs deeper. If we are to act intelligently and in a spirit of international cooperation we must fully understand the attitudes of other countries, and especially the viewpoints of the large industrial countries. I do not wish to imply that there is a unified view abroad, even in Continental Europe, on the international monetary system. There are broad differences among countries and perhaps even among officials of individual countries. Nevertheless a common thread of opinion runs through the fabric of European monetary thinking and I shall try first to point it up and then to make some comments about it.

First of all, there is a widespread view in Europe that the deficit in the U.S. balance of payments must be curbed. This view is expressed in different ways at different times. Some of our European friends have at times attributed Europe's inflation to the inflow of dollars. Others have complained about excessive U.S. investment in their countries, a process by which Americans are said to acquire factories and other productive facilities in Europe while the monetary authorities of the countries concerned acquire dollars in the form of U.S. Treasury bills or bank accounts. Still others have complained that they hold more dollars than they wish but are not really free to convert dollar receipts into gold for fear of shaking confidence or jeopardizing their relations with us.

Related to these expressions of dissatisfaction with our balance of payments is, in some countries, a deeper dissatisfaction with the existing monetary system in which the U.S. dollar serves not only as a national currency, but also as an international medium of exchange and store of value. The status of the dollar as a reserve currency is regarded by some European observers as a source of special advantage for the United States, since in contrast with other countries, we create new international money when we have a deficit. Others in Europe complain that the amount of new reserves created as a consequence of U.S. deficits does not necessarily correspond to the reserve needs of other countries; what they seek is a more systematic means of creating international reserves.

I turn now to some comments on these European attitudes. Just as there is a range of opinion in Europe on these matters, there is also a diversity of views among Americans. Some of our countrymen believe that in the present system we have the best of all possible worlds; others go so far as to blame most of the ills of our economy in recent years on the international monetary system.

We can all agree with the European view that the U.S. balance of payments must be brought back to equilibrium as soon as possible; indeed, the President's message of February 10 is a clear and unequivocal statement of this agreement.

We do not accept the view that the U.S. deficit is responsible for inflation in Europe. Most Americans who have studied the matter, and many Europeans also, see the causes of European inflation right in Europe. By the same token, we do not accept the view that our balance-of-payments deficits are caused by forces outside the control of the United States. We fully accept our responsibility to demonstrate our ability to manage our own affairs in a way which will justify confidence in our currency.

As to American investment in Europe, I would say that insofar as this is a problem, it is quite independent both of the U.S. balance-of-payments situation and of the nature of the international monetary system. Those who complain about U.S. direct investment would probably complain about it just as loudly if U.S. payments were in balance; those who welcome it, do so regardless of the state of our balance of payments.

Whatever the differing attitudes of countries regarding the composition of their reserves between gold and foreign exchange, it is a fact of financial life that all countries use reserve currencies—especially the dollar—in their exchange markets. Thus countries in balance-of-payments surplus inevitably find their dollar balances increasing; the monetary authorities of countries in deficit must sell dollars in their exchange markets to support their exchange rates. This almost universal use of dollars by monetary authorities is a reflection of the widespread employment of the dollar by private traders and financial institutions, even in transactions that do not involve the United States. The use of the dollar as a reserve is closely related to its function as a medium of exchange, and reflects as well the predominant position of the U.S. economy and the ready convertibility of dollars into gold at the established price of $35 per ounce. Certainly any proposal for changing the international monetary system must respect these functions performed by dollars and must avoid the introduction of incentives to convert dollar holdings into gold.

Whether other countries do or do not wish to continue to use the dollar as a reserve currency is, of course, up to them. The United States does not insist that other nations accumulate dollars to meet their reserve needs. Nor does the United States claim that the amount of dollars that flow abroad as a result of our balance-of-payments position necessarily or automatically corresponds to the needs of the rest of the world for currency reserves. In this connection we at the Federal Reserve can well understand those who say, in effect, that international money will not manage itself.

Though we try to understand the attitudes of some of our more critical friends in Europe, and though we do not insist on maintenance of the status quo, we are casting a careful eye on the various proposals for new forms of reserve creation. In their anxiety to curb the ability of the United States to incur balance-of-payments deficits, some of our friends would turn back the clock of monetary history toward an excessive reliance on gold. Such a system, whatever its specific technical form, would impose on the world too restrictive a monetary climate, which could inhibit international trade and economic growth.

The international monetary system must be flexible rather than rigid. It must be adaptable to the differing and, over time, changing needs of the various countries. It would be a great mistake to act as if all countries were alike in their size, structures, policies, and values. Any change in the monetary system must recognize the great diversity that exists among countries, even among the major industrial countries. And any such change must be an evolutionary one, preserving and building upon the valuable elements of the existing system.

In particular, any change in the international payments system must respect the monetary sovereignty of individual countries. I have stressed that monetary policy in the United States cannot be formulated in isolation from the world beyond our borders; we must reconcile domestic and balance-of-payments objectives in pursuing the art of central banking. But as long as nations remain as independent entities, with separate power of decision over economic policies, monetary policy too must remain in national hands. And, within the context of international financial cooperation, the right of each country to make bilateral arrangements should be preserved. It is notable, in all these connections, that membership in the International Monetary Fund, and participation in supplying and using the Fund's resources, is quite consistent with the retention of monetary sovereignty.

The central role that the International Monetary Fund now fills makes it a natural repository for any new monetary functions that may merit consideration. Gold tranche positions in the Fund, which are usable virtually on demand by countries in deficit, are already widely regarded as reserve assets. If and when the need is felt for additional reserve assets, there is much to be said for adapting the Fund mechanism to this purpose and building upon its tested and respected institutional framework. To rely on such an evolution of the International Monetary Fund, rather than to establish a rival center in the international monetary field, would help to assure that any innovations undertaken would contribute to world prosperity without disturbing market processes, violating national sovereignty, or disrupting international cooperation.

HANDS OF COMMUNISTS IN DOMINICAN REPUBLIC REVOLT REVEALED

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRAMER. Mr. Speaker, there has been a great deal of debate over the part played by the Communists in the recent revolt in the Dominican Republic. Numerous individuals, opposed to the U.S. policy in that country, have charged that the Communists played no part in the revolt. This contention has been ably refuted in a series of articles written by Mr. Paul D. Bethel, a former U.S. Foreign Service Officer and an expert on Communist operations in Latin America. One of the first journalists to arrive in the Dominican Republic after the revolt that brought in U.S. troops, Mr. Bethel, who is also executive secretary of the Citizens' Committee for a Free Cuba, Inc., gives an in-depth report in the following three articles which appeared in the Washington Daily News, June 21, 22, and 23. The articles follow:

HOW COMMUNISTS TOOK LEAD IN REBELLION FROM THE START

(By Paul D. Bethel)

(Paul D. Bethel, a former U.S. Foreign Service Officer and an expert on Communist operations in Latin America, was among the first journalists to arrive in the Dominican Republic after the revolt that brought in U.S. Troops. Here he reveals the extent of Communist leadership in the rebellion and how it influenced the turn of events there in late April and May.)

Today, as the stalemate in the Dominican Republic seems to be edging—with OAS prodding—toward some sort of an uneasy agreement, it is useful to review and clarify the confused events which brought the country to its present position.

How did the revolt actually start last April 24? Who were the prime movers? Who are the "good guys"? Who are the "bad guys"? Was U.S. action really justified? What is U.S. policy today?

Now there is impressive evidence that the Communists were in on the rebellion from the very beginning. They did not snatch the revolt from the hands of deposed President Juan Bosch's party, the PRD, as has been widely supposed. Both the PRD and the Reds snatched it from the military.

CALLED FOR REVOLT

On March 16, 5 weeks before the April 24 revolt, the central committee of the PCPD (Communist Party) issued a manifesto. It called for "the return of Prof. Juan Bosch to legitimate control of the government," and urged "the working people" to "unite and fight to conquer to eliminate the economic domination by North American imperialism and to establish Socialist democracy which puts the wealth in the hands of the people."

The manifesto thus endorsed Juan Bosch as surest means of establishing this "Socialist democracy," and incited the people to violence and to put him back in power.

"The entire population must fight in the streets, in the squares, in the factories, in the fields, for the return of Juan Bosch as the head of the constitutional government," the manifesto said.

KNEW HE WAS THROUGH

The Communist Party knew that Donald Reid Cabral, president of the civilian junta, was unpopular and that his overthrow was imminent. The party had tested his strength in seven labor strikes in 1 year, weakening the national economy, struggling under Reid's austerity program. Rational as his policies were, they had made him no friends, either in business or labor.

Then there was the military.

Under U.S. guidance, Reid cracked down hard on graft and corruption in the armed forces—the first Dominican leader with the courage to do so. Bosch never challenged the generals nor made any effective moves to curb corruption.

Under Bosch, the three big shots in the contraband racket were the National Police Chief, Peguero Guerro; Air Force Gen. Atila Luna and Army Gen. Vinas Roman. They ran everything, from nylons to dope, and put millions of dollars into their own pockets.

CLEANED UP

Reid dumped all three generals early this year in a cleanup of the Government. He removed Luna and Roman from their commands and fired Peguero.

Reid had thus alienated the three pillars needed for support—the military, labor, business. Bosch's PRD and the Communists organized and waited for Reid's ouster.

Ambassador W. Tapley Bennett told a group of us on April 29 that the PRD and the Communists had been collaborating. He said: "The Communists worked with Bosch's PRD for months. They were prepared well in advance of Reid's overthrow."

BLUEPRINT

This was the importance of the March 16 Communist manifesto. It was the blueprint for the events which took place on April 24 and thereafter.

I also learned from an unimpeachable source that Bosch met with two members of the Castro-Communist "14th of June Movement" in San Juan in early March. These two—Victoriano Felix and Rafael Taveras—got Bosch's promise to cooperate with the Communists.

Taveras is a member of the Central Committee of the party. He arranged to tape a question-and-answer session with Bosch. The tape was taken by them to Santo Domingo and turned over to Jose Brea, secretary of finance of Bosch's PRD. He also owns the radio station, Cristal.

It was read over the air April 9 on the program "Here is Santo Domingo" sponsored by the 14th of June Movement.

Bosch's message was anti-American, rabble rousing and pro-Communist. The facts of the story have since been confirmed by official Washington sources.

THE HANDS OF COMMUNISTS PULLED STRINGS OF REBELLION

(Yesterday, Reporter Paul Bethel named the two Castro-Communist leaders who met with deposed Dominican President Juan Bosch early last March, and got Sr. Bosch's promise to cooperate with them. He described how the Communists then issued a manifesto last March 14, 5 weeks before the April 24 revolution started, calling on the people to use force to put Sr. Bosch back in power, to destroy Yankee imperialist domination and establish a Socialist democracy, paying for a radio broadcast of it with Communist Party funds. Today he gives additional evidence, telling how the Bosch forces and the Communists stepped in to maneuver the army revolt into a revolutionary grab for power.)

(By Paul Bethel)

Another fact cementing the U.S. case that the Dominican Republic's revolt which started last April 24 was Communist inspired is presented by Jose Rafael Molina Urena, Bosch's provisional president during the first 4 days of the rebellion.

Sr. Molina Urena called on our U.S. Ambassador Tuesday night, April 27, and was, in the Ambassador's words, "a thoroughly defeated and dejected man who admitted to me that the rebel movement was in the hands of the Communists." Sr. Molina took asylum in the Colombian Embassy that same night.

Timing was a key element in the rebellion, and it shows there can be little question that the Communists, Sr. Bosch, and Bosch's PRD collaborated from the very beginning.

The pocket-sized rebellion of the military officers on April 24 merely provided the opening. The collaborators took it. Here is what happened.

RUMORS FLY

At 1:30 p.m. on that fateful Saturday, rumors began to fly in Santo Domingo's slums that the Reid Cabral junta had been overthrown. People began to pour into the streets.

A few hours earlier, Reid had dispatched Army Chief of Staff Gen. Marco Rivera Cuesta to the 27th of February Barracks to sack two officers for graft and disloyalty. Instead Gen. Rivera Cuesta was taken prisoner.

Immediately, the 16th of August Barracks threw in with the rebels, and the revolt was on. (The barracks are named after famous dates in Dominican history.)

Why the revolt?

Officers of rank lower than general applauded Reid's moves against Roman, Peguero, and Luna. It gave them a chance to move up.

But when Reid reached down, as he did that Saturday, to fire officers of relatively junior rank, those same officers rebelled.

They saw in his move a plan to crush the power of the military.

NOT CIVIL WAR

It is important to note at this moment, however, that the military insurgents had no intention of expanding their pocket-sized rebellion into a civil war. They merely wanted to get rid of Reid and the threat he posed to their privileged position.

Gen. Elias Wessin y Wessin, a career military officer, untainted by graft or corruption, stepped in and tried to mediate the dispute. General Wessin y Wessin was feared by the Communists and respected by his colleagues.

The rebels refused to surrender to General Wessin y Wessin, gambling that he would not push them too hard. They were right. The general felt that Reid's moves would weaken the military establishment which could only play into the hands of the Communists. He came up with a formula to set up a joint military junta—rebel and loyalist—and call for elections within 90 days.

RESIGNATION

General Wessin y Wessin says he knew that Reid could never pull through the April crisis and urged Reid to resign "rather than see the country plunged into chaos."

On May 3, while in hiding in Santo Domingo, Reid said: "The Communists used the resentment of the military toward me and were able to undermine civilian control."

Nevertheless, the doughty Scotch-Dominican made a stab at staying in power, overriding the advice of General Wessin y Wessin. That Saturday night he broadcast an ultimatum to the rebels. They were to surrender by 5 a.m. the next day, he said, or they would be attacked by loyalist forces.

But there were no loyalist forces; General Wessin y Wessin refused to back Reid Cabral any longer and Reid was through.

And when General Wessin y Wessin sent a personal representative to meet the rebellious officers on Sunday, the second day of the revolt, in order to arrange details for a caretaker junta composed of both loyalists and rebels until an election could be held, he was met instead with banners demanding Sr. Bosch's return. The election deal was off. General Wessin y Wessin had been crossed. The Bosch Communist combine had gotten to the rebels.

THE REBELS IN COLD BLOOD SENT 600 CIVILIANS TO DEATH

(How two Castro-Communists made a deal with deposed President Juan Bosch 6 weeks before the Dominican Republic's revolution was started has been told in a previous installment.

(Mr. Bethel also outlined how, following the deal, the Communist manifesto was broadcast urging the people to overthrow the incumbent, interim President Donald Reid Cabral, and reinstate Sr. Bosch. Today, he describes how the Communist-Bosch coalition doublecrossed and outmaneuvered the army, to take charge of the rebellion and transform it into a revolutionary grab for power with Bosch as their front.)

(By Paul D. Bethel)

On Sunday, April 25, the second day of the Dominican Republic revolt, Gen. Wessin y Wessin sent a personal representative to meet with the rebels of the 16th of August Barracks. Jointly, they were to set up a caretaker junta composed of rebels and loyalists until elections were called.

The general's emissary was met by banners carrying a slogan from Communist manifesto issued the month before: "We are for the return of President Bosch at the head of the constitutional government." This was the dramatic switch from the agreed-upon elections, maneuvered by the Bosch PRD-Communist combine.

The emissary also found that a large number of the army rebels had slipped into the center of the city where the political and military decisions were being made by the PRD-Communist combine.

The day before, mobs seized Radio Santo Domingo. Known Communist leaders—among them Castro-Cuban Luis Acosta—harangued the populace to "return President Bosch at the head of the constitutional government."

CONFUSED IMPRESSION

This was early—2:30 p.m. on Saturday. People were paraded across the TV screens dragging rifles, armed to the teeth, to give the impression that everyone was supporting the rebellion. Another purpose was to throw the loyalist armed forces into confusion, by televising people in uniform with the civilians. The broadcasts did the job.

In fact, control of radio and television nearly gave the Communists the country. The confusion in the loyalist ranks was enormous. Skillful radio and television propaganda made it appear that the country already was in rebel hands.

As late as 10 p.m. Sunday the Dominican Navy didn't know where it stood. Comdr. Rivero Caminero told a junior commander: "I am with the people but against communism." Broadcasts that the navy had thrown in with the rebels were apparently interpreted by the commodore to mean that the joint rebel-loyalist military junta had been established. There were no clear instructions from the San Isidro base on the politics of the moment simply because Gen. Wessin y Wessin was trying to sort out the tangle.

Adding to the disorganization on Sunday the National Police set free both criminals and political prisoners. Rebels rushed them to the TV station saying the police had gone over to the side of the "peoples' movement." Powerful propaganda. Tremendous confusion.

TRUCKS WITH ARMS

But it was organized confusion. Four truckloads of arms roared into Independence Park in the rebel-held portion of Santo

Domingo. As one Western diplomat stated: "I saw Peiping Communists, Castro Communists, and Moscow Communists passing out arms to criminals and to the street gangs."

These, then, were the armed civilians referred to in news accounts by overly objective reporters. Gen. Wessin y Wessin's official log says the civilians got the automatic weapons, the soldiers only the hand weapons.

Thus the rebels gained 2 precious days, enabling them to secure and to hold the central part of the city.

Saturday night and early Sunday morning Gen. Wessin y Wessin's tanks moved across the Duarte Bridge over the Ozama River to curb the mobs, a few hours before he was to learn he had been doublecrossed. He confidently expected the army rebels to join him in cleaning out the mobs in the city. Instead, his troops were faced by those same rebels now working together with the organizers and the mobs. This blow to loyalist morale was nearly fatal.

Communist and Leftwing Parties openly endorsed the revolt and called for the return of Sr. Bosch—the MPD (Popular Democratic Movement), the Communist Popular Socialist Party, the 14th of June Movement, among others. All are pro-Castro organizations. The PRD provided the all-important front.

STREET GANG

Musclemen for the rebels are the turbas—street gangs, something like those who terrorize subway riders in New York City. They also do dirty work for whoever happens to hold power in the Dominican Republic, and will pay them.

During Trujillo's time, police gave street gangs missions to beat up or intimidate Trujillo foes to keep the populace in line.

During the April revolt, the turbas were used by Communist organizers. Their mission—to loot, kill, steal, create chaos, intimidate the populace, exterminate those not in sympathy with rebel aims.

Thus did hate and murder stalk rebel-held streets during the first few days.

Most foreign reporters arrived in Santo Domingo well over a week after the initial outbreak of the revolt. By that time most of the bodies had been removed. Since there were no bodies in abundance, as reported by U.S. Embassy sources, overly hostile reporters scoffed at those reports.

Yet, even the Peace Corps volunteers said that hoes and shovels given to the people for backyard gardening were used to bury the dead, and more were requested. Those same volunteers also reported that leaflets had been passed around by Communist organizers several weeks before the revolt, with instructions on how to make Molotov cocktails out of Coca-Cola bottles and gasoline.

Much other evidence of Communist domination of the rebel movement comes from Havana.

FIDELISTA

For example, on May 11, I found that Rafael Mejia (alias "Pichirilo") was in Santo Domingo with the rebels. Mejia was helmsman for the yacht *Gramma* which took Fidel Castro and 82 men from Mexico to Cuba, where they landed on December 2, 1956, and took up the guerrilla fight against Gen. Fulgencio Batista.

Mejia is a Dominican by birth. He holds Cuban citizenship, as well, and is a captain in Castro's rebel army, a graduate of guerrilla training and political agitation schools in Cuba.

The extent of Castro-Communist influence in the rebel camp is fully documented in reports by John Bartlow Martin, President Johnson's special envoy. He named names. He described their activities, ranging from introducing large sums of political money into the country to running "a school for Communist indoctrination." All were trained in Cuba. Some had received training in Russia and China, as well.

A five-man factfinding commission of the Organization of American States gave a devastating report on Communist and Castro-Communist rebel activities. Later the State Department furnished a list of 77 Communist leaders.

Several Senators, including Alaska's Ernest Gruening and Connecticut's Thomas Dodd, are critical of some of our press for not reporting those findings.

About noon, on Sunday April 25, the rebel radio announced that Juan Bosch had designated Jose Rafael Molina as "provisional constitutional President."

COLDBLOODED

During the next 2 days, the rebel radio coldbloodedly directed civilians to go to areas which the loyal Dominican Air Force leaflets had warned would be bombed. It is not known how many were killed. The U.S. Embassy's estimate was 1,800 casualties, 600 dead.

On Sunday night, it looked as if the rebels had the upper hand.

Rebel provisional President Molina first issued himself two pistols and then signed several decrees to give the impression the loyalist cause was lost.

But by Tuesday morning, the Air Force's Vampire jets had silenced the rebel radio, the navy was lobbing shells into the presidential palace, and the loyalists held.

By Tuesday night, provisional President Molina had sought asylum.

The next day, Wednesday, April 29, the U.S. marines began to arrive, and the PDR-Communist strike for power had bogged down in a tiny enclave in the center of Santo Domingo, where it still is today.

WHAT ABOUT OUR COINS?

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Battin] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BATTIN. Mr. Speaker, next week this body is scheduled to receive a bill that would result in the demise of our silver coins. I consider the proposal to mint coins without silver as wholly unnecessary and undesirable and only another step in the debasement of our coins and the devaluation of our currency.

Mr. Addison Bragg, a staff writer for the Billings Gazette, has written an excellent article, more or less an obituary of our coins. I recommend the article to those of you who are concerned with the probable disappearance of our silver coins when the new funny money is introduced to the American people.

I am part of a generation that has heard the stories of the disappearance of our gold coins so perhaps Mr. Bragg's article will prove the adage that truth is stranger that fiction.

Following is the article from the July 1, 1965, Billings Gazette:

And Then It Was Legend—Grandpa, Tell Us About Money Again

The old man sat by the window and watched as his grandchildren played at their games, the same games, he recalled, that he'd played once a long time ago.

The eldest, tiring as even the eldest of young grandchildren do, ran to the big leather chair and thumped her fists on the arm impatiently.

"Tell us, grandpa," she said, "about how it was when you were little."

The old man smiled.

"Do you want to hear about the planes," he asked. The little girl shook her blonde curls.

"Tell us," she said, as the others deserted the jacks and the ball rolled forgotten under a chair, "about the money."

He pulled a worn and shiny billfold from his pocket and from it took an object, carefully wrapped in tissue paper.

"We've seen that before, grandpa," the boy said. "And we've heard you tell us about how your father gave it to you when you were a little boy. Don't tell us about the big ones. Tell us about the little moneys with funny names."

"First," said the old man, "there was a penny. It was made of copper and if you rubbed it back and forth on a carpet it would shine."

"Susan's daddy's got a penny," the girl said. "I saw it once."

"Then," the old man went on, "there was a nickel.

The boy remembered reading about nickels with buffalos on them and asked his grandfather if he'd even seen one. The old man shook his head.

"I spent a nickel that had Jefferson's head on one side," he said. That was before he realized what it was worth, he added.

The girl leaned on the chair arm. "Tell about your favorite," she said.

The dime, her grandfather continued, was the smallest coin made from silver. "Your grandmother had one set in a ring," he said, "but it was stolen long before you children were born."

Dimes were fun, said the old man.

"You could buy candy bars, make phone calls, or get coffee with them," he told the children. Some people, he added, even used dimes to tighten screws.

The children like to hear about the quarters and the half-dollars and laughed every time the old man called them "two-bit" and "four-bit" pieces.

He'd never seen either, though.

"My father said he'd kept one of each for me if he'd known in time—but he just went downtown one morning and they were all gone."

The quarter and the half, he said, were the first to go. "Except," he added, "the big silver dollars. I remember my father telling me when he was your age people used to carry them around and spend them just like regular money today."

"Tell about how money had God on it," prompted the boy.

And the old man told of how each piece of money carried the words, "In God We Trust" until one year when it was dropped from a $1 bill and eventually disappeared altogether.

The two children now wanted to look at their grandfathers' big dollar. He took it out, unwrapped it and held it in the sunlight and nodded when the boy asked if he could touch it.

"Gee," both children said, wide eyed.

The old man wished he owned two. It would be nice, he thought, if he could leave one for both the boy and the girl. But it was impossible.

The silver dollar always went to the eldest son. That's how his father had gotten it.

THE INDEPENDENT SCHOOLS TALENT SEARCH—NEW ENGLANDERS' IDEA BECOMES A NATIONAL PROGRAM

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Conte] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **CONTE**. Mr. Speaker, throughout the history of this country we have witnessed the birth of many ideas in New England which have become national programs, many of which have altered the course of action taken by our Government and given a better way of life to all of our people. So it is with a most encouraging program now being administered by the Office of Economic Opportunity under the able direction of Sargent Shriver, Director of the Nation's war on poverty.

The program is the independent schools talent search. Born and nurtured in New England, since its inception the program has been characterized by service to youngsters from many sections of the United States. From its earliest days, Dr. Howard L. Jones, president of the Northfield and Mount Hermon schools in East Northfield, Mass., and chairman of the original group of 60 private schools that founded the program, recognized that this program could set a pattern which would be of major assistance to our national efforts to eradicate poverty in this country.

Under the chairmanship of Dr. Jones, these private schools joined together to seek out capable young persons from low-income homes who had at least 2 years, and preferably 3, of secondary schooling to be accomplished. Their potential academic abilities, given the opportunity to develop and apply their talents, were the only credentials required for their admittance to the program, which was a response to the oft-repeated statements from colleges and universities that they would be happy to enroll more such young ladies and gentlemen, if they could find qualified applicants.

Two field representatives were employed by ISTSP, as it was also known at that time, who traveled throughout the country in search of promising students who were, and would continue to be, academically frustrated by deprivation in their homes if no assistance were to be made available to them.

In January of this year, there were more than 75 students enrolled in the member schools and, by any measure, the reports on their progress were most encouraging. Next year these schools hoped to add at least a hundred more students. But found the enthusiasm and response to the program frustrated by severely limited financial aid budgets.

Each school was faced with raising more than $2,500 each year for each one of these students. As all of us here today are aware, virtually every private school in the country today operates under serious financial limitations. Fortunately, for the youngsters whose potential talents called out, not only for the continuation of this program, but for its expansion, Dr. Jones, with the support of the member schools of the ISTSP, brought their case to my attention and to the attention of many of my colleagues in the Congress and pertinent Government officials here in Washington.

I am extremely gratified by the response which greeted this idea in Washington and by the inclusion of this program as a part of the worthwhile and diligent efforts of the Office of Economic Opportunity. I strongly urged this action and my participation in assuring the continuation and expansion of this bold program was an easy task, for the program spoke so ably for itself.

Today, under the OEO program, there are 45 ninth-grade boys attending classes at Dartmouth College and 35 ninth-grade girls attending Mount Holyoke. Those students who successfully complete the intensive academic curriculum in math and English at these colleges this summer will be admitted with a full scholarship to 1 of the 70 private preparatory schools which make up the independent schools that are now involved in the talent search. This summer's program is in the nature of a pilot project for the national application of the program of Dr. Jones and the group of individual schools that participated under his leadership.

I am confident that the success achieved by these original cosponsors of this idea will be duplicated this summer and serve as a springboard for year-round programs that are necessary today to prepare youngsters from low-income homes for the competitive business of college admission. It is heartening to me to see the hopes of these New Englanders come to fruition for the benefit of all the worthy young men and women of this country who would otherwise be deprived of this opportunity and on whose shoulders will be placed the burden of the hopes and ambitions of all of us for the years ahead.

In the words of Dr. Jones:

> We know that education is the key to unlocking the doors of opportunity to thousands of presently deprived youngsters. The independent schools talent search program can play an important role in moving toward a whole new era of opportunity for persons who have not heretofore had the chance to become what they might become, given the finest possible education opportunities.

There could be no more apt illustration of the concern of our independent schools for making their resources available to all. The contribution which it is now possible for the academicians to make, I believe is indeed an exciting prospect. The benefits of this program will be reaped by all in terms of future doctors, scientists, lawyers, and leaders of the academic, political, and arts communities of the United States.

It is a singular source of pride for me, as I am sure it is for all bay Staters and New Englanders, that the initiative of the renowned and respected academic community of this region has made still another in the long line of contributions in the national interest.

ELIMINATING THE BALANCE-OF-PAYMENTS DEFICIT STILL HAS TOP PRIORITY

Mr. **DEL CLAWSON**. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **CURTIS**. Mr. Speaker, the idea that it would be dangerous for the United States to eliminate its balance-of-payments deficit has received considerable attention in the press recently. In his column in the Washington Post on June 28, Hobart Rowen said that the prudent course would be to continue a moderate deficit while taking steps to protect our gold stock. He questions the wisdom of the administration's drive to eliminate the deficit. The basis for his position is that the world needs additional dollars to finance expanding world trade and payments. To cut them off might cause economic trouble abroad.

I do not question the long-run need of the world economy for a larger supply of liquidity—either in dollars or some other form. The fact is that at the moment, liquidity is adequate. Almost all experts agree on this fact. The need today is twofold: First, the United States must eliminate its deficits, which are piling up excessive dollars abroad which represent a potential call on our gold stock; and second, there must be international monetary reform to provide for a more orderly and rational method of supplying world liquidity needs when the U.S. deficit has been eliminated.

Mr. Rowen's position needs more careful examination, however. Have we licked the deficit already? Are we putting a squeeze on our friends overseas? Has our capital restraints program been too successful? I believe recent balance-of-payments figures indicate that the answer to all three questions is "No."

As has been reported in the press, the balance of payments will show a small surplus in the second quarter. This arises, however, not so much from the restraints on capital outflows as from the higher than usual level of exports in that quarter because of the dock strike in the first quarter. The first and second quarters together should show a deficit of about $500 million. For the year as a whole, it is likely that the deficit will run between $1 and $1.5 billion, a considerable improvement over recent years, but still sizable. A large part of the ground gained by the administration's program is expected to be lost by higher U.S. imports.

Much of the drop in capital outflows in the second quarter is due to factors other than the administration's program, although that has contributed as well. For one thing, during the first quarter the seasonally adjusted outflows for direct investment overseas and for long-term bank loans were unusually high—$1 billion and $552 million, respectively. This was due to anticipation of controls to come and was clearly too large to sustain. Even without the capital controls, a drop in capital outflows during the second quarter was to be expected.

Even with the capital controls program, however, the outflow on direct investment should be somewhat larger this year than last, when it was $2.4 billion. The increase, however, should be slight. As for new issues of foreign securities—a prime target of the interest equalization tax—the outflow was rising sharply at the end of 1964 and seems now to be running at an annual rate of over $1 billion a year, or about at the levels of the previous 3 years.

The effect of our capital controls on the economies of other countries arises from the curtailment of bank loans and the repatriation of corporate short-term funds.

The country in most financial difficulty is Japan. This difficulty has little or nothing to do with capital controls, but rather with the fact that American banks have begun to feel that they have overloaned to Japan in recent years. Even before the capital restraints, American banks were beginning to tighten up on loans to Japan.

The United Kingdom may be hurt to some extent by the reduction in bank loans and the pulling back of funds from the Euro-dollar market. The extent of this effect cannot be precisely determined. On the continent, however, much of the inflow of U.S. funds was unwanted. Most European countries were fighting inflation, and it was believed that dollars were contributing to inflationary problems. The capital restraints probably have helped in the fight against inflation.

In short, the newly developing position of some writers and economists, to the effect that we should ease up on trying to solve the balance-of-payments problem because we are damaging economies abroad, is not well founded. It is true that if the administration's capital restraints program were really effective, and if it were to continue for some time, economies abroad would be starved for needed funds. This is not yet the case.

By these remarks, I do not want to imply that I approve of the capital controls. I believe more fundamental solutions are needed to the balance-of-payments problem, and I have spelled these out in detail on other occasions. I do think it is dangerous, however, to slacken up on trying to solve the problem by stating that our programs are now such a success that we are currently causing serious economic trouble abroad. If we fail to eliminate our deficit, the problems before us will dwarf the temporary inconvenience that our capital restraints may now be causing in some areas. The results in that case are likely to be a full-blown international monetary crisis.

LAW AND ORDER

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, our attention is being increasingly directed to a growing disregard for law and order in the country. The inspiration for this type of development seems to come from the militant and irresponsible leadership of self-appointed civil rights advocates. However, our entire concept of law and order seems to be under attack.

Therefore, I place in the RECORD at this point as part of my remarks an address that was delivered by the Lieutenant Governor of the Commonwealth of Pennsylvania, Raymond P. Shafer, at the Law School of Villanova University alumni dinner on February 11, 1965, which has special significance at this time:

LAW AND ORDER—TODAY

(Address by Lt. Gov. Raymond P. Shafer, of the Commonwealth of Pennsylvania)

If you pick up a volume of legal essays written in the 1930's, you will invariably find that they embrace such philosophic titles as "Law and Religion," "Law and Ethics," "Law and Literature," and so forth.

Perhaps there is a clue to be found here as to the temper of the times, which Edmund Burke once observed, should be the first study of a stateman.

We look back upon those days with the grim remembrance of the depression, when the same winds that caressed sunlit wheatfields in the West chilled men standing under overcast skies in eastern cities' breadlines.

There was crime in those days, as there has been crime in every age, but women in the 1930's could ordinarily walk the streets of a large city at night without fear of being molested. There were crimes of violence, but most of them were perpetrated by young adults and not children—by so-called "tough guys" whose false gods were evil characters like Dillinger, Patterson, "baby-face" Nelson, and that ilk; by racketeers trying to emulate the style of Capone and Luciano, motivated by greed, not by thrills.

Sociologists scanning that period could assign countless reasons for crime waves—ranging from those who felt they had to steal to survive, to professional killers whose warped brains led them to murder for a price. They could trace crime to unemployment, to desperation, and to various dark corners created by the depression.

Why, therefore, is it necessary, in an affluent society such as we have today, to choose as the theme of my remarks: "Law and Order"?

Why is it that today in Philadelphia, in certain sections, business establishments will not permit women employees to work overtime for fear that they would not be safe on downtown streets?

Why, in the same city, is there an unprecedented number of killings? Why are the letters of newspapers filled with anguish and fear about the terrors that fill the nights?

These things might be expected in a place where there is no law, but even the most imaginative writers of the Old West would not attempt to depict lawlessness on the scale in which it exists in our major cities, lest they be judged ludicrous.

What is it that has made frontier towns out of our metropolises?

I have listened patiently to explanations of sociologists and psychologists that slum conditions breed criminals.

I have listened patiently to theories that parental carelessness breeds criminals.

I have listened patiently to suggestions that insecurity breeds criminals.

I respect the intelligence and the dedication of those who advance them.

But I think it's high time that we stopped viewing all criminals as victims of society, and start concerning ourselves more with the victims of the criminals.

I think it's high time we say to those who refuse to respect the law that we will teach them the strength of the law.

If this differs from the textbook approach, I say that's too bad. You don't fight wars with textbooks, and if lawless people use force and violence to accomplish their crimes, then they must know they can expect to be subdued.

We hear a great hue and cry about police brutality and no thoughtful citizen for a single moment will countenance brutality by the police or by anyone. But let me tell you coldly, clearly, and candidly, that we have evidence that this many times is a preplanned phrase which certain self-seeking, law-violating individuals invoke to arouse sympathy.

Let me tell you cold, clearly, and candidly, that when policemen, in discharge of their sworn duties are pelted with rocks, or are assaulted and wounded, this, too, is brutality which cannot be countenanced.

Lest my remarks be misconstrued, may I at this time commend the Supreme Court of the United States for their decisions regarding the civil rights law. My remarks are directed to an illness in our society—the individual who places himself above the law.

I am as zealous as any lawyer in this Nation in the protection of the rights of the individual, regardless of his race, creed, or color.

But I am becoming increasingly disturbed over the trend of the U.S. Supreme Court decisions which are imposing, in criminal cases, virtually impossible standards upon our State courts and law enforcement agencies.

In Dauphin County just a few weeks ago two teenage girls, by their own confessions, were charged with the wanton, senseless murder of a storekeeper. One has already had to be freed of the charge because the standard of proof did not conform to newly established rules laid down by the Supreme Court. The second, after sanity tests, apparently will have to be freed of the charge for the same reason.

Perhaps over the span of a century, time will assess these rules as the epitomy of wisdom. And if this is to be the judgment of the ages then the period of transition through which our society is now passing must be borne with patience and understanding.

But I confess to a sense of uneasiness as I ask myself how is society served by rulings that go far beyond the constitutional rules under which this Nation came into being and has remained in existence.

I am uneasy when I see an individual walk out of a courtroom with blood-stained hands, and turned loose on a community—where tomorrow the murderous urge may drive him to fall upon another innocent citizen.

Certainly I believe that no person should be convicted of a crime unless there is clear, unmistakable evidence of guilt. But when the laborious and painstaking task of gathering incontrovertible evidence is accomplished under long-established principles, and suddenly a new and different rule emanates from Washington, it is small wonder that our law enforcement agencies feel frustrated and defeated.

With the flood of constitutional decisions being handed down by the U.S. Supreme Court on Mondays, I am reminded of the late Thomas Reed Powell, professor of constitutional law at Harvard. Powell changed his classes from Monday to Tuesday because as he put it, "I no longer know what the constitutional law is on Monday morning."

Most crimes of violence must be dealt with by State and local authorities. Federal agencies can supplement, to a degree, the State's apprehension of criminals where it is a matter of laboratory or scientific help, or where the suspect is deemed to have crossed State lines. Beyond this, however, the greater percentage of cases, in the final analysis, must remain the responsibility of the State and the communities—and this responsibility can be met only when the real situation it presents is viewed realistically.

Now it is very possible that the trial and appellate courts of a State can erroneously interpret the Constitution. But I think it is very doubtful whether trial procedures in all, or nearly all, of the 50 States, and the courts which administer them, can be wholly wrong.

It is, in my judgment, just as serious a matter for the United States Supreme Court to invalidate the actions of a sovereign State as it is for it to invalidate an act of Congress.

Yet if you look at the volumes of Supreme Court reports in the past 5 years, or 10, or 20 years, you will not find a single major piece of legislation enacted by Congress declared invalid—you will not find a single action by the executive, other than the steel seizure case during the Truman administration, held violative of the Constitution—and you will find scores of cases where State decisions in criminal cases have been reversed on new principles of constitutional law, while Federal agencies are invariably sustained in their interpretations of Federal criminal statutes.

I could use traditional words of courtesy and nicety here to soften the impact of my thought. But I shall not. I shall put it to you directly: I believe that there is a grave imbalance in the philosophy which permeates the approach of the Court on matters of federalism—and that imbalance is making it increasingly difficult for the States to fulfill their obligations to their citizens.

So that there will be absolutely no misunderstanding of what I am saying, I shall put it still another way: I believe that the decisions of the U.S. Supreme Court in many areas of criminal laws of the States are coming close to a peril point, and weakening the power of the States to maintain law and order.

It is difficult for me to believe that our concepts of criminal procedure, under the Constitution, have been wrong for a century since the adoption of the 14th amendment.

It is difficult for me to believe that standards which met the approval of such liberals as Holmes, Brandeis, and Cardozo, are wrong in 1965.

I know it is a matter of abhorence in some legal circles to criticize the Supreme Court, but unless lawyers speak out, who will?

Unless the most competent legal critics break their silence, how can laymen be expected to challenge their trend?

There are very few policemen who would consciously set out to deprive an accused man or suspect of his constitutional rights.

And if there were, the prosecuting attorney would have to violate his sworn oath of office to further such a conspiracy.

And if the policeman and the prosecutor were in a league to "railroad" an individual, they could not do it without the sanction of a judge and a jury.

There have been examples of this, of course, and each instance is one too many. But I do say that, by definition, they have been few and far between except in those jurisdictions where there has been wrongful discriminations against Negroes—and where such discriminations have been established, the Federal courts have properly intervened.

But when you deal with crimes of violence, you are inevitably dealing with individuals whose minds are bent on mischief and the policeman who is risking his life to bring a suspect under arrest, should not be shackled by an unrealistic code covering his actions.

Respect for law and order is a fundamental tenet of democracy. Without law and order no man can be free. Law and order must travel hand in hand.

The words of the law only have life through the deeds of men as lofty abstractions, high flown phrases, brilliant articulation come to naught without men of integrity to breathe meaning and strength into their existence.

Judged in total perspective this is the essence of liberty itself.

WOMEN'S CITY CLUB OF WASHINGTON ENDORSES CLEVELAND LABORATORY ANIMAL LEGISLATION

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, shortly before the Independence Day recess, I learned that the Women's City Club of Washington, D.C., last March adopted a resolution supporting legislation introduced by myself and Senator CLARK, of Pennsylvania, to provide for the humane care of laboratory animals used in scientific research.

The resolution speaks for itself and I offer it for the RECORD as continuing evidence of the growing demand for this humanitarian reform. I hope other Members will join in sponsoring this legislation, which is reasonable in its approach and which would not impede legitimate research.

The resolution follows:

RESOLUTION ADOPTED BY THE WOMEN'S CITY CLUB, WASHINGTON, D.C.

Whereas it has been shown, through documentary evidence, that certain common practices engaged in by laboratories throughout the country, many receiving funds from the Federal Government, have resulted in unnecessary suffering and inhuman treatment of millions of defenseless, captive animals by such abuses as:

1. Keeping large dogs in cages so small they can neither stand nor lie in normal positions.

2. Hosing cages with the dogs in them, no matter how sick they are after drastic surgery. Never releasing the animals from their cages for exercise, but confining them so for weeks, months, and even years in some cases.

3. Refusing to give pain-relieving drugs after surgery.

4. Teaching medical students to do operation after operation on a single animal, bringing it back to increasing, unrelieved pain each time, and with no scientific end in view.

5. Leaving young, active monkeys in monkey chairs that confine them rigidly in a sitting position for as much as five months at a time—or until the monkey dies.

6. Buying truckloads of animals from unscrupulous animal dealers. As many as 50 percent of these animals may die of illnesses having nothing to do with the experiments.

Whereas it has been shown through documentary evidence that callousness and irresponsibility in laboratories receiving grants from the Federal Government cause untold suffering to millions of vertebrate animals that, far from advancing scientific knowledge, is detrimental to the accomplishment of the desired experimental results.

Whereas S. 1071, introduced by Senator JOSEPH S. CLARK, of Pennsylvania, on February 9, 1965, and H.R. 5647, introduced by Congressman JAMES C. CLEVELAND, of New Hampshire, on March 2, 1965—both modern bills in their concept—would not, in our opinion, hamper nor interfere with scientific research and would further eliminate thousands of dollars in waste; now, therefore,

The Women's City Club of Washington, D.C., urges that hearings be held as promptly as possible so that the 89th Congress may enact into law in the present session the aforesaid Bills S. 1071 and H.R. 5647.

Further, that, bills S. 1071 and H.R. 5647—providing for humane treatment of experimental animals—be given the same invaluable support rendered by Congress to the Federal humane slaughter bill which finally effected the passage of the Federal Humane Slaughter Act.

Miss FAY M. TURNER,
President.

As drafted by Mrs. Paul Appleby Colborn, chairman, legislative committee.

THE TRADE EXPANSION ACT OF 1962

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin [Mr. THOMSON] is recognized for 15 minutes.

Mr. THOMSON of Wisconsin. Mr. Speaker, I have spoken many times on the floor of this House about the deep misgivings I have about our national trade policy. I do not believe that exposure of our industry and our agriculture to excessive import competition represents good policy for the country. Everyone, I am sure, recognizes the value of trade when it is conducted on a fair competitive basis. There are goods that we need, many raw materials that we do not produce in sufficient quantity to meet our own needs, as well as some manufactured goods. These we must import if we are to have use of them. Also, we produce some goods in surplus, and it is helpful to find foreign markets for them. Beyond that, trade becomes a matter of fair competitive practice and the competitive standing of our industries in the world.

It is not generally known, but it is a fact that nearly 40 percent of our total imports come in free of duty. Tin, coffee, crude rubber, bananas, wood pulp and newsprint, iron ore, logs, undressed furs, hides and skins, shrimp, lobsters, frozen tuna fish, are good examples.

It is also not generally known that since 1934 when the trade agreements program was first launched, the protective level of our tariff has been reduced about 80 percent. This means that our present protection is only a fifth as high as it was 30 years ago. As a result the United States is no longer a high tariff country. By all measures we are a low tariff country compared with other trading nations. Also, we use nontariff trade restrictions, such as import quotas, exchange controls, import licensing systems, and so forth, much less than do some other countries. The world can no longer point a finger at us and twit us about our high trade barriers, as they never tired of doing in the past, prodded willingly by our free trade elements and the State Department.

The question from here on is no longer a theoretical one. Most of our tariffs have been cut to the quick or close to it; and while some could no doubt be reduced without causing damage, a 50-percent cut across the board, as is contemplated under the so-called Kennedy round, cannot be justified.

Why, I ask, were the extensive hearings before the Tariff Commission and the Trade Information Committee held last year, over a period of 4 months, if the testimony presented there is to be ignored; and ignored it certainly will be if present plans prevail. These call for cutting all tariffs 50 percent, as I have just said, with only a handful of exceptions. What, I repeat, was the purpose of those prolonged hearings, if it was not in order to gather detailed information, industry by industry, for the guidance of our negotiators, to determine, for example, whether particular rates should be cut at all, or, if so, how much? The competitive standing varies from product to product, and the hearings were ostensibly held to determine these differences.

If it was to be a foregone conclusion that all tariffs, with a bare minimum of exceptions were to be slashed 50 percent, why treat businessmen, labor representatives, Members of the House and the Senate to such a shabby procedure? I say it was an act of contempt of the witnesses, a hoax, and a dishonor. Who would have attended the hearings if it had been known that they were to be window dressing and nothing more? I am sure that the 800-odd witnesses who responded to the notice of hearings would have protested loudly and vehemently had they known that the procedures were in fact a full-blown farce.

However, the matter seems to be settled. All tariffs of this country—not of all countries—are to be cut 50 percent, with a bare minimum of exceptions. These were the terms agreed to by the President's Special Representative for Trade Negotiations.

There are those who say that American industry is fully competitive with foreign producers and manufacturers, and that it has little to fear from tariff reductions. They usually point to our export surplus of 1964, which ran as high as $6.9 billion out of total exports of $25.6 billion. This clinches the argument in their view.

They overlook the billions exported under foreign aid, Public Law 480, and under heavy subsidy, such as wheat, wheat flour, and cotton. They also forget that exports of machinery have been especially heavy because of our heavy flow of investments overseas, in many cases investments made in order to overcome the very difficult competitive realities posed by the higher cost operation in this country. This heavy exportation of machinery will help to build foreign capacity and will, as it has already done, greatly improve productivity abroad. Foreign competitive standing will be greatly enhanced. After a while, as is already happening, these American-owned foreign plants will reduce our market in Europe for products made in this country.

For example, we ship few automobiles to Europe, but the European plants of General Motors, Ford, and Chrysler, supply nearly a third of the cars manufactured in Europe from within Europe. The same trend may be expected in other instances. It has already manifested itself in the case of typewriters, sewing machines, and other products. That is the trend. It does not bode well for our future exports.

Many economists thought that the European Common Market would create great outlets for our producers of household appliances, such as dishwashers, washing machines, cooking ranges, radios, TV sets, and many other items. Alas, the picture changes when our manufacturers of these goods feverishly invest in Europe in order to manufacture there. Why would they pay three times as high wages for production within this country, and then ship the finished goods 3,000 or 4,000 miles by train and ocean freight, when they can so much more easily supply the capital for investment abroad? There they can have the benefit of skilled and competent labor drawing wages from a third to a half as high as they pay in this country. What else should be expected under the disparity in wages here and abroad?

Are the results under these circumstances not inevitable? We seem to be surprised at our balance-of-payments difficulties. I wonder what else we should expect. Our trade policy has been made a part of our foreign policy. Congress has given over its power over the regulation of our foreign commerce to the executive branch; and the executive branch has broadened the exercise of this power, until little is left to Congress. In this field the executive branch means predominantly the State Department. Foreign trade is looked upon and treated as an instrument of diplomacy.

It is even said that foreign aid will build up the economies of the underdeveloped countries and thus will provide expanding markets. Now that it has become clear that European countries and Japan are in a better position to supply those markets than we, we have made it a legal requirement that foreign aid money spent for commodities is to be expended in this country. Why was this compulsion necessary? We should therefore have second thoughts about who will reap the benefits of expanded markets in the developing countries if these markets respond to foreign aid as is hoped. We will not then have a legal hold on these markets and they will buy where they can shop cheapest. Is there anything about this that is hard to understand?

I could cite substantial statistics that reflect the shrinkage in our share of world trade, especially in manufactured goods; and this shrinkage has occurred despite the swelling of our exports through foreign aid, food-for-peace shipments, low-interest and soft loans, subsidies, and so forth.

The primary fact that is so widely ignored but that exerts a powerful influence on our competitive position in the world and that has revolutionized world trade for us is a very visible development: Foreign countries, armed with modern technology, derived in major part from us, have greatly improved their productivity per man-hour. In many instances their productivity has caught up with our own. At the same time their wages continue to trail far behind the American level. This is not to say that their wages have not risen. They have; but so have American wages; and it takes a much smaller percentage of increase here to equal a much larger percentage abroad. A 4- or 5-percent increase here means as much in cents per hour as 10 to 15 percent in the higher wage countries of Europe, and one of 20 to 25 percent in Japan.

It stands to reason that such a development, that is, the rapid technological development of our leading competitors for the world market for manufactured goods, would cause an upheaval; and it has. I have said that we have been slipping in the past 5 or 6 years in our share of the world exports of manufactured goods. We are destined to slip yet more. Our capital may, of course, be able to live with this trend, because it is able to participate in foreign production, as it is doing. This leaves behind smaller business, most of our agriculture and labor.

The American producer or manufacturer would have to become much more efficient in terms of productivity than he is today in order to remain competitive because of the wage discrepancy between here and abroad. This fact has already created great pressure for automation and greater mechanization in this country. The pressure will mount. The result has already been amply demonstrated.

Our industries have been producing more goods with fewer production workers. Industry after industry, from steel to textiles to automobiles, have gone through this experience and continue in that direction. Then we wonder why our unemployment problem is so stubborn. We have competitive pressure at home, to be sure; and it is usually keen enough to keep our industries on their toes; but domestic industry is on a more equal competitive basis, company by company. They pay much the same wages, the tax burden is the same, and they operate under the same laws, such as minimum wage laws, labor standards, and so forth. Foreign competition is more upsetting and disruptive. Foreign workers are not subject to our minimum wages. The fear produced by uncertainty causes hesitancy and therefore retards expansion.

The greater efficiency our industry strives for in order to fend off import competition means shrinking the work force.

As I have said, large companies can usually make the necessary adjustments. If they cannot beat the competitors they can join them; and they have been doing this on a vast scale. This unfortunately does not solve the problem. It represents a means of escape, not a solution.

Smaller industries such as I have in my district are not in a position to escape. We have rubber-soled footwear, woolen fabric manufacturing, fur production, and dairying. These industries are defenseless compared with the large firms and will live or die on the home ground.

If we were competitive we would not have to subsidize so heavily in order to maintain an export surplus. If we were competitive the many billions of dollars held abroad, accumulated in the past 6 or 7 years, would be coming back in payment for goods from this country. It is not lack of dollars that holds back our exports. Not at all. The dollars are an embarrassment in some European countries. They do not spend the dollars here to the extent they could for only one reason: they can buy goods cheaper from other sources.

I find it difficult to understand the hard time some people in turn have in understanding these troubles. In relation to the world markets we are generally overpriced—not as a matter of unnecessarily high markups on our goods but because of higher costs. I do not say that we should reduce our wages to meet the world prices. I do say that we are in no position to go into any far-ranging tariff-cutting negotiation at the present time, not to mention a 50-percent cut across the board. The distress that would be caused by such a step would be widespread and disastrous. Far from helping to solve our problem of unemployment, further tariff cutting would vastly aggravate it.

Instead we should be able to assure those of our industries that are already beset by serious import competition that threatens their future that imports will be regulated—regulated in meritorious cases so that they will not destroy confidence in the future. Confidence in the future represents the very breath of life to industry, and when it is destroyed or upset by uncertainty our economy suffers.

For these reasons I am happy to join the effort to amend the Trade Expansion Act of 1962. That act has failed of its avowed purpose of providing a remedy for injury from imports. All the cases brought uder it, 17 of them, have been turned down by the Tariff Commission. Above all, our economy, in my judgment, is in no position to absorb another drastic tariff cut. Therefore I urge enactment of the legislation.

JAMES FINNEY LINCOLN OF CLEVELAND

The **SPEAKER**. Under a previous order of the House, the gentlewoman from Ohio [Mrs. BOLTON], is recognized for 5 minutes.

Mrs. **BOLTON**. Mr. Speaker, a mighty oak has fallen.

> He went down
> As when a lordly cedar, * * *
> Goes down * * * upon the hills
> And leaves a lonesome place
> against the sky.

Only so can one think of Jim Lincoln's death. Tall, rugged, stern, if sternness was called for. Just, honorable, farseeing, such was James Finney Lincoln, chairman of the board of the Lincoln Electric Co. of Cleveland. As the company expanded, he became a director in the Lincoln Electric Co. of Canada, Ltd. The Lincoln Electric Co., Ltd., of Australia, and of La Soudure Electrique Lincoln in Rouen, France.

His vision and far-reaching activities have done much for people everywhere. The Lincoln Electric Co. has become the world's largest manufacturer of arc welding equipment. But more than that, Mr. Lincoln developed an idea—a philosophy—of progressive human relations—of incentive management which successfully encouraged a concerned attitude among the company's workers, resulting in an extraordinarily efficient and productive teamlike performance. In line with the company's policy to share its efficiency with its customers by reducing prices as costs are reduced, it sells its machines and electrodes at the same and, in some cases, substantially lower prices than those of 1934. Yet last year the average hourly earnings for factory workers were approximately $7.00 per hour.

For many years the company has carried on an extensive educational program. A welding school has been conducted since 1917. Over one and a half million technical books have been published. Engineering and design data have been created and distributed through engineering courses and published studies. For 35 years, a magazine has been published for welding machine operators. Movies and other visual aids have been produced.

To encourage scientific interest, study, research, and education about the development of the arc welding industry, the Lincoln Co. established the James F. Lincoln Arc Welding Foundation. To recognize outstanding achievement, the foundation has sponsored 27 award competitions for industry generally, for machine and structural designs, for engineering undergraduates, for high school students, and for business and service industries. It has established several hundred engineering libraries on welding and published some 20 technical books and various other booklets and films.

Ohio State University, Mr. Lincoln's alma mater, awarded him two honorary degrees. He also received honorary doctorates from Fenn, Wooster, Lake Erie, and Oberlin Colleges. He served as a member of the board of trustees of several colleges and college organizations. He was head of the board of trustees of the Ohio State University and Lake Erie College for Women. I came to know his abilities as a leader and as a man intensely interested in the service of his fellow men as a member of the board of trustees of Lake Erie College.

James F. Lincoln was a rare man. He had a keen interest in people. He possessed a way of inspiring and encouraging them to use their talents and abilities to the maximum.

More than most others I have known, James Finney Lincoln brings to my mind the words from the "Song Celestial," translated by Edwin Arnold:

> Never the spirit was born; the spirit shall
> cease to be never;
> Never was time when it was not; End and
> Beginning are dreams.
> Birthless and deathless and changeless remaineth the spirit for ever;
> Death hath not touched it at all, dead
> though the house of it seems.
>
> Nay, but as one who layeth
> His worn-out robes away,
> And taking new ones, sayeth
> "These will I wear today."
> So putteth by the spirit,
> Lightly its robe of flesh,
> And passeth to inherit
> A residence afresh.

NEW YORK CITY IN CRISIS—PART CXXII

Mr. **HOWARD**. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **MULTER**. Mr. Speaker, the following article concerns the poverty program in New York and is part of the series on "New York City in Crisis."

The article appeared in the New York Herald Tribune on May 11, 1965, and follows:

NEW YORK CITY IN CRISIS: POVERTY'S BIG FOE—30 LITTLE WORDS

(By Barry Gottehrer and Alfonso Narvaez)

They are only 30 words and they are buried at the bottom of page 9 of the Economic Opportunity Act of 1964:

"The term community action program means a program which is developed, conducted and administered with the maximum feasible participation of residents of the areas and members of the groups served," title II, section 202A(3), Public Law 88–452.

Yet today, as the $1.5 billion Federal antipoverty bill languishes before the House Education and Labor Subcommittee, it is precisely these 30 words and the interpretations people are giving to them that cast a shadow over the entire national poverty program. And nowhere has this debate over what "maximum feasible participation" really means grown as heated—and as tragically disruptive—as it has in New York City.

In New York, this debate over terminology has turned into an open struggle over who should really control the city's poverty program—the people or the politicians.

And this open struggle—involving Mayor Wagner and his administration, Representative ADAM CLAYTON POWELL, dozens of community and civil rights leaders, Democrats and Republicans and the Office of Economic Opportunity in Washington—has completely hamstrung the city's poverty program for more than 2 months.

At stake is the city's request for $10.5 million in community action funds from the Office of Economic Opportunity.

These funds, which were to be used beginning May 1, for an 8-month period, were first requested on March 11 and, according to a city official, were expected to be approved by mid-April at the very latest.

Today, May 11, 11 days after the funds were to be utilized, the city's request still sits in an office in Washington—waiting for Mayor Wagner to come up with a compromise plan.

This is the behind-the-scenes story of how the city's best-laid plans went wrong—a story in which power politics and personal indecision have kept the impoverished of this city from getting assistance they desperately need.

It all seemed very simple to city officials when Mayor Wagner first announced his community-action request at a press conference at city hall on March 11.

Even a few weeks later—when OEO officials objected to the city's plan to have the entire program run by the Anti-Poverty Operations Board, comprised of city officials and no one else—city officials remained optimistic.

ALTERNATE PLAN

At an unpublicized meeting with Sargent Shriver, OEO head, in Washington on April 7, three city officials discussed an alternate plan—a nonprofit corporation called Economic Opportunities Corp. which would be run by 11 city officials and 4 representatives of the community.

Though Mr. Shriver denies giving his approval to the alternate plan, the city officials say he gave every indication that the corporation would meet his interpretation of "maximum feasible participation."

A revised plan—sent from the city to OEO on April 12—would indicate that the city officials knew what they were talking about.

This five-page supplement reads in part: "The city of New York confirms the modifications in its present structure agreed to in the discussions held between city representatives and the OEO on April 7, 1965."

In the other pages, the economic opportunity corporation is fully detailed and, according to the outline, "will assume responsibility for implementing the proposal, including the employment of Community Progress Center staff (six to be set up by city with the community action funds) and enrollees in the various federally financed employment programs.

"The board of directors of the corporation will consist of the 11 members of the poverty operations board plus 4 additional members."

For this reason, city officials were confident when they traveled to Washington on April 15 to appear before the House Education and Labor Subcommittee studying possible amendments to the Poverty Act.

Even a warning that Representative POWELL—who wanted city officials to keep their hands off the Haryou-ACT, the controversial Harlem poverty program which he reportedly controls—was going to attack them before his committee didn't disturb them.

Yet from that moment on, the mayor's proposed corporation—and the city's poverty program—was in serious trouble.

To Mayor Wagner and his administration, which pours more than $1 billion a year into poverty programs including welfare, the meaning of "maximum feasible participation" has always seemed clear.

To the mayor, it means that the indigent poor, as he and his aids usually refer to the people of the ghetto, and community leaders are welcome to participate, plan, and administer the poverty program—but the city administration must have the final approval over everything.

With this in mind, Mayor Wagner outlined his plan for 6 poverty centers to start, spreading eventually to 16, in the city, all to be staffed and planned by people of the area, but all ultimately under the hand of the nonprofit corporation.

This was the first public discussion of the corporation—which had now switched to include 11 city officials and 5 or 6 community leaders, all to be picked by the mayor—and, as predicted, Representative POWELL exploded.

To POWELL, the people of the ghetto must play a major role not only in the planning and advisory capacity but also in running and determining the ways in which they will help themselves.

Representative POWELL's plan: A threat to hamstring the entire poverty program if the city-controlled corporation were approved in New York, and a request to the controller general, still studying the matter, to cut off funds to the city.

According to both city and Federal officials, Representative POWELL's dramatic outburst was still not enough to upset Mayor Wagner's poverty plans.

City officials returned to New York convinced that OEO would approve the $10.5 million program as soon as they filed papers setting up the corporation.

To them, Representative POWELL was merely an irritation.

What was to follow was more like the plague.

Within the next 10 days, Senator JACOB JAVITS, Representative WILLIAM FITTS RYAN, and a handful of civic and community leaders immediately attacked the program.

By May 1, the growing opposition to the city's proposal had made its way to Shriver. The proposal was completely reevaluated and the city administration reportedly was informed unofficially that it would have to be revised.

Finally, late last week, the mayor's top aids finally reached a compromise plan, adding the final touches at Gracie Mansion on Sunday.

The new plan reportedly will still be headed by a corporation, controlled by city officials, and community and citizen groups will be given greater powers in planning and determining poilcy.

Representative POWELL—and a great many of the impoverished people of the city—seem to have won a battle with the city administration, a battle to determine their own destinies.

In Washington, a member of POWELL's committee said he expected the twice-canceled executive sessions on the poverty bill to move right along now.

"When ADAM wins, he doesn't go fishing," he said. "This is one time when ADAM and the people were on the same side."

PLAY BY PLAY IN THE CITY'S POVERTY POWER STRUGGLE

December 11, 1964: The city's antipoverty operations board sends a proposal to the Department of Labor for summer jobs for youths—including a plan for setting up an economic opportunities corporation to handle this and other programs funded under the Economic Opportunity Act. The corporation would be run by 10 city officials.

March 10, 1965: The staff of the antipoverty operations board works through the night to prepare a community-action request to be sent to Washington.

March 11: Mayor Wagner and City Council President Paul R. Screvane announce the city's request for $10.5 million for the community-action phase of the antipoverty program. Funds requested from the Office of Economic Opportunity are for an 8-month period to begin May 1. The mayor is hopeful of quick action on the request. No mention is made of the corporation. Under the plan, all Federal funds would be funneled through the 11-member (all city officials) Antipoverty Operations Board.

March 30: The Office of Economic Opportunity reportedly balks at antipoverty board control, and asks for revisions of the plan. It wants members of community organizations included.

April 7: City officials, meeting with OEO officials in Sargent Shriver's office in Washington, agree to modify their proposal. City officials are convinced Shriver has given approval to a corporation to be controlled by city officials, 11 to 4. Shriver says he never approved the corporation, still maintains he hasn't seen the plan officially.

April 12: The city submits a revised plan to OEO. The new corporation would have 11 members of the antipoverty board and 4 representatives of the community.

April 15: At hearings before Representative ADAM CLAYTON POWELL's House Education and Labor subcommittee, Mayor Wagner and Paul Screvane outline plans for the corporation publicly for the first time. By now, the corporation will have five or six representatives of the community organization. Representative POWELL explodes, calling city's proposal monopolistic and in violation of the Federal law.

April 16: City officials dismiss the mercurial Congressman's outburst, say that papers of incorporation will be ready shortly, that OEO has given them the go-ahead on the 11 to 6 formula and that the city request for $10.5 million will be funded very soon.

April 19: The Comptroller General of the United States receives a letter from Representative POWELL, asking him to cut off poverty funds to New York because Mayor Wagner's plan for a city-controlled poverty corporation violates the law. Pressure from civic groups, several Congressmen from New York and Representative POWELL begins to build up against the corporation.

April 21: Senator JACOB JAVITS calls for a Senate investigation of the New York poverty program.

April 23: Mr. Screvane says there is no delay and says that the city still is "confident" that OEO will approve the corporation and program. An OEO official says, "The ball is in their court."

April 29: Twenty civic religious and social welfare leaders send a telegram to city hall, denouncing the city administration's "secrecy" about the plan, and calling for public hearings so that "poor and disadvantaged can have an opportunity to participate in shaping the city's poverty program." The telegram is never released, but pressure from all sides including OEO reportedly convinces the city administration to seek a compromise.

May 1: According to the city's request in March, OEO funding was due to be put in operation this day. OEO reports that it is still waiting for the city and that the request in "in final stages of study."

May 6: Mr. Screvane says in a speech that the city administration offered to turn administration of poverty program funds over to community leaders but they refused. A half dozen community leaders, all involved in the poverty program, say they know of no such offer.

May 9: Senator JAVITS releases a report, slashing at the city's plan as largely ignoring neighborhood organization, provoking needless resentment and hostility. At Gracie Mansion, Mr. Screvane and Julius C. C. Edelstein, the mayor's top aid, work over the weekend to come up with a compromise solution to satisfy OEO.

May 10: City hall says the mayor will announce the new plan "very soon" but OEO says it is still waiting. It is understood that the city will give up full control of the corporation, guaranteeing local and community organizations more than just "advisory" powers in running their own programs. The funds are now more than 3 weeks overdue and, even after OEO authorization, the plan must still go to Governor Rockefeller for his approval.

NEW YORK CITY IN CRISIS—PART CXXIII

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous mater.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MULTER. Mr. Speaker, the following articles concern the continuing debate on the poverty program in New York.

The articles are part of the series on "New York City in Crisis" and appeared in the New York Herald Tribune on May 12, 1965:

NEW YORK CITY IN CRISIS: THE MAYOR'S NEW POVERTY PLAN—AND HARYOU OPENS ITS BOOKS

HARYOU

(By Barry Gottehrer)

Livingston Wingate, executive director of Haryou-ACT, agreed yesterday to open his payroll, employee, and inventory records in an answer to charges against his administration on the controversial Harlem poverty.

These charges—coming from staff members, directors, and former employees at Haryou-ACT and ACT and from residents of the troubled area the program was created to help—have included political control, padded payrolls, slipshod recordkeeping, shortages in inventory, mismanagement and little progress.

Mr. Wingate's decision to throw open his records came as a direct about-face on his part—brought about by a letter from James Bellows, editor of the Herald Tribune, and pressure from city and Federal officials.

This letter—dated May 4—was sent to Bill Moyers, special assistant to President Johnson; the heads of the Office of Economic Opportunity and the Departments of Labor, Justice, and Health, Education, and Welfare, all involved in the funding of Haryou-ACT and ACT; Mayor Wagner, City Council President Paul Screvane, Senators ROBERT KENNEDY and JACOB JAVITS, and Representative ADAM CLAYTON POWELL.

Representative POWELL is chairman of the House Education and Labor Committee, which is considering changes in the Federal antipoverty act, and allegedly controls Haryou-ACT and ACT.

In this letter, Mr. Bellows had cited the refusal of Mr. Wingate, a former aid to Representative POWELL, to produce records to refute increasing charges against his administration of the controversial Harlem poverty program.

Many of these charges were brought to the attention of the Herald Tribune's "New York City in Crisis" staff and, in mid-March, a team of reporters started its investigation.

On two different occasions, Mr. Wingate had denied these charges orally to Herald Tribune reporter and promised to provide records to refute them. But he failed to provide the records, saying he did not want this newspaper "harassing his employees."

Finally, on May 4, Herald Tribune Editor James Bellows wrote a letter to public officials concerned with the program, citing the refusal of Mr. Wingate to produce the records to refute the increasing charges against his administration of the controversial Harlem poverty program.

This letter was sent to Bill Moyers, special assistant to President Johnson; the heads of the Office of Economic Opportunity and the Departments of Justice, Health, Education, and Welfare, and Justice, all involved in the founding of Haryou-ACT and ACT; Mayor Wagner, City Council President Paul Screvane, who runs the city's poverty program; Senators ROBERT KENNEDY and JACOB JAVITS; and Representative ADAM CLAYTON POWELL.

Representative POWELL is chairman of the House Education and Labor Committee, which is considering changes in the Federal antipoverty act, and allegedly controls Haryou-ACT and ACT.

Mr. Bellows concluded his letter by asking: "Does the refusal of Haryou-ACT and ACT to produce their records to this newspaper mean that the availability of records detailing the expense of public funds does not apply to the poverty program?"

The answers to the question from Federal officials was unanimous—the records of both Haryou-ACT and ACT are in the public domain.

In a letter dated May 5, Bill Moyers wrote: "The President has advocated that all governmental information be available to the public to the extent that it is not inconsistent with national security or involve business or personal confidentiality.

"This particular program in which your reporters are interested is city operated, although financed in part by Federal funds. Nevertheless, it would seem to me that on its face the request you have made for information is appropriate * * * I am certain that the responsible Federal officials will be in touch with you on this matter shortly."

Today, the four Federal agencies involved in the financing of Haryou-ACT and ACT added the weight of their opinion.

"In my view, information concerning the expenditure of public funds is public information and should be available to the greatest extent possible in response to legitimate and reasonable requests," wrote Sargent Shriver, head of the Office of Economic Opportunity, which presently is considering two requests from Haryou-ACT totaling $3 million.

"It is our view, however, that information with respect to local projects should be sought and obtained from the agencies administering those projects and only where a local agency has refused a legitimate request for information should it be sought through this office."

The second letter was signed by Attorney General Nicholas Katzenbach, answering jointly for the three other Federal departments.

"We believe that in general the same principles which govern the availability of information pertaining to the Government itself should govern the availability of information regarding projects funded by the Government," he wrote.

"We also share your concern that Federal funds be properly spent and accounted for. To that end, organizations receiving Federal funds for juvenile delinquency and related projects must agree to permit free Federal access to their records. The funding agencies conduct regular program assistance and consultation. In addition, the Federal agencies work closely with the responsible local authorities in guiding and assessing.

Under this prodding from Federal officials, who had also been in telephone contact with Mr. Wingate since late last week, and from Paul Screvane, who reportedly had a "long conversation" with the Haryou-ACT boss, Mr. Wingate agreed yesterday to open his books.

He has said he would provide for inspection starting this morning full employee and payroll records, petty-cash vouchers; consultant fees, contracts, and leases for the project, dating back to its formation in June 1964.

Mr. Wingate, executive director of ACT until last January and still president of the corporation, said he had no power to open ACT's books, which also have been shrouded by these charges from employees and former employees.

Reached at his office yesterday, Robert Cooper, who replaced Mr. Wingate at ACT, said he was still in the process of asking permission of his board of directors and for "guidance" as to what information he could provide.

He said he hoped to have a decision on their availability this afternoon.

Meanwhile, in Washington, Representative EMANUEL CELLER, a Brooklyn Democrat, called for a full investigation of the New York poverty program—with particular emphasis placed on Haryou-ACT, and the Brooklyn poverty projects.

In his bill, he called for the naming of a special seven-man House committee, to be appointed by the Speaker, to investigate charges "now appearing in the Herald Tribune" and elsewhere.

"The charge of politics is made back and forth by accuser and accused. The problem in Harlem and in my own district has been stalled. Unless these accusations are sifted and determined to be true or false, public confidence in this program will be lost."

POVERTY

(By Alfonso Narvaez)

After months of delay and revision, Mayor Wagner yesterday announced his reconstitution of the city's antipoverty machinery. However, within minutes of the announcement, the proposals were under attack both in Washington and in New York.

The mayor's long-awaited statement outlined the setting of two antipoverty corporations—the New York Council Against Poverty and an Economic Opportunity Corporation.

The city's move was designed to have the "maximum feasible participation" of community representatives and to stem the criticism of "monopolistic control" of the antipoverty program by the city.

The mayor said that the new structure had been worked out in broad outline in an intensive series of conferences with representatives of nongovernmental groups last week, and refined to the point of final agreement in subsequent meetings over the weekend and on Monday.

The mayor said that the new organizational structure was acceptable to the leadership of voluntary agencies and of neighborhood groups and that he had been advised that the Federal Government found the program "wholly acceptable."

A 62-man board

The council will consist of a 62-man board of directors, composed of 16 city officials and representatives of all walks of life. Six representatives of the poor will be elected to the board, on the community level, already named by the mayor. There will be an additional five persons named by labor and ongoing poverty groups—three by the city labor council and one each by Haryou-ACT and Mobilization for Youth.

The council will be the repository of ultimate authority over the community action programs and other programs under the terms of the Economic Opportunity Act of 1964. Its decision will be final and will be beyond the control of the mayor or any other public official, the mayor said in his statement, which was released by aids at city hall late yesterday afternoon.

The board of directors of the council will have authority over all project applications to the OEO, project review, project renewals and amendments, planning and programing.

The mayor is expected to name the chairman and the vice chairman within 24 hours. The council will elect its own officers.

When news of the mayor's announcement reached David Sher, president of the Community Council of Greater New York and who already had been named president of the new Council Against Poverty, his reaction was immediate and fiery.

"This is the biggest doublecross I have ever seen in all my years of dealing with City Hall," he said. "The announcement was not to have been made until the proposals had been reviewed and accepted by the neighborhood groups. They were told about the proposals Monday and they did not approve of them. They had a lot of questions, and it was understood that there would be some refinement of the proposals."

Meanwhile in Washington, it was understood that the city's inclusion of only six representatives of the poor would not be acceptable to the OEO. It was reported that New York City Congressmen met with Sargent Shriver at his office yesterday and that they had no knowledge at that time of the city's proposals.

It was reported that in an executive session of the House Labor and Welfare Subcommittee yesterday which is studying revision of the antipoverty bill, agreement had been reached to add three "very firm statements" to the $1.5 billion request for antipoverty funds. They reportedly would be signed by Mr. Shriver and be added to the bill when it is expected to be reported out of committee Thursday.

The statements reportedly will call for greater involvement by the poor in the planning and setting up of programs; that the antipoverty programs would not fall into the hands of city officials, that there would be no monopoly by local umbrella programs, local groups could appeal to the OEO to be funded outside any city program, and that salaries for persons involved in the antipoverty programs conform to the general pay scale for comparable jobs.

City Council President Paul R. Screvane, who heads the city government's war on poverty, added, "this new structure represents a substantial and even radical departure from the city's original concept.

"Our original structure was a machinery conceived and designed for speedy decisionmaking based on a high degree of governmental coordination and leadership.

"We have now shifted the major authority to a new decisionmaking body which will furnish the broadest possible consensus, including that of the voluntary agencies, the religious leadership, the indigenous leadership and all other community elements.

"Decisionmaking may be slowed up somewhat, but the decisions when arrived at—including the planning and shaping of programs—will represent the views and will of a broad cross-section of the city and of the communities in question."

Originally the city hoped to run its antipoverty operations through the mayor's antipoverty council and the city's poverty operations board. These two bodies will remain in existence but will limit their operations to antipoverty programs utilizing city money rather than Federal-city programs, which come under the terms of the Federal Economic Opportunity Act.

The key body in the new structure will be the New York City Council Against Poverty, Inc.

The council will be the policymaking body and will handle all applications for money to the Office of Economic Opportunity. It will review projects, handle project renewals and amendments, planning and programing.

One of its first steps will be to review the community action proposals already submitted to the Federal Government. The actual work in the antipoverty effort will be conducted by another corporation—Economic Opportunity Corp., Inc.—to be set up as an affiliate of the council.

Screvane will serve as president and will be active in the post. The board of directors will consist of 11 city officials, all members of the city's present poverty operations board, and 6 others, 4 reflecting the interests of the neighborhoods and 2 representing voluntary agencies.

Julius C. C. Edelstein, executive assistant to Mayor Wagner for policy and program planning, will be secretary of the corporation. Mr. Edelstein was the city's major spokesman in dealing with various community groups during formation of the new structure.

City officials pointed out that the new structure will not eliminate Haryou–ACT, the community action program in central Harlem, or mobilization for youth, the Lower East Side anti-juvenile-delinquency project.

Haryou–ACT and MFY will continue to function autonomously and will be subject to decisions of the poverty council and the economic opportunity only insofar as they receive funds from them.

STATEMENT IN SUPPORT OF H.R. 3014

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GRABOWSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GRABOWSKI. Mr. Speaker, voicing once again my long-standing concern with the health and smoking habits of millions of Americans, I declare my support for the House bill to regulate the labeling and advertising of cigarettes.

We are all sharply conscious of the dangers of cigarette smoking. The report on smoking and health by the Surgeon General's committee and the testimony offered in House hearings on the bill have been most persuasive.

Nearly 70 million Americans use tobacco regularly; most of them smoke cigarettes. Cigarette consumption per capita has steadily increased since 1900 and more than doubled since 1940. During this same time, deaths from lung cancer, heart disease, chronic bronchitis, and emphysema, and a number of other diseases have increased dramatically. The weight of experimental, clinical, and pathological evidence—in addition to population studies—indicates that cigarette smoking contributes substantially to mortality from these diseases as well as to the overall death rate. Cigarette smoking is causally related to lung cancer in men, is the most important cause of chronic bronchitis, increases the risk of dying from bronchitis and emphysema, and is closely related to the very high death rate from cardiovascular disease among smokers. In fact, the greater the number of cigarettes smoked daily, the higher the death rate from all causes.

But in spite of this impressive evidence, Americans continue to smoke at essentially the same rate—and young Americans are starting earlier and smoking more than ever before.

I say it is high time we live up to our trust as guardians of the public welfare. Cigarette smoking is undeniably a health hazard of the greatest magnitude. At the very least, we are responsible for making known the extent of the danger. Approval of the House bill to regulate cigarette labeling is a beginning.

The bill calls for each package of cigarettes sold to be labeled:

> Caution: Cigarette smoking may be hazardous to your health.

Such labeling, I realize, will not cause many people to stop smoking nor prevent many young people from beginning. But it will force to their attention, each time they light a cigarette, the risks they run so lightly. And to make this warning as forceful as possible—as forceful, in fact, as the danger demands—it should be printed on the front rather than the side of the package.

Mr. Speaker, my concern with this matter is well known to my colleagues. Even before the report of the Surgeon General's Committee was published, I introduced a bill similar to the one we are considering. I also introduced such a bill earlier in this Congress. I did so from a conviction that because we are parents and citizens and responsible representatives of the people we cannot permit such a threat to the health and well-being of the country to pass unacknowledged. We are requiring that, in the light of convincing scientific evidence, cigarettes be labeled hazardous to health. Mr. Speaker, we can do no less.

NATIONAL TEACHER FELLOWSHIP ACT OF 1965

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I am today introducing in the House of Representatives a bill which will go far toward raising the quality of education in elementary and secondary schools in the United States by raising the quality of their teachers.

My bill, the National Teacher Fellowship Act of 1965, is aimed at increasing the Nation's supply of first-class, top quality elementary and secondary school teachers. I have been working on a draft of this proposal for some weeks now and I was therefore delighted when President Lyndon B. Johnson, in his splendid address of last Friday, July 2, to the annual conference of the National Education Association in New York City, endorsed the kind of proposal which I am today introducing and which the distinguished senior Senator from Oregon, the Honorable WAYNE MORSE, is also, in somewhat different form, sponsoring in the other body.

PRESIDENT SUPPORTS TEACHER FELLOWSHIP PROGRAM

Said President Johnson on July 2:

> I announce today that your President will submit to the Congress and will support a program of fellowships for elementary and secondary school teachers so that they can replenish their knowledge and improve their abilities.

Tomorrow morning the General Education Subcommittee of the House Education and Labor Committee will begin hearings on my bill under the chairmanship of the distinguished subcommittee chairman, the Honorable CARL PERKINS, of Kentucky.

Mr. Speaker, Congress cannot and should not legislate by public opinion poll but clearly neither can nor should Congress ignore public opinion. It is, I think, significant that in a recent Gallup poll, when a representative cross section of Americans was asked on which of 10 major domestic problems the Federal Government should spend most of its time in the next year or two, 45 percent of the people said "improving education."

We know that education is important, for several reasons. Education enhances not only the income but the quality of life of the individual.

QUALITY EDUCATION VITAL TO OUR NATION

Education has become essential to our survival as a nation. We in Congress vote vast sums of money for defense, the exploration of space and the development of atomic power. There must be educated men and women to carry out these programs.

And of course, Mr. Speaker, we realize more and more that education is indispensable to the economic growth and development of our country.

I think that no one has yet put the case for education more eloquently than the distinguished philosopher, Alfred North Whitehead, nearly 50 years ago in 1917:

> In the conditions of modern life, the rule is absolute—the race which does not value trained intelligence is doomed. Not all your heroisms, not all your social charm, not all your wit, and not all your victories on land and sea, can move back the finger of fate. Today we maintain ourselves; tomorrow, science will have moved forward yet one more step. And there will be no appeal from the judgment which will then be pronounced on the uneducated.

Some 45 years later, a distinguished American scientist, Dr. Lee DuBridge, president of the California Institute of Technology, echoed the warning of Professor Whitehead:

> The individual who is the best candidate for the unemployment roles, the best candidate for being a misfit in our society, is the one whose educational experience has been improperly guided or prematurely interrupted.

President Johnson and President Kennedy before him and we in Congress have been responding affirmatively to the increasing commitment of the American people to increasing our national investment in education.

A RECORD OF ACHIEVEMENT IN EDUCATION LEGISLATION

Even a hasty review of the new education legislation enacted in the past 10 years dramatically underscores the tremendous contributions that have been made to education by the 88th and the 89th Congresses.

In 1955-56, the 84th Congress passed laws to promote the further development of public library service in rural areas; to establish a committee on education beyond the high school; to create an educational assistance program for war orphans; and for practical nurse training under federally supported vocational education programs.

The 85th Congress enacted the National Defense Education Act for the purposes of strengthening the national defense and encouraging and assisting in the expansion and improvement of educational programs to meet critical national needs. This law, a milestone in education legislation, was designed to provide loans to college students; financial aid for science, mathematics, and modern foreign language instruction; fellowships, guidance, counseling, and testing; language development; improvement of educational media; area vocational education; and the improvement of statistical services of the State education agencies. Another 1958 law was enacted to encourage expansion of teaching and research in the education of mentally retarded children through grants to institutions of higher education and State education agencies.

The 87th Congress enacted legislation which provides for assistance in the construction of educational television facilities. The various international exchange programs of the Federal Government were consolidated and expanded by the Mutual Educational and Cultural Exchange Act. The National Defense Education Act, the federally impacted areas program for schools, and the practical nurse training program were all further extended by that Congress.

The 88th Congress, which President Johnson described as the "Education Congress," produced an extraordinary record in education legislation. One new enactment, the Higher Education Facilities Act, provides grants and loans for the construction of academic facilities at institutions of higher education, including junior colleges. Another, the Vocational Education Act of 1963, is designed to update existing vocational education programs and to help develop new programs to support part-time employment that will enable many young people to continue their vocational training on a full-time basis.

In addition to these new measures, The National Defense Education Act was broadened by the 88th Congress and extended by amendments which increased the student loan and fellowship programs, continued assistance for purchasing equipment needed for instruction in mathematics, science, and foreign languages, and extended such aid for instruction in English, reading, history, geography, and civics. The NDEA amendments also expanded teacher training institutes to include teachers of English, reading, history, geography, and teachers of disadvantaged youth. Institutes can be provided also for school librarians and educational media specialists.

Other enactments of the 88th Congress include the Library Services and Construction Act, providing assistance for public libraries in urban as well as rural areas; the Economic Opportunity Act, which authorizes preschool programs, job training, adult basic education, and work-study assistance for students in colleges and universities; and the Civil Rights Act of 1964, part of which provides specialized assistance to public school systems and personnel to help in coping with problems related to school desegregation.

Let me cite only briefly several other measures of the 88th Congress related to education—the Health Professions Educational Assistance Act, the Mental Retardation Facilities and Community Health Centers Construction Act, and the Nurse Training Act.

The first session of the 89th Congress has already made education history with the enactment of the Elementary and Secondary Education Act. This broad-based and imaginative legislation will channel funds into the Nation's schools to: strengthen elementary and secondary school programs for educationally deprived children in low income areas; provide additional school library resources, textbooks, and other instructional materials; finance supplementary educational centers and services; broaden areas of cooperative research; and strengthen State departments of education. It is the most important education bill ever passed by Congress.

Yet the passage of all these education acts, in particular the Elementary and Secondary Education Act of 1965, presents the Nation with a new challenge—providing enough first-class teachers to use the new and expanded programs and methods which this legislation authorizes.

TASK NOT FINISHED

For we have simply not done enough, in spite of our legislative achievements, to improve the supply of high-quality teachers for our elementary and secondary schools. We have therefore a twofold problem—first, increasing the number of elementary and secondary school teachers in order to keep pace with the increasing number of school-age children in the country and within expanded educational programs; and second, providing these teachers with the high caliber education they must have if they are to be the best possible teachers.

The revolutionary changes in the educational system over the past decade have made it imperative that the very best students be attracted to careers in elementary and secondary teaching. The growth of the comprehensive high school with its emphasis upon multitrack curriculums; the spread of honor programs and honor classes in high schools; the growth of the college entrance examination board's advanced placement program with its emphasis on college level work for competent high school students; the establishment of special early admission programs and summer institutes for superior high school students by colleges and universitites throughout the Nation; the increasingly close association between high schools and junior colleges; the spread of the "new" curriculums in mathematics and the physical and biological sciences which deal with subject matter at a more sophisticated level than do the traditional courses in these fields—all these developments point to the need not merely for more teachers but for better teachers, for individuals who are exceptionally competent in their subject fields as well as in the methodology of teaching at the elementary and secondary levels.

Supplementary centers, audiovisual aids, and good libraries will not improve our children's education if the teachers who form the link between these devices and the pupil cannot or will not utilize them.

In addition, the emphasis given to education in the war on poverty requires a new breed of teachers and a new approach to teaching. I was most pleased that, in his eloquent address to the National Education Association last Friday, President Johnson proposed, in his words, "A National Teachers Corps to enlist thousands of dedicated teachers to work alongside of local teachers in city slums and in areas of rural poverty, where they can really serve their Nation."

MORE TEACHERS NOT THE ONLY SOLUTION

Mr. Speaker, let me make one point very clear. We should not be misled into believing that simply by increasing the number of American teachers, schooled and trained in the traditional way, we will solve the problems of American education at the elementary and secondary level. I reiterate that the new demands upon our educational system, the changes now going on in American elementary and secondary education, the new programs we have been writing into law—all these factors mean that we must have not only more teachers but better teachers.

Clearly President Johnson is committed to the importance of quality in American education as well as adequate facilities.

The President noted in his National Education Association speech that in the next 5 years attendance at elementary and secondary schools will increase by more than 4 million students, and that "beyond 1970 the demand for education at every level will continue to increase."

The President warned:

> We will need more classrooms; we will need more books; we will need more teachers; we'll need more schools on a scale that we have never dreamed of even a decade ago.

But President Johnson went on to say:

> Nor is it enough to give a student a place to sit and a teacher to learn from. We must make sure that the quality of that education is equal to his capacity to learn. We must make sure that it stimulates creativity rather than stifling it. We must make sure that it enlarges the mind rather than narrowing it—that he receives not merely a diploma, but learning, in its real, broadest, and most meaningful and most human sense.

I for one believe that our schools will never be better than our teachers and that we must therefore intensify our efforts to attract our brightest and most capable young people into elementary and secondary school teaching.

I do not propose today to address myself to what I am sure are some of the constructive ways in which we can move more effectively toward this goal. I wish to discuss only one aspect of the problem of raising the number and quality of American schoolteachers. I wish to speak of the area of teacher education and, more specifically, to appropriate action on the part of the Federal Government to help make possible improved preparation of American schoolteachers.

I do not intend here to get into the important questions of the undergraduate preparation of teachers, or certification of teachers, or of teachers' salaries.

My chief concern today is the question of graduate education for persons who either are, or plan to become, elementary and secondary school teachers, or who either are engaged in, or plan to engage in, the training, guiding, or supervising of such teachers.

MANY TEACHERS ARE POORLY PREPARED

In considering how our elementary and secondary school teachers can be trained or retrained to handle the new techniques and methods in the field of education, I have come across several surveys and studies which support the widely accepted idea that we have not been attracting sufficient numbers of well-trained people into the elementary and secondary education field.

For example, "The Graduate Record Examinations Special Report 64–2," April 1964, reports on persons taking the graduate record examination in 1962–63. Fifty-five different undergraduate major fields were represented in the examination. Those persons who listed education as their major field ranked 51st in the mean for verbal aptitude, outranking only agriculture, home economics, journalism, and physical education majors.

The report also shows that in the quantitative part of the aptitude test, education majors tied for 50th place with majors in library science, ranking ahead of only home economics, nursing, physical education, and social work.

Further analysis of the results of this graduate record examination reveals that those people taking the advanced test in the field of education who had majored in other fields—for example, chemistry or history—scored consistently lower in both the verbal and quantitative aptitude tests than did people who majored in the other fields and who took the advanced test in their major subject fields.

Let me also refer to a now classical survey of secondary school English teachers, which was reported in a 1963 book published by the National Council of Teachers of English, called "The National Interest and the Continuing Education of Teachers of English." This survey brought to light the poor subject matter preparation of many of our secondary school teachers. The survey was based on a sampling of 7,417 secondary school English teachers. Although their average teaching experience was 9 years, only 50.5 percent of them had earned a degree with a major in English. One-third of them, moreover, did not have a college major in a field even related to English.

According to the U.S. Office of Education, nearly one-fourth of the courses offered in public secondary schools in this country are devoted to English. Yet the survey showed that only 800 of the 90,000 public secondary school English teachers in a given year received any form of financial assistance for graduate study.

FEDERAL GRADUATE FELLOWSHIPS NEEDED

Mr. Speaker, we are faced not only with the task of training teachers to handle new methods and techniques and with the necessity of improving the preparation of many of the teachers now engaged in elementary and secondary teaching. We must also do a better job of attracting our brightest and most capable young people into elementary and secondary education.

While much of what has to be done will have to be done by local school systems, there is at least one area in which the Federal Government can and should act. The Federal Government should provide fellowships on a nationwide basis to assist those who are, and those who plan to become schoolteachers better to prepare themselves through graduate study in the area in which they require further work—either their subject matter or in their methods and practice of teaching.

Although numerous fellowships, scholarships, and special grants for graduate study are available in many fields to outstanding students, few are available for the elementary or secondary school teacher who wishes to pursue graduate work in his subject field, nor are many available for the college graduate who majored in an academic subject and who wants, in order to be able to teach school, to do graduate work in psychology and education. National awards such as the Danforth, the Woodrow Wilson, the National Science Foundation, and the National Defense Education Act fellowships are restricted to students who plan to teach at the college level.

No matter how exceptional the prospective schoolteachers' academic record, or how sincere his devotion to his subject area and to the education of children, he often finds himself at an academic dead end upon receiving his baccalaureate degree unless he wants to teach at the college level. At best he can look forward to a long series of self-supported summer school sessions in pursuit of his master's degree. At worst, he withdraws from the elementary and secondary field altogether or never enters it.

The Big Ten universities, after a series of conferences on the need for establishing a national teacher fellowship program, unanimously endorsed such a proposal and stated:

> The unavailability of fellowships for teachers who wish to earn a master's degree has had two serious effects. It has resulted in a steady loss of potential teachers of high caliber from elementary and secondary school classrooms. It has reinforced the already prevalent notion that men and women who wish to teach below the college level are second-class citizens, academically and intellectually.

James B. Conant in his provocative book, "The Education of American Teachers," cogently explains why graduate work for the practicing or aspiring teacher must be well-planned and carried out on a full-time basis. He points to the dangers and essential weakness of allowing teachers to obtain a master's degree simply by accumulating a required number of credits.

Not only are the types of courses offered for part-time study often of little value, but there is serious doubt that a teacher who is teaching full time can do justice even to a part-time course.

SUPERVISORS ALSO NEED MORE TRAINING

Mr. Speaker, in addition to providing excellent teachers for our elementary and secondary classrooms, I believe we must also insure that the people directly involved in training these teachers, supervising their day-to-day performance, and guiding their development and growth, are equally well trained. In most cases this training, guiding, or supervising work will require graduate study at the master's or doctoral level in the behavioral or social sciences or in the subject matter field such as history, mathematics, and English.

The need for such well-trained nonteaching personnel in our school systems is acute. One authority, Dr. John I. Goodland, director of the university elementary school at the University of California in Los Angeles, has stated:

> But there is a very great need for intermediate administrators who are responsibe for the instructional programs of the school. Very often, these persons hold the post of director of curriculum. Persons holding such positions should have a doctorate which has brought them up to date in modern theories and methods of curriculum and instruction. There is a desperate shortage of such personnel.

TIME FOR ACTION

Mr. Speaker, as President Johnson said on July 2:

> The time for talking and dreaming and philosophizing and writing platforms is gone and the time for doing things, instead of talking about them, is here.

Mr. Speaker, I agree. I am therefore today introducing a bill to improve the quality of education offered by the elementary and secondary schools of the Nation by improving the quality of the education of persons who are or plan to be teachers in such schools or persons who are or plan to be training, guiding, or supervising elementary or secondary school teachers.

My bill, the National Teacher Fellowship Act of 1965, will provide fellowships for graduate study leading to a master's degree or doctor's degree for elementary and secondary school teachers and those who train, guide or supervise such teachers.

Mr. Speaker, let me explain my proposal. The bill would grant, over a period of 3 years, fellowships for graduate work leading to the master's degree to approximately 90,000 people, or about 5 percent of our teaching population, and fellowships leading to the doctor's degree to about 4,500.

These fellowships would go to those institutions with a program directed at improving the quality of education of persons in or entering the field of elementary or secondary education.

Let me point out that these fellowships are to be awarded both to people who have just completed their undergraduate work and also to people who are now teaching.

The National Teacher Fellowship Act will thereby make available to the best of our college graduates opportunities for graduate study they do not now have, and will at the same time enable persons presently teaching to take more courses and to earn a master's degree in their field of specialization. And they will be able to pursue their studies on a full-time basis.

The National Teacher Fellowship Act will also make it possible for people in other professions or who have graduated from college but have been busy raising a family to return to college, obtain their master's degrees, and become valuable schoolteachers.

In addition, as President Johnson said last Friday, a program of fellowships for graduate study "will assist teachers displaced by the process of school integration to acquire the skills that are necessary to permit them to perform new and challenging jobs in a new environment, in a new century."

People in fields closely related to the success of elementary and secondary education, such as library science, educational media, and counseling and guidance, will also be eligible to apply for these fellowships.

In those cases where the holder of the fellowship has met the teacher certification requirements of his State, it is the purpose of this bill to encourage secondary school teachers to do graduate work in their subject matter field and to enable elementary school teachers to pursue those studies required for effective teaching at that level.

This bill is not designed to encourage the accumulation of unplanned and unrelated courses in order that the awardee can either receive a salary increase or a "promotion up," out of teaching into administration. I do not mean to suggest, however, that the bill excludes supervisory personnel, for proper and adequate supervision of teachers is as vital to the success of our educational system as good teaching. But the graduate work permitted under this bill would be limited to those administrative personnel who are engaged in the supervision, guidance, or training of teachers. We need more persons in these fields with both master's and doctoral training.

CRITICAL NEED FOR DOCTORAL STUDY

There are other reasons beyond the need for supervisory personnel for supporting more graduate education at the doctoral level of persons in the elementary and secondary school field.

For example, we shall need persons trained to use with intelligence and imagination the funds authorized under title III of the Elementary and Secondary Education Act of 1965 for supplementary educational centers and model school programs.

We shall also need people in our school systems highly trained in the behavioral and social sciences and humanities to work alongside the people we have for some years been training in the physical and natural sciences and mathematics. Such persons are needed chiefly for the purpose of developing high quality elementary and secondary school courses in all these fields.

To these needs for people with doctoral degrees in a variety of fields must be added the increasing demand for well-trained college professors in nearly every area. While there are presently available, under the NDEA, some graduate fellowships for those who want to teach education and closely allied subjects at the college level, the number of fellowships for such fields in 1965–66 will be less than 600 and in 1966–67 no more than 750.

OTHER PROVISIONS

Mr. Speaker, let me note several other provisions of this bill.

In the awarding of the fellowships, the Commissioner of Education is to endeavor to provide an equitable distribution among the States except that, when he deems it in the national interest, he is to give preference to programs designed to train teachers to serve in rural and metropolitan low-income areas.

President Johnson, in his NEA speech, also indicated his concern with this problem when he called for "a National Teachers Corps to enlist thousands of dedicated teachers to work alongside of local teachers in city slums and in areas of rural poverty."

Mr. Speaker, I would like to discuss briefly the stipends offered to the people who receive fellowships under this bill. For those who have just received their bachelor's degree and have no experience in the field of elementary or secondary education the stipends are the same as those offered under the NDEA.

For people who have been teaching or engaged in related professions, the stipend is based on a sliding scale which would pay $2,500 for those who have had 1 academic year of teaching or related experience and an additional $500 for each additional academic year of experience, up to a maximum grant of $5,000. These to me are reasonable stipends, for, except in a few isolated cases, such stipends will amount to a financial sacrifice on the part of the fellowship holder, yet not such a burden as to prevent him from applying. These stipends are quite in line with similar stipends offered by other Federal programs to experienced personnel. NASA traineeships, for example, pay $3,500 to $4,000 plus $1,000 for miscellaneous expenses. Consequently, Mr. Speaker, I believe the stipends proposed in my bill together with the payment of travel expenses for the fellow and his dependents are reasonable.

Mr. Speaker, I am not wed to every jot and tittle of the bill I am today introducing. I believe that my proposal is sound but I welcome suggestions for improving the bill and I hope such suggestions will be made in the hearings which begin tomorrow.

Indeed, I am pleased to see that one of the sessions scheduled during the forthcoming White House Conference on Education, which is to be held on July 20 and 21, 1965, here in Washington, will be devoted to the topic, "Improving the Quality of Education." Perhaps some constructive recommendations for improved teacher education will result from this conference.

Mr. Speaker, under unanimous consent I place the text of my bill, H.R. 9627, together with a summary, at this point in the RECORD:

H.R. 9627

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Teacher Fellowship Act of 1965."

DECLARATION OF POLICY

SEC. 2. The Congress hereby declares it to be the policy of the United States to improve the quality of education offered by the elementary and secondary schools of the Nation by improving the quality of the education of persons who are or plan to be teachers in such schools or persons who are or plan to be training, guiding, or supervising elementary or secondary school teachers. This purpose shall be accomplished by awarding fellowships for graduate study leading to the master's degree to persons who are or plan to be teachers in elementary or secondary schools and leading to the master's or doctor's degree for persons who are or plan to be training, guiding, or supervising elementary or secondary school teachers.

FELLOWSHIPS AUTHORIZED FOR GRADUATE STUDY TOWARD MASTER'S DEGREES

SEC. 3. (a) The Commissioner is authorized to award not to exceed twenty-five thousand fellowships for the fiscal year ending June 30, 1966, thirty thousand fellowships for the fiscal year ending June 30, 1967, and thirty-five thousand fellowships for the fiscal year ending June 30, 1968. Fellowships awarded under the provisions of this section shall be for graduate study leading to a master's or equivalent degree for persons who are teachers, or who plan to teach in elementary and secondary schools or persons who are, or plan to be, training, guiding, or supervising such teachers. Such fellowships may also be awarded in fields ancillary to elementary and secondary education such as library science, school social work, guidance and counseling, educational media, special education for handicapped children, and other fields having the purpose of assisting or improving elementary or secondary education or both. Such fellowships shall be awarded for such periods as the Commissioner may determine, but not to exceed two calendar years.

(b) In addition to the number of fellowships authorized to be awarded by subsection (a), the Commissioner is authorized to award fellowships equal to the number previously awarded during any fiscal year under subsection (a) of this section but vacated prior to the end of the period for which they were awarded; except that each fellowship awarded under this subsection shall be for such period of study not in excess of the remainder of the period for which the fellowship which it replaces was awarded, as the Commissioner may determine.

FELLOWSHIPS AUTHORIZED FOR GRADUATE STUDY TOWARD DOCTOR'S DEGREES

SEC. 4. (a) The Commissioner is authorized to award not to exceed one thousand fellowships, for the fiscal year ending June 30, 1966, one thousand five hundred fellowships for the fiscal year ending June 30, 1967, and two thousand fellowships for the fiscal year ending June 30, 1968. Fellowships awarded under the provisions of this section shall be for graduate study leading to a doctor of philosophy, or equivalent degree, in education or related fields, such as the humanities and the behavioral and social sciences, for persons who are, or plan to be, training, guiding, or supervising elementary or secondary school teachers. Such fellowships shall be awarded for not more than three calendar years over such period of time as the Commissioner may determine but not to exceed five consecutive calendar years.

(b) In addition to the number of fellowships authorized to be awarded by subsection (a), the Commissioner is authorized to award fellowships equal to the number previously awarded during any fiscal year under this section but vacated prior to the end of the period for which they were awarded; except that each fellowship awarded under this subsection shall be for such period of study, not in excess of the remainder of the period for which the fellowship which it replaces was awarded as the Commissioner may determine.

AWARD OF FELLOWSHIPS

SEC. 5. (a) Two-fifths of the number of felowships awarded under the provisions of section 3 of this Act for any fiscal year shall be awarded to persons who have received a baccalaureate degree, with high standing, within one year prior to the award of the fellowship.

(b) The remaining three-fifths of the number of fellowships awarded under the provisions of section 3 of this Act for any fiscal year shall be awarded to persons teaching in an elementary or secondary school except that up to five thousand of these fellowships may, at the discretion of the Commissioner, be awarded to persons who, because of being engaged in another profession or the raising of a family, have not been teaching, but who demonstrate serious intent to enter or reenter the field of elementary or secondary education on a full-time basis.

(c) Up to 20 per centum of the fellowships awarded under subsection (a) of section 3 may be awarded to persons for graduate work leading to the master's degree in fields ancillary to elementary and secondary education, as defined in section 2(a).

(d) The Commissioner shall allocate fellowships under this Act to institutions of higher education with graduate programs approved under the provisions of section 6 for the use of individuals accepted into such programs.

APPROVAL OF PROGRAMS

SEC. 6. The Commissioner shall approve a graduate program of an institution of higher education only upon application by the institution and only upon his finding:

(1) that such program will substantially further the objective of improving the quality of education of persons who are, or plan to be, teachers in elementary or secondary schools, or who are, or plan to be, training, guiding, or supervising such teachers,

(2) that such high-quality program be either in effect, readily attainable, or attainable through the granting of these fellowships, and

(3) that only persons showing serious intent to become or to continue as teachers in elementary or secondary schools, or to enter or to continue in the field of training, guiding, or supervising such teachers shall be accepted for study in such programs.

DISTRIBUTION OF FELLOWSHIPS

SEC. 7. In awarding fellowships under the provisions of this Act, the Commissioner shall endeavor to provide equitable distribution of such fellowships throughout the States, except that to the extent he deems proper in the national interest, the Commissioner shall give preference in such awards to persons already serving, or who intend tc serve, in elementary or secondary schools in low-income rural or metropolitan areas, or connected to such areas.

STIPENDS

SEC. 8. (a) Each person without previous employment in the elementary or secondary education field awarded a fellowship under this Act shall receive a stipend at the rate of $2,000 for the first academic year of study, $2,200 for the second such year, and $2,400 for the third such year. Each person with previous employment in the elementary or secondary education field awarded a fellowship under this Act shall receive a basic stipend at the rate of $2,000 per academic year plus an additional $500 for each academic year of teaching or related experience except that the total of such additional amount shall not exceed a maximum of $3,000 per academic year. In the case of any fellowship, an additional amount of $400 for each academic year of study shall be paid to each person on account of each of his dependents.

(b) In addition to the amount paid to persons pursuant to subsection (a) there shall be paid to the institution of higher education at which each such person is pursuing his course of study, $2,500 per academic year. Amounts paid pursuant to this subsection shall be less any amount charged any such persons for tuition and fees.

(c) The Commissioner shall reimburse any persons awarded a fellowship pursuant to this Act for actual and necessary traveling expenses of such person and his dependents from his ordinary place of residence to the institution of higher education where he will pursue his studies under such fellowship, and to return to such residence.

LIMITATION

SEC. 9. No fellowship shall be awarded under the Act for study at a school or department of divinity. For the purposes of this section, the term "school or department of divinity" means an institution or department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

FELLOWSHIP CONDITIONS

SEC. 10. A person awarded a fellowship under the provisions of this Act shall continue to receive the payments provided in section 8(a) only during such periods as the Commissioner finds that he is maintaining satisfactory proficiency and devoting full time to study or research in the field in which such fellowship was awarded in an institution of higher education, and is not engaging in gainful employment other than part-time employment in teaching, research, or similar activities related to his training as approved by the Commissioner.

APPROPRIATIONS

SEC. 11. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

FEDERAL CONTROL NOT AUTHORIZED

SEC. 12. No department, agency, officer, or employee of the United States shall, under authority of this Act, exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to the personnel, curriculum, methods of instruction, or administration of any educational institution.

CONSULTANTS AND ADVISORY COUNCILS

SEC. 13. (a) The Commissioner may, with the approval of the Secretary, and without regard to the civil service laws, appoint, as he deems necessary, consultants and advisory council or councils to advise and consult with him with respect to the administration of the provisions of this Act for which he is responsible.

(b) Consultants and members of such advisory councils who are not regular full-time employees of the United States shall, while attending meetings or conferences of such councils or otherwise engaged on business of the council or the Office of Education pertaining to this Act, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and, while serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

FEDERAL ADMINISTRATION

SEC. 14. (a) The Commissioner may delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by the way of reimbursement, as may be agreed upon.

DEFINITIONS

SEC. 15. As used in this Act—

(1) The term "State or States" means a State, Puerto Rico, the District of Columbia, the Canal Zone, Guam, American Samoa, or the Virgin Islands.

(2) The term "institution of higher education" means an educational institution in

any State which (A) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (B) is legally authorized within such States to provide a program of education beyond secondary education, (C) provides an educational program for which it awards a bachelor's degree, (D) is a public or other nonprofit institution, and (E) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited.

(3) The term "Commissioner" means the Commissioner of Education.

(4) The term "Secretary" means the Secretary of Health, Education, and Welfare.

SUMMARY OF THE MAJOR PROVISIONS OF H.R. 9627

PURPOSE OF THE LEGISLATION

The purpose of the legislation as expressed in the declaration of policy is to improve the quality of education offered by the elementary and secondary schools of the Nation by improving the quality of the education of persons who will be teaching in the elementary and secondary schools or who will be performing professional roles related to the elementary and secondary schools process. The purpose is to be accomplished by the awarding of fellowships for for graduate study leading to the master's degree for experienced and prospective elementary and secondary school teachers and leading to the master's or doctor's degree for persons who plan to be training, guiding or supervising such teachers.

The master's fellowships are also open to persons in such related fields as library science, school social work, guidance and counseling, educational media, and special education for handicapped children.

FELLOWSHIPS FOR GRADUATE STUDY TOWARD MASTER'S AND DOCTOR'S DEGREES

Fellowships to be awarded by the U.S. Commissioner of Education:

Fiscal year	Toward master's degrees	Toward doctor's degrees
1966	25,000	1,000
1967	30,000	1,500
1968	35,000	2,000

FELLOWSHIPS TO BE GIVEN RECENT GRADUATES AND EXPERIENCED TEACHERS

Two-fifths of the fellowships awarded in any fiscal year would go to recent graduates and the remaining three-fifths would be available for persons with experience in the elementary or secondary education field, or persons with bachelor's degrees who have been engaged in another profession or occupation, who intend to enter or reenter the teaching field. Twenty percent of the fellowships awarded to recent graduates could be in the fields ancillary to elementary and secondary education as described earlier.

DISTRIBUTION OF FELLOWSHIPS AND APPROVAL OF FELLOWSHIP PROGRAMS

The criteria for approval of fellowship programs is designed to assure attainment of the objective of improving the quality of education of elementary and secondary schoolteachers or teachers of teachers or those in ancillary fields and that a high quality program be in effect at the applying institution, readily attainable, or be attainable by the granting of such fellowships.

An equitable distribution of fellowships throughout the Nation is required except that the Commissioner shall give preference to applicants already serving or who intend to serve in elementary or secondary schools in low-income rural or metropolitan areas.

STIPENDS

"Recent graduate" fellowships carry with them the following academic year stipends:

First year, $2,000; each dependent $400.

Second year, $2,200; each dependent $400.

Third year, $2,400; each dependent $400.

For "experienced teachers": $2,000 plus $500 for each year of teaching experience and $400 for each dependent.

In addition to the above stipends, this act would pay to the institution of higher learning in which each awardee is pursuing his course of study the sum of $2,500 per academic year. Charged against this $2,500 award would be any amounts charged by such institutions for tuition and fees.

ADDRESS OF PRESIDENT JOHNSON TO NATIONAL EDUCATION ASSOCIATION, JULY 2, 1965

Mr. Speaker, I also include in the RECORD the text of President Johnson's address of July 2, 1965, at the annual conference of the National Education Association in New York City.

The address follows:

TRANSCRIPT OF JOHNSON'S ADDRESS TO NEA HERE

(NOTE.—Following is a transcript of President Johnson's speech before the National Education Association at Madison Square Garden yesterday, as recorded by The New York Times through the facilities of ABC News.)

Secretary Celebrezze, Senator MORSE, majority leader of the House of Representatives, Congressman CARL ALBERT, Dr. Lois V. Edinger (retiring president of the NEA), Dr. William G. Carr, executive secretary of the NEA, who have labored in education's cause and helped us so much, and all of my fellow educators.

I brought with me today Secretary Tony Celebrezze, the great administrator of the HEW (Department of Health, Education, and Welfare) and the best lobbyist for teachers this country has.

Senator WAYNE MORSE (Democrat, of Oregon), the valiant fighter for education and the chairman of all the Senate committees that report these bills, constantly—Senator MORSE.

The distinguished Majority Leader CARL ALBERT, a Rhodes scholar and education leader, majority leader in the House of Representatives and my neighbor from Oklahoma.

I, too, want you to meet one of the great fellows that works on my staff and who has been assigned this special subject of education and has made it his day and night work all year, Douglass S. Cater, Jr.

TEST OF CIVILIZATION

I greet you as the shapers of American society.

Emerson said, "The true test of a civilization is, not the census, nor the size of cities, nor the crops—no, but the kind of man that the country turns out."

Education, more than any single force, will mold the citizen of the future. That citizen in turn will really determine the greatness of our society. And it is up to you to make that education equal to our towering expectations of the America that we love and the America that is to come.

And I came here today to reaffirm to you your Government's intention to continue to help in that task.

In the last 19 months your Congress and your President have worked shoulder-to-shoulder together in the most fruitful partnership for American education in all the history of the American nation.

We passed the Higher Education Facilities Act.

We passed the Library Services Act—to prove our libraries as storehouses of learning.

We passed the Vocational and Technical Education Act.

We passed the Nurses Training Act.

POVERTY BILL PASSED

We passed the poverty measure—the Economic Opportunity Act—appropriating hundreds of millions of dollars—and requested a billion two ($1.2 billion) this year, offering millions of young people the necessary training to help them escape from poverty.

We passed the $1.2 billion Elementary and Secondary Education Act of 1965—the broadest, the most meaningful and the most sweeping Federal commitment to education that this Nation has ever made.

And this is the first week of the first fiscal year in which funds under this act will begin to flow to States and communities in every part of this land, in every State in this country.

We are going to pass the higher education bill to provide help to colleges and students this year.

We are going to pass the Federal Arts and Humanities Foundation bill—to help those engaged in the studies of the humanities and the practices of the arts, and we are going to pass it this year.

MORE PROPOSALS PLANNED

And next year, in my next state of the Union message, I intend to offer more new proposals to improve the education of all Americans.

And I am here to tell you today that we are not going to stop until every child in this great and beautiful land of ours can have all of the education, of the highest quality, which his or her ambition demands and his or her mind can absorb.

So I come here this afternoon to speak to you not of our triumphs but of our tasks, not of the success that we have had but the sacrifices that are to be made, not of the achievements of yesterday, but the aspirations of tomorrow.

For this is not an occasion for self-congratulation. It is rather a time to reflect on our mounting needs and on our present deficiencies.

More than 1 million students who are not here to speak for themselves this afternoon drop out of schools, their talents wasted, their intelligence lost to the Nation, their futures shadowed by their failure, and by our failure.

In the next 5 years attendance in elementary and secondary schools, at 48.1 million now in the fall of 1964, will increase by more than 4 million—almost 1 million students per year. We will need 400,000 new classrooms to meet this growth; while a half a million of our present classrooms are already more than 30 years old.

And beyond 1970 the demand for education at every level will continue to increase.

We will need more classrooms; we will need more books; we will need more teachers; we will need more schools on a scale that we have never dreamed of even a decade ago.

QUALITY STRESSED

Nor is it enough to give a student a place to sit and a teacher to learn from. We must make sure that the quality of that education is equal to his capacity to learn. We must make sure that it stimulates creativity rather than stifling it. We must make sure that it enlarges the mind rather than narrowing it—that he receives not merely a diploma but learning, in its real, broadest and most meaningful and most humane sense.

In pursuit of these goals I have asked the White House to send out invitations to the White House Conference on Education. That conference—I hope the largest and best of its kind ever held in this Nation—will take place on July 20 and 21 of this year at the White

House in Washington. It will bring together educators and informed citizens from every State in this Nation. It will seek the answer to the immense question: How can a growing Nation in an increasingly complex world provide education of the highest quality for all of its people?

The search for this answer radiates into every corner of American life. It must deal with educational opportunity and techniques from preschool age to the most advanced of studies. It must look beyond the classroom to the family and to the surroundings and the environment of the student. For the process of learning is not a carefully defined and isolated segment of a person's life. It is part of an organic whole, embracing all the forces which shape the man. And if we ignore these forces, we do so at the peril of learning itself.

Nothing is more dangerous than the easy assumption that simply by putting more money into more schools we'll emerge with an educated and a trained and enlightened Nation.

And it's this kind of assumption that I came here to challenge today. I want you to bring all the tools of modern knowledge—from physics to psychology—to bear on the increase of learning. And if these tools are still inadequate, then, it's our job to fashion new ones and better ones.

To guide discussion in this conference we are formulating a series of questions and I hope you'll give these questions your most careful thought and your boldest imagination in the weeks between now and the conference. They include:

How can we bring first-class education to the city slum and to the impoverished rural areas? Today the children of 5 million families are now denied it.

How can we stimulate every child to catch the love of learning so he wants to stay in school? One million children now drop out of school each year.

How do we guarantee that new funds will bring new ideas and new techniques to our school system—not just simply expand the old and the outmoded?

How can local and State and Federal Government best cooperate to make education the first—the first among all of these Nation's goals?

These are a few of the important questions which I hope the White House Conference examines.

ANOTHER QUESTION

And I would like to mention one other: Our country today is among the leaders in the community of nations of the world. Then how well is our education system preparing our citizens of this one Nation for their responsibility to some 120 other nations in the world?

But even as we prepare for this conference, your Government is acting. We are now completing a thorough overhaul and reorganization of the Office of Education. We are equipping it to deal with its new and its future responsibilities of the 20th century.

We have also established a national center for educational statistics; an office of programs for educating the disadvantaged; an Office of Equal Educational Opportunity, so people of all races, of all creeds and all sections are given equal treatment.

And we are at this moment in the process of preparing more and exciting new programs that our task force is working on this week, to present next year, when the Congress comes back.

And in the next few days I will propose a National Teachers Corps to enlist thousands of dedicated teachers to work alongside of local teachers in city slums and in areas of rural poverty, where they can really serve their nation. They will be young people, preparing for teaching careers. They will be experienced teachers willing to give a year to the places in their country that need them the most.

They can bring the best in our Nation to the help of the poorest of our children.

And I announce today that your President will submit to the Congress and will support a program of fellowships for elementary and secondary schoolteachers so that they can replenish their knowledge and improve their abilities.

And this program will assist teachers displaced by the process of school integration to acquire the skills that are necessary to permit them to perform new and challenging jobs in a new environment, in a new century.

For you and I are both concerned about the problem of the dismissal of Negro teachers as we move forward with the desegregation of the schools of America. I applaud the action that you have already taken.

For my part I have directed the Commissioner of Education to pay very special attention in reviewing the desegregation plans, to guard against any pattern of teacher dismissal based on race or national origin.

When the upgrading of teaching staff is required in newly integrated districts. I have instructed education officials to provide funds for teacher institutes and to assist the school districts through title IV of the Civil Rights Act.

And where an integrated school system requires fewer teachers than those required to operate two segregated school systems, I have directed the Federal officials to provide special reemployment services through a national program carried out by the U.S. Employment Service.

REFRESHER TRAINING

And when unemployed teachers need and when they desire refresher training, I have ordered the Federal officials to provide this training, with full allowances, under the Manpower Development and Training Act that we have already passed. Such a training program, I think you know, has already proven its great value in this city. It's being sponsored by the Urban League at Yeshiva University.

Now in these and in many other ways, we continue to pursue this, the central goal of this administration.

But the basic thought, and the programs of the future action, must come from you teachers. And the deeds which give meaning to the law must also come from you teachers. For a Federal law is not an education. A national program is not a developing child. A Presidential speech is not a trained nation.

But as a teacher—I'm still on leave of absence from Houston public schools—who has labored with you through the years in the elementary and high schools and a short while in the colleges, I remind you that we have talked together and dreamed together and philosophized together about the need—the great need—for all of these things for 30 years or more since I finished college. We've even urged since then that they be put in the annual party platforms of both the Republican and Democratic Parties, for your consideration on election day. Well I'm here to tell you this afternoon that this is a different day and a different hour and a different month.

A TIME FOR DOING

The time for talking and dreaming and philosophizing and writing platforms is gone and the time for doing things, instead of talking about them, is here. No, these things are empty and they are sterile without the will and without the effort at every level of our national life that's needed to transform intention into reality—the mandate of the law into the fulfillment of the life.

And in this, too the hopes of our Nation are resting on you.

I do not need to talk to this audience about the importance of education. It's been your life's work. No strain in our national life is more deeply rooted or more enduring than this faith in learning. It is a pathway to opportunity and the good life. It is the key to wise and satisfying use of our leisure time. It is the door to each man's highest use of his highest powers—which is happiness. It can bring fulfillment to the many, and, to the happy few, those transcendent achievements which really enrich the human race.

And if these things are true for every society, how much more important they are to our free society.

Every corner of this world in which we live not only our democracy but the idea of democracy itself is today being challenged. As the world grows in danger and as it grows in complexity, and as humanity seems dwarfed by the forces it has loosed, man's ability to govern himself is again being questioned.

We will not prove democracy's strength by faith or even by the experience of our past. We will prove it by the works of the future. I'm not concerned with all the promises that have been made to you all through the years; I'm not concerned with the times you've been taken up on the mountain and asked to look out to the future beyond; I'm not concerned with your hopes or your plans or your dreams of the past when you went out as the pioneers did with their guns on their shoulders in search of food for their families.

What I am concerned with and what I want you to be concerned with is results—the coonskin that they bring back and put on the wall. And, as I said earlier: Together we are not just going to talk and dream. We are going to do. The day of the talkers is gone; the day of the doers is here.

And with that kind of a comment, I'd better come to a speedy conclusion. And go on and get on with the job. That future—hopeful but still unknown—is today struggling to be born in millions of young and waiting minds in thousands of classrooms in this restless continent.

So when you go back from this great convention in this first city of our land, I hope that you will remember the words of a great leader of Government and a great educator who in the early days of our Republic warned us that "an educated mind is the guardian genius of democracy." It is the only dictator that free men recognize and the only ruler that freemen desire.

Today we're faced with many trying, complex and difficult decisions and problems. But I can tell you here this afternoon that I've never been prouder of my country than I am now and the pride that I have in my country is largely due to the years of toil and dedication and satisfaction of the teachers who made it so.

Thank you.

INDEPENDENCE OF MALAWI

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I rise to call the attention of the House to the fact that today is the first anniversary of the independence of Malawi, formerly known as Nyasaland.

Malawi's Prime Minister, Dr. H. Kamuzu Banda, is one of Africa's outstanding statesmen. I had the privilege of meeting him a few years ago when he paid a visit to the United Nation. At that time he spoke vigorously of the need to dissolve the Federation of Rhodesia and Nyasaland, so that its constituent parts could achieve independence, giving full rights to their African citizens.

Dr. Banda successfully negotiated his objectives with the Government of the United Kingdom, which was both to his credit and the credit of the British. Today Malawi is a full member of the Commonwealth.

I congratulate Dr. Banda and his associates in the Government of Malawi, and also the people of Malawi, and wish them well in the achievement of their national goals and aspirations.

PUBLIC HEARINGS ON THE ADMINISTRATIVE AND ENFORCEMENT AUTHORITY OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Roosevelt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, in order that my colleagues may be advised, I take this opportunity to announce that the General Subcommittee on Labor, of which I am chairman, met in executive session July 1, 1965, and unanimously voted to conduct public hearings July 19, 20, and 21, on the administrative and enforcement authority of the Equal Employment Opportunity Commission.

The subcommittee will focus primary attention upon the proposals in H.R. 9222, by Chairman Powell, and 17 companion bills. However, this by no means is intended to preclude the submission of other relevant views and proposals. We welcome now, as always, constructive criticism in the area in which we are dealing.

Invitations to testify will be sent out immediately. We are anxious to hear from representatives of business, labor, and the State and Federal Governments. We are particularly looking forward to an evaluation of title VII of the Civil Rights Act of 1964 by those who have been most closely studying this law—the Commission itself.

Extensive hearings by this subcommittee in recent years so overwhelmingly impressed us with the absolute necessity and urgency for dealing effectively with the problems of discrimination in employment that we have decided to scrutinize existing authority without further delay.

Earlier hearings demonstrated beyond doubt the pervasiveness of job opportunity discrimination. Such hearings pointed out the terrible impact of such discrimination upon individuals, groups, communities, and the Nation. We will not, therefore, concentrate on the quantity of discrimination, but rather upon how we can best terminate this despicable practice.

INDEPENDENCE OF MALAWI

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Roosevelt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker I am pleased to call to your attention that today marks the end of the first year of independence of Malawi, an independent nation in the British Commonwealth.

Malawi, with a population of approximately 4 million, is a nation rich in natural splendor, generously endowed with lush green foliage, high mountains, and large lakes, which makes it one of the most beautiful nations on the African continent.

It is my hope and belief that Malawi will continue to grow and prosper. And, I am confident, that the freedom and happiness of this new nation meets with the full and entire approbation of every American.

FARM CREDIT IS CREDIT, NOT GRANTS

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Poage] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. POAGE. Mr. Speaker, the first of this month two of the banks for cooperatives paid off all of their remaining Government capital. The first and largest of these payments was from the Houston bank, which paid the U.S. Treasury $2 million, and this was followed by the Berkeley bank, which paid the U.S. Treasury $1,100,000. This is the first time that a bank for cooperatives has been able to retire all Government capital, and it is especially noteworthy because of all of the farm credit institutions the structure of the banks for cooperatives is such that it is most difficult to build up the reserves needed to retire the Government investment, but these two banks have proven that it can be done, and I anticipate that it will not be many years before the other 11 banks for cooperatives have retired all of their Government capital.

That those who are not familiar with our farm credit system may understand the significance, let me point out that all of the farm credit institutions were originally capitalized by the Federal Government. All of these credit institutions were, however, organized as cooperatives. The Congress has over the years made provision for the retirement of Government capital as the earnings of the institutions might make possible.

The land banks were the first to retire all Government capital. Today the entire land bank system is operating 100 percent on farmers' money. There is not a dollar of Government money in the land banks. Almost all Government money has been removed from the production credit system. I believe there are 3 production credit associations and 12 intermediate credit banks which still have a total Government investment of $123,489,120. Undoubtedly, the Government investment in intermediate credit banks will very shortly be entirely liquidated.

I would also point out that the money which the farm credit institutions lend is not money from the U.S. Treasury. It is money which is raised through the sale of debentures to private investors. In this day of Government grants it seems to me that we might all be proud of the way our farmers have, in the face of low prices and declining incomes, set an example of paying their debts and assuming their own financial obligations.

A few days ago the Farm Credit Administration issued a news release, which I believe is worthy of inclusion in the Record:

UNCLE SAM REPAID IN FULL BY TWO BANKS FOR CO-OPS

Washington, D.C.—The farm credit system moved two steps closer to its ultimate goal—complete farmer ownership—with the announcement this week that the first 2 of its 13 banks for cooperatives have achieved this goal.

This happened yesterday when the Farm Credit Administration transmitted checks from the Berkeley (Calif.) and Houston (Tex.) banks for cooperatives for $1.1 and $2 million, respectively, to the U.S. Treasury, representing the retirement of their last remaining Government capital. These checks were presented this week to the Farm Credit Administration, the independent agency which supervises the system nationally, for delivery to the Treasury Department.

The 13 banks for cooperatives, according to Gov. R. B. Tootell, of the Farm Credit Administration, provide a complete financing service to the Nation's farmer cooperatives. Last year, co-ops borrowed over $1 billion from these banks—not Government money—but from funds raised by the banks through the sale of debentures to private investors.

The 13 banks for cooperatives were created by Congress with Government capital during the depths of the depression in 1933 as a permanent, self-help mechanism for farmers. The cooperatives that use the banks began immediately investing in the capital stock of the system and since passage of the Farm Credit Act of 1955, have quietly, but methodically, gone about the business of repaying all of the Government stock. A peak Government investment of $178.5 million has now been reduced by these banks to approximately $54 million.

The 13 banks for cooperatives represent but part of the farm credit system, through which farmers and their cooperatives borrow over $6 billion a year from funds raised through sales of securities to private investors. Other units, most of which are already completely farmer owned, include 12 Federal land banks and affiliated land bank associations (long-term mortgage credit) and 12 Federal intermediate credit banks and affiliated production credit associations (short-term and intermediate-term operating credit).

Commenting on the history of the banks for cooperatives, Governor Tootell said: "Primarily, it is a tale of courageous and constructive lending, plus vision and faith involving Congress and Presidents of the United States, farm and cooperative leaders, but most of all, the farmers of America. Although a financial story, it also is a human story—another chapter in America's search for a better life."

Glenn E. Heitz, Deputy Governor and Director of Cooperative Bank Service, FCA, said that, as a result of being completely member owned, the Berkeley and Houston banks "can now operate as other cooperatives, sharing cash from the annual savings of the banks with member-borrowers." He said that stock of the two banks now held by borrowing farmer cooperatives will be revolved out in the order of its issuance.

Looking to the future, Heitz predicted that the remainder of the 13 banks for cooperatives will probably achieve complete member ownership within the next 5 years.

AN ECONOMICAL STUDY OF METAL FINISHING WASTE TREATMENT AND DISCUSSION OF THE LANCY INTEGRATED WASTE TREATMENT SYSTEM

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. CLARK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CLARK. Mr. Speaker, I would like to place in the RECORD the lecture given by Dr. Leslie E. Lancy, president of Lancy Laboratories, Inc., of Zelienople, Pa., in my congressional district, given at the first Metal Finishing Exhibit held at the U.S. Trade Center in Tokyo, Japan, recently. The lecture of vital interest to scientists, engineers, and industrialists covers the economical aspects of metal finishing and metallurgical waste treatment and discusses the latest processes and equipment now in general use both in the United States and foreign countries in the metal finishing industry:

AN ECONOMICAL STUDY OF METAL FINISHING WASTE TREATMENT AND DISCUSSION OF THE LANCY INTEGRATED WASTE TREATMENT SYSTEM

INTRODUCTION

I am delighted to have this opportunity to address you gentlemen, scientists, engineers, and industrialists of Japan. I have seen throughout many countries in the world, and especially in my own country, the United States, that your products hold a respected position for high quality, as well as competitive prices, and your trademarks are recognized all over the world. I hope that my lecture will shed some further light on a most important and burning issue.

Concern in water waste treatment is growing in all the industrialized lands today. It is recognized that any waste water should be treated well enough, before it is discharged, to result in the minimum amount of pollution of the public waters. First, the growth of population, growing industrialization has called attention to the problem of water pollution from the standpoint of interfering with recreation and aesthetical values in nature. Now the awareness is growing that water is not nearly as plentiful as it appeared to be. With the growth of population and industry in water-short areas, water shortages are in the offing for many areas which had either plentiful water in the underground strata or in nearby reservoirs. More and more communities have to tap water from the rivers, and the problem of removing odors and tastes from river water is a nearly impossible task even if only partially polluted.

The passage of strong Federal laws against contaminated water is having the full support of the President of the United States, as well as the Congress, as this has resulted in vast strides in public health and the aggressive support of industry. In many cases we have seen through waste treatment lowered manufacturing costs, product improvement, as well as drinking water quality.

The first step in the fight against water pollution is to build municipal sewage treatment plants and to improve the existing plants, and next, improve the sewage treatment plants that were built yesterday or are being built today. The quality of the treatment provided by most sewage treatment plants does not meet today's requirements. The plants that are now being engineered or presently under construction are meant to provide only a first step in the right direction and everybody in the pollution control technique recognizes the need to reach the second or third step of improvement as soon as time and economy will permit.

Hindsight teaches us that investments in conservation have always brought far better returns than were expected. Cleaning up the results of pollution is far costlier than avoiding its occurrence. Industrial waste, and in this category metal finishing waste, contributes its share to the problem. Untreated metal finishing waste interferes with the proper performance of a modern sanitary sewage treatment plant. This condition was tolerated for many years because the efficiently operating sanitary sewage treatment plant was nonexistent.

Many of the chemicals used in metal finishing processes are toxic to the bacteria utilized in the biological treatment in the sanitary sewage treatment processes. In this category would fall cyanides, various metal compounds, chromic acid, etc. The sewer systems are usually constructed from materials not protected against attack by acids, alkalies; therefore, the corrosion damage can be considerable on both the sewer lines and the sewage structures. Basically, the requirement is to pretreat the metal finishing waste before it is discharged to the sanitary sewer system to avoid causing any harm. Since the needed treatment for metal finishing waste is all chemical treatment, the organic chemical compounds are negligible, biological waste treatment doesn't improve the effluent. The only advantage we may find in using the sanitary sewer system is in the additional dilution factor and inherent safety of this dilution. Metal finishing plants are often located in metropolitan areas where perhaps no other conduit is on hand to lead away the waste water, except the sanitary sewer system and then, as of necessity, the municipal sewer system has to be used.

ECONOMICAL CONSIDERATIONS—DRAGOUT CONTROL

The first question when a metal finisher is confronted with the necessity of waste treatment is: What will the additional costs be to meet the requirements? There are so many misleading statements in the metal finishing literature regarding waste treatment costs that perhaps to a great extent the lag in waste treatment activity is caused by the fear of an appreciable increase in finishing costs.

We would like to discuss to some extent the entire economical picture of waste treatment and water savings and will try to shed some light on how these costs may be kept to a minimum. In some few installations waste treatment may lead to savings in chemical consumption and improved quality, lowering the percentage of rejections of finished goods, but, in general, we would anticipate that the waste treatment costs increase the overhead of the metal finishing operation. On the other hand, the cost increase due to chemical consumption and operation of the waste treatment plant normally should be a very minor fraction of the operating costs and should not significantly affect operating costs.

A modern metal finishing waste treatment plant is normally part of the metal finishing layout and the cost of the equipment and installation is not more than perhaps 10 percent of the cost of the operating equipment. It is depreciated with the operating equipment; therefore, this study, reviewing waste treatment costs, disregards the amortization factors. Also, since there usually are no employees added to attend to the waste treatment operation, or for the control of the waste treatment process, we can also consider the operating labor costs as negligible.

We consider the main cost of waste treatment to be the chemicals consumed for effecting the elimination of the toxic compounds and the neutralization of the waste. The chemical cost will depend on the chemical processes used and the rate of dragout by the work from the process solution. Dragout can be significantly reduced by some simple well-known process changes. Solution dragout will depend on the shape of the articles finished, the solution composition, such as concentration and viscosity, and drainage time. Not much can be done with the various shapes to be processed and usually careful attention is paid to the processing of the work by suspending it or handling it in such a manner that a minimum of dragout results, not only because waste treatment costs are involved, but also because process solutions can be lost in significant quantities, and in a process cycle, drag-in may cause serious contaminations of the subsequent process solutions. Increasing the dissolved salt concentration and thereby increasing the density of the solution will reduce the volume of dragout, but will increase the total amount of chemicals in the dragout; therefore, the attempt to reduce solution volume by this expedient would not produce economical results. Reducing viscosity will also reduce the volume of dragout and, therefore, the use of a wetting agent is beneficial. In most processes, a wetting agent is incorporated to enhance and assist the process.

The most important and most variable factor affecting the rate of solution dragout is the time allowed for drainage. Hand operation with racks or baskets, where drainage time is nearly nonexistent, is most expensive from a waste treatment chemical consumption standpoint. Automatic plating operations, with a slow transfer time or drain station, lead to an important reduction in the volume of the dragout. A drain station ahead and after an automatic barrel plating line will, for instance, cut the waste treatment chemical cost in half and since the two additional stations do not materially affect the cost of the automatic plating line, drain sations should be always incorporated when planning. The drain station ahead of the plating step serves the purpose of reducing drag-in and allows the return of the dragout to the plating tank. The addition of a fog spray nozzle or a short-time solenoid-valve-operated water spray would further reduce the chemicals remaining in the film on the work pieces after leaving the process, requiring treatment. The fog spray or water spray has to be operated in such a manner that the process solution volume will not increase beyond the original content of the processing vat.

To provide some guidelines regarding chemical cost that may be expected, we are giving here a few figures, recognizing that there are no average conditions and each plant and its operation would find a slightly different cost picture, but there may be a value in having cost figures which one may consider as average for the industry and no doubt these figures could be met by any producer unless conditions are far from average. We would quote the average chemical cost figures as follows: 3 to 4 cents (United States) for each hundred square feet of chromium plated surface for the treatment of chromium chemicals; 5 to 7 cents (United States) for each hundred square feet of zinc or cadmium plated surface for cyanide treatment; and 70 cents to $1 (United States) for each thousand pounds of zinc or cadmium barrel plated small parts, such as screws, bolts, nuts, etc. It is evident that the waste treatment chemical costs are an extremely small percentage of the total operating costs and this cost can usually be offset by some other improvement in the process, a small reduction in brightener consumption, water savings, etc., to completely offset the waste treatment costs.

We have briefly touched the question of dragout control to lead to economical waste treatment practices. When discussing dragout control, we do not want to aim for the elimination of dragout. In our opinion, in most installations solution loss through dragout is an important function and helps maintain the balance of impurities in the process solution. With cyanide-type plating processes, there is a continuous carbonate formation. The carbonate is generated both by the breakdown of the cyanide on insoluble anodes, and through air oxidation at the solution air interface, and by the absorption of carbon dioxide from the air by the caustic soda constituent. The soluble iron salts forming ferrocyanides are another impurity that continually enters cyanide processes. Both carbonates and ferrocyanides tend to interfere with the proper dissolution of the anode. Especially the carbonates, if allowed to increase beyond a certain concentration will cause polarization of the anodes which can be overcome only by increasing the cyanide concentration in the bath which leads again to additional carbonate formation and higher waste treatment costs due to the high cyanide concentration in the solution. Our experience indicates that 40 to 50 percent of the sodium or potassium cyanide added as maintenance additions to a plating process will be converted to carbonates and only 50 to 60 percent will be found in the dragout. Another breakdown product common in cyanide-type plating processes that has to be controlled by dragout is the organic breakdown products of the brightener additions. A certain percentage of the brightener is plated out but by far the greater part is oxidized or undergoes some other breakdown to become an inert organic contaminant which if not lost slowly through dragout, will build up to the extent that the fresh brightener when added to the plating process, will float to the top, and appear as insoluble. Most of these organic materials cannot be removed by carbonate filtration and naturally, carbonate filtration itsif is a very expensive treatment process for low-cost processing, such as barrel zinc plating. Solvent extraction is perhaps the only way that the excess organics can be removed and it was found more advantageous to ease off on the dragout control, for instance with wire plating, to gain an effective control over the build-up of organics. Another example of excessive dragout recovery would be the continuous gain in zinc metal in a zinc plating solution. The use of insoluble anodes to control the excessive build-up in zinc content would greatly increase the carbonate formation, an unrecognized, but major cause of all difficulties with these electrolytes.

Similar considerations apply to dragout control in chromium plating. For well-drained parts, with proper drain time, in an automatic plating line, avoiding dragout reclamation may be the best course to follow. Chromium plating solutions cannot be purified easily and yet it is unavoidable that a few die-cast parts or copper racks would fall off the carrier arms during processing. Also entrapped nickel plating solution may be dragged in periodically and unplated areas of steel parts, such as tubular work, are attacked by the chromium plating solution internally, leading to build-up in iron contamination. Most often, but not always, the continuous dragout from a chromium plating process will keep the build-up of impurities below the level where they may become noticeable and harmful.

For processes where the accumulated impurities can be easily removed, either through a chemical precipitation treatment or with carbon filtration, or low current electrolysis, the complete reclamation of the dragout is feasible and would provide the most economical treatment method.

DRAGOUT RECOVERY

Complete recovery of the dragout is possible through the use of a sufficient number of countercurrent flowing rinses. When using countercurrent rinsing (sometimes called cascade rinsing), the total water flow needed for rinsing will be one-tenth for each additional rinse tank in the countercurrent sequence. That means that if, as an example, the requirement would be 10 gallons per minute water for good rinsing, with two rinse tanks connected for countercurrent rinsing, only 1 gallon per minute water will be needed. With three rinse tanks in series, only 0.1 gallon per minute would be required. We have to mention here that with these low rates of water flow, there is not sufficient agitation in the rinse tank to provide proper mixing and, therefore, either air or mechanical agitation will be needed. Following this reasoning, if the evaporation losses in the process tank are sufficiently great to allow the return of the first rinse solution to the process tank, we have eliminated chemical losses completely, but adding two or three additional rinse steps to the process, may not amount to a great deal of added cost with automated equipment, but on the other hand, could be costly with hand labor. The number of rinsing steps can be reduced and this method of dragout recovery may be employed, even if the evaporation losses in the process are not sufficient, by inserting an evaporator between the return rinse water and the process. Naturally, the operation of the evaporator will entail some additional cost, but usually the net result will be still a chemical saving, considering both the chemicals lost and the cost of treatment chemicals.

We do not advocate this type of dragout recovery for chromium plating or cyanide-type plating solutions. The purification costs of a chromium plating solution are too great and the carbonate buildup in the cyanide plating solution would defeat the plans for chemical savings. While carbonates can be crystallized out through cooling means, or can be precipitated out with calcium hydroxide, our experience indicates that the cyanide entrapped in the dried carbonate crystals and remaining in the sludge, if precipitation was practiced, requires more treatment chemicals than the original dragout would have required if treated.

The purification of the recovered dragout, either after using countercurrent rinsing, or before evaporation, can be accomplished by the use of ion exchange equipment. This would be one way to save the dragout after chromium plating. For very large installations, where the chromic acid concentration is great, this may be economical. One has to keep in mind that even dilute chromic acid oxidizes the ion exchange resin and, therefore, there is a slow deterioration. The recovery of the chromic acid from the ion exchanger requires considerable amounts of backwash waters and the reconcentration of the solution is expensive. In view of the quoted figure of 25-30 cents per hour waste treatment cost, it is questionable if many plants could justify an ion-exchange installation.

WATER COSTS AND EFFLUENT CHARGES

When discussing the economics of waste treatment, one soon is confronted with the question of water cost and water reclamation. We would like to add to this also the cost of the use of the sanitary sewer system as it becomes a standard practice to prorate the cost of the municipal sewage treatment, and amortization of the sewer system and treatment plant, to the users of the sanitary sewer system according to their water consumption. In the United States, the cost of water is relatively low. Many industries use well water which is of good quality and the only cost entailed is the power cost of pumping. The purchased water cost in the industrial communities to the industrial consumer is between the ranges of 15 cents per 1,000 cubic feet to 40 cents per 1,000 gallons. The cost of water in Europe and Japan is much greater. In some areas it may be as high as 40 cents per 1,000 liters. This can be only partially offset by the European metal finishers with comparative water consumption being only one-fourth to one-fifth of what a similar U.S. plant would purchase.

When bringing in the economies of water cost, and the cost of the sewer rental charges due to the use of the sanitary sewer system, one soon realizes that the chemical cost for the proper treatment of a metal finishing effluent is far less than the potential gain can be, by reducing the quantity of water needed and by providing good enough waste treatment to be able to bypass the sanitary sewer and discharge the treated effluent to the storm sewer or to a river or lake.

Surprisingly, only very few cost-conscious metal finishers realize how lopsided the relationship is between the chemical cost of waste treatment and the average sewer rental charges, and the only metal finishers who are conscious of the needs of water saving are those in areas of water shortages or where the water costs are abnormally high, such as in Europe. One should guard against generalizations, but we would like to say here that in every case when making a survey, we find that the waste treatment costs can be nearly completely offset by water savings and avoiding the use of the sanitary sewer system.

THE LANCY INTEGRATED TREATMENT SYSTEM

Some years ago when first confronted with the problem of chemical treatment of the rinse water effluent discharged by a metal finishing plant, we tried to analyze the problem from all angles. We recognize that the water pollution was due to a few droplets of toxic chemicals being mixed into a large volume of pure water. Recognizing the need for good rinsing in metal finishing, and also considering the shortcomings of water rinsing which will always leave a dilute film of the same chemicals on the surface, we have postulated the assumption that rinsing with a chemical solution, formulated in such a manner that the reacting chemicals will lead to a cleaner surface, allowing better rinsing, eliminating the chances for pollution, and reducing the quantities of water needed, is feasible. We have had exceptional success with this general concept in the various installations that we have engineered during the last fifteen years. We have found a suitable chemical rinse composition for the various toxic chemical processes encountered and were able to prove our contention that chemical rinsing leads to (a) cleaner work surface; (b) removal of harmful, entrapped chemicals in pores and crevices; (c) freedom from staining.

The chemical rinse is usually employed in a continuous recirculation, inserting a large reservoir tank in the recirculatory system. The concept is to apply the chemical treatment rinse in the metal finishing process line in a similar-sized process vat that would have been used for rinsing, but instead of adding running water through this, the chemical solution is continuously pumped through. The treatment solution overflows and either by gravity or through pumping means, is returned to the reservoir tank. The reservoir tank is a larger container allowing 1 to 1½ hours' delay until the treatment solution is again returned to the treatment wash tank. During this delay in the reservoir tank, the precipitated metal salts are settled out and the solution receives continuously fresh chemicals at the rate they were consumed, just before being returned to the treatment wash station. Since the solution is continuously recirculated and is not wasted, it is possible to formulate it in such a manner that the chemical concentration is always considerably higher than what is needed or consumed during the actual contact time when the work pieces are washed by the treatment solution. The excess chemicals are not wasted because they remain in the solution and the chemical feed is only replenishing the consumption, maintaining the excess that was provided when the process was started.

Having a continuously recirculated treatment solution, with a reasonably wide latitude of excess treatment chemicals to be available in recirculation, serves two important additional functions: (a) The control of the treatment solution is simplified, and simple spot tests or pH paper-type checks will be sufficient from an effective chemical control standpoint; (b) a higher concentration of treatment chemicals will accelerate the chemical reactions and lead to more complete treatment.

The treatment solution slowly builds up in harmless breakdown products, such as sodium chloride, sodium carbonates, sodium sulfates, and so forth, and therefore, it is periodically dumped, such as once a month or once every 2 months. Since the treatment solution does not contain any toxic materials, the dumping does not entail any hazards. The accumulated sludges can be easily conveyed through pumping means to a suitable sludge-collecting area. Since the chemical rinse performs the most important functions of harmful film removal from the work in process, the water consumption for rinsing is greatly reduced. The rinse water following the treatment rinse needs to be only a small quantity since it will serve only the purpose of removing the harmless salts that would remain on the work surface.

We would like to enumerate some of the advantages that we have found for the integrated treatment system in comparison to some other waste treatment methods:

1. The capital outlay for treatment equipment is but a small fraction of the productive equipment cost.

2. The waste treatment is integrated into the finishing line, thus no separate treatment plant is required.

3. The floorspace occupied is small and may be further minimized by occupying space overhead or below floor level.

4. The need for close chemical control is eliminated due to the wide limits allowed when working with a constant excess of treatment chemicals.

5. No separate personnel is required for the operation of the treatment system. Simple test methods approximating the concentrations of chemicals are sufficient and allow the integration of the waste treatment plant into the regular duties of the supervisory and operating labor usually employed.

Regarding the general economies insofar as chemical costs, water savings, and water reuse possibilities are concerned, we would like to go into further detail:

6. Chemical cost: In both batch waste treatment and continuous instrumented systems, all the rinse waters leaving the toxic chemical processes have to undergo chemical treatment. This may involve a high pH or low pH treatment, adding a reacting chemical in sufficient quantities and to an excess to complete the reaction, and after the chemical treatment, neutralization and removal of the excess reaction chemical is required. To raise the pH of a large volume of collected waste water every day, or continuously, or to lower the pH and then neutralize again, surprising quantities of chemicals will be consumed. Although these are inexpensive chemicals, such as caustic soda or sulfuric acid, with large quantities of dilute waste, it is quite conceivable that the inexpensive chemicals will have consumed more in total expended chemical cost than the reacting chemicals, such as the chlorine and SO_2 gas which are both relatively high-cost chemicals. In the integrated treatment system, only the dragout is treated, that is the few droplets remaining on the work processed, and while the process is operated with an available excess of chemicals in the system, these chemicals are not wasted, but are kept in recirculation, replenished as consumed. The only chemical losses are by dragout which again is a comparatively small concern.

7. Quality of treatment: If the waste water is to be discharged to a river or storm sewer, and therefore one aims to gain the economical advantages of being able to bypass the sanitary sewer system, the quality of the effluent is most important. There are two reasons for the far superior treatment quality provided by the integrated system. In the recirculated chemical rinse, the reacting chemicals are always present in a great excess over the stoichiometric equivalents needed. In batch treatment, or continuous instrumented treatment, an excess is required, but this naturally has to be kept to the minimum because the excess chemicals go to waste. The chemical reactions are greatly accelerated due to the excess of reacting chemicals available, and we can further add that with some toxic compounds, if the quoted excess chemicals would not be present, complete treatment could not be accomplished in any reasonable time. The integrated treatment system is the only method where a high excess of available chemicals can be employed and the time for the reaction is also extended in view of the recirculation where the completion of the reactions may go on for 1 to 2 hours in a treatment solution reservoir tank before it is returned back again to the treatment wash station.

It may not be well-known that for the reduction of chromic acid, unless the treatment is effected at a low pH (2.5 or lower), and excess of reducing chemicals or sufficient time (20 to 30 minutes) is needed for the complete reduction. Neither is the oxidation of the cyanide compounds to cyanogen chloride, and the breakdown of the cyanogen chloride to cyanate, as easily accomplished as it is normally assumed. The oxidation of the cyanide compounds depends greatly on the metal complex that has to be treated. While sodium and potassium cyanides, also cadmium and zinc cyanide, may be oxidized within a few minutes, the breakdown of the copper, silver, and gold cyanides will take far more time in the stated order. Nickel cyanide may be the slowest of the metal complexes insofar as the breakdown is concerned. Even with an excess of 250 to 300 parts per minute available chlorine, the breakdown of the silver cyanide will not be complete within 1 hour. Cyanogen chloride, the breakdown product of the oxidation reaction, may not be hydrolized to cyanate within 24 hours unless the pH is at least 10. Even at pH 11, this reaction will not be completed in 1 hour. We could not call waste treatment complete, just because we went through the motions of treatment, if we would not consider that the reaction products should be nontoxic. Cyanogen chloride may be considered more toxic than the free cyanide ion and far more toxic than the metal complex, such as copper cyanide, from which it may be derived.

Another factor leading to the exceptional quality is the fact that the heavy metal compounds and chromic acid that are precipitated in the treatment solutions can be far better settled in the treatment reservoir part of the integrated system than would be possible in a clarifier receiving the treated batch waste dumps or the continuously treated rinse water flow. It is well known that the settling of the precipitated hydroxides from dilute rinse waters is nearly an impossible task. Neither can the dissolved metals be precipitated completely since each particular metal requires a somewhat different pH for complete elimination. The ability to provide a final effluent that will have less than 0.3 parts per minute copper, or less than 1 part per minute zinc, or less than 1 part per minute nickel can be only guaranteed with this method. This extreme quality of the effluent, which will easily meet the U.S. Public Health Service drinking water standards, doesn't cost more in chemicals consumed, but actually, in view of the aforementioned, it will consume less, when one aims to discharge the treated waste to the storm sewer, or even to a fishing stream. A crystal-clear effluent that not only meets the chemical standards, but also looks like drinking water, and has the chemical quality of drinking water, has also considerable esthetic advantages.

8. Water savings and water reuse: We have discussed earlier the fact that the chemical rinsing provides better rinsing than can be accomplished with copious quantities of rinse water. We have also mentioned earlier that the quantities of water needed to wash off the residues of the chemical rinse are far less than the water that would be required to eliminate the contamination that may remain on the work surface from the process solution. Inserting a chemical treatment rinse in the process will by itself reduce the total water consumption requirements that would have been otherwise needed for the process to one-third to one-fourth of the volume of water consumed.

Where water costs are high, or acute water shortage exists, we have further refined the inherent water economies of this process. According to this technique, the rinse waters leaving the metal finishing plant overflow a large external reservoir or lagoon. In this reservoir the precipitated water hardness, possible iron salts from the rinses after pickling, acid dipping, aluminum salts from anodizing, etc., are settled. A wet well on the far side of the overflow weir contains a pump which brings back for reuse into the plant, 65 to 75 percent of the waste water. This reuse water then is piped to the rinse tanks which can be considered to be less critical, such as rinsing after cleaning, acid dipping, rinses after zinc plating, etc. Fresh water is used only for the final hot water rinses and ahead of nickel-chromium or other plating processes, etc. Fresh water entering the system is only 25 to 35 percent of the total water in recirculation and can be considered as allowing a continuous blowdown, keeping the dissolved salt concentration at a reasonable level. The reuse rinse water is better quality in these systems than many a finishing plant has to use as pure water in hard water areas. Usually the dissolved salt concentration is increased by 250 to 300 parts per minute and maintained at around this level. It will be evident that water treatment, for which the only cost is the power cost to operate the pump and the installation costs of the second pipeline, is a most economical system everywhere where water costs are significant or in water shortage areas.

The question may be raised: Why do we think that a recirculation method such as this can be used only in conjunction with the integrated treatment system? First of all, we are assured that the toxic components and metal complexes will be kept out of the system. The only metals that are deliberately allowed to enter the rinse water are iron and aluminum which both act as flocculating agents aiding precipitation, clarifying the effluent, and removing the suspended precipitated water hardness salts. Secondly, the considerable quantities of treatment chemicals which would have had to be added to the rinse water, and which would have significantly raised the dissolved salts concentration, in a batch or continuous instrumented system, are completely kept out of the rinse water effluent. In this manner, the dissolved salts concentration increases by not more than the quoted 200 to 250 parts per minute. Since the effluent leaving the plant meets the drinking water standards anyhow, some good use of the water can be made before it is altogether wasted.

In the foregoing I have attempted to show that the complete elimination of toxic pollutants from the rinse water effluent is possible using a simple and economical process. Integrating waste treatment into the metal finishing process teaches better housekeeping, a clean operation, avoidance of waste, and leads to economy in the use of chemicals and water. We have witnessed the pride of many managers, technicians, and workers alike, in a crystal-clear and pure effluent and we may be proud of the technological advances teaching us better and better finishing methods and also allowing us to discharge our waste water having nearly the same good quality as it had when it entered the plant.

LISA HOWARD LOWENDAHL

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Scheuer] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SCHEUER. Mr. Speaker, on July 4, 1965, Lisa Howard Lowendahl passed away. I lost a dear friend; our Nation lost a gallant citizen dedicated to creating a better world.

The death of a lovely, charming, talented, and intelligent woman at 38 is always tragic. It is particularly so when that woman is an accomplished participant in the attempt to make a better world.

Lisa Howard Lowendahl was an actress, a television and radio commentator, an author, political leader, publicist, and lecturer. In her 38 years she lived a full and rich lifetime.

There are not enough citizens who take the world's business as their business. Lisa was one of the few who did. The world will miss her, but will be a little bit better for her short span.

SOVIET UNION UNREST

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I place in the Record conclusions from an article which appeared in this morning's Washington Post by reporter Chalmers Roberts. The article by Mr. Roberts is based on personal observations in the Soviet Union.

May I point out that Mr. Roberts emphasizes the existence of many non-Russians in the Soviet Union and points out that the Russians in effect carry on a policy of colonialism within their present borders.

My point in making this observation, Mr. Speaker, is to again ask that the administration recognize and take advantage of the continued unrest within the Soviet Union proper and in the satellites of Eastern Europe. We know that the Soviet Union and its satellites are providing growing direct support to the Communists in North Vietnam while at the same time maintaining a colonial policy against non-Russians within the U.S.S.R. and maintaining Communist governments in Eastern Europe in contradiction to the true aspirations of the people in those previously free nations.

It is the failure to take advantage of the domestic weaknesses in the Communist world that is handicapping our policy in Vietnam and contributing directly to increasing U.S. losses. May I point out, Mr. Speaker, that not a single American lost his life in combat during the 8 years of the Eisenhower administration, in obvious contrast to the growing casualty lists in Vietnam under this administration which is more intent on coexistence with communism in Eastern Europe.

> Russians, in short, run Central Asia but the native majorities, except for a small percentage at the top, seem to have done little more than accept the inevitability of one more foreign ruler, however beneficial his rule in some respects.
>
> People of more than 100 nationalities, including some 42 million Ukrainians, make up the minorities to the Russian majority of 118 million in the U.S.S.R. At the worst this is no more than a new form of colonialism; at the best only such colonialism could produce a Central Asia where progress is in such contrast to much of the lands to the south inhabited by related peoples across the great mountains of Asia.

REPEAL OF SECTION 14(b) OF TAFT-HARTLEY LAW

Mr. SICKLES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER.** Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SICKLES. Mr. Speaker, during the hearings of the Special Subcommittee on Labor of the Education and Labor Committee on H.R. 77, which repeals section 14(b) of the National Labor Relations Act, testimony was received from several interested citizens who were concerned with the impact of the Federal legislation authorizing the union shop upon those who may have religious beliefs which would be violated if they were required to join or financially support a labor organization. The testimony raised several complicated questions with respect to the rights of these citizens. H.R. 77 was not amended with respect to this subject, and it is my understanding that under the rules of the House, may not be when it is considered either in the Committee of the Whole or by the House.

I have introduced a bill which suggests one approach to the resolution of this matter which I think should be considered by the Congress. It seems to me that this problem area should be explored whether H.R. 77 is passed or not.

Among the questions which have been raised by the testimony are not only the administrative problems of resolving which individuals are to be affected and what special provisions should be made for them, but also what impact this legislation would have on other Federal labor laws or other laws passed by the Congress of the United States.

My bill, H.R. 9619, authorizes the National Labor Relations Board to issue certificates permitting an individual who is conscientiously opposed to joining a labor organization to qualify for an exemption from union membership. The Board would be empowered to establish terms and conditions for an individual to qualify for the exemption certificate and these terms and conditions should insure that employment of such an individual by an employer without membership in the labor organization will not impair a collective bargaining agreement providing for a union shop.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Hanna (at the request of Mr. Boggs), for today, on account of official business.

Mr. Bonner (at the request of Mr. Lennon), for Tuesday, July 6, Wednesday, July 7, and Thursday, July 8, on account of illness.

Mr. Nelsen (at the request of Mr. Gerald R. Ford), for an indefinite period, on account of illness in his family.

Mr. Hosmer (at the request of Mr. Gerald R. Ford), for the week of July 6, 1965, on account of death of his father.

Mr. Matsunaga (at the request of Mr. Albert), for today, July 6, 1965, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative programs and any special orders heretofore entered, was granted to:

Mr. Thomson of Wisconsin, to address the House today, for 15 minutes; and to revise and extend his remarks and include extraneous matter.

Mr. Flood (at the request of Mr. Howard), for 60 minutes, on July 21, 1965; and to revise and extend his remarks and include extraneous matter.

Mrs. Bolton (at the request of Mr. Del Clawson), for 5 minutes, today; and to revise and extend her remarks and include extraneous material.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional

Record, or to revise and extend remarks was granted to:

Mr. Kastenmeier.

Mrs. Green of Oregon.

Mr. McCulloch to revise and extend his remarks made today and include a copy of the bill H.R. 7896.

(The following Members (at the request of Del Clawson) and to include extraneous matter:)

Mr. Curtis.

Mr. Lipscomb.

(The following Members (at the request of Mr. Howard) and to include extraneous matter:)

Mr. Gilligan.

Mr. Ottinger in two instances.

Mr. Cooley.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 602. An act to amend the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

ADJOURNMENT

Mr. HOWARD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 42 minutes p.m.) the House adjourned until tomorrow, Wednesday, July 7, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1302. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 4, 1964, submitting a report, together with accompanying papers and illustrations, on a review of the reports on, and an interim hurricane survey of Lake Pontchartrain and vicinity, Louisiana, requested by resolutions of the Committee on Public Works, U.S. Senate, adopted January 28, 1949, and February 4, 1957, and authorized by the River and Harbor Act approved March 2, 1945. It is also in partial response to Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 231); to the Committee on Public Works and ordered to be printed with illustrations.

1303. A letter from the Secretary of the Army, transmitting a letter from the Acting Chief of Engineers, Department of the Army, dated June 9, 1965, submitting a report, together with accompanying papers and illustrations, on an interim report on Walnut River, Kans., requested by a resolution of the Committee on Public Works, House of Representatives, adopted October 16, 1951 (H. Doc. No. 232); to the Committee on Public Works and ordered to be printed with seven illustrations.

1304. A letter from the Secretary of Defense, transmitting reports of violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, pursuant to the provisions of section 3679(1)(2), Revised Statutes; to the Committee on Appropriations.

1305. A letter from the Administrator, General Services Administration, transmitting a report of the proposed disposition of certain small diamond dies, and of nonstockpile grade bismuth alloys now held in the national stockpile, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98b(e); to the Committee on Armed Services.

1306. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting report of operations of the Federal Deposit Insurance Corporation for calendar year 1964, pursuant to the provisions of section 17(a) of the Federal Deposit Insurance Act; to the Committee on Banking and Currency.

1307. A letter from the Administrator, Agency for International Development, Department of State, transmitting a report on the eligibility of Ceylon to receive economic assistance under the provisions of section 620(e) of the Foreign Assistance Act of 1963, as amended, and Public Law 480; to the Committee on Foreign Affairs.

1308. A letter from the Director, Congressional Liaison, Agency for International Development, Department of State, transmitting a reply to the report of the Comptroller General dated April 12, 1965 (B–146995), on ineffective utilization of excess personal property in the foreign assistance program; to the Committee on Government Operations.

1309. A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation to amend the Federal Power Act, as amended, to authorize the Federal Power Commission to issue licenses for facilities for the obstruction, diversion and reentry of water in navigable waters of the United States for cooling, condensing, or other purposes connected with the operation of any existing or proposed installation or plant generating electricity by means other than hydroelectric generation; to the Committee on Interstate and Foreign Commerce.

1310. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting the second semiannual report on the problem of air pollution caused by motor vehicles, and measures taken toward its alleviation, pursuant to section 6(b), Public Law 88–206; to the Committee on Interstate and Foreign Commerce.

1311. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation of certain aliens together with a list of the persons involved and the reasons for ordering suspension, pursuant to 244(a)(2) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

1312. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation of certain aliens together with a list of persons involved and the reasons for ordering suspension, pursuant to 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

1313. A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 589. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. THOMPSON of Louisiana: Committee on Public Works. S. 956. An act to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws", to extend construction authority for facilities at Guam and the Virgin Islands of the United States (76 Stat. 87; 19 U.S.C. 68); without amendment (Rept. No. 590). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 9625. A bill to amend the Internal Revenue Code of 1954 to provide for deduction of certain education expenses of teachers; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 9626. A bill to provide for the administration of title III of the Legislative Reorganization Act of 1946 by the Comptroller General of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 9627. A bill to provide fellowships for graduate study leading to a master's degree or doctor's degree for elementary and secondary school teachers and those who train, guide, or supervise such teachers; to the Committee on Education and Labor.

By Mr. FULTON of Pennsylvania:

H.R. 9628. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 9629. A bill to establish a National Highway Traffic Safety Center to promote research and development activities for highway traffic safety, to provide financial assistance to the States to accelerate highway traffic safety programs, and for other purposes; to the Committee on Public Works.

By Mr. McDADE:

H.R. 9630. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 9631. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. REINECKE:

H.R. 9632. A bill to provide educational assistance to certain veterans of service in Vietnam; to the Committee on Veterans' Affairs.

By Mr. SPRINGER:

H.R. 9633. A bill to establish and prescribe the duties of a Federal boxing commission for the purpose of insuring that the channels of interstate commerce are free from false or fraudulent descriptions or depictions of professional boxing contests; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas (by request):

H.R. 9634. A bill to amend title 38 of the United States Code with respect to payments to State homes for the care of certain veterans and with respect to the formula for determining the number of beds in State home facilities which may be assisted with grants under that title; to the Committee on Veterans' Affairs.

By Mr. YOUNGER:

H.R. 9635. A bill to amend the tariff schedules of the United States to exempt from duty certain educational material, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHMIDHAUSER:

H.R. 9636. A bill to amend the National School Lunch Act, and for other purposes; to the Committee on Education and Labor.

By Mr. GUBSER:

H.J. Res. 563. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.J. Res. 564. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the U.S. House of Representatives shall be 4 years; to the Committee on the Judiciary.

By Mr. ADAIR:

H.J. Res. 565. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. McDOWELL:

H.J. Res. 566. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.J. Res. 567. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

H. Res. 444. Resolution providing for consideration of the bill (H.R. 1153) to amend section 302(c) of the Labor Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products in certain instances or a joint committee or joint board empowered to interpret provisions of collective bargaining agreements; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

336. By the SPEAKER: Memorial of the Legislature of the State of Connecticut, relative to incorporating the Italian-American War Veterans of the United States, Inc.; to the Committee on the Judiciary.

337. Also, memorial of the Legislature of the State of Mississippi, relative to calling a convention for the purpose of proposing an amendment to the Constitution of the United States relating to apportionment of membership of State legislatures; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRADEMAS:

H.R. 9637. A bill for the relief of Florencia H. Fernandez; to the Committee on the Judiciary.

H.R. 9638. A bill for the relief of Ivo Herbert Christopher Thomas; to the Committee on the Judiciary.

By Mr. BURKE:

H.R. 9639. A bill for the relief of Maria Angelina Bettencourt deOliveira; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 9640. A bill for the relief of Walter M. Gomez; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 9641. A bill for the relief of Dr. Morelly Maayan; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 9642. A bill for the relief of Dr. Nebil Deger; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 9643. A bill for the relief of Haider Raza and his wife, Irene Raza, and their children, Afzal Anthony and Haider Raymond Raza; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 9644. A bill for the relief of Hom Siu (King) Wong and Lim Chung Huo Wong; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 9645. A bill for the relief of Sy-Chan Hwu; to the Committee on the Judiciary.

H.R. 9646. A bill for the relief of Emanuele Incorovia; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

240. By the SPEAKER: Petition of Grand Lodge of Massachusetts, Order of Sons of Italy in America, Boston, Mass., urging the enactment of pending immigration legislation; to the Committee on the Judiciary.

241. Also, petition of Henry Stoner, Fishing Bridge Station, Wyo., relative to the price of bread and rice; to the Committee on Agriculture.

EXTENSIONS OF REMARKS

Nation Magazine

EXTENSION OF REMARKS

OF

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 6, 1965

Mrs. GREEN of Oregon. Mr. Speaker, it is fitting that in an age of discontent, abroad in the rising nations, at home on the questions of race, of war and peace, of education, of lifting the impoverished, that the Nation celebrates its hundredth year. Pick up the Nation and it jars the complacency, questions haste, defies orthodoxy, discovers the uncommon. It is a magazine that has tenaciously outlived its enemies and stays arm's length with its friends.

For 100 years the Nation has been at the front in the struggle for human decency and expression. There is no question but that it is the most consistent supporter of civil rights and liberties among journals of opinion. There is no hesitation to take the unpopular cause, to dig into official decision and opinion and expose misgovernment and waste. For all of this it is a wonder the Nation still survives, but however long it clings to overthrowing the shibboleths, to undermining tyranny and deceit, to defending dissent and minority opinion there will be readers and I will be among them.

The Nation is to be congratulated on its long and distinguished history.

Notes United Arab Republic Publication of Book on the Nile by Jew

EXTENSION OF REMARKS

OF

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 6, 1965

Mr. OTTINGER. Mr. Speaker, I would like to call the attention of our colleagues to a very wonderful book on the Nile River, "Nile: Lifeline of Egypt," Scarsdale, N.Y.; Garrard, 1965, written by a well-known American author, Mrs. Violet Weingarten.

No greater tribute could be given this work than that paid by the Egyptian Government which has purchased the rights for its publication in the United Arab Republic in Arabic. I believe that this is the first instance in modern history of United Arab Republic purchase for publication of a book written by a Jewish author. Perhaps it is a presage of better relations to come between the Arab world and the Jews. I hope so. At the least, it is a deserving honor to a fine author and her very worthy book, "Nile: Lifeline of Egypt."

Public Service by KABC-TV

EXTENSION OF REMARKS

OF

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 6, 1965

Mr. LIPSCOMB. Mr. Speaker, station KABC-TV, Los Angeles, Calif., recently rendered a unique public service to the southern California community which I am sure will be of general interest to communities and cities nationally.

This service, as is often the case, had its inception as a project to fill a need and, for a variety of reasons, grew into something much bigger. It began when the station was interested in informing the school systems of certain of its community service activities relating to subjects such as high school guidance clinics, scholarships, dropouts, a search for teenage reporters, and so forth. Surprisingly, it was found that there was no listing of institutions of higher education readily available for use in connection with such a project. KABC-TV itself therefore stepped in to fill the breech and compiled such information in an attractive and informative booklet "College Handbook—A Guide to Schools of Higher Education in Southern California."

The handbook devotes a page to each of the institutions of higher education in southern California, including a picture of a campus scene and a brief description of the institution. Also included is information in outline form concerning degrees awarded by the various institutions, entrance requirements, tuition, living accommodations, whether it has a religious affiliation, and where to write for additional information.

KABC-TV initially printed 10,000 copies of the very useful booklet. The response has been so enthusiastic from educators, libraries, students, parents, businessmen, and civil leaders, however, that an additional printing of 10,000 copies has become necessary.

I believe that station KABC-TV, Vice President and General Manager Elton H. Rule, and his associates merit commendation for this unique and worthwhile project. The popularity of the booklet attests very well to the success of the venture. Certainly it exemplifies too the measure of service that can be rendered to the public by organizations, whether they be private or public, when there is motivation and dedication.

Congratulations on the Nation's Centennial

EXTENSION OF REMARKS

OF

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 6, 1965

Mr. KASTENMEIER. Mr. Speaker, today marks the 100th anniversary of the founding of the Nation. For a century this outstanding periodical, the oldest continuously published weekly journal of opinion in the country, has been consistent in its policy "to supply opinions exactly as we have formed them, and not in the shapes in which they will be likely to please or encourage or console."

Throughout its history, the Nation has maintained a tradition of independent thought. As its editors originally stated:

> The Nation will not be the organ of any party, sect, or body. It will, on the contrary, make an earnest effort to bring to the discussion of political and social questions a really critical spirit, and to wage war upon the vices of violence, exaggeration, and misrepresentation by which so much of the political writing of the day is marred.

Consistent adherence to this policy may account for the fact that the Nation has never obtained a particularly large circulation but it also attests to its ability to survive in an area where many other journals have failed. From its inception, the function of the Nation was to take a consistently hard critical view, to be scholarly but topical, and to create its own small but influential audience by consistently maintaining a morally unassailable position. The Nation has always been concerned with policy and performance, and has never been guided by the prospect of profit or financial success.

Since the publication of its first issue on July 6, 1865, its editorial policy has been guided by outstanding editors-in-chief, beginning with founder Edwin Lawrence Godkin and continuing with its present editor, Carey McWilliams. Its list of contributors is a distinguished one and includes among them Longfellow, Lowell, Whittier, Carl Schurz, Henry James, H. L. Mencken and many others.

Consistently upholding a moral view approach to social, political and economic questions, the Nation maintains a record of unbroken opposition against racism, militarism, imperialism, machine politics, demagoguery and superpatriotism. As the Nation pointed out:

> Our criticisms * * * may be ill-founded or ill-judged but are always honest, and they shall certainly never be withheld; they shall go before our readers, like testimony before the courts, for what they are worth.

It is this honest approach in the formulation of its criticism that has made the Nation one of the respected and influential journals of our day.

Mr. Speaker, I wish to take this opportunity to congratulate the Nation on its centennial and its dedication to independent liberal thought.

Centennial of The Nation Magazine

EXTENSION OF REMARKS

OF

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 6, 1965

Mr. OTTINGER. Mr. Speaker, 100 years ago today "a weekly journal devoted to politics, literature, science, and art" began publication. Since that time the Nation, the oldest continuously published weekly of opinion in the United States, has gained a respected position in American journalism as well as in domestic affairs.

The Nation was the first, and has been the most consistent supporter of civil rights. Its sixth editor, Oswald Garrison Villard, for example, was a founder of the NAACP. Also, this organization was first housed in the Nation's offices.

Since its beginning, the Nation has championed and has been the forum for the causes of freedom and progress and has sought to expose those forces which it felt were damaging not only to this country but to the free world as well. The Nation, however, has taken not the ideological view so much as the moral view against racism, imperialism, political machines and super-patriotism. It criticized the U.S. Marine occupation of Haiti, exposed the Black and Tan terror in Ireland, fought McCarthyism and assorted "witchhunts." It was among the first American publications to illuminate the evils of Mussolini and Hitler.

This policy was first begun by E. L. Godkin, its founding editor. Godkin, a Manchester liberal, deeply believed in "peace, retrenchment and reform." What he mainly attempted to reform was American journalism, particularly the daily press which he believed to be inaccurate and immoderate. For his models, he chose two outstanding publications—the Spectator, an English publication of opinion, and the American Saturday Review. Godkin thought the Nation's function would be to take a consistently hard critical view, to be scholarly but topical, and to create its own small but influential audience by maintaining a consistently virtuous position.

From its inception, the Nation has taken an independent position. The original prospectus for the publication stated, for example:

> The Nation will not be the organ of any party, sect or body. It will, on the contrary, make an earnest effort to bring to the discussion of political and social questions a really critical spirit, and to wage war upon the vices of violence, exaggeration, and misrepresentation by which so much of the political writing of the day is marred.

A review of the 200 bound volumes comprising the Nation's history reveals contributions by a roster of distinguished writers and editors such as James Russell Lowell, Henry W. Longfellow, John G. Whittier, Francis Parkman, Lord Bryce, Henry James—Senior and Junior—William James, Charles Francis Adams, Carl Schurz, and many others.

Thus, this fine publication has made an outstanding contribution to American journalism, domestic politics, and international affairs. Its independence is particularly noteworthy and has been consistently maintained. As its current editor, Mr. Carey McWilliams, has stated:

> The Nation belongs to no one * * * you cannot own it.

It is with great pleasure, Mr. Speaker, that I congratulate the Nation on successfully completing 100 years of continuous and exceptional publication. Knowing that it begins its second century with the same spirit and goals that motivated its sponsors in 1865, I wish it all success and good fortune.

Local Government and Training Local Officials Key to Effective Government, Charles F. Moore, Jr., Indicates

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 6, 1965

Mr. CURTIS. Mr. Speaker, there is a crying need in this country for the most competent men and women available to participate actively in local government. There is naturally a tendency for people to try for the more glamorous but often superficial positions on the Federal level and the result is that villages, towns, counties, and State governments suffer. It is really the people who live there who suffer the most from this because private initiative and enterprise are not encouraged and a full faraway government takes the place of interested local participation.

For several months there has been a quiet success story in Orleans, Mass., which merits national attention. Charles F. Moore, Jr., who has had extensive experience on the State and national level, as well as in private and civic enterprise, ran for and won, first, a selectman in Orleans on the cape in Massachusetts. He went into this because of his very real belief that if a genuine job is to be done at the grassroots level, a great deal of the trouble that plagues us periodically at the top might be eliminated. Few people at first could grasp that he was really serious about it all and that he meant what he told them of the importance of good citizens taking an active part in such affairs and at the lowest rung of the ladder, if necessary. He obtained 72 percent of the total vote based on a positive local program. Now the most amazing side reaction has been the correspondence he has had from many quarters, which clearly indicate that others have taken careful note of this and have become moved to do likewise in other upcoming local elections. One man has announced that he will leave his rather special job at Harvard and run for office in his home town; a young minister from the New Bedford area is planning to do likewise; except that he will continue to hold his church position. Mr. Moore has set up a public information committee of 40 men and women to bring them closer to what local government is doing. When they reviewed the town budget this last month he put together about 100 slides explaining the whole assessment process. When a substantial tax rate increase was mentioned it was actually applauded—the first time in any local history. He is having good citizenship medals made up for three town civic figures who have come up with bright new ways to encourage local initiative and service. He has also started a scholarship from Nauset Regional High in this field. Because I believe that this sort of citizenship participation at grassroots level by qualified people who may have spent their previous years in other lines of endeavor, needs encouragement and discussion, I hope that Members of Congress, the press, and other careful students of the Record will be on the lookout to encourage this kind of pioneering in the improvement of local government.

The Keystone of the Democratic Arch Is Education

EXTENSION OF REMARKS
OF
HON. JOHN J. GILLIGAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 6, 1965

Mr. GILLIGAN. Mr. Speaker, on Friday, July 2, President Johnson delivered an address to the convention of the National Education Association meeting in New York City. This is an exceedingly important statement and program outline of interest not only for every practicing and prospective teacher but for each citizen of this Nation.

It cannot be overemphasized that the future of education in this country and the Nation's future itself are indistinguishable. Because of this it is incumbent upon each of us to lend our talents and experiences in searching for answers to the questions raised by the President.

I greet you as the shapers of American society.

Emerson said, "The true test of a civilization is not the census, nor the size of the cities, nor the crops, but the kind of man the country turns out."

Education, more than any single force, will mold the citizen of the future. That citizen in turn will determine the greatness of our society. And it is up to you to make that education equal to our towering expectations of the America to come.

I am here to reaffirm your Government's intention to help in that task.

MEASURES PASSED

In the last 19 months your President and your Congress have worked together in the most fruitful partnership for education in American history.

We passed the Higher Education Facilities Act.

We passed the Library Services Act—to improve our libraries as storehouses of learning.

We passed the Vocational and Technical Education Act.

We passed the Nurse Training Act.

We passed the poverty measure, the Economic Opportunity Act, offering millions of young people training to help them escape from poverty.

We passed the $1.2 billion Elementary and Secondary Education Act of 1965—the broadest, most meaningful, and sweeping Federal commitment to education ever made.

And this is the first week, of the first fiscal year, in which funds, under this act, will begin to flow to States and communities in every part of America.

OTHER GOALS NOTED

We are going to pass the higher education bill to provide help to colleges and to students.

We are going to pass the Federal Arts and Humanities Foundation bill—to help those engaged in the study of the humanities and in the practice of the arts.

Next year, in my next state of the Union message, I intend to offer more new proposals to improve the education of all Americans.

And we are not going to stop until every child in this land can have all the education of the highest quality, which his ambition demands and his mind can absorb.

So I come here not to speak of our triumphs but our tasks, not of the success we have had but the sacrifices to be made, not of the achievements of yesterday, but the aspirations of tomorrow.

For this is not an occasion for self-congratulations. It is rather a time to reflect on our mounting needs and our present deficiencies.

More than 1 million students a year drop out of school—their talents wasted, their intelligence lost to the Nation, their futures shadowed by their failure and ours.

NEEDS ARE STRESSED

In the next 5 years, attendance in elementary and secondary schools, at 48.1 million in the fall of 1964, will increase by 4 million—almost a million students a year. We will need 400,000 new classrooms to meet this growth; while a half million of our present classrooms are already more than 30 years old.

And beyond 1970 the demand for education, at every level, will continue to increase. We will need more classrooms, more books, more teachers, and more schools on a scale undreamt of even a decade ago.

Nor is it enough to give a student a place to sit and a teacher to learn from. We must make sure that the quality of that education is equal to his capacity to learn—that it stimulates creativity rather than stifling it—that it enlarges the mind rather than narrowing it—that he receives not merely a diploma but learning, in its broadest, most meaningful and humane sense.

In pursuit of these goals I have sent out invitations for the White House Conference on Education. It will take place on July 20–21. It will bring together educators and informed citizens from all over the country. It will seek the answer to the immense question: How can a growing nation in an increasingly complex world provide education of the highest quality for all its people?

The search for this answer radiates into every corner of American life. It must deal with educational opportunity and techniques from preschool age to the most advanced of studies. And it must look beyond the classroom to the family and the surroundings of the student. For the process of learning is not a carefully defined and isolated segment of a person's life. It is part of an organic whole, embracing all the forces which shape the man. If we ignore these forces, we do so at the peril of learning itself. Nothing is more dangerous than the easy assumption that simply by putting more money into more schools we will emerge with an educated, trained, and enlightened Nation.

It is this assumption I want you to challenge. I want you to bring all the tools of modern knowledge, from physics to psychology, to bear on the increase of learning. And if these tools are still inadequate, we must fashion new and better ones.

To guide discussion we are formulating a series of questions. I hope you will give them your most careful thought and boldest imagination in the weeks to come.

They include:

How can we bring first-class education to the city slums and the impoverished rural areas? The children of 5 million families are now denied it.

How can we stimulate every child to catch the love of learning so he wants to stay in school? One million students a year now drop out.

How do we guarantee that new funds will bring new ideas and new techniques to our school system, not simply expand the old and the outmoded?

How can local, State, and Federal governments best cooperate to make education the first among our Nation's goals?

GOVERNMENT ACTING

These are only a few of the important questions which I hope the White House conference examines. I would like to mention one other: Our country today is among the leaders in the community of nations. How well is our education system preparing our citizens for this responsibility?

But even as we prepare for this conference, your Government is acting.

We are now completing a thorough reorganization of the Office of Education, equipping it to deal with its new and future responsibilities.

We have also established:

A national center for educational statistics.

An office of programs for educating the disadvantaged.

An office of equal educational opportunity.

And we are, at this moment, preparing more, exciting new programs.

In the next few days I will propose a National Teachers Corp to enlist thousands of dedicated Americans to work alongside local teachers in city slums and areas of rural poverty. They will be young people, preparing for teaching careers. They will be experienced teachers willing to give a year to places of the greatest need.

They can bring the best in our Nation to the help of the poorest of our children.

FELLOWSHIPS PLANNED

I announce today that your President will support a program of fellowships for elementary and secondary school teachers so they can replenish their knowledge and improve their abilities. This program will also assist teachers, displaced by the process of school integration, to acquire the skills necessary to new and challenging jobs.

For you and I are both concerned about the problem of the dismissal of Negro teachers as we move forward with desegregation of the schools. I applaud the action you have taken.

For my part I have directed the Commissioner of Education to pay special attention, in reviewing desegregation plans, to guard against any pattern of teacher dismissal based on race or national origin.

When upgrading of teaching staff is required in newly integrated districts, I have instructed education officials to provide funds for teacher institutes from National Defense Education Act, and to assist the school districts through title IV of the Civil Rights Act.

Where an integrated school system requires fewer teachers than those required to operate two segregated school systems, I have directed Federal officials to provide special reemployment services through a national program carried out by the U.S. Employment Service.

When unemployed teachers need and desire refresher training, I have ordered Federal officials to provide this training under the Manpower Development and Training Act. Such a training program has already proven its worth in this city, sponsored by the Urban League at Yeshiva University.

In these and many other ways, we continue to pursue this central goal of our administration.

But the basic thought, and programs of future action, must come from you. And the deeds which give meaning to the law must also come from you. For a Federal law is not an education. A national program is not a developing child. A Presidential speech is not a trained nation. But as a teacher who has labored with you through the years, I remind you we have talked and dreamed and philosophized about the need for all these things for 30 years or more. We urged that they be put in the annual party platforms. But this is a different day.

The time for talking and dreaming and philosophizing and writing platforms is gone and the time for doing is at hand. These things are empty and sterile without the will and the effort at every level of our national life needed to transform intention into reality—the mandate of law into the fulfillment of life.

In this, too, the hopes of our Nation rest on you.

I do not need to talk to this audience about the importance of education. No strain in our national life is more deeply rooted or more enduring than this faith in learning. It is a pathway to opportunity and the good life. It is the key to wise and satisfying use of our leisure time. It is the door to each man's highest use of his highest powers—which is happiness. It can bring fulfillment to the many; and, to the happy few, those transcendent achievements which enrich the race.

And if these things are true for every society, how much more important they are for a free society.

In every corner of the world, not only our democracy but the idea of democracy itself is being challenged. As the world grows in danger and complexity, as humanity seems dwarfed by the forces it has lossed, man's ability to govern himself is again being questioned.

We will not prove democracy's strength by faith or by the experience of the past. We will prove it by the works of the future. And that future—hopeful but still unknown—is today struggling to be born in millions of young and waiting minds, in thousands of classrooms in this restless continent.

Wheat and Bread

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 6, 1965

Mr. COOLEY. Mr. Speaker, I do not believe that any Member of this House intends to take a position against the farmer receiving something near a fair income for the contribution he makes to our health, to our economy, and to our well-being as a Nation. Our farm people are very important to all of us.

Agriculture has not shared in the Nation's prosperity, along with other great segments of our economy.

Over the past 17 years, prices received by farmers have dropped by 15 percent, while prices paid by consumers for food have increased 31 percent. During the last year, farm prices declined by another 3 percent in relation to 1947 prices, while consumer prices climbed another 2 percent.

Expenditures per person in the United States for food increased from $312 in 1950 to $417 in 1964. Of the $105 more each person spent on food in 1964 than in 1950, marketing firms received $104 and farmers received only $1.

This is a very serious situation for our farmers, especially when we consider the great increases that have occurred in the cost of things they must buy to make their crops. For instance, in 1950 the farmer sold 1,185 bushels of wheat to buy a 30- to 39-belt-horsepower tractor which then could be had for $2,370; now it takes 2,053 bushels of wheat to pay for the same horsepower tractor which in 1964 carried a price tage of $3,470.

In the House Committee on Agriculture, we have been working for days, weeks, and months, trying to devise ways of improving the farmers' position, at the least possible cost to our taxpayers and the Government. It is the only fair and equitable thing that we in the Congress can do.

But, Mr. Speaker, our task has been made exceedingly difficult. A great deal of erroneous and misleading information is being circulated around the country, confusing our citizens.

Along with the other people in agriculture, we are trying to improve the position of our wheat farmers. They now are getting less for their wheat than they did 15 years ago. But some people are spreading the word that when we improve the price for wheat farmers we are actually imposing a bread tax upon our consumers.

This question presents itself: Are we to repress and hold down our farmers forever, in the fear that by boosting their meager income, however slightly, someone will charge us with imposing a tax upon food?

Mr. Speaker, I have made these remarks by way of introducing into the Congressional Record a letter I have received from the Secretary of Agriculture, which takes a very sharp look at the record where the wheat farmer and the wheat program are concerned. I recommend the very careful attention of each Member of this body to what the Secretary has to say. The text of his letter to me follows:

Department of Agriculture,
Office of the Secretary,
Washington, July 1, 1965.

Hon. Harold D. Cooley,
House of Representatives,
Washington, D.C.

Dear Mr. Chairman: The wheat certificate program completed its first year June 30, with these results:

Wheat farm income for the 1964 crop year will be about $450 million higher than would otherwise have been possible;

Program costs to the taxpayer were over $300 million lower than in the previous fiscal year;

Publicly owned wheat stocks stored at public expense will total 725 million bushels, or some 150 million bushels fewer than at the end of the previous marketing year. Total wheat stocks currently are about 840 million bushels;

Profits to wheat users thus far in 1965, according to recent Standard & Poor surveys, are higher in nearly every case than for the same period in 1964;

Consumer prices for wheat products have remained stable. Bread prices in the past 12 months have averaged around 21 cents a loaf or less, virtually unchanged from the period before the certificate program went into effect; and

Wheat exports in the 1965 fiscal year are the second largest in history. Only the 1964 fiscal year, which included substantial sales to the Soviet Union, was larger.

In every respect the predictions which the administration made last year in support of the wheat certificate program have been borne out.

The same, however, cannot be said for the predictions of wheat users and others who opposed this legislation when it was under consideration by the Congress last year.

Let me quote some of those statements as they were made then:

A key opponent of the bill on the Senate floor said, "Under this bill, what, in effect, is being said by the Government is: 'Add 1 cent per loaf, no matter * * * how you do it.'"

The New York Times editorialized that "What all this means is higher costs for the consumer."

Interstate bakeries, whose per share earnings are currently running almost 65 percent higher than a year ago: "The consuming public * * * will be victims of inevitable price increases."

Continental Baking Co. said this legislation "can mean nothing but an increase in the price of bread to the consumer."

The Northwestern Miller editorialized that "Wheat prices will rise. And so flour will cost more."

These are only a few of the calamitous statements heard a year ago in an effort to defeat a bill, and all of them have been proven false by the most effective test possible—a year of practical operating experience.

I quote them now because the same dire predictions are being heard once again, this time in regard to the proposals now before the Congress to extend the wheat certificate program.

We have stated repeatedly that the new legislation would provide the wheat farmer an additional seven-tenths of a cent for the wheat used in a loaf of bread by domestic bakers. It will be the first time in 15 years that the wheat farmer has had an increase in his share of the returns from a loaf of bread. Since 1949, the cost of wheat in a loaf of bread has been 2.7 cents or less even though the cost of that loaf has increased from 14 to 21 cents currently.

Yet, the wheat users have threatened that if the share of the farmer is increased seven-tenths of a cent, the price of bread will be increased 2 cents a loaf.

This statement must be viewed in the context of the experience of the past year. The results of practical experience have borne out the position of the administration, just as future experience will bear out the statements which the administration is making in support of the current proposal.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

High-Speed Ground Transportation

EXTENSION OF REMARKS
OF
HON. HUGH SCOTT
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 6, 1965

Mr. SCOTT. Mr. President, recently I have called upon the administration, in a research and development program to be undertaken pursuant to legislation presently pending in Congress, to give equal emphasis to the objective of improving existing conventional passenger railroad transportation in the northeast corridor as to the objective of developing more exotic and unconventional forms of high-speed ground transportaton. Specifically, I favor the development of passenger trains capable of speeds in the range of 150 miles per hour—initially on the existing New York-Washington line, then in the Boston-Washington corridor and other congested urban transportation corridors. My position was outlined in a statement I gave recently before a subcommittee of the Committee on Commerce on S. 1588 which I am cosponsoring.

I, for one, do not believe that railroads are obsolete. On the contrary, they are the hope of our cities. While airports and expressways serve outlying areas rather than established urban centers, it is the railroad which can facilitate the access of people to center cities. I have felt that it is sound public policy to revitalize the cores of our cities, and I believe that this can be done quickly only by railroad or buses.

I support the development of conventional high-speed railroad systems capable of achieving speeds of 150 to 160 miles per hour, and see in the proposed northeast corridor, with service from Boston to Washington, hope for the extension of other congested urban transportation corridors throughout the Nation.

I ask unanimous consent that my statement and an editorial from the Philadelphia Inquirer on this subject be printed in the RECORD.

There being no objection, the statement and editorial were ordered to be printed in the RECORD, as follows:

STATEMENT BY U.S. SENATOR HUGH SCOTT, REPUBLICAN, OF PENNSYLVANIA, BEFORE THE SURFACE TRANSPORTATION SUBCOMMITTEE OF THE SENATE COMMERCE COMMITTEE, JUNE 1, 1965

Mr. Chairman, as a cosponsor of S. 1588, I appreciate this opportunity to testify in support of this legislation to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation. This is an important bill which should be promptly enacted.

I am appearing before your subcommittee today not only to express my support of S. 1588, but also to outline my views as to how we can most productively proceed in the development of high-speed ground transportation, first in the northeast corridor between Boston and Washington, and then in other heavily populated intercity transportation corridors.

S. 1588 authorizes such sums of money as may be necessary to carry out the purposes of the bill. The President has asked for an appropriation of $20 million for fiscal year 1966 for this project, and the Secretary of Commerce has said that he will seek an additional $70 million for fiscal 1967 and 1968.

The Department of Commerce intends to spend its fiscal 1966 appropriation as follows: $2 million to improve transportation statistics so that the Department can acquire detailed knowledge of present transportation patterns and preferences to predict future transportation needs and to ascertain the most efficient ways of meeting them; $8 million for demonstration projects on the Pennsylvania and New Haven Railroads to test the public's reaction to improvements in the speed, comfort, and convenience of passenger service; and $10 million for the study of other possible high-speed ground transportation sytems of a more unconventional and exotic nature.

In outlining their plans for railroad demonstration projects, Commerce Department officials have declared that no commitment to a future development of railroad transportation is implied. This is an understandably prudent position to adopt at the outset of a major undertaking of research into a wide range of technological possibilities of high-speed ground transportation in the decades to come.

But I am here today to urge that serious consideration be given to the proposition that there is a place in the scheme of things for high-speed railroads (perhaps of Japan's Tokaido variety) and that first priority be assigned to the development of high-speed passenger railroad service in the congested urban corridors of the Nation.

I do not intend to dismiss or downgrade the necessity of studying the feasibility of a more advanced and exotic system such as, for example, a jet-propelled passenger train riding on air-cushion pods at a speed approaching 400 miles-per-hour through an underground tube. Indeed, such systems should be explored, with the only restrictions being the limits of human imagination and ingenuity.

Let me point out, however, that despite the recent and awe-inspiring walk in space by Major White, we have not yet reached the era of Buck Rogers, nor are we likely to reach it soon in the area of high-speed ground transportation. This point must be emphasized, I think, because considerable concern has been voiced by knowledgeable observers that the Department of Commerce may already be committed to concentrating on the Buck Rogers phase of its research and development undertaking at the expense of the more pressing need for investigating the full range of possibilities available in the field of conventional high-speed passenger rail transportation. I feel strongly that assurance is needed that the here and now will receive as much attention as the hereafter. My approach is to go faster now and fastest later.

This is a legitimate concern. Say what you will about the promising vistas opened by a preview of some of the exotic systems that are being discussed in transportation circles. I think it is reasonable to say, however, that we are talking of modes of high-speed ground transportation that cannot be developed before 1985 at the earliest. A conventional railroad and an exotic system both will be needed by 1985. If the latter has not been developed by then, we would be forced to do what the Japanese have done and add a second complete railroad. Let us by all means investigate the feasibility of these various systems, but let us also devote equal attention to the more immediate and pressing problem of improving door-to-door ground passenger transportation in the congested Boston-Washington and other interurban corridors.

I propose, therefore, that we follow the step-by-step approach instead of the great leap forward. The first major step would be the development of conventional high-speed railroad systems capable of achieving speeds of 150 to 160 miles per hour. In this context, I attach great significance to the planned demonstration projects to be undertaken on the railroads between Boston and Washington. While I can understand the Commerce Department's reluctance to commit itself to the future development of railroad transportation, I, for one, do not accept the notion that railroads are obsolete, and I urge the Secretary of Commerce to reconsider his uncommitted position to the extent of assuring the American people that he has no intention of bypassing the improvement of railroad passenger service and, instead, putting all our eggs in the Buck Rogers basket. If he adopts the step-by-step approach I have just outlined, I would hope that he reexamine his proposed allocation of funds for the railroad demonstration project to make sure that $8 million and the period of time reserved for the projects are adequate to produce meaningful and useful results. The Department of Commerce might consider expending a larger portion of its $20 million appropriation than that presently earmarked for the rail demonstration project, or it could ask Congress for additional funds for this purpose.

Some people might say that a step-by-step approach to developing a high-speed ground transportation system will be more expensive than proceeding directly to developing an unconventional Buck Rogers system. I doubt this very much. I understand that the Department of Commerce's studies indicate that the present railroad between New York and Washington could be improved to provide a speed capability of 125 miles per hour at a cost of $329 million. The cost estimate for a 150-mile-an-hour railway between the two cities is $750 million. A passenger train with speeds of 150 to 160 miles per hour could make the run between New York and Washington, including the intermediate stops, in 2 hours, which competes favorably with the airplanes in terms of door-to-door transportation between these cities. It would seem impractical to exceed these speeds since the return in time savings at higher speeds diminishes considerably. Moreover, 150 miles per hour is fast enough to compete favorably with other modes of transportation on the short intercity runs that are involved. Of course, the railroads should also give serious thought to better competition with the airlines in the area of meals and other services.

The principal technological problems involved in developing speedier passenger service in the northeast corridor are two: designing cars capable of riding safely and comfortably at these high speeds, and straightening out the curves. With regard to the latter problem, Commerce Department studies indicate that for 125-mile-per-hour trains between New York and Washington three major curves would require straightening. These problems are soluble within the existing state of the art.

Now Mr. Chairman, these sums of money I have mentioned are not small. But think of the staggering cost of expenditures during the next two decades by reason of concentrating solely on the development of rainbow-chasing schemes at the expense of the existing railroads. This would mean the continued decline of rail passenger service, since the major eastern railroads have made it abundantly clear that they want to get out of the passenger business. We would then be faced with the choice of doing nothing as we bide our time awaiting the results of the Buck Rogers research enterprise while watching our expressways and airports become congested, or of building more expressways and airports to keep up with the rapidly growing passenger demand in the northeast corridor.

The second option certainly would be expensive. Rights-of-way for additional expressways are becoming more scarce and their costs are rapidly going up. Moreover, drastic increases in automobile speeds within the next 20 years seem unlikely because of driver limitations and highway congestion. As for airports, land acquisition costs would likewise be high for the same reason as for highways, and I doubt that we shall see any significant reduction in flying time in short-haul intercity air transportation. Let me point out that these costs I have just mentioned would be borne in large part by the Federal Government and, in turn, the taxpayers.

Think, too, of the social costs of concentrating airport and highway construction in our congested urban corridors while waiting for the development, still many years ahead, of an exotic high-speed ground transportation system. I can testify to the disruptive hue and cry that goes up in communities when large tracts of land are earmarked for major highway construction because I have been the recipient of vigorous protests against many such projects. More critical, in my mind, is the fact that airports and expressways serve outlying areas rather than established urban centers. I have felt that it is sound public policy to revitalize the cores of our cities. One way of doing this is to facilitate the access of people to center cities. This can be done quickly only by railroads or buses.

And so, Mr. Chairman, while I do not suggest that the cost of developing high-speed railroad transportation between major urban centers will be cheap, the cost of developing rapid and convenient door-to-door intercity transportation on the ground is likely to be greater if we wait for the fruits of research into the unconventional systems that are under consideration.

For these reasons, I strongly urge the Department of Commerce to take the prudent step-by-step approach in the research it will undertake. First priority, as I previously said, should be given to developing high-speed passenger rail services on the order of 150 to 160 miles-per-hour. While this phase of the project necessarily would focus initially on the Boston-to-Washington corridor, which is the most heavily congested one in the Nation today, the results of this applied research, demonstration and testing would be readily applicable to other urban corridors. Here, Mr. Chairman, let me point to my own State, the Commonwealth of Pennsylvania. The Scranton administration has under active consideration a proposal submitted last fall by the Governor's Council on Science and Technology for the development of a high-speed "Keystone Link" to the Boston-Washington line which would run from Philadelphia to Pittsburgh. I have previously proposed, and now reiterate it, that a high-speed passenger service be developed between Pittsburgh and Cleveland. Other possibilities, I am sure, could be mentioned. The point here is that one of the benefits of the northeast corridor project in terms of the development of faster and more modern rail services between Boston and Washington is its easy applicability to other congested urban transportation corridors throughout the Nation. The Japanese have demonstrated the utility of a truly modern railroad. We could have similar railroads if this were to be our goal.

Another byproduct of proceeding with the development of high-speed rail transportation is the progress it would represent toward the eventual development of a more advanced and exotic mode of ground transportation. In addition to meeting the immediate problems of improving intercity transportation in congested corridors, it does look forward to another system. Both the railroads and a more advanced system will be needed by 1985 when, according to best available estimates, traffic in the northeast corridor may even be tripled.

Finally, Mr. Chairman, at the risk of being premature, I think that a word should be said as to who should build and manage the forthcoming interurban ground passenger transportation system, be they railroads, underground tubes or other exotic systems, or both. Let me cite the Communications Satellite Corp. as a point of reference and suggest that serious consideration be given to the idea of chartering a mixed public-private corporation along the lines of Comsat to do the job of building and managing the new ground transportation systems that most surely will result from the research authorized by S. 1588. While this suggestion is not immediately relevant to our consideration of S. 1588, it merits serious attention for we are going to be called upon to decide this matter before long.

A proper judgment now may save untold costs later.

High-Speed Trains

The promise of 150-mile-an-hour passenger train service between Philadelphia and Washington and Philadelphia and Boston has advanced a step toward fulfillment with the proposed designation of a 20-mile stretch of trackage near Trenton for testing purposes.

At the same time, a Department of Commerce official has disclosed the advance commitment of a $9 million Federal Government loan to the Pennsylvania Railroad to help finance the experiment.

President Johnson has already approved the high-speed project and has recommended to Congress an appropriation of $20 million.

The idea behind the plan is to provide fast, comfortable rail service in the northeast corridor area between Boston and Washington, with convenient service to New York, Philadelphia and Baltimore. It has been suggested that this line can generate sufficient passenger volume to make for profitable operation by the Pennsylvania Railroad, and in the northern section by the New Haven. It is believed that the high-speed service could induce many persons to ride the trains instead of using other forms of intercity transportation.

The Boston to Washington run is a logical testing ground for this project. Senator Hugh Scott has pointed out that the plan, if successful, might be extended to take in Philadelphia to Pittsburgh, and Philadelphia to Cleveland service. As the Senator says, "population needs and traffic congestion are running ahead of planning."